

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW A DRIVE-THRU IN AN APPROXIMATELY 665 SQUARE-FOOT BUILDING FOR SWIG, A PROPOSED QUICK-SERVICE RESTAURANT ON THE EAST SIDE OF RUFÉ SNOW DRIVE SITUATED APPROXIMATELY 240 FEET SOUTHEAST OF THE NORTH TARRANT PARKWAY AND RUFÉ SNOW DRIVE INTERSECTION, ON APPROXIMATELY .758 ACRE, LEGALLY DESCRIBED AS LOT 4R1, BLOCK A, KELLER PLACE ADDITION, ZONED RETAIL (R), AND ADDRESSED 2021 RUFÉ SNOW DRIVE IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Whitestone Keller Place LLC, Owner, and Kofi Addo on behalf of Savory Development, Applicant, submitted a Specific Use Permit (SUP) application for a drive-thru as part of a quick-service restaurant proposed at 2021 Rufe Snow Drive (SUP-23-0005); and

WHEREAS, an SUP is required to operate a drive-thru in the Retail 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 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 a Specific Use Permit (SUP) to allow a drive-thru in an approximately 665 square-foot building for Swig, a proposed quick-service restaurant on the east side of Rufe Snow Drive situated approximately 240 feet southeast of the North Tarrant Parkway and Rufe Snow Drive intersection, on approximately .758 acre, legally described as Lot 4R1, Block A, Keller Place Addition, zoned Retail (R), and addressed 2021 Rufe Snow Drive, as if fully set forth with the following conditions:

1. A Specific Use Permit to allow a drive-thru on the east side of Rufe Snow Drive at 2021 Rufe Snow Drive, for Swig, with the hours of operation being 7 A.M. to 9:30 P.M. Monday through Thursday, 7 A.M. to 10:30 P.M. on Friday, 8 A.M. to 10:30 P.M. on Saturday, and closed on Sunday, shall be allowed.

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 4th day of April, 2023.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
Armin R. Mizani, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney