

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO CHANGE APPROXIMATELY 0.22 ACRES OUT OF THE SPOFFORD ADDITION, BLOCK D, PART OF LOT 8, FROM A 'RESIDENTIAL MIX' (R-MIX) TO 'GENERAL COMMERCIAL' (GC) 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 Russell and Oteeka Davis, for a revision to the Future Land Use Map (FLUM) of the Comprehensive Plan to change the 'Residential Mix' (R-MIX) designation to a 'General Commercial' (GC) designation, said property being legally described as being approximately 0.22 acres out of the Spofford Addition, Block D, part of Lot 8; said revision having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 7<sup>th</sup> day of February 2022, 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 8<sup>th</sup> day of March 2022, 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 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 0.22 acres out of the Spofford Addition, Block D, part of Lot 8, be amended from a ‘Residential Mix’ (R-MIX) designation to a ‘General Commercial’ (GC) designation. The property is locally addressed as 409 761<sup>st</sup> Tank Battalion Ave, 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That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.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 8<sup>th</sup> day of March 2022, 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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**Jose L. Segarra, MAYOR**

**ATTEST:**

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**Lucy C. Aldrich, CITY SECRETARY**

**APPROVED AS TO FORM**

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**Traci S. Briggs, City Attorney**

Case #: FLUM 22-08

Ord#: 22-\_\_\_\_