



City of Killeen

Legislation Details (With Text)

File #: PH-23-011 **Version:** 1 **Name:** Zoning 22-57
Type: Ordinance/Public Hearing **Status:** Passed
File created: 1/27/2023 **In control:** City Council
On agenda: 2/28/2023 **Final action:** 2/28/2023
Title: HOLD a public hearing and consider an ordinance requested by Tanner Brandt on behalf of PAW Holdings of Texas, LLC (Case #Z22-57) to rezone approximately 0.34 acres out of the W. H. Cole Survey, Abstract No. 201 from "R-1" (Single-Family Residential District) to "B-3" (Local Business District). The properties are locally addressed as 2650 and 2652 Trimmier Road Killeen, Texas.
Sponsors: Development Services
Indexes:
Code sections:

Attachments: 1. Exhibit, 2. Maps, 3. Site Photos, 4. Minutes, 5. Ordinance, 6. Considerations, 7. Presentation

Date	Ver.	Action By	Action	Result
2/28/2023	1	City Council	Approved	Pass
2/21/2023	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Tanner Brandt on behalf of PAW Holdings of Texas, LLC (**Case #Z22-57**) to rezone approximately 0.34 acres out of the W. H. Cole Survey, Abstract No. 201 from "R-1" (Single-Family Residential District) to "B-3" (Local Business District). The properties are locally addressed as 2650 and 2652 Trimmier Road Killeen, Texas.

DATE: February 21, 2023

TO: Kent Cagle, City Manager.

FROM: Edwin Revell, Executive Director of Development Services.

SUBJECT: Zoning Case #22-57: "R-1" (Single-Family Residential District) to "B-3" (Local Business District).

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: PAW Holdings of Texas, LLC
Agent: Tanner Brandt
Current Zoning: "R-1" (Single-Family Residential District)
Proposed Zoning: "B-3" (Local Business District)
Current FLUM Designation: 'Regional Commercial'

Summary of Request:

Tanner Brandt, on behalf of PAW Holdings of Texas LLC, has submitted a request to rezone approximately 0.34 acres, being part of the W. H. Cole Survey, from "R-1" (Single-Family Residential District) to "B-3" (Local Business District).

If approved, the applicant intends to use the subject property to provide access onto Trimmier Road for a proposed car wash, which will be located on the adjacent property to the south.

Killeen Code of Ordinances Chapter 31 Compliance:

In accordance with Killeen Code of Ordinances Sec. 31-306(22), "B-3" (Local Business District) allows for gasoline service stations and car washes.

Zoning/Plat Case History:

On September 9, 1962, the City annexed approximately 7,800 acres, which included this property. At the time of annexation, the property received an initial zoning of "R-1" (Single-Family Residential District). There is no record of the property changing zoning after the original zoning district was assigned.

In 2008 (Ordinance No. 08-055), City Council approved the rezoning of the adjacent lot to the south on the corner of Bacon Ranch Road and Trimmier Road from "R-1" (Single-Family Residential District) to "B-3" (Local Business District).

Staff notes that the two lots in this request may have remained "R-1" (Single-Family Residential District) and undeveloped due to the limitations created by a 100 feet lot depth and natural drainage feature in the rear of the property.

Character of the Area:

North: Vacant lot zoned "B-3" (Local Business District)

South: Vacant lot (location of proposed Tommy's Express Carwash) zoned "B-3" (Local Business District)

West: Existing real estate office zoned "B-5" (Business District)

East: Existing two-family homes zoned "B-3" (Local Business District)

Future Land Use Map Analysis:

This property is located within the 'Neighborhood Infill' area on the Growth Sector Map and is designated as 'Regional Commercial' (RC) on the Future Land Use Map (FLUM) of the 2022 Comprehensive Plan.

'Regional Commercial' (RC) place type include places that are auto-oriented, located near high-traffic intersections, such as regional businesses like retail, restaurants, gas stations, grocery stores, etc. This place type encourages most commercial developments and mixed-use such as many others. Regional scale uses are typically auto-oriented and draw in larger customer pool from across the region as well as serve the surrounding neighborhoods.

This 'Neighborhood Infill' growth sector includes already developed areas with access to city services and infrastructure, but have vacant, underutilized, or poorly developed properties.

The request supports or furthers the following 2022 Comprehensive Plan recommendations:

- LU1 - Use place types and complete neighborhoods as building blocks
- NH4 - Build complete neighborhoods

The Comprehensive Plan emphasizes place-based economic development; by providing additional “third places,” such as cafés, restaurants, and other service industry-related options. In addition, the Comprehensive Plan explains that existing neighborhoods should provide a complete environment with various uses with the goal of cultivating a more fiscally productive, flexible, and resilient community.

Neighborhood Analysis:

Land Use:

- This property is located within Killeen Development Zone #6 (Exhibit A).
- Current land use mix within this area comprises approximately:
 - 7% non-residential and 93% residential

Zoning district breakdown in DZ6:

- 10% agricultural,
- 33% non-residential zoning districts
- 57% residential zoning districts.

*These numbers exclude special districts such as conditional or special use permits and planned unit developments.

Regional Commercial promotes:

Use Mix: up to 100% non-residential, 50% residential uses

Primary Uses: Restaurants, Grocery Stores, Banks, Retail

Secondary Uses: Entertainment, Office

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer and utility services are located within the City of Killeen municipal utility service area and available to the subject tract.

Transportation and Thoroughfare Plan:

Ingress and egress to the property is from Trimmier Road, which is classified as a 120’ wide Minor Arterial on the City of Killeen Thoroughfare Plan. Staff estimates that there will be 738 trips per day with 74 peak hour trips generated and has determined that a Traffic Impact Analysis is not required for the proposed land use.

Environmental Assessment:

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.

Public Notification:

Staff notified thirty-three (33) surrounding property owners regarding this request. Of those property owners notified, twenty-one (21) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and sixteen (16) reside outside of Killeen.

As of the date of this staff report, staff has received no written responses regarding this request.

Staff Findings:

Please see the Future Land Use Map Analysis and Neighborhood Analysis sections.

THE ALTERNATIVES CONSIDERED:

The City Council may:

- Disapprove the applicant's request;
- Approve a more restrictive zoning district; or
- Approve the applicant's request as presented.

Which alternative is recommended? Why?

Staff recommends approval of the applicant's request for "B-3" (Local Business District) as presented.

Staff finds that the request is consistent with the policies and principles of the 2022 Comprehensive Plan, as indicated in the Comprehensive Plan Analysis. Staff finds that the request is compatible with the existing land uses and prevailing community character. Further, staff finds that approval of this request would not negatively affect the surrounding community.

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:

At their regular meeting on January 30, 2023, the Planning and Zoning Commission recommended approval of

the applicant's request by a vote of 5 to 0.

DEPARTMENTAL CLEARANCES:

This item has been reviewed by the Planning and Legal staff.

ATTACHED SUPPORTING DOCUMENTS:

Exhibit
Maps
Site Photos
Minutes
Ordinance
Considerations