

**PLANNING AND ZONING COMMISSION MEETING  
AUGUST 17, 2015**

**CASE #Z15-19  
'A' to PUD W/SR-1**

**HOLD a public hearing and consider a request by Jeffrey M. and Michael R. Lackmeyer to rezone approximately 13 acres, being part of the Martin T. Moses Survey, Abstract No. 963 from 'A' (Agricultural District) to PUD with SR-1 (Suburban Residential Single-Family District). The property is located on the south right-of-way of Stagecoach Road, across from Wells Fargo Drive, Killeen, Texas.**

Chairman Frederick requested staff comments.

City Planner Tony McIlwain stated that Mr. Lackmeyer is requesting a change of zoning from "A" (Agricultural District) to a Planned Unit Development (PUD) with underlying "SR-1" (Suburban Residential Single-Family District) for approximately 13 acres in the Moses T. Martin Survey, Abstract No. 963, for future residential development along Stagecoach Road. The applicant is proposing to develop a single-family residential development with the following standards:

- 47-50 lots at 9,525 square feet
- 32' front yard setback on straightaways (street)
- 25' front yard setback on cul-de-sacs

The staff notified thirteen (13) surrounding property owners within a 200' notification boundary regarding this request. Staff received three protests from Mignon Presley, the owner of 1700 Stagecoach Road, Gary Wilson, the owner of 6909 Shannon Circle and Malcolm and Doris Coats, owners of 8590 W. Trimmier Road.

City Planner McIlwain briefed the Commission on the limitation on resubmission of zoning petitions. He stated that when a zoning petition fails to be approved by city council, the same petition shall not be resubmitted to either the city council or the planning and zoning commission for a period of twelve (12) months from the date of such failure, unless the petition is substantially changed from the original petition. A petition shall be considered substantially changed if:

- 1) A different zoning classification from that originally sought is requested; or
- 2) A combination of zoning classifications are requested, the net result of which is to decrease density by at least twenty (20) percent of that originally proposed; or
- 3) The area petitioned to be rezoned is reduced in size by at least twenty (20) percent from the area in the original petition; or
- 4) In relation to established overlays provided by this code, a different use is proposed or the proposed concept or site plan reflects at least a twenty (20) percent change in density, realigns major thoroughfares, reflects comparable changes in any comprehensive plan adopted and changes in code requirements or contains changes that the executive director

of planning and development services determines to be substantially different from the original request.

Staff recommended approval of the applicant's PUD's submission with underlying "SR-1" zoning with the following standards:

- A minimum lot size of 9,525 square feet for all residential lots;
- A minimum front yard setback of 32' for all lots not fronting on a cul-de-sac;
- A density of no more than 50 residential lots; and
- A minimum of two access streets onto Stagecoach Road.

Mr. Jeffrey Lackmeyer, 1201 S. W. S. Young Drive, Suite F, Killeen, Texas, was present to represent this request. Mr. Lackmeyer stated that his request is consistent with the Comprehensive Plan.

Chairman Frederick opened the public hearing.

Mr. Malcolm Coats, 8590 W. Trimmier, Killeen, Texas, spoke in opposition to the request.

Mr. Gary Wilson, 6909 Shannon Circle, Killeen, Texas, spoke in opposition to the request. He would like to see larger lots.

Ms. Mignon Presley, 1700 E. Stagecoach, Killeen, Texas, spoke in opposition to the request. She had concerns regarding new development in that area. She stated there is no public need for new development.

Mr. Michael Lackmeyer, 9301 Troll Hollow, Belton, Texas, spoke in support of the request.

With no one else requesting to speak, the public hearing was closed.

Vice Chair Dorroh motioned to recommend approval of the request. Commissioner Cooper seconded the motion. The motion passed 4-2 with Commissioners Harkin and Alvarez in opposition.

Chairman Frederick stated that the zoning case will be forwarded to City Council with a recommendation to approve.