



## Legislation Details (With Text)

**File #:** 16-212      **Version:** 1

**Type:** New Business      **Status:** Agenda Ready

**File created:** 2/1/2017      **In control:** City Council

**On agenda:** 2/21/2017      **Final action:**

**Title:** PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow Massage Express, a proposed Spa to Include Cosmetologists (Hair, Nails, Face) & Massage Therapist, in an existing lease space of 1,196 square feet, within a 15,032 square-foot building on 1.87-acres, located on the north side of North Tarrant Parkway, approximately 200 feet east of Rufe Snow Drive, at 841 North Tarrant Parkway, being Lot 2, Block A, Highland Oaks Crossing Addition, and zoned PD-R (Planned Development-Retail). Keller Retail Partners, LLC, owner/applicant. (SUP-16-0028)

**Attachments:** 1. 022117\_MassageExpress\_PZMinutes, 2. 022117\_MassageExpress\_Ordinance No., 3. 022117\_MassageExpress\_ExhibitA, 4. 022117\_MassageExpress\_StaffAttachment(1of3), 5. 022117\_MassageExpress\_StaffAttachment(2of3), 6. 022117\_MassageExpress\_StaffAttachment(3of3), 7. 022117\_MassageExpress\_Maps

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council		
2/21/2017	1	City Council		

**To:** City Council

**From:** David Hawkins, Planning Manager

### Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow Massage Express, a proposed Spa to Include Cosmetologists (Hair, Nails, Face) & Massage Therapist, in an existing lease space of 1,196 square feet, within a 15,032 square-foot building on 1.87-acres, located on the north side of North Tarrant Parkway, approximately 200 feet east of Rufe Snow Drive, at 841 North Tarrant Parkway, being Lot 2, Block A, Highland Oaks Crossing Addition, and zoned PD-R (Planned Development-Retail). Keller Retail Partners, LLC, owner/applicant. (SUP-16-0028)

### Action

#### Requested:

Consider an ordinance approving a Specific Use Permit (SUP) to allow a 'Spa to Include Cosmetologists (Hair, Nails, Face) & Massage Therapist' use in PD-R (Planned Development-Retail).

**Zoning:** PD-R (Planned Development-Retail)

**Background:** On October 2, 2001, a Planned Development was established for this property by Ordinance No. 1066 with a base zoning district of NS (Neighborhood Services).

The property was platted on February 10, 2005 and the building was completed on February 24, 2005.

The Planned Development zoning was amended on January 3, 2012 by Ordinance No. 1580 to change the base zoning district to R (Retail) to allow for a larger variety of uses.

The Planned Development for subject property was amended again by Ordinance No. 1710 on September 16, 2014 to allow uses that require an SUP in the R (Retail) zoning district to be able to request an SUP in the Planned Development as well.

**Analysis:** The purpose of this Specific Use Permit request is to open an approximately one-thousand one-hundred ninety-six (1,196) square-foot '*Spa to Include Cosmetologists (Hair, Nails Face) & Massage Therapist*' in the PD-R (Planned Development-Retail) zoning district. The business, Massage Express, is currently operating at 5601 Basswood Blvd in Fort Worth. The Keller location would be a new, second location for the business. Per the letter from Massage Express included in Exhibit "A", their intent is to open several "smaller, high-quality facilities located strategically throughout our target area(s)". Services advertised at their current location are various types of massage, reflexology, and skin conditioning treatments. Photos of their existing business are available in Exhibit "A" and their website is available at [www.massageexpresstx.com](http://www.massageexpresstx.com) <<http://www.massageexpresstx.com>>.

**Site Design:** The building is existing. No changes to the existing site design proposed.

**Elevations:** The building is existing. No exterior changes to the existing building are proposed. A tenant finish out of the interior of the lease space is expected. This will be reviewed by the Building Services department should the SUP be approved

**Tree Preservation:** The building is existing. Not additional changes to tree or landscaping are proposed.

#### **Drainage &**

**Utilities:** The building is existing. Drainage infrastructure and utilities are in place to support this use.

**Trip Generation:** The Institute of Transportation Engineers Trip generation manual does not specifically list a massage establishment. Staff would anticipate trip generation for this use being similar to a medical office. A medical office of this size could be expected to generate forty-three (43) trips per weekday and eleven (11) trips per day on weekends. Staff would expect this use to have more trips on weekends than a traditional medical office. Staff does not anticipate that the trips generated will change traffic patterns in the developed center significantly.

