



## STAFF REPORT

**DATE:** October 2, 2018

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

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

**SUBJECT:** Zoning Case #Z18-20 Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District)

### Background and Findings

This request is submitted by Killeen MFD, L.L.C. to rezone Lot 1A, Block 1, Texas Sunflower Addition Amended, from a Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Residential District) in order to revise the PUD concept plan and increase the number of residential units for Thayer Point from 188 to 266. The property is addressed as 5002 Thayer Drive, Killeen, Texas.

The Thayer Point PUD was approved by the City Council on September 22, 2015, per ordinance No. 15-052. The existing PUD allows for a skilled nursing facility and a total of 188 apartment units with the following amenities:

- Resort style pool with decking and pool furniture;
- Outdoor grilling areas with pavers, stone, etc.;
- Pet park;
- Sand volleyball court;
- Coffee bar in the front office;
- Very modern, upscale 24 hour fitness center;
- Parking garages;
- Covered parking with pergola look;
- Media/business center;
- Upscale clubhouse/recreation room;
- Full landscaping package at entries/business office, and ornamental shade trees around the property/perimeter;
- Balcony at every unit.

The purpose of the rezoning request is to add 78 additional residential units as Phase 2 of the development scheme. Specifically, the concept plan illustrates three (3) new three-story apartment buildings being located near the southwest entry of the site nearest Clear Creek Road (S.H. 201). Each of these three apartment buildings will contain 24 residential units. There are three (3) new two-story duplex clusters being proposed near the main entry nearest W. Stan Schlueter Loop (FM 3470), with each cluster containing two 2-story duplex units (6

total). The total number of residential units included in phase 1 and proposed with Phase 2 equal 266; the applicant is allowed a total of 324 units by-right.

#### District Descriptions:

- (a) Uses. A building or premises in a "R-3A" Multifamily Apartment Residential District shall be used only for the following purposes:
- (1) Any use permitted in the "R-1" or "R-2" districts.
  - (2) Multifamily structures containing five (5) or more separate dwelling units, including large apartment complexes with high rise structures.
  - (3) Boarding and lodging houses.
  - (4) Fraternity or sorority houses.
  - (5) Licensed group or community homes housing six (6) or more persons.
  - (6) Dormitories for educational or employment purposes as a primary use.
  - (7) Any group housing activity not otherwise identified in another multifamily or business district.
  - (8) Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a business.
- (b) Planned unit development required. Rezoning applications requesting zoning under this division shall be subject to the requirements of 31-256.9 of this division, if applicable.

#### Sec. 31-256.9. - Planned Unit Development (PUD) required.

- (a) A Planned Unit Development (PUD) as provided in Chapter 31, Article V, Division 8, Killeen Code of Ordinances shall be required for any request for an "R-3F" and/or "R-3A" district when the total acreage of the request alone, or when the total acreage of the request combined with all adjacent areas zoned "R-2", "R-3", "R-3F", and "R-3A", and/or areas within a two-thousand feet radius of any of the property seeking to be rezoned, consist of twenty-five (25) acres or more. The purpose for requiring a PUD is to provide the Planning and Zoning Commission and the City Council with the ability to determine the proposed development's impact on surrounding properties, existing infrastructure and open/recreational space and also to determine whether additional public improvements to serve denser multifamily development are necessary to promote the health, safety and welfare of the development's residents.
- (b) Properties are considered adjacent and subject to the computation of this section if they are continuously zoned for multifamily and/or two family residential use regardless of ownership, property lines, easements or rights-of-way.
- (c) The applicant shall provide any public infrastructure beyond the city's minimum development standards that is required to service the proposed development, including open/recreational space and oversized water, sewer and drainage facilities and greater street widths.
- (d) The applicant is responsible for determining whether or not a PUD is required. However, if the Director of Planning and Development Services determines at any time that a PUD is required and one was not submitted the applicant shall be informed in writing and

they shall either modify their application to include the PUD or withdraw the application and have all associated application fee(s) returned.

A Planned Unit Development (PUD) is a land use design incorporating the concepts of density and common open space. Common open space shall include, but is not limited to, community amenities such as parks, gardens, pedestrian trails, recreation areas, and usable undisturbed, natural areas. The PUD designation serves as an "overlay zoning and development classification." In this capacity, the designation permits specific negotiated development regulations to be applied to the base land use zoning district(s) in which the property is located. When a parcel of land receives a PUD designation, the entire parcel must be assigned one or more standard zoning district classifications. However, the added PUD overlay classification enables the developer of the site to request that specific land use development regulations be applied to his development site. Such specific land use and development regulations shall not take effect until they are reviewed, public hearings held and approved by both the Planning and Zoning Commission and the City Council.

