

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A REZONE FROM SINGLE FAMILY - 36,000 SQUARE-FOOT MINIMUM LOT SIZE (SF-36) TO RETAIL (R), FOR APPROXIMATELY 12.24 ACRES, LEGALLY DESCRIBED AS TRACT 1D01B AND TRACT 1D01A1 OF THE JOHN MARTIN SURVEY, ABSTRACT 1153 (ACCOUNT # 42818999 AND 42819014), A PORTION OF LOT 7, BLOCK 1, PEARSON CROSSING, AND TRACT 1F, ABSTRACT 1153 (ACCOUNT #: 04069838) OF THE JOHN MARTIN SURVEY, AND ADDRESSED AS 1816 JOHNSON ROAD, 1850 PEARSON CROSSING, 1908 PEARSON CROSSING, AND 1863 KELLER PARKWAY IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Ed Ruibal, Landscape Systems, Applicant/Owner; Don Dinger, Owner; James Neill, Owner, submitted a request for a zoning change for approximately 12.24-acres from Single-Family 36,000 square-foot minimum lot size (SF-36) to Retail (R) as the business has outgrown its existing site, and seeks to expand to the north, northwest and east (Z-22-0001); 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 Planning and Zoning Commission held a public hearing on June 28, 2022 and tabled the request to the meeting held November 8, 2022 where the Commission recommended approval by a 6 to 1 vote

; and

WHEREAS, the City Council is of the opinion 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,

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 changing the zoning from Single Family - 36,000 square-foot minimum lot size (SF-36) to Retail (R), for approximately 12.24 acres, legally described as Tract 1D01B and Tract

1D01A1 of the John Martin Survey, Abstract 1153 (account # 42818999 and 42819014), a portion of Lot 7, Block 1, Pearson Crossing, and Tract 1F, Abstract 1153 (account #: 04069838) of the John Martin Survey, and addressed as 1816 Johnson Road, 1850 Pearson Crossing, 1908 Pearson Crossing, and 1863 Keller Parkway, in the City of Keller, Tarrant County, Texas, is hereby approved, and incorporated herein as if fully set forth as submitted.

Section 3: THAT, any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon final conviction therefor, shall be fined in a sum not to exceed two thousand dollars (\$2,000.00). Each and every day any 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 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 6th day of December 2022.

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