

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR A GROCERY STORE/RESTAURANT ON 1.25 ACRES LOCATED ON THE SOUTH SIDE OF KELLER PARKWAY, APPROXIMATELY 160 FEET EAST OF THE INTERSECTION OF KELLER PARKWAY AND TOWN CENTER LANE, LEGALLY DESCRIBED AS LOT 3, BLOCK B OF KELLER TOWN CENTER ADDITION, ZONED TOWN CENTER (TC) AND ADDRESSED 1110 KELLER PARKWAY, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, VC Keller Parkway LLC, Owner; Srinivas Chigullapalli, Applicant, submitted a Specific Use Permit (SUP) application to operate Desi Adda, an Indian food market and eatery at 1110 Keller Parkway (SUP-22-0036); and

WHEREAS, an SUP is required to operate a grocery store/food market in the Town Center Zoning District; 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 SUP application described in this ordinance; and

WHEREAS, the Planning and Zoning Commission held a public hearing on January 10, 2023 and voted unanimously to recommend approval of the SUP; 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 allow VC Keller Parkway LLC, Owner, and Srinivas Chigullapalli, Applicant to operate a grocery store/restaurant on 1.25 acres located on the south side of Keller Parkway, approximately 160 feet east of the intersection of Keller Parkway and Town Center Lane, legally described as Lot 3, Block B of Keller Town Center Addition,

zoned Town Center (TC) and addressed 1110 Keller Parkway, as if fully set forth with the following conditions:

1. A Specific Use Permit to operate a grocery store/restaurant in the Town Center Zoning District with the hours of operation being 10 AM to 10 PM Monday through Sunday, shall be allowed.

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 7th day of February, 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