



# City of Killeen

## Legislation Details (With Text)

**File #:** PH-17-033B    **Version:** 1    **Name:** Zoning 17-17  
**Type:** Ordinance/Public Hearing    **Status:** Passed  
**File created:** 5/22/2017    **In control:** City Council  
**On agenda:** 6/27/2017    **Final action:** 6/27/2017  
**Title:** HOLD a public hearing and consider an ordinance requested by Catstrong L.L.C. (Case#Z17-17) to rezone 3.73 acres out of the Francis Kennedy Survey, Abstract No. 488, from "A" (Agricultural District) to "B-5" (Business District) for various commercial uses. The property is located at 16942 S. H. 195, Killeen, Texas.  
**Sponsors:** Development Services  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Staff Report, 2. Exhibit, 3. Minutes, 4. Ordinance, 5. Application, 6. Location map, 7. Buffer map, 8. Considerations, 9. Presentation

Date	Ver.	Action By	Action	Result
6/27/2017	1	City Council	Approved	Pass
6/20/2017	1	City Council Workshop		

**HOLD** a public hearing and consider an ordinance requested by Catstrong L.L.C. (**Case#Z17-17**) to rezone 3.73 acres out of the Francis Kennedy Survey, Abstract No. 488, from "A" (Agricultural District) to "B-5" (Business District) for various commercial uses. The property is located at 16942 S. H. 195, Killeen, Texas.

**DATE:**            **June 20, 2017**

**TO:**                **Ronald L. Olson, City Manager**

**FROM:**           **Ray Shanaa, Executive Director of Planning and Development Services**

**SUBJECT:**       **ZONING CASE #Z17-17 "A" (AGRICULTURAL DISTRICT) TO "B-5" (BUSINESS DISTRICT)**

### **BACKGROUND AND FINDINGS:**

This request is submitted by Catstrong, L.L.C. to rezone 3.73 acres from "A" (Agricultural District) to "B-5" (Business District) for various commercial uses. The property is located at 16942 S.H. 195, Killeen, Texas.

#### District Descriptions:

A building or premises in a district "B-5" Business District shall be used only for the following purposes:

- (1) Any use permitted in the "B-4" district
- (2) Building material and lumber sales (outside storage permitted)
- (3) Storage warehouse, greater than twenty-five thousand (25,000) square feet
- (4) Veterinarian clinic or pet kennel with outside pens

- (5) Railroad or bus passenger terminal
- (6) Tire recapping or retreading
- (7) Impound yards provided no salvaging or dismantling is allowed on the premises and site is properly screened
- (8) Any commercial use not included in any other district, provided such use does not involve salvaging, manufacturing, or industrial type storage or dismantling and is not noxious or offensive because of odors, dust, noise, fumes, or vibrations
- (9) Mobile home sales
- (10) Tattooing (as licensed per V.T.C.A., Health and Safety Code ch. 146, as amended)

Property Specifics

Applicant/Property Owner: Catstrong L.L.C.

Property Location: The subject property is addressed as 16942 S.H. 195, Killeen, Texas.

Legal Description: 3.73 acres out of the Francis Kennedy Survey, Abstract No. 488

Zoning/ Plat Case History:

- This property has maintained its initial annexation zoning of 'A' Agricultural.
- The subject property is not platted.

Character of the Area

Existing Land Use(s) on the Property: This is a highway corridor with very little development. This site contains several outbuildings.

Figure 1. Zoning Map

See attachment.

Historic Properties: None

Infrastructure and Community Facilities

Water, Sewer and Drainage Services:

Provider: West Bell County Water Supply Corporation (WBCWSC) and Bell County Public Health District.

Within Service Area: Yes

Feasibility Study or Service Commitment: WBCWSC holds the Certificate of Convenience and Necessity (CCN) for water in this area. If they are unable to provide the necessary water infrastructure for the proposed development on this site, it will be necessary for the property owner to get a permit for a well from Clearwater Underground. The Bell County Health District is the permitting authority for septic system facilities.

Transportation:

Existing conditions: S.H. 195 is classified as a 110' principal arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: There are no proposed improvements for this development.

Projected Traffic Generation: Undetermined; however, development on this parcel will not negatively affect the level of service standard for the state highway.

### Environmental Assessment

Topography/Regulated Floodplain/Floodway/Creek: The southern portion of this tract lies within a FEMA regulatory Special Flood Hazard Area (SFHA). The Lampasas River floodplain impacts the southern portion of the site.

### Land Use Analysis

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

**Plan Recommendation:** The Comprehensive Plan calls for agricultural uses, residential homesteads, planned developments, parks, and public spaces, etc.

**Consistency:** This zoning request is not consistent with the Comprehensive Plan; however, the applicant has submitted a concurrent FLUM amendment request from 'Rural' to 'General Commercial'.

### Public Notification

The staff notified three (3) surrounding property owners regarding this request. Staff has received no protests at this time.

### **THE ALTERNATIVES CONSIDERED:**

#### **Which alternative is recommended?**

Staff is not recommending any alternative.

#### **Why?**

The "B-5" zoning request is consistent with the types of observed commercial land uses as seen further north along the S. H. 195 corridor.

### **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:**

The Planning and Zoning Commission recommended approval of the applicant's request for "B-5" zoning by a vote of 6 to 0.

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal Department.

**ATTACHED SUPPORTING DOCUMENTS:**

Exhibit  
Minutes  
Ordinance  
Application  
Location Map  
Buffer Map  
Considerations