



# City of Killeen

## Legislation Text

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File #: PH-18-027B, Version: 1

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**HOLD** a public hearing and consider an ordinance requested by Killeen EGS Property, Ltd., and Bentina Ltd. (**Case #Z18-16**) to rezone approximately 2.573 acres, out of the Azra Webb Survey, Abstract No. 857, from "B-3" (Local Business District) to a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) uses. The property is located at 902 Judy Drive, Killeen, Texas.

**DATE:** September 4, 2018

**TO:** Ronald L. Olson, City Manager

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

**SUBJECT:** ZONING CASE #Z18-16 "B-3" (Local Business District) to a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District).

### **BACKGROUND AND FINDINGS:**

This request is to rezone approximately 2.573 acres out of the Azra Webb Survey, Abstract No. 857, from "B-3" (Local Business District) to a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) uses. The property is located on the west side of Trimmier Road, south of Judy Drive and is locally known as 902 Judy Drive, Killeen, Texas.

#### District Descriptions:

A building or premises in a district "SF-2" single-family residential district shall be used only for the following purposes:

- (1) Single-family dwellings meeting the criteria of the garden home district, with a minimum floor area of one thousand one hundred (1,100) square feet.
- (2) All uses allowed in section 31-186, including those defined as home occupation uses.

#### PUD Request:

The applicant is requesting approval of a twelve lot development, with a decrease of the minimum required front yard setback of 25' to 20', which is consistent with previous phases of the existing PUD to the north. In exchange for the front yard setback modification, the applicant is proposing an increase of the minimum masonry requirement of 50% to 75% of brick, stucco or stone veneer for all exterior walls excluding doors, windows and gables; all other standards apply.

#### Property Specifics

Applicant/Property Owner: Killeen EGS Property Ltd. and Bentina Ltd.

**Property Location:** The property is located on the west side of Trimmier Road, south of Judy Drive and is located at 902 Judy Drive, Killeen, Texas.

**Legal Description:** Approximately 2.573 acres out of the Azra Webb Survey, Abstract No. 857.

**Zoning/ Plat Case History:**

- There is no recent zoning activity for this property.
- The property is not platted.

### Character of the Area

**Existing Land Use(s) on the Property:** Undeveloped and vacant. This location is bounded by smaller lots single family residential development with R1-A zoning and PUD w/SF-2 (to the north and west) and commercial zoned property to the south; Trimmier Road abuts the eastern boundary of the site.

Figure 1. Zoning Map

See Attachment

**Historic Properties:** None

### Infrastructure and Community Facilities

**Water, Sewer and Drainage Services:**

**Provider:** City of Killeen

**Within Service Area:** Yes

This memorandum is to advise that water, sanitary sewer, and drainage utility services are readily accessible to the subject property located within the City of Killeen municipal utility service area. Adequate potable water and sanitary sewer capacity is available to the tract. The property is currently part of a remainder tract and will be required to be platted prior to development. Public storm drainage infrastructure lies within the abutting right-of-way. Detention of post development storm water run-off will be required if inadequate capacity remains within existing drainage infrastructure.

It shall be noted that Public Works personnel have performed only a basic assessment of publicly-dedicated water and sanitary sewer infrastructure that would serve this property. 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 re-development of the subject property, shall coordinate tie in to all publicly dedicated infrastructure with the Public Works Department.

### Transportation

**Existing conditions:** Trimmier Road is designated as a 90' minor arterial on the City's approved Thoroughfare Plan; Judy Drive is classified as a 60' local street.

**Proposed improvements:** The applicant is proposing the continuation of Catherine Drive as a 50' right-of-way.

**Projected Traffic Generation:** The PUD concept plan illustrates 12 residential lots, which will generate approximately 120 vehicle trips/ day.

#### Environmental Assessment

**Topography/Regulated Floodplain/Floodway/Creek:** The tract does not lie within a FEMA regulatory Special Flood Hazard Area (SFHA).

#### Land Use Analysis

**Land Use Plan:** The property is designated as 'Suburban Commercial' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Plan Recommendation:** The Comprehensive Plan calls for a wide range of commercial, retail and service uses, at varying scales and intensities depending on the site.

**Consistency:** The rezone request is not consistent with the Comprehensive Plan. However, the Planning and Zoning Commission has recommended approval of a staff initiated FLUM amendment request (affecting this property and another property). If approved, the amendment will amend the FLUM from 'Suburban Commercial' to 'General Residential.'

#### Public Notification

The staff notified twenty-five (25) surrounding property owners within a 200' notification boundary regarding this request. Staff has received no responses. However, one resident, Debra Patterson, spoke in opposition to the request. Ms. Patterson owns 6906 Alvin Drive and she stated that there are too many empty houses in that area and there is no need for anymore residential development.

### **THE ALTERNATIVES CONSIDERED:**

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

Staff is not recommending any alternatives.

#### **Why?**

The project scope is identical to the surrounding residential development and previous phases of development of the Deorsam Estates community.

### **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 (by a vote of 5 to 0) of the applicant's PUD request with the added condition that any alternate neighborhood sidewalk placement meet current *Americans with Disabilities Act* (ADA) guidelines.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Map:

Figure 1 - Zoning map and notification area

Figure 2 - Lot layout map

Figure 3- Contour and drainage map

Minutes

Ordinance

Pharr v. Tippitt Considerations