

ORDINANCE NO. 1095

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF KELLER, TEXAS, BY AMENDING THE ZONING MAP AND CONCEPT PLAN FOR PD 913 (PLANNED DEVELOPMENT-FLOWER ADDITION) BY CHANGING A PORTION OF THE ORIGINAL PLANNED DEVELOPMENT FROM A RESTAURANT BUILDING TO AN OFFICE BUILDING AND APPROVING A SITE PLAN FOR CENTURY 21 WORLDWIDE, A PROPOSED 8,655 SQUARE FOOT OFFICE BUILDING TO BE CONSTRUCTED ON LOT 1, BLOCK 1, FLOWER ADDITION, LOCATED ON THE EAST SIDE OF FLOWER COURT NORTH OF KELLER PARKWAY (FM 1709) BETWEEN CHANDLER ROAD AND PEARSON LANE, AND ZONED PD-R (PLANNED DEVELOPMENT-RETAIL), IN THE CITY OF KELLER, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Ellen Johnson, Century 21 Worldwide, owner/developer; and Hagen Engineering, Inc., engineer; have submitted a request for an amended concept plan (Z-01-20) for PD 913 (Planned Development-Flower Addition) and a site plan (SP-01-28), 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 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 stipulations; and

1 WHEREAS, the City Council is of the opinion that the
2 amended concept plan for PD 913 (Planned
3 Development-Flower Addition) herein
4 effectuated furthers the purpose of zoning as
5 set forth in the Comprehensive Zoning
6 Ordinance and is in the best interest of the
7 citizens of the City of Keller.

8
9 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
10 CITY OF KELLER, TEXAS:

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

14 Section 2: THAT, the Comprehensive Zoning Ordinance of
15 the City of Keller, Texas, the accompanying
16 Zoning Map and the concept plan for PD 913
17 (Planned Development-Flower Addition) are
18 hereby amended by changing a portion of the
19 original Planned Development from a
20 restaurant building to an office building and
21 approval of a site plan for Century 21
22 Worldwide, a proposed 8,655 square foot
23 office building to be constructed on Lot 1,
24 Block 1, Flower Addition, located on the east
25 side of Flower Court north of Keller Parkway
26 (FM 1709) between Chandler Road and Pearson
27 Lane, and zoned PD-R (Planned Development-
28 Retail), in the City of Keller, Texas, with
the following stipulations:

1. An amended site plan application shall be submitted for the Phase II office development if a building permit application is not submitted within two (2) years of the approval of this PD amendment and site plan.
2. A variance to the parking requirements shall be allowed by providing forty (40) parking spaces for Phase I of the development.
3. All signage on this site shall be externally illuminated.

4. Only one (1) masonry monument sign with a brick frame, a maximum of six feet (6') in height and forty-two square feet (42 sq. ft.) in total surface area shall be allowed in front of the office building adjacent to Keller Parkway (FM 1709).
5. Only three (3) attached building signs, one (1) each on the three (3) tower elements as illustrated on the south elevation, shall be allowed. These signs shall not exceed eighteen-inches (18") in height.
6. Red oak trees, a minimum of four-inches (4") in caliper, shall be planted in a straight line within the thirty-foot (30') landscape buffer along Keller Parkway (FM 1709) and spaced at twenty-five feet (25').
7. The parking area shall be allowed to encroach into the thirty-foot (30') landscape buffer along Keller Parkway (FM 1709) a maximum of six feet (6'), as illustrated on the site plan.
8. Parking lot light poles shall match those used at Homer O'Neal Furniture in style, color, and height.
9. The dumpster screening wall shall have a separate pedestrian access.
10. The driveway to the parking lot adjacent to Keller Parkway (FM 1709) shall be aligned with the parking lot driveway on the property to the west (Homer O'Neal Furniture).

Section 3: THAT, any person, firm, or corporation violating any of the provisions of this Ordinance, as read together with the Comprehensive Zoning Ordinance 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

1 shall constitute a separate offense and shall
2 be punishable as such hereunder.

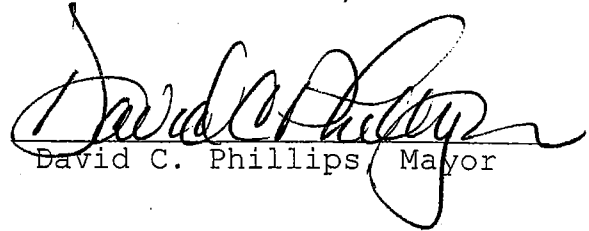
3 Section 4: THAT, the City Secretary is hereby authorized
4 and directed to cause publication of the
5 descriptive caption and penalty clause hereof
6 as an alternative method of publication
7 provided by law.

8 AND IT IS SO ORDAINED.

9 Passed and approved by a vote of 5 to 0 on this the 19th
10 day of February, 2002.

11 CITY OF KELLER, TEXAS

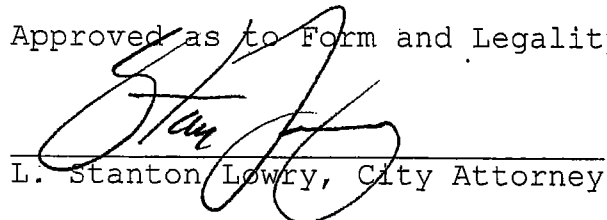
12 BY:

13 
14 David C. Phillips Mayor

15 ATTEST:

16 
17 Sheila Stephens, City Secretary

18 Approved as to Form and Legality:

19 
20 L. Stanton Lowry, City Attorney