



# CITY OF RICHLAND HILLS, TEXAS

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING & ZONING COMMISSION MEETING AGENDA CITY HALL, 3200 DIANA DRIVE APRIL 14, 2014 6:30 P.M.

1. CALL TO ORDER
2. ROLL CALL AND DETERMINATION OF A QUORUM
3. APPROVAL OF THE MARCH 10, 2014 MEETING MINUTES
4. PUBLIC HEARING
  - A. Z10-14: 7410 BLVD 26. – Public hearing to discuss and consider making a recommendation to the City Council to amend the Planned Unit Development District Development Plan of Lots 9, 10 and 11, Block 2, of the William Addition to allow a mini-warehouse facility within the PUD. The property is zoned Planned Unit Development District (PUD), and is located at 7410 Blvd. 26 and William Ave.
5. **PUBLIC COMMENTS:** In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the city staff and Commission members are prevented from discussion of the subject and may respond only with statements of factual information or existing city policy. Public comment will not be taken on items that the Commission has previously considered in a public hearing.)
6. **EXECUTIVE SESSION:** Pursuant to section 551.071 of the Texas Government Code (a/k/a the Texas Open Meetings Act), the commissioners may meet in executive session at any time to receive advice from the City Attorney on any posted agenda item or on a matter in which the duty of the attorney to the Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act.
7. SET THE DATE AND TIME OF THE NEXT COMMISSION MEETING
8. ADJOURN

Posted this \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ p.m.

Signed \_\_\_\_\_  
(City Secretary)

This facility is wheelchair accessible. If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please notify the City 48 hours in advance of the meeting so that reasonable accommodations can be made. For sign interpretive services, please call 72 hours in advance.



# CITY OF RICHLAND HILLS, TEXAS

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

### CITY OF RICHLAND HILLS PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES MARCH 10, 2014

#### 1. CALL TO ORDER

- a. 6:30 p.m.
- b. Attendees
  - i. Members Present –Norton, Baker, Campbell, Knowlton, Skier
  - ii. Members Absent-
  - iii. Alternates Present-
  - iv. Staff – Scott Mitchell, Director of Planning & Zoning  
Karla Wright, Secretary

#### 2. ROLL CALL AND DETERMINATION OF A QUORUM

Chairman Campbell, constituting a quorum, at which time the following business was transacted:

#### 3. APPROVAL OF THE JANUARY 13, 2014 REGULAR MEETING MINUTES

A motion was made by Member Knowlton, and seconded by Member Skier to approve the January 13, 2014, regular meeting minutes.

Motion carried by a vote of 5-0.

#### 4. REVIEW OF PROPOSED COMPREHENSIVE PLAN AND ZONING ORDINANCE

See attached presentation given by Freese and Nichols.

#### 5. PUBLIC HEARINGS

No public hearings scheduled.

#### 6. PUBLIC COMMENTS

No public comments were made.

#### 7. EXECUTIVE SESSION

No Executive Session



# CITY OF RICHLAND HILLS, TEXAS

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## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

8. **SET THE DATE AND TIME OF THE NEXT COMMISSION MEETING FOR APRIL 14, 2014 AT 6:30 P.M.**
  
9. **ADJOURNMENT**

There being no further business to come before the Commission, the meeting was adjourn at 7:30 p.m.

**ATTEST:**

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**Planning and Zoning Commission Chairman**

# Comprehensive Plan & Zoning Ordinance

March 10, 2014

Dan Sefko, FAICP

Erica Craycraft, AICP, LEED Green Assoc.



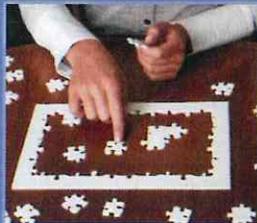
## Presentation Outline

1. Planning tools
2. What the plan means to the City and you
3. Questions and comments

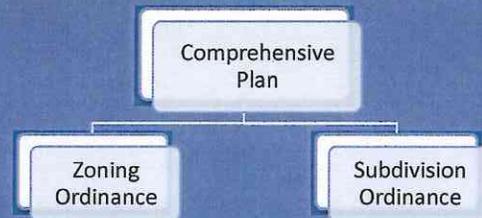


## Planning Tools

- Three key tools for managing land development in Texas:
  - Comprehensive Plan
  - Zoning Regulations
  - Subdivision Regulations



## Planning Tools



## Authority to Plan



- In Texas the Local Government Code provides the authority to manage land development
  - Chapter 213 (Comprehensive Plans)
  - Chapter 211 (Zoning)
  - Chapter 212 (Subdivision)
- Focused on providing for the health, safety, and welfare of citizens

CITY OF RICHLAND HILLS

## Users of the Plan



CITY OF RICHLAND HILLS

## Use of the Plan



One good decision,  
and the Comprehensive  
Plan can pay for itself



- **City of Melissa**
  - Collin County Outer Loop alignment
- **City of Garland**
  - SH 190 and Firewheel
- **City of Ferris**
  - Loop 9 alignment
- **City of Sunnyvale**
  - Fair housing
- **City of Cedar Hill**
  - Commuter rail station locations
  - Roadway and water/ww impact fees
- **City of Granite Shoals**
  - TPWD grant for multi-purpose path and park facility
- **City of Live Oak**
  - Refocused land uses on IH-35

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## Use of the Plan



- Articulates our vision and what we want
- Provides guidance and rationale for decisions
  - Zoning decisions
  - City staff, ZBA, P&Z, and City Council decisions regarding land use
  - CIP priorities (roadways, infrastructure, sidewalks, gateways, parks)
  - Bond rating
  - Parks grant funding

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## Use of the Plan



- How will P&Z use the plan?
  - Considering rezoning requests
  - Reviewing PD concept plans and site plans
  - Reviewing SUP site plans (includes all MF)
  - Reviewing Mixed Use site plans for rezoning
  - Measure new or innovative planning proposals from development community

CITY OF RICHLAND HILLS

## Zoning Ordinance



- How do the Zoning Ordinance/Zoning Map implement the Comprehensive Plan?
  - Redevelopment of the TRE Rail Station area
  - Greater control over development quality
  - Building materials and façade articulation
  - Allows for mixed use
  - Buffers residential uses from nonresidential redevelopment

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“If you don’t know where you are going, you’ll end up somewhere else”

- Yogi Berra

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Next Steps

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## Next Steps



- Q&A tonight
- Public hearing for adoption of the Comprehensive Plan and the Zoning Ordinance
  - March 18, 2014
  - Adoption may/may not occur this date
  - If necessary, adoption can occur at a later date



Thank You!



# CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE RICHLAND HILLS, TX 76118

P-Z  
Z10-14 Case

## PLANNING AND COMMUNITY DEVELOPMENT Zoning Amendment Application

Zoning - Use Change

PUD Amendment

Zoning - Text Change

### Property Owner Information

Name DMD 26 Financing, LLC

Address 1011 North Lamar Blvd., Austin 78703

Contact Number 512-481-0303 Contact E-mail blake@blakemageeco.com

I, the undersigned owner or authorized agent of the following described real property, located in the City of Richland Hills, Texas, hereby make application for a request for a zoning amendment.

Signature *Deanne Dow* Date March 13, 2014  
*Vice President*

### Applicant/Tenant Information

Name Rhett Collins

Address 1512 Bray Central Drive Suite 100 McKinney, TX 75069

Number 214-544-8880 E-mail RCollins@Rogersengineering.com

### Legal Description (Platted Property Only)

Tract(s) Lot (s) Lot 1011 W.W. Wallace Survey # 1646, Survey(s) Block(s) Block 2

of Willman Addition to the City of Richland Hills.

### Street Address (If One Has Been Assigned)

4151 Willman Ave, Richland Hills, TX 76180  
(Street Address) (Zip Code)

Prior to acceptance and placement on an agenda all supporting documentation and the \$100.00 non-refundable application fee must be received. Filing the application and paying the fee does not guarantee Planning and Zoning Commission or City Council approval.



# CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE · RICHLAND HILLS, TX 76118

PLANNING AND COMMUNITY DEVELOPMENT

Property Information			
Area (Acres / Square Feet)	Front Yard Width (Feet)	Rear Yard Width (Feet)	Side Yard Widths (Feet)
0.554 <sup>±</sup> / 24,110	159	65	255 (south) / 244 (north)
Zoning			
Existing Zoning District		Proposed Zoning District	
PUD 1117-08		PUD w/ revisions described below	
Proposed Use/Amendment			
Provide a detailed explanation of the proposed amendment. If you need additional space you may submit a separate document on company letterhead signed by the owner or agent.			
The request is to modify Zoning ordinance 1117-08 to allow self-storage use on lots 10 & 11.			



# CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE · RICHLAND HILLS, TX 76118

PLANNING AND COMMUNITY DEVELOPMENT

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## Land Planner/Engineer's Information

Name	Rhett Dollins, P.E.
Company Name	Pogue Engineering & Development Company, Inc.
Title	Project Manager
Company Address	1512 Bray Central Dr. Ste 100, McKinney, TX 75069
Company Phone	214-544-8880
Company Fax Number	214-544-8882
E-mail Address	R.Dollins@pogueengineering.com

## Land Planner/Engineer's Information

Name	
Company Name	
Title	
Company Address	
Company Phone	
Company Fax Number	
E-mail Address	



# CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE · RICHLAND HILLS, TX 76118  
 PLANNING AND COMMUNITY DEVELOPMENT

<b>Submittal Checklist</b>	
	<b>Completed Application – Signed by the property owner and the applicant.</b>
	<b>Application Fee</b>
	<b>Statement of Operation – A detailed statement on company letterhead signed by the responsible party that fully describes and explains the operation of the business. The statement should provide clear understanding of how the business operates.</b>
	<b>Legal Description – Surveyed metes and bounds description of the property.</b>
	<b>Site/Concept Plan – professionally produced document that depicts the property boundaries of the parcel, all easements and right-of-ways, all improvements to be located on the site (e.g.: buildings, parking lots, etc.) to scale.</b>
	<b>Floor Plan – professionally produced document that depicts the layout of the building with the proposed uses of each space identified.</b>
	<b>Site Data Table – table that calls out the street address, zoning, proposed use, required parking, parking provided, setbacks (e.g.: front, rear, side), building area, and site area.</b>
<i>Additional items may be requested as part of the staff review process.</i>	

~ Do not write below this line ~

Received	Jan 20, 2014 - 2nd March 13, 2014
Receipt Number	# 81244 L. Covert
Received by	E10-14 Correll



December 17, 2013  
PI No: 1566-13-052

**Ms. Karla Wright**  
**CITY OF RICHLAND HILLS**  
3200 Diana Drive  
Richland Hills, TX 76118

**Re: Boulevard 26 Storage**  
**Lots 10 & 11, Block 2, Willman Addition**  
*Richland Hills, Texas*

Dear Ms. Wright:

Please let this letter serve as evidence of our intent to request a zoning change for the above referenced lots.

The lots are currently owned by DMD 26 Financing, LLC, which operates a self-storage facility and office facilities on Lot 9, Block 2, immediately adjacent on the north side of Lot 10, Block 2. The existing zoning for Lots 9 and 10 is PUD 1117-08. It is my client's desire to modify this PUD to incorporate Lot 11 into the PUD, and to add self-storage as an allowable use on both Lots 10 and 11.

The proposed scope of the project is to modify the zoning to allow the desired uses, then demolish the existing buildings on Lots 10 and 11. Once the demolition is complete, new self-storage facilities will be constructed on Lots 10 and 11. Public and private utility infrastructure and fire lanes will be installed as part of this project.

The self-storage facilities being proposed are to be a mix of variously sized units; ranging from 5'x5' to 10'x30'. The impact to the surrounding area should be minimal, as the operation will be very similar in nature to the self-storage facility which already operates next door on Lot 9.

Please add our request to the next available Planning & Zoning commission meeting. If you have any questions or need additional information, please contact me at your convenience.

Sincerely,



Rhett Dollins, PE, PTOE

RND/tbd  
1566-13-052/Zoning LOI.doc



December 17, 2013  
PI No: 1566-13-052

**Ms. Karla Wright**  
**CITY OF RICHLAND HILLS**  
3200 Diana Drive  
Richland Hills, TX 76118

**Re: Boulevard 26 Storage**  
**Lots 10 & 11, Block 2, Willman Addition**  
*Richland Hills, Texas*

Dear Ms. Wright:

Transmitted herewith, via US Mail delivery, please find enclosed the following items for your review:

<u>No.</u>	<u>Date</u>	<u>Description</u>
1 ea	12-17-2013	Zoning Amendment Application
1 ea	12-17-2013	Application Fee (\$100.00, Check No. 1984)
1 ea	12-17-2013	Statement of Operation
1 ea	12-17-2013	Zoning Exhibit with legal description of property
1 ea	12-17-2013	Proposed Site Plan (depicting proposed floor plans and site summary data table)

*If the enclosures are not as noted above please contact this office immediately.*

If you have any questions regarding the above items, or need any additional information, please call me at your convenience.

Sincerely,

Rhett N. Dollins, PE, PTOE

RND/dbd  
1566-13-052/2013-12-17 LoT.doc



**ORDINANCE NO. 1059-06**

**AN ORDINANCE OF THE CITY OF RICHLAND HILLS, TEXAS, AMENDING THE CITY'S COMPREHENSIVE ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY OF RICHLAND HILLS, TEXAS, BEING APPROXIMATELY 1.71 ACRES ENCOMPASSING LOTS 7, 8, 9, AND 10, BLOCK 2, WILLMAN ADDITION, AND BEING MORE FULLY AND COMPLETELY DESCRIBED IN EXHIBIT "A" FROM "C-2" GENERAL COMMERCIAL ZONING DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT ZONING DISTRICT IN ACCORDANCE WITH THE SITE PLAN ATTACHED AS EXHIBIT "B" AND WITH OPEN PARKING; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Richland Hills, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government;

**WHEREAS**, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

**WHEREAS**, the City has previously enacted a comprehensive zoning ordinance which is codified as Chapter 90 of the Richland Hills City Code in order to regulate zoning as authorized by Chapter 211 of the Texas Local Government Code; and

**WHEREAS**, the above property is currently subject to a zoning classification of "C-2" General Commercial District under the City's comprehensive zoning ordinance; and

**WHEREAS**, a public hearing was duly held by the Planning and Zoning Commission of the City of Richland Hills and by the City Council of the City of Richland Hills, to determine an appropriate permanent zoning classification for said property; and

**WHEREAS**, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

**WHEREAS**, the City of Richland Hills, Texas does hereby deem it advisable and in the public interest to amend the City's comprehensive zoning ordinance, as amended, as described herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHLAND HILLS, TEXAS:**

## SECTION 1.

Chapter 90 of the Richland Hills City Code, the City's comprehensive zoning ordinance, as amended, is hereby amended so that the permitted uses in the hereinafter described area shall be altered, changed and amended as shown and described below:

Approximately 1.71 acres, being comprised of the property commonly known as 7410 Boulevard 26, 4151 Willman Avenue, and 5159 Willman Avenue, all in the City of Richland Hills, the legal description of which is Lots 7, 8, 9, and 10, Block 2, of the Willman Addition to the City of Richland Hills, Tarrant County, Texas, and more particularly described on Exhibit "A" attached hereto and incorporated herein for all purposes of this ordinance, is hereby rezoned from "C-2" General Commercial District to a "PUD" Planned Unit Development District with "C-2" General Commercial District retail uses as depicted on the approved Site Plan and building elevations, attached hereto and incorporated herein as Exhibit "B", and subject to the following specific conditions:

1. All signage, except to the extent depicted on the approved Site Plan, shall be subject to the City's sign ordinance.
2. All parking spaces on the property shall be open parking, as opposed to dedicated parking.

## SECTION 2.

The zoning districts and boundaries as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses allowed and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

## SECTION 3.

The City Secretary is hereby directed to amend the official zoning map to reflect the changes in classifications approved herein.

## SECTION 4.

The use of the property described above shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City of Richland Hills, Texas.

**SECTION 5.**

This Ordinance shall be cumulative of Chapter 90 of the Richland Hills City Code, as amended, and all other Ordinances of the City of Richland Hills affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

**SECTION 6.**

All rights or remedies of the City of Richland Hills, Texas are expressly saved as to any and all violations of Chapter 90 of the Richland Hills City Code or of any amendments thereto that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

**SECTION 7.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 8.**

The City Secretary of the City of Richland Hills is directed to publish the caption, penalty clause, publication clause, and effective date of this Ordinance to the extent required by law.

**SECTION 9.**

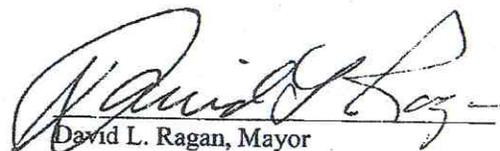
Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 11.**

This ordinance shall be in full force and effect from and after its passage and it is so ordained.

**PASSED AND APPROVED** this 10<sup>th</sup> day of January 2006.

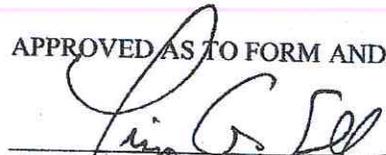


  
David L. Ragan, Mayor

ATTEST:

  
KIM SUTTER, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

  
TIM G. SRALLA, CITY ATTORNEY

1117-08

RICHLAND HILLS ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 90 OF THE CITY CODE, AS AMENDED, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHLAND HILLS, BY AMENDING THE REGULATIONS GOVERNING THE BOULEVARD 26 BUSINESS & STORAGE CENTER PLANNED UNIT DEVELOPMENT CREATED IN ORDINANCE NO. 1059-06 TO PERMIT ADDITIONAL USES AND PROVIDED OTHER REGULATIONS REGARDING PARKING, DESIGN, SITE PLAN, AND DEVELOPMENT CRITERIA; RE-ZONING CERTAIN PROPERTY, SPECIFICALLY, LOT 11, BLOCK 2 OF THE WILLMAN ADDITION TO THE CITY OF RICHLAND HILLS, TARRANT COUNTY, TEXAS, CURRENTLY ZONED AS C-2 GENERAL COMMERCIAL, TO ADD IT TO THE PUD PLANNED UNIT DEVELOPMENT REFERENCED ABOVE, PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; APPROVING SIGNAGE FOR SUCH PROJECT; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Richland Hills is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

**WHEREAS**, the City has previously enacted Ordinance No. 1059-06 creating the Boulevard 26 Business & Storage Center Planned Unit Development; and

**WHEREAS**, the owner of the Boulevard 26 Business & Storage Center Planned Unit Development has requested expansion of the boundaries of the Planned Unit Development and has requested amendment of the regulations governing such Planned Unit Development; and

**WHEREAS**, a public hearing was duly held by the Planning and Zoning Commission of the City on May 21, 2007, and by the City Council of the City on May 22, 2007, with respect to the proposed use changes described herein; and

**WHEREAS**, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with the

comprehensive zoning ordinance and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to amend Chapter 90 of the City Code, as amended, as described herein; and

WHEREAS, the proposed change is consistent with the City's comprehensive land use plan;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHLAND HILLS, TEXAS:**

**SECTION 1.  
DEVELOPMENT PLAN REGULATIONS AMENDED**

The regulations governing the Boulevard 26 Business & Storage Center Planned Unit Development created in Ordinance No. 1059-06 (hereinafter referred to as "the Boulevard 26 PUD"), a copy of which is attached hereto and incorporated herein as Exhibit A, are hereby amended as follows:

1. The revised site plan for the Boulevard 26 PUD, attached hereto and incorporated herein as Exhibit B, including the elevations shown thereon, is hereby adopted as part of the regulations governing the as part of the amended PUD.
2. The permitted land uses on Lots 7, 8, and 9, as identified on the Site Plan for the Boulevard 26 PUD, attached hereto and incorporated herein as Exhibit B, are the following, and no others:

The following uses as defined in Section 90-4 and listed in Section 90-201 under "PROFESSIONAL USES":

Bank, Savings and Loan Association, Financial Institutions  
Offices, Business  
Offices Professional  
Office, Real Estate Development Tract or Field Office

and the following uses as defined in Section 90-4 and listed in Section 90-201 under "COMMERCIAL, RETAIL, AND SERVICE USES":

Ambulance Service  
Animal Grooming  
Antique Shop  
Apparel, Alteration or Tailor  
Appliance Repair, Household  
Art Gallery

Art Supply Store  
Bakery or Retail Confectionery  
Bakery or Wholesale Candy  
Beauty, Barber or other Professional Shop  
Ceramic Products without Kiln  
Clothing Store  
Collectibles Shop  
Contractor, no outside storage  
Convenience Store, with or without Fuel Sales  
Copy Shop  
Cosmetic Tattoo Establishment  
Day Care Center, Adult  
Day Care Center, Child  
Department Store  
Factory Outlet, Retail or Wholesale Store  
Floor Covering Shop  
Florist Shop/Gift Shop  
Funeral Home/Mortuary  
Furniture or Appliance Store  
Furrier Shop  
Greenhouse or Plant Nursery  
Grocery Store  
Hardware Store  
Health club/Recreation Facility  
Hobby Shop  
Hobby Studio, Private  
Laundry, Dry Cleaning Pickup and Receiving Station  
Laundry, Dry Cleaning Full-Service  
Laundry, Dry Cleaning Self-Service  
Leather and Luggage Store  
Lithography or Print Shop  
Locksmith Shop  
Meat Market  
Music Store  
New Machinery Sales and Repair (Heavy)  
Office Machine Sales and Service  
Office Supply Store  
Paint and Wallpaper Store  
Pet Shop  
Pharmacy  
Photo Service Pickup  
Photographic Equipment Sales and Service  
Picture Framing Shop

Radio, Television Studio  
Rental Store  
Restaurant  
Restaurant with Alcohol  
Second-Hand Retail Store  
Shoe Repair  
Sign Sales, Painted or Silkscreened  
Studio  
Sporting Goods Store  
Ticket Agency  
Tobacco Shop  
Travel Bureau or Consultation  
Video/Game Rental Store  
Watch and/or Jewelry Repair  
Window Covering Store

3. The only permitted land uses on Lots 10 and 11, as identified on the Site Plan for the Boulevard 26 PUD, attached hereto and incorporated herein as Exhibit B (also being the southernmost parking lot) are the following, and no others:

Truck Leasing and Rental  
Recreational Vehicle Storage (Commercial)

4. The owner shall build and maintain in good condition a 6 foot high fence composed of engineered masonry panels with brick columns on the east and southwest sides of the southernmost parking lot, identified as Lots 10 and 11 of the Boulevard 26 PUD, as shown on the Site Plan for the Boulevard 26 PUD, attached hereto and incorporated herein as Exhibit B. Additionally, if the land use on Lots 5 and 6 (the lot adjacent to the existing chain link fence shown on the site plan on the northwest side of Lots 10 and 11 of the Boulevard 26 PUD (being the southernmost parking lot) changes in the future from its current Auto Paint and Body use, the owner of the Boulevard 26 PUD shall then within sixty (60) days construct a matching fence composed of engineered masonry panels with brick columns in place of the chain link fence.
5. Lots 10 and 11, as identified on the Site Plan for the Boulevard 26 PUD, attached hereto and incorporated herein as Exhibit B (also being the southernmost parking lot) shall be a closed access area with two electric wrought iron gates providing access. Overnight truck parking shall be allowed in the six (6) most southern parking spaces on the east side, to permit nighttime truck rental returns, but any trucks must be moved inside the gated area by 9:00 a.m.
6. All signage, except to the extent depicted on the approved Site Plan, shall be subject to the City's sign ordinance.

7. All parking spaces on the property, except that located within the gated area described above, shall be open parking, as opposed to parking dedicated to any particular building, area, or tenant.
8. In all respects not addressed in this section, the regulations of the C-2 General Commercial zoning district shall apply.
9. To the extent that the attached Development Plan differs from the regulations applicable to the C-2 zoning district, the Development Plan shall control.

The Development Plan described above and the site plan attached hereto as Exhibit B are hereby incorporated into this amending ordinance, and shall be referenced on the zoning district map, and such Development Plan constitutes part of the City's comprehensive Zoning Ordinance, Chapter 90 of the City Code, and governs use of the properties referenced above, as provided in Section 90-241 of the City Code.

#### **SECTION 1. PROPERTY RE-ZONED**

Chapter 90, as amended, is hereby amended so that the zoning of the hereinafter described areas shall be altered, changed and amended as shown and described below:

Property Address: 7265 Vivian Lane, Richland Hills, Texas  
Legal Description: Lot 11, Block 2, Willman Addition to the City of Richland Hills  
Zoning Change: From C-2 General Commercial to the PUD Planned Unit Development referenced above

Chapter 90 of the Richland Hills City Code, the City's comprehensive zoning ordinance, as amended, is hereby amended so that the permitted uses in the hereinafter described area shall be altered, changed and amended as shown and described below:

#### **SECTION 2. ACCORDANCE WITH COMPREHENSIVE PLAN AND PURPOSES OF ZONING**

The City Council finds that the changes to the zoning districts, boundaries, regulations and uses as herein established have been made in accordance with the City's zoning code and comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community. They have been designed to efficiently plan, control and organize development, lessen congestion in the streets, secure safety from fire, panic, flood and other dangers, provide adequate light and air, prevent overcrowding of land, avoid undue concentration of population, and facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses

and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

**SECTION 3.  
DIRECTION TO AMEND OFFICIAL ZONING MAP**

The City Secretary is hereby directed to amend the official zoning map to reflect the changes in uses approved herein.

**SECTION 4.  
SIGNAGE APPROVED**

Except for the monument sign shown on the northeast corner of the property, the signage portrayed in the Site Plan for the Boulevard 26 PUD, attached hereto and incorporated herein as Exhibit B, is approved in lieu of, and not in addition to, other signage that would be permitted, and to the extent a variance would be required to permit such signage, such variance is hereby approved.

**SECTION 5.  
ORDINANCE CUMULATIVE**

This Ordinance shall be cumulative of Ordinance No. 500, as amended, and all other Ordinances of the City of Richland Hills affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

**SECTION 6.  
PENALTY**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance may be subjected to such civil penalties as authorized by law.

