



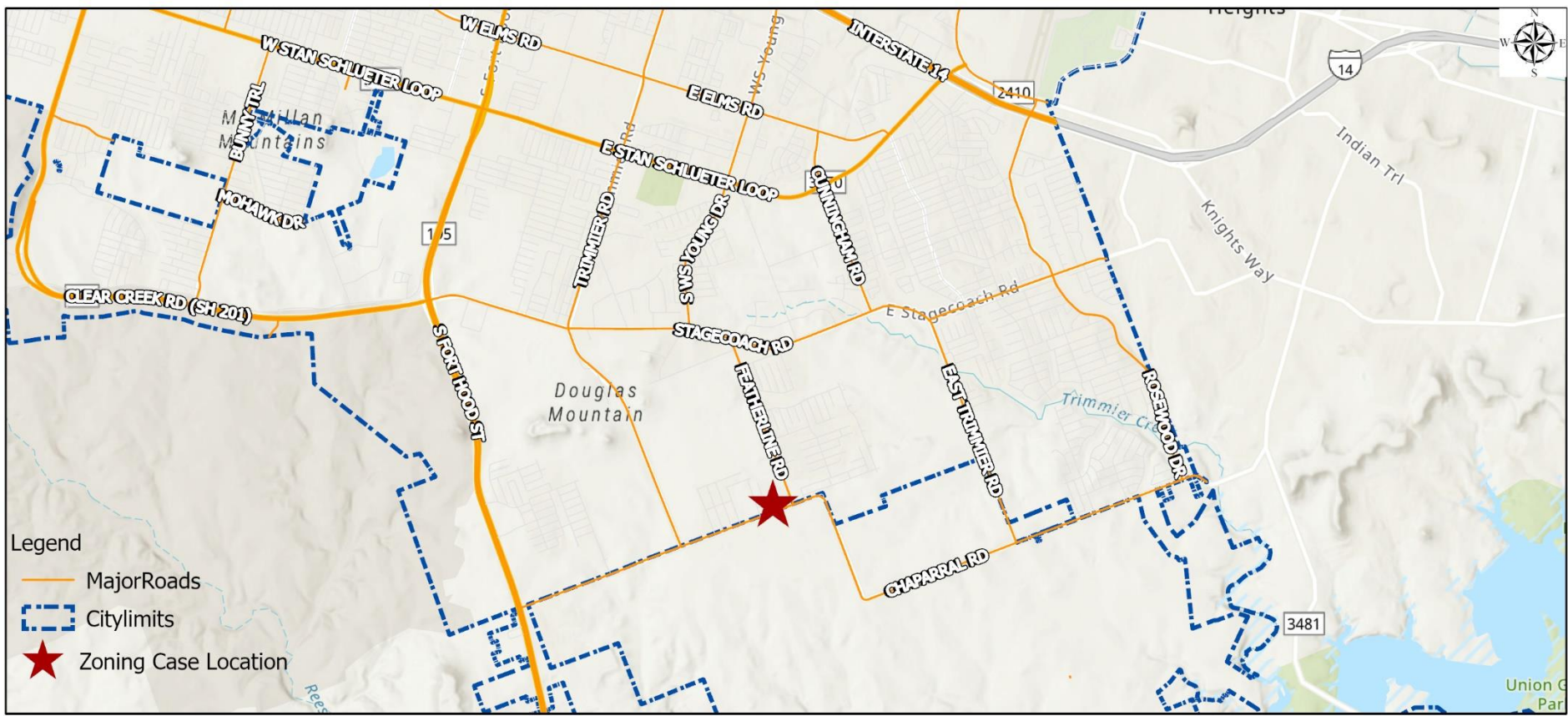
CASE #Z22-13: “R-1” TO “B-3”

PH-22-023

April 5, 2022

## Case #Z22-13: “R-1” to “B-3”

- ❑ **HOLD** a public hearing and consider an ordinance requested by Franklin Land Associates, LLC. on behalf of D&SC Enterprises, Inc. (**Case #Z22-13**) to rezone approximately 1.516 acres out of the W H Cole, Abstract No. 200 from “R-1” (Residential Single-Family District) to “B-3” (Local Business District).
- ❑ The property is located west of Featherline Road & north of Chaparral Road, Killeen, Texas.



Attachment #4

Location Map

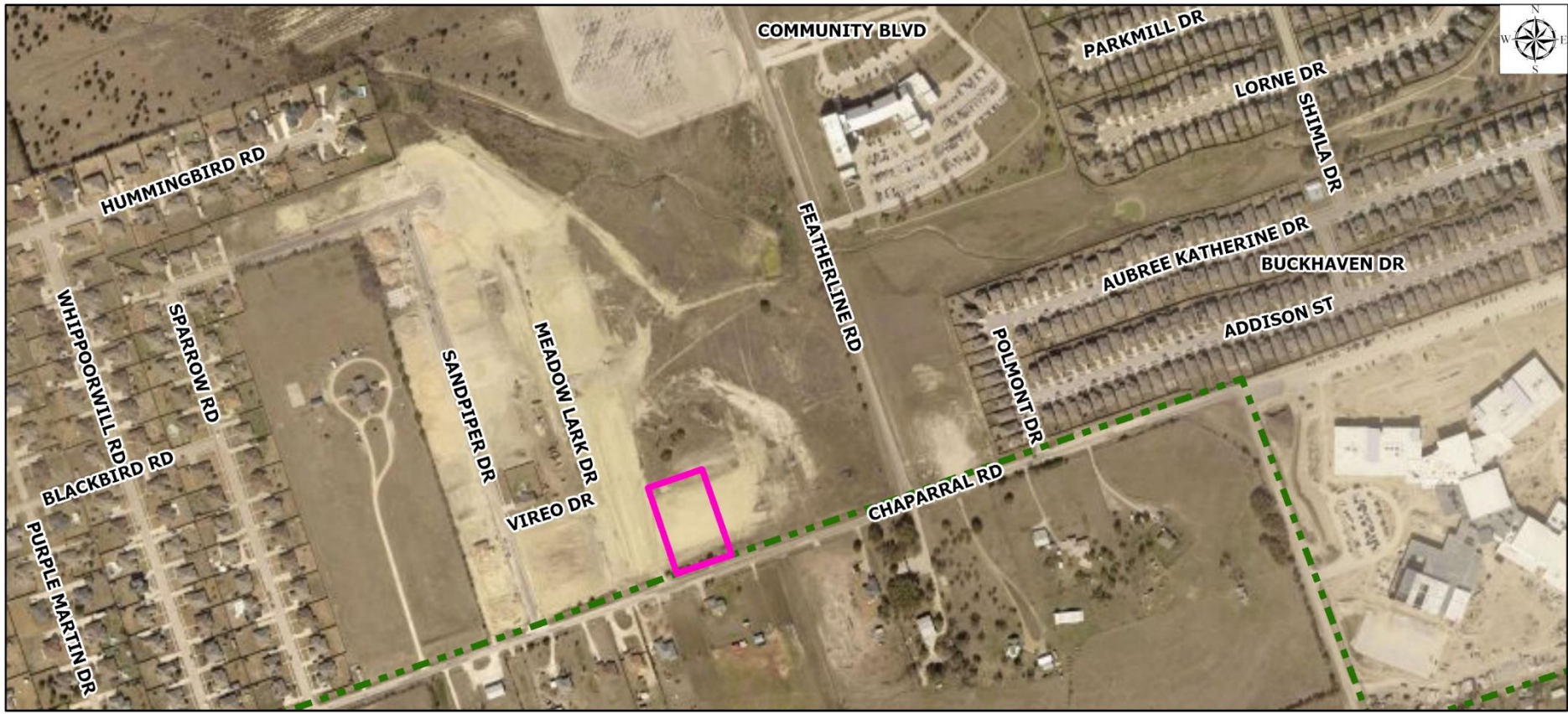
Council District: 3

Subject Property Legal Description: A0200BC W H COLE, 1, ACRES 1.516

# Zoning Case 2022-13

## R-1 to B-3





Attachment #3

Council District: 3



Subject Property Legal Description: A0200BC W H COLE, 1, ACRES 1.516

# Zoning Case 2022-13

R-1 to B-3

Legend

 Citylimits

 Zoning Case Location

# Case #Z22-13: “R-1” to “B-3”

5

- If approved, the owner intends to develop the property as a general retail store of approximately 10,640 square feet.
- This property is designated as ‘Suburban Commercial’ (SC) on the Future Land Use Map (FLUM) of the Comprehensive Plan.
- This request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan.



# Case #Z22-13: “R-1” to “B-3”

- The ‘Suburban Commercial’ (SC) designation encourages the following development types:
  - ▣ Range of commercial retail and service uses, at varying scales and intensities depending on the site
  - ▣ Office (both large and/or multi-story buildings and small-scale office uses depending on the site)
  - ▣ Planned development to accommodate custom site designs or mixing of uses in a Suburban character setting
  - ▣ Public/institutional
  - ▣ Parks and public spaces



200' BUFFER - 9 PARCELS  
 400' BUFFER - 22 PARCELS

Attachment #5

Zoning Map

Council District: 3

Subject Property Legal Description: A0200BC W H COLE, 1, ACRES 1.516

# Zoning Case 2022-13

R-1 to B-3



# Case #Z22-13: “R-1” to “B-3”

- The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA). There are no other known wetland areas on or adjacent to the property as identified on the National Wetlands Inventory.



# Case #Z22-13: “R-1” to “B-3”

9

View of the subject property looking north:



# Case #Z22-13: “R-1” to “B-3”

10

View of the surrounding property to the east:



# Case #Z22-13: “R-1” to “B-3”

11

Surrounding property to the west:



# Case #Z22-13: “R-1” to “B-3”

12

Adjacent property to the south (across Chaparral Rd):



# Public Notification

- Staff notified twenty-two (22) surrounding property owners regarding this request.
- Of those notified, thirteen (13) properties are located outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and two (2) property owners reside outside of Killeen.
- To date, staff has received one (1) written response in support of this request.





# Zoning Case 2022-13

## R-1 to B-3

- Legend**
- CurrentZoning
  - B-3
  - R-3
  - PUD
  - R-1



# Staff Findings

- If approved, “B-3” (Local Business District) allows commercial uses including boat sales; oil and lube stations; hotels and motels; auto part sales (new, at retail); mini/self-storage facilities; and storage warehouses (with leasable space of less than twenty-five thousand (25,000) square feet).

# Staff Findings

- The subject property abuts residentially zoned property on the north, east, and west sides.
- Staff finds that a small general retail store would be appropriate in this location, but that “B-3” (Local Business District) allows several uses that would not be appropriate in this location.

# Staff Findings

- "NBD" (Neighborhood Business District) was established to “provide for limited commercial uses serving the common and frequent needs of the residents in the immediate vicinity.”
- The “NBD” (Neighborhood Business) district allows all uses permitted in “B-3” (Local Business District) with several exceptions – including hospitals, appliance sales, boat sales and rentals, drive-through restaurants, hotels, gas stations with more than 4 pumps, mini/self-storage facilities, auto parts stores, and oil/lube stations.

# Staff Findings

- However, Sec. 31-316.2 states that “a building or premises in "NBD" (Neighborhood Business 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.
- In this case, the applicant intends to build a single-tenant retail store of approximately 10,640 square feet.

# Alternatives

- ❑ The City Council has four (4) alternatives. The Council may:
  - ❑ Disapprove the applicant's zoning request;
  - ❑ Approve a more restrictive zoning district than requested by the applicant;
  - ❑ Approve a conditional use permit; or
  - ❑ Approve the applicant's zoning request as presented.

# Staff Findings

- Staff recommends approval of “NBD” (Neighborhood Business District) with a Conditional Use Permit (CUP) for a single-tenant general retail store no greater than 10,650 square feet.
- Staff finds that this would allow the property to be used as contemplated by the applicant, while also limiting uses that are potentially incompatible with the adjacent single-family residential development.



# Commission Recommendation

- ❑ At their regular meeting on March 7, 2022, the Planning and Zoning Commission recommended approval of the applicant's request to rezone the property to "B-3" (Local Business District) by a vote of 7 to 0.