



# CASE #Z24-20: “B-3” TO “B-C-1”

PH-24-043

October 22, 2024

# Case #Z24-20: “B-3” to “B-C-1”

- **HOLD** a public hearing and consider a request submitted by Gary Davis on behalf of Whitley Trucking, LLC (**Case #Z24-20**) to rezone Lots 1-3, Block 1 out of the Cox Addition from “B-3” (Local Business District) to “B-C-1” (General Business and Alcohol Sales District).
- The subject property is locally addressed as 1906 North 8th Street, Killeen, Texas.

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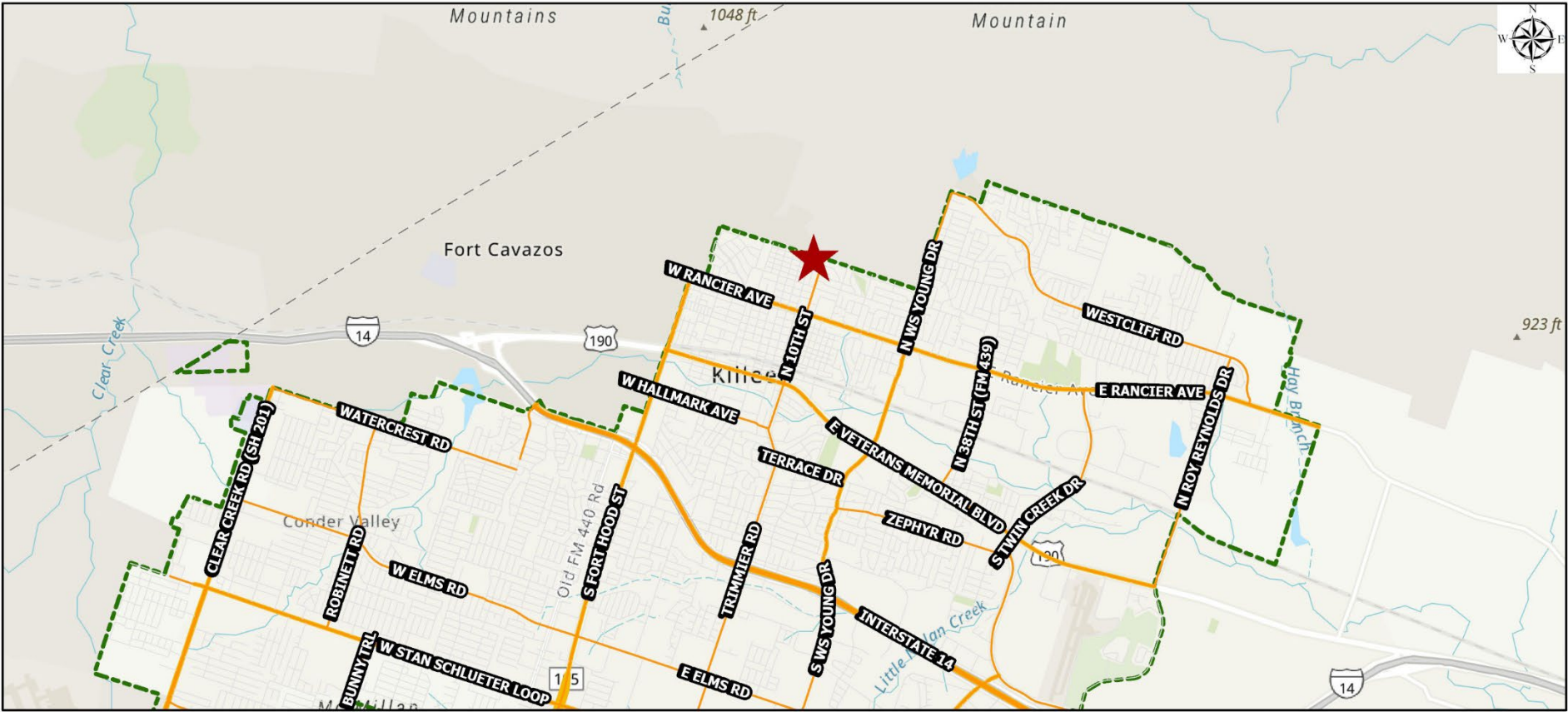
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- Gary Davis on behalf of Whitley Trucking, LLC has submitted a request to rezone Lots 1-3, Block 1 out of the Cox Addition from “B-3” (Local Business District) to “B-C-1” (General Business and Alcohol Sales District). The applicant intends to convert the existing vacant structure to a hookah bar and cigar lounge and sell alcohol for on-premise consumption.

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- In accordance with the Killeen Code of Ordinances Sec. 31-351(1), “business establishments dispensing alcoholic beverages under the Texas Alcoholic Beverage Code” require “B-C-1” (General Business and Alcohol Sales District) zoning.



**LOCATION MAP**

Council District: 1



Subject Property Legal Description: COX, BLOCK 001, LOT 1, 2, 3, MICKEY'S 18 0.36 ACRES

**Zoning Case 2024-20**  
**B-3 TO B-C-1**

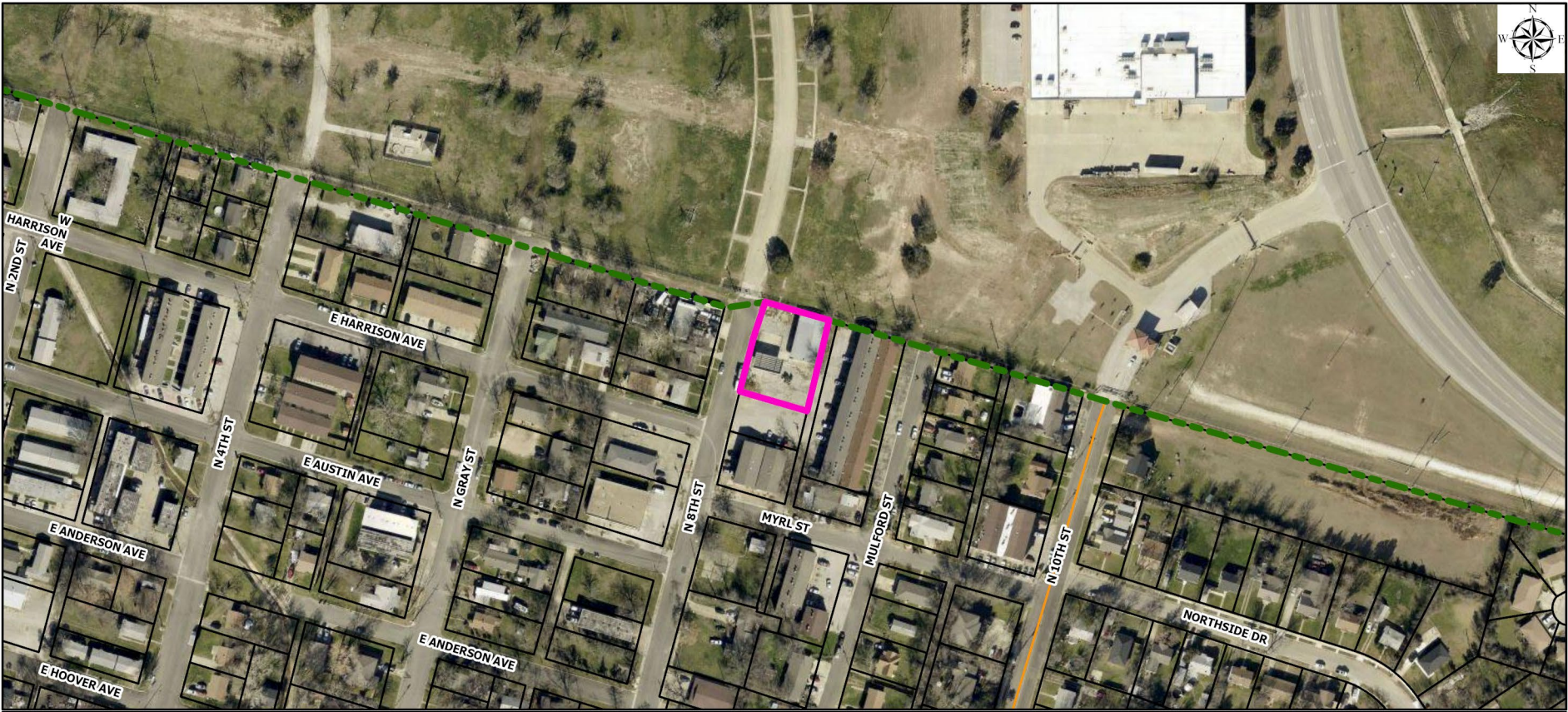
**Legend**

Major Roads

City Limits

Zoning Case Location





AERIAL MAP

Council District: 1



# Zoning Case 2024-20

B-3 TO B-C-1

Legend



Subject Property Legal Description: COX, BLOCK 001, LOT 1, 2, 3, MICKEY'S 18 0.36 ACRES



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Subject properties looking north:



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Subject properties looking south:





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Subject properties looking east:



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Subject properties looking west:



# Comprehensive Plan Analysis

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- ❑ The subject properties are designated 'Traditional Neighborhood' on the Future Land Use Map (FLUM) of the Comprehensive Plan.
- ❑ This 'Traditional Neighborhood' place type recreates the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and a mix of uses.
- ❑ This place type encourages a fifty percent (50%) nonresidential and eighty percent (80%) residential use mix.

# Comprehensive Plan Analysis

- ❑ These parcels are in the 'Infill & Enhance' sector on the Growth Sector Map.
- ❑ Parcels in this sector have existing development and full service, but are located in areas where additional population, higher development intensities, and integration of uses is desired.
- ❑ This sector is primarily located in downtown and the neighborhoods immediately around it.
- ❑ Growth policies for this area should support infill, redevelopment, and infrastructure projects and accommodate more residents and small businesses while improving walkability.



# Comprehensive Plan Analysis

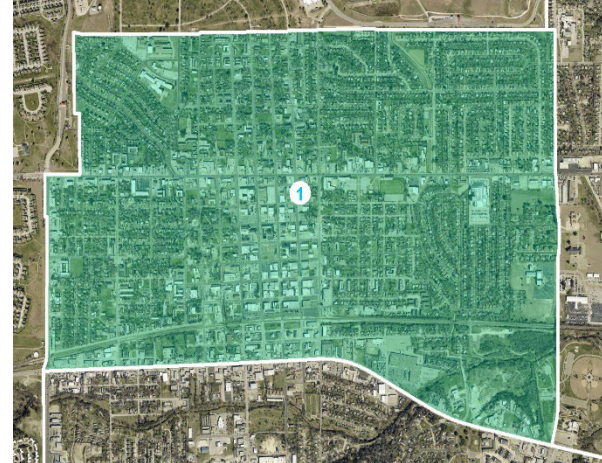
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- The Comprehensive Plan promotes incremental redevelopment of properties in Killeen that can add to widespread improvement.
- This request supports or furthers the following Killeen 2040 Comprehensive Plan recommendations:
  - ▣ **LU3** – Encourage incremental evolution of neighborhoods.
  - ▣ **LU4** – Prioritize infill and revitalization in north Killeen.
- Staff finds that the request is consistent with the recommendations of the Killeen 2022 Comprehensive Plan.

