

ORDINANCE 06-58

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 R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT) WITH R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze, and Dennis L. Schulze have presented a request for amendment of the Zoning Ordinance of the City of Killeen by changing the classification of the hereinafter described property from R-1 (Single-Family District) to PUD (Planned Unit Development) with R-3 (Multi-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 8th day of May 2006, 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 23rd day of May 2006, 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 R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District) for approximately 22.221 acres being a part of the

Thomas Robinett Survey, Abstract No. 686, located south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

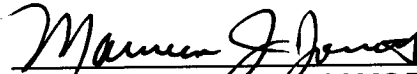
Section II. That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

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 That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.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 23rd day of May 2006, 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:


Maureen J. Jodetz, MAYOR

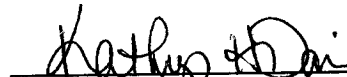
ATTEST:


Paula A. Miller, CITY SECRETARY

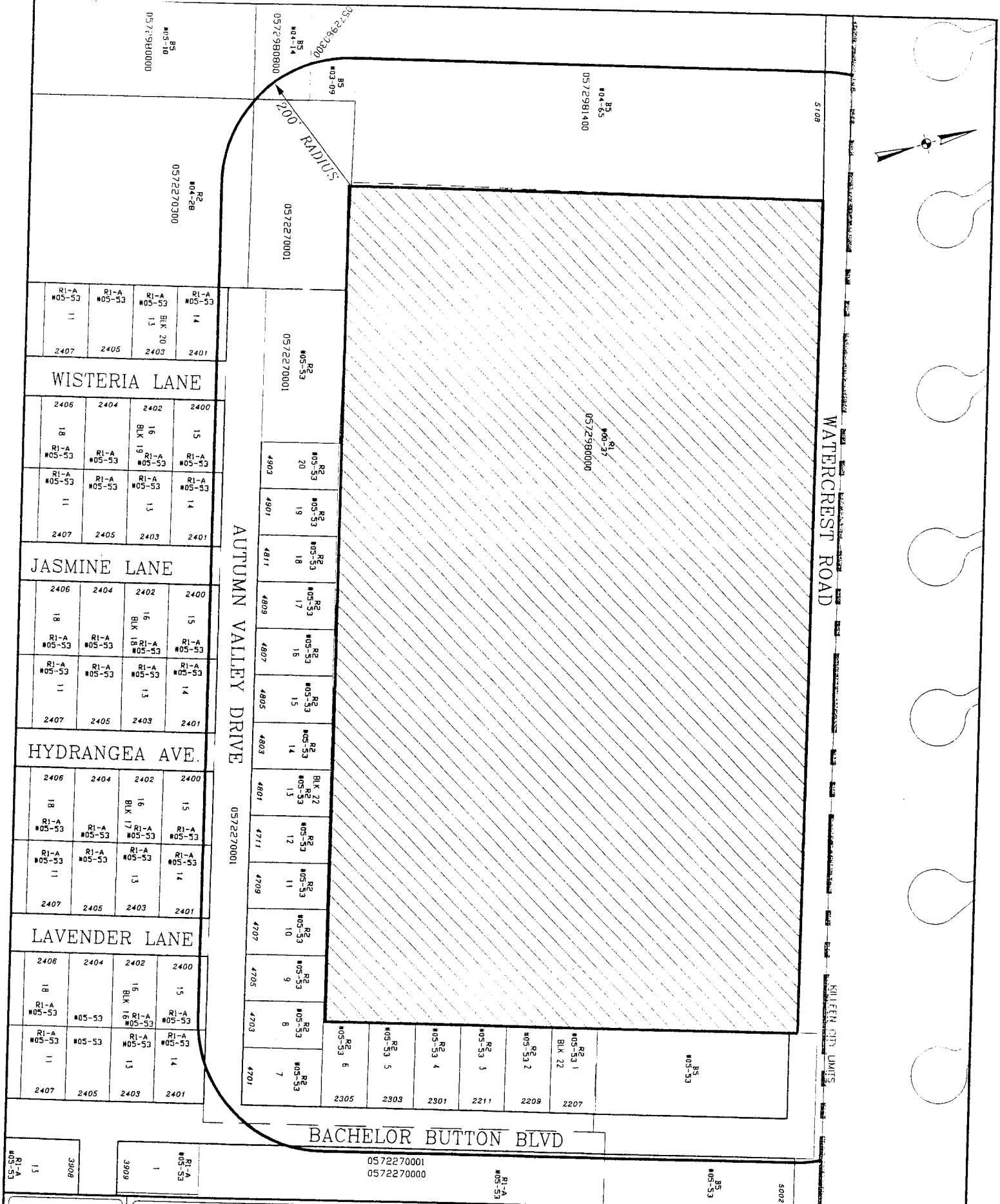


Attachment: Exhibits A and B

APPROVED AS TO FORM


Kathryn H. Davis, City Attorney

Case #Z06-16

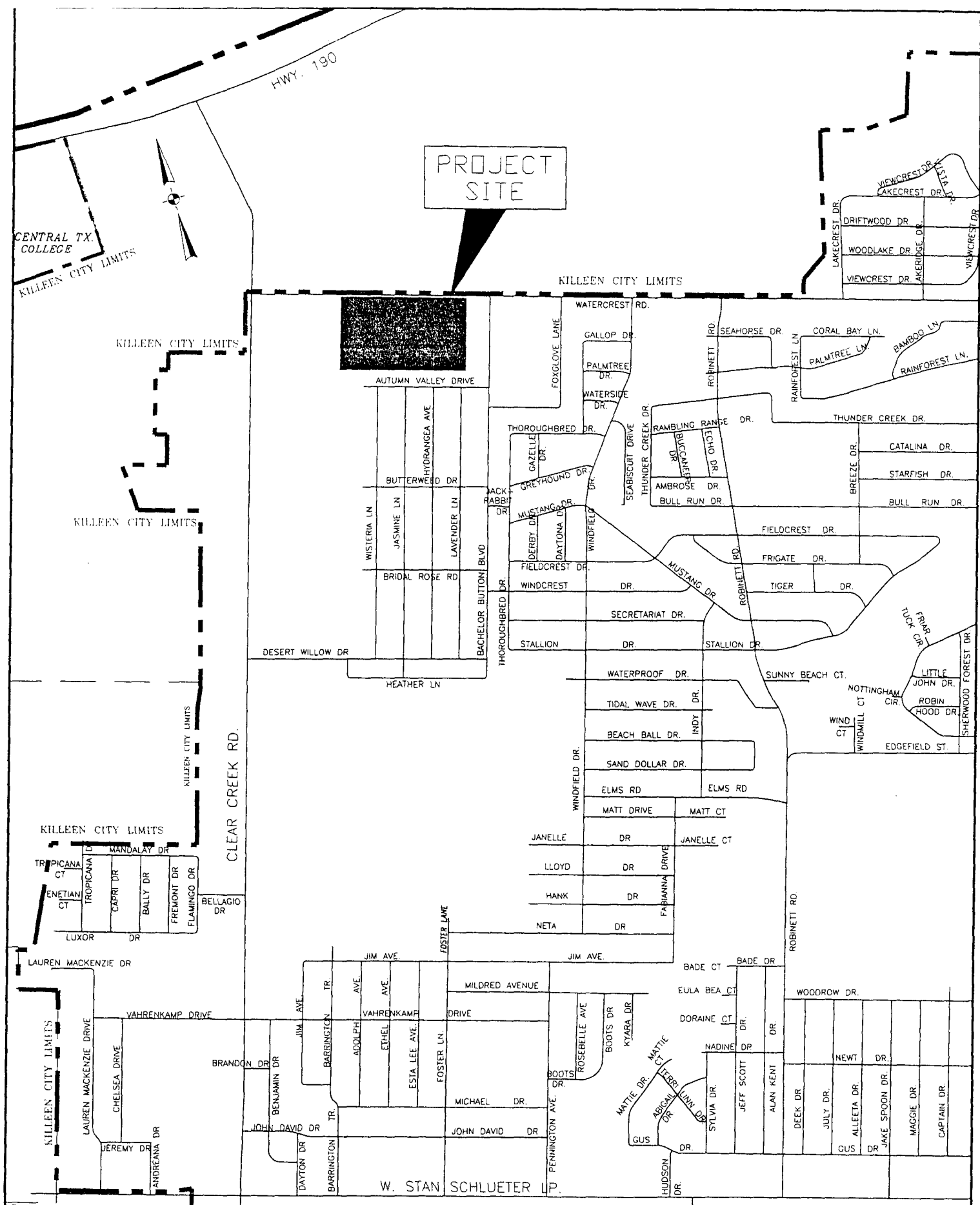


DATE: 03/15/06
1 LOT(S)
22.221 ACRES

ZONING CASE # 06-16
FROM R-1 TO PUD W/R-3



CITY OF KILLEEN
PLANNING DEPT.



PROJECT SITE

DATE: 03/15/06
1 LOT(S)
22.221 ACRES

ZONING CASE # 06-16
FROM R-1 TO PUD W/R-3



CITY OF KILLEEN
PLANNING DEPT.

CITY COUNCIL MEMORANDUM FOR ORDINANCE

AGENDA ITEM

**ZONING CASE #Z06-16
R-1 TO PUD WITH R-3**

ORIGINATING DEPARTMENT

PLANNING & ECONOMIC DEVELOPMENT

BACKGROUND INFORMATION

This request is submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

A letter of notification was mailed to three (3) property owners in the 200-foot notification area. No responses were received.

DISCUSSION/CONCLUSION

The applicant is proposing to develop a gated apartment community consisting of 333 units targeted as upscale housing for military personnel stationed at Fort Hood. The complex will be retained under single ownership and all common areas will be maintained by the corporation. A site plan has been provided that illustrates the proposed development regulations and amenities to be adopted as part of the PUD ordinance. The Council may also choose to attach any other restrictions or safeguards deemed appropriate to protect the character and use of surrounding property. The applicant is not seeking to negotiate down any development regulations, but has instead submitted the PUD as an assurance to the City that an upscale apartment complex will be constructed on the property instead of another allowable R-3 use.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATIONS

The Planning and Zoning Commission voted unanimously to recommend approval of Zoning Case #Z06-16 to the City Council.