#### ORDINANCE NO. 1092

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WHEREAS,

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AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF KELLER, TEXAS, BY AMENDING THE ZONING MAP AND CHANGING THE ZONING FROM NS (NEIGHBORHOOD SERVICE) AND SF-8.4 (SINGLE FAMILY-8,400 SQUARE FOOT LOTS) TO PD-R DEVELOPMENT-RETAIL) AND PD-SF-8.4 (PLANNED FOOT LOTS) DEVELOPMENT-SINGLE FAMILY-8,400 SOUARE CONTAINING DEVELOPMENT PARK, Α PROPOSED BURSEY RESIDENTIAL LOTS, FIVE RETAIL LOTS, AND ONE OPEN SPACE LOT, LOCATED ON A 27.527-ACRE TRACT OF LAND OUT OF THE JOHN EDMONDS SURVEY, ABSTRACT NO. 457, AT THE NORTHEAST CORNER OF RUFE SNOW DRIVE AND BURSEY ROAD, IN THE CITY OF PENALTY; AND AUTHORIZING TEXAS; PROVIDING A PUBLICATION.

Bursey Ranch Partnership/35 Acres, owner; Margaux Keller Development, Ltd., applicant/developer; and Winkelmann and Associates, Inc., engineer; have submitted a zoning change request (Z-01-18), which has been reviewed by the City Staff; and

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within two hundred feet (200') of the property herein described at least ten (10) days before such hearing; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

public hearings to change the zoning on the property herein described were held before the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation to approve the zoning change request with stipulations; and

the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Keller.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS:

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

THAT, the Comprehensive Zoning Ordinance of Section 2: Texas, Keller, the City of accompanying Zoning Map, are hereby amended insofar as they relate to certain land located on a 27.527-acre tract of land out of the John Edmonds Survey, Abstract No. 457, at the northeast corner of Rufe Snow Drive and Bursey Road, by changing the zoning thereon (Neighborhood Service) and SF-8.4 from NS (Single Family-8,400 square foot lots) to PD-R (Planned Development-Retail) and PD-SF-8.4 (Planned Development-Single Family-8,400 square foot lots) for Bursey Park, a proposed development containing 48 residential lots, five retail lots, and one open space lot, with the following stipulations:

- 1. The architectural notes listed on the zoning exhibit shall also appear on the concept plan.
- 2. Large canopy trees a minimum of threeinches (3") in caliper shall be planted at twenty-five feet (25') in front of the brick screening wall along Bursey Road and Rufe Snow Drive.
- 3. The landscaping within the ten-foot (10') landscaping and screening wall easement, along Rufe Snow Drive and Bursey Road, shall be maintained by the Homeowner's Association.
- 4. The attached list of permitted uses in the Retail District, as modified, shall serve as an attachment to the Planned Development.
- 5. A five-foot (5') wide sidewalk shall be constructed along Rufe Snow Drive adjacent to the open space lot dedicated to the City of Keller.

