

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-71 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 4 day of November A.D. 19 99.

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 21 day of November, 19 99, 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 13 day of January, 2000, 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 13 day of January, A.D. 20 00.

ATTEST:

[Signature]
CITY SECRETARY

[Signature]
MAYOR

APPROVED:

[Signature]
CITY ATTORNEY

ORDINANCE NO. 1-2000

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.

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-1 (Residential Multi-Family) District to PDD (Planned Development) 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.D. is as follows:

BEING 8.0 acres of land out of Section 84, Block 14, T & P RR Co. Survey, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a point on the South line of said Section 84, and the West line of Judge Ely Boulevard, whence the Southeast corner of said Section 87 bears S 89°30'E 50.0';

THENCE N 89°30'W 846.0' with the South line of said Section 84, to a point;

THENCE N 20°43'E 716.2' to a point on the South line of Interstate Highway 20;

THENCE S 52°10'E 752.2' with the south line of said highway to a point on the West line of said Judge Ely Boulevard;

THENCE S 0°22'W 216.0' with the West line of said Judge Ely Boulevard to the place of beginning and containing 8.0 acres of land.

This description compiled from records and not surveyed on the ground.

Location:

North Judge Ely Boulevard and East Stamford Street

PART 6: Purpose. The purpose of the Planned Development District (PDD) request is to allow for hotel/motel 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. Development of the Property

The following use shall be permitted in the PDD: hotel/motel with incidental activities.

B. Development Standards

The site shall be developed in conformance with the General Commercial (GC) zoning district except that the setback requirement along the south property line shall be a minimum of 50 feet.

C. Screening

Opaque screening shall be required along the south property line. Screening shall be constructed from wood or masonry materials from six (6) to seven (7) feet in height OR may be comprised of opaque vegetation standing a minimum of six (6) feet in height.

D. Development Schedule

If construction has not commenced within six (6) months of approval of this ordinance, the Planning Director shall initiate rezoning of the property back to RM-1.