



# City of Killeen

## Legislation Text

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File #: PH-17-004B, Version: 1

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**HOLD** a public hearing and consider an ordinance requested by Theresa Marie Hammond and Yong Ok Lee (**Case #Z16-25**) to rezone Lots 6 and 8, Block 4, Sunset Addition, from "R-1" (Single-Family Residential District) to "B-5" (Business District). The properties are locally known as 307 and 309 Carter Street, Killeen, Texas.

### AGENDA ITEM

### **ZONING CASE #Z16-25 "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "B-5" (COMMERCIAL DISTRICT)**

### ORIGINATING DEPARTMENT

### PLANNING & DEVELOPMENT SERVICES

This request is submitted by Theresa Marie Hammond and Yong Ok Lee to rezone Lots 6 and 8, Block 4, Sunset Addition, from "R-1" (Single-Family Residential District) to "B-5" (Business District) for a proposed barbershop and cafe. The properties are located at 307 and 309 Carter Street, Killeen, Texas. The applicant has also submitted a request for a Future Land Use Map (FLUM) amendment from 'General Residential' to 'General Commercial' to accompany this request.

### **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 property , 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**

**Applicants/Property Owners:** Theresa Marie Hammond and Yong Ok Lee

**Property Location:** The subject properties are addressed as 307 and 309 Carter Street, Killeen, Texas.

**Legal Description:** Lots 6 and 8, Block 4, Sunset Addition

**Zoning/ Plat Case History:**

- The last zoning activity for this property was approval of a Specific Use Permit (SUP) per Ordinance #00-80 to allow for commercial parking at the rear of the house located at 309 Carter Street. That SUP was for a period of five (5) years.
- The subject lots are platted as part of Sunset Addition, which was filed for record in Cabinet A, Slide 152-B, Plat Records of Bell County, Texas.

**Character of the Area**

**Existing Land Use(s) on the Property:** This is a residential neighborhood with existing single-family structures.

**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: Water and sewer infrastructure is immediately available to the property. The property owners and their 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.

**Transportation:**

Existing conditions: Carter Street is classified as a 60' local street on the City's adopted thoroughfare P\plan.

Proposed Improvements: There are no proposed improvements.

Projected Traffic Generation: Undetermined.

**Environmental Assessment**

**Topography/Regulated Floodplain/Floodway/Creek:** This site does not lie within a FEMA regulatory Special Flood Hazard Area (SFHA).

**Land Use Analysis**

**Land Use Plan:** This area is designated as 'General Residential' on the Future Land Use Map (FLUM) of the

Comprehensive Plan.

**Plan Recommendation:** The Comprehensive Plan's 'General Residential' designation encompasses detached, residential dwelling units, attached housing types, planned developments, and parks and public/institutional places. The Comprehensive Plan considers 'General Residential' to be of a medium intensity category/character and states that "neighborhood-scale commercial uses are expected to emerge over time and should be encouraged on sites and in locations within (or near the edge of) 'General Residential' areas that are best suited to accommodate such uses while ensuring compatibility with nearby residential uses."

**Consistency:** This request is not consistent with the Comprehensive Plan; the Planning and Zoning Commission recommended approval of 'Residential-Commercial Mix' (RC-MIX), which allows a mix of residential types and a variety of commercial and light industrial activities at their meeting of January 23, 2017.

### **Public Notification**

The staff notified twenty-four (24) surrounding property owners regarding this request. Staff has received no protests.

### **Recommendation**

The Planning & Zoning Commission recommended approval of "B-2" (Local Retail District) by a vote of 7 to 0. The "B-2" zoning district will allow a barbershop and café and is the most restrictive district in which the proposed uses are allowed.