City of Abilene

Planning and Zoning Commission Agenda

Notice is hereby given of a meeting of the Planning & Zoning Commission of City of Abilene to be held on January 5, 2021 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

INVOCATION

MINUTES

1. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing on the Minutes from the Regular Meeting Held on December 1, 2020

PLATS

2. **MP-3820:** Receive a Report, Hold a Discussion and Public Hearing on a plat for Wuske Addition, a Subdivision of 5.94 acres out of Lot 5 of the Anderson and Berry Subdivision of the A. Thompson Survey No. 37, City of Abilene, Taylor County, Texas
3. **PP-6920:** Receive a Report, Hold a Discussion and Public Hearing on a plat for Denali Addition, preliminary plat of Lots 1-9 The Denali Addition, Abilene, Taylor County, Texas.
4. **FP-7420:** Receive a Report, Hold a Discussion and Public Hearing on a plat for Denali Addition, final plat of Lots 1-9 of the Denali Addition, Abilene, Taylor County, Texas.
5. **PP-7320:** Receive a Report, Hold a Discussion and Public Hearing on a plat for Peterson Subdivision, Lots 1-5, Peterson Subdivision, Abilene, Taylor County, Texas
6. **PP-7520:** Receive a Report, Hold a Discussion and Public Hearing on a plat for Access Business Park, preliminary plat of Access Business Park Addition formerly preliminary plat of Development Plan, Section 1, Abilene, Taylor County, Texas.
7. **FP-7220:** Receive a Report, Hold a Discussion and Public Hearing on a plat Access Business Park, final plat of Access Business Park Addition, Abilene, Taylor County, Texas.

ZONING

8. **Z-2021-01:** Receive a Report and Hold a Discussion and Public Hearing on a request from Lane Miller to rezone property from a Planned Development (PD) District primarily limited to residences, to a Neighborhood Office (NO) District and located at 3702 Antilley Road, approximately 0.2 mile east from Buffalo Gap Road. Legal description being all of Lot 1 in Block A of the Antilley Road Addition in Abilene, Taylor County, Texas.

9. **Z-2021-02:** Receive a Report and Hold a Discussion and Public Hearing on a request from Pattie Hollingsworth and Matthew Gjerstad to rezone property from an Agricultural Open Space (AO) to a Residential Single-Family (RS-6) District and located on approximately 0.79 acre at 5526 and 5534 Highway 277, approximately 0.62 mile southwest from Texas Avenue's intersection with Highway 277. Legal description being approximately 0.79 acre out of William Bishop Survey 43 in Abilene, Taylor County, Texas.

10. **TC-2021-01:** Receive a Report and Hold a Discussion and Public Hearing on a request from Leonor Rivera, agents Anton and Francesca Barnett, to abandon the public right-of-way (40-feet) of Sunrise Avenue extending between Minda Street (on the south) and Hailey Street (on the north) and located approximately 650 feet east from T&P Lane in east central Abilene.

DIRECTORS REPORT

11. Recent City Council decisions regarding items recommended by the Planning and Zoning Commission

ADJOURNMENT

Notice

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received forty-eight (48) hours prior to scheduled meetings. Please contact the City Secretary's Office at 325-676-6208. Telecommunication device for the deaf is 325-676-6360.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 31st day of December, 2020, at 3:35 p.m.

_____

Kaitlin Richardson, Deputy City Secretary

Planning and Zoning Commission
MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on December 1, 2020 at 1:30 p.m. in the Council Chambers at 555 Walnut Street.

Commissioners Present:
Mr. Fred Famble, Chairman
Mr. Bill Noonan, Secretary
Mr. Mitch Barnett
Mr. Clint Rosenbaum, Pro Tem
Rev. Iziar Lankford

Commissioners Absent:
Ms. Alex Russell, Sergeant-at-Arms
Mr. Brad Benham

Staff Present:
Mr. Michael Rice, Assistant City Manager
Mr. Michael Warrix, Director of Planning and Development Services
Ms. Cheryl Sawyers, Planning Services Manager
Ms. Kelley Messer, First Assistant City Attorney
Mr. Brad Stone, Planner III
Mr. Jared Smith, Planner II
Mr. Nick Watts, Planner I and Historic Preservation Officer
Ms. Melissa Farr, Executive Assistant

Others Present:
Mr. Tal Fillingim
Mr. Donald Burton
Mr. Kelly Gill
Mr. Clayton Farrow
Ms. Eugenia Burton
Mr. Bo Shomansuroff
Mr. Corey Ruff
Ms. Kendra Hanfeld

CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:30 p.m.

INVOCATION

Reverend Lankford delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Reverend Lankford moved to **approve** the minutes for the Planning and Zoning Commission regular meeting of November 3, 2020. Mr. Noonan seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble
NAYS: None

PLATS

MRP-2620: Lytle Shores West, South Oldham Extension, A Replat of Lots 43, 44, 45, 46, 47 and 49, Being Out of Lytle Shores West Block A, Section 2, and Lot 103 Out of Lytle Shores West Block A, Section 4, Out of Sections 51 and 52, Blind Asylum Land Surveys, Taylor County, Texas

Ms. Sawyers presented the plat to the Commission. Staff recommends approval.

Mr. Famble opened the public hearing. Seeing no one present and desiring to be heard, Mr. Famble closed the public hearing.

Mr. Rosenbaum moved to approve the proposed plat. Mr. Barnett seconded the motion.
The motion to **approve** prevailed by the following vote:

AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble
NAYS: None

ZONING

Z-2020-22: Receive a Report and Hold a Discussion and Public Hearing on a request from Mobile Home Concepts, LLC to rezone property from a combination of Manufactured/Mobile Home (MH) and General Commercial (GC) to Planned Development (PD) District allowing occupancy by recreational vehicles and vacation travel trailers as well as mobile and manufactured homes on property at 6101 South 7th Street in western Abilene. Legal description being all of Lot 1 in Block 1 of a Replat of Section 1, Westglen Addition in Abilene, Taylor County, Texas

Mr. Nick Watts presented this request. The applicant is requesting to rezone a 17.5 acre tract from Manufactured/Mobile Home (MH) and General Commercial (GC) to Planned Development District 168 (PD 168) to allow recreational vehicles, vacation travel trailers, and manufactured homes.

Mr. Famble opened the public hearing. With no speakers present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were two (2) responses received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Staff recommends approval with the following condition:

- The eastern 200 feet to be reserved for only manufactured/mobile homes to protect the character of the adjacent medium density neighborhood.

Reverend Lankford moved to approve the request. Mr. Noonan seconded the motion.
The motion to **approve** prevailed by the following vote:

AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble
NAYS: None

Z-2020-23: Receive a Report and Hold a Discussion and Public Hearing on a request from Eugene Rickert to rezone property from Agricultural Open Space (AO) to Rural Residential (RR1) District on one acre of land located at 1949 Beltway South (F.M. Highway 707). Legal description being one (1) acre out of northeast quarter of Lunatic Asylum Lands Section 23 in Taylor County, Texas

Mr. Jared Smith presented this request. The applicant is requesting to rezone two (2), one acre tracts from Agricultural Open Space (AO) to Rural Residential (RR1) District for the purpose of combining the lots through a replat. The rezone and subsequent replat will bring the lots into conformity with the Land Development Code allowing the construction of an addition to an existing single family residence.

Mr. Famble opened the public hearing. Mr. Kelly Gill spoke in favor. With no other speakers present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were zero (0) responses received in favor, nor in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum moved to approve the request. Mr. Noonan seconded the motion.

The motion to **approve** prevailed by the following vote:

AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble
NAYS: None

Z-2020-24: Receive a Report and Hold a Discussion and Public Hearing on a request from Donald Callaway (agents Jacob & Martin LLC) and the City of Abilene to rezone approximately 0.6 acre of land (120 feet wide) located behind the restaurant building at 4801 Buffalo Gap Road, from Agricultural Open Space (AO) to Neighborhood Retail (NR) District. Legal description being the eastern 120 feet of Lot 1 in Block A of Squares Restaurant Addition in Abilene, Taylor County, Texas

Mr. Jared Smith presented this request. The applicant is requesting to rezone a portion, approximately 61-foot by 102-feet, of the AO zoning to accommodate additional parking. In order to expand the existing parking area for Al's Mesquite Grill, Abilene's Land Development Code Section 4.2.1.3 stipulates that off-street parking requirements shall be within the same zoning classification required of the use which the parking area supports.

Mr. Famble opened the public hearing. Mr. Tal Fillingim spoke in favor and was available for questions. With no other speakers present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were zero (0) responses received in favor with two (2) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum moved to approve the request. Mr. Noonan seconded the motion.
The motion to **approve** prevailed by the following vote:

AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble
NAYS: None

Z-2020-25: Receive a Report and Hold a Discussion and Public Hearing on a request from KPLB LLC, agents Jacob & Martin LLC, to rezone property from Residential Single Family Patio Home (PH) to a Residential Medium Density (MD) District on 5.85 acres of now vacant land at 1826 Colony Hill Road in southeastern Abilene. Legal description being 5.85 acres out of southwest quarter of Lunatic Asylum Lands Section 8 in Abilene, Taylor County, Texas

Ms. Cheryl Sawyers presented this request. The applicant is requesting to rezone from Residential Single-Family Patio Home (PH) to the subject property's previously zoned Residential Medium-Density (MD). The applicant has shown renewed interest in MD after reviewing market trends and the growing demand for MD type units.

Mr. Famble opened the public hearing. Mr. Clayton Farrow spoke in favor and was available for questions. With no other speakers present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were zero (0) responses received in favor, nor in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Reverend Lankford moved to approve the request. Mr. Barnett seconded the motion.
The motion to **approve** prevailed by the following vote:

AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble
NAYS: None

Z-2020-26: Receive a Report and Hold a Discussion and Public Hearing on a request from Abilene Christian University, agent Kendra Hanfeld of Parkhill, Smith and Cooper Inc., to rezone 13.05 acres (occupied since 1955 by Taylor Elementary School) at 916 East North 13th Street, from Residential Medium Density (MD) to a College University (CU) District. Legal description being 13.05 acres out of southwest quarter of Blind Asylum Lands Section 33 in Abilene, Taylor County, Texas

Mr. Brad Stone presented this request. Abilene Christian University seeks to rezone this acreage to a College University (CU) District for university use after Taylor Elementary moves into their new building. With their application for zone change, Abilene Christian University indicated they plan to use this site for "academic and research offices, classrooms, laboratories and other administrative uses."

Mr. Famble opened the public hearing. Ms. Kendra Hanfeld spoke in favor of this request. With no other speakers present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were 14 responses received in favor with two (2) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum moved to approve the request. Mr. Barnett seconded the motion.
The motion to **approve** prevailed by the following vote:

AYES: Barnett, Rosenbaum, Lankford, Famble
NAYS: None
ABSTAINED: Noonan

TC-2020-07: Receive a Report and Hold a Discussion and Public Hearing on a request from Abilene Christian University, agents Enprotec/Hibbs & Todd Inc., to abandon the public right of way within a 0.4039 acre tract of presently unpaved land initially dedicated for what is now known as North Judge Ely Boulevard and located northeast from the original campus of Taylor Elementary School at 916 E.N. 13th Street in northeast Abilene

Mr. Brad Stone presented this request. Abilene Christian University is now committed to purchase the 13.05-acre site of Taylor Elementary School's original campus. As a result, the University will become the sole owner of land adjacent to this remaining segment of North Judge Ely's original and now-obsolete right-of-way. Abilene Christian University thereby seeks to have this 0.4039-acre parcel of right-of-way officially abandoned by the public. If this request is approved, the University may then integrate that acreage within its expanded campus on the former site of Taylor Elementary School.

Mr. Famble opened the public hearing. As no one from Enprotec was available to attend the meeting, Ms. Kendra Hanfeld spoke in favor on their behalf. With no other speakers present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were three (3) responses received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Staff recommends approval subject to conditions.

Mr. Rosenbaum moved to approve the request subject to the conditions presented. Mr. Famble seconded the motion.

The motion to **approve** prevailed by the following vote:

AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble
NAYS: None

TC-2020-06: Receive a Report and Hold a Discussion and Public Hearing on a request from the City of Abilene to abandon the public right of way within the complete 418 foot length of Crow Street as it extends north from right of way for East South 5th Street, approximately 765 feet west from and parallel to T&P Lane in southeast central Abilene

Mr. Nick Watts presented this request. This proposed public right-of-way abandonment is a part of the Cedar Creek Waterway Project and the City has initiated the request for abandonment due to the frequency of illegal dumping on this dead-end unimproved roadway. Additionally, of Crow Street and the adjacent properties to the west are within the floodway.

Mr. Famble opened the public hearing. Mr. Donald Burton spoke in opposition to this request, saying he and his mother are opposing this request due to the lack of information received. With no other speakers present and desiring to be heard, Mr. Famble closed the public hearing.

Mr. Famble initiated an open discussion to allow for more detail that might answer Mr. Burton's questions. Discussion took place regarding the Cedar Creek Bond Project and the need to mitigate illegal dumping.

Mr. Famble opened the public hearing again. Mr. Donald Burton spoke in response to say a separate issue involving his mother's property exists that has not been addressed by the City. He would like for that issue as well to be resolved before a sound decision about the current request could be made.

Mr. Rice approached to clarify the purpose of this request. The street will be closed so the right-of-way along the property may be fenced. This is an effort to provide a vehicle barrier, which will keep people out.

Mr. Rice explained that the majority of area on the west side of the street is in the floodway. The City owns all of the properties fronting Crow Street except Mr. Burton's property on Ezra. The will have access to Ezra Street, as it is not being blocked off.

He also agreed with Mr. Burton, saying the City has been in communication with Mr. Burton for quite some time. The City has an existing line on 310 Ezra Street, which traverses east to west. They are working on the acquisition of a formal easement. Work was performed on the Burton's property in 2019 because of the existing line. With the cooperation of the Burton's, the City is seeking a formal easement and will compensate the Burton's for any damages that may have occurred.

Property owners within a 200-foot radius were notified of this request. There were zero (0) responses received in favor, nor in opposition.

PLANNING STAFF RECOMMENDATION: City staff recommends approving the requested abandonment subject to approval and subsequent recording of a re-plat showing how the right-of-way (authorized to be abandoned) will be integrated with one or more adjacent new lot(s).

DIRECTOR'S REPORT

Mr. Warrix announced recent decisions made by City Council on items recommended from the Commission.

ADJOURNMENT

There being no further discussion, Mr. Famble adjourned the meeting at 2:30 p.m.

APPROVED

_____

Mr. Fred Famble, Chairman

NOTE: If this plat does not bear the signature and impression seal of Rex D. Haas it is not a valid survey plat and shall not be relied upon for any purpose or filed as a public record.

NOTE: Bearings shown hereon were determined by G.P.S. observations using TXNC State Plane Coordinates NAD 83.

NOTE: There may be easements on or near this property which are not reflected by title commitment or this survey plat. At least 48 hours before any excavation type work is done, proper authorities should be contacted. One resource is DIG TESS at 1-800-344-8377.

FIELD NOTES
5.94 ACRE

BEING 5.94 acres out of Lot 5 of the Anderson and Berry Subdivision of the A. Thompson Survey No. 37, Taylor County, Texas, said 5.94 acres being all of that same 5.94 acre tract recorded as Tract 1 in Instrument No. 202000138, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a 3/8" rebar found at the intersection of the west right-of-way line of Redbird Lane (60' R.O.W.) with the north right-of-way line of Richmond Street (R.O.W. varies) for the southeast corner of this tract, whence the northeast corner of Lot 1, Block A, Winter Garden Addition, of record in Cabinet 2, Slide 144-B, Plat Records of Taylor County, Texas, bears S1°28'16"W 50.0 feet and N88°39'22"W 5.0';

THENCE N88°39"22"W 619.66 feet, with the north right-of-way line of said Richmond Street, to a 3/8" rebar found for the southwest corner of this tract;

THENCE N1°21'55"E 417.32 feet to a found 1/2" rebar, for the northwest corner of this tract;

THENCE S88°39'22"E 620.59 feet to a 3/8" rebar found on the west right-of-way line of said Redbird Lane, for the northeast corner of this tract;

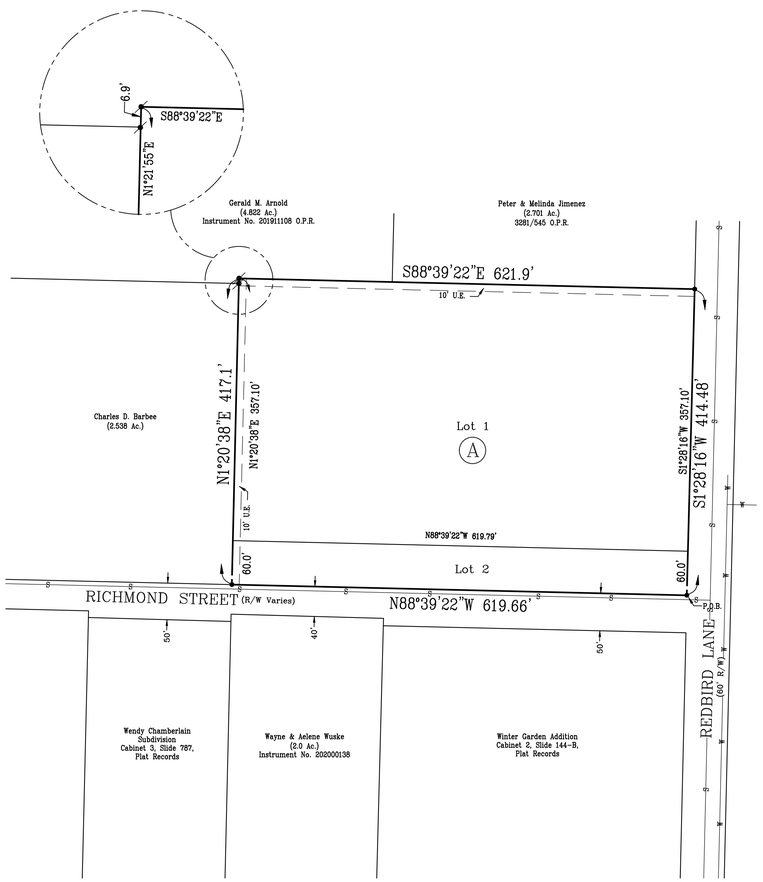
THENCE S1°28'16"W 417.10 feet, with the west right-of-way line of said Redbird Lane, to the place of beginning and containing 5.94 acres of land.

N
W E
S

0 100 200
SCALE IN FEET
Scale: 1"= 100'

Legend

- ● = Found 3/8" rebar
- ✓ = Found 1/2" rebar
- ( ) = Recorded Call
- U.E. = Utility Easement
- B.L. = Building Setback Line
- R/W = Right of Way
- P.O.B. = Place of Beginning
- Ac. = Acres
- O.P.R. = Official Public Records
- —S— = Sewer
- —W— = Water



WUSKE ADDITION
a Subdivision of 5.94 acres out of Lot 5 of the
Anderson and Berry Subdivision of the A. Thompson
Survey No. 37, City of Abilene, Taylor County, Texas.

Owner: Wayne & Arlene Wuske
4037 Wilshire Drive
Abilene, Texas 79603
219-765-2997

GEOTEX PROPERTY SOLUTIONS
209 s. Pioneer Drive, Suite 2
Abilene, Texas 79605
325-677-6712
Firm Registration No. 10194134

348-79-19 Z:\auto cad\A-SUBDIVISIONS\WuskeReplat\preliminarytwolots

PLANNING COMMISSION

THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE TEXAS AND THE COUNTY CLERK IS HEREBY AU-THORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 974A, VERNON'S ANNOTATED CIVIL STATUTES AND ARTICLE 9279 PENAL CODE OF TEXAS. AS AMENDED.

DATE _____ CHAIRMAN

ATTEST _____ SECRETARY

DATE _____ PLANNING DIRECTOR

PLANNING DIRECTOR

FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.

DATE _____ FILE NUMBER

PLANNING DIRECTOR

FEES

DIRECTOR OF PUBLIC WORKS

THE DEDICATION FILED IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS.

DATE _____ DIRECTOR OF PUBLIC WORKS

COUNTY CLERK

I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON

DATE _____ FILE NUMBER

COUNTY CLERK _____ COUNTY TEXAS

DEPUTY

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED OWNER(S) OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAVE CAUSE SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS STREETS, AND ALLEYS UNDER THE NAME OF

AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LANES, EASEMENTS, OR PARKS AND OTHER PUBLIC LANDS SHOWN THEREON THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

WUSKE ADDITION
a Subdivision of 5.94 acres out of Lot 5 of the
Anderson and Berry Subdivision of the A. Thompson
Survey No. 37, City of Abilene, Taylor County, Texas.

"SEE FIELD NOTES SHOWN HEREON"

EXECUTED THIS _____ DAY OF _____ 20 _____

OWNER _____ OWNER _____

OWNER _____ OWNER _____

ACKNOWLEDGMENT

THE STATE OF TEXAS :
COUNTY OF

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED

KNOWN TO ME TO BE THE PERSON _____ WHOSE NAME _____ SUBSCRIBED TO THE FOREGOING INSTRU-MENT AND ACKNOWLEDGED TO ME THAT _____ EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____
DAY OF _____ A D 20_____

NOTARY PUBLIC _____ COUNTY TEXAS

THE STATE OF TEXAS :
COUNTY OF

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED

KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID

A CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____
DAY OF _____ A D 20_____

NOTARY PUBLIC _____ COUNTY TEXAS

GENERAL NOTES

SHEET 1 OF 1 SHEETS _____ ACREAGE 5.94 acres

SCALE 1" = 100' SMALLEST LOT 0.85 acres LARGEST LOT 5.09 acres

LOT WIDTH MIN 60.0' MAX 357.10' LOT DEPTH MIN 619.66' MAX 621.9'

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

CERTIFICATION :

I HEREBY CERTIFY THAT THE PLAT SUBMITTED HEREWITH REPRESENTS A TRUE SURVEY MADE BY THE UNDERSIGNED OR UNDER MY SUPERVISION ON THE GROUND AND THAT PERMANENT MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE WITH THE "SUBDIVISION REGULATIONS" OF THE CITY OF ABILENE.

PLAT DESCRIPTION :

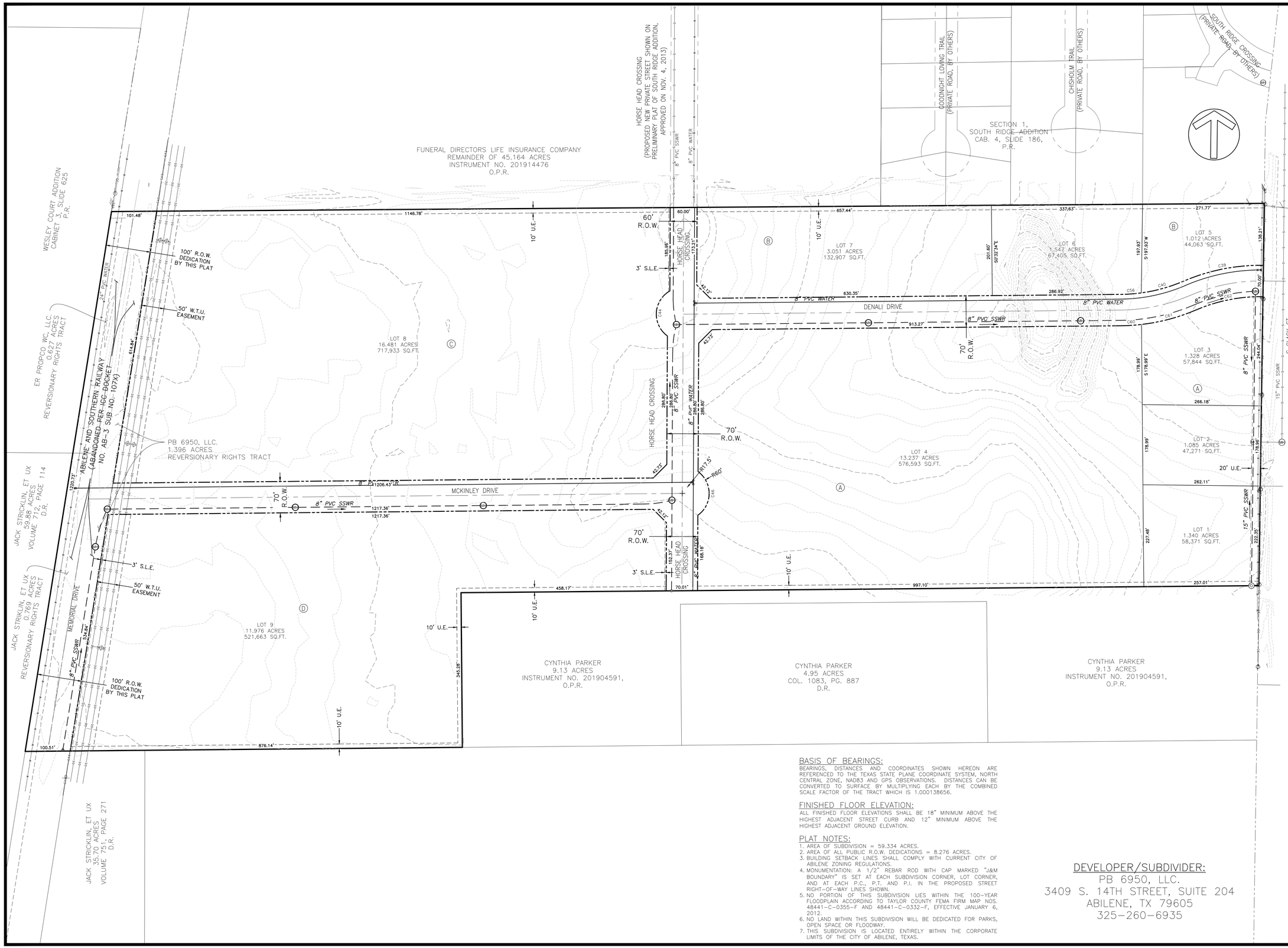
WUSKE ADDITION
a Subdivision of 5.94 acres out of Lot 5 of the
Anderson and Berry Subdivision of the A. Thompson
Survey No. 37, City of Abilene, Taylor County, Texas.

October 5, 2020
DATE

PRELIMINARY PLAT
SIGNATURE

PLAT PREPERATION DATE: October 5, 2020

Rex D. Haas RPLS #4378
REGISTERED PROFESSIONAL LAND SURVEYOR



BASIS OF BEARINGS:

BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83 AND GPS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF THE TRACT WHICH IS 1.000138656.

FINISHED FLOOR ELEVATION:

ALL FINISHED FLOOR ELEVATIONS SHALL BE 18" MINIMUM ABOVE THE HIGHEST ADJACENT STREET CURB AND 12" MINIMUM ABOVE THE HIGHEST ADJACENT GROUND ELEVATION.

PLAT NOTES:

1. AREA OF SUBDIVISION = 59.334 ACRES.
2. AREA OF ALL PUBLIC R.O.W. DEDICATIONS = 8.276 ACRES.
3. BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
4. MONUMENTATION: A 1/2" REBAR ROD WITH CAP MARKED "J&M BOUNDARY" IS SET AT EACH SUBDIVISION CORNER, LOT CORNER, AND AT EACH P.C., P.T. AND P.I. IN THE PROPOSED STREET RIGHT-OF-WAY LINES SHOWN.
5. NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NOS. 48441-C-0355-F AND 48441-C-0332-F, EFFECTIVE JANUARY 6, 2012.
6. NO LAND WITHIN THIS SUBDIVISION WILL BE DEDICATED FOR PARKS, OPEN SPACE OR FLOODWAY.
7. THIS SUBDIVISION IS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE CITY OF ABILENE, TEXAS.

DEVELOPER/SUBDIVIDER:

PB 6950, LLC.
3409 S. 14TH STREET, SUITE 204
ABILENE, TX 79605
325-260-6935

PRELIMINARY
This document shall not be recorded for any purpose.

JACOB MARTIN
TBPLS FIRM # 10194493
3465 CURRY LANE
ABILENE, TX 79606
325-695-1070
1508 SANTA FE DR, STE 204
WEATHERFORD, TX 76086
817-594-9880
4928 S. LOOP 289, STE 104
LUBBOCK, TX 79414
806-388-6375

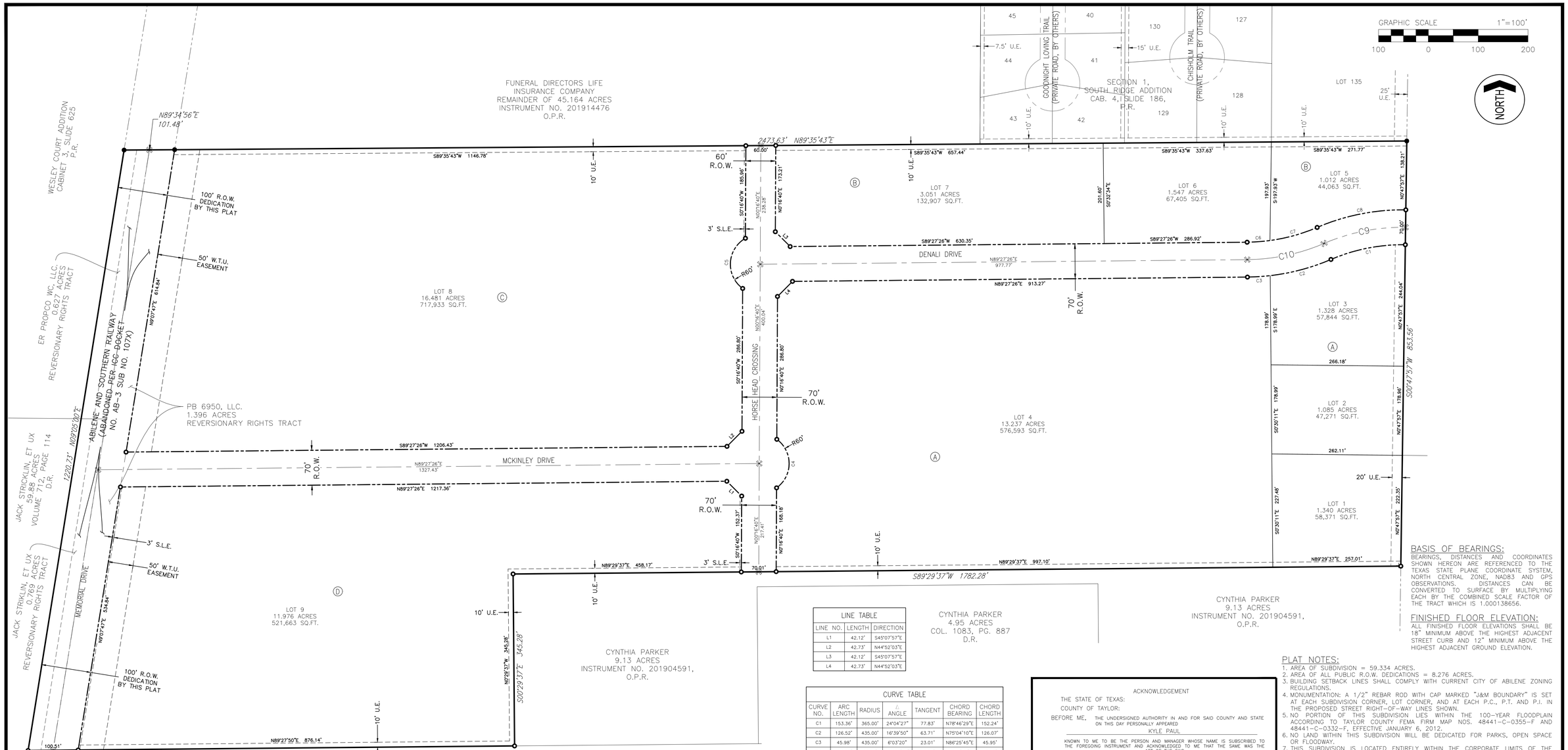
ABILENE, TEXAS
THE DENALI ADDITION
CONSTRUCTION DRAWINGS
PRELIMINARY PLAT

SCALE	1" = 100'
PROJECT #	20298
DESIGNED	C.S.F.
DRAWN	C.S.F.
CHECKED	C.S.F.

NO.	REVISION	DATE

BAR IS ONE INCH IN LENGTH ON ORIGINAL DRAWING. CHECK SCALE & ADJUST ACCORDINGLY.

SHEET 1
SEQ. 1 OF 1



BASIS OF BEARINGS:

BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83 AND GPS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF THE TRACT WHICH IS 1.000138656.

FINISHED FLOOR ELEVATION:

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PLAT NOTES:

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3. BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
4. MONUMENTATION: A 1/2" REBAR ROD WITH CAP MARKED "J&M BOUNDARY" IS SET AT EACH SUBDIVISION CORNER, LOT CORNER, AND AT EACH P.C., P.T. AND P.I. IN THE PROPOSED STREET RIGHT-OF-WAY LINES SHOWN.
5. NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NOS. 48441-C-0355-F AND 48441-C-0332-F, EFFECTIVE JANUARY 6, 2012.
6. NO LAND WITHIN THIS SUBDIVISION WILL BE DEDICATED FOR PARKS, OPEN SPACE OR FLOODWAY.
7. THIS SUBDIVISION IS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE CITY OF ABILENE, TEXAS.

LINE TABLE

LINE NO.	LENGTH	DIRECTION
L1	42.12'	S45°07'57"E
L2	42.73'	N44°52'03"E
L3	42.12'	S45°07'57"E
L4	42.73'	N44°52'03"E

CURVE TABLE

CURVE NO.	ARC LENGTH	RADIUS	Δ ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	153.36'	365.00'	24°04'27"	77.83'	N78°46'29"E	152.24'
C2	126.52'	435.00'	16°39'50"	63.71'	N75°04'10"E	126.07'
C3	45.98'	435.00'	6°03'20"	23.01'	N86°25'45"E	45.95'
C4	113.76'	60.00'	108°37'46"	83.54'	N0°16'40"E	97.47'
C5	119.71'	60.00'	114°18'53"	92.95'	S70°07'14"W	100.82'
C6	46.13'	365.00'	7°14'28"	23.10'	S85°50'12"W	46.10'
C7	98.61'	365.00'	15°28'43"	49.60'	S74°28'37"W	98.31'
C8	182.76'	435.00'	24°04'20"	92.75'	S78°46'25"W	181.42'

LEGEND

- SUBDIVISION BOUNDARY
- ADJACENT PROPERTY
- PROPOSED LOT LINES
- PROP. UTILITY EASEMENTS
- EXIST. SEWER EASEMENTS
- EXIST. UTILITY EASEMENTS
- PROP. STREET R.O.W.
- EXIST. STREET R.O.W.
- SET 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"
- SET MAG-NAIL WITH METAL WASHER
- FOUND 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY" (UNLESS NOTED OTHERWISE)
- FOUND CONCRETE MONUMENT

U.E. = UTILITY EASEMENTS
S.L.E. = STREET LIGHT EASEMENTS
P.R. = PLAT RECORDS, TAYLOR CO., TEXAS
D.R. = DEED RECORDS, TAYLOR CO., TEXAS
O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR CO., TEXAS

DEVELOPER/SUBDIVIDER:

PB 6950, LLC.
3409 S. 14TH STREET,
SUITE 204
ABILENE, TX 79605
325-260-6935

PLANNING COMMISSION

THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS, AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 974A, VERNON'S ANNOTATED CIVIL STATUTES, AND ARTICLE 927B PENAL CODE OF TEXAS, AS AMENDED.

DATE CHAIRMAN

ATTEST SECRETARY

DATE PLANNING DIRECTOR

PLANNING DIRECTOR

FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.

DATE FILE NUMBER

PLANNING DIRECTOR

FEES

COUNTY CLERK

I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON

DATE FILE NUMBER

COUNTY CLERK COUNTY TEXAS

DEPUTY

DIRECTOR OF PUBLIC WORKS

THE DEDICATION FILED, IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS.

DATE DIRECTOR OF PUBLIC WORKS

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED MANAGER OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAS CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS AND ALLEYS UNDER THE NAME OF

THE DENALI ADDITION
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LANES, EASEMENTS, PARKS AND OTHER PUBLIC LANDS SHOWN THEREON THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

SEE ATTACHED METES & BOUNDS DESCRIPTION

EXECUTED THIS _____ DAY OF _____ A.D. 2021

KYLE PAUL
PB 6950, LLC.

JACK STRICKLIN

ACKNOWLEDGEMENT

THE STATE OF TEXAS:
COUNTY OF TAYLOR:

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED

KYLE PAUL

KNOWN TO ME TO BE THE PERSON AND MANAGER WHOSE NAME IS SUBSCRIBED TO THE FORECOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID

PB 6950, LLC.

A LIMITED LIABILITY CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATES.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____

DAY OF _____ 2021

NOTARY PUBLIC TAYLOR COUNTY TEXAS

ACKNOWLEDGEMENT

THE STATE OF TEXAS:
COUNTY OF TAYLOR:

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED

JACK STRICKLIN

KNOWN TO ME TO BE THE PERSON AND MANAGER WHOSE NAME IS SUBSCRIBED TO THE FORECOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID

JACK STRICKLIN, ET UX

A LIMITED LIABILITY CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATES.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____

DAY OF _____ 2021

NOTARY PUBLIC TAYLOR COUNTY TEXAS

GENERAL NOTES

ACREAGE: 59.334 ACRES

SCALE: _____ SMALLEST LOT: _____ ACRES LARGEST LOT: _____ ACRES

LOT WIDTH: MIN. _____ MAX. _____ LOT DEPTH: MIN. _____ MAX. _____

CONCRETE MONUMENT FOUND _____ (SYMBOL) CENTERLINE MARKER SET _____ (SYMBOL)

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

CERTIFICATION

I HEREBY CERTIFY THAT THE PLAT SUBMITTED HEREWITH REPRESENTS A TRUE SURVEY MADE BY THE UNDERSIGNED OR UNDER MY SUPERVISION ON THE GROUND AND THAT PERMANENT MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE WITH THE "SUBDIVISION REGULATIONS" OF THE CITY OF ABILENE.

PLAT DESCRIPTION: THE DENALI ADDITION
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

PRELIMINARY
This document shall not be recorded for any purpose.

SIGNATURE

(PRINT)
REGISTERED PROFESSIONAL LAND SURVEYOR

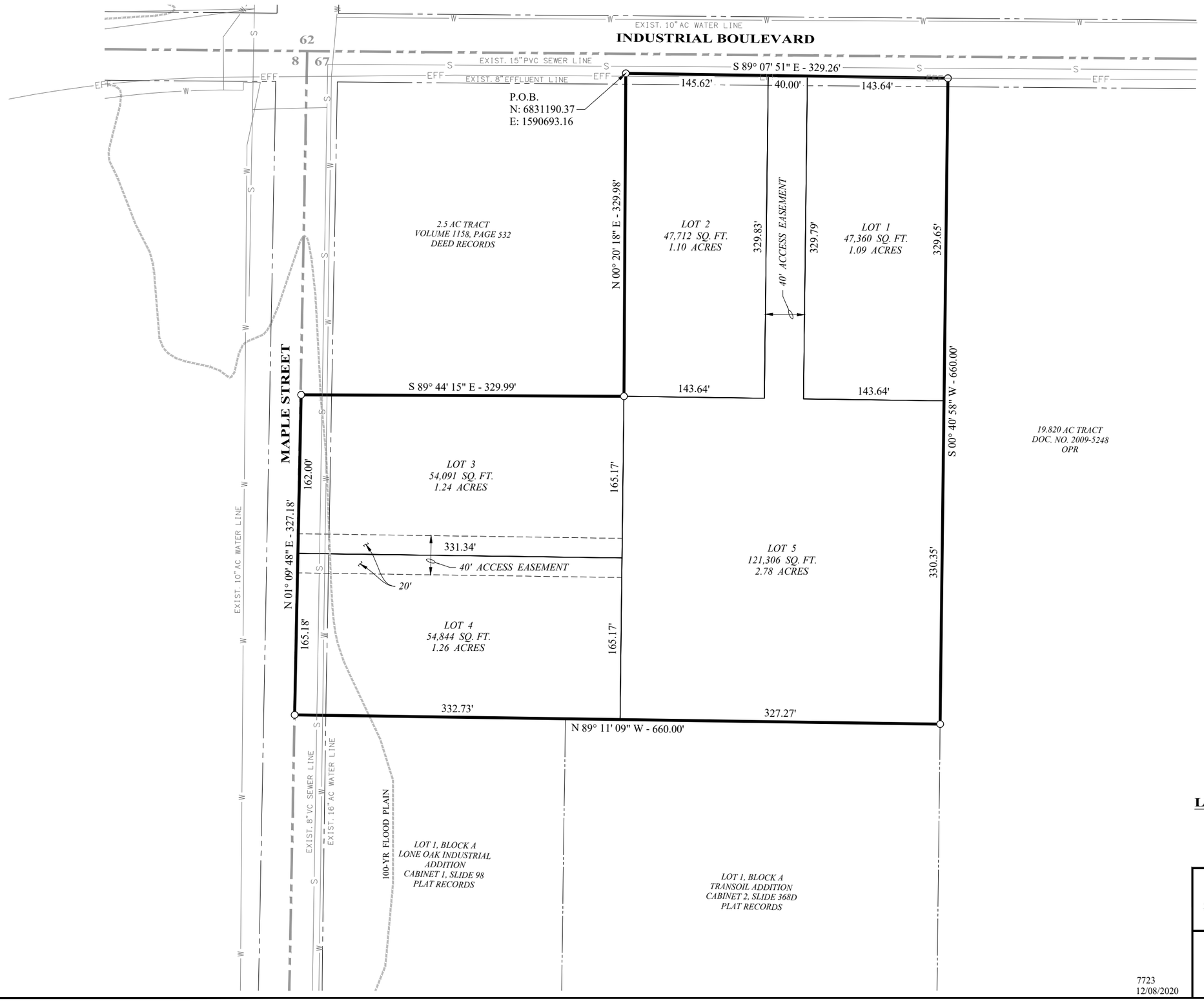
DATE

JACOB MARTIN
TBPLS FIRM # 10194493

3465 CURRY LANE
ABILENE, TX 79606
325-695-1070

1508 SANTA FE DR, STE 204
WEATHERFORD, TX 76086
817-594-9880

4920 S. LOOP 289, STE 104
LUBBOCK, TX 79414
806-368-6375



LEGEND

○ MONUMENT AS DESCRIBED IN FIELD NOTES

ENPROTEC/HIBBS & TODD, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING
402 Cedar Street
Abilene, Texas 79601
325-698-5560
PE Firm Registration No. 1151
PG Firm Registration No. 50103
RPLS Firm Registration No. 10011900

A PRELIMINARY PLAT OF
PETERSON SUBDIVISION
ABILENE, TAYLOR COUNTY, TEXAS

7723
12/08/2020

MATCH LINE

LOOP 322

HIGHWAY 36

F.M. 18

LOT 3
BLOCK A
76.008 ACRES

LOT 1
BLOCK B
20.90 ACRES

LOT 102
BLOCK A
8.69 ACRES

LOT 101
BLOCK A
15.17 ACRES

CORRIDOR DRIVE

KINSOLVING DRIVE

ZONE A

FLOOD LINE

PROPOSED 8" SEWER LINE

PROPOSED 8" WATER LINE

15' UTILITY EASEMENT

20' UTILITY EASEMENT

10' UTILITY EASEMENT

1' NON-ACCESS EASEMENT

40' DRAINAGE AND UTILITY EASEMENT

DRAINAGE AND UTILITY EASEMENT (WITH NON-ACCESS EASEMENT)

REMAINDER OF 115.16 ACRE-TRACT (TRACT 2) VOLUME 3783, PAGES 941 & 948, OFFICIAL PUBLIC RECORDS

EXIST. 10" W.L.

EXIST. 8" SEWER LINE

EXIST. 12" SEWER LINE

EXIST. 14" W.L.

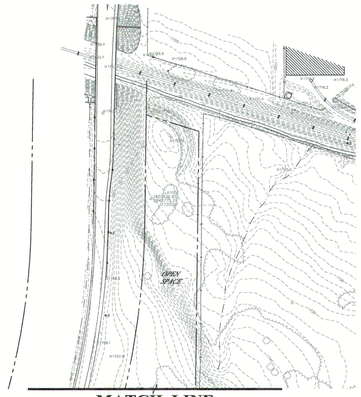
EXIST. 12" GAS LINE

SOUTHERN STAR GAS LINE EASEMENT

LOT 1, BLOCK A TIGE' BOATS' ADDITION

TIGE BOATS FACILITY

LOT 2, BLOCK A TIGE' BOATS' ADDITION



SCALE IN FEET

100 0 200

LEGEND

- EXISTING MANHOLE
- EXISTING POWER POLE
- EXISTING WATER VALVE
- EXISTING SANITARY SEWER
- EXISTING WATER LINE
- EXISTING OVERHEAD UTILITIES
- PROPOSED WATER LINE, SIZE INDICATED ON PLANS
- PROPOSED SEWER LINE, SIZE INDICATED ON PLANS
- PROPOSED FIRE HYDRANT
- PROPOSED MANHOLE
- PROPOSED CLEANOUT

FLOOD NOTE

AS PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 485450 0235 F, MAP NUMBER 48441C0235F, AND COMMUNITY PANEL NUMBER 485450 0245 F, MAP NUMBER 48441C0245F, MAP REVISED JANUARY 6, 2012: THIS PROPERTY IS NOT LOCATED IN A FEDERALLY DESIGNATED FLOOD AREA.

OWNER:

DEVELOPMENT CORPORATION OF ABILENE, INC.
P.O. BOX 60
ABILENE, TEXAS 79604
(325) 676-4390

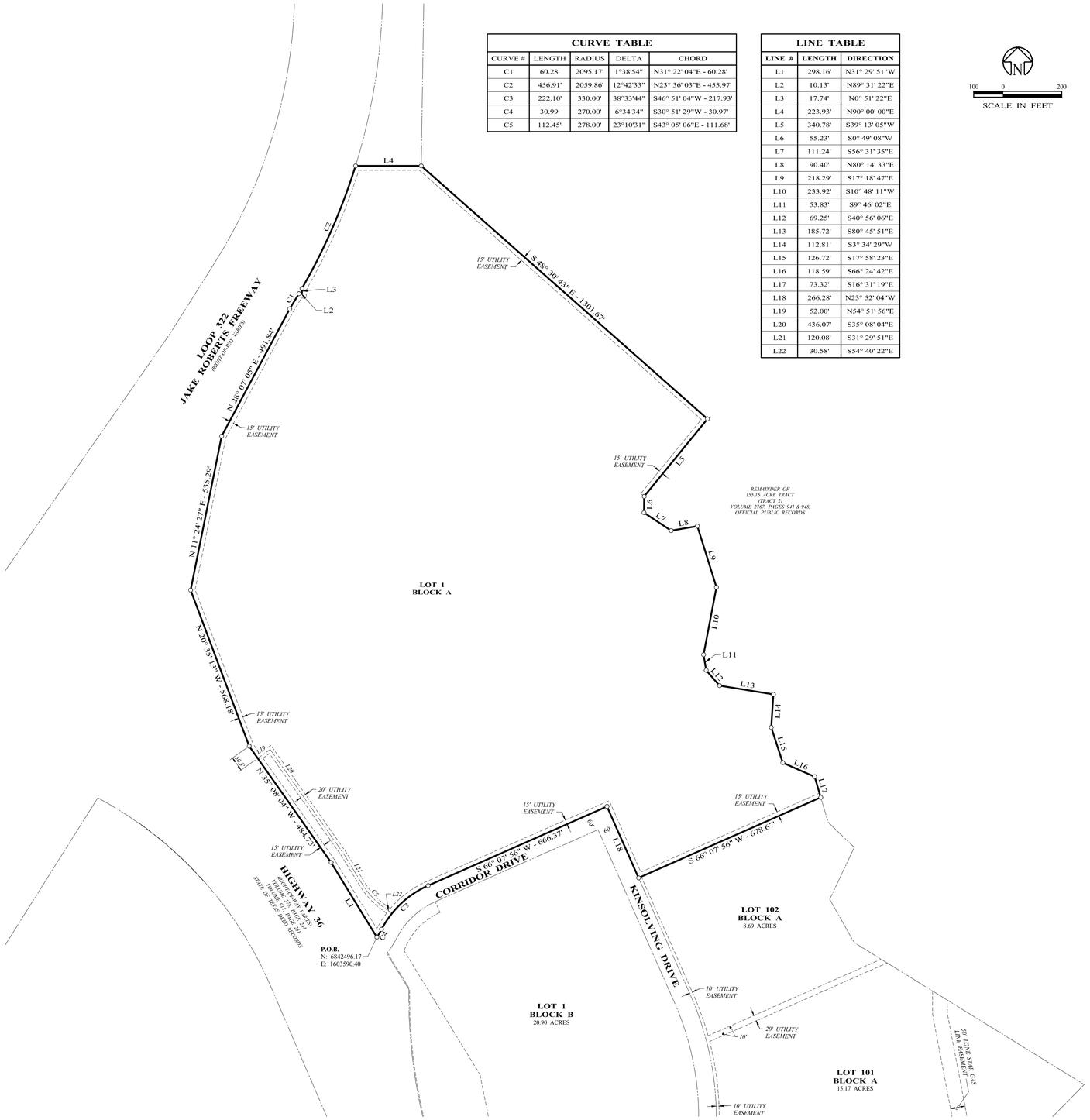
ENPROTEC/HIBBS & TODD, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING
402 Cedar Street
Abilene, Texas 79601
325-698-5560
PE Firm Registration No. 1151
PG Firm Registration No. 50103
RPLS Firm Registration Nos. 10011900 & 10007300

PRELIMINARY PLAT
ACCESS BUSINESS PARK
FOR
ABILENE, TAYLOR COUNTY, TEXAS

7795	PROJECT NO.
12/08/2020	DATE
R.R.P.	DESIGNED BY:
D.B.H.	DRAWN BY:
R.R.P.	CHECKED BY:
1 OF 1	

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	60.28'	2095.17'	1°38'54"	N31° 22' 04"E - 60.28'
C2	456.91'	2059.86'	12°42'33"	N23° 36' 03"E - 455.97'
C3	222.10'	330.00'	38°33'44"	S46° 51' 04"W - 217.93'
C4	30.99'	270.00'	6°34'34"	S30° 51' 29"W - 30.97'
C5	112.45'	278.00'	23°10'31"	S43° 05' 06"E - 111.68'

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	298.16'	N31° 29' 51"W
L2	10.13'	N89° 31' 22"E
L3	17.74'	N0° 51' 22"E
L4	223.93'	N90° 00' 00"E
L5	340.78'	S39° 13' 05"W
L6	55.23'	S0° 49' 08"W
L7	111.24'	S56° 31' 35"E
L8	90.40'	N80° 14' 33"E
L9	218.29'	S17° 18' 47"E
L10	233.92'	S10° 48' 11"W
L11	53.83'	S9° 46' 02"E
L12	69.25'	S40° 56' 06"E
L13	185.72'	S80° 45' 51"E
L14	112.81'	S3° 34' 29"W
L15	126.72'	S17° 58' 23"E
L16	118.59'	S66° 24' 42"E
L17	73.32'	S16° 31' 19"E
L18	266.28'	N23° 52' 04"W
L19	52.00'	N54° 51' 56"E
L20	436.07'	S35° 08' 04"E
L21	120.08'	S31° 29' 51"E
L22	30.58'	S54° 40' 22"E



ACCESS BUSINESS PARK
SECTION 2
ABILENE, TAYLOR COUNTY, TEXAS

OWNER:

DEVELOPMENT CORPORATION OF ABILENE, INC.
P.O. BOX 60
ABILENE, TEXAS 79604
(325) 676-4390

NOTES

1. AS PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 485450, MAP NUMBER 48441C0235F, AND MAP NUMBER 48441C0245F, MAP REVISED JANUARY 6, 2012: THIS PROPERTY IS NOT LOCATED IN A FEDERALLY DESIGNATED FLOOD AREA.

