



## 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 November 1, 2022, at 1:30 p.m., at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

#### CALL TO ORDER

#### INVOCATION

#### MINUTES

1. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Minutes from the Regular Meeting Held on October 4, 2022.

#### ZONING

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

2. **Z-2022-24:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Leticia Leija, Represented By Matthew Muzechenko, To Change The Zoning Of Approximately 5 Acres From Agricultural Open (AO) To Heavy Commercial (HC). Legal Description Being 5 Acres Of The Southeast Quarter Of Survey 32 Blind Asylum Lands, Abilene In Taylor County, Texas. **(Clarissa Ivey)**
3. **Z-2022-25:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Mike And Buffi Awtry, Represented By Matthew Muzechenko, To Change The Zoning Of Approximately 5.27 Acres From Agricultural Open (AO) To Heavy Commercial (HC). Legal Description Being 5 Acres Of The Southeast Quarter Of Survey 32 Blind Asylum Lands, Abilene In Taylor County, Texas. **(Clarissa Ivey)**
4. **Z-2022-26:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From West Texas Land Guys, Represented By Sean Hanfeld, To Change The Zoning Of Approximately 187 Acres From Agricultural Open (AO) To Planned Development District 177 (PDD-177) To Allow For Single Family Residential Uses, Multi-Family Uses, And Commercial Uses. Legal Description Being, 110.91 Acres In The John Jarmon Survey 82, And 76 Acres In L Bowerman Survey 83, Abilene In Taylor County, Texas. **(Randy Anderson)**
5. **Z-2022-27:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From John Felder To Change The Zoning Of Approximately 3.02 Acres From Heavy Commercial (HC) To General Retail (GR). Legal Description Being Lot 1, Block 4, Radford Hills, Section 3, Continuation 1, Abilene In Taylor County, Texas. **(Adam Holland)**
6. **CUP-2022-09:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A



Request From John Felder, To Apply A Conditional Use Permit To Approximately 3.02 Acres To Allow Multi-Family Uses In General Commercial. Legal Description Being Lot 1, Block 4, Radford Hills, Section 3, Continuation 1, Abilene In Taylor County, Texas. (Adam Holland)

7. **CUP-2022-08:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Alexander Trust Real Estate LLC, Represented By Brianne Chavez, To Apply A Conditional Use Permit To Approximately 0.08 Acres Zoned Central Business (CB) To Allow A Tattoo Parlor As A Permitted Use. Legal Description Being Lot 24, Block 1, Original Town Of Abilene, Abilene In Taylor County, Texas. (Clarissa Ivey)
8. **TC-2022-03:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The City Of Abilene, Represented By Enprotech Hibbs & Todd, To Abandon Simmons Avenue Between Ambler Avenue And University Boulevard Located In The City Of Abilene, Taylor County, Texas. (Adam Holland)

## **ADJOURNMENT**

### ***Notice***

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

## **CERTIFICATION**

*I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 28th day of October, 2022, at 1:50 p.m.*

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*Shawna Atkinson, TRMC, CMC*  
City Secretary



# Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on October 4, 2022 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas

## **Commissioners Present:**

Mr. Clint Rosenbaum, Chairman  
Mr. Mitch Barnett

Mr. Bill Noonan, Secretary  
Mr. Brad Benham, Chairman Pro Tem

## **Commissioners Absent:**

Ms. Alex Russell, Sergeant-at-Arms  
Ms. Shawnte' Fleming

Rev. Iziar Lankford

## **Staff Present:**

Mr. Michael Rice, Assistant City Manager  
Mr. Tim Littlejohn, Director of Planning and Development Services  
Ms. Kelley Messer, First Assistant City Attorney  
Mr. Adam Holland, Planner I  
Ms. Melissa Farr, Executive Assistant

## **Others Present:**

Mr. BJ Prichard  
Narsiso Alamilla  
Ms. Annette Collins

Mr. Lynn Ingram  
Mr. Corder Norris

## **CALL TO ORDER**

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

## **INVOCATION**

Mr. Benham delivered the invocation.

## **APPROVAL OF MINUTES FOR THE PREVIOUS MEETING**

Mr. Rosenbaum opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed. Mr. Benham moved to approve the minutes from the previous

meeting, which was held on September 6, 2022. Mr. Noonan seconded the motion. The motion to **approve** prevailed by the following vote:

**AYES: Barnett, Benham, Noonan, Rosenbaum**

**NAYS: None**

### **PLATS**

**PP-9021:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Preliminary Plat for Cimarron Meadows Section 2

**FP-7522:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Final Plat for Holloway Farms

Staff recommends approval with conditions:

- City staff must be furnished with a title opinion or title commitment letter issued by a title insurance company confirming ownership of the properties.
- All public improvements must be completed in accordance with approved plans and inspected for acceptance or the public works department must be furnished with a financial guarantee in order to secure the obligations of all public improvements prior to recording.

**FRP-7422:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Final Plat for Rainy Creek Addition, Section 3

Staff recommends approval with conditions:

- City staff must be furnished with a title opinion or title commitment letter issued by a title insurance company confirming ownership of the properties.
- All public improvements must be completed in accordance with approved plans and inspected for acceptance or the public works department must be furnished with a financial guarantee in order to secure the obligations of all public improvements prior to recording.

**PP-8022:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a preliminary plat of Lots 4 and 5 Steffens Subdivision of Merchant's Pasture.

Mr. Benham made the motion to approve the plats as presented, and Mr. Barnett seconded the motion. The motion to approve prevailed by the following vote:

**AYES: Barnett, Benham, Noonan, Rosenbaum**

**NAYS: None**

## ZONING

**Z-2022-22:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from AEI Properties LLC, represented by Corder Norris, to change the zoning of approximately 3.57 acres from Medical Use (MU) to General Commercial (GC). Legal description being Lot 101, Block A, Cameron Addition, Abilene in Taylor County, Texas.

Ms. Clarissa Ivey presented this request. This property was annexed in 1978 and has been commercially developed with medical offices. The property is zoned Medical Use (MU).

Mr. Rosenbaum opened the public hearing. BJ Prichard was available to answer questions. He stated the proposal is for a small retail strip center with four leasable spaces.

Ms. Annette Collins inquired about how the proposed retail center might affect her property.

Mr. Lynn Ingram remarked his favorable position and stated that the developers in that area paid for Memorial Drive, so Sam's Club could be placed where it currently exists.

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

### **STAFF RECOMMENDATION:** Approval

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

**AYES: Barnett, Benham, Noonan, Rosenbaum**

**NAYS: None**

**Z-2022-23:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Fuad Hamed to change the zoning of approximately .843 acres from Agricultural Open (AO) and Multi-Family (MF) to Multi-Family (MF). Legal description being approximately .843 acres of J.R. Shipman Survey no. 85, City of Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. This property was annexed in 1957 and has remained vacant since annexation.

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

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor, but three (3) were received in opposition.

**STAFF RECOMMENDATION:** Approval

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

**AYES: Barnett, Benham, Noonan, Rosenbaum**

**NAYS: None**

**Adjournment**

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 1:50 p.m.

**APPROVED**

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Mr. Clint Rosenbaum, Chairman

# ZONING CASE Z-2022-24

## STAFF REPORT

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### Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1<sup>st</sup> Reading: November 17, 2022

City Council 2<sup>nd</sup> Reading: December 1, 2022

### Applicant

Owner: Leticia Leija

### Request

Rezone approximately 5.0 acres from Agricultural Open (AO) to Heavy Commercial (HC). The applicant intends to use the property as retail sales/rental heavy equipment which is permitted by right in the HC district.

### Location

The subject property is located in the southwest quarter of Survey 32 Blind Asylum Lands. The site is located in the 2600 block of East Stamford Street just west of Loop 322.

### Background

This property was annexed in 1964 and has never been developed.

### Zoning, Existing and Proposed Land Use

A General Retail (GC) district is located south and east of the subject property. This property is surrounded by Agricultural Open zoning to the northwest and west.

### 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 Map (FLUM) recommends *open space uses* for this site due to the presence of a floodplain and floodway west of the subject site. The FLUM did not take into account that buildable land does exist at the subject location. For that reason, the FLUM recommendation is not appropriate for this site.

Since the subject site is located along I-20, generally accepted planning principals suggest that commercial zoning would be the logical and appropriate land use of this site. The GC zoning of the property to east follows that logic.



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

The proposed HC zoning is inconsistent with the current zoning pattern of GC zoning to the east and south.

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

This property does not have water service. Sanitary sewer service is available from East Stamford Street.

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

None.

### Staff Recommendation

Staff recommends **denial** of the proposed request for HC zoning. However, if the applicant amends this request to seek approval of GC zoning, staff would recommend **approval**. Such an amendment to reduce the intensity of the original request would not require new notice or a new public hearing.

### Notification

TABLE 1

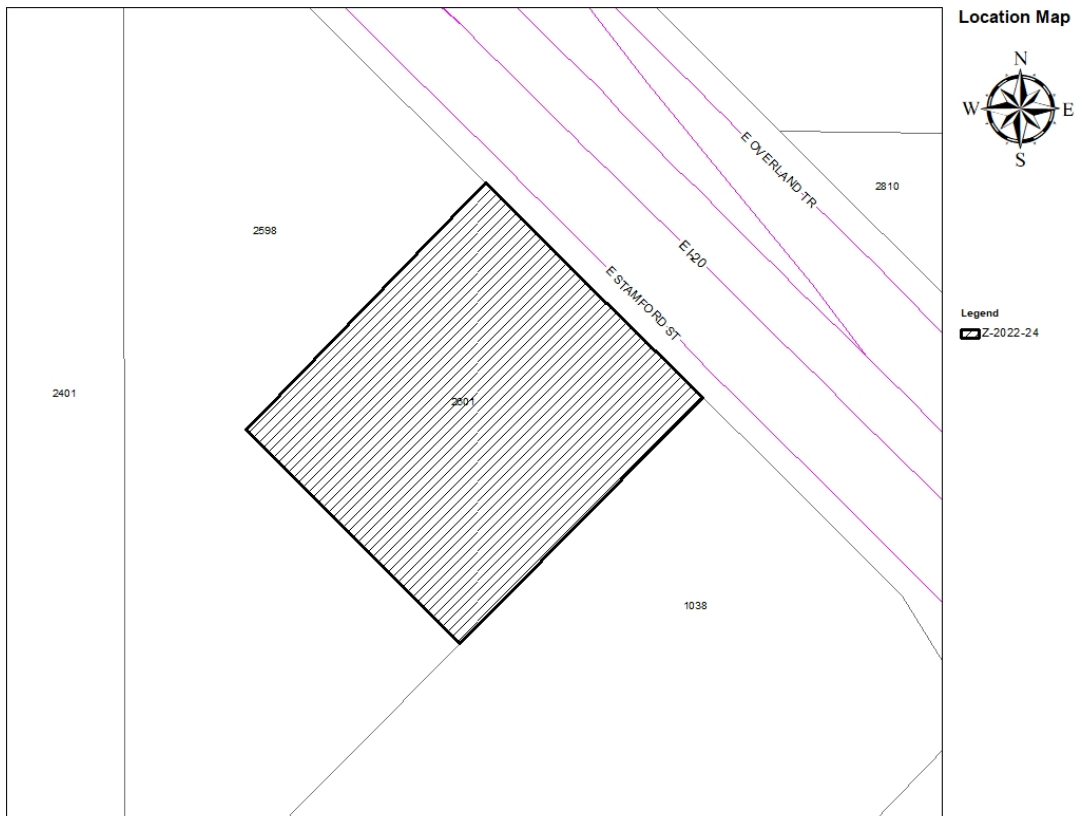
#### Owner

| Owner              | Property ID | Situs              | Response |
|--------------------|-------------|--------------------|----------|
| AWTRY MIKE & BUFFI | 1017941     | 2401 E STAMFORD ST | <b>F</b> |
| AWTRY MIKE & BUFFI | 105566      | 2598 EN 10TH ST    | <b>F</b> |
| LEIJA LETICIA      | 33654       | 2601 E STAMFORD ST |          |
| SS SRANI LLC       | 34253       | 1038 N LOOP 322    |          |

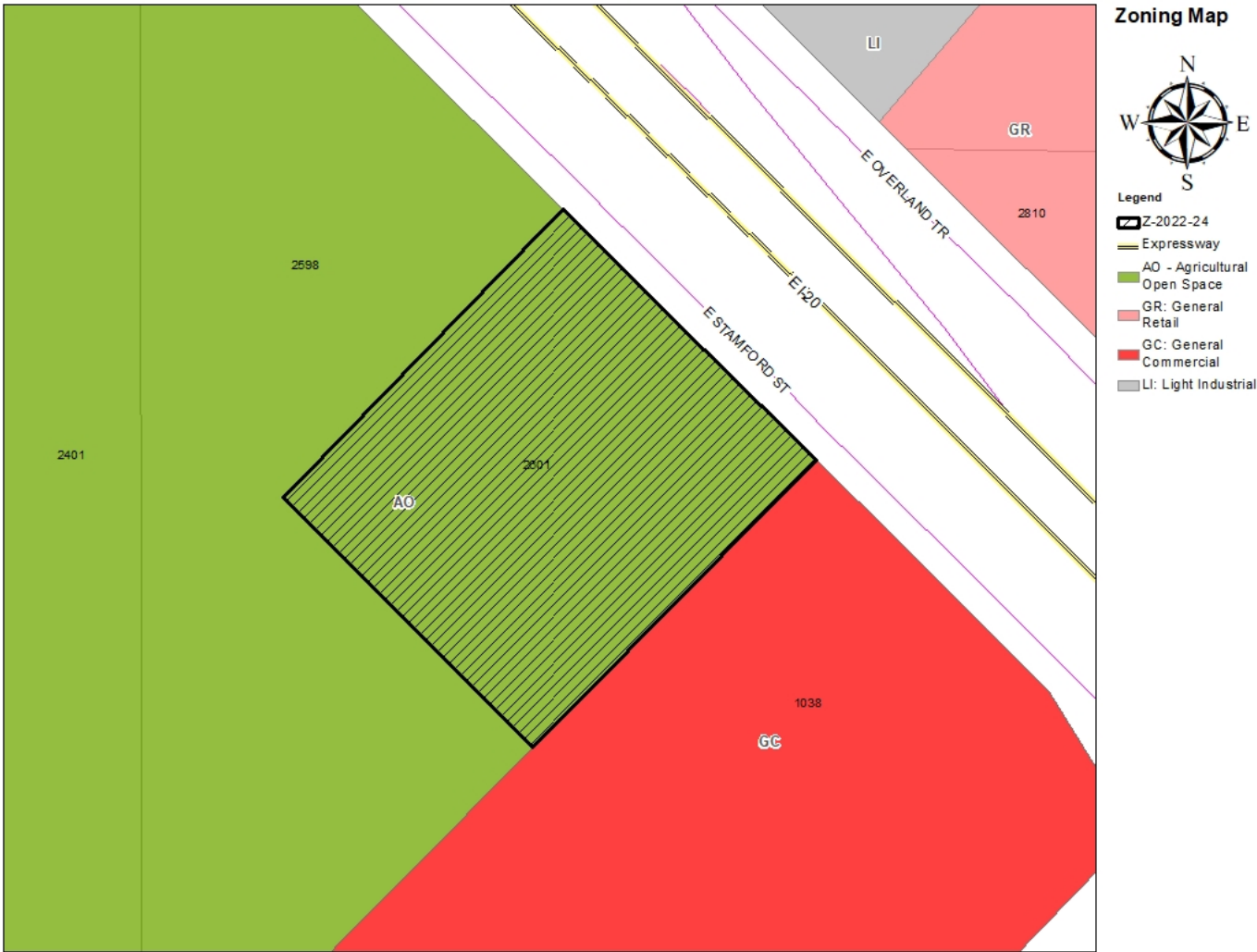
#### Property ID

| Owner              | Property ID | Situs              | Response |
|--------------------|-------------|--------------------|----------|
| LEIJA LETICIA      | 33654       | 2601 E STAMFORD ST |          |
| SS SRANI LLC       | 34253       | 1038 N LOOP 322    |          |
| AWTRY MIKE & BUFFI | 105566      | 2598 EN 10TH ST    | <b>F</b> |
| AWTRY MIKE & BUFFI | 1017941     | 2401 E STAMFORD ST | <b>F</b> |

## LOCATION MAP



ZONING MAP





# REZONE REQUEST

**Case:** Z-2022-24

**Owner:** Leticia Leija

**Agent:** Matthew Muzechenko

**Request:** Rezone from AO to HC

**Location:** 2601 E Stamford St

**Notification:** 2 in Favor, 0 Opposed

**Planning & Zoning:** November 1, 2022

**City Council Hearing:** November 17, 2022  
December 1, 2022





# Z-2022-24 LOCATION MAP

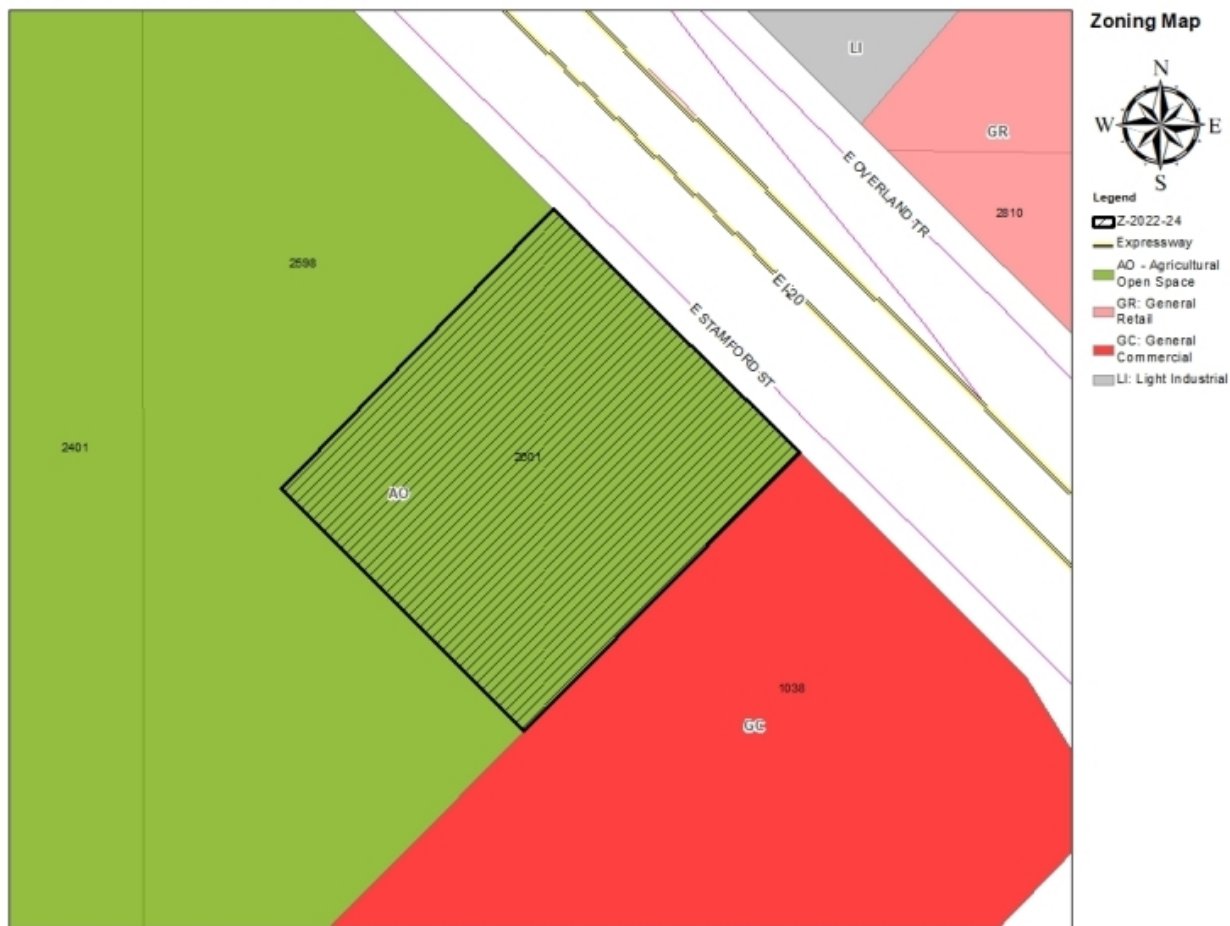


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# Z-2022-24 ZONING MAP



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# 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 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



# Permitted Uses in HC Zoning

## RESIDENTIAL USES:

|                                       |                                                                  |
|---------------------------------------|------------------------------------------------------------------|
| C                                     | Hotel/Motel                                                      |
| <u>ACCESSORY AND INCIDENTAL USES:</u> |                                                                  |
| 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          |



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## 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                                                                                                      |





# 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 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



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## Z-2022-24 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



East Neighboring Property



Subject Property



South Neighboring Property

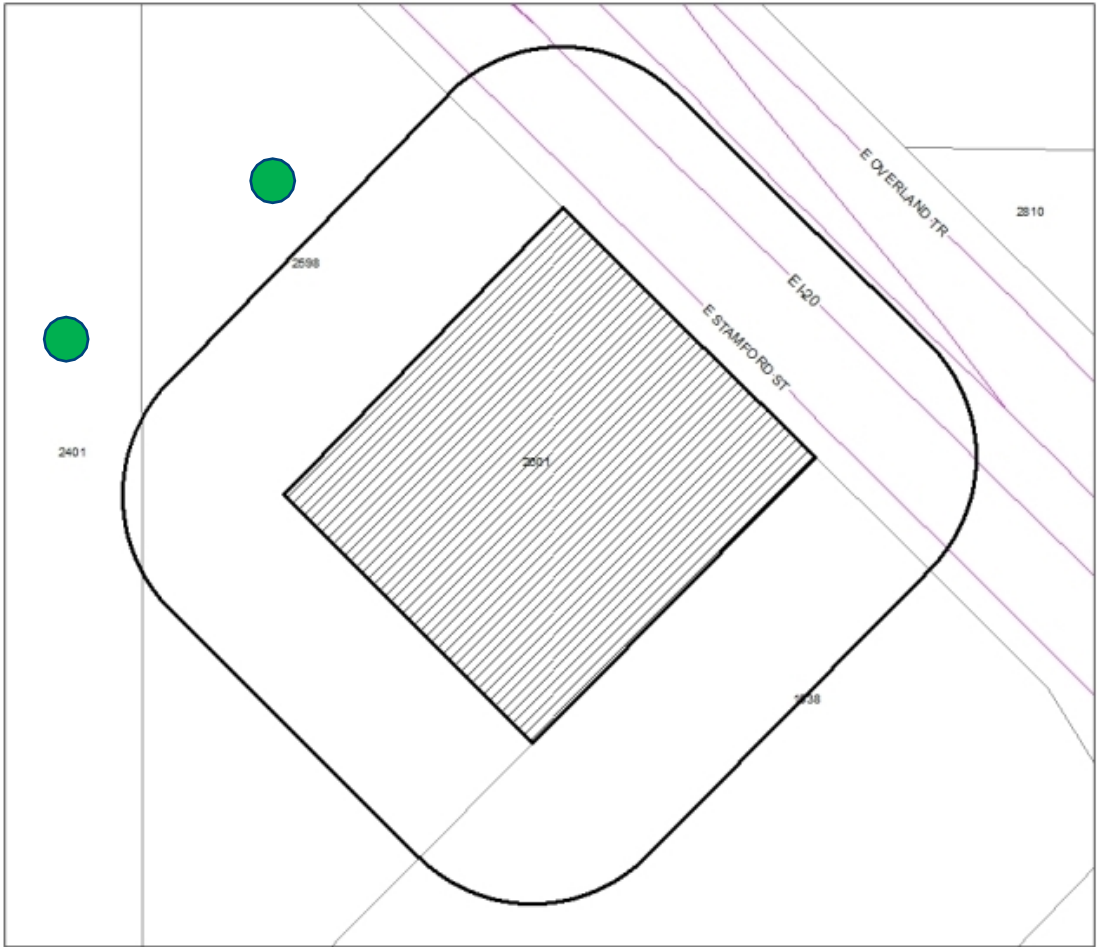


North Neighboring Property





# Z-2022-24 NOTIFICATION AREA MAP



Notification Map



Legend  
200' Buffer  
Z-2022-24

2- In Favor-



0- Opposed-



0% Opposed



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# FINDINGS AND RECOMMENDATIONS

The proposed request for HC rezoning is *inconsistent* with:

- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.
- Rezoning to GC district *would be consistent* with the above criteria.
- Staff Recommendation: **Denial** of rezoning the site to HC and **approval** of rezoning the site to the GC district.





# Questions?



# PROJECT OVERVIEW

Project Type: Zoning Application | Project Title: Z-2022-24 AO to HC

ID # 22-000186 | Started 09/13/2022 at 10:42 AM



## Address

2601 E Stamford St, Abilene, TX USA 79601

## Legal

A1431 Sur 32 B A L Se/4 Blk Acres 15.4

A1431 Sur 32 B A L Se/4, Acres 5

## Description

The current zoning is PDD. I don't have a copy of the current zoning and do not know what is currently allowed? The proposed use would be similar to Warren Cat & John Deere located at Loop 322 and the recent zonings were GC or GC (CUP) The properties adjacent are zoned GC and AO.

