

ORDINANCE 19-017

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN CHANGING THE ZONING OF APPROXIMATELY 42.3 ACRES, BEING PART OF LOT 2, BLOCK 1, ROSEWOOD ADDITION AND LOTS 1-6, BLOCK 2, ROSEWOOD COMMERCIAL, FROM “B-3” (LOCAL BUSINESS DISTRICT) TO PLANNED UNIT DEVELOPMENT (P.U.D.) WITH “B-3” (LOCAL BUSINESS DISTRICT), “SF-2” (SINGLE-FAMILY RESIDENTIAL DISTRICT), “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT), AND “RT-1” (RESIDENTIAL TOWNHOUSE SINGLE-FAMILY DISTRICT) ZONING; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** S.S. Springs L.L.C. and Abbott Springs, Ltd. have presented to the City of Killeen a request for an amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately 42.03 acres, being part of Lot 2, Block 1, Rosewood Addition and Lots 1-6, Block 2, Rosewood Commercial, from “B-3” (Local Business District) to Planned Unit Development (P.U.D.) with the following underlying districts: customized Rosewood Business District (“RBD”); Suburban Residential Single-Family Residential District (“SR-1”); Single-Family Residential District (“R-1”); Single-Family Residential District (“SF-2”); customized Villa District (“V”), Two Family Residential District (“R-2”) and Flex lots [“SR-1”/ “R-1” (Single-Family Residential District/ “SF-2”/ “V”/ “R-2”), open space and community center as depicted on the PUD concept plan; said request having been recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 15th day of April 2019, 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 14th day of May 2019, 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 with those conditions as stipulated by the Planning and Zoning Commission and the following additional condition: that no "R-2" duplexes shall be allowed within any designated flex lots;

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

**SECTION I.** That the zoning classification of approximately 42.03 acres, being part of Lot 2, Block 1, Rosewood Addition and Lots 1-6, Block 2, Rosewood Commercial, be changed from "B-3" (Local Business District) to Planned Unit Development (P.U.D.) with the following underlying districts: customized Rosewood Business District ("RBD"); Suburban Residential Single-Family Residential District("SR-1"); Single-Family Residential District ("R-1"); Single-Family Residential District ("SF-2"); customized Villa District ("V"), Two Family Residential District ("R-2") and Flex lots ["SR-1"/ "R-1" (Single-Family Residential District/ "SF-2"/ "V"/ "R-2"), open space and community center as depicted on the PUD concept plan, excluding "R-2" duplexes from the illustrated flex lots, for the properties addressed as 3700, 3918, 4136, 4354, 4572, 4790 and 4900 Rosewood Drive, Killeen, Texas.

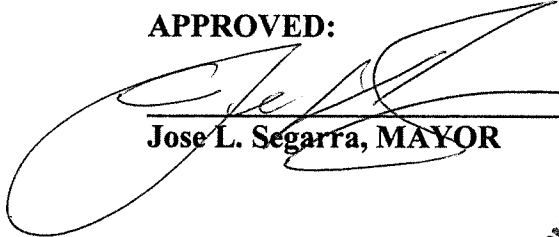
**SECTION II.** That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

**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.

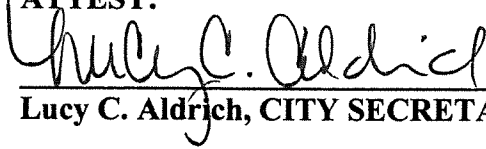
**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 14th day of May 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

**APPROVED:**



\_\_\_\_\_  
Jose L. Segarra, MAYOR

**ATTEST:**



\_\_\_\_\_  
Lucy C. Aldrich, CITY SECRETARY



**APPROVED AS TO FORM**



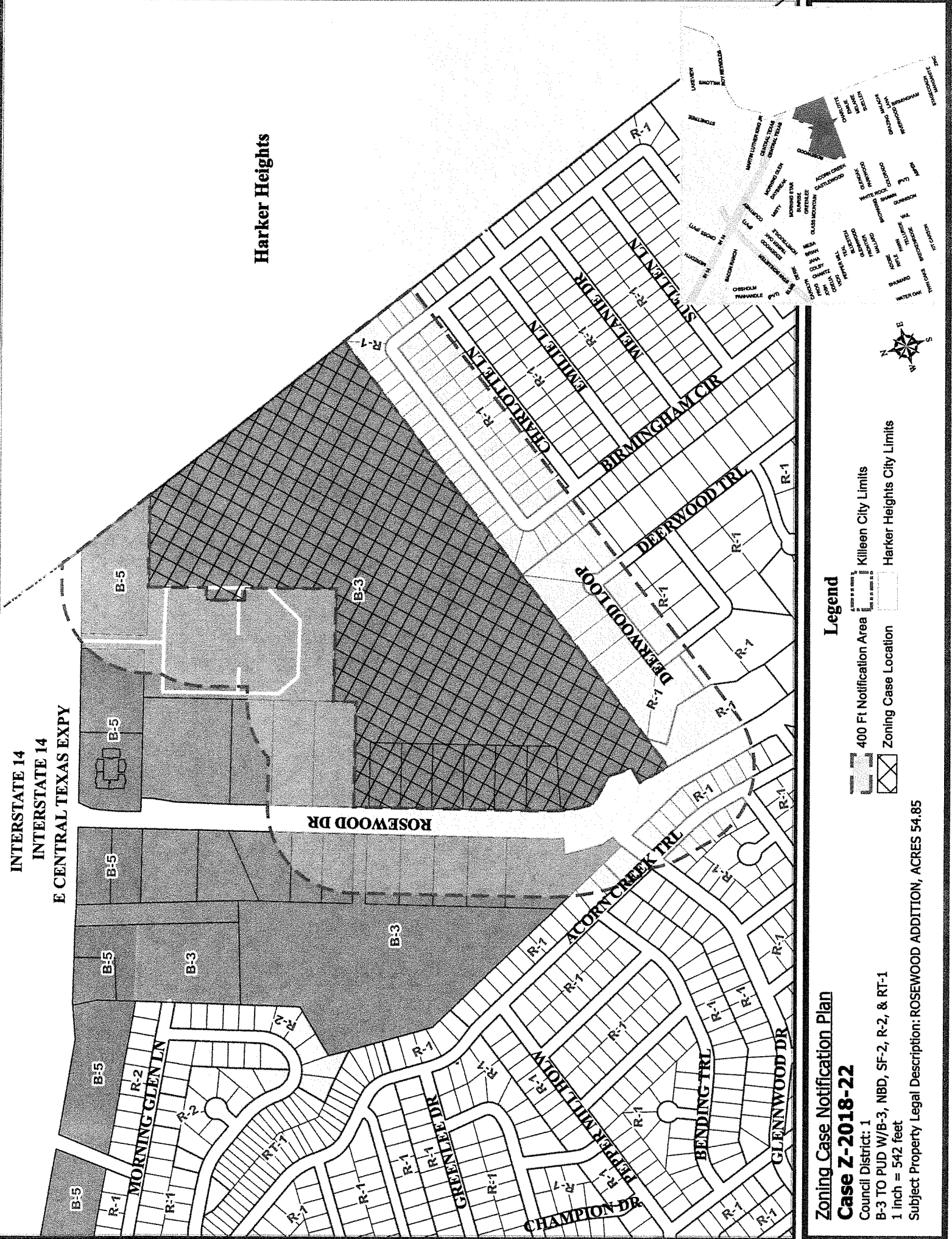
\_\_\_\_\_  
Kathryn H. Davis, CITY ATTORNEY

Case #18-22

Ord. #~~18~~\_\_\_

INTERSTATE 14  
 INTERSTATE 14  
 E CENTRAL TEXAS EXPY

Harker Heights



**Zoning Case Notification Plan**  
**Case Z-2018-22**

Council District: 1  
 B-3 TO PUD W/B-3, NBD, SF-2, R-2, & RT-1  
 1 inch = 542 feet  
 Subject Property Legal Description: ROSEWOOD ADDITION, ACRES 54.85

**Legend**

-  400 Ft Notification Area
-  Killen City Limits
-  Harker Heights City Limits
-  Zoning Case Location





S ROY REYNOLDS DR

ROSEWOOD DR

SULFUR SPRING DR

STAGECOACH RD

INTERSTATE 14 E CENTRAL TEXAS EXPY

SHAWN DR

BACON RANCH RD

MESA DR

ROSEWOOD DR

FAWN DR

ASPEN DR

EAST TRIMMIER RD

CHANTZ DR

ILLINOIS AVE

CUNNINGHAM RD

BACON RANCH RD

LITTLE NOLAN RD

LOVE RD

INTERSTATE 14

BACON RANCH RD

ONION RD

LOWES BLVD

BACON RANCH RD

E ELMS RD

S WS YOUNG DR

LOVE RD



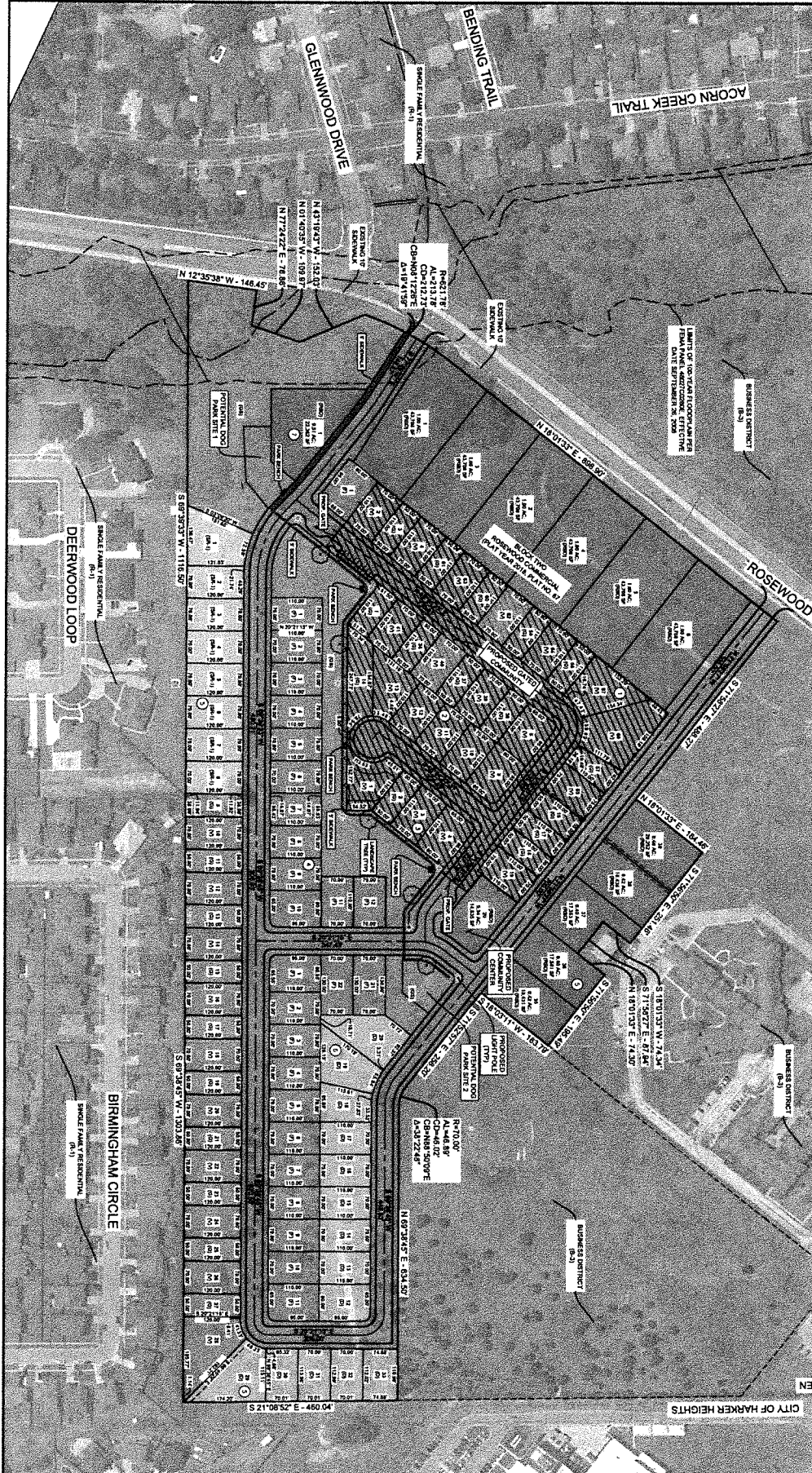
| SITE SUMMARY |                                    |                   |      |           |
|--------------|------------------------------------|-------------------|------|-----------|
| HATCH        | USE                                | PROPOSED ZONING   | LOTS | AREA (AC) |
| (R-1)        | RIGHT-OF-WAY                       |                   |      | 9.1       |
| (G)          | GREEN SPACE                        |                   | 3    | 5.1       |
| (R-2)        | ROSEWOOD BUSINESS DISTRICT         | RBD               | 13   | 9.1       |
| (G)          | GARDEN HOMES                       | GF-2              | 25   | 3.4       |
| (V)          | VILLAS                             | V                 | 31   | 6.3       |
| (H)          | HER LOTS                           | 5R-1/R-1/5R-2/R-2 | 25   | 4.8       |
| (S)          | SUBURBAN RESIDENTIAL SINGLE-FAMILY | 5R-1              | 8    | 1.7       |
| (R)          | TWO-FAMILY RESIDENTIAL             | R-2               | 15   | 2.9       |
| TOTAL:       |                                    |                   | 117  | 42.3      |

| PROPOSED AMENITIES FOR CONSIDERATION         |  | PROPOSED POST CONSTRUCTION FOR CONSIDERATION |                |
|--|--|--|----------------|
| 5 CONCRETE SIDEWALK (AS SHOWN)               | PARK BENCHES (AS SHOWN)                      | URBAN FORESTRY                               | URBAN FORESTRY |
| LANDSCAPE TREES (AS SHOWN)                   | DOG PARK (2 POTENTIAL SITES, AS SHOWN)       | BIKEWAYS                                     | BIKEWAYS       |
| COMMUNITY CENTER (2,000 - 3,000 SF BUILDING) | ADDITIONAL AMENITIES BY HOA TO BE DETERMINED |  |                |

NOTES: ALL OWNER ASSOCIATION SHALL BE ESTABLISHED AND SHALL OWN AND BE RESPONSIBLE TO PROVIDE FOR THE MAINTENANCE OF THE AMENITIES SHOWN ON THIS PLAN. THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE AMENITIES SHOWN ON THIS PLAN.

PROPOSED POST CONSTRUCTION FOR CONSIDERATION:

- URBAN FORESTRY
- URBAN FORESTRY
- BIKEWAYS
- BIKEWAYS



ROSEWOOD SPRINGS DEVELOPMENT  
 ROSEWOOD DRIVE  
 KILLEEN, BELL COUNTY, TEXAS

**PROPOSED DEVELOPMENT CONCEPT PLAN**

DATE: APRIL 2018

**QC** QUINTEIRO ENGINEERING, LLC  
 415 E. AVENUE D  
 KILLEEN, TEXAS 76841  
 PHONE: (254) 482-9862  
 FAX: (254) 482-7070  
 T & P, L.P. FIRM NO.: 14709  
 DATE: APRIL 2018

ISSUED FOR REVIEW  
 COMMENT ONLY  
 PROJECT NO. 2018-001  
 DATE: APRIL 2018

**CITY OF KILLEEN**

APPROVED FOR CONSTRUCTION

DATE: APRIL 2018

PROJECT NO. 2018-001

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## **PROPOSED ROSEWOOD SPRINGS PUD DEVELOPMENT STANDARDS**

The proposed Rosewood Springs PUD development will establish an owner's association and the owner's association shall own and be responsible to provide for operation, repair and maintenance of all private common areas and improvements.

### **Proposed Residential Development Standards:**

Suburban residential lots will conform to baseline "SR-1" (Suburban Residential Single-Family Residential District) standards, without exceptions.

Garden home lots will conform to baseline "SF-2" (Single-Family Residential District) standards, with the following exceptions:

1. The side yard setbacks adjacent to a street shall be reduced from fifteen (15) feet to ten (10) feet.
2. Porches or patios will be permitted to encroach into the rear yard setback by up to five (5) feet maximum in depth by twelve (12) feet in width.
3. The six (6) foot tall and two (2) inch caliper trees required in "SF-2" will be reduced to five (5) tall and 1.5" inch caliper trees, and the eight (8) 3-gallon shrubs required in "SF-2" will be reduced to four (4) 2-gallon shrubs.
4. The same exterior architectural elevation will not be used within any grouping of four (4) homes, instead of five (5) homes as required in "SF-2." Homes must have a minimum of 50% on all four (4) sides of brick, stucco, cementous siding, or stone veneer for exterior walls excluding doors, windows and gables.

Single-family lots will conform to baseline "R-1" (Single-Family Residential District) standards, with the following notable exception:

1. Side yard setbacks will be reduced from seven (7) feet to five (5) feet, and street side setbacks will be reduced from fifteen (15) feet to ten (10) feet.

Duplex lots will conform to baseline "R-2" (Two-Family Residential District) standards, with the following notable exception:

2. Side yard setbacks will be reduced from seven (7) feet to five (5) feet, and street side setbacks will be reduced from fifteen (15) feet to ten (10) feet.

Villa lots will conform to a newly proposed baseline district called "V" Residential Villa Single-Family District. Please see attached "V – District" standard.

### **Proposed Business Development Standards:**

Commercial lots will conform to a newly proposed baseline district called "RBD" Rosewood Business District. Please see attached "RBD - District" standard.

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## DISTRICT "RBD" ROSEWOOD BUSINESS DISTRICT

### Purpose.

The "RBD" rosewood business district is created to provide for limited commercial uses serving the common and frequent needs of the residents in the immediate vicinity.

### Use regulations.

A building or premises in a "RBD" rosewood business district shall not exceed gross building size of thirty thousand (30,000) square feet and no single leased/owned business area shall exceed five thousand 5,000 square feet. This district shall allow the following uses:

1. Any use permitted in the "B-2" Local Retail District.
2. Bakery or confectionery, wholesale.
3. Day camp.
4. Center for the acute or chronic ill.
5. Appliance (household) sales and repair service.
6. Bakery or confectionery: engaged in preparation, baking, cooking and selling of products at retail on the premises, with six (6) or less employees.
7. Cleaning or laundry (self-service).
8. Cleaning, pressing and dyeing: with six (6) or less employees.
9. 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.
10. General food products, retail sales, such as supermarkets, butcher shops, dairy stores, seafood sales or health food sales.
11. Cafeteria or catering service.
12. Lodges or fraternal organizations with greater than five thousand (5,000) square feet of leasable space.
13. 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.
14. Small animal clinic, pet grooming shop and/or inside kennel and boarding. No cremation or outside kennels.
15. Hotel or motel.
16. Retail uses and businesses of all sizes to include secondhand goods and antiques with no outside storage or display of second hand goods.
17. Auto parts sales, new, at retail.
18. 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.
19. Storage warehouse with leasable space of less than twenty-five thousand (25,000) square feet.
20. Trade or business school.
21. Commercial parking (public garage or parking lot).
22. Veterinarian clinic with indoor pet kennels.
23. Gasoline service station in excess of four (4) pumps, auto laundry or car wash if provided with an eight (8) foot fence in height when adjoining residential
24. Restaurant, coffee shop or café with drive through if provided with an eight (8) foot fence in height when adjoining residential



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Height regulations.

No structure shall be erected in a "RBD" rosewood business district having a height in excess of thirty (30) feet.

Area regulations.

- (a) *Size of yards.* The size of yards in the "RBD" rosewood business district shall be as follows:
  - (1) *Front yards.* There shall be a front yard having a depth of not less than twenty-five (25) feet.
  - (2) *Side yards.* There shall be a minimum side yard of ten (10) feet if abutting a residentially zoned property. A side yard adjacent to a non-residential zoned property is zero. A side yard adjacent to a side street shall not be less than ten (10) feet.
  - (3) *Rear yards.* There shall be a rear yard having a depth of not less than ten (10) feet.
- (b) *Size of lot.* The size of lots in a "RBD" rosewood business district shall be as follows:
  - (1) *Lot area.* No building or structure shall be erected on any lot having less than nine hundred (900) square feet.
  - (2) *Lot width.* The width of the lot shall not be less than thirty (30) feet.

Screening and Buffer Area regulations.

The screening device requirements in the district "RBD" rosewood business district shall be as follows:

- (a) *Definition.* For the purposes of this section, the phrase "screening device" shall mean a barrier of stone, brick, pierced brick or block, uniformly colored wood, metal U-panel, R-panel that compliments the color of the building-no galvalume color, or other permanent material of equal character, density and design, at least six (6) feet in height, provided, any such structure in excess of eight (8) feet in height shall be deemed a wall subject to the provisions of the building code of the city.
- (b) *When required.* A screening device shall be erected before any use of the property in "RBD" when such property abuts residentially zoned property. A single fence can be installed on and along the property line and be shared between the residential and commercial properties if the fence is constructed of one hundred percent (100%) concrete or masonry. The shared fence shall be maintained by the adjoining commercial property. Insofar as it is practical, such screening device shall be erected along the entire length of the common line between such business property and the abutting residentially zoned property. A lattice weave or material covering over a chain link fence is not considered a screening device.
- (c) *Responsibility to erect.* When a screening device is required under the terms of this section, it shall be the responsibility of the user of the commercial or industrial property to erect the required screening device, and the same shall be a condition precedent to the issuance of a certificate of occupancy for the premises on which the device is located.
- (d) *Maintenance.* All screening devices required by this section or action of the planning commission shall be perpetually maintained by the user of the property on which the device is located, if not a shared fence between commercial and residential.
- (e) *Height limited.* No fence or other screening device, whether required or not, shall exceed eight (8) feet in height, without prior approval.

Landscaping and adequate buffers are required and must protect abutting and adjacent residential areas from potential impacts of parking, lighting and undesirable scale of commercial building elements. The required buffer shall be fifteen (15) feet when siding or backing on to all residential districts. This may be reduced to ten (10) feet by planting trees in accordance with the following formula:

A minimum six (6) feet tall canopy tree shall count for 200 sq ft.

A minimum six (6) feet tall non-canopy tree shall count for 100 sq ft.

The reduction in buffer area shall be calculated based on total square footage of the additional landscaping.

For example:

Lot dimensions: 100' X 300'

Canopy trees proposed 5

Credit for these trees: 5 X 200 = 1000 sq ft.

Therefore reduction shall be:

1000 sq. ft. divided by 100 (lot width) = 10 ft. and the net buffer required is Gross buffer required minus buffer reduction (30' minus 10' = 20').

No development shall be authorized within the buffer area except for required or permitted landscaping and screening, storm water detention facilities, and pedestrian walkways. The increased setbacks, which are measured from the property line, shall be required on the property in the higher intensity zoning district, and shall be observed at the time of construction. These buffer requirements are in addition to the screening standards.

#### Sign regulations.

Signs within the "RBD" rosewood business district shall be a maximum size of one hundred (100) square feet and be constructed as a monument sign or mounted flat against an exterior wall. Signs shall be non-flashing and illuminated from an interior source. Multi-tenant buildings, each tenant is allowed one sign with individual letters only and shall be pre-approved by owner to insure integrity of the building design.

#### Architectural regulations.

The intent of the building design standards is to improve the visual appeal of storefronts and businesses to provide for compatibility with residential neighborhoods and reduce visual and noise impacts on abutting residential areas.

- (1) Exterior walls shall be constructed of stone, brick, EIFS - (must be minimum 7' AFF), metal or stucco. Metal cannot be more than 25% of any one wall not to include canopies, except on back walls not facing a street shall be allowed 100% of any one product. Metal panel must be color and match design of building.
- (2) Windows shall be provided rather than blank walls. Windows shall begin zero (0) to twenty-four (24) inches above the finished grade of the floor. A minimum of sixty (60%) percent of all glass which faces the street shall be in nonreflective, transparent glazing glass. At this building level, reflective glass shall not be used. Window painting is not permitted.
- (3) Exterior walls shall be articulated to reduce the mass and scale of a uniform impersonal appearance of large buildings and to provide visual interest. No uninterrupted length of any facade shall exceed 50 feet and architectural features on exterior walls providing a minimum of three (3) of the following elements
  - a) Variation in color and materials;
  - b) For walls between 50 feet and up to 100 feet in length wall plane projections or recesses having a depth of at least six (6") inches and extending at least two (2) feet of the length of the facade between projections and recesses;
  - c) For walls between 100 and up to 200 feet in length wall plane projections or recesses having a depth of at least six (6") inches and extending at least three (3) feet of the length of the facade between projections and recesses;
  - d) For walls greater than 200 feet in length wall plane projections or recesses having a depth of at least six (6") inches and extending at least five (5) feet of the length of the facade between projections and recesses.
  - e) Variation of a minimum of two (2) feet in height of parapets. Variation to parapet height may include pilasters and projecting raised entrance features;
  - f) Pilasters projecting from the plane of the wall by a minimum of twelve (12) inches;

- g) Canopies projecting a minimum of five (5) feet from the plane of the primary facade walls;
  - h) Banding shall be complimentary to scale with the building and approved through the permitting process.
  - i) Repetitive ornamentation including decorated applied features such as wall-mounted light fixtures or applied materials. Repetitive ornamentation shall be located with a maximum spacing of forty (40) feet.
  - j) The executive director of planning and development services may grant an administrative approval to use materials not listed when the intent of the regulations is met, or when special situations arise regarding the rear of buildings.
- (4) *Roof Lines* . To provide a visual terminus to the tops of buildings and soften flat roof designs, roof designs must conform to one of the following options:
- a) *Roof line with architectural focal point* . A roof line focal point refers to a prominent rooftop feature such as a peak, tower, gable, dome, barrel vault or roof line trellis structure.
  - b) *Roof line variation* . The roof line articulated through a variation or step in roof height or detail, such as:
  - c) *Projecting cornice* . Roof line articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.
  - d) *Articulated parapet* . Roof line parapets shall incorporate angled or curved detail elements.
  - e) *Pitched roof or full mansard* . A roof with angled edges, with or without a defined ridgeline and extended eaves.
  - f) Rooftop and mechanical equipment shall effectively be screened from view, only on three (3) sides if the back does not the face street and flat roof construction parapet walls are required on all four (4) sides) through one or more of the following methods:
    - 1. A concealing roof line;
    - 2. A screening wall or grillwork directly surrounding the equipment;

Parking and Lighting regulations.

- 1. Off-street parking and loading that is required in Sec 31-279 shall be provided for all uses in this zone.
- 2. Light standards shall not exceed sixteen (16) feet in height and shall be fully shielded. Light shall not be directed on any abutting property.
- 3. Wall-mounted exterior lighting shall not be directed on any abutting property.

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## DISTRICT "V" RESIDENTIAL VILLA SINGLE-FAMILY DISTRICT

### Purpose.

The regulations set forth in this division, or set forth elsewhere in this Ordinance when referred to in this division, are the regulations in the "V" residential villa single-family district. The district "V" is established to provide for the development of single-family attached dwelling units along with other uses which are associated with single-family uses e.g., schools, churches, parks, etc. This zoning district permits medium density residential uses and it is a logical transition from nonresidential to residential zoning districts in a planned unit development and encourages infill development where adequate public facilities already exist or being designed in a plan unit development making use of developable lots.

### Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Common area shall mean private property owned in common by, and designated for the private use of, the owners or occupants of villas in a particular project, plan unit development or subdivision. Common area uses include, but are not limited to, recreation areas, community centers, parks and plazas, ornamental areas open to the general view within the project or subdivision, and building setbacks not otherwise required by ordinance. The common area does not include public streets, alleys, required building setbacks or utility easements.

Dwelling unit shall mean a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Open Space shall mean property under public or private ownership which is or used for parks, recreation, conservation, preservation of native habitat and other natural resources, surface water impoundment, historic, or scenic purposes. Impervious surfaces are not permitted

Villa shall mean one (1) single-family dwelling unit within a group of two (2) or more dwelling units in which each dwelling unit extends from foundation to roof and with open space on at least two sides and attached to another dwelling unit on a least one side.

Villa group shall mean two (2) to five (5) villas. No dwelling unit shall be located over another dwelling unit and there shall be no visible separation between walls or roofs of adjoining units. Each dwelling unit shall be separated from other units by one or more vertical common firewalls.

### Use regulations.

All buildings and premises located in the district "V" residential villa single-family district shall be limited to villa development and accessory buildings and uses as described in District "R-1" Single-family Residential District, Section 31-186.

### Height regulations.

No villa in a district "V" residential villa single-family district shall be more than two stories with a maximum height of thirty-five (35) feet.

### Area regulations.

The area regulations for the district "V" villa single-family district shall be as follows:

(1) Villa group:

- a. No villa group shall exceed two hundred (200) feet in length.

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- b. There shall be not less than ten (10) feet of separation between each villa group within a villa subdivision.
- (2) Lot requirements:
- a. Each villa shall be constructed on an individually platted lot.
  - b. Each villa lot shall have a lot area of not less than two thousand five hundred (2,500) square feet.
  - c. Each villa lot shall have a width of not less than twenty four (24) feet.
  - d. Each lot shall contain a private yard with not less than four hundred (400) square feet of area. Parking areas shall not be included in the computation of the required private yard area. A wall or solid fence not less than six (6) feet in height shall be required on side lot lines where the required private yard adjoins such lot lines. A private yard may contain a patio cover or roof which does not cover more than twenty-five (25) percent of the private yard.
  - e. Front yard:
    1. The front yard/setback requirement shall be fifteen (15) feet and a front loading garage shall be set back from the property line not less than twenty (20) feet. Carports shall not be permitted in the front yard.
    2. In no case shall the required front yard of any villa be less than any required front yard on the same side of the street between intersecting streets.
  - f. Side yard:
    1. There shall be not less than five (5) feet of side yard provided at the side property line of any villa subdivision.
    2. A side yard adjacent to a side street shall not be less than ten (10) feet.
  - g. Rear yard:
    1. There shall be a rear yard having a depth of not less than twenty (20) feet as measured from the rear property line.
    2. No garages or carports having direct access to a rear alley or common driveway shall be set back from the rear lot line not less than twenty (20) feet.
    3. Porches or patios will be permitted to encroach into the rear yard setback by up to five (5) feet maximum in depth by twelve (12) feet in width.

#### Parking regulations.

The parking regulations for the district "V" residential villa single-family district shall be as follows:

1. Two (2) off-street parking spaces shall be provided for each villa.
  - a. Resident parking spaces shall be provided in the front or rear of each unit. The spaces shall be in the unit's garage, carport, and/or driveway.
2. The width of driveways located in the front yard of villa lots shall not exceed fifty (50) percent of the width of the respective lots.
3. One-way common drives shall be not less than ten (10) feet in width, and two-way common driveways shall not be less than twenty (20) feet in width.

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Architectural and landscaping regulations.

- (1) The architectural and landscaping regulations in the district "V" residential villa single-family shall be as follows
  - a) Architectural design . Single family attached homes must have a minimum of fifty percent (50%) brick, stucco or stone for front exterior walls and 50% brick, stucco or stone veneer for side exterior walls, excluding doors, windows and gables.
  - b) Landscaping required . For residential uses, minimum required landscaping shall be two (2) canopy trees, with at least one (1) planted in the front yard, and four (4) two (2)-gallon shrubs in the front yard.
    1. Trees. The following requirements shall apply to tree landscaping:
      - a) Newly planted trees shall measure at least one and a half (1 ½") inch caliper and five (5) feet in height at the time of planting, and shall be planted in a permeable area not less than three (3) feet in diameter. Tree plantings shall be of a recommended species as detailed in section 8-530.
      - b) Existing trees to be used for landscape credit shall be in a healthy physical state, shall measure at least two-inch caliper and shall be maintained in an undisturbed area within the drip line of the tree.
      - c) Should an existing or newly planted tree used for landscape credit die, it shall be replaced with new landscaping according to the requirements of this section.
      - d) Each canopy tree maintained in excess of the total number of trees required by this section may reduce the number of shrubs required by four (4). Each non-canopy tree maintained in excess of the total number of trees required by this section may reduce the number of shrubs required by two (2). Each two (2) square feet of planting bed used and maintained for the purpose of rotating live decorative planting materials shall reduce the number of shrubs required by one (1).
      - e) The placement of shrubbery shall take into consideration the plant size at maturity and shall be located so as not to conflict with vehicular or pedestrian traffic visibility.
    2. Ground cover . The following requirements shall apply to ground cover landscaping:
      - a) Ground cover, artificial turf, or grass shall be planted, or installed in the remaining area of the lot or parcel not planted in trees, shrubbery, planting beds, or covered by structures, pavement or other impervious surfaces.
      - b) Approved non-vegetative ground cover materials (such as washed gravel, artificial turf, bark mulch, lava rock, rock, or other decorative covers generally used in landscaping) may be used to meet the provisions of this section. Where approved, non-vegetative ground cover shall be porous and form a uniform appearance free from weeds and grasses
      - c) Irrigation . All landscaping required by this section shall be irrigated by either an automated system, or a hose bib attachment within one hundred fifty (150) feet of all landscaping. Automated underground irrigation systems shall be designed and installed in accordance with the requirements of other provisions of this code. The building official may waive irrigation requirements where xeriscaping or a substitute landscaping plan is used.
- (2) 35% of all common areas shall be devoted to open space.



