



City of Killeen

Legislation Details (With Text)

File #: PH-16-003 **Version:** 1 **Name:** Zoning 15-34
Type: Ordinance/Public Hearing **Status:** Passed
File created: 12/17/2015 **In control:** City Council
On agenda: 1/12/2016 **Final action:** 1/12/2016

Title: HOLD a public hearing and consider an ordinance requested by Vincent Gerard & Associates Inc. on behalf of DCM&M Automotive Group, L.P. (Case #Z15-34) to rezone a .0574 acre (50 x 50 foot) area out of Lot 1, Block 1 Malibu Tower Addition, from "M-1" (Manufacturing District) to "M-1" (Manufacturing District) with a Conditional Use Permit (CUP) for a 85' tall monopole communication structure. The property is located south of Bacon Ranch Road west of E. Stan Schlueter Loop (FM 3470) and is locally known as 3800 Bacon Ranch Road in Killeen, Texas. (Requires a 3/4 majority vote for approval.)

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Council Memorandum, 2. Attachment to Council Memorandum, 3. Ordinance, 4. Minutes, 5. Application, 6. Location Map, 7. Buffer Map, 8. Considerations, 9. CUP Exhibit, 10. Response

Date	Ver.	Action By	Action	Result
1/12/2016	1	City Council	Approved	Pass
1/5/2016	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Vincent Gerard & Associates Inc. on behalf of DCM&M Automotive Group, L.P. (Case #Z15-34) to rezone a .0574 acre (50 x 50 foot) area out of Lot 1, Block 1 Malibu Tower Addition, from "M-1" (Manufacturing District) to "M-1" (Manufacturing District) with a Conditional Use Permit (CUP) for a 85' tall monopole communication structure. The property is located south of Bacon Ranch Road west of E. Stan Schlueter Loop (FM 3470) and is locally known as 3800 Bacon Ranch Road in Killeen, Texas. **(Requires a 3/4 majority vote for approval.)**

AGENDA ITEM

ZONING CASE #Z15-34 "M-1" (MANUFACTURING DISTRICT) TO "M-1" (MANUFACTURING DISTRICT) WITH CONDITIONAL USE PERMIT (CUP)

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Vincent Gerard & Associates Inc. submits this request on behalf of DCM&M Automotive Group, L. P. to rezone a .0574 acre (50 x 50 foot) area out of Lot 1, Block 1 Malibu Tower Addition, from "M-1" (Manufacturing District) to "M-1" (Manufacturing District) with a Conditional Use Permit (CUP) for a 85' tall monopole communication structure. The property is located south of Bacon Ranch Road west of E. Stan Schlueter Loop (FM 3470) and is locally known as 3800 Bacon Ranch Road in Killeen, Texas.

District Descriptions:

- Any communication facility (tower) that does not comply with subsection 31-602 of the Code of Ordinances may be constructed only upon approval of a Conditional Use Permit.
- All conditions and tower regulations listed within Chapter 31, Division 6, of the Code of Ordinances shall be met.
- Conditional Use Permits must be approved by the majority of the Planning and Zoning Commission and then by the City Council with a three-fourths (3/4) affirmative vote. The City Council may impose reasonable conditions and safeguards deemed appropriate to that application in order to protect the health, safety, and welfare of the public and protect property and property values.

Property Specifics

Applicant/Property Owner: DCM&M Automotive Group

Property Location: The property is located along the south right-of-way of Bacon Ranch Road, west of E. Stan Schlueter Loop (FM 3470) and is locally known as 3800 Bacon Ranch Road in Killeen, Texas.

Legal Description: Lot 1, Block 1 Malibu Tower Addition.

Zoning history: There has been no recent zoning activity for this property.

Plat Case History: Malibu Tower Addition was filed and recorded December 9, 2015.

Character of the Area

Existing Land Use(s) on the Property: The property is largely undeveloped.

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

Feasibility Study or Service Commitment: This memorandum is to advise that water, sanitary sewer, and drainage utility services are available to the above subject tract located within the City of Killeen municipal utility service area. Adequate potable water and sanitary sewer capacity is currently available to the tract. An existing potable water main borders the entire frontage of the subject tract. A sanitary sewer main bisects the tract. The public wastewater collection network in this basin is adequate and allows flow by gravity from the subject tract. Natural undisturbed drainage patterns are present. Public storm drainage infrastructure is limited to public right-of-way and detention of post development storm water run-off may be required.

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: The improved public right-of-way serving the tract is a rural section street classified as a collector under the City's adopted Thoroughfare Plan. The collector is not at the desired level of service and is identified for future capital improvement under the adopted KTMPO 2030 Mobility Plan. The applicant is advised that ingress/egress will be disciplined by TxDOT and City of Killeen's Access Management Policies when the property is developed.

Proposed Improvements: No improvements are planned as part of this zoning request.

Projected Traffic Generation: No Increase.

Environmental Assessment

Topography: This property is relatively flat.

Regulated Floodplain/Floodway/Creek: This property is located in a Zone X Special Flood Hazard Area. There are no known wetlands on this parcel.

Land Use Analysis

Land Use Plan: The property is designated as 'General Commercial' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

Plan Recommendation: The Comprehensive Plan considers 'General Commercial' to encompass a variety of commercial uses.

Consistency: The rezone is consistent with the FLUM designation for this area.

Public Notification

The staff notified five (5) surrounding property owners within a 200' notification boundary regarding this request and no responses were received.

Recommendation

The Planning & Zoning Commission recommended approval (by a vote of 6 to 0) of the applicant's request subject to adherence to the site plan and communication monopole design submitted by the applicant with this zoning request. The proposed location will allow for the communication tower to meet all regulations listed in Chapter 31, Division 6, of the Killeen Code of Ordinances.