



# City of Keller

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## Legislation Text

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**File #:** 21-461, **Version:** 1

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**To:** Mark Hafner, City Manager

**From:** Julie Smith, Community Development Director

**Subject:**

PUBLIC HEARING: Consider an ordinance approving two Specific Use Permits (SUP) to allow the use of a Minor Medical Emergency Clinic and Spa uses, for UrgentCare2go and Zeal-To-Heal, both owned by Dr. Nilesh Nangrani, in a 4,593 square-foot building, on 0.7604-acres, located on the south side of Bandit Trail, situated at the intersection of Davis Boulevard and Bandit Trail, located at 769 Bandit Trail, legally described as Lot 1, Block A, Davis Blvd Medical Center and zoned Retail (R). MANS 769 Bandit Trail LLC, owner/applicant. (SUP-21-0023)

**Background:**

- The City issued a Building Permit and Certificate of Occupancy on June 25, 2012, for Keller Urgent Care.
- Keller Urgent Care vacated the property in April of 2019.
- The Owner is requesting two specific use permits to operate an urgent care and a spa business.
- There is a third business (primary care clinic) that will be operating in the space that is permitted by right.

**Surrounding Zoning Districts:**

**North:** Office (O)

**South:** Retail (R)

**East:** Retail (R)

**West:** Retail (R)

**Surrounding Uses/Businesses:**

**North:** Pine and Company Keller Southlake CPA and Yodamojo (768 Bandit Trail)

**South:** Edward Jones and Southlake Dental Care and Wellness (777 Bandit Trail)

**East:** Vacant

**West:** Woodbine Furniture and Allstate (8705 Davis Blvd)

**UrgentCare2go:**

**Hours of Operation:**

Open 7 days a week from 9AM to 9PM

**Services Offered:**

Services offered will include non-life-threatening medical illnesses, injuries, acupuncture, and wellness and prevention. (See Staff Attachment A - Application and Information.)

**Zeal-To-Heal:**

**Hours of Operation:**

Open 7 days a week from 9AM to 9PM

**Services Offered:**

Acupuncture, Cosmetic Treatment, General Wellness, Hormone Therapy, IV Therapy, Osteopathic Manipulation, Urgent Care, and Weight Loss. (See Staff Attachment A - Application and Information.)

**Employees for the 4,593 square-foot facility of Urgent Care (SUP), Zeal-to-Heal (SUP), and Primary Care clinic (P):**

The business will employ 2-3 people per shift.

**Citizen Input:**

On June 24, 2021, the City mailed out 15 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 on July 2, 2021.

As of July 27, 2021, Staff has received one letter in opposition within 200-feet of the subject site 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 Recommendation:**

On July 13, 2021, the Planning and Zoning Commission unanimously recommended approval of the item and no person spoke in favor or opposition. The applicant was present.

**Alternatives:**

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

- Approve as recommended by the Planning and Zoning Commission.
- Approve with modified or additional condition(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.