**SECTION 7.  
RESERVATION OF RIGHTS AND REMEDIES FOR ACCRUED VIOLATIONS**

All rights or remedies of the City are expressly saved as to any and all violations of Chapter 90, as amended, or any other ordinance affecting zoning and land use that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

**SECTION 8.  
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

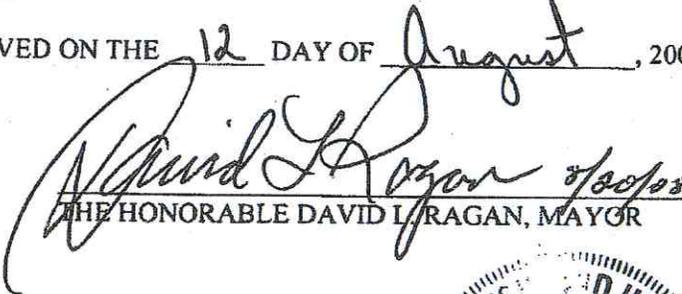
**SECTION 9.  
PUBLICATION**

The City Secretary is hereby directed to publish in the official newspaper of the City the caption, penalty clause, publication clause, and effective date clause of this ordinance twice as authorized by Section 52.013 of the Local Government Code.

**SECTION 10.  
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THE 12 DAY OF August, 2008.

  
\_\_\_\_\_  
THE HONORABLE DAVID L. RAGAN, MAYOR

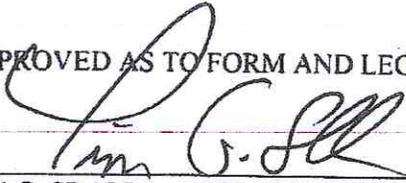
ATTEST:

  
\_\_\_\_\_  
LINDA CANTU, CITY SECRETARY

EFFECTIVE: August 12, 2008



APPROVED AS TO FORM AND LEGALITY:



TIM G. SRALLA, CITY ATTORNEY

**ROGER L. DUCK, INC.**  
**SELF STORAGE DEVELOPMENT**

P.O. Box 27857  
Austin, Texas 78755  
Mo 512-496-9440  
Fx 512-407-8716  
e-mail [rlduck@austin.rr.com](mailto:rlduck@austin.rr.com)

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**Development Schedule**  
**26 Storage and Business Center PUD**

Scheduled Closing Date of Property:	February 2006
Construction Plans:	January – March 2006
Permit:	March- April 2006
Bidding:	April – May 2006
Utility relocation:	April – June 2006
Start Construction Phase I:	June 2006
Complete Construction Phase I:	February 2007
Start Construction Phase II:	September 2007
Complete Construction Phase II:	February 2008

Existing retail center would stay operational during entire construction process as no structural changes to retail center are anticipated other than construction of sloped metal roof over existing structure with new parapet over existing store front.

Sincerely,

*Roger Duck*

Roger Duck, President  
Roger L. Duck, Inc.

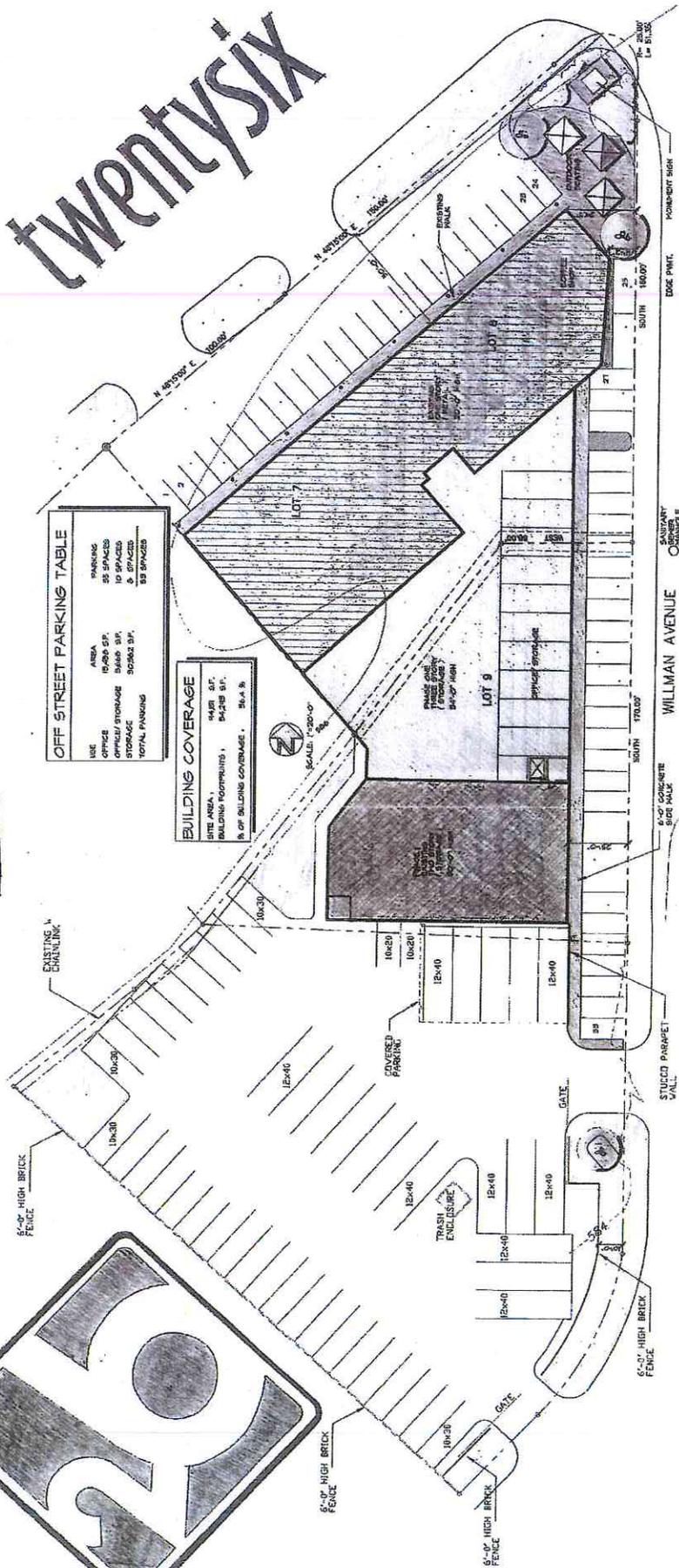
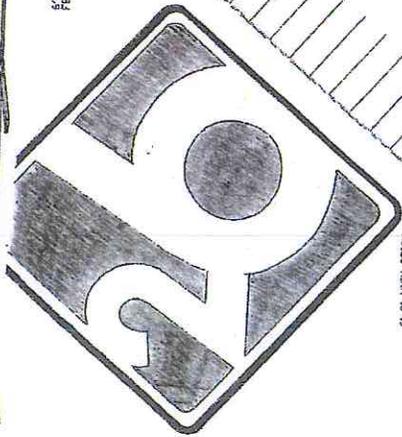
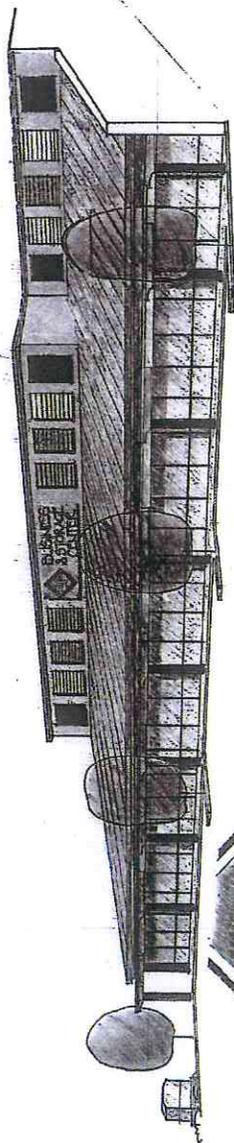


