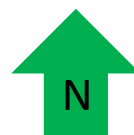


Item H-1

PUBLIC HEARING: Consider an ordinance approving an amendment to an existing Specific Use Permit (SUP) allowing a one-year extension for the Applicant to complete the required development steps to renovate the space for a Surgical Outpatient Facility, 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. Jim Sager, Transwestern Commercial Real Estate, Applicant. Roger Wilson, Owner Representative. (SUP-2410-0010)

Item H-1 Aerial Map



Zoned:
TC Medical
Overlay

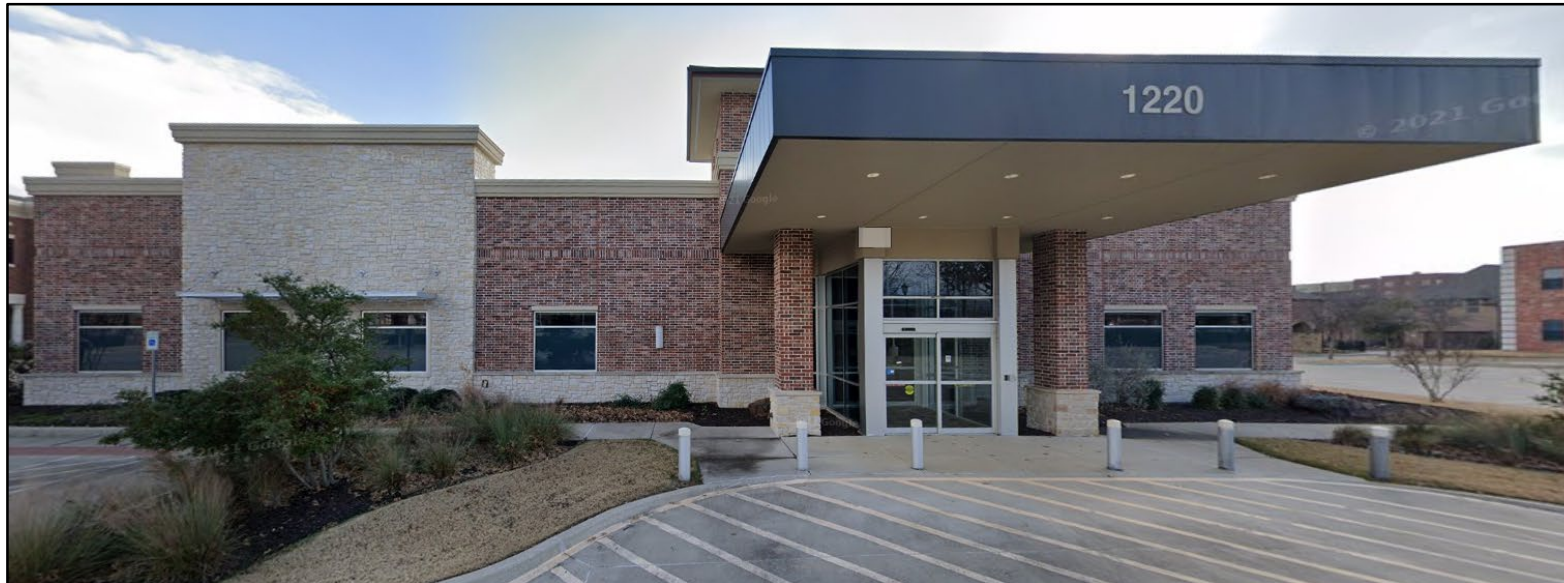
Item H-1 Zoning Map



Item H-1

Background:

- The Applicant proposes to operate a Surgical Outpatient Facility in an existing 10,389-square-foot building at 1220 Keller Pkwy.
- This type of facility provides surgical procedures that do not require hospital admission or an overnight stay.
- In the Town Center Medical Overlay zoning district, surgical outpatient facilities require a Specific Use Permit (SUP).



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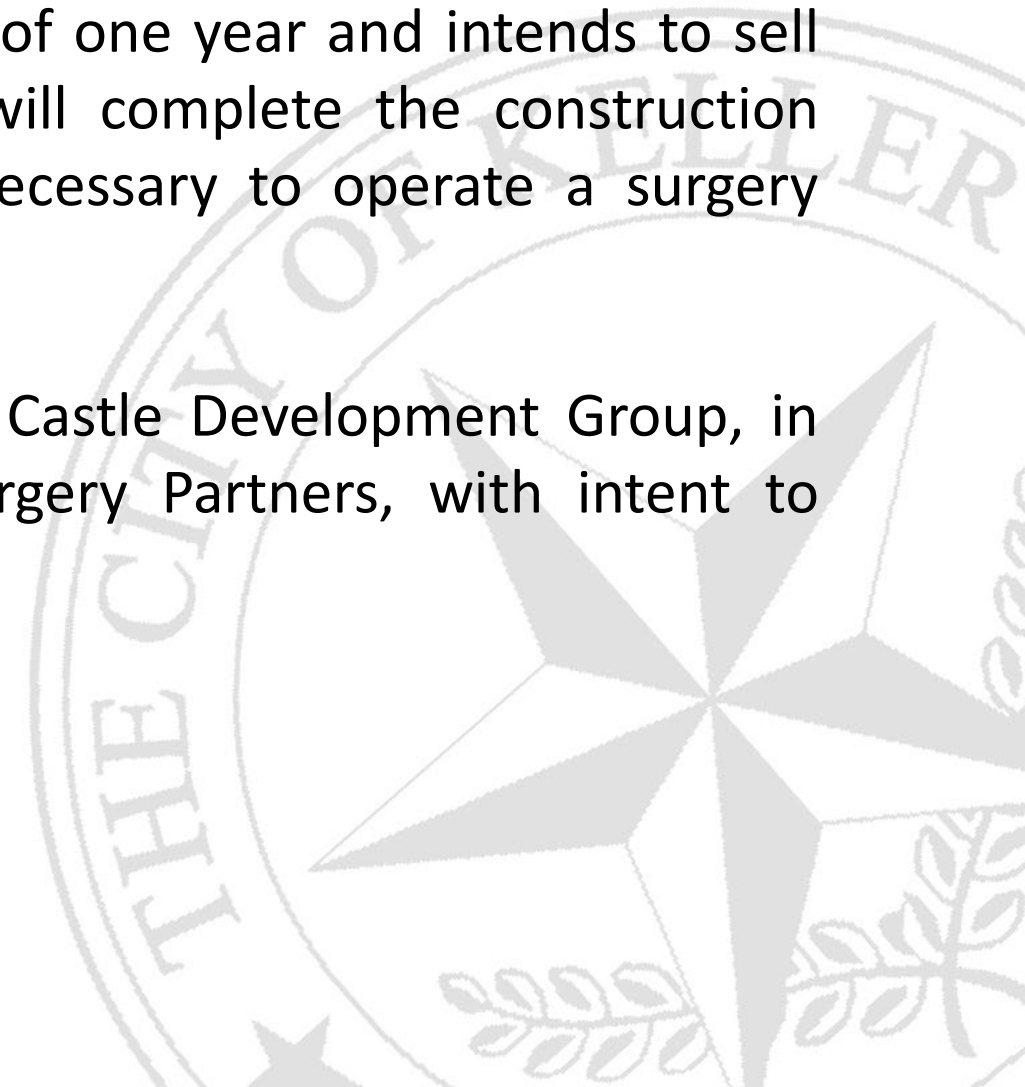
Property Timeline :

- 2006: Site Plan approval 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 approval for First Choice ER, a stand-alone facility that was never built. SUP expired in 2014.
- 2014: SUP and Site Plan approval for E-Care Emergency, a stand-alone 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 amendments approved to establish the TCM Overlay District for certain properties and add “Surgical Outpatient Facility” to the use chart for as a use permitted by SUP.
- 2020: SUP approval for Advance Care Medical, a Surgical Outpatient Facility, which expired.
- 2023: City Council approved the SUP requested by the previous owners of the property on Nov. 20.

