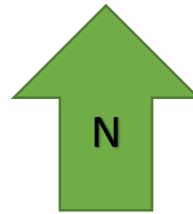


Item I-2

PUBLIC HEARING: Consider an ordinance for a Specific Use Permit (SUP) for a Surgical Outpatient Facility, for Millrock Investment Fund 1, LLC, in an existing 10,389 square-foot building on approximately 1.72 acres, legally described as Lot 10, Block B of Keller Town Center Addition, situated approximately 300 feet southwest of the intersection of Country Brook Drive and Keller Parkway, zoned Town Center Medical Overlay District and addressed as 1220 Keller Parkway. Brent Smith, Millrock Investment Fund 1, LLC, Owner/Applicant. (SUP-23-0030)

Item I-2 Aerial Map

Item I-2 Zoning Map



Zoned: Town
Center Medical
Overlay



Item I-2

Background:

- The Applicant wishes to open an ambulatory surgery center in an existing 10,389-square-foot facility.
- This type of facility provides surgical procedures that do not require hospital admission or an overnight stay.
- The subject property is in the Town Center Medical (TCM) Overlay District, where a Specific Use Permit (SUP) is required for a Surgical Outpatient Facility.



Item I-2

Property Timeline:

2006: Site Plan approved for Uptown at Keller Town Center Phase I, which included a Medical and Arts Building. The parking lot and underground utilities were completed in early 2008 but the building was never constructed.

2011: SUP approved for First Choice ER, a standalone facility that was never built. The SUP expired in 2014.

2014: SUP and Site Plan approval for E-Care Emergency, a standalone facility that opened the following year.

2015: Legacy ER and Urgent Care took over operation of the facility. Although they ceased operations after less than a year, Legacy continued to lease the space.

2019-20: Unified Development Code (UDC) amendments were approved to establish the TCM Overlay District for certain properties and add “Surgical Outpatient Facility” to the use chart for TCM Overlay District as a use permitted by SUP.

2020: SUP approved for Advance Care Medical, a Surgical Outpatient Facility, which expired.

Item I-2

Site Details:

- The building was constructed with the intended use of minor emergency medical clinic.
- The Applicant has no plans for exterior building modifications other than to clear and replace all dead landscaping.

East Elevation



South Elevation



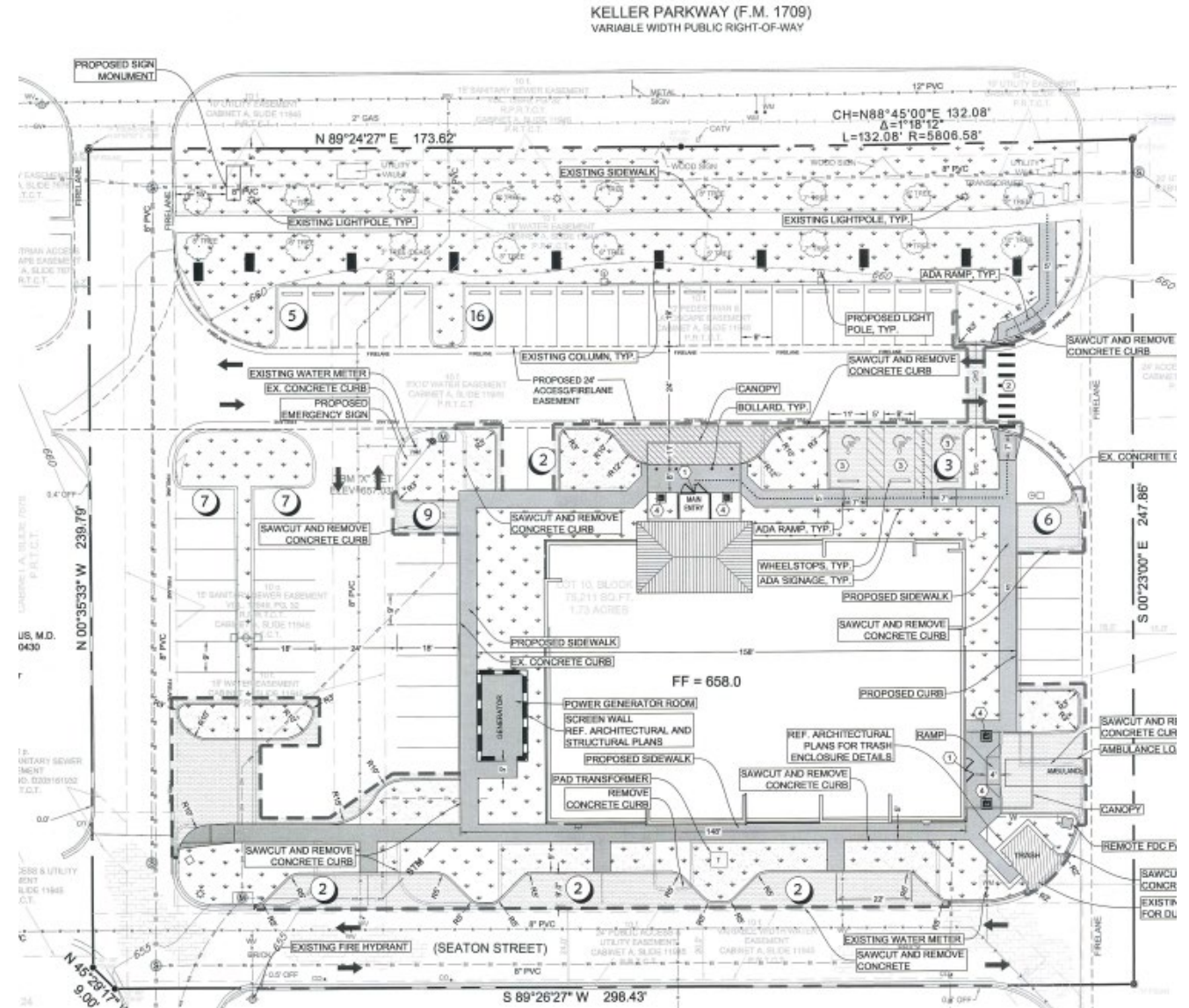
West Elevation



Item I-2

Parking:

- The UDC parking requirement for a medical facility that is not a hospital is one space per 200 square feet of gross floor area, bringing the total requirement for this applicant to 52 spaces.
- The site plan approved in 2014 included 58 regular and 3 accessible spaces.



Item I-2

Business Details:

Hours of Operation:

7 a.m. to 6 p.m. Monday-Friday

There will be no after-hours or emergency procedures at the facility. At full operation, the facility could have as many as 15 full-time employees.



Item I-2

Surrounding Land Uses:

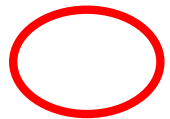
The subject property is zoned Town Center Medical (TCM) Overlay District and designated Mixed-Use on the Future Land Use Plan (FLUP).

East: Mixed-use (Frost Bank)

South: Mixed-use (townhomes)

West: Mixed-use (Multitenant building)

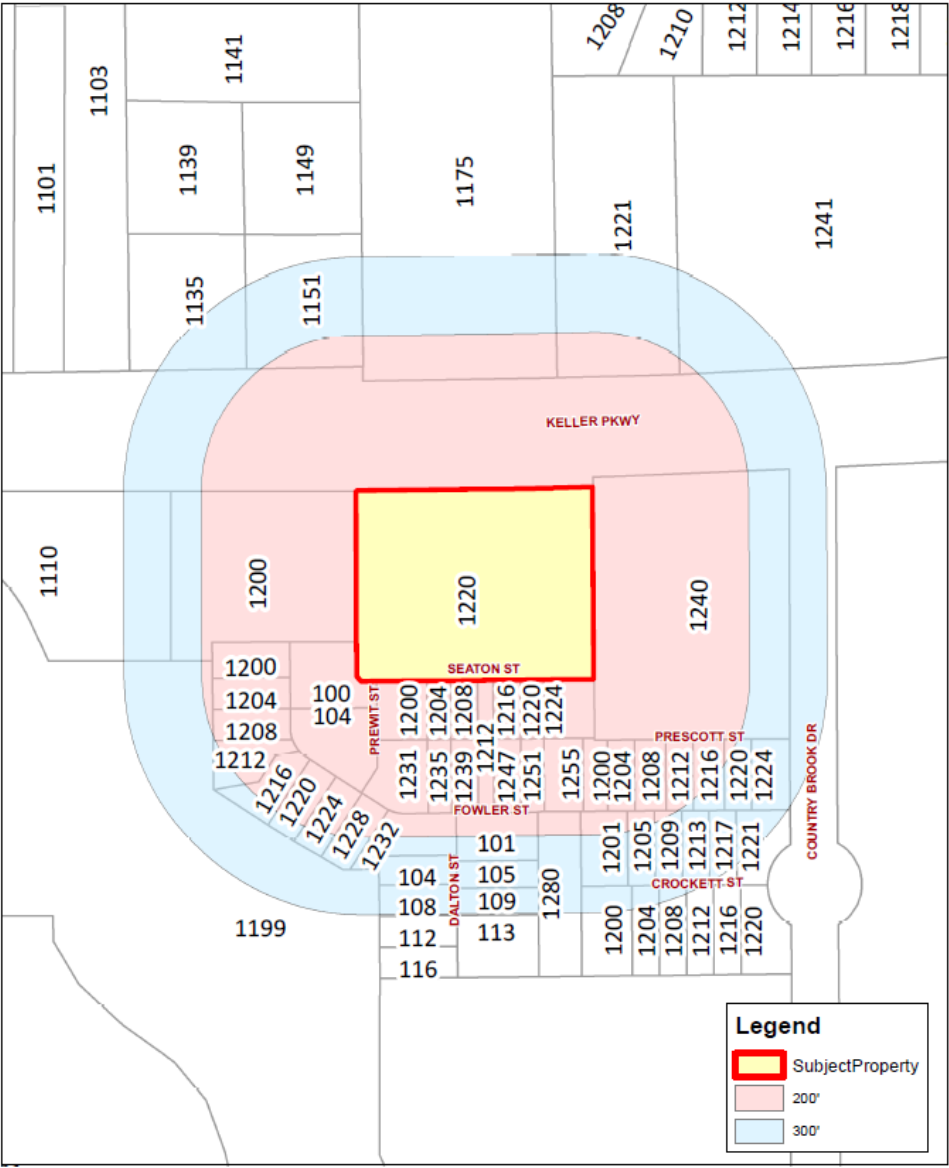
North: Mixed-use with Tech-Flex overlay (undeveloped)



