

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 1.313 ACRES OUT OF THE FIRST CAVALRY PLAZA, BLOCK 1, LOT 1, FROM “B-5” (BUSINESS DISTRICT) TO “B-C-1” (GENERAL BUSINESS AND ALCOHOL SALES DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, All Texas Permits, on behalf of First Cavalry Plaza, LLC, 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 a portion of approximately 1.313 acres out of the First Cavalry Plaza, Lot 1, Block 1, from “B-5” (Business District) to “B-C-1” (General Business and Alcohol Sales District), said request having been duly recommended for approval of the “B-C-1” (General Business and Alcohol Sales District) by the Planning and Zoning Commission of the City of Killeen on the 22<sup>th</sup> day of June 2022, 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 26<sup>th</sup> day of July 2022, 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 majority opinion that the applicant’s zoning request should be approved as recommended 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 a portion of approximately 1.313 acres out of the First Cavalry Plaza, Lot 1, Block 1, be changed from “B-5” (Business District) to “B-C-1” (General Business and Alcohol Sales District), said request having been duly recommended for approval of the “B-C-1” (General Business and Alcohol District), for the property locally addressed as 4310 Clear Creek Road, Suite 130, Killeen Texas.

**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That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.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 26<sup>th</sup> day of July 2022, 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:**

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**Debbie Nash-King, MAYOR**

**ATTEST:**

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**Lucy C. Aldrich, CITY SECRETARY**

**APPROVED AS TO FORM**

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**Holli C. Clements, INTERIM CITY ATTORNEY**

Case #22-30

Ord. #22-\_\_\_\_