

Item H-3

PUBLIC HEARING: Consider an ordinance 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). BC III Shopping Center, LLC, Owner. Nail Bar One, Applicant. (SUP-21-0035)

Item H-3 Aerial Map



Zoned:
Commercial

Item H-3 Zoning View



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Background:

The property located at 800 South Main Street, Suite 224, has been used as a spa (nail salon) since 2014 and became a legal non-conforming use when the City's Code was amended in 2015 to require Spa uses to obtain a Specific Use Permit (SUP). The new owner of the salon applied for a Certificate of Occupancy (CO) on September 30, 2021 before realizing a SUP was required. The new owner then submitted the SUP application October 15, 2021.

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Hours of Operation:

Monday through Friday: 9:30 a.m. to 7 p.m.

Saturday: 9 a.m. to 7 p.m.

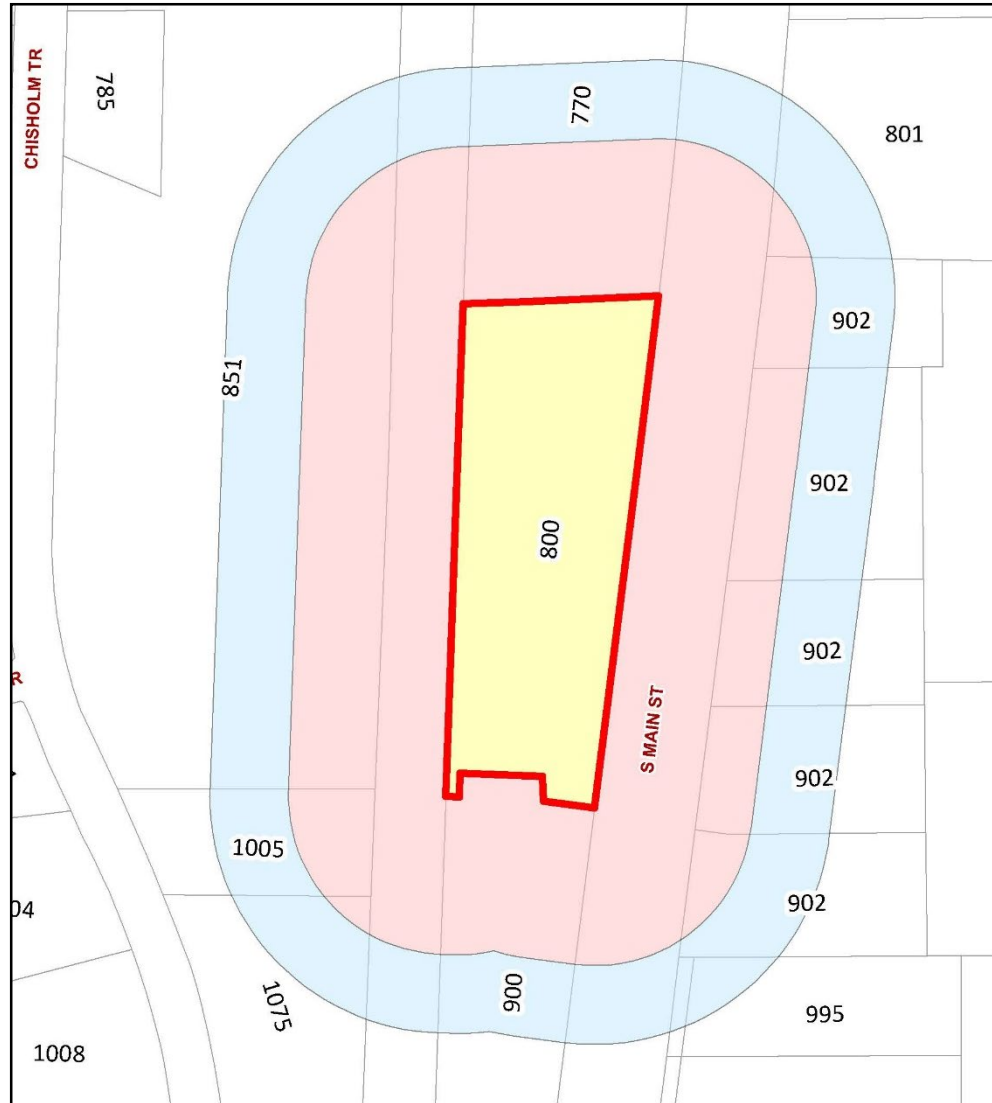
Sunday: 11 a.m. to 5 p.m.

