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 Tuesday, November 5, 2019 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning & Zoning Commission reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

INVOCATION

PUBLIC COMMENTS

There will be no votes or any formal actions taken on subjects presented during public comment. The public comment period will only allow members of the public to present ideas and information to city officials and staff.

MINUTES

1. Approval of minutes from previous meeting, October 1, 2019

PLATS

2. **MRP-4019:** A Plat of Lots 101 Thru 114, Block A and Lots 103 Thru 116, Block B, National Golf Addition, Abilene, Taylor County, Texas

3. **FP-4319:** Newhouse Farms, Section 2, being 44.407 acres out of the James Vaughn Survey No. 54, Abstract No. 415, Taylor County, Texas

4. **FRP-4419:** Butterfield Meadows, Section 4, Being a Replat of Lot 1, Block B, and Lots 1-2, Block D, out of Butterfield Meadows, Section 1, City of Abilene, Taylor County, Texas

ZONING

5. **CUP-2019-09:** Public hearing and possible vote to recommend approval or denial to City Council on a request from Hudman Investment Group, agent Phillip Hill, for Conditional Use Permit to allow contractor services in General Commercial (GC) zoning district and located specifically at 118 North Pioneer Drive. Legal description being Lot 1 in Block N, Continuation of Section 1, Park Plaza Addition to Abilene, Taylor County, Texas

6. **CUP-2019-10:** Public hearing and possible vote to recommend approval or denial to City Council on a request from Reynaldo and Ixel Smith, for Conditional Use Permit to allow a home-based daycare for more than six children (other than caregivers' own children) in Agricultural Open Space (AO) zoning district and located specifically at 6605 Maple Street. Legal description being Lot 16 in Continuation No. 2 of Kings Hill Subdivision and an additional 0.94 acre directly to north and out of northwest quarter of Lunatic Asylum Lands Section 8 in Abilene, Taylor County, Texas

7. **Z-2019-27:** Public hearing and possible vote to recommend approval or denial to City Council on a request from Sam Daggubati, agent Lauren Montgomery, to amend the existing Planned Development District Number 116, specifically by amending the graphic site plan (Exhibit B) guiding development on western 6.207 acres of this district. Legal description being Block 1 of J.B. Collins Subdivision of Part of Block 26, North Park Addition to Abilene, Taylor County, Texas, and including former Anson Jones Elementary School at 2002 Jameson Street

8. **Z-2019-28:** Public hearing and possible vote to recommend approval or denial to City Council on a request from Stan Chapman, Ron Fogle, Bobby Bright, Carol Purser and Mesquite Gate Properties to rezone property from Light Industrial (LI) with Historic (H) Overlay, to Central Business (CB) with Historic (H) Overlay. Legal description being all of Lots 4, 5 and 6 in Block 19 of Original Townsite for Abilene, Taylor County, Texas and including buildings at 802, 818, 826, 834 and 842 North 3rd Street as well as at 324 Mesquite Street

9. **Z-2019-29:** Public hearing and possible vote to recommend approval or denial to City Council on a request from Three JB Properties to rezone property from a Heavy Industrial (HI) District to a Planned Development (PD) District allowing industrial use but with no site-related or boundary street improvements required by terms of Chapter 3 (Subdivision) and Chapter 4 (Site Development) in Abilene's Land Development Code, on properties at 749 China Street, 750 Rose Street and 397 South 8th Street. Legal description being Lots 1 thru 22 in Pecks's Subdivision of Outlot No. 1 in Block 164 of Original Townsite for Abilene, Taylor County, Texas, as well as a certain 5.277 acres out of Outlot Nos. 1 and 4 in Block 190 of Abilene's Original Townsite

10. **TC-2019-02 (TABLED):** Public hearing and possible vote to recommend approval or denial to City Council on a request from, Lone Star Railroad Inc./Jeff Basket, agent John Hill, to abandon all of the 20' wide alley right-of-way (ROW) running north-south beginning at S. 8th Street, and heading north 531' terminating at the ROW of S. 7th Street.

    Additionally, request to abandon a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300' to the westernmost extent of Southern Switching Railroad ROW, Abilene, Taylor County, Texas

DIRECTOR'S REPORT

There will be no votes or any formal actions taken on subjects presented during public comment. The public comment period will only allow members of the public to present ideas and information to city officials and staff.

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

ADJOURNMENT

Notice

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

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 1st day of November, 2019, at 11:45 a.m.

_____

Shawna Atkinson, City Secretary

ZONING CASE CUP-2019-09
STAFF REPORT

REQUEST: Conditional Use Permit

APPLICANT:
Owner: Hudman Investment Group, LLC
Agent: Phillip Hill

HEARING DATES:
P & Z Commission: November 5, 2019
City Council 1st Reading: November 21, 2019
City Council 2nd Reading: December 5, 2019

LOCATION:
118 N. Pioneer Drive
Legal description: Lot 1 Continuation, Block N of Park Plaza Section 1

PROPOSAL AND REQUESTED ACTION:
The applicant is requesting a Conditional Use Permit to allow contractor services within General Commercial (GC) Zoning.

BACKGROUND:

In June of 1958, a building permit was issued to construct an office building at this location. Since that time the building has served a wide range of uses which include a beauty school, recreation center, paint store, vet clinic and most recently a business records management company. The subject property has been zoned General Commercial (GC) since at least 1974. Diamondback Painting LLC is seeking to utilize this location for contractor services, this use is permitted in General Commercial (GC) zoning with the approval of a Conditional Use Permit. Diamondback Painting wishes to utilize the existing building as a warehouse to store paint and painting supplies. The building will also serve as an office for clients to walk in for project bids or to pay for services.

ANALYSIS:
Criteria Analysis:
Staff has reviewed the request based upon the factors established for such review in Section 1.4.3.1, Criteria for Approval, of the Land Development Ordinance. These factors are identified and addressed below:

1. *The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.*
   Yes, the Comprehensive Plan designates the property to be located in close proximity to a "Major Commercial Business Center." The Comprehensive Plan details this area to "Provide the highest level of commercial, service, and employment concentration outside of downtown."

2. *The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.*
   Yes, General Commercial (GC) Zoning is intended to provide a wide range of retailing activities, personal and business services, and other commercial activities. General Commercial (GC) district regulations are designed to permit development of commercial activities which are generally not appropriate within other commercial districts, such as NR and CB districts. (Section 2.3.3.9)

3. *The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development-related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.*
   Yes, the proposed use will be compatible with and preserve the character and integrity of adjacent developments and neighborhood.

4. *The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*
   Yes, the proposed use will not generate pedestrian and vehicular traffic that will be hazardous or conflict with existing and anticipated traffic.

5. *The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.*
   No, the proposed use will not incorporate roadway adjustments, traffic control devices, mechanisms and access restrictions. However, there should be no increased traffic generated by the proposed use of the site.

6. *The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.*
   The use of this property as a "Contractor Services" will be similar intensity as the previous uses found at this facility. This being said, it should not pose any adverse effects or visual impacts in comparison to what currently exist.

7. *The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.*
   Yes, the proposed use meets the standards for the zoning district.

<u>Comprehensive Planning Analysis</u>

The subject property is located within General Commercial (GC) zoning classification. According to the Land Development Code (Section 2.3.3.9), General Commercial (GC) zoning is designed to provide a wide range of retail activities, personal and business services, and other commercial activities. General Commercial (GC) Zoning is designed to allow

development of commercial activities which are generally not appropriate within other commercial districts, such as Neighborhood Retail (NR) and Central Business (CB). Furthermore, the lot is located near residential zoning and the intersection of two minor arterial streets (N. Pioneer Dr. and N. 1st St). According to the Land Development Code, good automobile and pedestrian accessibility such as this are essential within General Commercial (GC) zoning.

Existing Land Use

Location	Zoning	Existing Land Use
North	GC	Self-Storage
East	GC	Offices
South	GC	Automotive Sales
West	GC	Warehouse

STAFF RECOMMENDATION:

Staff recommends approval

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On November 5, 2019, the Planning and Zoning Commission will meet to review this Conditional Use Permit request.

NOTIFICATION:

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

Owner	Situs	Response
4242 N 1ST LLC	4236 N 1ST ST	
4242 N 1ST LLC	4226 N 1ST ST	
4242 N 1ST LLC	4222 N 1ST ST	
4242 N 1ST LLC	4242 N 1ST ST	
4242 N 1ST LLC	4230 N 1ST ST	
AA ALPINE STORAGE ABILENE LLC	4220 N 1ST ST	
AA ALPINE STORAGE ABILENE LLC	4216 N 1ST ST	
AA ALPINE STORAGE ABILENE LLC	141 N PIONEER DR	
AA ALPINE STORAGE ABILENE LLC	125 N PIONEER DR	
AA ALPINE STORAGE ABILENE LLC	133 N PIONEER DR	
ALLSUPS CONVENIENCE STORE	102 N PIONEER DR	
CHAMBERLAIN TRUST	4502 N 1ST ST	
CORPIAN GARY LEE	4343 N 1ST ST	
G LAUGHLIN PARTNERS	490 N PIONEER DR	
G LAUGHLIN PARTNERS	490 A N PIONEER DR	
GOISHEN & SCHECHTER INC	4507 N 2ND ST	
GOISHEN & SCHECHTER INC	4617 N 2ND ST	
GOISHEN & SCHECHTER INC	4623 N 2ND ST	
GOISHEN & SCHECHTER INC	4609 N 2ND ST	
GOISHEN & SCHECHTER INC	4619 N 2ND ST	
GOISHEN & SCHECHTER INC	4503 N 2ND ST	
GOISHEN & SCHECHTER INC	4513 N 2ND ST	
GOISHEN & SCHECHTER INC	4621 N 2ND ST	
GOISHEN & SCHECHTER INC	4601 N 2ND ST	
GOISHEN & SCHECHTER INC	4625 N 2ND ST	
GOISHEN & SCHECHTER INC	4511 N 2ND ST	
GOISHEN & SCHECHTER INC	4603 N 2ND ST	
GOISHEN & SCHECHTER INC	4501 N 2ND ST	
GOISHEN & SCHECHTER INC	4605 N 2ND ST	
GOISHEN & SCHECHTER INC	4615 N 2ND ST	
GOISHEN & SCHECHTER INC	4611 N 2ND ST	
GOISHEN & SCHECHTER INC	4607 N 2ND ST	
GOISHEN & SCHECHTER INC	4627 N 2ND ST	
GOISHEN & SCHECHTER INC	4613 N 2ND ST	
GOISHEN & SCHECHTER INC	4629 N 2ND ST	
GOISHEN & SCHECHTER INC	4505 N 2ND ST	
GOISHEN & SCHECHTER INC	4631 N 2ND ST	
GOISHEN & SCHECHTER INC	4509 N 2ND ST	
HUDMAN INVESTMENT GROUP LLC	118 N PIONEER DR	
JACKSON HULL & CO INC	100 N JEFFERSON DR	
R2J2 VILLAGE WEST	201 N JEFFERSON DR APT B	
R2J2 VILLAGE WEST	201 N JEFFERSON DR APT A	
R2J2 VILLAGE WEST	201 N JEFFERSON DR APT D	
R2J2 VILLAGE WEST	201 N JEFFERSON DR APT C	
R2J2 VILLAGE WEST	125 N JEFFERSON DR APT A	
R2J2 VILLAGE WEST	125 N JEFFERSON DR APT C	
R2J2 VILLAGE WEST	125 N JEFFERSON DR APT D	
R2J2 VILLAGE WEST	125 N JEFFERSON DR APT B	
R2J2 VILLAGE WEST	133 N JEFFERSON DR APT C	
R2J2 VILLAGE WEST	133 N JEFFERSON DR APT A	
R2J2 VILLAGE WEST	133 N JEFFERSON DR APT B	
R2J2 VILLAGE WEST	133 N JEFFERSON DR APT D	
THOMAS FREDDY LEE JR	4498 N 1ST ST	
YOCOM MATTHEW A	4300 N 1ST ST	

N LA SALLE DR
N 2ND ST
N JEFFERSON DR
N PIONEER DR
S PIONEER DR
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4631
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4510
4502
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4498
4300
141
125
4220
4216
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4226
4242
4230
4222
4236
4525
4343
102
4241
4235
4231
4223

Development Application

CITY OF ABILENE

Planning

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

Project Name: _____

Address: 118 N Pioneer No. of lots: _____ Acreage: .38

Legal Description: Park Plaza Sec 1, Block N, Lot 1

Subdivision Name: Park Plaza Block: N Lot: 1

Current Zoning: GC Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Hudman Investment Group, LLC

Address: 717 Bacalita Farms Rd Abilene, TX 79602

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

Phone: 325-439-8102 Email: hudmaninvestmentgroup@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) Phillip Hill *will act as my agent before the Planning and Zoning Commission.*

Agent Name: Phillip Hill

Address: 5849 Buffalo Gap Rd Ste B-2

City, State, Zip: Abilene Texas 79606 Fax: _____

Phone: 325-669-5153 Email: philhillrealtor@gmail.com

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

Signature Owner: _____ Date: 10/10/19

FOR OFFICE USE ONLY

Received: CS **Fee: $** 1,500 **Receipt No.:** 0001047485

Case No.: CUP-2019-09 **Reviewed By:** Jared Smith

Development Application

CITY OF ABILENE

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.**

Diamondback Painting LLC has this property under contract to purchase. This will be a contractor service type business. To do so they will need a conditional use permit. The property will be used for paint and painting supplies warehousing. As well as office staff including a project manager, bookkeeper, person in charge of marketing, as well as the owner. Persons will have the ability to come in to pay for services or to recieve bids for painting services.

CONDITIONAL USE PERMIT

Case: CUP-2019-09
Applicant: Hudman Investment Group
Agent: Phillip Hill, Realtor
Request: Conditional Use Permit for contractor services
Location: 118 N. Pioneer Drive
Notification: 0 in Favor, 0 Opposed
Planning & Zoning: November 5, 2019
City Council Hearing: November 21, 2019
December 5, 2019

CUP-2019-09 AERIAL LOCATION MAP

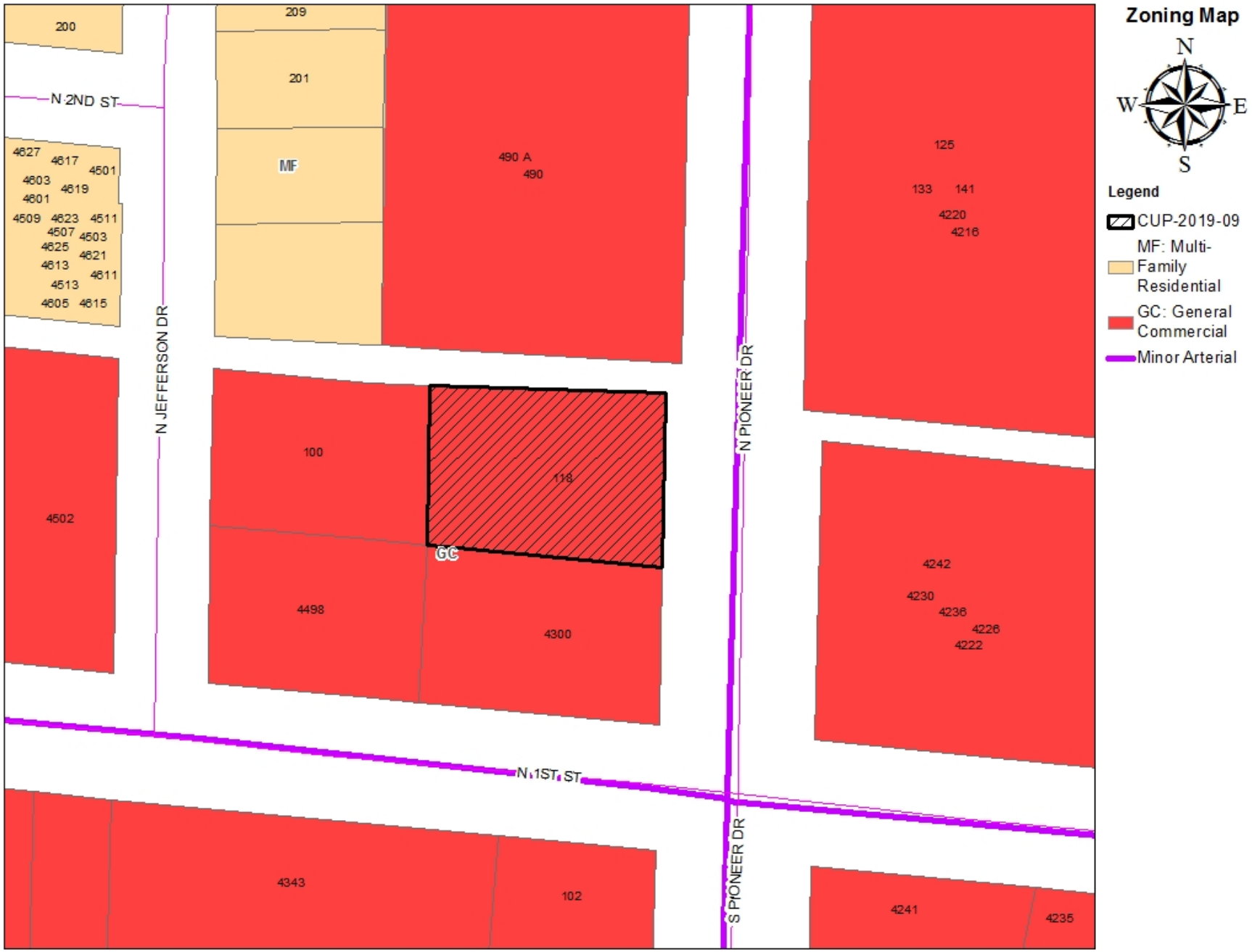
Location Map

N
W E
S

Legend

CUP-2019-09

CUP-2019-09 ZONING MAP



Permitted Uses in GC Zoning

RESIDENTAL 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, 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

