

**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
NOVEMBER 7, 2016**

**CASE #Z16-18  
R-1 to PUD w/R-3A**

**HOLD a public hearing and consider a request by Linda Nellis, Trustee of the Donald Earl and Lenner Hair Nellis Revocable Living Trust to rezone approximately 15.104 acres out of the Robert Cunningham Survey, Abstract No. 199, from “R-1” (Single-Family Residential District) zoning district to a Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) zoning district. The property is located on the northeast corner of Stan Schlueter Loop and Cunningham Road. The property is locally known as 4302 Cunningham Road, Killeen, Texas.**

Chairman Frederick requested staff comments.

City Planner Tony McIlwain stated that Pedcor Investments, L.L.C. submits this request to develop a project named *South Station Apartments*. The developer for the project is proposing to construct a 256 dwelling unit project with twelve (12) two and three-story buildings, one two-story building, one leasing office and a community center. The development will consist of 72 one-bedroom units; 160 two-bedroom units and 24 three-bedroom units. The applicant is advised that ingress/egress to and from E. Stan Schlueter Loop (FM 3470) is classified as a principal arterial (110') by the City's adopted Thoroughfare Plan and will be disciplined through TXDOT's access management guidelines. It is functioning at its desired level of service. Ingress/egress to and from Cunningham Road will be disciplined through the policies of the City's Thoroughfare Development Manual when the property is developed. Cunningham Road – classified as a minor arterial (90') street by the City's adopted Thoroughfare Plan – is constructed as an urban section road functioning at its desired level of service. City Code requires that capacity analysis related to development is the responsibility of the developer.

The staff notified 7 (seven) surrounding property owners regarding this request. No responses have been received.

Staff recommends approval of the applicant's PUD request subject to the following:

- the applicant shall adhere to the submitted site plan, architectural elevations and floorplans;
- the applicant shall satisfy all landscaping and screening requirements set in Killeen Code of Ordinances Sections 31-255.5 and 31-255.7. Specifically, the requirements amount to 128 trees and 768 shrubs and screening around the north, east and south project boundaries; and
- the applicant shall provide a second amenity area (to include equipment) in the eastern portion of the development site; preferably the square shaped area located near buildings 11-13.

Ms. Jean Latsha, Pedcor Investments, LLC, 5014 W. Frances Pl, Austin, Texas, was present to represent this request. Ms. Latsha asked for some flexibility while the plans are being developed. Commissioner Cooper asked Ms. Latsha if they could consider the relocation of the amenities. Ms. Latsha stated they could consider the relocation of the amenities, but she could not make any promises. She also stated that they will meet all requirements.

Chairman Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

The Commission recognized Kristina Ramirez, Director of Environmental Services, who stated that the illustrated detention ponds could change in size and the conceptual plan for the PUD wasn't the final design of the pond. She also clarified that a detention pond only requires a fence if the pond is greater than 4 feet and does not have an inner ledge. Ms. Ramirez also explained other options for the developer.

Commissioner Harkin had concerns with more traffic on Cunningham Road.

Commissioner Cooper motioned to approve the request with the recommendation from staff. Vice Chair Dorroh seconded the motion. The motion passed 7-0.

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