

ORDINANCE NO. 2199

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING FLEXD KELLER, A PLANNED DEVELOPMENT ZONING CHANGE FROM COMMERCIAL (C) AND NEIGHBORHOOD SERVICES (NS) TO PLANNED DEVELOPMENT – TECH FLEX, CONSISTING OF TWO SEPARATE COMMERCIAL LOTS TOTALING APPROXIMATELY 10.77 ACRES OF LAND, ONE LOT BEING LEGALLY DESCRIBED AS TRACT 14C03A, ABSTRACT 457 OF THE JOHN EDMONDS SURVEY, LOCATED APPROXIMATELY 750 FEET SOUTHEAST OF THE BEAR CREEK PARKWAY WEST AND CHISHOLM TRAIL INTERSECTION AND ADDRESSED 777 CHISHOLM TRAIL, AND THE SECOND LOT BEING LEGALLY DESCRIBED AS LOT 1, BLOCK A OF THE BEAR CREEK OFFICE PARK ADDITION, LOCATED AT THE SOUTHEAST CORNER OF THE BEAR CREEK PARKWAY WEST AND CHISHOLM TRAIL INTERSECTION AND ADDRESSED 150 BEAR CREEK PARKWAY WEST, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Jordan Rymer, Flexd Development, Applicant and Garabedian Properties, Applicant, have submitted a request for a zoning change for approximately 10.77 acres of land from Neighborhood Services and Commercial to Planned Development – Tech Flex for two separate lots. (ZONE-2409-0004); and

WHEREAS, the City's Planning and Zoning Commission and the City Council, in accordance with the Charter of the City of Keller, State Law, and the ordinances of the City of Keller, have given the required notices and have held the required public hearings regarding the zoning change application described in this ordinance; and

WHEREAS, the City Council is of the opinion that the Planned Development zoning change herein effectuated further 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 approval of FLEXD Keller, a Planned Development Zoning Change from Commercial (C) and Neighborhood Services (NS) to Planned Development – Tech Flex, consisting of two separate commercial lots totaling approximately 10.77 acres of land, as shown on the attached Exhibit "A", one lot being legally described as Tract 14C03A, Abstract

457 of the John Edmonds Survey, located approximately 750 feet southeast of the Bear Creek Parkway West and Chisholm Trail intersection and addressed 777 Chisholm Trail, and the second lot being legally described as Lot 1, Block A of the Bear Creek Office Park Addition, located at the southeast corner of the Bear Creek Parkway West and Chisholm Trail intersection and addressed 150 Bear Creek Parkway West.

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 5 to 1 on this the 3rd day of December 2024.

CITY OF KELLER, TEXAS



BY:   
Armin Mizani (Dec 11, 2024 12:09 CST)  
Armin R. Mizani, Mayor

ATTEST:

  
Kelly Ballard (Dec 11, 2024 11:11 CST)  
Kelly Ballard, City Secretary

Approved as to Form and Legality:

  
Stan Lowry (Dec 13, 2024 07:43 CST)  
L. Stanton Lowry, City Attorney

## List of Proposed Development Standards

### Permitted Uses For Both Sites

Proposed PD Use	SUP or P
Administrative, professional or corporate office	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Appliance Rental	SUP
Assembly of light electronic instruments and devices (enclosed building)	P
Assembly of products including packaging	P
Assembly of radios/audio/visual equipment/communication equipment	P
Automobile electric charging station	P
Automobile parts retail sales wholly enclosed in a building	P
Automobile renting	SUP
Automobile Repair, Sales and Service (Amended by Ord. No. 1828 on January 17, 2017)	SUP
Automobile sales	SUP
Automobile service station	SUP
Bakery (retail)	P
Brewery	SUP
Brewery with retail sales on and off premise	SUP
Building materials and hardware sales	P
Child Care (Center)	P
Commercial engraving/printing (including newspapers)	P
Community center	P
Contractor shop	P
Copy shop or printing shop	P
Distillery with 1,500 square-foot tasting room	SUP
Driving School	SUP
Entertainment Facility (Indoor)	SUP
Fitness Center/Health Club	P
Furniture restoration (wholly enclosed in a building)	P
Greenhouses and nurseries (commercial retail or wholesale)	SUP
Gunsmith (repair only)	P
Heating and air conditioning sales and services without outdoor storage	SUP
Heavy machinery sales and service	SUP
Heavy vehicle storage	SUP
Hospital	SUP
Kennels (Indoor Pens Only)	SUP
Kennels, Grooming Only	P
Light Manufacturing wholly enclosed within a building	P
Medical Spa	SUP
Medical/Dental clinic or office	P
Minor medical emergency clinic	SUP
Motorcycle sales and service	SUP
Museum or art gallery	P
Office Warehouse	P

