



Legislation Details (With Text)

File #: 20-395 **Version:** 1

Type: New Business **Status:** Approved

File created: 8/21/2020 **In control:** City Council

On agenda: 9/1/2020 **Final action:** 9/1/2020

Title: PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by providing provisions to permit a "Surgical Outpatient Facility" use in the Town Center-Medical Overlay district by a Specific Use Permit, Article Eight -Zoning Districts, Development Standards, Tree Preservation; providing penalties; providing a severability clause; providing a conflicting of ordinances clause; authorizing publication; and establishing an effective date. (UDC-20-0005)

Attachments: 1. 090120_UDC-20-0005_ExhibitA, 2. 090120_UDC-20-0005_Definition, 3. 090120_UDC-20-0005_ProposedOrdinance, 4. 090120_UDC 20-0005_PRESENTATION

Date	Ver.	Action By	Action	Result
9/1/2020	1	City Council	close the public hearing	
9/1/2020	1	City Council	approve	

To: Mark Hafner, City Manager

From: Julie Smith, Community Development Director

Subject:

PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by providing provisions to permit a "Surgical Outpatient Facility" use in the Town Center-Medical Overlay district by a Specific Use Permit, Article Eight -Zoning Districts, Development Standards, Tree Preservation; providing penalties; providing a severability clause; providing a conflicting of ordinances clause; authorizing publication; and establishing an effective date. (UDC-20-0005)

Background:

In 2014, an SUP and Site Plan were approved for "E-Care Emergency" to open in Keller Town Center. The tenant (Legacy) operated out of this building less than a year before they moved out around 2015. Legacy continued to lease the space to minimize competition from their other location in North Richland Hills.

In 2014, medical uses were permitted by an SUP or by right (depending on the medical use). However, the UDC update prohibited certain medical uses in the Town Center zoning district.

On December 3, 2019, the City Council unanimously approved an ordinance to add the Town Center Medical Overlay District to the following properties: 1135, 1139, 1141, 1149, and 1151 Keller Parkway. This was followed by an expansion of the Town Center Medical Overlay district to the properties of 1200 and 1220 Keller Parkway, by City Council on August 18, 2020.

This amendment would include Surgical Outpatient Facility as a use in the Town Center Medical

Overlay District. Though this use does not permit inpatient overnight care, occasionally outpatient patients will have to spend up to 24 hours in this type of facility.

Proposed Amendments:

Amend Section 8.03 to permit a “Surgical Outpatient Facility” use (See Exhibit A.)

Citizen Input:

An amendment to the text of the UDC requires a public hearing notice to be published in the local newspaper ten days prior to the scheduled Planning and Zoning Commission meeting date. The notice for the City Council public hearing was published in the August 12, 2020, edition of the *Fort Worth Star-Telegram*.

As of August 26, 2020, Staff has not received any letters written in either support or in opposition from the public.

Planning and Zoning Commission Action:

The Planning and Zoning Commission recommended approval by a vote of 5-2 at the August 25th Planning and Zoning Commission meeting.

Alternatives:

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

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