

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 B-5 (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Alvin and Susie Ware, have presented to the City of Killeen a request for amendment of the Zoning Ordinance of the City of Killeen by changing the classification of the hereinafter described property from A (Agricultural District) to B-5 (Business District) said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 6th day of October 2006, 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 17th day of October 2006, 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 opinion 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 B-5 (Business District) for approximately 5.0 acres, being part of the Thomas Robinett Survey, Abstract No. 686. The property is located on the east side of Clear Creek Road, approximately 1,150 feet north of Desert Willow 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 That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.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 17th day of October 2006, 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:


Timothy L. Hancock, MAYOR

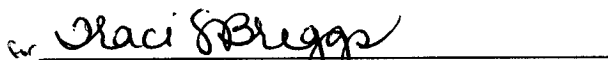
ATTEST:


Paula A. Miller, CITY SECRETARY

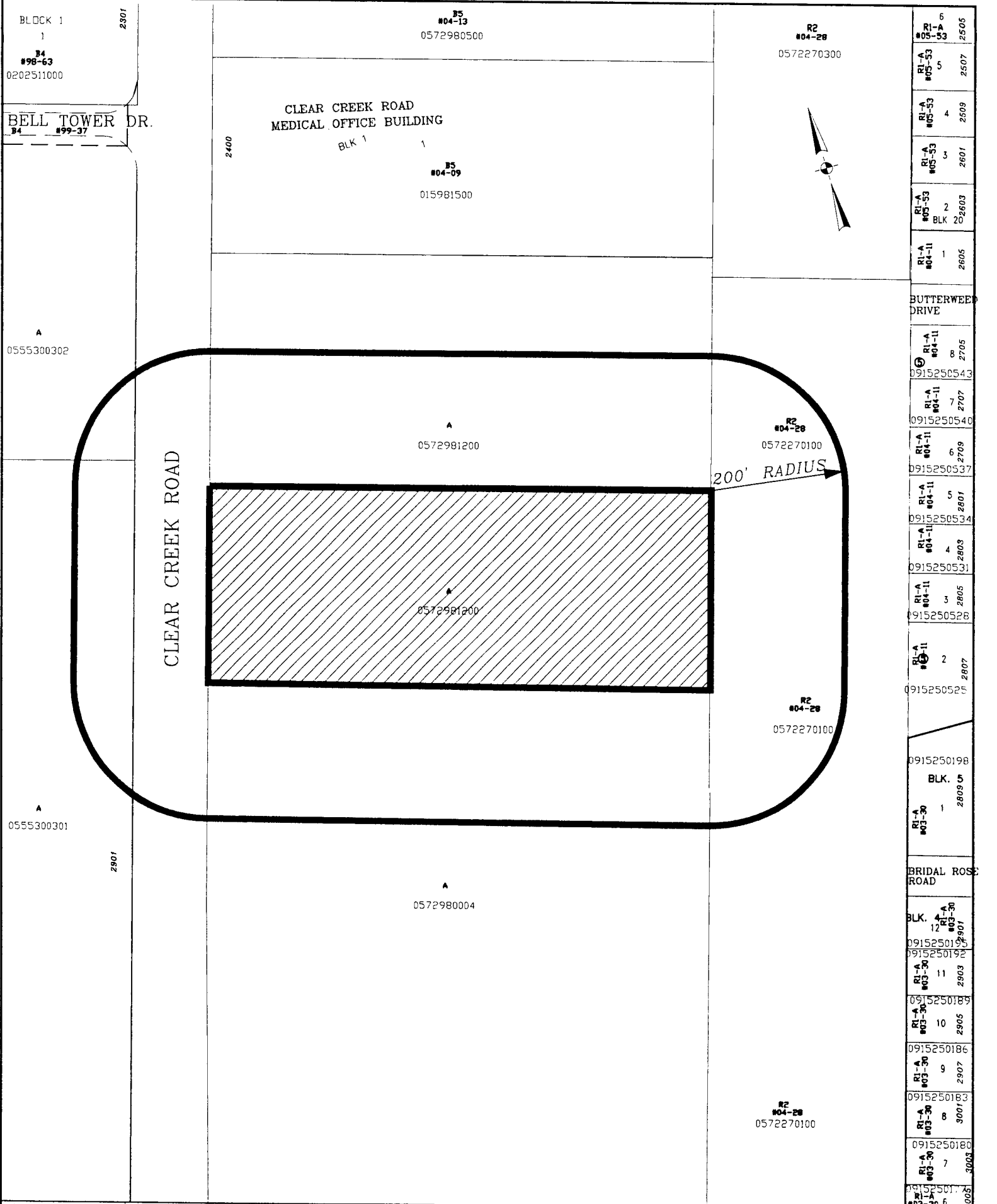


Attachment: Exhibits A and B

APPROVED AS TO FORM


Kathryn H. Davis, City Attorney

Case #06-43
Ord #06-___



BLOCK 1
1
#98-63
0202511000

BELL TOWER DR.
#4
#99-37

2301

2400

A
0555300302

A
0555300301

2901

CLEAR CREEK ROAD
MEDICAL OFFICE BUILDING
BLK 1

200' RADIUS



DATE: 06/14/06
5.00 ACRES

ZONING CASE # 06-43
FROM A TO B-5

 CITY OF KILLEEN
PLANNING DEPT.

| | | | |
|-------------------|------|--------|------|
| 6 | RI-A | #05-53 | 2505 |
| 5 | RI-A | #05-53 | 2507 |
| 4 | RI-A | #05-53 | 2509 |
| 3 | RI-A | #05-53 | 2601 |
| 2 | RI-A | #05-53 | 2603 |
| 2 | BLK | 26 | 2603 |
| 1 | RI-A | #04-11 | 2605 |
| BUTTERWEEED DRIVE | | | |
| 8 | RI-A | #04-11 | 2705 |
| 7 | RI-A | #04-11 | 2707 |
| 6 | RI-A | #04-11 | 2709 |
| 5 | RI-A | #04-11 | 2801 |
| 4 | RI-A | #04-11 | 2803 |
| 3 | RI-A | #04-11 | 2805 |
| 2 | RI-A | #04-11 | 2807 |
| BRIDAL ROSE ROAD | | | |
| 12 | RI-A | #03-30 | 2901 |
| 11 | RI-A | #03-30 | 2903 |
| 10 | RI-A | #03-30 | 2905 |
| 9 | RI-A | #03-30 | 2907 |
| 8 | RI-A | #03-30 | 3001 |
| 7 | RI-A | #03-30 | 3003 |
| 6 | RI-A | #03-30 | 3005 |

CENTRAL TX. COLLEGE

HWY. 190



KILLEEN CITY LIMITS

KILLEEN CITY LIMITS

KILLEEN CITY LIMITS

PROJECT LOCATION

DESERT WILLOW DR

CLEAR CREEK RD.

KILLEEN CITY LIMITS

TROPICANA CT, ENETIAN CT, LUXOR DR, MANDALAY DR, TROPICANA DR, CAPRI DR, BALLY DR, FREMONT DR, FLAMINGO DR, BELLAGIO DR

LAUREN MACKENZIE DR

LAUREN MACKENZIE DRIVE, CHELSEA DRIVE, JEREMY DR, ANDREANA DR

VAHRENKAMP DRIVE

BRANDON DR

BENJAMIN DR

JOHN DAVID DR

JIM AVE, JIM LANE, BARRINGTON TR, ADOLPH AVE, ETHEL AVE, ESTA LEE AVE, FOSTER LN, JOHN DAVID DR, DAYTON DR, BARRINGTON TR

JIM AVE

MILDRED AVENUE

VAHRENKAMP DRIVE

MICHAEL DR

JOHN DAVID DR

W. STAN SCHLUETER LP.

WATERCREST RD.

AUTUMN VALLEY DRIVE

BUTTERWELL DR

BRIDAL ROSE RD

HEATHER LN

WISTERIA LN, JASMINE LN, LAVENDER LN

WATERCREST RD.

WATERCREST RD.

WATERCREST RD.

WATERCREST RD.

WATERCREST RD.

WATERCREST RD.

FOXGLOVE LANE, GALLOP DR, PALMTREE DR, WATERSIDE DR, THOROUGHBRED DR, GAZELLE DR, GREYHOUND DR, MUSTANG DR, DAYTOHA DR, WINDFIELD DR, SEABISCUIT DRIVE, THUNDER CREEK DR, RAMBLING RANGE DR, BRUCARLE DR, ECHO DR, AMBROSE DR, BULL RUN DR, FIELDCREST DR, FRIGATE DR, MUSTANG DR, SECRETARIAT DR, STALLION DR, WATERPROOF DR, TIDAL WAVE DR, BEACH BALL DR, SAND DOLLAR DR, ELMS RD, MATT DRIVE, MATT CT, JANELLE DR, JANELLE CT, LLOYD DR, HANK DR, NETA DR, FABIANNA DRIVE, WINDFIELD DR, INDY DR, JIM AVE, BADE CT, EULA BEA CT, DORAINA CT, NADINE DR, BOOTS DR, KYARA DR, ROSEBELLE AVE, MATTIE DR, LERRI DR, ABIGAIL DR, GUS DR, PENNINGTON AVE, MUDSON DR, SYLVIA DR

DATE: 06/14/06

5.00 ACRES

ZONING CASE # 06-43 FROM A TO B-5



CITY OF KILLEEN PLANNING DEPT.

CITY COUNCIL MEMORANDUM FOR ORDINANCE

AGENDA ITEM

**ZONING CASE #Z06-43
A TO B-5**

ORIGINATING DEPARTMENT

PLANNING & ECONOMIC DEVELOPMENT

BACKGROUND INFORMATION

This request is submitted by Alvin and Susie Ware to rezone approximately 5.0 acres, being part of the Thomas Robinett Survey, Abstract No. 686 from A (Agricultural District) to B-5 (Business District). The property is located on the east side of Clear Creek Road, approximately 1,150 feet north of Desert Willow Drive, Killeen, Texas. The property designated entirely for commercial development by the SH 195/SH 201 Land Use Study. The owners of the property are rezoning the property for the construction of a gas station.

A letter of notification was mailed to four (4) property owners in the 200-foot notification area. No responses were received.

DISCUSSION/CONCLUSION

No one requested to speak at the public hearing. The Commission took the background information into consideration.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATIONS

The Planning and Zoning Commission voted 4-0 to recommend approval of Zoning Case #Z06-43.