

- (22) Gasoline service station, auto laundry or car wash
- (23) Auto parts sales, new, at retail
- (24) A customarily incidental use: sale of beer and/or wine only for off-premises consumption only shall be considered a customarily incidental use in this district, but not in any residential district or any more restrictive business district
- (25) Theaters of general release
- (26) Mini/self-storage facilities - a building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual compartmentalized and controlled access stalls or lockers for the storage of customer's goods or wares. No outside storage, sales, service or repair activities, other than the rental of storage units shall be permitted on premises

Property Specifics

Applicant/Property Owner: Thayne and Rikki Bright

Property Location: The property is located at 3901 and 4001 Robinett Road, Killeen, Texas.

Legal Description: Approximately 11 acres, being part of the T. Robinett Survey, Abstract No. 686

Zoning/ Plat Case History:

- There is no recent zoning activity for this property.
- The property has not been platted.

Character of the Area

Existing Land Use(s) on the Property: The property currently contains two residential structures. There is residential development to the west and south of the property. The property east of this site is currently zoned "B-3" (Local Business District).

Figure 1. Zoning Map

See attachment.

Historic Properties: None

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 readily available to the above subject property proposed to be rezoned within the City of Killeen municipal utility service area. However, in accordance with the City of Killeen Code of Ordinances, the developer is required to extend public utilities to the property in accordance

with the plan of service validated with any approved plat case(s). Detention of post development storm water run-off may be required if the property is further developed. Currently sheet flow runoff directly enters South Nolan Creek before exiting the property being zoned. While this section of South Nolan Creek is unimpaired, approximately 6 miles downstream South Nolan Creek is currently listed on the TCEQ's 2014 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

It shall be noted that Public Works personnel have performed only a basic assessment of publicly-dedicated water and sanitary sewer 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: The property has frontage along W. Elms Road and Robinett Road, which are both classified as 90' minor arterials on the City's adopted Thoroughfare Plan.

Proposed Improvements: None

Projected Traffic Generation: Traffic generation is undetermined at this point as a development scheme has not been provided.

Environmental Assessment

Topography/Regulated Floodplain/Floodway/Creek: This property contains a FEMA regulatory Zone AE Special Flood Hazard Area (SFHA). Approximately 1.57 acres of the SFHA is floodway and approximately 3.62 acres of the area is floodplain. Approximately 69% of the site has soils with less than a 1% slope and are classified as frequently flooded. There is also an unnamed tributary, locally known as Robinett Creek, that bisects the property and flows from southeast to northwest. A Creek Buffer Zone (CBZ) will be required along both watercourses at the time of platting. Additionally, a portion of the southwest corner of the area being zoned contains, or abuts, an area identified as Freshwater Emergent Wetland.

Land Use Analysis

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

Plan Recommendation: The 'Rural' designation encourages wide open landscapes, very high open space ratios and low density development.

Consistency: The request is not consistent with the Comprehensive Plan's FLUM. However, the applicant has submitted a concurrent FLUM amendment request from 'Rural' to 'Suburban Commercial' along with this zoning request.

Public Notification

The staff notified sixteen (16) surrounding property owners regarding this request. Staff has received one response in opposition from Ms. Angela Johnson, the owner of 4101 Janelle Court.

Recommendation

The Planning & Zoning Commission recommended approval of "B-3" zoning by a vote of 4 to 0.