

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR A PROPOSED 5,000 SQUARE-FOOT MULTITENANT BUILDING, TO ALLOW A ONE-STORY BUILDING, TO ALLOW A PROPOSED STRUCTURE TO BE LESS THAN 6,000 SQUARE-FEET, TO ALLOW A RESTAURANT WITH DRIVE-THRU, AND TO ALLOW ONE TENANT TO BE A BANK WITH DRIVE-THRU ATM, LOCATED DIRECTLY NORTH OF THE KELLER PARKWAY AND COUNTRY BROOK DRIVE INTERSECTION, LEGALLY DESCRIBED AS TRACT 2E, ABSTRACT 28 OF THE PAMELA ALLEN SURVEY AND ADDRESSED 1241 KELLER PARKWAY, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Ryan McIntosh, Trinity Partners Commercial Real Estate, Applicant/Owner, has submitted a request for a Specific Use Permit (SUP) for a proposed one-story, 6,000 square-foot building for McAlister's Deli, a restaurant with drive-thru, and a bank with drive-thru ATM, for the property at 1241 Keller Parkway (SUP-2410-0009); and

WHEREAS, an SUP is required to allow a one-story building, to allow a structure to be less than 6,000 square-feet, to allow a restaurant with drive-thru, and to allow a bank in the Town Center 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 further 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 of a Specific Use Permit (SUP) for a proposed 5,000 square-foot multitenant building, to allow a one-story building, to allow a proposed structure to be less than 6,000 square-feet, to allow a restaurant with drive-thru, and to allow one tenant to be a bank with drive-thru ATM, located directly north of the Keller Parkway and Country Brook Drive intersection, legally

described as Tract 2E, Abstract 28 of the Pamela Allen Survey and addressed 1241 Keller Parkway.

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 3rd day of December 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