

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SITE PLAN WITH VARIANCES FOR LIDL, A 25,400 SQUARE-FOOT, SINGLE-STORY GROCERY STORE, LOCATED ON A 4.95-ACRE TRACT, ON THE NORTH SIDE OF KELLER PARKWAY (FM 1709) APPROXIMATELY 1,200 FEET WEST OF KELLER SMITHFIELD ROAD, BEING TRACT 2E AND 3 IN THE PAMELIA ALLEN SURVEY, ABSTRACT NO. 28, AT 1221 AND 1301 KELLER PARKWAY, AND ZONED TC (TOWN CENTER), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS.

WHEREAS, Greenway-Keller LP, owner; Kimley-Horn and Associates, applicant/engineer; has submitted a Unified Development Code variance application (SP-17-0016 and UDC-17-0016), which has been reviewed by City Staff and recommended to deny by the Planning and Zoning Commission by a vote of 7-0; and

WHEREAS, The Council finds that the request meets the criteria to grant a variance per Section 2.07 of the Unified Development Code, listed below:

- a. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Code would deprive the applicant of the reasonable use of his land.
- b. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other properties in the area.
- c. That the granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Code.
- d. That the granting of the variance will not constitute a violation of any other valid ordinance of the City of Keller.
- e. That strict compliance with the regulations, and/or that the purpose of

the regulations will be served to a greater extent by the alternative proposal.

NOW, THEREFORE, BE IT RESOLVED 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, variances to the City of Keller Unified Development Code on a site plan for a proposed 6,124 square- a Site Plan with variances for Lidl, a 25,400 square-foot, single-story grocery store, located on a 4.95-acre tract, on the north side of Keller Parkway (FM 1709) approximately 1,200 feet west of Keller Smithfield Road, being tract 2E and 3 in the Pamela Allen Survey, Abstract No. 28, at 1221 and 1301 Keller Parkway, and zoned TC (Town Center), is hereby approved, attached hereto as Exhibit "A", and incorporated herein as if fully set forth, with the following conditions:

1. A variance to waive the building articulation on the west building elevation shall be allowed.
2. A variance to Section 8.03 (P.4.c.7) for limited window treatment on the south elevation as shown in "Exhibit A" shall be allowed.
3. A variance to allow metal faced accent materials on the north and west elevations, as shown in "Exhibit A."
4. A variance to allow a curved TPO roof shall be allowed.
5. A variance for a break in the landscaping along Keller Parkway to allow for the drainage facility shall be allowed.

AND IT IS SO RESOLVED.

Passed by a vote of \_\_\_\_\_ to \_\_\_\_\_ on this the 6th day  
of March, 2018.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
P.H. McGrail, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney