



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, December 3, 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.

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 on November 5, 2019

PLATS

2. **FP-4719:** Heritage Parks, Section 10, Being 5.903 acres out of the SW/4 of Section NO. 21, Blind Asylum Lands, Abstract NO. 1039, & SE/4 of Section NO. 21, Blind Asylum Lands, Abstract NO. 1040, City of Abilene, Taylor County, Texas.

ZONING

3. **CUP-2019-11:** Public hearing and possible vote to recommend approval or denial to City Council on a request from JR Team Holdings LLC, agent Jody Team, for Conditional Use Permit allowing an active outdoor recreation facility (Inc. a community swimming pool) in a Rural Residential (RR-1) zoning district and located specifically at 1722 Aces Trail; Legal description being Lot 8 in Block A of Lake Rock Trails at Team Ranch Addition to Abilene, Jones County, Texas
4. **Z-2019-30:** Public hearing and possible vote to recommend approval or denial to City Council on a request from NuHome Construction of Abilene LLC, agent Barry Fletcher, to rezone property from Agricultural Open Space (AO) to Residential Single-Family (RS-6) District; Legal description being the remaining vacant east 0.6485 acre of Lot 40 in Block G of Quail Park Addition, Section 4, City of Abilene, Taylor County, Texas and located at northwest corner of Corsicana Avenue and Sagehen Ridge Drive

5. **OAM-2019-03:** Public hearing and possible vote to recommend approval or denial to City Council on proposed amendments to Land Development Code for the City of Abilene, removing the entire text of existing Section 2.4.4.2 in Chapter 2 (Zoning Regulations) and which specifically concerns carports and patio covers, replacing said existing text with a new Section 2.4.4.2 regulating the size, height, placement and architectural character of certain carports and patio covers; and adopting new definitions of both “carport” and “patio cover” as those terms appear in Chapter 5 (Definitions) of the Land Development Code

DIRECTORS 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.

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

AGENDA ITEMS

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 27th day of November, 2019, at 11:25 a.m.

Shawna Atkinson, City Secretary

ZONING CASE CUP-2019-11

STAFF REPORT



REQUEST: Conditional Use Permit

APPLICANT:

Owner: J.R. Team Holdings, LLC

Agent: Jody Team

HEARING DATES:

P & Z Commission: December 3, 2019

City Council 1st Reading: December 19, 2019

City Council 2nd Reading: January 9, 2020

LOCATION:

1722 Aces Trail

Legal description: Lot 8 in Block A of Lake Rock Trails at Team Ranch Addition

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting a Conditional Use Permit to allow an active outdoor recreation facility, specifically limited to only allow a community swimming pool.

BACKGROUND:

In 1983, the subject property was annexed into the City of Abilene at which time the base zoning of Agriculture Open (AO) was applied to the subject property. In January of 2018, City Council approved an ordinance which rezoned the property to Rural Residential (RR-1). In March of 2019, the land was formally subdivided into thirteen single family home sites. In June of 2019, two building permits were issued to begin construction of the initial homes in this community. Since this time, construction of one of these homes has been completed and received a certificate of occupancy in October 2019.

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 amenities which benefit surrounding residents.
2. *The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.*

Yes, Rural Residential districts are intended to encourage a suitable environment for family life while permitting certain facilities (such as a community pool) to be located in residential neighborhoods.

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, however it should be noted that a minimum paved parking condition will be required with the development of this community pool to provide onsite parking.

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.*

Yes, as a condition for approval restrictions shall be implemented to limit access to only residents in the subdivision. This should eliminate development-generated traffic on Aces trail.

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 community pool should not pose any adverse effects or visual impacts. However, it should be noted that conditions should be implemented to limit hours of operation.

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 Rural Residential (RR-1) zoning classification. According to the Land Development Code (Section 2.3.2.1), this zoning is designed to protect the residential character of the area by excluding most commercial and other incompatible activities, while encouraging a suitable environment for family life by permitting certain appropriate facilities (such as a community pool) to be located in residential neighborhoods. 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 proposed use will accomplish the Comprehensive Plan's goal for neighborhoods by allowing access to public amenities which benefit surrounding residences.

Existing Land Use

Location	Zoning	Existing Land Use
North	N/A	Lake Fort Phantom Hill
East	RR-1	Vacant Residential Lot
South	RR-1	Vacant Residential Lot
West	N/A	Lake Fort Phantom Hill

STAFF RECOMMENDATION:

Staff recommends approval, subject to the following conditions:

CONDITIONS FOR APPROVAL:

1. "Outdoor Recreation (active)" shall be limited to strictly community pool use.
2. Community swimming pool use is restricted to residents or guests of residents within the subdivision.
3. Subscriptions or memberships for use of the community swimming pool by individuals who are not residents of the subdivision shall be prohibited.
4. Community swimming pool hours of operation shall adhere to Neighborhood Office (NO) zoning standards, those being 6:00 AM – 11:00 PM.
5. Paved onsite parking must be provided on the subject property at the time of development.
6. Development of community swimming pool must undergo Site Plan Review by the Development Review Committee.

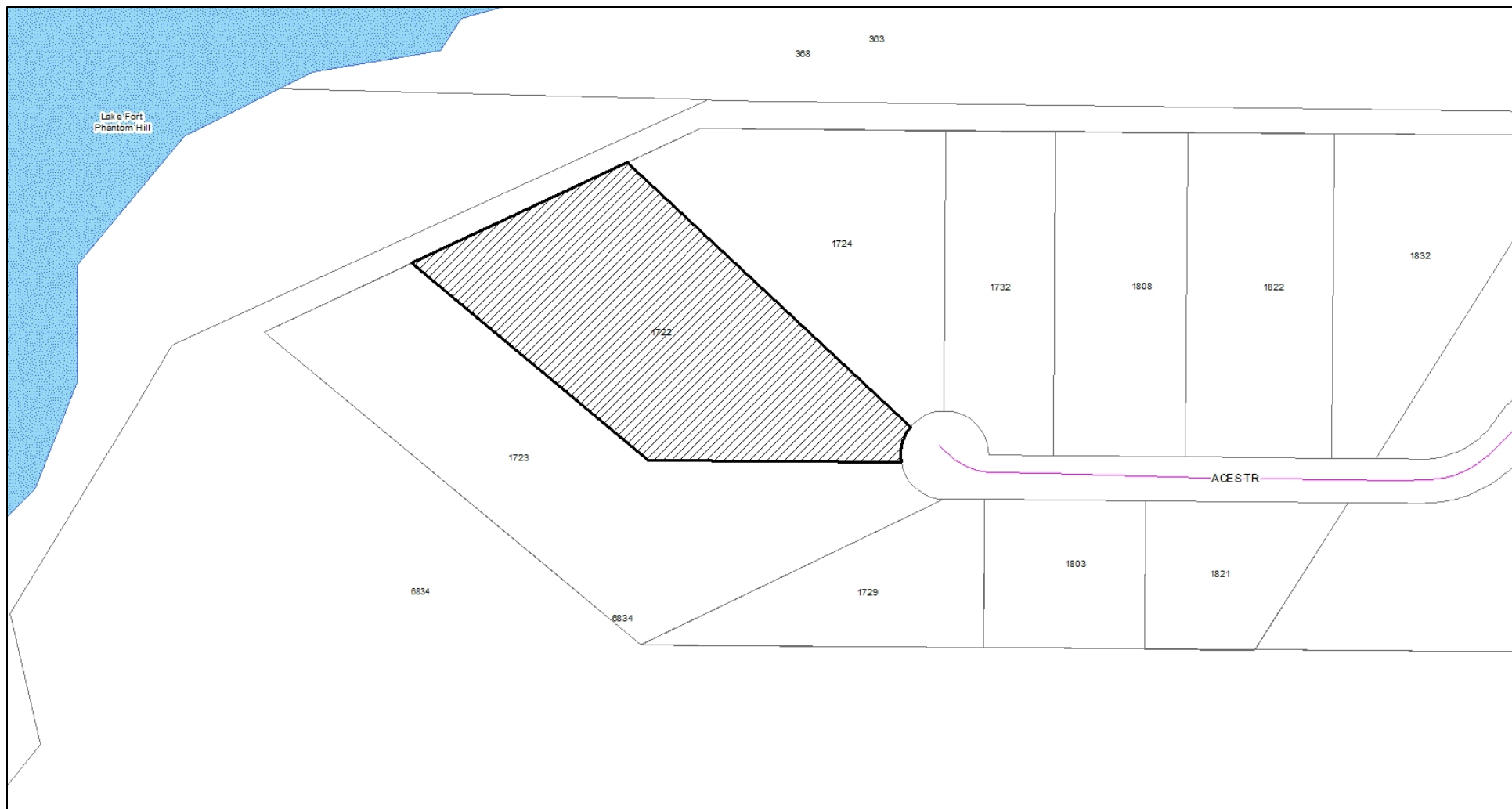
PLANNING AND ZONING COMMISSION RECOMMENDATION:

On December 3, 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
ADKINS HAB	1803 ACES TR	
CITY OF ABILENE	368 SEMINOLE RD	
CITY OF ABILENE	363 SEMINOLE RD	
J.R. TEAM HOLDINGS LLC	1723 ACES TR	
J.R. TEAM HOLDINGS LLC	1722 ACES TR	
J.R. TEAM HOLDINGS LLC	1724 ACES TR	
J.R. TEAM HOLDINGS LLC	1732 ACES TR	
J.R. TEAM HOLDINGS LLC	1808 ACES TR	
KOPAS CORY	1729 ACES TR	
RUSSEL ALLEN	6834 E LAKE RD	





Development Application

Planning

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

Project Name: Lake Rock Trails Community Pool
Address: 1722 Aces Trail No. of lots: 1 Acreage: 3.28
Legal Description: Lot 8
Subdivision Name: Lake Rock Trails Block: _____ Lot: _____
Current Zoning: RR1 Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: J.R. Team Holdings, LLC / Jody Team
Address: 601 Gill Dr.
City, State, Zip: Abilene, TX 79601 Fax: _____
Phone: 325-232-5210 Email: jteam@teamstrategiesonline.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) Joseph (Jody) Team 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: Jody Team Date: 11-1-19

FOR OFFICE USE ONLY

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



Development Application

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

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

We are requesting a "Conditional Use Permit" for lot 8 of Lake Rock Trails @ Team Ranch subdivision, otherwise known as "1722 Aces Trail, Abilene, TX 79601" to use as "Recreation - Outdoors".

The intent for this lot is to be committed to the Lake Rock Trails Homeowners Association for neighborhood use. The lot will have a pool, dock, and pavillion maintained by the HOA.



Development Application

RECOMMENDATIONS

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

PUBLIC NOTIFICATION

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

PLEASE READ BEFORE SIGNING

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

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

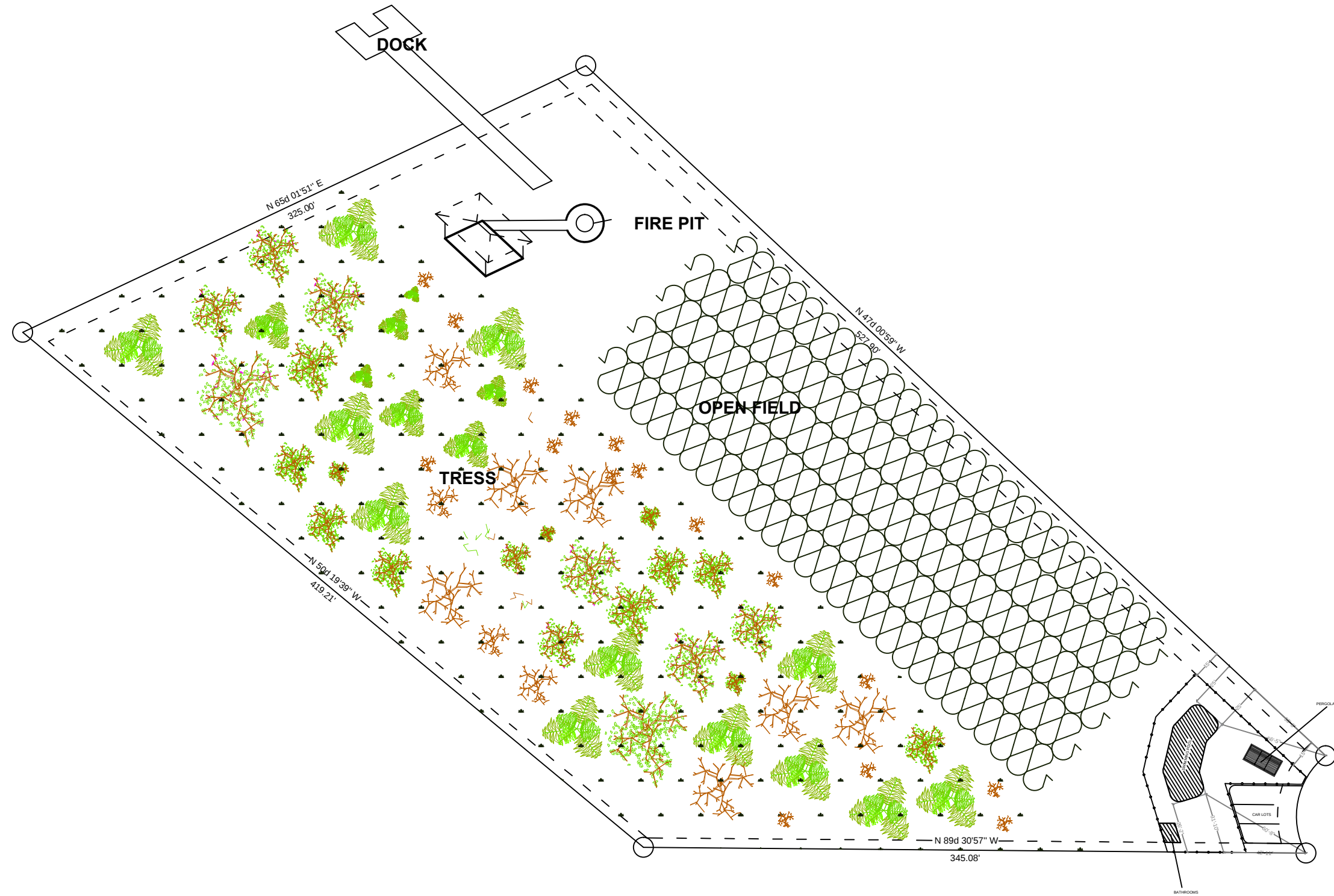
SIGNED: _____

A handwritten signature in black ink, appearing to read "Jody L.", written over a horizontal line.

DATE: _____

11-1-19





SITE PLAN

NOTES:

DISCLAIMER:
ALL DIMENSIONS IN MM UNLESS
OTHERWISE STATED.
CONTRACTORS TO CONFIRM ALL
DIMENSIONS ON SITE. ALL DRAWINGS
MUST BE READ IN CONJUNCTION WITH
THE ARCHITECT'S DRAWINGS.

Rev	Date	Details Of Issue	Initials
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Status

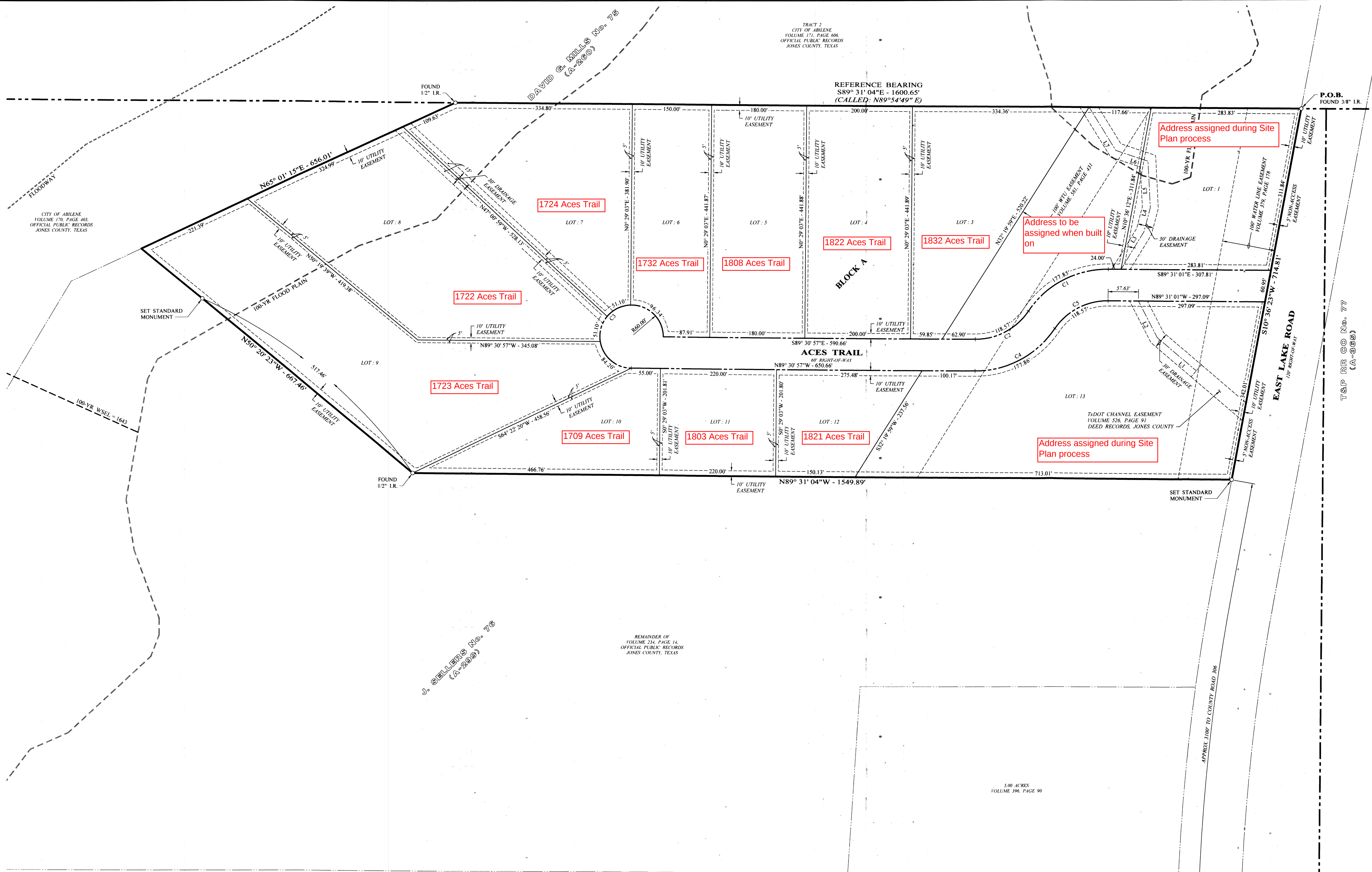
Site Address:

Client:

Project:

Drawn:	Date:	
Dwg no.		Revision No.





LOT TABLE	
LOT #	ACRES
1	2.000
2	1.729
3	2.000
4	2.029
5	1.826
6	1.454
7	2.359
8	3.279
9	3.849
10	1.209
11	1.019
12	0.986
13	4.335

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	97.45'	N49° 23' 48" W
L2	77.84'	N27° 02' 27" W
L3	83.66'	N31° 24' 52" E
L4	47.01'	N14° 46' 56" E
L5	88.09'	N2° 52' 59" W
L6	64.30'	N71° 28' 11" W
L7	96.50'	N31° 32' 44" W

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	177.85'	180.00'	56°36'47"	N62° 10' 36" E - 170.71'
C2	118.57'	120.00'	56°36'51"	N62° 10' 38" E - 113.81'
C3	282.74'	60.00'	270°00'00"	N45° 29' 03" E - 84.85'
C4	177.86'	180.00'	56°36'51"	S62° 10' 38" W - 170.71'
C5	118.57'	120.00'	56°36'47"	S62° 10' 36" W - 113.81'

A PLAT OF
LAKE ROCK TRAILS
AT TEAM RANCH ADDITION
ABILENE, JONES COUNTY, TEXAS

- NOTES**
- AS PER FLOOD INSURANCE RATE MAP, MAP NUMBER 48253C0575F, EFFECTIVE DATE OCTOBER 4, 2011: A PORTION OF THIS PROPERTY IS LOCATED IN A FEDERALLY DESIGNATED FLOOD AREA.
 - BASIS OF BEARINGS IS GRID NORTH, NAD 83 TX NC ZONE BASED ON GPS OBSERVATIONS
 - UPON COMPLETION OF THE CONSTRUCTION OF THE SUBDIVISION STREETS, ALLEYS, AND BURIED UTILITIES, THE FINAL SUBDIVISION MONUMENTATION WILL BE SET.
 - THIS ADDITION IS LOCATED WITHIN THE CITY LIMITS OF ABILENE, TAYLOR COUNTY, TEXAS.
 - STANDARD MONUMENT: 2" ALUMINUM CAPS STAMPED "HIBBS & TODD" ARE SET AT BLOCK CORNERS, BLOCK ANGLE POINTS, AND BLOCK POINTS OF CURVATURE, UNLESS OTHERWISE NOTED.
 - PERMANENT MONUMENT: 1/2" IRON RODS WITH CAPS STAMPED "H&T" ARE SET AT LOT CORNERS, UNLESS OTHERWISE NOTED.
 - CENTERLINE MARKER: SET PK NAIL WITH WASHER.

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

PLANNING COMMISSION THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 974A, VERNON'S ANNOTATED CIVIL STATUTES, AND ARTICLE 927B, PENAL CODE OF TEXAS, AS AMENDED. DATE <u>3/13/19</u> CHAIRMAN <u>[Signature]</u> ATTEST <u>[Signature]</u> SECRETARY DATE _____ PLANNING DIRECTOR _____	PLANNING DIRECTOR FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS <u>3-13-19</u> <u>FP-5118</u> DATE _____ FILE NUMBER _____ <u>[Signature]</u> PLANNING DIRECTOR FEES _____
DIRECTOR OF PUBLIC WORKS THE DEDICATION FILED, IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS. DATE <u>3/13/19</u> DIRECTOR OF PUBLIC WORKS <u>[Signature]</u>	COUNTY CLERK I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON DATE <u>3/18/2019</u> FILE NUMBER <u>Plat Slide 379</u> <u>LeeAnn Jennings</u> Jones Co. COUNTY CLERK <u>[Signature]</u>

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED OWNER(S) OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAVE CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS, ALLEYS, UNDER THE NAME OF **LAKE ROCK TRAILS AT TEAM RANCH ADDITION ABILENE, JONES COUNTY, TEXAS**

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

FIELD NOTES FOR LAKE ROCK TRAILS AT TEAM RANCH ADDITION ABILENE, JONES COUNTY, TEXAS

BEING A 30.0 ACRE TRACT OUT OF THE J. SELLERS SURVEY NO. 76, JONES COUNTY, TEXAS, AND BEING THE SAME LAND DESCRIBED IN A DEED CONVEYED TO J.R. TEAM HOLDINGS, LLC, A TEXAS LIMITED LIABILITY COMPANY (TEAM), RECORDED IN VOLUME 417, PAGE 545, OFFICIAL PUBLIC RECORDS, JONES COUNTY, TEXAS, SAID 30.0 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

BEGINNING AT A FOUND 3/8 INCH IRON ROD AT THE NORTH EAST CORNER OF THIS TRACT, SAME BEING AT THE NORTHEAST CORNER OF SAID TEAM TRACT, AND BEING IN THE WEST RIGHT OF WAY OF FM 2833, ALSO KNOWN AS EAST LAKE ROAD, WHERE THE NORTHEAST CORNER OF SAID SELLERS SURVEY IS CALCULATED TO BEAR 48° S 89° 31' 04" E;

THENCE SOUTH 10 DEGREES 36 MINUTES 23 SECONDS WEST, WITH THE WEST RIGHT OF WAY OF FM 2833, A DISTANCE OF 714.81 FEET TO A SET STANDARD MONUMENT FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE NORTH 89 DEGREES 31 MINUTES 04 SECONDS WEST A DISTANCE OF 1549.89 FEET TO A FOUND 1/4 INCH IRON ROD AT THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 50 DEGREES 20 MINUTES 23 SECONDS WEST, AT A DISTANCE OF 517.46 FEET PASSING A SET STANDARD MONUMENT, CONTINUING FOR A TOTAL DISTANCE OF 667.46 FEET TO A POINT FOR THE WEST CORNER OF THIS TRACT;

THENCE NORTH 65 DEGREES 01 MINUTES 15 SECONDS EAST A DISTANCE OF 656.01 FEET TO A FOUND 1/4 INCH IRON ROD AT THE NORTHWEST CORNER OF THIS TRACT;

THENCE SOUTH 89 DEGREES 31 MINUTES 04 SECONDS EAST, BEING THE REFERENCE BEARING FOR THIS TRACT (CALLED: N 89° 31' 04" E), A DISTANCE OF 1600.65 FEET TO THE POINT OF BEGINNING CONTAINING AN AREA OF 30.0 ACRES, SURVEYED ON JANUARY 30, 2019.

OWNER'S CERTIFICATE AND DEDICATION

EXECUTED THIS 13th DAY OF March, 2019

[Signature] **JODY TEAM**
SIGNATURE PRESIDENT

ACKNOWLEDGMENT

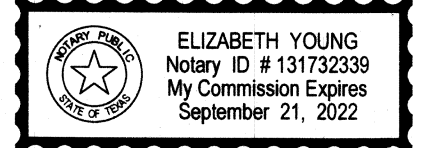
THE STATE OF TEXAS: COUNTY OF **TAYLOR**

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

KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME ACT OF THE SAID **JR TEAM HOLDINGS, LLC.**

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 13th DAY OF March, A D 2019



[Signature] **Elizabeth Young Taylor**
NOTARY PUBLIC JONES COUNTY TEXAS

SHEET <u>1</u> OF <u>1</u>		SHEETS _____		ACREAGE <u>30.0</u>	
SCALE <u>1" = 100'</u>		SMALLEST LOT <u>42,943</u> SQ FT		LARGEST LOT <u>188,834</u> SQ FT	

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

CERTIFICATION:

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

PLAT DESCRIPTION:

LAKE ROCK TRAILS AT TEAM RANCH ADDITION ABILENE, JONES COUNTY, TEXAS

[Signature] **RILEY ELMER GRIFFITH**
REGISTERED PROFESSIONAL LAND SURVEYOR

DATE 02/26/2019

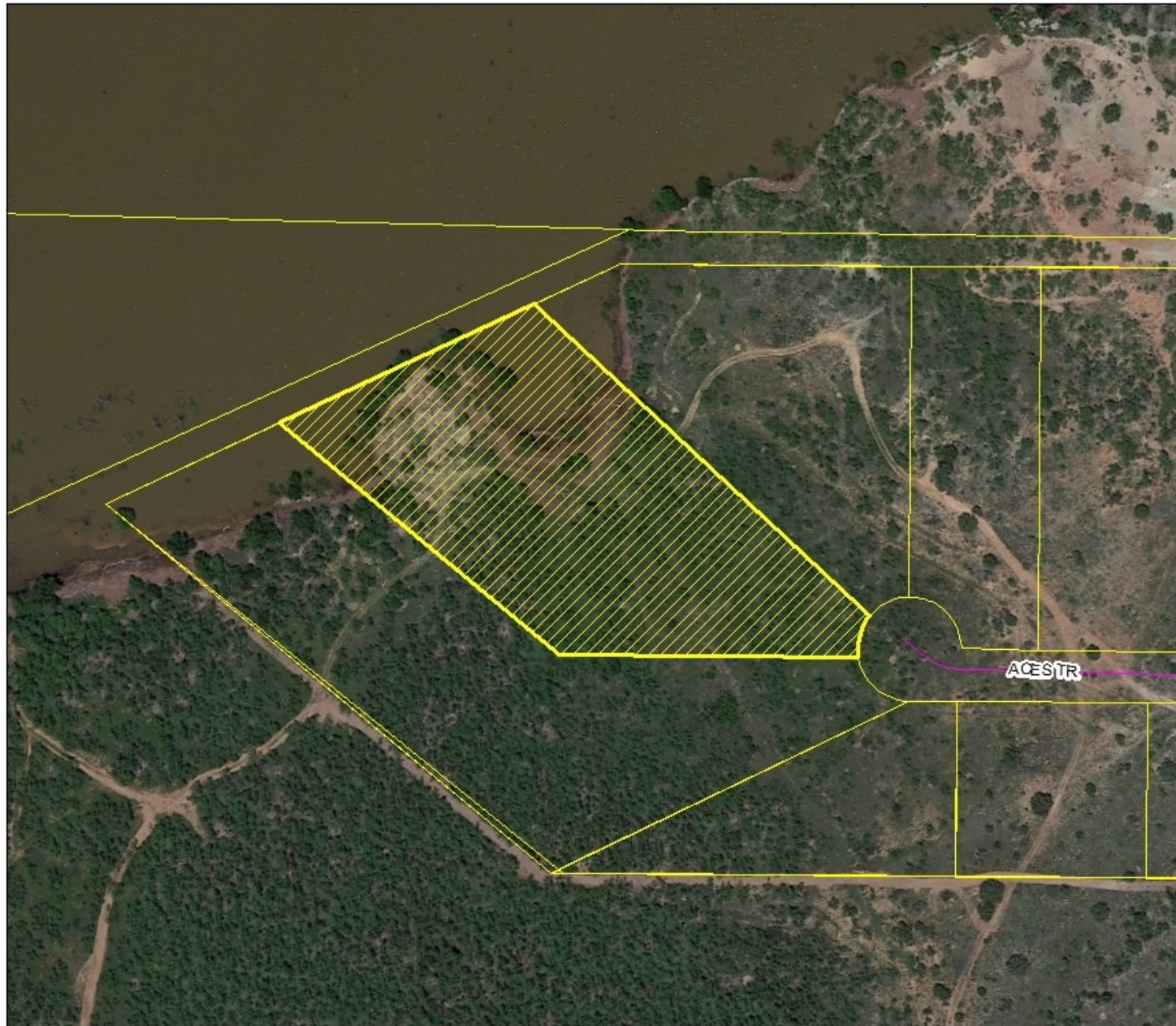


OWNER:
JR TEAM HOLDINGS, LLC
601 GILL DRIVE
ABILENE, TEXAS 79601
(325) 232-5210

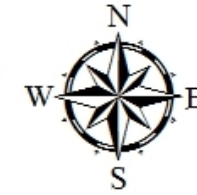
Case: CUP-2019-11
Applicant: J.R. Team Holdings, LLC
Agent: Jody Team
Request: Conditional Use Permit to allow a community pool. (Active outdoor recreation facility)
Location: 1722 Aces Trail
Notification: 0 in Favor, 0 Opposed
Planning & Zoning: December 3, 2019
City Council Hearing: December 19, 2019
January 9, 2020



CUP-2019-11 AERIAL LOCATION MAP



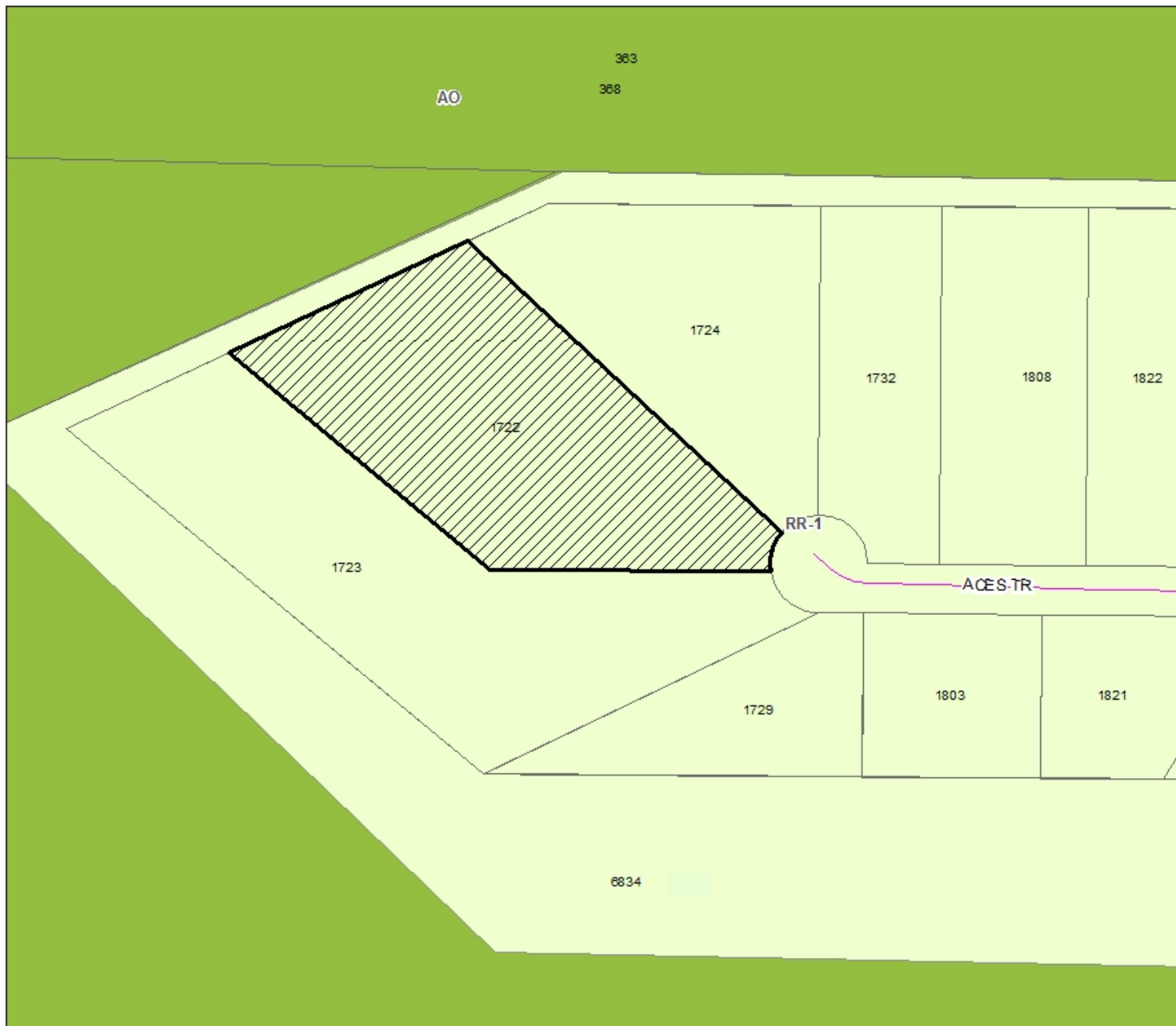
Location Map



Legend

 CUP-2019-11





Zoning Map



Legend

CUP-2019-11

AO -

Agricultural
Open Space

RR-1: Rural
Residential





Permitted Uses in RR-1 Zoning

RESIDENTIAL USES:

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

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 (temporary security residence)
- P Recreation Building, Multipurpose
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station

EDUCATIONAL AND RELIGIOUS USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P** Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P** Urban Garden

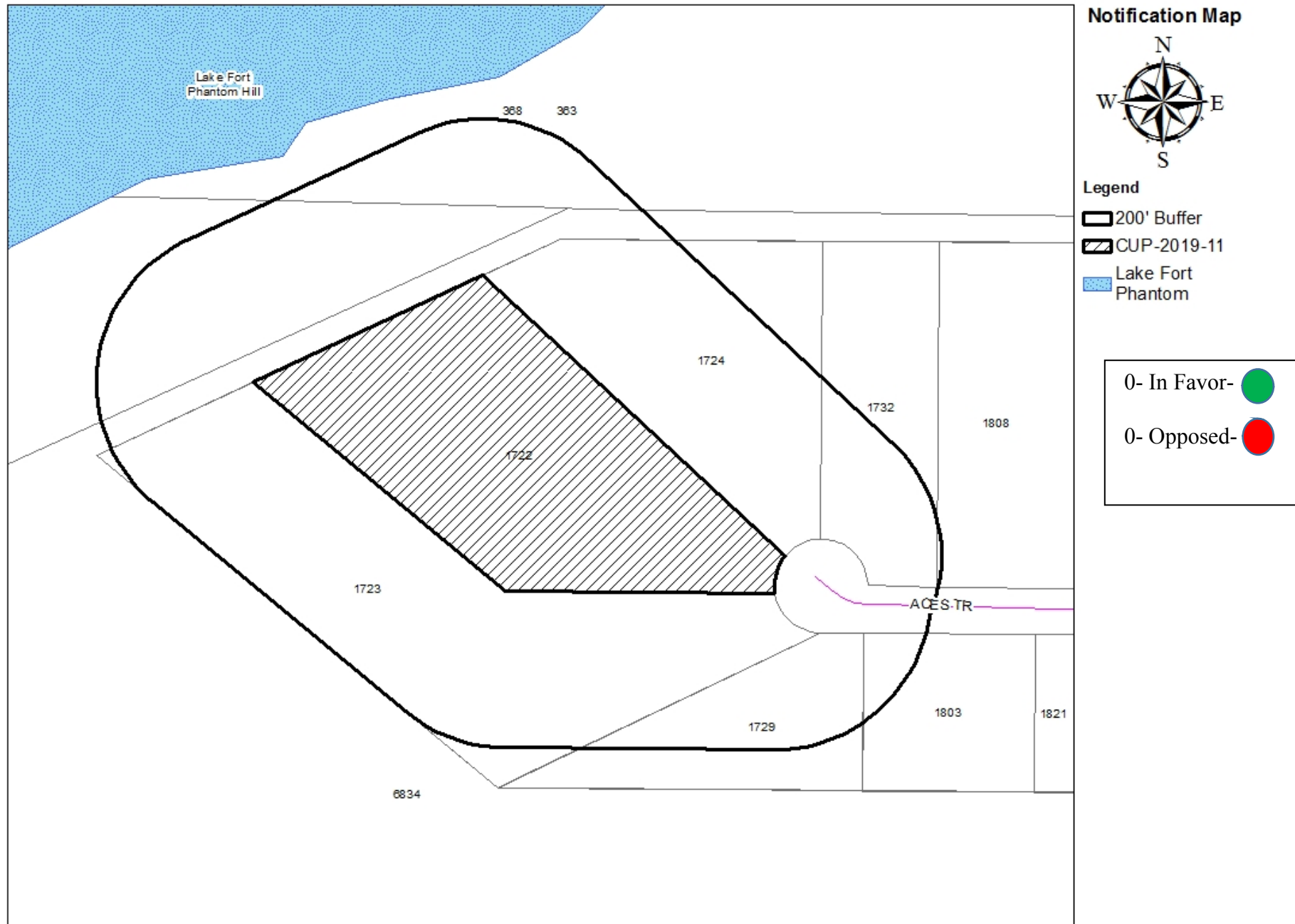
LEGEND

- 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-2019-11 NOTIFICATION AREA MAP



- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 2.3.2.1)
- Reviewed Pursuant to Section 1.4.3.1 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval



Questions?



ZONING CASE Z-2019-30

STAFF REPORT



REQUEST: Rezoning

APPLICANT:

Owner: NuHome Constructors of Abilene, LLC.

Agent: Barry Fletcher

HEARING DATES:

P & Z Commission: December 3, 2019

City Council 1st Reading: December 19, 2019

City Council 2nd Reading: January 9, 2020

LOCATION:

- 0.65 acre at North West corner of Corsicana Ave and Sagehan Ridge Drive. An address will be assigned to this parcel upon replat.

Legal description:

- East 202 feet of Lot 40 in Block G of Quail Park Addition, Section 4.

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting to rezone vacant property from Agricultural Open Space (AO) to Residential Single Family (RS-6).

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 Future Land Use and Development Plan Map of the Comprehensive Plan designates this general area for single family use. The Residential Single-Family (RS-6) District-6 is intended to permit the residential development of detached single-family dwelling units, permitted accessory structures, and appropriate desirable open space on lots of not less than 6,000 square feet in area. This proposed zone change promotes the Comprehensive Plan's goal of protecting the residential character of the included areas by excluding most commercial and other incompatible activities as appropriate while encouraging a suitable environment for family life.

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

Currently the property is zoned AO and is undeveloped. Agricultural Open Space zoning is considered a 'holding' zone until the land is ready to be developed. Adjacent properties to the West have been developed with single-family RS-6 homes. The proposed change of zoning to RS-6 would allow for single-family houses to be built in the next section of the Quail Park subdivision which is primarily RS-6. The zone change to RS-6 would be appropriate in the immediate area.

	Zoning	Existing Land Use
North	AO	Agricultural Open Space
South	AO	Agricultural Open Space
East	AO	Agricultural Open Space
West	RS-6	Residential Single Family

- (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 an option for more dense single-family lots than the other single-family zoning districts in order to serve a range of individual requirements represented by the citizenry of Abilene.

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 2.3.2.5 Residential Single-Family), 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, December 3, 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 BAPTIST ASSOC	3 WOODCOCK CR	
ABILENE BAPTIST ASSOC	3 WOODCOCK CR	
ABILENE IND SCHOOL DIST	1610 CORSICANA AV	
ABILENE INDEPENDENT	1501 CORSICANA AV	
ADAMS AUSTIN GARRETT	7 WOODCOCK CR	
ANDERSON CLAYTON D	5 WOODCOCK CR	
BARNETT WILL J	1469 CORSICANA AV	
BUMGUARDNER CLINT TR FOR	1444 CORSICANA AV	
CALLAHAN ROBERT L JR	8 WOODCOCK CR	
COURVILLE VICKIE J	2 WOODCOCK CR	
FEASTER BILL B & JERI	4 WOODCOCK CR	
LONE STAR GAS CO	1633 CORSICANA AV	
MC ELYEA PEARLINE ET AL	10 WOODCOCK CR	
NEATHERLIN MATTHEW T	9 WOODCOCK CR	
OBERSCHLAKE JEFF SIMON	11 WOODCOCK CR	
OLVERA RAMIRO REYES JR	6 WOODCOCK CR	
ST JOHNS EPISCOPAL SCHL	1600 SHERMAN DR	

ATTACHMENTS:

- Application
- Site Plan Exhibit
- PowerPoint





Development Application

Planning

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

Project Name: 3 Woodcock Cr
 Address: 3 Woodcock Cr No. of lots: 1 Acreage: .6485
 Legal Description: QUAIL PARK SECTION 4, BLOCK G, LOT 40
 Subdivision Name: QUAIL PARK Block: 6 Lot: 40
 Current Zoning: A0 Proposed Zoning (if applicable): RS-6

OWNER AND AUTHORIZATION

Owner Name: NU HOME CONSTRUCTORS OF ABILENE, LLC
 Address: 3449 S. 10th St
 City, State, Zip: ABILENE, TX 79605 Fax: _____
 Phone: 325-721-3999 Email: Barry.NUHOME@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) Barry Fletcher will act as my agent before the Planning and Zoning Commission.

Agent Name: Barry Fletcher
 Address: 3449 S. 10th St.
 City, State, Zip: ABILENE, TX 79605 Fax: _____
 Phone: 325-721-3999 Email: Barry.NUHOME@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: [Signature] Date: 11/12/19

FOR OFFICE USE ONLY

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



Development Application

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

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

CURRENTLY ZONED AGRICULTURAL. I AM REQUESTING TO ZONE RESIDENTIAL RS-6.
NUT HOME CONSTRUCTORS WILL BUILD 3 SINGLE FAMILY HOMES ON THE PROPOSED LOTS.



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

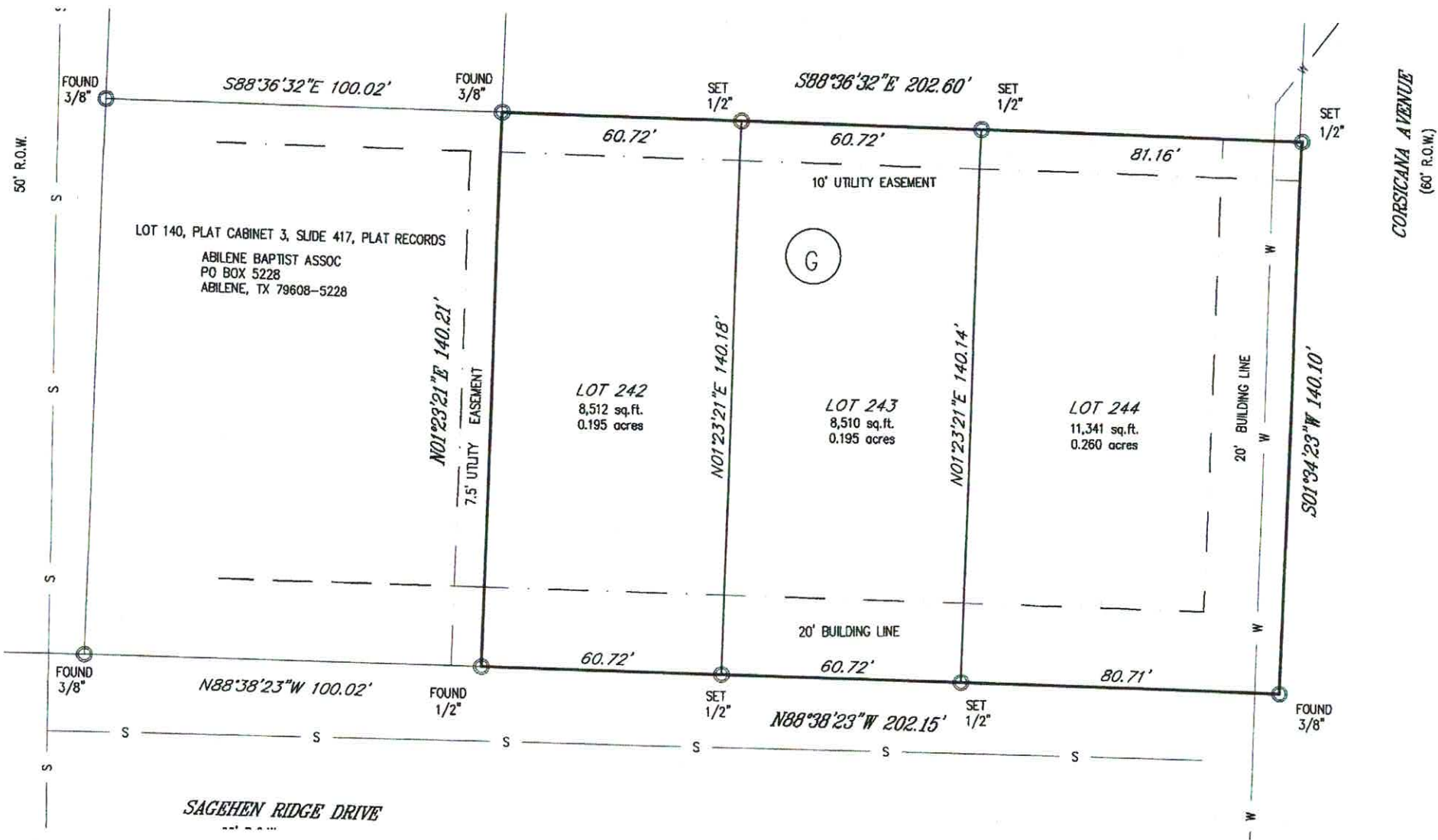
The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood 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: Don F. Felt DATE: 11/12/19



Case: Z-2019-30

Owner: NuHome Constructors LLC

Agent: Barry Fletcher

Request: Rezone from Agricultural Open Space (AO) to Residential Single-Family (RS-6)

Location: 0.65 acre at Northwest corner of Corsicana Ave and Sagehen Drive

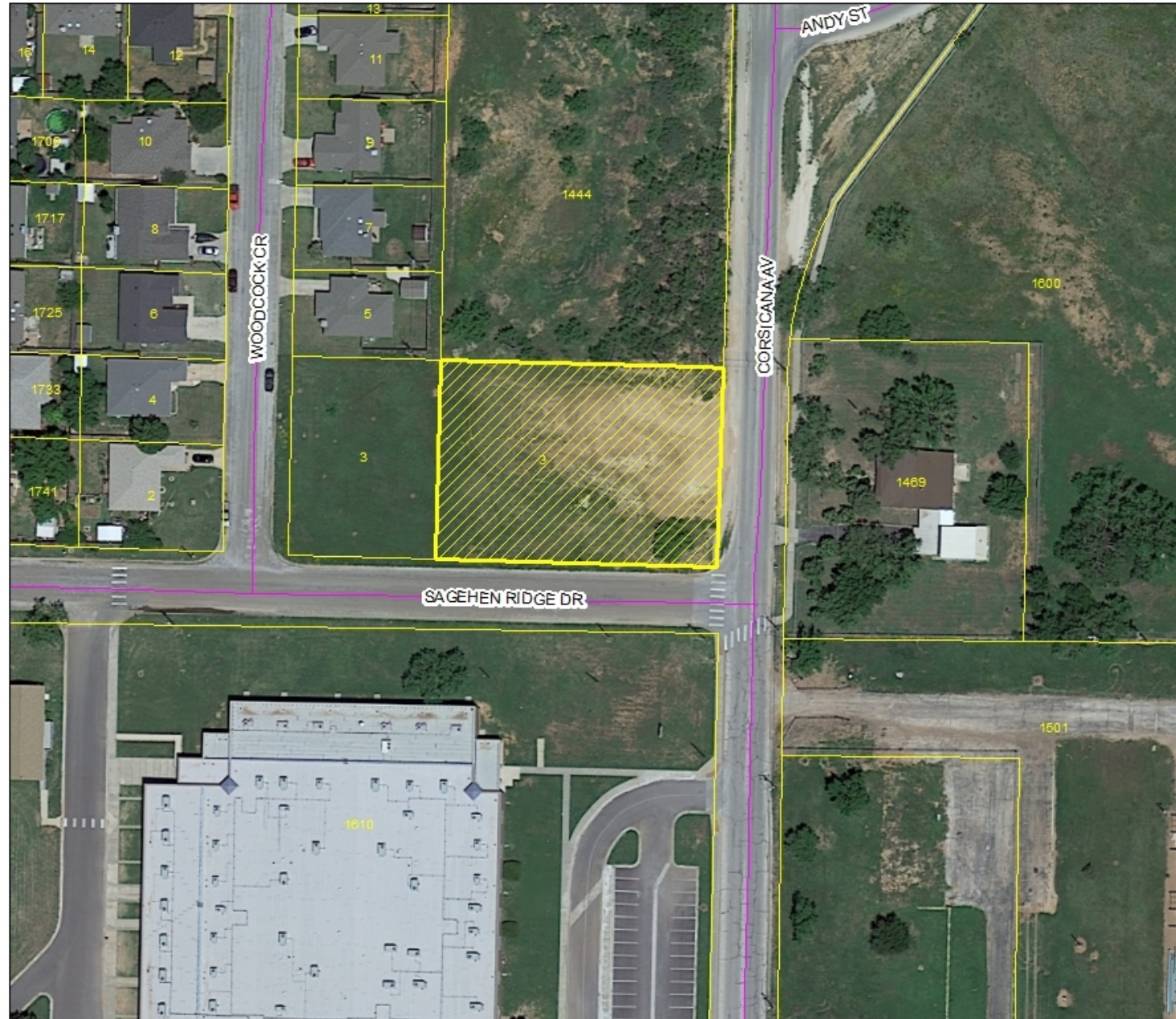
Notification: 0 in Favor, 0 Opposed

Planning & Zoning: December 3, 2019

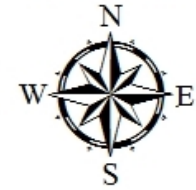
City Council Hearing: December 19, 2019
January 9, 2020



Z-2019-30 AERIAL LOCATION MAP



Location Map

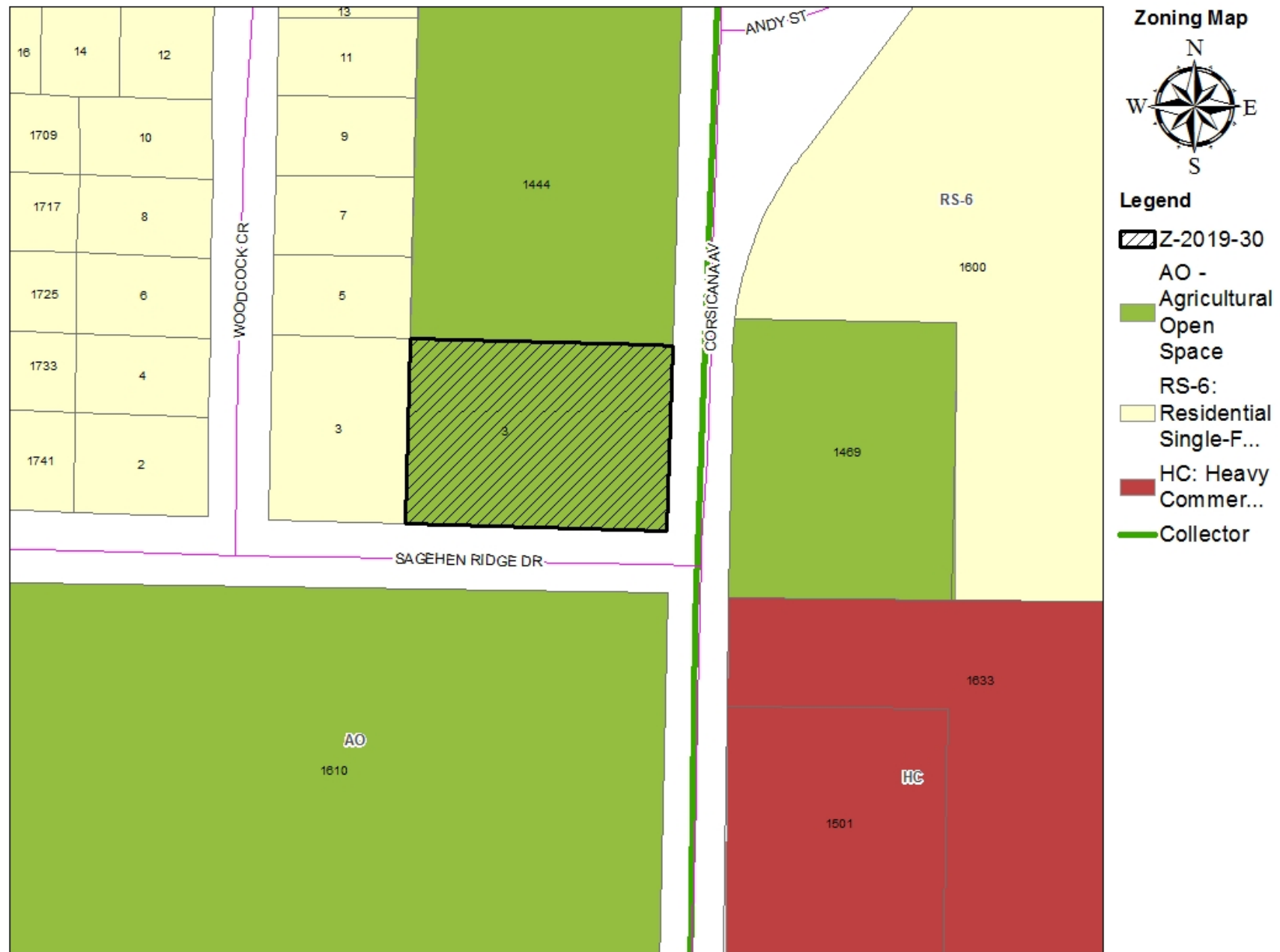


Legend

 Z-2019-30



Z-2019-30 ZONING MAP



Z-2019-30 VIEWS OF SUBJECT PROPERTY



Z-2019-30 NOTIFICATION AREA MAP



0- In Favor- 

0- Opposed- 



- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 2.3.2.5)
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval



Questions?



TO: Planning and Zoning Commissioners

FROM: Planning Services staff

DATE: November 25, 2019

SUBJECT: Proposed new zoning regulations pertaining to open carports (and patio covers) in minimum required yards

BACKGROUND:

Since Abilene's first zoning ordinance in 1946, a minimum front yard has been required on every lot outside the central business district. Within required front yards, all buildings are generally prohibited, including open-sided carports and patio covers.

During the past thirty years, though, open carports and patio covers have proliferated in front yards of more-than-a-few Abilene neighborhoods. Since 2001, Abilene's Board of Adjustment has been authorized to approve "Special Exceptions" allowing open-sided structures within as few as 5 feet from front property lines. But many such structures built before and since are unlawful, having been built without permits. The criteria for approving such Special Exceptions is a determination that, *"the proposed carport or patio cover is not detrimental to the visual environment or character of the area."* Special Exceptions are routinely approved wherever similar carports exist nearby, even if these existing carports are built unlawfully and without permits.

In two separate meetings, Planning and Zoning Commission members have discussed this matter and furnished City staff with general guidance on how to amend local zoning regulations. In response, City staff has drafted proposed amendments to Abilene's Zoning Regulations as described in attached DRAFT CHANGES TO CARPORT AND PATIO COVER ZONING REGULATIONS.

SUMMARY HIGHLIGHTS:

1. Routinely allow open carports and patio covers within 5 feet from front lot boundaries, and at least 15 feet from street surface.
 - In residential zoning districts and for residential uses allowed elsewhere, open carports and patio covers located in minimum front yards must demonstrate architectural compatibility with principal residential building.
2. Routinely allow open carports and patio covers within 5 feet from "exterior" side boundaries on corner lots, and at least 15 feet from street surface.
 - No architectural compatibility is required of open carports and patio covers allowed in "exterior" side yards otherwise required on corner lots.

3. Substantially open carports and patio covers (attached to or detached from principal buildings) are allowed to extend within 3 feet from interior side lot boundaries.
 - In some commercial districts as well as in Residential Townhome (TH) and Residential Single-Family Patio Home (PH) zoning districts, open carports and patio covers may sometimes extend all the way to an interior side lot boundary, the same as the principal building.
4. Except in certain nonresidential zoning districts and/or with certain specific architectural exceptions, the maximum allowable height of carports and patio covers shall remain at 12 feet.
5. In all residential zoning districts and for residential uses allowed in any nonresidential zoning district, carports and patio covers or portions thereof shall not project more than 22 feet from the abutting principal building.
6. Abilene's Board of Adjustment will no longer have authority to approve Special Exceptions from any of these standards. Any allowed variation from such standards will necessitate the Board's approval of a variance.

DRAFT CHANGES TO CARPORT AND PATIO COVER ZONING REGULATIONS

Remove existing 2.4.4.2 concerning Carports and Patio Covers, replacing it with the following new Section 2.4.4.2: Removal of paragraphs and definitions are highlighted.

Section 2.4.4.2 Carports and Patio Covers

(a) General. Carports and patio covers that are not attached to or abutting the principal building, or by breezeway, as defined in Chapter 5, shall not be considered part of the principal building and shall instead be considered an accessory structure. It is the continuing obligation of the owner or occupant to ensure the area underneath that structure continues to comply with the described standards for openness. Use of the structure for storage of non-motor vehicles is prohibited. Neither the roof nor any vertical support (posts, columns or piers) on a carport or patio cover shall encroach into any right-of-way or easement reserved for any purpose.

(b) Permits. Construction or installation of any carport or patio cover shall require a building permit.

(c) Methods and materials of construction. Construction or installation of carports and patio covers shall be in compliance with City of Abilene Code of Ordinances Chapter 8, Construction Regulations.

(d) Size. Carports and patio covers shall count in the calculation of maximum square footage allowed for accessory buildings in residential zoning districts, where detached from a principal residence. Carports and patio covers attached to or abutting a principal residence shall not count toward allowable accessory building square footage.

(e) Measurement. When measuring setbacks of carports and patio covers, measurement shall be from the leading edge or face of the roof.

(f) Setbacks. Carports and patio covers shall adhere to all minimum building setbacks ordinarily required in the applicable zoning district, except as follows:

(1) Front building setback. For carports and patio covers as described below, the leading edge or face of the roof may extend as close as five feet (5') from the front lot line on the street front which that lot faces, provided that all the following conditions are met.

- a. The leading edge or face of the roof shall be separated at least 15 feet from the back of street curb or, if a curb does not exist there, from the edge of any street surface.
- b. Carports or patio covers extending in front of the minimum front building setback shall be open-sided. A minimum 8 vertical feet from the finished floor level of any carport or patio cover shall be open and unencumbered by any structure,

walls, screening or ornamental components of any kind except for posts, columns or piers supporting the roof and which are no greater than 24 inches in width or diameter. Within the front building setback carports or patio covers may be partially enclosed.

