



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 March 1, 2022, at 1:30 p.m. at South Branch Library, Mall of Abilene, 4310 Buffalo Gap Road, Abilene, Texas, 79606, for the purpose of considering the following agenda items.

CALL TO ORDER

INVOCATION

MINUTES

1. **Minutes:** Receive a Report, Public Hearing, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on February 1, 2022

PLATS

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

2. FP-1122 FINAL (Faculty Row Addition)

ZONING

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

3. **Z-2022-04:** Receive a Report and Hold a Discussion and Public Hearing on a request from Roberto Valez to change zoning from General Commercial (GC) to a Neighborhood Retail (NR) District on approximately .32 acres of now-vacant land located within the 3200 block of South 2nd street (north side) approximately 200 feet east from the intersection of S. Willis St. and S. 2nd Street. Legal description being all of Lots 13 and 14 in Block 18 of Scott Highway Place, Abilene, Taylor County, Texas. **(Adam Holland)**
4. **Z-2022-05:** Receive a Report and Hold a Discussion and Public Hearing on a request from JGN Properties LLC to change zoning from Heavy Industrial (HI) to a Heavy Commercial (HC) District within the 2600-2700 blocks of South Treadaway Boulevard (east side) and the 2700 block of Palm Street (west side) located at 2641 thru 2765 S. Treadaway Blvd and 2718 Palm Street. Legal description being approximately 1.59 acres out of Blocks 16 and 17 in the Bowyer Addition, Abilene, Taylor County, Texas. **(Jared Smith)**
5. **Z-2022-06:** Receive a Report and Hold a Discussion and Public Hearing on a request from FL20 Inc. (represented by Andrea and Aaron Robison) to change zoning from Agricultural Open Space (AO) to a General Commercial (GC) District at 5308 Hwy 277 South, located within the 5200-5300 blocks of Hwy 277 South (west side); approximately 900-feet northeast from the

intersection of Health Center Drive and Hwy 277 South. Legal description being approximately 3.21 acres in Tract 8 of the Joseph Beck Survey Number 42, Abilene, Taylor County, Texas.
(Jared Smith)

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 25th day of February, 2022, at 10:20 a.m.

Shawna Atkinson, City Secretary

ZONING CASE Z-2022-04

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: March 1, 2022

City Council 1st Reading: March 24, 2022

City Council 2nd Reading: April 14, 2022

Applicant

Owner: Roberto E. Velez

Request

Rezone from General Commercial (GC) District to Neighborhood Retail (NR) District.

Location

Approximately .32 acres located in the 3200 block of South 2nd Street (north side).

Legal Description: Lots 13 and 14 of Block 18 of the Scott Highway Place subdivision

Background

The subject properties were annexed in 1927 and have been zoned as a General Commercial (GC) District since at least 1974. These properties have remained vacant since being annexed. The owners of the subject properties would now like to rezone to Neighborhood Retail (NR) zoning to allow the construction of duplexes within the boundaries of this subdivision.

Zoning and Existing Land Use

The current zoning of properties adjacent to (and in the immediate area of) this proposed zone change are illustrated on a map included in this report. As indicated on the map, properties to the North, East, and West are General Commercial, with the property immediately East being a legally non-conforming single-family residence. Properties to the South of the subject property are zoned Office with single-family residences.

Criteria Assessment

Section 1.4.1.4 of Abilene's Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

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

The Future Land Use and Development Plan Map identifies these properties as being a mixture of commercial and residential uses. Neighborhood retail is a lower intensity zoning that allows for residential and light retail uses, which are characteristic of the land uses surrounding the subject property. This would promote the Comprehensive Plan's value of mixed-use zoning, while also helping to promote infill within the city limits.

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

It is the opinion of the staff that the uses permitted by the proposed zone change are consistent with the surrounding properties in the immediate vicinity. The properties to the East and South consist of single-family homes. The character of development permitted by Neighborhood Retail (NR) zoning will serve as an effective transitional land use between the commercially zoned properties fronting South 1st St. and existing single-family homes immediately East and South of the subject property within the Scott Highway Place Subdivision.

(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 properties currently have access to existing utilities and public amenities. No additional development of said infrastructure will be required for the development of these subject properties.

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

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

Staff Recommendation

City staff recommends approval of the request. The rezoning request was reviewed pursuant to Section 1.4.1.4 (Criteria for Approval) of the Land Development Code.

Notification

Pursuant to Section 1.2.2.2 of Abilene's Land Development Code, City staff mailed personal notices on January 20 of 2022, to the applicant and to other owners of property within a 200-foot radius of this subject property. These property owners and associated parcel identification numbers are identified in Table 1.

TABLE 1

Owner	Property ID	Situs	Response
BOWDEN TOMMY H	37368	3201 S 2ND ST	
CLEARVIEW FAMILY LTD PTR	30116	3156 S 2ND ST	
CORTEZ FELIPE SANTIAGO	37847	3257 S 2ND ST	
GARCIA LYDIA	37595	3239 S 2ND ST	
GARCIA LYDIA	37727	3241 S 2ND ST	
GARVIN DIONILA RAMOS	37370	3209 S 2ND ST	
MARTINEZ ROY JR	31956	3157 S 2ND ST	
N P D LLC	29991	3153 S 1ST ST	
OM SAI KRISHNA LLC	38970	3201 S 1ST ST	
OM SAI KRISHNA LLC	39432	3206 S 2ND ST	
SLATER JAMES C	37483	3233 S 2ND ST	
SLATER JAMES C	37372	3217 S 2ND ST	
STARK BILL	39312	3210 S 2ND ST	
VELEZ ROBERT & OLIVIA	983090	3226 S 2ND ST	
VELEZ ROBERT & OLIVIA	39194	3220 S 2ND ST	
VELEZ ROBERT & OLIVIA	39086	3241 S 1ST ST	
VELEZ ROBERT & OLIVIA	983091		

Attachments

Application

PowerPoint Presentation

LOCATION MAP



ZONING MAP



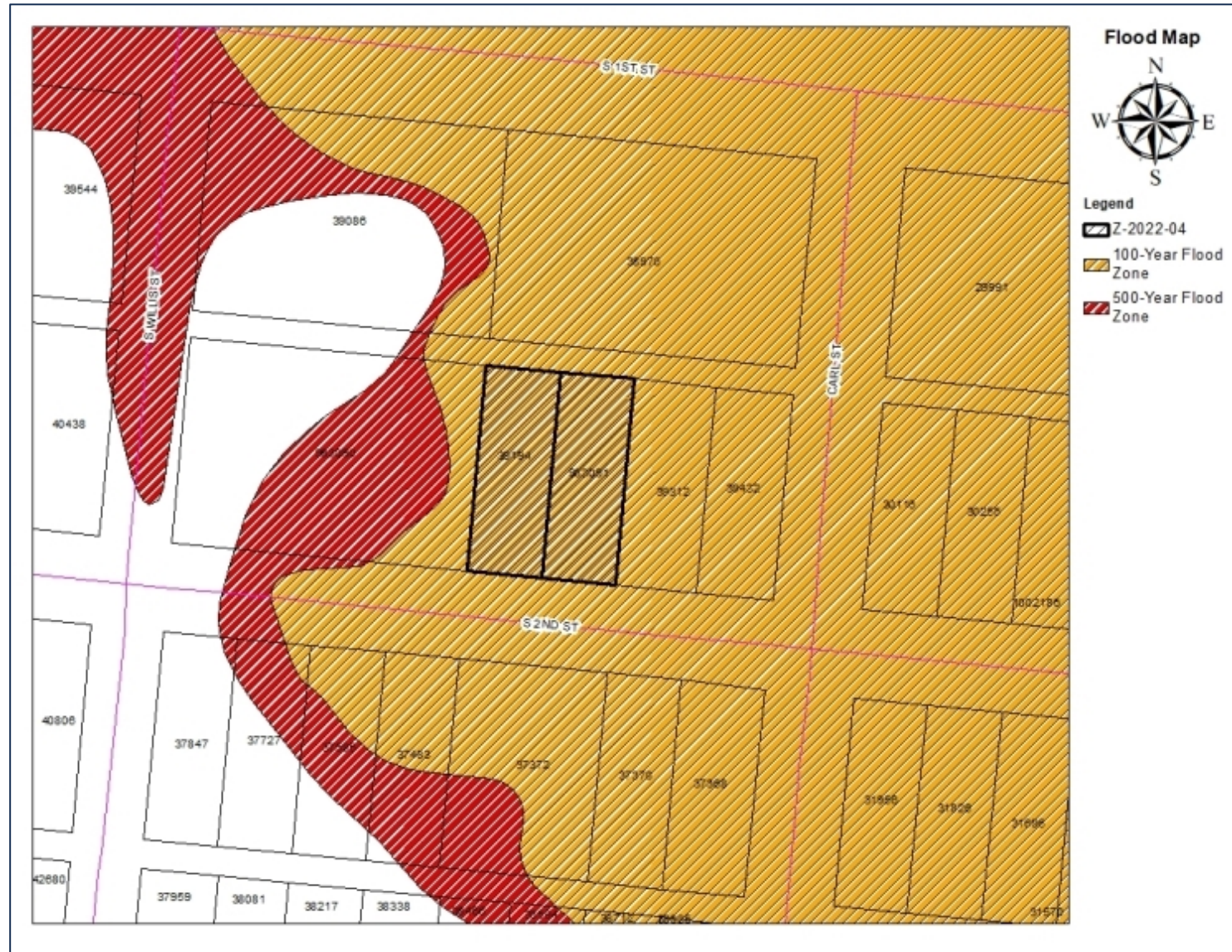
Case:	Z-2022-04
Owner:	Roberto E. Velez
Request:	Rezone from General Commercial (GC) to Neighborhood Retail (NR) District
Location:	Approximately .32 acres in the 3200 Block of S 2 nd St (north side).
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	March 1, 2022
City Council Hearings:	1 st : March 24, 2022 2 nd : April 14, 2022

Z-2022-04 LOCATION MAP





Z-2022-04 FLOOD MAP



Permitted Uses in GC Zoning

RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRADE – WHOLESALE USES

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

- P
- C
- TP

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

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

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

Permitted Uses in NR Zoning

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

- C Automobile Wash
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- C Printing, Copying, Reproduction, Publishing
- P Repair and Maintenance Services (indoor)
- C Tattoo Parlor
- P Veterinary Service (small animals)

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Broadcast Studio
- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

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



South Eastern Properties on South 2nd



Neighboring Property (South)



Neighboring Property (West)



Neighboring Property (East)



Z-2022-04 NOTIFICATION AREA MAP



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

Questions?

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, LAND DEVELOPMENT CODE OF THE ABILENE CITY CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

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

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 24th day of March, 2022.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 12th day of February, 2022, the same being more than fifteen (15) days prior to a public hearing at the Abilene Public Library's South Branch in the Mall of Abilene at 4310 Buffalo Gap Road in Abilene, Texas, at 8:30 a.m. on the 14th day of April, 2022, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 in the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 14th day of April, 2022.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described land, from a General Commercial (GC) to a Neighborhood Retail (NR) District:

Lots 13 and 14 of Block 18 of the Scott Highway Place Subdivision of the City of Abilene, Taylor County, Texas.



-END-

ZONING CASE Z-2022-05

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: March 1, 2022

City Council 1st Reading: March 24, 2022

City Council 2nd Reading: April 14, 2022

Applicant

Owner: JGN Properties LLC

Request

Rezone 1.59 acres from Heavy Industrial (HI) to Heavy Commercial (HC) District.

Location

2600-2700 blocks of South Treadaway Boulevard (east side) and the 2700 block of Palm Street (west side). Specifically, being property located at 2641, 2757, and 2765 S. Treadaway Blvd as well as 2718 Palm Street.

Legal Description: Approximately 1.59 acres out of Blocks 16 and 17 in the Bowyer Addition, Abilene, Taylor County, Texas

Background

The subject properties were annexed into the City limits of Abilene in 1951. In 1961 an ordinance was approved authorizing the abandonment of a segment of right-of-way that was previously dedicated toward S 27th St; which divided Blocks 16 & 17 of the Bowyer Addition, this ordinance dedicated a 20-foot-wide utility easement along the northern boundary of what was previously the right-of-way for S 27th Street, in 2021 this easement was formally released by the City of Abilene. Each of these subject properties has been zoned Heavy Industrial (HI) since at least 1974. The following are brief backgrounds for each respective property:

- 2641 S Treadaway Blvd:
 - In 2003 a sign permit was issued to construct a billboard at this location.
- 2757 S Treadaway Blvd:
 - There are no permits on file for the buildings at this location, City staff believes that these buildings pre-date annexation. In 2021 a certificate of occupancy was issued to occupy the buildings at this location for warehousing and storage.
- 2765 S Treadaway Blvd:
 - In 1994 building permits were issued for an automotive sales office at this location. It appears this location has most recently been occupied for a wrecking/towing service.
- 2718 Palm St:
 - In 1953 a building permit was issued for a residence to be constructed at this location. It is presently a legally non-conforming residence within its present Heavy Industrial (HI) zoning classification.

The owner of the property now wishes to rezone to Heavy Commercial (HC) in order to make the properties marketable to a wider range of commercial uses.

Zoning and Existing Land Use

Current zoning and existing land use of properties adjacent to and in the subject property's immediate area are illustrated on the map included in this report. As indicated on the map, adjacent zoning consists of General Commercial (GC) north of S Treadaway Blvd. which is presently occupied by an office. To the west of S. Treadaway Blvd. is Hendrick Home For Children which is located in Planned Development District 146 (PDD 146). The properties south and east of the subject property are within Heavy Industrial (HI) zoning districts. The properties to the south are occupied by an office building and private school. The property east of Palm Street is occupied by Bimbo Bakeries.

Criteria Assessment

Section 1.4.1.4 of the Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

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

It is the opinion of the staff that the proposed zoning map amendment will serve to implement the goals, objectives, and policies of the Comprehensive Plan. The Future Land Use and Development Plan Map classifies the properties as a mixture of commercial and Heavy Commercial/Light Industrial. The proposed rezoning will allow for greater commercial uses not generally allowed in industrial zoning districts. Furthermore, the properties are located near the intersection of two major arterial streets that are designated as community enhancement corridors on the Future Land Use and Development Plan Map. According to the Comprehensive Plan, enhancement corridors should provide enhanced physical and visual links between Activity Centers, these corridors should be unique, memorable, and attractive. Rezoning these properties to a less intensive commercial zoning district from their present Heavy Industrial zoning may mitigate the potential for land uses that are often considered obnoxious and unattractive. The continuance of uses routinely found in Heavy Industrial (HI) zoning along these enhancement corridors may be contrary to the goals of creating attractive, memorable corridors.

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

It is the opinion of the staff that the uses permitted by the proposed zone change are consistent with the surrounding properties in the immediate vicinity. During recent years properties along S. Treadaway Boulevard that have been historically zoned and used for industrial purposes have begun to transition to less intense commercial zoning districts. This trend has led to a wider range of commercial uses that are generally in character and compatible with nearby residential land uses. Additionally, these subject properties are near the intersection of S. Treadaway Blvd. and S. 27th St. each being classified as major arterial streets. Intersections such as this are customarily appropriate for commercial activities, as they optimize public access and exposure for businesses.

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

The subject property currently has access to existing utilities and public amenities adequate for the proposed uses. This request presents no apparent conflicts with existing or proposed plans for community facilities and related infrastructure.

