



City of Killeen

Legislation Text

File #: MN-22-008, **Version:** 1

Consider Minutes of Regular City Council Meeting of March 8, 2022.

City of Killeen
City Council Meeting
Killeen City Hall
March 8, 2022 at 5:00 p.m.

Presiding: Mayor Jose Segarra

Attending: Mayor Pro Tem Debbie Nash-King, Councilmembers Jessica Gonzalez, Nina Cobb, Michael Boyd, Ken Wilkerson, Rick Williams, and Mellisa Brown.

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

Mr. Bear Jones gave the invocation. Mayor Pro Tem Nash-King led everyone in the Pledge of Allegiance.

Approval of Agenda

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

Citizen Petitions

CP-22-003 Raoul Daniels - Killeen Parks and Open Space Master Plan

Mr. Daniels requested for City Council to consider a future agenda item request to allow Mr. Daniels to present his full report as it pertains to the local soccer community.

CP-22-004 Charles Jackson - City Ordinance Chapter 28-132, Truck Parking

Mr. Jackson requested for City Council to consider making changes to the truck parking ordinance allowing more flexibility for truck owners.

Citizen Comments

Mr. Robert Lopez spoke on agenda item CP-22-003.

Mr. Bill Paquette spoke on agenda item RS-22-032.

Ms. Anca Neagu spoke on agenda item RS-22-032.

Consent Agenda

- MN-22-006** Consider Minutes of Regular City Council Meeting of February 8, 2022.
- RS-22-030** Consider a memorandum/resolution approving the purchase of LED solar lights for Conder Park Sport Field from Musco Sport Lighting in the amount of \$184,750.
- RS-22-031** Consider a memorandum/resolution authorizing an Enterprise Licensing Agreement (ELA) with Azteca Systems, LLC in an amount not to exceed \$205,250 over a three-year period.
- RS-22-032** Consider a memorandum/resolution authorizing the City Manager to enter into an Advance Funding Agreement with the Texas Department of Transportation for the WS Young and Little Nolan Road Traffic Signal HSIP Grant Project
- RS-22-033** Consider a memorandum/resolution authorizing the execution of Amendment No. 1 to the Professional Services Agreement with Kimley-Horn and Associates, Inc., in the amount of \$12,000 for the Little Nolan Rd-WS Young Traffic Signal Project.
- RS-22-035** Consider a memorandum/resolution to appoint a Presiding Municipal Court Judge.

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

Public Hearings

- PH-22-017** HOLD a public hearing and consider an ordinance requested by Russell and Oteeka Davis (Case #FLUM 22 08) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Residential Mix' (R MIX) to 'General Commercial' (GC), being approximately 0.22 acres out of the Spofford Addition, Block D, part of Lot 8. The property is addressed as 409 761st Tank Battalion Avenue, 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 0.22 ACRES OUT OF THE SPOFFORD ADDITION, BLOCK D, PART OF LOT 8, FROM A 'RESIDENTIAL MIX' (R-MIX) TO 'GENERAL COMMERCIAL' (GC) DESIGNATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services

The property is designated as residential mix on the Future Land use Map (FLUM) of the Comprehensive Plan. The applicant has submitted a concurrent request to rezone the property from R-3 (multi-family residential) to B-5 (business district). If approved, the applicant intends to use the property for additional parking and vehicle storage for an existing towing and automotive business. Staff mailed courtesy notices to thirty-six (36) surrounding property owners regarding the request. City staff recommends disapproval of the request finding that the character of the area is primarily residential in nature, and the current residential mix Future Land Use Map designation is appropriate in this location. The Planning and Zoning Commission recommended approval of the request by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant, Ms. Oteeka Davis, was available 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 Gonzalez to approve PH-22-017. Motion was seconded by Councilmember Williams. Motion carried 5 to 2 with Mayor Pro Tem Nash-King and Councilmember Brown in opposition.

PH-22-018 HOLD a public hearing and consider an ordinance requested by Russell and Oteeka Davis, (Case #Z22 07), to rezone approximately 0.22 acres out of the Spofford Addition, Block D, part of Lot 8, from "R 3" (Multifamily Residential District) to "B 5" (Business District). The property is addressed as 409 761st Tank Battalion Avenue, 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 0.22 ACRES OUT OF THE SPOFFORD ADDITION, BLOCK D, PART OF LOT 8, FROM "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) TO "B-5" (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services

The property is designated residential mix on the Future Land Use Map (FLUM) and is not consistent with the FLUM. However, a concurrent request to amend the FLUM from residential mix to general commercial has been submitted. Staff notified thirty-six (36) surrounding property owners regarding the request. To date, staff has not received any responses. City staff finds that the request is incompatible with the adjacent residential property to the north and east and recommends disapproval. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant, Ms. Oteeka Davis, was available to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

Mr. Franklin Gray spoke in support of the request.

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

Motion was made by Councilmember Brown to approve PH-22-018 with B-4 zoning. Motion was seconded by Councilmember Cobb. Motion failed 3 to 4 with Councilmember Gonzalez, Councilmember Boyd, Councilmember Wilkerson and Councilmember Williams in opposition. Motion was made by Councilmember

Wilkerson to approve PH-22-018. Motion was seconded by Councilmember Gonzalez. Motion carried 5 to 2 with Mayor Pro Tem Nash-King and Councilmember Brown in opposition.

PH-22-019 HOLD a public hearing and consider an ordinance requested by Magdy Abadir, on behalf of Carmen Figueroa (Case #Z22 08), to rezone approximately 0.776 acres out of the Kinderland Addition Phase Two, Block 01, Lot 01, from "B DC" (Business Day Care District) to "R 1" (Single Family Residential District). The property is located at 1303 Trimmier Road, 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 0.776 ACRES OUT OF THE KINDERLAND ADDITION PHASE TWO, BLOCK 1, LOT 1, FROM "B-DC" (BUSINESS DAY CARE DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services

The subject property is designated general residential on the Future Land Use Map (FLUM). Staff notified fifty-four (54) surrounding property owners regarding the request. To date, staff has received one (1) response in support. City staff finds that the request is consistent with the FLUM designation, is compatible with the surrounding land uses and recommends approval. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant did not attend the meeting.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Wilkerson to approve PH-22-019. Motion was seconded by Councilmember Williams. Motion carried unanimously.

PH-22-020 HOLD a public hearing and consider an ordinance requested by Jim Wright, on behalf of Kerry Property, LLC (Case #Z22 09), to rezone a part of approximately 3.04 acres out of the Neimac Addition Phase Two Amending, Block 1, Lot 3A, from "B 3" (Local Business District) to "B 4" (Business District). The property is located at 3000 W. Stan Schlueter Loop, Suites 108 109, 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 A PART OF APPROXIMATELY 3.04 ACRES OUT OF THE NEIMAC ADDITION PHASE TWO AMENDING, BLOCK 1, LOT 3A, 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: Edwin Revell, Executive Director of Development Services

The subject property is designated general commercial on the Future Land Use Map (FLUM). Staff notified thirty (30) surrounding property owners regarding the request. To date, staff has

not received any responses. If approved, the applicant intends to lease the space for use as a liquor store. City staff finds that the request is inconsistent with the surrounding B-3 (local business district) zoning and that granting the request would constitute special dispensation for the applicant. Therefore, city staff recommends disapproval of the request. The Planning and Zoning Commission recommended approval by a vote of 4 to 2.

Mayor Segarra invited the applicant to speak.

The applicant, Mr. Jim Wright, was available to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

Mr. Bear Jones spoke in opposition of the request.

Ms. Anca Neagu spoke in support of the request.

Owner of Kerry Property, LLC, Mr. Lee, spoke in support of the request.

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

Motion was made by Councilmember Williams to disapprove PH-22-020. Motion was seconded by Councilmember Boyd. Motion carried 5 to 2 with Councilmember Cobb and Councilmember Wilkerson in opposition.

Adjournment

With no further business, upon motion being made by Mayor Pro Tem Nash-King, seconded by Councilmember Boyd, and unanimously approved, the meeting was adjourned at 6:04 p.m.