

ORDINANCE NO. 2057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING TWO SPECIFIC USE PERMITS (SUPS) TO ALLOW THE USE OF A PHARMACY AND LIGHT MANUFACTURING, WHOLLY ENCLOSED IN A BUILDING, FOR VITAL CARE PHARMACY IN AN EXISTING 3,237 SQUARE-FOOT LEASE SPACE, WITHIN A 38,975 SQUARE-FOOT, MULTI-TENANT BUILDING ON THE PROPERTY LEGALLY DESCRIBED AS LOT 1, BLOCK A OF THE BAYLOR MEDICAL PLAZA ADDITION, BEING 3.595-ACRES, APPROXIMATELY 500 FEET NORTHEAST FROM THE INTERSECTION OF BEAR CREEK PARKWAY AND SOUTH MAIN STREET (US HWY 377), ZONED OLD TOWN KELLER (OTK), AND ADDRESSED AS 601 SOUTH MAIN STREET, SUITE 110, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, David Alvarez, Precise Elite Services, Applicant and PMAK Keller 601, LLC., Owner, have submitted an SUP application for Vital Care Pharmacy to operate a pharmacy with light manufacturing (wholly enclosed in a building) to mix and ship infusions as well as administer (SUP-22-0002); and

WHEREAS, the City of Keller City Council (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'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 application described in this ordinance; and

WHEREAS, the Planning and Zoning Commission has made a recommendation to approve the request for SUPs; and

WHEREAS, the City Council is of the opinion that the SUPs 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) to allow the use of a pharmacy and light manufacturing, wholly enclosed in a building, for Vital Care Pharmacy in an existing 3,237 square-foot lease space, within a 38,975 square-foot, multi-tenant building on the property legally described as Lot 1, Block A of the Baylor Medical Plaza Addition, being 3.595-acres, approximately 500 feet northeast from the intersection of Bear Creek Parkway and South Main Street (US HWY 377), zoned Old Town Keller (OTK), and addressed as 601 South Main Street, Suite 110 in the City of Keller, Tarrant County, Texas, and incorporated herein, as if fully set forth with the following conditions:

1. A SUP for Vital Care Pharmacy to operate a pharmacy shall be allowed.
2. A SUP for Vital Care Pharmacy to operate light manufacturing, wholly enclosed in a building shall be allowed.

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 1st day of March, 2022.

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