2. THIS ADDITION IS LOCATED WITHIN THE CITY LIMITS OF ABILENE, TAYLOR COUNTY, TEXAS.

FIELD NOTES
FOR
ACCESS BUSINESS PARK
SECTION 2
OUT OF
SECTION 46, BLIND ASYLUM LANDS
CITY OF ABILENE, TAYLOR COUNTY, TEXAS

BEING A 76.01 ACRE TRACT OUT OF SECTION 46, BLIND ASYLUM LANDS, TAYLOR COUNTY, TEXAS, BEING OUT OF A 155.16 ACRE TRACT CONVEYED TO THE DEVELOPMENT CORPORATION OF ABILENE, INC., RECORDED IN VOLUME 2767, PAGE 948, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS, AND BEING OUT OF A 33.968 ACRE TRACT CONVEYED TO THE DEVELOPMENT CORPORATION OF ABILENE, INC., RECORDED IN DOCUMENT NUMBER 2017-13570, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS, SAID 76.01 ACRE TRACT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS AND DISTANCES ARE GRID, NAD 83 SPC TEXAS NORTH CENTRAL ZONE
BASED ON NETWORK GPS OBSERVATIONS

BEGINNING AT A FOUND ALUMINUM ROD AND CAP MARKED "H&T" ON THE EAST RIGHT OF WAY OF TEXAS HIGHWAY 36 AT THE SOUTHWEST CORNER OF THIS TRACT, AND BEING THE NORTHWEST CORNER OF SECTION 1, ACCESS BUSINESS PARK, RECORDED IN CABINET 4, SLIDE 400, PLAT RECORDS, TAYLOR COUNTY, TEXAS;

THENCE NORTH 31 DEGREES 29 MINUTES 51 SECONDS WEST, ALONG THE EAST RIGHT OF WAY OF TEXAS HIGHWAY 36, A DISTANCE OF 298.16 FEET TO A FOUND CONCRETE RIGHT OF WAY MARKER;

THENCE NORTH 35 DEGREES 08 MINUTES 04 SECONDS WEST A DISTANCE OF 484.73 FEET TO A FOUND CONCRETE RIGHT OF WAY MARKER;

THENCE NORTH 20 DEGREES 35 MINUTES 13 SECONDS WEST, ALONG THE EAST RIGHT OF WAY OF TEXAS HIGHWAY 36, AT A DISTANCE OF 464.99 FEET PASSING THE INTERSECTION OF THE NORTH RIGHT OF OLD TEXAS HIGHWAY 36 AND THE EAST RIGHT OF WAY OF LOOP 322, CONTINUING FOR A TOTAL DISTANCE OF 568.18 FEET TO A FOUND CONCRETE RIGHT OF WAY MARKER;

THENCE NORTH 11 DEGREES 24 MINUTES 27 SECONDS EAST, ALONG THE EAST RIGHT OF WAY OF LOOP 322, A DISTANCE OF 535.29 FEET TO A FOUND BROKEN CONCRETE RIGHT OF WAY MARKER;

THENCE NORTH 28 DEGREES 07 MINUTES 05 SECONDS EAST, ALONG THE EAST RIGHT OF WAY OF LOOP 322, A DISTANCE OF 491.84 FEET TO A FOUND CONCRETE RIGHT OF WAY MARKER;

THENCE, ALONG THE EAST RIGHT OF WAY OF LOOP 322, WITH A CURVE TURNING TO THE LEFT HAVING A DELTA ANGLE OF 01 DEGREES 38 MINUTES 54 SECONDS, A RADIUS OF 2095.17 FEET, AN ARC LENGTH OF 60.28 FEET, AND A CHORD BEARING NORTH 31 DEGREES 22 MINUTES 04 SECONDS EAST A DISTANCE OF 60.28' TO A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP;

THENCE NORTH 89 DEGREES 31 MINUTES 22 SECONDS EAST A DISTANCE OF 10.13 FEET TO A POINT FOR THE INTERSECTION OF THE EAST RIGHT OF WAY OF LOOP 322 AND THE WEST RIGHT OF WAY OF OLD TEXAS HIGHWAY 36, WHERE A FOUND BRASS DISK RIGHT OF WAY MARKER BEARS 0.58' N 04°14'11" E;
THENCE NORTH 00 DEGREES 51 MINUTES 22 SECONDS EAST, ALONG THE EAST RIGHT OF WAY OF LOOP 322, A DISTANCE OF 17.74 FEET TO A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP;

THENCE WITH A CURVE TURNING TO THE LEFT HAVING A DELTA ANGLE OF 12 DEGREES 42 MINUTES 33 SECONDS, A RADIUS OF 2059.86 FEET, AN ARC LENGTH OF 456.91 FEET, AND A CHORD BEARING NORTH 23 DEGREES 36 MINUTES 03 SECONDS EAST A DISTANCE OF 455.97' TO A SET 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" FOR THE NORTHWEST CORNER OF THIS TRACT, WHERE A FOUND BROKEN CONCRETE RIGHT OF WAY MARKER ON THE EAST RIGHT OF WAY OF LOOP 322 BEARS 587.24' N 09°03'04" E ON A CHORD;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 223.93 FEET TO A SET 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" ON THE EAST LINE OF SAID 33.968 ACRE TRACT, SAME BEING THE WEST LINE OF SAID 155.16 ACRE TRACT, FOR THE NORTHERN NORTHWEST CORNER OF THIS TRACT, WHERE A FOUND 1/2 INCH IRON ROD AT THE NORTHEAST CORNER OF SAID 33.968 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF SAID 155.16 ACRE TRACT, BEARS 827.57' N 00°52'10" E;

THENCE SOUTH 48 DEGREES 30 MINUTES 43 SECONDS EAST A DISTANCE OF 1301.67 FEET TO A SET 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" FOR THE EASTERN NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE TOP OF THE BLUFF TO SET 1/2 INCH IRON RODS WITH PLASTIC CAP MARKED "H&T" AS FOLLOWS: SOUTH 39 DEGREES 13 MINUTES 05 SECONDS WEST A DISTANCE OF 340.78 FEET; SOUTH 00 DEGREES 49 MINUTES 08 SECONDS WEST A DISTANCE OF 55.23 FEET; SOUTH 56 DEGREES 31 MINUTES 35 SECONDS EAST A DISTANCE OF 111.24 FEET; NORTH 80 DEGREES 14 MINUTES 33 SECONDS EAST A DISTANCE OF 90.40 FEET; SOUTH 17 DEGREES 18 MINUTES 47 SECONDS EAST A DISTANCE OF 218.29 FEET; SOUTH 10 DEGREES 48 MINUTES 11 SECONDS WEST A DISTANCE OF 233.92 FEET; SOUTH 09 DEGREES 46 MINUTES 02 SECONDS EAST A DISTANCE OF 53.83 FEET; SOUTH 40 DEGREES 56 MINUTES 06 SECONDS EAST A DISTANCE OF 69.25 FEET; SOUTH 80 DEGREES 45 MINUTES 51 SECONDS EAST A DISTANCE OF 185.72 FEET; SOUTH 03 DEGREES 34 MINUTES 29 SECONDS WEST A DISTANCE OF 112.81 FEET; SOUTH 17 DEGREES 58 MINUTES 23 SECONDS EAST A DISTANCE OF 126.72 FEET; SOUTH 66 DEGREES 24 MINUTES 42 SECONDS EAST A DISTANCE OF 118.59 FEET; AND SOUTH 16 DEGREES 31 MINUTES 19 SECONDS EAST A DISTANCE OF 73.32 FEET TO A FOUND ALUMINUM ROD AND CAP MARKED "H&T" AT THE NORTHEAST CORNER OF SAID SECTION 1 AND THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 678.67 FEET TO A FOUND ALUMINUM ROD AND CAP MARKED "H&T";

THENCE NORTH 23 DEGREES 52 MINUTES 04 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 266.28 FEET TO A FOUND ALUMINUM ROD AND CAP MARKED "H&T";

THENCE SOUTH 66 DEGREES 07 MINUTES 56 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 666.37 FEET TO A FOUND ALUMINUM ROD AND CAP MARKED "H&T";

THENCE, ALONG THE NORTH LINE OF SAID SECTION 1, WITH A CURVE TURNING TO THE LEFT HAVING A DELTA ANGLE OF 38 DEGREES 33 MINUTES 44 SECONDS, A RADIUS OF 330.00 FEET, AN ARC LENGTH OF 222.10 FEET, AND A CHORD BEARING SOUTH 46 DEGREES 51 MINUTES 04 SECONDS WEST A DISTANCE OF 217.93' TO A FOUND ALUMINUM ROD AND CAP MARKED "H&T";

THENCE, ALONG THE NORTH LINE OF SAID SECTION 1, WITH A REVERSE CURVE TURNING TO THE RIGHT HAVING A DELTA ANGLE OF 06 DEGREES 34 MINUTES 34 SECONDS, A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 30.99 FEET, AND A CHORD BEARING SOUTH 30 DEGREES 51 MINUTES 29 SECONDS WEST A DISTANCE OF 30.97' TO THE POINT OF BEGINNING CONTAINING AN AREA OF 76.01 ACRES. SURVEYED ON JANUARY 31, 2020.

SURVEYOR:

ENPROTEC/HHBBS & TODD, INC.
402 CEDAR STREET
ABILENE, TEXAS 79601
(325)698-5560
RPLS FIRM REGISTRATION No: 10011900

PLANNING COMMISSION

THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 974A. VERNON'S ANNOTATED CIVIL STATUTES, AND ARTICLE 927B PENAL CODE OF TEXAS, AS AMENDED.

DATE _____ CHAIRMAN _____

ATTEST _____ SECRETARY _____

DATE _____ PLANNING DIRECTOR _____

PLANNING DIRECTOR

FILED WITH PLANNING DIRECTOR,
CITY OF ABILENE, TEXAS

DATE _____ FILE NUMBER _____

PLANNING DIRECTOR _____

FEES _____

DIRECTOR OF PUBLIC WORKS

THE DEDICATION FILED, IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS.

DATE _____ DIRECTOR OF PUBLIC WORKS _____

COUNTY CLERK

I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON

DATE _____ FILE NUMBER _____

COUNTY CLERK _____ COUNTY, TEXAS _____

DEPUTY _____

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED OWNER(S) OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAVE CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS, ALLEYS, UNDER THE NAME OF

ACCESS BUSINESS PARK
SECTION 2
ABILENE, TAYLOR COUNTY, TEXAS

AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LANES, EASEMENTS, PARKS AND OTHER PUBLIC LANDS SHOWN THEREON THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

"FIELD NOTES HEREON"

OWNER'S CERTIFICATE AND DEDICATION

EXECUTED THIS _____ DAY OF _____ 20_____

_____

MISTY MAYO
CEO, DEVELOPMENT CORPORATION OF ABILENE

ACKNOWLEDGMENT

THE STATE OF TEXAS:
COUNTY OF TAYLOR

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY

PERSONALLY APPEARED MISTY MAYO

KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME ACT OF THE SAID

DEVELOPMENT CORPORATION OF ABILENE

A CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____

DAY OF _____ A D 20_____

NOTARY PUBLIC STATE OF TEXAS
AKANE THAXTON
Notary Public, State of Texas
NOTARY ID # 12969486-5
My Commission Exp 01/30/22

_____
NOTARY PUBLIC COUNTY TEXAS

GENERAL NOTES

SHEET 1 OF 1 SHEETS _____ ACREAGE 76.01

SCALE 1" = 200' SMALLEST LOT "" SQ FT LARGEST LOT 3,310,900 SQ FT

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

CERTIFICATION:

I HEREBY CERTIFY THAT THE PLAT SUBMITTED HEREWITH REPRESENTS A TRUE SURVEY MADE BY THE UNDERSIGNED OR UNDER MY SUPERVISION ON THE GROUND AND THAT PERMANENT MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE WITH THE "SUBDIVISION REGULATIONS" OF THE CITY OF ABILENE

PLAT DESCRIPTION:

ACCESS BUSINESS PARK
SECTION 2
ABILENE, TAYLOR COUNTY, TEXAS

STATE OF TEXAS REGISTERED RILEY ELMER GRIFFITH III 5863 PROFESSIONAL LAND SURVEYOR

_____
SIGNATURE

12/21/2020 _____ RILEY ELMER GRIFFITH
DATE REGISTERED PROFESSIONAL LAND SURVEYOR

7795

ZONING CASE Z-2021-01
STAFF REPORT

REQUEST: Rezoning from Planned Development District 4 (PD 4) to Neighborhood Office (NO).

APPLICANT:
Owner: Lane Miller

HEARING DATES:
P & Z Commission: January 5, 2021
City Council 1st Reading: January 28, 2021
City Council 2nd Reading: February 11, 2021

LOCATION:
- 3702 Antilley Road
- Legal description: Lot 1, Block A of Antilley Road Addition

BACKGROUND:
The single family residence which currently exists on the subject property was built in 1957; prior to being annexed into the City limits of Abilene in 1963. Sometime between 1963 and 1974 the property was rezoned to Single Family Residential (RS-8). In 2016, ordinance #20-2016 expanded the boundary of Planned Development District 4 (PD 4) to embrace the subject property. This expansion of PD 4 allowed for the subject property to be developed as patio homes; however the existing residence was never demolished and developed as patio homes. PD 4 was originally approved in 1978 to embrace what is "The Fairways" subdivision. PD4 permits a mixture of residential uses to include, Single Family (RS-8), Townhomes, Patio Homes and Duplexes. In addition to these residential uses PD 4 allows a golf course, community pool, tennis courts as well as office uses along Antilley Road within Blocks M and E of the subdivision.

PROPOSAL AND REQUESTED ACTION:
The applicant is requesting to rezone from Planned Development District 4 (PD 4) to Neighborhood Office (NO).

APPLICATION REVIEW:
According to Section 1.4.1.4, Criteria for Approval, of the City of Abilene Land Development Code, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

(1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan map, as amended;

The Future Land Use and Development Plan Map of the Comprehensive Plan designates this subject property as low density residential. However, the land use immediately west of the subject property at the intersection of Buffalo Gap Road and Antilley Road is identified as commercial. Rezoning to neighborhood office will promote the Comprehensive Plans objective of promoting a mixture of land uses, creating an appropriate blend of residential, retail, and employment activities.

(2) Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.

The proposed land use is appropriate with the surrounding properties which are primarily residential. Neighborhood Office (NO) Districts are intended to establish a flexible zoning district for low intensity office and professional uses in close proximity to residential land uses. The district serves as an appropriate transitional "buffer" zoning from the more intense commercial zoning districts located at the intersection of Buffalo Gap Road and Antilley Road to the lower intensity residential uses east of the subject property.

	Zoning	Existing Land Use
North	PD 4	Vacant Lot
South	MF	Single Family Residences
East	RS-8	Single Family Residence
West	PD 4	Single Family Residence

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.

The subject property currently has access to existing utilities and public amenities which are adequate for servicing the use that would result from this change in zoning. No additional services or public facilities will be necessary for the proposed use of this site.

(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.

It is the opinion of the staff that there are no other factors, which substantially affect the public health, safety, morals, or general welfare of the City of Abilene.

STAFF COMMENTS:

The subject property was embraced within the boundaries of PD 4 in 2016 to promote the development of patio homes at this location. The residence which currently exists on this property has existed since 1957. Since being embraced within PD 4; there has been no expressed interest in demolishing the existing residence in order to develop patio homes. Staff believes that rezoning the subject property to Neighborhood Office (NO) is appropriate. Neighborhood Office Zoning is intended to allow low intensity office uses integrated in close proximity to residential uses. Furthermore, it will serve as an appropriate transitional "buffer" zoning district from the more intense commercial zoning districts located at the intersection of Buffalo Gap Road and Antilley Road. Additionally, the subject property is located along Antilley Road; which is considered a major arterial in Abilene's thoroughfare plan. Traditional planning considers locations along major arterial roads appropriate for commercial uses due to the high volume of traffic that they accommodate. This large volume of traffic provides the exposure and accessibility necessary for commercial businesses to succeed.

STAFF RECOMMENDATION:

Staff recommends approval of the request. The rezoning request complies with Section 1.4.1.4 (Criteria for Approval).

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission will meet to review this request on January 5, 2021.

NOTIFICATION:

The Planning Services Division sent, with a certificate of mailing, public notices to the applicant and property owners within a 200-foot radius.

Owner	Situs	Response
ABILENE ACU 20 LLC	11 HARBOUR TOWN	Opposed
ADAMS ALVIN JOE & LECIA R	6301 DOMINION CT	
AX PROPERTIES		
AX PROPERTIES		
BROWN BROOK BENNETT	3666 ANTILLEY RD	Opposed
DOMINY ANNE R	30 HARBOUR TOWN	
FELTY LARRY WAYNE	6302 DOMINION CT	
HEB GROCERY COMPANY LP	6401 BUFFALO GAP RD	
KING RODNEY	15 HARBOUR TOWN	
LEMEN HARRISON B	19 HARBOUR TOWN	
LINCH LUTHER WILKINS &	22 HARBOUR TOWN	
MC LEAN MIKE & MICHELLE	7 HARBOUR TOWN	
SANCHEZ DAMIAN F	6310 DOMINION CT	
SANSOM CONSUELO	9 HARBOUR TOWN	
SORRELLS JUDY LYNN	3702 ANTILLEY RD	
TILMAN DOUGLAS S & JULIE ANN	26 HARBOUR TOWN	In Favor
URETA BRITTANY NICOLE &	17 HARBOUR TOWN	
WEDDLE SCOTT & KIMBERLY	24 HARBOUR TOWN	
WEEKS SHERRY D	28 HARBOUR TOWN	
WYLIE IND SCHOOL DIST	6251 BUFFALO GAP RD	
WYLIE IND SCHOOL DIST	6249 BUFFALO GAP RD	

ATTACHMENTS:

- Application
- PowerPoint

30
28
26
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6249
6251
HARBOUR TOWN
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6102
6101
3702
3666
LAUREL CT
ANTILLEY RD
3849
6401
CHAMPIONS DR
6302
6301
6310
6309
6318
6310
6302
6326

Development Application

CITY OF ABILENE

Planning

☐ Conditional Use ☐ Easement Release ☑ Rezoning ☐ Other
☐ PDD ☐ Street Name Change ☐ Thoroughfare Abandonment ☐ PDD Amendment
Other: _____

Project Name: _____

Address: 3702 Antilley Road No. of lots: 1 Acreage: .5268

Legal Description: Antilley Rd Addn, Block A, Lot 1, Acres .5628

Subdivision Name: _____ Block: _____ Lot: _____

Current Zoning: P.D.D. Proposed Zoning (if applicable): N.O

OWNER AND AUTHORIZATION

Owner Name: Lane Miller

home Address: ~~3702 Antilley Road~~ 2150 Robin Road

City, State, Zip: Abilene, TX 79605 Fax: _____

Phone: 325-669-8409 Email: Lmm04b@acu.edu

I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) _____ *will act as my agent before the Planning and Zoning Commission.*

Agent Name: _____

Address: _____

City, State, Zip: _____ Fax: _____

Phone: _____ Email: _____

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: Lane Miller Date: 12-7-20

FOR OFFICE USE ONLY

Received: 12/07/2020 Fee: $ 1500.00 Receipt No.: 0001056958

Case No.: Z-2021-01 Reviewed By: NW

Development Application

Please answer the following question in order to assist Staff with the processing of your Zoning request.

1. Please (if necessary) provide background information for the zoning request and explain why you feel it is appropriate.

I would like to rezone 3702 Antilley to a Neighborhood Office. I will run my Edward Jones financial Advising office M-F 9-5 and will do so in a respectful, neighborhood friendly way. Traffic will be light. Besides me and I employee there would not be more than two other vehicles on site at any given time. Please Consider

- Jane Miller

Development Application

RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you (FAX or E-mail) of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of $120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: Jane Miller DATE: 12-7-20

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-01

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: TILMAN DOUGLAS S & JULIE ANN
Address: 26 HARBOUR TOWN

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐

Additional Comments:

Signature: Doug S. Tilman

DEC 28 AM 11:36

555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

We work together to build and maintain a community of the highest quality for present and future generations.

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-01

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: ABILENE ACU 20 LLC
Address: 11 HARBOUR TOWN

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☐ I am opposed ☑

Additional Comments:

Signature:

DEC 28 AM 11:36

555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

We work together to build and maintain a community of the highest quality for present and future generations.

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-01

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: BROWN BROOK BENNETT
Address: 3666 ANTILLEY RD

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☐ I am opposed ☑

Additional Comments:

Signature: Brook Brown
Brook Bennett Brown

DEC 28 AM 11:37

555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

We work together to build and maintain a community of the highest quality for present and future generations.

December 31, 2020

Dear Planning and Zoning Commission and City Staff,

I am writing to you in connection with the zoning application, Z-2021-01, scheduled for hearing on Jan. 5, 2021, at 1:30 pm, at the Abilene City Council chambers, in which the applicant seeks to change the zoning on the property at 3702 Antilley Road from single family residential to Neighborhood Office.

My brother and I own, and my brother lives at, the property next door at 3666 Antilley Road, and oppose the zoning request. I write this letter on behalf of both of us.

The property at 3702 Antilley Road that is the subject of the zoning request is a single family home within a "PD" or Planned District currently consisting solely of single family residences. This property has been a single family residence since the time it was built (1957), is surrounded on all sides by single family residential properties, and is part of the Fairway Oaks planned development.

Under the Land Development Code, all land within the City of Abilene, Texas, is to be used "in conformance with the zoning regulations prescribed for the zoning district in which such land or building is located..." §2.2.3.1(a). The residential zoning of this property would permit an occupant to use it for a "home office"; however, the applicant here seeks to change the zoning map to allow the property to be used as a "Neighborhood Office". The new zoning sought would allow an office building of up to 11,000 square feet and two stories (subject to setback and parking) to be erected on this lot, with operating hours from 6am to 11pm, per information provided to me by Jared Smith, of the planning and zoning department.

The uses that would be permissible under the new zoning are not limited to "office" use, and are outlined in the attached pages from the zoning code. See the attached Zoning matrix of Permitted Uses that list the permitted uses for a "Neighborhood Office". Permitted uses include: bed and breakfast; ATMs, Kiosks, and similar facilities; Day Care Operations; mobile home sales and service office; recreational building; civic, social or fraternal organization. With conditions, permitted uses also include fast food restaurant; standard restaurant; automobile parking; and public utility facility. Even though the applicant states that he will operate his office at this site occupied by himself and one other employee, if zoned "Neighborhood Office", any of these uses would be permissible Once zoned for Neighborhood Office use, those statements are not binding on his use of the property or any future owner. What controls is the uses permitted under the City's zoning ordinance.

We oppose this zoning change application for the following reasons:

1. The proposed zoning change at issue here - to change a single lot wholly within single family residential zoning, from single family residential zoning to "Neighborhood Office" - amounts to illegal "spot zoning":

In the ruling case on comprehensive zoning and spot zoning, our Texas Supreme Court states:

"A comprehensive zoning ordinance is law that binds the municipal legislative body itself. ... The legislative body does not, on each rezoning hearing, redetermine as an original matter, the city's policy of comprehensive zoning. The law demands that the approved zoning plan should be respected and not

altered for the special benefit of the landowner when the change will cause substantial detriment to the surrounding lands or serves no substantial public purpose. ... The duty to obey the existing law forbids municipal actions that disregard not only the pre-established zoning ordinance, but also long-range master plans and maps that have been adopted by ordinance." ...

"The term, "spot zoning," is used in Texas and most states to connote an unacceptable amendatory ordinance that singles out a small tract for treatment that differs from that accorded similar surrounding land without proof of changes in conditions. Spot zoning is regarded as a preferential treatment which defeats a pre-established comprehensive plan. ... It is piecemeal zoning, the antithesis of planned zoning. ... Amendatory ordinances which have rezoned a single city lot when there have been no intervening changes or other saving characteristic, have almost always been voided in Texas."

City of Pharr v. Tippitt, 616 S.W.2d 173, 176, 177 (Tex. 1981)

The applicant has made no attempt to show any change in conditions to support a finding that the lot in question has changed from residential in nature to office. The home's most recent use was as a residence. That has been the use made of this lot since 1957, when it was built. There have been no changes in the lots that surround this property. All adjacent lots are and remain residential in use. One lot that is catty corner across Antilley Road is designated as "GC/COR", but that use has been so designated for some period of time, and is not a recent zoning change.

The City of Abilene has adopted a comprehensive zoning ordinance, reflected in an official zoning map. The city's zoning districts, shown on the City's zoning map, define the uses for each tract of land within each district. Residential district zones are limited to residential uses. Use of a "neighborhood office" is not permitted within the residential districts.

The City's zoning map defines the boundaries of each zoning district as adopted by the City and, more importantly, incorporates the Council's determination that each tract within a particular zone is "*deemed best suited*" to that district.[1] By law, each zoning district reflects the City Council's "*reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality,*" as required by Local Government Code, Section 211.005(b).

Consequently, according to the City's zoning ordinance and maps, the current residential use of 3702 Antilley Road is City Council's determined most appropriate use, to the exclusion of all other uses. To change this determination, the applicant must show that changed conditions create the need for the proposed change in zoning. No such presentation has been made here. To proceed to change the zoning for this one lot, based on a change in ownership, and not because of a change in conditions affecting the residential use of the lot, is illegal "spot zoning".

2. The lot in question remains suitable for residential use and nothing in the application demonstrates that this lot is no longer suitable for such use, or that the lot has become suitable for "Neighborhood Office" use.

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[1] V.T.C.A., Local Government Code Ch. 211.

Under the Land Development Code, §2.3.2.1 (a), each zoning district is established for a specific purpose: "Each zoning district herein established is provided a specific purpose, in accordance with the Comprehensive Plan, as amended, for the location of various activities throughout the City." Specifically, for RS-8, those purposes are:

"(1) Protect the residential character of the included areas by excluding most commercial and other incompatible activities, as appropriate.

(2) Encourage a suitable environment for family life by permitting certain appropriate institutions and facilities to be located in residential neighborhoods.

(3) Preserve open space and avoid overcrowding by requiring certain minimum yards, open spaces, and lot areas.

(4) Provide an option for mid-sized lots to serve a range of individual requirements represented by the citizenry of Abilene."

The application does not present facts to demonstrate that the lot is no longer suitable for the above residential uses, nor that the lot, or surrounding lots, have changed so as to support the proposed change in use to "Neighborhood Office".

3. The proposed zoning change places a one lot "Neighborhood Office" within what is zoned today solely for single family use and is not compatible with the existing zoning.

Because this application seeks a change in the designated use, to convert a single family residential lot into a "Neighborhood Office" lot, the zoning code specifies the four factors below to be considered. None of these factors are addressed in the application. Moreover, as addressed in each response below, consideration of these factors precludes a determination that the change of use is warranted:

(1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan map, as amended;

Response: The application is at odds with the existing zoning and the City's Comprehensive Plan, both of which designate this lot as single family residential in nature. The application does not explain how the proposed use is consistent with the family life purposes enumerated in the code for single family districts, as presented in Paragraph 2 above. Nothing establishes that the office zoning sought will protect the residential character of the area or promote and sustain a suitable environment for family life. Neighbors count on neighbors for support, congeniality, carpooling, and similar activities of daily life. Neighbors watch out for each other's children and pets, share a cup of sugar, and neighbors develop that kind of knowledge of each other that allows neighbors to assist each other in times of emergency or adversity. Neighbors' children develop deep bonds with each other and share school experiences. Neighbors know who to call when the dog is out, a child skins a knee, a neighbor has a health emergency, share the joy of a new baby or grandchild, and pick up the paper when a neighbor is on vacation. Its hard to see these forms of relationships being established with office building occupants, and thereby this use diminishes the family life that is promoted by single family zoning.

(2) Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;

Response: As addressed below in the paragraph following (4) in more detail, the immediate area, on all sides of the proposed zoning is single family residential. Nothing in the application establishes why an added office use, with a building of 11,000 square feet, and two stories, and open to the public from 6 am to 11 pm, is conducive to the residential community life of this neighborhood.

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area; and

Response: The application does not address how the proposed use would impact the existing or proposed streets, other public infrastructure or public utilities, which are likely scaled to single family use. I have seen no report as to the impact of this proposed change on water supply, sewers or other public utility services. As to traffic, as residents who live in the area know, there are safety issues with the existing level and speed of traffic along Antilley Road. Due to the level and speed of existing traffic, it is dangerous and hard to turn left onto Antilley Road, from Champions or Harbour Town or driveways of residences in this area. There is limited visibility to see opposing traffic along Antilley road, either eastward or westward, in the portion of Antilley Road from Champions Drive to Laurel Court, making use of the center turning lane very dangerous due to the hill which peaks in the middle of 3600 block of Antilley Road. The addition of an office in this area, whose driveway access is into Antilley Road, will increase traffic, increase left turns into and out of the property, and thereby increasing traffic safety concerns. Or, if a curb cut is permitted on Harbour Town, then that residential street becomes burdened by more traffic and is less safe, particularly for children, walkers, and pets, living along Harbour Town.

(4) Any other factors which will substantially affect the public health, safety, morals, or general welfare.

Response: This community is located within the Wylie School District, a very good public school district, is adjacent to the Wylie West Child Development Center. Many residents in this area are families with school age children who choose it because of the quality of schools, and not for accessibility to offices open from 6am to 11pm, with the attendant traffic. Along Harbour Town are relatively affordable town homes, many chosen due to the Wylie School District. In contrast, the east end of Antilley Road, near US 83/84 has more than adequate space for professional offices or "Neighborhood Office" uses, and there are several lots zoned for office use currently available for sale should the applicant desire office space proximate to the area. There is no need in the 3600 block of Antilley Road to encroach on single family properties by inserting an office lot in an otherwise residential area.

4. The proposed lot is within a residential zone, not at its border, and should not be viewed as "transitional" given the residential uses between it and the outside border of the residential zone.

Based on conversations by telephone with city staff, it is my understanding that staff views this property as adjacent to non-residential uses and therefor appropriate for "Neighborhood Office" zoning as a transitional property edged by non-residential uses. That characterization of the location of this tract is subject to question. The only nearby non-residential property is a tract across Antilley Road and catty-corner to the southwest corner of 3702 Antilley, which is zoned as GC/COR but is currently vacant (and has been vacant for a number of years.)The properties adjacent to this tract along the north side of Antilley and the tracts directly across Antilley Road on the south of this tract are all zoned for residential use. The tracts adjacent to these tracts are also zoned for residential use. All of these tracts are part of a larger residential community surrounding the Fairway Oaks golf course on the north, and on the south are large cul-de-sac residential communities. On the west, beyond these tracts, the nearby churches and schools, being attended by members of the nearby residential community promote the sense of community as neighbors share their school and church life as well as their neighborhood with one another. See attached exhibits A and B, which are from the zoning map and a satellite view showing the surrounding residential community of which this tract is a part.

Lastly and most importantly, if it is the view of the City that a "Neighborhood Office" is compatible with residential use for any subdivision or residential catty-corner to a non-residential use, then the protections that the zoning code provides to residential uses is significantly impaired. If this tract is rezoned, then the sphere in which a non-residential use in a residential community becomes accepted has now grown to the properties adjacent to or catty-corner to this new non-residential lot, and that process proceeds on and on, with the effect of destroying established neighborhoods.

In closing, I grew up in this community, in the home that is 3702 Antilley Road, next door to my grandparents, Henry and Myrtle Antilley for whom Antilley Road is named. This "spectacular" (as described in the recent MLS listing for this property) contemporary home was designed and built by my mother, a Abilene artist and long-time art teacher at Abilene High School, member of the Creative Arts Club, the Center for Contemporary Arts, and docent at The Grace Museum. (My mother, being widowed in 1957, decided to build this home in Abilene, next door to my grandparents, as my brother and I were 5 and 7 at the time and she would need to work to support us.) My grandparents donated substantial land to Wylie ISD and to Wylie Baptist Church, and made affordable home sites available to a number of widows with children for their homes along Buffalo Gap Road. My mother and grandparents were all about creating community, through neighborhood, church and school. I file this protest not out of nostalgia for a former way of life, but in honor of the community my grandparents and mother helped to establish and with the hope that it will be sustained. In addition, I was taught to do unto others as I would have them do unto me - I would not want a two-story, 11,000 office building next to my home. If you feel the same, I ask that you vote "no" on this request. I also grew up in 4-H, whose code includes the obligation to dedicate one's head, heart, hands, and health to "better living for my club, my community, my country and my world." This zoning change does not promote better living within this community, and for that reason, I ask that you vote "no" on this request.

I am happy to answer any questions you might have of me regarding this matter. My telephone number is 512-327-0954 and my email is brook.brown03@gmail.com.

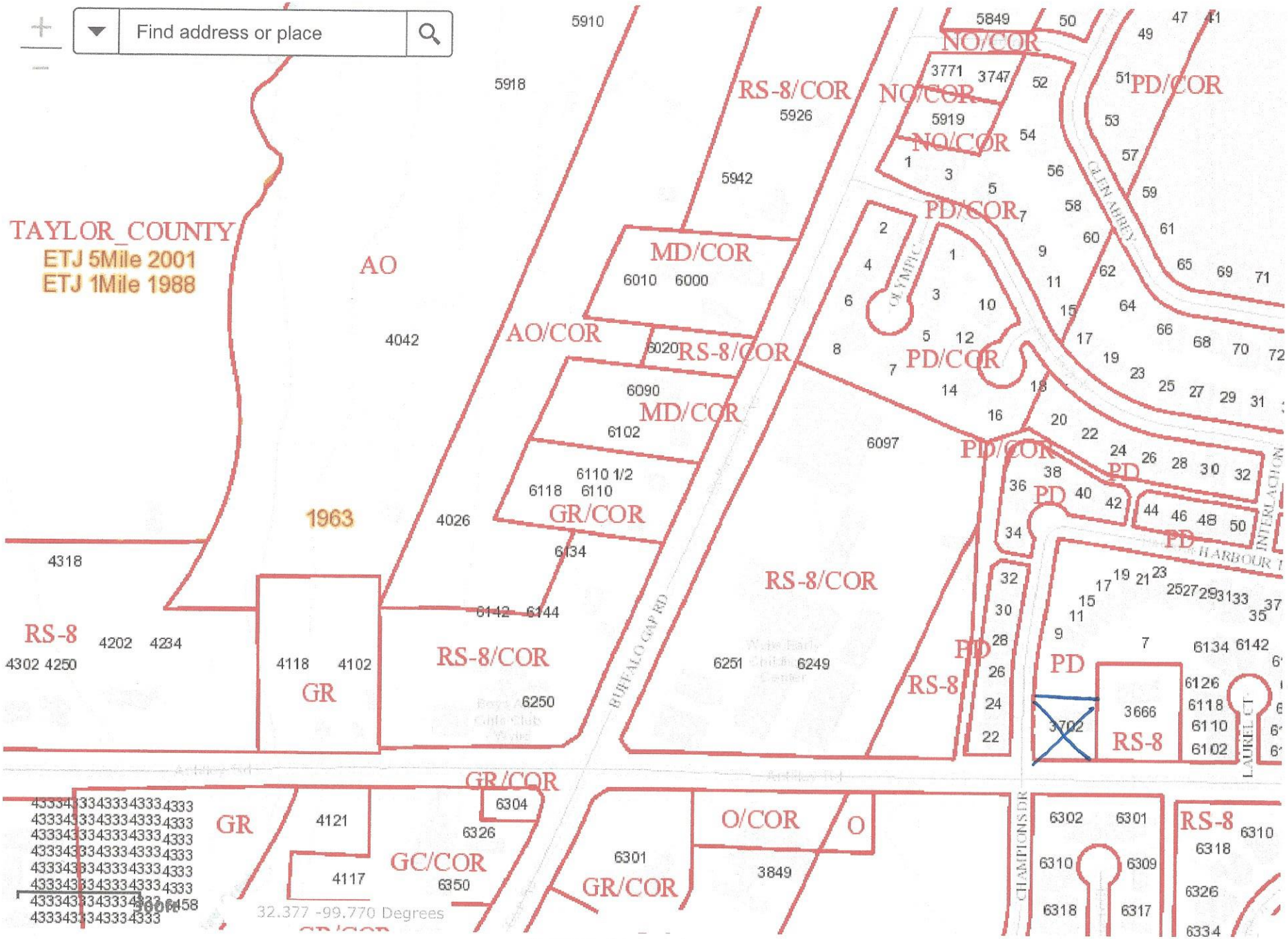
Respectfully yours,

Brook Bennett Brown

Brook Bennett Brown
307 Nixon Drive
Rollingwood, Texas 78746

PS - I preparing this letter, I found an Abilene Reporter news article, reporting on my grandmother's appearance before the Abilene Planning and Zoning Commission, in 1977, at age 74, regarding the naming of Antilley Drive. I thought you might enjoy this bit of history.