# Development Zone Analysis

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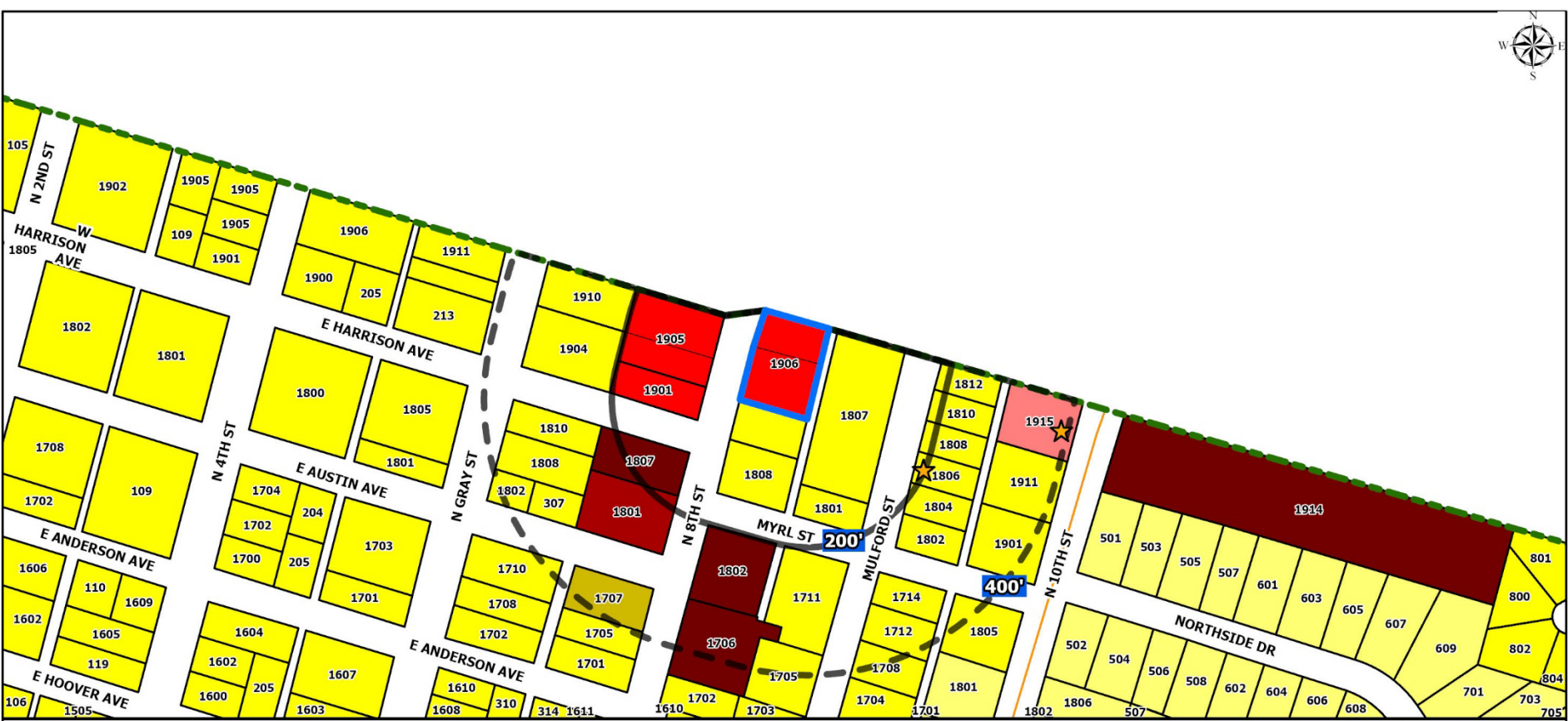
- ❑ The property is located within Killeen Development Zone #1.
- ❑ The current land use mix within this area is comprised of 66.38% residential uses and 33.17% commercial uses.
- ❑ Zoning district breakdown:
  - ▣ Special Districts 0.13%
  - ▣ Residential 66.25%
  - ▣ Industrial 5.85%
  - ▣ Commercial 27.32%
  - ▣ Agricultural 0.00%



# Public Notification

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- Staff notified thirty-two (32) surrounding property owners regarding this request.
- Of those property owners notified, nineteen (19) reside outside the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by the Council, and seventeen (17) live outside Killeen.
- To date, staff has received two (2) written response in opposition to the request and no responses in favor of this request from surrounding property owners.



RESPONSE MAP  
Council District: 1



Subject Property Legal Description: COX, BLOCK 001, LOT 1, 2, 3, MICKEY'S 18 0.36 ACRES

## Zoning Case 2024-20

### B-3 TO B-C-1

Legend	Current Zoning	B-4	R-3
	B-2	B-5	R-3F
	B-3	R-1	
	Opposed		



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- The property is located adjacent to Fort Cavazos and is included in the North Killeen Revitalization Area. Ingress and egress to the south, toward E. Rancier Ave., is via the existing North 8th Street, which is considered a 55' wide local street. Local traffic due to the proposed zoning change is expected to be less than the previous use.
- A traffic impact analysis is not required.

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- There are no proposed parks or trails located adjacent to or on this site. Parkland dedication, fees in lieu of, and parkland development fees will not be required in accordance with Section 26-129(B)1 as the proposed development is nonresidential in nature.

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- The property is within a Zone X FEMA-regulatory Special Flood Hazard Area (SFHA).
- Water, sanitary sewer, and drainage utility service will be provided by the City of Killeen.

# Staff Findings

- Staff finds that the applicant's request is consistent with the recommendations outlined in the Killeen 2040 Comprehensive Plan. However, staff is of the determination that the applicant's request is not consistent with the prevailing community character of the adjacent properties.
- Staff finds that approval of the requested "B-C-1" zoning would have a negative impact on the surrounding properties and the neighborhood in general.



# Staff Recommendation

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- Therefore, staff recommends disapproval of the request to rezone the properties from “B-3” (Local Business District) to “B-C-1” (General Business and Alcohol Sales District) as presented.

# Commission Recommendation

- At their regular meeting on September 9, 2024, the Planning and Zoning Commission recommended disapproval of the request by a vote of 5 to 1 with Commissioner Marquez voting in opposition to the motion.
- In accordance with Killeen Code of Ordinances Sec. 31-39(e), approval of the request will require the favorable vote of three-fourths ( $3/4$ ) of all the members of the City Council (6 affirmative votes).