

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A ZONING CHANGE FROM PLANNED DEVELOPMENT - RETAIL (R) TO RETAIL (R), FOR THE PROPERTY LEGALLY DESCRIBED AS LOT 3A, BLOCK 1 OF FOOTE'S ADDITION (RECENTLY REPLATTED AS LOT 1, BLOCK A, TEJUN ADDITION), BEING 1.208 ACRES, APPROXIMATELY 300 FEET WEST OF THE INTERSECTION OF KELLER PARKWAY AND BOURLAND ROAD, ZONED PLANNED DEVELOPMENT 1323-RETAIL (R-PD-1323), AND ADDRESSED AS 541 KELLER PARKWAY IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, City of Keller, Owner/Applicant, submitted a request to rezone the property at 541 Keller Parkway from Planned Development- Retail to Retail (Z-23-0003); and

WHEREAS, on March 21, 2023, City Council approved the bid from Te'Jun, a proposed 6,697 square-foot two-story restaurant for the sale of the subject property; 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 UDC amendments described in this ordinance; and

WHEREAS, the Planning and Zoning Commission held a public hearing on August 8, 2023 and unanimously recommended approval of the zoning change request; and

WHEREAS, the City Council is of the opinion the zoning change 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 approves and incorporates herein as fully submitted an ordinance approving zoning change from Planned Development - Retail (R) to Retail (R), for the property legally described as Lot 3A, Block 1 of Foote's Addition (recently replatted as Lot 1, Block A, TEJUN Addition), being 1.208 acres, approximately 300

feet west of the intersection of Keller Parkway and Bourland Road, zoned Planned Development 1323-Retail (R-PD-1323), and addressed as 541 Keller Parkway, in the City of Keller, Tarrant County, Texas.

Section 3: THAT, any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon final conviction therefor, shall be fined in a sum not to exceed two thousand dollars (\$2,000.00). Each and every day any 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 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 5th day of September 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