## PROPERTY DETAILS

|                  |                      |
|------------------|----------------------|
| Property ID      | 33654                |
| GEO ID           | 28435                |
| Enforcement Area | Abilene Heights Area |

## PROPERTY ADDITIONAL INFORMATION

|                                |                      |
|--------------------------------|----------------------|
| Account Number                 | A1431000100          |
| Property ID                    | 28435                |
| Land Use                       | Vacant               |
| High School                    | Eula                 |
| Middle School                  | Eula                 |
| Elementary School              | Eula                 |
| Super Neighborhood             | Abilene Heights Area |
| Courier - Building Square Feet | 0                    |

| PROJECT STEPS                                                | DATE & TIME            | RESULT   | USER            |
|--------------------------------------------------------------|------------------------|----------|-----------------|
| Request                                                      | 09/13/2022 at 10:46 AM | Accept   | -               |
| Zoning Application Review                                    | 10/03/2022 at 8:08 AM  | Accepted | Adam Holland    |
| Planning Payment                                             | 10/10/2022 at 1:13 PM  | Paid     | Randal Anderson |
| Create Agenda for Planning and-Zoning Commission             | -                      | -        | -               |
| Staff Prepares Report & Send - Property Notification Letters | -                      | -        | -               |
| P&Z Commission Decision                                      | -                      | -        | -               |

|                             |   |   |   |
|-----------------------------|---|---|---|
| Prepare City Council Agenda | - | - | - |
| City Council Decision       | - | - | - |
| Archive                     | - | - | - |

#### INFORMATION FIELDS

##### Owner Name

Leticia Leija

##### Agent Name

Matthew Muzechenko

##### Block

9 & 3

##### Lot

-

##### Acreage

5.00

##### Legal Description of property

A1431 SUR 32 B A L SE/4, ACRES 5

##### Subdivision Name

Jackson, Blind Asylum Lands

##### Current Zoning

PDD

##### Proposed Zoning

GC ( CUP)

##### Agree to Terms

Matthew Muzechenko - Paul Johnson & Associates

| INVOICES  | DUE DATE                     | CONTACT            | TOTAL        | PAID        | DUE        |
|-----------|------------------------------|--------------------|--------------|-------------|------------|
| 22-005665 | 10/03/2022                   | Matthew Muzechenko | \$ 1,500.00  | \$ 1,500.00 | \$ 0.00    |
|           |                              |                    |              |             |            |
|           | <b>Fees</b>                  | <b>Account No</b>  | <b>Total</b> | <b>Paid</b> | <b>Due</b> |
|           | Zoning - Zone change request | 1002503010-42101   | \$ 1,500.00  | \$ 1,500.00 | \$ 0.00    |
|           |                              |                    |              |             |            |
| TOTALS    |                              |                    | \$ 1,500.00  | \$ 1,500.00 | \$ 0.00    |

#### CREDENTIALS

Surveyor

Engineer

Developer

Homeowner

| OCCUPANCY TYPE              | CONSTRUCTION TYPE | SQUARE FEET | VALUATION |
|-----------------------------|-------------------|-------------|-----------|
| No data for Occupancy Type. |                   |             |           |

| REVIEWS                                                    | DATE & TIME           | STATUS    | HISTORY  |
|------------------------------------------------------------|-----------------------|-----------|----------|
| Zoning Application Review                                  | 10/03/2022 at 8:08 AM | Approved  | Accepted |
| Create Agenda for Planning and Zoning Commission           | 10/10/2022 at 1:13 PM | In Review | -        |
| Staff Prepares Report & Send Property Notification Letters | 10/10/2022 at 1:13 PM | In Review | -        |

| INSPECTIONS              | DATE & TIME | STATUS | HISTORY |
|--------------------------|-------------|--------|---------|
| No data for Inspections. |             |        |         |

| GENERATED DOCUMENTS              | PRINTED ON | PRINTED BY | ISSUED TO |
|----------------------------------|------------|------------|-----------|
| No data for Generated Documents. |            |            |           |

| GENERAL COMMENTS              |
|-------------------------------|
| No data for General Comments. |

| CONTACTS           | CONTACT INFO                               | ADDRESS                                    | CREDENTIALS | ROLE           |
|--------------------|--------------------------------------------|--------------------------------------------|-------------|----------------|
| Leija Leticia      | -                                          | 554 Northline Rd<br>Del Rio, TX 78840-3457 | -           | Property Owner |
| Matthew Muzechenko | matt@pauljohnsonrealtors.com<br>3254391420 | 4633 S. 14th Street<br>Abilene, TX 79605   | -           | APPLICANT      |





Holland, Adam <adam.holland@abilenetx.gov>

---

## [Planning] Zone change application #Z-2022-24 and #Z-2022-25

---

**'Mike Awtry' via Planning Services** <planning@abilenetx.gov>

Wed, Oct 26, 2022 at 12:58 PM

Reply-To: Mike Awtry <mike.awtry@yahoo.com>

To: planning@abilenetx.gov

Regarding Case #Z-2022-24 and #Z-2022-25.

Mike and Buffi Awtry  
245 Nora Miller add  
Abilene, Tx 79602-6419

We are "In Favor" ✓ of the zoning changes.

Thank you.

Sent from my iPhone

--

You received this message because you are subscribed to the Google Groups "Planning Services" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [planning+unsubscribe@abilenetx.gov](mailto:planning+unsubscribe@abilenetx.gov).

To view this discussion on the web visit <https://groups.google.com/a/abilenetx.gov/d/msgid/planning/FE5F2058-F767-489C-8AE8-BFDD19B320E7%40yahoo.com>.

# ZONING CASE Z-2022-24

## STAFF REPORT

---

### Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1<sup>st</sup> Reading: November 17, 2022

City Council 2<sup>nd</sup> Reading: December 1, 2022

### Applicant

Owner: Mike & Buffi Awtri

### Request

Rezoning of approximately 5.27 acres from Agricultural Open (AO) to Heavy Commercial (HC). The applicant intends to use the property for retail sales/rental heavy equipment, which is permitted by right in the HC district.

### Location

The subject property is located in the southwest quarter of Survey 32 Blind Asylum Lands. The site is located in the 2400 block of East Stamford Street and also fronts on to East North 10<sup>th</sup> Street just west of Loop 322. The purpose of the dual frontage lot design is to allow vehicles to be able to drive onto the site from one entrance and to exit the site through the opposite entrance.

### Background

This property was annexed in 1964 and has never been developed.

### Zoning, Existing and Proposed Land Use

A General Retail (GC) district is located south and east of the subject property. This property is surrounded by Agricultural Open zoning on the north and west sides.

### 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 Map (FLUM) recommends *open space uses* for this site due to the presence of a floodplain and floodway west of the subject site. The FLUM did not take into account that buildable land does exist at this location. For that reason, the FLUM recommendation is not appropriate for this site.

Since the subject site is bordered by two major arterial streets, generally accepted planning principals suggest that commercial zoning would be logical and appropriate. The zoning of surrounding properties to the east and south follow that logic, with each being zoned General Commercial (GC).

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

The proposed HC zoning is inconsistent with the current zoning pattern of GC zoning to the east and south.

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

This property has adequate utility service for commercial uses.

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

None.

### Staff Recommendation

Staff recommends **denial** of the proposed request for HC zoning. However, if the applicant was to amend this request to seek approval of GC zoning, staff would recommend **approval**. Such an amendment to reduce the intensity of the original request would not require new notice or a new public hearing.

### Notification

**TABLE 1**

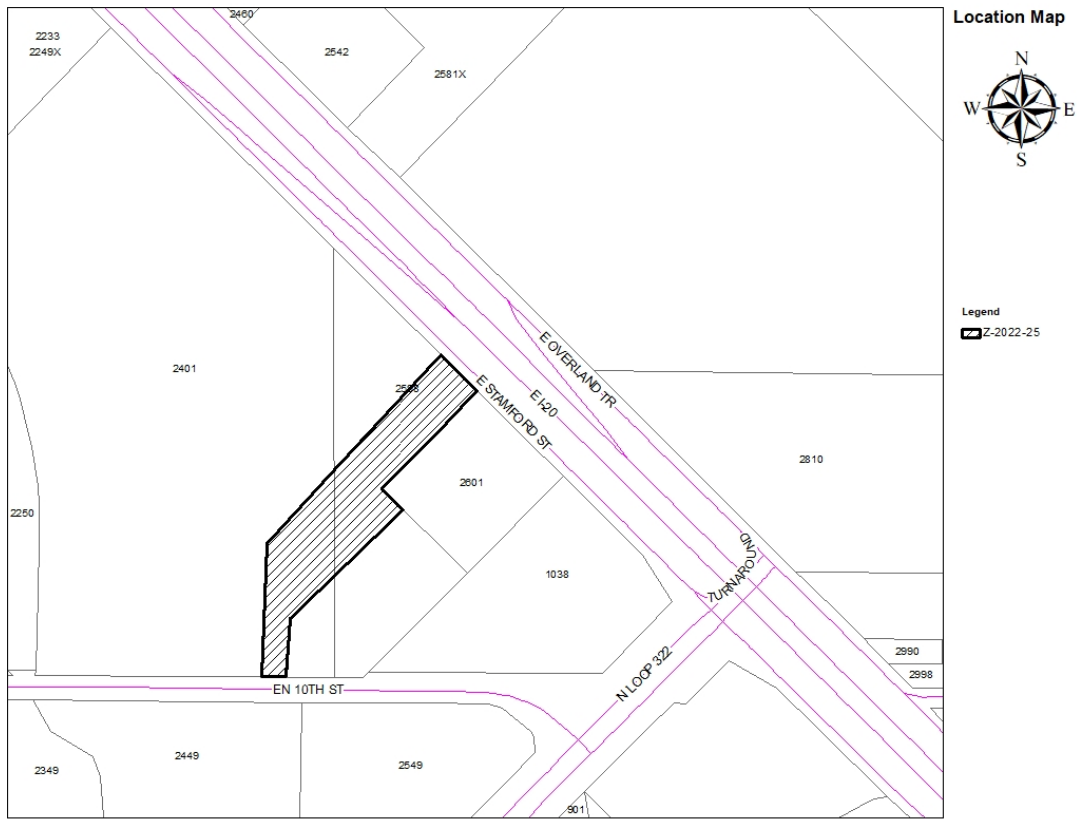
#### Owner

| Owner                        | Property ID | Situs              | Response |
|------------------------------|-------------|--------------------|----------|
| ABILENE CHRISTIAN UNIVERSITY | 16273       | 2549 EN 10TH ST    |          |
| ABILENE CHRISTIAN UNIVERSITY | 22574       | 2449 EN 10TH ST    |          |
| AWTRY MIKE & BUFFI           | 1017941     | 2401 E STAMFORD ST | <b>F</b> |
| AWTRY MIKE & BUFFI           | 105566      | 2598 EN 10TH ST    | <b>F</b> |
| LEIJA LETICIA                | 33654       | 2601 E STAMFORD ST |          |

#### Property ID

| Owner                        | Property ID | Situs              | Response |
|------------------------------|-------------|--------------------|----------|
| ABILENE CHRISTIAN UNIVERSITY | 16273       | 2549 EN 10TH ST    |          |
| ABILENE CHRISTIAN UNIVERSITY | 22574       | 2449 EN 10TH ST    |          |
| LEIJA LETICIA                | 33654       | 2601 E STAMFORD ST |          |
| AWTRY MIKE & BUFFI           | 105566      | 2598 EN 10TH ST    | <b>F</b> |
| AWTRY MIKE & BUFFI           | 1017941     | 2401 E STAMFORD ST | <b>F</b> |

# LOCATION MAP



## ZONING MAP





# REZONE REQUEST

**Case:** Z-2022-25

**Owner:** Mike and Buffi Awtry

**Agent:** Matthew Muzechenko

**Request:** Rezone from AO to HC

**Location:** 2401 E Stamford St

**Notification:** 2 in Favor, 0 Opposed

**Planning & Zoning:** November 1, 2022

**City Council Hearing:** November 17, 2022  
December 1, 2022





# Z-2022-25 LOCATION MAP



Location Map



Legend

- Z-2022-25
- CourierParcels



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# Z-2022-25 ZONING MAP



Zoning Map



Legend

- Z-2022-25
- Arterial
- Expressway
- Collector
- Expressway
- AO - Agricultural Open Space
- GR: General Retail
- GC: General Commercial
- HC: Heavy Commercial
- LI: Light Industrial
- PD: Planned Development



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# 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 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





# Permitted Uses in HC Zoning

## RESIDENTIAL USES:

|                                       |                                                                  |
|---------------------------------------|------------------------------------------------------------------|
| C                                     | Hotel/Motel                                                      |
| <u>ACCESSORY AND INCIDENTAL USES:</u> |                                                                  |
| 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          |



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## 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                                                                                                      |



# 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



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## Z-2022-25 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



**East Neighboring Property**



**Subject Property**



**South Neighboring Property**

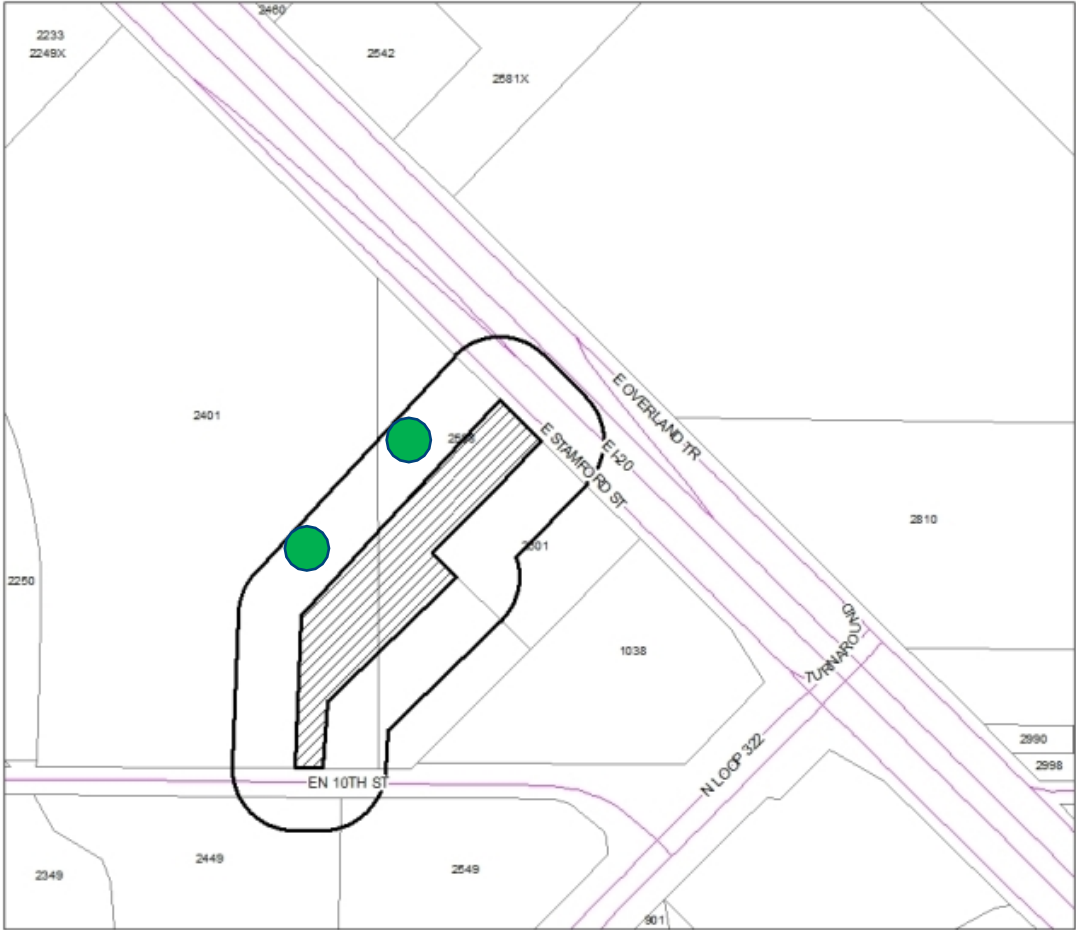


**North Neighboring Property**





# Z-2022-25 NOTIFICATION AREA MAP



Notification Map



Legend



|              |  |
|--------------|--|
| 2- In Favor- |  |
| 0- Opposed-  |  |
| 0% Opposed   |  |



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# FINDINGS AND RECOMMENDATIONS

The proposed request for HC rezoning is *inconsistent* with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.
- The rezoning of the site to GC would be *consistent* with the above criteria.
- Staff Recommendation: **Denial** of rezoning the site to HC and **approval** of rezoning the site to the GC district.







# Questions?



# PROJECT OVERVIEW

**Project Type:** Zoning Application | **Project Title:** Z-2022-25 AO to HC

**ID #** 22-000187 | **Started** 09/13/2022 at 10:53 AM



## Address

2401 E Stamford St, Abilene, TX USA 79601

## Legal

A1433 Sur 32 B A L Sw/4 Lot 56.092 Ac

A1433 Sur 32 B A L Sw/4, Acres 56.092

## Description

The current zoning is AO and it will be 5.27 acres out of two parcels (2401 E Stamford & 2598 EN 10th Street) The proposed use would be similar to Warren Cat & John Deere located at Loop 322 and the recent zonings were GC or GC (CUP) The properties adjacent are zoned PDD, GC and AO.

## PROPERTY DETAILS

|                  |                      |
|------------------|----------------------|
| Property ID      | 1017941              |
| GEO ID           | 25940                |
| Enforcement Area | Abilene Heights Area |

## PROPERTY ADDITIONAL INFORMATION

|                                |                      |
|--------------------------------|----------------------|
| Account Number                 | A1433000800          |
| Property ID                    | 25940                |
| Land Use                       | Vacant               |
| High School                    | Eula                 |
| Middle School                  | Eula                 |
| Elementary School              | Eula                 |
| Super Neighborhood             | Abilene Heights Area |
| Courier - Building Square Feet | 0                    |

| PROJECT STEPS                                                | DATE & TIME            | RESULT   | USER         |
|--------------------------------------------------------------|------------------------|----------|--------------|
| Request                                                      | 09/13/2022 at 10:55 AM | Accept   | -            |
| Zoning Application Review                                    | 10/03/2022 at 8:12 AM  | Accepted | Adam Holland |
| Planning Payment                                             | 10/10/2022 at 1:11 PM  | Paid     | Adam Holland |
| Create Agenda for Planning and-Zoning Commission             | -                      | -        | -            |
| Staff Prepares Report & Send - Property Notification Letters | -                      | -        | -            |
| P&Z Commission Decision                                      | -                      | -        | -            |

|                             |   |   |   |
|-----------------------------|---|---|---|
| Prepare City Council Agenda | - | - | - |
| City Council Decision       | - | - | - |
| Archive                     | - | - | - |

#### INFORMATION FIELDS

##### Owner Name

Mike & Buffi Awtry

##### Agent Name

Matthew Muzechenko

##### Block

-

##### Lot

-

##### Acreage

5.27

##### Legal Description of property

A1431 SUR 32 B A L SE/4 & A1433 SUR 32 B A L SE/4, ACRES 5.27

##### Subdivision Name

-

##### Current Zoning

AO

##### Proposed Zoning

GC (CUP)

##### Agree to Terms

Matthew Muzechenko - Paul Johnson & Associates

| INVOICES  | DUE DATE                     | CONTACT            | TOTAL        | PAID        | DUE        |
|-----------|------------------------------|--------------------|--------------|-------------|------------|
| 22-005666 | 10/03/2022                   | Matthew Muzechenko | \$ 1,500.00  | \$ 1,500.00 | \$ 0.00    |
|           |                              |                    |              |             |            |
|           | <b>Fees</b>                  | <b>Account No</b>  | <b>Total</b> | <b>Paid</b> | <b>Due</b> |
|           | Zoning - Zone change request | 1002503010-42101   | \$ 1,500.00  | \$ 1,500.00 | \$ 0.00    |
|           |                              |                    |              |             |            |
| TOTALS    |                              |                    | \$ 1,500.00  | \$ 1,500.00 | \$ 0.00    |

#### CREDENTIALS

Surveyor

Engineer

Developer

Homeowner

| OCCUPANCY TYPE              | CONSTRUCTION TYPE | SQUARE FEET | VALUATION |
|-----------------------------|-------------------|-------------|-----------|
| No data for Occupancy Type. |                   |             |           |

| REVIEWS                                                    | DATE & TIME           | STATUS    | HISTORY  |
|------------------------------------------------------------|-----------------------|-----------|----------|
| Zoning Application Review                                  | 10/03/2022 at 8:12 AM | Approved  | Accepted |
| Create Agenda for Planning and Zoning Commission           | 10/10/2022 at 1:11 PM | In Review | -        |
| Staff Prepares Report & Send Property Notification Letters | 10/10/2022 at 1:11 PM | In Review | -        |

| INSPECTIONS              | DATE & TIME | STATUS | HISTORY |
|--------------------------|-------------|--------|---------|
| No data for Inspections. |             |        |         |

| GENERATED DOCUMENTS              | PRINTED ON | PRINTED BY | ISSUED TO |
|----------------------------------|------------|------------|-----------|
| No data for Generated Documents. |            |            |           |

| GENERAL COMMENTS              |
|-------------------------------|
| No data for General Comments. |

| CONTACTS           | CONTACT INFO                               | ADDRESS                                      | CREDENTIALS | ROLE           |
|--------------------|--------------------------------------------|----------------------------------------------|-------------|----------------|
| Awtry Mike & Buffi | -                                          | 245 Nora Miller Rd<br>Abilene, TX 79602-6419 | -           | Property Owner |
| Matthew Muzechenko | matt@pauljohnsonrealtors.com<br>3254391420 | 4633 S. 14th Street<br>Abilene, TX 79605     | -           | APPLICANT      |



Holland, Adam <adam.holland@abilenetx.gov>

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## [Planning] Zone change application #Z-2022-24 and #Z-2022-25

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**'Mike Awtry' via Planning Services** <planning@abilenetx.gov>

Wed, Oct 26, 2022 at 12:58 PM

Reply-To: Mike Awtry <mike.awtry@yahoo.com>

To: planning@abilenetx.gov

Regarding Case #Z-2022-24 and #Z-2022-25.

Mike and Buffi Awtry  
245 Nora Miller add  
Abilene, Tx 79602-6419

We are "In Favor" ✓ of the zoning changes.

Thank you.

Sent from my iPhone

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You received this message because you are subscribed to the Google Groups "Planning Services" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [planning+unsubscribe@abilenetx.gov](mailto:planning+unsubscribe@abilenetx.gov).

To view this discussion on the web visit <https://groups.google.com/a/abilenetx.gov/d/msgid/planning/FE5F2058-F767-489C-8AE8-BFDD19B320E7%40yahoo.com>.

# ZONING CASE Z-2022-26 PD-177

## STAFF REPORT



### Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1<sup>st</sup> Reading: November 17, 2022

City Council 2<sup>nd</sup> Reading: December 1, 2022

### Applicant

Owner: West Texas Land Guys

Agent: Sean Hanfeld

### Request:

Rezone approximately 181 acres from the Agricultural Open (AO) zoning district to Planned Development District (PD-177). The subject site is proposed to be subdivided into six tracts with the following base zoning classifications:

1. Tracts A, B, and D: Residential Townhome District (TH);
2. Tracts C and F: Residential Single-Family District-6 (RS-6); and
3. Tract E: General Commercial District (GC) and Residential Multi-Family-2 (MF).

### Location

Approximately 181 acres of vacant land between F.M. 600 (a.k.a. West Lake Road), Jolly Rogers Road, Caldwell Road, and F.M. 3308 (a.k.a. Neas Road).

### Background

#### Land Use

- Proposed Tracts A and B will adjoin properties zoned MH District. The TH base zoning would create a land use transition between the MH District and proposed RS-6 base district
- Proposed Tract D will abut a WTU electric easement and no properties outside the PD, with the exception of 2 lots zoned RS-12 that front onto F.M. 600. Both of these lots are deep and back up to Tract D. The existing homes on each lot are about 700-feet from Tract D.
- Tracts C and F would primarily abut properties outside of the PD zoned AO. Lots zoned MH adjoin the western half of Tract F.
- Tract E is at the southeast corner of the F.M. 600 and F.M. 3308 intersection. From a zoning perspective, this location is ideal for GC and MF uses. All of this tract is in the floodplain and floodway, so FEMA approval of a LOMR is required establish any buildable acreage.

#### Transportation

F.M. 600 (West Lake Road) and F.M. 3308 (Neas Road) are both major arterial streets. Jolly Rogers Road and Caldwell Road are both collector streets. These streets provide good access to the PD. A boulevard street with a landscaped median is proposed to enter the site from F.M. 600.

#### Utilities

The subject site is divided by a WTU powerline and easement. The applicant indicates that the utility will allow a new road to cross the easement to access each half of the proposed development.



A 36" sewer main is located on the subject site. 6" sewer mains adjoin the northern and eastern property line and are also located in close proximity to the southern and western property lines. A 10" water main is located in F.M. 600. A 16" main is located in F.M. 3308. 6" mains are located in Caldwell and Jolly Rogers Roads. The existing utilities are adequate to serve the development.

### **Zoning, Existing and Proposed Land Use**

Planned Development (PD) zoning is appropriate to allow a mixture of uses that are compatible with the surrounding uses. The relationship of each proposed base zoning district to the surrounding districts conform to generally accepted planning principals and the Comprehensive Plan.

### **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.**

The Future Land Use map designates the entire subject property as low density residential. The proposed PD generally conforms to this designation. The higher intensity TH based zoning district tracts are appropriate given the zoning of adjoining property outside of the PD. The proposed GC/MF tract is appropriate because the Future Thoroughfare Plan designates F.M. 600 and F.M. 3308 as arterial streets.

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

The proposed uses are compatible with the zoning districts surrounding the subject site.

- (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 proposed use of the subject site can be adequately served by the existing streets and utilities surrounding the proposed PD. The PD is required to be platted and construction plans submitted to extend streets and utilities through the PD.

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

No other factors are present that would substantially affect public health, safety, morals, or general welfare.

### **Staff Recommendation:**

Approval, subject to the proposed Concept Plan.

### **Attachments**

Concept Plan

PowerPoint Presentation

## Notification

Pursuant to Section 1.2.2.2 of Abilene's Land Development Code, City staff mailed personal notices on June 21<sup>st</sup>, 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

| Owner                     | Property ID | Situs                        | Response |
|---------------------------|-------------|------------------------------|----------|
| ADKINS KENNETH & PAM      | 42605       | 3790 FORTUNE AV              |          |
| BARDIN BRAD S & EMILY G   | 20045       | 441 JOLLY ROGERS RD          | <b>F</b> |
| BARDIN BRAD S & EMILY G   | 51713       |                              | <b>F</b> |
| BARDIN BRAD S & EMILY G   | 75041       | 457 JOLLY ROGERS RD          | <b>F</b> |
| BARRETT LOLA              | 22136       | 4209 W LAKE RD               |          |
| BELCHER CARROLL S         | 61187       | 509 NEAS RD                  |          |
| BERRY SCOTT AARON         | 43725       | 3717 FORTUNE AV              |          |
| BLACKBURN JANE E          | 22736       | 4242 CALDWELL RD             |          |
| BLACKBURN JANE E          | 22868       | 4250 CALDWELL RD             |          |
| BLANTON RANDY             | 96531       | 4063 W LAKE RD               |          |
| BONTKE BROTHERS CONST INC | 35733       |                              |          |
| BROWN JAMES LYNN          | 51836       | 3709 CALDWELL RD             |          |
| BUERGER WENDELL ET AL     | 50390       | 401 JOLLY ROGERS RD          |          |
| BUNSELMeyer AURELIA B     | 60666       | 417 NEAS RD                  |          |
| BYERS MICHAEL             | 43483       | 3741 FORTUNE AV              |          |
| BYERS MICHAEL             | 43483       | 3733 FORTUNE AV              |          |
| BYERS MICHAEL             | 43601       | 3725 FORTUNE AV              |          |
| CARTER TAMMY KILLOUGH     | 34379       |                              |          |
| CHAVEZ RAINIERO &         | 20670       | 4374 CALDWELL RD             |          |
| CLEVENGER GARY ALAN       | 52888       | 4001 CALDWELL RD             |          |
| COCKERELL EDWARD IV &     | 51583       | 581 JOLLY ROGERS RD          |          |
| COCKERELL EDWARD IV &     | 51583       | 581 JOLLY ROGERS RD<br>APT B |          |
| Confidential Owner        | 100081      | 3919 CALDWELL RD             |          |
| CURTIS JOHN               | 31741       | 4075 W LAKE RD               |          |
| FARMER MARTY              | 60079       | 357 NEAS RD                  |          |
| FARTHING COLTON L &       | 20001       | 4410 CALDWELL RD             |          |
| FOREMAN JOE               | 20943       | 4358 CALDWELL RD             |          |
| FOREMAN JOE               | 21078       | 4350 CALDWELL RD             |          |
| FRISKE TYLER WAYNE        | 51203       | 3741 CALDWELL RD             |          |
| GARCIA JESSICA            | 19603       | 4434 CALDWELL RD             |          |
| GARCIA JESSICA            | 19735       | 4426 CALDWELL RD             |          |
| GASS CLARENCE LEROY II &  | 59540       | 349 NEAS RD                  |          |

|                            |        |                    |   |
|----------------------------|--------|--------------------|---|
| HAMILTON STEPHANIE ROBYN   | 63091  |                    |   |
| HANTMAN JOSEPH M REV TRUST | 21896  |                    |   |
| HANTMAN JOSEPH M REV TRUST | 22018  |                    |   |
| HANTMAN JOSEPH M REV TRUST | 34642  |                    |   |
| HANTMAN JOSEPH M REV TRUST | 34785  | 4134 Y CALDWELL RD |   |
| HANTMAN JOSEPH M REV TRUST | 62953  |                    |   |
| HARDESTY JOSEPH CONNOR     | 53007  | 4489X CALDWELL RD  | O |
| HARDESTY JOSEPH CONNOR     | 974738 | 202 NEAS RD        | O |
| HAWKINS MEKIL              | 102447 | 4334 CALDWELL RD   |   |
| HIT VENTURES LLC           | 59102  | 317 NEAS RD        |   |
| HONEYCUTT COREY JASON &    | 21604  | 4190 CALDWELL RD   |   |
| HOOD DEREK L               | 996314 | 4073 CALDWELL RD   |   |
| ISELL ANTHONY EUGENE       | 37770  | 349 MOBIL DR       |   |
| JASSO JOSE L & WHITNEY R   | 61442  | 517 NEAS RD        |   |
| JASSO JOSE L & WHITNEY R   | 61717  | 525 NEAS RD        |   |
| JASSO JOSE L & WHITNEY R   | 99125  | 527 NEAS RD        |   |
| KORI ZANE STAR             | 60373  | 401 NEAS RD        |   |
| KORI ZANE STAR             | 60373  | 409 NEAS RD        |   |
| KOSTIC HOLDINGS LLC        | 108201 |                    |   |
| KOSTIC HOLDINGS LLC        | 207441 |                    |   |
| KOSTIC HOLDINGS LLC        | 973946 |                    |   |
| KUZMIC SEAN                | 43250  | 3749 FORTUNE AV    |   |
| LADYMAN WALTER ANDREW      | 51076  | 3825 CALDWELL RD   |   |
| MATA JOSE & MELANEA        | 34916  | 4148 CALDWELL RD   |   |
| MC CORMACK MICHAEL & SARA  | 32129  |                    |   |
| MC CORMACK MICHAEL & SARA  | 110332 | 4109 W LAKE RD     |   |
| MC GUIRE THOMAS A          | 61852  | 529 NEAS RD        |   |
| MC GUIRE THOMAS A          | 61852  | 533 NEAS RD        |   |
| MOORE GREATHOUSES LLC      | 19230  | 117 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 140 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 122 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 153 MEADOWLARK DR  |   |
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| MOORE GREATHOUSES LLC      | 19230  | 144 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 147 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 118 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 128 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 129 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 138 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 136 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 150 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 139 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 123 MEADOWLARK DR  |   |
| MOORE GREATHOUSES LLC      | 19230  | 148 MEADOWLARK DR  |   |

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|-----------------------|-------|----------------------|--|
| MOORE GREATHOUSES LLC | 19230 | 145 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 119 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 131 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 141 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 133 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 137 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 127 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 125 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 120 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 124 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 126 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 146 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 142 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 134 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 135 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 121 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 152 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 151 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 143 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 132 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19230 | 130 MEADOWLARK DR    |  |
| MOORE GREATHOUSES LLC | 19236 | 4458 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 19355 | 4450 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 19486 | 4442 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 19867 | 4418 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 20130 | 4402 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 20270 | 4398 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 20408 | 4390 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 20539 | 4382 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 21214 | 4162 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 21467 | 4182 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 21732 | 4198 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 22096 | 4202 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 22228 | 4210 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 22353 | 4218 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 22488 | 4226 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 22611 | 4234 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 23010 | 4258 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 23140 | 4266 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 23259 | 4274 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 23409 | 4282 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 23537 | 4290 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 23664 | 4302 CALDWELL RD     |  |
| MOORE GREATHOUSES LLC | 33488 | 318 PLEASANT HILL DR |  |

|                           |         |                      |  |
|---------------------------|---------|----------------------|--|
| MOORE GREATHOUSES LLC     | 36882   | 326 TRAILWAY DR      |  |
| MOORE GREATHOUSES LLC     | 37021   | 334 TRAILWAY DR      |  |
| MOORE GREATHOUSES LLC     | 37150   | 389 MOBIL DR         |  |
| MOORE GREATHOUSES LLC     | 37277   | 381 MOBIL DR         |  |
| MOORE GREATHOUSES LLC     | 37409   | 373 MOBIL DR         |  |
| MOORE GREATHOUSES LLC     | 37523   | 365 MOBIL DR         |  |
| MOORE GREATHOUSES LLC     | 37886   | 341 MOBIL DR         |  |
| MOORE GREATHOUSES LLC     | 38001   | 333 MOBIL DR         |  |
| MOORE GREATHOUSES LLC     | 38129   | 325 MOBIL DR         |  |
| MOORE GREATHOUSES LLC     | 38262   | 317 PLEASANT HILL DR |  |
| MOORE GREATHOUSES LLC     | 42867   | 3773 FORTUNE AV      |  |
| MOORE GREATHOUSES LLC     | 43127   | 3757 FORTUNE AV      |  |
| MOORE GREATHOUSES LLC     | 44011   | 3701 FORTUNE AV      |  |
| MOORE GREATHOUSES LLC     | 61063   | 441 NEAS RD          |  |
| PALACIO PETE S            | 62238   | 541 NEAS RD          |  |
| PEACOCK WILLIAM T &       | 973944  | 204 NEAS RD          |  |
| PRESSWOOD C W ESTATE      | 21132   |                      |  |
| PRESSWOOD CLARENCE W      | 62556   |                      |  |
| PRESSWOOD LEE A           | 34239   |                      |  |
| PRESSWOOD LLOYD MARTIN    | 34237   |                      |  |
| RADER BRITTANY MICHELLE   | 33491   | 317 TRAILWAY DR      |  |
| RIALS TREVOR &            | 52224   |                      |  |
| RIALS TREVOR &            | 53020   | 3701 CALDWELL RD     |  |
| ROAD                      | 63471   | 308 NEAS RD          |  |
| ROAD                      | 63471   | 766 NEAS RD          |  |
| ROAD                      | 63471   | 617 NEAS RD          |  |
| ROAD                      | 63471   | 558 NEAS RD          |  |
| ROAD                      | 63471   | 324 NEAS RD          |  |
| ROAD                      | 63471   | 524 NEAS RD          |  |
| ROAD                      | 63471   | 426 NEAS RD          |  |
| ROBBINS GARY LF EST       | 61313   | 513 NEAS RD          |  |
| RODRIGUEZ ZEKE            | 35470   | 4217 W LAKE RD       |  |
| ROWTON RICHARD VAN JR &   | 43008   | 3765 FORTUNE AV      |  |
| SHERRILL CHARLES M & LISA | 1015569 | 249 NEAS RD          |  |
| SHERRILL CHARLES M & LISA | 1015569 | 249 B NEAS RD        |  |
| SHERRILL CHARLES M & LISA | 1015570 |                      |  |
| SMITH PATRICIA MARTIN     | 986519  |                      |  |
| SMITH PATRICIA MARTIN     | 986520  | 465 JOLLY ROGERS RD  |  |
| SPYKES ROY DON & NORMA    | 973945  |                      |  |
| TARPLEY GARRY GLENN       | 21341   | 4174 CALDWELL RD     |  |
| THORP JASON               | 37635   | 357 MOBIL DR         |  |
| TROY KATHERINE L          | 62362   | 549 NEAS RD          |  |
| WEBBER JUANITA            | 20802   | 4366 CALDWELL RD     |  |
| WEEKS JOHNNY &            | 43849   | 3709 FORTUNE AV      |  |

|                              |        |                  |  |
|------------------------------|--------|------------------|--|
| WELCH ROGER                  | 53810  | 4065 CALDWELL RD |  |
| WEST TEXAS UTILITIES CO      | 18906  | 4150 VICTORIA ST |  |
| WEST TEXAS UTILITIES CO      | 50133  |                  |  |
| WHEELER EMMA                 | 42728  | 3781 FORTUNE AV  |  |
| WILSON DARIN & JOANN         | 50940  |                  |  |
| WILSON ROBERT DARIN & JO ANN | 100080 | 3949 CALDWELL RD |  |

### Property ID

| Owner                   | Property ID | Situs             | Response |
|-------------------------|-------------|-------------------|----------|
| WEST TEXAS UTILITIES CO | 18906       | 4150 VICTORIA ST  |          |
| MOORE GREATHOUSES LLC   | 19230       | 117 MEADOWLARK DR |          |
| MOORE GREATHOUSES LLC   | 19230       | 140 MEADOWLARK DR |          |
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| MOORE GREATHOUSES LLC   | 19230       | 142 MEADOWLARK DR |          |
| MOORE GREATHOUSES LLC   | 19230       | 134 MEADOWLARK DR |          |
| MOORE GREATHOUSES LLC   | 19230       | 135 MEADOWLARK DR |          |
| MOORE GREATHOUSES LLC   | 19230       | 121 MEADOWLARK DR |          |

|                            |       |                     |   |
|----------------------------|-------|---------------------|---|
| MOORE GREATHOUSES LLC      | 19230 | 152 MEADOWLARK DR   |   |
| MOORE GREATHOUSES LLC      | 19230 | 151 MEADOWLARK DR   |   |
| MOORE GREATHOUSES LLC      | 19230 | 143 MEADOWLARK DR   |   |
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| GARCIA JESSICA             | 19603 | 4434 CALDWELL RD    |   |
| GARCIA JESSICA             | 19735 | 4426 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 19867 | 4418 CALDWELL RD    |   |
| FARTHING COLTON L &        | 20001 | 4410 CALDWELL RD    |   |
| BARDIN BRAD S & EMILY G    | 20045 | 441 JOLLY ROGERS RD | F |
| MOORE GREATHOUSES LLC      | 20130 | 4402 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 20270 | 4398 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 20408 | 4390 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 20539 | 4382 CALDWELL RD    |   |
| CHAVEZ RAINIERO &          | 20670 | 4374 CALDWELL RD    |   |
| WEBBER JUANITA             | 20802 | 4366 CALDWELL RD    |   |
| FOREMAN JOE                | 20943 | 4358 CALDWELL RD    |   |
| FOREMAN JOE                | 21078 | 4350 CALDWELL RD    |   |
| PRESSWOOD C W ESTATE       | 21132 |                     |   |
| MOORE GREATHOUSES LLC      | 21214 | 4162 CALDWELL RD    |   |
| TARPLEY GARRY GLENN        | 21341 | 4174 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 21467 | 4182 CALDWELL RD    |   |
| HONEYCUTT COREY JASON &    | 21604 | 4190 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 21732 | 4198 CALDWELL RD    |   |
| HANTMAN JOSEPH M REV TRUST | 21896 |                     |   |
| HANTMAN JOSEPH M REV TRUST | 22018 |                     |   |
| MOORE GREATHOUSES LLC      | 22096 | 4202 CALDWELL RD    |   |
| BARRETT LOLA               | 22136 | 4209 W LAKE RD      |   |
| MOORE GREATHOUSES LLC      | 22228 | 4210 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 22353 | 4218 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 22488 | 4226 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 22611 | 4234 CALDWELL RD    |   |
| BLACKBURN JANE E           | 22736 | 4242 CALDWELL RD    |   |
| BLACKBURN JANE E           | 22868 | 4250 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 23010 | 4258 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 23140 | 4266 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 23259 | 4274 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 23409 | 4282 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 23537 | 4290 CALDWELL RD    |   |
| MOORE GREATHOUSES LLC      | 23664 | 4302 CALDWELL RD    |   |
| CURTIS JOHN                | 31741 | 4075 W LAKE RD      |   |

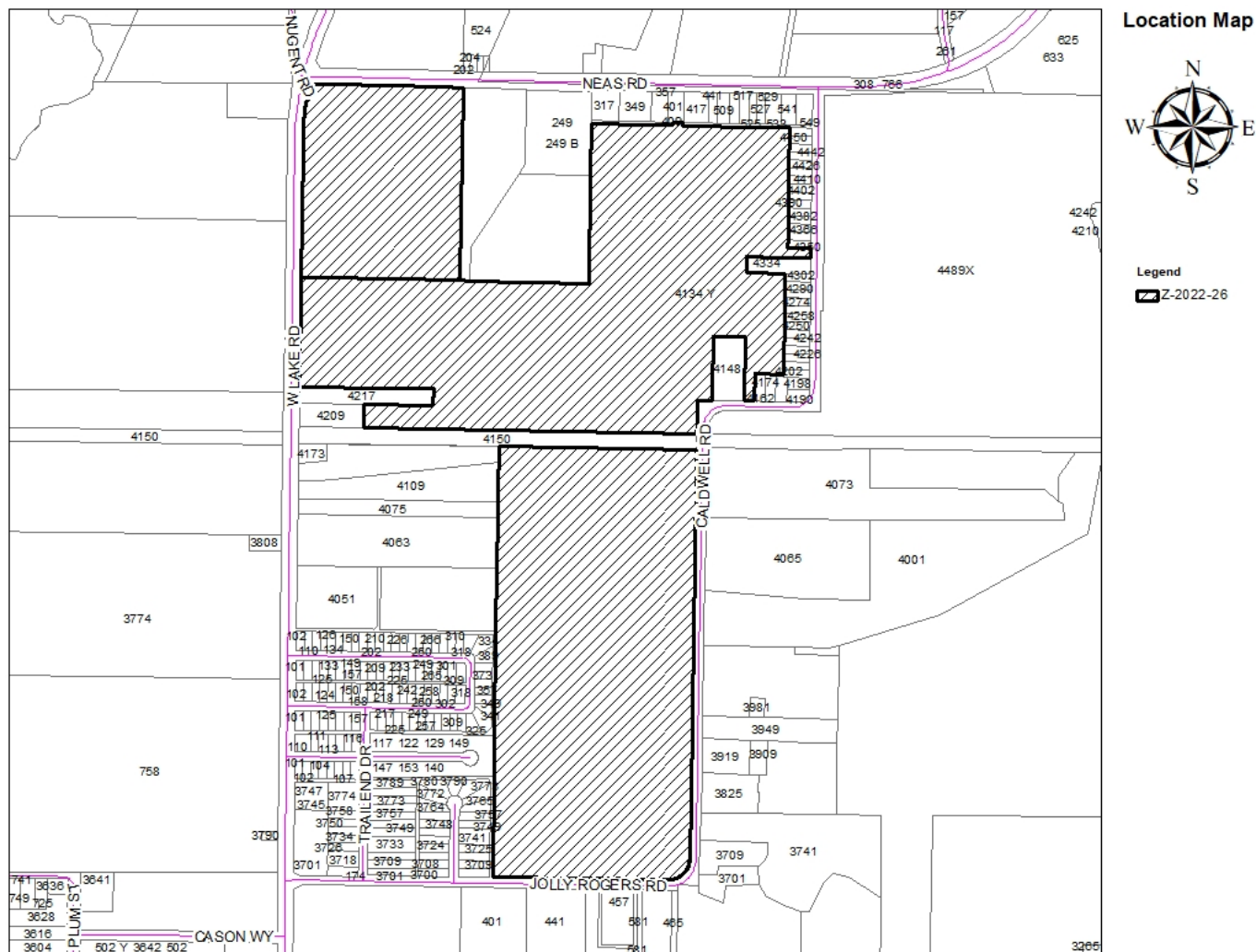


|                            |       |                           |          |
|----------------------------|-------|---------------------------|----------|
| MC CORMACK MICHAEL & SARA  | 32129 |                           |          |
| MOORE GREATHOUSES LLC      | 33488 | 318 PLEASANT HILL DR      |          |
| RADER BRITTANY MICHELLE    | 33491 | 317 TRAILWAY DR           |          |
| PRESSWOOD LLOYD MARTIN     | 34237 |                           |          |
| PRESSWOOD LEE A            | 34239 |                           |          |
| CARTER TAMMY KILLOUGH      | 34379 |                           |          |
| HANTMAN JOSEPH M REV TRUST | 34642 |                           |          |
| HANTMAN JOSEPH M REV TRUST | 34785 | 4134 Y CALDWELL RD        |          |
| MATA JOSE & MELANEA        | 34916 | 4148 CALDWELL RD          |          |
| RODRIGUEZ ZEKE             | 35470 | 4217 W LAKE RD            |          |
| BONTKE BROTHERS CONST INC  | 35733 |                           |          |
| MOORE GREATHOUSES LLC      | 36882 | 326 TRAILWAY DR           |          |
| MOORE GREATHOUSES LLC      | 37021 | 334 TRAILWAY DR           |          |
| MOORE GREATHOUSES LLC      | 37150 | 389 MOBIL DR              |          |
| MOORE GREATHOUSES LLC      | 37277 | 381 MOBIL DR              |          |
| MOORE GREATHOUSES LLC      | 37409 | 373 MOBIL DR              |          |
| MOORE GREATHOUSES LLC      | 37523 | 365 MOBIL DR              |          |
| THORP JASON                | 37635 | 357 MOBIL DR              |          |
| ISBELL ANTHONY EUGENE      | 37770 | 349 MOBIL DR              |          |
| MOORE GREATHOUSES LLC      | 37886 | 341 MOBIL DR              |          |
| MOORE GREATHOUSES LLC      | 38001 | 333 MOBIL DR              |          |
| MOORE GREATHOUSES LLC      | 38129 | 325 MOBIL DR              |          |
| MOORE GREATHOUSES LLC      | 38262 | 317 PLEASANT HILL DR      |          |
| ADKINS KENNETH & PAM       | 42605 | 3790 FORTUNE AV           |          |
| WHEELER EMMA               | 42728 | 3781 FORTUNE AV           |          |
| MOORE GREATHOUSES LLC      | 42867 | 3773 FORTUNE AV           |          |
| ROWTON RICHARD VAN JR &    | 43008 | 3765 FORTUNE AV           |          |
| MOORE GREATHOUSES LLC      | 43127 | 3757 FORTUNE AV           |          |
| KUZMIC SEAN                | 43250 | 3749 FORTUNE AV           |          |
| BYERS MICHAEL              | 43483 | 3741 FORTUNE AV           |          |
| BYERS MICHAEL              | 43483 | 3733 FORTUNE AV           |          |
| BYERS MICHAEL              | 43601 | 3725 FORTUNE AV           |          |
| BERRY SCOTT AARON          | 43725 | 3717 FORTUNE AV           |          |
| WEEKS JOHNNY &             | 43849 | 3709 FORTUNE AV           |          |
| MOORE GREATHOUSES LLC      | 44011 | 3701 FORTUNE AV           |          |
| WEST TEXAS UTILITIES CO    | 50133 |                           |          |
| BUERGER WENDELL ET AL      | 50390 | 401 JOLLY ROGERS RD       |          |
| WILSON DARIN & JOANN       | 50940 |                           |          |
| LADYMAN WALTER ANDREW      | 51076 | 3825 CALDWELL RD          |          |
| FRISKE TYLER WAYNE         | 51203 | 3741 CALDWELL RD          |          |
| COCKERELL EDWARD IV &      | 51583 | 581 JOLLY ROGERS RD       |          |
| COCKERELL EDWARD IV &      | 51583 | 581 JOLLY ROGERS RD APT B |          |
| BARDIN BRAD S & EMILY G    | 51713 |                           | <b>F</b> |
| BROWN JAMES LYNN           | 51836 | 3709 CALDWELL RD          |          |

|                              |        |                     |   |
|------------------------------|--------|---------------------|---|
| RIALS TREVOR &               | 52224  |                     |   |
| CLEVENGER GARY ALAN          | 52888  | 4001 CALDWELL RD    |   |
| HARDESTY JOSEPH CONNOR       | 53007  | 4489X CALDWELL RD   | O |
| RIALS TREVOR &               | 53020  | 3701 CALDWELL RD    |   |
| WELCH ROGER                  | 53810  | 4065 CALDWELL RD    |   |
| HIT VENTURES LLC             | 59102  | 317 NEAS RD         |   |
| GASS CLARENCE LEROY II &     | 59540  | 349 NEAS RD         |   |
| FARMER MARTY                 | 60079  | 357 NEAS RD         |   |
| KORI ZANE STAR               | 60373  | 401 NEAS RD         |   |
| KORI ZANE STAR               | 60373  | 409 NEAS RD         |   |
| BUNSELMAYER AURELIA B        | 60666  | 417 NEAS RD         |   |
| MOORE GREATHOUSES LLC        | 61063  | 441 NEAS RD         |   |
| BELCHER CARROLL S            | 61187  | 509 NEAS RD         |   |
| ROBBINS GARY LF EST          | 61313  | 513 NEAS RD         |   |
| JASSO JOSE L & WHITNEY R     | 61442  | 517 NEAS RD         |   |
| JASSO JOSE L & WHITNEY R     | 61717  | 525 NEAS RD         |   |
| MC GUIRE THOMAS A            | 61852  | 529 NEAS RD         |   |
| MC GUIRE THOMAS A            | 61852  | 533 NEAS RD         |   |
| PALACIO PETE S               | 62238  | 541 NEAS RD         |   |
| TROY KATHERINE L             | 62362  | 549 NEAS RD         |   |
| PRESSWOOD CLARENCE W         | 62556  |                     |   |
| HANTMAN JOSEPH M REV TRUST   | 62953  |                     |   |
| HAMILTON STEPHANIE ROBYN     | 63091  |                     |   |
| ROAD                         | 63471  | 308 NEAS RD         |   |
| ROAD                         | 63471  | 766 NEAS RD         |   |
| ROAD                         | 63471  | 617 NEAS RD         |   |
| ROAD                         | 63471  | 558 NEAS RD         |   |
| ROAD                         | 63471  | 324 NEAS RD         |   |
| ROAD                         | 63471  | 524 NEAS RD         |   |
| ROAD                         | 63471  | 426 NEAS RD         |   |
| BARDIN BRAD S & EMILY G      | 75041  | 457 JOLLY ROGERS RD | F |
| BLANTON RANDY                | 96531  | 4063 W LAKE RD      |   |
| JASSO JOSE L & WHITNEY R     | 99125  | 527 NEAS RD         |   |
| WILSON ROBERT DARIN & JO ANN | 100080 | 3949 CALDWELL RD    |   |
| Confidential Owner           | 100081 | 3919 CALDWELL RD    |   |
| HAWKINS MEKIL                | 102447 | 4334 CALDWELL RD    |   |
| KOSTIC HOLDINGS LLC          | 108201 |                     |   |
| MC CORMACK MICHAEL & SARA    | 110332 | 4109 W LAKE RD      |   |
| KOSTIC HOLDINGS LLC          | 207441 |                     |   |
| PEACOCK WILLIAM T &          | 973944 | 204 NEAS RD         |   |
| SPYKES ROY DON & NORMA       | 973945 |                     |   |
| KOSTIC HOLDINGS LLC          | 973946 |                     |   |
| HARDESTY JOSEPH CONNOR       | 974738 | 202 NEAS RD         | O |
| SMITH PATRICIA MARTIN        | 986519 |                     |   |

|                           |         |                     |  |
|---------------------------|---------|---------------------|--|
| SMITH PATRICIA MARTIN     | 986520  | 465 JOLLY ROGERS RD |  |
| HOOD DEREK L              | 996314  | 4073 CALDWELL RD    |  |
| SHERRILL CHARLES M & LISA | 1015569 | 249 NEAS RD         |  |
| SHERRILL CHARLES M & LISA | 1015569 | 249 B NEAS RD       |  |
| SHERRILL CHARLES M & LISA | 1015570 |                     |  |

