



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 June 1, 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 May 4, 2021

AGENDA ITEMS

2. Election of Chairman Pro Tem

PLATS

Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the following plats:

3. **PP-3421:** Headwater Estates Subdivision, Abilene, Taylor County, Texas.
4. **PP-3521:** Shops At Carriage Hills Subdivision, Abilene, Taylor County, Texas.
5. **FP-3621:** Tuscan Trails, Section 6 & 7, Abilene, Taylor County, Texas.
6. **FP-3721:** The Harvest Addition, Section 1, Abilene, Taylor County, Texas.
7. **FP-6214 Plat Vacation:** Sierra Sunset Addition, Section 1, Abilene, Taylor County, Texas.
8. **FP-3821:** Sierra Sunset Addition, Section 1, Lot 101, Block A, Abilene, Taylor County, Texas.

ZONING

Public Hearing & Action on Zoning Cases

9. **Z-2021-11:** Receive a Report and Hold a Discussion and Public Hearing on A Request From HRT Enterprises Inc. And Johnny Trotter, Represented by Jacob Martin LLC, to Change Zoning from Agricultural Open Space (AO) to Residential Single-Family (RS-6) on 245.285 Acres of Now-Vacant Land Bordering 3000-3100 Blocks (North Side) of Highway 351 and 3500-3600 Blocks (East Side) of East Lake Road. Legal Description Being 245.285 Acres Out of the

Northeast Quarter of Blind Asylum Lands Section 25 and the South Half of Blind Asylum Lands Section 21 in the City of Abilene, Taylor County, Texas. **(Brad Stone)**

10. **Z-2021-12:** Receive a Report and Hold a Discussion and Public Hearing on a Request from Marilu and Gary Corpian to Change Zoning from Central Business (CB) to Planned Development (PD) District to Allow Automobile Sales as Well as All Uses Permitted by CB Zoning, on a 0.44 Acre Parcel Located at 1243 South 1st Street at the Southeast Corner of Butternut and South 1st Streets In Central Abilene. Legal Description Being All of Lots 7 Thru 12 in Block 49 of Abilene's Original Townsite. **(Cheryl Sawyers)**
11. **Z-2021-13:** Receive a Report and Hold a Discussion and Public Hearing on a Request from Charles Wolfe to Change Zoning of Adjoining Properties at 126 South Mockingbird Boulevard and 2958 South 2nd Street, from Neighborhood Retail (126 S. Mockingbird) and Residential Medium-Density (2958 South 2nd) to General Commercial District. Legal Description Being the South 149.43 Feet of Lot 101 and All of Lot 103 in Block 7 of Scott Highway Place Subdivision. **(Jared Smith)**
12. **Z-2021-14:** Receive a Report and Hold a Discussion and Public Hearing on a Request from Shops at Carriage Hills LLC, Represented by Jacob Martin LLC, to Change Zoning from Agricultural Open Space (AO) to General Retail (GR) for 16.937 Acres of Vacant Land Bordering 100-300 Blocks (North Side) of East Beltway South for a Distance of Approximately 0.35 Mile East from Maple Street. Legal Description Being 16.937 Acres Out of the Southeast Quarter of Lunatic Asylum Lands Section 14 in the City of Abilene, Taylor County, Texas. **(Jared Smith)**
13. **TC-2021-05 (Tabled):** Receive a Report and Hold a Discussion and Public Hearing on a Request from ACCO Feeds Inc., Represented by Erik Paul Johnson, to Abandon the 80-Foot Width of Public Right-of-Way of South 9th Street Extending 140 Feet East from South Treadaway Boulevard's Right-of-Way, and the 10-Foot-Width of Right-Of-Way for a Publicly-Dedicated Alley as it Extends 50 Feet South from the East End of the Above-Described Segment of South 9th Street and Located Behind a Vacant Lot at 901 South Treadaway Boulevard in South Central Abilene. **(Brad Stone)**

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 28th day of May, 2021 at 1:00 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 May 4, 2021 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas.

Commissioners Present:

Mr. Clint Rosenbaum, Pro Tem

Ms. Alex Russell, Sergeant-at-Arms

Ms. Shawnte' Fleming

Mr. Bill Noonan, Secretary

Mr. Brad Benham

Mr. Mitch Barnett

Commissioner Absent:

Rev. Iziar Lankford

Staff Present:

Mr. Michael Rice, Assistant City Manager

Mr. Tim Littlejohn, Assistant 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/Historic Preservation Officer

Ms. Melissa Farr, Executive Assistant

Others Present:

Mr. Bryan Pope

Mr. Zach Sitzes

Mr. B.J. Prichard

Ms. Anthia Nibizi

Mr. Kaden Connell

Mr. Erik Johnson

Ms. Haylee Batey

Ms. Cayce Patterson

Ms. Bethany Connell

Mr. Zane Sitzes

Ryliegh Grantham

Ms. Victoria Thibault

CALL TO ORDER

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

INVOCATION

Mr. Benham delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Ms. Russell moved to approve the minutes from the previous meetings held on April 6, 2021. Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Benham, Noonan, Fleming, Rosenbaum

NAYS: None

PLATS

FRP-3121: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a plat for Williams Estates Subdivision, Block 25, Lot 1, Abilene, Taylor County, Texas.

The plat was presented for consideration with the following conditions:

- Prior to recording the final plat, City staff must be furnished with a title opinion or title commitment letter issued by a title insurance company confirming ownership of the property.

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

Mr. Benham moved to approve the proposed plat with conditions. Ms. Russell seconded the motion. The motion to approve prevailed by the following vote:

AYES: Russell, Benham, Noonan, Fleming, Rosenbaum

NAYS: None

ZONING

Z-2021-09: Receive a Report and Hold a Discussion and Public Hearing on a request from Bethany and Kaden Connell to change zoning from a Residential Single-Family (RS-6) to an Agricultural Open Space (AO) District and located at 1802-1810 Huckleberry Lane, approximately 300-700 feet west from Grape Street. Legal description being approximately 6.58 acres out of L. Bowerman Survey 83 in Abilene, Taylor County, Texas

Mr. Jared Smith presented this request. The subject property is located at 1802-1810 Huckleberry Lane, approximately 300-700 feet west of Grape Street. Based upon the information provided in the application, the purpose of this request is to allow the use of the property for quartering a small amount of livestock; as well as potentially construct livestock shelter(s).

Mr. Rosenbaum opened the public hearing. Ms. Bethany Connell spoke in favor of this request. They would like livestock on the property to help maintain the vegetation. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. One (1) response was received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

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

AYES: Barnett, Russell, Benham, Fleming, Noonan, Rosenbaum

NAYS: None

Z-2021-10: Receive a Report and Hold a Discussion and Public Hearing on a request from Sitzes APB LP, agent Enprotec/Hibbs & Todd Inc., to change zoning from a Heavy Industrial (HI) to a Heavy Commercial (HC) District and located at 2249 Butternut Street, on the northeast corner of Butternut and South 23rd Streets. Legal description being all of Lot 101 in Sitzes Subdivision, Abilene, Taylor County, Texas

Mr. Nick Watts presented this request. Based on information provided in the application, the applicant intends to operate a temperature-controlled self-storage facility.

Mr. Rosenbaum opened the public hearing. Mr. Zach Sitze spoke in favor of this request stating the purpose as being for a climate-controlled self-storage facility. The plan is to demolish all existing buildings and construct the new facility. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. One (1) response was received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

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

AYES: Barnett, Russell, Benham, Fleming, Noonan, Rosenbaum

NAYS: None

TC-2021-05: Receive a Report and Hold a Discussion and Public Hearing on a request from ACCO Feeds Inc. and AEP Texas North Company, agent Erick Paul Johnson, to abandon the complete 80-foot width of public right-of-way available for South 9th Street as it extends 140 feet east from South Treadaway Boulevard's right-of-way, Page 1 of 92 approximately 300 feet south from and parallel to South 8th Street in south central Abilene

Mr. Brad Stone presented this request. The proposed abandonment was reviewed by the City of Abilene's Development Review Committee (DRC). The DRC determined this request to be satisfactory with conditions to be addressed during the re-plat process upon approval of the abandonment.

Mr. Rosenbaum opened the public hearing. Mr. Erick Johnson spoke in favor as the agent for ACCO Feeds. The reason for the abandonment is access and potential additional storage. Their plans are to expand the plant and increase production.

Keeping the alleyway as the access point for trash trucks would be more favorable than the access point on the east end. They want to keep that area secure with a gate for storing trailers inside.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor nor in opposition.

Discussion highlighted whether or not to approve the alleyway being kept in its place, or not. An agreement needs to be made for the extension of the alleyway and also for the abandonment.

Seeing no one else present and desiring to be heard, the public hearing was closed.

PLANNING STAFF RECOMMENDATION: City staff recommends abandoning only the southern 40-feet of the western 130-feet of South 9th Street right-of-way east from S. Treadaway Boulevard subject to conditions:

- Reserving a 20-foot-wide water line easement along the entire south boundary of right-of-way authorized to be abandoned.
- Approval and subsequent recording of a re-plat showing how this abandoned right-of-way will be integrated with adjacent property.

Mr. Noonan moved to **table** this request to the meeting in June to all further discussion between the proponent and the City. Mr. Rosenbaum seconded the motion. The motion to **table** prevailed by the following vote:

AYES: Barnett, Russell, Benham, Fleming, Noonan, Rosenbaum

NAYS: None

TC-2021-06: Receive a Report and Hold a Discussion and Public Hearing on a request from Hardin-Simmons University, agent Enprotec/Hibbs & Todd Inc., to abandon the complete 60-foot-width of public right-of-way available for Beech Street as it extends 160 feet south from Sandefer Street's right-of-way, and 152.5 to 312.5 feet north from right-of-way presently available for Ambler Avenue in north central Abilene

Mr. Brad Stone presented this request. The applicant is requesting to abandon the remaining 160-feet of the 60-foot-wide right-of-way presently available for Beech Street between Ambler Avenue and Sandefer Street. If approved, the applicant intends to re-plat this subject portion of Beech Street into an improved alley.

Mr. Rosenbaum opened the public hearing. Mr. B.J. Pritchard spoke in favor of this request. It makes sense to abandon the rest of the dead end, as Braum's has no desire to rid themselves of the street. It will be their responsibility to keep it maintained for access to the back of their site.

Property owners within a 200-foot radius were notified of this request. Eleven (11) responses were received in favor with none (0) received in opposition.

PLANNING STAFF RECOMMENDATION: City staff recommends approving the requested abandonment subject to conditions:

- Approval and subsequent recording of a re-plat showing how the street and alley rights-of-way will be integrated with one or more adjacent new lot(s).
- On the required re-plat, the improved portion of Beech Street shall be dedicated as a 30-footwide improved alley; to alleviate the creation of a dead end alley and provide adequate solid waste and emergency vehicle accessibility. Additionally, the southernmost extent of the Sandefer Street right-of-way where intersected by Beech Street; a standard alley approach must be installed to visually "break up" the appearance of a through street.
- On the required re-plat, suitable easements must be reserved for continued access to all existing utility facilities planned to remain within the otherwise abandoned street rights-of-way.
- Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street right-of-way will be integrated.

Mr. Benham moved to **approve** this request with conditions. Ms. Russell seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Russell, Benham, Fleming, Noonan, Rosenbaum

NAYS: None

Adjournment

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 2:20 p.m.

APPROVED

Mr. Clint Rosenbaum, Chairman

RULES OF ORDER AND PROCEDURE
FOR THE PLANNING AND ZONING COMMISSION
OF THE CITY OF ABILENE, TEXAS

INTRODUCTION

The general considerations, including the authority under which this Commission is established and operates, the purpose of zoning, the composition and working relationships of this Commission and the powers and duties of this Commission are summarized as Appendix A hereto.

PREAMBLE

Pursuant to the applicable sources of authority, and the requirement for good order and effective organization of the activities of the Planning and Zoning Commission of the City of Abilene, Texas, hereinafter referred to as “the Commission,” the Rules of Order and Procedure set forth in the following Articles, which are designed to regulate both the actual meetings of the Commission and the activities directly related thereto, are adopted.

ARTICLE I
OFFICERS

a. PRESIDING OFFICER

The Commission shall elect a Chairman from among its official members, annually, at their regular meeting, the first Monday in October. A Chairman may be re-elected to office; however, no Chairman may serve more than three (3) consecutive terms in office.

b. CHAIRMAN PRO TEM

The Commission shall choose from among its members a Chairman Pro Tem who shall serve as Chairman during the absence or disability of the regular Chairman. The Chairman Pro Tem shall be elected for a term of one (1) year from among the official members of the Commission at their regular meeting, the first Monday in October.

c. SECRETARY

The Commission shall choose a Secretary from among its members annually, at their regular meeting, the first Monday in October. The Secretary may not serve more than two (2) consecutive terms in office. The Secretary shall attest to all minutes of the meetings held by the Commission.

d. TEMPORARY CHAIRMAN

In case of the absence of the Chairman and the Chairman Pro Tem, the Secretary of the Commission shall serve as Temporary Chairman.

e. SERGEANT AT ARMS

The Sergeant at Arms shall be appointed by the Chairman from among the official members of the Commission, with approval by a majority of the Commission. He shall be appointed for a term of one (1) year on the first Monday in October.

ARTICLE II MEETING SCHEDULES

a. REGULAR COMMISSION MEETINGS

The Commission shall meet in regular session once a month on the first Monday at 1:30 p.m. When the day for the regular meeting falls on a holiday recognized by the City of Abilene in its personnel policies, the regular meeting shall be the next succeeding day. The

regular meeting place will be the Council Chambers at City Hall unless otherwise designated by the Commission.

b. SPECIAL MEETINGS

Special meetings of the Commission shall be called at any time by the Director of Planning upon written request of any three (3) Commissioners. Each Commissioner will be notified of the special called meeting by regular mail-out procedures presently followed by the staff. Each Commissioner will also be personally notified by telephone at least twenty-four (24) hours prior to the meeting by the Director of Planning, or his representative.

c. COMMISSION MEETING AGENDA

The Director of Planning is hereby assigned the responsibility of making out the agenda for the Commission. However, any member of the Commission may require that an item be placed on the agenda by notifying the Director of Planning. All items to be placed on the Commission agenda are subject to the following timetable: zone change requests are to be made not later than twenty (20) days prior to the regular or special meeting date; subdivision plats are to be filed with the Director of Planning at least twenty (20) days prior to the regular or special meeting date of the Commission; all other items to be placed on the Commission agenda shall be turned in to the Director of Planning not later than ten (10) days prior to the regular meeting date of the Commission, but may be turned in within seventy-two (72) hours of a special meeting date where there is no violation of applicable higher authority. The Commission may supplement the agenda upon an affirmative vote of six (6) members to do so.

d. BRIEFING SESSION

From time to time, the Director of Planning may wish to hold a briefing session prior to the regularly scheduled meeting at 1:30 p.m. Commissioners will be notified by the

Director of Planning in advance when such briefing sessions are to be scheduled. Briefing sessions will be open to news media; however, no formal vote shall be taken on any matter under discussion, nor shall any Commissioner commit his vote on a matter prior to a public hearing.

ARTICLE III STAFF

a. DIRECTOR OF PLANNING

The Director of Planning shall attend all meetings of the Commission unless excused by the Commission. He shall keep the Commission fully advised as to the status of the staff in participation in various projects. He may make recommendations to the Commission and may take part in discussion on all matters concerning the welfare of the City of Abilene.

b. CITY ATTORNEY

The City Attorney or his duly authorized representative is requested to attend all meetings of the Commission. Any member of the Commission may at any time call upon the staff of the City Attorney for an oral or a written opinion to decide any question of law, or to assist in decisions upon any parliamentary rules.

c. EX OFFICIO MEMBERS

The commission may, in the discharging of its powers and duties, call upon certain Ex Officio Members for advice and consultation. The City Manager, the Chairman of the Board of Adjustment, the Director of Public Works and others as the Council may provide by Ordinance or Resolution, shall serve as Ex Officio Members to the Commission. Ex Officio Members shall not have the power to vote.

ARTICLE IV DECORUM AND ORDER

a. DUTIES AND PRIVILEGES OF THE CHAIR

The Chairman, or in his absence, the Chairman Pro Tem shall take the chair at the hour appointed for the Commission to meet and shall immediately call the meeting to order. The staff Recording Secretary shall enter into the minutes the names of the Commissioners present and absent. The Presiding Officer may move, second and debate from the chair subject only to such limitations of debate that are, by these rules, imposed upon all members and shall not be deprived of any rights and privileges afforded other members of the Commission by reason of his acting as Presiding Office.

b. QUORUM

A quorum shall consist of four (4) or more members of the Commission. However, decisions may be only made with the affirmative vote of four (4) or more members of the Commission. In the event that a quorum cannot be obtained, the meeting may be adjourned by the chair.

c. ORDER OF BUSINESS

The business of all regular meetings of the Commission shall be transacted in the following order:

1. Call to order
2. Invocation
3. Approval of the minutes of the previous meeting
4. Items previously considered
5. New business
6. Hear visitors
7. Adjournment

However, the Commission may suspend rules and change this order by a vote of at least two-thirds (2/3) of the members present.

d. ACTION OF PROPOSALS REQUIRING NOTICE

When the Director of Planning has given notice of a public hearing on a proposed zone change, the interest of the public will be deemed to have attached to the proposal and the proponent may not then, after notice, withdraw the proposal prior to hearing before the Commission. The Commission, after hearing, may allow withdrawal upon affirmative vote by four (4) of its members, or it may recommend or disapprove the proposal as in other cases regarding zoning changes.

e. ACTION ON PLATS – SUBDIVISION REGULATIONS

1. Preliminary Plats

Within thirty (30) days after formal filing of the preliminary plat, the Commission shall approve or disapprove such plat or conditionally approve it with modifications. Approval of the preliminary plat shall not constitute approval of the final plat.

2. Final Plats

The final plat shall be submitted in the same manner as the preliminary plat (27.10.2(3)). Filing of the final plat shall constitute statutory filing and if no action is taken within thirty (30) days of filing, recording thereof shall be mandatory by statutory requirement; however, the final plat will normally be reviewed by this Commission (27.10.2.7(6)). Plats filed for final approval shall not be approved subject to any subsequent modification.

f. RULES OF ORDER

Where not in conflict with applicable Statutes and Ordinances, the City Charter or the provisions set out herein, the meetings of the Commission shall be governed by the rules set forth in the publication commonly referred to as “Roberts Rules of Order.”

g. DECORUM

1. During the regular Commission meetings, Commission members shall preserve order and decorum and shall neither by conversation or otherwise, delay or interrupt the proceedings, nor refuse to obey the orders of the Presiding Officer, or the rules of the Commission. Every Commissioner desiring to speak shall address the chair and upon recognition by the Presiding Officer shall confine himself to questions under debate and shall avoid all personalities and unbecoming language. Commissioners desiring to question the administrative staff shall first direct their questions to the Director of Planning, who may answer the inquiries himself or designate some member of his staff for that purpose. A Commissioner, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer, unless a point of order is raised by another member, or unless the speaker chooses to yield to questions from another member. If a Commissioner is called to order while he is speaking, he shall cease speaking immediately until the question of order is determined. If ruled to be in order, he shall be permitted to proceed. If ruled to be not in order, he shall remain silent or shall alter his remarks as to comply with the rules of the Commission. All members of the Commission shall accord the utmost courtesy to one another, to city employees, and to private citizens appearing before the Commission and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and

personalities. Commissioners shall confine their questions to the particular matters before the assembly and in debate, shall limit their remarks to the issues before the Commission.

2. Members of the Administrative Staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Commission. While the Presiding Officer shall have the authority to preserve decorum in the meetings as far as staff members and City employees are concerned, the Director of Planning shall be responsible for the orderly conduct and decorum of all staff employees under his direction and control. The Director of Planning shall take such disciplinary action as may be necessary to insure that such decorum is preserved at all times by City employees in Commission meetings. Any staff member desiring to address the Commission or members of the public should be recognized by the chair and shall limit his remarks to the matter under discussion. All remarks and questions addressed to the Commission as a whole and not to any individual member thereof. No staff member other than staff members having the floor shall enter into any discussion either directly or indirectly without permission of the Presiding Officer.

3. Private citizens attending the Commission meetings also shall observe the same rules of propriety, decorum and good conduct applicable to members of the Commission. Any person making personal, impertinent and slanderous remarks, or who becomes boisterous while addressing the Commission or while attending the Commission meetings shall be removed from the room by the Sergeant At Arms if so directed by the Presiding Officer, and such person shall be barred from further audience before the Commission. Unauthorized remarks from the audience, stamping feet, whistles, yells and similar demonstrations shall not be permitted by the Presiding Officer who shall direct the Sergeant At Arms to remove such offenders from the room. Any private citizen desiring to address the Commission shall be recognized by the chair,

shall state his name and address in an audible tone for the record and shall kimit his remarks to the questions under discussion. All remarks and questions shall be addressed to the Commission as a while and not to any individual member thereof. All remarks and questions addressed to the Planning Staff of the City shall be addressed to the Director of Planning who may answer himself or call upon any staff member to respond. No person other than members of the Commission and the person having the floor shall enter into any discussion either directly or through a member of the Commission without the permission of the Presiding Officer.

ARTICLE V LIMITATION OF DISCUSSION

1. All persons who appear at the appointed time for a meeting of this body and who show that they have a legitimate interest in a matter before the Commission, shall be heard.
2. The use of a single spokesman to represent large interest groups shall be encouraged.
3. Each speaker shall be limited to five (5) minutes for his presentation to the Commission, unless he requests additional time.
4. The chair may, at its discretion, allow such additional time for each speaker as it may deem appropriate.
5. Where there are a large number of persons present who wish to present information upon a single matter, the chair may further limit the time available for each person to address the Commission.

6. Where the number of persons desiring to be heard is too great for the time available during the scheduled hearing, the chair may hear so much of the information as time permits and continue the hearing on that matter to a subsequent day.

ARTICLE VI CODE OF ETHICS

Commissioners occupy positions of public trust. Commissioners shall refrain from making use of special knowledge or information before it is made available to the general public; shall refrain from making decisions involving business associates, customers, clients, friends and competitors; shall refrain from repeated and continuous violation of Commission rules; shall refrain from influencing the employment of municipal employees; shall refrain from requesting the fixing of traffic tickets, police summons and similar citations; shall refrain from using influence as members of the Commission in attempts to secure zoning or other favorable municipal actions for friends, customers, clients, immediate family members or business associates and shall comply with all lawful actions, directives and orders of duly constituted municipal officers, as such may be issued in a normal and lawful discharge of the duties of these municipal officers. Commissioners shall conduct themselves so as to bring credit upon the City as a whole and in a manner exemplary of responsible ethical conduct for all citizens of the community. Commissioners shall bear in mind at all times their responsibility to the City Council and shall refrain from actions befitting special interest groups at the expense of the City as a whole and shall do everything in their power to insure equal and impartial enforcement of any Ordinances under their jurisdiction throughout the City at large without respect to race, creed, color or the economic or social position of individual citizens.

ARTICLE VII COMMITTEES

The Chairman of the Commission, with the approval of the Commission, may appoint Special Study Committees to study various problems confronted by the Commission.

ARTICLE VIII

The Appendix hereto is noted and the procedures set forth herein are adopted and approved. However, the staff procedure will be changed to require payment of all fees before public notice of any request may be given. Before he pays his fees, the proponent will be informed that the Commission will act on any proposals upon which public notice has been given and that no fees will be refunded.

APPENDIX

- A. OUTLINE OF AUTHORITY FOR THIS COMMISSION
- B. STAFF PROCEDURE ON REQUEST FROM ZONING CHANGE BY PRIVATE
CITIZENS

CHAIRMAN
PLANNING AND ZONING COMMISSION

APPENDIX A
RULES OF ORDER AND PROCEDURE
FOR THE PLANNING AND ZONING COMMISSION
OF THE CITY OF ABILENE, TEXAS

I

SOURCE OF AUTHORITY

The Planning and Zoning Commission of the City of Abilene is established by Article VI, Section 83 et.seq. of the Charter of the City of Abilene. The duties of the Commission are further defined by “The Zoning Ordinance of the City of Abilene,” Section 32-7.1.2. The Commission is also authorized, guided, controlled and limited by the provisions of Article 1011f of the Texas Revised Civil Statutes.

See generally Article 1011a through 1011m and Article 974a and 970a. See Chapter 27 of the City Code for Platting and Subdivision Preliminary Procedures and Requirements.

Section 85 of the Abilene City Charter establishes the staff position designated “Director of Planning” and provides that one of his principal duties shall be to provide technical assistance to the Commission.

II

PURPOSE OF ZONING
Article 1011c

1. To provide a comprehensive plan, with appropriate regulations, for the City.
2. The plan and regulations will be designated to:
 - a. Lessen congestion in the streets.
 - b. To secure safety from fire, panic, and other dangers.

- c. To promote health and the general welfare.
- d. To provide adequate light and air.
- e. To prevent the overcrowding of land.
- f. To avoid undue concentration of population.
- g. To facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirement.

3. Regulations shall be made with consideration of, among other things, the following:

- a. The character of a district and its peculiar suitability for particular uses.
- b. The preservation of the value of structures existing and to be constructed.
- c. The most appropriate use of land.
- d. Preservation of and protection of the character of the area as previously zoned. (implied)

III COMPOSITION AND WORKING RELATIONSHIPS OF THE COMMISSION

1. The Commission is composed of seven (7) citizens of the City who own real property within the City and who are appointed by the Mayor with the approval of the Council for a term of three (3) years with the terms of two (2) or three (3) members terminating each year. Members may hold no elective office and they serve without compensation.

2. Ex Officio members (who serve without the power to vote) are the City Manager, the Chairman of the Board of Adjustment and the Director of Public Works.

3. A Director of Planning, appointed by the City Manager, is established to serve as the regular technical advisor of the Commission, with such assistance from his staff as he may require.

4. The Commission shall be presided over by a Chairman elected by a majority vote.
(Section 83, City Charter)

5. A majority of appointed members shall constitute a quorum.

6. Decisions require affirmative vote of four (4) or more members.

IV

POWERS AND DUTIES

The Planning and Zoning Commission shall:

1. Make, amend, extend or add to the general plan for the physical development of the city which shall contain the Commission's recommendations for growth, improvements and beautification of the City. A copy of the General Plan or any part thereof shall be forwarded to the City Manager, who, shall thereupon submit such plan to the City Council with his recommendation thereon. The Council may adopt this plan as a whole or in part and may adopt any amendment thereto after at least one (1) public hearing on the proposed action. All amendments to the General Plan recommended by the Planning and Zoning Commission shall be submitted in the same manner to the Council for approval. All recommendations to the Council from any City department affecting the General Plan must be accompanied by a recommendation for the Planning and Zoning Commission.

2. Initiate zoning studies and recommend general rezoning (or changed zoning) when the general development of the City, of technology, or other consideration indicate a need for a general revision of all or major portions of the existing Zoning Ordinance.

- a. The regulation may not require immediate uncompensated destruction of preexisting structures without a period of amortization of the loss by the owner of the preexisting structures. (case law)
- b. The regulations may require immediate discontinuance of existing uses which are, of themselves, a nuisance. (case law)

3. Recommend to the City Council approval or disapproval of proposed changes in the zoning districts.

4. Approve or disapprove the platting or subdividing of land within the corporate limits of the City and within the adjacent areas as permitted by law.

5. Submit annually, to the City Manager, not less than ninety (90) days prior to the beginning of the budget year, a list of recommended capita. Improvements, if any, which in the opinion of the Commission, are necessary or desirable during the forthcoming five (5) year period.

6. Require information from the other department of the City Government in relation to its work.

7. Recommend to the City Council approval or disapproval of plans for slum clearance, public housing and urban redevelopment renewal projects.

8. Pursuant to the provision of Article 1011d of the Texas Revised Civil Statutes, the City Council has provided procedures to be followed by individuals, the City staff, the Commission and the Council in determining, establishing, enforcing, amending, supplementing and changing zoning regulations, restrictions and the nature and boundaries of each district classified.

V

GENERAL

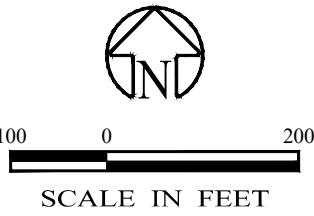
Zoning has been the subject of much litigation and much research by interested scholars. The principal case law was established about half a century ago. In 1926, the United States Supreme Court ruled that the City of Euclid, Ohio, could lawfully exclude all industry from the City.

In 1934, the Texas Supreme Court ruled accordingly, that the present Texas Civil Statutes, which have subsequently been revised, were constitutional, and that cities could zone and control the land use with their jurisdiction. Should any member of the Commission desire reference to Articles or further information on case law, either the Planning Director or the City Attorney will be glad to furnish it upon request.

Through the 7th decade of the 20th Century, there have been numerous studies, much publicity and some legislation recognizing the need for:

- a. Transitional control of land use in antiquated areas of cities to provide for conversion from outmoded land use to a use more desirable at the present time.
- b. Provision for large expanses of land restricted to agricultural and similar use to prevent air and water pollution due to excessive contiguous development of an area surrounding a City.
- c. Regional zoning on land the City controls which provides a single land use control body for an area of 20-50 miles around municipalities.

CASEY TOPO
SCALE 1" = 100'
COMPILED FROM AERIAL PHOTOGRAPHY
FLOWN: 01-17-2021
METROPOLITAN AERIAL SURVEYS
FORT WORTH, TEXAS



STREET LEGEND

- ① SABINE
② NUECES
③ GUADALUPE

NOTES

1. WATER IS PROVIDED BY VIEW CAPS WSC.
2. SANITARY SEWER IS TO BE ON-SITE SEPTIC SYSTEMS.
3. TOTAL ACREAGE: 127.188 ACRES

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	80.00'	S89° 26' 53"E
L2	88.31'	N25° 36' 43"E
L3	80.00'	N89° 26' 53"W
L4	60.01'	N89° 41' 00"W
L5	28.40'	N0° 37' 00"W
L6	210.50'	N66° 50' 00"W
L7	159.30'	S87° 13' 00"W
L8	25.00'	N6° 19' 00"E

AREA TABLE - BLOCK A		
LOT #	SQ. FT.	ACRES
1	41804	0.960
2	21780	0.500
3	21780	0.500
4	43564	1.000
5	31716	0.728
6	33624	0.772
7	32016	0.735
8	26518	0.609
9	21793	0.500
10	21780	0.500
11	35055	0.805
13	21780	0.500
14	21780	0.500
15	21780	0.500
16	21780	0.500
17	21780	0.500
18	21780	0.500
19	21780	0.500

AREA TABLE - BLOCK B		
LOT #	SQ. FT.	ACRES
1	36622	0.841
2	32670	0.750
3	21780	0.500
4	21780	0.500
5	21780	0.500
6	21780	0.500
7	21780	0.500
8	21780	0.500
9	21780	0.500
10	21780	0.500
11	25442	0.584
12	37402	0.859
13	21780	0.500
14	21780	0.500
15	21780	0.500
16	21780	0.500
17	21780	0.500
18	21780	0.500
19	21780	0.500
20	21780	0.500
21	21780	0.500
22	25618	0.588

AREA TABLE - BLOCK C		
LOT #	SQ. FT.	ACRES
1	63340	1.500
2	21780	0.500
3	21780	0.500
4	21780	0.500
5	21780	0.500
6	21780	0.500
7	25998	0.597
8	35177	0.808
9	35087	0.805
10	21884	0.502
11	22046	0.506
12	21799	0.500
13	21773	0.500
14	21768	0.500
15	21884	0.502
16	21884	0.502
17	21768	0.500
18	22078	0.507
19	28900	0.663
20	31171	0.716

AREA TABLE - BLOCK D		
LOT #	SQ. FT.	ACRES
1	26309	0.604
2	21780	0.500
3	21780	0.500
4	21780	0.500
5	21780	0.500
6	21780	0.500
7	21780	0.500
8	21780	0.500
9	21780	0.500
10	22122	0.508
11	22593	0.519
12	23065	0.530
13	23509	0.540
14	50980	1.170
15	50769	1.166
16	25083	0.576
17	24840	0.570
18	24840	0.570
19	24840	0.570
20	23735	0.545
21	21780	0.500
22	24785	0.569
23	26108	0.599
24	51811	1.189
25	43374	0.996

AREA TABLE - BLOCK D		
LOT #	SQ. FT.	ACRES
26	22462	0.516
27	24334	0.559
28	26277	0.603
29	25308	0.581
30	34305	0.788
31	34788	0.799
32	132372	3.039
33	49969	1.147
34	32280	0.741
35	22964	0.527
36	28918	0.664

AREA TABLE - BLOCK E		
LOT #	SQ. FT.	ACRES
1	21780	0.500
2	21780	0.500
3	21780	0.500
4	21780	0.500
5	26933	0.618
6	28588	0.656
7	27295	0.627
8	32059	0.736
9	22851	0.523
10	30819	0.707
11	42259	0.970
12	44437	1.020
13	32757	0.752
14	21759	0.500
15	93373	2.144

AREA TABLE - BLOCK F		
LOT #	SQ. FT.	ACRES
1	27774	0.638
2	24843	0.570
3	24146	0.554
4	24146	0.554
5	24146	0.554
6	24146	0.554
7	24146	0.554
8	21787	0.500
9	39891	0.916
10	30709	0.705
11	25333	0.582
12	23613	0.542
13	23613	0.542
14	23613	0.542

AREA TABLE - BLOCK G		
LOT #	SQ. FT.	ACRES
1	26299	0.604
2	21780	0.500
3	21780	0.500
4	21780	0.500
5	26933	0.618
6	28588	0.656
7	27295	0.627
8	32059	0.736
9	22851	0.523
10	30819	0.707
11	42259	0.970
12	44437	1.020
13	32757	0.752
14	21759	0.500
15	93373	2.144

AREA TABLE - BLOCK H		
LOT #	SQ. FT.	ACRES
1	28274	0.649
2	21780	0.500
3	21780	0.500
4	21780	0.500
5	21780	0.500
6	21780	0.500
7	21780	0.500
8	23235	0.533
9	21780	0.500
10	23042	0.529
11	21780	0.500
12	21780	0.500
13	21780	0.500
14	21780	0.500
15	21780	0.500
16	21780	0.500
17	27499	0.631

AREA TABLE - BLOCK I		
LOT #	SQ. FT.	ACRES
1	21808	0.501
2	21781	0.500
3	21778	0.500
4	21774	0.500
5	21771	0.500
6	21768	0.500
7	21765	0.500
8	21761	0.500
9	21780	0.500
10	21780	0.500
11	21781	0.500
12	21787	0.500
13	30408	0.698
14	30432	0.699
15	21763	0.500
16	21772	0.500
17	21772	0.500
18	21772	0.500
19	21772	0.500
20	21772	0.500
21	21772	0.500
22	21772	0.500
23	21772	0.500
24	25107	0.576

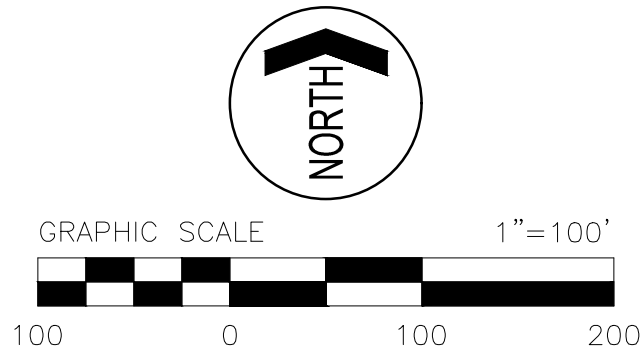
T AND C CASEY ENTERPRISES
6382 BUFFALO GAP ROAD
ABILENE, TEXAS 79606
(325) 669-8420



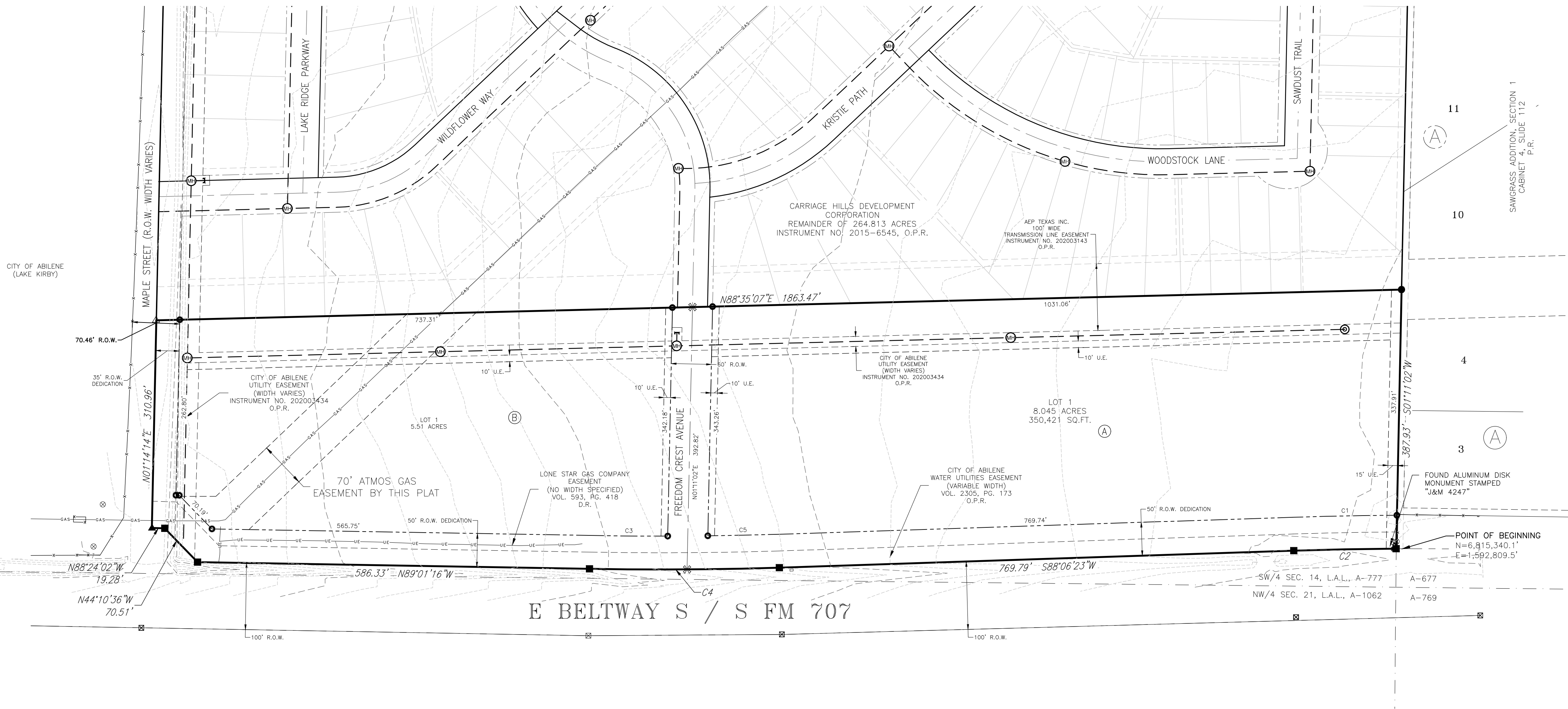
ENPROTEC/HIBBS & TODD, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING
402 Cedar Street
325-696-5500
Abilene, Texas 79601
PE Firm Registration No. 1151
PG Firm Registration No. 50103
RPLS Firm Registration No. 10011900

**PRELIMINARY PLAT
OF
HEADWATER ESTATES
ABILENE, TAYLOR COUNTY, TEXAS**

7737	DESIGNED BY:
PROJECT NO.	D.B.H.
05/26/2021	DRAWN BY:
DATE	J.D.T.
	CHECKED BY:
	1 OF 1



CURVE TABLE					
CURVE NO.	ARC LENGTH	RADIUS	ANGLE	TANGENT	CHORD BEARING
C1	156.00'	5829.45'	1°32'00"	78.01'	N88°51'56"E
C2	153.32'	5779.82'	1°31'11"	76.66'	S88°51'32"W
C3	116.20'	4022.91'	1°39'18"	58.11'	S89°29'42"E
C4	284.33'	5679.30'	2°52'06"	142.19'	S89°39'42"W
C5	105.60'	5857.38'	1°01'59"	52.80'	N88°45'56"E



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 1.000142485.

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 = 16.397 ACRES.
2. AREA OF ALL PUBLIC R.O.W. DEDICATIONS = 2.84 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 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.

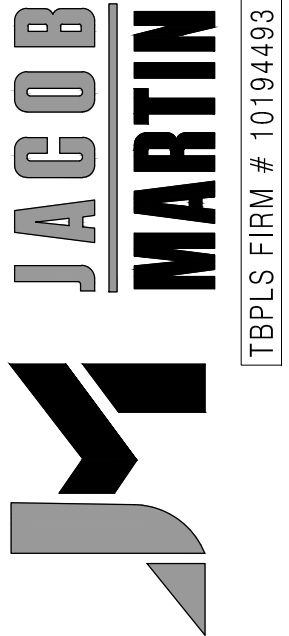
- LEGEND:**
- FOUND 1/2 INCH REBAR ROD
 - FOUND TXDOT CONCRETE R.O.W. MARKER (UNLESS NOTED OTHERWISE)
 - ▲ FOUND MAG-NAIL (IN PAVEMENT) WITH METAL WASHER STAMPED "J&M 4247"
 - SET 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"
 - ⊗ SET MAG-NAIL (IN PAVEMENT) WITH METAL WASHER
 - PROPERTY BOUNDARY
 - - - - - APPROX. SECTION LINES
 - O.P.R. OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS
 - D.R. DEED RECORDS, TAYLOR COUNTY, TEXAS
 - P.R. PLAT RECORDS, TAYLOR COUNTY, TEXAS

DEVELOPER/SUBDIVIDER:
SHOPS AT CARRIAGE HILLS, LLC.
13209 VILLA MONTANA WAY
AUSTIN, TEXAS 78732
325-665-4348

PRELIMINARY PLAT OF SHOPS AT CARRIAGE HILLS
BEING 16.397 ACRES OUT OF THE SW/4 OF SECTION NO. 14, LUNATIC ASYLUM LANDS, ABSTRACT NO. 777, CITY OF ABILENE, TAYLOR COUNTY, TEXAS

PRELIMINARY
This document shall not be
recorded for any purpose.

3465 CURRY LANE
ABILENE, TX 79606
325-695-1070
1508 SANTA FE DR, STE 204
WEATHERFORD, TX 76066
817-594-9880
4920 S. LOOP 289, STE 104
LUBBOCK, TX 79414
806-366-6375



ABILENE, TEXAS
SHOPS AT CARRIAGE HILLS
PLATTING
PRELIMINARY PLAT

NO.	REVISION	DATE	SCALE 1" = 100'	PROJECT # 20143	DESIGNED CSF	DRAWN CSF	CHECKED CSF
SHEET 1							
SEQ. 1 OF 1							

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

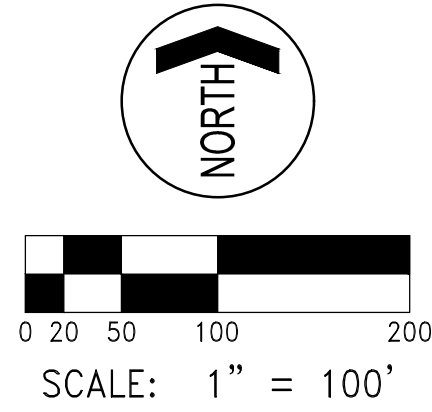
- PLAT NOTES:
1. AREA OF SUBDIVISION = 30.942 ACRES.
 2. AREA OF ALL PUBLIC R.O.W. DEDICATIONS = 7.036 ACRES.
 3. BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
 4. MONUMENTATION: A 1/2" REBAR ROD WITH CAP MARKED "J&M BOUNDARY" IS SET AT EACH SUBDIVISION CORNER, LOT CORNER, AND AT EACH P.C., P.T. AND P.I. IN THE PROPOSED STREET RIGHT-OF-WAY LINES SHOWN.
 5. NONE OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NOS. 48441-C-D331-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.
 8. SEE SHEET 2 OF 2 FOR A VICINITY MAP & LOT & CURVE TABLES.

BASIS OF BEARINGS:
BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED ON GRID NORTH REFERENCING THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, AND NAD 83 AS DETERMINED FROM GPS SURVEY DATA. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF 1.000142351.

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.

DEVELOPER/SUBDIVIDER:
ABI HARVEST, LLC.
3409 S. 14TH STREET,
SUITE 204
ABILENE, TX 79605
325-260-6935

CITY OF ABILENE
REMAINDER OF 40.7 ACRES
VOL. 207, PG. 241
D.R.



LEGEND	
	SUBDIVISION BOUNDARY
	ADJACENT PROPERTY
	PROPOSED LOT LINES
	PROPOSED STREET R.O.W.
	PROPOSED STREET C.L.
	PROP. UTILITY EASEMENTS
	PROP. DRAINAGE EASEMENTS
	EXIST. UTILITY EASEMENTS
	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 3/8 INCH (RF38) REBAR ROD WITH PLASTIC CAP STAMPED "GEOTECH 4885"
	FOUND WOOD POST FENCE CORNER
D.E. = DRAINAGE EASEMENTS	
U.E. = UTILITY EASEMENTS	
N.A.E. = NON-ACCESS EASEMENTS	
S.L.E. = STREET LIGHT EASEMENTS	
T.L.E. = TRANSMISSION LINE EASEMENT	
D.R. = DEED RECORDS, TAYLOR CO., TEXAS	
P.R. = PLAT RECORDS, TAYLOR CO., TEXAS	
O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR CO., TEXAS	
W.L.E. = WATER LINE EASEMENT	

ABI HARVEST, LLC.
REMAINDER OF 150.00 ACRES,
INSTR. NO. 202024159
O.P.R.

JOE B. MATHEWS, ET AL
REMAINDER OF 233.81 ACRES
VOL. 1595, PG. 850, O.P.R.

A 21.275± ACRE
REMAINDER OF LOT 1,
BLOCK A, BUTTERFIELD
TRAIL, SECTION 1
CAB. 1, SLIDE 795
P.R.

EXISTING 15" U.E. PER
CAB. 1, SLIDE 785, P.R.
ABANDONED BY
INSTRUMENT NO.

EXISTING 15" U.E. PER
CAB. 1, SLIDE 785, P.R.
ABANDONED BY
INSTRUMENT NO.

TxDOT DRAINAGE EASEMENT
VOL. 309 PG. 40

S FM 707

CITY OF ABILENE
REMAINDER OF 40.7 ACRES
VOL. 207, PG. 241
D.R.

MESQUITE FOREST ESTATES
CONT VOL. 3, PG. 177

BUFFALO CREEK ROAD (444 FM 89)

THE HARVEST ADDITION, SECTION 1
BEING 30.942 ACRES OUT OF THE
M. TALBOT SURVEY NO. 103, ABSTRACT NO. 319,
CITY OF ABILENE, TAYLOR COUNTY, TEXAS

(SHEET 1 OF 2)

PLANNING COMMISSION		PLANNING DIRECTOR	
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 874A, VERNON'S ANNOTATED CIVIL STATUTES, AND ARTICLE 927B PENAL CODE OF TEXAS, AS AMENDED.		FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.	
DATE	CHAIRMAN	DATE	FILE NUMBER
ATTEST	SECRETARY		PLANNING DIRECTOR
DATE	PLANNING DIRECTOR		FEES

COUNTY CLERK		DIRECTOR OF PUBLIC WORKS	
I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON		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	FILE NUMBER	DATE	DIRECTOR OF PUBLIC WORKS
COUNTY CLERK	COUNTY TEXAS		
	DEPUTY		

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 HARVEST ADDITION, SECTION 1
BEING 30.942 ACRES OUT OF THE
M. TALBOT SURVEY NO. 103, ABSTRACT NO. 319,
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
ABI HARVEST, LLC.

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 FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID	
ABI HARVEST, 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 _____ DAY OF _____ A.D. 2021	
NOTARY PUBLIC	TAYLOR COUNTY TEXAS

GENERAL NOTES	
ACREAGE:	30.942 ACRES
SCALE: 1" = 100'	SMALLEST LOT: 7.552 ACRES LARGEST LOT: 29.218 ACRES
LOT WIDTH: MIN. 60.11' MAX. 176.94'	LOT DEPTH: MIN. 100.11' MAX. 198.30'
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 HARVEST ADDITION, SECTION 1 BEING 30.942 ACRES OUT OF THE M. TALBOT SURVEY NO. 103, ABSTRACT NO. 319, CITY OF ABILENE, TAYLOR COUNTY, TEXAS	
SIGNATURE	LEE W. ROSENBAUM (PRINT)
REGISTERED PROFESSIONAL LAND SURVEYOR	
DATE	



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

BLOCK A

LOT AREA TABLE			
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI--METER
1	13,819	0.317	534.58'
2	8,265	0.190	374.73'
3	12,334	0.283	456.56'
4	11,652	0.267	450.01'
5	9,325	0.214	413.82'
6	16,253	0.373	515.63'
7	10,637	0.244	435.34'
8	8,400	0.193	380.00'
9	8,400	0.193	380.00'
10	9,600	0.220	400.00'
11	9,991	0.220	397.64'
12	8,744	0.201	409.78'
13	16,009	0.368	541.73'
14	12,877	0.296	520.08'
15	11,176	0.257	455.37'
16	12,324	0.283	466.60'
17	12,566	0.288	474.28'
18	11,449	0.263	446.28'
19	12,011	0.276	446.16'
20	10,724	0.246	427.41'
21	8,526	0.196	382.15'
22	8,399	0.193	379.98'
23	8,400	0.193	379.99'
24	8,400	0.193	379.99'
25	8,400	0.193	380.00'
26	7,595	0.174	361.59'
27	13,762	0.316	466.33'
28	9,114	0.209	409.28'
29	9,438	0.217	401.15'
30	9,755	0.224	405.61'
31	8,399	0.193	379.98'
32	8,398	0.193	379.95'
33	8,397	0.193	379.93'
34	8,397	0.193	379.91'
35	8,340	0.191	374.13'
36	10,446	0.240	438.90'

BLOCK B

LOT AREA TABLE			
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI--METER
1	15,896	0.365	558.88'
2	13,875	0.319	536.43'
3	13,865	0.318	536.15'
4	13,855	0.318	535.88'
5	13,634	0.313	524.93'
6	12,514	0.287	498.26'
7	14,091	0.323	494.42'

BLOCK C

LOT AREA TABLE			
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI--METER
37	15,750	0.362	508.34'
38	7,938	0.182	368.79'
39	8,400	0.193	380.00'
40	8,400	0.193	380.00'
41	8,400	0.193	380.00'
42	8,400	0.193	380.00'
43	8,400	0.193	380.00'
44	8,400	0.193	380.00'
45	8,400	0.193	380.00'
46	9,595	0.220	399.92'
47	18,551	0.426	572.41'
48	13,300	0.305	520.00'
49	13,300	0.305	520.00'
50	13,300	0.305	520.00'
51	13,300	0.305	520.00'
52	13,300	0.305	520.00'
53	13,300	0.305	520.00'
54	12,632	0.290	511.92'
55	29,233	0.671	682.54'
56	13,907	0.319	509.28'
57	10,417	0.239	433.15'

BLOCK D

LOT AREA TABLE			
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI--METER
1	9,418	0.216	391.46'

BLOCK E

LOT AREA TABLE			
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI--METER
1	9,540	0.219	399.00'
2	9,540	0.219	399.00'

BLOCK F

LOT AREA TABLE			
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI--METER
1	9,600	0.220	400.00'
2	9,600	0.220	400.00'

LINE TABLE		
LINE NO.	LENGTH	BEARING
L1	97.22'	S43°28'11"E
L2	22.92'	N0°58'19"E
L3	150.00'	N0°57'26"E
L4	60.00'	N1°26'05"E
L5	240.00'	N0°57'26"E
L6	60.00'	N0°28'48"E
L7	240.00'	N0°57'26"E
L8	60.00'	N0°57'26"E
L9	81.00'	N89°09'35"W
L10	80.39'	N0°50'25"E
L11	120.00'	N89°09'35"W
L12	23.18'	N0°50'25"E
L13	50.00'	N89°09'35"W
L14	122.23'	N3°58'38"W
L15	106.81'	S83°14'01"W
L16	51.54'	N0°48'31"E
L17	51.54'	N0°48'31"E
L18	24.63'	S89°09'35"E
L19	30.00'	S45°19'37"E
L21	70.61'	S69°08'52"E
L23	40.58'	S1°04'48"W
L24	36.46'	N0°15'04"E
L25	51.55'	N0°48'31"E
L26	170.23'	S89°11'19"E

LOT LINE CURVE TABLE						
CURVE NO.	ARC LENGTH	RADIUS	Δ ANGLE	TANGENT	CH. BEARING	CH. LENGTH
C1	85.93'	60.00'	82°03'22"	52.21'	N6°19'17"W	78.77'
C2	173.50'	280.00'	35°30'13"	89.64'	N18°33'38"E	170.74'
C8	18.41'	250.00'	4°13'06"	9.21'	N88°50'54"E	18.40'
C12	55.68'	220.00'	14°30'00"	27.99'	N34°46'51"E	55.53'
C13	15.73'	280.00'	3°13'06"	7.87'	N40°25'18"E	15.73'
C14	72.73'	280.00'	14°52'56"	36.57'	N31°22'17"E	72.52'
C15	77.18'	280.00'	15°47'32"	38.83'	N16°02'03"E	76.93'
C16	61.01'	50.00'	69°54'58"	34.96'	S78°25'40"E	57.30'
C17	49.81'	50.00'	57°05'01"	27.20'	N38°04'20"E	47.78'
C18	53.85'	50.00'	61°42'11"	29.87'	N21°19'16"W	51.28'
C19	71.95'	50.00'	82°26'35"	43.80'	S86°36'21"W	65.90'
C20	6.13'	50.00'	7°01'14"	3.07'	S57°28'50"W	6.12'
C21	69.56'	50.00'	79°42'55"	41.74'	S14°04'46"W	64.09'
C22	56.93'	50.00'	65°14'08"	32.00'	S58°23'46"E	53.90'
C23	54.78'	50.00'	62°46'42"	30.51'	N57°35'50"E	52.08'
C24	74.40'	50.00'	85°15'02"	46.02'	N18°25'02"W	67.72'
C25	100.00'	280.00'	20°27'46"	50.54'	N71°48'51"E	99.47'
C26	66.44'	280.00'	13°35'44"	33.38'	N54°47'06"E	66.28'
C27	66.44'	280.00'	13°35'44"	33.38'	N41°11'21"E	66.28'
C28	66.44'	280.00'	13°35'44"	33.38'	N27°35'37"E	66.28'
C29	70.00'	280.00'	14°19'26"	35.18'	N13°38'02"E	69.82'
C30	4.92'	280.00'	1°00'23"	2.46'	N9°58'07"E	4.92'
C31	42.29'	60.00'	40°22'49"	22.06'	N26°41'06"E	41.42'
C32	56.00'	60.00'	53°28'34"	30.23'	N20°14'36"W	53.99'
C33	65.63'	60.00'	62°40'34"	36.54'	N78°19'10"W	62.41'
C34	0.94'	60.00'	0°54'00"	0.47'	S69°53'33"W	0.94'
C35	47.26'	280.00'	9°40'17"	23.69'	N73°59'01"W	47.21'
C36	58.27'	280.00'	11°55'26"	29.24'	N84°46'52"W	58.17'
C37	14.94'	60.00'	14°15'57"	7.51'	N56°27'59"W	14.90'
C38	62.01'	60.00'	59°12'49"	34.09'	S86°47'39"W	59.29'
C39	55.28'	60.00'	52°47'13"	29.78'	S30°47'38"W	53.34'
C40	46.97'	60.00'	44°51'10"	24.76'	S18°01'33"E	45.78'
C41	67.08'	220.00'	17°28'14"	33.80'	N80°18'27"W	66.82'
C42	80.52'	280.00'	16°28'36"	40.54'	N79°48'38"W	80.24'
C43	62.21'	60.00'	59°24'36"	34.23'	N12°39'43"E	59.46'
C44	42.70'	60.00'	40°46'32"	22.30'	N37°25'52"W	41.80'
C45	57.94'	60.00'	55°19'26"	31.45'	N85°28'51"W	55.71'
C46	18.25'	60.00'	17°25'35"	9.20'	S58°08'38"W	18.18'
C47	27.95'	280.00'	5°43'06"	13.98'	N39°10'17"E	27.93'
C48	65.09'	220.00'	16°57'06"	32.78'	N33°33'18"E	64.85'
C49	1.58'	60.00'	1°30'24"	0.79'	S33°57'13"W	1.58'
C50	89.31'	220.00'	23°15'31"	45.28'	N13°27'00"E	88.69'
C51	56.34'	60.00'	53°48'09"	30.44'	S6°17'56"W	54.29'
C52	28.01'	60.00'	26°44'49"	14.26'	S33°58'33"E	27.76'
C53	33.79'	280.00'	6°54'51"	16.82'	N85°35'08"W	33.77'
C54	44.81'	220.00'	11°40'13"	22.48'	S84°54'28"E	44.73'
C55	38.11'	220.00'	9°55'29"	19.10'	S74°06'37"E	38.06'
C56	57.44'	50.00'	65°49'23"	32.36'	N62°04'16"W	54.33'
C57	46.15'	50.00'	52°53'18"	24.87'	S58°34'23"W	44.53'
C58	46.15'	50.00'	52°53'18"	24.87'	S5°41'05"W	44.53'

LOT LINE CURVE TABLE						
CURVE NO.	ARC LENGTH	RADIUS	Δ ANGLE	TANGENT	CH. BEARING	CH. LENGTH
C59	41.94'	50.00'	48°03'20"	22.29'	S44°47'14"E	40.72'
C60	70.11'	50.00'	80°20'41"	42.21'	N7°00'45"E	64.51'
C61	100.44'	220.00'	26°09'28"	51.11'	S18°32'40"W	99.57'
C62	47.97'	50.00'	54°58'19"	26.01'	N79°20'16"W	46.15'
C63	48.00'	50.00'	55°00'14"	26.03'	S45°40'28"W	46.18'
C64	49.72'	50.00'	56°58'27"	27.13'	S10°18'53"E	47.70'
C65	114.22'	220.00'	29°44'53"	58.43'	S72°35'50"W	112.95'
C66	13.39'	220.00'	3°29'10"	6.69'	S89°12'51"W	13.38'
C67	67.53'	220.00'	17°35'15"	34.03'	S80°21'57"E	67.27'
C68	102.61'	220.00'	26°43'19"	52.25'	N1°40'11"E	101.68'

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 574A, 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 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 HARVEST ADDITION, SECTION 1
BEING 30.942 ACRES OUT OF THE
M. TALBOT SURVEY NO. 103, ABSTRACT NO. 319,
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
ABI HARVEST, LLC.

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 FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID _____

ABI HARVEST, 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 _____ A.D. 2021

NOTARY PUBLIC _____ TAYLOR COUNTY TEXAS

GENERAL NOTES			
ACREAGE:		30.942	ACRES
SCALE: AS SHOWN	SMALLEST LOT: 7.552	SQ.FT.	LARGEST LOT: 29,218 SQ.FT.
LOT WIDTH: MIN. 60.11'	MAX. 176.94'	LOT DEPTH: MIN. 100.11'	MAX. 198.30'
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 HARVEST ADDITION, SECTION 1
BEING 30.942 ACRES OUT OF THE
M. TALBOT SURVEY NO. 103, ABSTRACT NO. 319,
CITY OF ABILENE, TAYLOR COUNTY, TEXAS

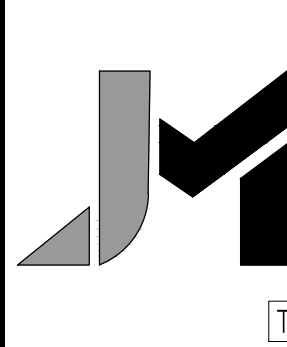
SIGNATURE _____

LEE W. ROSENBAUM
(PRINT)
REGISTERED PROFESSIONAL LAND SURVEYOR

DATE _____

THE HARVEST ADDITION, SECTION 1
BEING 30.942 ACRES OUT OF THE
M. TALBOT SURVEY NO. 103, ABSTRACT NO. 319,
CITY OF ABILENE, TAYLOR COUNTY, TEXAS

(SHEET 2 OF 2)



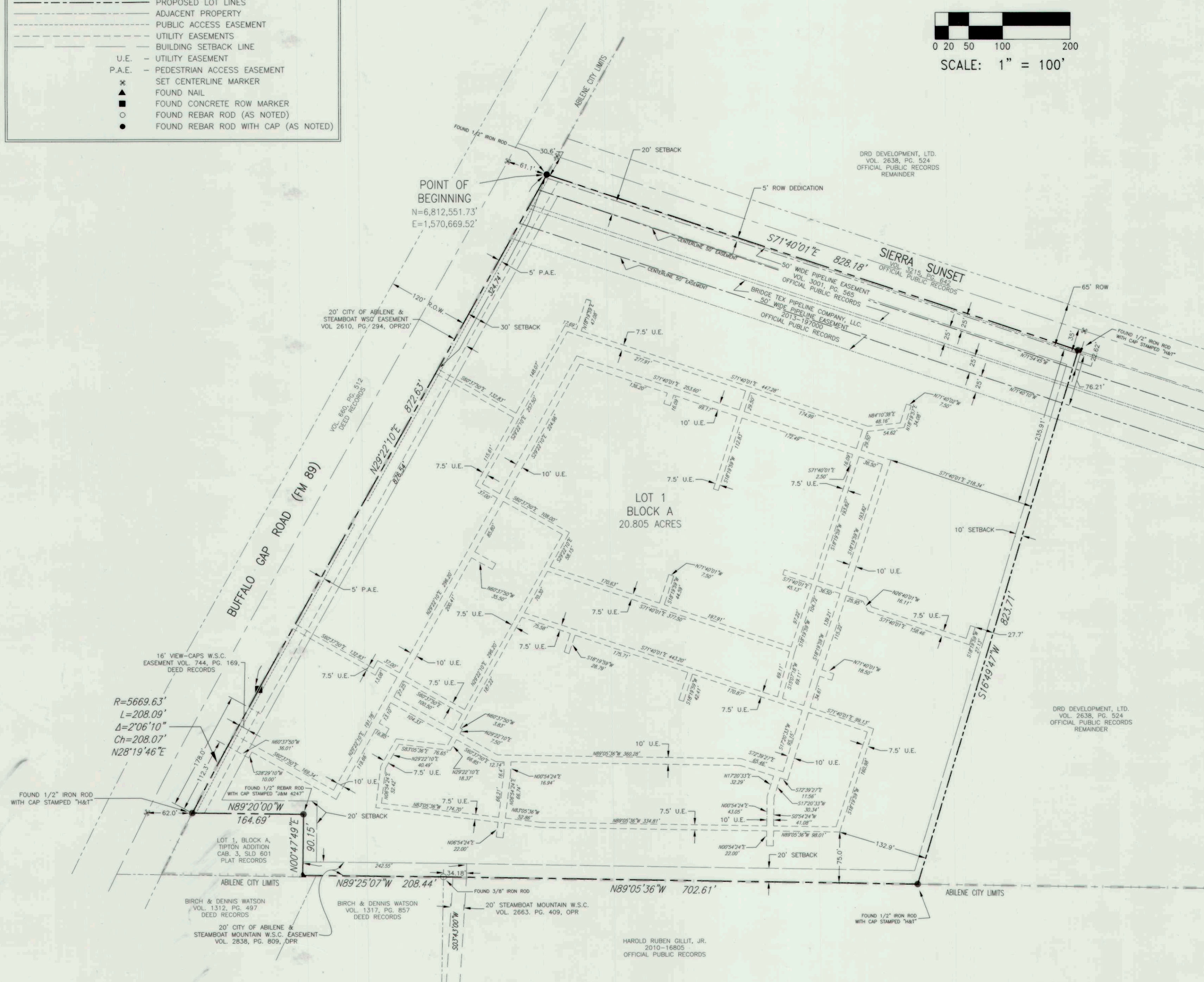
**JACOB
MARTIN**
[BPELS FIRM # 10194493]

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	
---	PROPERTY BOUNDARY
---	PROPOSED STREET R.O.W.
---	STREET R.O.W.
---	EXISTING STREET C.L.
---	PROPOSED LOT LINES
---	ADJACENT PROPERTY
---	PUBLIC ACCESS EASEMENT
---	UTILITY EASEMENTS
---	BUILDING SETBACK LINE
---	UTILITY EASEMENT
---	PEDESTRIAN ACCESS EASEMENT
---	SET CENTERLINE MARKER
---	FOUND NAIL
---	FOUND CONCRETE ROW MARKER
---	FOUND REBAR ROD (AS NOTED)
---	FOUND REBAR ROD WITH CAP (AS NOTED)



DEVELOPER/SUBDIVIDER:
DRD DEVELOPMENT, LTD
273 WALNUT STREET
ABILENE, TEXAS 79601
325-676-7724

SIERRA SUNSET ADDITION, SECTION 1
20.900 ACRES OUT OF THE
W.E. VAUGHN SURVEY NO. 104,
ABSTRACT NO. 418,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

METES & BOUNDS DESCRIPTION

BEING a 20.900 acre tract of land out of a called 14.17 acre tract and a called 100 acre tract out of the W.E. Vaughn Survey No. 104, Abstract No. 418, City of Abilene, Taylor County, Texas, with said 14.17 acre tract described in a General Warranty Deed to said DRD Development Ltd. recorded in Volume 2635, Page 467, Official Public Records, Taylor County, Texas and said 100 acre tract described in a certain Special Warranty Deed to DRD Development Ltd. recorded in Volume 2638, Page 524 of said Official Public Records. Said 20.900 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a found 1/2 inch rebar rod (N=6,812,551.73' and E=1,570,669.52') located on the westerly line of said 100 acre remainder tract, same being the easterly right-of-way line of F.M. Highway 89 (a.k.a. Buffalo Gap Road), and further, said point of beginning being the southwest corner of a 1.834 acre, 60.0 feet wide public road dedicated to the City of Abilene as "Sierra Sunset" per the "Dedication of Right-of-Way" recorded in Volume 3215, Page 642 of said Official Public Records, Taylor County, Texas;

THENCE S71°40'01"E along the southerly right-of-way line of said Sierra Sunset, a distance of 828.18 feet to a found 1/2 inch rebar rod with cap marked "H&T" for the northeast corner of this tract;

THENCE S16°49'47"W 823.71 feet along the east line of the herein described tract to a 1/2 inch rebar rod with cap marked "H&T" found for the southeast corner of this tract and located on the south line of said 100 acre tract, same being the north line of a called 41.71 acre tract to Harold Ruben Gillit, Jr. recorded in Instrument No. 2010-16805 of said Official Public Records;

THENCE N89°05'36"W along said south line of said 100 acre tract, at 13.7 feet pass the calculated most southerly southwest corner of said 100 acre tract, same being the southeast corner of said 14.17 acre tract, and continuing along said south line of said 14.17 acre tract and the north line of said 41.71 acre tract a total distance of 702.61 feet to a found 3/8 inch rebar rod for the northwest corner of said 41.71 acre tract, same being the northeast corner of a called 1.0 acre tract to Birch and Dennis Watson, recorded in Volume 1317, Page 857, Deed Records of said Taylor County, Texas;

THENCE N89°25'07"W along the north line of said "Watson" tract, same being the south line of said 14.17 acre tract, at 186.6 feet pass the calculated northwest corner of said "Watson" tract, same being the northeast corner of a tract to Watson Air Conditioning and Heating, Inc., recorded in Volume 1312, Page 497 of said Deed Records, and continuing a total distance of 208.44 feet to a found nail for the southeast corner of Lot 1, Block A of the Tipton Addition as shown on the plat of record of said addition recorded in Plat Cabinet 3, Slide 601 of the Plat Records of said Taylor County, Texas;

THENCE N00°47'49"E 90.15 feet along the east line of said Lot 1, Block A, same being the most southerly west line of this tract, to a found 1/2 inch rebar rod with cap stamped "H&M 4247" for an interior corner of this tract and the northeast corner of said Lot 1, Block A;

THENCE N89°20'00"W 164.69 feet along the north line of said Lot 1, Block A, same being the most westerly south line of this tract, to a found 1/2 inch rebar rod with cap stamped "H&T" for the northeast corner of said Lot 1, Block A and the most westerly southwest corner of this tract, and located on said easterly right-of-way line of F.M. Highway 89, same being a curve to the right (concave to the southeast) with a radius of 5669.63 feet, a delta angle of 02°06'10" and subtended by a chord which bears N28°19'46"E for 208.07 feet;

THENCE in a northeasterly direction along said right-of-way line and curve to the right an arc length of 208.09 feet to a found concrete marker (Txdot) for the end of said curve;

THENCE N29°22'10"E, continuing along said easterly right-of-way line, at a called distance of 438.1 feet pass a point calculated to be the northwest corner of said 14.17 acre tract and the most northerly and westerly southwest corner of said 100 acre tract, and continuing a total distance of 872.63 feet to said **POINT OF BEGINNING** and containing 20.900 acres of land.

BASIS OF BEARINGS:

BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE GRID NORTH REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, AND NAD 83 AS DETERMINED FROM GPS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF THE SITE WHICH IS 1.000138002.

