

ORDINANCE NO. 49-2022

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTY; 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 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing 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 the 25<sup>rd</sup> day of August, 2022.

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 17<sup>th</sup> day of June, 2022, the same being more than fifteen (15) days prior to a public hearing held at the Council Chambers of the City Hall at 555 Walnut St. in Abilene, Texas, at 8:30 a.m. on the 22<sup>nd</sup> day of September, 2022, 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 FINAL READING THIS 22<sup>nd</sup> day of September, 2022.

ATTEST:

  
CITY SECRETARY

  
MAYOR Pro Tem

APPROVED:

  
CITY ATTORNEY

## EXHIBIT A

Change the zoning classification of the following described land, from Residential Multi-Family (MF) General Commercial (GC) and Agricultural Open Space (AO) to a Residential Multi-Family (MF) and General Commercial (GC) zoning district:

### MF Zoning:

**BEING** a **26.05 acre** zoning tract out of the northeast-quarter (Abstract No. 1412) of Section No. 33, Blind Asylum Lands, City of Abilene, Taylor County, Texas, and out of the southeast-quarter (Abstract No. 957) of Section No. 24, Blind Asylum Lands, City of Abilene, Taylor County, Texas and being out of and a part of the Scottish Inns Addition, as shown per plat recorded in Cabinet 2, Slide 182-A, Plat Records, Taylor County, Texas. Said 26.05 acre tract of land being out of and a part of the remainder of a called 153.97 acre tract of land described in a Warranty Deed to Griffith Lake Estates, LLC recorded in Instrument No. 2016-19945, Official Public Records, Taylor County, Texas, and being out of and a part of a 5.63 acre tract of land described in a Special Warranty Deed to RIK Investments, LLC, No. 1 recorded in Volume 2195, Page 963, of said Official Public Records. Said **26.05 acre** tract being more particularly described as follows: **BEGINNING** at a point for the northwest corner of this described tract, and being at the northeast corner of the intersection of Griffith Road and Scottish Road;

**THENCE** S89°19'15"E, 200.88 feet along the north line of Scottish Road to a point;

**THENCE** N14°21'38"E, 258.49 feet along the northwest line of said 5.63 acre tract to a point;

**THENCE** S51°50'00"E, 1,093.42 feet over and across said 5.63 acre tract and said 153.97 acre tract to a point;

**THENCE** N76°25'52"E, 315.30 feet over and across said 153.97 acre tract to a point;

**THENCE** S48°54'43"E, 135.98 feet along the northeast line of said 153.97 acre tract to a point;

**THENCE** S51°50'20"E, 159.97 feet along the northeast line of said 153.97 acre tract to a point in the approximate center of Rainey Creek;

**THENCE** along the approximate center of Rainey Creek;

- S46°30'06"W, 57.21 feet to a point;
- N69°08'08"W, 38.06 feet to a point;
- S68°05'50"W, 39.21 feet to a point;
- S74°38'37"W, 80.61 feet to a point;
- S52°20'39"W, 61.66 feet to a point;
- N86°11'33"W, 22.31 feet to a point;
- N50°30'49"W, 24.14 feet to a point;
- N05°01'04"W, 24.16 feet to a point;
- N24°00'03"E, 26.56 feet to a point;
- N18°38'12"W, 24.76 feet to a point;
- N62°47'28"W, 38.55 feet to a point;
- N86°53'17"W, 113.96 feet to a point;
- N72°15'35"W, 68.16 feet to a point;
- N68°26'19"W, 56.60 feet to a point;
- S71°27'36"W, 35.30 feet to a point;
- S63°37'20"W, 90.21 feet to a point;
- S38°51'06"W, 48.57 feet to a point;
- S03°35'32"W, 39.46 feet to a point;
- S41°35'42"E, 34.47 feet to a point;
- S41°24'06"E, 64.98 feet to a point;
- S23°42'15"E, 45.03 feet to a point;
- S00°52'33"W, 15.31 feet to a point;
- S60°05'49"W, 17.32 feet to a point;
- S88°28'18"W, 102.66 feet to a point;