**Tarrant Appraisal District**

*This tax map was compiled solely for the use of Tarrant Appraisal District who assumes no responsibility for the content or accuracy other than the use intended.*



# TWENTYSIX



**OFF STREET PARKING TABLE**

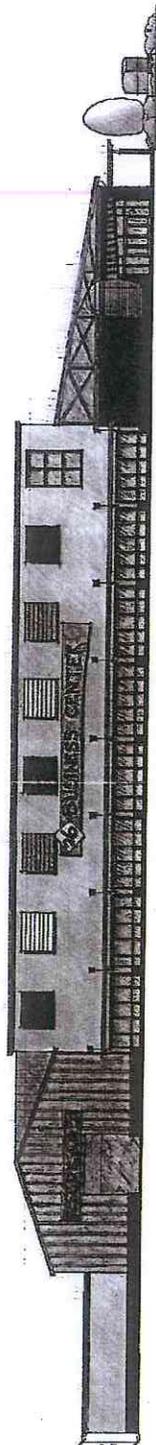
USE	AREA	PARKING SPACES
OFFICE	10,800 SF	10 SPACES
OFFICE STORAGE	5,400 SF	5 SPACES
STORAGE	30,000 SF	30 SPACES
<b>TOTAL PARKING</b>		<b>45 SPACES</b>

