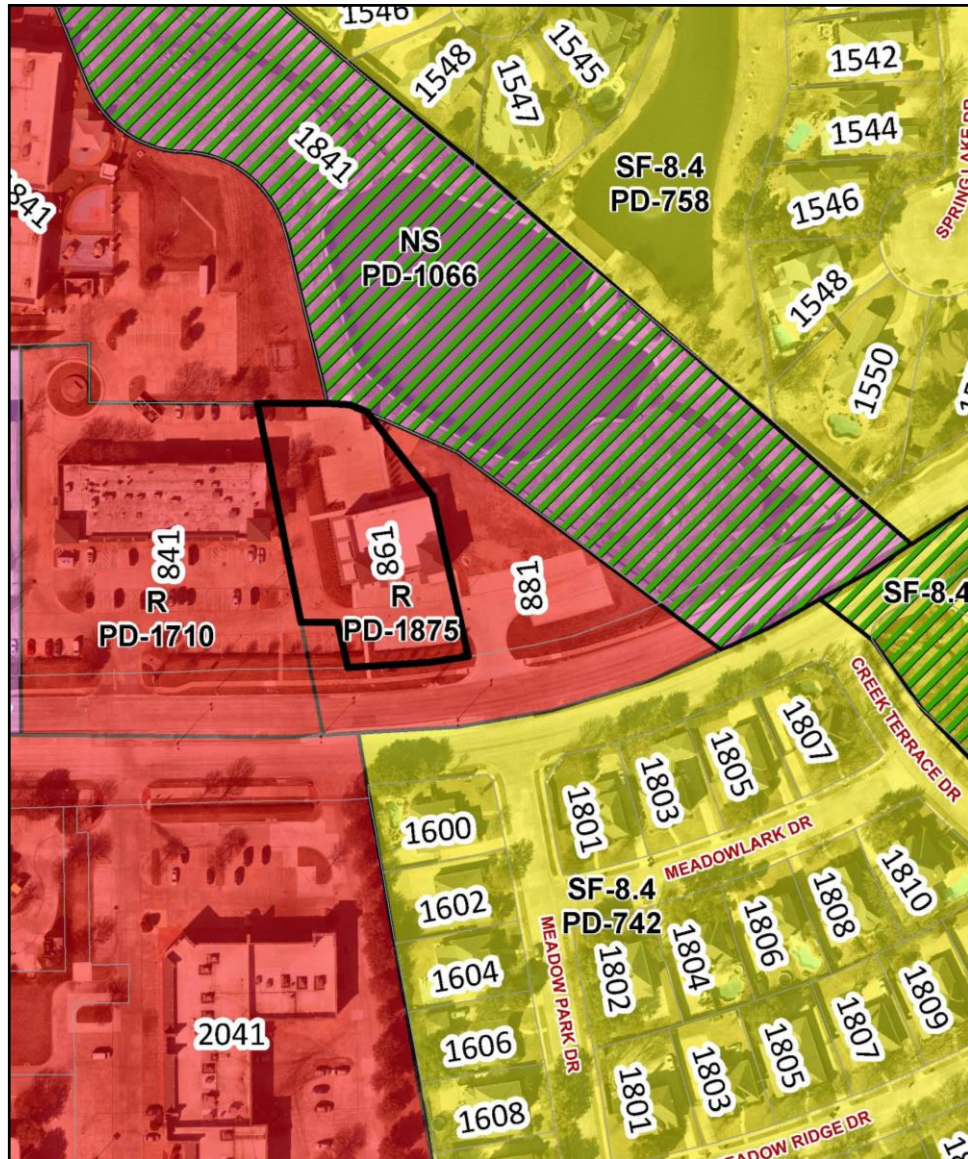


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PUBLIC HEARING: Consider an ordinance to amend the previously approved Planned Development zoning by adding medical and office uses and minor medical emergency clinic (with an approved SUP) to the use table, situated on a 0.827-acre tract of land, located on the north side of North Tarrant Parkway, approximately 600 feet northeast from the intersection of Rufe Snow Drive and North Tarrant Parkway, legally described as Lot 3, Block A Highland Oaks Crossing, zoned Planned Development - Retail (PD-R), and addressed as 861 North Tarrant Parkway (Account #:42550121). Dunaway Associates, Applicant; TAK Enterprises, Owner. (Z-21-0008)

Zoning Map



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Zoned:
PD-
Retail

Aerial View



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Action Requested:

To modify the current Planned Development - Retail (PD-R) by adding medical, general offices by right and minor medical emergency clinics (with an approved SUP). The proposed additional uses meet the Retail Zoning District Use Table.

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Background:

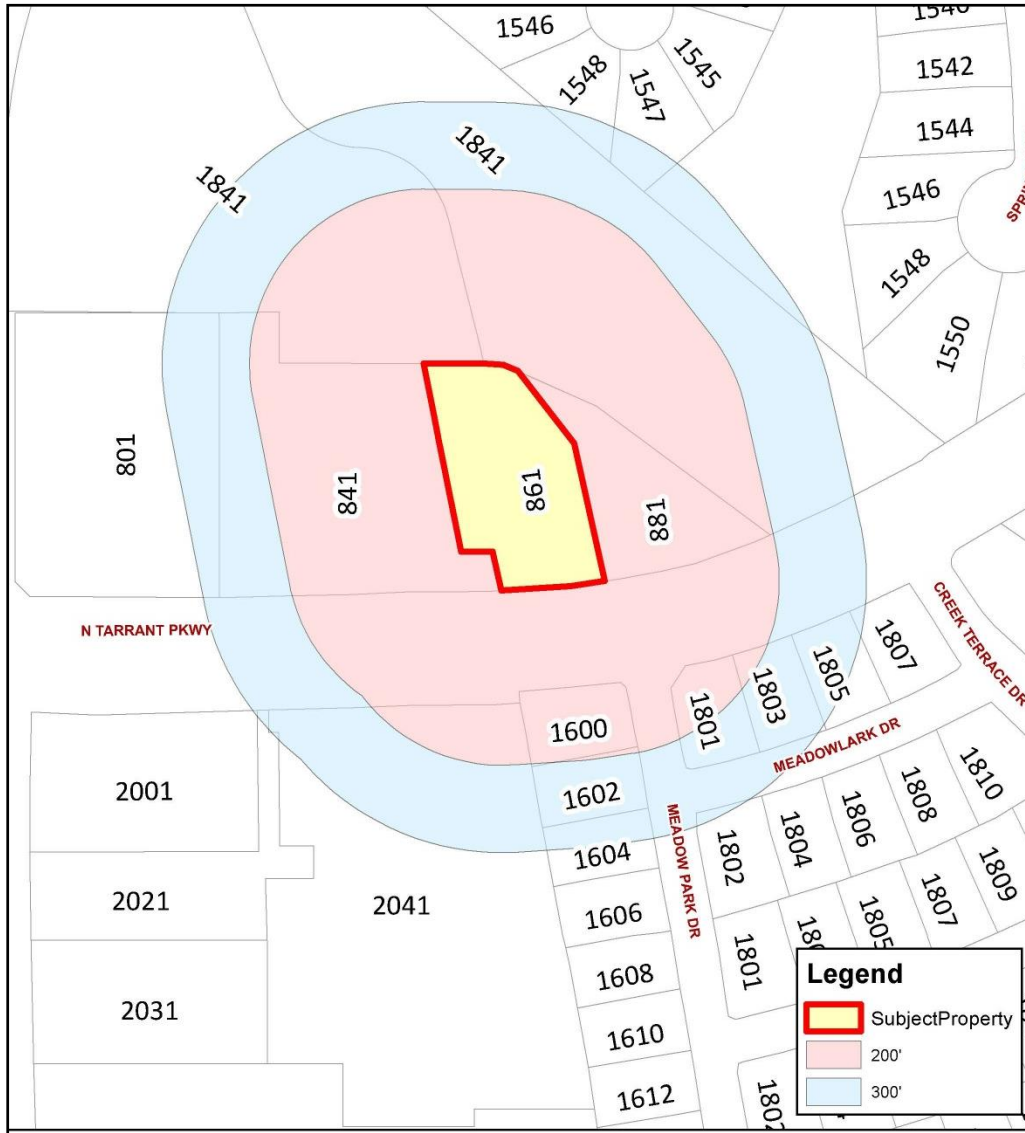
- In 2018, the Planned Development (PD-1875) was approved by City Council with the condition Lot 3 would be a “retail building.” However, at the time of the PD, the Applicant did not know the specific uses or businesses which would be occupying the space. Lot 4, indicated in the PD to be a medical office, will be a dentist office for Dr. Chad Perry. Medical impact fees have been paid for Lots 3 and 4.
- Today, Dunaway Associates (Applicant) proposes to add medical and office uses by right and minor medical emergency clinic with an SUP to PD-1875.
- This application is submitted concurrently with an application for a Specific Use Permit (SUP-21-0026) for a minor medical emergency clinic (next item).

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Excellence • Integrity • Service • Creativity • Communication

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- On July 16, 2021, the city mailed 17 Letters of Notification for this Public Hearing and the associated planned development zoning change to all property owners within three hundred feet (300') of the subject site. A public hearing notice sign was posted on the site on July 16, 2021.
- As of today, Staff has not received any response from the public.

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On July 27, 2021, the Planning and Zoning Commission recommended approval of the item by a vote of 4 (Ponder, Osgood, Apke, Dawson) to 3 (Sagar, Thompson, Alvarado) as presented. The minority expressed concerns about replacing retail with medical uses. Economic Development Director Culver, in response to Commissioner Thompson's questions, confirmed the vacancy rate in Keller is higher for office uses (including medical) than the vacancy rate for retail. The majority indicated the market should determine whether a particular business (use) is successful or not.

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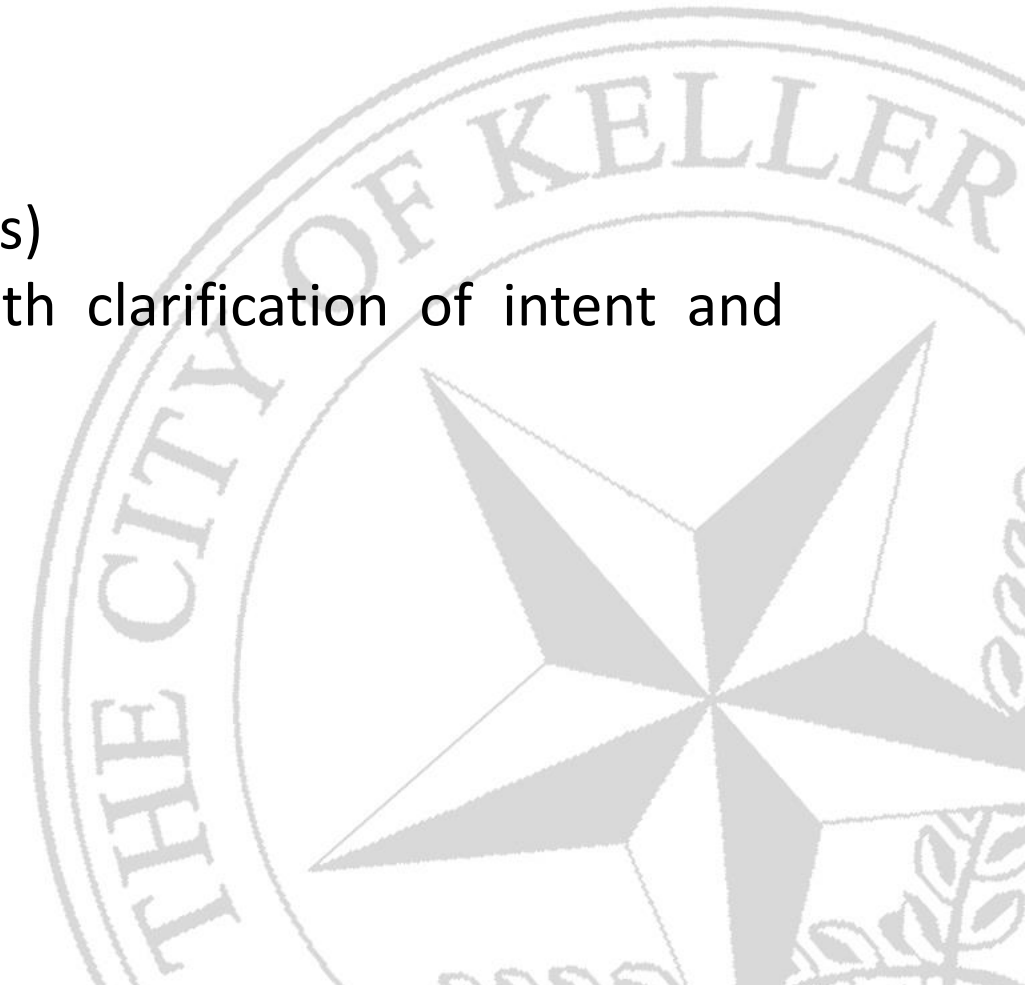
Section 8.02 (D)(1)(e) of the UDC states that when considering a zoning change request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole, and in compliance with the Future Land Use Plan.
- 2) Whether the proposed change is in accord with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
- 3) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.
- 4) The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
- 5) How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.
- 6) Any other factors which will substantially affect the health, safety, morals, or general welfare.

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The City Council has the following options when considering a Planned Development Amendment 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?

Patricia Sinel, AICP, CFM

817-743-4129