

ORDINANCE NO. 2004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR TINDAHAN NI KUYA, A PROPOSED RESTAURANT/GROCERY STORE TO OCCUPY A 1,400 SQUARE-FOOT LEASE SPACE WITHIN A 13,140 SQUARE-FOOT MULTI-TENANT BUILDING, LOCATED ON A 1.97-ACRE-LOT ON THE EAST SIDE OF SOUTH MAIN STREET, APPROXIMATELY 1,700 FEET NORTH FROM THE INTERSECTION OF WALL-PRICE KELLER ROAD AND SOUTH MAIN STREET, LEGALLY DESCRIBED AS WHITLEY PLACE ADDITION, LOT 2, BLOCK A, AT 801 SOUTH MAIN STREET SUITE 101 ZONED COMMERCIAL (C) IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Randy German, Applicant; and Denton Highway Center, Owner; have requested a Specific Use Permit (SUP-21-0001) to operate a Restaurant/Grocery Store; and

WHEREAS, all grocery store uses in the Commercial Zoning district require a Specific Use Permit; 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 Planning and Zoning Commission held a meeting and public hearing on February 23, 2021, and recommended approval by a vote of 6-1; and

WHEREAS, notice of a public hearing before the City Council was published in the Fort Worth Star Telegram at least fifteen (15) days before such hearing; and

WHEREAS, no one spoke in favor or opposition at either the Planning and Zoning Commission public hearing or the City Council public hearing; and

WHEREAS, the City Council is of the opinion that the SUP herein effectuated furthers the purpose of zoning for 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) for Tindahan Ni Kuya, to operate as a restaurant/grocery store in a 1,400 square-foot lease space in a 13,140 square-foot multi-tenant building located on a 1.97-acre-lot on the east side of South Main Street, approximately 1,700 feet north from the intersection of Wall-Price Keller Road and South Main Street, legally described as Whitley Addition, Lot 2, Block A, at 801 South Main Street Suite 101 zoned C (Commercial) in the City of Keller, Tarrant County, Texas.

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 6 to 0 on this the 16th day of March, 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