## List of Proposed Development Standards

Offices, City, County, State, and Other Governmental	P
Optical store, optician or optometrist	P
Pharmacist or drug store	P
Private club	SUP
Radio broadcasting without tower	P
Religious institution	P
Research and scientific laboratories	P
Retail stores and shops	P
Retail uses and services wholly enclosed within a building	P
Sales of used goods and merchandise	P
School, Business or Trade	P
School, Private	P
School, Public	P
Seasonal Sales	P
Spa	SUP
Studio, art or photographic (within multi-use retail)	P
Studio, art or photography (stand alone)	P
Technology/Research and Development	P
Temporary field construction office	P
Tool and machinery rental shop	SUP
Utility structures (Private or Franchised)	SUP
Utility structures (public)	P
Veterinarian Clinic	P
Veterinarian Clinic with Supplemental Services	SUP

Note: Per P&Z's comments, **Child Care (Center), Optical Store, optician or optometrist, and Pharmacist or drug store** have been changed from SUP to P, as these uses are P in both Commercial and Neighborhood Services land use categories.

Note: Per P&Z's comments, **Distillery with 1,500 square-foot tasting room, Brewery, Brewery with retail sales on and off premise, Gunsmith (repair only), Heavy machinery sales and service, Medical Spa, Private Club, and Veterinarian Clinic with Supplemental Services** have been changed from P to SUP.

Note: Per P&Z's comments, **Retail sales of CHP, tobacco, e-cigarettes or non-traditional smoking-related products** has been removed from the use table.

## List of Proposed Development Standards

### Proposed Definitions Not Included in the UDC:

- **Appliance Rental** - means a service establishment that may offer a wide variety of household and business equipment, furniture, and materials for rental. Also includes repair service for business equipment and furnishings, household yard equipment and appliances, and audio, video and computer machines.
- **Automobile Service Station** - means a place of retail business where motor vehicles are washed, serviced, repaired, fueled, leased, sold or displayed and may include, but are not limited to a car wash/detailing center, body shop or general or specialty repair shops.
- **Brewery** – means an establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages, and which may include accessory uses such as tours of the brewery, retail sales, and/or on-site consumption.
- **Heating and air conditioning sales and services without outdoor storage** - means a service use that primarily provides heating and air conditioning services on the premises of their clients and may include incidental fabrication of duct work and other related equipment sales wholly enclosed in a building.
- **Research and scientific laboratories** – means a laboratory facility that is primarily used for non-office scientific research. This use can include the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing.
- **Technology/Research and Development** – means any business that derives, in whole or part, gross receipts from computer software, hardware or telecommunication sales, leases, licenses; or services for which computers or telecommunications are used to provide sales, leases, licensing or services directly to the customer.
- **Tool and machinery rental shop** - means a building or a portion of a building used for the display and rental of tools, machinery and instruments.

## **List of Proposed Development Standards**

### **Density & Lot Information**

Total Site Areas: 469,296 sf

Total Building Areas: 160,164 sf

Total Lot Coverage: 34.1%

Total Open Area: 22.5%

Bear Creek Site Area: 134,673 sf

Bear Creek Building Area: 41,212 sf

Bear Creek Lot Coverage: 30.6%

Bear Creek Open Area: 15.5%

Lot Depth: 324'

Lot Width: 421'

Yard Depth: 30'-0"

Chisholm Trail Site Area: 332,927 sf

Chisolm Trail Building Area: 119,404 sf

Chisolm Trail Lot Coverage: 35.9%

Chisolm Trail Open Area: 15.1%

Lot Depth: 420'

Lot Width: 784'

Yard Depth: 30'-0"