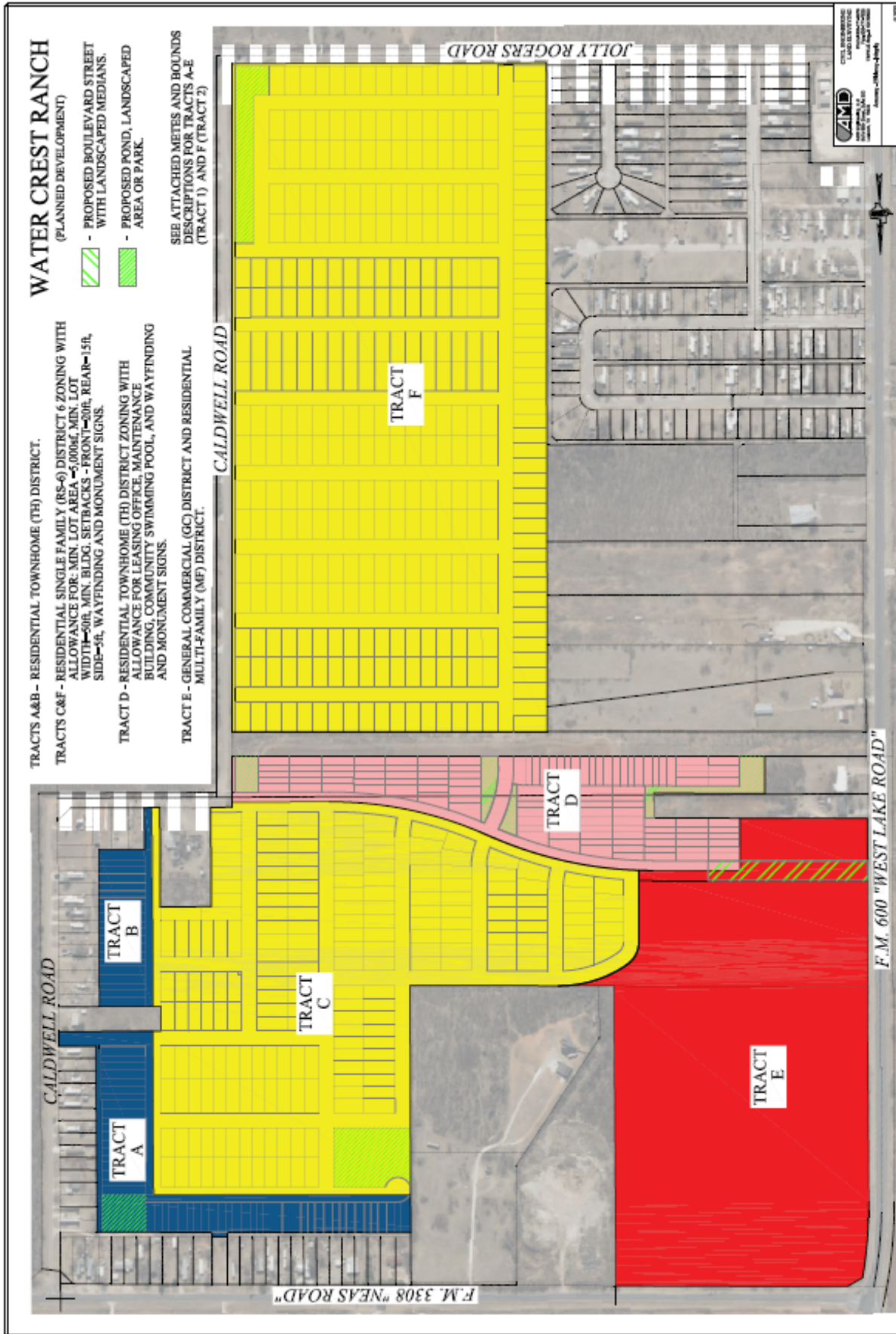
### LOCATION MAP



# ZONING MAP



# CONCEPT PLAN





# REZONE REQUEST

**Owner:** West Texas Land Guys

**Agent:** Sean Hanfeld

**Request:** Rezone from AO to PDD-177

**Location:** Approximately 181 acres of vacant land between F.M. 600 (a.k.a. West Lake Road), Jolly Rogers Road, Caldwell Road, and F.M. 3308 (a.k.a. Neas Road)

**Notification:** 1 in Favor, 1 Opposed, 1 Opposed (County)

**Planning & Zoning:** November 1, 2022

**City Council Hearing:** November 17, 2022  
December 1, 2022



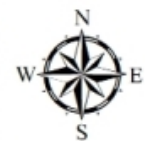




# Z-2022-26 LOCATION MAP



Location Map



Legend

- Z-2022-26
- CourierParcels



CITY OF  
**ABILENE**  
TEXAS





# Z-2022-26 ZONING MAP



CITY OF  
**ABILENE**  
TEXAS



# 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 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







## Z-2022-26 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



**East Neighboring Property**



**South Neighboring Property**



**Adjacent Property**



**Subject Property**



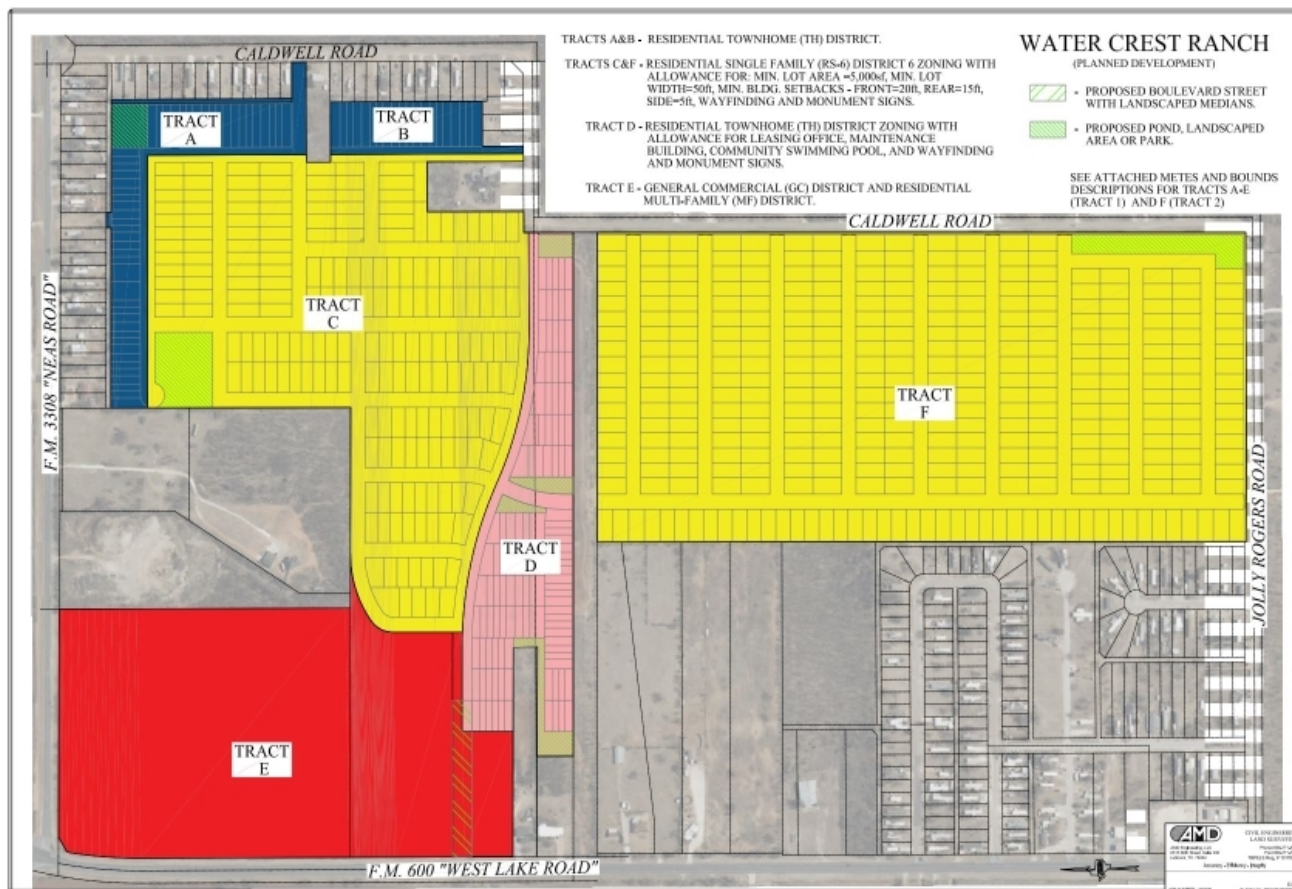
**CITY OF**  
**ABILENE**  
**TEXAS**







# Z-2022-26 CONCEPT PLAN

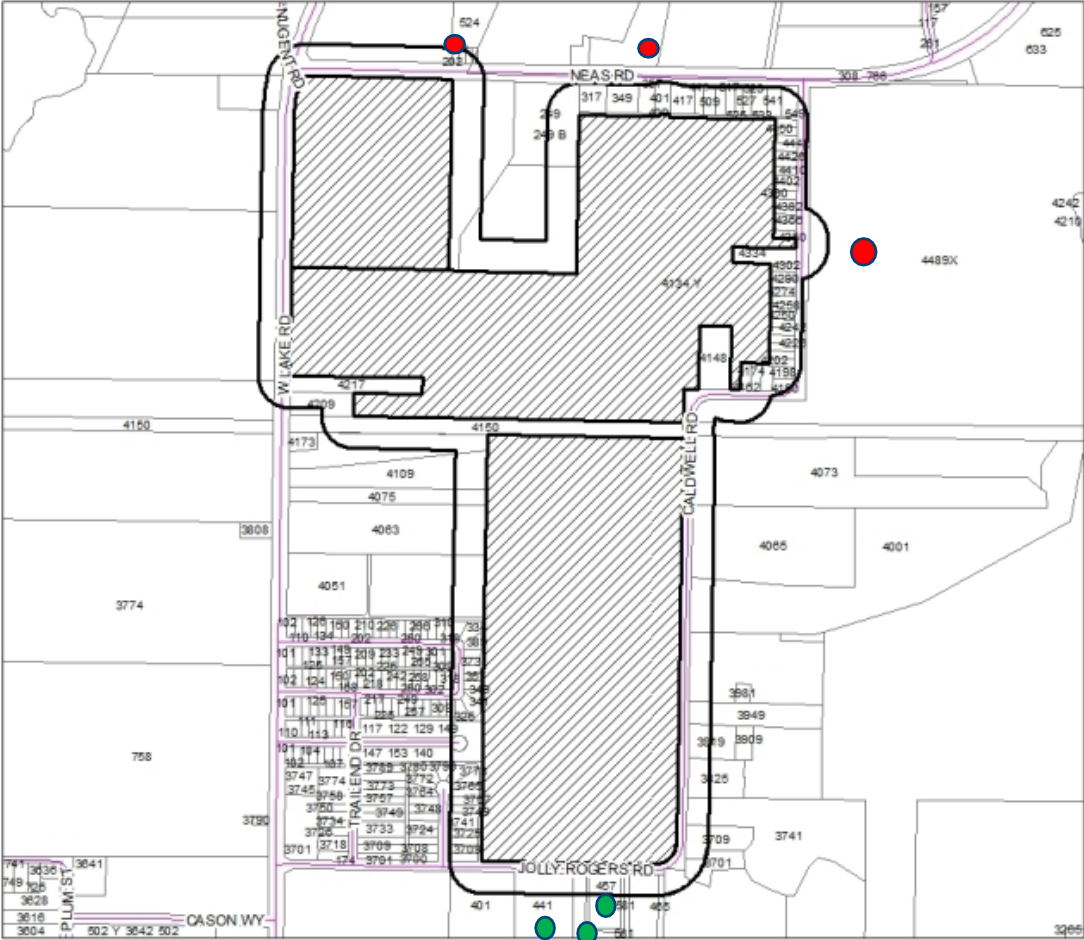


CITY OF  
**ABILENE**  
TEXAS





# Z-2022-26 NOTIFICATION AREA MAP



Notification Map



Legend  
200' Buffer  
Z-2022-26

3- In Favor- 

3- Opposed- 

2.5% Opposed



CITY OF  
**ABILENE**  
TEXAS





# FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

- The *Comprehensive Plan*;
  - The surrounding uses and zoning;
  - Generally accepted planning principals; and
  - The Criteria for Approval in the LDC.
- Staff Recommendation: **Approval** subject to the proposed Concept Plan.





# Questions?





AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTY; 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 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 17<sup>th</sup> day of November, 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 xx<sup>th</sup> day of xxxxxxx, 2022, the same being more than fifteen (15) days prior to a public hearing held at the Council Chambers of the City Hall at 555 Walnut St. in Abilene, Texas, at 8:30 a.m. on the 1st day of December, 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 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 1st day of December, 2022.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

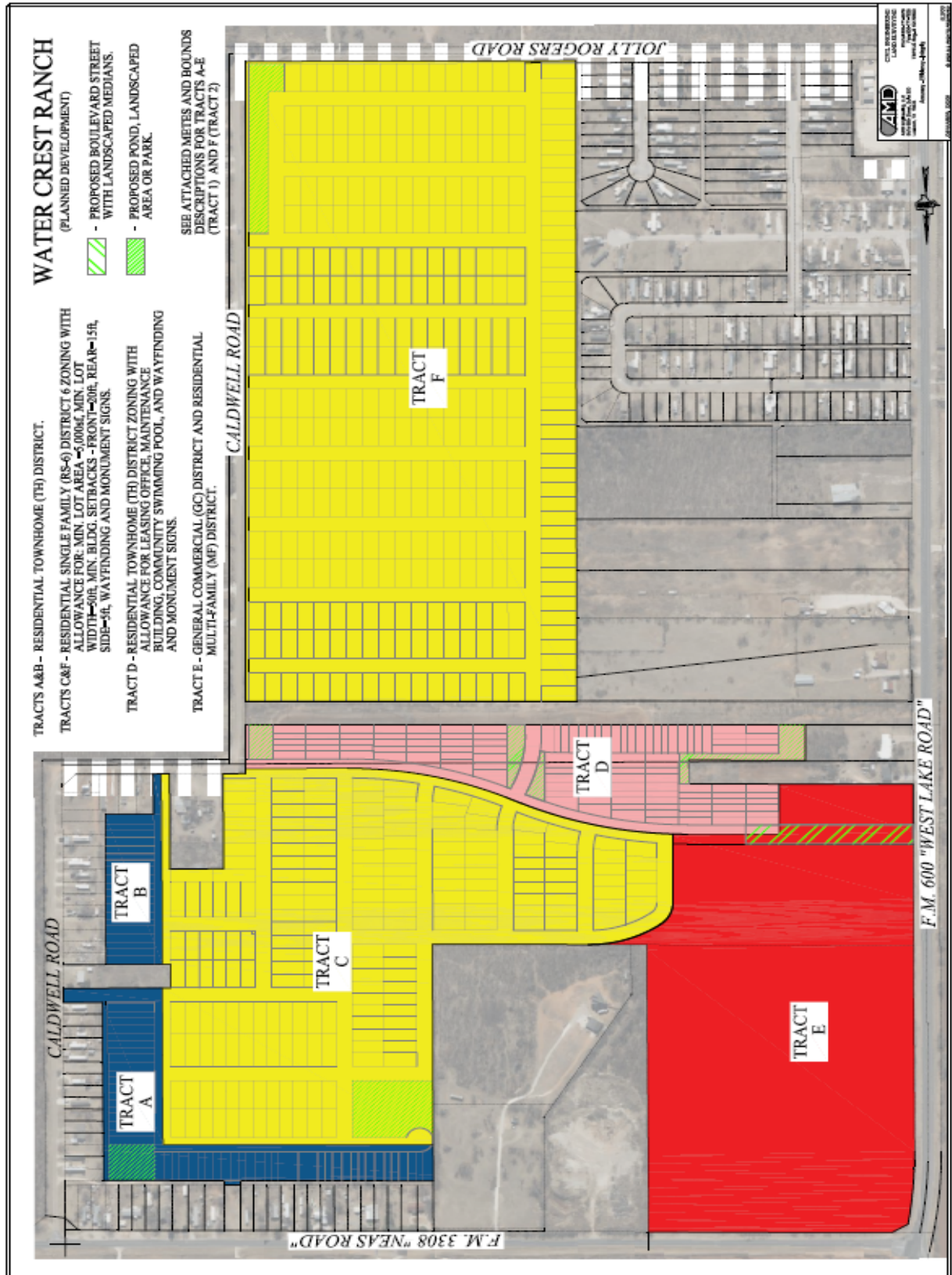
ORDINANCE NO. \_\_\_\_\_

EXHIBIT A

Change the zoning classification of the following described land, from Agricultural Open Space (AO) to Planned Development District 177 (PD-177) subject to compliance with the Concept Plan attached hereto as Exhibit B:

ORDINANCE NO. \_\_\_\_\_

EXHIBIT B



-END-

# PROJECT OVERVIEW

**Project Type:** Zoning Application | **Project Title:** Z-2022-26 AO to PDD-177

**ID #** 22-000188 | **Started** 09/15/2022 at 4:06 PM



## Address

4134 Y Caldwell Rd, Abilene, TX USA 79601

## Legal

A0187 Sur 82 John Jarmon Blk Acres 82.2

A0187 Sur 82 John Jarmon, Acres 82.29

## Description

RESIDENTIAL AND COMMERCIAL DEVELOPMENT

## PROPERTY DETAILS

|                  |                 |
|------------------|-----------------|
| Property ID      | 34785           |
| GEO ID           | 66113           |
| Enforcement Area | Buck Creek Area |

## PROPERTY ADDITIONAL INFORMATION

|                                |                 |
|--------------------------------|-----------------|
| Account Number                 | A0187010400     |
| Property ID                    | 66113           |
| Land Use                       | Vacant          |
| High School                    | Ahs             |
| Middle School                  | Mann            |
| Elementary School              | Ortiz           |
| Super Neighborhood             | Buck Creek Area |
| Courier - Building Square Feet | 0               |

| PROJECT STEPS                                              | DATE & TIME            | RESULT   | USER          |
|------------------------------------------------------------|------------------------|----------|---------------|
| Request                                                    | 09/15/2022 at 4:11 PM  | Accept   | -             |
| Zoning Application Review                                  | 10/03/2022 at 8:18 AM  | Accepted | Adam Holland  |
| Planning Payment                                           | 10/06/2022 at 10:43 AM | Paid     | Clarissa Ivey |
| Create Agenda for Planning and-Zoning Commission           | -                      | -        | -             |
| Staff Prepares Report & Send Property Notification Letters | -                      | -        | -             |
| P&Z Commission Decision                                    | -                      | -        | -             |
| Prepare City Council Agenda                                | -                      | -        | -             |

|                       |   |   |   |
|-----------------------|---|---|---|
| City Council Decision | - | - | - |
| Archive               | - | - | - |

#### INFORMATION FIELDS

##### Owner Name

WEST TEXAS LAND GUYS

##### Agent Name

Sean Hanfeld

##### Block

-

##### Lot

-

##### Acreage

181

##### Legal Description of property

TWO TRACTS OF LAND IN THE JOHN JARMON SURVEY NO.82 AND THE LEONARD BOWERMAN SURVEY NO. 83, TAYLOR COUNTY, TEXAS

##### Subdivision Name

WATER CREST RANCH

##### Current Zoning

AO

##### Proposed Zoning

PLANNED DEVELOPMENT

##### Agree to Terms

Sean Hanfeld

| INVOICES  | DUE DATE   | CONTACT      | TOTAL       | PAID        | DUE     |
|-----------|------------|--------------|-------------|-------------|---------|
| 22-005667 | 10/03/2022 | Sean Hanfeld | \$ 2,000.00 | \$ 2,000.00 | \$ 0.00 |
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#### CREDENTIALS

Surveyor

Engineer

Developer

Homeowner

| OCCUPANCY TYPE              | CONSTRUCTION TYPE | SQUARE FEET | VALUATION |
|-----------------------------|-------------------|-------------|-----------|
| No data for Occupancy Type. |                   |             |           |

| REVIEWS                                                    | DATE & TIME            | STATUS    | HISTORY  |
|------------------------------------------------------------|------------------------|-----------|----------|
| Zoning Application Review                                  | 10/03/2022 at 8:18 AM  | Approved  | Accepted |
| Create Agenda for Planning and Zoning Commission           | 10/06/2022 at 10:43 AM | In Review | -        |
| Staff Prepares Report & Send Property Notification Letters | 10/06/2022 at 10:43 AM | In Review | -        |

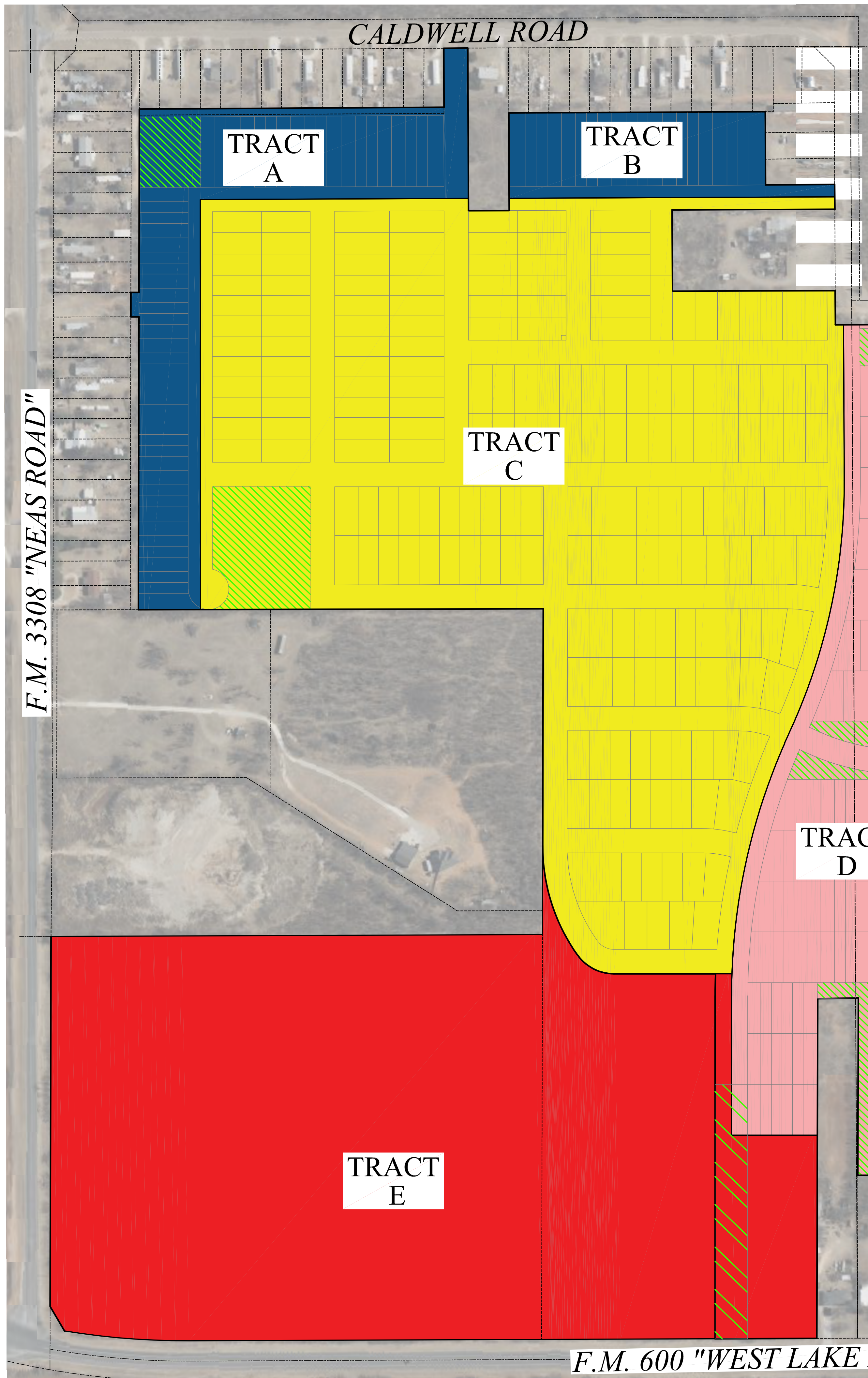
| INSPECTIONS              | DATE & TIME | STATUS | HISTORY |
|--------------------------|-------------|--------|---------|
| No data for Inspections. |             |        |         |

| GENERATED DOCUMENTS              | PRINTED ON | PRINTED BY | ISSUED TO |
|----------------------------------|------------|------------|-----------|
| No data for Generated Documents. |            |            |           |

| GENERAL COMMENTS              |
|-------------------------------|
| No data for General Comments. |

| CONTACTS                                          | CONTACT INFO                      | ADDRESS                                            | CREDENTIALS | ROLE           |
|---------------------------------------------------|-----------------------------------|----------------------------------------------------|-------------|----------------|
| Hantman Joseph M Rev - Trust Hantman Judith As Tr |                                   | 10855 Wellworth Ave<br>Los Angeles, CA 90024-4915  | -           | Property Owner |
| Sean Hanfeld                                      | shanfeld@amdeng.com<br>8067715976 | 6515 68th Street<br>Suite 300<br>Lubbock, TX 79424 | -           | APPLICANT      |





TRACTS A&B - RESIDENTIAL TOWNHOME (TH) DISTRICT.

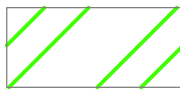
TRACTS C&F - RESIDENTIAL SINGLE FAMILY (RS-6) DISTRICT 6 ZONING WITH ALLOWANCE FOR: MIN. LOT AREA =5,000sf, MIN. LOT WIDTH=50ft, MIN. BLDG. SETBACKS - FRONT=20ft, REAR=15ft, SIDE=5ft, WAYFINDING AND MONUMENT SIGNS.

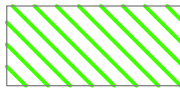
TRACT D - RESIDENTIAL TOWNHOME (TH) DISTRICT ZONING WITH ALLOWANCE FOR LEASING OFFICE, MAINTENANCE BUILDING, COMMUNITY SWIMMING POOL, AND WAYFINDING AND MONUMENT SIGNS.

TRACT E - GENERAL COMMERCIAL (GC) DISTRICT AND RESIDENTIAL MULTI-FAMILY (MF) DISTRICT.

# WATER CREST RANCH

(PLANNED DEVELOPMENT)

 - PROPOSED BOULEVARD STREET WITH LANDSCAPED MEDIANS.

 - PROPOSED POND, LANDSCAPED AREA OR PARK.

SEE ATTACHED METES AND BOUNDS DESCRIPTIONS FOR TRACTS A-E (TRACT 1) AND F (TRACT 2)

F.M. 3308 "NEAS ROAD"

CALDWELL ROAD

JOLLY ROGERS ROAD

F.M. 600 "WEST LAKE ROAD"



AMD Engineering, LLC  
6515 68th Street, Suite 300  
Lubbock, TX 79424

CIVIL ENGINEERING  
LAND SURVEYING  
Phone: 806-771-5976  
Fax: 806-771-7625  
TBPES Reg. # 10178500

Accuracy - Efficiency - Integrity

JOB NUMBER: 220209

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ELS/OG





HARDESTY JOSEPH CONNOR  
426 NEAS RD  
ABILENE, TX 79601-7106

**NOTICE OF PUBLIC HEARING**

**RE: Zone Change Application Number Z-2022-26**

**10/19/2022**

The Planning and Zoning Commission will hold a public hearing on **November 1, 2022 at 1:30 PM**, in the Council Chambers at 555 Walnut St. in Abilene, Texas vote to recommend approval or denial to City Council on a request from AMD Engineering to change the zoning of approximately 187.21 acres from Agricultural Open (AO) to a Planned Development District (PDD). Legal description two tracts of land in the John Jarmon Survey No.82 and the Leonard Bowerman Survey No. 83, City of Abilene, Taylor County, Texas.

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

The attached map shows the area of this request. Only the area highlighted by striped lines shown on that map is being considered for a change of zoning. The solid boundary line surrounding this subject area is only a notification area. If approved by the Planning and Zoning Commission, or if denied and promptly appealed to Abilene's City Council, this case will be heard by City Council for 2<sup>nd</sup> and Final Reading with a public hearing on **December 1, 2022 at 8:30 AM** in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Adam Holland at telephone 325-676-6230 or by email address [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

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

**CASE #: Z-2022-26**

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

Name: HARDESTY JOSEPH CONNOR  
Parcel I.D.: 974738  
Address: 202 NEAS RD

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

Email: [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Hardesty Joseph Connor", is written over a horizontal line.



BARDIN BRAD S & EMILY G  
457 JOLLY ROGERS RD  
ABILENE, TX 79601-2707

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**CASE #: Z-2022-26**

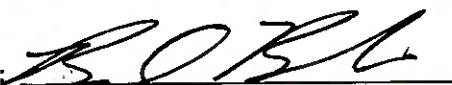
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: BARDIN BRAD S & EMILY G  
Parcel I.D.: 20045  
Address: 441 JOLLY ROGERS RD

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

Email: [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

I am in favor ☒ I am opposed ☐  
Additional Comments:

Signature: 



BARDIN BRAD S & EMILY G  
457 JOLLY ROGERS RD  
ABILENE, TX 79601-2707

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Name: BARDIN BRAD S & EMILY G  
Parcel I.D.: 51713  
Address:

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

Email: [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

I am in favor ☒ I am opposed ☐  
Additional Comments:

Signature: 



BARDIN BRAD S & EMILY G  
457 JOLLY ROGERS RD  
ABILENE, TX 79601-2707

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Name: BARDIN BRAD S & EMILY G  
Parcel I.D.: 75041  
Address: 457 JOLLY ROGERS RD

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

Email: [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: \_\_\_\_\_



HARDESTY JOSEPH CONNOR  
426 NEAS RD  
ABILENE, TX 79601-7106

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For the PLANNING & ZONING COMMISSION  
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**CASE #: Z-2022-26**

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Name: HARDESTY JOSEPH CONNOR  
Parcel I.D.: 53007  
Address: 4489X CALDWELL RD

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

Email: [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Hardesty Joseph Connor", is written over a horizontal line.



# ZONING CASE Z-2022-27

## STAFF REPORT

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### Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1<sup>st</sup> Reading: November 17, 2022

City Council 2<sup>nd</sup> Reading: December 1, 2022

### Applicant

Owner: John Felder

### Request

Rezone approximately 3.02 acres from Heavy Commercial (HC) to General Retail (GR). The applicant intends to use the property as a hotel and multi-family residential.

### Location

Radford Hills Section 3, Continuation 1, Block 4, Lot 1  
774 E Highway 80

### Background

This property was annexed in 1957 and has been commercially developed as a hotel.

### Zoning, Existing and Proposed Land Use

Properties zoned as Heavy Commercial (HC) are located north and west of the subject property. Those properties are used as a nursing home and a technical school. Property to the east is zoned MF and is developed for townhomes

### 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 Map recommends multi-family and commercial uses at this location. The proposed use is a hybrid of both of those uses. East Highway 80 is shown as a Community Enhancement Corridor. The proposed use is therefore consistent with the Comprehensive Plan.

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

The proposed use is consistent with the current zoning patterns and is appropriate at this location.

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

There are adequate facilities serving this property.

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

None.

#### **Planning and Zoning Commission Recommendation**

Staff recommends **approval**.

TABLE 1

## Owner

| Owner                                   | Property ID | Situs             | Response |
|-----------------------------------------|-------------|-------------------|----------|
| ADKINS MICHAEL & ELIZABETH J            | 61730       | 226 WASHINGTON BL |          |
| BAUCUM TERESA D                         | 61727       | 218 WASHINGTON BL |          |
| CITY OF ABILENE                         | 59271       | 898 SANDY ST      | X        |
| CITY OF ABILENE                         | 59271       | 701 E HWY 80      | X        |
| CITY OF ABILENE                         | 59271       | 774 SANDY ST      | X        |
| CITY OF ABILENE                         | 59271       | 782 SANDY ST      | X        |
| CROSSTONE PROPERTIES LLC                | 61733       | 230 WASHINGTON BL |          |
| HALL LOGAN A                            | 61747       | 262 WASHINGTON BL |          |
| HART-LINE ASSOCIATES                    | 61444       | 725 MEDICAL DR    |          |
| HURT WELDON W & DEBBIE A                | 61314       | 782 E HWY 80      |          |
| LONG ELECTRIC CO                        | 59541       | 781 E HWY 80      |          |
| LONG ELECTRIC CO                        | 59679       | 751 E HWY 80      |          |
| MASSINGILL JOSHUA D                     | 61726       | 214 WASHINGTON BL |          |
| MC CULLOCH AMY K                        | 61722       | 206 WASHINGTON BL |          |
| PATEL JASVANTKUMAR &                    | 61724       | 210 WASHINGTON BL |          |
| PATEL JASVANTKUMAR C &<br>JAIVANTIBEN A | 61742       | 254 WASHINGTON BL |          |
| PATEL JASVANTKUMAR C &<br>JAIVANTIBEN A | 61720       | 202 WASHINGTON BL |          |
| PATEL JASVANTKUMAR C &<br>JAIVANTIBEN A | 61741       | 250 WASHINGTON BL |          |
| PATEL JASVANTKUMAR C &<br>JAIVANTIBEN A | 61739       | 246 WASHINGTON BL |          |
| SP RENTALS #2 LLC                       | 61745       | 258 WASHINGTON BL |          |
| SP RENTALS #2 LLC                       | 61736       | 238 WASHINGTON BL |          |
| SP RENTALS LLC                          | 61735       | 234 WASHINGTON BL |          |
| TEXAS STATE TECHNICAL                   | 62501       | 674 E HWY 80      |          |
| TEXAS STATE TECHNICAL                   | 62501       | 650 E HWY 80      |          |
| TRAVERS HOLDINGS LLC                    | 60931       | 774 E HWY 80      |          |

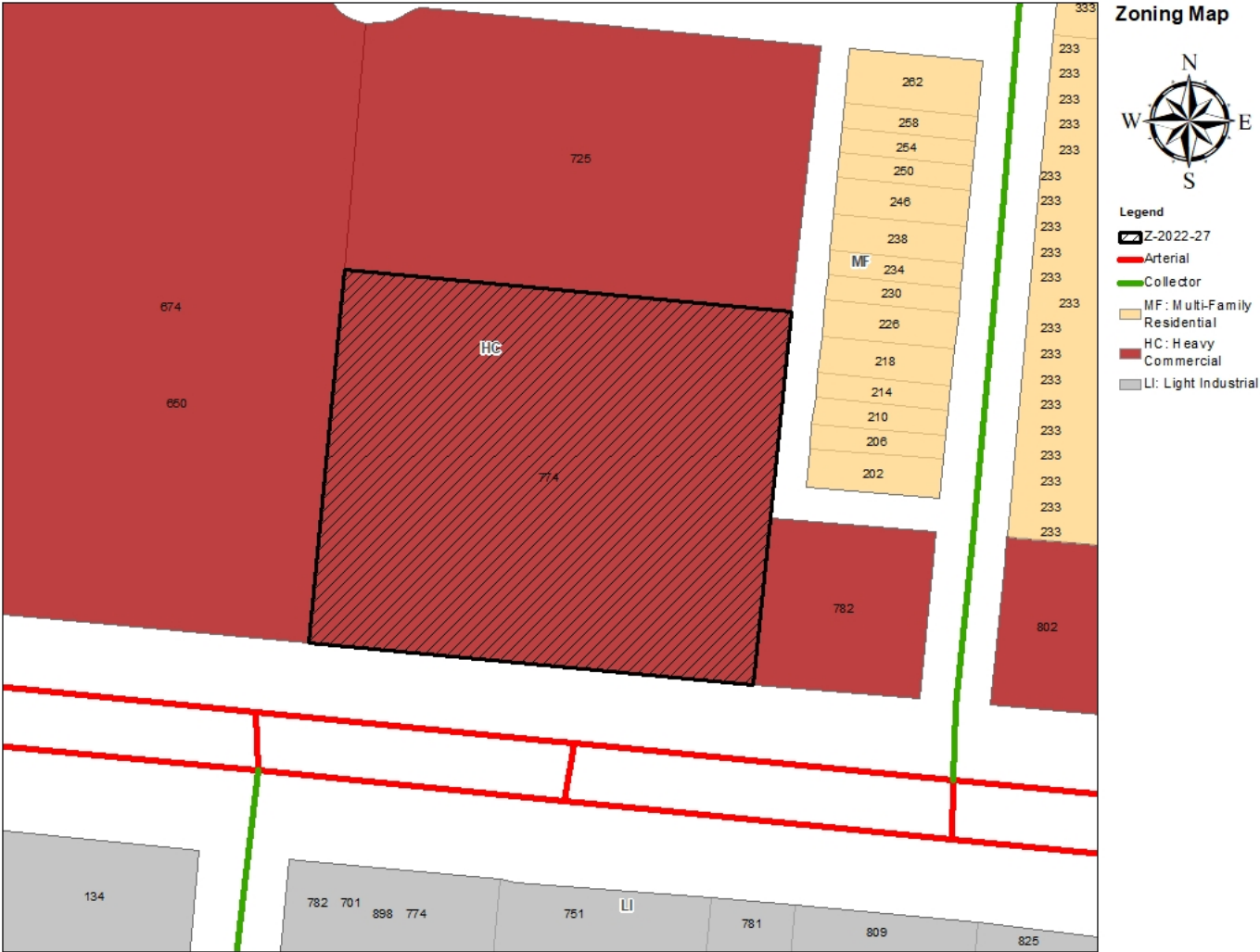
| Property ID                          |             |                   |          |
|--------------------------------------|-------------|-------------------|----------|
| Owner                                | Property ID | Situs             | Response |
| CITY OF ABILENE                      | 59271       | 898 SANDY ST      | X        |
| CITY OF ABILENE                      | 59271       | 701 E HWY 80      | X        |
| CITY OF ABILENE                      | 59271       | 774 SANDY ST      | X        |
| CITY OF ABILENE                      | 59271       | 782 SANDY ST      | X        |
| LONG ELECTRIC CO                     | 59541       | 781 E HWY 80      |          |
| LONG ELECTRIC CO                     | 59679       | 751 E HWY 80      |          |
| TRAVERS HOLDINGS LLC                 | 60931       | 774 E HWY 80      |          |
| HURT WELDON W & DEBBIE A             | 61314       | 782 E HWY 80      |          |
| HART-LINE ASSOCIATES                 | 61444       | 725 MEDICAL DR    |          |
| PATEL JASVANTKUMAR C & JAIVANTIBEN A | 61720       | 202 WASHINGTON BL |          |
| MC CULLOCH AMY K                     | 61722       | 206 WASHINGTON BL |          |
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| MASSINGILL JOSHUA D                  | 61726       | 214 WASHINGTON BL |          |
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| PATEL JASVANTKUMAR C & JAIVANTIBEN A | 61739       | 246 WASHINGTON BL |          |
| PATEL JASVANTKUMAR C & JAIVANTIBEN A | 61741       | 250 WASHINGTON BL |          |
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| SP RENTALS #2 LLC                    | 61745       | 258 WASHINGTON BL |          |
| HALL LOGAN A                         | 61747       | 262 WASHINGTON BL |          |
| TEXAS STATE TECHNICAL                | 62501       | 674 E HWY 80      |          |
| TEXAS STATE TECHNICAL                | 62501       | 650 E HWY 80      |          |

# LOCATION MAP





ZONING MAP





# REZONE REQUEST

**Owner:** John Felder

**Request:** Rezone from HC to GR

**Location:** 774 E Hwy 80

**Notification:** 0 in Favor, 0 Opposed

**Planning & Zoning:** November 1, 2022

**City Council Hearing:** November 17, 2022  
December 1, 2022





# Z-2022-27 LOCATION MAP



Location Map



Legend

- Z-2022-27
- CourierParcels



CITY OF  
**ABILENE**  
TEXAS





# Z-2022-27 ZONING MAP



CITY OF  
**ABILENE**  
TEXAS



# Permitted Uses in HC Zoning

## RESIDENTIAL USES:

|                                       |                                                                  |
|---------------------------------------|------------------------------------------------------------------|
| C                                     | Hotel/Motel                                                      |
| <u>ACCESSORY AND INCIDENTAL USES:</u> |                                                                  |
| 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) ( <i>Defined under Liquor Store</i> ) |
| P | Liquor Store (On Premises Consumption) ( <i>Defined under Liquor Store</i> )  |
| 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          |



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## 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                                                                                                      |





# Permitted Uses in GR Zoning

## RESIDENTIAL USES:

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

## ACCESSORY AND INCIDENTAL USES:

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

## CULTURAL AND RECREATIONAL USES:

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

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

## EDUCATIONAL AND RELIGIOUS USES:

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

## SERVICE

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

## TRADE – RETAIL USES

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

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

## RESOURCE PRODUCTION AND EXTRACTION USES:

P Petroleum or Gas Well  
P Urban Garden

## LEGEND

P 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





## Z-2022-27 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



East Neighboring Property



Northwest Subject Property



West Neighboring Property

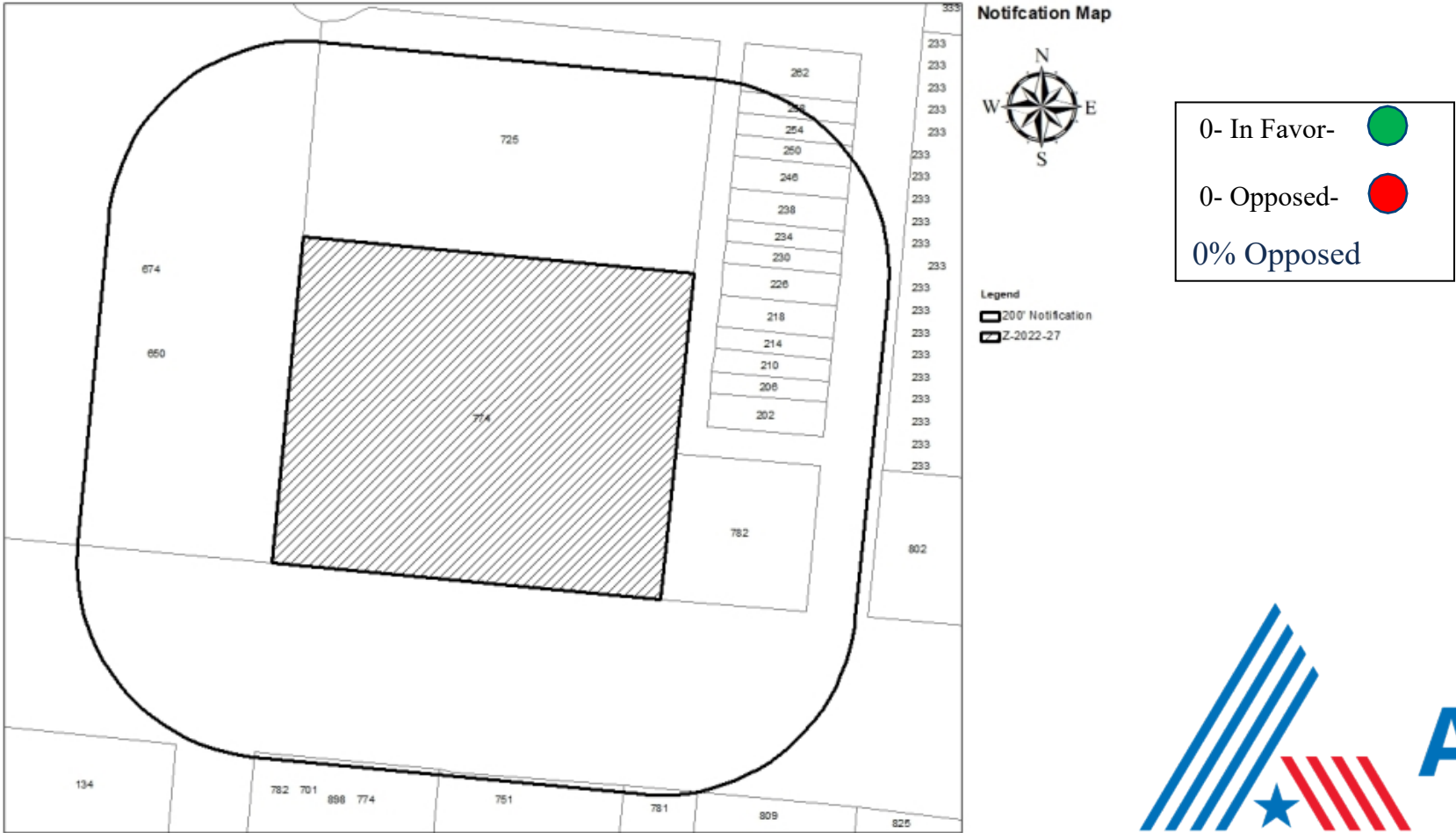


North View Subject Property





# Z-2022-27 NOTIFICATION AREA MAP





# FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

- The *Comprehensive Plan*;
  - The surrounding uses and zoning;
  - Generally accepted planning principals; and
  - The Criteria for Approval in the LDC.
- Staff Recommendation: **Approval**





# Questions?





# PROJECT OVERVIEW

**Project Type:** Zoning Application | **Project Title:** Z-2022-27 HC to GR

**ID #** 22-000193 | **Started** 10/02/2022 at 5:45 PM



## Address

774 E Hwy 80, Abilene, TX USA 79601

## Legal

Radford Hills Sec 3 Cont 1 Blk Block 4 Lot Lot 1  
Radford Hills Sec 3 Cont 1, Block 4, Lot 1

## Description

The goal of the rezoning application is to obtain approval to change the current zone of HC to GR. As our company begins to prepare for the rehab of the newly purchased property, we believe a multi-family unit/apartment building (using the current structure of the property) is ideal and will be a positive contribution to the community. However, it is our desire to also maintain the option to use the property as a hotel/motel (using the current structure of the property), if such use is in the best interest of the community. In addition to the foregoing, it is important to note that the rezoning of this property from HC to GR, would homogeneously fall in line with the current suite of zones in the surrounding community.

## PROPERTY DETAILS

|                  |                |
|------------------|----------------|
| Property ID      | 60931          |
| GEO ID           | 54721          |
| Enforcement Area | North E Hwy 80 |

## PROPERTY ADDITIONAL INFORMATION

|                                |                   |
|--------------------------------|-------------------|
| Account Number                 | 57500014100       |
| Property ID                    | 54721             |
| Land Use                       | Single Family Res |
| High School                    | Ahs               |
| Middle School                  | Craig             |
| Elementary School              | Taylor            |
| Super Neighborhood             | North E Hwy 80    |
| Courier - Building Square Feet | 38108             |

| PROJECT STEPS                                    | DATE & TIME           | RESULT   | USER          |
|--------------------------------------------------|-----------------------|----------|---------------|
| Request                                          | 10/02/2022 at 6:04 PM | Accept   | -             |
| Zoning Application Review                        | 10/03/2022 at 8:23 AM | Accepted | Adam Holland  |
| Planning Payment                                 | 10/03/2022 at 9:31 AM | Paid     | Clarissa Ivey |
| Create Agenda for Planning and-Zoning Commission |                       | -        | -             |

|                                                               |   |   |   |
|---------------------------------------------------------------|---|---|---|
| Staff Prepares Report & Send<br>Property Notification Letters | - | - | - |
| P&Z Commission Decision                                       | - | - | - |
| Prepare City Council Agenda                                   | - | - | - |
| City Council Decision                                         | - | - | - |
| Archive                                                       | - | - | - |

## INFORMATION FIELDS

### Owner Name

NWG Properties LLC

### Agent Name

John Felder

### Block

4

### Lot

1

### Acreage

3.0211

### Legal Description of property

Radford Hills, Sec 3, Cont 1, Block 4, Lot 1

### Subdivision Name

Radford Hills

### Current Zoning

HC

### Proposed Zoning

GR

### Agree to Terms

John Felder

| INVOICES  | DUE DATE                     | CONTACT           | TOTAL        | PAID        | DUE        |
|-----------|------------------------------|-------------------|--------------|-------------|------------|
| 22-005668 | 10/03/2022                   | John Felder       | \$ 1,500.00  | \$ 1,500.00 | \$ 0.00    |
|           | <b>Fees</b>                  | <b>Account No</b> | <b>Total</b> | <b>Paid</b> | <b>Due</b> |
|           | Zoning - Zone change request | 1002503010-42101  | \$ 1,500.00  | \$ 1,500.00 | \$ 0.00    |
| TOTALS    |                              |                   | \$ 1,500.00  | \$ 1,500.00 | \$ 0.00    |

## CREDENTIALS

Surveyor

Engineer

Developer

Homeowner

| OCCUPANCY TYPE              | CONSTRUCTION TYPE | SQUARE FEET | VALUATION |
|-----------------------------|-------------------|-------------|-----------|
| No data for Occupancy Type. |                   |             |           |

| REVIEWS                                                    | DATE & TIME           | STATUS    | HISTORY  |
|------------------------------------------------------------|-----------------------|-----------|----------|
| Zoning Application Review                                  | 10/03/2022 at 8:23 AM | Approved  | Accepted |
| Create Agenda for Planning and Zoning Commission           | 10/03/2022 at 9:31 AM | In Review | -        |
| Staff Prepares Report & Send Property Notification Letters | 10/03/2022 at 9:31 AM | In Review | -        |

| INSPECTIONS              | DATE & TIME | STATUS | HISTORY |
|--------------------------|-------------|--------|---------|
| No data for Inspections. |             |        |         |

| GENERATED DOCUMENTS              | PRINTED ON | PRINTED BY | ISSUED TO |
|----------------------------------|------------|------------|-----------|
| No data for Generated Documents. |            |            |           |

| GENERAL COMMENTS              |
|-------------------------------|
| No data for General Comments. |

| CONTACTS             | CONTACT INFO              | ADDRESS                                                    | CREDENTIALS | ROLE           |
|----------------------|---------------------------|------------------------------------------------------------|-------------|----------------|
| John Felder          | feldrealestate@gmail.com- |                                                            | -           | APPLICANT      |
| Travers Holdings Llc | -                         | 1310 Ranch Road 620 S - Ste B195<br>Lakeway, TX 78734-6427 |             | Property Owner |

# ZONING CASE CUP-2022-09

## STAFF REPORT

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### Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1<sup>st</sup> Reading: November 17, 2022

City Council 2<sup>nd</sup> Reading: December 1, 2022

### Applicant

Owner: John Felder

### Request

A Conditional Use Permit to use the property as a hotel and for multi-family residential. It should be noted that this request is contingent upon the favorable outcome of Z-2022-27 to rezone the site from Heavy Commercial (HC) to General Retail (GR).

### Location

Radford Hills Section 3, Continuation 1, Block 4, Lot 1  
774 E Highway 80

### Background

This property was annexed in 1957 and has been commercially developed as a hotel.

### Zoning, Existing and Proposed Land Use

A Heavy Commercial (HC) district is located north and west of the subject property. A nursing home is located north of this site. A technical school is west of the subject property. The Multi-Family district east of this site is developed as a townhome community.

### Criteria Assessment

Staff has reviewed the request based upon the factors established in Section 1.4.3.5, Criteria for Approval, of the Land Development Code. 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.**  
The Future Land Use Map shows the subject site is within a multi-family and commercial zone. East Highway 80 is also shown to be a Community Enhancement Corridor. The proposed use of this site aligns with the Comprehensive Plan.
- 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations**  
The proposed use is consistent with the current zoning and is appropriate at this location.

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.**

The applicant proposes to rehabilitate the buildings on the subject site. The existing buildings are currently boarded up and the property has deteriorated. The proposed use will remediate these issues, which will enhance the appearance of the East Highway 80 corridor and improve the value of the surrounding development and neighborhoods.

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.**

The proposed development will include a 5' sidewalk to aid pedestrian traffic along East Highway 80 corridor.

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.**

East Highway 80 is a 4-lane arterial street high traffic volumes. The approval of this project would not create the need for any additional traffic improvements.

6. **The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.**

The proposed site plan shows new fences along the east and west property lines and a new sidewalk. The greatest impact of this development is the rehabilitation of the buildings on this site and the general condition and maintenance of the site.

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.**

The proposed use will comply with all applicable LDC requirements.

## **Staff Recommendation**

Staff recommends **approval** subject to compliance with the site plan submitted with the request.