- c. In all residential zoning districts and for residential uses allowed in any nonresidential zoning district, carports and patio covers extending in front of the minimum front building setback shall be architecturally compatible with the principal residential building on that same lot or tract of land. Compliance with the following architectural standards is required:
 - (i) The carport or patio cover must be attached to or abutting a principal residence. In no circumstance, shall such open carport or patio cover project more than 22 feet from the structure to which it is attached or abuts. Pitch or shape of the roofline must be integrated with or otherwise consistent with the character and appearance of the roofline on the residential building (including attached garage) to which the carport or patio cover is accessory.
 - (ii) The affected carport or patio cover must be similar in color and material composition to the principal residential building, with visible vertical supports made of wood, or, if metal, wrapped in wood or brick to a height of at least 4 feet. Likewise, the horizontal beams or joists shall be made of wood, or, if metal, covered from exterior view by wooden (or cementitious fiber board) fascia board.
 - (iii) For the purpose of enforcing these standards for architectural compatibility, an applicant for permit to build a carport or patio cover shall submit one drawing of exterior elevation views as well as an indication of materials planned to be used in constructing the proposed carport or patio cover. The drawing must show how the proposed improvement will relate architecturally to the residential building to which that carport or patio cover is accessory. Such drawings and specifications shall be submitted to the Building Official or his/her designee, in addition to whatever information is ordinarily required with application for permit to build a carport or patio cover.
- (2) Exterior side building setback. The leading edge or face of the roof may extend as close as five feet (5') from the side lot boundary on a street adjoining that lot, provided that all the following conditions are met:
- a. The leading edge or face of the roof shall be separated at least 15 feet from the back of the street curb or, if a curb does not exist there, from the edge of any street surface.

-
- a. Carports and patio covers extending closer to the street right-of-way than the minimum exterior side building setback shall be substantially open-sided in character. A minimum 8 vertical feet from the finished floor level of any carport or patio shall be open and unencumbered by any structure, walls, screening or ornamental components of any kind except for posts, columns or piers supporting the roof and which are no greater than 24 inches in width or diameter. Within the side building setback carports or patio covers may be partially enclosed.

(3) Interior side building setback. The following minimum building setback from interior side lot boundaries (not adjacent to a street) shall apply to carports and patio covers:

- a. In Nonresidential, Townhome (TH), and Patio Home (PH) zoning districts, carports and patio covers attached to or abutting an enclosed building structure may extend as close to an interior side lot boundary as allowed by the side lot building setback for that district. Carports and patio covers that are detached by more than six inches from an enclosed building shall extend no closer than 3 feet from an interior side lot boundary,
- b. All other residential zoning districts, carports and patio covers which extend closer to an interior side lot boundary than the minimum setback shall be open-sided on at least 2½ of 3 sides projecting. A minimum 8 vertical feet from the finished floor level of any such carport, patio cover or portion thereof shall be open and unobstructed by any structure, walls, screening or ornamental components of any kind except for posts, columns or piers supporting the roof and which are no greater than 24 inches in width or diameter. Carports and patio covers which extend closer to an interior side lot boundary than the minimum setback shall extend no closer than 3 feet from an interior side lot boundary unless said interior side boundary adjoins an alley, in which case only a minimum 1-foot building setback is required. Said measurement shall be made from the leading edge or face of the roof on that carport or patio cover.

(4) Rear building setback. The following minimum building setbacks from rear lot boundaries shall apply to carports and patio covers:

- a. In nonresidential zoning districts, carports and patio covers attached to or abutting an enclosed building structure may extend as close to the rear lot boundary as allowed by the rear building setback for the zoning district. Carports and patio covers that are detached by more than six inches from an enclosed building structure shall extend no closer than 5 feet from a rear lot boundary.
- b. In residential zoning districts, carports and patio covers which extend closer to a rear lot boundary than the minimum building setback shall be open-sided. A minimum 8 vertical feet from the finished floor (platform) level of any such carport, patio cover or portion thereof shall be open and unobstructed by any structure, walls, screening or ornamental components of any kind except for posts,

columns or piers supporting the roof and which are no greater than 24 inches in width or diameter. Carports and patio covers which extend closer to the rear building setback shall extend no closer than 3 feet from rear lot boundary, unless said rear boundary adjoins an alley, in which case only a minimum 1 foot building setback is required.

- (f) Maximum height. In residential, Office, Neighborhood Office, Neighborhood Retail and Mixed Use Districts, the total height of a carport or patio cover shall not exceed 12 feet, with the following architectural exceptions allowed in all zoning districts where this 12-foot height limit is otherwise applicable:
- (1) where built into the roofline of the principal building, in which case the height shall not exceed the height of that principal building; and
 - (2) where detached and from the principal building, and where the distance between grade and the lowest horizontal feature (beam) of the roof structure does not exceed 12 feet in height.

Remove existing definition of carport from Chapter 5 (Definitions) of Land Development Code, replacing it with the following simplified definition:

CARPORT: A roof-covered structure designed and used for storing motor vehicles.

Add the following definitions to Chapter 5 (Definitions) of Land Development Code:

PATIO COVER: A roof-covered and often open-sided platform usually attached to or part of and with direct access to the principal building on a lot or tract of land.

ATTCHED CARPORT or PATIO COVER: A carport or patio cover fastened or affixed to the principal building.

ABUTTING CARPORT or PATIO COVER: A carport or patio cover situated within six inches measured edge to edge of respective roof coverings.

OPEN-SIDED: having a side or sides open.

Remove Paragraph (12) from Subsection 1.4.4.1(d) concerning Special Exceptions in the Land Development Code and renumber subsequent Paragraphs (13) and (14) accordingly. Said Paragraph (12) presently reads as follows:

- (12) To allow a carport in a zoning district wherein a carport would otherwise be prohibited and/or to allow a carport on a lot upon which required front, side or rear setbacks would otherwise be violated.

Amend sections related to carports and patio covers in Land Development Code:

- Section 2.4.4.2 Carport and Patio Covers
- Section 1.4.4.1 Special Exceptions Outlined
- Chapter 5 Definitions



Summary Highlights:

Allow open carports/patio covers:

- 5 ft. from front lot boundaries, 15 ft. from street surface
 - (For residential use, must be architecturally compatible with principle residence)
- 5 ft. from exterior side boundaries, 15 ft. from street surface
 - (For residential use, open carports in exterior side yards need ***not*** be architecturally compatible with principle residence)
- 3 ft. from interior side boundary
 - (In some commercial, TH, and PH zoning districts, open carports/patio covers extend all the way to interior side boundary)
- Carports/Patio Covers must be no more than 12ft. high
 - (Except in certain nonresidential districts and/or with specific architectural exceptions)
- Carports/Patio Covers no more than 22 ft. from abutting principal building
 - (For residential use, except when accessory to a multi-family residential building)
- Board of Adjustment no longer authorized to approve “Special Exceptions” from any carport-related standards
 - (Unless a finding of special or unique conditions, by which literal enforcement of regulations will create unusual hardship for use and development of property)



Chapter 5 Definitions

- **Remove** existing definition of carport, replacing it with:
 - CARPORT: A roof-covered structure (often open-sided) designed and used for storing motor vehicles.
- **Add** definition of patio cover:
 - PATIO COVER: A roof-covered (often open-sided) platform usually attached to or part of and with direct access to the principal building on a lot or tract of land.
 - ATTACHED CARPORT or PATIO COVER: A carport or patio cover fastened or affixed to the principal building.
 - ABUTTING CARPORT or PATIO COVER: A carport or patio cover situated within six inches measured edge to edge of respective roof coverings.
 - OPEN-SIDED: having a side or sides open.
- **Remove** Paragraph (12) from Subsection 1.4.4.1 (d)(12) concerning Special Exceptions in the Land Development Code and renumber subsequent Paragraphs (13) and (14) accordingly.
 - Paragraph (12) presently reads:
 - *(12) To allow a carport in zoning district wherein a carport would otherwise be prohibited and/or allow a carport on a lot upon which required front, side or rear setback would otherwise be violated.*





MEMORANDUM

December 3, 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
November 7, 2019 at 8:30 AM

Item	Motion	Vote
Z-2019-25: Rezone seven tracts of land from a Heavy Industrial (HI) to a Heavy Commercial (HC) District. Proposed HC zoning includes all except the south 139 feet of the east 130 feet of city block bounded by South Treadaway Boulevard; Dimmitt, Cherry and South 14th Streets, plus Lots 4 thru 6 in Block B of John Touy's Subdivision of Lot Numbers 3 and 4 in Block 208, Original Town of Abilene and located at northwest corner of Cherry and South 14th Streets	Approved	6-0
Z-2019-26: Amend Planned Development District Number 70 (a.k.a. PD 70) to include revised building setback standards for patio homes constructed therein located at 3669 thru 3963 National Drive, which said street projects north from 1500 block of East Industrial Boulevard in southeast Abilene	Approved	6-0