

Case File # 14-027

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 14-078)
- Owner Approval Letter/Dated 10-29-14
- CC Minutes (Date 10-28-14)
- CC Agenda (Date 10-28-14)
- CC Packet: (CCMO, Minutes, Considerations, Application, SPO Responses)
- Public Notice
- P&Z Minutes (Signed Copy) (Date 10-6-14)
- P&Z Agenda (Date 10-6-14)
- P&Z Packet: (P&Z Memo, Considerations, Application, Maps, SPO responses)
- PVT
- SPO Responses (if any)
- PO/SPO Letter: 35 Sent Support Undelivered
 Opposed
- 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 10-29-14)
- Changed zoning in Land Management (Date _____)



City of Killeen
Zoning Change Application

CASE #: 27
214-247-8888

Name(s) of Property Owner (s): NATIONAL BANK

Address: PO BOX 779

City: GATESVILLE State: TX Zip: 76528

Home Phone: () Business Phone: (254) 223-0013 Cell Phone:

Name of Applicant: (if different than Property Owner)

Address:

City: State: Zip:

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

Address/ Location of Property to be Rezoned: SOUTHWEST CORNER FM 439/ROY REYNOLDS

Has the Property been Platted? (Y) / N PART OF LAKEVIEW PARK SUBDIVISION
Lot(s) Block(s) Subdivision

Legal Description: SEE ATTACHED
Metes and Bounds Description

Is there a simultaneous plat of this property? LAKEVIEW PARK SUBDIVISION REPLAT (FUTURE)
(Plat Name)

Type of Ownership: Sole Ownership Partnership X Corporation Other

Recorded Copy of Warranty Deed: Is copy of the deed attached? (YES) / NO

Present Zoning(s): R3 Present Use: VACANT

Proposed Zoning(s): PUD (R1/B3) Proposed Use: SINGLE FAMILY RESIDENTIAL / COMMERCIAL

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: TX Zip: 76542 -

Home Phone: () Business Phone: (254) 526-3981 Cell Phone:

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; consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

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 *Michelle E. Lee* Title OFFICE MANAGER - KES

Printed/Typed Name of Agent MICHELLE E. LEE Date 8-8-14

Signature of Property Owner *[Signature]* Title NATIONAL BANK / Pres

Printed/Typed Name of Property Owner GENE WORTHINGTON Date 8-12-14

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner _____ Date _____

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner _____ Date _____

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



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

TRANSMITTAL LETTER

TO: CITY OF KILLEEN DATE: 8-15-14

COMPANY: PLANNING DEPT

PROJECT: LAKEVIEW PARK PUD PROJECT NO: 2014-015

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		APPLICATION & FEE
1		CORP. RES & DEED
1		LEGAL DESC
5		DWGS

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

REMARKS: _____

ISSUED BY *M. Lee* RECEIVED BY _____

NATIONAL BANK
Corporate Resolution

Be It Resolved that, Eugene Worthington, CEO/President is hereby authorized to do any necessary changes to rezone the Lakeview Park Subdivision in Killeen, Texas on behalf of The National Banks of Central Texas.

I, Denise Mooney, Secretary of Board, incorporated under the laws of the State of Texas hereby certify that the foregoing is a true copy of a resolution duly adopted by the Board of Directors of said corporation at a meeting held the 11th day of August, 2014, at which a quorum was present and voting, and that the same has not been replaced or amended and remains in full force and does not conflict with the by-laws of said corporation.

CORPORATE SEAL

August 11, 2014
DATE

Denise Mooney
SECRETARY

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513



Instrument Number: 2011-00003020

Recorded On: January 25, 2011

AS
Recordings

Parties: SHIM SONG MOO
To NATIONAL BANK

Billable Pages: 4
Number of Pages: 5

Comment:

(Parties listed above are for Clerks reference only)

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

Recordings	23.00
Total Recording	23.00

***** 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: 2011-00003020
Receipt Number: 97050
Recorded Date/Time: January 25, 2011 12:20:51P

Record and Return To:

MONTEITH ABSTRACT & TITLE CO
106 S EAST ST
BELTON TX 76513

User / Station: G Gomez - Cash Station 1

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



Shelley Coston
Bell County Clerk

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

CORRECTION SUBSTITUTE TRUSTEE'S DEED

THE STATE OF TEXAS *
*
COUNTY OF BELL *

WHEREAS, Song Moo Shim and Junghee Shim, in order to secure the payment of a certain Promissory Note dated October 7, 2004 in the original principal amount of \$928,000.00 ("Note"), payable to the order of National Bank, made, executed and delivered to David Barnard, Trustee, a certain Deed of Trust dated October 7, 2004, recorded in Volume 5507, Page 670, of the Official Public Records of Bell County, Texas ("Deed of Trust"), to which Deed of Trust and its record reference is here made for a detailed description of said Note, the terms and covenants of said Deed of Trust, and the lands and premises there conveyed; said land being more particularly described as follows:

Tract One:

Lots One (1) thru Thirty (30), in Block One (1); Lots One (1) thru Twenty (20), Block Two (2); Lots One (1) thru Eight (8), in Block Three (3); Lots One (1) thru Seven (7), in Block Four (4); Lots One (1) thru Fourteen (14), in Block Five (5); Lots One (1) thru Sixteen (16), in Block Six (6); Lots One (1) thru Twenty (20), in Block Seven (7); Lots One (1) thru Ten (10) and Lots Eighteen (18) thru Twenty-three (23), in Block Eight (8); Lots One (1) thru Thirteen (13) in Block Eleven (11); Lots One (1) thru Four (4), in Block Twelve (12); and Lots One (1) thru Four (4), in Block Thirteen (13), of Lakeview Park Subdivision a Replat of Lakeview Village, in the City of Killeen, Bell County, Texas, according to the plat of record in Cabinet D, Slide 116-A & AA, Plat Records of Bell County, Texas.

Tract Two:

Lot Thirty-one A (31A), in Block One (1); Lots Eleven A (11A), Twelve A (12A), Fourteen A (14A) thru Seventeen A (17A), in Block Eight (8); and Lots One A (1A), Two A (2A), Three (3) and Four (4), in Block Nine (9), of Lakeview Park, Phase One, (being a replat of Lots 31-32, Block 1, Lots 11-17, Block 8, Block 9, and Block 10, Lakeview Park Subdivision) in the City of Killeen, Bell County, Texas, according to the plat of record in Cabinet D, Slide 302-A, Plat Records of Bell County, Texas.

WHEREAS, National Bank is the legal owner and holder of the Note and Deed of Trust;
and

MONTEITH ABSTRACT & TITLE COMPANY
P. O. BOX 176, BELLEVILLE, TEXAS 76513

23.00 10-4-247
①

WHEREAS, it is provided in said Deed of Trust that failure to make any of the payments in the above described Note as the same became due and payable, or failure to comply with any or all of the covenants and conditions of said Deed of Trust, shall, at the option of National Bank or the legal or equitable owner or holder thereof, mature the whole of said Note and in such event or events and at the request of the owner or holder of said Note secured by the Deed of Trust, the said Trustee or his successors shall enforce said Deed of Trust by selling the hereinbefore described land and premises according to law, and in all accordance with the provisions of said Deed of Trust, all as more fully set out in said Deed of Trust; and

WHEREAS, Default was made in the payment of said Note according to the terms, tenor and effect thereof, and the legal or equitable owners or holders of said Note, after all required notices were given, declared the whole Note immediately due and payable and the Trustee named in said Deed of Trust having been removed, the owner and holder of said indebtedness appointed the undersigned as Substitute Trustee, and requested the undersigned to sell said land and premises according to law and in accordance with the provisions of said Deed of Trust, in satisfaction of the indebtedness secured by said Deed of Trust; and

WHEREAS, if required by law, the holder of the debt by certified mail has given written notice to the debtors at their last known address that the debtors were in default under the terms of the Deed of Trust giving the debtor at least 20 days to cure the default. If required by law, the default notice was given at least 20 days prior to the entire debt being accelerated and the notice of trustee sale given; and

WHEREAS, the said land above described was advertised for sale, and written notices of sale were posted in accordance with the terms of said Deed of Trust and in accordance with the laws of the State of Texas pertaining to the foreclosure under the Deed of Trust, said land having been advertised for sale at least 21 days preceding the date of sale at the Courthouse Door of the County above set forth, and if provided by said Deed of Trust in two other public places in said County said land having been advertised to be sold at the door of the Courthouse of Bell County, Texas, on January 4, 2011, the said date being the first Tuesday in said month; and

WHEREAS, the holder of the debt requested the Substitute Trustee and by this instrument the Substitute Trustee swears, deposes and states under oath that there was served written notice of the proposed sale by certified mail at least 21 days preceding the date of sale on each debtor obligated to pay such debt according to the records of such holder by deposit of the Notice, enclosed in a postpaid wrapper, properly addressed to each debtor at the most recent address shown by the records of the holder of the debt, in a post office or official depository under the care and custody of the United States Postal Service; and a copy of such Notice of Foreclosure Sale was filed with the County Clerk of such County at least 21 days preceding the date of this sale; and the Mortgagors, their heirs or assigns are alive and are not in the military service and were not in the military service on the day of sale nor nine (9) months prior to the day of sale; and

WHEREAS, I, the said Substitute Trustee, after all prerequisites required by law and/or by said Deed of Trust have been duly satisfied by the holder of the Note, and by said Substitute Trustee, did, conduct the sale no earlier than 10:00 o'clock a.m. and concluded same within 3 hours

on the date for which said sale was advertised, offered the said land and premises for sale at the area of the Bell County Courthouse designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code, as the place where foreclosure sales are to take place and if no place was designated by the Commissioners Court, the sale was conducted at the place where the Notice of Foreclosure Sale was posted in the County Courthouse; and

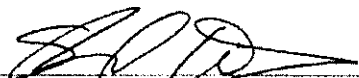
WHEREAS, at the said sale National Bank (hereinafter referred to as "Grantee") bid for said land and premises, which was the highest bid and best offer therefore, whereupon said land and premises were knocked off and sold for said sum to the said Grantee in accordance with the terms and provisions of said Deed of Trust.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That I, the said Substitute Trustee, named and appointed under the terms of said Deed of Trust, acting herein under and by virtue of the power conferred upon me by the said Deed of Trust, and in accordance with the laws of the State of Texas, for and in consideration of the sum bid as aforesaid, which amount has been applied in accordance with the terms of said Deed of Trust on the indebtedness secured by it, do hereby bargain, sell and convey unto the said Grantee the said herein before described land and premises, together with all and singular the rights and appurtenances to the same in anywise belonging.

TO HAVE AND TO HOLD the said property unto the said Grantee, its successors and assigns, forever, in fee simple, and I, the said Substitute Trustee, acting in the capacity and manner aforesaid, by virtue of the power vested in me under the terms of said Deed of Trust, do hereby bind and obligate the said mortgagor(s), his (their) heirs, assigns, executors and administrators to warrant and forever defend all and singular the right and title to said property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

THIS DEED IS MADE AS A CORRECTION DEED IN SUBSTITUTION OF THE DEED TITLED "SUBSTITUTE TRUSTEE'S DEED" (THE "CORRECTED DEED") DATED JANUARY 4, 2011 AND RECORDED IN INSTRUMENT NUMBER 2011-00001114 IN THE REAL PROPERTY RECORDS OF BELL COUNTY, TEXAS, TO CORRECT THE FOLLOWING INCORRECT INFORMATION: THE PROPERTY DESCRIPTION WAS INCORRECT. OTHER THAN THE STATED CORRECTION, THIS DEED IS INTENDED TO RESTATE IN ALL RESPECTS THE CORRECTED DEED, AND THE EFFECTIVE DATE OF THIS CORRECTION DEED RELATES BACK TO THE EFFECTIVE DATE OF THE CORRECTED DEED.

EXECUTED this instrument on the 17th day of January, 2011.



Shad Robinson, Substitute Trustee

SWORN TO AND SUBSCRIBED TO by Shad Robinson, Substitute Trustee, before me,
the undersigned authority on the 17th day of January, 2011.



Notary Public, State of Texas



Grantor's address:
Blake Hasner
Haley & Olson, P.C.
510 North Valley Mills Drive, Suite 600
Waco, Texas 76710

Exhibit A

Being a 45.151 acre tract of land being part of the J.S. Wilder Survey, Abstract 912 and the Andrew McMillin Survey, Abstract 559, Bell County, Texas, being part of Lakeview Park Subdivision as recorded in Cabinet D, Slide 116-A & 116-AA, and part of Lakeview Park Subdivision Phase One as recorded in Cabinet D, Slide 302-A, Plat Records of Bell County, Texas; said 45.151 acre tract being more particularly described as follows:

BEGINNING at a 3/8" iron rod found in the South margin of FM 439, said rod being the Northeast corner of a tract of land conveyed to TC&E Realty as recorded in Vol. 2876, Pg. 617, said Deed Records, being the Northwest corner of said Lakeview Park Subdivision, for the Northwest corner of the herein described tract;

THENCE, N 89° 28' 48" E, 920.69 feet with the South margin of FM 439, the North line of said Lakeview Park Subdivision and the North line of the herein described tract to a 1/2" iron rod found, said rod being the Northeast corner of Lot 4, Block 11 of said Lakeview Park Subdivision, and the Northwest corner of Lot 31A, Block 1 of said Lakeview Park Subdivision Phase One, for a corner in the North line of the herein described tract;

THENCE, S 17° 29' 03" W, 147.78 feet with the East line of said Lot 4, the West line of said Lot 31A, and the North line of the herein described tract to a 3/8" iron rod set, said rod being in the East line of said Lot 4, the Northwest corner of Lot 30, Block 1 of said Lakeview Park Subdivision, the Southwest corner of said Lot 31A, for a corner in the North line of the herein described tract;

THENCE, S 72° 30' 57" E, 147.08 feet with the North line of said Lot 30, the South line of said Lot 31A, and the North line of the herein described tract to a 3/8" iron rod set, said rod being in the West margin of Shim's Blvd, the Northeast corner of said Lot 30, the Southeast corner of said Lot 31A, for a corner in the North line of the herein described tract;

THENCE, with the West margin of Shim's Blvd, the East line of said Lot 31A, and the North line of the herein described tract the following calls:

1. **N 21° 25' 23" E, 55.72 feet;**
2. On a curve to the left having an arc length of 14.29 feet, a radius of 225.00 feet, and a chord bearing and distance of **N 19° 36' 13" E, 14.29 feet;**
3. **N 72° 30' 57" W, 10.00 feet;**
4. On a curve to the left having an arc length of 64.42 feet, a radius of 215.00 feet, and a chord bearing and distance of **N 09° 12' 48" E, 64.18 feet;**
5. **N 00° 37' 38" E, 54.02 feet** to a 3/8" iron rod set at the intersection of the South margin of FM 439 and the West margin of Shim's Blvd, said rod being the Northeast corner of said Lot 31A, for a corner in the North line of the herein described tract;

THENCE, On a curve to the right having an arc length of 60.00 feet, a radius of 5670.00 feet, and a chord bearing and distance of **S 89° 25' 24" E, 60.00 feet** to a 3/8" iron rod set at the intersection of the South margin of FM 439 and the East margin of Shim's Blvd, said rod being the Northwest corner of Lot 4, Block 9 of said Lakeview Park Subdivision Phase One, for a corner in the North line of the herein described tract;

THENCE, S 00° 37' 38" W, 54.07 feet departing the South margin of FM 439, with the East margin of Shim's Blvd, the West line of said Lot 4, and the North line of the herein described tract to a 3/8" iron rod set, said rod being in the East margin of Shim's Blvd, and in the West line of said Lot 4, for a corner in the North line of the herein described tract;

THENCE, On a curve to the right having an arc length of 28.78 feet, a radius of 275.01, and a chord bearing and distance of **S 03° 37' 39" W, 28.77 feet** to a 3/8" iron rod set, said rod being in the East margin of Shim's Blvd, and in the West line of said Lot 4, for a corner in the North line of the herein described tract;

THENCE, On a curve to the left having an arc length of 21.89 feet, a radius of 15.00, and a chord bearing and distance of **S 35° 11' 02" E, 20.00 feet** to a 3/8" iron rod set in the North margin of Gigante

Drive, said rod being the Southwest corner of said Lot 4, for a corner in the North line of the herein described tract;

THENCE, with the South line of said Lot 4 and Lots 3, 2A & 1A of said Lakeview Park Subdivision Phase One, the North margin of Gigante Drive, and the North line of the herein described tract the following calls:

1. On a curve to the left having an arc length of 38.50 feet, a radius of 475.00 feet, and a chord bearing and distance of **S 79° 18' 56" E, 38.49 feet**;
2. **S 81° 38' 15" E, 208.16 feet**;
3. On a curve to the right having an arc length of 54.54 feet, a radius of 324.99 feet, and a chord bearing and distance of **S 77° 46' 38" E, 54.48 feet**;
4. **S 72° 58' 09" E, 451.75 feet** to a 3/8" iron rod found for the Southeast corner of said Lot 1A, said rod being the Southwest corner of Mickey's Subdivision as recorded in Cabinet C, Slide 22-C, said Plat Records, for a corner in the North line of the herein described tract;

THENCE, S 72° 58' 09" E, 244.01 feet with the South line of said Mickey's Subdivision, the North margin of Gigante Drive, the North line of Lot 20, Block 2 of said Lakeview Park Subdivision, and the North line of the herein described tract to a 1/2" iron rod found in the West margin of Roy Reynolds Drive, said rod being the Northeast corner of said Lot 20, for the Northeast corner of the herein described tract;

THENCE, S 17° 01' 26" W, 1604.78 feet with the West margin of Roy Reynolds Drive, the East line of said Lakeview Park Subdivision, and the East line of the herein described tract to a 1/2" iron rod found in the North line of the above mentioned TC&E Realty tract, said rod being the Southeast corner of said Lakeview Park Subdivision, for the Southeast corner of the herein described tract;

THENCE, with the North line of said TC&E tract, the Southwest line of said Lakeview Park Subdivision, and the Southwest line of the herein described tract the following calls:

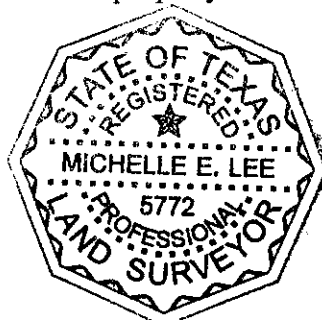
1. **N 72° 24' 50" W, 433.09 feet** to a 1/2" iron rod found;
2. **S 73° 11' 19" W, 344.42 feet** to a 1/2" iron rod found;
3. **N 03° 48' 13" E, 279.42 feet** to a 1/2" iron rod found;
4. **N 00° 33' 05" W, 294.61 feet**;
5. **N 12° 44' 00" E, 342.52 feet** to a 1/2" iron rod found;
6. **N 11° 14' 24" W, 217.88 feet**;
7. **N 17° 50' 59" W, 113.44 feet** to a 3/8" iron rod found;
8. **N 36° 04' 23" W, 85.75 feet**;
9. **S 59° 49' 05" W, 165.25 feet** to a 1/2" iron rod found;
10. **S 59° 32' 50" W, 152.13 feet** to a 1/2" iron rod found;
11. **N 32° 34' 51" W, 431.43 feet** to a 1/2" iron rod found;
12. **N 31° 14' 14" W, 185.14 feet** to a 1/2" iron rod found;
13. **N 50° 05' 44" W, 290.90 feet** to the **POINT OF BEGINNING**, containing 45.151 acres of land, more or less;

The Bearings for the above description are based on the Texas State Plane Coordinate System, Central Zone, NAD 83.

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 8-14-14
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



CITY OF KILLEEN
PLANNING & DEVELOPMENT SERVICES

October 29, 2014

National Bank
PO Box 779
Gatesville, TX 76528

RE: Zoning Case #Z14-27: R-3 to PUD

Dear Property Owner:

On Tuesday, October 28, 2014, the City Council of the City of Killeen granted your zoning request from R-3 (Multifamily Residential District) to a Planned Unit Development (PUD) with 35.78 acres of SF-2 zoning with the following deviations: 20' front yard setback; 5,750 square feet minimum lot size; 115' minimum lot depth; and 5.09 acres of B-3 zoning, being part of the Lakeview Park Subdivision. The property is located at the southwest corner of Rancier Avenue and Roy Reynolds Drive, Killeen, Texas.

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

Respectfully,

Vicki Wanken
Planning Assistant

Enclosure
Ord. #14-078

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

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

WHEREAS, National Bank submits this request for an amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately 40.87 acres, being part of the Lakeview Park Subdivision, from R-3 (Multifamily Residential District) to a Planned Unit Development (PUD) with R-1 (Single-Family Residential District) and B-3 (Local Business District) uses, said request having been duly presented and recommended for approval of 35.78 acres of SF-2 zoning with the following deviations: 20' front yard setback; 5,750 square feet minimum lot size; 115' minimum lot depth; and 5.09 acres of B-3 zoning (see attached exhibit 1.) by the Planning and Zoning Commission of the City of Killeen on the 6th day of October 2014, 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 28th day of October 2014, 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-3 (Multifamily Residential District) to a Planned Unit Development (PUD) with 35.78 acres of SF-2 zoning with the following deviations: 20' front yard setback; 5,750 square feet minimum lot size; 115' minimum lot depth; and 5.09 acres of B-3 zoning, being part of the Lakeview Park Subdivision. The property is located at the southwest corner of Rancier Avenue and Roy Reynolds Drive, Killeen, Texas.

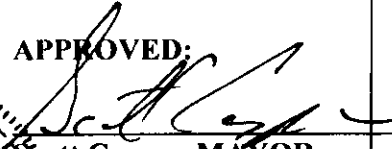
SECTION II. That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

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 28th day of October 2014, 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 Coper, MAYOR

ATTEST:


Dianna Barker, CITY SECRETARY



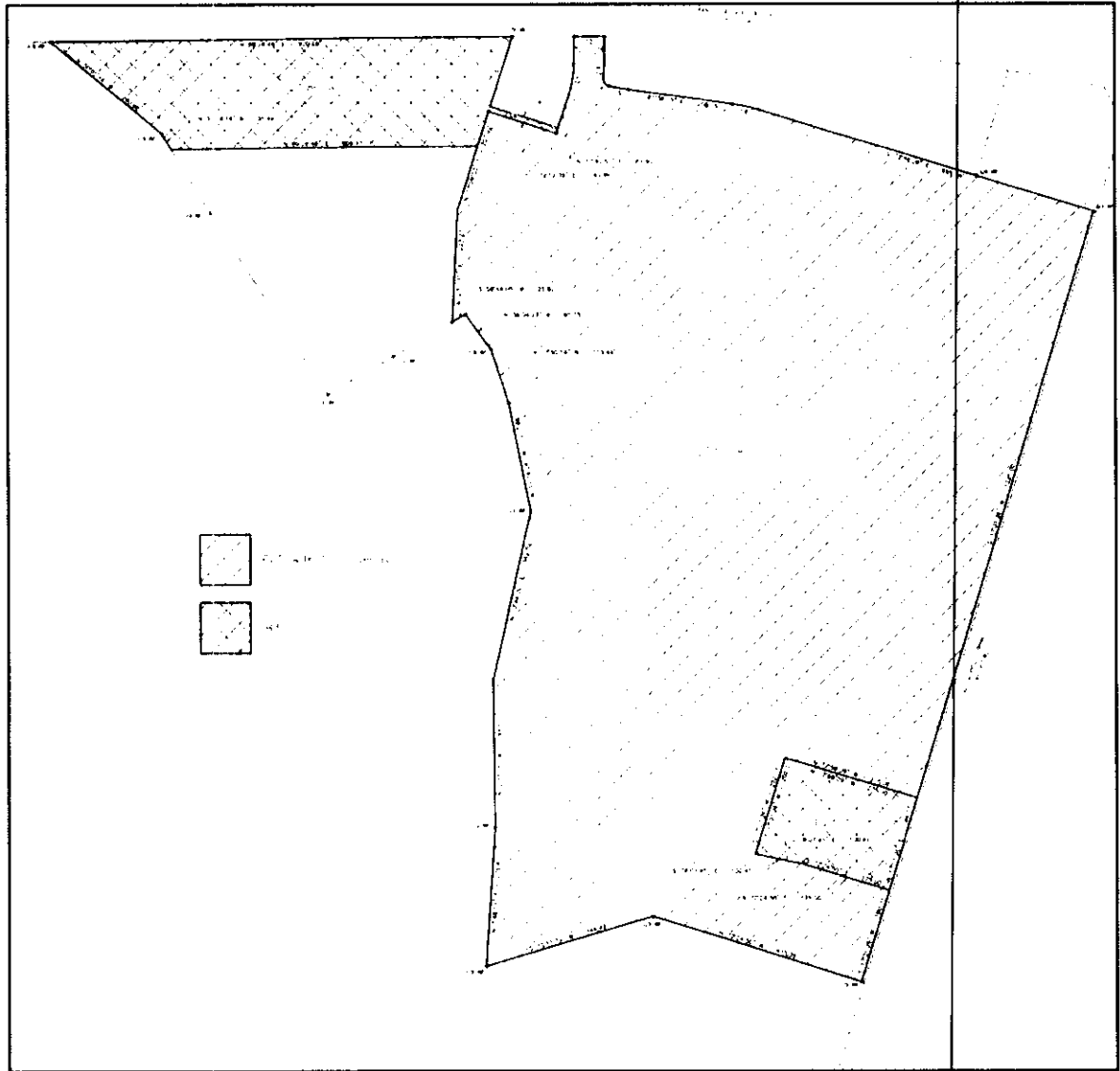
APPROVED AS TO FORM

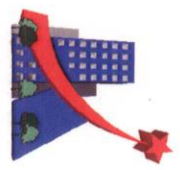
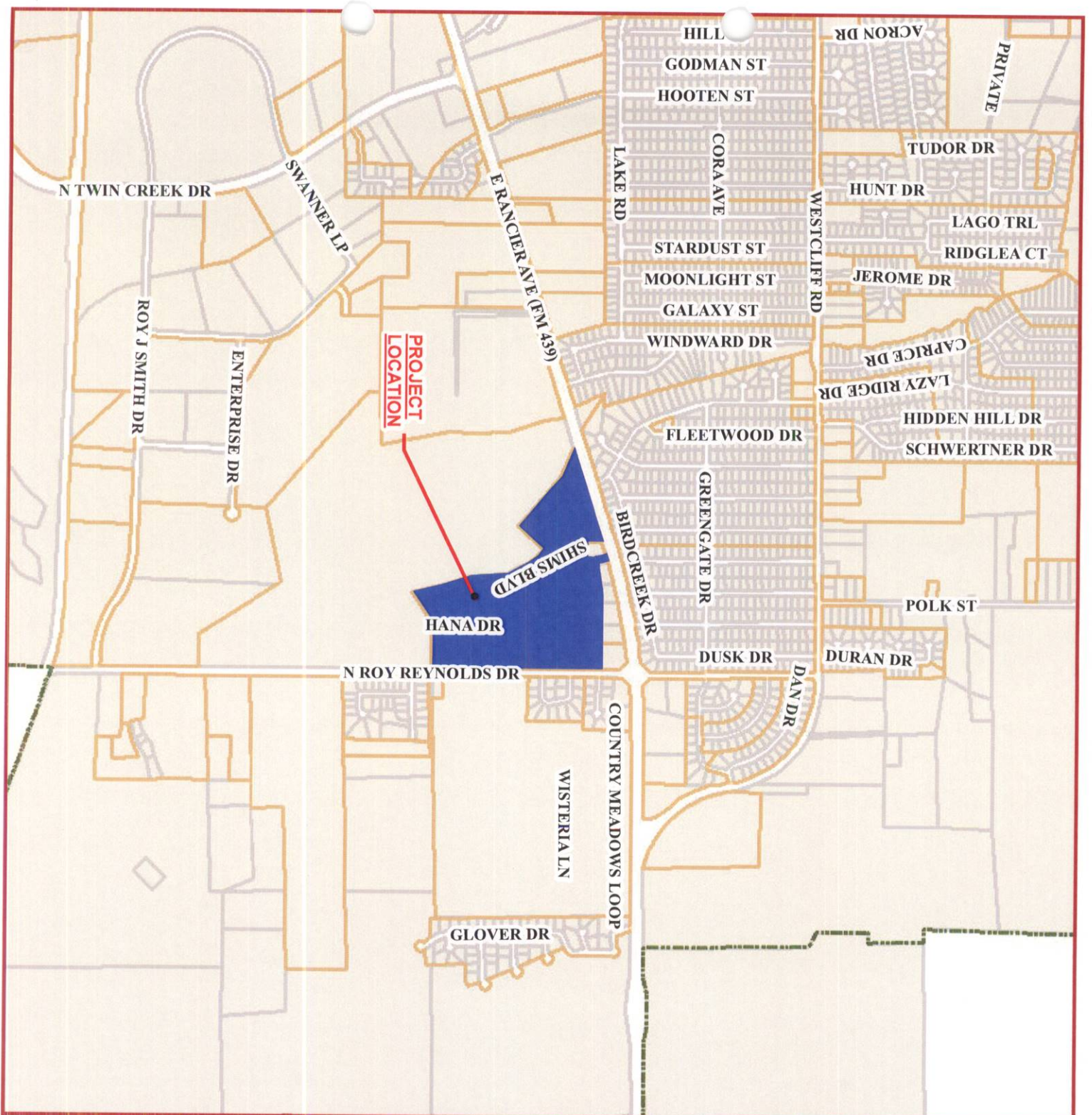

Kathryn H. Davis, City Attorney

Case #14-27

Ord. #14-__

Exhibit 1.





PLANNING AND DEVELOPMENT SERVICES

ZONING CASE:
Z14-27

ZONING FROM:
R-3 to PUD (R-1/B-3)

PROPERTY OWNER:
National Bank

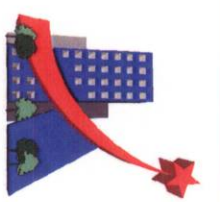
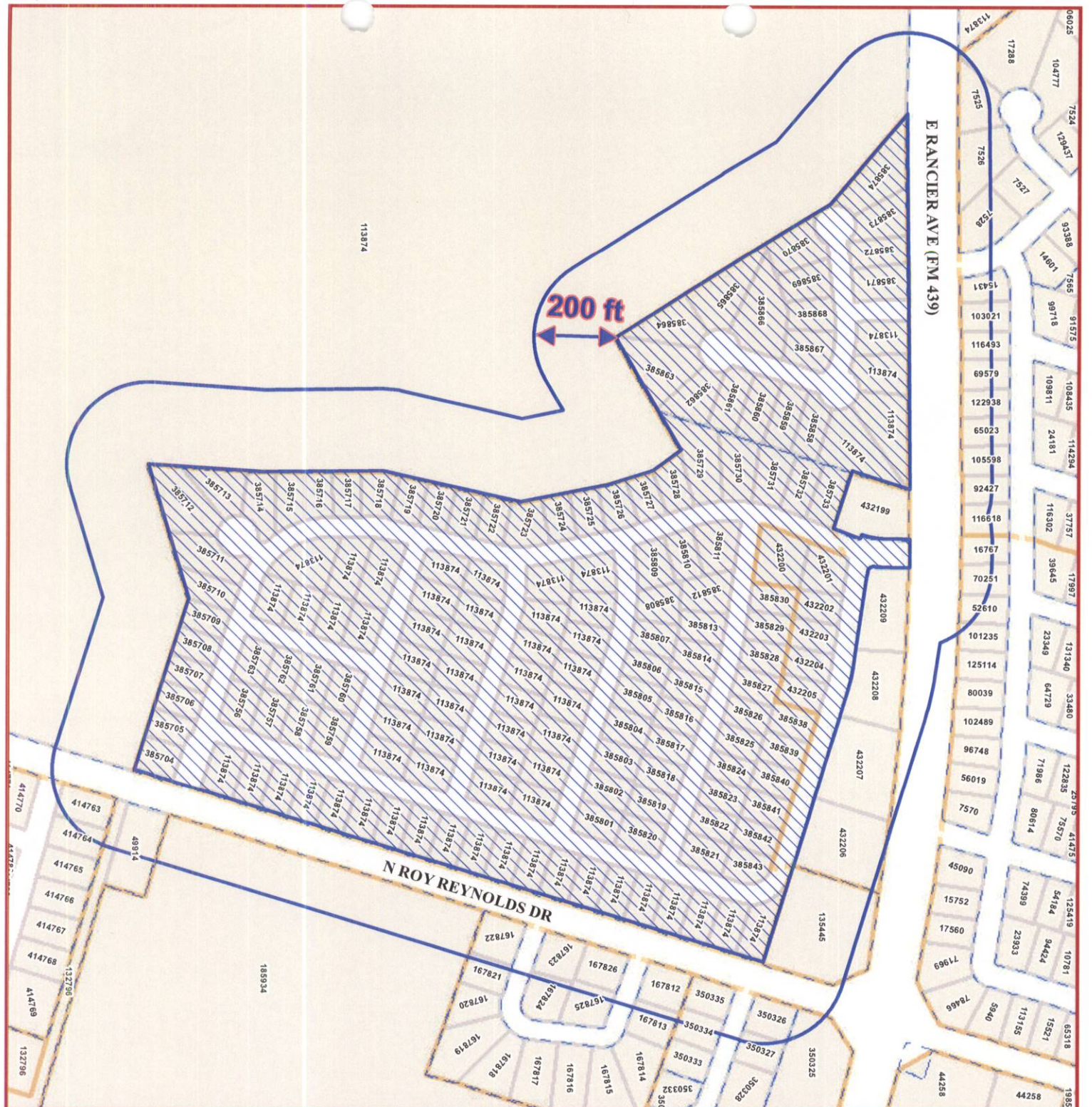
APPLICANT:
National Bank

ADDRESS TO BE REZONED:
Southwest corner of FM439/Roy Reynolds

LEGAL DESCRIPTION:
Lakeview Park Subdivision

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

Date: 8/20/2014



PLANNING AND DEVELOPMENT SERVICES

ZONING CASE:
Z14-27

ZONING FROM:
R-3 to PUD (R-1/B-3)

PROPERTY OWNER:
National Bank

APPLICANT:
National Bank

ADDRESS TO BE REZONED:

Southwest corner of FM439/Roy Reynolds

LEGAL DESCRIPTION:
Lakeview Park Subdivision

- LEGEND**
- 200ft Buffer
 - Zoning Case
 - Current Zoning
 - Subdivision
 - Parcel

Date: 8/20/2014

Motion was made by Mayor Pro-Tem Blackstone to approve Consent Agenda items 148 through 150, as presented. Motion was seconded by Councilmember Okray. Motion carried unanimously.

Public Hearings / Ordinances

PH-14-065 HOLD a public hearing and consider an ordinance requested by National Bank (Case #Z14-27) to rezone approximately 40.87 acres, being part of the Lakeview Park Subdivision, from "R-3" (Multifamily Residential District) to Planned Unit Development (PUD) with "R-1" (Single-Family Residential District) and "B-3" (Local Business District) uses. The property is located at the southwest corner of Rancier Avenue and Roy Reynolds Drive.

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

Staff comments: Tony McIlwain

The applicant is proposing 35.78 acres of residential zoning and 5.09 acres of "B-3" zoning. The staff notified thirty-five (35) surrounding property owners regarding this request. Staff has received no responses. The Planning and Zoning Commission recommended approval (7 to 1 vote, with Commissioner Dillard in opposition) of 35.78 acres of "SF-2" (Single-Family Residential District) zoning and 5.09 acres of "B-3" zoning with a PUD overlay with underlined deviations as presented.

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

Motion was made by Councilmember Rivera to approve PH-065 as stated. Motion was seconded by Councilmember Segarra. Motion carried unanimously.

PH-14-066 HOLD a public hearing and consider an ordinance requested by David and Freda Wooldridge (Case #Z14-28) to rezone 0.386 acres from "R-1" (Single-Family Residential District) to "B-3" (Local Business District), being part of the Azra Webb Survey, Abstract No. 857. The property is addressed as 4407 S. W.S. Young Drive, 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 B-3 (LOCAL BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE;



City of Killeen

Agenda City Council

Tuesday, October 28, 2014

5:00 PM

Killeen City Hall
101 North College Street
City Council Chambers

Call to Order and Roll Call

___ Scott Coper, Mayor	___ Elizabeth Blackstone
___ Steve Harris	___ Terry Clark
___ Jose Segarra	___ Wayne Gilmore
___ Juan Rivera	___ Jonathan Okray

Invocation

Pledge of Allegiance

Approval of Agenda

Consent Agenda

CA-14-148 Consider minutes of Regular City Council meeting of October 21, 2014.

Attachments: Minutes

CA-14-149 Consider a memorandum/resolution authorizing the Solid Waste Division to purchase containers for the City of Killeen's solid waste and recycling collection systems.

Attachments: Council Memorandum

CA-14-150 Consider a memorandum/resolution rescheduling the City Council meeting of November 11, 2014.

Attachments: Council Memorandum

Public Hearings/Ordinances

PH-14-065 HOLD a public hearing and consider an ordinance requested by National Bank (Case #Z14-27) to rezone approximately 40.87 acres, being part of the Lakeview Park Subdivision, from "R-3" (Multifamily Residential District) to Planned Unit Development (PUD) with "R-1" (Single-Family Residential District) and "B-3" (Local Business District) uses. The property is located at the southwest corner of Rancier Avenue and Roy Reynolds Drive.

CITY COUNCIL MEMORANDUM

AGENDA ITEM

ZONING CASE #Z14-27 "R-3" TO PLANNED UNIT DEVELOPMENT (PUD) WITH "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND "B-3" (LOCAL BUSINESS DISTRICT)

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Nature of the Request

National Bank submits this request to rezone 40.87 acres, being part of the Lakeview Park Subdivision, from "R-3" (Multifamily Residential District) to Planned Unit Development (PUD) with "R-1" (Single-Family Residential District) and "B-3" (Local Business District) uses. The property is located at the southwest corner of Rancier Avenue and Roy Reynolds Drive. The applicant is proposing 35.78 acres of residential zoning and 5.09 acres of "B-3" zoning.

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 building or premises in the district "B-3" Local Business District shall be used only for the following purposes:

- (1) Any use permitted in the "B-2" district.
- (2) Bank, savings and loan or other financial institution.
- (3) Day camp.
- (4) Hospital, home or center for the acute or chronic ill.
- (5) Mortuary or funeral chapel.
- (6) Appliance (household) sales and repair service.
- (7) Bakery or confectionery: engaged in preparation, baking, cooking and selling of products at retail on the premises, with six (6) or less employees.
- (8) Boat and accessory sales, rental and service.
- (9) Bowling alleys.
- (10) Cleaning or laundry (self-service).
- (11) Cleaning, pressing and dyeing: with six (6) or less employees.
- (12) Florist, garden shop, greenhouse or nursery office (retail): no growing of plants, shrubs or trees out-of-doors on premises; no outside display or storage unless behind the required front yard or the actual setback of the principal building, whichever is greater.
- (13) General food products, retail sales, such as supermarkets, butcher shops, dairy stores, seafood sales or health food sales.
- (14) Cafeteria or catering service.
- (15) Marine supplies, sales and service.
- (16) Office, general business.
- (17) Restaurant or café permitted to offer alcoholic beverages for sale operating under the rules and regulations promulgated by the Texas Alcoholic Beverage Commission, as amended, all of which are adopted hereby and made a part hereof for all purposes. No restaurant will be permitted to dispense any type of alcoholic beverage through any "drive-through" facility or window.
- (18) Tennis or swim club.
- (19) Small animal clinic or pet grooming shop.
- (20) Hotel or motel.
- (21) Job printing. Not more than seventeen (17) inches by twenty-five (25) inches page size.
- (22) Gasoline service station, auto laundry or car wash.
- (23) Auto parts sales, new, at retail.
- (24) A customarily incidental use: sale of beer and/or wine only for off-premises consumption only shall be considered a customarily incidental use in this district, but not in any residential district or any more restrictive business district.
- (25) Theaters of general release.

(26) Mini/self storage facilities - a building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual compartmentalized and controlled access stalls or lockers for the storage of customer's goods or wares. No outside storage, sales, service, or repair activities, other than the rental of storage units shall be permitted on premises.

Sec. 31-306.1 Supplemental standards for restaurants engaged in the on-premises sale and consumption of alcohol.

(a) During any consecutive twelve-month period, a restaurant shall not obtain more than fifty (50) percent of its gross receipts from the on-premises sale of alcoholic beverages. In conjunction with renewal of TABC licensing, it shall be required to provide the most recent comptroller's certification of sales receipts to the planning and development services department prior to the city's approval of the permit renewal.

(b) Restaurants may not be within three hundred (300) feet of a church, public or private school or public or private hospital. The measurement of the distance between the place of business where alcoholic beverages are sold and the church, public or private school, or public or private hospital shall be as prescribed by the Texas Alcoholic Beverage Code § 109.33, as amended.

Property Specifics

Applicant/Property Owner: National Bank

Property Location: The property is located at the southwest corner of Rancier Avenue and Roy Reynolds Drive.

Legal Description: 40.87 acres, being part of the Lakeview Park Subdivision.

Zoning/Plat Case History:

The property was rezoned from "R-MP" (Mobile Home and Travel Trailer Park District) to "R-3" (Multifamily Residential District) on December 20, 2005 per Ordinance No. 05-123.

The subject property is platted as Lakeview Park Subdivision, which was filed for record on May 16, 2006 in Cabinet D, Slide 116-AA, Plat Records, Bell County, Texas.

Character of the Area

Existing Land Uses(s) on the Property: The property is currently vacant. There is a mixture of existing commercial uses and residential uses in the vicinity.

Figure 1. Aerial 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 and sewer infrastructure is available and adequate. The developer is required to extend public utilities to the property in accordance with the plan of service validated with the approved subdivision. The public water main that serves the property will provide adequate domestic and fire flows.

Transportation:

Existing conditions: The property has direct ingress/egress to Rancier Avenue, a state-system thoroughfare, which is classified as a 110' feet arterial on the City's adopted Thoroughfare Plan. The project site also has direct ingress/egress to Roy Reynolds Drive, which is classified as a 90' minor arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: The project concept plan contemplates three points of ingress/egress through a series of 60' right-of-ways.

Projected Traffic Generation: Significant upon build out.

Environmental Assessment

Topography: The elevation ranges from 796 feet to 818 feet above sea level.

Regulated Floodplain/Floodway/Creek: Approximately 0.32 acres of the approximate 40.87 acres in this zoning case are located within a FEMA regulatory Special Flood Hazard Area (SFHA). City regulations require the establishment of a creek buffer zone that will span a distance of 25' beyond the top of each bank. However, this parcel is not affected by that requirement. Currently sheet flow runoff on this development enters a creek along the western subdivision boundary, and from there it enters Caprice Ditch. Caprice Ditch flows into the Bell County Water Control and Improvement District No. 6's flood impoundment site No. 7 and from there into Nolan Creek. Nolan Creek is currently listed on the TCEQ's 2010 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients. The previously plat level drainage design was incorporated into the previous hydraulics and hydrology study for this watershed. As a result, detention was not originally proposed for this parcel. The submitted concept drainage plan meets the City's conceptual requirements. However, drainage easements and any deviation from the previously plat analysis will be reevaluated during the re-plat process for the proposed PUD.

Land Use Analysis

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

Plan Recommendation: The 'General Residential' designation of the Comprehensive Plan is a medium intensity category and contemplates the following: detached residential dwellings the primary focus; attached housing types subject to compatibility and open space standards (e.g., duplexes, townhomes, patio homes); planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards; public/institutional; and parks and public spaces.

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

Public Notification

The staff notified thirty-five (35) surrounding property owners regarding this request. Staff has received no responses.

Recommendation

The Planning and Zoning Commission recommended approval (7 to 1 vote, with Commissioner Dillard in opposition) of 35.78 acres of "SF-2" (Single-Family Residential District) zoning and 5.09 acres of "B-3" zoning with a PUD overlay with the following underlined deviations below:

"SF-2" Standards

Height: 35 feet or 2 1/2 stories

Lot size: 5,750 square feet (this is an increase from the code-required 5,000 square feet minimum).

Lot width: 50 feet interior; 60 feet with side street frontage.

Lot depth: 115 feet (this is an increase from the code-required 100 feet minimum)

Setbacks: 20 feet front yard (this is a decrease from the code-required 25 feet front yard); 5 feet side yard; 20 feet rear yard.

Landscaping: Fully sodded with a minimum of one (1) six (6) foot tall canopy tree with two-inch caliper, and eight (8) three (3) gallon shrubs planted in the front yard.

Architectural design: Same exterior architectural elevation may not be used within any grouping of five homes. Homes must have a minimum of 50% brick, stucco or stone veneer for exterior walls excluding doors, windows and gables.

The "SF-2" zoning district has façade and landscaping standards that the City Council put into place specifically to enhance the aesthetics and home values associated with 'garden home' projects with smaller yards. Killeen Code of Ordinances Section 31-195 requires a PUD for any "SF-2" project comprising 25 acres or more. Therefore, it is clear that the City's intent is to promote thoughtful standards when dealing with denser development types. It has been expected that in the review of PUDs in the past, that large open space areas be set aside for recreation and other amenities, however in this situation, what is being offered is already an improvement over what could be here. The viability of a home owner's association, which is necessary and required, to maintain the common open space/ recreation area is very doubtful. Therefore there will be no one to maintain the land and the City may be responsible for the maintenance and upkeep of these afore-mentioned areas. 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 increase in lot depth, overall lot size, required landscaping and architectural requirements.

Attachment to CCMO 14-27

Figure 1. Aerial Map



**PLANNING AND ZONING COMMISSION MEETING
OCTOBER 06, 2014**

**CASE #Z14-27
R-3 TO PUD**

HOLD a public hearing and consider a request by National Bank to rezone approximately 40.87 acres, part of Lakeview Park Subdivision, from R-3 (Multifamily Residential District) to a Planned Unit Development (PUD) for R-1 (Single-Family Residential District) and B-3 (Local Business District) use. The property is located at the southwest corner of the intersection of E. Rancier Avenue and Roy Reynolds Drive, Killeen, Texas.

Chairman Frederick requested staff comments.

Executive Director, Dr. Shanaa, stated that this request had been previously heard by the Planning & Zoning Commission and some modifications were made since. The property is located at the southwest corner of Rancier Avenue (FM 439) and Roy Reynolds Drive. The applicant is proposing 35.78 acres of residential zoning and 5.09 acres of B-3 zoning.

The staff notified 35 (thirty five) surrounding property owners regarding this request. No responses have been received.

Staff recommends approval of the PUD zoning which includes 35.78 acres of "SF-2" (Single-Family Residential District) zoning and 5.09 acres of "B-3" zoning with the following underlined deviations below:

"SF-2" Standards

Height: 35 feet or 2 1/2 stories

Lot size: **5,750 square feet** (this is an increase from the Code-required 5,000 square feet minimum)

Lot width: 50 feet interior; 60 feet with side street frontage

Lot depth: **115 feet** (this is an increase from the Code-required 100 feet minimum)

Setbacks: **20 feet front yard** (this is a decrease from the Code-required 25 feet front yard); 5 feet side yard; 20 feet rear yard

Landscaping: Fully sodded with a minimum of one (1) six (6) foot tall canopy tree with two-inch caliper, and eight (8) three (3) gallon shrubs planted in the front yard.

Architectural design: Same exterior architectural elevation may not be used within any grouping of five homes. Homes must have a minimum of 50% brick, stucco or stone veneer for exterior walls excluding doors, windows and gables.

The "SF-2" zoning district has façade and landscaping standards that the City Council put into place specifically to enhance the aesthetics and home values associated with 'garden home' projects with smaller yards. Killeen Code of Ordinances Section 31-195 requires a PUD for any "SF-2" project comprising 25 acres or more. Therefore, it is clear that the City's intent is to promote thoughtful standards when dealing with denser development types. It has been expected that in the review of PUDs in the past, that large open space areas be set aside

for recreation and other amenities, however in this situation, what is being offered is already an improvement over what could be here. The viability of a home owner's association which is necessary and required to maintain the common open space/ recreation area is very doubtful. Therefore there will be no one to maintain the land and the City may be responsible for the maintenance and upkeep of these afore-mentioned areas. 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 increase in lot depth, overall lot size, required landscaping and architectural requirements.

Mr. Gary Purser, Jr., 6503 Wells Fargo, Killen, Texas, was present to represent this request. Mr. Purser stated that the only request is for the 20 ft. front yard setback.

Chairman Frederick opened the public hearing. With no one requesting to speak the public hearing was closed.

Vice Chair Dorroh motioned to recommend approval of the PUD zoning with the deviations mentioned above. Commissioner Butler seconded the motion. Commissioner Dillard voted in opposition. The motion passed 7-1.

Chairman Frederick stated that this will be forwarded to City Council on October 28, 2014 with a recommendation to approve.

CONSIDERATIONS

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

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

B. Conditional Use Permit (if applicable)

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

C. Conditions to Consider

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

**MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
OCTOBER 6, 2014
UTILITY COLLECTIONS, 210 W. AVENUE C
LARGE CONFERENCE ROOM**

ROLL CALL

PRESENT:

Commission: Johnny Frederick; James H. Butler; Alvin Dillard; Tad Dorroh, Vice Chair; Kathy Harkin; Ramon Alvarez; Anthony Cooper; Michael DeHart; Gregory Johnson

Staff: Dr. Ray Shanaa, AICP, Executive Director of Planning and Development Services; John Nett, P.E., CFM, City Engineer; Kristina Ramirez, P.E., CFM, Director of Environmental Services; Holli Clements, Esq., Deputy City Attorney; Maria Lopez, Principal Secretary

ABSENT:

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

Commissioner Frederick called the meeting of the Planning and Zoning Commission to order at 5:00 p.m.

APPROVAL OF AGENDA

Vice Chair Dorroh motioned to approve the agenda. Commissioner Dillard seconded the motion. The motion passed 8-0.

CONSENT AGENDA

CA-1 Consider minutes of the regular Planning and Zoning Commission Meeting of **September 15, 2014.**

Commissioner Alvarez motioned to approve the consent agenda. Vice Chair Dorroh seconded the motion. The motion passed 8-0.

Commissioner Frederick stated that the consent agenda is approved.

CITIZENS PETITIONS FOR INFORMATION

No one requested to speak.

PUBLIC HEARING

PH-1 HOLD a public hearing and consider a plat submitted by Charles T. Langsdale (**Case #14-038RS: LHR Estates Replat No. One**), being a replat of Lot 1, Block 1, LHR Estates. The property is located in Killeen's extra-territorial jurisdiction (ETJ), along the south right-of-way of FM 2484, approximately 2,800 feet east of S.H. 195, Killeen, Bell County, Texas.

Commissioner Frederick requested staff comments.

Executive Director, Dr. Shanaa, stated that the applicant is replatting the property into two lots. Staff reviewed the plat and concurred that the plat met all provisions of Chapter 26 of the Killeen Code of Ordinances. Staff recommends that the Planning and Zoning Commission approve the plat.

Mr. David Neumann, Mitchell & Associates, Inc., 102 N. College St., Killen, Texas, was present to represent this request.

Commissioner Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

Vice Chair Dorroh motioned to approve LHR Estates Replat No. One. Commissioner Harkin seconded the motion. The motion passed 8-0.

Commissioner Frederick stated that the plat is approved.

PH-2 HOLD a public hearing and consider a request by National Bank (**Case #Z14-27**) to rezone approximately 40.87 acres, part of Lakeview Park Subdivision, from R-3 (Multifamily Residential District) to a Planned Unit Development (P.U.D.) for R-1 (Single-Family Residential District) and B-3 (Local Business District) use. The property is located at the southwest corner of the intersection of E. Rancier Avenue and Roy Reynolds Drive, Killeen, Texas.

Commissioner Frederick requested staff comments.

Executive Director, Dr. Shanaa, stated that this request had been previously heard by the Planning & Zoning Commission and some modifications were made since. The property is located at the southwest corner of Rancier Avenue (FM 439) and Roy Reynolds Drive. The applicant is proposing 35.78 acres of residential zoning and 5.09 acres of B-3 zoning.

The staff notified 35 (thirty five) surrounding property owners regarding this request. No responses were received.

Staff recommends approval of the PUD zoning which includes 35.78 acres of "SF-2" (Single-Family Residential District) zoning and 5.09 acres of "B-3" zoning with the following underlined deviations below:

"SF-2" Standards

Height: 35 feet or 2 1/2 stories

Lot size: **5,750 square feet** (this is an increase from the Code-required 5,000 square feet minimum)

Lot width: 50 feet interior; 60 feet with side street frontage

Lot depth: **115 feet** (this is an increase from the Code-required 100 feet minimum)

Setbacks: **20 feet front yard** (this is a decrease from the Code-required 25 feet front yard); 5 feet side yard; 20 feet rear yard

Landscaping: Fully sodded with a minimum of one (1) six (6) foot tall canopy tree with two-inch caliper, and eight (8) three (3) gallon shrubs planted in the front yard.

Architectural design: Same exterior architectural elevation may not be used within any grouping of five homes. Homes must have a minimum of 50% brick, stucco or stone veneer for exterior walls excluding doors, windows and gables.

The "SF-2" zoning district has façade and landscaping standards that the City Council put into place specifically to enhance the aesthetics and home values associated with 'garden home' projects with smaller yards. Killeen Code of Ordinances Section 31-195 requires a PUD for any "SF-2" project comprising 25 acres or more. Therefore, it is clear that the City's intent is to promote thoughtful standards when dealing with denser development types. It has been expected that in the review of PUDs in the past, that large open space areas be set aside for recreation and other amenities, however in this situation, what is being offered is already an improvement over what could be here. The viability of a home owner's association which is necessary and required to maintain the common open space/ recreation area is very doubtful. Therefore there will be no one to maintain the land and the City may be responsible for the maintenance and upkeep of these afore-mentioned areas. 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 increase in lot depth, overall lot size, required landscaping and architectural requirements.

Mr. Gary Purser, Jr., 6503 Wells Fargo, Killen, Texas, was present to represent this request. Mr. Purser stated that the only request (deviation) is for a 20 ft. front yard setback.

Commissioner Frederick opened the public hearing. With no one requesting to speak the public hearing was closed.

Vice Chair Dorroh motioned to recommend approval of the PUD zoning with the deviation requested by the applicant and recommended by staff. Commissioner Butler seconded the motion. Commissioner Dillard voted in opposition. The motion passed 7-1.

Commissioner Frederick stated that this will be forwarded to City Council on October 28, 2014 with a recommendation to approve.

PH-3 HOLD a public hearing and consider a request by David and Freda Wooldridge (**Case #Z14-28**) to rezone approximately 0.386 acre, part of the A Webb Survey, Abstract Number 857, from R-1 (Single-Family Residential District) to B-3 (Local Business District). The property is located west of S. W.S. Young Drive and is locally known as 4407 S. W.S. Young Drive, Killeen, Texas

Commissioner Frederick requested staff comments.

Executive Director, Dr. Shanaa, stated that this request is to rezone 0.386 acres from “R-1” (Single-Family Residential District) to “B-3” (Local Business District). The property is addressed as 4407 S. W.S. Young Drive.

The staff notified eleven (11) surrounding property owners within a 200’ notification boundary regarding this request, and no responses were received.

This area is designated as ‘General Commercial’ on the Future Land Use Map (FLUM) of the Comprehensive Plan. Staff recommended approval of the applicant’s request as it is consistent with the FLUM of the Comprehensive Plan.

Mr. David Wooldridge, 404 Crockett, Killen, Texas, was present to represent this request. Mr. Wooldridge stated that property is vacant and they are planning on selling the property. Mr. Frederick asked what the proposed usage was going to be. Mr. Wooldridge stated that the property owners to the south are interested in purchasing to add to their storage units.

Commissioner Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Alvarez motioned to recommend approval of the B-3 zoning request. Vice Chair Dorroh seconded the motion. The motion passed 8-0.

Commissioner Frederick stated that this will be forwarded to City Council on October 28, 2014, with a recommendation to approve B-3 zoning.

PH-4 HOLD a public hearing and consider a request by Michael B. Orlando (**Case #Z14-29**) to rezone Lot 1C, Block 5, Len Schwertner Subdivision 1st Extension, from R-1X (Single-Family Residential District) to R-1X (Single-Family Residential District) with a Conditional Use Permit (CUP) to sell firearms. The property is locally known as 2110 Schwertner Drive, Killeen Texas.

Commissioner Frederick requested staff comments.

Executive Director, Dr. Ray Shanaa, stated that the applicant is requesting a Conditional Use Permit to repair and sell firearms from his home. Staff recommends approval of a Conditional Use Permit (CUP) to allow a home-based business with the following conditions:

- The business shall be limited to the routine maintenance, repair and alteration of customer's firearms;
- All firearms must be secured in a gun safe or otherwise theft-resistant housing;
- Ammunition or ammunitions components (smokeless powder, primers, etc.) shall not be allowed to be stored or sold on-premises;
- Business hours shall be limited to 9:00 a.m. to 5:00 p.m. (local time) Monday through Saturday.

It shall be noted that Killeen Code of Ordinances section 31-186(13)(c)(9) states that no Conditional Use Permit as provided in section 31-456 of this chapter shall be issued for any home occupations prohibited by section 31-186(13)(c)(7) above. Therefore, the applicant will not be allowed to provide on-premises retails sales of firearms from the property through the CUP process.

Staff notified thirty-five (35) surrounding property owners regarding this request. Staff received two oppositions from Norman and Ethel Smith, 2108 Scwhertner Drive, Killeen, Texas and Richard H. Matthews, 2111 Hidden Hills Drive, Killeen, Texas.

Mr. Michael B. Orlando., 2110 Scwhertner Drive, Killen, Texas, was present to represent this request. Mr. Orlando stated that only wants to do business by appointment, no store front business.

After much discussion, it was concluded that this item needed to be postponed.

Vice Chair Dorroh motioned to postpone this request the next regular meeting of the Planning and Zoning Commission. Commissioner Dehart seconded the motion. Commissioners Gregory Johnson, Kathy Harkin and Ramon Alvarez were in opposition. The motion passed 5-3.

Commissioner Frederick stated that this will be heard again at the next Planning and Zoning Commission meeting on October 20, 2014.

COMMISSION & STAFF ITEMS

I. Attendance Chart

The Commissioners reviewed their attendance charts

II. Elect Chairperson of the Planning and Zoning Commission for the remainder of 2014.

Commissioner Dillard nominated Commissioner Frederick for Chairperson, Commissioner Alvarez seconded the motion. The motion passed unanimously.

III. Nominate and select a representative for the ZBOA Board.

Commissioner Frederick stated that it was discussed during workshop that Commissioner Butler

volunteered to be a representative for the ZBOA Board.

IV. Nominate and select a representative for the Heritage Preservation Board.

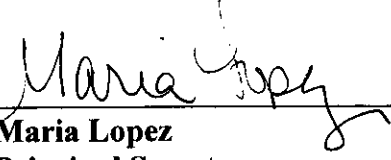
Commissioner Frederick stated that it was discussed during workshop that Vice Chair Dorroh will be a representative for the Heritage Preservation Board.

V. Discuss future training opportunities for Planning and Zoning Commissioners.

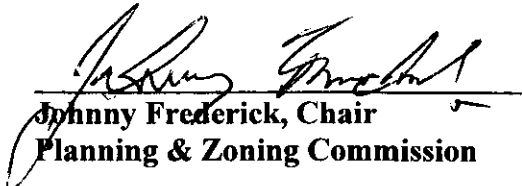
Commissioners agreed that training will be held once a month starting one hour before the Planning & Zoning Workshop.

ADJOURNMENT

Commissioner Frederick adjourned the Planning and Zoning Meeting at 5:28 p.m. The next scheduled meeting of the Planning and Zoning Commission is **October 20, 2014** at 5:00 p.m., in the Utility Collections Conference Room, 210 W. Avenue C, Killeen, Texas.



Maria Lopez
Principal Secretary



Johnny Frederick, Chair
Planning & Zoning Commission

**MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
SEPTEMBER 15, 2014
UTILITY COLLECTIONS, 210 W. AVENUE C
LARGE CONFERENCE ROOM**

ROLL CALL

PRESENT:

Commission: Johnny Frederick, Chair; James H. Butler; Alvin Dillard; Tad Dorroh, Vice Chair; Joel Steine; Ramon Alvarez; Anthony Cooper; Michael DeHart; Bobby Lee Hoover

Staff: Dr. Ray Shanaa, AICP, Executive Director of Planning and Development Services; Tony D. McIlwain, AICP, CFM, City Planner; John Nett, P.E., CFM, City Engineer; Kristina Ramirez, P.E., CFM, Director of Environmental Services; Holli Clements, Esq., Deputy City Attorney; Vicki Wanken, Planning Assistant

ABSENT:

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

Chairman Frederick called the meeting of the Planning and Zoning Commission to order at 5:05 p.m.

APPROVAL OF AGENDA

Commissioner Alvarez motioned to approve the agenda. Commissioner Steine seconded the motion. The motion passed 8-0.

CONSENT AGENDA

CA-1 Consider minutes of the regular Planning and Zoning Commission Meeting of **September 8, 2014.**

Commissioner Dillard motioned to approve the consent agenda. Commissioner DeHart seconded the motion. The motion passed 8-0.

Chairman Frederick stated that the consent agenda is approved.

CITIZENS PETITIONS FOR INFORMATION

No one requested to speak.

PUBLIC HEARING

PH-1AHOLD a public hearing and consider a request by Jim Dale Hendricks (**Case #FLUM Z14-25**) to revise the Comprehensive Plan's Future Land Use Map (FLUM) from 'Estate' to 'General Commercial' for approximately 7.681 acres, part of the R. Cunningham Survey, Abstract No. 199. The property is located on the east right-of-way of Onion Road, approximately 550 feet south of E. Stan Schlueter Loop, Killeen, Texas.

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain, stated that this request to amend the FLUM is the result of an applicant's request to rezone the property to allow for commercial development. For the Commissioners to be able to approve the zoning request, it is necessary to amend to the Comprehensive Plan's Future Land Use Map. The property is designated as 'Estate' on the Future Land Use Map of the Comprehensive Plan.

If the FLUM is amended by the Commission to 'General Commercial' it will allow a wide range of commercial, retail and service uses, at varying scales and intensities depending on the site, offices (both large and/or multi-story buildings and small-scale office uses depending on the site), public/institutional and parks and public spaces.

The area is characterized by existing commercial tracts located along and near the intersection of Stan Schlueter Loop and Onion Road. The Christian House of Prayer Church is located to the east of the subject property. There is a vacant single-family residentially zoned tract to the south. Other existing single-family homes are observed west of Onion Road. The existing homes in the Onion Road corridor are located on large lots, but the subject site is not adjacent to an existing home site.

Staff recommended approval of amending the FLUM from 'Estate' to 'General Commercial' for this area. The Comprehensive Plan is a flexible document and amending the FLUM will incentivize capital investment and redevelopment of the property for commercial purposes. The change in the land use designation will be consistent with the existing 'General Commercial' designated areas that are adjacent to the subject property.

Chairman Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

Vice Chair Dorroh motioned to recommend approval the amendment to the Future Land Use Map. Commissioner Cooper seconded the motion. The motion passed 8-0.

Chairman Frederick stated that this will be forwarded to City Council on October 14, 2014 with a recommendation to approve.

PH-1BHOLD a public hearing and consider a request by Jim Dale Hendricks (**Case#Z14-25**) to rezone approximately 7.681 acres, part of the R. Cunningham Survey, Abstract No. 199, from R-1 (Single-Family Residential District) and 'A' (Agricultural District) to B-5 (Business District) for prospective commercial use. The property is located on the east right-of-way of Onion Road, approximately 550 feet south of E. Stan Schlueter Loop, Killeen, Texas.

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain, stated that this request is the second component of a two part request and was submitted by Jack A. Wells on behalf of Jim Dale Hendricks to rezone 7.681 acres from R-1 (Single-Family Residential District) and 'A' (Agricultural District) to B-5 (Business District) for prospective commercial use. The property is located on the east right-of-way of Onion Road, approximately 550 feet south of E. Stan Schlueter Loop, Killeen, Texas. The property has direct frontage along Stan Schlueter Loop and Onion Road. The applicant is intending to develop the site for prospective commercial and retail use. Over 2 acres of the subject tract is located in a Special Flood Hazard Area. The property is also impacted by a creek buffer zone which further reduces the buildable area.

This area is designated as 'Estate' on the Future Land Use Map (FLUM) of the Comprehensive Plan. The zoning request is not consistent with the current FLUM of the Comprehensive Plan. An amendment to the FLUM is necessary.

Staff notified eleven (11) surrounding property owners regarding this request. One response in opposition was received from Mr. and Mrs. Michael Atanian, 5199 Onion Road, Killeen, Texas.

Staff recommended approval of "B-3" zoning for this site. The "B-3" zoning district is consistent with the large church site to the east of the subject property.

There was no representation for this request.

Vice Chair Dorroh motioned to suspend the rules and hear the request. Commissioner Dillard seconded the motion. The motion to suspend the rules was withdrawn.

Vice Chair Dorroh motioned to table the request to the end of meeting. Commissioner Cooper seconded the motion. The motion passed 8-0

PH-2 HOLD a public hearing and consider a request by RSBP Developers, Inc. (**Case #Z14-26**) to rezone approximately 2.029 acres, part of the W. L. Harris Survey, Abstract No. 1155, from B-3 (Local Business District) to R-2 (Two-Family Residential District). The property is located east of Lots 5-10, Block 2, Purser Crossing, Phase Two, Killeen, Texas.

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain, stated that this request was submitted by RSBP Developers, Inc. to rezone approximately 2.029 acres, part of the W. L. Harris Survey, Abstract No. 1155, from B-3 to R-2 to allow for duplex development. The property is located east of Lots 5-10, Block 2, Purser Crossing Phase Two. The property is not platted and the proposed R-2 request will be adjacent to the existing R-2 zoned property. Access for this property will be from a 60' private passage easement.

The property is designated as 'General Residential' on the Future Land Use Map on the Comprehensive Plan. This request is consistent with the Comprehensive Plan.

Staff notified twelve (12) surrounding property owners with the 200' notification area regarding this request. No responses have been received.

Staff recommended approval of the applicant's request as it is consistent with the FLUM of the Comprehensive Plan.

Mr. Gary Purser, Jr., 6503 Wells Fargo, Killen, Texas, was present to represent this request. The passage easement is a drivable road and has been there for a number of years, it services the property owners on the east side of the easement.

Chairman Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Butler motioned to recommend approval of the R-2 zoning request. Vice Chair Dorroh seconded the motion. The motion passed 8-0.

Chairman Frederick stated that this will be forwarded to City Council on October 14, 2014, with a recommendation to approve R-2 zoning.

PH-3 HOLD a public hearing and consider a request by National Bank (**Case #Z14-27**) to rezone approximately 45.151 acres, part of Lakeview Park Subdivision, from R-3 (Multifamily Residential District) to a PUD (Planned Unit Development) for R-1 and B-3 use. The property is located at the southwest corner of the intersection of E. Rancier Avenue and Roy Reynolds Drive, Killeen, Texas.

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain, stated that this request was submitted by National Bank to rezone 45.151 acres, part of the Lakeview Park Subdivision, from R-3 (Multifamily Residential District) to Planned Unit Development (PUD) with R-1 (Single-Family Residential District) and B-3 (Local Business District) uses. The property is located at the southwest corner of Rancier Avenue (FM 439) and Roy Reynolds Drive. The applicant is proposing a 186 lot project. This request is consistent with the intent of the Comprehensive Plan.

The property is currently vacant and there is a mixture of existing commercial uses and residential uses in the vicinity. The property has direct access to Rancier Avenue and Roy Reynolds Drive. The concept plan that was submitted shows points of ingress/egress through a series of 50' right-of-ways.

Staff notified thirty-five (35) surrounding property owners regarding this request. No responses have been received.

Staff supported the applicant's desire to develop the site for R-1 and B-3 use; however staff did not support PUD zoning for this property. Per Killeen Code of Ordinances Section 31-800, a planned unit development (PUD) is a land use design incorporating the concepts of density and common open space. While the proposal is dense at 4.4 dwelling units/ net acre, there is neither an open space component nor amenities component incorporated in the project. As presented, the PUD proposal contemplated a typical lot size and setbacks that are smaller than allowed in the City's base "R-1" zoning district.

Commissioner Butler would like to see a green area, i.e., playground, walking trail, etc.

Mr. Gary Purser, Jr., 6503 Wells Fargo, Killen, Texas, was present to represent this request. Mr. Purser stated that the residential lots are 115' deep, not the 120' as stated during the workshop. He also stated that he is not prepared to negotiate at this time and would like this request postponed to the next meeting of the commission.

Commissioner DeHart motioned to postpone the request. Commissioner Butler seconded the motion. The motion passed 8-0.

Chairman Frederick stated that this will be heard again at the next Planning and Zoning Commission meeting on October 6, 2014.

Commissioner DeHart motioned to remove PH-1B from the table. Commissioner Hoover seconded the motion. The motion passed 8-0

PH-1B HOLD a public hearing and consider a request by Jim Dale Hendricks (**Case#14-25**) to rezone approximately 7.681 acres, part of the R. Cunningham Survey, Abstract No. 199, from R-1 (Single-Family Residential District) and 'A' (Agricultural District) to B-5 (Business District) for prospective commercial use. The property is located on the east right-of-way of Onion Road, approximately 550 feet south of E. Stan Schlueter Loop, Killeen, Texas.

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain again stated that this request is to revise the zoning map to allow the property owner to develop the land to commercial use. The property is currently zoned R-1 (Single-Family Residential District) and 'A' (Agricultural District) to B-5 (Business District). The intent is to relocate Billy Bob's from its current location to this location along with other associated uses. The property is located on the east right-of-way of Onion Road, approximately 550 feet south of E. Stan Schlueter Loop, Killeen, Texas. The

applicant is intending to develop the site for prospective commercial and retail use. The property has direct frontage along Stan Schlueter Loop and Onion Road.

Staff notified 11 surrounding property owners regarding this request. One response in opposition was received from Mr. and Mrs. Michael Atanian, 5199 Onion Road, Killeen, Texas

Staff recommended approval of B-3 Local Business District zoning for this site. The B-3 zoning district is consistent with the large church site to the east of the subject property.

Mr. Richard Ray, 1317 Windstone, Waco, Texas, was present to represent this request. Mr. Ray stated that the B-5 zoning was requested to maximize the potential of the property, not only to relocate Billy Bobs', but to also be able to accommodate other commercial entities that may be attracted to the area. Chairman Frederick asked if he would be willing to accept a B-3 zoning. Mr. Ray stated that it would be the only way, but they would prefer B-5.

Chairman Frederick opened the public hearing. With no one requesting speak the public hearing was closed.

Vice Chair Dorroh motioned to recommend approval of the B-3 zoning as recommended by staff. Commissioner Dillard seconded the motion. The motion passed 8-0.

Chairman Frederick stated that this will be forwarded to City Council on October 14, 2014 with a recommendation to approve B-3 zoning.

COMMISSION & STAFF ITEMS

I. Attendance Chart

The Commissioners reviewed their attendance charts.

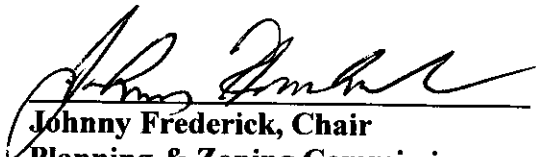
Chairman Frederick mentioned that this is the last meeting for Mr. Hoover, Mr. Steine and himself. They have reached term limits. He thanked them for their service and commitment to the Planning and Zoning Commission.

Tony McIlwain thanked the commissioners for their hard work.


Chairman Frederick reminded the commissioners and staff that the PUD will need to be on the agenda for the next workshop since it was not discussed tonight.

ADJOURNMENT

Chairman Frederick adjourned the Planning and Zoning Meeting at 5:55 p.m. The next scheduled meeting of the Planning and Zoning Commission is **October 6, 2014** at 5:00 p.m., in the Utility Collections Conference Room, 210 W. Avenue C, Killeen, Texas.



Johnny Frederick, Chair
Planning & Zoning Commission



Vicki Wanken
Planning Assistant



TO: PLANNING AND ZONING COMMISSION
FROM: TONY D. MCILWAIN, AICP, CFM, CITY PLANNER
DATE: OCTOBER 1, 2014

REZONING CASE: #Z14-27 "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND "B-3 (LOCAL BUSINESS DISTRICT) USES

Nature of the Request

National Bank submits this request to rezone 40.87 acres, being part of the Lakeview Park Subdivision, from "R-3" (Multifamily Residential District) to Planned Unit Development (PUD) with "R-1" (Single-Family Residential District) and "B-3" (Local Business District) uses. The property is located at the southwest corner of Rancier Avenue (FM 439) and Roy Reynolds Drive. The applicant is proposing 35.78 acres of residential zoning and 5.09 acres of B-3 zoning.

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 building or premises in the district "B-3" Local Business District shall be used only for the following purposes:

(1) Any use permitted in the "B-2" district.

(2) Bank, savings and loan or other financial institution.

(3) Day camp.

(4) Hospital, home or center for the acute or chronic ill.

(5) Mortuary or funeral chapel.

(6) Appliance (household) sales and repair service.

(7) Bakery or confectionery: engaged in preparation, baking, cooking and selling of products at retail on the premises, with six (6) or less employees.

(8) Boat and accessory sales, rental and service.

(9) Bowling alleys.

(10) Cleaning or laundry (self-service).

(11) Cleaning, pressing and dyeing: with six (6) or less employees.

(12) Florist, garden shop, greenhouse or nursery office (retail): no growing of plants, shrubs or trees out-of-doors on premises; no outside display or storage unless behind the required front yard or the actual setback of the principal building, whichever is greater.

(13) General food products, retail sales, such as supermarkets, butcher shops, dairy stores, seafood sales or health food sales.

(14) Cafeteria or catering service.

(15) Marine supplies, sales and service.

(16) Office, general business.

(17) Restaurant or café permitted to offer alcoholic beverages for sale operating under the rules and regulations promulgated by the Texas Alcoholic Beverage Commission, as amended, all of which are adopted hereby and made a part hereof for all purposes. No restaurant will be permitted to dispense any type of alcoholic beverage through any "drive-through" facility or window.

(18) Tennis or swim club.

(19) Small animal clinic or pet grooming shop.

- (20) Hotel or motel.
- (21) Job printing. Not more than seventeen (17) inches by twenty-five (25) inches page size.
- (22) Gasoline service station, auto laundry or car wash.
- (23) Auto parts sales, new, at retail.
- (24) A customarily incidental use: sale of beer and/or wine only for off-premises consumption only shall be considered a customarily incidental use in this district, but not in any residential district or any more restrictive business district.
- (25) Theaters of general release.
- (26) Mini/self storage facilities - a building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual compartmentalized and controlled access stalls or lockers for the storage of customer's goods or wares. No outside storage, sales, service, or repair activities, other than the rental of storage units shall be permitted on premises.

Sec. 31-306.1 Supplemental standards for restaurants engaged in the on-premises sale and consumption of alcohol.

(a) During any consecutive twelve-month period, a restaurant shall not obtain more than fifty (50) percent of its gross receipts from the on-premises sale of alcoholic beverages. In conjunction with renewal of TABC licensing, it shall be required to provide the most recent comptroller's certification of sales receipts to the planning and development services department prior to the city's approval of the permit renewal.

(b) Restaurants may not be within three hundred (300) feet of a church, public or private school or public or private hospital. The measurement of the distance between the place of business where alcoholic beverages are sold and the church, public or private school, or public or private hospital shall be as prescribed by the Texas Alcoholic Beverage Code § 109.33, as amended.

Property Specifics

Applicant/Property Owner: National Bank.

Property Location: The property is located at the southwest corner of Rancier Avenue (FM 439) and Roy Reynolds Drive.

Legal Description: 40.87 acres, being part of the Lakeview Park Subdivision.

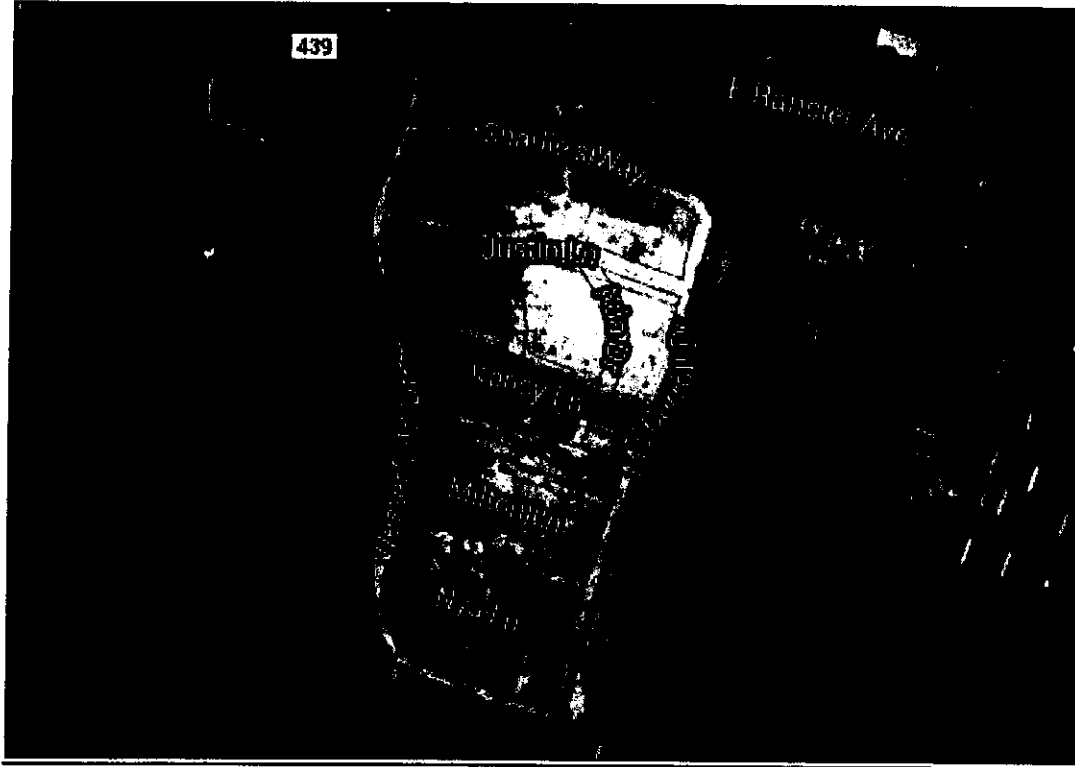
Zoning/ Plat Case History:

- The property was rezoned from "R-MP" (Mobile Home and Travel Trailer Park District) to "R-3" (Multifamily Residential District) on December 20, 2006 per Ordinance No. 05-123.
- The subject property is platted as Lakeview Park Subdivision, which was filed for record on May 16, 2006 in Cabinet D, Slide 116-AA, Plat Records, Bell County, Texas.

Character of the Area:

Existing Land Use(s) on the Property: The property is currently vacant. There is a mixture of existing commercial uses and residential uses in the vicinity.

Figure 1. Aerial 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: Water, sanitary sewer, and drainage utility services are readily accessible to the subject property located within the City of Killeen municipal utility service area. Future development of the site will require the developer to provide the necessary water and sewer connectivity to each proposed parcel

Transportation:

Existing conditions: The property has direct ingress/egress to Rancier Avenue (FM 439), a state-system thoroughfare, which is classified as a 110' feet arterial on the City's adopted Thoroughfare Plan. The project site also has direct ingress/egress to Roy Reynolds Drive, which is classified as a 90' minor arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: The project concept plan contemplates three points of ingress/egress through a series of 50' right-of-ways.

Projected Traffic Generation: Significant upon build out.

Environmental Assessment

Topography: The property ranges from 796 to 818 feet above sea level.

Regulated Floodplain/Floodway/Creek: Approximately 0.32 acres of the approximate 40.87 acres in this zoning case are located within a regulatory Special Flood Hazard Area (SFHA). Current City codes require the establishment of a creek buffer zone that will span a distance of 25' beyond the top of each bank. However, this parcel is not affected by that requirement.

Currently sheet flow runoff on this development enters a creek along the western subdivision boundary and from there enters Caprice Ditch. Caprice Ditch flows into the Bell County Water Control and Improvement District #6's flood impoundment site #7 and from there into Nolan Creek. Nolan Creek is currently listed on the TCEQ's 2010 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

The previously plat level drainage design was incorporated into the previous hydraulics and hydrology study for this watershed. As a result, detention was not originally proposed for this parcel. The submitted concept drainage plan meets the City's conceptual requirements. However, drainage easements and any deviation from the previously plat analysis will be reevaluated during the re-plat process for the proposed PUD.

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 35 (thirty five) surrounding property owners regarding this request.

Staff Recommendation

Staff recommends approval of 35.78 acres of "SF-2" (Single-Family Residential District) zoning and 5.09 acres of "B-3" zoning with a PUD overlay with the following underlined deviations below:

"SF-2" Standards

Height: 35 feet or 2 1/2 stories

Lot size: **5,750 square feet** (this is an increase from the Code-required 5,000 square feet minimum)

Lot width: 50 feet interior; 60 feet with side street frontage

Lot depth: **115 feet** (this is an increase from the Code-required 100 feet minimum)

Setbacks: **20 feet front yard** (this is a decrease from the Code-required 25 feet front yard); 5 feet side yard; 20 feet rear yard

Landscaping: Fully sodded with a minimum of one (1) six (6) foot tall canopy tree with two-inch caliper, and eight (8) three (3) gallon shrubs planted in the front yard.

Architectural design: Same exterior architectural elevation may not be used within any grouping of five homes. Homes must have a minimum of 50% brick, stucco or stone veneer for exterior walls excluding doors, windows and gables.

The "SF-2" zoning district has façade and landscaping standards that the City Council put into place specifically to enhance the aesthetics and home values associated with 'garden home' projects with smaller yards. Killeen Code of Ordinances Section 31-195 requires a PUD for any "SF-2" project comprising 25 acres or more. Therefore, it is clear that the City's intent is to promote thoughtful standards when dealing with denser development types. It has been expected that in the review of PUDs in the past, that large open space areas be set aside for recreation and other amenities, however in this situation, what is being offered is already an improvement over what could be here. The viability of a home owner's association which is necessary and required to maintain the common open space/ recreation area is very doubtful. Therefore there will be no one to maintain the land and the City may be responsible for the maintenance and upkeep of these afore-mentioned areas. 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 increase in lot depth, overall lot size, required landscaping and architectural requirements.



AGENDA
REGULAR MEETING
PLANNING AND ZONING COMMISSION
OCTOBER 6, 2014
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 **October 6, 2014**, regular Planning and Zoning Commission meeting.
- II. Discuss Planned Unit Development standards and requirements.

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 Planning and Development Services
___ Tad Dorroh, Vice Chair	___ Tony D. McIlwain, AICP, CFM, City Planner
___ Ramon Alvarez	___ Holli Clements, Esq., Deputy City Attorney
___ James H. Butler	___ John Nett, P.E., CFM, City Engineer
___ Anthony Cooper	___ Kristina Ramirez, P.E., CFM, Director of Environmental Services
___ Michael DeHart	___ Vicki Wanken, Planning Assistant
___ Alvin Dillard, Ph.D.	___ Maria Lopez, Principal Secretary
___ Kathy Harkin	
___ Gregory Johnson	

APPROVAL OF AGENDA

Consider approval of the agenda for the regular meeting of the Planning and Zoning Commission for **October 6, 2014**.

CONSENT AGENDA

CA-1 Consider minutes of the regular Planning and Zoning Commission Meeting of **September 15, 2014**.

CITIZENS PETITIONS FOR INFORMATION

PUBLIC HEARING

PH-1 HOLD a public hearing and consider a plat submitted by Charles T. Langsdale (**Case #14-038RS: LHR Estates Replat No. One**), being a replat of Lot 1, Block 1, LHR Estates. The property is located in Killeen's extra-territorial jurisdiction (ETJ), along the south right-of-way of FM 2484, approximately 2,800 feet east of S.H. 195, Killeen, Bell County, Texas.

PH-2 HOLD a public hearing and consider a request by National Bank (**Case #Z14-27**) to rezone approximately 40.87 acres, part of Lakeview Park Subdivision, from R-3 (Multifamily Residential District) to a Planned Unit Development (P.U.D.) for R-1 (Single-Family Residential District) and B-3 (Local Business District) use. The property is located at the southwest corner of the intersection of E. Rancier Avenue and Roy Reynolds Drive, Killeen, Texas.

(This will be heard by City Council on October 28, 2014.)

PH-3 HOLD a public hearing and consider a request by David and Freda Wooldridge (**Case #Z14-28**) to rezone approximately 0.386 acre, part of the A Webb Survey, Abstract Number 857, from R-1 (Single-Family Residential District) to B-3 (Local Business District). The property is located west of S. W.S. Young Drive and is locally known as 4407 S. W.S. Young Drive, Killeen, Texas

(This will be heard by City Council on October 28, 2014.)

PH-4 HOLD a public hearing and consider a request by Michael B. Orlando (**Case #Z14-29**) to rezone Lot 1C, Block 5, Len Schwertner Subdivision 1st Extension, from R-1X (Single-Family Residential District) to R-1X (Single-Family Residential District) with a Conditional Use Permit (CUP) to sell firearms. The property is locally known as 2110 Schwertner Drive, Killeen Texas.

(This will be heard by City Council on October 28, 2014.)

COMMISSION AND STAFF ITEMS

- I. Attendance Chart
- II. Elect Chairperson of the Planning and Zoning Commission for the remainder of 2014.
- III. Nominate and select a representative for the ZBOA Board.
- IV. Nominate and select a representative for the Heritage Preservation Board.
- V. Discuss future training opportunities for Planning and Zoning Commissioners.

ADJOURNMENT

The next regularly scheduled meeting for the Planning and Zoning Commission is **October 20, 2014** at 5:00 p.m., in the Utility Collections Large Conference Room, 210 W. Avenue C, Killeen,

Planning and Zoning Agenda
October 6, 2014

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 254-501-7700, City Manager's Office, or TDD 1-800-734-2989.

I certify that the above notice of meeting was posted on the bulletin boards at City Hall and the Police Department and on the website of the City of Killeen, Texas, **on or before 4:00 p.m. on October 2, 2014.**

María Lopez

Principal Secretary



CITY OF KILLEEN

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

RECEIVED
SEP 29 2014
PLANNING

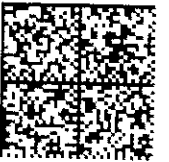
Z14-27/30
PATIKAS-HUNTER,
PO BOX 82837
LOS ANGELES CA 0

NIXIE 918 SE 1009 0009/23/14

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SEP 04 2014
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CITY OF KILLEEN

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

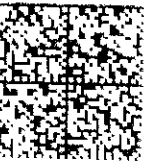
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NIXIE 787 SE 1009 0009/21/14

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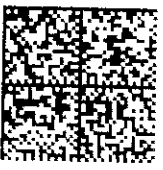
CITY OF KILLEEN

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

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SEP 15 2014

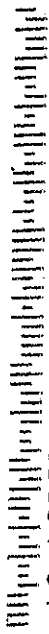
PLANNING




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Z14-27/28
MORGAN, JO ALTERNA
A3
C/O US BANK NATIONA
180 5TH ST E
SAINT PAUL MN 55101

NIXIE 553 SE 1009 0009/10/14
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 **CITY OF KILLEEN**
 P.O. Box 1329
 Killeen, Texas 76540-1329
 Planning and Development Services Department

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Z14-27/12
 RENTERIA, RAU
 359 YOUNT ST
 FORT EUSTIS VA
 76540-0529
 236040560

NIXIE 231 SE 1009 0009/16/14
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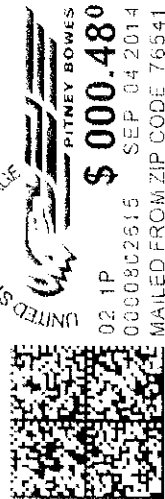


 **CITY OF KILLEEN**
 P.O. Box 1329
 Killeen, Texas 76540-1329
 Planning and Development Services Department

RECEIVED
 SEP 10 2014
 PLANNING

Z14-27/11
 BULOS, ARNOLD
 5202 BIRDCREEK DR
 KILLEEN TX 76543
 76540-01329
 236040560

AUSTIN TX 787
 NIXIE 787 7E 1009 0009/09/14
 RETURN TO SENDER
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 UNABLE TO FORWARD
 BC: 76540132929 *2610-00589-04-42



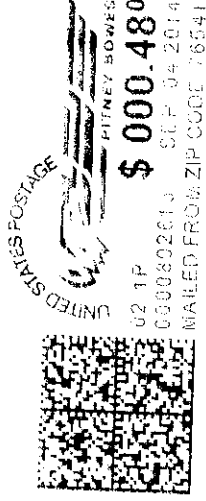
CITY OF KILLEEN

P.O. Box 1329

Killeen, Texas 76540-1329

Planning and Development Services Department

RECEIVED
SEP 08 2014
PLANNING



Z14-27/32

TORRES, DAVID JR ET
1305 MONROE LOOP
KILLEEN TX 76543

NIXIE

787 FE 1009 0009/06/14

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ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

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CITY OF KILLEEN

P.O. Box 1329

Killeen, Texas 76540-1329

Planning and Development Services Department

AUSTIN
TX 787
SEP 08 2014
76541



Z14-27/18

LOCKARD, DAVID L
5402 BIRDCREEK DR
KILLEEN TX 76543

NIXIE

787 FE 1009 0009/09/14

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RECEIVED

SEP 10 2014

PLANNING



**AGENDA
REGULAR MEETING
PLANNING AND ZONING COMMISSION
SEPTEMBER 15, 2014
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 **September 15, 2014**, regular Planning and Zoning Commission meeting.
- II. Discuss Planned Unit Development standards and requirements.

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

ROLL CALL

COMMISSION	STAFF
<input type="checkbox"/> Johnny Frederick, Chairman	<input type="checkbox"/> Dr. Ray Shanaa, AICP, Executive Director of Planning and Development Services
<input type="checkbox"/> Tad Dorroh, Vice Chair	<input type="checkbox"/> Tony D. McIlwain, AICP, CFM, City Planner
<input type="checkbox"/> Ramon Alvarez	<input type="checkbox"/> Holli Clements, Esq., Deputy City Attorney
<input type="checkbox"/> James H. Butler	<input type="checkbox"/> John Nett, P.E., CFM, City Engineer
<input type="checkbox"/> Anthony Cooper	<input type="checkbox"/> Kristina Ramirez, P.E., CFM, Director of Environmental Services
<input type="checkbox"/> Michael DeHart	<input type="checkbox"/> Vicki Wanken, Planning Assistant
<input type="checkbox"/> Alvin Dillard, PhD	<input type="checkbox"/> Maria Lopez, Principal Secretary
<input type="checkbox"/> Bobby Lee Hoover	
<input type="checkbox"/> Joel Steine	

APPROVAL OF AGENDA

Consider approval of the agenda for the regular meeting of the Planning and Zoning Commission for **September 15, 2014**.

CONSENT AGENDA

CA-1 Consider minutes of the regular Planning and Zoning Commission Meeting of **September 8, 2014**.

CITIZENS PETITIONS FOR INFORMATION

PUBLIC HEARING

PH-1A **HOLD** a public hearing and consider a request by *J. D. Hendricks* (Case #FLUM Z14-25) to revise the Comprehensive Plan's Future Land Use Map (FLUM) from 'Estate' to 'General Residential' for approximately 7.681 acres, part of the R. Cunningham Survey, Abstract No. 199. The property is located on the east right-of-way of Onion Road, approximately 550 feet south of E. Stan Schlueter Loop, Killeen, Texas.
(This will be heard by City Council on October 14, 2014.)

PH-1B **HOLD** a public hearing and consider a request by Jim Dale Hendricks (Case#14-25) to rezone approximately 7.681 acres, part of the R. Cunningham Survey, Abstract No. 199, from R-1 (Single-Family Residential District) and 'A' (Agricultural District) to B-5 (Business District) for prospective commercial use. The property is located on the east right-of-way of Onion Road, approximately 550 feet south of E. Stan Schlueter Loop, Killeen, Texas.
(This will be heard by City Council on October 14, 2014.)

PH-2 **HOLD** a public hearing and consider a request by RSBP Developers, Inc. (Case #Z14-26) to rezone approximately 2.029 acres, part of the W. L. Harris Survey, Abstract No. 1155, from B-3 (Local Business District) to R-2 (Two-family Residential District). The property is located east of Lots 5-10, Block 2, Purser Crossing, Phase Two, Killeen, Texas.
(This will be heard by City Council on October 14, 2014.)

PH-3 **HOLD** a public hearing and consider a request by National Bank (Case #Z14-27) to rezone approximately 45.151 acres, part of Lakeview Park Subdivision, from R-3 (Multifamily residential District) to a PUD (Planned Unit Development) for R-1 and B-3 use. The property is located at the southwest corner of the intersection of E. Rancier Avenue and Roy Reynolds Drive, Killeen, Texas.
(This will be heard by City Council on October 14, 2014.)

COMMISSION AND STAFF ITEMS

I. Attendance Chart

ADJOURNMENT

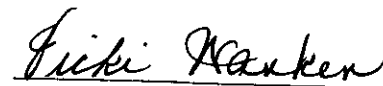
The next regularly scheduled meeting for the Planning and Zoning Commission is **October 6, 2014** at 5:00 p.m., in the Utility Collections Large Conference Room, 210 W. Avenue C, Killeen, Texas.

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.

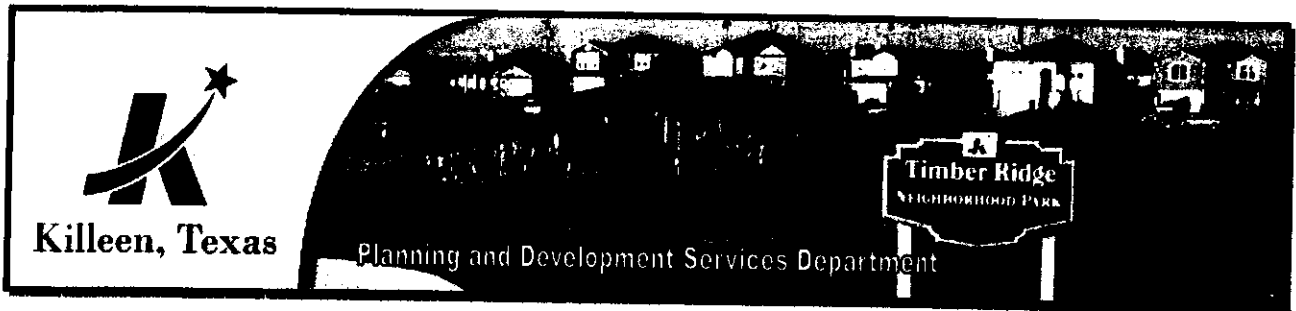
AMERICANS WITH DISABILITIES ACT

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 254-501-7700, City Manager's Office, or TDD 1-800-734-2989.

I certify that the above notice of meeting was posted on the bulletin boards at City Hall and the Police Department and on the website of the City of Killeen, Texas, **on or before 4:00 p.m. on September 12, 2014.**



Vicki Wanken
Vicki Wanken
Planning Assistant



TO: PLANNING AND ZONING COMMISSION
FROM: TONY D. MCILWAIN, AICP, CFM, CITY PLANNER
DATE: SEPTEMBER 11, 2014

REZONING CASE: #Z14-27 "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND "B-3 (LOCAL BUSINESS DISTRICT) USES

Nature of the Request

National Bank submits this request to rezone 45.151 acres, being part of the Lakeview Park Subdivision, from "R-3" (Multifamily Residential District) to Planned Unit Development (PUD) with "R-1" (Single-Family Residential District) and "B-3" (Local Business District) uses. The property is located at the southwest corner of Rancier Avenue (FM 439) and Roy Reynolds Drive. The applicant is proposing a 186 lot project.

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 building or premises in the district "B-3" Local Business District shall be used only for the following purposes:

- (1) Any use permitted in the "B-2" district.
- (2) Bank, savings and loan or other financial institution.
- (3) Day camp.
- (4) Hospital, home or center for the acute or chronic ill.
- (5) Mortuary or funeral chapel.
- (6) Appliance (household) sales and repair service.
- (7) Bakery or confectionery: engaged in preparation, baking, cooking and selling of products at retail on the premises, with six (6) or less employees.
- (8) Boat and accessory sales, rental and service.
- (9) Bowling alleys.
- (10) Cleaning or laundry (self-service).
- (11) Cleaning, pressing and dyeing: with six (6) or less employees.
- (12) Florist, garden shop, greenhouse or nursery office (retail): no growing of plants, shrubs or trees out-of-doors on premises; no outside display or storage unless behind the required front yard or the actual setback of the principal building, whichever is greater.
- (13) General food products, retail sales, such as supermarkets, butcher shops, dairy stores, seafood sales or health food sales.
- (14) Cafeteria or catering service.
- (15) Marine supplies, sales and service.
- (16) Office, general business.
- (17) Restaurant or café permitted to offer alcoholic beverages for sale operating under the rules and regulations promulgated by the Texas Alcoholic Beverage Commission, as amended, all of which are adopted hereby and made a part hereof for all purposes. No restaurant will be permitted to dispense any type of alcoholic beverage through any "drive-through" facility or window.
- (18) Tennis or swim club.
- (19) Small animal clinic or pet grooming shop.
- (20) Hotel or motel.
- (21) Job printing. Not more than seventeen (17) inches by twenty-five (25) inches page size.

(22) Gasoline service station, auto laundry or car wash.

(23) Auto parts sales, new, at retail.

(24) A customarily incidental use: sale of beer and/or wine only for off-premises consumption only shall be considered a customarily incidental use in this district, but not in any residential district or any more restrictive business district.

(25) Theaters of general release.

(26) Mini/self storage facilities - a building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual compartmentalized and controlled access stalls or lockers for the storage of customer's goods or wares. No outside storage, sales, service, or repair activities, other than the rental of storage units shall be permitted on premises.

Sec. 31-306.1 Supplemental standards for restaurants engaged in the on-premises sale and consumption of alcohol.

(a) During any consecutive twelve-month period, a restaurant shall not obtain more than fifty (50) percent of its gross receipts from the on-premises sale of alcoholic beverages. In conjunction with renewal of TABC licensing, it shall be required to provide the most recent comptroller's certification of sales receipts to the planning and development services department prior to the city's approval of the permit renewal.

(b) Restaurants may not be within three hundred (300) feet of a church, public or private school or public or private hospital. The measurement of the distance between the place of business where alcoholic beverages are sold and the church, public or private school, or public or private hospital shall be as prescribed by the Texas Alcoholic Beverage Code § 109.33, as amended.

Property Specifics

Applicant/Property Owner: National Bank.

Property Location: The property is located at the southwest corner of Rancier Avenue (FM 439) and Roy Reynolds Drive.

Legal Description: 45.151 acres, being part of the Lakeview Park Subdivision.

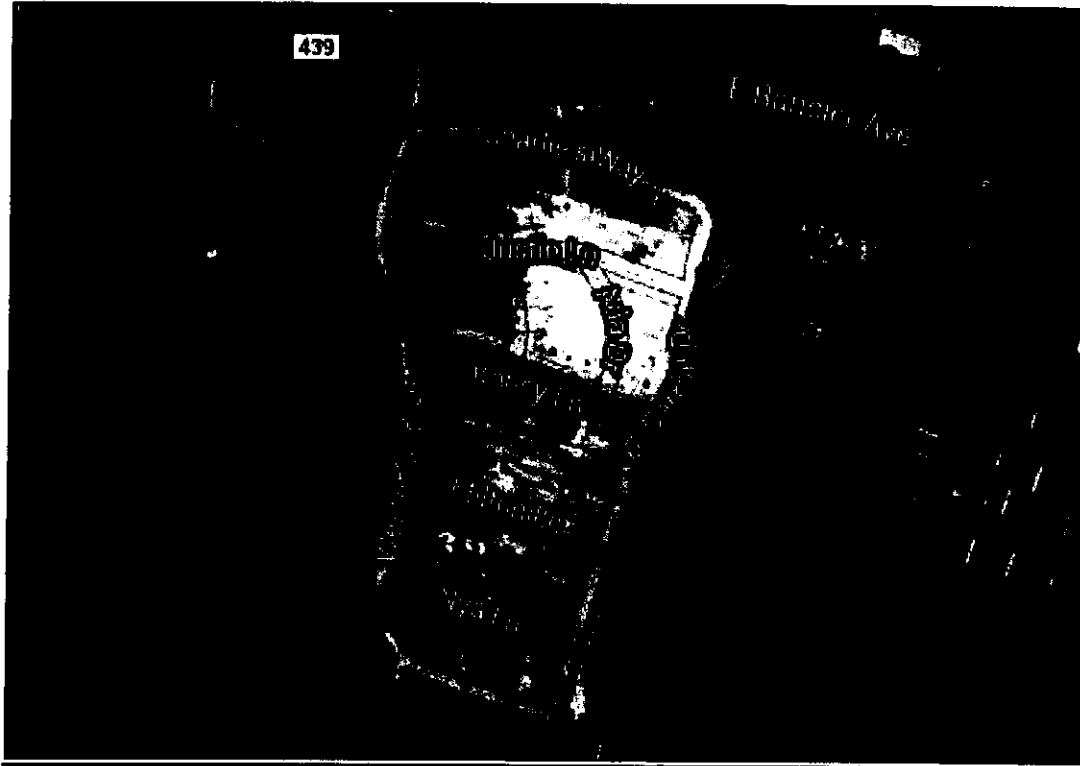
Zoning/ Plat Case History:

- The property was rezoned from "R-MP" (Mobile Home and Travel Trailer Park District) to "R-3" (Multifamily Residential District) on December 20, 2006 per Ordinance No. 05-123.
- The subject property is platted as Lakeview Park Subdivision, which was filed for record on May 16, 2006 in Cabinet D, Slide 116-AA, Plat Records, Bell County, Texas.

Character of the Area:

Existing Land Use(s) on the Property: The property is currently vacant. There is a mixture of existing commercial uses and residential uses in the vicinity.

Figure 1. Aerial 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: Water, sanitary sewer, and drainage utility services are readily accessible to the subject property located within the City of Killeen municipal utility service area. Future development of the site will require the developer to provide the necessary water and sewer connectivity to each proposed parcel

Transportation:

Existing conditions: The property has direct ingress/egress to Rancier Avenue (FM 439), a state-system thoroughfare, which is classified as a 110' feet arterial on the City's adopted Thoroughfare Plan. The project site also has direct ingress/egress to Roy Reynolds Drive, which is classified as a 90' minor arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: The project concept plan contemplates three points of ingress/egress through a series of 50' right-of-ways.

Projected Traffic Generation: Significant upon build out.

Environmental Assessment

Topography: The property ranges from 796 to 818 feet above sea level.

Regulated Floodplain/Floodway/Creek: Approximately 0.32 acres of the approximate 45 acres in this zoning case are located within a regulatory Special Flood Hazard Area (SFHA). Current City codes require the establishment of a creek buffer zone that will span a distance of 25' beyond the top of each bank. However, this parcel is not affected by that requirement.

Currently sheet flow runoff on this development enters a creek along the western subdivision boundary and from there enters Caprice Ditch. Caprice Ditch flows into the Bell County Water Control and Improvement District #6's flood impoundment site #7 and from there into Nolan Creek. Nolan Creek is currently listed on the TCEQ's 2010 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

The previously plat level drainage design was incorporated into the previous hydraulics and hydrology study for this watershed. As a result, detention was not originally proposed for this parcel. The submitted concept drainage plan meets the City's conceptual requirements. However, drainage easements and any deviation from the previously plat analysis will be reevaluated during the re-plat process for the proposed PUD.

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 35 (thirty five) surrounding property owners regarding this request.

Staff Recommendation

Staff supports the applicant's desire to develop the site for "R-1" and "B-3" use; however staff does not support PUD zoning for this property. Per Killeen Code of Ordinances Section 31-800, a planned unit development (PUD) is a land use design incorporating the concepts of density

and common open space. While the proposal is dense at 4.4 dwelling units/ net acre, there is neither an open space component nor amenities component incorporated in the project. As presented, the PUD proposal contemplates a typical lot size and setbacks that are smaller than allowed in the City's base "R-1" zoning district.

If the applicant wishes to develop the site with smaller residential lot sizes and setbacks, staff recommends approval of "SF-2" (Single-Family Residential District) and "B-3" zoning with a PUD overlay. The "SF-2" zoning district allows for 5,000 square feet lots with setbacks substantially consistent with the applicant's illustrated typical lot layout. Additionally the "SF-2" zoning district has façade and landscaping standards that the City Council put into place specifically to mitigate the density associated with 'garden home' projects with smaller yards (see standards below). It shall be noted that Killeen Code of Ordinances Section 31-195 requires a PUD for any "SF-2" project comprising 25 acres or more. Therefore, it is clear that the City's intent is to promote thoughtful standards when dealing with denser development types.

"SF-2" Standards

Height: 35 feet or 2 1/2 stories

Lot size: 5,000 square feet minimum

Lot width: 50 feet interior; 60 feet with side street frontage

Lot depth: 100 feet

Setbacks: 25 feet front yard; 5 feet side yard; 20 feet rear yard

Landscaping: Fully sodded with a minimum of one (1) six (6) foot tall canopy tree with two-inch caliper, and eight (8) three (3) gallon shrubs planted in the front yard.

Architectural design: Same exterior architectural elevation may not be used within any grouping of five homes. Homes must have a minimum of 50% brick, stucco or stone veneer for exterior walls excluding doors, windows and gables.

If the applicant prefers not to meet the requirements found in the "SF-2" zoning district, staff recommends approval of "R-1" and "B-3" zoning on the site without the PUD overlay. If approved, the applicant would simply meet the standard lot size (6,000 square feet) and setback (25 feet front yard, 7 feet side yard, 25 feet side yard) requirements as articulated in Killeen Code of Ordinances Section 31-188.



CITY OF KILLEEN

PLANNING & DEVELOPMENT SERVICES

September 3, 2014

RE: CASE #Z14-27: HOLD a public hearing and consider a request to rezone approximately 45.151 acres, part of Lakeview Park Subdivision from R-3 (Multifamily Residential District) to PUD (Planned Unit Development) for R-1 (Single-family Residential District) and B-3 (Local Business District). The property is located on the west right-of-way of Roy Reynolds Drive and north right-of-way of E. Rancier Avenue, Killeen, Texas.

Dear Property Owner:

National Bank, owner of the above mentioned property, has requested rezoning of this property. The City of Killeen is required by state law to notify all property owners with a 200 foot radius of the request. The enclosed maps show the property to be rezoned. This property is marked by diagonal lines, and the circular line indicates those properties within the 200 foot radius.

The City of Killeen Planning and Zoning Commission has scheduled a public hearing for this request on **September 15, 2014, 5:00 p.m.** in the Large Conference Room, Utility Collections, 210 W. Avenue C. The Large Conference Room is located at the northwest corner of the building. You are invited to attend this hearing to present any facts, which you feel the Planning and Zoning Commission should consider in evaluating this request.

You may also indicate your support or opposition to this request, by filling out the bottom portion of this letter and sending it to: *Planning and Zoning Commission, City of Killeen, P.O. Box 1329, Killeen, Texas 76540-1329.* To be considered a protest under provisions of the State Local Government Code, the protest must be written and signed by the property owner of a property located within the 200 foot notification area (you may use the slip on the bottom of this page). Any petition, whether in support or opposition to this request, must be received by the Planning Department no later than **4:00 p.m., September 15, 2014.** After the Planning and Zoning meeting, this matter will be forwarded to the City Council on **October 14, 2014 at 5:00 p.m.,** where you may also appear and speak. If you desire additional information relative to this matter, please call (254) 501-7630.

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

YOUR NAME:	PHONE NUMBER:
CURRENT ADDRESS:	
ADDRESS OF PROPERTY OWNED:	
COMMENTS:	R-3 to PUD
SIGNATURE:	SPO #Z14-26/

A AGRICULTURAL DISTRICT

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

A-R1 AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT

Single-family residential homes.
Home occupations, accessory uses and buildings as permitted in Section 31-186(1).

Parks and recreation areas.
Churches, synagogues, chapels and similar places of religious worship.
Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.
Crop and tree farming, but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises.
Public and quasi-public buildings for cultural use.
Utility substations.

Permitted Accessory Uses:
One guest home per lot shall be permitted in the district subject to the following standards:
The guest house shall be a detached accessory use to a principal residence.
b. The maximum allowed area of the guest house shall not exceed twenty five (25) percent of the floor area of the principal residence (exclusive of porches, patios, etc.).
c. One additional off-street parking space shall be required.
d. The rental or lease of a guest house shall be prohibited.
(2) Non-commercial, animal holding pens of any kind, being no closer than fifty (50) feet from a street line and no closer than two hundred and fifty (250) feet from lot line.

RR-1 RESIDENTIAL MODULAR HOME SINGLE-FAMILY

All uses permitted in R-1
One-family dwellings of modular construction and affixed to a permanent foundation standards for one- and two-family housing units.

Residential units of modular construction may not be placed in any other district.

R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

One-family dwellings.
Churches or other places of worship.
Colleges, universities or other institutions of higher learning.
Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.
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.

Parks, playgrounds, community buildings and other public recreational facilities, owned and/or operated by the municipality or other public agency.
Public buildings, including libraries, museums, police and fire stations.
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.
Schools, public elementary or high schools, private with curriculum equivalent to that of a public elementary or high school.
Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
Water supply reservoirs, pumping plants and towers.
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.

All uses allowed in section 31-186, including those defined as home occupation uses.

SR-2 SUBURBAN RESIDENTIAL SINGLE-FAMILY DISTRICT

Single-family detached dwellings.
Any use permitted in sections 31-186(1-13(b)). Permitted Accessory Uses:
(1) One guest home per lot shall be permitted in the district subject to the following standards:
a. The guest house shall be a detached accessory use to a principal residence.
b. The maximum allowed area of the guest house shall not exceed twenty-five (25) percent of the floor area of the principal residence (exclusive of garages).
c. One additional off-street parking space shall be required.
d. The rental or lease of a guest house shall be prohibited.

SR-2 SINGLE-FAMILY RESIDENTIAL DISTRICT

Single-family dwellings meeting the criteria of the garden home district, with a minimum floor area of 1,100 square feet.

SR-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

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

SR-1 RESIDENTIAL TOWNHOUSE SINGLE-FAMILY DISTRICT

All buildings and premises located in the district "R-1" residential townhouse single-family district shall be limited to townhouse development and accessory buildings and uses as described in section 31-186. (Code 1963, Ch. 9, art. 2, § 6-B-1)

R-2 TWO-FAMILY RESIDENTIAL DISTRICT

Any use permitted in district "R-1".
Two-family dwellings

R-3F MULTI-FAMILY RESIDENTIAL DISTRICT

All uses allowed in section 31-186.
Multifamily structures containing 3 or 4 separate dwellings units
Institutions of a religious, educational, charitable or philanthropic nature, but not a penal or mental institution
Licensed group or community home housing five (5) or fewer persons
Accessory buildings and uses
Ordinary incidental to the above uses and located on the same lot therewith, not involving the conduct of a retail business
Planned unit development required

R-3A

PUD PLANNED UNIT DEVELOPMENT

A PUD is a land use design incorporating the concepts of density and common open space. The PUD designation serves as an overlay zoning and development classification. 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.

HOME OCCUPATIONS

Author, Artist, Sculptor, dressmaker, seamstress or tailor
Music/Dance Teacher (one pupil at a time)
Individual tutoring
Minister, rabbi or priest
Home crafts such as rug weaving, model making
Office facility of: Architect, attorney, engineer, insurance agent, accountant, real estate broker, or similar profession, sales or manufacturing representative, service provider
Millinery, repair shop for small electrical appliances and food preparation establishments

MOBILE HOME DISTRICT R-MP

Mobile home, conforming to the current ordinance regulating same, either: As a part of a mobile home park; or Provided, however, that mobile trailer parks in existence on the date of the ordinance from which this section is derived with proper zoning and current mobile trailer park permits shall hereinafter be designated "R-MP" mobile home district. All other mobile trailer parks shall be considered nonconforming.
Accessory buildings and structures incidental to the above uses, including community center, swimming pools, etc.
Installations owned and operated by the city, the county, the state or public utility companies, which installations are necessary for the public safety, governmental services, or the furnishing of utility services to or through the "R-MP" district.
Provided, however, that mobile trailer parks in existence on the date of the ordinance from which this section is derived with proper zoning and current mobile trailer park permits shall hereinafter be designated as "R-MP" mobile home district.
All other mobile trailer parks shall be considered nonconforming.

R-MS MANUFACTURED HOUSING DISTRICT

Manufactured housing, as defined herein, as part of a manufactured home subdivision, for occupancy as a single family home, shown on a subdivision plat approved by the commission and city council and filed for record, designed specifically for and restricted to a manufactured home development

MINISET-STORAGE FACILITIES
Outdoor fruits & vegetable sales (farmer's markets)
Auto repair.

NEIGHBORHOOD BUSINESS DISTRICT NBD

A building or premises in a "NBD" neighborhood business district shall not exceed gross building size of 10,000 square feet and no single leased/owned business area shall exceed 4,000 square feet. This district shall allow all uses within the "B-3" Local Business District with the following exclusions:
Home for the aged.
Day camp/day care centers
Hospital, home or center for the chronic ill;
Mortuary or funeral chapel.
Appliance (household) sales and service.
Boat and accessory sales, rental and service.
Marine supplies, sales and service.
Restaurant or café with drive-in or drive-through service
Tennis or swim club.
Hotel or motel.
Gasoline service station in excess of four (4) pumps, auto laundry or car wash.
Auto parts sales, new at retail
Theaters or general release

MOBILE HOME DISTRICT R-MP

Mobile home, conforming to the current ordinance regulating same, either: As a part of a mobile home park; or Provided, however, that mobile trailer parks in existence on the date of the ordinance from which this section is derived with proper zoning and current mobile trailer park permits shall hereinafter be designated "R-MP" mobile home district. All other mobile trailer parks shall be considered nonconforming.
Accessory buildings and structures incidental to the above uses, including community center, swimming pools, etc.
Installations owned and operated by the city, the county, the state or public utility companies, which installations are necessary for the public safety, governmental services, or the furnishing of utility services to or through the "R-MP" district.
Provided, however, that mobile trailer parks in existence on the date of the ordinance from which this section is derived with proper zoning and current mobile trailer park permits shall hereinafter be designated as "R-MP" mobile home district.
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R-MS MANUFACTURED HOUSING DISTRICT

Manufactured housing, as defined herein, as part of a manufactured home subdivision, for occupancy as a single family home, shown on a subdivision plat approved by the commission and city council and filed for record, designed specifically for and restricted to a manufactured home development

R-3A

Single-family dwellings meeting the criteria of the garden home district, with a minimum floor area of 1,100 square feet.



CITY OF KILLEEN
PLANNING & DEVELOPMENT SERVICES

September 3, 2014

RE: CASE #Z14-27: HOLD a public hearing and consider a request to rezone approximately 45.151 acres, part of Lakeview Park Subdivision from R-3 (Multifamily Residential District) to PUD (Planned Unit Development) for R-1 (Single-family Residential District) and B-3 (Local Business District). The property is located on the west right-of-way of Roy Reynolds Drive and north right-of-way of E. Rancier Avenue, 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 **September 15, 2014, 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 **October 14, 2014, 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

ENCLOSURE "1"

The City of Killeen Zoning Ordinance provides authority to the City Council to pass ordinances changing the boundaries of zoning districts. It requires that a public hearing be held by both the Planning and Zoning Commission and the City Council prior to decision.

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

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

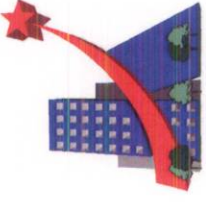
Is the new zoning substantially inconsistent with the zoning of neighboring lands? (Whether the new zoning is more or less restrictive.)

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

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

B. Conditional Use Permit

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



PLANNING AND DEVELOPMENT SERVICES

ZONING CASE:
Z14-27

ZONING FROM:
R-3 to PUD (R-1/B-3)

PROPERTY OWNER:
National Bank

APPLICANT:
National Bank

ADDRESS TO BE REZONED:
Southwest corner of FM439/Roy Reynolds

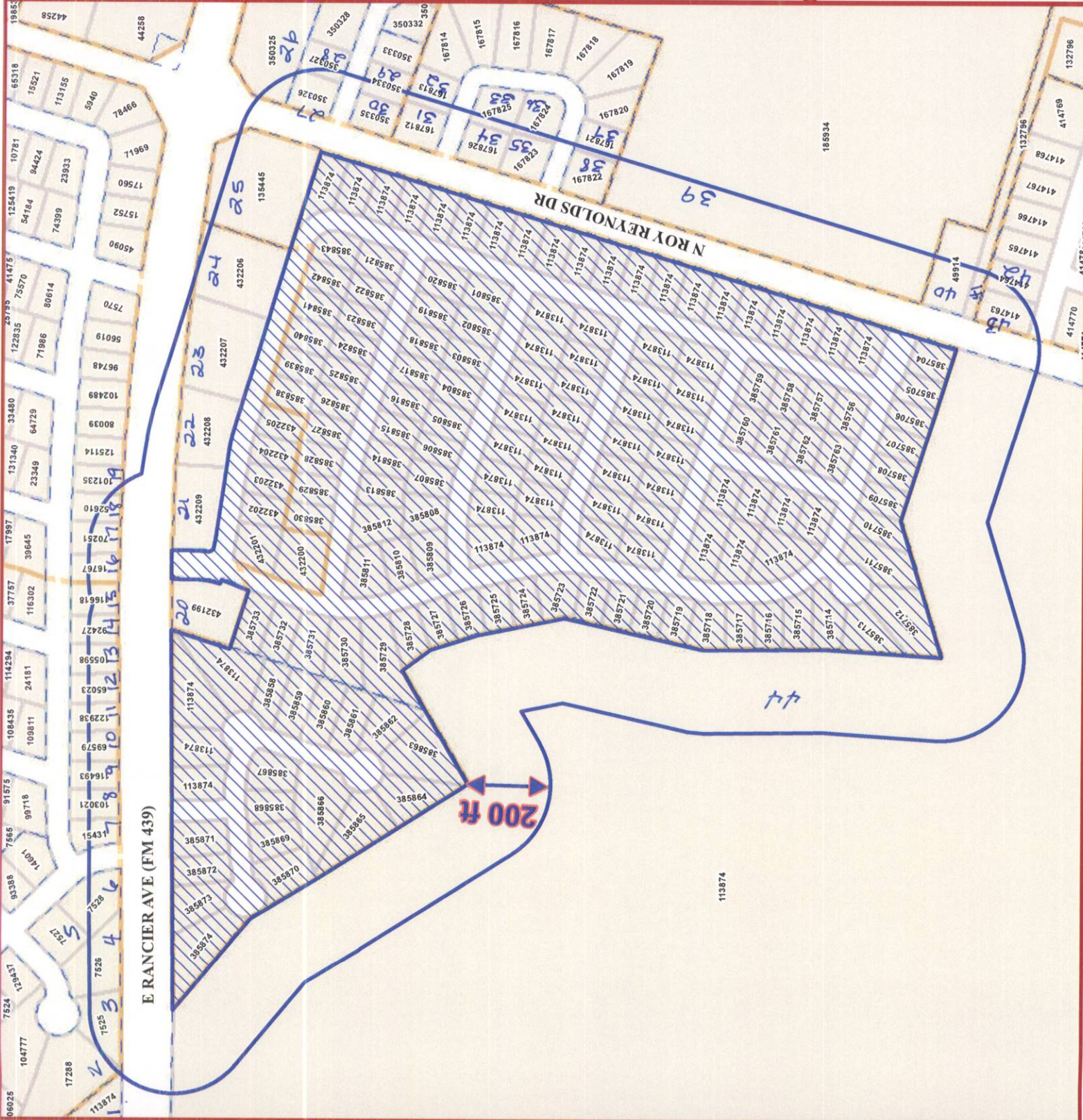
LEGAL DESCRIPTION:
Lakeview Park Subdivision

LEGEND

- 200ft Buffer
- Zoning Case
- Current Zoning
- Subdivision
- Parcel



Date: 8/20/2014



A		B		C		D		E		F		G	
1	PROP OWNER	FILE NAME AS	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP						
2	Z14-27/01, 44	T C & E Realty, Inc		PO BOX N	NOLANVILLE	TX	76559						
3	Z14-27/02	BRIDGE OF WIER ASSETS LLC		857 FIRE LN	KILLEEN	TX	76542						
4	Z14-27/03, 04	HENNING, DALE E		28 ELMER KING RD	BELTON	TX	76513						
5	Z14-27/05, 06	MILLER, CHRISTOPHER P ETUX DIANA L		712 END O TRL	HARKER HEIGHTS	TX	76548						
6	Z14-27/07	BURROW, ROBERT G ETUX GWENDOLYN D		5100 BIRDCREEK DR	KILLEEN	TX	76543						
7	Z14-27/08	SAUNDERS, MILTON L ETUX TERESA J		5102 BIRDCREEK DR	KILLEEN	TX	76543						
8	Z14-27/09	MUNDO, MATTHEW C ETUX ELSEPHA		5104 BIRDCREEK DR	KILLEEN	TX	76543						
9	Z14-27/10	MAULTSBY, CLIFFORD B ETUX SHERRY ANN		5200 BIRDCREEK DR	KILLEEN	TX	76543						
10	Z14-27/11	BULOS, ARNOLD		5202 BIRDCREEK DR	KILLEEN	TX	76543						
11	Z14-27/12	RENERIA, RAUL		359 YOUNT ST UNIT E	FORT EUSTIS	VA	23604						
12	Z14-27/13	SHEPHERD, BOK YO		5206 BIRDCREEK DR	KILLEEN	TX	76543						
13	Z14-27/14	DE LA CFUZ, LIDIA		5300 BIRDCREEK DR	KILLEEN	TX	76543						
14	Z14-27/15	FORBES, PATRICK A ETUX MICHELLE		5302 BIRDCREEK DR	KILLEEN	TX	76543						
15	Z14-27/16	SCHWAB, SCOTT MATTHEW ETUX MELANIE M		5304 BIRDCREEK DR	KILLEEN	TX	76543						
16	Z14-27/17	MCCLAIN, REUBEN S JR & JOETTA		5306 BIRDCREEK DR	KILLEEN	TX	76543						
17	Z14-27/18	LOCKARD, DAVID L JR ETUX ANNA A		5402 BIRDCREEK DR	KILLEEN	TX	76543						
18	Z14-27/19	ROUNDS, ALBERT L ETUX MARGARET M		740 STELLAS PT	KILLEEN	TX	76543						
19	Z14-27/20-24	NATIONAL BANK			MCDONOUGH	GA	30253						
20	Z14-27/25	THOMKAR INC		PO BOX 779	GATESVILLE	TX	76528						
21	Z14-27/26	RANCIER ALL STAR DEVELOPMENT LP		1008 ILLINOIS AVENUE	KILLEEN	TX	76541						
22	Z14-27/27	BAILEY, FABIAN G ETUX BARBARA P		PO BOX 2170	HARKER HEIGHTS	TX	76548						
23	Z14-27/28	MORGAN, JO ALTERNATIVE LOAN TRUST 2006-A3		PO BOX 3246	HARKER HEIGHTS	TX	76548						
24	Z14-27/29	PEREZ, MICHAEL	C/O US BANK NATIONAL ASSOC AS TRUSTEE	180 5TH ST E	SAINT PAUL	MN	55101						
25	Z14-27/30	PATIKAS-HUNTER, SEAN		13123 OPAL LN	WOODBIDGE	VA	22193						
26	Z14-27/31	MALONE, CHERYL L SHEESLEY SEPARATE PROPERTY TRUST		PO BOX 82837	LOS ANGELES	CA	90083-0837						
27	Z14-27/32	TORRES, DAVID JR ETUX MARY J		2095 KNOWLES RD	MEDFORD	OR	97501						
28	Z14-27/33	HINDS, JANICE & FLOYD D HERBERT		1305 MONROE LOOP	KILLEEN	TX	76543						
29	Z14-27/34	JACKSON, JAMILLAH C ETVIR JABARI M		9009 TRAILRIDGE DR	TEMPLE	TX	76502						
30	Z14-27/35	GARZA, GARY & HAROLD SMART TRI CITY INVESTMENTS		1623 INDIAN TRAIL APT A	HARKER HEIGHTS	TX	76548						
31	Z14-27/36	POLLEY, CATHERINE L		2689 FM 2657	COPPERAS COVE	TX	76522						
32	Z14-27/37	LEDEZMA, HUGO ETUX ALICIA		2115 BRADFORD ST	BAKERSFIELD	CA	93304						
				3206 SOUTHHILL DR	KILLEEN	TX	76549						

	A	B	C	D	E	F	G
33	Z14-27/38	PURYEAR, JOHN JR		6513 WAGON WHEEL DR	KILLEEN	TX	76542
34	Z14-27/39	PHEONIX-KILLEEN LP		12629 NEW BRITTANY BLVD 16	FORT MYERS	FL	33907-3631
35	Z14-27/40	HILLIARD, CHARLES E		PO BOX 68	NOLANVILLE	TX	76559-0068
36	Z14-27/41 - 43	MANNING, JAY HOMES INC		2425 E HIGHWAY 190	COPPERAS COVE	TX	76522
37	Z14-27/OWNER	NATIONAL BANK		PO BOX 779	GATESVILLE	TX	76528
38	Z14-27/AGENT	KILLEEN ENGINEERING AND SURVEYING		2901 E STAN SCHLUETER LP	KILLEEN	TX	76542

City of Killeen Planning & Development Services

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

P.O. Box 1389
Killeen, TX 76540

0170
DATE 8/15, 2014

RECEIVED FROM KES
two hundred + no/100 DOLLARS \$200⁰⁰

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

Lakeview Park

- CASH
 CHECK No. 4858
 MONEY ORDER

RECEIVED BY Liane Vicki