



# City of Killeen

## Legislation Text

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**File #:** PH-19-019B, **Version:** 1

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**HOLD** a public hearing and consider an ordinance submitted by Sycamore Strategies L.L.C., on behalf of Reeces Creek Developers Ltd. **(Case #Z19-11)**, to rezone 13.105 acres from "B-3" (Local Business District) to a Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) for a senior apartment complex. The property is locally known as 4000 Robinett Road, Killeen, Texas.

**DATE:** June 18, 2019

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

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

**SUBJECT: Zoning Case #Z19-11 "B-3" (Local Business District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District)**

### **Background and Findings**

Sycamore Strategies L.L.C., on behalf of Reeces Creek Developers Ltd., submits this request to rezone 13.105 acres from "B-3" (Local Business District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) for a 104 unit senior apartment complex. The property is addressed as 4000 Robinett Road, Killeen, Texas.

The site feasibility report, attached as part of the staff memorandum, serves as the narrative describing the PUD request and contains detailed information about the proposed development. The 13.105 acres of land allow 228 residential units; however, the applicant's proposal reduces that amount by more than 50% of the allowable density to 104 units. In addition to the marked reduction in residential density, the site plan incorporates a large amount of open space south.

### District Descriptions:

Sec. 31-256.1. - Use regulations - "R-3A."

- (a) Uses. A building or premises in a "R-3A" Multifamily Apartment Residential District shall be used only for the following purposes:
- (1) Any use permitted in the "R-1" or "R-2" districts.
  - (2) Multifamily structures containing five (5) or more separate dwelling units, including large apartment complexes with high rise structures.
  - (3) Boarding and lodging houses.
  - (4) Fraternity or sorority houses.
  - (5) Licensed group or community homes housing six (6) or more persons.
  - (6) Dormitories for educational or employment purposes as a primary use.
  - (7) Any group housing activity not otherwise identified in another multifamily or business district.

- (8) Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a business.
- (b) Planned unit development required. Rezoning applications requesting zoning under this division shall be subject to the requirements of 31-256.9 of this division, if applicable.

Sec. 31-256.9. - Planned Unit Development (PUD) required.

- (a) A Planned Unit Development (PUD) as provided in Chapter 31, Article V, Division 8, Killeen Code of Ordinances shall be required for any request for an "R-3F" and/or "R-3A" district when the total acreage of the request alone, or when the total acreage of the request combined with all adjacent areas zoned "R-2", "R-3", "R-3F", and "R-3A", and/or areas within a two-thousand feet radius of any of the property seeking to be rezoned, consist of twenty-five (25) acres or more. The purpose for requiring a PUD is to provide the Planning and Zoning Commission and the City Council with the ability to determine the proposed development's impact on surrounding properties, existing infrastructure and open/recreational space and also to determine whether additional public improvements to serve denser multifamily development are necessary to promote the health, safety and welfare of the development's residents.
- (b) Properties are considered adjacent and subject to the computation of this section if they are continuously zoned for multifamily and/or two family residential use regardless of ownership, property lines, easements or rights-of-way.
- (c) The applicant shall provide any public infrastructure beyond the city's minimum development standards that is required to service the proposed development, including open/recreational space and oversized water, sewer and drainage facilities and greater street widths.
- (d) The applicant is responsible for determining whether or not a PUD is required. However, if the Director of Planning and Development Services determines at any time that a PUD is required and one was not submitted the applicant shall be informed in writing and they shall either modify their application to include the PUD or withdraw the application and have all associated application fee(s) returned.

A Planned Unit Development (PUD) is a land use design incorporating the concepts of density and common open space. Common open space shall include, but is not limited to, community amenities such as parks, gardens, pedestrian trails, recreation areas, and usable undisturbed, natural areas. The PUD designation serves as an "overlay zoning and development classification." In this capacity, the designation permits specific negotiated development regulations to be applied to the base land use zoning district(s) in which the property is located. When a parcel of land receives a PUD designation, the entire parcel must be assigned one or more standard zoning district classifications. However, the added PUD overlay classification enables the developer of the site to request that specific land use development regulations be applied to his development site. Such specific land use and development regulations shall not take effect until they are reviewed, public hearings held and approved by both the Planning and Zoning Commission and the City Council.

