

ORDINANCE NO. 2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR 151 COFFEE TO OCCUPY A 2,866 SQUARE-FOOT BUILDING WITH DRIVE-THRU, SITUATED ON A 0.723-ACRE TRACT OF LAND, LOCATED ON THE SOUTH SIDE OF KELLER PARKWAY (FM 1709), APPROXIMATELY 250 FEET WEST OF THE INTERSECTION OF KELLER SMITHFIELD ROAD AND KELLER PARKWAY, BEING LOT 2, BLOCK A, KELLER CROSSING ADDITION, AND ZONED PLANNED DEVELOPMENT - RETAIL (PD-R), LOCATED AT 1510 KELLER PARKWAY IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, the Rent Shop of Texas, Owner, and 151 Coffee To Go, LLC, Applicant, have submitted an application to the City of Keller to occupy a 2,866 square-foot drive-thru coffee shop; and

WHEREAS, a Specific Use Permit is required to utilize the drive-thru component associated with the 2,866 square-foot building in the Retail Zoning District; 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, at the April 27, 2021, Planning and Zoning Commission Meeting, the Commission recommended approval by a vote of 7-0; and

WHEREAS, notice of a public hearing before the City Council was published on May 2, 2021, in the Fort Worth Star-Telegram newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

WHEREAS, a public hearing to issue the Specific Use Permit was held at the City Council meeting on May 18, 2021, and no one spoke in favor or opposition; and

WHEREAS, the City Council finds that approving the Specific Use Permit for a drive-thru coffee shop furthers the purpose of zoning in the retail zoning district 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 151 Coffee to occupy a 2,866 square-foot building with drive-thru, situated on a 0.723-acre tract of land, located on the south side of Keller Parkway (FM 1709), approximately 250 feet west of the intersection of Keller Smithfield Road and Keller Parkway, being Lot 2, Block A, Keller Crossing Addition, and zoned Planned Development - Retail (PD-R), located at 1510 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 7 to 0 on this the 18th day of May 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