

ORDINANCE NO. 16-2021

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE," OF THE ABILENE CITY CODE, CONCERNING PD-169 A 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 the Land Development Code 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: 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 Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 22<sup>nd</sup> day of April, 2021.

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 20<sup>th</sup> day of March, 2021, 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 13<sup>th</sup> day of May, 2021, 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<sup>th</sup> day of May, 2021.

ATTEST:



Shawna Atkinson, City Secretary



Anthony Williams, Mayor

APPROVED:



Stanley Smith, City Attorney



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 possession of 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 shall be in accordance with any 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, which are hereby incorporated by reference and included as part of this ordinance. All use and development within the Planned Development 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 shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That the Land Development Code of the City of Abilene is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: from Neighborhood Office (NO) to Planned Development (PD) 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: 0.558 acres out of a tract of land recorded on Page 784 in Volume 837 of Deed Records for Taylor County, Texas and being in the A. Greenwall Survey No. 100 in the City of Abilene, Taylor County, Texas, said 0.558 acres being more particularly described by metes-and-bounds as follows:

**BEGINNING** at a found 3/8-inch metal rebar on the east line of right-of-way for Buffalo Gap Road (120' wide) at the southwest corner of that certain tract recorded on Page 784 in Volume 837 (of Deed Records) and at the northwest corner of Lot 56 in Block I of The Fairways Addition to the City of Abilene Taylor County, Texas as shown by plat recorded on Slide 294-C in Cabinet 2 of Plat Records for Taylor County, Texas, said 3/8" metal rebar being the southwest corner of this tract, and from whence a found 3/8" metal rebar at the southwest corner of said Lot 56 bears South 21°56' 27" West 120.08 feet;

**THENCE** North 22° 40' 44" East with the east line of right-of-way for Buffalo Gap Road for a distance of 119.70 feet to a 1/2-inch metal rebar set for the northwest corner of this tract and from whence a 1/2-inch metal rebar set for the northwest corner of that certain tract recorded on Page 748 in Volume 837 of Deed Records for Taylor County, Texas bears North 22° 40' 44" East 93.49 feet;

**THENCE** South 78° 27' 17" East for a distance of 207.35 feet to a 1/2-inch metal rebar set on the west line of Lot 1 in Block I of The Fairways Addition, for the northeast corner of this tract and from whence a found 3/8-inch metal rebar at the northwest corner of said Lot 1 bears North 23° 59' 56" East 134.32 feet;

**THENCE** South 23° 59' 56" West with the west line of Lots 1 and 2 in said Block I, for a distance of 121.48 feet to a found PK nail at the common corner of said Lot 2 with Lots 54 and 55 in said Block I, for the southeast corner of this tract;

**THENCE** North 78° 07' 30" West with the north line of said Lots 55 and 56, for a distance of 204.27 feet to the POINT OF BEGINNING.



Location: 5919 Buffalo Gap Road

PART 6: Purpose. The purpose of the Planned Development (PD) District is to allow limited retail sales of apparel and related accessories on the subject property, as well as other uses ordinarily allowed within Neighborhood Office (NO) zoning districts.

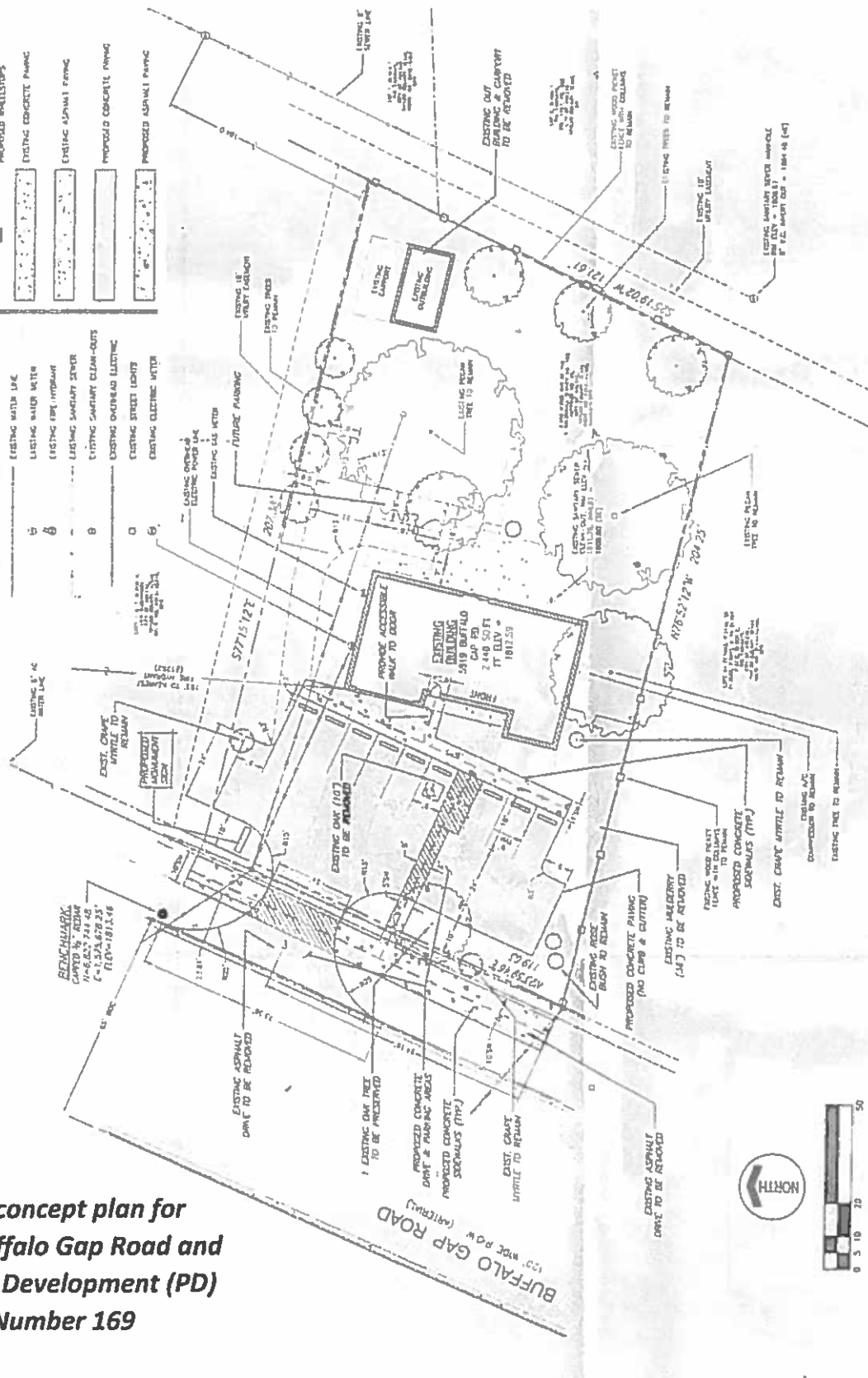
PART 7: Specific Modifications. The use and development of land and buildings in this Planned Development (PD) District shall generally be subject to requirements of the Neighborhood Office (NO) zoning classification, except as modified below:

A. Permitted Uses

- (1) In addition to uses allowed (by right or with approval of a Conditional Use Permit) in Neighborhood Office Districts, retail sales of apparel and related accessories shall also be allowed.

# S I T E P L A N L E G E N D

	SITE BOUNDARY		PROPOSED ACCESSIBLE MOUNT
	ADJACENT S.D.E. & ROADWAYS		PROPOSED ACCESSIBLE MOUNT
	BUILDING SETBACK LINE		PROPOSED ACCESSIBLE MOUNT
	UTILITY & DRAINAGE CALLOUTS		PROPOSED ACCESSIBLE MOUNT
	EXISTING WATER LINE		PROPOSED ACCESSIBLE MOUNT
	EXISTING WATER METER		PROPOSED ACCESSIBLE MOUNT
	EXISTING FIRE HYDRANT		PROPOSED ACCESSIBLE MOUNT
	EXISTING SANITARY SEWER		PROPOSED ACCESSIBLE MOUNT
	EXISTING SANITARY CLEAN-OUTS		PROPOSED ACCESSIBLE MOUNT
	EXISTING OVERHEAD LIGHTING		PROPOSED ACCESSIBLE MOUNT
	EXISTING STREET LIGHT		PROPOSED ACCESSIBLE MOUNT
	EXISTING ELECTRIC METER		PROPOSED ACCESSIBLE MOUNT
	EXISTING ELECTRIC POLE		PROPOSED ACCESSIBLE MOUNT
	EXISTING GAS METER		PROPOSED ACCESSIBLE MOUNT
	FUTURE PARKING		PROPOSED ACCESSIBLE MOUNT
	EXISTING OR FUTURE EASEMENT		PROPOSED ACCESSIBLE MOUNT
	EXISTING TREES TO REMAIN		PROPOSED ACCESSIBLE MOUNT
	EXISTING BUILDING		PROPOSED ACCESSIBLE MOUNT
	EXISTING DRIVEWAY		PROPOSED ACCESSIBLE MOUNT
	EXISTING CONCRETE PAVING		PROPOSED ACCESSIBLE MOUNT
	EXISTING ASPHALT PAVING		PROPOSED ACCESSIBLE MOUNT



graphic concept plan for  
 5919 Buffalo Gap Road and  
 Planned Development (PD)  
 District Number 169