

ORDINANCE NO. 1946

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR COZY DAY SPA "TO INCLUDE COSMETOLOGY (HAIR, NAILS, FACE) & TEXAS-LICENSED MASSAGE THERAPISTS," LOCATED IN AN APPROXIMATELY 1,250 SQUARE-FOOT LEASE SPACE, CONTAINED IN THE 10,000 SQUARE-FOOT MULTI-TENANT BUILDING, ON AN APPROXIMATELY .84-ACRE PROPERTY, LOCATED ON THE SOUTH SIDE OF KELLER PARKWAY, APPROXIMATELY 170 FEET SOUTHWEST OF THE INTERSECTION OF KELLER PARKWAY AND CINDY STREET, BEING LOT 1R, BLOCK A, THE SHOPS AT CINDY ADDITION, ZONED R (RETAIL) IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Bass Commercial Investment LLC, owner; Zhenji Jin, applicant; have submitted an application to the City of Keller to operate a Spa "to include cosmetology (Hair, Nails, Face) & Texas-Licensed Massage Therapists," located at 460 Keller Parkway, Suite B; and

WHEREAS, A Specific Use Permit is required to operate a Spa "to include cosmetology (Hair, Nails, Face) & Texas-Licensed Massage Therapists" in the Retail Zoning District; and

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

WHEREAS, public hearings to issue a Specific Use Permit on the property herein described were held before both the Planning and Zoning Commission and the City Council, no signatures of support or opposition were provided by the public, and the Planning and Zoning Commission has heretofore made a recommendation to approve the Specific Use Permit; and

WHEREAS, the City Council is of the opinion that the Specific Use Permit herein effectuated furthers the purpose of

zoning as set forth in the Unified Development Code and is in the best interest of the citizens of the City of Keller;

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 Cozy Day Spa "Spa to include Cosmetology (Hair, Nails, Face) & Texas-Licensed Massage Therapists," located in an approximately 1,250 square-foot lease space, contained in the 10,000 square-foot multi-tenant building, on an approximately .84-acre property, located on the south side of Keller Parkway, approximately 170 feet southwest of the intersection of Keller Parkway and Cindy Street, being Lot 1R, Block A, The Shops at Cindy Addition, zoned R (Retail) IN THE CITY OF KELLER, as if fully set forth with the following condition:

1. The Specific Use Permit request to allow Cozy Day Spa to operate a spa that includes cosmetology (hair, nails, face) and Texas-licensed massage therapists.

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 3rd day of
September, 2019.

CITY OF KELLER, TEXAS

BY: _____
P.H. McGrail, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney