

MINUTES
PLANNING AND ZONING COMMISSION MEETING
Z25-37
“A” to “R-1”

Hold a public hearing and consider a request submitted by Republic Engineering & Development Services, LLC 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, being 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 property is generally located on the west side of Cunningham Road between Love Road and Brookside Drive, Killeen, Texas.

This item was presented to the Commission during their Work Session. Mr. Hermosillo was available to answer questions.

Joseph Theriot of Republic Engineering & Development Services was present to represent the request. Mr. Theriot stated that the request is consistent with the surrounding uses to the north and south of the subject property. He stated that based on a layout they had created and the requested “R-1” (Single-Family Residential District) zoning designation, the approximate lot yield is eighty (80) lots. Mr. Theriot says this proposed layout will leave adequate room for 2 detention ponds and open space.

Mr. Theriot stated that citizens may be concerned for the drainage of this proposed development, but the subject property only accounts for a small portion of the overall drainage area. The proposed detention ponds will tie into existing creeks or existing drainage infrastructure along Cunningham Road. He stated that the proposed density of this “R-1” (Single-Family Residential District) request is similar to their original proposal that was submitted.

Chairman Purifoy opened the public hearing at 5:10 p.m.

Ms. Sue Hallmark spoke in opposition to the request. She expressed her concerns regarding the increased density conflicting with the character of the surrounding area and drainage issues caused by the proposed development. She also noted concerns about the loss of agricultural land that may cause the displacement of wildlife within the area.

Mr. Richard Davis II spoke in opposition to the request. He expressed concerns that there hasn't been a recent flood survey for this area and has mentioned that there have been instances of topsoil erosion on his property because of a previous development in the area.

Ms. Heather McNealey spoke in opposition to the request. She expressed dissatisfaction that the percentage of opposition of properties within the 200' notification boundary was below the requirement required by the State for City Council to have a super majority vote for approval of

this case. Ms. McNealey also mentioned a previously conducted City survey in 2025, which mentioned that citizens were inclined towards larger lots for future developments.

Mr. Harley Aguilar spoke in opposition to the request. He stated that the intersection of Cunningham Road and Stan Schlueter does not have a protected right turn, which he says causes traffic congestion. He also stated that, based on a previous meeting, Cunningham Road is unable to be widened to better support the increased traffic of this proposed development. He mentioned that City Council unanimously disapproved this request previously.

Mr. James Sills spoke in opposition to the request. He stated that, based on the petitions from both this case and the previously submitted case, there is adequate opposition from the surrounding property owners to meet the 60% threshold. Mr. Sills stated he would prefer an amendment to this request that would reduce density rather than the proposed request. He stated that concerns mentioned in the previously submitted cases for the subject property have not been addressed, such as drainage and traffic.

Ms. Melissa Brown spoke in opposition to the request. She expressed concern regarding the lack of proper drainage that could cause flooding. She also expressed concern regarding the lot density. Ms. Brown stated that the location of the open space of a neighboring development is not easily accessible to the future tenants of this development. She also stated that the drainage along Cunningham was only developed to handle a two (2) to five (5) year events, and that is already inefficient to handle the established neighborhoods.

With no one else wishing to speak, the public hearing was closed at 5:31 p.m.

Commissioner Cooper moved to recommend approval of “AR-1” (Agricultural Single-Family Residential District). The motion died for lack of a second.

Chairman Purifoy called the agent, Mr. Joseph Theriot, back to address the Planning and Zoning Commission. Mr. Theriot stated that if the choice was between “AR-1” (Agricultural Single-Family Residential District) and “SR-1” (Suburban Residential Single-Family Residential District), the applicant would prefer “SR-1”.

Commissioner Cooper moved to recommend approval of “SR-1” (Suburban Residential Single-Family Residential District). Commissioner Giacomozzi seconded the request, and the item was opened for discussion.

Commissioner Cooper stated that flooding and topsoil erosion was a major issue that should be considered with this request. She also mentioned that with Senate Bill 15, the applicant’s current request could allow for single-family homes to be built on lots as small as 3,000 sq. ft. Commissioner Cooper stated that these concerns have been consistent, and they need to be addressed.

Commissioner Giacomozzi stated that the construction of Stagecoach Road should be completed prior to this development.

Chairman Purifoy called for a vote. The motion to recommend approval of “SR-1” (Suburban Residential Single-Family Residential District) passed by a vote of 4 to 0.