



City of Killeen

Legislation Details (With Text)

File #: PH-22-032 **Version:** 1 **Name:** FLUM 22-14
Type: Ordinance/Public Hearing **Status:** Passed
File created: 3/11/2022 **In control:** City Council
On agenda: 5/10/2022 **Final action:** 5/10/2022

Title: HOLD a public hearing and consider an ordinance requested by Killeen Engineering and Surveying, Ltd. on behalf of JOF Developers (Case #FLUM 22-14) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' (SC) designation to a 'General Residential' (GR) designation for approximately 2.90 acres out of the James Cook Survey, Abstract No. 161. The property is locally addressed as 5601 Clear Creek Road, Killeen, Texas.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Maps, 2. Site Photos, 3. Minutes, 4. TXDOT Letter, 5. Ordinance, 6. Presentation

Date	Ver.	Action By	Action	Result
5/10/2022	1	City Council	Approved	Pass
5/3/2022	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by Killeen Engineering and Surveying, Ltd. on behalf of JOF Developers (Case #FLUM 22-14) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' (SC) designation to a 'General Residential' (GR) designation for approximately 2.90 acres out of the James Cook Survey, Abstract No. 161. The property is locally addressed as 5601 Clear Creek Road, Killeen, Texas.

DATE: May 3, 2022

TO: Kent Cagle, City Manager

FROM: Edwin Revell, Executive Director of Development Services

SUBJECT: FLUM CASE # 22-14: 'SUBURBAN COMMERCIAL' (SC) TO 'GENERAL RESIDENTIAL'

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: JOF Developers

Agent: Killeen Engineering

Current FLUM Designation: 'Suburban Commercial' (SC)

Requested FLUM Designation: 'General Residential' (GR)

Summary of Request:

Killeen Engineering, on behalf of JOF Developers, has submitted a request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' (GC) designation to a 'General Residential' (GR) designation for approximately 2.90 acres out of the James Cook Survey, Abstract No. 161. If approved, the applicant intends to replat this area and extend a cul-de-sac from McGregor Loop to create approximately nine (9) additional residential lots.

Zoning/Plat Case History:

The applicant previously submitted a FLUM amendment request to change the designation of this property from 'Suburban Commercial' (SC) to 'General Residential' (GR), which was disapproved by City Council by a unanimous vote on December 17, 2019.

The applicant recently submitted the same request, which was recommended for disapproval by the Planning and Zoning Commission on February 7, 2022 and was subsequently withdrawn.

The subject property was annexed into the city limits on March 16, 1999 via Ordinance No. 99-16. The property was subsequently zoned "B-3" (Local Business District) on January 25, 2000 via Ordinance No. 00-5. The property is currently unplatted.

Character of the Area:

North: Existing commercial property (Texas Humane Heroes animal shelter) zoned "A" (Agricultural District), "B-3" (Local Business District), and "B-4" (Business District);

South: Undeveloped commercial property zoned "B-3" (Local Business District);

East: Undeveloped commercial properties zoned "B-3" (Local Business District);

West: Undeveloped two-family residential lots zoned "R-2" (Two-Family Residential District) (McGregor Estates Phase Three subdivision).

Future Land Use Map Analysis:

This property is designated as 'Suburban Commercial' (SC) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'Suburban Commercial' (SC) designation encourages the following development types:

- Range of commercial retail and service uses, at varying scales and intensities depending on the site;
- Office (both large and/or multi-story buildings and small-scale office uses depending on the site);
- Planned development to accommodate custom site designs or mixing of uses in a Suburban character setting;
- Public/institutional; and
- Parks and public spaces.

If approved, 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; and
- Parks and public spaces.

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer, and drainage utility service is located within the City of Killeen municipal utility service area and available to the subject tract.

Transportation and Thoroughfare Plan:

Ingress and egress to the property is currently from Clear Creek Road, which is classified as a 120' wide Principal Arterial on the City of Killeen Thoroughfare Plan. If approved, the applicant intends to extend a cul-de-sac from McGregor Loop into the subject property.

Environmental Assessment:

The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA). There are no other known wetland areas on or adjacent to the property as identified on the National Wetlands Inventory.

Public Notification:

Staff mailed courtesy notices to thirty-two (32) surrounding property owners regarding this request. Of those property owners notified, six (6) reside outside of Killeen.

Staff Findings:

The 'Suburban Commercial' (SC) land use category is characterized by reduced site coverage relative to most commercial development.

The 'General Residential' (GR) land use category is characterized by auto-oriented character (especially where driveways and front-loading garages dominate the front yard and building facades of homes), which can be offset by "anti-monotony" architectural standards, landscaping, and limitations on "cookie cutter" subdivision layouts characterized by straight streets and uniform lot sizes and arrangement. Neighborhood-scale commercial uses are expected to emerge over time and should be encouraged on sites and in locations within (or near the edge of) GR areas that are best suited to accommodate such uses while ensuring compatibility with nearby residential uses.

The current zoning of the subject property is "B-3" (Local Business District). The surrounding area includes an existing commercial property and undeveloped properties. The area to the north is existing commercial property (Texas Humane Heroes animal shelter). To the west are undeveloped residential lots and to the south and east are undeveloped commercial properties.

THE ALTERNATIVES CONSIDERED:

The City Council has two (2) alternatives. The Council may:

- Disapprove the applicant's FLUM amendment request; or
- Approve the applicant's FLUM amendment request.

Which alternative is recommended? Why?

Staff recommends approval of the applicant's FLUM amendment request.

Following the Planning and Zoning Commission meeting in February, staff was provided with additional information by the applicant indicating that TxDOT had denied the applicant's request for a driveway permit for this property. Therefore, access to the property from Clear Creek Rd. is prohibited. In addition, there is an existing drainage ditch between the subject property and the adjacent commercial property to the south, which would make accessing the property from the south cost prohibitive.

Based on these constraints, staff finds that developing this site for commercial use is impracticable. Therefore, staff recommends approval of the applicant's request as presented.

CONFORMITY TO CITY POLICY:

This FLUM amendment request conforms to the City's policy as detailed in the Comprehensive Plan.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

The proposed FLUM amendment does not involve the expenditure of City funds. However, subsequent development and dedication of public infrastructure will involve the expenditure of maintenance funds over the life cycle of future development.

Is this a one-time or recurring expenditure?

This is not applicable.

Is this expenditure budgeted?

This is not applicable.

If not, where will the money come from?

This is not applicable.

Is there a sufficient amount in the budgeted line-item for this expenditure?

This is not applicable.

RECOMMENDATION:

At their regular meeting on April 4, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 5 to 1 with Commissioner Minor in opposition.

DEPARTMENTAL CLEARANCES:

his item has been reviewed by the Planning and Legal staff.

ATTACHED SUPPORTING DOCUMENTS:

- Maps
- Site Photos
- Minutes

TXDOT Letter
Ordinance