

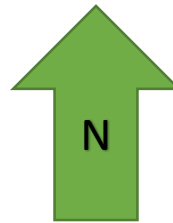
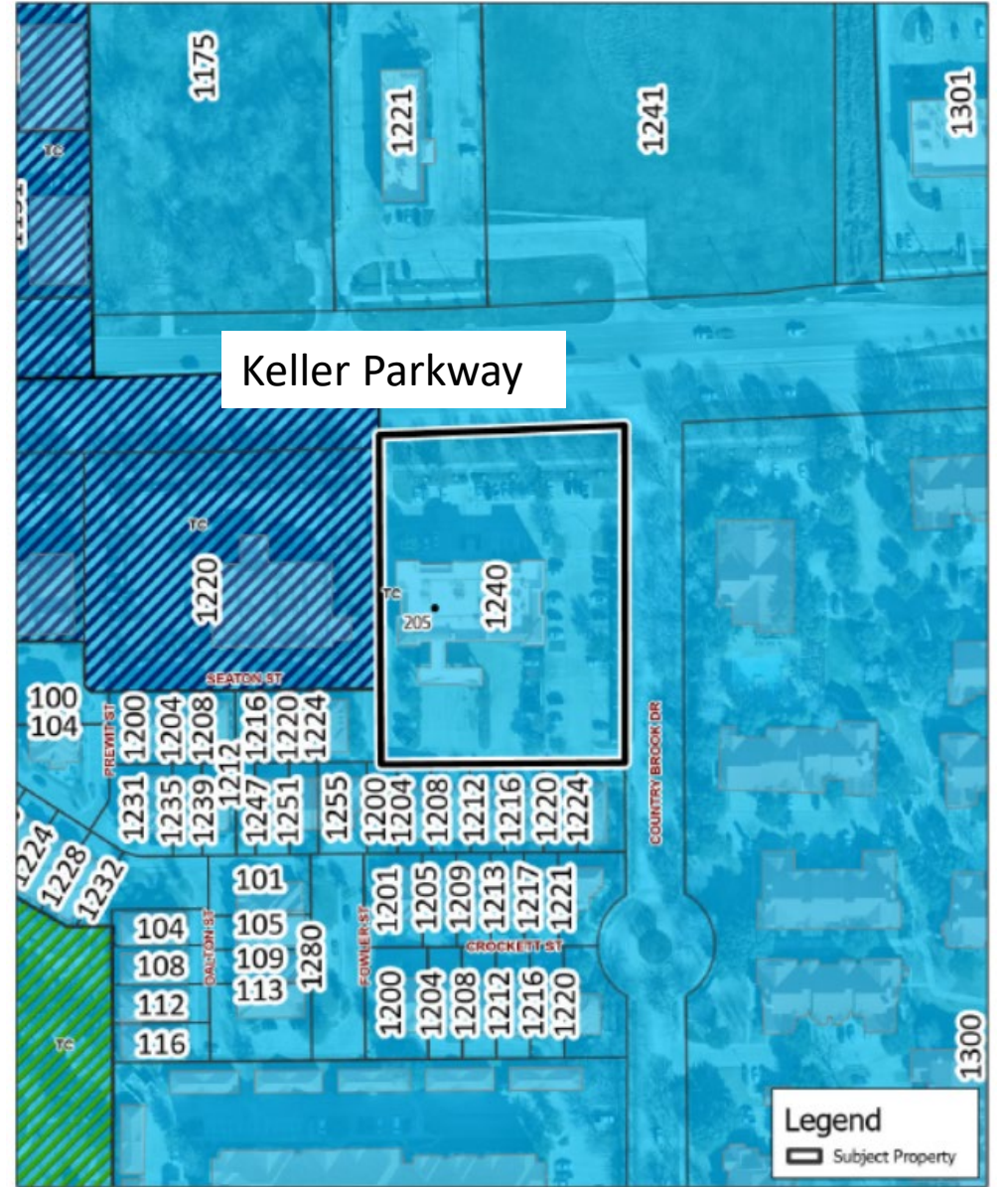
Item H-4

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for Sacred Ground Therapy, a mental health practice proposed in a 985 square-foot lease space in an existing 23,000 square-foot building on 1.91 acres, at the intersection of Keller Parkway and Country Brook Drive, legally described as Lot 2, Block B of the Keller Town Center Addition, zoned Town Center (TC) and addressed 1240 Keller Parkway, Suite 205. Jonathan Marcotte, Applicant. David Washington, Owner. (SUP-24-0012)

Item H-4 Aerial Map



Item H-4 Zoning Map



Zoned:
TC

Item H-4

Background:

- The Applicant applied for a Certificate of Occupancy (CO) in Sept. 2022 and was denied because medical uses were not allowed at the time, even by Specific Use Permit (SUP) in Town Center (TC).
- Due to a communication mix-up regarding the denial, the clinic opened without a CO.
- Staff allowed the Applicant to continue operating after all life-safety CO requirements were met while the Unified Development Code (UDC) amendments related to spas, medical spas and medical uses in Town Center were being discussed by the Commission and City Council.



Item H-4

UDC Update:

City Council approved several UDC amendments on March 5, 2024, including changes to the Town Center use chart that allow Medical uses by SUP.

Use	Previous TC	Updated TC
Optical store, optician or optometrist	P	SUP
Minor medical emergency clinic	SUP	-
Medical/Dental Clinic or Office	-	SUP
Surgical Outpatient Facility	-	-
Medical Spa	-	SUP
Pharmacist or Drug Store	SUP	SUP

Dental, Medical, or Chiropractic Clinic - A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency conditions.

Item H-4

Surrounding Land Uses:

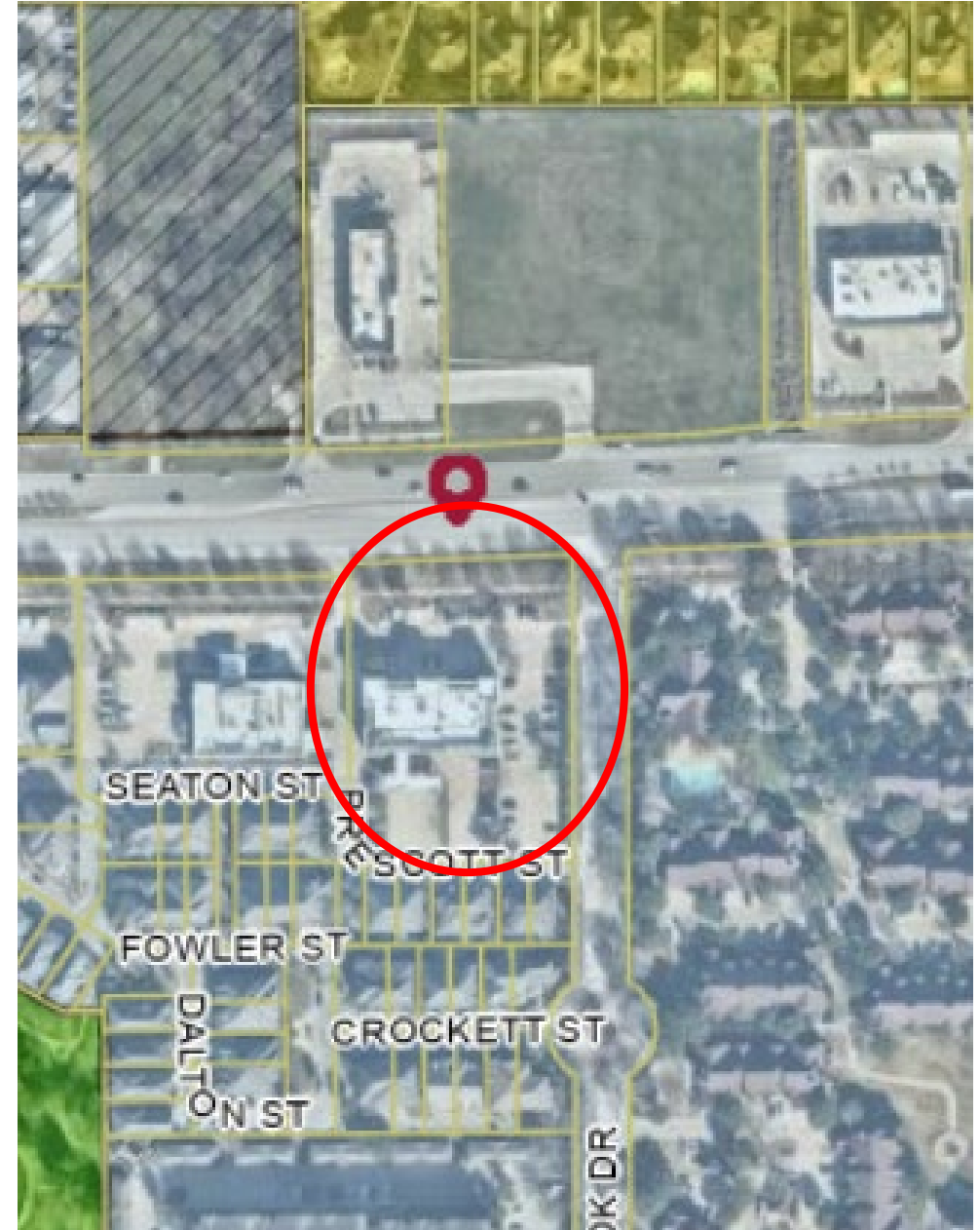
The subject property is zoned Town Center and designated Mixed Use (MU) on the city's Future Land Use Plan (FLUP). Surrounding land use designations:

North: MU (Braum's/Vacant lot)

South: MU (The District at Uptown townhome development)

East: MU (ambulatory surgical center, currently vacant)

West: MU (Olympus Town Center multifamily development)



Item H-4

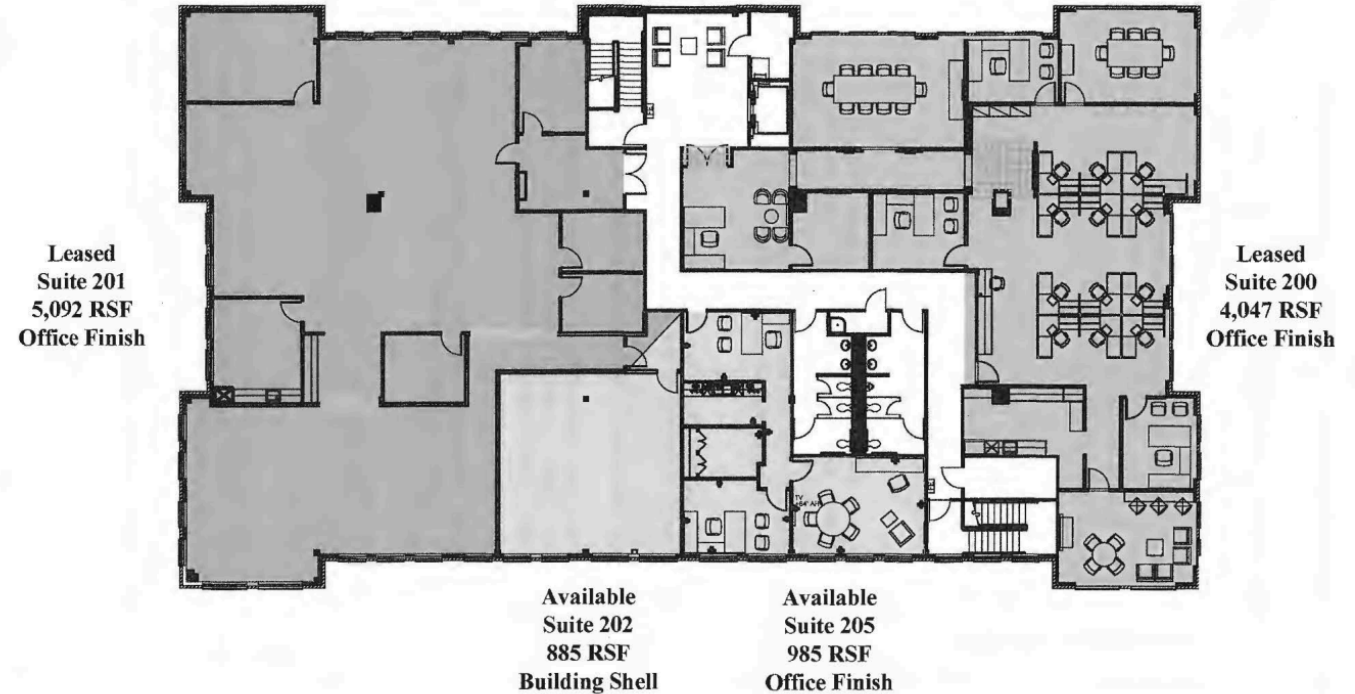
Existing Medical Uses in Town Center:

