

ORDINANCE NO. 2029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, FOR TWO (2) SPECIFIC USE PERMITS (SUP) APPROVING THE USE OF A MINOR MEDICAL EMERGENCY CLINIC AND SPA USES, FOR URGENTCARE2GO AND ZEAL-TO-HEAL, IN A 4,593 SQUARE-FOOT BUILDING, ON 0.7604-ACRES, LOCATED ON THE SOUTH SIDE OF BANDIT TRAIL, SITUATED AT THE INTERSECTION OF DAVIS BOULEVARD AND BANDIT TRAIL, LOCATED AT 769 BANDIT TRAIL, LEGALLY DESCRIBED AS LOT 1, BLOCK A, DAVIS BLVD MEDICAL CENTER AND ZONED RETAIL (R), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, MANS 769 Bandit Trail LLC, owner/applicant, submitted an application to the City of Keller for two Specific Uses Permits (SUPs) to operate an urgent care facility and a spa business (SUP-21-0023); and

WHEREAS, minor medical emergency clinics require a Specific Use Permit (SUP); and

WHEREAS, spa uses require a Specific Use Permit (SUP) in the Retail (R) zoning district; 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 two Specific Use Permits (SUPs) for a Minor Medical Emergency Clinic and for Spa uses, for UrgentCare2go and Zeal-To-Heal, in a 4,593 square-foot building, on 0.7604-acres, located on the south side of Bandit Trail, situated at the intersection of Davis Boulevard and Bandit Trail, located at 769 Bandit Trail, legally described as Lot 1, Block A, Davis Blvd Medical Center, 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