



# City of Killeen

## Legislation Details (With Text)

**File #:** PH-22-034    **Version:** 1    **Name:** Zoning 22-18  
**Type:** Ordinance/Public Hearing    **Status:** Passed  
**File created:** 4/7/2022    **In control:** City Council  
**On agenda:** 5/10/2022    **Final action:** 5/10/2022  
**Title:** HOLD a public hearing and consider an ordinance requested by Eugene Kim on behalf of G3 JS Investments, LLC (Case #Z22-18) to rezone approximately 2.94 acres out of the A. Thompson Survey, Abstract No. 813, from "R-3" (Multifamily Residential District) to "B-3" (Local Business District). The property is locally addressed as 905 W. Hallmark Avenue, 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
5/10/2022	1	City Council	Approved	Pass
5/3/2022	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Eugene Kim on behalf of G3 JS Investments, LLC (Case #Z22-18) to rezone approximately 2.94 acres out of the A. Thompson Survey, Abstract No. 813, from "R-3" (Multifamily Residential District) to "B-3" (Local Business District). The property is locally addressed as 905 W. Hallmark Avenue, Killeen, Texas.

**DATE:**        **May 3, 2022.**

**TO:**         **Kent Cagle, City Manager.**

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

**SUBJECT:**    **ZONING CASE #Z22-18: "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) TO "B-3" (LOCAL BUSINESS DISTRICT)**

### **BACKGROUND AND FINDINGS:**

#### **Property Information:**

**Property Owner:** G3 JS Investments, LLC  
**Agent:** Eugene Kim  
**Current Zoning:** "R-3" (Multifamily Residential District)  
**Requested Zoning:** "B-3" (Local Business District)  
**Future Land Use Designation:** 'General Residential' (GR)  
**Requested FLUM Designation:** 'General Commercial' (GC)

### **Summary of Request:**

Eugene Kim, on behalf of G3 JS Investments, LLC, has submitted a request to rezone approximately 2.94 acres out of the A. Thompson Survey, Abstract No. 813, from "R-3" (Multifamily Residential District) to "B-3" (Local Business District). If approved, the applicant intends to develop the property as a shopping plaza for small to medium size stores, offices, restaurants, and cultural event spaces.

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

The subject property was rezoned from "R-MH" (Residential Mobile Home District) and "B-5" (Business District) to "R-3" (Multifamily) and "B-3" (Local Business) via Ordinance No. 77-63 on November 8, 1977. The property is currently unplatted.

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

	Current Land Use	Zoning District	Future Land Use
North	Mobile Home Park	R-MH (Residential Mobile Home)	General Residential (GR)
East	Single-family & two-family homes & commercial property	R-3 (Multifamily Residential) & B-5 (Business)	General Residential (GR)
South	Commercial businesses	B-5 (Business)	General Commercial (GC)
West	Vacant & commercial business	RC-1 (Restaurant and Alcohol Sales) & B-5 (Business)	General Residential (GR)

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

The subject property is designated as 'General Residential' (GR) on the Future Land Use Map (FLUM) of the Comprehensive Plan. 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.

If approved, the 'General Commercial' (GC) designation encourages the following development types:

- Wide range of commercial retail and service uses, at varying scales and intensities;
- Office (both large and/or multi-story buildings and small-scale office uses);
- Public/institutional; and
- Parks and public spaces.

The request to rezone the property from "R-3" (Multifamily Residential District) to "B-3" (Local Business District) is not consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan. However, the applicant has submitted a concurrent request to amend the Future Land Use Map (FLUM) from 'General Residential' (GR) to 'General Commercial' (GC).

### **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 W. Hallmark Ave. which is classified as a 110' wide Minor Arterial on the City of Killeen Thoroughfare Plan.

### **Environmental Assessment:**

The property is not within a FEMA regulatory Special Flood Hazard Area (SFHA). The property is crossed by Riverine habitat associated with the Hallmark Ditch as identified on the National Wetlands Inventory.

### **Public Notification:**

Staff notified thirty (30) surrounding property owners regarding this request. Of those property owners notified, sixteen (16) 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 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 'General Residential' (GR) development and 'General Commercial' (GC) to the south.

The character of the 'General Residential' (GR) land use category is 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. Neighborhood-scale commercial uses are expected to emerge over time and should be encouraged on sites and in locations within (or near the edge of) 'GR' areas that are best suited to accommodate such uses while ensuring compatibility with nearby residential uses.

The current zoning of the subject property is "B-3" (Local Business District) and "R-3" (Multifamily Residential District). The surrounding area includes residential and commercial uses.

### **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 "R-3" (Multifamily Residential District) to "B-3" (Local Business District) as presented.

Staff finds that the applicant's request is consistent with the existing commercial land uses adjacent to the subject property. Further, staff finds that the proposed commercial use is compatible with the prevailing community character of the area. The character of the surrounding area includes a mix of commercial and residential land uses at varying scales and intensities. Staff is of the determination that the proposed "B-3" (Local Business District) zoning would have no adverse impact on the surrounding area.

**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 April 4, 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