

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING AN AMENDMENT TO A SPECIFIC USE PERMIT (SUP) FOR AN OWNERSHIP CHANGE TO A SURGICAL OUT-PATIENT FACILITY, SARC BY HSH ASC KELLER, LLC, PROPOSED IN AN APPROXIMATELY 10,389 SQUARE-FOOT BUILDING, ON AN APPROXIMATELY 1.72 ACRE PROPERTY, LOCATED ON THE SOUTH SIDE OF KELLER PARKWAY, APPROXIMATELY 450 FEET SOUTHWEST FROM THE INTERSECTION OF KELLER PARKWAY AND COUNTRY BROOK DRIVE, KELLER TOWN CENTER ADDITION, LOCATED AT 1220 KELLER PARKWAY AND ZONED TCM (TOWN CENTER MEDICAL), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, SARC by HSH ASC Keller, LLC, owner; and Advance Care Medical, applicant; submitted an application 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; and

WHEREAS, an ownership change has occurred and the current Specific Use Permit must be amended to reflect the change of ownership; and

WHEREAS, 1220 Keller Parkway was rezoned by City Council to the Town Center Medical Overlay District on August 18, 2020 by a vote of 5-1; and

WHEREAS, On September 1, 2020, City Council approved a UDC Text Amendment by a vote of 5-2 to permit Surgical Out-patient Facilities in the Town Center Medical Overlay District by a Specific Use Permit; and

WHEREAS, notice of public hearings before the Planning and Zoning Commission and City Council were sent to real property owners within three hundred feet (300') of the property herein described at least ten (10) days before such hearings; and

WHEREAS, the public hearings were held before both the Planning and Zoning Commission and the City Council and no comments from the public were offered in either support or opposition; and

WHEREAS, the Planning and Zoning Commission made a recommendation to approve the Specific Use Permit by a vote of 7-0; and

WHEREAS, the City Council finds that the Specific Use Permit furthers the purpose of zoning as set forth in the Unified Development Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS:

- Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.
- Section 2: THAT, in accordance with the Unified Development Code, the City Council of the City of Keller, Texas hereby authorizes approving an amendment to a Specific Use Permit for an ownership change to a surgical outpatient-facility, SARC by HSH ASC Keller, LLC, proposed in an approximately 10,389 square-foot building, on an approximately 1.72 acre-property, located on the south side of Keller Parkway, approximately 450 feet Southwest of the intersection of Keller Parkway and Country Brook Drive, Keller Town center Addition, Located at 1220 Keller Parkway and zoned TCM (Town Center Medical) in the City of Keller, Tarrant County, Texas, and incorporated herein.
- Section 3: THAT, any person, firm, or corporation violating any of the provisions of this Ordinance, as read together with the Unified Development Code and accompanying map thereto, shall be guilty of a misdemeanor and upon final conviction therefore shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such hereunder.
- Section 4: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDAINED.

Passed and approved by a vote of - to - on this the 3rd day of August, 2021.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney