

ORDINANCE NO. 1875

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A PLANNED DEVELOPMENT ZONING CHANGE FOR AN UNDEVELOPED PORTION OF HIGHLAND OAKS CROSSING, A NON-RESIDENTIAL DEVELOPMENT, LOCATED ON A 1.48-ACRE TRACT OF LAND OUT OF THE JOHN EDMONDS SURVEY, ABSTRACT NO. 457, TRACT 3H1B, ON THE NORTH SIDE OF NORTH TARRANT PARKWAY, APPROXIMATELY 675 FEET EAST OF RUFÉ SNOW DRIVE. THE PURPOSE OF THIS PLANNED DEVELOPMENT AMENDMENT IS TO ALLOW SUBDIVISION OF ONE (1) LOT INTO TWO (2) LOTS, ZONED PD-R (PLANNED DEVELOPMENT-RETAIL), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Richard L. Cohen, owner and William T. Ellis, applicant; have submitted an application to the City of Keller to request a Planned Development Zoning Change Amendment (Z-17-0008), which has been reviewed by the City Staff; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission was sent to real property owners within three hundred feet (300') 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

WHEREAS, public hearings to issue a zoning change on the property herein described were held before both 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; and

WHEREAS, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Unified Development Code and is in the best interest of the citizens of the City of Keller.

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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.

Section 2: THAT, in accordance with the Unified Development Code, the City Council of the City of Keller, Texas hereby authorizes approval of a Planned Development Zoning Change for an undeveloped portion of Highland Oaks Crossing, a non-residential development, located on a 1.48-acre tract of land out of the John Edmonds Survey, Abstract No. 457, Tract 3H1B, on the north side of North Tarrant Parkway, approximately 675 feet east of Rufe Snow Drive. The purpose of this planned development amendment is to allow subdivision of one (1) lot into two (2) lots, zoned PD-R (Planned Development-Retail), in the City of Keller, Tarrant County, Texas, with the proposal attached hereto as Exhibit "A", and incorporated herein, with the following amended conditions:

1. Dumpsters and detention/drainage facilities will be shared between the two (2) lots. This shall be clearly defined on the plat and established through a property owners association filed with Tarrant County.
2. Parking will be shared between the two (2) lots. A shared parking agreement shall be required and filed with Tarrant County prior to approval of the plat.
3. The proposed 6,600 square-foot retail building shall have a design that is substantially similar to and consistent with the retail building immediately adjacent to the west.
4. The proposed 4,000 square-foot medical office building shall have a residential character with masonry exterior and pitched roof with composition shingles.

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5. A variance is requested for one lot to be less than the minimum 33,000 square-feet, not to be smaller than 26,515 square-feet.

6. A variance is requested to omit foundation plantings along the 6,600 square-foot proposed retail building. Planter boxes with permanent irrigation systems shall be installed along the front of the building.

7. Large evergreen shrubs shall be planted to screen the parking and service areas from view of The Lakes of Highland Oaks.

8. The driveway should remain in the original location, aligned with the median break on North Tarrant Parkway.

Section 3: THAT, any person, firm, or corporation violating any of the provisions of this Ordinance, as read together with the Unified Development Code and accompanying map thereto, shall be guilty of a misdemeanor and upon final conviction therefore shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such hereunder.

Section 4: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDAINED.

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Passed and approved by a vote of 7 to 0 on this the 16th day of January, 2018.

CITY OF KELLER, TEXAS



BY: *P. H. McGrail*  
P.H. McGrail, Mayor

ATTEST:

*Kelly Ballard*

Kelly Ballard, City Secretary

Approved as to Form and Legality:

*Cathy Cunningham*  
for L. Stanton Lowry, City Attorney

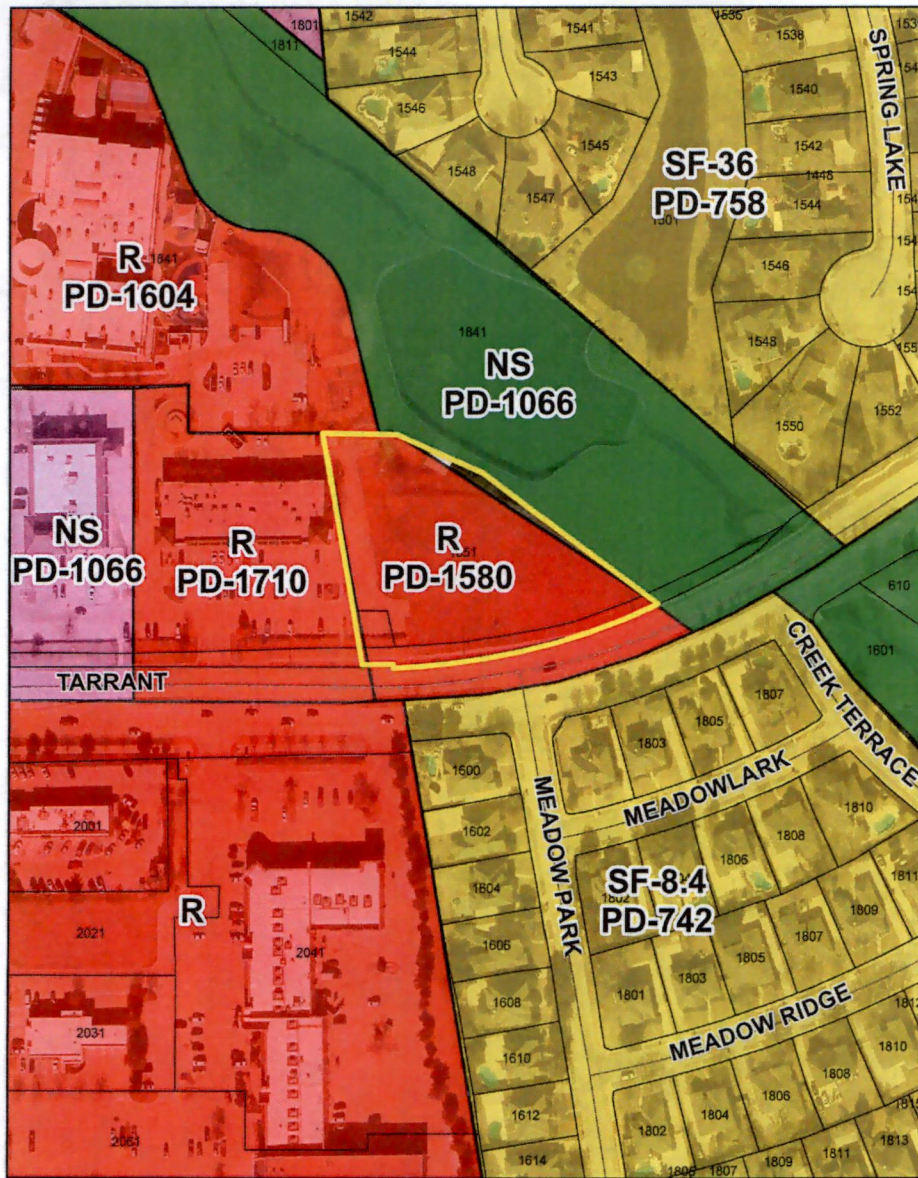


Map dated: December 2017

**Highland Oaks  
Planned Development Amendment  
Z-17-0008**



**APPROVED BY  
CITY COUNCIL ACTION**  
**ORDINANCE # 1875**  
**Date: 01/16/18**



Map dated: December 2017

**Highland Oaks  
Planned Development Amendment  
Z-17-0008**



**APPROVED BY  
CITY COUNCIL ACTION**  
 ORDINANCE # 1875  
 Date: 01/16/18

ite Institute of Transportation Engineers  
**Trip Generation Data Form (Part 2)**

Summary of Driveway Volumes (All = All Vehicles Counted, Including Trucks; Trucks = Heavy Duty Trucks and Buses)

	Average Weekday (M-F)				Saturday						Sunday							
	Enter		Exit		Total		Enter		Exit		Total		Enter		Exit		Total	
	All	Trucks	All	Trucks	All	Trucks	All	Trucks	All	Trucks	All	Trucks	All	Trucks	All	Trucks	All	Trucks
24-Hour Volume					1,235													
A.M. Peak Hour of Adjacent Street Traffic (7 - 9) Time (ex.: 7:15 - 8:15):	36		25		61													
P.M. Peak Hour of Adjacent Street Traffic (4 - 6) Time:	47		55		102													
A.M. Peak Hour Generator Time:																		
P.M. Peak Hour Generator Time:																		
Peak Hour Generator Time (Weekend):																		

- <sup>1</sup> Highest hourly volume between 7 a.m. and 9 a.m. (4 p.m. and 6 p.m.). Please specify the peak hour.
  - <sup>2</sup> Highest hourly volume during the a.m. or p.m. period. Please specify the peak hour.
  - <sup>3</sup> Highest hourly volume during the entire day. Please specify the peak hour.
- Please refer to the Trip Generation User's Guide for full definition of terms.

Hourly Driveway Volumes- Average Weekday (M-F)

A.M. Period	Enter		Exit		Total		Mid-Day Period	Enter		Exit		Total		P.M. Period	Enter		Exit		Total	
	All	Trucks	All	Trucks	All	Trucks		All	Trucks	All	Trucks	All	Trucks		All	Trucks	All	Trucks	All	Trucks
8:00-7:00							11:00-12:00							3:00-4:00						
8:15-7:15							11:15-12:15							3:15-4:15						
8:30-7:30							11:30-12:30							3:30-4:30						
8:45-7:45							11:45-12:45							3:45-4:45						
7:00-8:00	36		25		61		12:00-1:00						4:00-5:00							
7:15-8:15							12:15-1:15						4:15-5:15							
7:30-8:30							12:30-1:30						4:30-5:30							
7:45-8:45							12:45-1:45						4:45-5:45							
8:00-9:00							1:00-2:00						5:00-6:00	47		55		102		

Check if Part 3, 4 and/or additional information is attached.

