City of Killeen

Legislation Details (With Text)

File #:	PH-21-018 **Version:** 1	**Name:**	Zoning 21-04
Type:	Ordinance/Public Hearing	**Status:**	Passed
File created:	3/19/2021	**In control:**	City Council
On agenda:	4/13/2021	**Final action:**	4/13/2021
Title:	HOLD a public hearing and consider an ordinance requested by Mitchell & Associates, Inc. on behalf of Yong Su and Sun Hung Ko (Case #Z21-04) to rezone approximately .447 acres, being out of the H. O'Neal Survey, Abstract No. 645, from "B-5" (Business District) to "R-2" (Two-Family Residential District). The property is addressed as 1600 N. 8th Street, Killeen, Texas.		
Sponsors:	Development Services		
Indexes:			
Code sections:			
Attachments:	1. Staff Report, 2. Maps, 3. Minutes, 4. Ordinance, 5. Considerations, 6. Presentation		

Date	Ver.	Action By	Action	Result
4/13/2021	1	City Council	Approved	Pass
4/6/2021	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Mitchell & Associates, Inc. on behalf of Yong Su and Sun Hung Ko (**Case #Z21-04**) to rezone approximately .447 acres, being out of the H. O'Neal Survey, Abstract No. 645, from "B-5" (Business District) to "R-2" (Two-Family Residential District). The property is addressed as 1600 N. 8th Street, Killeen, Texas.

DATE: **April 6, 2021**

TO: **Kent Cagle, City Manager**

FROM: **Tony McIlwain, Exec. Dir. of Planning and Development Services**

SUBJECT: **ZONING CASE #Z21-04 "B-5" (Business District) to "R-2" (Two-Family Residential District)**

BACKGROUND AND FINDINGS:

Summary of Request:

This request is submitted by Mitchell & Associates, Inc. on behalf of Yong Su and Sun Hung Ko to rezone the property located at 1600 N. 8th Street, Killeen, Texas (approximately .447 acres, being out of the H. O'Neal Survey, Abstract No. 645) from "B-5" (Business District) to "R-2" (Two-Family Residential District).

The property is undeveloped. The applicant intends to rezone the property in order to develop a duplex.

"R-2" Two-Family Residential District Description:

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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.

Zoning / Plat Case History:

- The property is not platted and is identified as 0.447 acres out of the H. O'Neal Survey, Abstract No. 645.

Character of the Area:

The surrounding community is made up of a mix of commercial and residential zoned properties. To the north, south and east, the properties are zoned "R-3" (Multi-Family Residential District). To the east the properties are zoned both "R-3" (Multi-Family Residential District) and "B-3" (Local Business District).

Future Land Use Map Analysis:

The property is designated as 'Residential-Commercial Mix' (RC-MX) on the Future Land Use Map (FLUM) of the Comprehensive Plan. The 'Residential-Commercial Mix' (RC-MX) designation encompasses areas that were allowed to develop in the past with non-residential uses (including uses with a heavy commercial and/or industrial intensity) intermixed amid a variety of residential uses, often with minimal screening and/or buffering, auto-oriented character and address compatibility and screening/buffering, where possible, as redevelopment occurs.

The 'Residential-Commercial Mix' (RC-MX) designation encourages the following development types:

- Wide range of commercial retail and service uses, at varying scales and intensities depending on the site
- Office (both large and/or multi-story buildings and small-scale office uses depending on the site)
- Public/institutional
- Parks and public spaces

Water, Sewer and Drainage Services

Water, sanitary sewer and drainage utility service is located within the City of Killeen utility service area and available to the subject tract.

Transportation and Thoroughfare Plan:

A typical two-family home will generate approximately twenty (20) vehicle trips per day.

Public Notification:

Staff notified seventy-four (74) surrounding property owners regarding this request. As of the date of this staff report, no responses have been received. Thirty-two (32) property owners reside outside of Killeen. Forty -seven (47) of the seventy-four (74) notified property owners are outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council.

Staff Findings:

Staff finds that the applicant's request is consistent with the Future Land Use Map (FLUM). Staff recommends that the Commission recommend approval of the applicant's request to rezone the property from "B-5" (Business District) to "R-2" (Two-Family Residential) to allow for a duplex to be developed on the vacant property.

THE ALTERNATIVES CONSIDERED:

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

- Disapprove the applicant's request; or
- Approve the applicant's request.

Which alternative is recommended? Staff recommends approval of the applicant's request.

Why? Staff is of the determination that the request to rezone for a duplex is consistent with the City's Future Land Use Map (FLUM).

CONFORMITY TO CITY POLICY:

This zoning request conforms to the City's policy and procedures as detailed in Chapter 31 of the City of 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:

The Planning & Zoning Commission recommended approval of the applicants request to rezone the property to "R-2" (Two-Family Residential District) by a vote of 5 to 1, with Commissioner Boyd in opposition.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Minutes
Ordinance
Considerations