



# City of Keller

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## Legislation Text

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**File #:** 19-020, **Version:** 1

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**To:** Mark R. Hafner, City Manager

**From:** Katasha Smithers, Planner I

**Subject:**

**PUBLIC HEARING:** Consider an ordinance approving a Specific Use Permit (SUP) for 'medical offices' to be located in a 38,975 square-foot multi-tenant building, located on a 3.595-acre tract of land, located on the east side of South Main Street (U.S. HWY 377), approximately 525 feet north from the intersection of Bear Creek Parkway and South Main Street (U.S. HWY 377), being Lot 1, Block A, Baylor Medical Plaza Addition, at 601 South Main Street (U.S. HWY 377), and zoned OTK (Old Town Keller). (SUP-18-0037)

**Background:**

On September 3, 2002, the OTK (Old Town Keller) overlay zoning district was established by Ordinance No. 1115.

On February 28, 2005, City Staff approved the final plat for Baylor Medical Plaza Addition.

On March 1, 2005, City Council approved the Site Plan for Baylor Medical Plaza, a proposed 38,975 square foot medical office building to be constructed by Resolution No. 3327.

On June 14, 2005, City Staff issued a building permit and the Certificate of Occupancy was approved and closed on May 5, 2006.

On November 29, 2010, City Staff approved a Site Plan Amendment for the applicant to install a chiller pad and screening wall.

The OTK (Old Town Keller) overlay zoning district was converted into a straight zoning district with a detailed use chart on July 7, 2015 by Ordinance No. 1761 and did not permit medical offices or professional offices.

On August 16, 2016 by Ordinance No. 1805 City Council amended the OTK Zoning District to permit 'Medical Offices' by Specific Use Permit (SUP).

In August 2018, Staff received a letter from the property owner regarding potential tenants being medical office use occupancy; please see the attached Exhibit A for your reference.

**Summary:**

Section 8.04 (B.2.a) of the UDC states that when considering a Specific Use Permit request, the Planning and Zoning Commission and the 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 January 4, 2019, as required by State law, the City mailed out thirteen (13) letters of notifications for a Public Hearing, to all property owners within three hundred feet (300') of the subject site. A sign was also posted on the site.

As of January 29, 2018, City staff has received no opposition letters from the public on this Specific Use Permit application.

**Board Opinion:**

On January 14, 2019, the Planning and Zoning Commission recommended approval by a vote of 7-0.

**Professional Analysis and Opinion:**

The professional analysis and opinion of staff is to **support** this request for an SUP, to allow 'medical offices' in the existing Baylor Medical Plaza within Old Town Keller zoning district. The medical office would be supported and compatible by the Site Plan that was previously approved by City Council as Baylor Medical Plaza.

Please keep in mind that a 'Minor Medical Emergency Clinic (Urgent Care)' would still require an SUP.

Staff forwards this Specific Use Permit application for City Council consideration with the following condition:

- 1) The Specific Use Permit for the use of 'medical offices' to be located at 601 South Main Street shall be allowed.

This condition for this SUP is specific to this business. Any new similar type business would require a new SUP application.

**Recommended Actions:**

The City Council has the following options when considering a SUP application:

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