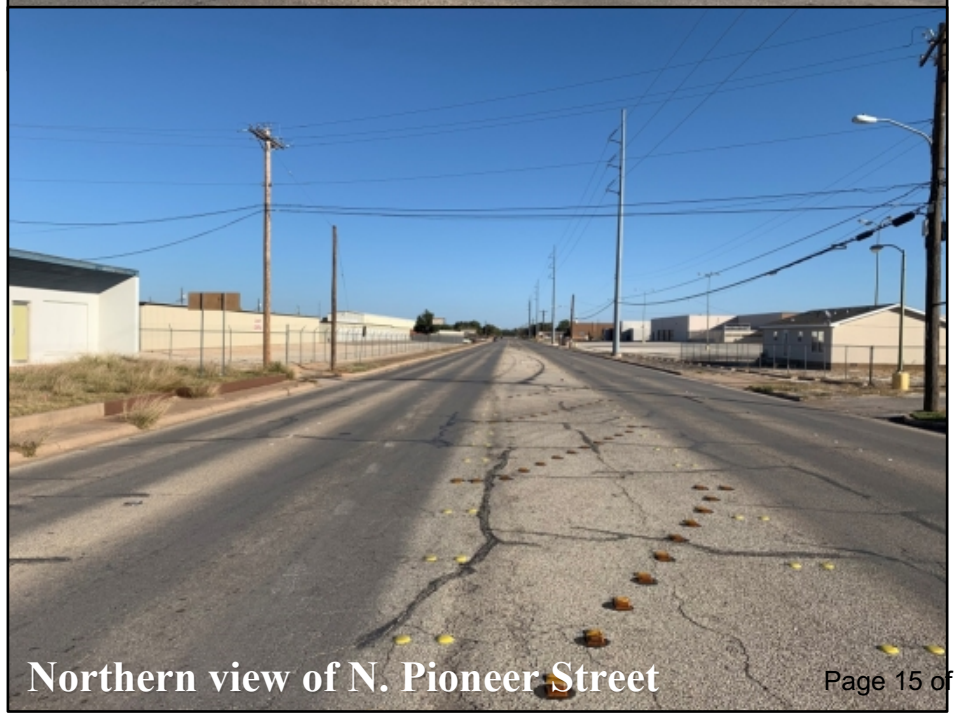
LEGEND

P	**Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 of the Land Development Code)**
C	**Permitted as a Conditional Use Permit, Requiring Approval by City Council**
TP	**Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment**

CUP-2019-09 VIEWS OF SUBJECT PROPERTY

118 N. Pioneer

Neighboring Property to the south

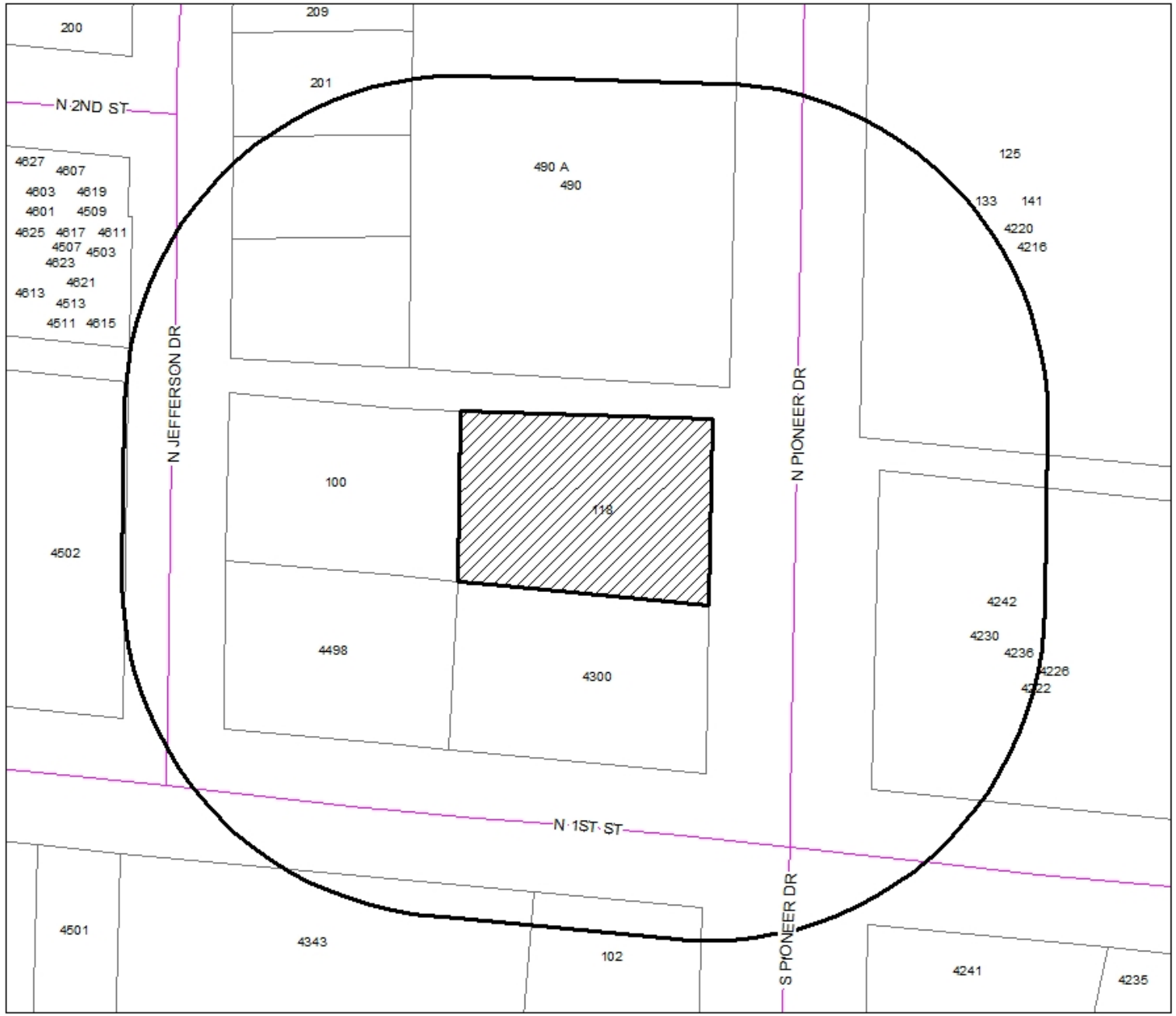


Northern view of N. Pioneer Street

FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use* and *Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 2.3.3.9)
- Reviewed Pursuant to Section 1.4.3.1 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

CUP-2019-09 NOTIFICATION AREA MAP



Notification Map

N
W E
S

Legend

200' Buffer

CUP-2019-09

0- In Favor-

0- Opposed-

Questions?

ZONING CASE CUP-2019-10
STAFF REPORT

REQUEST: Conditional Use Permit

APPLICANT:
Owner: Reynaldo & Ixel Smith

HEARING DATES:
P & Z Commission: November 5, 2019
City Council 1st Reading: November 21, 2019
City Council 2nd Reading: December 5, 2019

LOCATION:
6605 Maple St.
Legal description: Lot 16 in Continuation No. 2 of Kings Hill Subdivision and an additional 0.94 acre directly to north and out of northwest quarter of Lunatic Asylum Lands Section 8 in Abilene, Taylor County, Texas

PROPOSAL AND REQUESTED ACTION:
The applicant is requesting a Conditional Use Permit to allow a home-based daycare for more than six children (other than caregivers' own children) in Agriculture Open Space (AO) Zoning.

BACKGROUND:

The subject property was annexed into the City of Abilene in 2009 at which time the property was placed into the present day default zoning of Agricultural Open Space (AO). In July of 2010, a building permit was issued to construct a single family residence at this location. The homeowners are applying for a Conditional Use Permit to allow more than six children to be placed in their care at the currently existing home based day care operation.

ANALYSIS:
Criteria Analysis:
Staff has reviewed the request based upon the factors established for such review in Section 1.4.3.1, Criteria for Approval, of the Land Development Ordinance. These factors are identified and addressed below:

1. *The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.*
   Yes, the proposed use will promote the Comprehensive Plan's objective of allowing a mixture of land uses integrated within residential districts which will shorten automobile trips and promote pedestrian and bicycle accessibility. Additionally, it will achieve the Comprehensive Plan's goal for neighborhoods by allowing access to public services which benefit surrounding residents.

2. *The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.*
   Yes, home based daycare operations are permitted within Agricultural Open Space (AO) Zoning. Such use is permissible by right for operations with 6 children or less and permitted with the approval of a Conditional Use Permit if the operation is to exceed 6 children (Section 2.4.3.2)

3. *The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development-related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.*
   Yes, the proposed use will be compatible with and preserve the character and integrity of adjacent developments and neighborhood.

4. *The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*
   Yes, the proposed use will not generate pedestrian and vehicular traffic that will be hazardous or conflict with existing and anticipated traffic.

5. *The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.*
   No, the proposed use will not incorporate roadway adjustments, traffic control devices, mechanisms and access restrictions. However, it should be noted that Maple Street is considered a major arterial and is suitable to handle the possible increase in vehicle traffic.

6. *The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.*
   The use of this property as a "Day Care Operation – Home Based" should not pose any adverse effects or visual impacts in comparison to what currently exist.

7. *The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.*
   Yes, the proposed use meets the standards for the zoning district.

Comprehensive Planning Analysis

The subject property is located within Agricultural Open Space (AO) zoning classification. According to the Land Development Code (Section 2.3.2.1), this zoning is designed to allow some dwelling and accessory uses, as well as conditional uses (such as this) as outlined in the Land Use Matrix (2.4.2.1). This lot is located within a residential area and the proposed use will be an intensity which should not pose any adverse effects or visual impacts that will negatively affect the neighboring residences. Furthermore, the lot is located along Maple Street which is considered a major arterial road suitable to handle a possible increase in vehicle traffic.

Existing Land Use

Location	Zoning	Existing Land Use
North	PD 105	Single Family Residences
East	RS-6	Single Family Residences
South	AO	Single Family Residences
West	AO	Lake Kirby Park

STAFF RECOMMENDATION:

Staff recommends approval

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On November 5, 2019, the Planning and Zoning Commission will meet to review this Conditional Use Permit request.

NOTIFICATION:

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

Owner	Situs	Response
AMERSON JACK R JR	5542 CINDERELLA LN	
BALLARD MINDY L	150 SUGARBERRY AV	
BRADFORD AIMEE	5526 CINDERELLA LN	
BUTCHER SPENCER A & KATHY L	6817 A MAPLE ST	
BUTCHER SPENCER A & KATHY L	6817 MAPLE ST	
CANNON STEVEN J & CALLI D	158 SUGARBERRY AV	
CITY OF ABILENE	5650 MAPLE ST	
CONN WAYNE STEPHEN	101 SUGARBERRY AV	
COPELAND DEREK T & KAITLYN R	5518 CINDERELLA LN	
CUSTER ROBERT J & SHERYL L	5534 CINDERELLA LN	
FEDERAL HOME LOAN MORTGAGE CORP	201 SUGARBERRY AV	
GALLOW MARVIN A JR	117 SUGARBERRY AV	
HALFMANN GARY J & KIMBERLY D	6677 MAPLE ST	
HARRIS RANDY & BRENDA L	133 SUGARBERRY AV	
HASSELL DEREK	5558 CINDERELLA LN	
KELLNER SHARON	201 SUGARLOAF AV	
KIMIONAKIS MICHAEL	118 SUGARBERRY AV	
ROBERTS CHARITY	202 SUGARLOAF AV	
SANBORN DORIS J	157 SUGARBERRY AV	
SCHILZ NATHANIEL FREDERICK & TONI	134 SUGARBERRY AV	
SMITH IXEL		
SMITH REYNALDO & IXEL	6605 MAPLE ST	
STOGSDILL CHRISTIAN E &	5550 CINDERELLA LN	
THORNTON TIMOTHY J	149 SUGARBERRY AV	
WIDENER JEFFREY A	102 SUGARBERRY AV	

5410
5418
6151
5426
102
118
134
150
158
201
209
217
225
233
241
249
257
265
202
210
218
226
234
242
250
258
266
SUGARBERRY AV
101
117
133
149
157
5518
6695
5526
5534
5650
MAPLE ST
CINDERELLA LN
SUGARLOAF AV
6677
5542
5550
6817
6817 A
5558
5566
LOLLIPOP TR
5602
6965
5610
5618
5626
KIRBY DAM
274

Development Application

CITY OF ABILENE

Planning

- [x] Conditional Use
- [ ] Easement Release
- [ ] Rezoning
- [ ] Other
- [ ] PDD
- [ ] Street Name Change
- [ ] Thoroughfare Abandonment
- [ ] PDD Amendment

Other: _____

Project Name: Exel Daycare

Address: 6605 Maple ST No. of lots: 2 Acreage: 2.94

Legal Description: Home Base Daycare operation

Subdivision Name: Kings Hills Block: _____ Lot: 16, Cont 2

Current Zoning: AO Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Reynaldo & Exel Smith

Address: 6605 Maple ST

City, State, Zip: Abilene TX 79602 Fax: (325) 232-7061

Phone: (325) 320-4340 Email: exel.smith@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: X Reynaldo Smith Date: 4 oct 19

FOR OFFICE USE ONLY

Received: 10/4/2019 **Fee: $** 1500 **Receipt No.:** 0001047457

Case No.: CUP-2019-10 **Reviewed By:** Jared Smith

Development Application

CITY OF ABILENE

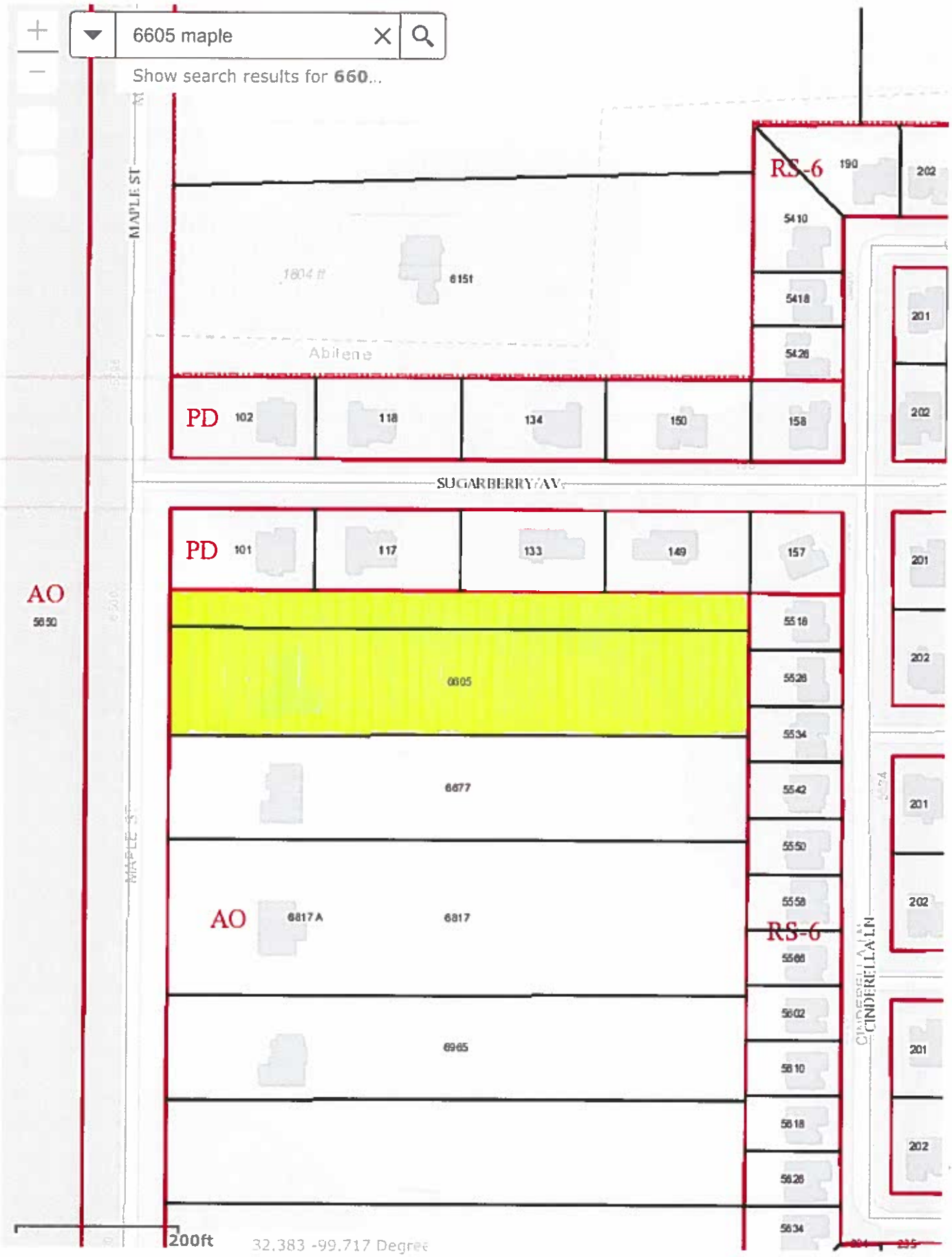
Please answer the following question in order to assist Staff with the processing of your Zoning request.

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

My home is currently used partially for providing child care service in the community. I have been caring for children at current location 6605 Maple St for over 10 yrs. I provide care for Dyess & local community families who need child care service. I meet all Dyess & local registered requirements also continued training courses for additional requirements. I'm currently working on Day Care accreditation licensing and currently in the right star program.

Please consider me for a home care license provider in the local Abilene community.

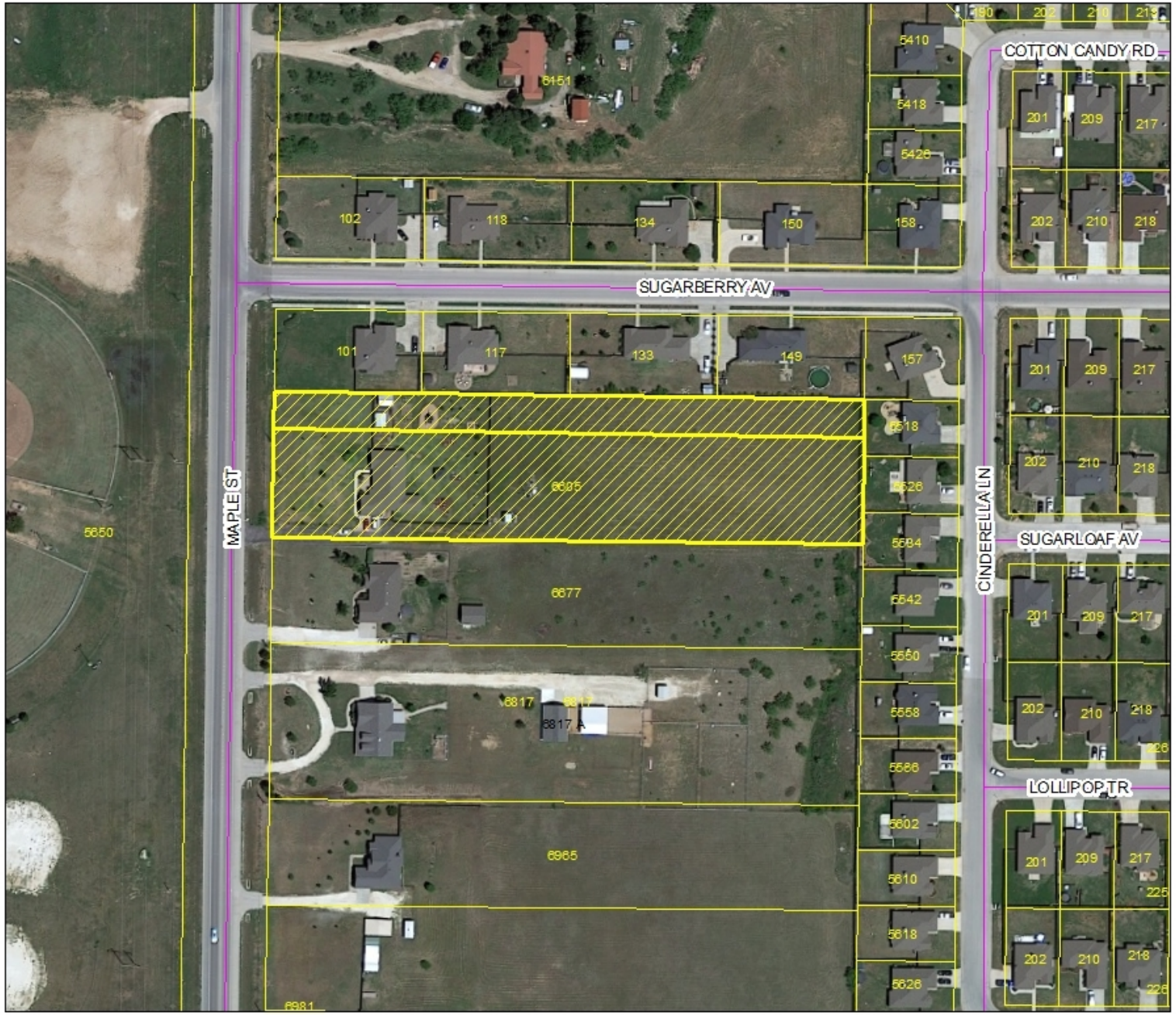
Planning and Zoning with Web AppBuilder for ArcGIS



All Rights Reserved

Case: CUP-2019-10
Applicant: Ixel Day Care
Agent: Reynaldo & Ixel Smith
Request: Conditional Use Permit to allow a home-based daycare for **more than six children** (other than caregivers' own children)
Location: 6605 Maple Street
Notification: 0 in Favor, 0 Opposed
Planning & Zoning: November 5, 2019
City Council Hearing: November 21, 2019
December 5, 2019

CUP-2019-10 AERIAL LOCATION MAP



Location Map

N
W E
S

Legend

CUP-2019-10

CUP-2019-10 ZONING MAP

Permitted Uses in AO Zoning

RESIDENTAL USES:

C Bed & Breakfast
P Dwelling– Industrialized Housing Unit
P Dwelling – Single-Family Detached
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 Animal Lot
P Day Care Operation – Home-Based**
P Dwelling – Accessory
TP Field Office or Construction Office (temporary)
P Garage Sale
P Home Occupation
C Mobile Home (permanent security residence)
C Mobile Home (temporary security residence)
TP Subdivision Sales Office (temporary)
P Swimming Pool, Private (accessory to residential use)
P Tennis Court, Private (accessory to residential use)

CULTURAL AND RECREATIONAL USES:

p Civic, Social, and Fraternal Organization
P Fairgrounds/Rodeo
C Motorized Racing
C Recreation – Outdoors (active)
P Recreation – Outdoors (passive)
P Zoo

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P Community Home
C Correction, Detention, or Penal Facilities
P Fire/Police Station
C Military and Armed Forces Reserve Center
C Sanitary Landfill

EDUCATIONAL AND RELIGIOUS USES:

C Cemetery, Crematorium, and Mausoleum
P Church or Place of Worship
P School: Public/Private

SERVICE

C Kennel (with outdoor pens)
P Kennel (without outdoor pens)
P Veterinary Service (all size animals)

TRADE – RETAIL USES

C Liquor Store (on premises consumption) (Defined under Liquor Store)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

C Airport, Heliport and Flying Field Terminals – Commercial
C Antenna Tower – Commercial
P Public Utility Facility
C Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

P Farming, Ranching & Livestock, Hatchery
C Mining
C Petroleum or Gas Well

****Conditional Use Permit to allow a home-based daycare for more than six children (other than caregivers' own children) in Agricultural Open Space (AO) zoning district**

LEGEND

P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 of the Land Development Code)
C Permitted as a Conditional Use Permit, Requiring Approval by City Council
TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

CUP-2019-10 VIEWS OF SUBJECT PROPERTY

6605 Maple Street

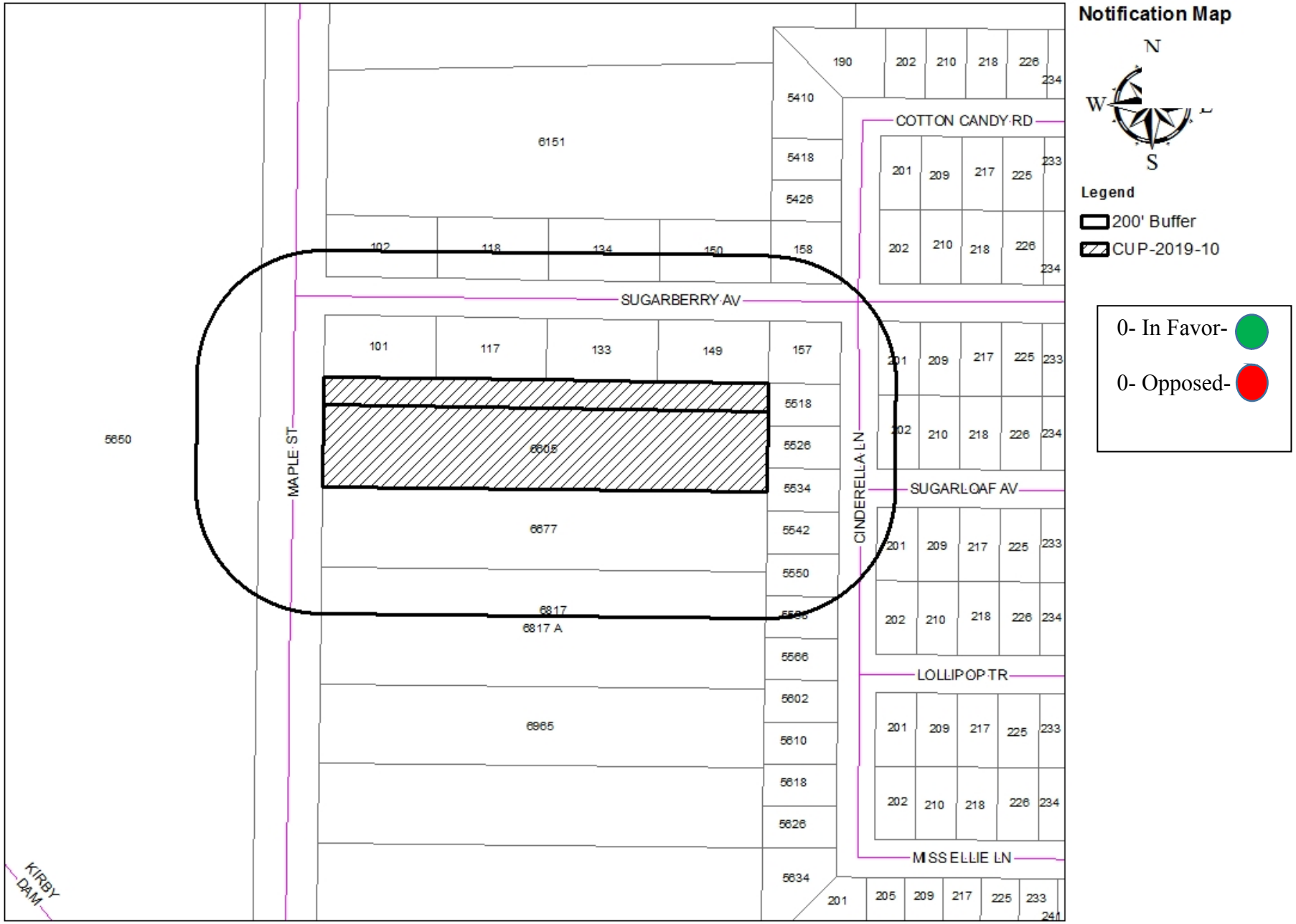
Neighboring Property to the south

Neighboring Property to the north

FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use* and *Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 2.3.3.2)
- Reviewed Pursuant to Section 1.4.3.1 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

CUP-2019-09 NOTIFICATION AREA MAP



Questions?

ZONING CASE Z-2019-27
STAFF REPORT

REQUEST: Amend existing Planned Development District Number 116 (PD 116)

APPLICANT:
Owner: Sam Daggubati
Agent: Lauren Montgomery, of JGH Consultants

HEARING DATES:
P & Z Commission: November 5, 2019
City Council 1st Reading: November 21, 2019
City Council 2nd Reading: December 5, 2019

LOCATION:

2002 Jameson Street, including the vacant land covering the western portion of this lot.

Legal description: Block 1 of J.B. Collins Subdivision of Part of Block 26, North Park Addition to Abilene, Taylor County, Texas.

BACKGROUND:
According to the Land Development Code, a Planned Development (PD) District is a custom-made zoning classification tailored to meet the unique demands of a particular proposed development set within a specific environment.

Planned Development District 116 (PD 116) was approved in 2007. This original Planned Development District was amended in 2013 to include a graphic concept plan which included a mixture of uses. The amendment distinctly states all development must occur as shown on the provided site plan exhibit. This exhibit shows proposed hotel/motel buildings, multi-family residential, two-family residences and single-family residences as well as convenience groceries and fuel sales.

PROPOSAL AND REQUESTED ACTION:
The property is the subject of potential development for "Quick Trip" fuel sales/convenience groceries store. Although fuel sales and convenience groceries are permissible uses in the most recent amendment to Planned Development 116, the exhibit illustrates only a small portion of this lot to be utilized as such. The use of approximately 6.207 acres of vacant land west of the former Anson Jones Elementary for strictly fuel sales and convenience groceries necessitates another amendment to Planned Development 116. This amendment shall provide an updated graphic concept plan illustrating this lot to be utilized only by fuel sales/convenience groceries.

APPLICATION REVIEW:
According to Section 1.4.1.4 (Criteria for Approval) in the City of Abilene Land Development Code, the Planning & Zoning Commission and City Council may consider the following factors in making a determination regarding requested zoning 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 subject property is located near the intersection of Interstate Highway 20 and Old Anson Road. The Comprehensive Plan and traditional planning considers intersections of freeways and major arterial roads to be appropriate for retail purposes. Situating retail uses in this location also achieves the Comprehensive Plan's goal of promoting a mixture of land use, creating an appropriate blend of residential, retail, and employment activities.

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

City Council has previously approved a Planned Development to allow fuel sales and convenience groceries to be located within this lot. However, previously the site plan exhibit provided with the Planned Development Ordinances illustrates a multi-family residential complex effectively providing a land use buffer between these uses and the existing single family residences located south of Jameson Street. The use as fuel sales and convenience groceries will be appropriate in the immediate area of the subject property, however it is worth noting that potential nuisances associated with long haul truck traffic will be mitigated by development standards outlined in the newest Planned Development Ordinance amendments in an effort to protect the residences south of Jameson Street. Furthermore there is an existing fuel sales station adjacent the subject property across Old Anson Road.

	Zoning	Existing Land Use
North	N/A	Expressway (I-20)
South	RS-6	Single Family Residences
East	RS-6	Single Family Residences
West	HC	Fuel Sales/Convenience Store

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

The subject property has access to existing sewer and water mains. Therefore water and sewer capacity should not be a limiting factor to the development of this property. In addition the lot is located at the intersection of a major arterial road and Interstate 20 optimizing access to future development.

STAFF COMMENTS:

As described above properties located at the intersections of major arterial roads and expressways such as this are traditionally appropriate for retails use. Locations like this optimize public access and exposure necessary for success. Furthermore, this location will promote the Comprehensive Plan's objective of creating a mixture of land use that will shorten automobile trips while increasing pedestrian and bicycle accessibility. Additionally, the subject property falls within the Neighborhood Empowerment Zone. The Neighborhood Empowerment Zone seeks to promote redevelopment in areas of town that suffers from economic distress. There are concerns regarding possible nuisances associated with long haul truck traffic utilizing Jameson Street as well as the potential adverse visual impact of having a fuel sales/convenience grocery store in such close proximity to existing residences south of Jameson Street. The Planned Development Ordinances will outline development standards which will incorporate substantial land use buffering to screen this development from the existing residences as well as prohibit long haul truck traffic from traversing Jameson Street.

STAFF RECOMMENDATION:

Staff recommends approval, contingent on development adhering to standards outlined within the Planned Development Ordinances.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission will consider this requested amendment, during a meeting scheduled for Tuesday, November 5, 2019.

NOTIFICATION:

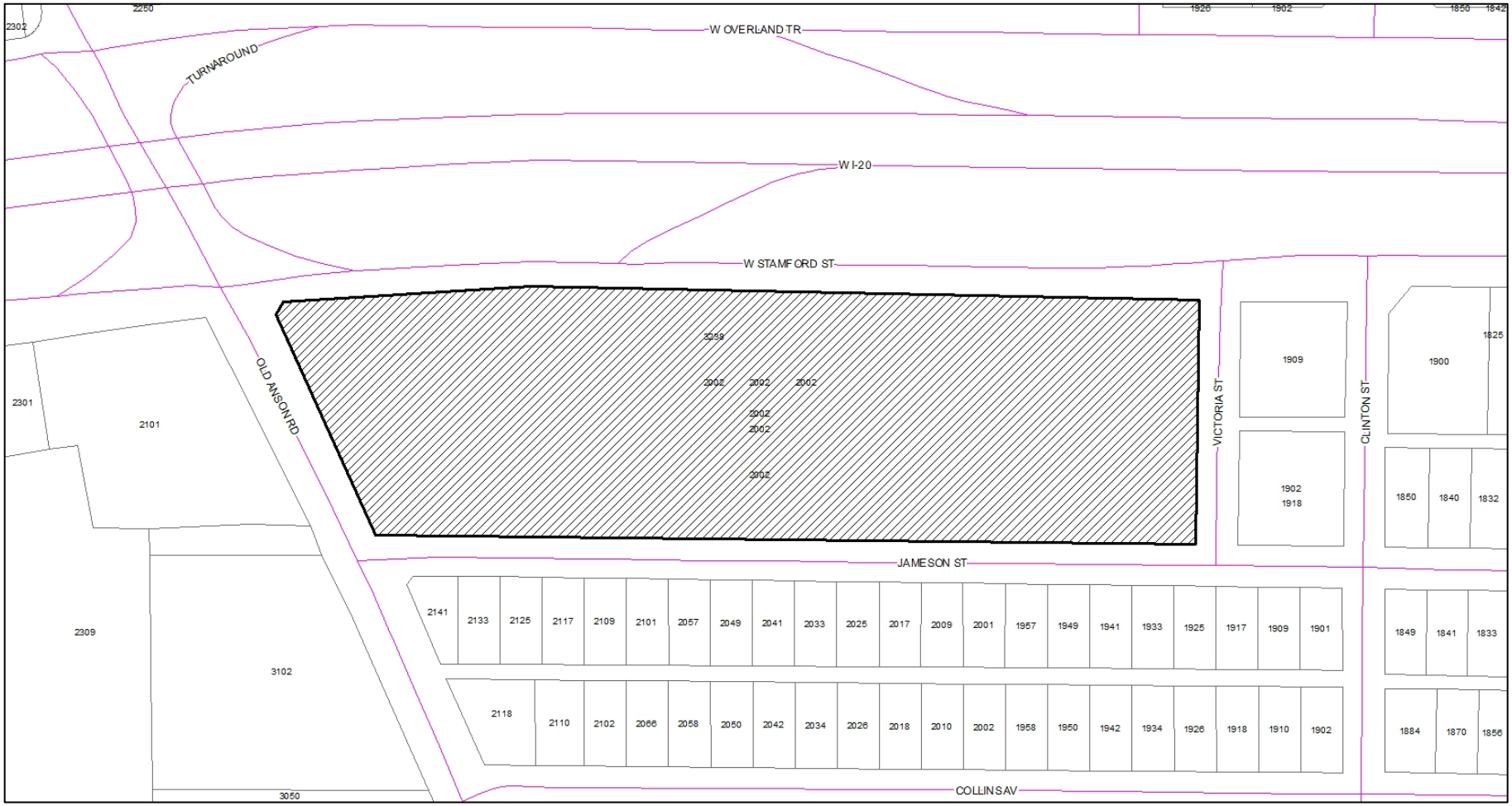
The Planning Services Division sent, with certificate of mailing, public notices to the applicant and to all owners of property within a 200-foot radius of the subject property.

Owner	Situs	Response
ALANIZ FERNANDO & CRYSTAL C	2002 COLLINS AV	
ALLSUPS CONVENIENCE STORES INC		
ALLSUPS CONVENIENCE STORES INC	2101 W STAMFORD ST	
ASSEMBLY OF GOD CHURCH	1902 JAMESON ST	
ASSEMBLY OF GOD CHURCH	1918 JAMESON ST	
BEASON DRENDA	2026 COLLINS AV	
BENGS ERIC & JOANNA	2133 JAMESON ST	
BENGS ERIC & JOANNA	2057 JAMESON ST	
BENGS ERIC D & JOANNA I	2101 JAMESON ST	
BENNETT MELISSA A	1917 JAMESON ST	
CASTILLO RAMON R	1942 COLLINS AV	
CITY OF ABILENE	1909 W STAMFORD ST	
COOPER SHIRLEY J MYERS	1957 JAMESON ST	
DAGGUBATI SAM	2002 JAMESON ST BLDG C	
DAGGUBATI SAM	2002 JAMESON ST BLDG F	
DAGGUBATI SAM	2002 JAMESON ST BLDG E	
DAGGUBATI SAM	2002 JAMESON ST BLDG A	
DAGGUBATI SAM	2002 JAMESON ST BLDG B	
DAGGUBATI SAM	2002 JAMESON ST BLDG D	
DAGGUBATI SAM	3238 VICTORIA ST	
DAWKINS MILES A	2041 JAMESON ST	
DULANEY DEANNE J	1901 JAMESON ST	
FAIRCHILD KENT E & MARY A	2109 JAMESON ST	
FLORES ANDRES & MARY R	2066 COLLINS AV	
GONZALES OSCAR JR & TRACIE	2141 JAMESON ST	
GRAHAM STREET CHURCH OF CHRIST	2010 COLLINS AV	
HINOJOSA HOMER JR	1926 COLLINS AV	
JGN PROPERTIES LLC SERIES B	1933 JAMESON ST	
JOHNSON BOB J	1950 COLLINS AV	
JUAREZ EDWARD C & ELIZABETH D	2102 COLLINS AV	
JUAREZ EVERETT	2050 COLLINS AV	
LYALL DANIEL &	1949 JAMESON ST	
MARTIN JACKIE G JR	2033 JAMESON ST	
MARTIN PAUL G	2025 JAMESON ST	
MARTINEZ VELIA RODRIGUEZ	2049 JAMESON ST	
MC KEEVER SANDRA K	1925 JAMESON ST	

MC KEEVER SANDRA KAY	1941 JAMESON ST	
MC KINNON JOHNNY R	2009 JAMESON ST	
MERRIAM GARY WAYNE	2018 COLLINS AV	
NIETO JESSE JR	2001 JAMESON ST	
NIETO MELANIE MARIE	2017 JAMESON ST	
PAMPA INVESTMENT GROUP LP	3102 OLD ANSON RD	
PEREZ RODOLFO JR & ALISHA	2034 COLLINS AV	
RAMEY KENNETH D	2110 COLLINS AV	
RAMEY KENNETH D	2118 COLLINS AV	
SHAW SHAWNA	1958 COLLINS AV	
SNEARLY TOM	1909 JAMESON ST	
SOBHANI BOBACK	1918 COLLINS AV	
STONEHENGE INVESTMENTS LLC	1934 COLLINS AV	
STONEHENGE INVESTMENTS LLC	2042 COLLINS AV	
TORRES ISAAC &	2058 COLLINS AV	
VALERIO MARY LINDA	2125 JAMESON ST	
WEST KELLY D	2117 JAMESON ST	

ATTACHMENTS:

- Application
- Site Plan Exhibit
- PowerPoint


W OVERLAND TR
TURNAROUND
W I-20
W STAMFORD ST
OLD ANSON RD
VICTORIA ST
CLINTON ST
JAMESON ST
COLLINS AV
2250
2302
1926
1902
1850
1842
2301
2101
2309
3102
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3059
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1884
1870
1856

Development Application

CITY OF ABILENE

Planning

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

Project Name: QuikTrip Number 7084

Address: 2002 Jameson Street No. of lots: 1 Acreage: 6.207

Legal Description: See attached legal description

Subdivision Name: J.B Collins Subdivision Block: _____ Lot: _____

Current Zoning: Planned Development District 116 Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Sam Daggubati

Address: 1309 Hickory Street

City, State, Zip: Abilene, Texas 79601 Fax: _____

Phone: 325-673-1322 Email: drsdaggubati@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) Lauren Montgomery *will act as my agent before the Planning and Zoning Commission.*

Agent Name: Lauren Montgomery

Address: 4447 North Central Expressway, Suite 110

City, State, Zip: Dallas, Texas 75205 Fax: _____

Phone: 214.478.5414 Email: lauren@jghconsultants.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: S. Daggubati Date: 9-12-19

FOR OFFICE USE ONLY

Received: 9-18-19 **Fee: $** 1000.00 **Receipt No.:** _____

Case No.: Z-2019-27 **Reviewed By:** Jared Smith

Development Application

CITY OF ABILENE

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.

The application is being submitted on behalf of QuikTrip Corporation for an amendment to the existing Planned Development District to permit motor vehicle and diesel fuel sales on a 6.207 acre tract of land at the southeast corner of Old Anson Road and Interstate Highway 20. Currently the site is undeveloped with an unoperating school adjacnet to the site. The request does not encompass the school site. Other adjacent properties are motor vehicle fueling stations and single family residential. The applicant has proposed a 8,292 square foot one story building approximately 20 feet in height with ten motor vehicle fueling pumps, seven fuel pumps for transport vehicle fueling. To buffer adjacent land uses, the applicant has proposed a Type B landscape buffer along Jameson Street, as defined by Section 4.2.4.2 of the City of Abilene Zoning Code, with landscape and hardscape elements. Primary access into the site would be from Old Anson and the Interstate 20 Service Road for motor vehicles and the Interstate 20 Service Road for transport vehicles.

About QuikTrip. QuikTrip is a privately held compnay headquartered in Tulsa, Oklahoma. Founded in 1958, QuikTrip has over 800 stores in 11 states. With over 20,000 employees, and a growth strategy that promotes from within, Fortune has ranked QuikTip on the list of Best Companies To Work For for forteen years. Each new QuikTrip creates an average of 22 jobs per store, with the starting salary for clerks averaging $13.92 per hour after 36 months of employment. The average store manager earns $80,000 per year, with entry level pay for assistant store managers starting at $45,000 per year. A strong corporate citizen, QuikTrip contributes 5% of its profits to charitable organizations in the communities which it operates. Every QuikTrip store is a designated Safe Place where at risk youth can come in, receive food and drink, and wait for a volunteer from a Safe Place agency partner to connect them to help. QuikTrip is a proud supporter of military members, employees and customers. As a partner with Folds of Honor QuikTrip provides scholarships to military families in in the cities where QuikTrip operates stores, commissaries and distribution warehouses. Security at a QuikTrip facility is widely considered to be the best in the industry due to the surveillance systems paired with the commitment to providing a safe and secure operation.

ORDINANCE NO. 29-2013
EXHIBIT "B"

CONCEPTUAL SITE PLAN

OFFICE / COMMERCIAL	(existing)	6,000 SF.	1 STORY
HOTEL	(proposed)	82 ROOMS	3 STORIES
EXTENDED STAY	(existing)	41 ROOMS	1 STORY
CONVIENCE / FOOD COURT	(proposed)	9,900 SF.	1 STORY
APARTMENTS	(proposed)	60 UNITS (20 du./bldg.)	3 STORIES
COMMUNITY CENTER	(existing)	18,000 - 19,000 SF. (approx)	1 STORY

THE CONCEPTUAL SITE PLAN SHOWS GENERAL LOCATION OF BUILDINGS, PARKING, VEHICULAR CIRCULATION AND OTHER PROPOSED SITE IMPROVEMENTS. THE ACTUAL BUILDING LOCATIONS, DIMENSIONS, AND THE LAYOUT OF THE SITE MAY VARY AS THE DEVELOPMENT PROGRAM IS REFINED.

Dr. Sam Daggubatti
Abilene, Texas

ANSON JONES SCHOOL SITE
ABILENE, TEXAS

JLM DESIGN GROUP, LLC
1250 GERMANTOWN PIKE, SUITE 302
PLYMOUTH MEETING, PA 19462
p: 610.277.9900 f: 610.277 9902
email:jlmdesigngroup@verizon.net

project number: NA
date: 06.18.2013
scale: 1" = 60"
sheet number: 1

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-END-

ORDINANCE NO. _____

EXHIBIT "B"

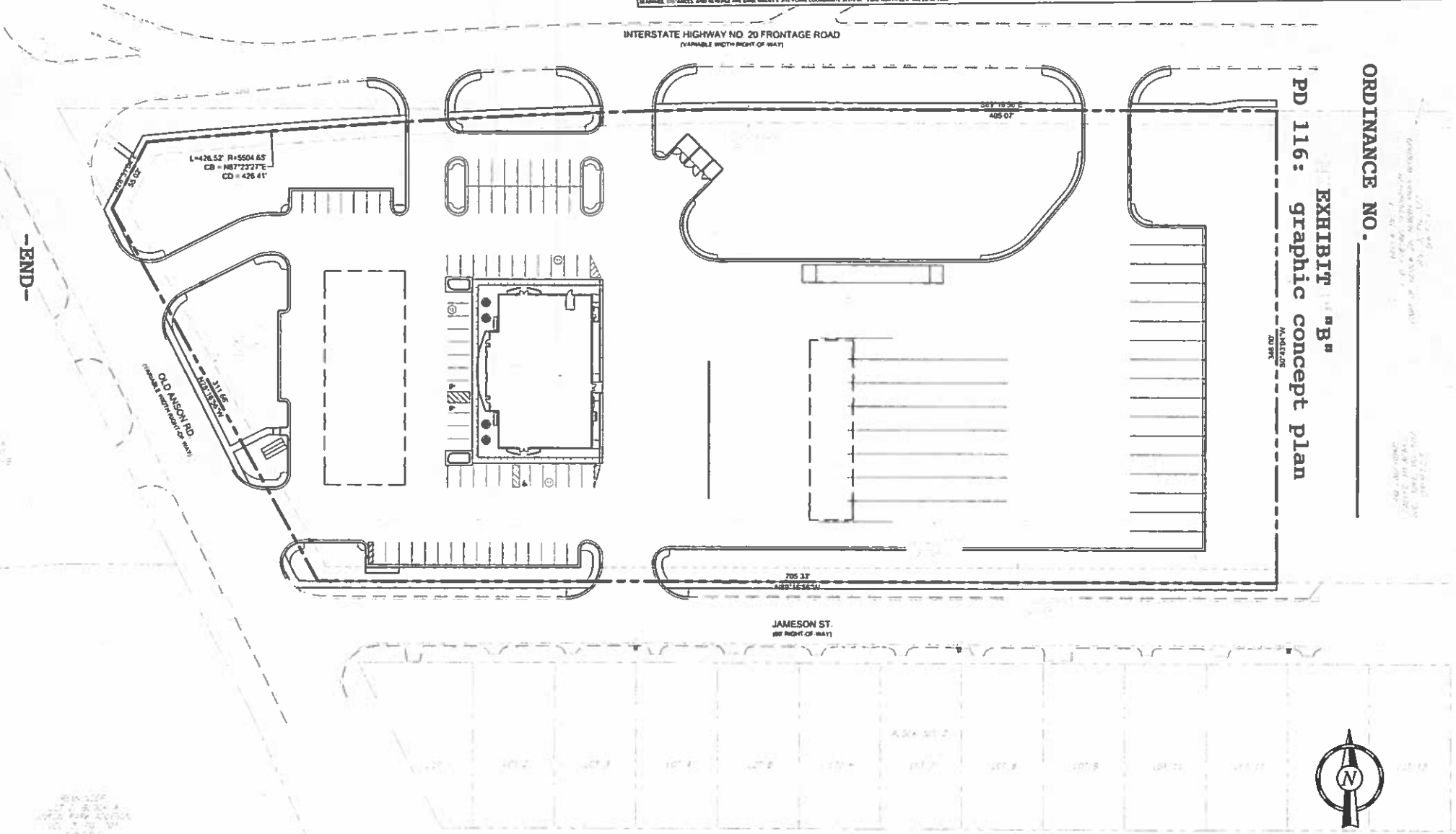
PD 116: graphic concept plan

NOTES

1. SIGNAGE WILL BE PLACED ON JAMESON STREET TO INDICATE "NO TRUCK TRAFFIC PERMITTED"
2. DRIVEWAYS ON IH20 FRONTAGE ROAD ARE CONTINGENT ON TXDOT APPROVAL.

SITE DATA (QUIKTRIP STORE)

PROPOSED/EXISTING ZONING:	PDD-116
PROPOSED USE:	FUEL SALES
SITE AREA INFORMATION:	
GROSS AREA:	6.207 AC (270,378 SF)
NET AREA:	6.207 AC (270,378 SF)
QUIKTRIP BUILDING:	8,292 SF
PARCEL COVERAGE:	3.1%
PARKING REQUIRED:	RETAIL=1 SPACE/500 SF=17 INCL. 1 ACCESSIBLE
PARKING PROVIDED:	76 INCL. 3 ACCESSIBLE
MAX BUILDING HEIGHT:	1-STORY; 20'-0"



-END-

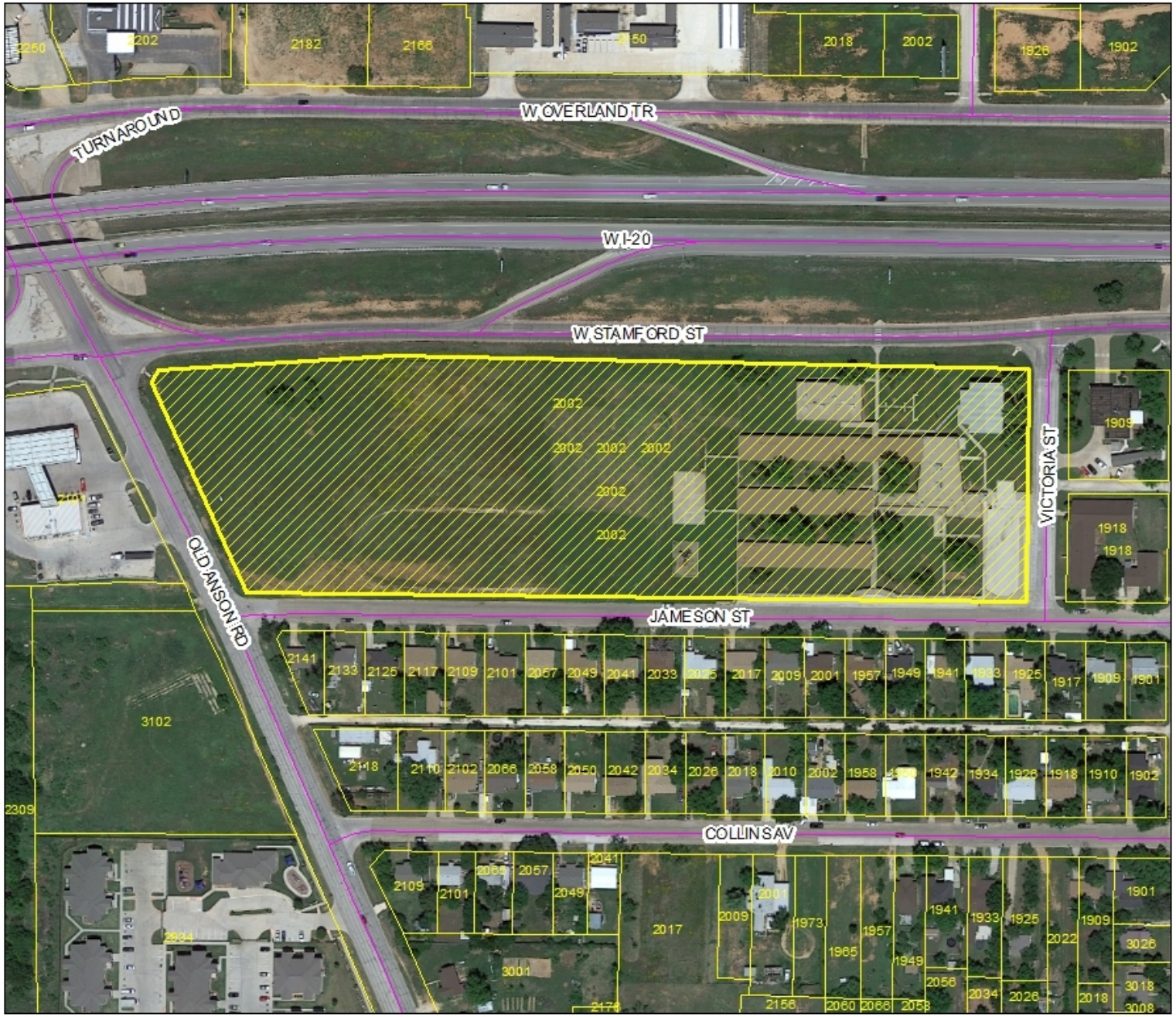
approximate scale: 1"=100'

40 20 0 40 80

PLANNED DEVELOPMENT AMENDMENT

Case: Z-2019-27
Applicant: Sam Daggubati
Agent: Lauren Montgomery, Consultant
Request: Amend PDD 116
Location: 2002 Jameson Street
Notification: 0 in Favor, 0 Opposed
Planning & Zoning: November 5, 2019
City Council Hearing: November 21, 2019
December 5, 2019

Z-2019-27 AERIAL LOCATION MAP

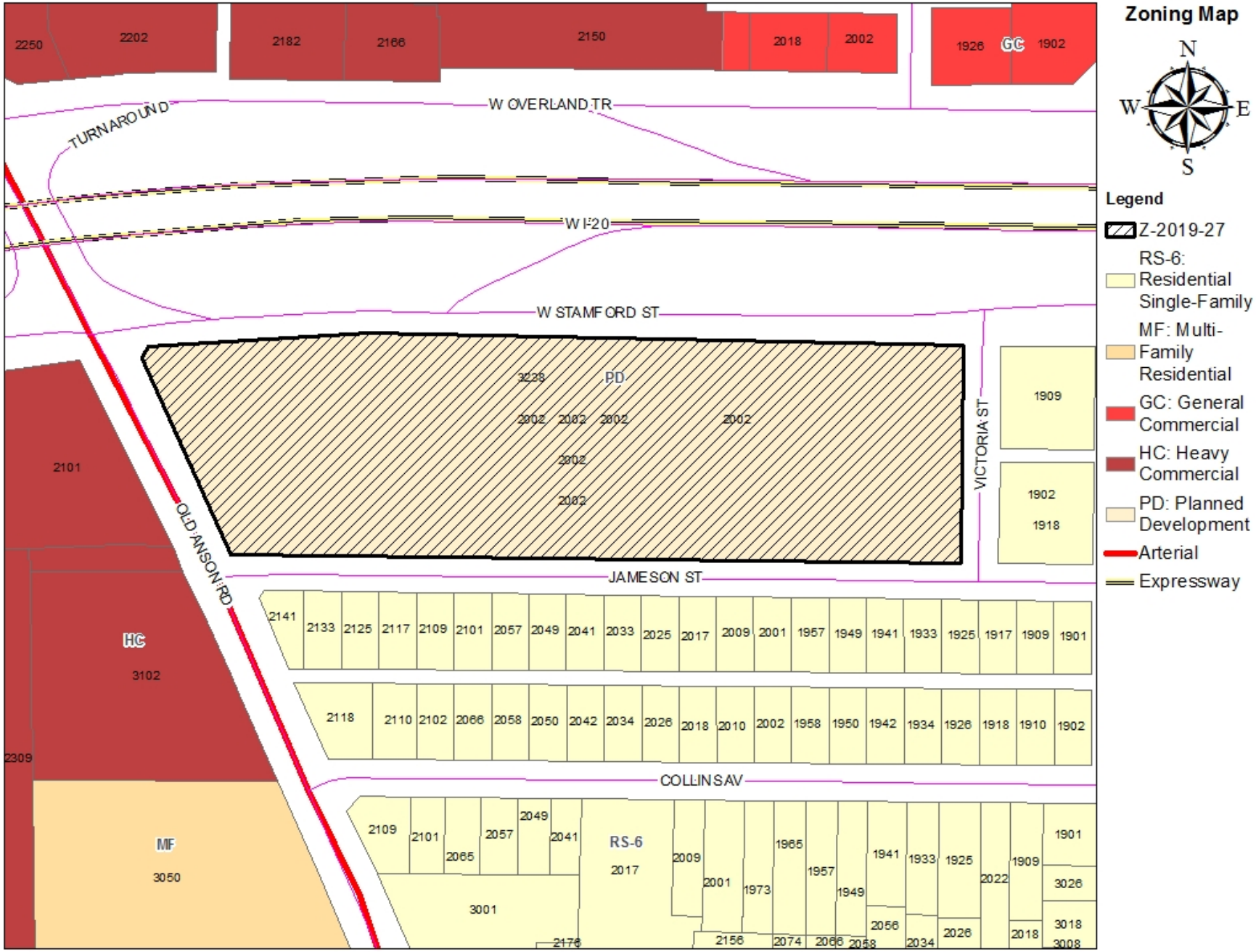


Location Map

Legend

Z-2019-27

Z-2019-27 ZONING MAP



Z-2019-27 PREVIOUS CONCEPT PLAN

ORDINANCE NO. 29-2013
EXHIBIT "B"

-END-

CONCEPTUAL SITE PLAN

OFFICE / COMMERCIAL	(existing)	6,000 SF.	1 STORY
HOTEL	(proposed)	82 ROOMS	3 STORIES
EXTENDED STAY	(existing)	41 ROOMS	1 STORY
CONVIENCE / FOOD COURT	(proposed)	9,900 SF.	1 STORY
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THE CONCEPTUAL SITE PLAN SHOWS GENERAL LOCATION OF BUILDINGS, PARKING, VEHICULAR CIRCULATION AND OTHER PROPOSED SITE IMPROVEMENTS. THE ACTUAL BUILDING LOCATIONS, DIMENSIONS, AND THE LAYOUT OF THE SITE MAY VARY AS THE DEVELOPMENT PROGRAM IS REFINED.

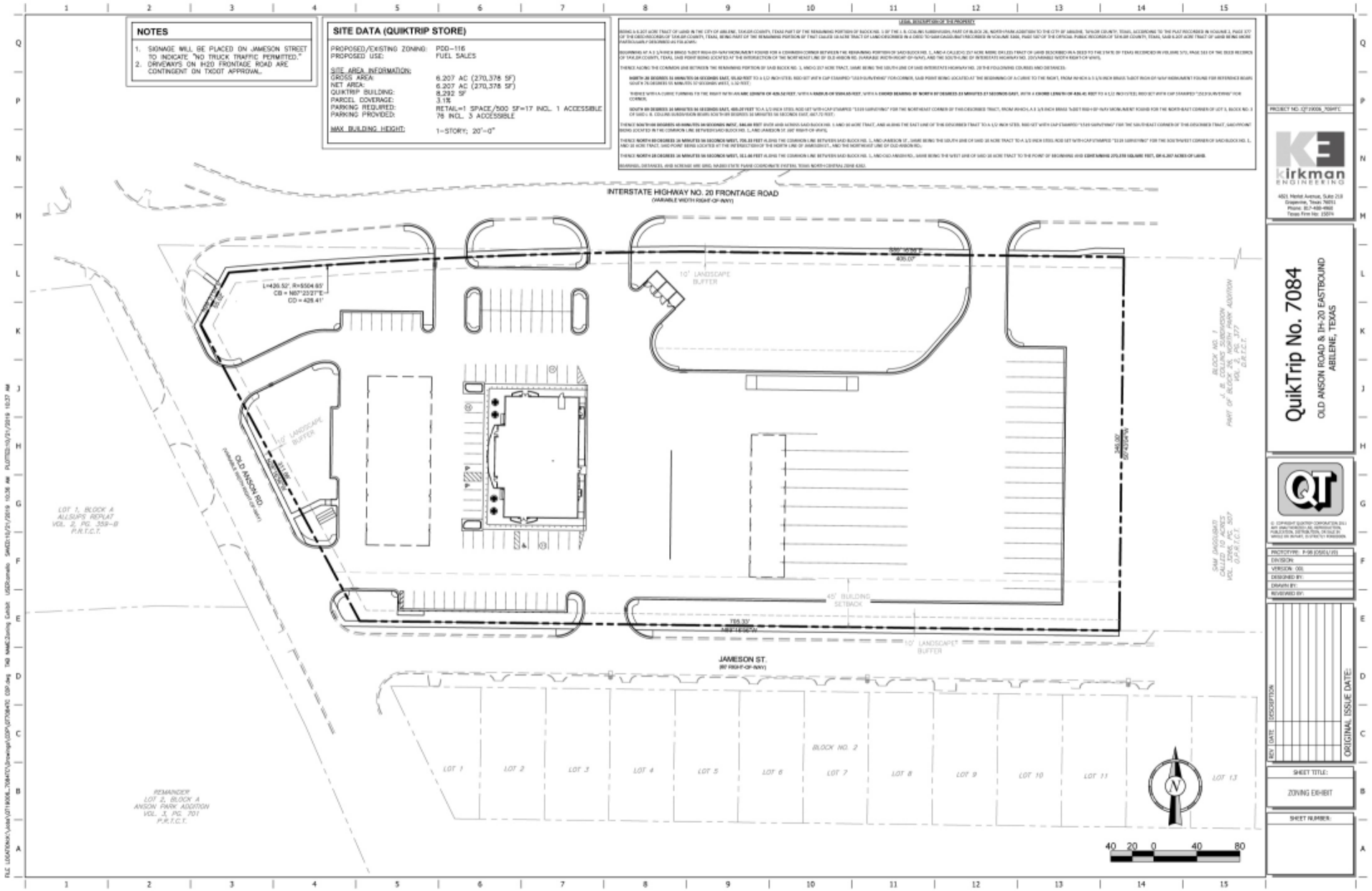
Dr. Sam Daggubatti
Abilene, Texas

ANSON JONES SCHOOL SITE
ABILENE, TEXAS

JLM DESIGN GROUP, LLC
1250 GERMANTOWN PIKE, SUITE 302
PLYMOUTH MEETING, PA 19462
p: 610.277.9900 f: 610.277.9902
email: jlmdesigngroup@verizon.net

Scale:	NA
Date:	06.18.2013
Scale:	1" = 60'
Drawing Number:	1

Z-2019-27 CONCEPT PLAN



Z-2019-27 VIEWS OF SUBJECT PROPERTY

2002 Jameson Street from northwest corner

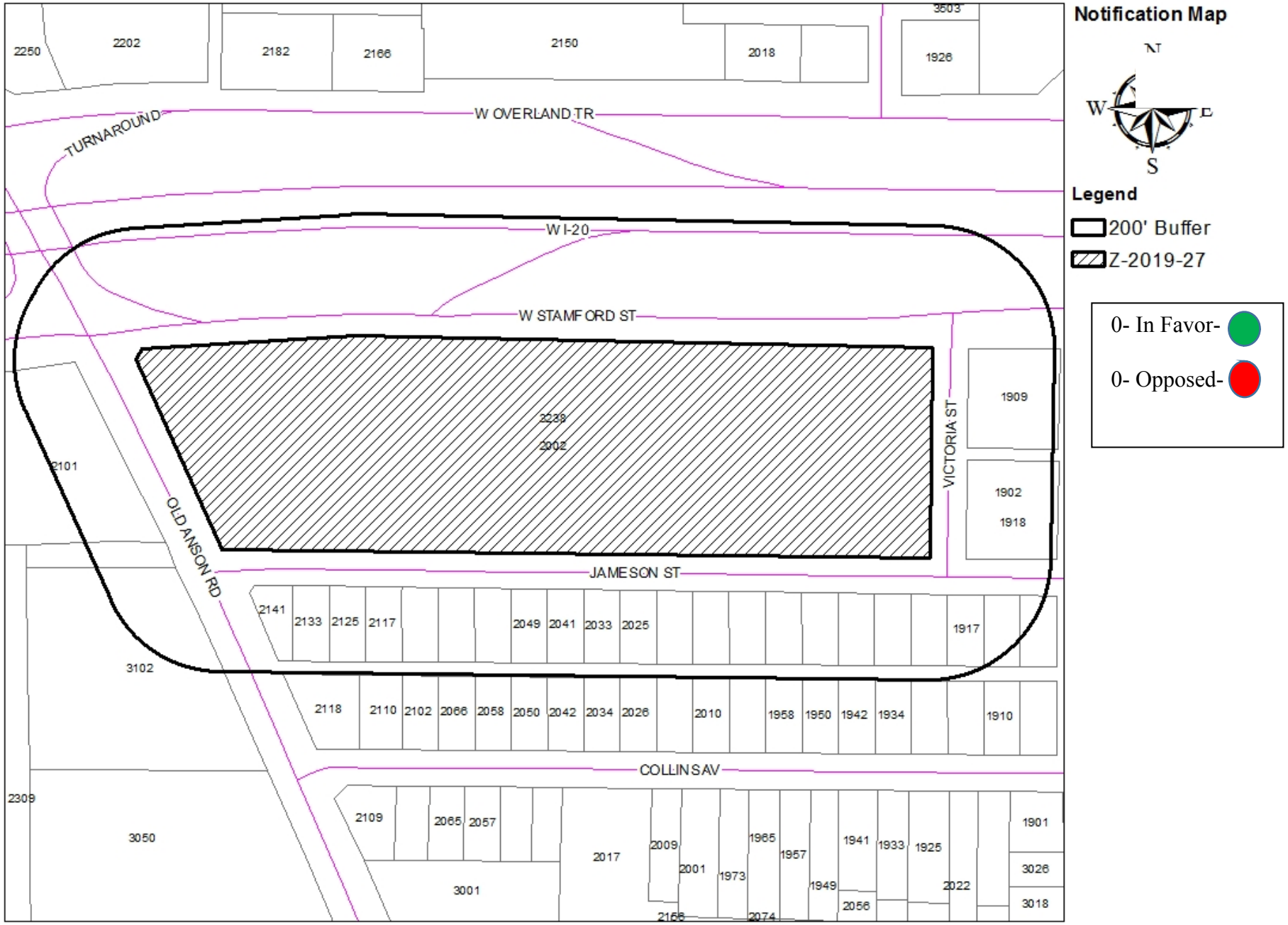
Neighboring Property to the east

Jameson Street looking east

FINDINGS AND RECOMMENDATIONS

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

Z-2019-27 NOTIFICATION AREA MAP



Questions?

ZONING CASE Z-2019-28
STAFF REPORT

REQUEST: Rezoning

APPLICANT:
Owner: Stan Chapman

HEARING DATES:
P & Z Commission: November 5, 2019
City Council 1st Reading: November 21, 2019
City Council 2nd Reading: December 5, 2019

LOCATION:
- 818, 802, 826, 834, & 842 N. 3rd St.
- 324 Mesquite St.

Legal description(s):

- All of Original Town Abilene TIF #1, Block 19, Lot W25 LT 6 & S29 of W25 of LT 5
- All of Original Town Abilene TIF #1, Block 19, Lot E25 W50 LT 6 & S44.25 E25 W50 LT 5
- All of Original Town Abilene TIF #1, Block 19, Lot E25 W50 LT 5 & N10 W25 LT4
- All of Original Town Abilene TIF #1, Block 19, Lot E90 LT 6 & S34 E90 LT5
- All of Original Town Abilene TIF #1, Block 19, Lot S40 of W25 LT 4 & N21' of W25 of LT5
- All of Original Town Abilene TIF #1, Bock 19, Lot E90 LT4 & N16 E90 LT5

PROPOSAL AND REQUESTED ACTION:
The applicant is requesting to rezone from Light Industrial (LI) and Light Industrial/Historical to Central Business (CB) and Central Business/Historical (CB/H) in order to utilize the locations for uses consistent with CB zoning. The current use of the property is printing, publishing and reproduction, which is allowed in both CB and LI zoning districts.

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

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

The Future Land Use and Development Plan Map of the Comprehensive Plan designates this general area as a mixture of Central Business (CB) and Light Industrial (LI) along Walnut St., Mesquite St., and N. 3rd St. The district is intended to provide space and facilities for financial, administrative, commercial, residential and business services, as well as limited light manufacturing activities, but is designed to discourage warehousing and manufacturing and other uses which tend to generate heavy traffic or require open storage of materials. This proposed zone change promotes the Comprehensive Plan's goal of achieving a mixture of land uses that will encourage a variety of activities, shorten automobile trips and promote pedestrian and bicycle accessibility. Furthermore, the zone change will allow for a much wider variety of uses which will encourage the Comprehensive Plan's objective of infill within the central business district.

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

The variety of uses permitted by the proposed zone change would be appropriate in the immediate area. Rezoning this property will provide an opportunity for a wide range of uses, while reducing the intensity of activities that would typically be found within the currently existing Light Industrial (LI) zoning.

The subject lots have been Light Industrial since at least 1974. The lot to the west is currently zoned Central Business (CB) and the lots to the north, south, and east are currently zoned Light Industrial (LI).

	Zoning	Existing Land Use
North	LI	Light Industrial (Post Office)
South	LI	Light Industrial (Parking Lot)
East	LI	Light Industrial (Office)
West	CB	Central Business (Hardware Retail)

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

The subject property has access to an existing water mains and sewer mains. Therefore water and sewer capacity should not be a limiting factor to the development of these properties.

STAFF COMMENTS:

According to the Future Land Use and Development Plan Map of the Comprehensive Plan, this location is designated to provide a mix of residential and commercial uses. Central Business (CB) zoning will promote a greater mix of business and residential use. This will achieve the Comprehensive Plan's objective of creating a mix of land use that will encourage a variety of activities, encourage infill development, and provide space for businesses, residential, and light manufacturing. Additionally, the subject properties are located within the Neighborhood Empowerment Zone (78-2018), a zone designed to promote redevelopment in "economically distressed" areas. Furthermore, Central Business (CB) zoning will serve as an appropriate transitional zoning from Light Industrial (LI).

STAFF RECOMMENDATION:

Staff recommends approval of the request. The rezoning request complies with Section 1.4.1.4 (Criteria for Approval). It is consistent with the General Land Use and zoning character of the immediate area (Section 2.3.3.7 Central Business District), and with the Comprehensive Plan and Future Land Use and Development Plan Maps.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission will consider this requested amendment, during a meeting scheduled for Tuesday, November 5, 2019.

NOTIFICATION:

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

Owner	Situs	Response
ABILENE ARRANGEMENT LLC	357 WALNUT ST	
ABILENE ARRANGEMENT LLC	357 A WALNUT ST	
ABILENE ARRANGEMENT LLC	389 WALNUT ST	
ABILENE MAJESTIC LLC SERIES G	741 N 3RD ST	
BAILEY BOB	334 MESQUITE ST	
BRIGHT BOBBY & JENNIE	317 WALNUT ST	
BRIGHT BOBBY & JENNIE	333 WALNUT ST	
BRIGHT BOBBY & PURSER CAROL		
CHAPMAN STANLEY B &	842 N 3RD ST	
DURHAM-COPELAND PARTNERSHIP	289 WALNUT ST	
DURHAM-COPELAND PARTNERSHIP	853 N 3RD ST	In Favor
DURHAM-COPELAND PARTNERSHIP	289 B WALNUT ST	
FOGLE RON		
MESQUITE GATE PROPERTIES LLC	802 N 3RD ST	
MESQUITE GATE PROPERTIES LLC	818 N 3RD ST	
MESQUITE GATE PROPERTIES LLC	826 N 3RD ST	
MESQUITE GATE PROPERTIES LLC	324 MESQUITE ST	
NIBLO EVELYN THOMAS	342 MESQUITE ST	
PAK HARRIS ENTERPRISES LTD	370 MESQUITE ST	
UNITED STATES POSTAL	202 MESQUITE ST	
WEST TEXAS UTILITIES CO	301 MESQUITE ST	

ATTACHMENTS:

- Application
- PowerPoint

N 4TH ST
N 3RD ST
WALNUT ST
MESQUITE ST
442
417
710
389
370
357
357 A
342
334
341
333
324
317
842
834
826
802
818
301
701
310
302
241
289
289 B
853
202
741
703
201
203
201

Development Application

CITY OF ABILENE

Planning

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

Project Name: _____

Address: 842, 826, 802 N 3rd St + 324 Mesquite No. of lots: _____ Acreage: _____

Legal Description: _____

Subdivision Name: _____ Block: _____ Lot: _____

Current Zoning: Light Industrial Proposed Zoning (if applicable): Commercial

OWNER AND AUTHORIZATION

Owner Name: Stan Chapman

Address: 802 N 3rd

City, State, Zip: Abilene Tx 79601 Fax: _____

Phone: 325-370-3985 Email: chapsail@hotmail.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) Stan Chapman *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: Stan Chapman Date: 9-6-19

FOR OFFICE USE ONLY

Received: 9/6/19 Fee: $ WAIVED Receipt No.: _____

Case No.: Z 2019 28 Reviewed By: _____

CITY OF ABILENE

Development Application

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

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

This area is no longer an industrial use part of Abilene. Because of the changes in use of buildings in this are it would be better for general development to be a general commercial zone.

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

DURHAM-COPELAND PARTNERSHIP
PO BOX 2791
ABILENE, TX 79604-2791

NOTICE OF PUBLIC HEARING

RE: Rezoning Application Number Z-2019-28 **11/5/2019**

The Planning and Zoning Commission will hold a public hearing on **Tuesday, November 5, 2019** 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 Stan Chapmann, to rezone six tracts of land from Light Industrial (LI) with Historic (H) Overlay, to Central Business (CB) with Historic (H) Overlay. Legal description being all of Lots 4, 5 and 6 in Block 19 of Original Townsite for Abilene, Taylor County, Texas and including buildings at 802, 818, 826, 834 and 842 North 3rd Street as well as at 324 Mesquite Street.

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 the request. Only that area which is bounded by the cross-hatched line on the map is being considered for rezoning. 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 a public hearing on **December 5, 2019,** at 8:30 AM in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Nick Watts, Planner I at (325) 676-4585 or nick.watts@abilenetx.gov

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

CASE #: Z-2019-28
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: DURHAM-COPELAND PARTNERSHIP
Address: 853 N 3RD ST

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

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: DAVID DURHAM

REZONING REQUEST

Case: Z-2019-28

Applicant: Stan Chapman

Request: Rezone from Light Industrial (LI) & (LI/H) to Central Business (CB) & (CB/H)

Location: 818, 802, 826, 834, & 842 N. 3rd St
324 Mesquite St.

Notification: 1 in Favor, 0 Opposed

Planning & Zoning: November 5, 2019

City Council Hearing: November 21, 2019
December 5, 2019

Z-2019-28 AERIAL LOCATION MAP

Location Map

N
W E
S

Legend

Z-2019-28

Z-2019-28 ZONING MAP

Z-2019-28 VIEWS OF SUBJECT PROPERTY

Z-2019-28 VIEWS OF SUBJECT PROPERTY

324 Mesquite Street

Neighboring property to north

FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use* and *Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 2.3.3.7)
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

Z-2019-28 NOTIFICATION AREA MAP

Notification Map

N
W
E
S

Legend

200' Buffer

Z-2019-28

1- In Favor-

0- Opposed-

Questions?

ZONING CASE Z-2019-29
STAFF REPORT

REQUEST: Approve new Planned Development District allowing Heavy Industrial (HI) use and development, with relief from any public improvements required by Chapter 3 (Subdivision Regulations) of Abilene's Land Development Code, with the formal subdivision or "platting" of these subject properties.

APPLICANT:
Owner: Three JB Properties
Agent: John Hill, representing Lone Star Railroad

HEARING DATES:
P & Z Commission: November 5, 2019
City Council 1st Reading: November 21, 2019
City Council 2nd Reading: December 5, 2019

LOCATION:
8.69 acres situated north and south of South 8th Street (one block east of South Treadaway Boulevard) and including properties at 749 China Street, 750 Rose Street and 397 South 8th Street
Legal description (abbreviated): Lots 1 thru 22 in Pecks's Subdivision of Outlot No. 1 in Block 164 of Original Town for Abilene, Taylor County, Texas, as well as a certain 5.277 acres out of Outlot Nos. 1 and 4 in Block 190 of Abilene's Original Town.

BACKGROUND:
The subject properties are located in an older industrial district of Abilene and were occupied agricultural processing and warehouse facilities. During the past 30 years, almost all of those facilities have been abandoned and demolished, leaving the subject properties mostly vacant.

Since 1974, the subject properties have been located within a Heavy Industrial (HI) zoning district. The subject properties are roughly split in half by right-of-way and pavement for South 8th Street.

The entire east boundary of these subject properties is bounded by right-of-way for Rose Street, one of the initial streets dedicated with the original townsite for Abilene, in 1881. Since the early 1900's, though, this right-of-way for Rose Street has been occupied by railroad tracks.

PROPOSAL AND REQUESTED ACTION:
According to the graphic concept plan the Lone Star Railroad (d.b.a. Southern Switching Company) plans to acquire these properties for use as marshalling yards and storage for railroad rolling stock. The applicants seek approval of a zone change on their 8.69 acres of land, from its present HI zoning classification, to a Planned Development District. The purpose of an overlay planned development zoning district ("PD District") is to provide for the development of land as an integral unit for single or mixed use in accordance with a PD Concept Plan that may include uses, regulations and other requirements that vary from the provisions of other zoning districts (Section 2.3.4.5).

In this case, the proposed Planned Development (PD) District will retain all limitations and allowances of Heavy Industrial zoning; however, the terms of this PD District will relieve the subject property's owners of any responsibility to install public improvements ordinarily required by Chapter 3 (Subdivision Regulations) of Abilene's Land Development Code.

In the graphic concept plan for this PD all of the properties within the development are shown as one property including the proposed thoroughfare closure of S. 8th street.

Pending the approval of this request, and in accordance with the graphic concept plan, any subsequent replat would normally trigger required improvements to rights-of-way for streets adjacent to the subject properties and, to an adjacent segment of Rose Street. The approval of this PD would exempt the applicant from this policy.

APPLICATION REVIEW:

According to Section 1.4.1.4 (Criteria for Approval) in the City of Abilene Land Development Code, the Planning & Zoning Commission and City Council may consider the following factors in making a determination regarding requested zoning 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 subject properties are proposed to remain in a fundamentally industrial zoning district which has characterized this area for a hundred years or more. Planned use of this property includes switching, marshalling and storage of railroad rolling stock, all of which is allowed within both Light Industrial (LI) and Heavy Industrial (HI) zoning districts of Abilene.

	Zoning	Existing Land Use
North	HI	heavy commercial, industrial
South	HI	heavy industry (feed mill)
East	HI	industrial, commercial, one (1) residence
West	HI, LI and HC	craft brewery, office bldg., homeless shelter

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

The applicant's only amendment to the base zoning is the proposed relief from requirements to improve any and all portions of adjoining rights-of-way. The current state of the property would in effect remain the same.

(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 to the area.

Staff is unaware of any plans to provide further services to the area.

STAFF COMMENTS:

The applicants are seeking approval of a Planned Development District relieving them of all subdivision-related improvements that may stem from their development of this subject property. Under present conditions, it is staff's opinion that such relief will not have critical impact.

STAFF RECOMMENDATION:

City staff recommends approval of this proposed Planned Development District.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission will consider this proposed Planned Development District, during a meeting scheduled for Tuesday, November 5, 2019.

NOTIFICATION:

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

Owner	Situs	Response
ABILENE HOPE HAVEN INC	801 S TREADAWAY BL	
ABILENE IMPACT GROUP LP	610 CHINA ST	
ACCO FEEDS INC	901 S TREADAWAY BL	
ACCO FEEDS INC	1025 CHINA ST	
ACUNA DAVID	925 S TREADAWAY BL	
ANGELO PROPERTIES INC	200 S 11TH ST	
ANGELO PROPERTIES INC	900 ROSE ST	
ANGELO PROPERTIES INC	225 S 8TH ST	
ANGELO PROPERTIES INC	242 S 11TH ST	
ANGELO PROPERTIES INC	848 MAPLE ST	
BRANCH CHESTER	741 ROSE ST	
FAIN CECIL A & JANE A	308 S 7TH ST	
FAIN CECIL A & JANE A	649 CHINA ST	
FERGUSON CHRISTINA K	749 ROSE ST	
FUQUA INVESTMENTS II INC	226 S 7TH ST	
HIT VENTURES LLC	402 S 7TH ST	
HIT VENTURES LLC	774 CHINA ST	
HIT VENTURES LLC	720 CHINA ST	
HIT VENTURES LLC	726 CHINA ST	
HIT VENTURES LLC	702 CHINA ST	
HIT VENTURES LLC	710 CHINA ST	
HOOVER CHARLES C ET AL	733 ROSE ST	
HOOVER CHARLES C ET AL	225 S 7TH ST	
THREE JB PROPERTIES LLC	825 S TREADAWAY BL	
THREE JB PROPERTIES LLC	789 ROSE ST	
THREE JB PROPERTIES LLC	750 ROSE ST	
THREE JB PROPERTIES LLC	749 CHINA ST	
THREE JB PROPERTIES LLC	397 S 8TH ST	
UNION PACIFIC SYSTEM	757 ROSE ST	
WALKER SANDRA C LF EST	917 S TREADAWAY BL	
WALKER SANDRA C LF EST	919 S TREADAWAY BL	
WEST TEXAS UTILITIES CO	841 S TREADAWAY BL	

ATTACHMENTS:

- Application
- PowerPoint

PECAN ST
S 7TH ST
ES 7TH ST
PICKARD AV
GOODLOW ST
CHINA ST
S 8TH ST
MAPLE ST
LOCUST ST
CHERRY ST
S TREADAWAY BL
ROSE ST
S 9TH ST
S 11TH ST
749
750
765
591
125

Development Application

CITY OF ABILENE

Planning

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

Project Name: China Rose Project

Address: 397 S 8TH, 750 ROSE ST, 789 ROSE ST, 749 CHINA No. of lots: 28 Acreage: 8.6902

Legal Description: OT ABILENE, BLOCK 190, LOT PT LT 1 & PT LOT 1-5 LEWIS, ACRES 5.277; LTS 1 THRU 22 164 PECK 1 OT ABL

Subdivision Name: LEWIS, PECK Block: 164, 190 Lot: 1-22; PT LT 1, 4, PT LT 1-5

Current Zoning: HI Proposed Zoning (if applicable): PDD

OWNER AND AUTHORIZATION

Owner Name: LONE STAR RAILROAD / CONTACT: JEFF BASKETT

Address: 1575 N GREEN MOUNTAIN RD # 300

City, State, Zip: O'FALLON, IL 62269 Fax: _____

Phone: 618-632-4400, extension 105 Email: jeffb@ironhorseresources.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) JOHN HILL *will act as my agent before the Planning and Zoning Commission.*

Agent Name: JOHN HILL

Address: 3409 S 14TH ST SUITE 209

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

Phone: 325-721-4428 Email: john@barnettandhill.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 related to this application.

Signature Owner: John Hill Oct 10, 2019 Date: 10/7/2019

FOR OFFICE USE ONLY

Received: 10/17/19 Fee: $ $2,000 Receipt No.: 0002088508

Case No.: Z-2019-29 Reviewed By: Jared

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.

Lonestar Rail seeks a Planned Development District (PDD) that would prescribe all the land use defined for HI - Heavy Industrial defined in Chapter 2 of the City of Abilene's Land Development Code with one exception:

If the owner of this property makes application for improvements or for a replat of this property, this PDD allows the replat or improvements to occur with no expectation that the owner would financially participate in public improvements stated in Chapters 3 & 4 of the City of Abilene's Land Development Code.

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.

