

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF PART OF LOT 1, BLOCK 1, ABUNDANT LIFE ACRES, FROM “R-3” (MULTIFAMILY RESIDENTIAL DISTRICT) TO “R-3” (MULTIFAMILY RESIDENTIAL DISTRICT) WITH A CONDITIONAL USE PERMIT” (C.U.P.) FOR A 150’ MONOPOLE COMMUNICATION STRUCTURE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Titan Towers, L.P. on behalf of Abundant Life Church of God of Bell County, Inc. has presented to the City of Killeen a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of part of Lot 1, Block 1, Abundant Life Acres, from “R-3” (Multifamily Residential District) to “R-3” (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150’ tall monopole communication structure, said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 3rd day of December 2018, with the following condition: that chain-link fencing is acceptable for a screening device along the west and south site boundary; and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 9th day of April 2019, at the City Hall, City of Killeen;

WHEREAS, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the $\frac{3}{4}$ majority opinion that the applicant’s zoning request should be approved subject to the condition as stipulated by the Planning and Zoning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION I. That the zoning classification of part of Lot 1, Block 1, Abundant Life Acres, being locally known as 1210 Florence Road, Killeen, Texas, be changed from “R-3” (Multifamily Residential District) to “R-3” (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150’ tall monopole communication structure.

SECTION II. That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

SECTION III. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION IV. That this ordinance shall take effect immediately upon passage of the ordinance.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 9th day of April 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED:

Jose L. Segarra, MAYOR

ATTEST:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney
Case #18-24, Ord. #19-____