

ORDINANCE NO. 73-1984

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING PLEASANT HILL ESTATES PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended; as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 12 day of July, A.D. 19 84.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 1 day of July, 19 84, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 26 day of July, 19 84, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 26 day of July, A.D. 19 84.

ATTEST:

Patricia Patton
CITY SECRETARY

David Stubbins
MAYOR

AC-7 APPROVED:

Henry Cargill
CITY ATTORNEY

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Exhibit "A"

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PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development District shall be in accordance with the maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development District and are hereby incorporated by reference and included as part of this ordinance. Site Plan (and vicinity map) is attached as Exhibit B.

Further, all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of this P.D.D. are hereby incorporated by reference and included as part of this ordinance. (Some of these documents may be attached as Exhibit C.)

All use and development within the Planned Development District must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development District shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Subpart E, Abilene Municipal Code, known as the Zoning Ordinance of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From AO (Agricultural Open Space) District to PDC (Planned Development Commercial) District.

That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PART 5: Legal Description. The legal description of this P.D.C. is as follows:

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Legal Description:

Lots 11, 12 and the south 50 feet of Lot 13, Block 3, Section 1, Pleasant Hill Estates, Abilene, Taylor County, Texas.

PART 6: Purpose. The Pleasant Hills Planned Development Commercial district includes an approximately 4.36-acre site to be used for cabinet-making and related fabrication, with retail trade limited to just those items which are manufactured onsite. Development of the site is limited to those existing and future structures indicated on the site plan attached as Exhibit "B". Use of the site is further limited by specific modifications described in PART 7 below. Both the site plan and specific modifications are designed to help ensure compatibility of existing and future activity (at the site) with nearby residences. Any resubdivision of land within this Planned Development Commercial district shall be in compliance with the City of Abilene's subdivision regulations.

PART 7: Specific Modifications.

a. Permitted Use. No land or building shall hereafter used for other than those activities listed below:

1. Construction of cabinets, trim, furniture, and miscellaneous wood items.
2. Staining and painting of cabinets, trim, furniture and miscellaneous wood items.
3. Application of plastic laminate to cabinets, trim, furniture and miscellaneous wood items.
4. Construction and sale of marble products.
5. Retail and wholesale trade of cabinets, trim, furniture, miscellaneous wood products and related appliances. (See subpart e.).
6. Construction and sale of commercial counters, shelves and cabinetry.
7. Construction and sale of doors, paneling, windows, and prefabricated walls.
8. Construction and sale of fences, stairs, rails, partitions.
9. Construction and sale of wood trusses, door frames, window frames, wall units.

b. Building Height. All buildings or structures in the Pleasant Hills Planned Development Commercial district shall not exceed a height of two (2) stories or 25 feet. Architectural exceptions may be permitted as set forth within the Zoning Ordinance of the City of Abilene.

c. Parking. Off-street parking spaces shall be provided for each employee, plus two additional spaces. Design and installation of space for automobile parking, maneuvering and driveways shall be as set forth in the Zoning Ordinance of the City of Abilene. A parking area for six automobiles, as indicated on the attached site plan, shall be so improved within 6 months following the effective date of this ordinance.

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d. Fencing, Walls, Landscaping. All material and equipment shall be stored indoors, unless screened by a solid, opaque wall composed of masonry, wood or steel, at least six (6) feet in height. Construction or installation of other fences or walls shall be in accordance with the Zoning Ordinance and Building Code of the City of Abilene.

Within one year, trees will be planted strategically to screen building from street, as per site plan attached as Exhibit "B".

e. Retail Sales. Retail sales shall be limited to just those items manufactured onsite, and at no time shall space devoted to retail sales comprise more than 25 percent of building area on the site.

f. Signs. Signs shall be limited to those necessary for business and/or identification purposes, as follows:

1. One (1) free-standing sign shall be permitted.
Such sign shall not extend more than 25 feet in height or be more than 100 square feet in area.
2. Wall signs shall be permitted so long as such signs exceed no more than 25% of the street side fact of the building on which they appear.
3. No roof signs, marquees, or projecting signs shall be permitted for business and/or identification purposes.

