



Legislation Details (With Text)

File #: 19-230 Version: 1
Type: New Business Status: Agenda Ready
File created: 5/6/2019 In control: City Council
On agenda: 6/4/2019 Final action:
Title: PUBLIC HEARING: Consider an ordinance approving a SUP for North Texas Veterinarian Clinic to permit the use of a 'Veterinarian Clinic (with or without outdoor pens) includes grooming facility' located at 1100 Whitley Road (Account# 41561562), being a 2.562-acre tract at the intersection of Wall-Price Keller Road and Whitley Road, being Lot 7, Block A, Keller Plaza Addition, owned by Scheifley Real Estate LLC. (SUP-19-0009)
Attachments: 1. 060419\_NTXVet\_ProposedOrdinance, 2. 060419\_NTXVet\_Maps, 3. 060419\_NTXVet\_ExhibitA, 4. 060419\_NTXVet\_ExhibitA\_SitePlan, 5. 060419\_NTXVet\_OppositionLetter, 6. 060419\_NTXVet\_StaffAttachment\_ApprovedPlat, 7. Presentation - N. TX Vet

Table with 5 columns: Date, Ver., Action By, Action, Result. Row 1: 6/4/2019, 1, City Council, close the public hearing

To: Mark Hafner, City Manager
From: Katasha Smithers, Planner I

Subject: PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit for North Texas Veterinarian Clinic to permit the use of a 'Veterinarian Clinic (with or without outdoor pens) includes grooming facility' located at 1100 Whitley Road (Account# 41561562), being a 2.562-acre tract at the intersection of Wall-Price Keller Road and Whitley Road, being Lot 7, Block A, Keller Plaza Addition, owned by Scheifley Real Estate LLC. (SUP-19-0009)

Background: The North Texas Veterinarian Clinic provides veterinary services to owners of small domesticated animals. This use requires a Specific Use Permit (SUP) in all zoning districts.

Site Design: The proposed 6,600 square-foot veterinarian clinic will be utilizing the west portion of the property farthest from the neighboring residential subdivisions to the east.

Hours of Operation: Monday - Friday: 8 a.m. to 6 p.m. Saturday: 8 a.m. to 12 p.m.

Trip Generation: Per the UDC, a trip generation form is required and was provided by the applicant. The form indicates a total of 58 trips per 24 hours and does not warrant a Traffic Impact Analysis. Please see Exhibit 'A'.

Citizen Input: The applicant sent out an email to the Flanigan Hill HOA on March 22, 2019, offering to hold a

meeting to discuss the Site Plan for the Veterinarian Clinic.

On April 12, 2019, the City mailed out 23 letters of Notifications for this Public Hearing to all property owners within three hundred feet (300') of the subject site. A public hearing notice sign was posted on the site. Additionally, notification of a Public Hearing was published in the Fort Worth Star Telegram on May 12, 2019.

City staff received one opposition letter from the public on this SUP application (see attached). Additionally, LaDean Houck, a resident of the HOA came forward in opposition at the April 22, 2019, Planning and Zoning Commission meeting regarding potential noise, smell, impact of property values, and the use of indoor or outdoor pens. The applicant explained that the animals would be only utilizing the outdoor area for bathroom purposes and the staff would maintain the area after such use.

After the April 22, 2019, Planning and Zoning Commission, the applicant called the property owner of Heritage House (located at 1150 Whitley Road) and left a message but did not receive a return call.

In the beginning of May, the applicant spoke to Amy Koury, HOA president of Flanigan Hill regarding the proposed development for North Texas Veterinarian Clinic located at 1100 Whitley Road via phone call. The HOA has not submitted any comments either in support or in opposition.

#### **Professional Analysis:**

In 2015, the UDC was updated to require an SUP for 'Veterinarian Clinic (with or without outdoor pens) includes grooming facility' to control adjacency concerns with other uses. However, due to the location, the veterinarian clinic would be a welcome development for this area and serve the needs of the immediate community. Additionally, this property has not been developed and the proposed veterinarian clinic will be aesthetically pleasing with the surrounding area of residential and commercial development. With the assurance of the applicant and the Planning and Zoning Commission's condition to prohibit outdoor pens, staff does not anticipate any adjacency issues.

#### **Planning and Zoning Recommendation:**

On April 22, 2019, Planning and Zoning Commission recommended approval of the SUP for North Texas Veterinarian Clinic by a vote of 7 to 0 with the condition that outside boarding and/or holding pens shall not be allowed.

#### **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.

**Alternatives:**

The City Council has the following options when considering a Specific Use Permit:

- 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.