

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A PLANNED DEVELOPMENT ZONING CHANGE FOR LANDSCAPE SYSTEMS, A PLANNED DEVELOPMENT ZONING CHANGE FROM SINGLE-FAMILY RESIDENTIAL - 36,000 SQUARE-FOOT LOTS AND RETAIL TO PLANNED DEVELOPMENT-RETAIL (PD-R), FOR APPROXIMATELY 17.52 ACRES, LEGALLY DESCRIBED AS TRACT 1F, ABSTRACT 1153, JOHN MARTIN SURVEY, LOT 1R, BLOCK A - SUTTON'S NURSERY ADDITION, TRACT 1D01A, ABSTRACT 1153, JOHN MARTIN SURVEY, AND PORTIONS OF LOT 7, BLOCK 1, PEARSON CROSSING AND TRACT 1D01, ABSTRACT 1153, JOHN MARTIN SURVEY ADDRESSED AS 1863 KELLER PARKWAY, 1823 KELLER PARKWAY, 1850 PEARSON CROSSING, 1908 PEARSON CROSSING, AND 1816 JOHNSON ROAD, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Ruibal Properties LLC, Applicant, and Ruibal Properties, Don Dinger and Devane Clark Partnership LTD, Owners, submitted a request for a Planned Development zoning change (ZONE-2408-0003) for approximately 17.52 acres from Single Family Residential-36,000 square-foot lots (SF-36) to Planned Development – Retail (PD-R) for the Landscape Systems Garden Center; 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 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, the Unified Development Code of the City of Keller, Texas, and the accompanying Zoning Map are hereby amended by changing the zoning from Single Family Residential-36,000 square-foot lots (SF-36) and Retail to Planned Development-Retail (PD-R), for approximately 17.52 acres, legally described as Tract 1F, Abstract 1153, John Martin Survey, Lot 1R, Block A - Sutton's Nursery Addition, Tract 1D01A, Abstract 1153, John Martin Survey, and portions of Lot 7, Block 1,

Pearson Crossing and Tract 1D01, Abstract 1153, John Martin Survey addressed as 1863 Keller Parkway, 1823 Keller Parkway, 1850 Pearson Crossing, 1908 Pearson Crossing, and 1816 Johnson Road in the City of Keller, Tarrant County, Texas, with the proposal attached hereto as Exhibit "A" 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 17th day of June, 2025.

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