



## STAFF REPORT

**DATE:** September 5, 2019  
**TO:** Ronald L. Olson, City Manager  
**FROM:** Dr. Ray Shanaa, Exec. Dir. Of Planning and Development Services  
**SUBJECT:** ZONING CASE #Z19-17 "A-R1" (Agricultural Single-Family Residential District) to "R-2" (Two-Family Residential District)

### **Background and Findings:**

True Fountain, L.L.C., on behalf of Full Gospel Church, submits this request to rezone approximately 19.566 acres, being out of the J.E. Maddera Survey, Abstract No. 600. The property is addressed as 5603 Bunny Trail, Killeen, Texas. During the initial public hearing on this matter at the August 5th Planning and Zoning Commission meeting, the applicant stated that they would consider revising their zoning request to reduce the amount of land area being considered for "R-2" zoning. Based on this discussion, the Planning and Zoning Commission postponed action on the item until their regularly scheduled meeting of August 19th. At the August 19th meeting, an exhibit (Exhibit A) was presented to the Commission illustrating 8.3 acres of proposed "R-2" zoned property and 11.2 acres of proposed "R-1" (Single-Family Residential) zoned property.

### **"R-2" District Descriptions**

A building or premise in a district "R-2" (Two-Family Residential District) shall be used only for the following purposes:

- (1) Any use permitted in district "R-1" (Single-family Residential District)
- (2) Two-Family dwellings.

### **Property Specifics:**

Applicant / Property Owner: Full Gospel Church

Property Location: 5603 Bunny Trail, Killeen, Texas.

Legal Description: 19.566 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 is currently vacant. The adjoining properties are a mixture of manufacturing zoned land, duplex zoned property, mobile homes and other "A-R1" zoned tracts.

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 property prior to the release of any lot(s) for construction purposes. 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.

#### **Transportation:**

Existing conditions: Ingress and Egress to the property are via Bunny Trail and Great Divide Road, which are classified as a 110' wide minor arterial and a 70' wide collector street on the City's adopted Thoroughfare Plan, respectively. Access to Bunny Trail is from Stan Schlueter Loop (FM 3470), which is classified as a 120' wide Principal Arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: Two internal streets are proposed for this development.

Projected Traffic Generation: A typical single-family home will generate ten (10) vehicle trips per day, therefore, a duplex will generate twenty (20) vehicle trips per day [note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting].

#### **Environmental Assessment:**

This property contains FEMA regulatory tributary, NRC Tributary 1; however the subject property it is not within a Special Flood Hazard Area (SFHA). Currently the property sheet flows into NRC Tributary 1 and then flows into Drainage Tract A detention pond. This pond is a part of Bunny Trail Estates and is maintained by the City. It further connects to NCR Tributary, further south, and merges with North Reese Creek, which is outside Killeen city limits.

#### **Land Use Analysis:**

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

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

Plan Recommendation: 'Suburban Residential' (SR) characteristics encourages a wide range of residential uses with larger minimum lot sizes for increased lot setbacks and greater separation between homes. This designation also encourages a less noticeable accommodation for automobiles on the site compared to more intensive residential developments, especially where driveways are on the side of homes rather than occupying a portion of the front yard space, and where garages are situated to the side or rear of the main dwelling. Suburban character form balance between buildings and other site improvements relative to degree of open space maintained on site (compared to predominance of site coverage over undeveloped space in auto-oriented areas).

Consistency: The applicant's request is not consistent with the FLUM of 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 one hundred and three (103) surrounding property owners regarding this request; as of the date of this staff report, eight (8) responses have been received in opposition of this request.

**THE ALTERNATIVES CONSIDERED:**

The City Council may:

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

**Which alternative is recommended?**

Staff recommends that the City Council disapprove the applicant's "R-2" (Two-Family Residential District) zoning request.

**Why?**

Staff is of the determination that the current request for "R-2" (Two-Family Residential District) zoning is not consistent with the type of development promoted through the FLUM of the Comprehensive Plan; two family development essentially doubles residential density for this parcel. Staff is unaware of a need for additional duplex housing in this area.

**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:**

Staff recommends disapproval of the applicant's zoning request as it is not consistent with the FLUM of the Comprehensive Plan.

The Planning and Zoning Commission recommended approval of dual zoning consisting of "R-1" (Single-Family Residential District) and "R-2" (Two-Family Residential District) for the property (as illustrated on Exhibit 'A', which has been attached hereto for Council's consideration) by a vote of 3 to 2, with Commissioners Gukeisen and Ploeckelmann being opposed to the motion.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

- Maps
- Minutes
- Ordinance
- Pharr vs. Tippitt
- Exhibit 'A'
- Responses