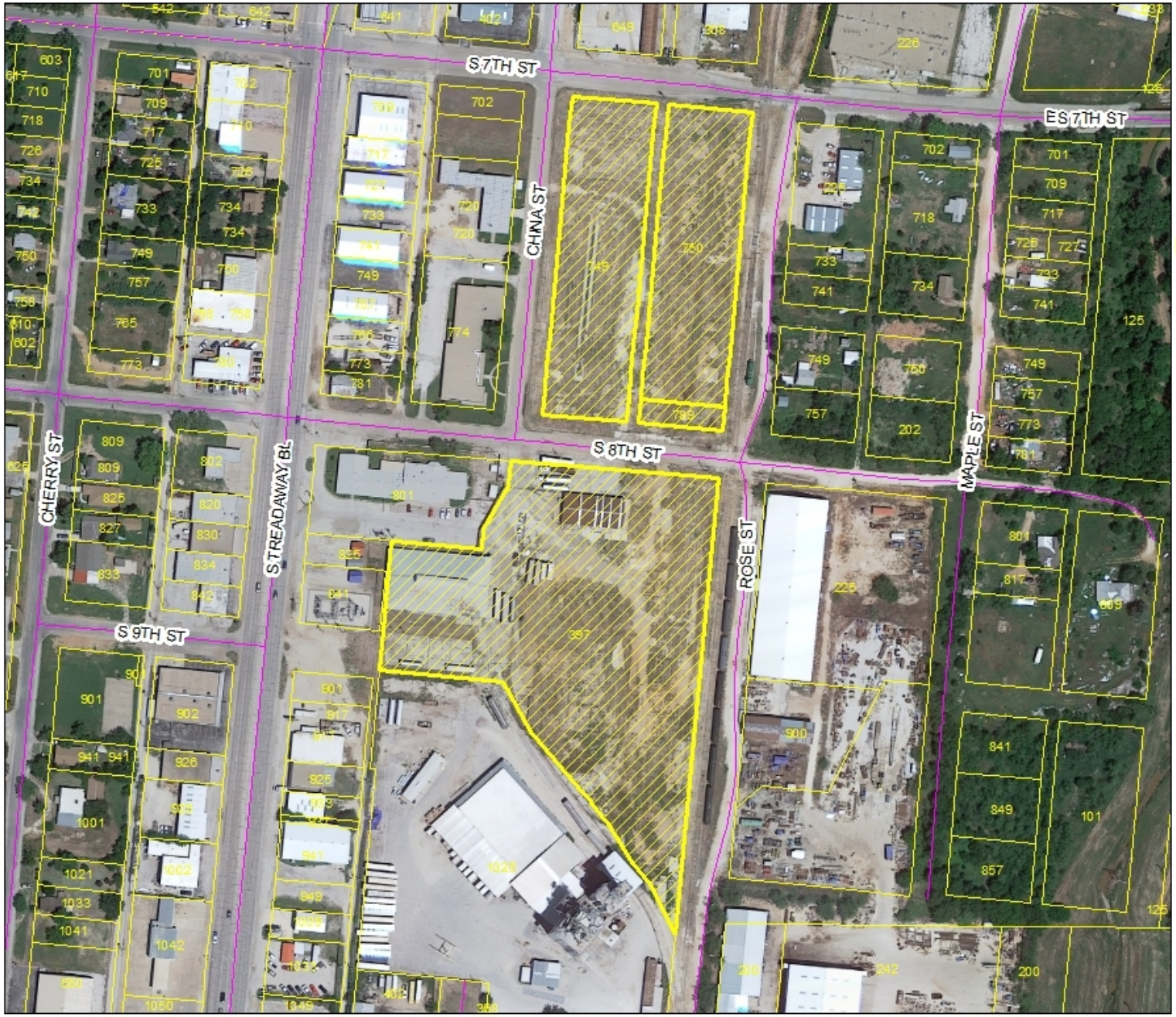
I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of 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: John Hill Oct 10, 2019 DATE: 10/7/2019

REZONING REQUEST

Case: Z-2019-29
Applicant: Jeff Basket, Lone Star Railroad
Agent: John Hill, Realtor
Request: Planned Development District
Location: 749 China St, 750 Rose St, 397 South 8th
Notification: 0 in Favor, 0 Opposed
Planning & Zoning: November 5, 2019
City Council Hearing: November 21, 2019
December 5, 2019

Z-2019-29 AERIAL LOCATION MAP



Location Map

N
W E
S

Legend

Z-2019-29

Z-2019-29 ZONING MAP

Z-2019-29 PROPERTY CONCEPT PLAN

Z-2019-29 DEVELOPMENT CONCEPT PLAN

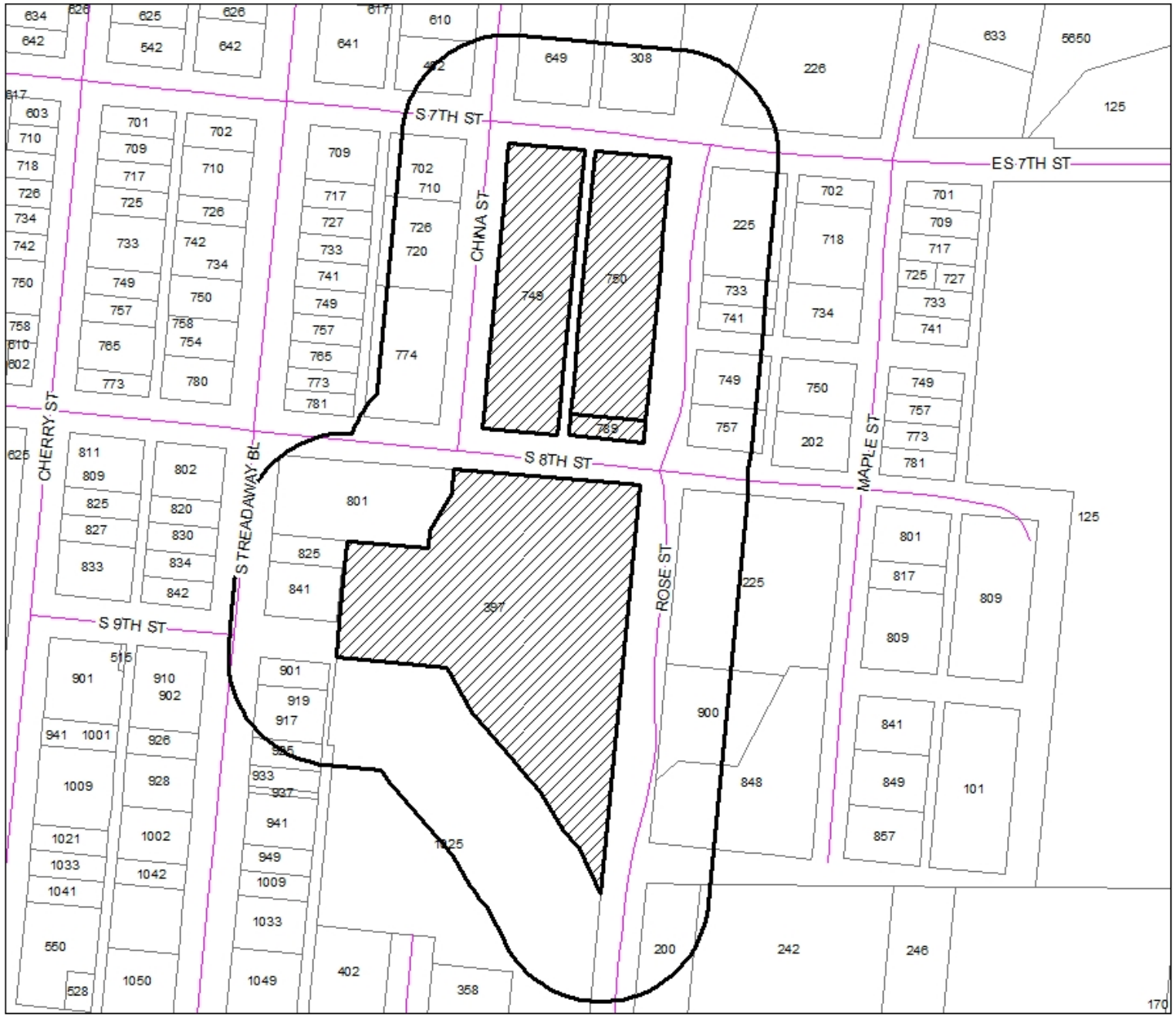
Z-2019-29 VIEWS OF SUBJECT PROPERTY

Z-2019-29 VIEWS OF SUBJECT PROPERTY

FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use* and *Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 2.3.4.5)
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

Z-2019-29 NOTIFICATION AREA MAP



Notification Map

N
W E
S

Legend

200' Buffer

Z-2019-29

1- In Favor-

0- Opposed-

Questions?

TC-2019-02
STAFF REPORT

REQUEST: Thoroughfare Abandonment

APPLICANT: Lone Star Railroad Inc./Jeff Basket
AGENT: John Hill

HEARING DATES:
P & Z Commission: September 3, 2019 (Tabled) to November 5, 2019
City Council 1st Reading: November 21, 2019
City Council 2nd Reading: December 5, 2019

PROPOSAL:
The applicant is requesting to abandon all of the 20-foot wide alley right-of-way (ROW) running north-south, beginning at S. 8th Street and heading north approximately 531-feet, terminating at the ROW of S. 7th Street. The applicant is also requesting the abandonment of a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300-feet to the westernmost extent of Southern Switching Rail Road ROW.

SITE CHARACTERISTICS:
This segment of South 8th Street's right-of-way and the alley ROW was dedicated with the Original Townsite of Abilene in 1895 and is situated between portions of Blocks 164 and 190. The alley ROW is unimproved and South 8th Street is improved with a 36-foot width of pavement.

Right-of-way for Rose Street, from South 3rd to South 13th Streets, is leased from the City of Abilene, for use as a railway. Abilene & Southern Railroad was the original lessee for using Rose Street's right-of-way, beginning in 1909. In 1926, Abilene & Southern Railroad became part of the Texas & Pacific system which subsequently became part of the Missouri Pacific system which subsequently became part of the Union Pacific system. Since 1997, approximately 9 miles of "branch" railways inside the City limits of Abilene (including all remaining segments of Abilene & Southern Railroad) have been operated by Southern Switching Company which is one of a family of "short line" railroads organized under the umbrella of Lone Star Railroad, Incorporated.

REQUEST ANALYSIS:
The applicant is requesting the City of Abilene abandon a platted alley that extends north-to-south through the center of vacant city block bounded by rights-of-way for South 7th and 8th, China and Rose Streets. Additionally, the applicant is officially requesting to abandon an 80' x 300' segment of right-of-way for South 8th Street, between rights-of-way for China and Rose Streets. The applicant is in negotiations to purchase each individual property that contains frontage to the proposed abandonments. The closure of the subject alley will not lead to any dead-end alleys. Additionally, there will not be a block length issue created since there are multiple points of egress through existing platted alleys and streets.

If the thoroughfare abandonment requests are approved, the applicant intends to replat the properties, alley, and street rights-of-way into one property.

RECOMMENDATIONS:
<u>Development Review Committee (Section 1.1.6.2):</u>
Received a <u>satisfactory</u> review with comments addressing concerns. Concerns expressed in regards to the Thoroughfare Abandonment requests are as follows:

1. **Satisfactory with comments**: Any utilities shall be moved at the property owners expense (Existing water, sewer, natural gas main and storm water drainage) or shall remain within necessary easements
2. **Satisfactory with comments**: That the applicant of this thoroughfare closure provide City staff with documentation from an appropriate official of each affected utility provider (having facilities now situated in subject alley segments and right-of-way) and indicating that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.
3. **Satisfactory with comments**: The alley is not an issue for the Fire Department. However, the closing of S. 8th Street is unsatisfactory per the Fire Department unless the section of Rose street that runs north to south from S. 7th to S. 8th is improved with a minimum paved fire lane, so apparatus can access the east side of Rose and the fire hydrant located on the corner of Rose and S. 8th.

Staff Recommendation:

The applicant was provided with the comments from the Development Review Committee (DRC) at their July 31, 2019 meeting, and met again with the DRC on August 7, 2019. Planning and Zoning heard the case on September 3, 2019, and decided to table the case until the applicant could obtain the necessary arrangements with the utilities, and address public safety concerns. It is staff's opinion that the applicant has addressed all issues pertaining to the thoroughfare closure and recommends approval pending the comments from the DRC are met to include the improvement of Rose Street to the satisfactory of the City, before the closure can take place and in accordance with Section 3.2.7.4 of the LDC (Closure Policy).

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission will have the opportunity to un-table the item on November 5, 2019.

NOTIFICATION:

Property owners within the 200' of the subject rights-of-way were notified.

Owner	Situs	Response
ABILENE HOPE HAVEN INC	801 S TREADAWAY BL	
ABILENE HOPE HAVEN INC	801 S TREADAWAY BL	
ANGELO PROPERTIES INC	225 S 8TH ST	
ANGELO PROPERTIES INC	225 S 8TH ST	
FAIN CECIL A & JANE A	308 S 7TH ST	
FAIN CECIL A & JANE A	649 CHINA ST	
FAIN CECIL A & JANE A	308 S 7TH ST	
FAIN CECIL A & JANE A	649 CHINA ST	
FERGUSON CHRISTINA K	749 ROSE ST	
FERGUSON CHRISTINA K	749 ROSE ST	
HIT VENTURES LLC	774 CHINA ST	
HIT VENTURES LLC	774 CHINA ST	
THREE JB PROPERTIES LLC	789 ROSE ST	
THREE JB PROPERTIES LLC	750 ROSE ST	

THREE JB PROPERTIES LLC	749 CHINA ST	
THREE JB PROPERTIES LLC	397 S 8TH ST	
THREE JB PROPERTIES LLC	789 ROSE ST	
THREE JB PROPERTIES LLC	750 ROSE ST	
THREE JB PROPERTIES LLC	749 CHINA ST	
THREE JB PROPERTIES LLC	397 S 8TH ST	
UNION PACIFIC SYSTEM	757 ROSE ST	
UNION PACIFIC SYSTEM	757 ROSE ST	

ABILENE HOPE HAVEN INC	801 S TREADAWAY BL	
ABILENE HOPE HAVEN INC	801 S TREADAWAY BL	
ANGELO PROPERTIES INC	225 S 8TH ST	
ANGELO PROPERTIES INC	225 S 8TH ST	
FAIN CECIL A & JANE A	308 S 7TH ST	
FAIN CECIL A & JANE A	649 CHINA ST	
FAIN CECIL A & JANE A	308 S 7TH ST	
FAIN CECIL A & JANE A	649 CHINA ST	
FERGUSON CHRISTINA K	749 ROSE ST	
FERGUSON CHRISTINA K	749 ROSE ST	
HIT VENTURES LLC	774 CHINA ST	
HIT VENTURES LLC	774 CHINA ST	
THREE JB PROPERTIES LLC	789 ROSE ST	
THREE JB PROPERTIES LLC	750 ROSE ST	
THREE JB PROPERTIES LLC	749 CHINA ST	
THREE JB PROPERTIES LLC	397 S 8TH ST	
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THREE JB PROPERTIES LLC	750 ROSE ST	
THREE JB PROPERTIES LLC	749 CHINA ST	
THREE JB PROPERTIES LLC	397 S 8TH ST	
UNION PACIFIC SYSTEM	757 ROSE ST	
UNION PACIFIC SYSTEM	757 ROSE ST	

ATTACHMENTS:

- Application
- Development Review Committee Comments

Development Application

CITY OF ABILENE

Planning

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

Project Name: China / Rose Rail Project

Address: S. 8th between China & Rose, undeveloped alley easement between S. 7th and S. 8th No. of lots: 22 Acreage: 3.64

Legal Description: LTS 1-22 164 PECK 1 OT ABL OT ABILENE, BLOCK 190, LOT PT LT 1, LOT LT 4, PT LOT 1-5 LEWIS, & ADJ CLOSED ALLEY

Subdivision Name: Peck Lewis Block: 164 190 Lot: 1-22 PT LT 1, 4, PT LT 1-5

Current Zoning: HI Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Lone Star Rairoad Inc / Jeff Baskett

Address: 1575 N Green Mt Rd #300

City, State, Zip: O'Fallon, IL 62269 Fax: _____

Phone: 618-632-4400, extension 105 Email: jeffb@ironhorseresources.com

I have an option to purchase the property and I certify that the information included in this application is true to the best of best of my knowledge. (Name) John Hill *will act as my agent before the Planning and Zoning Commission*

Agent Name: John Hill

Address: 3409 S 14th Suite 209

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

Phone: 325-721-4428 Email: john@barnettandhill.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: Jeff Baskett (Jul 22, 2019) Date: _____

FOR OFFICE USE ONLY

Received: 7-22-19 **Fee: $** 1818 **Receipt No.:** _____

Case No.: TC-2019-02 **Reviewed By:** ZL

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.

   Lone Star Railroad Inc has an option to purchase a 9+/- acre tract adjacent to their rail line. The northern portion of this tract is legally described as lots 1-22 in Peck's Subdivision of Outlot No. 1 in Block 164 of Abilene's Original Townsite. Lots 1-11 are separated from lots 12-22 by an undeveloped alley easement. S 8th St defines the southern edge of this tract and separates this parcel from the southern portion of the optioned real estate legally described as OT ABILENE, BLOCK 190, LOT PT LT 1 & PT LOT 1-5 LEWIS. To bring the 9+/- acres into one parcel for rail use, Lone Star Railroad Inc seeks the abandonment of:

   - **S. 8th between China St. and Rose St. along with**
   - **the abandonment of the undeveloped alley easement that bisects the tract north of S. 8th St.**

Development Application

CITY OF ABILENE

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: Jeff Baskett (Jul 22, 2019) DATE: July 22, 2019

THOROUGHFARE CLOSURE FEE CALCULATIONS: s.f. $

1	Total area of adjacent properties:	378546	
2	Total value of adjacent properties	113090	
3	Square footage value: (#2/#1)	0.30	
4	Area if ROW		
	length:	530	300
	width:	20	80
	Total:	10600	
5	Value of ROW: (#3*#4)	$3,180.00	
6	Factored Value: (5*0.10)	$318.00	
7	Fee: (#6+1500)	$1,818	

378546.1 113090

CITY OF ABILENE

THOROUGHFARE CLOSURE COMMENT FORM

07/23/19 CASE # TC-2019-02

THOROUGHFARE LOCATION: Abandoned all of the 20’ wide alley right-of-way (ROW)running north-south, beginning at S. 8th Street Street and heading north 531' terminating at the ROW of S. 7th Street. Additionally, request to abandon a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300’ to the westernmost extent of Southern Switching Rail Road ROW.(See Exhibit)

CITY DEPARTMENT/PVT. UTILITY CO.: Water Administration

REPRESENTATIVE: Kevin Jaeger

TITLE: Utility Engineer

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

☐ **SATISFACTORY** ☐ **UNSATISFACTORY** (explain below:

X **SATISFACTORY WITH CONDITIONS**

THE FOLLOWING CONDITIONS AND/OR CORRECTIONS ARE RECOMMENDED:

Developer/Engineer must work with Water Administration to reroute existing utilities in the area.

