



# City of Killeen

## Legislation Details (With Text)

**File #:** PH-16-024B    **Version:** 1    **Name:** Zoning 16-11  
**Type:** Ordinance/Public Hearing    **Status:** Passed  
**File created:** 6/16/2016    **In control:** City Council  
**On agenda:** 7/12/2016    **Final action:** 7/12/2016  
**Title:** HOLD a public hearing and consider an ordinance requested by Killeen BES, Ltd., Killeen EGS Property, Ltd., and Bentina Ltd. (Case #Z16-11) to rezone approximately 5.81 acres, out of the Azra Webb Survey, Abstract No. 857, from "B-5" (Business District) to "R-2" (Two-Family Residential District). The property is located on the west side of Trimmier Road between Constellation Drive and Atlas Avenue, Killeen, Texas.

**Sponsors:** Development Services

**Indexes:**

**Code sections:**

**Attachments:** 1. Council Memorandum, 2. Attachment to CCMO, 3. Minutes, 4. Ordinance, 5. Application, 6. Location map, 7. Buffer map, 8. Considerations, 9. Response

Date	Ver.	Action By	Action	Result
7/12/2016	1	City Council	Approved	Pass
7/5/2016	1	City Council Workshop		

**HOLD** a public hearing and consider an ordinance requested by Killeen BES, Ltd., Killeen EGS Property, Ltd., and Bentina Ltd. (Case #Z16-11) to rezone approximately 5.81 acres, out of the Azra Webb Survey, Abstract No. 857, from "B-5" (Business District) to "R-2" (Two-Family Residential District). The property is located on the west side of Trimmier Road between Constellation Drive and Atlas Avenue, Killeen, Texas.

### AGENDA ITEM

### ZONING CASE #Z16-11 "B-5" (BUSINESS DISTRICT) TO "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT).

### ORIGINATING DEPARTMENT

### PLANNING & DEVELOPMENT SERVICES

This request is to rezone approximately 5.81 acres out of the Azra Webb Survey, Abstract No. 857, from "B-5" (Business District) to "R-2" (Two-Family Residential District). The applicant is rezoning the property to develop for duplex use. The property is located on the west side of Trimmier Road between Constellation Drive and Atlas Avenue, 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

### **Property Specifics**

**Applicant/Property Owner:** Killeen BES, Ltd., Killeen EGS Property, Ltd., Bentina Ltd.

**Property Location:** The property is located on the west side of Trimmier Road between Constellation Drive and Atlas Avenue, Killeen, Texas.

**Legal Description:** Approximately 5.81 acres out of the Azra Webb Survey, Abstract No. 857

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

- This property was rezoned from "A-R1" (Agricultural Single-Family Residential District) to "B-5" (Business District) on October 25, 2005, per Ordinance No. 05-97. The property is not platted.

### **Character of the Area**

**Existing Land Use(s) on the Property:** The property is undeveloped and vacant. This location is surrounded by a mixture of residential uses from "R-1" (Single-Family Residential) to "A" (Agricultural Residential) and undeveloped commercial zoning.

### **Figure 1. Zoning Map**

See attachment.

**Historic Properties:** None

### **Infrastructure and Community Facilities**

#### **Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Water, sanitary sewer, and drainage utility services are readily accessible to the subject property located within the City of Killeen municipal utility service area. Adequate potable water and sanitary sewer capacity are available to the tract. The property is currently part of a remainder tract and will be required to be platted prior to development. Public storm drainage infrastructure lies within the abutting right-of-way. Detention of post development storm water run-off will be required if inadequate capacity remains within existing drainage infrastructure. Ingress/egress to the property would be limited to the single point of existing ingress/egress to Trimmier Road, a major arterial street and one along Atlas Avenue and Constellation Drive, both local residential streets. No proposed right-of-way taking affects the property.

It shall be noted that Public Works personnel have performed only a basic assessment of publicly-dedicated water and sanitary sewer infrastructure that would serve this property. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for redevelopment of the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.

**Transportation:**

Existing conditions: Trimmier Road is designated as a 90' minor arterial on the City's approved Thoroughfare Plan.

Proposed improvements: None

Projected Traffic Generation: The traffic impact will be minimal.

City's approved Thoroughfare Plan. No proposed right-of-way taking affects the property.

**Environmental Assessment**

**Topography/Regulated Floodplain/Floodway/Creek:** The tract does not lie within a FEMA regulatory Special Flood Hazard Area (SFHA).

**Land Use Analysis**

**Land Use Plan:** The property is designated as 'General Commercial' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Plan Recommendation:** The Comprehensive Plan calls for a wide range of commercial, retail, and service uses, at varying scales and intensities depending on the site.

**Consistency:** The rezone request is not consistent with the Comprehensive Plan. The applicant has submitted a separate request to amend the FLUM to 'General Residential.'

**Public Notification**

The staff notified thirty-four (34) surrounding property owners regarding this request. Staff has received one response in support of 'R-2' zoning in this area.

**Recommendation**

The Planning & Zoning Commission recommended approval of "R-2" zoning by a vote of 5 to 1, with Commissioner Harkin voting in opposition.