



# City of Killeen

## Legislation Details (With Text)

**File #:** PH-21-017    **Version:** 1    **Name:** Zoning 21-03  
**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 Dolores Lorta (Case #Z21-03) to rezone Lots 10 and 11, Block 4, Hillview Addition from "B-4" (Business District) to "R-1" (Single-Family Residential District). The property is addressed as 209 N. Gilmer 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 Dolores Lorta (**Case #Z21-03**) to rezone Lots 10 and 11, Block 4, Hillview Addition from "B-4" (Business District) to "R-1" (Single-Family Residential District). The property is addressed as 209 N. Gilmer 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 #Z21-03: "B-4" (Business District) to "R-1" (Single-Family Residential District).**

### **BACKGROUND AND FINDINGS:**

#### Summary of Request:

This request submitted by Dolores Lorta is to rezone Lots 10 and 11, Block 4, Hillview Addition from "B-4" (Business District) to "R-1" (Single-Family Residential District) for a single-family residential use. The property is locally addressed as 209 N. Gilmer Street and is located at the northwest corner of the intersection of Gilmer Street and W. Avenue D. The applicant proposes the rezoning to bring the property into compliance with the zoning ordinance and for the zoning classification to match the property's current use of "R-1" (Single-Family Residential District).

The requested "R-1" (Single-Family Residential) zoning district allows single-family residential lots having a minimum area of 6,000 square feet with a minimum lot width of 60 feet and an average depth of 100 feet.

### **Zoning/ Plat Case History:**

- The property was rezoned from "B-1" (Professional Business District) to "B-4" (Business District) via ordinance 96-74 on October 8, 1996.
- The property is currently platted as Hillview Addition, Lots 10 and 11, Block 4.

### **Character of the Area:**

The surrounding area is made up of a mix of residential and commercial properties. Adjacent land uses are as follows:

- To the north, the property is approximately 0.6 acres in size and is zoned "R-2" (Two-Family Residential District). The property is currently undeveloped.
- To the south, the property is approximately 0.33 acres of "B-5" (Business District).
- To the east, there is approximately 0.4 acres of undeveloped "R-3" (Multi-Family Residential District) zoned property.
- To the west, there are a mix of developed and undeveloped "R-3" (Multi-Family Residential District) and "R-2" (Two-Family Residential District) and zoned property.

### **Future Land Use Map Analysis:**

This area is designated as 'General Residential' (GR) on the Future Land Use Map (FLUM) of the Comprehensive Plan. General Residential character can be categorized as an auto-oriented character, which can be offset by enhanced building design, landscaping, reduced site coverage, well-designed signage, etc. This land use category encourages detached residential dwellings as a primary focus and attached housing types subject to compatibility and open space standards (e.g. duplexes, townhomes, and patio homes). In addition, planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards are seen. Public and institutional uses are typically present as well as parks and public spaces.

The applicant's zoning request is consistent with the Comprehensive Plan.

### **Water, Sewer, and Drainage Service:**

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:**

The ingress and egress to the property is via W. Avenue D and N. Gilmer, which are classified as 60' local streets on the City of Killeen's adopted Thoroughfare Plan. The property is currently developed as one single-family residential lot. A typical single-family residential home can generate approximately ten (10) vehicle trips per day. This rezoning will not have any effect on the traffic pattern in the area.

### **Public Notification:**

Staff notified fifty-eight (58) surrounding property owners regarding this request; as of the date of this staff report, no responses have been received. Ten (10) property owners reside outside of Killeen. Twenty-five (25) of the fifty-eight (58) 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 zoning request is consistent with the Future Land Use Map (FLUM), consistent with the existing use on the property and compatible with the prevailing residential nature of the adjacent community.

There are no known environmental constraints for these lots. The lots are not within any FEMA regulatory Special Flood Hazard Area (SFHA) and there are no known wetlands on or adjacent to the parcel.

### **THE ALTERNATIVES CONSIDERED:**

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

- Disapprove the applicant's request for "R-1" (Single-Family Residential District); or
- Approve the applicant's request for "R-1" (Single-Family Residential District) as recommended by the Planning and Zoning Commission.

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

**Why?** The applicant's intended use and zoning request is consistent with the surrounding property zoning, land use, and community character. Rezoning of this parcel back to a single-family residential district will allow the zoning to become consistent with the FLUM.

### **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:**

The Planning & Zoning Commission recommended approval of the applicants request to rezone the property

"R-1" (Single-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