



Legislation Details (With Text)

File #:	19-445	Version:	1
Type:	New Business	Status:	Failed
File created:	8/23/2019	In control:	City Council
On agenda:	10/1/2019	Final action:	10/1/2019
Title:	PUBLIC HEARING: Consider an ordinance approving an amendment to the City of Keller Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by removing 'minor medical emergency clinic' use in the Town Center (TC) Zoning District and modifying, Article 8 - Zoning-Districts, Development Standards, Tree Preservation; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-19-0016)		
Attachments:	1. 100119_UDC Amend-Town Center Medical_Ordinance, 2. 100119_UDC Amend-Town Center Medical_Exhibit A, 3. G-2 UDC Text Presentation		

Date	Ver.	Action By	Action	Result
10/1/2019	1	City Council	close the public hearing	
10/1/2019	1	City Council	deny	

To: Mark Hafner, City Manager

From: Katasha Smithers, Planner I

Subject:

PUBLIC HEARING: Consider an ordinance approving an amendment to the City of Keller Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by removing 'minor medical emergency clinic' use in the Town Center (TC) Zoning District and modifying, Article 8 - Zoning-Districts, Development Standards, Tree Preservation; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-19-0016)

Background:

For the Town Center (TC) Zoning District, the UDC permits "minor medical emergency clinic" with an SUP but does not allow "medical use." Two developers requested that the City consider adding "medical use" to the Town Center Zoning District. At their August 12, 2019, meeting, the Planning and Zoning Commission voted to recommend to City Council that City Council remove "medical use." At the September 3, 2019 City Council meeting, the City Council voted 6-1 to remove medical uses from the Town Center zoning district.

Planning and Zoning Commissioners also asked Staff to bring back a proposal to remove "minor medical emergency clinic" to make their recommendation to City Council consistent across medical uses for Town Center. Commissioner Alvarado summed up the Commission's reasoning by noting that "minor medical emergency clinic" and 'medical use' do not conform to the intent of the Town Center Zoning District that "uses in Town Center district shall be generally pedestrian-oriented and encourage pedestrian traffic."

Citizen Input:

During the September 9, 2019, Planning and Zoning Commission public hearing, only one person came forward to speak. The Owner's broker at 1220 Keller Parkway and Keller Resident, Matt Flory,

stated that the best use of this property would be minor medical emergency. He stated that the owner would lose half the value of the building if this was just allowed for office use and Keller would lose tax revenue because of this. He elaborated that he understands the vision for Town Center, but believes this amendment would be a detriment to the community. Matt Flory ended his time by requesting the Planning and Zoning Commission either deny the amendment or allow this business to be grandfathered.

An amendment to the text of the UDC requires a public hearing notice to be published in the local newspaper fifteen (15) days prior to the scheduled City Council meeting date. The notice for the City Council public hearing was published in the September 15, 2019, edition of the Fort Worth Star-Telegram.

As of September 24, 2019, Staff has not received any additional responses from the public on this UDC text amendment request.

Planning and Zoning Recommendation:

On September 9, 2019, the Planning and Zoning Commission recommended to approve as presented by a vote of 6-1 to remove 'minor medical emergency clinic' from the TC use chart. The Commissioners wanted to be consistent in the Town Center Zoning District regarding all medical uses. By removing the 'Minor medical emergency clinic' use, the vision and intent of the Town Center Zoning District would remain intact. Additionally, the 1220 Keller Parkway property has been vacant for approximately four years with no tenant utilizing the building. Currently, Legacy ER has been leasing the property for the last four years but not occupying the space, and the owner was in no hurry lease the property.

Alternatives:

The City Council has the following options when considering an amendment to the text of the UDC:

- Approval as submitted.
- Approval with modifications or additional amendments(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.