

ORDINANCE 21-043

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 128.82 ACRES OUT OF THE WL HARRIS SURVEY, ABSTRACT NO. 1155 AND S.P.R.R. CO. SURVEY, ABSTRACT NO. 794, FROM “A-R1” (AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT), “B-5” (BUSINESS DISTRICT), AND “A” (AGRICULTURAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH “R-1” (SINGLE-FAMILY RESIDENTIAL), “SF-2” (SINGLE-FAMILY RESIDENTIAL), “R-2” (TWO-FAMILY RESIDENTIAL), AND “B-3” (LOCAL BUSINESS DISTRICT) USES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Cactus Jack Development, Inc. has presented to the City of Killeen on behalf of Charles R. and Ira Boggs a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately 128.82 acres out of the WL Harris Survey, Abstract No. 1155 and S.P.R.R. Co. Survey, Abstract No. 794, from “A-R1” (Agricultural Single-Family Residential District), “B-5” (Business District), and “A” (Agricultural District) to a Planned Unit Development (PUD) with “R-1” (Single-Family Residential), “SF-2” (Single-Family Residential), “R-2” (Two-Family Residential), and “B-3” (Local Business District) uses, said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 19th day of July 2021, 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 10th day of August 2021, 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 as recommended by the Planning and Zoning Commission;

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

SECTION I. That the zoning classification of approximately 128.82 acres out of the WL Harris Survey, Abstract No. 1155 and S.P.R.R. Co. Survey, Abstract No. 794, be changed from “A-R1” (Agricultural Single-Family Residential District), “B-5” (Business District), and “A” (Agricultural District) to a Planned Unit Development (PUD) with “R-1” (Single-Family Residential), “SF-2” (Single-Family Residential), “R-2” (Two-Family Residential), and “B-3” (Local Business District) uses, said request having been duly recommended for approval, for the property locally addressed as 5901 South Fort Hood Street, Killeen, Texas.

SECTION II. That the attached exhibits are hereby incorporated into this ordinance in their entirety as though set forth in the text of this ordinance. The exhibits are as follows:

- Exhibit A – PUD Concept Plan;
- Exhibit B – PUD Regulations; and
- Exhibit C – HOA Open Space Plan.

SECTION III. 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 IV. 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.

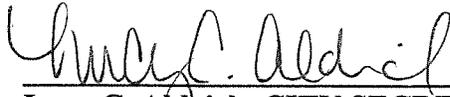
SECTION V. That this ordinance shall take effect immediately upon passage of the ordinance.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 10th day of August 2021, 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


Traci S. Briggs, City Attorney

Case #21-21

Ord. #21-043



Exhibit A - PUD Concept Plan

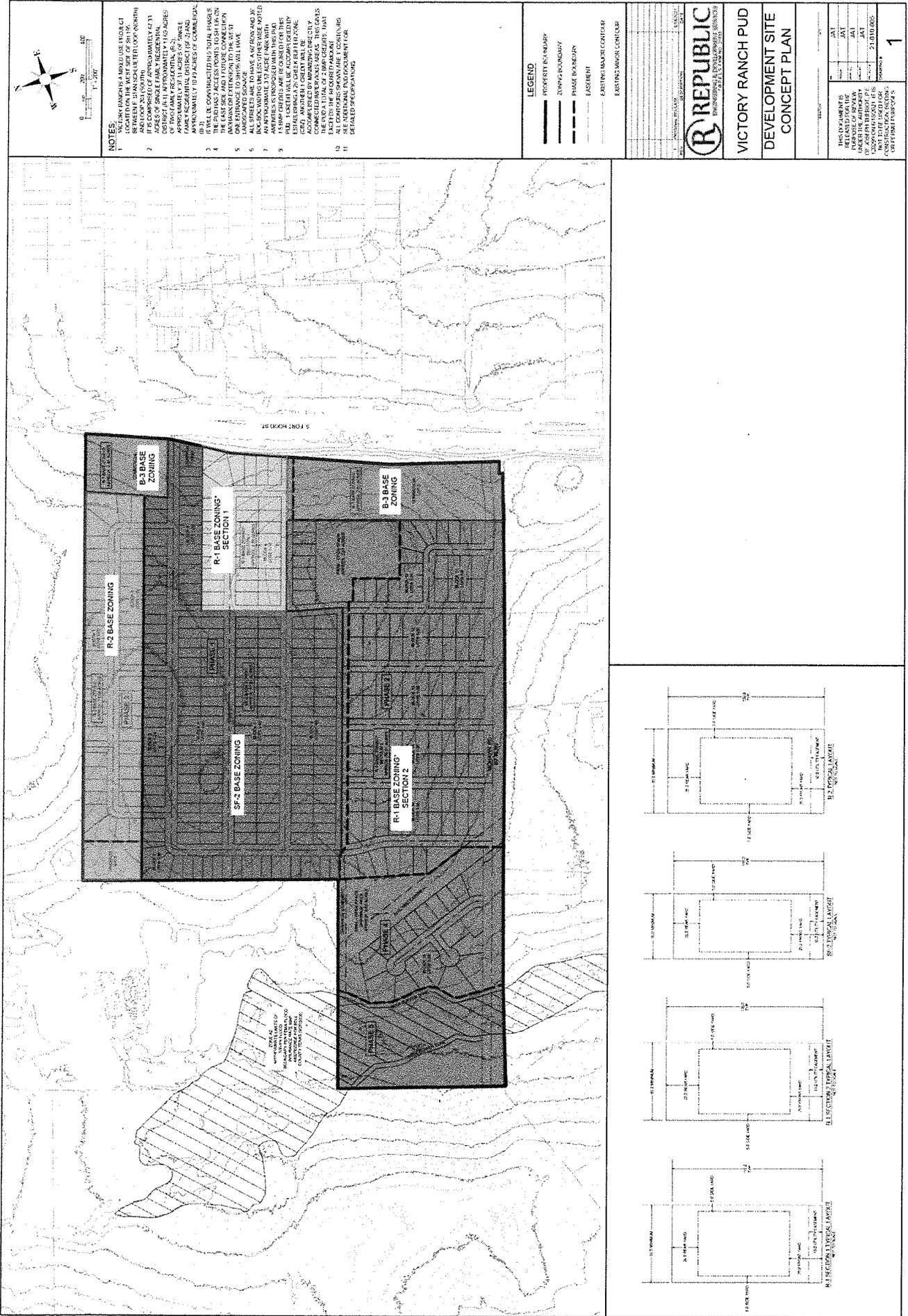
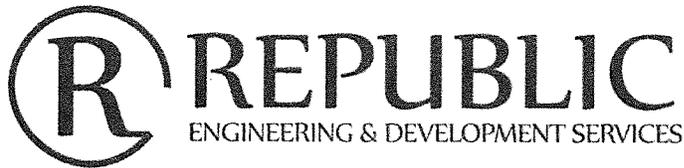


Exhibit B - PUD Regulations



✉ info@RepublicEDS.com

📍 P.O. Box 3123
Harker Heights, TX 76548

☎ 979.234.0396

Victory Ranch Planned Unit Development (PUD) Features & Regulations

Lot Size and Yard Requirements:

1. SF-2, Single Family Residential Base Zoning
 - a. This base zoning will meet all the City of Killeen's zoning regulations for District "SF-2", single-family residential district, as of the date of the approved Victory Ranch PUD.
 - b. A typical lot size for this base zoning is 50 feet by 115 feet. This results in a 5,750 square foot lot, which exceed the required 5,000 square foot requirement.
2. R-1, Single Family Residential Base Zoning, Section 1
 - a. This base zoning will meet all the City of Killeen's zoning regulations for District "R-1", single-family residential district, as of the date of the approved Victory Ranch PUD with the following exceptions:
 - i. There shall be a side yard on each side of the lot having a width of not less than five (5) feet. A Side yard adjacent to a side street shall not be less than fifteen (15) feet.
 - ii. There shall be a rear yard having a depth of not less that twenty (20) feet.
 - b. A typical lot size for this base zoning is 60 feet by 115 feet. This results in a 6,900 square foot lot, which exceed the required 6,000 square foot requirement.
3. R-1, Single Family Residential Base Zoning, Section 2
 - a. This base zoning will meet all the City of Killeen's zoning regulations for District "R-1", single-family residential district, as of the date of the approved Victory Ranch PUD with the following exceptions:
 - i. There shall be a side yard on each side of the lot having a width of not less than five (5) feet. A Side yard adjacent to a side street shall not be less than fifteen (15) feet.
 - b. A typical lot size for this base zoning is 60 feet by 120 feet. This results in a 7,200 square foot lot, which exceed the required 6,000 square foot requirement. The majority of lots in this section are projected to by 68 feet by 120 feet. This results in an 8,160 square foot lot.
4. R-2, Two-Family Residential Base Zoning
 - a. This base zoning will meet all the City of Killeen's zoning regulations for District "R-2", two-family residential district, as of the date of the approved Victory Ranch PUD.
 - b. A typical lot size for this base zoning is 65 feet by 120 feet. This results in a 7,800 square foot lot, which exceed the required 7,000 square foot requirement.

Landscaping Requirements:

1. Each residential lot shall be landscaped per the City of Killen's standards for their respective underlying zoning, as of the date of the approved Victory Ranch PUD, with the following additions:
 - a. All trees shall be at least two (2) caliper inches.
 - b. All two-family residences shall have two (2) trees.
2. Trees – The following requirements shall apply to tree landscaping:
 - a. Newly planted trees shall measure at least two (2) caliper inches and six (6) feet high at the time of planting and shall be planted in a permeable area not less than three (3) feet in diameter. Tree plantings shall be of a recommended species detailed in section 8-530 of the City of Killen Code of Ordinances, as of the date of the approved Victory Ranch PUD.
 - b. Existing trees to be used for landscape credit shall be in a healthy physical state, shall measure at least two (2) caliper inches and shall be maintained in an undisturbed area within the drip line of the tree.
 - c. Should an existing or newly planted tree used for landscape credit die, it shall be replaced with a new landscaping according to the requirements of this section.
 - d. Each canopy tree maintained in excess of the total number of trees required by this section may reduce the number of shrubs required by four (4). Each non-canopy tree maintained in excess of the total number of trees required by this section may reduce the number of shrubs required by two (2). Each two (2) square feet of planting bed used and maintained for the purpose of rotating live decorative planting materials shall reduce the number of shrubs required by one (1).
 - e. The placement of shrubbery shall take into consideration the plant size at maturity and shall be located so as not to conflict with vehicular or pedestrian traffic visibility.
3. Ground Cover – The following requirements shall apply to ground cover landscaping:
 - a. Ground cover or grass shall be planted in the remaining area of the lot or parcel not planted in trees, shrubbery, planting beds, or covered by structures, pavement, or impervious surfaces.
 - b. Approved non-vegetative ground cover materials (such as washed gravel, bark mulch, lava rock, or other decorative covers generally used in landscaping) may be used to meet the provisions of this section. Where approved, non-vegetative ground cover shall be porous and form a uniform appearance free from weeds and grasses.
 - c. Irrigation – Each home must have a hose bib attachment within one hundred fifty (150) feet of all landscaping required by this section.

Fencing Requirements

1. All fencing shall be constructed of pre-stained wood or wood-based material and shall not exceed six (6) feet in height.
2. Fencing adjacent to a Primary Street shall have masonry columns installed at turn points and property corners, be supported using metal posts, shall be extended to the front elevation of the home, and may be erected and maintained on a lot no closer than five (5) feet to the Primary Street right-of-way.
 - a. Primary Streets are defined S. Fort Hood Street, the proposed Mohawk Rd. extension and the two (2) north-south orientated streets that extend from the northern most entrance street (street connecting to SH 195) to the proposed Mohawk Rd. extension.

Park/Open Space (called approximate 3.57 acres)

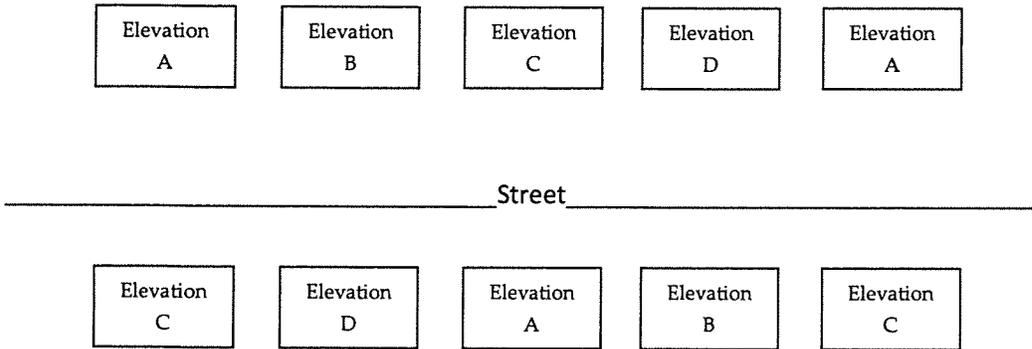
1. The Park/Open space will be maintained by the HOA.
2. The following are minimum requirements for the called approximate 3.57 acre park/open space in the PUD Development Site Concept Plan.
 - a. One (1) playground/playscape area.
 - b. One (1) fenced dog park.
 - c. Trail system, generally circling the perimeter of the park/open space area.
 - d. Parking adjacent to the Primary Street
3. If feasible, existing barns within the park area are to be used as a gathering area/pavilion.
4. Were feasible, existing trees shall be retained.
5. Being that this park/open space sits atop a hill, where feasible, care will be taken to preserve the natural topography.
6. This park/open space shall be included in the first residential phase of the development.
7. Park amenities shall be completed before the 201st building permit is granted.

Trail/Open Space/Drainage Area (called approximate 4.50 acres)

1. The following are proposed (but not required) amenities for the called approximate 4.50 acre trail/open space/drainage area in the PUD Development Site Concept Plan.
 1. The Trail/Open Space will be maintained by the HOA.
 2. Trail system, generally running from the proposed Mohawk Dr. extension, northward through the electric easement, then west to the creek.
 3. Open space is to be maintained as natural as possible outside of any required drainage facilities.
 4. Amenities shall avoid all drainage facilities that may be present within this area unless said drainage facility is designed to accommodate the amenity.
 5. Drainage facilities are not required to accommodate any amenity that may be present within this area.

Plan Repetition

1. A house elevation can be repeated every fifth Lot (example: Elevation A, Elevation B, Elevation C, Elevation D and Elevation A) or every third Lot on the opposite side of the street.



Architectural Standards

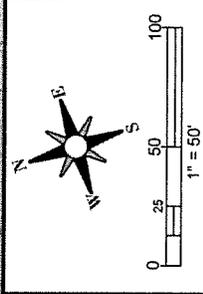
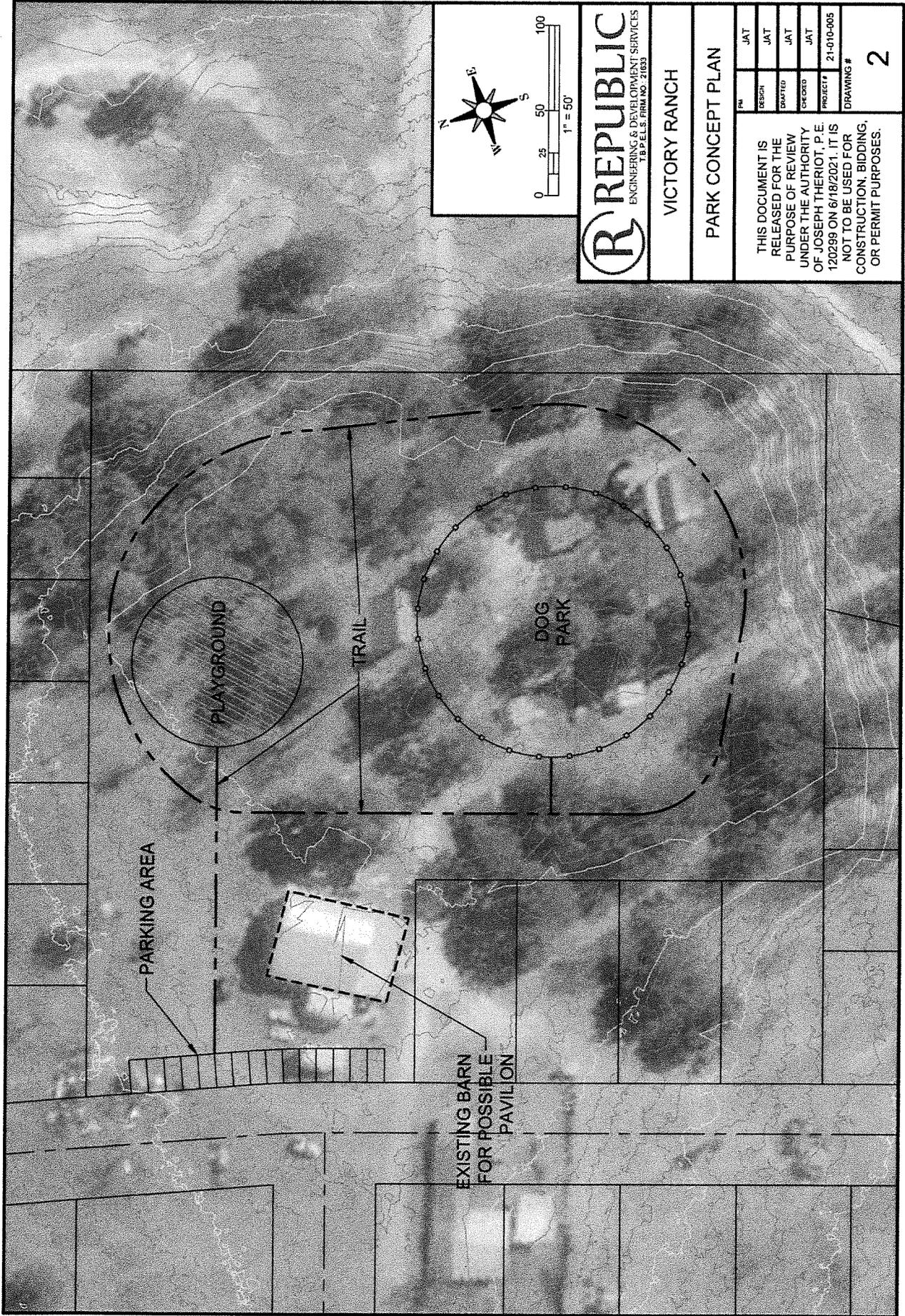
All new structures within the prosed R-2 zoning shall include at least one (1) of the following architectural elements while all other residential structures shall include at least two (2) of the following architectural elements:

1. Vertical articulation - A minimum of three (3) wall planes shall be provided on the front elevation, with offsets being at least twelve (12) inches deep.
2. Covered front porch - A covered front porch of at least sixty (60) square feet shall be provided.
3. Enhanced windows - Windows on the front elevation shall incorporate use of transoms, bay windows, shutters, dormers, or other similar window enhancements.
4. Enhanced garage doors - Garage doors shall have accent windows and decorative hardware.
5. Architectural details - The front elevation shall incorporate enhanced architectural details including corbels, quoining, louvered vents, keystones, decorative railings, or coach lights.
6. Variable roof pitch - At least two (2) different roof types (e.g. hip and gable) or two (2) different roof planes of varying height, direction, or pitch shall be provided.

Corner Lots and Lots Backing up to Existing or Proposed Streets

All lots whose side or rear lot line is adjacent to a street shall be one (1) story.

Exhibit C - HOA Open Space Plan



R REPUBLIC
 ENGINEERING & DEVELOPMENT SERVICES
 T.B. P.E.'S. FIRM NO. 21653

VICTORY RANCH

PARK CONCEPT PLAN

DATE	JAT
DESIGN	JAT
DRAWN	JAT
CHECKED	JAT
PROJECT #	21-010-005
DRAWING #	2

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF JOSEPH THERIOT, P.E. 120299 ON 6/18/2021. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.



Attachment #3

Council District: 4

1 inch = 802 feet

Subject Property Legal Description: 5901 S FORT HOOD ST

Zoning Map

Zoning Case 2021-21

Legend

City Limits

Production: GISADMIN.ZoningCases2021
selection

**MINUTES
PLANNING AND ZONING COMMISSION MEETING
JULY 19, 2021**

**CASE #Z21-21
“A-R1” / “B-5” / “A” to “PUD” W/ “R-1” / “SF-2” / “R-2” / “B-5”**

HOLD a public hearing and consider a request submitted by Cactus Jack Development, Inc. on behalf of Charles R. and Ira Boggs (**Case #Z21-21**) to rezone approximately 128.82 acres from “A-R1” (Single-Family Garden Home Residential District), “B-5” (Business District), and “A” (Agricultural District) to a Planned Unit Development (P.U.D.) with “R-1” (Single-Family Residential), “SF-2” (Single-Family Residential), “R-2” (Two-Family Residential), and “B-5” (Business District) uses, being out of the WL Harris Survey, Abstract No. 1155, Block 001, and S.P.R.R. Co. Survey, Abstract No. 794, Lot 002a. The property is locally addressed as 5901 South Fort Hood Street, Killeen, Texas.

Ms. Meshier briefed the Commission regarding the applicant’s request. She stated that staff recommended approval of the request as presented.

The applicant, Mr. Joseph Theriot, was present to represent the case.

Vice Chairman Minor opened the public hearing.

