



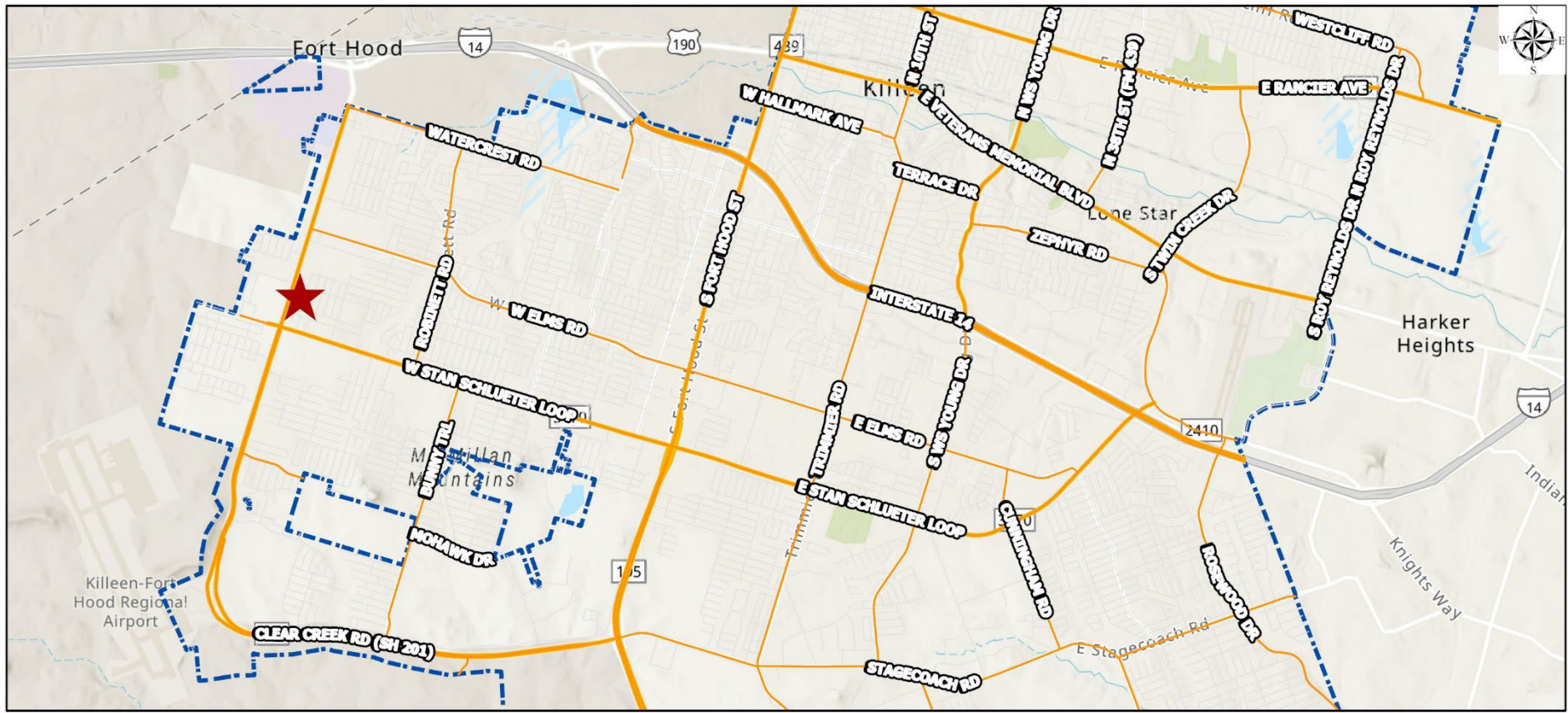
CASE #Z22-30: “B-5” TO “B-C-1”

PH-22-056

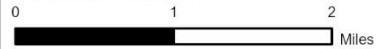
July 19, 2022

Case #Z22-30: “B-5” to “B-C-1”

- ❑ **HOLD** a public hearing and an ordinance requested by All Texas Permits on behalf of First Cavalry Plaza, LLC (**Case #Z22-30**) to rezone a portion of approximately 1.313 acres out of the First Cavalry Plaza, Lot 1, Block 1, from “B-5” (Business District) to “B-C-1” (General Business and Alcohol Sales District).
- ❑ The property is locally addressed as 4310 Clear Creek Road, Suite 130, Killeen, Texas.



LOCATION MAP
 Council District: 4



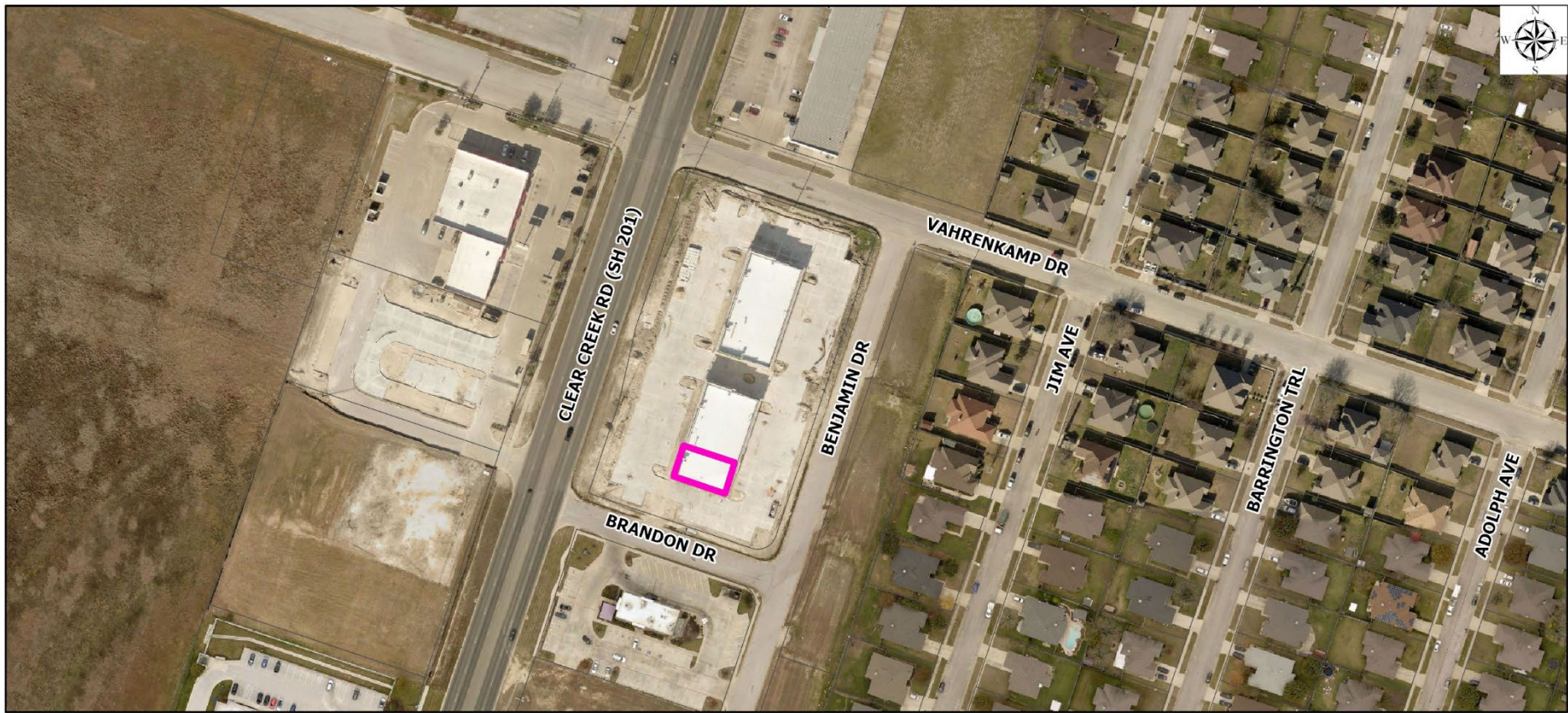
Subject Property Legal Description: 4310 CLEAR CREEK RD STE 130

Zoning Case 2022-30

B-5 TO B-C-1

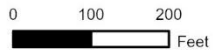
Legend

- Major Roads
- - - City Limits
- ★ Zoning Case Location



AERIAL MAP

Council District: 4



Subject Property Legal Description: 4310 CLEAR CREEK RD STE 130

Zoning Case 2022-30

B-5 TO B-C-1

Legend

 Citylimits

 Zoning Case

Case #Z22-30: “B-5” to “B-C-1”

- If approved, the applicant intends to use the property as a nail salon which serves alcohol beverages.
- In accordance with Killeen Code of Ordinances Sec. 31-351(1), “business establishments dispensing alcoholic beverages under the Texas Alcoholic Beverage Code” require “B-C-1” (General Business and Alcohol Sales District) zoning.
- The property is designated as ‘General Commercial’ (GC) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

Case #Z22-30: “B-5” to “B-C-1”

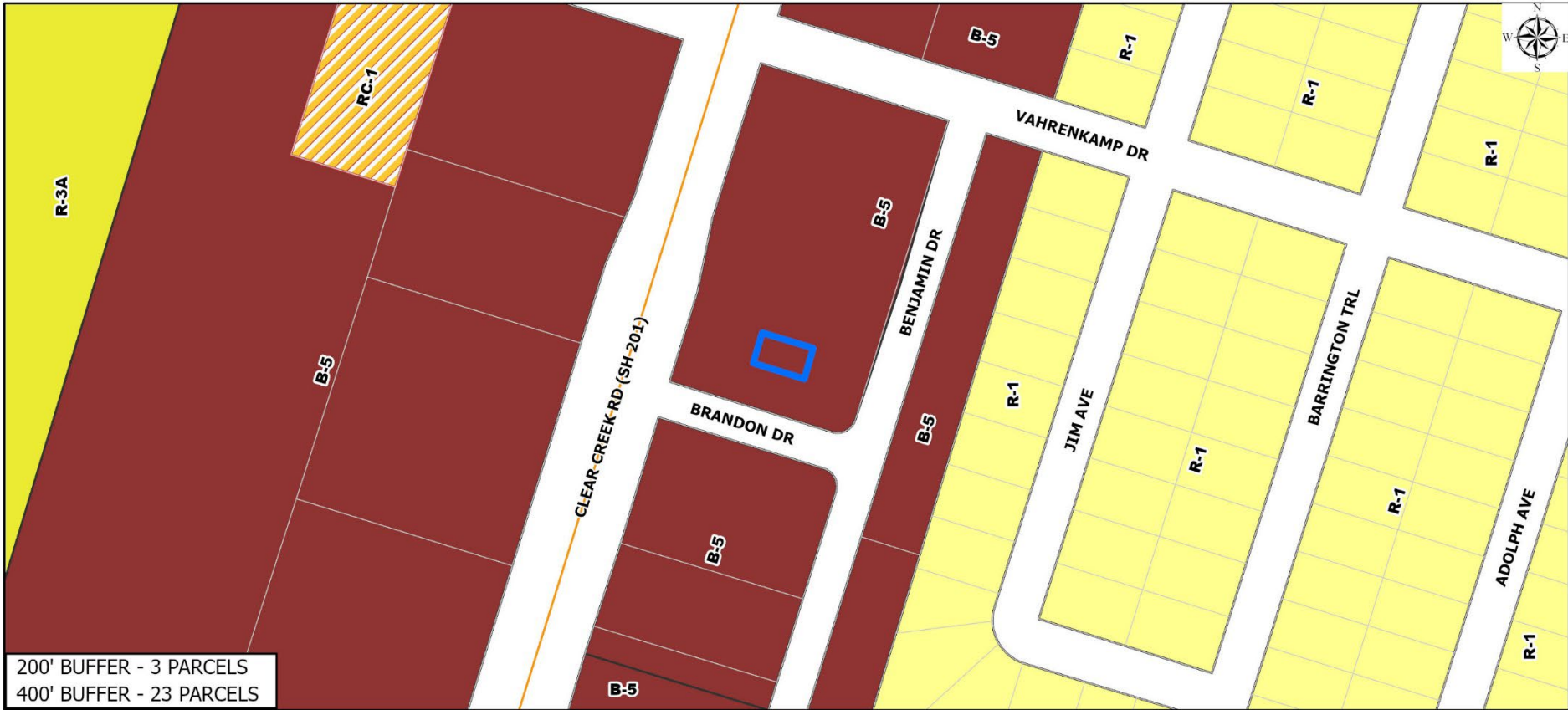
6

- The ‘General Commercial’ (GC) designation encourages the following development types:
 - ▣ Wide range of commercial retail and service uses, at varying scales and intensities;
 - ▣ Office (both large and/or multi-story buildings and small-scale office uses);
 - ▣ Public/ institutional; and
 - ▣ Parks and public spaces.

Case #Z22-30: “B-5” to “B-C-1”

7

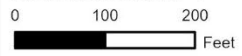
- The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA). There are no other known wetland areas on or adjacent to the properties as identified on the National Wetlands Inventory.



200' BUFFER - 3 PARCELS
400' BUFFER - 23 PARCELS

ZONING MAP

Council District: 4



Zoning Case 2022-30

B-5 TO B-C-1

Subject Property Legal Description: 4310 CLEAR CREEK RD STE 130

Case #Z22-30: “B-5” to “B-C-1”

View of the subject property looking east:



Case #Z22-30: “B-5” to “B-C-1”

10

View of the surrounding property to the south (across Brandon Drive):



Case #Z22-30: “B-5” to “B-C-1”

11

View of the surrounding property to the west (across Clear Creek Drive):



Public Notification

- Staff notified twenty-three (23) surrounding property owners regarding this request.
- Of those notified, twenty (20) reside outside of the 200-foot notification boundary required by the State, and within the 400-foot notification boundary required by Council; and eight (8) property owners reside outside of Killeen.
- To date, staff has received no written responses regarding this request.



200' BUFFER - 3 PARCELS
 400' BUFFER - 23 PARCELS

NOTIFICATION MAP
 Council District: 4
 0 100 200
 Feet

Subject Property Legal Description: 4310 CLEAR CREEK RD STE 130

Zoning Case 2022-30

B-5 TO B-C-1

- Legend
- Current Zoning
 - B-5
 - R-1
 - RC-1
 - R-3A

Alternatives

- ❑ The City Council has two (2) alternatives. The Council may:
 - ❑ Disapprove the applicant's zoning request; or
 - ❑ Approve the applicant's zoning request as presented.

Staff Recommendation

- Staff finds that the applicant's request is compatible with the surrounding land uses and consistent with the prevailing community character. The character of the area is predominantly commercial. Staff finds that the requested zoning will have no negative impact on the surrounding properties.
- Therefore, staff recommends approval of the applicant's request to rezone the property from "B-5" (Business District) to "B-C-1" (General Business and Alcohol Sales District) as presented.

Commission Recommendation

- At their Special Called meeting on June 22, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 4 to 1 with Commissioner Gukeisen in opposition.
- Commissioner Gukeisen stated that if the property is rezoned to "B-C-1", another business could move in later that may not be compatible with the area.