



City of Killeen

Legislation Details (With Text)

File #: PH-19-005 **Version:** 1 **Name:** Zoning 19-03
Type: Ordinance/Public Hearing **Status:** Passed
File created: 2/28/2019 **In control:** City Council
On agenda: 3/26/2019 **Final action:** 3/26/2019
Title: HOLD a public hearing and consider an ordinance requested by Killeen Engineering and Surveying, Ltd. (Case#Z19-03) to rezone approximately 8.25 acres out of the J.E. Maddera Survey, Abstract No. 600, from "R-3" (Multifamily Residential District) and "B-3" (Local Business District) to "B-3" (Local Business District) for storage use. The properties are addressed as 4814, 5102 and 5104 W. Stan Schlueter Loop (FM 3470), and an unaddressed parcel immediately east of 4814 W. Stan Schlueter Loop Killeen, Texas.
Sponsors: Development Services
Indexes:
Code sections:
Attachments: 1. Staff Report, 2. Maps, 3. Minutes, 4. Ordinance, 5. Considerations, 6. Responses, 7. Presentation

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|----------|--------|
| 3/26/2019 | 1 | City Council | Approved | Pass |
| 3/19/2019 | 1 | City Council Workshop | | |

HOLD a public hearing and consider an ordinance requested by Killeen Engineering and Surveying, Ltd. (**Case#Z19-03**) to rezone approximately 8.25 acres out of the J.E. Maddera Survey, Abstract No. 600, from "R-3" (Multifamily Residential District) and "B-3" (Local Business District) to "B-3" (Local Business District) for storage use. The properties are addressed as 4814, 5102 and 5104 W. Stan Schlueter Loop (FM 3470), and an unaddressed parcel immediately east of 4814 W. Stan Schlueter Loop Killeen, Texas.

DATE: **March 19, 2019**

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

FROM: **Dr. Ray Shanaa, Exec. Dir. Of Planning and Development Services**

SUBJECT: ZONING CASE #Z19-03 "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) AND "B-3" (LOCAL BUSINESS DISTRICT) TO "B-3" (LOCAL BUSINESS DISTRICT)

BACKGROUND AND FINDINGS:

Nature of the Request:

Killeen Engineering and Surveying, Ltd. submits this request to rezone approximately 8.25 acres out of the J.E. Maddera Survey, Abstract No. 600, from "R-3" (Multifamily Residential District) and "B-3" (Local Business District) to "B-3" (Local Business District) for storage use. The properties are addressed as 4814, 5102 and

5104 W. Stan Schlueter Loop (FM 3470), and an unaddressed parcel immediately east of 4814 W. Stan Schlueter Loop Killeen, Texas.

Property Specifics:

Applicants/Property Owners: Barbara Flippo, Kevin L. Shepard, Bradley Wayne Shepard, Margaret Lynn Shepard, Kristy G. Shepard, Cami C. Simonis, Misty D. Mills and Tami R. Rivera

Property Location: The properties are addressed as 4814, 5102 and 5104 W. Stan Schlueter Loop (FM 3470), and an unaddressed parcel immediately east of 4814 W. Stan Schlueter Loop Killeen, Texas.

Legal Description: 8.25 acres out of the J.E. Maddera Survey, Abstract No. 600

Zoning/ Plat Case History:

- There is no recent zoning activity for the property.
- The property is not platted.

Character of the Area:

Existing Land Use(s) on the Property: The property consists of a single-family residential dwelling unit with accessory structures. Additionally the properties to the west are zoned for single family and two family uses. The property to the east is a mixed use planned unit development.

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

INFRASTRUCTURE AND COMMUNITY FACILITIES:

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Upon construction, the applicant shall be required to extend the necessary municipal infrastructure to the site.

Transportation:

Existing conditions: Currently, ingress/ egress to the property is via a private drive off W. Stan Schlueter Loop (FM 3470) and a private passage easement off Clear Creek Road (SH 201). Both FM 3470 and SH 201 are designated as 120' principal arterials on the City's adopted thoroughfare Plan.

Proposed Improvements: Upon submission of a subdivision plat, TXDOT will discipline ingress/egress to the site.

Projected Traffic Generation: The development is expected to generate 360 vehicle trips per day, with 20 observed trips during the AM peak hour and 37 trips during the PM peak hour [Note: this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting].

Environmental Assessment: The property does not lie within a FEMA regulatory Special Flood Hazard Area (SFHA). Currently, runoff exits this parcel in a sheet flow manner along the southern and eastern property lines, entering the adjacent Texas Sunflower Addition Amended subdivision in an un-concentrated manner. Runoff then flows southeast into the headwaters of South Nolan Creek. The receiving section of South Nolan Creek is currently not listed on the TCEQ's 303(d) water quality list for impairment. However, prior to leaving the City, South Nolan Creek is listed for impairment due to bacteria and concerns for near non-attainment for nutrients beginning at the junction with Liberty Ditch.

Approximately 90% of this development contains farmland soils classified as Denton Silty Clay with 1% to 3%

slopes. This type of soil has high water runoff. Additionally, there are no wetlands identified on this parcel. The property will need to be platted prior to further development. As a result, the current Drainage Design Manual (DDM) and post construction requirements will apply to future development on these parcels. 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 the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.

LAND USE ANALYSIS:

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

Plan Recommendation: The 'SC' designation encourages a range of commercial retail and service uses, at varying scales and intensities depending on the site. Office (both large and/or multi-story buildings and small-scale office uses), planned development, public/ institutional uses parks and public spaces are encouraged.

Consistency: The zoning request is consistent with the FLUM.

Public Notification: The staff notified twenty-six (26) surrounding property owners within a 400' notification boundary regarding this request. Staff has received responses of support from Killeen MFD, L.L.C. and Killeen NH, L.L.C. (both signed by Rick Griffin).

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended?

Staff is not recommending any alternative other than the applicant's request.

Why?

Staff is of the determination that the request is consistent with the FLUM and compatible with 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:

The Planning and Zoning Commission recommended approval of the applicant's request by a vote of 6-0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Map
Minutes
Ordinance
Considerations
Responses