



City of Killeen

Legislation Details (With Text)

File #: PH-16-002 **Version:** 1 **Name:** Zoning 15-33
Type: Ordinance/Public Hearing **Status:** Passed
File created: 12/17/2015 **In control:** City Council
On agenda: 1/12/2016 **Final action:** 1/12/2016

Title: HOLD a public hearing and consider an ordinance requested by Killeen Engineering & Surveying, Ltd. on behalf of RSBP Developers (Case #Z15-33) to rezone Lots 1-2, Blocks 10 through 13 Bunny Trail Estates, Phase One and Lots 3-19, Block 10 and Lots 3-34, Blocks 11 through 13, Bunny Trail Estates, Phase Two, from "R-1" (Single-family Residential District) to "R-1" (Single-family Residential District) with a Planned Unit Development (PUD) overlay. The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Council Memorandum, 2. Attachment to Council Memorandum, 3. Ordinance, 4. Minutes, 5. Application, 6. Location Map, 7. Buffer Map, 8. Considerations, 9. PUD Exhibit

Date	Ver.	Action By	Action	Result
1/12/2016	1	City Council	Approved	Pass
1/5/2016	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Killeen Engineering & Surveying, Ltd. on behalf of RSBP Developers (Case #Z15-33) to rezone Lots 1-2, Blocks 10 through 13 Bunny Trail Estates, Phase One and Lots 3-19, Block 10 and Lots 3-34, Blocks 11 through 13, Bunny Trail Estates, Phase Two, from "R-1" (Single-family Residential District) to "R-1" (Single-family Residential District) with a Planned Unit Development (PUD) overlay. The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas.

AGENDA ITEM

ZONING CASE #Z15-33 "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY.

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Killeen Engineering & Surveying, Ltd. submits this request on behalf of RSBP Developers to rezone Lots 1-2, Blocks 10 through 13 Bunny Trail Estates, Phase One and Lots 3-19, Block 10 and Lots 3-34, Blocks 11 through 13, Bunny Trail Estates, Phase Two, from "R-1" (Single-Family Residential District) to "R-1" (Single-Family Residential District) uses with a Planned Unit Development (PUD) overlay. The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas. The purpose of the PUD overlay is to reduce the required rear yard from 25 feet to 17 feet, while increasing the required side yard from 7 feet to 9 feet.

District Descriptions:

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

- (1) One-family dwellings.
- (2) Churches or other places of worship.
- (3) Colleges, universities or other institutions of higher learning.
- (4) Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.
- (5) Farms, nurseries or truck gardens, limited to the proportion and cultivation of plants, provided no retail or wholesale business is conducted on the premises, and provided further that no poultry or livestock other than normal household pets shall be housed within one hundred (100) feet of any property line.
- (6) Parks, playgrounds, community buildings and other public recreational facilities, owned and/or operated by the municipality or other public agency.
- (7) Public buildings, including libraries, museums, police and fire stations.
- (8) Real estate sales offices during the development of residential subdivisions but not to exceed two (2) years. Display residential houses with sales offices, provided that if such display houses are not moved within a period of one (1) year, specific permission must be obtained from the city council for such display houses to remain on their locations.
- (9) Schools, public elementary or high.
- (10) Schools, private with curriculum equivalent to that of a public elementary or high school.
- (11) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
- (12) Water supply reservoirs, pumping plants and towers.
- (13) Accessory buildings and uses, incident to the uses in this section and located on the same lot therewith, not involving the conduct of a retail building...
- (14) A subdivision entry sign, when such sign is located on a lot that abuts a subdivision boundary and fronts on a street entering the subdivision. Such sign:
 - a. Shall not have a sign face which exceeds a total of twenty-four (24) square feet; and
 - b. Shall not exceed six (6) feet in height; and
 - c. Shall not be located in a side or rear yard which is adjacent to any other lot designated for residential use; and
 - d. Shall advertise only the name of the subdivision.
- (15) Cemetery.

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.

Property Specifics

Applicant/Property Owner: RSBP Developers, Inc.

Property Location: The properties are bounded by Great Divide Road on the east and Newcastle Drive on the west, Killeen, Texas.

Legal Description: Lots 3-34, Blocks 11 through 13 and Lots 3-19, Block 10, Bunny Trail Estates, Phase Two; Lots 1-2, Blocks 10 through 13 Bunny Trail Estates, Phase One.

Zoning/ Plat Case History:

The property was rezoned from "A" (Agricultural District) to "R-1" (Single-family Residential District) on November 11, 2011 per Ordinance No. 11-098.

The subject property is platted as Bunny Trail Estates, Phase One, which was filed for record on January 23, 2012 in Cabinet D, Slide 384-A/B, Plat Records, Bell County, Texas and Bunny Trail Estates, Phase Two, which was filed for record on February 8, 2013 in Cabinet D, Slide 384-A, Plat Records, Bell County, Texas.

Character of the Area

Existing Land Use(s) on the Property: The project area is currently under development with a mixture of single-family residential uses. Bridgewood Addition and Brighton Place are two existing subdivisions around this development.

Figure 1. Zoning 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 above subject property proposed to be rezoned within the City of Killeen municipal utility service area. The property lies entirely within previously platted subdivisions - Bunny Trail Estates, Phases One and Two. 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. All supporting public utilities and public streets have been accepted and dedicated to the City for maintenance. 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: This project area has been platted with adequate ingress/egress according to the Code of Ordinances. Brunswick Drive, Endicott Drive, Ozark Drive and Anvil Range Road are all 60' local streets that abut the subject property.

Proposed Improvements: None.

Projected Traffic Generation: Moderate upon build out.

Environmental Assessment

Topography: This property is relatively flat.

Regulated Floodplain/Floodway/Creek: This property is located in a Zone X Special Flood Hazard Area. There are no known wetlands on this parcel.

Land Use Analysis

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

Plan Recommendation: The 'General Residential' character encourages detached residential dwellings as the primary focus, attached housing types subject to compatibility and open space standards (e.g. duplexes), planned developments with a mix of housing types subject to compatibility and open space standards, public/institutional, parks, and other public spaces.

The characteristics of this designation include:

- Predominantly "R-1" zoning district with less openness and separation between dwellings compared to Suburban Residential areas.

- Auto-oriented character that can be offset with architectural standards, landscaping, and limited uniform subdivision designs.

- Neighborhood-scale commercial emerging over time for well-suited areas.

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

Public Notification

The staff notified 93 (ninety three) surrounding property owners regarding this request. No responses have been received.

Recommendation

The Planning & Zoning Commission recommended approval (by a vote of 6 to 0) of the applicant's request with the following standards:

Side yards shall be a minimum width of nine (9) feet (as illustrated on the PUD zoning concept plan), exclusive of those side yards located adjacent to public rights-of-way, which shall remain at fifteen (15) feet.

Rear yards shall have a depth of not less than seventeen (17) feet (as illustrated on the PUD zoning concept plan) from the current standard of twenty-five (25) feet.

There shall be a minimum of 3-sides masonry (for the front and side exteriors) of all housing units.

Each lot shall have a fully sodded yard.