

Item H-3

PUBLIC HEARING: Consider approving an ordinance to amend the City of Keller Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by providing revisions to allow medical office use in the Town Center (TC) Zoning District with a Specific Use Permit (SUP) and modifying, Article 8 - Zoning-Districts, Development Standards, Tree Preservation; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-19-0013)

Item H-3

- The current Unified Development Code (UDC) regulations were adopted in 2015 as a part of the UDC update. At that time, City Council chose to limit the uses in Town Center and not permit additional ‘medical office’ uses.
- Town Center is described as “a mixed-use community retail center. Mutually supportive office, civic, cultural, entertainment, and residential uses are planned to enhance the viability of this mixed-use community retail center....Uses in Town Center District shall be generally pedestrian-oriented and encourage pedestrian traffic.”

Item H-3

- In recent months, city staff has received two requests by developers for medical office uses (tenant spaces in shell buildings) in the Town Center Zoning District.
- “Medical Use” would include ‘Dental, Medical, or Chiropractic Clinic’ which is defined as “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.”
- There are approximately 143 businesses in the Town Center Zoning District. Of these, about 25 are medical uses (17.48%).

Item H-3

Citizen Input:

During the August 12, 2019, Planning and Zoning Commission public hearing, two people came forward to speak.

- Kevin McIntosh, Jason's Deli Developer, spoke in support of including medical use in TC with a SUP, because he believed that Town Center no longer reflects the intent of the zoning district (pedestrian-oriented with retail and residential components) but, with strip centers and 1709 running through it, is more car-oriented with office as well as retail uses. Because of the exposure provided by Keller Parkway traffic, he had a potential tenant interested in the space next to the new Jason's Deli who would be providing medical services.

Item H-3

Citizen Input:

- Brian Campbell spoke in opposition and encouraged the City to adhere to its original vision for Town Center and encourage mutually supportive retail, civic, cultural, entertainment, and residential uses as specifically called out for in the UDC.

Item H-3

Public Notice:

On August 18, 2019, the City published in Fort Worth Star Telegram. Staff has not received any letters in support or opposition as of August 29, 2019.

Item H-3

The Planning and Zoning Commission recommended to deny the request by a vote of 5-1 on August 12, 2019, based on their finding that medical uses do not meet the intent and vision of the Town Center Zoning District.

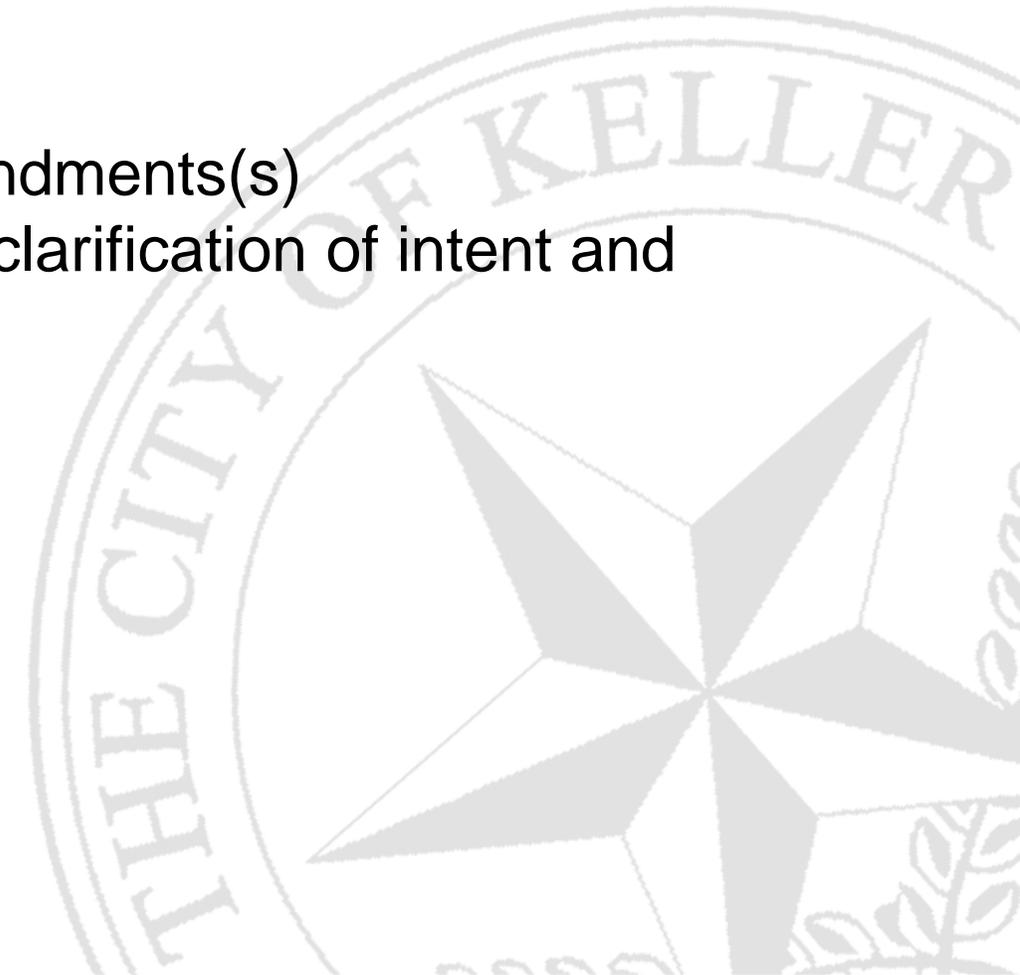
Additionally, the Commission directed Staff to bring back a proposal to remove 'minor medical emergency clinic' use in Town Center so that the zoning district is consistent with respect to medical uses. This item is scheduled for consideration by the Commission on September 9, 2019.

Should City Council approve 'medical use' in the TC Zoning District, Staff recommends considering requiring an SUP for the use given both the history of excluding medical uses and the many other uses that require a SUP in TC currently (almost half).

Item H-3

The City Council has the following options when considering an amendment to the text of the UDC:

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





Questions?
Julie Smith
817-743-4127

Excellence • Integrity • Service • Creativity • Communication