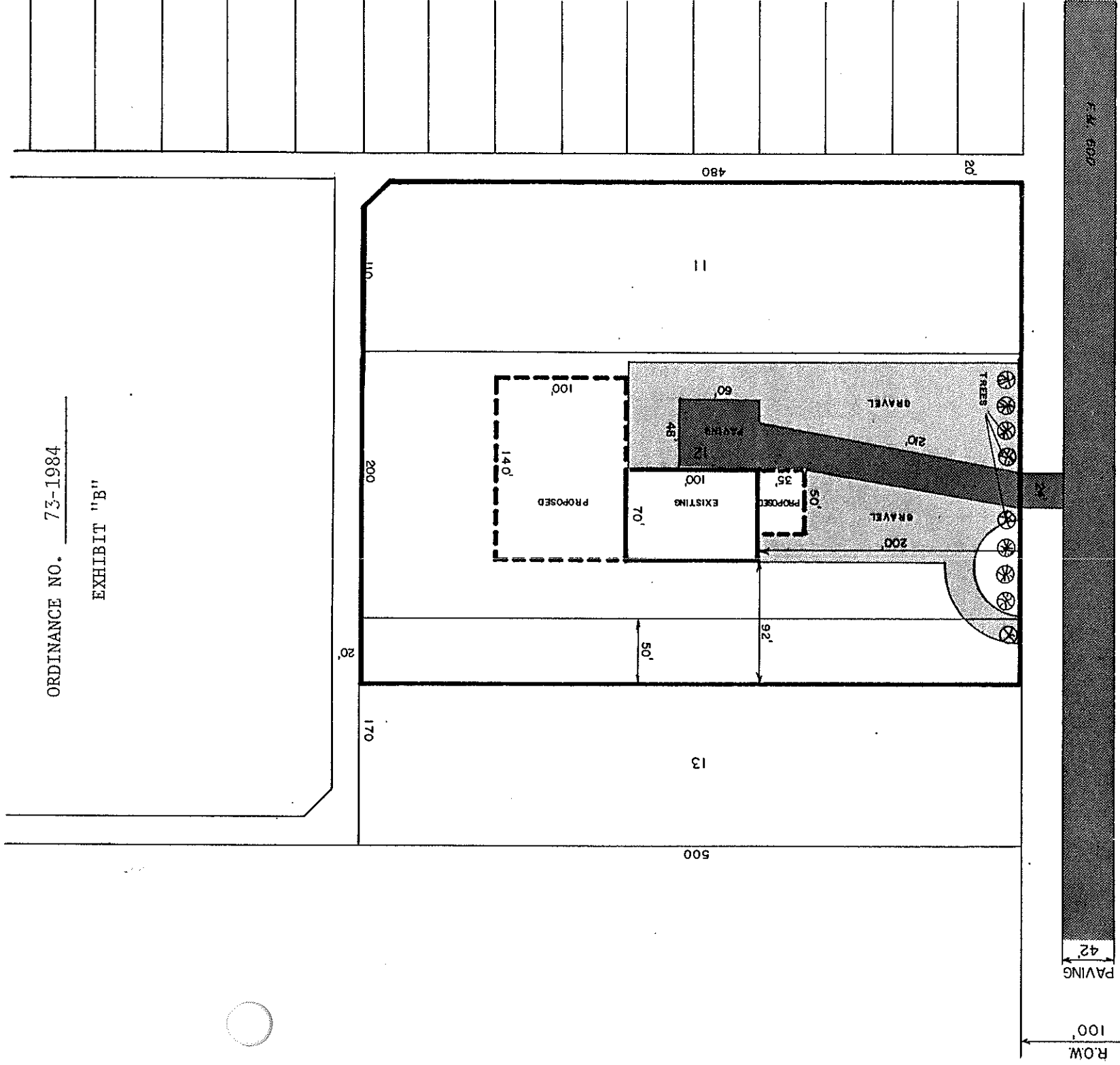
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EXHIBIT "B"



SCALE ... 1" = 100'



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