



## Legislation Details (With Text)

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**Type:** New Business      **Status:** Failed

**File created:** 6/18/2018      **In control:** City Council

**On agenda:** 7/17/2018      **Final action:**

**Title:** PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for Town Center Nails and Bar, a proposed spa use located in an approximately 3,138 square foot lease space of the proposed 12,188 square foot multi-tenant building, located at 242 Rufe Snow Drive, Suite 140 on an approximately 1.71-acre property, located on the west side of Rufe Snow Drive, approximately 250 feet west of the Rufe Snow Drive and Bear Creek Parkway intersection, being Lot 5 Block A, Moviehouse addition and zoned TC (Town Center). Keller MH Retail, LTD. owner/applicant. (SUP-18-0014)

**Attachments:** 1. 070918\_SUP\_TownCenterNailsAndBarOrdinance, 2. 071718\_TCNailsBarSUP\_ExhibitA\_ApplicationAndLetters, 3. 071718\_TCNailsBarSUP\_ExhibitA\_ConceptPlan&FloorPlan, 4. 071718\_TCNailsBarSUP\_ApprovedSitePlan, 5. 071718\_TCNailsBarSUP\_MoviehouseAdditionPlat, 6. 070918\_SUP\_StaffAttachment\_PercentagesOfSpa, 7. 070918\_SUP\_Maps

Date	Ver.	Action By	Action	Result
7/17/2018	1	City Council		
7/17/2018	1	City Council		

**To:** Mark R. Hafner, City Manager

**From:** Susan Kenney, Community Development Director

**Subject:**

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for Town Center Nails and Bar, a proposed spa use located in an approximately 3,138 square foot lease space of the proposed 12,188 square foot multi-tenant building, located at 242 Rufe Snow Drive, Suite 140 on an approximately 1.71-acre property, located on the west side of Rufe Snow Drive, approximately 250 feet west of the Rufe Snow Drive and Bear Creek Parkway intersection, being Lot 5 Block A, Moviehouse addition and zoned TC (Town Center). Keller MH Retail, LTD. owner/applicant. (SUP-18-0014)

**Action Requested:**

Consider an ordinance approving a Specific Use Permit (SUP) to allow a spa use in the TC (Town Center) zoning district for Town Center Nails and Bar.

**Property Description:**

Located in a proposed 12,188 square foot multi-tenant retail development lease space of 3,138 square feet on approximately 1.71-acre property located at 242 Rufe Snow Drive.

**Property Owner/Applicant:**

Keller MH Retail, LTD.

**Zoning:**

## TC (Town Center)

### **Background:**

The proposed use will be located in a 3,138 square-foot lease space contained in a 12,188 square-foot multi-tenant building.

The property was first platted in 2013 as Lot 1, Block A of the Moviehouse addition, approved by the Planning and Zoning Commission on August 12, 2013.

The Site Plan for this development was approved on October 17th, 2017 by City Council per Resolution number: 3938.

The applicant originally named this business House of Nails, but at the Planning and Zoning Commission meeting on June 11, 2018, the applicant stated that they are changing the name to Town Center Nails and Bar. The applicant will not be selling alcohol, but it will be offered to customers during their service.

### **Analysis:**

The purpose of this SUP is to allow spa use within an approximately 3,138 square-foot lease space, located within a new multi-use 12,188 square-foot development in Town Center.

After an influx of salon and spas were observed throughout town, city staff was asked to calculate the overall percentage in which salon and spa uses make up. Out of roughly one hundred and thirty nine (139) total businesses in Town Center there are nine (9) total salon and spa uses making up 6.47% of the businesses in Town Center. Out of roughly eight hundred and twenty four (824) total businesses throughout the entirety of Keller there are roughly fifty (50) salon and spa uses, making up 6.06% of the total businesses in the City of Keller.

### **Hours of Operation:**

The Projected hours of operation would be 9:30 a.m. to 7:30 p.m., Monday through Saturday, 11:00 a.m. to 6:00 p.m. on Sunday.

### **Building Exterior:**

The building is currently being constructed and will include white stone, Cranberry Brick, Stucco (white and tan), Awnings, HM doors and frames, and Downspouts.

### **Parking:**

There are twenty three (23) required parking spaces for retail, derived from a general parking ratio of one (1) space per two hundred (200) square feet for the proposed use. As a multi-use building there are fifty one (51) additional required parking spaces for restaurants, creating a general parking ratio of one (1) space per one hundred and fifty (150) for the remaining building. There is a total of seventy four (74) required parking spaces.

The site plan provides seventy (70) total parking spaces with three (3) spots reserved as handicapped which is four short of the required 74. However, the adjacent lot identified as lot 1 Moviehouse and Eatery is over parked by fourteen (14) parking spaces. Lot 1 and Lot 5 have a parking agreement resulting in eighty-four (84) available parking spaces for the proposed development. Staff does not anticipate any parking issues with the proposed use.

**Existing Roadway Access:**

Rufe Snow Drive, a four-lane divided arterial to the east.

**Surrounding Zoning & Land Uses:**

North, South, East, West: All surrounding land use is Zoned TC (Town Center)

**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;
- 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.

**Citizen Input:**

On June 1, 2018, the City mailed out 7 letters of Notifications for this Public to all property owners within three hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.

As of July 9, 2018 no responses have been received

**Board Recommendation:**

The Planning and Zoning Commission recommended approval of this Specific Use Permit Request with the condition that the name be Town Center Nails and Bar in lieu of House of Nails by a vote of 4-0 on June 11, 2018 meeting.

**Professional Opinion:**

Staff's professional opinion is approval of this Specific Use Permit request.

**Alternatives:**

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

- 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