

ORDINANCE _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO CHANGE APPROXIMATELY 3.727 ACRES OUT OF THE C T BOURLAND SURVEY, ABSTRACT NO. 137, FROM A 'PUBLIC SPACE' (PS) DESIGNATION TO A 'RESIDENTIAL MIX' (RM) DESIGNATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Killeen finds that Chapter 213.003 of the Local Government Code enables municipalities to adopt and amend comprehensive plans in the interest of coordinating long-range development of the municipality.

WHEREAS, the Planning and Zoning Commission has received a request from Franklin Land Associates, LLC, on behalf of Whitis Investments, LTD, for a revision to the Future Land Use Map (FLUM) of the Comprehensive Plan to change the 'Public Space' (PS) designation to a 'Residential Mix' (RM) designation, said property being legally described as being approximately 3.727 acres, out of the C T Bourland Survey, Abstract No. 137;

WHEREAS, said revision having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 20th day of March 2023, 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 April, 2023, at the City Hall, City of Killeen; and

WHEREAS, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the opinion that the amendment should be approved.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF KILLEEN, TEXAS:**

SECTION I: That the future land use designation of approximately 3.727 acres, out of the C T Bourland Survey, Abstract No. 137, be amended from a 'Public Space' (PS) designation to a 'Residential Mix' (RM) designation, for the property generally located on the east right-of-way of East Trimmier Road and north of Andalucia 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 25th day of April 2023, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED:

Debbi Nash-King, MAYOR

ATTEST:

Laura J. Calcote, CITY SECRETARY

APPROVED AS TO FORM

Holli C. Clements, CITY ATTORNEY

Case #: FLUM 23-01

Ord#: 23-____