

ORDINANCE NO. 53-2003

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-87 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 DECEMBER A.D. 20 03.

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 30 day of November, 20 03, 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 8:30 a.m., on the 18 day of DECEMBER, 20 03, 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 18 day of DECEMBER, A.D. 20 03.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

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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-3 (Residential Multi-Family) District to PDD (Planned Development District) 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 PDD is as follows:

TRACT 1:

19 and the north 19 feet of Lot 20, Block 1, Northington Subdivision, Abilene, Taylor County, Texas; filed for record Deed Records Vol. C, Page 580.

TRACT 2:

Lots 17 and 18, Block 1, Northington Subdivision, Abilene, Taylor County, Texas; filed for record Deed Records Vol. C, Page 580.

Location:

700 block of Chestnut, east side

PART 6: Purpose. The purpose of the Planned Development District (PDD) request is to allow for commercial development and related activities of a 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:

Permitted Uses:

Tracts 1 and 2:

- Parking Lot (parked vehicles or trailers shall not exceed 2 tons carrying capacity)
- LC Uses

Tract 2 only:

- Storage – (Indoor only - except for vehicles and trailers)

Setbacks:

- Front – 30 feet
- North Side of PDD – 15 feet
- Remaining Sides – 5 feet
- Rear – 15 feet

Maximum Structure Height:

- One-story/25 feet

Landscaping and Buffers:

- The west boundary of the PDD shall have a minimum 15' landscaped strip
- The north boundary of the PDD shall have a minimum 10' buffer (landscaping optional).
- Xeriscape principles shall be utilized.

Screening:

- Tract 2 shall be screened along the north and west sides. Such screening shall be from 6 to 7 feet in height, opaque, and constructed of wood or masonry materials.

Access:

- Each tract shall be limited to one driveway onto Chestnut Street.

Signage:

- Free-standing signs shall be prohibited, except for "Instructional" signs as described in the City of Abilene Sign Regulations
- Wall signs shall be limited to a maximum area of 10% of the area of the wall that the sign is on.
- Portable signs and off-site advertising shall be prohibited

Miscellaneous:

- Freight Containers shall be prohibited except on Tract 2, where they may be stored on site between use at construction sites.

PART 8: Development Schedule. If a plat for all or a portion of this subdivision is not approved within 12 months for the tract of the date of this ordinance, the Planning Director shall initiate rezoning of the PDD to RM-3 (Residential Multi-Family).

-END-

EXHIBIT B

