

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 PLANNED UNIT DEVELOPMENT (PUD) WITH “SR-1” (SUBURBAN RESIDENTIAL SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Faith Temple, Inc. of Killeen, Texas 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 Lot 1, Block 1, Faith Point Church Addition, from “A” (Agricultural District) to Planned Unit Development (PUD) with “SR-1” (Suburban Residential Single-Family Residential District), for the property locally known as 1826 Stagecoach Road, Killeen Texas, said request having been recommended for approval (with conditions) by the Planning and Zoning Commission of the City of Killeen on the 2nd day of July 2018, 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 5:00 P.M., on the 24th day of July 2018, 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 majority opinion that the applicant’s zoning 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 Lot 1, Block 1, Faith Point Church Addition, be changed from “A” (Agricultural District) to “PUD” (Planned Unit Development) with “SR-1” (Suburban Residential Single-Family Residential District), with the following zoning conditions:

1. The site plan is conceptual in nature; development of the site must be substantially in compliance with the attached concept site plan. Any and all changes to the site plan shall be approved by the Planning Department prior to issuance of permits. Minor changes to the site plan related to drainage considerations will not require an amendment to the PUD. However, any significant changes to the site plan will require a PUD amendment or rezoning request to be approved by City Council.
2. No fewer than 165 parking spaces shall be provided with Phase One, and no fewer than 304 parking spaces shall be provided at full build-out.
3. All parking spaces shall be located a minimum of 10 feet from the east and west property lines.
4. A minimum 10-foot buffer shall be provided between the property line and the back of curb for all internal private roads.
5. One canopy tree shall be provided every 50 feet along the side property lines. Canopy trees adjacent to Phase Two may be provided with construction of future phases.
6. A 6-foot wood privacy fence shall be constructed along the entire property line on the east, west, and south sides of the property. The portion of the fence that is adjacent to Phase Two, including the rear fence, may be provided with the construction of future phases.

7. A continuous landscape buffer consisting of one canopy tree every 50 feet and a one shrub every 4 feet shall be provided along the front property line. The property's 650 feet of frontage shall result in 13 canopy trees and 160 shrubs being planted along Stagecoach Road. Trees may be spaced to accommodate driveways.
8. Dumpster pads shall be either: 1) located at least 30 feet from the side property lines, or 2) enclosed with a 6-foot masonry wall with metal gate.
9. All buildings within the site, including accessory buildings, workshops, storage buildings, and mechanical buildings, shall be 80% masonry (brick, stucco, or stone) on all four sides, excluding doors, windows, and gables. Fiber cement siding shall not be considered masonry.
10. All site lighting, including parking lot lighting, shall be fully shielded and shall not be permitted to trespass, or cross over the property line. Architectural and landscape up-lighting shall be prohibited.
11. The hours of operation for the softball field shall be limited to sunrise to sunset. No lighting shall be permitted for the softball field.
12. One permanent double-faced sign shall be permitted at the front of the campus, and shall comply with the following standards:
 - a. Each side of the double-faced sign shall not exceed 100 square feet in face area, with the electronic message display being not more than 50 square feet of the total area allowed for each side.
 - b. The sign shall be set back a minimum of ten (10) feet from the front property line.
 - c. The sign shall be limited to twenty (20) feet overall height.

- d. Sign illumination shall cease between the hours 10:00 p.m. and 6:00 a.m.
- 13. The western driveway of the property shall be a non-divided two or three lane driveway, consisting of a one ingress lane and one or two egress lanes. The western driveway shall be aligned with the opposing Wells Fargo Road.
- 14. Trip generation data shall be calculated and submitted to the City Engineer before the issuance of any permits to verify appropriate geometry for both the initial and the full build scenario for access to Stagecoach Road. Upon review of the trip generation calculations, any improvements deemed necessary by the City Engineer shall be provided by the developer, including but not limited to turn lanes, acceleration and deceleration lanes, and/or traffic signals. If a mutual agreement and acceptance of trip generation analysis and/or proposed improvements between the developer and City Engineer cannot be reached, a binding Traffic Impact Analysis will be required.

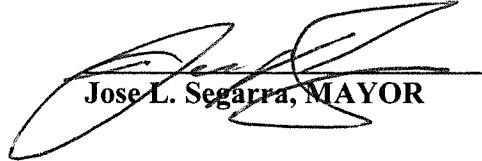
SECTION II. That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

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.

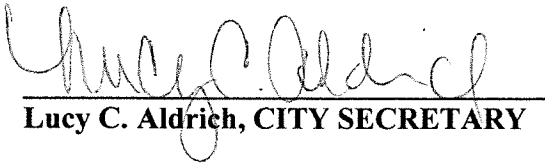
SECTION IV. That this ordinance shall take effect immediately upon passage of the ordinance.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 24th day of July 2018, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

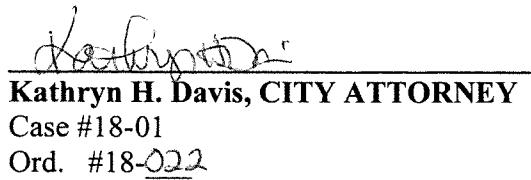
APPROVED:


Jose L. Segarra, MAYOR

ATTEST:


Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM


Kathryn H. Davis, CITY ATTORNEY
Case #18-01
Ord. #18-022



CITY COUNCIL MEMORANDUM FOR ORDINANCE

DATE: July 17, 2018

TO: Ronald L. Olson, City Manager

FROM: Dr. Ray Shanaa, AICP, Exec. Dir. of Planning and Development Services

SUBJECT: ZONING CASE #Z18-01 "A" (Agricultural District) to Planned Unit Development (PUD) with "SR-1" (Suburban Residential Single-Family Residential District)

BACKGROUND AND FINDINGS:

This request is submitted by Mitchell & Associates, Inc. to rezone 17.018 acres, being Lot 1, Block 1, Faith Point Church Addition from "A" (Agricultural District) to Planned Unit Development (PUD) with "SR-1" (Suburban Residential Single-Family Residential District) to allow for various land uses associated with a church campus. The property is located approximately 300 feet east of Shannon Circle, and is addressed as 1826 Stagecoach Road, Killeen, Texas.

The applicant proposes to construct a worship campus, which will include a 500 seat auditorium and a wide range of accessory uses, including a daycare center, restaurant/fellowship hall, counseling center, athletic center, baseball field, and amphitheater. The applicant was encouraged to submit an application for a PUD due to the proposed accessory uses that will serve the worshippers. If approved, the base zoning will be "SR-1", which permits churches, as well as larger and more complex institutional uses including public and private schools, universities, community buildings, and public recreational facilities. The PUD overlay is designed to allow the proposed uses as accessory to the primary use as a church.

The proposed worship campus will be constructed in at least two phases. The first phase will include an auditorium, daycare center, student religious center, and restaurant/fellowship hall. A chapel, office building, counseling center, athletic center, baseball field, and amphitheater will be constructed in later phases.

Property Specifics:

Applicant / Property Owner: Faith Temple, Inc. of Killeen, Texas

Property Location: The subject property is located at 1826 Stagecoach Road, Killeen Texas.

Legal Description: Lot 1, Block 1, Faith Point Church Addition

Zoning/ Plat Case History:

The plat for this property was recorded on May 18, 2018. The subject property has not been recently rezoned.

Character of the Area:

Existing Land Use(s) on the Property: The property is undeveloped.

Historic Properties: None

Zoning District Descriptions:

"A" District Description: A building or premises in a district "A" agricultural district shall be used only for the following purposes:

- (1) Stables, commercial or private.
- (2) Agricultural uses to include animal production, crop production, horticulture, and support housing.
- (3) Home occupations as permitted in district "R-1" single-family residential district.
- (4) Agricultural single-family residential in accordance with division 3 of this article.
- (5) Accessory buildings customarily incident to the uses in this section

"SR-1" District Description: A building or premises in a "SR-1" suburban residential single-family district shall be used only for the following purpose:

- (1) Single-family detached dwellings.
- (2) Churches or other places of worship.
- (3) Colleges, universities or other institutions of higher learning.
- (4) Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.
- (5) Farms, nurseries or truck gardens, limited to the proportion and cultivation of plants, provided no retail or wholesale business is conducted on the premises, and provided further that no poultry or livestock other than normal household pets shall be housed within one hundred (100) feet of any property line.
- (6) Parks, playgrounds, community buildings and other public recreational facilities, owned and/or operated by the municipality or other public agency.
- (7) Public buildings, including libraries, museums, police and fire stations.
- (8) Real estate sales offices during the development of residential subdivisions but not to exceed two (2) years. Display residential houses with sales offices, provided that if such display houses are not moved within a period of one (1) year, specific permission must be obtained from the city council for such display houses to remain on their locations.
- (9) Schools, public elementary or high.
- (10) Schools, private with curriculum equivalent to that of a public elementary or
- (11) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
- (12) Water supply reservoirs, pumping plants and towers.

- (13) Accessory buildings and uses, incident to the uses in this section and located on the same lot therewith, not involving the conduct of a retail building.

"PUD" District Description: A Planned Unit Development (PUD) is a land use design incorporating the concepts of density and common open space. Common open space shall include, but is not limited to, community amenities such as parks, gardens, pedestrian trails, recreation areas, and usable undisturbed, natural areas. The PUD designation serves as an "overlay zoning and development classification." In this capacity, the designation permits specific land uses as well as negotiated development regulations to be applied to the base land use zoning district(s) in which the property is located. When a parcel of land receives a PUD designation, the entire parcel must be assigned one or more standard zoning district classifications. The PUD overlay classification provides the developer with flexibility and the City Council with ability to tailor specific land use development regulations to be applied to the development site.

Community Infrastructure and Environmental Assessment:

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 available to the subject tract.

Transportation:

Existing Conditions: The subject property has approximately 650 feet of frontage on the south side of Stagecoach Road. 13.5 feet of right-of-way was dedicated with the recordation of the plat, resulting in a total right-of-way width of 96.5 feet.

Proposed Improvements: To be determined. Trip generation data and a determination of any required traffic improvements will be provided to the City Engineer by the applicant prior to issuance of any permits. Upon review and approval of the trip generation calculations and proposed improvements deemed necessary, the City Engineer will provide the final approval to the developer. These improvements may include, but not limited to, turn lanes, acceleration and deceleration lanes, and/or traffic signals. If a mutual agreement and acceptance of trip generation analysis and/or proposed improvements between the developer and City Engineer cannot be reached, a binding Traffic Impact Analysis will be required.

Parking Assessment: Staff is of the determination that the majority of the buildings on the site will serve as accessory uses to the auditorium, which is the primary use. In accordance with Killeen Code of Ordinances Sec. 31-489, churches must provide one parking space for every 4 seats in the auditorium. If all of the uses that are currently provided in separate buildings were included under one roof, the parking requirement would be calculated solely upon the number of seats in the auditorium. In this case, 500 seats would result in 125 required parking spaces. When considering the parking demands for the site, it is important to note that most of the buildings on the site are ancillary to the auditorium, and are unlikely to draw visitors to the site on their own. This includes the proposed He Brews Café, which will function more as a fellowship hall than as a restaurant. In addition, many of the buildings are not anticipated to be occupied at the same time, and a single visitor is likely to visit several different buildings on the

campus during one trip. Accordingly, staff is of the determination that the proposed 304 parking spaces at full build-out and 165 spaces with Phase One will be sufficient to meet the parking demands for the site.

Environmental Assessment: Drainage for the proposed PUD has been conceptually approved by the Director of Environmental Services. Approval of the PUD zoning request does not exempt the developer from being required to meet the requirements in the drainage design manual (DDM) or the infrastructure design and development standards manual (IDDSM) upon development, including post construction requirements. The parcel is not within any FEMA regulatory Special Flood Hazard Area (SFHA) and there are no known wetlands on or adjacent to the parcel.

