

ORDINANCE NO. 2049

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW THE USE OF SPA SERVICES FOR NAIL BAR ONE, IN A 2,500 SQUARE-FOOT LEASE SPACE, WITHIN A 21,895 SQUARE-FOOT MULTI-TENANT BUILDING, ON 2.93-ACRES, APPROXIMATELY 1,000-FEET NORTHWEST FROM SOUTH MAIN STREET AND WALL-PRICE KELLER ROAD INTERSECTION, AND SITUATED ON THE WEST SIDE OF SOUTH MAIN STREET, LOCATED AT 800 SOUTH MAIN STREET SUITE 224, LEGALLY DESCRIBED AS LOT 3, BLOCK A, BEAR CREEK PLAZA ADDITION AND ZONED RETAIL (R), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, BC III Shopping Center, LLC, Owner, Nail Bar One, Applicant, have submitted an SUP application for spa services (SUP-21-0035); and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission (Commission) was sent to real property owners within three hundred feet (300') of the property herein described at least ten (10) days before such hearing; and

WHEREAS, the Commission held a public hearing on November 9, 2021 where no one spoke in favor or opposition, and the Commission recommended approval by a vote of 7-0; and

WHEREAS, notice of a public hearing before the City Council was published in the Fort Worth Star Telegram, a newspaper of general circulation in Keller, at least fifteen (15) days before such hearing; and

WHEREAS, a public hearing to consider the request for a Specific Use Permit was held before City Council on December 7, 2021 and no one spoke in favor or opposition; 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) to allow the use of spa services for Nail Bar One, in a 2,500 square-foot lease space, within a 21,895 square-foot

multi-tenant building, on 2.93-acres, approximately 1,000-feet northwest from South Main Street and Wall-Price Keller Road intersection, and situated on the west side of South Main Street, located at 800 South Main Street Suite 224, legally described as Lot 3, Block A, Bear Creek Plaza Addition and zoned Retail (R) in the City of Keller, Tarrant County, Texas, and incorporated herein, as if fully set forth.

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 7 to 0 on this the 7th day of December, 2021.

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