Mr. Leslie Hines stated that he was neither in favor of, nor in opposition to the request. He asked where the location of the proposed east/west arterial would be located. Ms. Meshier stated that the road would be located along the southern border of the property, as shown in the Thoroughfare Plan.

With no one else wishing to speak, the public hearing was closed.

Commissioner Gukeisen stated that he had an ex parte communication with the developer on July 7, 2021. Commissioners Minor and Ploeckelmann stated they had also had conversations with the developer about the request.

Commissioner Alvarez made a motion to approve the applicant’s request as presented. Commissioner Gukeisen seconded, and the motion passed by a vote of 5 to 0.

CONSIDERATIONS

Texas Supreme Court in Pharr v. Tippitt, 616 S. W 2nd 173 (Tex 1981) established general guidelines which the Planning and Zoning Commission and City Council should take into consideration when making their respective recommendation and decision on a zoning request.

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

Is the request designed to lessen congestion in the streets; secure safety from fire, panic or other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; or facilitate the adequate provision of transportation, water, sewers, schools, parks and other public requirements?

What if any, is the nature and degree of an adverse impact upon neighboring lands?

The suitability or unsuitability of the tract for use as presently zoned.

Whether the amendment bears a substantial relationship to the public health, safety, morals or general welfare or protects and preserves historical and cultural places and areas.

Whether there is a substantial public need or purpose for the new zoning.

Whether there have been substantially changed conditions in the neighborhood.

Is the new zoning substantially inconsistent with the zoning of neighboring lands? (Whether the new zoning is more or less restrictive.)

The size of the tract in relation to the affected neighboring lands – is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?

Any other factors which will substantially affect the health, safety, morals or general welfare.

B. Conditional Use Permit (if applicable)

Whether the use is harmonious with and adaptable to buildings, structures and use of abutting property and other property in the vicinity of the premises under construction.

C. Conditions to Consider

1. Occupation shall be conducted only by members of family living in home.
2. No outside storage or display
3. Cannot change the outside appearance of the dwelling so that it is altered from its residential character.
4. Cannot allow the performance of the business activity to be visible from the street.
5. Cannot use any window display to advertise or call attention to the business.
6. Cannot have any signs
7. No off-street parking or on-street parking of more than two (2) vehicles at any one time for business related customer parking.
8. No retail sales.
9. Length of Permit.

From: [Johnny Frederick](#)
To: [Wallis W. Meshier](#)
Cc: [Tony McIlwain](#)
Subject: Z21-21
Date: Thursday, July 15, 2021 4:48:29 PM

Ms Meshier

Thanks for speaking with me today About this case.

I have concerns about traffic entering and exiting this proposed development.

Having 2 points of ingress/ egress meets the code but from a practical standpoint with that many vehicles exiting this property

and most would be wanting to travel north will be a dangerous situation. One of the drives lines up to a crossover on 195. The traffic that will build up to turn north will be a hazard. The traffic out of the other drive will also be using the same crossover to travel north in most cases.

A signal may be needed to control access to 195. Traffic is already up to 60 mph plus and that many vehicles added could be a hazard.

Perhaps a marginal access route to take traffic to the 201 intersection.

I recommend there be a traffic study done before this is allowed to proceed.

I think it would be a disservice to the citizens of Killeen if this is not looked at closer before going forward.

Thank You

Johnny Frederick

1405 S 2nd ST.

Killeen TX 76541

254-554-1224



CITY OF KILLEEN
PLANNING & DEVELOPMENT SERVICES

July 07, 2021

RE: Case# Z21-21

HOLD a public hearing and consider a request submitted by Cactus Jack Development, Inc. on behalf of Charles R. and Ira Boggs (Case #Z21-21) to rezone approximately 128.82 acres from "A-R1" (Single-Family Garden Home Residential District), "B-5" (Business District), and "A" (Agricultural District) to a Planned Unit Development (P.U.D.) with "R-1" (Single-Family Residential), "SF-2" (Single-Family Residential), "R-2" (Two-Family Residential), and "B-5" (Business District) uses, being out of the WL Harris Survey, Abstract No. 1155, Block 001, and S.P.R.R. Co. Survey, Abstract No. 794, Lot 002a. The property is locally addressed as 5901 South Fort Hood Street, Killeen, Texas.

