



City of Killeen

Legislation Details (With Text)

File #: PH-21-042 **Version:** 1 **Name:** Zoning 21-23
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 Mitchell & Associates on behalf of Fameco-Texas, L.L.C. (Case #Z21-23) to rezone approximately 0.237 acre from "R-MH" (Residential Mobile Home District) to "R-2" (Two-Family Residential District). The property is locally addressed as 413 E. Dunn Avenue, 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
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 Mitchell & Associates on behalf of Fameco-Texas, L.L.C. (**Case #Z21-23**) to rezone approximately 0.237 acre from "R-MH" (Residential Mobile Home District) to "R-2" (Two-Family Residential District). The property is locally addressed as 413 E. Dunn Avenue, Killeen, Texas.

DATE: August 3, 2021

TO: Kent Cagle, City Manager

FROM: Tony McIlwain, Exec. Director of Development Services

SUBJECT: ZONING CASE #Z21-23 from "R-MH" (Residential Mobile Home District) to "R-2" (Two-Family Residential District).

BACKGROUND AND FINDINGS:

Summary of Request:

This request, submitted by Mitchell & Associates on behalf of Fameco-Texas, L.L.C. (**Case #Z21-23**) is to rezone approximately 0.237 acre from "R-MH" (Residential Mobile Home District) to "R-2" (Two-Family Residential District). If approved, the applicant intends to develop one (1) duplex on the property.

Zoning / Plat Case History:

Staff is unable to determine the exact date of the rezoning or the original zoning of the parcel. The property is currently unplatted.

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 developed property zoned "R-3" (Multi-Family Residential District).

South: Existing developed property zoned "R-3" (Multi-Family Residential District) across East Dunn Avenue.

East: Existing developed property zoned "R-3" (Multi-Family Residential District).

West: Existing developed property zoned "B-3" (Local Business District).

Future Land Use Map Analysis:

This property is designated as 'Residential-Commercial Mix' (RC-Mix) on the Future Land Use Map (FLUM) of the Comprehensive Plan. The 'Residential-Commercial Mix' (RC-Mix) designation encompasses areas that were allowed to develop in the past 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. This designation is auto-oriented in character.

The 'Residential-Commercial Mix' (RC-Mix) future land use and character recommends the following development types:

- Mix of residential types and densities.
- Variety of commercial and light industrial activities

This request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan for the proposed "R-2" (Two-Family Residential District).

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 Dunn Avenue which is classified as 60' wide local street on the City of Killeen adopted Thoroughfare Plan.

Public Notification:

Staff notified fifty-eight (58) surrounding property owners regarding this request. As of the date of this staff report, no written responses have been received regarding this request.

Of those property owners notified, thirty-eight (38) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and twelve (12) reside outside of Killeen.

Staff Findings:

Staff finds that the applicant's proposed zoning 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 tract. The Tract is not within any FEMA regulatory Special Flood Hazard Area (SFHA) and there are no known wetlands on or adjacent to the parcel.

At the time of development, the current drainage design manual and infrastructure design and development standards will be applicable to this site. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.

THE ALTERNATIVES CONSIDERED:

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

- Disapprove the applicant's request for "R-2" (Two-Family Residential District); or
- Approve the applicant's requested "R-2" (Two-Family Residential District).

Which alternative is recommended?

Staff recommends approval of the applicant's request to rezone the property from "R-MH" (Residential Mobile Home District) to "R-2" (Two-Family Residential District) as the request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan.

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; however, subsequent development and dedication of public infrastructure may involve the expenditure of maintenance funds over the life cycle of future development.

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 applicants request to rezone the property from "R-MH" (Residential Mobile Home District) to "R-2" (Two-

Family Residential District) by a vote of 5 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps

Minutes

Ordinance

Considerations