



City of Killeen

Legislation Details (With Text)

File #: PH-21-040 **Version:** 1 **Name:** Zoning 21-21
Type: Ordinance/Public Hearing **Status:** Passed
File created: 6/23/2021 **In control:** City Council
On agenda: 8/10/2021 **Final action:** 8/10/2021
Title: HOLD a public hearing and consider an ordinance requested by Cactus Jack Development, Inc. on behalf of Charles R. and Ira Boggs (Case #Z21-21) to rezone approximately 128.82 acres from "A-R1" (Agricultural Single-Family Residential District), "B-5" (Business District), and "A" (Agricultural District) to a Planned Unit Development (PUD) with "R-1" (Single-Family Residential), "SF-2" (Single-Family Residential), "R-2" (Two-Family Residential), and "B-3" (Local Business District) uses, being out of the WL Harris Survey, Abstract No. 1155 and S.P.R.R. Co. Survey, Abstract No. 794. The property is locally addressed as 5901 South Fort Hood Street, Killeen, Texas.
Sponsors: Development Services
Indexes:
Code sections:
Attachments: 1. Staff Report, 2. Maps, 3. Minutes, 4. Ordinance, 5. Considerations, 6. Responses, 7. Presentation

Date	Ver.	Action By	Action	Result
8/10/2021	1	City Council	Approved	Pass
8/3/2021	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Cactus Jack Development, Inc. on behalf of Charles R. and Ira Boggs (**Case #Z21-21**) to rezone approximately 128.82 acres from "A-R1" (Agricultural Single-Family Residential District), "B-5" (Business District), and "A" (Agricultural District) to a Planned Unit Development (PUD) with "R-1" (Single-Family Residential), "SF-2" (Single-Family Residential), "R-2" (Two-Family Residential), and "B-3" (Local Business District) uses, being out of the WL Harris Survey, Abstract No. 1155 and S.P.R.R. Co. Survey, Abstract No. 794. The property is locally addressed as 5901 South Fort Hood Street, Killeen, Texas.

DATE: August 3, 2021

TO: Kent Cagle, City Manager

FROM: Tony McIlwain, Exec. Director of Development Services

SUBJECT: ZONING CASE #Z21-21 from "A-R1" (Agricultural Single-Family Residential District), "B-5" (Business District), and "A" (Agricultural District) to a Planned Unit Development (PUD)

BACKGROUND AND FINDINGS:

This request, submitted by Cactus Jack Development, Inc. on behalf of Charles R. and Ira Boggs (**Case #Z21-21**), is to rezone approximately 128.82 acres from "A-R1" (Agricultural Single-Family Residential District), "B-5" (Business District), and "A" (Agricultural District) to a Planned Unit Development (PUD) with "R-1" (Single-Family Residential), "SF-2" (Single-Family Residential), "R-2" (Two-Family Residential), and "B-3" (Local

Business District) uses.

The applicant has proposed a PUD designation with underlying single-family, two-family, and commercial uses as follows:

- Approximately 67.33 acres (169 lots) of "R-1" (Single-Family Residential) uses;
- Approximately 37.31 acres (201 lots) of "SF-2" (Single-Family Residential) uses;
- Approximately 13.69 acres (48 lots) of "R-2" (Two-Family Residential) uses; and
- Approximately 10.49 acres of "B-3" (Local Business District) uses.

If approved, all lots within the proposed PUD will meet the minimum standards for lot size and setbacks in accordance with the underlying base zoning with the following exceptions:

- All "R-1" lots will have a minimum side yard setback of five (5) feet; and
- The "R-1" lots in Section 1 will have a minimum rear yard setback of twenty (20) feet.

The applicant is proposing PUD standards as described in the attached PUD Regulations document. Proposed standards include increased landscaping requirements, architectural standards, a repetition standard, enhanced fencing standards, and a provision for an HOA-maintained open space to include a dog park, playground, and walking trail.

There are environmental constraints for these tracts. There is a FEMA regulatory Special Flood Hazard Area (SFHA) through the western area of this tract. There are also two fresh water ponds and North Reese Creek on or adjacent to the parcel as identified by the National Wetlands Mapper.

At the time of development, the current drainage design manual and infrastructure design and development standards will be applicable to this site. 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.

Zoning / Plat Case History:

The portion of the property that is currently zoned "A-R1" (Agricultural Single-Family Residential District) and "B-5" (Business District) was annexed into the City on October 19, 1999, via ordinance No. 99-84 and given an initial zoning designation of "A" (Agricultural District). This area was subsequently rezoned to "B-5" (Business District) and "A-R1" (Agricultural Single-Family Residential District) on September 12, 2000, via ordinance No. 00-69. The portion of the property that is currently zoned "A" (Agricultural District) was annexed into the City on December 18, 2007, via ordinance No. 07-110 and has retained its initial zoning designation of "A" (Agricultural District).

Character of the Area:

Adjacent land uses are as follows:

North: Existing large lot single-family residence zoned "R-1", "B-5", and "A-R1"

South: Low-density residential development zoned "R-1", "R-3", and "B-5" (Business District); and undeveloped land zoned "A".

East: Existing commercial development zoned "B-5" (Business District) and "A" (Agricultural District) on the opposite side of S.H. 195.

West: Undeveloped property outside the City limits.

Future Land Use Map Analysis:

This property is designated as 'General Residential' (GR) and 'Suburban Residential' (SR) on the Future Land Use Map (FLUM) of the Comprehensive Plan. The 'General Residential' (GR) designation encompasses most existing residential areas within Killeen. The 6,000 square foot minimum lot size in the predominant "R-1" zoning district results in less openness and separation between dwellings compared to Suburban residential areas. It is auto-oriented character (especially where driveways and front-loading garages dominate the front yard and building facades of homes), which can be offset by "anti-monotony" architectural standards, landscaping, and limitations on "cookie cutter" subdivision layouts characterized by straight streets and uniform lot sizes and arrangement.

The 'General Residential' (GR) designation encourages the following development types:

- Detached residential dwellings as a primary focus.
- Attached housing types subject to compatibility and open space standards (e.g., duplexes, townhomes, patio homes)
- Planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards.
- Public/ institutional
- Parks and public spaces

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.

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 drainage utility services are located within the City of Killeen municipal utility service area and may be available to the subject tract.

Transportation and Thoroughfare Plan:

Ingress and egress to the property is from South Fort Hood Street, which is classified as 120-foot wide Principal Arterial on the City of Killeen Thoroughfare Plan. The Thoroughfare Plan shows a proposed extension of Mohawk Drive as a Minor Arterial along the south side of this tract. The proposed PUD Concept Plan contemplates a right-of-way dedication of ninety (90) feet for the extension of Mohawk Drive. Staff is of the determination that the proposed ninety (90) feet of right-of-way is sufficient for the proposed east/west thoroughfare.

Public Notification:

Staff notified twenty (20) surrounding property owners regarding this request. As of the date of this staff report, staff has received two (2) written responses regarding this request - one (1) in support and one (1) in opposition. Of those property owners notified, ten (10) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by Council; and five (5) reside

outside of Killeen.

Staff Findings:

Staff finds that the applicant's request is consistent with the surrounding property uses and is compatible with the existing land uses and prevailing community character.

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

THE ALTERNATIVES CONSIDERED:

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

- Disapprove the applicant's PUD request;
- Approve the proposed PUD with conditions; or
- Approve the PUD as requested.

Which alternative is recommended?

Staff recommends approval of the applicant's request as requested and presented.

Why? Staff finds that the proposed PUD is compatible with the adjacent land uses and prevailing community character. In addition, staff finds that the proposed PUD standards, which include increased landscaping and architectural standards, will provide for a high-quality finished product.

CONFORMITY TO CITY POLICY:

This zoning request conforms to the City's policy and procedures as detailed in Chapter 31 of the City of 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 19, 2021, the Planning & Zoning Commission recommended approval of the applicant's request to rezone the property from "A-R1" (Agricultural Single-Family Residential District), "B-5" (Business District), and "A" (Agricultural District) to a Planned Unit Development (PUD) with "R-1" (Single-Family Residential), "SF-2" (Single-Family Residential), "R-2" (Two-Family Residential), and "B-3" (Local Business District) uses 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

Responses

Considerations