



City of Killeen

Legislation Details (With Text)

File #: PH-21-038 **Version:** 1 **Name:** Zoning 21-20
Type: Ordinance/Public Hearing **Status:** Passed
File created: 6/23/2021 **In control:** City Council
On agenda: 8/10/2021 **Final action:** 8/10/2021
Title: HOLD a public hearing and consider an ordinance requested by Johnson-Bell Investments, L.L.C. (Case #Z21-20) to rezone approximately 0.53 acre from "R1-A" (Single-Family Garden Home Residential District) to "B-3" (Local Business District), being Lot 1, Block 1, Lee Residential Addition. The property is locally addressed as 5102 Cinch Drive, Killeen, Texas.
Sponsors: Development Services
Indexes:
Code sections:
Attachments: 1. Staff Report, 2. Maps, 3. Minutes, 4. Ordinance, 5. Responses, 6. Considerations, 7. Presentation

Date	Ver.	Action By	Action	Result
8/10/2021	1	City Council	Approved	Pass
8/3/2021	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Johnson-Bell Investments, L.L.C. (**Case #Z21-20**) to rezone approximately 0.53 acre from "R1-A" (Single-Family Garden Home Residential District) to "B-3" (Local Business District), being Lot 1, Block 1, Lee Residential Addition. The property is locally addressed as 5102 Cinch Drive, Killeen, Texas.

DATE: **August 3, 2021**

TO: **Kent Cagle, City Manager**

FROM: **Tony McIlwain, Exec. Director of Development Services**

SUBJECT: **ZONING CASE #Z21-20 from "R1-A" (Single-Family Garden Home Residential District) to "B-3" (Local Business District).**

BACKGROUND AND FINDINGS:

This request, submitted by Johnson-Bell Investments, L.L.C., (**Case #Z21-20**) is to rezone Lot 1, Block 1, Lee Residential Addition, from "R1-A" (Single-Family Garden Home Residential District) to "B-3" (Local Business District). If approved, the applicant intends to open an emergency children's shelter for children who are in the custody of Child Protective Services (CPS), ages 5-17 years of age.

Zoning / Plat Case History:

The property was rezoned from "B-5" (Business District) to "R1-A" (Single-Family Garden Home Residential District) on December 15, 2009. The property is platted as Lot 1, Block 1, Lee Residential Addition, on January 10, 2010.

Character of the Area:

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

North: Existing undeveloped property zoned "B-5" (Business District).

South: Existing undeveloped property zoned "B-5" (Business District).

East: Existing undeveloped property zoned "B-5" (Business District).

West: Existing developed property zoned "R1-A" (Single-Family Garden Home Residential District).

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 encompasses most existing residential areas within Killeen. The 6,000 square foot minimum lot size in the predominant R-1 zoning district results in less openness and separation between dwellings compared to Suburban residential areas. It is 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 '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.

This request is inconsistent with the Future Land Use Map (FLUM) of the Comprehensive Plan. However, a concurrent FLUM amendment request has been submitted.

Water, Sewer and Drainage Services

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer and drainage utility services are located within the City of Killeen municipal utility service area and may be available to the subject tract.

Transportation and Thoroughfare Plan:

Existing conditions: Ingress and egress to the property from Cinch Drive, which is classified as 60-foot wide local street on the City of Killeen adopted Thoroughfare Plan.

Public Notification:

Staff notified twenty-seven (27) surrounding property owners regarding this request. As of the date of this staff report, staff has received one (1) written response in opposition to the request.

Of those property owners notified, fourteen (14) reside outside of the 200-foot notification boundary required

by the State, but within the 400-foot notification boundary required by Council; and seven (7) reside outside of Killeen.

Staff Findings:

Staff finds that the applicant's request is consistent with the surrounding property uses and is compatible with the existing land uses and prevailing community character.

There are no known environmental constraints for this lot. The lot is 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 "B-3" (Local Business District); or
- Approve the applicant's request for "B-3" (Local Business District).

Which alternative is recommended?

Staff recommends approval of the applicant's request to rezone the property from "R1-A" (Single-Family Garden Home Residential District) to "B-3" (Local Business District).

Why? The proposed change in use is compatible with the existing character of the area.

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:

At their regular meeting on July 19, 2021, the Planning & Zoning Commission recommended approval of the applicant's request to rezone the property from "R1-A" (Single-Family Garden Home Residential District) to "B-3" (Local Business District) by a vote of 4 to 1, with Commissioner Sabree in opposition.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps

Minutes

Ordinance

Response

Considerations