

ORDINANCE NO. 1323

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3 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER,
4 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY
5 OF KELLER, TEXAS, BY AMENDING THE ZONING MAP AND CHANGING
6 THE ZONING FROM R (RETAIL) TO PD-R (PLANNED
7 DEVELOPMENT-RETAIL), FOR A 0.9812-ACRE TRACT OF LAND,
8 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.

9 WHEREAS, City of Keller, owner/applicant, has
10 submitted a zoning change request
(Z-06-0006), which has been reviewed by the
11 City Staff; and

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

15 WHEREAS, notice of a public hearing before the City
16 Council was published in a newspaper of
17 general circulation in Keller at least
fifteen (15) days before such hearing; and

18 WHEREAS, public hearings to change the zoning on the
19 property herein described were held before
20 the Planning and Zoning Commission and the
21 City Council, and the Planning and Zoning
Commission has heretofore made a
recommendation to approve the zoning change
request with conditions; and

22 WHEREAS, the City Council is of the opinion that the
23 zoning change herein effectuated furthers the
24 purpose of zoning as set forth in the Unified
25 Development Code and is in the best interest
26 of the citizens of the City of Keller.
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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 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, is hereby approved, with the proposal attached hereto as Exhibit "A", and incorporated herein, as if fully set forth, with the following conditions:

1. Attached table of allowable uses.
2. The existing buildings/site shall not be utilized for any use and are deemed non-conforming. A new building(s) shall be constructed in accordance with the Unified Development Code for any future use of the property.
3. Current buildings may be removed following the purchase of the property until a new user is determined.

Permitted Uses for PD-R
541 Keller Parkway - Z-06-0006

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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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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 0 on this the 4th day of April, 2006.

CITY OF KELLER, TEXAS

BY: 
Julie A. Tandy, Mayor

ATTEST:


Sheila Stephens, City Secretary

Approved as to Form and Legality:


L. Stanton Lowry, City Attorney