



City of Killeen

Legislation Details (With Text)

File #: PH-19-003 **Version:** 1 **Name:** FLUM 19-01
Type: Ordinance/Public Hearing **Status:** Passed
File created: 2/4/2019 **In control:** City Council
On agenda: 3/26/2019 **Final action:** 3/26/2019
Title: HOLD a public hearing and consider an ordinance requested by the Gary Purser Jr. 2000 Trust (FLUM#19-01) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' designation to a 'General Commercial' designation for 7.858 acres and from a 'Rural' designation to a 'General Residential' designation for 79.117 acres for the property located at 5601 Clear Creek Road (S.H. 201), Killeen, Texas.
Sponsors: Development Services
Indexes:
Code sections:
Attachments: 1. Staff Report, 2. Map, 3. Minutes, 4. Ordinance, 5. Presentation

Date	Ver.	Action By	Action	Result
3/26/2019	1	City Council	Approved	Pass
3/19/2019	1	City Council Workshop		
2/26/2019	1	City Council	Tabled	Pass
2/19/2019	1	City Council Workshop		

HOLD a public hearing and consider an ordinance requested by the Gary Purser Jr. 2000 Trust (**FLUM#19-01**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' designation to a 'General Commercial' designation for 7.858 acres and from a 'Rural' designation to a 'General Residential' designation for 79.117 acres for the property located at 5601 Clear Creek Road (S.H. 201), Killeen, Texas.

DATE: February 19, 2019

TO: Ronald L. Olson, City Manager

FROM: Dr. Ray Shanaa, AICP, Exec. Dir. of Planning and Development Services

SUBJECT: Comprehensive Plan Future Land Use Map (FLUM) Amendment: 'Suburban Commercial' to 'General Commercial' and 'Rural' to 'General Residential'

BACKGROUND AND FINDINGS:

The Gary Purser Jr. 2000 Trust submits this request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' designation to a 'General Commercial' designation for 7.858 acres and from a 'Rural' designation to a 'General Residential' designation for 79.117 acres for the property located at 5601 Clear Creek Road (S.H. 201), Killeen, Texas.

Land Use Plan: The property is designated as 'Suburban Commercial' and 'Rural' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'Suburban Commercial' designation encourages the following development types:

- Range of commercial retail and service uses, at varying scales and intensities depending on the site.

The 'Rural' designation encourages the following development types:

- Residential homesteads
- Planned Development accommodating conservation and cluster designs
- Agricultural uses and agriculture-focused commercial retail
- Public/institutional uses
- Parks and public spaces.

If approved, the 'General Residential' 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
- Parks and public spaces

If approved, the 'General Commercial' designation encourages the following development types:

- A 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
- Parks and public spaces

The property does not lie within a FEMA regulatory Special Flood Hazard Area (SFHA). Currently runoff exits this parcel in a sheet flow manner in two locations. Approximately 53 acres of this area leaves the parcel in a shallow, concentrated flow at the northwest property line into the Estancia West Subdivision at McGregor Drive. The runoff is then routed through the subdivision's drainage infrastructure and outfalls along the western property line just north of Caliza Lane into an unnamed tributary to Clear Creek on Fort Hood. The runoff then flows north into Turkey Run and then Cowhouse Creek before entering Belton Lake. Cowhouse Creek is no longer listed on the TCEQ's 303(d) water quality impairment list.

Approximately 34 acres of this area leaves the parcel in a sheet flow manner along Clear Creek Road (S.H. 201). Runoff is then concentrated within the Clear Creek Road right-of-way and crosses the roadway into the headwaters of South Nolan Creek. South Nolan Creek is currently listed on the TCEQ's 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

THE ALTERNATIVES CONSIDERED:

Approve the FLUM amendment request in its entirety

Approve a portion of the FLUM amendment request

Disapprove the FLUM amendment request in its entirety

Which alternative is recommended?

The Planning and Zoning commission recommends approval of the 'General Residential' portion of the FLUM amendment request.

Why?

The 'Suburban Commercial' designation matches the existing FLUM designation of surrounding lands and promotes commercial retail development types that are more compatible with detached and attached housing.

The items below should be reviewed and addressed when a Future Land Use Map (FLUM) amendment is being considered:

- **Scope of Amendment:** Is the proposed map change limited to one or a few parcels, or would it affect a much larger area? ***The amendment request would affect two parcels totaling approximately 86.975 acres, and is considered a large-scale amendment.***
- **Change in Circumstances:** 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? ***The Clear Creek (S.H. 201) corridor has been the fastest developing corridor in the city over the last decade. The development of residential housing has, in turn, influenced commercial development within the area. The larger of the two tracts is currently located outside of the existing city limits and the FLUM has historically illustrated these areas as 'Rural'. Clear Creek Road (S.H. 201) is a principal arterial that continues through the city and intersects with Battalion Avenue and West Range Road, which are two major roadways on Fort Hood. As such, it is reasonable to anticipate and encourage appropriate development in this area. Staff is of the determination that market conditions have rendered the current 'Rural' FLUM designation out-of-date for this property. Staff is of the determination that the 'Suburban Commercial' designation remains appropriate for the area.***
- **Consistency with Other Plans:** In addition to the Comprehensive Plan, is the proposed map change consistent with the intent and policy direction of any applicable small area plans, utility or drainage plans, or other City plans? ***The proposed map change is consistent with other City planning efforts (Water and Wastewater Master Plan, Thoroughfare Plan, Parks Master Plan).***
- **Adequate Information:** Do City staff, the Planning and Zoning Commission, and/or City Council have enough and appropriate information to move ahead with a decision (e.g., utility capacity, potential traffic impacts, other public service implications, resident/stakeholder concerns and input)? ***Staff has sufficient information regarding existing utility capacity and roadway level of service for this area. All development in this area will meet all applicable city requirements with regard to publically dedicated utility infrastructure and rights-of-way. At the time of development the current drainage design manual and infrastructure design and development standards will be applicable to this site. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.***
- **Stakeholder Input:** What points, concerns, and insights have been raised by area residents, property owners, business owners, or others? ***With the exception of listing this action as a public hearing item on the Planning and Zoning Commission's agenda, there is no public notice requirement for this amendment action.***

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?

This is not applicable at this time.

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 at this time.

Is this expenditure budgeted?

This is not applicable at this time.

If not, where will the money come from?

This is not applicable at this time.

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

This is not applicable at this time.

RECOMMENDATION:

The Planning and Zoning Commission recommended that the FLUM designation for the 79.117 acre tract be changed from 'Rural' to 'General Residential' and the FLUM designation for the 7.858 acre tract remain designated as 'Suburban Commercial' by a vote of 6 to 1, with Commissioner Gukeisen in opposition.

DEPARTMENTAL CLEARANCES:

This item has been reviewed by the Legal Department as well as City administration.

ATTACHED SUPPORTING DOCUMENTS:

Map
Minutes
Ordinance