



City of Killeen

Agenda

City Council

Tuesday, October 30, 2018

5:00 PM

Utility Collections
Conference Room
210 West Avenue C
Killeen, Texas

Call to Order and Roll Call

___ Jose Segarra, Mayor	___ Jim Kilpatrick
___ Shirley Fleming	___ Butch Menking
___ Steve Harris	___ Debbie Nash-King
___ Gregory Johnson	___ Juan Rivera

Invocation

Pledge of Allegiance

Approval of Agenda

Citizens Petitions

1. [CP-18-006](#) Mellisa Brown - Capital Improvement Projects in Fiscal Year 2019 Budget
2. [CP-18-007](#) Lee Huggins - Public Private Partnerships

Minutes

3. [MN-18-025](#) Consider Minutes of Regular City Council Meeting of October 16, 2018.

Attachments: [Minutes](#)

Resolutions

4. [RS-18-091](#) Consider a memorandum/resolution appointing members to the Youth Advisory Commission.

Attachments: [Staff Report](#)
[Presentation](#)

5. [RS-18-093](#) Consider a memorandum/resolution appointing Council Members to Killeen Economic Development Corporation Board.

Attachments: [Staff Report](#)
[Presentation](#)

6. [RS-18-094](#) Consider a memorandum/resolution to approve a customer facility charge at Killeen Fort Hood Regional Airport.
Attachments: [Staff Report](#)
[Resolution](#)
[Presentation](#)
7. [RS-18-095](#) Consider a memorandum/resolution to implement a privilege fee for non-tenant rental car companies providing customer services at the Killeen Fort Hood Regional Airport and Skylark Field.
Attachments: [Staff Report](#)
[Resolution](#)
[Presentation](#)
8. [RS-18-096](#) Consider a memorandum/resolution authorizing the award of Bid No. 19-02 for Petroleum Products and Diesel Exhaust Fluid (DEF).
Attachments: [Staff Report](#)
[Bid Tabulation](#)
[Certificate of Interested Parties](#)
[Presentation](#)
9. [RS-18-097](#) Consider a memorandum/resolution authorizing the award of a Professional Services Agreement with Walker Partners, LLC, for the Chaparral Road Wastewater Improvements Project.
Attachments: [Staff Report](#)
[Letter of Proposal](#)
[Certificate of Interested Parties](#)
[Presentation](#)
10. [RS-18-098](#) Consider a memorandum/resolution authorizing the award of a Professional Services Agreement with Kasberg, Patrick & Associates, LLC, for the Water Line Rehabilitation Phase 3 Project.
Attachments: [Staff Report](#)
[Letter of Proposal](#)
[Certificate of Interested Parties](#)
[Presentation](#)
11. [RS-18-099](#) Consider a memorandum/resolution to enter into a Memorandum of Understanding with Bell County on behalf of Bell County Communications Center.
Attachments: [Staff Report](#)
[Memorandum of Understanding](#)
[Presentation](#)

Public Hearings

12. [PH-18-033](#) HOLD a public hearing and consider an ordinance submitted by Quintero Engineering, L.L.C. on behalf of JMJ Acquisitions, L.L.C. (Case #Z18-08) to rezone Lot 5, Block 1, Rosewood Commercial, from “B-3” (Local Business District) to a Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) for an apartment complex. The property is locally known as 3701 Rosewood, Killeen, Texas.

Attachments: [Staff Report](#)

[Map](#)

[Minutes](#)

[Responses](#)

[Ordinance](#)

[Proposed PUD Concept Plan](#)

[Apartment Architectural Elevation](#)

[Pharr v Tippitt Considerations](#)

[Presentation](#)

13. [PH-18-034](#) HOLD a public hearing and consider an ordinance submitted by WBW Development on behalf of C. A. Dosse and Company (Case #Z18-21) to rezone part of Lot 1, Block 1, Country Meadows Mobile Home Park, consisting of approximately 45.106 acres, from “R-2” (Two-Family Residential District) and “R-MH” (Residential Mobile Home District) to a Planned Unit Development (PUD) with “SF-2” (Single-Family Residential District) and “R-2” (Two-Family Residential District) uses. The property is generally located on the east side of North Roy Reynolds Drive, approximately 1,000 feet south of the intersection with East Rancier Avenue in Killeen, Texas.

Attachments: [Staff Report](#)

[Map](#)

[Minutes](#)

[Response](#)

[Ordinance](#)

[Proposed PUD Standards](#)

[Proposed PUD Concept Plan](#)

[Pharr v Tippitt Considerations](#)

[Presentation](#)

Adjournment

I certify that the above notice of meeting was posted on the Internet and on the bulletin boards at Killeen City Hall and at the Killeen Police Department on or before 5:00 p.m. on October 26, 2018.

Lucy C. Aldrich, City Secretary

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.

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.

Notice of Meetings

The Mayor and/or City Council have been invited to attend and/or participate in the following meetings/conferences/events. Although a quorum of the members of the City Council may or may not be available to attend this meeting, this notice is being posted to meet the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. No official action will be taken by Council.

- *Flags for Forgotten Soldiers, November 3, 2018, 12:00 p.m. Killeen Civic & Conference Center - Fort Hood Memorial*
- *Killeen Area Heritage Association Annual Membership Meeting, November 7, 2018, 6:00 p.m., former Bethel Primitive Baptist Church*

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City of Killeen

Legislation Details

File #: CP-18-006 **Version:** 1 **Name:** Mellisa Brown - CIP Projects in FY 2019 Budget
Type: Citizen Petition **Status:** Citizens Petitions
File created: 10/17/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Mellisa Brown - Capital Improvement Projects in Fiscal Year 2019 Budget
Sponsors: City Manager Department
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: CP-18-007 **Version:** 1 **Name:** Lee Huggins - Public Private Partnerships
Type: Citizen Petition **Status:** Citizens Petitions
File created: 10/25/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Lee Huggins - Public Private Partnerships
Sponsors: City Manager Department
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: MN-18-025 **Version:** 1 **Name:** Minutes of October 16, 2018
Type: Minutes **Status:** Minutes
File created: 10/1/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Consider Minutes of Regular City Council Meeting of October 16, 2018.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		

City of Killeen
Regular City Council Meeting
Killeen Utilities Collections Conference Room
October 16, 2018 at 5:01 p.m.

Presiding: Mayor Pro-Tem Jim Kilpatrick

Attending: Councilmembers, Butch Menking, Juan Rivera, Gregory Johnson, Shirley Fleming, Debbie Nash-King and Steve Harris

Also attending were City Manager Ron Olson, City Attorney Kathryn Davis, City Secretary Lucy Aldrich, and Sergeant-at-Arms Gillman.

Absent: Mayor Jose Segarra

Councilmember Fleming gave the invocation, and Councilmember Nash-King led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Councilmember Rivera to approve the agenda as written. Motion was seconded by Councilmember Johnson. The motion carried unanimously.

Citizens Petitions

Ms. Mellisa Brown, 6105 Melanie Drive - spoke about benefits that a new assistant city manager could receive such as a vehicle allowance, relocation support, and deferred compensation. She asked council to consider these benefits and where those funds could be better spent when hiring a new assistant city manager.

Minutes

Motion was made by Councilmember Johnson to approve the minutes of the September 18, 2018 Special City Council Meeting and the minutes of the September 25, 2018 Regular City Council Meeting. Motion was seconded by Councilmember Menking. Motion carried unanimously.

Resolutions

RS-18-087 Consider a memorandum/resolution authorizing the purchase of fitness equipment for the Lions Club Park Senior Center.
Staff Comments: Brett Williams, Executive Director of Community Services. Mr. Williams gave a brief overview of the need for fitness equipment replacement due to the damage that occurred during the July 7, 2018 flood of the facility. Funds in the amount of \$56,517.10 are available in the FY 2019 budget. Staff recommends City Council authorize the City Manager, or designee to accept the

sales proposal and authorize the purchase of fitness equipment for the Lions Club Park Senior Center from Team Marathon Fitness via the BuyBoard.

Motion was made by Councilmember Fleming to approve RS-18-087. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

RS-18-088 Consider a memorandum/resolution authorizing the procurement of fleet tires.

Staff Comments: Jon Locke, Executive Director of Finance.

Mr. Locke gave a brief overview and background of annual tire purchases from FY 2016 and FY 2017. He further provided an estimate of the amount of funds to be spent in FY 2018, 2019, 2020 and 2021. Staff recommends City Council approve the purchase of tires from Southern Tire Mart through the effective contract dates utilizing the Texas Association of School Boards BuyBoard and The Interlocal Purchasing System cooperative pricing, and that the City Manager, or designee be authorized to execute any change orders as permitted by state and local law.

Motion was made by Councilmember Nash-King to approve RS-18-088. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

RS-18-089 Consider a memorandum/resolution awarding Bid No. 19-01 to Colliver Tire Service for fleet tire services.

Staff Comments: Jon Locke, Executive Director of Finance.

The City's fleet tire services contract was advertised for bids in August 2018 (Bid No. 19-01). This service is primarily associated with heavy trucks and off-road equipment on an as-needed basis. On August 7, 2018, two bids were received in response to Bid No. 19-01. Staff recommends that City Council award the tire services agreement to Colliver Tire Service, and that the City Manager or designee be authorized to execute the agreement and any change orders as permitted by state and local law.

Motion was made by Councilmember Menking to approve RS-18-089. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-18-090 Consider a memorandum/resolution establishing the Capital Improvements Advisory Committee, appointing members, and adopting rules of order.

Staff Comments: David Olson, Executive Director of Public Works.

Mr. Olson gave a brief background on the Capital Improvement Advisory Committee (CIAC) and advising of the statutory requirement prior to implementing and for the maintenance of impact fees. The requirements include a minimum of five members, with 40% or greater of the total members being representatives of the real estate, development, or building industry, and on or more of the members must reside in the extra-territorial jurisdiction (ETJ). During the October 2, 2018, City Council workshop, Council recommended establishing a 15 member committee. As of October 2, 2018, city staff has received 15 applications with two citizens residing in the ETJ, two residing outside of Killeen and the ETJ and eight applicants having the necessary specialized background. The CIAC Rules and Procedures are modeled after

those of the Planning and Zoning Commission with necessary modifications to comply with Texas Local Government Code 395.058. Mr. Olson provided the purpose of the committee is to advise and assist in adopting land use assumptions, review of the Capital Improvements Plan, monitor and evaluate the implementation of the CIP, file semiannual reports on the progress of the CIP, report any perceived inequities in implementation and advise of the need to update any of the items above. City staff recommends that City Council create the Capital Improvements Advisory Committee, adopt the rules and procedures and appoint the following members to the committee: Cyndi Rowe, Michael Boyd, Josh Welch, Neal White, Suiled Y Ponce Diaz, Thomas A Dorroh, Johnny Frederick, Kathy Jo Harkin, Tracy N. Hillman, Joel R. Steine, Reginald David Cole, Scott Brooks, Gary Purser, Jr., Placidio Rivera, and Elijah McMeen.

Motion was made by Councilmember Rivera to approve RS-18-090. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

Public Hearings

PH-18-021 HOLD a public hearing and consider an ordinance requested by Mitchell & Associates, Inc., on behalf of Reeces Creek Development, Ltd. **(Case #Z18-14)** to rezone approximately 49.782 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) to "R-1" (Single-Family Residential District) for single family housing. The property is located on the east right-of-way of Bunny Trail, south of (undeveloped) Mohawk Drive, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN CHANGING THE ZONING OF APPROXIMATELY 49.782 ACRES OUT OF THE EUGEN 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) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) PROVIDING A SAVINGS CLAUSE, PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS, PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, City Planner

The undeveloped property is located on the east right-of-way of Bunny Trail, south of (undeveloped) Mohawk Drive, and is designated as 'General Residential' on the Comprehensive Plan's Future Land Use Map (FLUM). Staff notified twenty-five (25) surrounding property owners within 200' on the subject property. One opposition was received from Mr. Nathan Early, 3208 Rockwall Drive. The Planning and Zoning Commission recommend approval of the requested zoning change by a vote of 5 to 0 at their July 16, 2018 meeting.

Mayor Pro Tem Kilpatrick invited the Applicant to speak: Steve Shepard of Reeses Creek Developers spoke in favor of the rezoning request.

Mayor Pro Tem Kilpatrick opened the public hearing.

Mellisa Brown, 6105 Melanie Drive - spoke against the request.
Bryan Thym, 3902 Salt Fork Drive - spoke against the request.
P. Juan Rivera, 3300 Alamocito Creek Drive - spoke against the request.

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

Motion was made by Councilmember Rivera to approve PH-18-021. Motion was seconded by Councilmember Menking. Motion carried 4 to 3 with Mayor Pro Tem Kilpatrick voting in favor (breaking the tie), Councilmembers Harris, Johnson and Fleming in opposition.

PH-18-030 HOLD a public hearing and consider an ordinance requested by Jim Wright on behalf of RDJ Group (**Case#Z18-18**) to rezone part of Lot 1, Block 1, Kemp Addition, from "B-5" (Business District) to "B-3A" (Local Business and Retail Alcohol Sales District) to allow for a package store. The property is located at 3401 W. Stan Schlueter Loop (FM 3470), Suite 10, Killeen, Texas.

The City Secretary read the caption of the 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 "B-5" (BUSINESS DISTRICT) TO "B-3A" (LOCAL BUSINESS AND RETAIL ALCOHOL SALES DISTRICT); PROVIDING A SAVINGS CLAUSE, PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, City Planner

The request is being submitted to allow for a package store at 3401 W. Stan Schlueter Loop, Suite 10. The property is designated as 'General Commercial' on the Comprehensive Plan's Future Land Use Map (FLUM). Staff notified twenty-eight (28) surrounding property owners within 400 feet of the subject site as of the date of publishing the agenda and packet the city had not received any responses in support or in opposition. Since publication, the city received one response from Ms. Hilton noting opposition of the request. The Texas Alcohol and Beverage Commission distance requirement for public/private schools (including daycares), churches and hospitals does not apply to off-premises establishments such as package stores and convenience stores. The Planning and Zoning Commission recommends approval of the rezone request from "B-5" (Business District) to "B-3A" (Local Business and Retail Alcohol Sales District) by a vote of 6 to 0.

Mayor Pro Tem Kilpatrick invited the Applicant to speak: Mr. Jim Wright spoke in favor the request.

Mayor Pro Tem Kilpatrick opened the public hearing.

Mellisa Brown, 6105 Melanie Drive - spoke against the request.

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

Motion was made by Councilmember Rivera to approve PH-18-030. Motion was seconded by Councilmember Fleming. Motion carried 5 to 1 with Councilmember Harris in opposition.

PH-18-031 HOLD a public hearing and consider an ordinance by Janie Lea Tucker (**Case#Z18-19**) to rezone approximately 13.133 acres, being out of the J. S. Wilder Survey, Abstract No. 912 from "R-MP" (Mobile Home and Travel Trailer Park District) to "B-5" (Business District). The property is addressed as 5801 E. Veterans Memorial Blvd, Killeen, Texas.

The City Secretary read the caption of the 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-MP" (MOBILE HOME AND TRAVEL TRAILER PARK DISTRICT) TO "B-5" (BUSINESS DISTRICT); PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, City Planner

This property is designated as 'General Commercial' on the Comprehensive Plan's Future Land Use Map (FLUM); it is currently being used as a staging area for a contractor performing work for Texas Department of Transportation (TxDOT). Staff notified nine (9) surrounding property owners within 400 feet of the subject site and has not received any responses in support or in opposition. The Planning and Zoning Commission has recommended approval of the applicant's "B-5" request by a vote of 6 to 0.

Mayor Pro Tem Kilpatrick invited the Applicant to speak: although the applicant was in attendance, they did not wish to speak.

Mayor Pro Tem Kilpatrick opened the public hearing.

Mellisa Brown, 6105 Melanie Drive - spoke in favor of the request.

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

Motion was made by Councilmember Fleming to approve PH-18-031. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

PH-18-032 HOLD a public hearing and consider an ordinance by Killeen MFD, L.L.C. (**Case #Z18-20**) 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 apartment units. The property is addressed as 5002 Thayer Drive, Killeen, Texas.

The City Secretary read the caption of the 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 PLANNED UNIT DEVELOPMENT (PUD) WITH UNDERLYING "R-3A" (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH UNDERLYING "R-3A" (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, City Planner

The request is being submitted in order to revise the PUD concept plan and increase the number of residential units. The property is designated as 'General Residential' and 'Suburban Commercial' on the Comprehensive Plan's Future Land Use Map (FLUM). Staff has notified twenty-three (23) surrounding property owners within 400 feet of the subject site and has not received any responses in support or in opposition. The Planning and Zoning Commission is recommending approval of the zoning request by a vote of 5 to 0 (Commissioner Purser abstained) with the following conditions: 1) Phase Two of the multifamily development shall not exceed a total of 72 apartment units and 3 two-store duplex units; 2) the PUD shall adhere to the submitted site plan, to include the secondary pool and cabana area and additional landscaping as illustrated by the applicant; 3) the architectural façade standard for the apartment development shall be consistent with the architectural elevations (renderings submitted by the applicant); and 4) the architectural façade standard for the two-store duplex clusters shall be consistent with the architectural elevations (renderings submitted by the applicant).

Mayor Pro Tem Kilpatrick invited the Applicant to speak: Ms. Michelle Lee with Killeen MFD, LLC spoke in favor of the request.

Mayor Pro Tem Kilpatrick opened the public hearing.

Mellisa Brown, 6105 Melanie Drive - spoke against the request.

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

Motion was made by Councilmember Menking to approve PH-18-032. Motion was seconded by Councilmember Rivera. Motion carried 5 to 1, with Councilmember Harris in opposition.

Adjournment

With no further business, upon motion being made by Councilmember Nash-King, seconded by Councilmember Fleming, and unanimously approved, the meeting was adjourned at 6:37 p.m.



City of Killeen

Legislation Details

File #: RS-18-091 **Version:** 1 **Name:** YAC 2018-19
Type: Resolution **Status:** Resolutions
File created: 9/20/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Consider a memorandum/resolution appointing members to the Youth Advisory Commission.
Sponsors: Community Services Department, Volunteer Services
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

VIA: Brett Williams, Executive Director of Community Services

FROM: Levallois Hamilton, Youth Programs Specialist

SUBJECT: Appointments to the Youth Advisory Commission

BACKGROUND AND FINDINGS:

The City Council is responsible for making appointments to the boards and commissions. These appointments are made as vacancies occur.

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

Commission members are subject to the attendance policy and procedure adopted by the City Council, (Section 2-118, Killeen City Code).

KILLEEN VOLUNTEERS, INC.-YOUTH ADVISORY COMMISSION		
<i>Sub-Committee: All Council</i>		
Current Members	New YAC Members	Special Qualifications
Anna Rice	Ahlysha Hicks	Student Representative
Arianna Chavez	Amber Chancellor	Student Representative
Bryanna Palma	Andrea Cavanagh	Student Representative
Crystal Graupmann	Anthony Okeke	Student Representative
Dae'Tian Nanton	Christen Dworshak	Student Representative
Demetra Paizanis	Dae'Tian Nanton	Student Representative
Emilie Huck	Delvin Taylor	Student Representative
Jeffrey Jomorabon	Emilie Huck	Student Representative
Joseph Low	Emmalie Helmer	Student Representative
Julian Chavez	Fabian Balarezo	Student Representative

Kaitlyn Low	Jeremiah Franklin	Student Representative
Kama Rangel	Joseph Low	Student Representative
Keana Turner	Julian Chavez	Student Representative
Lorena Kirk	Kaitlyn Low	Student Representative
Madison Barnett	Kama Rangel	Student Representative
Mark Thomas	Kathleen Castano	Student Representative
Markeisha Thomas	Keandre Taylor	Student Representative
My'Azia Williams	Keelie Cole	Student Representative
Mychel Howard	Madison Barnett	Student Representative
Olivia Winder	Madelynn Spear	Student Representative
Patricia Barnett	Maria Munoz	Student Representative
Paula Billingsley	Mark Thomas	Student Representative
Rodolfo Alvarez	Markeisha Thomas	Student Representative
Fabian Balarezo	My'Azia Williams	Student Representative
Lucio Cueller	Nathan Hernandez	Student Representative
Nathan Hernandez	Nicholas Trevino	Student Representative
Prince Johnson	Olivia Winder	Student Representative
Shikinah Johnson	Otis Connolly	Student Representative
Lyndavia Judd	Patricia Barnett	Student Representative
Jadia Martinez	Prince Johnson	Student Representative
Faith Meadors	Rodolfo Alvarez	Student Representative
Maria Munoz	Ryan Haberstroh	Student Representative
Breonna McCarthy Reese		Student Representative
Deonna McCarthy Reese		Student Representative
Madelynn Spear		Student Representative
Rodolfo Alvarez		Student Representative

FINANCIAL IMPACT:

N/A

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

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

It is recommended that the City Council appoint the nominated individuals for the 2018-2019 year.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

N/A



APPOINTMENT OF MEMBERS TO THE YOUTH ADVISORY COMMISSION

RS-18-091

October 23, 2018

Background

2

- ❑ Youth Advisory Commission was established in 1993 to serve as a liaison to the Killeen City Council.
- ❑ The mission of the YAC is to provide the youth of our community opportunities through volunteerism and service, by taking initiatives that are directed toward effective change.
- ❑ Notable projects include the Youth Conference, President's Volunteer Service Award, and Family Volunteer Day.
- ❑ YAC is comprised of 37 commissioners.

Background

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- ❑ The City Council makes appointments to the Youth Advisory Commission as vacancies occur.
- ❑ Interviews were conducted on September 8, 2018 and September 15, 2018 to fill vacancies.

Overview

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2018-2019 Member	Special Qualifications
Ahlysha Hicks	Student Representative
Amber Chancellor	Student Representative
Andrea Cavanagh	Student Representative
Anthony Okeke	Student Representative
Christen Dworshak	Student Representative
Dae'Tian Nanton	Student Representative
Delvin Taylor	Student Representative
Emilie (Erik) Huck	Student Representative
Emmalie Helmer	Student Representative
Fabian Balarezo	Student Representative
Jeremiah Franklin	Student Representative

Overview

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2018-2019 Member	Special Qualifications
Joseph Low	Student Representative
Julian Chavez	Student Representative
Kaitlyn Low	Student Representative
Kama Rangel	Student Representative
Kathleen Castano	Student Representative
Keandre Taylor	Student Representative
Keelie Cole	Student Representative
Madison Barnett	Student Representative
Madelynn Spear	Student Representative
Maria Munoz	Student Representative
Mark Thomas	Student Representative

Overview

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2018-2019 Member	Special Qualifications
Markeisha Thomas	Student Representative
My'Azia Williams	Student Representative
Nathan Hernandez	Student Representative
Nicholas Trevino	Student Representative
Olivia Winder	Student Representative
Otis Connolly	Student Representative
Patricia Barnett	Student Representative
Prince Johnson	Student Representative
Rodolfo Alvarez	Student Representative
Ryan Haberstroh	Student Representative

Alternatives

7

- ❑ Appoint the selected applicants to the Youth Advisory Commission.
- ❑ Not appoint the selected applicants to the Youth Advisory Commission and allow the vacancies to continue to exist.

Recommendation

8

- Staff recommends appointing the nominated individuals for the 2018-2019 year.



City of Killeen

Legislation Details

File #: RS-18-093 **Version:** 1 **Name:** Appoint Council Members to KEDC
Type: Resolution **Status:** Resolutions
File created: 10/2/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Consider a memorandum/resolution appointing Council Members to Killeen Economic Development Corporation Board.
Sponsors: City Council
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

FROM: Kathy Davis, City Attorney

SUBJECT: Appointing Council Members to Killeen Economic Development Corporation Board

BACKGROUND AND FINDINGS:

The Mayor and Council make annual appointments to the various boards, commissions, and committees that provide advisory services for the city and the region. The Mayor and Council are voting members of many of these; in some instances they represent the Council on the board as ex-officio members.

Annual appointments were made on June 26, 2018 following the May 2018 election. Since then, Councilmember Rivera and Councilmember Nash-King have requested to be replaced on the Killeen Economic Development Corporation.

THE ALTERNATIVES CONSIDERED:

No other alternatives were considered.

CONFORMITY TO CITY POLICY:

Making these appointments conforms to relevant city ordinances and policies

COUNCIL MEMBERS SITTING ON BOARDS/COMMISSIONS:

KEDC - Killeen Economic Development Corp (KEDC)

Current Member	Status	New Member	Comments
Juan Rivera	Council Member	Shirley Fleming	Elected Official Representative
Debbie Nash-King	Council Member	Jim Kilpatrick	Elected Official Representative

FINANCIAL IMPACT:

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

There is no current or future expenditure with these appointments.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

Recommendation is to appoint the new members as stated above.

DEPARTMENTAL CLEARANCES:

City Attorney

ATTACHED SUPPORTING DOCUMENTS:

N/A



RS-18-093

October 23, 2018

Background

2

- ❑ The Mayor and Council make annual appointments to various boards, commissions and committees
- ❑ Annual appointments were made on June 26, 2018, since then, Councilmember Rivera and Councilmember Nash-King have requested to be replaced on the Killeen Economic Development Corporation (KEDC) Board
- ❑ On the KEDC, Council members serve as a Council representative and votes on items that are considered by the board.
- ❑ This regular term would begin immediately through September 30, 2019.

Council Appointments (KEDC)

3

Killeen Economic Development Corp (KEDC)

Current Member	Status	New Member	Comments
Juan Rivera	Council Member	Shirley Fleming	Elected Official Representative
Debbie Nash-King	Council Member	Jim Kilpatrick	Elected Official Representative

Recommendation

4

- Staff recommends City Council appoint two council representatives to the Killeen Economic Development Corporation Board.



City of Killeen

Legislation Details

File #: RS-18-094 **Version:** 1 **Name:** CFC Resolution
Type: Resolution **Status:** Resolutions
File created: 10/1/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Consider a memorandum/resolution to approve a customer facility charge at Killeen Fort Hood Regional Airport.
Sponsors: Aviation Department
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Resolution](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

FROM: Matthew Van Valkenburgh A.A.E., Executive Director of Aviation

SUBJECT: APPROVAL OF A RESOLUTION FOR THE CUSTOMER FACILITY CHARGE
AT KILLEEN FORT HOOD REGIONAL AIRPORT

BACKGROUND AND FINDINGS:

The customer facility charge (CFC) is a user fee imposed by an airport operator on each rental car user, collected by rental car companies. In general, a CFC is collected for each rental car transaction or each rental car transaction day. These revenues are generally used for capital, operating and maintenance, and financing costs of rental-car-related projects, such as rental car quick-turn facilities (QTF), terminal roadway and curbside improvement, and utility infrastructure systems. Also, if the Airport needs to use part of an existing parking facility for rental car operations, CFC may be used to build replacement parking space elsewhere. The CFC rate is typically adjusted from time to time to provide adequate revenues for all obligations; therefore, the CFC rate is determined locally.

When the commercial aviation service moved from the former Killeen Municipal Airport to the Killeen Fort Hood Regional Airport in 2004, a Capital Improvement Recovery Fee was established to assist the new Airport in funding its operations and development. This rate was established at \$2.00 per transaction day. In 2011, a new agreement was negotiated with the rental cars which continued the collection of this fee, now renamed as a CFC, with the purpose to further develop rental car facilities and operations; the rate continued at the \$2.00 level. These funds are being used to upgrade the rental car quick-turn facility car wash and cleaning equipment with the addition of a new automated bay and new equipment for the remaining bays. Additionally, these funds will be used to provide a covered parking area for the rental car "ready" lot.

In 2018, the rental car agreement is being rebid due to the expiration of the existing agreements. This resolution is to provide for the continuation of the CFC to fund the operations and maintenance of the upgraded facilities, provide for infrastructure and roadway improvements for the facility, and to provide funding for a major upgrade to the rental car area. This upgrade will relocate the unleaded fueling facility from its current location to the QTF area, expand the existing ready lot, relocate the car wash and cleaning facilities, and provide additional storage area for vehicles. Due to the undertaking of this major project, staff has proposed an increase in the CFC to \$3.00 per transaction day. This project corresponds to requested facility upgrades from the rental car partners.

THE ALTERNATIVES CONSIDERED:

Alternatives considered: (1) approve resolution, or (2) do not approve the resolution.

Which alternative is recommended? Why?

Staff recommends alternative 1. Approval of the resolution will provide for a continuation of a program which is currently in operation, provide for funding to further improve the facilities at the rental car area, provide for roadway infrastructure improvements supporting the rental car area, and provide operations and maintenance costs for the operation of the facilities

CONFORMITY TO CITY POLICY:

Yes

FINANCIAL IMPACT:

There is no financial impact for this resolution. Revenue projections will be included in the staff report for the rental car agreements.

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

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

Council approve the resolution and authorize the City Manager or designee to execute same.

DEPARTMENTAL CLEARANCES:

Finance
Legal

ATTACHED SUPPORTING DOCUMENTS:

Resolution

RESOLUTION _____

A RESOLUTION AUTHORIZING CONTINUATION OF THE CUSTOMER FACILITY CHARGE AT KILLEEN-FORT HOOD REGIONAL AIRPORT

WHEREAS, the City of Killeen has undertaken a capital improvement program to facilitate major customer service improvements at Killeen-Fort Hood Regional Airport (Airport), and

WHEREAS, the City of Killeen operates, maintains, and develops the Airport, in part with Federal grants, passenger facility charges, and other local funds and user fees, and

WHEREAS, Customer Facility Charges (CFC) have become common financing tools for landside improvements and other expenses at airports, and

WHEREAS, the Airport implemented a Capital Improvement Recovery fee as part of the Rental Car Company Lease Agreements in 2004, which in 2011 was renamed and codified as a Rental Car Customer Facility Charge, and

WHEREAS, the City and each of the rental car companies operating at the Airport believe it would be mutually beneficial to provide landside improvements to the traveling public using CFCs to finance these improvements and other airport expenses.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

1. That the City Manager, or designee, shall establish and periodically adjust as required, a daily CFC upon each airport rental car companies' customer's rental contract.

2. The CFC will be collected on a daily basis for all cars rented for twenty-four or fewer hours for the first transaction day, and every twenty-four hours for each transaction day thereafter.
3. The CFC shall initially be established at \$3.00 per transaction day.
4. The CFC will be collected by all rental car companies operating at the Airport.
5. The CFC collected by the rental car companies shall be held in trust by the rental car companies for the benefit of the Airport and shall be remitted monthly to the City of Killeen in accordance with procedures established by the City Manager.
6. Rental car companies and their agents hold only a possessory interest in the CFC, and no legal or equitable interest.
7. The City is authorized to expend CFC funds collected for landside improvements and other airport expenses at the Airport.

BE IT FURTHER RESOLVED this resolution shall take effect immediately upon execution, and the CFC referenced herein shall be collected commencing January 1, 2019.

BE IT FURTHER RESOLVED that the City Manager is authorized to take the necessary steps to implement this resolution.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this ____ day of _____ 2018, 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:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, CITY ATTORNEY

DRAFT



CUSTOMER FACILITY CHARGE AT KILLEEN FORT HOOD REGIONAL AIRPORT

RS-18-094

October 23, 2018

CFC Background

2

- Customer Facility Charge (CFC)
 - ▣ User fee imposed on rental car users
 - ▣ Collected for each transaction day

- 2004 Rental Car Agreement
 - ▣ Capital Improvement Recovery Fee (\$2.00)
 - ▣ Assist “new” KFHRA with operations and development

- 2011 Rental Car Agreement
 - ▣ Customer Facility Charge (\$2.00)
 - ▣ Develop car rental facilities and operations

CFC Resolution

3

- 2018
 - ▣ Rental car agreement being renegotiated
 - ▣ Resolution provides for the continuation of a CFC
 - ▣ Increases fee to \$3.00 per transaction day

- Projects / Operations
 - ▣ Expand existing ready lot
 - ▣ Relocate unleaded fueling operations
 - ▣ Relocate quick-turn facilities
 - ▣ Roadway and infrastructure improvements
 - ▣ Operations and maintenance of facilities

Alternatives

4

- Alternatives:
 - ▣ Approve the resolution
 - ▣ Do not approve the resolution

- Staff recommends approval of the resolution
 - ▣ Continuation of a successful program
 - ▣ Improve facilities at the KFHRA for customers
 - ▣ Provide infrastructure improvements
 - ▣ Provides facilities operations and maintenance costs

Recommendation

5

- Approve the resolution and authorize the City Manager or designee to execute same.



City of Killeen

Legislation Details

File #: RS-18-095 **Version:** 1 **Name:** Off Airport Car Rental Resolution
Type: Resolution **Status:** Resolutions
File created: 10/1/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Consider a memorandum/resolution to implement a privilege fee for non-tenant rental car companies providing customer services at the Killeen Fort Hood Regional Airport and Skylark Field.
Sponsors: Aviation Department
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Resolution](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

FROM: Matthew Van Valkenburgh A.A.E., Executive Director of Aviation

SUBJECT: APPROVAL OF A RESOLUTION TO IMPLEMENT A PRIVILEGE FEE FOR NON-TENANT RENTAL CAR COMPANIES PROVIDING CUSTOMER SERVICES AT THE KILLEEN FORT HOOD REGIONAL AIRPORT AND SKYLARK FIELD

BACKGROUND AND FINDINGS:

The Killeen-Fort Hood Regional Airport leases retail facilities in the terminal building to various businesses to provide appropriate services to the public as well as to provide revenue sources for the airport enterprise fund; the rental car industry is one such business. However, off-airport, non-tenant motor vehicle rental services are authorized at the Airports for the accommodation of passengers arriving and departing from the Airport, and these non-tenant Providers rent motor vehicles to the general public from a location or locations based off the Airports.

This resolution would establish fees to be collected from off-airport non-tenant rental car companies (Providers) providing customer services (e.g., passenger pick-up or drop-off) to passengers for motor vehicles for rent to offset the costs of operation of the Airport.

Staff has proposed, effective beginning on January 1, 2019, an Off-Airport Privilege Fee of ten-percent (10%) of Providers gross revenue, for all revenue related to customer services at Killeen-Fort Hood Regional Airport or Skylark Field Airport.

The Airports, being recipients of Federal funding, are subject to policies which require a fee structure that will make them as self-sustaining as possible; and, in establishing and implementing this fee, the off-airport, non-tenant Providers of rental car services using the Airports will contribute toward the achievement of financial self-sufficiency at the Airports.

THE ALTERNATIVES CONSIDERED:

Alternatives considered: (1) approve the resolution, or (2) do not approve the resolution.

Which alternative is recommended? Why?

Staff recommends alternative 1. This resolution provides an equitable fee to off-airport rental car companies for them to contribute to the financial self-sustainability of the Airports. Additionally, it provides a measure of fairness to those companies who competed and were granted rights for rental car concession services at the Killeen Fort Hood Regional Airport.

CONFORMITY TO CITY POLICY:

Yes

FINANCIAL IMPACT:

Total annual revenue to the Aviation Fund is undetermined at this time.

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

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

Council approve the resolution and authorize the City Manager or designee to execute same.

DEPARTMENTAL CLEARANCES:

Finance
Legal

ATTACHED SUPPORTING DOCUMENTS:

Resolution

RESOLUTION _____

A RESOLUTION AUTHORIZING IMPLEMENTATION OF A PRIVILEGE FEE FOR NON-TENANT RENTAL CAR COMPANIES PROVIDING CUSTOMER SERVICES CUSTOMERS AT KILLEEN FORT HOOD REGIONAL AIRPORT AND SKYLARK FIELD AIRPORT

WHEREAS, the City of Killeen, Texas operates, maintains and develops the Killeen Fort Hood Regional Airport and Skylark Field Airport with federal grants, state grants, passenger facility charges and user fees; and

WHEREAS, Off-Airport, non-tenant motor vehicle rental services at the Airports are authorized at the Airports for the accommodation of passengers arriving and departing from the Airport, and these non-tenant rental car companies (Providers) rent motor vehicles to the general public from a location or locations based off the Airports; and

WHEREAS, Off-Airport non-tenant, and On-Airport tenant rental car companies constitute separate and distinct classes of business operations at the Airport; which should be regulated as necessary to ensure efficient Airport operation for the protection of the health, safety and welfare of the public; and

WHEREAS, the opportunity to enter into On-Airport rental car concessions at the Killeen-Fort Hood Regional Airport is the subject of public proposals open to experienced rental car operators; and

WHEREAS, as the recipient of Federal Aviation Administration grants, the City of Killeen is subject to policies which require it to establish a fee structure that will make the Airports as self-sustaining as possible; and

WHEREAS, the City of Killeen desires to establish fees to be collected from Off-Airport

non-tenant rental car companies providing customer services (e.g., picking up or dropping off) passengers to provide motor vehicles for rent to offset the costs of operation of the Airport; and

WHEREAS, in establishing and implementing the fee, the Off-Airport, non-tenant Providers of rental car services using the Airports should contribute toward the achievement of financial self sufficiency at the Airports; and

WHEREAS, the fee described herein shall be considered a payment for the limited right to utilize City facilities, but shall not constitute permission to permanently occupy or modify any real property of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF KILLEEN:**

The City of Killeen establishes, effective beginning on January 1, 2019, an Off-Airport Privilege Fee of ten-percent (10%) of Providers gross revenue, as defined below, for all revenue related to customers picked up at Killeen-Fort Hood Regional Airport or Skylark Field Airport.

“Gross Revenues” as used herein shall mean, as determined in the reasonable discretion of the City, all amounts charged to its customers by Provider for or in connection with agreements it secures through its operations and business for passengers at the Killeen-Fort Hood Regional Airport or Skylark Field Airport, regardless of whether such amount is actually paid to or received by Concessionaire. Gross Revenues shall include all monies or other consideration of whatsoever nature paid or payable to Provider by customers for all sales made and services performed for cash, credit or consideration in connection with automobile and vehicle rentals or other products or services provided to persons through Provider’s operations, without regard to the ownership, area, fleet, or location assignment of vehicles and without regard to the manner in which or place at which the vehicles or other products or services are furnished to Provider’s

customers and without regard to whether the vehicles or other products are returned to the Airport or to some other location.

Gross Revenues shall include anything and everything that is not specifically excluded.

The only exclusions from Gross Revenues shall be the specific exclusions set forth below:

- Federal, state, county, city or municipal sales, use, or excise taxes now in effect or hereinafter levied on Provider's operations which are separately stated on customers' rental contracts and collected from customers of Provider;
- Those fees referred to as Customer Facility Charges, "CFCs" which shall include all customer facility charges, authorized pursuant to City Resolution, as may be amended;
- Amounts received specifically for the actual loss of or damages of vehicles or other property of Provider;
- Amounts received from the sale of vehicles off-Airport premises; provided, however, any amounts paid in connection with automobile and vehicle rentals or other products or services provided to persons through Provider's operations that are applied to or otherwise reimbursed as a result of the sale of a vehicle shall not be excluded from Gross Revenues; and
- Reimbursements for amounts actually paid for speeding tickets, parking tickets, red light tickets, tolls and toll violations, and towing and impound fees from its customers to pass through without markup to an independent third party with no amount being retained by Provider. However, any amounts collected above the pass through amount shall be included as Gross Revenue.

Gross revenue shall be deemed received at the time the lease or service transaction

occurs, giving rise to Provider's right to collect said monies, regardless of whether the transaction was conducted in person, by telephone, or electronically, whether the transaction was for cash or credit, and if for credit, regardless of whether the Provider ultimately collected the monies owed for said transaction from the customer involved. Gross Revenues are amounts which Provider receives or is entitled to received, either initially or by amendment, whichever is greater.

For purposes of Gross Revenue determination, revenue shall be deemed to have been related to customers picked up at the Airport if the customer arrived at either Airport within a twenty-four hour (24) period immediately preceding the rental, even though the customer arrived at the Providers location on their own or the motor vehicle is dropped off by the customer elsewhere.

That on or before the 20th day of each month, Provider shall provide to the City of Killeen the fee. Said payment shall be made to the City of Killeen Finance Department. At the same time, Provider makes such payment, it shall provide the City of Killeen with a statement showing the amount of gross revenue related to passengers picked up at the Airport. If any fee is not paid within the calendar month of the due date, Provider shall pay a late charge equal to one and one-half percent (1 1/2 %) per month of unpaid balance, accruing from the due date until paid. The Executive Director of Aviation may prohibit representatives of the delinquent rental car provider from entering the Airports to the extent permitted by law.

That the City Manager is authorized to establish and implement the procedures necessary for the collection of these fees.

That this resolution shall take effect immediately upon execution, and the Off-Airport Privilege Fee referenced herein shall be collected commencing on January 1, 2019.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 30th day of October 2018, 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:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, CITY ATTORNEY



RESOLUTION ESTABLISHING A PRIVILEGE FEE AT KILLEEN AIRPORTS FOR NON-TENANT RENTAL CAR COMPANIES

RS-18-095

October 23, 2018

Background

2

- Killeen Fort Hood Regional Airport
 - ▣ Agreement with rental car companies
 - ▣ Collected for each transaction day

- Non-tenant services are authorized at airports
 - ▣ Provide customer services
 - Pick-up, drop-off, car staging

- General standard is to provide protection to Airports and tenants from off-airport entities

Off-Airport Resolution

3

- ❑ Establishes privilege fee to be collected from off-airport rental car companies
 - ▣ Propose 10% of gross revenue
 - ▣ For customer services provided at the airports
- ❑ Assists in Airports financial self-sustainability
- ❑ Non-tenants contribute equitably to business conducted at Airports

Alternatives

4

- Alternatives:
 - ▣ Approve the resolution
 - ▣ Do not approve the resolution

- Staff recommends approval of the resolution
 - ▣ Protects Airports against non-tenant operations now and in future
 - ▣ Contributes to Aviation financial self-sustainability
 - ▣ Provides measure of fairness to those rental car companies which competed and were granted rights to operate at the Airport

Recommendation

5

- Approve the resolution and authorize the City Manager or designee to execute same.



City of Killeen

Legislation Details

File #: RS-18-096 **Version:** 1 **Name:** Bid 19-02 for Petroleum Products and DEF
Type: Resolution **Status:** Resolutions
File created: 9/25/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Consider a memorandum/resolution authorizing the award of Bid No. 19-02 for Petroleum Products and Diesel Exhaust Fluid (DEF).
Sponsors: Fleet Services, Purchasing
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Bid Tabulation](#)
[Certificate of Interested Parties](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

FROM: Jonathan Locke, Executive Director of Finance

SUBJECT: Authorize the award of purchase agreements to American Lube Supply and Arnold Oil Co. for Petroleum Products and Diesel Exhaust Fluid (DEF), Bid No. 19-02

BACKGROUND AND FINDINGS:

On September 7, 2018, at 3:00 pm, bids were opened and read aloud for the procurement of the City's estimated annual requirements of petroleum products and diesel exhaust fluid (DEF). This bid request included the fourteen (14) most often used products. Fleet Services utilizes these products on a daily basis to service the City's fleet. The costs are charged to the departments as the products are used. During the preceding three fiscal years, FY2016, FY2017 and FY2018, the cost of the products has been \$72,506, \$75,642 and \$81,039 respectfully.

Six (6) vendors submitted bids. After careful review of the bids, two (2) vendors are recommended for two (2) different portions of the City's petroleum products and DEF needs. American Lube Supply submitted the most cost effective petroleum products bid. Arnold Oil Co. submitted the most cost effective DEF bid.

The contracts awarded under this bid are based upon unit pricing and would be for a term of one (1) year with the option to renew for three (3) additional one (1) year periods.

Summary of bid totals for Petroleum Products (meeting specifications) and DEF are listed below:

VENDOR	Petroleum Products	DEF
Allied Sales	\$88,930.59	\$8,267.00
American Lube Supply	\$47,962.09	\$11,363.00
Arnold Oil Co.	\$73,979.16	\$6,468.00
Big Chief Distributing	\$73,526.53	\$10,060.00
Certified Laboratories	\$95,443.00	No Bid
Sun Coast Resources	\$62,739.22	\$16,680.00

Recommended bid award per unit pricing is outlined below:

American Lube Supply

Products	Price
Engine Oil 15W40 Bulk	\$6.11/Gal.
Synthetic Engine Oil 5W30 Bulk	\$7.93/Gal.

Engine Oil 15W40	\$1.53/Qt. (\$6.11/Gal)
Mercon V ATF	\$5.26/Qt.
Dexron VI Full Synthetic ATF	\$2.83/Qt.
BP Autotran Syn 295 ATF Bulk	\$33.51/Gal.
Hydraulic Oil AW68 Bulk	\$4.91/Gal.
Grease Bulk - 55 Gal Drum	\$3.40/Lb.
Grease Bulk - 16 Gal. Keg	\$2.75/Lb.

Arnold Oil Co.

Products	Price
Diesel Exhaust Fluid - Bulk	\$1.08/Gal.
Diesel Exhaust Fluid - 2.5 Gal Cont.	\$2.64/Gal.

THE ALTERNATIVES CONSIDERED:

1. Award the bid as recommended
2. Reject all bids and rebid petroleum products and DEF

Which alternative is recommended? Why?

The first alternative is recommended as the bid results were acceptable.

CONFORMITY TO CITY POLICY:

An invitation to bid for the procurement of petroleum products and DEF was advertised in compliance with the Texas Local Government Code chapter 252 and the City's purchasing policy.

FINANCIAL IMPACT:

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

The total amount of expenditures in FY 2019 is estimated to be \$60,000. Petroleum products and DEF are an ongoing annual expense required for the City's fleet. Future expenditures should be comparable.

Is this a one-time or recurring expenditure?

The purchases will be recurring expenditures with fixed unit costs.

Is this expenditure budgeted?

Yes, these expenditures are budgeted annually by the departments requiring the products.

If not, where will the money come from?

N/A

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

Yes. The repair and maintenance accounts of the divisions that utilize the products have sufficient funding. These products are just one expense within each division's overall repair and maintenance account.

RECOMMENDATION:

Staff recommends that City Council award purchase agreements to American Lube Supply and Arnold Oil Co. for their respective portion of Bid Number 19-02, and that the City Manager or designee be authorized to execute the agreements and any change orders as permitted by state and local law.

DEPARTMENTAL CLEARANCES:

Purchasing
Finance
Legal

ATTACHED SUPPORTING DOCUMENTS:

Bid Tabulation
Certificate of Interested Parties

SPECIFICATIONS AND BID RESULTS			Allied Sales				American Lube Supply				Arnold Oil Co.				Big Chief Dist.				Certified Laboratories				Sun Coast Resources									
Product	Description	Quantity	Product		Vendor Price		Extended Price	Product		Vendor Price		Extended Price	Product		Vendor Price		Extended Price	Product		Vendor Price		Extended Price	Product		Vendor Price		Extended Price					
Engine Oil 15W-40 Bulk:	Shell T2 HD 15W-40	3000 Gals.	Chevron HDEO	Per Gal:	\$ 8.36	\$25,080.00		Omni Sp. Prod.	Per Gal:	\$ 6.11	\$18,330.00		Chevron Ursa	Per Gal:	\$ 7.50	\$22,500.00		Shell T2	Per Gal:	\$ 7.84	\$23,520.00		Spectra	Per Gal:	\$ 16.00	\$48,000.00	Total Rubia	Per Gal:	\$ 8.46	\$25,380.00		
	meets or exceeds the requirements of: API CK-4, CJ-4, CI-4 Plus, CH-4, SN. Cummins CES 20086. Caterpillar ECF-3							Pure Guard F2418 Syn Blend																								
Synthetic Engine Oil 5W-30 Bulk:	Pennzoil Platinum 5W-30	606 Gals.	Mobil 1	Per Gal.:	\$ 19.05	\$11,544.30		BelRay BRX Elite	Per Gal.:	\$ 7.93	\$4,805.58		Valvoline	Per Gal.:	\$ 13.35	\$8,090.10		Pennzoil Platinum	Per Gal.:	\$ 18.92	\$11,465.52		Spectra	Per Gal.:	\$ 17.05	\$10,332.30	Total Quartz	Per Gal.:	\$ 12.11	\$7,338.66		
	meets or exceeds the requirements of: ACEA A1/B1. API SN, SM, SL, SJ. ILSAC GF-5, dexos 1 gen2,							Full Syn Dexos 1 Gen 2																								
Engine Oil 15W-40 :	Motorcraft Super Duty Formula 15W-40	756 Qts.	Chevron HDEO	Per Qt:	\$ 2.53	\$ 1,912.68		(Omni Pure	Per Qt:	\$ -	\$ 1,156.68		Chevron Delo	Per Qt:	\$ 3.80	\$ 2,872.80		Motorcraft	Per Qt:	\$ 4.88	\$ 3,689.28			Per Qt:	\$ -	\$ -		Per Qt:	\$ -	\$ -		
	meets or exceeds the requirements of: WSS-M2C171-F1. Manufacturer Item# XO 15W40 QSDF	12 qts/case						Guard F2418 Syn Blend above meets spec @ \$1.53/qt)		NO BID															NO BID			NO BID				
Engine Oil 0W-40:	Pennzoil Ultra Platinum Synthetic 0W-40	288 Qts.	Mobil 1 -	Per Qt:	\$ -	\$0.00		Castrol Edge -	Per Qt:	\$ -	\$0.00		Valvoline -	Per Qt:	\$ -	\$0.00		Penn Ultra Plat	Per Qt:	\$ 7.89	\$2,272.32			Per Qt:	\$ -	\$0.00		Per Qt:	\$ -	\$0.00		
	meets or exceeds the requirements of: Chrysler MS-12633	12 qts/case						Does not meet spec.										(Vendor not interested in supplying just one product)						NO BID				NO BID				
Transmission Fluid:	Motocraft Mercon V ATF	264 Qts.	Mobil	Per Qt:	\$ 5.13	\$1,354.32		Castrol Transmax	Per Qt:	\$ 5.26	\$1,388.64		Valvoline	Per Qt:	\$ 4.83	\$1,275.12		Penn HiMi	Per Qt:	\$ 4.89	\$1,290.96			Per Qt:	\$ -	\$0.00	Chevron Havoline	Per Qt:	\$ 5.54	\$1,462.56		
	Manufacturer Part # XT-5QMC	12 qts/case																						NO BID								
	AC Delco Dexron VI Full Synthetic ATF	288 Qts.	Great West	Per Qt:	\$ 3.38	\$973.44		Quantum TS Global ATF	Per Qt:	\$ 2.83	\$815.04		Valvoline	Per Qt:	\$ 4.83	\$1,391.04		Penn Platinum	Per Qt:	\$ 5.75	\$1,656.00			Per Qt:	\$ -	\$0.00		Per Qt:	\$ -	\$0.00		
	Manufacturer Part # 10-9243	12 qts/case																						NO BID			NO BID					
	BP Autran Syn 295 Synthetic Transmission Fluid - Bulk. meets or exceeds the requirements of: Allison TES-295 & C4-33014203	165 Gals.		Per Gal:					Per Gal:					Per Gal:						Per Gal:							Per Gal:					
			Mobil Delvac Syn		\$ 38.29	\$6,317.85		BP Autotran Syn		\$ 33.51	\$5,529.15		BP		\$ 33.50	\$5,527.50		Shell Spivax		\$ 34.85	\$5,750.25		Torque Glide		\$ 26.62	\$4,392.30	BP		\$ 31.00	\$5,115.00		
Hydraulic Oil Bulk:	Shell Tellus S2 MX68 Hydraulic Oil - AW68	2700 Gals.		Per Gal:				Belray AW68	Per Gal:	\$ 4.91	\$13,257.00		Chevron	Per Gal:	\$ 10.29	\$27,783.00		Mid Tex	Per Gal:	\$ 6.89	\$18,603.00			Per Gal:	\$ 11.00	\$29,700.00	Total Azolla	Per Gal:	\$ 6.97	\$18,819.00		
			Mobil DTE		\$ 14.48	\$39,096.00																										
Grease Bulk:	Mobil grease XHP 222 Premium Lithium Complex Grease	(1) 55 Gal Drum/400 lbs.		Per lb:				Quantum Hyperion EP2	Per lb:	\$ 3.40	\$1,360.00		Chevron	Per lb:	\$ 3.48	\$1,392.00		Shell Gadas	Per lb:	\$ 3.91	\$1,564.00		HOC Xtreme	Per lb:	\$ 3.25	\$1,300.00	Chevron Delo	Per lb:	\$ 2.98	\$1,192.00		
			Mobil XHP		\$ 2.97	\$1,188.00																										
Grease Bulk:	Mobil grease XHP 222 Premium Lithium Complex Grease	(4) 16 Gal Keg/120 lbs.		Per lb:				Quantum Hyperion EP2	Per lb:	\$ 2.75	\$1,320.00		Chevron	Per lb:	\$ 3.52	\$1,689.60		Shell Gadas	Per lb:	\$ 3.99	\$1,915.20		LithiPLEX	Per lb:	\$ 3.58	\$1,718.40	Chevron Delo	Per lb:	\$ 3.65	\$1,752.00		
			Mobil XHP		\$ 3.05	\$1,464.00																										
Grease Tube	ATCO Impact Extra Heavy Duty Non Melt Grease NLGI Grade 2.5 14oz tubes Manufacturer Product Code: 4179-C50	700 Tubes		Per 14oz Tube:				Quantum Hyperion EP2 - Does not meet spec	Per 14oz Tube:		\$0.00		Chevron - Does not meet spec	Per 14oz Tube:	\$ -	\$0.00		Shell Gadas - Does not meet spec	Per 14oz Tube:		\$0.00		LithiPLEX - Does not meet spec	Per 14oz Tube:		\$0.00		Per 14oz Tube:				
			Mobil XHPF462 - Does not meet spec			\$0.00																					\$ -	\$0.00				
																											NO BID					
Oil Analysis	Periodic testing	120 Kits with test		Per test:					Per test:	\$ -	\$ -		Misc	Per test:	\$ 12.15	\$ 1,458.00			Per test:	\$ 15.00	\$ 1,800.00			Per test:	\$ -	\$ -		Per test:	\$ 14.00	\$ 1,680.00		
					NO BID					NO BID																	\$ -	\$0.00				
Diesel Exhaust Fluid 1 - Bulk:	Diesel Exhaust Fluid - ISO 22241 Compliant/API Certified.	5500 Gals.	Blue	Per Gal:	\$ 1.39	\$7,645.00			Per Gal:	\$ 1.97	\$10,835.00		Old World Kleen - Blue DEF	Per Gal:	\$ 1.08	\$5,940.00			Per Gal:	\$ 1.74	\$9,570.00			Per Gal:	\$ -	\$0.00		Per Gal:	\$ 2.86	\$15,730.00		
																										NO BID						
Diesel Exhaust Fluid:	Diesel Exhaust Fluid ISO 22241 Compliant/API Certified.	200 Gals. (2.5 Gal Cont. Ea.)		Per Gal:					Per Gal:				Old World Kleen - Blue DEF	Per Gal:	\$ 2.64	\$528.00			Per Gal:	\$ 2.45	\$490.00			Per Gal:	\$ -	\$0.00		Per Gal:	\$ 4.75	\$950.00		
																										NO BID						
Lowest cost per product			Lubricant Total				\$88,930.59	Lubricant Total				\$47,962.09	Lubricant Total				\$73,979.16	Lubricant Total				\$73,526.53	Lubricant Total				\$95,443.00	Lubricant Total				\$62,739.22
Vendor meeting specifications with total lowest price for lubricant or DEF			DEF Total				\$8,267.00	DEF Total				\$11,363.00	DEF Total				\$6,468.00	DEF Total				\$10,060.00	DEF Total				No Bid	DEF Total				\$16,680.00
			Total:				\$97,197.59	Total:				\$59,325.09	Total:				\$80,447.16	Total:				\$83,586.53	Total:				\$95,443.00	Total:				\$79,419.22
								* Vendor with best overall lubricants price					* Vendor with best overall DEF & test kit price																			

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2018-408305

Date Filed:
09/26/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

HJDJ American Lube Supply, Inc.
San Antonio, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Killeen

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

19-02
Petroleum Products

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



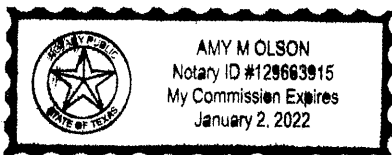
6 UNSWORN DECLARATION

My name is Greg Ricketts, and my date of birth is 10-15-53.

