

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT FOR MAGNOLIA ON MAIN, A MIXED-USE RESIDENTIAL DEVELOPMENT OF APPROXIMATELY 60 RESIDENTIAL UNITS AND 3,400 SQUARE-FEET OF NON-RESIDENTIAL SPACE ON 1.3669 ACRES, LOCATED ON THE WEST SIDE OF SOUTH MAIN STREET, LEGALLY DESCRIBED AS TRACT 19 G, ABSTRACT 1171 OF THE SAMUEL NEEDHAM SURVEY, ZONED OLD TOWN KELLER (OTK) AND ADDRESSED 346 S. MAIN ST. MAGNOLIA PROPERTY COMPANY, APPLICANT. 346 SOUTH MAIN-KELLER, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, 346 South Main-Keller, Owner, and Magnolia Property Company, Applicant, submitted a Specific Use Permit (SUP) application to construct an approximately 53,000 square-foot Mixed-Use Residential building in the Old Town Keller zoning district (SUP-23-0027); 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 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 an SUP for Magnolia on Main, a Mixed-Use Residential development of approximately 60 residential units and 3,400 square-feet of non-residential space on 1.3669 acres, located on the west side of South Main Street, legally described as Tract 19 G, Abstract 1171 of the Samuel Needham Survey, zoned Old Town Keller (OTK) and addressed 346 S. Main St.

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 7th day of November, 2023.

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