Land Use Analysis:

Future Land Use Map: This area is designated as 'Suburban Residential' (SR) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

Plan Recommendation: The Comprehensive Plan calls for the following Development Types within the "Suburban Residential" district:

- (1) Detached residential dwellings
- (2) Planned developments to provide for other housing types (e.g., townhouse, patio) in a Suburban character setting
- (3) Public/institutional
- (4) Parks and public spaces

Consistency: Staff finds that the proposed zoning change from "A" to "SR-1" with a "PUD" overlay is consistent with the intent of the Future Land Use Map. The Comprehensive Plan allows for institutional uses within the "Suburban Residential" district.

Public Notification:

Staff notified fourteen (14) surrounding property owners regarding this request. Seven property owners submitted written responses that are attached.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended?

Staff is not recommending any alternatives.

Why?

The applicant would like to pursue the zoning request as submitted.

CONFORMITY TO CITY POLICY:

This zoning 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 zoning request does not involve the expenditure of city funds.

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:

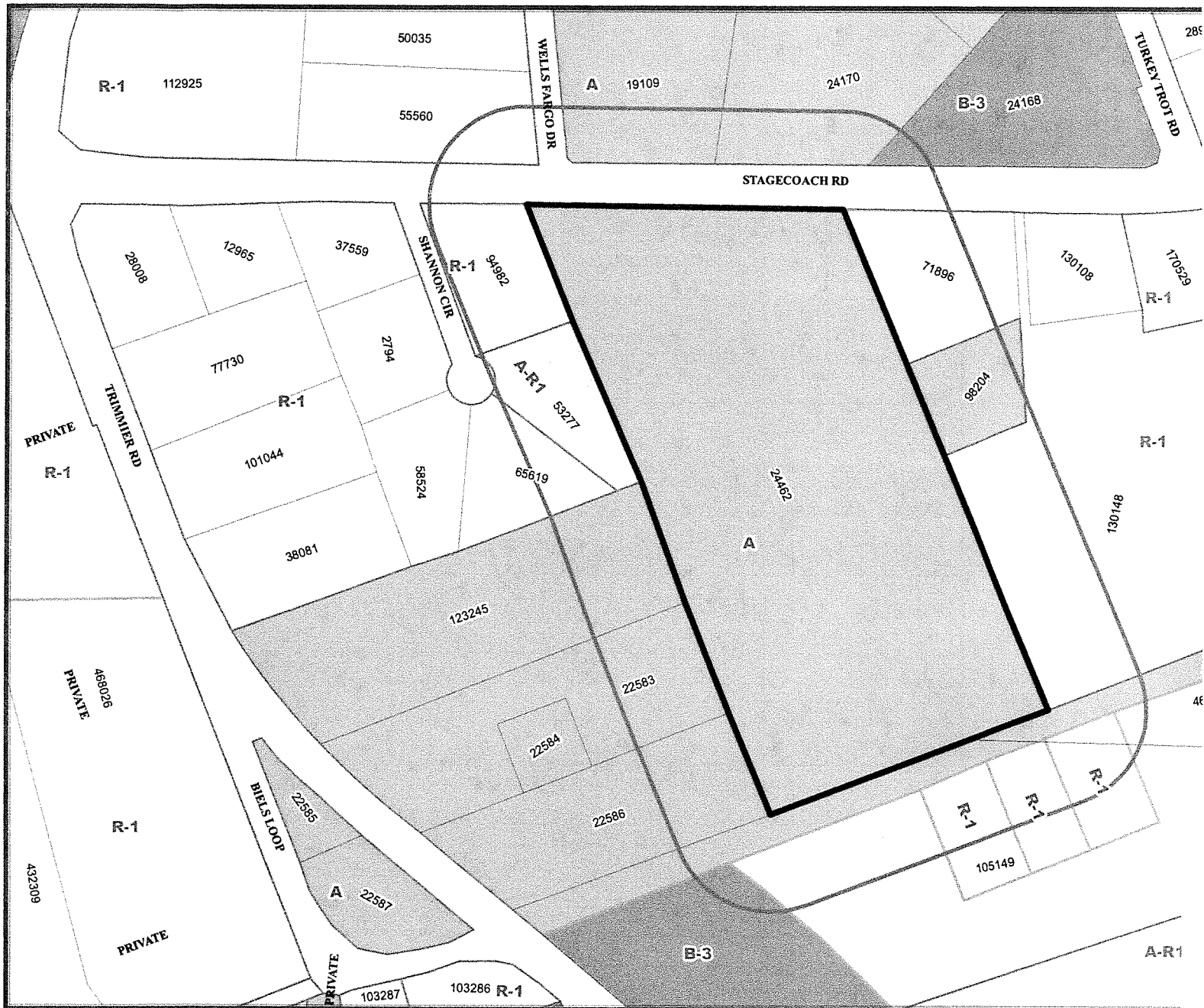
The Planning and Zoning Commission recommends approval (by a vote of 5 to 0) of the applicant's zoning request with the following conditions:

1. The site plan is conceptual in nature; development of the site must be substantially in compliance with the attached concept site plan. Any and all changes to the site plan shall be approved by the Planning Department prior to issuance of permits. Minor changes to the site plan related to drainage considerations will not require an amendment to the PUD. However, any significant changes to the site plan will require a PUD amendment or rezoning request to be approved by City Council.
2. No fewer than 165 parking spaces shall be provided with Phase One, and no fewer than 304 parking spaces shall be provided at full build-out.
3. All parking spaces shall be located a minimum of 10 feet from the east and west property lines.
4. A minimum 10-foot buffer shall be provided between the property line and the back of curb for all internal private roads.
5. One canopy tree shall be provided every 50 feet along the side property lines. Canopy trees adjacent to Phase Two may be provided with construction of future phases.

6. A 6-foot wood privacy fence shall be constructed along the entire property line on the east, west, and south sides of the property. The portion of the fence that is adjacent to Phase Two, including the rear fence, may be provided with the construction of future phases.
7. A continuous landscape buffer consisting of one canopy tree every 50 feet and a one shrub every 4 feet shall be provided along the front property line. The property's 650 feet of frontage shall result in 13 canopy trees and 160 shrubs being planted along Stagecoach Road. Trees may be spaced to accommodate driveways.
8. Dumpster pads shall be either: 1) located at least 30 feet from the side property lines, or 2) enclosed with a 6-foot masonry wall with metal gate.
9. All buildings within the site, including accessory buildings, workshops, storage buildings, and mechanical buildings, shall be 80% masonry (brick, stucco, or stone) on all four sides, excluding doors, windows, and gables. Fiber cement siding shall not be considered masonry.
10. All site lighting, including parking lot lighting, shall be fully shielded and shall not be permitted to trespass, or cross over the property line. Architectural and landscape up-lighting shall be prohibited.
11. The hours of operation for the softball field shall be limited to sunrise to sunset. No lighting shall be permitted for the softball field.
12. One permanent double-faced sign shall be permitted at the front of the campus, and shall comply with the following standards:
 - a. Each side of the double-faced sign shall not exceed 100 square feet in face area, with the electronic message display being not more than 50 square feet of the total area allowed for each side.
 - b. The sign shall be set back a minimum of ten (10) feet from the front property line.
 - c. The sign shall be limited to twenty (20) feet overall height.
 - d. Sign illumination shall cease between the hours 10:00 p.m. and 6:00 a.m.
13. The western driveway of the property shall be a non-divided two or three lane driveway, consisting of a one ingress lane and one or two egress lanes. The western driveway shall be aligned with the opposing Wells Fargo Road.
14. Trip generation data shall be calculated and submitted to the City Engineer before the issuance of any permits to verify appropriate geometry for both the initial and the full build scenario for access to Stagecoach Road. Upon review of the trip generation calculations, any improvements deemed necessary by the City Engineer shall be provided by the developer, including but not limited to turn lanes, acceleration and deceleration lanes, and/or traffic signals. If a mutual agreement and acceptance of trip generation analysis and/or proposed improvements between the developer and City Engineer cannot be reached, a binding Traffic Impact Analysis will be required.

DEPARTMENTAL CLEARANCES:

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



Zoning Case Notification Plan

Case Z-2018-01

Council District: 3

Zoning from A to PUD w/ SR-1

1 inch = 300 feet

Subject Property Legal Description: A0963BC M T MARTIN, 2-1, ACRES 17.023

Legend

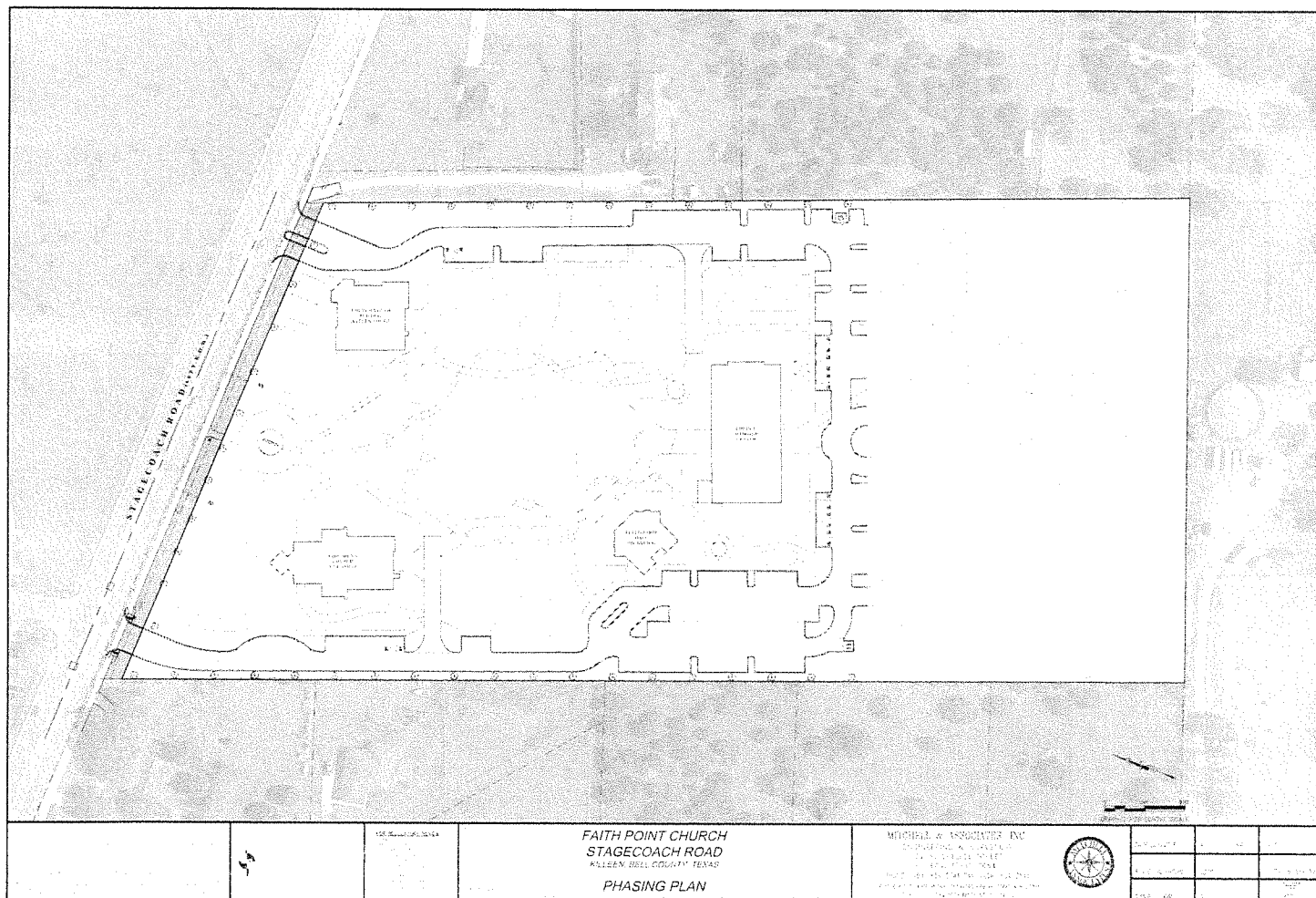
200' Buffer

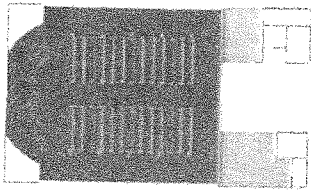
Parcel

City Limits

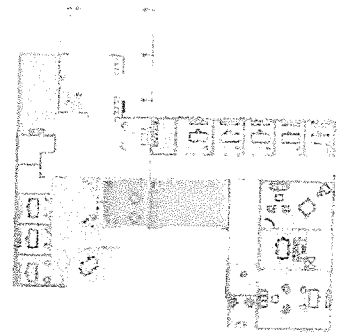


PORT HARBOR





FAITHPOINT

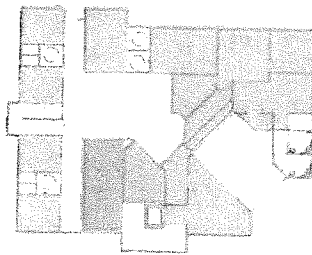
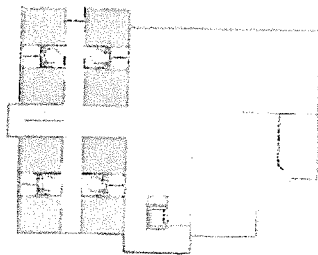
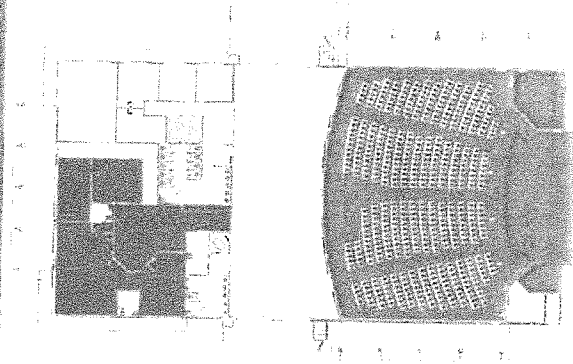
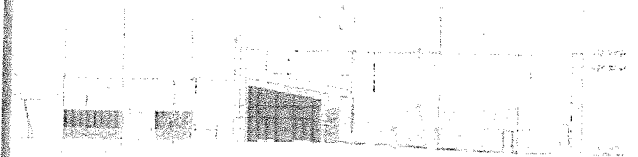


The Chapel (future)

FP Offices (future)

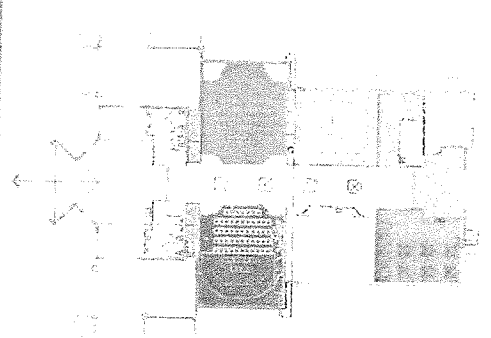
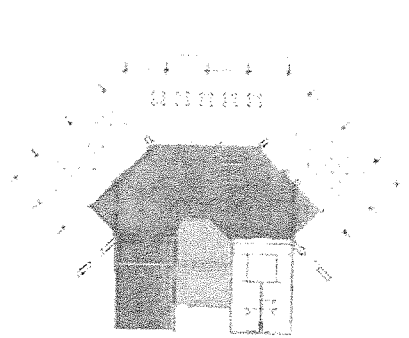
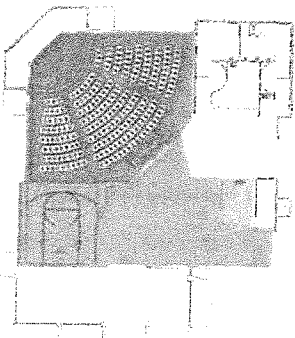


The Athletic Center (future)



The Counseling Center (future)

