



## Legislation Details (With Text)

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<b>Type:</b>	New Business	<b>Status:</b>	Agenda Ready
<b>File created:</b>	4/5/2021	<b>In control:</b>	Planning & Zoning Commission
<b>On agenda:</b>	4/13/2021	<b>Final action:</b>	
<b>Title:</b>	PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) to allow Liberty Senior Residential, an existing assisted living facility, to continue with two (2) additional residents up to a total of eight (8) residents within a 3,500 square-foot building, located on a 1.0-acre lot on the southeast corner of the N. Pearson Road and Meadowview Drive intersection, at 2000 Meadowview Drive, being Tract 1B01Q out of the Josiah Walker Survey, Abstract No. 1604, and zoned Single Family Residential -20,000 square foot minimum (SF-20). Liberty Senior Residential Care Homes, LLC, Owner/Applicant. (SUP-21-0008)		
<b>Attachments:</b>	1. Maps.pdf, 2. Staff Attachment A - Application, narrative and letter sent by Owner.pdf, 3. Staff Attachment B - 2016 SUP Exhibits.pdf		

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

**From:** Katasha Smithers, Planner

### Subject:

PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) to allow Liberty Senior Residential, an existing assisted living facility, to continue with two (2) additional residents up to a total of eight (8) residents within a 3,500 square-foot building, located on a 1.0-acre lot on the southeast corner of the N. Pearson Road and Meadowview Drive intersection, at 2000 Meadowview Drive, being Tract 1B01Q out of the Josiah Walker Survey, Abstract No. 1604, and zoned Single-Family Residential-20,000 square-foot minimum (SF-20). Liberty Senior Residential Care Homes, LLC, Owner/Applicant. (SUP-21-0008)

### Background:

According to the County, the 3,500 square-foot house was originally constructed in 1987 and annexed into the City of Keller in 1989.

In 2016, Thomas and Mary Pittman applied and received an approval for an SUP for an assisted-living facility to occupy up to eight residents. (The house began its conversion into an assisted living facility in 2011 and later was licensed by the State in 2013.)

Rusinder Bains, the new Property Owner who purchased the property in February 2021, and is required to apply for an SUP since the ownership changed. The Owner is not seeking a new use, but rather as a continuation to operate in the same manner as before.

### Site Design:

The 3,500 square-foot home has five bedrooms, each with its own full bathroom. The parking spaces on the property are able to accommodate 10 vehicles and is limited to employees and guests. Site layout and images are attached as Staff Attachment B.

**Hours of Operation:**

Visiting hours are from 9 am to 11 am and 1 pm to 5 pm daily. In the event of an end-of-life situation, visiting hours are sometimes modified to accommodate family hours. The Owner states they do not anticipate any increase in vehicular traffic due to the continuation of this type of use.

**Employees:**

The Owner proposes to have three employees during the day and one to two in the evenings and overnight.

**Citizen Input:**

On March 31, 2021, the City mailed out 18 Letters of Notification for this Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.

The Owner provided a copy of a letter they also sent to the property owners within 300-feet from the subject property and was dated on March 23, 2021. (See Staff Attachment A).

As of today, Staff has not received any comments either in support or opposition from the public.

**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.

**Planning and Zoning Alternatives:**

The Planning and Zoning Commission has the following options when considering a Specific Use Permit:

- 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 Specific Use Permit application will be scheduled for City Council action on May 4, 2021.

**Supporting Documents:**

- Maps
- Staff Attachment A - Application, narrative letter and letter sent by Owner
- Staff Attachment B - 2016 SUP exhibits