



City of Keller

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Legislation Text

File #: 16-621, **Version:** 1

To: Mark Hafner, City Manager

From: Michele Berry, Senior Planner

Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow On the Boulevard Salon & Spa, a proposed “Beauty Salon Stand Alone” and “Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX”, located in an existing 1,260 structure, on a 0.169-acre lot on the south side of Taylor Street, approximately 100 feet east of the Taylor Street and South Main Street (HWY 377), intersection, at 110 Taylor Street, being Lots 1A and 2, Block 11, City of Keller Addition, and zoned OTK (Old Town Keller). Keely Harris, owner. On the Boulevard Salon & Spa, LLC, applicant. (SUP-17-0023)

Action Requested:

Conduct a public hearing and consider an ordinance approving a Specific Use Permit (SUP) to allow On the Boulevard Salon & Spa, a proposed “Beauty Salon Stand Alone” and “Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX”, located in an existing 1,260 structure at 110 Taylor Street.

Zoning:

OTK (Old Town Keller)

Background:

The existing building was built as a single-family home in 1955, according to the Tarrant County Appraisal District.

The applicant is currently located in Fort Worth and would like to relocate her business into Keller.

Analysis:

The purpose of the specific use permit is to allow a stand-alone salon and spa to operate within the OTK (Old Town Keller) district in an existing 1,260 square foot building.

The proposed uses of “Beauty Salon Stand Alone” and “Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX” both require approval of a SUP. The applicant currently offers hair services, permanent makeup, facials, waxing, tanning, nail services, and massages. The applicant has stated that the hours of operation will be from 10:00am to 7:00pm, Tuesday through Thursday, and 10:00am to 5:00pm on Friday and Saturday. The business would remain closed on Sundays and Mondays.

Any individual offering a massage from this location will be required to obtain a license through the Police Department which includes providing all applicable State licensing. Massage establishment or

services are limited to 8:00am to 9:00pm.

The building is existing. A site plan application has been submitted to convert the building and site from a residential use to a commercial use. Any tenant finish out of the interior will be reviewed by the Building Services department, should the SUP be approved.

Parking:

As required by the OTK zoning district, on-street parking will be required in front of the building. On street parking is available across the street and to the west of the subject property.

The size of the building is approximately 1,260 square feet. The proposed use would fall under the "Retail or Personal Service Establishment" classification for the parking requirements which requires one (1) space per two hundred (200) square feet of gross floor area. The proposed use would require six (6) parking spaces. The site plan is currently under review and will need to show the required amount of parking. There are currently no head-in spaces along Taylor adjacent to this property.

Existing Roadway Access:

Taylor Street, a two-lane local street.

Surrounding Zoning & Land Uses:

North: Vacant Building (formerly Capital One Bank), zoned OTK (Old Town Keller)

South: Office Building, zoned OTK (Old Town Keller)

East: Single-Family House, zoned OTK (Old Town Keller)

West: Office Building, zoned OTK (Old Town Keller)

Requested Variances:

None at this time. The applicant proposes to re-occupy an existing structure. All UDC requirements must be met at the time of site plan review.

Summary:

Section 8.04 (B.2.a) of the UDC states that when considering a Specific Use Permit request, the Planning and Zoning Commission and the 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 office, retail, and service uses within Old Town Keller. This use should be compatible with surrounding uses.

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

The general purpose of the OTK zoning district is defined as follows: "The OTK District is designed to transform the area into a historic focal point of the City with the character of a small Texas town of the early to middle 1900's." The proposed use will occupy an existing building. A site plan is currently under review to convert the site from a residential use to a commercial use.

"Beauty Salon Stand Alone" and "Spa to Include Cosmetologists (Hair, Nails

Face) & Massage Therapist” are permitted by Specific Use Permit in the OTK 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.”

The proposed use does conform to the stated goals of the neighborhood, merchants, and City Council to establish OTK as an arts, entertainment, and retail district.

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

The uses proposed are associated with spas and salons, and the hours of operation will be from 10:00AM to 7:00PM, Tuesday through Thursday, and 10:00AM to 5:00PM on Friday and Saturday, which meets the City of Keller Ordinance and is compatible with adjacent uses.

The past concern with salons is the parking availability. The applicant will need to show a total of six (6) spaces on the site plan, based on the gross floor area (1,260 square feet). Each property owner is responsible for installing enough parking to support the use of the property. Per UDC Section 8.03 (Q.7.d), if the developer cannot meet the parking requirements with the head in parking, onsite parking may be added to the rear of the building, or the property owner may contribute funds for the construction of remote parking facilities.

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

No negative impacts in terms of traffic, noise or light are anticipated. Parking will be addressed with the site plan.

- 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 November 17, 2017, as required by State law, the City mailed out forty-two (42) letters of Notifications for a Public Hearing to property owners within two hundred feet (200') and, per the City of Keller UDC requirements, three hundred feet (300') of this subject property. Staff also posted a public hearing notice sign on the subject property. Notice of a public hearing was published in the local newspaper fifteen (15) days prior to this meeting.

Staff has received one (1) letter in opposition. A supermajority vote **will not** be required to approve this specific use permit application.

The applicant has provided a petition signed by neighboring property owners and merchants in support of this SUP. The petition has been included in the “Staff Attachments.”

Professional Opinion:

It is the professional opinion of staff to support this request as the requested use is compatible with

the immediate area and is listed under the OTK zoning district as permitted with the approval of a specific use permit and is in compliance with the stated goals of the neighborhood, merchants, and City Council to create an arts, entertainment, and retail district.

Staff forwards this Specific Use Permit request for City Council consideration as presented with the following condition:

1. Allow a Specific Use Permit for On The Boulevard Salon and Spa, a proposed "Beauty Salon Stand Alone" and "Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX", located in an existing 1,260 square foot structure at 110 Taylor Street. This specific use permit is specific to On the Boulevard Salon and Spa. Any other "Beauty Salon Stand Alone" and "Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX" will require a separate specific use permit.

Board Review:

The Planning and Zoning Commission considered this item on November 27, 2017 and provided a recommendation to approve this specific use permit by a vote of 7 to 0 as submitted.

City Council Action:

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