



# City of Killeen

## Legislation Details (With Text)

**File #:** PH-22-011    **Version:** 1    **Name:** Zoning 21-44  
**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 Mitchell & Associates, Inc. on behalf of Eakin Commercial Properties, LTD (Case #Z21-44) to rezone approximately 0.271 acres, being part of Lots 2 & 4, Block 1, Eakin Commercial Addition Phase Two, from "B-3" (Local Business District) to "B-5" (Business District). The property is addressed as 5500 E. Central Texas Expressway and 2301 Rosewood Drive, Killeen, Texas.

**Sponsors:** Development Services

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Maps, 3. Site Photos, 4. Minutes, 5. Ordinance, 6. Considerations, 7. 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 Mitchell & Associates, Inc. on behalf of Eakin Commercial Properties, LTD (Case #Z21-44) to rezone approximately 0.271 acres, being part of Lots 2 & 4, Block 1, Eakin Commercial Addition Phase Two, from "B-3" (Local Business District) to "B-5" (Business District). The property is addressed as 5500 E. Central Texas Expressway and 2301 Rosewood Drive, Killeen, Texas.

**DATE:** January 18, 2022

**TO:** Kent Cagle, City Manager

**FROM:** Wallis Meshier, CNU-A, Director of Planning

**SUBJECT:** ZONING CASE #Z21-44: "B-3" (LOCAL BUSINESS DISTRICT) TO "B-5" (BUSINESS DISTRICT)

**BACKGROUND AND FINDINGS:**

**Property Information:**

**Property Owner / Agent:** Eakin Commercial Properties, LTD / Mitchell & Associates, Inc.

**Current Zoning:** "B-3" (Local Business District)

**Proposed Zoning:** "B-5" (Business District)

**Future Land Use Designation:** 'Planned Development' (PD)

**Summary of Request:**

Mitchell & Associates, on behalf of Eakin Commercial Properties, LTD (**Case #Z21-44**), has submitted a request to rezone approximately 0.271 acres, being part of Lots 2 and 4, Block 1, Eakin Commercial Addition Phase 2, from "B-3" (Local Business District) to "B-5" (Business District). The purpose of the request is to align the zoning district boundaries with the platted property lines of Lots 2 and 4 of the Eakin Commercial Addition and establish the same zoning district across the entirety of both lots.

**Zoning/Plat Case History:**

The property was rezoned via Ordinance No. 15-005 from "R-1" (Single-Family Residential District) to "B-3" (Local Business District) on January 27, 2015. The property was platted as Eakin Commercial Addition Phase Two on August 23, 2021.

**Character of the Area:**

	Current Land Use	Zoning District	Future Land Use *
North	Commercial businesses	M-1 (Manufacturing)	GC
East	Commercial businesses	R-1 (Single-Family Residential)	GC and PD
South	Vacant	R-2 (Two-Family Residential)	GC
West	Vacant	M-1 (Manufacturing)	GC and PD

\* General Commercial (GC), Planned Development (PD)

**Future Land Use Map Analysis:**

This property is designated as 'Planned Development' (PD) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'Planned Development' (PD) designation promotes that site design and development quality should be superior given strategic location and high profile. It should be designed as transit supportive and should provide for safe and convenient bicycle and pedestrian circulation options, both within and beyond the planned development area.

The 'Planned Development' (PD) designation encourages the following development types:

- Mixed use (retail, office, residential, public);
- Variety of housing types;
- Parks and public spaces.

The request is consistent with the intent of 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:**

Ingress and egress to the property is via the frontage road of E. Central Texas Expressway, which is classified as 70-foot wide Collector, and Rosewood Drive, which is classified as a 110-foot wide Minor Arterial on the City of Killeen Thoroughfare Plan.

### **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 twelve (12) surrounding property owners regarding this request. Of those property owners notified, seven (7) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and one (1) resides outside of Killeen. As of the date of this staff report, staff has received no written responses regarding this request.

### **Staff Findings:**

Staff finds that the applicant's request is compatible with the surrounding property uses and consistent with the prevailing community character. The purpose of the request is to align the zoning district boundaries with the platted property lines.

### **THE ALTERNATIVES CONSIDERED:**

The City Council has three (3) alternatives. The Council may:

- Disapprove the applicant's request;
- Approve a more restrictive zoning district than requested by the applicant; or
- Approve of the applicant's request.

### **Which alternative is recommended? Why?**

Staff recommends approval of the applicant's request to rezone the property from "B-3" (Local Business District) to "B-5" (Business District).

The purpose of the request is to align the zoning district boundaries with the platted property lines.

### **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 6 to 0.

### **DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Site Photos  
Minutes  
Ordinance  
Considerations