Proposed Services Provided:

- Nails
- Waxing
- Eyelash Extension
- Facials



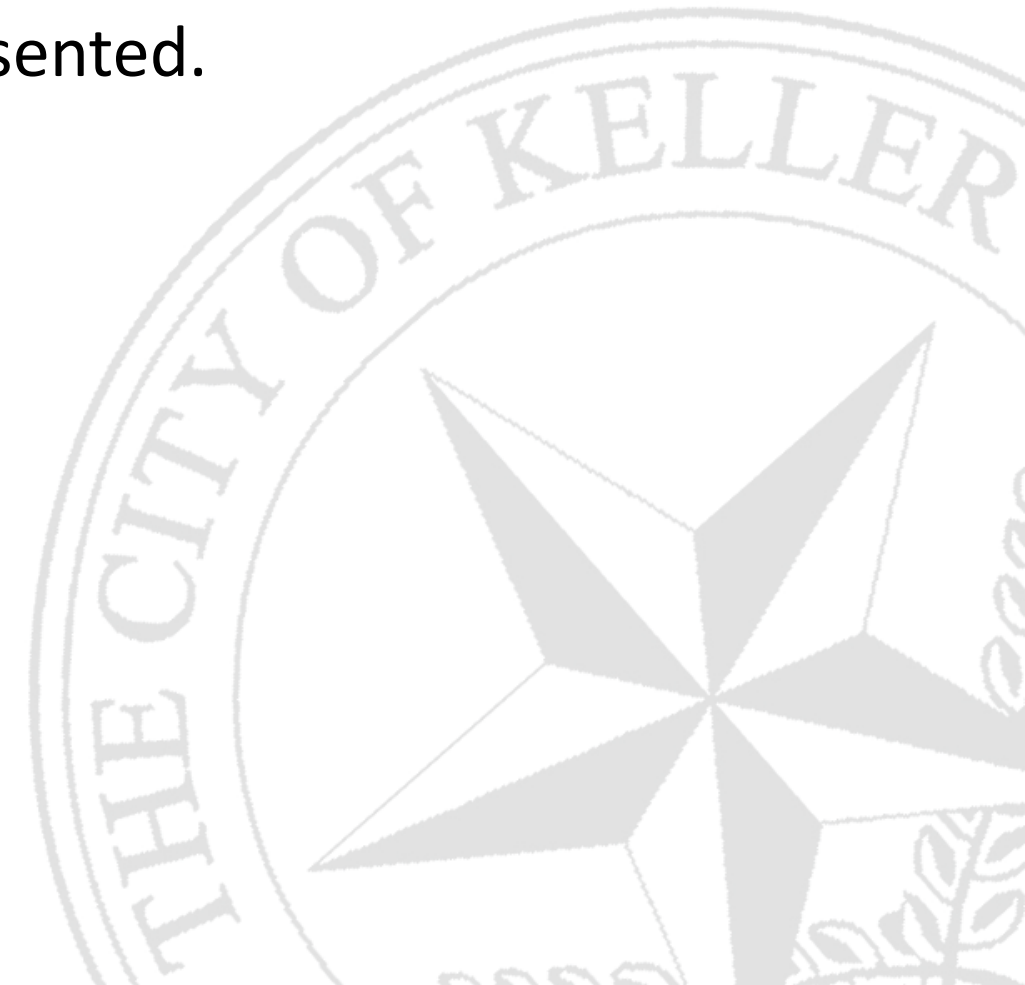
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- On Oct. 29, 2021, the City mailed six Letters of Notification for this public hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was also posted on the site on Oct. 29, 2021.
- As of today, staff has not received any responses from the public.