Notification

TABLE 1

Owner

| Owner                                   | Property ID | Situs             | Response |
|-----------------------------------------|-------------|-------------------|----------|
| ADKINS MICHAEL & ELIZABETH J            | 61730       | 226 WASHINGTON BL |          |
| BAUCUM TERESA D                         | 61727       | 218 WASHINGTON BL |          |
| CITY OF ABILENE                         | 59271       | 898 SANDY ST      | X        |
| CITY OF ABILENE                         | 59271       | 701 E HWY 80      | X        |
| CITY OF ABILENE                         | 59271       | 774 SANDY ST      | X        |
| CITY OF ABILENE                         | 59271       | 782 SANDY ST      | X        |
| CROSTONE PROPERTIES LLC                 | 61733       | 230 WASHINGTON BL |          |
| HALL LOGAN A                            | 61747       | 262 WASHINGTON BL |          |
| HART-LINE ASSOCIATES                    | 61444       | 725 MEDICAL DR    |          |
| HURT WELDON W & DEBBIE A                | 61314       | 782 E HWY 80      |          |
| LONG ELECTRIC CO                        | 59541       | 781 E HWY 80      |          |
| LONG ELECTRIC CO                        | 59679       | 751 E HWY 80      |          |
| MASSINGILL JOSHUA D                     | 61726       | 214 WASHINGTON BL |          |
| MC CULLOCH AMY K                        | 61722       | 206 WASHINGTON BL |          |
| PATEL JASVANTKUMAR &                    | 61724       | 210 WASHINGTON BL |          |
| PATEL JASVANTKUMAR C &<br>JAIVANTIBEN A | 61742       | 254 WASHINGTON BL |          |
| PATEL JASVANTKUMAR C &<br>JAIVANTIBEN A | 61720       | 202 WASHINGTON BL |          |
| PATEL JASVANTKUMAR C &<br>JAIVANTIBEN A | 61741       | 250 WASHINGTON BL |          |
| PATEL JASVANTKUMAR C &<br>JAIVANTIBEN A | 61739       | 246 WASHINGTON BL |          |
| SP RENTALS #2 LLC                       | 61745       | 258 WASHINGTON BL |          |
| SP RENTALS #2 LLC                       | 61736       | 238 WASHINGTON BL |          |
| SP RENTALS LLC                          | 61735       | 234 WASHINGTON BL |          |
| TEXAS STATE TECHNICAL                   | 62501       | 674 E HWY 80      |          |
| TEXAS STATE TECHNICAL                   | 62501       | 650 E HWY 80      |          |
| TRAVERS HOLDINGS LLC                    | 60931       | 774 E HWY 80      |          |

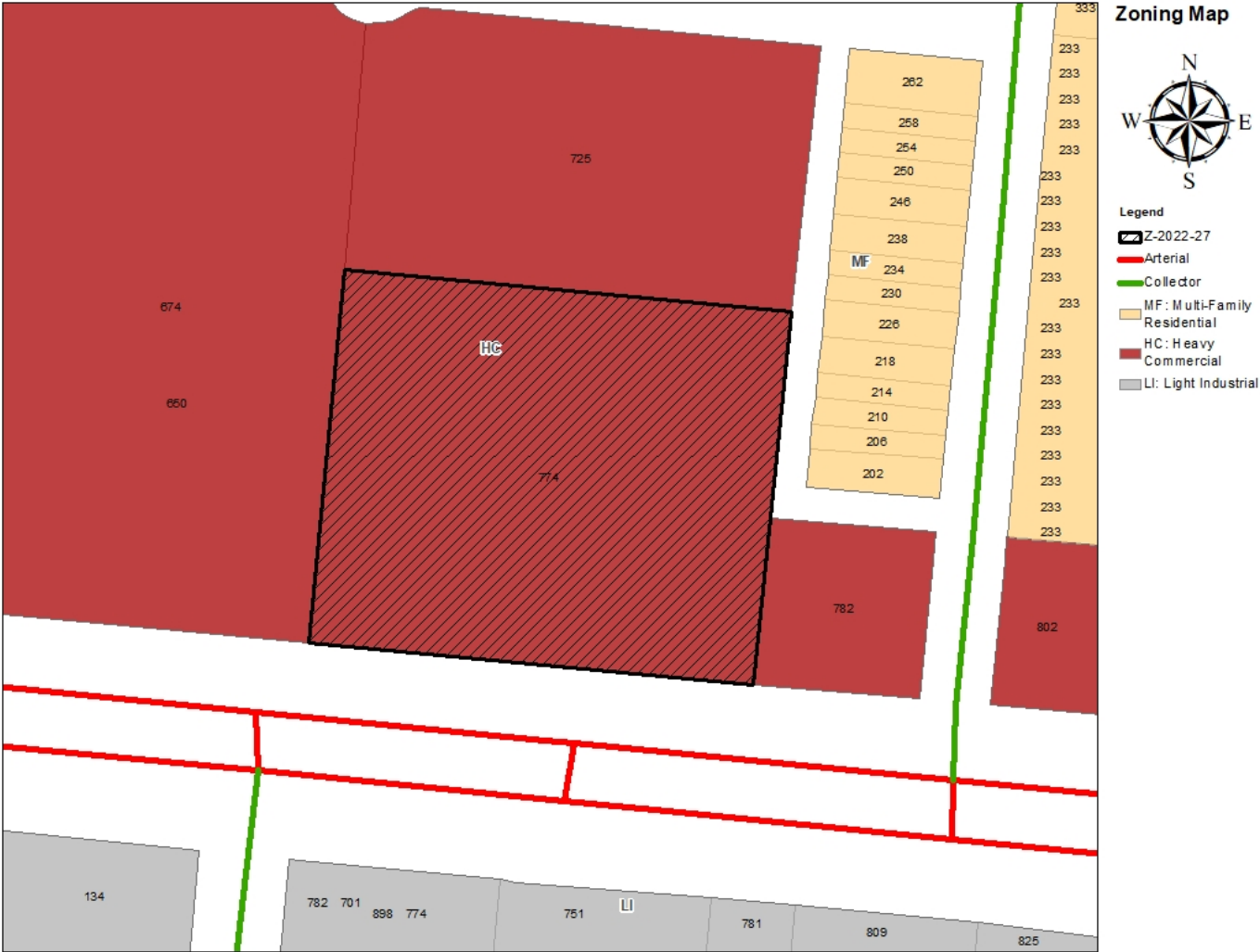
**Property ID**

| <b>Owner</b>                         | <b>Property ID</b> | <b>Situs</b>      | <b>Response</b> |
|--------------------------------------|--------------------|-------------------|-----------------|
| CITY OF ABILENE                      | 59271              | 898 SANDY ST      | X               |
| CITY OF ABILENE                      | 59271              | 701 E HWY 80      | X               |
| CITY OF ABILENE                      | 59271              | 774 SANDY ST      | X               |
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| LONG ELECTRIC CO                     | 59541              | 781 E HWY 80      |                 |
| LONG ELECTRIC CO                     | 59679              | 751 E HWY 80      |                 |
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| PATEL JASVANTKUMAR C & JAIVANTIBEN A | 61742              | 254 WASHINGTON BL |                 |
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| TEXAS STATE TECHNICAL                | 62501              | 674 E HWY 80      |                 |
| TEXAS STATE TECHNICAL                | 62501              | 650 E HWY 80      |                 |

# LOCATION MAP



ZONING MAP





# CONDITIONAL USE PERMIT REQUEST

|                               |                                             |
|-------------------------------|---------------------------------------------|
| <b>Case:</b>                  | CUP-2022-09                                 |
| <b>Owner:</b>                 | John Felder                                 |
| <b>Request:</b>               | CUP to allow Multi-Family in General Retail |
| <b>Location:</b>              | 774 E Hwy 80                                |
| <b>Notification:</b>          | 0 in Favor, 0 Opposed                       |
| <b>Planning &amp; Zoning:</b> | November 1, 2022                            |
| <b>City Council Hearing:</b>  | November 17, 2022<br>December 1, 2022       |







# CUP-2022-09 LOCATION MAP



Location Map



Legend

- Z-2022-27
- CourierParcels



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# CUP-2022-09 ZONING MAP



CITY OF  
**ABILENE**  
TEXAS





# Permitted Uses in GR Zoning

## **RESIDENTIAL USES:**

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

## **ACCESSORY AND INCIDENTAL USES:**

- P Accessory Structure (Also see Division 4 of this article)
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- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P/C Day Care Operation – Home Based
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- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage and parking)
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- P Subdivision Sales Office (temporary)
- P Swimming Pools, Private (accessory to residential use)
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- P/SE Wind Energy Conversion Systems

## **CULTURAL AND RECREATIONAL USES:**

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

## **GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:**

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

## **EDUCATIONAL AND RELIGIOUS USES:**

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

## **SERVICE**

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

## **TRADE – RETAIL USES**

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

## **TRANSPORTATION, COMMUNICATION AND UTILITIES:**

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

## **RESOURCE PRODUCTION AND EXTRACTION USES:**

- P Petroleum or Gas Well
- P Urban Garden

## **LEGEND**

- P 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



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TEXAS





# CUP-2022-09 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



East Neighboring Property



Northwest view of Property



West Neighboring Property

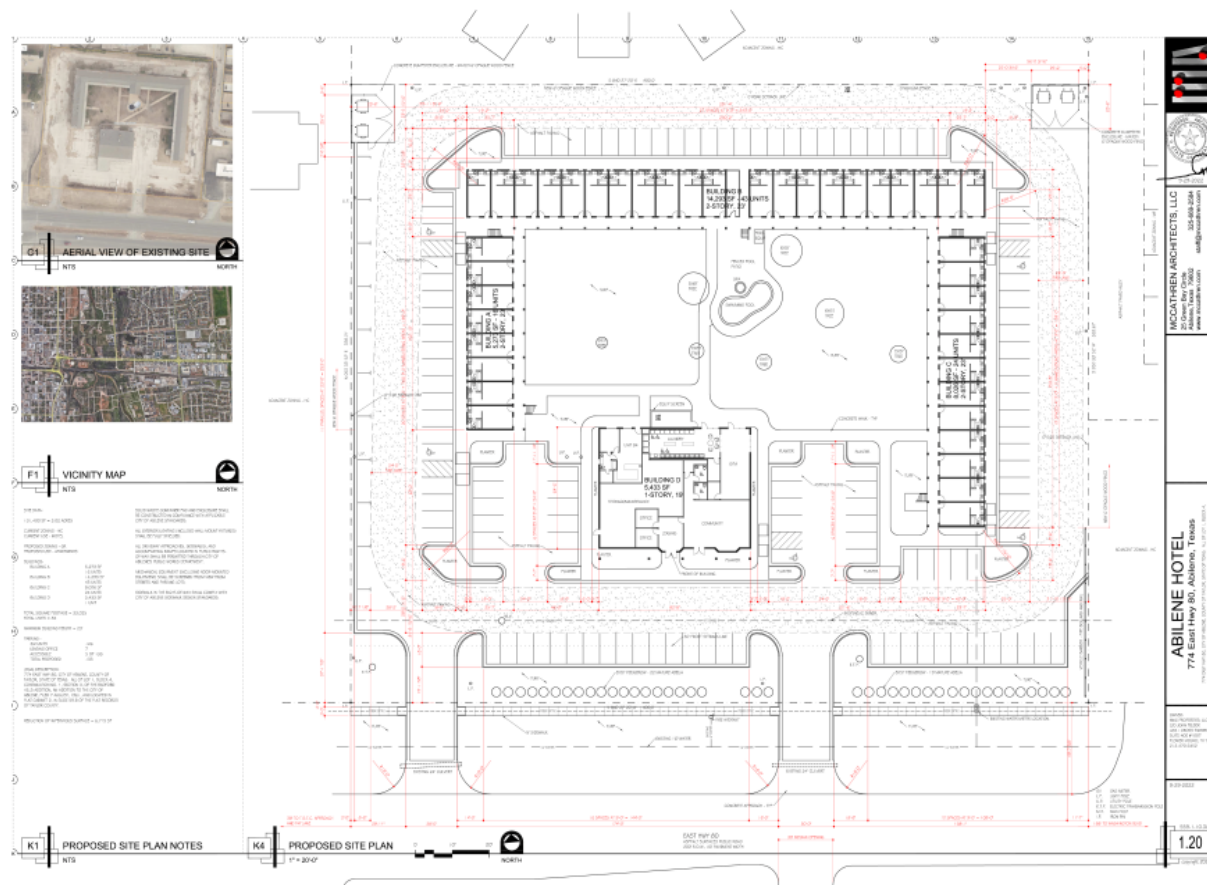


North View Subject Property





# CUP-2022-09 CONCEPT PLAN



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**ABILENE**  
TEXAS







# FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.
- Staff Recommendation: **Approval** subject to the submitted site plan.





# Questions?



# PROJECT OVERVIEW

**Project Type:** Conditional Use Permit | **Project Title:** CUP-2022-09

**ID #** 22-000194 | **Started** 10/02/2022 at 8:10 PM



## Address

774 E Hwy 80, Abilene, TX USA 79601

## Legal

Radford Hills Sec 3 Cont 1 Blk Block 4 Lot Lot 1  
Radford Hills Sec 3 Cont 1, Block 4, Lot 1

## Description

This application is pursuant to the rezoning application (rezone request from HC to GR) sent on October 2, 2022, for the same property. The goal of the conditional use application is to obtain approval to use the current property as a multi-family unit/apartment building (using the current structure of the property) once the property is rezoned to GR. As our company begins to prepare for the rehab of the newly purchased property, we believe a multi-family unit/apartment building (using the current structure of the property) is ideal and would be a positive contribution to the community.

## PROPERTY DETAILS

|                  |                |
|------------------|----------------|
| Property ID      | 60931          |
| GEO ID           | 54721          |
| Enforcement Area | North E Hwy 80 |

## PROPERTY ADDITIONAL INFORMATION

|                                |                   |
|--------------------------------|-------------------|
| Account Number                 | 57500014100       |
| Property ID                    | 54721             |
| Land Use                       | Single Family Res |
| High School                    | Ahs               |
| Middle School                  | Craig             |
| Elementary School              | Taylor            |
| Super Neighborhood             | North E Hwy 80    |
| Courier - Building Square Feet | 38108             |

| PROJECT STEPS                                    | DATE & TIME           | RESULT   | USER                  |
|--------------------------------------------------|-----------------------|----------|-----------------------|
| Request                                          | 10/02/2022 at 8:21 PM | Accept   | -                     |
| Conditional Use Permit Application Review        | 10/03/2022 at 8:30 AM | Accepted | Adam Holland          |
| Planning Payment                                 | 10/03/2022 at 9:25 AM | Paid     | Tim Littlejohn I-2478 |
| Create Agenda for Planning and-Zoning Commission |                       | -        | -                     |

|                                                               |   |   |
|---------------------------------------------------------------|---|---|
| Staff Prepares Report & Send<br>Property Notification Letters | - | - |
| Planning & Zoning Commission -<br>Public Hearing              | - | - |
| Prepare City Council Agenda                                   | - | - |
| City Council Decision                                         | - | - |
| Archive                                                       | - | - |

## INFORMATION FIELDS

### Owner Name

NWG Properties LLC

### Agent Name

John Felder

### No. of Lots

1

### Block

4

### Lot

1

### Acreage

3.0211

### Legal Description of property

Radford Hills, Sec 3, Cont 1, Block 4, Lot 1

### Subdivision Name

Radford Hills

### Current Zoning

HC

### Proposed Zoning

GR

| INVOICES               | DUE DATE   | CONTACT          | TOTAL       | PAID        | DUE     |
|------------------------|------------|------------------|-------------|-------------|---------|
| 22-005669              | 10/03/2022 | John Felder      | \$ 1,500.00 | \$ 1,500.00 | \$ 0.00 |
|                        |            |                  |             |             |         |
| Fees                   |            | Account No       | Total       | Paid        | Due     |
| Conditional Use Permit |            | 1002503010-42101 | \$ 1,500.00 | \$ 1,500.00 | \$ 0.00 |
|                        |            |                  |             |             |         |
| TOTALS                 |            |                  | \$ 1,500.00 | \$ 1,500.00 | \$ 0.00 |

## CREDENTIALS

No data for Credentials.

| OCCUPANCY TYPE              | CONSTRUCTION TYPE | SQUARE FEET | VALUATION |
|-----------------------------|-------------------|-------------|-----------|
| No data for Occupancy Type. |                   |             |           |

| REVIEWS | DATE & TIME | STATUS | HISTORY |
|---------|-------------|--------|---------|
|---------|-------------|--------|---------|

|                                                  |                       |           |          |
|--------------------------------------------------|-----------------------|-----------|----------|
| Conditional Use Permit Application Review        | 10/03/2022 at 8:30 AM | Approved  | Accepted |
| Create Agenda for Planning and Zoning Commission | 10/03/2022 at 9:25 AM | In Review | -        |

| INSPECTIONS              | DATE & TIME | STATUS | HISTORY |
|--------------------------|-------------|--------|---------|
| No data for Inspections. |             |        |         |

| GENERATED DOCUMENTS              | PRINTED ON | PRINTED BY | ISSUED TO |
|----------------------------------|------------|------------|-----------|
| No data for Generated Documents. |            |            |           |

| GENERAL COMMENTS              |
|-------------------------------|
| No data for General Comments. |

| CONTACTS             | CONTACT INFO              | ADDRESS                                                    | CREDENTIALS | ROLE           |
|----------------------|---------------------------|------------------------------------------------------------|-------------|----------------|
| John Felder          | feldrealestate@gmail.com- |                                                            | -           | APPLICANT      |
| Travers Holdings Llc | -                         | 1310 Ranch Road 620 S - Ste B195<br>Lakeway, TX 78734-6427 |             | Property Owner |





# ZONING CASE CUP-2022-08

## STAFF REPORT

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### Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1<sup>st</sup> Reading: November 17, 2022

City Council 2<sup>nd</sup> Reading: December 1, 2022

### Applicant

Owner: Brianne Chavez

### Request

Apply a Conditional Use permit to approximately 0.09 acres of land in the Central Business District to allow a Tattoo Parlor

### Location

Lot 1, Block 1, O T Abilene

### Background

This property is in the Original Town of Abilene. The applicant proposes to use a portion of the building as a tattoo parlor. A Plan of Operation from the applicant is attached with this report.

### Zoning, Existing and Proposed Land Use

This property is within the Central Business district. Currently surrounding uses are the Abilene ISD building to the north, retail uses to the west, a parking lot to the east, and a brewery to the west.

### Criteria Assessment

Staff has reviewed the request based upon the factors established in Section 1.4.3.5, Criteria for Approval, of the Land Development Code. 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.**  
The Future Land Use Map shows the subject site is within the Central Business district which encourages a multitude of different walkable uses.
- 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations**  
The proposed use is consistent with the current zoning patterns and is appropriate at this location.
- 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.**  
None required

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.**  
The Central Business District encourages walkable, pedestrian development.
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.**  
None required.
6. **The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.**  
None required.
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.**  
The use would comply with all applicable LDC requirements.

### **Staff Recommendation**

Staff recommends **approval**.

TABLE 1

## Owner

| Owner                           | Property ID | Situs            | Response |
|---------------------------------|-------------|------------------|----------|
| ABILENE IMPROVEMENT CORP        | 56726       | 101 CYPRESS ST   |          |
| ABILENE IMPROVEMENT CORP        | 56726       | 166 PINE ST      |          |
| ABILENE IND SCHOOL DISTRICT     | 60364       | 241 PINE ST      |          |
| ABILENE MAJESTIC LLC            | 90640       | 181 PINE ST      | F        |
| ALEXANDER TRUST REAL ESTATE LLC | 56870       | 104 PINE ST      |          |
| ALEXANDER TRUST REAL ESTATE LLC | 56870       | 126 PINE ST      |          |
| ALEXANDER TRUST REAL ESTATE LLC | 56870       | 102 PINE ST      |          |
| ALEXANDER TRUST REAL ESTATE LLC | 55174       | 957 N 2ND ST     |          |
| ALEXANDER TRUST REAL ESTATE LLC | 55174       | 959 N 2ND ST     |          |
| ALEXANDER TRUST REAL ESTATE LLC | 55174       | 101 PINE ST      |          |
| ALEXANDER TRUST REAL ESTATE LLC | 55174       | 951 N 2ND ST     |          |
| ALEXANDER TRUST REAL ESTATE LLC | 55174       | 189 PINE ST      |          |
| ALEXANDER TRUST REAL ESTATE LLC | 55174       | 951 1/2 N 2ND ST |          |
| BEMA                            | 55176       | 165 PINE ST      |          |
| BEMA                            | 55176       | 157 PINE ST      |          |
| BEMA                            | 55176       | 155 PINE ST      |          |
| CASTILLO TRES GENERACIONES LLC  | 61308       | 216 PINE ST      |          |
| HALLUM CARY E                   | 61181       | 226 PINE ST      |          |
| MOTIS INVESTMENTS LLC           | 61436       | 202 PINE ST      |          |

**Property ID**

| <b>Owner</b>                    | <b>Property ID</b> | <b>Situs</b>     | <b>Response</b> |
|---------------------------------|--------------------|------------------|-----------------|
| ALEXANDER TRUST REAL ESTATE LLC | 55174              | 957 N 2ND ST     |                 |
| ALEXANDER TRUST REAL ESTATE LLC | 55174              | 959 N 2ND ST     |                 |
| ALEXANDER TRUST REAL ESTATE LLC | 55174              | 101 PINE ST      |                 |
| ALEXANDER TRUST REAL ESTATE LLC | 55174              | 951 N 2ND ST     |                 |
| ALEXANDER TRUST REAL ESTATE LLC | 55174              | 189 PINE ST      |                 |
| ALEXANDER TRUST REAL ESTATE LLC | 55174              | 951 1/2 N 2ND ST |                 |
| BEMA                            | 55176              | 165 PINE ST      |                 |
| BEMA                            | 55176              | 157 PINE ST      |                 |
| BEMA                            | 55176              | 155 PINE ST      |                 |
| ABILENE IMPROVEMENT CORP        | 56726              | 101 CYPRESS ST   |                 |
| ABILENE IMPROVEMENT CORP        | 56726              | 166 PINE ST      |                 |
| ALEXANDER TRUST REAL ESTATE LLC | 56870              | 104 PINE ST      |                 |
| ALEXANDER TRUST REAL ESTATE LLC | 56870              | 126 PINE ST      |                 |
| ALEXANDER TRUST REAL ESTATE LLC | 56870              | 102 PINE ST      |                 |
| ABILENE IND SCHOOL DISTRICT     | 60364              | 241 PINE ST      |                 |
| HALLUM CARY E                   | 61181              | 226 PINE ST      |                 |
| CASTILLO TRES GENERACIONES LLC  | 61308              | 216 PINE ST      |                 |
| MOTIS INVESTMENTS LLC           | 61436              | 202 PINE ST      |                 |
| ABILENE MAJESTIC LLC            | 90640              | 181 PINE ST      | F               |

## LOCATION MAP





ZONING MAP





# CONDITIONAL USE PERMIT REQUEST

**Case:** CUP-2022-08

**Owner:** Brianne Chavez

**Request:** CUP to allow a Tattoo Parlor in Central Business

**Location:** 774 E Hwy 80

**Notification:** 1 in Favor, 0 Opposed

**Planning & Zoning:** November 1, 2022

**City Council Hearing:** November 17, 2022  
December 1, 2022





# CUP-2022-08 LOCATION MAP



Aerial Location



Legend

- CUP-2022-08
- CourierParcels



CITY OF  
**ABILENE**  
TEXAS



# CUP-2022-08 ZONING MAP



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**ABILENE**  
TEXAS





**CITY OF  
ABILENE  
TEXAS**





# CUP-2022-08 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



West Neighboring Property



Northwest neighboring Property



Subject Property



Subject Property



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# CUP-2022-08 NOTIFICATION AREA MAP



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TEXAS





# FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

- The *Comprehensive Plan*;
  - The surrounding uses and zoning;
  - Generally accepted planning principals; and
  - The Criteria for Approval in the LDC.
- 
- Staff Recommendation: **Approval**





# Questions?





Holland, Adam &lt;adam.holland@abilenetx.gov&gt;

---

**Brianne Chavez-Conditional Use Permit application ID #22-000185**

---

**Brianne Chavez** <babybtattoostudio@gmail.com>

Tue, Oct 4, 2022 at 6:08 PM

To: planning@abilenetx.gov

Cc: "Holland, Adam" &lt;adam.holland@abilenetx.gov&gt;

Hello,

This email is in regards to my business I am wanting to open up at 957 N 2nd S. on the block of N 2nd and Pine and how it will be ran.

This area is apart of a huge growing community of the downtown area and I feel like bringing my business will not only satisfy the people that frequent here, but also attract more of the community who haven't seen all of the growth of the downtown area!

I am wanting to open a private tattoo studio/art gallery that will accommodate the style and look and feel of this newly rejuvenated area. It will be more upscale, clean, and cater to the more downtown scene. I will run it as a private studio and by appointment only. This alone will set itself apart from any other tattoo shop ran in town and will allow the cleanliness and classiness to really show.

I am very successful in my existing clientele, and my client base is growing daily so the amount of support my business already has is by mass amounts!! My clients range from active duty military to veterans, teachers from AISD and Wylie ISD. Because of my growing reputation as a tattoo artist I now have clients traveling from out of state to Abilene to come get tattooed by me!

I also plan to do many things for the community. I plan on donating proceeds from flash sales I'll run on art walk nights, or any special events that occur downtown to local charities!! I want to be involved in the community as much as possible!

Being in the downtown area has a reputation of being successful and my business will reflect that same successful mindset. My studio will attract and maintain business in the downtown area simply from giving the experience everyone wants while getting a tattoo! People usually have to travel to get the experience I will set.

I appreciate the time taken to consider my business and I look forward to the future and successes I will bring!



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TEXAS

*[Handwritten signature]*

ABILENE MAJESTIC LLC  
201 MESQUITE ST  
ABILENE, TX 79601-6014

### NOTICE OF PUBLIC HEARING

**RE: Conditional Use Permit Application Number CUP-2022-08**

**10/19/2022**

The Planning and Zoning Commission will hold a public hearing on **November 1, 2022 at 1:30 PM**, in the Council Chambers at 555 Walnut St. in Abilene, Texas vote to recommend approval or denial to City Council on a request from Brianne Chavez of a Conditional Use Permit allowing a tattoo parlor within the Central Business (CB) District. Legal description being Lot 24, Block 1, Original Town Abilene, City of Abilene, Taylor County, Texas.

