



CASE #Z24-19: “R-1” TO “R-2”

PH-24-040

October 1, 2024

Case #Z24-19: “R-1” to “R-2”

- **HOLD** a public hearing and consider a request submitted by Boksuk Baldwin on behalf of True Fountain, LLC (**Case #Z24-19**) to rezone approximately 0.3 acre out of Lot 2, Block 1 of the Bunny Trail Village Replat No. 1 from “R-1” (Single Family Residential District) to “R-2” (Two-Family District).
- The subject property is locally addressed as 3413 Abraham Drive, Killeen, Texas.

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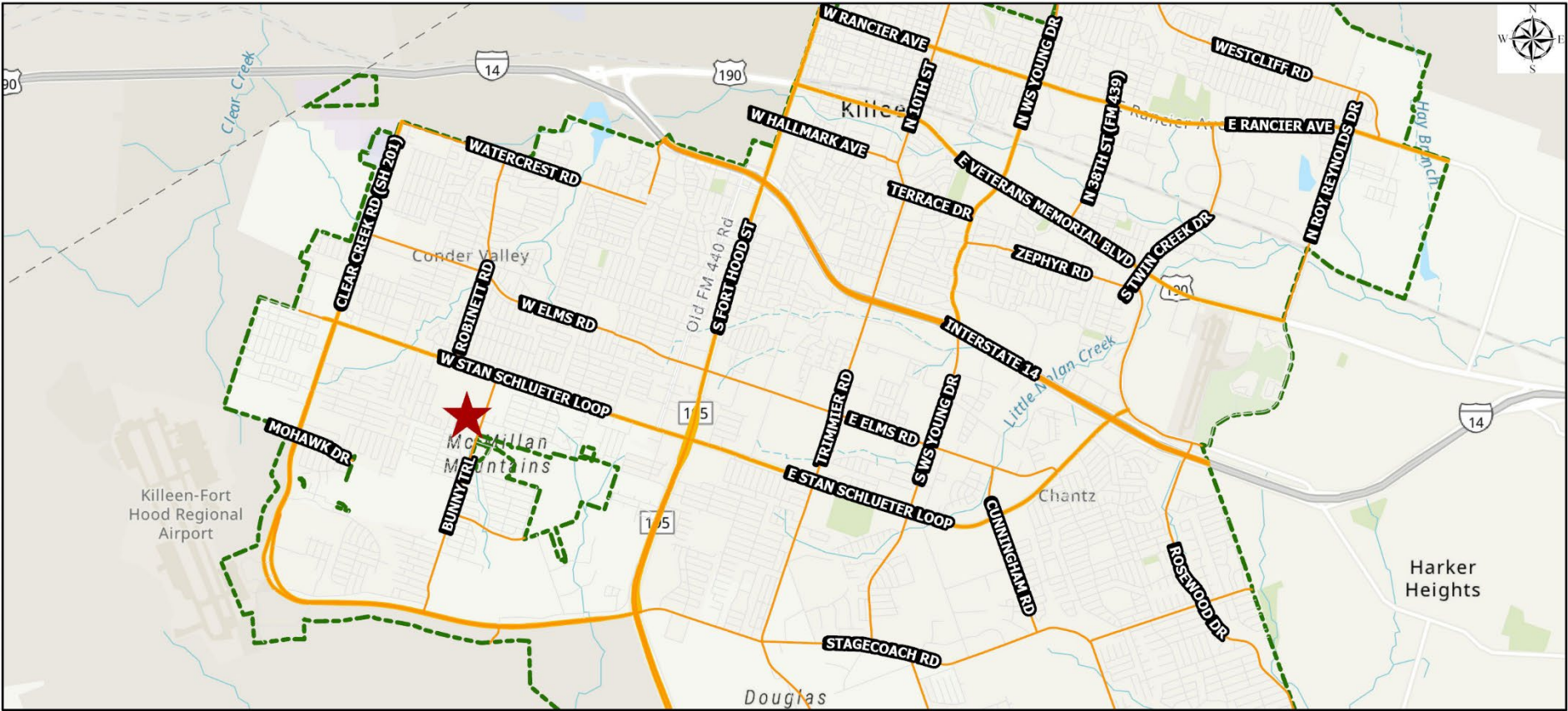
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- Suk Baldwin Property LLC has submitted a request on behalf of True Fountain LLC to rezone approximately .3 acres of Lot 2, Block 1, out of the Bunny Trail Village Replat No. 1, from “R-1” (Single-Family Residential District) to “R-2” (Two-Family Residential District).
- If approved, the applicant intends to develop a two-family residential home on the property and finalized the development of Bunny Trail Village.

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- The subject property was annexed into the City limits on January 27, 2008. Part of the property was rezoned from “R-1” (Single-Family Residential District) to “R-2” (Two-Family Residential District) on May 25, 2021. The property is currently platted as Lot 2, Block 1, Bunny Trail Village Replat No. 1.



LOCATION MAP

Council District: 4



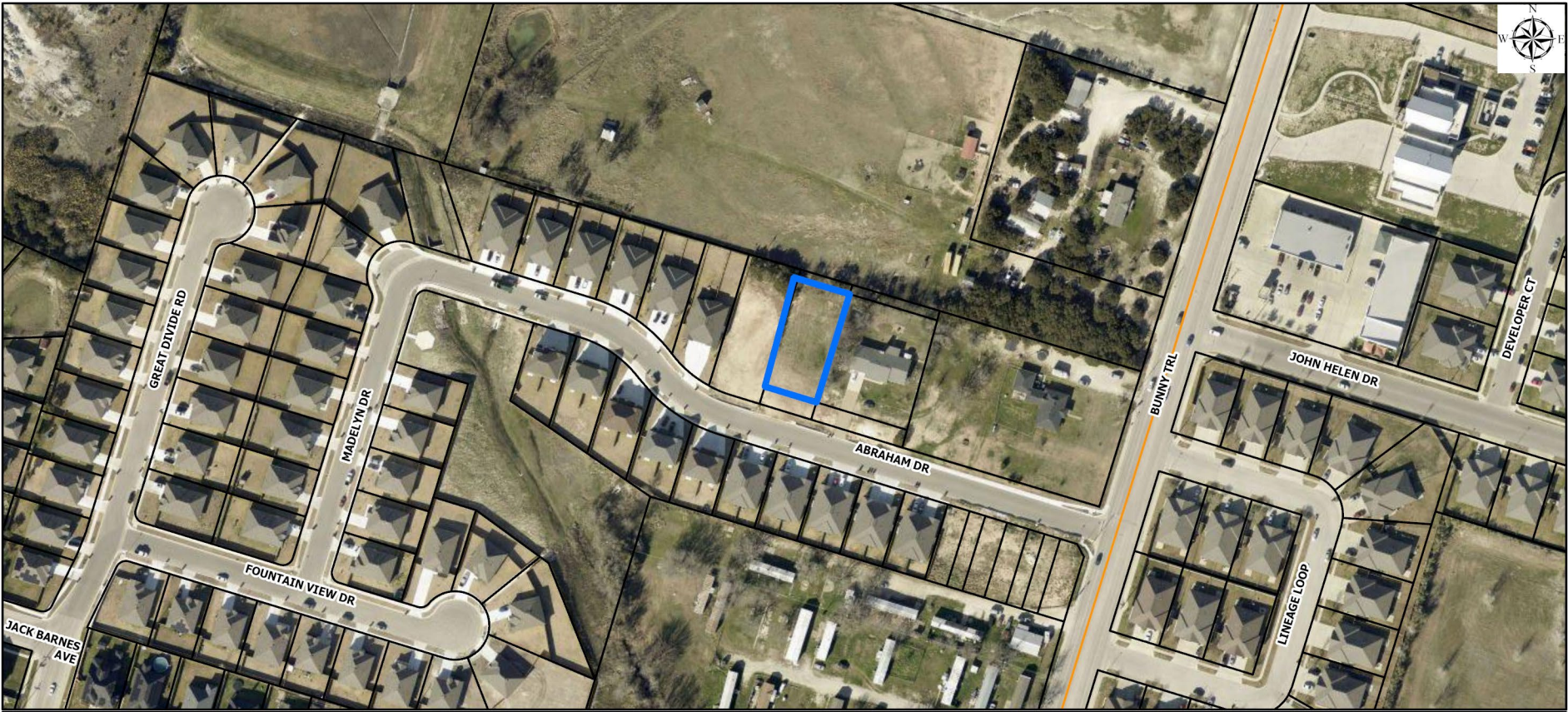
Subject Property Legal Description: BUNNY TRAIL VILLAGE REPLAT NO 1, BLOCK 1, LOT 2

