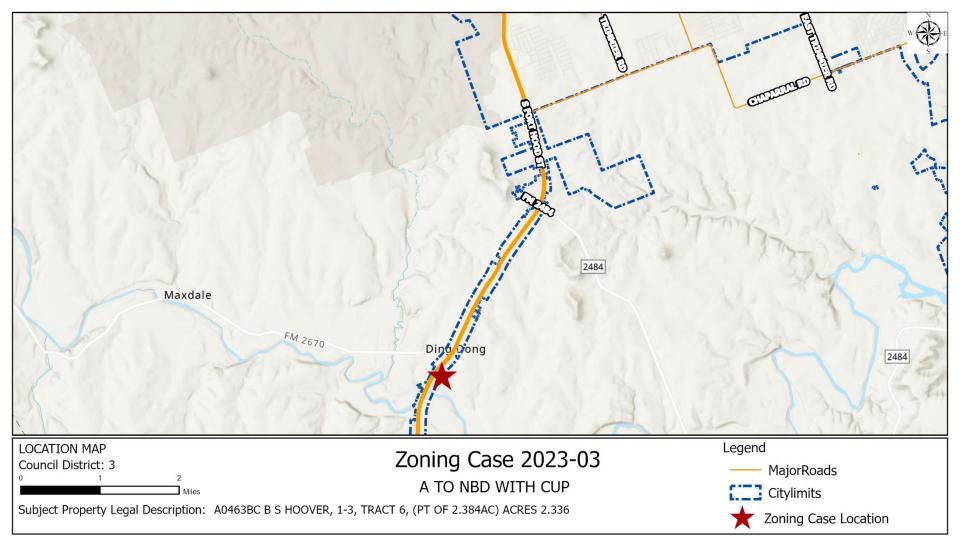
CASE #Z23-03: "A" TO "NBD" W/ CUP

PH-23-023 April 18, 2023

- **HOLD** public hearing and consider an ordinance requested by Franklin Land Associates, LLC, on behalf of Castrong, LLC (Case #**Z23-03**), to rezone approximately 2.34 acres out of the B.S. Hoover Survey, Abstract No. 463, from "A" (Agricultural District) to "NBD" (Neighborhood Business District) with a Conditional Use Permit (CUP) to allow for a single-tenant general retail store no greater than 10,641 square feet.
- The property is located east of State Highway 195 and north of the Lampasas River, Killeen, Texas.





AERIAL MAP
Council District: 3
0 175 350

Zoning Case 2023-03
A TO NBD WITH CUP

Citylimits

Zoning Case

Subject Property Legal Description: A0463BC B S HOOVER, 1-3, TRACT 6, (PT OF 2.384AC) ACRES 2.336

If approved, the applicant intends to develop a general retail store on the property.

- "NBD" (Neighborhood Business District) allows most uses permitted within "B-3" (Local Business District), including retail uses.
- However, per Sec. 31-316.2 states: "A building or premises in the "NBD" district shall not exceed gross building size of 10,000 square feet and no single leased/owned business area shall exceed 4,000 square feet."
- □ The Conditional Use Permit (CUP) is needed because the applicant intends to develop a single-tenant building greater than 10,000 sq. ft.

### Comprehensive Plan Analysis

Not located within a Killeen Development Zone

Zoning districts (excluding special districts):

- □ 34% agricultural districts;
- 53% residential zoning districts;
- □ 12% non-residential zoning districts.
  - Without Killeen Transfer Station (414 acres) 5% nonresidential zoning districts

### Comprehensive Plan Analysis

- □ This request is consistent with 'Neighborhood Commercial' designation on the FLUM, which promotes a use mix of up to 100% non-residential and 25% residential uses.
- □ The request supports or furthers the following 2022 Comprehensive Plan recommendations:
  - LU1 Use place types and complete neighborhoods as building blocks
  - **NH4** Build complete neighborhoods

## Comprehensive Plan Analysis

Staff finds that this request aligns with the Comprehensive Plan recommendation regarding moving towards a more neighborhood-centric community that brings people together keeping in mind the needs of the resident at a more local or neighborhood scale.

#### **Environmental Assessment**

- The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA).
- There is a riverine habitat on the property as identified on the National Wetlands Inventory (R45SBC).



View of the subject property looking north:

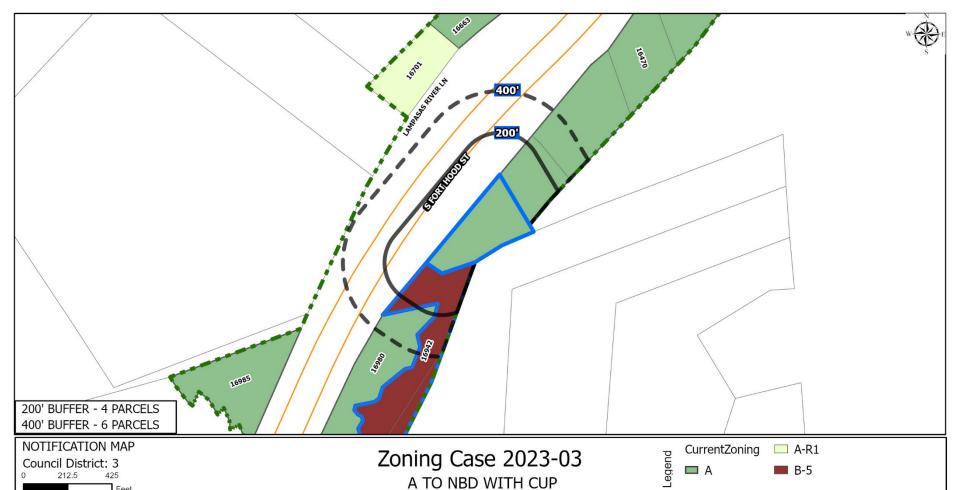


View of SH 195 looking west:



### **Public Notification**

- Staff notified four (4) surrounding property owners regarding this request.
- Of those notified, two (2) reside outside of the 200-foot notification boundary required by the State, and within the 400-foot notification boundary required by Council; and two (2) property owners reside outside of Killeen.
- □ To date, staff has received zero (0) written response in opposition regarding this request.



Subject Property Legal Description: A0463BC B S HOOVER, 1-3, TRACT 6, (PT OF 2.384AC) ACRES 2.336

### Alternatives

- The City Council has two (2) alternatives. The Council may:
  - Disapprove the applicant's CUP request; or
  - Approve the applicant's CUP request as presented.

### Staff Recommendation

- Staff finds that this request is consistent with the policies and principles of the 2022 Comprehensive Plan as indicated in the Comprehensive Plan Analysis.
- □ Therefore, staff recommends approval of the applicant's request for "NBD" (Neighborhood Business District) with a Conditional Use Permit (CUP) to allow for a single-tenant general retail store no greater than 10,641 square feet.

#### Commission Recommendation

- At their regular meeting on March 20, 2023, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 7 to 1 with Vice Chair Gukeisen in opposition.
- Vice Chair Gukeisen expressed concerns regarding development in the riverine habitat located on the property. He also stated concerns regarding giving up too much agricultural area for small commercial developments.