Planning and Zoning with Web AppBuilder for ArcGIS



All Rights Reserved

Google Maps Antilley Rd

Imagery ©2020 Google, Imagery ©2020 CNES / Airbus, Maxar Technologies, USDA Farm Service Agency, Map data ©2020 500 ft

marks boundary of residential area - "x" is 3702 Antilley.

HONORS FAMILY

Old Wylie Road Is 'Antilley Drive'

A 74 - year - old Abiene woman, whose parents and in-laws were area pioneers, Monday afternoon persuaded the Planning and Zoning Commission to name an Abilene street after her husband's side of the family.

Mrs. H. L. Antilley (pronounced Ant-lee), who lives in the Wylie community in the south section of Abilene, appeared before the P&Z group on a discussion of naming a road in that area. The road runs east and west just south of the Wylie School. Action of the P&Z is subject to final approval of the City Council.

'Wylie Drive' Suggested

A suggestion by city personnel had been made to name the road Wylie Drive because it is commonly known as Wylie Road at this time.

Mrs. Antilley rose and asked the P&Z to call it something other than Wylie Drive, suggesting Buffalo Trail, Country Road or Antilley.

She said that Wylie, which now is inside the Abilene City Limits, is not a city, but a "community" and that there has been constant confusion with a Texas city known as Wylie, which is located about 10 miles northeast of Dallas.

'Confusion' Probable

Mrs. Antilley said calling the road Wylie would only be "adding to the confusion" and the P&Z group agreed.

However, they appeared stumped for a time and asked Mrs. Antilley to suggest some name. She listed the names she had previously mentioned, indicating that she would not be averse to having the street named Antilley since "they have more of the land in that area than anybody else and the Antilleys have been here a long time."

MRS. H. L. ANTILLEY
. . . suggestion approved

Arrived in 1903

After the P&Z approved calling the road Antilley Drive, Mrs. Antilley said her husband's father had settled in that area after coming from Midland in 1903. Her own father, George Crabtree, came to this area about two years later, she said.

She still owns about 350 acres in the Wylie vicinity north of the newly - named road, and about 170 acres lies inside the City Limits, Mrs. Antilley said, pointing out that she had opposed annexation of the Wylie area by Abilene about 2½ years ago.

REZONE REQUEST

Case:	Z-2021-01
Owner:	Lane Miller
Request:	Rezone from Planned Development District 4 (PD 4) to Neighborhood Office (NO).
Location:	3702 Antilley Road
Notification:	1 in Favor, 2 Opposed
Planning & Zoning:	January 5, 2021
City Council Hearing:	January 28, 2021 February 11, 2021

Z-2021-01 LOCATION MAP

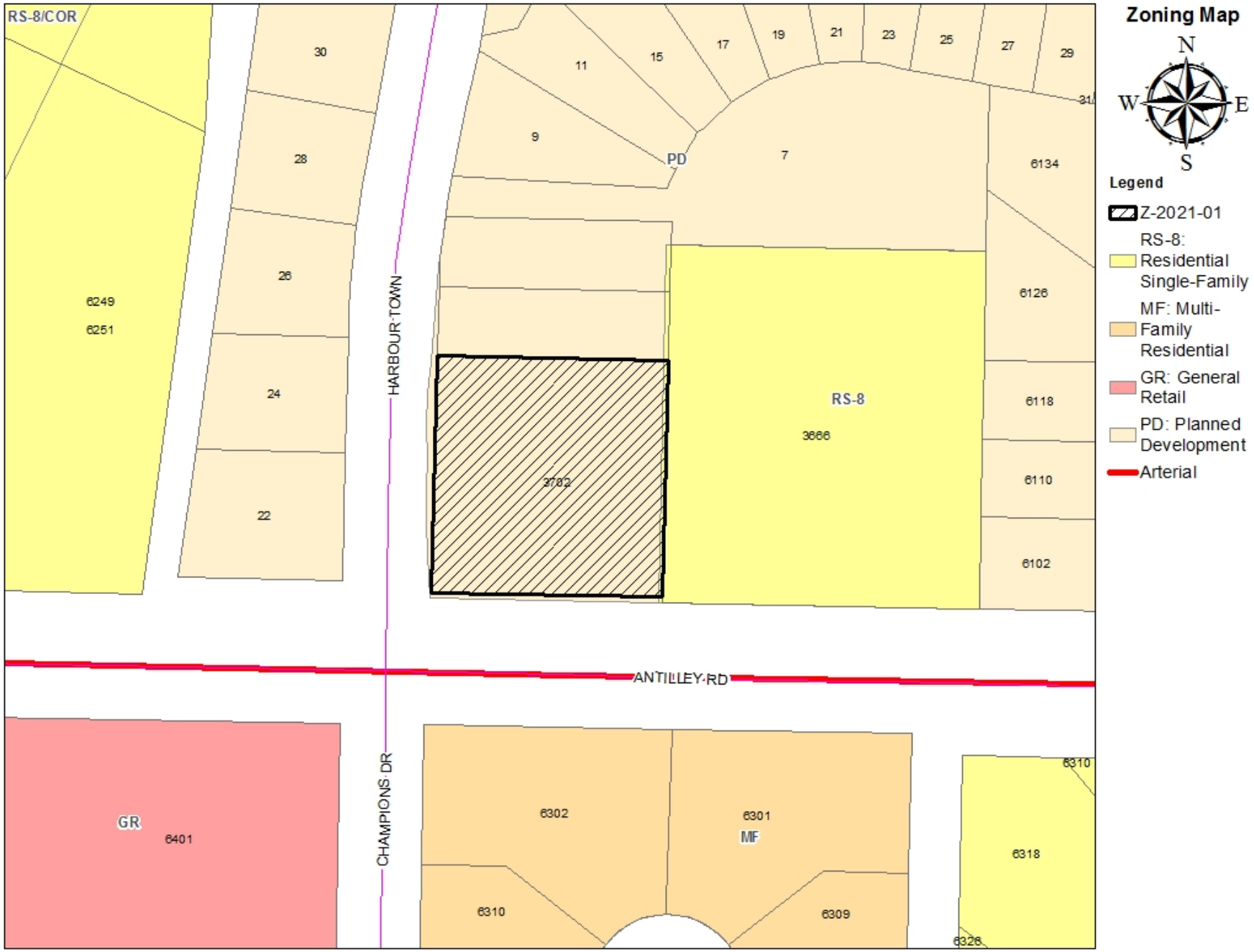
Location Map

N
W E
S

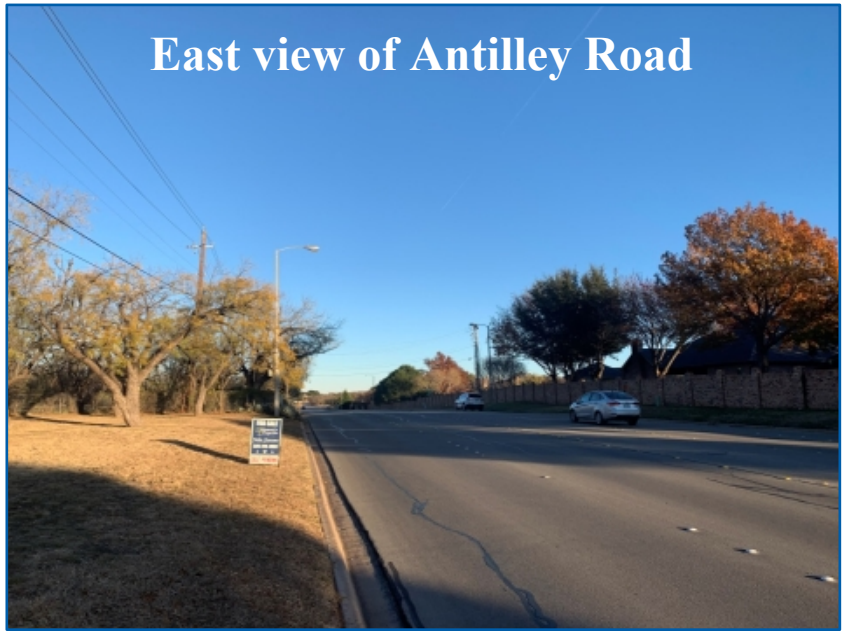
Legend

Z-2021-01

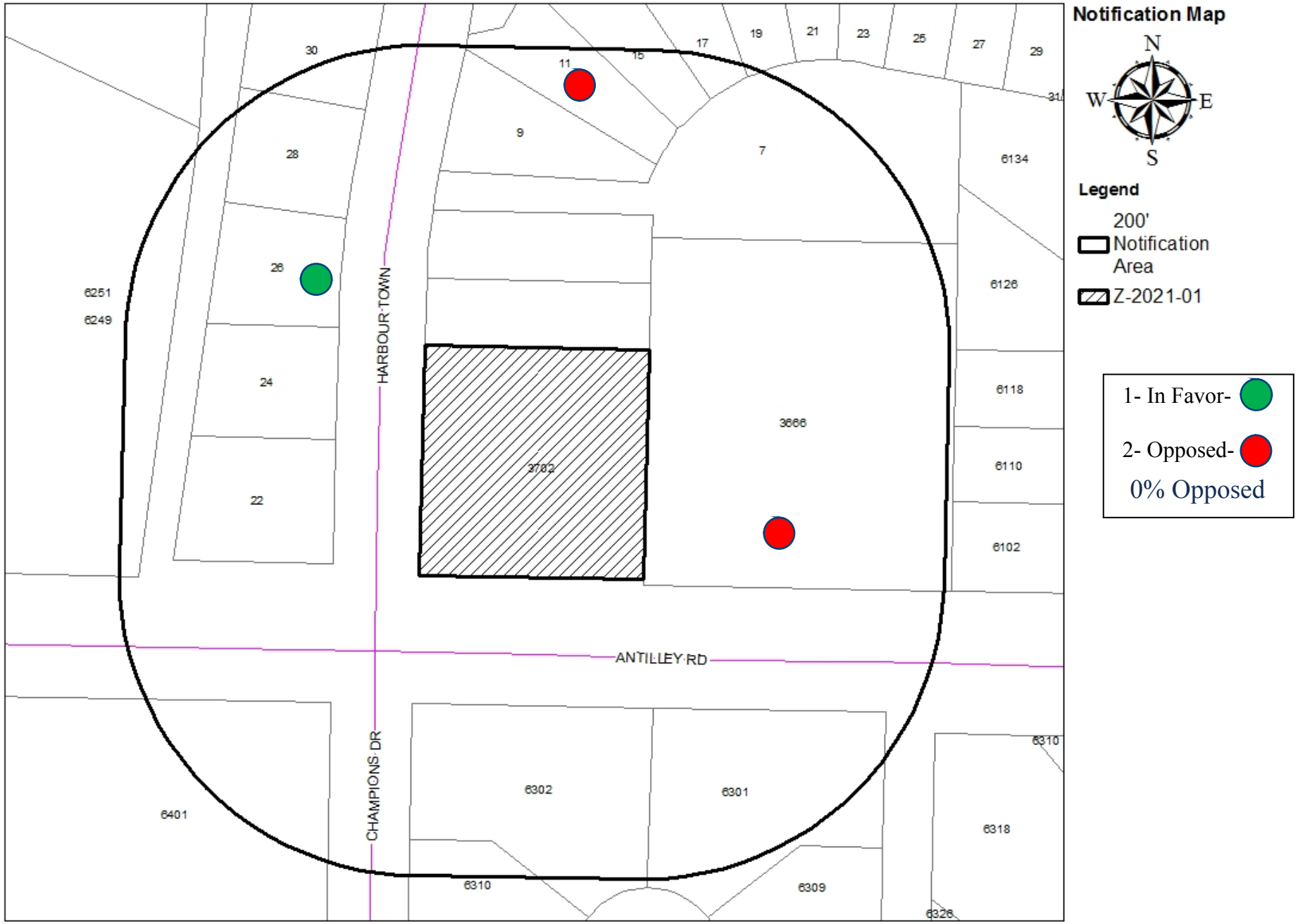
Z-2021-01 ZONING MAP



Z-2021-01 VIEWS OF SUBJECT PROPERTY



Z-2021-01 NOTIFICATION AREA MAP



FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use* and *Development Plan Map*
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

Questions?

ZONING CASE Z-2021-02
STAFF REPORT

REQUEST: Rezone approximately 0.79 acre currently in an Agricultural Open Space (AO) District, to a Residential Single-Family (RS-6) District.

APPLICANT:
Owners: Pattie Hollingsworth and Matthew Gjerstad

HEARING DATES:
P & Z Commission: January 5, 2021
City Council 1st Reading: January 28, 2021
City Council 2nd Reading: February 11, 2021

LOCATION: 5526 Highway 277 South and an adjacent vacant site tentatively addressed at 5534 Highway 277 South, both of which are located approximately 0.62 mile southwest from Texas Avenue's intersection with Highway 277. These two adjacent properties together comprise approximately 0.79 acre out of William Bishop Survey 43 in Abilene, Taylor County, Texas.

PROPOSAL AND REQUESTED ACTION: Owners of the subject two properties seek approval of their application to change the zoning of both properties, from Agricultural Open Space (AO) to a Residential Single-Family (RS-6) District. A change to RS-6 zoning will make these two properties conform to minimum lot size requirements of local zoning regulations. In AO zoning districts, the minimum size required of any lot or tract of land is 5.00 acres. The subject properties at 5526 and 5534 Highway 277 South are only 0.61 acre and 0.18 acre in size, respectively. The minimum lot size required in the proposed RS-6 District is only approximately 0.14 acre. Approving a change to RS-6 zoning will make both properties conform to local zoning regulations.

BACKGROUND: The subject two properties and adjacent tracts were annexed into the City limits in 1959. These two properties are believed to have both been occupied by residences at that time. When the present zoning map was initially adopted in 1974, the subject two properties were embraced within an Agricultural Open Space (AO) zoning district and remain so today. The AO zoning classification is most often used as a "holding" zone until some more intensive use of that land is deemed appropriate and zoning for such is approved.

In 2005, the residence at 5534 Highway 277 South was demolished, leaving that 0.18 acre of land vacant.

The owner of this 0.18-acre tract is seeking to build a new home on this acreage. A necessary prerequisite to obtaining a building permit for construction is a subdivision plat prepared by a surveyor and approved by the City of Abilene. That subdivision plat cannot be approved so long as this building site cannot meet the minimum 5.00-acre lot size required by the property's present AO zoning. A rezone to an RS-6 District is appropriate because the minimum lot size is approximately 0.14 acre.

Additionally the owner of an adjacent 0.61-acre tract has joined with the owner of the 0.18-acre tract, in seeking RS6 zoning. That 0.61-acre tract is presently occupied by a residence at 5526 Highway 277 South.

If this zone change is approved and the owner of this 0.18-acre tract seeks to have a subdivision plat of this property approved, City Council will be called upon to consider waiving the ordinary subdivision standard requiring each new lot (created by plat) to have direct frontage on a public street as well as direct access to both a water main and a sewer main.

APPLICATION REVIEW:

Section 1.4.1.4 of Abilene's Land Development Code concerns criteria for approving zone changes. This Section stipulates that, in making a recommendation regarding a requested zone change, the Planning and Zoning Commission and City Council should consider the following factors:

(1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property as shown on the Future Land Use and Development Plan map, as amended.

The Future Land Use and Development Map in Abilene's Comprehensive Plan (circa 2004) shows the subject acreage and surrounding properties to be within an area where "low-density residences" are planned and is more than ½ mile from any major commercial/business center. Proposed RS-6 zoning is consistent with the plan's recommendation for low-density residential use of this vicinity.

(2) Whether the uses permitted by the proposed change in zoning classification (and the standards applicable to such uses) will be appropriate in the immediate area of the land to be reclassified.

The closest residential districts (not zoned AO) to these subject properties are in RS-6, MD and MH zoning districts. Each of these is consistent with the Comprehensive Plan's recommendation for low-density residential use of this vicinity.

	Zoning	Existing Land Use
North	AO	agriculture
South	PD 39	residence and automotive engine repair
East	PD 89 and O	church and office building
West	AO	residence and agriculture

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.

A 6-inch-wide water main and a 6-inch-wide sewer main both lie in nearby right-of-way for Highway 277 South. These utility mains may be projected into and beyond the subject properties, to accommodate development of new single family homes there, consistent with RS-6 zoning.

Bassetti Elementary School is situated only approximately ¼ mile southwest from the subject properties. Given substantially more residential growth in this vicinity, space is available on that site for enlargement of those school facilities.

(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.

It is the opinion of staff that there are no other factors about this zone change request, which substantially affect the public health, safety, morals, or general welfare of residents in Abilene.

STAFF RECOMMENDATION:

City staff recommends approving this requested change to a Residential Single-Family (RS6) zoning district, based on the Abilene Comprehensive Plan and its recommendation for low-density residential use of this vicinity.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission will meet to review this request on January 5, 2021.

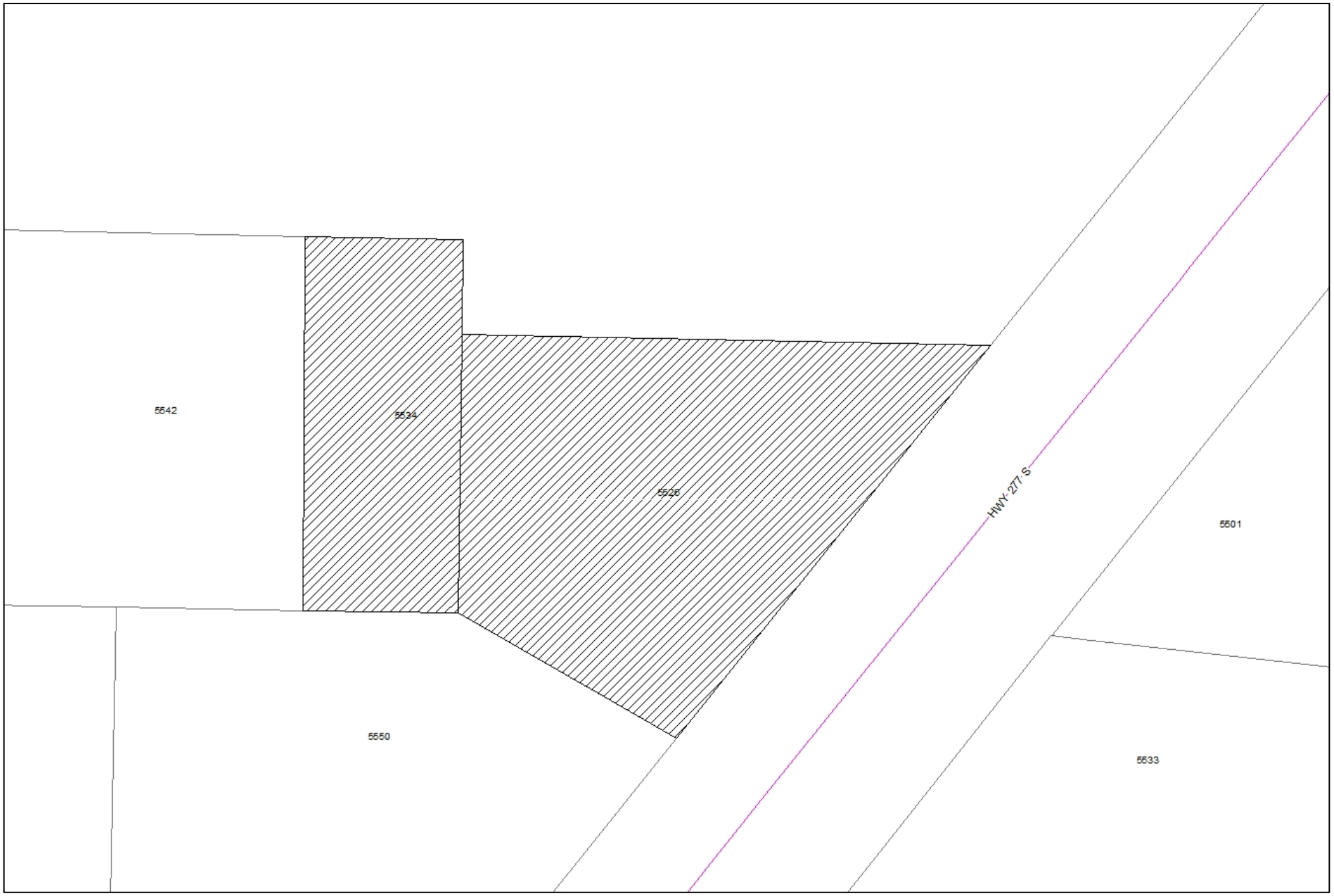
NOTIFICATION:

The Planning Services Division sent, with a certificate of mailing, public notices to the applicant and to owners of property within a 200-foot radius of this subject property:

Owner	Situs	Response
ATHENS MONUMENT LLC	5601 HWY 277 S	
BARBER MIKE	5533 HWY 277 S	
BOUTWELL MICHAEL LYNN &	5542 HWY 277 S	
BROOKS JAMES E	5458 HWY 277 S	
BROWDER EDDIE		
BROWDER EDDIE ET AL		
FAITH DELIVERANCE COMMUNITY	5501 HWY 277 S	
GJERSTAD MATTHEW VERNON JR	5526 HWY 277 S	
HOLLINGSWORTH PATTIE	5534 HWY 277 S	
LEGACY FUNERAL HOLDINGS LLC	5726 HWY 277 S	
WEST JARROD	5550 HWY 277 S	
WHITNEY ENTERPRISE LLC		

ATTACHMENTS:

- Application
- PowerPoint


5542
5534
5526
HWY 277 S
5501
5550
5533

Development Application

CITY OF ABILENE

Planning

☐ Conditional Use ☐ Easement Release ☑ Rezoning ☐ Other
☐ PDD ☐ Street Name Change ☐ Thoroughfare Abandonment ☐ PDD Amendment
Other: _____

Project Name: _____
Address: 5526/5534 HWY 277 S No. of lots: _____ Acreage: _____
Legal Description: A0018 Sur 43 William Bishop, Acres .18 and A0018 Sur 43 William Bishop, Acres .601
Subdivision Name: _____ Block: _____ Lot: _____
Current Zoning: AO Proposed Zoning (if applicable): R8

OWNER AND AUTHORIZATION

Owner Name: Pattie Hollingsworth -and- Matthew Gjerstad
Address: 7365 Mountain View Road 5526 Hwy. 277 South
City, State, Zip: Abilene, Tx 79602 Abilene TX 79606-1223 Fax: _____
Phone: 817-964-8901 Email: pattieh200@gmail.com

I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) _____ will act as my agent before the Planning and Zoning Commission.

Agent Name: _____
Address: _____
City, State, Zip: _____ Fax: _____
Phone: _____ Email: _____

Matthew.Gjerstad@hotmail.com

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: Pattie Holl (see attached) Date: 12-7-2020

FOR OFFICE USE ONLY

Received: 12/10/2020 Fee: $ 1500 Receipt No.: 0001057018
Case No.: Z-2020-02 Reviewed By: NW

Gjerstad, Matthew Vernon Jr.

I am trying to reach you regarding your property located at this address.

I own the vacant lot behind you an wanted to ask you a few questions.

Will you please call me at your earliest convenience.

Thank you
Pattie Hollingsworth
817 964-8901

I Matthew Gjerstad Give The city of abilene permission to change my house coding from Open Agriculture to Residential. Address (5526 US 277 Abilene TX 79606) I AM Deploying Dec 09, 20 until June 2021. Feel free to reach out to me at Matthew.Gjerstad@Hotmail.com

- M Gj

Development Application

Please answer the following question in order to assist Staff with the processing of your Zoning request.

1. **Please (if necessary) provide background information for the zoning request and explain why you feel it is appropriate.**

This property has been in my family since the early 1960's I would like to build on this lot for my homestead.
Property does have, shaired access off Hwy 277 with a 30' right of way Easement in place.
The lot did have a home on it that burned down.

Development Application

RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you (FAX or E-mail) of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of $120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: Pattie Hoban DATE: 12-7-2020

Date: 2/2/2007

CITY OF ABILENE

Building Permit Application #: BU070416

Fee: $30.00 ☐ Charge ☑ Paid Receipt #: 8875
By: ABILENE\FletcherR
Valuation: $0
Address: 5534 HWY 277 S CTA#: A0018000700
Lot: Block: ACRES Subdiv: A0018 SUR 43 WILLIAM BISHOP
Owner: GARY NUTT Address:
Phone:
Contractor: STARKS CONSTRUCTION CO. Address: 7449 LANTANA AVE
Phone: 668-2271
Architect/Designer: Address:
Phone: License:
Engineer: Address:
Phone: License:
Set backs
Front: Back: Side: Side:
Dimension of building:
Sq.Ft - Occupied: Building: Garage: Porch:
Building class: Demolish
Change of use: From: To:

Description: DEMOLISH SFR Zoning: Parkway width:

Application accepted by Type of const.: Occ. group:
Division:

Plans checked by Building SqFt: Stories:
Max. Occ. Load:
Gutter elevation:
Fire sprinklers required: ☐

Approved for issuance by

Height of building: Flood plain: ☐ Yes ☐ No
Min. floor elevation: Eng. comments:
☐ _____ feet
☐ 18" above gutter, grade

NOTICE

Separate permits are required for ELECTRICAL, PLUMBING, HEATING, VENTILATING or AIR CONDITIONING.

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITH 180 DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Temporary utilities may be requested for this project for the purposes of construction, or testing of equipment. It is understood that the temporary service shall be limited to ninety (90) days unless extensions are renewed with approval. I understand that the building MAY NOT BE OCCUPIED without a Certificate of Occupancy or temporary occupancy approval. The limits and safety requirements for temporary utilities have been provided to me and I agree with the terms of the policy. Separate permits and inspections will be obtained by the respective subcontractors for temporary service approval.

SPECIAL APPROVALS

* Zoning required:	☑	Approval: JF
Engineering required:	☐	Approval:
Other required:	☐	Approval:

Comments: REMOVE ALL CONC FOOTINGS, SLABS, ETC., CLEAR AND LEVEL LOT, CAP SEWER

* a new house can not be built on this lot because it does not have street frontage.
2-8-07 - Demo - Sewer capped FB

Applicant Date

x Ron Starks
Signature of Contractor or Authorized Agent Date

Signature of Owner (if Owner builder) Date

REZONE REQUEST

Case:	Z-2021-02
Owner:	Pattie Hollingsworth & Matthew Gjerstad
Request:	Rezone from Agricultural Open Space (AO) to Residential Single-Family (RS-6) District
Location:	5534 and 5526 Highway 277 South
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	January 5, 2021
City Council Hearing:	January 28, 2021 February 11, 2021

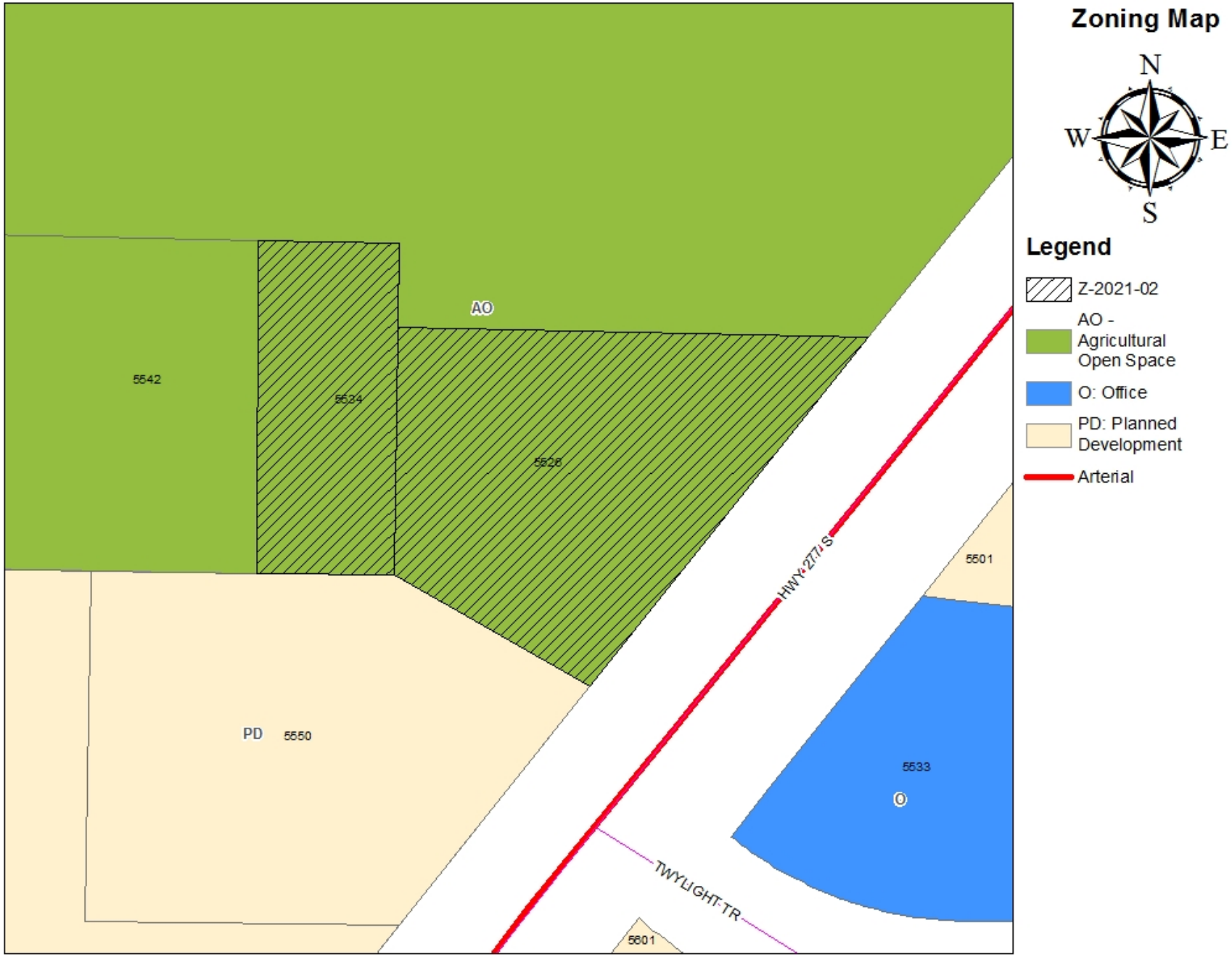
Z-2021-02 LOCATION MAP

Location Map

Legend

Z-2021-02

Z-2021-02 ZONING MAP



Z-2021-02 VIEWS OF SUBJECT PROPERTY

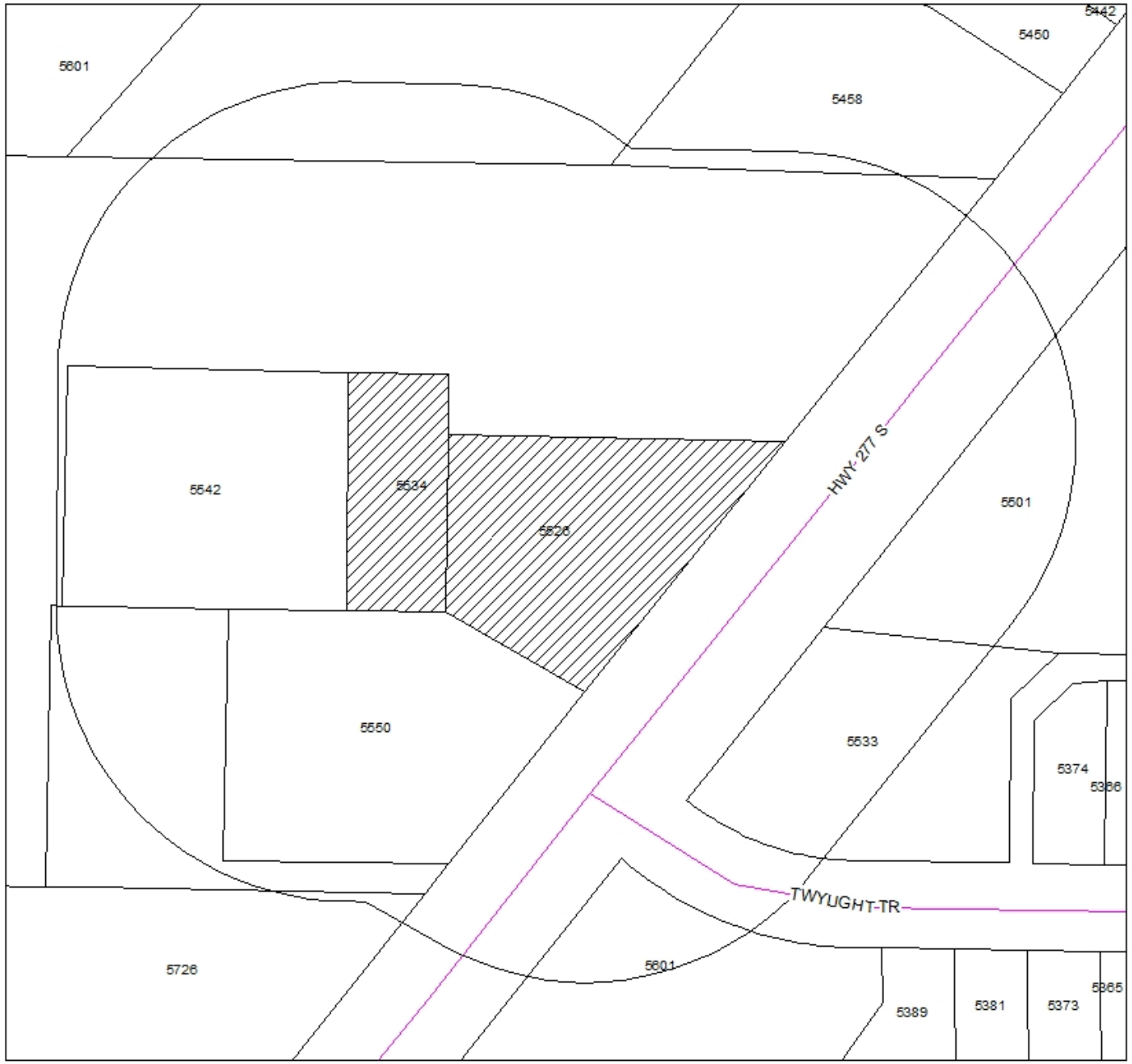
South view of subject property

Subject property & shared driveway

Neighboring property to the west

Neighboring property to the north

Z-2021-02 NOTIFICATION AREA MAP



Notification Map

N
W E
S

Legend

Z-2021-02

200' Notification Area

0- In Favor-

0- Opposed-

0% Opposed

FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use* and *Development Plan Map*
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

Questions?

TC-2021-01
STAFF REPORT

REQUEST: Abandon the public right-of-way of Sunrise Avenue between Hailey and Minda Streets.

APPLICANT: Leonor Rivera
AGENT: Anton & Francesca Barnett

HEARING DATES:
P & Z Commission: January 5, 2021

City Council 1st Reading: January 28, 2021
City Council 2nd Reading: February 11, 2021

LOCATION:

- The 40-foot unimproved right-of-way of Sunrise Avenue between Hailey and Minda Streets.

BACKGROUND AND REQUESTED ACTION:
This 40-foot unimproved right-of-way is located between Blocks 25 and 26 of the Williams Estate Subdivision, a part of sections 37 and 38 of Blind Asylum Lands, Taylor County, Texas (filed in 1937). The applicants would like to abandon this right-of-way to incorporate the land within their properties.

REQUEST ANALYSIS:

The proposed abandonment was reviewed by the City of Abilene's Development Review Committee (DRC) whose members include representatives from locally franchised utility services as well as the City's Public Works Department. There were no objections from members of the DRC.

APPLICATION REVIEW:
Pursuant to Section 3.2.7.4, Street, Alley Abandonment, and Closure Policy, of the Land Development Code, any closure or abandonment shall follow the same process as required for a zoning change. Section 1.4.1.4, Criteria for Approval, states in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

(1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan map, as amended.
The Future Land Use and Development Plan Map of the Comprehensive Plan designates this general area as single family residential. The properties that abut this right-of-way are currently zoned as single-family residential district (RS-6), which is consistent with the future land use and development plan map.

(2) Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.
This proposed right-of-way closure will be incorporated into the adjacent properties through the re-platting process for residential use and therefore will be consistent with the immediate area.

Direction	Zoning	Existing Land Use
North	HI	Heavy Manufacturing Facility
South	RS-6	Single-Family Residential
East	RS-6	Vacant/Undeveloped Land
West	RS-6	Single-Family Residential

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.

The closure will not impact any proposed or existing plans for the above named services or utilities.

(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.

It is the opinion of the staff that there are no other factors which will substantially affect the public health, safety, morals, or general welfare.

STAFF RECOMMENDATION:

City staff recommends approving the requested abandonment subject to approval and subsequent recording of a re-plat showing how the right-of-way (authorized to be abandoned) will be integrated with one or more adjacent new lot(s).

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission will consider this request during a meeting on January 5, 2021.

NOTIFICATION:

The planning Services Division sent written notice of this request (with certificate of mailing) to all owners of property within a 200-foot radius of this subject property.

Owner	Situs	Response
BATISTE PROPERTIES LLC	858 MINDA ST	
GINDRATT CURTIS & BETTYE	824 MINDA ST	
GUAJARDO RAYMOND JR	889 HAILEY ST	
GUAJARDO RAYMOND JR	897 HAILEY ST	
GUERRERO MONICA ANN	897 MINDA ST	
HIRSCHFELD PROPERTIES LP	771 VIRGIL ST	
KIMMEL KAX INC	902 MINDA ST	
MATTEA ROGER	850 MINDA ST	
MC LAMORE HARLAN F &	909 HAILEY ST	
MINDA ST CHURCH OF CHRIST	855 MINDA ST	
MINDA ST CHURCH OF CHRIST	701 MINDA ST	
MORREN MYRTLE FRANCES	857 HAILEY ST	
MORREN MYRTLE FRANCES	849 HAILEY ST	
RAMIREZ ROY	901 MINDA ST	
RIVERA LEONOR H LF EST	866 MINDA ST	
RIVERA LEONOR H LF EST	890 MINDA ST	
SERRANO PEDRO	618 SUNRISE AV	
YOUNG MAE DELL LIFE ESTATE	610 SUNRISE AV	

ATTACHMENTS: 1) Application 2) PowerPoint

375
818
375
771
HAILEY ST
817
825
833
849
857
897
889
909
934
533
EDNA ST
824
850
858
866
SUNRISE AV
890
902
MINDA ST
897
610
618
626
701
855
625
901
909
917
925
933
941
949
902
910
918
926
934
942

Development Application

CITY OF ABILENE

Planning

☐ Conditional Use ☐ Easement Release ☐ Rezoning ☐ Other
☐ PDD ☐ Street Name Change ☑ Thoroughfare Abandonment ☐ PDD Amendment
Other: _____

Project Name: Thoroughfare Closure

Address: 866 Minda St + 890 Minda St No. of lots: 1 Acreage: _____

Legal Description: ~~The West Half of~~ Sunrise Ave between Minda St and Hailey St

Subdivision Name: Williams Estate Block: 25 Lot: _____

Current Zoning: Street between two plots Proposed Zoning (if applicable): to be absorbed into lots

OWNER AND AUTHORIZATION

Owner Name: Leonor Rivera

Address: 866 Minda St

City, State, Zip: Abilene, TX 79602 Fax: _____

Phone: 325-677-6841 Email: _____

I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) Anton + Francesca Barnett will act as my agent before the Planning and Zoning Commission.

Agent Name: Anton + Francesca Barnett

Address: 941 Luzon St

City, State, Zip: Abilene, TX 79602 Fax: _____

Phone: 325-829-4209 Email: francesca188@gmail.com

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

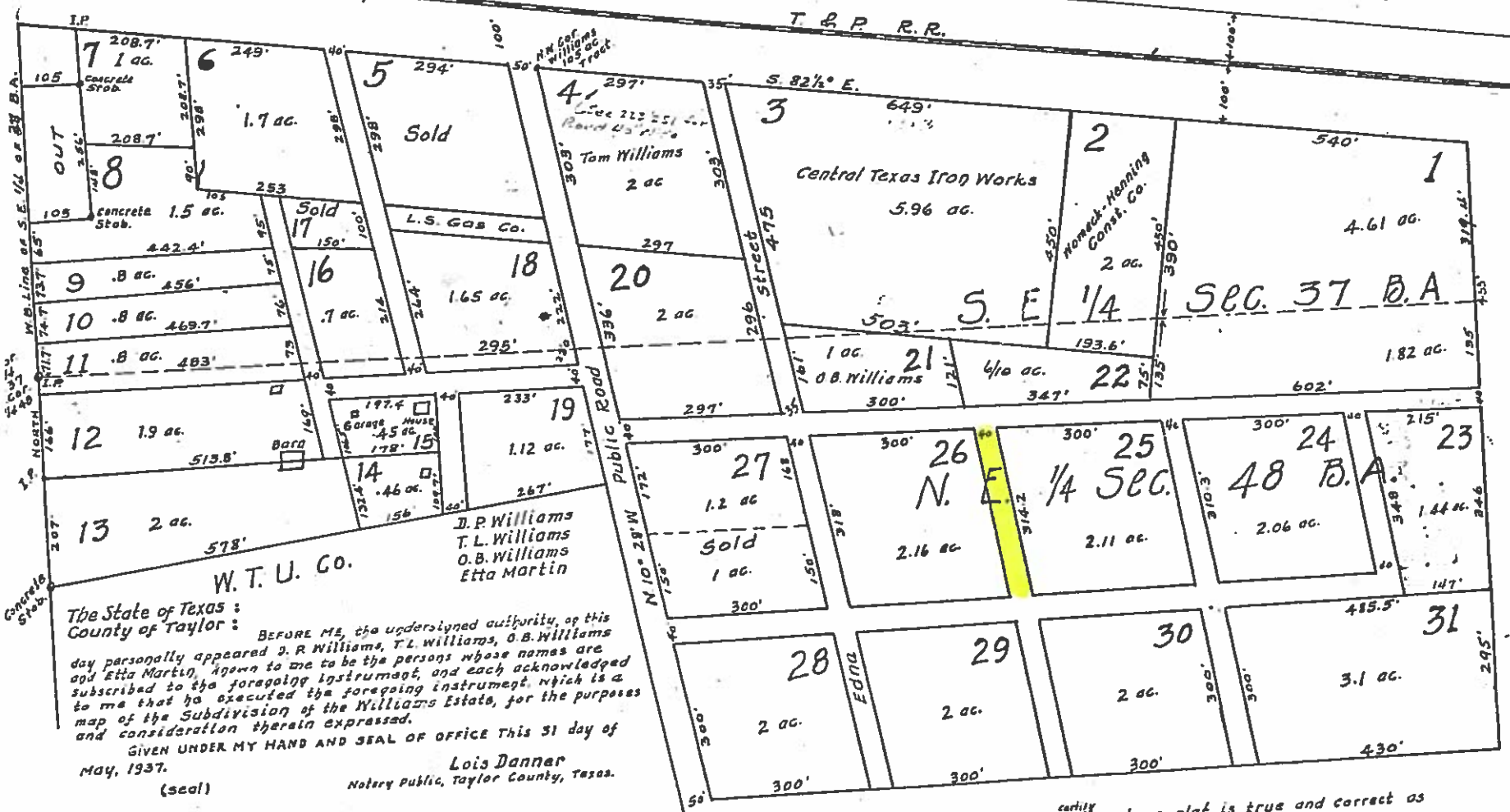
Signature Owner: Leonor Rivera Date: 11/13/2020

FOR OFFICE USE ONLY

Received: _____ Fee: $ $150.00 Receipt No.: 0001056910 tn 6881

Case No.: TC-2020-08 Reviewed By: _____

Williams Estate Subdivision of Part of Sections 37 & 48 Blind Asylum Lands Taylor Co. Texas.



The State of Texas :
County of Taylor :

BEFORE ME, the undersigned authority, on this day personally appeared D. P. Williams, T. L. Williams, O. B. Williams and Etta Martin, known to me to be the persons whose names are subscribed to the foregoing instrument, and each acknowledged to me that he executed the foregoing instrument, which is a map of the Subdivision of the Williams Estate, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE This 31 day of May, 1937.

(seal)

Lois Danner
Notary Public, Taylor County, Texas.

FILED FOR RECORD June 1, 1937 at 10:00 o'clock A.M.
RECORDED June 30, 1937 at 5:00 o'clock P.M.

Vivian Fryar
County Clerk, Taylor County, Texas

File No 2400.

I, G. M. Thomason, do hereby certify the above plat is true and correct as surveyed by me on the ground March 25 & April 5 & 6, 1937.

G. M. Thomason,
Licensed Land Surveyor,
Abilene, Tex.

Development Application

Please answer the following question in order to assist Staff with the processing of your Zoning request.

1. **Please (if necessary) provide background information for the zoning request and explain why you feel it is appropriate.**

We are sending this request for consideration of thoroughfare closure of the "plotted street" labeled as Sunrise Ave between Minda Street and Hailey Street, that is not developed or paved as a street, and has not been maintained as a Street in any way by the city. Essentially this "street" is just an overgrown dirt and grass road that runs between two plots of land owned by Leonor Rivera who resides at 866 Minda St. Our desire is to have this part of Sunrise Ave deemed abandoned so that the properties can be fluid plots in order for her family to prepare for future projects. One of which is completing a fence across all of the property, to close off additional access points for her + her property's protection. This project is a bit time sensitive as we would like to get the fencing done before winter weather comes in. These plots of land have been family land for almost 100 years and it is our wish to connect the plots and keep them in the family for many more years to come. Your consideration and review of this application is greatly appreciated, thank you for your time.

THOROUGHFARE ABANDONMENT REQUEST

Case:	TC-2021-01
Owner:	Leonor Rivera
Agent:	Anton & Francesca Barnett
Request:	The 40-foot unimproved right-of-way of Sunrise Avenue between Hailey Street and Minda Street
Location:	Sunrise Ave approximately 650 feet east from T&P Lane in east central Abilene
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	January 5, 2021
City Council Hearing:	January 28, 2021 February 11, 2021

TC-2021-01 LOCATION MAP

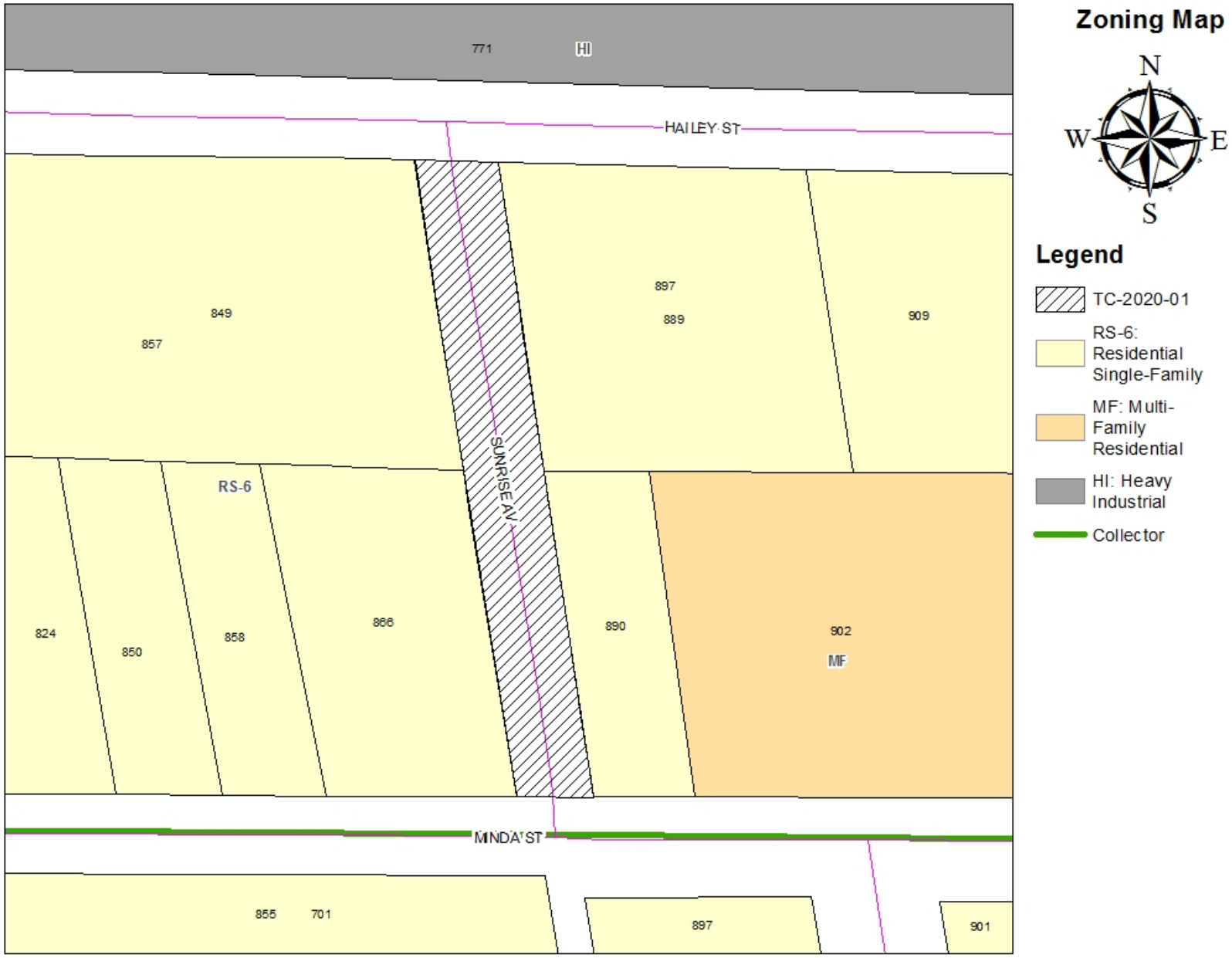
Location Map

N
W E
S

Legend

TC-2020-01

TC-2020-01 ZONING MAP



TC-2020-01 VIEWS OF SUBJECT RIGHT-OF-WAY AND NEIGHBORING PROPERTIES

TC-2020-01 VIEWS OF SUBJECT RIGHT-OF-WAY AND NEIGHBORING PROPERTIES

TC-2021-01 NOTIFICATION AREA MAP

Notification Map

N
W E
S

Legend

Z-2021-01

200' Notification Area

0- In Favor-

0- Opposed-

0% Opposed

FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use* and *Development Plan Map*
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- DRC Recommendation: Satisfactory
- Staff Recommendation: Approval

Questions?

CITY OF ABILENE

M E M O R A N D U M

January 5, 2021

TO: **Planning and Zoning Commission**

FROM: **Mr. Mike Warrix, Director/Planning & Development Services**

SUBJECT: **Recent Council Actions**

Below are recent decisions made by City Council on items recommended from the Commission:

CITY COUNCIL MEETING
December 3, 2020 at 8:30 AM

Item	Motion	Vote
Rezone property from Agricultural Open Space (AO) to a Residential Single-Family (RS-6) District on 52.88 acres of now-vacant land in the 7700-7800 blocks (east side) of Maple Street in far south Abilene	**Approved**	6-0
Rezone property from Agricultural Open Space (AO) to a Planned Development (PD) District allowing residential townhome development having clusters of as few as two dwelling units, on 22.13 acres of now-vacant land located east from the 7700-7800 blocks of Maple Street and west from Kristie Path and Alex Way in the Sawgrass Addition	**Approved**	6-0
Change the terms of Planned Development (PD) District Number PD 116 located on southeast corner of Old Anson Road and Interstate Highway 20 in northwest Abilene, specifically regarding the height and area of signs allowed there.	**Approved as presented, with the modification of the height to 75 feet and the area of the sign to 450 square feet.**	6-0
Rezone approximately 3.8 acres in a General Retail (GR) District extending 300 feet north from the 900 block of Gateway Street, and approximately 4.3 acres in an adjacent Neighborhood Retail (NR) District extending 300 feet west from the 3600-3700 blocks of Oldham Lane, to a General Commercial (GC) District	**Approved**	6-0

Rezone approximately 8.14 acres at 7602 thru 7734 Hwy. 83-84 and situated at or near the southwest corner of Waldrop Drive and U.S. Hwys. 83-84, from an Agricultural Open Space (AO) District to a General Commercial (GC) District	**Approved**	**6-0**
Rezone approximately 4.04 acres on the 4900-5000 blocks (southwest side) of South Clack Street, from an Agricultural Open Space (AO) to a General Commercial (GC) District	**Denied**	6-0
Conditional Use Permit allowing retail sales and rental of trucks and other large vehicles and equipment on 24.371 acres in a General Commercial (GC) District at 750 Gateway Street and the 3600-3700 blocks (east side) of Loop 322	**Approved**	6-0
Amending the Land Development Code, Chapter 2, "Zoning Regulations," Article 3, "Zoning Districts," Division 3, TABLE 2-4: Site Layout and Building Requirements for Nonresidential Zoning Districts," and Article 4, "Use Regulations," Division 3, "Requirements Applicable to Specific Land Uses," Section 2.4.3.3, "All Other Uses with Specific Requirements," to clarify Multiple Family Dwellings by Conditional Use Permit in Certain Non-Residential Districts	**Approved as presented with the following modifications: A (MD density for multi-family use) will have MX, NR and NO zoning, and B (MF density for multi-family use) will have CU, CB, O, GR and MU zoning.**	6-0