

ORDINANCE NO. 1749

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KELLER, TEXAS, BY AMENDING THE ZONING MAP AND AMENDING A PLANNED DEVELOPMENT FOR LOWE'S HOME IMPROVEMENT CENTER TO ALLOW OUTSIDE STORAGE AND DISPLAY OF MERCHANDISE, LOCATED ON A 16.51-ACRE LOT, AT THE SOUTHWEST CORNER OF THE NORTH TARRANT PARKWAY AND RUFE SNOW DRIVE INTERSECTION, AT 600 NORTH TARRANT PARKWAY, BEING LOT 1, BLOCK A, LOWE'S ADDITION OF KELLER, AND ZONED PD-R (PLANNED DEVELOPMENT-RETAIL), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Lowes Home Improvement, owner; and Lowes Home Centers, Inc., applicant/developer; have submitted a Planned Development Amendment request (Z-15-0012) to the City of Keller, 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 has heretofore made a recommendation to approve the planned development amendment request with a condition; 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, the Unified Development Code of the City of Keller, Texas and the accompanying Zoning Map, are hereby amended by amending a planned development for Lowe's Home Improvement Center to allow outside storage and display of merchandise, located on a 16.51-acre lot, at the southwest corner of the North Tarrant Parkway and Rufe Snow Drive intersection, at 600 North Tarrant Parkway, being Lot 1, Block A, Lowe's Addition of Keller, and zoned PD-R (Planned Development-Retail), in the City of Keller, Tarrant County, Texas, with the proposal attached hereto as Exhibit "A", and incorporated herein, as if fully set forth is hereby approved as presented, with the following condition:

1. Temporary screening shall be provided for screening of outside merchandise and plant carts located on the east side of the building.

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 by a vote of 7 to 0 on this the 7th day of July, 2015.

CITY OF KELLER, TEXAS

BY: _____
Mark Mathews, Mayor

ATTEST:

Sheila Stephens, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney