

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING UNIVERSITY HILLS CONDOMINIUM 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; 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 Hundred Dollars (\$200.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 24th day of March,

A.D. 19 83.

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 6th day of Marcy, 19 83, the same being more than ten (10) 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 14th day of April, 19 83, 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 14th day of

April, A.D. 19 83.

ATTEST:

Elly Beard Cost
CITY SECRETARY

Leebey
MAYOR

APPROVED:

Ray Sanders
CITY ATTORNEY

PDR

Exhibit "A"

ORDINANCE NO. 36-1983

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 P.D.R. shall be in accordance with the maps, site plan, plat, and any other required plans filed in connection with this requested P.D.R. and are hereby incorporated by reference and included as part of this ordinance. Site Plan is attached as Exhibit B. Further, all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of this P.D.R. are hereby incorporated by reference and included as part of this ordinance. (Some of these documents may be attached as Exhibit C, if applicable.)

All use and development within the P.D.R. 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 P.D.R. 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 RM-3 (Residential Multi-Family) 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 P.D.R. is as follows:

Being 1.97 acres of land out of a 242.88 acre tract (recorded as 249.7) out of the West one-half of Section 33, Blind Asylum Lands, Abilene, Taylor County, Texas, and being more particularly described as follows:

BEGINNING in the centerline of an alley whence the Northwest corner of Section 33, Blind Asylum Lands, bears N 0° 02' 36" W 15.0 feet, S 89° 57' 25" W 473.67 feet, N 0° 01' W 3845.13 feet and N 89° 02' 26" W 658.8 feet;

THENCE N 89° 57' 25" E 155.0 feet along the centerline of a 30.0 foot alley to a point in the centerline of Westheimer Road;

THENCE S 0° 02' 36" E 101.92 feet to a point at the beginning of a curve to the left;

THENCE with the arc of the circular curve to the left, having a radius of 810.0 feet and a chord bearing S 14° 38' 53" E 408.48 feet a distance of 412.94 feet to a point;

THENCE S 60° 23' 37" W 155.0 feet to the beginning of a curve to the right;

THENCE with the arc of the circular curve to the right having a radius of 965.0 feet and a chord bearing N 14° 40' 35" W 487.56 feet a distance of 492.92 feet;

THENCE N 0° 02' 36" W 101.92 feet to the place of Beginning and containing 1.97 acres (86,001 square feet) of land.

PART 6: Purpose: Acceptance of the P.D.R. Ordinance will allow the developer, Craft-Barnett, to construct a thirty-six (36) unit condominium project on said property.

PART 7: Specific Modifications: The land use intensity of 4.0 will be modified to allow a land use intensity of 5.1 by this P.D.R. Ordinance. All other applicable City setbacks, building lines, and codes as specified by City codes will apply to this development.