



City of Abilene City Council Agenda

Weldon Hurt, Mayor Pro-tem
Shane Price, Council Member
Lynn Beard, Council Member
Robert Hanna, City Manager

Anthony Williams, Mayor

Donna Albus, Council Member
Kyle McAlister, Council Member
Travis Craver, Council Member
Stanley Smith, City Attorney
Shawna Atkinson, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on November 17, 2022, at 8:30 a.m., at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

INVOCATION

1. Mayor Pro-tem Weldon Hurt

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

CONSENT AGENDA AND PUBLIC COMMENTS

All items listed in the Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion or presentation of these items unless otherwise requested by a Council Member. In the event one or more Council Members remove an item from the consent Agenda for separate discussion or presentation, the item or items removed will be considered in numerical order as part of the Regular Agenda and shall include a public hearing.

After the Council Members have requested any item on the consent Agenda be considered separately, the public comment period will be held. The public comment section of the consent agenda allows members of the public to present any ideas or information to the City Council and staff, and also allows for public comment on the consent agenda items not otherwise pulled for separate consideration. Neither the City Council nor staff will engage in discussion with the public during the public comments unless the item is listed on the Council agenda.

Members of the public will have a total time limit of three (3) minutes to speak during the public comments section.

2. **Minutes** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on November 3, 2022 **(Shawna Atkinson)**
3. **Resolution** Receive a Report, Hold a Discussion and Take Action on the Purchase of KeyValet Motorpool Software, Hardware and Installation Services from AssetWorks through the United States General Services Administration Contract GS-35F-317GA **(Don Green)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding Bid #2310 Honey Bee And Honey Bee Circle Road Construction to Bontke Brothers, Inc. **(Max Johnson)**
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving an Agreement to Contribute Right of Way Funds for Improvements on US Highway 83 **(Max Johnson)**
6. **Ordinance (First Reading) Z-2022-24** Receive a Report, Hold a Discussion 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) **(Tim Littlejohn)**
7. **Ordinance (First Reading) Z-2022-25** Receive a Report, Hold a Discussion 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) **(Tim Littlejohn)**
8. **Ordinance (First Reading) Z-2022-26** Receive a Report, Hold a Discussion 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 **(Tim Littlejohn)**
9. **Ordinance (First Reading) Z-2022-27** Receive a Report, Hold a Discussion 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) **(Tim Littlejohn)**
10. **Ordinance (First Reading) CUP-2022-09** Receive a Report, Hold a Discussion 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 **(Tim Littlejohn)**
11. **Ordinance (First Reading) TC-2022-03** Receive a Report, Hold a Discussion and Take Action on a Request from the City of Abilene, Applicant, to Abandon Simmons Avenue Between Ambler Avenue and University Boulevard **(Tim Littlejohn)**

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

12. **Ordinance (Final Reading)** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving Tax Increment Reinvestment Zone (TIRZ) #3 **(Robert Hanna)**

EXECUTIVE SESSION

13. **The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:**

A. 551.071 (Consultation with Attorney)

1. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the

- U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016
2. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al.; Cause No. 11968-D, In the 350th Judicial District Court, Taylor County, Texas; filed October 11, 2019
 3. John Doe v. Robert Hanna, Individually and as City Manager; Cause No. 28078-B; In the 104th Judicial District Court, Taylor County, Texas; filed July 7, 2020
 4. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-004598, In the 53rd Judicial District Court, Travis County, Texas; filed September 1, 2020
 5. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
 6. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-007028, In the 459th Judicial District Court, Travis County, Texas; filed November 18, 2020
 7. Alton H. Smith, Jr. and Alicia Malorie Smith v. City of Abilene, Texas; Cause No. 51055-A, In the 42nd Judicial District Court, Taylor County, Texas; filed March 11, 2021
 8. Steve Van Horne, et al. v. City of Abilene, et al.; Cause No. 12530-D, In the 350th Judicial District Court, Taylor County, Texas; filed September 7, 2021
 9. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-21-006299, In the 250th Judicial District Court, Travis County, Texas; filed October 20, 2021
 10. Allstate Fire and Casualty Insurance Company as Subrogee of Del Davis v. City of Abilene; Case No. SC22-11166J11, In the Justice Court, Precinct 1, Place 1, Taylor County, Texas, filed March 30, 2022

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

1. City Council may consider appointment, employment, compensation, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members
2. City of Abilene Boards & Commissions May be Discussed, as needed for (re)appointment

E. 551.076 (Deliberations about Security Devices)

F. 551.087 (Business Prospect/Economic Development)

RECONVENE

ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please call 325-676-6208.

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 9th day of November, 2022, at 3:30 p.m.

Shawna Atkinson, TRMC, CMC
City Secretary



**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Honorable Mayor & Members of City Council

FROM: Shawna Atkinson, City Secretary

SUBJECT: 2. Minutes Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on November 3, 2022 (*Shawna Atkinson*)

GENERAL INFORMATION

Approval of the Minutes from the Regular meeting held on November 3, 2022

SPECIAL CONSIDERATIONS

None.

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval of the Minutes

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. 11-03-2022 Minutes - Regular - Morning

CITY COUNCIL MEETING
November 3, 2022 at 8:30 a.m.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

The City Council of the City of Abilene, Texas met in Regular Session on November 3, 2022, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding, along with Mayor Pro-tem Weldon Hurt, Deputy Mayor Pro-tem Donna Albus, and Councilmembers Shane Price, Lynn Beard, Kyle McAlister, and Travis Craver. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Kyle McAlister delivered the invocation.

Karsyn Osborne, Sarahi Hernandez and Elijah Jones, all fifth graders from Thomas Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-9. No items were pulled for individual consideration. Item 5 was pulled from consideration prior to the meeting.

Item pulled from consideration prior to meeting:

- Item 5

PUBLIC COMMENTS

Mayor Williams opened the public comment period. The following addressed the city council:

- David Swart – spoke about the upcoming elections and his view on how to vote for each of the items on the ballot.
- Dorothy Clay – spoke about voting for Abilene to become a sanctuary city for the unborn.

With no other speakers coming forward, the public comment period was closed.

CONSENT AGENDA

Mayor Pro-tem Hurt moved to approve the consent agenda consisting of items 3-4 and 6-9. Councilmember Beard seconded the motion. Motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Beard, McAlister and Craver
NAYS (0): None

Mayor Williams, and Councilmembers Price and McAlister had conflicts of interest on item #9 and abstained from voting on that item. Conflict of Interest Affidavits were filled out before the meeting and filed with the City Secretary's office. The vote for item 9 alone was:

AYES (4): Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, Councilmembers Beard and Craver
NAYS (0): None
ABSTAIN (3): Mayor Williams, Councilmembers Price and McAlister

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on October 27, 2022
4. Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 198-2022]

Board	Term End Date
<i>Abilene-Taylor County Events Venue District Board</i>	
Glen Dromgoole [Reappointment]	November 2024
<i>Airport Development Board</i>	
Kirk Thaxton [Reappointment]	November 2025
Jordan Hibbs [Reappointment]	November 2025
Robert Lopez [New]	November 2025
<i>Citizen's Advisory Board for People with Disabilities</i>	
Debra Turner [Reappointment]	October 2024
Katherine Ballard [Reappointment]	October 2024
<i>Keep Abilene Beautiful</i>	
Jane Tomlinson [New]	September 2024 [unexpired term]
Beth Woodcock [New]	September 2024 [unexpired term]
<i>Library Advisory Board</i>	
Elizabeth Norman [Reappointment]	November 2025
Judith Phaneuf [New]	November 2025
<i>Planning & Zoning Commission</i>	
Brad Benham [Reappointment]	November 2025
Alex Russell [Reappointment]	November 2025
Mitch Barnett [Reappointment]	November 2025
Bill Noonan [Reappointment]	November 2025

6. Resolution: Receive a Report, Hold a Discussion and Take Action on Stop Loss Insurance Coverage for Health Plan Year 2023
[ASSIGNED RESOLUTION NO. 200-2022]
7. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the bid for the Purchase of 300-gallon Poly Refuse Containers from Snyder Industries
[ASSIGNED RESOLUTION NO. 201-2022]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding a Bid to Toter LLC. for Solid Waste 95 Gallon Refuse Containers
[ASSIGNED RESOLUTION NO. 202-2022]
9. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Approving Tax Increment Reinvestment Zone (TIRZ) #3

ITEM PULLED FROM CONSIDERATION

5. Resolution: Receive a Report, Hold a Discussion and Take Action on the Purchase of KeyValet Motorpool Software, Hardware and Installation Services from AssetWorks through Sourcewell Contract #022217
[ASSIGNED RESOLUTION NO. 199-2022]

REGULAR AGENDA

10. Ordinance (Final Reading) 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)
[ASSIGNED ORDINANCE NO. 56-2022]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would change the zoning of the property presented from Medical Use (MU) to General Commercial (GC).

Mayor Williams opened the public hearing. The following addressed the council:

- BJ Prichard, agent for the applicant – availed himself to questions from Council.
- Ryan Goodwin – asked if this property was zoned the same as the apartment complex council voted on previously. Tim Littlejohn clarified that it was not.

With no other speakers coming forward, the public hearing was closed.

Mayor Pro-tem Hurt moved to approve the item as presented. Councilmember Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Beard, McAlister and Craver
NAYS (0): None

11. Ordinance (Final Reading) 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)
[FAILED]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would change the zoning of the property presented from Agricultural Open (AO) and Multi-Family (MF) to Multi-Family (MF).

Mayor Williams opened the public hearing. The following addressed the council:

- Denise Howison – spoke in opposition of this item.
- Annette Dulaney – did not wish to speak, but indicated her opposition of this item.
- David Howison – spoke for himself and his neighbor, who are both in opposition of this item.

With no other speakers coming forward, the public hearing was closed.

Mayor Pro-tem Hurt moved to approve the item as presented. Mayor Williams seconded the motion; motion failed.

AYES (3): Mayor Williams, Mayor Pro-tem Hurt and Councilmember Craver
NAYS (4): Deputy Mayor Pro-tem Albus and Councilmembers Price, Beard and McAlister

EXECUTIVE SESSION

Robert Hanna, City Manager stated there were no items to discuss during Executive Session, so it was not held.

Mayor Williams wanted to remind everyone that the Canvass of the Election results will be November 21, 2022 and Councilmember McAlister encourage everyone to bring an unwrapped toy for Toys for Tots drive.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:18 a.m.

Shawna Atkinson
City Secretary

Anthony Williams
Mayor

Minutes approved on: _____



**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Robert Hanna, City Manager

FROM: Don Green, Director

SUBJECT: 3. Resolution Receive a Report, Hold a Discussion and Take Action on the Purchase of KeyValet Motorpool Software, Hardware and Installation Services from AssetWorks through the United States General Services Administration Contract GS-35F-317GA (Don Green)

GENERAL INFORMATION

The Fleet Services Division of Transportation Services seeks approval to purchase KeyValet motorpool software, hardware and installation services needed to implement a shared vehicle program for our user divisions near City Hall. The software consists of expansion modules for our existing AssetWorks fleet management information system. The hardware will consist of an automated key box and related equipment.

SPECIAL CONSIDERATIONS

Texas law allows a municipality to purchase goods through a state or local cooperative purchasing program. GSA offers certain competitive schedules and this purchase meets the competitive bidding requirements.

FUNDING/FISCAL IMPACT

Funds for the purchase were allocated and a purchase order was secured during the FY21 budget year in the amount of \$48,560.76. While continued internal program development efforts were in progress, Sourcewell contract renewal changes drove an increase to \$50,948.14. The increase of \$2,387.38 brought the total over \$50,000, therefore triggering City Council consideration and approval. The change to the GSA contract has reduced the final purchase price to \$46,874.45.

STAFF RECOMMENDATION

Staff has researched this product and seen it demonstrated at an Abilene TXDOT facility and recommends the purchase of AssetWorks' KeyValet software, hardware and installation services.

Staff originally had this item on the November 3rd agenda, but discovered the vendor, KeyValet, could not offer valid pricing through the co-op agency. However, it has a current contract through General Services Administration (GSA) and the City is able to purchase through this. Although the cost is now below \$50,000, we wanted to provide Council with the opportunity to review and approve this purchase.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. KeyValet Resolution (11-17-22)
2. KeyValet Pricing Worksheet 11-17-2022
3. KeyValet Presentation (11-17-22)

RESOLUTION NO _____

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS
TO PURCHASE KEYVALET SOFTWARE, HARDWARE AND INSTALLATION SERVICES THROUGH
UNITED STATES GENERAL SERVICES ADMINISTRATION CONTRACT GS-35F-317GA ORDER # Q-07929-3**

WHEREAS, City of Abilene's Fleet Services Division has a need for motorpool software, hardware and installation services; and

WHEREAS, City of Abilene budgeted this purchase for Fiscal Year 2021; and

WHEREAS, City of Abilene received pricing to purchase motorpool software, hardware and installation services using United States General Services Administration Contract GS-35F-317GA Order # Q-07929-4 for the software, hardware and installation services; and

WHEREAS, The software, hardware and installation services are to be KeyValet; and

WHEREAS, AssetWorks is the United States General Services Administration approved vendor for KeyValet program.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the City Council approves this purchase from AssetWorks in the amount of Forty Six Thousand Eight Hundred Seventy Four Dollars and Forty Five Cents (\$46,874.45) for KeyValet Software, Hardware and Installation Services.

PART 2: That this resolution shall take effect immediately from and after passage

ADOPTED this 17th day November, 2022

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney



ORDER FORM

AssetWorks LLC

998 Old Eagle School Road, Suite 1215
Wayne, PA 19087

Order #: Q-07929-4

Date: 11/11/2022

Expires On: 12/30/2022

Ship To

Tim Cass
City of Abilene
Fleet Maintenance
555 Walnut Street
Abilene, Texas 79604
325-676-6070
tim.cass@abilenetx.gov

Bill To

City of Abilene
Fleet Maintenance
555 Walnut Street
Abilene, Texas 79604

This Order Schedule is issued pursuant to GSA Contract #: GS-35F-317GA between AssetWorks and the above named Customer. Parties agree to be bound by those terms and conditions.

Perpetual Software License

Description	QTY	Line Total
KeyValet Module	1	USD 5,969.77
Motor Pool Module	1	USD 2,673.05
Motor Pool Reservations Module	1	USD 1,340.05
Perpetual Software License Total:		USD 9,982.87

Annual Software Maintenance

Description	Line Total
Software Maintenance	USD 1,981.60
Annual Software Maintenance Total:	USD 1,981.60

Hardware Shipping

Description	QTY	UNIT PRICE	Line Total
Hardware Shipping Fee	1	USD 302.27	USD 302.27
Hardware Total:			USD 302.27

KeyValet Hardware

Description	QTY	UNIT PRICE	Line Total
8 Key Module	1	USD 1,328.51	USD 1,328.51
Module Blank	1	USD 50.03	USD 50.03
Key Cabinet - 2 Modules (up to 32 Keys)	1	USD 7,652.30	USD 7,652.30
Front Panel HID	1	USD 402.55	USD 402.55
Morse Watchmans Supply Chain Surcharge	1	USD 68.51	USD 68.51
Hardware Total:			USD 9,501.90

Annual Hosting

Description	QTY	Annual Fee
Hosting Services - KeyValet Annual Fee (Per Keybox)	1	USD 589.42
Hosting Total:		USD 589.42

Professional Services

Description	Line Total
Motor Pool & Reservations Module Setup & Training	USD 3,464.06
Motor Pool Reservations SmartApp Setup & Training	USD 3,464.06
Configure and Test KeyValet (one site)	USD 15,588.27
Estimated Travel Costs	USD 2,000.00
Professional Services Total:	USD 24,516.39

Grand Total: USD 46,874.45

Site Readiness

The following represents a checklist of items that need to be completed for a site to be considered "KeyValet Ready".

Core Software

- In order to utilize the latest KeyValet software functionality, customers must be on a recent release of FleetFocus software.

FA Customers

- Must be on a minimum core software version of 18.0+ or per product documentation.
- FA customers that wish to use features such as "Prompt Fuel Level" must be on a minimum core software version of 18.0.0. In order to use the Cardless Reservation on the Fly feature, Customer must be on FA18+.
- FA customers must have a separate MaxQueue Instance for KeyValet services. KeyValet services cannot be configured on an existing MaxQueue Instance.

Hardware Mounting

- All KeyValet system(s) (cabinet & controller) will be mounted to an appropriate wall location.
 - Indoors within a temperature environment of 45° to 105°F
 - Avoids direct sunlight
- Note: Direct sunlight should be avoided on the equipment due to the extra heat it would apply to the system.*

Network

- Client must have a tested and working Ethernet network connection for the KeyValet controller. This connection needs to be able to ping the FleetFocus server successfully.
- Client must assign the KeyValet Kiosk a static IP address on the corresponding network.
- TightVNC must be installed on administrator's workstation for remote access of the KeyValet.

Electrical

- Provide two grounded 110V outlets at the location where the KeyValet system will be installed. *Note: The KeyValet system may be optionally hard wired and is the responsibility of the client.*

- AssetWorks recommends using an Uninterrupted Power Supply (UPS) device along with the KeyValet system to allow for proper system shutdown in the event of a power outage.
Note: Placement of UPS device will be at client discretion.

HID Cards and/or Fuel Fobs

- If operators will be using HID cards for Reservations on the Fly, all pertinent HID card information **MUST** be supplied to AssetWorks. In addition, a spare HID card must be sent to AssetWorks Hardware Support to test compatibility. Same applies for the use of fuel fobs for vehicle return.
Tracie Spann/AssetWorks
204 Redbud Circle
Dothan, AL 36305

Motor Pool

- Motor pool units must to be set up in core software by pool location and pool type.
- A list of motor pool units and pool locations must be provided to AssetWorks for KeyValet configuration.
- Operators must be set up with Operator ID and email within core. (If using HID cards for Reservations on The Fly, and/or fuel fobs for vehicle returns, these must be set up in core as well.)
- Reservation portal must be configured for operators to access and create reservations.

Tamper Proof Key Rings

- If customer wishes to use tamper proof key rings, customer must also purchase proprietary vise for securing key rings.

AssetWorks assumes all KeyValet sites will be made “KeyValet Ready” before the onsite arrival of any AssetWorks personnel. “KeyValet Ready” means that all aforementioned items where applicable, have been configured by the client. Failure to comply with aforementioned outline may lead to a delay in the project’s planned completion date in which AssetWorks is not held responsible should client not meet “KeyValet Ready” guidelines.

Motor Pool & Reservations Module Setup & Training (Remote) Professional Services Terms

- AssetWorks will provide remote professional services to setup and train on the motor pool module functionality and the Reservations module/portal for online reservations.
- Setup and training agenda to include:
 - Motor Pool module setup and overview
 - Pool Vehicle Types
 - Operators
 - Calendars
 - Locations
 - Departments
 - Fleet Equipment
 - Creating a Motor Pool Reservation
 - Dispatching a Motor Pool Reservation
 - Returning a Motor Pool Reservation
 - Reservation Status Definitions
 - Printing a Reservation Confirmation
 - Reservations Module setup and overview
 - Creating a Motor Pool Reservation

- Printing a Reservation Confirmation
- Reservations can also be made available in the SmartApps Reservations app and this quote does include setup and training on the SmartApps Reservations app; SmartApps requires an operator to be setup for login and does not support Single Sign On (SSO); SmartApps terms apply based on the assumptions listed below in the full SmartApps project.
- AssetWorks will advise on Operator/Employee setup but is not providing hours to load data in or update Operators/Employees
- This quote does not provide for any interfaces to keep Operators/Employees in sync with a 3rd party system or services to setup SSO (Single Sign On) unless specifically noted.
- Assumes fleet assets are setup and ready for configuration with Motor Pool functionality in FleetFocus.
- All setup and training services provided remotely via web conferencing.
- Where applicable, standard training materials will be utilized. Quote does not include customized training materials.
- Current supported version of FleetFocus is required.
- Upgrade services for FleetFocus are not included, unless otherwise noted on the order form.
- Costs are estimated for a fixed fee project and will be billed upon the following milestones.
- MILESTONE = Motor Pool Module and Reservations Portal Configuration Complete in Production: \$3,464.06 USD
- MILESTONE = Motor Pool Reservations SmartApp Configuration Complete in Production: \$3,464.06 USD

Key Valet Project Scope and Assumptions

Customer must be on supported version of FleetFocus per KeyValet site readiness document.

Upgrade services for FleetFocus are not included, unless otherwise noted.

Training on KeyValet software and hardware is for Motor Pool Administrators. Customer personnel to conduct end-user training.

Quote includes setup of Motor Pool and training on core Motor Pool screens / Reservations Portal in FleetFocus.

Assumes fleet assets are setup and ready for configuration with Motor Pool functionality in FleetFocus.

Assumes one physical on-site trip for testing, training and go live support.

KeyValet site readiness document attached to quote must be reviewed and accepted by Customer.

KeyValet site readiness document will be reviewed at project kick off by the services delivery team.

Requires use of MAXQueue and will require a stand-alone instance of MAXQueue for KeyValet services.

All warranties conveyed by the manufacturer to AssetWorks are included.

Shipping: Hardware shipping expense is an estimate. Actual shipping cost will be invoiced.

Customer to install all hardware and mount box ahead of AssetWorks trip.

Customer should not install software and/or computer related services without AssetWorks' onsite assistance.

During the project kick-off, AssetWorks will discuss with the customer if travel restrictions are in place and if the installation needs to be remote. If that is the case and it is agreed upon by all parties, then

the customer can install software and/or computer related services without AssetWorks' onsite assistance however, if any damage is done to the hardware it is the financial responsibility of the Customer.

VIB installation and training is not included in this quote; would require a separate quote to add hardware and services for go live / training.

Limited 1 year HARDWARE warranty includes parts (labor not included).

Key Cabinets are Ethernet enabled and all Key Cabinets must have access to a Customer's network.

Two sets of control keys: default cam locks.

All components that comprise the KeyValet Product, specifically software and hardware, must be purchased from and delivered by AssetWorks.

Costs are estimated for a fixed fee project and will be billed upon the following milestones.

- MILESTONE = KeyValet Software Installation in a Test and Production Environment: \$4,920 USD
- MILESTONE = KeyValet Software Configuration in a Test and Production Environment: \$5,740 USD
- MILESTONE = KeyValet Training and Go Live in a Production Environment: \$4,928.27 USD

AssetWorks Professional Services Standard Terms

- All software licenses and first-year maintenance fees will be invoiced upon contract execution.
- AssetWorks will assign a Project Manager 4-6 weeks after a fully executed and processed order. The Project Manager will engage with the customer to kick-off the project and begin scheduling services. The delivery schedule of the project requirements will be set during the project planning phase. All implementers, consultants and/or trainers for professional services will be secured by the Project Manager within a 4-8 week lead time once the project is kicked off.
- Where applicable, standard training materials will be utilized; quote does not include customized training materials unless otherwise noted.
- Current supported version of FleetFocus is required and adheres to the minimum versions as documented in AssetWorks Product Documentation located on the Customer Care site.
- Customer will make appropriate technical resources available to AssetWorks' consultants and provide necessary and appropriate personnel at meetings to define project requirements.
- Customer will appoint a single point of contact for project duration that will have project management responsibilities and decision-making authority. This person will be the focal point of contact for the AssetWorks' Professional Services and Customer Care teams.
- If additional scope is added or required, a change order will be requested of the customer.
- Travel: If travel is required and quoted, expenses will be reimbursed as incurred, unless otherwise noted. Expenses include actual costs for lodging, air, and ground travel and per diem rates for meal expenses (corporate rate/government agreement).
- In the event the customer schedules on-site services and two calendar weeks prior to the arrival date, and due to circumstances within the customer's control, AssetWorks' scheduled personnel are unable to perform such services, AssetWorks will be entitled to payment for each such scheduled personnel based on an eight-hour day. AssetWorks provides on-site services based on an eight-hour minimum per day per person.

- If this order is abandoned, paused, or cancelled by the customer for any reason mid-effort, the customer will be billed for all of AssetWorks time incurred at the current contracted labor rate.

In the event Customer's business practices require that Customer issue a purchase order number prior to payment of any AssetWorks invoices issued under this Agreement, then such purchase order number must be entered below. Customer's execution of the Order Form without designating a purchase order number shall be deemed Customer's acknowledgement that no purchase order number is required for payment of invoices hereunder.

Purchase Order Number: _____

Accepted by Customer:

Signature: _____

Name (Print): _____

Title: _____

Date: _____

Accepted by AssetWorks:

Signature: _____

Name (Print): _____

Title: _____

Date: _____

Please sign and email to Allan Richardson at allan.richardson@assetworks.com.

THANK YOU FOR YOUR BUSINESS!

City Council Meeting

November 17, 2022





AssetWorks KeyValet Software, Hardware and Installation Services

- Industry best practices and an ongoing vehicle utilization study have shown the need for a reduction in the overall number of fleet vehicles and the implementation of a shared vehicle program.
- Fleet Services received demonstrations of multiple software products and chose the product most compatible with our existing program.
- The KeyValet program is in use at more than 20 TxDOT field locations including Abilene. A site visit and demonstration showed the system's capability.





AssetWorks KeyValet Software, Hardware and Installation Services

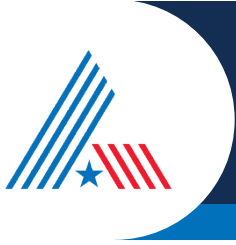
- Vehicle reservations will be made via the City intranet or on demand at the kiosk in City Hall. Expansion to a mobile App is possible as the program develops.
- A variety of vehicles have been flagged from the existing underutilized study and no additional vehicles will need to be purchased for this program in the short term.
- Fleet Services will utilize GSA contract GS-35F-317GA to purchase KeyValet from AssetWorks.





AssetWorks KeyValet Software, Hardware and Installation Services





AssetWorks KeyValet Software, Hardware and Installation Services

We are happy to answer any questions.

?





**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Robert Hanna, City Manager

FROM: Max Johnson, Director of Public Works

SUBJECT: 4. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #2310 Honey Bee And Honey Bee Circle Road Construction to Bontke Brothers, Inc. (Max Johnson)

GENERAL INFORMATION

This Contract involves the total construction of a new Honey Bee Road and also a reconstruction of Honey Bee Circle within the platted ROW as outlined on the Construction Plans. Once the new roadways are constructed, new driveways and approaches will be constructed to access the current residents and the old Honey Bee Road and old Honey Bee Circle will be removed.

SPECIAL CONSIDERATIONS

This project has a contract completion time of 240 working days (approx. 12 months, weather permitting)

FUNDING/FISCAL IMPACT

Funding for this project is allocated through Lake Fort Phantom Lots Fund.

STAFF RECOMMENDATION

Staff recommends awarding the bid to the best value bidder, Bontke Brothers Construction with a base bid of \$1,948,822.45.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Honey Bee resolution - 11-9-2022
2. Signed Contract
3. CB2310 BID TABSHEET
4. SCOPE OF PROJECT
5. PROJECT LOCATION MAP-Model
6. Honey Bee and Honey Bee Circle -- 11-9-2022

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING
BID TO BONTKE BROTHERS CONSTRUCTION, INC., ABILENE, TEXAS**

WHEREAS, the City of Abilene duly advertised and gave such notice, as required by law, for bids for the relocation of Honey Bee Road and Honey Bee Circle to the newly platted right of way. This contract will also include new driveways to accommodate the current residents and new drainage ditches.

WHEREAS, the City of Abilene utilized the “Best Value” competitive bidding method in determining the award of the contract; and,

WHEREAS, the following base bids were received and opened on November 8, 2022

Bontke Brothers Construction, Inc., Abilene, Texas	\$ 1,948,822.45
--	-----------------

WHEREAS, Bontke Brothers Construction, Inc., Abilene, Texas submitted the best value base bid amount of \$ 1,948,822.45 with the bid meeting specifications. Staff recommends awarding the bid to the best value bidder, Bontke Brothers Construction, Inc., Abilene, Texas.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF ABILENE, TEXAS**

PART 1: That the City Council approves this bid in the amount of \$ 1,948,822.45.

PART 2: That this Resolution shall take effect immediately from and after passage.

ADOPTED this 17th day of November, 2022.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

IN WITNESS HERE OF, the parties hereto have executed this contract:

CONTRACTOR

Name of Contractor:



Signature

Brent Partain

Name - Typed or Printed

Project Manager

Title - Typed or Printed

Business Address:

102 college drive

Abilene, TX 79601

325-677-6270

Business Phone No.

75-1331325

Federal Tax I.D.#

ATTEST: (If Corporation)



Corporate Secretary's Signature

Corporate Seal

(if none, write "None")

CITY OF ABILENE

Authorized Signature

APPROVED:

City Attorney

ATTEST:

City Secretary

Seal:

CONSTRUCTION CONTRACT

BACKGROUND

THIS CONTRACT, made on the 17th day of November, 2022 is between the City of Abilene, a Municipal Corporation of Taylor and Jones Counties, Texas ("City"), and Bontke Brothers Construction of the City of Abilene, State of Texas. ("Contractor").

The City recognizes a need for high quality construction work; the Contractor agrees to complete the project in return for payment.

THE AGREEMENT

1. **Work and Consideration.** hereby agrees to commence and complete the construction of Work required in the Contract Documents -- incorporated herein by reference --

HONEY BEE AND HONEY CIRCLE ROAD CONSTRUCTION

All work to be performed will be completed in conformance with (1) Part I and II of the City of Abilene's Standard Specifications for Construction adopted September, 2006 with the attached amendments in these Contract Documents, and (2) the Technical Specifications and Plans attached to these Contract Documents. Technical Specifications and Plans attached to these Contract Documents control in the event of a conflict.

In consideration of this Work, the City will pay the Contractor the sum of \$1,948,822.45

2. **Timely Work.** The Contractor must begin and fully complete Work in the days stated in the Notice to Proceed. The time allows for normal delays associated with weather conditions, crew coordination, etc. Time is of the essence, and liquidated damages as set forth in the General Conditions (Paragraph 16) apply for late Work.
3. **Payment.** If Performance and Payment Bonds are required, the City will pay Contractor according to the General Conditions (Paragraph 20). If Performance and Payment Bonds are not required, the City will pay Contractor according to the Instructions to Bidders.
4. **No liens.** No mechanic, contractor, subcontractor, supplier, or other person can or will contract for, or in any other manner have or acquire any lien upon the work of this Contract, or the land upon which it is situated. The laws of the State of Texas govern this Contract.
5. **Venue.** Venue for any legal proceeding is Taylor County, Texas.
6. **Indemnity.**

A. Definitions

For the purpose of this section the following definitions apply:

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Contractor" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Contractor's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Contractor.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

- (i) injury or damage to any property or right
- (ii) injury, damage, or death to any person or entity
- (iii) attorneys fees, witness fees, expert witness fees and expenses, and
- (iv) all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Contractor must indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Contractor's work and activities conducted in connection with this Contract.

The Contractor is an independent contractor and is not, with respect to its acts or omissions, an agent or employee of the City.

Contractor must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Contractor's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Contractor or Contractor's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects. Responsibility for all such defects is expressly assumed by the Contractor.

The City and Contractor must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Contractor or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND CONTRACTOR EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE CONTRACTOR TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

7. **Insurance.** The Special Conditions found in the City of Abilene's Standard Specifications for Construction adopted September, 2006, Part I, Division I, Item 3, contain the insurance requirements of this Contract.

8. **Overcharges.** The Contractor assigns to City any claims for overcharges related to this Contract which arise under antitrust laws of the United States, 15 U.S.C.A. Sec. 1 et seq., as amended.

9. **Contract Interpretation.** Any dispute about the Contract's meaning or application will be interpreted fairly and reasonably, and neither more strongly for or against either party.

10. **Indebtedness to City.** Contractor agrees that no payments owed by him of any nature whatsoever to the City, including payment in advance for service charges or any sums of any character whatsoever, shall become delinquent or in arrears.

The City will not knowingly award contracts for goods or services to any Bidder in arrears to the City for any debt, claim, demand, or account whatsoever, including taxes, penalty or interest. Contractor is responsible for ensuring that no indebtedness exists.

Section 130 of the City Charter authorizes the City to counterclaim and offset any debt, claim, demand or account owed by the City to any person, firm or corporation in arrears to the City for any debt, claim, demand or account of any nature whatsoever, including taxes, penalty or interest.

11. **Boycott of Israel.** In accordance with Chapter 2270, Texas Government Code, a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract.

This section only applies to a contract that: (a) is between a governmental entity and a company with 10 or more full-time employees and (b) has a value of \$100,000 or more that is to be paid wholly or partly from public funds of the governmental entity. Additionally, "company" does not include a sole proprietorship.

If this section is applicable, the signatory executing this contract on behalf of company verifies that the company does not boycott Israel and will not boycott Israel during the term of this contract.

12. **Contract Execution.** The Contractor must sign the Contract first, with any necessary attestation and seal. The City Attorney or designee must review the Contract, and approve or disapprove it. If approved, the City's authorized agent will then sign. The City Secretary must keep a signed original in the City Secretary's Office.

13. **Contract Copies.** Each of the two executed copies is an original.

**CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS**

PAGE
1 OF 1

DEPARTMENT: ENGR
BID NO.: CB-2310
TIME OF OPENING: 11:00 A.M.
DATE OF OPENING: NOVEMBER 08, 2022

BONTKE BROTHERS
ABILENE, TX

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	HONEY BEE AND HONEY BEE CIRCLE ROAD CONSTRUCTION				1,948,822.45										
BASE BID					1,948,822.45										
DISCOUNT															
TOTAL BID					1,948,822.45										

*NOTES: INDICATES RECOMMENDED AWARD

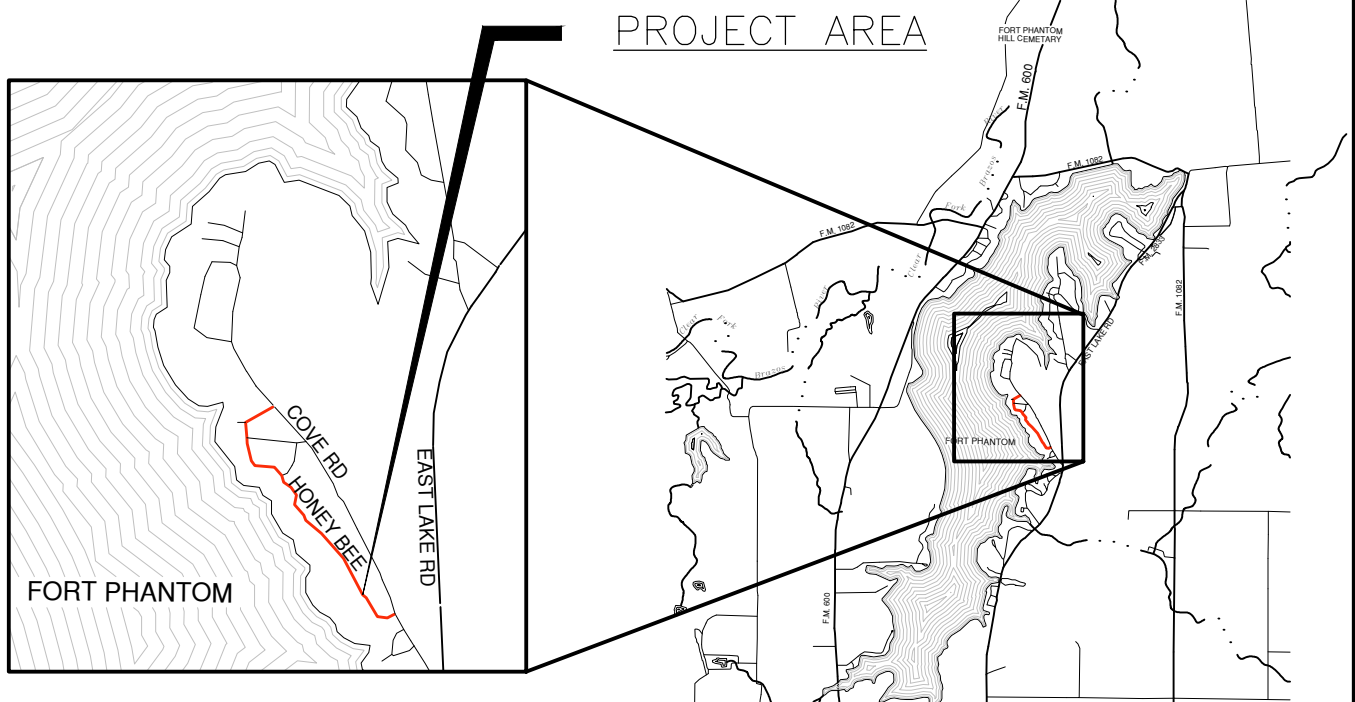
SCOPE OF PROJECT

This Contract involves the total construction of a new Honey Bee Road and also a reconstruction of Honey Bee Circle within the platted ROW as outlined on the Construction Plans. The new roadways will consist of a 6 inch stabilized sub-grade, 8 inches of flexible base, primed, a one course surface treatment (seal coat) and a final 2 inch HMAC finished surface. The width of the new roadways will be 30 feet but the final 2 inch HMAC surface will only be 26-foot-wide allowing for 2 foot shoulders.

Once the new roadways are constructed, new driveways and approaches will be constructed to access the current residents and the old Honey Bee Road and old Honey Bee Circle will be removed. The width of the new driveways will be 12 feet and consist of 6 inches of flexible base topped with a one course surface treatment (seal coat) to the grades shown on the Construction Plans.

On the East side of the Honey Bee Road, there will be a drainage ditch cut to the grades outlined on the Construction Plans. Both 18 inch and 24 inch HP Storm Pipes will be installed with concrete riprap head walls connecting to new drainage ditches constructed within designated platted drainage easement at locations shown on the Construction Plan to drain the water shed to Fort Phantom Lake. All ditches will have side slopes of 3 to 1 with a 3 feet wide flat bottom. Seeding will be placed on all new ditches.

Each resident will also have their mailboxes relocated within the platted ROW as to the requirements of US Postal Regulations.



Sheet
1
Of
1

CITY OF ABILENE, TEXAS
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

HONEY BEE RD IMPROVEMENTS

Designed By: S. CHANDLER

Drawn By: W. RATLIFF

Checked By: S. CHANDLER

Horizontal Scale: N.T.S.

Vertical Scale: N.T.S.

Computer File Name:
Project Location Map

Date: NOVEMBER 2022

Agenda Item: Honey Bee And Honey Bee Circle Road Construction

**Resolution: Bid Award #CB-2310 Honey Bee And
Honey Bee Circle Road Construction**
(Johnson)







Honey Bee And Honey Bee Circle Road Construction

- Total construction of new Honey Bee Road and Honey Bee Circle
- Construction of new driveways and approaches to access the current residents
- Remove previously used Honey Bee Road and Honey Bee Circle
- Project Advertised October 23 & 30, 2022; Bids Opened November 8, 2022
- One bid received.
- Staff recommends awarding the bid to best value bidder, Bontke Brothers Construction with a base bid of \$1,948,822.45.



Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Robert Hanna, City Manager

FROM: Max Johnson, Director of Public Works

SUBJECT: 5. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving an Agreement to Contribute Right of Way Funds for Improvements on US Highway 83 (*Max Johnson*)

GENERAL INFORMATION

The State of Texas is planning on making highway improvements on Hwy No. US 83 near the Jones County Line to near West Summit Road. Planned improvements include new right of way and the relocation and/or adjustment of utilities. The City of Abilene is required to participate in accordance with 43 TAC 15.52 and 43 TAC 15.55.

SPECIAL CONSIDERATIONS

TXDOT is solely responsible for all design, construction, and construction management of this project.

FUNDING/FISCAL IMPACT

This agreement has a fixed price of \$2,000.00. Funding for this expense is available within the Street Maintenance Fund.

STAFF RECOMMENDATION

Staff recommends approval of the Agreement with TXDOT.

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. RESOLUTION-US 83 Agreement for Right of Way 11-9-2022
2. Agreement to Contribute ROW Funds
3. Council Presentation

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING THE EXECUTION OF AN AGREEMENT TO CONTRIBUTE FUNDS
AND DESIGNATION OF THE TEXAS DEPARTMENT OF TRANSPORTATION AS
THE AGENCY RESPONSIBLE FOR THE DEVELOPMENT OF US 83 IN ABILENE,
TEXAS**

WHEREAS, the Texas Department of Transportation, hereinafter called the State, and City of Abilene, Texas propose to enter into a contractual agreement to acquire right of way and adjust utilities for a highway project on US Highway 83; and

WHEREAS, City of Abilene, Texas requests that the State assume responsibility for acquisition of all necessary right of way and adjustment of utilities for said highway project; and

WHEREAS, City of Abilene, Texas desires to voluntarily contribute to the State funding participation as defined in 43 TAC, §15.55 for the cost of acquiring said right of way.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF ABILENE, TEXAS**

PART 1: That the City Manager, is hereby authorized and directed to execute and attest on behalf of City of Abilene, an Agreement to Contribute Funds for the above referenced project in the amount of Two Thousand and 00/100 Dollars (\$2,000.00), which represents ten percent (10%) of the fixed cost for the above referenced project.

PART 2: That this Resolution shall take effect immediately from and after passage.

ADOPTED this 17th day of November, 2022.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE)

THIS AGREEMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, (the “**State**”), and City of Abilene, Texas acting through its duly authorized officials (the “**Local Government**”).

WITNESSETH

WHEREAS, Texas Transportation Code §§ 201.103 and 222.052 establish that the State shall design, construct, and operate a system of highways in cooperation with local governments; and

WHEREAS, Texas Transportation Code, §§ 201.209 authorizes the State and a Local Government to enter into agreements in accordance with Texas Government Code, Chapter 791; and

WHEREAS, the State has deemed it necessary to make certain highway improvements on Highway No. US 83 from Jones County Line to Near W Summit Road, and this section of highway improvements will necessitate the acquisition of certain right of way and the relocating and adjusting of utilities (the “**Project**”); and

WHEREAS, the Local Government requests that the State assume responsibility for acquisition of all necessary right of way and adjustment of utilities for this highway project; and

WHEREAS, the Local Government desires to enter into a fixed price joint participation agreement pursuant to 43 TAC §15.52 to contribute to the State funding participation as defined in 43 TAC §15.55 for the cost of acquiring the right of way and relocating or adjusting utilities for the proper improvement of the State Highway System;

WHEREAS, the Governing Body of the Local Government has approved entering into this agreement by resolution or ordinance dated _____, 20__, which is attached to and made a part of this agreement as Attachment A. A map showing the Project location appears in Attachment B, which is attached to and made a part of this agreement.

NOW THEREFORE, the State and the Local Government do agree as follows:

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

AGREEMENT

1. Agreement Period

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed. This agreement shall remain in effect until the Project is completed or unless terminated as provided below.

2. Termination

This agreement shall remain in effect until the Project is completed and accepted by all parties, unless:

- A.** The agreement is terminated in writing with the mutual consent of the parties;
- B.** The agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party; or
- C.** The Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this agreement.

3. Local Project Sources and Uses of Funds

- A.** The total estimated cost of the Project is shown in Attachment C, Project Budget Estimate and Payment Schedule, which is attached to and made a part of this agreement. The expected cash contributions from the Federal or State government, the Local Government, or other parties is shown in Attachment C. The Local Government shall pay to the State the amount shown in Attachment C as its required contribution of the total cost of the Project and shall transmit to the State with the return of this agreement, duly executed by the Local Government, a warrant or check for the amount and according to the payment schedule shown in Attachment C.
- B.** The Local Government's fixed price contribution set forth in Attachment C is not subject to adjustment unless:
 - 1.** site conditions change;
 - 2.** work requested by the Local Government is ineligible for federal participation; or
 - 3.** the adjustment is mutually agreed on by the State and the Local Government.
- C.** If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.

- D. Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a warrant or check made payable to the "Texas Department of Transportation Trust Fund." The warrant or check shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied to this highway project.
- E. Notwithstanding that this is a fixed price agreement, the Local Government agrees that in the event any existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive, including, but not limited to, outdoor advertising or storm water drainage facility requirements, is more restrictive than State or federal regulations, or any other locally proposed change, including, but not limited to, plats or re-plats, results in any increased costs to the State, then the Local Government will pay one hundred percent (100%) of all those increased costs, even if the applicable county qualifies as an Economically Disadvantaged County (EDC). The amount of the increased costs associated with the existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive will be determined by the State at its sole discretion.
- F. If the Local Government is an EDC and if the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.
- G. If the Project has been approved for an "incremental payment" non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachment C will clearly state the incremental payment schedule.

4. Real Property in Lieu of Monetary Payment

- A. Contributions of real property may be credited to the Local Government's funding obligation for the cost of right of way to be acquired for this project. Credit for all real property, other than property which is already dedicated or in use as a public road, contributed by the Local Government to the State shall be based on the property's fair market value established as of the effective date of this agreement. The fair market value shall not include increases or decreases in value caused by the project and should include the value of the land and improvements being conveyed, excluding any damages to the remainder. The amount of any credit for real property contributed for this project is clearly shown in Attachment C.
- B. The Local Government will provide to the State all documentation to support the determined fair market value of the donated property. This documentation shall include an appraisal of the property by a licensed appraiser approved by the State. The cost of appraisal will be the responsibility of the State. The State will review the submitted documentation and make a final determination of value; provided however, the State may perform any additional investigation deemed necessary, including supplemental appraisal work by State employees or employment of fee appraisers.

County: Taylor
 District: Abilene
 ROW CSJ #: 0033-06-122
 CCSJ #: 0033-06-121
 Federal Project #: N/A
 CFDA Title: Highway Planning & Construction
 CFDA # 20.205
 Federal Highway Administration
 Not Research and Development

- C.** Credit shall be given only for property transferred at no cost to the State after the effective date of this agreement and the issuance of spending authority, and only for property which is necessary to complete this project, has title acceptable to the State, and is not contaminated with hazardous materials. Credit shall be in lieu of monetary contributions required to be paid to the State for the Local Government's funding share of the right of way to be acquired for this project. The total credit cannot exceed the Local Government's matching share of the right of way obligation under this agreement, and credits cannot be reimbursed in cash to the Local Government, applied to project phases other than right of way, nor used for other projects.
- D.** In the event the Local Government's monetary contributions to the State for acquisition of right of way, when added to its real property credits, exceed the Local Government's matching share of the right of way obligation, there will be no refund to the Local Government of any portion of its contributed money.

5. Amendments

Amendments to this agreement due to changes in the character of the work, terms of the agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written supplemental agreement.

6. Notices

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, to the following addresses:

Local Government:	State:
City of Abilene	Director of Right of Way Division
555 Walnut	Texas Department of Transportation
Abilene, Texas 79601	125 E. 11 th Street
	Austin, Texas 78701

All notices shall be deemed given on the date delivered or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail and that request shall be honored and carried out by the other party.

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

7. Remedies

This agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this agreement and shall be cumulative.

8. Legal Construction

If one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provisions and this agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

9. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

10. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

11. Sole Agreement

This agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the subject matter of this agreement.

12. Ownership of Documents

Upon completion or termination of this agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

13. Inspection of Books and Records

The Local Government shall maintain all books, papers, accounting records and other documentation relating to costs incurred under this agreement and shall make such materials available to the State and, if federally funded, the Federal Highway Administration

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

(FHWA) or their duly authorized representatives for review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this agreement or until any impending litigation, or claims are resolved. Additionally, the State and FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

14. State Auditor

The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

15. Procurement and Property Management Standards

The parties shall adhere to the procurement standards established in Title 49 CFR §18.36 and with the property management standard established in Title 49 CFR §18.32.

16. Civil Rights Compliance

The parties to this agreement shall comply with the regulations of the U.S. Department of Transportation as they relate to nondiscrimination (49 CFR Part 21 and 23 CFR Part 200), and Executive Order 11246 titled "Equal Employment Opportunity," as amended by Executive Order 11375 and supplemented in the Department of Labor Regulations (41 CFR Part 60).

17. Applicability of Federal Provisions

Articles 18 through 23 only apply if Federal funding is used in the acquisition of right of way or the adjustment of utilities.

18. Office of Management and Budget (OMB) Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in OMB Circular A-87 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

19. Disadvantaged Business Enterprise (DBE) Program Requirements

- A.** The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.
- B.** The Local Government shall adopt, in its totality, the State's federally approved DBE program.

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

- C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally -Approved Disadvantaged Business Enterprise by Entity and attachments found at web address http://txdot.gov/business/business_outreach/mou.htm.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

20. Debarment Certification

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Local Government certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

21. Lobbying Certification

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A.** No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B.** If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C.** The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

22. Federal Funding Accountability and Transparency Act Requirements

- A.** Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B.** The Local Government agrees that it shall:
 - 1.** Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>
 - 2.** Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows Federal government to track the

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and

3. Report the total compensation and names of its top five (5) executives to the State if:

- i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
- ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

23. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.
- B. If threshold expenditures of \$750,000 or more are met during the Local Government's fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://txdot.gov/inside-txdot/office/audit/contact.html>
- C. If expenditures are less than \$750,000 during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

24. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Title

Date

THE STATE OF TEXAS

Rose Wheeler
Contracts and Finance Director
Right of Way Division
Texas Department of Transportation

Date

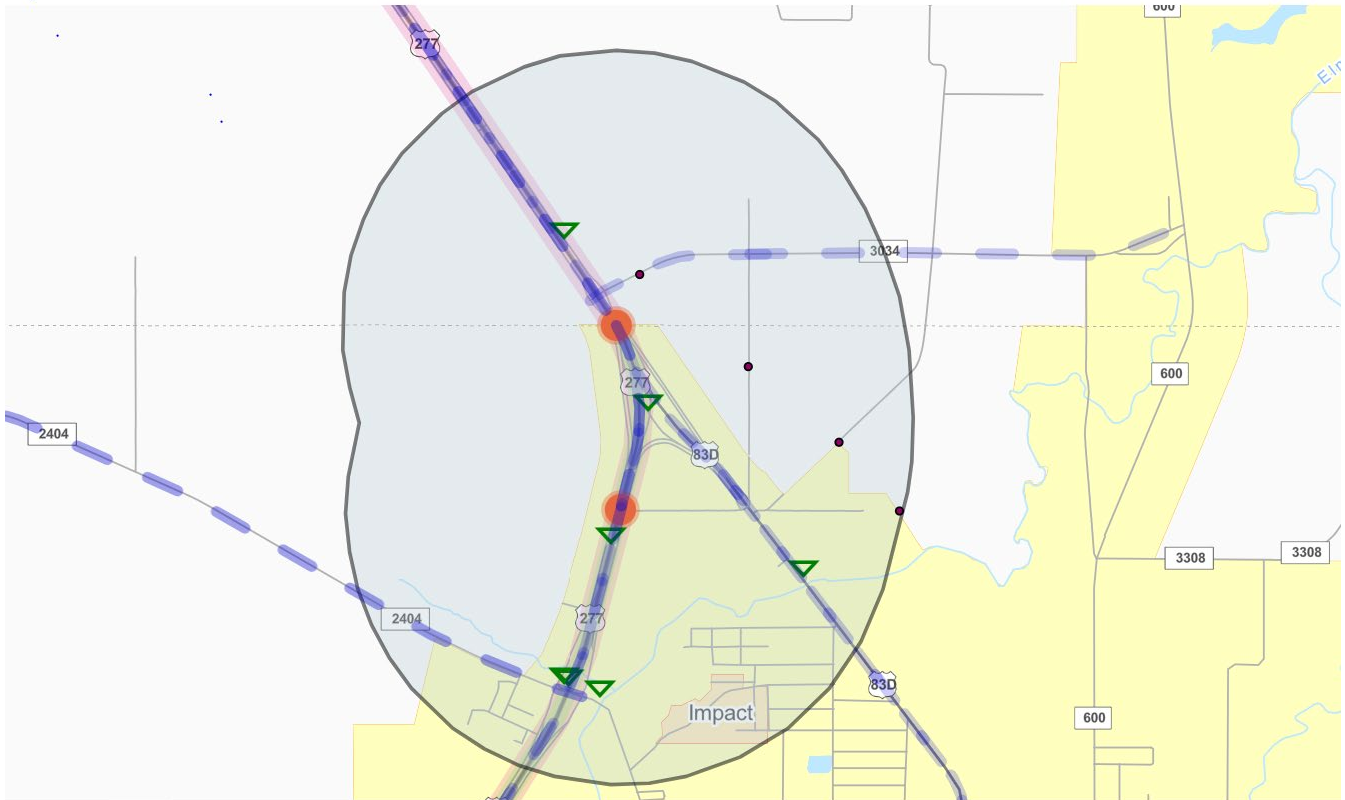
County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

ATTACHMENT A RESOLUTION OR ORDINANCE

SEE ATTACHED

County: Taylor
District: Abilene
ROW CSJ #: 0033-06-122
CCSJ #: 0033-06-121
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

ATTACHMENT B LOCATION MAP SHOWING PROJECT



ATTACHMENT C PROJECT BUDGET ESTIMATE



County	Taylor
District	Abilene District
ROW CSJ #	0033-06-122
CCSJ #	0033-06-121

Federal Project #	
CFDA Title: <u>Highway Planning and Construction</u>	
FHWA CFDA # 20.205	
Federal Highway Administration	
Not Research and Development	

Standard Agreement to Contribute State Performs Work Attachment C

Description	Total Estimated Cost	Participation				Total % (should be 100%)
		State		Local		
		%	Cost	%	Cost	
Right of Way Acquisition	\$20,000.00	90.0%	\$18,000.00	10.0%	\$2,000.00	100.0%
Reimbursable Utility Adjustments	\$0.00	90.0%	\$0.00	10.0%	\$0.00	100.0%
Joint Bid - Reimbursable Utility Adjustments						0.0%
TOTAL	\$20,000.00		\$18,000.00		\$2,000.00	

Fixed Amount

Except as otherwise provided in the Agreement, the fixed amount of Local Government participation will be that amount provided above.

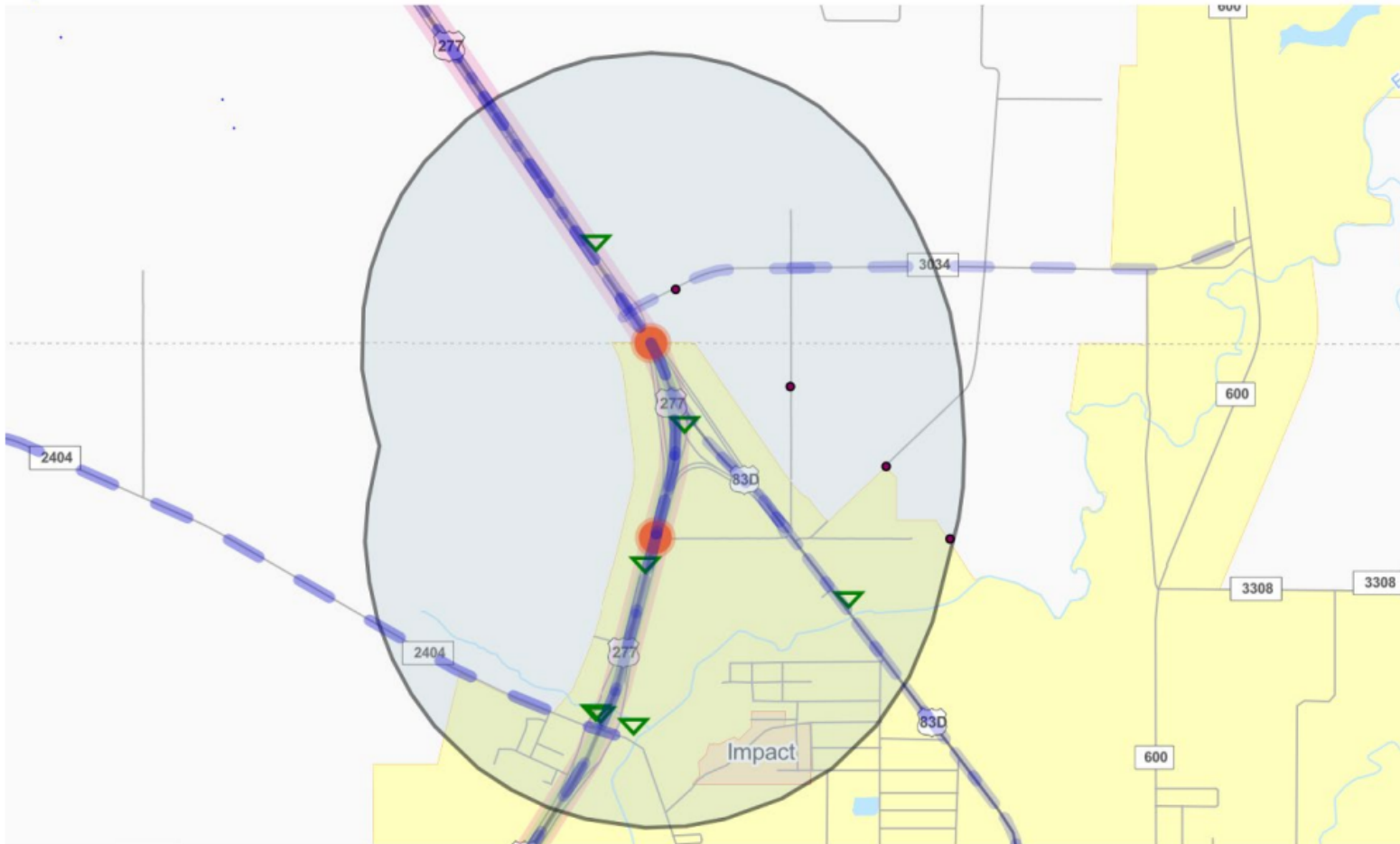
**Resolution: Agreement to Contribute
Right of Way Funds for Improvements
on US Highway 83**
(Max Johnson)





Agreement to Contribute Right of Way Funds

LOCATION MAP SHOWING PROJECT



CITY OF
ABILENE
TEXAS



Agreement to Contribute Right of Way Funds

- TXDOT and the City of Abilene propose to enter into a contractual agreement to acquire right of way and adjust utilities for a highway project on US Highway 83.
- The City of Abilene desires to contribute to the State funding participation as defined in 43 TAC, §15.55 for the cost of acquiring said right of way.
- The City of Abilene's financial participation is a fixed cost of \$2,000.00.



Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Director of Planning & Development Services

SUBJECT: 6. Ordinance (First Reading) Z-2022-24 Receive a Report, Hold a Discussion 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) (Tim Littlejohn)

GENERAL INFORMATION

The request is to 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.

SPECIAL CONSIDERATIONS

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. It was annexed in 1964 and has never been developed.

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.

FUNDING/FISCAL IMPACT

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.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this request by a vote of 6-0.

ATTACHMENTS:

1. Z-2022-24 Draft ordinance
2. Z-2022-24 Staff Report
3. 245 Nora Miller
4. Z-2022-24

ORDINANCE NO. _____

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

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

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

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

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto. PASSED ON FIRST READING the 17nd 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 14th day of October 2022, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall 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

EXHIBIT A

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

Location:

BEING 5.00 acres of land out of Section 322, Blind Asylum Lands, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a set ½" rebar with cap on the West line of a 10.417 acre tract in Volume 1560, Page 394, Deed Records, Taylor County, Texas for the South corner of this tract, whence the Southwest corner of said Section 32 bears S44°03'34"W 590.74' and S89°59'05"W 2802.19';

THENCE N45°45'00"W 435.00' to a set ½" rebar with cap for the West corner of this tract;

THENCE N44°03'34"E 500.69' to a recovered ½" rebar on the Southwesterly right-of-way line of Interstate Highway 20 for the North corner of this tract;

THENCE S45°42'45"E 435.00' with the Southwesterly right-of-way of said highway to a point at the North corner of said 10.417 acre tract for the East corner of this tract, whence a recovered ½" rebar bears S32°42'E 1.60';

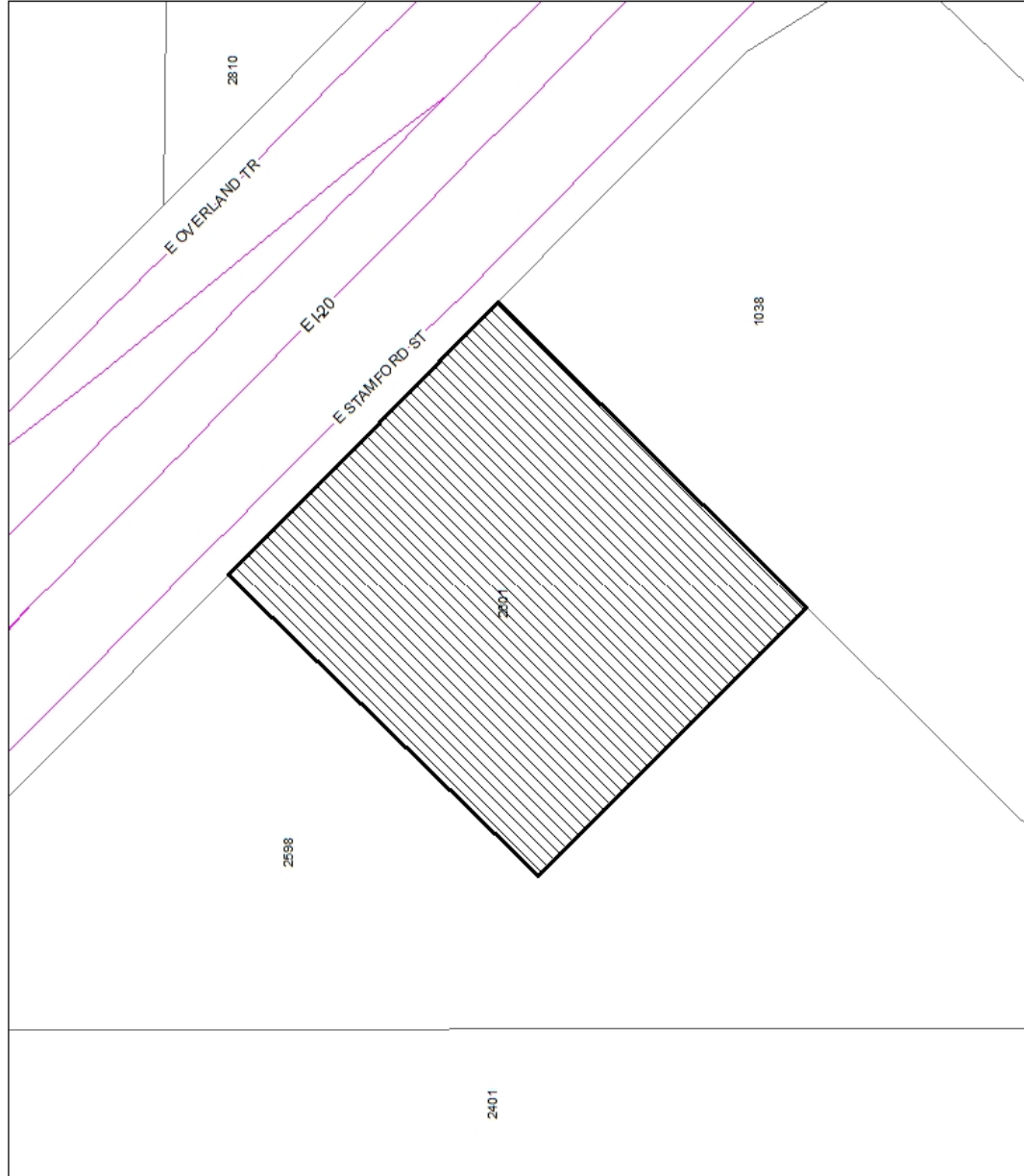
THENCE S44°03'34"W 500.41' with the West line of said 10.417 acre tract to the place of beginning and containing 5.00 acres of land.

Surveyed on the ground May 3, 2002

Location Map



Legend
Z-2022-24



END

ZONING CASE Z-2022-24

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1st Reading: November 17, 2022

City Council 2nd 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.

Recommendations:

- P&Z Recommendation - **Approval** of HC zoning.
- City Manager Recommendation - **Approval** to downgrade the zoning request from HC to GC in order to protect surrounding development from heavy commercial traffic onto EN 10th St. General Commercial zoning will allow the use proposed by the applicant subject to a Conditional Use Permit (CUP). The CUP process would allow the City Council the ability to place specific conditions on the development of the site to ensure protection of the surrounding residential developments and an existing elementary school.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices (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:

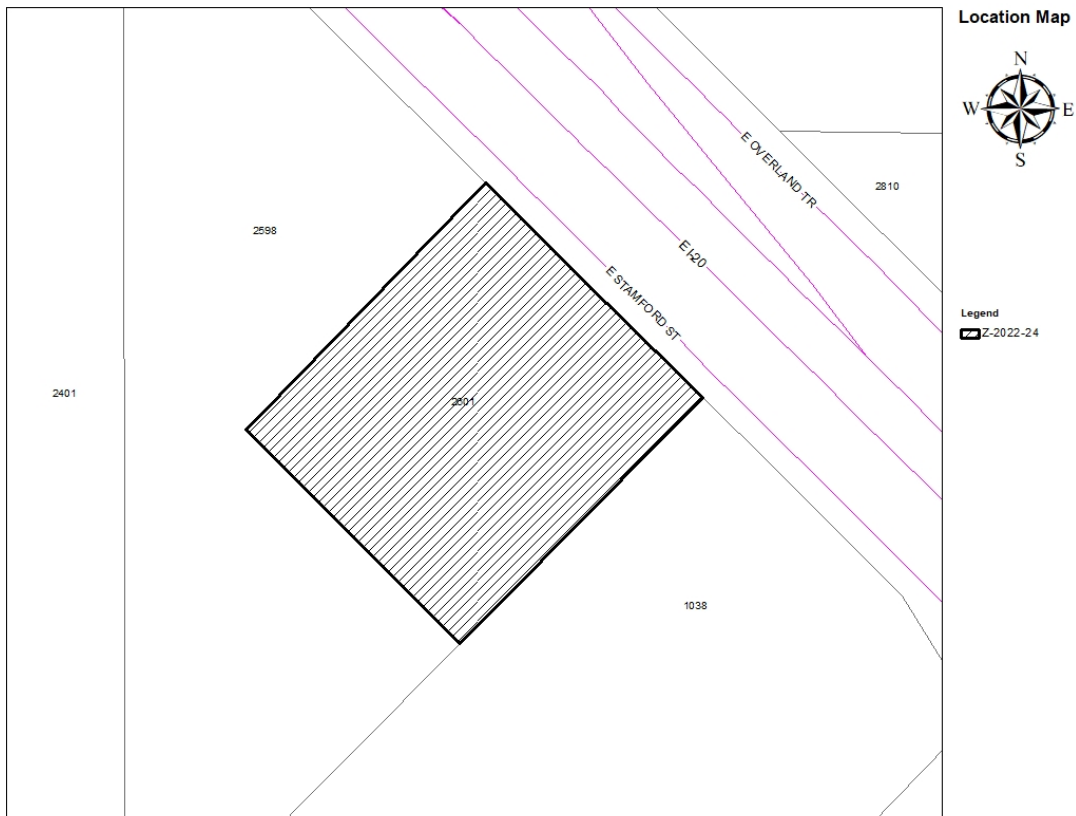
Owner

Owner	Property ID	Situs	Response
AWTRY MIKE & BUFFI	1017941	2401 E STAMFORD ST	F
AWTRY MIKE & BUFFI	105566	2598 EN 10TH ST	F
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	F
AWTRY MIKE & BUFFI	1017941	2401 E STAMFORD ST	F

LOCATION MAP

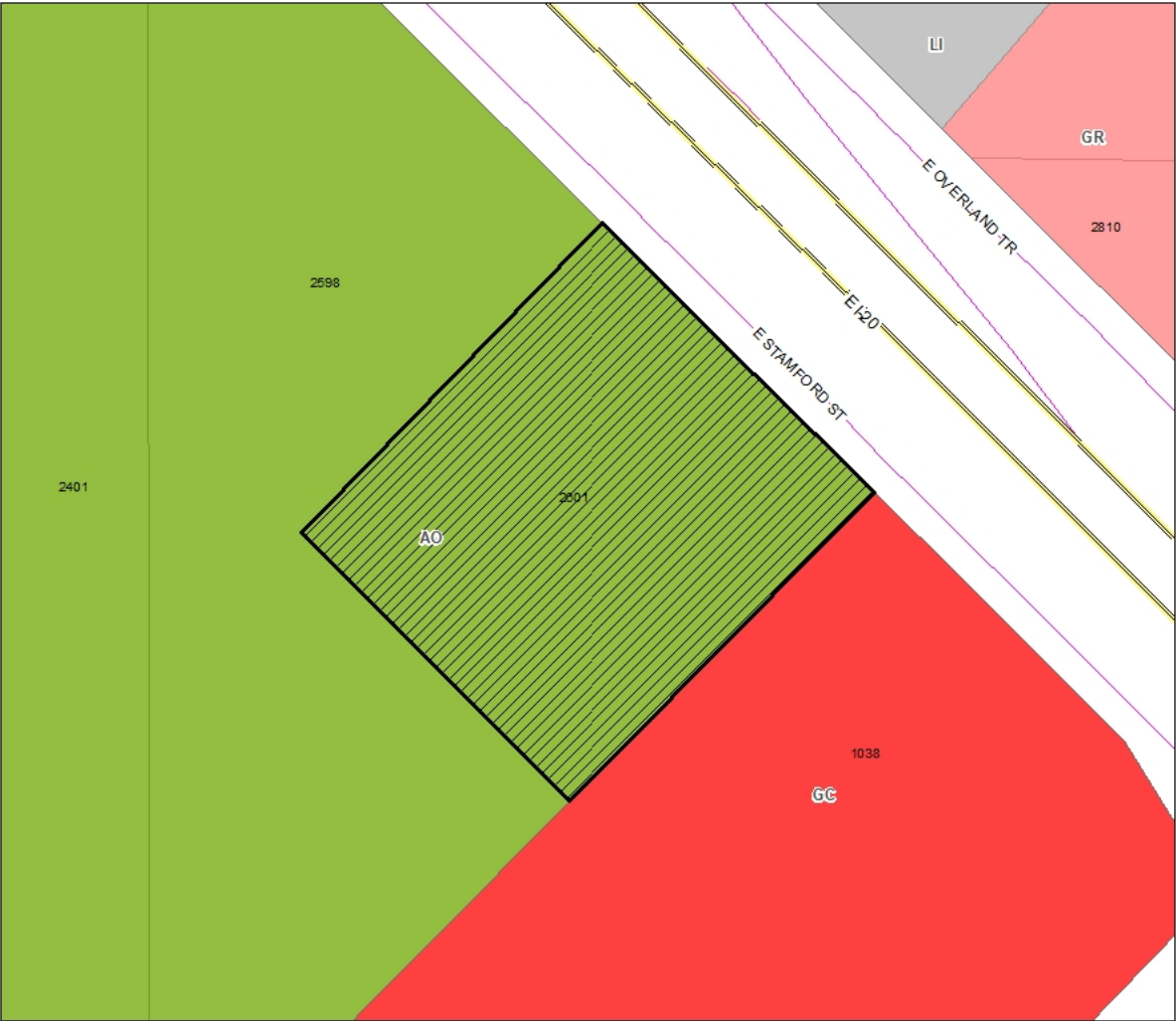


ZONING MAP

Zoning Map



- Legend
- Z-2022-24
 - Expressway
 - AO - Agricultural
 - Open Space
 - GR: General Retail
 - GC: General Commercial
 - LI: Light Industrial





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.

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>.



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

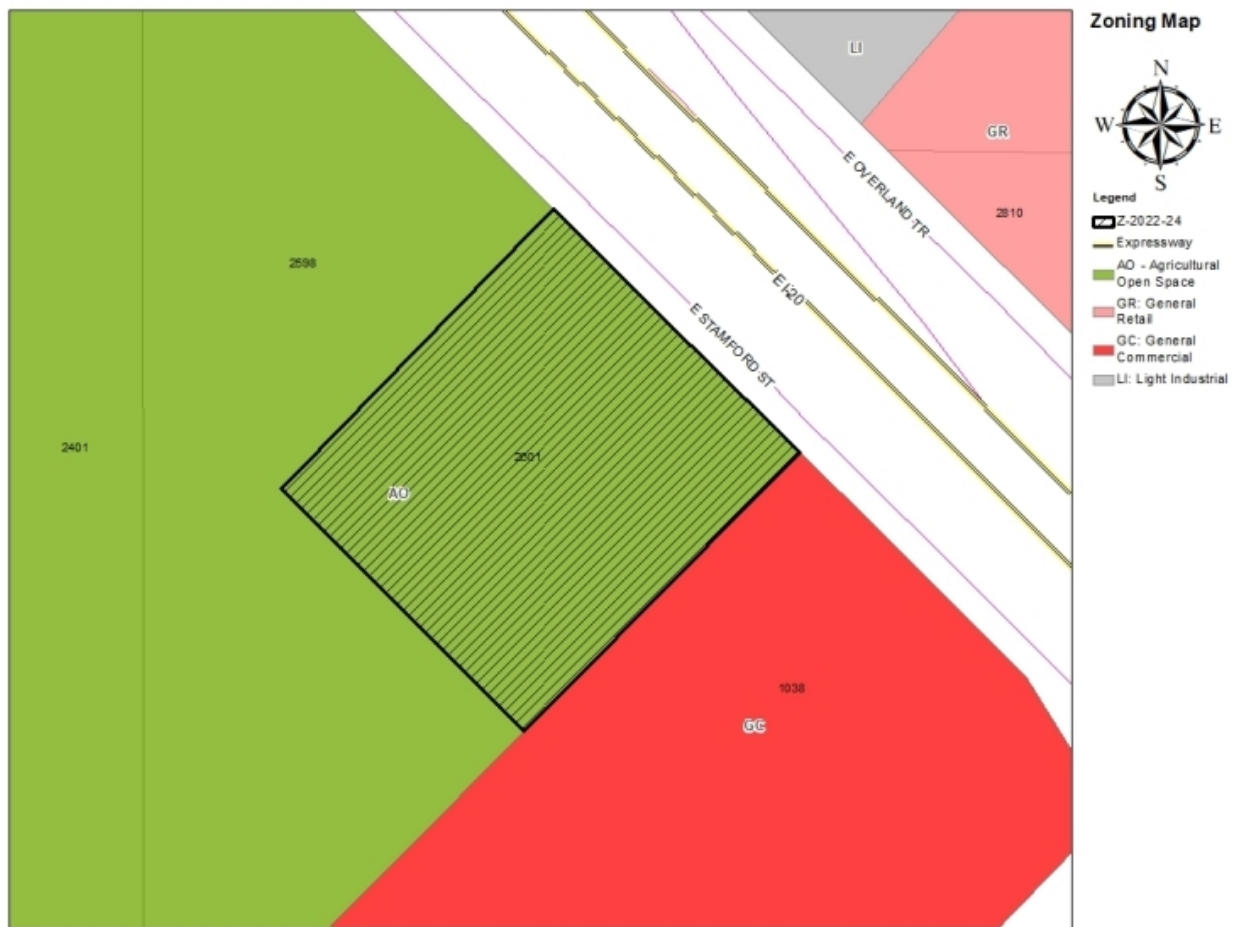


CITY OF
ABILENE
TEXAS





Z-2022-24 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



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



CITY OF
ABILENE
TEXAS

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)
- C 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



CITY OF
ABILENE
TEXAS

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-2022-24 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



East Neighboring Property



Subject Property



South Neighboring Property

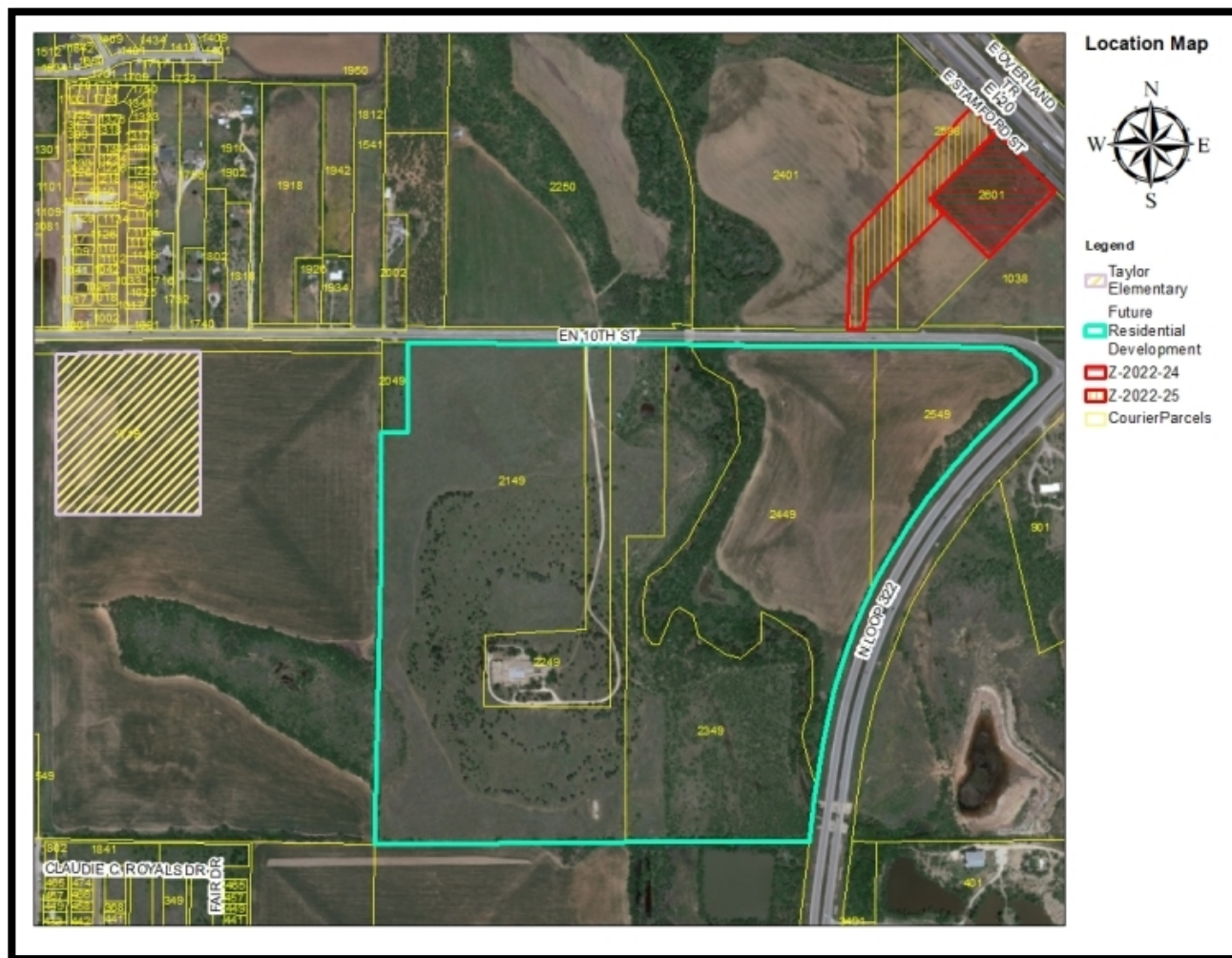


North Neighboring Property



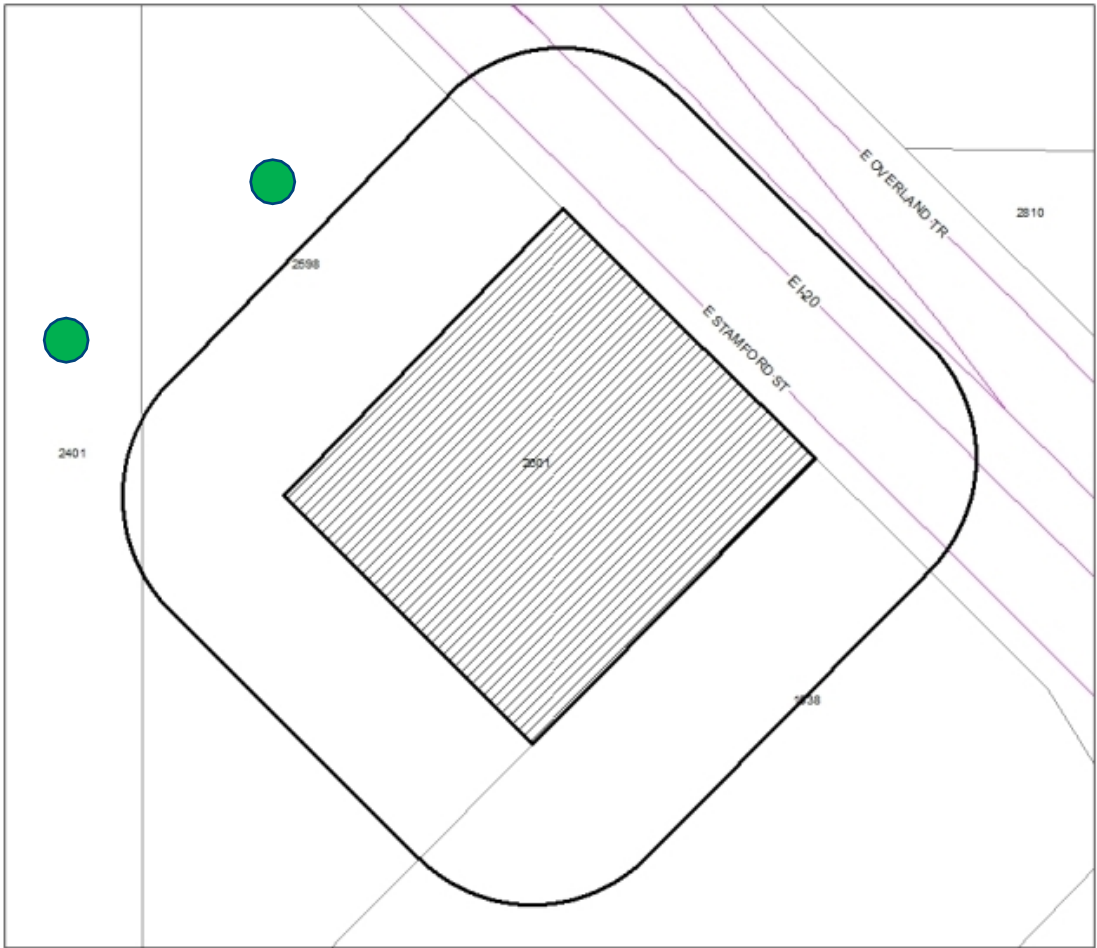


Z-2022-24 Surrounding Area Map





Z-2022-24 NOTIFICATION AREA MAP



Notification Map



Legend

- 200' Buffer
- Z-2022-24

2- In Favor-



0- Opposed-



0% Opposed



CITY OF
ABILENE
TEXAS





FINDINGS

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.

Downzoning the request from HC to GC would be consistent with the above listed criteria.





Recommendations

- P&Z Recommendation - **Approval** of HC zoning.
- City Manager Recommendation - **Approval** to downgrade the request from HC to GC in order to protect surrounding development from heavy commercial traffic onto EN 10th St. General Commercial zoning will allow the use proposed by the applicant subject to a Conditional Use Permit (CUP). The CUP process would allow the City Council the ability to place specific conditions on the development of the site to ensure protection of the surrounding residential developments and an existing elementary school.





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Director of Planning & Development Services

SUBJECT: 7. Ordinance (First Reading) Z-2022-25 Receive a Report, Hold a Discussion 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) (Tim Littlejohn)

GENERAL INFORMATION

The request is to rezone 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.

SPECIAL CONSIDERATIONS

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 10th 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.

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

FUNDING/FISCAL IMPACT

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.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this request by a vote of 5-1.

ATTACHMENTS:

1. Z-2022-25 Draft ordinance
2. Z-2022-25 Staff Report
3. 245 Nora Miller
4. Z-2022-25

ORDINANCE NO. _____

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

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

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

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

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto. PASSED ON FIRST READING the 17nd 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 14th day of October 2022, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall 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

EXHIBIT A

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

Location:

Being 5.67 acres of land out of a 67.40 acre tract of record in Instrument No. 2018-13458, Official Public Records, Taylor County, Texas, out of a 87.40 acre tract of record in Volume 1312, Page 217, Deed Records, Taylor County, Texas, out of Block 9 and Block 3, Jackson Subdivision of Section 32, Blind Asylum Lands, Taylor County, Texas, said 5.67 acres being more thoroughly described as follows:

Beginning at a point for the Northwest corner of a 5 acre tract of record in Instrument No. 2007-21207, Official Public Records, Taylor County, Texas, and the Northeast corner of this tract, from which a found ½" rebar bears N83°32'00"E 0.12';

Thence S43°53'42"W a distance of 500.69' to a point for an interior corner of this tract, from which a found ½" rebar bears N28°18'09"E 0.26';

Thence S45°56'38"E a distance of 108.23' to a set ½" rebar with a cap marked "Estes 5003" for an exterior corner of this tract;

Thence S43°53'42"W a distance of 750.76' to a set ½" rebar with a cap marked "Estes 5003" for an interior corner of this tract;

Thence S00°09'56"E a distance of 56.85' to a set ½" rebar with a cap marked "Estes 5003" to a set ½" rebar with a cap marked "Estes 5003", on the proposed North right of way line of East North 10th Street for the Southeast corner of this tract;

Thence S89°50'04"W a distance of 30.0' to a set ½" rebar with a cap marked "Estes 5003" for the Southwest corner of this tract;

Thence N00°09'56"W a distance of 397.18' to a set ½" rebar with a cap marked "Estes 5003" for an exterior corner of this tract;

Thence N43°53'42"E a distance of 1028.57' to a set ½" rebar with a cap marked "Estes 5003" for the Northwest corner of this tract;

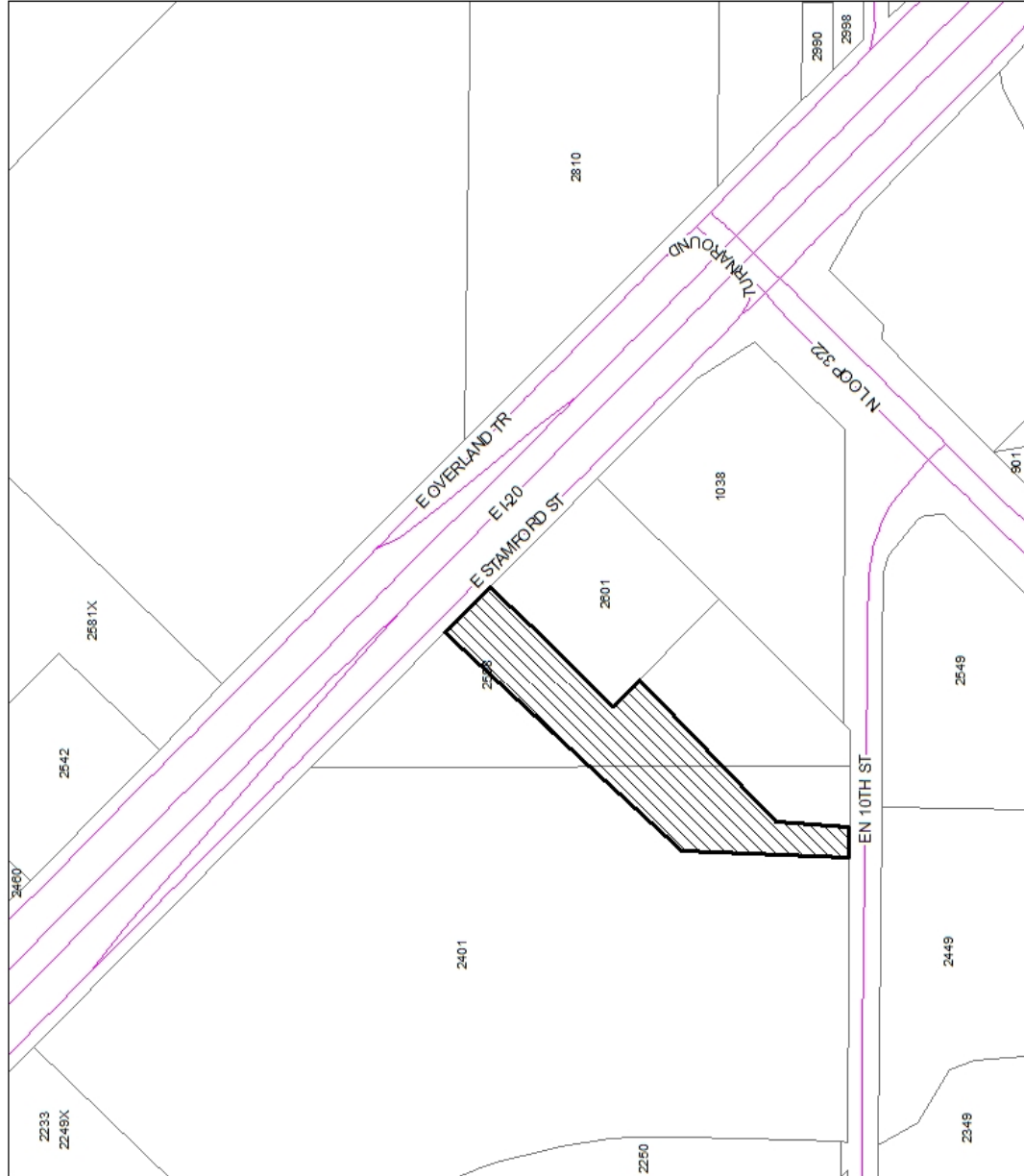
Thence S45°54'25"E a distance of 150.0' to the point of beginning, containing 5.67 acres of land, more or less.

Surveyed on the ground.

Location Map



Legend
Z-2022-25



END

ZONING CASE Z-2022-24

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1st Reading: November 17, 2022

City Council 2nd 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 10th 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.

Recommendations:

- P&Z Recommendation - **Approval** of HC zoning.
- City Manager Recommendation - **Approval** to downgrade the zoning request from HC to GC in order to protect surrounding development from heavy commercial traffic onto EN 10th St. General Commercial zoning will allow the use proposed by the applicant subject to a Conditional Use Permit (CUP). The CUP process would allow the City Council the ability to place specific conditions on the development of the site to ensure protection of the surrounding residential developments and an existing elementary school.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices (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:

Owner

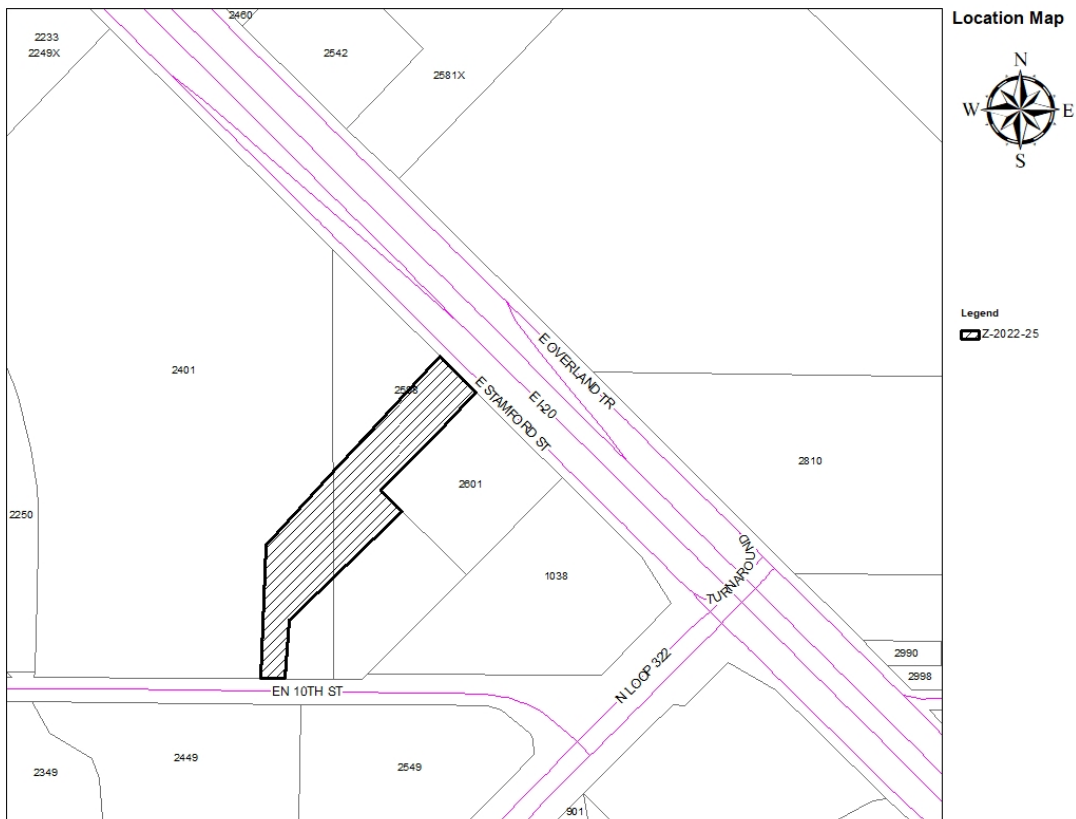
Owner	Property ID	Situs	Response
ABILENE CHRISTIAN UNIVERSITY	16273	2549 EN 10TH ST	
ABILENE CHRISTIAN UNIVERSITY	22574	2449 EN 10TH ST	
AWTRY MIKE & BUFFI	1017941	2401 E STAMFORD ST	F
AWTRY MIKE & BUFFI	105566	2598 EN 10TH ST	F
LEIJA LETICIA	33654	2601 E STAMFORD ST	

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	
AWTRY MIKE & BUFFI	1017941	2401 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	F
AWTRY MIKE & BUFFI	1017941	2401 E STAMFORD ST	F

LOCATION MAP



ZONING MAP





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.

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>.



