

MINUTES
PLANNING AND ZONING COMMISSION MEETING
MAY 1, 2023
Z23-02
“R-1” to “B-3”

HOLD a public hearing and consider a request submitted by Franklin Land Associates, LLC on behalf of Whitis Investments, LTD (**Case# Z23-02**) to rezone approximately 1.098 acres out of the C. T. Bourland Survey, Abstract No. 137 from “R-1” (Single-Family Residential District) to “B-3” (Local Business District). The property is located on the east right-of-way of East Trimmier Road and north of Andalucía Lane, Killeen, Texas.

Mr. Hermosillo presented the staff report for this item. He stated that, if approved, the applicant intends to develop a 10,640 square foot general retail store on the property.

The FLUM designation of the subject property was changed from ‘Public Space’ to ‘Residential Mix’ on April 25, 2023 via Ordinance No. 23-034.

Mr. Hermosillo stated that the subject property is within FEMA regulatory Special Flood Hazard Area (SFHA) Zone AE and Zone X for Trimmier Creek, but the proposed use will be developed outside of the FEMA Special Flood Hazard Area.

Staff notified forty-two (42) surrounding property owners regarding this request. Of those property owners notified, twenty-seven (27) reside outside of the 200-foot notification boundary required by the State, but within the 400-foot notification boundary required by council; and three (3) reside outside of Killeen. To date, staff has received one (1) written response in opposition to the request as presented.

Mr. Hermosillo stated that staff finds the request is consistent with the recommendations of the 2022 Comprehensive Plan. Therefore, staff recommends approval of the request as presented.

Mr. Joe Johnston was present to represent the request. He stated that future development on the subject property will not be in the floodplain.

Chairman Minor opened the public hearing at 5:09 p.m.

Mr. Vincent Kline spoke in opposition to the request. He stated that they purchased their residence because of the greenbelt area located on the subject property and the development would prevent use of the property by residents in the adjacent neighborhood. He also noted concerns regarding the impact of the proposed commercial development on their property value.

Ms. Melissa Brown spoke in opposition to the request. She noted concerns regarding the environmental impact of the proposed development adjacent to Trimmier Creek. Ms. Brown also noted that there are already nine (9) other Dollar General stores nearby.

With no one else wishing to speak, the public hearing was closed at 5:15 p.m.

Chairman Minor asked if the FLUM amendment request for the subject property had

been approved by City Council. Ms. Meshier confirmed that it had been approved.

Vice Chair Gukeisen moved to recommend disapproval of the request. Commissioner Wilson seconded, and the motion failed by a vote of 2 to 3 with Commissioners Rowe, Jones, and O'Brien voting in opposition to the motion.

Chairman Minor reminded the commission that the FLUM amendment for the subject property had been approved by City Council, and the Commission recommended approval at their previous meeting.

Commissioner Rowe moved to approve the request as presented. Commissioner Jones seconded, and the motion passed by a vote of 3 to 2 with Commissioners Gukeisen and Wilson in opposition.

Those Commissioners in opposition to the motion noted concerns regarding the loss of greenspace and the proximity of the proposed development to the floodplain.