- S82°10'13"W, 40.12 feet to a point;
- S46°22'00"W, 26.10 feet to a point;
- S16°04'35"W, 57.49 feet to a point;
- S04°47'29"W, 42.77 feet to a point;
- S14°27'33"W, 73.42 feet to a point;
- S32°43'52"W, 58.37 feet to a point;
- S45°15'15"W, 71.77 feet to a point;
- S83°23'36"W, 43.30 feet to a point;
- N59°28'08"W, 31.39 feet to a point;
- S86°23'59"W, 27.19 feet to a point;
- S58°12'36"W, 58.37 feet to a point;
- S44°14'10"W, 56.62 feet to a point;
- S35°56'37"W, 72.73 feet to a point;
- S47°01'14"W, 70.05 feet to a point;
- S85°43'47"W, 46.66 feet to a point;
- S86°15'32"W, 36.53 feet to a point;
- N40°17'15"W, 62.22 feet to a point;
- N42°02'46"W, 60.39 feet to a point;
- N44°12'40"W, 80.32 feet to a point;
- N55°10'19"W, 50.05 feet to a point;
- N69°33'58"W, 47.01 feet to a point;
- N60°54'52"W, 71.86 feet to a point;
- N51°02'47"W, 57.27 feet to a point;
- N60°59'05"W, 80.22 feet to a point;
- N89°12'31"W, 39.93 feet to a point in the west line of said 153.97 acre tract;

**THENCE** N00°33'50"E, 664.96 feet along the west line of said 153.97 acre tract to a point;  
**THENCE** S89°12'31"E, 39.89 feet along the west line of said 153.97 acre tract to a point;  
**THENCE** N00°33'31"E, 199.67 feet along the west line of said 153.97 acre tract to a point;  
**THENCE** N00°32'50"E, 55.59 feet across said Scottish Road to the **POINT OF BEGINNING** and containing **26.05 acres** of land, more or less.

**GC Zoning:**

**BEING** a 7.62 acre zoning tract out of the northeast-quarter (Abstract No. 1412) of Section No. 33, Blind Asylum Lands, City of Abilene, Taylor County, Texas, and out of the southeast-quarter (Abstract No. 957) of Section No. 24, Blind Asylum Lands, City of Abilene, Taylor County, Texas and being out of and a part of the Scottish Inns Addition, as shown per plat recorded in Cabinet 2, Slide 182-A, Plat Records, Taylor County, Texas. Said 7.62 acre tract of land being out of and a part of the remainder of a called 153.97 acre tract of land described in a Warranty Deed to Griffith Lake Estates, LLC recorded in Instrument No. 2016-19945, Official Public Records, Taylor County, Texas, and being out of and a part of a 5.63 acre tract of land described in a Special Warranty Deed to RIK Investments, LLC, No. 1 recorded in Volume 2195, Page 963, of said Official Public Records. Said 7.62 acre tract being more particularly described as follows:

**BEGINNING** at a point for the north corner of this described tract, and said 5.63 acre tract, being in the southwest right-of-way line of IH-20;

**THENCE** S58°41'45"E, 40.10 feet along the northeast line of 5.63 acre tract to a point;

**THENCE** S51°50'00"E, 821.13 feet along the northeast line of said 5.63 acre tract to a point;

**THENCE** S48°42'49"E, 14.97 feet over and across Scottish Road to a point;

**THENCE** S51°55'31"E, 90.11 feet over and across said Scottish Road to a point;

**THENCE** S51°44'04"E, 77.90 feet along the northeast line of said 153.97 acre tract to a point;

**THENCE** S48°53'32"E, 239.13 feet along the northeast line of said 153.97 acre tract to a point;

**THENCE** S48°54'43"E, 125.84 feet along the northeast line of said 153.97 acre tract to a point;

**THENCE** S76°25'52"E, 315.30 feet over and across said 153.97 acre tract to a point;

**THENCE** N51°50'00"W, 1093.42 feet over and across said 153.97 acre tract and said 5.63 acre tract to a point;

**THENCE** N14°21'38"E, 286.64 feet along the northwest line of said 5.63 acre tract to the **POINT OF BEGINNING** and containing 7.62 acres of land, more or less.

-END-