



# City of Killeen

## Legislation Details (With Text)

**File #:** PH-24-016    **Version:** 1    **Name:** Z24-08  
**Type:** Ordinance/Public Hearing    **Status:** Passed  
**File created:** 4/29/2024    **In control:** City Council  
**On agenda:** 5/28/2024    **Final action:** 5/28/2024  
**Title:** HOLD a public hearing and consider an ordinance submitted by Melba Impson (Case #Z24-08) to rezone approximately 2.00 acres out of the J. E. Madera Survey, Abstract No. 600, 10-5, from "R-1" (Single-Family Residential District) and "R-3" (Multifamily Residential District) to "B-3" (Local Business District). The subject property is generally located southeast of the intersection of West Stan Schlueter Loop and Clear Creek Road (S.H. 201), Killeen, Texas.  
**Sponsors:** Development Services

**Indexes:**

**Code sections:**

**Attachments:** 1. Maps, 2. Site Photos, 3. Letter of Request, 4. Minutes, 5. Ordinance, 6. Considerations, 7. Presentation

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|----------|--------|
| 5/28/2024 | 1    | City Council          | approved | Pass   |
| 5/21/2024 | 1    | City Council Workshop |          |        |

HOLD a public hearing and consider an ordinance submitted by Melba Impson (Case #Z24-08) to rezone approximately 2.00 acres out of the J. E. Madera Survey, Abstract No. 600, 10-5, from "R-1" (Single-Family Residential District) and "R-3" (Multifamily Residential District) to "B-3" (Local Business District). The subject property is generally located southeast of the intersection of West Stan Schlueter Loop and Clear Creek Road (S.H. 201), Killeen, Texas.

**DATE:** May 21, 2024

**TO:** Kent Cagle, City Manager

**FROM:** Edwin Revell, Executive Director of Development Services

**SUBJECT:** Zoning Case # 24-08: "R-1" (Single-Family Residential District) and "R-3" (Multifamily Residential District) to "B-3" (Local Business District)

### **BACKGROUND AND FINDINGS:**

#### **Property Information:**

**Property Owner:** Melba Impson

**Agent:** N/A

**Current Zoning:** "R-1" (Single-Family Residential District) & "R-3" (Multifamily Residential District)

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

**FLUM Designation:** 'Regional Commercial' (RC)

## **Growth Sector Designation: 'Intended Growth'**

### **Summary of Request:**

Melba Impson submitted a request to rezone approximately 2.00 acres from "R-1" (Single-Family Residential District) and "R-3" (Multifamily Residential District) to "B-3" (Local Business District). The purpose of this request is to change the property's zoning to sell it to a prospective commercial developer.

### **Zoning/Plat Case History:**

A portion of the subject property was annexed into the City limits on March 15, 1999, via Ordinance No. 99-16. The remainder of the property was annexed into the City limits on June 7, 1999, via Ordinance No. 99-84. The property was subsequently rezoned from "A" (Agricultural) to "R-1" (Single-Family Residential District) via Ordinance No. 99-16, and from "A" (Agricultural) to "R-3" (Multifamily Residential District) via Ordinance No. 00-54. The property is currently not platted.

### **Character of the Area:**

**North:** Existing single-family home zoned "B-3" (Local Business District) (Legal nonconforming) and vacant property zoned "B-3" (Local Business District)

**South:** Vacant property zoned "R-1" (Single-Family Residential District) & "R-3" (Multifamily Residential District)

**East:** Existing self-storage facility zoned "B-3" (Local Business District)

**West:** Existing single-family home zoned "B-3" (Local Business District) (Legal nonconforming)

### **Future Land Use Map Analysis:**

The subject property is located within the 'Intended Growth' area on the Growth Sector Map and designated as 'Regional Commercial' on the Future Land Use Map (FLUM) of the 2022 Comprehensive Plan.

