



# City of Killeen

## Legislation Text

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File #: PH-22-067, Version: 1

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**HOLD** a public hearing and consider an ordinance requested by Killeen Engineering & Surveying, LTD on behalf of JOF Developers, Inc. (**Case #Z22-39**) to rezone approximately 5.852 acres out of the 172.58 acres tract from the Azra Webb Survey, Abstract No. 857 from "A-R1" (Agricultural Single-Family Residential District) to Planned Unit Development (PUD) w/ "R-1" (Single-Family Residential District). The property is locally addressed as 6600 S. Fort Hood Street, Killeen, Texas.

**DATE:** August 16, 2022

**TO:** Kent Cagle, City Manager

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

**SUBJECT:** ZONING CASE #Z22-39: "A-R1" to PUD w/ "R-1".

### **BACKGROUND AND FINDINGS:**

#### **Property Information:**

**Property Owner:** JOF Developers

**Agent:** Killeen Engineering & Surveying, LTD

**Current Zoning:** "A-R1" (Agricultural Single-Family Residential District)

**Proposed Zoning:** Planned Unit Development (PUD) w/ "R-1" (Single-Family Residential District)

**Current FLUM Designation:** 'Suburban Residential' (SR)

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

Killeen Engineering & Surveying, LTD, on behalf of on behalf of JOF Developers, has submitted a request to rezone approximately 5.852 acres out of the 172.58 acre tract from the Azra Webb Survey, Abstract No. 857, from "A-R1" (Agricultural Single-Family Residential District) to Planned Unit Development (PUD) w/ "R-1" (Single-Family Residential District). The applicant intends to develop thirteen (13) residential lots and approximately 1.775 acres of dedicated green space. If approved, the additional lots included in this request would be subject to the

"R-1" PUD standards in the Levy Crossing PUD. The applicant has submitted a concurrent request to amend the Levy Crossing PUD to reduce the setback requirements within the development. If approved, the reduced "R-1" setback would be applicable to the subject property.

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

The subject property was annexed into the city limits on October 19, 1999 via Ordinance No. 99-61 and subsequently zoned "A-R1" (Agricultural Single-Family Residential District) via Ordinance No. 00-69 on

September 12, 2000. The property is currently unplatted.

**Character of the Area:**

**Surrounding Land Use and Zoning:**

**North:** Single-family homes zoned "R-1" (Single-Family Residential District)

**East:** Single-family residential lots zoned Planned Unit Development (PUD) w/ "R-1" (Single-Family Residential District)

**South:** Lot remainder with a vacant structure zoned "A-R1" (Agricultural Single-Family Residential District) and "UD" (University District)

**West:** Commercial businesses zoned "B-5" (Business 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.

**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. Staff estimates that there will be an increase of approximately 123 trips per day and has determined that a Traffic Impact Analysis is not required for the proposed land use.

**Environmental Assessment:**

The property appears to have a small portion (600 to 650 SF) of FEMA regulatory Special Flood Hazard Area (SFHA) at its south end. There is freshwater emergent wetland on or adjacent to the property as identified on the National Wetlands Inventory.

**Public Notification:**

Staff notified seventy (70) surrounding property owners regarding this request.

Of those property owners notified, thirty-three (33) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and twelve (12) reside outside of Killeen.

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

### **Staff Findings:**

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.

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 as presented by the applicant.

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

Staff recommends approval of the applicant's request to rezone the property from "A-R1" (Agricultural Single-Family Residential District) to Planned Unit Development (PUD) with "R-1" (Single-Family Residential District) used with the condition that the City's Architectural and Site Design Standards be applied to the development.

Staff finds that the request is compatible with the surrounding land uses and consistent with the prevailing community character. The character of the area includes predominantly single-family residential uses and commercial businesses. In addition, staff finds that the proposed green space to the west will provide a sufficient buffer between the subject property and the commercial properties to the west.

### **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 recommended approval of the applicant's request by a vote of 6 to 0 with the condition that the architectural standards be implemented.

**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 Amendment Exhibit  
Response  
Considerations