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Legend

- Major Roads
- City Limits

★ Zoning Case Location



AERIAL MAP

Council District: 3



Subject Property Legal Description: BUNNY TRAIL VILLAGE REPLAT NO 1, BLOCK 1, LOT 2

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Legend



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Subject property looking north:



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Subject property looking south:



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Subject property looking east:



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Subject property looking west:



Comprehensive Plan Analysis

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- The subject properties are designated 'Residential Mix' on the Future Land Use Map (FLUM) of the Comprehensive Plan.
- The 'Residential Mix' place type' promotes up to 25% non-residential and up to 95% residential uses.
- It creates neighborhoods built with a traditional walkable block/street grid network that allows a flexible mix of residential building typologies.
- Staff finds that the request is consistent with the 'Residential Mix' place type.

Comprehensive Plan Analysis

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- The property is designated 'Controlled Growth' on the Growth Sector Map of the Comprehensive Plan.
- This sector includes areas in the city limits and approved Municipal Utility Districts (MUDs) that have access to city infrastructure in close proximity.
- Development proposed in this sector will be evaluated for adherence to the Big Ideas and Recommendations of the plan, particularly those related to housing and neighborhood options, and improve the fiscal health and sustainability of Killeen.

Comprehensive Plan Analysis

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- This request supports or furthers the following Killeen 2040 Comprehensive Plan recommendations:
 - ▣ **LU1** – Use place types and complete neighborhoods as building blocks
 - ▣ **NH3** – Diversifying housing mix (types and price points)
 - ▣ **NH4** – Build complete neighborhoods.

Development Zone Analysis

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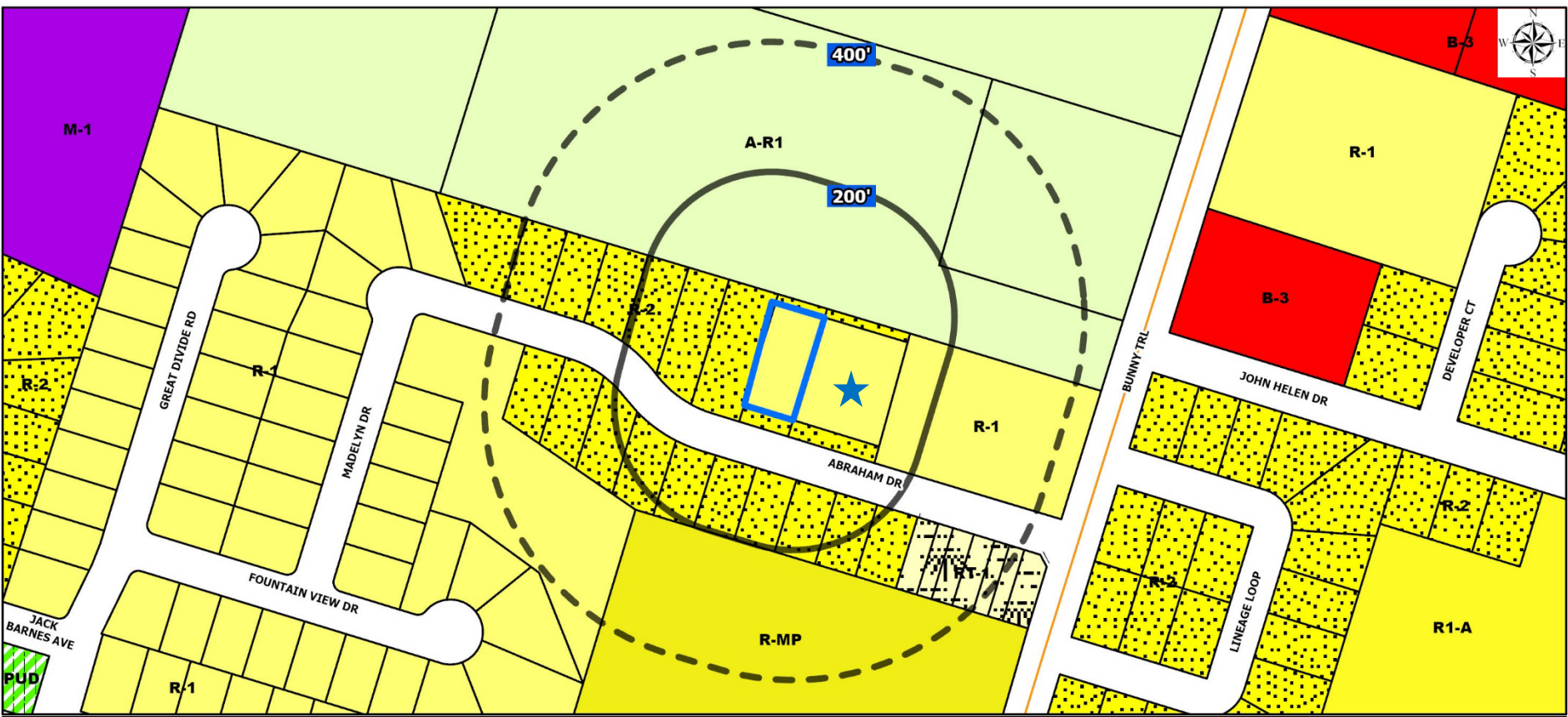
- ❑ The property is located within Killeen Development Zone #5.
- ❑ The current land use mix within this area is comprised of 30.59% non-residential and 69.41% of residential uses.
- ❑ Zoning district breakdown:
 - ▣ Special Districts 5.66%
 - ▣ Residential 63.75%
 - ▣ Industrial 0.58%
 - ▣ Commercial 9.76%
 - ▣ Agricultural 20.25%



Public Notification

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- Staff notified thirty-one (31) surrounding property owners regarding this request for the required public hearing on August 12, 2024.
- Of those property owners notified, fourteen (14) are outside the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by the Council, and three (3) live outside Killeen.
- To date, staff has received one (1) written response in opposition to this request.



ZONING MAP

Council District: 4



Subject Property Legal Description: BUNNY TRAIL VILLAGE REPLAT NO 1, BLOCK 1, LOT 2

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 **Opposition**

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- Ingress and egress to the property is via the existing Abraham Drive to Bunny Trail. Increases in traffic due to the proposed zoning change are negligible. Therefore, a Traffic Impact Analysis is not required.
- The plat of the subject property was submitted prior to adoption of the Parkland Dedication Ordinance. Therefore, parkland dedication and development fees are not required.

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- The property is in the South Nolan Creek Tributary 7 Watershed. The property is not in proximity to any regulated wetlands areas as identified on the National Wetlands Inventory maps. The properties are within Zone X a FEMA-regulatory Special Flood Hazard Area (SFHA).
- Water, sanitary sewer, and drainage utility services are available and will be provided by the City of Killeen.

Staff Findings

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- Staff finds that the applicant's request is consistent with the recommendations outlined in the Killeen 2040 Comprehensive Plan.
- Staff is of the determination that the request is consistent with the character of the surrounding area. Approval of the applicant's request would have no negative impacts on the surrounding properties and this case can move forward.

Staff Recommendation

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- Therefore, staff recommends approval of the applicant's request to rezone the subject property from "R-1" (Single Family Residential District) to "R-2" (Two-Family District).

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- This request was brought before the Planning and Zoning Commission on August 12, 2024, and the Commission tabled the item until an issue of property ownership was resolved not to exceed a period of six (6) months.
- Following a thorough review by the City Attorney’s Office and based on the available property records, City staff is of the determination that True Fountain, LLC is the owner of the subject property.

Commission Recommendation

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- At their regular meeting on August 26, 2024, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 7 to 1 with Commissioner Gukeisen voting in opposition.
- Commissioner Gukeisen expressed concerns regarding the Commission taking action on the request due to the dispute between the applicant and the adjacent property owner regarding ownership of the subject property.