

CITY COUNCIL AGENDA ITEM

MEETING DATE	<u>March 7, 1995</u>	Item Number	
		Work Session	_____
INITIATING DEPT.	<u>COMMUNITY DEVELOPMENT</u>	Consent	_____
		Old Business	_____
REPRESENTATIVE	<u>JOHN WEBB</u> <i>[Signature]</i>	New Business	<u>6</u>
		Executive Session	_____
		Other	_____

ITEM DESCRIPTION (exact wording to appear on agenda):

PUBLIC HEARING: Consider approval of an ordinance for a zoning change from "SF-8.4" (Single Family - 8,400 square foot lots) to "R" (Retail) on approximately 12 acres located in the John Edmonds Survey, Abstract No. 457, at the northwest corner of Rufe Snow Drive and the future extension of Wilson Lane. Northwood, A Church for the Communities, owner/applicant. (Z-95-2)

STAFF RECOMMENDATION:

Staff recommends approval. Please refer to the attachments.

*Approved
Ord. # 710
3-7-95
[Signature]*

BOARD/COMMITTEE RECOMMENDATION:

The Planning & Zoning Commission considered this item during a Public Hearing held on February 13, 1995. The Commission voted 7-0 to recommend approval.

FISCAL IMPACT:

Fund _____

Original Estimate/Budget _____

Current Estimate _____

Amount under or (over) _____

PURCHASING IMPACT:

☐ Awarded to Low Bidder

☐ Awarded to Sole Source or Non-Low Bidder
Analysis attached

**DEPARTMENT OF COMMUNITY DEVELOPMENT
STAFF REPORT**

March 1, 1995

TO: Bob Salinas, City Manager

FROM: John Webb, Director of Community Development *J Webb*

SUBJECT: Zone Change Request - Northwood, A Church for the Communities
(Z-95-2)

Property Owner:

Northwood Church

Applicant/Agent:

Gary Cousins , Northwood Church

Request:

Approval of a zone change from "SF-8.4" (Single Family, 8,400 square foot lots) to "R" (Retail).

Location:

The property is located west of Rufe Snow Drive and north of the proposed extension of Wilson Lane.

Existing Conditions:

The 12.3 acre site is vacant and unplatted.

Master Plan:

The City's Land Use Plan recommends retail uses for this tract.

Zoning History:

The property was rezoned from "PD" (Planned Development) for Commercial uses to "SF-8.4" (Single Family) per the Comprehensive Zoning Ordinance in December 1992.

Zoning Pattern:

North: "SF-8.4"
South: "NS" (Neighborhood Service)"
and "MF" (Multi-Family)
East: "NS"
West: "MF"

Vicinity Land Use Pattern:

North: Single Family
(under construction)
South: Vacant
East: Vacant
West: Vacant (Proposed Church)

Roadway Access:

Existing Roadways

Street name: Rufe Snow Drive/Wilson Lane (r-o-w only)
Functional class: 4 lane undivided/no improvements
Width: 2 @ 24'/no improvements
Right-of-way width: 100'/100'

Thoroughfare plan classification:

Street name: Rufe Snow Drive/Wilson Lane
Functional class: B6D/B6D
Width: 2 @ 36'/2 @ 36'
Right-of-way width: 120'/120'

Neighborhood Characteristics:

The site is located within an area of rapidly developing single family housing.

Infrastructure Impact:

Water and sanitary sewer is available to the site. Final location of water lines and drainage facilities is to be approved by the Public Works Dept.

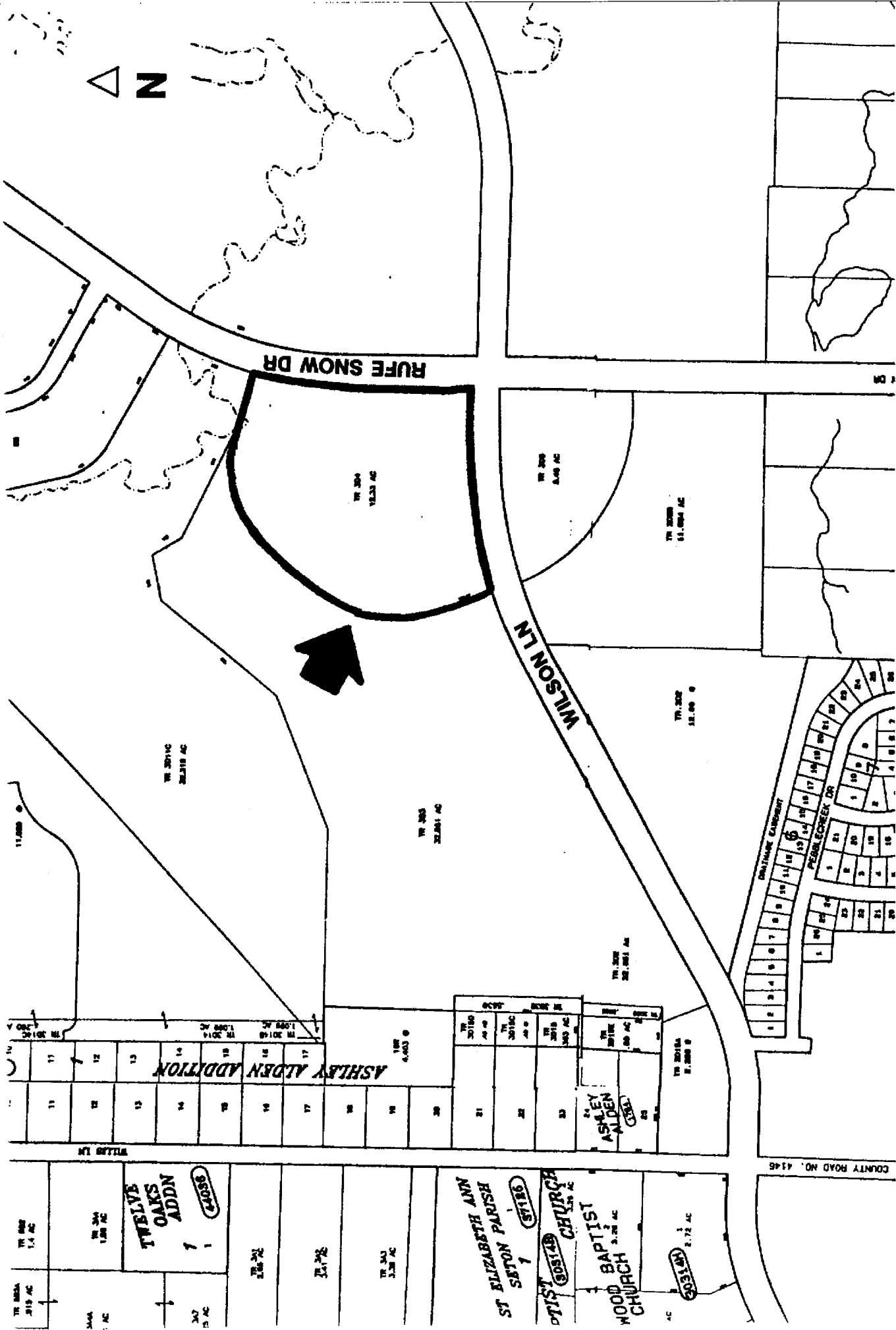
Staff Comments:

The applicant has submitted a zone change request for future retail uses on 12 acres of the 45-acre site owned by the church. Justification of the zone change request as noted on the application states, " To assist us in the collateral requirements in the construction financing. Retail has a higher appraisal value than single family '8.4'. We also would like to some day have the capability to use part of this property for a Christian book store or a restaurant."

Historically, requests for additional retail zoning based on speculation can create problems in assuring compatibility with adjacent uses. However this site is located at the intersection of two proposed 6-lane boulevards. The Wilson Lane/ Rufe Snow intersection is projected to accommodate one of the highest traffic volumes for a non-freeway intersection in northeast Tarrant County. Therefore, retail zoning is appropriate for this location.

Staff recommendation:

Staff recommends approval.



CASE #: Z-95-2

APPLICANT: NORTHWOOD - A CHURCH FOR THE COMMUNITIES

REQUEST: ZONE CHANGE FROM "SF-8.4" (SINGLE FAMILY - 8,400 SQ. FT. LOTS) TO "R" (RETAIL)



NOTICE OF PUBLIC HEARING

February 3, 1995

Dear Property Owner:

A public hearing will be held by the Planning and Zoning Commission of the City of Keller at Keller City Hall, 158 South Main Street at 7:30 PM, February 13, 1995. An application has been made requesting a zone change from "SF-8.4" (Single Family Residential - 8,400 square foot lots) to "R" (Retail) on approximately 12 acres located in the John Edmonds Survey, Abstract No. 457 at the future corner of Rufe Snow Drive and Wilson Lane. A location map is attached for your information. Northwood, A Church for the Communities, owner/applicant. (Z-95-2)

This notice is to inform those persons owning property within 200 feet of the above described property as required by State Law. If you are unable to attend the public hearing, you may express your opinion by mail to the address below.

If you have further questions concerning this public hearing, you may contact me at 431-1519.

Sincerely,

Denise Wilkinson
Development Coordinator

attachment



February 20, 1991

Fort Worth Star Telegram
Northeast Bureau
Attn: Janice
807 Bedford Ridge Drive, Suite 100
Bedford, TX 76022

Dear Janice:

Please publish the following in the "Legal Notices" of the Northeast section for Tuesday, February 21, 1995 and bill to the address on this letterhead.

