

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 390.72 ACRES OUT OF THE M. J. PLEASANT SURVEY, ABSTRACT NO. 652 AND THE S. D. CAROTHERS SURVEY, ABSTRACT NO. 177, FROM "A" (AGRICULTURAL DISTRICT) TO A PLANNED UNIT DEVELOPMENT (PUD) WITH "A-R1" (AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT), "SR-1" (SUBURBAN RESIDENTIAL SINGLE-FAMILY RESIDENTIAL DISTRICT), "SR-2" (SUBURBAN RESIDENTIAL SINGLE-FAMILY DISTRICT), "SF-2" (SINGLE-FAMILY RESIDENTIAL DISTRICT), "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT), "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT), AND "B-5" (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Republic Engineering & Development Services, on behalf of Sheryl Yowell Anderson 1998 Trust Et Al., 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 approximately 390.72 acres out of the M. J. Pleasant Survey, Abstract No. 652 and the S. D. Carothers Survey, Abstract No. 177 from "A" (Agricultural District) to a Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District), and "B-5" (Business District), said request having been duly recommended for approval of the Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District), and "B-5" (Business District) by the Planning and Zoning Commission of the City of Killeen on the 11th day of July 2022, 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 9th day of August 2022, 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 390.72 acres out of the M. J. Pleasant Survey, Abstract No. 652 and the S. D. Carothers Survey, Abstract No. 177 be changed from "A" (Agricultural) to a Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District), and "B-5" (Business District), with the conditions that the traffic flow is correct in accordance with the required Traffic Impact Analysis, and that lighting be provided within the pedestrian trail area of the development; said request having been duly recommended for approval of the Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District), and "B-5" (Business District) for the property locally addressed as 4244 Stagecoach 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.

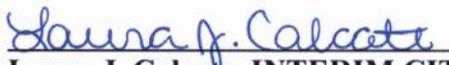
SECTION IV. That this ordinance shall take effect immediately upon passage of the ordinance.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 9th day of August 2022, 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:

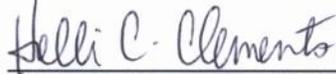

Debbie Nash-King, MAYOR

ATTEST:


Laura J. Calcote, INTERIM CITY SECRETARY



APPROVED AS TO FORM


Holli C. Clements, INTERIM CITY ATTORNEY
Case #22-24
Ord. #22-058



✉ info@RepublicEDS.com

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

☎ 979.234.0396

March 31, 2022

City of Killeen
200 East Avenue D
Killeen, Texas 76541

Attn: Planning & Development Services Department

To Whom It May Concern,

The purpose of this letter is to request the re-zoning of approximately 390.54 acres of land located at 4244 Stagecoach Rd, from Agriculture (A) to a Planned Unit Development (PUD). The purpose of the re-zoning is to provide the property with a mixed-use zoning that will allow Single-Family (SF-2, R-1, SR-1, SR-2 & A-R1), Two-Family (R-2), and Commercial (B-5) development. This proposed PUD is consistent with current zonings in the area and is accompanied with a Future Land Use Map (FLUM) amendment request for Planned Development. With the property being bounded by single-family residential and commercial to the east (across E. Trimmier Rd), large lot residential to the south (with a large buffer of the proposed open space/park land), single-family residential zoned as a PUD to the west and southwest, and single-family residential to the north (across Stagecoach Rd), we feel this zoning change will not negatively affect the surrounding properties.

Sincerely,

DocuSigned by:

Deborah Yowell Farley

E6E6D69C872D4F8...

Deborah Yowell Farley

Trustee of the Deborah Yowell Farley 1998 Trust



✉ info@RepublicEDS.com

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

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The Preserve at Thousand Oaks 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 PUD with the following exception:
 - i. There shall be a front yard having a depth of not less than twenty (20) feet.
 - ii. 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 50 feet by 120 feet. This results in a 6,000 square foot lot, which exceed the required 5,000 square foot requirement.
2. R-1, Single Family Residential Base Zoning
 - 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 PUD with the following exceptions:
 - i. There shall be a front yard having a depth of not less than twenty (20) feet, unless the lot faces a collector road, in which case it will have a front yard having a depth of not less than twenty five (25) feet.
 - ii. 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.
 - iii. There shall be a rear yard having a depth of not less than twenty (20) feet.
 - b. A typical lot size for this base zoning is 60 feet by 110 feet. This results in a 6,600 square foot lot, which exceed the required 6,000 square foot requirement.
3. 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 PUD with the following exceptions:
 - i. There shall be a front yard having a depth of not less than twenty (20) feet.
 - ii. 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.

- iii. There shall be a rear yard having a depth of not less than twenty (20) 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 7,000 square foot requirement.
4. SR-1, Suburban Residential Single Family Base Zoning
- a. This base zoning will meet all the City of Killeen's zoning regulations for District "SR-1", suburban residential single-family district, as of the date of the approved PUD with the following exception:
 - i. There shall be a rear yard having a depth of not less than twenty (20) feet.
 - b. A minimum lot size for this base zoning is 100 feet by 100 feet. This results in a 10,000 square foot lot, which exceed the required 8,400 square foot requirement.
5. SR-2, Suburban Residential Single Family Base Zoning
- a. This base zoning will meet all the City of Killeen's zoning regulations for District "SR-2", suburban residential single-family district, as of the date of the approved PUD.
 - b. A typical lot size for this base zoning is 150 feet by 130 feet. This results in a 19,500 square foot lot, which exceed the required 15,000 square foot requirement.
6. A-R1, Agricultural Single Family Base Zoning
- a. This base zoning will meet all the City of Killeen's zoning regulations for District "A-R1", agricultural single-family district, as of the date of the approved PUD.
 - b. A typical lot size for this base zoning will have a minimum width of 100' and area of at least 1 acre. All lots in this zoning will meet or exceed the required width and area regulations.

Landscaping Requirements:

1. Each residential lot shall be landscaped per the City of Killeen's standards for their respective underlying zoning, as of the date of the approved PUD, with the following additions:
 - a. All trees shall be at least two (2) caliper inches.
 - b. All two-family structures shall have two (2) front yard 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 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.
 - c. Should a newly planted tree used for landscape lot requirements dies, 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. The planting of St. Augustine grass is prohibited.
 - c. 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.

Tree Preservation Credit and Street Trees

1. All hardwood trees retained outside the floodplain areas (as shown on the PUD Park Plan) shall be credited towards any current or future Street Tree requirement, if applicable to this development, on an inch-per-inch basis, excluding the street trees to be planted along the collector streets as defined below.
2. All collector roads (roads connecting to the traffic circles) shall have one (1) street tree per lot or every 60' if not adjacent to residential lots. Street trees shall be planted halfway between the back-of-curb and sidewalk. Street trees are to be planted after driveway construction for each individual lot.
3. There are approximately one thousand (1000) hardwood trees that are planned to be retained, totaling an estimated fourteen thousand two hundred and eighty-eight (14,288) inches of street tree credit.

Fencing Requirements

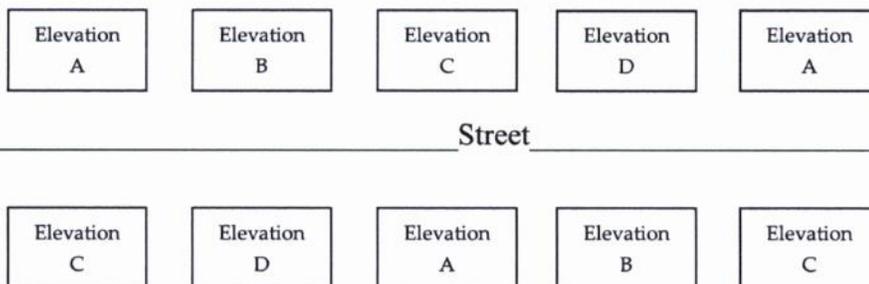
1. All fencing shall be constructed of pre-stained wood or wood-based material and shall not exceed six (6) feet in height with the following exception:
 - a. Perimeter fencing, where required, around the boundary of the development along Stagecoach Rd. and E. Trimmier Rd, adjacent to some ROWs, and adjacent to some park areas shall be 6' masonry excluding those areas in the floodplain. (See Park and Fencing Plan for locations)
 - b. Lot fencing adjacent to certain park areas shall be wrought iron. (See Park and Fencing Plan for locations)

Park/Open Space (approximate 91 acres)

1. The Parks/Open spaces and amenities shall be maintained by the city.
2. The following are minimum requirements for the approximate 90 acres of parks/open space in the PUD Concept Plan, with the sizes to be determined based on protecting existing trees and natural topography of the area.
 - a. One (1) playground/playscape area.
 - b. Two (2) fenced dog parks.
 - c. One (1) Covered Pavilion. (approximately 2,500 square feet)
 - d. Approximately fourteen thousand, eight hundred (14,800) feet of Trail system. Trails are to be 8' wide and concrete.
3. The park amenities shall be built with the phase of the development in which they are located.
4. Park amenities in each phase shall be completed before the 100th certificate of occupancy is granted for that specific phase of the development.

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 single-family and two-family structures shall follow the City of Killeen's Architectural Standards that are relevant at the time of home construction.

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.



- NOTES:**
1. THE PROPERTY AREA IS APPROXIMATELY 96 ACRES WITH APPROXIMATELY 40 ACRES OUTSIDE THE FLOODPLAIN.
 2. THE DEVELOPMENT WILL INCLUDE:
 - 2.1. ONE PLAYGROUND
 - 2.2. TWO DOG PARKS
 - 2.3. TWO DOG WASH STATIONS
 - 2.4. APPROX. 1450 LY. OF TRAILS (BY CONCRETE PLAYBOARDS, DOG PARK AND COVERED PAVILION)
 3. PROTECTING EXISTING TREES AND NATURAL TOPOGRAPHY OF THE AREA AND TRASH RECEPTACLES TO BE LOCATED THROUGHOUT THE DEVELOPMENT.
 4. ALL FENCING SHALL BE CONSTRUCTED OF PRE-FINISHED WOOD OR WOOD-BASED MATERIALS UNLESS OTHERWISE NOTED. TREE HEIGHT UNLESS OTHERWISE NOTED. TREE IN SETBACKS SHALL BE MAINTAINED.
 5. ALL FENCING SHALL BE CONSTRUCTED OF PRE-FINISHED WOOD OR WOOD-BASED MATERIALS UNLESS OTHERWISE NOTED. TREE HEIGHT UNLESS OTHERWISE NOTED. TREE IN SETBACKS SHALL BE MAINTAINED.
 6. SEE ADDITIONAL DOCUMENT FOR DETAILED SPECIFICATIONS.



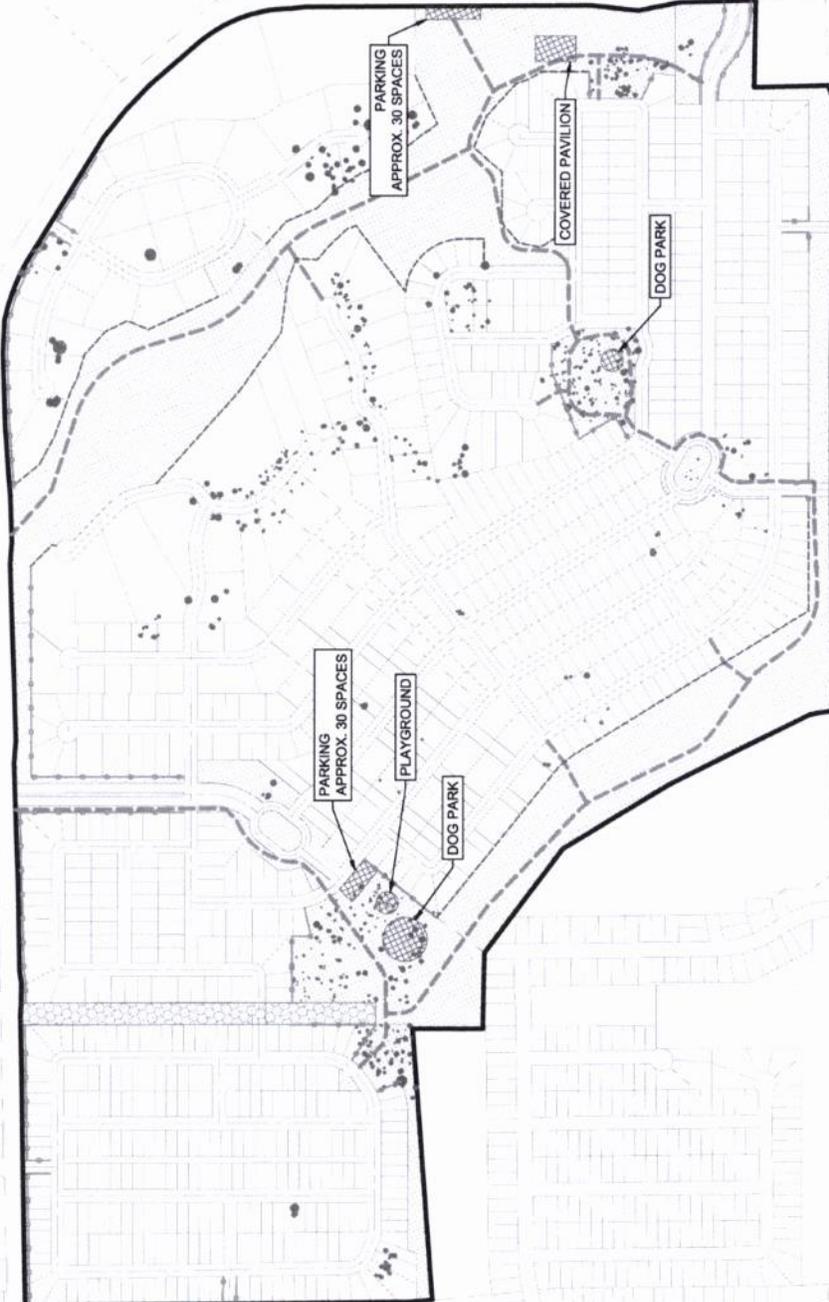
DATE:	2024.01.15
PROJECT:	THE PRESERVE AT A THOUSAND OAKS
CLIENT:	REPUBLIC
DESIGNER:	REPUBLIC
SCALE:	AS SHOWN

REPUBLIC
 ARCHITECTURE & INTERIOR DESIGN
 10000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1100
 WWW.REPUBLICARCHITECT.COM

**THE PRESERVE AT A THOUSAND OAKS
 PARK & FENCING
 PLAN**

DATE:	2024.01.15
PROJECT:	THE PRESERVE AT A THOUSAND OAKS
CLIENT:	REPUBLIC
DESIGNER:	REPUBLIC
SCALE:	AS SHOWN

THIS DOCUMENT IS RELEASED FOR THE ARCHITECT'S USE ONLY UNDER THE AUTHORITY OF JOSEPH THEROT, P.E. NO. 21-000-0002. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES OR FOR ANY OTHER PROJECT.



PROPOSED AMENITIES

Example of Covered Pavilion:



Example of Playground:



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 in 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.



AERIAL MAP

Council District: 2



Legend

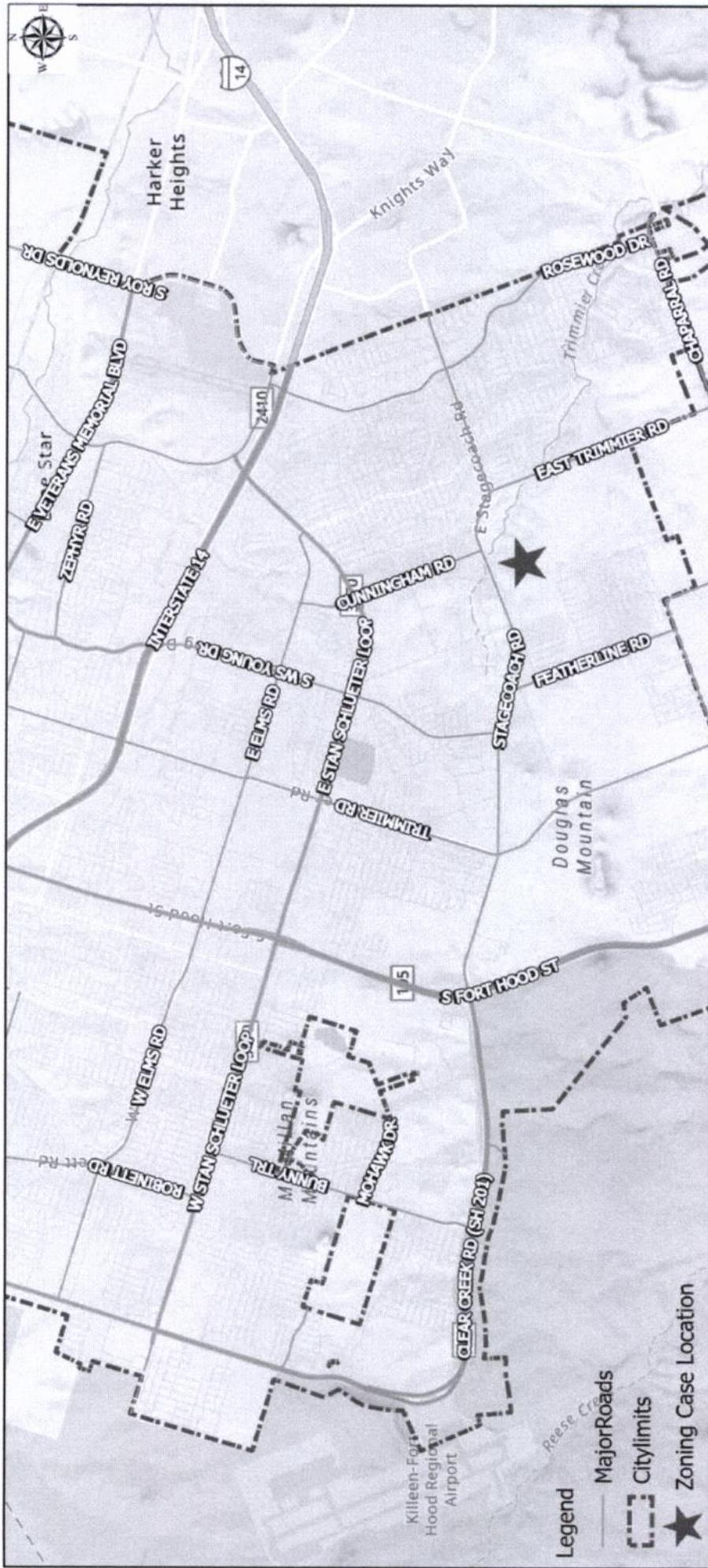
Citylimits

Zoning Case

Zoning Case 2022-24

A TO PUD W/ A-R1, SR-1, SR-2, SF-1, R-1, R-2, AND B-5

Subject Property Legal Description: A0652BC M J PLEASANT, 1-2, ACRES 17.9, AND A0652BC M J PLEASANT, 1-1, ACRES 20.9, AND A0652BC M J PLEASANT, 1-3, ACRES 84.068, AND A0177BC S D CAROTHERS, 1, & A0652BC M J PLEASANT, 1, (REMAINDER OF 783.456AC TR), ACRES 277.497, AND PART OF A0177BC S D CAROTHERS, 1, & A0652BC M J PLEASANT, 1, ACRES 17.701

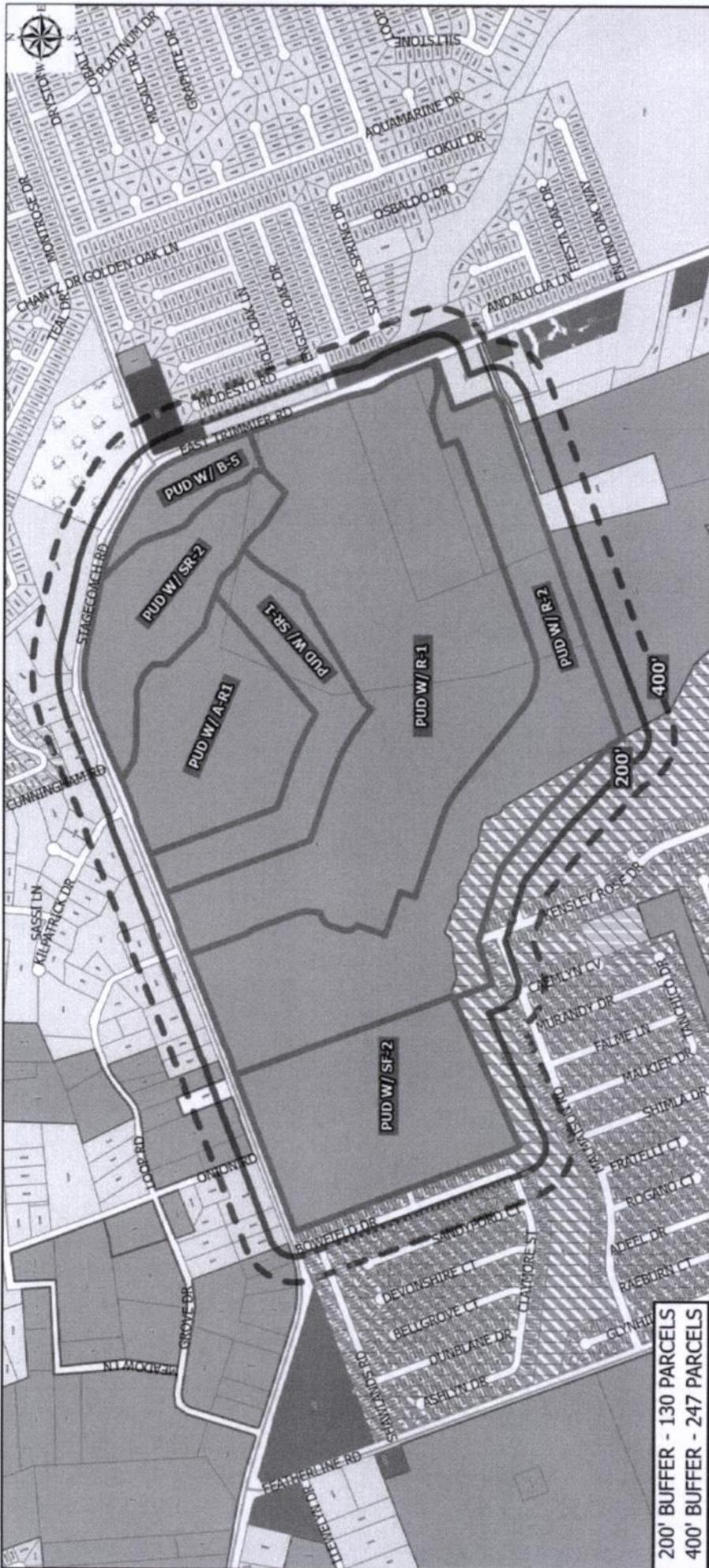


Zoning Case 2022-24
A TO PUD W/ A-R1, SR-1, SR-2, SF-1, R-1, R-2, AND B-5

LOCATION MAP
 Council District: 2

0 1 2 Miles

Subject Property Legal Description: A0652BC M J PLEASANT, 1-2, ACRES 17.9, AND A0652BC M J PLEASANT, 1-1, ACRES 20.9, AND A0652BC M J PLEASANT, 1-3, ACRES 84.068, AND A0177BC S D CAROTHERS, 1, & A0652BC M J PLEASANT, 1, (REMAINDER OF 783.456AC TR), ACRES 277.497, AND PART OF A0177BC S D CAROTHERS, 1, & A0652BC M J PLEASANT, 1, ACRES 17.701



200' BUFFER - 130 PARCELS
 400' BUFFER - 247 PARCELS

NOTIFICATION MAP
 Council District: 2
 0 500 1,000 Feet

Legend

Current Zoning	Legend Symbol
A	[Solid Grey Box]
A-R1	[White Box]
B-3	[Dark Grey Box]
B-5	[Medium Grey Box]
CUP	[Diagonal Lines Box]
NBD	[Dark Grey Box]
PUD	[White Box]
R-1	[White Box]
R1-A	[Light Grey Box]
RMH	[White Box]

Zoning Case 2022-24
 A TO PUD W/ A-R1, SR-1, SR-1, SR-2, SF-1, R-1, R-2, AND B-5

Subject Property Legal Description: A06528C M J PLEASANT, 1-2, ACRES 17.9, AND A06528C M J PLEASANT, 1-1, ACRES 20.9, AND A06528C M J PLEASANT, 1-3, ACRES 84.068, AND A0177BC S D CAROTHERS, 1, & A06528C M J PLEASANT, 1, (REMAINDER OF 783.456AC TR), ACRES 277.497, AND PART OF A0177BC S D CAROTHERS, 1, & A06528C M J PLEASANT, 1, ACRES 17.701

SITE PHOTOS

Case #Z22-24: "A" to PUD w/ "A-R1", "SR-1", "SR-2", "SF-2", "R-1", "R-2", & "B-5"



View of the subject property looking south:



View of the subject property looking south (100' TP&L Easement):



SITE PHOTOS

Case #Z22-24: "A" to PUD w/ "A-R1", "SR-1", "SR-2", "SF-2", "R-1", "R-2", & "B-5"



View of the subject property looking south (existing water feature associated with Trimmier Creek):



View of the surrounding property to the north (across Stagecoach Rd):



SITE PHOTOS

Case #Z22-24: "A" to PUD w/ "A-R1", "SR-1", "SR-2", "SF-2", "R-1", "R-2", & "B-5"



View of the surrounding property to the east (Spanish Oaks Subdivision):



View of the surrounding property to the west (Yowell Ranch Phase One Subdivision):



SITE PHOTOS

Case #Z22-24: "A" to PUD w/ "A-R1", "SR-1", "SR-2", "SF-2", "R-1", "R-2", & "B-5"



SITE PHOTOS

Case #Z22-24: "A" to PUD w/ "A-R1", "SR-1", "SR-2", "SF-2", "R-1", "R-2", & "B-5"



MINUTES
PLANNING AND ZONING COMMISSION MEETING
June 6, 2022

CASE #Z22-24
“A” to “PUD”

HOLD a public hearing and consider a request submitted by Republic Engineering & Development Services on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al. (Case #Z22-24) to rezone approximately 390.72 acres out of the M. J. Pleasant Survey, Abstract No. 652 and the S. D. Carothers Survey, Abstract No. 177 from “A” (Agricultural District) to a Planned Unit Development (PUD) with “A-R1” (Agricultural Single-Family Residential District), “SR-1” (Suburban Residential Single-Family Residential District), “SR-2” (Suburban Residential Single-Family District), “SF-2” (Single-Family Residential District), “R-1” (Single-Family Residential District), “R-2” (Two-Family Residential District), and “B-5” (Business District) uses. The property is locally addressed as 4244 Stagecoach Road, Killeen, Texas.

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

Chairman Latham opened the public hearing.

The applicant’s agent, Mr. Chris Doose of Flintrock Builders, was present to represent this case.

Mr. Russell Coburn of 431 Loop Road spoke in opposition to the request. Mr. Coburn stated that the City is not ready for this type of development and the current problems need to be addressed before creating new ones.

Mrs. Heather McNeely of 4022 Hope Dr. spoke in opposition to the request. Mrs. McNeely stated that while she is not against development, she is against density and wants country living as per the Comprehensive Plan.

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

Commissioner Minor made a motion to recommend approval of the PUD as presented. Commissioner Gukeisen seconded, and the motion passed by a vote of 4 to 1 with Commissioners Ploeckelmann in opposition. Commissioner Ploeckelmann expressed concern regarding development of the last remaining open area within the city.

CITY COUNCIL MEMORANDUM FOR ORDINANCE

DATE: July 19, 2022

TO: Kent Cagle, City Manager.

FROM: Edwin Revell, Executive Director of Development Services.

SUBJECT: ZONING CASE #Z22-24: "A" (Agricultural District) Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District) & "B-5" (Business District).

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: Sheryl Yowell Anderson 1998 Trust et al.

Agent: Republic Engineering & Development Services

Current Zoning: "A" (Agricultural District)

Proposed Zoning: Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District) & "B-5" (Business District)

Current FLUM Designation: 'Planned Development' (PD)

Summary of Request:

Republic Engineering and Development Services, on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al., has submitted a request to rezone approximately 390.72 acres out of the M. J. Pleasant Survey, Abstract No. 652 and the S. D. Carothers Survey, Abstract No. 177 from "A" (Agricultural) to a Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District), and "B-5" (Business District) uses. If approved, the applicant intends to develop the property into a mixed-use community with multiple types of single-family residential, two-family residential, commercial, and open space uses.

All lots within the proposed PUD will meet the minimum standards for lot size and area requirements in accordance with the underlying base zoning. The applicant is proposing PUD standards as described in the attached PUD Features and Regulations document. Proposed standards include increased landscaping requirements, tree preservation credit, architectural standards, a repetition standard, enhanced fencing standards, and a provision for HOA maintained open space to include a playground, fenced dog parks, amphitheater, and trail area.

This request was tabled by the Planning and Zoning Commission on May 2, 2022 to the June 6th meeting pending applicant's submittal of additional PUD information. Since that time, the applicant has submitted updated exhibits and satisfied all of staff's comments.

The applicant has submitted exhibits for the following:

- a) Concept plan
- b) Phasing plan
- c) Parks and open space plan
- d) Tree survey
- e) Right-of-way cross section design
- f) Proposed elevations for two-family residential areas
- g) PUD Features and Requirements document.

Zoning/Plat Case History:

The subject property was annexed into the city limits on March 16, 2004 via Ordinance No. 04-12. The property was subsequently zoned "A" (Agricultural District) on April 26, 2005 via Ordinance No. 05-31. The property is currently unplatted.

Character of the Area:

North: Single-family homes on large lots zoned R-1 (Single-Family Residential District)

East: Single-family homes zoned R-1 (Single-Family Residential District), existing mobile home park zoned RMH (Mobile Home District), and existing commercial property zoned B-5 (Business District)

South: Single-family homes on large lots zoned A (Agricultural District) and A-R1 (Agricultural Single-Family Residential District), undeveloped property zoned A-R1 (Agricultural Single-Family Residential District), and Fire Station 8 zoned R-1 (Single-Family Residential District)

West: Undeveloped property and single-family homes zoned Planned Unit Development (PUD) w/ R-1 (Single-Family Residential District)

Future Land Use Map Analysis:

This property is designated 'Planned Development' (PD) on the Future Land Use Map (FLUM) of the Comprehensive Plan. The 'Planned Development' (PD) designation encourages the following development types:

- Mixed use (retail, office, residential, public)
- Variety of housing types
- 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 utility services are located within the City of Killeen municipal utility service area and available to the subject tract.

Staff is of the determination that the current water infrastructure in this area is sufficient to serve the proposed development. The City began receiving water from the new water plant on Stillhouse Lake in June 2021, which improved water service to the southeast part of the city. Prior to the new plant, water had to travel from the northside of the City. There is a 16" transmission main along Stagecoach up to Cunningham and a 12" transmission main along Stagecoach to East Trimmier

Transportation and Thoroughfare Plan:

Ingress and egress to the property is from Stagecoach Road and East Trimmier Road, which are both classified as a 110' wide Minor Arterial streets on the City of Killeen Thoroughfare Plan.

Environmental Assessment:

FEMA regulatory Special Flood Hazard Areas (SFHA) for Embers Creek and Trimmier Creek cross the property. There are freshwater ponds, freshwater forested/shrub wetlands, freshwater emergent wetlands, and riverine habitats on or adjacent to the property as identified on the National Wetlands Inventory.

Public Notification:

Staff notified two-hundred and forty-seven (247) surrounding property owners regarding this request.

Of those property owners notified, one-hundred and seventeen (117) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and seventy (70) reside outside of Killeen.

As of the date of this staff report, three (3) written responses have been received in opposition to this request.

Staff Findings:

The 'Estate' (E) land use category is characterized as a transition between Suburban and Rural character areas, with further progression along the character spectrum toward environments where the landscape is visually dominant over structures. Still in Suburban portion of character spectrum, but with larger lots (typically 1 acre minimum), especially where required by public health regulations to allow for both individual water wells and on-site septic systems on

properties where centralized water and/or wastewater service is not available or feasible. One-acre lots are usually adequate in wooded areas to achieve visual screening of homes (from streets and adjacent dwellings). Three- to five-acre lots may be needed to achieve and maintain Estate character in areas with more open land.

The 'Planned Development' (PD) land use category is characterized by a potential for distinct character areas, from Urban to Suburban, within an overall development design. Site design and development quality should be superior given strategic location and high profile, should be designed to be transit supportive, and should provide for safe and convenient bicycle and pedestrian circulation options, both within and beyond the planned development area.

The current zoning of the subject property is "A" (Agricultural District). The surrounding area includes predominantly residential uses and undeveloped properties. To the north and south, there are single-family homes on large lots. To the east, there are existing single-family homes, mobile home park, and commercial property. To the west are existing single-family homes and undeveloped property.

THE ALTERNATIVES CONSIDERED:

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

- Disapprove the applicant's PUD request;
- Approve the proposed PUD with additional/amended conditions; or
- Approve the proposed PUD as presented by the applicant.

If the Council wishes to attach conditions to the zoning, staff recommends that they be limited to only matters under the applicant's control.

Which alternative is recommended? Why?

Staff recommends approval of the PUD as presented. Staff finds that the proposed development includes a mix of housing types and lot sizes, as well as a significant amount of open space and park amenities. Therefore, staff is of the determination that the proposed development is consistent with the policies and principles discussed during the ongoing Comprehensive Plan process.

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. 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 Special Called Meeting on July 11, 2022, the Planning & Zoning Commission recommended approval of the proposed PUD with the following stipulations:

- 1) That the water pressure be maintained at 35 psi;
- 2) That the traffic flow is right; and
- 3) That lights be provided in the trail area.

The motion passed by a vote of 4 to 3 with Commissioners Gukeisen, Ploeckelmann, and Marquez in opposition. Those Commissioners in opposition expressed concern that the recommended conditions were not germane to the zoning request.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps

Site Photos

Minutes

Ordinance

PUD Proposal:

- a) Letter of Request
- b) PUD Features and Regulations document
- c) Concept plan
- d) Phasing plan
- e) Parks and open space plan
- f) Lot dimensions and street sections
- g) Proposed amenities
- h) Duplex renderings

i) Tree survey
Responses
Considerations