

**OUT PROCESSING ZONING CHECKLIST**

**Left side of file:**

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

**Right side of file:**

- Ordinance/CC Memo (Ord. Number 12-074)
- Owner Approval Letter/Dated 10-16-12
- CC Minutes (Date 10-9-12)
- CC Agenda (Date 10-9-12)
- CC Packet:** (CCMO, Minutes, Considerations, Application, SPO Responses)
- Public Notice
- P&Z Minutes (Signed Copy) (Date 9-24-12)
- P&Z Agenda (Date 9-24-12)
- P&Z Packet:** (P&Z Memo, Considerations, Application, Maps, SPO responses)
- PVT
- SPO Responses (if any)
- PO/SPO Letter: 12 Sent  Support  
 Opposed  Undelivered
- SPO Map
- Copy of SPO Database
- Receipt for application fee
- CUP (site plan if applicable)
- Label made for outside folder
- Copy of Ordinance given to Mapping (Date 10-16-12)
- Changed zoning in Land Management (Date \_\_\_\_\_)



**City of Killeen  
Zoning Change Application**

CASE #:

212-31

Name(s) of Property Owner (s): Abbott Springs, LTD.

Address: 3800 South W.S. Young Drive, Suite 100

City: Killeen State: Texas Zip: 76542

Home Phone: ( ) \_\_\_\_\_ Business Phone: ( 254 ) 526-5117 Cell Phone: \_\_\_\_\_

Name of Applicant: Killeen Engineering & Surveying  
(if different than Property Owner)

Address: 2901 East Stan Schlueter Loop

City: Killeen State: Texas Zip: 76542

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

Address/ Location of Property to be Rezoned: 2600 South Clear Creek Road

Has the Property been Platted? X / N Lot 1, Block 1, Ware Addition  
Lot(s) Block(s) Subdivision

Legal Description: Lot 1, Block 1, Ware Addition  
Metes and Bounds Description

Is there a simultaneous plat of this property? None  
(Plat Name)

Type of Ownership: \_\_\_\_\_ Sole Ownership  Partnership \_\_\_\_\_ Corporation \_\_\_\_\_ Other

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

Present Zoning(s): B-5 Present Use: Vacant

Proposed Zoning(s): PUD Proposed Use: Mixed Use

TFP  
31-802(C)  
4/5 for residential use  
1/5 for comm.

APPOINTMENT OF AGENT

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

Name of Agent: KILLEEN ENGINEERING & SURVEYING, LTD.

Mailing Address: 2901 E. STAN SCHLUETER LOOP

City: KILLEEN State: TX Zip: 76542

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

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

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

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

Signature of Agent Michelle E. Lee Title OFFICE MANAGER - KES

Printed/Typed Name of Agent MICHELLE E. LEE Date 8-17-12

Signature of Property Owner James M. Wright Title PRESIDENT, ABBOTT SPRINGS MANAGEMENT

Printed/Typed Name of Property Owner JAMES M. WRIGHT Date 8-17-12

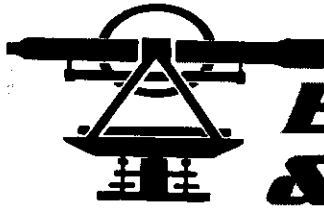
Signature of Property Owner Title

Printed/Typed Name of Property Owner Date

Signature of Property Owner Title

Printed/Typed Name of Property Owner Date

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



# KILLEEN Engineering & Surveying

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

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TRANSMITTAL LETTER

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TO: CITY OF KILLEEN DATE: 8-24-12

COMPANY: PLANNING DEPT

PROJECT: WARE ADDITION PROJECT NO: 2012-015

WE ARE SENDING YOU  ENCLOSED  UNDER SEPARATE COVER THE FOLLOWING:

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

COPIES	DATED	DESCRIPTION
1		ZONING APPLICATION * FEE
1		CORP. RES
1		DEED
1		NARRATIVE & DWGS (EV STUDIO)

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

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ISSUED BY Michelle Lee RECEIVED BY \_\_\_\_\_

DEC 30 1994

Corporations Section

**CERTIFICATE OF LIMITED PARTNERSHIP  
OF  
ABBOTT SPRINGS, LTD.**

This Certificate of Limited Partnership dated as of the 29  
day of **December, 1994**, has been duly executed and is filed pursuant  
to section 2.01 of the Texas Revised Limited Partnership Act (the  
"Act") to form a limited partnership under the Act.

1. **Name.** The name of the limited partnership is **ABBOTT  
SPRINGS, LTD.**

2. **Registered Office; Registered Agent.** The address of the  
registered office required to be maintained by section 1.06 of the  
Act is:

**2206 East Central Texas Expressway  
Killeen, Texas 76543**

The name and the address of the registered agent for service of  
process required to be maintained by section 1.06 of the Act are:

**JAMES M. WRIGHT  
2206 East Central Texas Expressway  
Killeen, Texas 76543**

3. **Principal Office.** The address of the principal office in  
the United States where records are to be kept or made available  
under section 1.07 of the Act is:

**2206 East Central Texas Expressway  
Killeen, Texas 76543**

4. **General Partner(s).** The name(s), the mailing address(es),  
and the street address(es) of the **business** of the general partner(s)  
are:

**ABBOTT SPRINGS MANAGEMENT, L.C.  
2206 East Central Texas Expressway  
Killeen, Texas 76543**

EXECUTED as of the date written first above.

**ABBOTT SPRINGS MANAGEMENT, L.C.,  
General Partner**

BY: 

**JAMES M. WRIGHT, President**

**ARTICLES OF ORGANIZATION  
OF  
ABBOTT SPRINGS MANAGEMENT, L.C.**

FILED  
In the Office of the  
Secretary of State of Texas  
DEC 30 1994  
Corporations Section

I/We, the undersigned natural person(s) of the age of eighteen (18) years or more, acting as organizer of a limited liability company under the Texas Limited Liability Company Act, do hereby adopt the following Articles of Organization for such Limited Liability Company.

**ARTICLE ONE**

The name of the Limited Liability Company is **ABBOTT SPRINGS MANAGEMENT, L.C.**

**ARTICLE TWO**

The period of duration of this Limited Liability Company is perpetual from the date of the filing of these Articles of Organization with the Secretary of State or until the earlier dissolution of the Limited Liability Company in accordance with the provisions of its regulations.

**ARTICLE THREE**

The purpose for which the Limited Liability Company is organized is to conduct any lawful business, to promote any lawful purpose and to engage in any lawful act or activity for which limited liability companies may be organized under the Texas Limited Liability Company Act, including, but not limited to, the purchase, development, sale, service, lease and management of personal and real properties of all kinds and descriptions.

**ARTICLE FOUR**

The Limited Liability Company shall have the powers provided for a corporation under the Texas Business Corporation Act and a limited partnership under the Texas Revised Limited Partnership Act.

**ARTICLE FIVE**

The Limited Liability Company will not commence business until it has received for the issuance of its certificates of membership interest consideration consisting of money, labor done, a promissory note, or property received.

#### ARTICLE SIX

On each matter on which the membership interest is entitled to vote, a member will have one (1) vote or a fraction of one vote per Membership Unit or fraction of Membership Unit owned by the member.

Cumulative voting is not allowed.

Preemptive rights do not exist.

#### ARTICLE SEVEN

The street address of the initial registered office of the Limited Liability Company is 2206 East Central Texas Expressway, Killeen, Texas, 76543, and the name of its initial registered agent at such address is JAMES M. WRIGHT. The address of the principal place of business is 2206 East Central Texas Expressway, Killeen, Texas, 76543.

#### ARTICLE EIGHT

The management of the Limited Liability Company is hereby reserved to the members, and the names and addresses of such members are as follows: MICHALK FAMILY, LTD., 2210 East Central Texas Expressway, Suite 203, Killeen, Texas, 76543; and JJ WRIGHT FAMILY, LTD., 2206 East Central Texas Expressway, Killeen, Texas, 76543.

#### ARTICLE NINE

The name and address of the organizer is: JAMES M. WRIGHT, 2206 East Central Texas Expressway, Killeen, Texas, 76543.

#### ARTICLE TEN

The initial Regulations will be adopted by the Members. The powers to alter, amend, or repeal the Regulations or adopt new Regulations is vested in the Members.

#### ARTICLE ELEVEN

To the full extent permitted by Texas law, no Member of the Limited Liability Company shall be liable to the Limited Liability Company or the other Members for monetary damages for an act or omission in such Member's capacity as a Member of the Limited Liability Company, except that this Article does not eliminate or limit the Liability of a Member to the extent the Member is found liable for (i) a breach of the Member's duty of loyalty to the Company or its members; (ii) an act or omission not in good faith that constitutes a breach of duty of the Member

to the Company or an act or omission that involves intentional misconduct or a knowing violation of the law; (iii) a transaction from which the Member received an improper benefit whether or not the benefit resulted from an action taken within the scope of the Member's office; or (iv) an act or omission for which the Liability of a Member is expressly provided by an applicable statute. Any repeal or amendment of this Article by the members of the Company shall be prospective only and shall not adversely affect any limitation on the Liability of a Member of the Company existing at the time of such repeal or amendment. In addition to the circumstances in which the Member of the Company is not liable as set forth in the preceding sentences, the Member shall not be liable to the fullest extent permitted by any provision of the statutes of Texas hereafter enacted that further limits the Liability of a member or manager of a limited liability company or of a director of a corporation. The foregoing elimination of the liability to the Limited Liability Company or the other Members for monetary damages shall not be deemed exclusive of any other rights or limitations of liability or indemnity to which a Member may be entitled under any other provision of the Articles of Organization or the Regulations of the Limited Liability Company, contract or agreement, vote of Members and/or disinterested Members of the Limited Liability Company, or otherwise.

#### ARTICLE TWELVE

Any action required by the Texas Limited Liability Company Act, and any amendments thereto, to be taken at any annual or special meeting of Members of the Limited Liability Company, may be taken without a meeting, without prior notice, and without a vote, if a consent or consents in writing, setting forth the action so taken, shall be signed by the holder or holders of membership interest having not less than the minimum number of votes that would be necessary to take such action at a meeting at which the holders of all membership interest entitled to vote on the action were present and voted. Any such written consent must be dated, signed and delivered in the manner required by, and shall be effective for the period specified by the Texas Limited Liability Company Act, and any amendments thereto, and the taking of any such action by written consent shall be subject to satisfaction of all applicable requirements of such Act.

Prompt notice of the taking of any action by Members without a meeting by less than unanimous written consent shall be given to those Members who did not consent in writing to the action.

#### ARTICLE THIRTEEN

The membership interest of the Limited Liability Company will be subject to restrictions on its transferability as set out



in the Regulations of the Limited Liability Company, which Regulations will be kept with the records of the Limited Liability Company. The Limited Liability Company will provide a copy of the Regulations without charge to any record holder of a membership interest upon written request addressed to the Limited Liability Company at its principal business office or its registered agent's address.

#### ARTICLE FOURTEEN

These Articles of Organization may be amended, modified, supplemented or restated in any manner permitted by applicable law and approved by the affirmative vote of members owning more than fifty percent (50%) in interest of all of the membership interests in the Company then outstanding.

IN WITNESS WHEREOF, I have hereunto set my hand this <sup>29<sup>TH</sup></sup>  
day of December, 1994.

  
\_\_\_\_\_  
JAMES M. WRIGHT, Organizer

Bell County  
Shelley Coston  
County Clerk  
Belton, Texas 76513



Instrument Number: 2012-00032350

Recorded On: August 06, 2012

As  
Recordings

Parties: WARE ALVIN K JR

Billable Pages: 3

To ABBOTT SPRINGS LTD

Number of Pages: 4

Comment:

( Parties listed above are for Clerks reference only )

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

Recordings	19.00
Total Recording:	19.00

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

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

**File Information:**

Document Number: 2012-00032350  
Receipt Number: 144054  
Recorded Date/Time: August 06, 2012 02:25:26P

**Record and Return To:**

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

User / Station: G Gomez - Cash Station 1



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

Shelley Coston  
Bell County Clerk

WARRANTY DEED

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

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS THAT:

COUNTY OF BELL

THAT ALVIN K. WARE, JR. and wife, SUSIE WARE (herein called "Grantor" whether one or more), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto ABBOTT SPRINGS, LTD., a Texas Limited Partnership, (herein called "Grantee", whether one or more), of 3800 South W. S. Young Drive, Suite 100, Killeen, Texas 76542, all of the following described real property in BELL County, Texas, to-wit:

A tract of land out of the Thomas Robinett Survey, Abstract No. 686, in Bell County, Texas, containing 5.000 acres of land, more or less, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

This conveyance is made and accepted subject to any and all restrictions, covenants, conditions, easements, rights-of-way and prescriptive rights, oil and gas leases, mineral severances, agreements and maintenance charges and the liens securing said charges, and mineral reservations of whatsoever nature, if any, affecting the premises conveyed hereby, now of record in the county wherein the land is located.

TO HAVE AND TO HOLD the above-described premises, together with all and singular rights and appurtenances thereto in anywise belonging, unto the said Grantee, Grantee's heirs and assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, Grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED the 3rd day of August, 2012.

Handwritten signatures of Alvin K. Ware, Jr. and Susie Ware over printed names.

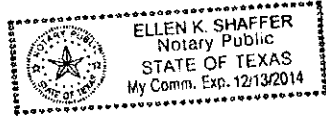
Warranty Deed

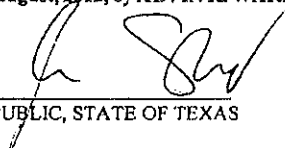
Page 1 of 2

Handwritten notes: abbot springs, MONTEITH ABSTRACT & TITLE COMPANY, #19, 2500 BACON RANCH ROAD, KILLEEN, TEXAS 76542, 62-1287

STATE OF TEXAS  
COUNTY OF BELL

This instrument was acknowledged before me on the 3 day of August, 2012, by ALVIN K. WARE, JR. and wife, SUSIE WARE.



  
NOTARY PUBLIC, STATE OF TEXAS

# EXHIBIT "A"

**FIELD NOTES** for a 3.000 acre tract of land in Bell County, Texas, part of the Thomas Robinson Survey, Abstract No. 686, and the land herein described being part of that certain 100 acre tract of land in that deed from Dennis L. Schulte to Mario E. Bucholtz, recorded in Volume 4283, Page 418, Official Public Records of Real Property of Bell County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod with cap stamped "All Country" found, in the east right of way line of F. M. 3470 (Clear Creek Road), being the southwest corner that certain 6.86 acre tract of land described in a deed to National 1031 Clear Creek, L.L.C., recorded in Volume 5933, Page 626, Official Public Records of Real Property of Bell County, Texas, for the northwest corner of this tract.

