

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 24.61 ACRES OUT OF THE ROBERT CUNNINGHAM SURVEY, ABSTRACT NO. 199 FROM “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT) AND “B-4” (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Quintero Engineering, LLC, on behalf of Rachiii Brothers, LLC, 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 14.05 acres from “R-1” (Single-Family Residential District) to “R-2” (Two-Family Residential District) and approximately 10.56 acres from “R-1” (Single-Family Residential District) to “B-5” (Business District) out of a 24.61 acre tract out of the Robert Cunningham Survey, Abstract No. 199, said request having been duly recommended for approval of “R-2” (Two-Family Residential District) and “B-5” (Business District) by the Planning and Zoning Commission of the City of Killeen on the 4th day of October 2021, 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 9th day of November 2021, 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 property should be rezoned to “R-2” (Two-Family Residential District) and “B-4” (Business District);

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION I. That the zoning classification of approximately 14.05 acres out of a 24.61 acre tract out of the Robert Cunningham Survey, Abstract No. 199 be changed from “R-1” (Single-Family Residential District) to “R-2” (Two-Family Residential District), said request having been duly recommended for approval of “R-2” (Two-Family Residential District) by the Planning and Zoning Commission, for the property locally addressed as 4302 Cunningham Road, Killeen, Texas.

SECTION II. That the zoning classification of approximately 10.56 acres out of a 24.61 acre tract out of the Robert Cunningham Survey, Abstract No. 199 be changed from “R-1” (Single-Family Residential District) to “B-4” (Business District), said request having been duly recommended for approval of “B-5” (Business District) by the Planning and Zoning Commission, for the property locally addressed as 4302 Cunningham Road, Killeen, Texas.

SECTION III. 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 IV. 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 9th day of November 2021, 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

Traci S. Briggs, City Attorney

Case #21-29

Ord. #21-____