

ORDINANCE NO. 68-1986

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING FRENCHMAN'S CREEK PDS 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 One Thousand Dollars (\$1,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 14 day of August, A.D. 19 86.

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 3 day of August, 19 86, 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 9:00 a.m., on the 28 day of August, 19 86, 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 28 day of August, A.D. 19 86.

ATTEST:
Patricia Patton
CITY SECRETARY

David Stullerman
MAYOR

APPROVED:
Harry Cargill
CITY ATTORNEY

EXHIBIT "A"

Legal Description:

Lots 301 & 302, Block 1 & Lots 402 & part of 401, Block 2, Frenchman's Creek Addition, Abilene, Taylor County, Texas.

Name. This PDS district shall hereafter be known as the "Frenchman's Creek PDS" district.

Purpose. The purpose of the Frenchman's Creek Planned Development Shopping Center District is to integrate the development of commercial facilities with surrounding residential and commercial uses. District regulations described in the following Specific Modifications are designed to achieve the following:

- A. Designate the district for appropriate selected activities, and
- B. integrate the scale of building development with surrounding land use.

Specific Modifications.

- A. The following regulations shall govern the use and development of the Planned Development Shopping Center district:

1. Permitted Use. Except as otherwise provided herein, use and development shall be subject to the provisions of the Shopping Center (SC) zoning district of the Zoning Ordinance of the City of Abilene.

In addition to the SC zoning district uses, the retail-trade of Lumber and Other Building Materials shall be permitted, provided that all storage, sales, and displays are from within the perimeter walls of the buildings.

2. All activities conducted in the PDS, including sales and displays, shall be conducted from within the interior of structures on this site.
3. Off-Street Parking. Off-street parking spaces shall be required at a ratio of one space per 222 square feet gross leasable floor area for all uses of the PDS district.

- 4. Off-Street Loading. For every building with a minimum gross floor area of 10,000 square feet, there shall be provided and maintained on the lot, at least one off-street loading space plus one additional space for each additional 20,000 square feet, or major fraction thereof. Each loading space shall not be less than 12 feet in width, 30 feet in length and 14 feet in height.
- 5. Truck parking shall be prohibited along either side of Frenchman's Road, as it is illustrated on the attached site plan Exhibit "B".
- 6. Signs. The City of Abilene Sign Regulations shall apply to all signs mounted along South 14th Street. Only one free standing pole-mount business/identification sign shall be permitted along South Danville Drive. No free standing business/identification signs or portable signs shall be placed along Frenchman's Creek Road. Wall signs shall be permitted within the PDS subject to City of Abilene Sign Regulations.
- 7. Driveways. Driveways onto the PDS from South 14th Street shall be limited to five and limited to three from South Danville Drive, similar to that depicted on the Site Plan "Exhibit B".
- 8. Building Setbacks. Setbacks for buildings shall be as follows:
 - South Danville Drive 30 feet
 - South 14th Street 30 feet
 - Frenchman's Creek Road 15 feet; adjacent to turnaround - 0'
 - Rear & interior side as per site plan
- 9. Building Permits and Site Plans. Prior to the issuance of a building permit for any new construction on this property, a site plan shall be required in conformance with the site plan requirements set forth in the Zoning Ordinance.
- 10. Screening. A screening wall or fence between 6 and 8 feet in height shall be constructed along the property boundary between the townhouse area and the shopping center as depicted on the attached site plan Exhibit "B" immediately following passage of this ordinance.

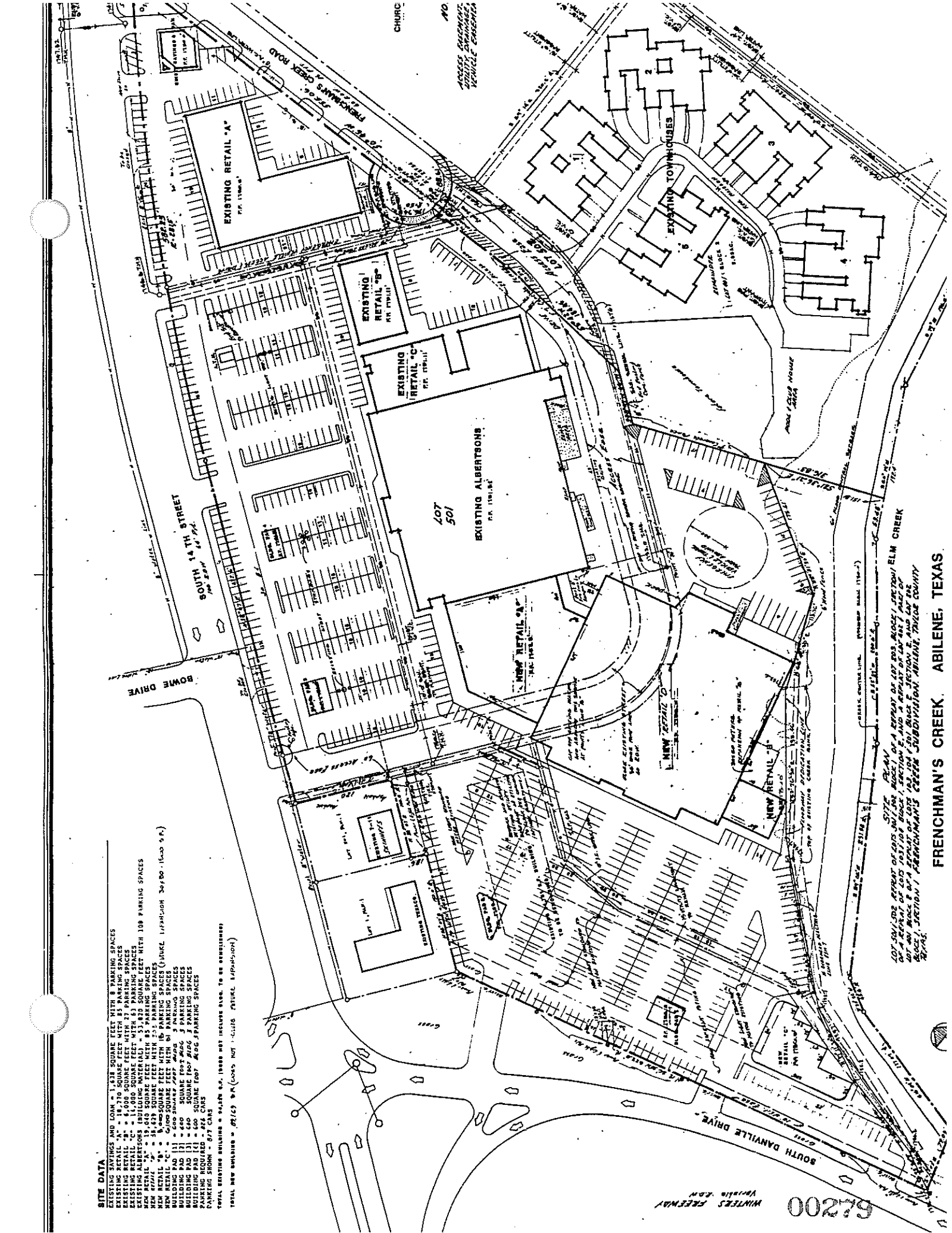
11. Exterior Lighting. Glare and illumination onto nearby residential property from lighting fixtures located in the rear of structures in the shopping center shall be minimized. The resulting initial foot candles from fixtures utilized shall be .2 vertical and .07 horizontal at the property boundary line(s) between the shopping center and the townhouse areas. This objective can be accomplished, for example, by using 50 watt high pressure sodium units mounted to the walls of structures no higher than 16 feet above grade and no closer than 30 feet to property boundary lines.

12. Subdivision or resubdivision of the property shall be undertaken in conformance with Subdivision Regulations of the City of Abilene applicable at the time of resubdivision. Amendment of the Planned Development ordinance shall not be necessary for resubdivision; however, above-described regulations regarding use and development shall remain applicable to the lots represented on the attached site plan, unless such regulations are modified by amendment to this ordinance.

The replat associated with the PDS district may be approved, but shall not be filed of record unless and until street improvements as indicated on the replat are completed and accepted by the City and utility relocation is completed.

SITE DATA

EXISTING SAVINGS AND LOAN = 1,438 SQUARE FEET WITH 8 PARKING SPACES
 EXISTING RETAIL "A" = 18,730 SQUARE FEET WITH 85 PARKING SPACES
 EXISTING RETAIL "B" = 6,000 SQUARE FEET WITH 37 PARKING SPACES
 EXISTING ALBERTSONS (BUILDING MATERIALS) = 53,820 SQUARE FEET WITH 108 PARKING SPACES
 NEW RETAIL "A" = 19,010 SQUARE FEET WITH 85 PARKING SPACES
 NEW RETAIL "B" = 8,000 SQUARE FEET WITH 25 PARKING SPACES
 NEW RETAIL "C" = 6,000 SQUARE FEET WITH 64 PARKING SPACES
 BUILDING PAD (1) = 600 SQUARE FEET WITH 3 PARKING SPACES
 BUILDING PAD (2) = 600 SQUARE FEET WITH 3 PARKING SPACES
 BUILDING PAD (3) = 600 SQUARE FEET WITH 3 PARKING SPACES
 BUILDING PAD (4) = 600 SQUARE FEET WITH 3 PARKING SPACES
 PARKING REQUIRED = 275 CARS
 PARKING SHOWN = 275 CARS
 TOTAL EXISTING BUILDING = 78,688 S.F. (DOES NOT INCLUDE ALN. TO BE DEMOLISHED)
 TOTAL NEW BUILDING = 38,610 S.F. (DOES NOT INCLUDE RETAIL EXPANSION)



LOT 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

FRENCHMAN'S CREEK ABILENE, TEXAS

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