

ORDINANCE NO. 41-2003

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-83 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 by changing the zoning district boundaries 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 Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 23 day of OCTOBER A.D. 20 03.

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 5 day of October, 20 03, 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 8:30 a.m., on the 13 day of NOVEMBER, 20 03, 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 13 day of NOVEMBER, A.D. 20 03.

ATTEST:

Op Moore
CITY SECRETARY

Gady Barr
MAYOR

APPROVED:

Sharon E. Hicks
CITY ATTORNEY

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Exhibit "A"

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.

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 PDR (Planned Development Residential) 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 PDR is as follows:

BEING a 44.988 acre tract out of a 118.66 acre tract conveyed to Centro Real Estate, L.P. , a Texas Limited Partnership, recorded in Volume 2775, Page 460, Official Public Records, Taylor County, Texas said 44.988 acre tract being more particularly described as follows:

(Bearings are based on the City of Abilene Survey, Monumentation and Mapping Program, City Survey Markers 041R & 065R)

BEGINNING at the northeast corner of said 118.66 acre tract, said point also being on the west line of F.M. 1750, for the northeast corner of this tract;

THENCE South 01 degrees 32 minutes 08 second West (peing the reference bearing for this description, record bearing for said 118.66 acre tract being South 00 degrees 25 minutes 23 seconds West), along the East line of said 118.66 acre tract, same bring the West line of F.M. 1750, for a distance of 958.01 feet to the northeast corner of a 5.00 acre tract recorded in Volume 2381, Page 994, Official Public Records of Taylor County, Texas),

THENCE North 88 degrees 27 minutes 50 seconds West along the north line of said 5.00 acre tract, for a distance of 560.50 feet to the northwest corner of said 5.00 acre tract;

THENCE South 01 degrees 32 minutes 13 seconds West along the west line of said 5.00 acre tract, for a distance of 388.42 feet to the southwest corner of said 5.00 acre tract;

THENCE South 88 degrees 26 minutes 25 seconds East along the south line of said 5.00 acre tract, for a distance of 560.47 feet to the southeast corner of said 5.00 acre tract, said point also being on the West line of said F.M. 1750;

THENCE South 01 degrees 32 minutes 41 seconds West along the west line of said F.M. 1750, for a distance of 752.58 feet to the southeast corner of said 118.66 acre tract, for the southeast corner of this tract;

THENCE North 88 degrees 56 minutes 40 seconds West along the south line of said 118.66 acre tract for a distance of 860.36 feet to a point for the southwest corner of this tract;

THENCE North 01 degrees 00 minutes 20 seconds East a distance of 1120.09 feet to a point for corner;

THENCE North 88 degrees 59 minutes 40 seconds West a distance of 127.33 feet to a point for corner;

THENCE in a northwesterly direction along a curve to the left, said curve having a delta of 11 degrees 43 minutes 10 seconds, a radius of 430.00 feet, an arc length of 87.95 feet, and a long chord that bears North 15 degrees 27 minutes 05 seconds West a distance of 87.80 feet to a point of curve of another curve;

THENCE in northeasterly direction along a curve to the right, said curve having a delta of 61 degrees 30 minutes 10 seconds, a radius of 370.00 feet, an arc length of 397.17 feet, and a long chord that bears North 09 degrees 26 minutes 25 seconds East a distance of 378.37 feet to a point of curve of another curve;

THENCE in a northeasterly direction along a curve to the left, said curve having a delta of 19 degrees 33 minutes 36 second, a radius of 430.00 feet, an arc length of 146.80 feet, and a long chord that bears North 30 degrees 24 minutes 41 seconds East a distance of 146.09 feet to a point on the north line of said 118.66 acre tract, for corner;

THENCE South 88 degrees 57 minutes 50 seconds East a distance of 24.72 feet to a point for corner;

THENCE North 01 degrees 02 minutes 10 seconds East a distance of 704.30 feet to a point on the north line of said 118.66 acre tract, for the northwest corner of this tract;

THENCE South 89 degrees 09 minutes 22 seconds East along the north line of said 118.66 acre tract, for a distance of 881.23 feet to the place of beginning, containing 44.988 acres of land.

Location:

Oldham Lane (F.M. 1750)

PART 6: Purpose. The purpose of the Planned Development Residential District (PDR) request is to allow for residential development and related activities of a large tract which generally has not developed under present zoning and development procedures.

PART 7: Specific Modifications. The following regulations shall govern the use and development of this Planned Development Residential District:

a. Development Regulations:

The PDR shall be developed in accordance with the attached site plan (Exhibit B).

b. Permitted Uses:

- Single family residential

c. Area, Height, Placement:

- Built to RS-12 minimum standards: 12,000 square foot minimum lot size, or minimum 80 feet wide by 100 feet deep.
- Setbacks shall be the following: Front 30', Rear 20', Interior Sides 10'
- Maximum height shall be 35'

d. Fencing Requirements:

- Along north, south, and west boundaries: a 7' privacy fence shall be constructed, consisting of wood or masonry materials.
- Along FM 1750 (Oldham Lane): a cedar and stone fence shall be constructed parallel with Oldham Lane.

e. Landscaping:

