

ORDINANCE NO. 07-2025

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING A CERTAIN PROPERTY; 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 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.

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 19th day of December, 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 November, 2024, 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 9th day of January, 2025, 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 9th day of January, 2025.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:



CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described land from Agricultural Open (AO) to General Retail (GR), General Commercial (GC), and Multi-Family (MF). A zoning concept plan is included as EXHIBIT B.

Legal description for General Retail (GR) zoning:

BEING a 39.34 acre zoning tract out of the SE/4 & SW/4 of Section No. 12, Lunatic Asylum Lands, M. Jones Survey, Abstract No. 766, & M. Pogue Survey, Abstract No. 831, City of Abilene, Taylor County, Texas and being out of the east end of that certain 125.04 acre tract more particularly described in a deed to PB 6950, L.L.C. recorded in Instrument No. 2021-17398, Official Public Records, Taylor County, Texas. Said 39.34 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the northwest corner of this described tract and said 125.04 acre tract;
THENCE S89°27'57"E along the north line of this described tract and said 125.04 acre tract, a distance of 1178.71 feet to a point for northeast corner of this described tract, being the northeast corner of said 125.04 acre tract and being in the west right-of-way line of Memorial Drive;
THENCE S09°07'47"W along the east line of this described tract and said 125.04 acre tract, and the west right-of-way line of said Memorial Drive, a distance of 674.64 feet to a point for an interior corner of this described tract and said 125.04 acre tract;
THENCE N89°27'50"E along a north line of this described tract and said 125.04 acre tract, a distance of 356.35 feet to a point for the most easterly northeast corner of this described tract;
THENCE S09°00'29"W along the east line of this described tract and over and across said 125.04 acre tract, a distance of 691.29 feet to a point for the southeast corner of this described tract and being in the south line of said 125.04 acre tract;
THENCE N89°36'27"W along the south line of this described tract and said 125.04 acre tract, a distance of 303.65 feet to a point for an interior corner of this described tract;
THENCE S09°02'02"W along a east line of this described tract and said 125.04 acre tract, a distance of 22.65 feet to a point for the most southerly southeast corner of this described tract;
THENCE N89°27'05"W along the south line of this described tract and over and across said 125.04 acre tract, a distance of 1024.76 feet to a point for the southwest corner of this described tract and being the most westerly southwest corner of said 125.04 acre tract;
THENCE N00°30'42"E along the west line of this described tract and said 125.04 acre tract, a distance of 1367.04 feet to said **POINT OF BEGINNING** and containing 39.34 acres of land, more or less.

Legal description for northeast General Commercial (GC) zoning:

BEING a 32.42 acre zoning tract out of the SE/4 of Section No. 12, Lunatic Asylum Lands, M. Jones Survey, Abstract No. 766, City of Abilene, Taylor County, Texas and being out of the east end of that certain 125.04 acre tract more particularly described in a deed to PB 6950, L.L.C. recorded in Instrument No. 2021-17398, Official Public Records, Taylor County, Texas and being out of and a part of those certain 6.04 acre tracts of land, known as Tract One and Tract Two, described in a deed to PB 6950, LLC recorded in Instrument No. 2021-21155, Official Public Records, Taylor County, Texas. Said 32.42 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the northeast corner of this described tract and said Tract Two, being in the west right-of-way line of U.S. Highway 83/84;
THENCE S00°50'25"W along the east line of this described tract, said Tract Two and said 125.04 acre tract, a distance of 1168.22 feet to a point for the southeast corner of this described tract;
THENCE S89°27'26"W along the south line of this described tract and over and across said 125.04 acre tract, a distance of 1277.65 feet to a point for the southwest corner of this described tract;
THENCE N00°16'40"E along the west line of this described tract and over and across said 125.04 acre tract and over and across said Tract One, a distance of 1168.82 feet to a point for the northwest corner of this described tract;

THENCE N89°29'37"E along the north line of this described tract and said Tract One, a distance of 269.62 feet to a point for the most westerly northeast corner of this described tract;
THENCE S00°28'02"E along a east line of this described tract, and along the east line of said Tract One, a distance of 344.89 feet to a point for an interior corner of this described tract;
THENCE N89°29'55"E along a north line of this described tract, and the a north line of said 125.04 acre tract, a distance of 252.67 feet to a point for an interior corner of this described tract;
THENCE N00°29'23"E along a west line of this described tract, and along the west line of said Tract Two, a distance of 344.91 feet to a point for the most easterly northwest corner of this described tract;
THENCE N89°29'37"E along the north line of this described tract and said Tract Two, a distance of 766.96 feet to said **POINT OF BEGINNING** and containing **32.42 acres** of land, more or less.

Legal description for southwest General Commercial (GC) zoning:

BEING a **12.32 acre** zoning tract out of the SW/4 of Section No. 12, Lunatic Asylum Lands, M. Pogue Survey, Abstract No. 831, City of Abilene, Taylor County, Texas and being out of the east end of that certain 125.04 acre tract more particularly described in a deed to PB 6950, L.L.C. recorded in Instrument No. 2021-17398, Official Public Records, Taylor County, Texas. Said **12.32 acre** tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the southwest corner of this described tract and said 125.04 acre tract, being in the north right-of-way line of Waldrop Drive;

THENCE N00°32'43"E along the west line of this described tract and said 125.04 acre tract, a distance of 1279.55 feet to a point for northeast corner of this described tract;

THENCE S89°27'05"E along the north line of this described tract and over and across said 125.04 acre tract, a distance of 514.12 feet to a point for the northeast corner of this described tract and being in a east line of said 125.04 acre tract;

THENCE S09°02'02"W along the east line of this described tract and said 125.04 acre tract, a distance of 1298.87 feet to a point for the southeast corner of this described tract and being the most southerly southeast corner of said 125.04 acre tract, said point being in the north right-of-way line of said Waldrop Drive;

THENCE N88°32'36"W along the south line of this described tract and said 125.04 acre tract, and along the north right-of-way line of said Waldrop Drive, a distance of 322.44 feet to said **POINT OF BEGINNING** and containing **12.32 acres** of land, more or less.

Legal description for Multi-Family (MF) zoning:

BEING a **50.78 acre** zoning tract out of the SE/4 of Section No. 12, Lunatic Asylum Lands, M. Jones Survey, Abstract No. 766, City of Abilene, Taylor County, Texas and being out of the east end of that certain 125.04 acre tract more particularly described in a deed to PB 6950, L.L.C. recorded in Instrument No. 2021-17398, Official Public Records, Taylor County, Texas and being out of and a part of that certain 6.04 acre tract of land, known as Tract One, described in a deed to PB 6950, LLC recorded in Instrument No. 2021-21155, Official Public Records, Taylor County, Texas, and being out of a part of Lot 9, Block D, The Denali Addition, as shown per plat recorded in Cabinet 4, Slide 588, Plat Records, Taylor County, Texas. Said **50.78 acre** tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the most northerly northeast corner of this described tract and said Lot 9, being in the south right-of-way line of McKinley Drive;

THENCE S45°07'57"E along the clip corner of said Lot 9, and between the south right-of-way line of said McKinley Drive and the west right-of-way line of Horse Head Crossing, a distance of 42.12 feet to a point for the most southerly clip corner of this described tract;

THENCE S00°16'40"W along the east line of this described tract and said Lot 9,, and the west right-of-way line of said Horse Head Crossing, a distance of 152.37 feet to a point for an interior corner of this described tract;

THENCE N89°29'37"E along a north line of this described tract and the north line of said Tract One, a distance of 35.00 feet to a point for the most easterly northeast corner of this described tract;

THENCE along the east lines of this described tract and over and across said Tract One and said 125.04 acre tract the following bearings and distances:

- S00°16'40"W 1168.82 feet to a point;
- N89°27'26"E 212.27 feet to a point;
- S00°32'34"E, 640.01 feet to a point for the southeast corner of this described tract, being in the south line of said 125.04 acre tract;

THENCE N89°41'01"W along the south line of this described tract and said 125.04 acre tract, a distance of 1162.43 feet to a point for the southwest corner of this described tract and the most easterly southwest corner of said 125.04 acre tract;

THENCE N00°48'23"E along the west line of this described tract and said 125.04 acre tract, a distance of 760.32 feet to a point for an interior corner of this described tract;

THENCE N89°36'27"W along a south line of this described tract and said 125.04 acre tract, a distance of 280.59 feet to a point for the most westerly southwest corner of this described tract;

