



## Legislation Details (With Text)

<b>File #:</b>	20-423	<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 Surgical Out-patient Facility, for Advanced Care Medical, proposed in an approximately 10,389 square-foot building, on an approximately 1.72 -acre property, located on the south side of Keller Parkway, approximately 450 feet southwest from the intersection of Keller Parkway and Country Brook Drive, zoned Town Center Medical (TCM), located at 1220 Keller Parkway. Advance Care Medical, applicant. (SUP-20-0016)		
<b>Attachments:</b>	1. 092220_AdvanceCareMedical_Maps, 2. 092220_AdvanceCareMedical_Application, 3. 092220_AdvanceCareMedical_Pictures, 4. 092220_AdvanceCareMedical_List_of_Services		

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 Surgical Out-patient Facility, for Advanced Care Medical, proposed in an approximately 10,389 square-foot building, on an approximately 1.72 -acre property, located on the south side of Keller Parkway, approximately 450 feet southwest from the intersection of Keller Parkway and Country Brook Drive, zoned Town Center Medical (TCM), located at 1220 Keller Parkway. Advance Care Medical, applicant. (SUP-20-0016)

### Background:

- 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.
- On August 18, 2020, City Council approved expanding the Town center Medical Overlay District to 1200 and 1220 Keller Parkway.
- On September 1, 2020, City Council approved an ordinance to add a “Surgical Out-patient Facility” use to the Town Center Medical Overlay District by a Specific Use Permit.
- 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. The space has remained vacant since that time.
- In 2015, The UDC was amended to prohibit Medical Offices in Town Center.

### Proposed Hours of Operation:

- List of services include: orthopedic, cardiology, vascular, general surgery, urology, ENT, and spinal surgery (see the attachment “List of Services” for more information)

- Monday- Friday: 8 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 54 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 not received any responses from the public regarding this SUP application.

**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 6, 2020.

**Supporting Documents:**

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