



# City of Killeen

## Legislation Text

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**File #:** PH-18-005B, **Version:** 1

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**HOLD** a public hearing and consider an ordinance requested by Atkinson Homes, Inc., (**Case #Z17-30**) to rezone approximately 19.560 acres out of the T. Arnold Survey, Abstract No. 55, from "A" (Agricultural District) to "R-2" (Two-Family Residential District). The property is locally known as 7610 Clear Creek Road, Killeen, Texas.

**DATE:** February 20, 2018

**TO:** Ronald L. Olson, City Manager

**FROM:** Dr. Ray Shanaa, Exec. Dir. of Planning and Development Svcs.

**SUBJECT: ZONING CASE #Z17-30 "A" (Agricultural District) to "R-2" (Two Family Residential District)**

### **Background and Findings:**

This request is submitted by Atkinson Homes, Inc. to rezone 19.560 acres out of the T. Arnold Survey, Abstract No. 55, from "A" (Agricultural District) to "R-2" (Two-Family Residential District). The property is locally known as 7610 Clear Creek Road, Killeen, Texas.

### **"R-2" District Descriptions**

A building or premise in a district "R-2" two-family residential district shall be used only for the following purposes:

- (1) Any use permitted in district "R-1"
- (2) Two-family dwellings.

### **Property Specifics:**

Applicant / Property Owner: Atkinson Homes, Inc.

Property Location: The subject property is located at 7610 Clear Creek Road, Killeen, Texas.

Legal Description: Approximately 19.560 acres out of the T. Arnold Survey, Abstract No. 55, Killeen, Texas.

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

- The subject property was annexed into the city as an undeveloped tract of land back on January 28, 2008 (per Ord. 07-110). It was subsequently zoned as "Agricultural" zoning district on November 25, 2008 (per Ord. 08-097).

- The subject property is not platted.

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

Existing Land Use(s) on the Property: The property is undeveloped.

Historic Properties: None

### **Community Infrastructure and Environmental Assessment:**

#### **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 available to the subject tract. Adequate potable water is within 200-500 feet at multiple points along the property boundary. Sanitary sewer capacity to serve one third of the parcel is currently available within 200 feet north of the parcel. The southern half of the parcel would require extension of a sanitary sewer main for approximately 1,400 feet prior to reaching the existing sewer system. However, in all cases, there are no existing utility easements or public right-of-way connecting the existing waterlines or existing sewer lines to this parcel.

#### **Transportation:**

Existing conditions: The property is accessed via a private drive that is not part of the city's maintenance responsibility.

Proposed Improvements: Once a development concept is submitted, the applicant shall be required to meet all public right-of-way level of service (L-O-S) and subdivision connectivity standards.

Projected Traffic Generation: A typical single-family home will generate ten (10) vehicle trips per day. Duplex units will effectively double that generation rate [note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting].

#### **Environmental Assessment:**

This property is outside of a FEMA regulatory Special Flood Hazard Area. The runoff from this parcel flows in three directions: approximately 4.72 acres of the parcel flows to the northeast corner of the parcel into an existing shallow natural draw which outfalls into Reese Creek Tributary 5a; approximately 10.22 acres flows to the eastern property line in a sheet flow manner and ultimately into Reese Creek Tributary 5a; and the remaining 4.62 acres flows to the southeast corner of the parcel in a sheet flow manner across a private road and into an unnamed tributary of Reese Creek. All of the runoff from the three existing discharge locations ultimately flows out of Killeen and into Reese Creek via the tributaries identified above. The runoff then travels through Fort Hood via Reese Creek before re-entering Killeen, when it discharges into the Lampasas River. None of these water bodies are on the TCEQ's current 303(d) impairment list. The applicant is advised that the area being zoned shall be platted prior to any new development on this parcel. As a result, the current Drainage Design Manual (DDM) and Infrastructure Design and Development Standards Manual (IDDSM) requirements will apply for development on this parcel.

#### **Land Use Analysis:**

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

Plan Recommendation: The 'Suburban Residential' designation encourages the following development types:

- Detached residential dwellings with larger baseline minimum lot sizes and setbacks
- Public/ institutional
- Parks and public spaces

Consistency: This zoning request is not consistent with the Comprehensive Plan, but staff is recommending approval of a concurrent FLUM amendment request that has been submitted by the applicant.

### **Public Notification:**

Staff notified twenty (20) surrounding property owners regarding this request and no protests have been received. However, during the public hearing, Ms. Laura Villegas, who resides at 7400 Clear Creek Road, spoke in opposition to the zoning request.

### **THE ALTERNATIVES CONSIDERED:**

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

Staff is not recommending any alternative to the applicant's request.

#### **Why?**

Staff supports the applicant's request.

### **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:**

The Planning and Zoning Commission recommended approval of the applicant's "R-2" zoning request by a vote of 6 to 0. Duplex development is compatible for the area, given the tract's proximity to Clear Creek Road (S. H. 201), an existing commercially zoned area and the likelihood of future commercial development along the S.H. 201 corridor.

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal Department as well as City administration.

**ATTACHED SUPPORTING DOCUMENTS:**

1. Exhibit:
  - a. Figure 1 - Zoning map and notification area
2. Minutes
3. Ordinance
4. PowerPoint Presentation