CITY OF KELLER
PUBLIC HEARING

A public hearing will be held by the City Council of the City of Keller at the City Hall, 158 South Main Street at 6:00 PM, March 7, 1995. An application has been made requesting a zone change from SF-8.4 to R (Retail) on approximately 12 acres located in the John Edmonds Survey, Abstract No. 457 on Rufe Snow Drive, north of the proposed extension of Wilson Lane. Northwood, A Church for the Communities, owner/applicant. (Z-95-2)

Please provide an affidavit of publication. Thank you for your assistance. If additional information is required on this item, please contact me at 431-1519.

Sincerely,

Denise Wilkinson
Development Coordinator

RECEIVED 2 1995

CITY OF KELLER
ZONE CHANGE APPLICATION

SECTION 1: APPLICATION/OWNER INFORMATION

Please Print or Type

Applicant/Agent: Gary E. Cousins Telephone: 817/431-2088
Address: 5515 Rufe Snow Drive Fax: 817/577-8704
City/State/Zip: North Richland Hills, TX 76180-6005

Applicant's Status: (Check One) Owner ☒ Tenant ☐ Prospective Buyer ☐

Property Owner must sign the application or submit a notarized letter of authorization.

Owner: NorthWood, A Church for the Communities Telephone: 817/431-2088
Address: 5515 Rufe Snow Drive Fax: 817/577-8704
City/State/Zip: North Richland Hills, TX 76180-6005

Gary E. Cousins
Signature of Applicant
2/1/95
Date

[Signature]
Signature of Owner
2/1/95
Date

SECTION 2: ZONING REQUEST INFORMATION

Property Location: Northwest corner of Rufe Snow Drive and Wilson Lane
Legal Description: (see attached)
Lot(s): _____ Block(s): _____ Subdivision Name: _____

Unplatted Property Description: (see attached)

Abstract Name & Number: Edmonds John A457 Tract Number(s): 3D04

If Property is not platted, please provide a metes and bounds description.

Zoning Change Request: _____ Acreage of Requested Zoning: 12.3190
From: Single Family 8.4
To: Retail

Current Use Of Property: vacant land

Proposed Use of Property: church

Justification for Requested Zone Change: To assist us in collateral requirements
in our construction financing. Retail has a higher appraisal value than
Single Family 8.4. We also would like to some day have the capability to
use part of this property for a Christian book store or restaurant.

D. Public Hearings and Companion Items (continued)

Chairman Brown opened the public hearing. No public comment was received. Mr. McCallum motioned, Mrs. Willard seconded to close the public hearing. The motion carried 6-0. Mr. Jack Brock was present and discussed the stipulations for approval with the Commission. Mrs. Willard motioned to recommend approval of the zone change and detailed site plan for Westpark Addition, Phase III subject to the following stipulations:

1. Add the following note to the site plan:

"Unless otherwise noted, all development will be in accordance with SF-8.4 district regulations for Block 4 and SF-12 district regulations for Block 2."

Mr. Cox seconded and the motion carried 6-0.

Mr. Cox motioned to recommend approval of the preliminary plat for Westpark Addition, Phase III subject to the following stipulations:

1. Indicate distance to the floodway.
2. Indicate "proposed right-of-way dedication" along Whitley Road.
3. Correct the zoning designation of the adjacent properties in accordance with the current zoning map.

Mrs. Willard seconded and the motion carried 6-0.

Chairman Brown announced agenda items D.8., D.9., and D.10. would be considered together.

8. Public Hearing: Consider a recommendation for a zone change from "SF-8.4" (Single Family-8,400 square foot lots) to "R" (Retail) on approximately 12 acres located in the John Edmonds Survey, Abstract No. 457 at the northwest corner of Rufe Snow Drive and the future extension of Wilson Lane. NorthWood, A Church for the Communities, owner/applicant. (Z-95-2)
9. Consider for approval the short form final plat for Lot 1, Block 1 Northwood Church Addition, a proposed lot containing 45.2994 acres for a future church facility. The site is located west of Rufe Snow Drive and north of the future extension of Wilson Lane. NorthWood, A Church for the Communities, owner. Halff and Associates, Inc., applicant/surveyor. (P-95-6)

D. Public Hearings and Companion Items (continued)

10. Consider a recommendation of a site plan for NorthWood, A Church for the Communities, Phase I, a proposed chapel and classroom/office facility to be located on Lot 1, Block 1, Northwood Church Addition at the northwest corner of Rufe Snow Drive and the future extension of Wilson Lane. Northwood, A Church of the Communities, owner. Commercial Structures and Interiors, Inc., applicant/architect. (SP-95-3)