**THENCE** with the south line of said 6.86 acre tract, S. 71°11'25" E., 748.64 feet (Adj. Deed S. 71°11'25" E., 748.31 feet), to a 1/2" iron rod with cap stamped "All Country" found, in the west line of that certain 64.834 acre tract of land described in a deed to Killcoen Sunflower, Inc., recorded in Volume 5220, Page 555, Official Public Records of Real Property of Bell County, Texas, for the southeast corner of said 6.86 acre tract, for the northeast corner of this tract.

**THENCE** with the west line of said 64.834 acre tract and the east line of said 10.72 acre tract, S. 19° 58' 20" W., 393.11 feet (Deed Bearing S. 18°58'31" W.), to a 3/8" iron rod with cap stamped "M&ASSOC KILLEEN" set, for the southeast corner of this tract.

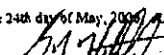
**THENCE**, N. 70° 49' 48" W., 749.60 feet, to a 3/8" iron rod with cap stamped "M&ASSOC KILLEEN" set in the east right of way line of said F. M. 3470, for the southwest corner of this tract.

**THENCE** with the east right of way line of said F. M. 3470, N. 19° 09' 43" E., 288.40 feet (R.O.W. Bearing N 17°19'32" E.), to the **POINT OF BEGINNING** containing 3.000 acres of land.

The bearings for the above description are based on the south line of said 6.86 acre tract of land described in a deed to National 1031 Clear Creek, L.L.C., recorded in Volume 5933, Page 626, Official Public Records of Real Property of Bell County, Texas.

STATE OF TEXAS     |     KNOW ALL MEN BY THESE PRESENTS, that I, Gary W. Mitchell,  
COUNTY OF BELL    |     Registered Professional Land Surveyor, do hereby certify that I did cause  
                          |     to be surveyed on the ground the above described tract of land and to the  
                          |     best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal this the 24th day of May, 2006, A. D.

  
Gary W. Mitchell  
Registered Professional  
Land Surveyor, No. 4982





## **The Village at Clear Creek**

### ***A Low Rise, Mixed Use Development in Killeen, Texas***

#### **Project Description**

Located on the East side of Clear Creek Drive, and near the Metroplex Hospital, The Village is an innovative new approach to mixed-use business/ residential developments in Killeen, Texas. The site on Clear Creek Drive will be the home of this low-rise development consisting of ground floor Class A Office and Retail Space to complement the second floor residential units.

#### **The Site**

##### **Current Use**

The shared access road on the North side of the property has been completed, but the site is otherwise undeveloped.

##### **Platting**

The Site is currently platted as the Ware Addition. The current plat was prepared in accordance with the provisions of Chapter 26 of the City of Killeen Code of Ordinances.

##### **Zoning**

Current zoning for the project is B-5. Re-Zoning for this project is being proposed as PUD (B-4/R-3A), Planned Unit Development (Business/ Residential).

PUD is being proposed for this project to permit new and innovative concepts in land utilization not permitted by other zoning districts allowed by the City of Killeen. We have chosen to pursue re-zoning this site as a Planned Unit Development because it allows for the highest level of transparency and direct interaction with the community and city staff during the project development process.

##### **Topography**

The site is undeveloped and there is an existing grade across the site of 9 feet. Given the general flatness of the site, minimal manipulation will be necessary for the project.

## **Drainage**

The entire site will be master planned with high priorities given to the drainage considerations of the site. A drainage reserve will be provided along the East edge of the property and drainage easements will be provided to allow sufficient drainage for the entire development.

## **Parking and Vehicle Access**

Public and private parking arrangements are provided within the project in order to accommodate both commercial and residential needs. Public parking is arranged for convenient access for patrons and staff of the commercial units and guests of the residential units. Private reserved parking is provided for residents in the form of covered and uncovered options. The site is currently designed to accommodate both the commercial unit 1-200sqft parking to unit ratio as per B-4 zoning concurrently with the 1-2/3 per unit parking required for Apartments. Under current building would require 100 parking spots for the commercial units and 2 loading spots. In addition the residential units will require 32 parking spots. The proposed site plan exceeds these requirements with 211 total parking spots, with 38 being reserved for apartment residents.

## **Traffic Considerations**

Commercial and Residential Traffic to and from the PUD is limited to Clear Creek Drive through the adjacent TXDOT approved access drive.

## **Landscaping**

The landscape plan for the project will be designed by a professional landscape architect with an emphasis placed on the use of Texas native plant material and low water use. Turf areas will use native grasses proven to be tolerant to extreme heat and near-drought conditions. Site irrigation will be provided to establish the landscape and then be available to supplement natural rainfall rates during extended dry periods.

Landscaping for the project will meet all requirements for B4 and R-3A zoning as per the current City of Killeen Code of Ordinances. Where a conflict between the two zoning district requirements may exist the stricter of the two will be met.

## **Site Lighting**

All site lighting will be concentrated towards the interior of the site and positioned at heights that will allow for appropriate levels of lighting while minimizing light pollution.



All lighting will meet current site lighting requirements as per current City of Killeen code of ordinances as per B4/R-3A.

*This proposed development will not adversely affect adjacent properties by inappropriate lighting.*

### **Site Signage**

All signage will meet or exceed the standards and requirements of City of Killeen current Code of Ordinances.

## **The Buildings**

### **Residential Units**

Residential units will be apartment units which are a permitted use in an R-3A zoning district. Residential units will be primarily 2 bedroom units ranging in size from 850-1000sqft. All units will be very well appointed. Residents will have many luxury amenities including private parking, both surface parking and a garage, secured building access, outdoor common space and spacious private balconies

**Building Height** – The proposed building height shall not exceed 35 feet. The number of stories for the buildings shall not exceed 3 and one half stories

**Area Regulations** – All setbacks from the property lines to the buildings meet the requirements of the R-3A zoning district as demonstrated on the proposed site plan.

**Architectural Design** – Building Character drawings are provided to demonstrate the proposed appearance of the buildings. A variety of durable, high end exterior materials will be used in an appropriate fashion to create a Mediterranean style building designed by a licensed, professional architect. The architectural style of the proposed buildings will be complimentary to the Clear Creek corridor. Exterior walls of the building fronting public streets shall be constructed of at least 50% native stone or brick.

### **Commercial Units**

Commercial Units in this development will be limited to permitted uses defined in the current B-4. Most of the ground floor units will be designated as commercial space. The commercial spaces will be flexible enough to allow for a variety of “Class A Business” and “Specialty Retail” spaces.





**Building Height** – The proposed building height shall not exceed 35 feet. The number of stories for the building shall not exceed 3 and one half stories. All commercial spaces will be located on the ground floor.

### **Building Style**

It is the intent of the Architect and Developer to bring first class, multi-story building to Killeen with this project. The architecture will be Mediterranean style with deep porches and overhangs, a simple material palette and form. The building will be designed to be proportional and balanced with the site and the surroundings. Interior stairwells will provide access to the second floor residential units.

### **Summary**

The Village at Clear Creek is a mixed-use commercial center and apartment community that, until now has typically only existed in larger metropolitan areas. This community has been designed to meet the needs of an expanding housing market looking for alternative high end housing options in the Killeen area.

Conscientious and environmentally considerate design and development are at the core of this proposed community. Building design influenced by Mediterranean details and use of materials identify this community and promote its sense of place and belonging. Attention to detail, first class amenities, and a focus on creating and fostering an upper end lifestyle are among the qualities that define The Village at Clear Creek.



CITY OF KILLEEN  
PLANNING & DEVELOPMENT SERVICES

October 16, 2012

Abbott Springs, Ltd  
3800 S WS Young Drive, Suite 100  
Killeen, TX 76542

**RE: Zoning Case #Z12-37: B-5 to PUD**

Dear Property Owner:

On Tuesday, October 9, 2012, the City Council of the City of Killeen granted your request for rezoning, from B-5 (Business District) to B-4 (Business District) and R-3A (Multifamily Apartment Residential District) with a planned unit development (PUD) to allow a mixed use development consisting of 19 apartment homes and approximately 21,865 square feet of retail/commercial lease space, for 5 acres, being located at 2600 S. Clear Creek Road, Killeen, Texas.

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

Sincerely,

Vicki Wanken  
Planning Assistant

Enclosure  
Ord. #12-074

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

**ORDINANCE NO. 12-074**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM B-5 (BUSINESS DISTRICT) TO B-4 (BUSINESS DISTRICT) AND R-3A (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT) WITH A PLANNED UNIT DEVELOPMENT (PUD); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Abbott Springs, Ltd. has presented to the City of Killeen a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of the hereinafter described property from B-5 (Business District) to B-4 (Business District) and R-3A (Multifamily Apartment Residential District) with a planned unit development (PUD) to allow a mixed use development consisting of 19 apartment homes and approximately 21,865 square feet of retail/commercial lease space, said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 24<sup>th</sup> day of September 2012, 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 9<sup>th</sup> day of October 2012, 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 opinion that the request should be approved;

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

**Section I.** That the zoning classification of the following described tract be changed from B-5 (Business District) to B-4 (Business District) and R-3A (Multifamily Apartment

Residential District) with a planned unit development (PUD) to allow a mixed use development consisting of 19 apartment homes and approximately 21,865 square feet of retail/commercial lease space, for 5 acres, being located at 2600 S. Clear Creek Road, Killeen, Texas.

**Section II.** That the approval of this request is based upon the submitted planned unit development narrative and site plan.

**Section III.** 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 IV.** 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 V.** 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 9<sup>th</sup> day of October 2012, 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:**

  
Daniel A. Corbin, MAYOR

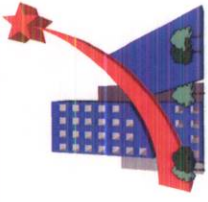
**ATTEST:**

  
Paula A. Miller, CITY SECRETARY

**APPROVED AS TO FORM**

  
Kathryn H. Davis, City Attorney

Case #12-37



**PLANNING AND  
DEVELOPMENT SERVICES**

**ZONING CASE:**  
#Z12-37

**ZONING FROM:**

B5TO PUD

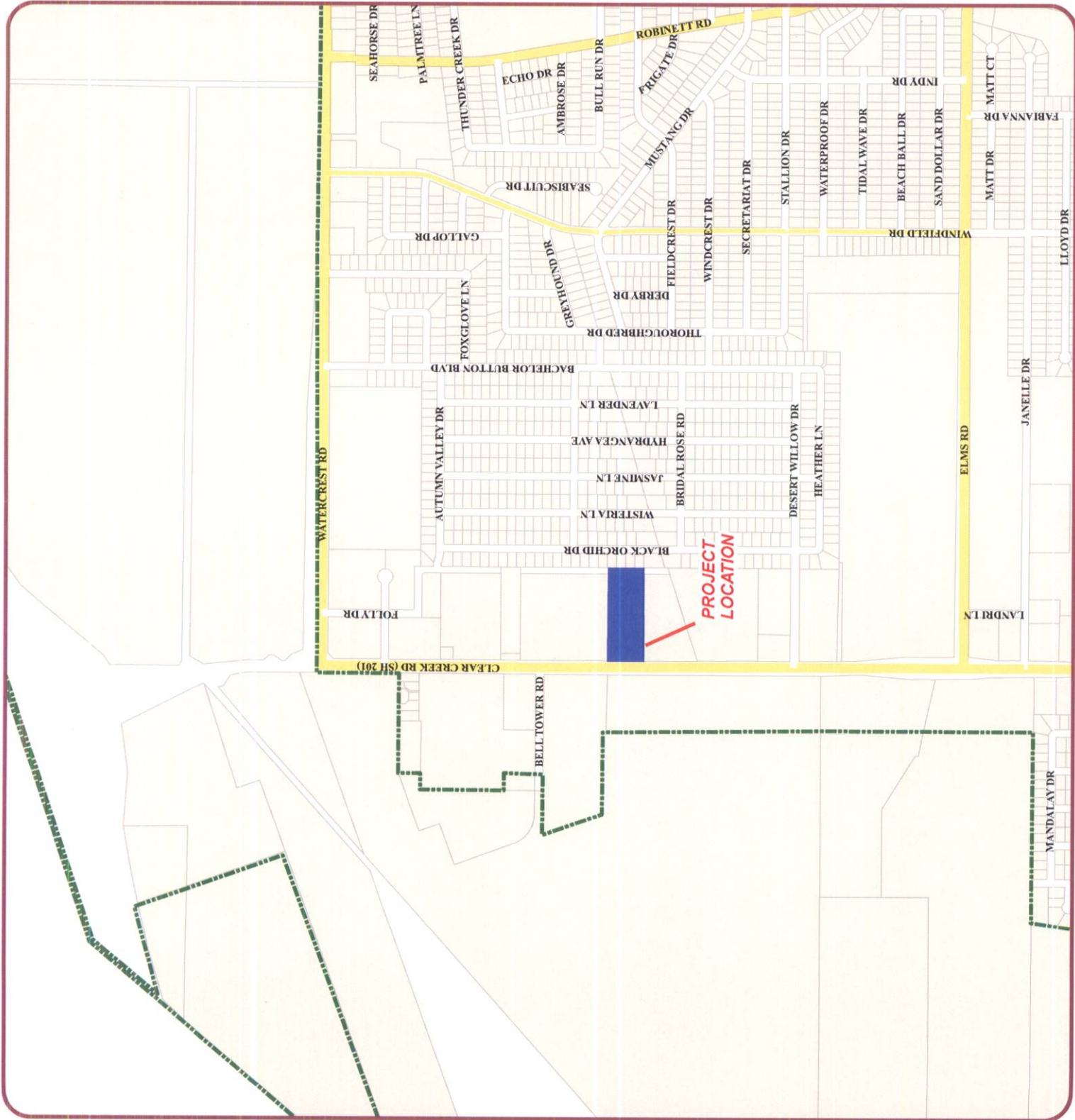
**PROPERTY OWNER:**

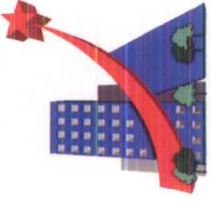
ABBOTT SPRINGS LTD

Legend  
Production GISADMIN ZoningCases2012  
City Limits  
Production GISADMIN Parcel



Date: 9/11/2012





**PLANNING AND  
DEVELOPMENT SERVICES**

**ZONING CASE:  
#Z12-37**

**ZONING FROM:**

**B5 TO PUD**

**PROPERTY OWNER:**

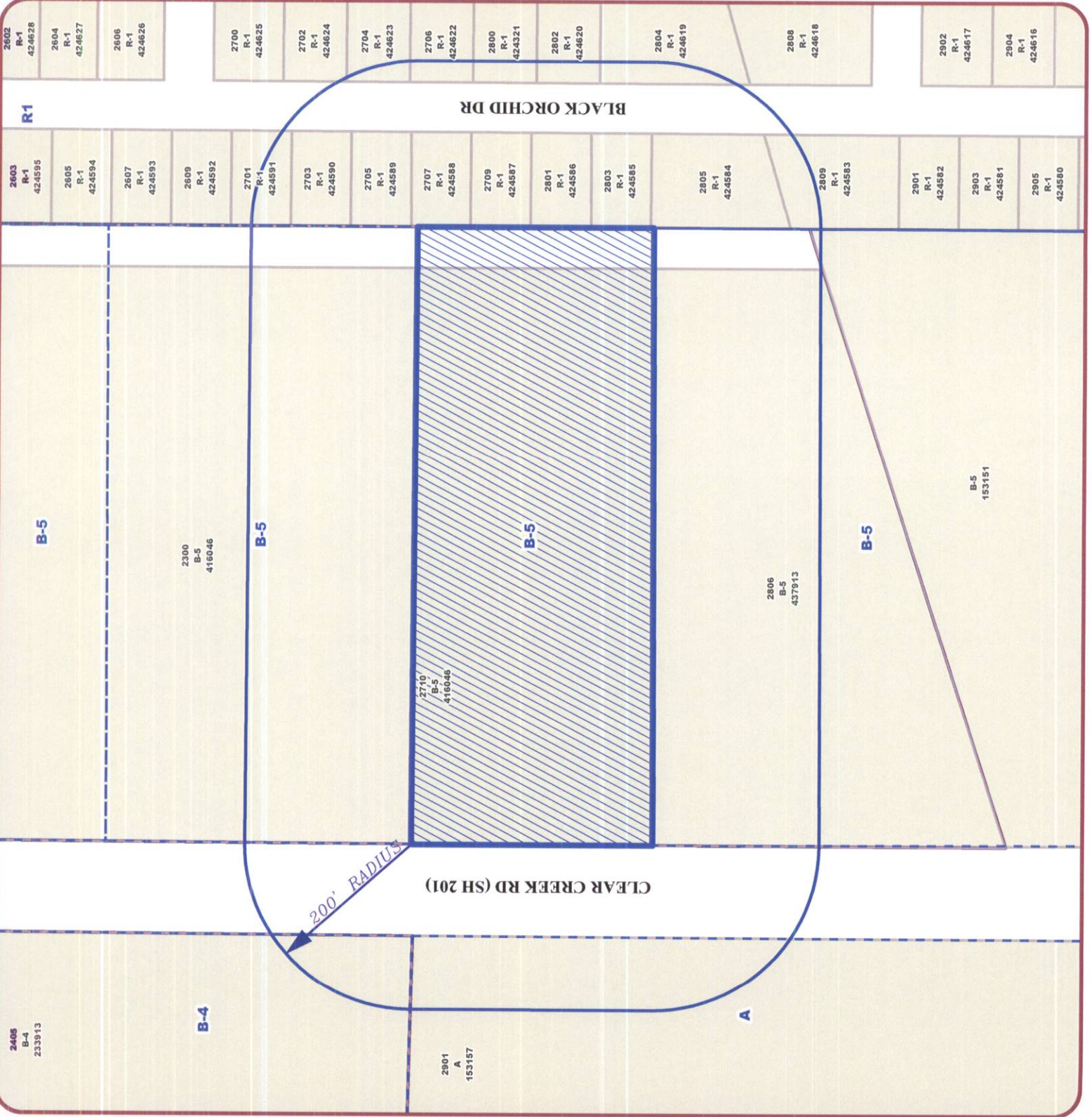
**ABBOTT SPRINGS LTD**

**Legend**

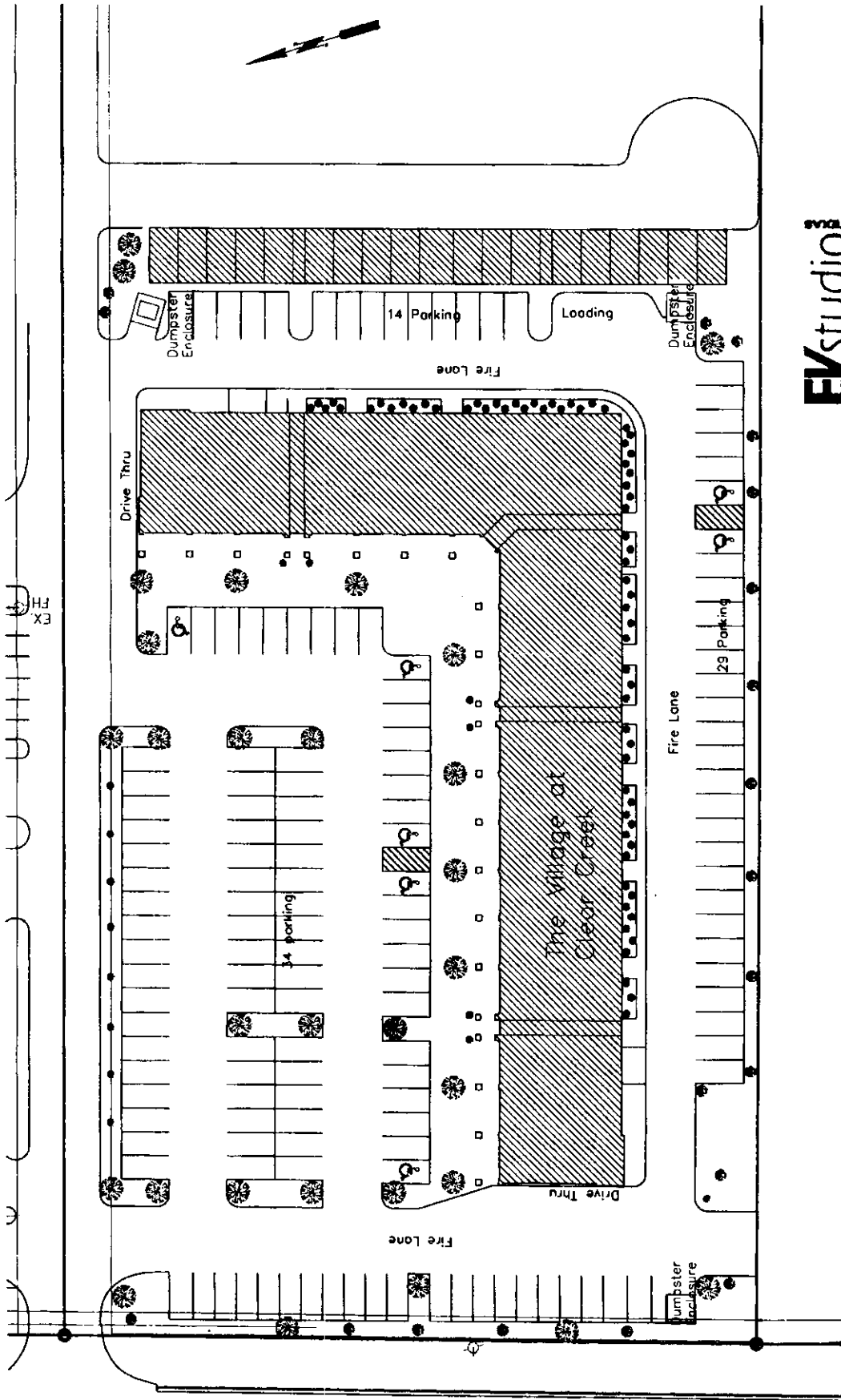
- Buffer\_of\_12-37
- Production: GISADMIN.ZoningCases2012
- City Limits
- CURRENT ZONING
- Production: GISADMIN.Parcel
- Subdivision



**Date: 9/11/2012**



CLEAR CREEK ROAD



**EVstudio**

PROPOSED PROJECT:

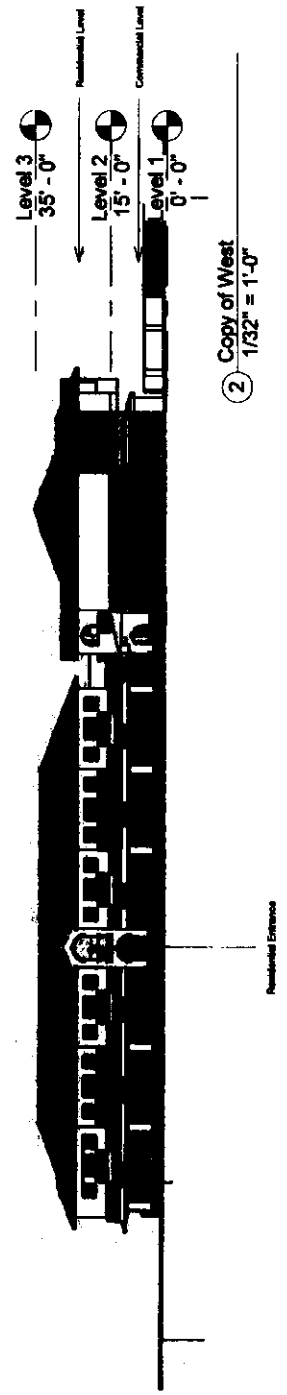
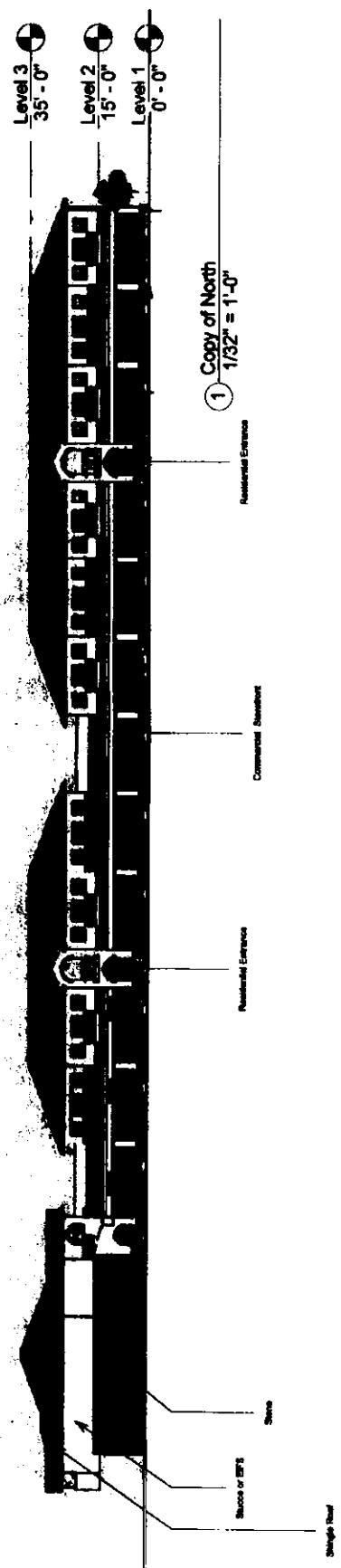
THE VILLAGE AT CLEAR CREEK

PROJECT OWNER:

109 W. Ave. D  
Copperas Cove, TX 76522  
254.238.4405

1117 Cherokee St, Suite 100  
Denver, CO 80204  
303.670.7242

4602 Plettner Lane 4D  
Evergreen, CO 80439  
303.670.7242





**CITY COUNCIL MEMORANDUM FOR ORDINANCE**

**AGENDA ITEM**

**ZONING CASE #Z12-37**

**B-5 (BUSINESS DISTRICT) TO B-4  
(BUSINESS DISTRICT) AND R-3A (MULTI  
FAMILY RESIDENTIAL DISTRICT) WITH A  
PUD OVERLAY**

**ORIGINATING DEPARTMENT**

**PLANNING & DEVELOPMENT SERVICES**

**Nature of the Request**

This request is to rezone approximately five (5) acres from B-5 (Business District) to R-3A (Multifamily Apartment Residential District) and B-4 (Business District) with a planned unit development (PUD) overlay. The site plan provided by the applicant shows a mixed use development consisting of 19 apartment homes and 21,865 square feet of leasable retail/commercial area.

The development will be built at a height not to exceed 35 feet and two bedroom apartment units ranging in are between 850 square feet to 1,000 square feet.

**District Descriptions:**

➤ *Uses.* A building or premises in an R-3A multifamily apartment residential district shall be used only for the following purposes:

- Any use permitted in the R-1 or R-2 districts.
- Multifamily structures containing five (5) or more separate dwelling units, including large apartment complexes with high rise structures.
- Boarding and lodging houses.
- Fraternity or sorority houses.
- Licensed group or community homes housing six (6) or more persons.
- Dormitories for educational or employment purposes as a primary use.
- Any group housing activity not otherwise identified in another multifamily or business district.
- Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a business.

➤ *Uses.* A building or premises in the district "B-4" business district shall be used only for the following purposes:

- Any use permitted in the “B-3” district.
- Antique shop.
- Secondhand goods store. No outside display, repair or storage.
- Auto sales. Where the major business is the showroom display and sale of new automobiles by an authorized dealer and used car sales, repair work and storage facilities on the same premises shall be purely incidental; provided, that the area allowed for the repair and storage of cars shall not be nearer than twenty (20) feet from the required front line of the principal building.
- Auto sales. Used cars; no salvage, dismantling or wrecking on premises; no display of vehicles in required front yard.
- Commercial parking (public garage or parking lot).
- Auto upholstery or muffler shop.
- Auto repair (garage).
- Cold storage plant (locker rental).
- Bakery or confectionery, wholesale.
- Bomb shelter (as a principal use).
- Building material or lumber sales (no outside storage).
- Cleaning, pressing, and dyeing:
  - No direct exterior exhaust from cleaning plant permitted.
  - Dust must be controlled by either bag or filter and separator or precipitator so as to eliminate the exhausting of dust, odor, fumes or noise outside the plant.
- Florist, garden shop, greenhouse or nursery (retail).
- Ballpark, stadium, athletic field (private).
- Wholesale offices.
- Lodges or fraternal organizations.
- Philanthropic institutions (not elsewhere listed).
- Cabinet, upholstery, woodworking shop.
- Plumbing, electrical, air conditioning service shop (no outside storage).
- Trade or business school.
- Sale of beer and/or wine only for off-premises consumption only.
- Garment manufacturing in a space of four thousand (4,000) square feet or less, with all loading and unloading off-street.

**Planned unit development (PUD) required.**

A planned unit development (PUD) as provided in Chapter 31, Article V, Division 8, Killeen code of ordinances shall be required for any request for an R-3F and/or R-3A district when the total acreage of the request alone, or when the total acreage of the request combined with all adjacent areas zoned R-2, R-3, R-3F, and R-3A, and/or areas within a two-thousand feet radius of any of the property seeking to be rezoned, consist of twenty-five (25) acres or more.

The purpose for requiring a PUD is to provide the planning and zoning commission and the city council with the ability to determine the proposed development’s impact on surrounding properties, existing infrastructure and open/recreational space and also to determine whether

additional public improvements to serve denser multifamily development are necessary to promote the health, safety and welfare of the development's residents.

Properties are considered adjacent and subject to the computation of this section if they are continuously zoned for multifamily and/or two family residential use regardless of ownership, property lines, easements or rights-of-way.

The applicant shall provide any public infrastructure beyond the city's minimum development standards that is required to service the proposed development, including open/recreational space and oversized water, sewer and drainage facilities and greater street widths.

The applicant is responsible for determining whether or not a PUD is required. However, if the director of planning and development services determines at any time that a PUD is required and one was not submitted the applicant shall be informed in writing and they shall either modify their application to include the PUD or withdraw the application and have all associated application fee(s) returned.

#### **Property Specifics**

**Applicant/Property Owner:** Abbot Springs, Ltd.

**Property Location:** The property is located along the east right-of-way of Clear Creek Road (S.H. 201), approximately 540' south of Bell Tower Road, Killeen, Texas.

**Legal Description:** Lot 1, Block 1, Ware Addition

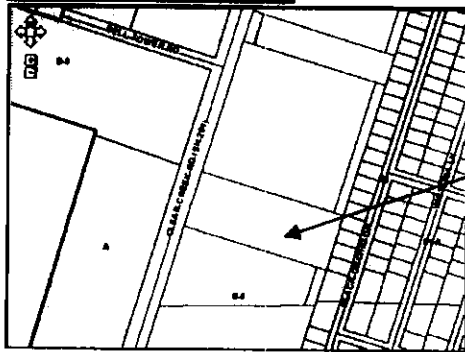
#### **Annexation/ Zoning/ Plat Case History:**

- The property was annexed into the city per ordinance no. 95-79 on November 14, 1995.
- The property was rezoned from 'A' (Agricultural District) to B-5 per ordinance #06-111 on September 17, 2006.
- The property has not been platted as Lot 1, block 1, Ware Addition, which was filed for record on June 15, 2012 in cabinet D, Slide 359C, Plat Records of Bell County, Texas.

#### **Character of the Area:**

**Existing Land Use(s) on the Property:** Vacant/ undeveloped.

**Figure 1. Zoning Map**



Subject Site

**Figure 2. Aerial Map**



Subject Site

**Historic Properties: None**

**Infrastructure and Community Facilities**

**Emergency Response:**

Fire District: 7

Fire Response Zone: 7-5

Miles from Fire Station: Approximately 1.6 miles from Fire Station No. 7, which is located at 3701 Watercrest Drive.

**Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Development will have adequate access to water and sewer services.

**Transportation:**

Existing conditions: Clear Creek Road (S. H. 201) is classified as a 90' minor arterial on the city's Thoroughfare Plan. There is also a platted 50' marginal access road on this property.

Proposed Improvements: The developer is responsible for construction of the marginal access road.

Projected Traffic Generation: The traffic impact may be substantial upon build-out.

### **Environmental Assessment**

**Topography:** This property has elevations ranging from 984' to 990'.

**Regulated Floodplain/Floodway/Creek:** The proposed development is not within any special flood hazard areas (SFHA).

### **Land Use Analysis**

**Land Use Plan:** The property is designated as 'General Commercial' on the future land use map (FLUM) of the Comprehensive Plan (Plan).

**Plan Recommendation:** The 'General Commercial' designation of the Comprehensive Plan allows a wide range of commercial retail and service uses, at varying scales and intensities depending on the site. Office uses (both large and/or multi-story buildings and small-scale office uses depending on the site), public/institutional uses and parks and public spaces are also allowed.

**Consistency:** The PUD request is consistent with the Comprehensive Plan. It is an overlay district that allows land uses

### **Public Notification**

The staff notified twelve (12) surrounding property owners regarding this request.

### **Recommendation**

The Planning and Zoning Commission recommended approval of the applicant's PUD concept with the underlying zoning of B-4 (Business District) and R-3A (Multi-family Apartment Residential District) by a vote of 5 to 0, with Commissioner Steine abstaining. This represents a concept that has been long anticipated in the city and will be an attractive "first attempt" of mixed use.

10

# KILLEEN DAILY HERALD

Serving The Growing Central Texas Area

## PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS

COUNTY OF BELL

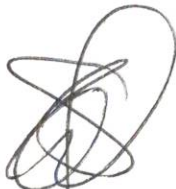
Personally appeared before the undersigned authority

**Sabrina John** who being sworn says that the attached ad

for: **CITY OF KILLEEN**

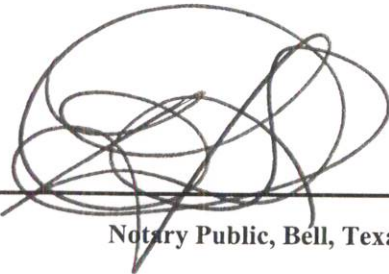
published in the **Killeen Daily Herald** on the following

dates to-wit: **September 23, 2012** at a cost of **\$249.40**.

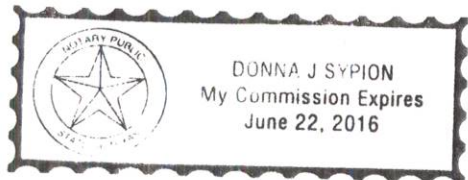


Advertising Representative

Subscribed and sworn before me on September 24, 2012.



Notary Public, Bell, Texas



### NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing is scheduled to be held by the City Council, City of Killeen, at 5:00 p.m. on Tuesday, **October 9, 2012**, in Council Chambers at City Hall, 101 North College Street, to consider the following:

**HOLD** a public hearing and consider a request by **Reeces Creek Developers, Ltd (Case #Z12-35)** to rezone approximately 177.424 acres, part of the George Allen Survey, Abstract No. 43 from A (Agricultural District) to R-1 (Single-family Residential District). The property is located east of the proposed The Landing at Clear Creek Phase Three and west of Goodnight Ranch Additions Phase One and Phase Four Replat, north of Reeces Creek Road, Killeen, Texas.

**HOLD** a public hearing and consider a request by **Reeces Creek Developers, Ltd (Case #Z12-36)** to rezone approximately 5.623 acres, part of the Thomas Robinett Survey, Abstract No. 686, from B-3 (Local Business District) to R-2 (Two-family Residential District). The property is located north of Woodrow Drive on the east right-of-way of Robinett Road, Killeen, Texas.

**HOLD** a public hearing and consider a request by **Abbott Springs Ltd (Case #Z12-37)** to rezone Lot 1 Block 1, Ware Addition, from B-5 (Business District) to PUD (Planned Unit Development) for mixed use commercial and residential. The property is locally known as 2600 Clear Creek Road, Killeen, Texas.

WITNESS MY HAND  
THIS 23rd DAY OF  
SEPTEMBER 2012.

Paula A. Miller  
City Secretary

By **Tony McIlwain**  
City Planner

(Legal notice published in the Killeen Daily Herald September 23, 2012)

**B. HOLD** a public hearing and consider an ordinance as requested by Reeces Creek Developers, Ltd. (Case #Z12-36) to rezone approximately 5.623 acres, part of the Thomas Robinett Survey, Abstract No. 686, from B-3 (Local Business District) to R-2 (Two-family Residential District). The property is located north of Woodrow Drive on the east right-of-way of Robinett Road, Killeen, Texas.

The caption of the ordinance was read as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM B-3 (LOCAL BUSINESS DISTRICT) TO R-2 (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

The property along the Robinett corridor is designated as B-3. There was no response to the forty-six letters of notification, and the Planning and Zoning Commission recommended approval of the request by a vote of 4-3. However, since the City Council has denied the amendment to the Comprehensive Plan, this request should also be denied.

Mayor Corbin opened the public hearing. Steve Shepherd, 4101 Trimmier, appeared in support of the request. He advised the property has been commercial for eight years without interest from developers for commercial. With no one else appearing, the public hearing was closed.

Mayor Pro-Tem Lower moved to disapprove the request, seconded by Councilmember Okray. The motion was approved unanimously.

The Comprehensive Plan will be coming back to the City Council for review, and this area will be looked at more in depth at that time.

**PH-3 HOLD** a public hearing and consider an ordinance as requested by Abbott Springs Ltd. (Case #Z12-37) to rezone Lot 1, Block 1, Ware Addition, from B-5 (Business District) to PUD (Planned Unit Development) for a mixed-use concept containing B-4 (Business District) zoning and R-3A (Multifamily Apartment Residential District) zoning. The property is locally known as 2600 Clear Creek Road, Killeen, Texas.

The caption of the ordinance was read as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM B-5 (BUSINESS DISTRICT) TO B-4 (BUSINESS DISTRICT) AND R-3A (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT) WITH A PLANNED UNIT DEVELOPMENT (PUD); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

This rezoning request is submitted on an approximate five acres of land and will contain nineteen apartment homes and 21,865 square feet of retail and commercial use. The site plan shows the layout including the buildings and parking areas. The Planning and Zoning Commission recommended approval of the request unanimously.

Mayor Corbin opened the public hearing. Michelle Lee, 2901 E. Stan Schlueter Loop, appeared in support of the request. Matt Weigers, 109 E. Avenue D, Copperas Cove, advised the company has worked with the developer for the design of the site. With no one else appearing, the public hearing was closed.

Councilmember Clark moved to approve the ordinance [12-074], seconded by Councilmember Blackstone. The motion was approved unanimously.

PH-4 **HOLD** a public hearing and consider the creation of a new zoning district to the Killeen Code of Ordinances, Chapter 31, Article IV, Division 3A, “SR-1” (Suburban Residential Single Family District).

The caption of the ordinance was read as follows:

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; CREATING ARTICLE IV, DIVISION 3A, DISTRICT “SR-1” SUBURBAN RESIDENTIAL SINGLE FAMILY DISTRICT, BY CREATING THE DISTRICT NAME, ZONING REGULATIONS AND REQUIREMENTS THEREIN; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

When the Comprehensive Plan was adopted, it was determined that zoning regulations needed to be revised to be consistent. The Planning and Zoning Commission held two public hearings with regard to a new classification of zoning to be known as suburban residential single family. The regulations provide for a larger minimum lot size to allow for larger front yards, building setbacks, and side yard separation. Front yard setback is twenty-five feet; side yards a minimum of fifteen feet between structures with a minimum side yard of five feet; and rear yard of twenty-five feet. Lot size must be at least 8,400 square feet, with a minimum of seventy feet at the front and depth of at least one hundred feet. The Commission recommended approval of the amendment by a vote of 4-3. The issue of side yard setback had been discussed extensively at the Commission meeting, and the final compromise was for fifteen feet, with a minimum of five feet on one side and ten feet on the other.

Mayor Corbin opened the public hearing.

Callie Hammerschmidt, 7709 Chaparral Road, expressed concern about the effect this change might have on her home’s property value decreased as a result of this change and possibly allowing smaller homes in her area.



- CA-4 Consider a memorandum/resolution approving the appointment of an Assistant City Manager (External Services).
- CA-5 Consider a memorandum authoring the City Manager to execute an amendment to the Advance Funding agreement with the Texas Department of Transportation for the US 190 Expansion Project.

### Public Hearings / Ordinances

- PH-1 **HOLD** a public hearing and consider an ordinance as requested by Reeces Creek Developers, Ltd (Case #Z12-35) to rezone approximately 177.424 acres, part of the George Allen Survey, Abstract No. 43 from A (Agricultural District) to R-1 (Single-family Residential District). The property is located east of the proposed The Landing at Clear Creek Phase Three and west of Goodnight Ranch Additions Phase One and Phase Four Replat, north of Reese Creek Road, Killeen, Texas.
- PH-2 A. **HOLD** a public hearing and consider a request by Reeces Creek Developers, Ltd. (Case #FLUM 12-36) to revise the Comprehensive Plans' future land use map (FLUM) to change an approximate 5.623 acre area currently designated as 'General Commercial' to 'General Residential'. The property is located north of Woodrow Drive on the east right-of-way of Robinett Road, Killeen, Texas.
- B. **HOLD** a public hearing and consider an ordinance as requested by Reeces Creek Developers, Ltd (Case #Z12-36) to rezone approximately 5.623 acres, part of the Thomas Robinett Survey, Abstract No. 686, from B-3 (Local Business District) to R-2 (Two-family Residential District). The property is located north of Woodrow Drive on the east right-of-way of Robinett Road, Killeen, Texas.
- PH-3 **HOLD** a public hearing and consider an ordinance as requested by Abbott Springs Ltd. (Case #Z12-37) to rezone Lot 1, Block 1, Ware Addition, from B-5 (Business District) to PUD (Planned Unit Development) for a mixed-use concept containing B-4 (Business District) zoning and R-3A (Multifamily Apartment Residential District) zoning. The property is locally known as 2600 Clear Creek Road, Killeen, Texas.
- PH-4 **HOLD** a public hearing and consider the creation of a new zoning district to the Killeen Code of Ordinances, Chapter 31, Article IV, Division 3A, "SR-1" (Suburban Residential Single Family District).
- PH-5 **HOLD** a public hearing and consider an ordinance amending the FY 2012-13 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenues and expenses in the various Drainage Utility Fund accounts.

### Ordinances / Resolutions

- OR-1 Consider a memorandum/resolution appointing members of the Killeen Volunteers, Inc. - Youth Advisory Commission and swear in.

### Adjournment

**MINUTES  
REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
SEPTEMBER 24, 2012  
CITY HALL, 101 N. COLLEGE STREET  
COUNCIL CHAMBERS**

**ROLL CALL**

**PRESENT:**

**Commission:** Craig Langford, Vice Chair; Miguel Diaz; Eugene Kim; Bobby Lee Hoover; Joel Steine; Robert Hicks; Terry Traina

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

**ABSENT:** Austin Pickett; Johnny Frederick, Chair

**CALL TO ORDER – 5:00 P.M. – CITY HALL COUNCIL CHAMBERS**

Vice Chair Langford called the meeting of the Planning and Zoning Commission to order at 5:00 p.m.

**APPROVAL OF AGENDA**

Commissioner Traina motioned to approve the agenda. Commissioner Steine seconded the motion. The motion passed unanimously.

**CONSENT AGENDA**

**CA-1** Consider minutes of the regular Planning and Zoning Commission Meeting of **September 10, 2012.**

**CA-2** Consider a request for a final minor plat submitted by Bentina Ltd. (**Case #12-036FMS: Draco Commercial Addition 2**) of approximately 1.0 acre, part of the G.W. Farris Survey, Abstract No. 306. The property is located on the west right-of-way of Trimmier Road, north of, and adjacent to, Draco Commercial Addition, Killeen, Texas.

Commissioner Kim motioned to approve the consent agenda, Commissioner Diaz seconded the motion. The motion passed unanimously.

Vice Chair Langford stated that the consent agenda is approved and the plat will be forwarded to City Council on October 9, 2012.

**CITIZENS PETITIONS FOR INFORMATION**

No one requested to speak.

**PUBLIC HEARING**

**PH-1 HOLD** a public hearing and consider a plat submitted by the Estate of Larry S. and Doris Jean Turnbo, (**Case #12-030FMRRS: Llewelyn Ranchettes 2<sup>nd</sup> Replat**) being a replat of Lot 11, Block 2, Llewelyn Ranchettes. The property is locally known as 330 Llewelyn Drive, Killeen, Texas.

