

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A PLANNED DEVELOPMENT FROM R (RETAIL) TO PD-SF-8.4 (PLANNED DEVELOPMENT - SINGLE FAMILY RESIDENTIAL - 8,400 SQUARE-FOOT MINIMUM), FOR CONCORDIA A PLANNED DEVELOPMENT CONSISTING OF SIXTY-SIX (66) SINGLE-FAMILY RESIDENTIAL LOTS AND SIX (6) OPEN SPACE LOTS, ON A 23.067-ACRE PROPERTY, BEING A PORTION OF LOT 1, BLOCK 1, A CHURCH FOR THE COMMUNITIES, LOCATED ON THE NORTH SIDE OF NORTH TARRANT PARKWAY, APPROXIMATELY 1,000 FEET FROM RUFE SNOW DRIVE AND NORTH TARRANT PARKWAY INTERSECTION, ADDRESSED AS 1870 RUFE SNOW DRIVE, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Mark Kimmel, Northwood Baptist Church, owner; Jim Tchoukaleff, Contour Real Estate & Development, applicant/developer; Jerry Sylo, JBI Partners, surveyor/engineer; have submitted an application to the City of Keller to request a Planned Development Zoning Change (Z-18-0002), which has been reviewed by the City Staff; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission was sent to real property owners within three hundred feet (300') of the property herein described at least ten (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 fifteen (15) days before such hearing; and

WHEREAS, public hearings to issue a zoning change on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission made a motion to recommend approval of the zoning change, which failed by a vote of 3-4; and

WHEREAS, the City Council is of the opinion that 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 hereby authorizes approval of a planned development from R (Retail) to PD-SF-8.4 (Planned Development - Single Family Residential - 8,400 square-foot minimum), for Concordia a planned development consisting of sixty-six (66) single-family residential lots and six (6) open space lots, on a 23.067-acre property, being a portion of Lot 1, Block 1, A Church for the Communities, located on the north side of North Tarrant Parkway, approximately 1,000 feet from Rufe Snow Drive and North Tarrant Parkway intersection, addressed as 1870 Rufe Snow Drive, in the City of Keller, Tarrant County, Texas, with the proposal attached hereto as Exhibit "A", and incorporated herein, with the following condition and variances:

1. The proposed minimum lot depth of one hundred and twenty-five feet (125') in lieu of the required one hundred and ten feet (110').
2. A variance is requested to allow a minimum lot width at cul-de-sac and elbow to be reduced from sixty feet (60') to fifty-five feet (55').
3. The proposed minimum dwelling size of two-thousand (2,000) square feet in lieu of the required one thousand four hundred (1,400) square feet.
4. A variance is requested to allow a minimum front yard setback to be reduced from

twenty-five feet (25') to fifteen feet (15').

5. A variance is requested to allow for a front entry garage setback to be reduced from twenty-five feet (25') to twenty feet (20').
6. A variance is requested to allow a minimum front yard setback at cul-de-sac and elbow setback to be reduced from thirty feet (30') to twenty feet (20').
7. A variance is requested to allow a minimum side yard setback to be set at five feet (5') in lieu of the required ten percent (10%) of lot width which would be six and a half feet (6.5') on each side.
8. A variance to request the use of a minimum six foot (6') high solid, stained cedar fence with metal posts and caps to be allowed on side yards, located on corner lots may extend within eight feet (8') of the side property line in lieu of open-style fencing.
9. The proposed minimum of one (1) three-inch (3") caliper street tree located between the curb and sidewalk; one (1) three-inch (3") caliper tree shall be provided in the rear of each lot.
10. A variance is requested to allow a one (1) three-inch (3") caliper tree to be planted within the front yard in lieu of two (2) three-inch (3") caliper trees.
11. A variance is requested to have two (2) street trees located between the curb and sidewalk to be allowed on the corner lots in lieu of the two (2) canopy trees planted in the required side yard adjacent to a street of all new single-family uses on corner lots.
12. A variance is requested to allow sixty percent (60%) of the lots, which would be

forty (40) residential lots to have front facing garages in lieu of the required J-Swing garages.

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 15th day of May, 2018.

CITY OF KELLER, TEXAS

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

ATTEST:

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

Approved as to Form and Legality:

\_\_\_\_\_  
L. Stanton Lowry, City Attorney