Mr. Jerry Roberts, Halff Associates, gave a presentation of the three items. Chairman Brown opened the public hearing. No public comment was received. Mr. McMurry motioned, Mrs. Willard seconded to close the public hearing. The motion carried unanimously. The three staff reports and conditions for approval were discussed with Mr. Jerry Roberts, Halff Associates, Mr. Wes Jackson, CSI, and Mr. Gary Cousins, NorthWood Church. Mr. Cousins stated no private school on the facility is proposed, only mother's day out program and Sunday school. The access to phase I and parking for buses were discussed. Mr. Cousins stated the fire lanes are 24' instead of 20' as depicted and he had a copy of an unexecuted easement agreement with the developer of Chase Oaks for access. He also stated unused parking spaces will be utilized for bus parking.

Mr. McCallum motioned to recommend the zone change from "SF-8.4" to "R" on approximately 12 acres located at the northwest corner of Rufe Snow Drive and the future extension of Wilson Lane. Mr. Cox seconded and the motion carried unanimously.

Mr. McCallum motioned to approve the short form final plat for Northwood Church Addition subject to the following stipulations:

1. Change the name of the plat due to an existing NorthWood Addition already on file.
2. Identify the dedication of the 10' right-of-way along Rufe Snow Drive and Wilson Lane as right-of-way dedication.

Mrs. Willard seconded and the motion carried.

After a lengthy discussion about concerns expressed by the Commission on the site plan, Mr. McCallum motioned to table the recommendation for the site plan for NorthWood, A Church for the Communities until the meeting of February 27, 1995 for further discussion. Mr. McMurry seconded and the motion carried unanimously.

ORDINANCE NO. 770

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF KELLER, TEXAS, BY AMENDING THE ZONING MAP AND CHANGING THE ZONING FROM "SF-8.4" (SINGLE FAMILY - 8,400 SQUARE FOOT LOTS) TO "R" (RETAIL) ON APPROXIMATELY 12 ACRES LOCATED IN THE JOHN EDMONDS SURVEY, ABSTRACT NO. 457, AT THE NORTHWEST CORNER OF RUFÉ SNOW DRIVE AND THE FUTURE EXTENSION OF WILSON LANE, LOCATED IN THE CITY OF KELLER, PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 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 15 days before such hearing; and

WHEREAS, public hearings to change the zoning on the property herein described were held before the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zone change; and

WHEREAS, the City Council is of the opinion that the zone change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Keller, Texas, and the accompanying Zoning Map are hereby amended insofar as they relate to certain land located on approximately 12 acres located in the John Edmonds Survey, Abstract No. 457, at the northwest corner of Rufe Snow Drive and the future extension of Wilson Lane, by changing the zoning thereon from "SF-8.4" (Single Family - 8,400 square foot lots) to "R" (Retail).

2 Section 2: Any person, firm or corporation violating any of the provisions of this
4 Ordinance, as read together with the Comprehensive Zoning Ordinance and
6 accompanying map thereto, shall be guilty of a misdemeanor and upon final
8 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.

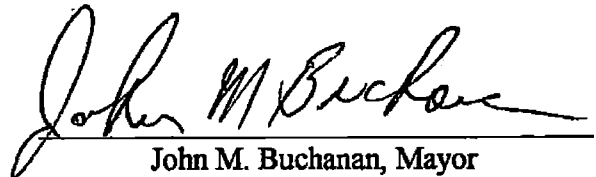
10 Section 3 The City Secretary is hereby authorized and directed to cause publication of
12 the descriptive caption and penalty clause hereof as an alternative method of
publication provided by law

14 AND IT IS SO ORDERED.

16 Passed by a vote of 5 to 0 on this the 7th day of March, 1995

CITY OF KELLER, TEXAS

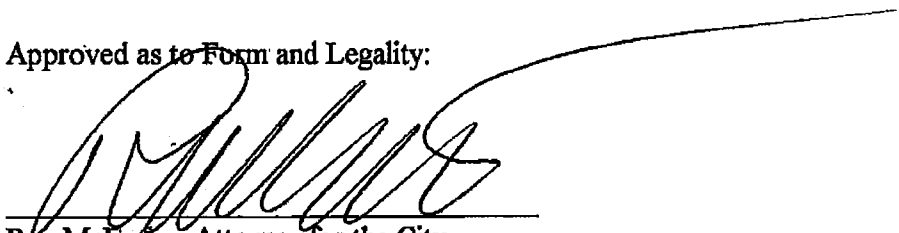
20
22 BY


John M. Buchanan, Mayor

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26
28 ATTEST.

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32 
Sheila Stephens, City Secretary

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36 Approved as to Form and Legality:

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40 
42 Rex McEntire, Attorney for the City