Survey conducted by: Name: Norman L. Hogue, PE  
 Organization: Dunaway Associates, L.P.  
 Address: 550 Bailey Avenue, Suite 400  
 City/State/Zip: Fort Worth, Texas 76107  
 Telephone #: 817-335-1121 Fax #: \_\_\_\_\_ E-mail: NHogue@dunaway-assoc.com

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ORDINANCE # 1875  
Date: 01/16/18

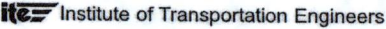
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CITY COUNCIL ACTION  
ORDINANCE # 1835  
Date: 01/16/15

S-94

FIGURE 4.01 – Trip Generation Data Form (Part 1)

Part A – Street System Improvements

Section 5.26 – Appendix



## Trip Generation Data Form (Part 1)

Land Use/Building Type: 720/Medical Dental Office, 820/Shopping Center, 932/High Turnover/Sit Down Restaurant		ITE Land Use Code:	
Source: ITE Trip Generation Version 9 Information		Source No. (ITE use only):	
Name of Development: Retail Center/Medical Office Located on North Tarrant Parkway		Day of the Week:	
City: Keller	State/Province: TX	Zip/Postal Code: 76248	Day: _____ Month: _____ Year: _____
Country: USA			Metropolitan Area:

1. For fast-food land use, please specify if hamburger- or nonhamburger-based.

<p>Location Within Area:</p> <input type="checkbox"/> (1) CBD <input type="checkbox"/> (3) Suburban (Non-CBD) <input type="checkbox"/> (5) Rural <input checked="" type="checkbox"/> (2) Urban (Non-CBD) <input type="checkbox"/> (4) Suburban CBD <input type="checkbox"/> (6) Freeway Interchange Area (Rural) <input type="checkbox"/> (7) Not Given	Detailed Description of Development: <sup>2</sup>
---	---

Independent Variable. (include data for as many as possible) <sup>2</sup>	Actual	Estimated	Actual	Estimated
____ (1) Employees (#)	<input type="checkbox"/>	<input type="checkbox"/>	57 (9) Parking Spaces (% occupied: UNK)	<input checked="" type="checkbox"/>
____ (2) Persons (#)	<input type="checkbox"/>	<input type="checkbox"/>	____ (10) Beds (% occupied: _____)	<input type="checkbox"/>
____ (3) Total Units (#) (indicate unit: _____)	<input type="checkbox"/>	<input type="checkbox"/>	____ (11) Seats (#)	<input type="checkbox"/>
____ (4) Occupied Units (#) (indicate unit: _____)	<input type="checkbox"/>	<input type="checkbox"/>	____ (12) Servicing Positions/Vehicle Fueling Positions	<input type="checkbox"/>
10,406 (5) Gross Floor Area (gross sq. ft.)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	____ (13) Shopping Center % Out-parcels/pads	<input type="checkbox"/>
____ (% of development occupied _____)	<input type="checkbox"/>	<input type="checkbox"/>	____ (14) A.M. Peak Hour Volume of Adjacent Street Traffic	<input type="checkbox"/>
____ (6) Net Rentable Area (sq. ft.)	<input type="checkbox"/>	<input type="checkbox"/>	____ (15) P.M. Peak Hour Volume of Adjacent Street Traffic	<input type="checkbox"/>
____ (7) Gross Leasable Area (sq. ft.)	<input type="checkbox"/>	<input type="checkbox"/>	____ (16) Other _____	<input type="checkbox"/>
____ (% of development occupied _____)	<input type="checkbox"/>	<input type="checkbox"/>	____ (17) Other _____	<input type="checkbox"/>
1.49 (8) Total Acres (% developed: _____)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

2. Definitions for several independent variables can be found in the Trip Generation, Second Edition, Ugar's Guide Glossary.

3. Please provide all pertinent information to describe the subject project, including the presence of bicycle/pedestrian facilities. To report bicycle/pedestrian volumes, please refer to Part 4 of this data form.