Name	Location	Use Category
Carter Blood Center	101 Town Center Lane	Medical
Esthetique Dental	1240 Keller Pkwy.	Medical
Keller Eye Associates	1004 Keller Pkwy.	Medical
Keller Town Dental	121 Rufe Snow Dr.	Medical
Superior Med Spa	101 Town Center Lane	Medical

Item H-4

Site Design:

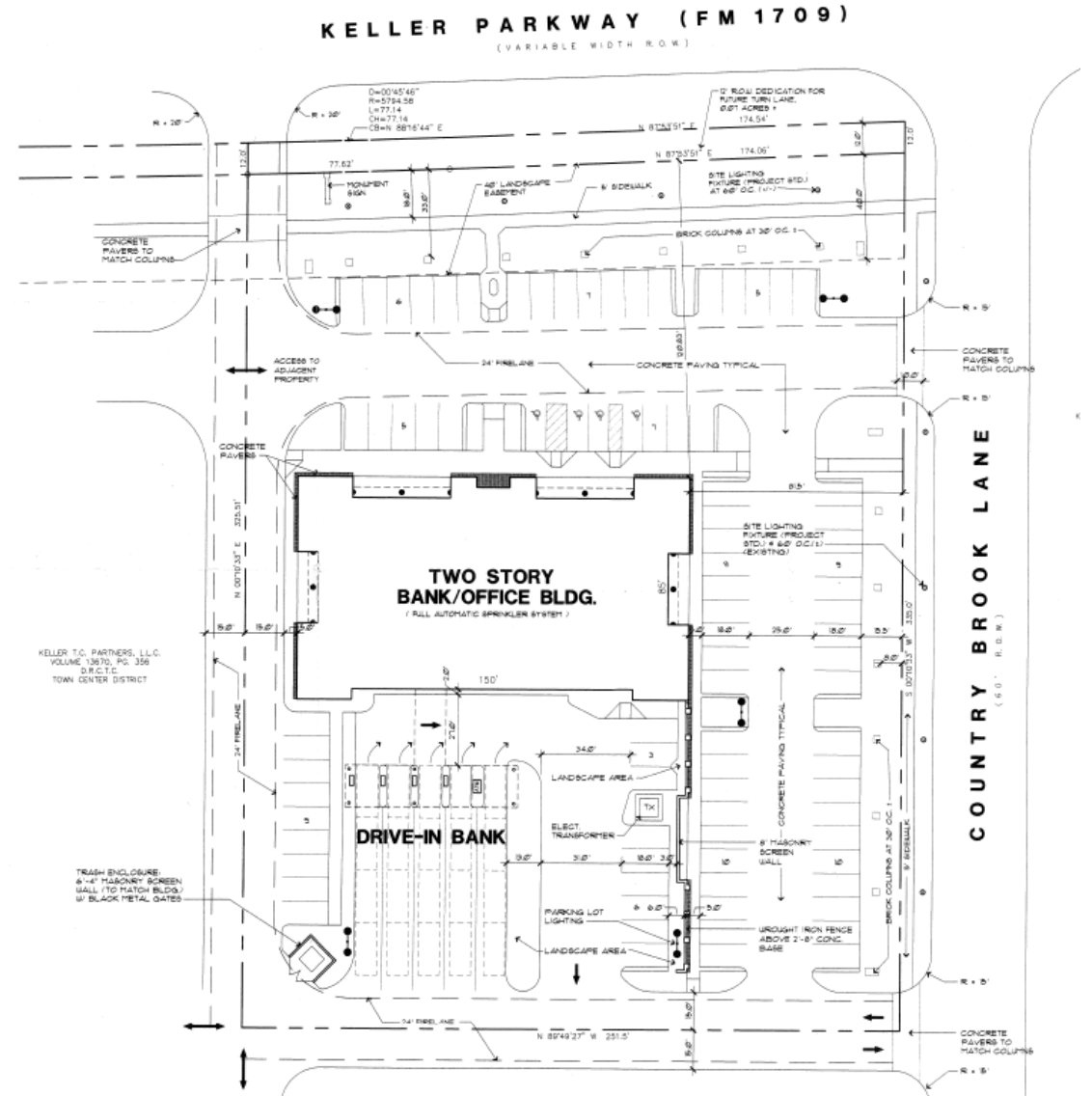
- The Applicant hopes to continue operating in the existing Frost Bank building, which was constructed in 2000 as a bank, office and retail space.
- The suite the practice currently occupies is approximately 985 square feet and is adjacent to empty shell space that could allow for future expansion of the clinic.



