

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A ZONING CHANGE FROM COMMERCIAL (C) TO LIGHT INDUSTRIAL (LI) ON APPROXIMATELY 1.37 ACRES LOCATED ON THE EAST SIDE OF SOUTH MAIN STREET, AT THE INTERSECTION OF CALVERLEY PLACE AND SOUTH MAIN STREET, LEGALLY DESCRIBED AS LOT 5R OF THE SOUTH MEADOW INDUSTRIAL PARK ADDITION, ZONED COMMERCIAL AND ADDRESSED 1661 S. MAIN STREET IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Magic Petroleum, LLC, Owner and Peyco Southwest Realty on behalf of Bruce Moore, Applicant, submitted a request for a zoning change for approximately 1.37 acres from Commercial (C) to Light Industrial (LI) in order to operate a Major Automobile Repair facility (Z-22-0005); and

WHEREAS, the Applicant proposes to open a Major Automobile Repair facility at this location with the approval of a Specific Use Permit in Light Industrial zoning; and

WHEREAS, the City's Planning and Zoning Commission and the City Council, in accordance with the Charter of the City of Keller, State Law, and the ordinances of the City of Keller, have given the required notices and have held the required public hearings regarding the UDC amendments described in this ordinance; and

WHEREAS, the Planning and Zoning Commission held a public hearing on February 28, 2023 and recommended denial of the zoning change by a vote of 6-1; and

WHEREAS, the City Council is of the opinion the zoning change herein effectuated furthers the purpose of zoning as set forth in the Unified Development Code and is in the best interest of the citizens of the City of Keller,

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 approves and incorporates herein as fully submitted an ordinance approving a rezone from Commercial zoning to Light Industrial zoning for Lot 5R of the South Meadow Industrial Park Addition, addressed as 1661 S. Main Street, in the City of Keller, Tarrant County, Texas.

Section 3: THAT, any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon final conviction therefor, shall be fined in a sum not to exceed two thousand dollars (\$2,000.00). Each and every day any 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 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 21st day of March 2023.

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