



STAFF REPORT

DATE: July 16, 2019

TO: Ronald L. Olson, City Manager

FROM: Dr. Ray Shanaa, Exec. Dir. Of Planning and Development Services

SUBJECT: ZONING CASE #Z19-14 "R-1" (Single-Family Residential District) and "R-3" (Multifamily Residential District) to "B-3" (Local Business District)

Background and Findings:

This request is submitted by Igor, L.L.C. (**Case #Z19-14**) to rezone part of Lot 1, Block 14, Skyline Terrace 2nd Extension, from R-1" (Single-Family Residential District) and "R-3" (Multifamily Residential District) to "B-3" (Local Business District). The property is addressed as 601 W. Central Texas Expressway, Killeen, Texas.

District Descriptions:

A building or premise in a "B-3" Local Business District shall be used only for the following purposes:

- (1) Any use permitted in the "B-2" district.
- (2) Bakery or confectionery, wholesale.
- (3) Day camp. (4) Hospital, home or center for the acute or chronic ill.
- (5) Mortuary or funeral chapel excluding cremation services.
- (6) Appliance (household) sales and repair service.
- (7) Bakery or confectionery: engaged in preparation, baking, cooking and selling of products at retail on the premises, with six (6) or less employees.
- (8) Boat and accessory sales, rental and service.
- (9) Bowling alleys.
- (10) Cleaning or laundry (self-service).
- (11) Cleaning, pressing and dyeing: with six (6) or less employees.
- (12) Florist, garden shop, greenhouse or nursery office (retail): no growing of plants, shrubs or trees out-of-doors on premises; no outside display or storage unless behind the required front yard or the actual setback of the principal building, whichever is greater.
- (13) General food products, retail sales, such as supermarkets, butcher shops, dairy stores, seafood sales or health food sales.
- (14) Cafeteria or catering service.
- (15) Marine supplies, sales and service.
- (16) Lodges or fraternal organizations with greater than five thousand (5,000) square feet of leasable space.
- (17) Restaurant or café permitted to offer alcoholic beverages for sale operating under the rules and regulations promulgated by the Texas Alcoholic Beverage Commission, as amended, all of which are adopted hereby and made a part hereof for all purposes. No restaurant will be

permitted to dispense any type of alcoholic beverage through any "drive-through" facility or window.

(18) Tennis or swim club.

(19) Small animal clinic, pet grooming shop and/or inside kennel and boarding. No cremation or outside kennels.

(20) Hotel or motel.

(21) Retail uses and businesses of all sizes to include secondhand goods and antiques with no outside storage or display of second hand goods.

(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.

(27) Storage warehouse with leasable space of less than twenty-five thousand (25,000) square feet.

Property Specifics:

Applicant / Property Owner: Igor, L.L.C.

Property Location: The property is addressed as 601 W. Central Texas Expressway, Killeen, Texas.

Legal Description: Part of Lot 1, Block 14, Skyline Terrace 2nd Extension

Zoning/ Plat Case History:

- The property was zoned from "R-1" (Single-Family Residential District) to "R-3" (Multifamily Residential District) as part of a Community Unit Plan, on November 9, 1970, per ordinance no. 70-58.
- This property is a replat of Lots 1 & 2, Block 14, and Part of Block 16, Skyline Terrace 2nd Extension, which was filed for record on August 12, 1988, in Cabinet 8, Slide 142-A, Plat Records of Bell County, Texas.

Character of the Area:

Existing Land Use(s) on the Property: The property is undeveloped. The property abuts single-family and multifamily residential development. A portion of the overall lot was zoned as "B-3" in 1970, and city zoning maps have erroneously illustrated the entirety of Lot 1, Block 14, as "B-3" for an undetermined amount of time.

Historic Properties: None

Community Infrastructure and Environmental Assessment:

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 located within the City of Killeen municipal utility service area and available to the subject tract. However, it will be necessary to extend public utility infrastructure to the lot, prior to the release of the lot for commercial development.

Transportation:

Existing conditions: The current property is accessed via E. Central Texas Expressway and Swope Drive, which are classified as an eighty feet (80') wide, mixed-use Collector and a Local Street, respectively, on the City's adopted Thoroughfare Plan.

Proposed Improvements: None

Projected Traffic Generation: Undetermined.

Environmental Assessment:

There are no known environmental constraints for these lots. The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA) and there are no known wetlands on or adjacent to the parcel.

Land Use Analysis:

Future Land Use Map: This area is designated as 'General Commercial' ('GC') on the Future Land Use Map (FLUM) of the Comprehensive Plan. The Comprehensive Plan defines the 'General Commercial' future land use designation as being auto-oriented in character, which can be offset by enhanced building design, landscaping, reduced site coverage, well-designed signage, etc.

'General Commercial' future land use and character recommended development types:

- Wide 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).
- Public/ institutional
- Parks and public spaces

Consistency: The applicant's zoning request is consistent with the FLUM of the Comprehensive Plan.

Fort Hood Joint Land Use Study (JLUS) Analysis

JLUS Plan: The property is not located in an "Encroachment Awareness Area" as identified within the JLUS.

Section 4.3 of the JLUS describes an "Encroachment Awareness Area" as intending "to serve the purpose of establishing the *current* area in which the partners in this study should maintain heightened vigilance with regard to potentially incompatible civilian land uses encroaching into critical areas that may experience the effects of military training, such as high noise levels."

Public Notification:

Staff notified fifty-three (53) surrounding property owners regarding this request; as of the date of this staff report, no responses have been received.

THE ALTERNATIVES CONSIDERED:

The City Council may:

- approve the applicant's zoning request;
- disapprove the applicant's zoning request; or
- approve a more restrictive zoning district than requested by the applicant.

Which alternative is recommended?

Staff recommends that the City Council approve the applicant's "B-3" zoning request as submitted.

Why?

The request is consistent with the FLUM and will enhance commercial infill development options at this intersection along the Central Texas Expressway corridor.

CONFORMITY TO CITY POLICY:

This zoning request conforms to the City's policy and procedures as detailed in Chapter 31 of the Killeen Code of Ordinances.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

This zoning request does not involve the expenditure of city funds.

Is this a one-time or recurring expenditure?

This is not applicable.

Is this expenditure budgeted?

This is not applicable.

If not, where will the money come from?

This is not applicable.

Is there a sufficient amount in the budgeted line-item for this expenditure?

This is not applicable.

RECOMMENDATION:

The Planning and Zoning Commission recommended approval of the applicant's "B-3" zoning request by a vote of 4 to 0.

DEPARTMENTAL CLEARANCES:

This item has been reviewed by the Legal staff.

ATTACHED SUPPORTING DOCUMENTS:

Maps
Minutes
Ordinance
Considerations