

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-65 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.

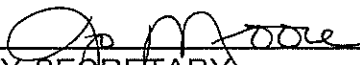
PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 11 day of June A.D. 19 98.


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 7 day of June, 19 98, 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 25 day of June, 19 98, 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 25 day of June, A.D. 19 98.

ATTEST:

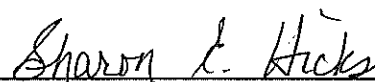


CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. 28-1998

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 Mixed Use District and are hereby incorporated by reference and included as part of this ordinance. Site Plan is attached as Exhibit B.

All use and development within the Planned Development Mixed Use 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 Mixed Use 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 AO (Agricultural Open Space) 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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EXHIBIT "A"
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PART 5: Legal Description. The legal description of this P.D.M.X. is as follows:
237 acres out of the east 1/2 of Section 33 and out of the west 1/2 of section 32, Blind Asylum
Lands, Abilene, Taylor County, Texas.

Location:

Griffith Road

PART 6: Purpose. The purpose of the Planned Development Mixed Use District (PDMX) request is to allow for commercial and residential development and related activities of a large tract which generally has not developed under present zoning and development procedures.

PART 7: Specific Modifications. The following regulations shall govern the use and development of this Planned Development District:

- A. This PDD is to be developed as depicted on the attached sketch (Exhibit B). Any variation from Exhibit B will require amendment to this ordinance.
- B. Tract 1: Use and development of the land shall be restricted to the requirements of the RS-12 (Residential Single Family) zoning district.
- C. Tract 2: Use and development of the land shall be restricted to the requirements of the PH (Patio Home Overlay) zone.
- D. Tract 3: Use and development of the land shall be restricted to the following:

1. Permitted uses

- Golf Course with related facilities
- Golf Driving Range
- Miniature Golf
- Restaurant
- Bed and Breakfast
- Cabins for rental on a daily basis only
- Museum
- Park
- Club House (the following uses shall be permitted within the club house only):
 - Conference facilities
 - Swimming Pool
 - Fitness Center
 - Floral Shop
 - Barber/Beauty Shop

2. Setback Requirements

From Griffith Road right-of-way:	50 feet
From Private Street right-of-way:	30 feet
From I-20 right-of-way:	50 feet
From property lines on exterior of the PDD not adjacent to right-of-way:	30 feet
From lot lines interior to the PDD:	10 feet

E. Tract 4: Use and development of the land shall be restricted to the following:

1. Permitted uses

Restaurant
Movie Theater
Water Park
Go-Carts
Miniature Golf
Arcade

2. Setback Requirements

From Griffith Road right-of-way:	50 feet
From Scottish Road right-of-way:	30 feet
From I-20 right-of-way:	50 feet
From lot lines interior to the PDD:	10 feet

F. Signage: The following shall govern signage for this PDD.

1. A total of three (3) free-standing signs shall be permitted along the Scottish Road and I-20 frontages with the following limitations:

Maximum height:	35 feet
Maximum area:	200 square feet per sign
Setback:	10 feet from any property line

2. A maximum of three (3) free-standing signs shall be permitted along Griffith Road with the following limitations:

Maximum height:	12 feet
Maximum area:	36 square feet
Setback:	10 feet from any property line

3. Each structure will be limited to no more than two (2) wall signs that covers a maximum of twenty (20) percent of the wall on which the sign(s) are located.

4. Off-site advertising signs and portable signs shall be prohibited.

G. Screening: Screening of the site shall be required as follows:

1. Upon development of Tract 3, screening shall be required along the south boundary of said tract. Screening may be accomplished through the use of vegetation, a berm, a masonry wall, or opaque wooden fence of natural or earth tone coloring, or any combination of the preceding.

2. Parking lots in Tract 4 shall be opaquely screened from view of Griffith Road through the use of berms and/or vegetation.

H. Landscaping: Landscaping shall be provided as follows:

All parking areas shall be separated from PDD boundaries by an area of landscaping a minimum of ten (10) feet wide and running the entire length of the parking facility. The landscaped area shall include only natural vegetation and must include a minimum of one tree for every thirty (30) feet of length of the required landscape strip.

- I. Thoroughfare Plan: The City of Abilene's Thoroughfare Plan calls for a collector street within the boundaries of this PDD. This PDD Ordinance suspends the requirement for the collector street. If the PDD is amended, the suspension may be lifted if deemed necessary by the Public Works Director or if any portion of the property is rezoned to any other zoning classification, the suspension will no longer be in effect.

PART 8: Development Schedule.

- A. Subdivision of Tract 1 OR Tract 2 shall be complete within one year of the passage of this ordinance. Failure to do so will result in the Planning Director initiating rezoning of the entire PDD back to AO.
- B. Development of Tract 3 AND Tract 4 shall commence within five (5) years of the passage of this ordinance. Development will be deemed to have commenced upon issuance of a building permit. Failure to do so shall result in the Planning Director initiating rezoning of Tracts 3 and 4 to AO.
- C. In the event that the property is rezoned, refer to Part 7.I. of this Ordinance.
- D. The PDD is as depicted on Exhibit B. It should be noted that only Tracts 1 and 2 are initially proposed for development. The remainder of the PDD, depicted as Tracts 3 and 4, will be designated for Agricultural Open Space uses until appropriate submittal of amendment(s) to this PDD are approved pertaining to design and layout.

EXHIBIT B

