



## STAFF REPORT

**DATE:** July 2, 2019  
**TO:** Ronald L. Olson, City Manager  
**FROM:** Dr. Ray Shanaa, Exec. Dir. Of Planning and Development Services  
**SUBJECT:** ZONING CASE #Z19-10: "A" (Agricultural District) to "R-1" (Single-Family Residential District)

### **Background and Findings:**

This request submitted on behalf of Reeces Creek Developers, Ltd. (**Case #Z19-10**) is to rezone approximately 20.409 acres, out of the Eugene LaSere Survey, Abstract No. 527, the W. T. Millsaps Survey, Abstract No. 1041 and the W. Freer Survey, Abstract No. 307, from "A" (Agricultural District) and "R-1" (Single-Family Residential District) to "R-1" (Single-Family Residential District). The property is located east of Bunny Trail and south of Goodnight Ranch Addition, Phase 14, Section 1 (unrecorded plat), Killeen, Texas.

### **"R-1" Single-Family Residential District Description**

A building or premises in the district "R-1" Single-Family Residential district shall be used only for the following purposes:

- (1) One-family dwellings.
- (2) Churches or other places of worship.
- (3) Colleges, universities or other institutions of higher learning.
- (4) Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.
- (5) Farms, nurseries or truck gardens, limited to the proportion and cultivation of plants, provided no retail or wholesale business is conducted on the premises, and provided further that no poultry or livestock other than normal household pets shall be housed within one hundred (100) feet of any property line.
- (6) Parks, playgrounds, community buildings and other public recreational facilities, owned and/or operated by the municipality or other public agency.
- (7) Public buildings, including libraries, museums, police and fire stations.
- (8) Real estate sales offices during the development of residential subdivisions but not to exceed two (2) years. Display residential houses with sales offices, provided that
  - (1) if such display houses are not moved within a period of one (1) year, specific permission must be obtained from the city council for such display houses to remain on their locations.
- (9) Schools, public elementary or high.

- (10) Schools, private with curriculum equivalent to that of a public elementary or high school.
- (11) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
- (12) Water supply reservoirs, pumping plants and towers.
- (13) Accessory buildings and uses, incident to the uses in this section and located on the same lot therewith, not involving the conduct of a retail building.
- (14) A subdivision entry sign, when such sign is located on a lot that abuts a subdivision boundary and fronts on a street entering the subdivision.
- (15) Cemetery

**Property Specifics:**

Applicant / Property Owner: Reeces Creek Developers, Ltd.

Property Location: The property is located east of Bunny Trail and south of Goodnight Ranch Addition, Phase 14, Section 1 (unrecorded plat), Killeen, Texas.

Legal Description: The property is part of the Eugene LaSere Survey, Abstract No. 527, the W. T. Millsaps Survey, Abstract No. 1041 and the W. Freer Survey, Abstract No. 307, Killeen, Texas.

**Zoning/ Plat Case History:**

- There is no recent zoning action for this property.
- The subject property is not platted as part of a subdivision.

**Character of the Area:**

Existing Land Use(s) on the Property: The property contains one homestead residence. The surrounding community is made up of single-family residential dwelling units.

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 located within the City of Killeen municipal utility service area and available to the subject tract. However, it will be necessary to extend public utility infrastructure to each lot, prior to the release of the lot(s) for residential construction purposes.

### **Transportation:**

Existing Conditions: The property has approximately 370' of frontage along Bunny Trail, which has been constructed as a minor arterial as classified on the City's adopted Thoroughfare Plan.

Proposed Improvements: Development of this property will require the construction and acceptance of public streets.

Projected Traffic Generation: A single-family home will generate roughly 10 vehicle trips per day. The project will yield 52 single-family lots and generate 495 total daily trips, with 39 A.M. peak hour trips and 52 P.M. peak hour [note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-10th Edition, provided through Spack Consulting].

### **Environmental Assessment:**

The eastern property boundary abuts a FEMA regulatory Special Flood Hazard Area (SFHA). Currently, runoff exits this parcel in a sheet flow manner and flows in an easterly direction. This runoff discharges into NRC Tributary 1 and flows in a southeastern direction. At the time of development the current drainage design manual and infrastructure design and development standards will be applicable to this site. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for the subject property, shall coordinate connectivity to all publicly dedicated infrastructure with the Public Works Department.

### **Land Use Analysis:**

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

Plan Recommendation: The 'General Residential' designation encourages a mix of single-family types, public and institutional uses, parks and public spaces.

Consistency: The applicant's zoning request is consistent with the Comprehensive Plan.

### **Public Notification:**

Staff notified forty-eight (48) surrounding property owners that own land within 400' of the subject site regarding this request. Staff received one response of opposition and two individuals spoke in opposition during the Planning and Zoning Commission meeting.

### **THE ALTERNATIVES CONSIDERED:**

The City Council may approve or disapprove the applicant's zoning request, or approve of a more restrictive zoning district.

**Which alternative is recommended?** Staff is recommending that the City Council approve the applicant's zoning request.

**Why?** The applicant's zoning request is consistent with the Comprehensive Plan's FLUM and is compatible with the surrounding residential community.

**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; however, subsequent development and dedication of public infrastructure will involve the expenditure of maintenance funds over the life cycle of future development.

**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 "R-1" Single-Family Residential district zoning request by a vote of 4 to 1, with Commissioner Gukeisen in opposition to the motion.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Minutes  
Ordinance  
Pharr vs. Tippitt  
Response