

**MINUTES  
REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
JUNE 3, 2019  
UTILITY COLLECTIONS, 210 W. AVENUE C  
LARGE CONFERENCE ROOM**

ROLL CALL

PRESENT:

Commission: Kirk Latham, Vice Chairman; Ramon Alvarez; Anthony Cooper; Sandra O'Brien; Lawrence Holly; Leo Gukeisen;

Staff: Dr. Ray Shanaa, AICP, Exec. Dir. of Planning & Development Services; Jerry Millard, Senior Planner; Holli Clements, Esq., Deputy City Attorney; Caesar Arizpe, P.E., Project Engineer; Maria Lopez, Assistant Planner; David Hermosillo, Sr. GIS Technician

ABSENT: Daryl Peters, Chairman; Randy Ploeckelmann; Sean Payton

**CALL TO ORDER – 5:00 P.M. – Utility Collections Large Conference Room**

Vice Chairman Latham called the meeting of the Planning and Zoning Commission to order at 5:00 p.m.

**APPROVAL OF AGENDA**

Commissioner Holly made a motion to remove PH3-A and PH-3B from the agenda and to approve the agenda with the changes. Commissioner Cooper seconded, and the motion passed 4 to 0.

**CONSENT AGENDA**

CA-1 Consider minutes of the regular Planning and Zoning Commission meeting of May 20, 2019.

Commissioner Alvarez made a motion to approve the consent agenda. Commissioner Cooper seconded, and the motion passed 4 to 0.

**PUBLIC HEARINGS**

PH-1 **HOLD** a public hearing and consider a plat submitted by Quintero Engineering, L.L.C. on behalf of CCWC, L.P. (**Case #19-011RS: West View Replat, Phase IV**), being a replat of Lot 1, West View Replat, Phase II. The property is addressed as 2002 Clear Creek Road, Killeen, Texas.

Commissioner Alvarez stepped away from the dais due to a potential conflict of interest. Commissioner Alvarez submitted a signed affidavit.

Vice Chairman Latham requested staff comments.

Senior Planner, Jerry Millard stated that Quintero Engineering, L.L.C. submitted this request on behalf of CCWC, L.P., being a replat of Lot 1, West View Replat, Phase II. The property is zoned "B-5" (Business District) The applicant is subdividing the parcel into two lots.

Mr. Millard also stated that the plat met the requirements of the City's subdivision regulations. Therefore, staff recommended that the Planning and Zoning Commission approve the plat as submitted.

Commissioner O'Brien joined the Commission.

Mr. Pedro Quintero, Quintero Engineering, L.L.C., 415 E. Avenue D, Killeen, Texas, was present to represent this request.

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

Commissioner Cooper motioned to approve the plat. Commissioner Holly seconded, and the motion passed by a vote of 4 to 0. Commissioner Alvarez abstained.

**PH-2 HOLD** a public hearing and consider a plat submitted by Quintero Engineering, L.L.C. on behalf of KNC Associates (**Case #19-012RS: Rosewood Addition Replat No. 2**), being a replat of Lot 1A, Block 1, Rosewood Addition Replat No. 1. The property is addressed as 5700 E. Central Texas Expressway, Killeen, Texas.

Commissioner Alvarez stepped away from the dais due to a potential conflict of interest. Commissioner Alvarez submitted a signed affidavit.

Vice Chairman Latham requested staff comments.

Senior Planner, Jerry Millard stated the property is addressed as 5700 E. Central Texas Expressway, Killeen, Texas. The property is currently zoned "B-5" (Business District). The applicant is subdividing the parcel into two lots.

Mr. Millard also stated that the plat met the requirements of the City's subdivision regulations. Therefore, staff recommended that the Planning and Zoning Commission approve the plat as submitted.

Mr. Pedro Quintero, Quintero Engineering, L.L.C., 415 E. Avenue D, Killeen, Texas, was present to represent this request.

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

Commissioner Cooper motioned to approve the plat. Commissioner Holly seconded, and the motion passed by a vote of 4 to 0. Commissioner Alvarez abstained.

**PH-3 A. HOLD** a public hearing and consider a request submitted by Mitchell & Associates, Inc. on behalf of Reeces Creek Developers, Ltd. (**Case #FLUM19-08**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Residential' designation to a 'General Residential' designation for approximately 49.418 acres, out of the Eugene LaSere Survey, Abstract No. 527, the W. T. Millsaps Survey, Abstract No. 1041 and the W. Freer Survey, Abstract No. 307. The property is located east of Bunny Trail and south of Goodnight Ranch Addition, Phase 14, Section 1 (unrecorded plat), Killeen, Texas.

This item was removed from the agenda.

**PH-3 B. HOLD** a public hearing and consider a request submitted by Mitchell & Associates, Inc. on behalf of Reeces Creek Developers, Ltd. (**Case #Z19-10**) to rezone approximately 49.418 acres, out of the Eugene LaSere Survey, Abstract No. 527, the W. T. Millsaps Survey, Abstract No. 1041 and the W. Freer Survey, Abstract No. 307, from "R-1" (Single-Family Residential District) and "A" (Agricultural District) to "R-1" (Single-Family Residential District). The property is located east of Bunny Trail and south of Goodnight Ranch Addition, Phase 14, Section 1 (unrecorded plat), Killeen, Texas.

This item was removed from the agenda.

**PH-4 A. HOLD** a public hearing and consider a request submitted by Sycamore Strategies, L.L.C. on behalf of Reeces Creek Developers, Ltd. (**Case #FLUM19-05**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'General Commercial' designation and a 'General Residential' designation to a 'Multi-Family Residential' designation for approximately 13.105 acres out of the T. Robinett Survey, Abstract No. 686. The property is addressed as 4000 Robinett Road, Killeen, Texas.

Commissioner Alvarez returned to the dais.

Vice Chairman Latham requested staff comments.

Assistant Director, Tony McIlwain, stated that the request is to amend the Future Land Use Map from 'General Commercial' to 'Multi-Family Residential'.

Mr. McIlwain also stated that the 'General Commercial' (GC) designation encourages the following development types:

- Wide range of commercial retail and service uses at varying scales and intensities
- Office (both large and/or multi-story buildings and small-scale office uses)
- Public/ institutional
- Parks and public spaces

The 'General Residential' (GR) designation encourages the following development types:

- Detached residential dwellings as a primary focus

- Attached housing types subject to compatibility and open space standards (e.g. duplexes, townhomes, patio homes)
- Planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards
- Public/ institutional
- Parks and public spaces

If approved, the ‘Multi-Family Residential’ (MFR) designation encourages the following development types:

- Multi-unit attached residential in concentrated developments (5 or more units per building), whether for rent (apartments) or ownership (condominiums)
- Parks and public spaces

Mr. McIlwain also informed the Commission that the City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at their regular meeting of February 12, 2019. The City Council is aware that a FLUM amendment is necessary for this property in order to construct the tax-credit project. The requested ‘Multi-Family Residential’ FLUM designation “bridges the gap” in terms of community character between the ‘General Commercial’ and ‘General Residential’ FLUM designations.

Staff recommended approval of the applicant’s FLUM amendment request from ‘General Commercial’ (GC) and ‘General Residential’ (GR) designations to a ‘Multi-Family Residential’ (MFR) designation for the subject property.

Mr. Zachary Krochtengel, 2512 Park Row Avenue, Dallas, Texas, was present to represent this request.

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

Commissioner Alvarez motioned to recommend approval of the request. Commissioner Cooper seconded, and the motion passed by a vote of 5 to 0.

Vice Chairman Latham stated that the request will be forwarded to City Council with a recommendation to approve.

**PH-4 B. HOLD** a public hearing and consider a request submitted by Sycamore Strategies, L.L.C. on behalf of Reeces Creek Developers, Ltd. (**Case #Z19-11**) to rezone 13.105 acres out of the T. Robinett Survey, Abstract No. 686, from “B-3” (Local Business District) to a Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) for a senior apartment complex. The property is addressed as 4000 Robinett Road, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Assistant Director, Tony McIlwain, stated that the PUD concept plan illustrates fourteen (14) distinct multifamily apartment buildings, a swimming pool, dog park, grilling areas and

an amenities center. The dwelling unit summary consists of a total of 104 units, with 68 one-bedroom units, 36 two bedroom units and 174 vehicle parking spaces. The property will gain access to Robinette Road via two private drive features, with no connectivity to the surrounding residential neighborhoods. Buildings 6-14, which are being proposed adjacent to the Lonesome Dove community, will be limited to one-story in height.

Staff notified one hundred and forty-seven (147) surrounding property owners within 400 feet of this property regarding this request. Two responses in opposition were received from Domnyck Muran and Kirk Hansen.

Mr. McIlwain stated that there was a deviation that was requested; there is a need for the rear yard setback to be adjusted from 25 feet to 15 feet along the Lonesome Dove Subdivision. The purpose of the adjustment is due to the applicant meeting the new standards for right-of-way width for Robinett Road.

Based on the City Council's resolution of support, staff recommended approval of the applicant's PUD zoning request. The site feasibility report, attached as part of the staff memorandum, serves as the narrative for the PUD request and contains robust information about the proposed development. The 13.105 acres of land allows 228 residential units; the applicant's proposal reduces that amount by more than 50% of the allowable density to 104 units. In addition to the marked reduction in residential density, the site plan is compact, while incorporating a large amount of open space south of the SFHA. Staff also recommends that an exception to the thirty-five (35) feet PUD height requirement be granted for proposed buildings 1, 2, 4 and 5. It shall be noted that the underlying "R-3A" zoning district contains a provision that allows for an additional one (1) foot to every applicable setback distance as provided under Code section 31-256.3 for each two (2) feet of additional building or structure height over thirty-five (35) feet.

Mr. Zachary Krochtengel, 2512 Park Row Avenue, Dallas, Texas, was present to represent this request.

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

Commissioner Alvarez motioned to recommend approval of the request. Commissioner Cooper seconded, and the motion passed by a vote of 5 to 0.

Vice Chairman Latham stated that the request will be forwarded to City Council with a recommendation to approve.

**PH-5 A. HOLD** a public hearing and consider a request submitted by Skyline Development on behalf of Mary Barr (**Case #FLUM19-06**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' designation to a 'Multi-Family Residential' designation for approximately 12 acres out of the J. S. Wilder Survey, Abstract No. 913. The property is located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Assistant Director, Tony McIlwain, stated that the request is to amend the Future Land Use Map from 'Estate' to 'Multi-Family Residential' for approximately 12 acres. The applicant intends to develop the property as part of a tax-credit project for a senior apartment complex.

Mr. McIlwain also informed the Commission that the City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at their regular meeting of February 12, 2019. The City Council is aware that a FLUM amendment is necessary for this property in order to construct the tax-credit project.

Staff recommended approval of the applicant's FLUM amendment request from an 'Estate' (E) designation to a 'Multi-Family Residential' (MFR) designation for the subject property.

Mr. Zachary Krochtengel, 2512 Park Row Avenue, Dallas, Texas, was present to represent this request.

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

Commissioner Cooper motioned to recommend approval of the request. Commissioner Alvarez seconded, and the motion passed by a vote of 5 to 0.

Vice Chairman Latham stated that the request will be forwarded to City Council with a recommendation to approve.

**PH-5 B. HOLD** a public hearing and consider a request submitted by Skyline Development on behalf of Mary Barr (**Case #Z19-12**) to rezone approximately 12 acres out of the J. S. Wilder Survey, Abstract No. 913, from "R-1" (Single-family Residential District) to "R-3A" (Multifamily Apartment Residential District). The property is located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Assistant Director, Tony McIlwain, stated that this request is the second component of the request. The zoning request is for approximately 12 acres and the applicant is requesting to rezone to "R-3A" (Multifamily Apartment Residential District).

Staff notified twenty-five (25) surrounding property owners within 400 feet of this property regarding this request. Three responses in opposition were received from Mike King, Michael Sigler and Martha Samson.

Mr. McIlwain stated that based on the City Council's resolution of support, staff recommended approval of the applicant's zoning request.

Mr. Zachary Krochtengel, 2512 Park Row Avenue, Dallas, Texas, was present to represent this request.

Vice Chairman Latham opened the public hearing.

Mr. Ronald Shelton, 3202 N. 60<sup>th</sup> Street, Killeen, Texas. Mr. Shelton wanted to know if Bills Road was going to be built out. Mr. McIlwain stated that would be something that would be addressed during the platting process.

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

Commissioner Cooper motioned to recommend approval of the request. Commissioner Holly seconded, and the motion passed by a vote of 5 to 0.

Vice Chairman Latham stated that the request will be forwarded to City Council with a recommendation to approve.

**PH-6** **A.** HOLD a public hearing and consider a request submitted by Clark & Fuller on behalf of True Fountain, L.L.C. (Case #FLUM19-07) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' designation to a 'General Residential' designation for approximately 4.634 acres and a 'General Commercial' designation for approximately .617 acres, being Lots 18 and 19, Block 1, Southwest Crossing. The total acreage of this request is approximately 5.251 acres. The properties are addressed as 6306 Trimmier Road and 6309 Turkey Trot Road, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Senior Planner, Jerry Millard Jr., stated that Trey Simpson of Clark & Fuller, submitted this request on behalf of True Fountain, L.L.C. to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' designation to a 'General Residential' designation and a 'General Commercial' designation for approximately 5.251 acres, being Lots 18 and 19, Block 1, Southwest Crossing. The properties are addressed as 6306 Trimmier Road and 6309 Turkey Trot Road, Killeen, Texas.

Staff recommended that the FLUM designation be changed to 'Suburban Commercial' ('SC') for the entire 5.251 acres being requested in lieu of a 'General Commercial' ('GC') and 'General Residential' ('GR') as this area has ample residential dwellings options, but limited local business enterprises. Staff is of the determination that this tract will provide greater community benefit under a 'Suburban Commercial' ('SC') designation.

Mr. Trey Simpson, 215 N. Main Street, Temple, Texas, was present to represent this request.

Vice Chairman Latham opened the public hearing.

Ms. Suk Baldwin, 2403 South Port Drive, Killeen, Texas, spoke in support of the request.

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

Commissioner Alvarez motioned to recommend approval as recommended by staff. Commissioner Holly seconded, and the motion passed by a vote of 3 to 2 with Commissioners Cooper and Gukeisen voting in opposition.

Vice Chairman Latham stated that the request will be forwarded to City Council with a recommendation to approve.

**PH-6 B. HOLD** a public hearing and consider a request submitted by Clark & Fuller on behalf of True Fountain, L.L.C. (**Case #Z19-13**) to rezone approximately 4.631 acres, being Lot 18 and part of Lot 19, Block 1, Southwest Crossing, from “B-3” (Local Business District) to “R-2” (Two-family Residential District) and “R-3F” (Multifamily Residential District). The properties are addressed as 6306 Trimmier Road and 6309 Turkey Trot Road, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Assistant Director, Tony McIlwain, stated that the applicant is proposing to construct a cul-de-sac for the proposed two-family use with ingress/egress off of Trimmier Road. Access for the proposed “R-3F” use will be off Turkey Trot.

Staff notified eighteen (18) surrounding property owners regarding this request. No responses were received.

Staff recommended disapproval of the applicant’s “R-2” and “R-3F” zoning request as it is not consistent with the FLUM of the Comprehensive Plan. Additionally, staff does not see long-term planning value in forgoing future economic (i.e. commercial) development of the site for additional rental housing that is already available within the surrounding community.

Mr. Trey Simpson, 215 N. Main Street, Temple, Texas, was present to represent this request.

Vice Chairman Latham opened the public hearing.

Ms. Suk Baldwin, 2403 South Port Drive, Killeen, Texas, spoke in support of the request.

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

Commissioner Alvarez motioned to recommend disapproval of the request. Commissioner Holly seconded, and the motion passed by a vote of 4 to 1 with Commissioner Gukeisen in opposition.

Mr. McIlwain stated that this will require a super majority vote.

Vice Chairman Latham stated that the request will be forwarded to City Council with a recommendation to disapprove.



**COMMISSION AND STAFF ITEMS**

I. Attendance Chart.

The Commissioners reviewed their attendance charts.

**ADJOURNMENT**

Vice Chairman Latham adjourned the Planning and Zoning Commission Meeting at 6:02 p.m. The next scheduled meeting of the Planning and Zoning Commission is June 17, 2019 at 5:00 p.m., in the Utility Collections Conference Room, 210 W. Avenue C, Killeen, Texas.

  
\_\_\_\_\_  
**Maria Lopez**  
**Assistant Planner**  
**Planning & Development Services**

  
\_\_\_\_\_  
**Kirk Latham, Vice Chairman**  
**Planning & Zoning Commission**