Subject Property



Item I-2

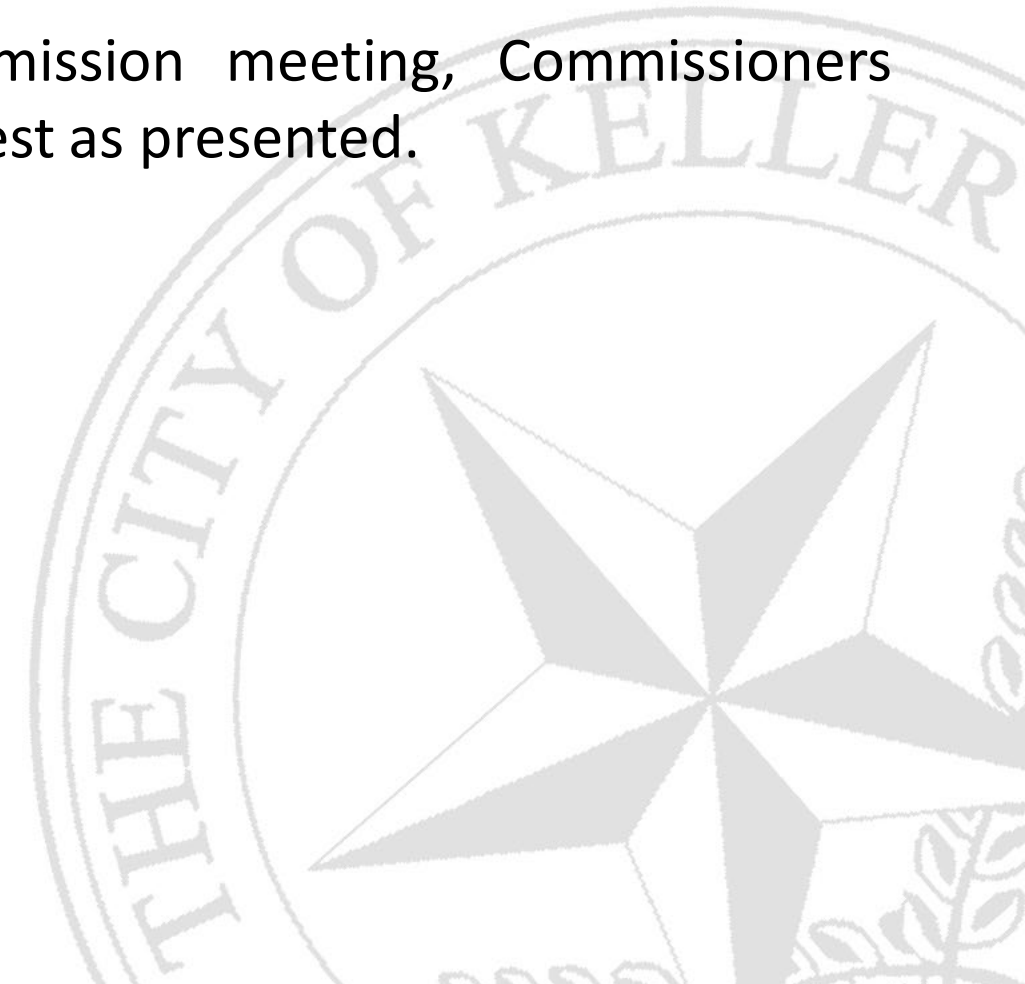


- On Oct. 12, 2023, the city mailed 53 Letters of Notification for this Public Hearing to all property owners within 300’ of the subject site. A public hearing notice sign was posted on the site.
- Staff has received no written support or opposition to this request.

Item I-2

Planning and Zoning Commission Recommendation:

At the Oct. 24, 2023 Planning and Zoning Commission meeting, Commissioners unanimously recommended approval of the SUP request as presented.



Item I-2

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 I-1

Request:

A Specific Use Permit for Millrock Investment Fund 1, LLC, to operate a Surgical Outpatient Facility in the Town Center Medical Overlay District in an existing 10,389-square-foot building.

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