



City of Killeen

Legislation Details (With Text)

File #: PH-19-037B **Version:** 1 **Name:** Zoning 19-21
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 9/17/2019 **In control:** City Council
On agenda: 10/29/2019 **Final action:** 10/29/2019
Title: HOLD a public hearing and consider an ordinance requested by Carlos Uresti Jr. (Case #Z19-21) to rezone approximately 2.57 acres, out of the James Cook Survey, Abstract No. 161, from "A" (Agricultural District) to "B-4" (Business District). The property is located on the east right-of-way of Trimmier Road and is adjacent to the KISD Satellite Transportation Facility, Killeen, Texas. (Requires 3/4 Majority Vote)
Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Maps, 3. Minutes, 4. Ordinance, 5. Considerations, 6. Presentation

Date	Ver.	Action By	Action	Result
10/29/2019	1	City Council	Withdrawn	
10/8/2019	1	City Council	Tabled	Pass
10/1/2019	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Carlos Uresti Jr. (**Case #Z19-21**) to rezone approximately 2.57 acres, out of the James Cook Survey, Abstract No. 161, from "A" (Agricultural District) to "B-4" (Business District). The property is located on the east right-of-way of Trimmier Road and is adjacent to the KISD Satellite Transportation Facility, Killeen, Texas. (**Requires 3/4 Majority Vote**)

DATE: **October 1, 2019**

TO: **David L. Ellison, Interim City Manager**

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

SUBJECT: **ZONING CASE #Z19-21 "A" (Agricultural District) to "B-4" (Business District).**

Background and Findings:

This request, submitted by Carlos Uresti Jr. to rezone approximately 2.57 acres, out of the James Cook Survey, Abstract No. 161, from "A" (Agricultural District) to "B-4" (Business District). The property is located on the east right-of-way of Trimmier Road and is adjacent to the KISD Satellite Transportation Facility, Killeen, Texas.

"B-4" Business District Description

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

- (1) Any use permitted in the "B-3" district.
- (2) Trailer rental and sales.
- (3) 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.
- (4) Auto sales. Used cars; no salvage, dismantling or wrecking on premises; no display of vehicles in required front yard; junked vehicles must be placed behind a screening device.
- (5) Commercial parking (public garage or parking lot).
- (6) Auto upholstery or muffler shop.
- (7) Auto repair (garage), with on-site junked vehicles being enclosed within a building.
- (8) Cold storage plant (locker rental).
- (9) Building material or lumber sales (no outside storage).
- (10) 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.
- (11) Garden shop, greenhouse or nursery (retail).
- (12) Ballpark, stadium, athletic field (private).
- (13) Philanthropic institutions (not elsewhere listed).
- (14) Cabinet, upholstery, woodworking shop.
- (15) Plumbing, electrical, air conditioning service shop (no outside storage).
- (16) Trade or business school.
- (17) 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: Carlos Uresti Jr.

Property Location: The property is located along the east right-of-way of Trimmier Road and is adjacent to the KISD Satellite Transportation Facility, Killeen, Texas.

Legal Description: Approximately 2.57 acres, out of the James Cook Survey, Abstract No. 161

Zoning/ Plat Case History:

- There is no zoning history for this property beyond its initial annexation zoning.
- The property is not platted.

Character of the Area:

Existing Land Use(s) on the Property: The undeveloped property is located along the east right-of-way of Trimmier Road and is adjacent to the KISD Satellite Transportation Facility. The surrounding adjoining properties are predominantly agricultural in nature or vacant undeveloped lots with single-family style lots abutting to the south.

Historic Properties: None

Community Infrastructure and Environmental Assessment:

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 located within the City of Killeen municipal utility service area and available to the subject tract. However, it will be necessary to extend public utility infrastructure to each lot, prior to the release of the lot(s) for residential and commercial construction purposes.

Transportation:

Existing conditions: The current property is accessed via Trimmier Road, which is classified as a 110' Minor Arterial road on the City's adopted Thoroughfare Plan.

Proposed Improvements: The applicant is not proposing additional improvements during this development.

Projected Traffic Generation: A typical specialty trade contractor business will generate 1.97 vehicle trips per day per 1,000 square foot of work space. This project is estimated to yield an additional four (4) vehicle trips per day. [This data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-10th Edition].

Environmental Assessment:

There are no known environmental constraints for this property. The site is not within any FEMA regulatory Special Flood Hazard Area (SFHA) and there are no known wetlands on or adjacent to the parcel.

Land Use Analysis:

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

Plan Recommendation: The 'Suburban Residential' (SR) designation encourages the following development types:

- Detached residential dwellings
- Planned developments to provide for other housing types in a Suburban character setting
- Public/institutional
- Parks and public spaces

Consistency: The applicant's request is not consistent with the FLUM or the Comprehensive Plan.

Fort Hood Joint Land Use Study (JLUS) Analysis:

JLUS Plan: The property is not located in an "Encroachment Awareness Area" as identified within the JLUS.

Section 4.3 of the JLUS describes an "Encroachment Awareness Area" as intending "to serve the purpose of establishing the current area in which the partners in this study should maintain heightened vigilance with regard to potentially incompatible civilian land uses encroaching into critical areas that may experience the effects of military training, such as high noise levels."

Public Notification:

Staff notified four (4) surrounding property owners regarding this request; as of the date of this staff report, no responses have been received.

THE ALTERNATIVES CONSIDERED:

The City Council may:

- approve the applicant's zoning request;
- approve a more restrictive zoning district; or
- disapprove the applicant's zoning request.

Which alternative is recommended? Staff recommends that the Council disapprove the applicant's request.

Why? Staff is of the determination that the current request for "B-4" zoning is not consistent with the type of development promoted through the FLUM of the Comprehensive Plan.

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 disapproval of the applicant's zoning request of "B-4" (Business District) as submitted by a vote of 3 to 2 with Commissioners Alvarez and O'Brien in opposition. Approval of this zoning request will require a 3/4 affirmative vote of the Council.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Minutes
Ordinance
Considerations