

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW THE USE OF A MINOR MEDICAL EMERGENCY CLINIC FOR BREEZE URGENT CARE (TEXAS HEALTH RESOURCES) TO OCCUPY A 3,420 SQUARE-FOOT LEASE SPACE, WITHIN A 5,958 SQUARE-FOOT MULTI-TENANT BUILDING, ON A 0.827-ACRE TRACT OF LAND, LOCATED ON THE NORTH SIDE OF NORTH TARRANT PARKWAY, APPROXIMATELY 600 FEET NORTHEAST FROM THE INTERSECTION OF RUFÉ SNOW DRIVE AND NORTH TARRANT PARKWAY, LEGALLY DESCRIBED AS LOT 3, BLOCK A HIGHLAND OAKS CROSSING, ZONED PLANNED DEVELOPMENT - RETAIL (PD-R) IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, DLR Group, Applicant and TAK Enterprises, Owner, have submitted an application to the City of Keller for Breeze Urgent Care (Texas Health Resources) to occupy a 3,420 square-foot lease space; and

WHEREAS, a Specific Use Permit is required for a minor medical emergency clinic in the Retail Zoning District; and

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

WHEREAS, at the July 27, 2021 Planning and Zoning Commission meeting, no person from the public spoke in favor or opposition, and the Commission recommended approval of the item as presented with a vote of 4-3; and

WHEREAS, notice of a public hearing before the City Council was published on August 1, 2021, in the Fort Worth Star-Telegram, a newspaper of general circulation in Keller, at least fifteen (15) days before such hearing; and

WHEREAS, a public hearing to consider the request for a Specific Use Permit was held at the City Council meeting on August 17, 2021; and

WHEREAS, the City Council finds that approving the Specific Use Permit for Breeze Urgent Care (Texas Health Resources) furthers the purpose of zoning in the Retail zoning district 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 Breeze Urgent Care (Texas Health Resources) to occupy a 3,420 square-foot lease space, within a 5,958 square-foot multi-tenant building, on a 0.827-acre tract of land, located on the north side of North Tarrant Parkway, approximately 600 feet northeast from the intersection of Rufe Snow Drive and North Tarrant Parkway, legally described as Lot 3, Block A Highland Oaks Crossing, zoned Planned Development - Retail (PD-R), and addressed as 861 North Tarrant Parkway Suite 100 - RETAIL (PD-R) in the City of Keller, Tarrant County, Texas, and incorporated herein, as if fully set forth.
- 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 17th day of August, 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