

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR A PROPOSED 11,000 SQUARE-FOOT MULTITENANT BUILDING, TO ALLOW A ONE-STORY BUILDING AND TO ALLOW A RESTAURANT WITH DRIVE-THRU, LOCATED DIRECTLY NORTH OF THE KELLER PARKWAY AND COUNTRY BROOK DRIVE INTERSECTION, LEGALLY DESCRIBED AS TRACT 2E, ABSTRACT 28 OF THE PAMELA ALLEN SURVEY AND ADDRESSED 1241 KELLER PARKWAY, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Ryan McIntosh, Trinity Partners Commercial Real Estate, Applicant/Owner, has submitted a request for a Specific Use Permit (SUP) for a proposed one-story, 11,000 square-foot building to include Mo'Bettahs, a restaurant with drive-thru, for the property at 1241 Keller Parkway (SUP-2410-0012); and

WHEREAS, an SUP is required to allow a one-story building and to allow a restaurant with drive-thru in the Town Center Zoning District; 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 City Council is of the opinion that the SUP herein effectuated further 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) for a proposed 11,000 square-foot multitenant building, to allow a one-story building and to allow a restaurant with drive-thru, located directly north of the Keller Parkway and Country Brook Drive intersection, legally described as Tract 2E, Abstract 28 of the Pamela Allen Survey and addressed 1241 Keller Parkway.

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 \_ to \_ on this the 3rd day of December 2024.

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