



**AGENDA ITEM SUMMARY FORM**

**MEETING DATE:** April 15, 2025  
**PREPARED BY:** Michael Burrell, Director  
**DEPARTMENT:** Development Services

**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on a Specific Use Permit for 15,000 square feet of Professional Office, Medical Office, and Medical Clinic, one (1) lot on 3.11 acres, more or less, being located at 13801 N FM 973, Manor, TX.

*Applicant: Rafiq Kareidiya*  
*Owner: Platinum 973 LLC*

**BACKGROUND/SUMMARY:**

The subject property was annexed into the city by Ord. 635 in January 2022. As it was annexed after ESD 12 held their sales tax election, the city does not collect sales tax from this property. The property was zoned to C-2 Medium Commercial by Ord. 628 in February 2022. A Specific Use Permit to allow for a Gas Station was approved in November 2022.

The property was approved and developed in two Phases. The first phase was an 8,560 SF convenience store and 4 fuel pumps. The second phase, which is under construction, is for two buildings, each 7,500 SF, totaling 15,000 SF of new tenant lease space, and 23,560 SF of commercial space for the entire development.

The applicant has requested a Specific Use Permit to allow for three land use types: Professional Office, Medical Office, and Medical Clinic.

**Office, professional** means the use of a site for the provision of administrative, executive, consulting, management, or professional services. This use includes administrative offices and services including law, architecture, real estate, accounting, insurance, property management, personal and/or family counseling, investment, travel, and secretarial services.

**Office, medical** means the use of the site for consultation, diagnosis, therapeutic, preventative, or corrective personal treatment by doctors, dentists, or similar practitioners of medical and healing arts for humans, medical or dental laboratories. These facilities can be differentiated from a medical clinic in that such facilities primarily operate on an appointment basis, are generally not open to the general walk-in public, and offer specialized services or attention.

**Medical clinic** means the use of the site for the provision of medical, psychiatric, or surgical services on an outpatient basis. These facilities can be differentiated from a medical office in that such facilities would be primarily open to and operated for the general, walk-in public, and would not normally require an appointment. This use includes ambulatory surgical centers (ASC); end-stage renal disease facility (dialysis); outpatient services; and freestanding emergency medical care facility.

The use of the property for Professional Offices, Medical Offices, and Medical Clinics would be in addition to the already permitted by-right uses, which include general retail sales, personal services, and restaurants.

The applicant has requested 100% of Phase 2 (15,000 SF) to be permitted to allow Professional Office, Medical Office, and Medical Clinic uses, but they provided in their letter of intent that they do not intend to use all the space for those uses, and will have a mix of neighborhood commercial services, including personal services and food-related businesses.

The property is considered as a Commercial Corridor on the city's Future Land Use Map (FLUM), and which the current zoning of C-2 Medium Commercial is consistent with. From Destination 2050, Commercial Corridors consist of nonresidential land uses that meet the needs of both local and regional residents. This includes big box stores and multi-tenant commercial or retail uses. Further, the Commercial Corridor district is especially appropriate for several needs that residents of Manor currently look elsewhere to provide, including: Healthcare services, including hospitals, Retail and entertainment, and Specialized facilities that support workforce and skills development, such as information technology, skilled trades and advanced manufacturing.

The land use breakdown of the Commercial Corridor designation is 100% non-residential development, and that is further broken down to be: 70% retail, 10% office, 10% industrial, and 10% other (such as civic uses). If all the 15,000 SF requested by the applicant is used as Professional Office, Medical Office, and Medical Clinic, that would represent approximately 64% of the total square footage of the development.

In previous SUP requests for other developments, staff has supported no more than 10% of office-type uses in large and medium-scale commercial developments. However, that 10% limit is based on the FLUM as well as whether the subject property generates sales taxes or not. In many previous requests the city would collect sales tax, but on this request before the Commission and City Council, the city does not collect sales tax and that tax goes to ESD 12. As no sales tax is currently collected from this property, staff can support a higher percentage of non-sales tax generating uses, such as the requested Professional Office, Medical Office, and Medical Clinic as a means to alleviate the demand for those uses on properties where the city does collect sales tax, such as in Manor Crossing and the under construction Manor Commons Ph. 3. By creating an area with ample non-sales tax generating uses allowed through a Specific Use Permit, as staff receive inquiries for potential developments, the requestor(s) can be directed to this project, or other similar ones if those are approved, rather than the requestor attempting to obtain a Specific Use Permit in a development or a particular lot where the city does collect sales tax.

#### **Sec. 14.03.005 - Criteria for approval.**

(a) In recommending that a specific use permit for the premises under consideration be granted, the planning and zoning commission shall determine that such proposed use(s) are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, area or security lighting, heights of structures and compatibility of buildings. The planning and zoning commission and city council shall consider the following criteria in determining the appropriateness of the specific use permit request:

##### **(1) Whether the use is harmonious and compatible with its surrounding existing uses or proposed uses;**

*The current uses surrounding the property are: North – Compass Rose Charter School, East – Large lot residential and Agricultural (ETJ), South – Vacant (ETJ – part of Shadowglen commercial), West – Commercial/Agricultural (part in-city zoned Agricultural, part ETJ).*

*The future uses according to the FLUM are: North, South, and West are Commercial Corridor, East is Neighborhoods (residential).*

*The properties along FM 973 are currently used for primarily commercial uses, which would include educational, and the FLUM intends for these uses to be continued and expanded. Professional office, medical office, and medical clinic uses would be harmonious with other surrounding commercial uses.*

**(2) Whether the activities requested by the applicant are normally associated with the requested use;**

*Medium to large-scale commercial centers typically have a range of uses, including those requested by the applicant. It would be typical to see one or more of the requested uses in a multi-tenant building similar to what the applicant is constructing.*

**(3) Whether the nature of the use is reasonable; and**

*Given that this property does not allocate its collected sales taxes to the city, the request for 15,000 SF, or approximately 64% of the development, is reasonable as it could serve to alleviate demand for those uses in developments and on other properties where the city does collect sales tax.*

**(4) Whether any adverse impact on the surrounding area has been mitigated.**

*The entire project was developed per city regulations, and no known or anticipated additional mitigations are necessary if the specific uses of Professional Office, Medical Office, and Medical Clinic are approved for this location.*

The Planning and Zoning Commission was supposed to hear this item on April 8<sup>th</sup>, but due to a lack of quorum, it has been postponed to May 13<sup>th</sup>, which also requires the council hearing to be postponed to May 20<sup>th</sup>.

**LEGAL REVIEW:** No  
**FISCAL IMPACT:** No  
**FORM 1295 FILED:** No  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- Letter of Intent
- Location Map
- Project Plan
- Aerial Image
- Future Land Use Map
- Commercial Corridor Dashboard
- Mail Notice and Map
- Notified Property Owners

**STAFF RECOMMENDATION:**

The city staff recommends that the City Council postpone the Specific Use Permit for 15,000 square feet of Professional Office, Medical Office, and Medical Clinic, one (1) lot on 3.11 acres, more or less, being located at 13801 N FM 973, Manor, TX to the May 20, 2026 regular council meeting.