

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING WHITLEY SPRINGS, A PLANNED DEVELOPMENT ZONING CHANGE FROM COMMERCIAL (C) TO PLANNED DEVELOPMENT – MIXED USE (MU) CONSISTING OF 22 RESIDENTIAL LOTS, TWO COMMERCIAL LOTS AND 1.44 ACRES OF OPEN SPACE ON APPROXIMATELY 6.43 ACRES OF LAND, LEGALLY DESCRIBED AS A PORTION OF TRACT 7B, ABSTRACT 692 OF THE W J HOLLAND SURVEY, AND A PORTION OF THE MARTINS SUBDIVISION PUBLIC RIGHT-OF-WAY DEDICATED TO THE CITY OF KELLER SHOWN ON THE PLAT FILED WITH TARRANT COUNTY UNDER DOCUMENT NUMBER D205322770, LOCATED ON THE WEST SIDE OF THE RAPP ROAD AND WHITLEY ROAD INTERSECTION, AND ADDRESSED 1212 WHITLEY ROAD, AND UNADDRESSED PUBLIC RIGHT-OF-WAY, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Huynh and Viyapon, LLC, Owner, and Garabedian Properties, Applicant, have submitted a request for a zoning change for approximately 6.43 acres of land from Commercial to Planned Development – Mixed Use for 22 residential lots, two commercial lots and 1.44 acres of open space. (ZONE-2409-0005); and

WHEREAS, the City of Keller Unified Development Code requires Patio Homes be approved by Planned Development; and

WHEREAS, the City's Planning and Zoning Commission and the City Council, in accordance with the Charter of the City of Keller, State Law, and the ordinances of the City of Keller, have given the required notices and have held the required public hearings regarding the zoning change application described in this ordinance; and

WHEREAS, the City Council is of the opinion that the Planned Development zoning change herein effectuated further the purpose of zoning as set forth in the Unified Development Code;

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 Whitley Springs, a Planned Development Zoning Change from Commercial (C) to Planned Development – Mixed Use (MU) consisting of 22 residential lots, two commercial lots and 1.44 acres of open space

on approximately 6.43 acres of land, legally described as a portion of Tract 7B, Abstract 692 of the W J Holland Survey, and a portion of the Martins Subdivision public right-of-way dedicated to the City of Keller shown on the plat filed with Tarrant County under document number D205322770, located on the west side of the Rapp Road and Whitley Road intersection, and addressed 1212 Whitley Road, and unaddressed public right-of-way.

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.

Passed and approved by a vote of _ to _ on this the 3rd day of December 2024.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney