

ORDINANCE NO. 2013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW THE USE OF A LIQUOR STORE (10,000 SQUARE-FEET OR GREATER), FOR GOODY GOODY LIQUOR STORE, IN AN APPROXIMATELY 15,742 SQUARE-FOOT BUILDING, ON 1.41-ACRES, LOCATED ON THE WEST SIDE OF SOUTH MAIN STREET, APPROXIMATELY 750 FEET SOUTH OF THE BEAR CREEK PARKWAY AND SOUTH MAIN STREET INTERSECTION, LOCATED AT 730 SOUTH MAIN STREET, LEGALLY DESCRIBED AS LOT 6R, BLOCK A, BEAR CREEK PLAZA AND ZONED C (COMMERCIAL). IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, R.L. Johnson Construction INC., Applicant; Garland All Storage Associates, Owner; has requested a Specific Use Permit (SUP-21-0009) to allow a 15,742 square-foot retail liquor store; and

WHEREAS, in November 2019, the citizens of Keller voted to approve the sale of liquor and alcoholic beverages within City limits; and

WHEREAS, in December 2019, City Council unanimously approved the Unified Development Code (UDC) text amendment to allow “liquor” and “distillery” uses over 10,000 square feet in multiple zoning districts, including the Commercial zoning district, with an SUP; 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, the Planning and Zoning Commission held a meeting on April 13, 2021, and recommended approval by a vote of 7-0; and

WHEREAS, notice of a public hearing before the City Council was published in the Fort-Worth Star Telegram in Keller at least fifteen (15) days before such hearing; and

WHEREAS, no one spoke in favor or opposition at either the Planning and Zoning Commission public hearing or the City Council public hearing; 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 a 15,742 square-foot retail liquor store, located on the west side of South Main Street, approximately 750 feet south of the Bear Creek Parkway and South Main Street intersection, located at 730 South Main Street, legally described as Lot 6R, Block A, Bear Creek Plaza and zoned C (Commercial) in the City of Keller, Tarrant County, Texas as if fully set forth with the following conditions:

1. The western elevation to be 100% brick.
2. The "Beer, Wine, Liquor" sign to be removed.
3. The "Goody Goody" sign is the only sign to be permitted and must be located above the doors.

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 5 to 1 on this the 4th day of May, 2021.

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