

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #53 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 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 Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

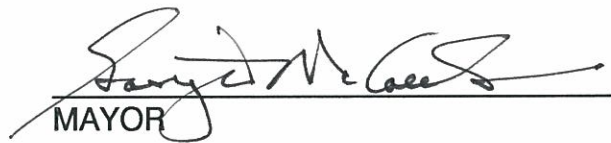
PASSED ON FIRST READING this 13 day of May \_\_\_\_\_ A.D. 1993.

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 2 day of May, 1993, 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 27 day of May, 1993, 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 27 day of May \_\_\_\_\_, A.D. 1993.

ATTEST:

  
CITY SECRETARY

  
MAYOR

APPROVED:

  
CITY ATTORNEY

00151

ORDINANCE NO. 26-1993

Exhibit "A"

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 Planned Development District shall be in accordance with the maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development District 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.D. are hereby incorporated by reference and included as part of this ordinance.

All use and development within the Planned Development District 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 Planned Development District 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-2 (Residential Multi-Family) District to PDMX (Planned Development Mixed Use) 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.

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PART 5: Legal Description. The legal description of this P.D.D. is as follows:

Lot 2, Block B, Section 1, Antilley Square Addition, Abilene, Taylor County, Texas.

PART 6: Purpose: The purpose of the Planned Development district is to provide space for commercial development on available land, while at the same time achieving the following objectives:

- A. Help improve the overall appearance of commercial use at this location.
- B. Ensure a degree of environmental quality that is compatible with the surrounding areas.

PART 7: Specifications:

- A. Use and development of land shall conform to the general layout of structures and improvements as indicated by the attached Site Plan (Exhibit B).
  - 1. The structure planned for office use shall conform with regulations applicable to Office (o) zoning classifications with the following exceptions:
    - a. The maximum height for an office structure shall be 30 feet or two stories, whichever is less.
    - b. Office structures shall be set back from property boundary lines a minimum of 25 feet at the front and a minimum of 15 feet from interior property lines.
    - c. Signage for the office area shall conform to the City's Sign Regulations pertaining to signs in Office districts.
    - d. Outdoor storage of material, inventory, and equipment shall be prohibited on the front half of the lot.
  - 2. Warehousing and storage uses, accessory to the office uses, shall be allowed only on the rear portion of the lot. Use and development in this area shall conform to the following specifications:
    - a. The maximum height of all structures shall be 30 feet or 2 stories, whichever is less.

- b. All buildings or structures shall be set back from property boundary lines the following distances:

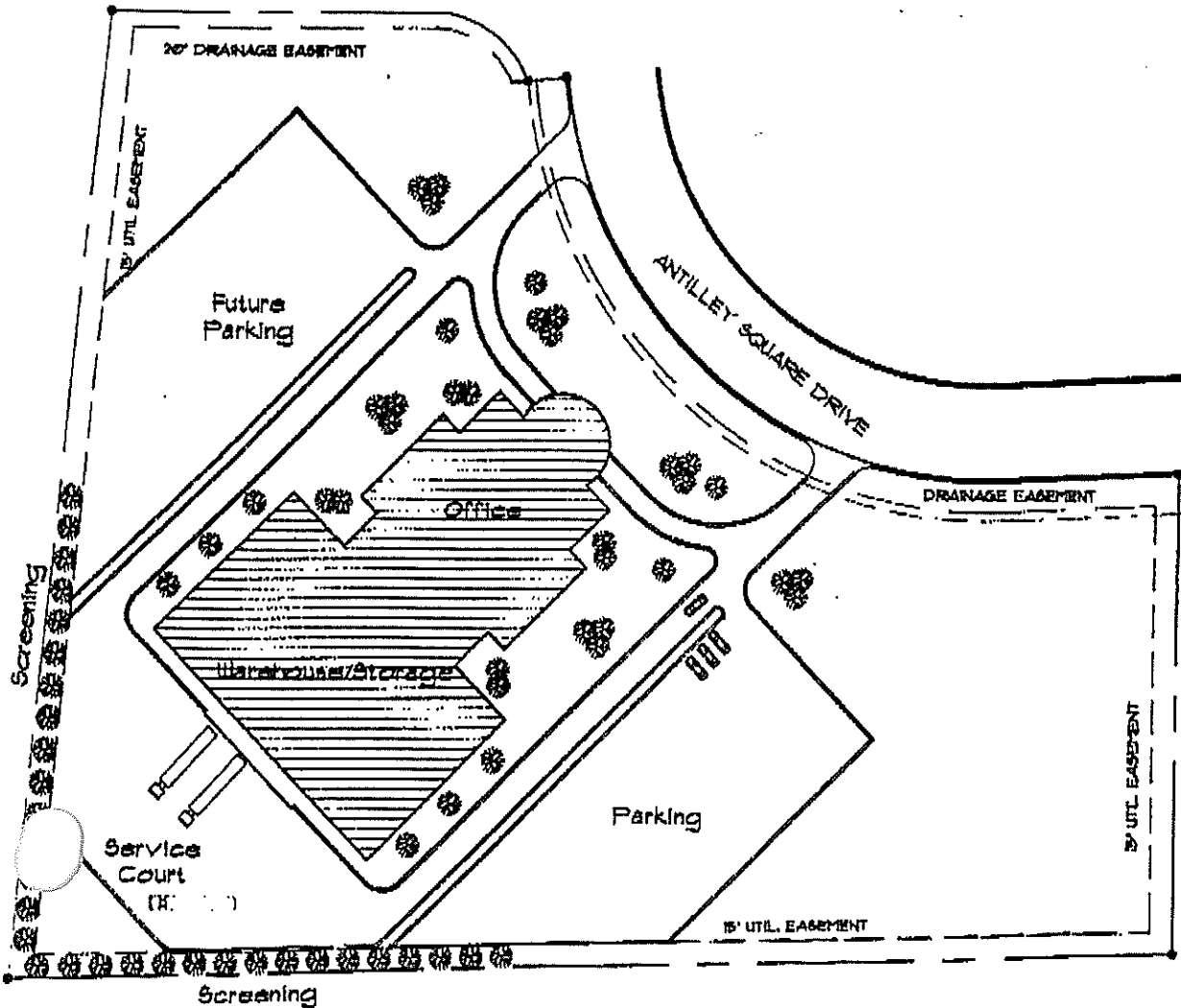
Rear -- 25 feet

Side -- 25 feet

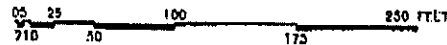
- c. Along the west and south property lines, as indicated on the site plan, landscape screening shall be accomplished by use of berming, fences, walls, shrubs, trees, bushes, or similar means, provided the screening effect closely resembles that furnished by an opaque wall or fence at least six feet in height.

PART 8: Resubdivision: Resubdivision of any or more lots represented on the site plan (attached as Exhibit B) shall be undertaken in conformance with Subdivision Regulations of the City of Abilene applicable at the time of resubdivision. Amendment of this 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.

Exhibit "B"



**SCHEMATIC SITE PLAN**



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