

ORDINANCE NO. 2023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW WATERWERKZ DFW, A PROPOSED AUTOMOBILE REPAIR, SALES AND SERVICES TO OCCUPY A 2,500 SQUARE-FOOT LEASE SPACE WITHIN AN APPROXIMATELY 5,880 SQUARE-FOOT MULTI-TENANT BUILDING, SITUATED ON A 2.21-ACRE TRACT OF LAND, LOCATED ON THE WEST SIDE OF DAVIS BOULEVARD, APPROXIMATELY 850 FEET SOUTHWEST FROM THE INTERSECTION OF DAVIS BOUELVARD AND BEAR CREEK PARKWAY, LEGALLY DESCRIBED AS LOT 1A, BLOCK 1 RYON PLACE ADDITION, ZONED COMMERCIAL (C), LOCATED AT 8801 DAVIS BLVD SUITE 2 B & C IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Conner Ivy, Owner, and Jose Goyanes, Applicant, have submitted an application to the City of Keller for Waterwerkz to occupy a 2,500 square-foot lease space; and

WHEREAS, the business includes vehicle detailing, surface corrections, surface protection and ceramic coatings, window and mirror glass-parency, and hand washing vehicles inside/outside, and

WHEREAS, a Specific Use Permit is required for automobile repair, sales and services in a Commercial 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, the Staff received one email and seven letters in opposition within the 300-foot buffer prior to the May 25, 2021 Planning and Zoning Commission meeting; and

WHEREAS, notice of a public hearing before the City Council was published on May 30, 2021, in the Fort Worth Star-Telegram newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

WHEREAS, a public hearing to issue the Specific Use Permit was held at the City Council meeting on June 15, 2021; and

WHEREAS, the City Council finds that approving the Specific Use Permit for Waterwerkz, an automobile repair, sales and service furthers the purpose of zoning in the Commercial 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 approval of a Specific Use Permit (SUP) to allow Waterwerkz DFW, a proposed automobile repair, sales and services to occupy a 2,500 square-foot lease space within an approximately 5,880 square-foot multi-tenant building, situated on a 2.21-acre tract of land, located on the west side of Davis Boulevard, approximately 850 feet southwest from the intersection of Davis Boulevard and Bear Creek Parkway, legally described as Lot 1A, Block 1 Ryon Place Addition, zoned Commercial (C), located at 8801 Davis Blvd Suite 2 B & C in the City of Keller, Tarrant County, Texas, and incorporated herein, as if fully set forth with the following conditions:

1. To allow the hours of operation to be Monday through Saturday 9am to 5pm.
2. All work will take place inside the building.

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 15th day of June, 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