



# City of Killeen

## Legislation Details (With Text)

**File #:** PH-22-031    **Version:** 1    **Name:** Zoning 22-17  
**Type:** Ordinance/Public Hearing    **Status:** Passed  
**File created:** 3/11/2022    **In control:** City Council  
**On agenda:** 4/26/2022    **Final action:** 4/26/2022  
**Title:** HOLD a public hearing and consider an ordinance requested by Raye Mayhorn on behalf of Passion for Christ Ministries, LLC (Case #Z22-17) to rezone approximately 6.43 acres out of the Passion for Christ Ministries Addition, Block 1, Lot 1, from "R-1" (Single-Family Residential District) to "B-1" (Professional Business District). The property is locally addressed as 3100 Little Nolan Road, Killeen, Texas.  
**Sponsors:** Development Services

**Indexes:**

**Code sections:**

**Attachments:** 1. Maps, 2. Site Photos, 3. Minutes, 4. Ordinance, 5. Considerations, 6. Presentation

Date	Ver.	Action By	Action	Result
4/26/2022	1	City Council	Approved	Pass
4/19/2022	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Raye Mayhorn on behalf of Passion for Christ Ministries, LLC (Case #Z22-17) to rezone approximately 6.43 acres out of the Passion for Christ Ministries Addition, Block 1, Lot 1, from "R-1" (Single-Family Residential District) to "B-1" (Professional Business District). The property is locally addressed as 3100 Little Nolan Road, Killeen, Texas.

**DATE:** April 19, 2022

**TO:** Kent Cagle, City Manager

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

**SUBJECT:** ZONING CASE #22-17: "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "B-1" (PROFESSIONAL BUSINESS DISTRICT)

**BACKGROUND AND FINDINGS:**

**Property Information:**

**Property Owner:** Passion for Christ Ministries, LLC

**Agent:** Raye Mayhorn

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

**Requested Zoning:** "B-1" (Professional Business District)

**Future Land Use Designation:** 'Suburban Residential' (SR)

**Requested FLUM Designation:** 'Suburban Commercial' (SC)

### **Summary of Request:**

Raye Mayhorn, on behalf of Passion for Christ Ministries, LLC, has submitted a request to rezone approximately 6.43 acres out of the Passion for Christ Ministries Addition, Block 1, Lot 1, from "R-1" (Single-Family Residential District) to "B-1" (Professional Business District). If approved, the applicant intends to sell the property to a prospective buyer for use as a real estate office.

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

The parcel is currently zoned "R-1" (Single-Family Residential District). Staff is unable to determine the exact date of the zoning. The property was platted as Passion for Christ Ministries Addition, Block 1, Lot 1 on September 19, 2018.

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

	Current Land Use	Zoning District	Future Land Use
North	Undeveloped	R-1 (Single-Family Residential)	Suburban Residential (SR)
East	Religious institution and vacant	R-1 (Single-Family Residential)	Suburban Residential (SR)
South	Undeveloped	R-1 (Single-Family Residential)	Suburban Residential (SR)
West	Religious institution	R-1 (Single-Family Residential)	Suburban Residential (SR)

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

This property is designated as 'Suburban Residential (SR)' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'Suburban Residential' (SR) designation encourages the following development types:

- Detached residential dwellings;
- Planned developments to provide for other housing types (e.g., townhouse, patio) in a Suburban character setting;
- Public/ institutional; and
- Parks and public spaces.

If approved, the 'Suburban Commercial' (SC) designation encourages the following development types:

- A range of commercial retail and service uses, at varying scales and intensities depending on the site;
- Office (both large and/or multi-story buildings and small-scale office uses depending on the site);
- Planned development to accommodate custom site designs or mixing of uses in a Suburban character setting;
- Public/institutional; and
- Parks and public spaces.

The request to rezone the property from "R-1" (Single-Family Residential District) to "B-1" (Professional Business District) is not consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan. However, the applicant submitted a concurrent request to amend the Future Land Use Map (FLUM) from 'Suburban Residential' (SR) to 'Suburban Commercial' (SC).

### **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 Little Nolan Road, which is classified as a 70' wide Collector Street on the City of Killeen Thoroughfare Plan.

### **Environmental Assessment:**

The property is within a FEMA regulatory Special Flood Hazard Area (SFHA). The property is crossed by Riverine habitat and Freshwater Forested/shrub Wetland associated with the Old Florence Ditch as identified on the National Wetlands Inventory.

### **Public Notification:**

Staff notified eight (8) surrounding property owners regarding this request. Of those property owners notified, all reside within both the 200-foot and 400-foot notification boundaries, and none reside outside the City limits of Killeen. As of the date of this staff report, staff has received no written responses regarding this request.

### **Staff Findings:**

The subject property and its surrounding area are identified on the Future Land Use Map (FLUM) as being intended for 'Suburban Residential' (SR) development. The Suburban Residential character incorporates larger baseline minimum lot size allowing for larger front yards and building setbacks and greater side separation between homes.

The current zoning of the subject property is "R-1" (Single-Family Residential District). The surrounding area includes vacant properties and religious institutions. The areas to the north and east are undeveloped properties. There are three large religious institutions within the immediate vicinity.

### **THE ALTERNATIVES CONSIDERED:**

The Council has four (4) alternatives. The Council may:

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

If the Council disapproves the request, the applicant may submit a new request for a Conditional Use Permit (CUP) for this site.

### **Which alternative is recommended? Why?**

Staff recommends approval of "B-1" (Professional Business District) for a depth of two-hundred and fifty feet (250') along the frontage of Little Nolan Road, but that zoning designation for the rear portion of the property remain "R-1" (Single-Family Residential District).

Given the property's location at the intersection of two Collector Streets (Little Nolan Road and Cunningham Road), staff finds that the frontage along Little Nolan Road is suitable for professional business and office uses.

Additionally, staff finds that rezoning the frontage to "B-1" (Professional Business District), while allowing the rear portion of the property to remain residential, would be in keeping with the character of the area. The character of the area includes undeveloped residentially zoned properties and religious institutions.

### **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 March 21, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 7 to 0.

### **DEPARTMENTAL CLEARANCES:**

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

### **ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Site Photos  
Minutes  
Ordinance

## Considerations