



City of Killeen

Legislation Details (With Text)

File #: PH-16-028 **Version:** 1 **Name:** Zoning 16-14
Type: Ordinance/Public Hearing **Status:** Passed
File created: 7/13/2016 **In control:** City Council
On agenda: 8/23/2016 **Final action:** 8/23/2016

Title: HOLD a public hearing and consider an ordinance requested by 439 Lakeview Development Ltd. (Case #Z16-14) to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from "R-3" (Multifamily Residential District) and "B-3" (Local Business District) to a Planned Unit Development (PUD) for "SF-2" (Single-Family Residential District) uses. The properties are locally known as 1500 through 1506, 1508, 1510, 1512, 1601, 1603, 1605, 1606, 1608 through 1613 and 1701 Justin Lane, Killeen, Texas.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Council Memorandum, 2. Attachment to CCMO, 3. Minutes, 4. Ordinance, 5. Application, 6. Location map, 7. Buffer map, 8. Considerations, 9. Concept Plan, 10. Response

Date	Ver.	Action By	Action	Result
8/23/2016	1	City Council	Approved	Pass
8/16/2016	1	City Council Workshop		

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AGENDA ITEM

ZONING CASE #Z16-14 "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) AND "B-3" (LOCAL BUSINESS DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH "SF-2" (SINGLE-FAMILY RESIDENTIAL DISTRICT)

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Nature of the Request

439 Lakeview Development Ltd. submits this request to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from "R-3" (Multifamily Residential District) and "B-3" (Local Business District) to a Planned Unit Development (PUD) for "SF-2" (Single-Family Residential District) uses. The properties are locally known as 1500 through 1506, 1508,

1510, 1512, 1601, 1603, 1605, 1606, 1608 through 1613 and 1701 Justin Lane, Killeen, Texas.

The applicant is proposing the following PUD deviation and trade-off:

- 20' feet front yard setback, which is a decrease from the required 25' front yard setback
- 115' minimum lot depth, which is an increase from the required 100' feet minimum lot depth

The net effect of the PUD will be an increase in the minimum lot size from 5,000 square feet to 5,750 square feet and an increase of the buildable envelope (i.e. developable area) from 2,200 square feet to 3,000 square feet. The current "SF-2" architectural design and landscaping standards will apply to the PUD request.

The architectural design standards are as follows: The same exterior architectural elevation may not be used within any grouping of five homes. Homes must have a minimum of 50% brick, stucco or stone veneer for exterior walls excluding doors, windows and gables.

The landscaping standards are as follows: All yards shall be fully sodded or covered with other city-approved groundcover, as determined by the Building Official, to ensure compatibility and to control dust, erosion and sediment from migrating off-site. Additionally, for each dwelling unit, a minimum of one (1) six (6) foot tall canopy tree with two-inch caliper, and eight (8) three (3) gallon shrubs, are required to be planted in the front 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.

District Descriptions:

A building or premises in a "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 section 31-186, including those defined as home occupation uses

Property Specifics

Applicant/Property Owner: 439 Lakeview Development Ltd.

Property Location: The property is located along the south right-of-way of Rancier Avenue, west of Shimla Drive.

Legal Description: : The property is 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision.

Zoning/Plat Case History:

- The property was rezoned from "R-3" (Multifamily Residential District) to "B-3" (Local Business District) on October 28, 2014, per Ordinance No. 04-78.
- The subject property is platted as Lakeview Park Subdivision, which was filed for record on May 16, 2006, in Cabinet D, Slide 116-AA, Plat Records, Bell County, Texas.

Character of the Area

Existing Land Uses(s) on the Property: The property is currently vacant. There is a mixture of existing commercial uses and residential uses in the vicinity.

Figure 1. Aerial Map

See attachment.

Historic Properties: None

Infrastructure and Community Facilities

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 readily available to the property. The property lies entirely within a previously platted subdivision; however, no supporting public infrastructure was ever completed for the proposed development. In accordance with the City of Killeen Code of Ordinances, the developer is required to extend public utilities to the property in accordance with the plan of service validated with the approved plat cases. 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.

Transportation:

Existing conditions: The applicant is proposing one direct ingress/egress point onto Rancier Avenue (FM 439), a state-system thoroughfare, which is classified as a 110' feet arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: The project concept plan contemplates one point of ingress/egress through a 50' right-of-way. The relocation of the platted Brim Lamkey Lane intersection with Rancier Ave (FM 439) is subject to approval by TxDOT. Discrete drives onto Rancier Ave (FM 439), a minor arterial street, would not be allowed.

Projected Traffic Generation: Not significant

Environmental Assessment

Topography: The elevation ranges from 796 feet to 806 feet above sea level.

Regulated Floodplain/Floodway/Creek: This property is partially located in a Zone AE Special Flood Hazard Area. There are no known wetlands on this parcel. Based on the submitted concept plan, this development will need to be re-platted and the current drainage requirements will apply to any development on this parcel. Currently, runoff on this development sheet flows south onto the adjacent parcels and drainage easements prior to entering Caprice Ditch. The runoff then flows from Caprice Ditch into Nolan Creek prior to leaving the City. Nolan Creek is currently listed on the TCEQ's 2014 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

Land Use Analysis

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

Plan Recommendation: The 'General Residential' designation of the Comprehensive Plan is a medium intensity category and contemplates the following: 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: The zoning request is consistent with the current FLUM of the Comprehensive Plan.

Public Notification

The staff notified sixteen (16) surrounding property owners regarding this request. Staff has received a response of support from Dale Hennig, the owner of 1700 and 1702 Cedarview Circle.

Recommendation

The Planning and Zoning Commission recommended approval of the applicant's PUD request, excluding Lots 1 through 3 and the remainder tract, which are located at the northwest corner of the concept plan. The purpose of excluding this portion of the property from the concept plan is to reduce the total number of lots from thirty-three (33) to thirty (30), thus removing the need for two access points. This project is a much needed in-fill development opportunity, and the project will further north Killeen revitalization efforts.