



# City of Killeen

## Legislation Details (With Text)

**File #:** PH-17-022    **Version:** 1    **Name:** Zoning 17-09  
**Type:** Ordinance/Public Hearing    **Status:** Passed  
**File created:** 3/20/2017    **In control:** City Council  
**On agenda:** 4/11/2017    **Final action:** 4/11/2017  
**Title:** HOLD a public hearing and consider an ordinance requested by RSBP Developers, Inc. (Case #Z17-09) to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) and "R-3" (Multifamily Residential District) uses to "R-2" (Two Family Residential District). The properties are locally known as 1500 through 1506, 1508, 1510, 1512, 1601, 1603, 1605, 1606, 1608 through 1613 and 1701 Justin Lane, Killeen, Texas.  
**Sponsors:** Development Services  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Staff Report, 2. Aerial Map Exhibit, 3. Minutes, 4. Ordinance, 5. Application, 6. Location Map, 7. Buffer Map, 8. Considerations, 9. Presentation

Date	Ver.	Action By	Action	Result
4/11/2017	1	City Council	Approved	Pass
4/4/2017	1	City Council Workshop		

**HOLD** a public hearing and consider an ordinance requested by RSBP Developers, Inc. (**Case #Z17-09**) to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) and "R-3" (Multifamily Residential District) uses to "R-2" (Two Family Residential District). The properties are locally known as 1500 through 1506, 1508, 1510, 1512, 1601, 1603, 1605, 1606, 1608 through 1613 and 1701 Justin Lane, Killeen, Texas.

**DATE:** April 4, 2017

**TO:** Ronald L. Olson, City Manager

**FROM:** Ray Shanaa, Executive Director of Planning and Development Services

**SUBJECT:** REZONING CASE #Z17-09 PLANNED UNIT DEVELOPMENT (PUD) WITH "SF-2" (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) TO "R-2" (TWO FAMILY RESIDENTIAL DISTRICT)

### **BACKGROUND AND FINDINGS:**

RSBP Developers, Inc. submits this request to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from a Planned Unit Development (PUD) for "SF-2" (Single-Family Residential District) and "R-3" (Multifamily Residential District) uses to "R-2" (Two Family Residential District). The properties are locally known as 1500 through 1506, 1508, 1510, 1512, 1601,

1603, 1605, 1606, 1608 through 1613 and 1701 Justin Lane, 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

The property is currently vacant. There is a mixture of existing commercial uses and residential uses in the vicinity.

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

**Plan Recommendation:** The 'General Residential' character encourages detached residential dwellings as the primary focus, attached housing types subject to compatibility and open space standards (e.g. duplexes), planned developments with a mix of housing types subject to compatibility and open space standards, public/institutional, parks, and other public spaces. The characteristics of this designation include:

- Predominantly "R-1" zoning district with less openness and separation between dwellings compared to Suburban Residential areas
- Auto-oriented character that can be offset with architectural standards, landscaping, and limited uniform subdivision designs
- Neighborhood-scale commercial emerging over time for well-suited areas

**Consistency:** The zoning request is consistent with the FLUM of the Comprehensive Plan.

**THE ALTERNATIVES CONSIDERED:**

**Which alternative is recommended? Why?**

The City Council shall take the following Pharr v. Tippitt guidelines into consideration making a decision on a zoning request:

*Is the request in accordance with the comprehensive plan?*

*Is the request designed to lessen congestion in the streets; secure safety from fire, panic, or other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; or facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements?*

*What, if any, is the nature and degree of an adverse impact upon neighboring lands?*

*The suitability or unsuitability of the tract for use as presently zoned*

*Whether the amendment bears a substantial relationship to the public health, safety, morals, or general welfare or protects and preserves historical and cultural places and areas*

*Whether there is a substantial public need or purpose for the new zoning*

*Whether there have been substantially changed conditions in the neighborhood*

*Is the new zoning substantially inconsistent with the zoning of neighboring lands? (Whether the new zoning is more or less restrictive)*

*The size of the tract in relation to the affected neighboring lands - is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?*

*Any other factors which will substantially affect the health, safety, morals, or general welfare*

**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, it will be necessary to maintain future publicly dedicated infrastructure.

**Is this a one-time or recurring expenditure?**

The maintenance of publicly dedicated infrastructure will be on-going.

**Is this expenditure budgeted?**

This expenditure is not discretely budgeted.

**If not, where will the money come from?**

Various Public Works accounts

**Is there a sufficient amount in the budgeted line-item for this expenditure?**

This is not applicable at this time.

**RECOMMENDATION:**

The Planning and Zoning Commission recommended approval of the applicant's zoning request by a vote of 4 to 0, with Commissioner Purser abstaining. The staff notified 16 (sixteen) surrounding property owners regarding this request and received no protests.

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal Department.

**ATTACHED SUPPORTING DOCUMENTS:**

Aerial Map Exhibit  
Minutes

Ordinance  
Application  
Location Map  
Buffer Map  
Considerations