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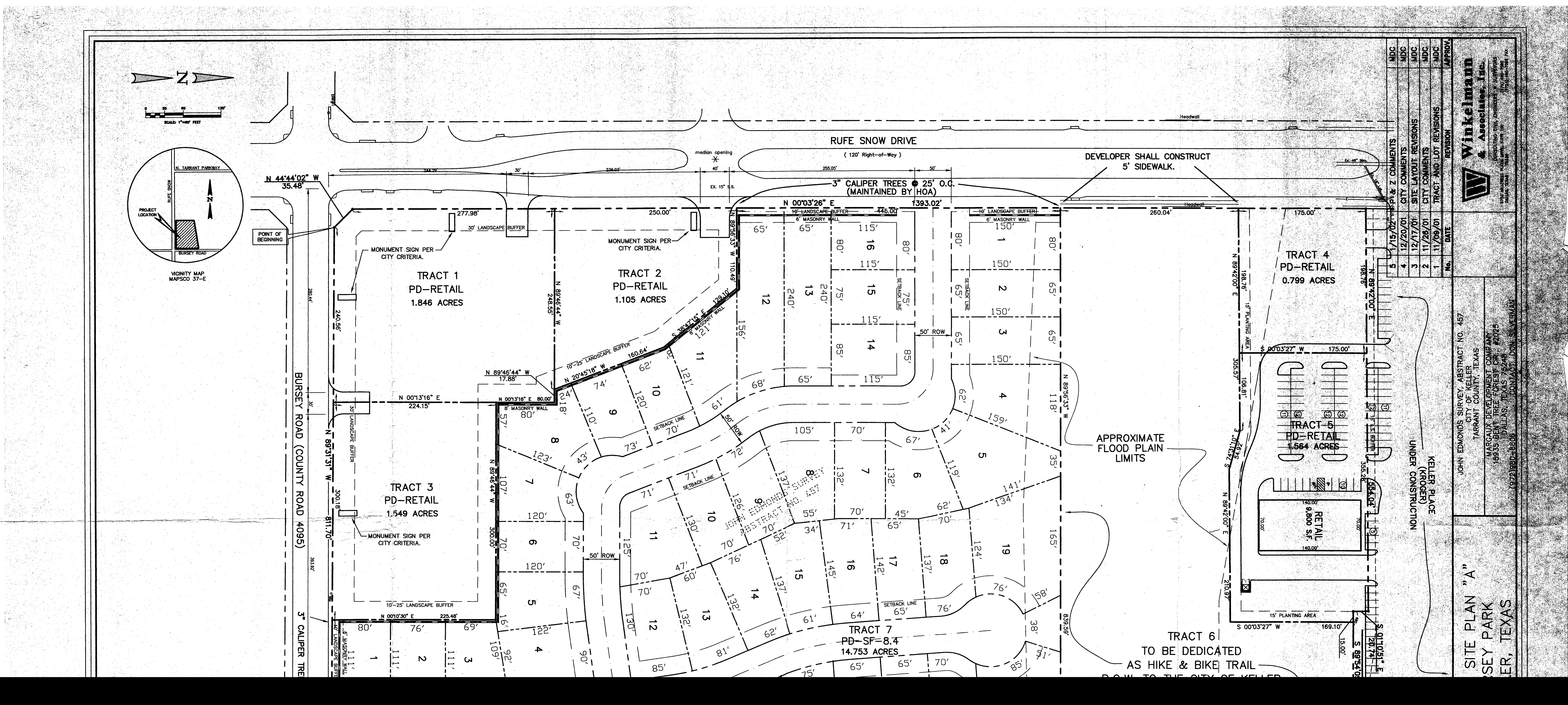
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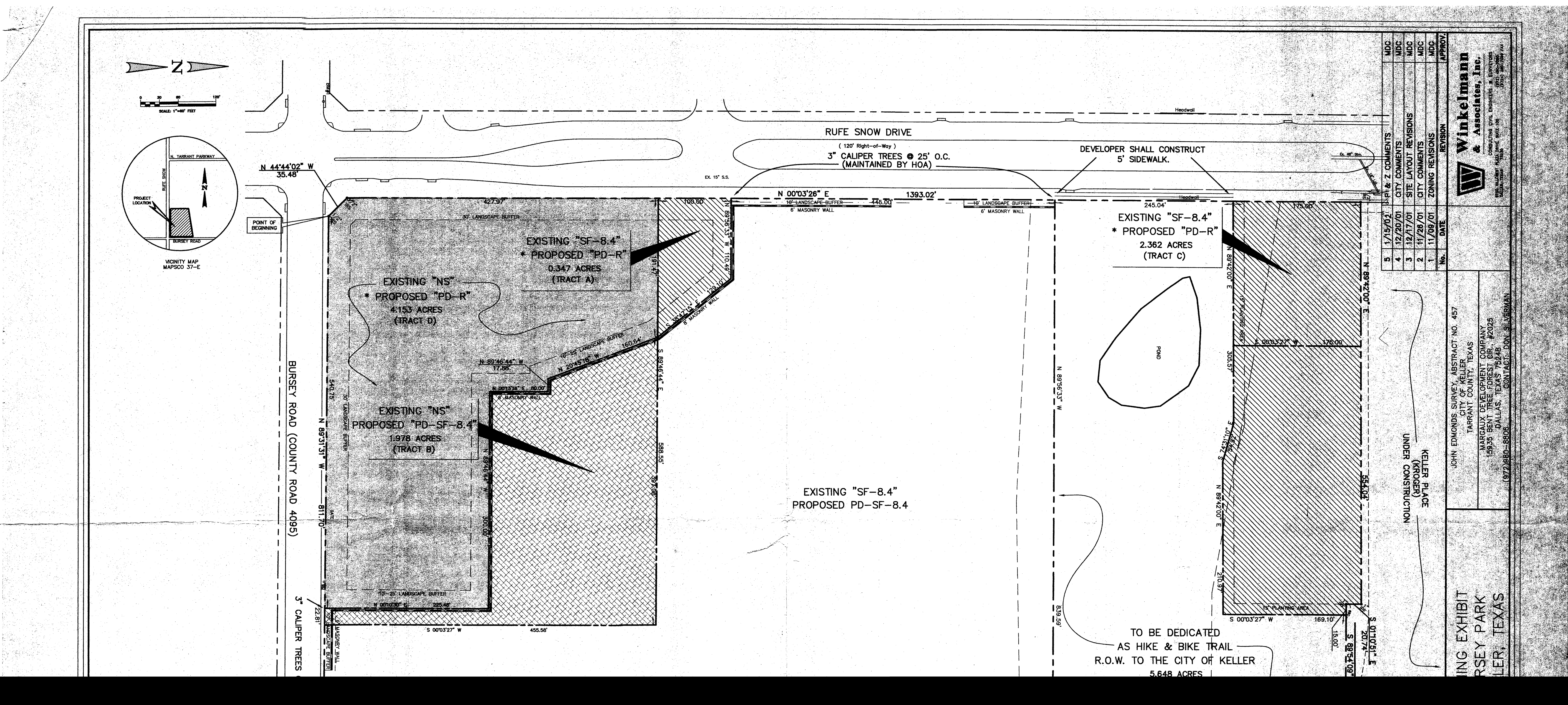
Mayor

