

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 0658)
- Owner Approval Letter/Dated 6-2-06
- CC Minutes
- CC Agenda
- CC Packet: CC Memo
- Zoning Application (copy front and back)
- Site Plan (if applicable)
- Maps
- SPO Responses (if any)
- P&Z Minutes
- Public Notice
- P&Z Minutes (Signed Copy)
- P&Z Agenda
- P&Z Packet: P&Z Memo
- Application (copy front & back)
- Site Plan (if applicable)
- Maps
- PVT
- SPO Responses (if any)
- PO/SPO Letter: Sent Support
- Opposed Undelivered
- SPO Map
- Copy of SPO Database
- Printout of SPO's
- Receipt for application fee
- Plat (Engineer & Plat if applicable)
- CUP (site plan if applicable)
- Label made for outside folder
- Copy of Ordinance given to Mapping



CASE #:

2-06-16

**City of Killeen
Zoning Change Application**

Name(s) of Property Owner (s): Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze, Dennis L. Schulze

Address: Route 2, Box C 23

City: Killeen **State:** Texas **Zip:** 76542 - _____

Home Phone: (____) N/A **Business Phone:** (254) 547-0172 **Cell Phone:** _____

Name of Applicant: Brent Little – Place Properties
(if different than Property Owner)

Address: 5605 N. MacArthur Blvd, 10th Floor

City: Irving **State:** Texas **Zip:** 75038 - _____

Home Phone: (____) N/A **Business Phone:** (972) 819-3747 **Cell Phone:** _____

Address/ Location of Property to be Rezoned: South of Watercrest Road and East of Clear Creek Road

Has the Property been Platted? Y / N _____
Lot(s) Block(s) Subdivision

Legal Description: 22.221 acres part of the Thomas Robinett Survey, Abstract No. 686
Metes and Bounds Description

Is there a simultaneous plat of this property? No
(Plat Name)

Type of Ownership: ___ Sole Ownership ___ Partnership ___ Corporation X Other

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

Present Zoning(s): R-1 **Present Use:** Single-Family Residential

Proposed Zoning(s): R-3 **Proposed Use:** Multifamily Residential Fovz
more MULTIFAMILY HOUSING

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: Mitchell & Associates, Inc.

Mailing Address: 102 N College PO Box 1002

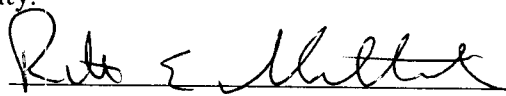
City: Killeen State: Texas Zip: 76540 -

Home Phone: (____) N/A Business Phone: (254) 634-5541

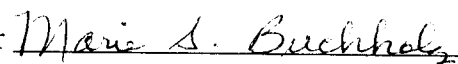
I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

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.

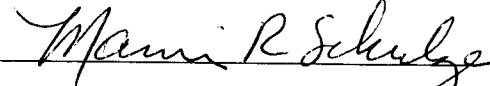
I understand that the City will deal only with a fully authorized agent. If at any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications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

Signature of Agent  Title Owner

Printed/Typed Name of Agent Robert E. Mitchell Date 3-17-06

Signature of Property Owner  Title Owner

Printed/Typed Name of Property Owner Marie E. Buchholz Date 3-13-06

Signature of Property Owner  Title Owner

Printed/Typed Name of Property Owner Marvin R. Schulze Date 3-16-06

Signature of Property Owner  Title Owner 3-15-06

Printed/Typed Name of Property Owner Eldon W. Schulze Date _____

* Applications must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association.
Revised May 2004

Signature of Property Owner Weldon Schulze Title Owner _____
Printed/Typed Name of Property Owner Weldon E. Schulze Date 3-15-06

Signature of Property Owner Harlan E. Schulze Title Owner _____
Printed/Typed Name of Property Owner Harlan E. Schulze Date 3/16/06

Signature of Property Owner Charles J. Schulze Title Owner _____
Printed/Typed Name of Property Owner Charles J. Schulze Date Charles J. Schulze

Signature of Property Owner Dennis L. Schulze Title Owner _____
Printed/Typed Name of Property Owner Dennis L. Schulze Date 3-15-06

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

Revised May 2004



**City of Killeen
Zoning Change Application**

Name(s) of Property Owner (s): Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze, Dennis L. Schulze

Address: Route 2, Box C 23

City: Killeen State: Texas Zip: 76542 - _____

Home Phone: (____) N/A Business Phone: (254) 547-0172 Cell Phone: _____

Name of Applicant: Brent Little - Place Properties
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Has the Property been Platted? Y / N _____
Lot(s) Block(s) Subdivision

Legal Description: 22.221 acres part of the Thomas Robinett Survey, Abstract No. 686
Metes and Bounds Description

Is there a simultaneous plat of this property? No
(Plat Name)

Type of Ownership: ___ Sole Ownership ___ Partnership ___ Corporation X Other

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

Present Zoning(s): R-1 Present Use: Single-Family Residential

Proposed Zoning(s): R-3 Proposed Use: Multifamily Residential

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: Mitchell & Associates, Inc.

Mailing Address: 102 N College

City: Killeen State: Texas Zip: 76540

Home Phone: (____) N/A Business Phone: (254) 634-5541

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

Signature of Agent  Title Owner

Printed/Typed Name of Agent Robert E. Mitchell Date 3-10-06

Signature of Property Owner _____ Title Owner

Printed/Typed Name of Property Owner Marie E. Bucholz Date _____

Signature of Property Owner _____ Title Owner

Printed/Typed Name of Property Owner Marvin R. Schulze Date _____

Signature of Property Owner _____ Title Owner

Printed/Typed Name of Property Owner Eldon W. Schulze Date _____

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

Signature of Property Owner Weldon Schulze Title Owner
Printed/Typed Name of Property Owner Weldon E. Schulze Date 3-10-06

Signature of Property Owner _____ Title Owner
Printed/Typed Name of Property Owner Harlan E. Schulze Date _____

Signature of Property Owner _____ Title Owner
Printed/Typed Name of Property Owner Charles J. Schulze Date _____

Signature of Property Owner _____ Title Owner
Printed/Typed Name of Property Owner Dennis L. Schulze Date _____

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

Mitchell & Associates, Inc.
ENGINEERING & SURVEYING

April 18, 2006

City of Killeen
Attn: Mr. Andrew Allemand, City Planner
P.O. Box 1329
Killeen, Texas 76540-1329

Re: Case No. Z06-16 Place Properties, Request to Rezone to a PUD for an Apartment Complex

Dear Mr. Allemand;

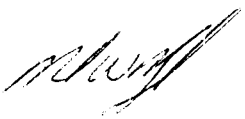
As a result of the Planning and Zoning Commission's action to table the rezone request for the subject property, Mitchell & Associates, Inc. is requesting on behalf of Place Properties to modify the rezone attempt for the subject property to an R-3 with a PUD establishing an apartment complex.

Included as part of this request, we are submitting a development site concept plan that identifies the intent for the usage of the property as an apartment complex with three story multifamily residential units, managing office space, recreational facilities, and associated parking.

Separately and included as part of this request, I have also outlined the PUD requirements and variance requests.

Thank you for your time and attention to this matter.

Sincerely,



Mike W. Kriegel, P.E., R.P.L.S.
Principal
Mitchell & Associates, Inc.

Mitchell & Associates, Inc.

ENGINEERING & SURVEYING

April 18, 2006
REV. April 19, 2006

Planned Unit Development for Place Properties

Re: Case No. Z06-16 Place Properties, Request to Rezone to PUD for an Apartment Complex

The subject property consists of 22.221 acres South of Watercrest Road and East of Clear Creek Road in Killeen, Texas. The intended use of the property is to provide upscale housing for military personnel stationed at Fort Hood.

The ultimate development will provide 336 bedroom units in an apartment style configuration, with each residential building being three stories in height. The project will function as an income generating development, and will be retained under single ownership and be maintained by Place Properties, headquartered in Atlanta, Georgia, therefore there is no provision for an Owner's Association.

In keeping with the intent of Chapter 31, Division 8, Planned Unit Development Regulations, City Code of Ordinances, the plan for this PUD identifies the following requirements.

Following the requirements Sec. 31-802, this property is located South of and adjacent to Watercrest Road, identified as a Minor Arterial on the Thoroughfare Plan for the City of Killeen. Access to the site is shown on the attached development site concept plan. Perimeter setback lines of 25 feet will be established and maintained for the project except in areas where a sign may be erected. No building over 35 feet in height will be placed within 75 feet of any perimeter property line.

This planned unit development is for a gated apartment community with office building for property management of the facility and maintenance. In addition, sports facilities in the form of volleyball court, basket ball court, picnic areas, and soccer fields for Phase One of the development have been included. More parking will be provided than the ordinance requires for each building to accommodate visitors and guests.

Drainage shall account for any increase in stormwater runoff and control the discharge to Watercrest Road through designed and constructed detention facilities that will be incorporated into the project.

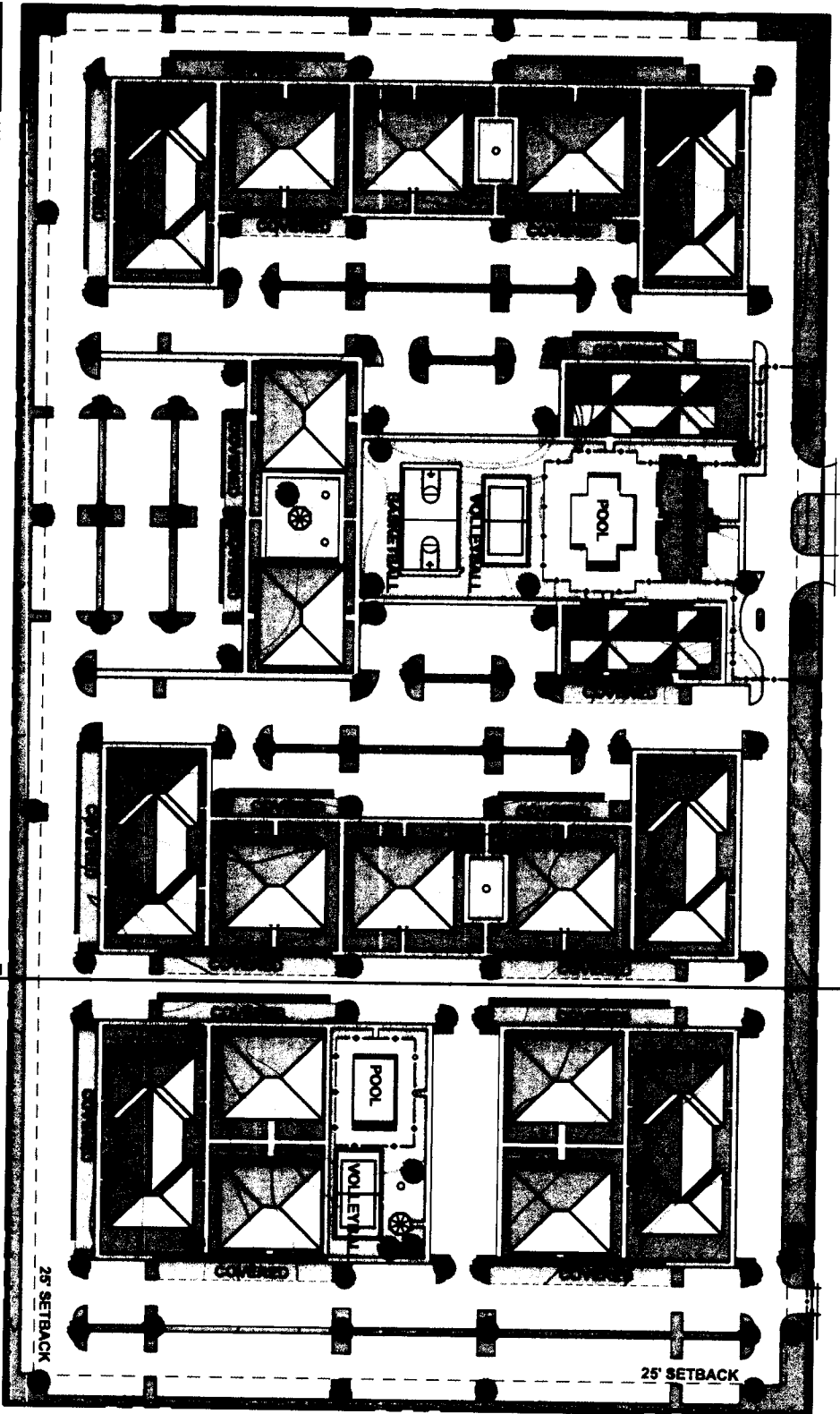
Since this project will be constructed, owned and maintained by Place Properties, and it will be platted as a single lot, there will be no Owner's Association as defined in Sec. 31-805 Owners' associations.

Water and sewer utilities interior to the development shall be installed in accordance with the City's Building Codes and shall be privately owned and maintained. The lines shall be connected to the City's water system using a Master meter. This development is being prepared as an apartment complex; therefore no public streets shall be dedicated at any time to the City. The project will be developed as a gated community, and shall provide 36-foot wide access point with unrestricted height of 14-feet and break-away design for the gates.

ARCHITECTURE DEMAREST

Job No. 0000
 Issue Date
 Title Name: **RTLE FINAL**
 Date: 04.18.2008
 Revision Date
 Drawn By
 Checked By

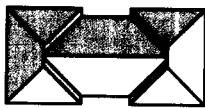
PHASE II



BUILDING TYPE 1
24 UNITS 14,112 S.F.



BUILDING TYPE 2
12 UNITS 16,192 S.F.



BUILDING TYPE 3
24 UNITS 26,412 S.F.

TOTAL UNITS: 336
15.1 UNITS PER ACRE

PLACE PROPERTIES
 KILLEEN MILITARY HOUSING - KILLEEN, TEXAS
 SCALE: 1" = 100'



MITCHELL & ASSOCIATES, INC.

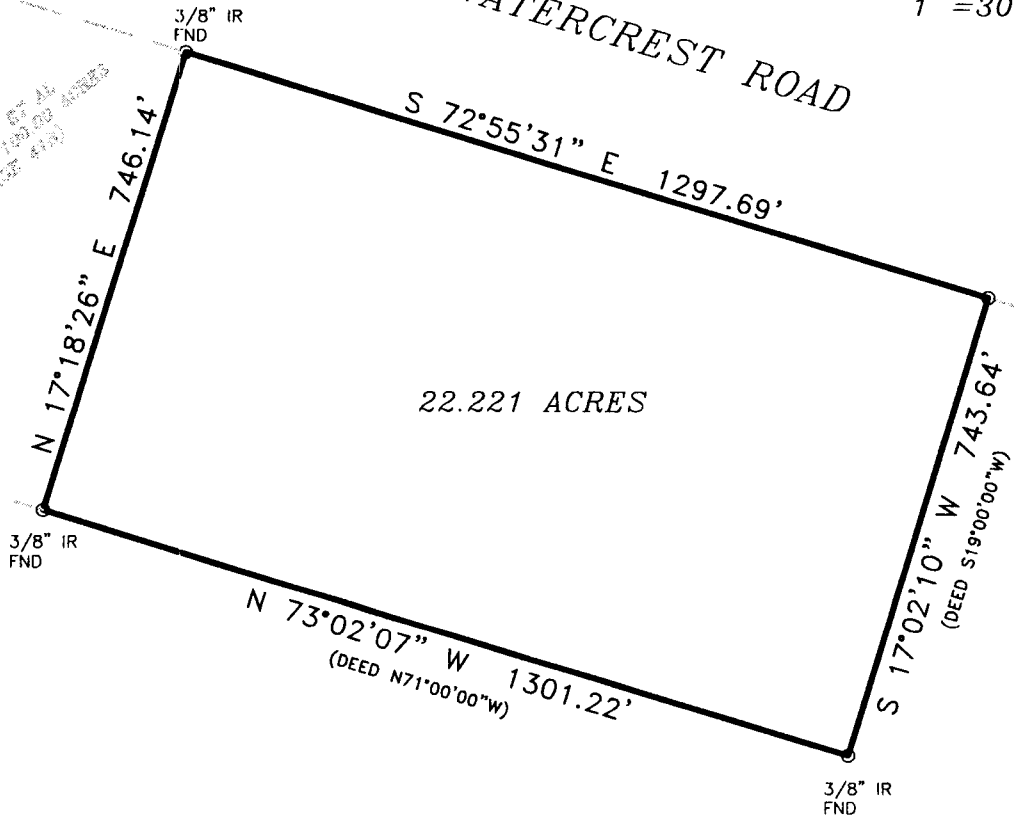
ENGINEERING & SURVEYING

102 N. COLLEGE ST., KILLEEN, TEXAS (254) 634-5541

SCALE:
1" = 300'



WATERCREST ROAD



22.221 ACRES

BELLEVUE L&P, LTD.
ACQUISITION OF (CALLED 150.67 ACRES
(VOL. 5352, PAGE 94)

22.221 ACRES, PART OF THE THOMAS ROBINETT SURVEY,
ABSTRACT NO. 686, KILLEEN, BELL COUNTY, TEXAS.

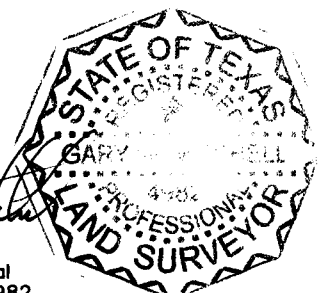
RECORDED IN VOLUME 4283, PAGE 418, OFFICIAL PUBLIC
RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

SEE ATTACHED FIELD NOTES

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.

IN WITNESS THEREOF, My hand and seal this the 8th day of March, 2006.

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



FIELD NOTES for a 22.221 acre tract of land in Bell County, Texas, being part of the Thomas Robinett Survey, Abstract Number 686 and the land herein described being part of that called 100 acre tract of land described in a deed from Dennis Schulze, Independent Executor of the Estate of Frieda M. Schulze to Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze, and Dennis L. Schulze, being of record in Volume 4283, Page 418, Deed Records of Bell County, Texas, and more particularly described as follows:

Beginning at a 3/8" iron rod found being the most easterly, southeast corner of said 100 acre tract of land and being an ell corner of a called 160.61 acre tract of land described in a deed to Killeen LAP, Ltd., being of record in Volume 5254, Page 92, Official Public Records of Real Property, Bell County, Texas, for the southwest corner of this.

THENCE N. 73° 02' 07" W., 1301.22 feet, with a south line of said 100 acre tract of land (*Deed N. 71° 00' 00" W.*) and with a north line of said 160.61 acre tract of land, to a 3/8" iron rod found, for the southwest corner of this.

THENCE N. 17° 18' 26" E., 746.14 feet, to a 3/8" iron rod found in the south right of way of Watercrest Road, for the northwest corner of this.

THENCE S. 72° 55' 31" E., 1297.69 feet, with the south right of way of Watercrest Road, to a cedar fence post found, for the northeast corner of this.

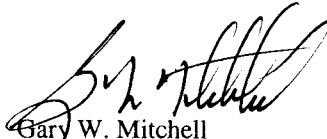
THENCE S. 17° 02' 10" W., 743.64 feet, with the most easterly line of said 100 acre tract of land (*Deed S. 19° 00' 00" W.*) and with a west line of said 160.61 acre tract of land, to the place of beginning containing **22.221 acres** of land.


The bearings for the above description are based on Texas State Plane Coordinate System, NAD 83, Texas Central Zone, as per GPS observations.

STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS, that I, Gary W. Mitchell, Registered Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground.

IN WITNESS THEREOF, my hand and seal this the 8th day of March, 2006, A. D.


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



S:\Subdivisions\Place Properties_22.221 ac.doc

INDEPENDENT EXECUTOR'S DEED

Date: October 13, 2000

Grantor: DENNIS L. SCHULZE, Independent Executor of the Estate of Frieda M. Schulze, Deceased

Grantor's Mailing Address:

Rt. 2, Box C23
Killeen, Texas 76542
Bell County

Grantees: MARIE E. BUCHOLZ, an undivided one-sixth interest; MARVIN R. SCHULZE, an undivided one-sixth interest; ELDON W. SCHULZE, an undivided one-sixth interest; WELDON E. SCHULZE, an undivided one-sixth interest; HARLAN E. SCHULZE, an undivided one-twelfth interest; CHARLES J. SCHULZE, an undivided one-twelfth interest, and DENNIS L. SCHULZE, an undivided one-sixth interest.

Grantees' Mailing Addresses:

MARIE E. BUCHOLZ
279 Crockett Circle
Pagosa Springs, CO 81147
Archuleta County

HARLAN E. SCHULZE
14967 Oak Summit
San Antonio, Texas 78232
Bexar County

MARVIN R. SCHULZE
700A Thrush
Austin, Texas 78753
Travis County

CHARLES J. SCHULZE
579 CR 678 West
Natalia, Texas 78059
Medina County

ELDON W. SCHULZE
3734 Broken Bow
Belton, Texas 76513
Bell County

DENNIS L. SCHULZE
Route 2, Box C 23
Killeen, Texas 76542
Bell County

WELDON E. SCHULZE
4200 Kilpatrick Dr.
Killeen, Texas 76542
Bell County

Consideration: compliance with the terms of the Last Will and Testament of Frieda M. Schulze, Deceased, admitted to probate in Cause No. 22041 in the County Court at Law No. 1 of Bell County, Texas

Property (including any improvements):

Being all that certain tract of parcel of land situated in the County of Bell, State of Texas, being out of the tract known as Henry Schorn 263 acre tract out of the Thomas Robinett Survey and described as follows:

Beginning at SW corner 161 acre tract at post for corner in E margin of public road;

THENCE N 19 E with E margin of road 1476 vrs to post for corner;

THENCE S 71 E with fence 796.7 vrs to rock mound in fence for corner which is NE corner of this tract;

4283/418

THENCE S 19 W 281.9 vrs to rock mound in E fence of pasture for corner;

THENCE N 71 W 513 vrs to iron pipe for inset corner;

THENCE S 19 W 1194.1 vrs to S line of Henry Schorn Survey;

THENCE N 71 W with fence 283.7 vrs to place of beginning and containing 100 acres and being the same property described in deed dated March 8, 1938, from Emma Davis Powell, et al, to Robert E. Schulze and recorded in Volume 463, pages 465-467, Deed Records of Bell County, Texas.

SAVE AND EXCEPT: a certain tract or parcel of land in Bell County, Texas, and being 1.526 acres out of the Thomas Robinett Survey, Abstract No. 686, Bell County, Texas, and more particularly described in deed dated December 13, 1973, from Robert E. Schulze, et ux, to the County of Bell, and being recorded in Volume 1259, pages 752-753, Deed Records of Bell County, Texas; and

FURTHER SAVE AND EXCEPT: a tract of 3.558 acres, more or less, out of that certain 100 acres tract of land out of the Thomas Robinett Survey, Abstract No. 686, more fully described in deed dated October 26, 1993, from Frieda Schulze to State of Texas, and recorded in Volume 3064, page 5, Official Public Record of Real Property of Bell County, Texas;

and being the same property described in Special Warranty Deed from Marvin R. Schulze and Dennis L. Schulze, Co-Independent Administrators of the Estate of Robert E. Schulze, Deceased, to Frieda M. Schulze, dated January 25, 1994, and recorded in Volume 3102, page 317, Official Public Record of Real Property of Bell County, Texas.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to prior mineral reservations and restrictions of record and to any rights-of-way or easements of record or visible upon the ground, to the extent such are valid and enforceable against the property, and taxes the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants and conveys to Grantees the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantees and Grantees' heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Property to Grantees and Grantees' heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise.

Grantor acts only in Grantor's fiduciary capacity as Independent Executor. Grantor's warranty is limited to that capacity and does not bind Grantor individually or Grantor's heirs, executors or administrators.

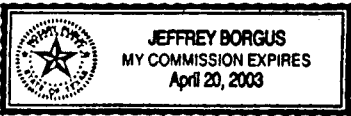
VOL. 4283 PAGE 419

When the context requires, singular nouns and pronouns include the plural.

Dennis L. Schulze
DENNIS L. SCHULZE
Independent Executor of the Estate of
Frieda M. Schulze, Deceased

STATE OF TEXAS

This instrument was acknowledged before me on 19 Oct., 2000
by DENNIS L. SCHULZE as Independent Executor of the estate of Frieda M. Schulze,
Deceased



Jeffrey Borgus
Notary Public, State of Texas

PREPARED IN THE OFFICE OF:

MARTIN & MILLICAN
ATTORNEYS AT LAW
P.O. BOX 31
LAMPASAS, TX 76550-0031

AFTER RECORDING RETURN TO:

MARTIN & MILLICAN
ATTORNEYS AT LAW
P.O. BOX 31
LAMPASAS, TX 76550-0031

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104

VAUGHN
CNTY CLERK, BELL CNTY
DEPUTY
09 OCT 24 AM 9 03

FILED FOR RECORD

035368

VOL. 4283 PAGE 420

KILLEEN DAILY HERALD

Serving The Growing Central Texas Area

received
6-12-06

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS
COUNTY OF BELL

Personally appeared before the undersigned authority

Anthony Edwards who being sworn says that the

attached ad for: **Notice of Public Hearing**

was published in the Killeen Daily Herald on the

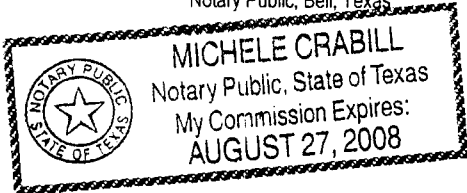
following date, to-wit: **April 9, 2006**

at the cost of: **\$388.00.**

Anthony M. Edwards
Advertising Representative

Subscribed and sworn before me on April 11, 2006.

Michele Crabill
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 6:00 p.m., on Tuesday, April 25, 2006, in Council Chambers at City Hall, 101 North College Street, to consider the following:

HOLD a public hearing and consider a request submitted by M. Bucholz, M. Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze (Case Z06-15) to rezone 10.224 acres, being a part of the Thomas Robinett Survey, Abstract No. 686 from A. (Agricultural District) to R-3 (Multi-Family Residential District). The property is located east of Clear Creek Road and north of Desert Willow Drive, Killeen, Texas.

HOLD a public hearing and consider a request submitted by M. Bucholz, M. Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze (Case Z06-16) to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No. 686, from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District). The property is located south of Watercrest Road, Killeen, Texas.

HOLD a public hearing and consider a request submitted by Maritza Figueroa (Case Z06-17) to rezone approximately 0.280 acres, being part of the Nathan Halbert Survey, Abstract No. 389, from R-1 (Single-Family Residential District) to B-2 (Local Retail District). The property is located at 1403 Trimmer Road, Killeen, Texas.

HOLD a public hearing and consider a request submitted by Ana Vazquez (Case Z06-18) to rezone approximately 0.426 ac, being part of the G. W. Farria Survey, Abstract No. 306, from R-1 (Single-Family Residential District) to B-5 (Business District). The property is located at 406 Old Florence Road, Killeen, Texas.

HOLD a public hearing and consider a request submitted by Young Bok Kim and Ki Sup Son (Case Z06-19) to rezone approximately 0.819 acre out of the Thomas Robinett Survey, Abstract No. 686, from B-2 (Local Retail District) to B-3 (Local Business District) located at 4002 Watercrest Road, Killeen, Texas. Concurrent plat case - 06-023FMS Kim & Son

HOLD a public hearing and consider a request submitted by RSBP Developers, Inc. (Case Z06-20) to rezone approximately 101.220 acres out of the Lewis Riddle Survey, Abstract No. 1096, the C. T. Bourland Survey, Abstract No. 137, the J. B. Harris Survey, Abstract No. 452, the Lewis Riddle Survey, Abstract No. 719, from A (Agricultural District) to R-1 (Single-Family Residential District) located south of White Rock Estates Ph. 2 and 3, Killeen, Texas.

HOLD a public hearing and consider a request submitted by Jay Wisner III (Case Z06-22) to rezone approximately 0.247 acres from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District) for property located at 1609 N 10th Street

HOLD a public hearing and consider a request submitted by McLean Commercial, Ltd. (Case #Z06-14) to rezone approximately 12.177 acres from A-R1 (Agricultural Single-Family Residential District) to R-1 (Single-Family Residential District) for a part of the Thomas Robinette Survey, Abstract No. 686, located west of Janelle, Lloyd and Hank Drives in Cander Valley Phase 4, Killeen, Texas.

HOLD a public hearing and consider a request submitted by Rosa Maria Solis Gabor (Case #Z06-13) to rezone Lot 13, Block 3, Llewelyn Estates from R-1 (Single-Family Residential District) to B-5 (Business District) with RC-1 (Restaurant and Alcohol Sales District) for property locally known as 4501 Onion Road, Killeen, Texas.

WITNESS MY HAND THIS 9th DAY OF APRIL 2006.

Paula A. Miller
City Secretary

By Andrew Allemand,
City Planner

(Legal notice published in Killeen Daily Herald on April 9, 2006.)

Page : 1 of 2
Printed : 05/04/2006 11:2
Order Number : 73325771
PO Number : affidavit printout
Customer : 9514 - CITY OF KILLEEN
Contact : Vicki Wanken
Address1 : P.O. BOX 1329
Address2 :
City : KILLEEN, TX 78540
Phone : (254) 634-2191
Fax : (254) 634-3917

Ad Number : 7 5772
Publication : Killeen Daily Herald
Category : 127 Legal Notices
First Pub : 05/07/2006
Last Pub : 05/07/2006
Days : 1
Size : 1 x 8.39, 101 lines
Ad Rate : Legal
Ad Price : 228.25
Order Price : 228.25
Amount Paid : 0.00
Amount Due : 228.25

Keywords : CITY OF KILLEEN "The City Without Limits" NOTICE OF PUBLIC HEARING Notice is
Printed By : AME
Entered By : AME



Notice is hereby given that a public hearing is scheduled to be held by the City Council, City of Killeen, at 6:00 a.m., on Tuesday, May 23, 2006, in Council Chambers of City Hall, 101 North College Street, to consider the following:

HOLD a public hearing and consider a request submitted by Marie Bucholtz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Marlon Schulze, Charles Schulze and Dennis Schulze (Case #206-25) to rezone approximately 22.22 acres, being a part of the Thomas Robinette Survey, Abstract No. 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Bullen Boulevard, Killeen, Texas.

HOLD a public hearing and consider a request submitted by David and Freda Wooldridge (Case #206-25) to rezone approximately 1.90 acres, being part of the Azra Webb Survey Abstract No. 857 from R-1 (Single-Family Residential District) to B-5 (Business District), located northwest of the intersection of E. Stan Schlueter Loop and S. W.S. Young Drive, locally known as 4407 Onion Road, Killeen, Texas.

HOLD a public hearing and consider a request submitted

Regular _____
Item # _____

CITY COUNCIL MEMORANDUM FOR ORDINANCE

AGENDA ITEM

**ZONING CASE #Z06-16
R-1 TO PUD WITH R-3**

ORIGINATING DEPARTMENT

PLANNING & ECONOMIC DEVELOPMENT

BACKGROUND INFORMATION

This request is submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

A letter of notification was mailed to three (3) property owners in the 200-foot notification area. No responses were received.

DISCUSSION/CONCLUSION

The applicant is proposing to develop a gated apartment community consisting of 333 units targeted as upscale housing for military personnel stationed at Fort Hood. The complex will be retained under single ownership and all common areas will be maintained by the corporation. A site plan has been provided that illustrates the proposed development regulations and amenities to be adopted as part of the PUD ordinance. The Council may also choose to attach any other restrictions or safeguards deemed appropriate to protect the character and use of surrounding property. The applicant is not seeking to negotiate down any development regulations, but has instead submitted the PUD as an assurance to the City that an upscale apartment complex will be constructed on the property instead of another allowable R-3 use.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATIONS

The Planning and Zoning Commission voted unanimously to recommend approval of Zoning Case #Z06-16 to the City Council.

MINUTES
PLANNING AND ZONING COMMISSION MEETING
MAY 8, 2006

CASE #Z06-16
R-1 TO PUD WITH R-3

HOLD a public hearing and consider a request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

Mr. Robert Mitchell, Mitchell & Associates, 102 N. College, Killeen, was present to represent this case.

Chairman Cole opened the public hearing and with no one requesting to speak the public hearing was closed and staff comments were requested.

City Planner Allemand stated that this request is submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

The applicant previously submitted an R-1 to R-3 request which was tabled by the Commission. The applicant withdrew his R-3 case and resubmitted the PUD request. The proposed apartment project development is a gated community consisting of 333 bedroom units targeted as an upscale housing for military personnel stationed at Fort Hood. The complex will be retained under single ownership and all common areas will be maintained by the corporation. Please review the attachments illustrating the site plan and detailing the development regulations and amenities to be adopted as part of the PUD, along with any other restrictions or safeguards deemed appropriate by the Commission. The applicant is not seeking to negotiate down any development regulations, but has instead submitted the PUD as protection to the City that an upscale apartment complex will be constructed on the property instead of another allowable R-3 use.

A letter of notification was mailed to three (3) property owners in the 200-foot notification area. No responses were received.

Commissioner Langford motioned to recommend approval of Zoning Case #Z06-16, seconded by Commissioner Frederick. The motion carried unanimously.

Chairman Cole stated that this case will be forwarded to City Council on May 23, 2006 with a recommendation to approve.

CONSIDERATIONS

Texas Supreme Court in Pharr v. Tippitt, 616 S. W 2nd 173 (Tex 1981) established general guidelines which the 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. Specific/Special Use Permit

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

C. Conditions to Consider

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

City of Killeen
Regular City Council Meeting
Killeen City Hall
May 23, 2006
6:00 p.m.

Presiding: Mayor Maureen J. Jouett

Attending: Mayor Pro-Tem Ernest Wilkerson and Councilmembers Scott Cospers, Bob Hausmann, Fred Latham, Eddie Vale, Jr., and Dick Young

Also attending were City Manager Connie Green, City Attorney Kathryn Davis, and City Secretary Paula Miller

Councilmember Young gave the invocation, and Kirk Garrett and Kayla Sherman led everyone in the pledge of allegiance.

Approval of Agenda

Councilmember Cospers moved to approve the agenda with the deletion of CA-13, moving Contracts ahead of Special Recognition, and suspending the rules to allow for a presentation, seconded by Councilmember Young. The motion was unanimously approved.

Presentation

Mayor Jouett presented TSA employee Andre Hollins with a Heroic Citizen award for his efforts in saving the life of a child.

Consent Agenda

- CA-1 Consider minutes of Regular City Council Meeting of May 9, 2006.
- CA-2 Consider a memorandum/resolution [06-98R] awarding golf course equipment lease (Bid No. 06-25).
- CA-3 Consider a memorandum/resolution [06-99R] for procurement of tractor with shredder through HGAC for the Solid Waste Mowing Division
- CA-4 Consider a memorandum/resolution [06-100R] for procurement of mini-hydraulic excavator and rock tool trencher through TASB Buyboard for the Public Works Water and Sewer division.
- CA-6 Consider a memorandum/resolution [06-101R] dedicating two 15-foot utility easements on property known as Lions Club Park.
- CA-10 Consider a request by Pat Duncan and Judy Kay Duncan (Case #06-030FS: Duncan Addition) for a final plat of approximately 2.110 acres, being part of the William Shelbourne Survey, Abstract No. 1254, located at 3202 Little Nolan Road, Killeen, Texas.
- CA-11 Consider minutes of Special City Council Meeting of May 16, 2006.
- CA-12 Consider a memorandum/resolution [06-102R] amending the Water and Sewer Standard Detail Sheets.

A vote was taken on the motion, and it resulted in a 3-3 tie (Mayor Pro-Tem Hausmann and Councilmembers Hausmann and Young in opposition). Mayor Jouett broke the tie, voting in opposition.

Councilmember Latham asked whether the Council could deny the plat, and City Attorney Davis advised that if the plat is in compliance with the City's regulations, it must be approved.

Councilmember Hausmann asked that the matter be reconsidered. Councilmember Cospers suggested the City could prohibit parking on both sides of Polk Street.

Councilmember Hausmann moved to reconsider the matter, seconded by Councilmember Cospers. The motion was approved 3-2-1 (Mayor Pro-Tem Wilkerson and Councilmember Young in opposition, Councilmember Hausmann abstaining).

Bob Mitchell, 102 North College, advised the issues the Council has been discussing will be addressed during the permitting and construction process. The developer will work closely with City staff, and there are alternatives to make this work. There may be alternatives to street cuts for water and sewer; however, if cuts are made, the street will be restored and actually improved.

City Attorney Davis advised the City Council that if a motion to approve the plat fails, a motion to deny the plat must be made, clearly citing the grounds on which the denial is based. She also noted that Mr. Cunningham does not have anything in writing from the residents allowing him to speak for them.

Councilmember Latham moved to approve the plat and to eliminate parking on both sides of the street, seconded by Councilmember Vale. The motion was approved 5-1 (Councilmember Young in opposition).

CA-8 Consider a request by Weldon Whitis (Case #06-020FS: Marriott Addition, Phase 3) for a final plat of approximately 2.106 acres being a part of the Nathan Halbert Survey, Abstract No. 389, located on the south right-of-way of Central Texas Expressway (Highway 190), east of Florence Road and adjacent to the Elite Hospitality Addition, Killeen, Texas.

Councilmember Young noted questions of access had been discussed during the workshop, and he wanted to make certain this would not be the same as the access behind the restaurants. Planner Allemand advised access to this property would be a passage easement through the Hospitality Addition. It will have curb and gutter but no parking since parking will be only on the hotels' respective property.

Councilmember Young moved to approve the plat, seconded by Mayor Pro-Tem Wilkerson. The motion was unanimously approved.

CA-9 Consider a request by W&B Development (Case #06-028FS: Savannah Heights, Phase III) for a final plat of approximately 31.20 acres, being part of the Robert Cunningham Survey, Abstract No. 158, located east of Deerwood Estates

Bob Mitchell, 102 North College, advised the developers intend to have 1.25 spaces per bedroom available.

Councilmember Latham expressed concern about the ability of Watercrest to handle the amount of traffic that will be generated by this and other developments, and the City Council needs to make improvement of Watercrest a priority. Mayor Jouett directed this item to be placed on the next agenda for the Transportation Committee.

With no one else appearing, the public hearing was closed.

Councilmember Young moved to approve the ordinance [06-58], seconded by Councilmember Hausmann. The motion was approved unanimously.

PH-2 HOLD a public hearing and consider an ordinance for a request submitted by Killeen Area Investment corporation (Case #Z06-28) to rezone approximately 6.426 acres of the J. J. Roberts Survey, Abstract No. 731 from M-1 (Manufacturing District) to R-3 (Multi-Family residential District), located approximately 820 feet south of Veterans Memorial Boulevard on the west side of Dogwood Boulevard, 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 M-1 (MANUFACTURING DISTRICT) TO R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

This rezoning request is submitted on property located on the west side of Dogwood and will be developed for fourplexes. There was no response to the four letters of notification, and the Planning and Zoning Commission voted 3-2 to recommend approval.

Mayor Jouett opened the public hearing. Bob Mitchell, 102 North College, appeared in support of the application. With no one else appearing, the public hearing was closed.

Councilmember Young moved to approve the ordinance [06-59], seconded by Councilmember Latham. The motion was approved 5-1 (Mayor Pro-Tem Wilkerson in opposition).

PH-3 HOLD a public hearing and consider an ordinance for a request submitted by Michael MacHardy (Case #Z06-29) to rezone approximately 1 acre, being part of the G.W. Farris Survey, Abstract No. 306 from R-1 (Single-Family Residential District) to B-4 (Business District), locally known as 4309 Old Florence Road, Killeen, Texas.

The caption of the ordinance was read as follows:



City of Killeen

Regular City Council Meeting Agenda

May 23, 2006

Killeen City Hall

101 North College

4:00 P.M. – Pre-Council Workshop

6:00 P.M. – Regular Meeting

Pre-Council Workshop

Main Conference Room

DS-1 Discuss-Code Enforcement Program

DS-2 Presentation-Current Issues Affecting Police Services

Committee Reports

This section provides standing committees an opportunity to provide reports on work relating to the mission and charge of the respective committee.

Regular City Council Meeting Agenda Call to Order and Roll Call

City Council Chambers

___	Maureen J. Jouett, Mayor	___	Connie J. Green
___	Ernest L. Wilkerson, Mayor Pro-Tem	___	City Manager
___	Scott Cospser	___	Kathryn H. Davis
___	Bob Hausmann	___	City Attorney
___	Fred Latham	___	Paula Miller
___	Eddie Vale, Jr.	___	City Secretary
___	Dick Young	___	Sergeant-At-Arms

Invocation

Pledge of Allegiance

Approval of Agenda

- PH-2 HOLD a public hearing and consider an ordinance for a request submitted by Killeen Area Investment corporation (Case #Z06-28) to rezone approximately 6.426 acres of the J. J. Roberts Survey, Abstract No. 731 from M-1 (Manufacturing District) to R-3 (Multi-Family residential District), located approximately 820 feet south of Veterans Memorial Boulevard on the west side of Dogwood Boulevard, Killeen, Texas.
- PH-3 HOLD a public hearing and consider an ordinance for a request submitted by Michael MacHardy (Case #Z06-29) to rezone approximately 1 acre, being part of the G.W. Farris Survey, Abstract No. 306 from R-1 (Single-Family Residential District) to B-4 (Business District), locally known as 4309 Old Florence Road, Killeen, Texas.
- PH-4 HOLD a public hearing and consider a request by Tejas Self Storage #1, #2, #3, #4, #5, #6, #7, L.P. (Case #06-032RS: Tejas Self Storage) for approximately 5.006 acres, being a replat of Lot 1, Block 1, 195 Plaza Addition, locally known as 4401 Fort Hood Street, Killeen, Texas.

Special Recognitions

Oath of Office & Standards of Conduct

Certificate of Election

Call to Order and Roll Call

Ordinances / Resolutions

- OR-1 Consider a memorandum/resolution designating a Mayor Pro-Tem.

Design and Professional Services Contracts					
5/23/2006 Line #	Council Action	Description of Contract	Project Award	Amount	Est Date of Completion
1	8/19/2003 03-78R	Nolan Creek Hike & Bike Trail	Half Associates	\$317,779.00	Jun 07
	12/21/2004 04-172R		Additional Contract	\$42,170.00	Jun 07
2	10/14/2003 03-106R	Transfer Station Plans and Specifications	Freese & Nichols	\$286,000.00	Dec 06
	05-160R		CO #1- 9/27/05 (Council Approved)	\$70,052.00	
3	12/16/2003 03-131R	SH-195 Waterline	Wallace Group	\$63,000.00	Pending ROW
4	12/16/2003 03-132R	East Loop Waterline (East Side Infrastructure)	Wallace Group	\$169,800.00	Sep 06
5	1/27/2004 04-09R	Runway Safety Area Improvements	Carter & Burgess	\$203,925.42	12-20-05
			CO #1 - 4/13/04 (CM approved)	\$16,060.00	
			CO #2 - 6/8/04 (CM approved)	\$16,374.00	



CITY OF KILLEEN
PUBLIC WORKS / PLANNING

June 2, 2006

Dennis L. Schultze
468 Antelope Trail
Killeen, TX 76542

RE: Zoning Case Z06-16: R-1 to PUD with R-3

On Tuesday, May 23, 2006, the City Council of the City of Killeen granted your request for rezoning of approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No. 686 from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

A copy of the City Ordinance, approving the rezoning has been enclosed for your convenience.

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

Sincerely,

Vicki Wanken
Planning Assistant

Enclosure: Ord. # 06-58

cc: Mitchell and Associates

ORDINANCE 06-58

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT) WITH R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze, and Dennis L. Schulze have presented a request for amendment of the Zoning Ordinance of the City of Killeen by changing the classification of the hereinafter described property from R-1 (Single-Family District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District); said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 8th day of May 2006, 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 6:00 P.M., on the 23rd day of May 2006, 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 R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District) for approximately 22.221 acres being a part of the

Thomas Robinett Survey, Abstract No. 686, located south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

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

Section III. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section IV. That this ordinance shall take effect immediately upon passage of the ordinance.

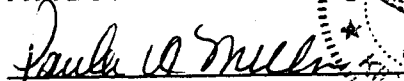
PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 23rd day of May 2006, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED:



Maureen J. Joett, MAYOR

ATTEST:

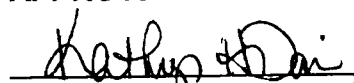


Paula A. Miller, CITY SECRETARY



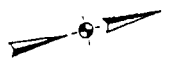
Attachment: Exhibits A and B

APPROVED AS TO FORM



Kathryn H. Davis, City Attorney

Case #Z06-16



5109

WATERCREST ROAD

KILLEEN CITY LIMITS

R1
#05-53
0572980000

R2
#05-53
0572270001
200' RADIUS

R2
#05-53
0572270300

AUTUMN VALLEY DRIVE 0572270001

R1-A #05-53 11	R1-A #05-53 13	R1-A #05-53 14	R1-A #05-53 14
2407	2406	2403	2401

WISTERIA LANE

R1-A #05-53 18	R1-A #05-53 16	R1-A #05-53 15	R1-A #05-53 15
2407	2405	2403	2401

JASMINE LANE

R1-A #05-53 18	R1-A #05-53 16	R1-A #05-53 15	R1-A #05-53 15
2407	2405	2403	2401

HYDRANGEA AVE.

R1-A #05-53 11	R1-A #05-53 13	R1-A #05-53 14	R1-A #05-53 14
2407	2405	2403	2401

LAVENDER LANE

R1-A #05-53 11	R1-A #05-53 13	R1-A #05-53 14	R1-A #05-53 14
2407	2405	2403	2401

BACHELOR BUTTON BLVD

0572270001
0572270000

DATE: 03/15/06
1 LOT(S)
22.221 ACRES

ZONING CASE # 06-16
FROM R-1 TO PUD W/R-3



CITY OF KILLEEN
PLANNING DEPT.

HWY. 190

PROJECT SITE

CENTRAL TX. COLLEGE
KILLEEN CITY LIMITS

KILLEEN CITY LIMITS

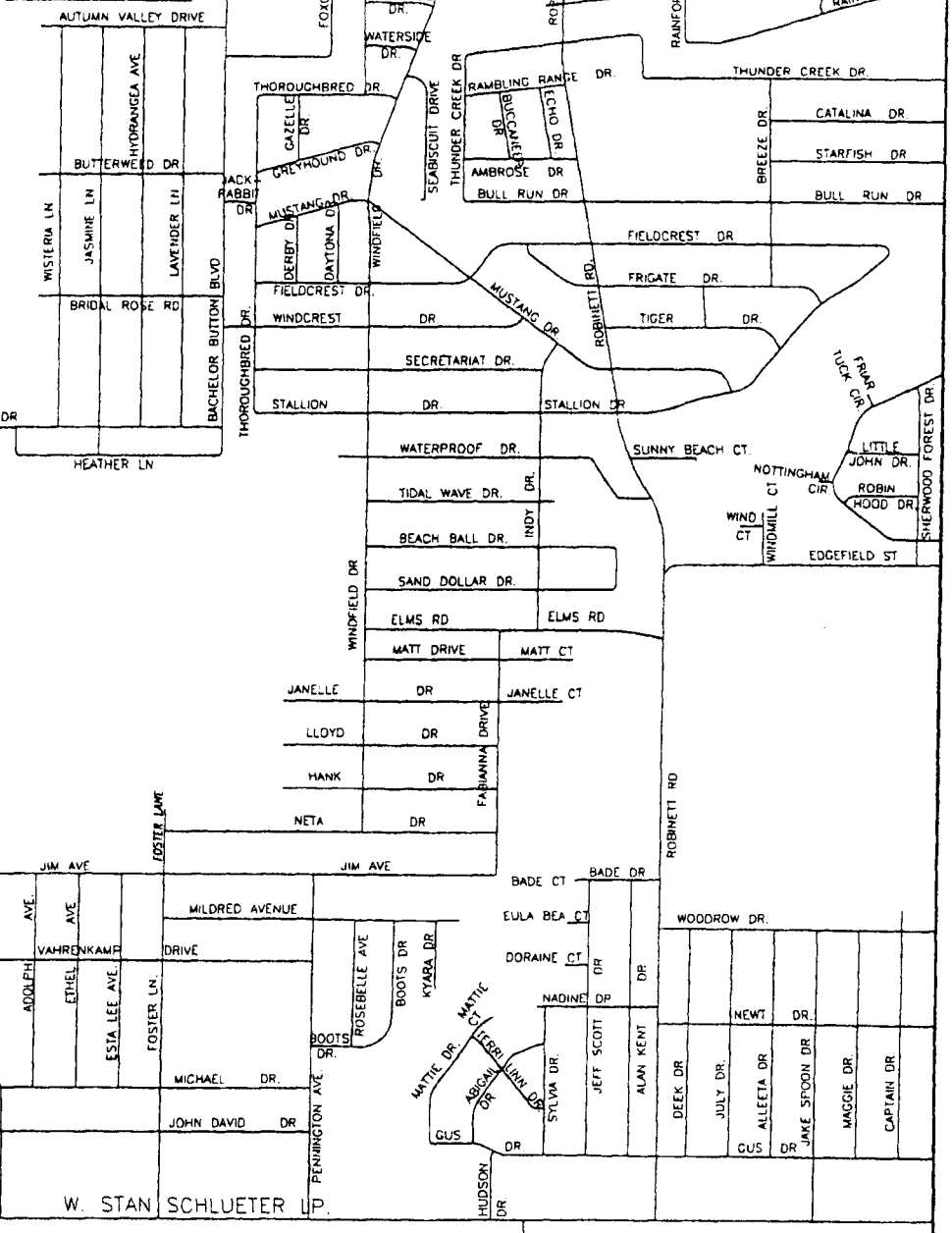
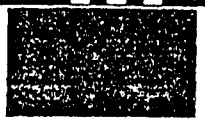
KILLEEN CITY LIMITS

KILLEEN CITY LIMITS

CLEAR CREEK RD.

KILLEEN CITY LIMITS

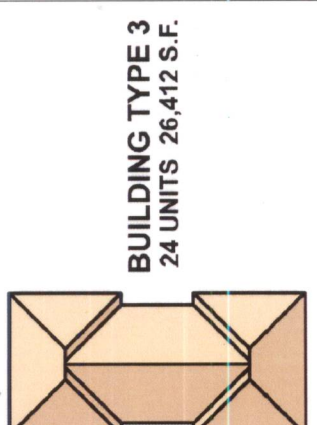
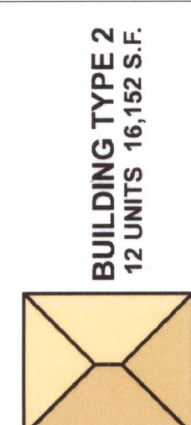
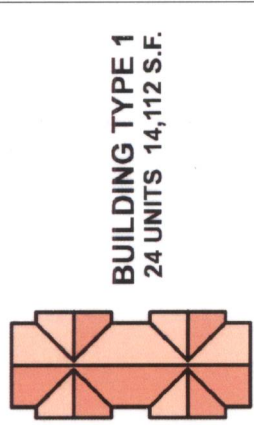
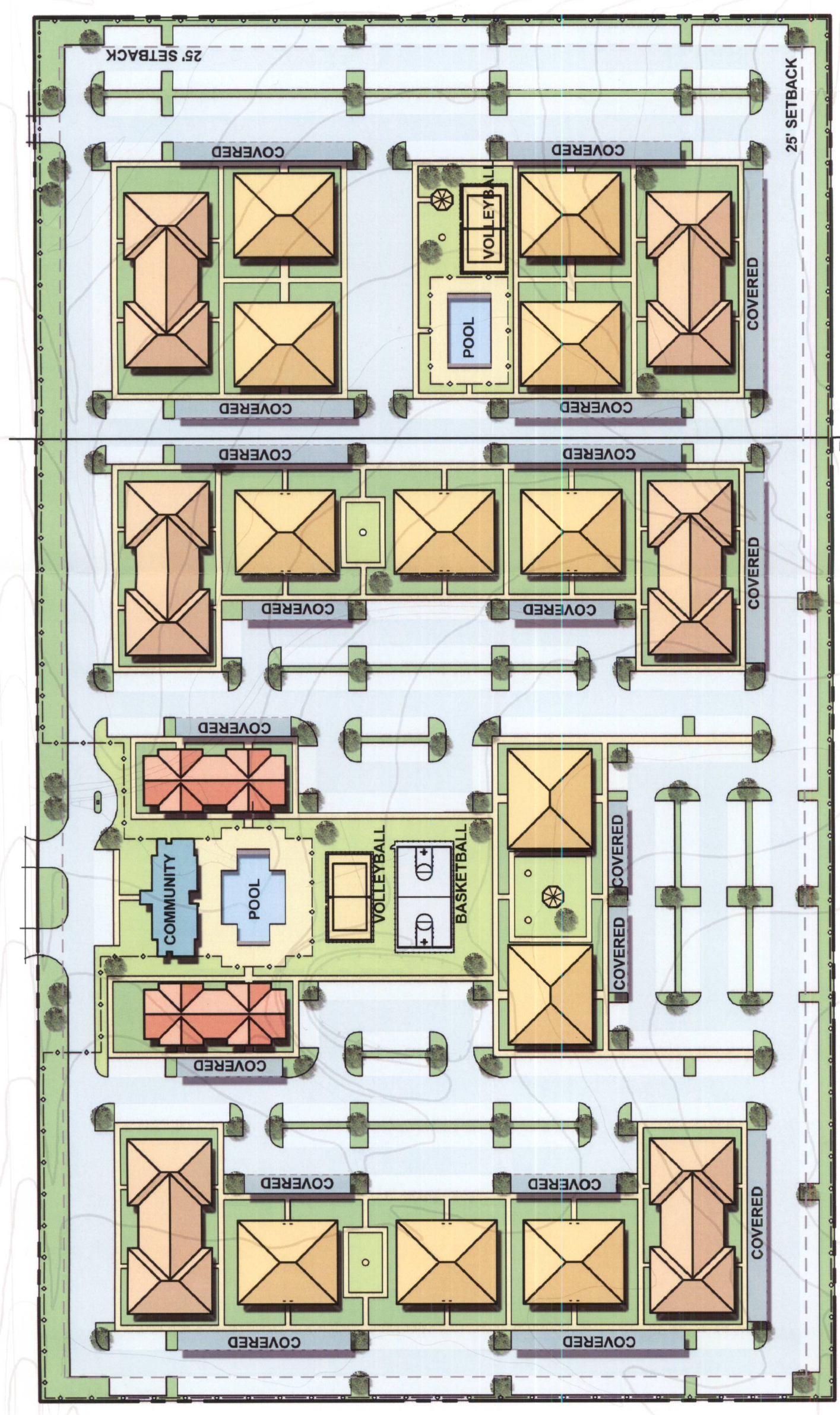
KILLEEN CITY LIMITS



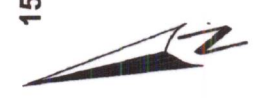
DATE: 03/15/06
1 LOT(S)
22.221 ACRES

ZONING CASE # 06-16
FROM R-1 TO PUD W/R-3

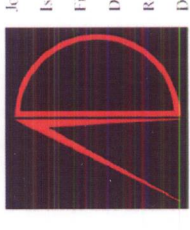




TOTAL UNITS: 336
15.1 UNITS PER ACRE



Job No: 06006
Issue Date:
File Name: SITE_FINAL
Date: 04-18-2006
Revision Date:
Drawn by:
DEMAREST
ARCHITECTURE
2500 South Loop West, Suite 100, Houston, TX 77058



- ALL CODES, ORDINANCES AND DEVELOPMENT REGULATIONS AND POLICES SHALL BE COMPLIED WITH UNLESS SPECIFIC EXCEPTION IS GRANTED HEREIN.
- EACH BUILDING THREE STORIES IN HEIGHT.
- ACCESS TO THE SITE IS SHOWN. PERMETER SETBACK LINES OF 25 FEET WILL BE ESTABLISHED AND MAINTAINED FOR THE PROJECT, EXCEPT WHERE PROPERTY SIGNS ARE LOCATED. NO STRUCTURE OVER 35 FEET IN HEIGHT WILL BE PLACED WITHIN 75 FEET OF ANY PERMETER PROPERTY LINE.
- GATED COMMUNITY WITH OFFICE BUILDING FOR PROPERTY MANAGEMENT OF THE FACILITY AND MAINTENANCE.
- DRAINAGE SHALL ACCOUNT FOR ANY INCREASE IN STORMWATER RUNOFF AND CONTROL THE DISCHARGE TO WATERCRESS ROAD THROUGH DESIGNED AND CONSTRUCTED DETENTION FACILITIES THAT WILL BE INCORPORATED INTO THE PROJECT.
- PROPERTY WILL BE UNDER SINGLE OWNERSHIP AND NO OWNER'S ASSOCIATION AS DEFINED IN SECT. 31-805 OWNERS ASSOCIATIONS.
- UTILITIES SHALL BE INSTALLED TO MEET THE REQUIREMENTS OF THE CITY OF KILLEEN.
- THE PROJECT WILL BE DEVELOPED AS A GATED COMMUNITY, AND SHALL PROVIDE 36 FOOT WIDE ACCESS POINT WITH UNRESTRICTED HEIGHT OF 14 FEET AND BREAK-AWAY DESIGN FOR GATES.

PLACE PROPERTIES
KILLEEN MILITARY HOUSING - KILLEEN, TEXAS
SCALE: 1" = 100'

PHASE II

CITY COUNCIL MEMORANDUM FOR ORDINANCE

AGENDA ITEM

**ZONING CASE #Z06-16
R-1 TO PUD WITH R-3**

ORIGINATING DEPARTMENT

PLANNING & ECONOMIC DEVELOPMENT

BACKGROUND INFORMATION

This request is submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

A letter of notification was mailed to three (3) property owners in the 200-foot notification area. No responses were received.

DISCUSSION/CONCLUSION

The applicant is proposing to develop a gated apartment community consisting of 333 units targeted as upscale housing for military personnel stationed at Fort Hood. The complex will be retained under single ownership and all common areas will be maintained by the corporation. A site plan has been provided that illustrates the proposed development regulations and amenities to be adopted as part of the PUD ordinance. The Council may also choose to attach any other restrictions or safeguards deemed appropriate to protect the character and use of surrounding property. The applicant is not seeking to negotiate down any development regulations, but has instead submitted the PUD as an assurance to the City that an upscale apartment complex will be constructed on the property instead of another allowable R-3 use.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATIONS

The Planning and Zoning Commission voted unanimously to recommend approval of Zoning Case #Z06-16 to the City Council.

**MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
APRIL 10, 2006
CITY HALL 101 N. COLLEGE STREET
COUNCIL CHAMBERS**

ROLL CALL

PRESENT: Larry Cole, Chairman

Commission: Johnny Frederick, Vice Chair; Robert Hicks; Craig Langford;
Walter Autry; Terry Traina; Eugene Kim; Bobby Hoover

Staff: Thomas C. Dann, Director of Planning; Andrew Allemand,
City Planner; John P. Nett, Acting City Engineer; James Parker,
Assistant City Attorney; Vicki Wanken, Planning Assistant

ABSENT: Miguel Diaz, Jr.

CALL TO ORDER – 6:00 P.M. – CITY HALL COUNCIL CHAMBERS

Chairman Cole called the meeting of the Planning and Zoning Commission to order at 6:00 p.m.

APPROVAL OF AGENDA

Commissioner Autry motioned to approve the agenda with PH-8 removed from the agenda, seconded by Commissioner Langford. The motion carried unanimously.

CONSENT AGENDA

- CA-1 Consider approval of the Minutes for the Regular Meeting of the Planning and Zoning Commission of **March 13, 2006**.
- CA-2 Consider approval of the Minutes for the regular Meeting of the Planning and Zoning Commission of **March 27, 2006**.

Chairman Cole asked that the Commission consider CA-3 and CA-4 separately from the approval of the minutes. Commissioner Frederick motioned to approve items CA-1 and CA-2 on the consent agenda, seconded by Commissioner Autry. The motion carried unanimously.

- CA-3** Consider a request submitted by Thomkar, Inc, a Texas Corporation (#05-40FMS: H.C.W. ADDITION, PHASE TWO) for a final plat of approximately 0.493 acre out of the Julia Stevens Survey, Abstract No. A-745, located on the west side of Clear Creek Road and north of W. Stan Schlueter Loop, Killeen, Texas.
- CA-4** Consider a request submitted by Willie Walk and Hyon C. Walk (#06-012FS: MESA VERDE, PHASE 2) for a final plat of approximately 3.059 acres being part of the G. C. and S. F. R. R. Survey, Abstract No. 1080, located south side of FM 2842, east of SH 195 and west of Tally Ho in the ETJ of Killeen, Texas.

Commissioner Frederick motioned to approve items CA-3 and CA-4 on the consent agenda, seconded by Commissioner Autry. The motion carried unanimously.

Chairman Cole stated plat case #06-012FS: Mesa Verde, Phase 2 will be forwarded to City Council with a recommendation to approve, to be heard on April 25, 2006.

CITIZENS PETITIONS FOR INFORMATION

No one requested to speak.

PUBLIC HEARING

ZONINGS

- PH-1 HOLD** a public hearing and consider a request submitted by Rosa Maria Solis Gabor (Case #Z06-13) to rezone approximately 3 acres, being Lot 13, Block 3, Llewelyn Estates from R-1 (Single-Family Residential District) to B-5 (Business District) with RC-1 (Restaurant and Alcohol Sales District) for property locally known as 4501 Onion Road, Killeen, Texas.

There was no one present to represent this case.

Commissioner Frederick motioned to recommend tabling Zoning Case #Z06-13 to the next meeting since there was no representation for this case, seconded by Commissioner Hicks. The motion carried unanimously.

Chairman Cole stated that this case would return to Planning and Zoning Commission on April 24, 2006.

- PH-2 HOLD** a public hearing and consider a request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze (Case #Z06-15) to rezone approximately 10.220 acres, being a part of the Thomas Robinett Survey, Abstract No. 686 from A (Agricultural District) to R-3 (Multi-Family

Residential District), located on the east side of Clear Creek Road and north of Desert Willow Drive, Killeen, Texas.

Mr. Robert Mitchell, Mitchell & Associates, 102 N. College, Killeen, was present to represent this case.

Chairman Cole opened the public hearing.

The following spoke in opposition to this rezoning:

- Lucas Cioffi
- Jared Hill

Those in opposition referenced concerns about the potential effects of another fourplex development in this location, including increased crime, vehicular/pedestrian traffic congestion, incompatibility with neighboring lands, absentee ownership leading to a lack of accountability/maintenance, and the inappropriateness of zoning the entire tract for residential use instead of commercial use.

Mr. Mitchell stated that the concept plan for the property was to develop an apartment complex targeted to students of the nearby higher education institutions that would include amenities such as gated entrance, greenspace, swimming pool, clubhouse, covered parking, and individually leased bedroom units. The Commission asked staff if there was any way to guarantee that these amenities would be developed on the property. Mr. Allemand stated that R-3 zoning would allow for the proposed apartment project as well as typical R-3 development like fourplexes or duplexes.

With no one else requesting to speak, Chairman Cole closed the public hearing and staff comments were requested.

City Planner Allemand stated that this request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze to rezone approximately 10.220 acres, being a part of the Thomas Robinett Survey, Abstract No. 686 from A (Agricultural District) to R-3 (Multi-Family Residential District). The property is located on the east right-of-way of Clear Creek Road and approximately 230 feet north of Desert Willow Drive, Killeen, Texas. The applicant intends to construct a multi-family residence to be used as student housing for the university. Mr. Allemand noted that the acreage proposed for rezoning was identified as commercial property in the SH 201/SH 195 Land Use Plan, further noting that the Commission would have to forward a recommendation to amend the Land Use Plan to City Council before the case could be approved.

Vice Chair Frederick stated that he had concerns about zoning the property for residential use in conflict with the adopted Land Use Plan.

A letter of notification was mailed to four (4) property owners in the 200-foot notification area. No responses were received from within the notification area; however, staff received a petition in opposition signed by 67 families on the afternoon of the meeting.

Commissioner Frederick motioned to recommend disapproval of Zoning Case #Z06-15 on the grounds that the request conflicted with the City's Land Use Plan and that the proposed land use was not compatible with surrounding properties, seconded by Commissioner Traina. The motion carried 6-1 with Commissioner Hoover in opposition.

Chairman Cole stated that this case will be forwarded to City Council on April 25, 2006 with a recommendation to disapprove.

[REDACTED] public hearing and consider a request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze [REDACTED] rezone approximately 22.221 acres, being a part of the Thomas Robnette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District), located on the south side of Watercrest Road and west of Bachelor Button Boulevard, Killeen, Texas.

Mr. Robert Mitchell, Mitchell & Associates, 102 N. College Street, Killeen, was present to represent this case. Mr. Mitchell noted that the proposed development on this property was similar to the previous apartment development with the exception that it would be targeted to military personnel. Amenities of the property would include gated entrance, greenspace, swimming pool, clubhouse, covered parking, and individually leased bedroom units.

Chairman Cole opened the public hearing.

The following spoke in opposition to this rezoning:

- Lucas Cioffi
- Jared Hill

Those in opposition referenced concerns about the potential effects of a fourplex development in this location, including increased crime, vehicular/pedestrian traffic congestion, incompatibility with neighboring lands, absentee ownership leading to a lack of accountability/maintenance, the inability for Watercrest Road to handle the increased traffic in its current condition.

With no one else requesting to speak, Chairman Cole closed the public hearing and staff comments were requested.

Cit Planner Allemand stated that this request is submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis

Schulze to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas. The applicant intends to zone the property in order to construct multi-family residences for military personnel. Mr. Allemand noted that a Planned Unit Development (PUD) could accomplish the intended use and allow the City to establish mitigating conditions.

A letter of notification was mailed to three (3) property owners in the 200-foot notification area. One response was received in opposition.

Commissioner Frederick asked staff the time frame for improvement to Watercrest Road.

Interim City Engineer Nett stated that improvement to Watercrest Road was identified as a priority but will still be about four years before construction begins.

Commissioner Hoover stepped away from the dais momentarily.

Commissioner Langford motioned to postpone consideration of Zoning Case #06-16 to the next regularly scheduled meeting of the Planning and Zoning Commission, seconded by Commissioner Frederick. The motion carried 4-3 with Commissioners Traina, Autry and Hoover in opposition.

Chairman Cole stated that this case would return to Planning and Zoning on April 24, 2006.

PH-4 HOLD a public hearing and consider a request submitted by Maritza Figueroa (CASE #Z06-17) to rezone approximately 0.280 acre, being part of the Nathan Halbert Survey, Abstract No. 389, from R-1 (Single-Family Residential District) to B-2 (Local Retail District). The property is located at 1403 Trimmier Road, Killeen, Texas.

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

Chairman Cole opened the public hearing.

With no one requesting to speak, Chairman Cole closed the public hearing and staff comments were requested.

City Planner Allemand stated that this request is submitted by Maritza Figueroa to rezone approximately 0.280 acre, being part of the Nathan Halbert Survey, Abstract No. 389, from R-1 (Single-Family Residential District) to B-2 (Local Retail District). The property is located at the northwest intersection of Trimmier Road and Mary Jane Drive, locally known as 1403 Trimmier Road, Killeen, Texas. The applicant intends to zone the property for use as a daycare center.

A letter of notification was mailed to nine (9) property owners in the 200-foot notification area. No responses were received.

Commissioner Langford motioned to approve Zoning Case #Z06-17, seconded by Commissioner Traina. The motion carried 6-1 with Commissioner Hoover in opposition.

Chairman Cole stated that this case would be forwarded to City Council on April 25, 2006 with a recommendation to approve.

PH-5 HOLD a public hearing and consider a request submitted by Ana Vazquez (CASE #Z06-18) to rezone approximately 0.426 acre, being part of the G. W. Farris Survey, Abstract No. 306, from R-1 (Single-Family Residential District) to B-5 (Business District), locally known as 4606 Old Florence Road, Killeen, Texas.

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

Chairman Cole opened the public hearing.

The following spoke in support of this rezoning:

- Ludergio Vazquez
- Mr. Chimeno, Attorney for Ana Vazquez

The following spoke in opposition to this rezoning:

- Gerald Helmandollar
- Bill Henke, Jr.

Those in opposition referenced concerns that the applicant is currently residing on the property, that Old Florence Road is not in good enough condition to handle an increase in commercial traffic, and that cooking odors from the commercial kitchen would impose on the surrounding residential area.

With no one else requesting to speak, Chairman Cole closed the public hearing and staff comments were requested.

City Planner Allemand stated that this request is submitted by Ana Vazquez to rezone approximately 0.426 acre, being part of the G. W. Farris Survey, Abstract No. 306, from R-1 (Single-Family Residential District) to B-5 (Business District). The property is located on the east right-of-way of Old Florence Road and approximately 49 feet north of W. Stan Schlueter Loop, locally known as 4606 Old Florence Road, Killeen, Texas. The applicant intends to develop the property as a commercial site.

A letter of notification was mailed to seven (7) property owners in the 200-foot notification area. Two responses in opposition were received which represent 28.19% of the surrounding property owners.

Mr. Hoover stated concerns as to whether or not the current property would be required to be brought up to commercial standards, such as screening requirement between residential and commercial property, safety standards for the current building.

City Planner Allemand stated that any development on the property would be required to meet commercial building standards. He further noted that screening would be required and that the existing structure would have to be removed before a building permit could be issued, as the structure encroached into the minimum building setback.

Commissioner Autry motioned to disapprove Zoning Case #Z06-18 for the following reasons: adverse impact on neighboring property and is inconsistent with current zonings in the area, seconded by Commissioner Traina. The motion carried 5-2 with Commissioners Langford and Frederick in opposition.

Chairman Cole stated that this case will be forwarded to City Council on April 25, 2006 with a recommendation to disapprove.

- PH-6 A. HOLD** a public hearing and consider a request submitted by Young Bok Kim and Ki Sup Son (Case #Z06-19) to rezone approximately 0.819 acre out of the Thomas Robinett Survey, Abstract No. 686, from B-2 (Local Retail District) to B-3 (Local Business District), located at 4002 Watercrest Road, Killeen, Texas. (Concurrent Plat – CASE #06-023FMS: KIM & SON ADDITION)

Michelle Lee, Killeen Engineering & Surveying, 2901 E. Stan Schlueter Loop, Killeen, was present to represent this case.

Chairman Cole asked Mr. Yong what the use for the 7000 foot retail structure that is planned. Mr. Yong was unsure of the proposed use was.

Chairman Cole opened the public hearing.

The following spoke in opposition to this rezoning:

- Jacob Weltsch

His concerns were increased traffic, noise and the existing commercial structures and feels that there is not a need for this property to be zoned to B-3.

With no one else requesting to speak, the public hearing was closed and staff comments were requested

City Planner Allemand stated that this request is submitted by Young Bok Kim and Ki Sup Son to rezone approximately 0.819 acre out of the Thomas Robinett Survey, Abstract No. 686, from B-2 (Local Retail District) to B-3 (Local Business District). The property is located at the southeast intersection of Watercrest Road and Robinett Road, locally known as 4002 Watercrest Road, Killeen, Texas. The applicant intends to develop this

property as a commercial site. This zoning case has a concurrent plat case #06-023FMS: Kim & Son that is not dependent on this zoning for plat approval.

A letter of notification was mailed to sixteen (16) property owners in the 200-foot notification area. Two responses in opposition within the 200 foot notification area were received by mail. A petition was received with nine signatures – two oppositions from non-property owners within the notification area, two oppositions submitted by property owners outside of the notification area and four responses from within the notification area (two of which had already submitted the standard objection form).

Mr. Langford asked what business could be in B-3 that is not allowed in B-2. City Planner stated that gas stations, dry cleaners and heavier retail stores are indicative of the types of development allowed in B-3 that are not allowed in B-2.

Commissioner Hoover motioned to approve Zoning Case #06-19, seconded by Vice Chair Frederick. The motion carried 4-2 with Commissioners Traina and Hicks in opposition and Commissioner Kim abstaining.

Chairman Cole stated that this case would be forwarded to City Council on April 25, 2006 with a recommendation to approve.

- B** Consider a request submitted by Young Bok Kim and Ki Sup Son (CASE #06-023FMS: KIM & SON ADDITION) for a final plat of approximately 0.819 acre being out of the Thomas Robinett Survey, Abstract 686, locally known as 4002 Watercrest Road, Killeen, Texas.

Michelle Lee, Killeen Engineering & Surveying, 2901 E. Stan Schlueter Loop, Killeen, was present to represent this case.

City Planner Allemand noted that all required corrections were completed and stated that the plat complied with all City of Killeen Development Regulations. Staff recommended the Commission approve the plat.

Commissioner Frederick motioned to approve Plat Case #06-023FMS: Kim and Son Addition, seconded by Commissioner Langford. The motion carried unanimously.

Chairman Cole stated that the case was approved.

- PH-7 HOLD** a public hearing and consider a request submitted by RSBP Developers, Inc. (CASE #Z06-20) to rezone approximately 101.220 acres out of the Lewis Riddle Survey, Abstract No. 1096, the C. T. Bourland Survey, Abstract No. 137, the J. B. Harris Survey, Abstract No. 452, and the Lewis Riddle Survey, Abstract. No. 719, from A (Agricultural District) to R-1 (Single-Family Residential District), located south of Stagecoach Road, east of East Trimmier Road and adjacent to Phases 2 and 3 of White Rock Estates, Killeen, Texas.

Michelle Lee, Killeen Engineering & Surveying, 2901 E. Stan Schlueter Loop, Killeen, was present to represent this case.

Chairman Cole opened the public hearing.

With no one requesting to speak, the public hearing was closed and staff comments were requested.

City Planner Allemand stated that this request is submitted by RSBP Developers, Inc. to rezone approximately 101.220 acres out of the Lewis Riddle Survey, Abstract No. 1096, the C. T. Bourland Survey, Abstract No. 137, the J. B. Harris Survey, Abstract No. 452, and the Lewis Riddle Survey, Abstract. No. 719, from A (Agricultural District) to R-1 (Single-Family Residential District). The property is located approximately 2,572 feet south of Stagecoach Road and approximately 1,560 feet east of East Trimmier Road, Killeen, Texas. The applicant intends to zone and plat the property as the fourth phase of the White Rock Estates in order to construct single-family residences.

A letter of notification was mailed to four (4) property owners in the 200-foot notification area. No responses were received.

Commissioner Langford motioned to approve Zoning Case #06-20, seconded by Commissioner Traina. The motion carried unanimously.

Chairman Cole stated that this case will be forwarded to City Council on April 25, 2006 with a recommendation to approve.

PH-8 HOLD a public hearing and consider a request submitted by Jay Wisner III (CASE #Z06-22) to rezone approximately 0.247 acres from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District), located at 1609 N 10th Street, Killeen, Texas

This case was withdrawn prior to the commencement of the Planning and Zoning Commission Meeting.

OTHER ITEMS

COMMISSION & STAFF ITEMS AND FUTURE AGENDAS
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- I. Attendance chart (for your information).
- II. Discuss and consider revisions to the Planning and Zoning Commission's Rules and Procedures.

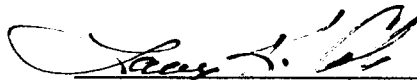
Commissioners were directed to bring comments on the Commission's Rules and Procedures to the next meeting for review and action by the commission.

- III. Discuss amendments to Chapter 31 regarding overlay districts for a future university site and the Texas State Veteran's Cemetery.

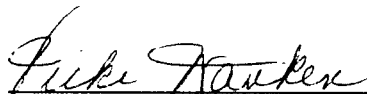
Commissioners were advised to review the amendments to Chapter 31 ordinance and have comments ready for discussion and consideration at the meeting on April 24, 2006.

ADJOURNMENT

Chairman Cole adjourned the Planning and Zoning Meeting at 8:03 p.m. The next regularly scheduled meeting for the Planning and Zoning Commission is **April 24, 2006** at 6:00 p.m., in the Council Chambers at 101 North College Street, Killeen.



Larry Cole,
Chairman, Planning & Zoning Commission



Vicki Wanken
Planning Assistant

**MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
MAY 8, 2006
CITY HALL 101 N. COLLEGE STREET
COUNCIL CHAMBERS**

ROLL CALL

PRESENT: Larry Cole, Chairman

Commission: Johnny Frederick, Vice Chair; Robert Hicks; Craig Langford;
Walter Autry; Miguel Diaz, Jr.

Staff: Thomas C. Dann, Director of Planning; Andrew Allemand,
City Planner; John P. Nett, Interim City Engineer; James Parker,
Assistant City Attorney; Vicki Wanken, Planning Assistant

ABSENT: Bobby Hoover; Eugene Kim; Terry Traina

CALL TO ORDER – 6:00 P.M. – CITY HALL COUNCIL CHAMBERS

Chairman Cole called the meeting of the Planning and Zoning Commission to order at 6:00 p.m.

APPROVAL OF AGENDA

Commissioner Frederick motioned to approve the agenda as published, seconded by Commissioner Diaz. The motion carried unanimously.

CONSENT AGENDA

- CA-1 Consider approval of the Minutes for the Regular Meeting of the Planning and Zoning Commission of **April 24, 2006.**

- CA-3 Consider a request submitted by Weldon Whitis (Case #06-020FS: Marriott Addition, Phase 3) for a final plat of approximately 2.106 acres being a part of the Nathan Halbert Survey, Abstract No. 389, located on the south right-of-way of Central Texas Expressway (Highway 190), east of Florence Road and adjacent to the Elite Hospitality Addition, Killeen, Texas.

- CA-4** Consider a request submitted by W&B Development (Case #06-028FS: Savannah Heights, Phase III) for a final plat of approximately 31.20 acres, being part of the Robert Cunningham Survey, Abstract No. 158, located east of Deerwood Estates Subdivision and north of Stagecoach Road, Killeen, Texas.
- CA-5** Consider a request submitted by Pat Duncan and Judy Kay Duncan (Case #06-030FS: Duncan Addition) for a final plat of approximately 2.110 acres, being part of the William Shelbourne Survey, Abstract No. 1254, located at 3202 Little Nolan Road, Killeen, Texas.

Commissioner Frederick motioned to approve the consent agenda with CA-2 moved to Public Hearings for further discussion, seconded by Commissioner Autry. The motion carried unanimously.

Chairman Cole stated that the above plat cases with the exception of CA-2 will be forwarded to City Council on May 23, 2006 with a recommendation to approve.

CITIZENS PETITIONS FOR INFORMATION

No one requested to speak.

PUBLIC HEARING

- CA-2** Consider a request submitted by Joel Duran (Case #06-019FS: Tobas Addition) for a final plat of approximately 2.144 acres, being a part of the Andrew McMillin Survey, Abstract No. 559, located on the northeast corner of Polk Street and Westcliff Road, Killeen, Texas.

Mr. Robert Mitchell, Mitchell & Associates, 102 N. College, Killeen, was present to represent this case.

Chairman Cole opened a public hearing.

Steve Cunningham, 2709 Polk Street, Killeen, spoke with concerns on this plat case and presented the Commissioners with a list of concerned residents on Polk Street.

Chairman Cole requested staff comments at this time.

City Planner Allemand stated that this request is submitted by Joel Duran for a final plat of approximately 2.144 acres, being a part of the Andrew McMillin Survey, Abstract No 559, located on the northeast corner of Polk Street and Westcliff Road, Killeen, Texas. The property is currently zoned R-1 (Single-Family Residential District) and the applicant's proposed development consists of 6 single-family residential lots.

The Staff Review Committee met on May 1, 2006 in a Correction Validation Meeting. Staff concurred that all required corrections were completed and that the plat is in full

compliance with City of Killeen development regulations. Staff recommends the Planning and Zoning Commission approve the plat.

City Engineer John Nett addressed the concerns expressed in the petition presented by Mr. Cunningham. Mr. Lueck and City Engineer Nett inspected the area and determined that the street back of curb to back of curb is 25 feet. The issue of access for fire and EMS to the residents of Polk Street was evaluated and Mr. Nett stated that a traffic control management plan will be required with submittal of the construction plans. The traffic engineer suggested that one option is restricting parking to one or both sides of the street. He assured Mr. Cunningham that street cuts would be done one at a time and at the end of the work day the street cuts would be covered either by backfilling or plates if backfilling was not possible due to the work not being finished. Mr. Nett stated that providing sewer service through the proposed street cuts was evaluated as the most cost-effective method by the applicant's design engineer.

Director Dann stated that the Engineering Division would consider placing traffic control signs on Polk Street as a way of mitigating traffic concerns.

Commissioner Langford motioned to approve Plat Case #06-019FS, seconded by Commissioner Diaz. The motion carried unanimously.

Chairman Cole stated that this case will be forwarded to City Council on May 23, 2006.

ZONINGS

~~PLAT CASE #06-019FS~~ public hearing and consider a request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze ~~to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.~~

Mr. Robert Mitchell, Mitchell & Associates, 102 N. College, Killeen, was present to represent this case.

Chairman Cole opened the public hearing and with no one requesting to speak the public hearing was closed and staff comments were requested.

City Planner Allemand stated that this request is submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

The applicant previously submitted an R-1 to R-3 request which was tabled by the Commission. The applicant withdrew his R-3 case and resubmitted the PUD request. The proposed apartment project development is a gated community consisting of 333 bedroom units targeted as an upscale housing for military personnel stationed at Fort Hood. The complex will be retained under single ownership and all common areas will be maintained by the corporation. Please review the attachments illustrating the site plan and detailing the development regulations and amenities to be adopted as part of the PUD, along with any other restrictions or safeguards deemed appropriate by the Commission. The applicant is not seeking to negotiate down any development regulations, but has instead submitted the PUD as protection to the City that an upscale apartment complex will be constructed on the property instead of another allowable R-3 use.

A letter of notification was mailed to three (3) property owners in the 200-foot notification area. No responses were received.

Commissioner Langford motioned to recommend approval of Zoning Case #Z06-16, seconded by Commissioner Frederick. The motion carried unanimously.

Chairman Cole stated that this case will be forwarded to City Council on May 23, 2006 with a recommendation to approve.

PH-2 HOLD a public hearing and consider a request submitted by David and Freda Wooldridge (Case #Z06-25) to rezone approximately 1.583 acres, being part of the Azra Webb Survey Abstract No. 857 from R-1 (Single-Family Residential District) to B-5 (Business District), located northwest of the intersection of E. Stan Schlueter Loop and S. W.S. Young Drive, locally known as 4407 Onion Road, Killeen, Texas.

Mr. David Wooldridge, 4407 Onion Road, Killeen, was present to represent this case and presented to the Commission a compliance report from Code Enforcement.

The applicant was questioned as to prospective uses of the property and whether or not a more-restrictive commercial zoning would be acceptable. Mr. Wooldridge stated that he had a contract with a third party that was contingent on securing the B-5 zoning, noting that he could not agree to a more-restrictive zoning without consulting the prospective buyer.

Chairman Cole opened the public hearing and with no one requesting to speak the public hearing was closed and staff comments were requested.

City Planner Allemand stated that this request is submitted by David and Freda Wooldridge to rezone approximately 1.583 acres, being part of the Azra Webb Survey Abstract No. 857 from R-1 (Single-Family Residential District) to B-5 (Business District). The property is located approximately 930 feet northwest of the intersection of E. Stan Schlueter Loop (FM 3470) and S. W.S. Young Drive, locally known as 4407

Onion Road, Killeen, Texas. The property is addressed off of Onion Road because the passage easement was established prior to the extension of W.S. Young Drive from Elms Road to Stan Schlueter Loop. The applicant intends to zone and market the site as commercial property.

A letter of notification was mailed to twenty (20) property owners in the 200-foot notification area. Four letters in opposition were received. Mr. Allemand noted that the objection for this case exceeded 20-percent of the surrounding property ownership and that an affirmative $\frac{3}{4}$ majority vote at Council would be required for approval.

Commissioner Autry motioned to recommend approval of Zoning Case #Z06-25, seconded by Commissioner Hicks. The motion failed 2-3 with Commissioners Diaz, Langford and Frederick in opposition.

Commissioner Langford motioned to recommend disapproval of Zoning Case #Z06-25 for the reason that it does not conform to the use of surrounding property, seconded by Commissioner Diaz. The motion carried 3-2 with Commissioners Autry and Hicks in opposition.

Chairman Cole stated that this case will be forwarded to City Council on May 23, 2006 with a recommendation to disapprove.

PH-3 HOLD a public hearing and consider a request submitted by Killeen Area Investment corporation (Case #Z06-28) to rezone approximately 6.426 acres of the J. J. Roberts Survey, Abstract No. 731 from M-1 (Manufacturing District) to R-3 (Multi-Family Residential District), located approximately 820 feet south of Veterans Memorial Boulevard on the west side of Dogwood Boulevard, Killeen, Texas.

Mr. Robert Mitchell, Mitchell & Associates, 102 N. College, Killeen, was present to represent this case.

Chairman Cole opened the public hearing and with no one requesting to speak the public hearing was closed and staff comments were requested.

City Planner Allemand stated that this request is submitted by the Killeen Area Investment Corporation to rezone approximately 6.426 acres part of the J.J. Roberts Survey, Abstract No. 731 from M-1 (Manufacturing District) to R-3 (Multi-Family Residential District). The property is located on the west right-of-way of Dogwood Drive, approximately 820 feet south of Veteran's Memorial Boulevard (Business Highway 190), Killeen, Texas. The applicant has indicated the intent to develop the property into fourplex lots.

A letter of notification was mailed to four (4) property owners in the 200-foot notification area. No responses were received.

Commissioner Frederick motioned to recommend approval of Zoning Case #Z06-28, seconded by Commissioner Langford. The motion carried 3-2 with Commissioners Autry and Hicks in opposition..

Chairman Cole stated that this case will be forwarded to City Council on May 23, 2006 with a recommendation to approve.

PH-4 HOLD a public hearing and consider a request submitted by Michael MacHardy (Case #Z06-29) to rezone approximately 1 acre, being part of the G.W. Farris Survey, Abstract No. 306 from R-1 (Single-Family Residential District) to B-4 (Business District), locally known as 4309 Old Florence Road, Killeen, Texas.

Mr. Vernon MacHardy, Killeen, was present to represent this case.

Chairman Cole opened the public hearing and with no one requesting to speak the public hearing was closed and staff comments were requested.

City Planner Allemand stated that this request is submitted by Michael MacHardy to rezone approximately 1 acre, being part of the G.W. Farris Survey, Abstract No. 306 from R-1 (Single-Family Residential District) to B-4 (Business District). The property is located along the west right-of-way of Old Florence Road, approximately 1,300 feet north of Stan Schlueter Loop, locally known as 4309 Old Florence Road, Killeen, Texas. The applicant is rezoning this property for the construction of a glass shop.

A letter of notification was mailed to eight (8) property owners in the 200-foot notification area. One response with no comment was received.

Staff was requested to explain the nature of the surrounding area in relation to the current zoning. Mr. Allemand noted that the property along Old Florence Road was originally zoned R-1 upon annexation and that the current uses consist of mixed, grandfathered commercial and residential activities such as single-family residences, a junkyard and wrecking service, an auto-repair shop, a heating and air-conditioning servicing agency, and construction material sales.

Commissioner Langford motioned to recommend approval of Zoning Case #Z06-29, seconded by Commissioner Diaz. The motion carried 3-2 with Commissioners Autry and Hicks in opposition.

Chairman Cole stated that this case will be forwarded to City Council on May 23, 2006 with a recommendation to approve.

REPLATS

PH-5 HOLD a public hearing and consider a request submitted by Tejas Self Storage #1, #2, #3, #4, #5, #6, #7, L.P. (Case #06-032RS: Tejas Self Storage) for approximately 5.006 acres, being a replat of Lot 1, Block 1, 195 Plaza Addition, locally known as 4401 Fort Hood Street, Killeen, Texas.

Mr. Robert Mitchell, Mitchell & Associates, 102 N. College, Killeen, was present to represent this case.

Chairman Cole opened the public hearing and with no one requesting to speak the public hearing was closed and staff comments were requested.

City Planner Allemand stated that this request is submitted by Tejas Self Storage #1, #2, #3, #4, #5, #6, #7, L.P., on approximately 5.006 acres, being a replat of Lot 1, Block 1, 195 Plaza Addition. The property is located on the west right-of-way of Fort Hood Street (SH 195), approximately 1,500 feet south of the intersection of Elms Road and SH 195, Killeen Texas. The property is currently zoned B-3 (Local Business District) and B-5 (Business District). The applicant has indicated the intent to combine commonly-owned lots in order to construct a self-storage facility on the property.

The Staff Review Committee met on May 1, 2006 in a Correction Validation Meeting. Staff concurred that all required corrections were completed and that the plat is in full compliance with City of Killeen development regulations. Staff recommends the Planning and Zoning Commission approve the plat.

Commissioner Diaz motioned to approve Plat Case #06-032RS, seconded by Commissioner Langford. The motion carried unanimously.

Chairman Cole stated that this case will be forwarded to City Council on May 23, 2006.

MISCELLANEOUS ITEMS

PH-6 HOLD a public hearing regarding off-premises advertising signs for homebuilders and other real-estate entities, including, but not limited to the establishment of a consolidated advertising sign kiosk system and possible revisions to Chapter 31 of the Killeen Code of Ordinances.

Chairman Cole called upon Director Dann who suggested that the public hearing be held and address any issues during the discussion of the following agenda item.

Chairman Cole opened the public hearing.

The following spoke in opposition to the kiosk sign system:

- Linda Carey, Centex Homes
- Jack Smith, 7325 Harmon Road, Copperas Cove

Concerns stated are:

- Limits homebuilders and realtors on advertising
- Limited space on a kiosk

Chairman Cole closed the public hearing.

OTHER ITEMS

- OI-1** Discuss and consider a recommendation to City Council regarding off-premises advertising signs for homebuilders and other real-estate entities, including, but not limited to the establishment of a consolidated advertising sign kiosk system and possible revisions to Chapter 31 of the Killeen Code of Ordinances.

Director Dann advised the Commission that staff is not prepared to present an ordinance tonight. A member of the City Council called attention to the fact there were several off premises signs not in compliance with the Code of Ordinance, when the issue was referred back to the Commission when the chairman appointed a sign-subcommittee to research this. The kiosk sign was one of the options and not what was desired by the Home Builders Association or the Board of Realtors. They preferred that staff look into changing the ordinance to provide for off-premises real estates signs. They recommended some changes to the production of a ordinance. Director Dann recommends that the Commission task the staff to develop the ordinance along the lines recommended by the Board of Realtors to be presented at the next P&Z Meeting and at that time the Commissioners may consider the ordinance.

Chairman Cole asked is staff would have time to prepare the draft, distribute to the Home Builders Association and the Board of Realtors and present at the next regular meeting. Mr. Dann stated that it is possible and if not then it would come back to a later meeting of the Planning and Zoning Commission.

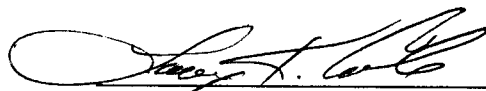
COMMISSION & STAFF ITEMS AND FUTURE AGENDAS

- I. Attendance chart (for your information).
- II. Discuss and consider revisions to the Planning and Zoning Commission's Rules and Procedures.

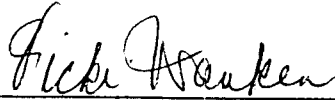
Commissioner Frederick motioned to approve the revisions to the Planning and Zoning Commission's Rules and Procedures; seconded by Commissioner Langford. The motion passed unanimously and was adopted to become effective at the next Planning and Zoning Commission Meeting on May 22, 2006.

ADJOURNMENT

Chairman Cole adjourned the Planning and Zoning Meeting at 7:32 p.m. The next regularly scheduled meeting for the Planning and Zoning Commission is **May 22, 2006** at 6:00 p.m., in the Council Chambers at 101 North College Street, Killeen, Texas.



Larry Cole, Chairman, Planning & Zoning Commission

A handwritten signature in cursive script that reads "Vicki Wanken".

Vicki Wanken
Planning Assistant



**AGENDA
REGULAR MEETING
PLANNING AND ZONING COMMISSION
MAY 8, 2006
CITY HALL
101 N. COLLEGE STREET
COUNCIL CHAMBERS**

WORKSHOP - 5:15 PM - CONFERENCE ROOM

- I. Discuss agenda items for the **May 8, 2006** regular Planning and Zoning Commission Meeting.

CALL TO ORDER – 6:00 PM – CITY HALL COUNCIL CHAMBERS

ROLL CALL

COMMISSION	STAFF
<input type="checkbox"/> Larry Cole, Chairman	<input type="checkbox"/> Thomas Dann, Director of Planning
<input type="checkbox"/> Johnny Frederick, Vice Chair	
<input type="checkbox"/> Miguel Diaz, Jr.	<input type="checkbox"/> Andrew Allemand, City Planner
<input type="checkbox"/> Walter Autry	
<input type="checkbox"/> Robert Hicks, Sr.	<input type="checkbox"/> John Nett, P.E., Interim City Engineer
<input type="checkbox"/> Bobby Lee Hoover	
<input type="checkbox"/> Eugene Kim	<input type="checkbox"/> James Parker, Assistant City Attorney
<input type="checkbox"/> Craig Langford	
<input type="checkbox"/> Terry Traina	<input type="checkbox"/> Vicki Wanken, Planning Assistant

APPROVAL OF AGENDA

Consider approval of the Agenda for the Regular Meeting of the Planning and Zoning Commission for **May 8, 2006**.

CONSENT AGENDA

- CA-1** Consider approval of the Minutes for the Regular Meeting of the Planning and Zoning Commission of **April 24, 2006**.
- CA-2** Consider a request submitted by Joel Duran (Case #06-019FS: Tobas Addition) for a final plat of approximately 2.144 acres, being a part of the Andrew McMillin Survey, Abstract No. 559, located on the northeast corner of Polk Street and Westcliff Road, Killeen, Texas.
(This request is scheduled to be heard by the City Council on May 23, 2006)

- CA-3** Consider a request submitted by Weldon Whitis (Case #06-020FS: Marriott Addition, Phase 3) for a final plat of approximately 2.106 acres being a part of the Nathan Halbert Survey, Abstract No. 389, located on the south right-of-way of Central Texas Expressway (Highway 190), east of Florence Road and adjacent to the Elite Hospitality Addition, Killeen, Texas.
(This request is scheduled to be heard by the City Council on May 23, 2006)
- CA-4** Consider a request submitted by W&B Development (Case #06-028FS: Savannah Heights, Phase III) for a final plat of approximately 31.20 acres, being part of the Robert Cunningham Survey, Abstract No. 158, located east of Deerwood Estates Subdivision and north of Stagecoach Road, Killeen, Texas.
(This request is scheduled to be heard by the City Council on May 23, 2006)
- CA-5** Consider a request submitted by Pat Duncan and Judy Kay Duncan (Case #06-030FS: Duncan Addition) for a final plat of approximately 2.110 acres, being part of the William Shelbourne Survey, Abstract No. 1254, located at 3202 Little Nolan Road, Killeen, Texas.
(This request is scheduled to be heard by the City Council on May 23, 2006)

CITIZENS PETITIONS FOR INFORMATION

PUBLIC HEARING

ZONINGS

- PH-1 HOLD** a public hearing and consider a request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze (Case #Z06-16) to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.
(This request is scheduled to be heard by the City Council on May 23, 2006)
- PH-2 HOLD** a public hearing and consider a request submitted by David and Freda Wooldridge (Case #Z06-25) to rezone approximately 1.583 acres, being part of the Azra Webb Survey Abstract No. 857 from R-1 (Single-Family Residential District) to B-5 (Business District), located northwest of the intersection of E. Stan Schlueter Loop and S. W.S. Young Drive, locally known as 4407 Onion Road, Killeen, Texas.
(This request is scheduled to be heard by the City Council on May 23, 2006)
- PH-3 HOLD** a public hearing and consider a request submitted by Killeen Area Investment corporation (Case #Z06-28) to rezone approximately 6.426 acres of the J. J. Roberts Survey, Abstract No. 731 from M-1 (Manufacturing District) to R-3 (Multi-Family residential District), located approximately 820 feet south of Veterans Memorial Boulevard on the west side of Dogwood Boulevard, Killeen, Texas.
(This request is scheduled to be heard by the City Council on May 23, 2006)

- PH-4 HOLD** a public hearing and consider a request submitted by Michael MacHardy (Case #Z06-29) to rezone approximately 1 acre, being part of the G.W. Farris Survey, Abstract No. 306 from R-1 (Single-Family Residential District) to B-4 (Business District), locally known as 4309 Old Florence Road, Killeen, Texas.
(This request is scheduled to be heard by the City Council on May 23, 2006)

REPLATS

- PH-5 HOLD** a public hearing and consider a request submitted by Tejas Self Storage #1, #2, #3, #4, #5, #6, #7, L.P. (Case #06-032RS: Tejas Self Storage) for approximately 5.006 acres, being a replat of Lot 1, Block 1, 195 Plaza Addition, locally known as 4401 Fort Hood Street, Killeen, Texas.
(This request is scheduled to be heard by the City Council on May 23, 2006)

MISCELLANEOUS ITEMS

- PH-6 HOLD** a public hearing regarding off-premises advertising signs for homebuilders and other real-estate entities, including, but not limited to the establishment of a consolidated advertising sign kiosk system and possible revisions to Chapter 31 of the Killeen Code of Ordinances.

OTHER ITEMS

- OI-1** Discuss and consider a recommendation to City Council regarding off-premises advertising signs for homebuilders and other real-estate entities, including, but not limited to the establishment of a consolidated advertising sign kiosk system and possible revisions to Chapter 31 of the Killeen Code of Ordinances.

COMMISSION & STAFF ITEMS AND FUTURE AGENDAS

- I. Attendance chart (for your information).
- II. Discuss and consider revisions to the Planning and Zoning Commission's Rules and Procedures.

ADJOURNMENT

The next regularly scheduled meeting for the Planning and Zoning Commission is **May 22, 2006** at 6:00 p.m., in the Council Chambers at 101 North College Street, Killeen.

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

AMERICANS WITH DISABILITIES ACT

This meeting is being conducted in accordance with the Texas Open Meetings Law [V.T.C.A., Government Code, § 551.001 et seq.]. This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for those services, please call 254-501-7700, City Manager's Office, or TDD 1-800-734-2989.

I certify that the above notice of meeting was posted on the bulletin board at City Hall and the Police Department of the City of Killeen, Texas, **on May 5, 2006**, before 5:00 p.m.

Andrew Allemand, City Planner



**AGENDA
REGULAR MEETING
PLANNING AND ZONING COMMISSION
APRIL 10, 2006
CITY HALL
101 N. COLLEGE STREET
COUNCIL CHAMBERS**

WORKSHOP - 5:15 PM - CONFERENCE ROOM

- I. Discuss agenda items for the **April 10, 2006** Regular Planning and Zoning Commission Meeting.
- II. Discuss possible amendments to the City's Code of Ordinances establishing zoning districts for apartment complexes and mixed-use entertainment facilities.
- III. Discuss non-conforming zoning issues related to the separation of the residential and commercial zoning pyramids.
- IV. Discuss vehicular maneuvering requirements for two-family residences on multi-family zoned property.

CALL TO ORDER – 6:00 PM – CITY HALL COUNCIL CHAMBERS

ROLL CALL

COMMISSION	STAFF
<input type="checkbox"/> Larry Cole, Chairman <input type="checkbox"/> Johnny Frederick, Vice Chair <input type="checkbox"/> Miguel Diaz, Jr. <input type="checkbox"/> Walter Autry <input type="checkbox"/> Robert Hicks, Sr. <input type="checkbox"/> Bobby Lee Hoover <input type="checkbox"/> Eugene Kim <input type="checkbox"/> Craig Langford <input type="checkbox"/> Terry Traina	<input type="checkbox"/> Thomas Dann, Director of Planning <input type="checkbox"/> Andrew Allemand, City Planner <input type="checkbox"/> John Nett, P.E., Acting City Engineer <input type="checkbox"/> James Parker, Assistant City Attorney <input type="checkbox"/> Vicki Wanken, Planning Assistant

APPROVAL OF AGENDA

Consider approval of the Agenda for the Regular Meeting of the Planning and Zoning Commission for **April 10, 2006.**

CONSENT AGENDA

- CA-1** Consider approval of the Minutes for the Regular Meeting of the Planning and Zoning Commission of **March 13, 2006**.
- CA-2** Consider approval of the Minutes for the regular Meeting of the Planning and Zoning Commission of **March 27, 2006**.
- CA-3** Consider a request submitted by Thomkar, Inc, a Texas Corporation (#05-40FMS: H.C.W. ADDITION, PHASE TWO) for a final plat of approximately 0.493 acre out of the Julia Stevens Survey, Abstract No. A-745, located on the west side of Clear Creek Road and north of W. Stan Schlueter Loop, Killeen, Texas.
- CA-4** Consider a request submitted by Willie Walk and Hyon C. Walk (#06-012FS: MESA VERDE, PHASE 2) for a final plat of approximately 3.059 acres being part of the G. C. and S. F. R. R. Survey, Abstract No. 1080, located south side of FM 2842, east of SH 195 and west of Tally Ho in the ETJ of Killeen, Texas.

CITIZENS PETITIONS FOR INFORMATION

PUBLIC HEARING

ZONINGS

- PH-1 HOLD** a public hearing and consider a request submitted by Rosa Maria Solis Gabor (CASE #Z06-13) to rezone approximately 3 acres, being Lot 13, Block 3, Llewelyn Estates from R-1 (Single-Family Residential District) to B-5 (Business District) with RC-1 (Restaurant and Alcohol Sales District) for property locally known as 4501 Onion Road, Killeen, Texas.
(This request is scheduled to be heard by the City Council on April 25, 2006)
- PH-2 HOLD** a public hearing and consider a request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze (CASE #Z06-15) to rezone approximately 10.220 acres, being a part of the Thomas Robinett Survey, Abstract No. 686 from A (Agricultural District) to R-3 (Multi-Family Residential District), located on the east side of Clear Creek Road and north of Desert Willow Drive, Killeen, Texas.
(This request is scheduled to be heard by the City Council on April 25, 2006)
- PH-3 HOLD** a public hearing and consider a request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze (CASE #Z06-16) to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District), located on the south side of Watercrest Road and west of Bachelor Button Boulevard, Killeen, Texas.
(This request is scheduled to be heard by the City Council on April 25, 2006)

PH-4 HOLD a public hearing and consider a request submitted by Maritza Figueroa (CASE #Z06-17) to rezone approximately 0.280 acre, being part of the Nathan Halbert Survey, Abstract No. 389, from R-1 (Single-Family Residential District) to B-2 (Local Retail District). The property is located at 1403 Trimmier Road, Killeen, Texas.

(This request is scheduled to be heard by the City Council on April 25, 2006)

PH-5 HOLD a public hearing and consider a request submitted by Ana Vazquez (CASE #Z06-18) to rezone approximately 0.426 acre, being part of the G. W. Farris Survey, Abstract No. 306, from R-1 (Single-Family Residential District) to B-5 (Business District), locally known as 4606 Old Florence Road, Killeen, Texas.

(This request is scheduled to be heard by the City Council on April 25, 2006)

PH-6

A. HOLD a public hearing and consider a request submitted by Young Bok Kim and Ki Sup Son (CASE #Z06-19) to rezone approximately 0.819 acre out of the Thomas Robinett Survey, Abstract No. 686, from B-2 (Local Retail District) to B-3 (Local Business District), located at 4002 Watercrest Road, Killeen, Texas. (Concurrent Plat – CASE #06-023FMS: KIM & SON ADDITION)

(This request is scheduled to be heard by the City Council on April 25, 2006)

B Consider a request submitted by Young Bok Kim and Ki Sup Son (CASE #06-023FMS: KIM & SON ADDITION) for a final plat of approximately 0.819 acre being out of the Thomas Robinett Survey, Abstract 686, locally known as 4002 Watercrest Road, Killeen, Texas.

PH-7 HOLD a public hearing and consider a request submitted by RSBP Developers, Inc. (CASE #Z06-20) to rezone approximately 101.220 acres out of the Lewis Riddle Survey, Abstract No. 1096, the C. T. Bourland Survey, Abstract No. 137, the J. B. Harris Survey, Abstract No. 452, and the Lewis Riddle Survey, Abstract. No. 719, from A (Agricultural District) to R-1 (Single-Family Residential District), located south of Stagecoach Road, east of East Trimmier Road and adjacent to Phases 2 and 3 of White Rock Estates, Killeen, Texas.

(This request is scheduled to be heard by the City Council on April 25, 2006)

PH-8 HOLD a public hearing and consider a request submitted by Jay Wisner III (CASE #Z06-22) to rezone approximately 0.247 acres from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District), located at 1609 N 10th Street, Killeen, Texas.

(This request is scheduled to be heard by the City Council on April 25, 2006)

OTHER ITEMS

COMMISSION & STAFF ITEMS AND FUTURE AGENDAS
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- I. Attendance chart (for your information).
- II. Discuss and consider revisions to the Planning and Zoning Commission's Rules and Procedures.

- III. Discuss amendments to Chapter 31 regarding overlay districts for a future university site and the Texas State Veteran's Cemetery.

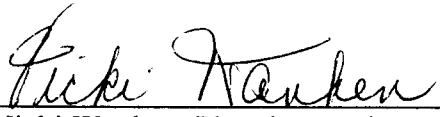
ADJOURNMENT

The next regularly scheduled meeting for the Planning and Zoning Commission is **April 24, 2006** at 6:00 p.m., in the Council Chambers at 101 North College Street, Killeen.

This meeting is being conducted in accordance with the Texas Open Meetings Law [V.T.C.A., Government Code, §551.001 *et seq.*].

This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Sign interpretive services are available on requests received at least 48 hours prior to the meeting. To make arrangements for those services, please call 501-7600, City Manager's Office, or (TDD) 1-800-RELAY TX (1-800-734-2989).

I certify that the above notice of meeting was posted on the bulletin board at City Hall and the Police Department of the City of Killeen, Texas, **on April 7, 2006**, before 5:00 p.m.



Vicki Wanken, Planning Assistant

MEMORANDUM

TO: PLANNING AND ZONING COMMISSION

FROM: ANDREW ALLEMAND *AA*
CITY PLANNER

DATE: MAY 4, 2006

SUBJECT: ZONING CASE #Z06-16
R-1 TO PUD W/R-3

This request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas.

The applicant previously submitted an R-1 to R-3 request which was tabled by the Commission. The applicant withdrew his R-3 case and resubmitted the PUD request. The proposed apartment project development is a gated community consisting of 333 bedroom units targeted as an upscale housing for military personnel stationed at Fort Hood. The complex will be retained under single ownership and all common areas will be maintained by the corporation. Please review the attachments illustrating the site plan and detailing the development regulations and amenities to be adopted as part of the PUD, along with any other restrictions or safeguards deemed appropriate by the Commission. The applicant is not seeking to negotiate down any development regulations, but has instead submitted the PUD as protection to the City that an upscale apartment complex will be constructed on the property instead of another allowable R-3 use.

A letter of notification was mailed to three (3) property owners in the 200-foot notification area.

**THE CITY OF KILLEEN
REQUEST FOR ZONING CHANGE OR SPECIFIC/SPECIAL USE PERMIT**

*JPN
5-1-04*

CASE NUMBER: Z06-16

DATE: March 31, 2006

1. APPLICANT:

Name: Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze and Dennis L. Schulze
 Received: \$200.00
 Present Zoning: R-1 (Single-Family Residential District)
 Proposed Zoning/Permit: R-3 (Multi-Family Residential District)
 Requested Time Period: N/A
 Proposed Use: Residential
 Address/General Location: south of Watercrest Road and east of Clear Creek Road
 Legal Description of Property: 22.221 acres part of the Thomas Robinett Survey, Abs No 686

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.) _____

C. Community Infrastructure

- (1) Paving of street giving principal access to subject property:
 - a. Meets City standards for composition and width *JPN*
 - 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 *JPN*
 - 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 *Unknown*
 - 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 _____	_____	_____	_____



CITY OF KILLEEN
PUBLIC WORKS / PLANNING

April 24, 2006

RE: CASE #Z06-16; Request by Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze and Dennis L. Schulze, to rezone from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 Zoning (Multi-Family Residential District) for approximately 22.221 being part of the Thomas Robinett Survey, Abstract No. 686. The property is located on the south side of Watercrest Road, East of Clear Creek Road and west of Bachelor Button Boulevard, Killeen, Texas.

Dear Property Owner:

Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze and Dennis L. Schulze, 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 **May 8, 2006 at 6:00 p.m.**, in the City Council Chambers, 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 **5:00 p.m., May 8, 2006**.

After the Planning and Zoning meeting, this matter will be forwarded to the City Council on **May 23, 2006 at 6:00 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
Planning Assistant
Attachments

RE: CASE #Z06-16; Request by Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze and Dennis L. Schulze, to rezone from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 Zoning (Multi-Family Residential District) for approximately 22.221 being part of the Thomas Robinett Survey, Abstract No. 686. The property is located on the south side of Watercrest Road, East of Clear Creek Road and west of Bachelor Button Boulevard, Killeen, Texas.

YOUR NAME:	
CURRENT ADDRESS:	
ADDRESS OF PROPERTY OWNED:	
COMMENTS:	
SIGNATURE:	S PO #06-16/

A AGRICULTURAL DISTRICT	A-R1 AGRICULTURAL SINGLE-FAMILY RESIDENTIAL	R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT	R-2 TWO-FAMILY RESIDENTIAL DISTRICT	R-3 MULTIFAMILY RESIDENTIAL DISTRICT	HOME OCCUPATIONS PERMITTED	NOT INCLUDED AS HOME OCCUPATION
<p>Stables, commercial or private Agricultural uses to include animal and crop production, horticulture, and supporting housing Home occupations as permitted in "R-1" Accessory buildings customarily incident to the uses in "A-R1"</p>	<p>Single-Family Residential Home occupation as permitted in "R-1" Accessory buildings customarily incident to the uses in Division 3</p>	<p>One-family dwellings Churches/Places of worship Colleges/universities Country Clubs/Golf courses except miniature golf courses driving ranges or other forms of commercial amusement Farms, nurseries or truck gardens no poultry or livestock other than household pets shall be housed within 100 feet of any property line Parks, Playgrounds, community buildings-owned/operated by city or public agency Public Buildings (libraries, museums, police & fire sts) Real estate sales offices during the development of residential subdivisions not to exceed 2 yrs Schools, Public Elementary or High, Private with curriculum equivalent to public schools Temporary Buildings Incidental to construction work on premises Accessory Buildings customarily incident to the uses in Division 4 Water supply reservoirs, towers, and pumping plants Cemetery</p>	<p>Two-Family Dwellings All uses allowed in section "R-1", with the exception of one-family dwellings, including those defined as home occupations.</p>	<p>Multifamily dwellings Any use permitted in "R-2" Boarding and lodging houses Dormitories for students Fraternity or sorority houses Religious, educational, charitable or philanthropic institutions Accessory buildings customarily incident to the uses in Division 8</p>	<p>Author, Artist, Sculptor Dressmaker, Seamstress or Tailor Music/Dance Teacher one (1) pupil at a time Individual tutoring Minister, rabbi or priest Home crafts such as rug weaving, model making Office facility of: a) Architect, attorney, engineer, insurance agent, Accountant, real estate Broker or similar profession b) sales or manufacturers representative, service provider Repair Shops: for small electrical appliances (irons, portable fans, typewriters, cameras) provided the item does not have an internal combustion engine Food Preparation: Cake maker, provided there is compliance with all state health laws</p>	<p>Animal hospitals/clinics commercial stables or kennels. Schools of instruction with more than 1 pupil. Restaurants Automobile/boat repair Doctor, dentist, vet or other medically related offices Retail sales Laudromats (with more than one washer / dryer) Barber/Beauty Shops Mortuaries Private Clubs Trailer rentals Carpentry work Repair Shops or Service establishments Photo developing or studio Upholstering Antique Shops Gift Shops Repair shops for any item with an internal combustion engine Others that would be classified as assembly, factory-industrial, hazardous, institutional or mercantile as defined by 1988 Standard Building Code</p>
<p>RM-1 RESIDENTIAL MODULAR HOME SINGLE-FAMILY DISTRICT</p>	<p>RI-A SINGLE-FAMILY GARDEN HOME RESIDENTIAL DISTRICT</p>	<p>RT-1 RESIDENTIAL TOWNHOUSE SINGLE-FAMILY DISTRICT</p>	<p>R-MP MOBILE HOME DISTRICT</p>	<p>R-MS MANUFACTURED HOUSING DISTRICT</p>	<p>PUD Division Eight Land use design incorporating Concepts of density & Common Space - entire parcel must Be assigned one or more Standard zoning district classifications</p>	
<p>All uses permitted in "R-1" One-family dwellings of modular construction and affixed to a permanent foundation Restricted to this district</p>	<p>Single-Family dwellings meeting the criteria of the garden home district All uses allowed in "R-1" including those defined as home occupation</p>	<p>All buildings shall be limited to townhouse development and accessory buildings and uses described in section 31-186</p>	<p>Mobile home, conforming to the current ordinance regulating same, either as part of a mobile home park, or, provided that mobile trailer parks in existence on date of the ordinance of which this section is derived All incidental uses All other mobile home parks are nonconforming.</p>	<p>Manufactured housing shall be part of a manufactured home subdivision for occupancy as a single-family home, shown on a subdivision plat designed specifically for and restricted to manufactured home development</p>		
<p>ART IV, DIV 2</p>	<p>ART IV, DIV 3</p>	<p>ART IV, DIV 4</p>	<p>ART IV, DIV 7</p>	<p>ART IV, DIV 8</p>	<p>ART IV, DIV 4</p>	<p>ART IV, DIV 4</p>

B-1 PROFESSIONAL BUSINESS DISTRICT	B-2 LOCAL RETAIL DISTRICT	B-3 LOCAL BUSINESS DISTRICT	B-4 BUSINESS DISTRICT	B-5 BUSINESS DISTRICT	M-1 MANUFACTURING DISTRICT	M-2 HEAVY MANUFACTURING
<p>ART IV, DIV 10</p> <p>Any use permitted in Sec 31-186, with exception of R-1 dwellings Physical Therapy Clinic laboratory</p> <p>Dispensing Optician Dispensing apothecary Dental Laboratory Offices of Practitioners of recognized professions (doctors, dentists, lawyers, architects, certified public accountants, registered engineers and related professions)</p>	<p>ART IV, DIV 11</p> <p>Any use in "B-1 or B-2C"</p> <p>Appliance (household) sales Bakery Shop (retail sales only) Barber Shop, beauty shop To include perm cosmetics Construction field office and yard, on the job site for duration of construction only Cleaning or laundry (self-service) using fully automatic equipment Washers, capacity not more than 40 lbs. Dryers or extractors, capacity not more than 60 lbs., dry cleaning machines Custom personal services, shops, i.e a health studio, answering service, typing service, tailor, employment agency, FMJ piped music service, income tax service, letter or mailing service, marriage counselor, Secretarial service or shoe repair</p>	<p>ART IV, DIV 12</p> <p>Any use permitted in "B-2"</p> <p>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 empl Boat and accessory sales, rentals & svc Bowling alleys Cleaning or laundry (Self-service) Cleaning, pressing and dyeing with six 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 principal bldg, whichever is greater General food products, retail sales, supermarkets, butcher shops, dairy stores, seafood sales, or health food Catereria 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 17 X 25 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 Mindful storage, no outside storage storage, sales, service, rental</p>	<p>ART IV, DIV 13</p> <p>Any use permitted in "B-3"</p> <p>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 being nearer than 20 feet from required front line of principal bldg 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 rental) Bakery or confectionery wholesale Bomb shelter (as principal 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/wine for off-premises consumption only Garment manufacturing in space of 4,000 feet or less, all loading & unloading off-street SUP (Specific Use Permit) A Specific Use Permit is granted under the provisions of this division shall be considered only an addition to the uses permitted on a particular tract of land</p>	<p>ART IV, DIV 14</p> <p>Any use permitted in "B-4"</p> <p>Building Material and Lumber sales (outside storage allowed) Storage Warehouse: Less than 100,000 square feet Newspaper or job printing Bus or Railroad passenger terminal Tire Recapping or Retreading Trailer Rental or Sales Wholesale House Auto Parts Sales, Used No outside storage, display or dismantling A customarily incidental use Any commercial use not 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, Chap 146, as amended)</p>	<p>ART IV, DIV 19</p> <p>Any use permitted in "B-5", except the sale of beer, wine and/or any other alcoholic beverages for off-premises consumption at retail</p> <p>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 Feed mill Petroleum or chemical products manufacture (indoor) Planing mill Railroad yard, roundhouse shop Textile or garment manufacture Automobile, mobile home heavy equipment manufacture Electroplating Sewage treatment plant Electrical equipment or appliance manufacture (lg) Furniture, cabinet, kitchen equipment manufacture Oil well tools, oil well equipment manufacture Aircraft, aircraft hardware or parts manufacture A customarily incidental use</p>	<p>ART IV, DIV 19</p> <p>Any use permitted in "M-1"</p> <p>Grain Elevator Flour Mill Yeast Plant Petroleum or chemical products bulk storage Planing Mill Clay Products Manufacture Galvanizing Hot-Dip Metal Process Any building or premises may be used for any purpose not now or heretofore prohibited by any provision of law, provided however, that no building shall be erected, reconstructed, or structurally altered for residential purpose, except for resident Watchmen and caretaker employed further that no building or occupancy permit shall be issued for any of the following uses until Use shall have the location of such building approved by the board of adjustment Cotton or cottonseed processing or storage Paper manufacture Poultry raising or processing Stockyards, feed pens, livestock sales with barns Animal Slaughtering or meat packing Boiler works Fireworks and munitions or storage Fertilizer manufacture Salvage or reclamation of products (outside) Stone, sand gravel or mineral extraction Auto wrecking or salvage yard, in conformance w/ current ordinance No use allowed in this district shall be construed to include the sale of beer, wine and/or any other alcoholic beverages at retail</p>
<p>B-DC BUSINESS DAYCARE</p> <p>Day Care Center SUP (Special Use Permit) Airport, landing field or Strip for aircraft Amusement park not w/ In 300' of any "R" district Circus for carnival grounds But not w/in 300' of any "R" district Commercial, recreational or Amusement divp for Temp or seasonal periods Hospital, clinic or institution Provided that it is permitted In any "R-1", "R-1A" & "R-2" Office Bldg of civic, religious, charitable org conducting activities primarily by mail & not handling merch or rendering svcs on the premises, only in R-3 Prty operated community Bldg or rec field Mobile home not more than One Mfd per 10 acres in Unplatted resid zoned dist Sale of Beer or wine &/or Any other alcoholic bev for</p>	<p>Drugstore or pharmacy Electric utility substation Florist (retail), 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 consumer goods Studio for photography, interior decoration, fine arts instruction, or sale of art objects Telephone exchange building A customarily incidental use Drop-in care centers</p>	<p>Floris, 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/wine for off-premises consumption only Garment manufacturing in space of 4,000 feet or less, all loading & unloading off-street SUP (Specific Use Permit) A Specific Use Permit is granted under the provisions of this division shall be considered only an addition to the uses permitted on a particular tract of land</p>	<p>RC-1</p> <p>Restaurant permitted to offer Alcoholic beverages for sale Operating under rules & regulations of TABC, as amended all of which are adopted hereby and made a part of heretof for all purposes. Any Commercial non-residential Use permitted in B-3, B-4 or B-5 District in which the restaurant is Located excluding the sale of Beer, wine, or any other Alcoholic beverages for on-Premises consumption or the Operation of a private club Under any other provision of</p>	<p>B-C-1 GENERAL BUSINESS & ALCOHOL SALES DISTRICT</p> <p>Any use in B-5 Business establishments dispensing alcoholic beverages under the TABC, in accordance With permits issued Business establishments</p>		



CITY OF KILLEEN
PUBLIC WORKS / PLANNING

April 24, 2006

RE: CASE #Z06-16; Request by Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze and Dennis L. Schulze, to rezone from R-1 (Single-Family Residential District) to PUD (Planned Unit Development) with R-3 Zoning (Multi-Family Residential District) for approximately 22.221 being part of the Thomas Robinett Survey, Abstract No. 686. The property is located on the south side of Watercrest Road, East of Clear Creek Road and west of Bachelor Button Boulevard, 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 **May 8, 2006, 6:00 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 is required to 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 is scheduled for **May 23, 2006, at 6:00 p.m.**, in the Council Chambers, City Hall, 101 North College Street, Killeen, Texas.

Sincerely,

Vicki Wanken
Planning Assistant

Enclosure

ENCLOSURE "1"

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

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

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

B. Specific/Special Use Permit

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

06-16-1
BYNUM, GORDON
1826 RICHARD AVENUE
HOUSTON TX 77098

06-16/Owner
SCHULZE, DENNIS L ETAL
468 ANTELOPE TRAIL
KILLEEN TX 76542

06-16/Agent
MITCHELL & ASSOCIATES
102 N. COLLEGE STREET
KILLEEN TX 76540

06-16/Owner
SCHULZE, DENNIS L ETAL
ROUTE 2, BOX C23
KILLEEN TX 76542

06-16/Applicant
BRENT LITTLE-PLACE PROPERTIES
5605 N. MACARTHUR BLVD, 10TH
FLOOR
IRVING TX 75038

06-16/2
KILLEEN SUNFLOWER INC
C/O PURSER, GARY W. SR
2901 E STAN SCHLUETER LOOP
KILLEEN TX 76542

06-16/3
BEATTY, JAY R. TRUSTEE
3106 S WS YOUNG DRIVE STE D401
KILLEEN TX 76542

MEMORANDUM

TO: PLANNING AND ZONING COMMISSION

**FROM: ANDREW ALLEMAND
CITY PLANNER**

DATE: APRIL 5, 2006

**SUBJECT: ZONING CASE #Z06-16
R-1 TO R-3**

This request submitted by Marie Bucholz, Marvin Schulze, Eldon Schulze, Weldon Schulze, Harlan Schulze, Charles Schulze and Dennis Schulze to rezone approximately 22.221 acres, being a part of the Thomas Robinette Survey, Abstract No 686, from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District). The property is located on the south right-of-way of Watercrest Road and approximately 133 feet west of Bachelor Button Boulevard, Killeen, Texas. The applicant intends to zone the property in order to construct multi-family residences for military personnel.

A letter of notification was mailed to three (3) property owners in the 200-foot notification area.

Mitchell & Associates, Inc.

ENGINEERING & SURVEYING

April 18, 2006

City of Killeen
Attn: Mr. Andrew Allemand, City Planner
P.O. Box 1329
Killeen, Texas 76540-1329

Re: Case No. Z06-16 Place Properties, Request to Rezone to R-3

Dear Mr. Allemand;

As a result of the Planning and Zoning Commission's action to table the rezone request for the subject property, Mitchell & Associates, Inc. is requesting on behalf of Place Properties to withdraw the proposed zoning to R-3 so that we can submit a zoning request for a PUD with R-3.

Thank you for your time and attention to this matter.

Sincerely,

Mike W. Kriegel, P.E., R.P.L.S.
Principal
Mitchell & Associates, Inc.



CITY OF KILLEEN
PUBLIC WORKS / PLANNING

March 27, 2006

RE: CASE #Z06-16; Request by Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze and Dennis L. Schulze, to rezone from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District) for approximately 22.221 being part of the Thomas Robinett Survey, Abstract No. 686. The property is located south side of Watercrest Road and East of Clear Creek Road, Killeen, Texas.

Dear Property Owner:

Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze and Dennis L. Schulze, 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 April 10, 2006 at 6:00 p.m., in the City Council Chambers, 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 5:00 p.m., April 10, 2006.

After the Planning and Zoning meeting, this matter will be forwarded to the City Council on April 25, 2006 at 6:00 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

received
4-7-06

YOUR NAME:	GORDON BYNUM, TRUSTEE
CURRENT ADDRESS:	1826 RICHMOND AVE., HOUSTON, TX 77098
ADDRESS OF PROPERTY OWNED:	WATERCREST FRONTAGE TO WEST OF SUBJECT PROPERTY
COMMENTS:	
SIGNATURE:	<i>Gordon Bynum</i>

I AM FOR ANYTHING THAT WILL ENHANCE THE NEIGHBORHOOD SUCH AS AN UPSCALE GATED APARTMENT COMMUNITY BUT I WOULD BE AGAINST A FOURPLEX DEVELOPMENT AND WOULD PROTEST.



CITY OF KILLEEN

PUBLIC WORKS / PLANNING

March 27, 2006

RE: CASE #Z06-16; Request by Marie E. Bucholz, Marvin R. Schulze, Eldon W. Schulze, Weldon E. Schulze, Harlan E. Schulze, Charles J. Schulze and Dennis L. Schulze, to rezone from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District) for approximately 22.221 being part of the Thomas Robinett Survey, Abstract No. 686. The property is located south side of Watercrest Road and East of Clear Creek Road, Killeen, Texas.

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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 is scheduled for **April 25, 2006, at 6:00 p.m.**, in the Council Chambers, City Hall, 101 North College Street, Killeen, Texas.

Sincerely,

Vicki Wanken
Planning Assistant

Enclosure



CITY OF KILLEEN
PUBLIC WORKS / PLANNING

March 27, 2006

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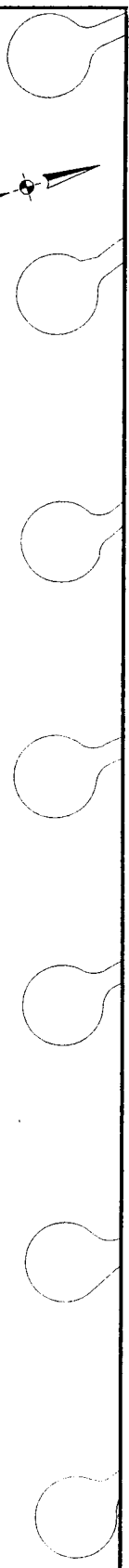
After the Planning and Zoning meeting, this matter will be forwarded to the City Council on **April 25, 2006 at 6:00 p.m.**, where you may also appear and speak.

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

Sincerely,

Vicki Wanken
Planning Assistant
Attachments

YOUR NAME:
CURRENT ADDRESS:
ADDRESS OF PROPERTY OWNED:
COMMENTS:
SIGNATURE:



WATERCREST ROAD

KILLEEN CITY LIMITS

5108

5002

Bynum (1)

R5
#04-55
0572981400

104 Beauty
R5
#03-09
#04-14
0572980800

Schulze, Dennis

Killeen Sunflower

R2
#04-28
0572270300

R5
#05-50
0572980000

R2
#05-53
0572270001

R2
#05-53
0572270001

R2
#05-53
4903

R2
#05-53
4901

R2
#05-53
4811

R2
#05-53
4809

R2
#05-53
4807

R2
#05-53
4805

R2
#05-53
4803

BLK 22
R2
#05-53
4801

R2
#05-53
4711

R2
#05-53
4709

R2
#05-53
4707

R2
#05-53
4705

R2
#05-53
4703

R2
#05-53
4701

R1
#00-57
0572980000

Dennis L. Schulze ETAL

AUTUMN VALLEY DRIVE

Killeen Sunflower

R2
#05-53
3909

R2
#05-53
3908

R2
#05-53
3907

R2
#05-53
3906

R1-A #05-53 11	R1-A #05-53	R1-A #05-53 BLK 20 13	R1-A #05-53 14
2407	2405	2403	2401

WISTERIA LANE

2406	2404	2402	2400
18		16 BLK 19	15
R1-A #05-53	R1-A #05-53	R1-A #05-53	R1-A #05-53
R1-A #05-53 11	R1-A #05-53	R1-A #05-53 13	R1-A #05-53 14
2407	2405	2403	2401

JASMINE LANE

2406	2404	2402	2400
18		16 BLK 18	15
R1-A #05-53	R1-A #05-53	R1-A #05-53	R1-A #05-53
R1-A #05-53 11	R1-A #05-53	R1-A #05-53 13	R1-A #05-53 14
2407	2405	2403	2401

HYDRANGEA AVE.

2406	2404	2402	2400
18		16 BLK 17	15
R1-A #05-53	R1-A #05-53	R1-A #05-53	R1-A #05-53
R1-A #05-53 11	R1-A #05-53	R1-A #05-53 13	R1-A #05-53 14
2407	2405	2403	2401

LAVENDER LANE

2406	2404	2402	2400
18		16 BLK 16	15
R1-A #05-53	R1-A #05-53	R1-A #05-53	R1-A #05-53
R1-A #05-53 11	R1-A #05-53	R1-A #05-53 13	R1-A #05-53 14
2407	2405	2403	2401

R5 #05-53	R2 #05-53 1	R2 #05-53 2	R2 #05-53 3	R2 #05-53 4	R2 #05-53 5	R2 #05-53 6	R2 #05-53 7	R2 #05-53 8	R2 #05-53 9	R2 #05-53 10	R2 #05-53 11	R2 #05-53 12	BLK 22 R2 #05-53 13	R2 #05-53 14	R2 #05-53 15	R2 #05-53 16	R2 #05-53 17	R2 #05-53 18	R2 #05-53 19	R2 #05-53 20
2305	2303	2301	2211	2209	2207															

BACHELOR BUTTON BLVD

0572270001
0572270000

Killeen Sunflower

R1-A
#05-53
13

R5
#05-53

DATE: 03/15/06
1 LOT(S)
22.221 ACRES

ZONING CASE # 06-16
FROM R-1 TO R-3



CITY OF KILLEEN
PLANNING DEPT.

06-16 Property Owner Report

3/21/2006

SITEADD	OWNNAME	OWNERADD	OWNCITYST	GEOID	LOTNO	BLOCKNO	ZONING
5108 WATERCREST RD, 5108 WATERCREST RD, 5108 WATERCREST RD, 5108	SCHULZE, DENNIS L ETAL <i>owner</i>	468 ANTELOPE TRL	KILLEEN TX 76542-5009	0572980000, 0572980000, 0572980000, 0572270000		B-5
5002 CLEAR CREEK RD							R1
4703 AUTUMN VALLEY DR				0572270000	8	22	R2
4705 AUTUMN VALLEY DR				0572270000	9	22	R2
4707 AUTUMN VALLEY DR				0572270000	10	22	R2
2305 BACHLOR BUTTON BLVD				0572270000	6	22	R2
4709 AUTUMN VALLEY DR				0572270000	11	22	R2
4711 AUTUMN VALLEY DR				0572270000	12	22	R2
4801 AUTUMN VALLEY DR				0572270000	13	22	R2
4803 AUTUMN VALLEY DR				0572270000	14	22	R2
2303 BACHLOR BUTTON BLVD				0572270000	5	22	R2
4805 AUTUMN VALLEY DR				0572270000	15	22	R2
4807 AUTUMN VALLEY DR				0572270000	16	22	R2
4809 AUTUMN VALLEY DR				0572270000	17	22	R2
2301 BACHLOR BUTTON BLVD				0572270000	4	22	R2
4811 AUTUMN VALLEY DR				0572270000	18	22	R2
4901 AUTUMN VALLEY DR				0572270000	19	22	R2

Shirley...

06-16 Property Owner Report

3/21/2006

SITEADD	OWNNAME	OWNERADD	OWNCITYST	GEOID	LOTNO	BLOCKNO	ZONING
4903 AUTUMN VALLEY DR				0572270000	20	22	R2
2211 BACHLOR BUTTON BLVD				0572270000	3	22	R2
2209 BACHLOR BUTTON BLVD				0572270000	2	22	R2
2207 BACHLOR BUTTON BLVD				0572270000	1	22	R2
4701 AUTUMN VALLEY DR				0572270000	7	22	R2
2401 JASMINE LN				0572270000	14	19	R1-A
2400 WISTERIA LN				0572270000	15	19	R1-A
2401 HYDRANGEA AVE				0572270000	14	18	R1-A
2400 JASMINE LN				0572270000	15	18	R1-A
2401 LAVENDER LN				0572270000	14	17	R1-A
2400 HYDRANGEA AVE				0572270000	15	17	R1-A
2401 BACHLOR BUTTON BLVD				0572270000	14	16	R1-A
2400 LAVENDER LN				0572270000	15	16	R1-A
2401 WISTERIA LN				0572270000	14	20	R1-A
5002 CLEAR CREEK RD				0572270000			R1
				0572270000			R1

Bill [Signature]

Bell CAD - 2006

Property Owner

Prop ID:
103918

Owner:
SCHULZE, DENNIS L ETAL

Legal:
A-0686 T ROBINETT, 55, 22.661AC

[Property](#) [Improvements](#) [Land](#) [Roll History](#) [Deed History](#) [Tax Due](#) [Summary](#)

Name, Address and Property Information

Owner ID	579483	Property ID	103918 (Real)	Geo ID	0572980000
	SCHULZE, DENNIS L ETAL		A-0686 T ROBINETT, 55, 22.661AC		
Name & Address	468 ANTELOPE TRL KILLEEN, TX 76542- 5009	Legal Description			
% Ownership	100%	Situs	05108 WATERCREST RD KI, TX		
Exemptions	n/a	Neighborhood	30 (Killeen)		
Map ID	28A08 A39				

Property Value and Taxing Jurisdiction Information

		Property Values	
(+)Improvement Homesite Value:	+	n/a	
(+)Improvement Non-Homesite Value:	+	n/a	
(+)Land Homesite Value:	+	n/a	
(+)Land Non-Homesite Value:	+	n/a	Ag / Timber Use Value
(+)Agricultural Market Valuation:	+	n/a	n/a
(+)Timber Market Valuation:	+	n/a	n/a

(=)Market Value:	=	n/a	
(-)Ag or Timber Use Value Reduction:	-	n/a	

(=)Appraised Value:	=	n/a	
(-) HS Cap:	-	n/a	

(=)Assessed Value:	=	n/a	

Owner	Percent Ownership	Total Value
SCHULZE, DENNIS L ETAL	100%	n/a

Entity Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CB BELL COUNTY	0.346500	n/a	n/a	n/a
JCTC CEN TEXAS COLLEGE	0.146000	n/a	n/a	n/a
RRD BELL COUNTY ROAD	0.029500	n/a	n/a	n/a
SKIL KILLEEN ISD	1.558300	n/a	n/a	n/a
TKI CITY OF KILLEEN	0.695000	n/a	n/a	n/a
WCLW CLEARWATER U.W.C.D.	0.004400	n/a	n/a	n/a

Total Tax Rate: 2.7797

Taxes w/Current Exemptions: n/a
Taxes w/o Exemptions: n/a

[Property](#) [Improvements](#) [Land](#) [Roll History](#) [Deed History](#) [Tax Due](#) [Summary](#) [Search](#) [Home](#)

Bell CAD - 2006

Prop ID: 352430 **Owner:** BYNUM, GORDON **Legal:** A-0686 T ROBINETT, 55 6.000AC

[Property](#)
[Improvements](#)
[Land](#)
[Roll History](#)
[Deed History](#)
[Tax Due](#)
[Summary](#)

Name, Address and Property Information

Owner ID	568354	Property ID	352430 (Real)	Geo ID	0572981400
	BYNUM, GORDON 1826 RICHMOND AVE		A-0686 T ROBINETT, 55 6.000AC		
Name & Address	HOUSTON, TX 77098-3510	Legal Description			
% Ownership	100%	Situs	00000 WATERCREST RD KI, TX		
Exemptions	n/a	Neighborhood	30 (Killeen)		
Map ID	28A08				

Property Value and Taxing Jurisdiction Information

		Property Values	
(+)Improvement Homesite Value:	+	n/a	
(+)Improvement Non-Homesite Value:	+	n/a	
(+)Land Homesite Value:	+	n/a	
(+)Land Non-Homesite Value:	+	n/a	Ag / Timber Use Value
(+)Agricultural Market Valuation:	+	n/a	n/a
(+)Timber Market Valuation:	+	n/a	n/a

(=)Market Value:	=	n/a	
(-)Ag or Timber Use Value Reduction:	-	n/a	

(=)Appraised Value:	=	n/a	
(-) HS Cap:	-	n/a	

(=)Assessed Value:	=	n/a	

Owner	Percent Ownership	Total Value
BYNUM, GORDON	100%	n/a

Entity Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CB BELL COUNTY	0.346500	n/a	n/a	n/a
JCTC CEN TEXAS COLLEGE	0.146000	n/a	n/a	n/a
RRD BELL COUNTY ROAD	0.029500	n/a	n/a	n/a
SKIL KILLEEN ISD	1.558300	n/a	n/a	n/a
TKI CITY OF KILLEEN	0.695000	n/a	n/a	n/a
WCLW CLEARWATER U.W.C.D.	0.004400	n/a	n/a	n/a

Total Tax Rate: 2.7797

Taxes w/Current Exemptions: n/a
Taxes w/o Exemptions: n/a

[\[Property\]](#)
[\[Improvements\]](#)
[\[Land\]](#)
[\[Roll History\]](#)
[\[Deed History\]](#)
[\[Tax Due\]](#)
[\[Summary\]](#)
[\[Search\]](#)
[\[Home\]](#)

Bell CAD - 2006

Prop ID:
23737

Owner:
KILLEEN SUNFLOWER INC

Legal:
A-0686 T ROBINETT, 56, 17.281AC

2

Property
Improvements
Land
Roll History
Deed History
Tax Due
Summary

Name, Address and Property Information

Owner ID	548758	Property ID	23737 (Real)	Geo ID	0572270001
Name & Address	KILLEEN SUNFLOWER INC C/O PURSER, GARY W SR 2901 E STAN SCHLUETER LOOP KILLEEN, TX 76542-4593	Legal Description	A-0686 T ROBINETT, 56, 17.281AC		
% Ownership	100%	Situs	04602 WATERCREST RD KI, TX		
Exemptions	n/a	Neighborhood	30 (Killeen)		
Map ID	28A08 A14				

Property Value and Taxing Jurisdiction Information

Property Values

(+) Improvement Homesite Value:	+	n/a	
(+) Improvement Non-Homesite Value:	+	n/a	
(+) Land Homesite Value:	+	n/a	
(+) Land Non-Homesite Value:	+	n/a	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	n/a	n/a
(+) Timber Market Valuation:	+	n/a	n/a

(=) Market Value:	=	n/a	
(-) Ag or Timber Use Value Reduction:	-	n/a	

(=) Appraised Value:	=	n/a	
(-) HS Cap:	-	n/a	

(=) Assessed Value:	=	n/a	

Owner	Percent Ownership	Total Value
KILLEEN SUNFLOWER INC	100%	n/a

Entity Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CB BELL COUNTY	0.346500	n/a	n/a	n/a
JCTC CEN TEXAS COLLEGE	0.146000	n/a	n/a	n/a
RRD BELL COUNTY ROAD	0.029500	n/a	n/a	n/a
SKIL KILLEEN ISD	1.558300	n/a	n/a	n/a
TKI CITY OF KILLEEN	0.695000	n/a	n/a	n/a
WCLW CLEARWATER U.W.C.D.	0.004400	n/a	n/a	n/a
Total Tax Rate: 2.7797				

Taxes w/Current Exemptions:	n/a
Taxes w/o Exemptions:	n/a

Bell CAD - 2004

3

Prop ID: 331305 **Owner:** BEATTY, JAY R TRUSTEE **Legal:** A-0686 T ROBINETT, 1.100AC, (PT OF 1.195AC TRACT)

Property
Improvements
Land
Roll History
Deed History
Tax Due
Summary

Name, Address and Property Information

Owner ID	526807	Property ID	331305 (Real)	Geo ID	0572980300
	BEATTY, JAY R TRUSTEE		A-0686 T ROBINETT, 1.100AC, (PT OF 1.195AC TRACT)		
Name & Address	3106 S W S YOUNG DR STE D401 KILLEEN, TX 76542-2015	Legal Description			
% Ownership	100%	Situs	00000 CLEAR CREEK RD KI, TX		
Exemptions	n/a	Neighborhood	30 (Killeen)		
Map ID	28A08				

Property Value and Taxing Jurisdiction Information

		Property Values	
(+)Improvement Homesite Value:	+	\$0	
(+)Improvement Non-Homesite Value:	+	\$0	
(+)Land Homesite Value:	+	\$0	
(+)Land Non-Homesite Value:	+	\$11,000	Ag / Timber Use Value
(+)Agricultural Market Valuation:	+	\$0	\$0
(+)Timber Market Valuation:	+	\$0	\$0

(=)Market Value:	=	\$11,000	
(-)Ag or Timber Use Value Reduction:	-	\$0	

(=)Appraised Value:	=	\$11,000	
(-) HS Cap:	-	\$0	

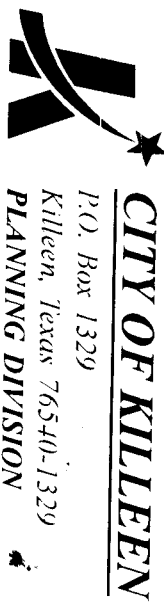
(=)Assessed Value:	=	\$11,000	

Owner	Percent Ownership	Total Value
BEATTY, JAY R TRUSTEE	100%	\$11,000

Entity Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CB BELL COUNTY	0.331500	\$11,000	\$11,000	\$36.47
JCTC CEN TEXAS COLLEGE	0.147000	\$11,000	\$11,000	\$16.17
RRD BELL COUNTY ROAD	0.029500	\$11,000	\$11,000	\$3.25
SKIL KILLEEN ISD	1.558300	\$11,000	\$11,000	\$171.41
TKI CITY OF KILLEEN	0.695000	\$11,000	\$11,000	\$76.45
WCLW CLEARWATER U.W.C.D.	0.004800	\$11,000	\$11,000	\$0.53

Total Tax Rate: 2.7661

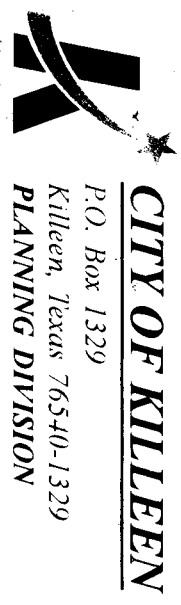
Taxes w/Current Exemptions:	\$304.27
Taxes w/o Exemptions:	\$304.27



CITY OF KILLEEN
 P.O. Box 1329
 Killeen, Texas 76540-1329
PLANNING DIVISION

City of Killeen Planning
 Dept. Building
 1400 14th Street
 Killeen, Texas 76540

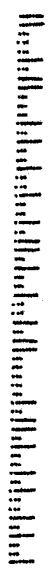
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 29 MAR 2006 PM 5:11
 MAIL FROM ZIP CODE 767



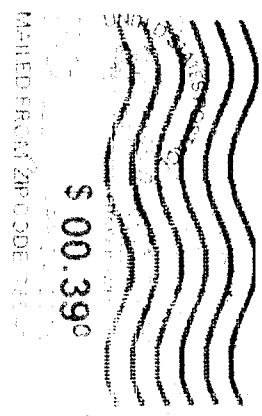
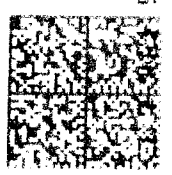
CITY OF KILLEEN
 P.O. Box 1329
 Killeen, Texas 76540-1329
PLANNING DIVISION

06-16/Owner
 SCHULZE, DENNIS L ETAL
 ROUTE 2, BOX C23
 KILLEEN TX 76542

76542+9802



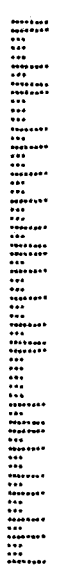
WACO TX 767
 24 APR 2006 PM 5:11
 MAIL FROM ZIP CODE 767



Street order number
 has been changed by
 mail and only one
 year time has expired.

06-16/Owner
 SCHULZE, DENNIS L ETAL
 ROUTE 2, BOX C23
 KILLEEN TX 76542

76542+9802



CITY OF KILLEEN
 Box 1329
 Killeen, Texas 76540-1329

69972

DATE 3/10, 2006

RECEIVED OF Mitchell
Two-hundred-dollars DOLLARS \$ 200.00

Zoning appl. fee #4200
Place Properties
Student zoning By Risacene Jacky