



# City of Killeen

## Legislation Text

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**File #:** MN-19-026, **Version:** 1

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Consider Minutes of Regular City Council Meeting of October 8, 2019.

### **City of Killeen**

Regular City Council Meeting

Killeen City Hall

October 8, 2019 at 5:00 p.m.

Presiding: Mayor Jose Segarra

Attending: Mayor Pro Tem Jim Kilpatrick, Councilmembers, Butch Menking, Gregory Johnson (arrived at 5:15 p.m.), Shirley Fleming, Debbie Nash-King and Steve Harris

Also attending were Interim City Manager David Ellison, City Attorney Kathryn Davis, City Secretary Lucy Aldrich, and Sergeant-at-Arms Gillman.

Absent: Councilmember Juan Rivera

Mr. Philemon Brown gave the invocation; and Councilmember Nash-King led everyone in the Pledge of Allegiance.

### **Approval of Agenda**

*Motion was made by Mayor Pro Tem Kilpatrick to approve the agenda as written. Motion was seconded by Councilmember Nash-King. The motion carried unanimously.*

### **Citizens Comments**

No citizens signed up to speak.

### **Consent Agenda**

**MN-19-024** Consider Minutes of Special City Council Meeting of September 17, 2019.

**MN-19-025** Consider Minutes of Regular City Council Meeting of September 24, 2019.

**RS-19-102** Consider a memorandum/resolution appointing a Killeen representative to the Bell County Tax Appraisal District Board and appointing members to Killeen Economic Development Corporation Board.

**RS-19-103** Consider a memorandum/resolution awarding the request for application for banking services.

*Motion was made by Councilmember Menking to approve consent agenda items. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

## Public Hearings

**PH-19-036** HOLD a public hearing and consider an ordinance requested by Killeen Engineering & Surveying, Ltd. on behalf of the Gary W. Purser Jr. 2000 Trust (Case #Z19 20) to rezone approximately 0.996 acre, out of the James Cook Survey, Abstract No. 161, from "A" (Agricultural District) to "R 1" (Single Family Residential District). The property is addressed as 5601 Clear Creek Road, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF 0.996 ACRE, OUT OF THE JAMES COOK SURVEY, ABSTRACT NO. 161, FROM "A" (AGRICULTURAL DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

**Staff comments:** Tony McIlwain, Assistant Director of Planning.

Staff notified one (1) surrounding property owner within a four hundred feet (400') notification boundary. Staff has received no responses from the surrounding property owner. Staff recommends approval of the applicant's zoning request. The Planning and Zoning Commission recommended approval of the applicant's "R-1" zoning request by a vote of 4 to 1, with Commissioner Gukeisen opposed to the motion.

Mayor Segarra invited the applicant to speak.

The applicant was not in attendance.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

*Motion was made by Mayor Pro Tem Kilpatrick to approve PH-19-036. Motion was seconded by Councilmember Menking. Motion carried 3 to 2, with Councilmember Fleming and Councilmember Harris in opposition.*

**PH-19-037A** HOLD a public hearing and consider a request submitted by Carlos Uresti Jr. (Case #FLUM19 11) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Residential' designation to a 'General Commercial' designation for approximately 2.57 acres, out of the James Cook Survey, Abstract No. 161. The property is located on the east right of way of Trimmier Road and is adjacent to the KISD Satellite Transportation Facility, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'SUBURBAN RESIDENTIAL' TO 'GENERAL COMMERCIAL' FOR APPROXIMATELY 2.57 ACRES, OUT OF THE JAMES COOK SURVEY, ABSTRACT NO. 161. THE PROPERTY IS LOCATED ON THE EAST RIGHT

-OF-WAY OF TRIMMIER ROAD AND IS ADJACENT TO THE KISD SATELLITE TRANSPORTATION FACILITY, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

**PH-19-037B** HOLD a public hearing and consider an ordinance requested by Carlos Uresti Jr. (Case #Z19 21) to rezone approximately 2.57 acres, out of the James Cook Survey, Abstract No. 161, from "A" (Agricultural District) to "B 4" (Business District). The property is located on the east right of way of Trimmier Road and is adjacent to the KISD Satellite Transportation Facility, Killeen, Texas. (Requires 3/4 Majority Vote)

**Staff comments:** Tony McIlwain, Assistant Director of Planning.

A request was made by the applicant to table the request for the FLUM amendment (PH-19-037A) and the request to rezone (PH-19-037B) the same property until the next city council meeting.

*Motion was made by Councilmember Fleming to table PH-19-037A and PH-19-037B until the next council meeting. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.*

**PH-19-038** HOLD a public hearing and consider an ordinance requested by Robert Craig on behalf of EKU Inc. (Case #Z19 23) to rezone Lots 10 and 11, Block 2, Marlboro Heights Replat, from "B 5" (Business District) to "B C 1" (General Business and Alcohol Sales District). The property is addressed as 2704 E. Veterans Memorial Blvd., Killeen, Texas.

**Staff comments:** Tony McIlwain, Assistant Director of Planning.

Mr. McIlwain, Assistant Director of Planning, explained to city council that just before the meeting; Mr. Thomas Young, who represents the applicant of PH-19-038, made a request to table his request to rezone 2704 E. Veterans Memorial Blvd until he has an opportunity to visit with the community/neighborhood that was in the audience not supporting the General Business and Alcohol Sales District rezone request.

Councilmember Johnson joined the meeting at 5:15 p.m.

*Motion was made by Councilmember Menking to table PH-19-038 per the applicant's request. Motion was seconded by Councilmember Fleming. Following brief discussions and approval from city council, Mayor Segarra recognized and welcomed Ms. Ruby Jackson to speak before city council speaking on behalf of her community in opposition of the request. Motion carried 4 to 2 to table PH-19-038, with Councilmember Fleming and Councilmember Nash-King in opposition.*

**PH-19-039** HOLD a public hearing for a voluntary annexation petition for approximately 24.3 acres of land lying contiguous to the existing city limits and being located south of the Renick Ranch Subdivision, Killeen, Texas. (1st of 2 Public Hearings)

**Staff Comments:** Ray Shanaa, Executive Director of Planning.

Staff received a voluntary annexation petition from Mesa Verde Developers, L.P. and Tara Campbell for 24.3 acres of land located south and west of the existing city limits. The property is located due south of the Renick Ranch Subdivision. With the property being vacant and contiguous to current city limits, it is eligible for a 90 day annexation process. During the September 10, 2019 City Council meeting, the Council voted to proceed with the public hearings for the voluntary annexation of the property. Dr. Shanaa further reviewed the voluntary annexation

schedule identifying the two public hearing dates. This is the first of two public hearings. This second hearing is scheduled for October 22. On November 12, 2019, the Council will consider adopting the annexation ordinance with a service plan. In accordance with Local Government Code 43.065, the City has prepared a service plan that provides for the extension of full municipal services to the area to be annexed that was included in council packets for review.

Mayor Segarra invited the applicant to speak.

The applicant was not in attendance.

Mayor Segarra opened the public hearing.

Ms. Mellisa Brown, addressed concerns that she had with the Annexation Service Plan

Ms. Sandra Blankenship, addressed concerns that she had with the quality of land associated with the voluntary annexation petition.

With no one else appearing, the public hearing was closed.

### **Adjournment**

With no further business, upon motion being made by Mayor Pro Tem Kilpatrick, seconded by Councilmember Fleming, and unanimously approved, the meeting was adjourned at 5:56 p.m.