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#### TRACITA

STATE OF TEXAS COUNTY OF TARRANT

BEING a tract of land situated in the JOHN EDMONDS SURVEY, Abstract No. 457 and being a portion of a tract of land conveyed to Bursey Ranch Partnership / 35 Acres as recorded in Volume 7813, Page 1999 of the Deed Records of Tarrant County, Texas (DRTCT) and being more particularly described as follows;

COMMENCING at a 1/2 inch iron rod set at the intersection of the northerly Right-of-Way line of BURSEY ROAD (COUNTY ROAD 4093) (variable width Right-of-Way) and a corner-clip;

THENCE departing the northerly Right-of-Way line of said BURSEY ROAD and along said corner—clip North 44'44'02" West, a distance of 35.48 feet to a 1/2 inch iron rod set for corner in the easterly Right-of-Way line of said RUFE SNOW DRIVE (120' Right-of-Way);

THENCE departing said corner-clip and along the easterly Right-of-Way line of said RUFE SNOW DRIVE North 0003'26" East a distance 427.97 feet to a 1/2 inch iron rod set for the POINT OF BEGINNING:

THENCE along the easterly Right-of-Way line of said RUFE SNOW DRIVE North 00°03'26" East a distance of 100.00 feet to a 1/2 inch iron rod set for corner;

THENCE departing the easterly Right-of-Way line of said RUFE SNOW DRIVE South 89°56'33" East, a distance of 110.49 feet to a 1/2 inch iron rod set for corner;

THENCE South 38°47'15" East, a distance of 129.10 feet to a 1/2 inch iron rod set for

THENCE North 89°46'44" West, a distance of 191.47 feet to a 1/2 inch iron rod set for the POINT OF BEGINNING:

Containing within these metes and bounds, 0.347 acres or 15,115 square feet of land more

## TRACTB

STATE OF TEXAS COUNTY OF TARRANT

BEING a tract of land situated in the JOHN EDMONDS SURVEY, Abstract No. 457 and being a portion of a tract of land conveyed to Bursey Ranch Partnership / 35 Acres as recorded in Volume 7813, Page 1999 of the Deed Records of Tarrant County, Texas (DRTCT) and being more particularly described as follows;