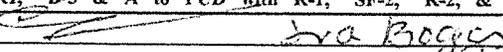
Dear Property Owner:

The enclosed map shows the property to be rezoned. This property is marked by diagonal lines, and the circular line indicates those properties within the four hundred (400) foot radius. We are required to notify you since you own property within the 400' notification boundary.

The City of Killeen Planning and Zoning Commission has scheduled a public hearing for this request on **July 19, 2021, 5:00 p.m.** in the Utility Collections Conference Room, which is located at 210 W. Avenue C. The Utility Collections Conference Room is located at the northwest corner of the building. You are invited to attend this hearing to present any facts, which you feel the Planning and Zoning Commission should consider in evaluating this request.

You may also indicate your support or opposition to this request, by filling out the bottom portion of this letter and sending it to: *City of Killeen, Planning & Development Services, 200 E. Avenue D, Suite 6, Killeen, Texas 76541.* To be considered a protest under Sec. 211.006 (d) of the Texas Local Government Code, the protest must be written and signed by the owner of property located within 200 feet of the notification area. Any petition, whether in support of or opposition to this request, must be received by the Planning Department no later than **4:00 p.m., July 19, 2021.** After the Planning and Zoning meeting, this matter will be forwarded to the City Council on **August 10, 2021, at 5:00 p.m. in Council Chambers, at City Hall, 101 North College Street., Killeen Texas,** where you may also appear and speak. If you desire additional information relative to this matter, please call (254) 501-7631.

CUT HERE

YOUR NAME: Charles & Ira Boggs	PHONE NUMBER: 254 634-1647
CURRENT ADDRESS: 5507 S. Ft. Hood St. Killeen TX 76542	
ADDRESS OF PROPERTY OWNED: 5901 S. Ft. Hood St. Killeen, TX	
COMMENTS:	
We are in support of this proposal	
REQUEST: "A-R1," "B-5" & "A" to "PUD" with "R-1," "SF-2," "R-2," & "B-5"	
SPO #Z21-21/	
SIGNATURE: 	

CITY COUNCIL MEMORANDUM FOR ORDINANCE

DATE: August 3, 2021
TO: Kent Cagle, City Manager
FROM: Tony McIlwain, Exec. Director of Development Services
SUBJECT: ZONING CASE #Z21-21 from "A-R1" (Agricultural Single-Family Residential District), "B-5" (Business District), and "A" (Agricultural District) to a Planned Unit Development (PUD)

BACKGROUND AND FINDINGS:

This request, submitted by Cactus Jack Development, Inc. on behalf of Charles R. and Ira Boggs (Case #Z21-21), is to rezone approximately 128.82 acres from "A-R1" (Agricultural Single-Family Residential District), "B-5" (Business District), and "A" (Agricultural District) to a Planned Unit Development (PUD) with "R-1" (Single-Family Residential), "SF-2" (Single-Family Residential), "R-2" (Two-Family Residential), and "B-3" (Local Business District) uses.

The applicant has proposed a PUD designation with underlying single-family, two-family, and commercial uses as follows:

- Approximately 67.33 acres (169 lots) of "R-1" (Single-Family Residential) uses;
- Approximately 37.31 acres (201 lots) of "SF-2" (Single-Family Residential) uses;
- Approximately 13.69 acres (48 lots) of "R-2" (Two-Family Residential) uses; and
- Approximately 10.49 acres of "B-3" (Local Business District) uses.

If approved, all lots within the proposed PUD will meet the minimum standards for lot size and setbacks in accordance with the underlying base zoning with the following exceptions:

- All "R-1" lots will have a minimum side yard setback of five (5) feet; and
- The "R-1" lots in Section 1 will have a minimum rear yard setback of twenty (20) feet.

The applicant is proposing PUD standards as described in the attached PUD Regulations document. Proposed standards include increased landscaping requirements, architectural standards, a repetition standard, enhanced fencing standards, and a provision for an HOA-maintained open space to include a dog park, playground, and walking trail.

There are environmental constraints for these tracts. There is a FEMA regulatory Special Flood Hazard Area (SFHA) through the western area of this tract. There are also two fresh water ponds and North Reese Creek on or adjacent to the parcel as identified by the National Wetlands Mapper.

At the time of development, the current drainage design manual and infrastructure design and development standards will be applicable to this site. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.

Zoning / Plat Case History:

The portion of the property that is currently zoned "A-R1" (Agricultural Single-Family Residential District) and "B-5" (Business District) was annexed into the City on October 19, 1999, via ordinance No. 99-84 and given an initial zoning designation of "A" (Agricultural District). This area was subsequently rezoned to "B-5" (Business District) and "A-R1" (Agricultural Single-Family Residential District) on September 12, 2000, via ordinance No. 00-69. The portion of the property that is currently zoned "A" (Agricultural District) was annexed into the City on December 18, 2007, via ordinance No. 07-110 and has retained its initial zoning designation of "A" (Agricultural District).

Character of the Area:

Adjacent land uses are as follows:

North: Existing large lot single-family residence zoned "R-1", "B-5", and "A-R1"

South: Low-density residential development zoned "R-1", "R-3", and "B-5" (Business District); and undeveloped land zoned "A".

East: Existing commercial development zoned "B-5" (Business District) and "A" (Agricultural District) on the opposite side of S.H. 195.

West: Undeveloped property outside the City limits.

Future Land Use Map Analysis:

This property is designated as 'General Residential' (GR) and 'Suburban Residential' (SR) on the Future Land Use Map (FLUM) of the Comprehensive Plan. The 'General Residential' (GR) designation encompasses most existing residential areas within Killeen. The 6,000 square foot minimum lot size in the predominant "R-1" zoning district results in less openness and separation between dwellings compared to Suburban residential areas. It is auto-oriented character (especially where driveways and front-loading garages dominate the front yard and building facades of homes), which can be offset by "anti-monotony" architectural standards, landscaping, and limitations on "cookie cutter" subdivision layouts characterized by straight streets and uniform lot sizes and arrangement.

The 'General Residential' (GR) designation encourages the following development types:

- Detached residential dwellings as a primary focus.
- Attached housing types subject to compatibility and open space standards (e.g., duplexes, townhomes, patio homes)

- Planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards.
- Public/ institutional
- Parks and public spaces

The 'Suburban Residential' (SR) designation encourages the following development types:

- Detached residential dwellings;
- Planned developments to provide for other housing types in a Suburban character setting;
- Public/institutional; and
- Parks and public spaces.

Staff finds that this request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan.

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 may be available to the subject tract.

Transportation and Thoroughfare Plan:

Ingress and egress to the property is from South Fort Hood Street, which is classified as 120-foot wide Principal Arterial on the City of Killeen Thoroughfare Plan. The Thoroughfare Plan shows a proposed extension of Mohawk Drive as a Minor Arterial along the south side of this tract. The proposed PUD Concept Plan contemplates a right-of-way dedication of ninety (90) feet for the extension of Mohawk Drive. Staff is of the determination that the proposed ninety (90) feet of right-of-way is sufficient for the proposed east/west thoroughfare.

Public Notification:

Staff notified twenty (20) surrounding property owners regarding this request. As of the date of this staff report, staff has received two (2) written responses regarding this request - one (1) in support and one (1) in opposition. Of those property owners notified, ten (10) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and five (5) reside outside of Killeen.

Staff Findings:

Staff finds that the applicant's request is consistent with the surrounding property uses and is compatible with the existing land uses and prevailing community character.

There are no known environmental constraints for this lot. The lot is not within any FEMA regulatory Special Flood Hazard Area (SFHA) and there are no known wetlands on or adjacent to the parcel.

THE ALTERNATIVES CONSIDERED:

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

- Disapprove the applicant's PUD request;
- Approve the proposed PUD with conditions; or
- Approve the PUD as requested.

Which alternative is recommended? Staff recommends approval of the applicant's request as requested and presented.

Why? Staff finds that the proposed PUD is compatible with the adjacent land uses and prevailing community character. In addition, staff finds that the proposed PUD standards, which include increased landscaping and architectural standards, will provide for a high-quality finished product.

CONFORMITY TO CITY POLICY:

This zoning request conforms to the City's policy and procedures as detailed in Chapter 31 of the City of 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. However, long-term maintenance of all proposed municipal infrastructure will be the City's responsibility.

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 July 19, 2021, the Planning & Zoning Commission recommended approval of the applicant's request to rezone the property from "A-R1" (Agricultural Single-Family Residential District), "B-5" (Business District), and "A" (Agricultural District) to a Planned Unit Development (PUD) with "R-1" (Single-Family Residential), "SF-2" (Single-Family

Residential), "R-2" (Two-Family Residential), and "B-3" (Local Business District) uses by a vote of 5 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps

Minutes

Ordinance

Responses

Considerations