

## ORDINANCE \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND “A” (AGRICULTURAL DISTRICT) TO “B-3” (LOCAL BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Lindsey Emmons 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 3.754 acres out of the Thomas Robinett Survey, Abstract No. 686, generally located on the north side of Watercrest Road, north of the intersection of Watercrest Road and Cody Poe Road in Killeen, Texas, from “R-1” (Single-Family Residential District) and “A” (Agricultural District) to “B-3” (Local Business District), said request having been duly presented to the Planning and Zoning Commission of the City of Killeen on the 21st day of August 2017, with the Commission’s recommendation of the following:

1) Approval of “B-3” (Local Business District) zoning for the 3.754 acres of property that is currently zoned as “R-1’ (Single-Family Residential District).

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 12th day of September 2017, 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 subject to the conditions 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 3.754 acres out of the Thomas Robinett Survey, Abstract No. 686, generally located on the north side of Watercrest Road, north of the intersection of Watercrest Road and Cody Poe Road in Killeen, Texas, be changed from “R-1” (Single-Family Residential District) and “A” (Agricultural District) to “B-3” (Local Business District).

**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 12th day of September 2017, 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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**Jose L. Segarra, MAYOR**

**ATTEST:**

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**Dianna Barker, CITY SECRETARY**

**APPROVED AS TO FORM**

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**Kathryn H. Davis, City Attorney**

Case #17-20

Ord. #17-\_\_\_