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

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

Staff Recommendation

City staff recommends approval.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on February 18, 2022 (via certified mail) to the applicant and other property owners within a 200-foot radius of the subject property. These property owners and associated property identification numbers are identified in Table 1.

TABLE

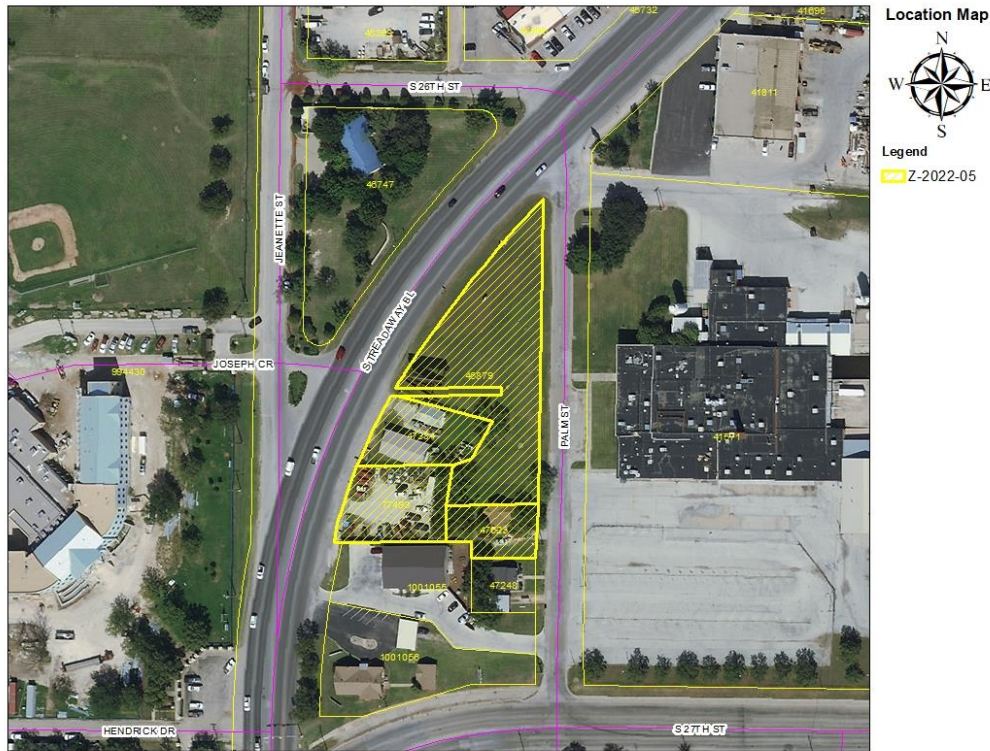
Owner	Property ID	Situs	Response
B&B POLEBENDERS INC	1001056	2775 S TREADAWAY BL	
CHISUM CAROL S	47623	2718 PALM ST	
CRETESCAPES INC	1001055	2769 S TREADAWAY BL	
DBD ENTERPRISES LTD	41571	2701 PALM ST	
EPIC CONSTRUCTION CO	41811	2701 S TREADAWAY BL	
HENDRICK HOME FOR	994430	1742 TOM ROBERTS DR	
JGN PROPERTIES LLC	47384	2757 S TREADAWAY BL	
JGN PROPERTIES LLC	77493	2765 S TREADAWAY BL	
JGN PROPERTIES LLC SERIES P	46879	2641 S TREADAWAY BL	
LOS HINKLES INVESTMENTS LLC	45996	2534 S TREADAWAY BL	
MC CLARTY TIM RICE	46747	2610 S TREADAWAY BL	
MC DANIEL JACK RUSSELL	47248	2726 PALM ST	

Attachments

Application

PowerPoint Presentation

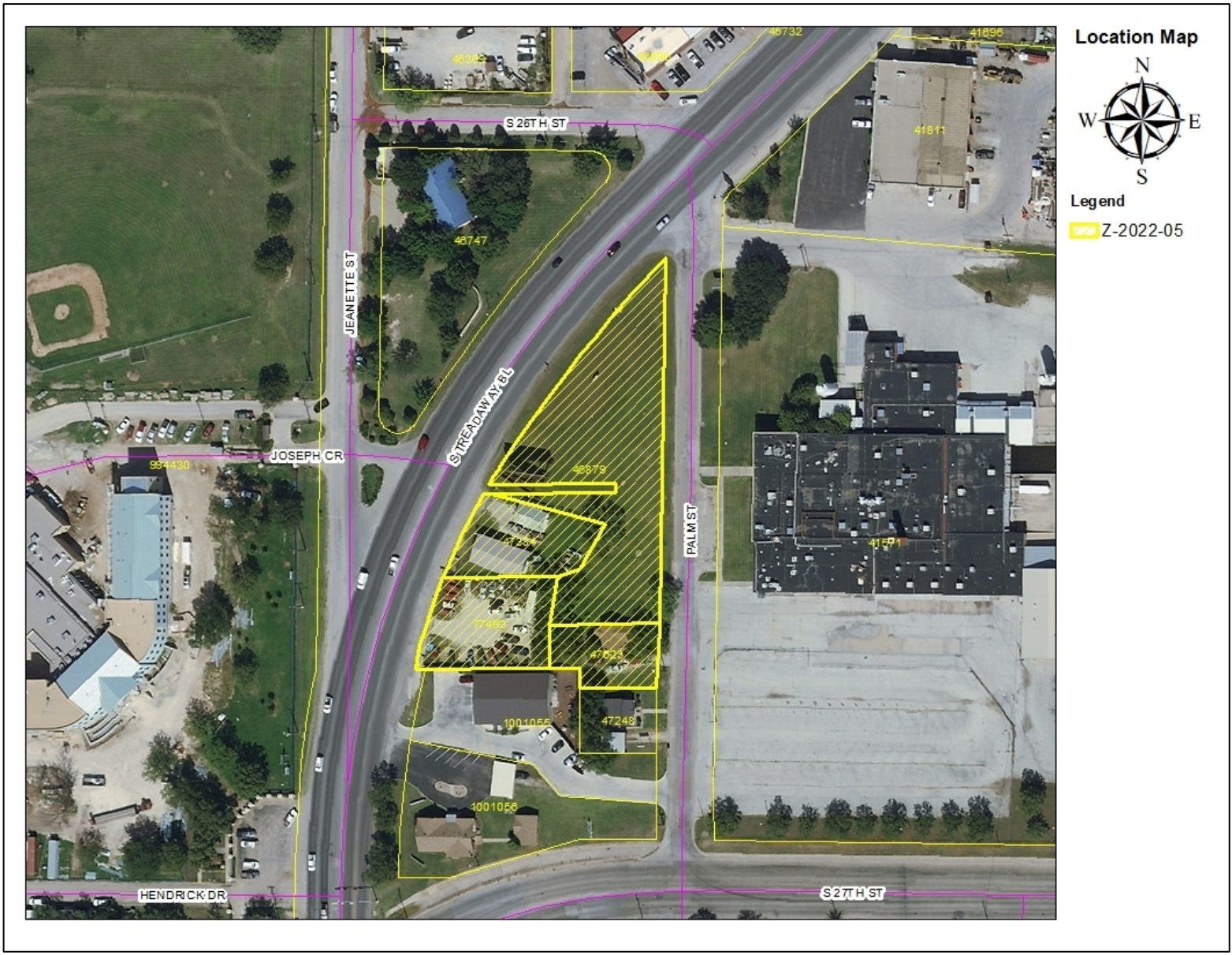
LOCATION MAP



ZONING MAP



Case:	Z-2022-05
Owner:	JGN Properties LLC
Request:	Rezone from Heavy Industrial (HI) District to Heavy Commercial (HC) District
Location:	2600-2700 blocks of S Treadaway Blvd (east side) and 2700 block of Palm St. (west side)
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	March 1, 2022
City Council Hearings:	1 st March 24, 2022 2 nd : April 14, 2022





Existing Uses in HI Zoning

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
- TP Field Office or Construction Office (temporary)
- P Freight Container
- P Manufacturing (incidental)
- C Mobile Home (permanent security residence)
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recycling Collection Point
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- P Adult Entertainment Enterprise
- C Motorized Racing

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Fire/Police Station
- P Homeless/Emergency Shelter
- P Post Office
- P Sanitary Landfill

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- P Educational and Scientific Research
- P School: Public/Private

SERVICE

- P Contractor Services
- P Recycling Collection and Processing Center
- P Scales (public)
- P Wrecker/Towing

TRADE – RETAIL USES

- P Head Shop
- C Scrap and Waste Material

TRADE – WHOLESALE USES

- C Livestock – Wholesale or Auction
- P Wholesaling and Storage (indoor)
- P Wholesaling and Storage (outdoors)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Airport, Heliport and Flying Field Terminals - Commercial (passenger and freight)
- P Antenna Tower - Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Pressure Control Station
- P Public Utility Facility
- P Railroad Switching and Marshaling Yard
- P Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Mining
- P Petroleum or Gas Well
- P Liquor
- P Manufacturing (light)
- P Manufacturing (heavy)
- P Urban Garden

LEGEND

P
C
TP

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

Permitted Uses in HC Zoning

RESIDENTIAL USES:

C Hotel/Motel

ACCESSORY AND INCIDENTAL USES:

P Accessory Structure (Also see Division 4 of this article)
P Antenna, Non-Commercial/Amateur
P ATM's, Self-Serve Kiosks, and Similar Facilities
P Drive-Through Facility
TP Field Office or Construction Office (temporary)
P Freight Container
P Fuel Sales
TP Itinerant Business
P Manufacturing (incidental)
C Mobile Home (permanent security residence)
TP Mobile Home (temporary security residence)
P 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:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P Ambulance Service
C Correction, Detention, or Penal Facilities
P Fire/Police Station
P Homeless/Emergency Shelter
P Hospital
P Medical/Dental Laboratory
P Military and Armed Forces Reserve Center
P Post Office
P Rehabilitation Facility
C Sanitary Landfill
P Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

P Arts School
C Cemetery, Crematorium, and Mausoleum
P Church or Place of Worship
P Educational and Scientific Research
P School: Public/Private
P Trade/Business School

SERVICE

P/C Automobile Wash
P Contractor Services
P Funeral Home/ Mortuary/Morgue
P 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 Printing, Copying, Reproduction, Publishing
P 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)
P Repair and Maintenance Services (outdoors)
P Repair and Maintenance Services (truck and other large vehicles)
P Scales (public)
P Storage - Self-Service Units
P Tattoo Parlor
P Taxidermist
P Veterinary Service (all size animals)
P Veterinary Service (small animals)
P Wrecker/Towing

TRADE – RETAIL USES

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

TRADE – WHOLESALE USES

P Liquor, Wholesale/Distribution
P Wholesaling and Storage (indoor)
C Wholesaling and Storage (outdoors)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

P Airport, Heliport and Flying Field Terminals - Commercial (passenger and freight)
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
C Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

P Petroleum or Gas Well
C Manufacturing (light)
P Urban Garden

LEGEND

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



**Subject Property
(2718 Palm St)**



**Subject Property (2765
S Treadaway)**



**Subject Property (North of
2757 S Treadaway)**



**Subject Property 2726
Palm St.**



**Subject Property
(2757 S Treadaway)**



**Neighboring Property
(Southwest)**

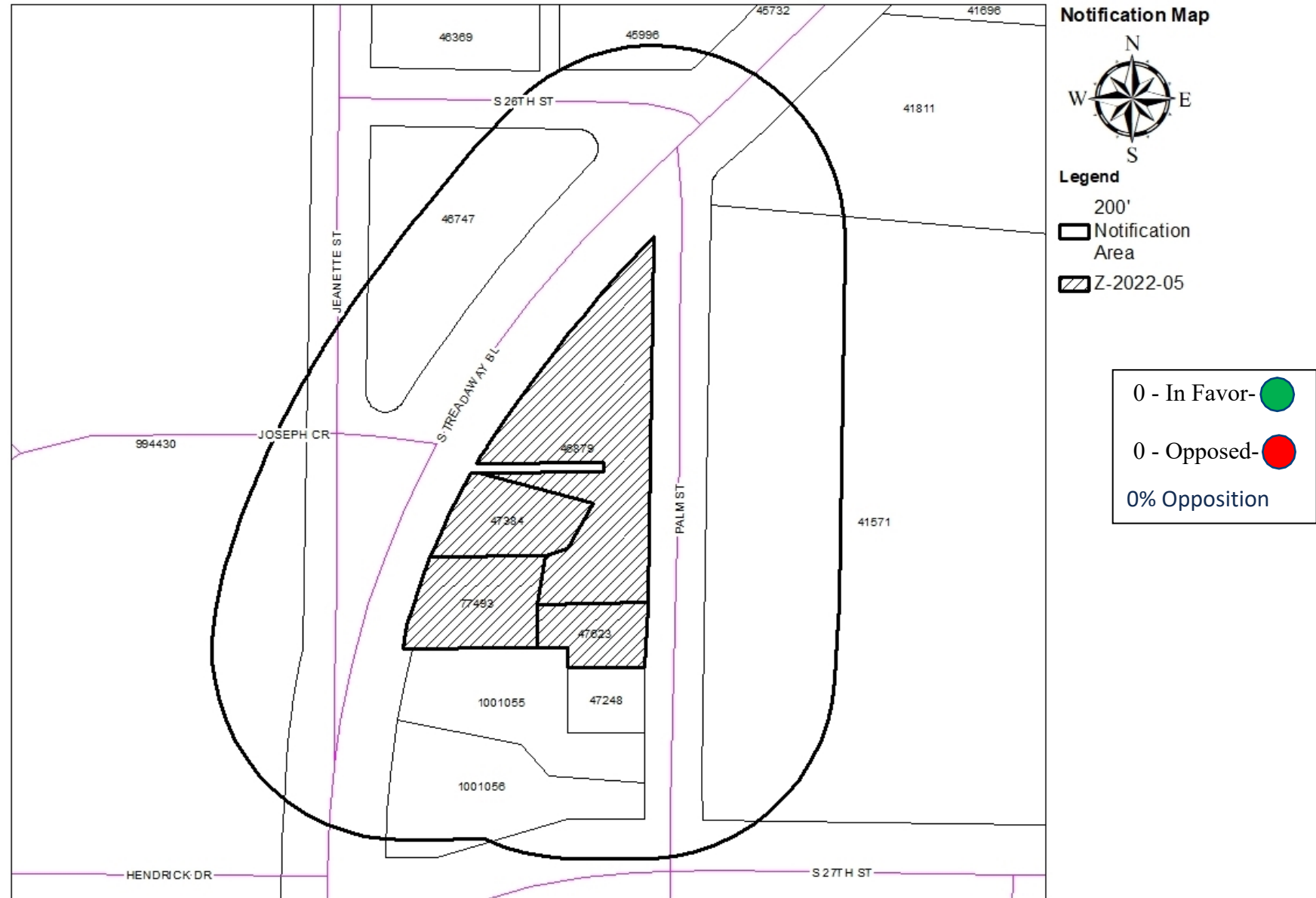


**Neighboring
Property (West)**



**Neighboring
Property (North)**

Z-2022-05 NOTIFICATION AREA MAP



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

Questions?

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, LAND DEVELOPMENT CODE OF THE ABILENE CITY CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

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

PART 3: That the Planning Director be and is hereby authorized and directed to change the official Zoning Map of the City of Abilene, to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 24th day of March, 2022.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 12th day of February, 2022, the same being more than fifteen (15) days prior to a public hearing at the Abilene Public Library's South Branch in the Mall of Abilene at 4310 Buffalo Gap Road in Abilene, Texas, at 8:30 a.m. on the 14th day of April, 2022, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 in the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 14th day of April, 2022.

ATTEST:

Shawna Atkinson
CITY SECRETARY

Anthony Williams
MAYOR

APPROVED:

Stanley Smith
CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Change the zoning classification of the following described land, from a Heavy Industrial (HI) to a Heavy Commercial (HC) District:

TRACT 1:

BEING the West part of that same tract described in Volume 1322, page 78, Deed records, Taylor County, Texas, and being part of Block 17 of the Bowery Addition to the City of Abilene, Taylor County, Texas, as shown by plat recorded in Volume Y, page 356, Probate Minutes of Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron pin set at an interior corner of said tract described in Volume 1322, page 78 and the Southwest corner of a tract described in Volume 390, page 163 and being North 271 feet and S 88° 23' W 108.8' from the Southeast corner of said Block 17,

THENCE S 2° 17' W 48.17 feet to a 3/8" iron pin set in the SBL of said tract in Volume 1322, page 78 and the WBL of a tract described in Volume 1033, page 682,

THENCE S 89° 06' 20" W (record – West) 140.75 feet to a point on the EBL of South Treadaway Boulevard for the Southwest corner of this tract, N 89° 06' 20" E 2.89 feet from a found 3/8" iron pin,

THENCE in a northeasterly direction along a curve to the right with a radius of 9614.08 feet and a long chord bearing N 17° 17' 41" E 100.1 feet to the Northwest corner of this tract, W 88° 32' 21" E 1.26 feet from a found 1/2" iron pipe,

THENCE N 88° 32' 21" E 126.65 feet (record – East 130 feet) to a 3/8" iron pin set for the record corner of a tract described in Volume 390, page 163,

THENCE S 14° 45' W 50' matching the WBL call for said Volume 390, page 163 to the place of beginning.

TRACT 2:

BEING 0.251 acre out of Block 17, Bowyer Addition to the City of Abilene, Taylor County, Texas, according to the map or plat thereof recorded in Volume 1, Page 618 and/or Cabinet 4, Slide 327, Plat Records of Taylor County, Texas, said 0.251 acre being part of that same land described as Tract 2: First Tract, Second Tract and Third Tract in a Gift Deed to Kathleen Janice Travis in Document No. 2009-275, Official Public Records, Taylor County, Texas, said 0.251 acre being more particularly described as follows:

BEGINNING at a point on the east right-of-way line of South Treadaway Boulevard (U.S. Highway 277-83) (100' ROW) in a curve to the right on the north line of said First Tract and the south line of that certain tract designated Tract 3, conveyed to Bimbo Bakeries USA, Inc., of record in Volume 3401, Page 939, O.P.R.T.C.T., for the northwest corner of this tract, whence a 3" pipe post bears S 71° 31' 26" E 13.5 feet;

THENCE S 71° 31' 26" E 127.95 feet, with the north line of said First Tract and the south line of said Tract 3, to a 5" pipe post found at the northeast corner of said First Tract and the northwest corner of that certain tract designated Tract 4 in said Volume 3401, Page 939, O.P.R.T.C.T., for the northeast corner of this tract;

THENCE in a southwesterly direction with the east line of said First, Second and Third Tract and the west line of said Tract 4, the following two (2) calls:

1. S 18°09'01"W 51.54 feet, to a 4" pipe post found for an angle corner of this tract;
2. S 71°35'34"W 17.57 feet, to a 4" pipe post found at an angle corner of said Second Tract and the southerly northwest corner of said Tract 4, same being the northeast corner of that certain tract designated Exhibit "A", conveyed to Thomas Lee Willis, of record in Document #2009-14082, O.P.R.T.C.T., for an angle corner of this tract;

THENCE S89°15'39"W 134.60 feet, with the south line of said Second Tract and the north line of said Willist tract, to a point in said curve to the right on the east right-of-way line of said South Treadaway Boulevard at the southwest corner of said Second Tract and the northwest corner of said Willis tract, for the southwest corner of this tract, whence a 4" pipe post bears N89° 15'39" E 5.7 feet;

THENCE in a northeasterly direction with the west line of said Second and Third Tracts, the easts right-of-way line of said South Treadaway Boulevard and along said curve to the right, having a radius of 904.93 feet, an arc length of 107.23 feet and a long chord bearing N25°23'46" E 107.16 feet, to the place of beginning and containing 0.251 acre of land.

TRACT 3

BEING 0.825 acres of land containing Tract 3, Tract 4, Tract 5 and Tract 6, all recorded in Volume 3401, Page 939, Official Public Records, Taylor County, Texas and being all of Block 16 and a portion of Block 17 and all of the right-of-way of South 27th Street between said Block 16 and Block 17 as shown by the Bowyer Addition plat to the City of Abilene, Taylor County, Texas, recorded in Volume 1, Page 618, Plat Records, Taylor County, Texas, and Plat Cabinet 4, Slide 327, Plat Records, Taylor County, Texas. Said 0.825-acre tract being more particularly described as follows:

BEGINNING: at a found ½" metal rebar on a curve on the East line of South Treadaway Boulevard (100' right-of-way) at the Northwest corner of Lot 101, Block A, B&B Polebenders Subdivision recorded in Plat Cabinet 4, Slide 178, Plat Records, Taylor County, Texas, whence a found 3/8" metal rebar on the West line of Palm Street (60' right-of-way) at the South most Northeast corner of said Lot 101 bears S 70°03'32"E 257.47';

THENCE along the East line of South Treadaway Boulevard and with said curve, (to the right), a radius of 895.29' a chord bearing N19°44'55"W 201.46' an arc distance of 201.88' to a set ½" metal rebar on the North line of a 0.251 acre tract recorded in instrument No. 202020812, Official Public Records, Taylor County, Texas, for the North most Southwest corner and POINT OF BEGINNING of this tract, whence the center of a 4" pipe fence corner post, called for a reference on the North line of said 0.251 acre tract bears S72°06'17"E 3.88';

THENCE continuing along the East line of said South Treadaway Boulevard and along said curve to the right a radius of 895.29' a chord bearing N35°19'47"E 283.85' an arc distance of 285.06' to a found concrete right-of-way monument at the end of said curve, whence a found concrete right-of-way monument of the West line of said South Treadaway Boulevard bears N44°15'47"W 101.03';

THENCE N44°58'55"E with the East line of said South Treadaway Boulevard 11.20' to a set ½" metal rebar on the West line of said Palm Street for the North most corner of this tract, whence a found 3/8" metal rebar on the East line of said South Treadaway Boulevard at a point of intersection on the West line of a 5.72 acre tract recorded in Volume 2959, Page 718, Official Public Records, Taylor County, Texas, bears N44°58'55"E 84.47' and from this found 3/8" metal rebar, another found 3/8" metal rebar at the Southwest corner of said 5.72-acre tract bears S00°30'08"E 16.08';

THENCE S00° 11' 57"E with the West line of said Palm Street, 376.11' to a set ½" metal rebar for the Southeast corner of this tract, whence a found 3/8" metal rebar on the West line of said Palm Street at the common East corner of tracts of land recorded in Instrument No. 2017-00012138, and Instrument No. 2019-00013171, Official Public Records, Taylor County, Texas, and being recognized as the Southeast corner of a tract recorded in Volume 1322, Page 78, Official Public Records, Taylor County, Texas, bears S00° 11'57"E 71.00';

THENCE S88°24'59"W 108.57' to a found 3/8" metal rebar at a point of intersection on the East line of a tract recorded in Instrument No. 2009-00014082, Official Public Records, Taylor County, Texas, at the Northwest corner of said tract recorded in Instrument No. 2017-00012138, Official Public Records, Taylor County, Texas, and an interior corner of said tract recorded in Volume 1322, Page 78, Official Public Records, Taylor County, Texas for the South most Southwest corner of this tract;

THENCE N17°56'22"E 50.92' to the center of a 5" pipe fence corner post called to be the Southmost Southeast corner of said 0.251 acre tract and called to be the South most Northwest corner of said Tract 4, recorded in Volume 3401, Page 393, Official Public Records, Taylor County, Texas, for a point of intersection of this tract;

THENCE N67°36'45"E 17.34' to the center of a 5" pipe fence corner post called to be a point of intersection of said 0.251 acre tract for an interior corner of this tract;

THENCE N18°11'57"E 50.80' to the center of a 5" pipe fence corner post called to be the Northeast corner of said 0.251 acre tract and called to be the Northwest corner of said Tract 4 for an interior corner of this tract;

THENCE N72°06'17"W at 114.26' pass the center of a 4" pipe fence corner post and continue on a total distance of 118.14' to the point of beginning and containing 0.825 acres of land.

TRACT 4

BEING the East part of the same tract described in Volume 1322, page 78, Deed Records, Taylor County, Texas, and being part of Block 17 of the Bowyer Addition to the City of Abilene, Taylor County, Texas, as shown by plat recorded in Volume Y, page 356, Probata Minutes of Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron pin set on the WBL of Palm Street, 200 feet North of the Southeast corner of said Block 17,

THENCE S 89°50'W55.74' to a 3/8" iron pin set for a corner,

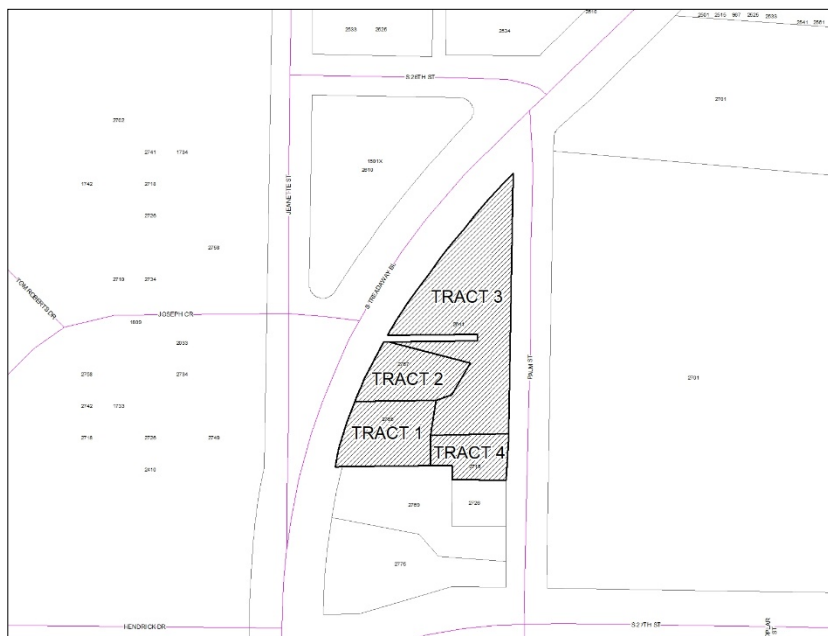
THENCE North 20.82 feet (record = 21 feet) to a 3/8" iron pin found at an interior corner;

THENCE S89°06'20"W(record = west) 54.9' to a 3/8" iron pin set on the SBL of said tract described in Volume 1322, page 78, and the NBL of a tract described in Volume 1033, page 682, Deed Records;

THENCE N2°17'E 48.17 feet to a 3/8" iron pin set by a corner post at an interior corner of said tract in Volume 1322, page 7, Deed Records and the Southwest corner of a tract described in Volume 390, page 163, Deed Records;

THENCE N 88°23' E (record = East) 108.8 feet to a 1/2" iron pine found at the most easterly Northeast corner of said tract in Volume 1322, page 78 and Southeast corner of Volume 390, page 163 on the WBL of Palm Street;

THENCE south 71 feet to the place of beginning.



Location: 2600-2700 Blocks of S. Treadaway Blvd. & 2700 Block of Palm St.

-END-

ZONING CASE Z-2022-06

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: March 1, 2022

City Council 1st Reading: March 24, 2022

City Council 2nd Reading: April 14, 2022

Applicant

Owner: FL20 Inc.

Agent: Andrea & Aaron Robison

Request

Rezone 1.59 acres from Agricultural Open (AO) to General Commercial (GC) District.

Location

5308 Hwy 277 S.

Legal Description: 3.21 acres in Tract 8 of the Joseph Beck Survey Number 42, Abilene, Taylor County, Texas.

Background

The subject property has remained vacant since being annexed into the City limits of Abilene in 1959. The property has been located within an Agricultural Open (AO) Zoning district since at least 1974. The owner of the property has a prospective purchaser who would now like to utilize this property for a private recording studio. According to information provided with the application for a zone change, this private recording studio will be utilized for recording music, live band practice, and podcasts. These uses are categorized as being a "Broadcast Studio" in Abilene's Land Development Code. Broadcast Studios are not permitted within the property's current Agricultural Open (AO) Zoning Classification but would be allowed within General Commercial (GC) zoning.

Zoning and Existing Land Use

Current zoning and existing land use of properties adjacent to and in the subject property's immediate area are illustrated on the map included in this report. As indicated on the map, adjacent zoning consists of General Commercial (GC) north of the subject property which is presently occupied by an event center. To the west are single-family residential homes located within Residential Single Family (RS-6) zoning. South of the subject property is vacant land located within Planned Development District 76 (PDD 76), this portion of the PD 76 is reserved for a variety of commercial activities. The property east of the subject property across HWY 277 S is presently vacant and located within an Agricultural Open (AO) zoning district.

Criteria Assessment

Section 1.4.1.4 of the Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

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

It is the opinion of the staff that the proposed zoning map amendment will serve to implement the goals, objectives, and policies of the Comprehensive Plan. Although the Future Land Use and Development Plan Map identifies the subject property to be low-density residential; neighboring properties north and south of the subject property have long been zoned for and occupied by commercial uses. General Commercial (GC) zoning on this subject property would promote the objective of the comprehensive plan by creating a mixture of integrated residential and non-residential land uses. According to the Comprehensive Plan, creating a mixture of mutually supportive land uses provides an interesting dynamic urban environment. Furthermore, the Comprehensive Plan states that vibrant neighborhoods contain a variety of housing opportunities and should provide access to essential uses and services that meet the daily needs of local residents. Rezoning this property to commercial provides an opportunity for such uses to exist in close proximity to nearby residences.

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

It is the opinion of the staff that the uses permitted by the proposed zone change are consistent with the surrounding properties in the immediate vicinity. The commercial uses that would be permitted by this zone change will serve as a transitional land use between the major arterial street (Hwy 277 S) and the existing single-family residences immediately west of the subject property. In addition to this, during the development of this commercial site a type "B" land use buffer will be required along the western property boundary between the aforementioned single-family residences and the commercial land use. This land-use buffer is an effort to mitigate nuisances created by commercial uses in close proximity to residences. Lastly, the subject property adjoins the right-of-way of a major arterial street, traditional planning considers locations along such roadways to be appropriate for commercial uses due to the high volume of traffic that they accommodate. This large volume of traffic provides the exposure and accessibility often considered necessary for commercial business success.

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

The subject property currently has access to a major arterial street which is presently 62-feet-wide. Roadways such as this are routinely considered acceptable for carrying high volumes of traffic that may be generated by commercial activity. Additionally, the subject property has direct access to an improved alley that embraces a 12" water main and 10" sewer main. These existing utilities and public amenities would appear adequate for the proposed uses. This request presents no apparent conflicts with existing or proposed plans for community facilities and related infrastructure.

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

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

Staff Recommendation

City staff recommends approval.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on February 18, 2022 (via certified mail) to the applicant and other property owners within a 200-foot radius of the subject property. These property owners and associated property identification numbers are identified in Table 1.

TABLE

Owner	Property ID	Situs	Response
B SENTER PROPERTIES LTD &	59601	5226 HWY 277 S	
B SENTER PROPERTIES LTD &	61367	5250 HWY 277 S	
BHUJEL MOM LAL	11715	2341 CICILY LN	
CUNNINGHAM LORAN B	12233	5301 SOUTHMOOR DR	
FERGUSON RONALD M &	12110	2365 CICILY LN	
FL20 INC	61244	5308 HWY 277 S	
MARSH GREG	11553	2333 CICILY LN	
PATEL SUNIL S	76296		
RUSHMORE INVESTMENT LLC	109558	5401 HWY 277 S	
SUGAR AGUA #1 LTD	105625	5301 HWY 277 S	
SUGAR AGUA #1 LTD	58192	5309 HWY 277 S	
TAYLOR GLENN F JR &	11983	2357 CICILY LN	
THOMPSON GERALD D &	11858	2349 CICILY LN	
WHITNEY ENTERPRISE LLC	970054	5302 HEALTH CENTER DR	

Attachments

Application

PowerPoint Presentation

LOCATION MAP



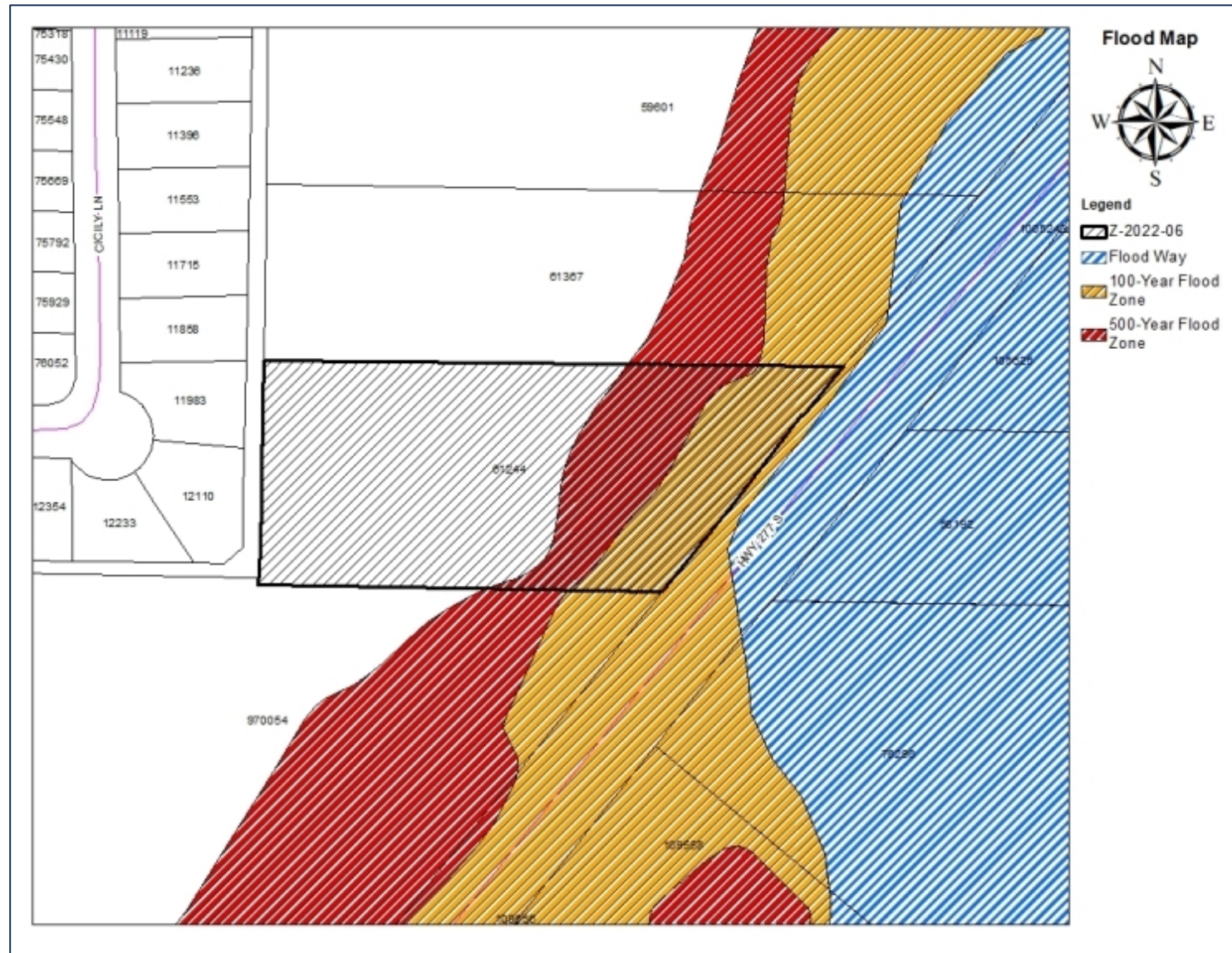
ZONING MAP



Case:	Z-2022-06
Owner:	F120 Inc.
Agent:	Andrea & Aaron Robison
Request:	Rezone from Agricultural Open (AO) to a General Commercial (GC) District
Location:	5308 Hwy 277 S.
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	March 1, 2022
City Council Hearings:	1 st : March 24, 2022 2 nd : April 14, 2022







Permitted Uses in AO Zoning

RESIDENTIAL 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/C Day Care Operation – Home-Based*
- P Dwelling – Accessory*
- TP Field Office or Construction Office (temporary)*
- P Freight Container*
- 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)
- P/SE Wind Energy Conversion Systems*

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
- P Urban Garden

LEGEND

P
C
TP

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

Permitted Uses in GC Zoning

RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

- C Aircraft and Accessories
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- P Fuel Sales
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- P Retail Sales/Rental (indoor)
- P Retail Sales/Rental (outdoors, non-vehicle)
- C Retail Sales/Rental (trucks and other large vehicles and equipment)

TRADE – WHOLESALE USES

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

- P
- C
- TP

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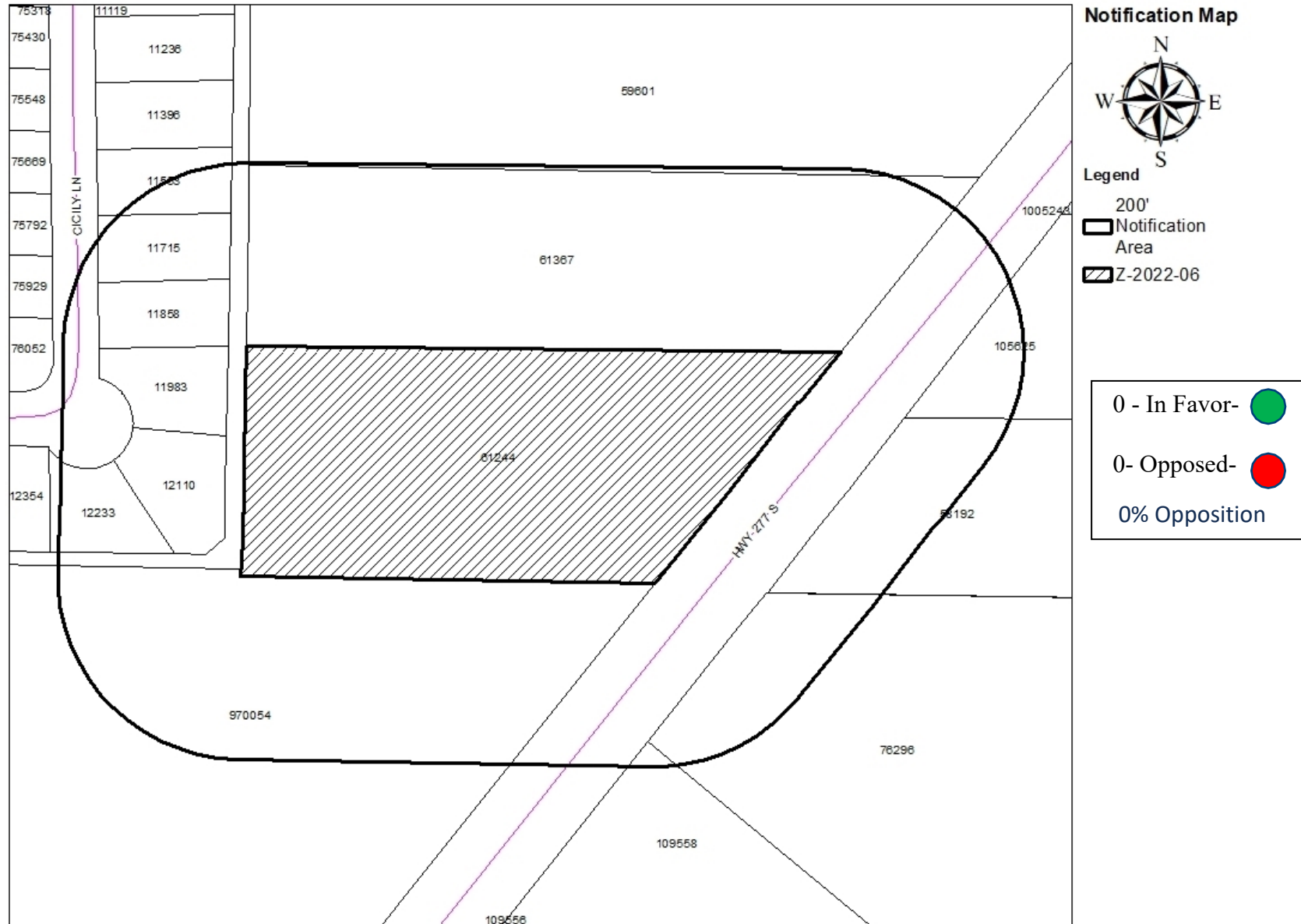
Permitted as a Conditional Use Permit, Requiring Approval by City Council

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

Z-2022-06 VIEWS OF SUBJECT & ADJACENT PROPERTIES



Z-2022-06 NOTIFICATION AREA MAP



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

Questions?

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, LAND DEVELOPMENT CODE OF THE ABILENE CITY CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

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

PART 3: That the Planning Director be and is hereby authorized and directed to change the official Zoning Map of the City of Abilene, to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 24th day of March, 2022.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 12th day of February, 2022, the same being more than fifteen (15) days prior to a public hearing at the Abilene Public Library's South Branch in the Mall of Abilene at 4310 Buffalo Gap Road in Abilene, Texas, at 8:30 a.m. on the 14th day of April, 2022, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 in the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 14th day of April, 2022.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described land, from an Agricultural Open Space (AO) to a General Commercial (GC) District:

BEING 3.166 acres of land and being that same tract of land previously recorded as Tract Sixteen in Instrument No. 202013682, Official Public Records, Taylor County, Texas, out of the Joseph Beck Survey # 42, City of Abilene, Taylor County, Texas. Said 3.166 acre tract being more particularly described as follows;

BEGINNING at a found 1" metal pipe on the West line of U.S. Highway 277 South (100' right-of-way) at the Northeast corner of said Tract Sixteen and the Southeast corner of Block A, Fulcher Addition, Plat Cabinet 2, Slide 144-D, Plat Records, Taylor County, Texas, whence found a 1" metal pipe on the West line of said U.S. Highway 277 South at the Northeast corner of said Block A, bears N38°20'10"E 245.85' and from said point of beginning the Northeast corner of said Joseph Beck Survey # 42 is record to bear North 354 varas and East 856.66 varas;

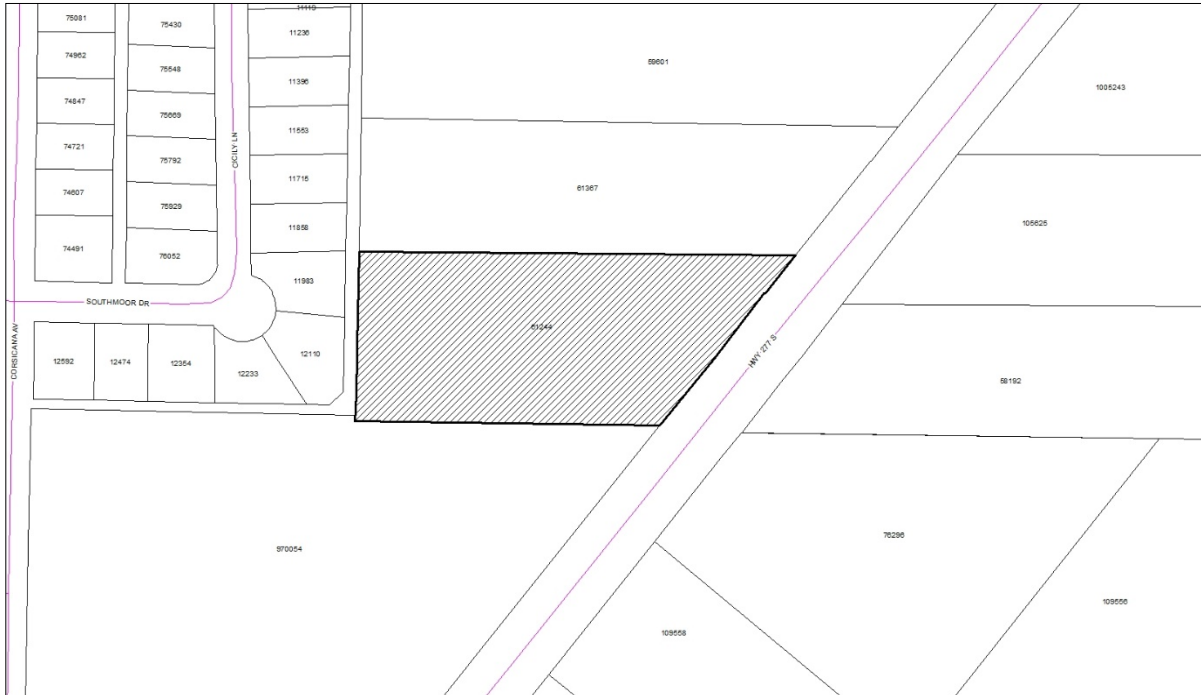
THENCE S38°37'02"W with the West line of said U.S. Highway 277 South, 313.85' to a found ¾" metal pipe at the Southeast corner of said Tract Sixteen for the Southeast corner of this tract, whence a found aluminum monument on the West line of said U.S. Highway 277 South at the Northeast corner of Lot 101, Block D, The Medical Plaza Subdivision, Plat Cabinet 3, Slide 674, Plat Records, Taylor County, Texas bears S38°38'30"W 5.31' and from said ¾ metal pipe another aluminum monument on the West line of said U.S. Highway 277 South at the Southeast corner of said lot 1 bears S38°38'30"W 909.40';

THENCE North 89°24'46"W 462.02' to a found 2" metal pipe on the East line of a 20' alley, Plat Cabinet 2, Slide 275-A, Plat Records at the Southwest corner of said Tract Sixteen for the Southwest corner of this tract, whence a found aluminum monument at the Northwest corner of said lot 101 bears N88°52'25"W 481.80';

THENCE N00°49'19"E with the East line of said 20' alley 246.91' to a found 1" metal pipe at the Northwest corner of said Tract Sixteen and the Southwest corner of said Block A, Fulcher Addition, whence a found 1" metal pipe at the Northwest corner of said Block A bears N01°15'52"E 194.60';

THENCE S89°26'24"E 654.36' to the point of beginning containing 3.166 acres of land

location: 5308 Hwy 277 S.



-END-