



# City of Killeen

## Legislation Text

**File #:** PH-24-025, **Version:** 1

HOLD a public hearing and consider an ordinance submitted by John Bandas, on behalf of Laura MacManus and Greg MacDonald, (FLUM#24-01) to amend the Comprehensive Plan’s Future Land Use Map (FLUM) from a ‘Regional Commercial’ designation to a ‘Residential Mix’ designation for approximately 0.222 acres out of Lot 11, Block 1, Fisher Commercial Subdivision, Phase Three. The subject property is locally addressed as 2303 Federal Street, Killeen, Texas.

**DATE:** July 16, 2024

**TO:** Kent Cagle, City Manager

**FROM:** Edwin Revell, Executive Director of Development Services

**SUBJECT:** FLUM 24-01: ‘RC’ (Regional Commercial) to ‘RM’ (Residential Mix)

### **BACKGROUND AND FINDINGS:**

#### **Property Information:**

**Property Owner:** Laura MacManus and Greg McDonald  
**Agent:** John Bandas  
**Current FLUM Designation:** ‘Regional Commercial’ (RC)  
**Requested FLUM Designation:** ‘Residential Mix’ (RM)  
**Current Zoning:** “B-5” (Business District)

#### **Summary of Request:**

John Bandas, on behalf of Laura MacManus and Greg McDonald, has submitted a request to amend the Comprehensive Plan’s Future Land Use Map (FLUM) from a ‘Regional Commercial’ designation to a ‘Residential Mix’ designation. If approved, the applicant intends to develop a Two-Family residential structure on the property should the Council approve a subsequent rezoning to “R-2” (Two-Family Residential District).

#### **Zoning/Plat Case History:**

The property was annexed into the City of Killeen corporate limits on September 13, 1954. On October 10, 1995, via Ordinance No. 95-76, the property was rezoned from “R-1” (Single-Family Residential District), “R-3” (Multifamily Residential District), and “B-3” (Local Business District) to “B-5” (Business District). The property is currently not platted.

#### **Character of the Area:**

<b>Current Land</b>	<b>Use Zoning District</b>	<b>FLUM</b>
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<b>North</b>	Vacant	B-5 & R-2	RC, RM
<b>South</b>	Vacant	R-2	RM
<b>East</b>	Single-Family Residences	R-1	RM
<b>West</b>	Multi-Family Residences	R-3	RM

### **Future Land Use Map Analysis:**

The subject property is located within the 'Intended Growth' area on the Growth Sector Map and is designated as 'Regional Commercial' (RC) on the Future Land Use Map (FLUM) of the 2022 Comprehensive Plan.

Properties within the 'Intended Growth' sector include vacant tracts that are currently under development or already have development approvals secured for future buildout. It also includes property that is near existing development and has access to existing or planned infrastructure. Development in this sector should align with the Big Ideas of this plan, particularly those related to diversifying the housing and neighborhood options in the city. Resource stewardship and fiscally responsible growth ensure a more prosperous community for the long haul.

The 'Regional Commercial' place type is typically auto-oriented and appears near high-traffic intersections. Typical uses include regional businesses including but not limited to restaurants, retail, gas stations, and offices. To create a more sustainable development, care should be given to make the experience for users pleasant once they exit their vehicle. This place type promotes most non-residential uses and mixed-use such as many overs.

If approved, the 'Residential Mix' place type should work to create neighborhoods built with a traditional walkable block/street grid network that allows a flexible mix of residential building typologies. Aside from large multiplex garden apartments, most housing types should be allowed here. This place type encourages most residential uses such as single-family detached, townhouses, small-plex (2-4 units), etc. This place type encourages a twenty-five percent (25%) nonresidential and ninety-five percent (95%) residential use mix.

### **Consistency with the Comprehensive Plan:**

In accordance with Killeen Code of Ordinances Sec. 31-39(j), the following factors shall be considered when considering whether to approve a request to amend the city's Future Land Use Map (FLUM):

1. *Is the proposed amendment consistent with the principles and policies set forth in the comprehensive plan?*

Staff is of the determination that the requested FLUM amendment is consistent with the recommendations of the 2022 Comprehensive Plan. Proposed development within the 'Intended Growth' sector adheres to the Big Ideas and Recommendations of the plan. Big Idea #1 states that "resource stewardship and fiscally responsible growth ensure a more prosperous community for the long haul." The Comprehensive Plan further states that "the city must seek out land development that provides a better return on investment and align the services they provide with what the community is willing to pay for." Staff finds that the proposed development does meet these objectives.

2. *Is the proposed amendment compatible with the character of the surrounding area?*

The applicant's request is to change the FLUM designation of the subject property to 'Residential Mix'. The 'Residential Mix' place type allows for Single-Family, ADU, Townhouses, Smallplex (2-4 Units), and Live-

Work. The subject property is located immediately adjacent to existing multi-family homes. Therefore, staff is of the determination that the request is consistent with the character of the surrounding area.

3. *What is the impact of the proposed amendment on infrastructure provision including water, wastewater, drainage, and the transportation network?*

Water would be provided by the City of Killeen, and sanitary sewer or drainage utility services are available to the subject tract. The staff has determined that a Traffic Impact Analysis will not be required for the proposed use.

4. *What is the impact of the proposed amendment on the city's ability to provide, fund, and maintain services?*

Staff finds that the proposed development will not have a negative impact on the City's ability to provide, fund, and maintain services. Staff is of the determination that the proposed land use will enhance the vibrancy of Killeen or further the City's goal of ensuring that new development pays for itself.

5. *What is the impact of the proposed amendment on environmentally sensitive and natural areas?*

The property is located in the South Nolan Creek Tributary #7 Watershed and is within Zone X a FEMA-regulatory Special Flood Hazard Area (SFHA), per FEMA Flood Insurance Rate Map 48027C0280E, with an effective date of September 26, 2008. There are no known wetland areas on the property as identified by the National Wetlands Inventory.

6. *What specific conditions (e.g., population size and/or characteristics, area character and building form, property/structure conditions, infrastructure or public services, market factors including need for more land in a particular designation, etc.) have changed sufficiently to render the current map designation(s) inappropriate or out-of-date?*

Staff finds that there has been sufficient change in market conditions, available infrastructure, or neighborhood character to render the current map designation inappropriate or out-of-date. Staff is of the determination that the requested 'Residential Mix' place type is appropriate in this location.

7. *Do city staff, the planning and zoning commission, and/or the city council have sufficient information to move ahead with a decision (e.g., utility capacity, potential traffic impacts, other public service implications, resident/stakeholder concerns and input)?*

Information regarding available utility services, traffic impact, etc. has been included in this staff report. Staff has not received any written responses regarding this request.

### **Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer, and drainage utility services are located within the City of Killeen municipal utility service area and are available to the subject tract (9,669 SF portion of the parent tract).

Water and Wastewater services are available for the tract at this time.

**Transportation and Thoroughfare Plan:**

Existing Conditions: Ingress and Egress to the entire property is via Federal Street, which is classified as a 60' wide local street per the City of Killeen adopted Transportation Plan. The current zoning classification is "B-5" (Business District). Using this classification, the average number of daily vehicle trips this property could see, if developed, is 397 trips per day.

Proposed Conditions: Under proposed conditions, the portion of the parent tract that is the subject of this request will have ingress/egress using Terrace Drive and is estimated to generate twenty (20) daily trips. This will reduce the average number of daily trips on Federal Street to 377. A traffic impact analysis will not be required.

**Environmental Assessment:**

The property is located in the South Nolan Creek Tributary #7 Watershed and is within Zone X a FEMA-regulatory Special Flood Hazard Area (SFHA). There are no known wetland areas on the property as identified on the National Wetlands Inventory. The property is in the South Nolan Creek Tributary #7 drainage area and abuts an unnamed tributary of South Nolan Creek along the eastern property line. A small portion of the tract is located within the 25' stream buffer zone.

**Public Notification:**

Staff notified thirty-two (32) surrounding property owners regarding this request. Eleven (11) surrounding property owners reside outside of Killeen of those property owners notified. To date, staff has received no written responses regarding this request.

**Staff Findings:**

The current zoning of the subject property is "B-5" (Business District) and is currently vacant land. The surrounding area includes a mix of residential, commercial, and institutional uses.

**THE ALTERNATIVES CONSIDERED:**

N/A

**Which alternative is recommended? Why?**

N/A

**CONFORMITY TO CITY POLICY:**

The proposed FLUM amendment does not involve the expenditure of City funds.

**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.

**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:**

Staff recommends approval of the request to amend the FLUM designation from a 'Regional Commercial (RC) designation to 'Residential Mix' (RM) designation as requested by the applicant.

Staff is of the determination that the applicant's request is consistent with the recommendations of the Killeen 2040 Comprehensive Plan. Further, staff finds that the requested 'Residential Mix' place type is consistent with the existing single-family development west of the subject property.

At their regular meeting, on June 17, 2024, the Planning and Zoning Commission recommended approval of the applicant's request by a vote 6 to 0.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Site Photos  
Letter of Request  
Applicant Exhibit  
Minutes  
Ordinance  
Presentation