

ORDINANCE NO. 18-1986

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING BROWDER PDMX
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 13th day of March,
A.D. 19 86.

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 3rd day of March, 19 86, 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 27th day of March, 19 86, 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 27th day of March, A.D. 19 85.

ATTEST:

Jatavia J. Patton
CITY SECRETARY

David Stullbeeman
MAYOR

APPROVED:

Franklin Graham
CITY ATTORNEY

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EXHIBIT "A"

ORDINANCE NO. 18-1986

Z-00486

PART 5: Legal Description. The legal description for the PDD is as follows:

Tract 1:

BEING 1.25 acres out of the William Bishop Survey No. 43, Taylor County, Texas, being more particularly described as follows:

BEGINNING at the Northwest corner of said 1.25 acre tract; Whence the Northwest corner of said Bishop Survey No. 43, bears N 0° 14' E. 311' and N 89° 46' W. 4155.56';

THENCE S 89° 46' E. 235.04' to an iron pin;

THENCE S 62° 01' E. 112' to an iron pin in WBL of U S Hwy 277;

THENCE S 37° 43' W 178.4' along the WBL of said Hwy to an iron pin;

THENCE West 225' to an iron pin;

THENCE N. 0° 14' E. 194.3' to the place of beginning and containing 1.25 acres, more or less.

Tract 2:

BEING 2.75 acres out of the William Bishop Survey #43, Taylor County, Texas, and being more particularly described as follows:

BEGINING at the Northwest corner of a 1.25 acre tract; whence the Northwest corner of said Bishop Survey #43 bears N 0° 14' E 311' and N 89° 46' W 4155.56';

THENCE S 0° 14' W 194.3' to the Southwest corner of said 1.25 acre tract;

THENCE West 612.7';

THENCE N 0° 14' E 196.8';

THENCE S 89° 46' E 612.7' to the place of beginning and containing 2.75 acres, more or less.

Rezone the above described property from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, SUBJECT TO the design criteria and development conditions stipulated below:

Name. This PDMX shall hereafter be known and referred to as the "Browder PDMX" district.

Purpose. The purpose of the Browder Planned Development Mixed Use District is to integrate development of automobile engine repair facilities and residential single family development. District regulations described in the following Specific Modifications are designed to achieve the following:

- A. designate particular areas within the district for appropriate selected activities, and
- B. integrate the scale of building development with surrounding use.

Specific Modifications.

A. The following regulations shall govern the use and development of the Planned Development Mixed Use district, as indicated on the site plan (attached as Exhibit "B") and as set forth below:

1. Permitted Use.

Tract 1:

Land within the boundaries of Tract 1 shall be used and developed in accordance with Zoning Ordinance requirements of the RS-6 residential single family district, except that an automotive engine modification and repair business is also permitted.

An attached accessory building, not to exceed 800 square feet in area, may be attached to the primary structure housing the engine modification and repair operations.

Tract 2:

Land within the boundaries of Tract 2 shall be used and developed in accordance with the Zoning Ordinance requirements of the RS-6, Residential Single Family, district.

Accessory buildings allowed by the Zoning Ordinance associated for single family residential development shall be permitted, provided location and installation is in conformance with standard Zoning Ordinance requirements.

B. Building Size.

On Tract 1 the building containing the automotive engine modification and repair business shall not increase in size beyond that which exists at the time of effective date of this ordinance. An attached accessory building to be no greater than 1600 square feet in area may be attached to this main structure. Accessory uses shall be limited to storage of personal items not accessory to the repair service.

C. Signs.

Signs within the district shall be limited to a single wall sign that shall not exceed 25% of the wall area upon which it is located. The sign may be illuminated.

D. Off-Street Parking.

Off-street parking spaces shall be provided for the engine modification and repair activity at a ratio of one space per 400 square feet of floor area within the building housing said activity, exclusive of the single accessory building that may be attached to the primary building. Parking areas and driveways connecting them with the street shall be paved in accordance with Zoning Ordinance requirements. These areas shall be required to be paved within 90 days of the effective date of this ordinance.

For future residential use within the district, two off-street parking spaces shall be provided per dwelling unit.

E. Screening.

A six foot high landscaped screening barrier shall be placed along the western boundary of Tract 1. The landscaped screen shall provide an opaque barrier throughout the year and be in place prior to development of Tract 2.

F. Subdivision.

Subdivision of the property within the district shall not be required prior to the addition of the attached accessory building. All other construction within the district shall be preceded by subdivision according to the Subdivision Regulations of the City of Abilene.

Amendment of this Planned Development ordinance shall not be necessary for subdivision or resubdivision.

G. Site Plans.

Prior to issuance of building permits for any construction within Tract 1, a site plan shall be approved by the Site Plan Review Committee in accordance with requirements of the Zoning Ordinance.