

ORDINANCE NO. 2119

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING SPECIFIC USE PERMITS (SUPs) FOR 139 OLIVE, AN EVENT VENUE WITH INDOOR AND OUTDOOR ENTERTAINMENT, IN AN EXISTING 1,600 SQUARE-FOOT BUILDING ON APPROXIMATELY 0.11 ACRE, APPROXIMATELY 150 FEET NORTHWEST FROM THE INTERSECTION OF SOUTH ELM STREET AND OLIVE STREET, LEGALLY DESCRIBED AS LOT 7R2, BLOCK 8 OF THE KELLER, CITY ADDITION, ZONED OLD TOWN KELLER (OTK) AND ADDRESSED 139 OLIVE STREET, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Ashley Hernandez, Applicant/Owner submitted a Specific Use Permit (SUP) application to operate 139 Olive, at 139 Olive Street (SUP-23-0010); and

WHEREAS, as an event venue with indoor and outdoor entertainment, SUPs are required to operate in the Old Town Keller 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 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 Specific Use Permits (SUPs) for 139 Olive, an event venue with indoor and outdoor entertainment, in an existing 1,600 square-foot building on approximately 0.11 acre, approximately 150 feet northwest from the intersection of South Elm Street and Olive Street, legally described as Lot 7R2, Block 8 of the Keller, City Addition, zoned Old Town Keller (OTK) and addressed 139 Olive Street, as if fully set forth with the following conditions:

1. A Specific Use Permit to operate an event center at 139 Olive Street in the Old Town Keller Zoning District, with the hours of operation

being 7 a.m. to 9 p.m. Sunday through Thursday and 6 a.m. to 11 p.m. Friday and Saturday, shall be allowed.

2. A Specific Use Permit for indoor and outdoor entertainment at 139 Olive Street in the Old Town Keller Zoning District, with the hours of operation being 7 a.m. to 9 p.m. Sunday through Thursday and 6 a.m. to 11 p.m. Friday and Saturday, 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 6 to 0 on this 2nd day of May, 2023.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
Armin R. Mizani, Mayor

ATTEST:

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Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney