



City of Killeen

Legislation Details (With Text)

File #: PH-22-040 **Version:** 1 **Name:** ZONING-22-22
Type: Ordinance/Public Hearing **Status:** Passed
File created: 3/28/2022 **In control:** City Council
On agenda: 5/24/2022 **Final action:** 5/24/2022
Title: HOLD a public hearing and consider an ordinance requested by Juli Bryan, on behalf of Z-Modular, LLC (Case #Z22-22), to rezone approximately 16.038 acres out of the J. S. Wilder Survey, Abstract No. 912 from "B-3" (Local Business District) to "B-5" (Business District). The property is locally addressed as 4800 E. Rancier Avenue, Killeen, Texas.
Sponsors: Development Services
Indexes:
Code sections:
Attachments: 1. Maps, 2. Site Photos, 3. Minutes, 4. Ordinance, 5. Considerations, 6. Presentation

Date	Ver.	Action By	Action	Result
5/24/2022	1	City Council	Approved	Pass
5/17/2022	1	City Council Workshop		

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DATE: **May 17, 2022**

TO: **Kent Cagle, City Manager.**

FROM: **Edwin Revell, Executive Director of Development Services.**

SUBJECT: **ZONING CASE #Z22-22: "B-3" (LOCAL BUSINESS DISTRICT) TO "B-5" (BUSINESS DISTRICT).**

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: Z-Modular, LLC
Agent: Juli A Bryan (Baird Crews Schiller & Whitaker)
Current Zoning: "B-3" (Local Business District)
Requested Zoning: "B-5" (Business District)
Current FLUM Designation: 'General Commercial' (GC)

Summary of Request:

Juli Bryan, on behalf of Z-Modular, LLC, has submitted a request to rezone approximately 16.038 acres out of the J. S. Wilder Survey, Abstract No. 912 from "B-3" (Local Business District) to "B-5" (Business District). If approved, the applicant intends to expand their business, which is located immediately south of the subject property. The subject property would be used for temporary storage of inventory. Assembled modules will be stored on the site before transportation to final construction sites across North America.

Zoning/Plat Case History:

The subject property was rezoned from "R-1" (Single-Family Residential District) to "B-3" (Local Business District) on November 13, 1986 via Ordinance No. 86-81. The property was platted as part of Woods Health Care Addition, Lot 1, Block 1 on March 26, 1987.

Character of the Area:

	Current Land Use	Zoning District	FLUM Designation
North	Bell County Juvenile Services	B-3 (Local Business)	General Commercial (GC)
East	Undeveloped property	R-1 (Single-Family Residential)	Rural (R)
South	Z-Modular & undeveloped property	R-1 (Single-Family Residential) & M-1 (Manufacturing)	Rural (R) & Industrial (I)
West	Religious institution	B-3 (Local Business)	General Commercial (GC)

Future Land Use Map Analysis:

This property is designated as 'General Commercial' (GC) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'General Commercial' (GC) characteristic is typically auto-oriented, which can be offset by enhanced building design, landscaping, reduced site coverage, well-designed signage, etc.

The 'General Commercial' (GC) designation encourages the following development types:

- Wide range of commercial retail and service uses, at varying scales and intensities;
- Office (both large and/or multi-story buildings and small-scale office uses);
- Public/institutional; and
- Parks and public spaces.

The request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan.

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer, and drainage utility service is located within the City of Killeen municipal utility service area and available to the subject tract.

Transportation and Thoroughfare Plan:

The existing ingress and egress to the property is from E. Rancier Ave. (F.M. 439), which is classified as a 120' wide Principal Arterial on the City of Killeen Thoroughfare Plan.

However, the proposed ingress and egress to the property will be through 710 Swanner Loop, which has access to Jacobs Lane, Swanner Loop, and Enterprise Drive, all of which are classified as a 60' wide Local Streets on the City of Killeen Thoroughfare Plan.

Environmental Assessment:

The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA). On the adjacent property to the east, there is a freshwater emergent wetland, freshwater pond, and riverine associated with Caprice Ditch as identified on the National Wetlands Inventory.

Public Notification:

Staff notified seven (7) surrounding property owners regarding this request. Of those property owners notified, one (1) resides outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and six (6) reside outside the city limits of Killeen. As of the date of this staff report, no written responses have been received regarding this request.

Staff Findings:

Staff is of the determination that the subject property is appropriately situated for the expansion of Z-Modular's existing business. The front of the parcel is the Bell County Juvenile Services facility, which is accessed via Rancier Ave. The rear portion of the subject parcel has limited access. In the absence of the County's need to expand their Juvenile Services facilities, staff finds that the only reasonable use of the property is for the existing business to the south to expand northward. The property to the east is the Soil Conservation Service Site 7 Reservoir, which is administered by the Central Texas Soil & Water Conservation District. Therefore, this area is unlikely to develop as residential.

THE ALTERNATIVES CONSIDERED:

The City Council has three (3) alternatives. The Council may:

- Disapprove the applicant's zoning request;
- Approve a more restrictive zoning district than requested; or
- Approve the applicant's zoning request as presented.

Which alternative is recommended? Why?

Staff recommends approval of the applicant's request to rezone the property from "B-3" (Local Business District) to "B-5" (Business District) as presented.

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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 is not applicable.

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:

At their regular meeting on April 18, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 5 to 0, with Commissioner Louie Minor abstaining and filing a conflict affidavit.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Site Photos
Minutes
Ordinance
Considerations