

ORDINANCE NO. 2053

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO SITUATE A TEMPORARY SEASONAL STORAGE POD FOR THREE MONTHS OUT OF THE YEAR (NOVEMBER 1ST TO JANUARY 31ST) FOR A THREE-YEAR PERIOD FOR THE UPS STORE ON THE PROPERTY LEGALLY DESCRIBED AS LOT 7R1, BLOCK A OF KELLER-CROSSING ADDITION, BEING APPROXIMATELY 2.18-ACRES, LOCATED ON THE SOUTH SIDE OF KELLER PARKWAY, APPROXIMATELY 500 FEET SOUTHEAST FROM THE INTERSECTION OF KELLER PARKWAY AND KELLER SMITHFIELD ROAD, ZONED PLANNED DEVELOPMENT - RETAIL (PD-R) AND ADDRESSED AS 1540 KELLER PARKWAY SUITE 108, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, JAHCO Keller Crossing, LLC, Owner, and UPS Store, Applicant, have submitted an SUP application for a seasonal temporary storage pod to manage extra supplies required during the holiday season (SUP-21-0040); and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission (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, the Commission held a public hearing on December 14, 2021 where no one spoke in favor or opposition, and

WHEREAS, the Commission modified the removal date of the pod from January 5th to January 31st to provide adequate time for removal after the holidays and recommended approval by a vote of 7-0; and

WHEREAS, notice of a public hearing before the City Council was published 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 before City Council on January 18, 2022 and no one spoke in favor or opposition; 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 authorizes approval of a Specific Use Permit (SUP) to situate a temporary seasonal storage pod for three months (November 1st to January 31st) out of the year for a three-year period for the UPS Store on the property legally described as Lot 7R1, Block A of Keller-Crossing Addition, being approximately 2.18-acres, located on the south side of Keller Parkway, approximately 500 feet southeast from the intersection of Keller Parkway and Keller Smithfield Road, zoned Planned Development - Retail (PD-R) and addressed as 1540 Keller Parkway Suite 108 in the City of Keller, Tarrant County, Texas, and incorporated herein, as if fully set forth with the following condition:

1. An SUP for a 12-foot (length) by 8-foot (width) by 8-foot (height) temporary seasonal storage pod from November 1st to January 31st for the next three years (November 2022 – January 2025) to store additional packing supplies.

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 5 to 2 on this the 18th day of January, 2022.

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