

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF PART OF LOT 1, BLOCK 1, COUNTRY MEADOWS MOBILE HOME PARK, CONSISTING OF APPROXIMATELY 45.106 ACRES, FROM “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT) AND “R-MH” (RESIDENTIAL MOBILE HOME DISTRICT) TO A PLANNED UNIT DEVELOPMENT (PUD) WITH “SF-2” (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT) USES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, WBW Development has presented to the City of Killeen a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of part of Lot 1, Block 1, Country Meadows Mobile Home Park, consisting of approximately 45.106 acres, from “R-2” (Two-Family Residential District) and “R-MH” (Residential Mobile Home District) to a Planned Unit Development (PUD) with “SF-2” (Single-Family Residential District) and “R-2” (Two-Family Residential District) uses, said request having been recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 1st day of October 2018, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 30th day of October 2018, at the City Hall, City of Killeen;

WHEREAS, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the majority opinion that the applicant’s zoning request should be approved;

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

SECTION I. That the zoning classification of part of Lot 1, Block 1, Country Meadows Mobile Home Park be changed from “R-2” (Two-Family Residential District) and “R-MH” (Residential Mobile Home District) to a Planned Unit Development (PUD) with “SF-2” (Single-Family Residential District) and “R-2” (Two-Family Residential District) uses with the following conditions:

1. Connectivity:

- a. There shall be a stub-out street that ties into the existing platted street to the east of the PUD (Woodbine Drive) having a sixty (60) foot wide right-of-way.
- b. There shall be a stub-out street that ties into the undeveloped property to the south (Property ID No. 383234) having a sixty (60) foot wide right-of-way.
- c. There shall be an Emergency Access Easement provided on the north side of the PUD tying into one of the existing stub-outs to the north (Country Meadows Loop) that is a minimum of twenty (20) feet in width, paved with an all-weather surface to be approved by the City’s Fire Marshall, and equipped with a Knox Box.

2. Landscaping:

- a. Each residential lot shall have a minimum of two (2) six (6) foot tall canopy trees at least two (2) inch caliper in size. One (1) tree shall be located in the front yard, and one (1) tree shall be located in the backyard of each lot.
- b. Each residential lot shall have five (5) 5-gallon shrubs, three (3) 3-gallon shrubs.
- c. Each residential lot shall be fully sodded (front, side, and rear yard).

- d. All landscaping must be in place upon final inspection unless an extension is granted in writing by the Building Official. Such extension shall not exceed sixty (60) days.

3. Architectural Design:

- a. Each residential structure shall have a minimum of 100% masonry on the front elevation and 50% masonry on each side elevation, exclusive of windows, doors, gables, eaves, soffits, walls above roof lines, porches and patios at least four foot by eight foot (4'x8') in size. Masonry shall include brick, stucco, or stone, but shall not include fiber-cement siding.
- b. The same elevation shall not be repeated within any grouping of five (5) lots on the same side of the street, and shall not be repeated directly across the street, or on a diagonal.

4. "SF-2" (Single-Family Residential) Lots:

- a. Rear yard setbacks shall be reduced from twenty (20) feet to fifteen (15) feet.
- b. Minimum lot depth shall be increased from one hundred (100) feet to one hundred and five (105) feet.
- c. All other requirements for "SF-2," as outlined in Chapter 31, will be met unless otherwise noted herein.

5. "R-2" (Two-Family Residential) Lots:

- a. No more than forty-five (45) duplex lots shall be provided within the PUD.
- b. Side yard setbacks shall be reduced from seven (7) feet to five (5) feet.
- c. All "R-2" lots shall front on a sixty (60) foot wide right-of-way.

d. All other requirements for "R-2," as outlined in Chapter 31, will be met unless otherwise noted herein.

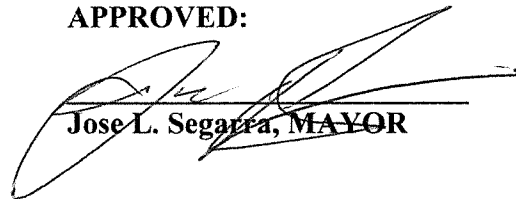
SECTION II. That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

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.

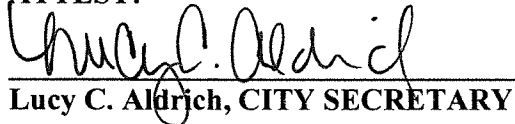
PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 30th day of October 2018, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED:



Jose L. Segarra, MAYOR

ATTEST:



Lucy C. Aldrich, CITY SECRETARY

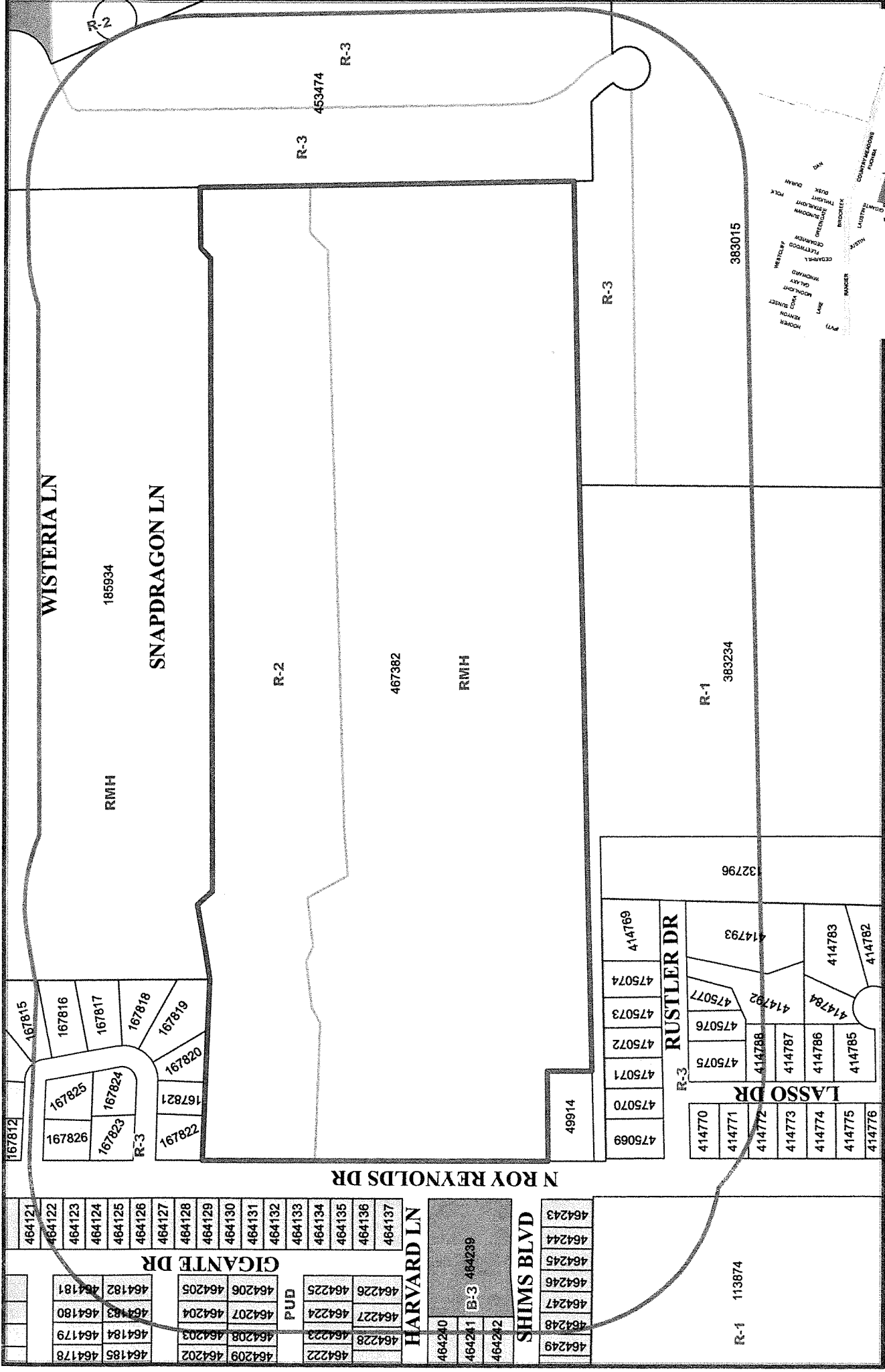
APPROVED AS TO FORM



Kathryn H. Davis, CITY ATTORNEY



Case #18-21
Ord. #18-039



Zoning Case Notification Plan
Case Z-2018-21
 Council District: 1
 RMH AND R-2 TO PUD W/ SF-2 AND R-2
 1 inch = 300 feet
 Subject Property Legal Description: COUNTRY MEADOWS MOBILE HOME PARK, BLOCK 001, LOT PT 1, (S PT OF 1), 45.106AC

