



# City of Killeen

## Legislation Text

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File #: PH-22-048, Version: 1

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**HOLD** a public hearing and consider an ordinance requested by Republic Engineering & Development Services on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al. **(Case #Z22-24)** to rezone approximately 390.72 acres out of the M. J. Pleasant Survey, Abstract No. 652 and the S. D. Carothers Survey, Abstract No. 177 from "A" (Agricultural District) to a Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District), and "B-5" (Business District) uses. The property is locally addressed as 4244 Stagecoach Road, Killeen, Texas.

**DATE:** July 19, 2022

**TO:** Kent Cagle, City Manager.

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

**SUBJECT:** ZONING CASE #Z22-24: "A" (Agricultural District)  
Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District) & "B-5" (Business District).

### **BACKGROUND AND FINDINGS:**

#### **Property Information:**

**Property Owner:** Sheryl Yowell Anderson 1998 Trust et al.

**Agent:** Republic Engineering & Development Services

**Current Zoning:** "A" (Agricultural District)

**Proposed Zoning:** Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District) & "B-5" (Business District)

**Current FLUM Designation:** 'Planned Development' (PD)

#### **Summary of Request:**

Republic Engineering and Development Services, on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al., has submitted a request to rezone approximately 390.72 acres out of the M. J. Pleasant Survey, Abstract No. 652 and the S. D. Carothers Survey, Abstract No. 177 from "A" (Agricultural) to a Planned Unit Development (PUD) with "A-R1" (Agricultural Single-Family Residential District), "SR-1" (Suburban Residential Single-Family

Residential District), "SR-2" (Suburban Residential Single-Family District), "SF-2" (Single-Family Residential District), "R-1" (Single-Family Residential District), "R-2" (Two-Family Residential District), and "B-5" (Business District) uses. If approved, the applicant intends to develop the property into a mixed-use community with multiple types of single-family residential, two-family residential, commercial, and open space uses.

All lots within the proposed PUD will meet the minimum standards for lot size and area requirements in accordance with the underlying base zoning. The applicant is proposing PUD standards as described in the attached PUD Features and Regulations document. Proposed standards include increased landscaping requirements, tree preservation credit, architectural standards, a repetition standard, enhanced fencing standards, and a provision for HOA maintained open space to include a playground, fenced dog parks, amphitheater, and trail area.

This request was tabled by the Planning and Zoning Commission on May 2, 2022 to the June 6th meeting pending applicant's submittal of additional PUD information. Since that time, the applicant has submitted updated exhibits and satisfied all of staff's comments.

The applicant has submitted exhibits for the following:

- a) Concept plan
- b) Phasing plan
- c) Parks and open space plan
- d) Tree survey
- e) Right-of-way cross section design
- f) Proposed elevations for two-family residential areas
- g) PUD Features and Requirements document.

### **Zoning/Plat Case History:**

The subject property was annexed into the city limits on March 16, 2004 via Ordinance No. 04-12. The property was subsequently zoned "A" (Agricultural District) on April 26, 2005 via Ordinance No. 05-31. The property is currently unplatted.

### **Character of the Area:**

**North:** Single-family homes on large lots zoned R-1 (Single-Family Residential District)

**East:** Single-family homes zoned R-1 (Single-Family Residential District), existing mobile home park zoned RMH (Mobile Home District), and existing commercial property zoned B-5 (Business District)

**South:** Single-family homes on large lots zoned A (Agricultural District) and A-R1 (Agricultural Single-Family Residential District), undeveloped property zoned A-R1 (Agricultural Single-Family Residential District), and Fire Station 8 zoned R-1 (Single-Family Residential District)

**West:** Undeveloped property and single-family homes zoned Planned Unit Development (PUD) w/ R-1 (Single-Family Residential District)

### **Future Land Use Map Analysis:**

This property is designated 'Planned Development' (PD) on the Future Land Use Map (FLUM) of the Comprehensive Plan. The 'Planned Development' (PD) designation encourages the following development types:

- Mixed use (retail, office, residential, public)

- Variety of housing types
- Parks and public spaces

Staff finds that this request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan.

