

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 “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT), “R-3” (MULTIFAMILY RESIDENTIAL DISTRICT) AND “B-5” (BUSINESS DISTRICT) TO A PLANNED UNIT DEVELOPMENT (PUD) WITH “R-3A” (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Payton Senior L.L.C. on behalf of Franklin Harris, L.L.C. 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 approximately 8.5 acres out of the W. H. Cole Survey, Abstract No. 150, from “R-1” (Single-Family Residential District), “R-3” (Multifamily Residential District) and “B-5” (Business District) to Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District), said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 6th day of March 2017, 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 28th day of March 2017, 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 PUD for “R-3A” zoning 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 part of approximately 8.5 acres out of the W. H. Cole Survey, Abstract No. 150, from “R-1” (Single-Family Residential District), “R-3” (Multifamily Residential District) and “B-5” (Business District) to Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District). The project site is located on an undeveloped tract of land, south of E. Central Texas Expressway, east of O.W. Curry Drive and west of Cunningham Road.

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 28th day of March 2017, 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:

Dianna Barker, CITY SECRETARY
APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Case #17-05

Ord. #17-___