



City of Killeen

Legislation Details (With Text)

File #: PH-15-050B **Version:** 1 **Name:** Zoning 15-26
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 10/5/2015 **In control:** City Council
On agenda: 10/27/2015 **Final action:** 10/27/2015
Title: HOLD a public hearing and consider an ordinance requested by Trey and Julie Gallaway (Case #Z15-26) to rezone .996 acres, being part of the W. H. Cole Survey, Abstract No. 200, from "A" (Agricultural District) to "B-4" (Business District). The property is locally known as 7950 Featherline Road, Killeen, Texas.
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

Date	Ver.	Action By	Action	Result
10/27/2015	1	City Council	Approved as Amended	Pass
10/20/2015	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Trey and Julie Gallaway (Case #Z15-26) to rezone .996 acres, being part of the W. H. Cole Survey, Abstract No. 200, from "A" (Agricultural District) to "B-4" (Business District). The property is locally known as 7950 Featherline Road, Killeen, Texas.

AGENDA ITEM

ZONING CASE #Z15-26 "A" (AGRICULTURAL DISTRICT) to "B-4" (BUSINESS DISTRICT)

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Nature of the Request

This request is submitted by Trey and Julie Gallaway to rezone 7950 Featherline Road from "A" (Agricultural District) to "B-4" (Business District).

A building or premises in the "B-4" Business District shall be used only for the following purposes:

- Any use permitted in the "B-3" district.
- Antique shop.
- Secondhand goods store. No outside display, repair or storage.
- Auto sales. Where the major business is the showroom display and sale of new automobiles by an authorized dealer and used car sales, repair work and storage facilities

on the same premises shall be purely incidental; provided, that the area allowed for the repair and storage of cars shall not be nearer than twenty (20) feet from the required front line of the principal building.

Auto sales. Used cars; no salvage, dismantling or wrecking on premises; no display of vehicles in required front yard.

Commercial parking (public garage or parking lot).

Auto upholstery or muffler shop.

Auto repair (garage).

Cold storage plant (locker rental).

Bakery or confectionery, wholesale.

Bomb shelter (as a principal use).

Building material or lumber sales (no outside storage).

Cleaning, pressing, and dyeing:

a. No direct exterior exhaust from cleaning plant permitted.

b. Dust must be controlled by either bag or filter and separator or precipitator so as to eliminate the exhausting of dust, odor, fumes or noise outside the plant.

Florist, garden shop, greenhouse or nursery (retail).

Ballpark, stadium, athletic field (private).

Wholesale offices.

Lodges or fraternal organizations.

Philanthropic institutions (not elsewhere listed).

Cabinet, upholstery, woodworking shop.

Plumbing, electrical, air conditioning service shop (no outside storage).

Trade or business school.

Sale of beer and/or wine only for off-premises consumption only.

Garment manufacturing in a space of four thousand (4,000) square feet or less, with all loading and unloading off-street.

Property Specifics

Applicant/Property Owner: Trey and Julie Gallaway.

Property Location: The property is located on the west right-of-way of Featherline Road across from Shawlands Road and is locally known as 7950 Featherline Road, Killeen, Texas.

Legal Description: .996 acre out of the W.H. Cole Survey, Abstract No. 200, Killeen, Texas.

Zoning/ Plat Case History:

This property was zoned initially "A" (Agricultural District) on December 16, 2008, per Ordinance No. 08-103. This is the first rezone request (by the property owner) for this unilaterally annexed tract.

The subject property is not platted.

Character of the Area

Existing Land Use(s) on the Property: There is an existing single-family home on the site; however it abuts a suburban residential neighborhood. The majority of the surrounding area is characterized by larger residential lots, and undeveloped acreage parcels.

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: Water, sanitary sewer, and drainage utility services are available to the above subject tract located within the City of Killeen municipal utility service area. City of Killeen development criteria require the extension of public water and sanitary sewer utilities to the subject tract should a development permit application be filed for the property.

Transportation

Existing conditions: The tract has direct access to Featherline Road which is classified as a 90' minor arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: Staff is unaware of any proposed improvements.

Projected Traffic Generation: Undetermined.

Environmental Assessment

Topography: The property slopes downward in a southwesterly orientation with elevations ranging from 890' down to 888'.

Regulated Floodplain/Floodway/Creek: This property is located in a Zone X Special Flood Hazard Area (SFHA). The soils for the site are classified as follows: approximately 98% purves silty clay with 1% to 4% slopes (PrB) and approximately 2% San Saba silty clay with 1% to 3% slopes (SaB). There are no known wetlands on this parcel. These parcels are currently unplatted and will need to come into conformance with current drainage standards with development of the parcels.

Currently runoff on this development sheet flows southwest for approximately 200 feet prior to entering Yowell Creek. The runoff then flows from Yowell Creek into Trimmier Creek prior to leaving the City. Trimmier Creek is currently listed on the TCEQ's 2010 303(d) water quality list for impairment due to bacteria. In addition Trimmier Creek was listed on the same list for concerns for near-nonattainment of the Water Quality Standards for the macrobenthic community. The TCEQ listed post-development erosion and sedimentation as the potential source for the impaired macrobenthic community in this basin.

Land Use Analysis

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

Plan Recommendation: The 'Estate' character encourages detached residential dwellings, public/institutional uses, parks and public spaces. The characteristics of this designation include:

Transition between Suburban and Rural character areas, with further progression along the character spectrum toward environments where the landscape is visually dominant over structures.

Still in 'Suburban' portion of character spectrum, but with larger lots (typically 1 acre minimum), especially where required by public health regulations to allow for both individual water wells and on-site septic systems

on properties where centralized water and/or wastewater service is not available or feasible.

One-acre lots are usually adequate in wooded areas to achieve visual screening of homes (from streets and adjacent dwellings). Three to five-acre lots may be needed achieve and maintain Estate character in areas with more open land.

Consistency: The proposal is not consistent with the Comprehensive Plan.

Public Notification

The staff notified eleven (11) surrounding property owners within a 200' notification boundary. Staff has received no protests.

Recommendation

The Planning & Zoning Commission voted 6 to 2 to approve "B-3" (Local Business District) zoning, with Commissioners Alvarez and Harkin in opposition to the applicant's request.