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



CITY OF
ABILENE
TEXAS





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



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





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



CITY OF
ABILENE
TEXAS

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



CITY OF
ABILENE
TEXAS



Z-2022-25 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



East Neighboring Property



Subject Property

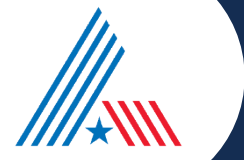


South Neighboring Property

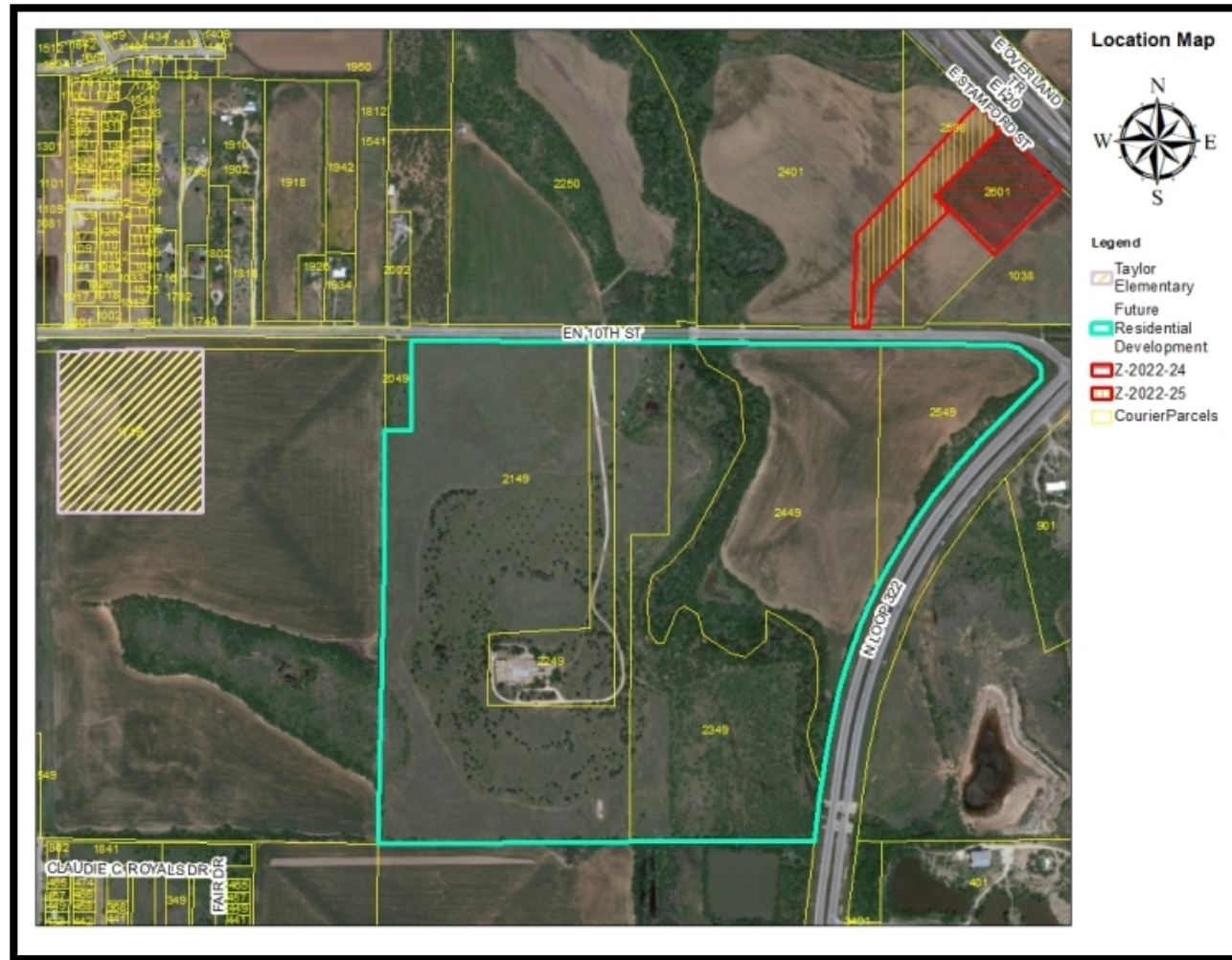


North Neighboring Property





Z-2022-25 Surrounding Area Map

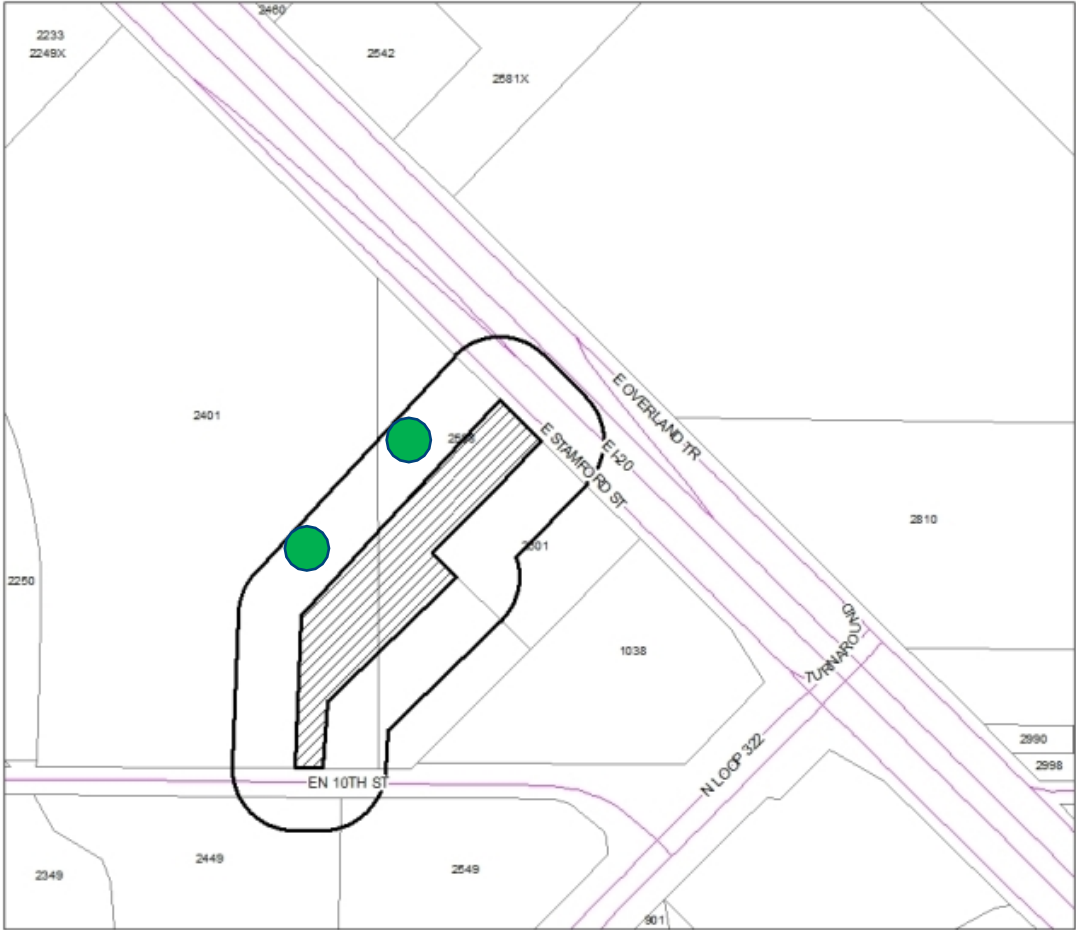


CITY OF
ABILENE
TEXAS





Z-2022-25 NOTIFICATION AREA MAP



Notification Map



Legend



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



CITY OF
ABILENE
TEXAS





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.

Downzoning the request from HC to GC would be consistent with the above criteria.





Recommendations

- P&Z Recommendation - **Approval** of HC zoning.
- City Manager Recommendation - **Approval** to downgrade the zoning request from HC to GC in order to protect surrounding development from heavy commercial traffic onto EN 10th St. General Commercial zoning will allow the use proposed by the applicant subject to a Conditional Use Permit (CUP). The CUP process would allow the City Council the ability to place specific conditions on the development of the site to ensure protection of the surrounding residential developments and an existing elementary school.





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Director of Planning & Development Services

SUBJECT: 8. Ordinance (First Reading) Z-2022-26 Receive a Report, Hold a Discussion 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 (Tim Littlejohn)

GENERAL INFORMATION

The request is to 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).

SPECIAL CONSIDERATIONS

- 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.

FUNDING/FISCAL IMPACT

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.

STAFF RECOMMENDATION

Approval, subject to the proposed Concept Plan.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this request by a vote of 5-1.

ATTACHMENTS:

1. Z-2022-26 PD117.Ordinance
2. Z-2022-26 Staff Report
3. 43279_WATER CREST RANCH-PLANNED DEV
4. 4489X Caldwell
5. 441,457 Jolly Rogers Rd
6. 202 Neas Rd
7. 3781 Fortune Ave
8. 4073 Caldwell
9. 6008 West Lake Road
10. 108201
11. 34237
12. Z-2022-26 pzc

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 17th 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 xxth 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:

Two tracts of land, being (1) the "North Tract", a 110.913 acre tract located in the John Jarmon Survey No. 82, Certificate No. 1802/1903, Abstract No. 187, and the Leonard Bowerman Survey No. 83, Certificate No. 713, Abstract No. 12, and (2) the "South Tract", a 76.298 acre tract located in the Leonard Bowerman Survey No. 83, Certificate No. 713, Abstract No. 12, Taylor County, Texas, said tracts being further described by metes and bounds as follows:

TRACT 1, THE "NORTH TRACT":

A 110.913 acre tract of land located in the John Jarmon Survey No. 82, Certificate No. 1802/1903, Abstract No. 187, and the Leonard Bowerman Survey No. 83, Certificate No. 713, Abstract No. 12, Taylor County, Texas, and comprised of four tracts of land described as Tracts Three, Four and Five in a Warranty Deed With Vendor's Lien recorded in Volume 1946, Page 509, and Tract Two in a Warranty Deed With Vendor's Lien recorded in Volume 2415, Page 783, of the Official Public Records of Taylor County, Texas;

- 1) BEGINNING at a 1/2" iron rod with a cap marked "COJER" found in the south line of the Replat of Pleasant Hills Estates, Block 9, Section 2, an addition to the City of Abilene, Taylor County, Texas, according to the map, plat and/or dedication deed recorded in Plat Cabinet 2, Slide 244-D of the Plat Records of Taylor County, Texas, at the northwest corner of Lot 127, Block A of Pleasant Hills Estates, Lots 127-141, a Replat of Pleasant Hills Estates, Lots 27-41, Block A, Section 4, an addition to the City of Abilene, Taylor County, Texas, according to the map, plat and/or dedication deed recorded in Plat Cabinet 1, Slide 472 of the Plat Records of Taylor County, Texas, for the northeast corner of this tract, having coordinates of Northing: 6,869,836.65 and Easting: 1,594,546.14 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone, whence the northeast corner of said John Jarmon Survey bears S. 88° 50' 55" E. a distance of 144.37 feet and N. 00° 46' 00" E. a distance of 267.59 feet, according to said plats of Pleasant Hills Estates, and having (calculated) coordinates of Northing: 6,870,101.28 and Easting: 1,594,694.03 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone;
- 2) THENCE S. 00° 42' 04" W., along the west line of said Pleasant Hills Estates, Lots 127-141, Block A, Section 4, a distance of 748.88 feet to a 1/2" iron rod found at the southwest corner of said Replat and an ell corner of this tract;
- 3) THENCE S. 89° 11' 02" E. a distance of 145.12 feet to a 1/2" iron rod with a cap marked "COJER" found in the west line of Caldwell Road (dedication unknown) at the southeast corner of said Pleasant Hills Estates, Lots 127-141, Block A, Section 4, and a corner of this tract;
- 4) THENCE S. 00° 45' 39" W. a distance of 58.98 feet to a 1/2" iron rod with a cap marked "AMD ENGINEERING" set for the northeast corner of Pleasant Hills Estates, Lot 1, Block A, Continuation of Section 4, an addition to the City of Abilene, Taylor County, Texas, according to the map, plat and/or dedication deed recorded in Plat Cabinet 3, Slide 500 of the Plat Records of Taylor County, Texas, and a corner of this tract;

- 5) THENCE N. $89^{\circ} 12' 58''$ W., along the north line of said Pleasant Hills Estates, Lot 1, Block A, Continuation of Section 4, at a distance of 0.22 feet pass a 1/2" iron rod found, continuing for a total distance of 399.86 feet to a 3/8" iron rod found at the northwest corner of said Lot 1, Block A, and an ell corner of this tract;
- 6) THENCE S. $00^{\circ} 48' 10''$ W. a distance of 100.02 feet to a 3/8" iron rod found at the southeast corner of said Pleasant Hills Estates, Lot 1, Block A, Continuation of Section 4, and an ell corner of this tract;
- 7) THENCE S. $89^{\circ} 11' 19''$ E., along the south line of said Pleasant Hills Estates, Lot 1, Block A, Continuation of Section 4, a distance of 239.92 feet to a 1/2" iron rod with a cap marked "COJER" found at the northwest corner of Lot 20, Block B of Pleasant Hills Estates, Section 4, Part of Blocks A and B, an addition to the City of Abilene, Taylor County, Texas, according to the map, plat and/or dedication deed recorded in Plat Cabinet 1, Slide 91 of the Plat Records of Taylor County, Texas, and a corner of this tract;
- 8) THENCE S. $00^{\circ} 45' 35''$ W., along the west line of Lots 8 through 20 of said Pleasant Hills Estates, Section 4, Part of Blocks A and B, a distance of 630.26 feet to a 1/2" iron rod found at the most northerly northeast corner of Pleasant Hills Estates, Lot 201 and Lots 102 through 105, a Replat of Lot 101 and Lots 2 through 7, Block B, Section 4, an addition to the City of Abilene, Taylor County, Texas, according to the map, plat and/or dedication deed recorded in Plat Cabinet 1, Slide 407, of the Plat Records of Taylor County, Texas, and a corner of this tract;
- 9) THENCE N. $89^{\circ} 12' 10''$ W. a distance of 180.05 feet to a 1/2" iron rod with a cap marked "COJER" found at the northwest corner of said Lot 201, Pleasant Hills Estates, Lot 201 and Lots 102 through 105, at an ell corner of this tract;
- 10) THENCE S. $00^{\circ} 38' 33''$ W. a distance of 169.97 feet to a 1/2" iron rod in concrete found at the southwest corner of said Lot 201, Pleasant Hills Estates, Lot 201, and Lots 102 through 105, and a corner of this tract;
- 11) THENCE N. $89^{\circ} 14' 06''$ W. a distance of 61.00 feet to a 3/8" iron rod found in the north line of Caldwell Road (dedication unknown) at the southeast corner of that certain 1.84 acre tract of land described in a Warranty Deed recorded in County Clerk's File Number 2021-26813 of the Official Public Records of Taylor County, Texas, and a corner of this tract;
- 12) THENCE N. $00^{\circ} 49' 14''$ E. a distance of 399.96 feet to a 3/8" iron rod found at the northeast corner of said 1.84 acre tract and an ell corner of this tract;
- 13) THENCE N. $89^{\circ} 13' 27''$ W. a distance of 199.83 feet to a 3/8" iron rod found at the northwest corner of said 1.84 acre tract and an ell corner of this tract;
- 14) THENCE S. $00^{\circ} 50' 34''$ W. a distance of 400.00 feet to a 1/2" iron rod with a cap marked "COJER" found in the north line of said Caldwell Road at the southwest corner of said 1.84 acre tract and a corner of this tract;

15) THENCE N. 89° 14' 06" W. a distance of 83.80 feet to a 1/2" iron rod with a cap marked "COJER" found at the point of intersection of the north and west lines of said Caldwell Road and an ell corner of this tract;

16) THENCE S. 00° 55' 06" W., along the west line of said Caldwell Road, a distance of 205.20 feet to a 1/2" iron rod with a cap marked "COJER" found in the north line of that certain tract of land conveyed to West Texas Utilities Company described as a 5.86 acre tract of land and recorded in Volume 216, Page 69 of the Deed Records of Taylor County, Texas, for the most southerly southeast corner of this tract, having coordinates of Northing: 6,867,930.92 and Easting: 1,593,981.71 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone, whence a 1/2" iron rod with a cap marked "AMD ENGINEERING" set for the northeast corner of the second tract, "Tract 2", described herein-after, bears S. 01° 02' 37" W. a distance of 100.00 feet;

17) THENCE N. 88° 57' 37" W., along the north line of said West Texas Utilities Company tract, a distance of 2090.84 feet to a 3/8" iron rod found at the southeast corner of that certain 1.377 acre tract of land conveyed to J.D. Barrett described in a Warranty Deed with Vendor's Lien recorded in Volume 1790, Page 931 of the Official Public Records of Taylor County, Texas, for the most southerly southwest corner of this tract;

18) THENCE N. 00° 53' 02" E. a distance of 150.09 feet to a 1/2" iron rod with a cap marked "COJER" found at the northeast corner of said J.D. Barrett tract and a corner of this tract;

19) THENCE S. 88° 46' 59" E., along the south line of that certain 1.92 acre tract of land conveyed to Zeke Rodriguez described in a Warranty Deed with Vendor's Lien recorded in Volume 1733, Page 513 of the Official Public Records of Taylor County, Texas, a distance of 436.08 feet to a 1/2" iron rod with a cap marked "AMD ENGINEERING" set for the southeast corner of said Zeke Rodriguez tract and an ell corner of this tract;

20) THENCE N. 00° 08' 06" W. a distance of 99.99 feet to a 3/8" iron rod found at the northeast corner of said Zeke Rodriguez tract and an ell corner of this tract;

21) THENCE N. 88° 48' 24" W. a distance of 834.95 feet to a 1/2" iron rod with a cap marked "COJER" found in the east right-of-way line of F.M. Hwy. 600 at the northwest corner of said Zeke Rodriguez tract and the most westerly southwest corner of this tract, having coordinates of Northing: 6,868,227.00 and Easting: 1,591,494.90 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone;

22) THENCE N. 00° 49' 22" E., along the east right-of-way line of said F.M. Hwy. 600 at a distance of 676.61 feet pass a 1/2" iron rod with a cap marked "COJER" found, continuing for a total distance of 1542.88 feet to a 1/2" iron rod with a cap marked "AMD ENGINEERING" set for a point of curvature and a corner of this tract;

23) THENCE northerly, along said east right-of-way line and a curve to the right, an arc distance of 307.52 feet, said curve having a radius of 1859.86 feet, a delta angle of 09° 28' 25"

a chord length of 307.17 feet and a chord bearing of N. 05° 33' 34" E., to a Type 1 concrete right-of-way monument (top broken off) found at a point of intersection and the most westerly northwest corner of this tract;

24) THENCE N. 60° 33' 28" E. a distance of 69.80 feet to a 1/2" iron rod with a cap marked "AMD ENGINEERING" set at a point of intersection in the south right-of-way line of F.M. Hwy. 3308 for the most northerly northwest corner of this tract, whence an 8" wood guard post bears west a distance of 1.8 feet and north a distance of 0.4 feet;

25) THENCE S. 88° 49' 29" E., along said south right-of-way line, a distance of 909.62 feet to a 1/2" iron rod with a cap marked "AMD ENGINEERING" set for the northwest corner that certain 7.25 acre tract of land conveyed to Bontke Brothers Construction Company described in a Warranty Deed recorded in County Clerk's File Number 2013-08806 of the Official Public Records of Taylor County, Texas, for a corner of this tract, having coordinates of Northing: 6,870,090.80 and Easting: 1,592,516.86 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone;

26) THENCE S. 00° 49' 22" W. a distance of 1208.09 feet to a 1/2" iron rod with a cap marked "AMD ENGINEERING" set for the southwest corner of said Bontke Brothers Construction Company tract and an ell corner of this tract;

27) THENCE S. 88° 49' 29" E., along the south line of said Bontke Brothers Construction Company tract at a distance of 58.55 feet pass the southwest corner of Lot 2 of Sherrill Addition,

Lots 1 and 2, Block A, an addition to the City of Abilene, Taylor County, Texas, according to the according to the map, plat and/or dedication deed recorded in Plat Cabinet 4, Slide 372, of the Plat Records of Taylor County, Texas, continuing for a total distance of 800.85 feet to a 3/8" iron rod in concrete found at the southeast corner of said Sherrill Addition and an ell corner of this tract;

28) THENCE N. 00° 54' 40" E., along the east line of said Sherrill Addition, a distance of 995.06 feet to a 1/2" iron rod with a cap marked "COJER" found at the southwest corner of said Replat of Pleasant Hills Estates, Block 9, Section 2 and a corner of this tract;

29) THENCE S. 88° 50' 55" E., along the south line of a utility easement, 20 feet in width, and said Replat of Pleasant Hills Estates, Block 9, Section 2, a distance of 720.02 feet to a 1/2" iron rod with a cap marked "COJER" found at an ell corner of this tract;

30) THENCE N. 00° 53' 00" E. a distance of 20.00 feet to a 1/2" iron rod with a cap marked "PATRIOT SURVEYING" found at the southwest corner of Lot 15 of said Replat of Pleasant Hills Estates, Block 9, Section 2 and a corner of this tract;

31) THENCE S. 88° 50' 55" E. a distance of 60.00 feet to a 1/2" iron rod with a cap marked "AMO ENGINEERING" set for the southeast corner of said Lot 15 and a corner of this tract;

32) THENCE S. 00° 53' 00" W. a distance of 20.00 feet to a 1/2" iron rod with a cap marked "AMO ENGINEERING" set in the south line of said utility easement, 20 feet in width, and said Replat of Pleasant Hills Estates, Block 9, Section 2, for an ell corner of this tract;

33) THENCE S. 88° 50' 55" E. a distance of 450.67 feet to the POINT OF BEGINNING. Bearings are relative to the Texas Coordinate System of 1983 (2011), Texas North Central Zone, as calculated from a point of origin at Northing: 6,868,808.515 and Easting: 1,592,535.678, with a convergence angle of -00°39'54.55" and a combined scale factor of 0.99984254. Distances are at surface, in U.S. survey feet.

TRACT 2, THE "SOUTH TRACT":

A 76.298 acre tract of land located in the Leonard Bowerman Survey No. 83, Certificate No. 713, Abstract No. 12, Taylor County, Texas, and being that same certain tract of land described in a Warranty Deed recorded in Volume 2524, Page 940, of the Official Public Records of Taylor County, Texas;

1) BEGINNING at a 1/2" iron rod with a cap marked "AMO ENGINEERING" set for the southeast corner of this tract and having coordinates of Northing: 6,865,142.81 and Easting: 1,593,930.92 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone, whence the southeast corner of said Leonard Bowerman Survey No. 83 bears S. 01° 02' 37" W. a distance of 30.00 feet and S. 89° 11' 32" E. a distance of 60.00 feet and having (calculated) coordinates of Northing: 6,865,111.97 and Easting: 1,593,990.36 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone;

2) THENCE N. 89° 11' 32" W., at an approximate distance of 150 feet intersecting the north line of Jolly Rogers Road (dedication unknown), sometimes referred to as East Huckleberry Lane, as occupied on the ground, continuing along the north line of said road a total distance of 1233.41 feet to a 1/2" iron rod with a cap marked "AMO ENGINEERING" set for the southeast corner of the plat limits of Pleasant Hills Estates, Section 2, being a replat of all of Lot 6 and the south 410 feet of Lot 7, Block 1, Section 1, Pleasant Hills Estates and the east 30 feet of Section 1, Northern Heights Addition, an addition to the City of Abilene, Taylor County, Texas, according to the map, plat and/or dedication deed thereof recorded in Plat Cabinet 1, Slide 150 B of the Plat Records of Taylor County, Texas, and the southwest corner of this tract;

C/21MI•) AMD Engineering and Surveying

3) THENCE N. 00° 58' 58" E., along the east line of said Pleasant Hills Estates, Section 2, and the Pleasant Hills Estates plats recorded in Plat Cabinet 3, Slide 87 and Plat Cabinet 4, Slide 310 of the Plat records of Taylor County, Texas, and the east line of the that certain tract of land described in a Warranty Deed recorded in Volume 3170, Page 358 of the Official Public Records of Taylor County, Texas, a distance of 2694.01 feet to a 3/8" iron rod found in the south line of that certain tract of land conveyed to West Texas Utilities Company described as a 5.86 acre tract of land and recorded in Volume 216, Page 69 of the Deed Records of Taylor County, Texas, at the northwest corner of this tract, having coordinates of Northing: 6,867,853.3 and Easting: 1,592,744.04 of the Texas Coordinate System of 1983(2011), Texas North Central Zone;

4) THENCE S. $88^{\circ} 57' 37''$ E., along the south line of said West Texas Utilities Company tract, a distance of 1236.25 feet to a 1/2" iron rod with a cap marked "AMD ENGINEERING" set in the west line of said Caldwell Road for the northeast corner of this tract, whence a 1/2" iron rod with a cap marked "COJER" found at the most southerly southeast corner of the first tract, "Tract 1", described herein-above, bears N. $01^{\circ} 02' 37''$ E. a distance of 100.00 feet;

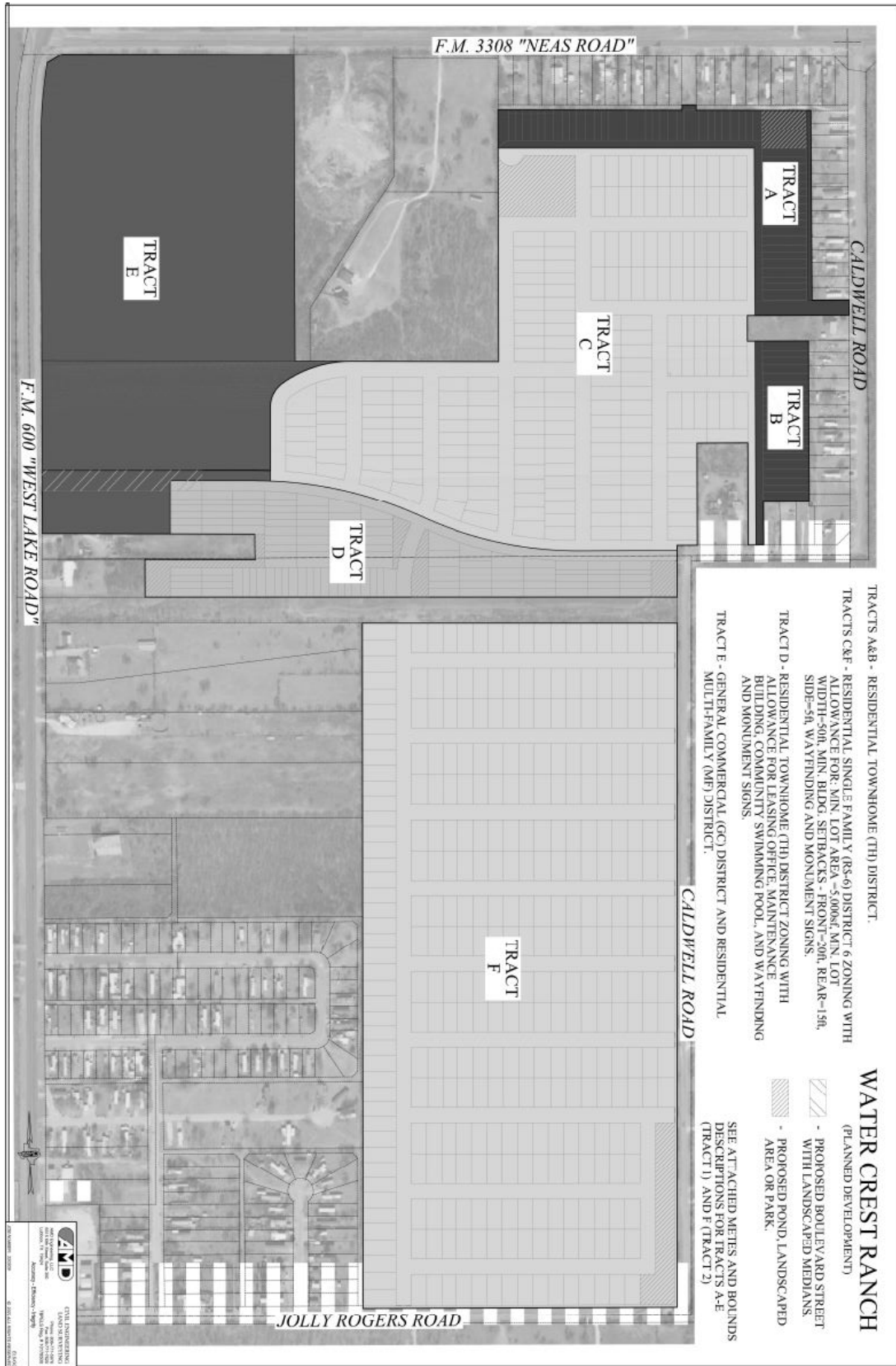
5) THENCE S. $01^{\circ} 02' 37''$ W. along the west line of said Caldwell Road at an approximate distance of 2574 feet intersecting the west line of said Caldwell Road, as occupied on the ground, continuing for a total distance of 2689.01 feet to the POINT OF BEGINNING. Bearings are relative to the Texas Coordinate System of 1983 (2011), Texas North Central Zone, as calculated from a point of origin at Northing: 6,868,808.515 and Easting: 1,592,535.678, with a convergence angle of $-00^{\circ} 39' 54.55''$ and a combined scale factor of 0.99984254. Distances are at surface, in U.S. survey feet.

I, Norris Stevens, Registered Professional Land Surveyor, do hereby certify that this description was prepared from an actual survey of the property and that the information hereon represents the findings of this survey to the best of my knowledge and belief.

Surveyed June 29, 2022

ORDINANCE NO. _____

EXHIBIT B



-END-

ZONING CASE Z-2022-26 PD-177

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1st Reading: November 17, 2022

City Council 2nd 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.

