



ZONING CASE #19-06: “UD” with C.U.P.  
for “RT-1” to “UD” with C.U.P. for “R-2”

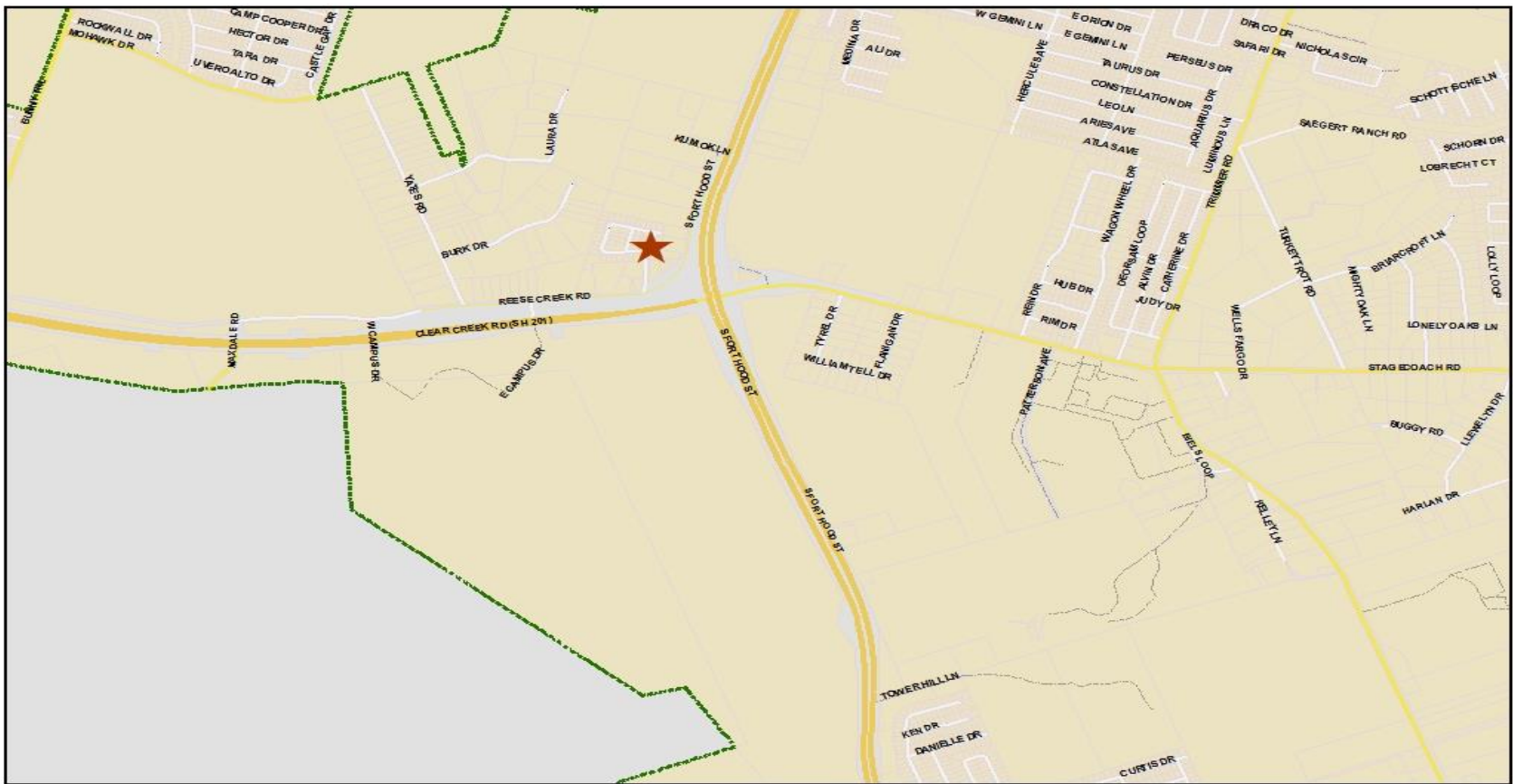
PH-19-012

May 7, 2019

# Case #Z19-06: “UD” with C.U.P. for “RT-1” to “UD” with C.U.P. for “R-2”

2

- Mitchell & Associates, Inc. submits this request on behalf of William R. and Robbie A. Dunivan to rezone approximately 1 acre out of the M.T. Martin Survey, Abstract No. 963 and the William Freer Survey, Abstract No. 517, from University District (“UD”) with a Conditional Use Permit (C.U.P.) for “RT-1” (Residential Townhouse Single-Family District) to University District (“UD”) with a Conditional Use Permit (C.U.P.) for “R-2” (Two-Family Residential District).
- The property is located southeast of Study Hall Loop and University Village Way, Killeen, Texas.



**Zoning Location Map**

**Case: Z2019-06**

Council District: 4

FROM: UD W/ CUP TO UD W/ CUP FOR R-2

1 inch = 1,794 feet

Subject Property Legal Description: A0307BC WM FREER, 1-2, 1-3, 1-1-1, ACRES 1.001

**LOCATION MAP**



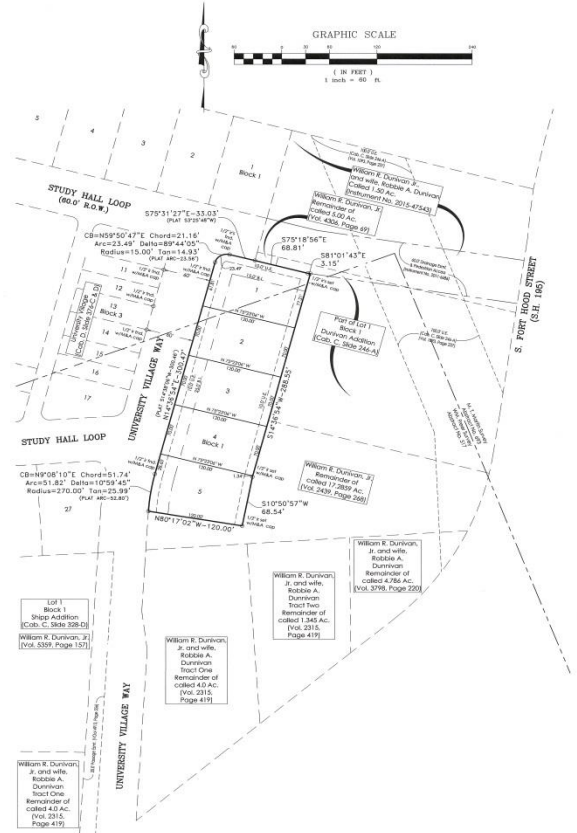
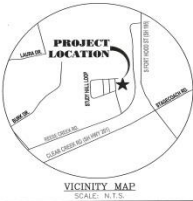
**Zoning Case Location**



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- ❑ The City Council by majority vote may grant a Conditional Use Permit for any residential or business land use for a specific parcel in the University District.
- ❑ The Council may impose appropriate conditions and safeguards to assure that these land uses are compatible with and appropriate for locations adjacent to the future four-year university.
- ❑ Conditional use permits granted shall be considered permanent provided the property owner remains in continuous compliance with any conditions or safeguards imposed.





KNOW ALL MEN BY THESE PRESENTS, that **William R. Dunivan, Jr. and wife, Robbie A. Dunivan**, whose address is 5700 Bacon Ranch Road, Killeen, TX 76786 being the sole owners of the certain 6.88 acre tract of land in Bell County, Texas, being part of the B&L County Survey, Abstract No. 383 and the **William Vase Survey, Abstract No. 337**, which is more fully described in the declaration of **UNIVERSITY VILLAGE PHASE 2**, as an extension of said tract, attached hereto, and made a part hereof, and approved by the City of Killeen, Bell County, Texas, and **Robbie A. Dunivan**, do hereby certify that **UNIVERSITY VILLAGE PHASE 2**, as an addition to the City of Killeen, Bell County, Texas, and hereby authorize to said city all streets, sidewalks, roads, areas and other shown on said plat, the same to be used as public thoroughfares and for the installation and maintenance of public utilities when and as authorized by the City of Killeen. The utility and drainage easements shown on said plat are dedicated to said city for the installation and maintenance of any and all public utilities and drainage utilities, which the city may install or permit to be installed or maintained.

WITNESS the execution hereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**William R. Dunivan, Jr.**  
 Before me, the undersigned authority, on this day personally appeared **William R. Dunivan** known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that he executed the foregoing instrument as the owner of the property described herein.

NOTARY PUBLIC STATE OF TEXAS  
 My Commission Expires: \_\_\_\_\_

**Robbie A. Dunivan**  
 Before me, the undersigned authority, on this day personally appeared **Robbie A. Dunivan** known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that she executed the foregoing instrument as the owner of the property described herein.

NOTARY PUBLIC STATE OF TEXAS  
 My Commission Expires: \_\_\_\_\_

APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the Planning and Zoning Commission of the City of Killeen, Bell County, Texas.

Chairman, Planning and Zoning Commission

Secretary, Planning and Zoning Commission

KNOW ALL MEN BY THESE PRESENTS,  
 That I, **Rex D. Hales**, Registered Professional Land Surveyor, do hereby certify that I did prepare this plat from an actual and accurate survey of the land, that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the subdivision regulations of the City of Killeen, Texas, and this subdivision is within the City limits of Killeen, Texas.

**Rex D. Hales**  
 Registered Professional Land Surveyor, No. 62878



- NOTES:
- All bearings are based upon the Texas Coordinate System, NAD 83 (ICRS 93); Texas Control Zone as determined by Leica Texas SmartNet GPS observations. All distances are surface distance.
  - All interior lot corners marked with 1/2" x 1/4" cap stamped "M&J" set after construction completed.
  - This subdivision is located in zone X, areas determined to be outside the 0.2% annual chance floodplain, as indicated on the U.S. FEMA Agency boundary Maps. (Flood Insurance Rate Map); Map No. 48072C75E, effective date September 24, 2008 for Bell County, Texas.
  - No vehicular access will be allowed from Study Hall Loop to Lot 1, Block 1.

AFFIDAVIT:  
 The Tax Appraisal District of Bell County does hereby certify, there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.  
 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A. D.  
 By: \_\_\_\_\_  
 Bell County Tax Appraisal District

FILED FOR RECORD this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ In Year  
 Plat # \_\_\_\_\_ Post Records of Bell County, Texas. Declaration Instrument # \_\_\_\_\_  
 Official Public Records of Real Property, Bell County, Texas.

