

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 FOR BLACK ROCK COFFEE TO OCCUPY A 2,077 SQUARE-FOOT LEASE SPACE, WITHIN A PROPOSED 5,730 SQUARE-FOOT MULTI-TENANT BUILDING, LOCATED ON THE EAST SIDE OF NORTH MAIN STREET, SITUATED AT THE RIDGE POINT PARKWAY AND NORTH MAIN STREET INTERSECTION, ON APPROXIMATELY 1.18 ACRES, LEGALLY DESCRIBED AS LOT 1, BLOCK A OF THE CENTER STAGE ADDITION, ZONED PLANNED DEVELOPMENT - COMMERCIAL (PD-C), AND ADDRESSED AT 1600 NORTH MAIN STREET IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Jimmy Archie, Reality Capital Management, LLC., Owner/Applicant, has submitted a Specific Use Permit (SUP) application to operate a coffee shop drive-thru at 1600 North Main Street (SUP-22-0028); and

WHEREAS, an SUP is required to operate a drive-thru coffee shop in the Planned Development – Commercial (PD-C) 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 Planning and Zoning Commission held a public hearing on August 23, 2022 and unanimously recommended approval of the item; 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 a drive-thru for Black Rock Coffee to occupy a 2,077 square-foot lease space, within a proposed 5,730 square-foot multi-tenant building, located on the east side of North Main Street, situated at the Ridge Point Parkway and North Main Street intersection, on approximately 1.18 acres, legally described as Lot 1, Block A of the Center Stage Addition, zoned Planned

Development - Commercial (PD-C), and addressed at 1600 North Main Street as if fully set forth with the following condition:

1. A Specific Use Permit to allow a drive-thru coffee shop at 1600 North Main Street for Black Rock Coffee, with the hours of operation being 5 AM to 9 PM Sunday through Saturday, 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 20th day of September, 2022.

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