



City of Killeen

Legislation Details (With Text)

File #: PH-23-025 **Version:** 1 **Name:** Z23-07
Type: Ordinance/Public Hearing **Status:** Passed
File created: 3/27/2023 **In control:** City Council
On agenda: 4/25/2023 **Final action:** 4/25/2023

Title: HOLD a public hearing and consider a request submitted by Mitchell & Associates, Inc., on behalf of Sandra and Ronnie Skinner (Case #Z23-07), to the rezone Lot 1, Block 1, Skinner Estate Phase Two, from "A" (Agricultural District) to "R-1" (Single-Family Residential District). The property is locally addressed as 3638 Love Road, Killeen, Texas.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Maps, 2. Site Photos, 3. Minutes, 4. Ordinance, 5. Considerations, 6. Presentation

Date	Ver.	Action By	Action	Result
4/25/2023	1	City Council	Approved	Pass
4/18/2023	1	City Council Workshop		

HOLD a public hearing and consider a request submitted by Mitchell & Associates, Inc., on behalf of Sandra and Ronnie Skinner (**Case #Z23-07**), to the rezone Lot 1, Block 1, Skinner Estate Phase Two, from "A" (Agricultural District) to "R-1" (Single-Family Residential District). The property is locally addressed as 3638 Love Road, Killeen, Texas.

DATE: April 18, 2023

TO: Kent Cagle, City Manager

FROM: Edwin Revell, Executive Director of Development Services

SUBJECT: Zoning Case #23-07: "A" (Agricultural District) to "R-1" (Single-Family Residential District)

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: Sandra and Ronnie Skinner
Agent: Mitchell & Associates, Inc
Current Zoning: "A" (Agricultural District)
Proposed Zoning: "R-1" (Single-Family Residential District)
Current FLUM Designation: 'Residential Mix'

Summary of Request:

Mitchell & Associates, on behalf of Sandra and Ronnie Skinner, has submitted a request to rezone Lot 1, Block 1, Skinner Estate Phase Two, from "A" (Agricultural District) to "R-1" (Single-Family Residential District). If approved, the applicant intends to develop a single-family home on the property. The request to rezone the property is necessary because the existing lot does not meet the minimum lot size requirements for "A" (Agricultural District).

Zoning/Plat Case History:

The subject property was annexed into the city limits on January 22, 2008, via Ordinance No. 08-006. The property was subsequently zoned "A" (Agricultural District) on December 16, 2008, via Ordinance No. 08-103. The subject property was platted as Lot 1, Block 1, Skinner Estate Phase Two on September 17, 2009.

Character of the Area:

North: Existing single-family residential home zoned "A" (Agricultural District)

South: Vacant lot zoned "A" (Agricultural District)

West: Vacant lot zoned "A" (Agricultural District)

East: Existing single-family residential home zoned "R-1" (Single-Family Residential District)

Future Land Use Map Analysis:

This property is located within the 'Controlled Growth' area on the Growth Sector Map and is designated as 'Residential Mix' on the Future Land Use Map (FLUM) of the 2022 Comprehensive Plan.

'Residential Mix' place type creates neighborhoods built with a traditional walkable block/street grid network that allows a flexible mix of residential building typologies. Aside from large multiplex garden apartments, most housing types should be allowed here.

In the 'Controlled Growth' growth sector, proposed development will be evaluated for adherence to the Big Ideas and Recommendations of the plan, particularly those related to housing and neighborhood options and improvement of the fiscal health and sustainability of Killeen.

The request supports or furthers the following 2022 Comprehensive Plan recommendations:

- NH3 - Diversify housing mix (types and price points)
- NH4 - Build complete neighborhoods

Staff finds that the proposed use would not negatively affect the surrounding area. The surrounding area currently consists of a mix of undeveloped land and existing residential developments mostly on large acreage. Since the area is surrounded by mostly existing single-family home on large acreage, this property and the proposed use can be considered as preserving existing homestead and high-end rural estate style neighborhood characteristics for those seeking rural style living and large lots.

Neighborhood Analysis:

- The property is located within Killeen Development Zone #6.
- Current land use mix within this area comprises approximately:
 - 8% non-residential zoning districts
 - 92% residential uses

Zoning district breakdown in Development Zone 6:

- 10% agricultural,
- 33% non-residential zoning districts,
- 57% residential zoning districts.

*These numbers exclude a breakdown of special districts such as conditional or special use permits and planned unit developments.

The '**Residential Mix**' land use designation promotes:

Use Mix: up to 25% non-residential, 95% residential uses

Primary Uses: Single-Family, Accessory Dwelling Unit (ADU), Townhouses, Smallplex (2-4 Units), Live-work

Secondary Uses: Small Office, Small Retail, Restaurant, Accessory Commercial Unit (ACU), School, House of Worship

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 is available to the subject tract.

Transportation and Thoroughfare Plan:

Ingress and egress to the property is from Love Road, which is classified as a 70-foot wide Collector on the City of Killeen Thoroughfare Plan. Staff estimates that there will be 9 trips generated per day with 1 peak hour trips and has determined that a Traffic Impact Analysis is not required for the proposed land use.

Environmental Assessment:

The property is not within any 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 sixteen (16) surrounding property owners regarding this request. Of those property owners notified, eleven (11) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and five (5) reside outside of Killeen. As of date of this staff report, staff has received zero (0) written responses regarding the request.

Staff Findings:

Please see the Future Land Use Map Analysis and Neighborhood Analysis sections.

THE ALTERNATIVES CONSIDERED:

The City Council may:

- Disapprove the applicant's request; or
- Approve the applicant's request as presented

Which alternative is recommended? Why?

Staff recommends approval of the applicant's request for "R-1" (Single-Family Residential District).

Staff finds that the request is compatible with the existing land uses and prevailing community character. Further, staff finds that approval of this request would not negatively affect the surrounding community.

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:

At their regular meeting on March 20, 2023, the Planning and Zoning Commission recommended approval of the applicant’s request by a vote 8 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

- Maps
- Site Photos
- Minutes
- Ordinance
- Considerations
- Presentation