

ORDINANCE NO. 1994

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING AN ORDINANCE FOR A PLANNED DEVELOPMENT AMENDMENT TO CHANGE THE PREVIOUSLY APPROVED PLANNED DEVELOPMENT BY MODIFYING THE LANDSCAPE BUFFER SETBACK AND THE SCREENING WALL ON THE EAST SIDE OF 501 RUFÉ SNOW DRIVE (ACCOUNT #: 42139218), ON A 2.35-ACRE TRACT OF LAND, LOCATED ON THE EAST SIDE OF RUFÉ SNOW DRIVE, AT THE INTERSECTION OF RUFÉ SNOW DRIVE AND DRISCOLL PLACE, BEING LOT 36, BLOCK A, TRAILS AT BEAR CREEK IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, ACLC Ventures, LLC., owner, and Chris Anderson, Acres Development Corporation, applicant, have submitted an application to amend the previously approved Planned Development in two aspects: a reduction to the south landscape buffer from thirty-feet to ten-feet and a modification to the screening wall along the north end of the eastern property line; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission was sent to property owners within three hundred feet (300') of the property herein described at least ten (10) days before such hearing; and

WHEREAS, the reduction on the south side landscape buffer would provide the required parking without removing tree stands on other sections of the parcel and at the same time provide significant screening for the homes to the south by taking advantage of the existing topography, and adding additional landscaping within the ten-foot buffer area near the existing masonry screening wall; and

WHEREAS, the masonry screening wall will be located on the southeast side of Driscoll Place, however, the applicant proposes to utilize wrought-iron fence material on the north side of Driscoll Place to minimize the impact to the trees along the city trail system as there are no residential homes adjacent to this section of fence; and

WHEREAS, Staff received one phone call in support and one letter in opposition from the public; and

WHEREAS, at the November 10, 2020, Planning and Zoning Commission virtual meeting, the Commission held a public hearing; and

WHEREAS, one person spoke in opposition of the request; and

WHEREAS, the Commission recommended 7-0 City Council approve the Planned Development Amendment for the two requests based on to the grade and topography of the subject site; 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, a public hearing to issue a Planned Development Amendment was held at the City Council meeting on December 1, 2020; and

WHEREAS, the City Council finds that the Planned Development Amendment furthers the purpose of zoning as set forth in the Unified Development Code;

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 approving an ordinance for a Planned Development Amendment to change the previously approved Planned Development by modifying the landscape buffer setback and the screening wall on the east side of 501 Rufe Snow Drive (Account #: 42139218), on a 2.35-acre tract of land, located on the east side of Rufe Snow Drive, at the intersection of Rufe Snow Drive and Driscoll Place, being Lot 36, Block A, Trails at Bear Creek 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. A reduction to the south landscape buffer from thirty-feet to ten-feet shall be allowed.
2. A modification to the screening wall to the eastern property line shall be allowed.

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 7 to 0 on this the 1st day of December, 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