



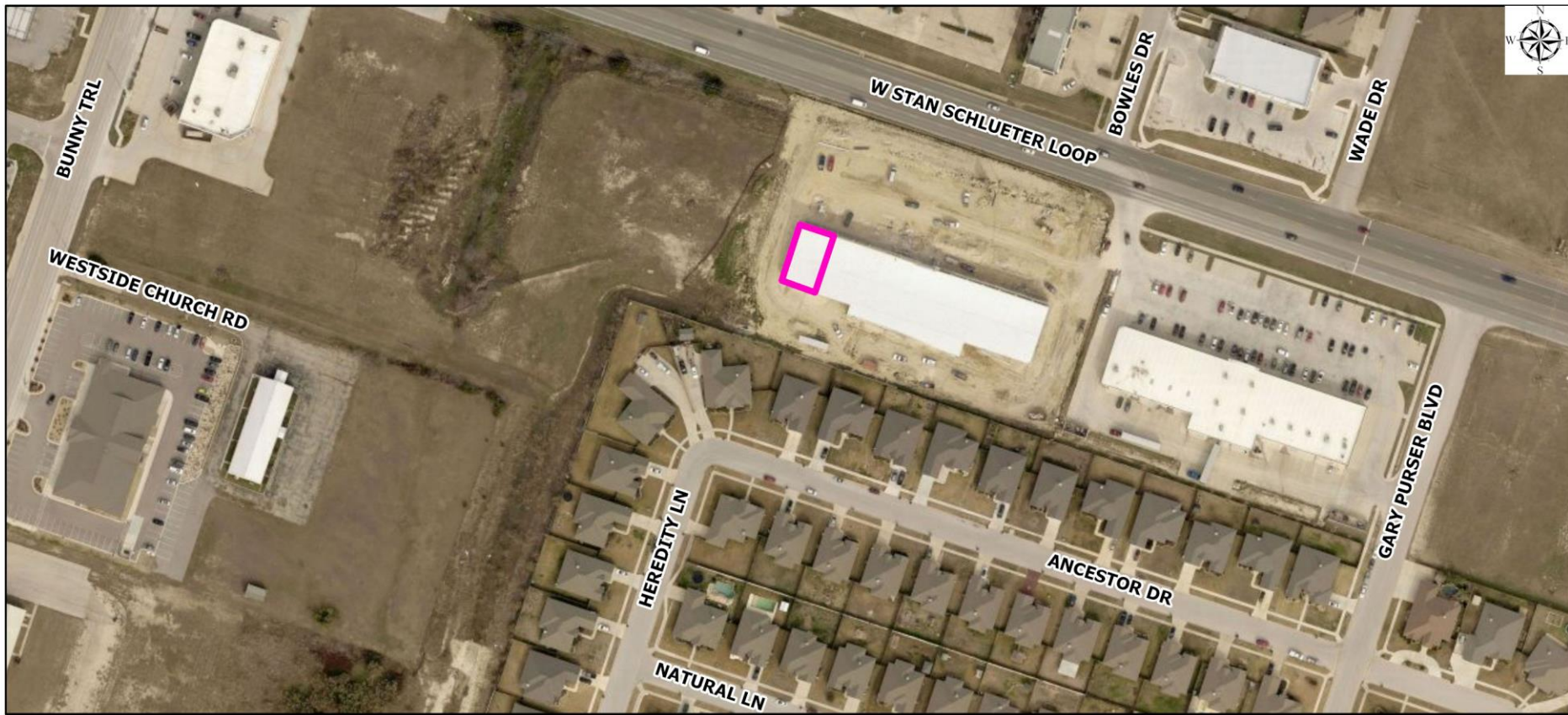
CASE #Z22-09: “B-3” TO “B-4”

PH-22-020

March 1, 2022

Case #Z22-09: “B-3” to “B-4”

- ❑ **HOLD** a public hearing and consider a request submitted by Jim Wright, on behalf of Kerry Property, LLC (**Case #Z22-09**), to rezone a part of approximately 3.04 acres out of the Neimac Addition Phase Two Amending, Block 1, Lot 3A, from “B-3” (Local Business District) to “B-4” (Business District).
- ❑ The property is located at 3000 W. Stan Schlueter Loop, Suites 108 - 109, Killeen, Texas.



Attachment #3



Council District: 4



Zoning Case 2022-09

B-3 TO B-4

Legend

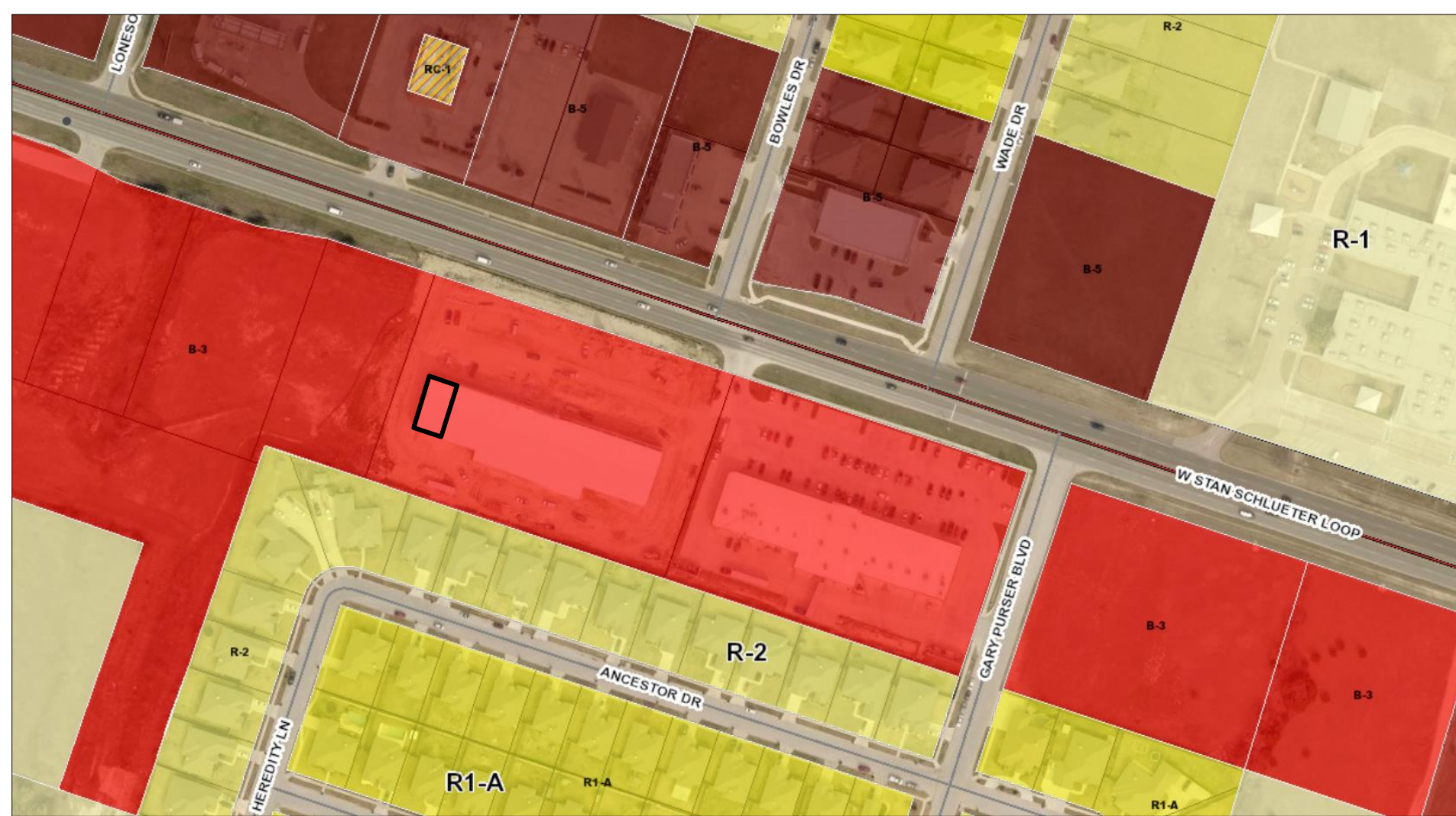
-  Citylimits
-  Zoning Case 2022

Subject Property Legal Description: NEIMAC ADDITION PHASE TWO AMENDING (L3 B1), BLOCK 001, LOT 003A, ACRES 3.04

Case #Z22-09: “B-3” to “B-4”

5

- If approved, the applicant intends to lease the space for use as a liquor store.
- The subject property is designated ‘General Commercial’ (GC) on the Future Land Use Map (FLUM).
- This request is consistent with the Future Land Use Map (FLUM) designation..



Case #Z22-09: “B-3” to “B-4”

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 property as identified on the National Wetlands Inventory.

Case #Z22-09: “B-3” to “B-4”

8

View of the subject property looking south:



Case #Z22-09: “B-3” to “B-4”

9

View of the adjacent property to the east (zoned “B-3”):



Case #Z22-09: “B-3” to “B-4”

10

View of the adjacent property to the west (zoned “B-3”):



Case #Z22-09: “B-3” to “B-4”

11

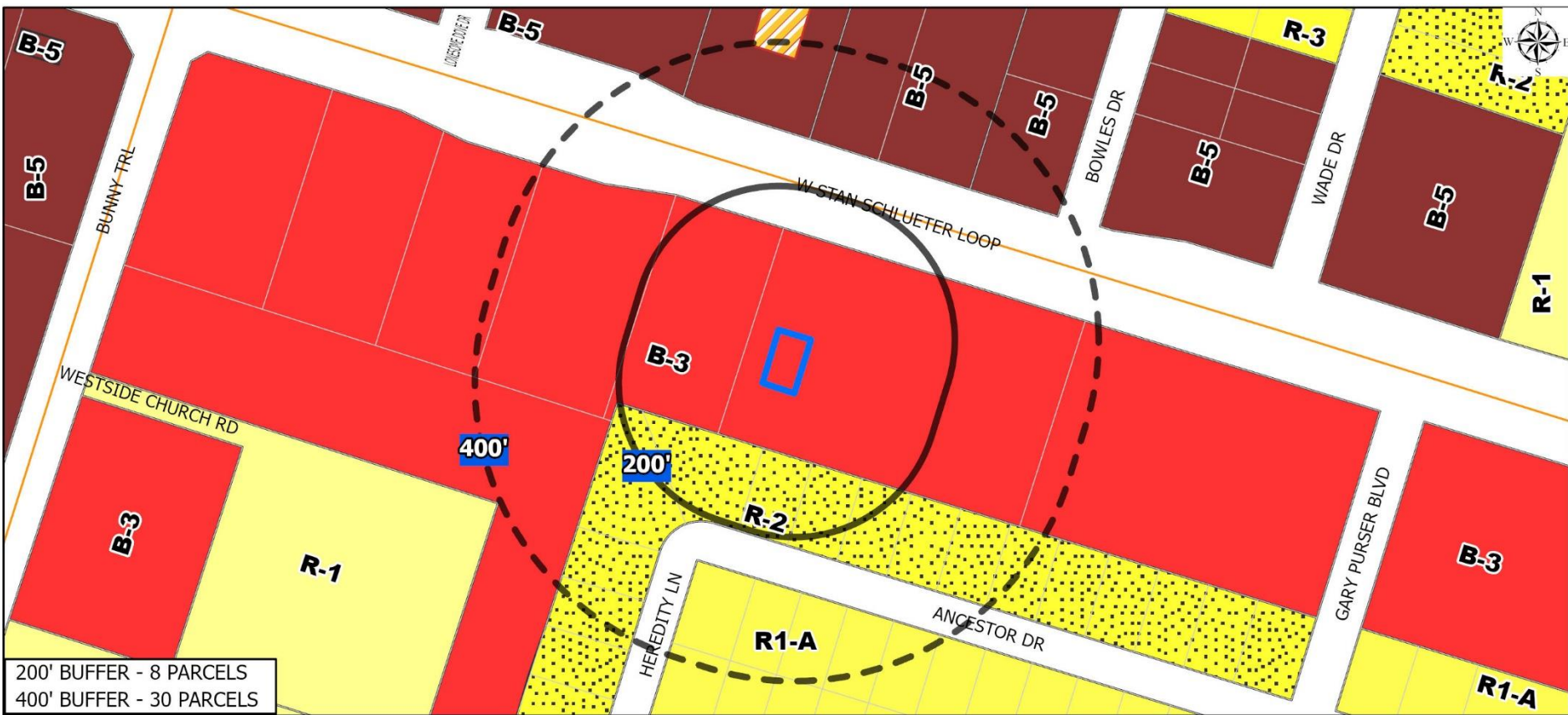
View of the property to the north, across W. Stan Schlueter Loop (zoned “B-5”):



Public Notification

12

- Staff notified thirty (30) surrounding property owners regarding this request.
- Of those notified, twenty-two (22) 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 nine (9) property owners reside outside of Killeen.
- To date, staff has received no written responses regarding this request.



Zoning Case 2022-09

B-3 TO B-4



Alternatives

14

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

Staff Findings

15

- The subject area is surrounded on all four sides by property zoned “B-3” (Local Business District).
- Staff finds that the applicant’s request is inconsistent with the surrounding “B-3” (Local Business District) zoning.
- Staff is of the determination that granting the request would constitute special dispensation for the applicant, as the rest of the parcel is zoned “B-3” (Local Business District).

Staff Findings

16

- Staff also finds that there is sufficient property located on the north side of W. Stan Schlueter Loop that is zoned “B-5” (Business District), which would allow a liquor store by-right.

Staff Recommendation

17

- Therefore, staff recommends disapproval of the applicant's request to rezone the property from "B-3" (Local Business District) to "B-4" (Business District).

Commission Recommendation

18

- At their regular meeting on February 7, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 4 to 2 with Commissioners Sabree and Ploeckelmann in opposition.
- Commissioner Sabree noted concerns regarding the proximity of the request to Willow Springs Elementary School. Commissioner Ploeckelmann noted that there are properties across the street that are zoned for use as a liquor store.