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

The attached map shows the area of this request. Only the area highlighted by striped lines shown on that map is being considered for a change of zoning. The solid boundary line surrounding this subject area is only a notification area. If approved by the Planning and Zoning Commission, or if denied and promptly appealed to Abilene's City Council, this case will be heard by City Council for 2<sup>nd</sup> and Final Reading with a public hearing on **December 1, 2022 at 8:30 AM** in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Adam Holland at telephone 325-676-6230 or by email address [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

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

**CASE #: CUP-2022-08**

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

Name: ABILENE MAJESTIC LLC  
Parcel I.D.: 90640  
Address: 181 PINE ST

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

Email: [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

I am in favor ☒ I am opposed ☐  
Additional Comments:

Signature: *[Handwritten signature: Charles J. ...]*

*Shouldn't be required to get Conditional permit,  
it should just be allowed.*



# PROJECT OVERVIEW

**Project Type:** Conditional Use Permit | **Project Title:** CUP-2022-08

**ID #** 22-000185 | **Started** 09/12/2022 at 3:35 PM



## Address

957 N 2nd St, Abilene, TX USA 79601

## Legal

O T Abilene Blk Block 1 Lot Lot All Bl  
Ot Abilene, Block 1, Lot All Blk & Pt Of Abdnd Alley  
Tif#1, Less Lts 19-23

## Description

Private Tattoo Studio/ Art Gallery

## PROPERTY DETAILS

|                  |                     |
|------------------|---------------------|
| Property ID      | 55174               |
| GEO ID           | 59135               |
| Enforcement Area | Original Town North |

## PROPERTY ADDITIONAL INFORMATION

|                                |                                          |
|--------------------------------|------------------------------------------|
| Account Number                 | 70100000300                              |
| Property ID                    | 59135, 59106, 59155, 17902, 76404, 76491 |
| Flood Zone                     |                                          |
| Land Use                       | Office                                   |
| High School                    | Ahs                                      |
| Middle School                  | Craig                                    |
| Elementary School              | Johnston                                 |
| Super Neighborhood             | Original Town North                      |
| Lot - Acreage                  | 1.53158881                               |
| Object ID                      | 48210, 48211, 48212, 48213               |
| Courier - Building Square Feet | 7000                                     |

| PROJECT STEPS                             | DATE & TIME           | RESULT   | USER         |
|-------------------------------------------|-----------------------|----------|--------------|
| Request                                   | 09/12/2022 at 4:02 PM | Accept   | -            |
| Conditional Use Permit Application Review | 10/03/2022 at 8:27 AM | Accepted | Adam Holland |
| Planning Payment                          | 10/03/2022 at 8:29 AM | Paid     | Adam Holland |

|                                                            |   |   |
|------------------------------------------------------------|---|---|
| Create Agenda for Planning and-Zoning Commission           | - | - |
| Staff Prepares Report & Send Property Notification Letters | - | - |
| Planning & Zoning Commission - Public Hearing              | - | - |
| Prepare City Council Agenda                                | - | - |
| City Council Decision                                      | - | - |
| Archive                                                    | - | - |

#### INFORMATION FIELDS

##### Owner Name

Brianne Chavez/Jimmy Fuentes

##### Agent Name

Baby B Tattoo Studio

##### No. of Lots

-

##### Block

Block 1

##### Lot

n/a

##### Acreage

-

##### Legal Description of property

n/a

##### Subdivision Name

O T Abilene

##### Current Zoning

CB

##### Proposed Zoning

-

#### INVOICES

##### DUE DATE

##### CONTACT

##### TOTAL

##### PAID

##### DUE

No data for Invoices, Fees & Payments.

#### CREDENTIALS

No data for Credentials.

#### OCCUPANCY TYPE

#### CONSTRUCTION TYPE

#### SQUARE FEET

#### VALUATION

No data for Occupancy Type.

#### REVIEWS

#### DATE & TIME

#### STATUS

#### HISTORY

Conditional Use Permit  
Application Review

10/03/2022 at 8:27 AM

Approved

Accepted

| INSPECTIONS | DATE & TIME | STATUS | HISTORY |
|-------------|-------------|--------|---------|
|-------------|-------------|--------|---------|

No data for Inspections.

| GENERATED DOCUMENTS | PRINTED ON | PRINTED BY | ISSUED TO |
|---------------------|------------|------------|-----------|
|---------------------|------------|------------|-----------|

No data for Generated Documents.

| GENERAL COMMENTS |
|------------------|
|------------------|

No data for General Comments.

| CONTACTS                        | CONTACT INFO                              | ADDRESS                                       | CREDENTIALS | ROLE           |
|---------------------------------|-------------------------------------------|-----------------------------------------------|-------------|----------------|
| Alexander Trust Real Estate Llc | -                                         | 400 Pine St Ste 300<br>Abilene, TX 79601-5188 | -           | Property Owner |
| Brianne Chavez                  | Babybtattoostudio@gmail.com<br>3256038042 | 3942 radcliff rd<br>Abilene, TX 79602         | -           | APPLICANT      |

# TC-2022-03

## STAFF REPORT

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### Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1<sup>st</sup> Reading: November 17, 2022

City Council 2<sup>nd</sup> Reading: December 1, 2022

### Applicant

Owner: City of Abilene

### Request

Thoroughfare Closure of the following right-of-way adjoining Hardin Simmons University:

1. Simmons Avenue between Ambler Avenue and University Boulevard (677 Feet)

### Background

On September 6, 2022, the Commission considered TC-2022-03 to close the following rights-of-way:

1. Simmons Avenue between Ambler Avenue and University Boulevard (677 Feet)
2. Hickory Street between North 26th Street and Vogel Avenue (709 Feet)
3. Cedar Street between North 26th Street and Vogel Avenue (717 Feet)
4. Vogel Avenue between Hickory Street and Pine Street (1,140 Feet)

The Commission made a recommendation to close Hickory Street, Cedar Street, and Vogel Street, subject to the conditions listed in the staff report, as restated below in the staff recommendation, and to recommend denial of the closure of Simmons Avenue.

Because the Commission recommendation regarding these street closures was in the form of a single motion, the applicant was not aware that an appeal regarding the Simmons Avenue closure was required to have that part of the request considered by City Council. Additionally, it was discovered that a request to close Vogel Avenue had previously been considered and approved by City Council.

As a result, the City Council only considered the closure of Hickory Street and Cedar Street, and approved the request on October 14, 2022, subject to the staff recommendation. Due the confusion concerning the need to appeal the Simmons Avenue portion of TC-2022-02, the City of Abilene has submitted this request to allow the City Council to consider that part of the original request.

### Assessment

The purpose of this request is to leave the roadway in place and to convert it into a private street that can be gated to restrict motorized traffic. All existing public utilities in the right-of-way will be placed into easements that will remain accessible to the City for maintenance. The proposed gated entrance will be designed to allow for fire and emergency vehicle access to the campus. The primary goal is to limit vehicular traffic on campus to improve pedestrian and bicycle safety.

The Development Review Committee reviewed this request and found that:

1. The gates can be approved if the proposed gated entrances allow fire department access.

2. Upon abandonment, maintenance, repair, and refurbishment of any stormwater structural controls that fall under these abandoned streets shall be the responsibility of Hardin Simmons University.
3. The approval of the request should be contingent upon the submittal and approval of plans of the gate design to ensure a safe design with illumination, reflective materials, signage, and other safeguards to ensure that motorists have ample time to recognize the gate entrance and realize they need to turn.
4. On Simmons Street at Ambler Avenue, the property at the northwest corner is not currently owned by Hardin Simmons. Therefore, the abandonment cannot take place right at Ambler Avenue, but rather short distance north of the property at the northwest corner.
5. A replat will be required to showing the extension of University Blvd. to Simmons Avenue, with the street being built to City of Abilene standards.

### **Staff Recommendation**

Staff recommends **approval** subject to the following conditions:

1. The subject rights-of-way, and all adjoining properties, shall be platted within one year of the effective date of the abandonment ordinance.
2. If a replat is not approved and recorded within one year, the granting of the abandonments of all of subject rights-of-way shall be void.
3. All existing utilities within the affected rights-of-way shall be covered by a utility easement or rerouted.
4. Gates may not installed to restrict access to the abandoned street rights-of-way until plans for the design, illumination, and operation of the gates have been approved by the Fire, Police, Emergency Management, and Public Works Departments.
5. It shall be the responsibility of Hardin Simmons University to install all required lighting, reflective tape, signage, and equipment necessary to allow emergency access to ensure safe operations at all gate locations.
6. Prior to installation of gates an extension of University Blvd from the west extending to Simmons Avenue must be dedicated on the plat, constructed, and inspected to meet the City of Abilene's standards.

### **Planning and Zoning Commission Action**

The Commission will conduct a Public Hearing and make a recommendation to City Council. The Commission can take the same action it took on September 6, 2022 to recommend denial, or may recommend approval subject to the conditions listed above. The Commission amend, or add to, or subtract from, the staff conditions.

### **Attachments**

- Application
- Hardin Simmons University Exhibits
- PowerPoint

### **Notification**

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on November 22 of 2021 (via certified mail) to the applicant and to other owners of property within a 200-foot radius of the subject street right-of-way. These property owners and associated parcel identification numbers are identified below:

**Property Owners**

| <b>Owner</b>              | <b>Property ID</b> | <b>Situs</b>     | <b>Response</b> |
|---------------------------|--------------------|------------------|-----------------|
| DENNIS JO ANN             | 52792              | 2410 SIMMONS AV  |                 |
| HARDIN SIMMONS UNIVERSITY | 52928              | 2401 BEECH ST    | F               |
| HARDIN SIMMONS UNIVERSITY | 52931              | 2402 SIMMONS AV  | F               |
| HARDIN SIMMONS UNIVERSITY | 53194              | 2220 SIMMONS AV  | F               |
| HARDIN SIMMONS UNIVERSITY | 53863              | 2326 SIMMONS AV  | F               |
| HARDIN SIMMONS UNIVERSITY | 54258              | 1518 SANDEFER ST | F               |
| HARDIN SIMMONS UNIVERSITY | 56702              | 2410 CEDAR ST    | F               |
| HENDRICK MEDICAL          | 31165              | 1401 AMBLER AV   | F               |
| HENDRICK MEDICAL CENTER   | 1006185            | 1518 N 21ST ST   | F               |
| RETAIL BUILDINGS INC      | 53598              |                  |                 |
| WALMART REAL ESTATE       | 1006184            | 1535 AMBLER AV   |                 |

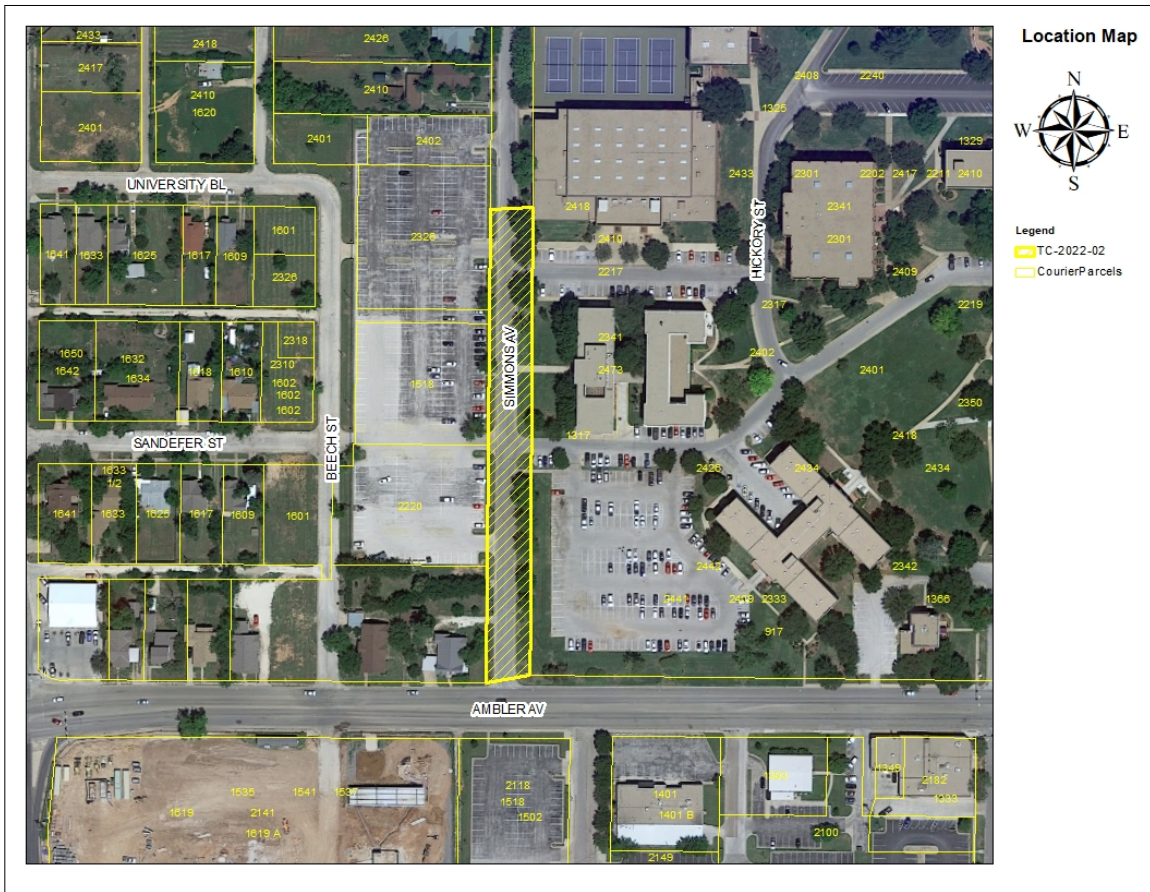
**Property ID**

| <b>Owner</b>              | <b>Property ID</b> | <b>Situs</b>     | <b>Response</b> |
|---------------------------|--------------------|------------------|-----------------|
| HENDRICK MEDICAL          | 31165              | 1401 AMBLER AV   | F               |
| DENNIS JO ANN             | 52792              | 2410 SIMMONS AV  |                 |
| HARDIN SIMMONS UNIVERSITY | 52928              | 2401 BEECH ST    | F               |
| HARDIN SIMMONS UNIVERSITY | 52931              | 2402 SIMMONS AV  | F               |
| HARDIN SIMMONS UNIVERSITY | 53194              | 2220 SIMMONS AV  | F               |
| RETAIL BUILDINGS INC      | 53598              |                  |                 |
| HARDIN SIMMONS UNIVERSITY | 53863              | 2326 SIMMONS AV  | F               |
| HARDIN SIMMONS UNIVERSITY | 54258              | 1518 SANDEFER ST | F               |

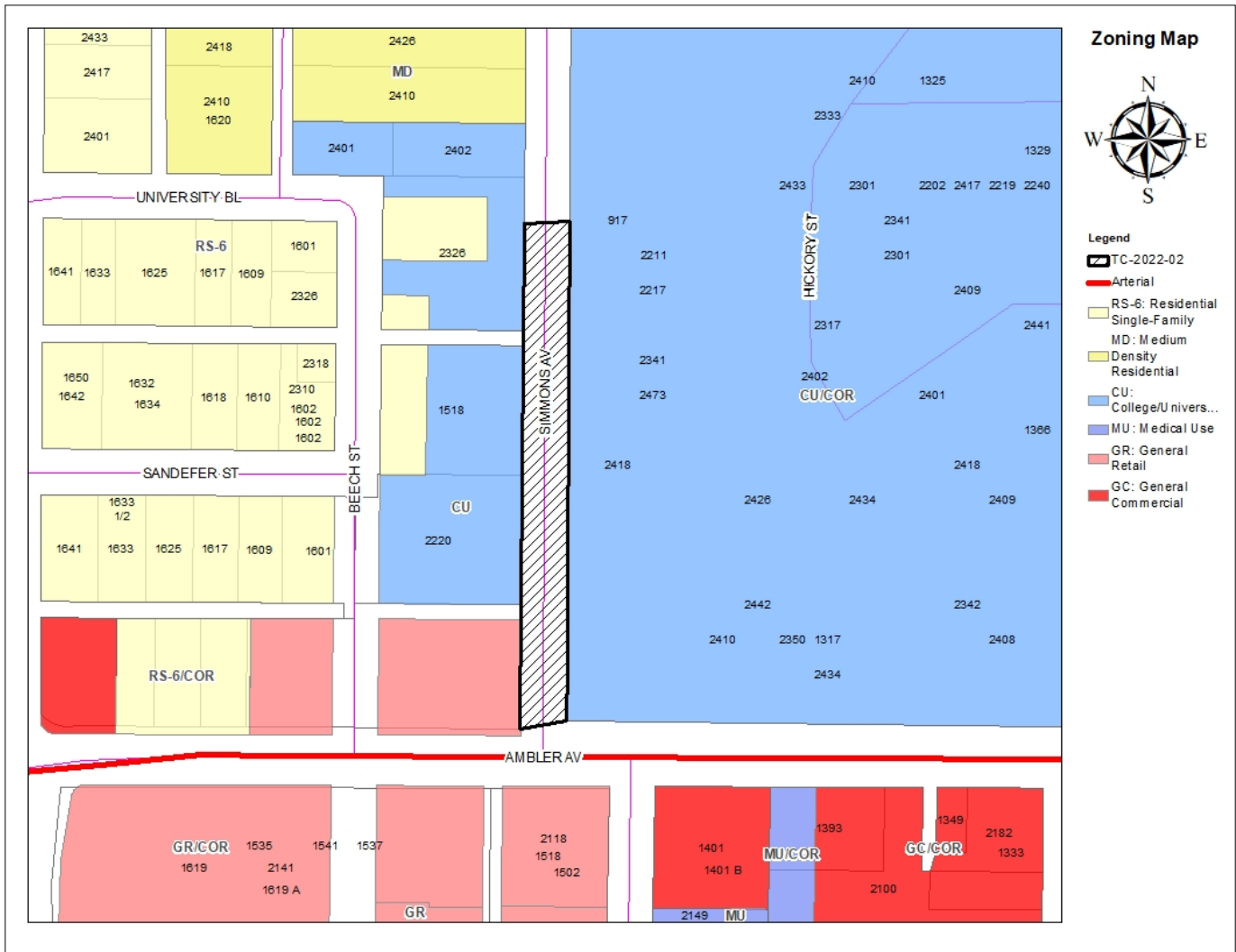


|                                      |                |                       |          |
|--------------------------------------|----------------|-----------------------|----------|
| <b>HARDIN SIMMONS<br/>UNIVERSITY</b> | <b>56702</b>   | <b>2410 CEDAR ST</b>  | <b>F</b> |
| <b>WALMART REAL<br/>ESTATE</b>       | <b>1006184</b> | <b>1535 AMBLER AV</b> |          |
| <b>HENDRICK MEDICAL<br/>CENTER</b>   | <b>1006185</b> | <b>1518 N 21ST ST</b> | <b>F</b> |

## LOCATION MAP



# ZONING MAP





# THOROUGHFARE CLOSURE

|                               |                                                                                                      |
|-------------------------------|------------------------------------------------------------------------------------------------------|
| <b>Case:</b>                  | TC-2022-03                                                                                           |
| <b>Applicant:</b>             | City of Abilene                                                                                      |
| <b>Agent:</b>                 | Enprotec Hibbs & Todd                                                                                |
| <b>Request:</b>               | Thoroughfare closure of a portion of Simmons Avenue adjacent to the Hardin Simmons University Campus |
| <b>Location:</b>              | Simmons Avenue from Ambler Avenue to University Boulevard                                            |
| <b>Notification:</b>          | 8 in Favor, 0 Opposed                                                                                |
| <b>Planning &amp; Zoning:</b> | November 1, 2022                                                                                     |
| <b>City Council Hearings:</b> | 1 <sup>st</sup> November 17, 2022<br>2 <sup>nd</sup> : December 1, 2022                              |





# TC-2022-02 LOCATION MAP



CITY OF  
**ABILENE**  
TEXAS





# TC-2022-02 ZONING MAP



CITY OF  
**ABILENE**  
TEXAS





# TC-2022-02 NEZ Map



CITY OF  
**ABILENE**  
TEXAS





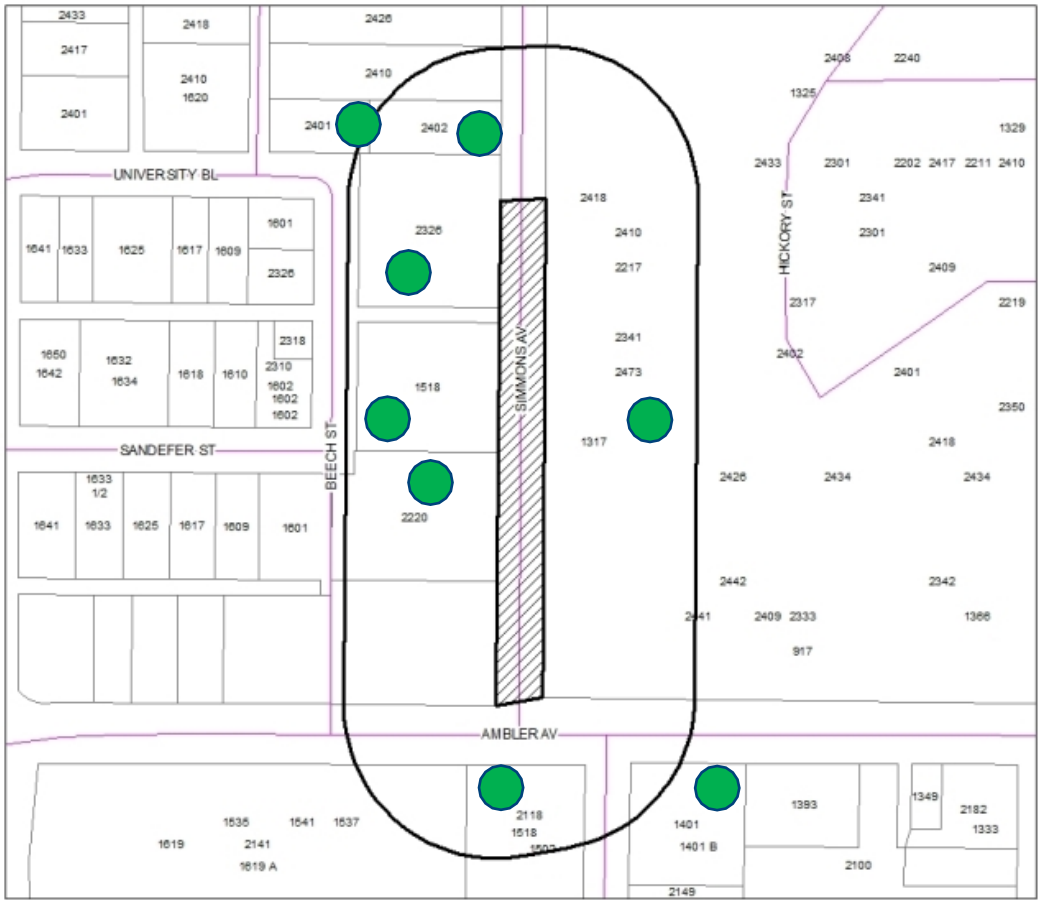
## TC-2022-03 VIEWS OF SUBJECT & ADJACENT PROPERTIES



CITY OF  
**ABILENE**  
TEXAS



# TC-2022-03 NOTIFICATION AREA MAP



Notification Map



Legend  
200' Buffer  
TC-2022-02

8 - In Favor-



0 - Opposed-



CITY OF  
**ABILENE**  
TEXAS





# FINDINGS AND RECOMMENDATIONS

**Staff Recommendation: Approval** subject to:

1. The subject right-of-way, and all adjoining properties, shall be platted within one year of the effective date of the abandonment ordinance.
2. If a replat is not approved and recorded within one year, the granting of the abandonments of all of subject rights-of-way shall be void.
3. All existing utilities within the affected rights-of-way shall be covered by a utility easement or rerouted.
4. Gates may not installed to restrict access to the abandoned street rights-of-way until plans for the design, illumination, and operation of the gates have been approved by the Fire, Police, Emergency Management, and Public Works Departments.
5. It shall be the responsibility of Hardin Simmons University to install all required lighting, reflective tape, signage, and equipment necessary to allow emergency access and provide safe operations at all gate locations.
6. Prior to installation of gates an extension of University Blvd from the west extending to Simmons Avenue must be dedicated on the plat, constructed, and inspected to meet the City of Abilene's standards.





# Questions?





# PROJECT OVERVIEW

**Project Type:** Thoroughfare Closure Application | **Project Title:** TC-2022-03 Simmons Ave from Ambler to University Blvd

**ID #** 22-000203 | **Started** 10/11/2022 at 1:54 PM



## Address

2220 Simmons Av, Abilene, TX USA 79601

## Legal

Darby Of North Park Blk Block C Lot Lot 104 Re  
Darby Of North Park, Block C, Lot 104 Rep

## Description

Abandon a portion of Right-of-way known as Simmons Ave from Ambler to University Blvd and extend University to Simmons Ave

## PROPERTY DETAILS

|                  |               |
|------------------|---------------|
| Property ID      | 53194         |
| GEO ID           | 23471         |
| Enforcement Area | North College |

## PROPERTY ADDITIONAL INFORMATION

|                                |               |
|--------------------------------|---------------|
| Account Number                 | 24130002600   |
| Property ID                    | 23471         |
| Land Use                       | Vacant        |
| High School                    | Ahs           |
| Middle School                  | Mann          |
| Elementary School              | Ortiz         |
| Super Neighborhood             | North College |
| Courier - Building Square Feet | 0             |

## INFORMATION FIELDS

**Owner Name**  
Hardin Simmons University

**Agent Name**  
-

**Block**  
na

**Lot**  
na

**Acreage**  
-



**Legal Description of property**  
Simmons Ave from Ambler to University

**Subdivision Name**

-

**Current Zoning**

-

| INVOICES | DUE DATE | CONTACT | TOTAL | PAID | DUE |
|----------|----------|---------|-------|------|-----|
|----------|----------|---------|-------|------|-----|

No data for Invoices, Fees & Payments.

