

ORDINANCE NO. 2028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) AMENDMENT FOR LAS PALAPAS TO OCCUPY A 4,065 SQUARE-FOOT RESTAURANT WITH DRIVE-THRU, SITUATED ON A 1.16-ACRE TRACT OF LAND, LOCATED ON THE NORTH SIDE OF KELLER PARKWAY (FM 1709), APPROXIMATELY 250 FEET NORTHWEST OF THE INTERSECTION OF CINDY STREET AND KELLER PARKWAY, BEING LOT 1, BLOCK A, SOUTHWEST LTC ADDITION, ZONED RETAIL (R), LOCATED AT 455 KELLER PARKWAY, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Crista Hubbard, owner, Las Palapas Keller, applicant, has submitted an SUP application for an ownership change to the City of Keller to occupy a 4,065 square-foot drive-thru restaurant (SUP-21-0022); and

WHEREAS, on January 5, 2021, City Council approved for Las Palapas to occupy a 4,065 square-foot restaurant with drive-thru, located at 455 Keller Parkway, in the City of Keller, Tarrant County, Texas; and

WHEREAS, a Specific Use Permit amendment is required to reflect the ownership change; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission (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 Commission held a public hearing on July 13, 2021 where no one spoke in favor or opposition and the Commission 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, a newspaper of general circulation in Keller, at least fifteen (15) days before such hearing; and

WHEREAS, a public hearing to consider the request for a Specific Use Permit was held at the City Council on August 3, 2021 and no one spoke in favor or opposition.

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 reflect the ownership change for Las Palapas to occupy a 4,065 square-foot restaurant with a drive-thru, situated on a 1.16-acre tract of land, located on the north side of Keller Parkway (FM 1709), approximately 250 feet northwest of the intersection of Cindy Street and Keller Parkway, being Lot 1, Block A, Southwest LTC Addition, zoned Retail (R), located at 455 Keller Parkway, in the City of Keller, Tarrant County, Texas, and incorporated herein, as if fully set forth.
- 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 0 on this the 3rd day of August, 2021.

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