PLAT NOTES:

1. THE AREA OF THIS SUBDIVISION IS 20.900 ACRES. THE AREA OF ALL PUBLIC R.O.W. DEDICATION IS 0.095 ACRE.
2. MONUMENTATION: CENTERLINE MARKERS, SET AS SHOWN, ARE MAG NAILS WITH WASHERS; REBAR ROD FOUND WITH CAPS ARE AT LOT AND BLOCK CORNERS.
3. NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NO. 48441-C-0331-F EFFECTIVE JANUARY 6, 2012.
4. NO LAND WITHIN THIS SUBDIVISION WILL BE DEDICATED FOR PARKS, OPEN SPACE OR FLOODWAY.
5. THIS SUBDIVISION IS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE CITY OF ABILENE, TEXAS.

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.

PLANNING DIRECTOR

FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.

10-5-15 DATE
10-5-15 CHAIRMAN
10-5-15 SECRETARY
10-5-15 PLANNING DIRECTOR
10-5-15 FEES

FP-6214 FILE NUMBER
PAIP

COUNTY CLERK

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

10-12-15 2015 FILE NUMBER
10-12-15 2015 FILE NUMBER

County Clerk
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.

10-6-2015 DATE
Michael Rice DIRECTOR OF PUBLIC WORKS

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED OWNER 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

SIERRA SUNSET ADDITION, SECTION 1
20.900 ACRES OUT OF THE
W.E. VAUGHN SURVEY NO. 104,
ABSTRACT NO. 418,
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 UNDER SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

SEE ATTACHED METES & BOUNDS DESCRIPTION

EXECUTED THIS 1ST DAY OF OCTOBER, 2015

DAVID DURHAM, GENERAL PARTNER
DRD DEVELOPMENT, LTD
a Texas Limited Partnership
By Yuma, Inc. A Texas Corporation,
Its General Partner

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

DAVID DURHAM

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

DRD DEVELOPMENT, LTD

A TEXAS LIMITED LIABILITY PARTNERSHIP BY YUMA, INC. A TEXAS CORPORATION, ITS GENERAL PARTNER, 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 1ST DAY OF OCTOBER, 2015

KAREN K. CAMPBELL
Notary Public, State of Texas
My Commission Expires
October 09, 2018

GENERAL NOTES

SCALE: 1" = 100' ACRES: 20.900 ACRES

LOT WIDTH: MIN. 828.18' MAX. 1100.00' LOT DEPTH: MIN. 823.71' MAX. 872.63'

FOUND REBAR RODS AS NOTED (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:
SIERRA SUNSET ADDITION, SECTION 1
20.900 ACRES OUT OF THE
W.E. VAUGHN SURVEY NO. 104,
ABSTRACT NO. 418,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

STATE OF TEXAS
NOTARY PUBLIC
MARK T. BROWN
PROFESSIONAL LAND SURVEYOR
4247

Mark T. Brown
SIGNATURE
MARK T. BROWN
(PRINT)
REGISTERED PROFESSIONAL LAND SURVEYOR
OCTOBER 1, 2015
DATE

JACOB & MARTIN, LLC.
ARCHITECTS • ENGINEERS

3465 CURRY LANE
ABILENE, TEXAS 79606
325-695-1070
FIRM # 10024300

OWNER:
DRD DEVELOPMENT, LTD
273 WALNUT STREET
ABILENE, TEXAS 79601

SIERRA SUNSET ADDITION,
SECTION 1
ABILENE, TAYLOR COUNTY, TEXAS

LEGEND

- MONUMENTS AS DESCRIBED IN FIELD NOTES
— CITY LIMITS
— SUBDIVISION BOUNDARY
— ADJACENT BOUNDARY LINES
- - - EASEMENT LINES
P.A.E. PUBLIC ACCESS EASEMENT

NOTES

- THE SUBJECT PROPERTY IS NOT LOCATED WITHIN AN AREA OF 100 YEAR FLOOD, AS INDICATED ON THE FLOOD INSURANCE RATE MAP, COMMUNITY NUMBER 485450, MAP NUMBER 48441C0331F, REVISED: JANUARY 6, 2012. THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X, AREA OF MINIMAL FLOOD HAZARD.
- BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
- THIS ADDITION IS LOCATED WITHIN THE CITY LIMITS OF ABILENE, TAYLOR COUNTY, TEXAS.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SUBDIVISION STREETS, ALLEYS, AND BURIED UTILITIES, THE FINAL SUBDIVISION MONUMENTATION WILL BE SET. THE MONUMENTATION WHICH WILL BE SET IS AS FOLLOWS: 1/2" IRON RODS WITH PLASTIC CAPS, STAMPED "H&T", WILL BE SET AT ALL OF THE LOT CORNERS AND 3/4" ALUMINUM RODS WITH 2" ALUMINUM CAPS MARKED "HIBBS & TODD" WILL BE SET AT ALL BLOCK CORNERS.

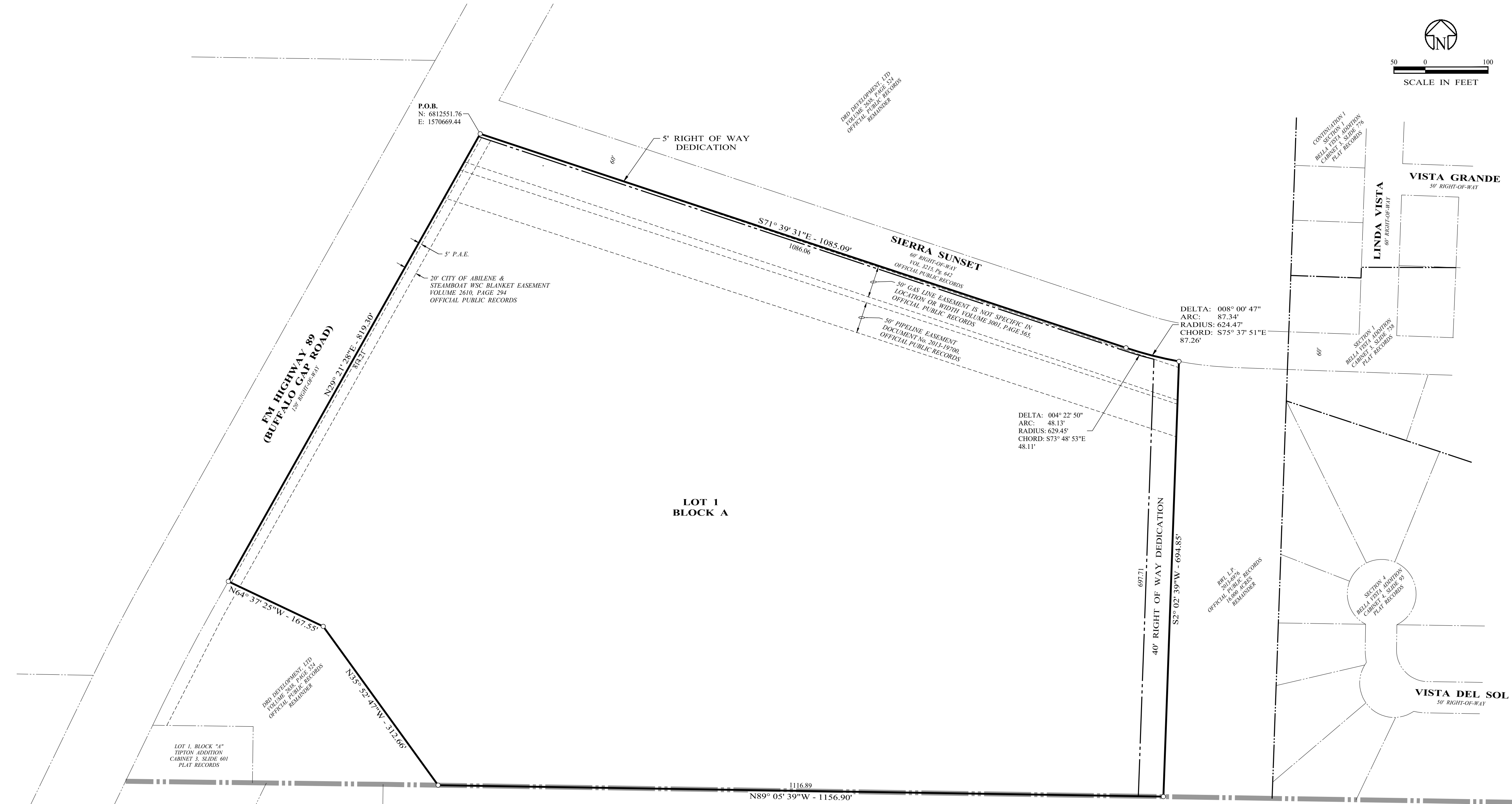
BEING SIERRA SUNSET ADDITION, ABILENE, TAYLOR COUNTY, TEXAS, SAME BEING OUT OF THE WILLIAM E. VAUGHN SURVEY NO. 104, TAYLOR COUNTY, TEXAS, SAME BEING COMPRISED OF:

- LOT 1, BLOCK A, SIERRA SUNSET ADDITION, SECTION 1, ABILENE, TAYLOR COUNTY, TEXAS RECORDED IN CABINET 4, SLIDE 246, PLAT RECORDS, TAYLOR COUNTY, TEXAS.
- 7.55 ACRES OUT OF A 149.346 TRACT RECORDED IN VOLUME 2638, PAGE 524, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS,

AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS IS GRID NORTH, NAD 83 TEXAS NORTH CENTRAL ZONE BASED ON GPS OBSERVATIONS

BEGINNING AT A FOUND BENT 1/2 INCH IRON ROD AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF BUFFALO GAP ROAD, A.K.A. FM HIGHWAY 89, AND THE SOUTH RIGHT OF WAY OF SIERRA SUNSET FOR THE NORTHWEST CORNER OF THIS TRACT AND SAID SECTION 1;
THENCE SOUTH 71 DEGREES 39 MINUTES 31 SECONDS EAST, ALONG THE SOUTH RIGHT OF WAY OF SIERRA SUNSET, AT A DISTANCE OF 828.31 FEET PASSING A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" AT THE NORTHEAST CORNER OF SAID SECTION 1, SAME BEING THE NORTHWEST CORNER OF SAID 7.55 ACRE TRACT, CONTINUING FOR A TOTAL DISTANCE OF 1085.09 FEET TO A FOUND BENT 1/2 INCH IRON ROD AT THE BEGINNING OF A CURVE ON THE NORTH LINE OF SAID 7.55 ACRE TRACT AND THIS TRACT;
THENCE, ALONG THE SOUTH RIGHT OF WAY OF SIERRA SUNSET, WITH A CURVE TURNING TO THE LEFT HAVING A DELTA ANGLE OF 08 DEGREES 00 MINUTES 47 SECONDS, A RADIUS OF 624.47 FEET, AN ARC LENGTH OF 87.34 FEET, AND A CHORD BEARING SOUTH 75 DEGREES 37 MINUTES 51 SECONDS EAST A DISTANCE OF 87.26 TO A TO A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" AT THE NORTHWEST CORNER OF A 16.000 ACRE TRACT RECORDED IN DOCUMENT NO. 2013-6976, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS, AND BEING THE NORTHEAST CORNER OF SAID 7.55 ACRE TRACT AND THIS TRACT;
THENCE SOUTH 02 DEGREES 02 MINUTES 39 SECONDS WEST A DISTANCE OF 694.85 FEET TO A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" AT THE SOUTHWEST CORNER OF SAID 16.000 ACRE TRACT, AND BEING THE SOUTHEAST CORNER OF SAID 7.55 ACRE TRACT AND THIS TRACT;
THENCE NORTH 89 DEGREES 05 MINUTES 39 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 149.346 ACRE TRACT, AT A DISTANCE OF 542.05 FEET PASSING A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" AT THE SOUTHEAST CORNER OF SAID LOT 1, CONTINUING ALONG THE SOUTH LINE OF SAID LOT 1 A TOTAL DISTANCE OF 1156.90 FEET TO A SET 3/4 INCH ALUMINUM ROD WITH 2 INCH ALUMINUM CAP MARKED "HIBBS & TODD" ON THE NORTHEAST SIDE OF A FIFTY (50) FEET WIDE RIGHT OF ENTRY AND POSSESSION AGREEMENT (ROEPA) BETWEEN DRD DEVELOPMENT, LTD. AND ONEOK NGL PIPELINE, LLC, DATED JUNE 22, 2018, FOR THE SOUTHERN SOUTHWEST CORNER OF THIS TRACT, WHERE A FOUND BENT 3/8 INCH IRON ROD AT AN ANGLE POINT IN THE SOUTH LINE OF SAID LOT 1 BEARS 87.78° N 89°05'02" W;
THENCE NORTH 35 DEGREES 52 MINUTES 47 SECONDS WEST, ALONG THE NORTHEAST SIDE OF SAID ROEPA TRACT, A DISTANCE OF 312.66 FEET TO A SET 3/4 INCH ALUMINUM ROD WITH 2 INCH ALUMINUM CAP MARKED "HIBBS & TODD" FOR A CORNER OF SAID ROEPA TRACT AND THIS TRACT;
THENCE NORTH 64 DEGREES 37 MINUTES 25 SECONDS WEST, ALONG THE NORTHEAST SIDE OF SAID ROEPA TRACT, A DISTANCE OF 167.55 FEET TO A SET 3/4 INCH ALUMINUM ROD WITH 2 INCH ALUMINUM CAP MARKED "HIBBS & TODD" AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF BUFFALO GAP ROAD AND THE NORTHEAST SIDE OF SAID ROEPA TRACT FOR THE WESTERN SOUTHWEST CORNER OF THIS TRACT;
THENCE NORTH 29 DEGREES 21 MINUTES 28 SECONDS EAST, ALONG THE EAST RIGHT OF WAY OF BUFFALO GAP ROAD, A DISTANCE OF 819.30 FEET TO THE POINT OF BEGINNING CONTAINING AN AREA OF 26.68 ACRES. SURVEYED ON FEBRUARY 24, 2021.



FIELD NOTES
OF
SIERRA SUNSET ADDITION
ABILENE, TAYLOR COUNTY, TEXAS

PLANNING COMMISSION		PLANNING DIRECTOR	
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 974B, VERNON'S ANNOTATED CIVIL STATUTES, AND ARTICLE 927B, PENAL CODE OF TEXAS, AS AMENDED.		FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS	
DATE	CHAIRMAN	DATE	FILE NUMBER
ATTEST	SECRETARY	PLANNING DIRECTOR	
DATE	PLANNING DIRECTOR	FEES	
DIRECTOR OF PUBLIC WORKS		COUNTY CLERK	
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.		I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON	
DATE	DIRECTOR OF PUBLIC WORKS	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

**SIERRA SUNSET ADDITION
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____

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

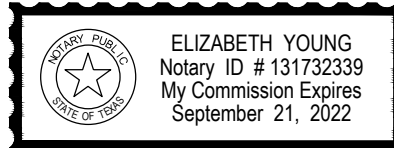
PERSONALLY APPEARED _____

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

DRD DEVELOPMENT, LTD
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 **26.68**

SCALE **1" = 100'** SMALLEST LOT _____ SQ. FT. LARGEST LOT **1,128,336** 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:

**SIERRA SUNSET ADDITION
ABILENE, TAYLOR COUNTY, TEXAS**



SIGNATURE

05/27/2021
DATE

RILEY ELMER GRIFFITH
REGISTERED PROFESSIONAL LAND SURVEYOR



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

ZONING CASE Z-2021-11

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 1, 2021

City Council 1st Reading: June 24, 2021

City Council 2nd Reading: July 8, 2021

Applicant

Owners: HRT Enterprises, Inc. and Johnny Trotter

Agent: Jacob Martin, LLC

Request

Rezone approximately 242 acres of vacant land from Agricultural Open Space (AO) to Residential Single-Family (RS-6). Based on the information provided in the application, the purpose of this request is to add new home sites to the entirety of the tract.

Location

The subject property borders the 3000-3100 blocks (north side) of Highway 351 and the 3500-3600 blocks (east side) of East Lake Road, north and east from existing sections of the Heritage Parks Addition in northeast Abilene.

Background

Approximately 213 acres of this subject property was annexed into Abilene in 1982. The remaining approximately 29 acres (within 1000 feet of East Lake Road) were annexed in 1980. All acreage was zoned Agricultural Open Space (AO) upon its annexation.

Zoning and Existing Land Use

Current zoning and existing land use of properties adjacent to and in the subject property's immediate area are illustrated on the map included in this report. As indicated on the map, adjacent land located south and west of the subject property are zoned for Single-Family Residential (RS-6), Patio Home (PH) and Medium Density Residential (MD). These include conventional single-family homes as well as townhomes, patio homes and duplexes. A church campus also adjoins the southernmost southwest corner of this subject property, adjacent to Highway 351.

Land located north and east of this subject property remains, for the most part, outside of Abilene's City limits and in agricultural use.

Criteria Assessment

Section 1.4.1.4 of Abilene's Land Development Code states that, 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 designates all land encompassed in this request as low-density residential. Proposed RS-6 zoning is consistent with the Comprehensive Plan.

(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.

It is the opinion of staff that uses permitted by this requested zone change are compatible with surrounding properties in the immediate vicinity.

(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 has extensive frontage on two arterial streets. This includes approximately 0.32 miles of frontage on Highway 351, more than half of which is fully-improved with pavement as well as curb-and-gutter. Additionally, the subject property has access to municipal water and sewer mains at several key locations. This request presents no apparent conflict with existing or proposed plans for community facilities or related infrastructure.

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

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

Staff Recommendation

City staff recommends approval.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on May 20, 2021, to the applicant and to other property owners within a 200-foot radius of the subject property. These property owners and associated parcel identification numbers are identified in Table 1.

TABLE 1

Owner	Parcel ID	Response
ACEVEDO DAVID & PAMELA	35108	
AKOR CHARLOTTE	117404	
ATKINSON HAL GREGORY	58291	
BAILEY JESSICA L	117397	
BARKER CHARLES R & DEBRA JUNE	110459	
BATTEN CHRISTINA M	117387	
BELTWAY PARK BAPTIST	993385	
BLAIR PHILLIP T & LISA K	1015829	
BOYD BROOKS J & MELISSA L	117380	
BURSON MASON	117379	
CAMMARANO VINCENT R & ERICA	117382	
CARDENAS MICHAEL & ROSA LEE	117377	
CASEY JUDY	117388	
CITY OF ABILENE	117413	
CLEVELAND WILLIAM CHANCE	117396	
COBB DILLON & TALAN	117386	
COX DANIEL A & ESTHER R	117392	In Favor
DAVIS WILLIAM	1015862	
DEWS ANDREW W & LISA	110477	
DIGGS CAROL	107963	
EZAGUI EDWARD P & VANESSA E	117376	
FAIR BENJAMIN C	38364	
FLEMING G LANCE & JILL C	117395	
FORD CHRISTOPHER R & ASHLEY K	117403	
FORD JACKIE ROY III	110476	
GREENWOOD PAULA	117406	
GRIFFITH RUTH E LF EST	31998	
HARKINS CHARLES RANDLE	1016138	
HOLOWIECKI ANDREW & KRISTY N	117398	
HOUSTON SPRING CREEK RANCH LTD	37819	
HOWE LARRY D & PAULA S	117409	
HUFFAKER ERIC WOODSON &	117408	
HUMMEL JASON B & MELISSA K	52376	
JACKSON STEVE	206093	
JACKSON STEVE	206094	
JOHNSON CURTIS A	117384	
JOHNSON ZACHERY S	117383	
JONES CHERYL A	117405	
JONES JACOB & FELICIA	117399	
KENNEY JOHNNY LEE	1015830	

KING BETTY DIANE	54280	
KING BETTY DIANE	54399	
LITTLE JO ANN	36417	
LONG RICKIE WADE	117378	
MC GREW JAMES MICHAEL & PAMELA	110458	
MEITL ANDREW	1015848	
MESSENGER BRENDAN RUSS &	117394	
MR W FIREWORKS INC	36954	
MURPHY MICHAEL A & MELISSA L	117411	
NALDOZA THERESA	117410	
NEW JOE MICHAEL	109769	
NICHOLS ALAN K & SONYA M	117391	
OSBORN WALTER	117389	
RANGEL JORGE P	52649	
RIDDLE RICHARD E & LISA L	117381	
ROAD	37208	
ROGERS MARK HUNTER &	117393	
ROMAN JOE D & NATALIA	117385	
ROWLANDS HARRY R & THELMA H	117400	
SADBERRY ADAM L	970601	
SALAS ANA	117390	
SANCHEZ DAVID F & CHRISTINE A	970621	
SANDERS GARY & GLICERIA	107943	
SANDOVAL ISMAEL & SCHOONMAKER BRADLEY THOMAS &	970600 34964	
THOMAS LANCE &	117407	
TOLLETT DANIEL S	117412	
TROTTER JOHNNY	994507	
TROTTER JOHNNY	994517	
TROTTER JOHNNY	994511	
TROTTER JOHNNY	995097	
TROTTER JOHNNY	994509	
TROTTER JOHNNY	1062957	
TROTTER JOHNNY	1062953	
TUBBS MELVIN C &	107944	
TUCKER HUNTER	117401	
TURNER COLTON R & VICTORIA K	52520	
VALE VICTOR & MUTSUKO	107962	
VARNER GARY & LINDA R	1016377	
VARNER PIPE LLC	50043	
WALKER FAMILY TRUST	38490	
WEST ELLEN	52359	
WEST ELLEN	52359	

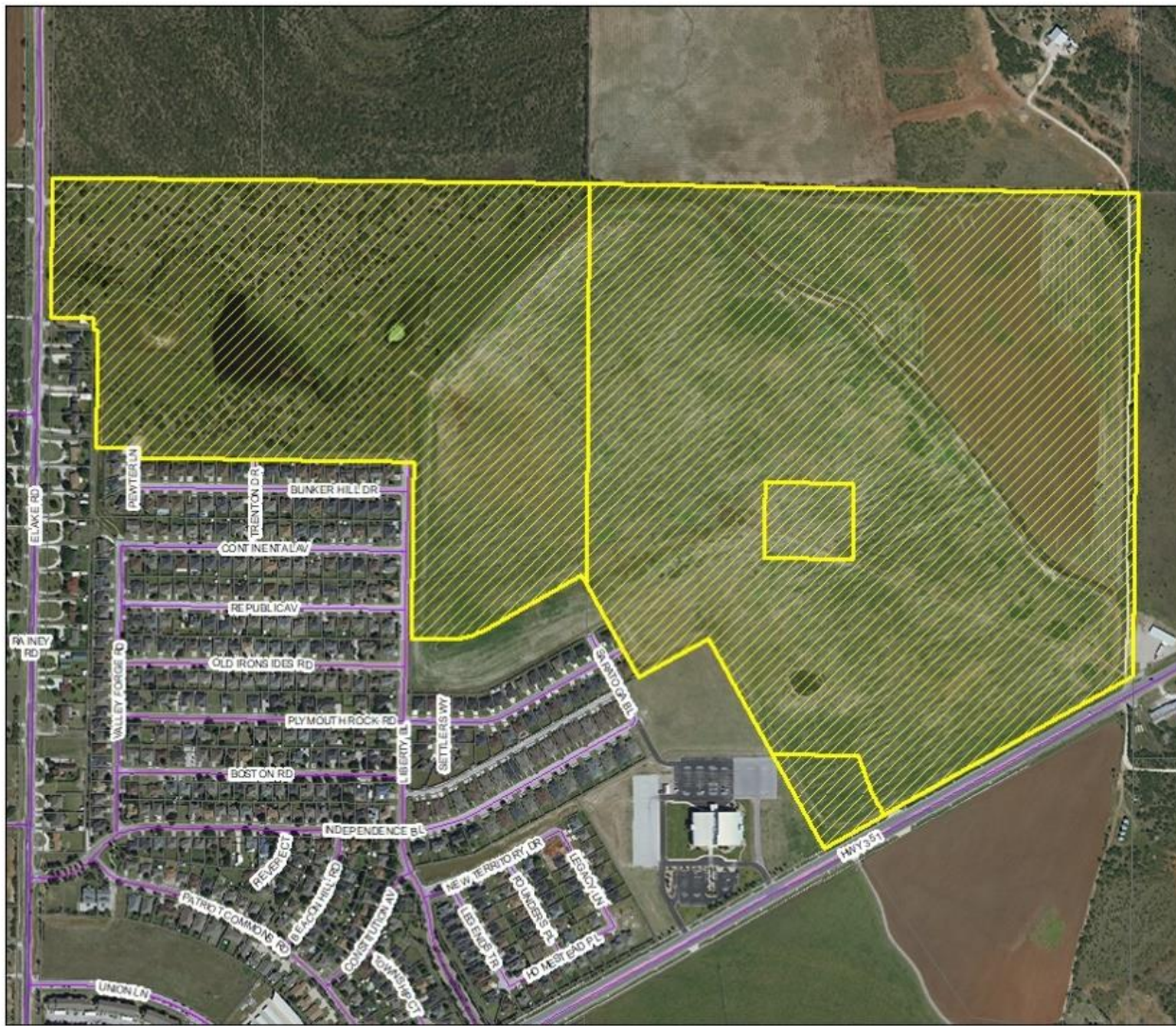
WILLIAMS ERIK BENTLEY	52244	
WILSON J D	974899	
WILSON J D	52124	

Attachments

Application

PowerPoint Presentation

LOCATION MAP



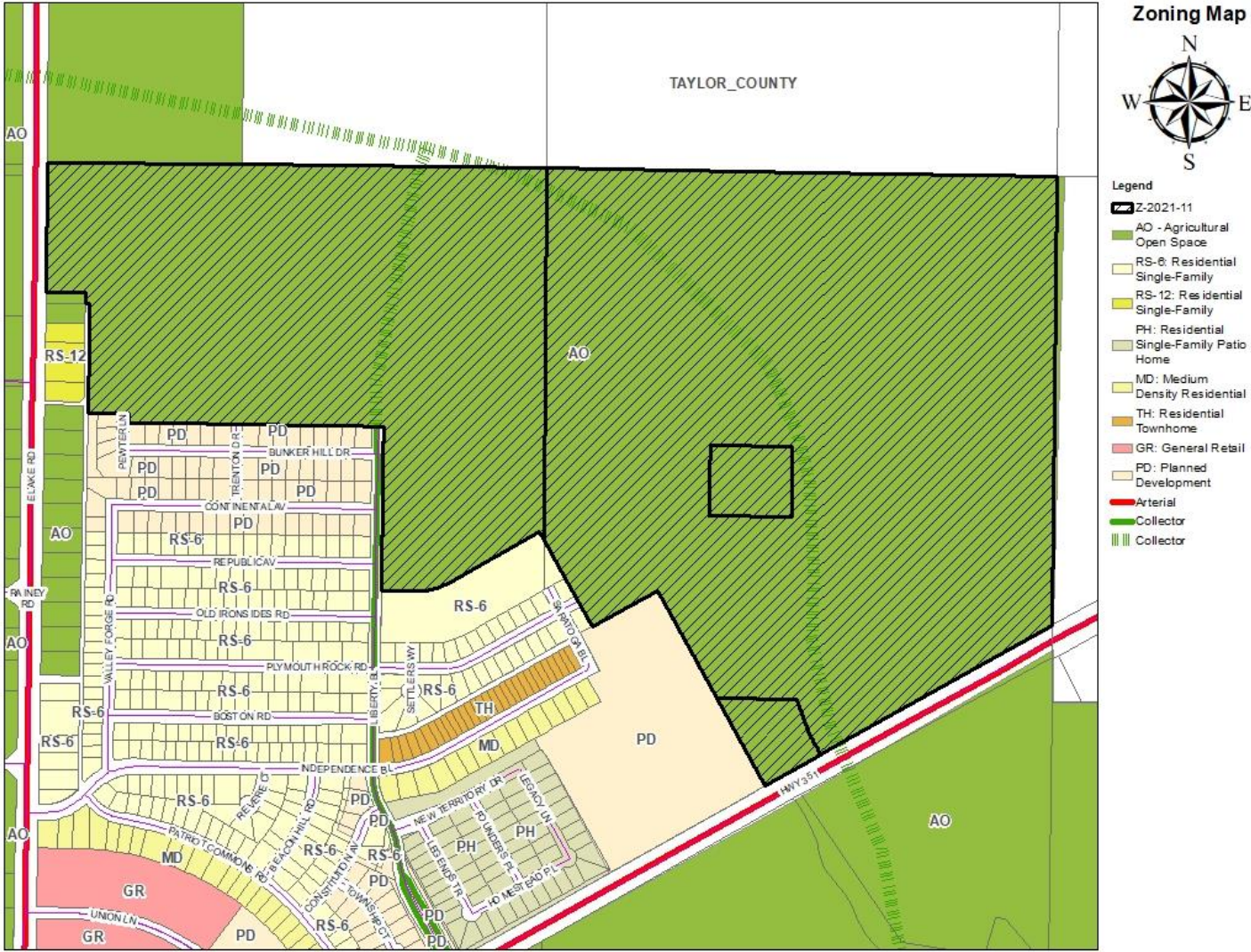
Location Map

N
W E
S

Legend

— Z-2021-11

ZONING MAP





Sawyers, Cheryl <cheryl.sawyers@abilenetx.gov>

[Planning] Zone Change Application Z-2021-11

2 messages

Dan Cox <dcox057@gmail.com>
To: planning@abilenetx.com

Tue, May 25, 2021 at 10:02 AM

To the Planning and Development Services:

I currently live at 2258 Bunker Hill Drive in the Heritage Parks addition in northeast Abilene. Prior to that, I lived on the other side of the subdivision on Valley Forge Road. I recently received a notice about Zone Change Application Z-2021-11.

In regards to Zoning Change Application Z-2021-11, I am in favor of developing more housing in the neighborhood. The land east of Liberty Drive seems well suited for the purpose. I know that more homes in the neighborhood bring the likelihood of more businesses, churches, and other positive things to this corner of our city.

My concern is for the area directly north of Bunker Hill Drive. This particular parcel of land receives the drainage from almost the entire neighborhood of Heritage Parks. When I lived on Valley Forge, the water levels would get really high on the street as it made its way north to this area. Now that I live on the east end of Bunker Hill Drive, I see the same tendency for the water on Liberty Drive to run either north towards the land in question, or flow west to Valley Forge and then on towards the agricultural land north of Bunker Hill.

My concern is two-fold—

1. Will developing the land just north of Bunker Hill Drive cause a worsening of the drainage on our streets in Heritage Parks? The entire street of Valley Forge is easily covered in water during a hard rain, making passage difficult.
2. What about the large stock tank that is in that parcel? From our position on Bunker Hill Drive, we see that the stock tank serves as a watering hole for wildlife in addition to livestock. We have seen deer, foxes, migratory geese and ducks, coyotes, and more. Virtually all of the water that drains from Heritage Parks goes into the watershed of this stock tank. I am not a homebuilder, but it would seem to be a real challenge to build houses on a plot that has been previously covered in water. Will this parcel of land containing the stock tank be prohibited from building houses over it?

Thank you for allowing me to express my concerns. Again, I am in favor of the zoning change to the east of Liberty towards Beltway church, but have serious concerns about the land north of Bunker Hill Drive.

Sincerely,

Daniel Cox

--

You received this message because you are subscribed to the Google Groups "Planning Services" group.
To unsubscribe from this group and stop receiving emails from it, send an email to planning+unsubscribe@abilenetx.gov.

PROJECT OVERVIEW

Project Type: Zoning Application

ID # 21-000067 | Started 05/03/2021 at 4:10 PM



Address

3369 Liberty Bl, Abilene,
TX USA 79601

Legal

A1039 Sur 21 B A L Sw/4
Blk 90.551 Ac
A1039 Sur 21 B A L Sw/4,
Acres 90.551

Property Info

Property ID: 994507

Description

Rezone remaining tract from AO to RS6

INFORMATION FIELDS

Owner Name

HRT ENTERPRISES INC

Agent Name

Jacob & Martin

Block

-

Lot

-

Acreage

233.24

Legal Description of property

A1039 SUR 21 B A L SW/4, ACRES 84.954 and A1040 SUR 21 B A L SE/4, ACRES 148.294

Subdivision Name

-

Current Zoning

AO

Proposed Zoning

RS6

Agree to Terms

Clayton Farrow 5-3-2021

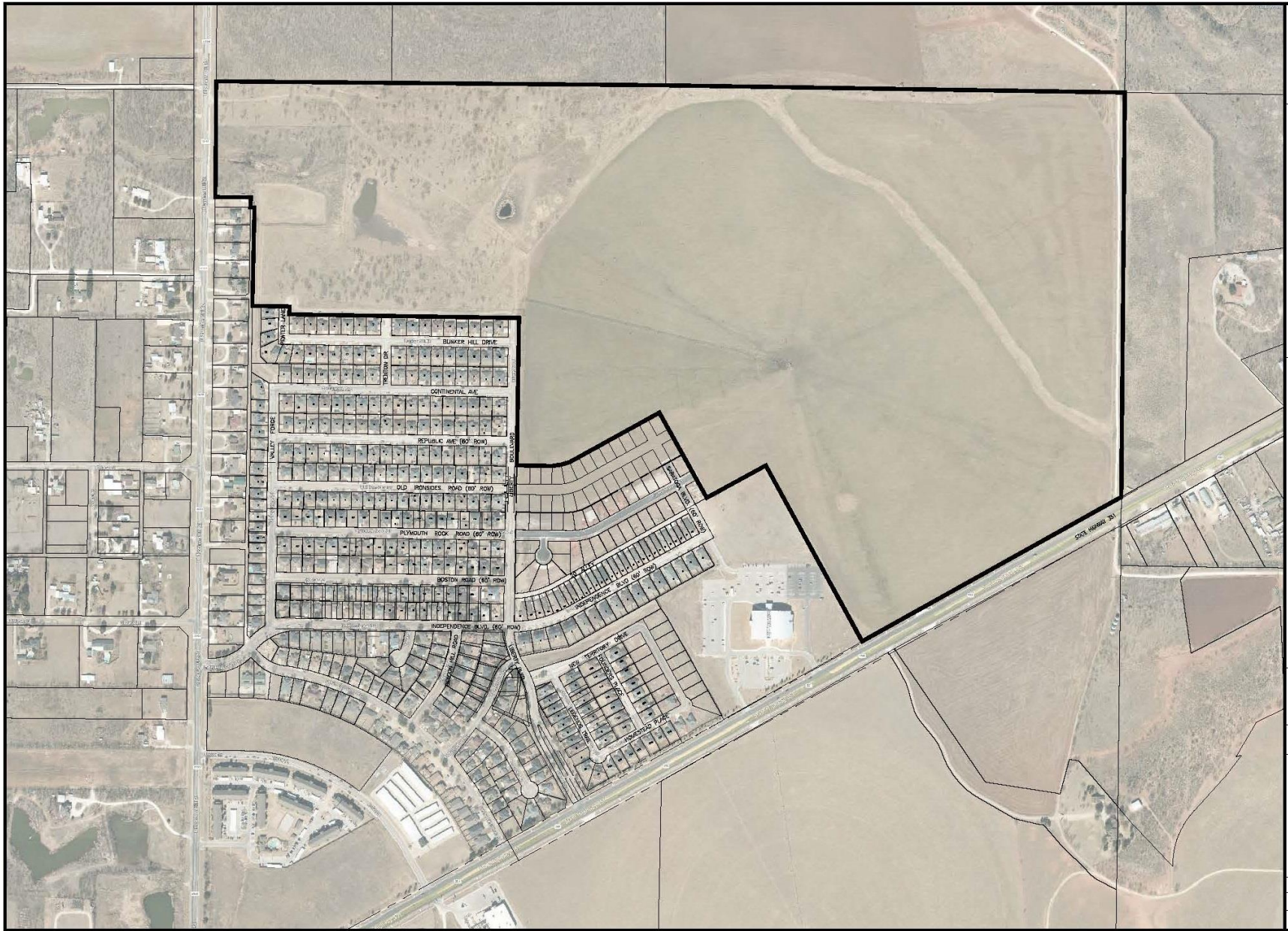
INVOICES	DUE DATE	CONTACT	TOTAL	PAID	DUE
21-002030	05/05/2021	Clayton Farrow	\$ 1,500.00	\$ 1,500.00	\$ 0.00

TOTALS	\$ 1,500.00	\$ 1,500.00	\$ 0.00
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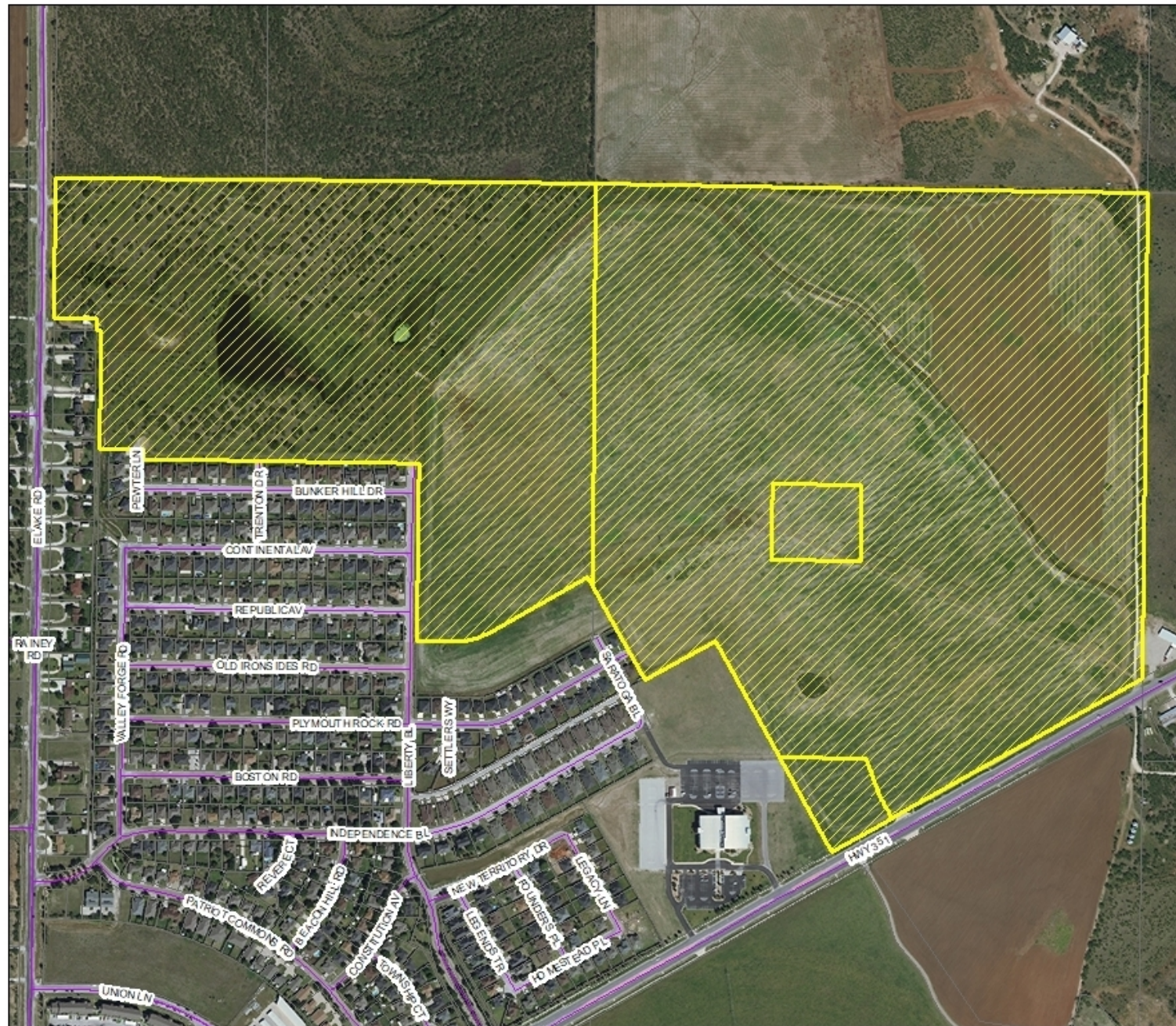
REVIEWS	DATE & TIME	STATUS	HISTORY
Zoning Application Review	05/05/2021 at 9:06 AM	Approved	Accepted
Create Agenda for Planning and Zoning Commission	05/12/2021 at 10:04 AM	In Review	-
Staff Prepares Report & Send Property Notification Letters	05/12/2021 at 10:04 AM	In Review	-

GENERAL COMMENTS

No data for General Comments.



Case:	Z-2021-11
Owner:	HRT Enterprises Inc.
Request:	Rezone from Agricultural Open Space (AO) to Residential Single Family (RS-6)
Location:	3369 Liberty Blvd
Notification:	1 in Favor, 0 Opposed
Planning & Zoning:	June 1, 2021
City Council Hearing:	June 24, 2021 July 8, 2021

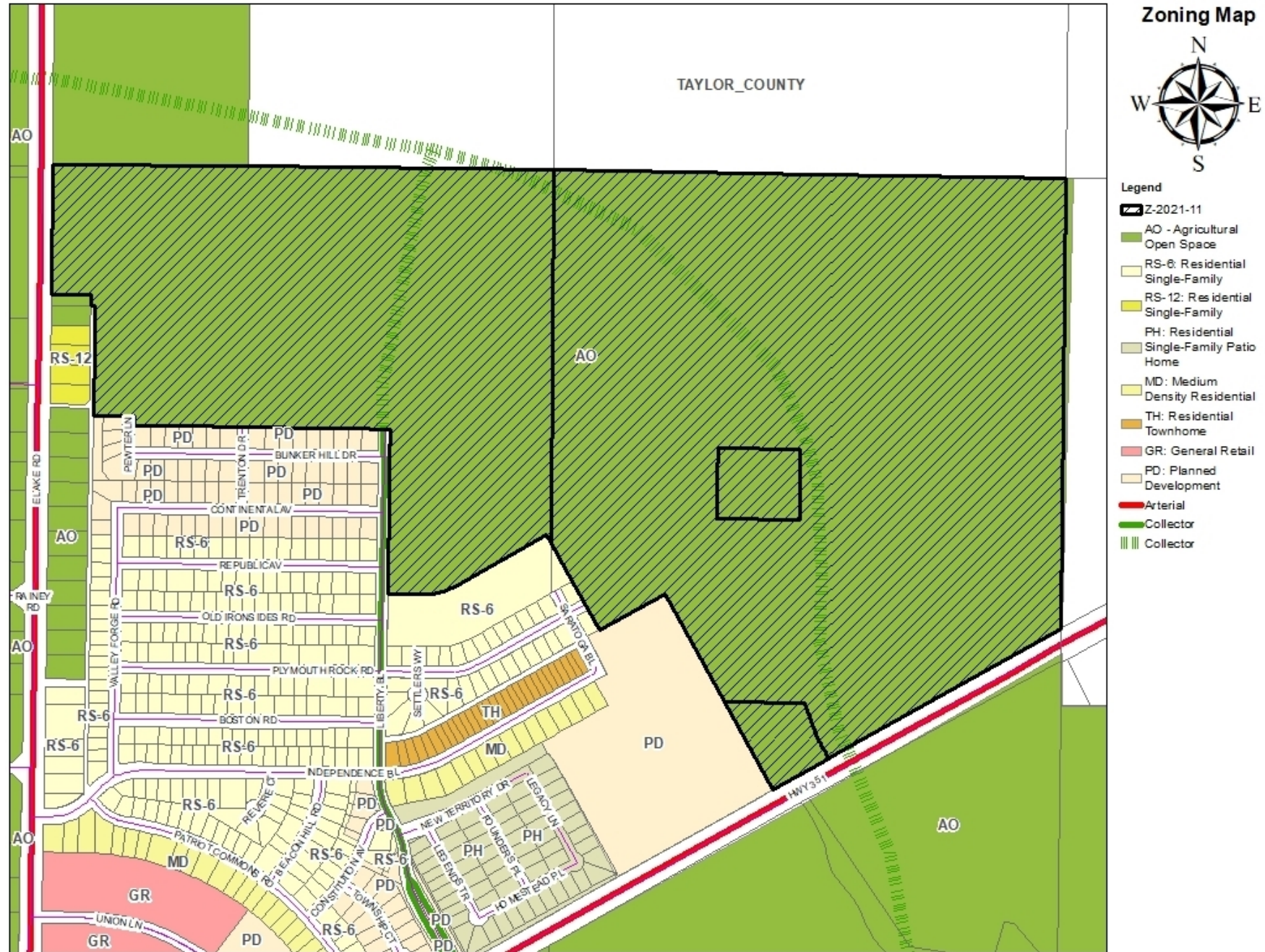


Location Map



Legend

 Z-2021-11



Permitted Uses in RS Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- C Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Single-Family Detached
- C Group Home

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- P Dwelling – Accessory
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- C Civic, Social, and Fraternal Organization
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- P School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

P
C
TP

Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
Permitted as a Conditional Use Permit, Requiring Approval by City Council
Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

Z-2021-11 VIEWS OF SUBJECT & ADJACENT PROPERTIES



Z-2021-11 NOTIFICATION AREA MAP



- 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-2021-12

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 1, 2021

City Council 1st Reading: June 24, 2021

City Council 2nd Reading: July 8, 2021

Applicant

Owner: Gary and Marilu Corpian

Request

Rezone approximately .44 acres of Central Business (CB) zoning to a Planned Development District (PD). Based upon information provided within the application, the purpose of this request is to keep the existing base zoning classification of Central Business zoning, with an additional allowance for retail sales of small automobiles. A graphic concept plan was submitted with the application pursuant to Section 1.4.2.3 (Concept Plan) of the Land Development Code. The plan depicts the existing commercial building and paved parking area on this property.

Location

The subject property is located at 1243 South 1st Street, on the corner of South 1st and Butternut Streets.

Background

The subject property is a part of the 1881 Original Town site of Abilene and zoned Central Business in 1974. Building records from 1956 recorded the subject property as a service station and in 1962 the property started to sell auto parts and tires. The property has changed owners and uses many times over in the last 40 years to include retail sales of small automobiles. The last certificate of occupancy was given to a chocolatier for retail sales.

Small automobile sales are not permitted within the Central Business district by right and therefore the property is not in conformance with current zoning regulations to return to its previous use of small automobile sales.

Zoning and Existing Land Use

Current zoning and existing land use of properties adjacent to and in the immediate area of the subject property are illustrated on the map included in this report. As indicated on the map, adjacent zoning consists of Central Business (CB) on all sides. To the south, east, and west are commercial businesses and to the north is an arterial street and the railroad.

Criteria Assessment

Section 1.4.1.4 of the Land Development Code states that 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;

It is the opinion of staff that the proposed zoning map amendment will serve to implement the goals, objectives, and policies of the Comprehensive Plan and Future Land Use and Development Plan Map. The Future Land Use and Development Plan Map identifies the subject property as commercial and is embraced in the Central Business District. The proposed zone change is consistent with both commercial activity and maintains Central Business as a base 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.

It is the opinion of staff, that the uses permitted by the proposed zone change are consistent with the surrounding properties in the immediate vicinity, which are commercial. The subject property has operated off and on as a gas station and car sales business since 1956 and the expansion of the use to allow for retail sales of small automobiles will bring the property into conformance with current zoning regulations.

(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 development that may result from this change in zoning. Furthermore, the request presents no apparent conflicts with existing or proposed plans for community facilities and/or related infrastructure.

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

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

Staff Recommendation

Staff recommends approval.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on May 20, 2021, via certified mail to the applicant and other property owners within a 200-foot radius of the subject property. These property owners and associated parcel identification numbers are identified in Table 1.

TABLE 1

Owner	Parcel ID	Response
CORPIAN GARY LEE & MARILU LEE	30593	
DUKE NOAH & KENDRA	31111	
EAGLE JAMES C II & SAMANTHA	31238	
FIRST UNITED METHODIST CHURCH	973767	
HOEMKE ROBERT PAUL & HOLLY LYNNE	30157	
HOEMKE ROBERT PAUL & HOLLY LYNNE	30302	
ROADRUNNER MANAGEMENT LLC	30720	
ROADRUNNER MANAGEMENT LLC	31367	
YOUNG JAMES W & JULIE T	59283	
YOUNG JIMMY & JULIE	59417	

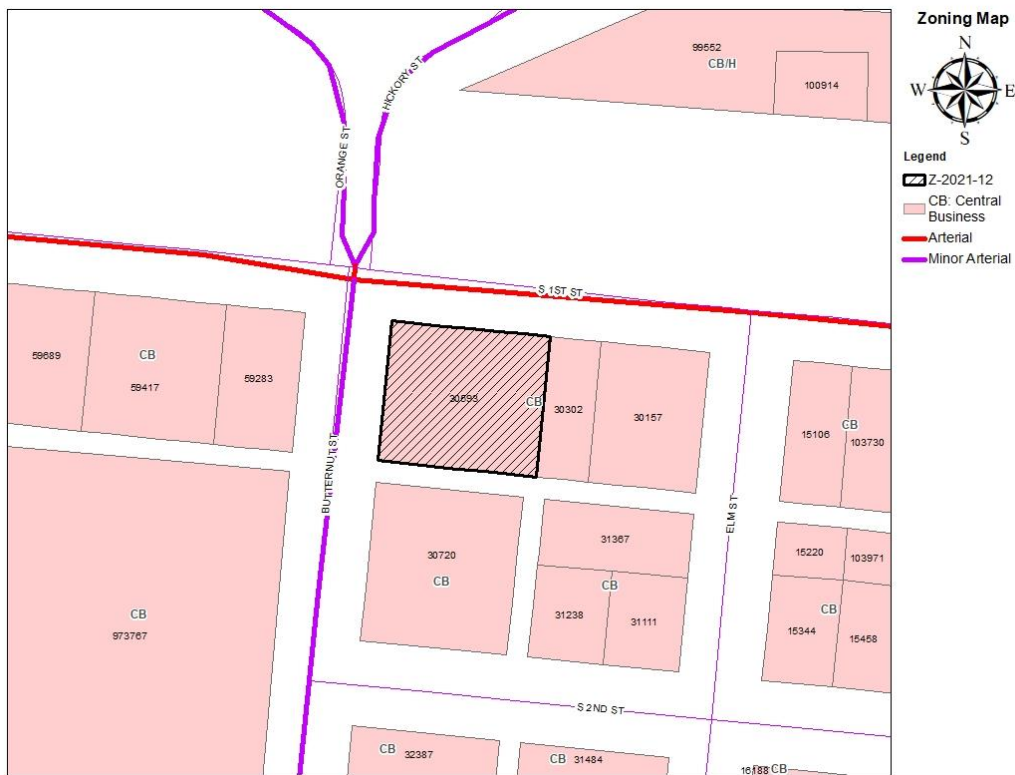
Attachments

PD Concept Plan
 Draft PD Ordinance
 Application
 PowerPoint Presentation

LOCATION MAP



ZONING AND EXISTING LAND USE MAP





Development Application

Planning

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

Project Name: GARY CORPIAN

Address: _____ No. of lots: _____ Acreage: _____

Legal Description: _____

Subdivision Name: _____ Block: _____ Lot: _____

Current Zoning: CB Proposed Zoning (if applicable): PD

OWNER AND AUTHORIZATION

Owner Name: GARY CORPIAN & MARILU CORPIAN

Address: 70 CASTLE DRIVE

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

Phone: 325-721-3721 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) _____ 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: Gary Corpian Date: 5-5-2021

FOR OFFICE USE ONLY

Received: 5-5-2021 Fee: \$ NA Receipt No.: _____

Case No.: E-2021-12 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.

Rezone from Central Business to a planned development with base
Zoning of central Business and to allow Automobile Sales.

S 1ST ST

1243

CB

Central Business Base zoning with the specific use to allow for retail sales of small automobiles and small trucks.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE," OF THE ABILENE CITY CODE, CONCERNING PD-171 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the Land Development Code of the City of Abilene is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 24th day of June, 2021.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 15th day of May, 2021, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 8th day of July, 2021, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 8th day of July, 2021.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

PAGE 1

ORDINANCE NO. _____

Exhibit
"A"

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in possession of the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development shall be in accordance with any maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development, which are hereby incorporated by reference and included as part of this ordinance. All use and development within the Planned Development must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That the Land Development Code of the City of Abilene is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: from Neighborhood Office (NO) to Planned Development (PD) District.

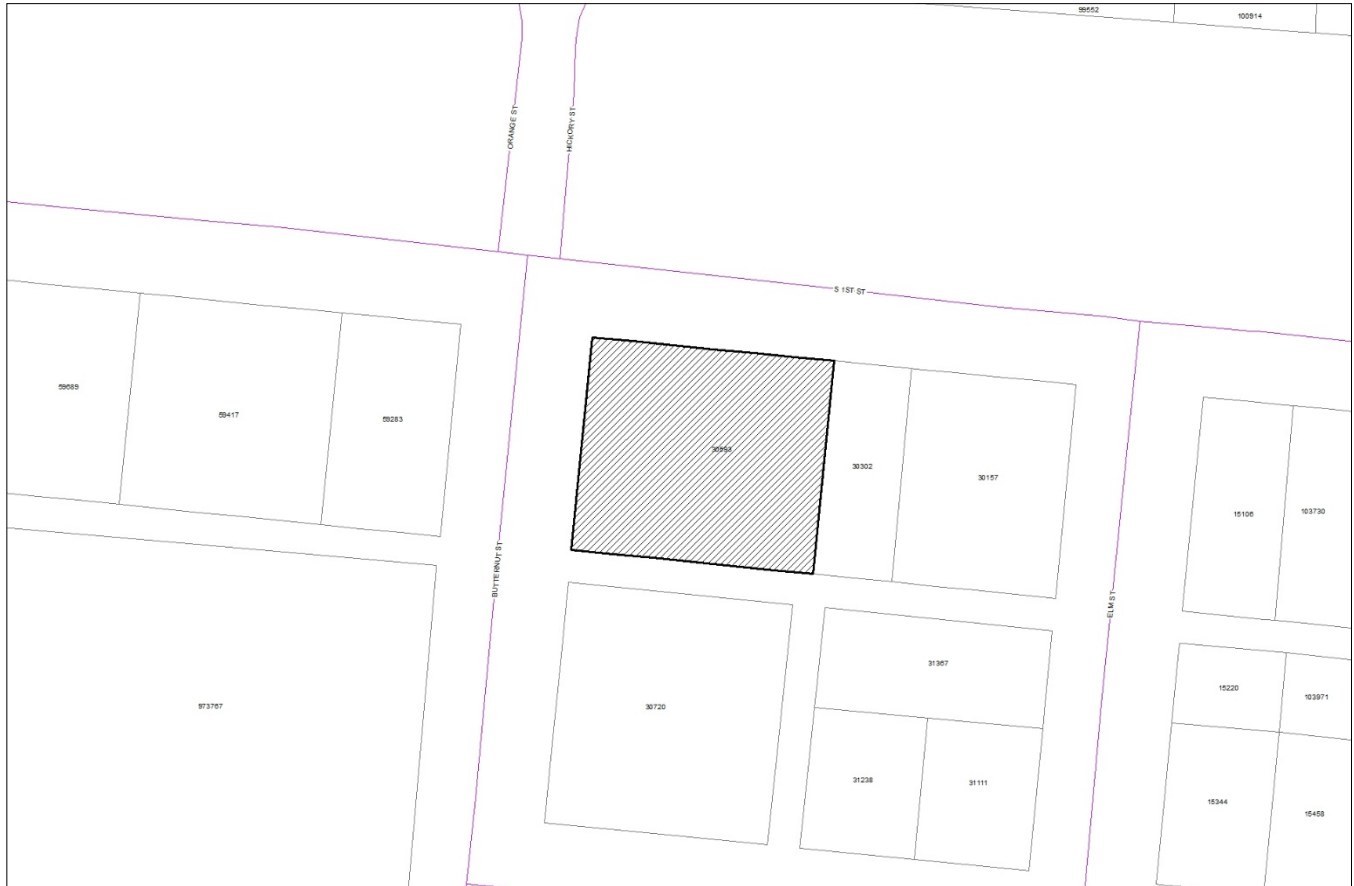
That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

ORDINANCE NO. _____

EXHIBIT "A"

PAGE 2

PART 5: Legal Description. All of Lots 7 thru 12 in Block 49 of Abilene's Original Townsite in the City of Abilene, Taylor County, Texas.



Location: 1243 South 1st Street

ORDINANCE NO. _____

EXHIBIT "A"

PAGE 3

PART 6: Purpose. The purpose of the Planned Development (PD) District is to allow retail sales of small automobiles on the subject property, as well as other uses ordinarily allowed within Central Business (CB) zoning districts.

PART 7: Specific Modifications. The use and development of land and buildings in this Planned Development (PD) District shall generally be subject to requirements of the Central Business (CB) zoning classification, except as modified below:

A. Permitted Uses

- (1) In addition to uses allowed (by right or with approval of a Conditional Use Permit) in Central Business Districts, retail sales of small automobiles shall also be allowed.

ORDINANCE NO. _____

EXHIBIT "A" GRAPHIC CONCEPT PLAN

PAGE 4



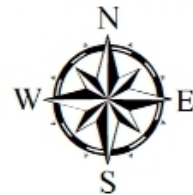
-END-

Case:	Z-2021-12
Owner:	Gary & Marilu Corpian
Request:	Rezone from Central Business (CB) to Planned Development District (PDD 171)
Location:	1243 S. 1 st Street
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	June 1, 2021
City Council Hearing:	June 24, 2021 July 8, 2021

Z-2021-12 LOCATION MAP

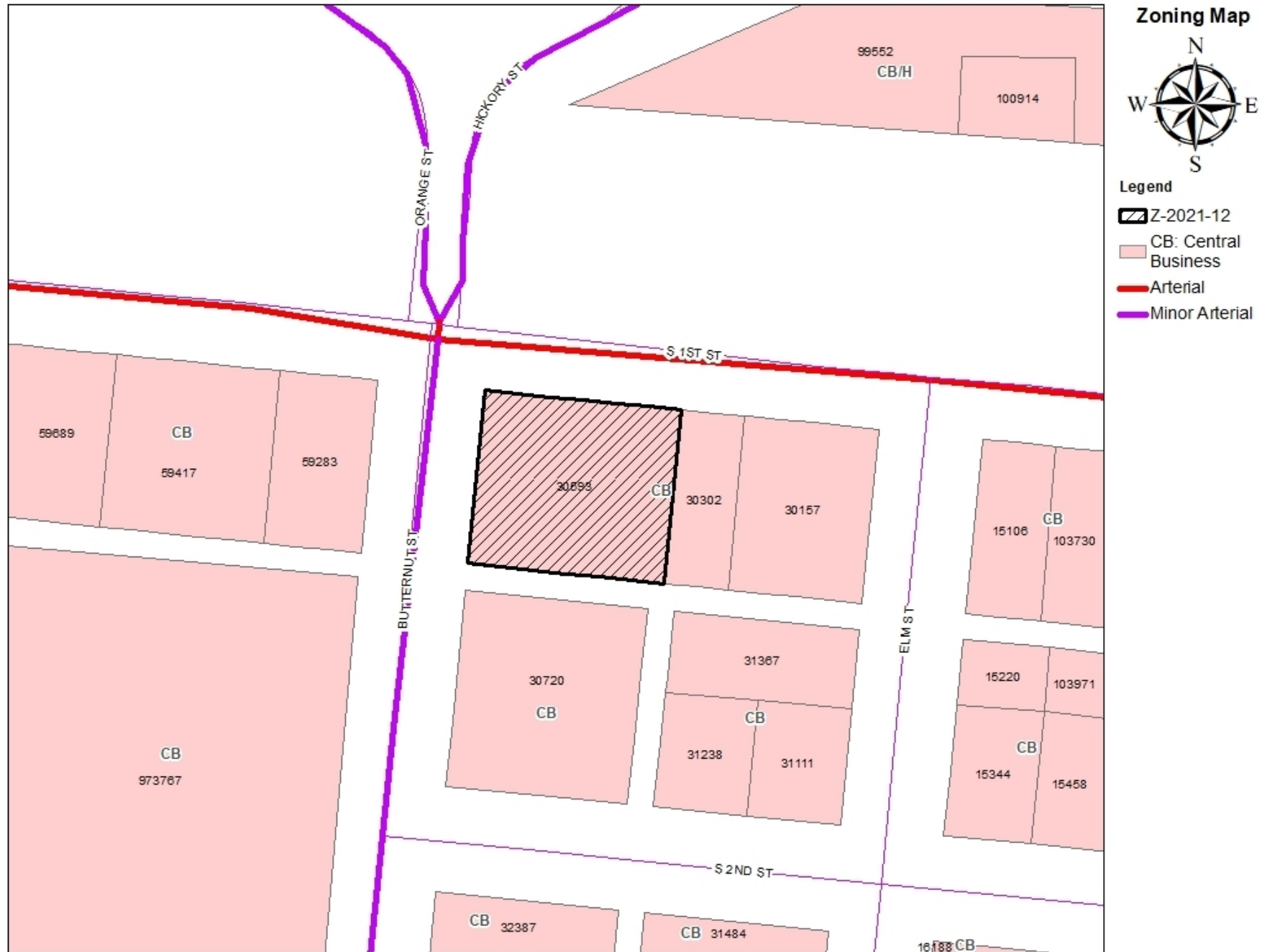


Location Map



Legend

 Z-2021-12



Permitted Uses in CB Zoning

RESIDENTIAL USES:

- P Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- P Dwelling – Multiple-Family
- P Dwelling – Single-Family Detached
- P Hotel/Motel

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P/C Day Care Operation – Home-Based
- C Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Fuel Sales
- P Garage Sale
- P Home Occupation
- TP Itinerant Business
- P Manufacturing (incidental)
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage and parking)
- P Subdivision Sales Office (Temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- C Travel Trailers (accessory to hospitals)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Cultural Facilities
- P Recreation – Outdoors (passive)
- P Recreation and Commercial Entertainment – Indoor

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Ambulance Service
- P Fire/Police Station
- C Homeless/Emergency Shelter
- P Hospital
- P Medical/Dental Laboratory
- P Post Office
- C Rehabilitation Facility
- P Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Arts School
- P Church or Place of Worship
- P Day-Care Operation - Center-Based
- P Educational and Scientific Research
- P School: Public/Private
- P Trade/Business School
- P University/College

SERVICE

- P Funeral Home/ Mortuary/Morgue
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- P Printing, Copying, Reproduction, Publishing
- C Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- C Storage - Self-Service Units
- C Tattoo Parlor*
- P Veterinary Service (small animals)

TRADE – RETAIL USES

- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Liquor Store (Off Premises Consumption) (*Defined under Liquor Store*)
- P Liquor Store (On Premises Consumption) (*Defined under Liquor Store*)
- P Restaurant, Brew Pub
- P Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (indoor)
- C Retail Sales/Rental (outdoors, non-vehicle)

TRADE – WHOLESALE USES

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Passenger Ground Transportation Terminal
- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

P
C
TP

Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
Permitted as a Conditional Use Permit, Requiring Approval by City Council
Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



Z-2021-12 VIEWS OF SUBJECT & ADJACENT PROPERTIES

May 18, 2021 at 2:57:56 PM
1243 S First St
Abilene TX 79602
United States



May 18, 2021 at 2:58:36 PM
1243 S First St
Abilene TX 79602
United States



May 18, 2021 at 2:58:12 PM
1243 S First St
Abilene TX 79602
United States



Z-2021-12 NOTIFICATION AREA MAP



- 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-2021-13

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 1, 2021

City Council 1st Reading: June 24, 2021

City Council 2nd Reading: July 8, 2021

Applicant

Owner: Charles Wolfe

Request

Rezone from Neighborhood Retail (NR) and Medium Density (MD) to General Commercial (GC) District.

Location

126 S. Mocking Bird Ln. and 2958 S 2nd Street.

Background

The subject properties were annexed in 1927 and were rezoned from Agricultural Open Space to RM-3 in 1974. RM-3 zoning has since been reclassified to Medium Density (MD) zoning which currently exists on one of the subject properties. The remaining portion of this zone change request was rezoned to Limited Commercial (LC) in 2005 (Ordinance #15-2005). Limited Commercial zoning was later reclassified to Neighborhood Retail (NR) zoning which currently embraces all of the remaining portion of this zone change request. Prior to 2007, the subject properties were occupied by two single-family residences; one built in 1948 and another built in 1951. In 2007 and 2008, permits were issued for the demolition of the structures. In 2007, a site plan was approved and permits issued for the construction of the existing office building at 126 S. Mockingbird Lane. In 2008, a certificate of occupancy was issued for Wolfpak Software to occupy the building for software sales/training purposes. The applicant is requesting a rezone to General Commercial (GC) in order to expand the use of the existing training building to include "Trade School" as a permitted use.

Zoning and Existing Land Use

Current zoning and existing land use of properties adjacent to and in the immediate area are illustrated on the map included in this report. As indicated on the map, properties to the north are occupied commercial businesses within General Commercial (GC) zoning; to the west, south, and east are single-family residences zoned Medium Density (MD).

Criteria Assessment

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;**

It is the opinion of staff that the proposed zoning map amendment will serve to implement the goals, objectives, and policies of the Comprehensive Plan, and Future Land Use and Development Plan Map. The Future Land Use and Development Plan Map identifies the subject properties as commercial. The amendment to the zoning map to General Commercial (GC) zoning will allow a wider range of commercial activities on the subject properties.

(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.

It is the opinion of staff that the uses permitted by the proposed zone change are consistent with the surrounding properties in the immediate vicinity. Immediately north of the subject properties as well as the majority of the block immediately east of Mockingbird Land. are currently zoned General Commercial. Therefore, the uses that are permitted within this proposed zoning district may not appear out of character with the area. General Commercial (GC) zoning does present the possibility of permitting commercial uses that may be viewed as a nuisance to nearby residential properties. The uses which could potentially create nuisances are primarily automotive oriented (Automobile Repair Services, Automotive Sales, Car Washes Etc.). In order to mitigate future nuisances that may be created by commercial activities on these subject properties; Section 4.2.4.2 of the Land Development Code prescribes a "Type B" Land Use Buffer. This land use buffer will be required along all property lines that are adjacent to the remaining Medium Density (MD) properties surrounding the subject properties.

(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 adequate for the proposed uses. This request presents no apparent conflicts with existing or proposed plans for community facilities and related infrastructure.

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

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

Staff Recommendation

Staff recommends approval

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on May 15, 2021 (via certified mail) to the applicant and other property owners within a 200-foot radius of the subject property. These property owners and associated parcel identification numbers are identified in Table 1.

TABLE 1

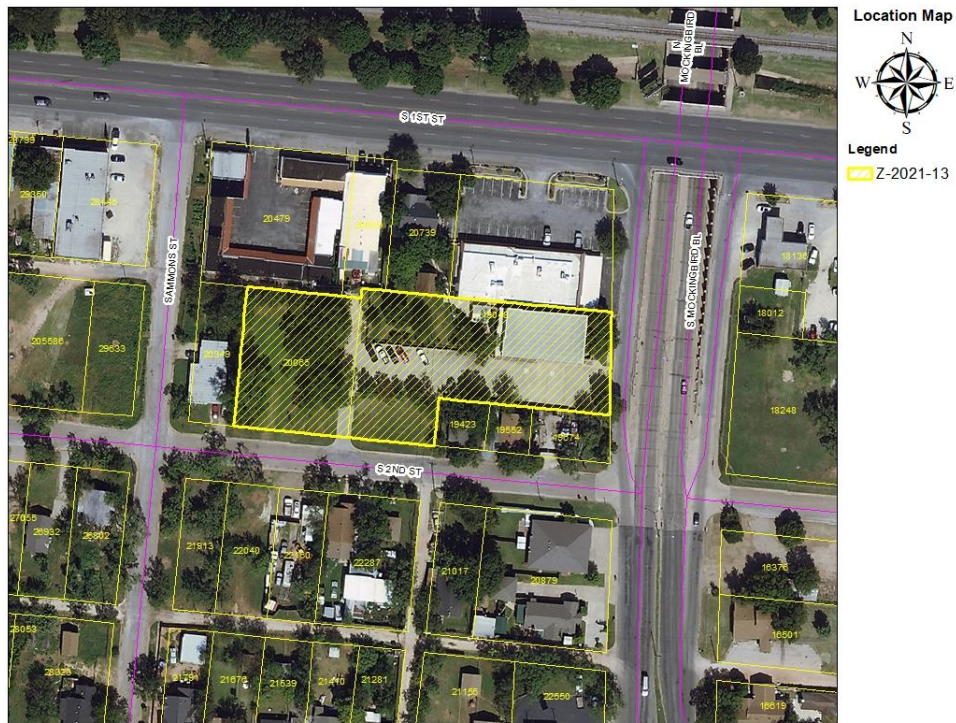
Owner	Parcel ID	Response
BHAKTA NATVAR & INDIRA	20479	
HICKS RALPH C & BONEDA L	26802	
KUHN GRETA C	18136	
KUHN GRETA C	18012	
KUHN GRETA C	18248	
LARRY BOBBY JR & KATHY A	16376	
LEAL FRED & STEPHANIE	22287	
LEAL FRED & STEPHANIE	19674	
LEAL FRED & STEPHANIE	19552	
LEAL FRED & STEPHANIE	22160	
LEAL STEPHANIE	21017	
LEAL TINA	19423	
LOVE HOLLY LEE	29633	
MARCIKESE JOSEPH B &	28445	
MC COY LAND & MINERALS LLC	205586	
MOLINA RAFAEL	26932	
OVALLE BAUDILIO & MANUELA	20349	
REUNION ENTERPRISES INC	20879	
TORRES PEDRO	20609	
WOLFE CHARLES	20739	
WOLFE CHARLES	19048	
WOLFE CHARLES L	21913	
WOLFE CHARLES L	22040	
WOLFE CHARLES L	20065	

Attachments

Application

PowerPoint Presentation

LOCATION MAP



ZONING MAP





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: _____

DATE: _____



Development Application

Planning

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

Project Name: Safety Training Rezone
 Address: 2958 S 2nd No. of lots: _____ Acreage: _____
 Legal Description: _____
 Subdivision Name: _____ Block: _____ Lot: _____
 Current Zoning: MD Proposed Zoning (if applicable): GC

OWNER AND AUTHORIZATION

Owner Name: Charles Wolfe
 Address: 201 Mesquite St
 City, State, Zip: Abilene, TX 79601 Fax: _____
 Phone: 325-669-4203 Email: Charles.L.Wolfe@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: _____

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: Charles Wolfe Date: 4/28/2021

FOR OFFICE USE ONLY

Received: 29 Apr 21 Fee: \$ 1500.00 Receipt No.: Check # F16BL67
 Case No.: _____ Reviewed By: [Signature]



Development Application

Planning

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

Project Name: Safety Training Reserve
Address: 126 Mockingbird / 2901 S First No. of lots: _____ Acreage: _____
Legal Description: _____
Subdivision Name: _____ Block: _____ Lot: _____
Current Zoning: GC4 NR Proposed Zoning (if applicable): GC

OWNER AND AUTHORIZATION

Owner Name: Charles Wolfe
Address: 201 Mesquite St
City, State, Zip: Abilene, TX 79601 Fax: _____
Phone: 325-669-4203 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) _____ 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: Charles Wolfe Date: 4/28/21

FOR OFFICE USE ONLY

Received: _____ Fee: \$ _____ Receipt No.: _____
Case No.: _____ Reviewed By: _____

Development Application - Background Information

Safety Technology USA is the American branch of an international safety training company (www.safetytechnologyusa.com). They are currently offering two sets of classes: a 5-day basic course or a 3-day refresher course on GWO Basic Safety Training that leads to a certification. They are needing to add a 5-day advance class along with a 3-day refresher.

Before COVID, they were using classroom space at TSTC in Sweetwater, but TSTC's response to COVID shut that down. They bring in students from all over the United States. They also have a training center located in Iowa, in partnership with the Iowa Lakes Community College. They are currently renting space on a week-to-week basis at the T&P Freight Depot, 901 N 1st Street, and renting TSTC's portable tower (can be seen in the Depot's parking lot).

The classes are designed to be applicable for all trades that perform work for GWO members (i.e. anyone that does any work on a Wind Turbine). GWO (Global Wind Organization) is a non-profit body founded by wind turbine manufacturers and owners, aims to achieve an injury-free work environment in the wind turbine industry through the deployment of common international standards for safety training and emergency procedures. It is standard practice to require all workers to have a current GWO safety certification before they can perform any work. The basic classes consist of 4 sections: First Aid, Working at Height, Manual Handling and Fire Awareness.

Because the school is beyond K-12, it is viewed by some as a Trade school instead of a private school. Trade schools are limited to zones: CU, CB, GC, HC, and LI. Trade schools are not allowed at all in MD nor NR, hence the need to change the zoning.

The former WolfePak training center at 126 Mockingbird is currently zoned NR. The facility was specifically designed for adult training with features such as classroom space with tall ceiling and large bathrooms. The space is well suited for both classroom instruction and being able to place various pieces of equipment and ladders inside for hands on training.

In addition to equipping the classrooms, an outdoor climbing structure is needed by the students to complete their training with real life rappelling down a tower and to simulate other height-based safety situations. It was suggested that the South 2nd part of 126 Mockingbird be used for that. From a neighborhood aesthetics standpoint, we feel it would be better to put such on the property on the back part of 2958 South 2nd Street (Currently zoned MD) to provide for more buffer space between it and the existing residential. Fred Leal, the homeowner at 2933 South 2nd, which is directly across the street from the South 2nd part of 126 Mockingbird is supportive of that. In addition, if we are successful in bringing more training classes to Abilene, additional training apparatus will be needed for more specialized advanced training and the area between the existing parking and S 2nd would be too limiting in size.

Fred Leal is asking that 2902 South 2nd Street to be included in the rezoning to (1) reflect the commercial usage of the property and (2) be available for the training school to utilize. As alternatives or in addition to, the two lots at 2965 and 2941 South 2nd street are also available for some type of rezoning. They could be used for overflow parking by either the training school, Mr. Leal's trucks, or by the plumbing company at 2929 South 1st Street (as they don't have enough parking).

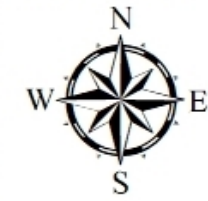
Historically, the land in the area has not seen much residential development. As housing is removed because of age or natural disasters, it usually is not replaced. We believe this is primarily because of the high costs prohibits the construction of new low-cost residential housing in a flood zone. The best use of these properties is to rezone them and allow the existing city infrastructure to be utilized.

Case:	Z-2021-13
Owner:	Charles Wolfe
Request:	Rezone from Medium Density (MD) to General Commercial (GC)
Location:	2958 S. 2 nd & 126 Mockingbird Lane
Notification:	5 in Favor, 0 Opposed
Planning & Zoning:	June 1, 2021
City Council Hearing:	June 24, 2021 July 8, 2021

Z-2021-13 LOCATION MAP



Location Map



Legend

 Z-2021-13

Z-2021-13 ZONING MAP



Permitted Uses in GC Zoning

RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Freight Container
- P Fuel Sales
- TP Itinerant Business
- P Manufacturing (incidental)
- C Mobile Home (permanent security residence)
- TP Mobile Home (temporary security residence)
- C Mobile Home or Temporary Building (office for sales and service)
- P Recycling Collection Point
- C Travel Trailers (accessory to hospitals)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Cultural Facilities
- P Drive-in Theater
- P Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Recreation and Commercial Entertainment – Indoor

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Ambulance Service
- P Fire/Police Station
- C Homeless/Emergency Shelter
- P Hospital
- P Medical/Dental Laboratory
- P Post Office
- C Rehabilitation Facility
- P Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Arts School
- C Cemetery, Crematorium, and Mausoleum
- P Church or Place of Worship
- P Day-Care Operation - Center-Based
- P Educational and Scientific Research
- P School: Public/Private
- P Trade/Business School**
- P University/College

SERVICE

- P/C Automobile Wash
- C Contractor Services
- P Funeral Home/ Mortuary/Morgue
- C Kennel (With Outdoor Pens)
- P Kennel (Without Outdoor Pens)
- P Laundry, Dry Cleaning, Dyeing, and Linen Service (no retail customers)
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- P Printing, Copying, Reproduction, Publishing
- C Recycling Collection and Processing Center
- P Repair and Maintenance Services - Automobile/Small Truck (major)
- P Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- C Repair and Maintenance Services (outdoors)
- P Storage - Self-Service Units
- P Tattoo Parlor
- P Taxidermist
- P Veterinary Service (small animals)

TRADE – RETAIL USES

- C Aircraft and Accessories
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Fuel Sales
- P Liquor Store (Off Premises Consumption) (*Defined under Liquor Store*)
- P Liquor Store (On Premises Consumption) (*Defined under Liquor Store*)
- P Restaurant, Brew Pub
- P Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (automobile/small truck)
- P Retail Sales/Rental (indoor)
- P Retail Sales/Rental (outdoors, non-vehicle)
- C Retail Sales/Rental (trucks and other large vehicles and equipment)

TRADE – WHOLESALE USES

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower - Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Passenger Ground Transportation Terminal
- P Pressure Control Station
- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

- P
- C
- TP

Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)

Permitted as a Conditional Use Permit, Requiring Approval by City Council

Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

Z-2021-13 VIEWS OF SUBJECT & ADJACENT PROPERTIES



Z-2021-13 NOTIFICATION AREA MAP



- 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-2021-14

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 1, 2021

City Council 1st Reading: June 24, 2021

City Council 2nd Reading: July 8, 2021

Applicant

Owner: Shops at Carriage Hills LLC.

Agent: Clayton Farrow, Jacob & Martin

Request

Rezone approximately 16.4 acres from Agricultural Open Space (AO) to General Retail (GR). Based upon the information provided in the application, the purpose of this request is to build GR pad sites to accommodate a range of retail uses.

Location

Northeast corner of Maple Street and FM 707

Background

The subject property was annexed in 1932 and zoned Agricultural Open Space (AO) in 1974. Since annexation, the property has remained vacant.

Zoning and Existing Land Use

Current zoning and existing land use of properties adjacent to and in the immediate area are illustrated on the map included in this report. As indicated on the map, properties to the north are within Planned Development District (PD-167) and Single-Family Residential (RS-6) zoning; to the east and south is vacant property zoned Agricultural Open Space (AO); the properties west of the subject property are outside of the City limits and do not fall within a zoning district.

Criteria Assessment

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;

It is the opinion of staff that the proposed zoning map amendment will serve to implement the goals, objectives, and policies of the Comprehensive Plan. The Future Land Use and Development Plan Map identifies the subject property as low density residential. However, since the adoption of the current Future Land Use and Development Plan Map approximately 900 single family residential home sites have been platted to date; with an additional 449 single-family home sites preliminarily platted for Sections 3 & 4 of Carriage Hills. The promotion of supportive commercial land uses in close proximity to these existing and

proposed residential homes directly achieves the Comprehensive Plan's objective of creating a mixture of land uses by integrating multiple uses, shortening automobile trips, and promoting pedestrian and bicycle accessibility.

(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.

It is the opinion of staff that the uses permitted by the proposed zone change are consistent with the surrounding properties in the immediate vicinity. The permitted uses in this proposed zone change will promote the objectives of a 15-minute city by providing supportive commercial uses within a walkable/bikeable distance to nearby residential developments. Additionally, any future commercial construction at this location will be required to incorporate a "Type B" Land Use Buffer as prescribed in Section 4.2.4.2 of the Land Development Code. This Land Use Buffer is utilized to alleviate any possible nuisances that may result from commercial activity that would immediately back up to future residences. Furthermore, it is generally appropriate to locate commercial activities at the intersections of major thoroughfares such as the intersection of Maple Street (Major Arterial) and FM 707 (Expressway). These intersections provide the volume of traffic often deemed necessary to promote vitality of future businesses at this location.

(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 adequate for the proposed uses. This request presents no apparent conflicts with existing or proposed plans for community facilities and related infrastructure.

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

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

Staff Recommendation

Staff recommends approval.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on May 15, 2021 (via certified mail) to the applicant and other property owners within a 200-foot radius of the subject property. These property owners and associated parcel identification numbers are identified in Table 1.

TABLE 1

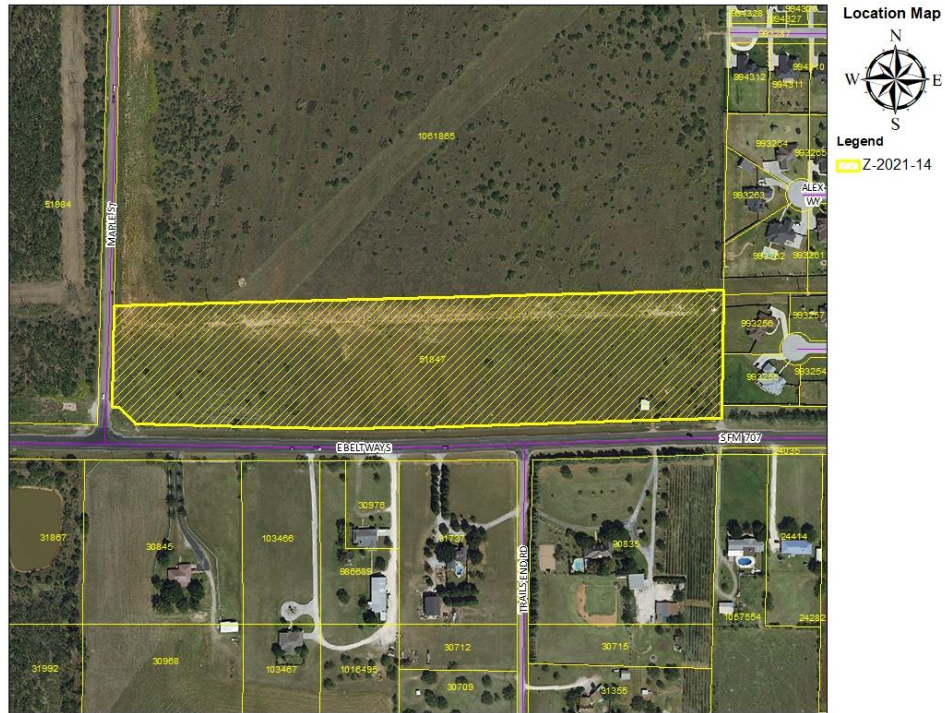
Owner	Parcel ID	Response
BOYD EDWARD R	1057554	
CITY OF ABILENE	51984	
Confidential Owner	24414	
GIESECKE LEON & JANET	993262	
HIGHWAY	24035	
LAZY T LAND & CATTLE LLC	31867	
MOORE JAMES B &	31737	
NEESE JOHN MELVIN &	993256	
PHILLIPSON KEVIN & ANGIE	30835	
SHOPS AT CARRIAGE HILLS LLC	51847	
SHOPS AT CARRIAGE HILLS LLC	1061865	
SMITH JOYCE F LF EST	986689	
SMITH JOYCE F LF EST	30976	
SMITH RODNEY GLENN &	103466	
TAYLOR COUNTY	993287	
TOVAR ROGELIO & MARTHA	993263	
URY JEFFREY S	993255	
WILSON SAMMIE JOE	30845	

Attachments

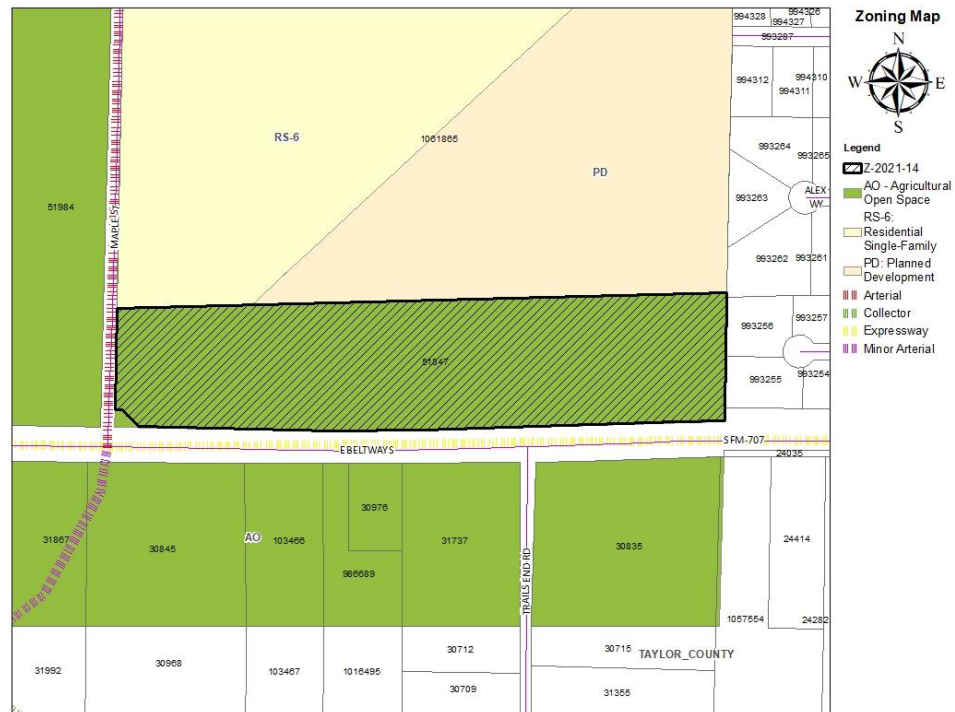
Application

PowerPoint Presentation

LOCATION MAP



ZONING MAP



PROJECT OVERVIEW

Project Type: Zoning Application

ID # 21-000068 | **Started** 05/03/2021 at 4:26 PM



Address

420 X E Beltway, Abilene,
TX USA 79602

Legal

A0777 Sur 14 L A L Sw/4
Blk Acres 108.
A0777 Sur 14 L A L Sw/4,
Acres 108.41

Property Info

Property ID: 51847

Description

Rezoning property from AO to GR

PROJECT STEPS	DATE & TIME	RESULT	USER
Request	05/10/2021 at 2:18 PM	Accept	Jared Smith
Zoning Application Review	05/10/2021 at 2:18 PM	Accepted	Jared Smith
Planning Payment	05/11/2021 at 3:25 PM	Paid	Jared Smith
Create Agenda for Planning and-Zoning Commission		-	-
Staff Prepares Report & Send Property Notification Letters	-	-	-
P&Z Commission Decision	-	-	-
Prepare City Council Agenda	-	-	-
City Council Decision	-	-	-
Archive	-	-	-

INFORMATION FIELDS

Owner Name

SHOPS AT CARRIAGE HILLS LLC

Agent Name

Jacob & Martin

Block

-

Lot

-

Acreage

16.397

Legal Description of property

A0777 SUR 14 L A L SW/4, ACRES 16.397

Subdivision Name

-

Current Zoning

AO

Proposed Zoning

GR

Agree to Terms

Clayton Farrow 5-3-2021

INVOICES	DUE DATE	CONTACT	TOTAL	PAID	DUE
21-002121	05/10/2021	Clayton Farrow	\$ 1,500.00	\$ 1,500.00	\$ 0.00
		Fees	Account No	Total	Paid
				Due	
		Zoning - Zone change request	1002503010-42101	\$ 1,500.00	\$ 1,500.00
				\$ 0.00	\$ 0.00
TOTALS			\$ 1,500.00	\$ 1,500.00	\$ 0.00

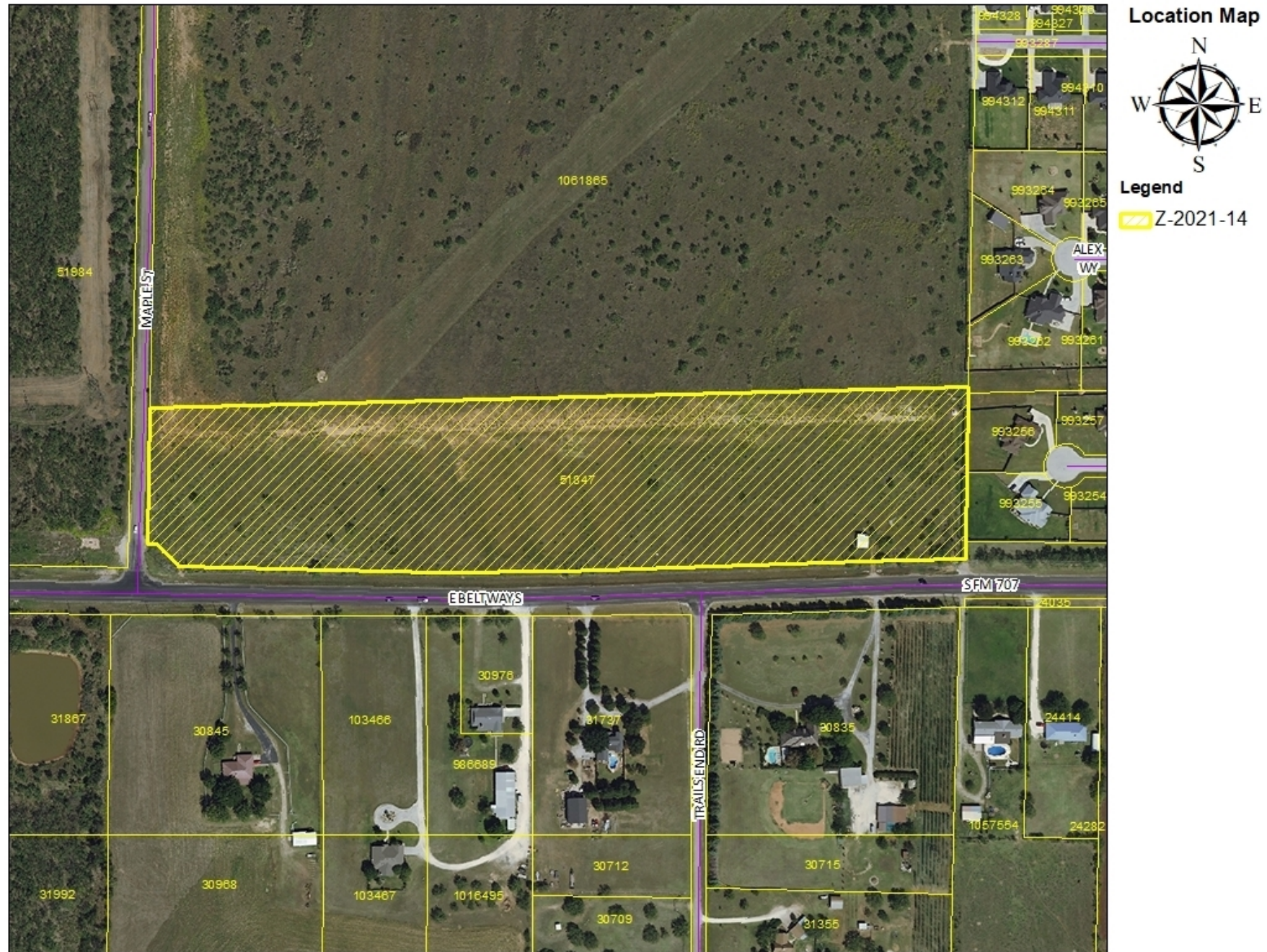
REVIEWS	DATE & TIME	STATUS	HISTORY
Zoning Application Review	05/10/2021 at 2:18 PM	Approved	Accepted
Create Agenda for Planning and Zoning Commission	05/11/2021 at 3:25 PM	In Review	-
Staff Prepares Report & Send Property Notification Letters	05/11/2021 at 3:25 PM	In Review	-

GENERAL COMMENTS

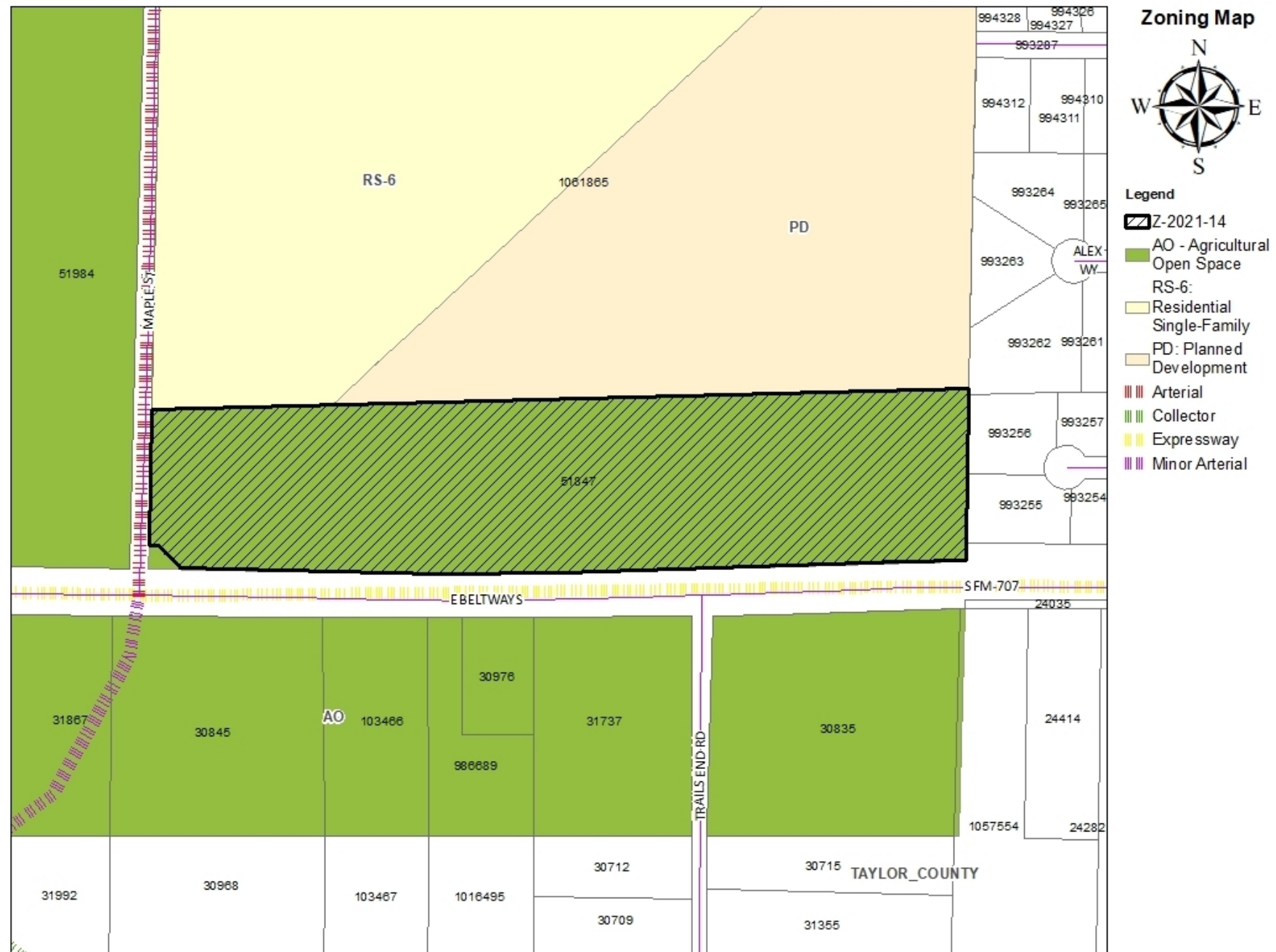
No data for General Comments.

