



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 July 6, 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 June 1, 2021

PLATS

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

2. **FRP-1621:** Darby Addition, Lots 101 & 113, Block B and Lot 104, Block C, Abilene, Taylor County, Texas
3. **FRP-4221:** Antilley West Addition, Block A, Lots 105 & 206, Abilene, Taylor County, Texas
4. **FP-3921:** RHS Properties Addition, Block A, Lot 1, Abilene, Taylor County, Texas

ZONING

Public Hearing & Action on Zoning Cases

5. **Z-2021-15:** Receive a Report and Hold a Discussion and Public Hearing on a Request from Mascorro Properties LLC, Represented by Brandon Mascorro, to Change Zoning from Residential Single-Family (RS-6) to a Residential Medium-Density (MD) District on Ten Vacant Lots Bordering the 2400 Block (East Side) of Shelton Street In Northwest Central Abilene.
6. **Z-2021-16:** Receive a Report and Hold a Discussion and Public Hearing on a Request from Weatherbee Construction Inc., Represented by Enprotec/Hibbs & Todd Inc., to Change Zoning from Residential Single-Family (RS-6) to a Residential Medium-Density (MD) District on 2.489 Acres of Vacant Land Bordering the 6100 Block (North Side) of Jennings Drive in Western Abilene and to Change Zoning from Planned Development District Number 111 (PD 111) to a Residential Medium-Density (MD) District on 0.8318 Acres of Vacant Land Having 40 Feet of Frontage on the 6200 Block (North Side) of Jennings Drive in Western Abilene
7. **Z-2021-17:** Receive a Report and Hold a Discussion and Public Hearing on a Request from

Weatherbee Construction Inc., Represented by Enprotec/Hibbs & Todd Inc., to Change Zoning from Agricultural Open Space (AO) to a Residential Medium-Density (MD) District on Two Vacant Parcels Together Comprising 8.236 Acres Having a Combined 1375+ Feet of Frontage on the 2900-3100 Blocks (West Side) of Dub Wright Boulevard in Western Abilene and to Change Zoning from Agricultural Open Space (AO) to a Residential Single-Family (RS-6) District on a 2.618-Acre Parcel Having 250 Feet of Frontage on the 6500 Block (North Side) of Hampton Hills Street, as Well as on a 5.225-Acre Parcel Having 250 Feet of Frontage on the 6500 Block (South Side) of Hampton Hills Street

8. **Z-2021-18:** Receive a Report and Hold a Discussion and Public Hearing on a Request from Eplen Properties Inc., Represented by Betco Housing Lab, to Change Zoning from General Commercial (GC) to a Residential Multiple-Family (MF) District on Nine Vacant Lots at 149 and 157-182 Eplens Court (At South End of Eplens Court) in West Central Abilene.
9. **Z-2021-19:** Receive a Report and Hold a Discussion and Public Hearing on a Request from Prairie Song LLC, Represented By Jacob Martin LLC, To Change Zoning From Planned Development District Number 144 (PD 144) To A Combination Of A Residential Single-Family (RS-6) District On Approximately 2 Vacant Acres At 2668 Garfield Avenue In Northeast Abilene (Legal Description Being All Of Block 11 In Hillcrest Addition, Section 4) And A Residential Medium-Density (MD) District On Approximately 12 Vacant Acres (Legal Description Being A Certain 12.004 Acres Out Of T&P Railway Co. Section 84 In The City Of Abilene, Taylor County, Texas) Located Directly North From Above-Described 2 Acres Of Land In Northeast Abilene, And To Change Zoning From Residential Single-Family (RS-8) To A Residential Single-Family (RS-6) District On Two Vacant Lots At 2660-2664 Garfield Street (Legal Description Being Lots 4 And 5 In Block 10 Of Hillcrest Addition, Section 4).
10. **SNC-2021-01:** Receive a Report and Hold a Discussion and Public Hearing on a Request from The Development Corporation of Abilene to Change the Name of Corridor Drive to Great Lakes Cheese Drive. Corridor Drive Lies Within the Access Business Park and Extends East from Highway 36, at a Location Approximately 0.25 Mile Southeast From Loop 322 and 0.15 Mile Northwest from FM 18 in Eastern Abilene.

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 2nd day of July, 2021, at 4:58 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 June 1, 2021 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas.

Commissioners Present:

Mr. Clint Rosenbaum, Chairman	Rev. Iziar Lankford
Ms. Alex Russell, Sergeant-at-Arms	Mr. Brad Benham
Ms. Shawnte' Fleming	

Commissioner Absent:

Mr. Bill Noonan, Secretary	Mr. Mitch Barnett
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Staff Present:

Mr. Michael Rice, Assistant City Manager
Ms. Cheryl Sawyers, Planning Services Manager
Ms. Kelley Messer, First Assistant City Attorney
Mr. Brad Stone, Planner III
Mr. Jared Smith, Planner II
Ms. Melissa Farr, Executive Assistant

Others Present:

Mr. Lance Thomas	Mr. Larry Howe	Mr. B.J. Prichard
Mr. Gary Corpian	Ms. Marilu Corpian	Mr. Charlie Wolfe
Mr. Kyle Felan	Mr. Dan Cox	Mr. Doug Offermann

CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:31 p.m.

INVOCATION

Reverend Lankford delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Reverend Lankford moved to approve the minutes from the previous meetings held on May 4, 2021. Mr. Benham seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Russell, Benham, Lankford, Fleming, Rosenbaum

NAYS: None

AGENDA ITEM

Election of Chairman Pro Tem

Mr. Rosenbaum nominated Mr. Brad Benham to fill this role. Ms. Russell seconded the motion. All were in favor of this nomination, and Mr. Benham accepted.

PLATS

PP-3421: Headwater Estates Subdivision, Abilene, Taylor County, Texas

No Conditions

PP-3521: Shops at Carriage Hills Subdivision, Abilene, Taylor County, Texas

No Conditions

FP-3621: Tuscany Trails, Section 6 & 7, Abilene, Taylor County, Texas

No Conditions

FP-3721: The Harvest Addition, Section 1, Abilene, Taylor County, Texas

Conditions Noted in Presentation

FP-6214 Plat Vacation: Sierra Sunset Addition, Section 1, Abilene, Taylor County, Texas

Conditions Noted in Presentation

FP-3821: Sierra Sunset Addition, Section 1, Lot 101, Block A, Abilene, Taylor County, Texas

Conditions Noted in Presentation

Mr. Jared Smith presented the plats to the Commission. He explained the conditions for approval for those plats determined by the Development Review Committee to meet specific requirements.

Mr. Rosenbaum opened the public hearing. Mr. B.J. Pritchard spoke to represent both the buyer and seller for the Sierra Sunset property. A previous development was planned, but the owner backed out during the process. They had included the internal easements in the design. As a result of the fire department no longer allowing private fire hydrants, separate fire lines are now included in public water use easements.

The new buyers have a different design in mind, so this requires a “Vacation of Plat.” This legal, recorded document eliminates the effect of the prior plat on the subject property.

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

Mr. Benham moved to approve the proposed plats as presented. Ms. Russell seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Russell, Benham, Lankford, Fleming, Rosenbaum

NAYS: None

ZONING

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.

Mr. Brad Stone presented this request. The subject property borders the north side of Highway 351 and the east side of East Lake Road. The residential subdivision, Heritage Parks, lies directly to the southwest and west of the subject property. Most of the land has already been developed with conventional single family residences as well as townhomes.

Mr. Rosenbaum opened the public hearing. Mr. Lance Thomas spoke in opposition expressing his concern about drainage and water runoff. He described an issue of water runoff specific to Liberty Boulevard, Valley Forge Road, and Bunker Hill Drive.

Mr. Doug Offermann spoke in opposition, saying he was not in the notification area. He informed everyone that the developer is not a local citizen. He shared his concern of the difference between local community interest and outside corporate interest.

Mr. Dan Cox spoke in favor of development to the east only. He has lived on two of the streets mentioned. He acknowledged the difficulty of maintaining water drainage. The current marsh land should not be developed with houses.

Mr. Clayton Farrow, agent and engineer for the landowner, said he appreciated hearing the concerns of neighborhood residents. He shared that development in the northwest corner is a concern, as FEMA has an approximate flood plain there. They still have to calculate street capacity and prove there is no negative impact to the existing neighbors. His goal and requirement as a licensed engineer is to improve current development and drainage issues, not make them worse.

Mr. Larry Howe spoke to express his concern about a master plan. He loves the neighborhood and silence that goes along with no streets running through, and does not want to see an increase in traffic.

Mr. Offermann commented again mentioning the Homeowners Association (HOA) would be interested in providing the neighborhood with additional open spaces.

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. Two (2) responses were received in favor with six (6) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Benham made the motion to **approve** this request. Reverend Lankford seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Russell, Benham, Lankford, Fleming, Rosenbaum

NAYS: None

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.

Ms. Cheryl Sawyers presented this request. 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.

Mr. Rosenbaum opened the public hearing. Mr. Gary Corpian spoke in favor of this request. He has been the owner of the subject property for 25 years, and said it was a used car lot for that long before he purchased it. 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. There were no responses received in favor, nor in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Reverend Lankford made the motion to approve this request. Mr. Benham seconded the motion. The motion to approve prevailed by the following vote:

AYES: Russell, Benham, Lankford, Fleming, Rosenbaum

NAYS: None

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.

Mr. Jared Smith presented this request. 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.

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

Property owners within a 200-foot radius were notified of this request. Five (5) responses were received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Ms. Russell made the motion to approve this request. Reverend Lankford seconded the motion. The motion to approve prevailed by the following vote:

AYES: Russell, Benham, Lankford, Fleming, Rosenbaum

NAYS: None

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.

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

Mr. Rosenbaum opened the public hearing. Mr. Clayton Farrow spoke in favor of this request. 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. There were no responses received in favor, nor in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Benham made the motion to approve this request. Ms. Russell seconded the motion. The motion to approve prevailed by the following vote:

AYES: Russell, Benham, Lankford, Fleming, Rosenbaum

NAYS: None

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.

Mr. Benham made the motion to remove this item from the table. Ms. Russell seconded the motion, and all voiced their favor.

Mr. Brad Stone presented this request. He indicated there has been a revision since the last time it was discussed, which is the last part of the request. It includes a 50-foot wide long alley segment extending south from South 9th street. It was also noted that the applicant was not present, as he did not realize his request would be removed from the table and moved forward. Mr. Stone stated the goal of the applicant is to secure a fenced in driveway connection between S. Treadaway Boulevard and the feed side.

Mr. Rosenbaum opened the public hearing. Seeing no one 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 received in opposition.

PLANNING STAFF RECOMMENDATION: Approval with Conditions

Ms. Russell made the motion to approve this request subject to the conditions notes in Staff's report. Mr. Benham seconded the motion. The motion to approve prevailed by the following vote:

AYES: Russell, Benham, Lankford, Fleming, Rosenbaum

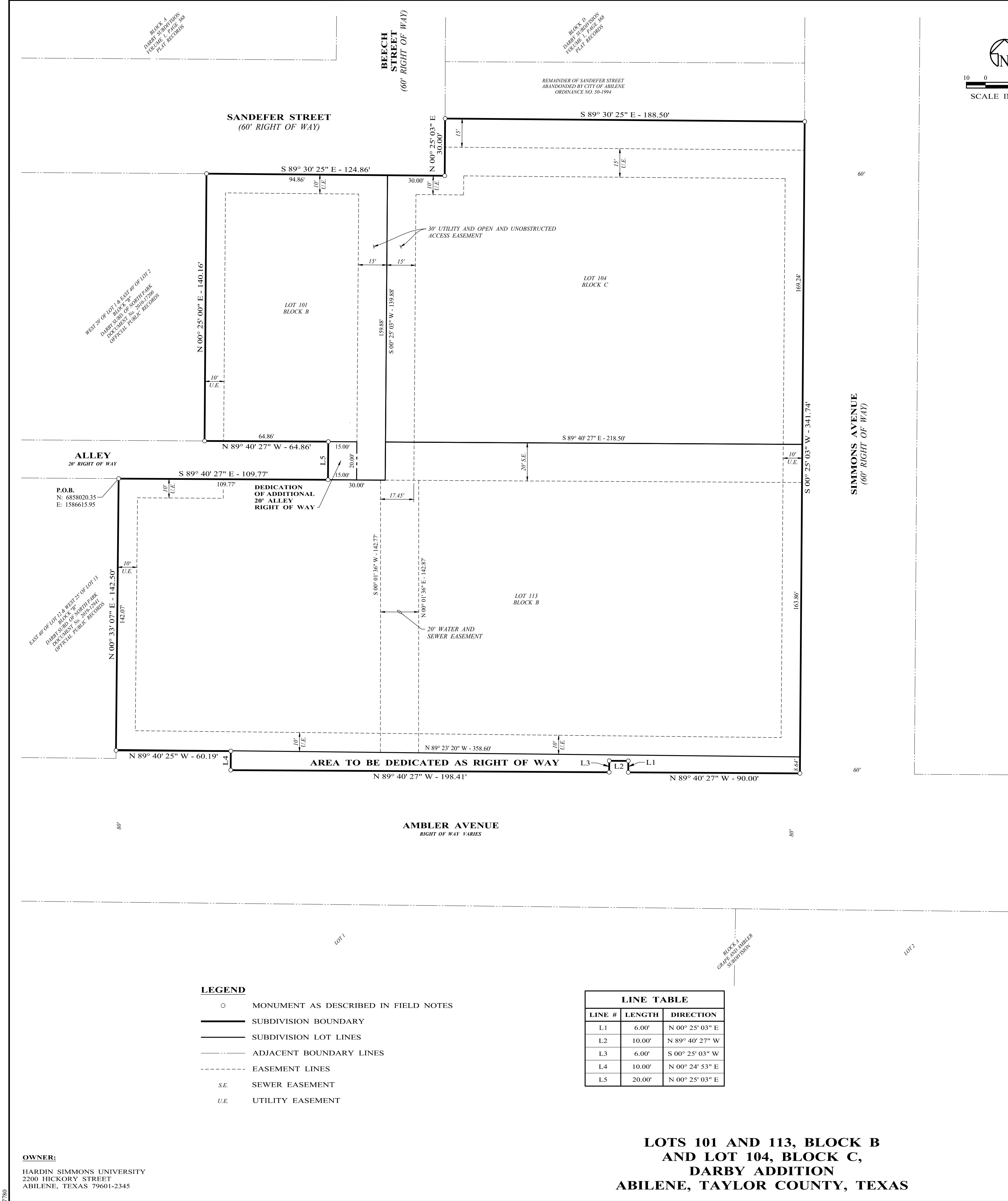
NAYS: None

Adjournment

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 2:58 p.m.

APPROVED

Mr. Clint Rosenbaum, Chairman



FIELD NOTES

BEING LOT 101 AND LOT 113, BLOCK B, AND LOT 104, BLOCK C, DARBY SUBDIVISION, ABILENE, TAYLOR COUNTY, TEXAS, AND BEING COMPRISED OF:

- THE EAST 65 FEET OF LOT 1, BLOCK B, DARBY SUBDIVISION OF THE SOUTH ONE-HALF OF BLOCK NO. ONE OF NORTH PARK ADDITION TO ABILENE, RECORDED IN VOLUME 1, PAGE 368, PLAT RECORDS, TAYLOR COUNTY, TEXAS, CONVEYED IN DOCUMENT NO. 2014-16381, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS;
- AND THE NORTH 142 ½ FEET OF THE WEST 35.2 FEET OF LOT 14 AND THE NORTH 142 ½ FEET OF THE EAST 24.8 FEET OF LOT 13, BLOCK B, SAID DARBY SUBDIVISION, CONVEYED IN DOCUMENT NO. 2013-21710, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS;
- AND THE EAST 50 FEET OF LOT 14, BLOCK B, SAID DARBY SUBDIVISION, CONVEYED IN DOCUMENT NO. 2013-7234, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS;
- AND THE 60-FOOT-WIDE IMPROVED PUBLIC RIGHT-OF-WAY FOR BEECH STREET, EXTENDING APPROXIMATELY 150-FEET NORTH FROM THE NORTHERNMOST RIGHT-OF-WAY BOUNDARY FOR AMBLER AVENUE, AS WELL AS THE ENTIRE 20-FOOT-WIDE ALLEY WHICH APPEARS NORTH OF LOTS 5 AND 6 IN BLOCK C OF DARBY OF NORTH PARK SUBDIVISION IN ABILENE, TAYLOR COUNTY, TEXAS, ABANDONED IN ORDINANCE NO. 14-2021;
- AND SANDEFER STREET FROM THE WEST RIGHT OF WAY LINE OF SIMMONS TO THE EAST RIGHT OF WAY BEECH STREET, ABILENE, TAYLOR COUNTY, TEXAS, SUBJECT TO RETENTION OF A 15 FOOT UTILITY EASEMENT ALONG THE SOUTH RIGHT OF WAY THE LENGTH OF THE STREET, ABANDONED IN ORDINANCE NO. 30-1994;
- AND PART OF LOTS 1, 2, AND 3, AND ALL OF LOT 4, BLOCK C, SAID DARBY SUBDIVISION OF THE SOUTH ONE-HALF OF BLOCK NO. ONE OF NORTH PARK ADDITION TO ABILENE, RECORDED IN VOLUME 1, PAGE 368, PLAT RECORDS, TAYLOR COUNTY, TEXAS, CONVEYED IN IN VOLUME 1989, PAGE 560, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS;
- AND THE NORTH 65 FEET OF LOTS 1 AND 2, AND THE NORTH 65 FEET OF THE EAST 29 FEET OF LOT 3, BLOCK C, SAID DARBY SUBDIVISION OF THE SOUTH ONE-HALF OF BLOCK NO. ONE OF NORTH PARK ADDITION TO ABILENE, RECORDED IN VOLUME 1, PAGE 368, PLAT RECORDS, TAYLOR COUNTY, TEXAS, CONVEYED IN VOLUME 841, PAGE 401, DEED RECORDS, TAYLOR COUNTY, TEXAS;
- AND LOT 5 AND THE WEST 10 FEET OF THE NORTH 146.5 FEET OF LOT 6, BLOCK C, SAID DARBY SUBDIVISION, CONVEYED IN VOLUME 3227, PAGE 961, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS;
- AND THE NORTH 10 FEET OF THE EAST 90 FEET OF LOT 6, BLOCK C, SAID DARBY SUBDIVISION, CONVEYED IN VOLUME 239, PAGE 72, DEED RECORDS, TAYLOR COUNTY, TEXAS;
- AND THE EAST 90 FEET OF THE SOUTH 142.5 FEET OF LOT 6, BLOCK C, SAID DARBY SUBDIVISION, CONVEYED IN VOLUME 1141, PAGE 743, DEED RECORDS, TAYLOR COUNTY, TEXAS;

SAID REPLAT 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 SET DETACHABLE MONUMENT WITH 2 INCH ALUMINUM CAP MARKED "HIBBS & TODD", REPLACING A FOUND 1/2 INCH IRON ROD WITH CAP MARKED "AES 4130", ON THE SOUTH SIDE OF A 20' ALLEY FOR THE NORTHWEST CORNER OF THIS TRACT AND SAID NORTH 142 ½ FEET OF THE EAST 24.8 FEET OF LOT 13, WHERE A FOUND 3/8 INCH IRON ROD AT THE NORTHWEST CORNER OF THE NORTH 142.5 FEET OF LOT 11 AND THE NORTH 142.5 FEET OF THE WEST 10 FEET OF LOT 13, BLOCK B, DARBY SUBDIVISION OF THE SOUTH ONE-HALF OF BLOCK NO. ONE OF NORTH PARK ADDITION TO ABILENE, RECORDED IN VOLUME 1, PAGE 368, PLAT RECORDS, TAYLOR COUNTY, TEXAS, CONVEYED IN IN DOCUMENT NO. 2019-12942, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS, BEARS 124.70' N 89°40'27" W;

THENCE SOUTH 89 DEGREES 40 MINUTES 27 SECONDS EAST, ALONG THE SOUTH SIDE OF THE ALLEY, AT 59.85 FEET PASSING A FOUND 1/2 INCH IRON ROD AT THE NORTHEAST CORNER OF SAID NORTH 142 ½ FEET OF THE WEST 35.2 FEET OF LOT 14, SAME BEING THE NORTHWEST CORNER OF SAID EAST 50 FEET OF LOT 14, CONTINUING FOR A TOTAL DISTANCE OF 109.77 FEET TO A SET DETACHABLE MONUMENT WITH 2 INCH ALUMINUM CAP MARKED "HIBBS & TODD" ON THE WEST RIGHT OF WAY OF THE ABANDONED BEECH STREET FOR THE NORTHEAST CORNER OF SAID LOT 14 AND A CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 25 MINUTES 03 SECONDS EAST, ALONG THE WEST RIGHT OF WAY OF SAID ABANDONED BEECH STREET, A DISTANCE OF 20.00 FEET TO A FOUND 3/8 INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK B FOR A CORNER OF THIS TRACT;

THENCE NORTH 89 DEGREES 40 MINUTES 27 SECONDS WEST, ALONG THE NORTH SIDE OF A 20' ALLEY, A DISTANCE OF 64.86 FEET TO A FOUND 3/8 INCH IRON ROD AT THE SOUTHWEST CORNER OF SAID EAST 65 FEET OF LOT 1, BLOCK B FOR A CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 25 MINUTES 00 SECONDS EAST A DISTANCE OF 140.16 FEET TO A SET DETACHABLE MONUMENT WITH 2 INCH ALUMINUM CAP MARKED "HIBBS & TODD" ON THE SOUTH RIGHT OF WAY OF SANDEFER STREET FOR THE NORTHWEST CORNER OF SAID EAST 65 FEET OF LOT 1 AND THE NORTHERN NORTHWEST CORNER OF THIS TRACT, WHERE A FOUND 3/8 INCH IRON ROD BEARS 59.95' N 89°30'25" W;

THENCE SOUTH 89 DEGREES 30 MINUTES 25 SECONDS EAST, ALONG THE SOUTH RIGHT OF WAY OF SAID SANDEFER STREET, AT A DISTANCE OF 64.86 FEET PASSING A FOUND BENT 1/2 INCH IRON ROD AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK B, CONTINUING FOR A TOTAL DISTANCE OF 124.86 FEET TO A SET DETACHABLE MONUMENT WITH 2 INCH ALUMINUM CAP MARKED "HIBBS & TODD" AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF SANDEFER STREET AND THE EAST RIGHT OF WAY OF BEECH FOR A CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 25 MINUTES 03 SECONDS EAST, ALONG THE EAST RIGHT OF WAY OF BEECH STREET, A DISTANCE OF 30.00 FEET TO SET MAGNAIL AND ALUMINUM WASHER MARKED "H&T" FOR THE INTERSECTION OF THE EAST RIGHT OF WAY OF BEECH STREET AND THE WEST END OF THE CENTER OF SAID ABANDONED SANDEFER STREET FOR THE NORTHERN NORTHWEST CORNER OF THIS TRACT;

THENCE SOUTH 89 DEGREES 30 MINUTES 25 SECONDS EAST, ALONG THE CENTER OF SAID ABANDONED SANDEFER STREET, A DISTANCE OF 188.50 FEET TO A SET MAGNAIL AND ALUMINUM WASHER MARKED "H&T" FOR THE INTERSECTION OF THE WEST RIGHT OF WAY OF SIMMONS STREET AND THE EAST END OF THE CENTER OF SAID ABANDONED SANDEFER STREET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 00 DEGREES 25 MINUTES 03 SECONDS WEST, ALONG THE WEST RIGHT OF WAY OF SIMMONS STREET, AT THIRTY FEET PASSING THE NORTHEAST CORNER OF SAID LOT 1, BLOCK C, AT 169.24 FEET PASSING THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK C, AT 189.24 FEET PASSING THE NORTHEAST CORNER OF SAID LOT 6, AT 199.24 FEET PASSING THE NORTHEAST CORNER OF THE NORTH 10 FEET OF THE EAST 90 FEET OF SAID LOT 6, SAME BEING THE NORTHEAST CORNER OF THE EAST 90 FEET OF THE SOUTH 142.5 FEET OF SAID LOT 6, AT A DISTANCE OF 333.10 FEET PASSING A SET DETACHABLE MONUMENT WITH 2 INCH ALUMINUM CAP MARKED "HIBBS & TODD" FOR A THE SOUTHEAST CORNER OF SAID LOT 113, CONTINUING FOR A TOTAL DISTANCE OF 341.74 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF AMBLER AVENUE FOR THE SOUTHEAST CORNER OF SAID LOT 6 AND THIS TRACT;

THENCE NORTH 89 DEGREES 40 MINUTES 27 SECONDS WEST, ALONG THE NORTH RIGHT OF WAY OF AMBLER AVENUE, A DISTANCE OF 90.00 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THE EAST 90 FEET OF THE SOUTH 142.5 FEET OF SAID LOT 6 FOR A CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 25 MINUTES 03 SECONDS EAST, ALONG THE WEST LINE OF THE EAST 90 FEET OF THE SOUTH 142.5 FEET OF SAID LOT 6, A DISTANCE OF 6.00 FEET TO A POINT FOR THE SOUTHEAST CORNER OF THE WEST 10 FEET OF THE NORTH 146.5 FEET OF SAID LOT 6 AND A CORNER OF THIS TRACT;

THENCE NORTH 89 DEGREES 40 MINUTES 27 SECONDS WEST A DISTANCE OF 10.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 5, FOR THE SOUTHWEST CORNER OF THE WEST 10.00 FEET OF THE NORTH 146.5 FEET OF SAID LOT 6 AND A CORNER OF THIS TRACT;

THENCE SOUTH 00 DEGREES 25 MINUTES 03 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 6.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF AMBLER AVENUE FOR THE SOUTHEAST CORNER OF SAID LOT 5 AND A CORNER OF THIS TRACT;

THENCE NORTH 89 DEGREES 40 MINUTES 27 SECONDS WEST, ALONG THE NORTH RIGHT OF WAY OF AMBLER AVENUE, AT A DISTANCE OF 88.50 FEET PASSING THE SOUTHWEST CORNER OF SAID LOT 5, AT A DISTANCE OF 148.50 FEET PASSING THE SOUTHEAST CORNER OF SAID LOT 14, WHERE A FOUND 1/2 INCH IRON ROD ON THE WEST RIGHT OF WAY OF BEECH STREET BEARS 12.36' N 00°25'03" E, CONTINUING FOR A TOTAL DISTANCE OF 198.41 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID EAST 50 FEET OF LOT 14 FOR A CORNER OF THIS TRACT;

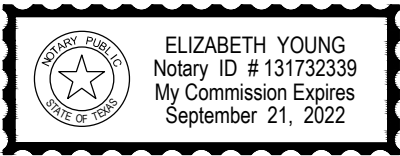
THENCE NORTH 00 DEGREES 24 MINUTES 53 SECONDS EAST, ALONG THE WEST LINE OF SAID EAST 50 FEET OF LOT 14, A DISTANCE OF 10.00 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID NORTH 142 ½ FEET OF THE WEST 35.2 FEET OF LOT 14, AND A CORNER OF THIS TRACT, WHERE A FOUND 1/2 INCH IRON ROD BEARS 2.55' N 00°24'53" E;

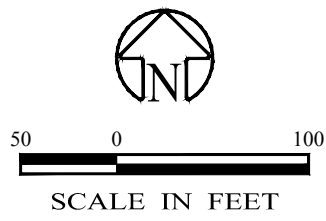
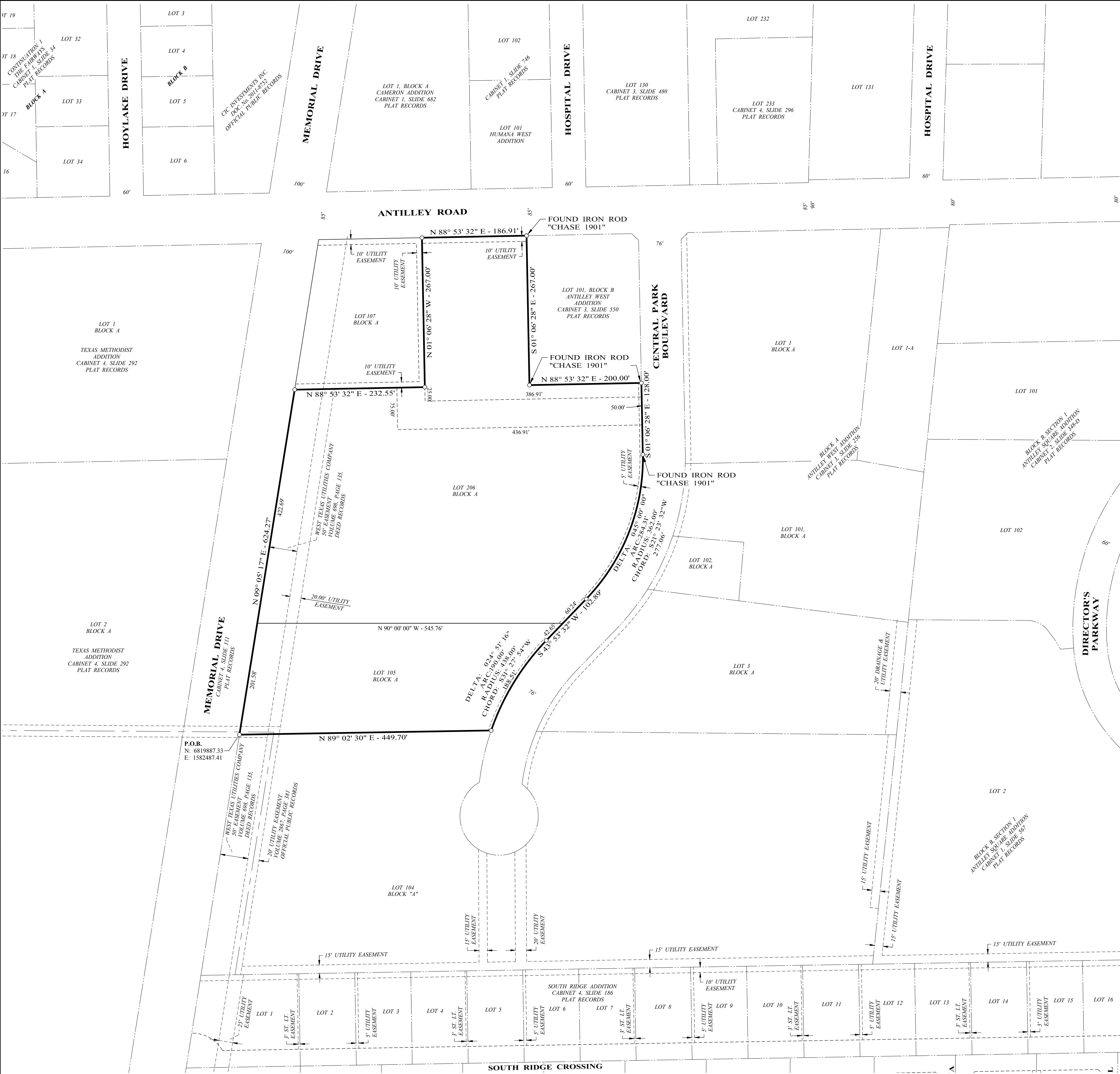
THENCE NORTH 89 DEGREES 40 MINUTES 25 SECONDS WEST, ALONG SAID NORTH 142 ½ FEET OF THE WEST 35.2 FEET OF LOT 14 AND THE NORTH 142 ½ FEET OF THE EAST 24.8 FEET OF LOT 13, A DISTANCE OF 60.19 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID NORTH 142 ½ FEET OF THE EAST 24.8 FEET OF LOT 13 AND THIS TRACT;

THENCE NORTH 00 DEGREES 33 MINUTES 07 SECONDS EAST, AT A DISTANCE OF 2.63 FEET PASSING A FOUND 1/2 INCH IRON ROD, CONTINUING FOR A TOTAL DISTANCE OF 142.50 FEET TO THE POINT OF BEGINNING CONTAINING AN AREA OF 2.489 ACRES, SURVEYED ON JULY 1ST, 2021.

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 48441C0226F, 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.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SUBDIVISION STREETS, ALLEYS, AND BURIED UTILITIES, THE FINAL SUBDIVISION MONUMENTATION WILL BE SET AS FOLLOWS: 1/2" IRON RODS WITH PLASTIC CAPS, STAMPED "H&T"; OR MAG NAILS WITH WASHERS, STAMPED "H&T", WILL BE SET AT THE LOT CORNERS; STANDARD MONUMENT WITH 2" ALUMINUM CAP, STAMPED "H&T", WILL BE SET AT THE BLOCK CORNERS.
- THIS ADDITION IS LOCATED WITHIN THE CITY LIMITS OF 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 974A, 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			
LOTS 101 AND 113, BLOCK B, AND LOT 104, BLOCK C, DARBY SUBDIVISION, 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	
JODIE MCGAUGHEY		VICE PRESIDENT FOR FINANCE	
TITLE		TITLE	
ACKNOWLEDGMENT			
THE STATE OF TEXAS, COUNTY OF TAYLOR			
BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY			
PERSONALLY APPEARED JODIE MCGAUGHEY			
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			
HARDIN SIMMONS UNIVERSITY			
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 2.489		ACREAGE	
SCALE 1" = 30'		SMALLEST LOT 13.882 SQ FT	
LARGEST LOT 55.614 SQ FT		LARGEST LOT	
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:			
LOTS 101 AND 113, BLOCK B, AND LOT 104, BLOCK C, DARBY SUBDIVISION, ABILENE, TAYLOR COUNTY, TEXAS			
			
07/02/2021		SIGNATURE	
DATE		RILEY ELMER GRIFFITH	
		REGISTERED PROFESSIONAL LAND SURVEYOR	
			
ENPROTEC/HIBBS & TODD, INC.			
ENVIRONMENTAL AND CIVIL ENGINEERING		Abilene, Texas 79601	
402 Cedar Street		PG Firm Registration No. 1151	
325-698-5560		RPLS Firm Registration No. 10011900	



LEGEND

○ FOUND 1/2" IRON ROD WITH PLASTIC CAP STAMPED "H&T", UNLESS OTHERWISE NOTED.

FIELD NOTES

BEING LOT 105 AND LOT 206, A REPLAT OF LOT 5 AND 106, BLOCK A, CONTINUATION NO. 1, ANTILLEY WEST ADDITION, ABILENE, TAYLOR COUNTY, TEXAS, COMPRISED OF ALL OF SAID LOT 5, CONTINUATION NO. 1, ANTILLEY WEST ADDITION, ABILENE, TAYLOR COUNTY, TEXAS AS RECORDED IN CABINET 4, SLIDE 358, PLAT RECORDS, TAYLOR COUNTY, TEXAS, AND BEING OF LOT 106, CONTINUATION NO. 1, ANTILLEY WEST ADDITION, ABILENE, TAYLOR COUNTY, TEXAS AS RECORDED IN CABINET 4, SLIDE 549, PLAT RECORDS, TAYLOR COUNTY, TEXAS.

OWNER:
CENTRAL PARK-91, LTD.
ABILENE EQUITIES, INC.
PO BOX 6868
ABILENE, TX 79608-6868
325-695-8000

**A PLAT OF
LOT 105 AND LOT 206, BLOCK A
CONTINUATION No. 1
ANTILLEY WEST 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 974A, 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
DATE	DIRECTOR OF PUBLIC WORKS	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			
A PLAT OF LOT 105 AND LOT 206, BLOCK A CONTINUATION No. 1 ANTILLEY WEST 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____			
SIGNATURE		SCOTT SENTER VICE PRESIDENT	
ACKNOWLEDGMENT			
THE STATE OF TEXAS: COUNTY OF TAYLOR			
BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY			
PERSONALLY APPEARED SCOTT SENTER, VICE PRESIDENT			
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 CENTRAL PARK-91, LTD. ABILENE EQUITIES, INC.			
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 9.378	
SCALE 1" = 100'	SMALLEST LOT 94,740 SQ FT	LARGEST LOT 313,760 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:			
A PLAT OF LOT 105 AND LOT 206, BLOCK A CONTINUATION No. 1 ANTILLEY WEST ADDITION ABILENE, TAYLOR COUNTY, TEXAS			
PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT			
SIGNATURE			
06/07/2021 DATE		REGISTERED PROFESSIONAL LAND SURVEYOR	

ZONING CASE Z-2021-15

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: July 6, 2021

City Council 1st Reading: July 29, 2021

City Council 2nd Reading: August 12, 2021

Applicant

Owner: Mascorro Properties, LLC

Agent: Brandon Mascorro

Request

Rezone from Residential Single-Family (RS-6) to a Residential Medium-Density (MD) District. Based upon the information provided within the application, the purpose of this request is to allow for 2-bedroom duplexes to provide for a variety of housing options and affordability in the area.

Location

Ten (10) vacant lots bordering the 2400 block (east side) of Shelton Street in northwest central Abilene

Background

These ten lots were created with a subdivision plat of the Arthur Sears Park Addition, recorded in 1927. This part of the Arthur Sears Park Addition (north of Ambler Avenue) was annexed in 1954 and the ten lots encompassed within this request have never been occupied by residences or any other buildings.

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. Properties to the east, west and south of the subject ten lots are all within Residential Single-Family (RS-6) zoning. Single-family housing is the predominant use of these nearby properties. However, many vacant lots remain. To the north of these ten lots, across Vogel Avenue, is the site of Ortiz Elementary School on a 25-acre tract in Agricultural Open Space (AO) zoning.

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 the entire Arthur Sears Park Addition in northwest central Abilene to be "low-density residential." That includes all ten lots in this zone change request.

MD zoning allows no more than four dwelling units on any one lot and can be considered “low-density residential” and in conformance with the Comprehensive Plan.

Proposed MD zoning will also help encourage use of these long-vacant properties, which have languished for decades with little or no prospects for building development. Promoting such “infill” development is also consistent with the policies of Abilene’s Comprehensive Plan, to make most effective use of existing streets and utilities as well as other public facilities and services nearby.

(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. Changing the subject property’s zoning to an MD District will allow 2-, 3- or even 4-family residences in this environment. The scale and intensity of proposed new residential use will nonetheless be reasonably compatible with that of existing nearby homes, or at least not so far out-of-scale as to jeopardize the value and comfort of that existing housing.

(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.

This subject property has direct access to a fully-improved subcollector street with a 36-foot-wide pavement as well as curb-and-gutter. Suitable water and sewer mains lie in an adjacent alley. 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 City 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 Abilene's Land Development Code, City staff mailed personal notices on June 25, 2021, to the applicant and to other owners of property within a 200-foot radius of the subject property. These property owners and associated parcel identification numbers are identified in Table 1.

TABLE 1

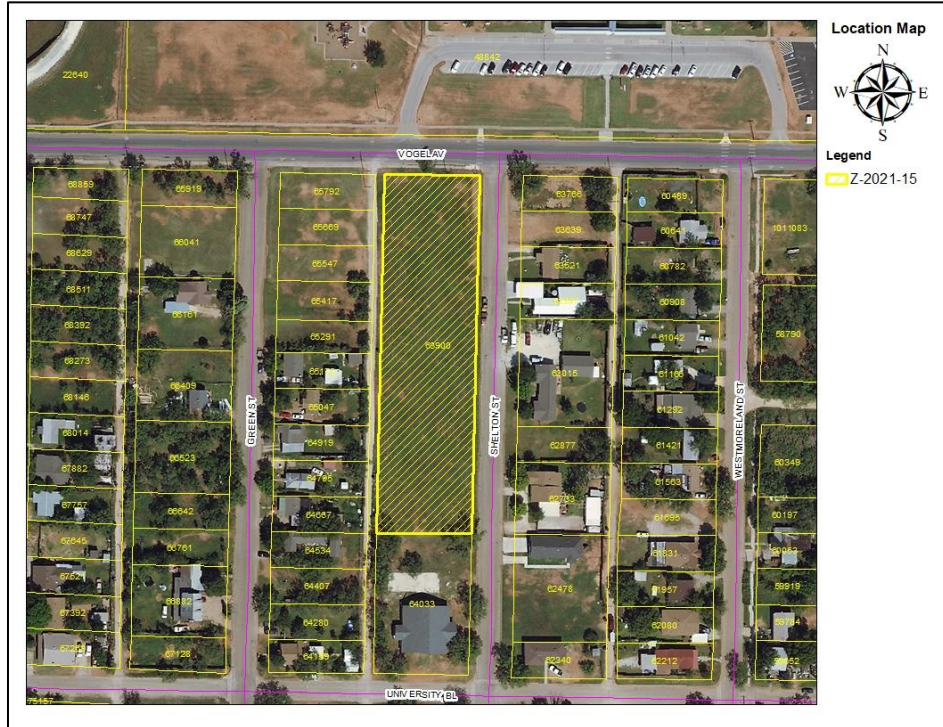
Owner	Parcel ID	Response
ABILENE INDEPENDENT	48842	
BDS LEASING	65291	
CHAVARRIA ARTURO JULIAN & JULIA A	64407	
CORDOVA JULIO	62478	
CRUZ FRED	63639	
FLORES ADAM A JR	65417	
FLORES JOSUE & PAULA E	65792	
FLORES JOSUE & PAULA E	65547	
FLORES JOSUE & PAULA E	65669	
FLORES MARISSA R	62877	
GARCIA ROLAND & ELIZABETH	63397	
GONZALEZ ANGEL & EMELIA	64280	
GONZALEZ ANGEL M	64159	
GUTIERREZ GEORGE A	63015	
HERNANDEZ STEPHANIE	65172	
MARTINEZ RUDY & MARGARITA G	63521	
MASCORRO PROPERTIES LLC	63900	
MUNOZ ARMANDO	64033	
MURILLO DANIEL CAMPOS	64534	
OLVERA JOSE F & MARIA M	62733	
ORTIZ ANNA MARIA	63766	
RIVERO MARIA Y	64667	
SILVA LOUISA P ALCANTAR	62340	
SOTELLO RAMON	64919	
SOTELO CHRISTOPHER EDWARD	65047	
TREVINO MARIA VELASQUEZ	64795	

Attachments

Application

PowerPoint Presentation

LOCATION MAP



ZONING MAP





Development Application

Planning

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

Project Name: MASCORRO PROPERTIES, LLC
 Address: 2462 SHELTON, ABILENE, TX 79603 No. of lots: 10 Acreage: 1.5152
 Legal Description: LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, BLOCK 11, SEARS PARK ADDITION
 Subdivision Name: SEARS PARK ADDITION Block: 11 Lot: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
 Current Zoning: RS6 Proposed Zoning (if applicable): MD

OWNER AND AUTHORIZATION

Owner Name: BRANDON MASCORRO - MASCORRO PROPERTIES, LLC
 Address: 190 STEAMBOAT DR
 City, State, Zip: TUSCOLA, TX 79562 Fax: _____
 Phone: 325-260-5544 Email: brandonmascorro@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: [Signature] Date: 5/12/21

FOR OFFICE USE ONLY

Received: 05/12/2021 Fee: \$ 1500 Receipt No.: 000159915
 Case No.: Z-2021-15 Reviewed By: _____

Development Application

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

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

I feel it is necessary to rezone 2462 SHELTON from R56 to MD for several reasons.

FIRST, it will allow for development of 2 bedroom duplexes instead of 3 bedroom single-family houses. In my opinion, 2 bedrooms are the most desirable option for people looking to rent a property.

SECOND, it will allow for a more affordable rental property.

For instance, being that a 2 bedroom option is available allows me to keep the rent lower and more affordable than would be the case with a 3 bedroom single family residence.

These are the two main advantages, in my opinion, for considering a rezoning.



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: _____

RECEIPT FOR PAYMENT OF \$15.00
APPLICATION FEE FOR ZONE CHANGE
REQUEST NO. Z-2021-15:

2400 BLOCK (WEST SIDE) OF SHELTON ST.

City of Abilene
Accounting Dept

555 Walnut Street
Abilene, TX 79604

(325) 676-6262

Reprint

05/12/2021 03:00 PM Cashier 0034
T/Ref 0001059915 Reg 0001 Tran No 9881
Cash Report: 210512-01 for 05/12/2021

01 - City of Abilene
ZONING FEES, SITE PLANS, VARIANCE REQUEST
G/L: 1002503010-42101
NAME MASCORRO INVESTMENTS LLC
DESCRIPTION ZONING VERIFICATION
Validation Number: 073151 \$1,500.00

=====

Total	\$1,500.00
Check	(\$1,500.00)
Check No. 235	

Thank You for Your Payment.



May 28 2021

ATTN Brandon Mascorro
Mascorro Properties LLC
190 Steamboat Drive
Tuscola TX 79562

FILE COPY

SUBJECT: case no. Z-2021-15, a request to rezone ten now-vacant lots on 2400 block (west side) of Shelton Street, from a Residential Single-Family (RS-6) District to a Residential Medium-Density (MD) District

Mr. Mascorro:

Abilene's City staff has received your application to rezone ten now-vacant lots bordering the 2400 block (west side) of Shelton Street, from an RS6 to an MD District.

Abilene's Planning & Zoning Commission is scheduled to conduct a public hearing on this matter, during its regular meeting on **Tuesday, July 6 of 2021**. This meeting will begin at **1:30 PM** in Council Chambers on the second floor of Abilene's City Hall, 555 Walnut Street. You or another representative should be available at that meeting, prepared to present your case and to answer any relevant questions from Commission members.

If the Planning & Zoning Commission recommends approval of your application, or if a negative recommendation is promptly appealed, then Abilene's City Council will conduct its own hearing as early as **Thursday, August 12 of 2021**.

If you have additional questions about these matters, please contact me at telephone number 325-676-6382 or by email at brad.stone@abilenetx.gov.

Sincerely

Bradley Stone,
Planner III



-99.750 32.479 Degrees

Case:	Z-2021-15
Owner:	Mascorro Properties
Agent:	Brandon Mascorro
Request:	Rezone Residential Single-family (RS-6) to Medium Density (MD)
Location:	2400 Block of Shelton Street
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	July 6, 2021
City Council Hearing:	July 29, 2021 August 12, 2021

Z-2021-15 LOCATION MAP



Location Map



Legend

Z-2021-15

Z-2021-15 ZONING MAP



Zoning Map



Legend

- Z-2021-15
- AO - Agricultural Open Space
- RS-6: Residential Single-Family
- GC: General Commercial
- Collector

Permitted Uses in MD Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- C Dwelling – Institutional
- P Dwelling – Multiple-Family
- 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
- 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 Homeless/Emergency Shelter
- C Rehabilitation Facility
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- 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

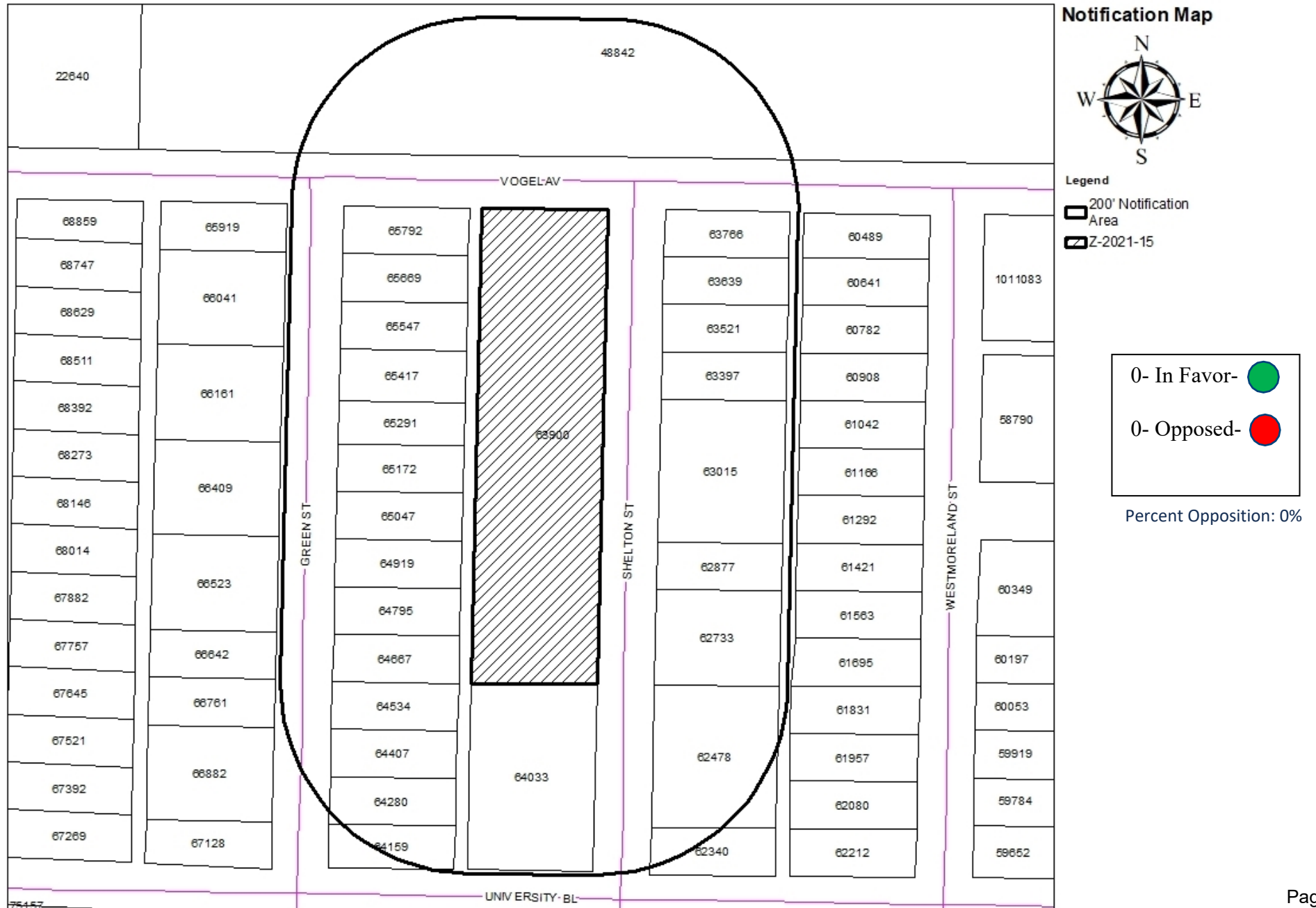
P
C
TP

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-2021-15 VIEWS OF SUBJECT & ADJACENT PROPERTIES



Z-2021-16 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-2021-16

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: July 6, 2021

City Council 1st Reading: July 29, 2021

City Council 2nd Reading: August 12, 2021

Applicant

Owner: Weatherbee Construction Inc.

Agent: Enprotec Hibbs & Todd (eHT)

Request

Rezone approximately 2.48 acres from Single Family Residential (RS-6) to Medium Density (MD) and change the zoning on an approximate 1.14-acre tract from Planned Development District 111 (PD 111) to Medium Density (MD).

Location

- 6100-6200 blocks (north side) of Jennings Drive in western Abilene
- Legal Description being a 2.6489 acre and 1.144-acre tract out of the J.H. Beck Survey No. 42 in the City of Abilene, Taylor County, Texas

Background

The subject properties were annexed in 1959. In 1982, the properties were rezoned to a mixture of RM-2, RM-3, and RS-6 zoning classifications (Ordinance No. 127-1982). In 2006, Planned Development District 111 (PDD-111) was adopted by City Council (Ordinance No. 35-2006). This PD rezoned a portion of what was previously RM-3 (now classified as Medium Density (MD)) to a Planned Development District that is intended to promote office uses near the intersection of a major arterial road (Dub Wright Boulevard) and collector road (Jennings Drive). The subject properties have remained vacant. The applicant is requesting to rezone a portion of the Planned Development as well as the remaining RS-6 portion from the initial zone change in 1982 to Medium Density in order to construct traditional duplexes.

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. The land uses surrounding the 2.64-acre RS-6 portion of this request are as follows; north and west is vacant property within MD zoning. South of this portion of the request is a single-family residence within AO zoning as well as a subdivision of duplexes within MD zoning. Immediately east are existing single-family residences within RS-6 zoning.

The land uses surrounding the 1.14-acre PD portion of this request are as follows; north is existing single-family residences within RS-6 zoning. West of the property is vacant land within Planned Development 111 (PD 111); a PD intended to encourage office uses. Immediately east is vacant land that is within MD zoning. South of the subject property is vacant land within a Planned Development (PD 106); this PD is intended to promote uses that are ordinarily allowed within Neighborhood Retail and General Retail zoning.

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 this area to have a mixture of single family and multi-family land uses. The amendment to the zoning map to Medium Density (MD) will promote the Comprehensive Plan's objective of creating a mixture of housing types within developing neighborhoods. This zone change will provide residential opportunities for a wide variety of people. Healthy neighborhoods should include housing for individuals and families in different stages of life.

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

The two subject properties abut existing Medium Density (MD) zoning. This zone change would expand the extent of the existing Medium Density zoning. Additionally, south of Jennings Drive is an existing subdivision known as the Cordova Place Subdivision. This subdivision is comprised of twenty (20) two-family residences. Therefore, the rezoning to Medium Density along with any future duplex development that will result from this change in zoning will not appear out of character with the surrounding residential uses in the immediate area. Additionally, the medium density zoning district would serve as an effective "buffer" or transitional zoning district between Planned Development District 111 (PDD-111); a planned development intended to encourage commercial uses along Dub Wright Boulevard and the single-family residential zoning districts immediately east of 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 future development of the subject properties will likely necessitate the extension of water or sewer utilities to service the future subdivision.

(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 June 19, 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

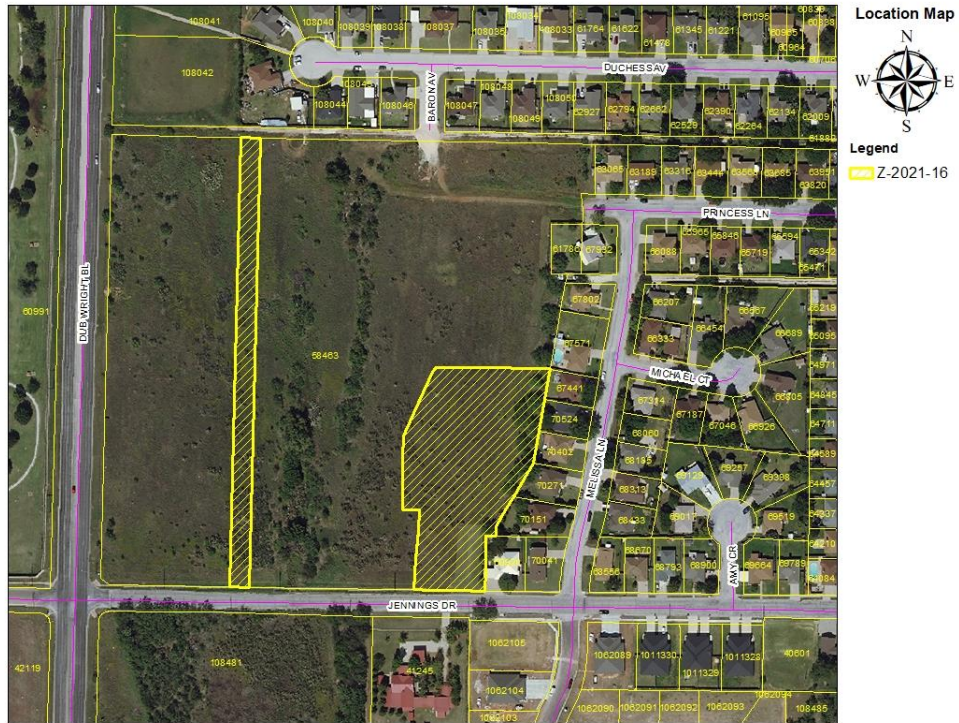
Owner	Parcel ID	Response
B R FOREST ENTERPRISES LLC	1062105	
B R FOREST ENTERPRISES LLC	1062104	
BANDORA JOHN &	67441	
BELCH MICHAEL O & DEBORAH A	108045	
BURD SKYLA	70041	
CARRANZA ANDRES	70402	
CHMIELEWSKI CHARITY	67571	
CLARK CLIFFORD E & FARRAH ANN	68313	
CLARK JAMES RONALD & YONG C	41245	
COPELAND DANIEL WAYNE	70524	
ENRIQUEZ HENRY JR	67314	
GARCIA STEVEN R & REBECCA W	68556	
GARZA RUDY & SAMANTHA	108041	
GOLDEN DYLAN	67802	
MARCHI RYAN M & RENEE E	68060	
MARCHI RYAN M & RENEE E	68185	
MC GOWAN ROBERT J & HUONG T	70151	
NORRIS MELVIN L & PASTY M	66333	
PENDLEY JAMES D & MARY T	69920	
PETTIFORD MICHAEL GERARD &	108044	
ROBINSON BARBARA	61786	
SCHULDT EVAN	68433	
STUART JAMES M	70271	
WEATHERBEE CONSTRUCTION INC	58463	
WEATHERBEE GLENN	108481	
WILCOX RANDALL L & BUARONG	108042	

Attachments

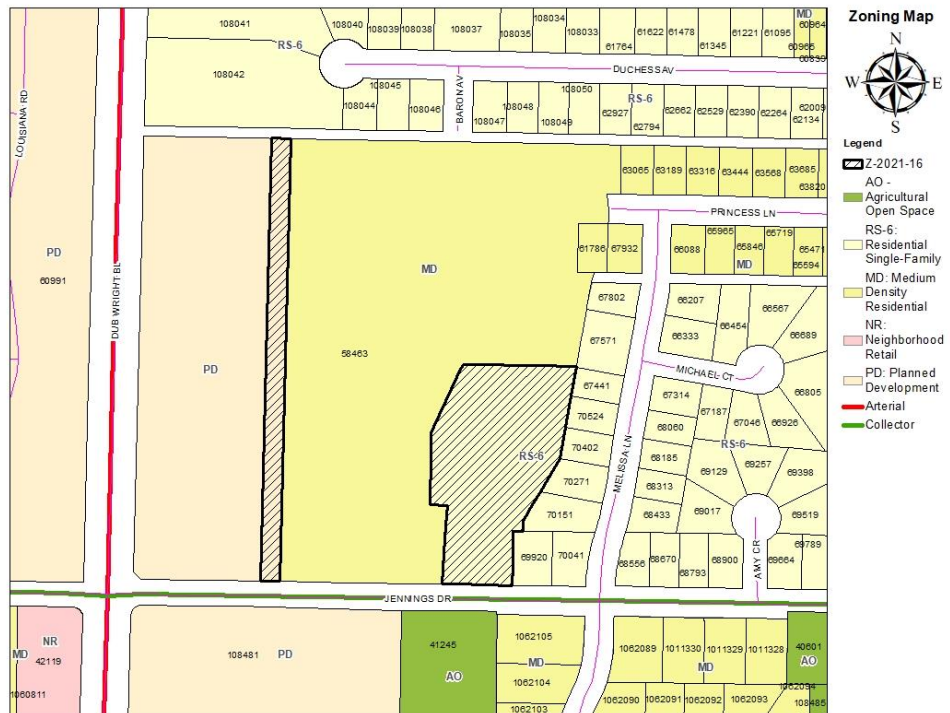
Application

PowerPoint Presentation

LOCATION MAP



ZONING MAP



ORDINANCE NO. 127-1982

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

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

PART 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 9 day of September, A.D. 19 82.

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 5 day of September, 19 82, 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 9:00 a.m., on the 23 day of September, 19 82, 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 28 day of October, A.D. 19 82.

ATTEST:

Ruth Hodgin
CITY SECRETARY

[Signature]
MAYOR

APPROVED:

[Signature]
CITY ATTORNEY

9d-8

ORDINANCE NO. 127-1982

EXHIBIT "A"

From AO (Agricultural Open Space) to RM-3, RM-2 & RS-6 (Residential Multi-Family & Residential Single Family)

Legal Description:

Proposed RM-3:

BEING 19.40 acres out of J. H. Beck Survey No. 42, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for the SW corner, from whence the SW corner of J. H. Beck Survey No. 42 bears S 0°33'30" W 29.72 feet and S 89°58' W 4277.94 feet;

THENCE N 0°33'30" E 981.7 feet to a point for the NW corner;

THENCE S 89°51' E 1327.6 feet to a point for the NE corner;

THENCE S 0°20' E 977.39 feet to a point for the SE corner;

THENCE S 89°58' W 110.0 feet to a point;

THENCE N 0°20' W 599.5 feet to a point;

THENCE S 89°33'30" W 199.9 feet to a point;

THENCE S 59°33'30" W 25.0 feet to a point;

THENCE N 71°56'30" W 120.0 feet to a point;

THENCE N 84°26'30" W 60.0 feet to a point;

THENCE N 71°26'30" W 100.0 feet to a point;

THENCE S 10°03'30" W 250.0 feet to a point;

THENCE N 81°26'30" W 230.0 feet to a point;

THENCE S 43°03'30" W 115.0 feet to a point;

THENCE S 16°03'30" W 135.0 feet to a point;

THENCE S 0°33'30" W 125.0 feet to a point;

THENCE N 89°58' E 30.0 feet to a point;

THENCE S 0°33'30" W 110.0 feet to a point;

THENCE S 89°58' W 380.0 feet to the POINT OF BEGINNING, and containing 19.40 acres of land, more or less.

9d-9

Proposed RM-2

BEING 4.72 acres out of a 45.06 acre tract out of the J. H. Beck Survey No. 42, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point on the south boundary line of Jennings Drive for the SW corner of this tract, said point also being the SE corner of Dyess Air Force Base, from which the SW corner of said J. H. Beck Survey No. 42 bears South 32.04 feet and West 3986.23 feet;

THENCE N 0°33'30" E more or less along the east boundary line of said Dyess Air Force Base 1194.86 feet to a point for the NW corner of this tract;

THENCE S 89°51' E 172.0 feet to a point on the west boundary line of a proposed Vapor Trail for the NE corner of this tract;

THENCE S 0°33'30" W along the proposed west boundary line of Vapor Trail 1194.31 feet to a point on the north boundary line of Jennings Drive for the SE corner of this tract;

THENCE S 89°58' W along the north boundary line of Jennings Drive 172.0 feet to the POINT OF BEGINNING, and containing 4.72 acres of land, more or less

and

BEING 6.39 acres out 45.06 acre tract out of the J. H. Beck Survey No. 42, Abilene, Taylor County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point on the west boundary line of Bishop Road for the NE corner of said 45.06 acre tract and the SE corner of Section 1, Texas Place Addition for the NE corner of this tract, from which the SW corner of said J. H. Beck Survey No. 42 bears South 1222.61 feet and West 5614.13 feet;

THENCE S 0°20' E along the west boundary line of Bishop Road 210 feet to a point for the SE corner of this tract;

THENCE N 89°51' W along the south boundary line of a proposed street 1327.53 feet to a point on the east boundary line of proposed Vapor Trail for the SW corner of this tract;

THENCE N 0°33'30" E along the east boundary line of proposed Vapor Trail 210 feet to a point on the south boundary line of Texas Place for the NW corner of this tract;

THENCE S 89°51' E along the south boundary line of Texas Place Addition 1324.26 feet to the POINT OF BEGINNING, and containing 6.39 acres of land, more or less.

ORDINANCE NO. 127-1982
EXHIBIT "A"
Page 3

Proposed RS-6

BEING 10.62 acres out of J. H. Beck Survey No. 42, Abilene, Taylor County, Texas,
and being described by metes and bounds as follows:

BEGINNING at a point for the SW corner, from whence the SW corner of J. H. Beck Survey No. 42 bears S 0°33'30" W 29.72 feet and S 89°58' W 4657.94 feet;

THENCE N 0°33'30" E 110.0 feet to a point;

THENCE S 89°58' W 30.0 feet to a point;

THENCE N 0°33'30" E 125.0 feet to a point;

THENCE N 16°03'30" E 135.0 feet to a point;

THENCE N 43°03'30" E 115.0 feet to a point;

THENCE S 81°26'30" E 230.0 feet to a point;

THENCE N 10°03'30" E 250.0 feet to a point;

THENCE S 71°26'30" E 100.0 feet to a point;

THENCE S 84°26'30" E 60.0 feet to a point;

THENCE S 71°56'30" E 120.0 feet to a point;

THENCE N 59°33'30" E 25.0 feet to a point;

THENCE N 89°33'30" E 199.9 feet to a point for the NE corner;

THENCE S 0°20' E 599.5 feet to a point for the SE corner;

THENCE S 89°58' W 852.8 feet to the POINT OF BEGINNING, and containing 10.62 acres of land, more or less.

Location:

Bishop Road & Jennings Drive

-END-

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-111 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than 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 27th day of July A.D. 2006.

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 14th day of June, 2006, 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 10th day of August, 2006, 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.

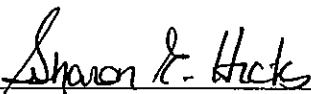
PASSED ON SECOND AND FINAL READING THIS 10th day of August, A.D. 2006.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 35-2006

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 District 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 District and are hereby incorporated by reference and included as part of this ordinance.

All use and development within the Planned Development District must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

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

PART 4: Zoning. That Chapter 23, Subpart E, Abilene Municipal Code, known as the Zoning Ordinance of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From RM-2 (Multi-family Residential) and RM-3 (Multi-family Residential) District to PDD (Planned Development District).

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

PART 5: Legal Description. The legal description of this PDD is as follows:

Being all of that certain lot, tract, or parcel of land out of the south one-half of a 320-acre tract of land, off the west end of the J.H. Beck Survey No. 42 and being out of a 24.596-acre tract of land conveyed to Weatherbee Construction, Inc., recorded in Volume 3090, Page 832, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a point for corner, said point being the southwest corner of Section 1, Sandy Creek Village Addition, Abilene, Taylor County, Texas; said point also being on the east right-of-way of FM 3438.

THENCE South 0 degrees 49 minutes 22 seconds West along the east right-of-way of FM 3438, a distance of 890.38 feet to a point for corner being the intersection of the east right-of-way of FM 3438 and the north right-of-way of Jennings Drive;

THENCE South 44 degrees 06 minutes 36 seconds East along said east right-of-way of FM 3438 and the north right-of-way line of Jennings Drive a distance of 21.41 feet to a point for corner;

THENCE South 89 degrees 51 minutes 57 seconds East along the north line of Jennings Drive a distance of 285.10 feet to a point for corner;

THENCE North 0 degrees 49 minutes 22 seconds East a distance of 905.75 feet to a point for corner on the south line of Section 1, Sandy Creek Village Addition;

THENCE North 89 degrees 36 minutes 32 seconds West along the south line of Section 1, Sandy Creek Village Addition, a distance of 300.0 feet to the place of beginning containing 6.23 acres of land.

Location:

Northeast corner of Jennings Drive and Dub Wright Boulevard

PART 6: Purpose. The purpose of the Planned Development District (PDD) request is to allow for an office development and related activities of a tract, which generally has not developed under present zoning and development procedures.

PART 7: Specific Modifications. The following regulations shall govern the use and development of this Planned Development District.

A. PERMITTED USES:

All uses permitted in the Office Zoning District.

B. SITE DEVELOPMENT

1. Building Setbacks

- a. If parking is placed between the structure and the right-of-way (excluding single-family residences):
 - (1) Along Dub Wright Boulevard: 30 feet
 - (2) Along Jennings Drive: 30 feet
 - (3) Along any new streets dedicated after the date of this ordinance: 25 feet
 - (4) Eastern PDD boundary: 20 feet
 - (5) All interior setbacks within the PDD: 10 feet
- b. If parking is not placed between the structure and the right-of-way (excluding single-family residences):
 - (1) Along Dub Wright Boulevard: 20 feet
 - (2) Along Jennings Drive: 10 feet
 - (4) Along any new streets dedicated after the date of this ordinance: 10 feet
 - (5) Eastern PDD boundary: 20 feet
 - (6) All interior setbacks within the PDD: 10 feet
- c. In no case shall structures be placed within the triangle created by measuring 25 feet along the property lines where two street-side boundaries intersect. This area shall be developed in such a way to preserve visibility for vehicles in the right-of-way.
- d. Single-family residences and duplexes shall comply with the design standards of the RS-6 Zoning District.

2. Maximum Structure Height: 30'

3. Building Materials (does not apply to single-family residences or duplexes):

- a. A minimum of 20% of the exterior face of all structures shall be composed of brick, stone, or similar materials.
- b. The remaining area of the building face shall be limited to glass, stucco, stucco-like finishes, decorative block, or other similar materials.
- c. Elevation plans shall be submitted with the Site Plan for review and approval by the Planning Director. Any variation from the materials listed above will be subject to review and may be permissible at the discretion of the Planning Director.

4. Off-street parking:

- a. All parking areas shall comply with the provisions specified in the Zoning Ordinance.
- b. Truck loading areas shall be screened from street-side lot boundaries, residential zoning districts, and any properties within the PDD that are developed with single-family or multi-family residences by an opaque wall or barrier constructed of solid materials compatible with the exterior face of the building. Such screening areas shall extend the full length of the loading areas, exclusive of maneuvering areas for trucks.

5. Driveway Access

- a. No more than two driveways shall be permitted along Dub Wright Boulevard and one driveway along Jennings Drive.
- b. The driveway along Jennings Drive shall be a minimum of 150 feet from the intersection of Dub Wright Boulevard. It shall be separated from the nearest driveway on either side of the roadway by a minimum of 100 feet, unless it is located directly across from an existing driveway.
- c. Driveways shall comply with the City of Abilene or State of Texas access management regulations, whichever is applicable.
- d. Internal circulation of vehicular and pedestrian traffic shall be required within the development.

6. Signage

Signs shall comply with the City of Abilene Sign Regulations except as modified below:

- a. Freestanding/Monument Signs:
 - (1) Group Signs: Two (2) group monument signs may be erected along Dub Wright Boulevard and one (1) group monument sign may be erected along Jennings Drive with the following limitations:
 - 1. Maximum height: 10 feet
 - 2. Maximum area: 80 square feet
 - 3. Setback from street-side boundary: 5 feet
 - 4. Minimum spacing between signs: 300 feet
- b. Wall Signs
 - Wall signage may not exceed 10% of the area of any wall on which the sign(s) is(are) located and must be attached to a permitted structure.
- c. Banners
 - (1) Banners shall only be located flat against the face of a building and shall count toward the maximum allowable wall signage.
- d. Illumination shall only be permitted if it is fully shielded away from residential uses.
- e. Prohibited Signs
 - (1) Portable Signs
 - (2) Off-site Advertising

7. Screening

- a. The development must provide and maintain a visual buffer using a solid wood fence, masonry wall, or continuous hedge at least six (6) feet in height along the full length of any shared property line separating multi-family or non-residential development from single-family homes or duplexes. Where the shared property line is the side boundary of the residential lot, any fencing shall conform to the height standards required for residential fencing to allow proper visibility for residents of the adjacent lot. Continuous screening must utilize a consistent design for the full length. Openings for pedestrian access are allowable.
- b. Any additional fencing on site must be constructed from wood and/or masonry materials.
- c. Where a fence is adjacent to, or visible from, a residential lot or public right-of-way, other than an alley, the finished side of wood fencing must face the right-of-way or the residential lot.
- d. Facilities for power, air conditioning, mechanical equipment, and solid waste handling shall be screened from view outside the tract in question by an opaque wall or fence.

8. Landscaping and Buffers

- a. Where fences are utilized (in lieu of a continuous hedge) to fulfill the screening requirements as stated in Part 7.B.7.a, an additional 5-foot wide landscaped area shall be provided along the full length of the fence.
- b. A minimum 10-foot wide landscaped area shall be provided along all street-side boundaries within the PDD. The landscaped area shall be located entirely on private property.
- c. In addition to the landscaped strip along the street-side boundaries, no less than five (5) percent of the remaining lot area shall be landscaped. The remaining area shall be calculated by subtracting the area of the required street-side landscaped strip from the total lot area. The 5-foot wide landscaped area listed in Part 7.B.8.a above may count toward the 5% total.
- d. Parking and maneuvering areas adjacent to landscaped areas must be separated by a curb or similar barrier.
- e. Landscaping within the required 10-foot wide strip must consist of living materials and shall include at least 2 trees and 4 shrubs per 60 linear feet of required landscape area.
- f. Landscaping within the remaining required area must consist of living materials and shall include at least 2 trees and 4 shrubs per 1000 square feet of landscape area.
- g. Xeriscape principles shall be utilized.
- h. All parkways shall be landscaped.

9. Sidewalks

- a. Sidewalks are required along all public streets and must be placed in the right-of-way a minimum of one (1) foot from the property line and no less than five (5) feet from the back of curb or edge of pavement along arterials and no less than three (3) feet from the back of curb or edge of pavement along collectors and minor streets.
- b. Internal sidewalks and walkways are required to connect the boundary sidewalks with the primary entrances of all buildings. Sidewalks should be designed to promote safe pedestrian routes within the development.
- c. All sidewalks along public streets must be a minimum of five (5) feet wide.
- d. All internal sidewalks must be a minimum of four (4) feet wide.
- e. All sidewalks must comply with the standards set forth in the City of Abilene Sidewalk Master Plan and the Texas Accessibility Standards.

10. Outdoor Storage and Display are prohibited.

11. Freight Containers are prohibited.

12. Lighting: All site lighting shall comply with the performance standards governing exterior illumination in the City of Abilene Zoning Ordinance. Additionally, all lighting shall be fully shielded and directed away from residential areas.

PART 8: Development Schedule. If a building permit is not approved within 18 months of the date of this ordinance, the Planning Director may initiate rezoning of the PDD to the previous zoning designations.

-END-



Development Application

Planning

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

Project Name: Sandy Creek Village
Address: _____ No. of lots: _____ Acreage: 3.4 Acs
Legal Description: Attached
Subdivision Name: _____ Block: _____ Lot: _____
Current Zoning: RS 6 si PD Proposed Zoning (if applicable): MD

OWNER AND AUTHORIZATION

Owner Name: Weatherbee Construction
Address: 11 Wing Fort
City, State, Zip: Abilene, Tex 79606 Fax: _____
Phone: (325) 665-1815 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) EHT will act as my agent before the Planning and Zoning Commission.

Agent Name: EHT - David Todd
Address: 402 Cedar
City, State, Zip: Abilene, Tex 79601 Fax: _____
Phone: (325) 690-5560 Email: david.todd@e-hf.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: [Signature] Date: 5/25/21

FOR OFFICE USE ONLY

Received: _____ Fee: \$ _____ Receipt No.: _____
Case No.: 2-2021-16 Reviewed By: _____

**FIELD NOTES
FOR RS-6 TO MD ZONING
A 2.6489 ACRE TRACT
OUT OF
THE J. H. BECK SURVEY NO. 42
ABILENE, TAYLOR COUNTY, TEXAS**

BEGINNING at a point for the southwest corner of this tract, where the southwest corner of the J. H. Beck Survey No. 42 bears 29.72° S 00°33'30" W and 4657.94' S 89°58' W;

THENCE North 00 degrees 33 minutes 30 seconds East a distance of 110.00 feet to a point;

THENCE South 89 degrees 58 minutes 00 seconds West a distance of 30.00 feet to a point;

THENCE North 00 degrees 33 minutes 30 seconds East a distance of 125.00 feet to a point;

THENCE North 16 degrees 03 minutes 30 seconds East a distance of 135.00 feet to a point;

THENCE North 43 degrees 03 minutes 30 seconds East a distance of 115.00 feet to a point;

THENCE South 81 degrees 26 minutes 30 seconds East a distance of 236.13 feet to a point on the west boundary line of Section 1, Monarch Addition, recorded in Cabinet 1, Slide 399, Plat Records, Taylor County, Texas;

THENCE South 09 degrees 08 minutes 00 seconds West a distance of 144.72 feet to a point on the west boundary line of Section 2, Monarch Addition, recorded in Cabinet 1, Slide 398, Plat Records, Taylor County, Texas;

THENCE South 29 degrees 32 minutes 15 seconds West a distance of 148.44 feet along the west boundary line of said Section 2, Monarch Addition, to a point;

THENCE South 00 degrees 06 minutes 45 seconds East a distance of 30.28 feet to a point, same being the northeast corner of 2223.6 sq. ft. parcel, recorded in Volume 2353, Page 77, Official Public Records, Taylor County, Texas;

THENCE North 88 degrees 33 minutes 13 seconds West a distance of 20.00 feet to a point, same being the northwest corner of said 2223.6 sq. ft. parcel;

THENCE South 01 degrees 26 minutes 47 seconds West a distance of 111.18 feet to a point, same being the southwest corner of said 2223.6 sq. ft. parcel, same being on the north boundary line of Jennings Drive;

THENCE South 89 degrees 49 minutes 14 seconds West along the north boundary line of Jennings Drive a distance of 202.76 feet to the Point of Beginning containing an area of 2.6489 acres. Not surveyed on the ground.

**FIELD NOTES
FOR PD TO MD ZONING
A 1.144 ACRE TRACT
OUT OF
THE J. H. BECK SURVEY NO. 42
ABILENE, TAYLOR COUNTY, TEXAS**

BEING a 1.144 acre tract out of the south one-half (S/2) of a 320 acre tract of land, off the west end of the J. H. Beck Survey No. 42 and being out of a 24.596 acre tract of land conveyed to Weatherbee Construction, Inc., recorded in Volume 3090, Page 832, Official Public Records, Taylor County, Texas and being more particularly described as follows:

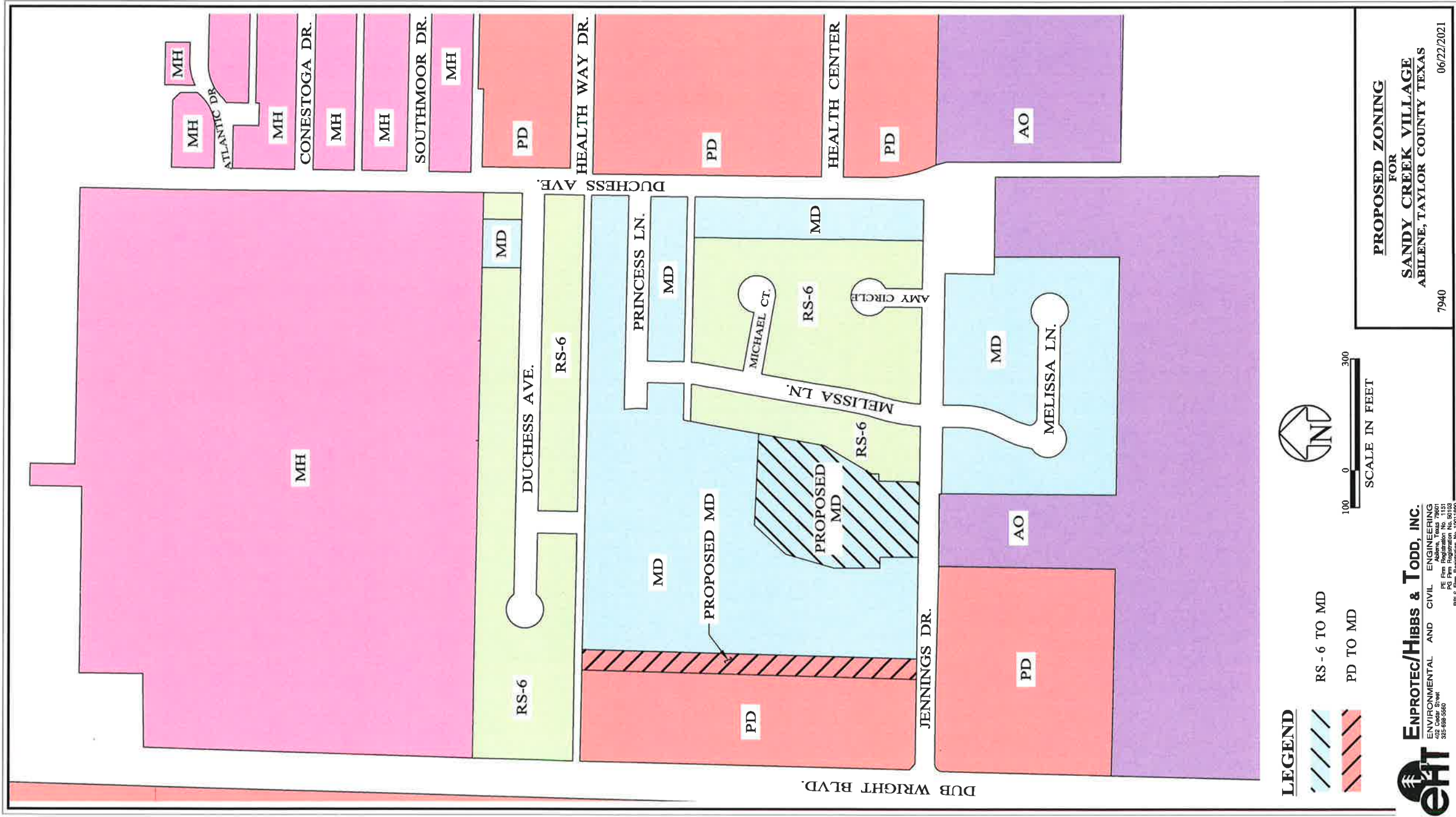
BEGINNING at a point for the northwest corner of this tract, where the southwest corner of Section 1, Sandy Creek Addition bears 245.00' N 88°52'08" W;

THENCE South 89 degrees 36 minutes 32 seconds East a distance of 55.00 feet to a point for the northeast corner of this tract;

THENCE South 00 degrees 49 minutes 22 seconds West a distance of 905.75 feet to a point on the north right-of-way of Jennings Drive for the southeast corner of this tract;

THENCE North 89 degrees 40 minutes 41 seconds West a distance of 55.00 feet along the north right-of-way of Jennings Drive to a point for the southwest corner of this tract;

THENCE North 00 degrees 49 minutes 22 seconds East a distance of 905.80 feet to the Point of Beginning containing an area of 1.144 acres. Not surveyed on the ground.

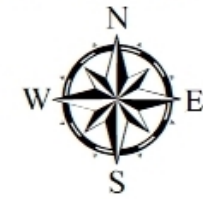


Case:	Z-2021-16
Owner:	Weatherbee Construction Inc.
Agent:	Enprotec Hibbs & Todd (eHT)
Request:	Rezone Residential Single-family (RS-6) and Planned Development District (PD 111) to Medium Density (MD)
Location:	6100-6200 blocks of Jennings Drive
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	July 6, 2021
City Council Hearing:	July 29, 2021 August 12, 2021

Z-2021-16 LOCATION MAP



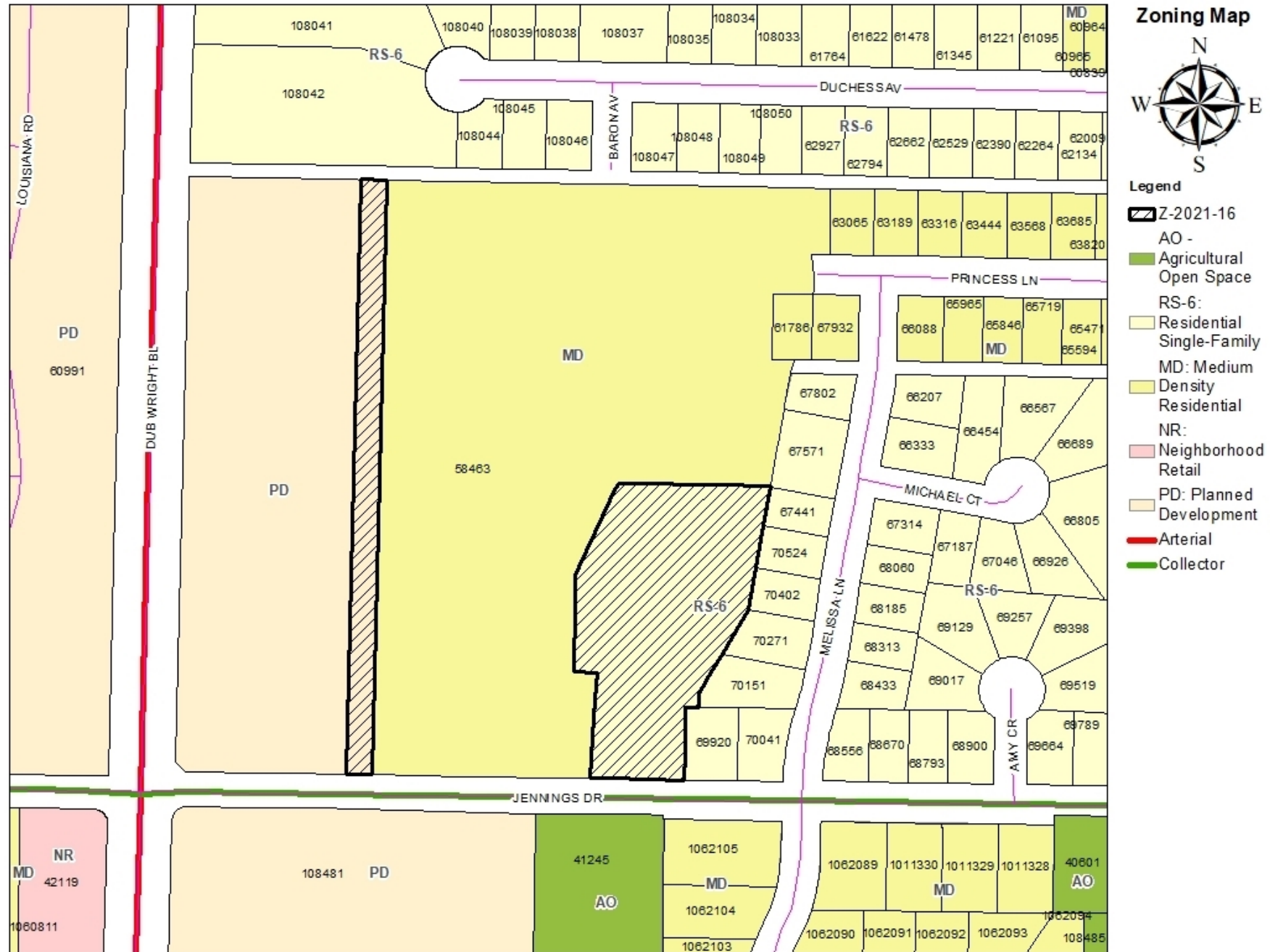
Location Map



Legend

 Z-2021-16

Z-2021-16 ZONING MAP



Permitted Uses in MD Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- C Dwelling – Institutional
- P Dwelling – Multiple-Family
- 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
- 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 Homeless/Emergency Shelter
- C Rehabilitation Facility
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- P School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

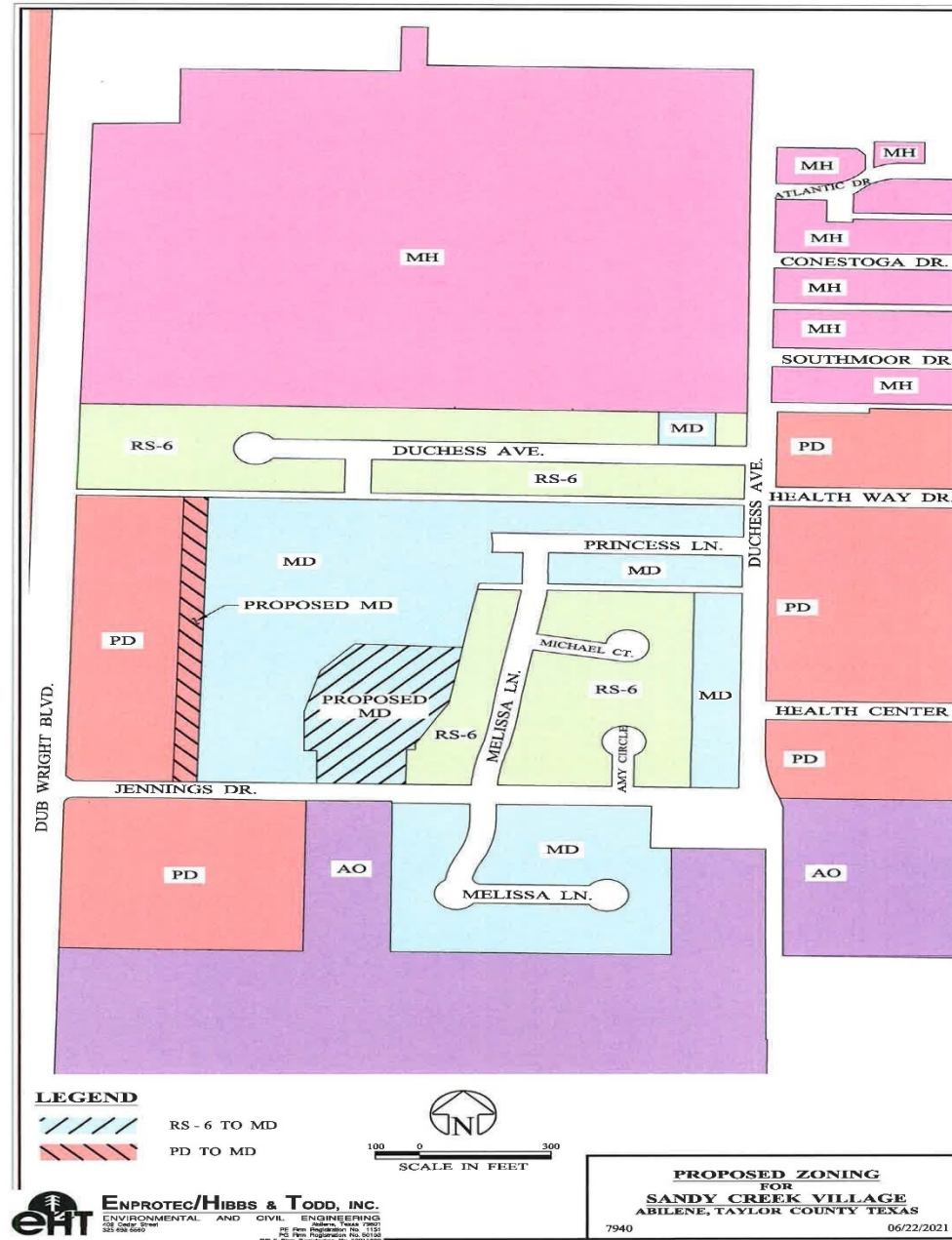
RESOURCE PRODUCTION AND EXTRACTION USES:

- 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





Subject property



West view of Jennings Drive

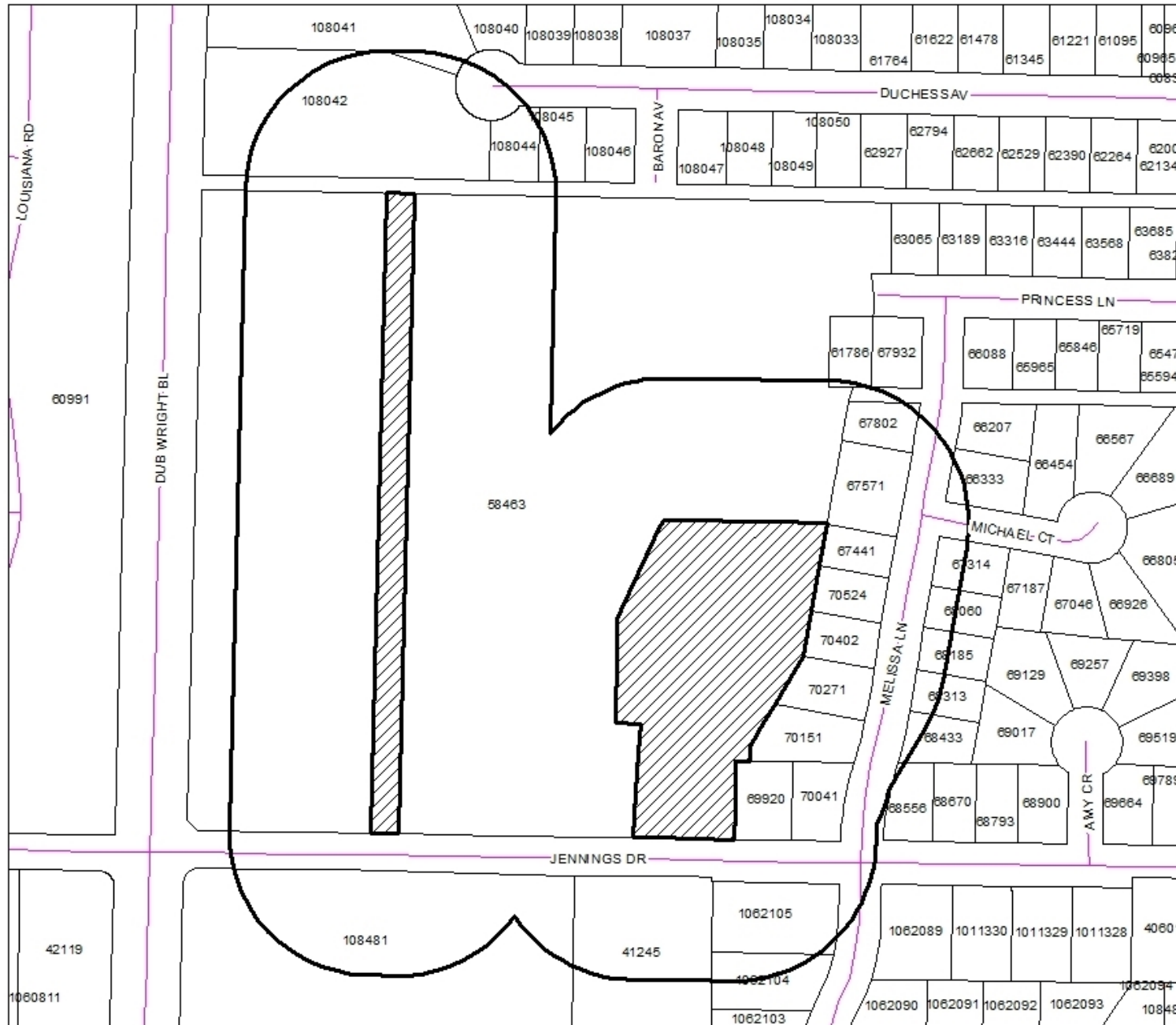


Neighboring property to the south



North view of Melissa Lane

Z-2021-16 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-2021-17

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: July 6, 2021

City Council 1st Reading: July 29, 2021

City Council 2nd Reading: August 12, 2021

Applicant

Owner: Weatherbee Construction Inc.

Agent: Enprotec Hibbs & Todd (eHT)

Request

Rezone approximate 8.23 acres combined from Agricultural Open Space (AO) to Medium Density (MD) and change the zoning on approximate 7.84 acres combined from Agricultural Open Space (AO) to Single-Family Residential (RS-6)

Location

Medium Density (MD):

- 2900-3100 blocks (west side) of Dub Wright Boulevard in western Abilene
- Legal description being 2.808 acres and 5.428 acres out of William Bishop Survey No. 43 in Abilene, Taylor County, Texas

Single Family Residential (RS-6):

- Two tracts, each having approximately 250 feet of frontage in the 6500 blocks (north and south) side of Hampton Hills Street.
- Legal description being 2.618-acres and a 5.225-acres out of William Bishops Survey No. 43 in the City of Abilene, Taylor County, Texas

Background

The subject properties were annexed into the City of Abilene in 1986. These tracts of land have remained vacant since this time. The applicant is requesting to rezone these tracts of land in order to develop duplexes and single-family residences.

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. North of the subject properties are two vacant tracts of land; one zoned Medium Density and the other zoned Neighborhood Retail. South of the subject properties are vacant tracts of land within Agricultural Open Space (AO) zoning. Immediately east of the subject properties is Dub Wright Boulevard, a major arterial road; the property east of Dub Wright Boulevard is currently vacant and zoned Agricultural Open Space. West of the subject properties are residences within Single-Family Residential (RS-6) zoning.

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 this area to have a mixture of single-family and multi-family land uses. The amendment to the zoning map to Medium Density (MD), as well as Single-Family Residential (RS-6), will promote the Comprehensive Plan's objective of creating a mixture of housing types within developing neighborhoods. This zone change will provide residential opportunities for a wide variety of people.

(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 proposed single-family residential zoning will serve as a continuation of currently existing single-family residential land use immediately west of the subject properties. The medium density portion of this zone change request will serve as an appropriate "buffer" or transitional zoning between the single-family homes to the west and Dub Wright Boulevard.

(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 future development of the subject properties will necessitate the extension of water and/or sewer utilities to service the future subdivision. Additionally, the future development of the southernmost portion of these subject properties will trigger the public improvement and extension of Inverness Street, which is identified as a collector road in the City of Abilene's Thoroughfare Plan. This extension of Inverness Street will ultimately extend approximately 500-feet through this subject property and connect to Dub Wright Boulevard.

(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 June 19, 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
06 LEASING LLC	56796	
ADAMES RUMALDO	17954	
ARDOYNO JANET	53833	
BERUMEN JOSEPH	19608	
BODY WILLIAM A & LASHAUN D	19739	
COATS SHELBY SCOTT & AMANDA	22358	
DUBOULAY BRYAN & KENDRA	20543	
GAPASI MOISE M &	109159	
GOBIN AUSTIN A & MICAELA DAWN	20412	
GOBIN WALTER C JR	30480	
GOHLMANN LUCELLE M WARD	20276	
GREEN RICHARD D JR	109167	
JOHNSON NICOLE M & NICHOLAS W	19491	
JOHNSON RYAN M	20806	
KNIGHT ESTER G TRUST	30316	
LACHOWITZER JESSIE B REVOCABLE TR	22232	
LARVENZ DARBY & ALMA ADAME	30609	
LEGACY FUNERAL HOLDINGS LLC	41098	
LEMIEUX STEVEN K	27552	
LUKSIK SCOTT A	109158	
LYONS RODNEY A & GAIL L	15712	
MAILOTO KISONA JR	15835	
MAURER RANDALL	30736	
NAIL PATRICIA	983880	
NAIL PATRICIA	983882	
NECESSARY RANDAL E. JR &	109157	
OWEN AARON LAWRENCE &	24836	
PRADHAN RAMESH K &	20948	
SCOTT MICHAEL C & MARIA ANNA M	20136	
SHELTON CAROLYNN	1079125	
SHEPARD JUSTIN J	27425	
SLAUGHTER CHRISTOPHER D	20004	
VOSS CHERIE	109156	
WEATHERBEE CONSTRUCTION INC	1060811	
WEATHERBEE CONSTRUCTION INC	41097	
WEATHERBEE CONSTRUCTION INC	42119	
WEATHERBEE GLENN	108481	
WESTFALL MICHAEL & NINA	19870	
WINSLOW DEVAUN & BRANDI	20674	

Attachments

Application

PowerPoint Presentation

LOCATION MAP



ZONING MAP





Development Application

Planning

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

Project Name: Hampton Hills
 Address: _____ No. of lots: _____ Acreage: 16 Acs
 Legal Description: Attached
 Subdivision Name: _____ Block: _____ Lot: _____
 Current Zoning: A0 Proposed Zoning (if applicable): RS-6 & MD

OWNER AND AUTHORIZATION

Owner Name: Weathersbee Construction
 Address: 11 Wing Fort
 City, State, Zip: Abilene, Tex Fax: _____
 Phone: (325) 665-1815 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) E&T will act as my agent before the Planning and Zoning Commission.

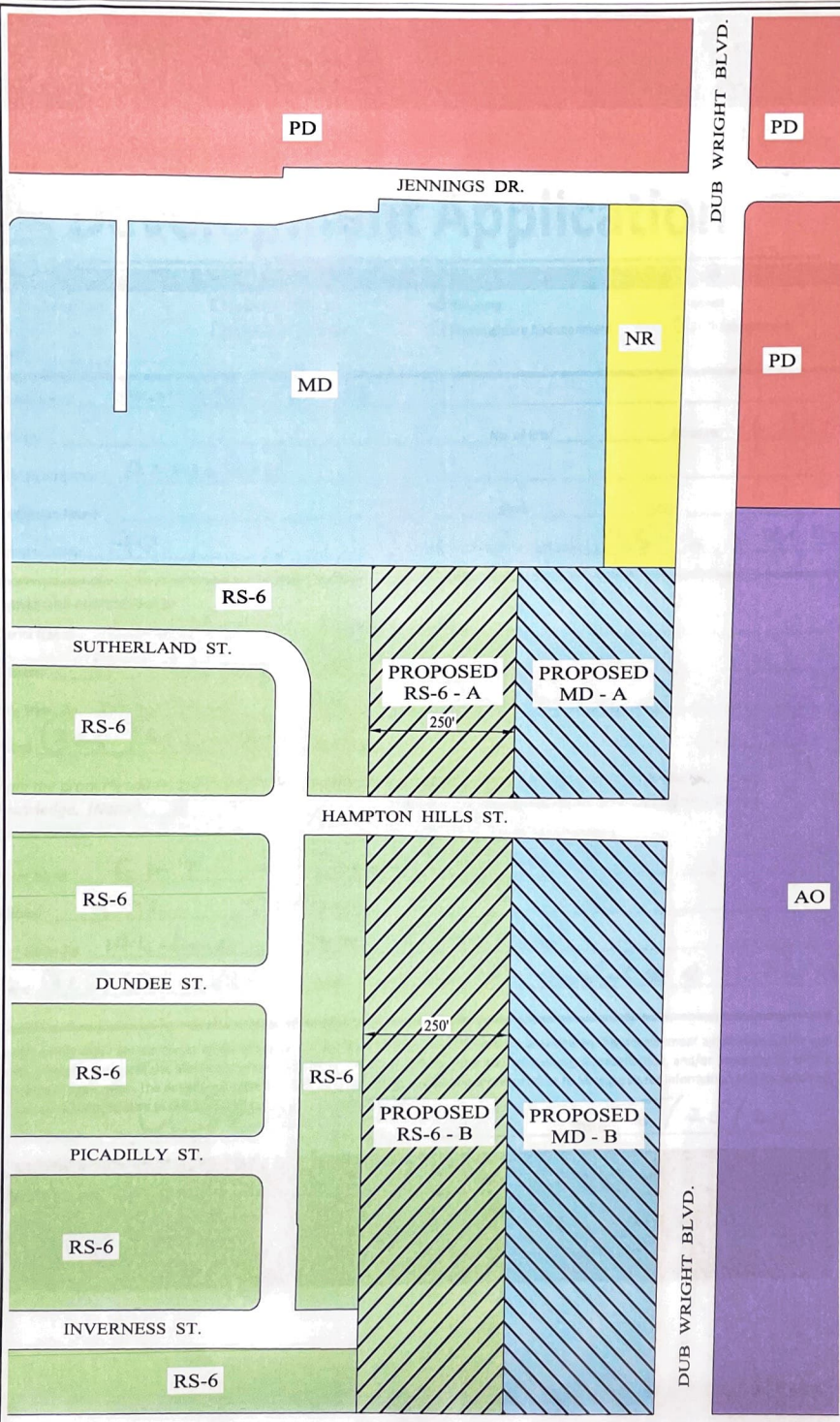
Agent Name: E&T - David Todd
 Address: 402 Cedar
 City, State, Zip: Abilene, Tex 79601 Fax: _____
 Phone: (325) 698-5560 Email: david.todd@e-et.com

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: [Signature] Date: 5/25/21

FOR OFFICE USE ONLY

Received: _____ Fee: \$ _____ Receipt No.: _____
 Case No.: Z-2021-17 Reviewed By: _____



LEGEND

-  AO TO RS-6
-  AO TO MD



100 0 200
SCALE IN FEET

PROPOSED ZONING
FOR
HAMPTON HILLS SECTION 9
ABILENE, TAYLOR COUNTY TEXAS

7939

05/25/2021



ENPROTEC/HIBBS & TODD, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING
Abilene, Texas 79601
PE Firm Registration No. 1181
PLS Firm Registration No. 60162
RPLS Firm Registration No. 1001900

**FIELD NOTES
FOR MD ZONING
A 2.808 ACRE TRACT
OUT OF
THE WILLIAM BISHOP SURVEY NO. 43
ABILENE, TAYLOR COUNTY, TEXAS**

BEING a 2.808 acre tract out of the William Bishop Survey No. 43, Taylor County, Texas, same being out of a 21.158 acre tract recorded in Volume 2674, Page 241, Official Public Records, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a point on the north right of way of Hampton Hills Street for the southwest corner of this tract, where the southwest corner of the William Bishop Survey No. 43 bears 1002.41' S 15°29'47" W, same reference point being the southwest corner of said 21.158 acre tract;

THENCE North 00 degrees 03 minutes East a distance of 456.35' to a point for the northwest corner of this tract;

THENCE South 89 degrees 55 minutes 30 seconds East a distance of 270.35 feet to a found 3/8 inch iron rod on the west right of way of Dub Wright Boulevard for the northeast corner of this tract;

THENCE South 00 degrees 40 minutes West a distance of 456.75 feet along the west right of way of Dub Wright Boulevard to a point at the intersection of the on the north right of way of Hampton Hills Street and the west right of way of Dub Wright Boulevard;

THENCE North 89 degrees 55 minutes 30 seconds West along the on the north right of way of Hampton Hills Street a distance of 265.45 feet to the place of beginning containing an area of 2.808 acres. Not surveyed on the ground.

**FIELD NOTES
FOR MD-B ZONING
A 5.428 ACRE TRACT
OUT OF
THE WILLIAM BISHOP SURVEY NO. 43
ABILENE, TAYLOR COUNTY, TEXAS**

BEING a 5.428 acre tract out of the William Bishop Survey No. 43, Taylor County, Texas, same being out of a 21.158 acre tract recorded in Volume 2674, Page 241, Official Public Records, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a point southwest corner of this tract, where the southwest corner of the William Bishop Survey No. 43 bears 250.00' N 89°05'36" W, same reference point being the southwest corner of said 21.158 acre tract;

THENCE North 00 degrees 03 minutes East a distance of 910.10' to a point on the south right of way of Hampton Hills Street for the northwest corner of this tract;

THENCE South 89 degrees 55 minutes 30 seconds East a distance of 264.80 feet along the north right of way of Hampton Hills Street to a point at the intersection of the on the south right of way of Hampton Hills Street and the west right of way of Dub Wright Boulevard for the northeast corner of this tract;

THENCE South 00 degrees 40 minutes West a distance of 909.70 feet along the west right of way of Dub Wright Boulevard to a found 3/8 inch iron rod on the south line of the William Bishop Survey No. 43;

THENCE North 89 degrees 55 minutes 30 seconds West a distance of 255.00 feet along the south line of the William Bishop Survey No. 43 to the place of beginning containing an area of 5.428 acres. Not surveyed on the ground.

**FIELD NOTES
FOR RS-6-A ZONING
A 2.618 ACRE TRACT
OUT OF
THE WILLIAM BISHOP SURVEY NO. 43
ABILENE, TAYLOR COUNTY, TEXAS**

BEING a 2.618 acre tract out of the William Bishop Survey No. 43, Taylor County, Texas, same being out of a 21.158 acre tract recorded in Volume 2674, Page 241, Official Public Records, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a point on the north right of way of Hampton Hills Street for the southwest corner of this tract, where the southwest corner of the William Bishop Survey No. 43 bears 970.53' S 01°03'16" W, same reference point being the southwest corner of said 21.158 acre tract;

THENCE North 00 degrees 03 minutes East a distance of 456.00' along the west line of the William Bishop Survey No. 43 to a point for the northwest corner of this tract;

THENCE South 89 degrees 55 minutes 30 seconds East a distance of 250.00 feet to a point for the northeast corner of this tract;

THENCE South 00 degrees 40 minutes West a distance of 456.35 feet to a point on the north right of way of Hampton Hills Street;

THENCE North 89 degrees 55 minutes 30 seconds West a distance of 250.00 along the north right of way of Hampton Hills Street feet to the place of beginning containing an area of 2.618 acres. Not surveyed on the ground.

**FIELD NOTES
FOR RS-66-B ZONING
A 5.225 ACRE TRACT
OUT OF
THE WILLIAM BISHOP SURVEY NO. 43
ABILENE, TAYLOR COUNTY, TEXAS**

BEING a 5.225 acre tract out of the William Bishop Survey No. 43, Taylor County, Texas, same being out of a 21.158 acre tract recorded in Volume 2674, Page 241, Official Public Records, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a found 1/2 inch iron rod for the southwest corner of this tract, same being the southwest corner of the William Bishop Survey No. 43, same reference point being the southwest corner of said 21.158 acre tract;

THENCE North 00 degrees 03 minutes East a distance of 910.55' along the west line of the William Bishop Survey No. 43 to a point on the south right of way of Hampton Hills Street for the northwest corner of this tract;

THENCE South 89 degrees 55 minutes 30 seconds East a distance of 250.00 feet along the south right of way of Hampton Hills Street to a point for the northeast corner of this tract;

THENCE South 00 degrees 40 minutes West a distance of 910.10 feet to a point on the south line of the William Bishop Survey No. 43;

THENCE North 89 degrees 55 minutes 30 seconds West a distance of 250.00 feet to the place of beginning containing an area of 5.225 acres. Not surveyed on the ground.

Case:	Z-2021-17
Owner:	Weatherbee Construction Inc.
Agent:	Enprotec Hibbs & Todd (eHT)
Request:	Rezone Agricultural Open Space (AO) to Medium Density (MD) and Single-Family Residential (RS-6)
Location:	2900-3100 Blocks of Dub Wright Blvd and 6500 Blocks of Hampton Hills Street
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	July 6, 2021
City Council Hearing:	July 29, 2021 August 12, 2021

Z-2021-17 LOCATION MAP



Location Map



Legend

 Z-2021-17



Permitted Uses in MD Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- C Dwelling – Institutional
- P Dwelling – Multiple-Family
- 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
- 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 Homeless/Emergency Shelter
- C Rehabilitation Facility
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- P School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

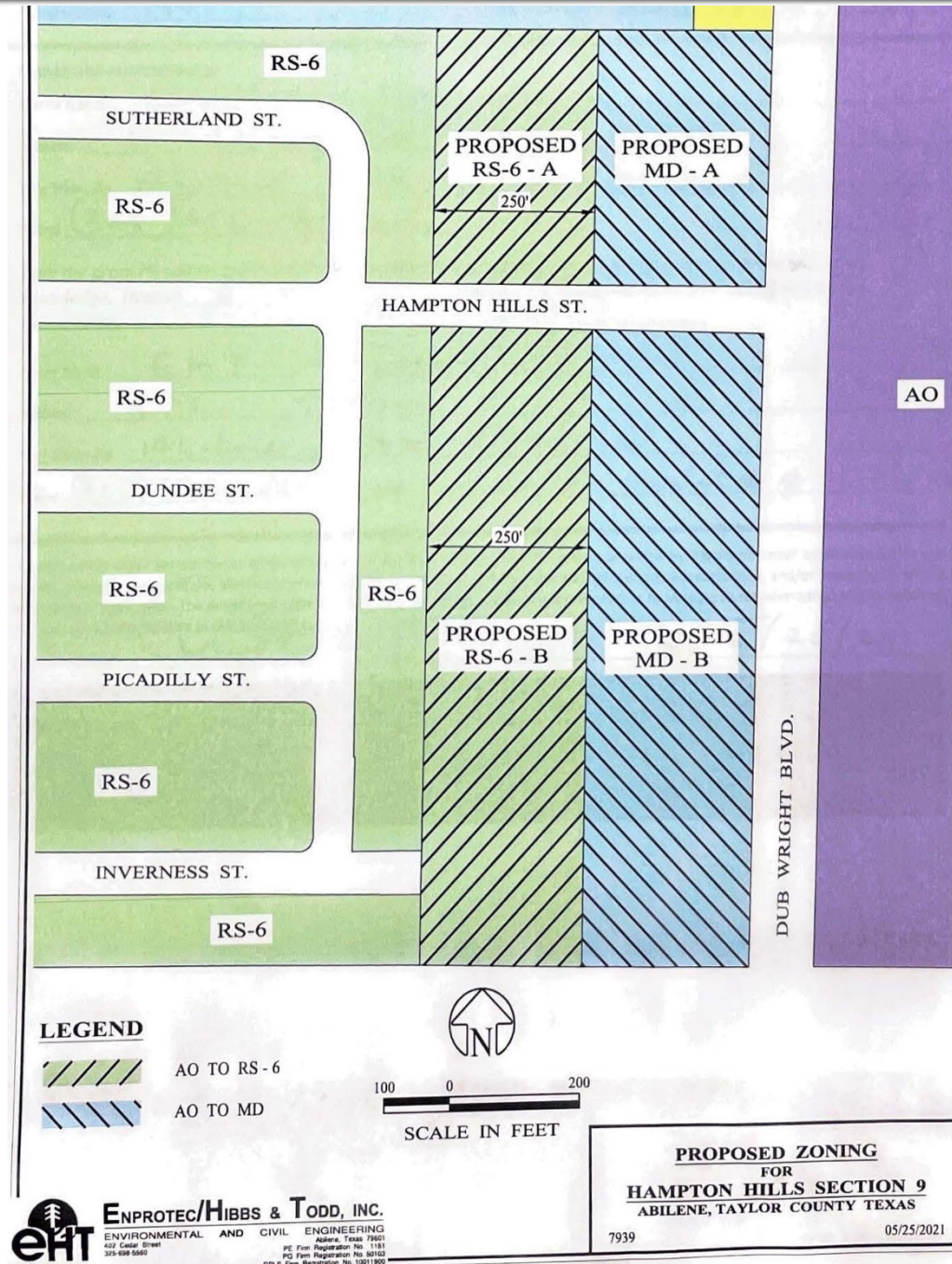
RESOURCE PRODUCTION AND EXTRACTION USES:

- 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





East view of Hampton Hills St.



North view of Dub Wright Blvd.

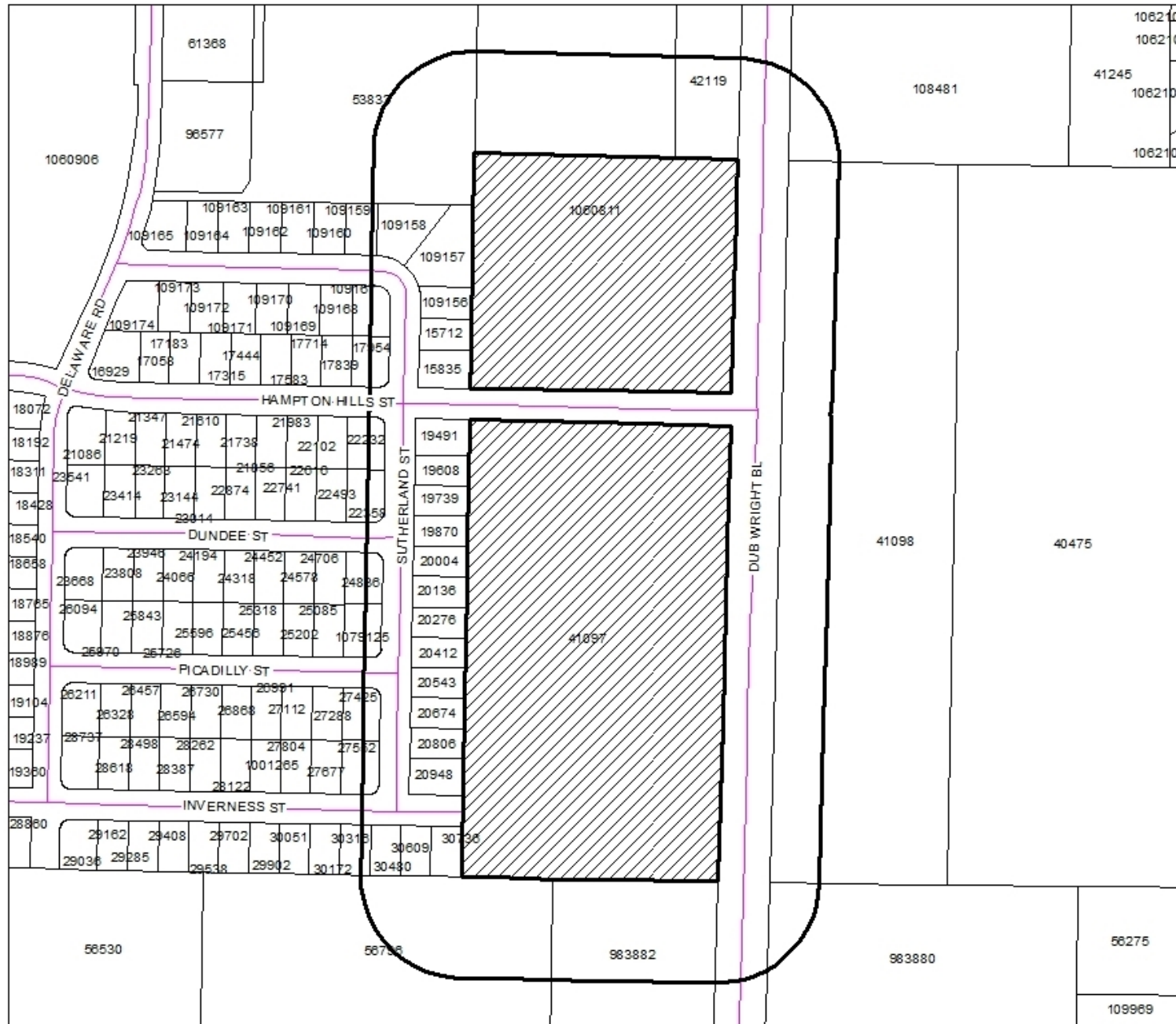


Subject property at Jennings Drive

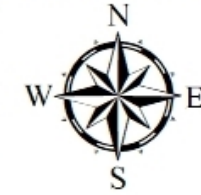


Jennings Drive

Z-2021-17 NOTIFICATION AREA MAP



Notification Map



Legend

- 200' Notification Area
- Z-2021-17

0- In Favor-

0- Opposed-

Percent Opposition: 0%

- 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-2021-18

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: July 6, 2021

City Council 1st Reading: July 29, 2021

City Council 2nd Reading: August 12, 2021

Applicant

Owner: Eplen Properties Inc.

Agent: Michael Beard, Betco Housing Lab

Request

Rezone 9 lots in Mac Eplen Subdivision from General Commercial (GC) to Multi-Family (MF). Based upon the information provided in the application, the purpose of this request is to build multi-family units as a part of a tax credit project.

Location

149, 157, 158, 165, 166, 173, 174, 181 & 182 Eplens Court

Background

The subject properties were zoned General Commercial (GC) in 1974 and platted in 1978. The properties have 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 zoned General Commercial (GC) with varying commercial uses such as a night club and automobile sales; to the east is a mobile home park; to the south are duplex style homes in Medium Density (MD) zoning; to the west are vacant lots located within GC zoning.

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 properties as high density residential due to the proximity to Business Interstate 20, more commonly known as South 1st Street. Multi-family units serve as an appropriate buffer between the General Commercial area to the north and the Medium Density (MD) properties to the south.

(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 and serve to provide needed infill development. The subject properties are all located within the 100-year flood zone and single-family home styles are likely cost prohibitive to build in this area.

(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

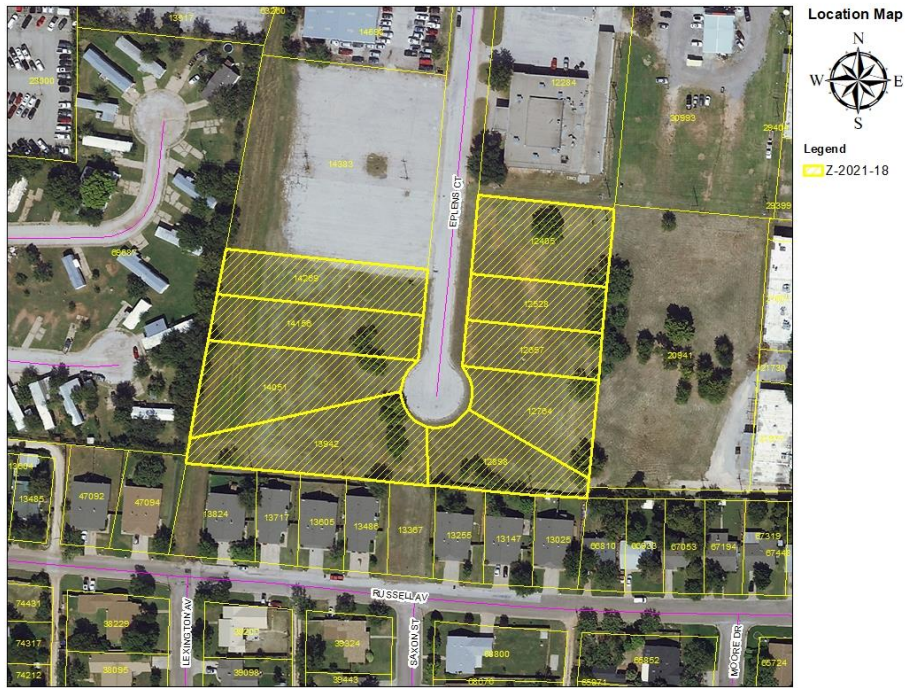
Owner	Parcel ID	Response
EPLEN PROPERTIES INC	12764	
EPLEN PROPERTIES INC	12405	
EPLEN PROPERTIES INC	12528	
EPLEN PROPERTIES INC	12657	
EPLEN PROPERTIES INC	12898	
OROURKE LINDSAY ANETTE	13147	
ADRIAN DAVID MICHAEL & KAY	13255	Opposed
CLARK WILLIAM E	14598	
BLAIR ADDIE VONDELL	66933	
ADRIAN DAVID M & KAY N	13486	Opposed
PARROTT HOWARD W	66810	
ADRIAN DAVID MICHAEL & KAY	13605	Opposed
GATLIN PAUL & RUBY	67194	
GARRISON GARRETT & STEPHANIE	39324	
ADRIAN DAVID MICHAEL & KAY	13025	Opposed
EPLEN PROPERTIES INC	13367	
OWENS MASON THOMAS &	67053	
SHEPHERD ASSET MANAGEMENT LLC	65852	
FREDERICK SALLY ANN DUNIGAN	68800	
CRAIN GARY	12284	Opposed
EPLEN PROPERTIES INC	14156	
CRAIN GARY	14383	Opposed
EPLEN PROPERTIES INC	14051	
JM&J PROPERTY HOLDINGS LLC	47094	Opposed
SHELBY GERALD & TERESA	38229	
ARREOLA CESAR	39207	
EPLEN PROPERTIES INC	14269	
ADRIAN DAVID MICHAEL & KAY	13717	Opposed
JM & J PROPERTY HOLDINGS LLC	47092	Opposed
EPLEN PROPERTIES INC	13942	
BOLT INC	30993	
WESTGATE MOBILE HOME PARK LTD	69687	
ADRIAN DAVID M &	13824	Opposed
WALKER JUSTIN T	13485	
FL20 INC	20941	

Attachments

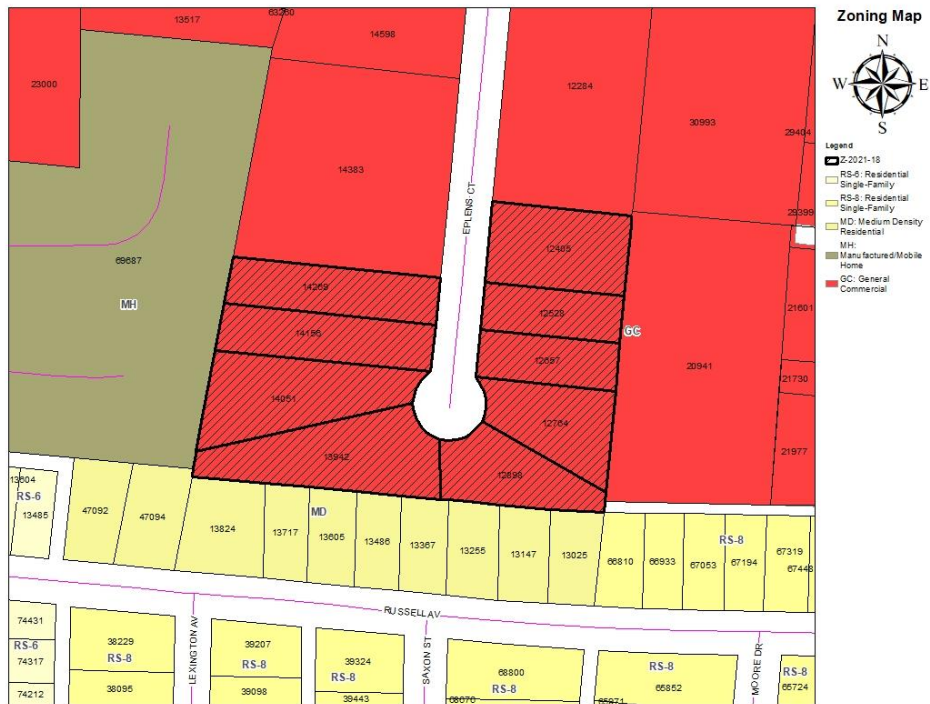
Application

PowerPoint Presentation

LOCATION MAP



ZONING MAP





CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

JM&J PROPERTY HOLDINGS LLC
633 PARSONS RD
ABILENE, TX 79602-1940

NOTICE OF PUBLIC HEARING

RE: Zone Change Application Number Z-2021-18

06/23/2021

The Planning and Zoning Commission will hold a public hearing on **July 6, 2021 at 1:30 PM**, in **City Council Chambers, 2nd Floor**, City Hall, N. 5th and Walnut Streets, to recommend approval or denial to City Council on a request from Eplen Properties Inc., represented by Betco Housing Lab, to change zoning from General Commercial (GC) to a Residential Multiple-Family (MF) District on nine vacant lots at 149 and 157-182 Eplens Court (at south end of Eplens Court) in west central Abilene. Legal description being Lots 3 thru 7 and Lots 16 thru 19 in Block A of Section 2, Mac Eplen Addition to the City of Abilene, Taylor County, Texas.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only that area which is bounded by the cross-hatched line on the map is being considered for abandonment. The solid boundary line around the subject area is only a notification area. If approved by the Planning and Zoning Commission or if denied and appealed to Abilene's City Council within the specified ten-day period, this case will be heard by City Council for 2nd and Final Reading with public hearing on **August 12, 2021 at 8:30 AM** in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Cheryl Sawyers, Planner Services Manager at telephone 325-676-6230 or by email address Cheryl.sawyers@abilenetx.gov

For the PLANNING & ZONING COMMISSION

Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-18

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

Name: JM&J PROPERTY HOLDINGS LLC

Parcel I.D.: 47094

Address: 4102 RUSSELL AV

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: Mary Zentile-Florer



PLANNING & DEVELOPMENT SERVICES

JM & J PROPERTY HOLDINGS LLC
633 PARSONS RD
ABILENE, TX 79602-1940

NOTICE OF PUBLIC HEARING

RE: Zone Change Application Number Z-2021-18

06/23/2021

The Planning and Zoning Commission will hold a public hearing on **July 6, 2021 at 1:30 PM**, in **City Council Chambers, 2nd Floor**, City Hall, N. 5th and Walnut Streets, to recommend approval or denial to City Council on a request from Eplen Properties Inc., represented by Betco Housing Lab, to change zoning from General Commercial (GC) to a Residential Multiple-Family (MF) District on nine vacant lots at 149 and 157-182 Eplens Court (at south end of Eplens Court) in west central Abilene. Legal description being Lots 3 thru 7 and Lots 16 thru 19 in Block A of Section 2, Mac Eplen Addition to the City of Abilene, Taylor County, Texas.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only that area which is bounded by the cross-hatched line on the map is being considered for abandonment. The solid boundary line around the subject area is only a notification area. If approved by the Planning and Zoning Commission or if denied and appealed to Abilene's City Council within the specified ten-day period, this case will be heard by City Council for 2nd and Final Reading with public hearing on **August 12, 2021 at 8:30 AM** in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Cheryl Sawyers, Planner Services Manager at telephone 325-676-6230 or by email address Cheryl.sawyers@abilenetx.gov

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

CASE #: Z-2021-18

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

Name: JM & J PROPERTY HOLDINGS LLC
Parcel I.D.: 47092
Address: 4108 RUSSELL AV

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: _____

Mary Zuercher-Flore

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

CASE #: Z-2021-18

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

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

Name: CRAIN GARY
Parcel I.D.: 14383
Address: 150 EPLENS CT

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: _____

Gary Crain

JUN 29 PM 1:14

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

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



Farr, Melissa <melissa.farr@abilenetx.gov>

[Planning] Cae # Z2021-18 OPPOSED

1 message

Mike Adrian <skyeye24@sbcglobal.net>
To: planning@abilenetx.gov

Mon, Jun 28, 2021 at 2:30 PM

Dear Abilene Planning Board,

Regarding Zone Change # Z-2021-18

My wife and I own the six duplexes immediately behind and adjacent to the subject property. Our duplexes are located on Russell Ave.

We very strongly OPPOSE this zoning change. We have spent the last 20 years slowly improving our neighborhood on Russell Ave, and have brought it up from a low class neighborhood to a nice middle-class neighborhood that attracts residents in the Air Force, at the hospitals, and local businesses. We feel that all of our hard work will be lost by the dramatic change the zoning change will bring to the adjacent Russell Ave. neighborhood.

We support public housing and believe more of it should be built, but the Russell Ave neighborhood is at a delicate "tipping point." It has just recently tipped into a middle-middle class neighborhood, but could quickly and easily tip back downward if we aren't diligent in protecting it.

I grew up down on S. Pioneer and saw the impact public housing had on that neighborhood. While initially the housing was nicely done, within about 10 years the physical appearance of the housing was drastically deteriorated, and the tenants living there brought the whole neighborhood down. We don't want this to be repeated on Russell Ave.

Public housing should be located in neighborhoods that can easily handle the negative aspects that accompany it.

We urge you to deny this zoning change.

Thank you,

David Michael Adrian & Kay Adrian
512.970.9192
skyeye24@sbcglobal.net

Parcel I.D. 13824
Address: 4100 Russell Av

PS: I'm mailing in the printed, SIGNED form, but I wanted to make sure you got this before the hearing.

--

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.
To view this discussion on the web visit <https://groups.google.com/a/abilenetx.gov/d/msgid/planning/08168D70-343A-4B10-B87F-8D0218BE934C%40sbcglobal.net>.

[Planning] Cae # Z-2021-18 OPPOSED

1 message

Mike Adrian <skyeye24@sbcglobal.net>
To: planning@abilenetx.gov

Mon, Jun 28, 2021 at 2:32 PM

Dear Abilene Planning Board,

Regarding Zone Change # Z-2021-18

My wife and I own the six duplexes immediately behind and adjacent to the subject property. Our duplexes are located on Russell Ave.

We very strongly OPPOSE this zoning change. We have spent the last 20 years slowly improving our neighborhood on Russell Ave, and have brought it up from a low class neighborhood to a nice middle-class neighborhood that attracts residents in the Air Force, at the hospitals, and local businesses. We feel that all of our hard work will be lost by the dramatic change the zoning change will bring to the adjacent Russell Ave. neighborhood.

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Public housing should be located in neighborhoods that can easily handle the negative aspects that accompany it.

We urge you to deny this zoning change.

Thank you,

David Michael Adrian & Kay Adrian
512.970.9192
skyeye24@sbcglobal.net

Parcel I.D. 13717
Address: 4094 Russell Av

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--

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[Planning] Case #Z-2021-18

1 message

Mike Adrian <skyeye24@sbcglobal.net>
To: planning@abilenetx.gov

Mon, Jun 28, 2021 at 2:33 PM

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Public housing should be located in neighborhoods that can easily handle the negative aspects that accompany it.

