



## Legislation Details (With Text)

**File #:** 19-637      **Version:** 1

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

**File created:** 11/21/2019      **In control:** City Council

**On agenda:** 12/3/2019      **Final action:**

**Title:** PUBLIC HEARING: Consider an ordinance amending the Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by rezoning Lot 1R1, 1R2, 3, 4R1, 4R2, Block A, Centerview Office Park, from Town Center (TC) to Town Center - Medical Overlay 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. (Z-19-0004)

**Attachments:** 1. 120319\_TC Medical Overlay\_Proposed Ordinance, 2. 120319\_TC Medical Overlay\_Exhibit A-Maps, 3. 120319\_TC Medical Overlay\_Exhibit B

Date	Ver.	Action By	Action	Result
12/3/2019	1	City Council	close the public hearing	
12/3/2019	1	City Council	approve	

**To:** Mark Hafner, City Manager

**From:** Matthew Cyr, Planner I

### Subject:

PUBLIC HEARING: Consider an ordinance amending the Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by rezoning Lot 1R1, 1R2, 3, 4R1, 4R2, Block A, Centerview Office Park, from Town Center (TC) to Town Center - Medical Overlay 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. (Z-19-0004)

### Background:

Over the last year, staff has received several requests for medical clinic uses in the Town Center zoning district. The Town Center zoning district does permit "minor medical emergency clinic" with an SUP; other medical uses - including medical offices - are prohibited. However, there are numerous grandfathered medical uses scattered throughout Town Center.

The proposed area for a medical overlay that would permit medical office by right is comprised of five buildings that currently house medical clinics (5 out of the 9 businesses). These uses are likely continue as grandfathered uses for years in the future. Staff was asked to address the hardship caused by grandfathering (cannot expand the building footprint, cannot be vacant between tenants or for remodeling, etc.) for this specific area. (See attachment A: map of proposed medical use overlay zoning district.)

The five property owners are Two Suites Medical Series, McReynolds Orthodontics LP, ENI LLC, LSH Properties LLC, and JJS RE Holdings II LLC.

The Future Land Use Plan designates the area for Mixed-Use and is compatible with the proposed overlay.

### **Analysis:**

This proposed amendment applies to Centerview Office Park, and would allow “medical clinics” to be allowed by right. There are a total of nine businesses, five which are already designated as a “medical clinic” and have been operating before the 2015 UDC update.

### **Proposed Amendment:**

Add an overlay district to Article 8 of the UDC to allow Town Center Medical to permit medical clinics by right.

### **Citizen Input:**

A zoning change requires a public hearing notice to be published in the local newspaper ten (10) days prior to the scheduled Planning and Zoning Commission meeting date and fifteen (15) days prior to the City Council Meeting Date.

The notice for the Planning and Zoning Commission public hearing was published in the November 15, 2019 edition of the *Fort Worth Star-Telegram*. Staff also sent out thirty-five (35) letters of Notifications for a Public Hearing to property owners and businesses within the proposed overlay district boundary, as well as property owners located within 300 feet of this overlay district.

As of the writing of this report, staff has not received any comments from the public.

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

On November 25, 2019, the Planning and Zoning Commission held a public hearing. One person offered support for this item. The Commission recommended City Council approve the proposed amendment as presented by a unanimous vote of 5-0.

### **Alternatives:**

The Planning and Zoning Commission has the following options when considering an amendment to the text of the UDC:

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

### **City Council Action:**

The City Council has the following options when considering a zoning change:

- Approve as submitted.
- Approve with modifications or additional amendments.
- Table the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.

### **Supporting Documents:**

- Staff Attachment A - Map of proposed “Town Center Medical” zoning
- Staff Attachment B - Article 8 UDC proposed “Town Center Medical”
- Staff Attachment C - Proposed ordinance