Item H-4

Parking:

- Required parking for this use is 5 spaces plus one accessible space.
- Parking for this site was addressed at the time the building was constructed and includes 82 regular and 4 accessible spaces.

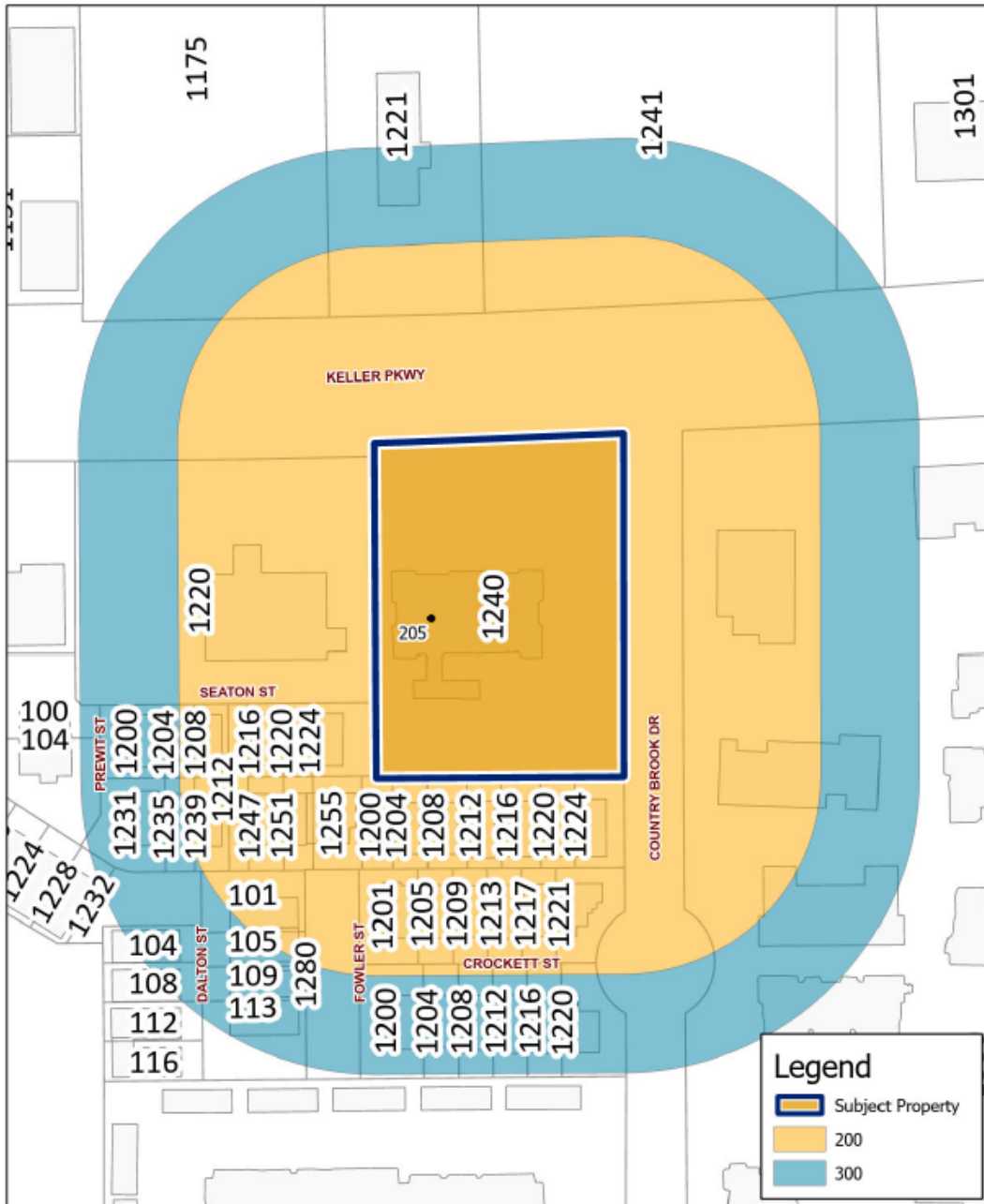


Item H-4

Business Details:

- The office has three therapists and two administrative staff members, with hopes to expand the practice in the future.
- Operating hours for the clinic are 8 a.m. to 8 p.m. Monday through Thursday and 8 a.m. to 4 p.m. on Fridays.

