

MINUTES
PLANNING AND ZONING COMMISSION MEETING
December 18, 2023
CASE # Z23-27
Amending PUD Standards

HOLD a public hearing and consider a request submitted by Jeff Hamilton on behalf NMP Killeen Limited Partnership (**Case #Z23-27**) to amend the Planned Unit Development (PUD) standards for the Rosewood Commercial Planned Unit Development (Ordinance No. 18-038) to add four (4) additional apartment buildings and 96 dwelling units. The subject property is locally addressed as 3701 Rosewood Drive, Killeen, Texas.

Mr. Millard presented staff report for this item. Mr. Millard stated that the applicant submitted a request to amend the Planned Unit Development (PUD) standards to add four (4) additional apartment buildings for a total of ninety-six (96) additional dwelling units. The development had been previously approved to have a maximum of nine (9) multifamily apartment building with a total of two hundred and sixteen (216) dwelling units. If approved, the proposed PUD amendment would allow for a total of thirteen (13) multifamily apartment buildings and three hundred and twelve (312) dwelling units.

Mr. Millard stated that the property is currently zoned “PUD” (Planned Unit Development) with “R-3A” (Multifamily Apartment Residential District) uses. In accordance with Killeen Code of Ordinances Sec. 31-256.1(b), a “PUD” (Planned Unit Development) is required for the “R-3A” designation and shall be subject to the requirements of Sec. 31-256.9 for all multifamily developments over five (5) acres.

Mr. Millard explained that the approved PUD (Planned Unit Development) (Ordinance No. 18-038) exempted the maximum height limit of thirty-five (35) feet in accordance with Sec. 31-802, since rescinded by Ordinance 20-024, and the minimum thirty-six (36) feet continuous pavement requirement per PUD general regulations contained in Code section 31-802.

Mr. Millard stated that staff had found the previous request was consistent with the character of the surrounding area, which consists of a mix of housing and commercial development types. Therefore, staff recommended approval of the original PUD request with the following conditions:

- i. The PUD Concept Plan shall illustrate a 6' tall screening fence (stone, brick or block, wrought iron) adjacent to Lots 5-10, Block 9, of the Morning Glen Subdivision;
- ii. The brick veneer for the side (right and left) elevations of the nine multifamily structures shall be extended to the second floor as illustrated per the PUD documents;
- iii. In accordance with Code Section 31-256.5, the developer shall provide three color variations (for non-masonry exterior building materials) between the nine buildings with buildings 1, 2, 4 and 5 as the first color variation; buildings 3 and 6 as the second color variation; and buildings 7, 8 and 9 as the third color variation.

Mr. Millard stated that the property is located within the Zone AE due to Acorn Creek running along the west side of the property and it is classified as a Riverine Habitat R45BC on the National Wetlands Inventory. He further stated that the applicant has already started the required floodplain permit process.

Mr. Millard stated that staff finds the requested PUD amendment to be consistent with the Killeen 2040 Comprehensive Plan and with the character of the surrounding area, which consists of a mix of housing and commercial development types. Therefore, staff recommends approval of the PUD with the following condition:

1. That a landscape buffer be provided along the west and southwest property lines, between the proposed additional apartment buildings and the existing single-family residential development. The landscape buffer shall consist of large canopy trees placed twenty-five (25) feet apart and shall be six (6) feet in height and two (2) inches in caliper at the time of planting.

Mr. Jeff Hamilton from Able Engineering was present to represent the case.

Commissioner Ploeckelmann asked the applicant if they were to put one less apartment building on the lot, would they be closer to the City requirement of two thousand five hundred (2500) square feet per dwelling unit as the minimum lot area for developments larger than one-half (1/2) acre. Mr. Hamilton confirmed that they would be closer to the requirement.

Chairman Minor opened the hearing at 5:18 p.m.

Ms. Vassilia Martin spoke in opposition to the request. Ms. Martin explained that many developments have been promised since she has moved to the neighborhood in the 90's. Ms. Martin explained her concerns regarding how this development will negatively impact the neighborhood. She stated that the current road on Rosewood is not wide enough to for the current amount of traffic. Ms. Martin is concerned with the height of the buildings, the proposed drainage, and the location of the walkways. Ms. Martin believes that this development will cause more flooding in the neighborhood because the neighborhood is already located within the floodplain.

Chairman Minor asked if the neighborhood is currently experiencing flooding. Ms. Martin explained that they experience flooding every time it rains and cannot drive safely in the area when it rains. Chairman Minor followed the question with clarification on the traffic. Ms. Martin stated that the traffic was already too much for the neighborhood and during the previous meeting regarding this development, had recommended that three (3) lanes be built on each side.

Mr. Hamilton came back up to the dais to address the concerns mentioned by the Ms. Martin. Mr. Hamilton stated that the requested PUD amendment was intended to address land use, only, and that if approved, they would continue with a flood study and Traffic Impact Analysis (TIA) for the site.

With no one else wishing to speak, the public hearing was closed at 5:37 p.m.

Commissioner Jones moved to recommend disapproval of the request as presented by staff. Commissioner Gukeisen seconded, and the motion passed by a vote of 4 to 2 with Commissioners Rowe and Wilson in opposition.

Commissioner Rowe indicated she does not believe the existence of floodplain on the property should be considered in evaluating the land use proposal. Commissioner Wilson stated that he concurs with the staff's recommendation.