

ORDINANCE NO. 913

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF KELLER, TEXAS, BY AMENDING THE ZONING MAP AND CHANGING THE ZONING FROM PD-R (PLANNED DEVELOPMENT-RETAIL) AND SF-LD (SINGLE FAMILY-LOW DENSITY) TO PD-R (PLANNED DEVELOPMENT-RETAIL) FOR LOTS 1 THROUGH 6, BLOCK 1, FLOWER ADDITION, A PROPOSED RETAIL AND OFFICE PARK ON A 6.33 ACRE TRACT OF LAND OUT OF THE J. DURHAM SURVEY, ABSTRACT NO. 424, AND THE J. MARTIN SURVEY, ABSTRACT NO. 1153, LOCATED ON THE NORTH SIDE OF FM 1709 (PRICE STREET), IN THE CITY OF KELLER, TEXAS; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, Hahei, Ltd., (owner/applicant), Total Program Management (architect/developer), and Cheatham & Associates (surveyor) have submitted a zoning change request (Z-98-8) which has been reviewed by the City Staff; and

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet 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 stipulations; and

WHEREAS, the City Council is of the opinion that the zone change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Keller.

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

6 Section 1: THAT, the Comprehensive Zoning Ordinance of
8 the City of Keller, Texas, and the
10 accompanying Zoning Map are hereby amended
12 insofar as they relate to certain land
14 located at on the north side of FM 1709
16 (Price Street), being a 6.33 acre tract of
18 land out of the J. Durham Survey, Abstract
No. 424, and the J. Martin Survey, Abstract
No. 1153, by changing the zoning thereon from
PD-R (Planned Development-Retail) and SF-LD
(Single Family-Low Density) to PD-R (Planned
Development-Retail) for Lots 1 through 6,
Block 1, Flower Addition, a proposed retail
and office park; in the City of Keller,
Texas; with the following stipulations:

- 20 1. Reduce the landscape buffer from ten feet
22 (10') to five feet (5') and plant one (1)
24 tree per thirty feet (30') on center in
lieu of a masonry screening wall on the
east property line.
- 26 2. An eight-foot (8') masonry-screening wall
shall be constructed on the north side of
28 the entire property with the construction
of improvements on Lots 3 and 4. An
30 eight-foot (8') temporary wood fence
shall be installed on Lots 3 and 4 and
32 replace the existing wood fence on Lot 2
with a masonry screening wall.
- 34 3. Parking shall be allowed in front of the
building with a thirty-foot (30')
36 landscaping setback and four-inch (4")
caliper Red Oak trees to be planted one
38 (1) tree per thirty feet (30') in an
aesthetic grouping, one-hundred percent
40 (100%) screening of parking lots with
three-foot (3') shrubs and ornamental
trees of two (2) per fifty feet (50').
- 42 4. Pavers shall be installed at the driveway
44 on FM 1709 (Price Street).

46 Section 2: THAT, any person, firm or corporation
violating any of the provisions of this
Ordinance, as read together with the

2 Comprehensive Zoning Ordinance and
3 accompanying map thereto, shall be guilty of
4 a misdemeanor and upon final conviction
5 therefore shall be fined in a sum not to
6 exceed Two Thousand Dollars (\$2,000.00).
7 Each and every day such violation continues
8 shall constitute a separate offense and shall
be punishable as such hereunder.

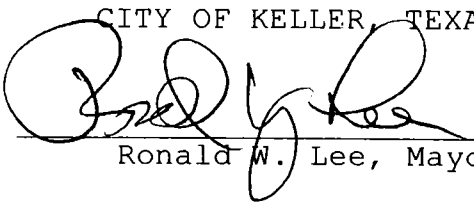
10 Section 3: THAT, the City Secretary is hereby authorized
11 and directed to cause publication of the
12 descriptive caption and penalty clause hereof
13 as an alternative method of publication
14 provided by law.

16 AND IT IS SO ORDAINED.


18 Passed and approved by a vote of 3 to 0 on this the 4th
day of August, 1998.

20 CITY OF KELLER, TEXAS

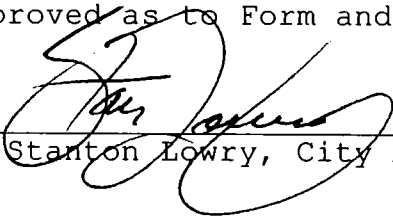
22
24 BY:


Ronald W. Lee, Mayor

26 ATTEST:

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30 
Sheila Stephens, City Secretary

32 Approved as to Form and Legality:

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36 
L. Stanton Lowry, City Attorney