

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR A DRIVE-THRU FOR HTEAO, ON 1.07 ACRES, APPROXIMATELY 550 FEET NORTHWEST OF THE RUFÉ SNOW DRIVE AND BURSEY ROAD INTERSECTION, LEGALLY DESCRIBED AS LOT 2, BLOCK A OF THE KELLER COMMONS ADDITION, ZONED COMMERCIAL (R) AND ADDRESSED 2126 RUFÉ SNOW DRIVE, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, L4CE LLC, Applicant, and Retail Opportunity Keller, LLC, Owner, have submitted a Specific Use Permit (SUP) application for a drive-thru for HTeaO (SUP-24-0008); and

WHEREAS an SUP is required for all drive-thrus in the City of Keller; 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 the SUP request herein effectuated furthers the purpose of zoning as set forth in the Unified Development Code and is in the best interest of the citizens of the City of Keller;

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 drive-thru for HTeaO, on 1.07 acres, approximately 550 feet northwest of the Rufe Snow Drive and Bursey Road intersection, legally described as Lot 2, Block A of the Keller Commons addition, zoned Retail (R) and addressed 2126 Rufe Snow Drive.

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 21st day of May 2024.

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