City of Killeen

Legislation Details (With Text)

File #:	PH-22-026 **Version:** 1	**Name:**	Zoning 22-16
Type:	Ordinance/Public Hearing	**Status:**	Passed
File created:	2/9/2022	**In control:**	City Council
On agenda:	4/12/2022	**Final action:**	4/12/2022
Title:	HOLD a public hearing and consider an ordinance requested by Joe Patterson on behalf of Michael Patterson (Case #Z22-16) to rezone approximately 3.2562 acres out of the Lakeview Park Phase One, Block 9, Lots 1A, 2A, 3 & 4 and Lakeview Park Subdivision Third Replat, Block 1, Lot 31B, from "B-3" (Local Business District) to "SF-2" (Single-Family Residential District). The properties are locally addressed as 5398, 5400, 5450, 5500, & 5550 Rancier Avenue, Killeen, Texas.		
Sponsors:	Development Services		
Indexes:			
Code sections:			
Attachments:	1. Staff Report, 2. Maps, 3. Site Photos, 4. Minutes, 5. Ordinance, 6. Considerations, 7. Presentation		

Date	Ver.	Action By	Action	Result
4/12/2022	1	City Council	Approved	Pass
4/5/2022	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Joe Patterson on behalf of Michael Patterson (Case #Z22-16) to rezone approximately 3.2562 acres out of the Lakeview Park Phase One, Block 9, Lots 1A, 2A, 3 & 4 and Lakeview Park Subdivision Third Replat, Block 1, Lot 31B, from "B-3" (Local Business District) to "SF-2" (Single-Family Residential District). The properties are locally addressed as 5398, 5400, 5450, 5500, & 5550 Rancier Avenue, Killeen, Texas.

DATE: **April 5, 2022**

TO: **Kent Cagle, City Manager**

FROM: **Edwin Revell, Executive Director of Development Services**

SUBJECT: **ZONING CASE #Z22-16: "B-3" (LOCAL BUSINESS DISTRICT) TO "SF-2" SINGLE-FAMILY RESIDENTIAL DISTRICT)**

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: Michael Patterson
Agent: Joe Patterson
Current Zoning: "B-3" (Local Business District)
Requested Zoning: "SF-2" (Single-Family Residential District)
Future Land Use Designation: 'General Residential' (GR)

Summary of Request:

Joe Patterson, on behalf of Michael Patterson, submitted a request to rezone approximately 3.2562 acres out of the Lakeview Park Phase One, Block 9, Lots 1A, 2A, 3 & 4 and Lakeview Park Subdivision Third Replat, Block 1, Lot 31B, from "B-3" (Local Business District) to "SF-2" (Single-Family Residential District). If approved, the applicant intends to develop buildable residential lots.

Zoning/Plat Case History:

The subject property was rezoned from R-MP (Mobile Home and Travel Trailer Park District) to R-3 (Multifamily Residential District) on December 20, 2005 via Ordinance No. 05-123. Then, the subject property was rezoned via Ordinance No. 08-23 from "R-3" (Multifamily Residential District) to "B-3" (Local Business District) on April 23, 2008. The subject property was platted as Lakeview Park Phase One, Block 9, Lots 1A, 2A, 3, and 4 on September 16, 2010 and Lakeview Park Subdivision Third Replat, Block 1, Lot 31B on July 8, 2015.

Character of the Area:

	Current Land Use	Zoning District	Future Land Use
North	Single-family homes	R-1 (Single-Family Residential District)	General Residential (GR)
East	Vacant	B-5 (Business District)	General Commercial (GC)
South	Single-family homes	PUD (Planned Unit Development w/ SF-2 (Single-Family Residential District)	General Residential (GR)
West	Two-family homes	R-2 (Two-Family Residential District)	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.

'General Residential' (GR) characteristics encompass most existing residential areas within Killeen. The character of 'General Residential' (GR) areas is typically auto oriented (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.

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- 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

This 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 Shims Blvd. or Gigante Dr., which are classified as a 60' wide Local Streets on the City of Killeen Thoroughfare Plan. The properties also have frontage along Rancier Ave. (FM 439), which is classified as a 120' wide Principal Arterial on the Thoroughfare Plan. Access to arterial streets from residential lots with alternative frontages is prohibited by the 1984 Thoroughfare Development Manual as well as by TxDOT in this case.

Environmental Assessment:

The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA). There are no other known wetland areas on or adjacent to the property as identified on the National Wetlands Inventory.

Public Notification:

Staff notified one-hundred and twenty-seven (127) surrounding property owners regarding this request. Of those notified, sixty-two (62) properties were located outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and twenty-eight (28) reside outside of Killeen. As of the date of this staff report, no response regarding the request has been received.

Staff Findings:

Staff finds the applicant's request consistent with the surrounding property uses and compatible with the existing land uses and prevailing community character. The character of the area is predominantly residential with existing single-family homes zoned "SF-2" (Single-Family Residential District) nearby. Further, staff finds that it is unlikely that this property would be developed for commercial use. There is ample undeveloped commercial property on the east side of N. Roy Reynolds for future commercial development.

THE ALTERNATIVES CONSIDERED:

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

- Disapprove the applicant's zoning request;
- Approve a more restrictive zoning district than requested by the applicant; or
- Approve the applicant's zoning request as presented.

Which alternative is recommended? Why?

Staff recommends approval of the applicant's request to rezone the property from "B-3" (Local Business District) to "SF-2" (Single-Family Residential District) as presented.

Staff finds the applicant's request consistent with the surrounding property uses and compatible with the existing land uses and prevailing community character. The character of the area is predominantly residential with existing single-family homes zoned "SF-2" (Single-Family Residential District) nearby. Further, staff finds that it is unlikely that this property would be developed for commercial use. There is ample undeveloped commercial property on the east side of N. Roy Reynolds for future commercial development.

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, subsequent development and dedication of public infrastructure will 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 March 7, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 8 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Site Photos
Minutes
Ordinance
Considerations