ORDINANCE NO. 07-2024

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, CONCERNING PDD-75 AND ORDINANCE NO. 16-2002 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 Chapter 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 16-2002, 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.

PART 3: 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.

PASSED ON FIRST READING the 25th day of January, 2024.

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 15th day of December, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 8th day of February, 2024, 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 FINAL READING THIS 8th day of February, 2024.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

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 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.

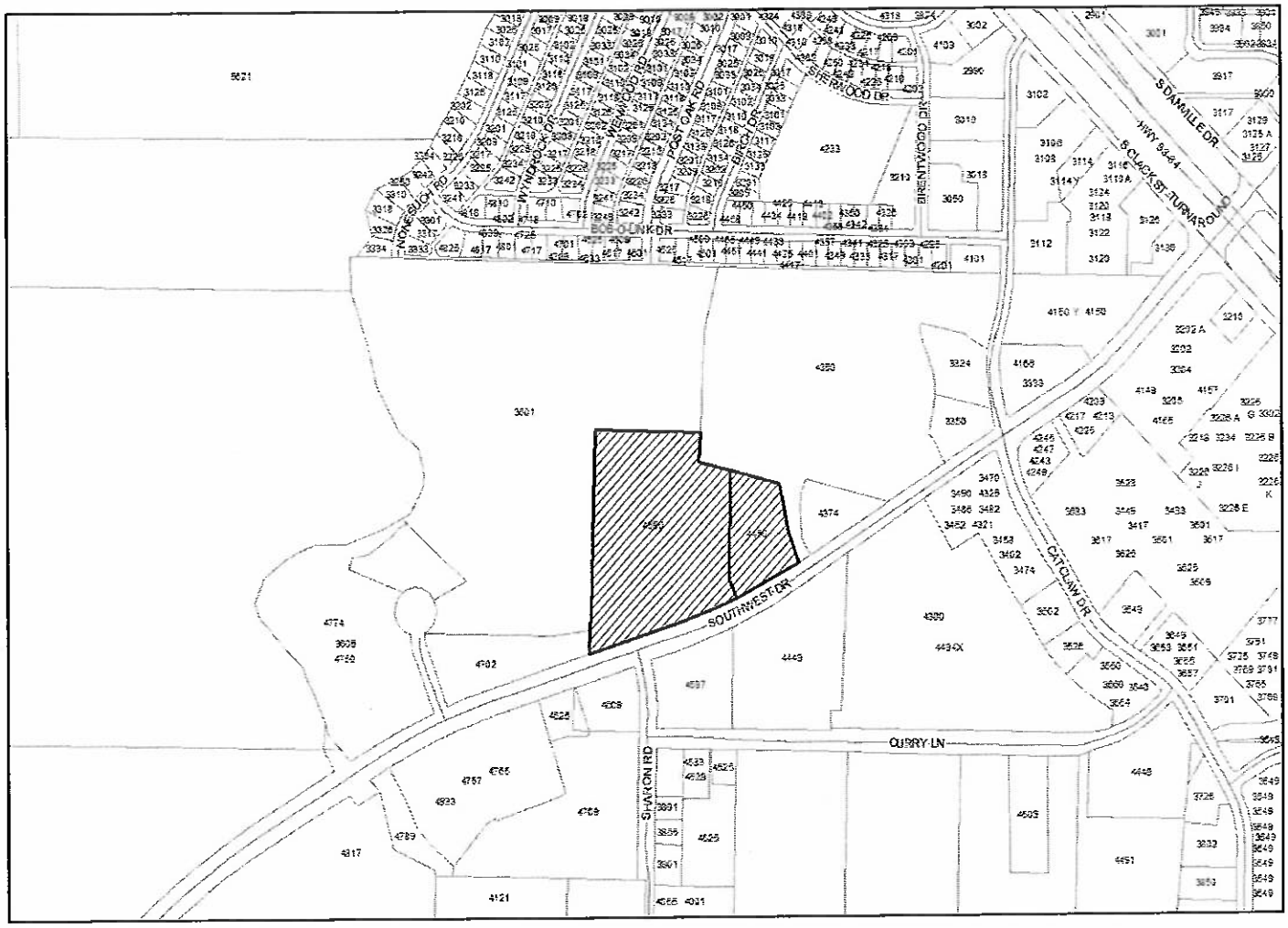
PART 4: Zoning. That Chapter 23, Subpart E, Abilene Municipal Code, known as the Zoning Ordinance of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From AO (Agricultural Open Space) District to PDD (Planned Development) District.

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. Lot 1 &2, Block 1, Home Depot Addition, Abilene, Taylor County, Texas.

Location:

4450 & 4590 Southwest Drive



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

1. Permitted Uses:

   A. Wholesale and retail sale of building materials and lumber
   B. Retail trade with the following exceptions:
      Aircraft and accessories
      Auctions
      Automobiles and trucks
      Marine craft

Mobile homes
Travel trailers and motor homes
Motorcycles
Pawn Shops
Scrap and waste material
Secondhand merchandise - including flea markets

2. Site Development shall be in accordance with the following regulations and as generally depicted on the site plan attached hereto as Exhibit B.

   A. The southwestern most building shall be in the general location as indicated in Exhibit B. The northeastern most building shall be located a minimum of 80 feet from the front property line and a minimum of 20 feet from all other lot lines. Lot coverage by structures shall not exceed 25 percent.
   B. Buildings shall be limited in height to 35 feet, excluding architectural exceptions generally allowed by the Zoning Ordinance of the City of Abilene.
   C. Off-street parking spaces shall be provided in accordance with the Zoning Ordinance of the City of Abilene, as a minimum.
   D. Off-street loading requirements shall consist of 3 spaces or the southwestern most structure and 1 space for each additional structure.
   E. The number of driveways shall be limited to 2 along Southwest Drive and shall meet the City of Abilene's standards for width, and return radii.
   F. Wall signage shall be limited to one wall per building. Wall signs shall not cover more than 20 percent of the wall on which they are located.
   G. One freestanding sign shall be permitted on each lot. Freestanding signs shall not exceed 35 feet in height or 200 square feet in area.
   H. Portable signs and off-site advertising signs are prohibited.
   I. Banners shall only be permissible when attached to and flat against a building.
   J. Landscaping shall be provided along the street side boundary of the lot, in general accordance with Exhibit "C". Landscaping of the northeastern lot shall be similar to that shown in Exhibit "C". Specific landscaping of the northeastern site shall be approved by the City of Abilene in the site plan review for that site. Such landscaping shall be located entirely on private property. Landscaping shall be defined as the planting and maintenance of living materials such as plants, trees and shrubs. Landscaping shall be installed prior to the issuance of a Certificate of Occupancy.
   K. In ground irrigation shall be required for all required landscaped areas.
   L. Display of goods shall be prohibited in landscaped and parking area, except where shown on Exhibit "D" and "E" of this ordinance with the following conditions:
      1. The display be limited to one example of each product;
      2. There be no more than 10 different products displayed;
      3. If this area is used for outdoor display, a minimum of 4 trees must be planted and maintained in the display area; and
      4. Outdoor display of equipment, rental trucks, general merchandise, or any other materials on a permanent or seasonal basis shall be prohibited at all other locations on the site.

3. Development Schedule: If a building permit for at least one building has not been issued within two years of the approval of this Ordinance by the City Council, the Planning Director shall initiate rezoning of the property back to the zoning classification in place prior to the approval of this Ordinance.

EXISTING WAL-MART
(APPROX. LOCATION)

DETENTION ±.75 ACRES

PROPOSED STRUCTURE
95,064 SF
95R-REAR

GARDEN CENTER
24,240 SF

PROPOSED STRUCTURE

108 SPACES

WENDY'S

FRONT FIELD: 472 SPACES

SOUTHWEST DRIVE

GEEBO'S

IRON RD

4590 Southwest Dr.

LOCATION MAP

THIS SITE PLAN IS BASED ON A JACOB-MARTIN SURVEY OF THE PROPERTY DATED 02/14/02.

WAL-MART'S BUILDING, CURB AND GUTTER, AND

GREENBERG ... ARCHITECTURE
ARCHITECTURE ENGINEERING DEVELOPMENT

PROJECT INFORMATION

SITE AREA
THE HOME DEPOT ±11.74 ACRES

BUILDING AREA
THE HOME DEPOT 95,064 SF
GARDEN CENTER 24,240 SF
TOTAL 119,304 SF

PARKING SUMMARY

USER	RATIO REQUIRED	SPACES REQ'D	SPACES PROV'D
THE HOME DEPOT	1 SP/300 SF	317	410
GARDEN CENTER	1 SP/300 SF	81	81
		398	491

HOME DEPOT RATIO PROVIDED 1 SP/243 SF
HOME DEPOT FRONT FIELD PROVIDED 472 SPACES

ZONING CLASSIFI
JURISDICTION
EXISTING ZONING
REQUIRED ZONING

LANDSCAPE REQU
OPEN SPACE

BUILDING SETBAC
FRONT
SIDE
REAR

ORDINANCE NO. 16-2002
EXHIBIT "B"

PROJECT NOTES
1. THIS CONCEPTUAL SITE PLAN IS FOR PLANNING PURPOSES ONLY. SITE SPECIFIC INFORMATION SUCH AS EXISTING CONDITIONS, ZONING, PARKING LANDSCAPE REQUIREMENTS MUST BE VERIFIED.
2. THIS SITE PLAN IS BASED ON A SITE SURVEY BY JACOB-MARTIN DATED 02/14/02.
3. ALL CURB CUTS AND TRAFFIC SIGNALS SHOWN, EXISTING AND PROPOSED, MUST BE VERIFIED.

DRAWING REVISION/REVIEW HISTORY

DATE	DESCRIPTION	INITIALS
01/21/02	INITIAL RELEASE	
02/11/02	PROTOTYPE UPDATE, NEW BOUNDARIES	
02/11/02	SQUARE PHOTO	
02/13/02	NEW SURVEY DATA	
02/05/02	BASE TO 2174, PROTOTYPE SURVEY BASE CSE/JAM	

SITE PLANNER
SITE DEV. COORDINATION
R. K. MARKET
R. E. AGENDA MAKE

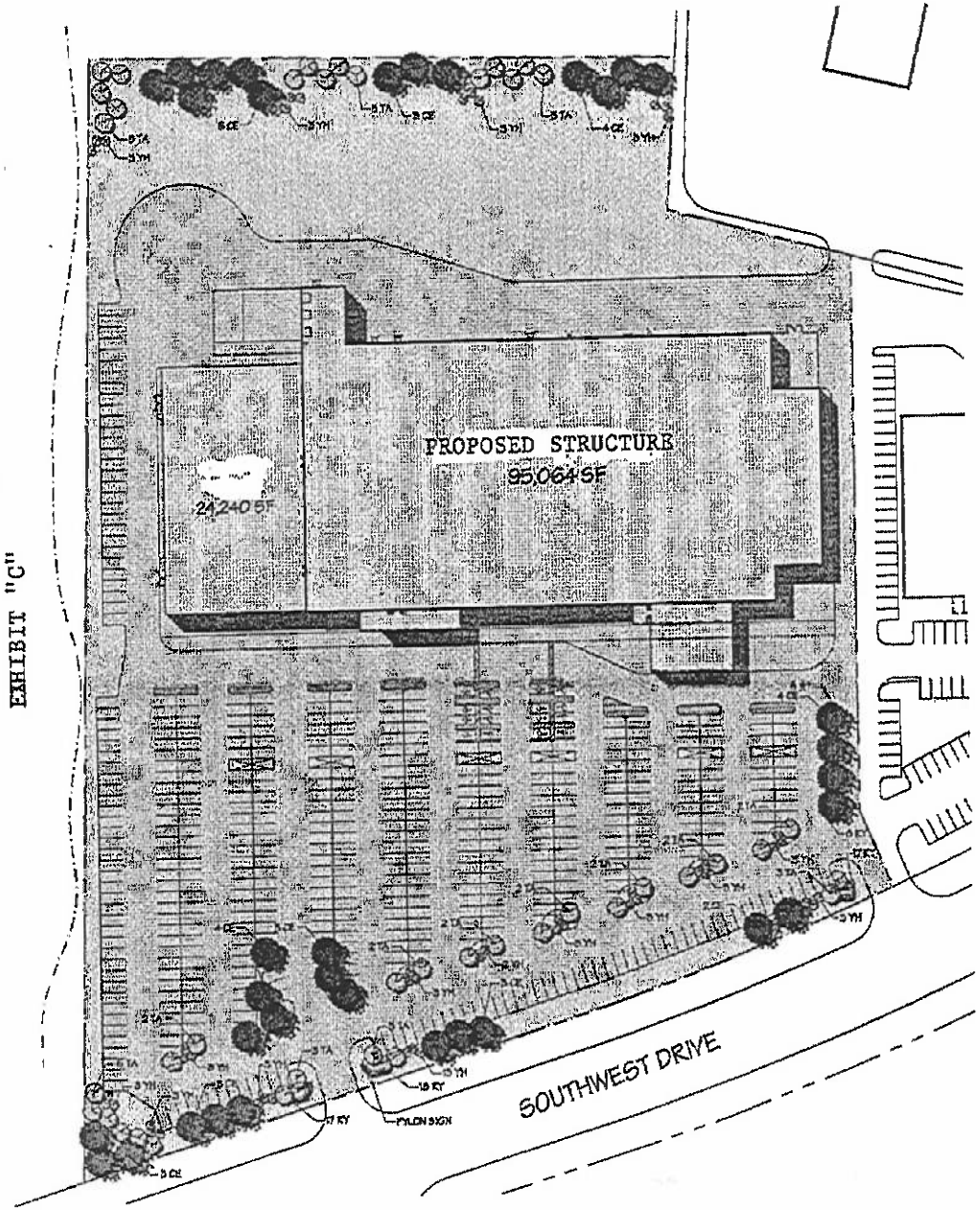
ABILENE
TX
NEQ SOUTHWEST DRIVE AND SHARON ROAD

GPA PROJECT NUMBER 2002004013

SCALE 1"=50'
0 25 50 100 150 200

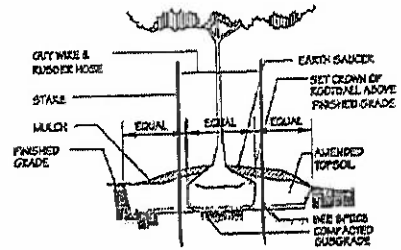
ORDINANCE NO. 16-2002

EXHIBIT "C"

