



City of Killeen

Legislation Details (With Text)

File #: PH-23-012 **Version:** 1 **Name:** Zoning 22-58
Type: Ordinance/Public Hearing **Status:** Passed
File created: 1/27/2023 **In control:** City Council
On agenda: 2/28/2023 **Final action:** 2/28/2023
Title: HOLD a public hearing and consider an ordinance requested by Cornelius Rogers on behalf of StarPointe Realty Partners I, LLC (Case #Z22-58) to rezone approximately 3.0 acres, being Lot 1, Block 1 Vandyke Addition, from "R-1" (Single-Family Residential District) to "B-3" (Local Business District). The property is locally addressed as 6300 S. Fort Hood St. Killeen, Texas.

Sponsors:

Indexes:

Code sections:

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

Date	Ver.	Action By	Action	Result
2/28/2023	1	City Council	Approved	Pass
2/21/2023	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Cornelius Rogers on behalf of StarPointe Realty Partners I, LLC (**Case #Z22-58**) to rezone approximately 3.0 acres, being Lot 1, Block 1 Vandyke Addition, from "R-1" (Single-Family Residential District) to "B-3" (Local Business District). The property is locally addressed as 6300 S. Fort Hood St. Killeen, Texas.

DATE: February 21, 2023

TO: Kent Cagle, City Manager

FROM: Edwin Revell, Executive Director of Development Services

SUBJECT: Zoning Case #22-58: "R-1" (Single-Family Residential District) to "B-3" (Local Business District)

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: StarPointe Realty Partners I, LLC

Agent: Cornelius Rogers

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

Proposed Zoning: "B-3" (Local Business District)

Current FLUM Designation: 'Residential Mix'

Summary of Request:

Cornelius Rogers, on behalf of StarPointe Realty Partners I, LLC (**Case #Z22-58**), has submitted a request to rezone Lot 1, Block 1 Vandyke Addition, from "R-1" (Single-Family Residential District) to "B-3" (Local Business District). The property is locally addressed as 6300 S. Fort Hood St. Killeen, Texas.

If approved, the applicant intends to use the existing 5,200 sq. ft. building, formerly utilized as a church, as a real estate office.

Zoning/Plat Case History:

On October 19, 1999, via Ordinance# 99-84, the City annexed approximately 3,953 square miles; which included this property. In 2008, the subject property was rezoned from "B-5" (Business District) to "R-1" (Single Family Residential District) via Ordinance# 08-085, for the Evangel Temple Church.

Character of the Area:

North: Vacant lot zoned "B-5" (Business District)

South: Vacant lot zoned "A-R1" (Agricultural Single-Family Residential District)

West: Vacant lot zoned "B-5" across SH 195 (Business District)

East: Vacant lot zoned "A-R1" (Agricultural Single-Family Residential District)

Future Land Use Map Analysis:

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

The '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. Commercial uses need to be context sensitive and neighborhood scale commercial should be allowed along avenues and higher intensity roadways.

This 'Neighborhood Infill' growth sector includes already developed areas with access to city services and infrastructure, but have vacant, underutilized, or poorly developed properties.

The request supports or furthers the following 2022 Comprehensive Plan recommendations:

- LU1 - Use place types and complete neighborhoods as building blocks
- LU3 - Encourage incremental evolution of neighborhoods

The Comprehensive Plan emphasizes place-based economic development and an increase in demand for "complete" neighborhoods where a variety of residential types, office, and retail are all integrated together. In addition, the Comprehensive Plan explains that existing neighborhoods should provide a complete environment with various uses with the goal of cultivating a more fiscally productive, flexible, and resilient community.

Neighborhood Analysis:

- This property is located within Killeen Development Zone #6 (Exhibit A).
- Current land use mix within this area comprises approximately:
 - 7% non-residential
 - 93% residential

Zoning district breakdown in DZ6:

- 10% agricultural
- 33% non-residential zoning districts
- 57% residential zoning districts.

*These numbers exclude special districts such as conditional or special use permits and planned unit developments.

The 'Residential Mix' land use designation promotes:

Use Mix: Up to 25% non-residential, 95% residential uses

Primary Uses: Single-Family, Accessory Dwelling Unit (ADU), Townhouses, Smallplex (2-4 Units), Live-work

Secondary Uses: Small Office, Small Retail, Restaurant, Accessory Commercial Unit (ACU), School, House of Worship

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 from S. Fort Hood Street, which is classified as a 120' wide Principal Arterial on the City of Killeen Thoroughfare Plan. Staff estimates that there will be 59 trips per day with 9 peak hour trips generated. A Traffic Impact Analysis is not required for the proposed land use.

Environmental Assessment:

The property is not located 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 six (6) surrounding property owners regarding this request. Of those property owners notified, three (3) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and two (2) reside outside of Killeen. To date, staff has received no written responses regarding this request.

Staff Findings:

Please see the Future Land Use Map Analysis and Neighborhood Analysis sections.

THE ALTERNATIVES CONSIDERED:

The City Council may:

- Disapprove the applicant's request;
- Approve a more restrictive zoning district; or

- Approve the applicant's request as presented.

Which alternative is recommended? Why?

Staff recommends approval of the applicant's request for "B-3" (Local Business District) as presented.

Staff finds that the request is consistent with the policies and principles of the 2022 Comprehensive Plan, as indicated in the Comprehensive Plan Analysis. Staff finds that the request is compatible with the existing land uses and prevailing community character. Further, staff finds that approval of this request would not negatively affect the surrounding community.

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:

At their regular meeting on January 30, 2023, the Planning and Zoning Commission recommended approval of the applicant's request by a vote 5 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Exhibit

Maps
Site Photos
Minutes
Ordinance
Considerations