### **Property Specifics**

Applicant / Property Owner: Killeen MFD, L.L.C.

Property Location: The property is addressed as 5002 Thayer Drive, Killeen, Texas.

Legal Description: Lot 1A, Block 1, Texas Sunflower Addition Amended.

Zoning/ Plat Case History:

- The property was rezoned from "B-3" (Local Business District) and "A-R1" (Agricultural Single-Family Residential District) to the current PUD on September 22, 2015, per ordinance No. 15-052.
- The area was most recently platted as Texas Sunflower Addition Amended, which was filed for record on March 21, 2017 as Dedication Instrument No. 2017-10828, Official Records of Bell County, Texas.

Character of the Area: The surrounding land uses consist of conforming and non-conforming single-family residential uses, institutional uses and undeveloped acreage sites.

Existing Land Use(s) on the Property: The property is currently under development and contains the business center and numerous apartment buildings; the adjacent 120- bed skilled nursing center, Killeen Nursing and Rehabilitation, is operational.

Historic Properties: None

### **Community Infrastructure and Environmental Assessment**

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

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

area. Adequate potable water and sanitary sewer capacity is currently available to the tract. An existing potable water transmission main borders the Stan Schlueter Loop frontage of the property, while an existing sanitary sewer gravity interceptor crosses the southeast corner of the subject tract.

#### Transportation:

Existing conditions: The tract has direct access to both Clear Creek Road (S.H. 201) and Stan Schlueter Loop (FM 3470), which are classified as 110' principal arterials on the City's adopted Thoroughfare Plan.

Proposed Improvements: No additional right-of-way improvements are proposed at this time.

Proposed Traffic Generation: If approved, at full build-out, the PUD will include 266 multifamily units. These units will generate 1,769 daily trips with 136 total generated trips during AM peak hour and 165 total generated trips during PM peak hour [note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting].

Environmental Assessment: There are no known wetlands on this property. There are no known environmental issues with the existing or proposed development for this site.

### **Land Use Analysis**

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

Plan Recommendation: The 'General Residential' designation encompasses detached, residential dwelling units, attached housing types, planned developments, as well as parks and public/institutional places. The 'Suburban Commercial' designation encompasses a range of commercial retail and service uses, at varying scales and intensities depending on the site. Characteristics of this designation are their close proximity to residential areas, reduced site coverage and the exclusion of some auto-oriented uses.

Consistency: The PUD proposal is consistent with the Comprehensive Plan.

Public Notification: Staff notified twenty-three (23) surrounding property owners within 400 feet of this property regarding this request. As of the date of this report, staff has received no responses.

### **THE ALTERNATIVES CONSIDERED:**

#### **Which alternative is recommended?**

Staff is not recommending any alternatives.

#### **Why?**

Staff supports the request to rezone the properties.

**CONFORMITY TO CITY POLICY:**

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

**FINANCIAL IMPACT:**

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

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

**Is this a one-time or recurring expenditure?**

This is not applicable.

**Is this expenditure budgeted?**

This is not applicable.

**If not, where will the money come from?**

This is not applicable.

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

This is not applicable.

**RECOMMENDATION:**

The Planning and Zoning Commission recommended approval of the applicant’s request by a vote of 5 to 0, with Commissioner Purser abstaining from the vote. The recommendation is subject to the following conditions:

- (i) Phase Two of the multifamily development shall not exceed a total of 72 apartment units and 6 two-story duplex units;
- (ii) the PUD shall adhere to the attached site plan, to include the secondary pool and cabana area, and additional landscaping as illustrated by the applicant;
- (iii) the architectural façade standards for the apartment development shall be consistent with the architectural elevations (renderings submitted by the applicant); and
- (iv) the architectural façade standards for the two-story duplex clusters shall be consistent with the architectural elevations (renderings submitted by the applicant).

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps

Overall PUD Concept Plan  
Phase 2 Site Plan  
Apartment Architectural Elevation  
Minutes  
Ordinance  
Considerations