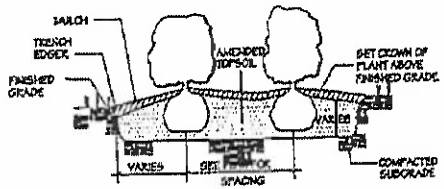


PLANT LIST

SYMBOL	QTY.	NAME	SIZE	REMARKS



TREE PLANTING DETAIL



SHRUB/GROUNDCOVER PLANTING DETAIL

THE HOME DEPOT

ABILENE, TEXAS

LANDSCAPE PLAN

PARROW ARCHITECTURE

EXHIBIT D
Permitted Outdoor Display Areas

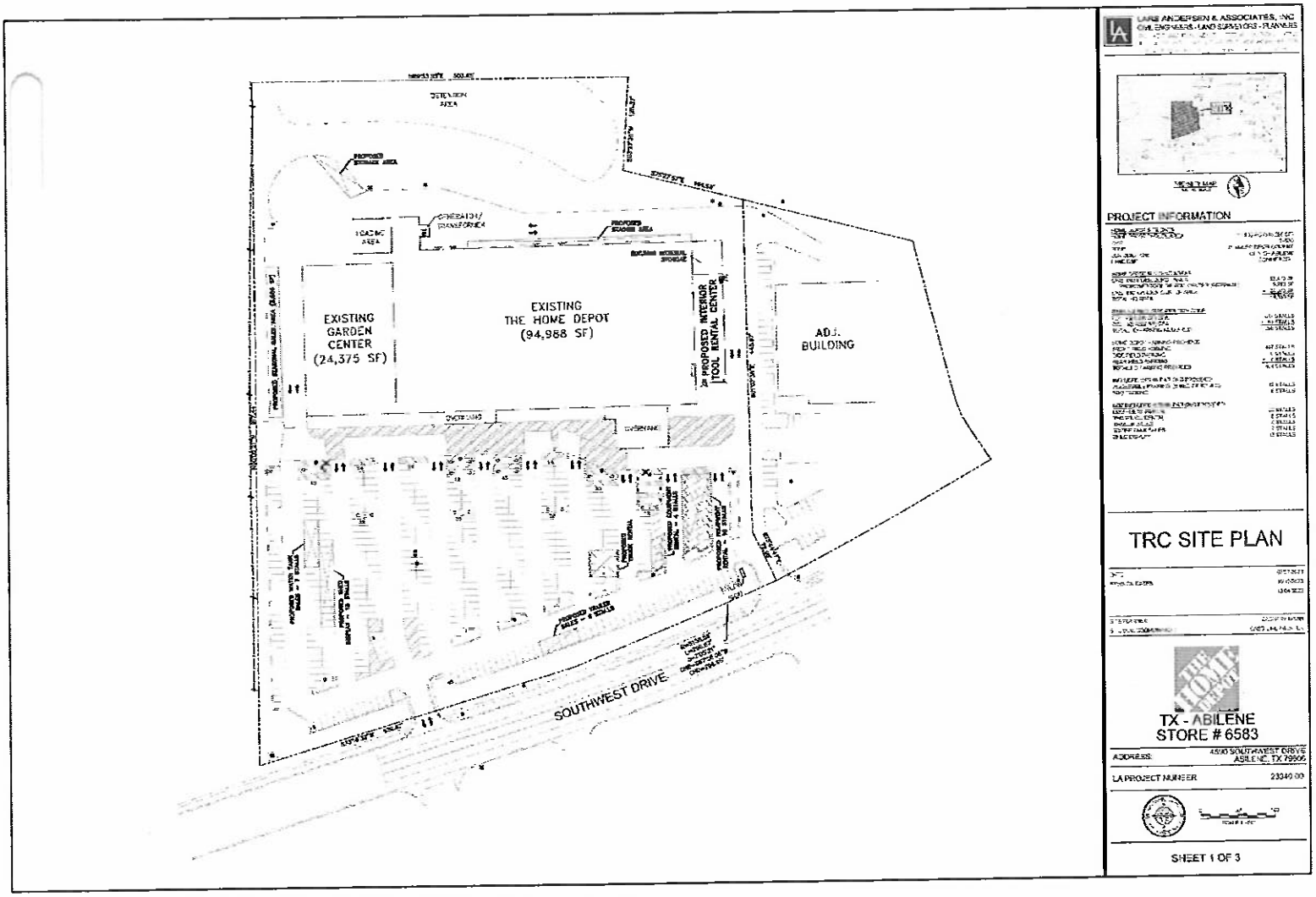
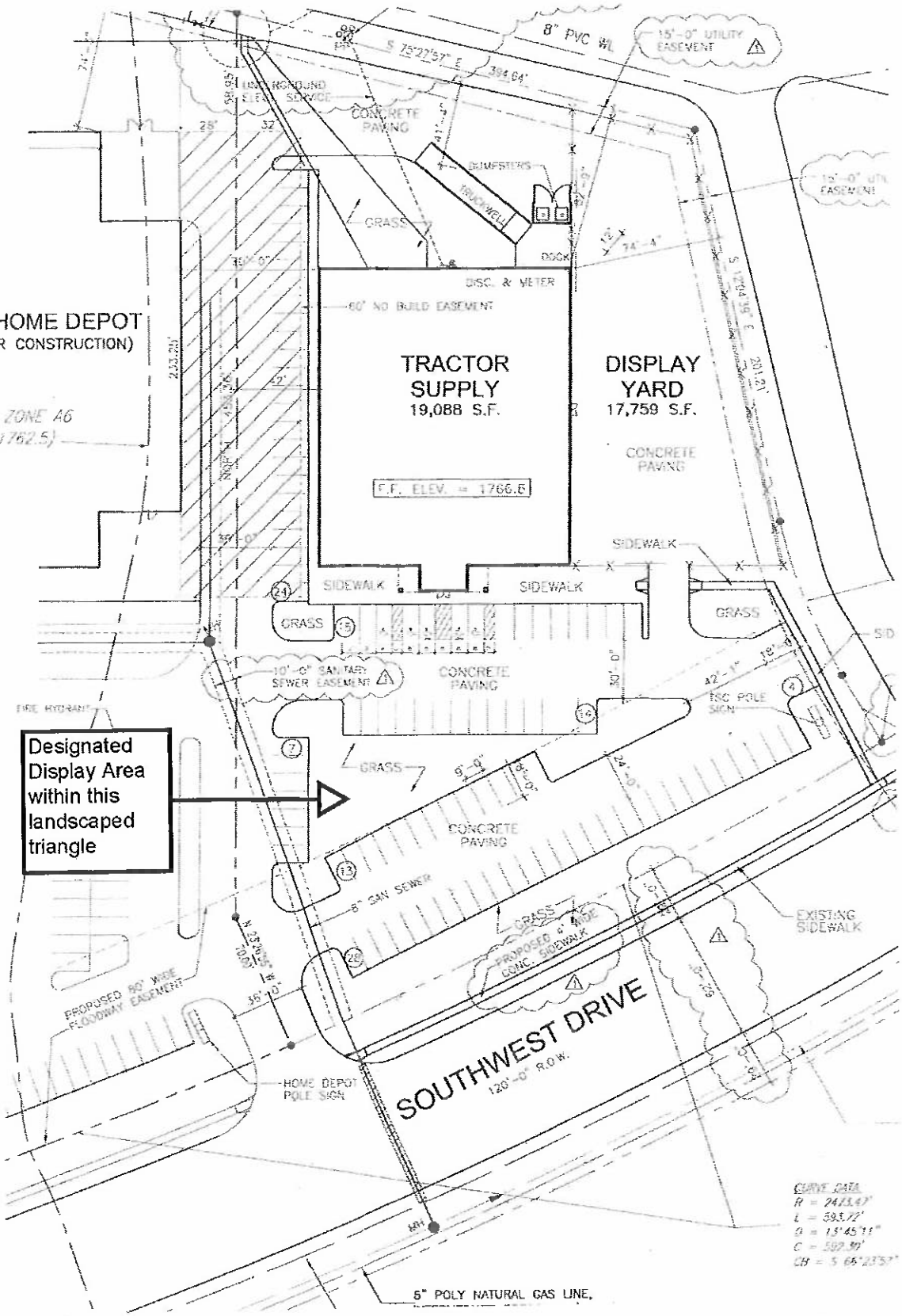


EXHIBIT E

Permitted Outdoor Display Areas