



Legislation Details (With Text)

**File #:** 19-317      **Version:** 1

**Type:** New Business      **Status:** Agenda Ready

**File created:** 6/14/2019      **In control:** Planning & Zoning Commission

**On agenda:** 6/24/2019      **Final action:**

**Title:** PUBLIC HEARING: Consider a request of a Specific Use Permit (SUP) for Wholistic Healing Chiropractor, a proposed 'Medical Offices' use to occupy a 700-square-foot lease space within a 3,550-square-foot multi-tenant building, located on a 0.2295-acre tract of land, located on the east side of North Main Street (U.S. HWY 377), at the intersection of West Hill St and North Main Street (US HWY 377), being Lot 4, Block 10, Keller City Addition, at 149 North Main Street (US HWY 377), Suite C (Account #: 01484354), and zoned Old Town Keller (OTK). (SUP-19-0012) Michael Gallagher, applicant. Vina Property LLC is the owner of the property.

**Attachments:** 1. 062419\_Maps, 2. 062419\_ExhibitA\_Application&Letter

Date	Ver.	Action By	Action	Result
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**To:** Planning and Zoning Commission

**From:** Katasha Smithers, Planner I

**Subject:**  
PUBLIC HEARING: Consider a request of a Specific Use Permit (SUP) for Wholistic Healing Chiropractor, a proposed 'Medical Offices' use to occupy a 700-square-foot lease space within a 3,550-square-foot multi-tenant building, located on a 0.2295-acre tract of land, located on the east side of North Main Street (U.S. HWY 377), at the intersection of West Hill St and North Main Street (US HWY 377), being Lot 4, Block 10, Keller City Addition, at 149 North Main Street (US HWY 377), Suite C (Account #: 01484354), and zoned Old Town Keller (OTK). (SUP-19-0012) Michael Gallagher, applicant. Vina Property LLC is the owner of the property.

**Background:**  
On October 18th, 2016, Wholistic Healing Chiropractor was approved by City Council per Ordinance No. 1819 to permit 'Medical Offices' by Specific Use Permit (SUP) for a different location in Old Town Keller (OTK).

**Purpose:**  
The purpose of this Specific Use Permit request is to open an approximately 700 square-foot 'Medical Office' in the OTK zoning district. The business, Wholistic Healing Chiropractic, is currently operating at 255 South Main Street, Suite B, and is proposing to relocate to 149 South Main Street, Suite C.

**Hours of Operation:**  
Monday-Friday: 9am-5pm  
Saturday-Sunday: Closed

**Summary:**

Section 8.04 (B.2.a) of the UDC states that when considering a SUP request, the Planning and Zoning Commission and 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.

**Citizen Input:**

On June 14th, 2019, as required by State law, the City mailed out (27) letters of notifications for a Public Hearing to all property owners within three-hundred feet (300') of the subject site. A sign was also posted on the site. As of June 17th, 2019, City staff has received no opposition letters from the public on this Specific Use Permit application.

**Recommended Actions:**

The Planning and Zoning Commission has the following options when considering a Specific Use Permit:

- Recommend approval as submitted.
- Recommend approval with modified or additional condition(s).
- Tabling the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.

**City Council Action:**

If the Planning and Zoning Commission takes action and makes a recommendation on this agenda item, then this Specific Use Permit application will be scheduled for City Council action on July 16, 2019.