- Minimum 15' landscaped strip along all PDD boundaries
- Use of xeriscape materials in public or entryway areas
- Specific landscaping to be determined via the site plan review process

f. Entryway Signage

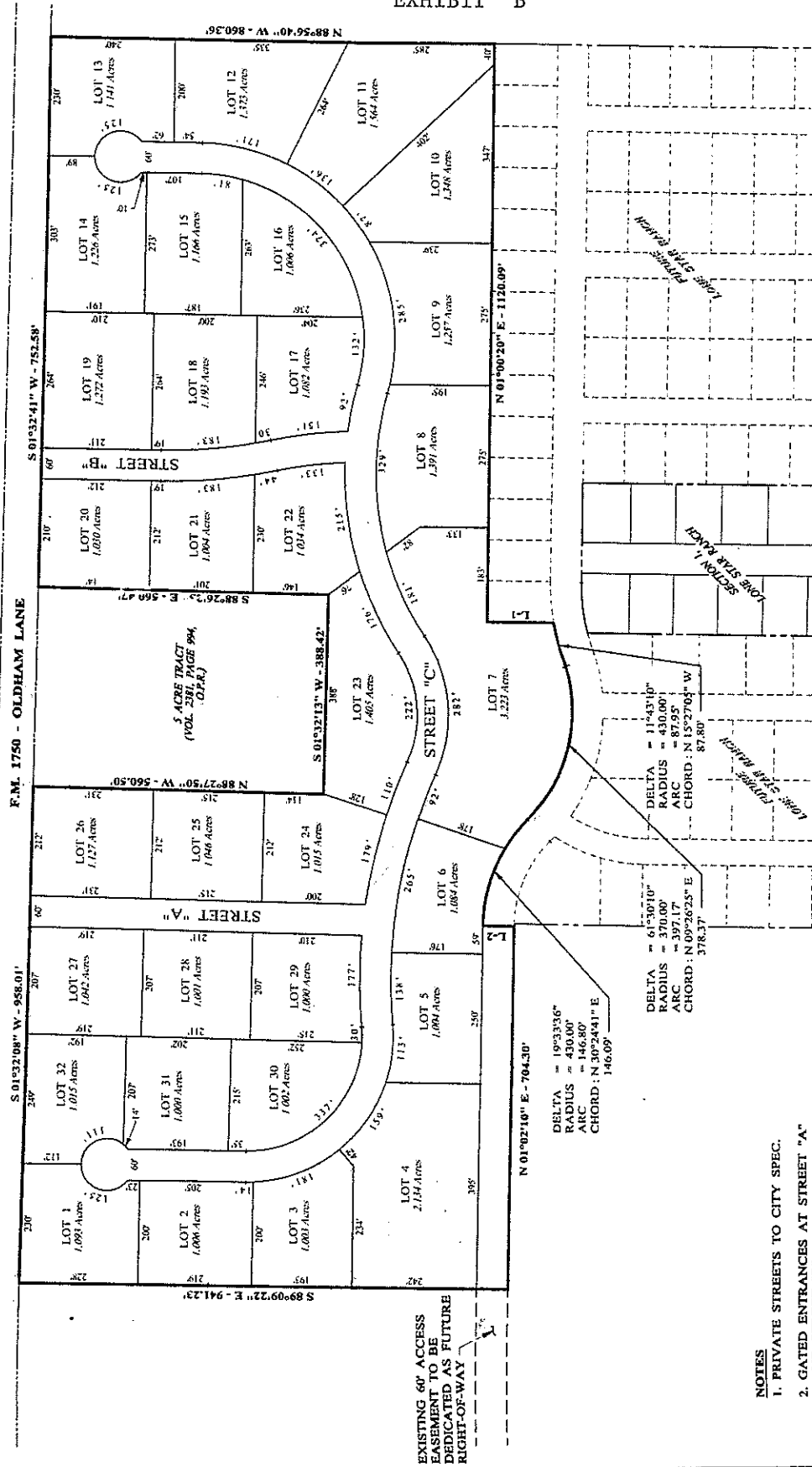
- Entryway signage shall be of appropriate scale and massing for gated area
- Signage shall consist of stone, masonry, or wood materials

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PART 8: Development Schedule. If a plat for all or a portion of this subdivision is not approved within 12 months of the date of this ordinance, the Planning Director shall initiate rezoning of the PDR to AO (Agricultural Open Space).

-END-

EXHIBIT "B"



- NOTES**
1. PRIVATE STREETS TO CITY SPEC.
 2. GATED ENTRANCES AT STREET "A" AND STREET "B".
 3. CEDAR AND STONE FENCE ALONG FM-1750.
 4. PRIVATE FENCE ALONG ALL OTHER BOUNDARIES.

NUMBER	DIRECTION	DISTANCE
L-1	N 88°59'40" W	127.33'
L-2	S 88°57'50" E	60.00'

GENERAL NOTE
TOTAL AREA = 46 ACRES



100 0 200
SCALE IN FEET

Hibbs & Todd, Inc.
ENVIRONMENTAL AND CIVIL ENGINEERING
2001 South West, Suite 202
Abilene, Texas 79601

PRELIMINARY DEVELOPMENT PLAN FOR VAQUERO SUBDIVISION ABILENE, TAYLOR COUNTY, TEXAS

DATE: _____
DRAWN BY: _____
CHECKED BY: _____
JOB NO. _____
SHEET NO. 1 OF 1