

ORDINANCE NO. 1323

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 CHANGING THE ZONING FROM R (RETAIL) TO PD-R (PLANNED DEVELOPMENT-RETAIL), FOR A 0.9812-ACRE TRACT OF LAND, LOCATED ON THE NORTH SIDE OF KELLER PARKWAY (F.M. 1709) APPROXIMATELY 350 FEET WEST OF BOURLAND ROAD, AT 541 KELLER PARKWAY, BEING LOT 3A, BLOCK 1, FOOTE'S ADDITION, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, City of Keller, owner/applicant, has submitted a zoning change request (Z-06-0006), 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 two hundred feet (200') 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 change the zoning on the property herein described were held before the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation to approve the zoning change request with conditions; 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.

1 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
2 CITY OF KELLER, TEXAS:

3 Section 1: THAT, the above findings are hereby found to
4 be true and correct and are incorporated
herein in their entirety.

5 Section 2: THAT, the Unified Development Code of the
6 City of Keller, Texas and the accompanying
7 Zoning Map, are hereby amended by changing
8 the zoning from R (Retail) to PD-R (Planned
9 Development-Retail), for a 0.9812-acre tract
10 of land, located on the north side of Keller
11 Parkway (F.M. 1709) approximately 350 feet
12 west of Bourland Road, at 541 Keller Parkway,
being Lot 3A, Block 1, Foote's Addition, in
the City of Keller, Tarrant County, Texas, is
hereby approved, with the proposal attached
hereto as Exhibit "A", and incorporated
herein, as if fully set forth, with the
following conditions:

- 13 1. Attached table of allowable uses.
 - 14 2. The existing buildings/site shall not be
15 utilized for any use and are deemed
16 non-conforming. A new building(s) shall
17 be constructed in accordance with the
Unified Development Code for any future
use of the property.
 - 18 3. Current buildings may be removed
19 following the purchase of the property
20 until a new user is determined.
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Permitted Uses for PD-R
541 Keller Parkway - Z-06-0006

Administrative or corporate headquarters	P
Appliance rental wholly enclosed within a building	P
Automobile parts and sales and wholly enclosed in a building	P
Bank, saving, loan, and credit unions, including drive-thru and automatic teller	P
Barber shop or beauty salon	P
Building material and hardware sales wholly enclosed without outside storage or display	P
Child care or day care center	P
Church	P
City, County, State, and governmental offices	P
College, university, or private boarding school	P
Community center	P
Copy shop or printing shop	P
Dental clinic, medical clinic, laboratory or office	P
Driving school	P
Dry cleaning small shop-within a multi-use retail bldg	P
Health Club/dance studio/aerobics studio	P
Hospital	P
Hotel and motel	P
Municipal uses operated by the City of Keller	P
Museum or art gallery	P
Office, general, professional, or medical	P
Pharmacist or drug store	P
Private school, business or trade school	P
Religious or philanthropic institution not listed	P
Retail uses/services wholly enclosed within a building	P
Restaurant, café or cafeteria	P
Retirement home and/or nursing home	P
School (public)	P
Studio (photography)	P
Veterinarian office (no outside pens or walking area)	P

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2 Section 3: THAT, any person, firm or corporation
3 violating any of the provisions of this
4 Ordinance, as read together with the Unified
5 Development Code and accompanying map
6 thereto, shall be guilty of a misdemeanor and
7 upon final conviction therefore shall be
8 fined in a sum not to exceed Two Thousand
9 Dollars (\$2,000.00). Each and every day such
10 violation continues shall constitute a
11 separate offense and shall be punishable as
12 such hereunder.

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14 Section 4: THAT, the City Secretary is hereby authorized
15 and directed to cause publication of the
16 descriptive caption and penalty clause hereof
17 as an alternative method of publication
18 provided by law.

19 AND IT IS SO ORDAINED.

20 Passed and approved by a vote of 5 to 0 on this the 4th
21 day of April, 2006.

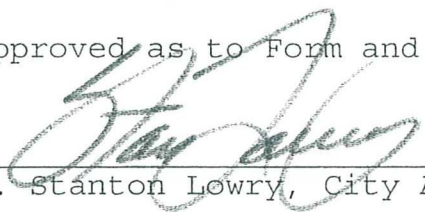
22 CITY OF KELLER, TEXAS

23 BY: 
24 Julie A. Tandy, Mayor

25 ATTEST:

26 
27 Sheila Stephens, City Secretary

28 Approved as to Form and Legality:


L. Stanton Lowry, City Attorney