



City of Killeen

Legislation Details (With Text)

File #: PH-17-051 **Version:** 1 **Name:** Zoning 17-25
Type: Ordinance/Public Hearing **Status:** Passed
File created: 11/20/2017 **In control:** City Council
On agenda: 12/12/2017 **Final action:** 12/12/2017

Title: HOLD a public hearing and consider an ordinance requested by Furman Moore, on behalf of Andrew Straughn, (Case #Z17-25) to rezone approximately 0.270 acre, being Lot 15A, Block 1, of the De Ann Subdivision Replat, from "B-5" (Business District) to "R-3F" (Multifamily Residential District). The property is generally located on the west side of Courtney Lane, approximately 200 feet northeast of the intersection with Shawn Drive, and is locally known as 3103 Courtney Lane, Killeen, Texas.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibits, 3. Minutes, 4. Ordinance, 5. Location and Notification Map, 6. Presentation

Date	Ver.	Action By	Action	Result
12/12/2017	1	City Council	Approved	Pass
12/5/2017	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Furman Moore, on behalf of Andrew Straughn, (**Case #Z17-25**) to rezone approximately 0.270 acre, being Lot 15A, Block 1, of the De Ann Subdivision Replat, from "B-5" (Business District) to "R-3F" (Multifamily Residential District). The property is generally located on the west side of Courtney Lane, approximately 200 feet northeast of the intersection with Shawn Drive, and is locally known as 3103 Courtney Lane, Killeen, Texas.

DATE: December 5, 2017

TO: Ronald L. Olson, City Manager

FROM: Dr. Ray Shanaa, Executive Director of Planning and Development Services

SUBJECT: ZONING CASE #Z17-25 "B-5" (BUSINESS DISTRICT) TO "R-3F" (MULTIFAMILY RESIDENTIAL DISTRICT)

BACKGROUND AND FINDINGS:

This request is submitted by Furman Moore, on behalf of Andrew Straughn, to rezone approximately 0.270 acre, being Lot 15A, Block 1, of the De Ann Subdivision Replat, from "B-5" (Business District) to "R-3F" (Multifamily Residential District). The property is generally located on the west side of Courtney Lane, approximately 200 feet northeast of the intersection with Shawn Drive and is locally known as 3103 Courtney Lane, Killeen, Texas. Although it is zoned "B-5", the current use of the property is a quadplex. The applicant has requested to rezone the property to "R-3F" in order to bring the current use into a conforming status and

thereby obtain financing for the sale of the property.

District Descriptions:

A building or premises in an R-3F multi-family apartment residential district shall be used only for the following purposes:

- (1) All uses allowed in Section 31-186
- (2) Multifamily structures containing three (3) or four (4) separate dwelling units.
- (3) Institutions of a religious, educational, charitable or philanthropic nature, but not a penal or mental institution
- (4) Licensed group or community home housing five (5) or fewer persons
- (5) Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a business

Property Specifics:

Applicant / Property Owner: Furman Moore / Andrew Straughn

Property Location: The subject property is generally located on the west side of Courtney Lane, approximately 200 feet northeast of the intersection with Shawn Drive, and is locally known as 3103 Courtney Lane, Killeen, Texas.

Legal Description: Lot 15A, Block 1, of the De Ann Subdivision Replat

Zoning/ Plat Case History:

- There is no recent zoning activity for this property.
- The subject property is platted.

Character of the Area:

Existing Land Use(s) on the Property: Quadplex

Historic Properties: None

Infrastructure and Community Facilities:

Water, Sewer and Drainage Services

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer, and drainage utility services will need to be extended at the time of development.

Transportation:

Existing conditions: Courtney Lane is classified as a Local Street on the City's adopted Thoroughfare Plan.

Proposed Improvements: None.

Projected Traffic Generation: None; the use of the property will not be changing as a result of this request.

Environmental Assessment:

Topography/Regulated Floodplain/Floodway/Creek: This lot is not within any FEMA regulatory Special Flood Hazard Area (SFHA), and there are no known wetlands on or adjacent to the parcel.

Land Use Analysis:

Future Land Use Map: This area is designated as 'General Residential' (GR) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

Plan Recommendation: The 'General Residential' designation encourages the following development types:

- Detached residential dwellings as the primary focus
- Attached housing types subject to compatibility and open space standards
- Planned developments, potentially with a mix of housing types and varying densities
- Public/ institutional
- Parks and public spaces

Consistency: This zoning request is consistent with the Comprehensive Plan.

Public Notification:

Staff notified sixteen (16) surrounding property owners regarding this request. As of the date of this staff report, no responses have been received.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended?

Staff is not recommending any alternative.

Why?

The applicant would like to pursue the zoning request as submitted.

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:

Staff finds that the request for "R-3F" is consistent with the character of the area and would have no adverse impacts on the surrounding properties. Given that the property is currently being used as a quadplex, the proposed zoning change would serve to bring the existing nonconforming use into conformance with the City's zoning regulations. Therefore, staff recommends approval of the requested "R-3F" zoning.

By a vote of 6 to 1 (with Commissioner Harkin in opposition), the Planning and Zoning Commission recommended approval of "R-3F" of zoning.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

1. Exhibits
2. Minutes
3. Ordinance
4. Location/Notification Map