<p><b>Other Data:</b></p> <p>Vehicle Occupancy (#): _____ 24-hour %          _____ A.M. _____ P.M.          Percent by Transit: _____ 24-hour %          _____ A.M. _____ P.M. _____ 24-hour %          Percent by Carpool/Vanpool: _____ 24-hour %          _____ A.M. _____ P.M. _____ 24-hour %</p> <p>Employees by Shift:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">First Shift:</td> <td style="width: 15%;">Start Time _____</td> <td style="width: 15%;">End Time _____</td> <td style="width: 55%;">Employees (#) _____</td> </tr> <tr> <td>Second Shift:</td> <td>Start Time _____</td> <td>End Time _____</td> <td>Employees (#) _____</td> </tr> <tr> <td>Third Shift:</td> <td>Start Time _____</td> <td>End Time _____</td> <td>Employees (#) _____</td> </tr> </table> <p>Parking Cost on Site: Hourly _____ Daily _____</p>	First Shift:	Start Time _____	End Time _____	Employees (#) _____	Second Shift:	Start Time _____	End Time _____	Employees (#) _____	Third Shift:	Start Time _____	End Time _____	Employees (#) _____	<p><b>Transportation Demand Management (TDM) Information:</b></p> <p>At the time of this study, was there a TDM program (that may have impacted the trip generation characteristics of this site) underway?</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes (if yes, please check appropriate box/boxes, describe the nature of the TDM program(s) and provide a source for any studies that may help quantify this impact. Attach additional sheets if necessary)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td><input type="checkbox"/> (1) Transit Service</td> <td><input type="checkbox"/> (5) Employer Support Measures</td> <td><input type="checkbox"/> (9) Tolls and Congestion Pricing</td> </tr> <tr> <td><input type="checkbox"/> (2) Carpool Programs</td> <td><input type="checkbox"/> (6) Preferential HOV Treatments</td> <td><input type="checkbox"/> (10) Variable Work Hours/Compressed Work Weeks</td> </tr> <tr> <td><input type="checkbox"/> (3) Vanpool Programs</td> <td><input type="checkbox"/> (7) Transit and Ridesharing Incentives</td> <td><input type="checkbox"/> (11) Telecommuting</td> </tr> <tr> <td><input type="checkbox"/> (4) Bicycle/Pedestrian Facilities and Site Improvements</td> <td><input type="checkbox"/> (8) Parking Supply and Pricing Management</td> <td><input type="checkbox"/> (12) Other _____</td> </tr> </table>	<input type="checkbox"/> (1) Transit Service	<input type="checkbox"/> (5) Employer Support Measures	<input type="checkbox"/> (9) Tolls and Congestion Pricing	<input type="checkbox"/> (2) Carpool Programs	<input type="checkbox"/> (6) Preferential HOV Treatments	<input type="checkbox"/> (10) Variable Work Hours/Compressed Work Weeks	<input type="checkbox"/> (3) Vanpool Programs	<input type="checkbox"/> (7) Transit and Ridesharing Incentives	<input type="checkbox"/> (11) Telecommuting	<input type="checkbox"/> (4) Bicycle/Pedestrian Facilities and Site Improvements	<input type="checkbox"/> (8) Parking Supply and Pricing Management	<input type="checkbox"/> (12) Other _____
First Shift:	Start Time _____	End Time _____	Employees (#) _____																						
Second Shift:	Start Time _____	End Time _____	Employees (#) _____																						
Third Shift:	Start Time _____	End Time _____	Employees (#) _____																						
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<input type="checkbox"/> (4) Bicycle/Pedestrian Facilities and Site Improvements	<input type="checkbox"/> (8) Parking Supply and Pricing Management	<input type="checkbox"/> (12) Other _____																							

ARTICLE FIVE  
Unified Development Code

Exhibit A

Adopted: July 7, 2015





13-Apr-17

**ITE Trip Generation Rates - 9th Edition**  
**Pass-by rates from ITE Trip Generation Handbook - 2nd Edition**  
 (copyrights, Institute of Transportation Engineers)

**Instructions:** Enter Expected Unit Volumes into Column 'M'  
 Notes on Color Coding at Bottom

Description/ITE Code	Units	ITE Vehicle Trip Generation Rates <small>(peak hours are for peak hour of adjacent street traffic unless highlighted)</small>								Expected Units	Total Generated Trips			Total Distribution of Generated Trips					
		Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out		Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-By
Medical Dental Office 720	KSF <sup>2</sup>	36.13	2.39	3.57		79%	21%	28%	72%	4.4	159	11	16	8	2	0	4	11	0
Shopping Center 820 (Equation)	KSF <sup>2</sup>	Equations			34%	62%	38%	48%	52%	3.0	695	18	57	8	5	6	18	20	19
High Turnover/Sit Down Rest 932	KSF <sup>2</sup>	127.15	10.81	9.85		43%	55%	45%	60%	3.0	380	32	29	10	8	14	10	7	13
<b>Totals</b>										1,235	61	102	26	15	20	33	38	32	

**RED Rates** = CAUTION - Use Carefully - Small Sample Size  
**Green Rates** = Peak Hour of Generator - (no peak rate for the rush hour of adjacent street traffic)  
**Blue Rates** = Saturday Daily total - (no weekday daily rate)  
Added to 9th Edition  
**\*Pass-By % are Rates from Weekday PM Peak Period**  
**\*The Total Pass-By Trips will be Distributed: 50% IN / 50 % OUT**

NA = Not Available      KSF<sup>2</sup> = Units of 1,000 square feet  
 DU = Dwelling Unit      Fuel Position = the number of vehicles that could be fueled simultaneously  
 Occ.Room = Occupied Room

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**ORDINANCE # 1875**  
**Date: 01/16/18**

**Exhibit A**

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CITY COUNCIL ACTION  
ORDINANCE # 1875  
Date: 01/16/19

