

ORDINANCE 08-098

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM A (AGRICULTURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, W&B Development has presented to the City of Killeen a request for amendment of the Zoning Ordinance of the City of Killeen by changing the classification of the hereinafter described property from A (Agricultural) to R-1 (Single-Family Residential District), said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 10th day of November 2008, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 6:00 P.M., on the 25th day of November 2008, at the City Hall, City of Killeen;

WHEREAS, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the opinion that the request should be approved;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

Section I. That the zoning classification of the following described tract be changed from A (Agricultural) to R-1 (Single Family Residential District) for 87.12 acres, being part of the Simeon D. Carothers Survey, Abstract No. 177, Killeen, Texas.

Section II. That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity,

force, or effect of any other section or parts of this ordinance.

Section III. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section IV. That this ordinance shall take effect immediately upon passage of the ordinance.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 25th day of November 2008, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED:



Timothy L. Hancock, MAYOR

ATTEST:



Paula A. Miller, CITY SECRETARY

Attachment: Exhibits A and B

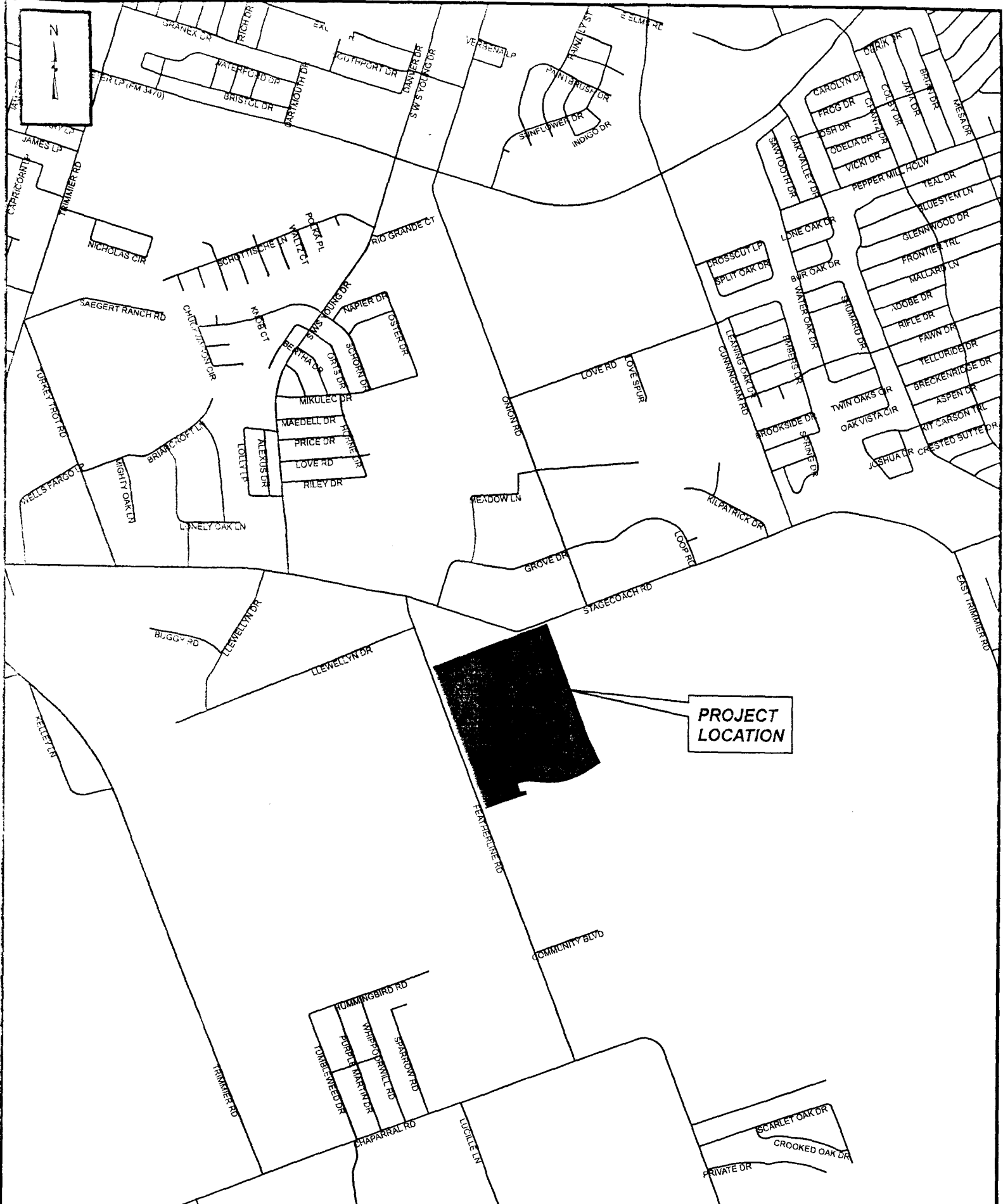
APPROVED AS TO FORM



Kathryn H. Davis, City Attorney

Case #Z08-50

Ord #08-____.

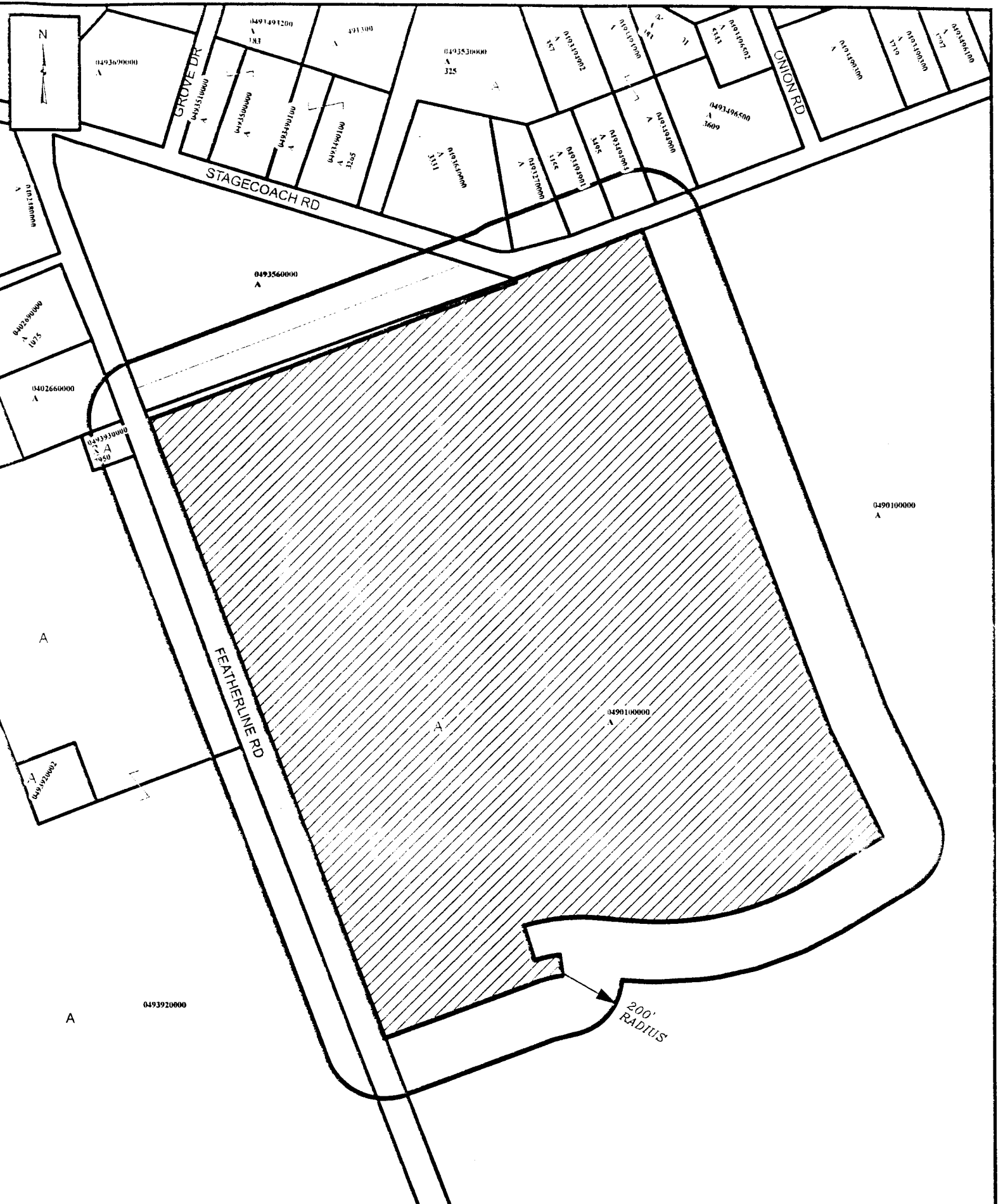


Date: 10/30/08
 87.12 ACRES

ZONING CASE #Z08-50
 From A To R-1



CITY OF KILLEEN
 PLANNING/MAPPING
 P.O. BOX 1329
 KILLEEN, TEXAS, 76540-1329



Date: 10/30/08
 87.12 ACRES

ZONING CASE #Z08-50
 From A To R-1



CITY OF KILLEEN
 PLANNING/MAPPING
 P.O. BOX 1329
 KILLEEN, TEXAS. 76540-1329

CITY COUNCIL MEMORANDUM FOR ORDINANCE

AGENDA ITEM

**ZONING CASE #Z08-50
A TO R-1**

ORIGINATING DEPARTMENT TM PLANNING & DEVELOPMENT SERVICES

BACKGROUND INFORMATION

W & B Development has submitted an application to rezone approximately 87.12 acres from Agricultural to R-1 (Single-Family Residential). The property is part of the Simeon D. Carothers Survey, Abstract No. 177, Killeen, Texas. The subject site is located on the east right-of-way of Featherline Road, approximately 2,000 feet south of Stagecoach Road.

The R-1 zoning district allows for uses such as one-family dwellings, churches or other places of worship, schools, colleges, universities or other institutions of higher learning; country clubs or golf courses, etc. The developer is petitioning to rezone the site to allow for the first phase of the proposed Yowell Ranch subdivision. The prevalent land uses in this area is residential development and this area is a viable corridor for single-family homesite development.

Transportation Infrastructure

The Public Works Department has submitted Featherline Road as a street project in the Transportation CIP. This document has been presented to the Transportation Committee and members of City Council and is awaiting project prioritization. Under the proposed street project, Featherline Road would be reconstructed to five lanes between Stagecoach Road and Chaparral Road at a project cost of approximately \$6,100,000.

