



# City of Killeen

## Legislation Text

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**File #:** PH-19-015A, **Version:** 1

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**HOLD** a public hearing and consider an ordinance requested by Quintero Engineering, L.L.C. on behalf of Andrea Weinstein (**Case #FLUM19-04**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'General Commercial' designation to a 'General Residential' designation for approximately 5 acres out of the S.P.R.R. Co. Survey, Abstract No. 794. The property is addressed as 4402 Old FM 440, 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: 'General Commercial' to 'General Residential'

### **BACKGROUND AND FINDINGS:**

Quintero Engineering, L.L.C., submits this request on behalf of Andrea Weinstein to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'General Commercial' (GC) designation to a 'General Residential' (GR) designation for approximately 5 acres out of the S.P.R.R. Co. Survey, Abstract No. 794. The property is addressed as 4402 Old FM 440, Killeen, Texas.

**Land Use Plan:** The property is designated as 'General Commercial' (GC) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

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; and
- Parks and public spaces

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; and
- Parks and public spaces

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 approximately 5 acres, and is considered a small-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 'General Commercial' (GC) designation has been and continues to be appropriate for the Old FM 440 corridor. Therefore, based on historical commercial development, it appears that the current designation is reflective of the market conditions that drive private investment and commercial development in this neighborhood.***
- **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 not inconsistent 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 (DDM) 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.***

### **THE ALTERNATIVES CONSIDERED:**

The City Council may approve or disapprove the applicant's request, or the Council approve a more restrictive Future Land Use Map designation.

### **Which alternative is recommended? Why?**

Staff recommends that the City Council disapprove the request. The subject area has ample residential

dwelling options, but limited local business enterprises. Staff is of the determination that this tract will provide greater community benefit as currently designated.

**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.

**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:**

The Planning and Zoning Commission recommended approval of the applicant's request by a vote of 3 to 2 (Commissioner Alvarez recused himself).

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal Department.

**ATTACHED SUPPORTING DOCUMENTS:**

Current FLUM  
Location map  
Minutes  
Ordinance

## Considerations