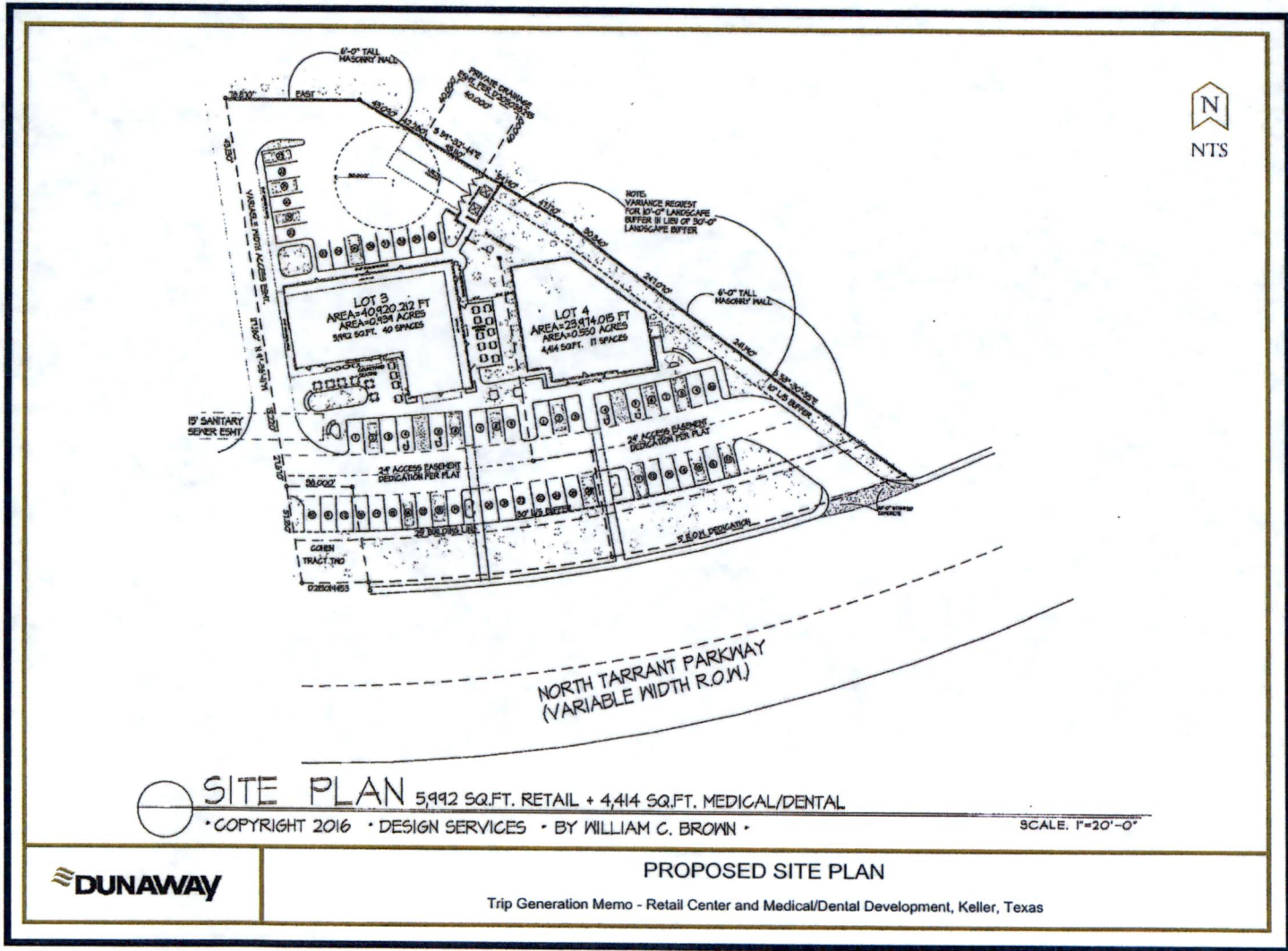


Exhibit A

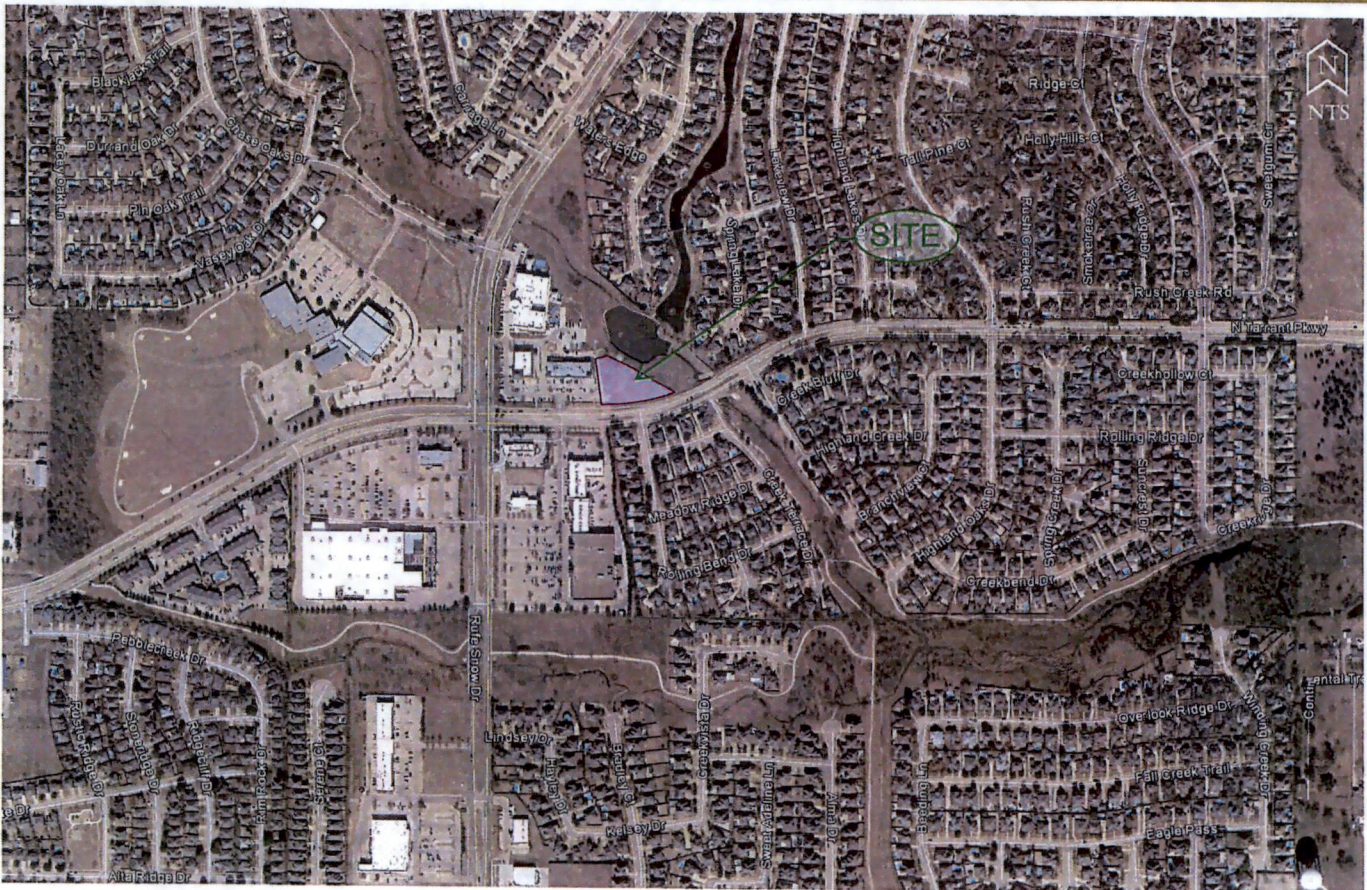


Exhibit A



LOCATION MAP

Trip Generation Memo - Retail Center and Medical/Dental Development, Keller, Texas

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Date: 01/16/18

## Exhibit A

Trip Generation Memo  
Proposed Retail Center with Medical/Dental Office along North Tarrant Parkway  
April 14, 2017  
Page 3

Once the assumed trip generation for the proposed development was calculated, the next steps in the traditional three-phase planning process are the distribution and assignment to the proposed access driveway. For this project, only one access point is being constructed, but site traffic will have access to the existing driveway located to the west of the property. Since traffic volumes are unknown at this time, and a directional distributed is not necessary to fill out the required Unified Development Code (UDC) worksheet, all driveways were combined in the reporting total. The attached UDC worksheet includes a summary of the total gross floor area, number of parking spaces, and the gross trips anticipated for the development.

### Conclusions

The trip generation analysis for the proposed development indicates that a total of 61 AM and 102 PM peak hour vehicles are anticipated. Similarly, a total of 1,235 vehicle trips during a typical 24-hour weekday period are anticipated for the proposed development.

NLH/nlh

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Attachments:

Project Location  
Proposed Site Plan  
Trip Generation Worksheet  
City of Keller Unified Development Code pages 5-94 and 5-95  
Keller Zoning Flyer

cc: File

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CITY COUNCIL ACTION**  
ORDINANCE # 1875  
Date: 01/16/18

**Exhibit A**

Trip Generation Memo  
 Proposed Retail Center with Medical/Dental Office along North Tarrant Parkway  
 April 14, 2017  
 Page 2

removed from the stream of traffic but counted in the total number of trips entering and exiting the site driveways. The summary of trip generation rates and equations used for the proposed development are provided in **Table 1**. **Table 2** provides the summary of gross generated trips, while **Table 3** shows a summary of Net Primary Trips after the reduction of pass-by trips. The respective land use sheets and a summary table are included in the **Appendix**.

*Table 1. Summary of Trip Generation Rates*

Land Use	ITE Code	Unit	Trip Rate			Pass-By (%)	Distribution Rate (%)			
			Daily	AM	PM		AM Hour		PM Hour	
							In	Out	In	Out
Medical Dental Office	720	KSF	36.13	2.39	3.57	0	79	21	28	72
Shopping Center	820	KSF	Eq. 1	Eq. 2	Eq. 3	34	61	39	48	52
High Turnover/Sit Down Restaurant	932	KSF	127.15	10.81	9.85	43	55	45	60	40

Equation 1:  $e^{(0.65 \ln(x) + 5.83)}$  Equation 2:  $e^{(0.61 \ln(x) + 2.24)}$  Equation 3:  $e^{(0.67 \ln(x) + 3.31)}$

*Table 2. Summary of Gross Primary Trips*

ITE Land Use	ITE Code	Unit	Qty.	Daily	AM Peak Hour*		PM Peak Hour*	
					Enter	Exit	Enter	Exit
Medical Dental Office	720	KSF	4.4	159	8	2	4	11
Shopping Center	820	KSF	3.0	695	11	8	27	30
High Turnover/Sit Down Restaurant	932	KSF	3.0	380	17	15	16	14
<b>Subtotal</b>				<b>1,235</b>	<b>36</b>	<b>25</b>	<b>47</b>	<b>55</b>
<b>Total</b>				<b>1,235</b>	<b>61</b>		<b>102</b>	

\*Numbers may not add up due to rounding.

*Table 3. Summary of Net Primary Trips*

Type of Trips	AM Peak Hour		PM Peak Hour	
	Enter	Exit	Enter	Exit
Gross New Trips	36	25	47	55
Pass-by (-)	10	10	16	16
<b>Net New Trips</b>	<b>26</b>	<b>15</b>	<b>31</b>	<b>39</b>
<b>TOTAL</b>	<b>41</b>		<b>70</b>	

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**Date: 01/16/18**



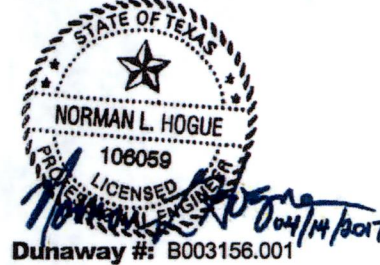
# Memo

**To:** Alonzo Lifián, PE, PTOE, MPA  
Director of Public Works  
City of Keller

**From:** Norman Hogue, PE  
Senior Traffic Engineer  
Dunaway Associates, L.P

**Date:** April 14, 2017

**Re:** Proposed Retail Center with Medical/Dental Office along North Tarrant Parkway



## Introduction

This Trip Generation Memo was completed at the request of the City of Keller for a proposed retail center and dental office development located along North Tarrant Parkway, East of Rufe Snow Drive in Keller, Texas (see **Attachment 1** for project location). The proposed development is to be located on the north side of North Tarrant Parkway, approximately 550 feet east of the intersection with Rufe Snow Drive. North Tarrant Parkway in the vicinity of the proposed development is a median divided, six-lane roadway, with a posted speed limit of 40 mph.

## Proposed Site Plan

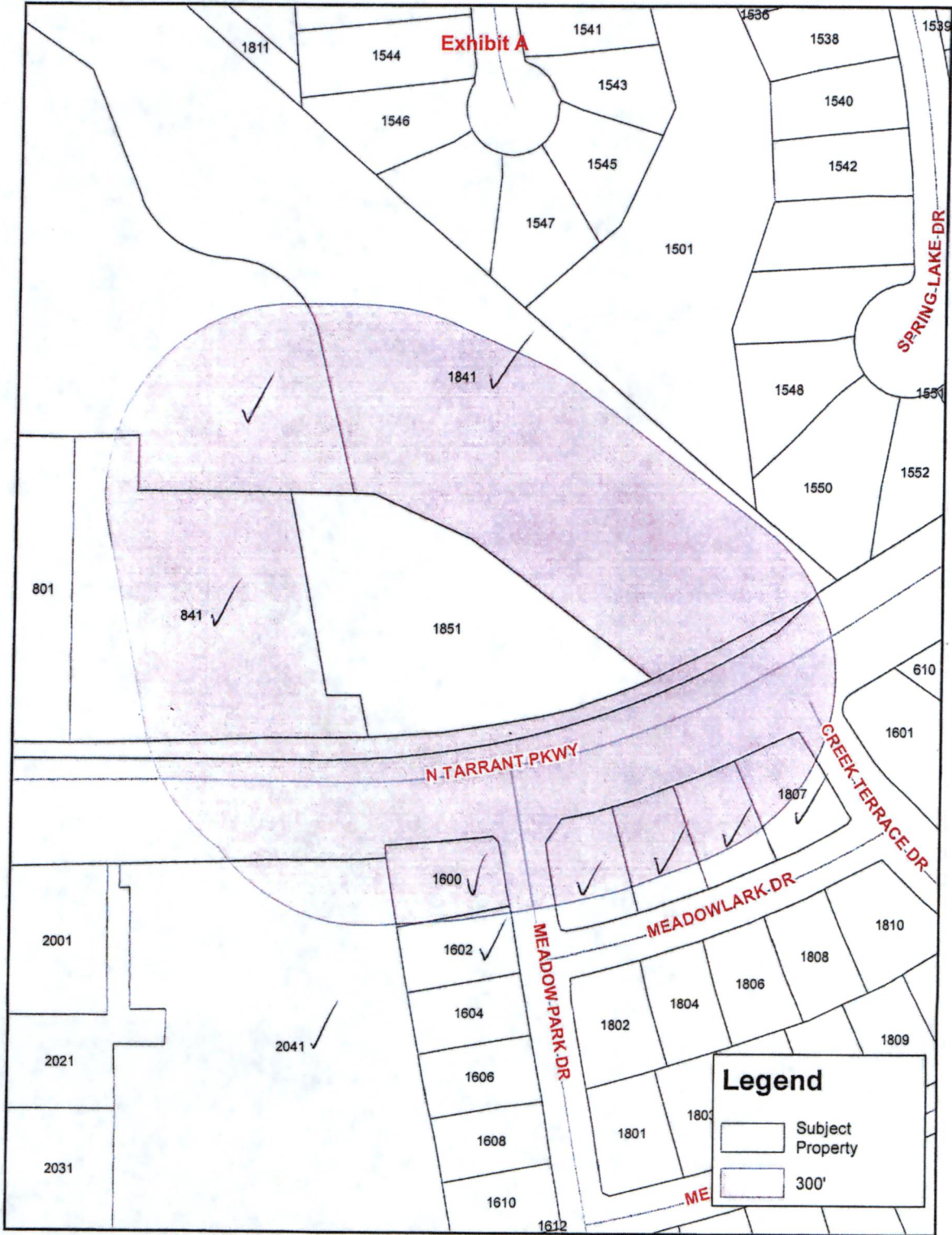
The proposed site plan (see **Attachment 2**) includes one retail building with 5,592 SF, and one medical/dental office building with 4,414 SF. The proposed site plan includes construction of one right-in/right-out driveway along the north side of North Tarrant Parkway; this driveway is proposed to be 30 ft. in width. The driveway will include one outbound lane and one inbound lane. The proposed site includes 57 parking spaces and a 24' access easement which will connect to the existing development located to the west of the proposed uses. Existing traffic volumes were not collected for this Trip Generation Memo.