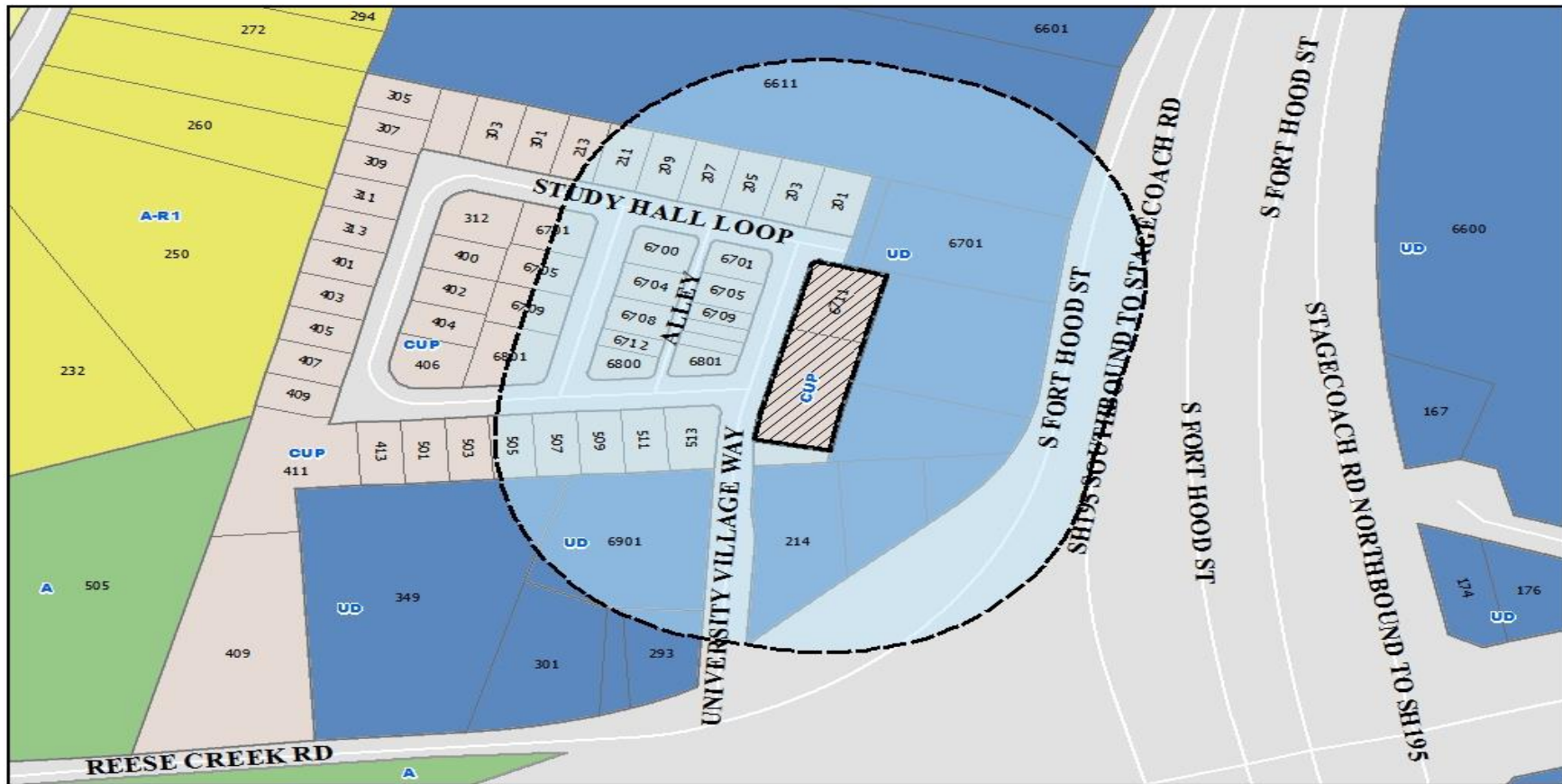
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**UNIVERSITY VILLAGE  
 PHASE TWO  
 KILLEEN, BELL COUNTY, TEXAS  
 FINAL PLAT**

PREPARED BY:  
**MITCHELL & ASSOCIATES, INC.**  
 ENGINEER IN CHARGE  
 1000 W. 12TH ST. SUITE 100  
 KILLEEN, TEXAS 76789-1441  
 PHONE: (254) 834-4541  
 FAX: (254) 834-2141  
 WWW.MITCHELLANDASSOCIATES.COM

NO. _____	DATE _____	BY _____	AREA _____
NO. _____	DATE _____	BY _____	AREA _____
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NO. _____	DATE _____	BY _____	AREA _____





Zoning Notification Plan

**Case: Z2019-06**

Council District: 4

FROM: UD W/ CUP TO UD W/ CUP FOR R-2

1 inch = 226 feet

Subject Property Legal Description: A0307BCWM FREER, 1-2, 1-3, 1-1-1, ACRES 1.001

**ZONING CHANGE MAP**

**Legend**



ZONING CASE LOCATION



400' NOTIFICATION AREA



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8

- Staff mailed thirty two (32) surrounding property owner letters within 400 feet of the subject property regarding this request.
- Staff has received one response of support from Reece’s Creek Group L.C., and one opposition from Song Nam Chon, the owner of 6611 S. Fort Hood Street.

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9

- The Planning and Zoning Commission recommends approval of the applicant’s C.U.P. (by a vote of 6 to 0) subject to the following conditions:

All duplexes lots shall satisfy the area regulations contained in Killeen Code of Ordinances Section 31-233; all duplex units shall be limited to one-story in height; and the Executive Director of Planning and Development Services or designee may grant an administrative approval to use an alternative landscaping standard when special lot area situations arise.