

ORDINANCE NO. 1962

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING AN ORDINANCE FOR A PLANNED DEVELOPMENT ZONING CHANGE FROM C (COMMERCIAL) TO PD-MIXED USE (PLANNED DEVELOPMENT – MIXED-USE – COMMERCIAL/RESIDENTIAL), FOR CENTER STAGE, A PLANNED DEVELOPMENT CONSISTING OF FIFTY-SEVEN (57) SINGLE-FAMILY RESIDENTIAL LOTS, FOUR HUNDRED AND SEVENTY FIVE (475) URBAN RESIDENTIAL LOFTS, 59,500 SQUARE-FEET OF COMMERCIAL USES (RETAIL, RESTAURANTS, OFFICE), AND 5.7 ACRES OF OPEN SPACE, ON AN APPROXIMATELY 38-ACRE PROPERTY, BEING ROBERTS, JJ SURVEY ABSTRACT 1305 TRACT 1A1 & 3B, LOCATED ON THE EAST SIDE OF NORTH MAIN STREET, DIRECTLY NORTHEAST OF THE NORTH MAIN STREET AND MOUNT GILEAD ROAD INTERSECTION, ADDRESSED AS 1440 NORTH MAIN STREET. IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Engler Acquisition Partners, Owner, and Realty Capital Management, LLC, Applicant/Developer, have submitted an application to the City of Keller to request a Mixed-Use Planned Development zoning change (PD)(Z-19-0002), which has been reviewed by City Staff; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission (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, the Commission held a public hearing on January 14, 2020, to consider a request for recommending approval of the proposed PD to City Council and voted 6-1 to do so; 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, the City Council held a public hearing January 21, 2020, to consider the proposed PD Concept Plan and is of the opinion that the purpose of PD zoning as set forth in the Unified Development Code is met and voted to approve the Concept Plan and allow the applicant to develop a Detail Plan for consideration;

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 Mixed Use Planned Development Zoning Change from C (Commercial) to PD-Mixed Use (Planned Development – Mixed-Use – Commercial/Residential), for Center Stage, a planned development consisting of fifty-seven (57) single-family residential lots, four hundred and seventy five (475) Urban Residential Lofts, 59,500 square-feet of commercial uses (retail, restaurants, office), and 5.7 acres of open space, on an approximately 38-acre property, being Roberts, JJ Survey abstract 1305 Tract 1A1 & 3B, located on the east side of North Main Street, directly northeast of the North Main Street and Mount Gilead Road intersection, addressed as 1440 North Main Street in the City of Keller, Tarrant County, Texas, with the proposal attached hereto as Exhibit “A”, and incorporated herein, as if fully set forth with the following conditions:

1. Reduce the maximum number of apartments to 475.
2. Reduce the maximum number of Single-Family Residential lots to 57.
3. All building facades must meet a minimum of 80% masonry, in line with the UDC.
4. 15% of open space must be met excluding landscape buffers.
5. All apartment balconies be minimum 5' depth.
6. Satellite dishes will not be allowed to face 377 or Milestone Church.
7. Fire suppression system (sprinklers) required in all buildings.
8. The developer will conduct a noise study as it relates to the adjacent highway and railroad, and adjust building materials, insulation levels, etc. appropriately per health and safety guidelines
9. Cross-connection with Milestone Church, trails, open spaces and the proposed stage will be built in the first phase, and commercial buildings will likewise be built in tandem with each residential phase.
10. The developer will contribute \$100,000 to the effort if the city is willing to close trail gaps between the development and Town Center

11. The developer agreed to a list of features to ensure "luxury"-level interior finishes in residential units.

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 4 to 3 on this the 21st day of January 2020.

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