We urge you to deny this zoning change.

Thank you,

David Michael Adrian & Kay Adrian
512.970.9192
skyeye24@sbcglobal.net

Parcel I.D. 13605
Address: 4090 Russell Av

PS: I'm mailing in the printed, SIGNED form, but I wanted to make sure you got this before the hearing.

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To view this discussion on the web visit <https://groups.google.com/a/abilenetx.gov/d/msgid/planning/BE814DEA-AC61-4677-93D8-6A5EB367A253%40sbcglobal.net>.

[Planning] Case # Z-2021-18 OPPOSED

1 message

Mike Adrian <skyeye24@sbcglobal.net>
To: planning@abilenetx.gov

Mon, Jun 28, 2021 at 2:35 PM

Dear Abilene Planning Board,

Regarding Zone Change # Z-2021-18

My wife and I own the six duplexes immediately behind and adjacent to the subject property. Our duplexes are located on Russell Ave.

We very strongly OPPOSE this zoning change. We have spent the last 20 years slowly improving our neighborhood on Russell Ave, and have brought it up from a low class neighborhood to a nice middle-class neighborhood that attracts residents in the Air Force, at the hospitals, and local businesses. We feel that all of our hard work will be lost by the dramatic change the zoning change will bring to the adjacent Russell Ave. neighborhood.

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Public housing should be located in neighborhoods that can easily handle the negative aspects that accompany it.

We urge you to deny this zoning change.

Thank you,

David Michael Adrian & Kay Adrian
512.970.9192
skyeye24@sbcglobal.net

Parcel I.D. 13486
Address: 4086 Russell Av

PS: I'm mailing in the printed, SIGNED form, but I wanted to make sure you got this before the hearing.

--
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[Planning] Case # Z-2021-18

1 message

Mike Adrian <skyeye24@sbcglobal.net>
To: planning@abilenetx.gov

Mon, Jun 28, 2021 at 2:36 PM

Dear Abilene Planning Board,

Regarding Zone Change # Z-2021-18

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Public housing should be located in neighborhoods that can easily handle the negative aspects that accompany it.

We urge you to deny this zoning change.

Thank you,

David Michael Adrian & Kay Adrian
512.970.9192
skyeye24@sbcglobal.netParcel I.D. 13255
Address: 4078 Russell Av

PS: I'm mailing in the printed, SIGNED form, but I wanted to make sure you got this before the hearing.

--

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[Planning] Caes # Z-2021-18 OPPOSED

1 message

Mike Adrian <skyeye24@sbcglobal.net>
To: planning@abilenetx.gov

Mon, Jun 28, 2021 at 2:36 PM

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We urge you to deny this zoning change.

Thank you,

David Michael Adrian & Kay Adrian
512.970.9192
skyeye24@sbcglobal.netParcel I.D. 13025
Address: 4070 Russell Av

PS: I'm mailing in the printed, SIGNED form, but I wanted to make sure you got this before the hearing.

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For the PLANNING & ZONING COMMISSION

Please call (325) 676-6237 if you have any questions about this notice.

ASE #: Z-2021-18

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

Name: CRAIN GARY

Parcel I.D.: 12284

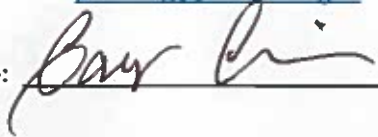
Address: 117 EPLENS CT

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: 

JUN 29 PM 1:14

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

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



Development Application

Planning

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

Project Name: Abilene Pioneer Crossing
 Address: 149, 157, 165, 173, 181, 182, 174, 166, 158 Eplens Court No. of lots: 9 Acreage: 4 acres
149, 157, 165, 173, 181 Eplens Ct - MAC Eplen Sec . 2, Block A, Lot 3,4,5,6 & 7
 Legal Description: 158, 166, 174, Eplens Ct - MAC Eplen Sec . 2, Block A, Lot
 Subdivision Name: Mac Eplen Section 2 Block: A Lot: 3, 4, 5, 6, 7, 16, 17, 18, & 19
 Current Zoning: GC Proposed Zoning (if applicable): MF

OWNER AND AUTHORIZATION

Owner Name: Eplen Properties Inc.
 Address: 2406 Hazard St.
 City, State, Zip: 2406 Hazard St., Houston, TX 77019-6718 Fax: _____
 Phone: 325-698-5661 Email: paul@pauljohnsonrealtors.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: Michael Beard with Betco Housing Lab
 Address: 812 San Antonio, Suite L-14
 City, State, Zip: Austin, TX 78701 Fax: _____
 Phone: 210-247-8192 Email: Michael@betcohousinglab.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: _____

FOR OFFICE USE ONLY

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



Development Application

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

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

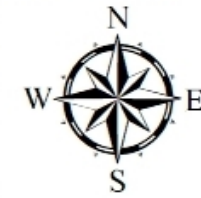
We are requesting a rezoning to allow for an Multi-family Tax Credit project to be built on the site. The site is in a good location that provides families with affordable housing and amenities. The location will be a great home for good hard working people.

Case:	Z-2021-18
Owner:	Eplen Properties Inc.
Agent:	Michael Beard, Betco Housing Lab
Request:	Rezone General Commercial (GC) to Multi-Family (MF)
Location:	149, 157, 158, 165, 166, 173, 174, 181, 182 Eplens Court
Notification:	0 in Favor, 10 Opposed
Planning & Zoning:	July 6, 2021
City Council Hearing:	July 29, 2021 August 12, 2021

Z-2021-18 LOCATION MAP



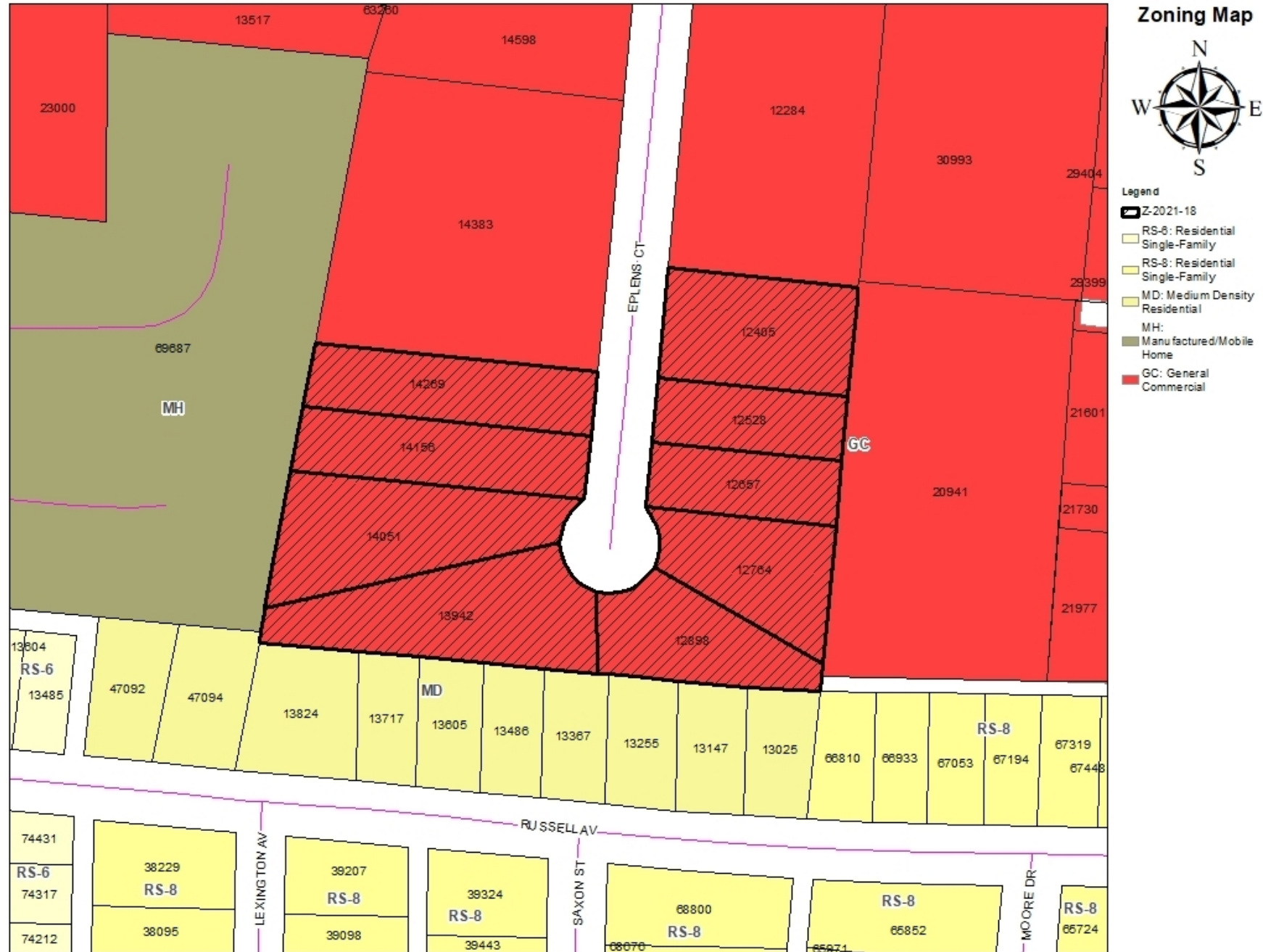
Location Map



Legend

 Z-2021-18

Z-2021-18 ZONING MAP



Z-2021-18 FLOOD 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

Permitted Uses in MF Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- P Dwelling – Multiple-Family
- 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
- 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 Homeless/Emergency Shelter
- C Personal Care Facility
- C Rehabilitation Facility
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- 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



149 Eplens Court



157 & 165 Eplens Court



Southern view Eplens Court

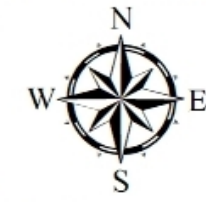


165 Eplens Court

Z-2021-18 NOTIFICATION AREA MAP



Notification Map



Legend

- 200' Notification Area
- Z-2021-18

- 0- In Favor- ●
- 10- Opposed- ●
- 26.7% Opposition

- 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-2021-19

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: July 6, 2021

City Council 1st Reading: July 29, 2021

City Council 2nd Reading: August 12, 2021

Applicant

Owner: Prairie Song, LLC

Agent: Jacob & Martin

Request

Rezone approximately 14 acres of vacant land from Planned Development 144 to Residential Single-Family (RS-6) and Medium Density (MD). Based upon information provided within the application, the purpose of this request is to eliminate the existing Planned Development and to develop a concept that matches the existing feel of the neighborhood to better conform to surrounding uses. It is not expected that the two tracts would connect in any form and the proposed MD section will only have access to East Stamford Street.

Location

14+ acres of vacant land bordering 2600 block (north side) of Garfield Avenue, approximately 1/2 mile north from Ambler Avenue.

Background

Planned Development District 114 (PD 144) was approved in 2014 and has remained vacant. The terms and conditions of this PD are included in this report.

In 2019, the applicant proposed eliminating PD 144 altogether, replacing it with Residential Multi-Family (MF) zoning on the northern 12+ acres and RS-6 zoning on the southernmost 2+ acres. Abilene's Planning & Zoning Commission recommended denying this requested rezoning. The applicant appealed that decision to City Council, but soon withdrew the appeal.

In 2020, the applicant proposed an amendment to PD 144 for all 14.166 acres. The amendment was recommended for approval by the Planning and Zoning Commission but it was ultimately denied by the City Council.

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 mostly single-family residential properties. To the south and west are single-family homes in RS-6 and RS-8 zones; to the east are vacant properties in RS-6; to the northeast are multifamily housing units in multi-family zoning; and to the north is vacant land zoned General Commercial adjacent to Interstate Highway 20.

Criteria Assessment

According to Section 1.4.1.4 (Criteria for Approval) in the City of Abilene's Land Development Code, the Planning & Zoning Commission and City Council may consider the following factors in

making a determination regarding requested zone changes:

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

The Future Land Use and Development Plan Map of the Comprehensive Plan suggests low-density residential use of the subject property. As depicted in the zoning exhibit provided by the applicant, the area along Garfield Ave is proposed to be single-family homes in RS-6. In the northern section, the exhibit shows a proposed Medium Density (MD) area and is considered an appropriate buffer between the multi-family density to the northeast and the RV park to the west.

(2) Whether the proposed zoning amendment will be appropriate in the immediate area of this subject property.

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 northern 12 acres are situated in a “transitional” area separating intensive commercial and high-density residential development on Interstate Highway 20, from the single-family residences of the adjacent neighborhood. Applying medium densities of residential development generally provides an effective transition in the overall intensity of use, between these two environments.

(3) Whether the proposed change is in accord with 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

City staff recommends approval.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on June 25, 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.

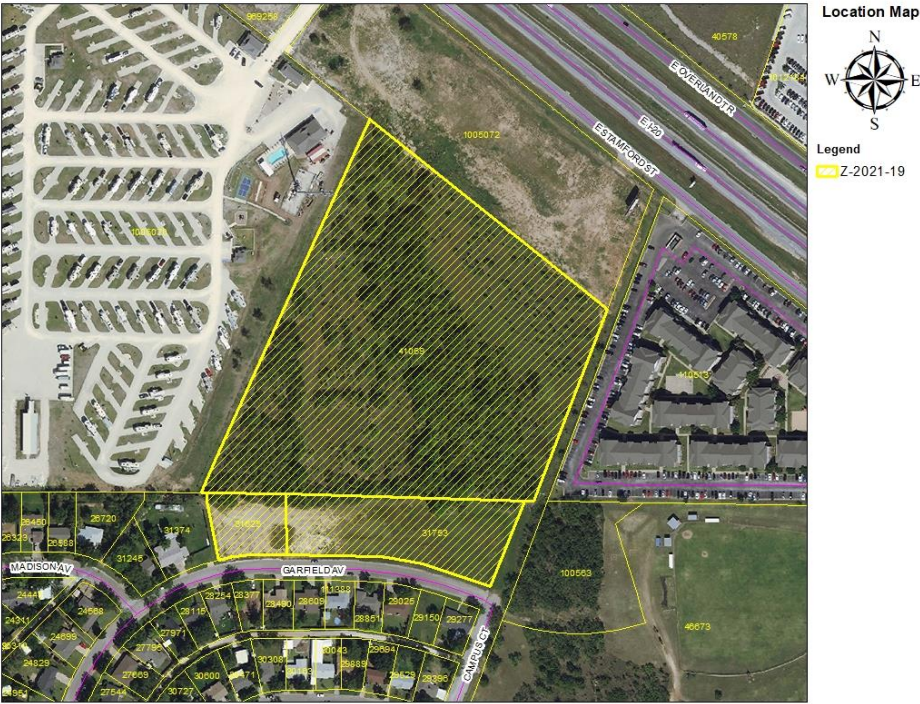
Table 1

Owner	Parcel ID	Response
ABILENE CHRISTIAN SCHOOLS	46673	
ABILENE CHRISTIAN UNIV	100563	
ALLISON REBECCA ANN	30471	
BD INVESTMENTS LLC SERIES 1	29277	
BD INVESTMENTS LLC SERIES 2	29150	
CAMPUS CREST AT ABILENE LP	110513	
CARTER TIMOTHY	29889	
CARTER TIMOTHY G	29396	
CLARK DONALD W	30163	Opposed
COCO MALCOLM P & JUDY	28115	
JACKSON DELTON J & JOYCE	30043	
JOY HUT LLC	30308	Opposed
JOY HUT LLC	28851	Opposed
KISER DAVID F	28254	
LITTLE BETTY ANN	26720	
NGOTT LLC	31245	
NUGGET DOG VENTURES LP	111388	
PLOCHECK RUSSELL E & SHIRLENE J	31374	
PRAIRIE SONG LLC	31753	
PRAIRIE SONG LLC	31625	
PRAIRIE SONG LLC	41069	
RICHARDSON NANCY	29529	
SOUTHWEST HOUSING PROVIDERS LLC	1005072	
TAYLORS REAL ESTATE	29025	
THOMAS TOMMY FAY	29694	
VILLAFRANCA RODOLFO M &	28609	
WALKER EDWARD & TAMMY	28377	
WHISTLE STOP RV RESORT LLC	1005070	
WHITWELL JAMES L	27971	
YOUNG AARON & ELIZABETH	28490	

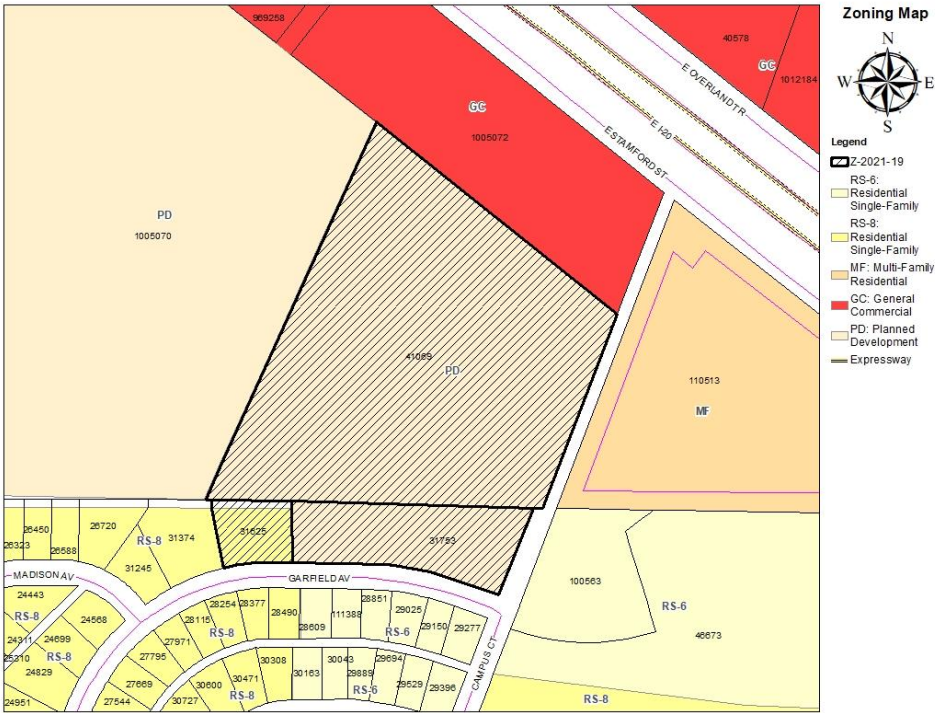
Attachments

- Location map
- Zoning exhibit
- PD 144 ordinance
- Application
- PowerPoint

Location Map



Zoning map



Zoning Exhibit



ORDINANCE NO. 62-2014

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-144 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than 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 25th day of September A.D. 2014.

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 16th day of May, 2014, 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 p.m., on the 14th day of August, 2014, 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 9th day of October, A.D. 2014.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. 62-2014

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 Chapter 23, Abilene Municipal Code, part known as the Land Development Code of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From AO (Agricultural Open Space) & RS-6 (Single-Family Residential) to PD (Planned Development) zoning.

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. 62-2014

EXHIBIT "A"

PAGE 2

PART 5: Legal Description. The legal description of this PD is as follows:

HILLCREST ADDN SEC 4, BLOCK 11
A0580 SUR 84 T & P RY CO, BLOCK 14



Location:

2668 Garfield Ave and the approximately 12.04 acres to the north

PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for a multi-family residential development which generally is not allowed under present zoning and development procedures.

PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the RS-6 (Single-Family Residential) zoning district, except as modified below:

- 1) **ADDITIONAL PERMITTED USE:** An Independent Living Facility of 140 rooms and 12 staff members shall be permitted on the north approximately 5.0 acres.
- 2) **DEVELOPMENT REGULATIONS:**
 - a) If developed as an Independent Living Facility, the MF (Multi-Family Residential) district standards shall apply.
 - b) No street connection shall be allowed between the northern 5.0 acres and the remaining 9 acres with the exception of 1 emergency access point. Barriers shall be provided in the form of berms, landscaping, walls, or similar.
 - c) No other street stubs or connections shall be allowed to the property to the west.

-END-



CASE #: Z-2021-19

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

Name: CLARK DONALD W
Parcel I.D.: 30163
Address: 2644 ROUNTREE DR

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: Donald W. Clark

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

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



PLANNING & DEVELOPMENT SERVICES

JOY HUT LLC
107 UHL RD
RED OAK, TX 75154-3985

NOTICE OF PUBLIC HEARING

RE: Zone Change Application Number Z-2021-19

06/23/2021

The Planning and Zoning Commission will hold a public hearing on **July 6, 2021 at 1:30 PM**, in City Council Chambers, 2nd Floor, City Hall, N. 5th and Walnut Streets, to recommend approval or denial to City Council on a request from Prairie Song LLC, represented by Jacob Martin LLC, to change zoning from Planned Development District Number 144 (PD 144) to a combination of a Residential Single-Family (RS-6) District on approximately 2 vacant acres at 2668 Garfield Avenue in northeast Abilene (legal description being all of Block 11 in Hillcrest Addition, Section 4) and a Residential Medium-Density (MD) District on approximately 12 vacant acres (legal description being a certain 12.004 acres out of T&P Railway Co. Section 84 in the City of Abilene, Taylor County, Texas) located directly north from above-described 2 acres of land in northeast Abilene, and to change zoning from Residential Single-Family (RS-8) to a Residential Single-Family (RS-6) District on two vacant lots at 2660-2664 Garfield Street (legal description being Lots 4 and 5 in Block 10 of Hillcrest Addition, Section 4).

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only that area which is bounded by the cross-hatched line on the map is being considered for abandonment. The solid boundary line around the subject area is only a notification area. If approved by the Planning and Zoning Commission or if denied and appealed to Abilene's City Council within the specified ten-day period, this case will be heard by City Council for 2nd and Final Reading with public hearing on **August 12, 2021 at 8:30 AM** in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Cheryl Sawyers, Planner Services Manager at telephone 325-676-6230 or by email address Cheryl.sawyers@abilenetx.gov

For the PLANNING & ZONING COMMISSION

Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-19

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

Name: JOY HUT LLC
Parcel I.D.: 28851
Address: 2681 GARFIELD AV

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: Brent Yeldell

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CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

JOY HUT LLC
107 UHL RD
RED OAK, TX 75154-3985

NOTICE OF PUBLIC HEARING

06/23/2021

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Name: JOY HUT LLC
Parcel I.D.: 30308
Address: 2636 ROUNTREE DR

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: *Cheryl Sawyers*

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

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PROJECT OVERVIEW

Project Type: Zoning Application

ID # 21-000086 | **Started** 06/07/2021 at 2:19 PM



Address

Abilene, TX USA 79601

Legal

A0580 Sur 84 T & P Ry
Co Blk Block 14 Lot Acres
12.0
A0580 Sur 84 T & P Ry
Co, Block 14, Acres 12.04

Property Info

Property ID: 41069

Description

This rezoning request is to support a development concept that matches the existing feel of the neighborhood and better conform to surrounding uses. The request is to rezone from PD to RS-6 and MD as shown in the attached graphic. Single family housing similar to the existing neighborhood would be constructed in what is shown as RS-6 along Garfield, and anticipated development in the MD zoning district would be some form of single story residential development. It is not expected that these two tracts would be connected in any form, as what is proposed as MD would have its only ingress/egress onto E Stamford Street.

INFORMATION FIELDS

Owner Name

Prairie Song, LLC

Agent Name

Jacob & Martin

Block

-

Lot

-

Acreage

14.65

Legal Description of property

A0580 SUR 84 T & P RY CO, BLOCK 14, ACRES 12.04; HILLCREST ADDN SEC 4, BLOCK 11; HILLCREST ADDN SEC 4, BLOCK 10, LOT 4 & 5 & ABND ALLEY

Subdivision Name

Hillcrest Addition

Current Zoning

PD

Proposed Zoning

RS-6 & MD

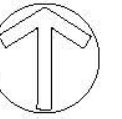
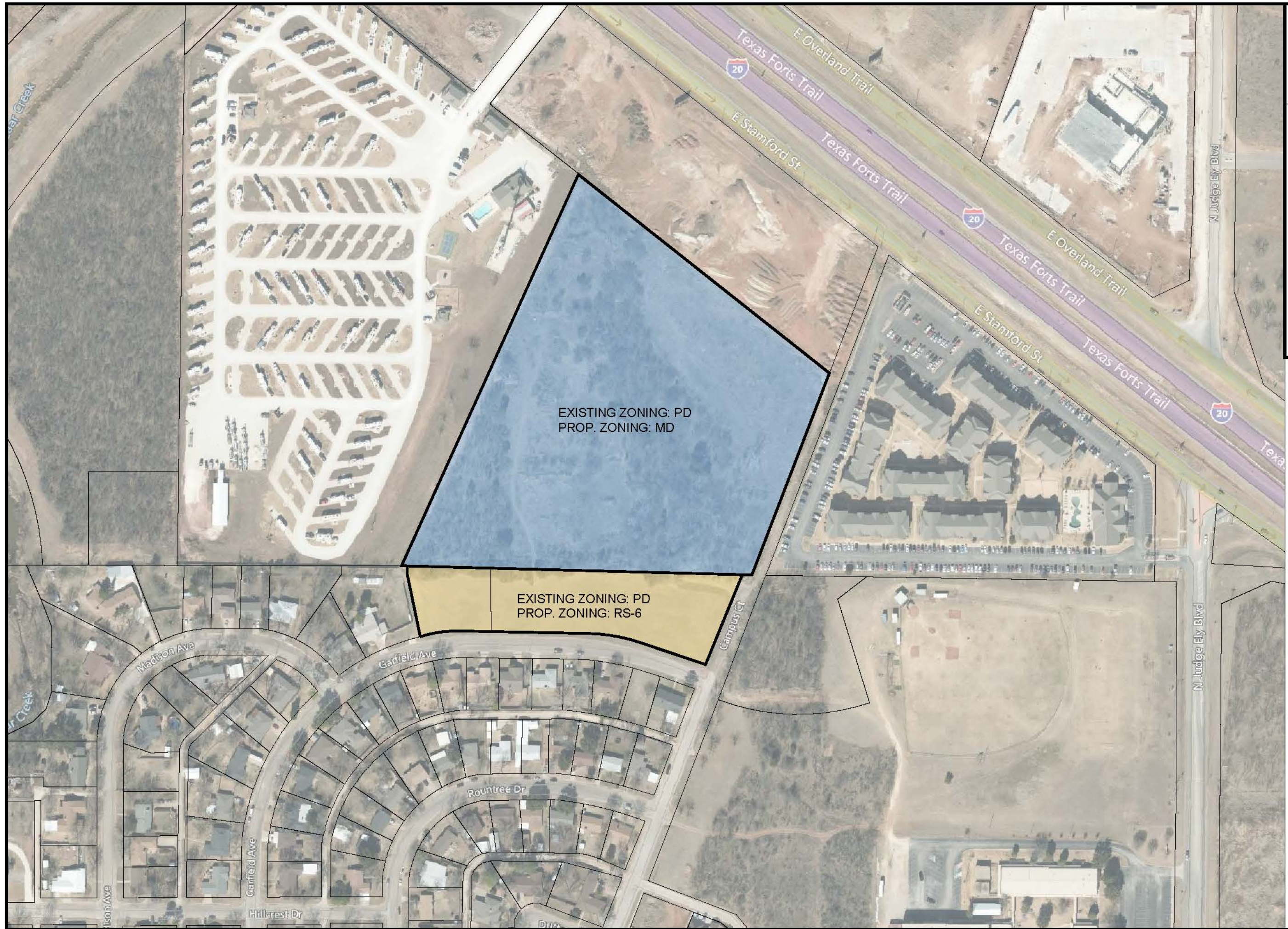
Agree to Terms

Clayton Farrow 6-7-2021

GENERAL COMMENTS

No data for General Comments.

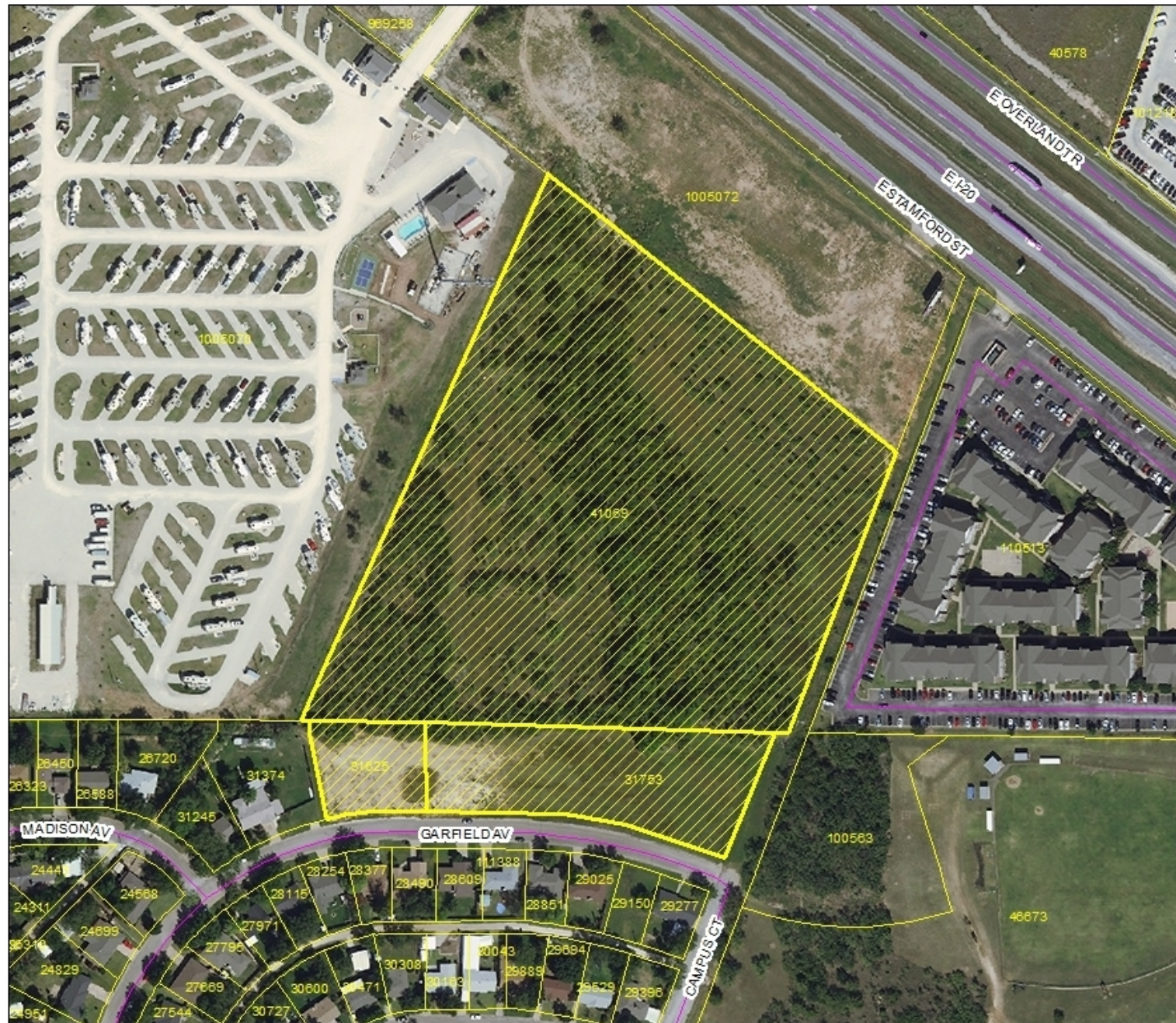
CONTACTS	CONTACT INFO	ADDRESS	CREDENTIALS	ROLE
Clayton Farrow	cfarrow@jacobmartin.com 3256951070	3465 Curry Lane Abilene, TX 79606-2287	Engineer	APPLICANT
Prairie Song Llc	-	Po Box 3098 Abilene, TX 79604-3098	-	Property Owner



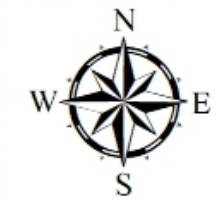
3406 CURRY LANE
DALLAS, TX 75006
214-663-1070
1503 SANTA FE DR, STE 204
WEATHERFORD, TX 76086
817-584-8880
4820 S. LOOP 280, STE 104
LUBBOCK, TX 79414
806-388-8376



Case:	Z-2021-19
Owner:	Prairie Song, LLC
Request:	Rezone Planned Development District (PDD 144) to Residential Single-Family (RS-6) and Medium Density (MD)
Location:	2668 Garfield Avenue
Notification:	0 in Favor, 3 Opposed
Planning & Zoning:	July 6, 2021
City Council Hearing:	July 29, 2021 August 12, 2021

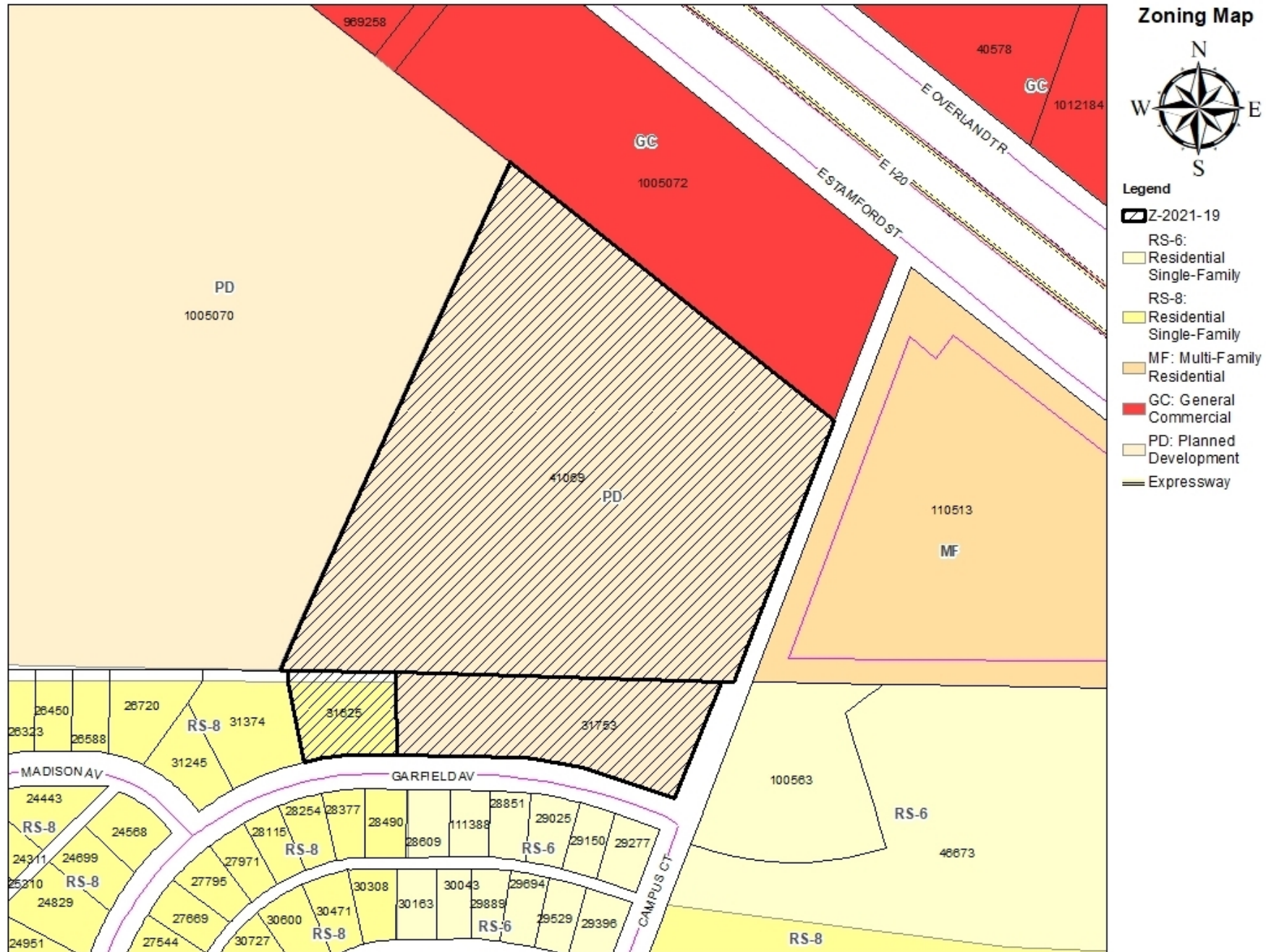


Location Map



Legend

 Z-2021-19



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

Permitted Uses in MD Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- C Dwelling – Institutional
- P Dwelling – Multiple-Family
- 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
- 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 Homeless/Emergency Shelter
- C Rehabilitation Facility
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- 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

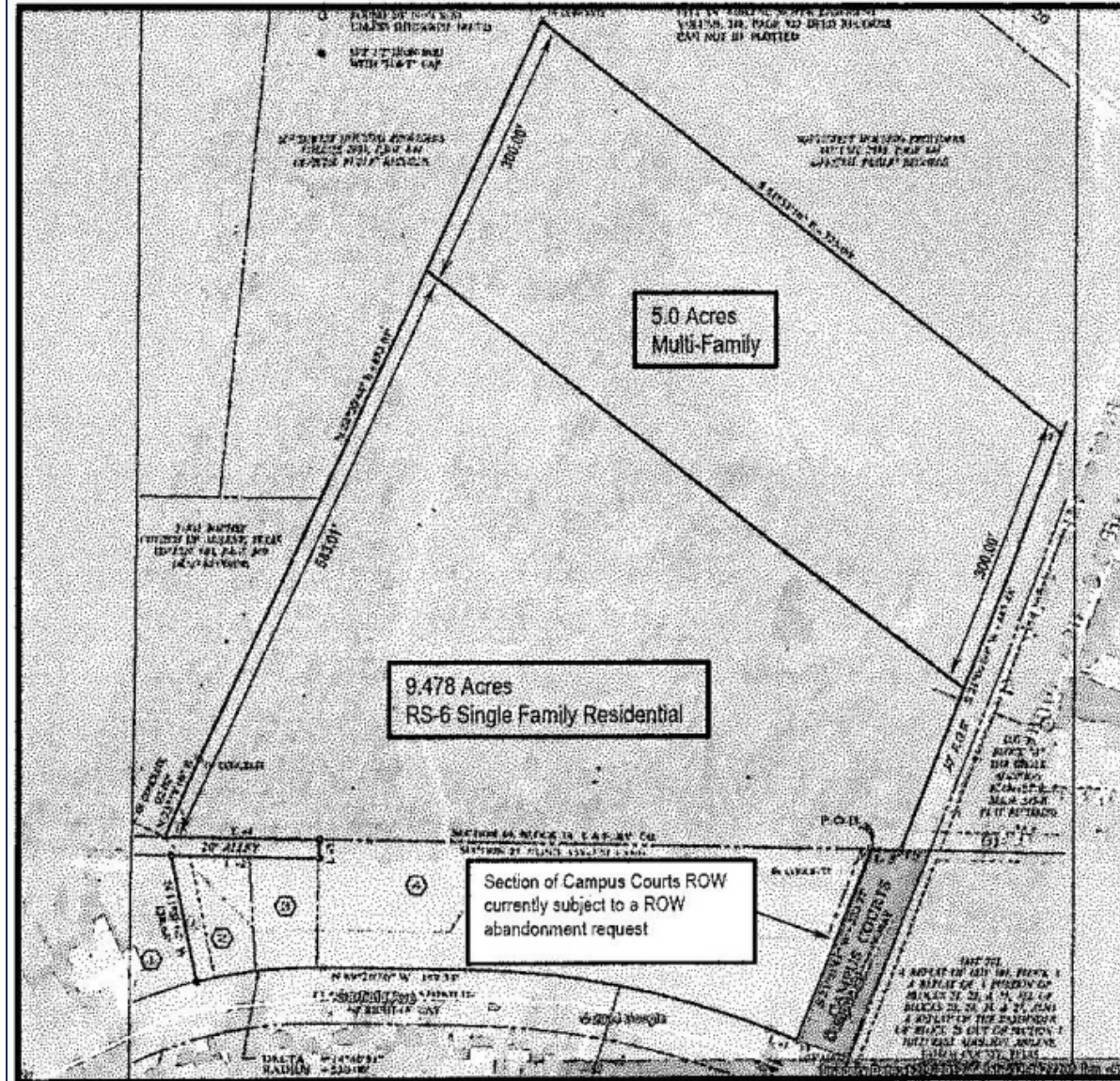
P
C
TP

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
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ORDINANCE NO. 62-2014

EXHIBIT "A"

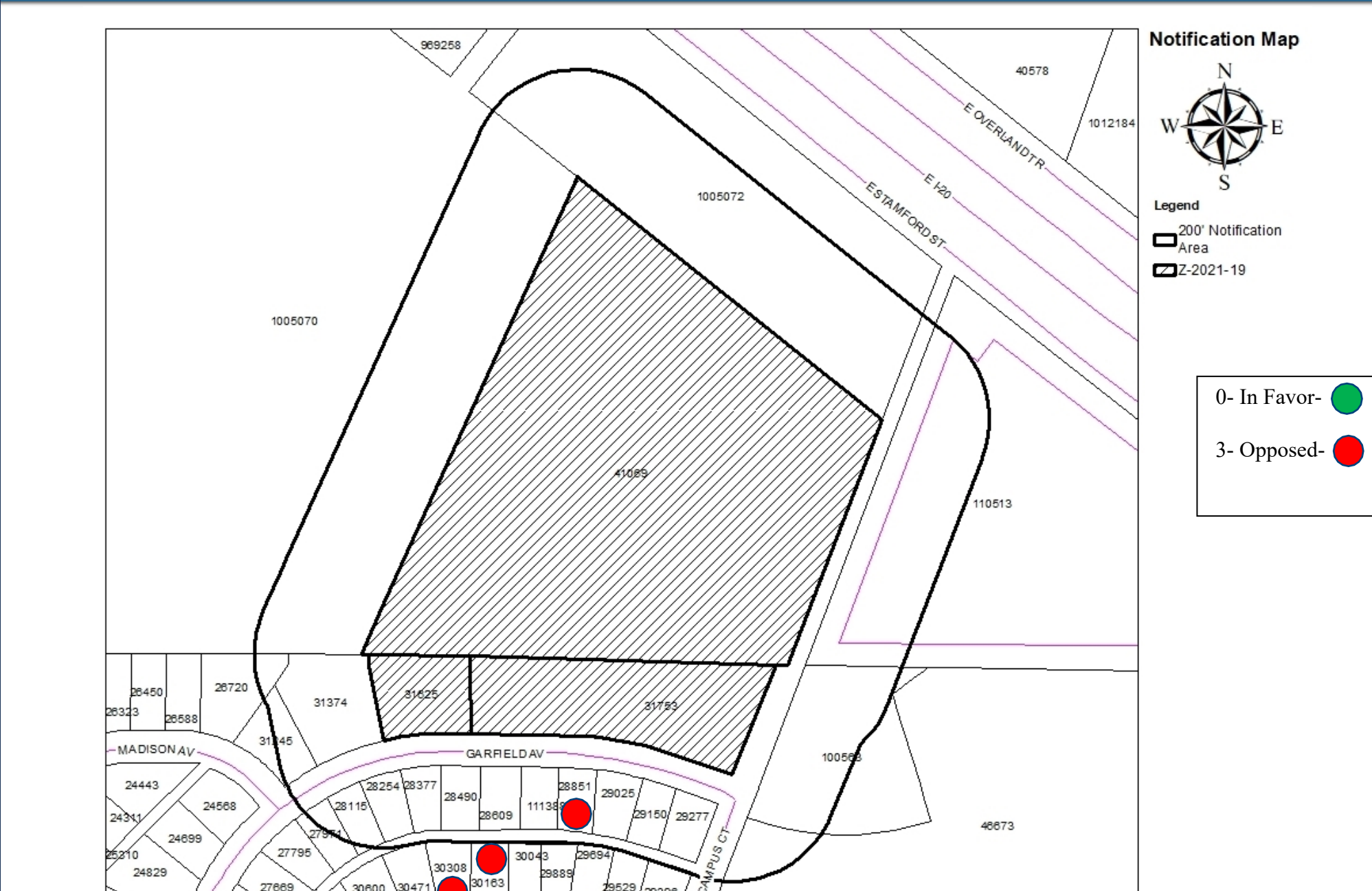
PAGE 4



ZONING EXHIBIT







- 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?

SNC-2021-01

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: July 6, 2021

City Council 1st Reading: July 29, 2021

City Council 2nd Reading: August 12, 2021

Applicant

Development Corporation of Abilene, Inc.

Request

Street Name Change from Corridor Drive to Great Lake's Cheese Drive

Location

Approximately 606.37-feet of right-of-way connecting Highway 36 and Kinsolving Drive.

Background

Corridor Drive was dedicated and platted within Section 1 of Access Business Park in 2018. The Development Corporation of Abilene is proposing this street name change for a new 280,000-square foot manufacturing facility for Greenfield Packaging Plant (Great Lakes Cheese) located to the south of Corridor Drive within Lot of 1 of Block A of Section 1, Access Business Park.

Request Analysis

The proposed street name change was reviewed by the Development Review Committee (DRC) that includes 911 Addressing and the Traffic Services Departments. Traffic Services objected the street name change as the proposed name "is too long to fit on a street name sign."

The Planning Department informed the applicant of the above issue and the applicant is now requesting an alternative street name change of "Great Lakes Drive." Traffic Services considers this name satisfactory.

Criteria Assessment

Section 3.2.7.14 (f) of the Land Development Code states that, in making a determination regarding a requested street name change, the Planning and Zoning Commission and the City Council may apply certain conditions:

Conditions may be placed on the approval, including a requirement that the applicant is responsible for some or all of the public costs associated with the change (example, new street signs, etc.)

Staff Recommendation

Staff recommends approval of the the requested renaming of this right-of-way, subject to the following condition(s):

1. Change the name from Great Lake's Cheese Drive to Great Lakes Drive.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on June 19, 2021, via certified mail to the applicant and other property owners within a 200-foot radius of the subject abandonment request. These property owners and associated parcel ID numbers are identified in Table 1.

Table 1

Owner	Parcel ID	Response
DEVELOPMENT CORP OF ABL	1017166	
CITY OF ABILENE	106949	
DEVELOPMENT CORP OF ABL	1079113	
DEVELOPMENT CORP OF ABL	15775	

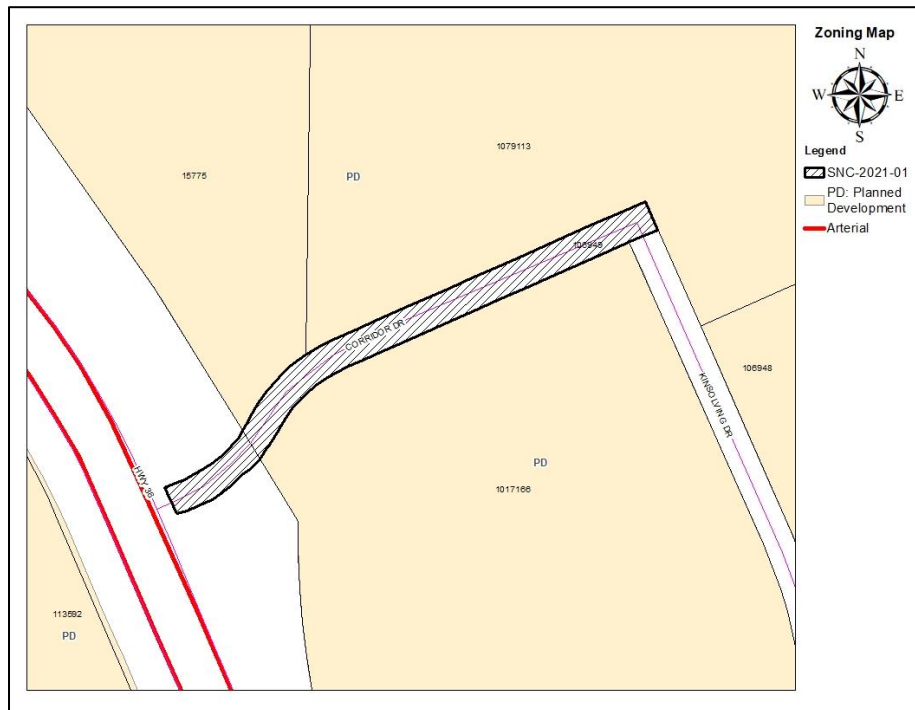
Attachments:

- Application
- FRP-1518, Access Business Park Plat
- DRC Comments
- PowerPoint

LOCATION MAP



ZONING MAP



Section 3.2.7.14 Street Names

(f) Renaming or changing existing street names.

(1) Application shall be submitted to the Planning Department no less than 21 days prior to the date of the Planning and Zoning Commission meeting at which the request is to be heard. An application form for such requests is available in the Planning and Zoning office.

If a Department of the City is the applicant, an application form will be required but no application fee is required. The Department Manager is required to sign an application for their Department.

(2) All requests or proposals are submitted to Plat Review Committee members 3 days following application submittal.

(3) Notice of the Plat Review Committee is posted 4 days prior to the meeting. The notice contains the agenda, which itself contains street name change requests.

(4) Owners of property within 200 feet of the request are notified of the Planning and Zoning Commission meeting at which the request is to be heard.

(5) Notice of the request is published in the newspaper 15 days prior to the date of the City Council final action on the ordinance changing the street name.

(6) The Plat Review Committee reviews the request and makes a recommendation to the Planning and Zoning Commission.

(7) The Planning and Zoning Commission shall hold a public hearing on the request. If denied and not appealed, the proposed change cannot be resubmitted for at least one year. If approved or denied and appealed, the request goes to City Council in the form of an ordinance.

(8) The City Council shall consider the ordinance at two readings - the second reading being a public hearing.

(9) Conditions may be placed on the approval, including a requirement that the applicant is responsible for some or all of the public costs associated with the change (for example, new street signs, etc.).

(Ord. No. 8-2010, pt. 1 (Exh. A), 4-22-10)

CITY OF ABILENE

STREET NAME CHANGE

06/29/2021

CASE # SNC-2021-01

THOROUGHFARE LOCATION: A 606.37-foot rights-of-ways that connects with State Highway 36 and Tower View Dr.

PROPOSED STREET NAME CHANGE: Corridor Drive to Great Lakes Cheese Drive

REPRESENTATIVE: James M. Rogge, P.E.

TITLE: Traffic Services

I HAVE REVIEWED THE ABOVE STREET NAME CHANGE REQUEST AND FIND IT TO BE:

☐

SATISFACTORY

☒

UNSATISFACTORY (explain below:

☐

SATISFACTORY WITH CONDITIONS

THE FOLLOWING CONDITIONS AND/OR CORRECTIONS ARE RECOMMENDED:

This is unacceptable as a street name, because it is too long to fit on a street name sign.

6/28/2021
DATE

James M. Rogge, P.E.
SIGNED: DIRECTOR / REPRESENTATIVE

CITY OF ABILENE
STREET NAME CHANGE

06/29/2021

CASE # SNC-2021-01

THOROUGHFARE LOCATION: A 606.37-foot rights-of-ways that connects
with State Highway 36 and Tower View Dr.

