

ORDINANCE NO. 2102

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR KELLER PRENATAL MASSAGE TO OPERATE IN AN EXISTING 150-SQUARE-FOOT LEASE SPACE, WITHIN A 1,744-SQUARE-FOOT MULTI-TENANT BUILDING, APPROXIMATELY 100 FEET SOUTHWEST OF THE INTERSECTION OF PECAN STREET AND SOUTH ELM STREET, LEGALLY DESCRIBED AS TRACT 19, ABSTRACT 1171 OF THE SAMUEL NEEDHAM SURVEY, ZONED OLD TOWN KELLER (OTK) AND ADDRESSED AS 140 PECAN STREET, SUITE B, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Jennifer Land Wellness LLC, DBA Keller Prenatal Massage, Applicant, and Ronald Lee, Owner, have submitted a Specific Use Permit (SUP) application for a pre- and postnatal massage business at 140 Pecan Street, Suite B (SUP-22-0034); and

WHEREAS, an SUP is required to operate a massage business in the Old Town Keller (OTK) 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 October 25, 2022 and unanimously recommended approval of the item as presented; 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 of a Specific Use Permit (SUP) for Keller Prenatal Massage to operate in an existing 150-square-foot lease space, within a 1,744-square-foot multi-tenant building, approximately 100 feet southwest of the intersection of Pecan Street and South Elm Street, legally described as Tract 19, Abstract 1171 of the Samuel Needham Survey, zoned Old Town Keller

(OTK) and addressed as 140 Pecan Street, Suite B, as if fully set forth with the following conditions:

1. A Specific Use Permit to operate a pre- and postnatal massage business at 140 Pecan Street, Suite B with the hours of operation being 10 a.m. to 5 p.m. Monday, Wednesday, and Saturday, and 2-5 p.m. 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 6 to 0 on this the 15th day of November, 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