



City of Killeen

Legislation Details (With Text)

File #: PH-22-004 **Version:** 1 **Name:** Zoning 21-39
Type: Ordinance/Public Hearing **Status:** Failed
File created: 12/9/2021 **In control:** City Council
On agenda: 1/11/2022 **Final action:** 1/11/2022
Title: HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of Alfred George Mayo Jr. (Case #Z21-39) to rezone approximately 0.155 acres out of the Cole (Unrecorded) Subdivision from "B-3" (Local Business District) to "R-2" (Two-Family Residential District). The property is addressed 1015 North 10th Street, Killeen, Texas.
Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Site Photos, 3. Maps, 4. Minutes, 5. Ordinance, 6. Considerations, 7. Presentation

Date	Ver.	Action By	Action	Result
1/11/2022	1	City Council	Disapproved	Pass
1/4/2022	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of Alfred George Mayo Jr. (Case #Z21-39) to rezone approximately 0.155 acres out of the Cole (Unrecorded) Subdivision from "B-3" (Local Business District) to "R-2" (Two-Family Residential District). The property is addressed 1015 North 10th Street, Killeen, Texas.

DATE: **January 4, 2022**

TO: **Kent Cagle, City Manager**

FROM: **Wallis Meshier, Director of Planning**

SUBJECT: **ZONING CASE #Z21-39: "B-3" (LOCAL BUSINESS DISTRICT) TO "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT)**

BACKGROUND AND FINDINGS:

Property Information:

Property Owner / Agent: Alfred George Mayo Jr. / Quintero Engineering, LLC
Current Zoning: "B-3" (Local Business District)
Requested Zoning: "R-2" (Two-Family Residential District)
Future Land Use Designation: 'Residential-Commercial Mix' (RC-MIX)

Summary of Request:

Quintero Engineering, LLC, on behalf of Alfred George Mayo Jr. (Case #21-39), has submitted a request to rezone approximately 0.155 acres out of the Cole (Unrecorded) Subdivision from "B-3" (Local Retail District) to "R-2" (Two-Family Residential District). If approved, the applicant intends to develop a two-family dwelling on the property.

Zoning/Plat Case History:

The property was rezoned from "R-3" (Multifamily Residential District) to "B-3" (Local Business District) on July 25, 1995 via Ordinance No. 95-57. The property is part of Cole (Unrecorded) Subdivision, Block 3.

Character of the Area:

	Current Land Use	Zoning District	Future Land Use
North	Two-family homes	R-3 (Multifamily Residential)	Residential-Commercial Mix
East	Single-family homes	R-3 (Multifamily Residential)	General Residential (GR)
South	Single-family home	R-3 (Multifamily Residential)	Residential-Commercial Mix
West	Two-family homes	R-3 (Multifamily Residential)	Residential-Commercial Mix

Future Land Use Map Analysis:

This property is designated as 'Residential-Commercial Mix' (RC-Mix) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'Residential-Commercial Mix' (RC-Mix) designation encompasses areas that were allowed to develop in the past with non-residential uses (including uses with a heavy commercial and/or industrial intensity) intermixed amid a variety of residential uses, often with minimal screening and/or buffering.

The 'Residential-Commercial Mix' (RC-Mix) future land use designation encourages the following development types:

- Mix of residential types and densities; and
- A variety of commercial and light industrial activities.

This request is consistent with 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 Garrison Avenue, which is classified as 60' wide local street on the City of Killeen Thoroughfare Plan, and North 10th Street to the east of the property, which is classified as a 110' wide minor arterial. No driveway access will be permitted on North 10th Street, per the 1984 Thoroughfare Development Manual.

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 forty-nine (49) surrounding property owners regarding this request. Of those notified, twenty-six (26) properties were located outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and eighteen (18) reside out of Killeen. As of the date of this staff report, staff has received no written responses this request.

Staff Findings:

Staff finds the applicant's request consistent with the surrounding land uses and compatible with the prevailing community character.

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 applicant; or
- Approve 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 "R-2" (Two-Family Residential District) as presented.

The character of the area is predominantly residential. In addition, this area is designated on the FLUM as being intended for a mix of residential types and densities.

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 6, 2021, the Planning and Zoning Commission recommended approval of the applicant's request to rezone the property from "B-3" (Local Business District) to "R-2" (Two-Family Residential District) by a vote of 6 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Site Photos
Maps

Minutes
Ordinance
Considerations