Legend

- 400' Buffer
- Parcel
- City Limits

Map Labels: WISTERIA LN, SNAPDRAGON LN, N ROY REYNOLDS DR, HARVARD LN, SHIMS BLVD, RUSTLER DR, LASSO DR, 383015, 383234, 113874, 453474, 185934, 467382, 464249, 464248, 464247, 464246, 464245, 464244, 464243, 464240, 464241, 464242, 464228, 464227, 464226, 464225, 464209, 464208, 464207, 464206, 464185, 464184, 464183, 464182, 464181, 464137, 464136, 464135, 464134, 464133, 464132, 464131, 464130, 464129, 464128, 464127, 464126, 464125, 464124, 464123, 464122, 464121, 467812, 467815, 467816, 467817, 467818, 467819, 467820, 467821, 467822, 467823, 467824, 467825, 467826, 467827, 467828, 467829, 467830, 467831, 467832, 467833, 467834, 467835, 467836, 467837, 467838, 467839, 467840, 467841, 467842, 467843, 467844, 467845, 467846, 467847, 467848, 467849, 467850, 467851, 467852, 467853, 467854, 467855, 467856, 467857, 467858, 467859, 467860, 467861, 467862, 467863, 467864, 467865, 467866, 467867, 467868, 467869, 467870, 467871, 467872, 467873, 467874, 467875, 467876, 467877, 467878, 467879, 467880, 467881, 467882, 467883, 467884, 467885, 467886, 467887, 467888, 467889, 467890, 467891, 467892, 467893, 467894, 467895, 467896, 467897, 467898, 467899, 467900, 467901, 467902, 467903, 467904, 467905, 467906, 467907, 467908, 467909, 467910, 467911, 467912, 467913, 467914, 467915, 467916, 467917, 467918, 467919, 467920, 467921, 467922, 467923, 467924, 467925, 467926, 467927, 467928, 467929, 467930, 467931, 467932, 467933, 467934, 467935, 467936, 467937, 467938, 467939, 467940, 467941, 467942, 467943, 467944, 467945, 467946, 467947, 467948, 467949, 467950, 467951, 467952, 467953, 467954, 467955, 467956, 467957, 467958, 467959, 467960, 467961, 467962, 467963, 467964, 467965, 467966, 467967, 467968, 467969, 467970, 467971, 467972, 467973, 467974, 467975, 467976, 467977, 467978, 467979, 467980, 467981, 467982, 467983, 467984, 467985, 467986, 467987, 467988, 467989, 467990, 467991, 467992, 467993, 467994, 467995, 467996, 467997, 467998, 467999, 468000



**MINUTES
PLANNING AND ZONING COMMISSION MEETING
OCTOBER 1, 2018**

**CASE #Z18-21
“R-MH” & “R-2” to “PUD” w/ “SF-2” & “R-2”**

HOLD a public hearing and consider a request submitted by C. A. Doose Company, to rezone approximately 45.106 acres, being part of Lot 1, Block 1, Country Meadows Mobile Home Park, from “R-MH” (Residential Mobile Home District) and “R-2” (Two-family Residential District) to Planned Unit Development (PUD) with “SF-2” (Single-Family Residential District) and “R-2” (Two-Family Residential District). The property is located approximately 1,000 feet south of Rancier Avenue (FM 439), on the east right-of-way of Roy Reynolds Drive, Killeen, Texas.

Chairman Peters requested staff comments.

Senior Planner, Wallis Meshier, stated that the applicant has proposed a Planned Unit Development, which would include a mixture of single-family homes and duplexes. The proposed PUD includes the following development standards:

- a) A maximum of 45 “R-2” duplex lots.
- b) Reduced right-of-way width for one of the local streets from 60 feet to 50 feet.
- c) Reduced front yard setback from 25 feet to 20 feet for the “SF-2” single-family lots.
- d) Increased minimum lot depth from 100 feet to 105 feet for the “SF-2” single-family lots.
- e) Reduced side yard setback from 7 feet to 5 feet for the “R-2” duplex lots.
- f) All other requirements for “R-2” and “SF-2”, as outlined in Chapter 31, will be met.

