

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

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO CHANGE APPROXIMATELY 390.72 ACRES OUT OF THE M. J. PLEASANT SURVEY, ABRSTRACT NO. 652 AND THE S. D. CAROTHERS SURVEY, ABSTRACT NO. 177, FROM AN 'ESTATE' (E) DESIGNATION TO A 'PLANNED DEVELOPMENT' (PD) DESIGNATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Killeen finds that Chapter 213.003 of the Local Government Code enables municipalities to adopt and amend comprehensive plans in the interest of coordinating long-range development of the municipality.

**WHEREAS**, the Planning and Zoning Commission has received a request from Republic Engineering & Development Services, on behalf of Sheryl Yowell Anderson 1998 Trust Et. Al., for a revision to the Future Land Use Map (FLUM) of the Comprehensive Plan to change the 'Estate' (E) designation to a 'Planned Development' (PD) designation, said property being legally described as being approximately 390.72 acres out of the M J Pleasant Survey, Abstract No. 652 and the S D Carothers Survey, Abstract No. 177; said revision having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 2<sup>nd</sup> day of May 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 28<sup>th</sup> day of June, 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 opinion that the amendment should be approved;

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

**SECTION I:** That the future land use designation of approximately 390.72 acres out of the M J Pleasant Survey, Abstract No. 652 and the S D Carothers Survey, Abstract No. 177, be amended from a 'Estate' (E) designation to a 'Planned Development' (PD) designation, for the property locally addressed as 4244 Stagecoach Road, 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 28<sup>th</sup> day of June 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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**Traci S. Briggs, City Attorney**

Case #: FLUM 22-18

Ord#: 22-\_\_\_\_