

ORDINANCE NO. 47-2016

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; 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, part known as the Land Development Code 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 Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: 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.

PASSED ON FIRST READING this 25th day of August, A.D. 2016.

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 15th day of July, 2016, 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 8th day of September, 2016 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 8th day of September, A.D. 2016.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

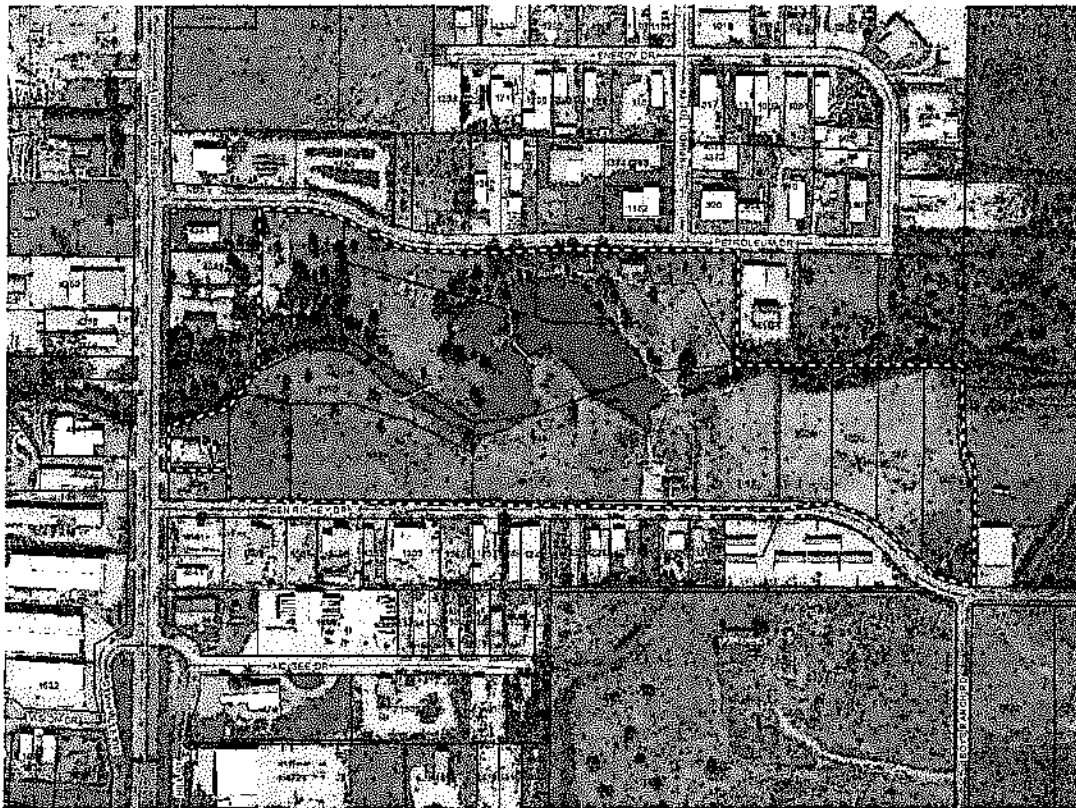

CITY ATTORNEY

EXHIBIT "A"

Eleven (11) of thirteen (13) parcels presently occupied by Willow Creek Golf Course are now located within either Light Industrial (LI) or Heavy Industrial (HI) zoning districts. All eleven of these industrially-zoned parcels are proposed to be rezoned to the Heavy Commercial (HC) classification. The remaining two (2) parcels now occupied by Willow Creek Golf Course are already zoned Heavy Commercial.

Legal description:

THREE PALMS, BLOCK A, LOT 502 REP, LOT 102, LOT 103; SCOTT INDUSTRIAL DISTRICT CONT 1, BLOCK A, LOT OPEN SPACE, LOTS 3-5; S TREADAWAY & INDUSTRIAL BLVD PLAZA SEC 4, BLOCK F, LOT PT OF 5, LOT PT LT 4, 5, & 103 REP, LOT PT OF 4; S TREADAWAY & INDUSTRIAL BLVD PLAZA SEC 3, BLOCK F, LOT PH LT 103 REPLAT; S TREADAWAY & INDUSTRIAL BLVD PLAZA SEC 5, BLOCK K, LOTS 1-9



Location: all land encompassing Willow Creek Golf Course on north side of Ben Richey Drive (from 902 – 1226 Ben Richey Drive) and on south side of Petroleum Drive (from 1125 – 1301 Petroleum Drive) as well as three nearby properties at 1502 Ben Richey Drive and at 4353 and 4465 South Treadaway Boulevard

1. Rezone the following described property, from a Heavy Commercial (HC) District, to a General Commercial (GC) District:

Lot 502 in Block A of the subdivision known as Three Palms, and on which a building addressed at 4353 South Treadaway Boulevard is now located;

Lot 102 in Block A of the subdivision known as Three Palms, and on which a building addressed at 4465 South Treadaway Boulevard is now located; and

Lot 103 in Block A of the subdivision known as Three Palms, which said Lot 103 is tentatively addressed at 1502 Ben Richey Drive.

2. Rezone the following described property, from a Light Industrial (LI) District, to a Heavy Commercial (HC) District

Lots 1 thru 5 in Block K of South Treadaway and Industrial Boulevard Plaza Section 5, on which a building addressed at 1166 Ben Richey Drive is now located;

Lot 6 in Block K of South Treadaway and Industrial Boulevard Plaza Section 5, which said Lot 6 is tentatively addressed at 1026 Ben Richey Drive;

Lot 7 in Block K of South Treadaway and Industrial Boulevard Plaza Section 5, which said Lot 7 is tentatively addressed at 1002 Ben Richey Drive;

Lot 8 in Block K of South Treadaway and Industrial Boulevard Plaza Section 5, which said Lot 8 is tentatively addressed at 926 Ben Richey Drive;

Lot 9 in Block K of South Treadaway and Industrial Boulevard Plaza Section 5, which said Lot 9 is tentatively addressed at 902 Ben Richey Drive; an

all except the east 225 feet of Lot 5 in Block F of South Treadaway and Industrial Boulevard Plaza Section 4, bordering the 1300 and 1400 blocks (south side) of Petroleum Drive.

3. Rezone the following described property from a Heavy Industrial (HI) District, to a Heavy Commercial (HC) District:

all of Lot 4 and the east 225 feet of Lot 5, in Block F of South Treadaway and Industrial Boulevard Plaza Section 4, bordering the 1200 block (south side) of Petroleum Drive; and

all of Lot 103 in Block F of South Treadaway and Industrial Boulevard Plaza Section 3, bordering the 1100 block (south side) of Petroleum Drive.

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