



City of Killeen

Legislation Details (With Text)

File #: PH-24-011 **Version:** 1 **Name:** Z24-04
Type: Ordinance/Public Hearing **Status:** Ordinances
File created: 3/25/2024 **In control:** City Council
On agenda: 5/14/2024 **Final action:** 5/14/2024
Title: Consider an ordinance requested by TCG Engineering on behalf of GWC Holdings, LLC and McLean Commercial Ltd. (Case #Z24-04) to rezone approximately 195.04 acres out of the W. H. Cole Survey, Abstract No. 200, from "A" (Agricultural District) to "R-1" (Single-Family Residential District). The subject property is generally located on the west side of Featherline Drive, west of the intersection of Malmaison Road, Killeen, Texas. (Requires a $\frac{3}{4}$ majority vote).
Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Maps, 2. Site Photos, 3. Letters of Request, 4. Minutes, 5. Responses, 6. Opposition Report_James Sills, 7. Ordinance, 8. Considerations, 9. Presentation

Date	Ver.	Action By	Action	Result
5/14/2024	1	City Council	disapproved	Pass
4/23/2024	1	City Council	tabled	
4/16/2024	1	City Council Workshop		

Consider an ordinance requested by TCG Engineering on behalf of GWC Holdings, LLC and McLean Commercial Ltd. (**Case #Z24-04**) to rezone approximately 195.04 acres out of the W. H. Cole Survey, Abstract No. 200, from "A" (Agricultural District) to "R-1" (Single-Family Residential District). The subject property is generally located on the west side of Featherline Drive, west of the intersection of Malmaison Road, Killeen, Texas. (**Requires a $\frac{3}{4}$ majority vote**).

DATE: April 16, 2024

TO: Kent Cagle, City Manager

FROM: Edwin Revell, Executive Director of Development Services

SUBJECT: Zoning Case #24-04: "A" (Agricultural) to "R-1" (Residential Single-Family District)

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: GWC Holdings, LLC and McLean Commercial Ltd.

Agent: TCG Engineering

Current Zoning: "A" (Agricultural District)

Proposed Zoning: "R-1" (Single-Family Residential District)

FLUM Designation: 'Residential Mix' (RM)

Growth Sector Designation: 'Controlled Growth'

Summary of Request:

TCG Engineering has submitted a request to rezone approximately 195.04 acres out of the W. H. Cole Survey, Abstract No. 200 from "A" (Agricultural District) to "R-1" (Single-Family Residential District). If approved, the applicant intends to develop approximately six hundred (600) single-family lots on the property.

A public hearing on this item was held during the regular City Council meeting on April 23, 2024. At that meeting, the Council voted to table this item to the regular meeting on May 14, 2024.

Zoning/Plat Case History:

The subject property was annexed into the City limits on April 30, 2004, via Ordinance No. 04-12. The property was subsequently zoned to "A" (Agricultural District) after annexation on April 26, 2005, via Ordinance No. 05-31. The property is currently not platted.

Character of the Area:

North: Low-density single-family residential development zoned "R-1" (Single-Family Residential District) (Llewelyn Ranchettes)

South: Existing single-family residential property zoned "R-1" (Single-Family Residential District) (Prairie View Estates) and a proposed battery storage facility zoned "CUP" (Conditional Use Permit)

East: Existing single-family residential development (Yowell Ranch) zoned "PUD" for "R-1" (Single-Family Residential District)

West: Undeveloped property zoned "A" (Agricultural District) and "B-3" (Local Business District); and the KISD Transportation Facility zoned "SR-1" (Suburban Residential Single-Family District)

Future Land Use Map Analysis:

This property is located within the 'Controlled Growth' area on the Growth Sector Map and designated as 'Residential Mix' on the Future Land Use Map (FLUM) of the 2022 Comprehensive Plan.

This 'Residential Mix' place type creates neighborhoods built with a traditional walkable block/street grid network that allows a flexible mix of residential building typologies. Aside from large multiplex garden apartments, most housing types should be allowed here. This place type encourages most residential uses such as single-family detached, townhouses, small-plex (2-4 units), etc. This place type encourages a twenty-five percent (25%) nonresidential and ninety-five percent (95%) residential use mix.

The request supports or furthers the following Comprehensive Plan recommendations:

- **LU1** - Use place types and complete neighborhoods as building blocks
- **NH4** - Build complete neighborhoods
- **MC3** - Improve network connectivity

The 'Controlled Growth' sector includes areas in the city limits and approved Municipal Utility Districts (MUDs) that have access to city infrastructure nearby. Development proposed in this sector will be evaluated for adherence to the Big Ideas and Recommendations of the plan, particularly those related to housing and neighborhood options, and improve Killeen's fiscal health and sustainability.

The request is consistent with the following Big Ideas of the 2022 Comprehensive Plan:

1. Resource stewardship and fiscally responsible growth ensure a more prosperous community for the long haul.
5. Neighborhoods, not subdivisions, make great places for everyone.

Staff finds that the applicant's request is consistent with the Killeen 2040 Comprehensive Plan.

Development Zone Analysis:

The property is located within Killeen Development Zone #8.

Current land use mix within this area comprises approximately:

1% non-residential uses

99% residential uses

Zoning district breakdown:

Special Districts 13.19%

Residential 47.14%

Ind. & Comm. 5.44%

Agricultural 34.23%

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.

Transportation and Thoroughfare Plan:

Ingress and egress to the property are from Featherline Road, which is classified as a 110' wide Minor Arterial in the Killeen 2040 Comprehensive Plan. A Minor Arterial for the continuation of Malmaison Road and a Collector for the continuation of Shawlands Road is proposed in the 2022 Thoroughfare Plan. Both roadways are expected to continue through to Trimmier Road as development of the area continues. The proposed development will require the development of the proposed roadways and a Traffic Impact Analysis (TIA).

PARKS AND PROPOSED TRAIL PLAN:

There are no proposed parks or trails located on this site. Staff anticipates that the subject property will yield approximately 600 single-family lots. Changes in the overall number of residential dwellings will be assessed during platting and the parkland dedication requirements may be adjusted. Based on this number, the parkland dedication requirements would be as follows:

- Parkland Dedication: 8.97 acres
- Fees-In-Lieu of Parkland Dedication: \$ 450,000
- Park Development Fees: \$ 270,000

Environmental Assessment:

A Portion of the property is within both the Zone AE and Zone X FEMA-regulatory Special Flood Hazard Areas (SFHA). There is a known wetland area (PFO1C) a freshwater Forested/Shrub Wetland on the property as

identified on the National Wetlands Inventory.

Public Notification:

Staff notified one hundred and ninety-eight (198) surrounding property owners regarding this request. Of those property owners notified, one hundred and eleven (111) reside outside the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by the Council, and thirty-one (31) live outside Killeen. As of the date of this staff report, staff has received twenty-nine (29) written responses in opposition to this request. The opposition amounts to approximately 26.6% of the 200-foot notification boundary.

Staff Findings:

The subject property is currently vacant and zoned "A" (Agricultural District). The surrounding area includes a mix of developed single-family residential neighborhoods and mostly undeveloped light commercial uses. Staff finds that the applicant's request is consistent with the policies and principles of the Killeen 2040 Comprehensive Plan.

Engineering has reviewed the proposed rezoning and has no comments. In response to the public feedback, Engineering provides the following responses:

- The area of this development has the needed infrastructure to support the development. There is adequate water pressure and sewer availability. Featherline is currently a 2-lane county road with roadside ditches. The capacity of a two-lane road for ideal conditions is 1,900 vehicles per hour per lane. This would equate to 3,800 vehicles per hour for a peak consideration. This capacity far exceeds the Average daily traffic of 7,966 vehicles for two directions, as stated during the public comment at the Planning and Zoning meeting.
- The City does have a long-term plan to widen and improve this corridor to urban design standards. Any improvements to the roadway as it relates to the project is reviewed at the preliminary plat and permit design. A TIA will be required to determine the need for any mitigations along Featherline based on the additional growth. The development will also be required to install sidewalks along their frontage.
- Storm drainage design for this area will include two existing outfalls that will discharge into Trimmer Creek tributaries that capture runoff for this area. Drainage design requirements will be reviewed during the preliminary plat and permit review to ensure no impact downstream or upstream of the proposed development.

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

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. However, subsequent development and dedication of public infrastructure will require maintenance funds over the life cycle of future 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 "A" (Agricultural) to "R-1" (Single-Family Residential District) as presented.

At their regular meeting on March 18, 2024, the Planning and Zoning Commission recommended **disapproval** of the applicant's request to rezone the subject property from "A" (Agricultural District) to "R-1" (Single-Family Residential District) by a vote of 5 to 0.

Therefore, in accordance with Killeen Code of Ordinances Sec. 31-39(e), approval of the request will require the favorable vote of three-fourths (3/4) of all the members of the City Council (6 affirmative votes).

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Site Photos
Letters of Request
Minutes
Ordinance
Responses

Opposition Report by James Sills
Considerations
Presentation