10/07/2019 Kevin Jaeger
DATE SIGNED: DIRECTOR / REPRESENTATIVE

CITY OF ABILENE

THOROUGHFARE CLOSURE COMMENT FORM

07/23/19 CASE # TC-2019-02

THOROUGHFARE LOCATION: Abandoned all of the 20' wide alley right-of-way (ROW) running north-south, beginning at S. 8th Street Street and heading north 531' terminating at the ROW of S. 7th Street. Additionally, request to abandon a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300' to the westernmost extent of Southern Switching Rail Road ROW. (See Exhibit)

CITY DEPARTMENT/PVT. UTILITY CO.: Atmos Energy

REPRESENTATIVE: Earla Ahrens

TITLE: Sr. Project Specialist

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

☐ SATISFACTORY

☑ ~~UNSATISFACTORY (explain below:~~ ECA

☑ SATISFACTORY WITH CONDITIONS

THE FOLLOWING CONDITIONS AND/OR CORRECTIONS ARE RECOMMENDED:
Atmos has a main running east + west in the north ROW on 8TH St. that must stay in service. If this is closed, Atmos will need a 20' utility Easement for this main with nothing built in the entire 20'

7-23-19
DATE

Earla Ahrens
SIGNED: DIRECTOR / REPRESENTATIVE

Conditions: 20' Utility Easement required. If the 4" Poly main stays in place + the RR requires it to be cased in steel that will be at their cost. If main is rerouted it will be at the RR Expense. ECA. 10-7-19

CITY OF ABILENE

THOROUGHFARE CLOSURE COMMENT FORM

10/31/19 CASE # TC-2019-02

THOROUGHFARE LOCATION: Abandoned all of the 20’ wide alley right-of-way (ROW)running north-south, beginning at S. 8th Street Street and heading north 531' terminating at the ROW of S. 7th Street. Additionally, request to abandon a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300’ to the westernmost extent of Southern Switching Rail Road ROW.(See Exhibit)

CITY DEPARTMENT/PVT. UTILITY CO.: Abilene Fire Department

REPRESENTATIVE: Justin Tiemann

TITLE: Fire Marshal

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

☐ **SATISFACTORY** ☐ **UNSATISFACTORY** (explain below:

X **SATISFACTORY WITH CONDITIONS**

THE FOLLOWING CONDITIONS AND/OR CORRECTIONS ARE RECOMMENDED:

-Satisfactory with the agreement that improvement to Rose St. will occur per fire department requirements before S 8th street is closed. Please reference below.

Fire apparatus access roads shall be an engineered road constructed of asphalt, concrete, processed road base material or other approved driving surface capable of supporting the imposed loads of a fire apparatus. The road

shall be properly graded to drain so as to prevent the road from failing to support the fire apparatus imposed load during a rainfall event.

Fire apparatus access roads shall have minimum dimensions of 24 feet in width and 14 feet vertical clearance.

10/31/2019 Fire Marshal Justin Tiemann
DATE SIGNED: DIRECTOR / REPRESENTATIVE

CITY OF ABILENE

THOROUGHFARE CLOSURE COMMENT FORM

07/23/19 CASE # TC-2019-02

THOROUGHFARE LOCATION: Abandoned all of the 20′ wide alley right-of-way (ROW) running north-south, beginning at S. 8th Street Street and heading north 531' terminating at the ROW of S. 7th Street. Additionally, request to abandon a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300′ to the westernmost extent of Southern Switching Rail Road ROW.(See Exhibit)

CITY DEPARTMENT/PVT. UTILITY CO.: **ENGINEERING**

REPRESENTATIVE: **Charlie Thomas/David Mundschenk**

TITLE:_____

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

☐ **SATISFACTORY** ☐ **UNSATISFACTORY** (explain below:

☒ **SATISFACTORY WITH CONDITIONS**

THE FOLLOWING CONDITIONS AND/OR CORRECTIONS ARE RECOMMENDED:

Engineering is okay with abandoning the alley but not okay with abandoning S. 8th.

7/24/2019 David L. Mundschenk

CITY OF ABILENE

THOROUGHFARE CLOSURE COMMENT FORM

07/23/19 CASE # TC-2019-02

THOROUGHFARE LOCATION: Abandoned all of the 20' wide alley right-of-way (ROW) running north-south, beginning at S. 8th Street Street and heading north 531' terminating at the ROW of S. 7th Street. Additionally, request to abandon a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300' to the westernmost extent of Southern Switching Rail Road ROW. (See Exhibit)

CITY DEPARTMENT/PVT. UTILITY CO.: Traffic Services

REPRESENTATIVE: James Rogge P.E.

TITLE: Traffic Engineer

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

☒ **SATISFACTORY** ☐ **UNSATISFACTORY** (explain below: ☐ **SATISFACTORY WITH CONDITIONS**

THE FOLLOWING CONDITIONS AND/OR CORRECTIONS ARE RECOMMENDED:

7/23/19
DATE

SIGNED: James Rogge P.E.
DIRECTOR / REPRESENTATIVE

ABILENE/TAYLOR COUNTY 9-1-1 DISTRICT

555 WALNUT STREET ABILENE, TEXAS 79601 (325) 676-6674 FAX: (325) 676-6050

☐ EASEMENT RELEASE DATE: 31 JUL 2019

☐ PLAT REVIEW REF. NO.: **TC-2019-02**

☐ PRELIMINARY DEVELOPMENT PLAN

☐ SITE PLAN REVIEW

☐ STREET NAME

☐ SUBDIVISION

■ THOROUGHFARE CLOSURE

TITLE/LOCATION: Abandoned all of the 20' wide alley right—of—way (ROW) running north—south, beginning at S. 8t Street Street and heading north 531' terminating at the ROW of 5. 7th Street. Additionally, request to abandon a portion of 5. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300' to the westernmost extent of Southern Switching Rail Road ROW.

I have reviewed the above and find it to be:

■ SATISFACTORY

☐ SATISFACTORY WITH CONDITIONS

☐ UNSATISFACTORY

The following conditions and/or changes are recommended:

NONE.

MICHAEL T. SAXTON
Program Coordinator
Abilene/Taylor County 9-1-1 District

Date: 31 JUL 2019

CITY OF ABILENE

THOROUGHFARE CLOSURE COMMENT FORM

07/23/19 CASE # TC-2019-02

THOROUGHFARE LOCATION: Abandoned all of the 20' wide alley right-of-way (ROW) running north-south, beginning at S. 8th Street Street and heading north 531' terminating at the ROW of S. 7th Street. Additionally, request to abandon a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300' to the westernmost extent of Southern Switching Rail Road ROW. (See Exhibit)

CITY DEPARTMENT/PVT. UTILITY CO.: Suddenlink Communications

REPRESENTATIVE: Josh Lunsford

TITLE: Construction Supervisor

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

☒ **SATISFACTORY** ☐ **UNSATISFACTORY** (explain below:

☐ **SATISFACTORY WITH CONDITIONS**

THE FOLLOWING CONDITIONS AND/OR CORRECTIONS ARE RECOMMENDED:

7/24/19
DATE

Josh Lunsford
SIGNED: DIRECTOR / REPRESENTATIVE

THOROUGHFARE ABANDONEMENT REQUEST

Case: TC-2019-02

Owner: Lone Star Railroad Inc./Jeff Basket

Agent: John Hill

Requests: Abandon all of the (1) 20' wide alley right-of-way (ROW) running north-south, beginning at S. 8th St. and heading north approximately 531', terminating at the ROW of S.7th St. request to abandon a portion of S.8th St, beginning at the easternmost extent of China St. ROW and heading east 300-ft to the westernmost extent of Southern Switching Rail Road ROW.

Notification: 0 in Favor, 0 Opposed

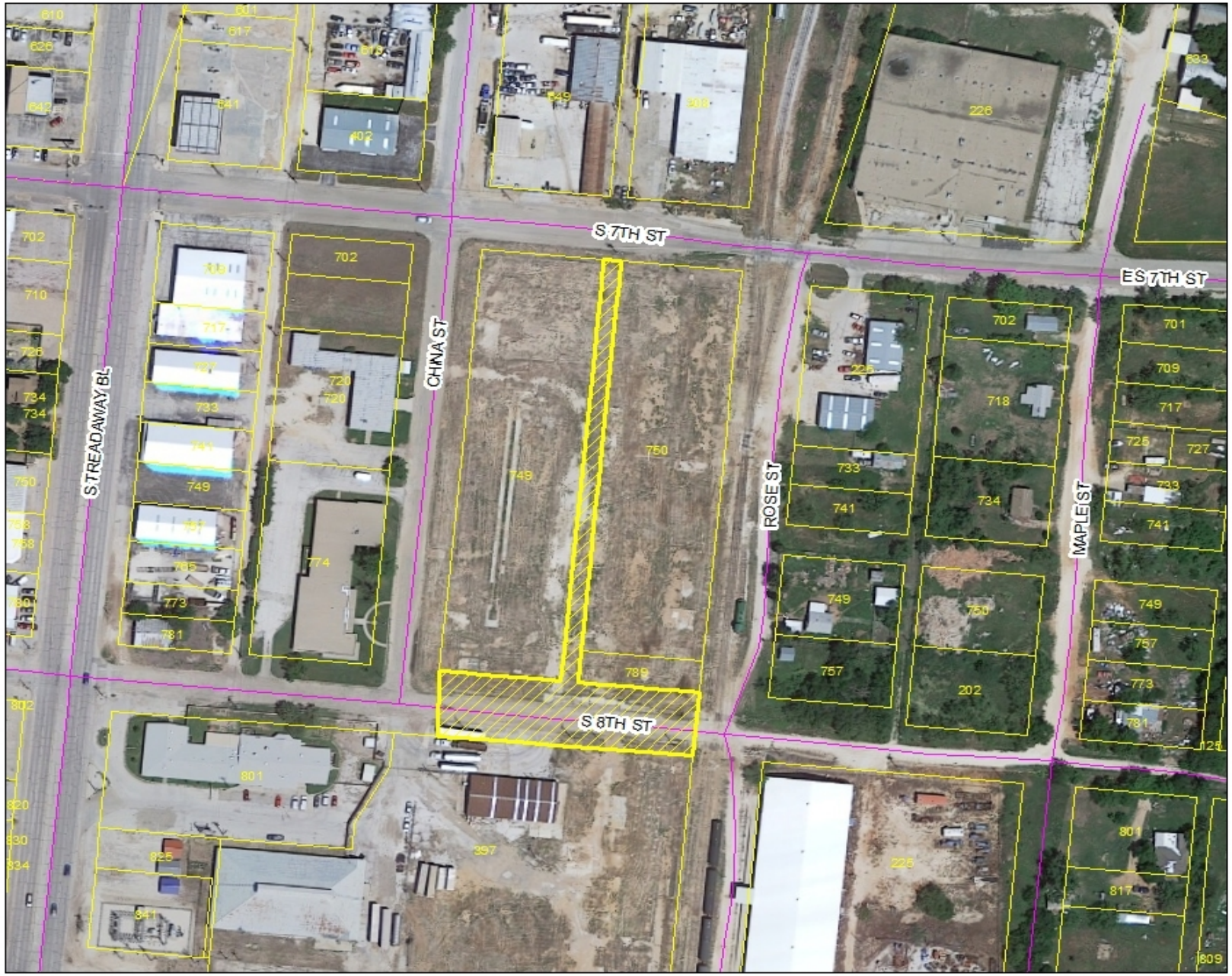
DRC Recommendation: Satisfactory with comments

Staff Recommendation: Approval

City Council Hearing Dates: November 21, 2019

December 5, 2019

TC-2019-02 LOCATION MAP



Location Map

N
W E
S

Legend

TC-2019-02

TC-2019-02 ZONING MAP

TC-2019-02 VIEWS OF SUBJECT PROPERTY AND ADJACENT PROPERTIES

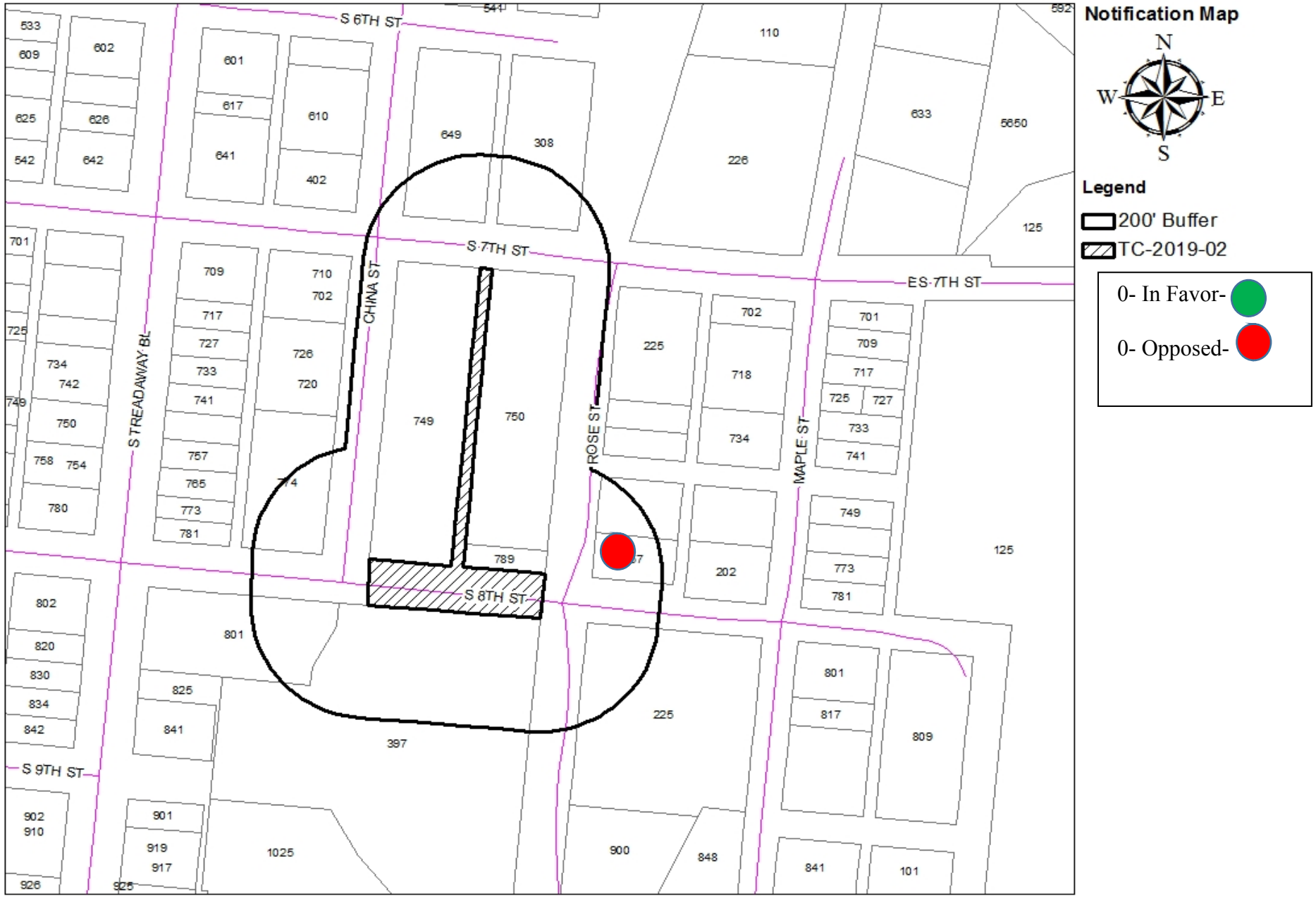
TC-2019-02 VIEWS OF SUBJECT PROPERTY AND ADJACENT PROPERTIES

TC-2019-02 VIEWS OF SUBJECT PROPERTY AND ADJACENT PROPERTIES

FINDINGS AND RECOMMENDATIONS

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

TC-2019-02 NOTIFICATION AREA MAP



Questions?

CITY OF ABILENE

M E M O R A N D U M

November 5, 2019

TO: **Planning and Zoning Commission**

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

SUBJECT: **Recent Council Actions**

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

CITY COUNCIL MEETING
October 17, 2019 at 8:30 AM

Item	Motion	Vote
Z-2019-20: A request from the City of Abilene to rezone property from Medium Density Residential (MD)/Historic Overlay (H) zoning to Medium Density Residential (MD) located at 782 Palm Street, on the north side of South 9th between Elmwood Drive and Grover Street	**Approved**	7-0
Z-2019-21: A request from Tim Smith, agents Pat and Mitchel Harris, to rezone from Central Business (CB) to a Planned Development District (PDD) located at 833 S. 1st Street	**Approved**	7-0
Z-2019-22: A request from Houses for Healing, Inc. to rezone from Single Family Residential (RS-6) to Medium Density Residential (MD) zoning located at 3065 Hickory Street	**Approved**	6-0
Z-2019-23: A request from Judy Proctor, agent Paul Johnson, to rezone two (2) properties from General Retail (GR) to General Commercial (GC) zoning located at 5001 and 5009 Hwy. 277 South	**Approved**	7-0
Z-2019-24: A request from Eduardo Garza to rezone from General Commercial (GC) to Multi-Family Residential (MF) zoning located at 126 Merchant Street	**Approved**	7-0
CUP-2019-07 (142 & 202 Vine Street): A request from BCFS, agent Alana Jeter, for a Conditional Use Permit to allow the expansion of an 'Institutional Dwelling' in Medium Density Residential (MD) zoning located at 142 & 202 Vine Street	**Approved**	7-0
TC-2019-03: A request from the Texas Department of Public Safety to abandon six (6) segments of street and alley rights-of-way (ROW). Each segment is less than 1000 square feet in size and adjoins a consistently	**Approved**	7-0

120-ft-wide ROW on Buffalo Gap Road. All ROW's were formally dedicated for public use by subdivision plats.		
SNC-2019-03: A request from Iziar Lankford to change the name of San Jacinto Drive to Claudie C. Royals Drive as it extends east to west from Fair Drive to N. Judge Ely Boulevard approx. 3,993 feet	**Approved**	4-0
SNC-2019-04: A request from Minda Street Church of Christ for an honorary street name change of Minda Street to Dr. Tony Roach Street as it extends east to west from T&P Lane to S. Judge Ely Boulevard approximately 2,139 feet	**Approved**	7-0