

**ORDINANCE 08-093**

**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 DISTRICT) 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 District) 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 27<sup>th</sup> day of October 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 18<sup>th</sup> 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 District) to R-1 (Single-Family Residential District) for approximately 214.11 acres, being part of the Simeon D. Carothers Survey, Abstract No. 177 and the James Allcorn Survey, Abstract No. 25. The property is located approximately 2,000 feet south of Stagecoach Road along the east right-of-way of

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That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

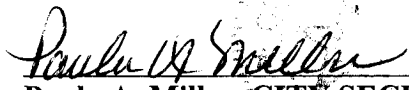
**Section IV.** That this ordinance shall take effect immediately upon passage of the ordinance.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 18th 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

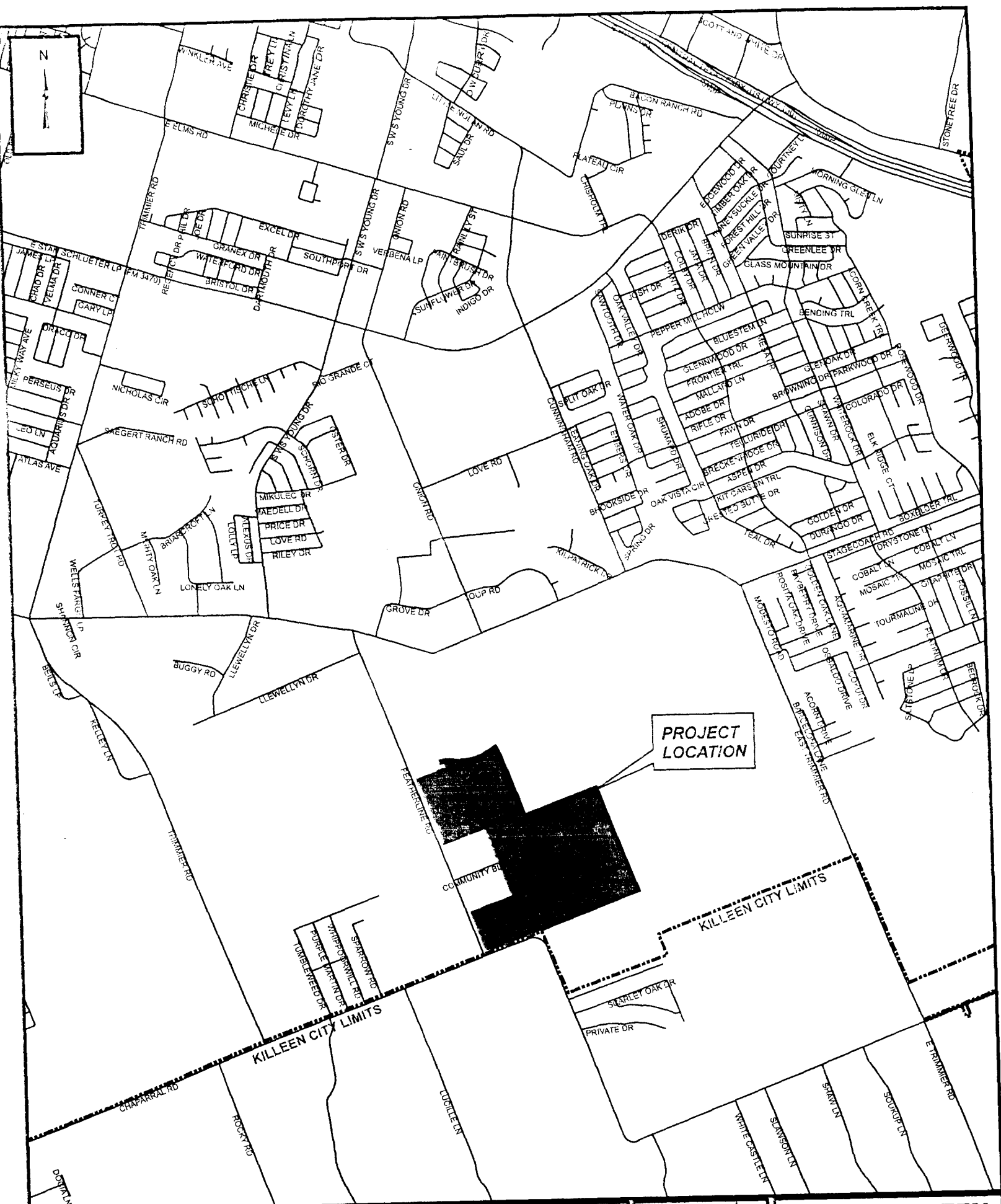
**ATTEST:**

  
Paula A. Miller, CITY SECRETARY

**APPROVED AS TO FORM**

  
Kathryn H. Davis, City Attorney

Case #08-46  
Ord #08-\_\_\_



PROJECT LOCATION

COMMUNITY BLDG

KILLEEN CITY LIMITS

KILLEEN CITY LIMITS

Date: 9/29/08

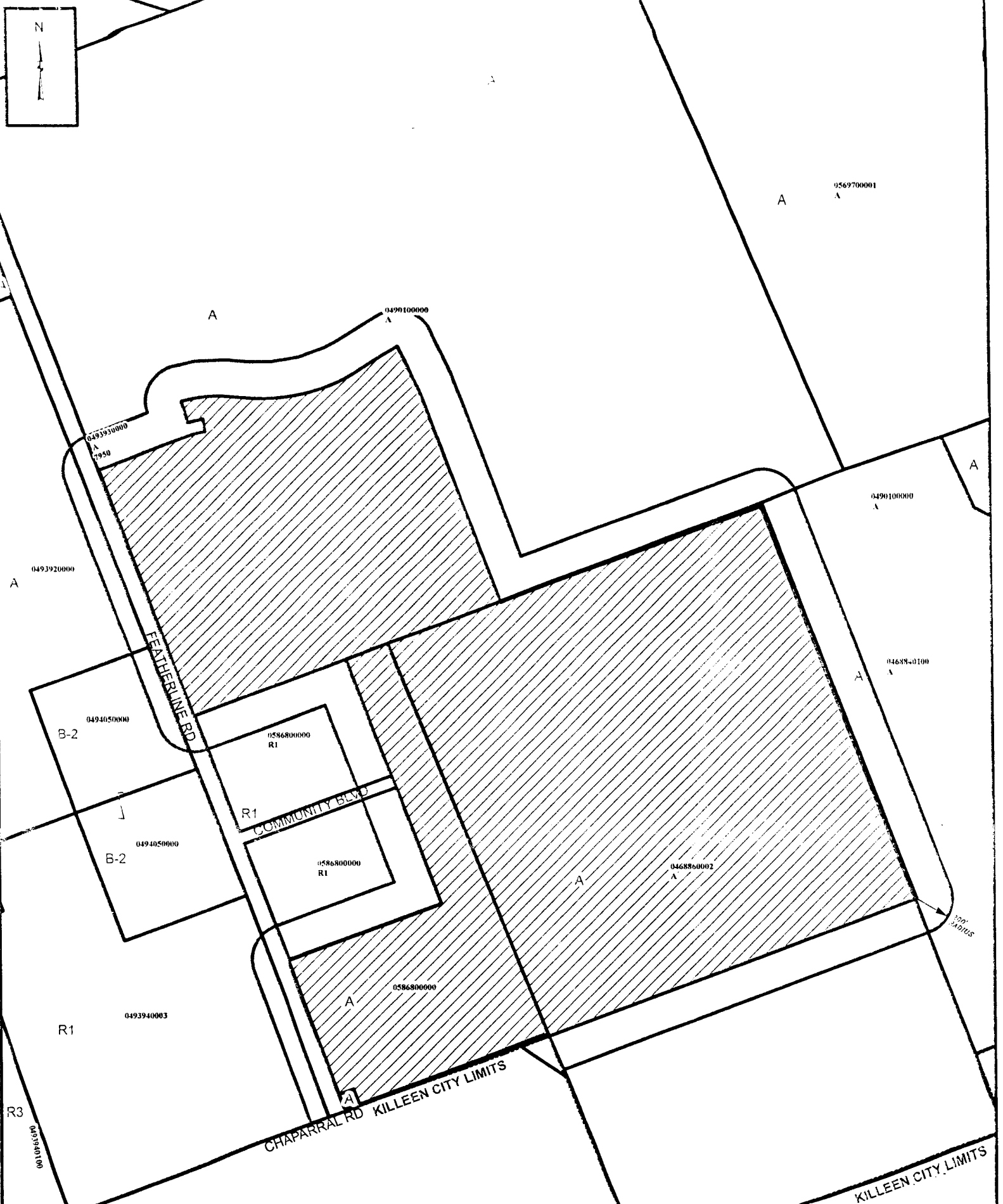
214.11 ACRES

ZONING CASE #Z08-46

From A To R-1



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



Date: 9/29/08  
 214.11 ACRES

ZONING CASE #Z08-46  
 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 #Z08-46  
A TO R-1**

**ORIGINATING DEPARTMENT  PLANNING & DEVELOPMENT SERVICES**

**BACKGROUND INFORMATION**

W & B Development has submitted an application to rezone approximately 214.11 acres from Agricultural to R-1 (Single-Family Residential). The property is part of the Simeon D. Carothers Survey, Abstract No. 177 and the James Allcorn Survey, Abstract No. 25. The subject site is located on the east right-of-way of Featherline Road, approximately 2,000 feet south of Stagecoach Road, Killeen, Texas.

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 next phase of Yowell Ranch. Residential uses are the prevalent land uses in the area and this area is a viable corridor for this type of 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 (Zoning)**

North	Agricultural zoning
West	B-2 zoning/ Agricultural zoning
East	Agricultural zoning
South	Agricultural zoning

A letter of notification was mailed to six (6) surrounding property owners in the 200-foot notification area. Staff received one letter of support from Bruce Whitis regarding this rezone request.

#### **DISCUSSION/CONCLUSION**

Bruce Whitis of W & B Development represented the case. Chairman Frederick opened the public hearing, and with no one requesting to speak, the public hearing was closed.

#### **FISCAL IMPACT**

No fiscal impact is associated with this rezone application.

#### **RECOMMENDATIONS**

Commissioner Traina made a motion to recommend approval of the rezone request, which was seconded by Commissioner Steine. The Planning and Zoning Commission voted 7 to 0 (with Commissioner Kim abstaining) to recommend approval of Zoning Case #Z08-46 to the City Council.