Case:	Z-2021-14
Owner:	HRT Enterprises Inc
Request:	Rezone from Agricultural Open Space (AO) to General Retail (GR)
Location:	420 E. Beltway
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	June 1, 2021
City Council Hearing:	June 24, 2021 July 8, 2021

Z-2021-14 LOCATION MAP



Z-2021-14 ZONING MAP



Permitted Uses in GR Zoning

RESIDENTIAL USES:

- P Bed & Breakfast
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- C Dwelling – Multiple-Family
- P Dwelling – Single Family Detached
- P Hotel/Motel

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P/C Day Care Operation – Home Based
- P Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Freight Container
- P Fuel Sales
- P Garage Sales
- P Home Occupation
- TP Itinerant Business
- P Manufacturing (incidental)
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage and parking)
- P Recycling Collection Point
- P Subdivision Sales Office (temporary)
- P Swimming Pools, Private (accessory to residential use)
- P Tennis Courts, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Cultural Facilities
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Recreation and Commercial Entertainment - Indoor

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- C Ambulance Service
- P Fire/Police Station
- P Medical/Dental Laboratory
- P Post Office
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Arts School
- P Church or Place of Worship
- P Day-Care Operation - Center-Based
- P Educational and Scientific Research
- P School: Public/Private
- C Trade/Business School
- P University/College

SERVICE

- P/C Automobile Wash
- C Funeral Home/ Mortuary/Morgue
- P Kennel (Without Outdoor Pens)
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- C Printing, Copying, Reproduction, Publishing
- P Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- C Tattoo Parlor
- P Veterinary Service (small animals)

TRADE – RETAIL USES

- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Fuel Sales
- P Liquor Store (Off Premises Consumption) (*Defined under Liquor Store*)
- P Liquor Store (On Premises Consumption) (*Defined under Liquor Store*)
- P Restaurant, Brew Pub
- P Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (indoor)
- C Retail Sales/Rental (outdoors, non-vehicle)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower- Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

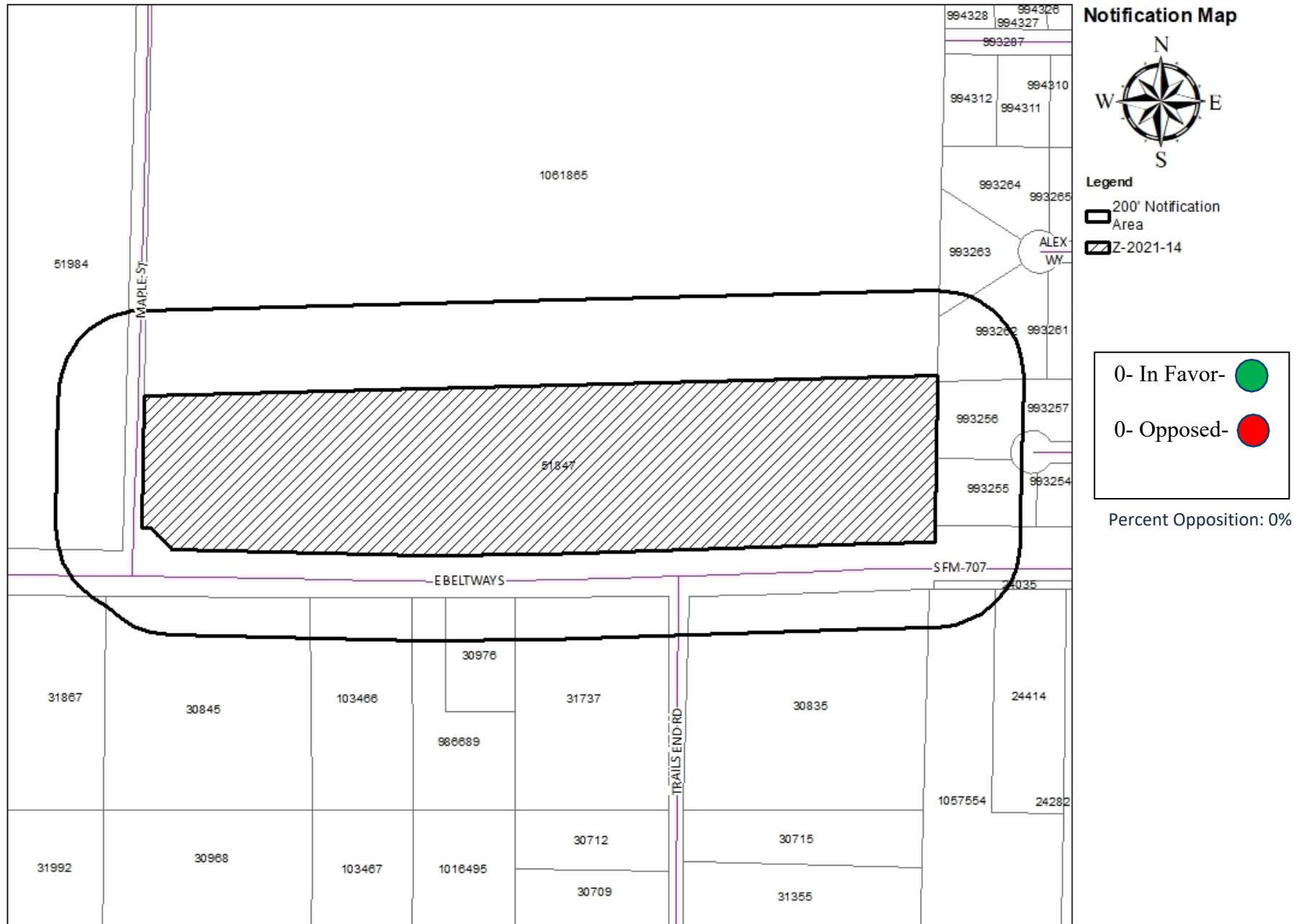
P
C
TP

Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
Permitted as a Conditional Use Permit, Requiring Approval by City Council
Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

Z-2021-14 VIEWS OF SUBJECT & ADJACENT PROPERTIES



Z-2021-14 NOTIFICATION AREA MAP



- 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-2021-05

STAFF REPORT (revised)



Scheduled Hearings

Planning & Zoning Commission: June 1, 2021

City Council 1st Reading: June 17, 2021

City Council 2nd Reading: July 8, 2021

Applicant

ACCO Feeds

Agent: Erik Paul Johnson

Request

Abandon the complete 80-foot width of public right-of-way available for South 9th Street extending 140-feet east from right-of-way for South Treadaway Boulevard, and the 10-foot width of right-of-way for an alley that extends 50-feet south from the east end of this segment of South 9th Street.

Location

Approximately 300-feet south from and parallel to South 8th Street in south central Abilene

Background

In 1906, all of Outlot Number 2 in Block 190 of the Original Townsite of Abilene was divided into 30 lots and segments of two street rights-of-way.¹ These dedicated streets included an 80-foot wide right-of-way for what is now known as South 9th Street extending east from South Treadaway Boulevard. The eastern 10 feet of this 1906-era subdivision was also dedicated as a north-south alleyway.

Two (2) of the subdivision's 30 lots directly adjoin the segment of South 9th Street extending east from South Treadaway Boulevard; one to the north is now owned by AEP Texas North, and one to the south is owned by ACCO Feeds.

Assessment

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 public hearing process as required for a zoning change.

The proposed abandonment was reviewed by the City of Abilene's Development Review Committee (DRC). The DRC determined this request to be satisfactory with conditions to be addressed during the re-plat process upon approval of the abandonment.

Both lots adjoining this proposed thoroughfare closure of South 9th Street have primary frontage on South Treadaway Boulevard, a fully-improved arterial street. Additionally, this segment of South 9th Street extends no further east than the two adjacent lots that are directly north and south. The property located east from this dead-end segment of South 9th Street has approximately 300-feet of frontage elsewhere on South 8th Street. As a result, this entire segment of South 9th Street's right-of-way can be abandoned without jeopardizing public street access to any existing property.

¹ See J. Stoddard Johnston's Subdivision of Lot 2, Block 190, Abilene Original Town.

The far eastern end of South 9th Street coincides with the north end of an alleyway extending 680 feet farther south to intersect South 11th Street. Besides that segment of this alley which coincides with South 9th Street, the north 50 feet of the remaining alley is also proposed to be abandoned. This 50-foot-long alley segment lies directly behind (east of) the lot owned by ACCO Feeds adjoining South 9th Street. This 50-foot alley segment separates ACCO Feeds' frontage on South Treadaway Boulevard from their feed mill on property facing South 11th Street.

If this entire segment of South 9th Street and the alley are completely abandoned as proposed, then the north-south alleyway would be left a dead end with no outlet to another alley or street right-of-way. Appropriate easements or dedicated rights-of-way should be reserved to ensure an outlet for the alley and provide access to utilities located there. These include an underground sewer main as well as overhead electric power and telecommunication lines. An east-west easement or right-of-way should also be reserved for refuse collection and other trucks servicing the remaining north-south alleyway.

Staff Recommendation

City staff recommends approving the current request to abandon these rights-of-way, including both the subject segment of South 9th Street as well as an alley projecting 50 feet southward, subject to the following conditions:

1. That a suitable graphic resubdivision (replat) is prepared by a registered surveyor, approved by the City of Abilene and, then, recorded with the Taylor County Clerk. Such replat must illustrate how the affected rights-of-way (authorized to be abandoned) will be integrated with adjoining property and/or reserved in an alternative arrangement of dedicated alleyways or easements allowing free access by refuse collection trucks, as well as otherwise suitable access for maintenance and repair of existing underground and overhead utilities.
2. That installation of any fences projecting across easements reserved with overhead electric or telecommunication utilities therein shall require coordination with affected utility providers, to ensure maintenance of minimum vertical and horizontal clearances as well as placement of gates offering ease of access by utility service vehicles.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on May 20 of 2021 (via certified mail) to the applicant and to other owners of property within a 200-foot radius of the subject street and alley rights-of-way. These property owners and associated parcel identification numbers are identified in Table 1.

Table 1

Owner	Property ID	Response
902 S TREADAWAY LLC	16218	
ABILENE HOPE HAVEN INC	100182	
ACCO FEEDS INC	15854	
ACCO FEEDS INC	21491	
ACUNA DAVID	18093	
BETHEL ROBERT	20152	
HOEMKE ROBERT	18327	
LONE STAR RAILROAD INC	15610	
LONE STAR RAILROAD INC	15494	
MK POWELL PROPERTIES LLC	16823	
PARKS GREGORY L	17199	
POPE BRYAN	16689	
POPE BRYAN E	16098	
SMITH LARRY C & KRISTY K	16946	
WEST TEXAS UTILITIES CO	15733	

Attachments

- DRC Comments
- Application
- PowerPoint

location map



Comments List

Project Type: Thoroughfare Closure Application | ID # 21-000041



Athan Himmelstein

Planning Division, Mar 16, 2021 at 5:07 PM ago

Athan Himmelstein

AEP Texas Abilene Distribution

325.674.7290 & adhimmelstein@aep.com

AEP Texas Distribution has an existing overhead line on the east side of the abandonment and down guys and anchoring that we will need to keep utility rights for or need utility easements to cover us.

Also will need to reach to the AEP Transmission group as they also have overhead lines and down guying and anchoring in this road abandonment.

abandoning S. 9th Street and adjacent alley

2 messages

Stone, Brad <brad.stone@abilenetx.gov>
To: "rwbaxter@aep.com" <rwbaxter@aep.com>

Mon, May 24, 2021 at 11:55 AM

ACCO Feeds (a.k.a. Cargill Animal Nutrition) owns a vacant lot bordering the south side of an unimproved, dead-end segment of South 9th Street extending east from South Treadaway Boulevard.

AEP has a substation located on the north side of that same unimproved segment of South 9th Street. See attached aerial photo.

ACCO Feeds is seeking to have the City of Abilene officially abandon this segment of right-of-way for South 9th Street, as well as an alley located at the very east end of South 9th Street's right-of-way and extending for an additional 50 feet south of South 9th Street. See attached map graphic, with ACCO Feed's request for right-of-way abandonment highlighted in yellow.

ACCO Feeds' goal is to have a secure, fenced-in driveway approach extending all the way from South Treadaway Boulevard, eastward, to their feed mill located at the dead end of South 9th Street.

This alley segment appears to encompass overhead electric transmission lines feeding AEP's substation. I believe that Rachel Wason described it as "Abilene Oil Mill Tap 69 kV line (TLN192:00138)."

My question of AEP Transmission is whether these power lines should remain in a public alleyway or at least within a utility easement (on private property) required to be open and unobstructed? Or is it sufficient for these power lines to be situated within a simple utility easement, knowing that this easement will be obstructed by a fence?

Please let me know what the recommendation of AEP Transmission will be.

Please respond soon, preferably, by email.

Thank you for your attention to this matter.

Bradley Stone,
for the City of Abilene's
Planning Services Division

telephone number 325-676-6382

2 attachments

 9th Street_S._abndmnt. with alley photo.pdf
114K

 9th Street_S._abndmnt. with alley map.pdf
28K

Robbie Baxter Jr. <rwbaxter@aep.com>
To: "Stone, Brad" <brad.stone@abilenetx.gov>
Cc: Steve Thomas <slthomas@aep.com>, Rachel D Wason <rdwason@aep.com>, Nickie Plaisance <ngplaisance@aep.com>, "Gilbert Robledo Jr." <grobledo@aep.com>

Mon, May 24, 2021 at 2:08 PM

Brad

Sorry for the delayed response. I know you had some e-mails exchanged with Real Estate and Distribution last week. I was out of town at a condemnation hearing during that time.

You are correct about the asset being a 69kV line that serves the Abilene Oil Mill station on a radial feed. With it being a radial line it is crucial that we be able to have unobstructed access to that line as there is no other source to that station. In other words when that line has problems we would lose all of the customers served by that station. Our preference would be to have a utility easement across private land. AEP transmission has no issues with ACCO creating another entrance provided that they keep us abreast of their plans as we have to maintain certain clearances both vertical and horizontal. Should there fence that is being proposed encompass our structures then we will want to place a lock in the gate and ensure that is suitable for entry of our equipment.

I have also copied Steve Thomas who might want to provide additional comments on behalf of transmission.

Please let me know if you have any questions or need further clarification.

Thanks



ROBBIE BAXTER JR. | TRANS RIGHT OF WAY AGENT LEAD
RWBAXTER@AEP.COM | D:325.674.7552 | C:325.280.2615
4550 S LOOP 322, ABILENE, TX. 79602-8040

From: Stone, Brad <brad.stone@abilenetx.gov>
Sent: Monday, May 24, 2021 11:56 AM
To: Robbie Baxter Jr. <rbaxter@aep.com>
Subject: [EXTERNAL] abandoning S. 9th Street and adjacent alley

This is an **EXTERNAL** email. **STOP. THINK** before you **CLICK** links or **OPEN** attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to incidents@aep.com from a mobile device.

[Quoted text hidden]



9th Street_S._abndmnt. with alley photo.pdf
114K

CITY OF ABILENE

THOROUGHFARE CLOSURE COMMENT FORM

3/12/2021

CASE # TC-2021-05

THOROUGHFARE LOCATION: 80-foot-wide right-of-way of S. 9th Street
extending east approximately 140-linear feet from the eastern
most right-of-way boundary of S Treadaway Blvd.

CITY DEPARTMENT/PVT. UTILITY CO.: Water Administration

REPRESENTATIVE: Kevin Jaeger

TITLE: Utility Engineer

I HAVE REVIEWED THE ABOVE THOROUGHFARE CLOSURE REQUEST AND FIND
IT TO BE:



SATISFACTORY



UNSATISFACTORY (explain below:

X

SATISFACTORY WITH CONDITIONS

THE FOLLOWING CONDITIONS AND/OR CORRECTIONS ARE RECOMMENDED:

The portion of South 9th Street east of S. Treadaway Blvd. currently contains active water and sewer utilities including a 6 inch PVC water line located along the east side of S. Treadaway Blvd., a 10 inch Cast Iron water line located along the southern Right of Way of S. 9th Street, and a 6 inch Vitrified Clay sewer line (running generally north to south) located along the eastern boundary of the lots fronting S. Treadaway Blvd. The applicant has two options. The applicant can provide the City with a utility easement for each of the existing utilities. If the existing utilities conflict with the intended use of the applicant, the applicant can obtain the services of a Civil Engineer to evaluate the possibility of abandoning or relocating the existing utilities. Should the Civil Engineer determine that the existing utilities can be abandoned or relocated, engineering plans would need to be created showing the relocation of those utilities. These engineering plans would need to be submitted to the City Engineer for review and approval prior to the utilities being relocated.

03/12/2021
DATE

Kevin Jaeger
SIGNED: DIRECTOR / REPRESENTATIVE



Development Application

Planning

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

Project Name: Cargill and AEP
Address: S 9th and S Treadaway east side No. of lots: _____ Acreage: TBD
Legal Description: SEE ATTACHED
Subdivision Name: _____ Block: _____ Lot: _____
Current Zoning: HI Proposed Zoning (if applicable): N/A

OWNER AND AUTHORIZATION

Owner Name: ACCO FEEDS INC Attn: Jayson Bates
Address: 1025 CHINA ST
City, State, Zip: Abilene, TX 79602 Fax: _____
Phone: (217) 778-0869 Email: jayson_bates@cargill.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) Paul Johnson & Associates will act as my agent before the Planning and Zoning Commission.

Agent Name: Erik Paul Johnson
Address: 4633 S 14th
City, State, Zip: Abilene, TX 79605 Fax: 325 692-8508
Phone: 325 439-0186 Email: erik@pauljohnsonrealtors.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: _____ Date: 01/28/2021

FOR OFFICE USE ONLY

Received: 02/23/2021 Fee: \$ 1500 + 1252.20 Receipt No.: 0001058673
Case No.: TC-2021-05 Reviewed By: _____

→ 10% OF THE ESTIMATED VALUE OF LAND IN THAT SEGMENT OF SOUTH 9TH STREET PROPOSED TO BE ABANDONED, AND WHICH EXCEEDS THE \$1500 BASIC APPLICATION FEE



Case:	TC-2021-05
Owner:	ACCO Feeds Inc.
Agent:	Erik Paul Johnson
Request:	Complete 80-foot width of right-of-way for South 9 th Street as it extends 140-feet east from South Treadaway Boulevard and the 10-foot width of right-of-way for the alley that extends 50-feet from the east end of South 9 th
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	June 1, 2021
City Council Hearing:	June 24, 2021 July 8, 2021



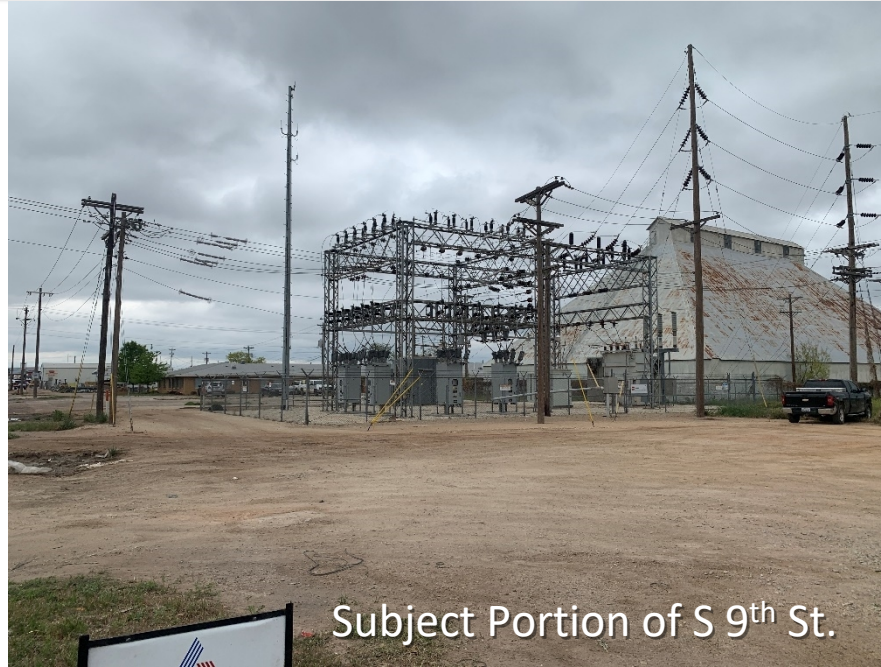
Location Map



Legend

 TC-2021-05





Subject Portion of S 9th St.



S 9th St. West of S. Treadaway



Alley Adjoining S 9th Street ROW

TC-2021-05 NOTIFICATION AREA MAP



- DRC Recommendation: Satisfactory with conditions
- Staff Recommendation: Approval with conditions

Questions?