

ORDINANCE NO. 68-2023

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, CONCERNING PDD-157 AND ORDINANCE NO. 44-2016 A 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 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 44-2016, 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.

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 16th day of November, 2023.

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 20th day of October, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 6th day of December, 2023, 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 7th day of December, 2023.

ATTEST:



CITY SECRETARY



MAYOR

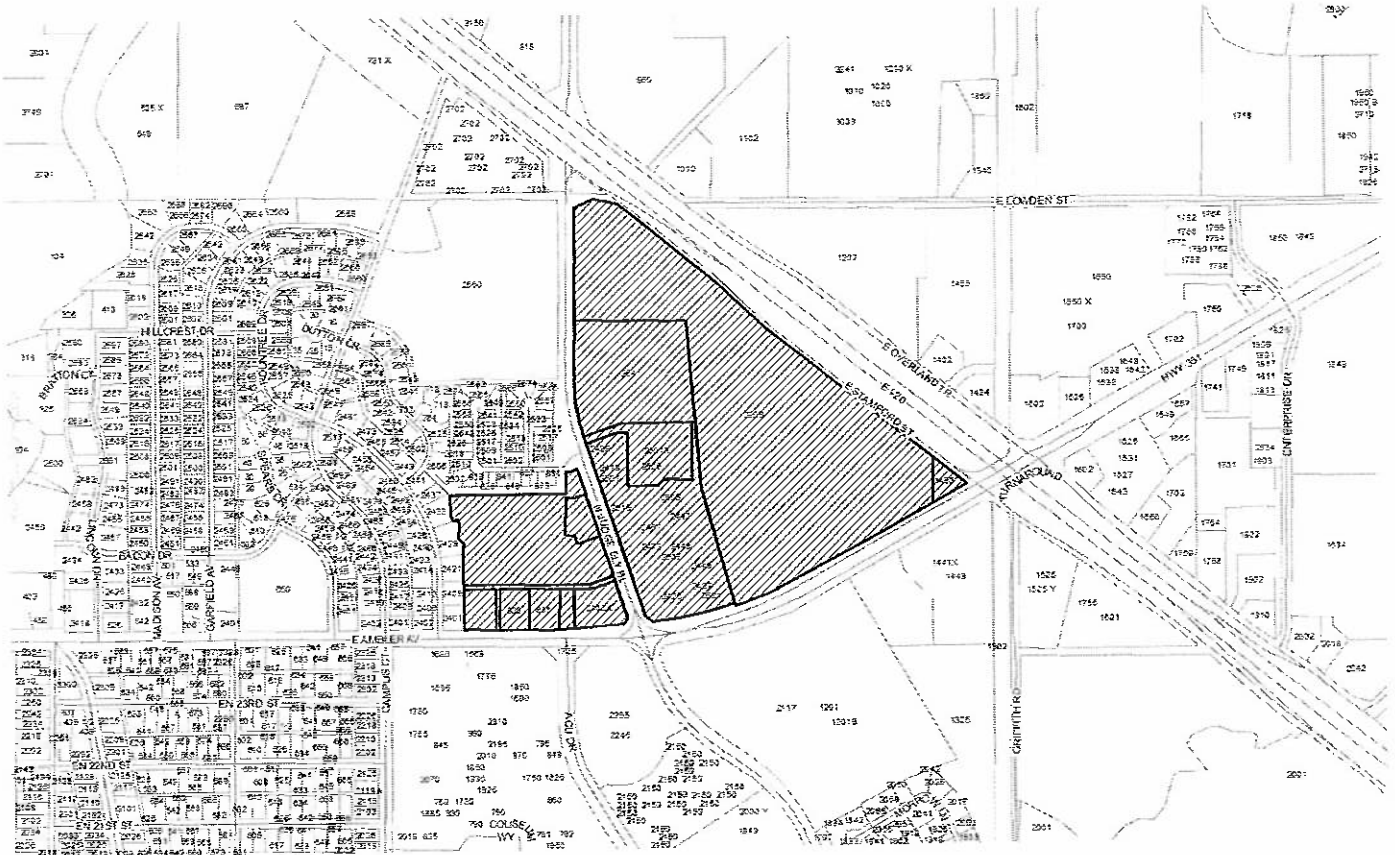
APPROVED:



CITY ATTORNEY

EXHIBIT A

Located at the northeast and northwest corners of Ambler Avenue & North Judge Ely Boulevard. 2209 N Judge Ely,



ADD UNDERLINED PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for GR (General Retail), MF (Multi-Family), PH (Residential Patio Home), RS-6 (Residential Single-Family 6,000 Square foot lots), and TH (Town House) uses, mixed-use development encompassing, office, restaurant retail, multi-family housing, single family residential and parks at the property. Additionally, the conditions shown in the attached exhibits.

ADD UNDERLINED PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the GR (General Retail), MF (Multi-Family), PH (Residential Patio Home), RS-6 (Residential Single-Family 6,000 Square foot lots), and TH (Town House) zoning districts, except as modified below:

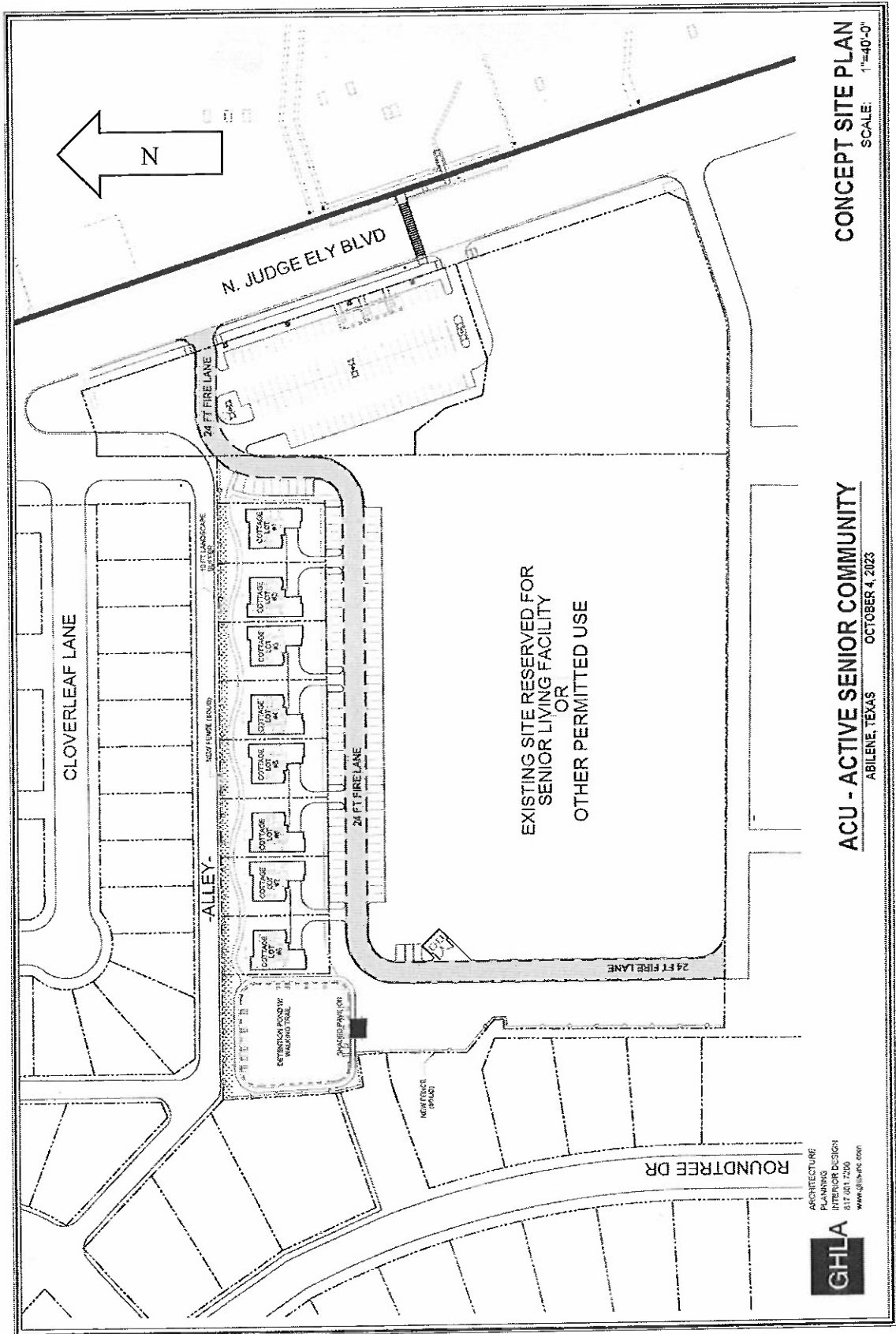
ADD UNDERLINED Part 7: I) PERMITTED USES:
a. All the land uses permitted in the GR (General Retail), MF (Multi-Family), and TH (Town Home) districts. MF (Multi-Family), PH (Residential Patio Home), and RS-6 (Residential Single-Family 6,000 Square foot lots) shall be allowed in GR (General Retail).

ADD UNDERLINED Part 7: Section 2(A)(3) 60' Side and Rear Setbacks abutting Residential Single-Family Districts to the West of Judge Ely Boulevard to provide additional privacy for the existing adjacent residential uses, except that these setbacks shall not apply to any use of the specified areas for single-family residential use, including PH (Single-Family Residential Patio Home) and RS-6 (Residential Single-Family – 6,000 sq. ft. lots) use.

ADD UNDERLINED Part 7: Section 2(A)(4) All Accessory structures shall adhere to the standards set in the Land Development Code (as amended)

ADD

The attached concept plan to the Planned Development District applicable to the West side of Judge Ely in Block A, ACU Drive Addition



ADD

Part 8: Buffering and Access

1. The proposed amendment shall be subject to the proposed Concept Plan;
2. A Type A buffer that includes a berm and vegetation shall be provided north of the alley, as shown on the proposed Concept Plan, between alley and existing residential development to the north

END