



# City of Killeen

## Legislation Details (With Text)

<b>File #:</b>	PH-16-043	<b>Version:</b>	1	<b>Name:</b>	Zoning 16-20
<b>Type:</b>	Ordinance/Public Hearing		<b>Status:</b>	Passed	
<b>File created:</b>	11/4/2016		<b>In control:</b>	City Council	
<b>On agenda:</b>	11/22/2016		<b>Final action:</b>	11/22/2016	
<b>Title:</b>	HOLD a public hearing and consider an ordinance requested by Karen Wunsch of Masterplan Consultants, on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al, (Case #Z16-20) to rezone 3.093 acres out of the Simeon D. Carothers Survey, Abstract No. 177, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (CUP) for an electric substation. The substation is proposed to be located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.				
<b>Sponsors:</b>	Development Services				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Minutes, 2. Council Memorandum, 3. Attachment to CCMO, 4. Application, 5. Buffer map, 6. Ordinance, 7. Location map, 8. Attachment, 9. Site Plan, 10. Considerations				

Date	Ver.	Action By	Action	Result
11/22/2016	1	City Council	Approved	
11/15/2016	1	City Council Workshop		

**HOLD** a public hearing and consider an ordinance requested by Karen Wunsch of Masterplan Consultants, on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al, (Case #Z16-20) to rezone 3.093 acres out of the Simeon D. Carothers Survey, Abstract No. 177, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (CUP) for an electric substation. The substation is proposed to be located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.

### AGENDA ITEM

### ZONING CASE #Z16-20 "A" (AGRICULTURAL DISTRICT) TO "A" (AGRICULTURAL DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP)

### ORIGINATING DEPARTMENT

### PLANNING & DEVELOPMENT SERVICES

Karen Wunsch, of Masterplan Consultants, submits this request on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al, to rezone 3.093 acres out of the Simeon D. Carothers Survey, Abstract No. 177, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (CUP) for an electric substation. The substation is proposed to be located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.

### Criteria for approval:

The City Council may establish such conditions of approval as are reasonably necessary to ensure

compatibility with surrounding uses and to preserve the public health, safety and welfare. Such conditions may include, without limitation, a limited term or duration of the permit; requirements for special yards, lot sizes, open spaces, buffers, fences, walls or screening; requirements for the installation and maintenance of landscaping or erosion control measures; requirements for street improvements, regulation of vehicular ingress or egress and traffic circulation, regulation of signs; regulation of hours or other characteristics of operation; establishment of development schedules for performance or completion; and such other reasonable conditions as the City Council may deem necessary to preserve the health, safety, and welfare of the applicant and the public.

### **Property Specifics**

**Applicant/Property Owner:** Sheryl Yowell Anderson 1998 Trust Et Al

**Property Location:** The substation is proposed to be located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.

**Legal Description:** Simeon D. Carothers Survey, Abstract No. 177

### **Zoning/ Plat Case History:**

- There is no recent zoning activity for this property.
- The property has not been platted.

### **Character of the Area**

**Existing Land Use(s) on the Property:** This portion of the property contains existing electrical utility structures and supporting infrastructure.

**Historic Properties:** There are no historic structures on this property.

### **Figure 1. Zoning Map**

See Attachment

### **Infrastructure and Community Facilities**

#### **Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: The extension of water and sewer is not required for this proposed use.

#### **Transportation:**

Existing conditions: There is no improved public right-of-way serving this portion of the tract. Access onto the property will be facilitated via a gravel drive extending from Shimla Drive within an existing TP&L easement.

Proposed Improvements: There are no planned transportation improvements as part of this zoning request.

Projected Traffic Generation: There will be virtually no increase in traffic as a result of this consideration.

### **Environmental Assessment**

**Topography/Regulated Floodplain/Floodway/Creek:** The area to be zoned is located in a Zone X Special Flood Hazard Area (SFHA). There are no known wetlands within the area being zoned. This area is currently un-platted and will need to be come into conformance with current drainage standards when development occurs on the parcel. Currently runoff on this development sheet flows east for approximately 0.25 miles 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 current 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:** The land is designated as 'Estate' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Plan Recommendation:** The Comprehensive Plan allows the following development types within the 'Estate' designation: detached residential dwellings, public/institutional uses, and parks and public spaces.

**Consistency:** The applicant's Conditional Use Permit request for an electric substation does not trigger a change to the FLUM.

### **Public Notification**

The staff notified one (1) surrounding property owners regarding this request. Staff has received no protest.

### **Recommendation**

The Planning & Zoning Commission recommended approval by a vote of 7 to 0 of the applicant's Conditional Use Permit request subject to adherence to the site plan.