## **List of Proposed Development Standards**

### **Building Elevations & Site Information**

- Please see the provided Building Elevations attachment for building elevations, building material coverage and building height
- All facades to be finished with similar architectural elements and materials including minimum 75% masonry. Tilt Wall, CMU and stucco will be included as masonry applications for the 75% requirement calculations.
- Permitted elevations will match the above proposed masonry /tilt-wall mix to meet and exceed UDC masonry requirements. Buildings will feature textured surfaces/ architectural elements to enhance wall surfaces.
- Similar architectural elements, materials, and colors will be carried through each building on the sites. The elevations presented in this exhibit are representative of a consistent design style that will carry through each building on both sites.
- We have specifically chosen clean accent lines, building articulation, textures, and light materials with dark accents that bring a modern, clean, and energetic look to this development.
  - Overall building heights are well below maximum building heights for the provided setbacks of the building, nearing 28' at accented parapets across the building and 19' lower points along the buildings.
- Floor Area Ratio: 34.1%
- The project will include outdoor public seating area including shade structures or pergola, provided access to tenants, their customers and public during business hours.
- Underground detention systems to mitigate site drainage.
- 24 / 7 site security with video surveillance to reduce site closure and promote openness of the development.
- FLEXD will maintain the common areas and costs will be billed back to tenants as part of their triple-net expenses.
- Trash will be managed by FLEXD and will operate under a regular trash pick-up schedule in accordance with the needs of the site.
- No perimeter or interior screening walls or fencing are proposed for the site.

### **Open Area Specifications**

- Open Area shall be calculated to include:
  - The walking trail system, inclusive of the landscaped areas bordering the trail and adjacent to Chisholm Trail
  - The additional Open Area locations denoted on the Concept Plan to include the public park area and other public seating areas
- The landscaped area against the building frontage will not be included in the Open Area calculation.

## List of Proposed Development Standards

### **Parking Ratios and Parking Locations**

- Please see the Concept Plan for parking ratios and parking locations
- Applicant is requesting to not be required to provide any additional landscaping if the property becomes overparked.
- Pursuant to section 9.02G of the UDC, parking requirements will be counted as follows:

#### *8. Business or professional office -*

##### Gross Floor Area (sq. ft.) Parking Requirements

- less than 10,000 sq. ft.      1 per 330 sq. ft.
- 10,000 to 75,000 sq. ft.      1 per 400 sq. ft.
- 75,000 sq. ft. & over      1 per 450 sq. ft.

64. Warehouse or Wholesale Type Uses - One (1) space for two thousand (2,000) square feet of gross floor area.

### **Screening and Landscaping**

- Please see the Concept Plan for screening and landscaping locations
- All site and parking lot landscaping shall conform to UDC guidelines. In addition, a winding walking trail and outdoor seating structure are provided for both tenant and public access.
  - 10' winding walking trails situated along Chisholm Trail, and ROW sidewalks on W. Bear Creek Parkway.
  - Existing trees saved when possible and new trees including ornamentals planted throughout the site for additional screening and visual appeal. A Tree Survey/Preservation Plan is currently being developed.

### **Accessory Buildings**

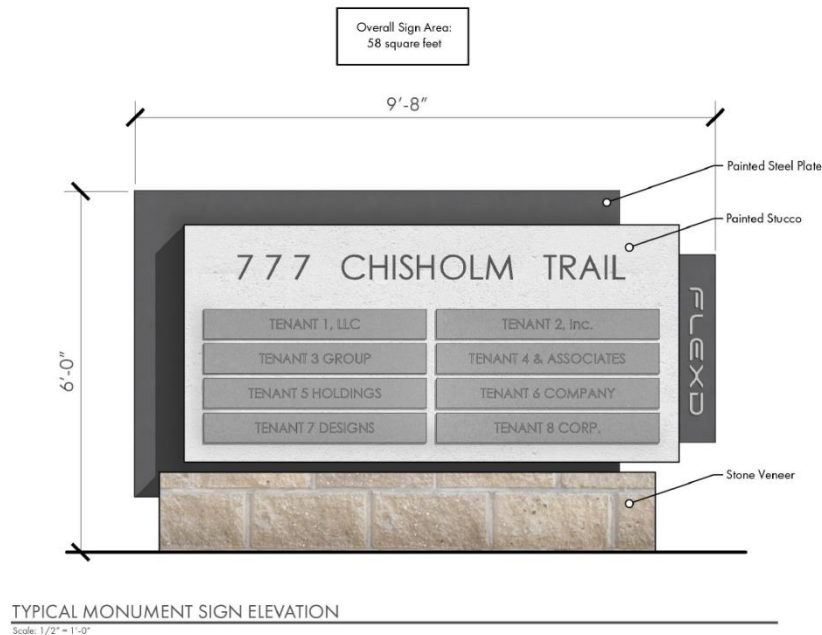
- There will not be any outdoor storage at the property. There will be enclosed temporary storage included in the structure of the building as an amenity to tenants located within the buildings. These locations will be at the endcap of the central building at 777 Chisholm, as shown in the Concept Plan, for ease of tenant access and use. The size of these areas will be between 1,000-2,000 SF.
- The only accessory structure will be a forklift rental storage area located on the northern endcap of the eastern-most building at 777 Chisolm Trail site. This area will be enclosed by masonry block with or architectural metal compatible in design and material with the main structure. Weatherproofing of this area may be employed via suspended metal, masonry, or fabric awning. We will provide the final designs in conjunction with our final elevation submission but will adhere to the construction and design standards as detailed in Section 9.01 of the UDC.



## List of Proposed Development Standards

### Signs

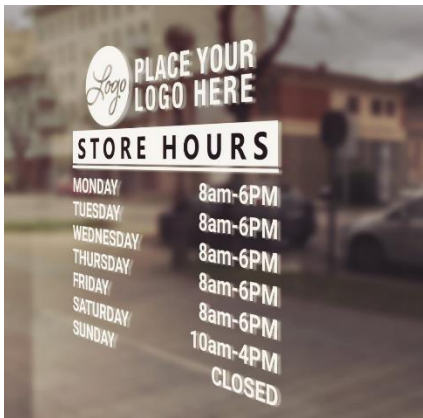
- All signage design standards shall conform to UDC guidelines.
- Anything pertaining to signage not addressed in these Proposed Development Standards will default to UDC standards.
- The project will include exit and entry signs, and applicable stop signs and one-way at exits.
- Low-impact, aesthetically complementary monument signs will be placed at points of entry onto the site. Proposed locations are included on the provided Concept Plan.
  - Applicant is requesting three (3) monument signs at each entrance location on Chisholm Trail for the property located at 777 Chisholm Trail, along with one (1) monument sign at the entrance on Chisholm Trail and one (1) monument sign at the entrance along Bear Creek Pkwy for the property location at 150 Bear Creek Pkwy.
  - These monument signs will be a minimum of five feet (5') from the public right of way.
  - These signs will be illuminated via low-impact uplighting
  - Examples include:



## List of Proposed Development Standards

### Tenant Storefront Signage

- Tenants will be permitted to display business names, logos, hours of operations, and other business information on their glass storefronts, to be approved by FLEXD pursuant to their lease agreements. Signage area will be limited to 30% of the total glass surface area of the glass storefronts.
  - Examples Include



## List of Proposed Development Standards

### *Building Signage (Street-Facing)*

- Street facing tenants will have the option to have “permanent” signage on the building facade.
  - This signage will be constructed of quality materials including aluminum, masonry stone, brick, stucco, molded plastics and acrylic.
  - All supporting hardware will be concealed from view or integrated into the sign design.
  - There will be no internally or externally illuminated signage affixed to the building.
  - Examples include:





## List of Proposed Development Standards

### *Building Signage (Non-Street-Facing)*

- Non-street-facing tenants will have the option to have permanent signage affixed to the building.
  - This signage will be constructed of quality materials including aluminum, masonry stone, brick, stucco, molded plastics and acrylic.
  - All supporting hardware will be concealed from view or integrated into the sign design.
  - There will be no internally illuminated signage affixed to the building.
  - Hanging signs will be 36" wide and hang 42" off the face of the building
  - Examples include:



## **List of Proposed Development Standards**

### **Lighting**

- All lighting will conform to UDC guidelines.
- Complete site lighting package includes pole lights, landscaping up-lights, building sconces, and path lighting to enhance the visual features of the building and promote safety.

### **Hours of Operation**

Tenants will have the right to quiet enjoyment of their spaces without limitation, but shipments and deliveries will be limited to 7:00AM-6:00PM.

### **Project Phasing or Scheduling**

The overall construction duration is estimated from 10 months depending on possible early release packages. Our team mitigates our construction activities onsite by anticipating their impacts offsite to the community and has successfully delivered over \$250 million of projects to both Owners and communities across TX, LA, FL.

- **Estimated Overall Construction Duration:** 10 Months
- **Anticipated Start:** January 2025
- **Project Phasing:** Sites will run simultaneously and will not be phased. There will be an overlap in activities (i.e. moving sequentially among buildings) but both sites will be delivered within the same month.

### **Management Associations**

There will not be any management association associated with this project