



# City of Killeen

## Legislation Text

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File #: PH-22-017, Version: 1

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HOLD a public hearing and consider an ordinance requested by Russell and Oteeka Davis (Case #FLUM 22-08) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Residential Mix' (R-MIX) to 'General Commercial' (GC), being approximately 0.22 acres out of the Spofford Addition, Block D, part of Lot 8. The property is addressed as 409 761st Tank Battalion Avenue, Killeen, Texas.

**DATE:** March 1, 2022

**TO:** Kent Cagle, City Manager

**FROM:** Wallis Meshier, CNU-A, Director of Planning

**SUBJECT:** FLUM CASE # 22-08: 'RESIDENTIAL MIX' (R-MIX) TO 'GENERAL COMMERCIAL' (GC)

### **BACKGROUND AND FINDINGS:**

#### **Property Information:**

**Property Owner:** Russell and Oteeka Davis

**Current FLUM Designation:** 'Residential Mix' (R-MIX)

**Requested FLUM Designation:** 'General Commercial' (GC)

**Current Zoning:** "R-3" (Multifamily Residential District)

**Proposed Zoning:** "B-5" (Business District)

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

Russell and Oteeka Davis have submitted a request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Residential Mix' (R-MIX) to 'General Commercial' (GC), being approximately 0.22 acres out of the Spofford Addition, Block D, part of Lot 8. If approved, the applicants intend to use the property for additional parking and vehicle storage for their existing towing and automotive business.

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

The subject property was zoned "R-3" (Multi-family) on March 8, 1977 via Ordinance No. 77-13. The property was platted as part of Spofford subdivision, Block D, Lot 8 on April 26, 1951.

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

	Current Land Use	Zoning District	Future Land Use
North	Vacant residential lot	R-3 (Multifamily Residential)	Residential Mix (R-MIX)
East	Existing single-family home and	R-2 (Two-Family Residential)	Residential Mix (R-MIX)

	four-plex residential		
South	Existing hotel-motel property across railroad track	B-5 (Business)	General Commercial (GC)
West	Vacant commercial lot	B-5 (Business)	Residential Mix (R-MIX)

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

This property is designated as 'Residential Mix' (R-MIX) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'Residential Mix' (R-MIX) designation includes areas that were allowed to develop in the past with various housing types and densities intermixed, both on the same block and across streets, often with minimal screening and/or buffering between differing residential intensities. These are auto-oriented areas and should address compatibility and screening/buffering, where possible, as redevelopment occurs.

The 'Residential Mix' (R-MIX) designation encourages the following development types:

- Mix of residential types and densities;
- 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 depending on the site;
- Office (both large and/or multi-story buildings and small-scale office uses depending on the site);
- Public/institutional; and
- Parks and public spaces.

The applicant has submitted a concurrent request to rezone the property from "R-3" (Multifamily Residential District) to "B-5" (Business District).

### **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 761<sup>st</sup> Tank Battalion Ave., which is classified as a 60' wide Local Street on the City of Killeen Thoroughfare Plan.

### **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 mailed courtesy notices to thirty-six (36) surrounding property owners regarding this request. Of those property owners notified, fourteen (14) reside outside of Killeen.

**Staff Findings:**

The current zoning of the subject property is "R-3" (Multifamily Residential District). The surrounding area includes commercial and residential uses. The area to the north and west are vacant properties. To the east are existing single-family and multifamily homes. To the south, across 761<sup>st</sup> Tank Battalion Ave. and the railroad tracks is an existing hotel-motel commercial property.

**THE ALTERNATIVES CONSIDERED:**

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

- Disapprove the applicant's FLUM amendment request;
- Approve a more restrictive FLUM designation; or
- Approve the applicant's FLUM amendment request.

**Which alternative is recommended? Why?**

Staff recommends disapproval of the applicant's request to amend the FLUM as presented.

Staff finds that the 'Residential Mix' (R-MIX) designation, generally an intermix of housing types and densities both on the same block and street, is appropriate for this location since the area is primarily residential in nature.

**CONFORMITY TO CITY POLICY:**

This 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 is not applicable.

**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 February 7, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 6 to 0.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Minutes  
Ordinance