



City of Killeen

Legislation Details (With Text)

File #: PH-18-021 **Version:** 1 **Name:** Zoning 18-14
Type: Ordinance/Public Hearing **Status:** Passed
File created: 7/17/2018 **In control:** City Council
On agenda: 10/16/2018 **Final action:** 10/16/2018
Title: HOLD a public hearing and consider an ordinance requested by Mitchell & Associates, Inc., on behalf of Reeves Creek Development, Ltd. (Case #Z18-14) to rezone approximately 49.782 acres out of the Eugene LaSere Survey, Abstract No. 527, the W. T. Millsaps Survey, Abstract No. 1041 and the W. Freer Survey, Abstract No. 307, from "A" (Agricultural District) to "R-1" (Single-Family Residential District) for single family housing. The property is located on the east right-of-way of Bunny Trail, south of (undeveloped) Mohawk Drive, Killeen, Texas.
Sponsors: Development Services
Indexes:
Code sections:
Attachments: 1. Staff Report, 2. Maps, 3. Minutes, 4. Ordinance, 5. Pharr v Tippitt Considerations, 6. Response, 7. Presentation

Date	Ver.	Action By	Action	Result
10/16/2018	1	City Council	Approved	Pass
10/2/2018	1	City Council Workshop		
8/21/2018	1	City Council Workshop		
8/7/2018	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Mitchell & Associates, Inc., on behalf of Reeves Creek Development, Ltd. (**Case #Z18-14**) to rezone approximately 49.782 acres out of the Eugene LaSere Survey, Abstract No. 527, the W. T. Millsaps Survey, Abstract No. 1041 and the W. Freer Survey, Abstract No. 307, from "A" (Agricultural District) to "R-1" (Single-Family Residential District) for single family housing. The property is located on the east right-of-way of Bunny Trail, south of (undeveloped) Mohawk Drive, Killeen, Texas.

DATE: October 2, 2018

TO: Ronald L. Olson, City Manager

FROM: Dr. Ray Shanaa, AICP, Exec. Dir. of Planning and Development Services

SUBJECT: ZONING CASE #Z18-14 "A" (Agricultural District) to "R-1" (Single-Family Residential District)

BACKGROUND AND FINDINGS:

This request is submitted by Mitchell & Associates, Inc. on behalf of Reeves Creek Developers, Ltd. to rezone approximately 49.782 acres out of the Eugene LaSere Survey, Abstract No. 527, the W. T. Millsaps Survey,

Abstract No. 1041 and the W. Freer Survey, Abstract No. 307, from "A" (Agricultural District) to "R-1" (Single-Family Residential District) for single family housing. The property is located on the east right-of-way of Bunny Trail, south of (undeveloped) Mohawk Drive, Killeen, Texas.

"R-1" District Descriptions

A building or premise in a district "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.
- (15) Cemetery.

Property Specifics:

Applicant / Property Owner: Mitchell & Associates, Inc. / Reeces Creek Developers

Property Location: The property is located on the east side of Bunny Trail and south of the unimproved right-of-way known as Mohawk Drive in Killeen, Texas.

Legal Description: Approximately 49.782 acres out of the Eugene LaSere Survey, Abstract No. 527, the W. T. Millsaps Survey, Abstract No. 1041 and the W. Freer Survey, Abstract No. 307

Zoning/ Plat Case History:

There have been no recent zoning changes to this property. The applicant has submitted a Final Plat for Goodnight Ranch, Phase 14 concurrent with this rezoning request. The proposed plat consists of 179 single-family residential lots.

Character of the Area:

Existing Land Use(s) on the Property: The property is undeveloped.

Historic Properties: None

Community Infrastructure and Environmental Assessment:

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 located within the City of Killeen municipal utility service area and available to the subject tract. However, it will be necessary to extend public utility infrastructure to each lot, prior to the release of the lot(s) for residential construction purposes.

Transportation:

Existing conditions: The lots will be accessed via Bunny Trail, which has been constructed as a 90 ft. right-of-way, and Mohawk Drive, which is a currently unimproved 90 ft. right-of-way.

Proposed Improvements: The staff is discussing the status of the construction of Mohawk Drive as a condition for approval of the proposed Final Plat.

Projected Traffic Generation: A typical single-family home will generate ten (10) vehicle trips per day, so the proposed development is expected to generate approximately 1,790 vehicle trips per day. [Note: this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting].

Environmental Assessment:

There are no known environmental constraints for these lots. The lots are not within any FEMA regulatory Special Flood Hazard Area (SFHA) and there are no known wetlands on or adjacent to the parcel.

Land Use Analysis:

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

Plan Recommendation: The Comprehensive Plan calls for detached residential dwellings, public and institutional uses, and parks and public spaces.

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

Public Notification:

Staff notified twenty-five (25) surrounding property owners regarding this request. As of the date of this staff report, one response in opposition has been received.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended? Staff is not recommending any alternative to the applicant's request.

Why? Staff supports the applicant's request.

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.

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:

The Planning and Zoning Commission recommended approval of the applicant's "R-1" (Single-Family Residential District) zoning request by a vote of 5 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Minutes
Ordinance
Pharr v. Tippitt Considerations
Responses