

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**ZONING CASE #Z16-07 "A-R1"
(AGRICULTURAL SINGLE-FAMILY
RESIDENTIAL DISTRICT) TO "B-2" (LOCAL
RETAIL DISTRICT)**

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

This request is submitted by CPB Investments to rezone approximately 3.0831 acres, being part of the T. Robinett Survey, Abstract No. 686, from "A-R1" (Agricultural Single-Family Residential District) to "B-2" (Local Retail District) for a Texas Department of Public Safety customer service office. The property is located between W. Elms Road and Janelle Drive, east of Clear Creek Road (S.H. 201), Killeen, Texas.

District Descriptions:

A building or premises in the district "B-2" Local Retail District shall be used only for the following purposes:

- (1) Any use permitted in the "B-1" or "B-DC" district.
- (2) Appliance (household) sales.
- (3) Bakery shop (retail sales only).
- (4) Barbershop, beauty shop, to include permanent cosmetics (licensed per V.T.C.A., Health and Safety Code ch. 146, as amended).
- (5) Construction field office and yard: on the job site; for duration of construction only.
- (6) Cleaning or laundry (pick-up station).
- (7) Cleaning or laundry (self-service) using fully automatic equipment, as follows:
 - a. Washers, capacity of not more than sixty (40) pounds.
 - b. Dryers or extractors, capacity of not more than forty (40) pounds.
 - c. Dry cleaning machines
- (8) Custom personal service shops, such as a health studio (to include massage establishments as defined in V.T.C.A., Occupations Code ch.455, as amended), answering service, typing service, tailor, employment agency, FM piped music, income tax service, letter or mailing service, marriage counselor, secretarial service or shoe repair.
- (9) Drugstore or pharmacy
- (10) Electric utility substation
- (11) Florist (retail): retail sales of flowers and small plants. No flower or plant raising or outside display or storage.
- (12) Grocery store (drive-in).
- (13) Bank, savings and loan or other financial institution.
- (14) Registered public surveyor
- (15) Restaurant, coffee shop or café (no drive-in service).
- (16) Retail stores, (other than listed): offering all types of personal consumer goods for retail sales.
- (17) Fine arts instruction, or sale of art objects.
- (18) Lodges and fraternal organizations with less than five thousand (5,000) square feet of leasable space.

(19) Drop-in care centers.

Property Specifics

Applicant/Property Owner: CPB Investments

Property Location: The property is located between W. Elms Road and Janelle Drive, east of Clear Creek Road (S. H. 201), Killeen, Texas.

Legal Description: 3.0831 acres, being part of the T. Robinett Survey, Abstract No. 686.

Zoning/ Plat Case History:

The subject site was disapproved for B-3 (Local Business District) zoning on April 26, 2016.

The property is not platted.

Character of the Area

Existing Land Use(s) on the Property: The property is currently undeveloped. Shoemaker High School is located due north of the subject site. There are numerous restaurant and business uses located west of the site.

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

Water, sanitary sewer, and drainage utility services are located within the City of Killeen municipal utility service area and readily accessible to the subject property. Adequate potable water and sanitary sewer capacity are available to the tract. The property will be platted for a future Texas Department of Public Safety customer service center. Public storm drainage infrastructure lies within the abutting right-of-way. Detention of post development storm water run-off will be required if inadequate capacity remains within existing drainage infrastructure. 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: Ingress/egress to the property would be limited to the single point of existing ingress/egress to West Elms Road, which is classified as a 90' minor arterial street of the City's approved Thoroughfare Plan. Access onto Janelle Drive will be disciplined through AASHTO guidelines. No proposed right-of-way taking affects the property.

Environmental Assessment

Topography/Regulated Floodplain/Floodway/Creek: The tract does not lie within a FEMA regulatory Special Flood Hazard Area (SFHA).

Land Use Analysis

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

Plan Recommendation: The 'General Residential' designation encompasses detached, residential dwelling units, attached housing types, planned developments, as well as parks and public/ institutional places.

Consistency: The 'General Residential' designation encompasses detached, residential dwelling units, attached housing types, planned developments, as well as parks and public/ institutional places. The Comprehensive Plan considers 'General Residential' to be of a medium intensity category/character, and states that "neighborhood-scale commercial uses are expected to emerge over time and should be encouraged on sites and in locations within (or near the edge of) 'General Residential' areas that are best suited to accommodate such uses while ensuring compatibility with nearby residential uses." This request is consistent with the Comprehensive Plan.

Public Notification

The staff notified three (3) surrounding property owners regarding this request. Staff has received no responses.

Recommendation

The Planning & Zoning Commission recommended approval of "B-2" zoning by a vote of 5 to 0, with Commissioner Johnson abstaining from voting on the applicant's request.