**BUILDING COVERAGE**

SITE AREA	14,800 SF
BUILDING FOOTPRINTS	54,200 SF
% OF BUILDING COVERAGE	364.9%

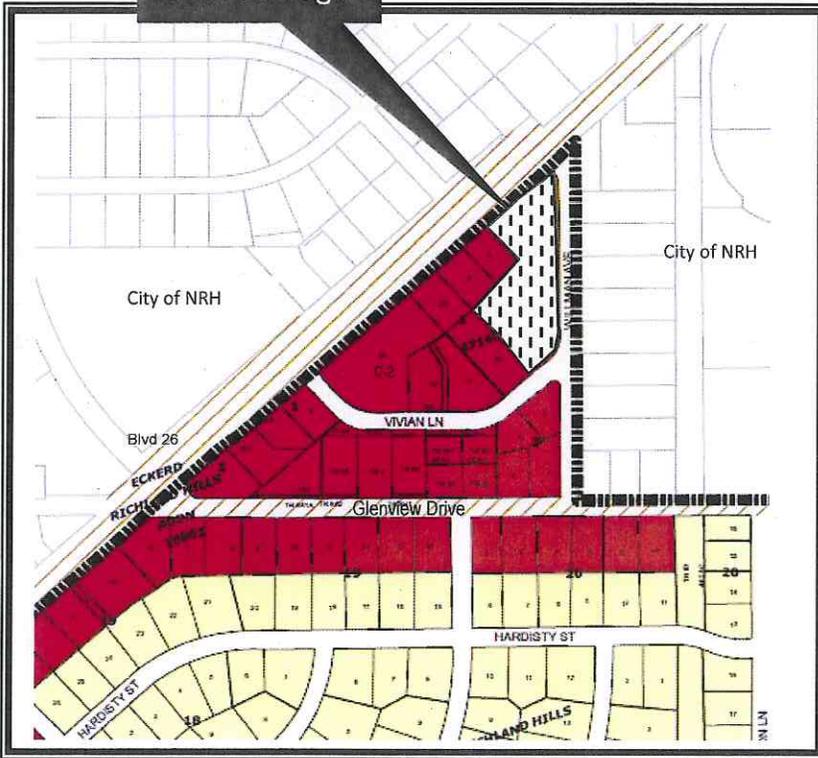
ROGER L. DUCK, INC.  
(512) 486-9440

**THE WARRICK CO.**  
ARCHITECTS  
1100 WEST WASHINGTON  
AUSTIN, TEXAS 78701



# VICINITY MAP

Subject Site:  
7410 Blvd. 26  
Blvd. Storage

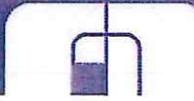


Subject Site	7410 Blvd. 26
Use	Retail and Mini-warehouse
Zoning	Planned Unit Develop (PUD)
Zoning (North)	City of North Richland Hills
Zoning (South)	General Commercial (C-2)
Zoning (East)	General Commercial (C-2)
Zoning (West)	General Commercial (C-2)
Meeting	April 14, 2014
Time	6:30 p.m.
Location	City Council Chambers 3200 Diana Drive Richland Hills, TX 76118

↑ North Map not to scale

***If you have any questions or comments regarding this request please contact:***

Karla Wright  
Planning and Community Development Tech  
City of Richland Hills  
(817) 616-3770  
kwright@richlandhills.com



February 6, 2014

**City of Richland Hills  
Boulevard 26 Storage PUD Amendment Request**

**Background:**

The applicant has requested the following changes to PUD Ordinance No. 1117-08 (originally PUD Ordinance No. 1059-06):

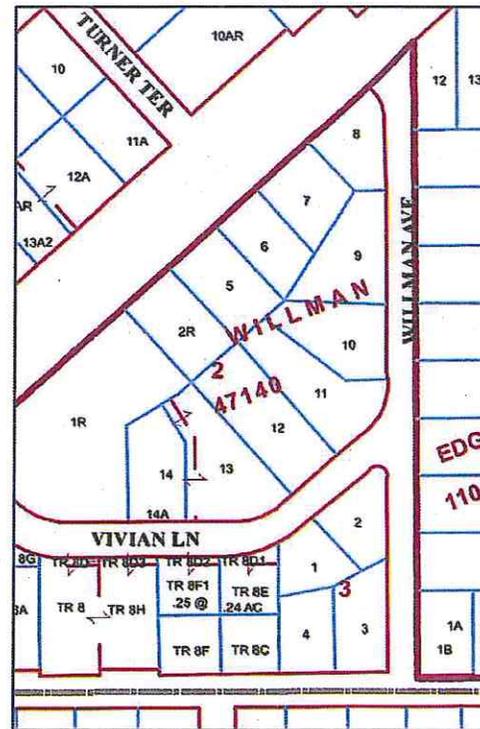
- 1) Add Lot 11 into the PUD boundary, and
- 2) Allow a new use, *Mini-Warehouse Facility*, on Lot 10 and Lot 11.

The first item has been resolved previously, as Ordinance No. 1117-08 amended the PUD to add Lot 11 in 2008. Note that the City's official zoning map has not been updated since this date, which likely resulted in this confusion.

The remaining issue is the permitted uses on each lot. The applicant stated that a self-storage business is currently operating on Lot 9, which is not permitted by the existing PUD; therefore, Lot 9 has been added to the applicant's request. I am unsure whether the existing operation was grandfathered from previous zoning and is operating as a legal nonconforming use, or if it was established in violation of the current zoning; City staff's records will be needed to confirm this information.

PUD Ordinance No. 1117-08 allows for the following uses:

- Lot 7, Lot 8, and Lot 9 allow for a list of uses, but it does not include *Mini-Warehouse Facility*, and
- Lot 10 and Lot 11 only allow *Truck Leasing and Rental* and *Recreational Vehicle Storage (Commercial)*.



	Lot Currently Included in PUD?	Mini-Warehouse Facility Currently Allowed?	Mini-Warehouse Facility Requested?
LOT 7	✓	X	
LOT 8	✓	X	
LOT 9	✓	X	✓
LOT 10	✓	X	✓
LOT 11	✓	X	✓

**The decision for the Planning & Zoning Commission and the City Council is whether to allow a *Mini-Warehouse Facility* on Lot 9, Lot 10, and Lot 11.**

**Recommendation:**

We recommend denial of this application. The City's zoning ordinance only allows for a *Mini-Warehouse Facility* to be located in the I-1 and I-2 districts. The lots in question were zoned C-2 prior to the PUD rezoning, and the neighboring lots are currently zoned C-2; therefore, we do not think it is in the City's best interest to rezone Lot 9, Lot 10, and Lot 11 to allow for the *Mini-Warehouse Facility* use.

Additionally, the City is currently investigating whether the self-storage operation on Lot 9 is a legal nonconforming use or if it is in violation of the City's zoning ordinance.

Please contact me with any questions.

Thank you,

Erica Craycraft  
Freese and Nichols, Inc.  
[egc@freese.com](mailto:egc@freese.com)