City Planner McIlwain stated that Killeen Engineering & Surveying, Ltd. submits this request on behalf of Debra Turner, the independent executrix of the estate of Larry G. and Doris Jean Turnbo for a residential replat of Lot 11, Block 2, Llewelyn Ranchettes. The property is located at the intersection of Buggy Road and Llewelyn Drive and is addressed as 330 Llewelyn Drive, Killeen, Texas. The property is zoned R-1 (Single Family Residential District) and the applicant is replatting the property into two residential lots. Staff received two letters in opposition to the replat request from Kelly and Mary Jenks, 291 Llewelyn Lane and Mr. Don Melton, 418 Llewelyn Lane.

The applicant has met the requirement for platting as set forth in Chapter 26.

The Staff Review Committee met in a correction validation meeting on Monday, September 4, 2012, and concurred that the plat meets the requirements of the City's subdivision regulations. Staff recommends that the Planning and Zoning Commission approve the plat.

Commissioner Diaz asked for the dimensions of the lots. City Planner McIlwain informed the commissioners that Lot 11A measures approximately 220.23'x 395.94'x 281.92'x 315.82' and Lot 11B measures 183.02'x 315.82'x 202.74'x 257.53'.

Ms. Michelle Lee, Killeen Engineering and Surveying, 2901 E. Stan Schlueter Loop, Killeen, Texas, was present to represent the request. Ms. Lee stated that Bell County Health Department contracted with her to locate the offsite neighboring water wells and draw a 100 foot radius around them to determine location of septic for the new lot.

Vice Chair Langford opened the public hearing.

Mr. Don Melton, 418 Llewelyn Lane, voiced concerns with placing new septic on the property. It would interfere with his well and a ditch through the lower part of the lot makes the lot unusable.

Ms. Franky Domanite, who owns property at 365 Llewelyn Lane, also is opposed to replatting the property.

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

Commissioner Diaz motioned to recommend approval of Plat Case #12-030FMRRS: Llewelyn Ranchettes 2<sup>nd</sup> replat. Commissioner Steine seconded the motion. The motion passed 5-0 with Commissioner Traina abstaining.

**PH-2 HOLD** a public hearing and consider a request by Reeces Creek Developers, Ltd. (**Case #Z12-35**) to rezone approximately 177.424 acres, part of the George Allen Survey, Abstract No. 43 from 'A' (Agricultural District) to R-1 (Single-family Residential District). The property is located east of the proposed 'The Landing at Clear Creek Phase Three' and west of 'Goodnight Ranch Additions Phase One' and 'Phase Four Replat', north of Reese Creek Road, Killeen, Texas.

Vice Chair Langford requested staff comments.

City Planner McIlwain stated that this request submitted by Reeces Creek Developers is to rezone approximately 177.424 acres part of the George Allen Survey, Abstract No. 43 from 'A' (Agricultural District) to R-1 (Single Family Residential District). The property is located east of the proposed 'The Landing at Clear Creek Phase Three', west of 'Goodnight Ranch Additions Phase One' and 'Phase Four Replat', and north of Reese Creek Road, Killeen Texas.

The subject area is within the 'Suburban Residential' designation of the Comprehensive Plan's Future Land Use Map (FLUM). Under Local Government Code section 213, the Comprehensive Plan is recognized under state law as the city's document for long range growth and development. The 'Suburban Residential' character encourages detached residential dwellings, planned developments to provide for other housing types (e.g., townhouse, patio) in a suburban character setting, public/institutional, parks and public spaces. The characteristics of this designation include:

- Larger baseline minimum lot sizes to allow for larger front yards, building setbacks, and side yard separation
- Less noticeable accommodation of vehicles
- Encourages smaller lot sizes in exchange for greater open space set asides
- Encourages conservation design or cluster development

The rezone is consistent with the FLUM.

The staff notified sixty-three (63) surrounding property owners within a 200' notification boundary regarding this request. Staff has received one response in opposition from Felix and Marianne Mendez, 4109 Dewitt County Court, Killeen, Texas.

The Staff recommended approval of R-1 zoning. The zoning designation is consistent with the Comprehensive Plan's future land use map (FLUM).

Mr. Robert Mitchell, Mitchell and Associates, 102 N. College Street, Killeen, was present to represent this request. Mr. Mitchell informed the commissioner that this is an extension for future Goodnight Ranch Addition.

Vice Chair Langford opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Kim motioned to recommend approval of Zoning Case #12-35. Commissioner Traina seconded the motion. The motion passed unanimously.

Vice Chair Langford stated that this item will be forwarded to City Council on October 9, 2012, with a recommendation to approve.

**PH-3A HOLD** a public hearing and consider a request by Reeces Creek Developers, Ltd. (**Case #FLUM 12-36**) to revise the Comprehensive Plans' future land use map (FLUM) to change an approximate 5.623 acre area currently designated as 'General Commercial' to 'General Residential'. The property is located north of Woodrow Drive on the east right-of-way of Robinett Road, Killeen, Texas.

Vice Chair Langford requested staff comments.

City Planner McIlwain stated that this is a request by Reeces Creek Developers to revise the comprehensive plan future land use map (FLUM) to change a 'General Commercial' designated area to a 'General Residential' designated area. The property is located along the east right-of-way of Robinette Road, north of Woodrow Drive, Killeen, Texas.

The applicant has submitted a concurrent request to rezone the subject property from B-3 (Local Business District) to R-2 (Two Family Residential District).

The proposed revision to the property would result in a 'General Residential' designation on the future land use map (FLUM) of the Comprehensive Plan. This designation calls for detached residential dwellings; 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; parks and public spaces.

Staff recommends disapproval of the amendment to the future land use map from 'General Commercial' to 'General Residential'. The Comprehensive Plan speaks toward the commercial lag evident in Killeen. Specifically, the city has witnessed a tremendous surge in commercial development in recent years, especially the concentration of national and regional retailers and restaurant chains that has emerged along the U.S. 190 corridor. Killeen's rapid population growth yielded the necessary "rooftops" to spur this trend. However, commercial investment continues to lag in the community's southern growth areas, leading to an imbalanced land use pattern. This site represents the only commercially zoned piece of property between Edgfield and Gus Drive. It is an ideal area for general commercial use.

Mr. Robert Mitchell, Mitchell and Associates, 102 N. College Street, Killeen was present to represent this request. He stated that he looked at several land use plans to ensure there was adequate area for the planned use. He felt that changing the FLUM to General Residential was the best use of a buffer between the current residential areas.

Vice Chair Langford opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Diaz motioned to recommend approval of change to the Future Land Use Plan of the Comprehensive Plan. Commissioner Hoover seconded the motion. The motion was a tied vote 3-3; Vice Chair Langford broke the tie by voting for the amendment to the FLUM.

Vice Chair Langford stated that this item will be forwarded to City Council on October 9, 2012, with a recommendation to approve the request to change the FLUM.

**PH-3BHOLD** a public hearing and consider a request by Reeces Creek Developers, Ltd. (**Case #Z12-36**) to rezone approximately 5.623 acres, being part of the Thomas Robinett Survey, Abstract No. 686, from B-3 (Local Business District) to R-2 (Two-family Residential District). The property is located north of Woodrow Drive on the east right-of-way of Robinette Road, Killeen, Texas.

Vice Chair Langford requested staff comments.

City Planner McIlwain stated that this request is submitted by Reeces Creek Developers to rezone approximately 5.623 acres, being part of the Thomas Robinett Survey, Abstract No. 686, from B-3 (Local Business District) to R-2 (Two Family Residential District). The property is located along the east right-of-way of Robinette Road, north of Woodrow Drive, Killeen, Texas.

The property is designated as 'General Commercial' on the future land use map (FLUM) of the Comprehensive Plan. The Comprehensive Plan calls for a wide range of commercial retail and service uses, at varying scales and intensities depending on the site. The rezone request is not consistent with the Comprehensive Plan.

The staff notified forty-six (46) surrounding property owners regarding this request. Staff has received no protests at this time.

Staff recommended disapproval of the R-2 zoning request. As referenced earlier, the applicant's request is not consistent with the Comprehensive Plan. The Local Government Code (LGC) Sec. 211.004 requires that "zoning regulations must be adopted in accordance with the Comprehensive Plan..." Therefore, any city that has a Comprehensive Plan must zone in accordance with that plan, and staff recommends adherence to the Plan.

City Planner McIlwain reminded the commissioners that since the FLUM was being recommended for approval then the zoning also needed to be recommended for approval.

Mr. Robert Mitchell, Mitchell and Associates, 102 N. College Street, Killeen was present to represent this request.

Vice Chair Langford opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Diaz motioned to recommend approval of Zoning Case #12-36. Commissioner Hoover seconded the motion. The motion was a tied vote 3-3; Vice Chair Langford broke the tie by voting for recommendation of the request.

Vice Chair Langford stated that this item will be forwarded to City Council on October 9, 2012 with a recommendation to approve.

**PH-4 HOLD** a public hearing and consider a request by Abbott Springs Ltd. (**Case #Z12-37**) to rezone Lot 1, Block 1, Ware Addition, from B-5 (Business District) to PUD (Planned Unit Development) for a mixed-use concept containing B-4 (Business District) zoning and R-3A (Multifamily Apartment Residential District) zoning. The property is locally known as 2600 Clear Creek Road, Killeen, Texas.

Vice Chair Langford requested staff comments.

City Planner McIlwain stated that this request by Abbott Springs Ltd. is to rezone approximately five (5) acres from B-5 (Business District) to R-3A (Multifamily Apartment Residential District) and B-4 (Business District) with a planned unit development (PUD) overlay. The site plan provided by the applicant shows a mixed use development consisting of 19 apartment homes and 21,865 square feet of leasable retail/commercial area. The development will be built at a height not to exceed 35 feet and two bedroom apartment units ranging in area between 850 square feet to 1,000 square feet.

A planned unit development (PUD) as provided in Chapter 31, Article V, Division 8, Killeen code of ordinances shall be required for any request for an R-3F and/or R-3A district when the total acreage of the request alone, or when the total acreage of the request combined with all adjacent areas zoned R-2, R-3, R-3F, and R-3A, and/or areas within a two-thousand feet radius of any of the property seeking to be rezoned, consist of twenty-five (25) acres or more.

The purpose for requiring a PUD is to provide the planning and zoning commission and the city council with the ability to determine the proposed development's impact on surrounding properties, existing infrastructure and open/recreational space and also to determine whether additional public improvements to serve denser multifamily development are necessary to promote the health, safety and welfare of the development's residents.

Properties are considered adjacent and subject to the computation of this section if they are continuously zoned for multifamily and/or two family residential uses regardless of ownership, property lines, easements or rights-of-way.

The applicant shall provide any public infrastructure beyond the city's minimum

development standards that is required to service the proposed development, including open/recreational space and oversized water, sewer and drainage facilities and greater street widths.

The property is designated as 'General Commercial' on the future land use map (FLUM) of the Comprehensive Plan. The 'General Commercial' designation of the Comprehensive Plan allows a wide range of commercial retail and service uses, at varying scales and intensities depending on the site. Office uses (both large and/or multi-story buildings and small-scale office uses depending on the site), public/institutional uses and parks and public spaces are also allowed. The PUD request is consistent with the Comprehensive Plan. It is an overlay district that allows land uses.

The staff notified twelve (12) surrounding property owners regarding this request. No responses have been received.

Staff recommended approval of the applicant's PUD concept with the underlying zoning of B-4 (Business District) and R-3A (Multi-family Apartment Residential District). This represents a concept that has been long anticipated in the city and will be an attractive "first attempt" of mixed use.

Ms. Michelle Lee, Killeen Engineering and Surveying, 2901 E. Stan Schlueter Loop, was present to represent this request. Mr. Matt Weiger with EV Studio Architects explained the mixed use concept that was proposed to the commissioners. The mixing of the two zoning creates lots of opportunities for the area.

Vice Chair Langford opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Steine motioned to recommend approval of B-3 for Zoning Case #12-37. For lack of a second the motion failed.

Commissioner Diaz motioned to approve zoning case #Z12-37 as presented. Commissioner Traina seconded the motion. The motion passed 5-0 with Commissioner Steine abstaining.

Vice Chair Langford stated that this item will be forwarded to City Council on October 9, 2012, with a recommendation to approve.

**PH-5** **HOLD** a public hearing and consider the creation of a new zoning district to the Killeen Code of Ordinances, Chapter 31, Article IV, Division 3A, "SR-1" (Suburban Residential Single Family District).

Vice Chair Langford requested staff comments.

City Planner McIlwain stated that the new zoning district was created to match the land use designation which we have in the Comprehensive Plan. This draft ordinance is what the Planning and Zoning Commission had come to an agreement upon at the last meeting. The purpose of the SR-1 is to provide for single family detached residences at subdivision



densities that are compatible with the Comprehensive Plan's goals for larger baseline minimum lot size and increase setbacks. This district may be applied to both undeveloped tracts and existing stable neighborhoods in appropriate locations recognized by the Comprehensive Plan. The intent shall be to preserve existing natural features and vegetation, promote excellence in site planning and landscape design, facilitate the efficient layout and orientation of public utilities and community infrastructure and encourage housing with compatible scale and character of architecture. The residential density in the zoning district shall be not more than 4 dwelling units per net developable acre.

Vice Chair Langford opened the public hearing.

The following spoke in opposition to the SR-1 (Suburban Residential Single Family District):

Mr. Don Farek, 1500 Mockingbird Lane; Mr. Gary Purser Jr, 6503 Wells Fargo; Mr. Ben Purser, 5702 Aquarius Apt B; Mr. Dale Janda with DR Horton. Mr. Farek encouraged the commissioners to adopt Commissioner Diaz's recommendations for smaller side and rear yard setbacks made during the workshop. It will give more diversity in building. Mr. Farek stated that bigger lots will increase the cost of building by about \$3,500. Mr. Janda said that with the proposed setbacks the city is limiting what can be built and he also encouraged the commissioners to approve what Commissioner Diaz proposed. Mr. Ben Purser encouraged adopting more general residential guidelines. Mr. Gary Purser said he felt this proposed ordinance was an assault on the building industry. He stated the market dictates what is being developed. He is in favor of changing the comprehensive plan, but be fair to all builders and developers.

Commissioner Diaz motioned to recommend approval of the ordinance with the following changes: side yards setbacks shall be not less than 15' between structures, one side yard shall be no less than 10' the other no less than 5', rear building line to be no less than 25'; and change the existing tree caliper to 2" and trees shall be in a healthy physical state. Commissioner Hicks seconded the motion. After some discussion, Commissioner Diaz amended his motion with regard to side setbacks to now read as 15' between buildings with one side a minimum of 5'. Commissioner Hicks agreed to the amended motion. The amended motion was a tied vote 3-3: Vice Chair Langford broke the tie by voting to recommend approval of the ordinance with the changes specified by Commissioner Diaz.