P&Z Recommendation:

The Planning and Zoning Commission recommends **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 21st, 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	F
BARDIN BRAD S & EMILY G	51713		F
BARDIN BRAD S & EMILY G	75041	457 JOLLY ROGERS RD	F
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 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	O
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		O
KOSTIC HOLDINGS LLC	207441		O
KOSTIC HOLDINGS LLC	973946		O
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	
MOORE GREATHOUSES LLC	19230	149 MEADOWLARK DR	
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	

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		O
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	O
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	
MOORE GREATHOUSES LLC	19230	122 MEADOWLARK DR	
MOORE GREATHOUSES LLC	19230	153 MEADOWLARK DR	
MOORE GREATHOUSES LLC	19230	149 MEADOWLARK DR	
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	
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	

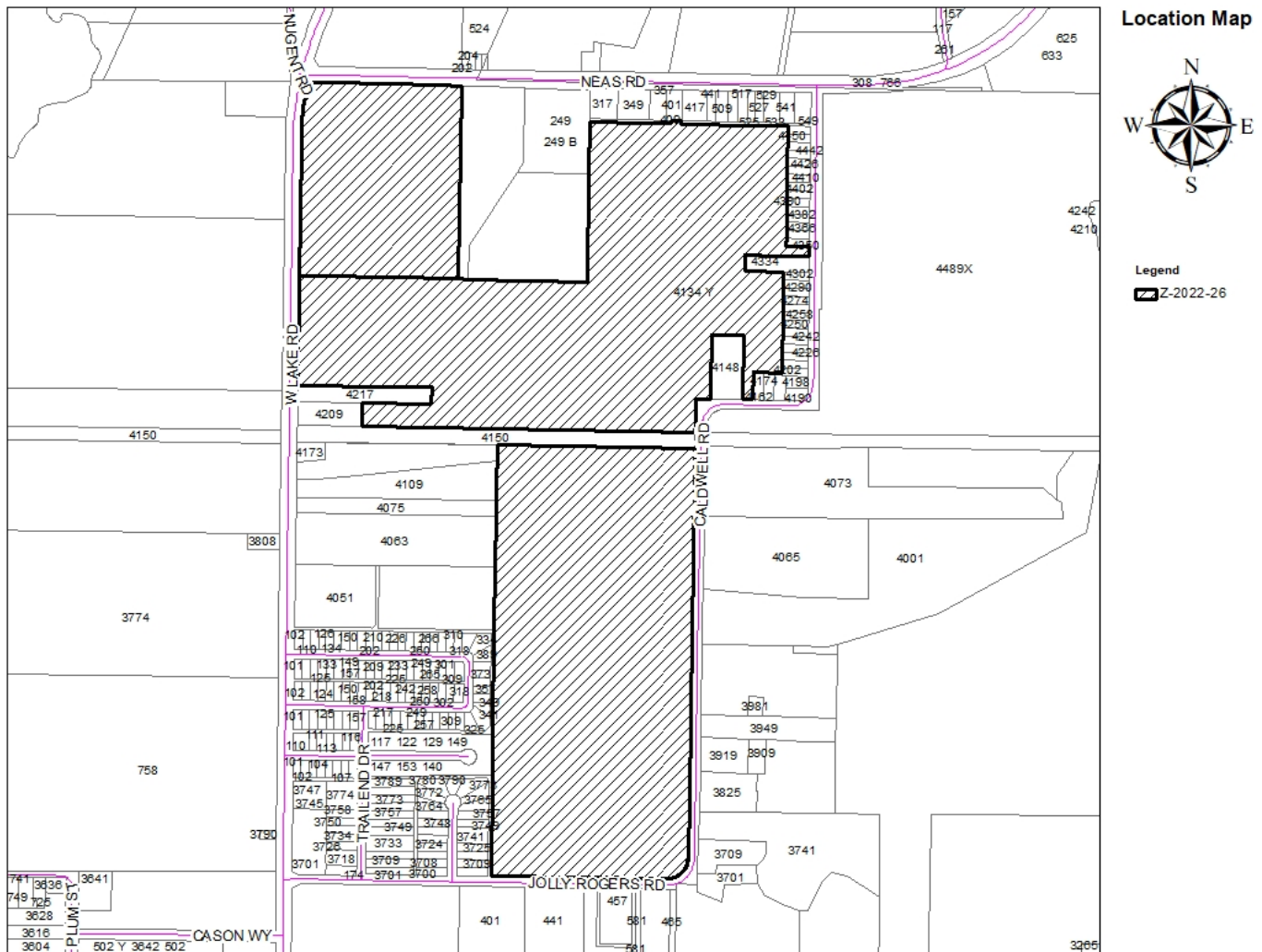
MOORE GREATHOUSES LLC	19230	152 MEADOWLARK DR	
MOORE GREATHOUSES LLC	19230	151 MEADOWLARK DR	
MOORE GREATHOUSES LLC	19230	143 MEADOWLARK DR	
MOORE GREATHOUSES LLC	19230	132 MEADOWLARK DR	
MOORE GREATHOUSES LLC	19230	130 MEADOWLARK DR	
MOORE GREATHOUSES LLC	19236	4458 CALDWELL RD	
MOORE GREATHOUSES LLC	19355	4450 CALDWELL RD	
MOORE GREATHOUSES LLC	19486	4442 CALDWELL RD	
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		O
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	O
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		F
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		O
MC CORMACK MICHAEL & SARA	110332	4109 W LAKE RD	
KOSTIC HOLDINGS LLC	207441		O
PEACOCK WILLIAM T &	973944	204 NEAS RD	
SPYKES ROY DON & NORMA	973945		
KOSTIC HOLDINGS LLC	973946		O
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	O
SHERRILL CHARLES M & LISA	1015569	249 NEAS RD	
SHERRILL CHARLES M & LISA	1015569	249 B NEAS RD	
SHERRILL CHARLES M & LISA	1015570		

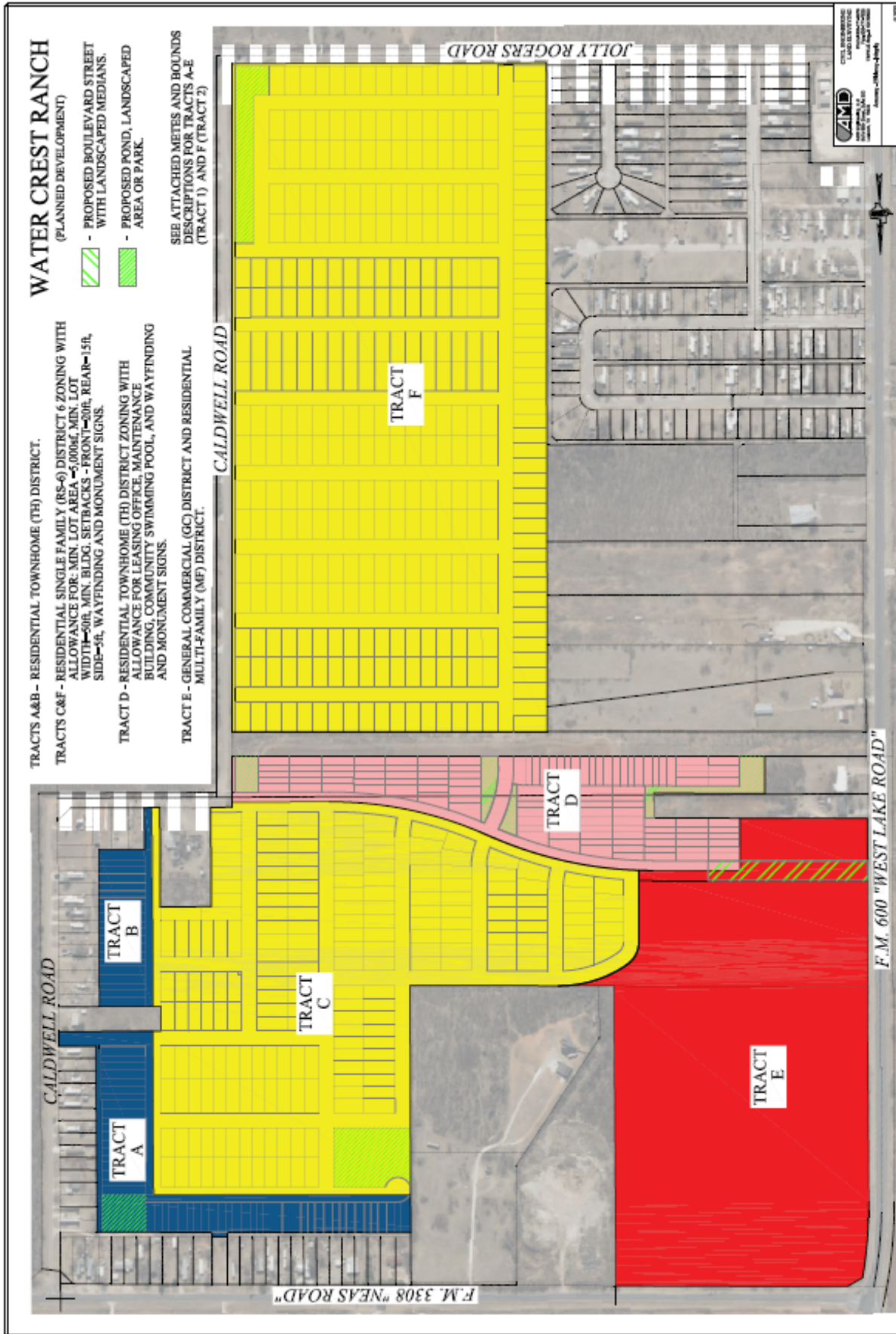
LOCATION MAP

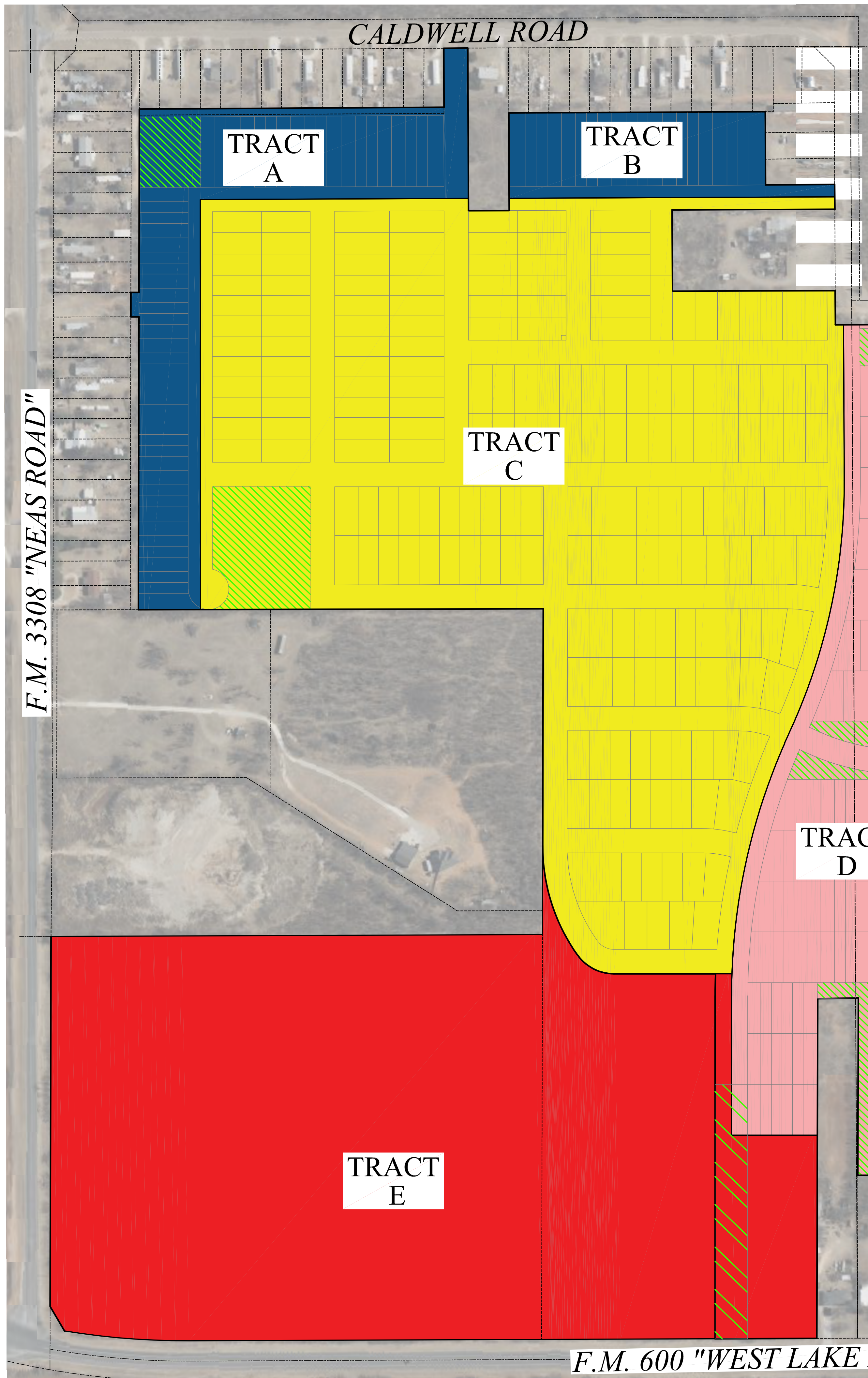


ZONING MAP



CONCEPT PLAN





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

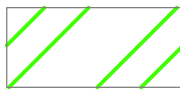
TRACTS C&F - RESIDENTIAL SINGLE FAMILY (RS-6) DISTRICT 6 ZONING WITH ALLOWANCE FOR: MIN. LOT AREA =5,000sf, MIN. LOT WIDTH=50ft, MIN. BLDG. SETBACKS - FRONT=20ft, REAR=15ft, SIDE=5ft, WAYFINDING AND MONUMENT SIGNS.

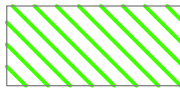
TRACT D - RESIDENTIAL TOWNHOME (TH) DISTRICT ZONING WITH ALLOWANCE FOR LEASING OFFICE, MAINTENANCE BUILDING, COMMUNITY SWIMMING POOL, AND WAYFINDING AND MONUMENT SIGNS.

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"



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 2nd 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

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.: 53007
Address: 4489X CALDWELL RD

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

Email: planning@abilenetx.gov

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature: _____

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

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 2nd 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

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

CASE #: Z-2022-26

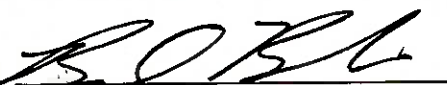
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: 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

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

Signature: 



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

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 2nd 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

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: 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

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

Signature: 



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

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 2nd 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

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: 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

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: _____

A handwritten signature in black ink, appearing to be "B. S. Bardin", written over a horizontal line.



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 2nd 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

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

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.

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: WHEELER EMMA

Parcel I.D.: 42728

Address: 3781 FORTUNE AV

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

Email: planning@abilenetx.gov

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature: Emma Wheeler

OCT 27 PM 2:19

Derek Hood

4073 Caldwell Rd. Abilene, TX 79601 | 325-370-8759 | coachhood@gmail.com

Tuesday, October 25, 2022

Regarding: Zone Change Application Number Z-2022-26

Planning & Zoning Commission:

The 187.21 acres to be considered for the zoning change is alarming. If the zoning change is approved, the initial phase of the Planned Development District (PDD) in the northeast acreage of the 187.21 acres is 384 mobile home lots. Ranging in size from 50' to 27' wide. 384 lots just in Phase 1.

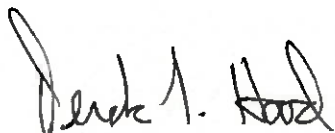
The 187.21 acres could potentially be the site for over 1,000 mobile homes.

This acreage has always provided some sort of buffer for the existing mobile homes, and I don't want that buffer to disappear. Keeping this acreage zoned as Agriculture Open (AO) will prevent the development of such a high-density neighborhood. The increased traffic, safety concerns, lower property values, and the loss of the rural atmosphere we currently enjoy are all at risk if the zoning request is approved.

I am opposed to the Zone Change Application Number Z-2022-26.

Sincerely,

OCT 27 PM 2:19



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: HOOD DEREK L

Parcel I.D.: 996314

Address: 4073 CALDWELL RD

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

Email: planning@abilenetx.gov

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature: _____





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

[Planning] Water Crest

2 messages

Rebecca Engles <engles.rebecca@gmail.com>
To: planning@abilenetx.gov

Mon, Nov 14, 2022 at 4:35 PM

Hello!

I live near the proposed zoning for Water Crest Ranch subdivision/Community....

I would like to put in my vote to NOT allow this build to go thru. The country and open land is why I moved to the North side of Abilene. If you want to improve Abilene Do more to improve restaurants on I20 around this area !! That is what Abileneans want for the north improvements!!

Thank you for allowing me to vote!

--

You received this message because you are subscribed to the Google Groups "Planning Services" group.
To unsubscribe from this group and stop receiving emails from it, send an email to planning+unsubscribe@abilenetx.gov.
To view this discussion on the web visit https://groups.google.com/a/abilenetx.gov/d/msgid/planning/CANnobNdtSaSgx_duBwSKeXHSNirMkRLtPV1Qgg7cbDxvhSMfdQ%40mail.gmail.com.

Rebecca Engles <engles.rebecca@gmail.com>
To: planning@abilenetx.gov

Mon, Nov 14, 2022 at 4:36 PM

Forgive me:

Name: Rebecca Engles
Address: [6008 W Lake Rd](#)

----- Forwarded message -----

From: **Rebecca Engles** <engles.rebecca@gmail.com>
Date: Mon, Nov 14, 2022 at 4:35 PM
Subject: Water Crest
To: <planning@abilenetx.gov>

Hello!

I live near the proposed zoning for Water Crest Ranch subdivision/Community....

I would like to put in my vote to NOT allow this build to go thru. The country and open land is why I moved to the North side of Abilene. If you want to improve Abilene Do more to improve restaurants on I20 around this area !! That is what Abileneans want for the north improvements!!

Thank you for allowing me to vote!

--

You received this message because you are subscribed to the Google Groups "Planning Services" group.
To unsubscribe from this group and stop receiving emails from it, send an email to planning+unsubscribe@abilenetx.gov.
To view this discussion on the web visit https://groups.google.com/a/abilenetx.gov/d/msgid/planning/CANnobNeocpyadUqmiEQ2sbrfQYJb_pKCzvkXnd67y3n_F%2B8bmg%40mail.gmail.com.

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: KOSTIC HOLDINGS LLC

Parcel I.D.: 108201

Address:

Mailing To: Planning and Development Services

P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature

Paul Koster

OCT 27 PM 2:19

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: PRESSWOOD LLOYD MARTIN

Parcel I.D.: 34237

Address:

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

Email: planning@abilenetx.gov

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature: Carolyn Presswood

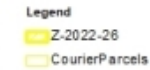
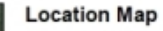
OCT 27 PM 2:19



REZONE REQUEST

Case:	Z-2022-26
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:	3 in Favor, 8 Opposed
Planning & Zoning:	November 1, 2022
City Council Hearing:	November 17, 2022 December 1, 2022







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

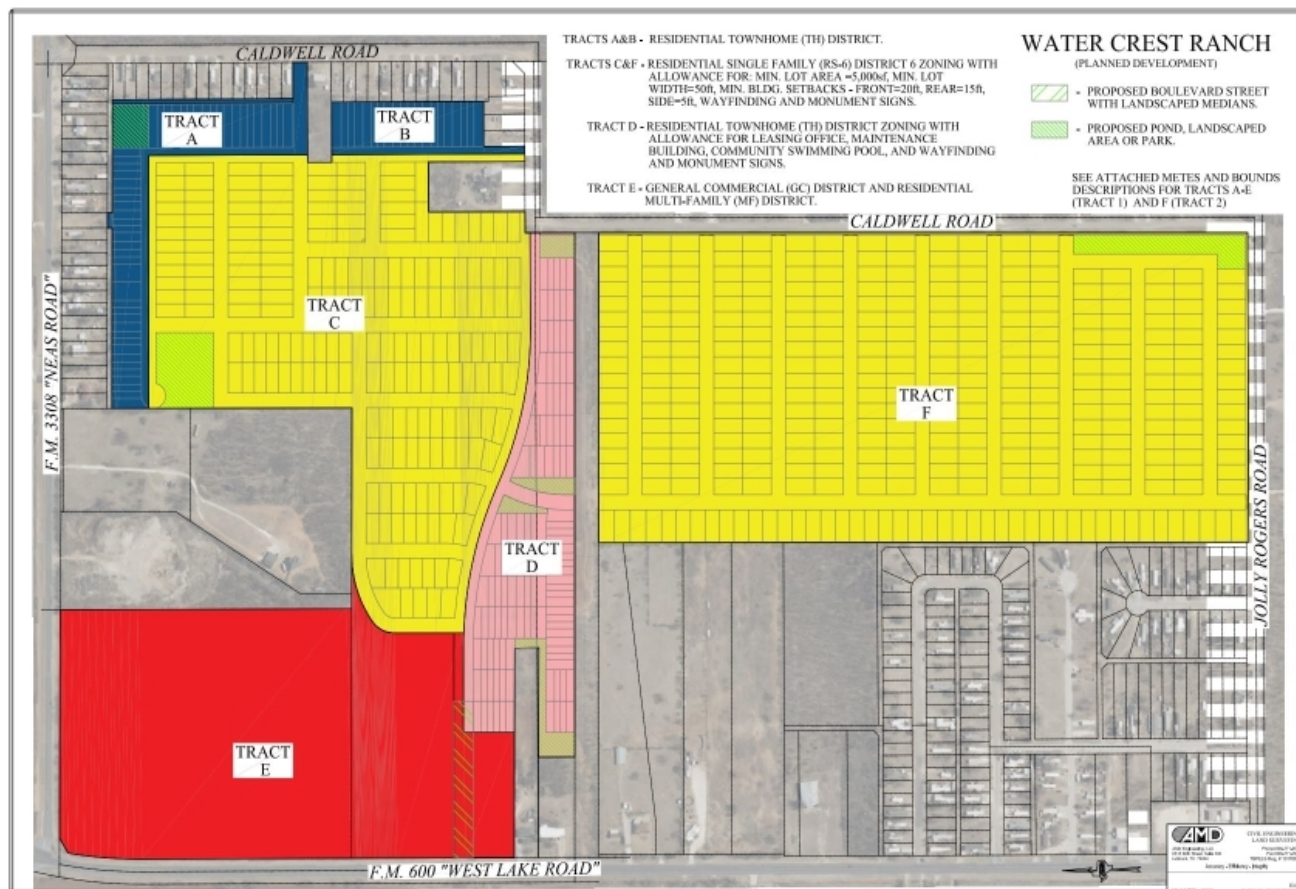


CITY OF
ABILENE
T E X A S

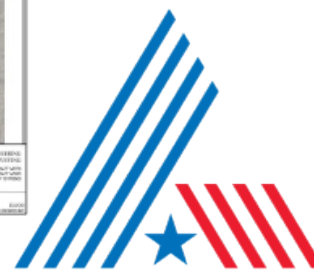




Z-2022-26 CONCEPT PLAN



Overall Water Crest Ranch Plan

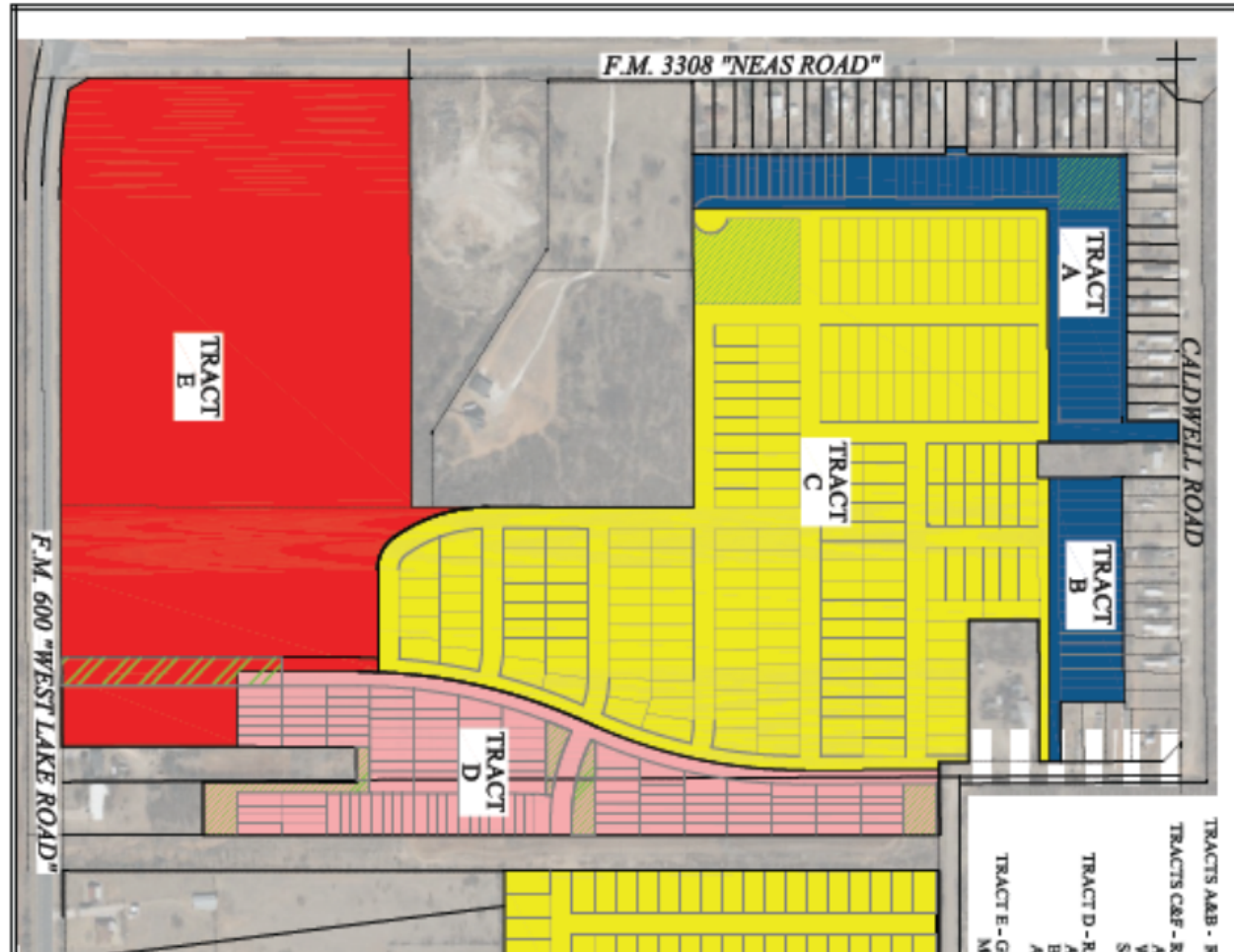


CITY OF
ABILENE
TEXAS





Z-2022-26 CONCEPT PLAN



Northern Half of Water Crest Ranch

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

TRACTS C&F • RESIDENTIAL SINGLE FAMILY (RS-0) DISTRICT & ZONING WITH ALLOWANCE FOR: MIN. LOT AREA=5,000sq, MIN. LOT WIDTH=90ft, MIN. BLDG. SETBACKS • FRONT=30ft, REAR=15ft, SIDE=10ft, 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 MULTIFAMILY (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)



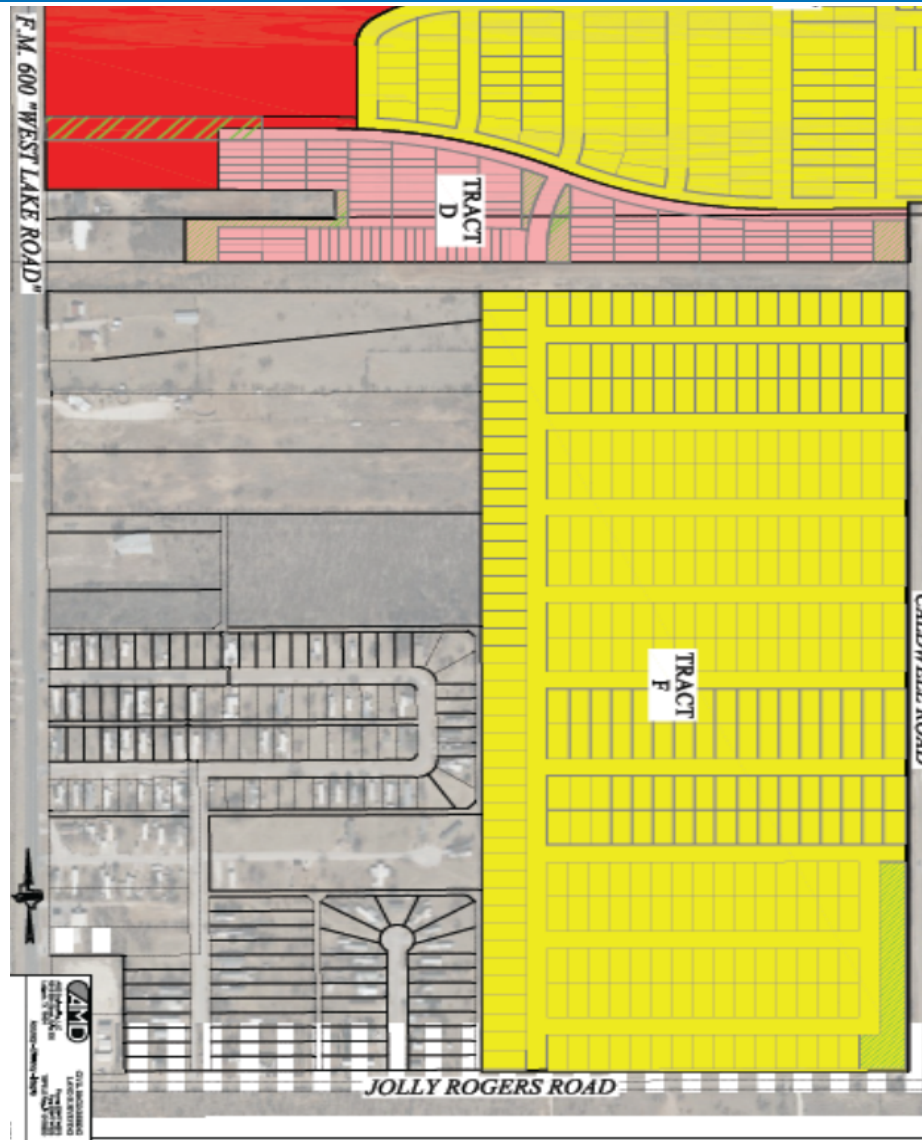
CITY OF
ABILENE
TEXAS





Z-2022-26 CONCEPT PLAN

Southern Half of Water Crest Ranch



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

TRACTS C&F • RESIDENTIAL SINGLE FAMILY (RS-6) DISTRICT & ZONING WITH ALLOWANCE FOR: MIN. LOT AREA = 5,000sf, MIN. LOT WIDTH = 50ft, MIN. BLDG. SETBACKS • FRONT = 500, REAR = 150, SIDE = 60, 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 MULTIFAMILY (MF) DISTRICT.

WATER CREST RANCH (PLANNED DEVELOPMENT)

- PROPOSED BOULEVARD STREET WITH LANDSCAPED MEDIANS.
- PROPOSED POND, LANDSCAPED AREA OR PARK.

