

ORDINANCE NO. 1909

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW COMIC WARRIORS TO OPERATE A 1,018 SQUARE FOOT RETAIL AND "SALES OF USED GOODS AND MERCHANDISE" IN A VACANT SUITE, EXISTING WITHIN A 19,120 SQUARE-FOOT RETAIL BUILDING, LOCATED ON A 2.17-ACRE LOT ON THE SOUTH SIDE OF KELLER PARKWAY (FM1709), APPROXIMATELY 572 FEET SOUTH EAST OF THE KELLER PARKWAY (FM1709), AND KELLER SMITHFIELD SOUTH INTERSECTION, BEING LOT 7R-1, BLOCK A, KELLER CROSSING ADDITION, AT 1540 KELLER PARKWAY (FM1709), SUITE 110, AND ZONED R (RETAIL). JAHCO KELLER CROSSING, LLC, OWNER; THOMAS AND NEYSHA KURILENKO, APPLICANTS. (SUP-18-0028).

WHEREAS, Jahco Keller Crossing, LLC, owner, and Thomas and Neysha Kurilenko, applicant have submitted an application to the City of Keller to request a Specific Use Permit (SUP-18-0028), which has been reviewed by the City Staff; 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, notice of a public hearing before the City Council was published in a newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

WHEREAS, public hearings to issue a Specific Use Permit on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation to approve the Specific Use Permit; and

WHEREAS, the City Council is of the opinion that the Specific Use Permit 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 authorizes approval of a Specific Use Permit (SUP) for a Specific Use Permit (SUP) to allow Comic Warriors, to operate a 1,018 square foot retail and "Sales of Used Goods and Merchandise" in a vacant suite, existing within a 19,120 square-foot retail building, located on a 2.17-acre lot on the south side of Keller Parkway (FM1709), approximately 572 feet south east of the Keller Parkway (FM1709), and Keller Smithfield South intersection, being Lot 7R-1, Block A, Keller Crossing Addition, at 1540 Keller Parkway (FM1709), Suite 110, and zoned R (Retail) in the City of Keller, Tarrant County, Texas, with the proposal attached hereto as Exhibit "A", and incorporated herein, as if fully set forth with the following conditions:

1. The Specific Use Permit request to allow Comic Warriors to operate a 1,018 square-foot retail and "Sales of Used Goods and Merchandise" in a vacant suite within a 19,120 square-foot retail building shall be allowed.
2. This condition for this Specific Use Permit is specific for this business. Any new similar type business would require a new SUP application.

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 October, 2018.

CITY OF KELLER, TEXAS

BY: _____
P.H. McGrail, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney