



City of Killeen

Legislation Text

File #: PH-19-013A, **Version:** 1

HOLD a public hearing and consider an ordinance submitted by WBW Development and WBW Single Land Investment L.L.C. - Series 110, on behalf of the Atchison Family Revocable Trust and the Sheryl Anderson Yowell 1998 Trust (**FLUM#19-03**), to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' designation to a 'General Residential' designation for approximately 169 acres. The property is located east of Yowell Ranch Phases Two and Three, Killeen, Texas.

DATE: May 21, 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: 'Estate' to 'General Residential'

BACKGROUND AND FINDINGS:

WBW Development and the WBW Single Land Investment L.L.C. - Series 110, on behalf of the Atchison Family Revocable Trust and the Sheryl Anderson Yowell 1998 Trust, submit this request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' (E) designation to a 'General Residential' (GR) designation for approximately 169 acres. The property is located east of Yowell Ranch Phases Two and Three, Killeen, Texas.

Land Use Plan: The property is designated as 'Estate' (E) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'Estate' (E) designation encourages the following development types:

- Detached residential dwellings
- Public/ institutional
- Parks and public spaces

'Estate' (E) characteristics:

Transition between Suburban and Rural character areas, with further progression along the character spectrum toward environments where the landscape is visually dominant over structures.

Still in Suburban portion of character spectrum, but with larger lots (typically 1 acre minimum), especially where required by public health regulations to allow for both individual water wells and on-site septic systems on properties where centralized water and/or wastewater service is not available or feasible. One-acre lots are usually adequate in wooded areas to achieve visual screening of homes (from streets and adjacent

dwellings). Three- to 5-acre lots may be needed to achieve and maintain Estate character in areas with more open land.

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
- Parks and public spaces

A portion of this property lies within a FEMA regulatory Special Flood Hazard Area (SFHA). While there is not currently a floodway designated in this SFHA, there are approximately 3,000 linear feet of wetlands (a mixture of riverine and Freshwater Forested/Shrub) identified within this addition. The SFHA and the reported wetlands both fall within the approximately 18 acres of soil classified as Frio silty clay with 0 to 1 percent slopes. This is significant since this type of soil is frequently flooded.

Currently sheet flow runoff exits this parcel in a concentrated manner within the Yowell Creek Tributary prior to its convergence with Yowell Creek. Runoff then flows in an easterly direction to Trimmier Creek prior to leaving the City of Killeen. Trimmier Creek is listed on the TCEQ's 303(d) list for concerns for near-
nonattainment for an impaired microbenthic community.

The property will need to be platted prior to further development. As a result, the current Drainage Design Manual (DDM), creek buffer zones (CBZ), and post construction (PC) requirements will apply to future development on this parcel. The DDM, CBZ, and PC requirements were not in place during the formation of the existing Yowell Ranch PUD.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended? Why?

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 169 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? ***Staff is not aware of any specific conditions that render the current map inappropriate or out-of-date. The 'Estate' (E) designation has been and continues to be appropriate for those existing neighborhoods that developed in Killeen's extra-territorial jurisdiction (ETJ) that (as a result of annexation) are now within the City limits. However, staff acknowledges that since the Comprehensive Plan's adoption, there have been no new single-family residential subdivisions developed exclusively for acreage home sites within the City.***

Therefore, based on historical residential development, it appears that the designation is not reflective of the market conditions that drive private investment and residential development.

- **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 be changed from 'Estate' to 'Suburban Residential' as it provides for single-family housing, but at a lower overall density than what is encouraged in the 'General Residential' designation. The recommendation was by a vote of 4 to 3, with Commissioners Alvarez, O'Brien and Ploeckelmann in opposition to the motion.

The 'Suburban Residential' (SR) designation encourages the following development types:

- Detached residential dwellings
- Planned developments to provide for other housing types (e.g., townhouse, patio) in a Suburban character setting
- Public/institutional
- Parks and public spaces

'Suburban Residential' (SR) Characteristics:

- Suburban character from balance between buildings and other site improvements relative to degree of open space maintained on the site (compared to predominance of site coverage over undeveloped space in auto-oriented areas).
- Larger baseline minimum lot size allows for larger front yards and building setbacks and greater side separation between homes.
- Also results in less noticeable accommodation of the automobile on sites compared to more intensive residential areas, especially where driveways are on the side of homes rather than occupying a portion of the front yard space, and where garages are situated to the side or rear of the main dwelling.
- Can establish development options which allow for lot sizes smaller than the baseline in exchange for greater open space set-aside, with additional open space devoted to maintaining the overall suburban character and buffering adjacent properties.
- Can also provide a cluster development option that further concentrates the overall development footprint while providing the developer the same lot yield-or even a density bonus to incent conversation designs with a higher open space ratio and discourage "cookie cutter" subdivision designs with more opportunity for natural and/or swale drainage (and storm water retention/absorption)

versus concentrated storm water runoff and conveyance in auto-oriented areas.

DEPARTMENTAL CLEARANCES:

Planning
Legal

ATTACHED SUPPORTING DOCUMENTS:

FLUM exhibit
Minutes
Ordinance