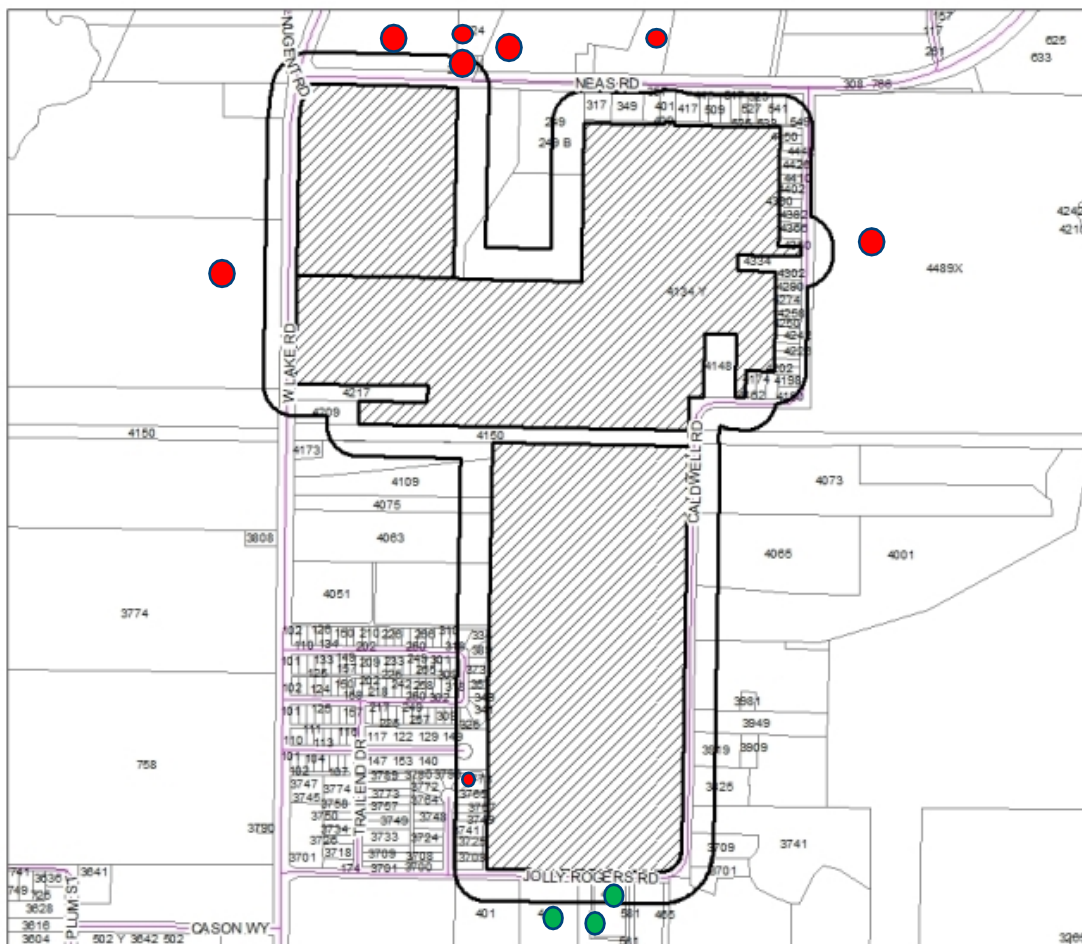
SEE ATTACHED METES AND BOUNDS DESCRIPTIONS FOR TRACTS A-E (TRACT 1) AND F (TRACT 2)



CITY OF
ABILENE
TEXAS



Z-2022-26 NOTIFICATION AREA MAP



Notification Map



Legend
200' Buffer
Z-2022-26

3- In Favor-



8- Opposed-



7.02% 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.
- P&Z Recommendation: **Approval** subject to the proposed Concept Plan.





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Director of Planning & Development Services

SUBJECT: 9. Ordinance (First Reading) Z-2022-27 Receive a Report, Hold a Discussion 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) (Tim Littlejohn)

GENERAL INFORMATION

The request is to 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.

SPECIAL CONSIDERATIONS

The property is located at Radford Hills Section 3, Continuation 1, Block 4, Lot 1 - 774 E Highway 80. It was annexed in 1957 and has been commercially developed as a hotel.

FUNDING/FISCAL IMPACT

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.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this request by a vote of 6-0.

ATTACHMENTS:

1. Z-2022-27 Draft ordinance
2. Z-2022-27 Staff Report
3. Z-2022-27

ORDINANCE NO. _____

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

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

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

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

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto. PASSED ON FIRST READING the 17nd 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 14th day of October 2022, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall 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

EXHIBIT A

Change the zoning classification of the following described land, from an Heavy Commercial (HC) district to a General Retail (GR) District:

Location:

Lot 1, Block 4, Radford Hills Section 3, Continuation 1

774 East Highway 80



END

ZONING CASE Z-2022-27

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1st Reading: November 17, 2022

City Council 2nd 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.

P&Z Recommendation

The Planning and Zoning Commission recommends **approval**.

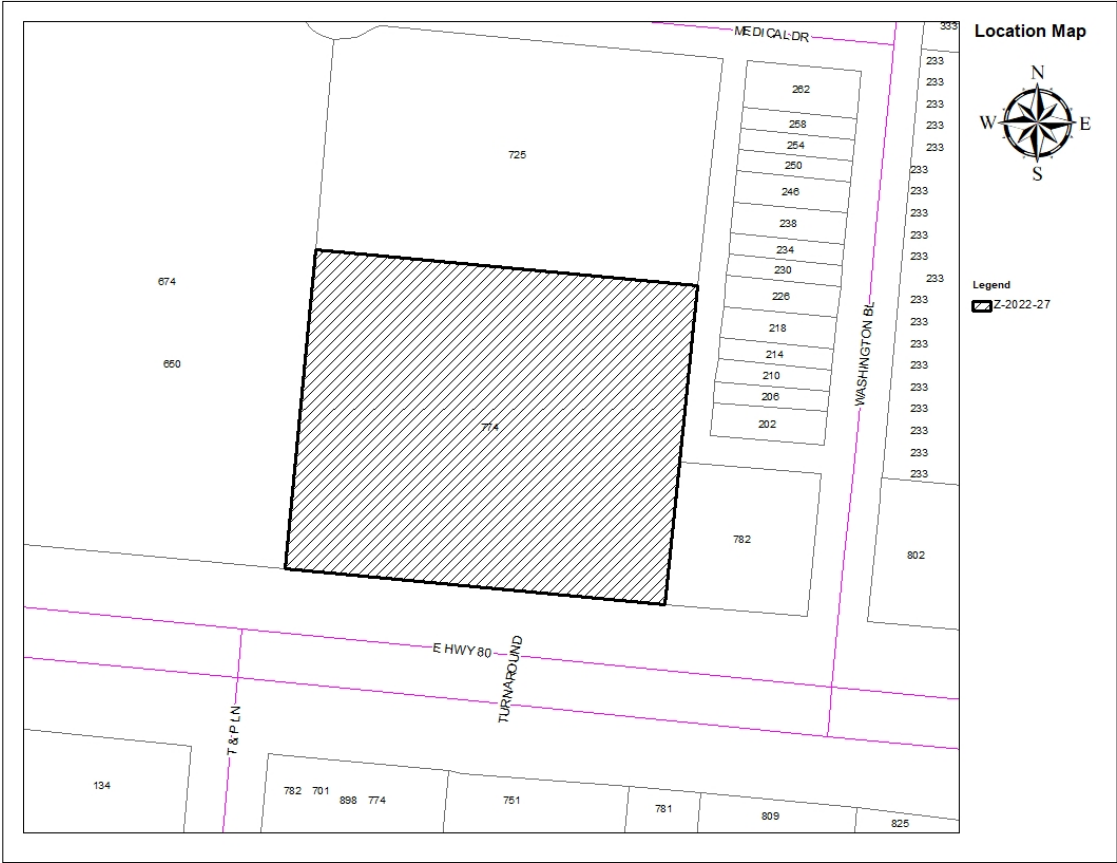
Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices (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:

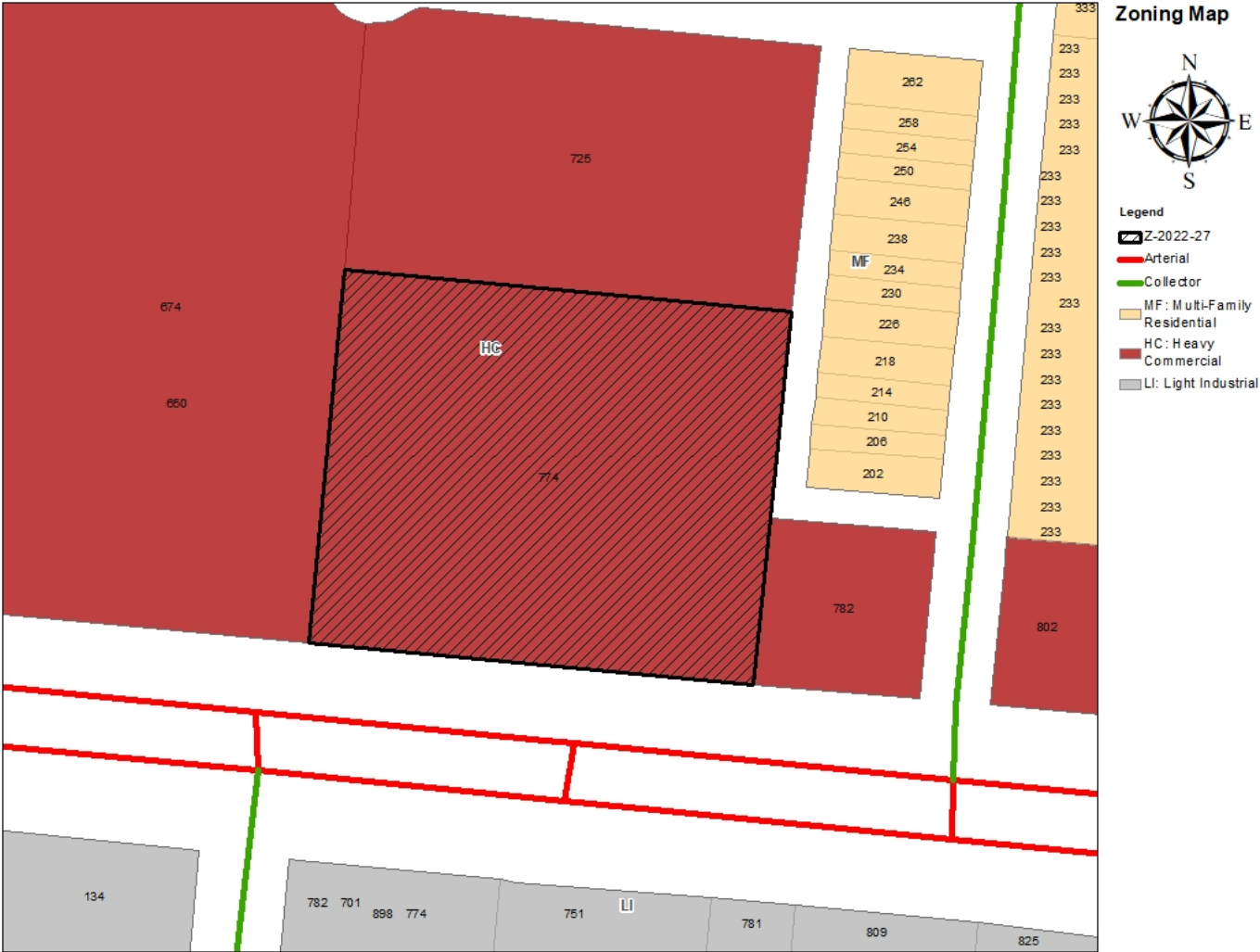
Owner	Property ID	Situs	Response
ADKINS MICHAEL & ELIZABETH J	61730	226 WASHINGTON BL	
BAUCUM TERESA D	61727	218 WASHINGTON BL	
CITY OF ABILENE	59271	898 SANDY ST	X
CITY OF ABILENE	59271	701 E HWY 80	X
CITY OF ABILENE	59271	774 SANDY ST	X
CITY OF ABILENE	59271	782 SANDY ST	X
CROSTONE PROPERTIES LLC	61733	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 & JAIVANTIBEN A	61742	254 WASHINGTON BL	
PATEL JASVANTKUMAR C & JAIVANTIBEN A	61720	202 WASHINGTON BL	
PATEL JASVANTKUMAR C & JAIVANTIBEN A	61741	250 WASHINGTON BL	
PATEL JASVANTKUMAR C & 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	

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) (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



CITY OF
ABILENE
TEXAS

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







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.
-
- P&Z Recommendation: **Approval**





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Director of Planning & Development Services

SUBJECT: **10. Ordinance (First Reading) CUP-2022-09 Receive a Report, Hold a Discussion 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 (Tim Littlejohn)**

GENERAL INFORMATION

The request is for 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).

SPECIAL CONSIDERATIONS

The property is located at Radford Hills Section 3, Continuation 1, Block 4, Lot 1 - 774 E Highway 80.

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

FUNDING/FISCAL IMPACT

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.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this request by a vote of 6-0.

ATTACHMENTS:

1. CUP-2022-09 ordinance
2. CUP-2022-09 Staff Report
3. 774 E. Hwy 80 rezone
4. cup-2022-09

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY APPROVING A CONDITIONAL USE PERMIT (CUP) 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 approving a Conditional Use Permit (CUP) 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 1st 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 14th day of November 2022, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall 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

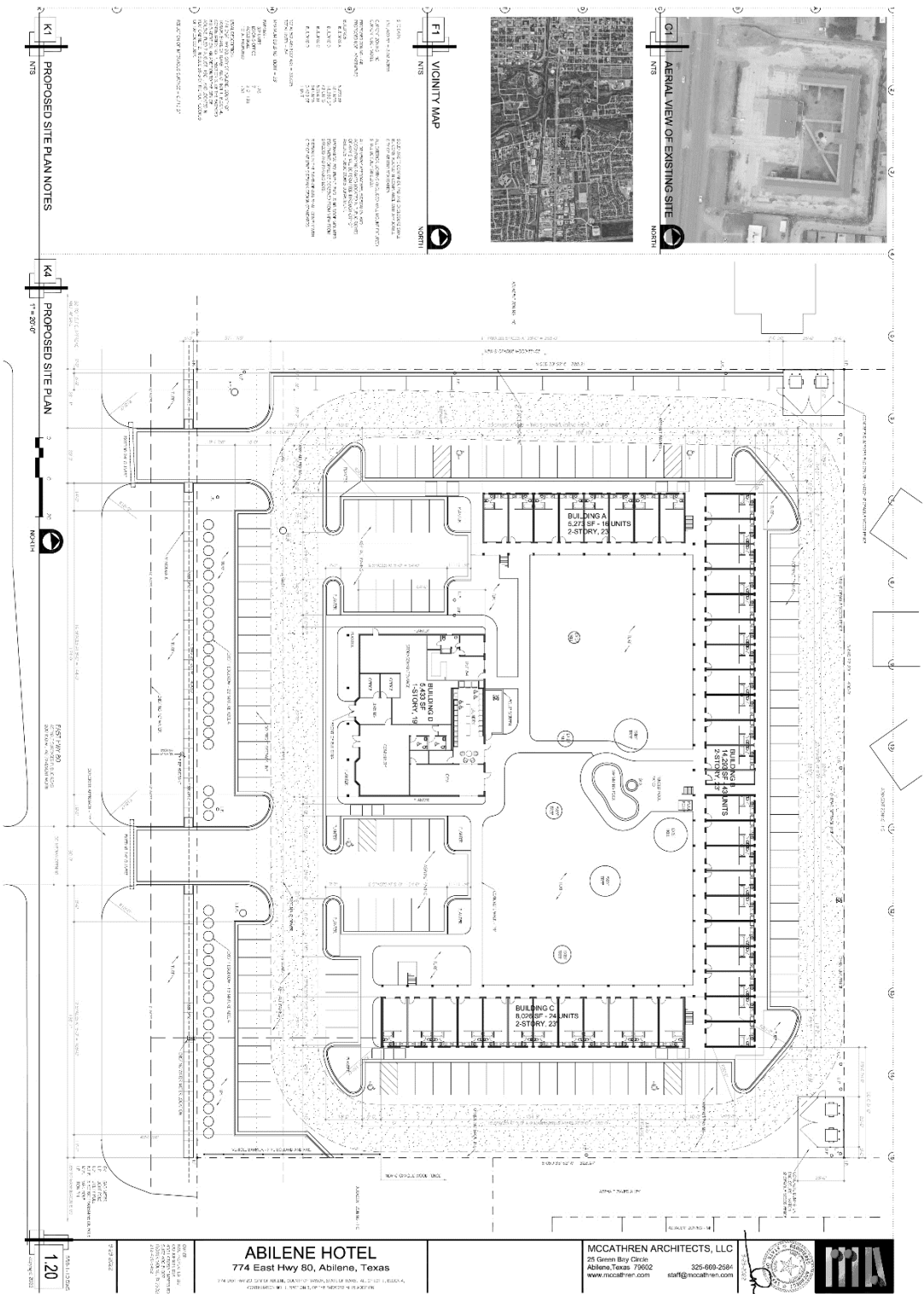
MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT B



END

ZONING CASE CUP-2022-09

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1st Reading: November 17, 2022

City Council 2nd 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.

P&Z Recommendation

The Planning and Zoning Commission recommends **approval** subject to compliance with the site plan submitted with the request.

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:

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 & JAIVANTIBEN A	61742	254 WASHINGTON BL	
PATEL JASVANTKUMAR C & JAIVANTIBEN A	61720	202 WASHINGTON BL	
PATEL JASVANTKUMAR C & JAIVANTIBEN A	61741	250 WASHINGTON BL	
PATEL JASVANTKUMAR C & 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	
PATEL JASVANTKUMAR &	61724	210 WASHINGTON BL	
MASSINGILL JOSHUA D	61726	214 WASHINGTON BL	
BAUCUM TERESA D	61727	218 WASHINGTON BL	
ADKINS MICHAEL & ELIZABETH J	61730	226 WASHINGTON BL	
CROSTONE PROPERTIES LLC	61733	230 WASHINGTON BL	
SP RENTALS LLC	61735	234 WASHINGTON BL	
SP RENTALS #2 LLC	61736	238 WASHINGTON BL	
PATEL JASVANTKUMAR C & JAIVANTIBEN A	61739	246 WASHINGTON BL	
PATEL JASVANTKUMAR C & JAIVANTIBEN A	61741	250 WASHINGTON BL	
PATEL JASVANTKUMAR C & JAIVANTIBEN A	61742	254 WASHINGTON BL	
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



October 4, 2022

City of Abilene, TX
555 Walnut Street,
PO Box 60
Abilene, TX 79604

To whom it may concern:

On October 2, 2022, NWG Properties, LLC submitted a rezoning application to the City of Abilene, TX, for the property located at 774 E. Hwy 80, Abilene, TX 79601.

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 would 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 either capacity, the intent is for the property to be utilized as an extended stay.

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.

Sincerely,

John Felder, Esq, LL.M.



CONDITIONAL USE PERMIT REQUEST

Case:	CUP-2022-09
Owner:	John Felder
Request:	CUP to allow Multi-Family Residential uses in the General Retail district.
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





CUP-2022-09 LOCATION MAP



Location Map



Legend

- Z-2022-27
- CourierParcels



CITY OF
ABILENE
TEXAS



**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)
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



CITY OF
ABILENE
TEXAS



CUP-2022-09 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



East Neighboring Property



Northwest view of Property



West Neighboring Property

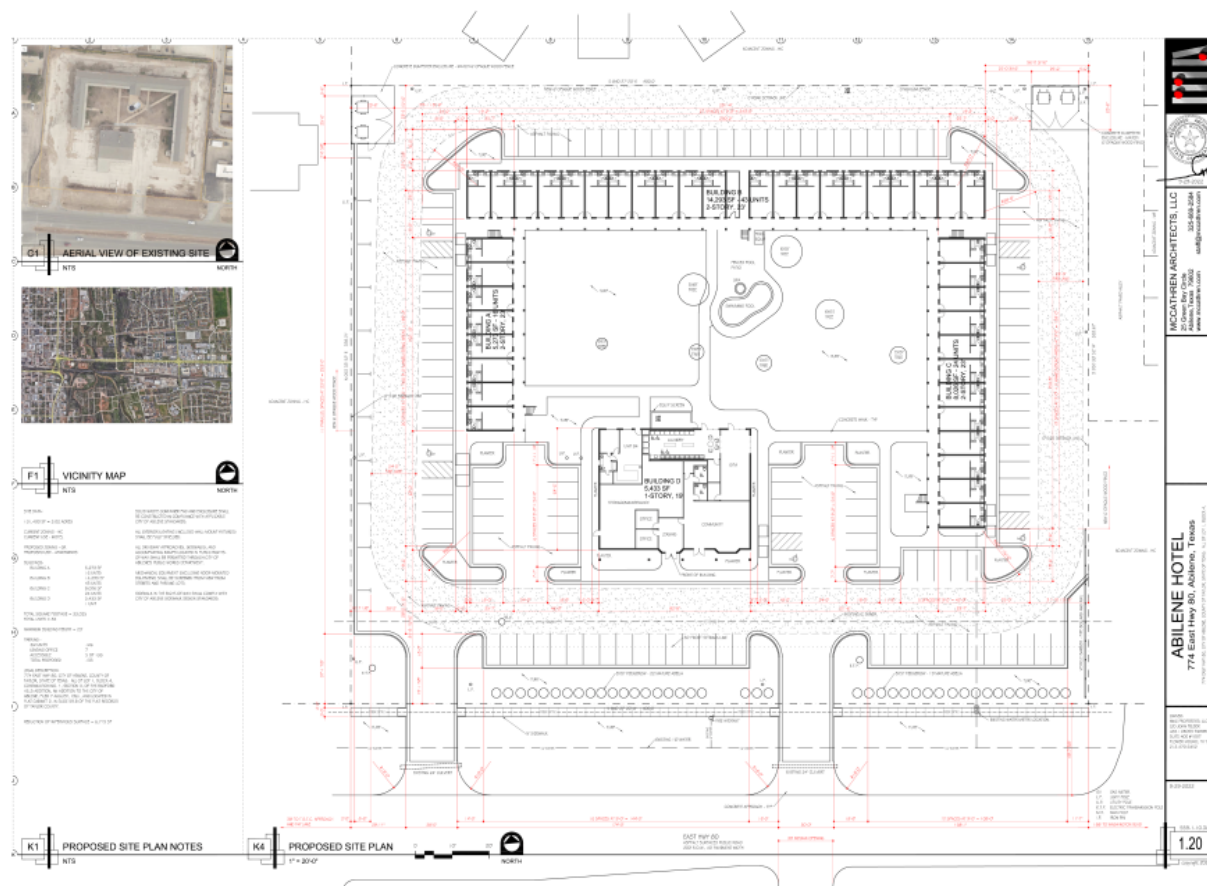


North View Subject Property





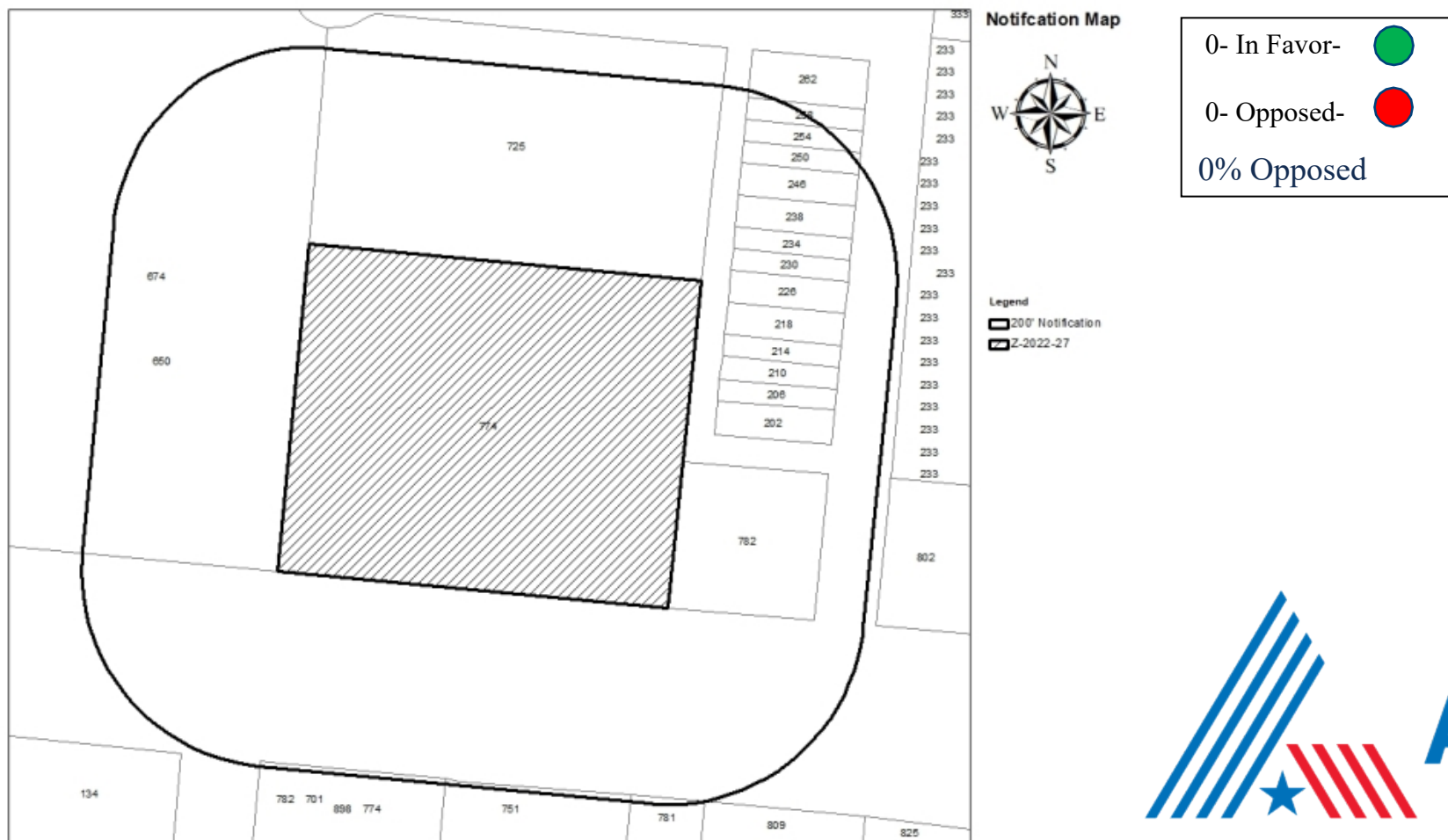
CUP-2022-09 CONCEPT PLAN



CITY OF
ABILENE
TEXAS



CUP-2022-09 NOTIFICATION AREA MAP



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.
- P&Z Recommendation: **Approval** subject to the submitted site plan.





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Director of Planning & Development Services

SUBJECT: 11. Ordinance (First Reading) TC-2022-03 Receive a Report, Hold a Discussion and Take Action on a Request from the City of Abilene, Applicant, to Abandon Simmons Avenue Between Ambler Avenue and University Boulevard (Tim Littlejohn)

GENERAL INFORMATION

This is a request for Thoroughfare Closure of the following right-of-way adjoining Hardin Simmons University:

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

SPECIAL CONSIDERATIONS

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.

FUNDING/FISCAL IMPACT

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.

STAFF RECOMMENDATION

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

1. Prior to platting, the extension of University Boulevard from the west extending to Simmons Avenue must be dedicated by plat, constructed at HSU's expense, and inspected to meet the City of Abilene's standards.
2. The subject rights-of-way, and all adjoining properties, shall be platted within one year of the effective date of the abandonment ordinance.
3. If a replat is not approved and recorded within one year, the granting of the abandonments of all subject rights-of-way shall be void.
4. All existing utilities within the affected rights-of-way shall be covered by a utility easement or rerouted.
5. 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.
6. 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.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this request by a vote of 6-0.

ATTACHMENTS:

1. TC-2022-02 OrdinanceRSA
2. TC-2022-03Report
3. Hendrick in favor
4. Hardin Simmons in favor
5. 20221007_P&Z_Summary Letter
6. Exhibit 1 - Land Ownershp Map
7. Exhibit 2 - Traffic Flow Map
8. Exhibit 3 - Traffic Volume Map
9. tc-2022-03 Presentation

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR ABANDONMENT OF A CERTAIN PORTION OF PUBLIC RIGHT-OF-WAY FOR SIMMONS AVENUE THAT EXTENDS APPROXIMATELY 677 FEET NORTH OF AMBLER AVENUE TO UNIVERSITY BOULEVARD; PROVIDING FOR TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

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

PART 1: That the following described portions of public right-of-way for Cedar Street and Hickory Street, as described on Exhibit "A" attached hereto and made part of this ordinance for all purposes, be and the same are hereby abandoned, vacated and closed insofar as the right, title or easement of the City of Abilene is concerned, subject to conditions expressed also in attached Exhibit "A".

PART 2: That said portion of public right-of-way is not needed for public purposes, and it is in the public interest to abandon the above described portion of public right-of-way.

PART 3: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tract of land specifically described in Part 1 of this ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

PASSED ON FIRST READING THE 17th 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 14th day of October, 2022, the same being more than fifteen (15) days prior to a public hearing to be held at the Council Chambers in City Hall at 555 Walnut St. 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.

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

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

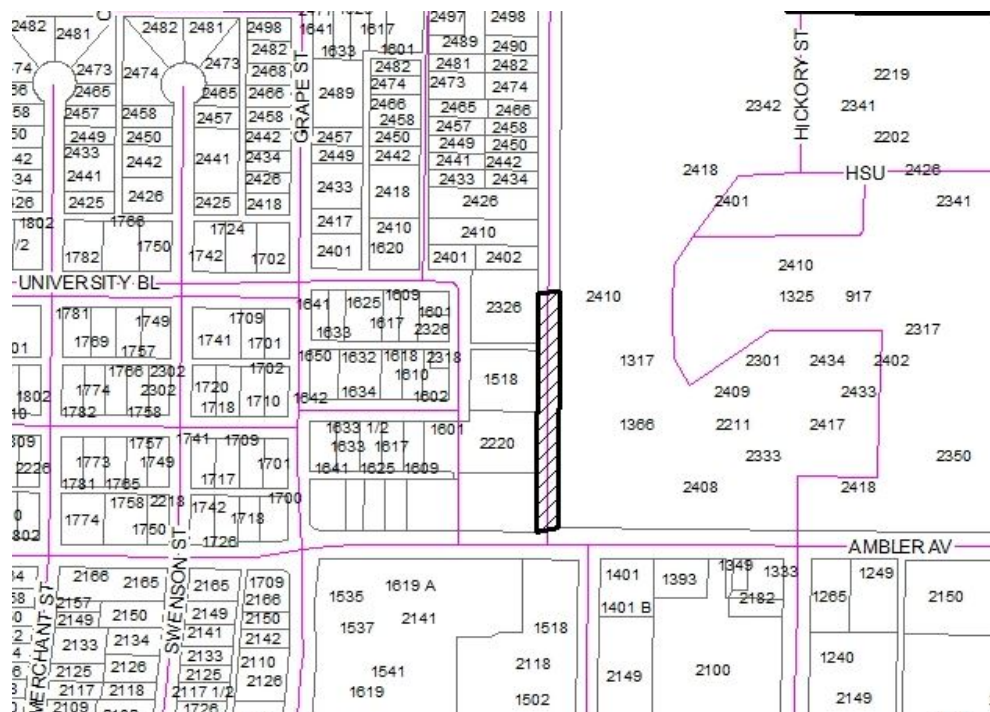
ORDINANCE NO. _____

EXHIBIT "A"

The City of Abilene hereby abandons the following portions of rights-of-way:

The rights-of-way for Hickory Street extending approximately 714 feet south from North 26th Street; and Cedar Street extending approximately 721 feet south from North 26th Street; subject to the following conditions:

1. Prior to platting, the extension of University Boulevard from the west extending to Simmons Avenue must be dedicated by plat, constructed at HSU's expense, and inspected to meet the City of Abilene's standards.
2. The subject rights-of-way, and all adjoining properties, shall be platted within one year of the effective date of this ordinance.
3. 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.
4. All existing utilities within the affected rights-of-way shall be covered by a utility easement or rerouted.
5. 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.
6. 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.



-END-

TC-2022-03

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: November 1, 2022

City Council 1st Reading: November 17, 2022

City Council 2nd 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 conditions 2-6, as listed in the P&Z recommendation, and to recommend denial of the closure of Simmons Avenue.

Because the Commission recommendation regarding those 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 allow Council consideration of that request. Additionally, it was discovered that a request to close Vogel Avenue had previously been approved by City Council in 2019.

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 conditions 2-6 in the P&Z recommendation. Due to the confusion concerning the need to appeal the Simmons Avenue portion of TC-2022-02, and after further extensive conversation with the applicant and agent regarding the need for this closure and intent to extend University Blvd., 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.

Since DRC comment 5 directly pertains to Simmons Avenue, it should be added to the other five conditions imposed with the previous thoroughfare closure request.

P&Z Recommendation

The Planning and Zoning Commission recommends **approval** subject to the following conditions:

1. Prior to platting, the extension of University Boulevard from the west extending to Simmons Avenue must be dedicated by plat, constructed at HSU's expense, and inspected to meet the City of Abilene's standards.
2. The subject rights-of-way, and all adjoining properties, shall be platted within one year of the effective date of this ordinance.
3. 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.
4. All existing utilities within the affected rights-of-way shall be covered by a utility easement or rerouted.
5. 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.
6. 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.

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

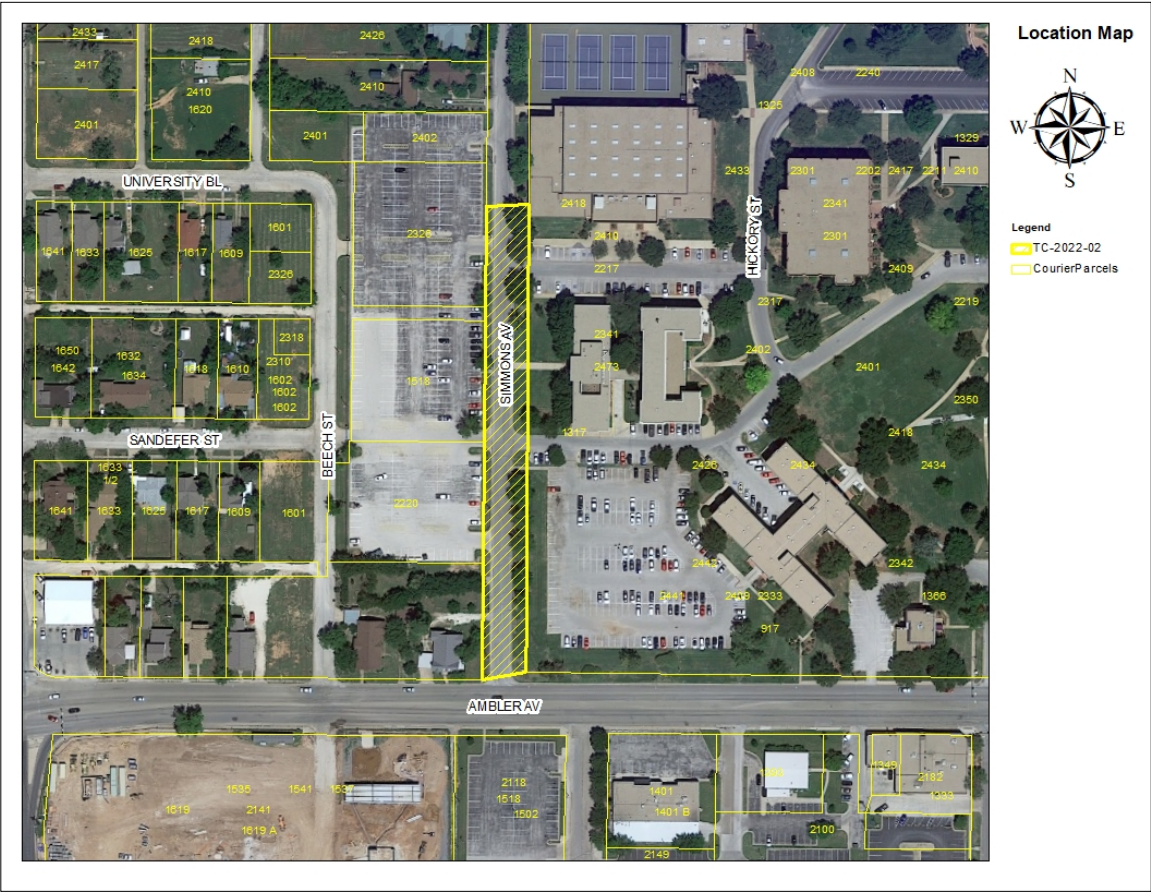
Owner	Property ID	Situs	Response
DENNIS JO ANN	52792	2410 SIMMONS AV	
HARDIN SIMMONS UNIVERSITY	52928	2401 BEECH ST	F
HARDIN SIMMONS UNIVERSITY	52931	2402 SIMMONS AV	F
HARDIN SIMMONS UNIVERSITY	53194	2220 SIMMONS AV	F
HARDIN SIMMONS UNIVERSITY	53863	2326 SIMMONS AV	F
HARDIN SIMMONS UNIVERSITY	54258	1518 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

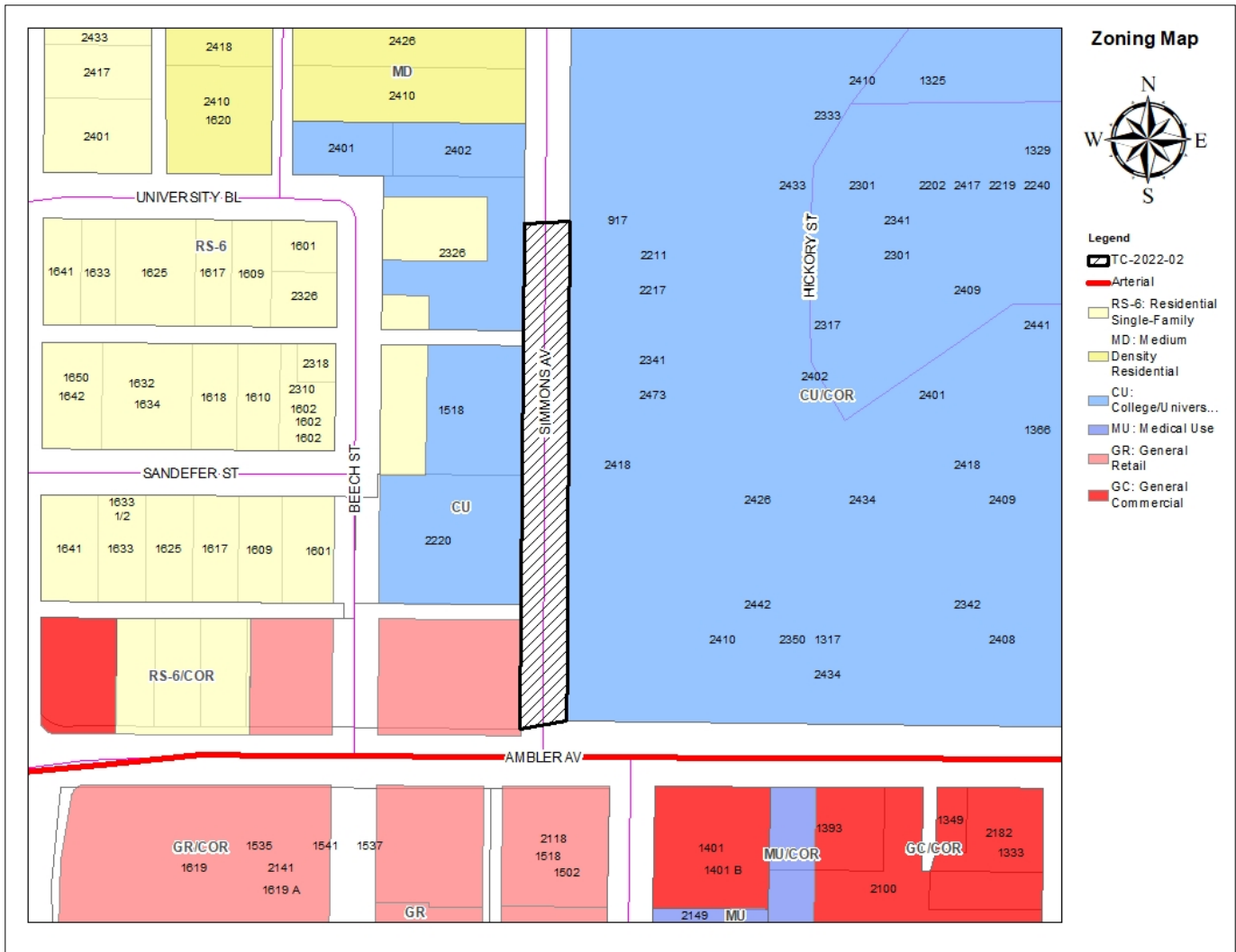
Owner	Property ID	Situs	Response
HENDRICK MEDICAL	31165	1401 AMBLER AV	F
DENNIS JO ANN	52792	2410 SIMMONS AV	
HARDIN SIMMONS UNIVERSITY	52928	2401 BEECH ST	F
HARDIN SIMMONS UNIVERSITY	52931	2402 SIMMONS AV	F
HARDIN SIMMONS UNIVERSITY	53194	2220 SIMMONS AV	F
RETAIL BUILDINGS INC	53598		
HARDIN SIMMONS UNIVERSITY	53863	2326 SIMMONS AV	F
HARDIN SIMMONS UNIVERSITY	54258	1518 SANDEFER ST	F
HARDIN SIMMONS UNIVERSITY	56702	2410 CEDAR ST	F

WALMART REAL ESTATE	1006184	1535 AMBLER AV	
HENDRICK MEDICAL CENTER	1006185	1518 N 21ST ST	F

LOCATION MAP



ZONING MAP





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 2nd 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

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

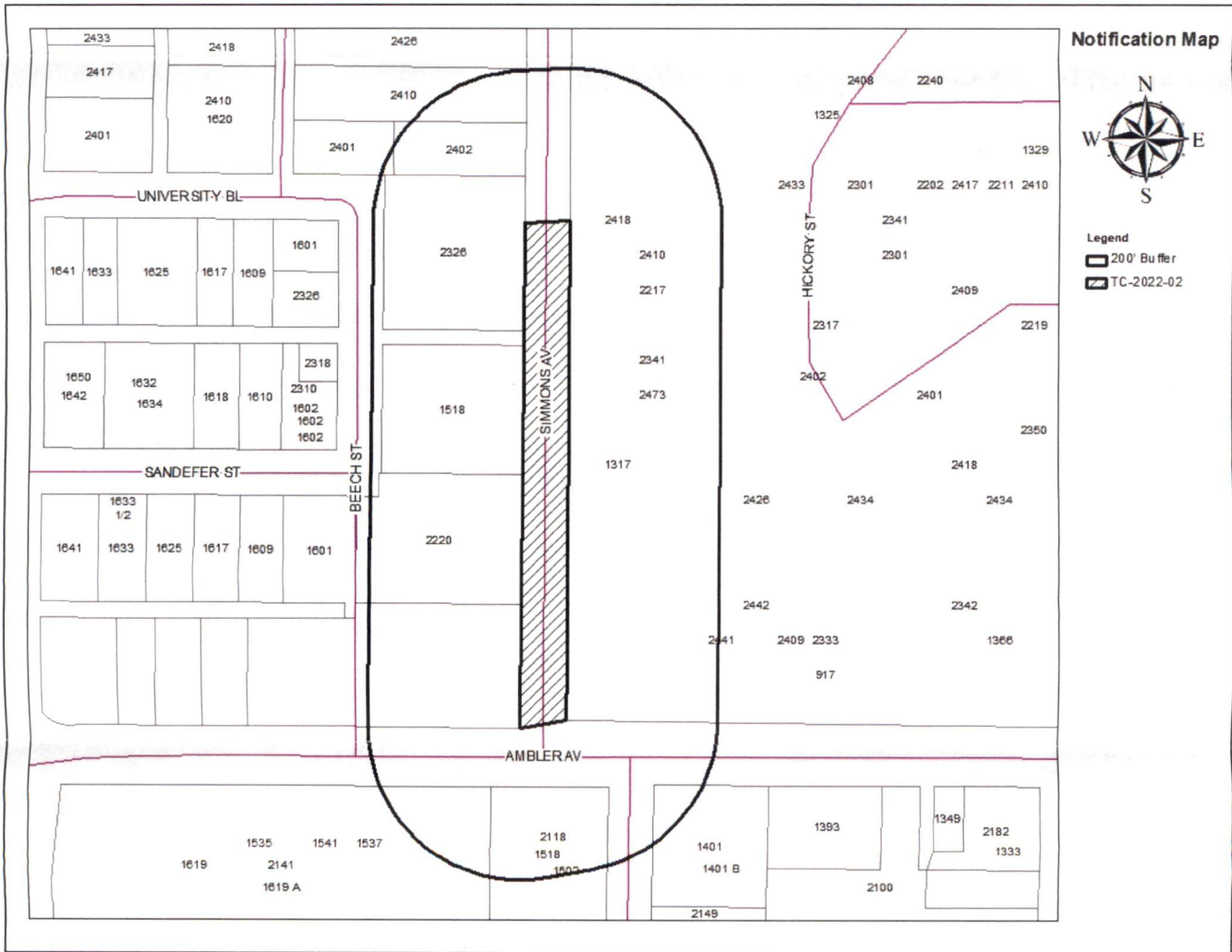
Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

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

Signature: _____

TC-2022-03





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

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 2nd 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

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: 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

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: _____

Jodie McLaughlin
Vice President for Finance



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 or by phone at 325-725-1369.

Sincerely,

Enprotec/Hibbs & Todd, Inc.

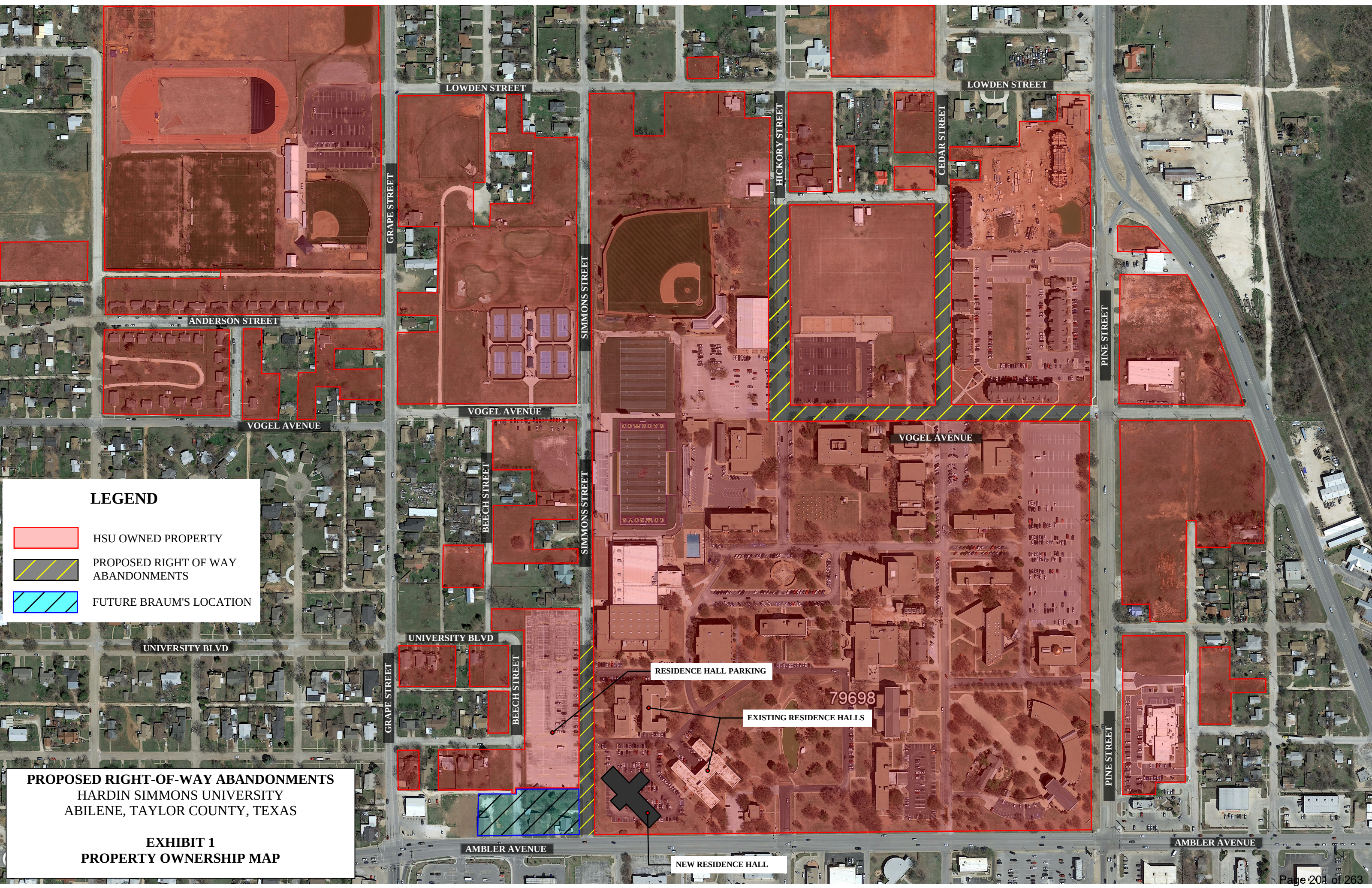
BJ Prichard, P.E.

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



HSU OWNED PROPERTY

PROPOSED RIGHT OF WAY
ABANDONMENTS

FUTURE BRAUM'S LOCATION

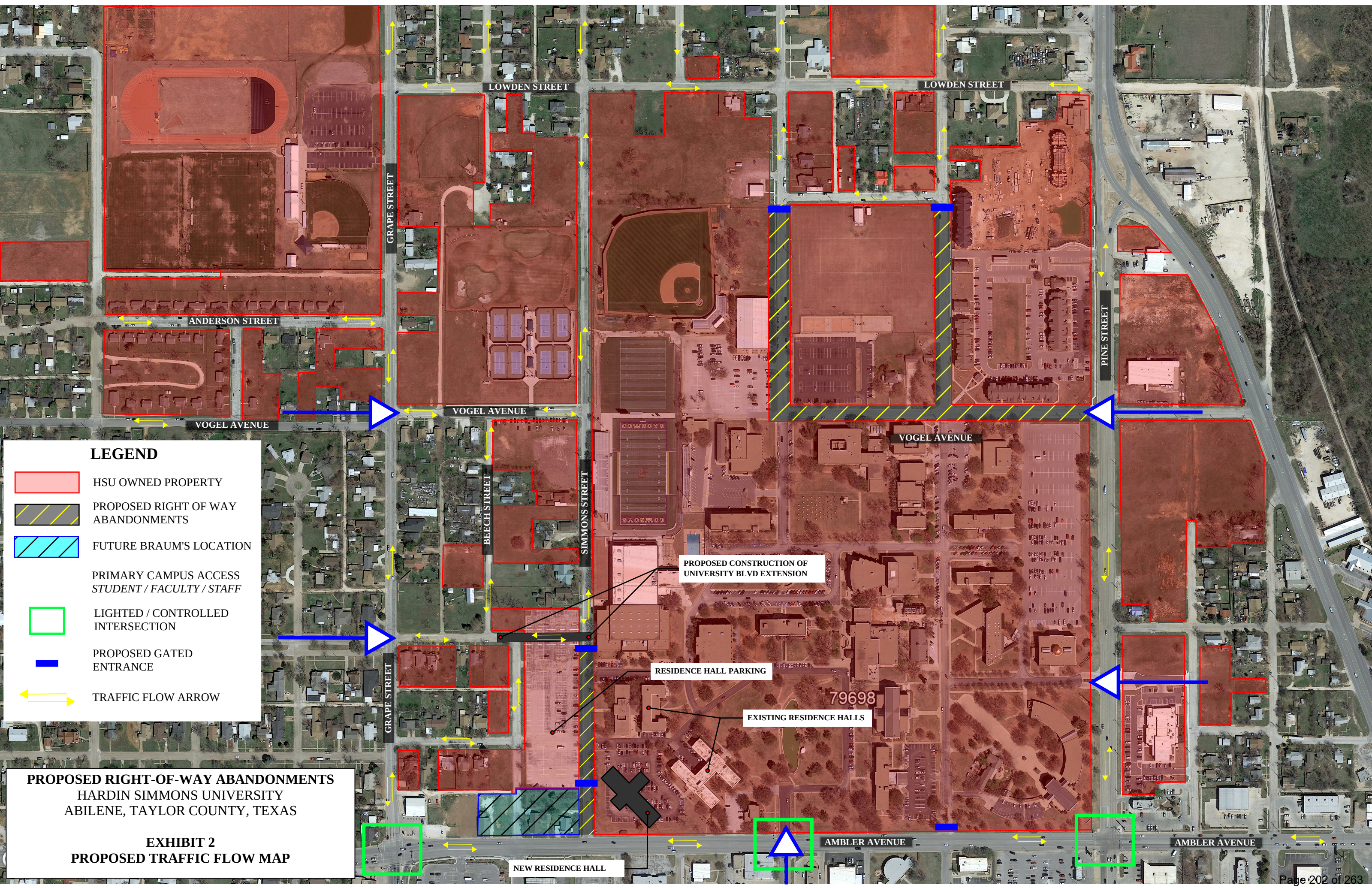
PROPOSED RIGHT-OF-WAY ABANDONMENTS

HARDIN SIMMONS UNIVERSITY

ABILENE, TAYLOR COUNTY, TEXAS

EXHIBIT 1

PROPERTY OWNERSHIP MAP



HSU OWNED PROPERTY

PROPOSED RIGHT OF WAY ABANDONMENTS

FUTURE BRAUM'S LOCATION

PRIMARY CAMPUS ACCESS
STUDENT / FACULTY / STAFF

LIGHTED / CONTROLLED INTERSECTION

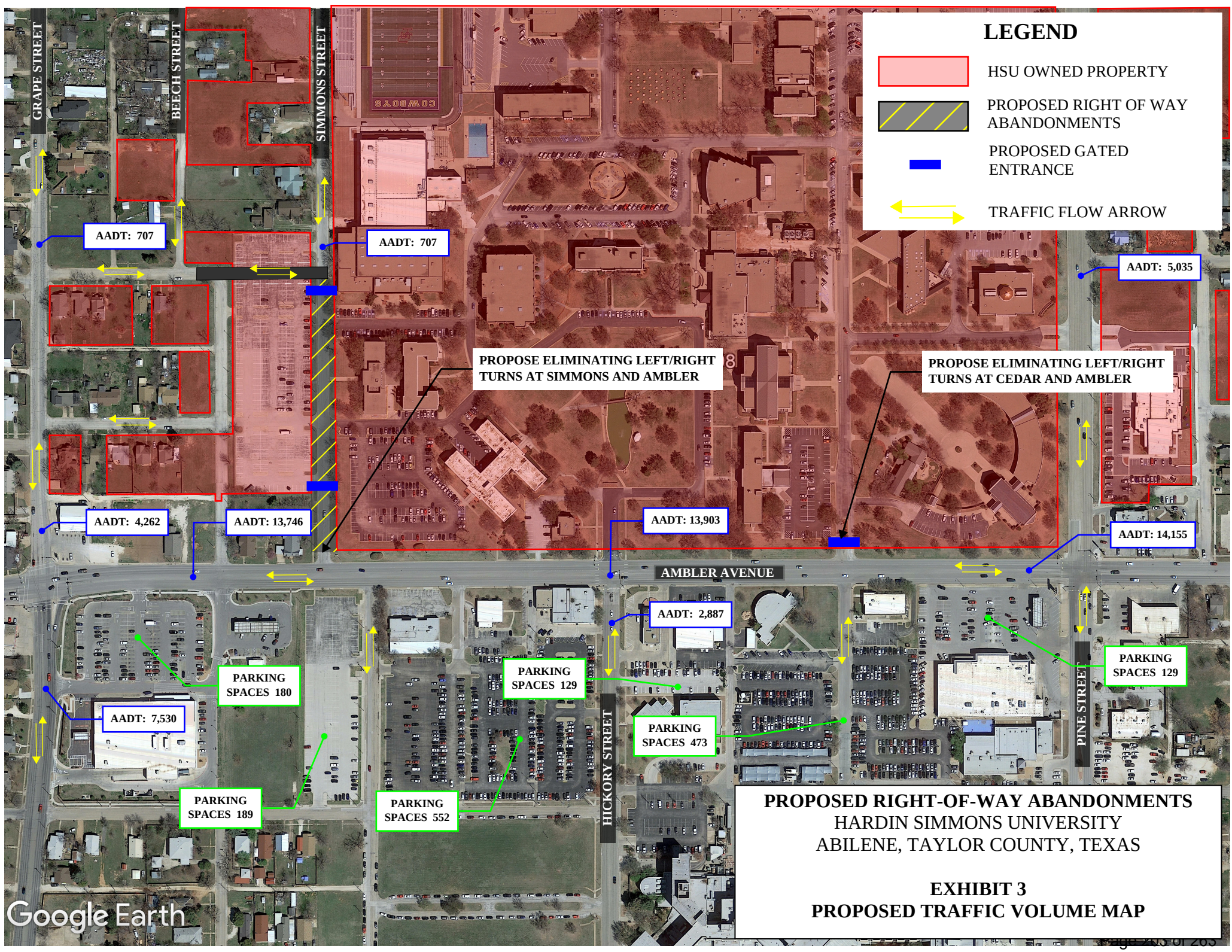
PROPOSED GATED ENTRANCE

TRAFFIC FLOW ARROW

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

EXHIBIT 2
PROPOSED TRAFFIC FLOW MAP

Page 202 of 263





THOROUGHFARE CLOSURE

Case:	TC-2022-03
Applicant:	City of Abilene
Agent:	N/A
Request:	Thoroughfare closure of a portion of Simmons Avenue adjacent to the Hardin Simmons University campus
Location:	Simmons Avenue from Ambler Avenue to University Boulevard
Notification:	8 in Favor, 0 Opposed
Planning & Zoning:	November 1, 2022
City Council Hearings:	1 st November 17, 2022 2 nd : December 1, 2022





TC-2022-02 LOCATION MAP



CITY OF
ABILENE
TEXAS



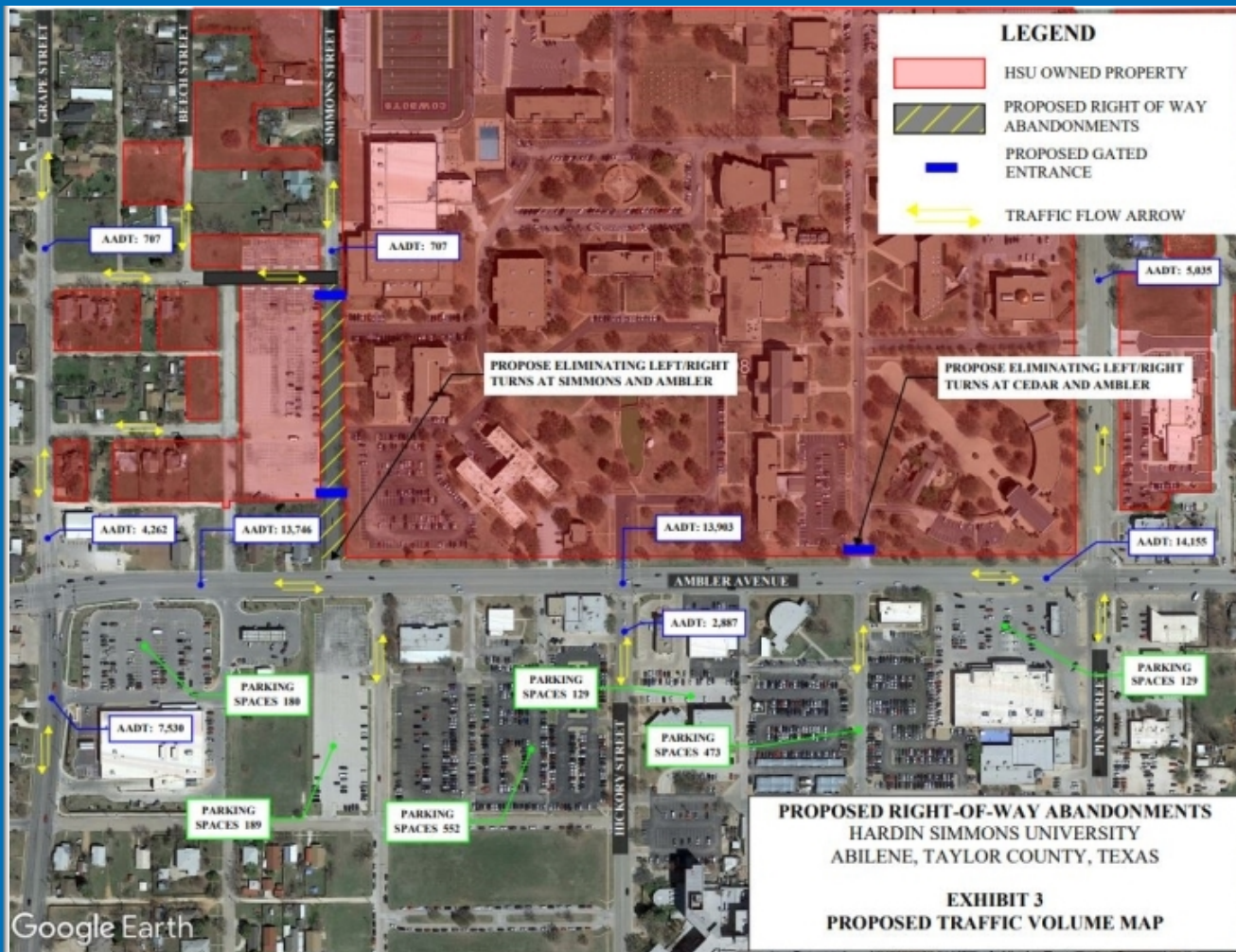
TC-2022-02 ZONING MAP



CITY OF
ABILENE
TEXAS



TC-2022-02 EXHIBIT 1



CITY OF
ABILENE
TEXAS



TC-2022-03 VIEWS OF SUBJECT & ADJACENT PROPERTIES



Adjacent Property



Adjacent
Property



Simmons St. (North
Boundary)



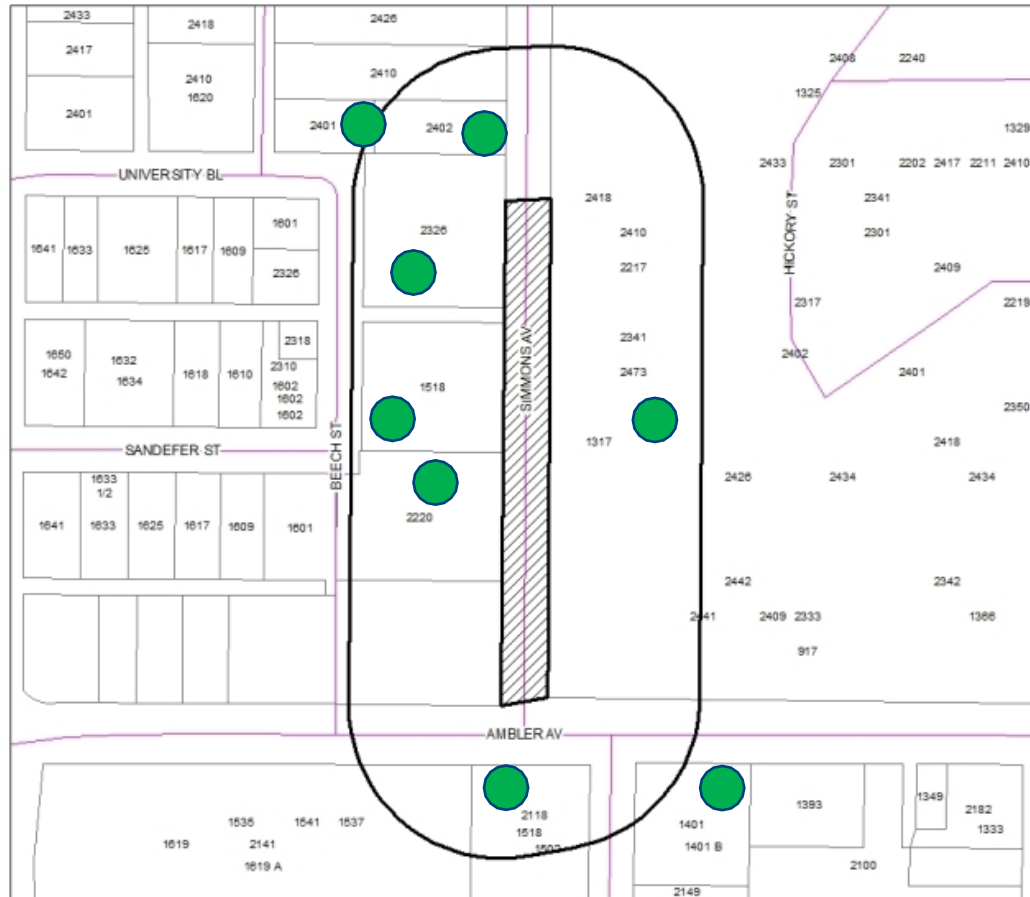
Simmons St.
(South boundary)



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

P&Z Recommendation: Approval subject to:

1. Prior to platting, the extension of University Blvd from the west extending to Simmons Avenue must be dedicated by plat, constructed at HSU's expense, and inspected to meet the City of Abilene's standards.
2. The subject right-of-way, and all adjoining properties, shall be platted within one year of the effective date of this ordinance.
3. 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.
4. All existing utilities within the affected rights-of-way shall be covered by a utility easement or rerouted.
5. 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.
6. 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.



