



## Legislation Details (With Text)

<b>File #:</b>	20-422	<b>Version:</b>	1
<b>Type:</b>	New Business	<b>Status:</b>	Agenda Ready
<b>File created:</b>	9/16/2020	<b>In control:</b>	Planning & Zoning Commission
<b>On agenda:</b>	9/22/2020	<b>Final action:</b>	
<b>Title:</b>	PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) for a Medical Office use, for Renewed Strength Chiropractic, proposed in an approximately 4,032 square-foot building, on an approximately .22 -acre property, located on the south side of Hill Street, approximately 450 feet southeast from the intersection of Hill Street and South Main Street, zoned Old Town Keller (OTK), located at 130 Hill Street. Donna Kirkwood, owner. Renewed Strength Chiropractic, applicant. (SUP-20-0017)		
<b>Attachments:</b>	1. 092220_RenewedChiropractic_Maps, 2. 092220_RenewedChiropractic_Application, 3. 092220_RenewedChiropractic_Pictures		

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

**From:** Matthew Cyr, Planner I

### Subject:

PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) for a Medical Office use, for Renewed Strength Chiropractic, proposed in an approximately 4,032 square-foot building, on an approximately .22 -acre property, located on the south side of Hill Street, approximately 450 feet southeast from the intersection of Hill Street and South Main Street, zoned Old Town Keller (OTK), located at 130 Hill Street. Donna Kirkwood, owner. Renewed Strength Chiropractic, applicant. (SUP-20-0017)

### Background:

- On October 17, 2017, City Council unanimously approved a Specific Use Permit for Tangle Salon located at 130 Hill Street. The Salon moved out in July of 2020 and the building has remained vacant since.
- On October 16, 2018, City Council approved a Specific Use Permit by a vote of 5-1 for Renewed Strength Chiropractic located at 118 West Olive Street.
- The applicant is expanding their businesses and needs extra space to accommodate the growth. They would like to remain in the Old Town Keller zoning district.

### Proposed Hours of Operation:

- Services include: chiropractic adjustments, full body health assessments, reflexology, and herbal supplements.
- Monday- Friday: 9 a.m. - 6 p.m.

### Summary:

Section 8.02 (F)(2) 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 September 11, 2020, the City mailed out 31 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 also posted on the site.

As of September 16, 2020, Staff has received a support petition from seven surrounding businesses regarding this application. There has not been any other response from the Public.

#### **Alternatives:**

The Planning and Zoning Commission has the following options when considering an SUP application:

- Recommend approval as submitted.
- Recommend approval with modified or additional condition(s).
- Table 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 SUP application will be scheduled for City Council action on October 20, 2020.

#### **Supporting Documents:**

- Aerial and Zoning Maps
- Exhibit A - Application and Narrative Letter
- Staff Attachment- Pictures