

**AN ORDINANCE AMENDING THE CITY OF KILLEEN ZONING ORDINANCE BY CHANGING THE ZONING OF LOTS 4-7, BLOCK 1, DE ANN SUBDIVISION; LOT 14A, BLOCK 1, OF THE DE ANN SUBDIVISION REPLAT OF LOTS 8-15 AND PART OF LOT 2, BLOCK 1; LOT 13B, BLOCK 1, OF THE DE ANN SUBDIVISION BEING A REPLAT OF LOT 13A OF THE REPLAT OF LOTS 8-15 AND PART OF LOT 2, BLOCK 1 FROM "B-5" (BUSINESS DISTRICT) TO "R-3F" (MULTIFAMILY RESIDENTIAL DISTRICT), LOTS 3-11, BLOCK 2, DE ANN SUBDIVISION; LOTS 12A AND 12B, BLOCK 2, BEING A REPLAT OF LOT 12, BLOCK 2, DE ANN SUBDIVISION; LOT 13A, BLOCK 1, OF THE DE ANN SUBDIVISION BEING A REPLAT OF LOT 13A OF THE REPLAT OF LOTS 8-15 AND PART OF LOT 2, BLOCK 1; LOTS 9A AND 9B, BLOCK 3, OF THE DE ANN SUBDIVISION BEING A REPLAT OF LOT 9 OF THE DE ANN SUBDIVISION; LOTS 8, 10 - 12, 13, 15 - 17, 19 - 23, BLOCK 3, DE ANN SUBDIVISION; LOT 2, BLOCK 1, PATRIOT PONTIAC ADDITION FROM "B-5" (BUSINESS DISTRICT) TO "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT), AND LOT 4, BLOCK 3, DE ANN SUBDIVISION FROM "B-5" (BUSINESS DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT).; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Chapter 211 of the Texas Local Government Code and Section 31-39 of the City of Killeen Code of Ordinances, the City Council, upon application, may amend the City of Killeen Zoning Ordinance following a recommendation by the Planning and Zoning Commission and a public hearing;

**WHEREAS**, the City of Killeen, on behalf of the property owners, presented to the City of Killeen, a request for an amendment to the City of Killeen Zoning Ordinance by changing the classification of:

- Lots 4-7, Block 1, De Ann Subdivision; Lot 14A, Block 1, of the De Ann Subdivision Replat of Lots 8-15 and Part of Lot 2, Block 1; Lot 13B, Block 1, of the De Ann Subdivision being a Replat of Lot 13A of the Replat of Lots 8-15 and Part of Lot 2, Block 1; locally addressed as 4103, 4105, 4107, 4201, and 4305 Shawn Drive and 3105 Courtney Lane from "B-5" (Business District) to "R-3F" (Multifamily Residential District).
- Lots 3-11, Block 2, De Ann Subdivision; Lots 12A and 12B, Block 2, being a Replat of Lot 12, Block 2, De Ann Subdivision; Lot 13A, Block 1, of the De Ann Subdivision being a Replat of Lot 13A of the Replat of Lots 8-15 and part of Lot 2, Block 1; Lots 9A and 9B, Block 3, of the De Ann Subdivision being a Replat of

Lot 9 of the De Ann Subdivision; Lots 8, 10 - 12, 13, 15 - 17, 19 - 23, Block 3, De Ann Subdivision; Lot 2, Block 1, Patriot Pontiac Addition, locally addressed as 3106 and 3108 Courtney Lane, 4104, 4106, 4202, 4204, 4206, 4302, 4304, 4306, 4307, 4308, 4310, 4311, and 4312 Shawn Drive, and 3001-3006, 3008-3010, 3012, 3101, 3103, and 3105 Honeysuckle Circle from “B-5” (Business District) to “R-2” (Two-Family Residential District).

- Lot 4, Block 3, De Ann Subdivision, locally addressed as 3006 Courtney Lane from “B-5” (Business District) to “R-1” (Single-Family Residential District).

**WHEREAS**, the Planning and Zoning Commission of the City of Killeen, following a public hearing on October 28<sup>th</sup>, 2024, duly recommended approval of the application for amendment;

**WHEREAS**, 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 3:00 P.M., on December 10, 2024, 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 majority opinion that the applicant’s zoning request should be approved as recommended 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:

- Lots 4-7, Block 1, De Ann Subdivision; Lot 14A, Block 1, of the De Ann Subdivision Replat of Lots 8-15 and Part of Lot 2, Block 1; Lot 13B, Block 1, of the De Ann Subdivision being a Replat of Lot 13A of the Replat of Lots 8-15 and Part of Lot 2, Block 1; locally addressed as 4103, 4105, 4107, 4201, and 4305 Shawn Drive and 3105 Courtney Lane be changed from “B-5” (Business District) to “R-3F” (Multifamily Residential District).
- Lots 3-11, Block 2, De Ann Subdivision; Lots 12A and 12B, Block 2, being a Replat of Lot 12, Block 2, De Ann Subdivision; Lot 13A, Block 1, of the De Ann

Subdivision being a Replat of Lot 13A of the Replat of Lots 8-15 and part of Lot 2, Block 1; Lots 9A and 9B, Block 3, of the De Ann Subdivision being a Replat of Lot 9 of the De Ann Subdivision; Lots 8, 10 - 12, 13, 15 - 17, 19 - 23, Block 3, De Ann Subdivision; Lot 2, Block 1, Patriot Pontiac Addition, locally addressed as 3106 and 3108 Courtney Lane, 4104, 4106, 4202, 4204, 4206, 4302, 4304, 4306, 4307, 4308, 4310, 4311, and 4312 Shawn Drive, and 3001-3006, 3008-3010, 3012, 3101, 3103, and 3105 Honeysuckle Circle be changed from "B-5" (Business District) to "R-2" (Two-Family Residential District).

- Lot 4, Block 3, De Ann Subdivision, locally addressed as 3006 Courtney Lane be changed from "B-5" (Business District) to "R-1" (Single-Family Residential District).

**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 10<sup>th</sup> day of December, 2024 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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**Debbie Nash-King, MAYOR**

**ATTEST:**

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**Laura J. Calcote, CITY SECRETARY**

**APPROVED AS TO FORM**

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**Holli C. Clements, CITY ATTORNEY**

Case #24-26

Ord. #24-\_\_\_\_