

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

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM HOD (HISTORIC OVERLAY DISTRICT) TO HOD WITH CUP (CONDITIONAL USE PERMIT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Myong Woodie 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 part of Lot 12, Block 11, Original Town of Killeen from HOD (Historic Overlay District) to HOD with CUP (Conditional Use Permit) for the on-premises sale and consumption of alcohol, said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 3rd day of March 2014, 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 25th day of March 2014, 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 majority 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 HOD (Historic Overlay District) to HOD with CUP (Conditional Use Permit) to allow the on-premises sale and consumption of alcohol, for part of Lot 12, Block 11, Original Town of Killeen, and being locally known as 313 N. 8<sup>th</sup> Street, 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That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.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 25th day of March 2014, 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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**Daniel A. Corbin, MAYOR**

**ATTEST:**

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**Dianna Barker, CITY SECRETARY**

**APPROVED AS TO FORM**

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**Kathryn H. Davis, City Attorney**

Case #14-04  
Ord # 14-