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Background:

- The Applicant has requested an SUP extension of one year and intends to sell the property to a group of physicians who will complete the construction process and make the building renovations necessary to operate a surgery center.
- The property is currently under contract with Castle Development Group, in partnership with Methodist Hospitals and Surgery Partners, with intent to establish a podiatric surgery center.



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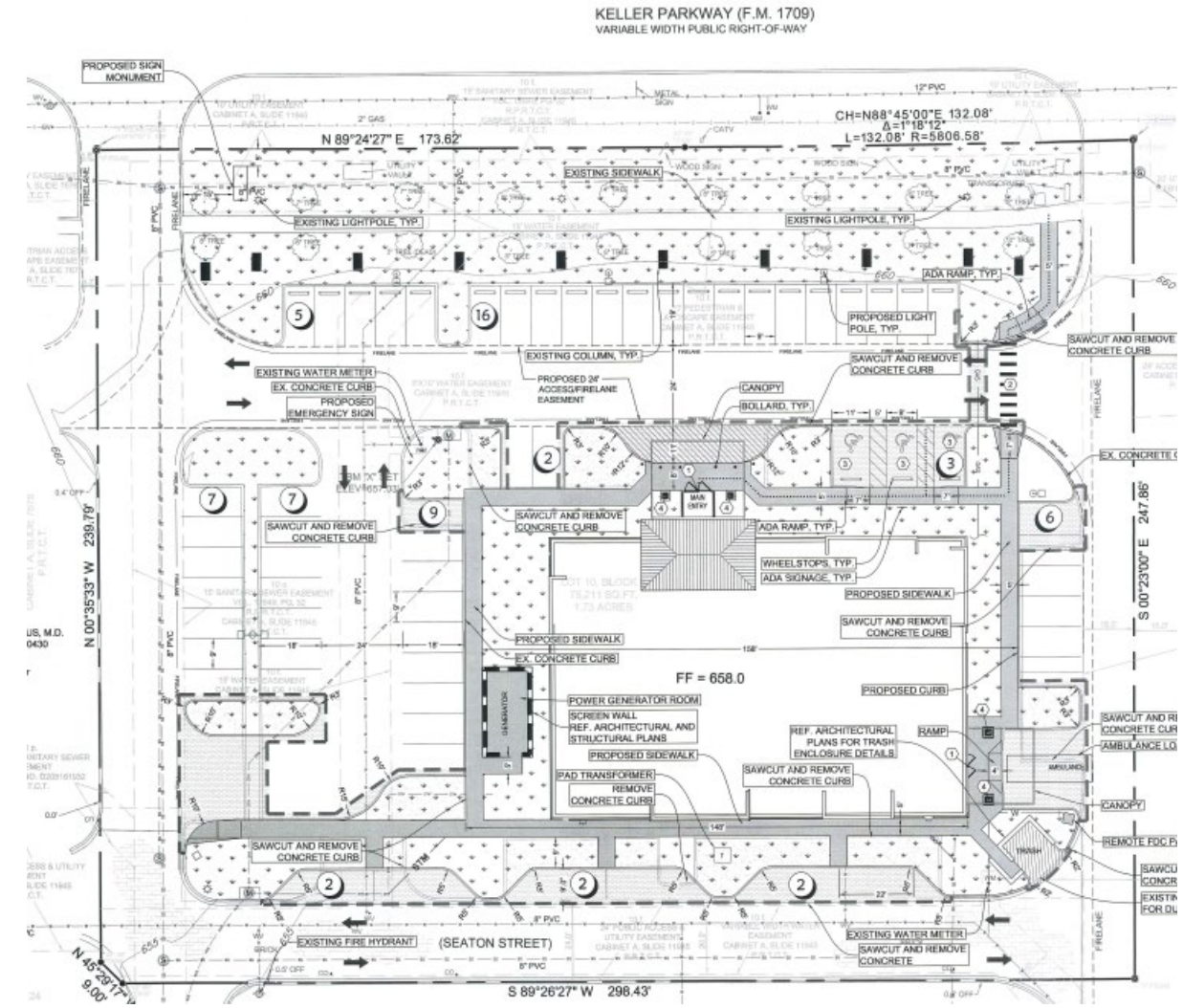
Business Details:

- Exact hours of operation are currently unknown.
- The facility will operate as described in Section 3.01 (265.i) of the UDC, which defines a Surgical Outpatient Facility as “an establishment offering any type of surgical procedures and related care which, in the opinion of the attending physician, can be performed safely without requiring inpatient overnight hospital care and exclusive of such surgical and related care as licensed physicians ordinarily may elect to perform in their private offices.”

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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.



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Surrounding Land Uses:

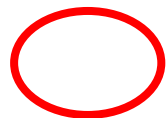
The subject property is zoned Town Center Medical (TCM) Overlay District and designated Mixed-Use on the Future Land Use Plan (FLUP).

East: Mixed-use

South: Mixed-use

West: Mixed-use

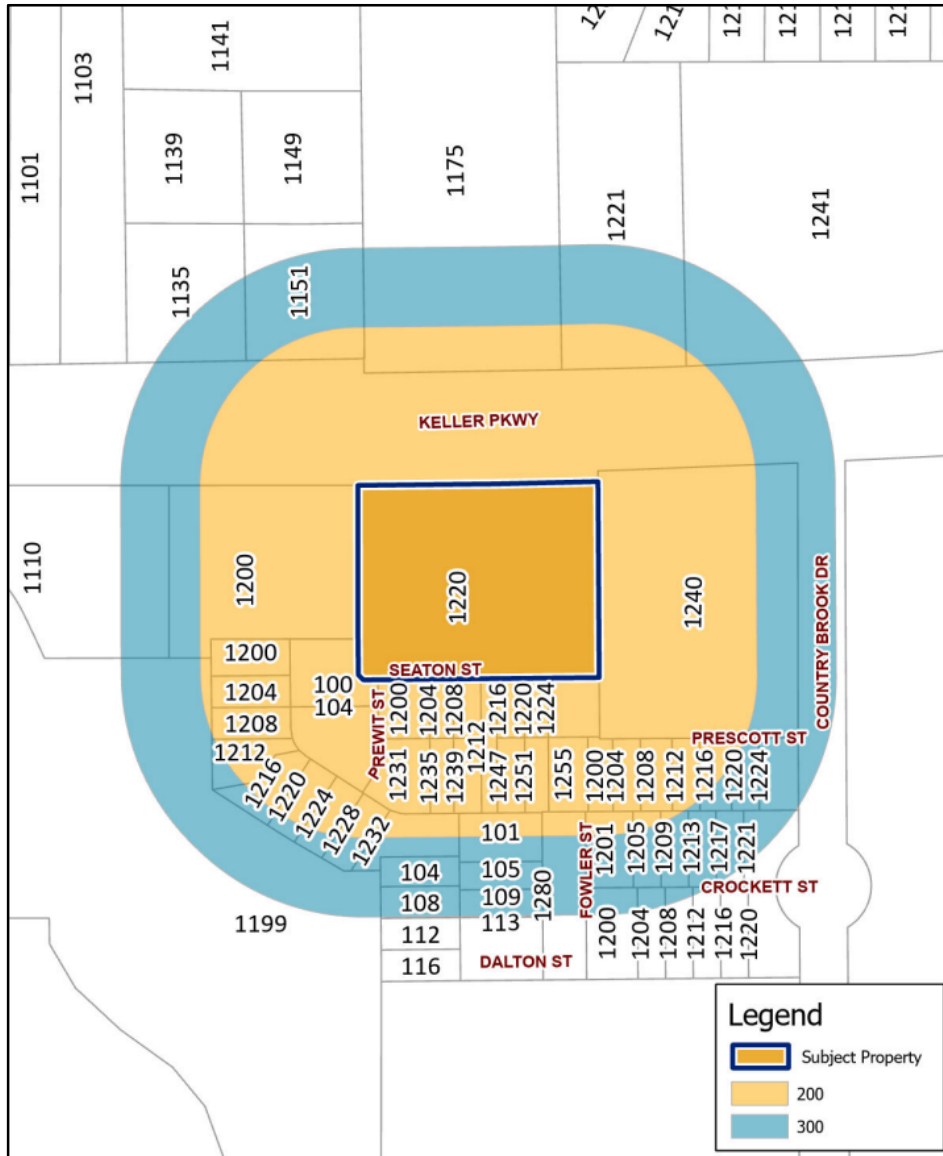
North: Mixed-use with Tech-Flex overlay



Subject Property



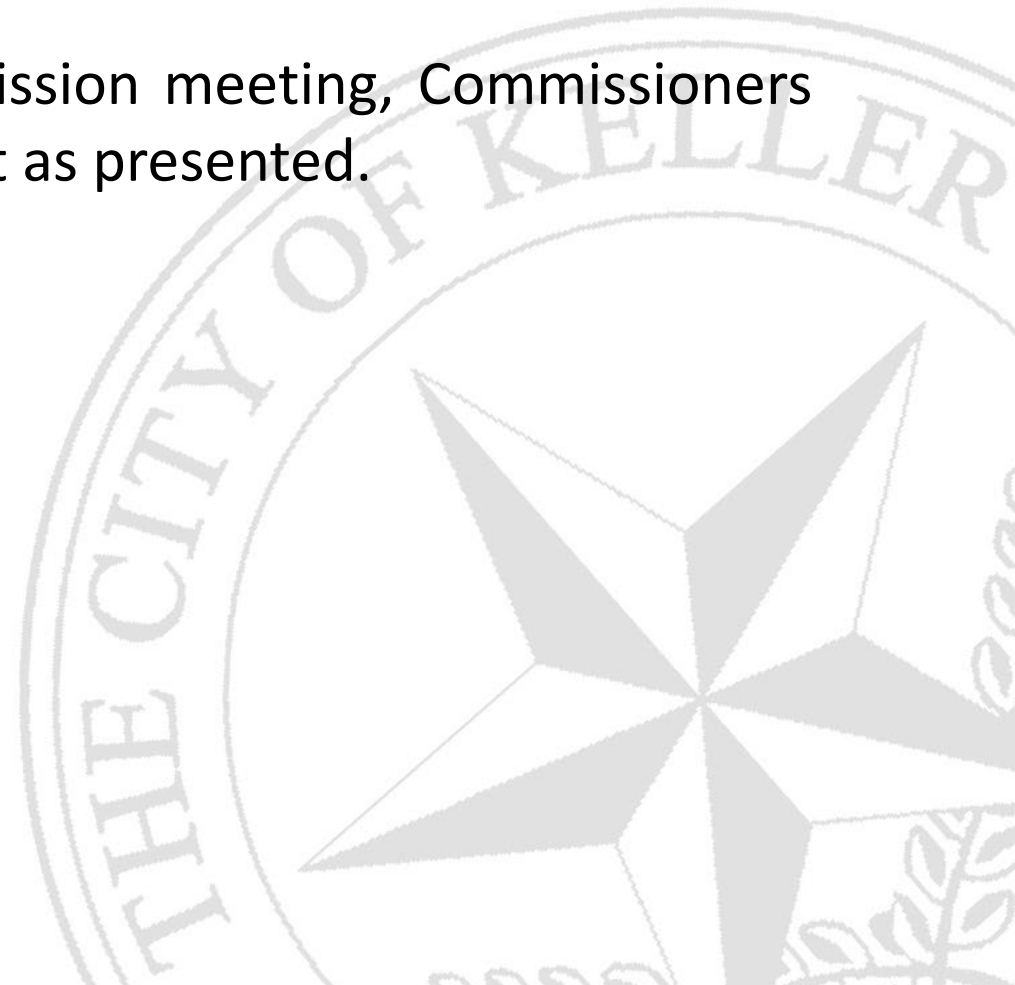
Item H-1



Item H-1

Planning and Zoning Commission Recommendation:

At the Nov. 12, 2024, Planning and Zoning Commission meeting, Commissioners unanimously recommended approval of the request as presented.



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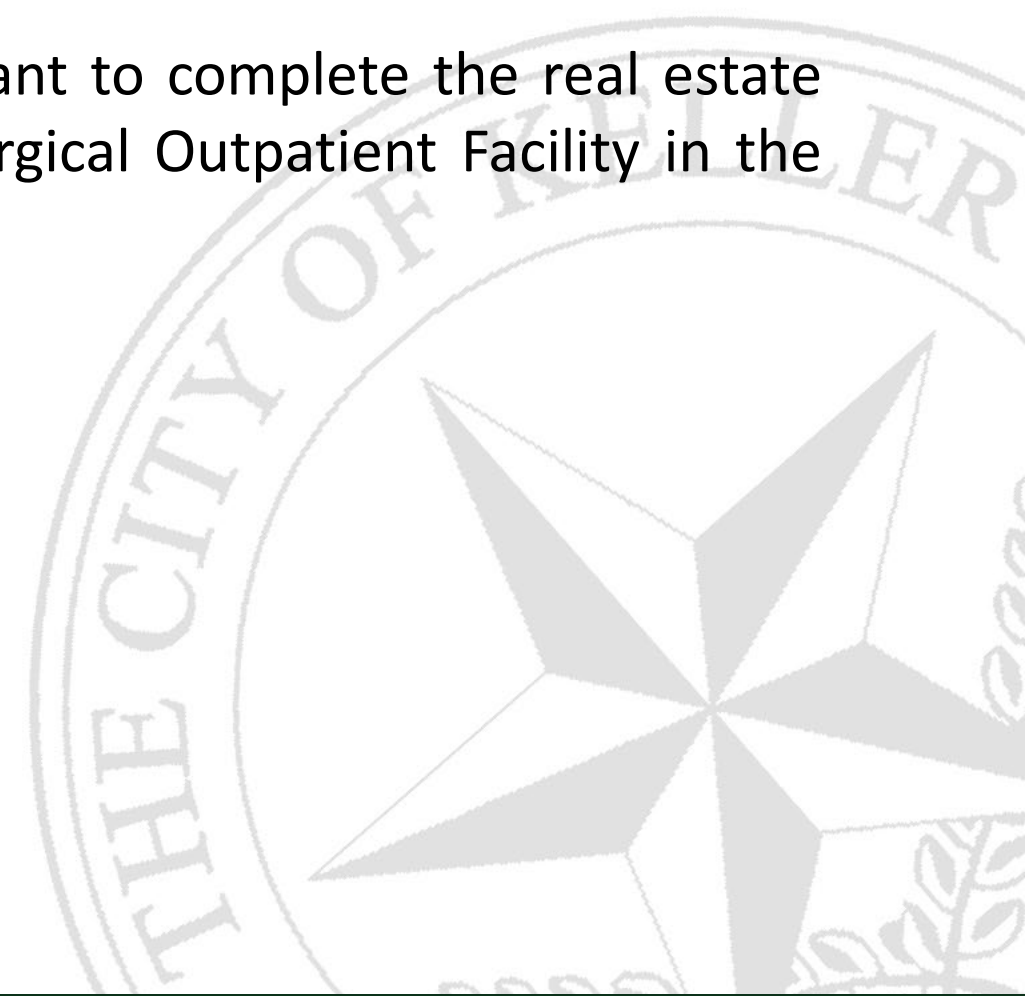
Section 8.02 (F)(2)(a) of the UDC states that when considering an SUP request, the City Council shall consider the following factors:

- 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.