The Auditorium

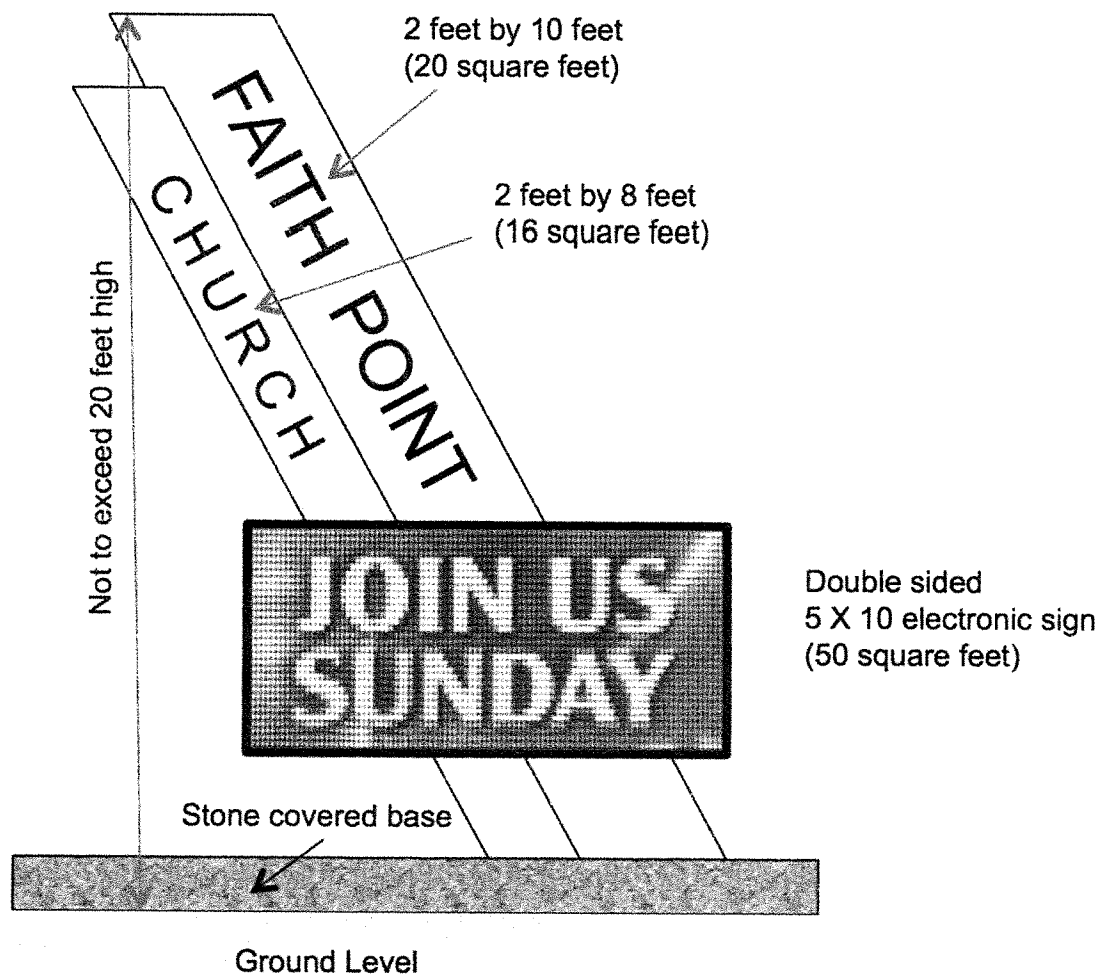


Reflex Youth

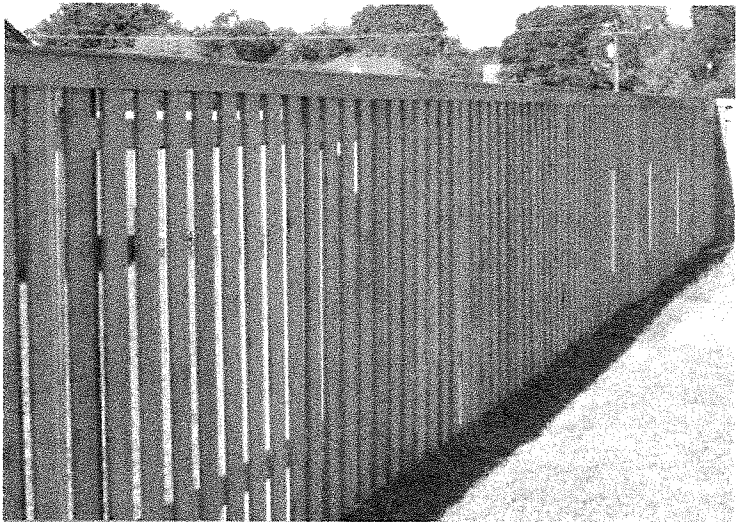
He Brews Cafe

Kid's Point

Total of
86 square feet
per side

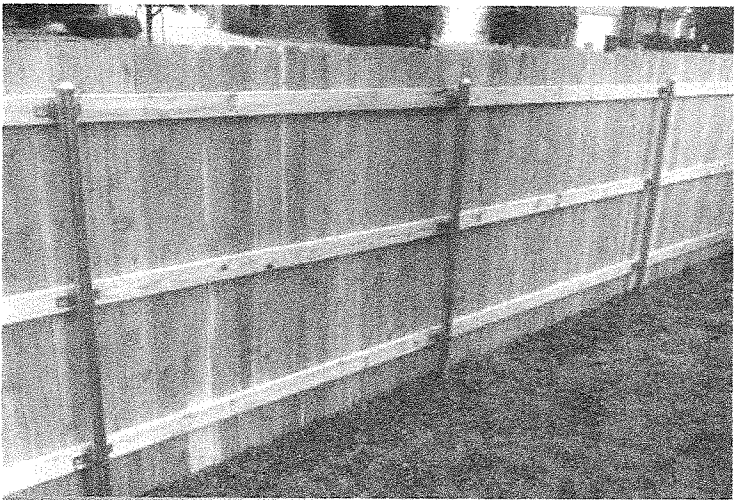


FAITH POINT CHURCH
PERIMETER FENCE OPTIONS



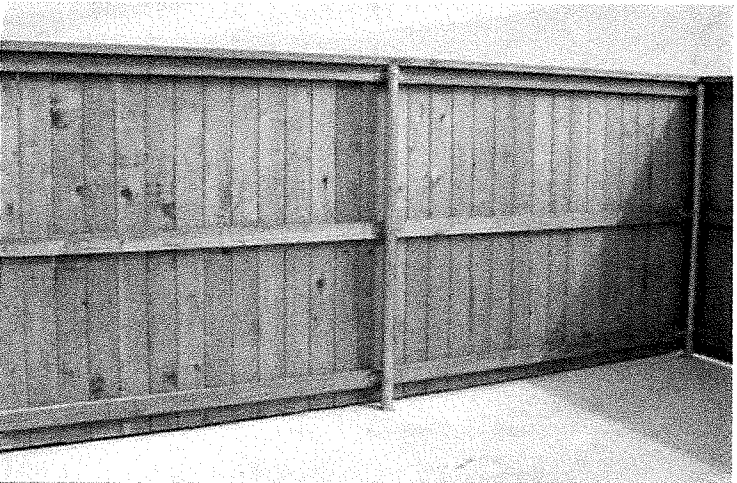
OPTION 1 – 6 FT TALL SHADOW BOX CEDAR FENCE

Signature	_____
Address	_____
Signature	_____
Address	_____
Signature	_____
Address	_____
Signature	_____
Address	_____
Signature	_____
Address	_____



OPTION 2 – 8 FT TALL 3-RAIL CEDAR FENCE ON GALVANIZED POSTS

Signature	_____
Address	_____
Signature	_____
Address	_____
Signature	_____
Address	_____
Signature	_____
Address	_____
Signature	_____
Address	_____



OPTION 3 – 6 FT TALL 3-RAIL CEDAR FENCE ON GALVANIZED POSTS WITH DECORATIVE TOP RAIL

Signature	_____
Address	_____
Signature	_____
Address	_____
Signature	_____
Address	_____
Signature	_____
Address	_____
Signature	_____
Address	_____

-----CUT HERE-----

YOUR NAME: <u>Malcolm Coats</u>	PHONE NUMBER: <u>634-6456</u>
CURRENT ADDRESS: <u>8590 W. Tremaine Rd</u>	
ADDRESS OF PROPERTY OWNED: <u>SAB</u>	
COMMENTS: <u>Current zoning R-1 addresses</u>	"A" to PUD w/"SR-1"
proposed use of property at 1826 Stagecoach yet the request is for SR-1. Due to improper zoning request we can not support this request. When proper zoning identified as R-1 we then can support the zoning. Also have concern of parking lot from fence and type of fencing to be used in the plot.	
SIGNATURE: <u>Malcolm Coats</u>	JUN 18 2018 SPO #Z18-01/09

PO BOX 1329 KILLEEN TEXAS 76540-1329 254 501 7630 254 501 7628 FAX
WWW.CIKILLEEN.TX.US

-----CUT HERE-----

YOUR NAME: <u>Malcolm Coats</u>	PHONE NUMBER: <u>284-634-6456</u>
CURRENT ADDRESS: <u>8590 W. Tremaine Rd.</u>	
ADDRESS OF PROPERTY OWNED: <u>SAB</u>	
COMMENTS: <u>Current zoning R-1 addresses</u>	"A" to PUD w/"SR-1"
proposed use of property at 1826 Stagecoach yet the request is for SR-1. Due to improper zoning request we can not support this request. When proper "zoning" identified as R-1 we then can support the zoning. Also have concern about distance of fence parking lot from fence and type of fencing to be used in the plot.	
SIGNATURE: <u>Malcolm Coats</u>	SPO #Z18-01/08 8-2018

PO BOX 1329 KILLEEN TEXAS 76540-1329 254 501 7630 254 501 7628 FAX
WWW.CIKILLEEN.TX.US

A point of concern is that once the church receives either R1 or SR1 zoning with a PUD overlay, they will, according to the ordinances be able to develop the property in whatever way they deem appropriate without the need to present the said development before the owners of adjacent properties, the Planning and Zoning Commission, or City Council for consideration.

Lastly, in December of 2017, we received an invitation from the church and Gary Wilson and his wife accepted the invitation and attended the meeting with representatives of the church. At that time, church representatives indicated that the owners of adjoining properties would be afforded a choice of 3 types of fencing to be constructed around the property being considered in this case. It has since been suggested that the fence is to be chain link and no options have been afforded to the owners of adjoining properties.

While a chain link fence does provide a separation of properties, it provides absolutely no privacy between adjacent properties. Since any number of people will be taking advantage of this property to exercise, play, and worship, it is reasonable to assume that there will, from time to time, be considerable noise from the property. Just because we welcome a church on this property does not mean that we want to lose the privacy we currently have. The natural vegetation that currently exist on the property screens our properties providing privacy.

If the offer of fencing choice is not extended to the owners of surrounding properties as promised in December 2017, how can we, as neighbors, trust that the land will be developed in the way set forth once the PUD overlay is granted?

Adjoining Property Owners

Printed Name	Address	Signature
GARY & ELIZABETH WILSON	6809 SHAMON CIRCLE	Gary Wilson, Elizabeth Wilson
Thelma & Duane Cruts	8590 W. Trimmer Rd	Thelma Cruts
RAYMOND T. JENNINGS	6607 WELLS FARGO DR	Raymond T. Jennings
George H. Friess	6907 SHAMON CIRCLE	George H. Friess
Felicita Friess	" "	Felicita Friess

2018/06/17

City of Killeen
Planning and Development Services
200 E. Avenue D, Suite 6
Killeen, TX 76541

cc:
Killeen City Council
PO BOX 1329
Killeen, TX 76540

RE: Case #Z18-01 – Rezoning of 17.018 acres, Lot 1 Block 1, Faith Point Church Addition from Agricultural to SR-1 with a PUD Overlay

In reviewing the Zoning and Land Use Ordinances for the City of Killeen, Chapter 31, Section 31-186 seems to encompass most public buildings including churches and places of worship, parks, libraries, schools, etc.

Section 31-188, subparagraph 2 specifically states, “**No side yard for allowable nonresidential uses shall be less than twenty-five (25) feet.**” The drawing the adjoining residents received from the city has not scale on it. Is the 25 feet requirement going to be enforced as it appears that parking areas are as close as possible to adjoining properties. This also raises the concern of trash from the new development finding its way onto our properties increasing our maintenance efforts.

Section 31-178 describes SR-1 as “**The "SR-1" suburban residential district is created to provide for single family detached residences and other uses at densities that are compatible with the Comprehensive Plan's goals for larger baseline minimum lot size and increased setbacks. The "SR-1" district may be applied to both undeveloped tracts and existing stable neighborhoods in appropriate locations recognized by the Comprehensive Plan. The intent of the district shall be to preserve existing natural features and vegetation, promote excellence in site planning and landscape design, facilitate the efficient layout and orientation of public utilities and community infrastructure, and encourage housing with compatible scale and character of architecture.**”

Section 31-179 – Use regulations stipulates that:

A building or premises in a "SR-1" suburban residential single-family district shall be used only for the following purpose:

- (1) Single-family detached dwellings.
- (2) Any use permitted in section 31-186 paragraphs 1-13b.

The proposed development includes a book store and cafe which would, on the surface, appear to be commercial in nature. Since residential properties may not be used for commercial enterprises and there are substantial restrictions on home based businesses, is this appropriate?

Additionally, how can the city consider, places of worship, schools, libraries, and other public facilities to be residential in nature since, by definition, people do not reside in such places. It would seem that new zoning classifications are needed and necessary to provide for these types of facilities in residential areas. A church is not a residence.

**MINUTES
PLANNING AND ZONING COMMISSION MEETING
JULY 3, 2018**

**CASE #Z18-01
“A” to “PUD” with “SR-1”**

HOLD a public hearing and consider a request submitted by Mitchell & Associates, Inc., on behalf of Faith Temple Church, Killeen, Texas (**Case #Z18-01**) to rezone 17.018 acres, being Lot 1, Block 1, Faith Point Church Addition from “A” (Agricultural District) to Planned Unit Development (PUD) with “SR-1” (Suburban Residential Single-Family Residential District) to allow for various land uses associated with a church campus. The property is located approximately 300 feet east of Shannon Circle. The property is generally located on the south side of Stagecoach Road, east of the intersection with Trimmier Road, and is locally known as 1826 Stagecoach Road, Killeen, Texas.

Chairman Peters requested staff comments.

Senior Planner, Wallis Meshier stated that this is a request for a PUD for a church campus. Ms. Meshier stated that this is the same PUD that the Commission reviewed at the meeting two weeks prior. Ms. Meshier stated that since that meeting, the applicant has revised the site plan and that staff is recommending approval of the site plan as it is proposed and recommending that the Commission approve the request for the PUD with the 14 conditions. Ms. Meshier stated that the site plan reflects changing the driveway on the western side of the property to create one driveway opening instead of two, shifting of the parking spaces away from the side property lines to provide a 10 foot landscape buffer on the east and west property lines, addition of trees every 50 feet on the east and west property lines and front property lines, relocation of the dumpster on the east side further away from the side property lines. Ms. Meshier stated that staff has developed a better understanding of how the buildings will be used and that staff is comfortable recommending approval of the site plan with the 304 parking spaces. Ms. Meshier stated that the proposed sign to be located on stagecoach is 20 feet tall, and will have 100 sq feet of signage on each side with 50 sq feet being digital. Ms. Meshier stated that the request for the PUD is consistent with the FLUM.

Ms. Meshier stated that the 14 conditions staff recommends for approval are as follows:

1. The site plan is conceptual in nature and any significant changes to the site plan will require an amendment to the PUD.
2. No fewer than 165 parking spaces shall be provided with Phase One, and no fewer than 304 parking spaces shall be provided at full build-out.
3. All parking spaces shall be located a minimum of 10 feet from the east and west property lines.
4. A minimum 10-foot buffer shall be provided between the property line and the back of curb for all internal private roads.
5. One canopy tree shall be provided every 50 feet along the side property lines. Canopy trees adjacent to Phase Two may be provided with construction of

future phases.

6. A minimum 6-foot wood privacy fence shall be constructed along the entire property line on the east, west, and south sides of the property. The portion of the fence that is adjacent to Phase Two, including the rear fence, may be provided with the construction of future phases.
7. A continuous landscape buffer consisting of one canopy tree every 50 feet and a one shrub every 4 feet shall be provided along the front property line. The property's 650 feet of frontage shall result in 13 canopy trees and 160 shrubs being planted along Stagecoach Road. Trees may be spaced to accommodate driveways.
8. Dumpster pads shall be either: 1) located at least 30 feet from the side property lines, or 2) enclosed with a 6-foot masonry wall with metal gate.
9. All buildings within the site, including accessory buildings, workshops, storage buildings, and mechanical buildings, shall be 80% masonry (brick, stucco, or stone) on all four sides, excluding doors, windows, and gables. Fiber cement siding shall not be considered masonry.
10. All site lighting, including parking lot lighting, shall be fully shielded and shall not be permitted to trespass, or cross over the property line. Architectural and landscape up-lighting shall be prohibited.
11. The hours of operation for the softball field shall be limited to sunrise to sunset. No lighting shall be permitted for the softball field.
12. One permanent double-faced sign shall be permitted at the front of the campus, and shall comply with the following standards:
 - a. Each side of the double-faced sign shall not exceed **100** square feet in face area, with the electronic message display being not more than 50 square feet of the total area allowed for each side.
 - b. The sign shall be set back a minimum of ten (10) feet from the front property line.
13. The western driveway of the property shall be a non-divided two or three lane driveway, consisting of a one ingress lane and one or two egress lanes. The western driveway shall be aligned with the opposing Wells Fargo Road.
14. Trip generation data shall be calculated and submitted to the City Engineer before the issuance of any permits to verify appropriate geometry for both the initial and the full build scenario for access to Stagecoach Road. Upon review of the trip generation calculations, any improvements deemed necessary by the City Engineer shall be provided by the developer, including but not limited to turn lanes, acceleration and deceleration lanes, and/or traffic signals. If a mutual agreement and acceptance of trip generation analysis and/or proposed improvements between the developer and City Engineer cannot be reached, a binding Traffic Impact Analysis will be required.

Ms. Meshier stated that the applicant has agreed to the above conditions and that staff recommends approval with conditions.

Mr. Brad Oaster, Oaster Facility Solutions, 18383 Lazy Summer Way, Monument Colorado and Mr. Ace Reneau, Mitchell & Associates, Inc., 102 N. College St, Killeen, Texas, were present to represent this request.

Mr. Oaster stated that he would like to thank staff for their hard work on coming to an agreement for this PUD request.

Chairman Peters opened the public hearing.

Mr. Gary Wilson, 6909 Shannon Circle, Killeen, Texas is present to speak in objection of the request. Mr. Wilson stated that he is representing several elderly neighbors. They were primarily concerned about the fence surrounding the property due to the amount of wear that wood privacy fences sustain. Mr. Wilson also expressed concern regarding the SR-1 rezoning request stating that the ordinance is not easy for the average citizen to understand.

Commissioner Kim asked Mr. Wilson if there are any other requirements to the PUD that would put the residents at ease. Mr. Wilson stated that they are more comfortable with the church proposal than they were with previous proposals.

Vice Chairman Purser stated that churches are allowed in every zoning district. Ms. Meshier stated that the PUD overlay would take precedent over any zoning requirements provided by the SR-1 zoning. Mr. Wilson was comfortable with this explanation and more comfortable with the project.

Commissioner Payton motioned to approve the rezoning request with proposed conditions. Vice Chairman Purser seconded the motion. The motion passed by a vote of 5 to 0.

Chairman Peters stated that the request was approved.