**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
APRIL 15, 2019**

**CASE #Z18-22  
“B-3” to “PUD” w/ “NBD”, “SF-2”, “R-2”, “R-1” & “RT-1”**

**HOLD** a public hearing and consider a request submitted by SS Springs, L.L.C. and Abbott Springs, Ltd., to rezone approximately 42.3 acres, being part of Lot 2, Block 1, Rosewood Addition and Lots 1-6, Block 2, Rosewood Commercial, from “B-3” (Local Business District) to Planned Unit Development (PUD) with underlying “NBD” (Neighborhood Business District), “SF-2” (Single-Family Residential District), “R-2” (Two-Family Residential District), “R-1” (Single-Family Residential District) and “RT-1” (Residential Townhouse Single-Family District) uses. The properties are addressed as 3700, 3918, 4136, 4354, 4572, 4790 and 4900 Rosewood Drive, Killeen, Texas.

Commissioner Alvarez stepped away from the dais due to a potential conflict of interest.

Chairman Peters requested staff comments.

Assistant Director, Tony McIlwain, stated that the purpose of the request is to transition 42.3 acres from local business district to a Planned Unit Development. He also stated that the requested PUD is to allow the developer to provide a combination of residential and commercial uses.

Mr. McIlwain also stated that the applicant has requested the following residential development standards:

Suburban residential lots will conform to baseline "SR-1" (Suburban Residential Single-Family Residential District) standards, without exceptions.

Garden home lots will conform to baseline "SF-2" (Single-Family Residential District) standards, with the following exceptions:

The side yard setbacks adjacent to a street shall be reduced from fifteen (15) feet to ten (10) feet. Porches or patios will be permitted to encroach into the rear yard setback by up to five (5) feet maximum in depth by twelve (12) feet in width.

The six (6) foot tall and two (2) inch caliper trees required in "SF-2" will be reduced to five (5) foot tall and 1.5" inch caliper trees, and the eight (8) 3-gallon shrubs required in "SF-2" will be reduced to four (4) 2-gallon shrubs.

The same exterior architectural elevation will not be used within any grouping of four (4) homes, instead of five (5) homes as required in "SF-2." Homes must have a minimum of 50% on all four (4) sides of brick, stucco, cementitious siding, or stone veneer for exterior walls excluding doors, windows and gables.

Single-family lots will conform to baseline "R-1" (Single-Family Residential District) standards, with the following notable exceptions:

Side yard setbacks will be reduced from seven (7) feet to five (5) feet, and street side setbacks will be reduced from fifteen (15) feet to ten (10) feet.

Duplex lots will conform to baseline "R-2" (Two-Family Residential District) standards, with the following notable exceptions:

Side yard setbacks will be reduced from seven (7) feet to five (5) feet, and street side setbacks will be reduced from fifteen (15) feet to ten (10) feet.

Villa lots will conform to a newly proposed baseline district called "V" Residential Villa Single-Family District.

Staff notified ninety-eight (98) surrounding property owners within 400 feet of the subject property regarding this request. Staff received five responses in opposition from Kenneth Greenawalt, 6207 Charlotte Lane; Daren Walker, 4903 Deerwood Loop; Leonardo Gonzalez-Sanchez, 5011 Acorn Creek Trail; LaVera C. Harris, 4904 Deerwood Loop; Jose I. Borges, 4905 Deerwood Loop.

Mr. McIlwain also stated that the Commission could approve with additional conditions, or disapprove the applicant's request.

Mr. Pedro Quintero, Quintero Engineering, LLC, 415 E. Avenue D, Killeen, Texas, was present to represent this request.

Chairman Peters opened the public hearing.

Mr. Robert Volk, 5317 Birmingham Circle; Judenia Wilson, 4901 Deerwood Loop; Cynthia Gaines, 5003 Deerwood Loop; Mr. Lawrence Moten, 5000 Deerwood Trail; were present to speak in opposition of the request and expressed their concerns.

Mr. Robert Stefek, 3000 S. W. S. Young Drive, Suite 102, Killeen, Texas, spoke in support of the project.

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

Commissioner Cooper motioned to recommend approval of the request. Commissioner Payton seconded, and the motion passed by a vote of 4 to 1, with Commissioner Gukeisen in opposition.

Mr. McIlwain stated that the request will be forwarded to City Council with a recommendation to approve.

Commissioner Alvarez returned to the dais.

## CONSIDERATIONS

Texas Supreme Court in Pharr v. Tippitt, 616 S. W 2<sup>nd</sup> 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.

-CUT HERE-

YOUR NAME: HENNETT GREENAWALT PHONE NUMBER: 254-319-8686

CURRENT ADDRESS: 6207 CHARLOTTE LANE

ADDRESS OF PROPERTY OWNED: ↑

"B-3" to PUD with underlying "NBD", "SF-2", "R-2", "R-1" AND "RT-1"

COMMENTS:

1. I vehemently oppose to the development. Our development is developed to give property owners some privacy. The thought of the many duplexes which eventually attract low income folks which do not take the pride in their property as we do is unacceptable.
2. Backing these properties up against our property lines will allow town homes to look in the windows of homes on the North side of Birmingham

RECEIVED  
APR 12 2019  
PLANNING

SIGNATURE:  SPO #Z18-22/ 088

P.O. BOX 1329 · KILLEEN, TEXAS 76540-1329 · 254.501.7630 · 254.501.7628 FAX

YOUR NAME: DAREN WALKER PHONE NUMBER:

CURRENT ADDRESS: 4903 DEERWOOD LP, KILLEEN TX

ADDRESS OF PROPERTY OWNED: 4903 DEERWOOD LP KILLEEN TX

"B-3" to PUD with underlying "NBD", "SF-2", "R-2", "R-1" AND "RT-1"

COMMENTS: I am in complete opposition to the REZONE. This city need to set some limits. City of KILLEEN have let GREED sink in.

RECEIVED  
APR 10 2019

SIGNATURE:  PLANNING SPO #Z18-22/ 026

P.O. BOX 1329 · KILLEEN, TEXAS 76540-1329 · 254.501.7630 · 254.501.7628 FAX  
WWW.KILLEENTEXAS.GOV

YOUR NAME: Leonardo Gonzalez Sanchez PHONE NUMBER:

CURRENT ADDRESS: 5011 Acorn Creek Trail, Killeen, TX

ADDRESS OF PROPERTY OWNED: 5011 Acorn Creek Trail, Killeen, TX

"B-3" to PUD with underlying "NBD", "SF-2", "R-2", "R-1" AND "RT-1"

COMMENTS: I think it's a bad idea because it's going to devalue our <sup>PROPERTY</sup> because it's going to attract the wrong renters. Should build houses or businesses only

RECEIVED  
APR 11 2019

SIGNATURE: Leonardo Gonzalez Sanchez PLANNING SPO #Z18-22/ 027

P.O. BOX 1329 · KILLEEN, TEXAS 76540-1329 · 254.501.7630 · 254.501.7628 FAX

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

YOUR NAME: ROBERT M. VOLK PHONE NUMBER: 254-368-7174


CURRENT ADDRESS: 5317 BIRMINGHAM CIRCLE, KILLEEN TX 76542

ADDRESS OF PROPERTY OWNED: 0 SAME AS ABOVE

"B-3" to PUD with underlying "NBD", "SF-2", "R-2", "R-1" AND "RT-1"

COMMENTS: DISAPPROVE OF CURRENT PLAN AS RECOMMENDED. REQUEST THE COUNCIL HAVE DEVELOPER MAKE ALL PROPERTIES ADJACENT TO DEERWOOD AND BIRMINGHAM SINGLE FAMILY RESIDENCE

RECEIVED  
APR 10 2019

SIGNATURE:  PLANNING SPO #Z18-21

P.O. BOX 1329 · KILLEEN, TEXAS 76540-1329 · 254.501.7630 · 254.501.7628 FAX

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

YOUR NAME: Lavera C. Harris PHONE NUMBER: 254-702-1273

CURRENT ADDRESS: 4904 DEERWOOD LOOP KILLEEN TX 76542

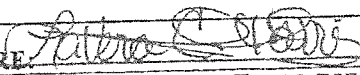
ADDRESS OF PROPERTY OWNED: 4904 DEERWOOD LOOP KILLEEN, TX 76542

"B-3" to PUD with underlying "NBD", "SF-2", "R-2", "R-1" AND "RT-1"

COMMENTS: I oppose the rezoning of property 42.3 acres, being part of Lot 2, Block 1, Rosewood Addition and Lots 1-6, Block 2, Rosewood Commercial from B-3 to PUD

The above property should remain as is.

RECEIVED  
APR 15 2019

SIGNATURE:  PLANNING SPO #Z18-22/032

P.O. BOX 1329 · KILLEEN, TEXAS 76540-1329 · 254.501.7630 · 254.501.7628 FAX  
WWW.KILLEENTEXAS.GOV

YOUR NAME: José I. Borges PHONE NUMBER: 251-9452


CURRENT ADDRESS: 4905 Deerwood Loop

ADDRESS OF PROPERTY OWNED: 4905 Deerwood Loop

"B-3" to PUD with underlying "NBD", "SF-2", "R-2", "R-1" AND "RT-1"

COMMENTS: Oppose to Case # Z18-22. Oppose to Rezoning.

RECEIVED  
APR 12 2019

SIGNATURE:  PLANNING SPO #Z18-22/027

P.O. BOX 1329 · KILLEEN, TEXAS 76540-1329 · 254.501.7630 · 254.501.7628 FAX  
WWW.KILLEENTEXAS.GOV

**CITY COUNCIL MEMORANDUM FOR ORDINANCE**

**DATE:** May 7, 2019

**TO:** Ronald L. Olson, City Manager

**FROM:** Dr. Ray Shanaa, Exec. Dir. Of Planning and Development Services

**SUBJECT:** Zoning Case #Z18-22 "B-3" (Local Business District) to Planned Unit Development (PUD) with "B-3" (Local Business District), "SF-2" (Single-Family Residential District), "R-2" (Two-Family Residential District), "R-1" (Single-Family Residential District) and "RT-1" (Residential Townhouse Single-Family District) zoning.

**BACKGROUND AND FINDINGS:**

This request is submitted by Quintero Engineering, L.L.C. on behalf of SS Springs, L.L.C. and Abbott Springs, Ltd. to rezone approximately 42.3 acres from "B-3" (Local Business District) to Planned Unit Development (PUD) with underlying "B-3" (Local Business District), "R-1" (Single-Family Residential District), "SF-2" (Single-Family Residential District), "R-2" (Two-Family Residential District) and "RT-1" (Residential Townhouse Single-Family District) zoning. The properties are generally located on the east side of Rosewood Drive, south of the intersection with East Central Texas Expressway.

**Property Specifics:**

Applicant / Property Owner: Quintero Engineering, L.L.C. / SS Springs, L.L.C. and Abbott Springs, Ltd.

Property Location: The properties are addressed as 3700, 3918, 4136, 4354, 4572, 4790 and 4900 Rosewood Drive, and is generally located on the east side of Rosewood Drive, south of the intersection with East Central Texas Expressway.

Legal Description: Rosewood Addition, Block 1, Part of Lot 2; and Rosewood Commercial, Block 2, Lots 1-6.

**Zoning/ Plat Case History:**

- The Future Land Use Map (FLUM) for approximately 103 acres, including the subject area, was changed from 'SC' (Suburban Commercial) to 'PD' (Planned Development) on May 22, 2018.



- Rosewood Addition was filed for record on December 18, 1996 in Cabinet C, Slide 92C, Plat Records of Bell County, Texas. Rosewood Commercial was filed for record on June 11, 2018, as Plat #87, Plat Records of Bell County, Texas.

Surrounding Land Uses:

| <b>Direction</b> | <b>Zoning District</b> | <b>Land Use</b>                       |
|------------------|------------------------|---------------------------------------|
| North            | "B-3" and "B-5"        | Retirement Community / Medical Clinic |
| South            | "R-1"                  | Single-Family Residential             |
| East             | City of Harker Heights | Seton Medical Center                  |
| West             | "B-3" and "R-1"        | Vacant and Single-Family Residential  |

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

Historic Properties: None

Project Summary

The applicant revised the initial request and included the uses listed in the table below. The purpose of the requested PUD is to allow the developer to provide a combination of residential and commercial uses on the 42.3 acre site. The current "B-3" (Local Business District) zoning allows only commercial uses. The developer wishes to provide a mixture of commercial (9.1 acres) and residential development (19.1 acres). Proposed land uses include the following:

| <b>Development Type:</b>   | <b>Underlying Zoning:</b>                    | <b>Area:</b> | <b>Lots:</b> |
|----------------------------|--|--------------|--------------|
| Garden Homes               | "SF-2" (Single-Family Residential)           | 3.4 acres    | 25 lots      |
| Villa                      | Customized single-family attached            | 6.3 acres    | 31 lots      |
| Suburban Residential       | "SR-1" (Single-Family Residential)           | 1.7 acres    | 8 lots       |
| Flex                       | "SR-1", "R-1", "R-2", "SF-2"                 | 4.8 acres    | 25 lots      |
| Duplex                     | "R-2" (Two-Family Residential District)      | 2.9 acres    | 15           |
| Rosewood Business District | Customized Business District                 | 9.1 acres    | 13           |
| Open Space                 | None proposed (will remain underlying "B-3") | 5.1 acres    | 3 Parcels    |
| Right-of-Way               | N/A  | 9 acres      | N/A          |
| <b>Total:</b>              |  | <b>42.3</b>  | <b>117</b>   |

A breakdown of proposed land uses within the PUD is as follows:

- Residential Uses: 45%
- Commercial Uses: 21.5%
- Open Space: 12%
- Right-of-Way: 21.5%

The applicant has proposed PUD development standards, as well as two additional customized development standards for the Rosewood Business District and Villa residential lots (see attached).

Proposed Residential Development Standards:

The applicant has requested the following residential development standards:

Suburban residential lots will conform to baseline "SR-1" (Suburban Residential Single-Family Residential District) standards, without exceptions.

Garden home lots will conform to baseline "SF-2" (Single-Family Residential District) standards, with the following exceptions:

The side yard setbacks adjacent to a street shall be reduced from fifteen (15) feet to ten (10) feet.

Porches or patios will be permitted to encroach into the rear yard setback by up to five (5) feet maximum in depth by twelve (12) feet in width.

The six (6) foot tall and two (2) inch caliper trees required in "SF-2" will be reduced to five (5) tall and 1.5" inch caliper trees, and the eight (8) 3-gallon shrubs required in "SF-2" will be reduced to four (4) 2-gallon shrubs.

The same exterior architectural elevation will not be used within any grouping of four (4) homes, instead of five (5) homes as required in "SF-2."

Homes must have a minimum of 50% on all four (4) sides of brick, stucco, cementitious siding, or stone veneer for exterior walls excluding doors, windows and gables.

Single-family lots will conform to baseline "R-1" (Single-Family Residential District) standards, with the following notable exceptions:

Side yard setbacks will be reduced from seven (7) feet to five (5) feet, and street side setbacks will be reduced from fifteen (15) feet to ten (10) feet.

Duplex lots will conform to baseline "R-2" (Two-Family Residential District) standards, with the following notable exceptions:

Side yard setbacks will be reduced from seven (7) feet to five (5) feet, and street side setbacks will be reduced from fifteen (15) feet to ten (10) feet.

Villa lots will conform to the proposed district called "V" Residential Villa Single-Family District. **Please see attached "V - District" standard.**

Proposed Commercial Development Standards:

Commercial lots will conform to the proposed district called "RBD" Rosewood Business District. **Please see attached "RBD - District" standard.**

**COMMUNITY INFRASTRUCTURE AND ENVIRONMENTAL ASSESSMENT**

Water, Sewer and Drainage Services:

Water and sanitary sewer services are available to the subject tract located within the City of Killeen municipal utility service area. In accordance with the City of Killeen Code of Ordinances, the developer is required to extend public utilities to the property in accordance with the plan of

service validated with an approved plat. In addition to this, existing sewer infrastructure will need to be re-evaluated and relocated by the developer to prevent the creation of unbuildable lots.

#### Streets & Transportation:

**Existing Conditions:** The subject area has direct access to Rosewood Drive, which is classified as a Minor Arterial on the City's adopted Thoroughfare Plan. In this location, Rosewood Drive has a right-of-way width of approximately 125 feet.

**Proposed Improvements:** The applicant is proposing to construct a series of local streets as depicted on the PUD concept plan.

**Proposed Traffic Generation:** This project is expected to generate approximately **1,510 to 1,770 residential vehicle trips per day**. A single family residence generates 10 vehicle trips per day. The PUD concept plan illustrates thirty-three single family units, which amounts to 330 vehicle trips per day. One duplex or two-family residential unit typically generates 20 daily trips and there are forty-six illustrated villa and/or duplex lots, which amounts to 920 vehicle trips per day. Lastly there are twenty-six flex lots, which could include either one or two family units, which amounts to a range from 260 to 520 daily vehicle trips [note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting]. Staff is unable to calculate the commercial trip generation data as no specific commercial use has been identified.

#### Environmental Assessment:

The property partially lies within a FEMA regulatory Special Flood Hazard Area (SFHA). There is also a FEMA recognized watercourse, locally known as Acorn Creek Tributary, which runs from the northeastern property boundary, through the parcel, to the southwestern property boundary. A portion of that watercourse lies within a publically dedicated existing drainage easement. This watercourse also requires a creek buffer zone, which is a 'no-build zone' to be established for 25' extending from the top of the creek banks. Acorn Creek Tributary is located in San Saba clay which is classified as a very high runoff class. Within the creek buffer zone area in this PUD, 1.12 acres of Riverine (R4SBC) wetland habitat was identified. Outside of the creek buffer zone, there was also a 0.28 acre freshwater pond habitat (PUBFh) identified within the proposed development along the southern property boundary. However, this particular pond is identified as a manmade structure that is semi-permanently flooded. The green space delineated in the concept plan does not follow the path of the required creek buffer zone nor does it cover the entire Acorn Creek Tributary and existing drainage easements.

Currently sheet flow runoff exits this parcel in two primary ways. Approximately 35 acres flows into Acorn Tributary before leaving the parcel into Acorn Creek at the southern property boundary. From there, the runoff flows south into Trimmier Creek SFHA before leaving the City of Killeen and entering Stillhouse Hollow Lake. Water quality within the Trimmier Creek watershed is currently improving. Trimmier Creek was identified by the TCEQ in 2010 as impaired for bacteria and concern for near non-attainment for impaired macrobenthic community.

Trimmier Creek was later delisted for bacteria impairment in 2014 and will be delisted for concern for near non-attainment for impaired macrobenthic community with the adoption of the 2016 303(d) list. Therefore, location of the proposed dog park would need to be outside of the SFHA, creek buffer zone, and any riparian buffers.

At the time of development, the current Drainage Design Manual, post construction requirements, and Infrastructure Design and Development Standards Manual 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 'Planned Development' (PD) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

Plan Recommendation: The 'Planned Development' designation encourages Mixed Use development (retail, office, residential, and public), as well as a variety of housing types and parks and open space. Characteristics of the 'Planned Development' designation, as envisioned by the Comprehensive Plan, include the following:

1. Potential for distinct character areas, from urban to suburban, within an overall development design.
2. Site design and development quality should be superior given strategic location and high profile.
3. Should be designed to be transit supportive.
4. Should provide for safe and convenient bicycle and pedestrian circulation options, both within and beyond the planned development area.

Consistency: The proposal for a PUD in this location is consistent with the Comprehensive Plan.

Public Notification: Staff notified one hundred and seven (107) surrounding property owner within 400 feet of the site. Staff received opposition from the following six (6) individuals: Kenneth Greenawalt, 6207 Charlotte Lane; Daren Walker, 4903 Deerwood Loop; Leonardo Gonzalez-Sanchez, 5011 Acorn Creek Trail; LaVera C. Harris, 4904 Deerwood Loop; José I. Borges, 4905 Deerwood Loop and Robert Volk, 5317 Birmingham Circle.

### **THE ALTERNATIVES CONSIDERED:**

**Which alternative is recommended?** The City Council may approve, approve with additional conditions, or disapprove the applicant's request. The Planning and Zoning Commission is recommending approval of the applicant's request.

**Why?** The proposed PUD concept plan, which includes a mixture of residential and commercial uses, will provide for a variety of community housing options while also providing for integrated, common open space.

### **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 recommended approval of the applicant's submitted PUD request (concept plan and development standards) by a vote of 4 to 1, with Commissioner Gukeisen in opposition; Commissioner Alvarez abstained from voting and signed a conflict of interest affidavit.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Zoning and Notification Map  
Location Map  
Proposed PUD Concept Plan  
Proposed PUD, RBD and V District Standards  
Minutes  
Ordinance  
Pharr vs. Tippitt  
Responses