

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) ALLOWING THE OPERATION OF AN INDOOR ENTERTAINMENT FACILITY FOR HATCHET HOUSE BBQ IN A 6,500 SQUARE-FOOT LEASE SPACE, WITHIN A 13,200 SQUARE-FOOT MULTI-TENANT BUILDING, LOCATED ON THE EAST SIDE OF SOUTH MAIN STREET, APPROXIMATELY 1,700 FEET SOUTH OF THE BEAR CREEK PARKWAY AND SOUTH MAIN STREET INTERSECTION, ON 1.97 ACRES, LEGALLY DESCRIBED AS LOT 2, BLOCK A OF THE WHITLEY PLACE ADDITION, ZONED COMMERCIAL (C), AND SITUATED AT 801 SOUTH MAIN STREET, SUITE 109, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Mohammed Ebrahimi, Denton Hwy Center Inc., Owner, and Hatchet House BBQ, Applicant, has submitted an SUP application to operate an indoor entertainment facility (SUP-22-0021); and

WHEREAS, an SUP is required to operate an indoor entertainment facility in the Commercial 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 applications described in this ordinance; and

WHEREAS, the Planning and Zoning Commission held a public hearing on June 28, 2022 and unanimously recommended approval of the item; and

WHEREAS, the City Council finds and determines that the passage of this ordinance is deemed necessary in order to protect the public, health, safety, and welfare; and

WHEREAS, the City Council is of the opinion that the SUP herein effectuated further 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 approves a Specific Use Permit authorizing the operation of an indoor entertainment facility for

Hatchet House BBQ in a 6,500 square-foot lease space, within a 13,200 square-foot multi-tenant building, located on the east side of South Main Street, approximately 1,700 feet south of the Bear Creek Parkway and South Main Street intersection, on 1.97 acres, legally described as Lot 2, Block A of the Whitley Place Addition, zoned Commercial (C), and situated at 801 South Main Street, Suite 109, as if fully set forth with the operation hours of 11 AM to 11 PM on Tuesday through Thursday, 11 AM to 12 AM on Friday and Saturday, 11 AM to 7 PM, and Closed on Monday.

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 19th day of July, 2022.

CITY OF KELLER, TEXAS

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

ATTEST:

\_\_\_\_\_  
Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney