

OUT PROCESSING ZONING CHECKLIST

Left side of file:

- Original Application
- Corporate Resolution/Partnership Agreement (if needed)
- Authorization to sign/Power of Attorney (if needed)
- Deed Restrictions/Warranty Deed
- Field Notes (if applicable)
- Site Plan (if applicable)

Right side of file:

- Ordinance/CC Memo (Ord. Number 16-005)
- Owner Approval Letter/Dated (1/13/2016)
- CC Minutes (Date (1-12-16))
- CC Agenda (Date (1-12-2016))
- CC Packet:** (CCMO, Minutes, Considerations, Application, SPO Responses)
- Public Notice
- P&Z Minutes (Signed Copy) (Date 12/21/2015)
- P&Z Agenda (Date 12/21/2015)
- P&Z Packet:** (P&Z Memo, Considerations, Application, Maps, SPO responses)
- PVT City Engineer and Environmental Services email info to City Planner
- SPO Responses (if any)
- PO/SPO Letter: 93 Sent 0 Support
0 Opposed 0 Undelivered
- SPO Map
- Copy of SPO Database
- Receipt for application fee
- CUP (site plan if applicable)
- Label made for outside folder
- Copy of Ordinance given to Mapping (Date 01/13/2016)
- Changed zoning in Land Management (Date _____)



Date Paid:	<u>11/19/15</u>
Amount Paid:	\$ <u>300</u>
Cash/MO #/ <u>Check #</u> :	# <u>1199</u>
Receipt #:	<u>327</u>

CASE #: 215-33

City of Killeen Zoning Change Application

General Zoning Change \$300.00 [] **Conditional Use Permit \$500.00**

Name(s) of Property Owner: RSBP Developers, Inc.

Current Address: 2901 E. Stan Schlueter Loop

City: Killeen State: Texas Zip: 75642

Home Phone: (254) 526-4652 Business Phone: (254) ^{634-5567;} Ext #104 Cell Phone: (254) 535-1540

Email: cpurser@purserco.com

Name of Applicant: (SAME)
(If different than Property Owner)

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: () _____ Business Phone: _____ Cell Phone: _____

Email: _____

Address/Location of property to be rezoned: Bunny Trail Estates Phase Two
Near Anvil Range Road & Great Divide Road

Legal Description: Bunny Trail Estates Phase Two - Blocks 11, 12, & 13, Lots 3-34; Block 10, Lots 3-19 and
Bunny Trail Estates Phase One - Blocks 10, 11, 12, & 13, Lots 1-2

Metes & Bounds or Lot(s) Block Subdivision

Is the rezone request consistent with the Comprehensive Plan? YES NO

If NO, a FLUM amendment application must be submitted.

Type of Ownership: _____ Sole Ownership _____ Partnership Corporation _____ Other

Present Zoning: R-1 Present Use: SINGLE FAMILY RESIDENTIAL - VACANT

Proposed Zoning: PUD Proposed Use: PLANNED UNIT DEVELOPMENT

Conditional Use Permit for: _____

This property was conveyed to owner by deed dated August 26, 2011 and recorded in Volume
Page _____, Instrument Number 2011-00029590 of the Bell County Deed Records.
(Attached)

Is this the first rezoning application on a unilaterally annexed tract?
Yes _____ (Fee not required) No (Submit required fee)

APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Killeen Engineering & Surveying, Ltd.

Mailing Address: 2901 E. Stan Schlueter Loop

City: Killeen State: Texas Zip: 76542 -

Home Phone: (254) 526-4652 Business Phone: (254) 526-3981 Email: bpurser@kesltd.com

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. This authorization only applies to this specific zoning request.

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Killeen, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of Agent  Title Project Manager

Printed/Typed Name of Agent Ben Purser Date 11-18-15

Signature of Agent _____ Title _____

Printed/Typed Name of Agent _____ Date _____

Signature of Applicant  Title President - RSBP

Printed/Typed Name of Applicant RSBP Developers, Inc. Date 11-18-15

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner (same) Date _____

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner _____ Date _____

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner _____ Date _____

*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.

PUD OVERLAY

Property: Per attached exhibit.

Request modification of rear yard setback to having a depth of not less than seventeen (17) feet from current standard of not less than twenty-five (25) feet.

Request modification of interior side yard setback on each side of the lot having a width of not less than nine (9) feet from current standard of not less than seven (7) feet.

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697



Geoffrey S. Connor
Secretary of State

Office of the Secretary of State

**CERTIFICATE OF INCORPORATION
OF**

RSBP DEVELOPERS, INC.
Filing Number: 800371742

The undersigned, as Secretary of State of Texas, hereby certifies that Articles of Incorporation for the above named corporation have been received in this office and have been found to conform to law.

Accordingly, the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law, hereby issues this Certificate of Incorporation.

Issuance of this Certificate of Incorporation does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 07/30/2004

Effective: 07/30/2004



Geoffrey S. Connor
Secretary of State

CERTIFIED COPY OF RESOLUTIONS

I, JO ANN PURSER, Secretary of RSBP DEVELOPERS, INC., a Texas corporation, do hereby certify that the following is a true and exact copy of a Resolution passed by the duly assembled Board of Directors of RSBP DEVELOPERS, INC. on the 30th day of July, 2005, and the same is part of the Minutes of such corporation and has not been repealed:

RESOLVED, that the corporation shall engage in the business of sale of real estate, and the officers of the corporation are authorized to execute such contracts and other documents necessary to conduct corporation business and the officers shall have full authority to manage and operate the business of the corporation; and, it was further

RESOLVED, that the approval and signature of any one of the President OR either of the Vice-Presidents, without joinder of any other officer of any other officer of RSBP DEVELOPERS, INC., and without affixing the corporate seal, is sufficient to execute and deliver in the name of said corporation, Deeds, Releases, Closing Statements, Contracts, Notes, Liens, Equipment Leases, Vehicle Leases, Assignments of Life Insurance Policies, or any other instruments which in his opinion are advisable or necessary in conducting the business of the corporation.

Any of the above-described actions taken by the above officers or any one of them are fully binding upon the corporation.

I FURTHER CERTIFY that the following are the officers of the corporation with their signatures affixed next to their respective names:

PRESIDENT - GARY W. PURSER, JR. _____
 VICE-PRES - RONALD E. STEPP _____
 VICE-PRES, SECRETARY - _____
 TREASURER - JO ANN PURSER _____

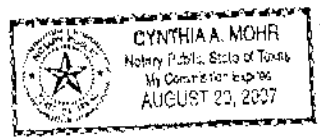
GIVEN UNDER MY HAND AND SEAL OF OFFICE this 30 day of July, 2005.

Jo Ann Purser
JO ANN PURSER, Secretary

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared JO ANN PURSER, Secretary of RSBP DEVELOPERS, INC., a Texas corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 30 day of July, 2005.



Cynthia A. Mohr
NOTARY PUBLIC, STATE OF TEXAS

32292

FILED FOR RECORD
At 10:00 O'clock A.M.

JUL 25 2005

Debra L. Starn
COUNTY CLERK BELL COUNTY, TX

①
Bill

mail
Bill to:
Chadron, Russel, Inc
2901 E. Star Schlueter Loop
Killeen, TX 76542

**RESOLUTION
OF
RSBP DEVELOPERS, INC.,
A Texas Corporation ("Corporation")**

Gary W. Purser, Jr. and Ronald F. Stepp, all the directors of the Corporation organized under the Texas Business Corporation Act, do by this writing consent to take the following action and adopt the following resolutions:

RESOLVED, that **Gary W. Purser, Jr.**, in his capacity as President of the Corporation, and **JoAnn Purser**, in her capacity as Vice President of the Corporation, both acting on behalf of the Corporation, thereby binding the Corporation, he and each is hereby authorized and directed to do the following:

1. **GENERAL BORROWING:** Borrow from such banks, trust companies, savings institutions, individuals, or others, as in the judgment of either of them is necessary, for such a period of time and upon such terms and rate of interest as may to either of them, at the discretion of either of them, seem advisable and to execute notes and payment of the amount so borrowed. Any such notes may be signed by either of them and each of them is hereby authorized to execute such mortgages, mechanic's liens, deeds of trust, security agreements, financing statements or such other security instruments as may, in the judgment of either of them, be necessary in connection with such transactions. Furthermore, each of them is authorized to execute any renewals, extensions and modifications of such notes.
2. **TO SELL:** Sell real property upon such terms as may to either of them, at the discretion of either of them, seem advisable, and each of them is hereby authorized to execute any and all of those certain earnest money contracts, deeds, and other relative papers pertaining to the sale of individual lots and/or tracts of real property, as and when each of the lots and/or tracts are sold to a third party, upon such terms and conditions as to either of them, in the discretion of either of them, are advisable and reasonable and as may be set forth in any future earnest money contracts executed by either of them and any prospective buyer. Such earnest money contracts, deeds, and any relative instruments pertaining to the sale of individual lots and/or tracts of real property may be signed by either of them and each of them is hereby authorized to execute such earnest money contracts, deeds, or other relative instruments as, in the judgment of either of them, may be necessary in connection with such transaction.
2. **TO PURCHASE:** Purchase real property upon such terms as may to either of them, at the discretion of either of them, seem advisable, and each of them is hereby authorized to execute any and all of those certain relative papers pertaining to the purchase of property, as and when each of the lots and/or

tracts are purchased from a third party, upon such terms and conditions as to either of them, in the discretion of either of them, are advisable and reasonable and as may be set forth in future earnest money contracts executed by and between any third party, as Seller, and either of them on behalf of the Buyer. Such relative instruments pertaining to the purchase of certain real property may be signed by either of them as, in the judgment of either of them, may be necessary in connection with such transaction.

3. **CONSTRUCT IMPROVEMENTS:** Execute any and all of those certain plats, construction contracts, mechanic's lien contracts, construction loan agreements and other relative papers pertaining to the construction of certain improvements to be located upon a third party's lot or land, upon such terms and conditions as to either of them, in the discretion of either of them, are advisable and reasonable and as may be set forth in such mechanic's lien documents executed by either of them; the third party; and, if applicable, the third party's lender. Such construction contracts, mechanic's lien documents, and any relative instruments pertaining to the construction of certain improvements to be located upon a third party's lot or land may be signed by either of them as such construction contracts, mechanic's lien documents, or other relative instruments as, in the judgment of either of them, may be necessary in connection with such transaction. In addition, each of them is hereby authorized and directed to obtain all bids, permits, and perform such other actions necessary in connection with the construction of certain improvements to be located upon a third party's lot or land.
4. **BANKING:** Transact, oversee and initiate any and all banking matters, including but not limited to the opening of a bank account, the execution of any signature cards, the enrollment of any online services offered by the bank, making all deposits or withdrawals, and any other matter related to the banking matters and accounts.
5. **DAY TO DAY OPERATIONS:** To transact any and all day-to-day business matters that may, in the discretion of either of them, be necessary to operate the day-to-day activities and operations.
6. **OTHER ACTION:** To take such other action to execute and deliver such additional instruments as are necessary or proper in order to effectively perform all of the foregoing resolutions.

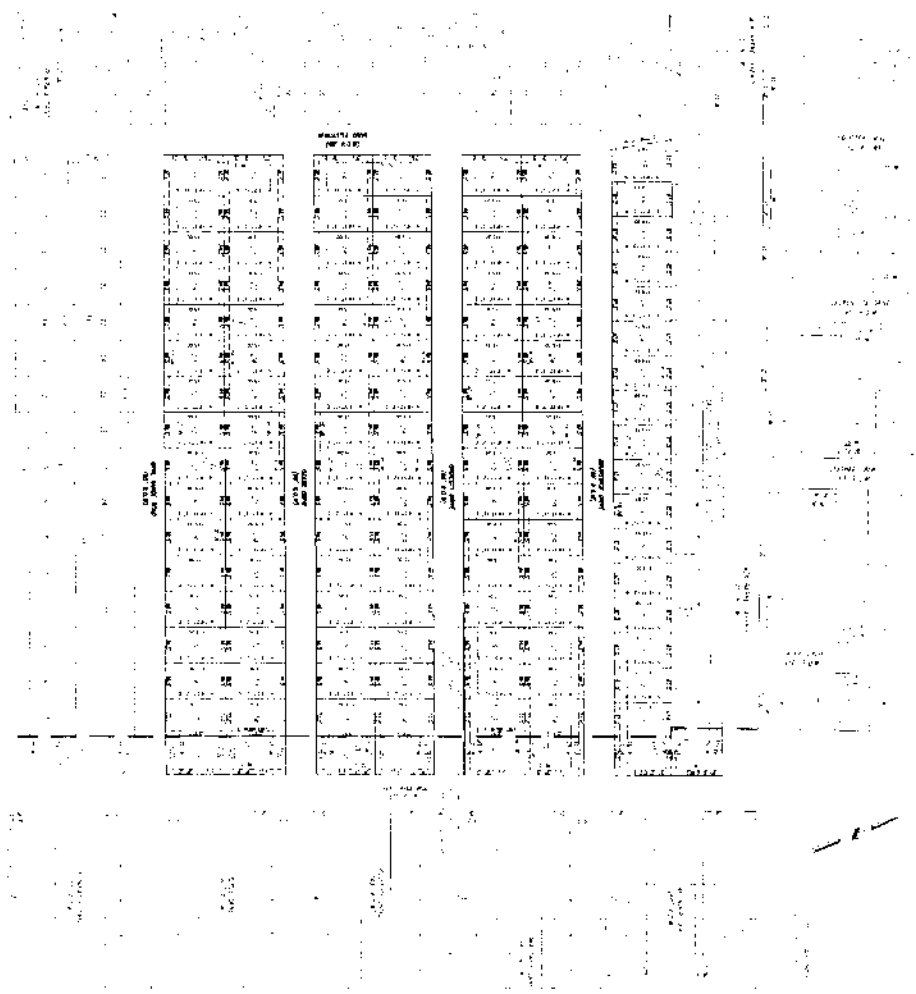
RESOLVED, that the Corporation consents to the foregoing resolutions.

I direct that this consent be filed with the minutes of the proceedings of the Directors of the Corporation.

This consent is executed pursuant to of the Texas Business Corporation Act which authorizes the taking of action by the Directors by unanimous written consent without a meeting.



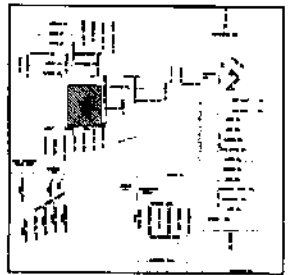
Scale: 1" = 100'



Legend

—	Property Line
—	Section Line
—	Survey Line
—	Right-of-Way Line
—	Water
—	Other

This plan is based on the survey of the land shown on the attached plat. The survey was conducted by the undersigned on or about the date hereon. The survey was conducted in accordance with the rules and regulations of the State of Texas. The survey was conducted in accordance with the rules and regulations of the State of Texas. The survey was conducted in accordance with the rules and regulations of the State of Texas.



ZONING EXHIBIT

PUD SITE CONCEPT PLAN
KILLEEN, BELL COUNTY, TEXAS



KILLIEN ENGINEERING & SURVEYING, LTD.
 1000 W. 10th Street, Suite 100
 Killeen, Texas 76789
 Phone: (817) 336-1111
 Fax: (817) 336-1112
 E-mail: info@killien.com
 THE REGISTRATION NO. 1-4276
 TOP 1 REGISTRATION NO. 1000-0000

DATE	10/1/00
BY	JK
CHECKED BY	JK
APPROVED BY	JK
SCALE	1" = 100'
PROJECT NO.	00-000
SHEET NO.	1
TOTAL SHEETS	1

EGS Management I.C., as General
Partner of Killeen EGS Property, Ltd.,
a Texas Limited Partnership

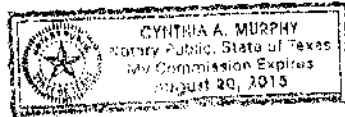
BY: *Gary W. Pursler, Jr.*
GARY W. PURSER, JR., President

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me this 26 day of August, 2011, by
GARY W. PURSER, JR., as President of BENTINA MANAGEMENT, L.C., as General
Partner of Bentina, Ltd., a Texas Limited Partnership, on behalf of said Partnership.

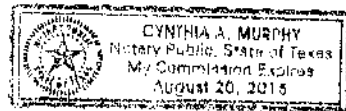
Cynthia A. Murphy
Notary Public, State of Texas
Printed Name: Cynthia A. Murphy
My Commission Expires: 8-20-15



STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me this 26 day of August, 2011, by
GARY W. PURSER, JR., as President of EGS MANAGEMENT, L.C., as General Partner
of KILLEEN EGS PROPERTY, Ltd., a Texas Limited Partnership, on behalf of said
Partnership.

Cynthia A. Murphy
Notary Public, State of Texas
Printed Name: Cynthia A. Murphy
My Commission Expires: 8-20-15



FIELD NOTES for a 153.314 acre tract of land in Bell County, Texas, being part of the John E. Maddera Survey, Abstract No. 600, and the land herein described being part of a called 173.624 acre tract, conveyed to Joyce Ann Reavis (1/4 %), Alma Carlton Sands (1/4 %), Loma Gaile Swayer (1/4 %) and Janice Lanch Taffinder (1/4 %), of record in Volume 3457, Page 595, Official Public Records of Real Property, Bell County, Texas, and subsequently Joyce A. Reavis 1/4 % conveyed to Reavis Family Living Trust, of record in Volume 5213, Page 904, Official Public Records of Real Property, Bell County, Texas and being more particularly described as follows:

BEGINNING at a 1-1/2" iron pipe found at the southwest corner of said 173.624 acre tract, being the extreme southeast corner of Bridgewood Addition, Phase II, an addition to the City of Killeen, Texas, of record in Cabinet D, Slide 306-A, B, & C, Plat Records of Bell County, Texas, for the southwest corner of this tract;

THENCE N. 16° 37' 12" E., 2632.32 feet, with the west line of said 173.624 acre tract and the east line of said Bridgewood Addition, Phase II, to a 1-1/2" iron pipe found on the north line of said 173.624 acre tract, being a northeast corner of said Bridgewood Addition, Phase II and being on the south line of Brighton Place, an addition to the City of Killeen, Texas, of record in Cabinet D, Slide 30 A, B, & C, Plat Records of Bell County, Texas, for the northwest corner of this tract;

THENCE S. 73° 00' 10" E., 1285.92 feet, with the north line of said 173.624 acre tract and the south line of said Brighton Place, to a 1-1/2" iron pipe found at an interior corner of said 173.624 acre tract, being the southeast corner of said Brighton Place, for an interior corner of this tract;

THENCE N. 17° 43' 56" E., 167.69 feet, with the east line of said Brighton Place, to a 1/2" iron rod with cap set for the easterly northwest corner of this tract;

THENCE S. 72° 56' 36" E., at a distance of 5.21 feet, pass a 3/8" iron rod found at the easterly northwest corner of said 173.624 acre tract and the southwest corner of a called 21.826 acre tract conveyed to Roy Rakowski, of record in Volume 3701, Page 577, Official Public Records of Real Property, Bell County, Texas, continuing on with the north line of said 173.624 acre tract and the south line of said 21.826 acre tract, for a total distance in all of 854.82 feet, to a 3/8" iron rod with cap found at an angle corner of said 21.826 acre tract, for an angle corner of this tract;

THENCE S. 73° 48' 57" E., 37.42 feet, with the north line of said 173.624 acre tract and the south line of said 21.826 acre tract, to a 3/8" iron rod found at the southwest corner of a called 6.94 acre tract conveyed to Ruth Rakowski, of record in Volume 3701, Page 574, Official Public Records of Real Property, Bell County, Texas, for an angle corner of this tract;

THENCE S. 73° 20' 40" E., 404.19 feet, with the north line of said 173.624 acre tract and the south line of said 6.94 acre tract, to a 1/4" iron pipe found at the northwest corner of that certain tract conveyed to Rose Marie Goode, of record in Volume 5357, Page 327, Official Public Records of Real Property, Bell County, Texas, for the northerly northeast corner of this tract;

THENCE S. 10° 41' 14" E., 292.34 feet, with the west line of said Goode tract, to a 5/8" iron rod found at the southwest corner of said Goode tract, for an interior corner of this tract;

THENCE S. 73° 16' 33" E., 74.04 feet, with the south line of said Goode tract, to a 5/8" iron rod found at the northwest corner of a called 0.643 acre tract dedicated to the City of Killeen, a municipal corporation, of record in Document #2011-19307, Official Public Records of Real Property, Bell County, Texas, being on the west right of way line of Bunny Trail, for the southerly northeast corner of this tract;

THENCE S. 17° 03' 56" W., 1816.49 feet, with the west line of said 0.643 acre tract and the west right of way line of Bunny Trail, to a 1/2" iron rod with cap found at the southwest corner of said 0.643 acre tract, being on the north line of Elementary School No. 32, an addition to the City of Killeen, Texas, of record in Cabinet D, Slide 279 D, Plat Records of Bell County, Texas, for the easterly southeast corner of this tract;

THENCE N. 73° 33' 47" W., 1185.19 feet, with the north line of said Elementary School No. 32 tract, to a 1/2" iron rod with cap found at the northwest corner of said Elementary School No. 32 tract, for an interior corner of this tract;

THENCE S. 17° 03' 06" W., 700.06 feet, with the west line of said Elementary School No. 32 tract, to a 1/2" iron rod with cap found at the southwest corner of said Elementary School No. 32 tract, being on the south line of said 173.624 acre tract, for the westerly southeast corner of this tract;

THENCE N. 73° 33' 23" W., 1589.12 feet, with the south line of said 173.624 acre tract, to the POINT OF BEGINNING and containing 153.314 acres of land;

REAVIS TRUST
CONTINUED

The bearings for the above description are based on the Texas Plane Coordinate System, Central Zone, NAD 83 (CORS 96), per Leica Texas Smart Net GPS observations.


See accompanying drawing.

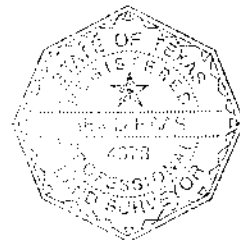
Revised June 30, 2011, (boundary)

STATE OF TEXAS
COUNTY OF BELL.

KNOW ALL MEN BY THESE PRESENTS, that I, Rex D. Haas, Registered Professional Land Surveyor, do hereby certify that this description is true and correct to the best of my knowledge and belief. Survey completed on the ground May 18, 2011.

IN WITNESS THEREOF, my hand and seal this the 14th day of June, 2011, A. D.


Rex D. Haas
Registered Professional
Land Surveyor, No. 4375



Bell County
Shelley Coston
County Clerk
Belton, Texas 76513



Instrument Number: 2012-00002652

Recorded On: January 23, 2012

As
Plat & Dedication

Parties: RSBP DEVELOPERS INC

To BUNNY TRAIL ESTATES PHASE ONE

Billable Pages: 5

Number of Pages: 6

Comment: CAB D SL 345 A/B

(Parties listed above are for Clerks reference only)

** Examined and Charged as Follows: **

Plat & Dedication	52.00
Total Recording:	52.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2012-00002652

Receipt Number: 125271

Recorded Date/Time: January 23, 2012 09:17:50A

User / Station: G Gomez - Cash Station 1

Record and Return To:

CITY OF KILLEEN
PLANNING DIVISION
PO BOX 1329
KILLEEN TX 76540



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property
Records in Bell County, Texas

Shelley Coston
Bell County Clerk

EXHIBIT A

Being a 69.859 acre tract of land situated in and being out of the John E. Maddera Survey, Abstract 600, Bell County, Texas, being part of that 153.314 acre tract of land conveyed to RSBP Developers, Inc., a Texas Corporation described in Instrument No. 2011-00029590, Deed Records of Bell County; said 69.859 acre tract being more fully described as follows:

BEGINNING at a 1/2" iron rod found in the West margin of Bunny Trail (conveyed in Instrument No. 2011-00019307), said rod being in the South line of a tract of land conveyed to Rose Marie Goode as recorded in Volume 5357, Page 327, said Deed Records, the Northeast corner of said 153.314 acre tract, and the Northeast corner of the herein described tract;

THENCE, S 17° 03' 47" W, 1816.59 feet with the West line of said Bunny Trail, the East line of said 153.314 acre tract, and the East line of the herein described tract to a 1/2" iron rod found, said rod being in the West margin of Bunny Trail, the Northeast corner of Elementary School No. 32, an addition to the City of Killeen as recorded in Cabinet D, Slide 279-D, Plat Records of Bell County, Texas, the Southeast corner of said 153.314 acre tract, and the Southeast corner of the herein described tract;

THENCE, N 73° 33' 38" W, 1185.20 feet with the North line of said Elementary School No. 32 tract, the South line of said 153.314 acre tract, and the South line of the herein described tract to a 3/8" iron rod set (all of the 3/8" iron rods set herein have orange cap marked "Killeen Eng."), said rod being the Northwest corner of said Elementary School No 32 tract, a point in the South line of said 153.314 acre tract, and a point in the South line of the herein described tract;

THENCE, N 73° 22' 48" W, 34.44 feet across and upon said 153.314 acre tract and with the South line of the herein described to a 3/8" iron rod set;

THENCE, continuing across and upon said 153.314 acre tract, with South line of the herein described tract the following calls:

1. **N 16° 37' 12" E, 58.99 feet** to a 3/8" iron rod set;
2. **N 73° 22' 48" W, 110.00 feet** to a 3/8" iron rod set;
3. **N 80° 42' 23" W, 70.58 feet** to a 3/8" iron rod set;
4. **N 73° 22' 48" W, 110.00 feet** to a 3/8" iron rod set, said rod being in the Southwest corner of the herein described tract;

THENCE, continuing across and upon said 153.314 acre tract, with West line of the herein described tract the following calls:

1. **N 16° 37' 12" E, 134.00 feet** to a 3/8" iron rod set;
2. **S 73° 22' 48" E, 25.00 feet** to a 3/8" iron rod set;
3. **N 16° 37' 12" E, 175.00 feet** to a 3/8" iron rod set;
4. **S 73° 22' 48" E, 10.00 feet** to a 3/8" iron rod set;
5. **N 16° 37' 12" E, 1559.98 feet** to a 3/8" iron rod set;
6. **N 73° 19' 12" W, 19.08 feet** to a 1 1/2" iron pipe found, said pipe being the Southeast corner of Brighton Place, an addition to the City of Killeen as recorded in Cabinet D, Slide 30-A, B, & C, said Plat Records, a point in the West line of said 153.314 acre tract, and a point in the West line of the herein described tract;

THENCE, N 17° 43' 56" E, 167.69 feet with the East line of said Brighton Place, the West line of said 153.314 acre tract, and the West line of the herein described tract to a 3/8" iron rod set, said rod being in the East line of said Brighton Place, the Southwest corner of a tract of land conveyed to Roy Rakowski as recorded in Volume 3701, Page 577, said Deed Records, the Northwest corner of said 153.314 acre tract, and the Northwest corner of the herein described tract;

THENCE, S 72° 57' 00" E, 854.71 feet departing the East line of said Brighton Place, with the South line of said Rakowski tract (3701/577), the North line of said 153.314 acre tract, and the North line of the said herein described tract to a 3/8" iron rod found;

THENCE, S 73° 36' 15" E, 37.46 feet with the South line of said Rakowski tract (3701/577), the North line of said 153.314 acre tract, and the North line of the said herein described tract to a 3/8" iron rod found, said rod being the Southeast corner of said Rakowski tract (3701/577), the Southwest corner of a tract conveyed to Ruth Rakowski as recorded in Volume 3701, Page 574, said Deed Records, the North line of said 153.314 acre tract, and the North line of the herein described tract;

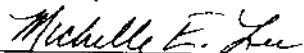
THENCE, S 73° 20' 37" E, 404.18 feet with the South line of said Rakowski tract (3701/574), the North line of said 153.314 acre tract, and the North line of the herein described tract to a 1/2" iron pipe found, said pipe being in the South line said Rakowski tract (3701/574), the Northwest corner of a tract of land conveyed to Rose Marie Goode as recorded in Volume 5357, Page 327, said Deed Records, the North line of said 153.314 acre tract, and the North line of the herein described tract;

THENCE, S 10° 40' 51" E, 292.27 feet with the West line of said Goode tract, the North line of said 153.314 acre tract, and the North line of the herein described tract to a 1/2" iron rod found, said rod being the Southwest corner of said Goode tract, the North line of said 153.314 acre tract, and the North line of the herein described tract;

THENCE, S 73° 16' 27" E, 74.13 feet with the South line of said Goode tract, the North line of said 153.314 acre tract, and the North line of the herein described tract to the **POINT OF BEGINNING**, containing 69.859 acres of land, more or less.

The reference Bearing for this legal description is the West line of said 153.314 acre tract as recorded in Instrument No. 2011-00024176, Deed Records of Bell County, Texas.

I, Michelle E. Lee, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from a survey made on the ground of the property described herein.


Michelle E. Lee, RPLS 11-17-11
No. 5772, Texas



KILLEEN ENGINEERING & SURVEYING, LTD.
2901 E. STAN SCHLUETER LOOP
KILLEEN, TEXAS 76542
(254) 526-3981/ FAX (254) 526-4351
TBPE Registration No. F-4200, TBPLS Registration No. 100144-00

DEDICATION

STATE OF TEXAS §
COUNTY OF BELL§

KNOW ALL MEN BY THESE PRESENTS:

That *RSBP DEVELOPERS, INC., a Texas Corporation*, being the sole owner of that certain 69.862 acre tract of land described in Exhibit "A", attached hereto and incorporated herein for all purposes, do hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as BUNNY TRAIL ESTATES, PHASE ONE, to the City of Killeen, Bell County, Texas, as shown by the plat hereof, attached hereto, and made a part hereon, and approved by the City Council of the City of Killeen, Bell County, Texas, and do hereby adopt said BUNNY TRAIL ESTATES, PHASE ONE, as an addition to the City of Killeen, Bell County, Texas, for the purpose of selling lots and blocks of land with reference thereto, for the property development of said land by its owners and for all other purposes, and does hereby dedicate to the City of Killeen all streets, avenues, roads, drives, alleys and associated potable water, sanitary sewer and storm sewer systems, as shown on said plat and final construction drawings, the same to be used as public thoroughfares and public utilities when and as authorized by the City of Killeen, Bell County, Texas.

The utility easements shown on said plat are dedicated to the City of Killeen for installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed or maintained.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Killeen, Texas a municipal corporation, hereinafter called CITY, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purpose of this designed for navigation of or flight in the air) by whomsoever owned and operated, in the air space above OWNER'S property, Such release shall include, but not be limited to, any damages to OWNER'S described property, such as noise, vibration, fumes, dust, fuel, and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from, or operating at any municipal or military airport within or adjacent to the CITY, whether such claim be for injury or death to person or persons or damages to or taking of property; and OWNER does hereby fully remiss, and release any right or cause of action which it may now have or which it may in the future have against the CITY, whether such claims be for injury to person or damage to property due to noise, vibration, fumes, dust, fuel, and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engine at or on said airports.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with in BUNNY TRAIL ESTATES, PHASE ONE, an addition to the City of Killeen, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed records of Bell County, Texas.

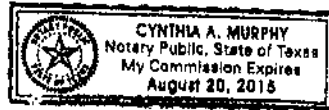
WITNESS the execution hereof, on this 29 day of November,
2011 A.D.

RSBP DEVELOPERS, INC., A TEXAS CORPORATION

BY: 
GARY W. PURSER, JR., President

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on this 29 day of November,
2011 A.D. by Gary W. Purser, Jr, President of RSBP Developers, Inc.



Cynthia A. Murphy
NOTARY PUBLIC STATE OF TEXAS
My Commission Expires: _____

Cabinet D Slide 345 A/B

RESOLUTION

STATE OF TEXAS §
COUNTY OF BELL §
CITY OF KILLEEN §

KNOW ALL MEN BY THESE PRESENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KILLEEN APPROVING THE SUBDIVISION AND DEDICATION OF THE **BUNNY TRAIL ESTATES, PHASE ONE**, TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, ACCORDING TO THE PLAT HEREOF FILED WITH THE CITY SECRETARY OF THE CITY OF KILLEEN AND HEREBY APPROVED.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION I. THAT THE ACTION OF **RSBP DEVELOPERS**, BEING THE SOLE OWNER(S) IN THE PLAT OF THE **BUNNY TRAIL ESTATES, PHASE ONE, KILLEEN, BELL COUNTY, TEXAS**, TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, IS IN ALL THINGS APPROVED BY ACT OF LAW, AS MEETING ALL THE REQUIREMENTS AND PROVISIONS OF ARTICLE 974A AS REVISED OF THE STATUTES OF THE STATE OF TEXAS AND ALL THE REQUIREMENTS AND PROVISIONS OF THE ORDINANCES OF SAID CITY.

SECTION II. BE IT FURTHER RESOLVED THAT THE LOTS AND BLOCKS IN THE PLAT OF **BUNNY TRAIL ESTATES, PHASE ONE, KILLEEN, BELL COUNTY, TEXAS** FULLY SHOWN ON THE PLAT ON FILE WITH THE CITY SECRETARY OF THE CITY OF KILLEEN WHICH PLAT IS HEREBY APPROVED AS CONSTITUTING THE LOTS, BLOCKS, STREETS, AVENUES, UTILITIES AND EASEMENTS OF THE SAID PLAT OF **BUNNY TRAIL ESTATES, PHASE ONE, KILLEEN, BELL COUNTY, TEXAS** TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS.

APPROVED BY ACT OF LAW ON THE 19TH DAY OF JANUARY 2012, A.D.

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513



Instrument Number: 2013-00004785

Recorded On: February 05, 2013

As
Plat & Dedication

Parties: RSBP DEVELOPERS INC

To BUNNY TRAIL ESTATES PHASE TWO

Bilfable Pages: 4

Number of Pages: 5

Comment: CAB D SL 384 A

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Plat & Dedication	48.00
Total Recording:	48.00

******* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law

File Information:

Document Number: 2013-00004785
Receipt Number: 160673
Recorded Date/Time: February 05, 2013 12:11:35P

Record and Return To:

CITY OF KILLEEN
PLANNING DIVISION
PO BOX 1329
KILLEEN TX 76540-1329

User / Station: G Gomez - Cash Station 1



I hereby certify that this instrument was filed on the date and time stamped herein and was duly recorded in the Real Property Records of Bell County, Texas

Shelley Coston
Bell County Clerk

DEDICATION

STATE OF TEXAS §
COUNTY OF BELL§

KNOW ALL MEN BY THESE PRESENTS:

That *RSBP DEVELOPERS, INC., a Texas Corporation*, being the sole owner of that certain 49.638 acre tract of land described in Exhibit "A", attached hereto and incorporated herein for all purposes, do hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as BUNNY TRAIL ESTATES, PHASE TWO, to the City of Killeen, Bell County, Texas, as shown by the plat hereof, attached hereto, and made a part hereon, and approved by the City Council of the City of Killeen, Bell County, Texas, and do hereby adopt said BUNNY TRAIL ESTATES, PHASE TWO, as an addition to the City of Killeen, Bell County, Texas, for the purpose of selling lots and blocks of land with reference thereto, for the property development of said land by its owners and for all other purposes, and does hereby dedicate to the City of Killeen all streets, avenues, roads, drives, alleys and associated potable water, sanitary sewer and storm sewer systems, as shown on said plat and final construction drawings, the same to be used as public thoroughfares and public utilities when and as authorized by the City of Killeen, Bell County, Texas.

The utility easements shown on said plat are dedicated to the City of Killeen for installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed or maintained.

WITNESS the execution hereof, on this 11th day of October, 2012 A.D.

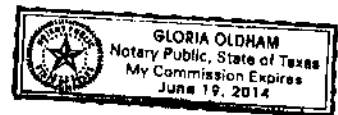
RSBP DEVELOPERS, INC., A TEXAS CORPORATION

BY: *[Signature]*
GARY W. PURSER, JR., President

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on this 11th day of October, 2012 A.D. by Gary W. Purser, Jr, President of RSBP Developers, Inc.

Gloria Oldham
NOTARY PUBLIC STATE OF TEXAS
My Commission Expires: 6-19-14



Cabinet D Slide 384 A

EXHIBIT A

Being a 49.638 acre tract of land situated in and being out of the John E. Maddera Survey, Abstract 600, Bell County, Texas, being part of the remainder of that 153.314 acre tract of land conveyed to RSBP Developers, Inc., a Texas Corporation described in Instrument No. 2011-00029590, Deed Records of Bell County; said 49.638 acre tract being more fully described as follows:

BEGINNING at a 3/8" iron rod found (all iron rods found herein having an orange cap marked "Killeen Eng."), said rod being in the Northwest corner of Lot 2, Block 10, Bunny Trail Estates, Phase One, an addition to the City of Killeen as recorded in Cabinet D, Slide 345 A & B, Plat Records of Bell County, Texas, the Northeast corner of said remainder of 153.314 acre tract, and the Northeast corner of the herein described tract;

THENCE, S 16° 37' 12" W, 1559.98 feet (Reference Bearing per Plat) with the West line of said Bunny Trail Estates, Phase One, the East line of said remainder of said 153.314 acre tract, and the East line of the herein described tract to a 3/8" iron rod found, said rod being the Southwest corner of Lot 2, Block 15, said Bunny Trail Estates, Phase One, the North margin of Flatrock Mountain Drive, a point in the East line of said remainder of said 153.314 acre tract, and a point in the East line of the herein described tract;

THENCE, continuing with the West line of said Bunny Trail Estates, Phase One, the East line of said remainder of said 153.314 acre tract, with East line of the herein described tract the following calls:

1. **N 73° 22' 48" W, 10.00 feet** to a 3/8" iron rod found;
2. **S 16° 37' 12" W, 175.00 feet** to a 3/8" iron rod found, said rod being the Southwest corner of Lot 1, Block 16, said Bunny Trail Estates, Phase One, the Southeast corner of the remainder of said 153.314 acre tract, and the Southeast corner of the herein described tract;

THENCE, departing the West line of said Bunny Trail Estates, Phase One, continuing across and upon said remainder of said 153.314 acre tract, with South line of the herein described tract the following calls:

1. **N 73° 22' 48" W, 894.53 feet** to a 3/8" iron rod set (all iron rods set herein having an orange cap marked "Killeen Eng.");
2. **N 28° 22' 48" W, 142.08 feet** to a 3/8" iron rod set;
3. **N 16° 37' 12" E, 224.53 feet** to a 3/8" iron rod set;
4. **N 73° 22' 48" W, 180.00 feet** to a 3/8" iron rod set;
5. **N 16° 37' 12" E, 24.26 feet** to a 3/8" iron rod set;
6. **N 73° 22' 48" W, 120.00 feet** to a 3/8" iron rod set, said rod being in the East line of Bridgewood Addition, Phase II, an addition to the City of Killeen as recorded in Cabinet D, Slide 106-A, B, & C, said Plat Records, a point in the West line of the remainder of said 153.314 acre tract, and the Southwest corner of the herein described tract;

THENCE, N 16° 37' 12" E, 1393.95 feet with the East line of said Bridgewood Addition, Phase II, the West line of the said remainder of said 153.314 acre tract, and the West line of the herein described tract to a 1 1/2" iron pipe found, said pipe being in the South line of Brighton Place, an addition to the City of Killeen as recorded in Cabinet D, Slide 30- A, B, & C, said Plat Records, the Northwest corner of the remainder of said 153.314 acre tract, and the Northwest corner of the herein described tract;

THENCE, S 73° 00' 50" E, 1285.95 feet with the South line of said Brighton Place, the North line of the said remainder of said 153.314 acre tract, and the North line of the herein described tract to a 1 1/2" iron pipe found, said point being the Southeast corner of said Brighton Place, the Southwest corner of Lot 1, Block 10, said Bunny Trail Estates, Phase One, a point in the North line of the said remainder of said 153.314 acre tract, and a point in the North line of the herein described tract;

THENCE, S 73° 19' 12" E, 19.08 feet with the South line of Lot 1, the North line of the said remainder of said 153.314 acre tract, and the North line of the herein described tract to the POINT OF BEGINNING, containing 49.638 acres of land, more or less.

I, Michelle E. Lee, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from a survey made on the ground of the property described herein.

Michelle E. Lee

Michelle E. Lee, RPLS 6-10-12
No. 5772, Texas



KILLEEN ENGINEERING & SURVEYING, L.L.C.
2901 E. STAN SCHLUETER LOOP
KILLEEN, TEXAS 76542
(254) 526-3981 / FAX (254) 526-4351
TBPE Registration No. F-4200, TBPLS Registration No. 100144-00

RESOLUTION

STATE OF TEXAS §
COUNTY OF BELL §
CITY OF KILLEEN §

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KILLEEN APPROVING THE SUBDIVISION AND DEDICATION OF **BUNNY TRAIL ESTATES, PHASE TWO**, TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, ACCORDING TO THE PLAT HEREOF FILED WITH THE CITY SECRETARY OF THE CITY OF KILLEEN AND HEREBY APPROVED.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION I. THAT THE ACTION OF *RSBP DEVELOPERS, INC.* a Texas Corporation, BEING THE SOLE OWNER IN THE PLAT OF **BUNNY TRAIL ESTATES, PHASE TWO**, TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, IS IN ALL THINGS APPROVED BY THE CITY COUNCIL OF THE CITY OF KILLEEN, AS MEETING ALL THE REQUIREMENTS AND PROVISIONS OF ARTICLE 974A AS REVISED OF THE STATUTES OF THE STATE OF TEXAS AND ALL THE REQUIREMENTS AND PROVISIONS OF THE ORDINANCES OF SAID CITY.

SECTION II. BE IT FURTHER RESOLVED THAT THE LOTS AND BLOCKS IN THE PLAT OF **BUNNY TRAIL ESTATES, PHASE TWO**, FULLY SHOWN ON THE PLAT ON FILE WITH THE CITY SECRETARY OF THE CITY OF KILLEEN, WHICH PLAT IS HEREBY APPROVED AS CONSTITUTING THE LOTS, BLOCKS, STREETS, AVENUES, UTILITIES AND EASEMENTS OF THE SAID PLAT OF **BUNNY TRAIL ESTATES, PHASE TWO**, TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS.

PASSED AND APPROVED ON THIS 15th OF December, 2012 A.D.

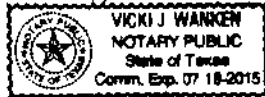


[Signature]
MAYOR, CITY OF KILLEEN

[Signature]
ATTEST: CITY SECRETARY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED Daniel A. Corbin AND Paula A. Miller, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND THEY ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID CITY OF KILLEEN, TEXAS, AND THAT THEY EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8th DAY OF January, 2012 A.D.

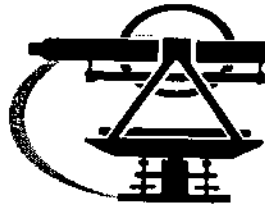


[Signature]
NOTARY PUBLIC STATE OF TEXAS
MY COMMISSION EXPIRES 7-18-15

I, Paula A. Miller, CITY SECRETARY OF THE CITY OF KILLEEN, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KILLEEN, AT A REGULAR MEETING DULY HELD AT WHICH A QUORUM WAS PRESENT ON THE 18th DAY OF December, 2012 A.D.



[Signature]
CITY SECRETARY
CITY OF KILLEEN



KILLEEN Engineering & Surveying

2901 East Stan Schlueter Loop, Killeen, Texas 76542 Phone: (254) 526-3981 Fax: (254) 526-4351
www.kesltd.com

TRANSMITTAL LETTER

TO: Planning Department DATE: 11-20-15

COMPANY: City of Killeen

PROJECT: Rezone - Bunny Trl. 2 PROJECT NO: 2015-040

WE ARE SENDING YOU ENCLOSED UNDER SEPARATE COVER THE FOLLOWING:

PLANS	CUT SHEETS	CHANGE ORDER	SHOP DRAWINGS
SPECIFICATIONS	COPY OF LETTER	ADDENDUM	
PLAT	CONTRACT	DEDICATION	

COPIES	DATED	DESCRIPTION
1	11-18-15	Zoning Application
1	11-19-15	Zoning Application Fee (\$300.00)
1	—	Deed
1	—	Corporate Resolution

FOR YOUR USE	FOR YOUR APPROVAL	FOR REVIEW & COMMENTS	_____
AS REQUESTED	APPROVED AS NOTED	RETURNED FOR CORRECTIONS	_____

REMARKS: Zoning Exhibit

ISSUED BY Bruce P... RECEIVED BY Maria H...



CITY OF KILLEEN
"The City Without
Limits"

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a public hearing is scheduled to be held by the City Council of Killeen, at 5:00 p.m., on Tuesday, January 12, 2016, in Council Chambers at City Hall, 101 North College Street, to consider the following:

HOLD a public hearing and consider a request by RSBP Developers, Inc. (Case #215-33) to rezone Lot 1-2, Blocks 10, 11, 12 and 13, Bunny Trail Estates, Phase One and Lots 3-15, Block 10, Lots 3-34, Blocks 11, 12 and 13, Bunny Trail Estates, Phase Two from R-1 (Single-family Residential District) to R-2 (Single-family Residential District) with a Planned Unit Development (P.U.D.) for single family use with reduced required rear yards and increased required side yards. The properties are bounded by Jack Barnes Avenue (north), Great Divide Road (east), Newcastle Drive (west) and Anvil Range Road (south), Killeen, Texas.

HOLD a public hearing and consider a request by DCM&M Automotive Group, L.P. (Case #215-34) to rezone an approximate 0.0574 acre area out of Lot 1, Block 1, Malibu Tower Addition, from M-1 (Manufacturing District) to M-2 (Manufacturing District) with a Conditional Use Permit (CUP) for a 86' tall communication monopole structure. The property is located along the south right-of-way of Bacon Ranch Road, west of E. Stan Schuster Loop (FM 3470) and is locally known as 380 Bacon Ranch Road, Killeen, Texas.

HOLD a public hearing and consider a request by the Killeen Independent School District (Case #215-35) to rezone approximately 32.756 acres out of the Eugen LaSere Survey, Abstract No. 627, from A-1 (Agricultural District) to R-1 (Single-Family Residential District) for use as a public middle school. The property is located north of Wilsey Drive, on the east side of Bunny Trail, Killeen, Texas.

**WITNESS MY HAND
THIS 27th DAY OF
DECEMBER 2015**

Dianna Barker
City Secretary

By Tony McIlwain
City Planner

Legal notice published
in the Killeen Daily
Herald December 2
2015

KILLEEN DAILY HERALD

Serving The Growing Central Texas Area

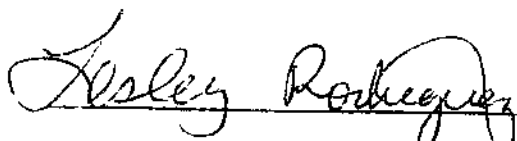
PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS

COUNTY OF BELL


Personally appeared before the undersigned authority

Lesley Rodriguez who being sworn says that the attached ad for: City of Killeen published in the Killeen Daily Herald on the following dates to-wit: December 27, 2015 at a cost of \$349.80

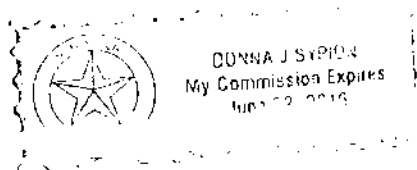


Advertising Representative

Subscribed and sworn before me on February 23, 2016.



Notary Public, Bell, Texas



P.O. Box 1300

1809 Florence Rd.

Killeen, TX 76540

(254) 634-2125



CITY OF KILLEEN

P.O. Box 1329
Killeen, Texas 76540-1329
Planning and Development Services Department

RECEIVED
PLANNING

Z15-33/098
BROCK, LONNIE A II
PO BOX 690835
KILLEEN TX 76549-0014

NIXIE 787 75 1 6001/19/16
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

5CI 76540132929 *2510-12669-11-43
765401329



CITY OF KILLEEN

P.O. Box 1329
Killeen, Texas 76540-1329
Planning and Development Services Department

Underfed
Resident Address
Address Unknown
40 Ston Street
No Such Office in State
Do Not Forward to This Facility

RECEIVED
PLANNING

Z15-33/089
BLOW, CANDACE

NINE 937 02 1 0001/11/18
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

5CI 76540132929 *2472-07017-14-38
76



CITY OF KILLEEN

PLANNING AND DEVELOPMENT SERVICES

January 13, 2016

RSBP Developers, Inc
2901 E. Stan Schlueter Loop
Killeen TX 76542

RE: Zoning Case #Z15-33: R-1 to R-1 w/a PUD Overlay

Dear Property Owner:

On Tuesday, January 12, 2016, the City Council of the City of Killeen granted your request for rezoning, from R-1 (Single-family Residential District) to R-1 (Single-family Residential District) with a Planned Unit Development (PUD) overlay for Lots 1-2, Blocks 10 through 13, Bunny Trail Estates Phase One and Lots 3-19, Block 10 and Lots 3-34, Blocks 11 through 13, Bunny Trail Estates Phase Two. The zoning was approved with the following conditions:

- Side yards shall be a minimum width of nine (9) feet exclusive of those side yards located adjacent to public rights-of-way, which shall remain at fifteen (15) feet as illustrated on the attached PUD site concept plan;
- Rear yard shall have a depth of not less than seventeen (17) feet from current standard of twenty-five (25) feet as illustrated on the attached PUD site concept plan;
- There shall be a minimum of 3-sides masonry on the front and side exteriors of all housing units;
- Each lot shall be fully sodded.

Please feel free to contact our office if you should have any questions.

Sincerely,

Vicki Wanken
Planning Assistant

Enclosure
Ord. #16-005

Cc: Killeen Engineering & Surveying

2901 E. Stan Schlueter Loop
Killeen TX 76542

City of Killeen Planning and Development Services
3000 West 11th Street, Suite 100
Killeen, TX 76542
Phone: 254-241-2000
Fax: 254-241-2001
www.killeen-tx.gov

ORDINANCE 16-005

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO R-1 WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, RSBP Developers, Inc. has presented to the City of Killeen a request for amendment of the Zoning Ordinance of the City of Killeen by changing the classification of the hereinafter described property from R-1 (Single-family Residential District) to R-1 (Single-family Residential District) with a Planned Unit Development (PUD) overlay for Lots 1-2, Blocks 10 through 13, Bunny Trail Estates Phase One and Lots 3-19, Block 10 and Lots 3-34, Blocks 11 through 13, Bunny Trail Estates Phase Two, said request having been duly presented and recommended for approval to by the Planning and Zoning Commission of the City of Killeen on the 21st day of December 2015 with the following conditions:

- Side yards shall be a minimum width of nine (9) feet (, exclusive of those side yards located adjacent to public rights-of-way, which shall remain at fifteen (15) feet.
- Rear yards shall have a depth of not less than seventeen (17) feet (as illustrated on the attached PUD site concept plan) from the current standard of twenty-five (25) feet.
- There shall be a minimum of 3-sides masonry (for the front and side exteriors) of all housing units.
- Each lot shall be fully sodded;

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 12th day of January 2016, 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 request should be approved;

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

Section I. That the zoning classification of the following described tract be changed from R-1 (Single-family Residential District) to R-1 (Single-family Residential District) with a Planned Unit Development (PUD) overlay, with the standards as stipulated by the Planning and Zoning Commission, for Lots 1-2, Blocks 10 through 13, Bunny Trail Estates Phase One and Lots 3-19, Block 10 and Lots 3-34, Blocks 11 through 13, Bunny Trail Estates Phase Two, 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 12th day of January 2016, 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:


Scott Cosper, MAYOR



ATTEST:


Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM

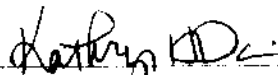
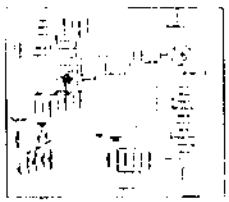
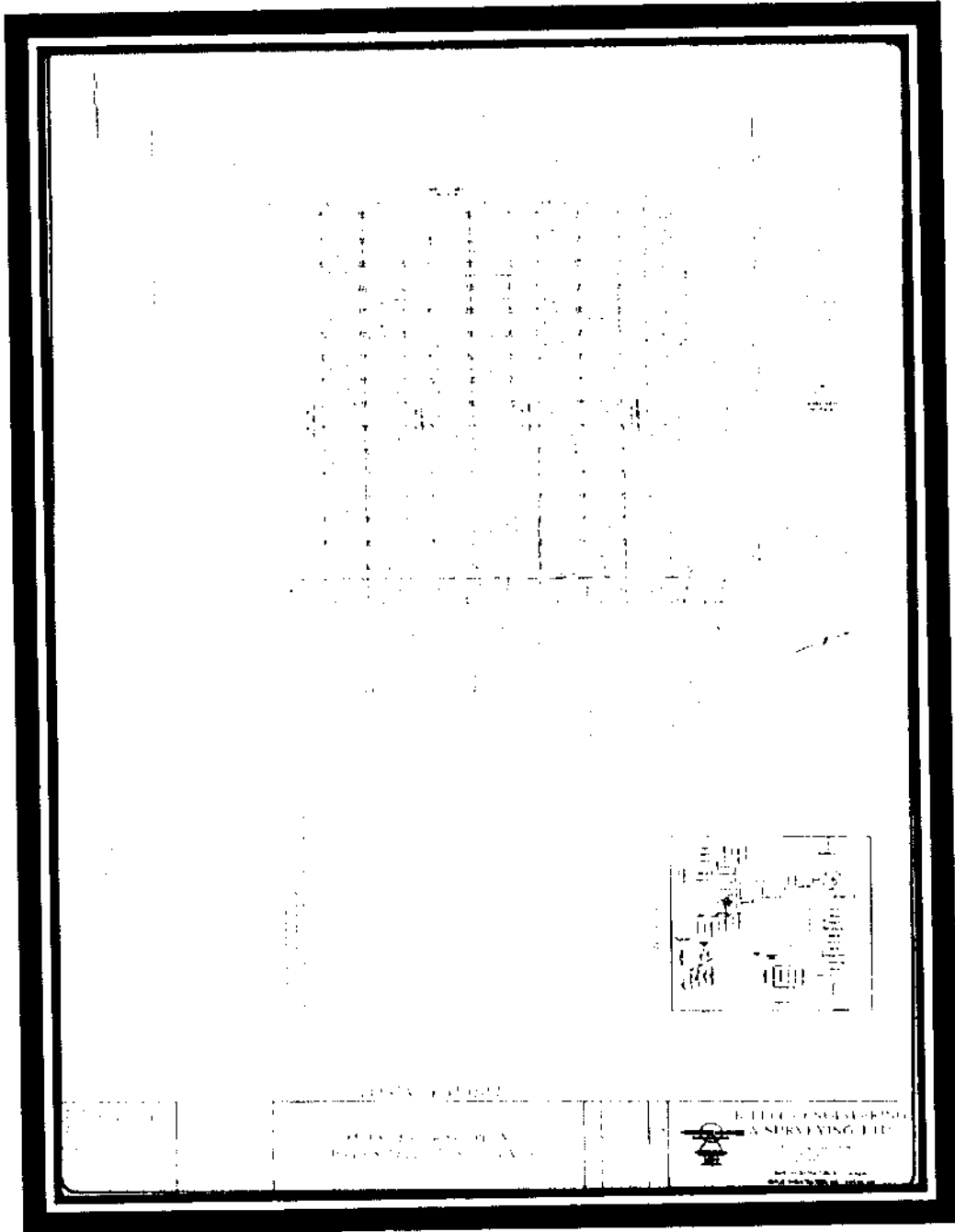
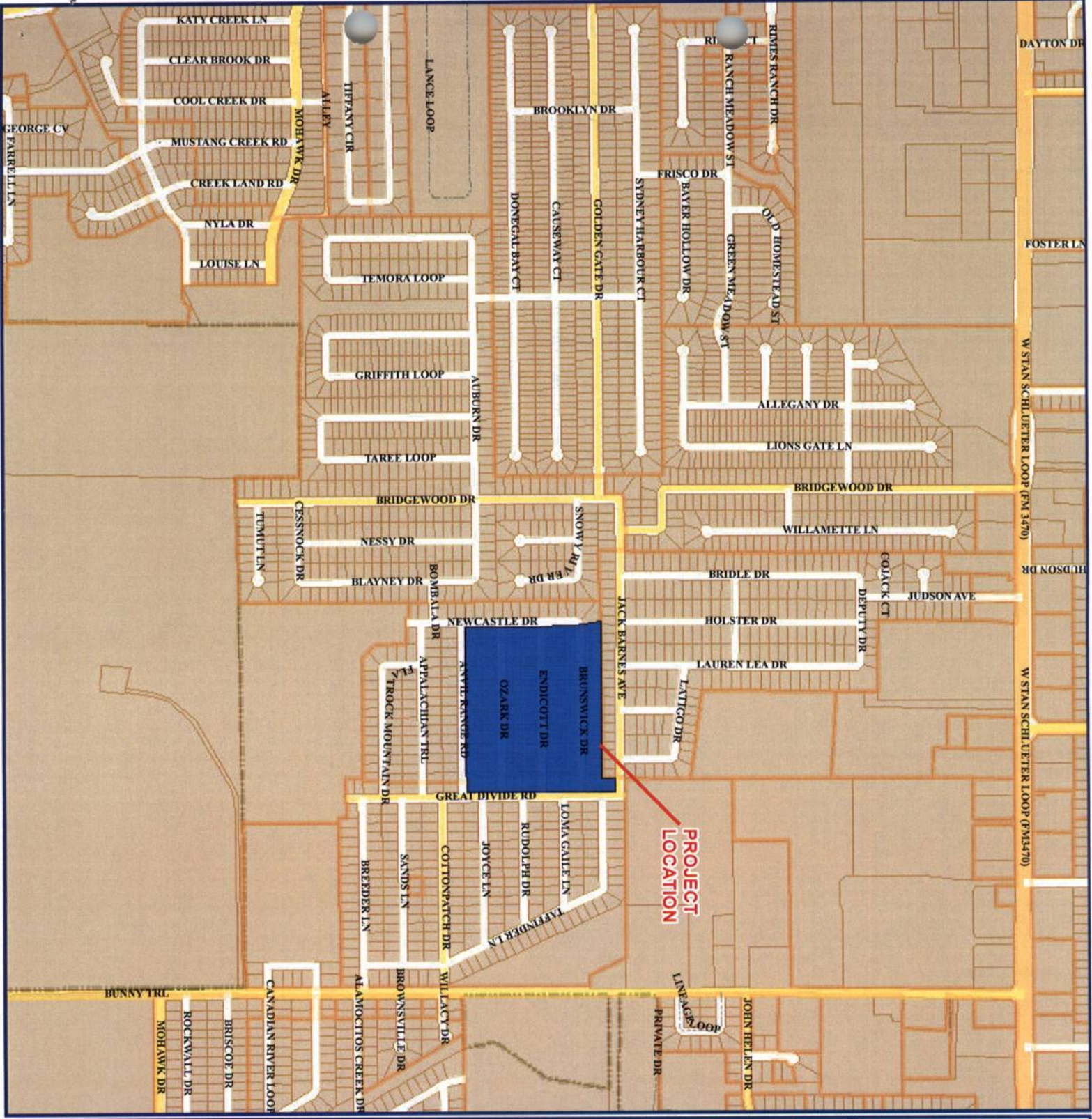

Kathryn H. Davis, City Attorney
Case #15-33
Ord. #

Fig. 1: PUD Site Concept Plan



JOHN J. ...
 ...
 ...

J. J. ...
 & SURVEYING, LTD.
 ...
 ...



**PLANNING AND
DEVELOPMENT SERVICES**

ZONING CASE:
Z15-33

ZONING FROM:
R-1 To PUD

APPLICANT:
RSBP DEVELOPERS INC.

PROPERTY OWNER:
RSBP DEVELOPERS INC.

LEGAL DESCRIPTION:
BUNNY TRAIL ESTATES PH II -
BLK 11,12,13 LOT 3-34
BLK 10 LOT 1,2
BUNNY TRAIL ESTATES PH I -
BLK 10,11,12,13 LOT 1,2

- LEGEND**
-  Zoning Case
 -  Parcel
 -  City Limits



Date: 11/23/2015



PLANNING AND DEVELOPMENT SERVICES

ZONING CASE:
Z15-33

ZONING FROM:
R-1 To PUD

APPLICANT:
RSBP DEVELOPERS INC.

PROPERTY OWNER:
RSBP DEVELOPERS INC.

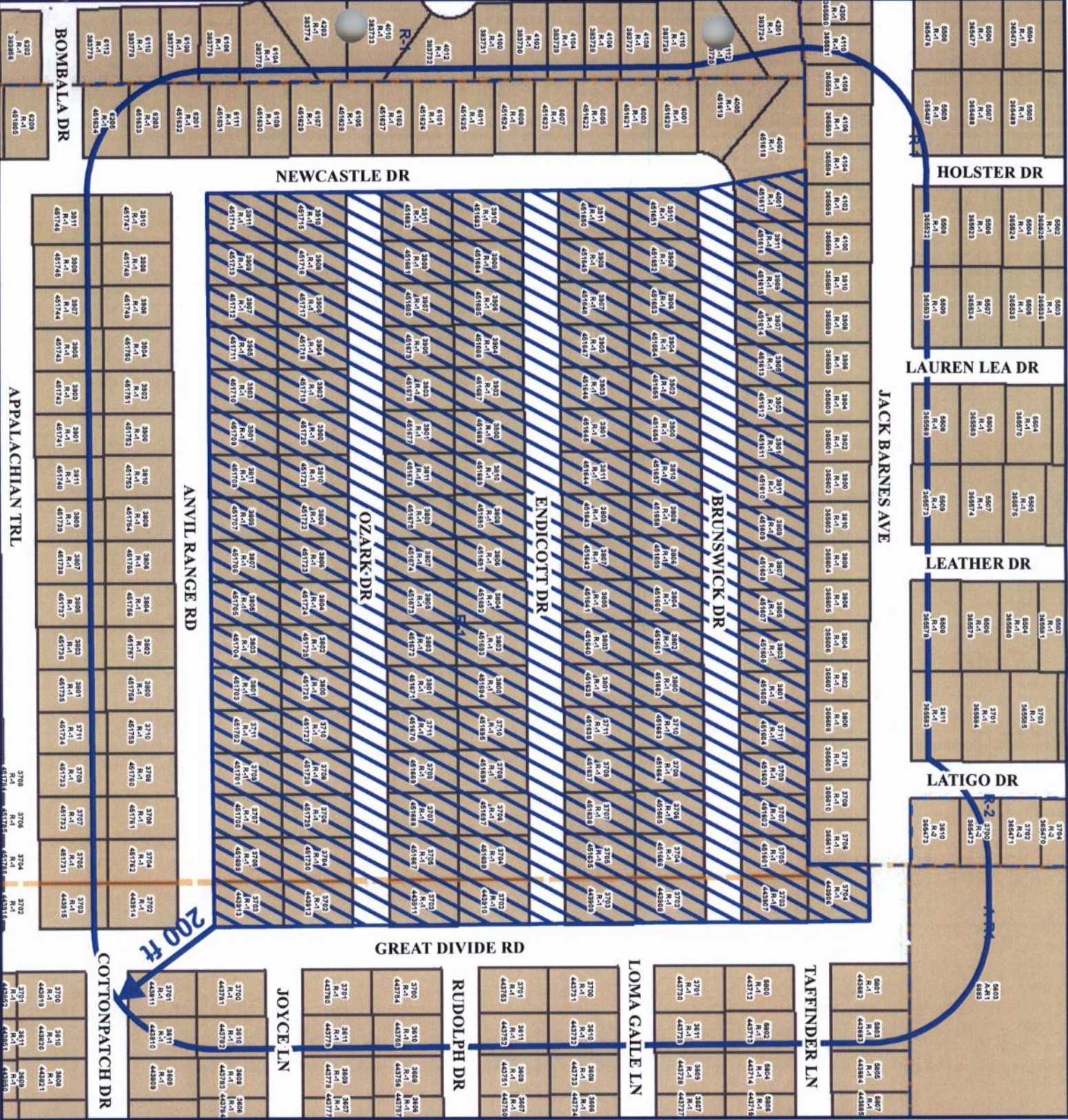
LEGAL DESCRIPTION:

BUNNY TRAIL ESTATES PH II -
BLK 11,12,13 LOT 3-34
BLK 10 LOT 1,2
BUNNY TRAIL ESTATES PH I -
BLK 10,11,12,13 LOT 1,2

- LEGEND**
- 200' Buffer
 - Zoning Case
 - Current Zoning
 - Subdivision
 - Parcel
 - City Limits



Date: 11/23/2015



4200 R-1 4200	4100 R-1 4100	4000 R-1 4000	3900 R-1 3900	3800 R-1 3800	3700 R-1 3700	3600 R-1 3600	3500 R-1 3500	3400 R-1 3400	3300 R-1 3300	3200 R-1 3200	3100 R-1 3100	3000 R-1 3000	2900 R-1 2900	2800 R-1 2800	2700 R-1 2700	2600 R-1 2600	2500 R-1 2500	2400 R-1 2400	2300 R-1 2300	2200 R-1 2200	2100 R-1 2100	2000 R-1 2000	1900 R-1 1900	1800 R-1 1800	1700 R-1 1700	1600 R-1 1600	1500 R-1 1500	1400 R-1 1400	1300 R-1 1300	1200 R-1 1200	1100 R-1 1100	1000 R-1 1000	900 R-1 900	800 R-1 800	700 R-1 700	600 R-1 600	500 R-1 500	400 R-1 400	300 R-1 300	200 R-1 200	100 R-1 100
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ACCOUNTS BY \$894,529; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

Staff comments: Jonathan Locke

The salary and benefits cost for the thirty-seven (37) Fire Rescue Officers from May 2, 2016 - September 30, 2016, is \$894,529. Accordingly, a budget amendment is needed to increase General Fund revenue and expenditure accounts for the grant. Staff recommends that City Council approve the ordinance amending the FY 2016 City of Killeen General Fund budget.

Mayor Cospo opened the public hearing. With no one appearing the public hearing was closed.

Motion was made by Councilmember Rivera to approve PH-16-001. Motion was seconded by Councilmember Blackstone. Motion carried unanimously.

PH-16-002 HOLD a public hearing and consider an ordinance requested by Killeen Engineering & Surveying, Ltd. on behalf of RSBP Developers (Case #Z.15-33) to rezone Lots 1-2, Blocks 10 through 13 Bunny Trail Estates, Phase One and Lots 3-19, Block 10 and Lots 3-34, Blocks 11 through 13, Bunny Trail Estates, Phase Two, from "R-1" (Single-family Residential District) to "R-1" (Single-family Residential District) with a Planned Unit Development (PUD) overlay. The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO R-1 WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Charlotte Hitchman

The zoning request is consistent with the FLUM of the Comprehensive Plan.

The staff notified 93 (ninety three) surrounding property owners regarding this request. No responses have been received.

The Planning & Zoning Commission recommended approval of the applicant's request with the following standards:

- Side yards shall be a minimum width of nine (9) feet (as illustrated on the PUD zoning concept plan), exclusive of those side yards located adjacent to public rights-of-way, which shall remain at fifteen (15) feet.
- Rear yards shall have a depth of not less than seventeen (17) feet (as illustrated on the PUD zoning concept plan) from the current standard of twenty-five (25) feet.
- There shall be a minimum of 3-sides masonry (for the front and side exteriors) of all housing units.
- Each lot shall have a fully sodded yard.

Mayor Cospo opened the public hearing. With no one appearing the public hearing was closed.

- PH-16-001 HOLD a public hearing and consider an ordinance amending the FY 2016 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing General Fund revenues by \$894,529 and various General Fund operating expenditure accounts by \$894,529.

Attachments: Council Memorandum

Ordinance

Amendment Package

- PH-16-002 HOLD a public hearing and consider an ordinance requested by Killeen Engineering & Surveying, Ltd. on behalf of RSBP Developers (Case #Z15-33) to rezone Lots 1-2, Blocks 10 through 13 Bunny Trail Estates, Phase One and Lots 3-19, Block 10 and Lots 3-34, Blocks 11 through 13, Bunny Trail Estates, Phase Two, from "R-1" (Single-family Residential District) to "R-1" (Single-family Residential District) with a Planned Unit Development (PUD) overlay. The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas.

Attachments: Council Memorandum

Attachment to Council Memorandum

Ordinance

Minutes

Application

Location Map

Buffer Map

Considerations

PUD Exhibit

- PH-16-003 HOLD a public hearing and consider an ordinance requested by Vincent Gerard & Associates Inc. on behalf of DCM&M Automotive Group, L.P. (Case #Z15-34) to rezone a .0574 acre (50 x 50 foot) area out of Lot 1, Block 1 Malibu Tower Addition, from "M-1" (Manufacturing District) to "M-1" (Manufacturing District) with a Conditional Use Permit (CUP) for a 85' tall monopole communication structure. The property is located south of Bacon Ranch Road west of E. Stan Schlueter Loop (FM 3470) and is locally known as 3800 Bacon Ranch Road in Killeen, Texas. (Requires a 3/4 majority vote for approval.)

CITY COUNCIL MEMORANDUM FOR ORDINANCE

AGENDA ITEM

ZONING CASE #Z15-33 "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY.

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Killeen Engineering & Surveying, Ltd. submits this request on behalf of RSBP Developers to rezone Lots 1-2, Blocks 10 through 13 Bunny Trail Estates, Phase One and Lots 3-19, Block 10 and Lots 3-34, Blocks 11 through 13, Bunny Trail Estates, Phase Two, from "R-1" (Single-Family Residential District) to "R-1" (Single-Family Residential District) uses with a Planned Unit Development (PUD) overlay. The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas. The purpose of the PUD overlay is to reduce the required rear yard from 25 feet to 17 feet, while increasing the required side yard from 7 feet to 9 feet.

District Descriptions:

A building or premises in a "R-1" Single-Family Residential District shall be used only for the following purposes:

- (1) One-family 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 high school.
- (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...

(14) A subdivision entry sign, when such sign is located on a lot that abuts a subdivision boundary and fronts on a street entering the subdivision. Such sign:

- a. Shall not have a sign face which exceeds a total of twenty-four (24) square feet; and
- b. Shall not exceed six (6) feet in height; and
- c. Shall not be located in a side or rear yard which is adjacent to any other lot designated for residential use; and
- d. Shall advertise only the name of the subdivision.

(15) Cemetery.

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 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. However, the added PUD overlay classification enables the developer of the site to request that specific land use development regulations be applied to his development site. Such specific land use and development regulations shall not take effect until they are reviewed, public hearings held and approved by both the Planning and Zoning Commission and the City Council. The PUD classification is an overlay designation to provide the flexibility to permit development projects which may include multiple land uses.

This classification serves the following purposes:

- (a) Establish a procedure for the development of a parcel of land under unified control to reduce or eliminate the inflexibility that might otherwise result from strict application of land use standards and procedures designed primarily for individual lots;
- (b) Ensure structured review and approval procedures are applied to unique development projects that intended to take advantage of common open space and promote pedestrian circulation;
- (c) Allow developers greater freedom to be innovative in selecting the means to provide access, light, open space and amenities; and
- (d) Provide flexibility from the strict application of existing development regulations and land use standards and allow developers the opportunity to take advantage of special site characteristics and location.

The regulatory provisions of this classification are intended to achieve the above purposes while maintaining the spirit of the current City of Killeen Development Regulations, as amended. As such, these provisions represent the governing body's minimum quality of life standard and no variance or exception shall be granted thereto.

Property Specifics

Applicant/Property Owner: RSBP Developers, Inc.

Property Location: The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas.

Legal Description: Lots 3-34, Blocks 11 through 13 and Lots 3-19, Block 10, Bunny Trail Estates, Phase Two; Lots 1-2, Blocks 10 through 13 Bunny Trail Estates, Phase One.

Zoning/ Plat Case History:

The property was rezoned from "A" (Agricultural District) to "R-1" (Single-family Residential District) on November 11, 2011 per Ordinance No. 11-098.

The subject property is platted as Bunny Trail Estates, Phase One, which was filed for record on January 23, 2012 in Cabinet D, Slide 384-A/B, Plat Records, Bell County, Texas and Bunny Trail Estates, Phase Two, which was filed for record on February 8, 2013 in Cabinet D, Slide 384-A, Plat Records, Bell County, Texas.

Character of the Area

Existing Land Use(s) on the Property: The project area is currently under development with a mixture of single-family residential uses. Bridgewood Addition and Brighton Place are two existing subdivisions around this development.

Figure 1. Zoning Map

See Attachment

Historic Properties: None

Infrastructure and Community Facilities

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 readily available to the above subject property proposed to be rezoned within the City of Killeen municipal utility service area. The property lies entirely within previously platted subdivisions - Bunny Trail Estates, Phases One and Two. In accordance with the City of Killeen Code of Ordinances, the developer is required to extend public utilities to the property in accordance with the plan of service validated with the approved plat cases. All supporting public utilities and public streets have been accepted and dedicated to the City for maintenance. 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.

Transportation:

Existing conditions: This project area has been platted with adequate ingress/egress according to the Code of Ordinances. Brunswick Drive, Endicott Drive, Ozark Drive and Anvil Range Road are all 60' local streets that abut the subject property.

Proposed Improvements: None.

Projected Traffic Generation: Moderate upon build out.

Environmental Assessment

Topography: This property is relatively flat.

Regulated Floodplain/Floodway/Creek: This property is located in a Zone X Special Flood Hazard Area. There are no known wetlands on this parcel.

Land Use Analysis

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

Plan Recommendation: The 'General Residential' character encourages detached residential dwellings as the primary focus, attached housing types subject to compatibility and open space standards (e.g. duplexes), planned developments with a mix of housing types subject to compatibility and open space standards, public/institutional, parks, and other public spaces.

The characteristics of this designation include:

Predominantly "R-1" zoning district with less openness and separation between dwellings compared to Suburban Residential areas.

Auto-oriented character that can be offset with architectural standards, landscaping, and limited uniform subdivision designs.

Neighborhood-scale commercial emerging over time for well-suited areas.

Consistency: The zoning request is consistent with the FLUM of the Comprehensive Plan.

Public Notification

The staff notified 93 (ninety three) surrounding property owners regarding this request. No responses have been received.

Recommendation

The Planning & Zoning Commission recommended approval (by a vote of 6 to 0) of the applicant's request with the following standards:

Side yards shall be a minimum width of nine (9) feet (as illustrated on the PUD zoning concept plan), exclusive of those side yards located adjacent to public rights-of-way, which shall remain at fifteen (15) feet.

Rear yards shall have a depth of not less than seventeen (17) feet (as illustrated on the PUD zoning concept plan) from the current standard of twenty-five (25) feet.

There shall be a minimum of 3-sides masonry (for the front and side exteriors) of all housing units.

Each lot shall have a fully sodded yard.

**PLANNING AND ZONING COMMISSION MEETING
DECEMBER 21, 2015**

**CASE # Z15-33
R-1 TO R-1 w/PUD**

HOLD a public hearing and consider a request by RSBP Developers, Inc. to rezone Lots 1-2, Blocks 10, 11, 12 and 13, Bunny Trail Estates, Phase One and Lots 3-19, Block 10, Lots 3-34, Blocks 11, 12 and 13, Bunny Trail Estates, Phase Two, from R-1 (Single-family Residential District) to R-1 with a Planned Unit Development (P.U.D.) for single family use with reduced required rear yards and increased required side yards. The properties are bounded by Jack Barnes Avenue (north), Great Divide Road (east), Newcastle Drive (west) and Anvil road Range (south), Killeen, Texas.

Chairman Frederick requested staff comments.

Senior Planner Charlotte Hitchman stated Killeen Engineering & Surveying, Ltd. submits this request on behalf of RSBP Developers to rezone the lots to Planned Unit Development (PUD) with "R-1" (Single-Family Residential District). The purpose of the PUD overlay is to reduce the required rear yard from 25 feet to 17 feet, while increasing the required side yard from 7 feet to 9 feet. The property was rezoned from "A" (Agricultural District) to "R-1" (Single-family Residential District) on November 11, 2011 per Ordinance No. 11-098.

Staff notified 93 (ninety three) surrounding property owners within the 200 foot notification boundary and no responses have been received.

Staff recommends approval of "R-1" (Single-Family Residential District) zoning with a PUD overlay with the following standards:

- Side yards shall be a minimum width of nine (9) feet exclusive of those side yards located adjacent to public rights-of-way, which shall remain at fifteen (15) feet as illustrated on the attached PUD zoning exhibit.
- Rear yard shall have a depth of not less than seventeen (17) feet from current standard of twenty-five (25) feet.
- There shall be a minimum of 3-side masonry on the front and side exteriors of all housing units.
- Each lot shall have a fully sodded yard.

Ms. Hitchman noted that staff is of the determination that this project is a unique in-fill development opportunity, and the requested deviation is more than mitigated by the requested increase in lot width, overall lot size, and additional conditions required.

Mr. Charles Gamble, 609 Sunny Brook Drive, Leander, Texas, was present to represent this request.

Chairman Frederick opened the public hearing.

Mr. Gary Purser Jr., 6503 Wells Fargo, Killeen, Texas, was present to support this request. With no one else requesting to speak, the public hearing was closed.

Commissioner Alvarez motioned to recommend approval of the "PUD" zoning with the conditions for Case #Z15-33. Commissioner Cooper seconded the motion. The motioned was approved by a vote of 6 to 0.

Chairman Frederick stated that his will be forwarded to City Council with a recommendation to approve.



CITY OF KILLEEN

P.O. Box 1329
Killeen, Texas 76540-1329
Planning and Development Services Department

EX 267
11 DEC 15
PM 41



RECEIVED

DEC 15 2015

PLANNING

215-33/049
PARKER, AMBER R
3708 ANVIL RANGE RD
HARKER HEIGHTS TX 76548-0170

RECEIVED

DEC 22

Name: _____

NIXIE

787 3E L

0012/AR/15

RETURN TO SENDER
NO SUCH OFFICE
UNABLE TO FORWARD

BC: 76540132929 *2710-06359-11-14
76548017048



CITY OF KILLEEN

P.O. Box 1329
Killeen, Texas 76540-1329
Planning and Development Services Department

Name: _____

RECEIVED
DEC 22 2015



RECEIVED

PLANNING

215-33/102

DAVILA, RENEE M

NIXIE

787 7E 1

0012/21/15

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ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 76540132929 *2510-06907-11-13
76548017048



CITY OF KILLEEN

P.O. Box 1329
Killeen, Texas 76540-1329
Planning and Development Services Department

RECEIVED
DEC 22 2015



RECEIVED
DEC 21 2015

PLANNING

Z15-33/107
GIBSON, ERIC BERNARD
4102 SNOWY RIVER DR
KILLEEN TX 76549-5070

Name: _____

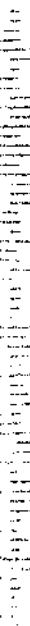
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UNABLE TO FORWARD

BC: 76540132929

*2510-12479-11-43



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76540132929

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TX 787

11 DEC '15



CITY OF KILLEEN

P.O. Box 1329
Killeen, Texas 76540-1329
Planning and Development Services Department

Z15-33/003
CLINE, TOMMY LEE ETUX DEANNA
3743 BURGE CIR
SAN ANTONIO TX 78234-1537

Name: _____

RECEIVED

DEC 21 2015

RECEIVED
DEC 21 2015
PLANNING

NIXIE

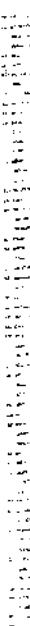
782 3F 1

0012/21/15

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 76540132929

*2510-05440-12-43



76540132929



CITY OF KILLEEN

P.O. Box 1329
Killen, Texas 76540-1329
Planning and Development Services Department

RECEIVED

DEC 28 2015

PLANNING

RECEIVED

DEC 28 2015

Name: *David & Mrs address* 12-23-15

Z15-33/099

HOOD, CHARMAINE R ET/IR GEORGE
4108 JACK RABBIT AVENUE

ADDRESS

787 55 2

0912/20/15

RETURN TO SENDER
ATTACHED - NOT KNOWN
UNABLE TO FORWARD

BC: 76540132929 2510-10331-11-43
0912/20/15

765401329



CITY OF KILLEEN

P.O. Box 1329
Killen, Texas 76540-1329
Planning and Development Services Department

RECEIVED

DEC 28 2015

PLANNING

RECEIVED

DEC 28 2015

Z15-33/101

NAME COSME DAVID ET/IR MAROLIN 0912/20/15

RETURN TO SENDER
UNABLE TO FORWARD

BC: 76540132929 2510-04265-11-43
0912/20/15

765401329



TO: PLANNING AND ZONING COMMISSION
FROM: CHARLOTTE HITCHMAN, SENIOR PLANNER
DATE: DECEMBER 14, 2015

REZONING CASE: #Z15-33 "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) USES.

Nature of the Request

Killeen Engineering & Surveying, Ltd. submits this request on behalf of RSBP Developers to rezone Lots 3-34, Blocks 11, 12, and 13, and Lots 3-19, Block 10, Bunny Trail Estates, Phase Two and Lots 1-2, Blocks 10, 11, 12, & 13 Bunny Trail Estates, Phase One from "R-1" (Single-Family Residential District) to Planned Unit Development (PUD) with "R-1" (Single-Family Residential District) uses. The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas. The purpose of the PUD overlay is to reduce the required rear yard from 25 feet to 17 feet, while increasing the required side yard from 7 feet to 9 feet.

District Descriptions:

A building or premises in a "R-1" Single-Family Residential District shall be used only for the following purposes:

- (1) One-family 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 high school.

(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...

(14) A subdivision entry sign, when such sign is located on a lot that abuts a subdivision boundary and fronts on a street entering the subdivision. Such sign:

a. Shall not have a sign face which exceeds a total of twenty-four (24) square feet; and

b. Shall not exceed six (6) feet in height; and

c. Shall not be located in a side or rear yard which is adjacent to any other lot designated for residential use; and

d. Shall advertise only the name of the subdivision.

(15) Cemetery.

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 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. However, the added PUD overlay classification enables the developer of the site to request that specific land use development regulations be applied to his development site. Such specific land use and development regulations shall not take effect until they are reviewed, public hearings held and approved by both the Planning and Zoning Commission and the City Council. The PUD classification is an overlay designation to provide the flexibility to permit development projects which may include multiple land uses. This classification serves the following purposes:

(a) Establish a procedure for the development of a parcel of land under unified control to reduce or eliminate the inflexibility that might otherwise result from strict application of land use standards and procedures designed primarily for individual lots;

(b) Ensure structured review and approval procedures are applied to unique development projects that intended to take advantage of common open space and promote pedestrian circulation;

(c) Allow developers greater freedom to be innovative in selecting the means to provide access, light, open space and amenities; and

(d) Provide flexibility from the strict application of existing development regulations and land use standards and allow developers the opportunity to take advantage of special site characteristics and location.

The regulatory provisions of this classification are intended to achieve the above purposes while maintaining the spirit of the current City of Killeen Development Regulations, as amended. As

such, these provisions represent the governing body's minimum quality of life standard and no variance or exception shall be granted thereto.

Property Specifics

Applicant/Property Owner: RSBP Developers, Inc.

Property Location: The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas.

Legal Description: Blocks 11, 12, and 13, Lots 3-34, Lots 3-19, Block 10, Bunny Trail Estates, Phase Two and Lots 1-2, Blocks 10, 11, 12, & 13 Bunny Trail Estates, Phase One.

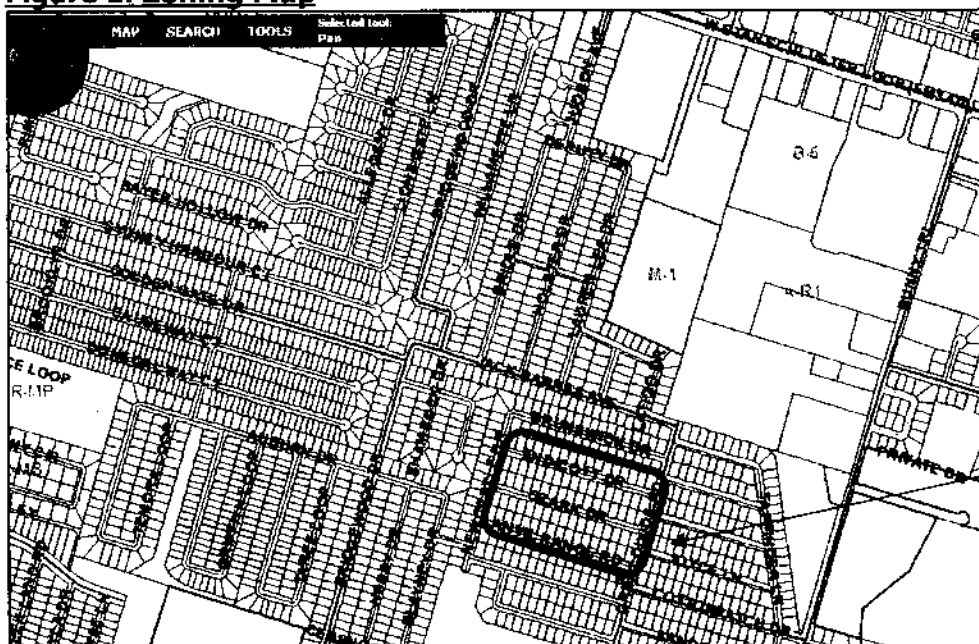
Zoning/ Plat Case History:

- The property was rezoned from "A" (Agricultural District) to "R-1" (Single-family Residential District) on November 11, 2011 per Ordinance No. 11-098.
- The subject property is platted as Bunny Trail Estates, Phase One, which was filed for record on January 23, 2012 in Cabinet D, Slide 384-A/B, Plat Records, Bell County, Texas and Bunny Trail Estates, Phase Two which was filed for record on February 8, 2013 in Cabinet D, Slide 384-A, Plat Records, Bell County, Texas.

Character of the Area:

Existing Land Use(s) on the Property: The project area is currently under development with a mixture of single-family residential uses. Bridgewood Addition and Brighton Place are two existing subdivisions that about this development.

Figure 1. Zoning Map



Historic Properties: None

Infrastructure and Community Facilities

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: This memorandum is to advise that water, sanitary sewer, and drainage utility services are readily available to the above subject property proposed to be rezoned within the City of Killeen municipal utility service area. The property lies entirely within a previously platted subdivision – Bunny Trail Estates, Phase Two. In accordance with the City of Killeen Code of Ordinances, the developer is required to extend public utilities to the property in accordance with the plan of service validated with the approved plat cases. All supporting public utilities and public streets have been accepted and dedicated to the City for maintenance. 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.

Transportation:

Existing conditions: This project area has been platted with adequate ingress/egress according to the Killeen Texas Code of Ordinances. Brunswick Drive, Endicott Drive, Ozark Drive and Anvil range Road are all 60' local streets that abut the subject property.

Proposed Improvements: No proposed improvements in response to this zoning request.

Projected Traffic Generation: Moderate upon build out.

Environmental Assessment

Topography: The property ranges from 976 to 1032 feet above sea level.

Regulated Floodplain/Floodway/Creek: This parcel is not located within a FEMA regulatory Special Flood Hazard area (SFHA).

Land Use Analysis

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

Plan Recommendation: The 'General Residential' character encourages detached residential dwellings as the primary focus, attached housing types subject to compatibility and open space standards (e.g. duplexes), planned developments with a mix of housing types subject to compatibility and open space standards, public/institutional, parks, and other public spaces. The characteristics of this designation include:

- Predominantly "R-1" zoning district with less openness and separation between dwellings compared to Suburban Residential areas.
- Auto-oriented character that can be offset with architectural standards, landscaping, and limited uniform subdivision designs.
- Neighborhood-scale commercial emerging over time for well-suited areas.

Consistency: The zoning request is consistent with the intent of the Comprehensive Plan.

Public Notification

The staff notified 93 (ninety three) surrounding property owners regarding this request. No responses have been received.

Staff Recommendation

Staff recommends approval of "R-1" (Single-Family Residential District) zoning with a PUD overlay with the following standards:

- Side yards shall be a minimum width of nine (9) feet exclusive of those side yards located adjacent to public rights-of-way, which shall remain at fifteen (15) feet as illustrated on the attached PUD zoning exhibit.
- Rear yard shall have a depth of not less than seventeen (17) feet from current standard of twenty-five (25) feet.
- There shall be a minimum of 3-side masonry on the front and side exteriors of all housing units.
- Each lot shall have a fully sodded.

Staff is of the determination that this project is a unique in-fill development opportunity, and the requested deviation is more than mitigated by the requested increase in lot width, overall lot size, and additional conditions required.







CITY OF KILLEEN

P.O. Box 1329
Killeen, Texas 76540-1329
Planning and Development Services Department

RECEIVED

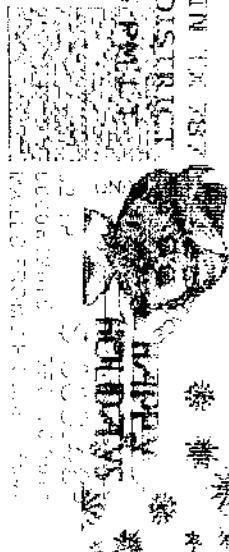
DEC 14 2015

PLANNING

RECEIVED

DEC 11 2015

AUSTIN TX 787
RIO GRANDE DISTRICT
11 DEC 2015 PM 1:11



215-33/087

ALDAZ, JUAN P ESTATE ETUX

KARINA LOPEZ

3808 JACK BARNES AVE

6241012/11/15

FORWARD TIME EXP. RETURN TO SENDER

ALDAZ

3808 JACK BARNES AVE

6241012 TX 76538-15308

RETURN TO SENDER

76540-1329



AGENDA
REGULAR MEETING
PLANNING AND ZONING COMMISSION
DECEMBER 21, 2015
UTILITY COLLECTIONS
210 W. AVENUE C
LARGE CONFERENCE ROOM

WORKSHOP –4:00 P.M. – Utility Collections Large Conference Room

- I. Discuss agenda items for the **December 21, 2015**, regular Planning and Zoning Commission meeting.

CALL TO ORDER – 5:00 P.M. – Utility Collections Large Conference Room

ROLL CALL

COMMISSION	STAFF
___ Johnny Frederick, Chairman	___ Dr. Ray Shanaa, AICP, Executive Director of
___ Tad Dorroh, Vice Chair	Planning and Development Services
___ Ramon Alvarez	___ Tony D. McIlwain, AICP, CFM, City Planner
___ Peter J. Beronio	___ Charlotte Hitchman, Senior Planner
___ Anthony Cooper	___ Holli Clements, Esq., Deputy City Attorney
___ Michael DeHart	___ John Nett, P.E., CFM, City Engineer
___ Alvin Dillard, Ph.D.	___ Kristina Ramirez, P.E., CFM, Director of
___ Kathy Harkin	Environmental Services
___ Gregory Johnson	___ Vicki Wanken, Planning Assistant

APPROVAL OF AGENDA

Consider approval of the agenda for the regular meeting of the Planning and Zoning Commission for **December 21, 2015**.

CONSENT AGENDA

- CA-1** Consider minutes of the regular Planning and Zoning Commission Meeting of **December 7, 2015**.

PUBLIC HEARING

- PH-1 HOLD** a public hearing and consider a request by RSBP Developers, Inc. (**Case #Z15-33**) to rezone Lots 1-2, Blocks 10, 11, 12 and 13, Bunny Trail Estates, Phase One and Lots 3-19, Block 10, Lots 3-34, Blocks 11, 12 and 13, Bunny Trail Estates, Phase Two, from R-1 (Single-family Residential District) to R-1 with a Planned Unit Development (P.U.D.) for single family use with reduced required rear yards and increased required side yards. The

properties are bounded by Jack Barnes Avenue (north), Great Divide Road (east), Newcastle Drive (west) and Anvil road Range (south), Killeen, Texas.

PH-2 HOLD a public hearing and consider a request by DCM&M Automotive Group, L.P. (**Case #Z15-34**) to rezone an approximate 0.0574 acre area out of Lot 1, Block 1, Malibu Tower Addition, from M-1 (Manufacturing District) to M-1 (Manufacturing District) with a Conditional Use Permit (CUP) for a 85' tall communication monopole structure. The property is located along the south right-of-way of Bacon Ranch Road, west of E. Stan Schlueter Loop (FM 3470) and is locally known as 3800 Bacon Ranch Road, Killeen, Texas.

PH-3 HOLD a public hearing and consider a request by the Killeen Independent School District (**Case #Z15-35**) to rezone approximately 32.756 acres, out of the Eugene LaSere Survey, Abstract No. 527, from 'A' (Agricultural District) to R-1 (Single-Family Residential District) for use as a public middle school. The property is located north of Willacy Drive, on the east side of Bunny Trail, Killeen, Texas.

COMMISSION AND STAFF ITEMS

- I. Attendance Chart.
- II. Discuss and consider adoption of the Planning and Zoning Commission Calendar for 2016.
- III. Discuss and consider revisions to the Planning and Zoning Commission's Rules and Procedures.

ADJOURNMENT

The next regularly scheduled meeting of the Planning and Zoning Commission is **January 4, 2016** at 5:00 p.m., in the Utility Collections Large Conference Room, 210 W. Avenue C, Killeen, Texas.

The public is hereby informed that notices for City of Killeen meetings will no longer distinguish between matters to be discussed in open or closed session of a meeting. This practice is in accordance with rulings by the Texas Attorney General that, under the Texas Open Meetings Act, the Planning and Zoning Commission may convene a closed session to discuss any matter listed on the agenda, without prior or further notice, if the matter is one that the Open Meetings Act allows to be discussed in a closed session.

AMERICANS WITH DISABILITIES ACT

This meeting is being conducted in accordance with the Texas Open Meetings Law [V.T.C.A., Government Code, § 551.001 et seq.]. This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for those services, please call 254-501-7630, Planning and Development Services Department, or TDD 1-800-734-2989.

I certify that the above notice of meeting was posted on the bulletin boards at City Hall, the Police Department and on the website of the City of Killeen, Texas, **on or before 4:00 p.m. on December 18, 2015.**

Vicki Wanken
Planning Assistant



CITY OF KILLEEN
PLANNING AND DEVELOPMENT SERVICES

December 9, 2015

RE: Case #Z15-33: HOLD a public hearing and consider a request to rezone Lots 3-19, Block 10, Blocks 11, 12, Lots 3-34 Block 13, Bunny Trail Estates, Phase Two and Lots 1-2, Block 12, Blocks 10, 11, 12, Bunny Trail Estates, Phase One from R-1 (Single-family Residential District) to PUD (Planned Unit Development) for single family residential use. The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas.

Dear Property Owner:

The Planning and Zoning Commission of the City of Killeen has scheduled a public hearing on your request for rezoning the property referenced above, on **December 21, 2015, 5:00 p.m.**, in the Large Conference Room, Utility Collections, 210 W. Avenue C, Killeen, Texas. The Large Conference Room is located at the northwest corner of the building.

As required under state law all property owners within two hundred (200) feet of this location have received written notification of this request. You or your authorized agent must attend this hearing to present any facts which you feel the Planning and Zoning Commission should consider in evaluating your request. In preparing your remarks you may want to address the factors identified on Enclosure "1".

If for any reason you or your authorized agent cannot attend this hearing, please call us at (254) 501-7630, so a new hearing date can be set.

Following this public hearing, the Planning and Zoning Commission will forward a recommendation on your request to the City Council for final action.

The City Council meeting to hear this request will be held on **January 12, 2016, 5:00 p.m.** in the Council Chambers, City Hall, 101 N. College Street, Killeen Texas.

Sincerely,

Vicki Wanken
Planning Assistant

Enclosure

Cc: Killeen Engineering and Surveying
2901 E. Stan Schlueter Loop
Killeen TX 76542



PLANNING AND DEVELOPMENT SERVICES

ZONING CASE:
Z15-33

ZONING FROM:
R-1 To PUD

APPLICANT:
RSBP DEVELOPERS INC.

PROPERTY OWNER:
RSBP DEVELOPERS INC.

LEGAL DESCRIPTION:

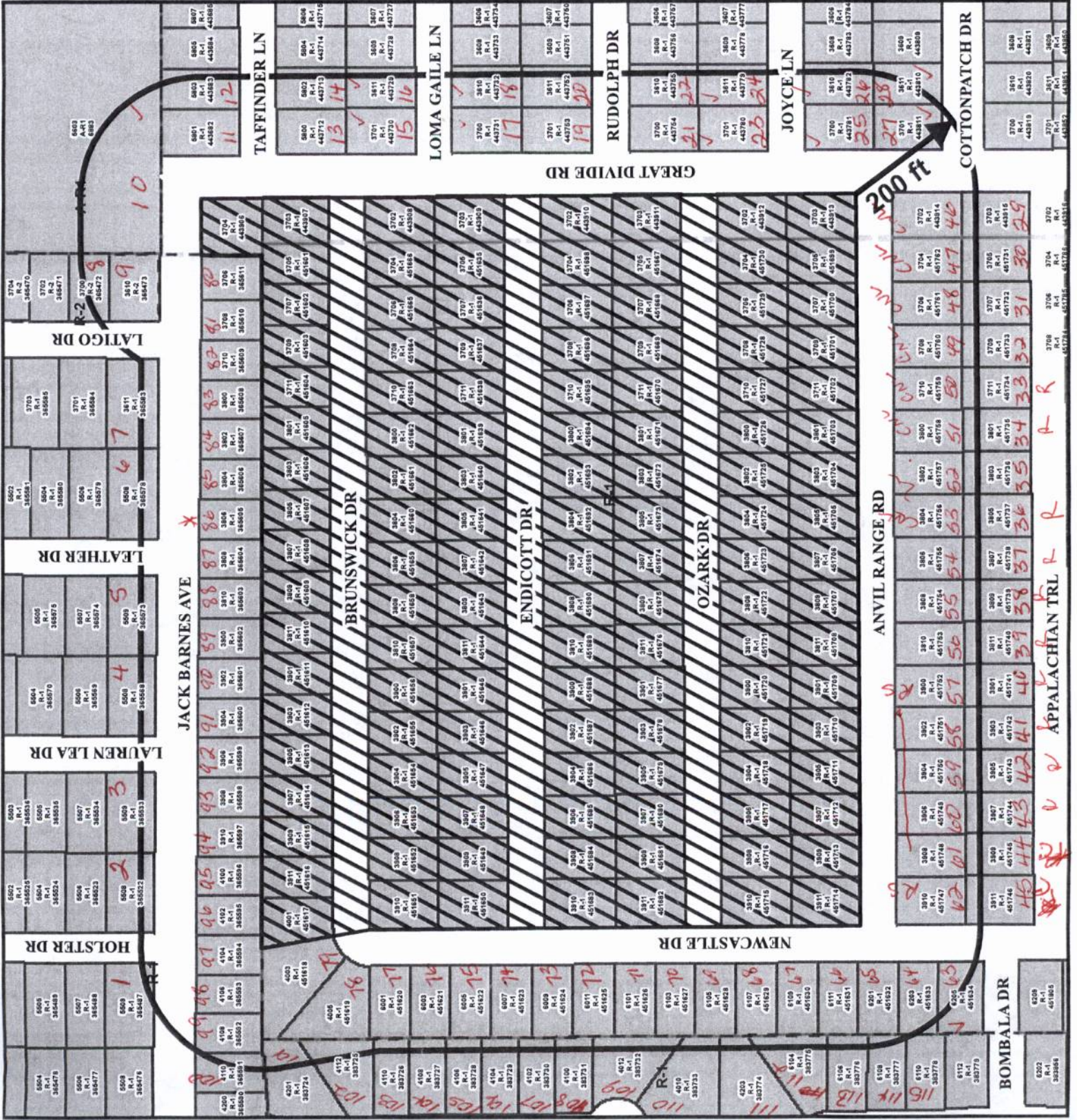
BUNNY TRAIL ESTATES PH II -
BLK 11,12,13 LOT 3-34
BLK 10 LOT 1,2
BUNNY TRAIL ESTATES PH I -
BLK 10,11,12,13 LOT 1,2

LEGEND

- 200' Buffer
- Zoning Case
- Current Zoning
- Subdivision
- Parcel
- City Limits



Date: 11/23/2015



Date: 11/23/2015

City of Killeen Planning & Development Services

3327

200 E. Avenue D., 2nd Floor
Killeen, TX 76541

P.O. Box 1389
Killeen, TX 76540

DATE 11-19 2015

RECEIVED FROM RSBP Developers

Three Hundred & no/100

DOLLARS \$ 300.00

- For: Zoning - BT2
 Plats
 Land Disturbance
 Copies/Maps
 A.O.B.

- CASH
 CHECK No 199
 MONEY ORDER

RECEIVED BY _____ Terri Lorenz