COMMENCING at a 1/2 inch iron rod set at the intersection of the northerly Right—of—Way line of BURSEY ROAD ( COUNTY ROAD 4093 ) ( variable width Right-of-Way ) and a corner-clip;

THENCE departing said corner-clip and along the northerly Right-of-Way line of said BURSEY ROAD South 89°31'31" East, a distance of 540.75 feet to the POINT OF BEGINNING;

THENCE departing the northerly Right-of-Way line of said BURSEY ROAD North 00°10'30" East, a distance of 225.48 feet to a 1/2 inch iron rod set for corner;

THENCE North 89°46'44" West, a distance of 300.00 feet to a 1/2 inch iron rod set for corner;

THENCE North 00°13'16" East, a distance of 80.00 feet to a 1/2 inch iron rod set for corner;

THENCE North 89°46'44" West, a distance of 17.88 feet to a 1/2 inch iron rod set for corner

THENCE North 20°45'18" West, a distance of 160.64 feet to a 1/2 inch iron rod set for

## IRACIE C

STATE OF TEXAS COUNTY OF TARRANT

BEING a tract of land situated in the JOHN EDMONDS SURVEY, Abstract No. 457 and being a portion of a tract of land conveyed to Bursey Ranch Partnership / 35 Acres as recorded in Volume 7813, Page 1999 of the Deed Records of Tarrant County, Texas (DRTCT) and being more particularly described as follows;

COMMENCING at a 1/2 inch iron rod set at the intersection of the northerly Right-of-Way line of BURSEY ROAD (COUNTY ROAD 4093) (variable width Right-of-Way) and a corner-clip;

THENCE departing the northerly Right-of-Way line of said BURSEY ROAD and along said corner-clip North 44°44'02" West, a distance of 35.48 feet to a 1/2 inch iron rod set for corner in the easterly Right-of-Way line of said RUFE SNOW DRIVE (120' Right-of-Way);

THENCE departing said corner-clip and along the easterly Right-of-Way line of said RUFE SNOW DRIVE North 00°03'26" East, a distance 1218.02 feet to a 1/2 inch iron rod set for the POINT OF BEGINNING:

THENCE along the easterly Right-of-Way line of said RUFE SNOW DRIVE North 00°03'26" East, a distance of 175.00 feet to a 1/2 inch iron rod set for corner in the northerly line of said Bursey Ranch Partnership / 35 Acres tract;

THENCE departing the easterly Right-of-Way line of said RUFE SNOW DRIVE and along the northerly line of said Bursey Ranch Partnership / 35 Acres tract as follows;

North 89'42'00" East, a distance of 554.04 feet to a 1 inch iron pipe found for

South 01°10'51" East, a distance of 20.74 feet to a 1 inch iron pipe found for

South 89°54'09" East, a distance of 15.00 feet to a 1/2 inch iron rod set for corner;

THENCE departing the northerly line of said Bursey Ranch Partnership / 35 Acres tract South 00°03'27" West, a distance of 169.10 feet to a 1/2 inch iron rod set for corner;

THENCE South 89°42'00" East, a distance of 210.97 feet to a 1/2 inch iron rod set for

THENCE North 74°31'10" West, a distance of 54.92 feet to a 1/2 inch iron rod set for

THENCE South 89°42'00" East, a distance of 305.57 feet to the PONT OF BEGINNING; CONTAINING within these metes and bounds, 2.362 acres or 102,889 square feet of land more or less.

### TRACTD

STATE OF TEXAS COUNTY OF TARRANT

BEING a tract of land situated in the JOHN EDMONDS SURVEY, Abstract No. 457 and being a portion of a tract of land conveyed to Bursey Ranch Partnership / 35 Acres as recorded in Volume 7813, Page 1999 of the Deed Records of Tarrant County, Texas (DRTCT) and being more particularly described as follows;

BEGINNING at a 1/2 inch iron rod set at the intersection of the northerly Right-of-Way line of BURSEY ROAD (COUNTY ROAD 4093) (variable width Right-of-Way) and a corner-clip;