Vice Chair Langford stated that this item will be forwarded to City Council on October 9, 2012 with a recommendation to approve.

## COMMISSION & STAFF ITEMS


### I. Attendance Chart

The commissioners reviewed their attendance charts.

**ADJOURNMENT**

Vice Chair Langford adjourned the Planning and Zoning Meeting at 6:22 p.m. The next scheduled meeting for the Planning and Zoning Commission is **October 1, 2012** at 5:00 p.m., in the Council Chambers at 101 North College Street, Killeen, Texas.

  
\_\_\_\_\_  
**Craig Langford**  
**Vice Chairman, Planning & Zoning Commission**

  
\_\_\_\_\_  
**Vicki Wanken**  
**Planning Assistant**

**THE CITY OF KILLEEN  
REQUEST FOR ZONING CHANGE OR CONDITIONAL USE PERMIT**

CASE NUMBER: **Z12-37**

DATE: **September 11, 2012**

**1. APPLICANT:**

Name: Abbott Springs Ltd  
 Received: \$ 200  
 Present Zoning: B-5  
 Proposed Zoning/Permit: PUD  
 Requested Time Period: NA  
 Proposed Use: Mixed use commercial and residential  
 Address/General Location: 2600 Clear Creek Rd  
 Legal Description of Property: Lot 1 Block 1 Ware Addition

**2. BACKGROUND:**

**A. Site Characteristics:**

- (1) Size (Sq. Ft. or Acres): \_\_\_\_\_ (2) Approximate Dimensions (feet): \_\_\_\_\_  
 (3) Existing Use/Improvements: \_\_\_\_\_  
 (4) Special Characteristics (floodplain, historic or environmental significance, etc.): \_\_\_\_\_

**B. Neighborhood Characteristics:**

- (1) Predominant Land Use(s):  
 a. Single Family \_\_\_\_\_ d. Office/Prof.  g. Institutional \_\_\_\_\_  
 b. Multi-Family \_\_\_\_\_ e. Commercial/Retail \_\_\_\_\_ h. Vacant/Agricultural   
 c. Mobile Home \_\_\_\_\_ f. Industrial \_\_\_\_\_ i. Residential Modular Home \_\_\_\_\_  
 (2) Building Conditions:  
 a. Sound \_\_\_\_\_ b. Deteriorating \_\_\_\_\_ c. Mixed \_\_\_\_\_  
 (3) Predominant Zoning Type(s) of Area: \_\_\_\_\_  
 (4) Compatibility of Predominantly Existing Land use with Existing Zoning of the Area:  
 a. Consistent \_\_\_\_\_ b. Inconsistent \_\_\_\_\_  
 (5) Special Characteristics (floodplain, historic or environmental significance, etc.) None

**C. Community Infrastructure**

- (1) Paving of street giving principal access to subject property:  
 a. Meets City standards for composition and width   
 b. Substandard composition \_\_\_\_\_  
 c. Inadequate capacity for anticipated traffic \_\_\_\_\_  
 d. Not paved \_\_\_\_\_  
 (2) Adequacy of water supply for anticipated development:  
 a. Available with adequate size and pressure   
 b. Inadequate water main size \_\_\_\_\_  
 c. Inadequate water pressure \_\_\_\_\_  
 d. Not immediately accessible to subject property \_\_\_\_\_  
 (3) Adequacy of sewer facilities for anticipated development:  
 a. Available with adequate capacity   
 b. Available with inadequate capacity \_\_\_\_\_  
 c. Not immediately accessible to subject property \_\_\_\_\_  
 (4) Community facilities and services:
- |                      | <u>Adequate</u> | <u>Proposed</u> | <u>Inadequate</u> |
|----------------------|-----------------|-----------------|-------------------|
| a. Parks/open space  | _____           | _____           | _____             |
| b. Police protection | _____           | _____           | _____             |
| c. Fire protection   | _____           | _____           | _____             |
| d. Other _____       | _____           | _____           | _____             |

120245

JPN  
9-13-12



CITY OF KILLEEN

PLANNING & DEVELOPMENT SERVICES

September 12, 2012

RE: CASE #Z12-37: HOLD a public hearing and consider a request to rezone Lot 1, Block 1, Ware Addition, from B-5 (Business District) to PUD (Planned Unit Development) for mixed use of commercial and residential. The property is located on the east right-of-way of Clear Creek Road and is locally known as 2600 Clear Creek Road, Killeen, Texas.

Dear Property Owner:

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

The City of Killeen Planning and Zoning Commission has scheduled a public hearing for this request on September 24, 2012, 5:00 p.m. in Council Chambers, at City Hall, 101 North College Street. You are invited to attend this hearing to present any facts, which you feel the Planning and Zoning Commission should consider in evaluating this request.

In addition to attending this meeting, you may indicate your support or opposition to this request, by filling out the bottom portion of this letter and sending it to: Planning and Zoning Commission, City of Killeen, PO Box 1329, Killeen, Texas 76540-1329. To be considered a protest under provisions of the State Local Government Code, the protest must be written and signed by the property owner of a property located within the 200-foot notification area (you may use the slip on the bottom of this page). Any petition, whether in support or opposition to this request must be received by the Planning Department no later than 4:00 p.m., September 24, 2012.

After the Planning and Zoning meeting, this matter will be forwarded to the City Council on October 9, 2012, at 5:00 p.m., where you may also appear and speak.

If you desire additional information relative to this matter, please call (254) 501-7630.

Sincerely,

Vicki Wanken

Vicki Wanken  
Planning Assistant

Attachments

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

YOUR NAME:	
CURRENT ADDRESS:	
ADDRESS OF PROPERTY OWNED:	
COMMENTS:	B-5 to PUD
SIGNATURE:	SPO #Z12-37/

**A**  
**AGRICULTURAL DISTRICT**

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

**A-R1**  
**AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT**

Single-family residential.  
Home occupation as permitted in "R-1" single-family residential.  
Accessory buildings customarily incidental to the uses in this section.

**RM-1**  
**RESIDENTIAL MODULAR HOME SINGLE-FAMILY**

All uses permitted in R-1  
One-family dwellings of modular construction and affixed to a permanent foundation standards for one- and two-family housing units.  
Residential units of modular construction may not be placed in any other district.

**R-1**  
**SINGLE-FAMILY RESIDENTIAL DISTRICT**

One-family dwellings.  
Churches or other places of worship.  
Colleges, universities or other institutions of higher learning.  
Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.  
Farms, nurseries or truck gardens, limited to the proportion and cultivation of plants, provided no retail or wholesale business is conducted on the premises, and provided further that no poultry or livestock other than normal household pets shall be housed within one hundred (100) feet of any property line.  
Parks, playgrounds, community buildings and other public recreational facilities, owned and/or operated by the municipality or other public agency.  
Public buildings, including libraries, museums, police and fire stations.

Real estate sales offices during the development of residential subdivisions but not to exceed two (2) years. Display residential houses with sales offices, provided that if such display houses are not moved within a period of one (1) year, specific permission must be obtained from the city council for such display houses to remain on their locations.  
Schools, public elementary or high. Schools, private with curriculum equivalent to that of a public elementary or high school.  
Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.  
Water supply reservoirs, pumping plants and towers.  
Accessory buildings and uses, incidental to the uses in this section and located on the same lot therewith, not involving the conduct of a retail building.

**SF-2**  
**SINGLE-FAMILY RESIDENTIAL DISTRICT**

Single-family dwellings meeting the criteria of the garden home district, with a minimum floor area of 1,100 square feet.  
All uses allowed in section 31-186, including those defined as home occupation uses.

**RT-1**  
**RESIDENTIAL TOWNHOUSE SINGLE-FAMILY DISTRICT**

All buildings located in the district "R-1" residential townhouse single-family district shall be limited to townhouse development and accessory buildings and uses as described in section 31-186

**R-2**  
**TWO-FAMILY RESIDENTIAL DISTRICT**

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

**R-3F**  
**MULTI-FAMILY RESIDENTIAL DISTRICT**

All uses allowed in section 31-186.  
Multifamily structures containing 3 or 4 separate dwellings units  
Institutions of a religious, educational, charitable or philanthropic nature, but not a penal or mental institution  
Licensed group or community home housing five (5) or fewer persons  
Accessory buildings and uses, customarily incidental to the above uses

and located on the same lot therewith, not involving the conduct of a retail business  
Planned unit development required

**R-3A**  
**MULTI-FAMILY APARTMENT RESIDENTIAL DISTRICT**

Any use permitted in the "R-1" or "R-2" Districts  
Multifamily structures containing five (5) or more separate dwelling units, including large apartment complexes with high rise structures Boarding and lodging houses  
Fraternity or sorority houses  
Licensed group or community homes housing six (6) or more persons  
Dormitories for educational or employment purposes as a primary use  
Any group housing activity not otherwise identified in another multifamily or business district  
Accessory buildings and uses and located on the same lot therewith, not involving the conduct of a business  
Planned Unit Development required.

**R-MP**  
**MOBILE HOME DISTRICT**

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

**R-MS**  
**MANUFACTURED HOUSING DISTRICT**

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

**PUD**  
**PLANNED UNIT DEVELOPMENT**

A PUD is a land use design incorporating the concepts of density and common open space. The PUD designation serves as an "overlay zoning and development classification. When a parcel of land receives a PUD designation, the entire parcel must be assigned one or more standard zoning district classifications. However, the added PUD overlay classification enables the developer of the site to request that specific land use development regulations be applied to this development site

**COD**  
**CEMETERY OVERLAY DISTRICT**

Offices of practitioners of the recognized professions, as herein defined: Professional building, Any structure used solely for the housing of professional offices of recognized professions.

Professions, recognized. Members of a recognized profession include those persons and customary staff normally considered as professional, and shall be deemed to include doctors, dentists, lawyers, architects, certified public accountants, registered engineers and related professions.  
Uses customarily incidental to the primary use, as hereinafter provided, subject to the special conditions contained in section 31-276(3).  
Physical therapy clinic. Chemical or X-ray laboratory. Dispensing optician. Dental laboratory.  
Buildings may be used for one or more of the uses prescribed in section (2) only under the following conditions:  
The total area of a professional building devoted to any single incidental use shall not exceed fifteen (15) percent of the gross floor area of the building.

Buildings may be used for one or more of the uses prescribed in section (2) only under the following conditions:  
The total area of a professional building devoted to any single incidental use shall not exceed fifteen (15) percent of the gross floor area of the building.  
The total area of a professional building devoted to incidental uses in the aggregate shall not exceed twenty-five

(25) percent of the gross floor area of the building.  
Public access to such incidental uses shall be from the interior of the building. No parking space shall occupy any part of the required front yard, except as provided in section 31-287 (a)(1)b. Sign standards for this district shall apply to both primary and incidental uses.  
No building in this district shall be constructed or altered to produce a storefront, show, window or display merchandise visible from the exterior of the building.  
No outside storage shall be permitted in this district.  
Office, general business.  
An on-premises residential use or living quarters may be included in one structure in a commercial land use district when the main use of the structure is commercial, provided both uses are in compliance with appropriate building codes and the proprietor or an employee of the commercial activity is a resident in the living quarters.

Business day care.  
Bakery shop (retail sales only).  
Barbershop, beauty shop to include permanent cosmetics (licensed per Texas Health and Safety Code, chapter 146 amended).  
Construction field office and yard: on the job site; for duration of construction only.  
Mortuary or funeral chapel.  
Drugstore or pharmacy.  
Florist (retail) retail sales of flowers and small plants. No flowers or plant raising or outside display or storage.  
All structures within this district shall be constructed with 80% stone, brick or stucco veneer having a limestone front facade. No metal siding shall be visible from curbs.

No off-premises signs shall be permitted in this district. On-premises signs are restricted to one sign per lot. The permitted sign shall be set back 10 feet from the property line, shall not exceed 10 feet in height and the face shall not exceed 100 square feet and the sign shall be constructed of limestone masonry material to match the building facade.

**UOD**  
**UNIVERSITY OVERLAY DISTRICT**

Offices of practitioners of the recognized professions, as herein defined: Professional building, Any structure used solely for the housing of professional offices of recognized professions.  
Professions, recognized. Members of a recognized profession include those persons and customary staff normally considered as professional, and shall be deemed to include doctors, dentists, lawyers, architects, certified public accountants, registered engineers and related professions.  
Uses customarily incidental to the primary use, as hereinafter provided, subject to the special conditions contained in section 31-276(3).  
Physical therapy clinic. Chemical or X-ray laboratory. Dispensing optician. Dental laboratory.  
Buildings may be used for one or more of the uses prescribed in section (2) only under the following conditions:  
The total area of a professional building devoted to any single incidental use shall not exceed fifteen (15) percent of the gross floor area of the building.  
The total area of a professional building devoted to incidental uses in the aggregate shall not exceed twenty-five

defined: Professional building. Any structure used solely for the housing of professional offices of recognized professions.  
Professions, recognized. Members of a recognized profession include those persons and customary staff normally considered as professional, and shall be deemed to include doctors, dentists, lawyers, architects, certified public accountants, registered engineers and related professions.  
Uses customarily incidental to the primary use, as hereinafter provided, subject to the special conditions contained in section 31-276(3).  
Physical therapy clinic. Chemical or X-ray laboratory. Dispensing optician. Dispensing apothecary.  
Dental laboratory.  
Buildings may be used for one or more of the uses prescribed in section (2) only under the following conditions:  
The total area of a professional building devoted to any single incidental use shall not exceed fifteen (15) percent of the gross floor area of the building.  
The total area of a professional building devoted to incidental uses in the aggregate shall not exceed twenty-five (25) percent of the gross floor area of the building.

Public access to such incidental uses shall be from the interior of the building. No parking space shall occupy any part of the required front yard, except as provided in section 31-287 (a)(1)b. Sign standards for this district shall apply to both primary and incidental uses.  
No building in this district shall be constructed or altered to produce a storefront, show, window or display merchandise visible from the exterior of the building.  
No outside storage shall be permitted in this district.  
Office, general business.  
An on-premises residential use or living quarters may be included in one structure in a commercial land use district when the main use of the structure is commercial, provided both uses are in compliance with appropriate building codes and the proprietor or an employee of the commercial activity is a resident in the living quarters.  
Business day care.  
Bakery shop (retail sales only).  
Barbershop, beauty shop to include permanent cosmetics (licensed per Texas Health and Safety Code, chapter 146 amended).

Construction field office and yard: on the job site; for duration of construction only.  
Mortuary or funeral chapel.  
Drugstore or pharmacy.  
Florist (retail) retail sales of flowers and small plants. No flowers or plant raising or outside display or storage.  
All structures within this district shall be constructed with 80% stone, brick or stucco veneer having a limestone front facade. No metal siding shall be visible from curbs.

No off-premises signs shall be permitted in this district. On-premises signs are restricted to one sign per lot. The permitted sign shall be set back 10 feet from the property line, shall not exceed 10 feet in height and the face shall not exceed 100 square feet and the sign shall be constructed of limestone masonry material to match the building facade.

**UOD**  
**UNIVERSITY OVERLAY DISTRICT**

Offices of practitioners of the recognized professions, as herein defined: Professional building, Any structure used solely for the housing of professional offices of recognized professions.  
Professions, recognized. Members of a recognized profession include those persons and customary staff normally considered as professional, and shall be deemed to include doctors, dentists, lawyers, architects, certified public accountants, registered engineers and related professions.  
Uses customarily incidental to the primary use, as hereinafter provided, subject to the special conditions contained in section 31-276(3).  
Physical therapy clinic. Chemical or X-ray laboratory. Dispensing optician. Dental laboratory.  
Buildings may be used for one or more of the uses prescribed in section (2) only under the following conditions:  
The total area of a professional building devoted to any single incidental use shall not exceed fifteen (15) percent of the gross floor area of the building.  
The total area of a professional building devoted to incidental uses in the aggregate shall not exceed twenty-five

**B-1  
PROFESSIONAL BUSINESS  
DISTRICT**

Physical therapy clinic.  
Chemical or X-ray laboratory.  
Dispensing optician.  
Dispensing apothecary  
Dental Laboratory  
Office of Practitioners of  
recognized professions  
(doctors, lawyers, dentists,  
architects, certified public  
accountants, registered  
engineers and related  
professions)

**B-2C  
BUSINESS DAYCARE**

Day Care Center

**B-2  
LOCAL RETAIL DISTRICT**

Any use permitted in district "B-1" or "B-2C".  
Appliance (household) sales.  
Bakery shop (retail sales only).  
Barbershop, beauty shop, to  
include permanent cosmetics  
(licensed per Texas Health and  
Safety Code, Chapter 146 as  
amended).  
Construction field office and  
yard: on the job site; for  
duration of construction only.  
Cleaning or laundry (pick-up  
station).  
Cleaning or laundry (self-  
service) using fully automatic  
equipment, as follows:  
Washers, capacity of not more  
than forty (40) pounds. Dryers  
or extractors, capacity of not  
more than sixty (60) pounds.  
Dry cleaning machines.  
Custom Personal service shops  
such as a health studio (to  
include massage  
establishments as defined in  
TX Occupations Code Section  
455, as amended), answering  
service, typing service, tailor,  
employment agency, FM piped  
music, income tax service,  
letter or mailing service,  
massage counselor, secretarial  
service or shoe repair.  
Drugstore or pharmacy.  
Electric utility substation.  
Florist (retail): retail sales of  
flowers and small plants. No  
flower or plant raising or  
outside display or storage.  
Grocery store (drive-in)  
Home for the aged.  
Registered public surveyor.  
Restaurant, coffee shop, or  
cafe (no drive-in service).  
Retail stores, (other than  
listed): offering all types of  
personal consumer goods for  
retail sales.  
Studio for photography, interior  
decoration, fine arts instruction,  
or sale of art objects.  
Telephone exchange building.  
A customarily incidental use.

**B-3  
LOCAL BUSINESS DISTRICT**

Any use permitted in district "B-2".  
Bank, savings and loan or other  
financial institution  
Day camp  
Hospital, home or center for the  
acute or chronically ill  
Mortuary or funeral chapel  
Appliance (household) sales &  
repair  
Bakery or confectionery  
engaged in preparation, baking,  
cooking and selling of products  
at retail on premises, with 6 or  
less employees  
Boat and accessory sales,  
rentals & service  
Bowling alleys  
Cleaning or laundry (self  
service)  
Cleaning, pressing and dyeing  
with 6 or less employees  
Florist, garden shop, green  
house 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 principle building.  
General food products, retail  
sales, supermarkets, butcher  
shops, dairy stores, seafood  
sales, or health food  
Cafeteria or catering service  
Marine supplies, sales and  
service  
Office, general business  
Restaurant or cafe (with drive-  
in or pick-up service)  
Tennis or swim club  
Small animal clinic or pet  
grooming shop  
Hotel or motel  
Job printing; not more than  
17x25 page size  
Gasoline service station, auto  
laundry or car wash  
Auto parts sales, new at retail  
A customarily incidental use;  
sales of beer/wine for off-  
premises consumption  
Theatres of general release  
Miniseif storage; no outside  
storage, sales, service, repair  
activities

**B-4  
BUSINESS DISTRICT**

Any use permitted in district "B-3".  
Antique shop  
Secondhand goods store. No  
outside display, repair or  
storage.  
Auto sales. Major business  
being showroom display and  
sale of new autos by authorized  
dealer; used car sales, repair  
and storage on same premises  
shall be purely incidental, this  
area not near than 20 feet from  
required front line for principle  
building  
Auto Sales; used cars, no  
salvage, dismantling or  
wrecking on premises, no  
display of vehicles in required  
front yard  
Commercial parking (public lot)  
Auto upholstery or muffler shop  
Auto repair (garage)  
Cold storage plant (locker  
retail)  
Bakery or confectionery  
wholesale  
Bomb shelter (as principle use)  
Building material or lumber  
sales (no outside storage)  
Cleaning, pressing and dyeing;  
no direct exterior exhaust from  
plant dust must be controlled  
by bag or filter and separator or  
precipitator to eliminate dust,  
odor, fumes or noise.  
Florist, garden shop,  
greenhouse or nursery (retail).  
Ballpark, stadium, athletic field  
(private).  
Wholesale offices.  
Lodges or fraternal  
organizations.  
Philanthropic institutions (not  
elsewhere listed).  
Cabinet, upholstery,  
woodworking shop.  
Plumbing, electrical, air  
conditioning service shop (no  
outside storage).  
Trade or business school.  
Sale of beer and/or wine only  
for off-premises consumption  
only.  
Garment manufacturing in a  
space of 4,000 square feet or  
less, with all loading and  
unloading off-street.

**B-5  
BUSINESS DISTRICT**

Any use permitted in district "B-4".  
Building material and lumber  
sales (outside storage  
permitted).  
Storage warehouse. Less than  
100,000 square feet.  
Newspaper or job printing.  
Railroad or bus passenger  
terminal.

**B-3A  
LOCAL BUSINESS AND  
RETAIL ALCOHOL SALES  
DISTRICT**

Any use permitted in the "B-3"  
district, in accordance with the  
requirements of this division.  
Package stores to be operated  
under, and in accordance with, a  
valid TABC issued package store  
permit (See Section 31-311 for  
further explanation)

Tire recapping or re-treading.  
Trailer rental or sales.  
Wholesale house.  
Auto parts sales, used. No  
outside storage, display or  
dismantling.  
A customarily incidental use.  
included in any other district  
provided such use is not  
noxious or offensive because of  
odors, dust, noise, fumes or  
vibrations.  
Mobile home sales.  
Sale of beer, wine and/or all  
other alcoholic beverages for  
off-premises consumption only.  
Tattooing (as licensed per  
Texas Health and Safety Code,  
Chapter 146, as amended).

**B-C-1  
GENERAL BUSINESS AND  
ALCOHOL SALES  
DISTRICT**

Any uses permitted in district  
"B-5", excluding the sale of  
beer, wine and/or any other  
alcoholic beverages for off-  
premises consumption.  
Business establishments  
dispensing alcoholic beverages  
under TABC, in accordance  
with permits issued, and the  
rules and regulations  
promulgated by TABC, all of  
which are adopted hereby and  
made a part hereof for all  
purposes. May not be within  
300' of a church, public/private  
school or public/private hospital

**RC-1  
RESTAURANT AND  
ALCOHOL SALES DISTRICT**

Restaurant permitted to offer  
alcohol beverages for sale  
operating under rules &  
regulations of TABC  
Any commercial non-residential  
use permitted in the B-4 district

**M-1  
MANUFACTURING DISTRICT**

Any use permitted in B-5  
except the sale of beer, wine  
and/or any other alcoholic  
beverages for off-premises  
consumption at retail.  
Paper products manufacture.  
Wood, paper, plastic container  
manufacture.  
Stone monument works.  
Petroleum products wholesale  
storage  
Processing of chemicals or  
mineral extractions, not  
elsewhere classified.  
Food processing.  
Foundry, forge plant, rolling  
mill, metal fabrication plant.  
Feed mill.  
Petroleum or chemical products  
manufacture (indoors).

Planting mill.  
Railroad yard, roundhouse,  
shop.  
Textile or garment  
manufacture.  
Automobile, mobile home,  
heavy equipment manufacture  
Electroplating.  
Sewage treatment plant.  
Electrical equipment or  
appliance manufacture (large).  
Furniture, cabinet, kitchen  
equipment manufacture.  
Oil well tools, oil well  
equipment manufacture.  
Aircraft, aircraft hardware or  
parts manufacture.  
A customarily incidental use:  
The sale of beer, wine and/or  
alcoholic beverages at retail  
small not be considered a  
customarily incidental use in  
this district.

**M-2  
HEAVY MANUFACTURING  
DISTRICT**

Any use permitted in the "M-1"  
district.  
Grain elevator.  
Flour mill.  
Yeast plant.  
Petroleum or chemical products  
bulk storage.  
Clay products manufacture.  
Galvanizing, hot-dip metal  
process.  
Cotton or cottonseed  
processing or storage.  
Paper manufacture.  
Poultry raising or processing.  
Stockyards, feed pens,  
livestock sales with barns  
and/or shipping facilities.  
Slaughter of animals or meat  
packing.  
Boiler works.  
Fireworks and munitions  
manufacture or storage.  
Fertilizer manufacture.  
Salvage or reclamation of  
products (outside).  
Stone, sand gravel or mineral  
extraction.

**CUP  
CONDITIONAL USE PERMIT**

A Conditional Use Permit is granted  
under the provision of this division  
shall be considered only an addition  
to the uses permitted on a particular  
tract of land. The conditional use  
permit runs with the land, regardless  
of ownership, until termination of the  
permit.

**HOD  
HISTORIC OVERLAY  
DISTRICT**

The historic overlay district (HOD) is  
intended to establish and provide for  
the protection.

preservation, and enhancement of  
buildings, structures, sites and areas  
of historical importance or value. The  
HOD is a tool to help improve  
property values; to encourage  
neighborhood conservation; to foster  
civic pride and past  
accomplishments; to protect and  
enhance city attractions to  
strengthen the economy, and to  
promote the use of historical and  
cultural landmarks for the general  
community. The HOD is intended to  
help promote the development of a  
downtown consistent with the  
community objectives identified in  
the downtown action agenda.  
The HOD boundary regulations  
apply to all property located within  
the historic district.



CITY OF KILLEEN  
PLANNING & DEVELOPMENT SERVICES

September 12, 2012

**RE: CASE #Z12-37: HOLD a public hearing and consider a request to rezone Lot 1 Block 1, Ware Addition, from B-5 (Business District) to PUD (Planned Unit Development) for mixed use of commercial and residential. The property is located on the east right-of-way of Clear Creek Road and is locally known as 2600 Clear Creek Road, Killeen, Texas.**

Dear Property Owner:

The Planning and Zoning Commission of the City of Killeen has scheduled a public hearing on your request for rezoning the property referenced above, on **September 24, 2012, 5:00 p.m.**, in the Council Chambers, City Hall, 101 North College Street, Killeen, Texas.

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

If for any reason you or your authorized agent cannot attend this hearing, please call us at (254) 501-7631, so a new hearing date can be set.

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

The City Council meeting to hear this request will be held on **October 9, 2012, 5:00 p.m.** in the Council Chambers, City Hall, 101 N. College Street, Killeen Texas.

Sincerely,

Vicki Wanken  
Planning Assistant

Enclosure

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

## **ENCLOSURE "1"**

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

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

### **A. General Factors to Consider:**

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

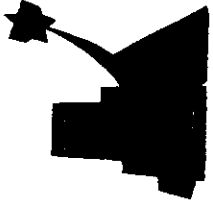
The size of the tract in relation to the affected neighboring lands – is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?

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

### **B. Conditional Use Permit**

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





**PLANNING AND DEVELOPMENT SERVICES**

**ZONING CASE: #Z12-37**

**ZONING FROM: B5 TO PUD**

**PROPERTY OWNER: ABBOTT SPRINGS LTD**

**ABBOTT SPRINGS LTD**

**Legend**

Buffer of 12-37

Production GISADMIN Zoning Cases 2012

City Limits

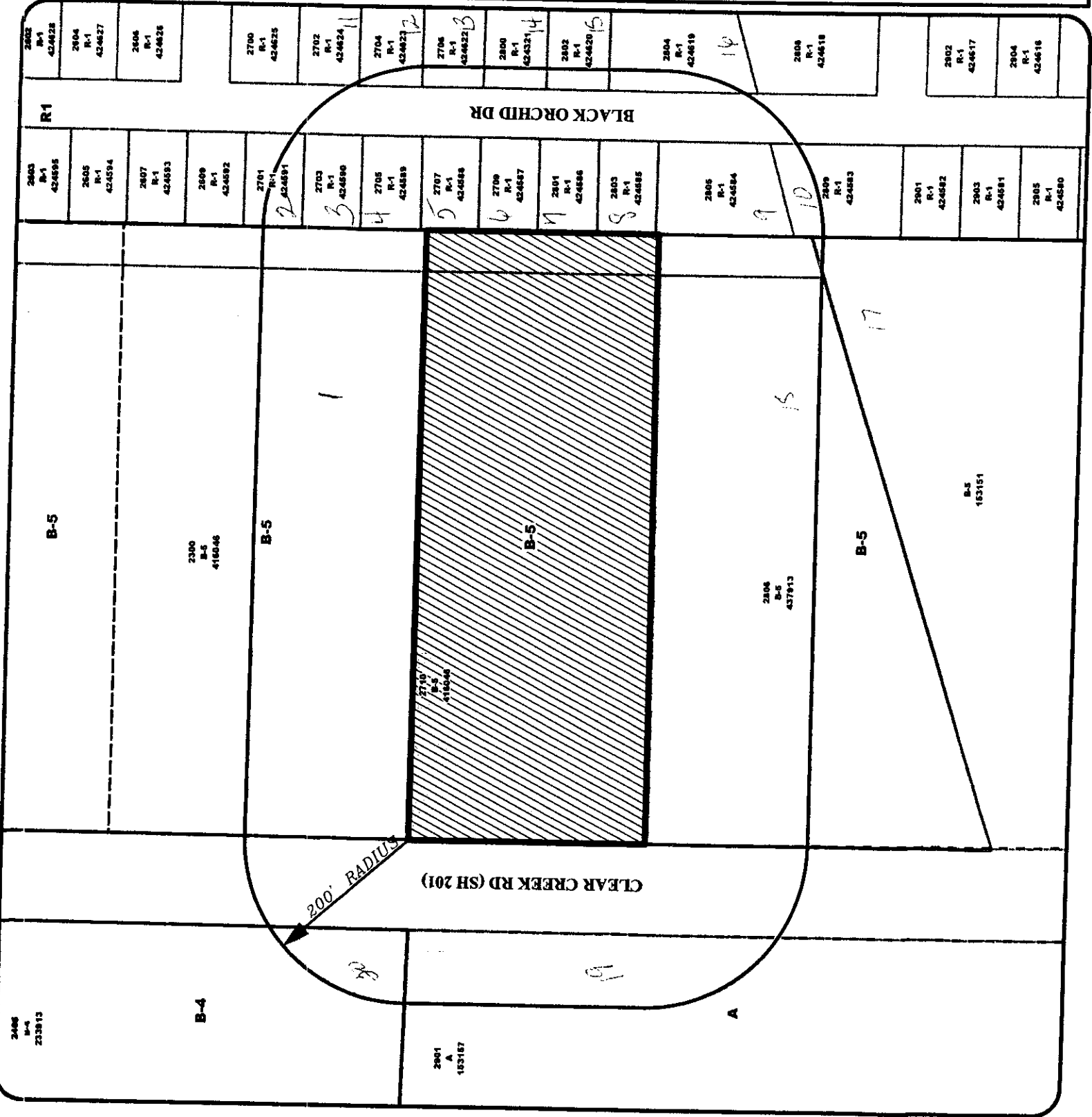
CURRENT ZONING

Production GISADMIN Parcel

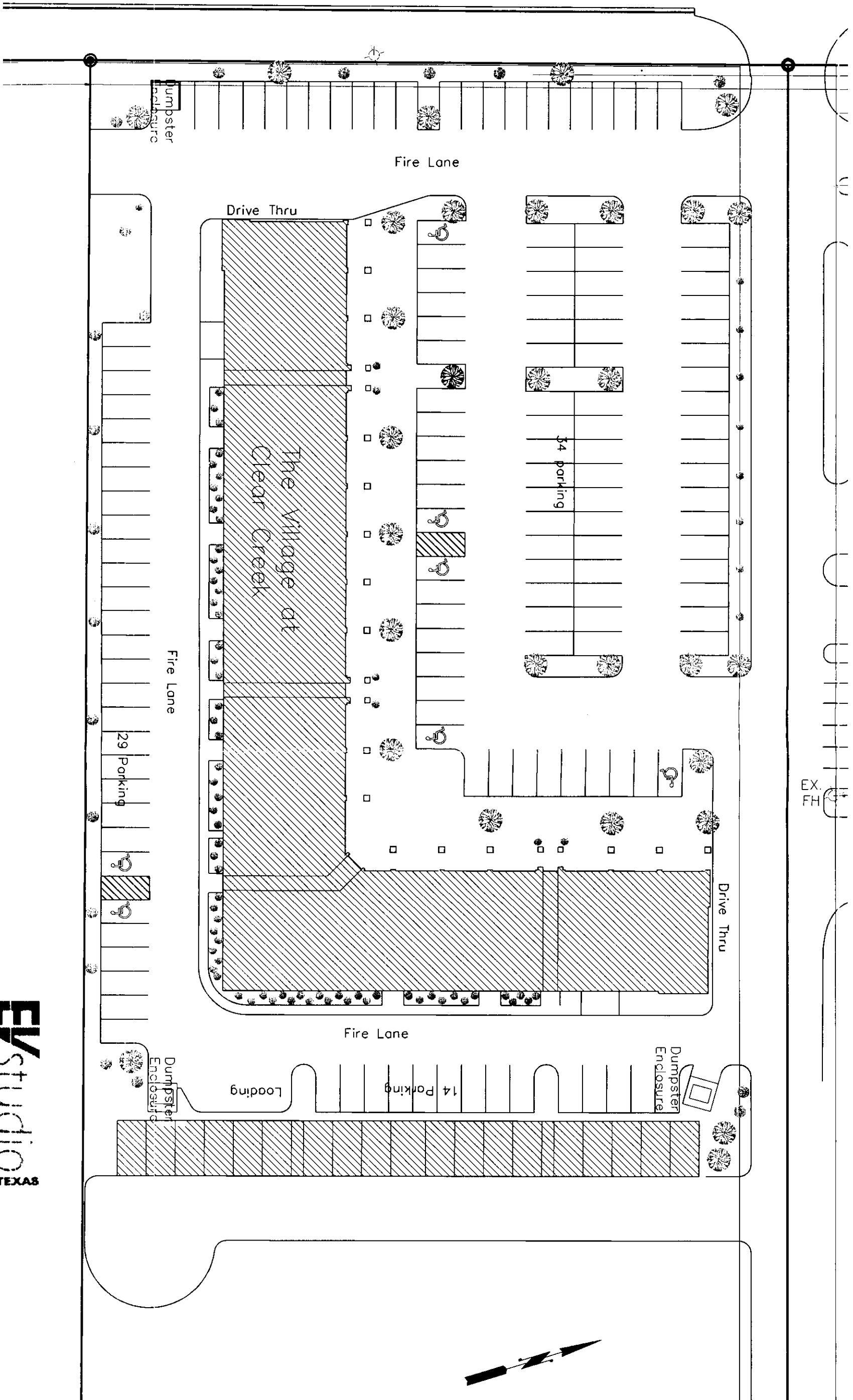
Subdivision



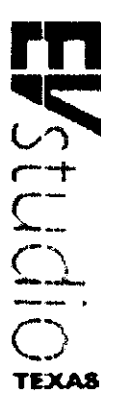
Date: 9/11/2012



# CLEAR CREEK ROAD



EX. FH



PROPOSED PROJECT:

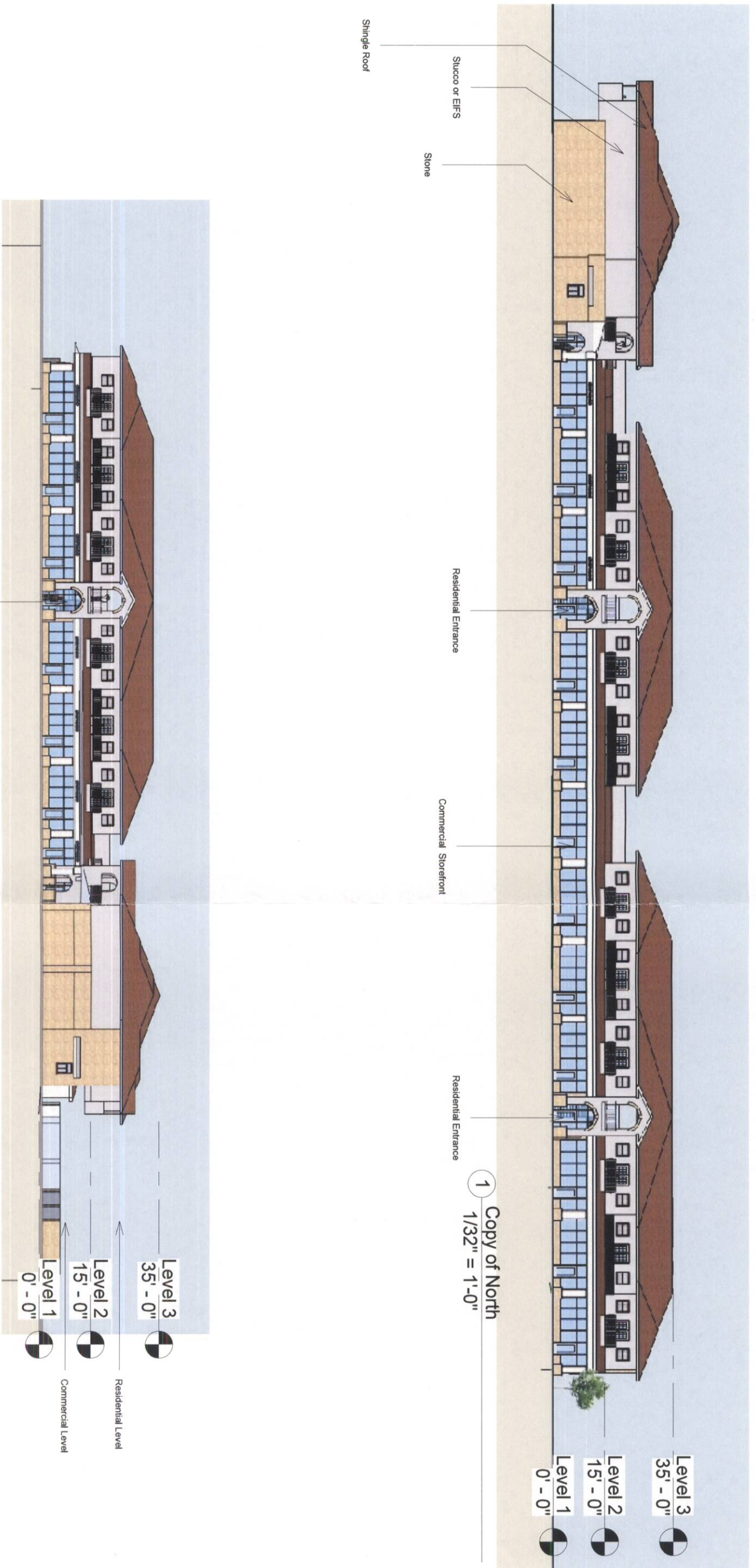
THE VILLAGE AT CLEAR CREEK

PROJECT OWNER:

109 W. Ave. D  
Copperas Cove, TX 76522  
254.238.4405

1117 Cherokee St. Suite 100  
Denver, CO 80204  
303.670.7242

4602 Plattner Lane 4D  
Evergreen, CO 80439  
303.670.7242



Residential Entrance

2 Copy of West  
1/32" = 1'-0"

Level 3  
35' - 0"  
Level 2  
15' - 0"  
Level 1  
0' - 0"

Residential Level  
Commercial Level

	A	B	C	D	E	F	G	H
1	PROP_ID	ParcelOwne	FILE_AS_NA	Addr_line1	Addr_line3	Addr_City	Addr_S	Addr_zip
2	416046	Z12-37/01	CLEAR CREEK ROAD LTD		304 EAST CHURCH AVE	KILLEEN	TX	76541
3	424591	Z12-37/02, 13 Z12-37/03, 04, 06-	CONTINENTAL HOMES OF TEXAS LP	DBA D R HORTON - AMERICA'S BUILDER	3515 SW H K DODGEN LOOP	TEMPLE	TX	76502-1021
4	424584	10, 16	KILLEEN SUNFLOWER INC	C/O PURSER, GARY W SR	2901 E STAN SCHLUJETER LOOP	KILLEEN	TX	76542-4593
5	424588	Z12-37/05	BARBER, TAMMY		2707 BLACK ORCHID	KILLEEN	TX	76549-5806
6	424624	Z12-37/11	GARZA, ARMANDO III		2702 BLACK ORCHID	KILLEEN	TX	76549-5806
7	424623	Z12-37/12	DUPREE, HEATHER L		2704 BLACK ORCHID	KILLEEN	TX	76549-5806
8	424321	Z12-37/14	RSBP DEVELOPERS INC		2901 E STAN SCHLUJETER LOOP	KILLEEN	TX	76542-4593
9	424620	Z12-37/15	HUTCHINGS, WAYNE ETUX HAVERLEY		2802 BLACK ORCHID	KILLEEN	TX	76549-5802
10	153151	Z12-37/17	SCHULZE, DENNIS L ETAL		468 ANTELOPE TRL	KILLEEN	TX	76542-5009
11	437913	Z12-37/18	439 EXPRESS LLC		PO BOX 2970	HARKER HEIGHTS	TX	76548-0970
12	153157	Z12-37/19	CENTRAL TEXAS UNION JUNIOR COLLEGE		HWY 190	KILLEEN	TX	76541
13	233913	Z12-37/20	METROPLEX ADVENTIST HOSPITAL, INC		2201 S CLEAR CREEK RD	KILLEEN	TX	76549-4110
14	416046	Z12-37/OWNER	ABBOTT SPRINGS LTD		3800 S WS YOUNG DR, STE 100	KILLEEN	TX	76542
15		Z12-37/AGENT	KILLEEN ENGINEERING AND SURVEYING		2901 E STAN SCHLUJETER LOOP	KILLEEN	TX	76542

**RECEIPT** DATE 8-24-2010 No. 685023

RECEIVED FROM Killeen Engineering & Surveying \$ 200.00

Two hundred & 00/100

FOR RENT Rezoning 2600 S. Clear Creek Rd. DOLLARS  
 FOR \_\_\_\_\_

ACCOUNT	
PAYMENT	
BAL. DUE	

CASH # 17434

CHECK  
 MONEY ORDER  
 CREDIT CARD

FROM \_\_\_\_\_ TO \_\_\_\_\_

BY Mari Lopez



Shingle Roof

Stucco or EIFS

Stone

Residential Entrance

Commercial Storefront

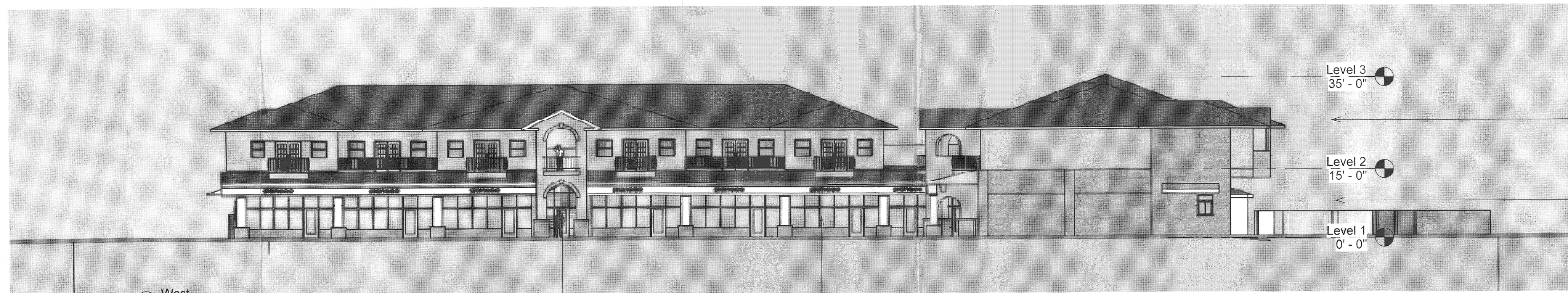
Residential Entrance

Level 3  
35' - 0"  
Level 2  
15' - 0"  
Level 1  
0' - 0"

① North  
1/16" = 1'-0"

**The Village at Clear Creek**  
Clear Creek Rd; Killeen, TX

TX12-040



Residential Level

Commercial Level

Residential Entrance

Commercial Storefront

Level 3  
35' - 0"  
Level 2  
15' - 0"  
Level 1  
0' - 0"

② West  
1/16" = 1'-0"

NOT FOR  
CONSTRUCTION

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REVISION:

Project Status	
DATE:	Issue Date
DRAWN BY:	Author
CHECKED BY:	Checker

Building Elevations

**A6**