



City of Killeen

Legislation Text

File #: PH-26-009, **Version:** 1

Hold a public hearing and consider an ordinance submitted by Republic Engineering & Development Services on behalf of 5011 Cunningham Rd Killeen LLC (**Case# Z25-37**) to rezone approximately 15.3 acres, out of the Robert Cunningham Survey, Abstract No. 199, and part of Lots 71 and 72 and all of Lots 73 and 74, out of Llewelyn Estates #3 (unrecorded subdivision), from "A" (Agricultural District) to "R-1" (Single-Family Residential District). The subject properties are located along Love Spur, Killeen, Texas.

DATE: January 20, 2026
TO: Kent Cagle, City Manager
FROM: Wallis Meshier, Exec. Dir. Of Dev. Serv.
SUBJECT: Zoning Case # Z25-37: "A" to "R-1"

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: 5011 Cunningham Rd Killeen, LLC
Agent: Republic Engineering & Development Services, LLC
Current Zoning: "A" (Agricultural District) & "R-1" (Single-Family Residential District)
Proposed Zoning: "R-1" (Single-Family Residential District)
FLUM Designation: 'Residential Mix' (RM)
Growth Sector Designation: 'Controlled Growth'

Summary of Request:

Republic Engineering & Development Services, on behalf of 5011 Cunningham Rd Killeen, LLC, has submitted a request to rezone approximately 15.3 acres located at 5011 Cunningham Road from "A" (Agricultural District) to "R-1" (Single-Family Residential District).

This rezoning intends to facilitate the cohesive development of the property as a single-family residential neighborhood. The proposed zoning is consistent with surrounding land uses and aligns with the City's Future Land Use Map (FLUM), which designates this area for residential growth.

The surrounding properties are existing single-family homes; some are located on larger lots and are zoned "R-1" (Single-Family Residential District) or "A" (Agricultural District). No adverse impacts to adjacent properties are anticipated.

Zoning/Plat Case History:

The eastern portion of the subject property was annexed into the City limits on December 23, 1986. The property was subsequently rezoned from "A" (Agricultural District) to "R-1" (Single-Family Residential District). The western portion of the property was annexed into the City limits on January 13, 2008. The property was subsequently zoned "A" (Agricultural District).

- **Case# Z20-21:** "A" (Agricultural District) to "R-1" (Single-Family Residential District) - zoning request was withdrawn due to the concurrent FLUM amendment request being denied by Council on January 12, 2021.
- **Case# Z25-04:** "A" (Agricultural District) and "R-1" (Single-Family Residential District) to Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) and "RT-1" (Residential Townhouse Single-Family District) uses. The proposed PUD contemplated eighty (80) dwelling units on a single lot with shared open space amenities - City Council denied zoning request on May 20, 2025.
- **Case# Z25-20:** "A" (Agricultural District) to "R-1" (Single-Family Residential District) - zoning request was withdrawn after the Planning & Zoning Commission's recommendation to disapprove on June 23, 2025.

Character of the Area:

North: Existing residential zoned "R-1" (Single-Family Residential District)

South: Existing residential zoned "R-1" (Single-Family Residential District)

East: Existing residential zoned "R-1" (Single-Family Residential District)

West: Existing residential zoned "A" (Agricultural District)

Future Land Use Map Analysis:

This property is located within the 'Controlled Growth' area on the Growth Sector Map and is designated as 'Residential Mix' (RM) on the Future Land Use Map (FLUM) of the City of Killeen Comprehensive Plan.

This 'Residential Mix' place type creates neighborhoods built with a traditional walkable block/street grid network that allows a flexible mix of residential building typologies. Aside from large multiplex garden apartments, most housing types should be allowed here. This place type encourages most residential uses such as single-family detached, townhouses, small-plex (2-4 units), etc. This place type encourages a twenty-five percent (25%) nonresidential and ninety-five percent (95%) residential use mix.

This 'Controlled Growth' growth sector includes areas in the city limits and approved Municipal Utility Districts (MUDs) that have access to city infrastructure in close proximity. Development proposed in this sector will be evaluated for adherence to the Big Ideas and Recommendations of the plan, particularly those related to housing and neighborhood options, and improve the fiscal health and sustainability of Killeen.

The request is consistent with the following Big Ideas of the Killeen 2040 Comprehensive Plan:

1. Resource stewardship and fiscally responsible growth ensure a more prosperous community for the long haul.

5. Neighborhoods, not subdivisions, make great places for everyone.

The request supports or furthers the following Comprehensive Plan recommendations:

- **NH3** - Diversity housing mix (types and price points).
- **LU2** - Improve the fiscal productivity of development.
- **LU3** - Encourage incremental evolution of neighborhoods.

Staff finds that the applicant's request is consistent with the Killeen 2040 Comprehensive Plan.

Development Zone Analysis:

These properties are located within the City of Killeen Development Zone #6. This development zone is between Stagecoach Road and Central Texas Expressway, east of Fort Hood Street. This development zone consists of 65.76% residential uses and 34.24% commercial uses.

The current land use mix within this area comprises of the following acreages and percentages approximately:

District	Acres	Percentage
Special Districts	150.77	3.52%
Residential	2666.93	62.25%
Industrial	102.99	2.40%
Commercial	1312.54	30.63%
Agricultural	51.34	1.20%
Totals	4284.56	100.00%
Vacant Land	1175.75	27.44%

Water, Sewer and Drainage Services:

Existing Conditions - Water, Sewer, and Drainage Service

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, wastewater, and drainage services are located within the City of Killeen municipal utility service area and are available to the subject tracts.

Water services are available via an existing 8" water line and 16" transmission main located on Cunningham Road. The property is on the boundary between the Upper and Lower Pressure Planes.

Wastewater service is not currently available along the Cunningham Road frontage of the property.

However, an existing 8" wastewater main is on Cunningham Road and terminates at the property to the north of the subject tract. An additional existing 6" wastewater main is in Cunningham Road to the south of the property. A new wastewater main will need to be extended along Cunningham Road to provide service. The capacity of the existing system will need to be evaluated prior to adding additional wastewater contributions.

Storm sewer infrastructure is available to serve the property on the east side of Cunningham Road and consists of several storm sewer inlets of unknown type connected by runs of existing 18" reinforced concrete pipe. The capacity of the existing system will need to be evaluated prior to use.

Transportation and Thoroughfare Plan:

Access to the property is provided via Cunningham Road (70-foot-wide right-of-way) and Love Spur (55-foot-wide right-of-way). Cunningham Road is identified as a Minor Arterial in the adopted Comprehensive Plan. Love Spur currently serves as a paved access road for a single residential structure and would require upgrades if it is to be used in conjunction with the proposed development.

PARKS AND PROPOSED TRAIL PLAN:

There are no proposed parks or trails located on this site. Staff anticipates that development of (15.3 ac. + 7.205 ac.) for a total of 22.505-acre property into typical 60-foot residential lots would yield approximately 5 units per acre, or approximately 112 single-family lots.

Based on this number, the Parkland Dedication and Development Fees would be as follows:

- Fees-In-Lieu of Parkland Dedication: \$84,000
- Park Development Fees: \$ 50,400
- **Total Park Fees: \$134,400**

However, staff notes that with the recent adoption of Senate Bill 15 and the subsequent amendment to the City's Zoning ordinance, the site could be developed in accordance with Killeen Code of Ordinances Sec. 31-475, which allows for lots as small as 3,000 square feet. Staff estimates that lots of this size could potentially yield approximately eight (8) to ten (10) units per acre, so the lot yield could be as high as 180-225 lots. The actual lot count will be determined during the platting phase and will vary based on subdivision design, infrastructure requirements, drainage and detention capacity, open space allocation, and compliance with all applicable development standards.

Environmental Assessment:

The property is in the Stillhouse Hollow Lake / Lampasas River Watershed. It is located in Zone X (Area of Minimal Flood Risk), per FEMA Flood Insurance Rate Map 48027C0290E, with an effective date of September 26, 2008. An existing freshwater pond is located along the property's northern boundary as shown on the National Wetlands Inventory maps for this property.

Public Notification:

Staff notified owners of forty-nine (49) surrounding properties. To date, staff has received three (3) written responses in opposition to this request, as well as a petition signed by the owners of twenty-five (25) surrounding properties. Staff has determined that opposition to this request constitutes 58.028% of the 200-foot notification area.

Per Texas Local Government Code Sec. 211.0061(d)(2), if a zoning request has the effect of allowing more

residential development than the existing zoning regulation or district boundary, a simple majority vote by the governing body is required for approval, regardless of the amount of opposition to the request.

Staff Findings:

The subject property is currently zoned as "A" (Agricultural District). The surrounding area features various residential uses, including standard single-family lots, existing large-lot single-family homes, and undeveloped property.

Staff finds that the applicant's request is consistent with the recommendations of the City of Killeen Comprehensive Plan designation of Residential Mix.

THE ALTERNATIVES CONSIDERED:

The City Council has four (4) alternatives:

- Disapprove the applicant's request;
- Approve with Planning & Zoning Commission's recommendation for "SR-1" (Single-Family Residential District).
- Approve a more restrictive zoning district (i.e., "A-R1", "SR-2"); or
- Approve of the applicant's request to rezone the subject property to "R-1" as presented.

Which alternative is recommended? Why?

Approve the applicant's request to rezone the subject property to "R-1" as presented. Staff finds that the applicant's request is consistent with the recommendations of the City of Killeen Comprehensive Plan designation of Residential Mix.

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?

Most public infrastructure is already in place for this property and maintained by the City. The developer may need to extend a section of sewer to the property. All roads within the development are private and will be maintained by the property owner.

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:

Staff recommends approval of the applicant's request to rezone the property from "A" (Agricultural District) to "R-1" (Single-Family Residential District) as presented.

At their regular meeting on December 8, 2025, the Planning and Zoning Commission recommended approval of a more restrictive zoning, "SR-1" (Suburban Residential Single-Family Residential District) by a vote of 4 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Site Photos
Minutes
Ordinance
Letter of Request
Exhibit
Responses
Presentation