

City of Killeen
Regular City Council Meeting
Killeen City Hall
December 8, 2020 at 5:00 p.m.

Presiding: Mayor Jose Segarra

Attending: Mayor Pro Tem Shirley Fleming (via video conference), Councilmembers Debbie Nash-King (via video conference), Jim Kilpatrick (via video conference), Steve Harris, Ken Wilkerson, Rick Williams, Mellisa Brown.

Also attending were City Manager Kent Cagle, City Attorney Traci Briggs, City Secretary Lucy Aldrich, and Sergeant-at-Arms Cole.

Pastor Willie Douglas gave the invocation. Councilmember Williams led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Pro Tem Fleming to approve the agenda as written. Motion was seconded by Councilmember Nash-King. The motion carried unanimously.

Citizen Comments

Mr. Nick Bazzel - spoke on Agenda Items RS-20-126 and RS-20-127.

Mr. Travis Johnson - spoke on Agenda Items RS-20-126 and RS-20-127.

Ms. Catherine Henderson - spoke on Agenda Items RS-20-126 and RS-20-127.

Consent Agenda

MN-20-025 Consider Minutes of Regular City Council Meeting of November 17, 2020.

RS-20-123 Consider a memorandum/resolution amending an operating authority by changing the business name of Express Cab to Longhorn Taxi.

RS-20-124 Consider a memorandum/resolution appointing Council Members to various Boards and Commissions.

RS-20-126 Consider a memorandum/resolution authorizing the purchase of police equipment and ammunition from GT Distributors, Inc. in an amount not to exceed \$190,000.

RS-20-127 Consider a memorandum/resolution authorizing the purchase of police uniforms and duty gear from Galls, LLC in an amount not to exceed \$160,000.

RS-20-128 Consider a memorandum/resolution authorizing the purchase of social distancing training/meeting systems from NOVY, Inc. in the amount of \$128,078 and Dell

Technologies in the amount of \$5,935 using the Texas DIR contracts, for a total amount of \$134,013.

- RS-20-129** Consider a memorandum/resolution authorizing the purchase of network equipment to accommodate social distancing meetings/trainings from Netsync using the Texas DIR contracts in the amount of \$71,716.70.

Motion was made by Councilmember Brown to approve the consent agenda. Motion was seconded by Councilmember Wilkerson. Motion carried 6 to 1 with Councilmember Nash-King in opposition.

Public Hearings

- PH-20-047** **HOLD** a public hearing and consider an ordinance requested by Karen Wunsch on behalf of S. Young Family Ltd. (c/o Susan Young Jones) (**Case #FLUM20-07**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'General Commercial' and 'General Residential' designation to a 'Planned Development' designation for approximately 22.54 acres, out of the J. Goslin Survey, Abstract No. 344 and the H. C. McClung Survey, Abstract No. 570. The property is addressed as 1900 E. Veterans Memorial Boulevard, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO CHANGE APPROXIMATELY 22.54 ACRES, OUT OF THE J. GOSLIN SURVEY, ABSTRACT NO. 344 AND THE H. C. MCCLUNG SURVEY, ABSTRACT NO. 570 FROM A 'GENERAL COMMERCIAL' AND 'GENERAL RESIDENTIAL' DESIGNATION TO A 'PLANNED DEVELOPMENT'; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Executive Director of Planning.

The applicant is requesting that the FLUM be amended as follows: approximately 5.14 acres from 'General Commercial' to 'Planned Development'; and, approximately 17.40 acres from 'General Residential' to 'Planned Development'. A concurrent rezoning request has also been submitted for a Planned Unit Development for "R-3A" (Multi-Family Apartment Residential District) use. Staff recommends approval of the 'Planned Development' FLUM designation as the applicant's request is consistent and compatible with the existing residential and commercial land uses and prevailing community character and is in conformance with the PUD requirements outlined in Sec. 31-256.9. The Planning and Zoning Commission recommended approval of the request by a vote of 6 to 1.

Mayor Segarra invited the applicant to speak.

The applicant, Karen Wunsch, appeared before city council to provide additional

information and answer questions.

Mayor Segarra opened the public hearing.

Ms. Holly Teel - spoke in opposition of the request.

With no one else appearing, the public hearing was closed.

Motion was made by Councilmember Brown to postpone PH-20-047 until the corresponding Public Facility Corporation item is considered. Motion was seconded by Mayor Pro Tem Fleming. Motion carried unanimously. (Councilmember Kilpatrick had lost connectivity and did not participate in vote.)

PH-20-048 **HOLD** a public hearing and consider an ordinance requested by Karen Wunsch on behalf of S. Young Family Ltd. (c/o Susan Young Jones) (**Case #Z20-22**) to rezone approximately 22.54 acres, out of the J. Goslin Survey, Abstract No. 344 and the H. C. McClung Survey, Abstract No. 570, from “R-1” (Single-Family Residential District) and “B-5” (Business District) to Planned Unit Development (PUD) for “R-3A” (Multi-Family Residential District). The property is addressed as 1900 E. Veterans Memorial Boulevard, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 22.54 ACRES, OUT OF THE J. GOSLIN SURVEY, ABSTRACT NO. 344 AND THE H. C. MCCLUNG SURVEY, ABSTRACT NO. 570, FROM “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND “B-5” (BUSINESS DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) FOR “R-3A” (MULTI-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Executive Director of Planning.

The applicant has proposed a Planned Unit Development (PUD) concept plan which includes sixteen (16) three story multi-family structures with a total of 368 residential units on 22.54 acres of land. In addition to the residential structures, the applicant is proposing amenities that will include a large pool area with grills, a fitness center, a clubhouse, an internet café, and a dog park. Mr. McIlwain reviewed the Planned Unit Development standards that included site design, complementary architecture, layout repetition, external materials, articulation, balconies, amenities, height regulations, roof pitch, stairs, accessory buildings, open space, fencing, screening, and parking. Thirty-three (33) surrounding property owners were notified of the request, two written responses in support have been received. Staff recommends approval of the applicant’s PUD zoning request as it satisfies the PUD requirements outlined in Code Sec. 31-256.9. The Planning and

Zoning Commission recommended approval of the applicant's request by a vote of 6 to 1.

Mayor Segarra invited the applicant to speak.

The applicant, Alastair Jenkin, appeared before city council to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

Ms. Holly Teel - spoke in opposition of the request.

With no one else appearing, the public hearing was closed.

Motion was made by Councilmember Wilkerson to postpone PH-20-048 until the corresponding Public Facility Corporation agenda item is considered. Motion was seconded by Councilmember Brown. Motion carried 6 to 1 with Councilmember Kilpatrick in opposition.

PH-20-049 **HOLD** a public hearing and consider an ordinance requested by Oppidan Incorporated (c/o Jay Moore) on behalf of Noble E Central Killeen, TX L.L.C. **(Case #Z20-23)** to rezone Lot 4A, Block 1, Gander Mountain Addition, from "B-3" (Local Business District) to "B-4" (Business District). The property is addressed as 701 E. Central Texas Expressway, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF LOT 4A, BLOCK 1, GANDER MOUNTAIN ADDITION, FROM "B-3" (LOCAL BUSINESS DISTRICT) TO "B-4" (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Executive Director of Planning.

This request is to rezone approximately 4.807 acres. If approved, the applicant intends to utilize the property for a Camping World retail sales center for recreational vehicles. Staff notified sixty-four (64) surrounding property owners, four (4) written responses in opposition have been received. Staff recommends approval of the applicant's request, as it is consistent with the Future Land Use Map and with the existing adjacent land uses. The Planning and Zoning Commission recommended approval of applicant's request by a vote of 4 to 3.

Mayor Segarra invited the applicant to speak.

The applicant, Mr. Jay Moore, appeared before city council to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

Mr. Robert Hoxworth - spoke in opposition of the request.

Mr. Clay Mute - spoke in favor of the request.

With no one else appearing, the public hearing was closed.

Motion was made by Councilmember Nash-King to disapprove PH-20-049. Motion was seconded by Councilmember Williams. Motion carried 4 to 2 with Councilmember Brown and Councilmember Harris in opposition. (Councilmember Kilpatrick lost connectivity and did not participate in vote.)

PH-20-050 **HOLD** a public hearing and consider an ordinance requested by Oppidan Incorporated (c/o Jay Moore) on behalf of Noble E Central Killeen, TX L.L.C. (**Case #Z20-24**) to rezone Lot 4B, Block 1, Gander Mountain Addition, form “B-3” (Local Business District) to “B-4” (Business District). The property is addressed as 709 E. Central Texas Expressway, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF LOT 4B, BLOCK 1, GANDER MOUNTAIN ADDITION, FROM “B-3” (LOCAL BUSINESS DISTRICT) TO “B-4” (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Executive Director of Planning.

Mr. McIlwain advised that due to the action taken with the previous agenda item (PH-20-049), the applicant withdrew the request from consideration.

PH-20-051 **HOLD** a public hearing and consider an ordinance requested by Luz Erribarren on behalf of Becquer Erribarren (**Case #Z20-25**) to rezone Lot 8, Block 7, Marlboro Heights Revised, from “R-1” (Single-Family Residential District) to “R-2” (Two-Family Residential District). The property is addressed as 2722 Terrace Drive, Killeen, Texas. (Requires 3/4 majority vote)

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF LOT 8, BLOCK 7, MARLBORO HEIGHTS, FROM “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Executive Director of Planning.

This request is to rezone approximately .22 acres. If approved, the applicant intends to develop a duplex on the property. Staff notified seventy-five (75) surrounding property owners, no responses have been received. Staff recommends disapproval finding that the request would allow for the development of a two-family dwelling in a predominantly single-family neighborhood. Although there are existing duplexes in the vicinity, staff finds that the request is not compatible with the single-family uses found to the east and south of the subject property. The Planning and Zoning Commission recommended disapproval of applicant's request by a vote of 4 to 3. In accordance with the Code of Ordinances Sec. 31-39(d), approval of the request will require the favorable vote of three-fourths (3/4) of all members of the city council.

Mayor Segarra invited the applicant to speak.

The applicant, Ms. Luz Erribarren, appeared before city council to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Wilkerson to approve PH-20-051. Motion was seconded by Councilmember Williams. Motion failed 5 to 2 with Councilmember Nash-King and Councilmember Brown in opposition.

Adjournment

With no further business, upon motion being made by Councilmember Williams, seconded by Councilmember Brown, and unanimously approved, the meeting was adjourned at 6:50 p.m.

Jose Segarra, Mayor

Lucy C. Aldrich, City Secretary