

ORDINANCE NO. 2082

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW THE USE OF WAREHOUSING FOR THE PENGUIN PATCH, IN AN APPROXIMATELY 36,000 SQUARE-FOOT SPACE FOR PHASE I AND APPROXIMATELY 5,500 SQUARE-FOOT SPACE FOR PHASE II, ON THE PROPERTY LEGALLY DESCRIBED AS ABSTRACT 457 TRACT 14C03 OF JOHN EDMONDS SURVEY, BEING 4.07-ACRES, APPROXIMATELY 270 FEET SOUTHEAST FROM THE INTERSECTION OF W. BEAR CREEK PARKWAY AND CHISHOLM TRAIL, ZONED COMMERCIAL (C), AND ADDRESSED AS 721 CHISHOLM TRAIL, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Jennifer Randklev, Applicant, and Michael L. Moore, Owner, have submitted a Specific Use Permit (SUP) application to allow the use of warehousing for the Penguin Patch at 721 Chisholm Trail (SUP-22-0024); and

WHEREAS, Section 8.03 (T)(1) of the Unified Development Code requires an SUP for warehousing purposes in the Commercial Zoning District; 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 SUP applications described in this ordinance; and

WHEREAS, the Planning and Zoning Commission held a public hearing on July 12, 2022 and unanimously recommended approval of the item; and

WHEREAS, the City Council is of the opinion that the SUP herein effectuated furthers 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 approves a Specific Use Permit authorizing the use of warehousing as one component of the Penguin Patch business, located in an approximately 36,000 square-foot space for Phase I and approximately 5,500 square-foot space for Phase II, on the property legally described as Abstract 457 Tract 14C03 of John Edmonds Survey, being 4.07-acres, approximately 270 feet

southeast from the intersection of W. Bear Creek Parkway and Chisholm Trail, zoned Commercial (C), and addressed as 721 Chisholm Trail, as if fully set forth with the operation hours of 8 AM to 8 PM Monday-Friday, with the following condition:

1. The final Site Plan shall be presented to the City Council for approval at a later date.

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 7 to 0 on this the 2nd day of August, 2022.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
Armin R. Mizani, Mayor

ATTEST:

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Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney