

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 87 ACRES OUT OF THE M.T. MARTIN SURVEY, ABSTRACT NO. 963, BEING APPROXIMATELY 62 ACRES FROM “A” (AGRICULTURAL DISTRICT) TO “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT), AND APPROXIMATELY 9 ACRES OUT OF THE M.T. MARTIN SURVEY, ABSTRACT NO. 963 FROM “UD” (UNIVERSITY DISTRICT) TO “UD” (UNIVERSITY DISTRICT) WITH A “CUP” (CONDITIONAL USE PERMIT) FOR PROPERTY LOCALLY KNOWN AS 410 TOWER HILL LANE AND 9600 S. FORT HOOD STREET, KILLEEN, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Brandy Kelley has presented to the City of Killeen on behalf of JoAnn Kelley a request for an amendment to the zoning ordinance of the City of Killeen to change the classification of approximately 78 acres out of the M.T. Martin Survey Abstract No. 963 from “A” (Agricultural District) to “R-1” (Single-Family Residential District), and approximately 9 acres from “UD” (University District) to “UD” with a “CUP” (Conditional Use Permit), said request having been duly presented and recommended for approval on the 6th day of August 2018, by the Planning and Zoning Commission of the City of Killeen, of changing approximately 62 acres from “A” (Agricultural District) to “R-1” (Single-Family Residential District) and approximately 9 acres from “UD” (University District) to “UD” (University District) with a “CUP” (Conditional Use Permit) for single-family residential use with the following conditions:

- That all residential housing within the “CUP” (Conditional Use Permit) area shall meet the height and area requirements as detailed within Sections 31-187 through 188 of the Code of Ordinances, and that the applicant shall satisfy all architectural and landscaping requirements within the “UD” (University District).

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 August 2018, 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 amendment 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 approximately 62 acres out of the M.T. Martin Survey Abstract No. 963 be changed from “A” (Agricultural District) to “R-1” (Single-Family Residential District) and approximately 9 acres out of the M.T. Martin Survey Abstract No. 963 be changed and from “UD” (University District) to “UD” with a “CUP” (Conditional Use Permit) for single family residential use with the condition that all residential housing within the “CUP” (Conditional Use Permit) area shall meet the height and area requirements as detailed within Sections 31-187 through 188 of the Code of Ordinances, and that the applicant shall satisfy all architectural and landscaping requirements within the “UD” (University District), for the property generally locally known as 9600 S. Fort Hood Street and 410 Tower Hill Lane, 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 28th day of August 2018, 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 #18-15
Ord. #18-____