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On Nov. 9, 2021, the Planning and Zoning Commission unanimously recommended approval of the item as presented.



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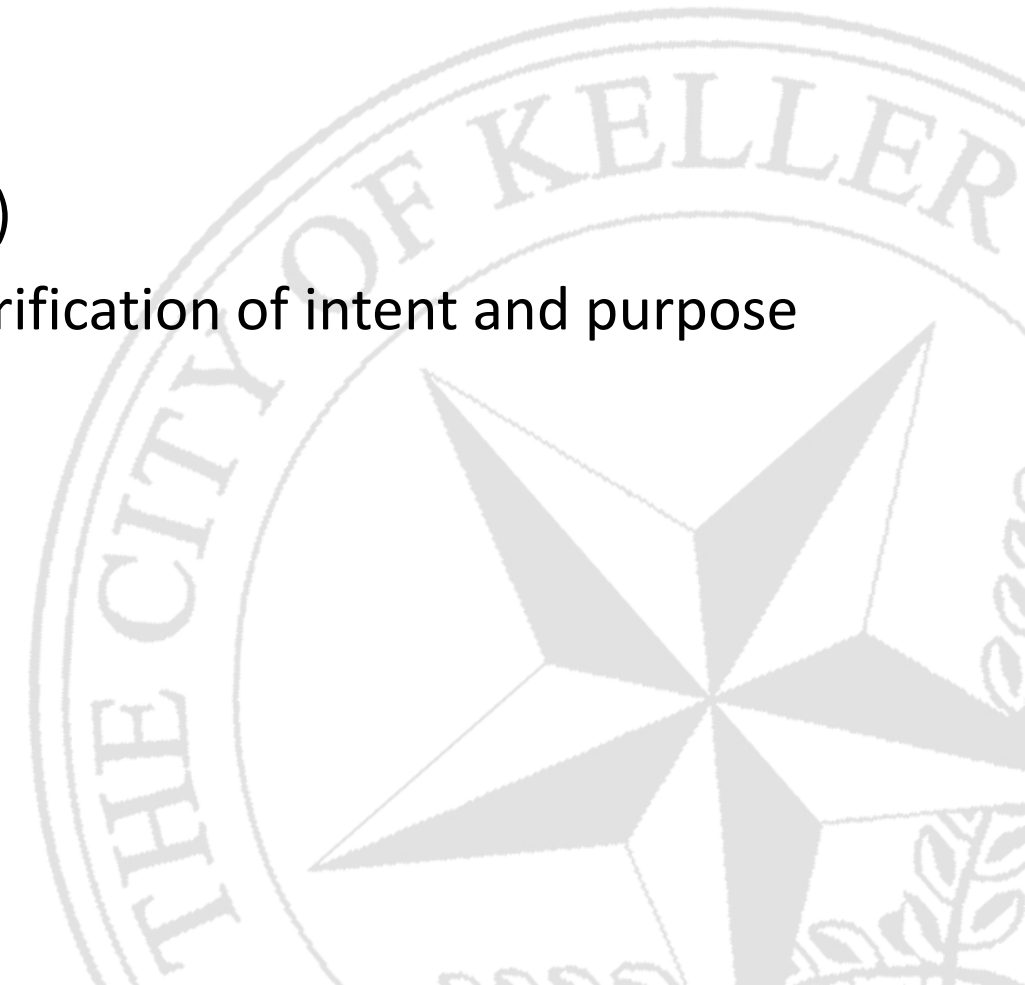
Section 8.02 (F)(2)(a) of the UDC states that when considering a SUP request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 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.

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The City Council has the following options when considering an SUP application:

- Approve as submitted
- Approve with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny





Questions?
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