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SUP Request:

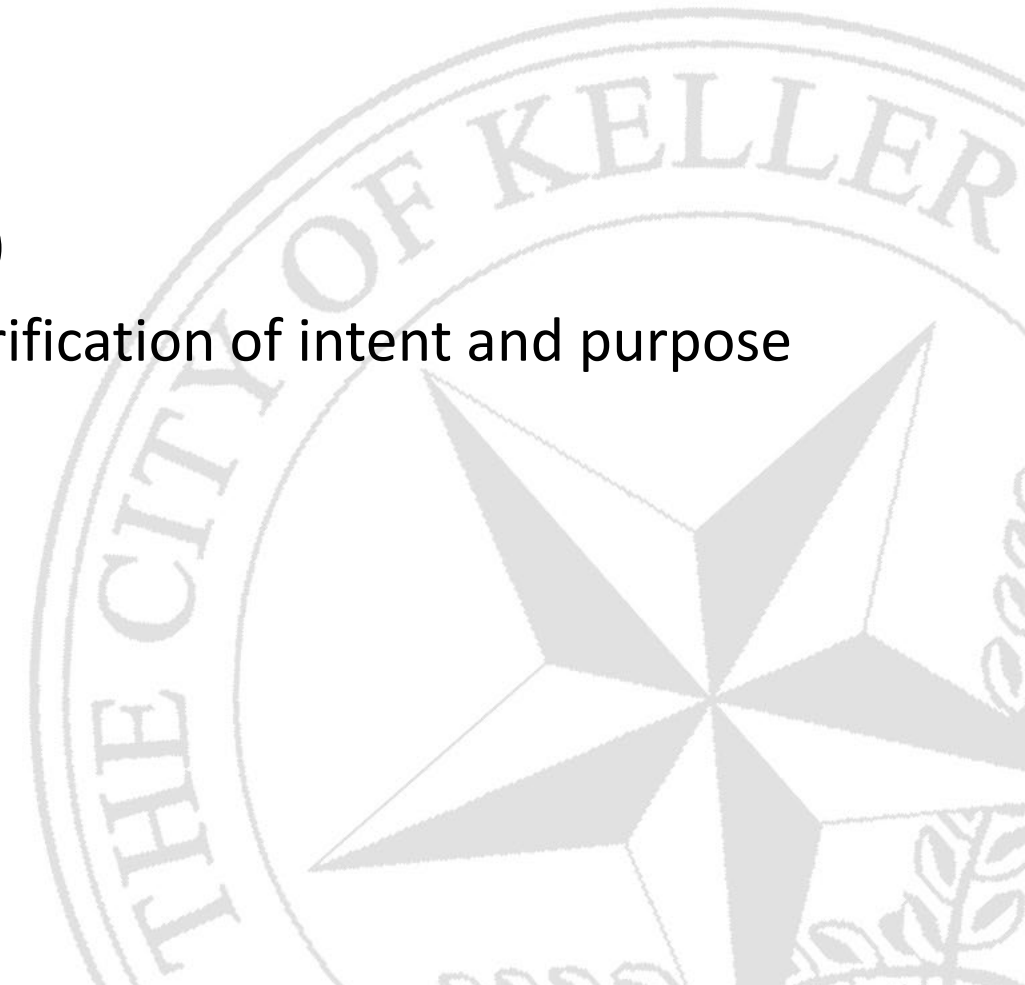
To allow a one-year SUP extension for the Applicant to complete the real estate transaction and obtain a building permit for a Surgical Outpatient Facility in the Town Center Medical (TCM) Overlay District.



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The City Council has the following options when considering a Specific Use Permit (SUP) request:

- 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?
Sarah Hensley
817-743-4130