



City of Killeen

Legislation Details (With Text)

File #: PH-22-010 **Version:** 1 **Name:** Zoning 21-43
Type: Ordinance/Public Hearing **Status:** Passed
File created: 12/10/2021 **In control:** City Council
On agenda: 1/25/2022 **Final action:** 1/25/2022
Title: HOLD a public hearing and consider an ordinance requested by Tobe Sweeney, on behalf of Lilia D Enterprise, LLC (Case #Z21-43), to rezone approximately 0.19 acres out of the Morris & Goode Survey, Lot 1, Block 4 from "R-1" (Single-Family Residential District) to "R-2" (Two-Family Residential District). The property is addressed 1301 E Avenue G, Killeen, Texas.
Sponsors: Development Services
Indexes:
Code sections:
Attachments: 1. Staff Report, 2. Maps, 3. Site Photos, 4. Survey, 5. Minutes, 6. Ordinance, 7. Considerations, 8. Responses, 9. Presentation

Date	Ver.	Action By	Action	Result
1/25/2022	1	City Council	Approved	Pass
1/18/2022	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Tobe Sweeney, on behalf of Lilia D Enterprise, LLC (Case #Z21-43), to rezone approximately 0.19 acres out of the Morris & Goode Survey, Lot 1, Block 4 from "R-1" (Single-Family Residential District) to "R-2" (Two-Family Residential District). The property is addressed 1301 E Avenue G, Killeen, Texas.

DATE: **January 18, 2022**
TO: **Kent Cagle, City Manager**
FROM: **Wallis Meshier, CNU-A, Director of Planning**
SUBJECT: **ZONING CASE #Z21-43: "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT)**

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: Lilia D Enterprise, LLC
Agent: Tobe Sweeney
Current Zoning: "R-1" (Single-Family Residential District)
Requested Zoning: "R-2" (Two-Family Residential District)
Future Land Use Designation: 'General Residential' (GR)

Summary of Request:

Tobe Sweeney, on behalf of Lilia D Enterprise, LLC, has submitted a request to rezone approximately 0.19 acres out of the Morris & Goode Survey, Lot 1, Block 4 from "R-1" (Single-Family Residential District) to "R-2" (Two-Family Residential District). If approved, the applicant intends to develop a duplex on the property.

Zoning/Plat Case History:

The parcel is currently zoned "R-1" (Single-Family Residential District). Staff is unable to determine the exact date of the zoning. The property is platted as Morris & Goode Addition, Lot 1, Block 4 on December 13, 1949.

Character of the Area:

	Current Land Use	Zoning District	Future Land Use
North	Apartments across railroad track	R-3 (Multifamily Residential)	Multi-Family Residential (MFR)
East	Single-family home	R-1 (Single-Family Residential)	General Residential (GR)
South	Duplex across E Avenue G	R-2 (Two-Family Residential)	General Residential (GR)
West	Single-family home	R-3 (Multifamily Residential)	General Residential (GR)

Future Land Use Map Analysis:

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

The 'General Residential' (GR) designation encompasses most existing residential areas within Killeen. The 6,000 square foot minimum lot size in the predominant R-1 zoning district results in less openness and separation between dwellings compared to Suburban residential areas. It is auto-oriented character (especially where driveways and front-loading garages dominate the front yard and building facades of homes), which can be offset by "anti-monotony" architectural standards, landscaping, and limitations on "cookie cutter" subdivision layouts characterized by straight streets and uniform lot sizes and arrangement.

The 'General Residential' (GR) designation encourages the following development types:

- Detached residential dwellings as a primary focus;
- Attached housing types subject to compatibility and open space standards (e.g., duplexes, townhomes, patio homes);
- Planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards;
- 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:

Existing conditions: Ingress and egress to the property is from E Avenue G which is classified as 60' wide local street on the City of Killeen adopted Thoroughfare Plan.

Environmental Assessment:

The property is within the 100-year FEMA regulatory Special Flood Hazard Area (SFHA). There are no other known wetland areas on or adjacent to the property as identified on the National Wetlands Inventory.

Public Notification:

Staff notified forty-one (41) surrounding property owners regarding this request. Of those property owners notified, twenty-four (24) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and seventeen (17) reside outside the city limits of Killeen.

As of the date of this staff report, two (2) written responses, one (1) in support and one (1) in opposition, have been received regarding this request.

Staff Findings:

Staff finds that the applicant's request is consistent with the adjacent surrounding uses and is compatible with the prevailing community character. The character of the area is predominantly residential and there are existing duplexes to the south of the property across E Avenue G. To the north are existing apartments across the railroad track. To the east and west are existing single-family homes.

THE ALTERNATIVES CONSIDERED:

The City Council has two (2) alternatives. The Council may:

- Disapprove the applicant's request to rezone the property to "R-2" (Two-Family Residential District); or
- Approve the applicant's request as presented.

Which alternative is recommended? Why?

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

The character of the area is predominantly residential and there are existing duplexes to the south of the property.

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.

RECOMMENDATION:

At their regular meeting on December 20, 2021, the Planning and Zoning Commission recommended approval

of the applicant's request by a vote of 5 to 1 with Commissioner Gukeisen in opposition. Commissioner Gukeisen noted concerns regarding special flood hazard area and the property being located in between existing single-family homes.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Site Photos
Surveys
Minutes
Ordinance
Considerations
Responses