

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 B-3 (LOCAL BUSINESS DISTRICT) AND A-R1 (AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH UNDERLYING B-2 (LOCAL RETAIL DISTRICT) AND R-3A (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Texas Sunflower, Ltd. 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 23.52 acres out of the J.E. Maddera Survey, Killeen, Texas, from B-3 (Local Business District) and A-R1 (Agricultural Single-Family Residential District) to Planned Unit Development with underlying B-2 (Local Retail District) and R-3A (Multifamily Apartment Residential District) zoning, said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 14th day of September 2015 with the following conditions:

- (i) The multifamily apartments shall not exceed a total of 190 apartment units;
- (ii) The PUD shall adhere to the attached site plan;
- (iii) The development will provide the following community amenities: volleyball area; dog/pet park, pool and clubhouse; and
- (iv) The architectural façade standard for the nursing home and the apartment development shall be consistent with the R-3A zoning district;

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 22nd day of September 2015, 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 subject to those conditions and standards 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 23.52 acres out of the J.E. Maddera Survey, Killeen, Texas, shall be changed from B-3 (Local Business District) and A-R1 (Agricultural Single-Family Residential District) to Planned Unit Development with underlying B-2 (Local Retail District) and R-3A (Multifamily Apartment Residential District) zoning for property being located southeast of the intersection of W. Stan Schlueter Loop (FM 3470) and Clear Creek Road (S. H. 201), 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 22nd day of September 2015, 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:

Scott Cospers, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Case #15-24

Ord #15-__

