

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN CHANGING THE ZONING OF APPROXIMATELY 1.001 ACRES OUT OF THE M.T. MARTIN SURVEY, ABSTRACT NO. 963 AND THE WILLIAM FREER SURVEY, ABSTRACT NO. 517, FROM UNIVERSITY DISTRICT “UD” WITH A CONDITIONAL USE PERMIT (C.U.P.) FOR “RT-1” (RESIDENTIAL TOWNHOUSE SINGLE-FAMILY DISTRICT) TO UNIVERSITY DISTRICT “UD” WITH A CONDITIONAL USE PERMIT (C.U.P.) FOR “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, William R. Dunivan Jr. and Robbie A. Dunivan 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 approximately 1.001 acres out of the M.T. Martin Survey, Abstract No. 963 and the William Freer Survey, Abstract No. 517, from University District (“UD”) with a Conditional Use Permit (C.U.P.) for “RT-1” (Residential Townhouse Single-Family District) to University District (“UD”) with a Conditional Use Permit (C.U.P.) for “R-2” (Two-Family Residential District) with the following conditions:

- All duplexes lots shall satisfy the area regulations contained in Killeen Code of Ordinances Section 31-233; and
- All duplex units shall be limited to one-story in height; and
- The Executive Director of Planning and Development Services or designee may grant an administrative approval to use an alternative landscaping standard when special lot area situations arise; said request having been recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 15th day of April 2019, and due notice of the filing of said request and the date of

hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 14th day of May 2019, 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 applicant's zoning request should be approved with those conditions as stipulated by the Planning and Zoning Commission;

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

SECTION I. That the zoning classification of approximately 1.001 acres out of the M.T. Martin Survey, Abstract No. 963 and the William Freer Survey, Abstract No. 517, be changed from University District ("UD") with a Conditional Use Permit (C.U.P.) for "RT-1" (Residential Townhouse Single-Family District) to University District ("UD") with a Conditional Use Permit (C.U.P.) for "R-2" (Two-Family Residential District) for the property located southeast of Study Hall Loop and University Village Way, Killeen, Texas.

SECTION II. That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

SECTION III. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION IV. That this ordinance shall take effect immediately upon passage of the ordinance.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 14th day of May 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED:

Jose L. Segarra, MAYOR

ATTEST:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, CITY ATTORNEY

Case #19-06

Ord. #19-___