



City of Killeen

Legislation Details (With Text)

File #: PH-15-052B **Version:** 1 **Name:** Zoning 15-25
Type: Ordinance/Public Hearing **Status:** Passed
File created: 10/19/2015 **In control:** City Council
On agenda: 11/10/2015 **Final action:** 11/10/2015

Title: HOLD a public hearing and consider an ordinance requested by RSBP Developers, Inc. to rezone 161.022 acres, out of the James Cook Survey, Abstract No. 161, from "A" (Agricultural District) and "B-3" (Local Business District) to "R-1" (Single-Family District) for approximately 147.769 acres, "R-2" (Two-Family Residential District) for approximately 9.815 acres and "B-5" (Business District) for approximately 3.439 acres.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Council Memorandum, 2. Attachment to Council Memorandum, 3. Minutes, 4. Ordinance, 5. Application, 6. Location map, 7. Buffer map, 8. Considerations

Date	Ver.	Action By	Action	Result
11/10/2015	1	City Council	Approved	Pass
11/3/2015	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by RSBP Developers, Inc. to rezone 161.022 acres, out of the James Cook Survey, Abstract No. 161, from "A" (Agricultural District) and "B-3" (Local Business District) to "R-1" (Single-Family District) for approximately 147.769 acres, "R-2" (Two-Family Residential District) for approximately 9.815 acres and "B-5" (Business District) for approximately 3.439 acres.

AGENDA ITEM

ZONING CASE #Z15-25 "A" (AGRICULTURAL DISTRICT) AND "B-3" (LOCAL BUSINESS DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT), "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT) AND "B-5" (BUSINESS DISTRICT)

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Nature of the Request

This request is to rezone 161.022 acres from "A" (Agricultural District) and "B-3" (Local Business District) to "R-1" (Single-Family District) for approximately 147.769 acres, "R-2" (Two-Family Residential District) for approximately 9.815 acres and "B-5" (Business District) for approximately 3.439 acres.

A building or premises in the "R-1" Single-Family Residential District shall be used only for the following purposes:

One-family dwellings.
Churches or other places of worship.
Colleges, universities or other institutions of higher learning.
Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.
Farms, nurseries or truck gardens, limited to the proportion and cultivation of plants, provided no retail or wholesale business is conducted on the premises, and provided further that no poultry or livestock other than normal household pets shall be housed within one hundred (100) feet of any property line.
Parks, playgrounds, community buildings and other public recreational facilities, owned and/or operated by the municipality or other public agency.
Public buildings, including libraries, museums, police and fire stations.
Real estate sales offices during the development of residential subdivisions but not to exceed two (2) years.
Display residential houses with sales offices, provided that if such display houses are not moved within a period of one (1) year, specific permission must be obtained from the city council for such display houses to remain on their locations.
Schools, public elementary or high.
Schools, private with curriculum equivalent to that of a public elementary or high school.
Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
Water supply reservoirs, pumping plants and towers.
Accessory buildings and uses, incident to the uses in this section and located on the same lot therewith, not involving the conduct of a retail building...
A subdivision entry sign, when such sign is located on a lot that abuts a subdivision boundary and fronts on a street entering the subdivision. Such sign:
a. Shall not have a sign face which exceeds a total of twenty-four (24) square feet; and
b. Shall not exceed six (6) feet in height; and
c. Shall not be located in a side or rear yard which is adjacent to any other lot designated for residential use; and
d. Shall advertise only the name of the subdivision.
Cemetery.

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

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

A building or premises in the "B-5" Business District shall be used only for the following purposes:

Any use permitted in the "B-4" district.
Building material and lumber sales (outside storage permitted).
Storage warehouse. Less than one hundred thousand (100,000) square feet.
Newspaper or job printing.
Railroad or bus passenger terminal.
Tire recapping or retreading.
Trailer rental or sales.
Wholesale house.
Auto parts sales, used. No outside storage, display or dismantling.
A customarily incidental use.
Any commercial use not included in any other district, provided such use is not noxious

or offensive because of odors, dust, noise, fumes or vibrations.
Mobile home sales.
Sale of beer and/or wine for off-premises consumption only.
Tattooing (as licensed per Texas Health and Safety Code, chapter 146, as amended).

Property Specifics

Applicant/Property Owner: RSBP Developers, Inc.

Property Location: The property is located west of the intersection of W. Stan Schlueter Loop (FM 3470) and Clear Creek Road (S.H. 201), south of Old Copperas Cove Road, Killeen, Texas.

Legal Description: 161.022 acres out of the James Cook Survey, Abstract No. 161, Killeen, Texas.

Zoning/ Plat Case History:

This property was annexed into the city in September 2015 with a zoning designation of "A" (Agricultural District) per Ordinance #15-049.

The property is not platted.

Character of the Area

Existing Land Use(s) on the Property: The property is vacant and undeveloped.

Figure 1. Zoning Map

See Attachment

Historic Properties: None

Infrastructure and Community Facilities

Water, Sewer and Drainage Services

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: This memorandum is to advise that water, sanitary sewer, and drainage utility services are available to the above subject tract located within the City of Killeen municipal utility service area. City of Killeen development criteria require the extension of public water and sanitary sewer utilities to the subject tract should a development permit application be filed for the property.

Transportation

Existing conditions: Clear Creek Road (S.H. 201) is classified as a 110' principal arterial on the City's adopted Thoroughfare Plan. The applicant is advised that ingress/egress is controlled by the state and will be disciplined by TxDOT's Access Management Policies when the property is developed. The 2014 KTMPO Regional Thoroughfare Plan shows the Old Copperas Cove Road segment as 'Upgrade Major Arterial', which has a typical width ranging from 130' to 160' depending on the number of drive lanes. Ingress/Egress to Old Copperas Cove Road will be governed by the City of Killeen.

Proposed Improvements: The developer will have to dedicate right-of-way for the widening of Old Copperas Cove Road as detailed on the KTMPO Regional Thoroughfare Plan.

Projected Traffic Generation: Significant.

Environmental Assessment

Regulated Floodplain/Floodway/Creek: This parcel is currently unplatted and the current Drainage Design Manual and Post Construction requirements will apply to any development on this parcel. In addition, the applicant will need to have approval from TxDOT prior to changing discharge patterns into Stan Schlueter Loop.

Land Use Analysis

Land Use Plan: This area is designated as 'Rural' and 'Suburban Commercial' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

Plan Recommendation: The 'Rural' designation calls for low density, single family dwellings and 'Suburban Commercial' designation encompasses a range of low intensity commercial retail and service uses.

Consistency: The proposal is not consistent with the Comprehensive Plan and will result in a Future Land Use Amendment that will accompany this request.

Public Notification

The staff notified fifteen (15) surrounding property owners within a 200' notification boundary. Staff received no protests.

Recommendation

The Planning & Zoning Commission voted 3 to 1 to approve "R-1" (Single Family District), "R-2" (Two-Family Residential District), and "B-5" (Business District) zoning, with Commissioner Harkin in opposition to the applicant's request. She stated for the record that her opposition stemmed from the amount of acreage associated with the "R-1" zoning request.