



City of Killeen

Legislation Details (With Text)

File #: PH-17-022 **Version:** 1 **Name:** Zoning 17-09
Type: Ordinance/Public Hearing **Status:** Passed
File created: 3/20/2017 **In control:** City Council
On agenda: 4/11/2017 **Final action:** 4/11/2017

Title: HOLD a public hearing and consider an ordinance requested by RSBP Developers, Inc. (Case #Z17-09) to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) and "R-3" (Multifamily Residential District) uses to "R-2" (Two Family Residential District). The properties are locally known as 1500 through 1506, 1508, 1510, 1512, 1601, 1603, 1605, 1606, 1608 through 1613 and 1701 Justin 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. Presentation

Date	Ver.	Action By	Action	Result
4/11/2017	1	City Council	Approved	Pass
4/4/2017	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by RSBP Developers, Inc. (**Case #Z17-09**) to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) and "R-3" (Multifamily Residential District) uses to "R-2" (Two Family Residential District). The properties are locally known as 1500 through 1506, 1508, 1510, 1512, 1601, 1603, 1605, 1606, 1608 through 1613 and 1701 Justin Lane, Killeen, Texas.

DATE: April 4, 2017

TO: Ronald L. Olson, City Manager

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

SUBJECT: REZONING CASE #Z17-09 PLANNED UNIT DEVELOPMENT (PUD) WITH "SF-2" (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) TO "R-2" (TWO FAMILY RESIDENTIAL DISTRICT)

BACKGROUND AND FINDINGS:

RSBP Developers, Inc. submits this request to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from a Planned Unit Development (PUD) for "SF-2" (Single-Family Residential District) and "R-3" (Multifamily Residential District) uses to "R-2" (Two Family Residential District). The properties are locally known as 1500 through 1506, 1508, 1510, 1512, 1601,

1603, 1605, 1606, 1608 through 1613 and 1701 Justin 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

The property is currently vacant. There is a mixture of existing commercial uses and residential uses in the vicinity.

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

Plan Recommendation: The 'General Residential' character encourages detached residential dwellings as the primary focus, attached housing types subject to compatibility and open space standards (e.g. duplexes), planned developments with a mix of housing types subject to compatibility and open space standards, public/institutional, parks, and other public spaces. The characteristics of this designation include:

- Predominantly "R-1" zoning district with less openness and separation between dwellings compared to Suburban Residential areas
- Auto-oriented character that can be offset with architectural standards, landscaping, and limited uniform subdivision designs
- Neighborhood-scale commercial emerging over time for well-suited areas

Consistency: The zoning request is consistent with the FLUM of the Comprehensive Plan.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended? Why?

The City Council shall take the following Pharr v. Tippitt guidelines into consideration making a decision on a zoning request:

Is the request in accordance with the comprehensive plan?

Is the request designed to lessen congestion in the streets; secure safety from fire, panic, or other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; or facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements?

What, if any, is the nature and degree of an adverse impact upon neighboring lands?

The suitability or unsuitability of the tract for use as presently zoned

Whether the amendment bears a substantial relationship to the public health, safety, morals, or general welfare or protects and preserves historical and cultural places and areas

Whether there is a substantial public need or purpose for the new zoning

Whether there have been substantially changed conditions in the neighborhood

Is the new zoning substantially inconsistent with the zoning of neighboring lands? (Whether the new zoning is more or less restrictive)

The size of the tract in relation to the affected neighboring lands - is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?

Any other factors which will substantially affect the health, safety, morals, or general welfare

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, it will be necessary to maintain future publicly dedicated infrastructure.

Is this a one-time or recurring expenditure?

The maintenance of publicly dedicated infrastructure will be on-going.

Is this expenditure budgeted?

This expenditure is not discretely budgeted.

If not, where will the money come from?

Various Public Works accounts

Is there a sufficient amount in the budgeted line-item for this expenditure?

This is not applicable at this time.

RECOMMENDATION:

The Planning and Zoning Commission recommended approval of the applicant's zoning request by a vote of 4 to 0, with Commissioner Purser abstaining. The staff notified 16 (sixteen) surrounding property owners regarding this request and received no protests.

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