Ms. Meshier stated that staff recommended approval of the PUD with conditions pertaining to connectivity, landscaping, and architectural design. She noted that the proposed PUD does not include any open space amenities, as required by Killeen Code of Ordinances Sec. 31-802(f). She stated that the proposed deviations to the minimum setback standards are warranted only in exchange for increased landscaping and architectural requirements. In addition, staff is of the determination that connectivity to the existing development to the north and to the undeveloped property to the east and south of the proposed PUD is necessary in order to ensure adequate ingress/egress for the adjacent properties.

Staff recommended approval of the PUD request with the following conditions:

1. Connectivity:

- a) There shall be a stub-out street that ties into the existing platted street to the east of the PUD (Woodbine Drive) having a sixty (60) foot wide right-of-way.
- b) There shall be a stub-out street that ties into the undeveloped property to the south

(Property ID No. 383234) having a sixty (60) foot wide right-of-way.

- c) There shall be an Emergency Access Easement provided on the north side of the PUD tying into one of the existing stub-outs to the north (Country Meadows Loop) that is a minimum of twenty (20) feet in width, paved with an all-weather surface to be approved by the City's Fire Marshall, and equipped with a Knox Box.

2. Landscaping:

- a) Each residential lot shall have a minimum of two (2) six (6) foot tall canopy trees at least two (2) inch caliper in size.
- b) Each residential lot shall have five (5) 5-gallon shrubs, three (3) 3-gallon shrubs.
- c) Each residential lot shall be fully sodded (front, side, and rear yard).
- d) All landscaping must be in place upon final inspection unless an extension is granted in writing by the Building Official. Such extension shall not exceed sixty (60) days.

e) Architectural Design:

- a) Each residential structure shall have a minimum of 100% masonry on the front elevation and 50% masonry on each side elevation, exclusive of windows, doors, gables, eaves, soffits, walls above roof lines, porches and patios at least four foot by eight foot (4'x8') in size. Masonry shall include brick, stucco, or stone, but shall not include fiber-cement siding.
- b) The same elevation shall not be repeated within any grouping of five (5) lots on the same side of the street, and shall not be repeated directly across the street, or on a diagonal.

3. "SF-2" (Single-Family Residential) Lots:

- a) Front yard setbacks shall be reduced from twenty-five (25) feet to twenty (20) feet.
- b) Minimum lot depth shall be increased from one hundred (100) feet to one hundred and five (105) feet.
- c) All other requirements for "SF-2", as outlined in Chapter 31, will be met unless otherwise noted herein.

4. "R-2" (Two-Family Residential) Lots:

- a) No more than forty-five (45) duplex lots shall be provided within the PUD.
- b) Side yard setbacks shall be reduced from seven (7) feet to five (5) feet.

- c) All “R-2” lots shall front on a sixty (60) foot wide right-of-way.
- d) All other requirements for “R-2”, as outlined in Chapter 31, will be met unless otherwise noted herein.

Mr. Josh Welch, 3000 Illinois Avenue, Suite 100, Killeen, Texas, was present to represent this request.

Commissioner Cooper stated that he would prefer to see twenty (25) feet front yard setbacks and fifteen (15) feet rear yard setbacks for the “SF-2” lots. He also recommended placing one tree in the front yard and one tree in the rear yard.

Chairman Peters opened the public hearing.

Ms. Lori Renegar, 4110 Lago Vista, Belton, Texas, stated her concern was access to her property. City Planner McIlwain stated that the connectivity issue had been resolved after speaking with the applicant.

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

Commissioner Cooper motioned to recommend approval of the request as recommended by staff with the following amendments:

- a) That one tree is planted in the front yard and one tree in the rear yard; and
- b) For the “SF-2” lots, the minimum front yard setback shall be twenty-five (25) feet and the minimum rear yard setback shall be fifteen (15) feet. Commissioner Alvarez seconded, and the motion passed unanimously.

Chairman Peters stated that the request will be forwarded to City Council with a recommendation to approve.

