

## CITY COUNCIL MEMORANDUM

### AGENDA ITEM

### ZONING CASE #Z16-22 "B-3" (LOCAL BUSINESS DISTRICT) TO "B-4" (BUSINESS DISTRICT)

### ORIGINATING DEPARTMENT

### PLANNING & DEVELOPMENT SERVICES

This request is submitted by Christian House of Prayer, Inc. to rezone Lot 1, Block 1, Christian House of Prayer Addition and Lot 1, Block 1, Christian House of Prayer Addition Phase 3, from "B-3" (Local Business District) to "B-4" (Business District). The property is located on the southwest corner of E. Stan Schlueter Loop (FM 3470) and Cunningham Road. The properties are locally known as 2904 and 3300 Stan Schlueter Loop, Killeen, Texas. The property owners are rezoning the property to allow for trailer rental and sales.

#### **District Descriptions:**

A building or premises in a district "B-4" Business District shall be used only for the following purposes:

- (1) Any use permitted in the "B-3" district
- (2) Trailer rental and sales
- (3) Auto sales. Where the major business is the showroom display and sale of new automobiles by an authorized dealer and used car sales, repair work and storage facilities on the same premises shall be purely incidental; provided, that the area allowed for the repair and storage of cars shall not be nearer than twenty (20) feet from the required front line of the principal building
- (4) Auto sales. Used cars; no salvage, dismantling or wrecking on premises; no display of vehicles in required front yard; junked vehicles must be placed behind a screening device
- (5) Commercial parking (public garage or parking lot)
- (6) Auto upholstery or muffler shop
- (7) Auto repair (garage), with on-site junked vehicles being enclosed within a building
- (8) Cold storage plant (locker rental)
- (9) Building material or lumber sales (no outside storage)
- (10) Cleaning, pressing and dyeing:
  - a. No direct exterior exhaust from cleaning plant permitted
  - b. Dust must be controlled by either bag or filter and separator or precipitator so as to eliminate the exhausting of dust, odor, fumes or noise outside the plant.
- (11) Garden shop, greenhouse or nursery (retail)
- (12) Ballpark, stadium, athletic field (private)
- (13) Philanthropic institutions (not elsewhere listed)
- (14) Cabinet, upholstery, woodworking shop
- (15) Plumbing, electrical, air conditioning service shop (no outside storage)
- (16) Trade or business school
- (17) Garment manufacturing in a space of four thousand (4,000) square feet or less, with all loading and unloading off-street

## **Property Specifics**

**Applicant/Property Owner:** Christian House of Prayer, Inc.

**Property Location:** The property is located on the southwest corner of the intersection of E. Stan Schlueter Loop (FM 3470) and Cunningham Road. The properties are addressed as 2904 and 3300 E. Stan Schlueter Loop, Killeen, Texas.

**Legal Description:** Lot 1, Block 1, Christian House of Prayer Addition and Lot 1, Block 1, Christian House of Prayer Addition Phase 3, Plat Records of Bell County, Texas.

### **Zoning/ Plat Case History:**

- This property was zoned to "B-3" (Local Business District) on September 27, 2011, per Ordinance No. 11-87.
- The subject property is platted as Lot 1, Block 1, Christian House of Prayer Addition and Lot 1, Block 1, Christian House of Prayer Addition Phase 3.

## **Character of the Area**

**Existing Land Use(s) on the Property:** The subject site is currently the site of the Christian House of Prayer and associated retail/commercial uses (the Village Square). There are single-family and agricultural zoned properties to the west and south of this site. Those lots are acreage parcels with an average depth of 788 feet and 964 feet, as measured from Onion Road and Love Road, respectively.

**Historic Properties:** There are no historic structures on this property.

### **Figure 1. Zoning Map**

See Attachment

## **Infrastructure and Community Facilities**

### **Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer, and drainage utility services are available to the above subject property located within the City of Killeen municipal utility service area. Adequate potable water and sanitary sewer capacity are available, and in service, to the current businesses located on the property. Public storm drainage infrastructure is limited to public rights-of-way and detention of post development storm water run-off may be required if additional impervious surfaces are constructed within the existing subdivision. No extension of municipal infrastructure is required for this rezoning. Public Works personnel have performed only a basic assessment of publicly-dedicated water, sanitary sewer, and storm water infrastructure that would serve this property. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide

safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for re-development of the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.

**Transportation:**

Existing conditions: Stan Schlueter Loop (FM 3470) and Cunningham Road are classified (respectively) as a 110' principal arterial and a 90' minor arterial on the City's adopted Thoroughfare Plan. Ingress/egress for FM 3470 is controlled by the state and disciplined by TxDOT's access management policies; additional access is currently available to the tract from the abutting minor arterial to the east (Cunningham Road). The applicant is advised that ingress/egress to and from Cunningham Road will be disciplined through the policies of the City's Thoroughfare Development Manual when the property is developed/re-developed.

Proposed Improvements: There are no planned transportation improvements as part of this zoning request.

Projected Traffic Generation: There will be virtually no increase in traffic as a result of this consideration.

**Environmental Assessment**

**Topography/Regulated Floodplain/Floodway/Creek:** The property ranges in elevation from 856 feet to 880 feet in elevation. The northwest corner of the tract lies within a FEMA regulatory Special Flood Hazard Area (SFHA). There are no known wetlands on the parcel. Detention of post development storm water run-off would be required if the property is further developed. Public storm drainage infrastructure lies within the abutting rights-of-way of FM 3470, prior to entering an urbanized tributary (Little Nolan Creek) that flows to north into South Nolan Creek. A portion of the property drains southward and ultimately enters Trimmier Creek. Currently, there is no public drainage infrastructure along the southern boundary of the property. Little Nolan Creek and South Nolan Creek are currently listed on the TCEQ's 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients. Trimmier Creek currently listed on the TCEQ's 303(d) water quality list for concerns for near non-attainment for macrobenthic community.

**Land Use Analysis**

**Land Use Plan:** This area is designated as 'General Commercial' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Plan Recommendation:** The 'General Commercial' character encourages a wide range of commercial, retail and service uses, at varying scales and intensities depending on the site.

**Consistency:** This request is consistent with the Comprehensive Plan.

**Public Notification**

The staff notified forty-two (42) surrounding property owners regarding this request. Staff has received no protests.

## **Recommendation**

The Planning & Zoning Commission recommended approval of "B-4" (Business District) for approximately 47 acres, being all of Lot 1, Block 1, Christian House of Prayer Addition Phase 3 and the western 7.7 acres of Lot 1, Block 1, Christian House of Prayer Addition, by a vote of 6 to 0. The request is consistent with the Comprehensive Plan's Future Land Use Map (FLUM). The trailer rental and sales are a component of the Village Square land uses located on the site.