### **Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer and utility services are located within the City of Killeen municipal utility service area and available to the subject tract.

Staff is of the determination that the current water infrastructure in this area is sufficient to serve the proposed development. The City began receiving water from the new water plant on Stillhouse Lake in June 2021, which improved water service to the southeast part of the city. Prior to the new plant, water had to travel from the northside of the City. There is a 16" transmission main along Stagecoach up to Cunningham and a 12" transmission main along Stagecoach to East Trimmier

### **Transportation and Thoroughfare Plan:**

Ingress and egress to the property is from Stagecoach Road and East Trimmier Road, which are both classified as a 110' wide Minor Arterial streets on the City of Killeen Thoroughfare Plan.

### **Environmental Assessment:**

FEMA regulatory Special Flood Hazard Areas (SFHA) for Embers Creek and Trimmier Creek cross the property. There are freshwater ponds, freshwater forested/shrub wetlands, freshwater emergent wetlands, and riverine habitats on or adjacent to the property as identified on the National Wetlands Inventory.

### **Public Notification:**

Staff notified two-hundred and forty-seven (247) surrounding property owners regarding this request.

Of those property owners notified, one-hundred and seventeen (117) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and seventy (70) reside outside of Killeen.

As of the date of this staff report, three (3) written responses have been received in opposition to this request.

### **Staff Findings:**

The 'Estate' (E) land use category is characterized as a transition between Suburban and Rural character areas, with further progression along the character spectrum toward environments where the landscape is visually dominant over structures. Still in Suburban portion of character spectrum, but with larger lots (typically 1 acre minimum), especially where required by public health regulations to allow for both individual water wells and on-site septic systems on properties where centralized water and/or wastewater service is not available or feasible. One-acre lots are usually adequate in wooded areas to achieve visual screening of homes

(from streets and adjacent dwellings). Three- to five-acre lots may be needed to achieve and maintain Estate character in areas with more open land.

The 'Planned Development' (PD) 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, and should provide for safe and convenient bicycle and pedestrian circulation options, both within and beyond the planned development area.

The current zoning of the subject property is "A" (Agricultural District). The surrounding area includes predominantly residential uses and undeveloped properties. To the north and south, there are single-family homes on large lots. To the east, there are existing single-family homes, mobile home park, and commercial property. To the west are existing single-family homes and undeveloped property.

### **THE ALTERNATIVES CONSIDERED:**

The City Council has three (3) alternatives. The Council may:

- Disapprove the applicant's PUD request;
- Approve the proposed PUD with additional/amended conditions; or
- Approve the proposed PUD as presented by the applicant.

If the Council wishes to attach conditions to the zoning, staff recommends that they be limited to only matters under the applicant's control.

### **Which alternative is recommended? Why?**

Staff recommends approval of the PUD as presented. Staff finds that the proposed development includes a mix of housing types and lot sizes, as well as a significant amount of open space and park amenities. Therefore, staff is of the determination that the proposed development is consistent with the policies and principles discussed during the ongoing Comprehensive Plan 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. However, long-term maintenance of all proposed municipal infrastructure will be the City's responsibility.

#### **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:**

At their Special Called Meeting on July 11, 2022, the Planning & Zoning Commission recommended approval of the proposed PUD with the following stipulations:

- 1) That the water pressure be maintained at 35 psi;
- 2) That the traffic flow is right; and
- 3) That lights be provided in the trail area.

The motion passed by a vote of 4 to 3 with Commissioners Gukeisen, Ploeckelmann, and Marquez in opposition. Those Commissioners in opposition expressed concern that the recommended conditions were not germane to the zoning request.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps

Site Photos

Minutes

Ordinance

PUD Proposal:

- a) Letter of Request
- b) PUD Features and Regulations document
- c) Concept plan
- d) Phasing plan
- e) Parks and open space plan
- f) Lot dimensions and street sections
- g) Proposed amenities
- h) Duplex renderings
- i) Tree survey

Responses

Considerations