These 'Regional Commercial' places are first identified by their principal focus on auto-oriented traffic. Logically placed near high-traffic intersections, these spaces bring people from many surrounding neighborhoods. Typical uses will include regional businesses including but not limited to restaurants, grocery stores, banks, retail, gas stations, and offices. This place type encourages small-scale, neighborhood-scale, regional, and industrial. This place type encourages one hundred percent (100%) nonresidential and fifty percent (50%) residential use.

The request supports or furthers the following Comprehensive Plan recommendations:

- **LU3** - Encourage incremental evolution of neighborhoods.
- **NH4** - Build complete neighborhoods.
- **MC2** - Coordinate land use and mobility strategies to create commercial nodes in each development zone of the city and within neighborhoods.

The 'Intended Growth' sector includes property that is in close proximity to existing development and has access to existing or planned infrastructure. Development in this sector should align with the Big Ideas of this plan, particularly those related to diversifying the housing and neighborhood options in the city.

Staff finds that the applicant's request is consistent with the Comprehensive Plan.

### **Development Zone Analysis:**

This property is located within the City of Killeen Development Zone #5. This development zone is south of Stan Schlueter Loop and west of State Highway 195.

Current land use mix within this area comprises approximately:

38.17% non-residential uses  
61.8% residential uses

The current land use mix within this area comprises of the following acreages and percentages approximately:

| <b><u>District</u></b> | <b><u>Acres</u></b> | <b><u>Percentage</u></b> |
|------------------------|---------------------|--------------------------|
| Special Districts      | 195.79              | 5.66%                    |
| Residential            | 2206.39             | 63.75%                   |
| Industrial             | 19.91               | 0.58%                    |
| Commercial             | 337.92              | 9.76%                    |
| Agricultural           | 700.92              | 20.25%                   |
| <b>Totals</b>          | <b>3460.93</b>      | <b>100.00%</b>           |

#### **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. There is Water available on the east side of Clear Creek Rd and Sanitary Sewer is available to the south of the subject lot.

#### **Transportation and Thoroughfare Plan:**

Ingress and egress to the property is through a non-exclusive passage and utility easement that accesses Clear Creek Road, which is classified as a 120' wide Principal Arterial on the City of Killeen Comprehensive Plan. A traffic impact analysis will be completed once a plan for development is in place.

#### **PARKS AND PROPOSED TRAIL PLAN:**

There are no proposed parks or trails located on this site. Nonresidential development is exempt from parkland dedication requirements in accordance with Sec. 26-129(B)1.

#### **Environmental Assessment:**

The property is within Zone X a FEMA-regulatory Special Flood Hazard Area (SFHA). There are no known wetland areas on the property as identified on the National Wetlands Inventory.

#### **Public Notification:**

Staff notified seventeen (17) surrounding property owners regarding this request. Of those property owners notified, eight (8) are outside the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by the Council, and eleven (11) reside outside Killeen. To date, staff has received no written responses regarding this request.

### **Staff Findings:**

There is a single-family home on the subject property. The surrounding area includes a mix of vacant land, single-family homes, multifamily, and commercial uses. Staff finds that the applicant's request is consistent with the recommendations of the Comprehensive Plan.

### **THE ALTERNATIVES CONSIDERED:**

The City Council may:

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

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

Staff recommends approval of the applicant's zoning request.

### **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. Public infrastructure is already in place for this property and maintained by the City. Maintenance cost will continue for the life of the development.

#### **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:**

Staff recommends approval of the applicant's request to rezone the property from "R-1" (Single-Family Residential District) and "R-3" (Multifamily Residential District) to "B-3" (Local Business District) as presented.

Staff supports the applicant's request to rezone the property to "B-3" (Local Business District). If approved, this request will allow for commercial development on the entire southeast corner of Clear Creek Road and West Stan Schlueter Loop, which will increase the economic vitality of this area. Further, staff finds that the request is consistent with the Future Land Use Map (FLUM) and with the recommendations of the Killeen 2022 Comprehensive Plan.

At their regular meeting on April 15, 2024, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 4 to 0.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Site Photos  
Letters of Request  
Minutes  
Ordinance  
Considerations  
Presentation