

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH R-2 (TWO FAMILY RESIDENTIAL DISTRICT) AND R-3F (MULTIFAMILY RESIDENTIAL DISTRICT) USES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Quintero Engineering submits this request on behalf of the Donald Earl Nellis and Lenner Hair Nellis Revocable Living Trust to the City of Killeen for a request for an amendment of the Zoning Ordinance of the City of Killeen by changing the classification of approximately 13.556 acres, being part of the R. Cunningham Survey, Abstract No. 199, from “R-1” (Single-Family Residential District) to a Planned Unit Development (PUD) with “R-2” (Two-Family Residential District) and “R-3F” (Multifamily Residential District) uses for a Housing Tax Credit (HTC) eligible project named Hyde Estates, said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 20th day of June 2016 with the following conditions:

- the applicant shall adhere to the submitted site plan, architectural elevations and floorplans attached as Figure 1, Figure 2, and Figure 3;
- the applicant shall match or exceed the façade standards as prescribed by the Texas Department of Housing and Community Affairs’ 2016 Qualified Allocation Plan (QAP); the QAP requires greater than 30 percent stucco or masonry (includes stone, cultured stone, and brick but excludes cementitious siding) on all building exteriors; the percentage calculation may exclude exterior glass entirely;
- the applicant shall provide a minimum of four different color variations within the

project;

- all buildings shall be one-story with the exception of those buildings containing 4-bedroom units;
- the applicant shall satisfy all landscaping and screening requirements set in Killeen Code of Ordinances Sections 31-255.5 and 31-255.7. Specifically, the requirements amount to 68 trees, 204 shrubs and screening around the north, east and south project boundaries;
- the applicant shall provide two play areas, to include universal designed, ADA compliant equipment, as illustrated on the site plan;
- the applicant shall provide an interior sidewalk plan subject to City Council review and approval;
- the applicant shall meet all Hill Country transit (HOP) guidelines and specifications for the bus stop shelter illustrated on the site plan; and
- the applicant shall satisfy City Code for trash receptacles.

and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 12th day of July 2016, 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 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 Planned Unit Development (PUD) with “R-2” (Two-Family Residential District) and “R-3F” (Multifamily Residential District) uses, with those conditions

stipulated by the Planning and Zoning Commission, for approximately 13.556 acres, being part of the R. Cunningham Survey, Abstract No. 199, for property located along the east right-of-way of Cunningham Road, approximately 600' south of its intersection with E. Stan Schlueter Loop (FM 3470), 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 26th day of July 2016, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED:

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Case #16-09

Ord. #

Figure 1. Site Plan

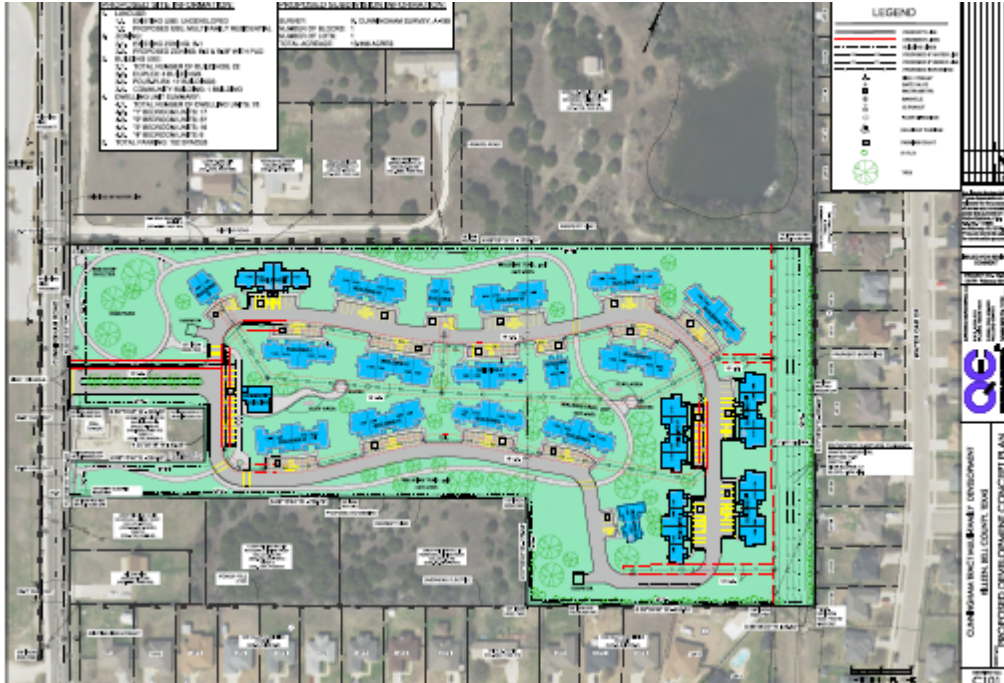


Figure 2. Elevations



Figure 3. Floorplans

