

Nature of the Request

The original request was presented to City Council on December 15, 2015, submitted by Abdul Khan to rezone 10752 S. Fort Hood Street, from "CD" (Cemetery District) with a Conditional Use Permit (CUP) to "CD" (Cemetery District) with a Conditional Use Permit (CUP) to allow for a 9,100 square feet retail store.

City Council reviewed and discussed this request at subsequent City Council meetings. On January 26, 2016, a motion to approve this request failed by a vote of 5 to 2 as a 3/4 majority vote was required for approval.

The applicant is requesting to resubmit this item to the City Council. Section 31-39(f) of the Code of Ordinances requires that a failed zoning petition may not be resubmitted to either the City Council or the Planning and Zoning Commission for twelve months, unless the petition is "substantially changed." The applicant is willing to include necessary architectural design and landscaping improvements in order for this item to be deemed "substantially changed," and resubmitted to both the Planning and Zoning Commission and City Council. Placing this item on the agenda for discussion allows for an opportunity for City Council to discuss desired changes before the applicant resubmits this request.

Property Specifics

Applicant/Property Owner: Abdul Khan

Property Location: The property is located at the intersection of S. H. 195 and Splawn Ranch Road and is addressed as 10752 S. Fort Hood Street, Killeen, Texas.

Existing Land Use(s) on the Property: Vacant parcel.

Land Use Plan: This area is designated as 'Suburban Commercial' on the Future Land Use Map (FLUM) of the Comprehensive Plan and this request is consistent with the Comprehensive Plan.

Staff Recommendation

That Council direct staff whether to place this item on a future agenda, if the applicant is able to submit a substantially changed request.