



City of Killeen

Legislation Details (With Text)

File #: PH-22-019 **Version:** 1 **Name:** Zoning 22-08
Type: Ordinance/Public Hearing **Status:** Passed
File created: 1/18/2022 **In control:** City Council
On agenda: 3/8/2022 **Final action:** 3/8/2022
Title: HOLD a public hearing and consider an ordinance requested by Magdy Abadir, on behalf of Carmen Figueroa (Case #Z22-08), to rezone approximately 0.776 acres out of the Kinderland Addition Phase Two, Block 01, Lot 01, from "B-DC" (Business Day Care District) to "R-1" (Single-Family Residential District). The property is located at 1303 Trimmier Road, Killeen, Texas.
Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Maps, 3. Minutes, 4. Ordinance, 5. Site Photos, 6. Considerations, 7. Response, 8. Presentation

Date	Ver.	Action By	Action	Result
3/8/2022	1	City Council	Approved	Pass
3/1/2022	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Magdy Abadir, on behalf of Carmen Figueroa (**Case #Z22-08**), to rezone approximately 0.776 acres out of the Kinderland Addition Phase Two, Block 01, Lot 01, from "B-DC" (Business Day Care District) to "R-1" (Single-Family Residential District). The property is located at 1303 Trimmier Road, Killeen, Texas.

DATE: **March 1, 2022**

TO: **Kent Cagle, City Manager**

FROM: **Wallis Meshier, CNU-A, Director of Planning**

SUBJECT: **ZONING CASE #22-08: "B-DC" (BUSINESS DAY CARE DISTRICT) TO "R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT)**

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: Carmen Figueroa

Agent: Magdy Abadir

Current Zoning: "B-DC" (Business Day Care District)

Requested Zoning: "R-1" (Single-Family Residential District)

Current FLUM Designation: 'General Residential' (GR)

Summary of Request:

Magdy Abadir, on behalf of Carmen Figueroa, has submitted a request to rezone approximately 0.776 acres out of the Kinderland Addition Phase Two, Block 1, Lot 1, from "B-DC" (Business Day Care District) to "R-1" (Single-Family Residential District). If approved, the applicant intends to utilize the property for residential purposes.

Zoning/Plat Case History:

The subject property was rezoned from "R-1" (Single-Family Residential District) to "B-DC" (Business Day Care District) on June 27, 2006 via Ordinance No. 06-66. The property was platted as Kinderland Addition Phase Two, Lot 1, Block 1 on February 8, 2008.

Character of the Area:

	Current Land Use	Zoning District	Future Land Use
North	Religious Institution	B-DC (Business Day Care)	General Residential (GR)
East	Religious Institution	R-1 (Single-Family Residential)	General Commercial (GC)
South	Single-family homes	R-1 (Single-Family Residential)	General Residential (GR)
West	Vacant / Open Space / Drainage Tract	R-1 (Single-Family Residential)	General Residential (GR)

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. 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

- Parks and public spaces

The request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan.

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 available to the subject tract.

Transportation and Thoroughfare Plan:

Ingress and egress to the property is from Trimmier Rd., which is classified as a 110' wide Minor Arterial, and Mary Jane Drive, which is classified as 60' wide Local Street on the City of Killeen Thoroughfare Plan.

Environmental Assessment:

The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA). There is an area of riverine habitat adjacent to the property as identified on the National Wetlands Inventory.

Public Notification:

Staff notified fifty-four (54) surrounding property owners regarding this request. Of those property owners notified, thirty-five (35) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and eight (8) reside outside the city limits of Killeen.

As of the date of this report, staff has received one (1) written response in support of this request.

Staff Findings:

Staff finds that the request is consistent with FLUM designation of the Comprehensive Plan. Staff is of the determination that the applicant's request is compatible with the surrounding land uses and prevailing community character. The character of the surrounding area consists of predominantly residential and religious land uses.

THE ALTERNATIVES CONSIDERED:

The City Council has three (3) alternatives. The Council may:

- Disapprove the applicant's request;
- Approve a more restrictive zoning designation; or
- Approve the applicant's request.

Which alternative is recommended? Why?

Staff recommends approval of the applicant's request to rezone the property from "B-DC" (Business Day Care District) to "R-1" (Single-Family Residential District).

Staff finds that the request is consistent with FLUM designation of the Comprehensive Plan. Staff is of the determination that the applicant's request is suitable with the adjacent surrounding uses and is compatible with the prevailing community character.

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:

At their regular meeting on February 7, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 6 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Minutes
Ordinance
Site Photos
Considerations
Response