

**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 “A” (AGRICULTURAL DISTRICT) TO “A” (AGRICULTURAL DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) FOR AN ELECTRIC SUBSTATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** Masterplan Consultants on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al, 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 approximately 3.093 acres, being part of the Simeon D. Carothers Survey, Abstract No. 177, Killeen, Texas, from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit (CUP) for an electric substation, said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 7th day of November 2016, 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 22nd day of November 2016, 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 a majority that the request should be approved;

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

**Section I.** That the zoning classification of the following described tract be changed from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit

(CUP) for an electric substation for a 3.093 acres area, being part of the Simeon D. Carothers Survey, Abstract No. 177, Killeen, Texas. The subject area is located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, 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That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.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 22nd day of November 2016, 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 #16-20  
Ord. #