**Parking:** There are seventy-four (74) parking spaces and four (4) handicapped parking spaces for the building creating a general parking ratio of one (1) space per two-hundred (200) square feet for the overall building. The required parking ratio for this use and all retail and personal services is one (1) space per two-hundred (200) square feet. There are also some restaurants within the

building that require a parking ratio of one (1) space per one-hundred fifty (150) square feet. However, the restaurant hours are offset, with some being busier in the morning for coffee and breakfast and others being busier in the evening. Staff does not anticipate any parking issues with the proposed use.

### Existing Roadway

**Access:** North Tarrant Parkway, a six-lane divided arterial street to the south. Rufe Snow Drive, a four-lane divided arterial to the west, though shared access.

### Surrounding Zoning & Land

**Uses:** North: Children's Learning Adventure, zoned PD-R and Lakes of Highland Oaks Single-Family Homes zoned PD-SF-8.4 (Planned Development-Single Family - 8,400 square foot minimum lots)  
South: Kroger Shopping Center, zoned R (Retail)  
East: Undeveloped land zoned PD-R  
West: CVS, zoned PD-NS (Planned Development-Neighborhood Services)

**Legal Review:** None.

**Budget Impact:** None.

**Financial  
Considerations:** None.

**Summary:** Section 8.04 (B.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;

***The use is surrounded by retail, restaurant, and services within the shopping center. This use should be compatible with surrounding uses. A letter has been provided from Tulip Cleaners, another lease in the building, in support of the request.***

- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;

***"Spa to Include Cosmetologists (Hair, Nails Face) & Massage Therapist" are permitted by Specific Use Permit in the R (Retail) base zoning district. Per section 4.03 (F.3) "Specific Use Permits (SUP) are approved to allow uses that with special conditions and development restrictions may be considered compatible in a district in which they are not allowed by right."***

***Section 8.03 (Q.1) states, "The R, Retail District is established to provide locations for various types of general retail trade, business, and service uses." Massage is generally considered a service use, though it is one which many cities prefer having additional oversight. In addition to the SUP requirement, all massage uses require a license from the Keller Police Department prior to being issued a Certificate of Occupancy.***

- 3) The nature of the use is reasonable and appropriate in the immediate area;

***The proposed use is reasonable in the immediate area and will be surrounded by service, retail, and restaurant uses.***

- 4) Any negative impact on the surrounding area has been mitigated; and

***No negative impacts in terms of traffic, noise or light are anticipated. Based on the scale of the proposed use, staff does not anticipate parking issues.***

- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

***No additional conditions are proposed.***

**Citizen Input:** On January 13, 2017, as required by State law, the City mailed out ten (10) letters of Notifications for a Public Hearing to property owners within three hundred feet (300') of this subject property. Staff also posted a public hearing notice sign on the subject property. On February 5, 2017 notice of this hearing was published in the Fort Worth Star-Telegram. As of February 16, 2017, City staff has received no responses from the public.

#### **Professional**

**Opinion:** It is the professional opinion of staff to **support** this request. Staff forwards this Specific Use Permit request for Planning and Zoning Commission consideration as presented:

1. Allow a Specific Use Permit for Massage Express to operate a 'Spa to Include Cosmetologists (Hair, Nails Face) & Massage Therapist' use in a 1,196 square feet lease space, at 841 North Tarrant Parkway, within the PD-R (Planned Development - Retail) zoning district.

**Board Review:** The Planning and Zoning Commission considered this item at their regular meeting on January 23, 2017 and voted 7-0 to **APPROVE as presented** with the following condition:

1. Allow a Specific Use Permit for Massage Express to operate a 'Spa to Include Cosmetologists (Hair, Nails, Face) & Massage Therapist' use in a

1,196 square feet lease space, at 841 North Tarrant Parkway, within the PD-R (Planned Development - Retail) zoning district.

**Alternatives:** The City Council has the following options when considering a Specific Use Permit:

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