

ZONING CHECKLIST FOR LASERFISCHE

CASE # 93-11

- Original Application
- Corporate Resolution/Partnership Agreement (if needed)
- Authorization to sign/Power of Attorney (if needed)
- Deed Restrictions/Warranty Deed
- Field Notes (if applicable)
- Site Plan (if applicable)
- Ordinance/CC Memo (Ord. Number 93-13)
- Owner Approval Letter/Dated: \_\_\_\_\_
- CC Minutes 3/9/93
- CC Agenda
- P&Z Minutes (Signed Copy) 2/22/93
- P&Z Agenda

# 93-11

ZONING.APP  
MISC.FMTS  
**received**  
2-3-93 (h)

**CITY OF KILLEEN  
ZONING CHANGE APPLICATION**

P42 2-22  
CC 3-9

**1. Owner:**

**2. Agent:**

W.S. Young Plaza Joint Venture  
Property Owner

\_\_\_\_\_  
Agent

P.O. Box 10994 Killeen, TX 76547  
Mailing Address

\_\_\_\_\_  
Mailing Address

634-2212  
Business Phone

526-5056  
Home Phone

\_\_\_\_\_  
Business Phone

\_\_\_\_\_  
Home Phone

**3. Property Location:**

**4. Legal Description:**

2201 South W.S. Young Drive  
Property Address

1 2 Killeen Centre  
Lot Block Subdivision

5. A copy of the **REGISTERED/RECORDED DEED** for the above property must accompany this application.

**6. Type of Ownership:** (Check one.)

Sole Ownership       Partnership       Corporation       Other joint venture

*If partnership, corporation or other, attach a list naming principals or officers and relative positions within organization.*

Hilton Culp - partner  
Alton Heiner -partner

**7. Present and Proposed Zoning and Use:**

Present Zoning: CUP Present Use:   

Proposed Zoning: CUP Proposed Use:   

**8. Proposed Use:** (Fully explain the proposed use. Attach an additional sheet, if necessary.)

site plan change

11

I have checked the above information and certify that it is complete and correct. I accept responsibility for any errors or omissions on this form, even if such errors or omissions result in postponement or invalidation of the application procedure. I understand that it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

  
Signature of Owner \_\_\_\_\_ Name Typed or Printed \_\_\_\_\_

\*\*\*\*\*  
**IF APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, THE APPLICATION MUST BE EITHER 1) SIGNED BY OWNER AND NOTARIZED OR, 2) ACCOMPANIED BY A VALID POWER OF ATTORNEY SIGNED BY THE OWNER OF THE PROPERTY.**

In lieu of representing this request myself as owner of the subject property, I hereby authorize the person designated below to act in the capacity as my agent for the application, processing, representation and/or presentation of this request. The designated agent shall be the principal contact person with the City (and vice versa) in processing and responding to requirements, information or issues relative to this request.

  
Signature of Owner \_\_\_\_\_ Name Typed or Printed \_\_\_\_\_

Date: \_\_\_\_\_

THE STATE OF \_\_\_\_\_ ()  
COUNTY OF \_\_\_\_\_ ()

This instrument was acknowledged before me on \_\_\_\_\_  
by \_\_\_\_\_

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC

State of \_\_\_\_\_

\_\_\_\_\_  
PRINTED NAME OF NOTARY PUBLIC

My commission expires: \_\_\_\_\_

\*\*\*\*\*  
Signature of Agent \_\_\_\_\_ Name Printed or Typed \_\_\_\_\_

Date: \_\_\_\_\_

SPECIAL WARRANTY DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL

That Alton J. Heiner and Hilton L. Culp, (hereinafter called "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid to Grantor by W.S. Young Plaza Joint Venture, a joint venture comprised of Hilton L. Culp and Alton J. Heiner (hereinafter called "Grantee"), the receipt and sufficiency of which are hereby acknowledged, and for the further consideration that the Grantee hereby assumes and promises to pay, according to the terms thereof, all principal and interest now remaining unpaid on that one certain promissory note in the original principal sum of \$700,000, dated October 2, 1991, executed by Alton J. Heiner, Yvonne Heiner, Hilton L. Culp, and Jane R. Culp and payable to the order of First National Bank of Killeen, and secured by a vendor's lien retained in Deed of even date therewith recorded in Volume \_\_\_\_\_, Pages \_\_\_\_\_, of the Deed of Trust of Bell County, Texas, and additionally secured by a Deed of Trust of even date therewith to Arthur Neale Potts, Trustee, recorded in Volume \_\_\_\_\_, Pages \_\_\_\_\_, of the Deed of Trust Records of Bell County, Texas, upon which note there now remains unpaid the principal sum of \$7000,000 with interest paid thereon to First National Bank of Killeen, and Grantee also assumes and promises to keep and perform all covenants and obligations of Grantors named in said Deed of Trust, do hereby GRANT, SELL, CONVEY, ASSIGN and DELIVER to Grantee the real property situated in Bell County, Texas described in Exhibit A attached hereto and made a part hereof together with all improvements thereon, fixtures affixed thereto, and appurtenances (the "Property"), subject to general real estate taxes on the Property for the current year, zoning laws, regulations and ordinances of municipal and other governmental authorities, if any, affecting the Property, and all of the encumbrances described in Exhibit B attached hereto and made a part hereof (all of the foregoing hereinafter called the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, and Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the Property unto Grantee, its successors and assigns against every person whomsoever lawfully claiming, or the claim the same, or any part thereof by, through or under Grantor, but not otherwise, subject, however, to the Permitted Encumbrances.

Grantor ad valorem taxes on Subject Property having been prorated, Grantee hereby assumes the payment thereof.

IN WITNESS WHEREOF, this Special Warranty Deed is executed by Grantor and Grantee to be effective as of the 4 day of October, 1991.

GRANTORS:

\_\_\_\_\_  
Alton J. Heiner

\_\_\_\_\_  
Hilton L. Culp

GRANTEE'S ADDRESS:

W.S. Young Plaza Joint Venture  
1205 Central Texas Expressway  
Killeen, Bell County, Texas 76541

GRANTEE:

W.S. YOUNG PLAZA JOINT VENTURE

By: \_\_\_\_\_  
Printed Name: Alton J. Heiner  
Title: Joint Venturer

By: \_\_\_\_\_  
Printed Name: Hilton L. Culp  
Title: Joint Venturer

STATE OF TEXAS

COUNTY OF BELL

This instrument was acknowledged before me on this \_\_\_\_\_ day of October, 1991, by Alton J. Heiner and Hilton L. Culp, individually.

\_\_\_\_\_  
Notary Public in and for the  
State of Texas

My Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Printed/Typed Name of Notary

STATE OF TEXAS

COUNTY OF BELL

This instrument was acknowledged before me on this \_\_\_\_ day of October, 1991, by Alton J. Heiner and Hilton L. Culp as Joint Venturers of W.S. YOUNG PLAZA JOINT VENTURE.

\_\_\_\_\_  
Notary Public in and for the  
State of Texas

My Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Printed/Typed Name of Notary

AFTER FILING RETURN TO:

HILTON L. CULP  
1205 CENTRAL TEXAS EXPRESSWAY  
KILLEEN, TEXAS 76541

**received**  
2-5-92

**SPECIAL WARRANTY DEED**  
(With Vendor's Lien - Improved Property)

STATE OF TEXAS  
COUNTY OF BELL

§  
§ KNOW ALL MEN BY THES  
§

That Resolution Trust Corporation, as Receiver of Commonwealth Federal Savings Association (hereinafter called "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid to Grantor by ALTON J. HEINER and HILTON L. CULP (hereinafter called "Grantee"), the receipt and sufficiency of which are hereby acknowledged, and the further consideration of the execution and delivery by Grantee of its one certain promissory note (the "Note") of even date herewith payable to the order of FIRST NATIONAL BANK OF KILLEEN TEXAS (hereinafter called "Lender") in the principal sum of SEVEN HUNDRED THOUSAND AND NO/100 (\$700,000.00) DOLLARS, being payable, bearing interest and containing certain acceleration of maturity and attorney's fees collection clauses as therein specified, said Note being further secured by and described in a deed of trust of even date herewith executed by Grantee conveying the hereinafter described property to Tommy Wallace, as Trustee, for the benefit of Lender, does hereby GRANT, SELL, CONVEY, ASSIGN and DELIVER to Grantee the real property situated in Bell County, Texas described in Exhibit A attached hereto and made a part hereof together with all improvements thereon, fixtures affixed thereto, and appurtenances (the "Property"), subject to general real estate taxes on the Property for the current year, zoning laws, regulations and ordinances of municipal and other governmental authorities, if any, affecting the Property, and all of the encumbrances described in Exhibit B attached hereto and made a part hereof (all of the foregoing hereinafter called the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns forever, and Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the Property unto Grantee, its successors and assigns against every person whomsoever lawfully claiming, or to claim the same, or any part thereof by, through or under Grantor, but not otherwise, subject, however, to the Permitted Encumbrances.

BUT IT IS EXPRESSLY AGREED that the Grantor herein reserves for itself, its successors and assigns, the Vendor's Lien, as well as the Superior Title in and to the Property, which are reserved and retained against the Property, until the Note and indebtedness evidenced thereby and all interest thereon and all sums due and owing and to become due and owing in connection therewith are fully paid according to the face, tenor, effect and reading thereof, whereupon this deed shall become absolute, such first and superior Vendor's Lien, together with the Superior Title as herein described, being retained herein for the benefit of Grantor, and the same is hereby TRANSFERRED, ASSIGNED, SOLD and CONVEYED to Lender, and Lender or its successors or assigns, shall have the right to release said prior and superior Vendor's Lien upon the payment of the Note as hereinabove provided.

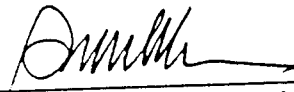
BY THE ACCEPTANCE OF THIS DEED, GRANTEE TAKES THE PROPERTY "AS IS", EXCEPT FOR THE WARRANTIES OF TITLE AS PROVIDED AND LIMITED HEREIN. GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS AS TO THE PHYSICAL CONDITION, LAYOUT, FOOTAGE, EXPENSES, ZONING, OPERATION, OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY, AND GRANTEE HEREBY EXPRESSLY ACKNOWLEDGES THAT NO SUCH REPRESENTATIONS HAVE BEEN MADE. GRANTOR MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY, MARKETABILITY, FITNESS OR SUITABILITY FOR A PARTICULAR PURPOSE OR OTHERWISE EXCEPT AS SET FORTH AND LIMITED HEREIN. ANY IMPLIED WARRANTIES ARE EXPRESSLY DISCLAIMED AND EXCLUDED.

Current ad valorem taxes on Subject Property having been prorated, Grantee hereby assumes the payment thereof.

IN WITNESS WHEREOF, this Special Warranty Deed is executed by Grantor and Grantee to be effective as of the 2nd day of October, 1991.

**GRANTOR:**

Resolution Trust Corporation, as  
Receiver of Commonwealth Federal  
Savings Association

By:   
Name: Patrick A. Callahan  
Title: Attorney-in-Fact

GRANTEE'S ADDRESS:  
5801 Stagecoach, Killeen,  
Bell County, Texas 76542

701 Donnie, Killeen,  
Bell County, Texas 76542

**GRANTEE:**

\_\_\_\_\_  
ALTON J. HEINER

\_\_\_\_\_  
HILTON L. CULP



(RTC CONSERVATOR/RECEIVER CAPACITY)

STATE OF TEXAS

§  
§  
§

COUNTY OF Harris

This instrument was acknowledged before me on this 2nd day of October, 1991, by Patrick A. Callahan, Attorney-in-Fact for Resolution Trust Corporation, as Receiver of Commonwealth Federal Savings Association.

Donna McCall  
Notary Public - State of Texas

My Commission Expires:

2/27/95

Donna McCall  
Printed/Typed Name of Notary

STATE OF TEXAS

§  
§  
§

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this 4th day of Oct, 1991, by Alton J. Heiner.

\_\_\_\_\_  
Notary Public - State of Texas

My Commission Expires:

\_\_\_\_\_

\_\_\_\_\_  
Printed/Typed Name of Notary

STATE OF TEXAS

§  
§  
§

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this 4th day of Oct, 1991, by Hilton L. Culp.

\_\_\_\_\_  
Notary Public - State of Texas

My Commission Expires:

\_\_\_\_\_

\_\_\_\_\_  
Printed/Typed Name of Notary

Rec 10-10-91  
Page 00332 - Vol 02769

EXHIBIT "A"  
DESCRIPTION OF PROPERTY

Field Notes for a tract of land in Bell County, Texas, part of the W.H. Cole Survey, Abstract No. 150, and the land herein described being part of that certain 150.00 acre tract of land described in a deed to A.J. Hall being of record in Volume 883, Page 470, Deed Records of Bell County, Texas, and said tract also being part of Killeen Centre, an addition to the City of Killeen, Texas, being of record in Cabinet A, Slide 348-C, Plat Records of Bell County, Texas.

BEGINNING at an iron rod at the intersection of the south margin of Grandon Drive and the west margin of W.S. Young Drive for the northeast corner of this tract;

THENCE with a curve to the left, 280.93 feet, (Long Chord bears South 19 degs. 57 mins. 58 secs. East, 280.03 feet, having a radius of 1015.60 feet) to a highway monument being the beginning of a curve to the right for a corner of this tract;

THENCE with said curve, 59.83 feet, called 59.67 feet (Long Chord bears South 27 degs. 01 mins. 59 secs. East, 59.83 feet, having a radius of 1559.10 feet) to an iron rod in said west margin for the southeast corner of this tract;

THENCE South 78 degs. 37 mins. 40 secs. West, 343.41 feet to an iron rod for a corner of this tract;

THENCE South 14 degs. 19 mins. 43 secs. West 13.02 feet to an iron rod in the centerline of A.J. Hall Boulevard for a corner of this tract;

THENCE with a curve to the right, 23.86 feet (Long Chord bears North 81 degs. 51 mins. 45 secs. West, 23.86 feet, having a radius of 235.00 feet) to an iron rod for a corner of this tract;

THENCE North 78 degs. 57 mins. 15 secs. West, 155.26 feet to an iron rod being the beginning of a curve to the right for a corner of this tract;

THENCE with said curve 94.82 feet, (Long Chord bears North 67 degs. 23 mins. 42 secs. West, 94.18 feet, having a radius of 235.00 feet) to an iron rod being the beginning of a curve to the left for a corner of this tract;

THENCE with said curve, 161.50 feet (Long Chord bears North 75 degs. 31 mins. 31 secs. West 158.35 feet having a radius of 235.00 feet) to an iron rod being the beginning of a curve to the right of for a corner of this tract;

THENCE with said curve, 18 45 feet (Long Chord bears North 87 deg. 05 mins. 03 secs. west, 18.39 feet, having a radius of 65.00 feet) to an iron rod for a corner of this tract;

THENCE North 78 degs. 57 mins. 15 secs. West, 137.78 feet to an iron rod being the beginning of a curve to the right for a corner of this tract;

THENCE with said curve, 115.67 feet, (Long Chord bears North 45 degs. 29 mins. 00 secs. West, 109 20 feet, having a radius of 99.00 feet) to an iron rod in said centerline and in the south margin of Grandon Drive for the most westerly corner of this tract;

THENCE North 77 degs. 59 mins. 15 secs. East 884.17 feet with said south margin to the PLACE OF BEGINNING containing 5.080 acres of land, more or less.

EXHIBIT "B"  
PERMITTED ENCUMBRANCES

Restrictive Covenants recorded in Volume 1952, Page 38 of the Deed Records of Bell County, Texas.

Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or any overlapping of improvements.

Standby fees and taxes for the year 1991 and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership.

Subject to the location of building setback lines and utility easements as reflected by the recorded plat in Cabinet A, Slide 348-C, of the Plat Records of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Bay-Kilpatrick, Inc., d/b/a Furniture Mart., commencing April 1, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and The Hollywood, Inc., commencing August 1, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Agnes and Faustino DeLa'O, d/b/a DeLa'O's Steak and Seafood Restaurant, commencing June 1, 1989, as set forth in Volume 2582, page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Don and Linda Elliott, d/b/a Merle Norman Cosmetics, commencing October 1, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Ursula Gallenstein and Deed Gillette, d/b/a Show Place Homes, commencing September 10, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and GAVR, Inc., d/b/a Sylvan Learning Center, commencing November 1, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Scheduled Airlines Traffic Offices, Inc., d/b/a Sato Travel, commencing October 1, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Hyen O. Vickery, d/b/a VJ Fashion, commencing October 24, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Dwaland Bates, d/b/a B & B Jewelry Mfg., commencing July 1, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Centex Community Bankshares, Inc., commencing July 1, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Danny O. Stephens and Carolyn M. Stephens, d/b/a Hair Port, commencing July 1, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Heart of Texas Communications, d/b/a Q106 and KTON Radio, commencing April 1, 1987, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Betty Sou-won Lee, d/b/a Wong's Palace commencing April 1, 1988, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

Lease Agreement between Plaza Shopping Center, Ltd., and Betty Sou-won Lee, d/b/a Wong's Palace, commencing April 30, 1987, as set forth in Volume 2582, Page 695, Official Public Record of Real Property of Bell County, Texas.

**THE CITY OF KILLEEN  
REQUEST FOR ZONING CHANGE  
OR SPECIFIC/SPECIAL USE PERMIT**

**CASE NUMBER: #93-11**

**DATE: February 22, 1993**

**1. APPLICANT:**

Name : W. S. Young Plaza Joint Venture  
Date Submitted : February 3, 1993  
Fee Received : \$100.00  
Present Zoning : CUP  
Proposed Zoning/Permit : CUP Site Plan Revision  
Requested Time Period : \_\_\_\_\_  
Proposed Use : Same  
Address/General Location : 2201 South W.S. Young Drive  
Legal Description of Property: Lot 1, Block 2, Killeen Centre

**2. BACKGROUND:**

**A. Site Characteristics:**

- (1) Size (Sq. Ft. or Acres) : 4,410 AC  
(2) Approximate Dimensions (feet): \_\_\_\_\_  
(3) Existing Use/Improvements : Commercial Complex  
(4) Special Characteristics  
(floodplain, historic or  
environmental significance,  
etc.) : \_\_\_\_\_

**B. Neighborhood Characteristics:**

- (1) Predominant Land Use(s):  
a. Single Family \_\_\_\_\_ e. Commercial/Retail X  
b. Multi-Family \_\_\_\_\_ f. Industrial \_\_\_\_\_  
c. Mobile Home \_\_\_\_\_ g. Institutional \_\_\_\_\_  
d. Office/Prof. \_\_\_\_\_ h. Vacant/Agricultural \_\_\_\_\_
- (2) Building Conditions:  
a. Sound X b. Deteriorating \_\_\_\_\_ c. Mixed \_\_\_\_\_
- (3) Predominant Zoning Type(s) of Area: Commercial
- (4) Compatibility of Predominantly Existing Land use with Existing Zoning of the Area:  
a. Consistent X b. Inconsistent \_\_\_\_\_
- (5) Special Characteristics (floodplain, historic or environmental significance, etc.) \_\_\_\_\_

**C. Community Infrastructure**

- (1) Paving of street giving principal access to subject property:  
a. Meets City standards for composition and width X  
b. Substandard composition \_\_\_\_\_  
c. Inadequate capacity for anticipated traffic \_\_\_\_\_  
d. Not paved \_\_\_\_\_
- (2) Adequacy of water supply for anticipated development:  
a. Available with adequate size and pressure X  
b. Inadequate water main size \_\_\_\_\_  
c. Inadequate water pressure \_\_\_\_\_  
d. Not immediately accessible to subject property \_\_\_\_\_

- (3) Adequacy of sewer facilities for anticipated development:
- a. Available with adequate capacity     X
  - b. Available with inadequate capacity
  - c. Not immediately accessible to subject property

(4) Community facilities and services:

	Adequate	Proposed	Inadequate
a. Parks/open space	<u>    X    </u>	<u>    </u>	<u>    </u>
b. Police protection	<u>    X    </u>	<u>    </u>	<u>    </u>
c. Fire protection	<u>    X    </u>	<u>    </u>	<u>    </u>
d. Other _____	<u>    </u>	<u>    </u>	<u>    </u>

**3. TECHNICAL REVIEW**

In accordance with the guidelines established by the Texas Supreme Court in Pharr v. Tippitt, 616 S.W. 2nd 173 (Tex. 1981) and State law, the Planning and Zoning Commission in making their recommendation, considered the following factors (as applicable):

**Factors To Consider:**

**A. Generally**

- Is the request in accordance with the comprehensive plan?
- Is the request designed to lessen congestion in the streets; secure safety from fire, panic or other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; or facilitate the adequate provision of transportation, water, sewers, schools, parks and other public requirements?
- What if any, is the nature and degree of an adverse impact upon neighboring lands?
- The suitability or unsuitability of the tract for use as presently zoned.
- Whether the amendment bears a substantial relationship to the public health, safety, morals or general welfare or protects and preserves historical and cultural places and areas.
- Whether there is a substantial public need or purpose for the new zoning.
- Whether there have been substantially changed conditions in the neighborhood.
- Is the new zoning substantially inconsistent with the zoning of neighboring lands? (whether the new zoning is more or less restrictive)
- The size of the tract in relation to the affected neighboring lands - is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?
- Any other factors which will substantially affect the health, safety, morals or general welfare.

**B. Specific Use Permit**

- Whether the use is harmonious with and adaptable to buildings, structures and uses of abutting property and other property in the vicinity of the premises under construction.

**C. Recommendation**

Grant Request   X   Deny Request \_\_\_\_\_

Motion made by:   Commissioner Cole  

Date:   February 22, 1993  

Voting Results: Aye   4   Nay   0  

Secretary Signature: \_\_\_\_\_

**4. NOTIFICATION**

Date applicant and property owners notified:	<u>  2/11/93  </u>
Number of property owners within 200' radius:	<u>  11  </u>
Number of letters returned (support):	<u>  0  </u>
Number of letters returned (opposition):	<u>  0  </u>
Number of letters returned (undelivered):	<u>  0  </u>

**5. P&Z COMMISSION:**

Date on Agenda:	<u>  2/22/93  </u>
Approved/Disapproved:	<u>  Approved  </u>

**6. CITY COUNCIL:**

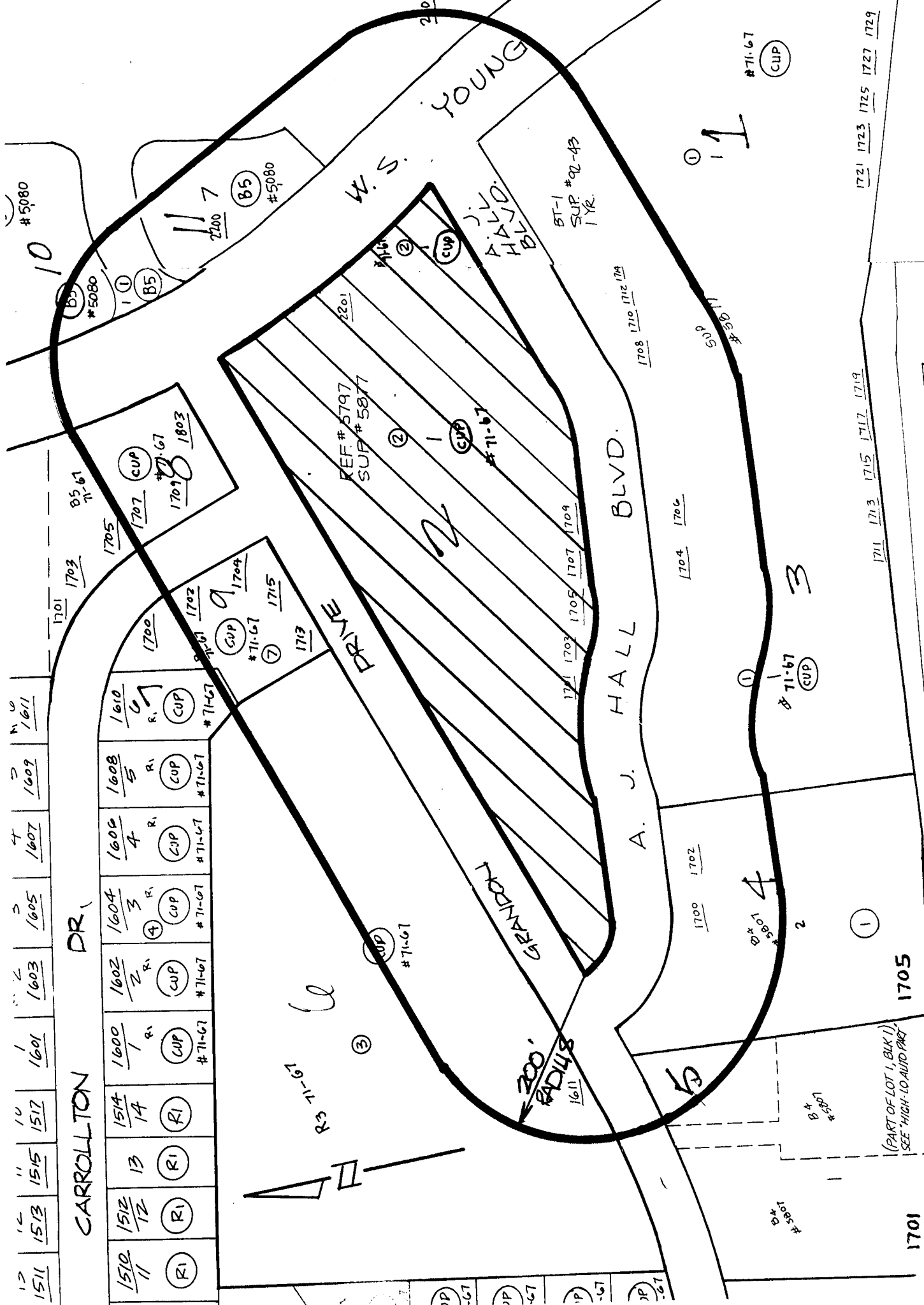
Date of Public Hearing Notice:	<u>  February 21, 1993  </u>
Date of Public Hearing:	<u>  March 9, 1993  </u>

**7. CONDITIONS PLACED ON SPECIAL/SPECIFIC USE PERMITS:**

	<b>P&amp;Z</b>	<b>CC</b>	
1.	_____	_____	Occupation shall be conducted only by members of family living in the home.
2.	_____	_____	No outside storage or display.
3.	_____	_____	Cannot change the outside appearance of the dwelling so that it is altered from its residential character.
4.	_____	_____	Cannot allow the performance of the business activity to be visible from the street.
5.	_____	_____	Cannot use any window display to advertise or call attention to the business.
6.	_____	_____	Cannot have any signs.
7.	_____	_____	No off-street parking or on-street parking of more than two (2) vehicles at any one time for business related customer parking.
8.	_____	_____	No retail sales.
9.	_____	_____	Length of permit.

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Staff Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



17	1511	1512	1513	1514	1515	1517	1601	1603	1605	1607	1609	1611
	1510	1512	1513	1514	1515	1517	1601	1603	1605	1607	1609	1611
	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)

17	1511	1512	1513	1514	1515	1517	1601	1603	1605	1607	1609	1611
	1510	1512	1513	1514	1515	1517	1601	1603	1605	1607	1609	1611
	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)

17	1511	1512	1513	1514	1515	1517	1601	1603	1605	1607	1609	1611
	1510	1512	1513	1514	1515	1517	1601	1603	1605	1607	1609	1611
	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)

17	1511	1512	1513	1514	1515	1517	1601	1603	1605	1607	1609	1611
	1510	1512	1513	1514	1515	1517	1601	1603	1605	1607	1609	1611
	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)	(R1)



R3 71-67

200' RADIUS

1700 1702 1704 1706 1708 1710 1712 1714

1701 1703 1705 1707 1709 1711 1713 1715 1717 1719

1702 1704 1706 1708 1710 1712 1714

1703 1705 1707 1709 1711 1713 1715 1717 1719

1704 1706 1708 1710 1712 1714

1705 1707 1709 1711 1713 1715 1717 1719

1706 1708 1710 1712 1714

1707 1709 1711 1713 1715 1717 1719

1708 1710 1712 1714

1709 1711 1713 1715 1717 1719

1701	1702	1703	1704	1705	1706	1707	1708	1709	1710	1711	1712	1713	1714	1715	1716	1717	1718	1719
------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------

(PART OF LOT 1, BLK 1)  
SEE "HIGH-LO-AUTD PAK"

B\* 1685-60

F 4\* 1085 F

1085 F

1085 F

1085 F

1085 F

1085 F

1085 F

1085 F

C.T.E.



93-11

SPON 10

PON 1

ACCT 633320-0-0000 TAX INVENTORY LEGALS CURRENT  
 NAME ROSSCO HOLDINGS INCORPORATED PARCEL 0106583000 STATUS T LIEN NS-ACRES 5.320  
 DBA/ICO UNITS/MONOS  
 STREET PO BOX 10539 LAST-UPDATE CV 05/29/92  
 CITY BEVERLY HILLS ST. CA ZIP 902133539 CR B032

---

LOCATION--CODE 30 KILLEEN PROP ADDR 01721 CEN TEX EXPWY EKI  
 OTHER-USER-ACCTNMBR  
 MONO SERIAL MONO LABEL  
 IMPR ONLY PARCEL LAST-YR-ACCTNMBR 63550000000  
 AGENT B07 AUTH B BEGIN 05/01/92 END MM/DD/YY  
 DEEDS--INSTR 16 DATE 10/19/90 VOL 2675 PAGE 602 AMT 10.00 HOLD  
 ORIG ACRES  
 X/Y ID 2017630 520139 W.S. 29C03 M.S. GPG CODE 6 GPG INT. NO C37

---

STANDARD LOT-----LT BLK ADDIT. MISC  
 STANDARD LAND-----ABS SURVEY AC MISC MAP  
 ----- NON-STANDARD LAND/LOT ---OR--- PERS-PROPERTY DESC FLAG -----  
 L1 LT PT OF 1 L2 BLK 001  
 L3 KILLEEN CENTRE L4  
 PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELQ ENTER=NEXT CLEAR=MENU

P.O.

TAX INVENTORY LEGALS

CURRENT

ACCT 749940-0-0000 PARCEL 0106563003 STATUS T LIEN 592  
 NAME W S YOUNG PLAZA JOINT VENTURE NS-ACRES 4.290  
 DBA/ICO UNITS/MOHOS  
 STREET 1205 CENTRAL TX EXPWY LAST-UPDATE CV 10/07/92  
 CITY KILLEEN ST. TX ZIP 76541 CR

LOCATION--CODE 30 KILLEEN PROP ADDR 02201 W S YOUNG DR SKI  
 OTHER-USER-ACCTNMBR  
 MOHO SERIAL MOHO LABEL  
 IMPR ONLY PARCEL LAST-YR-ACCTNMBR 34914000000  
 AGENT AUTH BEGIN MM/DD/YY END MM/DD/YY  
 DEEDS--INSTR 16 DATE 10/10/91 VOL 2769 PAGE 332 AMT 700000.00 HOLD  
 ORIG ACRES  
 X/Y ID 2817400 528558 W.S. 29C03 M.S. GPG CODE 6 GPG INT. NO C32

STANDARD LOT-----LT BLK ADDIT. MISC  
 STANDARD LAND-----ABS SURVEY MAP  
 AC MISC  
 ----- NON-STANDARD LAND/LOT --OR-- PERS-PROPERTY DESC FLAG -----  
 L1 LT 0001 L2 BLK 002  
 L3 KILLEEN CENTRE L4  
 PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELG ENTER=NEXT CLEAR=MENU

3

TAX INVENTORY LEGALS

CURRENT

ACCT 801270-0-0000 PARCEL 0106563200 STATUS T LIEN  
 NAME YOWELL BUSINESS CENTER TWO INC NS-ACRES 2.206  
 DBA/ICO UNITS/MOHOS  
 STREET PO BOX 10009 LAST-UPDATE CV 04/28/92  
 CITY KILLEEN ST. TX ZIP 765470009 CR B001

LOCATION--CODE 30 KILLEEN PROP ADDR 01711 CEN TEX EXPWY EKI  
 OTHER-USER-ACCTNMBR  
 MOHO SERIAL MOHO LABEL  
 IMPR ONLY PARCEL LAST-YR-ACCTNMBR 12892000000  
 AGENT AUTH BEGIN MM/DD/YY END MM/DD/YY  
 DEEDS--INSTR 16 DATE 08/02/91 VOL 2748 PAGE 409 AMT 10.00 HOLD  
 ORIG ACRES  
 X/Y ID 2817134 528251 W.S. 29C03 M.S. GPG CODE 6 GPG INT. NO C38

STANDARD LOT-----LT BLK ADDIT. MISC  
 STANDARD LAND-----ABS SURVEY MAP  
 AC MISC  
 ----- NON-STANDARD LAND/LOT --OR-- PERS-PROPERTY DESC FLAG -----  
 L1 LT PT OF 1 L2 BLK 001  
 L3 KILLEEN CENTRE L4 ONE KILLEEN CENTRE OFFICE  
 PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELG ENTER=NEXT CLEAR=MENU

4

TAX INVENTORY LEGALS

CURRENT  
41611

ACCT 392270-0-0005 PARCEL 0173290000 STATUS T LIEN 316  
NAME LUBYS CAFETERIAS INC NS-ACRES  
DBA/ICO UNITS/MOHO  
STREET PO BOX 33069 LAST-UPDATE CV 04/08/91  
CITY SAN ANTONIO ST. TX ZIP 782653069 CR B100

LOCATION--CODE 30 KILLEEN PROP ADDR 01705 CEN TEX EXPWY EKI  
OTHER-USER-ACCTNMBR  
MOHO SERIAL MOHO LABEL  
IMPR ONLY PARCEL LAST-YR-ACCTNMBR 39337000000  
AGENT H01 AUTH A BEGIN 02/20/90 END MM/DD/YY  
DEEDS--INSTR 16 DATE 01/27/89 VOL 2497 PAGE 245 AMT 10.00 HOLD  
ORIG ACRES  
X/Y ID 2816836 528323 W.S. 29C03 M.S. GPG CODE 6 GPG INT. NO C45

STANDARD LOT-----LT BLK ADDIT.  
MISC  
STANDARD LAND-----ABS SURVEY MAP  
AC MISC  
----- NON-STANDARD LAND/LOT --OR-- PERS-PROPERTY DESC FLAG -----  
L1 LT 0002 L2 BLK 001  
L3 HALL EXPRESSWAY COMMERCIAL SUB L4 AMENDED  
PF2=ORIG PF5=DEED PF8=APPR PF10=CURR PF11=DELG ENTER=NEXT CLEAR=LIST

TAX INVENTORY LEGALS

CURRENT

ACCT 259410-0-0005 PARCEL 0173280000 STATUS T LIEN  
NAME HALL, A J & KATHERINE EST-NONB TEMPLE NS-ACRES  
DBA/ICO NONB TEXAS - TEMPLE UNITS/MOHO  
STREET PO BOX 908 LAST-UPDATE TF 05/12/92  
CITY AUSTIN ST. TX ZIP 787810002 CR B098

LOCATION--CODE 30 KILLEEN PROP ADDR 00000 CEN TEX EXPWY EKI  
OTHER-USER-ACCTNMBR  
MOHO SERIAL MOHO LABEL  
IMPR ONLY PARCEL LAST-YR-ACCTNMBR 26048000005  
AGENT R06 AUTH A BEGIN 11/07/91 END MM/DD/YY  
DEEDS--INSTR 19 DATE 01/19/89 VOL 2495 PAGE 214 AMT HOLD  
ORIG ACRES  
X/Y ID 2816492 528402 W.S. 29C03 M.S. GPG CODE 6 GPG INT. NO C34

STANDARD LOT-----LT BLK ADDIT.  
MISC  
STANDARD LAND-----ABS SURVEY MAP  
AC MISC  
----- NON-STANDARD LAND/LOT --OR-- PERS-PROPERTY DESC FLAG -----  
L1 LT W PT OF LT 1 (.916AC) L2 BLK 001  
L3 HALL EXPRESSWAY COMMERCIAL SUB L4 AMENDED  
PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELG ENTER=NEXT CLEAR=MENU

5

TAX INVENTORY LEGALS

CURRENT

ACCT 314380-0-0045 PARCEL 0173280100 STATUS T LIEN NS-ACRES  
NAME INTERFIRST BANK OF TEMPLE NA UNITS/MOHOS  
DBA/ICD ATTN A DAVID UECHI LAST-UPDATE SS 06/19/89  
STREET PO BOX 809 CITY TEMPLE ST. TX ZIP 765030809 CR B008

LOCATION--CODE 30 KILLEEN PROP ADDR 00000 CEN TEX EXPWY EKI  
OTHER-USER-ACCTNMBR

MOHO SERIAL MOHO LABEL  
IMPR ONLY PARCEL LAST-YR-ACCTNMBR 31534000000

AGENT AUTH BEGIN MM/DD/YY END MM/DD/YY  
DEEDS--INSTR 19 DATE 01/19/89 VOL 2495 PAGE 214 AMT HOLD

ORIG ACRES  
X/Y ID 2016678 528467 W.S. 29C03 M.S. GPG CODE 6 GPG INT. NO C33

STANDARD LOT-----LT BLK ADDIT.  
MISC

STANDARD LAND-----ABS SURVEY AC MISC MAP

----- NON-STANDARD LAND/LOT ---OR--- PERS-PROPERTY DESC FLAG -----

L1 LT NE PT OF LT 1 (.333AC) L2 BLK 001  
L3 HALL EXPRESSWAY COMMERCIAL SUB L4 AMENDED

PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELO ENTER=NEXT CLEAR=MENU

6

TAX INVENTORY LEGALS

CURRENT

ACCT 243990-0-0000 PARCEL 0233030000 STATUS T LIEN 622 6053892  
NAME GRANDON MANOR LIMITED NS-ACRES  
DBA/ICD C/O COMPASS ALLIANCE UNITS/MOHOS  
STREET 7800 W IH 10 STE 300 LAST-UPDATE GI 09/04/92  
CITY SAN ANTONIO ST. TX ZIP 782304793 CR CR76

LOCATION--CODE 30 KILLEEN PROP ADDR 01611 GRANDON DR KI  
OTHER-USER-ACCTNMBR 00113900601

MOHO SERIAL MOHO LABEL  
IMPR ONLY PARCEL LAST-YR-ACCTNMBR 24535000000

AGENT R01 AUTH A BEGIN 04/10/92 END MM/DD/YY  
DEEDS--INSTR 16 DATE 02/10/84 VOL 1712 PAGE 504 AMT HOLD

ORIG ACRES  
X/Y ID 2816052 528812 W.S. 29A15 M.S. GPG CODE 6 GPG INT. NO DR6

STANDARD LOT-----LT BLK ADDIT.  
MISC

STANDARD LAND-----ABS SURVEY AC MISC MAP

----- NON-STANDARD LAND/LOT ---OR--- PERS-PROPERTY DESC FLAG -----

L1 LT ALL L2 BLK 003  
L3 SOUTHTOWN 1ST L4 GRANDON MANOR APTS

PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELO ENTER=NEXT CLEAR=MENU

TAX INVENTORY LEGALS

CURRENT

ACCT 107290-0-0000 PARCEL 0233830600 STATUS T LIEN \$15 0309676 2
NAME EHMENS, GEORGE W ETUX ELIDA C NS-ACRES
DBA/ICO UNITS/MOHOS
STREET 1610 CARROLTON AVE LAST-UPDATE MW 08/23/89
CITY KILLEEN ST. TX ZIP 765419010 CR CR10

LOCATION--CODE 30 KILLEEN PROP ADDR 01610 CARROLLTON AVE KI
OTHER-USER-ACCTNMBR 00113900607

MOHO SERIAL MOHO LABEL
IMPR ONLY PARCEL LAST-YR-ACCTNMBR 18886000000

AGENT AUTH BEGIN MM/DD/YY END MM/DD/YY
DEEDS--INSTR 16 DATE 10/13/87 VOL 2348 PAGE 538 AMT 52000.00 HOLD

ORIG ACRES
X/Y ID 2817303 520934 W.S. 29A15 M.S. GPG CODE 6 GPG INT. NO DF9

STANDARD LOT-----LT BLK ADDIT.
MISC

STANDARD LAND-----ABS SURVEY MAP
AC MISC

----- NON-STANDARD LAND/LOT --OR-- PERS-PROPERTY DESC FLAG -----
L1 LT 0006 L2 BLK 004

L3 SOUTHTOWN 1ST L4
PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELG ENTER=NEXT CLEAR=MENU

4

TAX INVENTORY LEGALS

CURRENT

ACCT 596230-0-0000 PARCEL 0233831300 STATUS T LIEN
NAME PROVIDENT BANK, THE NS-ACRES
DBA/ICO UNITS/MOHOS
STREET PO BOX 52084 LAST-UPDATE TF 10/09/90
CITY PHOENIX ST. AZ ZIP 850722084 CR B900

LOCATION--CODE 30 KILLEEN PROP ADDR 01003 GRANDON DR KI
OTHER-USER-ACCTNMBR 00113900616

MOHO SERIAL MOHO LABEL
IMPR ONLY PARCEL LAST-YR-ACCTNMBR 59884000000

AGENT AUTH BEGIN MM/DD/YY END MM/DD/YY
DEEDS--INSTR 16 DATE 07/30/84 VOL 1980 PAGE 56 AMT 10.00 HOLD

ORIG ACRES
X/Y ID 2817579 520062 W.S. 29A15 M.S. GPG CODE 6 GPG INT. NO DES

STANDARD LOT-----LT BLK ADDIT.
MISC

STANDARD LAND-----ABS SURVEY MAP
AC MISC

----- NON-STANDARD LAND/LOT --OR-- PERS-PROPERTY DESC FLAG -----
L1 LT S PT (135X166.09X135X142.25') L2 BLK 6

L3 SOUTHTOWN 1ST EXT L4 CIRCLE K
PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELG ENTER=NEXT CLEAR=MENU

9

TAX INVENTORY LEGALS

CURRENT

ACCT 652250-0-0000 PARCEL 0233831400 STATUS T LIEN
NAME SCOTT, CHARLES L NS-ACRES
DBA/ICO DBA R E S SERVICE UNITS/MOHS
STREET PO BOX 20892 LAST-UPDATE AA 02/01/93
CITY WACO ST. TX ZIP 767020892 CR B008

LOCATION--CODE 30 KILLEEN PROP ADDR 01704 CARROLLTON AVE KI
OTHER-USER-ACCTNMBR 00113900615
MOHO SERIAL MOHO LABEL
IMPR ONLY PARCEL LAST-YR-ACCTNMBR 62879000005
AGENT R05 AUTH A BEGIN 07/21/89 END MM/DD/YY
DEEDS---INSTR 16 DATE 02/24/92 VOL 2808 PAGE 391 AMT 175000.00 HOLD
ORIG ACRES
X/Y ID 2817370 528033 W.S. 29A15 M.S. GPG CODE 6 GPG INT. NO DG0

STANDARD LOT-----LT BLK ADDIT. MISC
STANDARD LAND-----ABS SURVEY MAP
----- NON-STANDARD LAND/LOT ---OR--- PERS-PROPERTY DESC FLAG
L1 LT ALL L2 BLK 007
L3 SOUTHTOWN 1ST L4 .640AC

PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELG ENTER=NEXT CLEAR=MENU

10

TAX INVENTORY LEGALS

CURRENT

ACCT 312850-0-0000 PARCEL 0195191220 STATUS T LIEN
NAME ILLINGIS/YOUNG PARTNERSHIP NS-ACRES
DBA/ICO UNITS/MOHS
STREET 1412 MAIN ST # 2100 LAST-UPDATE JH 04/21/92
CITY DALLAS ST. TX ZIP 752024099 CR CR19

LOCATION--CODE 30 KILLEEN PROP ADDR 02102 W S YOUNG DR SKI
OTHER-USER-ACCTNMBR
MOHO SERIAL MOHO LABEL
IMPR ONLY PARCEL LAST-YR-ACCTNMBR 31377000000
AGENT AUTH BEGIN MM/DD/YY END MM/DD/YY
DEEDS---INSTR 19 DATE 09/21/88 VOL 2458 PAGE 721 AMT HOLD
ORIG ACRES
X/Y ID 2817870 529012 W.S. 29A15 M.S. GPG CODE 6 GPG INT. NO DE2

STANDARD LOT-----LT BLK ADDIT. MISC
STANDARD LAND-----ABS SURVEY MAP
----- NON-STANDARD LAND/LOT ---OR--- PERS-PROPERTY DESC FLAG
L1 LT 06-C L2 BLK 001
L3 KILLEEN MALL ADDN REPLAY OF LTS L4 6A & 6B BLK 1

PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELG ENTER=NEXT CLEAR=MENU

T A X I N V E N T O R Y L E G A L S

CURRENT

ACCT 137820-0-0000 PARCEL 0195190600 STATUS T LIEN  
 NAME COX, BOBBY COMPANIES INC NS-ACRES  
 DBA/ICD C/O BOBBY D COX, PRESIDENT UNITS/MOHOS  
 STREET 5030 E UNIVERSITY BLVD STE D101 LAST-UPDATE CV 05/07/92  
 CITY ODESSA ST. TX ZIP 797620148 CR CR71

LOCATION--CODE 30 KILLEEN PROP ADDR 02200 W S YOUNG DR SKI  
 OTHER-USER-ACCTNMBR 00142300007

MOHO SERIAL MOHO LABEL  
 IMPR ONLY PARCEL LAST-YR-ACCTNMBR 43402000000

AGENT AUTH BEGIN MM/DD/YY END MM/DD/YY  
 DEEDS--INSTR 16 DATE 08/23/91 VOL 2755 PAGE 16 AMT 206000.00 HOLD  
 ORIG ACRES

X/Y ID 2817050 528700 W.S. 29A15 M.S. GPG CODE 6 GPG INT. NO DE4

STANDARD LOT-----LT BLK ADDIT. MISC  
 STANDARD LAND-----ABS SURVEY MAP  
 AC MISC

----- NON-STANDARD LAND/LOT --GR-- PERS-PROPERTY DESC FLAG -----  
 L1 LT 0007 L2 BLK 001  
 L3 KILLEEN MALL SUB L4 .543AC

PF2=ORIG PF3=PREV PF5=DEED PF8=APPR PF10=CURR PF11=DELG ENTER=NEXT CLEAR=MENU

# KILLEEN DAILY HERALD

PUBLISHED MORNINGS / 7 DAYS A WEEK

## PUBLISHER'S AFFIDAVIT THE STATE OF TEXAS COUNTY OF BELL

Personally appeared before the undersigned

authority Margaritha Garza

who being sworn says that the attached \_\_\_\_\_

Notice of Public Hearing

was published in the Killeen Daily Herald on the

following dates to-wit: \_\_\_\_\_

February 21 19 93

at a cost of \$ 35.75

Margaritha Garza  
~~PRINTED NAME HERE~~

Classified Supervisor

Subscribed and sworn to me this 23rd

day of February 19 93

Michele Crabill  
Notary Public, Bell County, Texas

### NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the City Council, City of Killeen at 6:00 p.m., on Tuesday, March 9, 1993, at the Police and Court Building, 400 N. 2nd Street, to consider the following:

Request by W.S. Young Plaza Joint Venture for modification to Community Use Plan (CUP) on Lot 1 Block 2, Killeen Center, locally known as 2201 South W.S. Young Drive, Killeen.

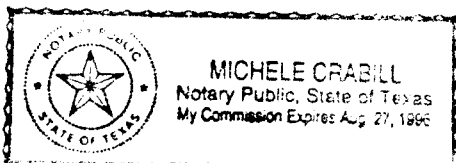
Request by F & J Development for rezoning from property zoned R-1 (Single-Family Residential) to B-5 (Business District) on a tract of land, part of the Robert Cunningham Survey Abstract No. 158 and a tract of land being all of Lot 1, Block 22, Chantz Addition, Phase Two, an Addition to the City of Killeen, Bell County, and 2.080 Acres out of a tract of land described as "Second Tract" in a Deed of Trust from W.L. Herring to Tom Carlile, Trustee, said Deed being of record in Volume 1076, Page 36, Deed Records of Bell County, located off FM 3470 and Chantz Drive, Killeen.

Request by Vance T. and Nelda Delano for a Special Use Permit for the purpose of location of Vehicle Impound Yard and Wrecker Service, on property zoned B-5 (Business District) on a 1.553 acre tract of land on Lot 15 and part of Lot 16, Block 2, and part of Lot 3, Block 3, Replat of Lots 2 through 9, Block 3, Lots 9 through 20, Block 2 and Lots 1 through 8, Block 8, Marlboro Heights, Revised, locally known as 2822 E. Business 190, Killeen.

WITNESS THIS THE 18TH DAY  
OF FEBRUARY 1993.

Doris J. Johnson  
City Secretary  
by Becky Amerson  
Executive Secretary

(Legal Notice Published in the  
Killeen Daily Herald February  
21, 1993).





**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION**  
**POLICE AND COURT BUILDING**  
**COUNCIL CHAMBERS**  
**February 22, 1993**  
**6:09 p.m.**

1. **PRESIDING:** Allen Cloud, Acting Chairman (filling in for Harold Miller)

2. **PRESENT:**

Commissioners: Larry Cole, Bruce Whitis, Joe Williamson, Earl Terry, and Alton Heiner

Staff: Karen Hendershot-Bailey, Assistant City Attorney (Tardy); Richard Royston, City Planner; Chuck Thomas, Water and Sewer Engineer, and Terrie Johnson, Executive Secretary

**ABSENT:** Harold Miller, Chairman; Mary Jane Craig and Lisa Humphreys, Commissioners; George O'Kelley, Director of Development and Planning; Benny Hedden, Director of Public Works

3. **APPROVAL OF AGENDA:**

Commissioner Terry moved and Commissioner Cole seconded a motion the Agenda for the Regular Meeting of the Planning and Zoning Commission for February 22, 1993 be approved. The motion carried unanimously, 5 - 0 vote.

4. **APPROVAL OF MINUTES:**

Chairman Cloud moved and Alton Heiner seconded a motion to approve the minutes from the Regular Meeting of the Planning and Zoning Commission for January 11, 1993. The motion carried unanimously, 5 - 0 vote.

Commissioner Whitis moved and Commissioner Terry seconded a motion to approve the minutes from the Regular Meeting of the Planning and Zoning Commission on February 8, 1993. The motion carried unanimously, 5 - 0 vote.

5. **PUBLIC HEARING**

**ZONING:**

**A. Case #93-11:** Request by W.S. Young Plaza Joint Venture for modification to Community Use Plan (CUP) on Lot 1, Block 2, Killeen Center, locally known as 2201 South W.S. Young Drive, Killeen.

Commissioner Heiner stepped down on this item.

**Regular Meeting of the Planning and Zoning Commission**

**February 8, 1993**

Kim Barr, of 1202 Smith, was present to represent the request. He stated that he planned to add additional parking, install a roll-up type door for Centel, extending out 8 feet.

The Commissioners did not have any questions regarding this request.

There not being anyone else in support or opposition, Chairman Cloud then closed that portion of the public hearing and asked for staff comments.

City Planner Royston stated eleven (11) letters were mailed to surrounding property owners; and there was no response in support or opposition.

Commissioner Cole moved and Commissioner Williamson seconded a motion to approve the request. The motion carried unanimously, 4 - 0 vote.

Chairman Cloud stated that he would not be voting unless his vote was needed to break a tie.

Commissioner Heiner rejoined the meeting.

*(This request is scheduled to be heard by City Council on March 9, 1993.)*

**B. Case #93-12:** Request by F & J Development for rezoning from property zoned R-1 (Single-Family Residential) to B-5 (Business District) on a tract of land, part of the Robert Cunningham Survey Abstract No. 158 and a tract of land being all of Lot 1, Block 22, Chantz Addition, Phase Two, an Addition to the City of Killeen, Bell County, and 2.080 acres out of a tract of land described as "Second Tract" in a Deed of Trust from W. L. Herring to Tom Carlile, Trustee, said Deed being of record in Volume 1076, Page 36, Deed Records of Bell County, located off FM 3470 and Chantz Drive, Killeen.

Gale Mitchell, of Mitchell and Associates, was present to represent the request. He stated that the property used to be part of Chantz Addition, but when FM3470 went through, the property was cut off and went back to raw land. He further stated that the property was vacant all along Derik Drive except for the intersection of Chantz.

Mr. Leon Faulstich, of 4301 Chantz, was present in opposition. He stated that he purchased his home new and that the property was zoned R-1. His primary concern with the change in zoning is the potential traffic volume that may be created by a business because he has two children, ages 6 and 2, and is concerned with their safety. He stated that he could tolerate low volume traffic, but that he did not want a business to go in that would generate high volume/speed traffic on Chantz. His minimum request of the Commission is that the public be required to gain access to the property off FM 3470.

**Regular Meeting of the Planning and Zoning Commission  
February 22, 1993**

**5. PUBLIC HEARING**

**ZONING:**

**A. Case #93-11:** Request by W.S. Young Plaza Joint Venture for modification to Community Use Plan (CUP) on Lot 1, Block 2, Killeen Center, locally known as 2201 South W.S. Young Drive, Killeen.

Commissioner Heiner stepped down on this item.

Kim Barr, of 1202 Smith, was present to represent the request. He stated that he planned to add additional parking, install a roll-up type door for Centel, extending out 8 feet.

The Commissioners did not have any questions regarding this request.

There not being anyone else in support or opposition, Chairman Cloud then closed that portion of the public hearing and asked for staff comments.

City Planner Royston stated eleven (11) letters were mailed to surrounding property owners; and there was no response in support or opposition.

Commissioner Cole moved and Commissioner Williamson seconded a motion to approve the request. The motion carried unanimously, 4 - 0 vote.

Chairman Cloud stated that he would not be voting unless his vote was needed to break a tie.

Commissioner Heiner rejoined the meeting.

*(This request is scheduled to be heard by City Council on March 9, 1993.)*

A motion was made by Councilman Rucker, seconded by Councilman Adams, to approve the award of bid as recommended. The motion carried unanimously.

8. PUBLIC HEARINGS / ORDINANCES

- A. **CONTINUE** a public hearing and consider an ordinance requested by James H. Myers and Hayel F. Safady (*Case #93-07*) for a BT-1 Permit for Live Entertainment (Fridays Club) on property zoned BC-1 (Private Club and General Business District), on a 1.591 acres tract of land, Abstract 813, of the A. Thompson Survey, locally known as 308 South 2nd Street, Killeen.

Mayor Villaronga stated the staff received a note from Mrs. Taylor requesting this item be tabled until the meeting of March 23rd due to her husband being hospitalized earlier today.

A motion was made by Councilman Armstrong, seconded by Councilwoman Hereford, to table the request until March 23rd as requested. The motion carried unanimously.

- B. **HOLD** a public hearing and consider an ordinance as requested by W. S. Young Plaza Joint Venture (*Case #93-11*) for a modification to Community Use Plan (CUP) on Lot 1, Block 2, Killeen Center, locally known as 2201 South W. S. Young Drive, Killeen.

The caption of the ordinance was read as follows:

AN ORDINANCE APPROVING MODIFICATION OF THE APPROVED SITE PLAN IN A COMMUNITY USE PLAN DISTRICT ON LOT 1, BLOCK 2, KILLEEN CENTRE, LOCALLY KNOWN AS 2201 SOUTH W. S. YOUNG DRIVE, KILLEEN.

There were eleven letters mailed to property owners within a 200' radius. There were no letters returned in support, in opposition or as undelivered. The Planning and Zoning Commission considered the request on February 22, 1993, and recommended approval.

City Planner Royston stated the requested modification is for an existing community use site plan. He stated in the previous years, there have been minor modifications to the site plan which included re-adjusting of parking spaces. Within the recent weeks, a request has been made to revised the location of CENTEL Cellular Phone Service in order to provide for a garage area to service vehicles. In addition, a request has been made for an addition to the Primus Health Clinic site by enclosing a walk way area that is inside the existing building.

Regular City Council Meeting  
March 9, 1993 - Page 6

Alton Heiner, 5801 Stagecoach, Killeen, was present in support of the request. Mr. Heiner stated the CENTEL's main office in Temple will be moving to Killeen which will require an entrance with an overhead garage door. He stated the other request is to provide a covered walk way.

There was no one present to speak in opposition to the request, and Mayor Villaronga closed the public hearing.

A motion was made by Councilman Rucker, seconded by Mayor Pro-Tem Latham, to approve the request. The motion carried unanimously.

- C. **HOLD** a public hearing and consider an ordinance as requested by F&J Development (*Case #93-12*) for a rezoning of property zoned R-1 (Single-Family Residential) to B-5 (Business District) on a tract of land, part of the Robert Cunningham Survey Abstract No. 158 and a tract of land being all of Lot 1, Block 22, Chantz Addition, Phase Two, an Addition to the City of Killeen, Bell County, and 2.080 acres out of a tract of land described as "Second Tract" in a Deed of Trust from W. L. Herring to Tom Carlile, Trustee, said Deed being of record in Volume 1076, Page 36, Deed Records of Bell County, located off FM 3470 and Chantz Drive, Killeen.

The caption of the ordinance was read as follows:

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) TO B-5 (BUSINESS DISTRICT).

There were twenty-eight letters mailed to property owners within a 200' radius. There were three letters returned in support, three letters were returned in opposition, one letter was returned as undelivered, and one letter was returned with comments only. The Planning and Zoning Commission considered the request on February 22, 1993, and recommended approval.

City Planner Royston stated action was considered before on this particular site when acquiring right-of-way for the Stan Schlueter Loop. He stated the applicant is now requesting the vacated property to include an additional lot be rezoned to B-5 for a commercial use.

Mayor Pro-Tem Latham questioned if backing up to residential properties will require a screening device and if there is presently a single-family home on Lot 16, Block 21. Mr. Royston stated yes to both questions. He stated the house was constructed when the City was considering the plat and that lot was retained in the plat vacation. Mayor Pro-Tem Latham questioned if there is anything included in the City's ordinance that will protect the home owner other than the fence. Mr. Royston stated no.

A motion was made by Councilman Rucker, seconded by Councilman Adams, to approve the award of bid as recommended. The motion carried unanimously.

8. PUBLIC HEARINGS / ORDINANCES

- A. **CONTINUE** a public hearing and consider an ordinance requested by James H. Myers and Hayel F. Safady (*Case #93-07*) for a BT-1 Permit for Live Entertainment (Fridays Club) on property zoned BC-1 (Private Club and General Business District), on a 1.591 acres tract of land, Abstract 813, of the A. Thompson Survey, locally known as 308 South 2nd Street, Killeen.

Mayor Villaronga stated the staff received a note from Mrs. Taylor requesting this item be tabled until the meeting of March 23rd due to her husband being hospitalized earlier today.

A motion was made by Councilman Armstrong, seconded by Councilwoman Hereford, to table the request until March 23rd as requested. The motion carried unanimously.

- B. **HOLD** a public hearing and consider an ordinance as requested by W. S. Young Plaza Joint Venture (*Case #93-11*) for a modification to Community Use Plan (CUP) on Lot 1, Block 2, Killeen Center, locally known as 2201 South W. S. Young Drive, Killeen.

The caption of the ordinance was read as follows:

AN ORDINANCE APPROVING MODIFICATION OF THE APPROVED SITE PLAN IN A COMMUNITY USE PLAN DISTRICT ON LOT 1, BLOCK 2, KILLEEN CENTRE, LOCALLY KNOWN AS 2201 SOUTH W. S. YOUNG DRIVE, KILLEEN.

There were eleven letters mailed to property owners within a 200' radius. There were no letters returned in support, in opposition or as undelivered. The Planning and Zoning Commission considered the request on February 22, 1993, and recommended approval.

City Planner Royston stated the requested modification is for an existing community use site plan. He stated in the previous years, there have been minor modifications to the site plan which included re-adjusting of parking spaces. Within the recent weeks, a request has been made to revised the location of CENTEL Cellular Phone Service in order to provide for a garage area to service vehicles. In addition, a request has been made for an addition to the Primus Health Clinic site by enclosing a walk way area that is inside the existing building.

Alton Heiner, 5801 Stagecoach, Killeen, was present in support of the request. Mr. Heiner stated the CENTEL's main office in Temple will be moving to Killeen which will require an entrance with an overhead garage door. He stated the other request is to provide a covered walk way.

There was no one present to speak in opposition to the request, and Mayor Villaronga closed the public hearing.

A motion was made by Councilman Rucker, seconded by Mayor Pro-Tem Latham, to approve the request. The motion carried unanimously.

- C. **HOLD** a public hearing and consider an ordinance as requested by F&J Development (*Case #93-12*) for a rezoning of property zoned R-1 (Single-Family Residential) to B-5 (Business District) on a tract of land, part of the Robert Cunningham Survey Abstract No. 158 and a tract of land being all of Lot 1, Block 22, Chantz Addition, Phase Two, an Addition to the City of Killeen, Bell County, and 2.080 acres out of a tract of land described as "Second Tract" in a Deed of Trust from W. L. Herring to Tom Carlile, Trustee, said Deed being of record in Volume 1076, Page 36, Deed Records of Bell County, located off FM 3470 and Chantz Drive, Killeen.

The caption of the ordinance was read as follows:

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) TO B-5 (BUSINESS DISTRICT).

There were twenty-eight letters mailed to property owners within a 200' radius. There were three letters returned in support, three letters were returned in opposition, one letter was returned as undelivered, and one letter was returned with comments only. The Planning and Zoning Commission considered the request on February 22, 1993, and recommended approval.

City Planner Royston stated action was considered before on this particular site when acquiring right-of-way for the Stan Schlueter Loop. He stated the applicant is now requesting the vacated property to include an additional lot be rezoned to B-5 for a commercial use.

Mayor Pro-Tem Latham questioned if backing up to residential properties will require a screening device and if there is presently a single-family home on Lot 16, Block 21. Mr. Royston stated yes to both questions. He stated the house was constructed when the City was considering the plat and that lot was retained in the plat vacation. Mayor Pro-Tem Latham questioned if there is anything included in the City's ordinance that will protect the home owner other than the fence. Mr. Royston stated no.

**AN ORDINANCE APPROVING MODIFICATION OF THE APPROVED SITE PLAN IN A COMMUNITY USE PLAN DISTRICT ON LOT 1, BLOCK 2, KILLEEN CENTRE, LOCALLY KNOWN AS 2201 SOUTH W. S. YOUNG DRIVE, KILLEEN**

WHEREAS, W. S. Young Plaza Joint Venture has presented to the City of Killeen a request for approving modification of the approved site plan in a Community Use Plan of the hereinafter described property, said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 22nd day of February, 1993, 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 6:00 P.M., on the 9th day of March, 1993, at the Police and Courts Building of the 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 request should be granted; **NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:**


That modification of the approved site plan on the following described tract be approved:

Lot 1, Block 2, Killeen Centre; locally known as  
2201 South W. S. Young Drive, Killeen




**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 9th day of March, 1993, at which meeting a quorum was present, held in accordance with the provisions of Article 6252-17, V.A.T.S.

**APPROVED:**

  
\_\_\_\_\_  
Raul G. Villalonga, MAYOR


**ATTEST:**



  
\_\_\_\_\_  
Doris J. Johnson, CITY SECRETARY

**DISTRIBUTION:**

## Memorandum for Record

**From:** Tom Dann, Director of Planning 

**Date:** April 3, 2000

**Subject:** Underlying zoning for CUP

While looking up zoning for Lot 1, Block 1, Killeen Center, it was discovered that the Zoning Maps for this property and for Lot 1, Block 2 Killeen Center had been annotated with the designation CUP. Case number 71-67 was referenced with this CUP. Mapping personnel discovered that this case file is missing from the Planning Office's files. In further research, mapping personnel discovered references to zoning on Lot 1, Block 1 and Lot 1, Block 2 Killeen Center in City of Killeen Zoning Case Numbers 5080 and 5807. Both cases indicate the zoning for these properties is B5. In accordance with these findings, I have instructed the mapping office to annotate the zoning map to indicate that the underlying zoning associated with the CUP case on these properties is B5.

June E. Lykes  
City Manager



**THE CITY OF KILLEEN**  
P.O. Box 1329, Killeen, Texas 76540

Raul G. Villaronga  
Mayor

Council

Gordon "Cotton" Adams  
Don R. Armstrong  
Rosa Hereford  
Fred Latham  
Mark A. Manning  
Pat Patton  
H.F. Rucker, Jr.

February 11, 1993

Dear Property Owner:

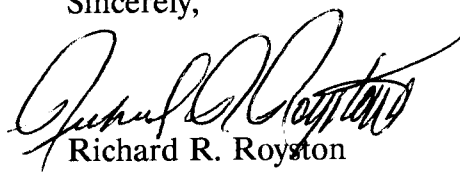
**RE: Case #93-11 -- Request by W.S. Young Plaza for modification to Community Use Plan (CUP) on Lot 1 Block 2, Killeen Center, locally known as 2201 South W.S. Young Drive, Killeen.**

The Killeen Planning and Zoning Commission has scheduled a public hearing for this request on Monday, February 22, 1993, at 6:00 p.m. in the Council Chambers, Police and Court Building, 400 North 2nd Street. You are invited to attend this hearing to present any facts which you feel the Planning and Zoning Commission should consider in evaluating this request.

In addition to attending this meeting, if you are in support of or opposition to this request, you should fill out the bottom portion of this letter and send it to: The Planning & Zoning Commission, City of Killeen, P.O. Box 1329, Killeen, TX 76540. This request will be forwarded to City Council for final approval or disapproval.

If you desire additional information relative to this matter, please call (817) 634-2191, extension 131.

Sincerely,

  
Richard R. Royston  
City Planner

:ba  
Attachment

\_\_\_\_\_  
**YOUR NAME:** \_\_\_\_\_  
**YOUR ADDRESS:** \_\_\_\_\_  
**COMMENTS:** \_\_\_\_\_  
**SIGNATURE:** \_\_\_\_\_

**CASE #93-11: MODIFICATION TO CUP - W.S. YOUNG PLAZA JOINT VENTURE**

**FILE COPY**

June E. Lykes  
City Manager



**THE CITY OF KILLEEN**  
P.O. Box 1329, Killeen, Texas 76540

Raul G. Villaronga  
Mayor

Council

Gordon "Cotton" Adams  
Don R. Armstrong  
Rosa Hereford  
Fred Latham  
Mark A. Manning  
Pat Patton  
H.F. Rucker, Jr.

February 11, 1993

W.S. Young Plaza Joint Venture  
P.O. Box 10994  
Killeen, TX 76547

Dear Gentlemen:

**RE: CASE #93-11 - Request for modification of Community Use Plan on Lot 1, Block 2, Killeen Center, locally known as 2201 South W.S. Young Drive, Killeen**

On Monday, February 22, 1993 at 6:00 p.m. in the Council Chambers, Police and Court Building, 400 North 2nd Street, the Planning and Zoning Commission of the City of Killeen has scheduled a public hearing on your request for a modification of Community Use Plan on your property located at 2201 South W.S. Young Drive, Killeen.

As required under the provision of State law, all property owners within two hundred (200) feet of this location have received written notification of this request.

The rules of the Planning and Zoning Commission require you or your authorized representative be present at the hearing to represent your application. If you or your authorized representative cannot attend this hearing, please call (817) 634-2191, extension 131, so a new hearing date can be set. Following this public hearing, the Planning and Zoning Commission will forward a recommendation on your request to the City Council for final action.

Sincerely,

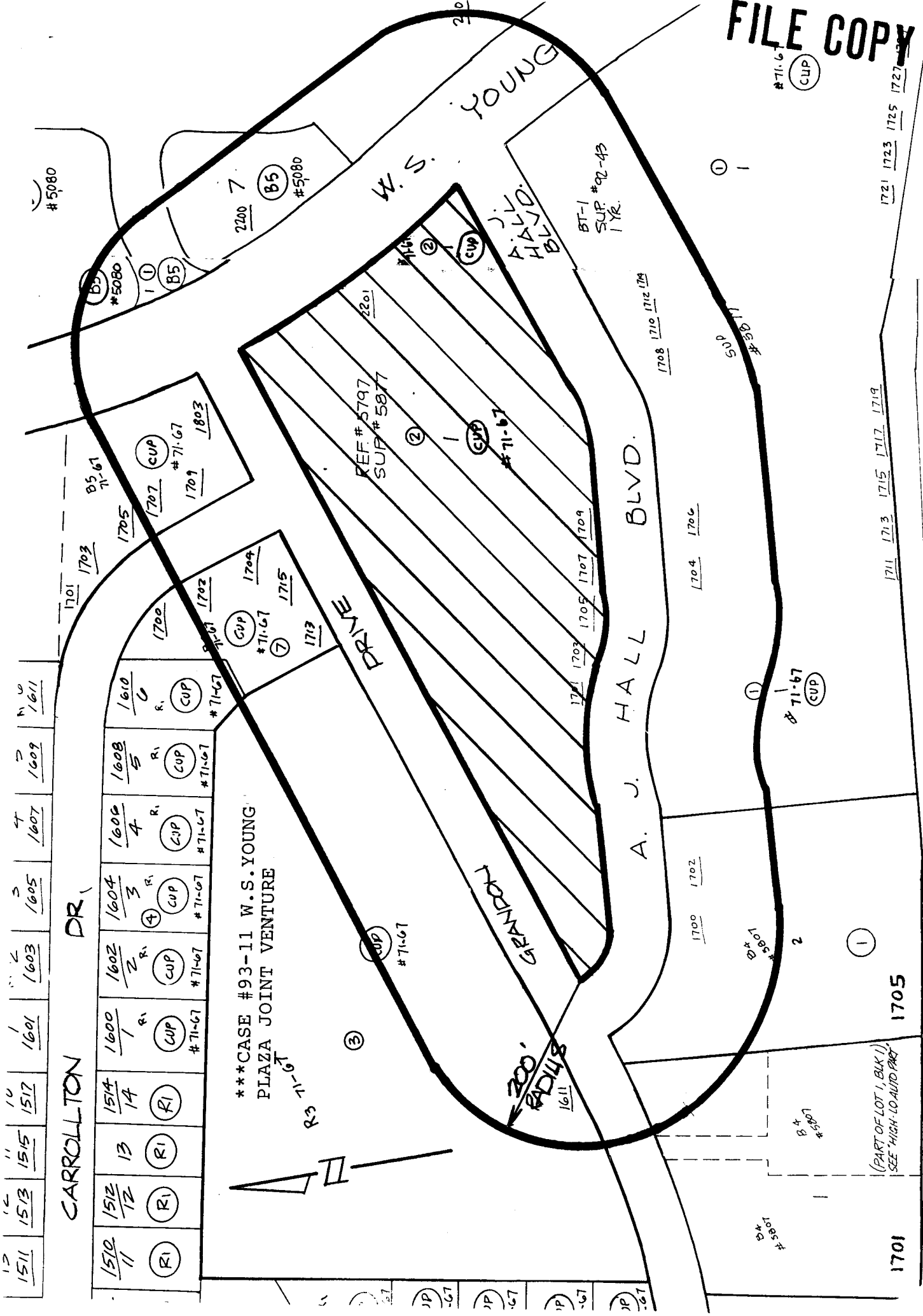
Richard R. Royston  
City Planner

:ba  
Enclosure

**FILE COPY**

#71-67  
CUP

1721 1723 1725 1727



DR.

\*\*\*CASE #93-11 W.S. YOUNG PLAZA JOINT VENTURE

PRIVATE DRIVE

GRANDPARK

A. J. HALL BLVD.

W. S. YOUNG

CARROLLTON DR.

BLVD.

BT-1 SUP # 92-43 1 YR.

REF # 5797 SUP # 5877

200' RADIUS

(PART OF LOT 1, BLK 1) SEE HIGH-LOADING PLOT

C.T.E.

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1705

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1704 1706

1700 1702

1708 1710 1712 1714

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2

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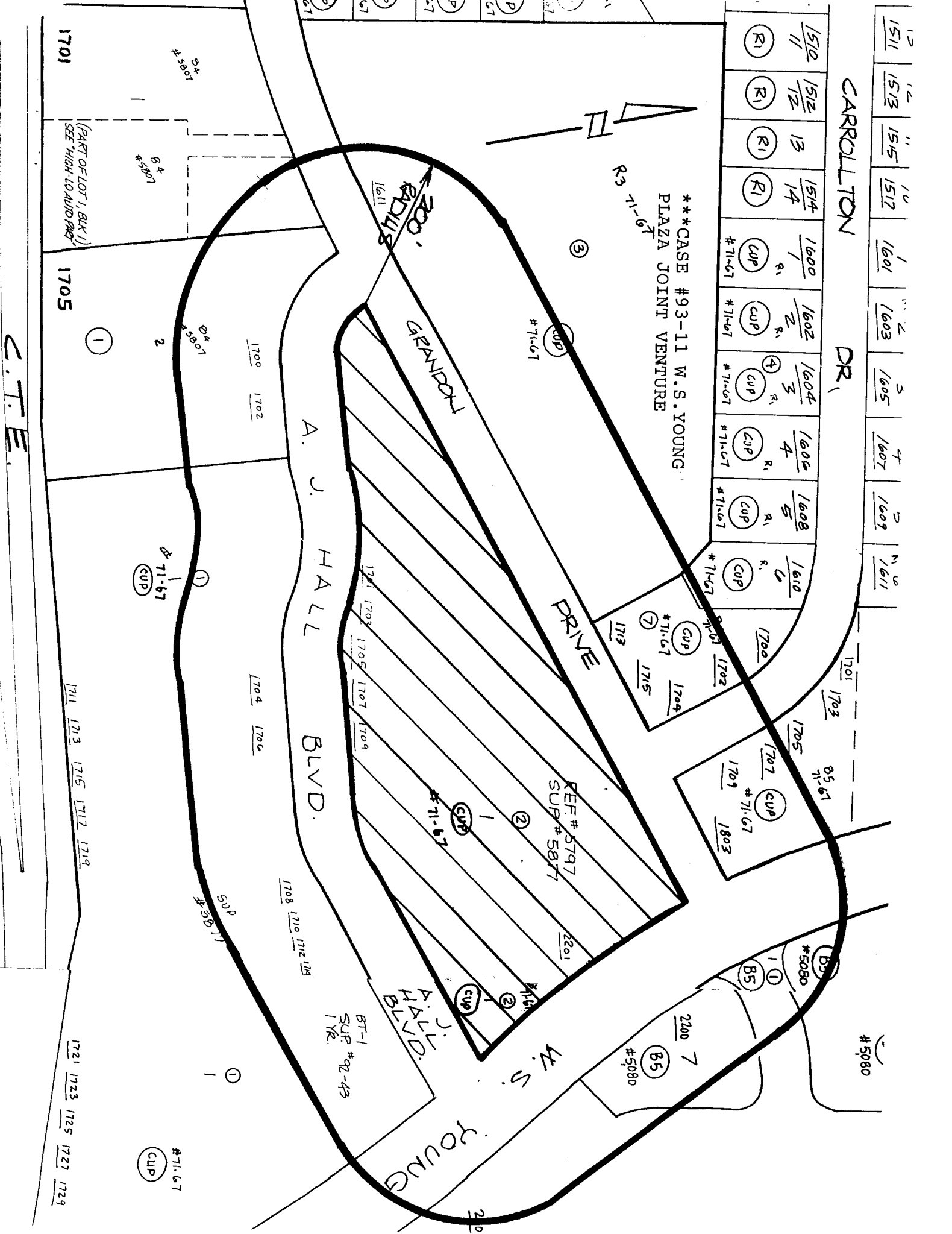
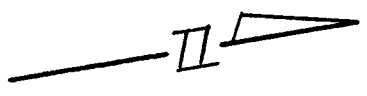
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CARROLLTON DR

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					#71-67	#71-67	#71-67	#71-67	#71-67	#71-67	#71-67	#71-67	#71-67	#71-67	#71-67

\*\*\*CASE #93-11 W.S. YOUNG  
PLAZA JOINT VENTURE



C.T.E.

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#5807

#8307

#5807

#71-67

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1700 1702

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A. J. HALL BLVD.

RADIUS 200'

GRANDOLI DRIVE

DRIVE

REF #5797  
SUP #5877

W.S. YOUNG BLVD.

BT-1  
SUP #92-43  
1 YR.

R3 11-67

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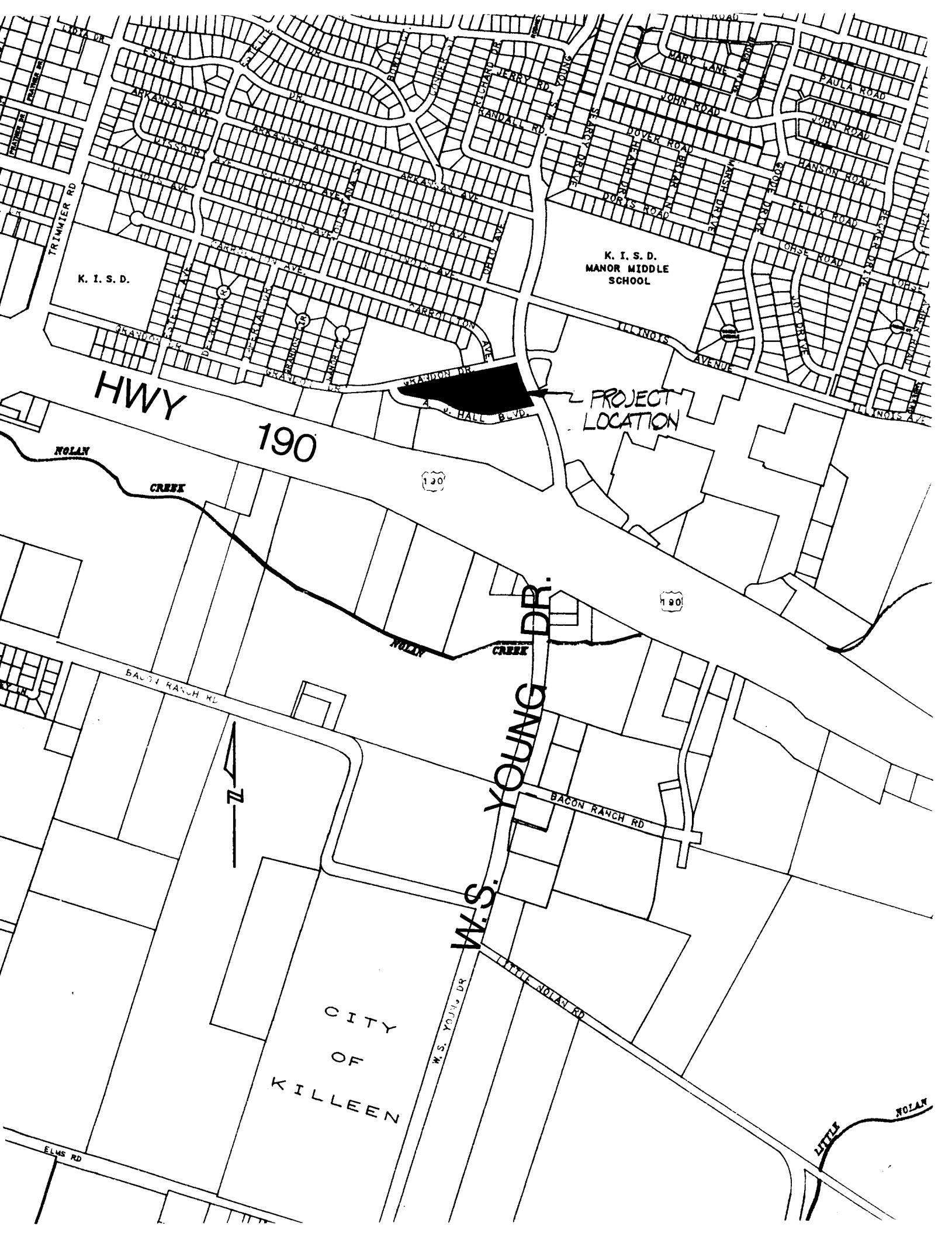
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K. I. S. D.

K. I. S. D.  
MANORS MIDDLE  
SCHOOL

HWY  
190

PROJECT  
LOCATION



CITY  
OF  
KILLEEN

ELMS RD

W.S. YOUNG DR

YOUNG DR.

BACON RANCH RD

LITTLE NOLAN RD

LITTLE NOLAN

190

190

NOLAN  
CREEK

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CREEK

STATION DR  
HALL BLVD

ILLINOIS  
AVENUE

BACON RANCH RD

ARKANSAS AVE

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DARY VANE

JOHN ROAD

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PAULA ROAD

JOHN ROAD

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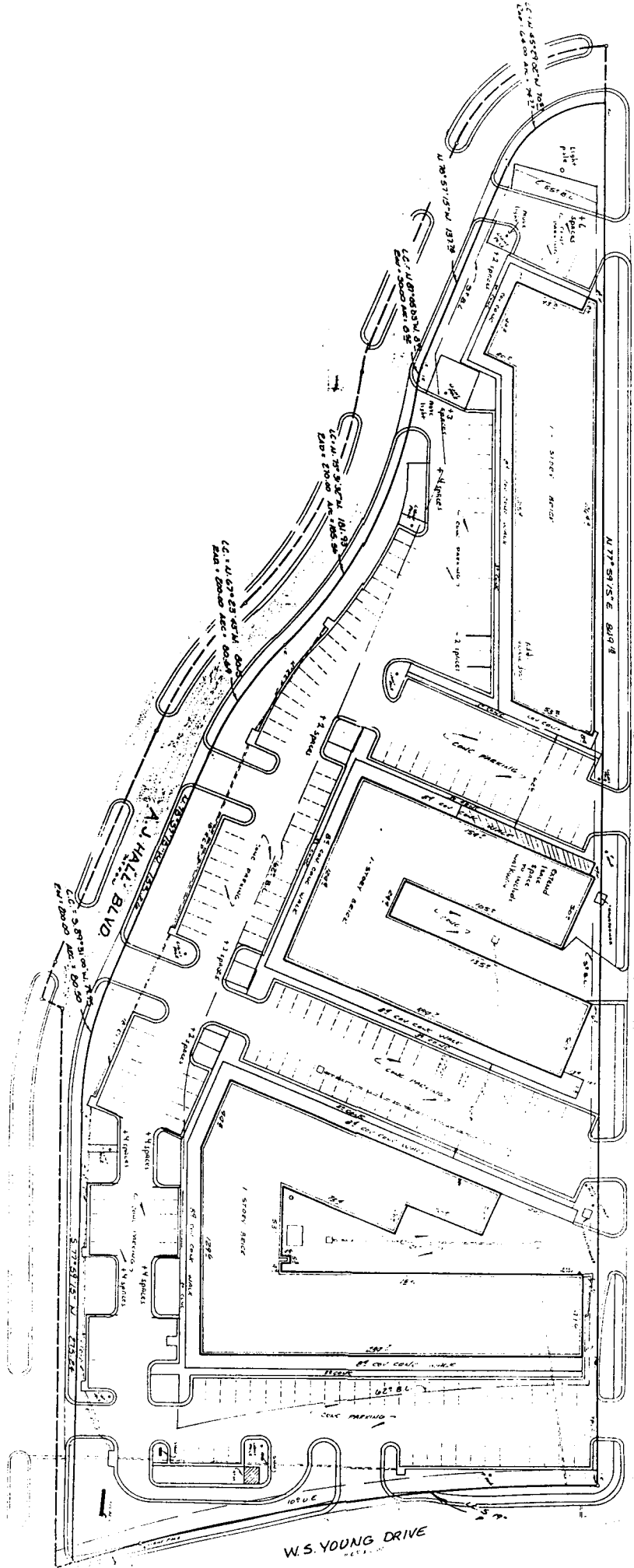
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NOLAN

AS-BUILT  
 PLAZA SHOPPING CENTER  
 LOT 1, BLOCK 2  
 KILLEEN CENTRE



210' x 275' 0" (approx) space  
 14' 0" (approx) width  
 2' 0" (approx) (width)  
 200' (approx) (width)



AS-BUILT



10/12/70

second by Bonner to set a public hearing for November 9. All voted YES.

SET PUBLIC HEARING, REZONING, CAMEO HOMES, INC.

A request was made by Cameo Homes Inc. to rezone a tract of land out of the Nathan Halbert Survey, to be known as Skyline Terrace, second extension from R-1 (Single Family) to Community Unit Plan Zones. Motion was made by Gilmore, second by Turner to set a public hearing for November 9. All voted YES.

SET PUBLIC HEARING, REZONING, HIGHLAND DEVELOPEMENT COMPANY INC.

A request was made by Highland Developement Company Inc. to rezone a tract of land out of the John Gosline Survey, to be known as South Gate Addition, from R-1 (Single Family) to Community Unit Plan Zones. Motion made by Turner, second by Lane to set a public hearing for November 9. All voted YES.

SET PUBLIC HEARING, REZONING, MR. A. J. HALL

A request was made by Mr. A. J. Hall to rezone a tract of land known as South-hall Addition, from R-1 (Single Family) to B-3 (Local Business). Motion made by Bonner, second by Gilmore to set a public hearing for November 9. All voted YES.

SET PUBLIC HEARING, REZONING, DR. SIDNEY YOUNG

A request was made by Dr. Sidney Young to rezone lots 2, 3, 4, 5, and 6, all in block 2, and lots 1 and 2 in block 3, Hillcrest Addition, section 2, from R-1 (Single Family) to R-2 (Two Family). Motion made by Long, second by Turner to set a public hearing for November 9. All voted YES.

APPROVAL OF FINAL PLAT CLIFTON PARK, SECOND EXTENSION.

The following resolution was read: A RESOLUTION APPROVING THE RE-PLATTING OF LOT 15 BLOCK 11, AND LOTS 3, 4, 5, 6, AND 7, BLOCK 12, CLIFTON PARK SECOND EXRENSION IN THE CITY OF KILLEEN. A request from Mr. A. J. Hall was presented requesting approval of the re-platting of Clifton Park second extension. Motion was made by Turner, second by Gilmore that the resolution be approved as read. All voted YES.

CHANGING STREET NAME, SANTA ROSA DRIVE TO MARY JANE DRIVE

The following resolution was read: A RESOLUTION CHANGING THE NAME OF THE STREET IN THE CITY OF KILLEEN FROM SANTA ROSA DRIVE EAST FROM VARDIMAN AVENUE TO MARY JANE DRIVE. Motion was made by Lane, second by Isdale, that the resolution as read be approved. All voted YES.

TRANSFER OF TRAILER PARK PERMIT

A request was made for approval to transfer the trailer court permit from J. D. Armstrong to Austin and Scoggins. After discussion, motion made by Turner, second by Bonner to table request for inspection by the council and place the item on the agenda for the 28th of October. All voted YES.

EMPLOYMENT OF CERTIFIED PUBLIC ACCOUNTANT

Next considered was the employment of a certified public accountant to audit the city's records for the past fiscal year. Motion was made by Turner, second by Bonner that Mr. Raymond L. Lott be employed provided that he furnish the council with a contract to be approved by the council and further to name the amount of

11/9/70

second by Long, to approve the ordinance as read. All voted YES.

PUBLIC HEARING, REZONING, IRMA JEAN BROWN.

A public hearing was called to consider the request of Mrs. Irma Jean Brown, to rezone Blocks 3 and 4, Santa Rosa Terrace, Section 2, from R-3 (Multi Family) to B-2 (Local Business). No opposition was heard. The following ordinance was read: AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN FROM R-3 (MULTI FAMILY) TO B-2 (LOCAL RETAIL). Motion made by Blair, second by Bonner, to approve the ordinance as read but to require erection of a six-foot screening device between the property of Mr. Keith Harvey and the two lots rezoned. All voted YES.

PUBLIC HEARING, REZONING, CAMEO HOMES.

A public hearing was called to consider the request of Cameo Homes, Inc., to rezone a tract to be known as Skyline Terrace, second extension from R-1 (Single Family) to the following:

- R-1 Single Family to B-5 Business District:  
Block 17 of proposed Skyline Terrace Addition.
- R-1 Single Family to B-3 Local Business:  
Block 11, Lot 6; Block 14, Lot 1; Block 15, Lots 1 and 2 of proposed Skyline Terrace Addition.
- R-1 Single Family to R-3 Multi Family:  
Block 16 of proposed Skyline Terrace Addition.
- R-1 Single Family to R-2 Two Family:  
Block 11, Lots 1 through 5; Block 12, Lots 1, 2, and 3;  
Block 13, Lots 12 through 26 and Block 14, Lots 15 through 28, of proposed Skyline Terrace Addition.

The following ordinance was read: AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN FROM R-1 (SINGLE FAMILY) TO B-5 (BUSINESS DISTRICT), B-3 (LOCAL BUSINESS DISTRICT), R-3 (MULTI FAMILY), AND R-2 (TWO FAMILY). No opposition was heard. Motion made by Lane, second by Isdale, to approve the ordinance as read with all remaining lots in the proposed Skyline Terrace Addition, second extension, to remain zoned as R-1 (Single Family). All voted YES.

PUBLIC HEARING, REZONING, HIGHLAND DEVELOPEMENT COMPANY.

A public hearing was called to consider the request of Highland Development Co., Inc., to rezone a tract out of the John Gosline Survey to be known as South Gate Addition, located at FM440 and Jasper Drive, from R-1 (Single Family) to the following:

- R-1 Single Family to B-5 Business District:  
Block 1, Lot 1; Block 3, Lot 1; Block 9, Lot 21; Block 10, Lot 13 and Block 11, Lot 7, of proposed South Gate Addition.
- R-1 Single Family to R-2 Two-Family:  
Block 1, Lots 2 through 9; Block 2, Lots 1 through 11; Block 3, Lots 2 through 11; Block 4, Lots 1 and 20; Block 5, Lots 1 and 20; Block 6, Lots 1 and 20; Block 9, Lot 1; and Block 11, Lots 1 through 6, of proposed South Gate Addition.

No opposition was heard. Motion made by Isdale, second by Blaär, to approve the ordinance as read, with all remaining lots in proposed South Gate Addition to remain as R-1 (Single Family). All voted YES.

PUBLIC HEARING, REZONING, A. J. HALL

A public hearing was called to consider the request of Mr. A. J. Hall to rezone a tract of land to be known as Southall Addition, located at Trimmier and Grandon

# CITY OF KILLEEN

400 N. SECOND ST.  
KILLEEN, TEXAS 76541

817 - ME 4-2191

Sept. 23, 1970

Dear Property Owner:

There has been a request for the rezoning of a tract of land out of the Nathan Halbert Survey, to be known as Skyline Terrace, 2nd Extension, located southeast of Swope St. and west of San Antonio St., by Cameo Homes, Inc.,

to be rezoned from R-1 (Single Family) to Community Unit Plan Zones.  
(Contains several zones)

Your property is located within two hundred feet (200') of the above described property; therefore, you are hereby notified that a Public Hearing will be held before the Planning and Zoning Commission of the City of Killeen in the City Hall Council Room at 7:30 P.M., Oct. 5, 1970, to consider the above mentioned rezoning.

Yours very truly,

PLANNING AND ZONING COMMISSION  
CITY OF KILLEEN

  
Glen C. Lang, p. E.  
City Engineer

GCL/pm

Cameo Homes Property

George Banchending  
804 Stovall  
Killeen

Lone Star Gas Co.  
Ave. C  
Killeen

Harry Miramouti  
802 Stovall  
Killeen

Texas Power & Light Co.  
Box 489  
Killeen

Jimmy Smith  
800 Stovall  
Killeen

Robert W. Deorsam  
Route 3  
Killeen

Oliver Reinhardt  
807 Stovall  
Killeen

N. D. Swope  
Route 2  
Killeen

Myron Hazeltine  
1315 Elia  
Killeen

C. R. Clements  
P.O.Box 202  
Killeen

Dennis Stevens  
1313 Elia  
Killeen

J. Henry Swope, Estate  
Route 2  
Killeen

Ivan Zatlukel  
715 Valley Rd.  
Killeen

Elizabeth Bell  
4662 Dreux  
New Orleans, La. 70126

Alvie Hosman  
1301 Florence Rd.  
Killeen

Leslie E. Huddleston  
412 Phyllis Dr.  
Killeen

J. L. Swope  
1101 Florence Rd.  
Killeen

Ellis Hicks  
617 Oakhill  
Killeen

18

PH.  
1-9-70

APPLICATION AND REQUEST FOR REZONING

DATE Sept. 21, 1970

Honorable Mayor  
and Councilmen

Planning Commission

We respectfully request the property described below to be rezoned  
from R-1 Single Family to Community Unit Plan Zones.

Proper plats have been prepared and are enclosed.

60.80 Acres of Land to be known as Skyline Terrace, Second Extension,  
Killeen, Texas.

Metes and Bounds description of the above property as per attached Field Notes.

Filing fee of Fifteen Dollars  
(\$15.00) Paid Sept. 17, 1970  
(Date)

Gameo Homes, Inc.  
by: [Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
T. H. Norman  
City Secretary

APPROVED  
10/5/70  
P#2

MAPS  
Inspector 4/24/71 [Signature]  
Insp. 5/3/71 [Signature]  
Council 7/28/71 [Signature]

APPROVED  
BY [Signature] 11-9-70

FIELD NOTES for Skyline Terrace, Second Extension, Killeen, Texas, said tract lying in Bell County, Texas, and being out of and a part of the Nathan Halbert Survey, Abstract No. 389, and the land herein described being a part of that certain tract described as 26.72 acres in a deed from J. L. Swope to W. H. Yowell et al, said deed being of record in Vol. 919, Page 548, Deed Records of Bell County, Texas, and a part of that certain tract described as 120 acres in a deed to J. L. Swope, said deed being of record in Vol. 554, Page 341, Deed Records of Bell County, Texas, and a part of that certain tract described as \_\_\_\_\_ acres in a deed from \_\_\_\_\_ to J. L. Swope, said deed being of record in Vol. \_\_\_\_\_, Page \_\_\_\_\_, Deed Records of Bell County, Texas.

BEGINNING at the northeast corner of Skyline Terrace, First Extension, said point being the most northerly northwest corner of this.

THENCE S. 70° 28' 30" E., 367.42 feet to a point for the most northerly northeast corner of this.

THENCE S. 19° 30' 50" W., 120.0 feet to a point.

THENCE S. 70° 28' 30" E. 60.0 feet to a point, said point being in the west line of San Antonio Street as shown by plat of record in Plat Book 1, Page 441, with a dedication of record in Vol. 795, Page 45, Deed Records of Bell County, Texas.

THENCE S. 19° 30' 50" W., 902.29 feet with the said west line to a point in the south line of Stovall Street as shown on the aforementioned plat.

THENCE S. 70° 38' 00" E., 707.52 feet to the intersection of the south line of Stovall Street with the west line of Florence Road for the most easterly northeast corner of this.

THENCE S. 19° 36' 00" W., 379.67 feet with the west line of Florence Road to an iron pipe therein for a corner of this.

THENCE N. 69° 54' 40" W., 176.66 feet to an iron pipe for a corner of this.

THENCE S. 19° 19' 30" W., 285.86 feet to an iron pipe for a corner of this, said iron pipe being in the north line of the Texas Power and Light Company tract.

THENCE N. 70° 34' 40" W., 149.77 feet to the northwest corner of the said Texas Power and Light Company tract.

THENCE S. 19° 20' 20" W., 149.98 feet to the southwest corner of the said Texas Power and Light Company tract.

THENCE S. 70° 34' 50" E., 149.6 feet to a point in the south line of the said Texas Power and Light Company tract for a corner of this.

THENCE S. 19° 25' 00" W., 428.77 feet to a point in the west margin of Florence Road for a corner of this.

THENCE S. 59° 38' 20" W., 230.87 feet with the said Florence Road to a point therein for a corner of this.

THENCE N. 83° 43' 00" W., 110.72 feet; N. 70° 47' 50" W., 210.10 feet; and S. 18° 22' 50" W., 20.36 feet to a point in the north line of Highway #190 for the southeast corner of this.

(continued)

THENCE with the said north line as follows, to wit: N. 25° 41' 40" W., 679.38 feet; N. 26° 41' 40" W., 633.32 feet; N. 31° 32' 00" W., 158.42 feet; and N. 35° 04' 10" W., 493.63 feet to an ell corner of the said 26.72 acre tract.

THENCE N. 72° 17' 30" W., 11.74 feet to another corner of the said 26.72 acre tract. .

THENCE N. 19° 21' 10" E., 31.17 feet to the southwest corner of Skyline Terrace, First Extension.

THENCE with the boundary line of the said Skyline Terrace, First Extension, as follows, S. 70° 24' 00" E., 170.0 feet and N. 19° 36' 00" E., 242.0 feet.

THENCE with a curve to the right, 195.08 feet, R = 292.36 feet, to the end of the said curve.

THENCE N. 57° 50' 00" E., 3.0 feet; S. 33° 09' 10" E., 80.0 feet; N. 57° 50' 00" E., 320.0 feet; S. 33° 09' 10" E., 30.0 feet; N. 57° 50' 00" E., 127.63 feet; N. 46° 20' 30" E., 174.22 feet; S. 63° 10' 20" E., 90.80 feet; N. 87° 43' 20" E., 80.77 feet; S. 70° 28' 30" E., 145.0 feet; N. 19° 31' 30" E., 150.0 feet; and N. 16° 48' 20" E., 120.1 feet to the place of beginning, containing 60.80 acres of land.

\*\*\*\*\*

STATE OF TEXAS           0       KNOW ALL MEN BY THESE PRESENTS,  
  that I, Fred Williamson, Registered Public  
COUNTY OF BELL        0       Surveyor, do hereby certify that I did cause  
  to be surveyed on the ground the above described tract of land and to the best of my knowledge and belief the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 18th day of September, A. D. 1970.

Registered Public Surveyor

AFFIDAVIT

THE STATE OF TEXAS §

COUNTY OF BELL §

I, Alton Heiner, as a member of the Planning and Zoning Commission make this affidavit and hereby on oath state the following: I, and/or a person or persons related to me, have a substantial interest in a business entity that would be peculiarly affected by a vote or decision of the \_\_\_\_\_ as those terms are defined in Article 988b, V.T.C.S.

The business entity is: Case #93-11: W. S. Young Plaza Joint Venture - 2201 South W. S. Young Drive

\_\_\_\_\_ (have/has) a substantial interest in this business entity for the following reasons: (check all which are applicable).

- Ownership of 10% or more of the voting or shares of the business entity.
- Ownership of \$2,500 or more of the fair market value of the business entity.
- Funds received from the business entity exceed 10% of \_\_\_\_\_ income for the previous year.
- Real property is involved and \_\_\_\_\_ have an equitable or legal ownership with a fair market value of at least \$2,500.
- A relative of mine has a substantial interest in the business entity or property that would be affected by a decision of the public body of which I am a member.

Upon the filing of this affidavit with the City Secretary, I affirm that I will abstain from voting on any decision involving this business entity and from any further participation on this matter whatsoever.

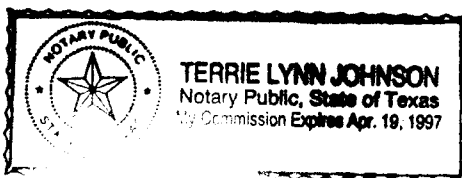
Signed this 26<sup>th</sup> day of April, 1993.

Alton Heiner  
Signature of official

Planning and Zoning Commissioner  
Title

BEFORE ME, the undersigned authority, this day personally appeared Alton Heiner and on oath stated that the facts hereinabove stated are true to the best of (his/her) knowledge or belief.

Sworn to and subscribed before me on this 26<sup>th</sup> day of April, 1993.



Terrie Lynn Johnson  
Notary Public in and for the  
State of Texas

My commission expires: \_\_\_\_\_