



City of Killeen

Legislation Text

File #: PH-24-008, Version: 1

HOLD a public hearing and consider a request submitted by Quintero Engineering on behalf of Faniks Properties, LLC (**Case #Z24-02**) to rezone approximately 12.033 acres out of the John Essary Survey, Abstract No. 296, and the M. Tongate Survey, Abstract No. 831, 775-3, from "R-1" (Residential District) and "RMH" (Residential Mobile Home District) to "R-2" (Two-Family Residential District). The subject property is locally addressed as 3210 Florence Road, Killeen, Texas. (Requires a 3/4 majority vote)

DATE: April 2, 2024

TO: Kent Cagle, City Manager

FROM: Edwin Revell, Executive Director of Development Services

SUBJECT: Zoning Case #Z24-02: "R-1" (Single-Family Residential District) and "RMH" (Residential Mobile Home District) to "R-2" (Two-Family Residential District)

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: Faniks Properties, LLC

Agent: Quintero Engineering, LLC

Current Zoning: "R-1" (Single-Family Residential District) and "RMH" (Residential Mobile Home District)

Proposed Zoning: "R-2" (Two-Family Residential District)

Current FLUM Designation: 'Residential Mix' (RM)

Summary of Request:

Quintero Engineering, LLC, on behalf of Faniks Properties, LLC, has submitted a request to rezone approximately 12.033 acres out of the John Essary Survey, Abstract No. 296, and the M. Tongate Survey, Abstract No. 831, from "R-1" (Single-Family Residential District) and "RMH" (Residential Mobile Home 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 September 9, 1962. The property was subsequently zoned to "R-1" (Single-Family Residential District) after annexation. Part of the property was rezoned from "R-1" (Single-Family Residential District) to "RMH" (Mobile Home) on February 11, 1974, via Ordinance No. 74-7. The property is currently not platted.

Character of the Area:

North: Existing residential properties zoned "R-1" (Single-Family Residential District)
South: Existing commercial property zoned "B-2" (Local Retail District)
East: Existing residential properties zoned "R-1" (Single-Family Residential District)
West: Existing residential properties zoned "R-3" (Multifamily Residential District)

Future Land Use Map Analysis:

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

This '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.

The request supports or furthers the following Comprehensive Plan recommendations:

- **LU1** - Use place types and complete neighborhoods as building blocks
- **NH3** - Diversifying housing mix (types and price points)
- **NH4** - Build complete neighborhoods

The proposed use is an example of providing for Missing Middle housing, which will contribute to diversifying the housing mix in Killeen. The Comprehensive Plan explains that "allowing for more diverse housing, such as duplexes would provide a major increase in tax revenue while also increasing the number of available housing units, which in turn serves to help the city remain as an affordable place to live." (pg. 51). The Comprehensive Plan highlights that housing types like duplexes have added benefit such as affordability and fiscal sustainability for the community.

Neighborhood Analysis:

The property is located within Killeen Development Zone #6.
Current land use mix within this area comprises approximately:

- 7% non-residential uses
- 93% residential uses

Zoning district breakdown in DZ6:

- Special Districts 3.52%
- Residential 62.25%
- Ind. & Comm. 33.03%
- Agricultural 1.20%

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 is available to the subject tract. There is a 12" waterline on the west side of Florence Road and an 8" sewer main at the rear of the lot.

Transportation and Thoroughfare Plan:

Ingress and egress to the property is from Kings Court, which is classified as a 60' wide Local Street in the Killeen 2040 Comprehensive Plan. Based on the size of the property, it is unlikely that a TIA will be required for this development. However, the exact number of vehicle trips per day will be calculated, and a final determination regarding a TIA will be made, during review of the Preliminary Plat.

Environmental Assessment:

The property is within Zone X a FEMA-regulatory Special Flood Hazard Area (SFHA). There are known wetland areas (PFO1A) a freshwater forested/shrub wetland on or adjacent to the property as identified on the National Wetlands Inventory.

Public Notification:

Staff notified one hundred and fifteen (115) surrounding property owners regarding this request. Of those property owners notified, fifty-two (52) reside outside the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by the Council, and twenty-one (21) live outside Killeen.

To date, staff has received three (3) written responses in favor of this request and four (4) in opposition.

Staff Findings:

The current zoning of the subject property is "R-1" (Single-Family Residential District) and "RMH" (Mobile Home District). The surrounding area includes predominantly single-family residential uses. Staff finds that the applicant's request is consistent with the policies and principles of the Killeen 2040 Comprehensive Plan. Staff is of the determination that the applicant's request is consistent with character of the adjacent neighborhoods.

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

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.

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.

FINANCIAL IMPACT:

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:

Staff recommends approval of the applicant's request to rezone the property from "R-1" (Single-Family Residential District) and "RMH" (Mobile Home District) to "R-2" (Two-Family Residential District).

Staff finds that the applicant's request is consistent with the surrounding land uses and prevailing community character. In addition, the request is constant with the recommendations of the Killeen 2040 Comprehensive Plan.

At their regular meeting on March 4, 2024, the Planning and Zoning Commission recommended **disapproval** of the applicant's request as presented to rezone the subject property from "R-1" (Single-Family Residential District) and "RMH" (Single-Family Residential District) to "R-2" (Two-Family Residential District) by a vote of 7 to 0. Therefore, in accordance with Killeen Code of Ordinances Sec. 31-39(e), approval of the request will require the favorable vote of three-fourths (3/4) of all the members of the City Council (6 affirmative votes).

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Site Photos
Letter of Request
Responses
Minutes
Ordinance
Considerations
Presentation