



# City of Killeen

## Legislation Text

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File #: PH-21-041, Version: 1

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**HOLD** a public hearing and consider an ordinance requested by Mitchell & Associates on behalf of Twin Creek Joint Venture II (**Case #Z21-22**) to rezone approximately 2.27 acres from "B-5" (Business District) to "R-2" (Two-Family Residential District), being Lot 6, Block 2, Twin Creek Addition Section Two. The property is locally addressed as 4202 Water Street, Killeen, Texas.

**DATE:** August 3, 2021

**TO:** Kent Cagle, City Manager

**FROM:** Tony McIlwain, Exec. Director of Development Services

**SUBJECT:** ZONING CASE #Z21-22 from "B-5" (Business District) to "R-2" (Two-Family Residential District).

### **BACKGROUND AND FINDINGS:**

#### **Summary of Request:**

This request, submitted by Mitchell & Associates on behalf of Twin Creek Joint Venture II (**Case #Z21-22**), is to rezone Lot 6, Block 2, Twin Creek Addition Section Two, from "B-5" (Business District) to "R-2" (Two-Family Residential District). If approved, the applicant intends to develop seven (7) duplex lots on the property.

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

The property was rezoned to "B-5" (Business District) around 1983. Staff is unable to determine the exact date of the rezoning or the original zoning of the parcel. The property was platted as the Lot 6, Block 2, Twin Creek Addition, on March 7<sup>th</sup>, 1983.

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

The surrounding area is made up of a mix of residential and commercial properties. Adjacent land uses are as follows:

North: Existing developed property zoned "R-3" (Multi-Family Residential District).  
South: Existing developed property zoned "R-3" (Multi-Family Residential District).  
East: Existing developed property zoned "R-1" (Single-Family Residential District).  
West: Existing developed property zoned "R-3" (Multi-Family Residential District).

#### **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. The 6,000 square foot minimum lot size in the predominant R-1 zoning district results in less openness and separation between dwellings compared to Suburban residential areas. 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

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 services are located within the City of Killeen municipal utility service area and may be available to the subject tract.

### **Transportation and Thoroughfare Plan:**

Ingress and Egress to the property from Twin Creek Road which is classified as 120' wide minor arterial and from Water Street which is classified as 60' wide local street on the City of Killeen adopted Thoroughfare Plan. A typical two-family home will generate twenty (20) vehicle trips per day. This development could see an increase of 140 vehicle trips per day for a development of this size. [note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting].

### **Public Notification:**

Staff notified forty-two (42) surrounding property owners regarding this request. As of the date of this staff report, no written responses have been received regarding this request. Of those property owners notified, twenty-one (21) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and five (5) reside outside of Killeen.

### **Staff Findings:**

Staff finds that the applicant's request is consistent with the surrounding property uses and is compatible with the existing land uses and prevailing community character.

There are no known environmental constraints for this tract. The Tract is not within any FEMA regulatory Special Flood Hazard Area (SFHA) and there are no known wetlands on or adjacent to the parcel.

At the time of development, the current drainage design manual and infrastructure design and development

standards will be applicable to this site. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.

### **THE ALTERNATIVES CONSIDERED:**

The City Council has two (2) alternatives. The Council may:

- Disapprove the applicant's request for "R-2" (Two-Family Residential District); or
- Approve the applicant's request for "R-2" (Two-Family Residential District).

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

Staff recommends approval of the applicant's request to rezone the property from "B-5" (Business District) to "R-2" (Two-Family Residential District) as the request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Why?** The proposed change in use is compatible with the existing character of the area.

### **CONFORMITY TO CITY POLICY:**

This zoning request conforms to the City's policy and procedures as detailed in Chapter 31 of the City of 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 July 19<sup>th</sup>, the Planning & Zoning Commission recommended approval of the applicant's request to rezone the property from "B-5" (Business District) to "R-2" (Two-Family Residential District) by a vote of 5 to 0.

### **DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps

Minutes

Ordinance

Considerations