

**PLANNING AND ZONING COMMISSION MEETING
SEPTEMBER 14, 2015**

**CASE #Z15-22
B-3 AND A-R1 TO PUD W/ B-2 AND R-3A**

HOLD a public hearing and consider a request by Texas Sunflower, Ltd. to rezone approximately 23.52 acres part of the J. E. Maddera Survey, Abstract No. 600, from B-3 (Local Business District) and A-R1 (Agricultural Single-Family Residential District) to a Planned Unit Development (PUD) with underlying zoning of B-2 (Local Retail District) and R-3A (Multifamily Apartment Residential District) uses. The property is located southeast of the intersection of W. Stan Schlueter Loop (FM 3470) and Clear Creek Road (S.H. 201), Killeen, Texas.

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain, stated that this is an unplatted piece of property. This property was rezoned from 'A' (Agricultural District) to 'A-R1 and 'B-3' on July 11, 2000. The intent of the proposal is to develop a Planned Unit Development allowing for a nursing home facility as well as 18.64 acres for multifamily apartment residential living. A site plan has been provided that shows the layout of the property. A drive opening is proposed on Stan Schlueter Loop as well as on Clear Creek Road. The interior road is proposed to be a private drive. The applicant is proposing to include amenities such as: a dog park, club house, volley ball court and pool.

Staff notified fourteen (14) surrounding property owners within the 200 foot notification area. Staff received one protest from Ms. Worshim and one concern from Felipe Luna about not having access to his property.

Staff recommended approval of the applicant's PUD zoning request subject to the attached site plan, which includes the following community amenities: volleyball area; dog park, pool and clubhouse; and architectural façade standard consistency between the nursing home and apartment development. The applicant would like to remove the requirement to install an interior fence between the nursing home and the multifamily development. They do not want to block the development from one another. They do want to install screening along the exterior of the property to block the development to the north.

Ms. Michelle Lee, Killeen Engineering and Surveying, 2901 E. Stan Schlueter Loop, Killeen, Texas was present to represent this request.

Commissioner Dillard arrived.

Chairman Frederick opened the public hearing.

Ms. Dorothy Worshim spoke in opposition and had the following concerns: increase in noise due to the increase in density of residents; traffic access surrounding home on three sides;

personal safety, increase in residents and business patrons and with increased development there is an increase of crime.

Mr. Griffin informed Ms. Worshim that an eight foot high masonry fence will be installed between her property and the new development. The nursing home will be one story as well as the apartments that front the entrances. Nothing will have site lines into Ms. Worshim's property.

Ms. Myrliene Lamberth, 4900 Clear Creek, Killeen, expressed a concern with water run-off once the 8' masonry wall was constructed along the west and south side of Ms. Worshim's property.

Mr. Rick Griffin, Fort Smith, Arkansas developer for the property spoke in support. He stated that the property when developed will be an upscale development. Mr. James Wright, 3800 S. WS Young Drive, Killeen, Texas realtor for the property stated that they have talked to the property owners and all are aware of the plans for the property.

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

Vice Chair Dorroh motioned to recommend approval of the requested zoning waiving the requirement to install an interior fence as recommended by staff. Commissioner Alvarez seconded the motion. The motion passed unanimously.

Chairman Frederick stated that this request will be forwarded to City Council with a recommendation to approve.