Item H-4



- On May 16, the city mailed out 48 letters of notification to all property owners within 300' of the property. A public hearing notice sign was also placed on the property.
- Staff has received one letter of support (from the property owner) in response to this SUP request.

Item H-4

Planning and Zoning Commission Recommendation:

At the May 28, 2024 Planning and Zoning Commission meeting, Commissioners unanimously recommended approval of the SUP request as presented.

Item H-4

Section 8.02 (F)(2)(a) of the UDC states that when considering an SUP request, the 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.

Item H-4

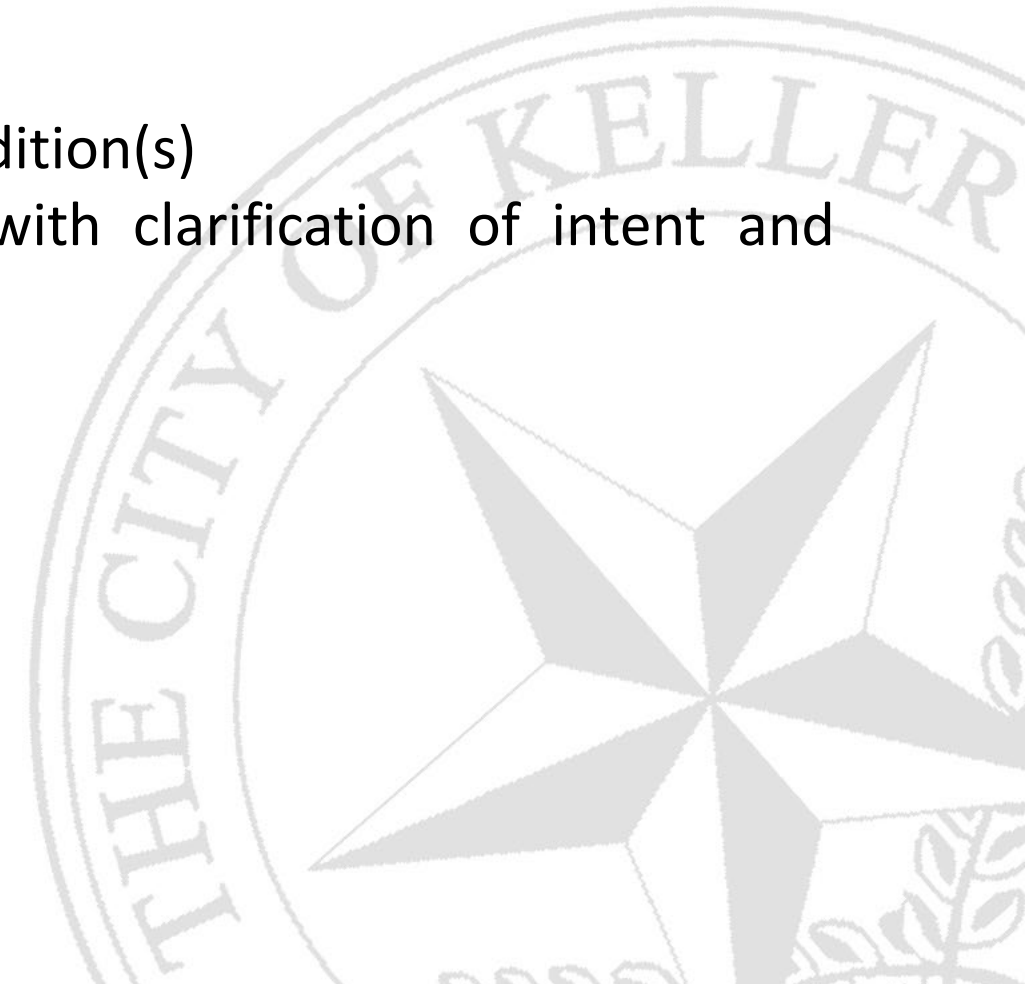
Request:

A Specific Use Permit (SUP) to operate a mental health clinic in the Town Center zoning district.

Item H-4

The City Council has the following options when considering an SUP request:

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





Questions?
Sarah Hensley
817-743-4130