PROPOSED STREET NAME CHANGE: Corridor Drive to Great Lakes Cheese
Drive

REPRESENTATIVE: BLAKE H. TULLOCH

TITLE: GIS/ADDRESSING TECHNICIAN

I HAVE REVIEWED THE ABOVE STREET NAME CHANGE AND FIND IT TO BE:



SATISFACTORY



UNSATISFACTORY (explain below:)



SATISFACTORY WITH CONDITIONS

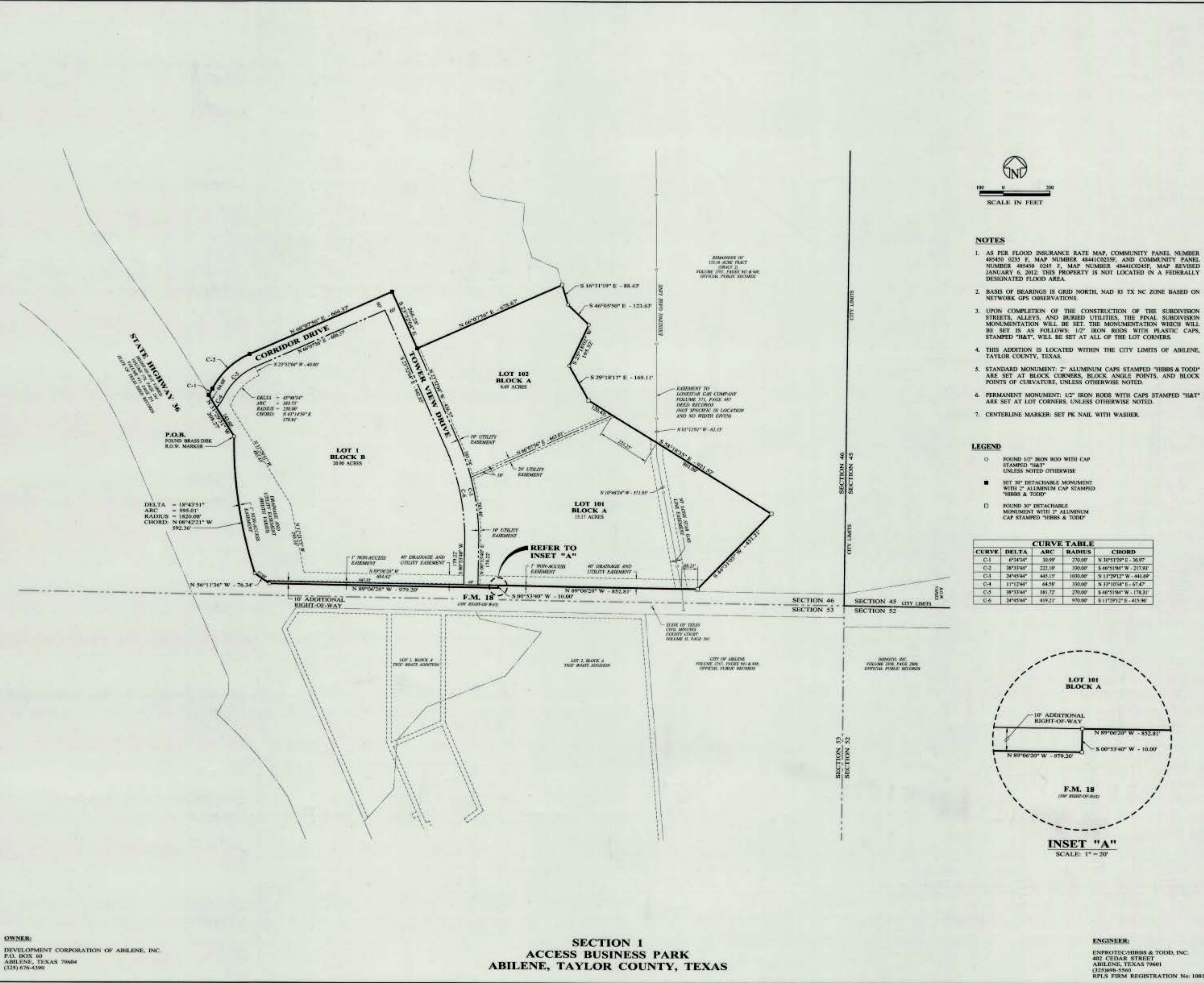
THE FOLLOWING CONDITIONS AND/OR CORRECTIONS ARE RECOMMENDED:

06/29/2021

DATE

Blake Tulloch

SIGNED: DIRECTOR / REPRESENTATIVE



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 97A, VERNON'S ANNOTATED CIVIL STATUTES, AND ARTICLE 927B, PENAL CODE OF TEXAS, AS AMENDED.

PLANNING DIRECTOR
FILED WITH PLANNING DIRECTOR
CITY OF ABILENE, TEXAS

DATE: 4/12/18
CHAIRMAN: [Signature]
ATTEST: [Signature]
SECRETARY: [Signature]
PLANNING DIRECTOR: [Signature]

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.

COUNTY CLERK
I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON 4/12/18 2018-00015332

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

SECTION 1
ACCESS BUSINESS PARK
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 ATTACHED"

OWNER'S CERTIFICATE AND DEDICATION
EXECUTED THIS 29 DAY OF March 2018

KENT SHARP
CEO, DEVELOPMENT CORPORATION OF ABILENE

ACKNOWLEDGMENT
THE STATE OF TEXAS:
COUNTY OF TAYLOR
BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED KENT SHARP
KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME ACT OF THE SAID

DEVELOPMENT CORPORATION OF ABILENE
A CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 29 DAY OF March A.D. 2018

JUDY DRINNON
Notary Public, State of Texas
My Commission Exp 06-09-19

Judy Drinnon Taylor
NOTARY PUBLIC
COUNTY, TEXAS

GENERAL NOTES
SHEET 1 OF 1
SHEETS
ACREAGE 48.14
SCALE 1" = 200'
SMALLEST LOT 378,465 SQ FT
LARGEST LOT 910,578 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:
SECTION 1
ACCESS BUSINESS PARK
ABILENE, TAYLOR COUNTY, TEXAS

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

RILEY ELMER GRIFFITH
5863
REGISTERED PROFESSIONAL LAND SURVEYOR

03/29/2018
DATE

RILEY ELMER GRIFFITH
REGISTERED PROFESSIONAL LAND SURVEYOR

ORDINANCE NO. 049-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, FOR A STREET NAME CHANGE OF TOWER VIEW DRIVE TO KINSOLVING DRIVE, AS DESCRIBED BELOW AND CALLING A PUBLIC HEARING.

WHEREAS, it is the recommendation of the Planning and Zoning Commission of the City of Abilene that Tower View Drive in the City of Abilene, located at Highway 36 and FM 18 should be renamed; and,

WHEREAS, it is the opinion of the City Council that this street should be renamed; now, therefore,
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Tower View Drive, as described above, be renamed and will hereafter be known as Kinsolving Drive .

PART 2: That the City Engineer be and is hereby authorized and directed to change his maps, plats, and records to include such name to be the proper name of the street described above.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto. PASSED ON FIRST READING this 25th day of August, 2019.

PART 4: 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 29th day of August, 2019, 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 12th day of September, 2019 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 12th DAY OF SEPTEMBER, 2019.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. 049-2019

EXHIBIT "A"

Change the name of Tower View Dr. to Kinsolving Dr.

Legal Description:
Access Business Park, Section 1



Location:
Tower View Drive to Kinsolving Drive as it extends South to North from FM 18 to
Corridor Dr.

-END-



Development Application

Planning

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

Project Name: Access Business Park
Address: Highway 36 and FM 18 No. of lots: _____ Acreage: _____
Legal Description: Lot 1, Block A, Access Business Park, Section 2
Subdivision Name: _____ Block: _____ Lot: _____
Current Zoning: _____ Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Development Corporation of Abilene, Inc.
Address: 174 Cypress St., #301
City, State, Zip: Abilene, Tx 79601 Fax: _____
Phone: (325) 225-3278 Email: julie.johncox@abilenedcoa.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) Julie Johncox will act as my agent before the Planning and Zoning Commission.

Agent Name: Julie Johncox
Address: 174 Cypress St., #301
City, State, Zip: Abilene, Texas 79601 Fax: _____
Phone: (325) 225-3278 Email: julie.johncox@abilenedcoa.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: [Signature] Date: 5/7/21

FOR OFFICE USE ONLY

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



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.

Re: Access Business Park

Change the name of the existing road off of Highway 36 from Corridor Drive to Great Lakes

Cheese Drive. The company purchased 76.75 acres to build a 280,000 sq. ft. plant and invest \$184.5 million in the building of the facility.



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: _____

A handwritten signature in black ink, appearing to be "Ally Delp", written over a horizontal line.

DATE: _____

A handwritten date "5/17/21" in black ink, written over a horizontal line.



Development Application

Fee Schedule

Filing/Application Fees

Board of Adjustment	\$400
---------------------	-------

Zoning

Zone Change Request/Conditional Use	\$1,500
Planned Development District	\$2,000
Planned Development District, Amendment	\$1,000
Site Plan	\$500
Minor Site Plan	\$250
Zoning Determination/Verification Letter	\$100
Voluntary Annexation	\$600
Landmarks Commission Application	\$50
Appeal to City Council	\$250
Airport Zoning Permit	\$100
Sidewalk Waiver or Deviation (Site Plan)	\$250
Misc. Zoning-related Application ¹	\$100

Subdivision

Preliminary Development Plan	\$0
Plat, Preliminary (the applicant will also be responsible for actual filing costs)	\$500+ ²
Plat, Final (the applicant will also be responsible for actual filing costs)	\$500+ ²
Plat, Minor (the applicant will also be responsible for actual filing costs)	\$500+ ²
Plat, Replat (the applicant will also be responsible for actual filing costs)	\$500+ ²
Easement Release	\$400
Thoroughfare Abandonment (based on land value)	\$1,500+ ³
Street Name Change (applicant also responsible for notification costs)	\$800
Proportionality Appeal	\$500
Sidewalk Waiver or Deviation (Plat)	\$250
Sidewalk Deferral Agreement	\$100
Misc. Subdivision-related Application ¹	\$100

Signs

Sign Permit – Billboard (based on sign value)	\$500+ ⁴
Sign Permit – Non-Billboard ⁵ (based on sign value)	\$200+ ⁴
Sign Permit – Portable	\$50

Other

Itinerant Business Permit	\$100
Misc. Other Permit/Application ¹	\$100

Documents & Maps

Ordinances, Minutes	See below
Publications, Reports, Other Documents	See below
Maps	See below

Notes:

¹Misc. permit fee is for new permits/processes/applications established by ordinance to be applied until such time that a specific fee is established.

²Plat fees are \$500 for first 4 lots, plus \$20 per lot thereafter. See RECORDING FEES for actual filing costs with Taylor County Clerk's Office.

³Thoroughfare Abandonment Fee 10% of the calculated land value of the ROW area to be abandoned, based on the average square footage value of adjacent properties, per the most recent official Appraisal District valuation. Minimum fee is \$1,500. Any portion over the minimum fee is refundable if the abandonment is not approved.

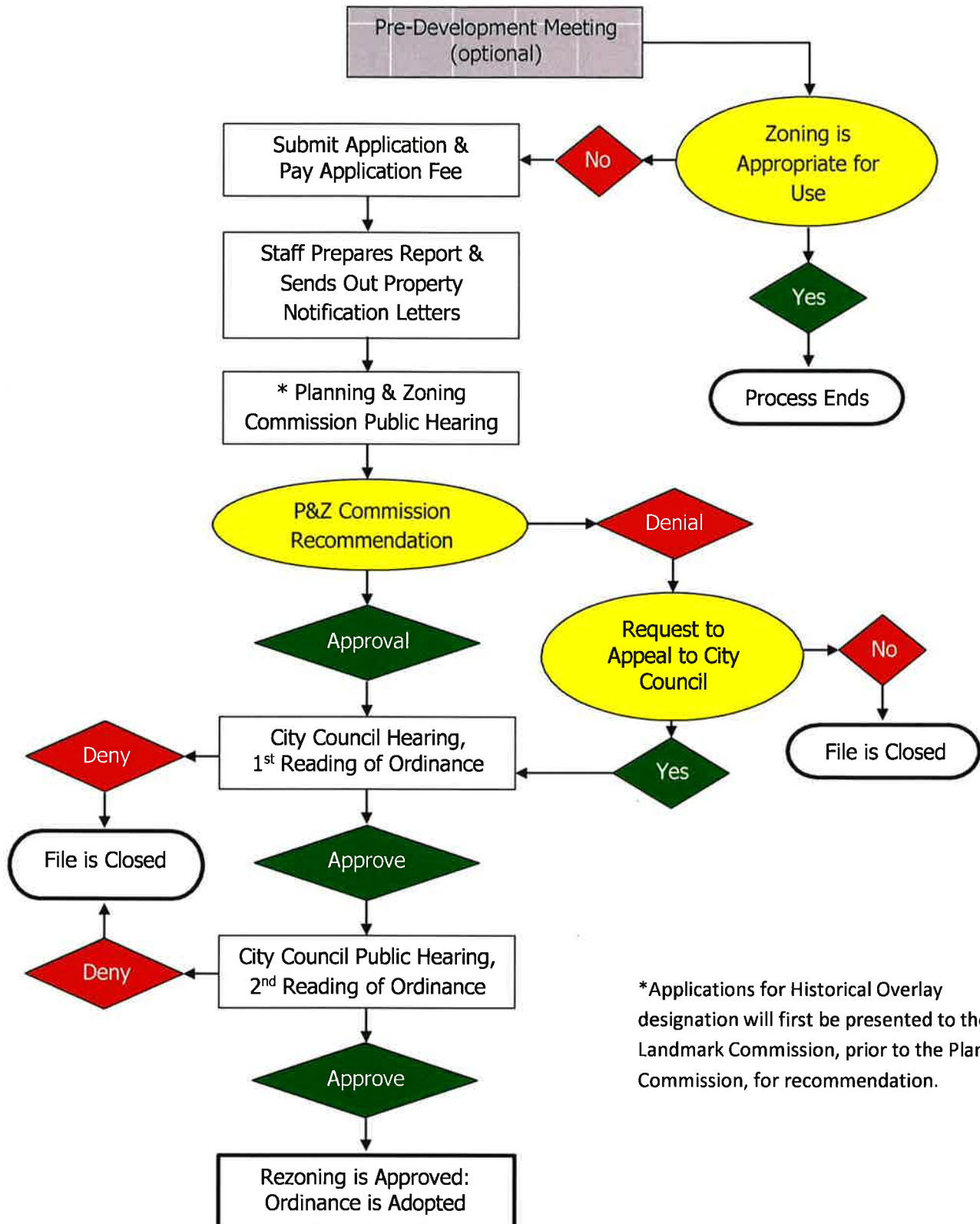
⁴Sign Permit Fee, other than for portable signs, is 2% of the sign value OR the minimum fee noted above, whichever is greater.

⁵Multiple wall signs submitted as a single application will only be assessed one fee for all signs. However, each freestanding sign requires an individual permit.



Development Application

Zoning • Conditional Use • PDD Amendment • Street Name Change • Thoroughfare Abandonment
Flowchart



Section 3.2.7.14 Street Names

(f) Renaming or changing existing street names.

(1) Application shall be submitted to the Planning Department no less than 21 days prior to the date of the Planning and Zoning Commission meeting at which the request is to be heard. An application form for such requests is available in the Planning and Zoning office.

If a Department of the City is the applicant, an application form will be required but no application fee is required. The Department Manager is required to sign an application for their Department.

(2) All requests or proposals are submitted to Plat Review Committee members 3 days following application submittal.

(3) Notice of the Plat Review Committee is posted 4 days prior to the meeting. The notice contains the agenda, which itself contains street name change requests.

(4) Owners of property within 200 feet of the request are notified of the Planning and Zoning Commission meeting at which the request is to be heard.

(5) Notice of the request is published in the newspaper 15 days prior to the date of the City Council final action on the ordinance changing the street name.

(6) The Plat Review Committee reviews the request and makes a recommendation to the Planning and Zoning Commission.

(7) The Planning and Zoning Commission shall hold a public hearing on the request. If denied and not appealed, the proposed change cannot be resubmitted for at least one year. If approved or denied and appealed, the request goes to City Council in the form of an ordinance.

(8) The City Council shall consider the ordinance at two readings - the second reading being a public hearing.

(9) Conditions may be placed on the approval, including a requirement that the applicant is responsible for some or all of the public costs associated with the change (for example, new street signs, etc.).

(Ord. No. 8-2010, pt. 1 (Exh. A), 4-22-10)

2021 Planning and Zoning Commission

PD Application Deadline	Zoning Application Deadline	Planning and Zoning Commission Regular Meeting ***	Planning and Zoning Commission Workshop as Needed ***	(PM) CITY COUNCIL (1st Reading)	(AM) CITY COUNCIL (2nd Reading) ***
20-Nov-20	07-Dec-20	05-Jan-21	19-Jan-21	28-Jan-21	11-Feb-21
18-Dec-20	04-Jan-21	02-Feb-21	16-Feb-21	25-Feb-21	11-Mar-21
15-Jan-21	01-Feb-21	02-Mar-21	16-Mar-21	25-Mar-21	08-Apr-21
19-Feb-21	08-Mar-21	06-Apr-21	21-Apr-21	22-Apr-21	13-May-21
19-Mar-21	05-Apr-21	04-May-21	18-May-21	27-May-21	10-Jun-21
16-Apr-21	03-May-21	01-Jun-21	15-Jun-21	24-Jun-21	08-Jul-21
21-May-21	07-Jun-21	06-Jul-21	20-Jul-21	22-Jul-21	12-Aug-21
18-Jun-21	05-Jul-21	03-Aug-21	17-Aug-21	26-Aug-21	09-Sep-21
23-Jul-21	09-Aug-21	07-Sep-21	21-Sep-21	23-Sep-21	14-Oct-21
20-Aug-21	06-Sep-21	05-Oct-21	19-Oct-21	28-Oct-21	04-Nov-21
17-Sep-21	04-Oct-21	02-Nov-21	16-Nov-21	18-Nov-21	02-Dec-21
22-Oct-21	08-Nov-21	07-Dec-21	21-Dec-21	16-Dec-21	13-Jan-22

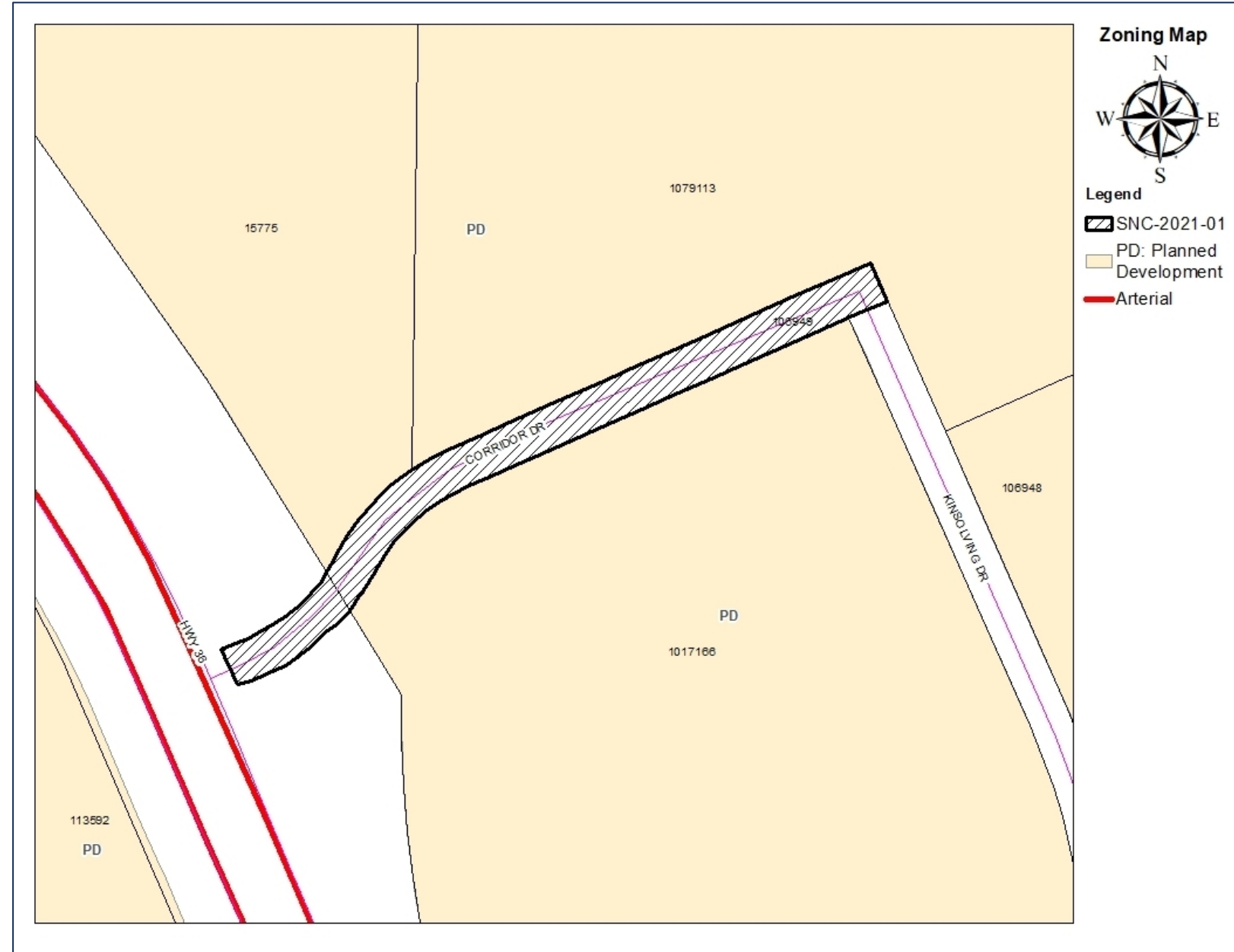
2021 Board of Adjustment Calendar

Application Deadline	Meeting Date ***
15-Dec-20	12-Jan-21
12-Jan-21	09-Feb-21
09-Feb-21	09-Mar-21
16-Mar-21	13-Apr-21
13-Apr-21	11-May-21
11-May-21	08-Jun-21
15-Jun-21	13-Jul-21
13-Jul-21	10-Aug-21
17-Aug-21	14-Sep-21
14-Sep-21	12-Oct-21
12-Oct-21	09-Nov-21
16-Nov-21	14-Dec-21

***These meetings
require public
hearings and the
applicant or a
representative
must be present.

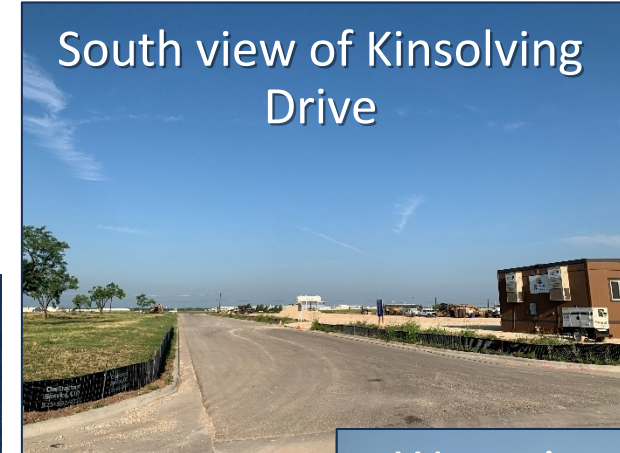
Case:	SNC-2021-01
Owner:	Development Corporation of Abilene Inc.
Request:	Change the name of Corridor Drive to Great Lakes Cheese Drive
Location:	Corridor Drive east of Highway 36 and north of Tower View Drive
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	July 6, 2021
City Council Hearing:	July 29, 2021 August 12, 2021







South view of Kinsolving Drive



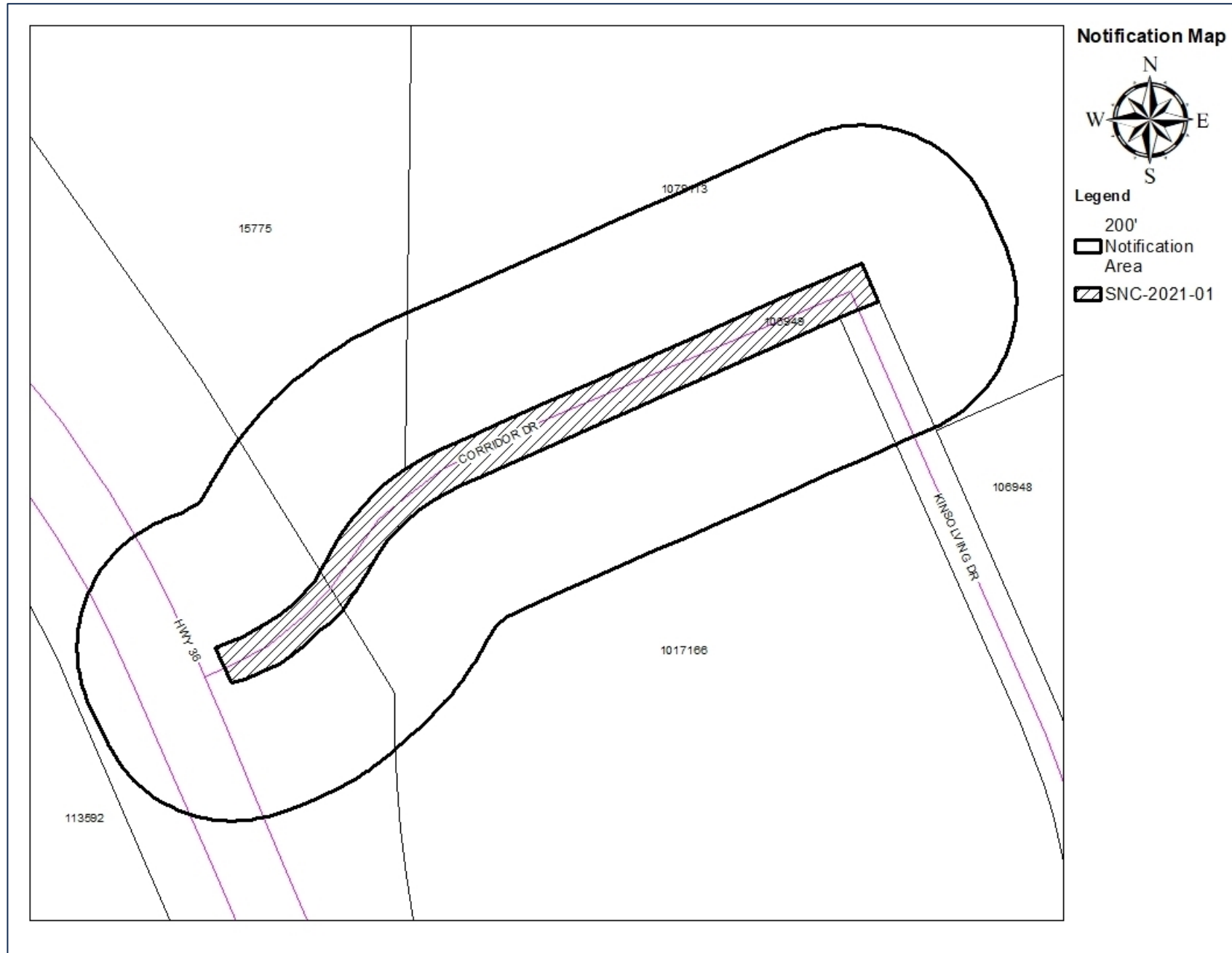
West view of Corridor Drive



East view of Corridor Drive



SNC-2021-01 NOTIFICATION AREA MAP



- Reviewed Pursuant to Section 3.2.7.14 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval with conditions
 1. Change the name from Great Lakes Cheese Drive to Great Lakes Drive

Questions?