



# City of Killeen

## Legislation Details (With Text)

**File #:** PH-17-027    **Version:** 1    **Name:** Zoning 17-13  
**Type:** Ordinance/Public Hearing    **Status:** Passed  
**File created:** 4/26/2017    **In control:** City Council  
**On agenda:** 6/13/2017    **Final action:** 6/13/2017  
**Title:** HOLD a public hearing and consider an ordinance requested by Loma Vista Estates, a Texas partnership,(Case #Z17-13) to rezone Lots 7 and 8, Block 1, Loma Vista Estates Phase Three, from "B-5" (Business District) to "R-2" (Two Family Residential District). The properties are located at 2813 and 2814 Leroy Lane, Killeen, Texas.  
**Sponsors:** Development Services  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Staff Report, 2. Aerial Map Exhibit, 3. Minutes, 4. Ordinance, 5. Application, 6. Location Map, 7. Buffer Map, 8. Considerations, 9. Response, 10. Presentation

Date	Ver.	Action By	Action	Result
6/13/2017	1	City Council	Approved	Pass
6/6/2017	1	City Council Workshop		

**HOLD** a public hearing and consider an ordinance requested by Loma Vista Estates, a Texas partnership, (**Case #Z17-13**) to rezone Lots 7 and 8, Block 1, Loma Vista Estates Phase Three, from "B-5" (Business District) to "R-2" (Two Family Residential District). The properties are located at 2813 and 2814 Leroy Lane, Killeen, Texas.

**DATE:**        **May 16, 2017**  
**TO:**            **Ronald L. Olson, City Manager**  
**FROM:**        **Ray Shanaa, Executive Director of Planning and Development Services**  
**SUBJECT: ZONING CASE #Z17-13 "B-5" (BUSINESS DISTRICT) TO "R-2" (TWO FAMILY RESIDENTIAL DISTRICT)**

### **BACKGROUND AND FINDINGS:**

Loma Vista Estates, a Texas partnership, submits this request to rezone Lots 7 and 8, Block 1, Loma Vista Estates Phase Three, from "B-5" (Business District) to "R-2" (Two Family Residential District). The properties are locally known as 2813 and 2814 Leroy Lane, Killeen, Texas.

#### District Descriptions:

A building or premises 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"

(2) Two-family dwellings

Property Specifics

Applicant/Property Owner: Loma Vista Estates, a Texas partnership

Property Location: The properties are located at 2813 and 2814 Leroy Lane, Killeen, Texas.

Legal Description: Lots 7 and 8, Block 1, Loma Vista Estates Phase Three

Zoning/ Plat Case History:

- The properties were rezoned from "R-1" (Single-family Residential District) to "B-5" (Business District) on December 12, 1995, per Ordinance No. 95-94.
- The subject properties are platted as part of Loma Vista Estates Phase Three, which was filed for record on December 14, 2000, in Cabinet C, Slide 231-B, Plat Records, Bell County, Texas.

Character of the Area

Existing Land Use(s) on the Property: This properties are vacant and are located in a residential neighborhood.

Historic Properties: There are no historic structures on this property.

Figure 1. Zoning Map

See Attachment

Infrastructure and Community Facilities

Water, Sewer and Drainage Services

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water and sewer infrastructure is immediately available to the property. The property owners and their 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: The property is accessed via Leroy Circle, which is classified as a 60' wide local street on the City's adopted Thoroughfare Plan.

Proposed Improvements: None at this time

Projected Traffic Generation: Two duplex units will generate 38 vehicle trips per day.

Environmental Assessment

Topography/Regulated Floodplain/Floodway/Creek: The properties range in elevation from 916 to 930 feet

above sea level. The properties are part of a FEMA 2013 Letter of Map Revision (LOMR), which removed them from the floodplain. The properties are located south of the Trimmier Road Ditch.

### Land Use Analysis

Land Use Plan: This area is designated as 'Four-plex Residential' (RQ) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

Plan Recommendation: The 'Four-plex Residential' (RQ) character encourages clusters of this type, with four units typically in two-story buildings as well as parks and public spaces.

Consistency: This zoning request is consistent with regard the FLUM designation of this property.

### Public Notification

The staff notified seventeen (17) surrounding property owners within a 200' notification boundary regarding this request. Staff received a response from Ms. Raye Mayhorn, the owner of 2710 S. Fort Hood Street. Ms. Mayhorn's comments have been included for consideration.

## **THE ALTERNATIVES CONSIDERED:**

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

Staff is not recommending any alternative.

### **Why?**

The "R-2" zoning represents a down-zoning of this parcel, while allowing a more restrictive residential housing type.

## **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:**

The Planning and Zoning Commission recommended approval of the applicant's request for "R-2" zoning by a vote of 4 to 0, with Commissioners Latham and Purser abstaining.

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal Department.

**ATTACHED SUPPORTING DOCUMENTS:**

Aerial Map Exhibit  
Minutes  
Ordinance  
Application  
Location Map  
Buffer Map  
Considerations  
Response