

**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
FEBRUARY 6, 2023**

**CASE #Z23-01  
Amending Existing CUP**

**HOLD** a public hearing and consider a request submitted by John Vela on behalf of JYKM Splawn Ranch, LLC (**Case #Z23-01**) to amend the existing Conditional Use Permit (CUP) for Lot 1, Block 1, Splawn Ranch Retail to allow package stores (i.e. liquor stores) as a permitted use. The property is locally addressed as 10640 S. Fort Hood St, Killeen, Texas.

Mr. Hermosillo presented the staff report for this item. Mr. Hermosillo stated that the applicant intends to use a portion of the property for the operation of a package liquor store.

The property is consistent with the 'Residential Mix' designation of the Future Land Use Map (FLUM).

Staff notified thirty-eight (38) surrounding property owners regarding this request. Of those notified, twenty (20) reside outside of the 200-foot notification boundary required by the State, and within the 400-foot notification boundary required by Council; and ten (10) property owners reside outside of Killeen. To date, staff has received one (1) written response regarding this request.

Mr. Hermosillo also stated that staff finds that the request is consistent with the policies and principles of the 2022 Comprehensive Plan. Therefore, staff recommends approval of the applicant's zoning change request to amend the existing Conditional Use Permit (CUP).

Mr. John Vela was present to represent the request.

Chairman Minor opened the public hearing at 5:48 p.m.

Mr. Derek Jackson spoke in opposition to the request. Mr. Jackson stated that it would affect crime in the area. Mr. Jackson also stated there was enough alcohol available due to the convenience store. He stated that it would increase traffic in that area and due to it being close to residential housing it may increase dangerous driving habits. He further stated that he has already seen citizens consuming alcohol behind the dumpster of the convenience store.

Ms. Melissa Brown spoke in opposition. Ms. Brown stated that a BYOB establishment has had fatal shootings and multiple incidents. Ms. Brown stated that alcohol is not necessary for a high standard of living.

With no one else wishing to speak, the public hearing was closed at 5:53 p.m.

Commissioner Ploeckelmann moved to recommend disapproval of the applicant's request to amend the existing Conditional Use Permit (CUP). Vice Chair Gukeisen seconded the motion. Chairman Minor opened the floor for discussion and stated that the package store

would offer a convenience to the community. After a brief discussion, Commissioner Ploeckelmann withdrew his motion to recommend disapproval.

Commissioner Rowe moved to recommend approval of the applicant's request. Commissioner O'Brien seconded, and the motion passed by a vote of 3 to 2 with Commissioners Gukeisen and Ploeckelmann voting in opposition.

Vice Chair Gukeisen expressed a desire to uphold the conditions attached to the CUP by the Council in 2013. Commissioner Ploeckelmann expressed concerns regarding safety and the proximity to the nearby BYOB bar and grill.