My address is 2887 Goat Creek Rd ^{Lot 241}, Kerrville, TX, 78028.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Comal County, State of Texas, on the 26 day of Sept, 20 18.
(month) (year)



[Signature]
Signature of authorized agent of contracting business entity
(Declarant)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2018-407893

Date Filed:
09/25/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Arnold Oil Company of Austin, LP
AUSTIN, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Killeen

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

19-02
DEF Purchases

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Arnold, Rhonda	Austin, TX United States	X	
	Arnold, James F	Austin, TX United States	X	

5 Check only if there is NO Interested Party.

☐

6 UNSWORN DECLARATION

My name is Roger Frank, and my date of birth is 12-2-1951.

My address is 5909 Burleson Rd, Austin, TX, 78744.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Travis County, State of Texas, on the 25 day of Sept, 2018.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)



PETROLEUM PRODUCTS AND DIESEL EXHAUST FLUID (DEF)

RS-18-096

October 23, 2018

Background

2

- Fleet Services bids petroleum products and diesel exhaust fluid (DEF) for the City's fleet.
 - ▣ These products are used daily and the costs are charged to the departments as the products are used.
 - ▣ Annual petroleum products and DEF cost:
 - FY 2016 - \$72,506
 - FY 2017 - \$75,642
 - FY 2018 - \$81,039
 - FY 2019 - \$60,000 (Estimated)

Bid and Contract Summary

3

- A total of 14 primary products were bid out.
 - ▣ Six bids were received.
- Two vendors offered the best value for the City in two separate portions of the bid.
 - ▣ American Lube Supply - petroleum products
 - ▣ Arnold Oil Co. - DEF
- Contract term is for one year with the option to renew for three additional one year periods.

Alternatives

4

- Alternatives
 - ▣ Award the bid as recommended.
 - ▣ Reject bids and rebid for petroleum products and diesel exhaust fluid.

Recommendation

5

Staff recommends that City Council award purchase contracts to American Lube Supply for petroleum products, and Arnold Oil Co. for diesel exhaust fluid; and that the City Manager or designee be authorized to execute the contracts and any change orders as permitted by state and local law.



City of Killeen

Legislation Details

File #:	RS-18-097	Version:	1	Name:	Chaparral Road Waste Water Improvements Agreement
Type:	Resolution	Status:		Status:	Resolutions
File created:	9/28/2018	In control:		In control:	City Council
On agenda:	10/30/2018	Final action:		Final action:	
Title:	Consider a memorandum/resolution authorizing the award of a Professional Services Agreement with Walker Partners, LLC, for the Chaparral Road Wastewater Improvements Project.				
Sponsors:	Water & Sewer, Public Works Department				
Indexes:					
Code sections:					
Attachments:	Staff Report Letter of Proposal Certificate of Interested Parties Presentation				

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

FROM: David Olson, Executive Director of Public Works

SUBJECT: Authorize the Award of a Professional Services Agreement with Walker Partners, LLC, for the Chaparral Road Wastewater Improvements Project

BACKGROUND AND FINDINGS:

The 2012 Water and Wastewater Master Plan includes two projects (11S and 13S) that will bring sewer service to the area around the intersection of Chaparral Road and Trimmier Road. Project 11S includes the extension of an existing 10-inch force main along Chaparral Road that will allow wastewater flows from this area to be diverted from Lift Station No. 24 to the South Wastewater Treatment Plant. Project 13S includes a new 10-inch wastewater gravity main that will follow the creek near Trimmier Road and will outfall into Lift Station No. 24. It will provide service to existing and new customers along Trimmier Road.

THE ALTERNATIVES CONSIDERED:

1. Projects 11S and 13S could be delayed or left incomplete, but this would mean the City would not provide sewer service to this fast growing area of the City.
2. City staff could pursue a professional services agreement with a different engineering design firm, but City staff feels this alternative will not serve the City's best interest.
3. Award a professional services agreement to Walker Partners for the design and contract administration of the Chaparral Road Wastewater Improvements Project.

Which alternative is recommended? Why?

Alternative 3 is recommended because:

1. Walker Partners has extensive experience with the design and contract administration of wastewater improvement projects.
2. City staff has analyzed a proposal from Walker Partners and feel their design approach will provide the City the most cost effective means to bring wastewater service to this area of the City.

CONFORMITY TO CITY POLICY:

Authorizing a Professional Services Agreement to Walker Partners for the Chaparral Road Wastewater Improvements Project conforms to all State and City purchasing policies. This project meets Goal #10, Sound Infrastructure, of Vision 2030.

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

Funding for this project is available in the amount of \$259,110.00 through account number 386-3495-800.54-99 of the 2013 Water and Sewer Bond.

Is this a one-time or recurring expenditure?

One-time expenditure.

Is this expenditure budgeted?

This expenditure is budgeted.

If not, where will the money come from?

N/A

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

Yes, there is a sufficient amount in the budgeted line-item for this expenditure.

RECOMMENDATION:

Staff recommends that the City Council authorize the City Manager to enter into a Professional Services Agreement with Walker Partners, LLC for the Chaparral Road Wastewater Improvements Project in the amount of \$259,110.00, and that the City Manager is expressly authorized to execute any and all changes within the amounts set by state and local law.

DEPARTMENTAL CLEARANCES:

Public Works
Finance
City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Letter of Proposal
Certificate of Interested Parties

PROPOSAL

To: City of Killeen – Public Works/Water Utility Department
Attn: Steve Kana
From: Nicholas L. Kohel, PE
Project Name: Chaparral Road Wastewater Improvements
Project No.: 2-01612.01
Date: September 26, 2018
Xc: file

CHAPARRAL ROAD WASTEWATER IMPROVEMENTS

Walker Partners, LLC (Engineer) appreciates this opportunity to submit this Proposal to provide professional surveying and civil engineering services to the City of Killeen (Owner) in connection with the Chaparral Road Wastewater Improvements (Project). Based upon our initial meeting, we understand that the Owner intends to combine two projects, 11A and 13S, from the 2012 City of Killeen Water and Wastewater Master Plan.

The City of Killeen is currently engaged in a Owner/Developer agreement which will decommission Lift Station No. 24A and extend an 18" diameter gravity wastewater line to the approximate existing location of Lift Station No. 24A.

The Chaparral Road Wastewater Improvements Project will include several components. The first component will include the design of a 10" diameter wastewater forcemain between Lift Station No. 24 to the new 18" gravity line (proposed discharge point - formerly Lift Station No. 24A). The second component will include conversion of the existing 10" forcemain paralleling Trimmier Road into a gravity wastewater facility. Thirdly, due to topography, a new section of gravity wastewater will be constructed between Trimmier Road and Lift Station No. 24.

In order to properly address project needs, several special services will need to be employed to meet the project goals.

1. A basin study will be needed to ensure adequate capacity exists within the pipes being converted from forcemain to gravity lines.
2. Determination of pump modifications for Lift Station No. 24 and the KISD Satellite Transportation Facility grinder station.
3. Staking of preliminary alignment for the new gravity wastewater line between Trimmier Road and Lift Station No. 24. The staking will aid in determining the final alignment and serve as a visual aid during easement acquisition negotiations.
4. Easement Acquisition services include the following: survey field notes/exhibits, appraisals, as well as a ROW agent.

The scope of services, schedule, and associated fees that Walker Partners proposes to provide for this Project are outlined below:

1.00 SCOPE OF SERVICES

1.01 ENGINEERING BASIC SERVICES

A. Study Phase (Basin Study) (Phase 20)

1. Consult with Owner to define and clarify Owner's requirements for the Project and available data.
2. Identify capacity of the existing forcemain piping that is being converted to gravity wastewater lines; determine adequacy of gravity line size to serve the basin.
3. Prepare a report (the "Report") which will, as appropriate, contain schematic layouts, sketches, and conceptual design criteria with appropriate exhibits to indicate the agreed-to requirements, considerations involved to Owner which Engineer recommends.

B. Analysis of Existing Lift Station Pumps (Phase 21)

1. Analyze proposed head conditions, using design flow information, for both Lift Station No. 24 and the KISD grinder station located at the KISD Satellite Transportation Facility.
2. Recommend appropriate modifications and measures to ensure both lift stations will operate under proposed head conditions.

C. Preliminary Design Phase (Phase 30)

1. Attend preliminary conferences with the Owner regarding the Project.
2. Establish the scope of any soil and foundation investigations or any special surveys and tests which, in the opinion of the Engineer, may be required; assist the Owner in arranging for such work to be done, for the Owner's account.
3. Prepare preliminary design documents on the Project in sufficient detail to indicate clearly the problems involved and the alternate solutions available to the Owner, including final design criteria, preliminary drawings, an outline of specifications, and setting forth clearly the Engineer's recommendations.
4. Prepare a preliminary Engineer's Opinion of Probable Cost.
5. Furnish the Owner the required number of copies of the preliminary plan, including preliminary layouts and cost estimates.

D. Final Design Phase (Phase 40)

1. Prepare final Drawings and Specifications indicating the scope, extent, and character of the Work to be performed and furnished by Contractor. The Drawings to be prepared with this Phase of the Work, in general, will include the following:
 - a. General Condition Drawings – these Drawings shall be for informational, permitting, and bidding purposes and shall, in general, consist of the following:
 - i) General Notes and Project Specific Notes
 - ii) Legends, Abbreviations, and Symbols
 - iii) Survey Control Plan
 - b. Wastewater Collection System Plans and Profiles – prepare drawings for the proposed sanitary sewer system including the sewer pipes and appurtenances, manholes, clean-outs, trenching details, and other details necessary for bidding and construction.

- i. Details – provide project-specific details, municipality standard details, and state agency (TxDOT) standard details as required for permitting, bidding, and construction purposes.
2. Provide technical criteria, written descriptions, and design data for Owner's use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the Project; assist Owner in consultations with such authorities; and revise the Drawings and Specifications in response to directives from such authorities.
3. Advise Owner of any adjustments to the opinion of probable Construction Cost known to Engineer.
4. Prepare and furnish 95% complete Bidding Documents for review by Owner, its legal counsel, and other advisors, and assist Owner in the preparation of other related documents.
5. Revise the Bidding Documents in accordance with comments and instructions from the Owner, as appropriate, and submit final copies (by .pdf and 3 hard copies) of the Bidding Documents, a revised opinion of probable Construction Cost, and any other deliverables to Owner.

The number of prime contracts for Work designed or specified by Engineer upon which the Engineer's compensation has been established under this Agreement is one (1). If more prime contracts are awarded, Engineer shall be entitled to an equitable increase in its compensation under this Agreement.

E. Bidding or Negotiating Phase (Phase 50)

1. Assist Owner in advertising for and obtaining bids or proposals for the Work and, where applicable, maintain a record of prospective bidders to whom Bidding Documents have been issued, attend pre-Bid conferences, if any, and receive and process contractor deposits or charges for the Bidding Documents.
2. Issue Addenda as appropriate to clarify, correct, or change the Bidding Documents.
3. Provide information or assistance needed by Owner in the course of any negotiations with prospective contractors.
4. Consult with Owner as to the acceptability of subcontractors, suppliers, and other individuals and entities proposed by prospective contractors for those portions of the Work as to which such acceptability is required by the Bidding Documents.
5. Attend the Bid opening, prepare Bid tabulation sheets, and assist Owner in evaluating Bids or proposals and in assembling and awarding contracts for the Work.

F. Construction Administration Phase (Phase 60)

1. Assist in the preparation of formal Contract Documents.
2. *Pre-Construction Conference.* Participate in a Pre-Construction Conference prior to commencement of Work at the Site.
3. *Schedules.* Receive, review, and determine the acceptability of any and all schedules that Contractor is required to submit to Engineer, including the Progress Schedule, Schedule of Submittals, and Schedule of Values.
4. Make periodic visits to the site (as distinguished from the continuous services of a resident Project Representative) to observe the progress and quality of the executed work and to determine in general if the work is proceeding in accordance with the Contract Documents.

In performing these services, the Engineer will endeavor to protect the Owner against defects and deficiencies in the work of the contractor, but he cannot guarantee the performance of the contractor, nor be responsible for the actual supervision of construction operations or for the safety measures that the contractor takes or should take.

5. Consult and advise with the Owner; issue all instructions to the contractor requested by the Owner; and prepare and issue routine change orders with Owner's approval.
6. Review samples, catalog data, schedules, shop drawings, laboratory, shop and mill tests of material and equipment and other data which the contractor submits. This review is for the benefit of the Owner and covers only general conformance with the information given by the Contract Documents. The contractor is to review and stamp his approval on submittals prior to submitting to Engineer, and review by the Engineer does not relieve the contractor of any responsibility such as dimensions to be confirmed and correlated at the job site, appropriate safety measures to protect workers and the public, or the necessity to construct a complete and workable facility in accordance with Contract Documents.
7. Obtain and review monthly and final estimates for payments to contractors, and furnish to the Owner any recommended payments to contractors and suppliers; assemble written guarantees which are required by the Contract Documents.
8. Conduct, in company with the Owner, a final inspection of the Project for compliance with the Contract Documents, and submit recommendations concerning project status, as it may affect Owner's final payment to the contractors.
9. Produce "Record Drawings" to memorialize any changes to project during construction. City employed Inspectors will be providing construction record keeping. Record Drawings will be based solely upon information provided by the City Inspectors.

1.02 SPECIAL SERVICES

A. Boundary Verification (Phase 9)

1. Perform Deed Research of Subject Tracts for the purpose of reconciling tract lines.
2. Perform a Boundary Survey based upon North American Datum of 1983 (NAD83) State Plane Coordinates and in accordance with the General Rules of Procedures and Practices as set forth by the Texas Board of Professional Land Surveying and laws of the State of Texas, unless otherwise specified by client.

B. Topographic Survey (Phase 12)

1. Perform an on-the-ground field survey to obtain the topography (terrain data) and other visible and apparent surface features (manmade or natural) such as ditches, swales, channels, embankments, drainage structures, catch basins and inlets, manholes, above-grade utility appurtenances, pavements, significant trees (hardwoods greater than 8 inches in diameter), fences, building structures, water's edge, etc. For underground utilities, Walker Partners will coordinate with Texas 811. The approximate locations of underground utilities will be shown based upon utility locators' markings.
2. Establish vertical control at the site and place benchmarks based upon North American Vertical Datum of 1988 (NAVD88), unless otherwise specified by client.

3. Locate potholes and “measure downs” related to the forcemain to gravity conversion. The potholing to be performed by the City. The pothole locations to be collected by Walker Partners during the topographic survey.
3. Prepare a topographic map from the topographic survey depicting the physical features as described above and with elevation contours at a 1-foot interval.

C. Construction Staking (Phase 65)

The Engineer shall provide line and grade staking for the wastewater improvements, one-time, on behalf of the Owner, for the wastewater collection system.

D. Property Acquisition

1. Easements (Phase 16)

Walker Partners will prepare metes and bounds descriptions along with accompanying drawings of the properties to be used as an attachment to documents (*as prepared by City legal counsel*). The descriptions and drawings will be delivered to the City legal counsel for their use in preparing each document for filing for record. Walker Partners will set iron rods at the property corners after completion of construction.

2. Title Search / Title Letter (First Title Company of Waco) (Phase 100)

First Title Company of Waco will perform a title search on the deed of the current property owner and make a “run sheet” of the documents / instruments found. Prepare a Title Letter describing the instruments and summarizing the findings of the title search. Note: no title opinion will be given.

2.00 SCHEDULE FOR SERVICES

Walker Partners acknowledges the importance to the Owner of the project schedule and agrees to put forth its best professional efforts to perform its services under this proposal in a manner consistent with that schedule. The Owner understands, however, that Walker Partners’ performance must be governed by sound professional practices. If requested, Walker Partners will be pleased to develop a project schedule outlining each of the items included previously described in the scope of services.

3.00 FEES

For the ENGINEERING SERVICES, outlined above, the Owner agrees to pay Walker Partners a lump sum fee of **Two Hundred Fifty-Nine Thousand, One Hundred Ten Dollars (\$259,110.00)** to be invoiced monthly at a percentage of the work completed.

Below is an itemized breakdown of the proposed fees:

Phase No.	Description	Lump Sum Fee
09	Boundary Verification*	\$ 11,520.00
12	Topographic Survey	\$ 28,440.00
16	Easements (9 EA)	\$ 12,980.00
17	Preliminary Alignment Staking	\$ 8,720.00
20	Study Phase (Basin Study)	\$ 5,000.00
21	Analysis of Existing Lift Station Pumps	\$ 10,000.00
30	Preliminary Design Phase	\$ 46,000.00
40	Final Design Phase	\$ 80,000.00
50	Bidding or Negotiating Phase	\$ 5,000.00
60	Construction Administration Phase	\$ 14,000.00
65	Construction Staking	\$ 32,950.00
100	Title Letter (9 EA)	\$ 4,500.00
	TOTAL LUMP SUM FEE	\$ 259,110.00

*** This phase will be taxed unless proof of tax exemption is provided**

4.00 EXCLUSIONS

The following items are excluded from this proposal. If there are questions about any other services not listed here, they shall be clarified prior to approval and acceptance of this proposal.

4.01 The proposed engineering services do not include the following:

- Off-site water and wastewater design and drawings
- Design work related to LEEDS certification(s)
- Geotechnical Investigation
- Environmental Investigation
- Wetlands determination and permitting
- Determination of any listed endangered or threatened species
- Determination of any designated critical habitats in the Project area
- Demolition plans
- Retaining wall design
- Design of screening walls, light pole bases, transformer or generator pads, hardscape features, pavers and/or site signage
- "As-built" Survey
- Construction staking (except as noted)
- Subsurface utility engineering survey
- Assistance to the Owner and/or the Contractor in filing the Notice of Intent (NOI) for the proposed construction activities
- Design of any "dry" utility facilities (i.e. gas, electric, phone, cable TV, etc.)

4.02 Any major changes involved after Construction Documents have been completed and approved will be charged on a time basis per hourly rates attached herewith.

5.00 ACCEPTANCE OF PROPOSAL

If the Scope of Services, Schedule, and Fees outlined herein are acceptable to City of Killeen (Owner), Walker Partners will prepare a "Standard Form of Agreement for Professional Services" for review, approval, and execution.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING**

Certificate Number:
2018-409204

Date Filed:
09/28/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Walker Partners, LLC
Waco, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Killeen

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

2-01612.01
Professional engineering and surveying services in connection with the Chaparral Road Wastewater Improvements project.

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Walker, Jr., George E.	Waco, TX United States	X	

5 Check only if there is NO Interested Party.

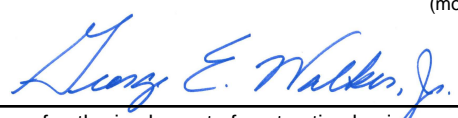
☐**6 UNSWORN DECLARATION**

My name is George E. Walker, Jr., and my date of birth is 12/26/60.

My address is 823 Washington Avenue, Suite 100, Waco, TX, 76701, US.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in McLennan County County, State of Texas, on the 28th day of September, 20 18.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)



CHAPARRAL RD WASTEWATER IMPROVEMENTS PROJECT

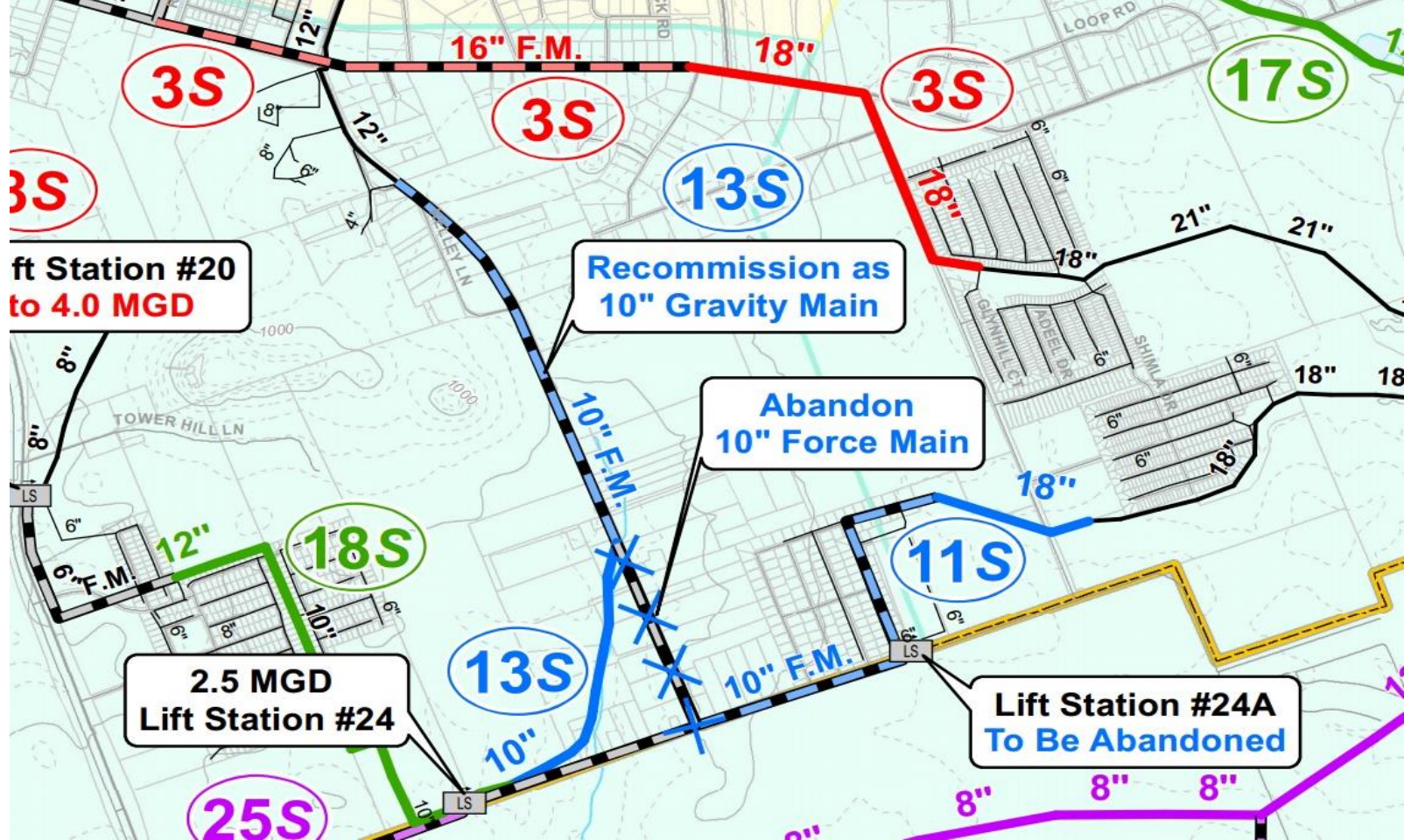
RS-18-097

October 23, 2018

Background and Conclusion

2

- ❑ The scope of this project includes portions of two projects (11S and 13S) from the 2012 Water and Wastewater Master Plan.
- ❑ This project will bring sewer service to the Trimmier Road area north of Chaparral Road and will divert wastewater flows from Lift Station No. 24 to the South Wastewater Treatment Plant.
- ❑ Walker Partners, LLC has submitted a proposal for \$259,110 to design this project and administer the construction contract.
- ❑ Funding for this project is available in the 2013 Water and Sewer Bond.
- ❑ This project is included in the FY 19 CIP.



Alternatives

4

- Delay or don't complete this project
 - ▣ This would mean the City would not provide sewer service to this fast growing area.
- Negotiate an agreement with a different engineering company
 - ▣ Walker Partners is highly qualified and has provided an acceptable fee for the service. City staff does not recommend this alternative.
- Award a professional services agreement to Walker Partners for the design and contract administration of the Chaparral Road Wastewater Improvements Project.

Recommendation

5

- Staff recommends that the City Council authorize the City Manager or designee to enter into a Professional Services Agreement with Walker Partners, LLC for the Chaparral Road Wastewater Improvements Project in the amount of \$259,110.
- Staff recommends that the City Manager or designee is expressly authorized to execute any and all changes to this contract within amounts set by state and local law.



City of Killeen

Legislation Details

File #: RS-18-098 **Version:** 1 **Name:** Waterline Rehab Phase 3
Type: Resolution **Status:** Resolutions
File created: 9/28/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Consider a memorandum/resolution authorizing the award of a Professional Services Agreement with Kasberg, Patrick & Associates, LLC, for the Water Line Rehabilitation Phase 3 Project.
Sponsors: Water & Sewer
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Letter of Proposal](#)
[Certificate of Interested Parties](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

FROM: David Olson, Executive Director of Public Works

SUBJECT: Authorize the Award of a Professional Services Agreement with Kasberg, Patrick & Associates, LLC, for the Water Line Rehabilitation Phase 3 Project

BACKGROUND AND FINDINGS:

The 2012 Water and Wastewater Master Plan includes project 9W that will rehabilitate or replace approximately 28,000 feet of old, small diameter water lines in an area east of Fairview Drive, west of Garth Drive, north of West Rancier Avenue, and south of Williamson Avenue. The rehabilitation/replacement of these water lines will help reduce the number of water line breaks, increase available fire flow, and improve water quality in this area.

THE ALTERNATIVES CONSIDERED:

1. This project could be delayed or left incomplete, but this will increase the City's water loss due to breaks and cost the City much more in the future.
2. This project could be done in another section of the City. Based on age of pipe, material of pipe, and number of breaks, the water lines in the northwest section of the City are the third highest of a water main prioritization process.
3. City staff could pursue a professional services agreement with a different engineering design firm, but City staff feels this alternative will not serve the City's best interest.
4. Award a professional services agreement to Kasberg, Patrick & Associates (KPA) for the design and contract administration of the Water Line Rehabilitation Phase 3 Project.

Which alternative is recommended? Why?

Alternative 4 is recommended because:

1. KPA has extensive experience with the design and contract administration of water line rehabilitation projects.
2. KPA did an outstanding job in the design and contract administration of the Water Line Rehabilitation Phase 1 Project for the City of Killeen.
3. City staff has analyzed a proposal from KPA and feel their design approach will provide the City the most cost effective means to rehabilitate the water lines in this area of the City.

CONFORMITY TO CITY POLICY:

Authorizing a Professional Services Agreement to KPA for the Water Line Rehabilitation Phase 3 Project conforms to all State and City purchasing policies. This project meets Goal #10, Sound Infrastructure, of Vision 2030.

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

Funding for this project is available in the amount of \$193,700.00 through account number 386-3495-800.54-59 of the 2013 Water and Sewer Bond.

Is this a one-time or recurring expenditure?

One-time expenditure.

Is this expenditure budgeted?

This expenditure is budgeted.

If not, where will the money come from?

N/A

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

Yes, there is a sufficient amount in the budgeted line-item for this expenditure.

RECOMMENDATION:

Staff recommends that the City Council authorize the City Manager to enter into a Professional Services Agreement with Kasberg, Patrick & Associates, LLC for the Water Line Rehabilitation Phase 3 Project in the amount of \$193,700.00, and that the City Manager is expressly authorized to execute any and all changes within the amounts set by state and local law.

DEPARTMENTAL CLEARANCES:

Public Works
Finance
City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Letter of Proposal
Certificate of Interested Parties



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
Texas Firm F-510

Temple
One South Main Street
Temple, Texas 76501
(254) 773-3731

RICK N. KASBERG, P.E.
R. DAVID PATRICK, P.E., CFM
THOMAS D. VALLE, P.E.
GINGER R. TOLBERT, P.E.
ALVIN R. "TRAE" SUTTON, III, P.E., CFM

Georgetown
1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

September 27, 2018

Mr. Steve Kana, P.E.
Director of Water & Sewer Utilities
City of Killeen
805 West Jasper
Killeen, Texas 76542

RE: City of Killeen
Waterline Rehabilitation 9W

Dear Mr. Kana:

This letter proposal is for Kasberg, Patrick & Associates, LP (KPA) to develop construction drawings for the 9W Waterline Rehabilitation Project from the City's Master Plan. This project is located in the northwest area of the City, west of N. College Street and north of W. Rancier Avenue. The area includes approximately 28,000 feet of waterline. Our Preliminary Opinion of Construction Cost is \$3,100,000.

The preliminary engineering design phase of the project will include an evaluation to determine the waterlines to be replaced and alignments. As part of the final design phase, we will provide Review Sets and meet with City staff to address comments. Our scope of services also includes Bidding and Construction Administration.

The charges for our services will be a lump sum amount of \$193,700, as detailed below.

Final Design	\$	152,790.00
Bidding Services		7,000.00
Construction Administration		33,910.00
TOTAL	\$	193,700.00

Mr. Steve Kana, P.E.
September 27, 2018
Page Two

The Lump Sum Amounts for each portion of the project will not be exceeded unless the scope of the project is changed and additional work is authorized in writing. We will invoice this work for percent complete on a monthly basis.

If this proposal meets with your approval, please execute below and return one copy to us for our files. As always, we look forward to working with you on this project.

Sincerely,

A handwritten signature in blue ink that reads "Ginger R. Tolbert". The signature is written in a cursive, flowing style.

Ginger R. Tolbert, P.E.
Principal

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING**

Certificate Number:
2018-409234

Date Filed:
09/28/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Kasberg, Patrick & Associates, LP
Temple, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Killeen, Texas

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Waterline Rehabilitation 9W

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Kasberg, PE, Rick N.	Temple, TX United States	X	
	Patrick, PE, R. David	Temple, TX United States	X	
	Valle, PE, Thomas D.	Temple, TX United States	X	
	Tolbert, PE, Ginger	Temple, TX United States	X	
	Sutton, III, PE, Alvin R.	Georgetown, TX United States	X	
	Simcik, PE, John A.	Temple, TX United States	X	

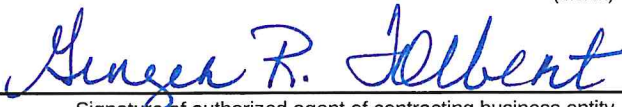
5 Check only if there is NO Interested Party.☐**6 UNSWORN DECLARATION**

My name is Ginger R. Tolbert, and my date of birth is 11/04/1972.

My address is One South Main, Temple, TX, 76501, USA.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Bell County, State of Texas, on the 28th day of September 2018.
(month) (year)


Signature of authorized agent of contracting business entity
(Declarant)



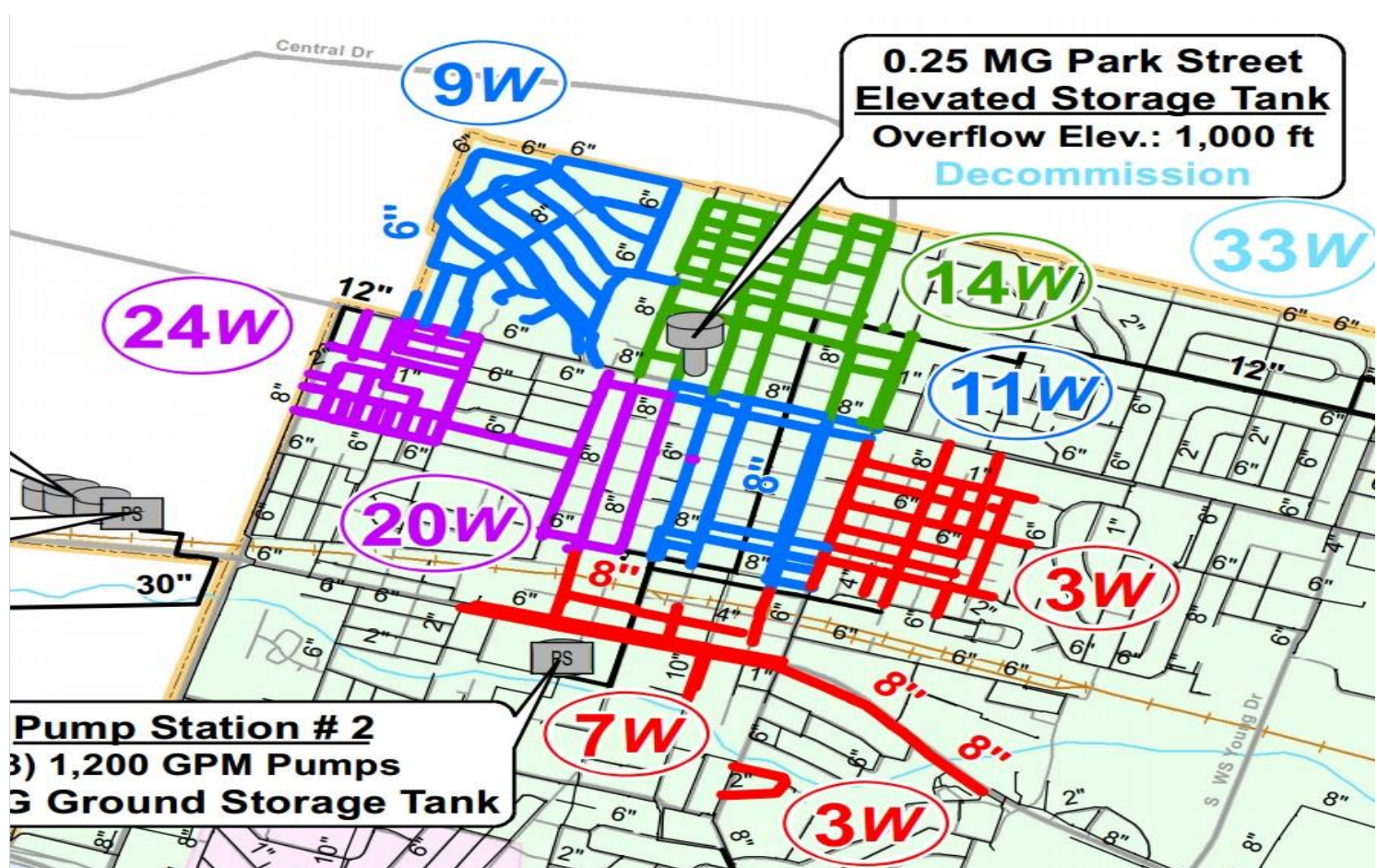
WATER LINE REHABILITATION PHASE 3 PROJECT

RS-18-098

October 23, 2018

Background and Conclusion

- ❑ The 2012 Water and Wastewater Master Plan includes project 9W that will rehabilitate approximately 28,000 feet of water lines in the northwest section of the City.
- ❑ The rehabilitation of these water lines will help reduce the number of water line breaks, increase available fire flow, and improve water quality in this area.
- ❑ Kasberg, Patrick & Associates, LLC (KPA) has submitted a proposal for \$193,700 to design this project and administer the construction contract.
- ❑ Funding for this project is available in the 2013 Water and Sewer Bond.
- ❑ This project is included in the FY 19 CIP.



3

Master Plan Project 9W

Alternatives

4

- ❑ Delay or don't complete this project; this would increase the City's water loss due to breaks and cost much more to complete in the future.
- ❑ Negotiate an agreement with a different engineering firm; due to KPA's outstanding performance on the Water Line Rehabilitation Phase 1 Project, City staff feels this alternative will not serve the City's best interest.
- ❑ Award a professional services agreement to KPA for the design and contract administration of the Water Line Rehabilitation Phase 3 Project.

Recommendation

5

- ❑ Staff recommends that the City Council authorize the City Manager, or designee, to enter into a Professional Services Agreement with KPA for the Water Line Rehabilitation Phase 3 Project in the amount of \$193,700.
- ❑ Staff recommends that the City Manager, or designee, is expressly authorized to execute any and all changes to this contract within amounts set by state and local law.



City of Killeen

Legislation Details

File #: RS-18-099 **Version:** 1 **Name:** MOU Bell County Communications 2018
Type: Resolution **Status:** Resolutions
File created: 10/9/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:**
Title: Consider a memorandum/resolution to enter into a Memorandum of Understanding with Bell County on behalf of Bell County Communications Center.
Sponsors: Police Department
Indexes: MOU
Code sections:
Attachments: [Staff Report](#)
[Memorandum of Understanding](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

FROM: Charles F. Kimble, Chief of Police

SUBJECT: Memorandum of Understanding with Bell County on behalf of Bell County Communications Center

BACKGROUND AND FINDINGS:

The Bell County Communications Center in Belton provides emergency communications and dispatching services for the public safety agencies in Bell County, to include the City of Killeen.

The Bell County Communications Center is the Public Safety Answering Point (PSAP) and Emergency Communications Center for Bell County, which requires a backup site to provide emergency communications and dispatch services in the event of a disruption in its abilities to provide those services at its primary site. To ensure continuity of emergency communications and dispatch services in the event that the Bell County Communications Center is unable to provide services due to an emergency such as fire, flood, tornado, equipment malfunction or any other natural or man-made cause, the City of Killeen has agreed that the Bell County Communications Center shall activate the back-up PSAP/Emergency Communications Center for Bell County until service at the primary site can be restored.

Bell County Communications Center's backup site is located at the Killeen Police Department headquarters building at 3304 Community Boulevard, Killeen, Texas, and is currently a four-911 call answering position site. Both parties recognize the need for the expansion to fifteen call answering and dispatch positions and wish to enter into a written Memorandum of Understanding.

Bell County is responsible for cost of expanding the existing back-up site to include electrical and HVAC upgrades for a minimum 15-position site. Bell County is responsible for the purchase and maintenance of equipment, furniture and Bell County personnel salary required for a 15-position emergency communications backup site.

The space for the Backup Site will be provided to Bell County Communications Center rent free.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended? Why?

1. Sign the Memorandum of Understanding.
2. Do not sign the Memorandum of Understanding.

It is best practice to have a written MOU with neighboring agencies in place to allow for immediate response and understanding of expectations. Therefore, participation in this Memorandum of Understanding is recommended.

CONFORMITY TO CITY POLICY:

This Memorandum of Understanding conforms to City policy.

FINANCIAL IMPACT:

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

There are no expenditures for entering into the Memorandum of Understanding.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

Staff recommends that the City Council approve the Memorandum of Understanding with Bell County on behalf of the Bell County Communications Center and authorize the City Manager, or his designee, to execute the agreement.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING
BETWEEN BELL COUNTY and CITY OF KILLEEN
FOR BACKUP EMERGENCY COMMUNICATIONS SITE

This MOU is entered into by Bell County, on behalf of the Bell County Communications Center and City of Killeen, on behalf of the Killeen Police Department, for the purposes stated herein.

Whereas, the Bell County Communications Center provides emergency communications and dispatching services for the public safety agencies in Bell County, to include the City of Killeen; and

Whereas, the Bell County Communications Center is the Public Safety Answering Point ("PSAP") and Emergency Communications Center for Bell County, which requires a backup site to provide emergency communications and dispatch services in the event of a disruption in its abilities to provide those services at its primary site; and

Whereas, in order to ensure continuity of emergency communications and dispatch services in the event that the Bell County Communications Center is unable to provide services due to an emergency such as fire, flood, tornado, equipment malfunction or any other natural or man-made cause, the City of Killeen has agreed that the Bell County Communications Center shall activate the back-up PSAP/Emergency Communications Center for Bell County until service at the primary site can be restored; and

Whereas, the Bell County Communications Center backup site located at 3304 Community Blvd, in the Killeen Police Department, is currently a four 911 call answering position site and both parties recognize the need for the expansion to fifteen call answering and dispatch positions; and

Whereas, Bell County and City of Killeen wish to set forth their Memorandum of Understanding (the "MOU") in writing.

Now, therefore, in consideration of the benefits to be derived under this MOU the parties agree as follows:

I. PURPOSE

The parties incorporate the recitals above into this statement of purpose for the MOU.

II. DEFINITIONS

As used herein, the following capitalized terms shall have the definitions ascribed thereto:

- a. PSAP – Public Safety Answering Point
- b. Primary Site – Bell County Communications Center
- c. Backup Site – Alternate site designated and equipped to take on the functions of the Bell County Communications Center in case of catastrophic failure.

III. CONDITIONS

- a. The services provided as a result of this MOU are considered services to the general public and this MOU shall not be construed to create an employer-employee, principal-agent or co-partnership relationship between the parties.
- b. Bell County is responsible for the cost of expanding the existing back-up site to include electrical and HVAC upgrades for a minimum-15 position site. Bell County will execute a contract for work to be done and will require all contractors to be bonded and insured. The City of Killeen will have the right to reject any contractor it does not believe has sufficient experience to knowledge to perform work on or in the Killeen Police Department building. The City of Killeen will have final approval of all plans before work begins. Bell County will be responsible for any damage caused to the Killeen Police Department building or any component systems, including and damage caused by a contractor hired by Bell County, which occurs as a part of the expansion.
- c. Bell County is responsible for the purchase and maintenance of equipment, furniture, and for Bell County personnel salary required for a 15-position emergency communications backup site.
- d. Recognizing the space for the Backup Site is a shared space, any and all equipment provided by each party remains the property and responsibility of the respective parties.
- e. The space for the Backup Site will be provided to Bell County Communications Center rent free. In the event Bell County Communications Center should need to stand up the Backup Site for an extended period in excess of seven days Bell County Communications Center will pay for any increase in the average cost for utilities or janitorial services that the City of Killeen may incur for the space provided.

IV. PROCEDURES

In the event an emergency occurs that results in the degradation or capability of the Bell County Communications Center to provide emergency communications and response to

9-1-1 calls at its primary facility, backup communications service shall be provided at the Bell County Communications Center Backup Site located at the Killeen Police Department as follows:

- a. Bell County Communications Center staff will contact the Killeen Police Department to advise of the need to activate the Backup Site. The Killeen Police Department shall, to the extent of its abilities and resources, prepare for the arrival of Bell County Communications Center personnel.
- b. Emergency communications services shall continue at the Backup Site until such time as adequate functionality has been restored at the Bell County Communications Center.
- c. If it is determined and agreed by both parties at a later date that it is necessary to provide other communications equipment, capability or procedures so as to be able to accomplish the purpose of this MOU, amendments to this MOU may be executed in writing and identifying the cost obligations of each party for such additional equipment.

V. NOTICES

Notice of the need under Section IV of this MOU will be by telephone or by other means as may be reasonably used to appraise the Killeen Police Department of the need for activation or access. All other notices under this MOU, with the exception of equipment testing and training, shall be given in writing.

VI. TERM

This MOU shall take effect and be in full force upon signature by both parties. This MOU shall remain in effect for ten years from the signature date, unless earlier terminated as provided herein. Either party may terminate this MOU upon one year written notice to the other party.

VII. INDEMNITY

To the extent allowed by law, each party shall indemnify, defend, and hold the other harmless from any and all costs, expenses, liability, losses, claims, suits, and proceedings of any nature brought against the other by reason of the indemnifying party's acts or omissions, provided the same does not arise out of any negligence, breach of warranty or other breach of duty by the indemnified party.

In witness whereof, the parties have signed this MOU on the _____ day of _____, _____.

Bell County

Signature

Printed

City of Killeen

Signature

Printed





MOU WITH BELL COUNTY

RS-18-099

October 23, 2018

Background

2

- ❑ Memorandum of Understanding with Bell County on behalf of Bell County Communications (BCC) Center.
- ❑ BCC provides emergency communications and dispatching services for public safety agencies in Bell County.
- ❑ BCC requires a backup Public Safety Answering Point (PSAP) for call taking and dispatch services to the county in the event of service disruption at the main Belton site.

Background continued

3

- ❑ The current backup PSAP is located at the Killeen PD headquarters.
- ❑ The backup PSAP is currently a four-position site and needs to be expanded to 15 positions.
- ❑ Bell County is responsible for the purchase and maintenance of equipment and payment of personnel when activated.
- ❑ City of Killeen will provide the space rent free.

Recommendation

4

- Staff recommends the City Council approve the Memorandum of Understanding with Bell County on behalf of the Bell County Communications Center and authorize the City Manager, or his designee, to execute the agreement.



City of Killeen

Legislation Details

File #:	PH-18-033	Version:	1	Name:	Zoning 18-08
Type:	Ordinance/Public Hearing	Status:		Status:	Public Hearings
File created:	10/1/2018	In control:		In control:	City Council
On agenda:	10/30/2018	Final action:		Final action:	
Title:	HOLD a public hearing and consider an ordinance submitted by Quintero Engineering, L.L.C. on behalf of JMJ Acquisitions, L.L.C. (Case #Z18-08) to rezone Lot 5, Block 1, Rosewood Commercial, from "B-3" (Local Business District) to a Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) for an apartment complex. The property is locally known as 3701 Rosewood, Killeen, Texas.				
Sponsors:	Planning & Development Dept				
Indexes:					
Code sections:					
Attachments:	Staff Report Map Minutes Responses Ordinance Proposed PUD Concept Plan Apartment Architectural Elevation Pharr v Tippitt Considerations Presentation				

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

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

SUBJECT: Zoning Case #Z18-08 "B-3" (Local Business District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District)

Background and Findings

This request is submitted by Quintero Engineering, L.L.C. on behalf of JMJ Acquisitions, L.L.C. to rezone Lot 5, Block 1, Rosewood Commercial, from "B-3" (Local Business District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) for an apartment complex. The property is addressed as 3701 Rosewood Drive, Killeen, Texas.

District Descriptions:

Sec. 31-256.1. - Use regulations - "R-3A."

- (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 Executive 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.

The PUD concept plan illustrates nine (9) multifamily apartment buildings and a club house. The dwelling unit summary consists of a total of 216 units with 126 one-bedroom units, 72 two-bedroom units, 18 three-bedroom units and 374 parking spaces. The property will gain access to Rosewood Drive via two private drive features, with no connectivity to the surrounding residential neighborhoods.

Property Specifics

Applicant / Property Owner: JMJ Acquisitions, L.L.C.

Property Location: The property is addressed as 3701 Rosewood Drive, Killeen, Texas.

Legal Description: Lot 5, Block 1, Rosewood Commercial

Zoning/ Plat Case History:

- The property was rezoned from "R-1" (Single-Family Residential District) to "B-3" (Local Business District) on January 27, 2015, per Ordinance No. 15-005.
- The area was most recently platted as Rosewood Commercial, which was filed for record on June 11, 2018, as Dedication Instrument No. 2018-00023595, Official Records of Real Property, Bell County, Texas.

Character of the Area: The properties west and south of the subject site consist of single-family homes, townhomes and duplexes. The properties north and east of the site consist of commercial and manufacturing zoned properties.

Existing Land Use(s) on the Property: Vacant

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. There is an existing 6" diameter sewer line that is located adjacent to Rosewood Drive. Upon development, it will be necessary to extend water, sewer and drainage infrastructure to the site.

Transportation:

Existing conditions: The tract has direct access to Rosewood Drive, which is classified as a 110' wide minor arterial 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 216 multifamily units. These units will generate 1,436 daily trips with 110 total generated trips during AM peak hour and 134 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: Acorn Creek is located along the western boundary of the property and approximately 5.43 acres of the site lies within a FEMA 100-year floodplain.

Land Use Analysis

Land Use Plan: This area is designated as Planned Unit Development ('PD') on the Future Land Use Map (FLUM) of the Comprehensive Plan.

Plan Recommendation: The 'PD' designation allows for mixed use (retail, office, residential, public), a variety of housing types and parks/ public spaces. The 'PD' designation

characteristics include the potential for distinct character areas within an overall development design, superior site design and development quality as well as being transit supportive.

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

Public Notification

Staff notified one hundred and twenty-one (121) surrounding property owners within 400 feet of this property regarding this request. Staff has received opposition from Susan Nelson (4802 Castlewood Drive), Elba Rivera (4814 Acorn Creek Trail), Phillippe Geremia (4516 Acorn Creek Trail) and Jeffry Reed (4814 Castlewood Drive). Mr. John Llewellyn (4812 Acorn Creek Trail) is not opposed to the project, but he would like all expenses in the areas of drainage improvements and crime/ noise to be paid by the developer. Additionally, Walter and Susan Galdenzi (5400 E. Central Texas Expressway) are in favor of the request. Mellisa Brown (6105 Melanie Drive) spoke in opposition to the request during the Planning and Zoning Commission's public hearing on this matter.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended?

Staff is not recommending any alternatives.

Why?

Staff supports the PUD zoning request as an option as it allows flexibility and a negotiated process.

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 recommends approval of the the PUD (by a vote of 6 to 0, with Commissioner Alvarez abstaining) subject to the conditions listed below and granting the following exceptions to:

1. The maximum height limit of 35 feet per PUD general regulations contained in Code Section 31-802;
2. The minimum 36 feet continuous pavement requirement per PUD general regulations contained in Code section 31-802;

The following are conditions of approval:

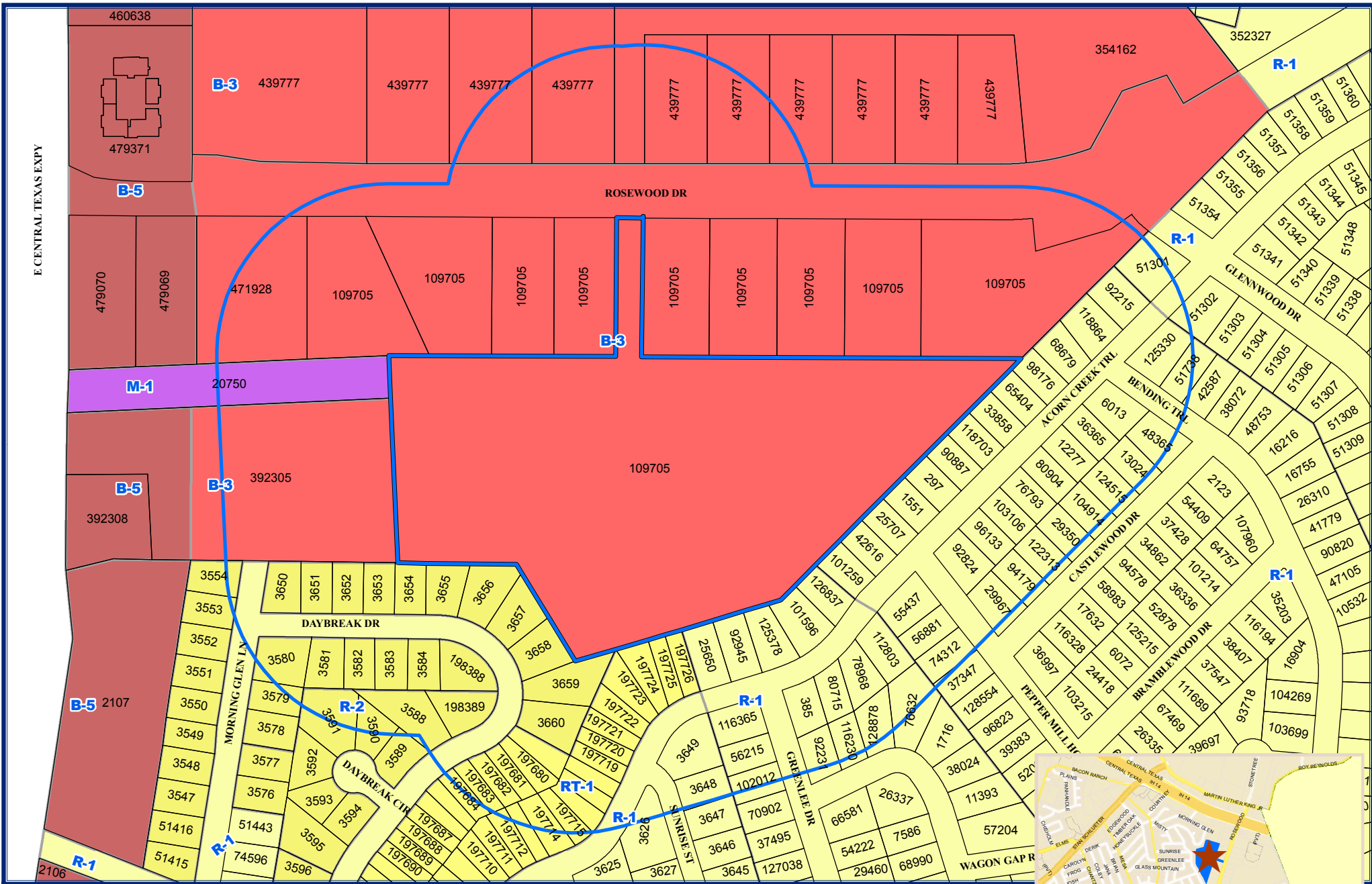
- (i) the PUD concept Plan shall illustrate a 6' tall screening fence (stone, brick or block, wrought iron) adjacent to Lots 5-10, Block 9, of the Morning Glen Subdivision;*
- (ii) the brick veneer for the side (right and left) elevations of the nine multifamily structures shall be extended to the second floor as illustrated per the PUD documents;*
- (ii) in accordance with Code Section 31-256.5, the developer shall provide three color variations (for non-masonry exterior building materials) between the nine buildings with buildings 1, 2, 4 and 5 as the first color variation; buildings 3 and 6 as the second color variation; and buildings 7, 8 and 9 as the third color variation, as illustrated per the PUD documents.*

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Zoning map and notification area
Minutes
Responses
Ordinance
Overall PUD concept plan
Apartment architectural elevation
Pharr v. Tippitt Considerations



Zoning Case Notification Plan

Case Z-2018-08

Council District: 2

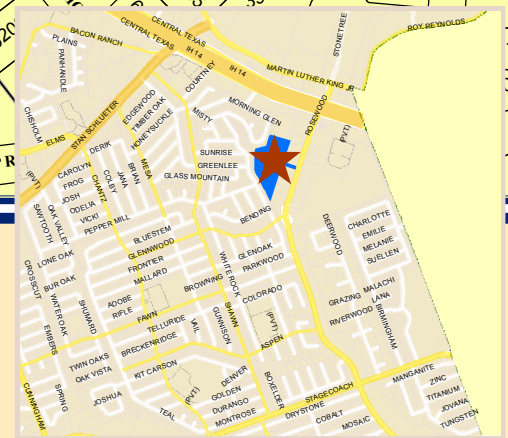
B-3 to PUD W/R-3A

1 inch = 300 feet

Subject Property Legal Description: A0158BC R CUNNINGHAM, 1, 705-9, ACRES 31.150

Legend

400' Buffer Parcel City Limits



**MINUTES
PLANNING AND ZONING COMMISSION MEETING
OCTOBER 1, 2018**

**CASE #Z18-08
“B-3” to “PUD” w/ “R-3A”**

HOLD a public hearing and consider a request submitted by Quintero Engineering, L.L.C. on behalf of JMJ Acquisitions, L.L.C., (**Case#Z18-08**) to rezone Lot 5, Block 1, Rosewood Commercial, from “B-3” (Local Business District) to Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) for an apartment complex. The property is locally known as 3701 Rosewood Drive, Killeen, Texas.

Chairman Peters requested staff comments.

City Planner, Tony McIlwain, stated that the proposed Planned Unit Development (PUD) includes nine (9) multifamily apartment buildings and a club house. It consists of a total of 216 units, with 138 one-bedroom units, 48 two bedroom units, 30 three-bedroom units and 372 parking spaces. The property will gain access to Rosewood Drive via two private drive features, with no connectivity to the surrounding residential neighborhoods.

Mr. McIlwain further explained that a Planned Unit Development (PUD) is a land use designation designed to provide flexibility from the strict application of existing development regulations and land use standards. The PUD designation serves as an overlay zoning district, which enables the developer to request that specific land use development regulations be applied to his development site.

Mr. McIlwain noted that Sec. 31-802(g) of the City of Killeen Code of Ordinances states that “no structures within the PUD that exceed thirty-five (35) feet in height may be constructed on lots adjacent to single-family and two-family districts.” However, staff recommended approval of the PUD which grants an exception to the thirty-five (35) feet requirement referenced in Chapter 31.

Mr. McIlwain noted that Sec. 31-806(b)(6) of the City of Killeen Code of Ordinances states that a private street which has an access control gate or cross arm must have a minimum uninterrupted pavement width of 36 feet. However, staff recommended approval of the PUD which grants an exception to the thirty-six (36) feet requirement referenced above for the illustrated 25’ passage easement.

In addition, staff recommended the following:

- (i) the PUD concept Plan shall illustrate a 6’ tall screening fence (stone, brick or block, wrought iron) adjacent to Lots 5-10, Block 9, of the Morning Glen Subdivision;
- (ii) the brick veneer for the right and left elevation of all building type A structures shall be increased to match the illustrated height of the brick watertable;

(iii) In accordance with Code Section 31-256.5, the developer shall provide three color variations (for non-masonry exterior building materials) between the nine buildings with buildings 1, 2, 4 and 5 being one color standard; buildings 3 and 6 as a second color standard; and buildings 7, 8 and 9 as a third color standards.

Mr. McIlwain noted that staff notified one hundred and twenty-one (121) surrounding property owners within 400 feet of this property regarding this request, and received three responses. Mr. John Llewellyn, the owner of 4812 Acorn Creek Trail, would like all expenses in the areas of drainage improvements and crime/ noise to be paid by the developer. Ms. Susan Nelson, the owner of 4802 Castlewood Drive, is in opposition to the rezoning request. Ms. Elba Rivera, the owner of 4814 Acorn Creek Trail is also in opposition to the request.

Mr. Pedro Quintero, 415 E. Avenue D, Killeen, Texas, was present to represent this request.

Chairman Peters opened the public hearing.

Melissa Brown, 6105 Melanie Drive, Killeen, Texas, stated that she was concerned with parking, congestion, noise, drainage and traffic.

With no one else requesting to speak, the public hearing was closed.

Commissioner Cooper motioned to recommend approval of the request as recommended by staff. Commissioner Payton seconded, and the motion passed by a vote of 6 to 0, with Commissioner Alvarez abstaining.

Chairman Peters stated that the request will be forwarded to City Council with a recommendation to approve.

Commissioner Alvarez returned to the dais.

YOUR NAME:	John Llewellyn	PHONE NUMBER:	
CURRENT ADDRESS:	4812 Acorn Creek Trail		
ADDRESS OF PROPERTY OWNED:	Killeen, TX 76542		
COMMENTS:	"B-3" to PUD with "R-3A"		
Crime	} all expenses paid by developer		
Fire			
Noise			
Water			
SIGNATURE:		SPO #Z18-08/ 078	

RECEIVED

SEP 25 2018

PLANNING

YOUR NAME:	Elba R Rivera	PHONE NUMBER:	254 338-2457
CURRENT ADDRESS:	4814 Acorn Creek Trail, Killeen TX 76542		
ADDRESS OF PROPERTY OWNED:			
COMMENTS:	"B-3" to PUD with "R-3A"		
Gentleman: Since you opened access road Rosewood to E Central Expressway, we had multiple car accidents. Also, the environment of our community has been affected with constant noise of police, ambulance, fire response. I oppose to rezoned property. This action will have a major impact in the value of our property and the environment of our community.			
SIGNATURE:	Elba R. Rivera	SPO #Z18-08/	078

RECEIVED

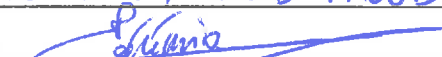
SEP 27 2018

YOUR NAME:	Susan Nelson	PHONE NUMBER:	254-338-9477
CURRENT ADDRESS:	4802 Castlewood Dr, Killeen, TX 76542		
ADDRESS OF PROPERTY OWNED:	4802 Castlewood Dr, Killeen, TX 76542		
COMMENTS:	"B-3" to PUD with "R-3A"		
Myself and my family are property owners and residents of the neighborhood to be impacted by the proposed rezoning. We also own several rental properties in the City of Killeen and lived here over 50 years. We know far too well the negative impact apt. complexes have on quality of life, property values, and crime rates. WE DO NOT WANT THIS REZONING!			
SIGNATURE:	Susan Jaylin Nelson	SPO #Z18-08/	085

RECEIVED

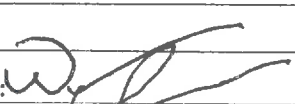
SEP 25 2018

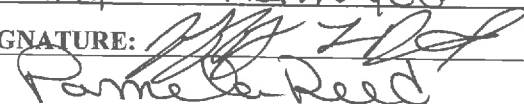
PLANNING

YOUR NAME: PHILIPPE GEREMIA	PHONE NUMBER: 830-772-5072
CURRENT ADDRESS: 230 MOLLY DR - LYTLE, TX 78052	
ADDRESS OF PROPERTY OWNED: 4516 ACORN CREEK TRL - KILLEEN, TX	
COMMENTS:	"B-3" to PUD with "R-3A"
I OPPOSE THE REZONING. MORNING GLEN IS A QUIET NEIGHBORHOOD. AN APARTMENT COMPLEX MULTI-FAMILY WILL BRING LOW-INCOME POPULATION AND CRIME. BUILDING ALL OVER THIS GREEN BELT DETRACTS FROM THE QUALITY OF LIFE OF RESIDENTS. IT WILL LOWER MY HOUSE VALUE. FAMILIES OF SOLDIERS	
SIGNATURE: 	SPO #Z18-08/043

NEED TO BE ENCOURAGED TO OWN PROPERTY INSTEAD OF RENTING.

P.O. BOX 1329 · KILLEEN, TEXAS 76540-1329 · 254.501.7630 · 254.501.7628 FAX

YOUR NAME: Walter + Susan Galdenzi	PHONE NUMBER: 281-893-1542
CURRENT ADDRESS: 5625 FM 1960 Rd W. STE 500 Houston TX 77069	
ADDRESS OF PROPERTY OWNED: 5400 E. Central Texas Expw. Killeen, TX 76543	
COMMENTS:	"B-3" to PUD with "R-3A"
I support this request.	
RECEIVED	
OCT 01 2018	
PLANNING	
SIGNATURE: 	SPO #Z18-08/121

CUT HERE	
YOUR NAME: Jeffrey Reed	PHONE NUMBER: 252-226-5760
CURRENT ADDRESS: Pamela Reed 4814 Castlewood Dr Killeen, TX	
ADDRESS OF PROPERTY OWNED: 4814 Castlewood Dr Killeen, TX 76542	
COMMENTS:	"B-3" to PUD with "R-3A"
We are opposed to this because of the following reasons: 1. Safety Issues 2. Noise 3. Character of my quiet neighborhood. 4. Our property values to decrease. We love our neighborhood the way it is - more people will only effect our value of living. Thank You	
SIGNATURE: 	SPO #Z18-08/097

OCT 01 2018

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 “B-3” (LOCAL BUSINESS DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH “R-3A” (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, JMJ Acquisitions, L.L.C. has presented to the City of Killeen a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately 16.12 acres, being Lot 5, Block 1, Rosewood Commercial, from “B-3” (Local Business District) to Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment 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 1st day of October 2018, with exceptions to the maximum height limit of 35 feet per PUD general regulations contained in Code Section 31-802 and the minimum 36 feet continuous pavement requirement per PUD general regulations contained in Code section 31-802. Additionally the Planning and Zoning Commission recommends approval of the PUD with the following conditions:

- (i) the PUD concept Plan shall illustrate a 6’ tall screening fence (stone, brick or block, wrought iron) adjacent to Lots 5-10, Block 9, of the Morning Glen Subdivision;
- (ii) the brick veneer for the side (right and left) elevations of the nine multifamily structures shall be extended to the second floor as illustrated per the PUD documents;
- (iii) in accordance with Code Section 31-256.5, the developer shall provide three color variations (for non-masonry exterior building materials) between the nine buildings with buildings 1, 2, 4 and 5 as the first color variation; buildings 3 and 6 as the second color

variation; and buildings 7, 8 and 9 as the third color variation, as illustrated per the PUD documents; 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 30th day of October 2018, 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 majority opinion that the PUD for “R-3A” zoning request should be approved with those exceptions and conditions as stipulated by the Planning and Zoning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION I. That the zoning classification of 16.12 acres, being Lot 5, Block 1, Rosewood Commercial, be changed from “B-3” (Local Business District) to Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) with the exceptions and conditions listed above. The project site is located on the west side of Rosewood Drive and is addressed as 3701 Rosewood Drive, 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 30th day of October 2018, 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:

Lucy C. Aldrich, CITY SECRETARY

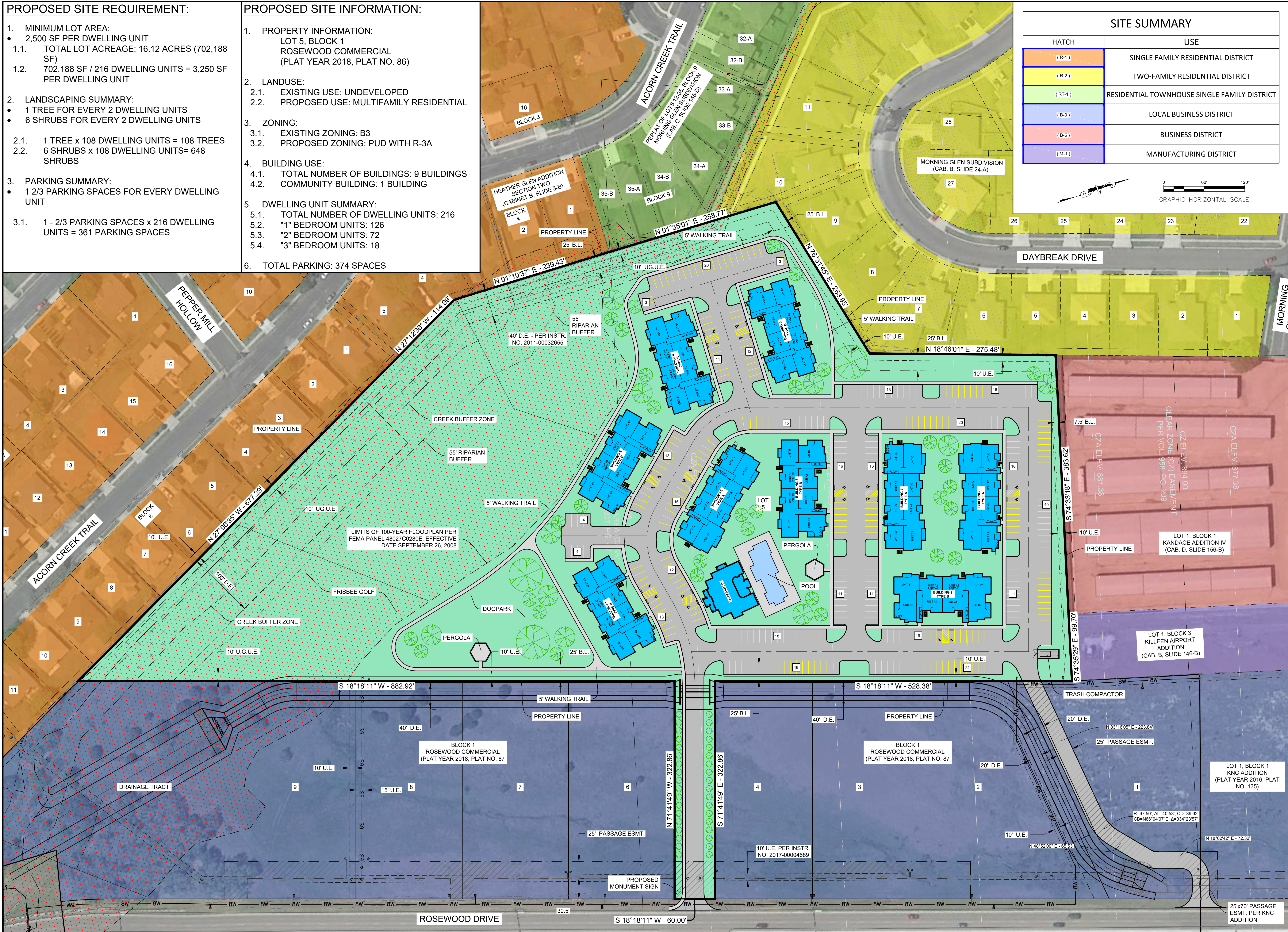
APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Case #18-08
Ord. #18-____

1. MINIMUM LOT AREA:
 - 2,500 SF PER DWELLING UNIT
 - 1.1. TOTAL LOT ACREAGE: 16.12 ACRES (702,188 SF)
 - 1.2. 702,188 SF / 216 DWELLING UNITS = 3,250 SF PER DWELLING UNIT
2. LANDSCAPING SUMMARY:
 - 1 TREE FOR EVERY 2 DWELLING UNITS
 - 6 SHRUBS FOR EVERY 2 DWELLING UNITS
 - 2.1. 1 TREE x 108 DWELLING UNITS = 108 TREES
 - 2.2. 6 SHRUBS x 108 DWELLING UNITS= 648 SHRUBS
3. PARKING SUMMARY:
 - 1 2/3 PARKING SPACES FOR EVERY DWELLING UNIT
 - 3.1. 1 - 2/3 PARKING SPACES x 216 DWELLING UNITS = 361 PARKING SPACES

1. PROPERTY INFORMATION:
 - LOT 5, BLOCK 1
 - ROSEWOOD COMMERCIAL
 - (PLAT YEAR 2018, PLAT NO. 86)
2. LANDUSE:
 - 2.1. EXISTING USE: UNDEVELOPED
 - 2.2. PROPOSED USE: MULTIFAMILY RESIDENTIAL
3. ZONING:
 - 3.1. EXISTING ZONING: B3
 - 3.2. PROPOSED ZONING: PUD WITH R-3A
4. BUILDING USE:
 - 4.1. TOTAL NUMBER OF BUILDINGS: 9 BUILDINGS
 - 4.2. COMMUNITY BUILDING: 1 BUILDING
5. DWELLING UNIT SUMMARY:
 - 5.1. TOTAL NUMBER OF DWELLING UNITS: 216
 - 5.2. "1" BEDROOM UNITS: 126
 - 5.3. "2" BEDROOM UNITS: 72
 - 5.4. "3" BEDROOM UNITS: 18
6. TOTAL PARKING: 374 SPACES



SITE SUMMARY	
HATCH	USE
(R-1)	SINGLE FAMILY RESIDENTIAL DISTRICT
(R-2)	TWO-FAMILY RESIDENTIAL DISTRICT
(RT-1)	RESIDENTIAL TOWNHOUSE SINGLE FAMILY DISTRICT
(B-3)	LOCAL BUSINESS DISTRICT
(B-5)	BUSINESS DISTRICT
(M-1)	MANUFACTURING DISTRICT

GRAPHIC HORIZONTAL SCALE

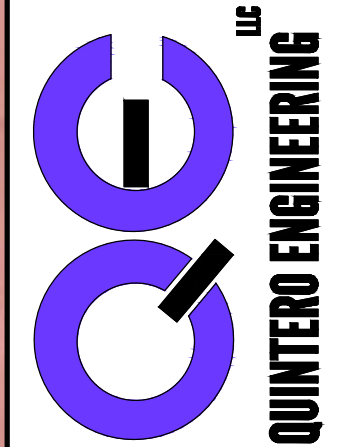
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For Interim Review Only
These documents are released for the purpose of review and comment under the authority of: Pedro Quintero, P.E., P.E. No. 111656 on September 27, 2018. They are not to be used for construction purposes.

ISSUED FOR REVIEW,
COMMENT

PROJECT NO.: 054-18
DATE: AUGUST 2018

QUINTERO ENGINEERING, LLC
4115 E. AVENUE D
KILLEEN, TEXAS 76541
PHONE: (254) 493-9862
FAX: (254) 432-7070
T.B.P.E. FIRM NO.: 14709
T.B.P.L.S. FIRM NO.: 10194110



KILLEEN APARTMENTS
3701 ROSEWOOD DRIVE
KILLEEN, BELL COUNTY, TEXAS

DRAWING NO.:
CP2

MATERIAL BREAKDOWN:
SIMSTONE: 20%
BRICK: 35%
SIDING: 45%

30 YEAR ARCHITECTURAL
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



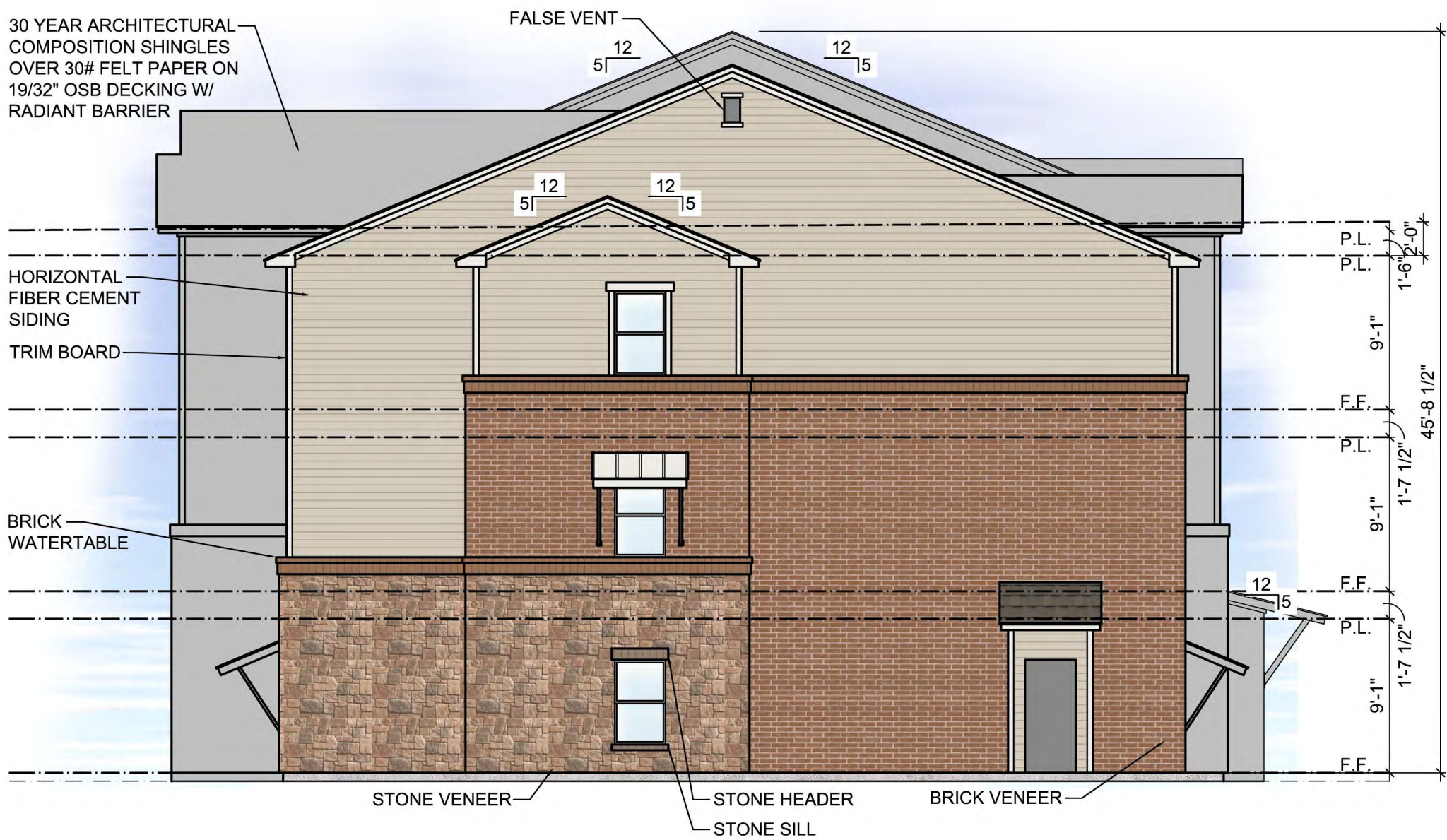
04 BUILDING TYPE 'A' REAR ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL BREAKDOWN:
SIMSTONE: 10%
BRICK: 42%
SIDING: 38%



03 BUILDING TYPE 'A' RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL BREAKDOWN:
SIMSTONE: 10%
BRICK: 42%
SIDING: 38%



02 BUILDING TYPE 'A' LEFT ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL BREAKDOWN:
SIMSTONE: 20%
BRICK: 55%
SIDING: 25%

30 YEAR ARCHITECTURAL
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



01 BUILDING TYPE 'A' FRONT ELEVATION
SCALE: 1/8" = 1'-0"

PRELIMINARY
DRAWINGS
NOT FOR CONSTRUCTION

Cross
architects

ARCHITECT:
CROSS ARCHITECTS, PLLC
1255 W. 15TH STREET, SUITE 125
PLANO, TEXAS 75075
P: 972.398.6644
F: 972.312.8666
WWW.CROSSARCHITECTS.COM

KILLEEN APARTMENTS
KILLEEN, TEXAS

DATE:
09/21/2018

PROJECT NUMBER:
18115

PRELIMINARY
NO DATE

DRAWINGS ISSUED FOR:

SHEET NUMBER

A4.5
BUILDING TYPE 'A'
EXTERIOR
ELEVATIONS
COPYRIGHT © 2018

MATERIAL BREAKDOWN:
SIMSTONE: 20%
BRICK: 35%
SIDING: 45%

30 YEAR ARCHITECTURAL
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



04 BUILDING TYPE 'B' REAR ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL BREAKDOWN:
SIMSTONE: 18%
BRICK: 27%
SIDING: 55%

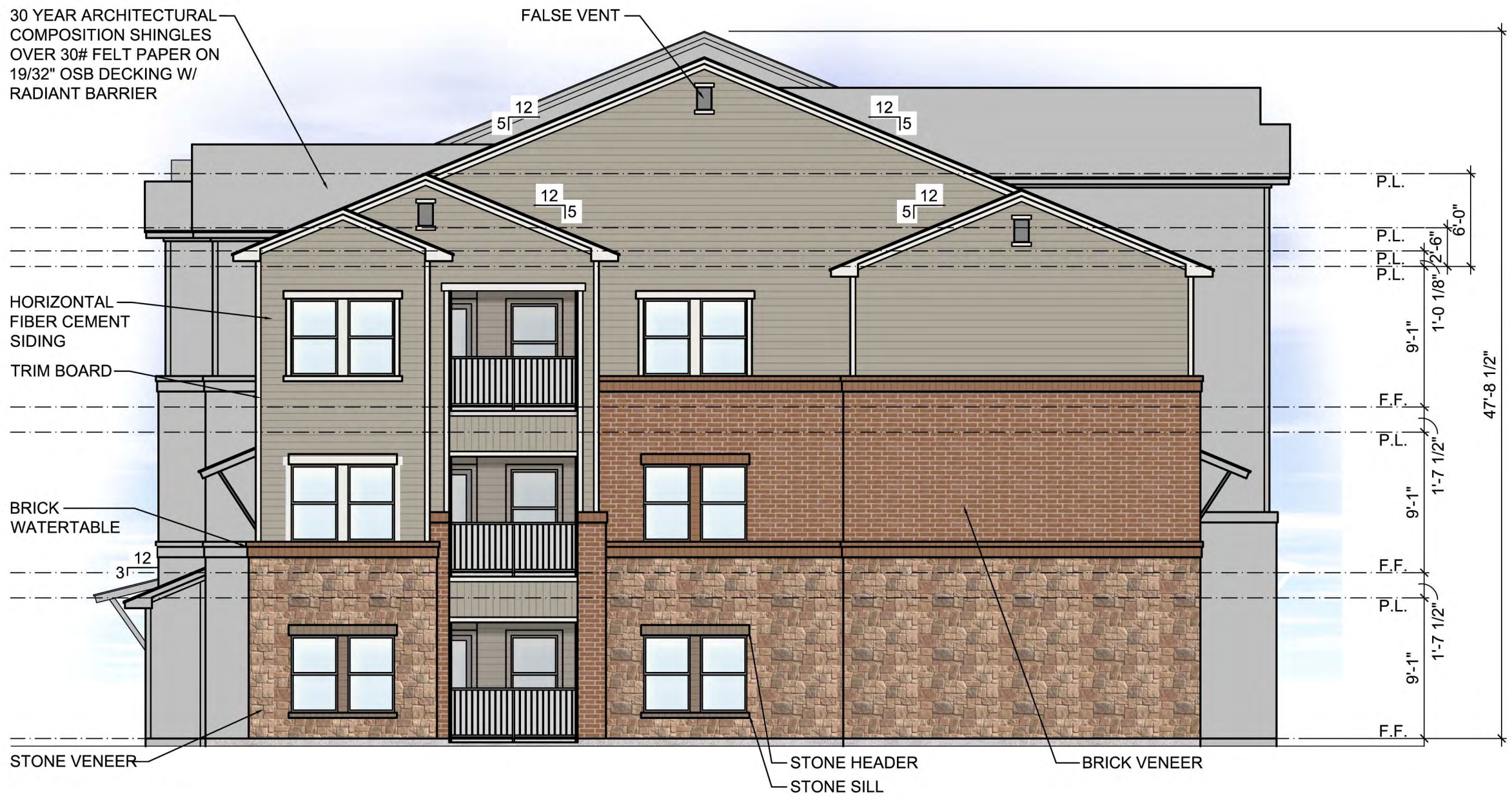
30 YEAR ARCHITECTURAL
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



03 BUILDING TYPE 'B' RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL BREAKDOWN:
SIMSTONE: 18%
BRICK: 27%
SIDING: 55%

30 YEAR ARCHITECTURAL
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



02 BUILDING TYPE 'B' LEFT ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL BREAKDOWN:
SIMSTONE: 24%
BRICK: 45%
SIDING: 31%

30 YEAR ARCHITECTURAL
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



01 BUILDING TYPE 'B' FRONT ELEVATION
SCALE: 1/8" = 1'-0"

PRELIMINARY
DRAWINGS
NOT FOR CONSTRUCTION

Cross
architects

ARCHITECT:
CROSS ARCHITECTS, PLLC
1255 W. 15TH STREET, SUITE 125
PLANO, TEXAS 75075
P: 972.398.6644
F: 972.312.8666
WWW.CROSSARCHITECTS.COM

KILLEEN APARTMENTS
KILLEEN, TEXAS

DATE:
09/21/2018

PROJECT NUMBER:
18115

PRELIMINARY

NO DATE

DRAWINGS ISSUED FOR:

SHEET NUMBER

A4.10
BUILDING TYPE 'B'
EXTERIOR
ELEVATIONS
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30 YEAR ARCHITECTURAL
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



30 YEAR ARCHITECTURAL-
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



30 YEAR ARCHITECTURAL-
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



30 YEAR ARCHITECTURAL-
COMPOSITION SHINGLES
OVER 30# FELT PAPER ON
19/32" OSB DECKING W/
RADIANT BARRIER



Cross
architects

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WWW.CROSSARCHITECTS.COM

**KILLEEN APARTMENTS
KILLEEN, TEXAS**

DATE: 09/21/2018

PROJECT NUMBER: 18115

PRELIMINARY

DATE

DRAWINGS ISSUED FOR:

SHEET NUMBER

A4.11

BUILDING TYPE 'B'
EXTERIOR
ELEVATIONS

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CONSIDERATIONS

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

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. Conditional Use Permit (if applicable)

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.



ZONING CASE #Z18-08
“B-3” TO “PUD” W/ “R-3A” USES

PH-18-033

October 23, 2018

Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

2

- Quintero Engineering, L.L.C. submits this request on behalf of JMJ Acquisitions, L.L.C., to rezone Lot 5, Block 1, Rosewood Commercial, from “B-3” (Local Business District) to Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) uses for an apartment complex.

Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

3

- The subject property consists of approximately 16.12 acres and is currently undeveloped.
- The subject property is generally located on the west side of Rosewood Drive, south of the intersection with East Central Texas Expressway.
- It is locally known as 3701 Rosewood Drive, Killeen, Texas.

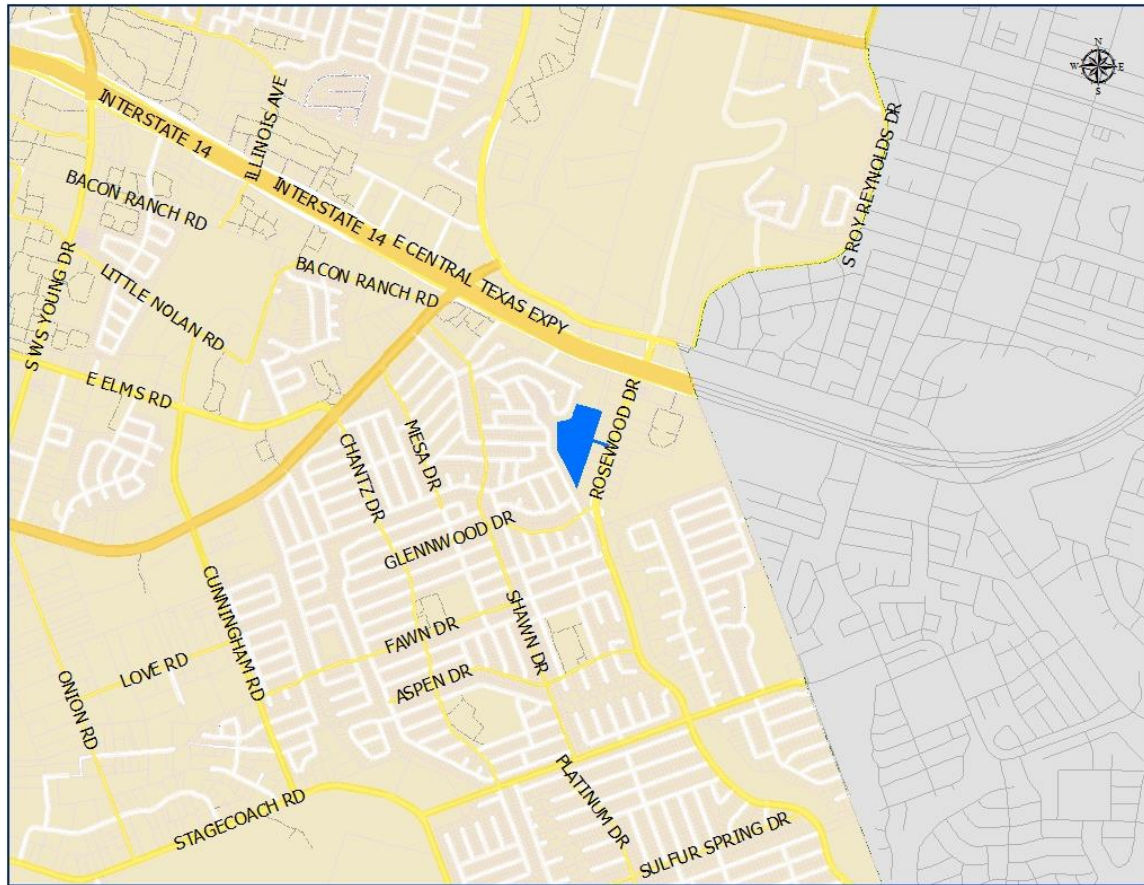
Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

4

- The PUD concept plan illustrates nine (9) multifamily apartment buildings and a club house. The dwelling unit summary consists of a total of 216 units with 126 one-bedroom units, 72 two bedroom units, 18 three-bedroom units and 374 parking spaces.
- The property will gain access to Rosewood Drive via two private drive features, with no connectivity to the surrounding residential neighborhoods.

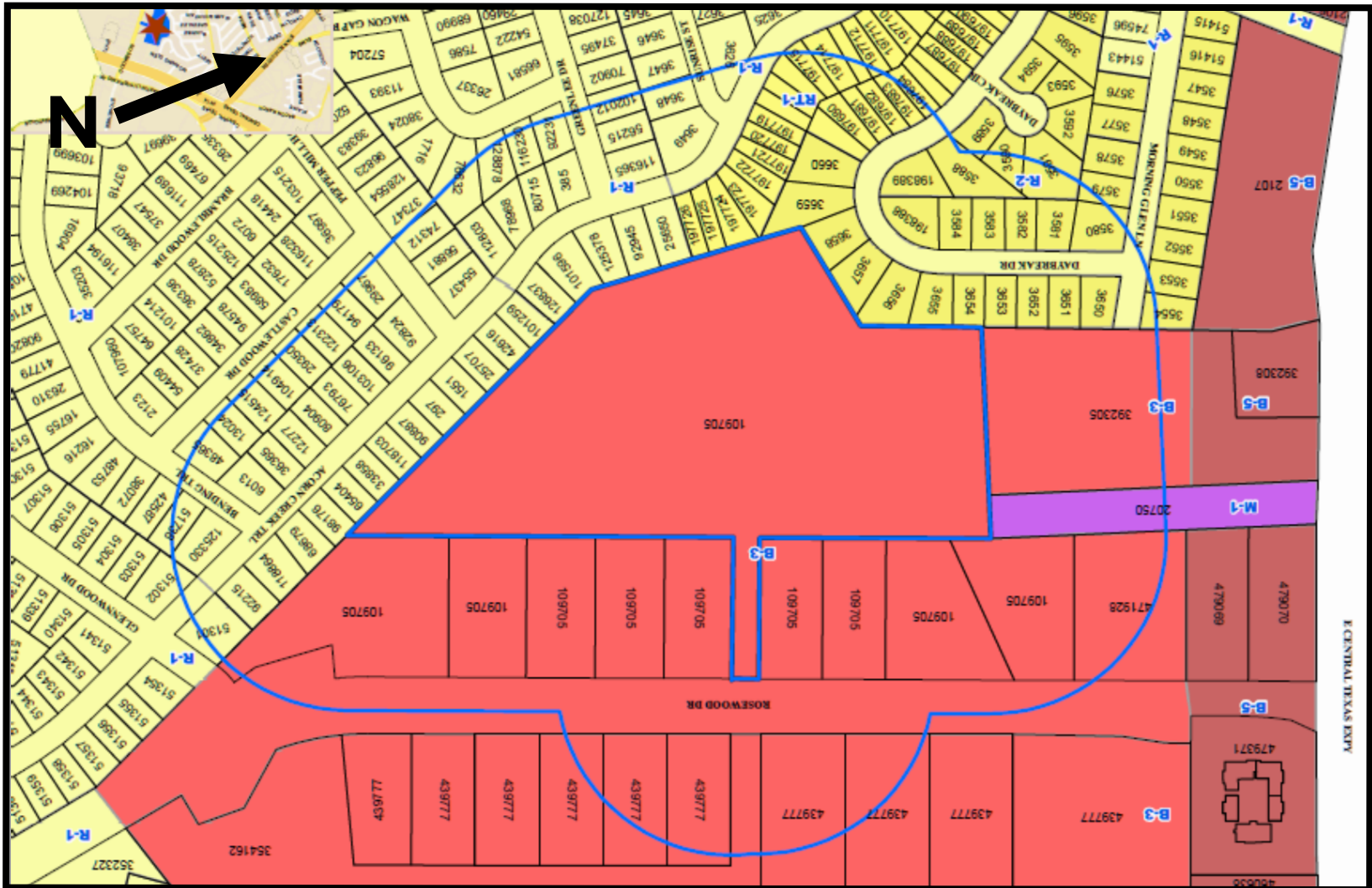
Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

5



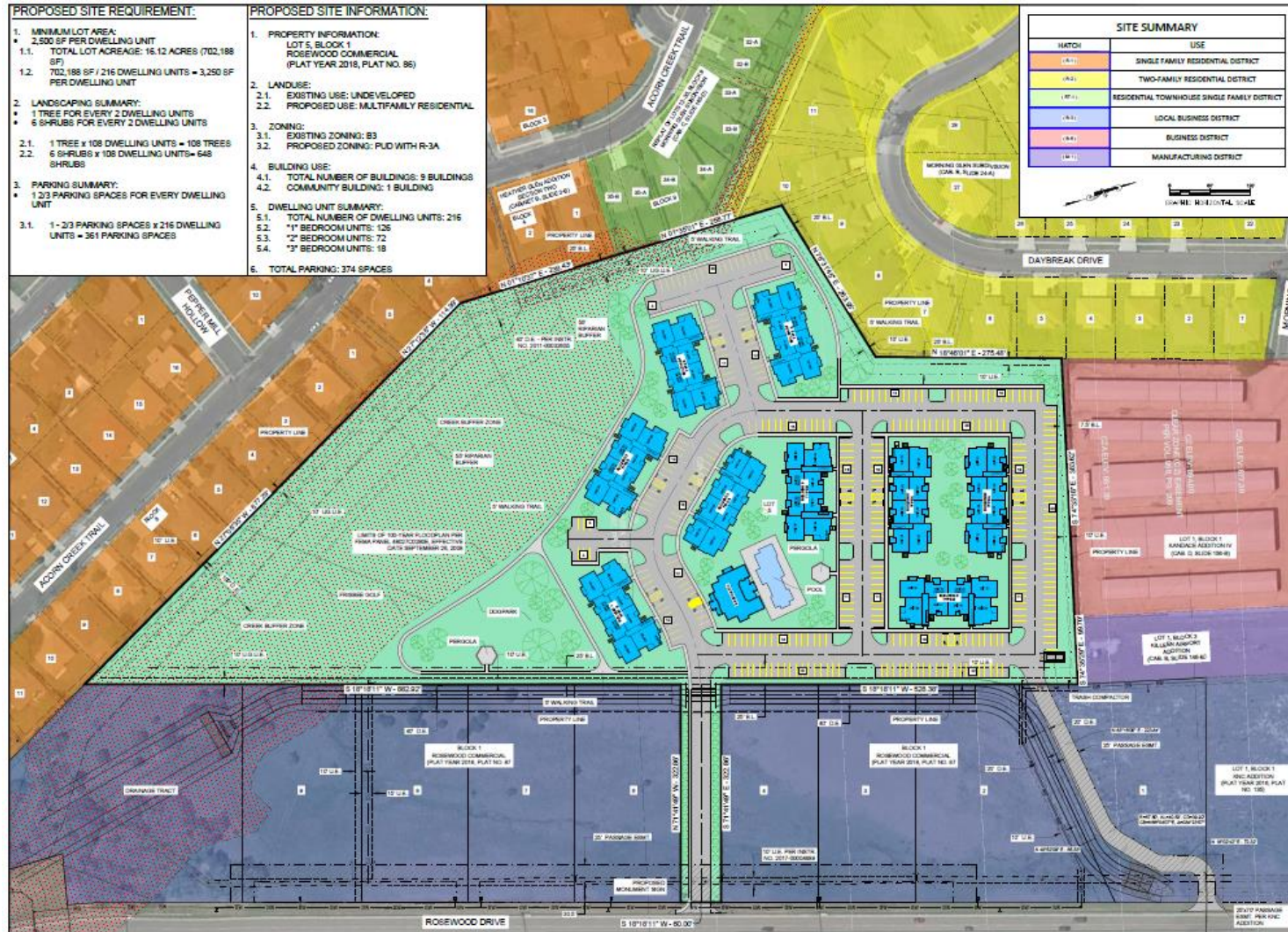
Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

6



Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

7



Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

8



04 BUILDING TYPE 'A' REAR ELEVATION
SCALE: 1/8" = 1'-0"



03 BUILDING TYPE 'A' RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



02 BUILDING TYPE 'A' LEFT ELEVATION
SCALE: 1/8" = 1'-0"



01 BUILDING TYPE 'A' FRONT ELEVATION
SCALE: 1/8" = 1'-0"

Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

9



04 BUILDING TYPE 'B' REAR ELEVATION
SCALE: 1/8" = 1'-0"



03 BUILDING TYPE 'B' RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



02 BUILDING TYPE 'B' LEFT ELEVATION
SCALE: 1/8" = 1'-0"



01 BUILDING TYPE 'B' FRONT ELEVATION
SCALE: 1/8" = 1'-0"

10



Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

11

- Staff notified one hundred and twenty-one (121) surrounding property owners within 400 feet of the subject property.
- Staff has received six (6) responses to this request.
- John Llewellyn, the owner of 4812 Acorn Creek Trail, would like all expenses in the areas of drainage improvements and crime/ noise to be paid by the developer.
- Susan Nelson, the owner of 4802 Castlewood Drive, is in opposition to the rezoning request. She expressed concerns regarding the potential impact on his property value.

Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

12

- Elba R. Rivera, the owner of 4814 Acorn Creek Trail, is opposed to the request based on concerns regarding traffic and noise.
- Phillippe Geremia, the owner of 4516 Acorn Creek Trail, is opposed to the request. He expressed concerns regarding crime and the potential impact on his property value.
- Walter and Susan Galdenzi, the owners of 4500 E. Central Texas Expressway, are in support of the request.
- Jeffry and Pamela Reed, the owners of 4814 Castlewood Drive, are opposed to the request. They expressed concerns regarding crime, noise, and the impact on property value.

Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

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- The Planning and Zoning Commission recommended approval of the requested zoning change with conditions by a vote of 6-0 at their October 1st meeting (with Commissioner Alvarez abstaining).

Recommended Conditions:

1. Approval of the PUD, which grants an exception to the thirty-five (35) feet requirement for PUD developments. The underlying “R-3A” zoning district contains a provision that allows for a an additional one (1) foot to every applicable setback distance as provided under Code section 31-256.3 for each two (2) feet of additional building or structure height over thirty-five (35) feet.

Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

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2. Approval of the PUD, which grants an exception to the thirty-six (36) feet continuous paving section requirement for PUD developments; this is applicable to the illustrated 25' passage easement.
3. The PUD concept Plan shall illustrate a 6' tall screening fence (stone, brick or block, wrought iron) adjacent to Lots 5-10, Block 9, of the Morning Glen Subdivision; the applicant has stated that their preference is for a wood privacy fence.

Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

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4. The brick veneer for the side (right and left) elevations of the nine multifamily structures shall be extended to the second floor; and
5. In accordance with Code Section 31-256.5, the developer shall provide three color variations (for non-masonry exterior building materials) between the nine buildings with buildings 1, 2, 4 and 5 being one color standard; buildings 3 and 6 as a second color standard; and buildings 7, 8 and 9 as a third color standards.



City of Killeen

Legislation Details

File #:	PH-18-034	Version:	1	Name:	Zoning 18-21
Type:	Ordinance/Public Hearing	Status:	Public Hearings		
File created:	10/1/2018	In control:	City Council		
On agenda:	10/30/2018	Final action:			
Title:	HOLD a public hearing and consider an ordinance submitted by WBW Development on behalf of C. A. Dosse and Company (Case #Z18-21) to rezone part of Lot 1, Block 1, Country Meadows Mobile Home Park, consisting of approximately 45.106 acres, from "R-2" (Two-Family Residential District) and "R-MH" (Residential Mobile Home District) to a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) and "R-2" (Two-Family Residential District) uses. The property is generally located on the east side of North Roy Reynolds Drive, approximately 1,000 feet south of the intersection with East Rancier Avenue in Killeen, Texas.				
Sponsors:	Planning & Development Dept				
Indexes:					
Code sections:					
Attachments:	Staff Report Map Minutes Response Ordinance Proposed PUD Standards Proposed PUD Concept Plan Pharr v Tippitt Considerations Presentation				

Date	Ver.	Action By	Action	Result
10/23/2018	1	City Council Workshop		



STAFF REPORT

DATE: October 23, 2018

TO: Ronald L. Olson, City Manager

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

SUBJECT: Zoning Case #Z18-21 "R-2" (Two-Family Residential District) and "RMH" (Residential Mobile Home District) to "PUD" with "SF-2" (Single-Family Residential District) and "R-2" (Two-Family Residential District) uses.

Background and Findings:

This request is submitted by WBW Development to rezone approximately 45 acres from "R-2" (Two-Family Residential District) and "R-MH" (Residential Mobile Home District) to a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) and "R-2" (Two-Family Residential District) uses. The property is generally located on the east side of North Roy Reynolds Drive, approximately 1,000 feet south of the intersection with East Rancier Avenue in Killeen, Texas.

The applicant has proposed a Planned Unit Development, which would include a mixture of single-family homes and duplexes. The proposed PUD includes the following development standards:

- 45 "R-2" duplex lots and 167 "SF-2" single-family lots.
- Reduced right-of-way width for one of the local streets from 60 feet to 50 feet.
- Reduced front yard setback from 25 feet to 20 feet for the "SF-2" single-family lots.
- Increased minimum lot depth from 100 feet to 105 feet for the "SF-2" single-family lots.
- Reduced side yard setback from 7 feet to 5 feet for the "R-2" duplex lots.
- All other requirements for "R-2" and "SF-2", as outlined in Chapter 31, will be met.

District Descriptions:

"PUD":

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.

The PUD classification is an overlay designation to provide the flexibility to permit development projects which may include multiple land uses. This classification serves the following purposes:

- a) Establish a procedure for the development of a parcel of land under unified control to reduce or eliminate the inflexibility that might otherwise result from strict application of land use standards and procedures designed primarily for individual lots;
- b) Ensure structured review and approval procedures are applied to unique development projects that intended to take advantage of common open space and promote pedestrian circulation;
- c) Allow developers greater freedom to be innovative in selecting the means to provide access, light, open space and amenities; and
- d) Provide flexibility from the strict application of existing development regulations and land use standards and allow developers the opportunity to take advantage of special site characteristics and location.

The regulatory provisions of this classification are intended to achieve the above purposes while maintaining the spirit of the current City of Killeen Development Regulations, as amended. As such, these provisions represent the governing body's minimum quality of life standard and no variance or exception shall be granted thereto.

"SF-2":

A building or premise in a district "SF-2" (Single-Family Residential District) shall be used only for the following purposes:

- (1) Single-family dwellings meeting the criteria of the garden home district, with a minimum floor area of one thousand one hundred (1,100) square feet.
- (2) All uses allowed in "R-1" (Single-Family Residential District).

"R-2":

A building or premises in a district "R-2" (Two-Family Residential District) shall be used only for the following purposes:

- (1) All uses allowed in "R-1" (Single-Family Residential District).
- (2) Two-family dwellings.

Property Specifics:

Applicant / Property Owner: WBW Development / C. A. Dosse and Company

Property Location: The property is generally located on the east side of North Roy Reynolds Drive, approximately 1,000 feet south of the intersection with Rancier Avenue.

Legal Description: Part of Lot 1, Block 1, Country Meadows Mobile Home Park

Zoning/ Plat Case History:

- The property was rezoned from "R-1" (Residential Single-Family District) to "R-MH" (Residential Mobile Home District) in February 1996.
- In June 2017, approximately 14.6 acres of the subject property was rezoned from "R-MH" (Residential Mobile Home District) to "R-2" (Two-Family Residential District).
- The area was platted in 1996 as Country Meadows Mobile Home Park. The recorded plat includes a number of private streets, which will be abandoned when the property is replatted.

Surrounding Land Uses:

Direction	Zoning District	Land Use
North	"R-MH" and "R-3"	Mobile Home Park and 4-Plexes
South	"R-1", "R-2", and "R-3"	Vacant
East	"R-3"	Vacant
West	"PUD" w/ "R-1" and "B-3" uses	Single-Family Residential

Existing Land Use(s) on the Property: The property is undeveloped.

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.

Transportation:

Existing conditions: The property is located off of North Roy Reynolds Drive, which is designated as a Minor Arterial Street on the City's adopted Thoroughfare Plan.

Proposed Improvements: None are proposed at this time. However, right-of-way dedication along North Roy Reynolds may be required in accordance with the Thoroughfare Plan.

Environmental Assessment:

Per Killeen Code of Ordinances Sec. 31-804, the applicant's concept plan shall include two-foot contours, existing and proposed drainage patterns, existing and proposed drainage areas, creek buffer zones and Special Flood Hazard Areas (SFHA). The applicant's submitted

Site Development Plan does not meet the minimum requirements for labeled topography, and existing & proposed drainage areas.

The property does not lie within a FEMA regulatory SFHA. However, there is a FEMA recognized watercourse, locally known as 439 Run, which runs from the northern property boundary through the parcel to the southern property boundary on the western half of the property. The 439 Run watercourse requires a creek buffer zone (i.e. no build zone) to be established for 25 ft. adjacent to the top of the creek banks. Public storm drainage infrastructure lies within the abutting drainage easements. Riverine and Freshwater Emergent Wetland (PEM1A) habitat have been identified within the proposed creek buffer zone area on this property.

Currently, sheet flow runoff exits this parcel in two primary ways. Approximately 35 acres flows into 439 Run before leaving the parcel into the adjacent southern subdivision. From there, the runoff flows south into Caprice Ditch SFHA before leaving the City of Killeen and entering Nolan Creek. The remaining 10 acres sheet flows and exists in the northeast corner of the parcel. From there, the water flows across private property before reaching the Hay Branch SFHA before leaving the City of Killeen and entering Nolan Creek. This section of Nolan Creek is currently listed on the TCEQ's 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

The area being re-zoned is in the process of being platted. At the time of development the current drainage design manual, post construction requirements, 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 tie-in 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 Comprehensive Plan calls for the following development types:

- Detached residential dwellings as the primary focus;
- Attached housing types subject to compatibility and open space standards (e.g., duplexes, townhomes, patio homes);
- Planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards;
- Public/institutional; and
- Parks and public spaces.

Consistency: This request is consistent with the FLUM of the Comprehensive Plan.

Public Notification: Staff notified sixty-two (62) surrounding property owners within 400 feet of the subject property regarding this request. Staff received one response in support from Tim Boose, who owns the property located adjacent to the southwest corner of the subject property.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended?

Approval of the PUD with conditions pertaining to connectivity, landscaping, and architectural design, is recommended.

Why?

The PUD request includes deviations from the minimum "SF-2" and "R-2" setback requirements, but does not include any increased standards in other aspects of the development. Staff is of the determination that the proposed deviations from the baseline standards are warranted only in exchange for increased landscaping and architectural requirements. In addition, staff is of the determination that connectivity to the existing development to the north and to the undeveloped property to the east and south of the proposed PUD is necessary in order to ensure adequate ingress/egress for the adjacent 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 recommends approval (by a vote of 7 to 0) of the PUD subject to the following conditions:

1. Connectivity:

- Sixty (60) feet wide stub out streets shall connect to the existing platted street to the east of the PUD (Woodbine Drive) and to the undeveloped property to the south (Property ID No. 383234).
- One Emergency Access Easement (Easement) shall be provided on the north side of the PUD and shall tie into Country Meadows Loop. The Easement shall be a minimum of twenty (20) feet in width, paved with an all-weather surface to be approved by the City's Fire Marshall, and equipped with a Knox Box.

2. Landscaping:

- Each residential lot shall be fully sodded, contain five (5) 5-gallon shrubs, three (3) 3-gallon shrubs and have a minimum of two (2) six (6) foot tall canopy trees at least two (2) inch caliper in size. One (1) tree shall be located in the front yard, and one (1) tree shall be located in the backyard of each lot.
- All landscaping must be in place upon final inspection unless an extension is granted in writing by the Building Official. Such extension shall not exceed sixty (60) days.

3. Architectural Design:

- Each residential structure shall have a minimum of 100% masonry on the front elevation and 50% masonry on each side elevation, exclusive of windows, doors, gables, eaves, soffits, walls above roof lines, porches and patios at least four foot by eight foot (4'x8') in size. Masonry shall include brick, stucco, or stone, but shall not include fiber-cement siding.
- The same elevation shall not be repeated within any grouping of five (5) lots on the same side of the street, and shall not be repeated directly across the street, or on a diagonal.

4. "SF-2" (Single-Family Residential) Lots:

- Rear yard setbacks shall be reduced from twenty (20) feet to fifteen (15) feet and minimum lot depth shall be increased from one hundred (100) feet to one hundred and five (105) feet.

5. "R-2" (Two-Family Residential) Lots:

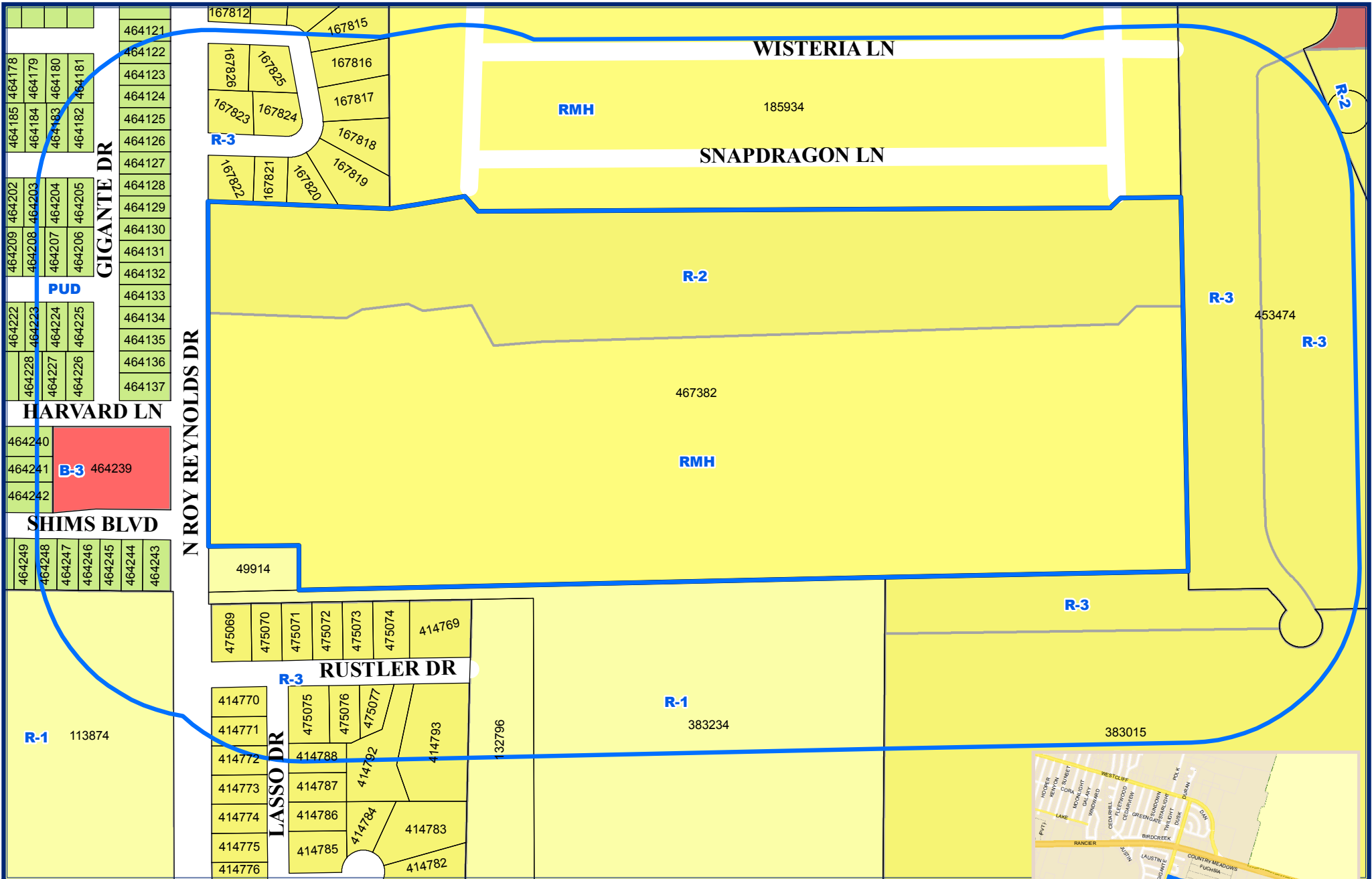
- No more than forty-five (45) duplex lots shall be provided within the PUD and side yard setbacks shall be reduced from seven (7) feet to five (5) feet.
- All "R-2" lots shall front on a sixty (60) foot wide right-of-way.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Zoning Map and Notification Area
Minutes
Responses
Ordinance
Proposed PUD Standards
Proposed PUD Concept Plan
Pharr vs. Tippetts Considerations



Zoning Case Notification Plan

Case Z-2018-21

Council District: 1

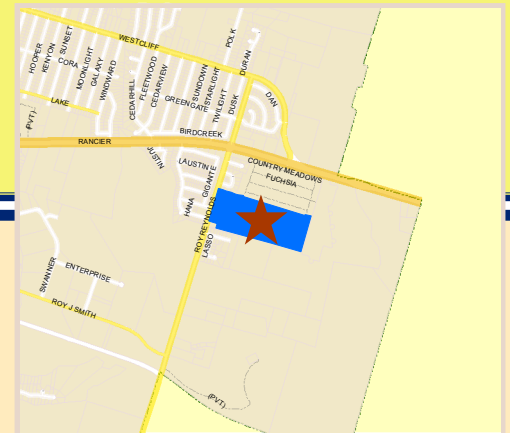
RMH AND R-2 TO PUD W/ SF-2 AND R-2

1 inch = 300 feet

Subject Property Legal Description: COUNTRY MEADOWS MOBILE HOME PARK, BLOCK 001, LOT PT 1, (S PT OF 1), 45.106AC

Legend

400' Buffer Parcel City Limits



**MINUTES
PLANNING AND ZONING COMMISSION MEETING
OCTOBER 1, 2018**

**CASE #Z18-21
“R-MH” & “R-2” to “PUD” w/ “SF-2” & “R-2”**

HOLD a public hearing and consider a request submitted by C. A. Doose Company, to rezone approximately 45.106 acres, being part of Lot 1, Block 1, Country Meadows Mobile Home Park, from “R-MH” (Residential Mobile Home District) and “R-2” (Two-family Residential District) to Planned Unit Development (PUD) with “SF-2” (Single-Family Residential District) and “R-2” (Two-Family Residential District). The property is located approximately 1,000 feet south of Rancier Avenue (FM 439), on the east right-of-way of Roy Reynolds Drive, Killeen, Texas.

Chairman Peters requested staff comments.

Senior Planner, Wallis Meshier, stated that the applicant has proposed a Planned Unit Development, which would include a mixture of single-family homes and duplexes. The proposed PUD includes the following development standards:

- a) A maximum of 45 “R-2” duplex lots.
- b) Reduced right-of-way width for one of the local streets from 60 feet to 50 feet.
- c) Reduced front yard setback from 25 feet to 20 feet for the “SF-2” single-family lots.
- d) Increased minimum lot depth from 100 feet to 105 feet for the “SF-2” single-family lots.
- e) Reduced side yard setback from 7 feet to 5 feet for the “R-2” duplex lots.
- f) All other requirements for “R-2” and “SF-2”, as outlined in Chapter 31, will be met.

Ms. Meshier stated that staff recommended approval of the PUD with conditions pertaining to connectivity, landscaping, and architectural design. She noted that the proposed PUD does not include any open space amenities, as required by Killeen Code of Ordinances Sec. 31-802(f). She stated that the proposed deviations to the minimum setback standards are warranted only in exchange for increased landscaping and architectural requirements. In addition, staff is of the determination that connectivity to the existing development to the north and to the undeveloped property to the east and south of the proposed PUD is necessary in order to ensure adequate ingress/egress for the adjacent properties.

Staff recommended approval of the PUD request with the following conditions:

1. Connectivity:

- a) There shall be a stub-out street that ties into the existing platted street to the east of the PUD (Woodbine Drive) having a sixty (60) foot wide right-of-way.
- b) There shall be a stub-out street that ties into the undeveloped property to the south

(Property ID No. 383234) having a sixty (60) foot wide right-of-way.

- c) There shall be an Emergency Access Easement provided on the north side of the PUD tying into one of the existing stub-outs to the north (Country Meadows Loop) that is a minimum of twenty (20) feet in width, paved with an all-weather surface to be approved by the City's Fire Marshall, and equipped with a Knox Box.

2. Landscaping:

- a) Each residential lot shall have a minimum of two (2) six (6) foot tall canopy trees at least two (2) inch caliper in size.
- b) Each residential lot shall have five (5) 5-gallon shrubs, three (3) 3-gallon shrubs.
- c) Each residential lot shall be fully sodded (front, side, and rear yard).
- d) All landscaping must be in place upon final inspection unless an extension is granted in writing by the Building Official. Such extension shall not exceed sixty (60) days.

e) Architectural Design:

- a) Each residential structure shall have a minimum of 100% masonry on the front elevation and 50% masonry on each side elevation, exclusive of windows, doors, gables, eaves, soffits, walls above roof lines, porches and patios at least four foot by eight foot (4'x8') in size. Masonry shall include brick, stucco, or stone, but shall not include fiber-cement siding.
- b) The same elevation shall not be repeated within any grouping of five (5) lots on the same side of the street, and shall not be repeated directly across the street, or on a diagonal.

3. "SF-2" (Single-Family Residential) Lots:

- a) Front yard setbacks shall be reduced from twenty-five (25) feet to twenty (20) feet.
- b) Minimum lot depth shall be increased from one hundred (100) feet to one hundred and five (105) feet.
- c) All other requirements for "SF-2", as outlined in Chapter 31, will be met unless otherwise noted herein.

4. "R-2" (Two-Family Residential) Lots:

- a) No more than forty-five (45) duplex lots shall be provided within the PUD.
- b) Side yard setbacks shall be reduced from seven (7) feet to five (5) feet.

- c) All “R-2” lots shall front on a sixty (60) foot wide right-of-way.
- d) All other requirements for “R-2”, as outlined in Chapter 31, will be met unless otherwise noted herein.

Mr. Josh Welch, 3000 Illinois Avenue, Suite 100, Killeen, Texas, was present to represent this request.

Commissioner Cooper stated that he would prefer to see twenty (25) feet front yard setbacks and fifteen (15) feet rear yard setbacks for the “SF-2” lots. He also recommended placing one tree in the front yard and one tree in the rear yard.

Chairman Peters opened the public hearing.

Ms. Lori Renegar, 4110 Lago Vista, Belton, Texas, stated her concern was access to her property. City Planner McIlwain stated that the connectivity issue had been resolved after speaking with the applicant.

With no one requesting to speak, the public hearing was closed.

Commissioner Cooper motioned to recommend approval of the request as recommended by staff with the following amendments:

- a) That one tree is planted in the front yard and one tree in the rear yard; and
- b) For the “SF-2” lots, the minimum front yard setback shall be twenty-five (25) feet and the minimum rear yard setback shall be fifteen (15) feet. Commissioner Alvarez seconded, and the motion passed unanimously.

Chairman Peters stated that the request will be forwarded to City Council with a recommendation to approve.

-CUT HERE-

YOUR NAME:	TIM BOASE	PHONE NUMBER:	254/3685079
CURRENT ADDRESS:	PO BOX 2434 Ht 76548		
ADDRESS OF PROPERTY OWNED:	NORTH ROY REYNOLDS DRIVE		
COMMENTS:	"R-MH" AND "R-2" to PUD with "SF-2" AND "R-2"		
We approve the change			
RECEIVED			
OCT 01 2018			
PLANNING			
SIGNATURE:	Tim Boase		
	SPO #Z18-21/ 58		

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF PART OF LOT 1, BLOCK 1, COUNTRY MEADOWS MOBILE HOME PARK, CONSISTING OF APPROXIMATELY 45.106 ACRES, FROM “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT) AND “R-MH” (RESIDENTIAL MOBILE HOME DISTRICT) TO A PLANNED UNIT DEVELOPMENT (PUD) WITH “SF-2” (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT) USES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, WBW Development has presented to the City of Killeen a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of part of Lot 1, Block 1, Country Meadows Mobile Home Park, consisting of approximately 45.106 acres, from “R-2” (Two-Family Residential District) and “R-MH” (Residential Mobile Home District) to a Planned Unit Development (PUD) with “SF-2” (Single-Family Residential District) and “R-2” (Two-Family Residential District) uses, said request having been recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 1st day of October 2018, 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 30th day of October 2018, 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 majority opinion that the applicant’s zoning 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 part of Lot 1, Block 1, Country Meadows Mobile Home Park be changed from “R-2” (Two-Family Residential District) and “R-MH” (Residential Mobile Home District) to a Planned Unit Development (PUD) with “SF-2” (Single-Family Residential District) and “R-2” (Two-Family Residential District) uses with the following conditions:

1. Connectivity:

- a. There shall be a stub-out street that ties into the existing platted street to the east of the PUD (Woodbine Drive) having a sixty (60) foot wide right-of-way.
- b. There shall be a stub-out street that ties into the undeveloped property to the south (Property ID No. 383234) having a sixty (60) foot wide right-of-way.
- c. There shall be an Emergency Access Easement provided on the north side of the PUD tying into one of the existing stub-outs to the north (Country Meadows Loop) that is a minimum of twenty (20) feet in width, paved with an all-weather surface to be approved by the City’s Fire Marshall, and equipped with a Knox Box.

2. Landscaping:

- a. Each residential lot shall have a minimum of two (2) six (6) foot tall canopy trees at least two (2) inch caliper in size. One (1) tree shall be located in the front yard, and one (1) tree shall be located in the backyard of each lot.
- b. Each residential lot shall have five (5) 5-gallon shrubs, three (3) 3-gallon shrubs.
- c. Each residential lot shall be fully sodded (front, side, and rear yard).

- d. All landscaping must be in place upon final inspection unless an extension is granted in writing by the Building Official. Such extension shall not exceed sixty (60) days.

3. Architectural Design:

- a. Each residential structure shall have a minimum of 100% masonry on the front elevation and 50% masonry on each side elevation, exclusive of windows, doors, gables, eaves, soffits, walls above roof lines, porches and patios at least four foot by eight foot (4'x8') in size. Masonry shall include brick, stucco, or stone, but shall not include fiber-cement siding.
- b. The same elevation shall not be repeated within any grouping of five (5) lots on the same side of the street, and shall not be repeated directly across the street, or on a diagonal.

4. "SF-2" (Single-Family Residential) Lots:

- a. Rear yard setbacks shall be reduced from twenty (20) feet to fifteen (15) feet.
- b. Minimum lot depth shall be increased from one hundred (100) feet to one hundred and five (105) feet.
- c. All other requirements for "SF-2," as outlined in Chapter 31, will be met unless otherwise noted herein.

5. "R-2" (Two-Family Residential) Lots:

- a. No more than forty-five (45) duplex lots shall be provided within the PUD.
- b. Side yard setbacks shall be reduced from seven (7) feet to five (5) feet.
- c. All "R-2" lots shall front on a sixty (60) foot wide right-of-way.

- d. All other requirements for “R-2,” as outlined in Chapter 31, will be met unless otherwise noted herein.

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 30th day of October 2018, 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:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, CITY ATTORNEY

Case #18-21

Ord. #18-____

Patriot's Ridge - PUD Standards

Connectivity:

- There shall be a stub-out street that ties into the existing platted street to the east of the PUD (Woodbine Drive) having a sixty (60) foot wide right-of-way.
- There shall be a stub-out street that ties into the undeveloped property to the south (Property ID No. 383234) having a sixty (60) foot wide right-of-way.
- There shall be an Emergency Access Easement provided on the north side of the PUD tying into one of the existing stub-outs to the north (Country Meadows Loop) that is a minimum of twenty (20) feet in width, paved with an all-weather surface to be approved by the City's Fire Marshall, and equipped with a Knox Box.

Landscaping:

- Each residential lot shall have a minimum of two (2) six (6) foot tall canopy trees at least two (2) inch caliper in size. One (1) tree shall be located in the front yard, and one (1) tree shall be located in the backyard of each lot.
- Each residential lot shall have five (5) 5-gallon shrubs, three (3) 3-gallon shrubs.
- Each residential lot shall be fully sodded (front, side, and rear yard).
- All landscaping must be in place upon final inspection unless an extension is granted in writing by the Building Official. Such extension shall not exceed sixty (60) days.

Architectural Design:

- Each residential structure shall have a minimum of 100% masonry on the front elevation and 50% masonry on each side elevation, exclusive of windows, doors, gables, eaves, soffits, walls above roof lines, porches and patios at least four foot by eight foot (4'x8') in size. Masonry shall include brick, stucco, or stone, but shall not include fiber-cement siding.
- The same elevation shall not be repeated within any grouping of five (5) lots on the same side of the street, and shall not be repeated directly across the street, or on a diagonal.

Elevation A	Elevation B	Elevation C	Elevation D	Elevation E	Elevation A	Elevation B
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Elevation C	Elevation D	Elevation A	Elevation B	Elevation C	Elevation D	Elevation E
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“SF-2” (Single-Family Residential) Lots:

- Rear yard setbacks shall be reduced from twenty (20) feet to fifteen (15) feet.
- Minimum lot depth shall be increased from one hundred (100) feet to one hundred and five (105) feet.
- All other requirements for “SF-2”, as outlined in Chapter 31, will be met unless otherwise noted herein.

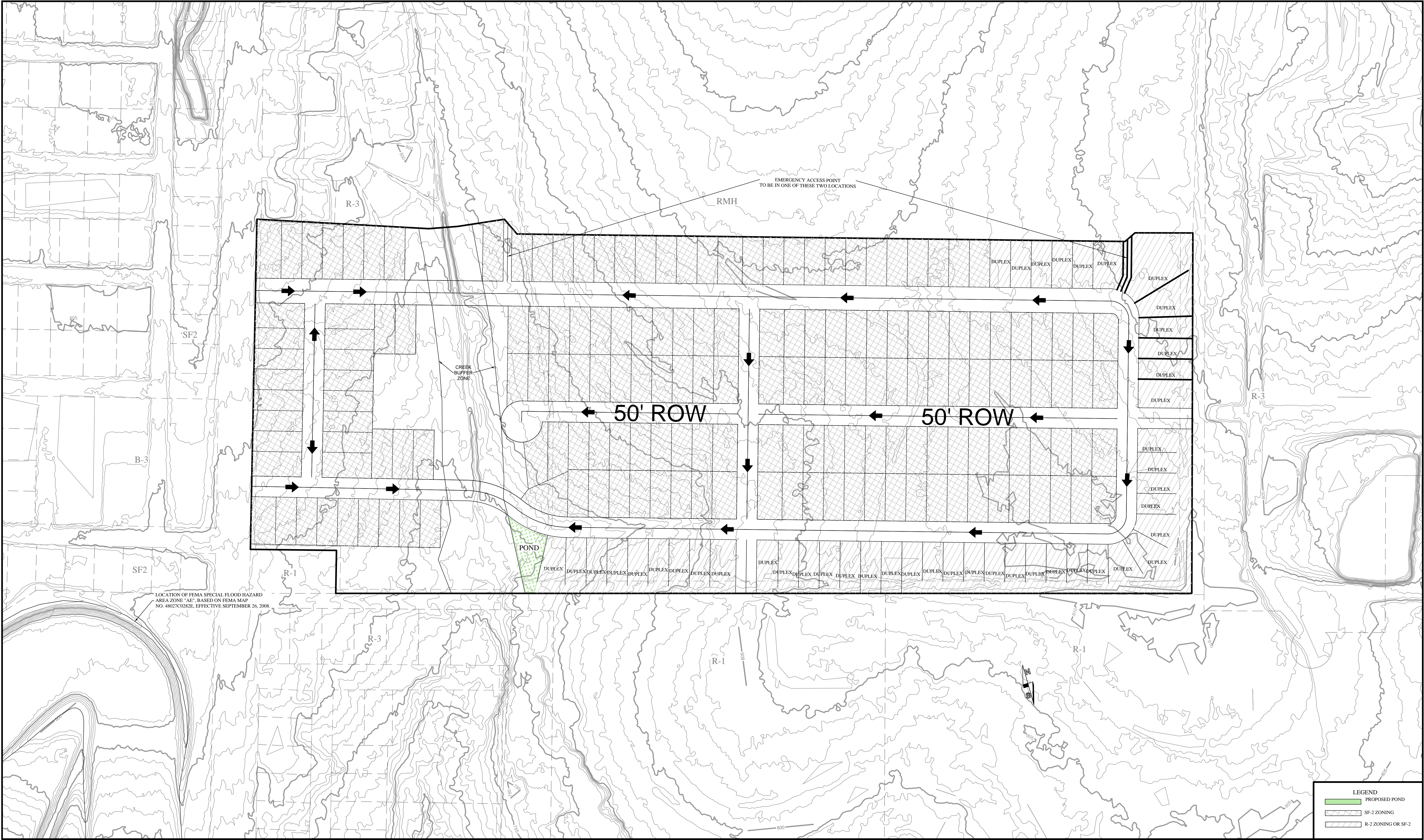
“R-2” (Two-Family Residential) Lots:

- No more than forty-five (45) duplex lots shall be provided within the PUD.
- Side yard setbacks shall be reduced from seven (7) feet to five (5) feet.
- All “R-2” lots shall front on a sixty (60) foot wide right-of-way.
- All other requirements for “R-2”, as outlined in Chapter 31, will be met unless otherwise noted herein.

Josh Welch

V.P. of Development



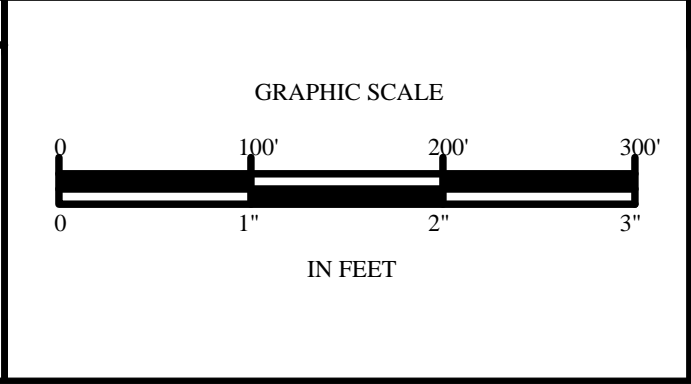


LOCATION OF FEMA SPECIAL FLOOD HAZARD
AREA ZONE "AE", BASED ON FEMA MAP
NO. 48027C0282E, EFFECTIVE SEPTEMBER 26, 2008.

LEGEND	
	PROPOSED POND
	SF-2 ZONING
	R-2 ZONING OR SF-2

REV.	DESCRIPTION	DATE	BY
1	ORIGINAL RELEASE	08/31/2018	BTW
PROJECT NUMBER: PR01		CLIENT NAME: W & B DEVELOPMENT	
		CLIENT LOCATION: KILLEEN, TX	
AUTHORIZED BY: WBW			

PROJECT INFORMATION	
TOTAL SIZE:	45.12 ACRES
TOTAL BLOCKS:	5
TOTAL LOTS:	212
TOTAL TRACTS:	3



SITE DEVELOPMENT PLAN
PATRIOT RIDGE
CITY OF KILLEEN, BELL COUNTY, TEXAS

Yalgo, LLC 3000 Illinois Ave., Suite 100 Killeen, TX 76543 PH (254) 953-5353 FX (254) 953-0032 Texas Registered Engineering Firm F-10264 Texas Registered Surveying Firm 10194095	SHEET - OF -
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CONSIDERATIONS

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

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. Conditional Use Permit (if applicable)

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.



ZONING CASE #Z18-21
“R-1” AND “R-MH” TO “PUD”
W/ “R-2” AND “SF-2” USES

PH-18-034

October 23, 2018

Case #Z18-21 - “R-MH” and “R-2” to “PUD” w/ “SF-2” and “R-2”

2

- WBW Development submits this request on behalf of C. A. Doose and Company to rezone part of Lot 1, Block 1, Country Meadows Mobile Home Park from “R-2” (Two-Family Residential District) and “R-MH” (Residential Mobile Home District) to a Planned Unit Development (PUD) with “SF-2” (Single-Family Residential District) and “R-2” (Two-Family Residential District) uses.

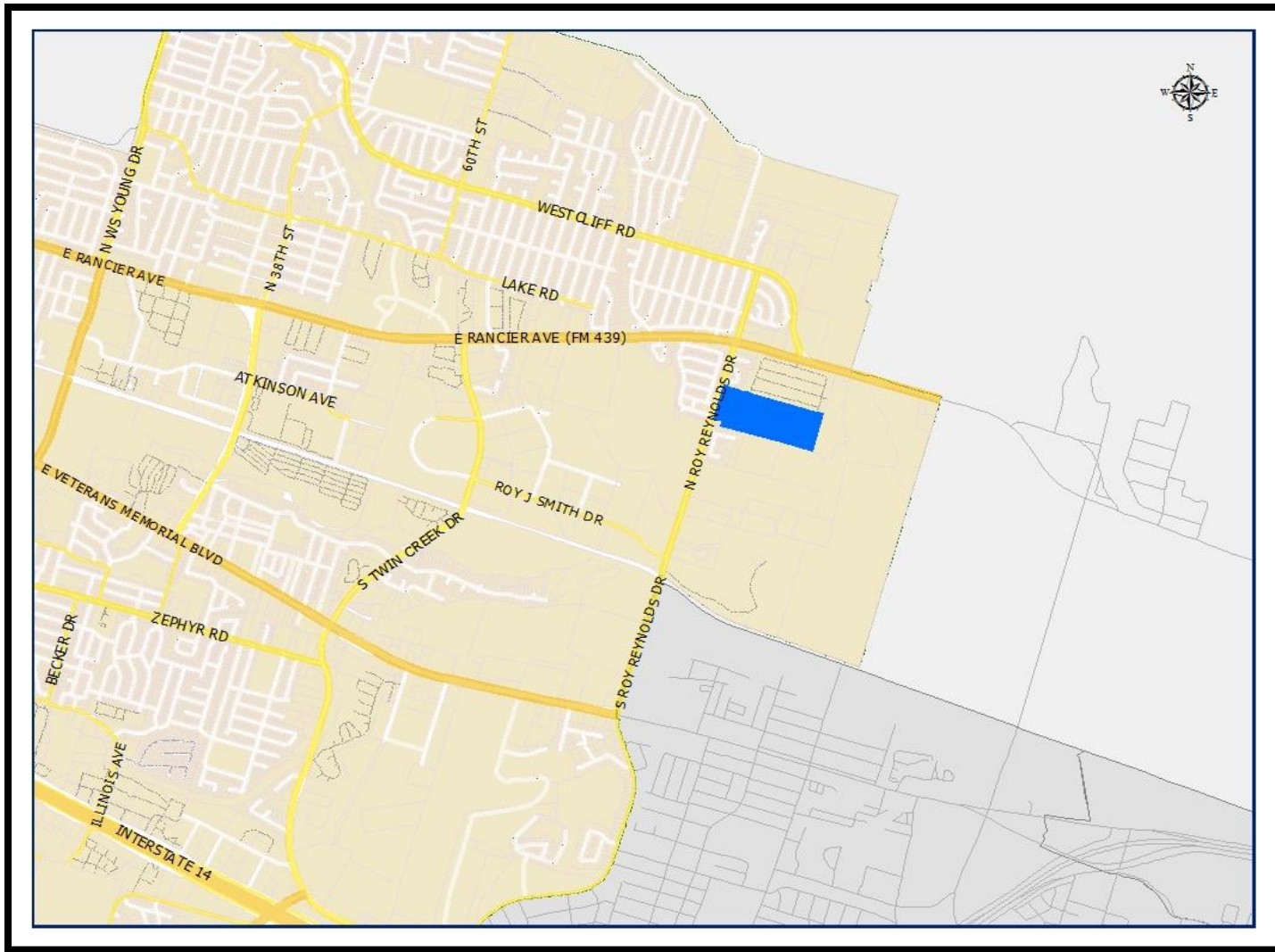
Case #Z18-21 - “R-MH” and “R-2” to “PUD” w/ “SF-2” and “R-2”

3

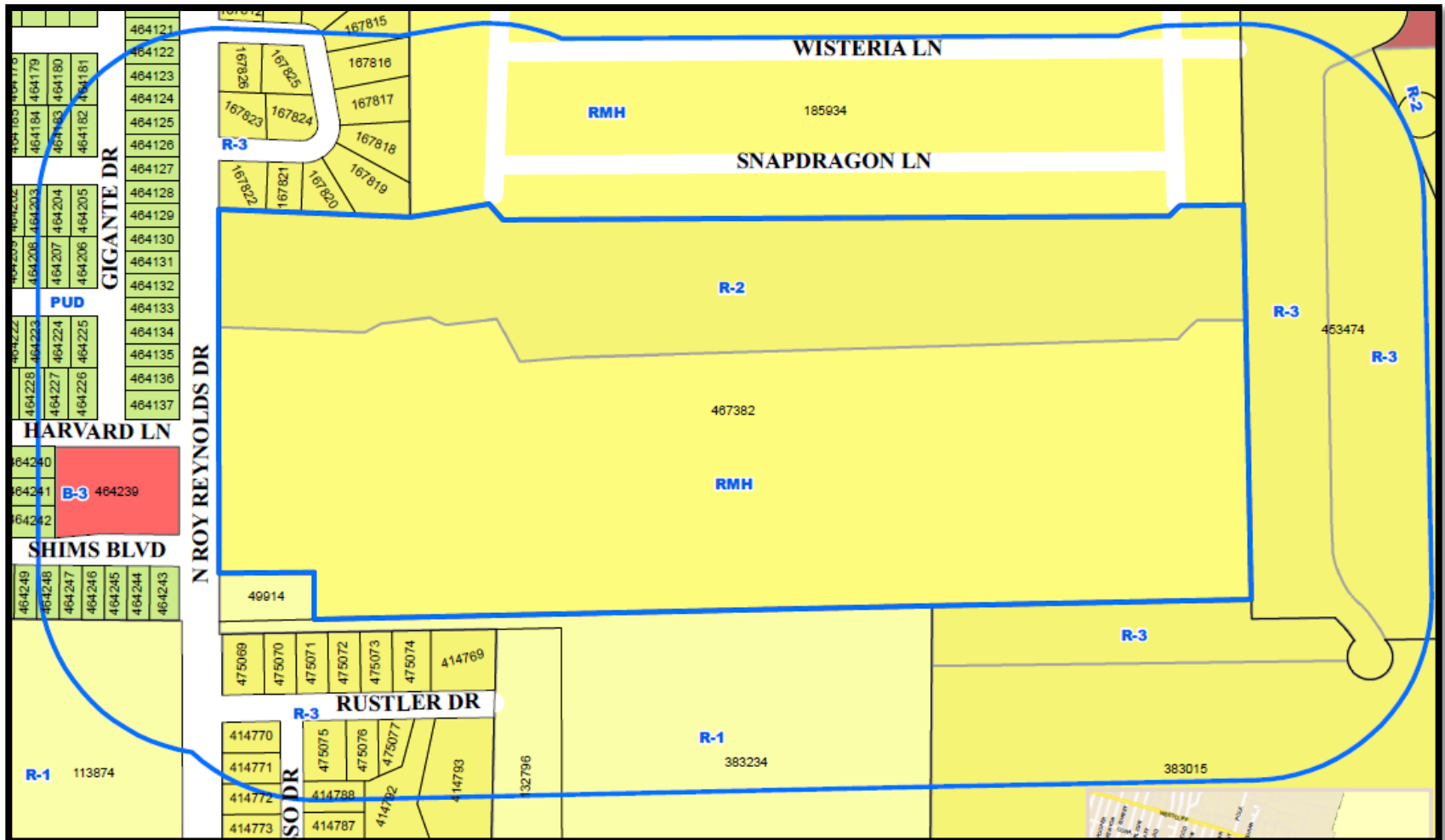
- The subject property consists of approximately 45.106 acres and is currently undeveloped.
- The property is generally located on the east side of Roy Reynolds Drive, south of the intersection with Rancier Avenue.
- The property is currently zoned “R-2” (Two-Family Residential) (15 acres), and “R-MH” (Residential Mobile Home) (30 acres).

Case #Z18-21-“R-MH” and “R-2” to “PUD” w/ “SF-2” and “R-2”

4

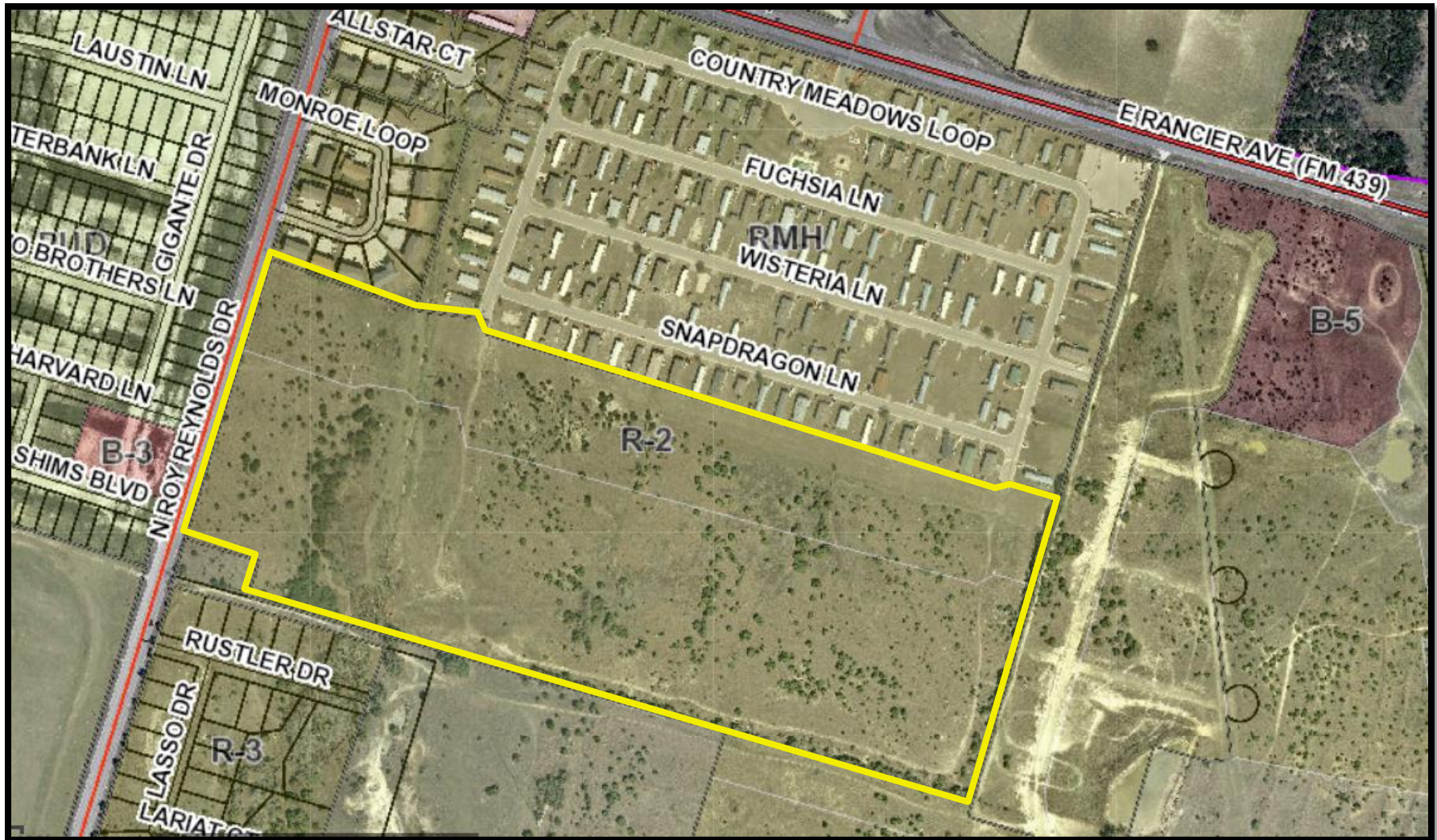


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PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

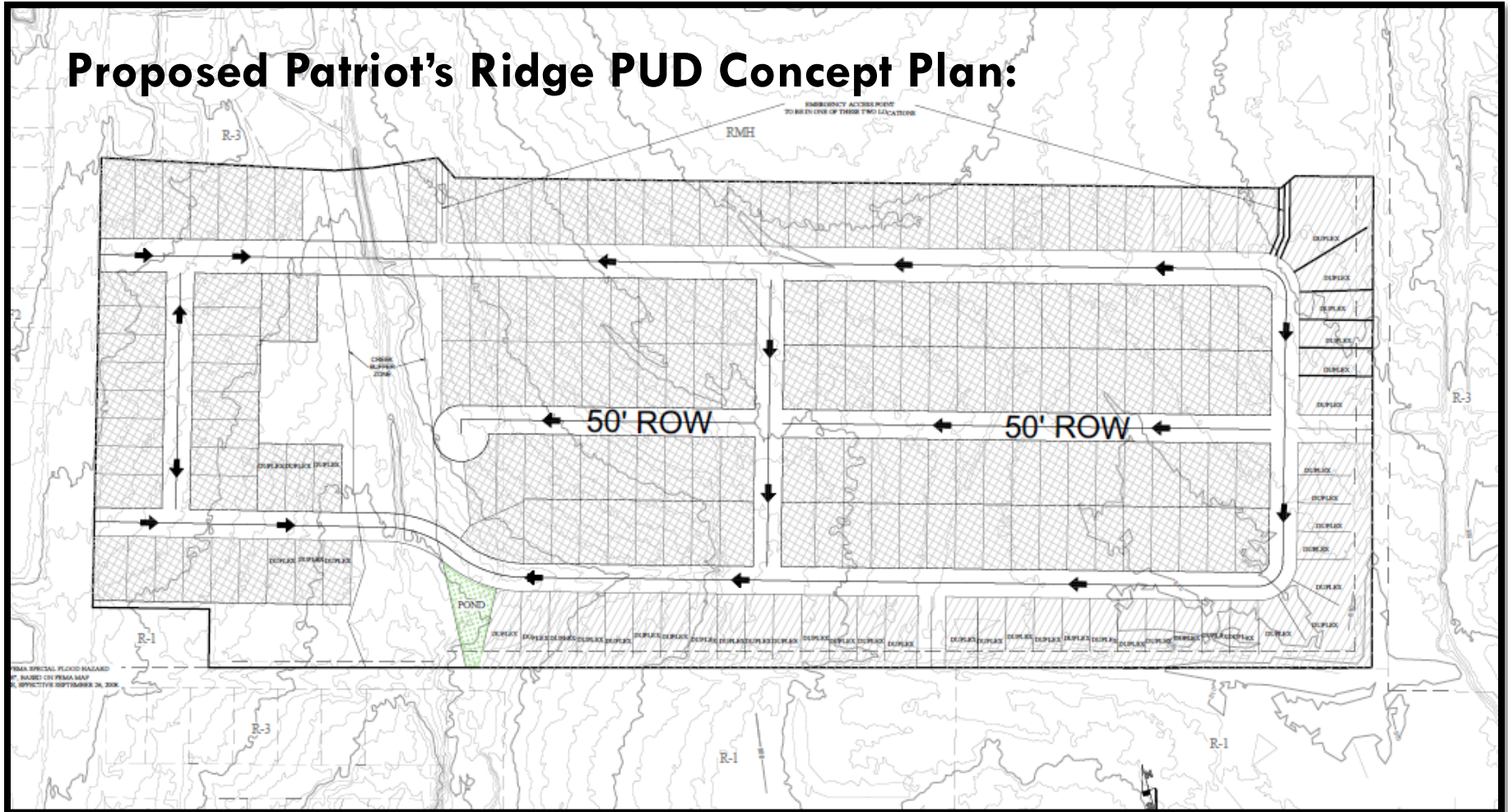
6



PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

7

Proposed Patriot's Ridge PUD Concept Plan:



PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

8

Requested PUD Standards:

- Reduced front yard setback from 25 feet to 20 feet for the “SF-2” single-family lots.
- Increased minimum lot depth from 100 feet to 105 feet for the “SF-2” single-family lots.
- Reduced side yard setback from 7 feet to 5 feet for the “R-2” duplex lots.
- Maximum of forty-five (45) “R-2” duplex lots.
- Reduced right-of-way width for one local street from 60 feet to 50 feet.

PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

9

	“SF-2” Required	“SF-2” Proposed	“R-2” Required	“R-2” Proposed
Front Setback	25 ft.	25 ft.	25 ft.	25 ft.
Side Setback	5 ft.	5 ft.	7 ft.	5ft.
Rear Setback	20 ft.	15 ft.	25 ft.	25 ft.
Lot Depth	100 ft.	105 ft.	110 ft.	110 ft.
Lot Width	50 ft.	50 ft.	60 ft.	60 ft.

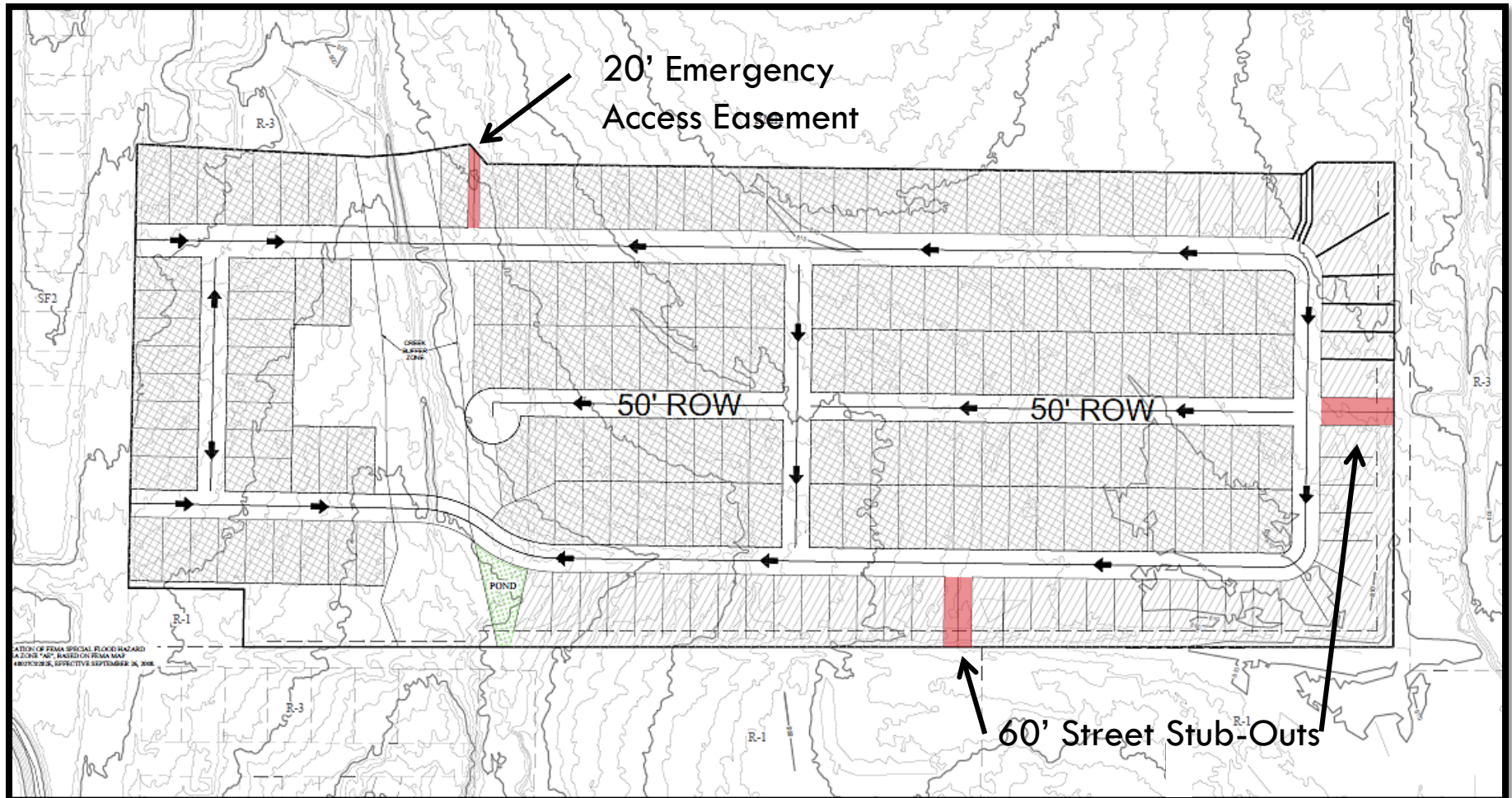
PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

10

- The proposed 50-foot right-of-way does not conform to the adopted Thoroughfare Plan.
- The proposed PUD does not include any open space amenities.
- Sixty (60) foot wide street stub-outs will be provided to the undeveloped property to the south and east of the subject area.
- A twenty (20) foot wide Emergency Access Easement with Knox Box will tie into one of the private streets to the north.

PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

11



Case #Z18-08 — “B-3” to “PUD” w/ “R-3A”

12

- Staff notified sixty-two (62) surrounding property owners within 400 feet of the subject property.
- Staff has received one (1) response. Mr. Tim Boose, the owner of the parcel located directly to the southwest of the subject area, is in support of the request.
- The Planning and Zoning Commission recommended approval of the requested zoning change with conditions by a vote of 7-0 at their October 1st meeting.

PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

13

Recommended Conditions:

1. Connectivity.

- There shall be a stub-out street that ties into the existing platted street to the east of the PUD (Woodbine Drive) having a sixty (60) foot wide right-of-way.
- There shall be a stub-out street that ties into the undeveloped property to the south (Property ID No. 383234) having a sixty (60) foot wide right-of-way.
- There shall be an Emergency Access Easement provided on the north side of the PUD tying into one of the existing stub-outs to the north (Country Meadows Loop) that is a minimum of twenty (20) feet in width, paved with an all-weather surface to be approved by the City’s Fire Marshal, and equipped with a Knox Box.

PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

14

Recommended Conditions:

2. Landscaping.

- Each residential lot shall have a minimum of two (2) six (6) foot tall canopy trees at least two (2) inch caliper in size. One (1) tree shall be located in the front yard, and one (1) tree shall be located in the backyard of each lot.
- Each residential lot shall have five (5) 5-gallon shrubs, three (3) 3-gallon shrubs.
- Each residential lot shall be fully sodded (front, side, and rear yard).
- All landscaping must be in place upon final inspection unless an extension is granted in writing by the Building Official. Such extension shall not exceed sixty (60) days.

PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

15

Recommended Conditions:

3. Architectural Design.

- Each residential structure shall have a minimum of 100% masonry on the front elevation and 50% masonry on each side elevation, exclusive of windows, doors, gables, eaves, soffits, walls above roof lines, porches and patios at least four foot by eight foot (4'x8') in size. Masonry shall include brick, stucco, or stone, but shall not include fiber-cement siding.
- The same elevation shall not be repeated within any grouping of five (5) lots on the same side of the street, and shall not be repeated directly across the street, or on a diagonal.

PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

16

Recommended Conditions:

4. “SF-2” (Single-Family Residential) Lots.

- Rear yard setbacks shall be reduced from twenty (20) feet to fifteen (15) feet.
- Minimum lot depth shall be increased from one hundred (100) feet to one hundred and five (105) feet.
- All other requirements for “SF-2”, as outlined in Chapter 31, will be met unless otherwise noted.

PH-2: Z18-21 — “R-MH” to “PUD” w/ “R-2” and “SF-2”

17

Recommended Conditions:

5. “R-2” (Single-Family Residential) Lots.

- No more than forty-five (45) duplex lots shall be provided within the PUD.
- Side yard setbacks shall be reduced from seven (7) feet to five (5) feet.
- All “R-2” lots shall front on a sixty (60) foot wide right-of-way.
- All other requirements for “R-2”, as outlined in Chapter 31, will be met unless otherwise noted.