The lot and area requirements of the R-1 zoning district are contained in Table 1 (below).

Table 1. R-1 (Single-Family Residential)

Setbacks	Front-25', rear-25', side-7' or 15' (against street)
Min. Area	6,000 sq. feet
Min. Width	60 feet
Min. Depth	100'

The property is vacant, with sparse vegetative ground cover. It appears suitable for low-intensity development and will continue the transformation of this quadrant of the City into a residential hub. The proposed new zoning is consistent with the zoning of neighboring lands, and the tract, while large, doesn't seek a use fundamentally different from surrounding lands. The request to rezone to single-family residential is fundamentally compatible with the existing and projected land uses in this area.

Table 2. Surrounding Land Uses

North	Undeveloped and Residential
West	Undeveloped
East	Residential
South	Undeveloped

A letter of notification was mailed to ten (10) surrounding property owners in the 200-foot notification area. Staff did not receive any protest letters regarding this rezone request.

DISCUSSION/CONCLUSION

Bruce Whitis of W & B Development was present to represent the case. Chairman Frederick opened the public hearing, and the following individuals spoke at the public hearing: Bill King and Randy Doyle. Mr. King expressed concerns about safety, density, and congestion. Mr. Doyle remarked about the need for the City to slow the pace of housing construction until a City masterplan is in place and also stated that there are currently 1,200 to 1,400 homes for sale in Killeen.

FISCAL IMPACT

No fiscal impact is associated with this rezone application.

RECOMMENDATIONS

The Planning and Zoning Commission made a recommendation to approve rezone case #Z08-50 by a vote of 4 to 3.