



# City of Killeen

## Legislation Text

File #: PH-22-068, Version: 1

Consider an ordinance requested by Killeen Engineering and Surveying, LTD, on behalf of JOF Developers (**Case #Z22-40**) to amend the Planned Unit Development (PUD) standards for approximately 62.876 acres out of the 172.58 acre tract from the Azra Webb Survey, Abstract No. 857 to allow for lessened setback requirements for two-hundred and forty-six (246) lots. The property is locally addressed as 6600 S. Fort Hood Street, Killeen, Texas. (Tabled from August 23, 2022 Regular City Council Meeting.)

**DATE:** September 20, 2022

**TO:** Kent Cagle, City Manager

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

**SUBJECT:** ZONING CASE #Z22-40: "PUD" to "PUD" Amendment

### **BACKGROUND AND FINDINGS:**

#### **Property Information:**

**Property Owner:** JOF Developers  
**Agent:** Killeen Engineering & Surveying, LTD  
**Current Zoning:** Planned Unit Development (PUD)  
**Proposed Zoning:** Planned Unit Development (PUD) amendment to allow for smaller setback requirements  
**Current FLUM Designation:** 'Suburban Residential' (SR) and 'Suburban Commercial' (SC)

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

The Levy Crossing Planned Unit Development (PUD) was approved in July 2020. The approved PUD includes underlying "R-1" (Single-Family Residential), "SF-2" (Single-Family Residential), and "R-2" (Two-Family Residential) zoning.

The applicant previously requested for smaller setback requirements for three-hundred and eighty-six (386) lots zoned "R-1" and "SF-2" as follows:

	Front Setback		Side Setback		Rear Setback	
	Current	Requested	Current	Requested	Current	Requested
"R-1"	25 ft.	20 ft.	7 ft.	5 ft.	25 ft.	20 ft.
"SF-2"	25 ft.	20 ft.	5 ft.	No change	20 ft.	No change

On August 23, 2022, City Council tabled this request to give the opportunity for the applicant and staff to

discuss a compromise regarding the architectural standards for this request. The public hearing was also held during this meeting.

The applicant has since met and corresponded with staff to find a compromise, which is included in the revised PUD Amendment exhibit.

The revised request is to amend the building setbacks for two-hundred and forty-six (246) lots zoned "R-1" (Single-Family Residential District) as follows:

	Front Setback		Side Setback		Rear Setback	
	Current	Requested	Current	Requested	Current	Requested
"R-1"	25 ft.	No change	7 ft.	5 ft.	25 ft.	20 ft.

The revised PUD regulations includes no changes to the landscaping requirements and the following architectural requirements:

- Repetition standard;
- Garage standard;
- Enhanced windows;
- Architectural details;
- Variable roof design; and
- At least three (3) of the following: recessed garage, vertical articulation, covered front porch, variable exterior finish materials, or enhanced garage doors.

**Zoning/Plat Case History:**

The subject property was annexed into the City limits on October 19, 1999 and subsequently zoned "A-R1" (Agricultural Single-Family Residential District) on September 12, 2000. The property was rezoned from "A-R1" (Agricultural Single-Family Residential District) and "UD" (University District) to Planned Unit Development (PUD) w/ "R-1" (Single-Family Residential District), "SF-2" (Single-Family Residential District), "R-2" (Two-Family Residential District) and Open Space uses via Ordinance No. 22-027 on July 21, 2020. The property was final platted as Levy Crossing Final Plat on June 29, 2022. The subdivision has been constructed, but no homes have been built within the subdivision.

**Character of the Area:**

- North:** Single-family homes and undeveloped property zoned "R-1" (Single-Family Residential District)
- East:** Single-family homes zoned Planned Unit Development (PUD) w/ "SF-2" (Single-Family Residential District)
- South:** Undeveloped property zoned "A-R1" (Agricultural Single-Family Residential District) and UD (University District), and religious institution zoned "R-1" (Single-Family Residential District)
- West:** Vacant structure on a large lot zoned "A-R1" (Agricultural Single-Family Residential District) and UD (University District)

**Future Land Use Map Analysis:**

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

The 'Suburban Residential' (SR) designation encourages the following development types:

- Detached residential dwellings;
- Planned developments to provide for other housing types in a Suburban character setting;
- Public/institutional; and
- Parks and public spaces.

The Comprehensive Plan (page 2.17) notes that the 'Suburban Residential' (SR) land use designation allows for "planned developments to provide for other housing types (e.g., townhouse, patio) in a suburban character setting." This section further states that the 'Suburban Residential' (SR) designation "can establish development options which allow for lot sizes smaller than the baseline in exchange for greater open space set-aside, with the additional open space devoted to maintaining the overall suburban character and buffering adjacent properties."

Staff finds that the 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.

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

Ingress and egress to the property is from Atlas Avenue, which is classified as a 70' wide Collector Street on the City of Killeen Thoroughfare Plan. This is a PUD amendment with no proposed increase in traffic from the previously approved PUD, so a Traffic Impact Analysis is not required.

### **Environmental Assessment:**

The property is within a FEMA regulatory Special Flood Hazard Area (SFHA) associated with NRC Tributary 3. There is freshwater emergent wetland on or adjacent to the property as identified on the National Wetlands Inventory.

### **Public Notification:**

Staff notified two-hundred and fifteen (215) surrounding property owners regarding this request.

Of those property owners notified, sixty-six (66) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and twenty-six (26) reside outside of Killeen.

As of the date of this staff report, staff has received one (1) written response in support and two (2) written responses in opposition to this request.

### **Staff Findings:**

The surrounding area includes predominantly residential uses and undeveloped properties. To the north and east, there are single-family homes and undeveloped property. To the south, there are undeveloped properties and a religious institution. To the west are undeveloped properties.

**THE ALTERNATIVES CONSIDERED:**

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

- Disapprove the applicant's PUD amendment request;
- Approve the PUD amendment request with conditions; or
- Approve the PUD amendment request as presented by the applicant.

**Which alternative is recommended? Why?**

Staff finds that the amended request for lessened setback only applies to the "R-1" zoning district which constitutes a reduced number of lots and includes an array of architectural standards that will be implemented immediately.

Staff finds this request is consistent with the policies and principles discussed in the newly adopted Comprehensive Plan; therefore, staff recommends approval of the PUD amendment request as presented by the applicant.

**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 regular meeting on July 18, 2022, the Planning and Zoning Commission recommend approval of the applicant's request to amend the PUD with the condition that the City's newly adopted Architectural and Site Design Standards be applied by a vote of 6 to 0.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Site Photos  
Minutes  
Ordinance  
Letter of Request  
PUD Exhibit  
Responses  
Considerations