

SPECIFIC USE PERMIT (SUP) APPLICATION

SECTION 1. APPLICANT/OWNER INFORMATION

Please Print or Type

Applicant/Developer: Kroger Texas - Richard Binkely

Street Address: 751 Freeport Parkway

City: Keller State: TX Zip: 75019

Telephone: 817.675.8428 Fax: _____ E-mail: _____

Applicant's Status: (Check One) Owner Tenant Prospective Buyer

Property Owner must sign the application or submit a notarized letter of authorization.

Owner: Whitestone Keller Place, LLC

Street Address: 2600 S Gessner Road, Ste. 500

City: Houston State: TX Zip: 77063

Telephone: _____ Fax: _____ E-mail: _____

Signature of Applicant _____
Date: _____

Signature of Owner _____ Printed Name of Owner _____
Date: _____

SECTION 2. PERMIT REQUEST INFORMATION

Property Location: 2601 Rufe Snow Dr.

Legal Description:
Lot(s): 2R1 Block(s): A Subdivision Name: Keller Place Addition

Unplatted Property Description:
Abstract Name & Number: 457 Tract Number(s): _____
If property is not platted, please attach a metes and bounds description.

Current Zoning: Retail Proposed Zoning: Retail w/ SUP

Current Use of Property: Supermarket

Proposed Use of Property: Supermarket with Fuel Station



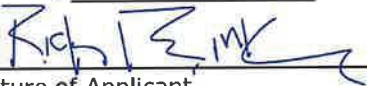

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Property Owner must sign the application or submit a notarized letter of authorization.

Owner: Whitstone Keller Place, LLC
Street Address: 2600 S Gessner Road, Ste. 500
City: Houston State: TX Zip: 77063
Telephone: _____ Fax: _____ E-mail: _____

Signature of Applicant Date: 10/06/2022

Signature of Owner Printed Name of Owner: David C. Spagnolo
Date: 10/18/22

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SECTION 3. CHECKLIST

(Please provide each of the items below & initial next to each item)

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | The application fee |
| <input checked="" type="checkbox"/> | Seven (7) 22" x 34" or 24" x 36" copies are needed, collated and folded to 9" x 12" paper size; electronic copy is recommended upon submittal date. |
| <input checked="" type="checkbox"/> | <p>A written proposal outlining all special conditions and additional requirements for the property controlled by the SUP, including but not limited to:</p> <ul style="list-style-type: none"> • the paving of streets, alleys and sidewalks, • means of ingress and egress to public streets, • provisions for drainage, • adequate off-street parking, • screening and open space, • heights of structures, • compatibility of buildings, • hours of operation, and • time limits. <p>A letter justifying the request and addressing the decision criteria on with the Planning and Zoning Commission and City Council will base their decision.</p> <ol style="list-style-type: none"> 1) The use is harmonious and compatible with surrounding existing uses or proposed uses; 2) The activities requested by the applicant are normally associated with the permitted uses in the base district; 3) The nature of the use is reasonable and appropriate in the immediate area; 4) Any negative impact on the surrounding area has been mitigated; and 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld. |
| <input checked="" type="checkbox"/> | A legal description or meets and bounds description of the property. |
| <input checked="" type="checkbox"/> | <p>Concept Plan. The plan shall be to scale and show the following:</p> <ul style="list-style-type: none"> • topography, • and boundary of SUP area; • physical features of the site; • existing streets, alleys and easements; • location of future public facilities; • parking ratios, the final Detailed Site Plan; • building height and location, elevations; • site landscaping; • off-street parking facilities; • size, height, construction materials, and locations of buildings and the uses to be permitted; • location and instruction of signs; • means of ingress and egress to public streets; • the type of visual screening such as walls, plantings and fences; • the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200') and; • other information to adequately describe the proposed development and to provide data for approval. |
| <input checked="" type="checkbox"/> | Evidence of communicating the proposal with the adjacent neighborhood |
| <input checked="" type="checkbox"/> | Trip Generation Form and, if required per Section 5.03, Traffic Impact Analysis |
| <input type="checkbox"/> N/A | Additional information or drawings, operations data, or expert evaluation when considering the application, including traffic studies and drainage studies as required by the Development Review Committee. |



October 11, 2022

City of Keller
Planning Department
1100 Bear Creek Pkwy
Keller TX 76244

Re: SUP Request - Kroger – 2061 Rufe Snow Drive

Planning Department:

Please let this letter serve as a request for a Specific Use permit for the proposed Kroger Fuel Center to accompany the Existing Kroger Grocery Store located at 2061 Rufe Snow Drive.

Summary of Project:

We are requesting the approval to develop a portion of an existing Kroger Fuel store to add an accessory use of a Fuel Station to the property. The Existing Kroger Grocery Store is currently 64,145 SF. The Fuel Kiosk would add an additional 179 SF. The current development is comprised of a total of 6.60 acres and is known as Lot 2R1 Block A of the Keller Place Addition. This SUP will only apply to Lot 2R1. The SUP will address allowing the use of a Fuel Facility as a supplemental use. The site will have 2 points of access to Rufe Snow Drive (public roadway) and additional private access to the north. This access will remain as existing with the proposed development onsite. The proposed fuel center will be operational 24 hours via pay at the pump and will have an attendant at times of operations. The proposed development will be harmonious with the surrounding areas as the property and will provide service to the surrounding residential homes. The activities associated with the addition of the fuel center will fall in line with the current developed site and is appropriate within the area shown. This should not create a negative impact to the surrounding area. The proposed Fuel Center will offer access to the current customers visiting the Grocery store.

Adjacent Home-Owners

The home-owner association located east of the property is known as Highland Meadows Estates. The development team has reached out to the HOA and has contacted them regarding the addition of the fuel center.

SUP Criteria

1. The use is harmonious and compatible with surrounding existing uses or proposed uses;
The proposed use of the Kroger Fuel Center will fit into the surrounding settings. The proposed site is located within a commercial corridor and will provide a service that is compatible within the area.
2. The activities requested by the applicant are normally associated with the permitted uses in the base district;
The activities/uses are in line as a complementary use to the Retail zoning district. The proposed use is commonly located within a commercial corridor such as the one along Rufe Snow Drive.
3. The nature of the use is reasonable and appropriate in the immediate area;
The proposed site offers a great opportunity to offer the surrounding area with a service that is not currently available. The service/use of the proposed development is appropriate for the commercial corridor along Rufe Snow Drive.



4. Any negative impact on the surrounding area has been mitigated; and
Our perception of the proposed developments impact to the area will not create a negative impact to the surrounding areas. The use is compatible with the adjacent uses and will be harmonious with the current development.
5. That any additional conditions specified ensure that the intent of the district purposes are being upheld.

There are not any additional special conditions requested at this time.

Kroger is very excited to bring their development into the Town of Keller. Please let us know if you need additional information for this request. Should you have any questions or concerns, please contact me at 817-281-0572.

Sincerely,

A handwritten signature in blue ink, appearing to read "Clay Cristy".

Clay Cristy, P.E.