

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR MAUI HEALTH SPA TO OPERATE A SPA WITH MASSAGE IN AN EXISTING 2,240 SQUARE-FOOT LEASE SPACE, WITHIN A 4,325 SQUARE-FOOT MULTI-TENANT BUILDING, AT THE INTERSECTION OF DAVIS BOULEVARD AND BEAR CREEK PARKWAY, LEGALLY DESCRIBED AS LOT 3, BLOCK A OF HIDDEN LAKES CENTER ADDITION (ERRONEOUSLY LISTED ON THE TARRANT APPRAISAL DISTRICT WEBSITE AS LOT 2 50% OF COMMON AREA, HIDDEN LAKES CONDO ADDITION. ACCOUNT #: 41197127), ZONED COMMERCIAL (C) AND ADDRESSED AS 8845 DAVIS BOULEVARD, SUITE 150, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, David Campbell, Applicant, and GFP Keller Property, LLC, Owner, have submitted a Specific Use Permit (SUP) application to operate a spa with massage at 8845 Davis Boulevard, Suite 150 (SUP-22-0030); and

WHEREAS, an SUP is required to operate a spa with massage in the Commercial (C) 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 August 23, 2022 and unanimously recommended approval of the item; 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 for Maui Health Spa to operate a spa with massage in an existing 2,240 square-foot lease space, within a 4,325 square-foot multi-tenant building, at the intersection of Davis Boulevard and Bear Creek Parkway, legally described as Lot 3, Block A of Hidden Lakes Center addition (Erroneously listed on the Tarrant Appraisal District website as Lot 2

50% of Common Area, Hidden Lakes Condo addition. Account #: 41197127), zoned Commercial (C) and addressed as 8845 Davis Boulevard, Suite 150 as if fully set forth with the following conditions:

1. A Specific Use Permit to operate a spa with massage at 8845 Davis Boulevard, Suite 150, for Maui Health Spa with the hours of operation being 10 AM to 8 PM on Monday through Saturday and 12 PM to 6 PM 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 ___ to ___ on this the 20th day of September, 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