

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR AN AUTOMOBILE RENTING USE AND OUTSIDE STORAGE, FOR SHELL GAS STATION TO ALSO BE UTILIZED AS A U-HAUL PICK UP AND DROP-OFF LOCATION ON A 0.9-ACRE LOT ON THE NORTH SIDE OF KELLER PARKWAY, APPROXIMATELY 800' WEST OF THE INTERSECTION OF NORTH PATE ORR ROAD AND KELLER PARKWAY, BEING LOT 9B, BLOCK 2, MEADOWLANDS ADDITION, ZONED R (RETAIL), LOCATED AT 797 KELLER PARKWAY, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Freeway Investment Inc., Applicant; and HAR 26 Inc., owner; submitted an application to the City of Keller to request a Specific Use Permit to operate an accessory Automobile Rental Use and permit Outside Storage by proposing a U-Haul drop off location in the Retail zoning district (SUP-20-0008); and

WHEREAS, the applicant's services include a drop off and pick up location for no more than five pieces of U-Haul equipment with a Gross Vehicle Weight Rating of 11,000 pounds or less; and

WHEREAS, notice of public hearings before the Planning and Zoning Commission and City Council were sent to real property owners within three-hundred feet (300') of the property herein described at least ten (10) days before such hearings; and

WHEREAS, the public hearings were held before both the Planning and Zoning Commission and the City Council and 3 letters of opposition were received from the public regarding this SUP application; and

WHEREAS, after applying the letters of opposition within the 200' foot buffer the percent of land opposed was 24.89%; and

WHEREAS, a super-majority vote will be required for approval of this request; and

WHEREAS, the Planning and Zoning Commission made a recommendation to deny the Specific Use Permit by a vote of 6-1; and

WHEREAS, the City Council finds that the Specific Use Permit 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 authorizes approval of a Specific Use Permit (SUP) for an Automobile Renting Use and Outside Storage, for Shell gas station to also be utilized as a U-Haul pick-up and drop-off location on a 0.9-acre lot on the north side of Keller Parkway, approximately 800 feet west of the intersection of North Pate Orr Road and Keller Parkway, being Lot 9B, Block 2, Meadowlands Addition, zoned R (Retail), located at 797 Keller Parkway, in the City of Keller, Tarrant County, Texas, and incorporated herein.
- 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 _ to _ on this the 5th day of January, 2021.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney