

**PLANNING AND ZONING COMMISSION MEETING
JUNE 15, 2015**

**CASE FLUM #Z15-12
SUBURBAN RESIDENTIAL TO GENERAL RESIDENTIAL**

HOLD a public hearing and consider a request to amend the Comprehensive Plan's Future Land Use Map (FLUM) to change a 'Suburban Residential' designated area to a 'General Residential' designated area for approximately 52.54 acres located along the north right-of-way of Stagecoach Road, approximately 420 feet west of Rein Drive, Killeen, Texas.

Chairman Frederick requested staff comments.

City Planner Tony McIlwain stated that this is a consideration to amend the Comprehensive Plan's Future Land Use Map (FLUM) to change a 'Suburban Residential' to a 'General Residential' designated area for 52.54 acres located along the north right-of-way of Stagecoach Road, approximately 420 feet west of Rein Drive, Killeen, Texas. Consideration of an amendment to the FLUM is necessary because of the applicant's request to rezone 52.54 acres from "A-R1" (Agricultural Single-Family Residential District) to "R-1" (Single-Family Residential District).

Staff recommended disapproval of amending the FLUM. While there are adjacent areas designated as 'General Residential', the Comprehensive Plan discusses balance, compatibility, and predictability as three key planning themes. Balance relates to more varied housing options; compatibility relates to preservation of housing values through quality community development and protection of neighborhood character; predictability involves everyone having a level of comfort knowing the type and nature of development that is likely to occur. The 'Suburban Residential' category of the Comprehensive Plan will promote a large baseline minimum lot size and greater setbacks when used in conjunction with the appropriate zoning district ("SR-1" *Suburban Single-Family Residential District*), thus satisfying the afore-mentioned key planning themes.

Chairman Frederick opened the public hearing.

The following residents spoke in opposition to the request to amend the FLUM: Ms. Renate Reams; Greg Garrett; Fidel Cabrera; Kelly and Jason Sheets; Glenn Bauer. The concerns voiced were: density, lack of police officers to patrol, more homes (which will) place an even greater strain on schools, increase in crime rate and a desire for more open space. Ms. Reams and Ms. Sheets also stated that they were informed by the police department that there are eleven City of Killeen police officers on each shift and are not enough police officers to go around.

Mr. Josh Welch spoke in support of the amendment and stated that he would ensure that the homes along the back of the homes on Rein Drive would be one-story homes.

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

Commissioner Harkin asked to address the commission. Her comments were as follows:

“On June 3 the City of Killeen Planning Department mailed a letter to rezone property located to the west of Rein Drive and requested for the input of the residents residing in the surrounding area which I lived in since 1989. It has been a difficult week since the notification letter was received in my mailbox. I received two telephone calls and one email from city staff asking for me to consider signing an affidavit and abstain from voting due to a possible conflict of interest per Local Government Code section 171.1. I have requested a ruling from the State Attorney General’s Office pertaining to this matter.”

Commissioner Harkin asked that Mr. Frederick read the definition of Local Public Official?

Mr. Frederick read: *“Local public official” means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district (including a school district), county, municipality, precinct, central appraisal district, transit authority or district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature.*”

Commissioner Harkin stated “I believe that the Killeen Planning and Zoning Commission is advisory in nature and has no authority to make a final decision; the final decision is the sole responsibility of the Killeen City Council. Based on the definition of Local Public Official none of the City of Killeen Planning and Zoning members are local public officials. I question if any other person that has served as planning and zoning commissioner in the past have voted to advise the city of Killeen City Council to approve or disapprove a zoning case for property that they owned?

I have no special interest! I have no relationship to the applicant or his company!

I was appointed to commissioner to fight to grow this city in a new direction. You are very familiar with me and know where I stand.

My vote is based on comp plan, FLUM, staff recommendations, community character and theme, the need and impact, along with the community’s input, as well as, past projects successes and failures.

Therefore, I will not abstain and continue to vote accordingly on this, as well as, future rezones.”

Vice Chair Dorroh motioned to recommend approval of the request to amend the FLUM. Commissioner Cooper seconded the motion. The motion failed 5-3.

Chairman Frederick stated that the FLUM amendment will be forwarded to City Council on July 14, 2015, with a recommendation to disapprove.