## Trip Generation/Distribution

The Institute of Transportation Engineers (ITE) provides predicted trip generation rates and equations for several land uses as provided in *ITE Trip Generation, 9<sup>th</sup> Edition*. These rates are based on individual sites to compute driveway volumes for particular land uses. The *ITE Trip Generation Handbook, 2<sup>nd</sup> Edition* provides that significant pass-by trips are associated with particular land uses located adjacent to highly traveled roadways and states "The pass-by trip-making phenomenon, if estimated to be significant, should be recognized when examining the traffic impact of a development on the adjacent street system." The pass-by trips are

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**ORDINANCE #** 1875  
**Date:** 01/16/18



Map dated: March 2017



1851 Rufe Snow  
300' Buffer

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CITY COUNCIL ACTION**  
 ORDINANCE # 1875  
 Date: 01/16/18

## Exhibit A

- Reducing the 30' landscape buffer in the back to 10' to allow of the placement of the building. There will be significant landscaping along the back and side of the property extending up to North Tarrant Parkway.

Additional items that should be noted:

- There are currently no trees on the site but our development plan will add new trees and greatly enhance the landscaping of the property.
- All surrounding property owners within a 300' radius of the site have been contacted and made aware of the planned development. The flyer distributed to the property owners is attached.
- A Trip Generation Report for the new development was provided by Dunaway and is attached for reference.

Our intention is for this new development to that it be complimentary to the surrounding properties and neighborhoods and compatible with planned development for the area. We respectively asked the planned development be amended to allow for the noted variances.

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CITY COUNCIL ACTION

ORDINANCE #

1875

Date:

01/16/18



**Exhibit A**

**Planned Development (PD) Amendment Application for:  
Highland Oaks Crossing Planned Development, Lot 3**

Please accept this request to amend Lot 3 of the Highland Oaks Crossing Planned Development (PD). We are requesting Lot 3 be divided into two lots for the construction of a retail center on one lot and a dental office on the other.

The subject property currently contains 1.48 acre and is located along the north side of North Tarrant Parkway just east of Rufe Snow. It runs along the south side of the detention pond and drainage easement owned by the City. The development plans are to construct a retail center containing approximately 6,000 square feet on Lot 3 and a dental office of about 4,000 square feet on the new Lot 4. The lot sizes will be 40,908 square feet and 23,965 square feet, respectively.

The retail center will be owned by the same owner as the adjoining center on Lot 2. It will have a similar design and features as the adjoining building. There will be an outdoor seating area to accommodate a potential restaurant. The dental office will have a residential design similar to other professional and medical buildings just north of the property along Rufe Snow.

Considering the triangular shape of the property and the fact it adjoins the detention pond, the following variances are requested for the placement of the buildings:

- The property is separated from the residential development in the back by the detention pond. The nearest home is at least 250' from the rear property line. We are requesting the masonry wall requirement be waived in place of a 6' decorative railing fence. The back of the dumpster area will be a masonry wall and out of site.
- Reducing the minimum lot size from 33,000 square feet to just under 27,000 square feet;

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