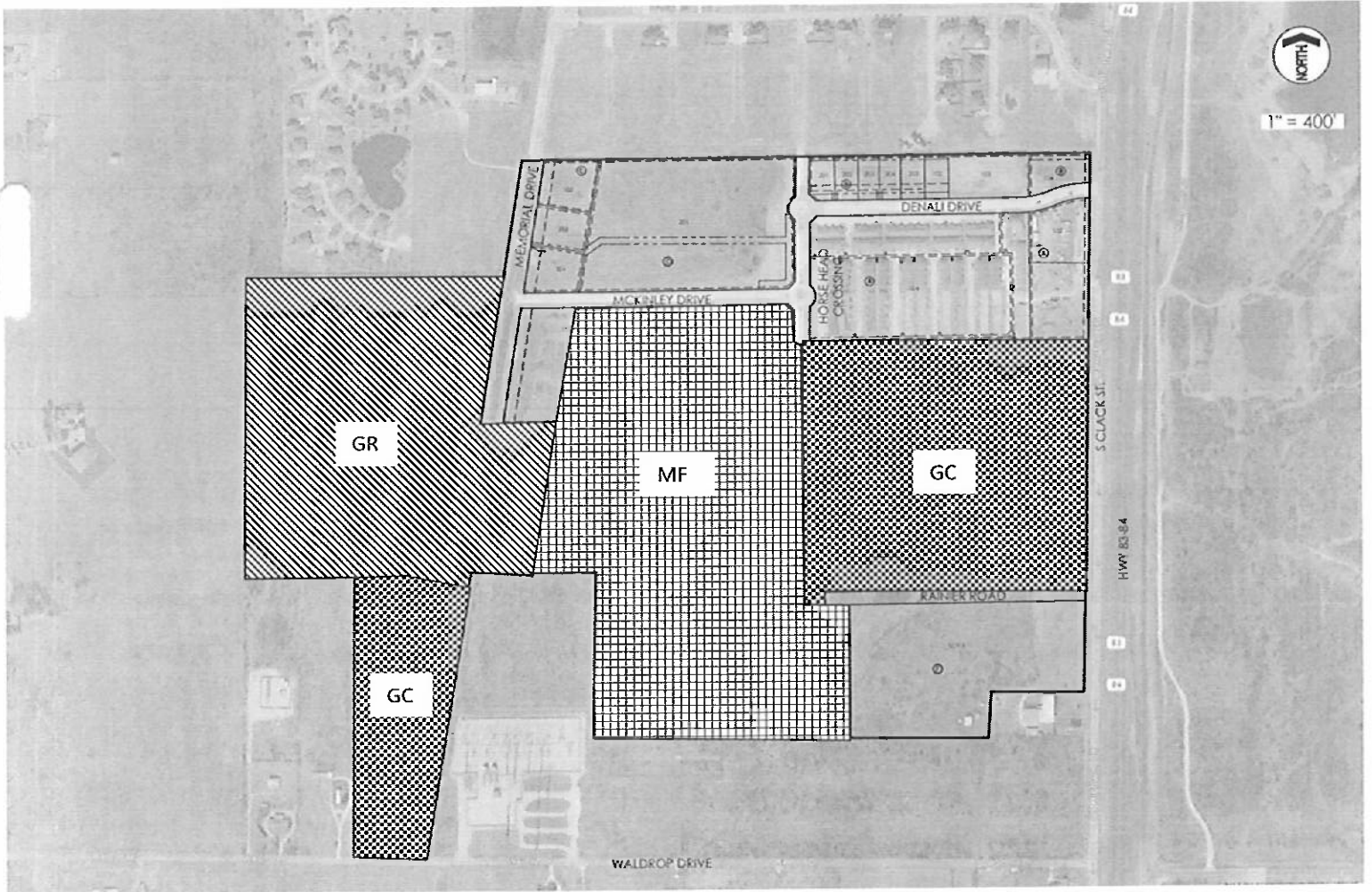
THENCE N09°00'29"E along the west line of this described tract and over and across said 125.04 acre tract and said Lot 9, a distance of 1225.96 feet to a point for the northwest corner of this described tract, being in the north line of said Lot 9, and the south right-of-way line of said McKinley Drive;

THENCE N89°27'26"E along the north line of this described tract and said Lot 9, a distance of 963.61 feet to said **POINT OF BEGINNING** and containing **50.78** acres of land, more or less.

Located at 7450 HWY 83-84.



EXHIBIT B



END