THENCE departing the northerly Right-of-Way line of said BURSEY ROAD and along said corner—clip North 44°44'02" West a distance of 35.48 feet to a 1/2 inch iron rod set for corner in the easterly Right-of-Way line of said RUFE SNOW DRIVE (120' Right-of-Way);

#### IRACIE

STATE OF TEXAS COUNTY OF TARRANT

BEING a tract of land situated in the JOHN EDMONDS SURVEY, Abstract No. 457 and being a portion of a tract of land conveyed to Bursey Ranch Partnership / 35 Acres as recorded in Volume 7813, Page 1999 of the Deed Records of Tarrant County, Texas (DRTCT) and being more particularly described as follows;

COMMENCING at a 1/2 inch iron rod set at the intersection of the northerly Right-of-Way line of BURSEY ROAD (COUNTY ROAD 4093) (variable width Right-of-Way) and a corner-clip;

THENCE departing the northerly Right-of-Way line of said BURSEY ROAD and along said corner-clip North 44°44'02" West, a distance of 35.48 feet to a 1/2 inch iron rod set for corner in the easterly Right-of-Way line of said RUFE SNOW DRIVE (120' Right-of-Way);

THENCE departing said corner-clip and along the easterly Right-of-Way line of said RUFE SNOW DRIVE North 00°03'26" East, a distance of 972.98 feet to a 1/2 inch iron rod set for the POINT OF BEGINNING:

THENCE along the easterly Right-of-Way line of said RUFE SNOW DRIVE North 00°03'26" East, a distance of 245.04 feet to a 1/2 inch iron rod set for comer:

THENCE departing the easterly Right-of-Way line of said RUFE SNOW DRIVE North 89°42'00" East, a distance of 305.57 feet to a 1/2 inch iron rod set for corner;

THENCE South 74°31'10" East, a distance of 54.92 feet to a 1/2 inch iron rod set for

THENCE North 89°42'00" East, a distance of 210.97 feet to a 1/2 inch iron rod set for

OTHENCE North 00°03'27" East, a distance of 169.10 feet a 1/2 inch iron rod set in the northerly line of said Bursey Ranch Partnership / 35 Acres tract;

THENCE along the northerly line of said Bursey Ranch Partnership / 35 Acres tract South 89°54'09" East, a distance of 271.28 feet to a point for corner at the most northeasterly corner of said Bursey Ranch Partnership / 35 Acres tract which a 1 inch bent iron pipe found bears South 53°00'03" West, a distance of 2.30 feet;

THENCE departing the northerly line of said Bursey Ranch Partnership / 35 Acres tract and along the easterly line of said Bursey Ranch Partnership / 35 Acres tract South 00°13'24" West, a distance of 402.56 feet to a 1/2 inch iron rod set for corner.

THENCE departing the easterly line of said Bursey Ranch Partnership / 35 Acres tract North 89°56'33" West, a distance of 839.59 feet to the POINT OF BEGINNING:

CONTAINING within these metes and bounds, 5.648 acres or 246,027 square feet of land more or less.

# PROPOSED RETAIL USE RESTRICTIONS ON TRACTS A, C & D

	THE FOLLOWING USES	SHALL BE	PERMITTED	IN THE	PD-	RETAIL	TRACTS A, C & D:
1.	Accountant or bookkeeping office				: · · · · · · · · · · · · · · · · · · ·	43.	DELETED
2.	Administrative or corporate headqu	arters	•				Medical clinic or o
3.	All local utilities (municipal)		• •	• • • •			Minor medical eme
4.	Antique shop and used furniture				· · ·		Miscellaneous retai
5.	Architects office	± .		•			Museum or art ga
	Armed services recruiting center			· .·			Musical instrument
7.	Art and craft retail store			:			Novelty or gift she
8.	Bakery (retail)	- -					Office, general or

10. Barber shop or beauty salon 12. Boot and shoe sales 13. Ceramics store 14. DELETED

9. Bank, saving, loan, and credit unions

15. Child care or day care center

ergency clinic - SUP allery (private) t sales and repair 50. Office, general or professional 51. Optical store 52. Optician or optometrist 53. Paint store 54. Pet grooming - SUP 55. Pet shop 56. Pharmacist or drug store 57. DELETED 58 Private nark