CUT HERE

YOUR NAME:	TIM BOOSE	PHONE NUMBER:	254 368 5079
CURRENT ADDRESS:	PO BOX 2434 Htt 76548		
ADDRESS OF PROPERTY OWNED:	NORTH ROY REYNOLDS DRIVE		
COMMENTS:	"R-MH" AND "R-2" to PUD with "SF-2" AND "R-2"		
We approve the change			
RECEIVED			
DATE: 2/10/08			
PLANNING			
SIGNATURE:	Tim Boose		
	SPO #Z18-21/ 58		

Patriot's Ridge - PUD Standards

Connectivity:

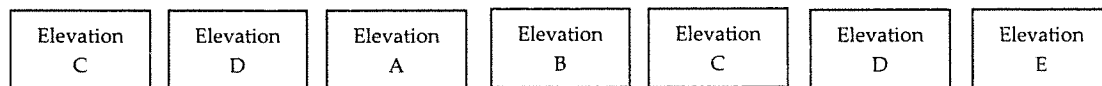
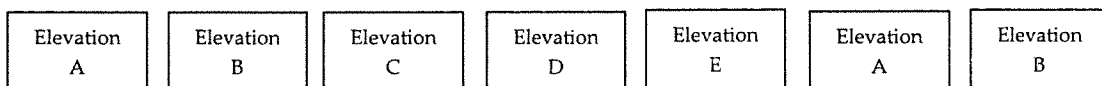
- There shall be a stub-out street that ties into the existing platted street to the east of the PUD (Woodbine Drive) having a sixty (60) foot wide right-of-way.
- There shall be a stub-out street that ties into the undeveloped property to the south (Property ID No. 383234) having a sixty (60) foot wide right-of-way.
- There shall be an Emergency Access Easement provided on the north side of the PUD tying into one of the existing stub-outs to the north (Country Meadows Loop) that is a minimum of twenty (20) feet in width, paved with an all-weather surface to be approved by the City's Fire Marshall, and equipped with a Knox Box.

Landscaping:

- Each residential lot shall have a minimum of two (2) six (6) foot tall canopy trees at least two (2) inch caliper in size. One (1) tree shall be located in the front yard, and one (1) tree shall be located in the backyard of each lot.
- Each residential lot shall have five (5) 5-gallon shrubs, three (3) 3-gallon shrubs.
- Each residential lot shall be fully sodded (front, side, and rear yard).
- All landscaping must be in place upon final inspection unless an extension is granted in writing by the Building Official. Such extension shall not exceed sixty (60) days.

Architectural Design:

- Each residential structure shall have a minimum of 100% masonry on the front elevation and 50% masonry on each side elevation, exclusive of windows, doors, gables, eaves, soffits, walls above roof lines, porches and patios at least four foot by eight foot (4'x8') in size. Masonry shall include brick, stucco, or stone, but shall not include fiber-cement siding.
- The same elevation shall not be repeated within any grouping of five (5) lots on the same side of the street, and shall not be repeated directly across the street, or on a diagonal.



“SF-2” (Single-Family Residential) Lots:

- Rear yard setbacks shall be reduced from twenty (20) feet to fifteen (15) feet.
- Minimum lot depth shall be increased from one hundred (100) feet to one hundred and five (105) feet.
- All other requirements for “SF-2”, as outlined in Chapter 31, will be met unless otherwise noted herein.

“R-2” (Two-Family Residential) Lots:

- No more than forty-five (45) duplex lots shall be provided within the PUD.
- Side yard setbacks shall be reduced from seven (7) feet to five (5) feet.
- All “R-2” lots shall front on a sixty (60) foot wide right-of-way.
- All other requirements for “R-2”, as outlined in Chapter 31, will be met unless otherwise noted herein.

Josh Welch

V.P. of Development



CONSIDERATIONS

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

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

B. Conditional Use Permit (if applicable)

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

C. Conditions to Consider

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

CITY COUNCIL MEMORANDUM FOR ORDINANCE

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

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

SUBJECT: Zoning Case #Z18-21 "R-2" (Two-Family Residential District) and "RMH" (Residential Mobile Home District) to "PUD" with "SF-2" (Single-Family Residential District) and "R-2" (Two-Family Residential District) uses.

Background and Findings:

This request is submitted by WBW Development to rezone approximately 45 acres from "R-2" (Two-Family Residential District) and "R-MH" (Residential Mobile Home District) to a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) and "R-2" (Two-Family Residential District) uses. The property is generally located on the east side of North Roy Reynolds Drive, approximately 1,000 feet south of the intersection with East Rancier Avenue in Killeen, Texas.

The applicant has proposed a Planned Unit Development, which would include a mixture of single-family homes and duplexes. The proposed PUD includes the following development standards:

- 45 "R-2" duplex lots and 167 "SF-2" single-family lots.
- Reduced right-of-way width for one of the local streets from 60 feet to 50 feet.
- Reduced front yard setback from 25 feet to 20 feet for the "SF-2" single-family lots.
- Increased minimum lot depth from 100 feet to 105 feet for the "SF-2" single-family lots.
- Reduced side yard setback from 7 feet to 5 feet for the "R-2" duplex lots.
- All other requirements for "R-2" and "SF-2", as outlined in Chapter 31, will be met.

District Descriptions:

"PUD":

A Planned Unit Development (PUD) is a land use design incorporating the concepts of density and common open space. Common open space shall include, but is not limited to, community amenities such as parks, gardens, pedestrian trails, recreation areas, and usable undisturbed, natural areas. The PUD designation serves as an "overlay zoning and development classification." In this capacity, the designation permits specific negotiated development regulations to be applied to the base land use zoning district(s) in which the property is located. When a parcel of land receives a PUD designation, the entire parcel must be assigned

one or more standard zoning district classifications. However, the added PUD overlay classification enables the developer of the site to request that specific land use development regulations be applied to his development site. Such specific land use and development regulations shall not take effect until they are reviewed, public hearings held and approved by both the planning and zoning commission and the city council.

The PUD classification is an overlay designation to provide the flexibility to permit development projects which may include multiple land uses. This classification serves the following purposes:

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

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

"SF-2":

A building or premise in a district "SF-2" (Single-Family Residential District) shall be used only for the following purposes:

- (1) Single-family dwellings meeting the criteria of the garden home district, with a minimum floor area of one thousand one hundred (1,100) square feet.
- (2) All uses allowed in "R-1" (Single-Family Residential District).

"R-2":

A building or premises in a district "R-2" (Two-Family Residential District) shall be used only for the following purposes:

- (1) All uses allowed in "R-1" (Single-Family Residential District).
- (2) Two-family dwellings.

Property Specifics:

Applicant / Property Owner: WBW Development / C. A. Dosse and Company

Property Location: The property is generally located on the east side of North Roy Reynolds Drive, approximately 1,000 feet south of the intersection with Rancier Avenue.

Legal Description: Part of Lot 1, Block 1, Country Meadows Mobile Home Park

Zoning/ Plat Case History:

- The property was rezoned from "R-1" (Residential Single-Family District) to "R-MH" (Residential Mobile Home District) in February 1996.
- In June 2017, approximately 14.6 acres of the subject property was rezoned from "R-MH" (Residential Mobile Home District) to "R-2" (Two-Family Residential District).
- The area was platted in 1996 as Country Meadows Mobile Home Park. The recorded plat includes a number of private streets, which will be abandoned when the property is replatted.

Surrounding Land Uses:

Direction	Zoning District	Land Use
North	"R-MH" and "R-3"	Mobile Home Park and 4-Plexes
South	"R-1", "R-2", and "R-3"	Vacant
East	"R-3"	Vacant
West	"PUD" w/ "R-1" and "B-3" uses	Single-Family Residential

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

Historic Properties: None.

Community Infrastructure and Environmental Assessment:

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer and drainage utility services are located within the City of Killeen municipal utility service area and available to the subject tract.

Transportation:

Existing conditions: The property is located off of North Roy Reynolds Drive, which is designated as a Minor Arterial Street on the City's adopted Thoroughfare Plan.

Proposed Improvements: None are proposed at this time. However, right-of-way dedication along North Roy Reynolds may be required in accordance with the Thoroughfare Plan.

Environmental Assessment:

Per Killeen Code of Ordinances Sec. 31-804, the applicant's concept plan shall include two-foot contours, existing and proposed drainage patterns, existing and proposed drainage

areas, creek buffer zones and Special Flood Hazard Areas (SFHA). The applicant's submitted Site Development Plan does not meet the minimum requirements for labeled topography, and existing & proposed drainage areas.

The property does not lie within a FEMA regulatory SFHA. However, there is a FEMA recognized watercourse, locally known as 439 Run, which runs from the northern property boundary through the parcel to the southern property boundary on the western half of the property. The 439 Run watercourse requires a creek buffer zone (i.e. no build zone) to be established for 25 ft. adjacent to the top of the creek banks. Public storm drainage infrastructure lies within the abutting drainage easements. Riverine and Freshwater Emergent Wetland (PEM1A) habitat have been identified within the proposed creek buffer zone area on this property.

Currently, sheet flow runoff exits this parcel in two primary ways. Approximately 35 acres flows into 439 Run before leaving the parcel into the adjacent southern subdivision. From there, the runoff flows south into Caprice Ditch SFHA before leaving the City of Killeen and entering Nolan Creek. The remaining 10 acres sheet flows and exists in the northeast corner of the parcel. From there, the water flows across private property before reaching the Hay Branch SFHA before leaving the City of Killeen and entering Nolan Creek. This section of Nolan Creek is currently listed on the TCEQ's 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

The area being re-zoned is in the process of being platted. At the time of development the current drainage design manual, post construction requirements, and infrastructure design and development standards will be applicable to this site.

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

Land Use Analysis:

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

Plan Recommendation: The Comprehensive Plan calls for the following development types:

- Detached residential dwellings as 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: This request is consistent with the FLUM of the Comprehensive Plan.

Public Notification: Staff notified sixty-two (62) surrounding property owners within 400 feet of the subject property regarding this request. Staff received one response in support from Tim Boose, who owns the property located adjacent to the southwest corner of the subject property.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended?

Approval of the PUD with conditions pertaining to connectivity, landscaping, and architectural design, is recommended.

Why?

The PUD request includes deviations from the minimum "SF-2" and "R-2" setback requirements, but does not include any increased standards in other aspects of the development. Staff is of the determination that the proposed deviations from the baseline standards are warranted only in exchange for increased landscaping and architectural requirements. In addition, staff is of the determination that connectivity to the existing development to the north and to the undeveloped property to the east and south of the proposed PUD is necessary in order to ensure adequate ingress/egress for the adjacent properties.

CONFORMITY TO CITY POLICY:

This zoning request conforms to the City's policy and procedures as detailed in Chapter 31 of the Killeen Code of Ordinances.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

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

Is this a one-time or recurring expenditure?

This is not applicable.

Is this expenditure budgeted?

This is not applicable.

If not, where will the money come from?

This is not applicable.

Is there a sufficient amount in the budgeted line-item for this expenditure?

This is not applicable.

RECOMMENDATION:

The Planning and Zoning Commission recommends approval (by a vote of 7 to 0) of the PUD subject to the following conditions:

1. Connectivity:

- Sixty (60) feet wide stub out streets shall connect to the existing platted street to the east of the PUD (Woodbine Drive) and to the undeveloped property to the south (Property ID No. 383234).
- One Emergency Access Easement (Easement) shall be provided on the north side of the PUD and shall tie into Country Meadows Loop. The Easement shall be a minimum of twenty (20) feet in width, paved with an all-weather surface to be approved by the City's Fire Marshall, and equipped with a Knox Box.

2. Landscaping:

- Each residential lot shall be fully sodded, contain five (5) 5-gallon shrubs, three (3) 3-gallon shrubs and have a minimum of two (2) six (6) foot tall canopy trees at least two (2) inch caliper in size. One (1) tree shall be located in the front yard, and one (1) tree shall be located in the backyard of each lot.
- All landscaping must be in place upon final inspection unless an extension is granted in writing by the Building Official. Such extension shall not exceed sixty (60) days.

3. Architectural Design:

- Each residential structure shall have a minimum of 100% masonry on the front elevation and 50% masonry on each side elevation, exclusive of windows, doors, gables, eaves, soffits, walls above roof lines, porches and patios at least four foot by eight foot (4'x8') in size. Masonry shall include brick, stucco, or stone, but shall not include fiber-cement siding.
- The same elevation shall not be repeated within any grouping of five (5) lots on the same side of the street, and shall not be repeated directly across the street, or on a diagonal.

4. "SF-2" (Single-Family Residential) Lots:

- Rear yard setbacks shall be reduced from twenty (20) feet to fifteen (15) feet and minimum lot depth shall be increased from one hundred (100) feet to one hundred and five (105) feet.

5. "R-2" (Two-Family Residential) Lots:

- No more than forty-five (45) duplex lots shall be provided within the PUD and side yard setbacks shall be reduced from seven (7) feet to five (5) feet.

- All "R-2" lots shall front on a sixty (60) foot wide right-of-way.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Zoning Map and Notification Area

Minutes

Responses

Ordinance

Proposed PUD Standards

Proposed PUD Concept Plan

Pharr vs. Tippett Considerations