

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 3.807 ACRES, BEING OUT OF THE R. A. MCGEE SURVEY, ABSTRACT NO. 561, FROM “A” (AGRICULTURAL DISTRICT) TO “A” (AGRICULTURAL DISTRICT) WITH A CONDITIONAL USE PERMIT (C.U.P.); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Terry Tilghman of Integrated Power Company on behalf of Yong Mullins 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 3.807 acres, being out of the R. A. McGee Survey, Abstract No. 561, from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit (C.U.P.), for the property addressed as 259 Cloud Lane, Killeen, Texas, said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 16th day of December 2019, with the following conditions:

- the applicant shall return the property to the condition that it was prior to the proposed use;
- a storm water prevention program shall be in effect for the duration of the proposed use;
- no permanent development of pad sites or structures will take place on the site that would require the issuance and approval of permits; and
- the C.U.P. is limited to a duration of 12 months;

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 14th day of January 2020, at the Killeen City Hall, Killeen, Texas;

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 with those 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 approximately 3.807 acres, being out of the R. A. McGee Survey, Abstract No. 561, be changed from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (C.U.P.), for the property addressed as 259 Cloud Lane, 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 14th day of January 2020, 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:

Jose L. Segarra, MAYOR

ATTEST:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Traci Briggs, Interim City Attorney
Case #19-28
Ord. #19-___