The PUD concept plan illustrates fourteen (14) distinct multifamily apartment buildings, a swimming pool, dog park, grilling areas and an amenities center. The dwelling unit summary consists of a total of 104 units, with 68 one-bedroom units, 36 two bedroom units and 174 vehicle parking spaces. The property will gain access to Robinett Road via two private drive features, with no connectivity to the surrounding residential neighborhoods. Buildings 6-14, which are being proposed adjacent to the Lonesome Dove community, will be limited to one-story in height with a 15' rear yard setback.

### **Property Specifics**

Applicant / Property Owner: Sycamore Strategies L.L.C./ Reeces Creek Developers, Ltd.

Property Location: The property is addressed as 4000 Robinett Road, Killeen, Texas.

Legal Description: 13.105 acres out of the T. Robinett Survey, Abstract No. 686, Killeen, Texas.

Zoning/ Plat Case History:

- The property was rezoned from "A-R1" (Agricultural Single-Family Residential District) to "B-3" (Local Business District) on May 22, 2007, per Ordinance No. 07-044.
- The property is not platted.

Character of the Area: The surrounding residential community is a mixture of single family, duplex and fourplex development. The properties north and west of the site consist of commercial zoned properties.

Existing Land Use(s) on the Property: Vacant

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 available to the above subject tract located within the City of Killeen municipal utility service area. It will be necessary to extend public utility infrastructure to the property prior to the release of any lots for residential construction purposes.

Transportation:

Existing conditions: The tract has direct access to Robinett Road, which is classified as a minor arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: No additional right-of-way improvements are proposed at this time.

Proposed Traffic Generation: If approved, at full build-out, the PUD will include 104 multifamily units. These units will generate 692 daily trips, with 53 total generated trips during AM peak hour and 64 total generated trips during PM peak hour [*note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting*].

Environmental Assessment: A portion of the property lies within a FEMA regulatory Special Flood Hazard Area (SFHA), with no floodway designated in this SFHA.

Currently, sheet flow runoff exits this parcel into Robinett Creek and Robinett Road in a western direction. Runoff then flows into South Nolan Creek, which is listed on the TCEQ's 303(d) water quality list for impairment due to bacteria.

### **Land Use Analysis**

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

The 'General Commercial' ('GC') designation encourages the following development types:

- Wide range of commercial retail and service uses at varying scales and intensities
- Office (both large and/or multi-story buildings and small-scale office uses)
- Public/ institutional
- Parks and public spaces

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

Consistency: The PUD proposal is not consistent with the Comprehensive Plan's FLUM; however, the applicant has submitted a concurrent FLUM amendment request from 'General Commercial' ('GC') and 'General Residential' ('GR') to 'Multi-Family Residential' ('MFR').

### **Fort Hood Joint Land Use Study (JLUS) Analysis**

JLUS Plan: The property is not located in an "Encroachment Awareness Area" as identified within the JLUS.

Section 4.3 of the JLUS describes an "Encroachment Awareness Area" as intending "to serve the purpose of establishing the *current* area in which the partners in this study should maintain heightened vigilance with regard to potentially incompatible civilian land uses encroaching into critical areas that may experience the effects of military training, such as high noise levels."

Public Notification: Staff notified one hundred and forty-seven (147) surrounding property owners within 400 feet of this property regarding this request. Staff has received two (2) responses of opposition to the applicant's zoning request.

### **THE ALTERNATIVES CONSIDERED:**

The City Council may 1): approve the applicant's PUD zoning request as presented; 2) approve the PUD zoning request with additional conditions; or 3): disapprove the applicant's request.

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

Staff is recommending the Council approve the applicant's zoning request.

### **Why?**

The City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at their regular meeting of February 12, 2019. The City Council is aware that this property must be

rezoned in order to construct the tax-credit project.

**CONFORMITY TO CITY POLICY:**

This zoning request conforms to the City's policies 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 zoning request by a vote of 5 to 0. Staff also recommends that an exception to the thirty-five (35) feet PUD height requirement be granted for proposed buildings 1, 2, 4 and 5 and that the required 25' rear yard setback be reduced to 15' for proposed buildings 6-14.

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal staff.

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Minutes  
Feasibility Report  
Colored Rendering  
Ordinance  
Considerations  
Responses

