

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

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO CHANGE APPROXIMATELY 10.56 ACRES, BEING 1.00 ACRE OUT OF THE J. J. ROBERTS SURVEY, ABSTRACT NO. 73 AND 9.56 ACRES OUT OF THE KILLEEN AREA INVESTMENT CORP INDUSTRIAL TRACT, TRACT D, FROM A 'NEIGHBORHOOD COMMERCIAL' DESIGNATION TO AN 'INDUSTRIAL' 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 section 213.003 of the Local Government Code enables municipalities to amend comprehensive plans in the interest of coordinating long-range development of the municipality;

**WHEREAS**, pursuant to section 31-39 of the City of Killeen Code of Ordinances, the City Council, upon application, may amend the Comprehensive Plan, including the Future Land Use Map (FLUM), following a recommendation by the Planning and Zoning Commission and a public hearing;

**WHEREAS**, J-BREZ, LLC – SERIES B presented to the City of Killeen, a request for an amendment to the Comprehensive Plan's FLUM by changing the classification of approximately 10.56 acres, being 1.00 acre out of the J. J. Roberts Survey, Abstract No. 73 and 9.56 acres out of the Killeen Area Investment Corp Industrial Tract, Tract D from a 'Neighborhood Commercial' designation to an 'Industrial' designation;

**WHEREAS**, the Planning and Zoning Commission of the City of Killeen, following a public hearing on May 1, 2023, duly recommended approval of the application for amendment;

**WHEREAS**, 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 June 13, 2023, at the City Hall, City of Killeen; and

**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, TEXAS:**

**SECTION I:** That the future land use designation of approximately 10.56 acres, being 1.00 acre out of the J. J. Roberts Survey, Abstract No. 73 and 9.56 acres out of the Killeen Area Investment Corp Industrial Tract, Tract D, from a 'Neighborhood Commercial' designation to an 'Industrial' designation, said request being duly recommended for approval of the 'Industrial' designation, for the property locally addressed as 5200 East Veterans Memorial Boulevard, 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 13<sup>th</sup> day of June 2023, 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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**Debbi Nash-King, MAYOR**

**ATTEST:**

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**Laura J. Calcote, CITY SECRETARY**

**APPROVED AS TO FORM**

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**Holli C. Clements, CITY ATTORNEY**

Case #: FLUM 23-02

Ord#: 23-\_\_\_\_