



# City of Killeen

## Legislation Text

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File #: PH-22-044, Version: 1

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**HOLD** a public hearing and consider an ordinance requested by Lawrence Passariello, on behalf of PCW Investments LLC (**FLUM# 22-19**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'General Commercial' (GC) designation to a 'Residential-Commercial Mix' (RC-MIX) designation, being approximately 0.71 acres out of the Norman's Addition Survey, Block 9, Lots 5 and 6. The property is locally addressed as 72 Arlee Street, Killeen, Texas.

**DATE:** June 07, 2022.

**TO:** Kent Cagle, City Manager

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

**SUBJECT:** FLUM 22-19: 'General Commercial' (GC) to 'Residential-Commercial Mix' (RC-MIX)

### **BACKGROUND AND FINDINGS:**

#### **Property Information:**

**Property Owner:** PCW Investments, LLC

**Agent:** Lawrence Passariello

**Current FLUM Designation:** 'General Commercial' (GC)

**Requested FLUM Designation:** 'Residential-Commercial Mix' (RC-MIX)

**Current Zoning:** "B-5" (Business District)

**Requested Zoning:** "R-3F" (Multifamily Residential District)

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

Lawrence Passariello, on behalf of PCW Investments, LLC, has submitted a request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'General Commercial' (GC) designation to a 'Residential-Commercial Mix' (RC-MIX) designation for approximately 0.71 acre out of the Norman's Addition Survey, Block 9, Lots 5 and 6.

Based on utility account records, residential use of the property was discontinued in 2018. Therefore, residential use of the property is considered nonconforming in accordance with Killeen Code of Ordinances Sec. 31-52(e). Amending the FLUM and subsequently rezoning the property for residential use is necessary to bring the property into conformance with Chapter 31. If approved, the applicant intends to make the single-family and two-family dwellings located on the property available for lease.

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

The subject property is currently zoned "B-5" (Business District). Staff is unable to determine the exact date

of zoning. The property was platted as Norman’s Addition, Block 9, Lots 5 and 6 on January 9, 1942.

**Character of the Area:**

	<b>Current Land Use</b>	<b>Zoning District*</b>	<b>FLUM Designation</b>
<b>North</b>	Single-family homes across railroad	R-3	Residential Mix (R-MIX)
<b>East</b>	Vacant property	B-5	General Commercial (GC)
<b>South</b>	Vacant property	B-5	General Commercial (GC)
<b>West</b>	Vacant property	B-5	General Commercial (GC)

\* R-3 (Multifamily Residential District) & B-5 (Business District)

**Future Land Use Map Analysis:**

This property is designated as ‘General Commercial’ (GC) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The ‘General Commercial’ (GC) designation encourages the following development types:

- Wide range of commercial retail and service uses, at varying scales and intensities;
- Office (both large and/or multi-story buildings and small-scale office uses);
- Public/institutional; and
- Parks and public spaces.

If approved, the ‘Residential-Commercial Mix’ (RC-MIX) designation encourages the following development types:

- Mix of residential types and densities
- Variety of commercial and light industrial activities

The applicant has submitted a concurrent request to rezone the property from “B-5” (Business District) to “R-3F” (Multifamily Residential District).

**Water, Sewer and Drainage Services:**

Provider: West Bell County WSC

Within Service Area: Yes

Feasibility Study or Service Commitment: Water utility service is located within the West Bell County WSC utility service area. Applicant will need to contact the provider for availability of service to the subject tract.

**Transportation and Thoroughfare Plan:**

Ingress and egress to the property is via Arlee Street and Wilmer Street, which are classified as 60’ wide Local Streets on the City of Killeen Thoroughfare Plan.

**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 fifty (50) surrounding property owners regarding this request. Of those property owners notified, nineteen (19) reside outside of Killeen.

**Staff Findings:**

The 'General Commercial' (GC) characteristic is typically auto-oriented, which can be offset by enhanced building design, landscaping, reduced site coverage, well-designed signage, etc.

The 'Residential-Commercial Mix' (RC-MIX) characteristic is typically areas that were allowed to develop in the past with non-residential uses (including uses with a heavy commercial and/or industrial intensity) intermixed amid a variety of residential uses, often with minimal screening and/or buffering. It has an auto-oriented character and should address compatibility and screening/buffering, where possible, as redevelopment occurs.

The current zoning of the subject property is "B-5" (Business District). The surrounding area includes existing single-family homes across the railroad track and vacant properties.

**THE ALTERNATIVES CONSIDERED:**

The Planning and Zoning Commission has four (4) alternatives. The Commission may:

- Recommend disapproval of the applicant's FLUM amendment request;
- Recommend approval of a more restrictive FLUM designation than requested;
- Recommend approval of the request as recommended by staff; or
- Recommend approval of the applicant's FLUM amendment request as submitted.

**Which alternative is recommended? Why?**

Staff recommends approval of the applicant's request to amend the FLUM designation from 'General Commercial' (GC) to 'Residential-Commercial Mix' (RC-MIX) for the portion of the property located west of the unimproved alley, only. Staff recommends that the portion east of the unimproved alley (facing Wilmer Street) remain designated 'General Commercial' (GC).

Staff is of the determination that rezoning the western portion of the property will allow the legal residential use of the existing dwellings to continue. However, staff finds that the undeveloped eastern portion of the property is better suited for non-residential development.

**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 May 2, 2022, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 3 to 1 with Commissioner Gukeisen in opposition. Commissioner Gukeisen stated his support of staff's recommendation.

**DEPARTMENTAL CLEARANCES:**

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

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Minutes  
Ordinance