**CREDENTIALS**

No data for Credentials.

| OCCUPANCY TYPE | CONSTRUCTION TYPE | SQUARE FEET | VALUATION |
|----------------|-------------------|-------------|-----------|
|----------------|-------------------|-------------|-----------|

No data for Occupancy Type.

| REVIEWS | DATE & TIME | STATUS | HISTORY |
|---------|-------------|--------|---------|
|---------|-------------|--------|---------|

|                                   |                       |          |          |
|-----------------------------------|-----------------------|----------|----------|
| Throroughfare Application Closure | 10/11/2022 at 2:22 PM | Approved | Approved |
|-----------------------------------|-----------------------|----------|----------|

|                                                  |                       |           |   |
|--------------------------------------------------|-----------------------|-----------|---|
| Create Agenda for Planning and Zoning Commission | 10/11/2022 at 2:22 PM | In Review | - |
|--------------------------------------------------|-----------------------|-----------|---|

|                 |                       |           |   |
|-----------------|-----------------------|-----------|---|
| Planning Review | 10/11/2022 at 2:22 PM | In Review | - |
|-----------------|-----------------------|-----------|---|

|            |                       |           |   |
|------------|-----------------------|-----------|---|
| AEP Review | 10/11/2022 at 2:22 PM | In Review | - |
|------------|-----------------------|-----------|---|

|                     |                       |           |   |
|---------------------|-----------------------|-----------|---|
| 911 District Review | 10/11/2022 at 2:22 PM | In Review | - |
|---------------------|-----------------------|-----------|---|

|             |                       |           |   |
|-------------|-----------------------|-----------|---|
| AT&T Review | 10/11/2022 at 2:22 PM | In Review | - |
|-------------|-----------------------|-----------|---|

|                     |                       |           |   |
|---------------------|-----------------------|-----------|---|
| Atmos Energy Review | 10/11/2022 at 2:22 PM | In Review | - |
|---------------------|-----------------------|-----------|---|

|                    |                       |           |   |
|--------------------|-----------------------|-----------|---|
| Engineering Review | 10/11/2022 at 2:22 PM | In Review | - |
|--------------------|-----------------------|-----------|---|

|             |                       |           |   |
|-------------|-----------------------|-----------|---|
| Fire Review | 10/11/2022 at 2:22 PM | In Review | - |
|-------------|-----------------------|-----------|---|

|                     |                       |           |   |
|---------------------|-----------------------|-----------|---|
| Public Works Review | 10/11/2022 at 2:22 PM | In Review | - |
|---------------------|-----------------------|-----------|---|

|                        |                       |           |   |
|------------------------|-----------------------|-----------|---|
| Taylor Electric Review | 10/11/2022 at 2:22 PM | In Review | - |
|------------------------|-----------------------|-----------|---|

|                   |                       |           |   |
|-------------------|-----------------------|-----------|---|
| Suddenlink Review | 10/11/2022 at 2:22 PM | In Review | - |
|-------------------|-----------------------|-----------|---|

|                    |                       |           |   |
|--------------------|-----------------------|-----------|---|
| Solid Waste Review | 10/11/2022 at 2:22 PM | In Review | - |
|--------------------|-----------------------|-----------|---|

|                                        |                       |           |   |
|----------------------------------------|-----------------------|-----------|---|
| Traffic Engineering - Site Plan Review | 10/11/2022 at 2:22 PM | In Review | - |
|----------------------------------------|-----------------------|-----------|---|

|                    |                       |           |   |
|--------------------|-----------------------|-----------|---|
| Storm water Review | 10/11/2022 at 2:22 PM | In Review | - |
|--------------------|-----------------------|-----------|---|

|                                                            |                       |           |   |
|------------------------------------------------------------|-----------------------|-----------|---|
| Staff Prepares Report & Send Property Notification Letters | 10/11/2022 at 2:22 PM | In Review | - |
|------------------------------------------------------------|-----------------------|-----------|---|

| INSPECTIONS | DATE & TIME | STATUS | HISTORY |
|-------------|-------------|--------|---------|
|-------------|-------------|--------|---------|

No data for Inspections.

| GENERATED DOCUMENTS | PRINTED ON | PRINTED BY | ISSUED TO |
|---------------------|------------|------------|-----------|
|---------------------|------------|------------|-----------|

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No data for Generated Documents.

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#### **GENERAL COMMENTS**

No data for General Comments.



HENDRICK MEDICAL CENTER  
ATTN: PROPERTY MANAGEMENT  
1900 PINE ST  
ABILENE, TX 79601-2432

### NOTICE OF PUBLIC HEARING

RE: THOROUGHFARE CLOSURE REQUEST NUMBER TC-2022-03

10/19/2022

The Planning and Zoning Commission will hold a public hearing on **November 1, 2022 at 1:30 PM**, in the Council Chambers at 555 Walnut St. in Abilene, Texas vote to recommend approval or denial to City Council on a request from Hardin Simmons University, represented by Enprotech Hibbs & Todd to abandon a portion of Right-of-way known as Simmons Av from Ambler Av to University Blvd and extend University Blvd to Simmons Av.

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

The attached map shows the area of this request. Only the area highlighted by striped lines shown on that map is being considered for a change of zoning. The solid boundary line surrounding this subject area is only a notification area. If approved by the Planning and Zoning Commission, or if denied and promptly appealed to Abilene's City Council, this case will be heard by City Council for 2<sup>nd</sup> and Final Reading with a public hearing on **December 1, 2022 at 8:30 AM** in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Adam Holland at telephone 325-676-6230 or by email address [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

For the PLANNING & ZONING COMMISSION

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

**CASE #: TC-2022-03**

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

Name: HENDRICK MEDICAL CENTER

Parcel I.D.: 1006185

Address: 1518 N 21ST ST

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

Email: [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

I am in favor ☒

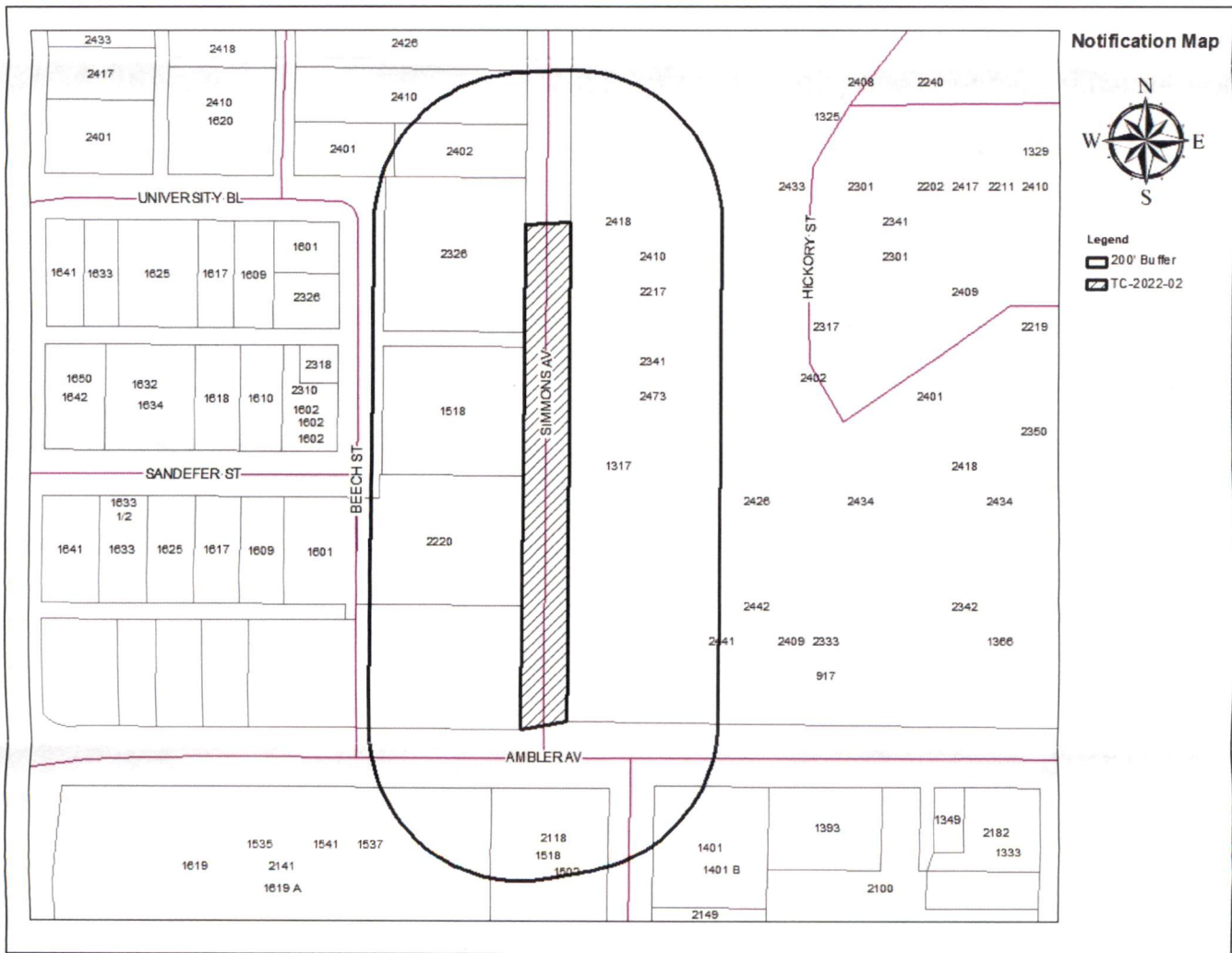
I am opposed ☐

Additional Comments:

Signature: \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "TC" followed by a stylized name, is written over a horizontal line.

**TC-2022-03**





HARDIN SIMMONS UNIVERSITY  
ATTN: BRENDA ALEXANDER  
2200 HICKORY ST  
ABILENE, TX 79601-2345

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For the PLANNING & ZONING COMMISSION

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Name: HARDIN SIMMONS UNIVERSITY

Parcel I.D.: 52931

Address: 2402 SIMMONS AV

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

Email: [planning@abilenetx.gov](mailto:planning@abilenetx.gov)

I am in favor ☒

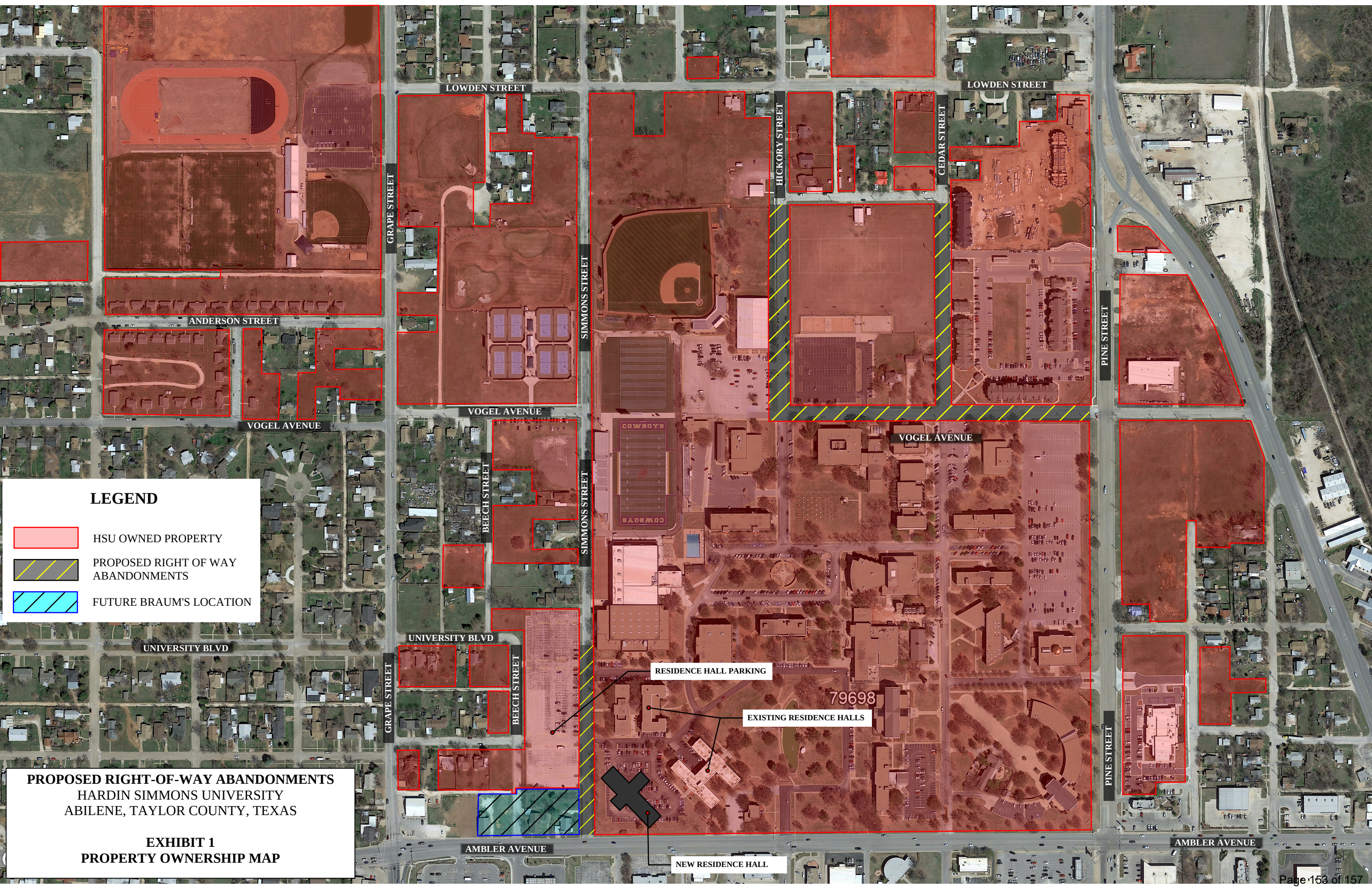
I am opposed ☐

Additional Comments:

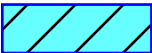
Signature: \_\_\_\_\_

*Jodie McLaughlin*  
Vice President for Finance





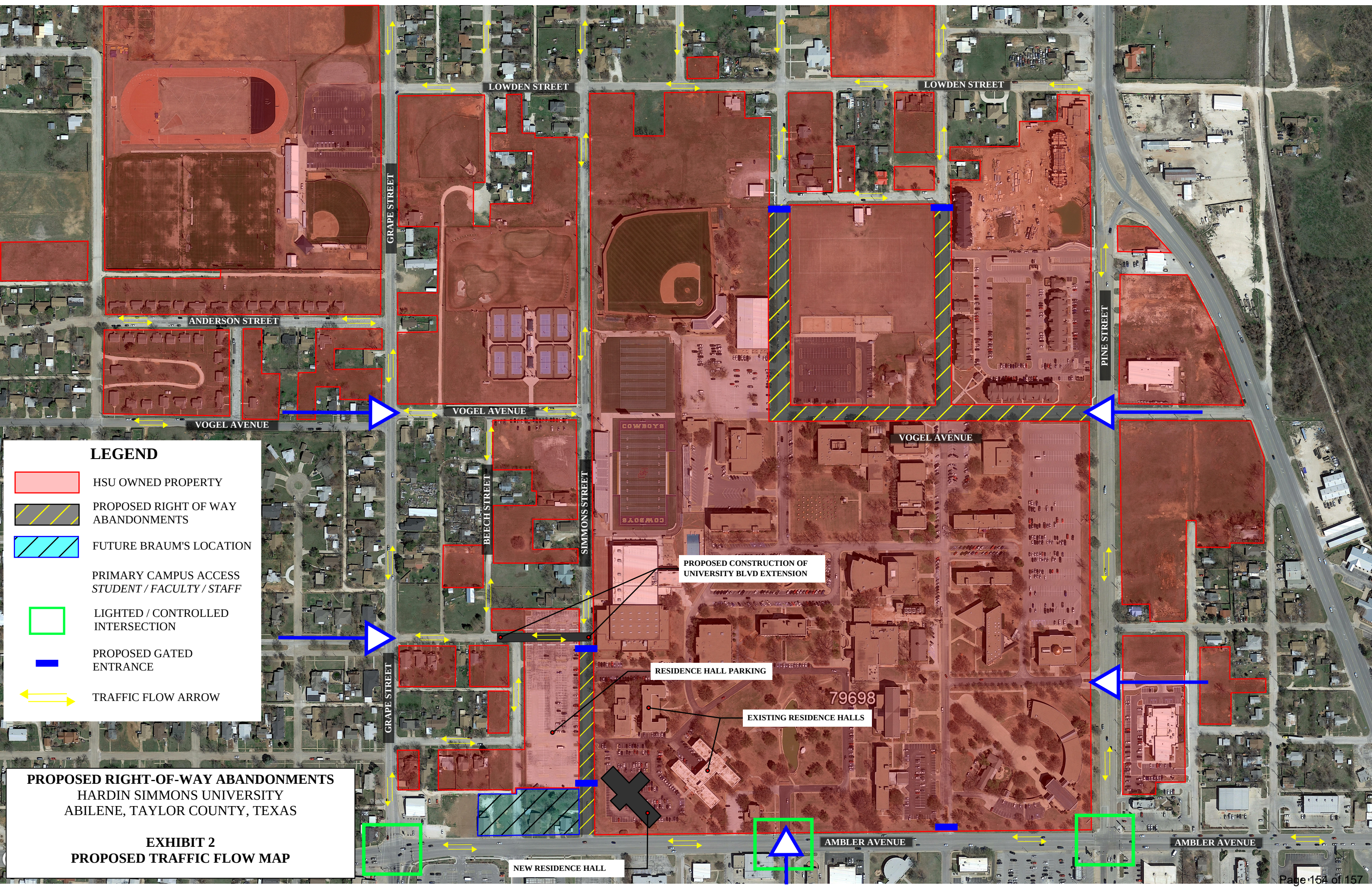
**LEGEND**

-  HSU OWNED PROPERTY
-  PROPOSED RIGHT OF WAY ABANDONMENTS
-  FUTURE BRAUM'S LOCATION

**PROPOSED RIGHT-OF-WAY ABANDONMENTS**  
HARDIN SIMMONS UNIVERSITY  
ABILENE, TAYLOR COUNTY, TEXAS

**EXHIBIT 1**  
**PROPERTY OWNERSHIP MAP**





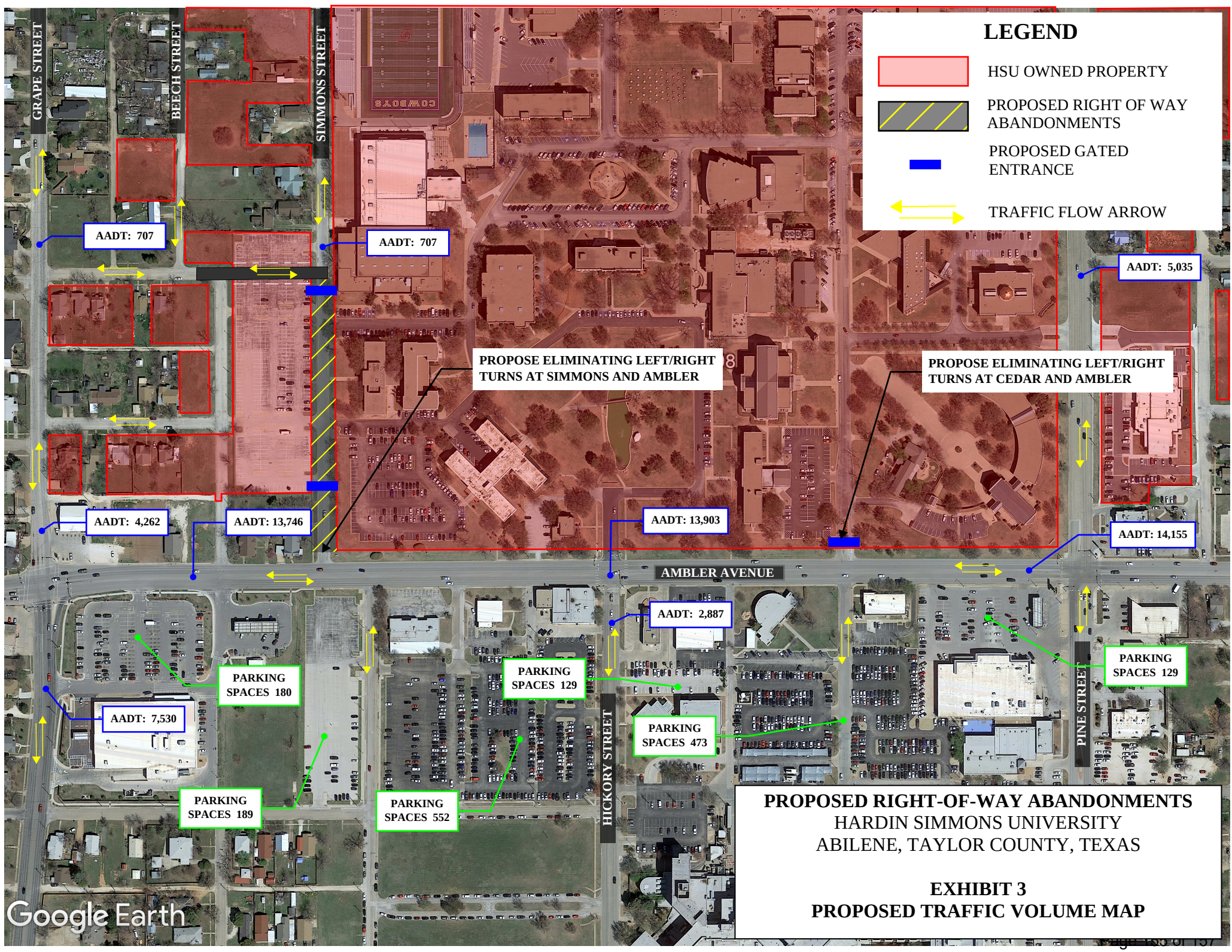
**LEGEND**

- HSU OWNED PROPERTY
- PROPOSED RIGHT OF WAY ABANDONMENTS
- FUTURE BRAUM'S LOCATION
- PRIMARY CAMPUS ACCESS  
STUDENT / FACULTY / STAFF
- LIGHTED / CONTROLLED INTERSECTION
- PROPOSED GATED ENTRANCE
- TRAFFIC FLOW ARROW

**PROPOSED RIGHT-OF-WAY ABANDONMENTS**  
HARDIN SIMMONS UNIVERSITY  
ABILENE, TAYLOR COUNTY, TEXAS

**EXHIBIT 2**  
**PROPOSED TRAFFIC FLOW MAP**





Google Earth

**PROPOSED RIGHT-OF-WAY ABANDONMENTS  
HARDIN SIMMONS UNIVERSITY  
ABILENE, TAYLOR COUNTY, TEXAS**

**EXHIBIT 3  
PROPOSED TRAFFIC VOLUME MAP**





October 7, 2022

City of Abilene  
Planning and Development Services  
555 Walnut Street  
Abilene, TX 79601  
Attn: Tim Littlejohn – Director of Planning

**Re: Hardin Simmons University  
Proposed Right of Way Abandonments – Additional Information and Clarifications**

Dear Mr. Littlejohn:

On behalf of Hardin Simmons University (HSU), eHT respectfully submits the following response to questions and concerns raised during the September 6, 2022 Planning and Zoning Meeting regarding HSU's request to abandon the Simmons Street Right-of-Way (ROW) between University Boulevard and Ambler Avenue. Questions/concerns raised during the meeting included the following general issues:

1. Clarification as to which properties HSU currently owns along Simmons Street.
2. Clarification of proposed traffic routing should abandonment be approved.
3. Potential for increased traffic on Simmons Street due to proposed abandonment.
4. Emergency vehicle access.

HSU is requesting abandonment of the stated ROWs primarily to gain more control over “pass-thru” traffic on the campus and its adjacent facilities in an effort to increase pedestrian safety. At the present, HSU is preparing to begin construction on a new residence hall facility located at the corner of Simmons and Ambler. Parking for the residence hall as well as two existing residence halls will primarily be handled by the existing parking area located west of Simmons. The new residence hall project along with other miscellaneous changes to the campus will result in a significant increase in student pedestrian traffic crossing Simmons. To increase safety, HSU is proposing to abandon the Simmons ROW between University Boulevard and Ambler Avenue to allow closing this section of Simmons to thru traffic. The current draft of the City Site plan is attached for reference.

To address the questions/concerns noted above, eHT has prepared several additional exhibits (attached hereto) for staff and City Council consideration. Exhibit 1 – Property Ownership Map illustrates the current land holdings of HSU (based on the Taylor County CAD records and City GIS data). As depicted, HSU currently owns all but five of the properties that front on Simmons Street between Lowden and Ambler. Two of those properties are located at intersection of Lowden and Simmons while the remaining three are generally located across from the football stadium. To accommodate these homes as well as the Land Development Code (LDC) requirement to avoid the creation of “dead-end” streets, HSU is planning to extend University Boulevard from the intersection at Beech over to Simmons, creating an unobstructed access to Grape Street. Construction plans for this extension are complete and have been reviewed and approved by Public Works staff. Copy of the approved plan is attached for reference.

Exhibit 2 – Traffic Flow Map addresses the proposed traffic routings that will accommodate the requested ROW abandonments. Exhibit 3 – Traffic Volume Map depicts various traffic volumes from 2020 (obtained from TxDOT and the Abilene MPO). In reference to these Exhibits, please note the following:

- While the non-HSU owned properties will no longer have a “straight-shot” to Ambler, they will have an additional access to Grape with the extension of University Boulevard, and access to the Ambler from the



Mr. Tim Littlejohn

October 7, 2022

Page 2

lighted and controlled intersection at Grape and Ambler. This re-route will add at most 600 extra feet of travel to those attempting to access Ambler from Simmons.

- Emergency vehicles will be able to reach to the residential area north of Lowden from via Grape Street or Pine Street. Emergency response times should see little if any significant impact due the requested closure of Simmons.
- The heavy blue dashes indicate entrances that will potentially have controlled access (gates, etc). These entrances will always remain completely accessible to emergency personnel.
- Students, faculty and staff will be able to access campus facilities from University Boulevard, Vogel Avenue and Lowden Street (from the west), via Pine Street on the east and from Hickory coming off of Ambler (controlled intersection).
- Students will access the existing parking area on the west side of Simmons via University Blvd. HSU currently owns many of properties fronting on University Boulevard.
- Per Exhibit 3 – Traffic Flow Volumes illustrates the current Average Annual Daily Traffic (AADT) counts in this area of the City. As shown, the AADT on Simmons (707) is drastically lower than that of Grape, Ambler or Pine.
- The proposed traffic re-route (refer to Exhibit 2) will push 707 vehicles out to Grape, which has a significantly lower volume of traffic than Ambler. A left hand turn on to Grape is statistically less dangerous than a left turn across Ambler or right turn into Ambler traffic. Ultimately, HSU trying to reduce student / faculty / staff traffic turning out onto Ambler by re-directing to Grape.
- Based on current aerial photographs, there are over 1,600 parking spaces in the block directly south of Ambler serving the existing retail facilities and various Hendrick Medical facilities. Many of these facilities and parking areas are accessed directly from Ambler.

If there are any questions or concerns, please feel free to contact me directly at [bj.prichard@e-ht.com](mailto:bj.prichard@e-ht.com) or by phone at 325-725-1369.

Sincerely,

**Enprotec/Hibbs & Todd, Inc.**

BJ Prichard, P.E.

BJP/jd

Encl: City Site Plan  
University Boulevard Extension Plan  
Exhibit 1 – Property Ownership Map  
Exhibit 2 – Proposed Traffic Flow Map  
Exhibit 3 – Traffic Volume Map

c: Project File 8146

C:\Users\bj.prichard\Desktop\HSU\2022\1007\_P&Z\_Summary Letter.docx