

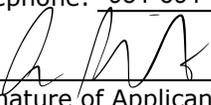
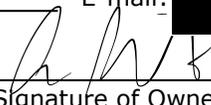


SPECIFIC USE PERMIT (SUP) APPLICATION

SECTION 1. APPLICANT/OWNER INFORMATION Please Print or Type

Applicant/Developer: Millrock Investment Fund 1, LLC
Street Address: 1220 Keller Parkway
City: Keller State: TX Zip: _____
Telephone: 951-691-9788 Fax: _____ E-mail: _____
Applicant's Status: (Check One) Owner Tenant

Property Owner must sign the application or submit a notarized letter of authorization.

Owner: Millrock Investment Fund 1, LLC
Street Address: 1064 S North County BLVD, Suite 350
City: Pleasant Grove State: UT Zip: 84062
Telephone: 951-691-9788 Fax: _____ E-mail: _____
 _____
Signature of Applicant Date: August 21, 2023
 _____
Signature of Owner Printed Name of Owner Date: August 21, 2023

SECTION 2. PERMIT REQUEST INFORMATION

Property Location: 1220 Keller Parkway, Keller, TX 76248. TAD#: 42065222
Legal Description:
Lot(s): 10 Block(s): B Subdivision Name: Keller Town Center Addition
Unplatted Property Description:
Abstract Name & Number: _____ Tract Number(s): _____
If property is not platted, please attach a metes and bounds description.
Current Zoning: _____ Proposed Zoning: _____
Current Use of Property: Medical Emergency Center
Proposed Use of Property: Ambulatory Surgery Center

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SECTION 3. CHECKLIST

(Please provide each of the items below & initial next to each item)

<input type="checkbox"/>	The application fee
<input type="checkbox"/>	Seven (7) 22" x 34" or 24" x 36" copies are needed, collated and folded to 9" x 12" paper size; electronic copy is recommended upon submittal date.
<input type="checkbox"/>	<p>A written proposal outlining all special conditions and additional requirements for the property controlled by the SUP, including but not limited to:</p> <ul style="list-style-type: none"> • the paving of streets, alleys and sidewalks, • means of ingress and egress to public streets, • provisions for drainage, • adequate off-street parking, • screening and open space, • heights of structures, • compatibility of buildings, • hours of operation, and • time limits. <p>A letter justifying the request and addressing the decision criteria on with the Planning and Zoning Commission and City Council will base their decision.</p> <ol style="list-style-type: none"> 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.
<input type="checkbox"/>	A legal description or meets and bounds description of the property.
<input type="checkbox"/>	<p>Concept Plan. The plan shall be to scale and show the following:</p> <ul style="list-style-type: none"> • topography, • and boundary of SUP area; • physical features of the site; • existing streets, alleys and easements; • location of future public facilities; • parking ratios, the final Detailed Site Plan; • building height and location, elevations; • site landscaping; • off-street parking facilities; • size, height, construction materials, and locations of buildings and the uses to be permitted; • location and instruction of signs; • means of ingress and egress to public streets; • the type of visual screening such as walls, plantings and fences; • the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200') and; • other information to adequately describe the proposed development and to provide data for approval.
<input type="checkbox"/>	Evidence of communicating the proposal with the adjacent neighborhood
<input type="checkbox"/>	Trip Generation Form and, if required per Section 5.03, Traffic Impact Analysis
<input type="checkbox"/>	Additional information or drawings, operations data, or expert evaluation when considering the application, including traffic studies and drainage studies as required by the Development Review Committee.

SUP Application Narrative

SCMOB 1220 KELLER PKWY LLC, owner; and Advance Care Medical, applicant; applied to the City of Keller to request a Specific Use Permit to operate a Surgical Out-patient Facility (SUP- 20-0016), in the Town Center Medical Overlay District.

On October 5, 2020, The City of Keller adopted ordinance 1987 bringing to a successful conclusion the above referenced application. After these approvals the development team commenced a comprehensive renovation of the site into the approved use as per the plans on file with The City of Keller. During the construction the project experienced significant supply chain delays that resulted from the COVID 19 pandemic.

Eighteen months into the project the Tenant, referenced in the application as Advanced Care Medical, ceased communicating with the development team. At this point the project was 90% completed and was awaiting specific equipment and finishes direction from the tenant.

In October of 2022 the Tenant and the lease guarantor, HSMD, began defaulting on all their leases nationwide. There were over 30 properties across seven states in some form of development affected by these defaults.

The project has been on hold while the current owners, a group of 35 small investors represented by Millrock Investment Fund 1, worked to complete eviction and seek a new tenant. At this point they have two surgery center tenants vying for the space and it makes good business sense to complete the construction under the current plans. We have received a courtesy extension from the State of Texas for our state licensure approvals. To effectuate successful completion, we have approximately 45 days finish work to complete. To do this we need to renew our building permit with the City of Keller. Toward this end we are seeking a new SUP as the original one has expired.

In August and September of 2020, the City Council made changes to the existing zoning to allow for a surgery center under SUP. During this same general time frame the Planning Commission and City Council held public hearings and determined that this project met the request requirements for an SUP. On October 5 the City council unanimously adopted Ordinance 1987.

We respectfully request a new SUP so that we can complete this delayed project.

Thank you in advance for your timely consideration,

Brent Smith, Partner
Millrock Investment Fund 1, LLC