



City of Killeen

Legislation Details (With Text)

File #: PH-24-015 **Version:** 1 **Name:** Z23-20
Type: Ordinance/Public Hearing **Status:** Passed
File created: 4/22/2024 **In control:** City Council
On agenda: 5/28/2024 **Final action:** 5/28/2024

Title: HOLD a public hearing and consider an ordinance submitted by Racquel Gallman and Michael Hampton (Case #Z23-20) to rezone approximately 36.03 acres out of the W. H. Cole Survey, Abstract No. 200, 5, 5-1-1, 5-2, and 6 from "A" (Agricultural District), "A-R1" (Agricultural Single-Family Residential District), and "B-3" (Local Business District) to a PUD (Planned Unit Development) with "B-3" (Local Business District) uses. The properties are locally addressed as 9888 and 10004 Trimmier Road, Killeen, Texas.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Maps, 2. Site Photos, 3. PUD Development Standards, 4. Letter of Request, 5. Minutes, 6. Ordinance, 7. Responses, 8. Considerations, 9. Presentation

Date	Ver.	Action By	Action	Result
5/28/2024	1	City Council	approved	Pass
5/21/2024	1	City Council Workshop		

HOLD a public hearing and consider an ordinance submitted by Racquel Gallman and Michael Hampton (**Case #Z23-20**) to rezone approximately 36.03 acres out of the W. H. Cole Survey, Abstract No. 200, 5, 5-1-1, 5-2, and 6 from "A" (Agricultural District), "A-R1" (Agricultural Single-Family Residential District), and "B-3" (Local Business District) to a PUD (Planned Unit Development) with "B-3" (Local Business District) uses. The properties are locally addressed as 9888 and 10004 Trimmier Road, Killeen, Texas.

DATE: **May 21, 2024**

TO: **Kent Cagle, City Manager**

FROM: **Edwin Revell, Executive Director of Development Services**

SUBJECT: **Zoning Case# 23-20: "A" (Agricultural District), "A-R1" (Agricultural Single-Family Residential District), and "B-3" (Local Business District) to a PUD (Planned Unit Development) with "B-3" Local Business District) uses.**

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: Racquel Gallman & Michael Hampton
Agent: James Janulis of MRB Group
Current Zoning: "A," "A-R1," & "B-3"
Proposed Zoning: PUD (Planned Unit Development)

Current FLUM Designation: 'Residential Mix'

Summary of Request:

James Janulis of MRB Group, on behalf of Racquel Gallman & Michael Hampton, has submitted a request to rezone approximately 36.03 acres from "A", "A-R1", and "B-3" to a PUD (Planned Unit Development) with "B-3" (Local Business District) uses. The subject property is locally addressed as 9888 and 10004 Trimmier Road and is generally located on the east side of Trimmier Road between Stagecoach Road and Chaparral Road.

If approved, the applicant intends to develop an indoor and outdoor sports complex on the property. The development will include baseball, softball, soccer, and football fields; tennis, sand volleyball, and pickleball courts; batting cages, fishing pond, children's playground, swimming pool, miniature golf course, amphitheater, events venue, food truck court, and areas for guest lodging including RV's and tiny home style accommodations.

The applicant is requesting a Planned Unit Development (PUD) with underlying "B-3" (Local Business District) zoning. The purpose of the requested PUD is to allow the proposed uses associated with the indoor/outdoor sports complex, while also restricting other more intense commercial uses on the property. Without a PUD, the proposed sports complex facility would be permitted by-right in "B-4" (Business District). The applicant was advised that staff would not support a request for "B-4" zoning in this location due to concerns about other more intense uses that would be permitted by-right. For this reason, the applicant has prepared a PUD application, which will preclude other more intense uses on the property.

The applicant is proposing PUD development standards as described in the attached PUD Standards document. The proposed development standards include minimum requirements for landscaping, parking, setbacks, architectural design, the guest lodging area, and lighting.

Killeen Code of Ordinances Chapter 31 Compliance:

In accordance with Killeen Code of Ordinances Section 31-801, 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.

Zoning/Plat Case History:

The subject property was annexed into the city limits on April 30, 2004, via Ordinance No. 04-12, and was subsequently rezoned "A", "A-R1", "B-3" (Agricultural District, Agricultural Single-Family District and Local

Business District) in May 2005. The subject property is currently not platted. However, the applicant intends to submit a plat application if the zoning request is approved.

Character of the Area:

North: Existing Single-Family Residence zoned "B-3" (Local Business District)

South: Single-Family Residence zoned "A-R1" (Agricultural Single-Family Residential District)

West: Single-Family Residence zoned "R-1" (Single-Family Residential District), "A" (Agricultural District), and "A-R1" (Agricultural Single-Family Residential District)

East: Vacant lot zoned "A" (Agricultural District)

Future Land Use Map Analysis:

This property is located within 'Controlled Growth' area on the Growth Sector Map and designated as 'Residential Mix' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'Controlled Growth' sector includes areas in the city limits and approved Municipal Utility Districts (MUDs) that have access to city infrastructure in close proximity. Development proposed in this sector will be evaluated for adherence to the Big Ideas and Recommendations of the plan, particularly those related to housing and neighborhood options and improve the fiscal health and sustainability of Killeen.

This 'Residential Mix' place type creates neighborhoods built with a traditional walkable block/street grid network that allows a flexible mix of residential building typologies. Aside from large multiplex garden apartments, most housing types should be allowed here. This place type encourages most residential uses such as single-family detached, townhouses, small-plex (2-4 units), etc. This place type encourages a twenty-five percent (25%) nonresidential and ninety-five percent (95%) residential use mix.

The request supports or furthers the following the Comprehensive Plan recommendations:

- **LU1** - Use place types and complete neighborhoods as building blocks
- **LU2** - Improve the fiscal productivity of development
- **LU3** - Encourage incremental evolution of neighborhoods

The Comprehensive Plan's Big Idea #5 promotes neighborhoods, not subdivisions, designed and built to intentionally mix housing and commercial opportunities together so that daily needs are accessible within a safe and walkable distance that fosters a unique sense of place.

The Comprehensive Plan calls for managing development of land and capital investments (such as streets, utilities, and drainage) to ensure a more prosperous community for the long haul and similar to the need for these common resident services listed here, staff finds the request is necessary to keep up with demands for family oriented indoor/outdoor activity in the area.

Neighborhood Analysis:

Land Use:

This property is located within Killeen Development Zone #8.

Current land use mix within this area comprises approximately:

1% non-residential
99% residential

Zoning district breakdown in DZ8:

Special Districts	463.61	13.19%
Residential	1657.65	47.14%
Industrial	0.00	0.00%
Commercial	191.31	5.44%
Agricultural	1203.59	34.23%
Total	3516.15	100.00%

'Residential Mix' promotes:

Use Mix: up to 25% non-residential, 95% residential uses

Primary Uses: Single-Family, Accessory Dwelling Unit (ADU), Townhouses, Smallplex (2-4 Units), & Live-Work

Secondary Uses: Small Office, Small Retail, Restaurant, Accessory Commercial Unit (ACU), School, & House of Worship

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer, and drainage utility service is located within the City of Killeen municipal utility service area and available to the subject tract. The sanitary sewer line located on the west side of Trimmier is currently a force main that is being converted to gravity as a Capital Improvement Project. There is a 12" water transmission line on the east side of Trimmier.

Transportation and Thoroughfare Plan:

Ingress and egress to the property is from Trimmier Road, which is classified as a 110-foot wide Minor Arterial on the City of Killeen Thoroughfare Plan. The applicant will complete a Traffic Impact Analysis at the time of development.

Environmental Assessment:

A portion of the property is within Zone AE, a FEMA-regulatory Special Flood Hazard Area (SFHA). There are known wetland areas on this lot you have a Freshwater Emergent Wetland habitat classified as a PEM1C, a Freshwater Forested/Shrub Wetland habitat classified as a PSS1C, and Freshwater Pond habitat is classified as a PUSCh as identified on the National Wetlands Inventory.

PARKS AND PROPOSED TRAIL PLAN:

There are no proposed parks or trails located on this site. This project is exempt from providing parkland dedication or fees in lieu of as it is a nonresidential development in accordance with Section 26-129(B)(1).

Public Notification:

Staff notified forty-four (44) surrounding property owners regarding this request. Of those property owners notified, twenty-six (26) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and seven (7) reside outside of Killeen.

To date, staff has received four (4) written responses to this request. Two (2) responses are in favor and two (2) responses are in opposition to the request.

The opposition amounts to zero percent of the 200-foot notification boundary.

Staff Findings:

The 'Planned Unit Development' (PUD) land use category is characterized by a potential for distinct character areas, from Urban to Suburban, within an overall development design. Site design and development quality should be superior given strategic location and high profile, should be designed to be transit supportive.

The current zoning of the subject property is "A" (Agricultural District), "A-R1" (Agricultural Single-Family Residential District), and "B-3" (Local Business District). The surrounding area is predominantly undeveloped with abutting residential, agricultural residential, and commercial uses.

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

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:

Staff recommends approval of the applicant's request to rezone the subject property from "A" (Agricultural District), "A-R1" (Agricultural Single-Family Residential District), and "B-3" (Local Business District) to a PUD (Planned Unit Development) with "B-3" (Local Business District) uses to allow for a multi-use sports complex as presented.

Staff finds that the applicant's request is consistent with the Big Ideas of the Comprehensive Plan, as indicated in the Comprehensive Plan Analysis. Additionally, staff finds that the request is consistent with the character of the area. The proposed PUD development standards will provide for adequate buffering from adjacent appropriate residential uses. Further, staff finds that the proposed indoor and outdoor sports complex will provide a much-needed benefit to the community.

At their regular meeting on April 15, 2024, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 4 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Site Photos
PUD Development Standards
Letters of Request
Minutes
Ordinance
Responses
Considerations
Presentation