



City of Killeen

Legislation Details (With Text)

File #: PH-22-057 **Version:** 1 **Name:** ZONING 22-31
Type: Ordinance/Public Hearing **Status:** Failed
File created: 5/12/2022 **In control:** City Council
On agenda: 7/26/2022 **Final action:** 7/26/2022

Title: HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of A & T Construction, LLC (Case #Z22-31) to rezone approximately 7.40 acres out of the W. L. Harris Survey, Abstract No. 1155 from "R-1" (Single-Family Residential District) to "R-2" (Two-Family Residential District). The property is located south of W. Stan Schlueter Loop and east of the Eagle Valley Subdivision, Killeen, Texas.

Sponsors: Development Services

Indexes:

Code sections:

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

Date	Ver.	Action By	Action	Result
7/26/2022	1	City Council	Disapproved	Pass
7/19/2022	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of A & T Construction, LLC (**Case #Z22-31**) to rezone approximately 7.40 acres out of the W. L. Harris Survey, Abstract No. 1155 from "R-1" (Single-Family Residential District) to "R-2" (Two-Family Residential District). The property is located south of W. Stan Schlueter Loop and east of the Eagle Valley Subdivision, Killeen, Texas.

DATE: July 19, 2022

TO: Kent Cagle, City Manager.

FROM: Edwin Revell, Executive Director of Development Services.

SUBJECT: ZONING CASE #Z22-31: "R-1" to "R-2"

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: A & T Construction, LLC
Agent: Quintero Engineering, LLC
Current Zoning: "R-1" (Single-Family Residential District)
Proposed Zoning: "R-2" (Two-Family Residential District)
Current FLUM Designation: 'General Residential' (GR)

Summary of Request:

Quintero Engineering, LLC, on behalf of A & T Construction, LLC, has submitted a request to rezone approximately 7.40 acres out of the W. L. Harris Survey, Abstract No. 1155, from "R-1" (Single-Family Residential District) to "R-2" (Two-Family Residential District). If approved, the applicant intends to develop two-family residential homes on the property.

Zoning/Plat Case History:

The subject property was annexed into the City limits on August 24, 2021 via Ordinance No. 20-050. The property was subsequently zoned to "R-1" (Single-Family Residential District) on November 9, 2021 via Ordinance No. 21-063. The property is currently unplatted.

Character of the Area:

Surrounding Land Use and Zoning:

North: Proposed roadway for the residential property to the east zoned "R-1" (Single-Family Residential District)

South: Existing residential property in the ETJ

East: Existing residential properties zoned "R-1" (Single-Family Residential District), currently under development

West: Undeveloped property in the ETJ

Future Land Use Map Analysis:

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

The 'General Residential' (GR) designation encourages the following development types:

- Detached residential dwellings as a primary focus;
- Attached housing types subject to compatibility and open space standards (e.g., duplexes, townhomes, patio homes);
- Planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards;
- Public/ institutional; and
- Parks and public spaces.

The request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan.

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer and utility services are 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 Mesa Verde Drive and Lyla Drive, which are classified as a 60' wide Local Streets on the City of Killeen Thoroughfare Plan. Staff has determined that a Traffic Impact Analysis is

not required for the proposed land use.

Environmental Assessment:

The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA). There are no other known wetland areas on or adjacent to the properties as identified on the National Wetlands Inventory..

Public Notification:

Staff notified one hundred and six (106) surrounding property owners regarding this request. Of those property owners notified, sixty (60) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and twelve (12) reside outside of Killeen.

To date, staff has received twelve (12) written responses in opposition to this request, including:

- Zero (0) within the 200-foot notification boundary;
- Eight (8) outside the 200-foot, but within the 400-foot notification boundary; and
- Three (3) outside both the 200-foot and 400-foot notification boundaries, but within City limits; and
- One (1) outside both the 200-foot and 400-foot notification boundaries, and outside City limits.

Staff Findings:

The 'General Residential' (GR) land use category is characterized by auto-oriented character (especially where driveways and front-loading garages dominate the front yard and building facades of homes), which can be offset by "anti-monotony" architectural standards, landscaping, and limitations on "cookie cutter" subdivision layouts characterized by straight streets and uniform lot sizes and arrangement.

The current zoning of the subject property is "R-1" (Single-Family Residential District). The surrounding area includes predominantly residential and commercial uses.

THE ALTERNATIVES CONSIDERED:

The City Council has two (2) alternatives. The Council may:

- Disapprove the applicant's zoning request; or
- Approve the applicant's zoning request as presented.

Which alternative is recommended? Why?

Staff recommends disapproval of the applicant's request to rezone the property from "R-1" (Single-Family Residential District) to "R-2" (Two-Family Residential District). Staff finds that the applicant's request is not consistent with the single-family land uses to the east and west of the subject property.

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 involve the expenditure of 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:

At their regular meeting on June 22, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 3 to 2 with Commissioners Ploeckelmann and Minor in opposition. Commissioners Minor and Ploeckelmann stated they were in favor of the area remaining zoned "R-1" (Single-Family Residential District).

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Site Photos
Minutes
Ordinance
Pharr vs. Tippitt considerations
Responses