CITY OF
ABILENE
T E X A S





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Honorable Mayor and City Council Members

FROM: Robert Hanna, City Manager

SUBJECT: 12. Ordinance (Final Reading) Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving Tax Increment Reinvestment Zone (TIRZ) #3 (Robert Hanna)

GENERAL INFORMATION

Staff has discussed the creation of TIRZ No. 3 with the Council in executive session over previous meeting cycles. The time has come to publicly discuss and consider the creation of Abilene's third Tax Increment Reinvestment Zone. TIRZ No. 3 would be created for a single family residential development that is expected to create \$436 million in incremental taxable value, and the addition of 911 single family homes to Abilene's north side.

TIRZ No. 3 is limited to 25% of the City of Abilene's increment. For FY 2023, the City levies a tax rate of \$0.76210 per \$100 valuation. TIRZ No. 3 would receive 25% of this levy, or \$0.1905250 per \$100 valuation. The remaining \$0.571575 per \$100 valuation will go to the City of Abilene's general fund. Over the 20 year life of TIRZ No. 3, it is anticipated that \$13,588,164 would be generated for the TIRZ, and \$40,764,491 would be generated for the City's general fund. It is anticipated that AISD and Taylor County collectively, would receive \$126,720,636 over the 20 year life of the TIRZ.

TIRZ No. 3 would be created to fund a portion of the public improvements required to service the subdivision. In particular, offsite water and sewer improvements that are needed to serve the development, and onsite stormwater utility improvements that are needed to serve the development and also manage stormwater offsite runoff impacts associated with the development. It is anticipated that the incentive amount would total approximately \$10,500,000. The actual amount will be limited to the lesser of the actual cost to build the authorized improvements, or the maximum amount generated by TIRZ No. 3 (\$13,588,164) in the event construction costs exceed preliminary estimates. In no event would the incentive exceed the amount generated by the TIRZ. The incentive structure proposed is on a reimbursable basis,

meaning the developer is repaid annually over time as the improvements are constructed and the development progresses over the course of the 20 year period and the increment is collected.

The item before the Council today will create TIRZ No. 3 upon final adoption by the City Council on November 17, 2022. It is anticipated that the staff would then bring forward a reimbursement agreement spelling out the public improvements to be paid for by TIRZ No. 3, and the associated obligations of the City and the Developer. The reimbursement agreement will need to be approved by both the Board of Directors for TIRZ No. 3, and the City Council. In order to set the base value in 2022, staff is asking the Council to create the TIRZ before the end of calendar year 2022.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

The total taxes due to all jurisdictions for this development site totaled \$957.80 for the 2022 tax year. At full development in 2036, total taxes due to all jurisdictions will total \$11,053,608.93 annually (assuming the current rate of \$2.53890 per \$100, and the proposed development schedule is maintained).

STAFF RECOMMENDATION

Staff recommends approval of the item as submitted.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Ordinance Creating TIRZ No 3
2. Exhibit C - Preliminary Project and Financing Plan
3. TIRZ No 3 Public Hearing Notice
4. Presentation

CITY OF ABILENE, TEXAS

ORDINANCE NO. [REDACTED]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, DESIGNATING A CONTIGUOUS GEOGRAPHIC AREA WITHIN THE CITY AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER THREE, CITY OF ABILENE; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Abilene, Texas (the “City”), pursuant to Chapter 311 of the Texas Tax Code, as amended (the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a contiguous geographic area that is in the corporate limits of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the City Council desires to promote the development of a certain contiguous geographic area in the City, which is more specifically described in *Exhibits "A" and "B"* of this Ordinance (the "Zone"), through the creation of a new reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, pursuant to and as required by the Act, the City has prepared a *Preliminary Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number Three, City of Abilene*, attached as *Exhibit C* (hereinafter referred to as the “Preliminary Project and Finance Plan”) for a proposed tax increment reinvestment zone containing the real property within the Zone; and

WHEREAS, notice of the public hearing on the creation of the proposed zone was published in a newspaper having general circulation in the City on November 09, 2022, which date is before the seventh (7th) day before the public hearing held on November 17, 2022; and

WHEREAS, at the public hearing on November 17, 2022, interested persons were allowed to speak for or against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the proposed Zone were given

a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, evidence was received and presented at the public hearing on November 17, 2022, and in favor of the creation of the Zone; and

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on November 17, 2022; and

WHEREAS, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of the property in the proposed zone, excluding property that is public owned, that is used for residential purposes is less than thirty percent; and

WHEREAS, a Preliminary Project and Finance Plan has been prepared for the proposed reinvestment zone.

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

SECTION 1. RECITALS INCORPORATED.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. FINDINGS.

That the City Council, after conducting the above described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- (a) That the public hearing on creation of the proposed reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and
- (b) That the creation of the proposed reinvestment zone with boundaries as described and depicted in *Exhibits "A" and "B"* will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners in the reinvestment zone; and
- (c) That the proposed reinvestment zone, as defined in *Exhibits "A" and "B"*, meets the criteria for the creation of a reinvestment zone set forth in the Act in that:

- 1. It is a geographic area located wholly within the City limits of the City; and

2. That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed zone is predominantly open and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the City or county.
- (d) That 30 percent or less of the property in the proposed reinvestment zone, excluding property dedicated to public use, is currently used for residential purposes; and
- (e) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 25 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and
- (f) That the improvements in the proposed reinvestment zone will significantly enhance the value of all taxable real property in the proposed reinvestment zone and will be of general benefit to the City or county; and
- (g) That the development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

SECTION 3. DESIGNATION AND NAME OF THE ZONE.

Pursuant to the authority of, and in accordance with the requirements of the Act, the City Council hereby designates the area described and depicted in Exhibits “A” and “B” hereto as a tax increment reinvestment zone. The name assigned to the zone for identification is Reinvestment Zone Number Three, City of Abilene, Texas (hereinafter referred to as the “Zone”).

SECTION 4. BOARD OF DIRECTORS.

That a board of directors for the Zone (“Board”) is hereby created. The Board shall consist of seven (7) members appointed by the Mayor and confirmed by the City Council per Section 311.009 of the Texas Tax Code. Additionally, each taxing unit that levies taxes within the Zone and chooses to contribute all or part of the tax increment produced by the unit into the tax increment fund may appoint one member of the board. The number of directors on the Board of Directors shall be increased by one for each taxing unit that appoints a director to the board; provided, that the maximum number of directors shall not exceed fifteen (15).

The Board shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City Council for its approval. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board shall not be authorized to (i) issues bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone's project plan and financing plan.

SECTION 5. DURATION OF THE ZONE.

That the Zone shall take effect immediately upon the passage and approval of this Ordinance, consistent with Section 311.004(a)(3) of the Act, and termination of the Zone shall occur upon any of the following: (i) on December 31, 2042 (with the final year's tax increment to be collected by September 1, 2043); (ii) at an earlier time designated by subsequent ordinance; (iii) at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, notes and other obligations of the Zone, and the interest thereon, have been paid in full, in accordance with Section 311.017 of the Act.

SECTION 6. TAX INCREMENT BASE AND TAX INCREMENT.

That the tax increment base for the Zone, as defined by Section 311.012(c) of the Texas Tax Code, shall be the total appraised value of all real property in the Zone taxable by a taxing unit, determined as of January 1, 2022, which is the year in which the Zone was designated as a reinvestment zone.

The TIF Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, and (ii) twenty-five percent (25%) of the City's tax increment generated by the City's tax rate, as defined by section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment.

SECTION 7. TAX INCREMENT FUND.

That there is hereby created and established a "Tax Increment Fund" for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinance, into which all tax increments of the City, as such increments are described in the final project plan and reinvestment zone financing plan and may include administration costs, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained in an account at the affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition,

all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in part from the tax increments; (ii) the sale of any property acquired as part of a tax increment financing plan adopted by the Board; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Section 311.010(b), Texas Tax Code. After the termination of the Zone, after all project costs and other obligations have been paid, any money remaining in the fund shall be disbursed back to the participating taxing units in proportion to each jurisdiction's share of the total tax increments collected, pursuant to Section 311.014(d).

SECTION 8. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 9. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 10. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law and the City Charter.

PASSED AND APPROVED ON this _____ day of November 2022.

CITY OF ABILENE

Anthony Williams, Mayor

ATTEST:

Shawna Atkinson
City Secretary

APPROVED AS TO FORM:

Stanley Smith
City Attorney

APPROVED AS TO CONTENT:

Robert Hanna
City Manager

EXHIBIT A
BOUNDARY DESCRIPTION

Beginning at the northwest corner of Property ID 77146, continuing east along the northern boundary of Property ID 77146 to the point it meets Property ID 22450, thence

Continuing east along the northern boundary of Property ID 22450 to the point it meets the northwest corner of Property ID 25735 where it meets the southern right of way boundary of 10th Street, thence

East along the southern right of way boundary of 10th Street to the point it meets the western right of way boundary of Jake Roberts Freeway, thence

South along the western right of way boundary of Jake Roberts Freeway to the point it meets the northeast corner of Property ID 60604, thence

South along the eastern boundary of Property ID 60604 to the point it meets the northeast corner of Property ID 61268, thence

South along the eastern boundary of Property ID 61268 to the point it meets the northern right of way boundary of Interstate 20, thence

West along the northern right of way boundary of Interstate 20 to the point it meets the southeast corner of Property ID 60755, thence

North along the eastern boundary of Property ID 60755, continuing west along the northern boundary to the point it meets Property ID 10381, thence

South along the eastern boundary of Property ID 10381, continuing west along the southern boundary to the point it meets the southeast corner of Property ID 10497, thence

West along the southern boundary of Property ID 10497, continuing north along the western boundary to the point it meets the southern boundary of Property ID 58751, thence

West along the southern boundary of Property ID 58751, continuing north along the western boundary to the point it meets the southern boundary of Property ID 77146, thence

West along the southern boundary of Property ID 77146, continuing north along the western boundary to the northwest corner of Property ID 77146, which is the point of beginning.

EXHIBIT B
BOUNDARY MAP

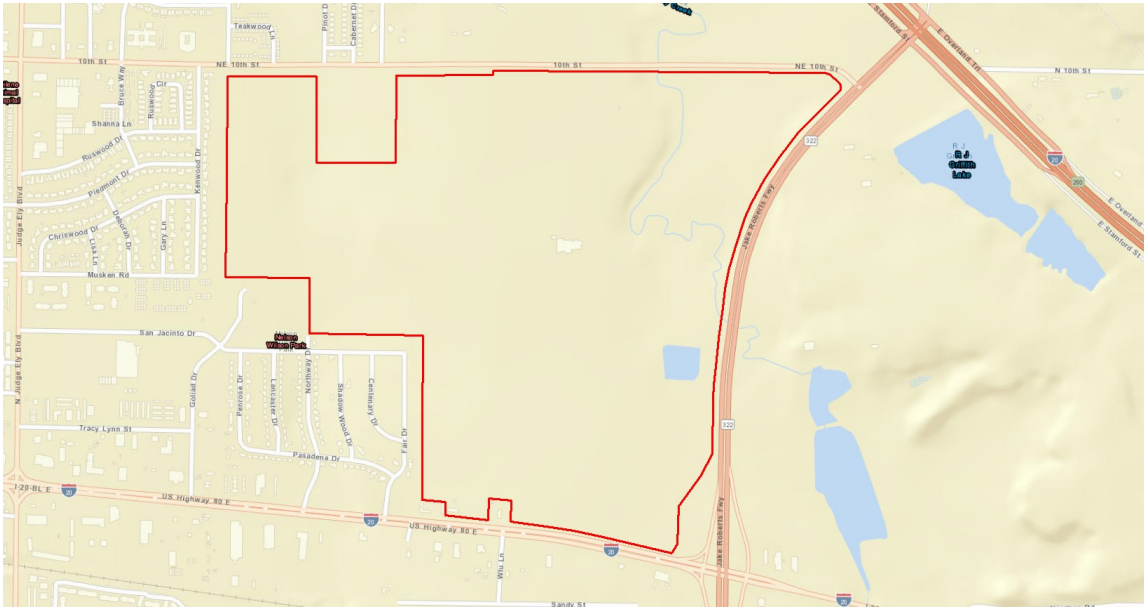
 - TIRZ Boundary

EXHIBIT C
PRELIMINARY PROJECT PLAN AND FINANCE PLAN

Tax Increment Reinvestment Zone #3

City of Abilene, Texas



Table of Contents

■

Introduction

1

■

TIRZ Boundary.....

2

■

Current Conditions & Ownership.....

3

■

Proposed Development.....

5

■

Project Costs

7

■

Financial Feasibility Analysis

8

■

Terms and Conditions

24

■

Appendix A

25

DISCLAIMER

Our conclusions and recommendations are based on current market conditions and the expected performance of the national, and/or local economy and real estate market. Given that economic conditions can change and real estate markets are cyclical, it is critical to monitor the economy and real estate market continuously, and to revisit key project assumptions periodically to ensure that they are still justified.

The future is difficult to predict, particularly given that the economy and housing markets can be cyclical, as well as subject to changing consumer and market psychology. There will usually be differences between projected and actual results because events and circumstances frequently do not occur as expected, and the differences may be material.



The City of Abilene, Texas serves as the county seat for Taylor County and is located approximately 180 miles west of the Dallas/Fort Worth Metroplex, near the geographic center of the state. Conveniently connected east-west by Interstate Highway 20, and north-south by U.S. highways 83, 84, and 277, Abilene is the center of a 22-county area commonly referred to as the Big Country.

Abilene functions as a regional center for distribution, commerce, industry, transportation, and education, providing an assortment of lodging, dining, cultural, and retail opportunities. Residents enjoy a thriving arts scene, unique museums, sporting events, parks, children’s activities, hunting, fishing and more.

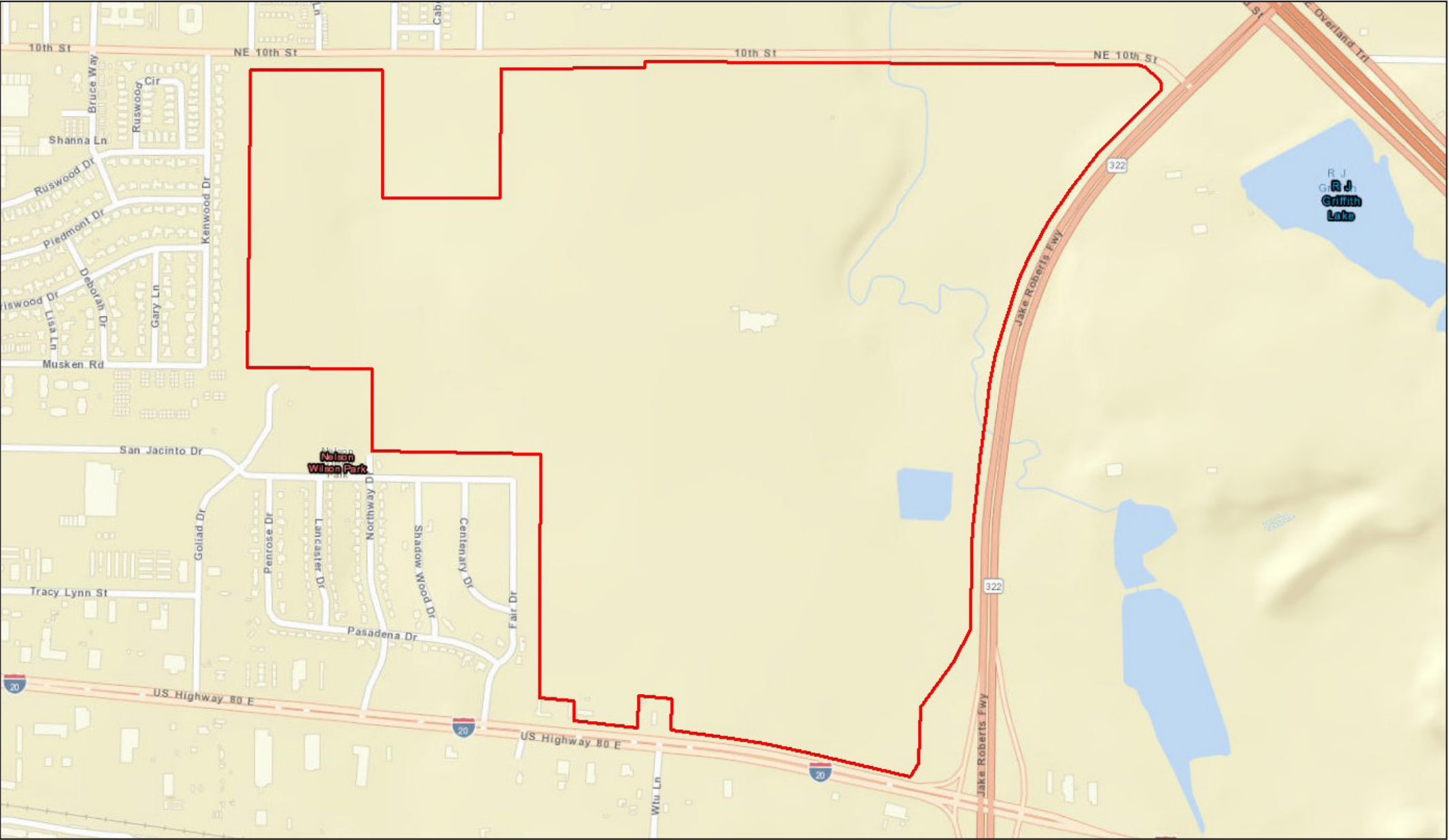
Supported by a regional workforce of over 140,000, ample space for expansion, and reliable and convenient infrastructure, Abilene is the obvious region of choice for big-time employers such as Dyess Air Force Base, Hendrick Health System, Abilene Christian University, and Blue Cross Blue Shield.



Tax Increment Reinvestment Zone #3, City of Abilene

On November 17, 2022, the City Council of the City of Abilene, Texas (the “Council”), pursuant to Chapter 311 of the Texas Tax Code, will consider an ordinance to designate a contiguous geographic area within the City as a Reinvestment Zone Number Three, City of Abilene, Texas. The goal of Tax Increment Reinvestment Zone #3 (TIRZ #3) is to continue funding the construction of needed public infrastructure and to encourage private development that will yield additional tax revenue to all local taxing jurisdictions.

This preliminary project and financing plan outlines the funding of \$13,588,164 in public improvements related to water, sanitary sewer, and storm water facilities, as well as street and intersection improvements, open space and park facilities, utilities and street lighting, and economic development grants. The TIRZ can fund these improvements through ad valorem participation of eligible taxing jurisdictions, including the City of Abilene. Without the implementation of the TIRZ, the specified property would continue to impair the sound growth of the municipality.



 - TIRZ Boundary

TIRZ Boundary

Boundary Description

TIRZ #3 consists of approximately 420.77 acres located wholly within the city limits of the City of Abilene. The legal description for the zone is described in detail below.

Legal Description TIRZ #3

Beginning at the northwest corner of Property ID 77146, continuing east along the northern boundary of Property ID 77146 to the point it meets Property ID 22450, thence

Continuing east along the northern boundary of Property ID 22450 to the point it meets the northwest corner of Property ID 25735 where it meets the southern right of way boundary of 10th Street, thence

East along the southern right of way boundary of 10th Street to the point it meets the western right of way boundary of Jake Roberts Freeway, thence

South along the western right of way boundary of Jake Roberts Freeway to the point it meets the northeast corner of Property ID 60604, thence

South along the eastern boundary of Property ID 60604 to the point it meets the northeast corner of Property ID 61268, thence

South along the eastern boundary of Property ID 61268 to the point it meets the northern right of way boundary of Interstate 20, thence

West along the northern right of way boundary of Interstate 20 to the point it meets the southeast corner of Property ID 60755, thence

North along the eastern boundary of Property ID 60755, continuing west along the northern boundary to the point it meets Property ID 10381, thence

South along the eastern boundary of Property ID 10381, continuing west along the southern boundary to the point it meets the southeast corner of Property ID 10497, thence

West along the southern boundary of Property ID 10497, continuing north along the western boundary to the point it meets the southern boundary of Property ID 58751, thence

West along the southern boundary of Property ID 58751, continuing north along the western boundary to the point it meets the southern boundary of Property ID 77146, thence

West along the southern boundary of Property ID 77146, continuing north along the western boundary to the northwest corner of Property ID 77146, which is the point of beginning.

Current Conditions

Land Use

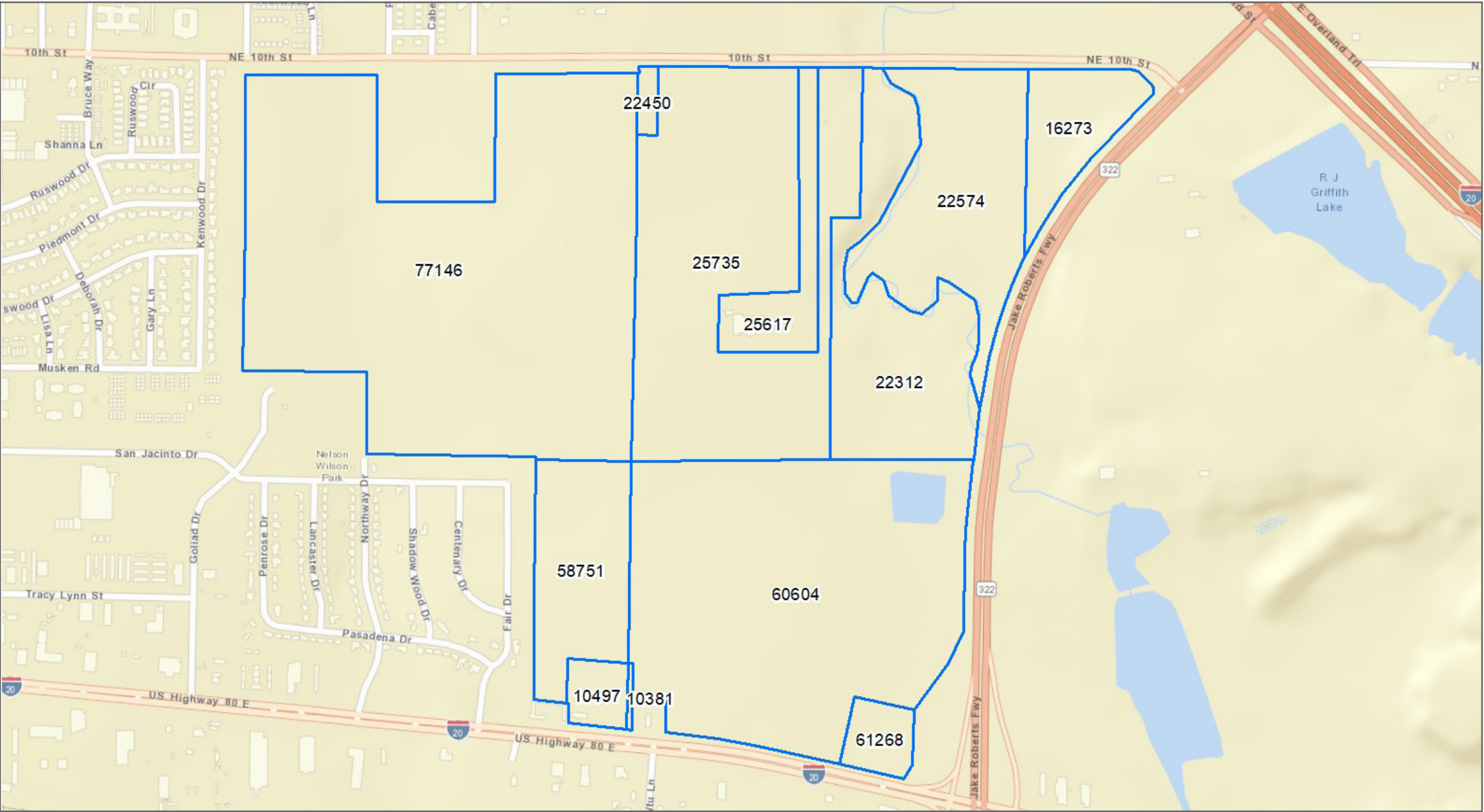
The land within the zone is vacant land that is well positioned for new development.

Method of Relocating Persons to be Displaced

It is not anticipated that any persons will be displaced or need to be relocated as result of the implementation of the TIRZ.

Current Ownership

There are currently twelve parcels within Tax Increment Reinvestment Zone #3, all of which are owned by Abilene Christian University. The 2022 estimated taxable base value of the property within the TIRZ is \$1,736,565. For further details of parcels included within the TIRZ see **Appendix A**.

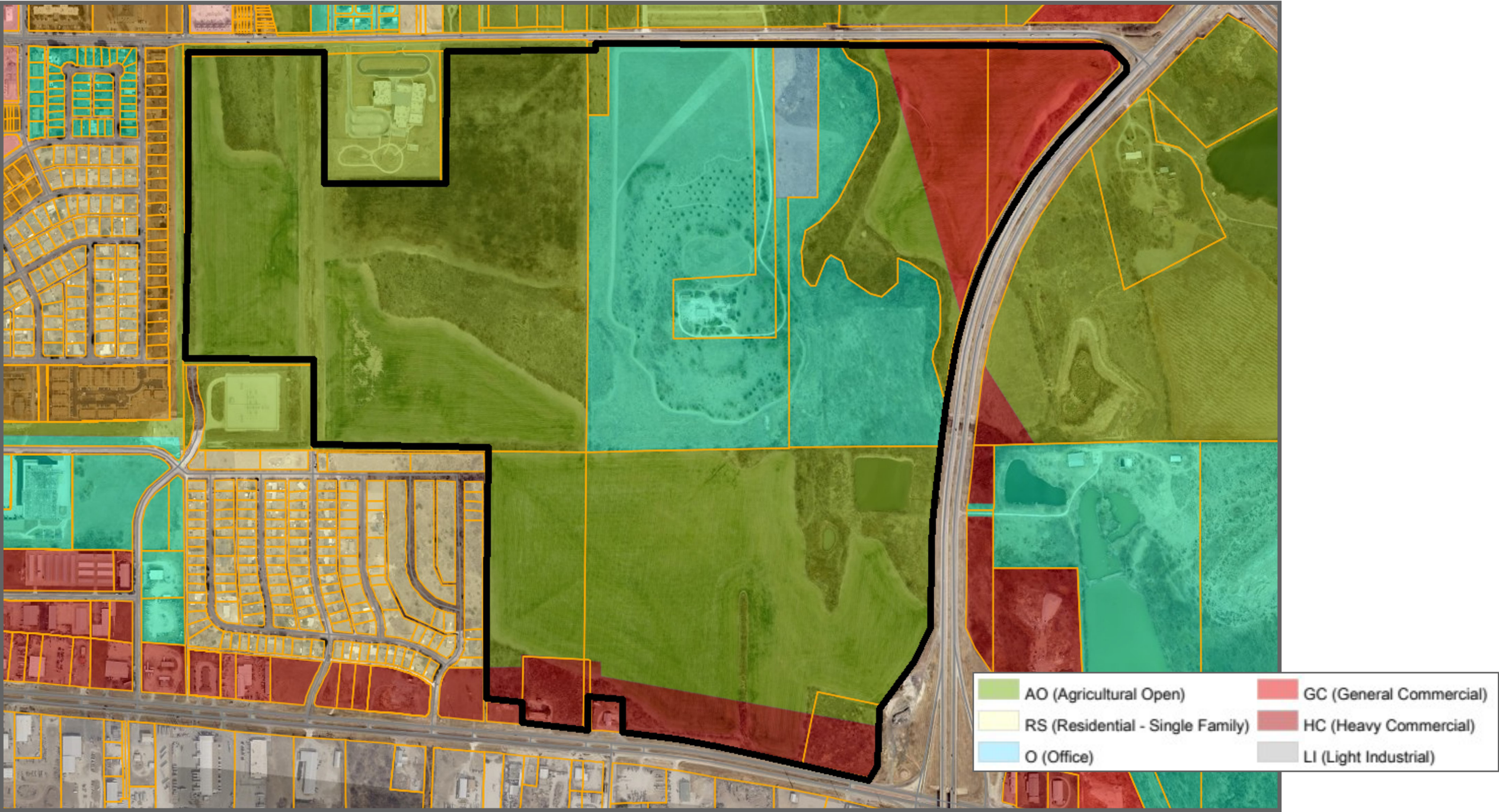


Current Conditions

Zoning

The zoning for the property within the TIRZ can be seen in the map below, with the majority if the land within the zone being currently zoned AO- Agricultural Open, shaded in green.

The property may need to be rezoned to accomodate any future development. It is not anticipated there will be any changes to the City of Abilene zoning ordinance, master plan, building codes, subdivision rules and regulations or other municipal ordinances as a result of the TIRZ.



Proposed Development

The land within the zone is well positioned for future development. In 2022, the conceptual site plan shown below was produced. The site plan shows a single family development with a total of 911 lots in a variety of sizes.



LOT COUNT:	
50' Lots:	86
55' Lots:	386
60' Lots:	48
70' Lots:	294
100' Lots:	77
130' Lots:	20
TOTAL LOTS:	911

ACU Trail Ridge - Overall Site Plan

 SCALE: 1" = 300' - 0"
 AT 22" X 34"

 PAGE 2

Anticipated Development

The table to the right provides an overview of the potential development that DPED projects will occur during the life of the TIRZ based on the site plan on the previous page, along with estimated dates of when the development construction will begin and be completed. It is anticipated that development that occurs within the TIRZ could be financed in part by incremental real property tax generated within the TIRZ.

	Start	Final Delivery	Units	Taxable Value PSF/Unit		Incremental Value
PHASE ONE						
55' LOTS	2024	2026	86	\$	425,000	\$ 36,550,000
60' LOTS	2024	2026	8	\$	510,000	\$ 4,080,000
70' LOTS	2024	2026	72	\$	595,000	\$ 42,840,000
100' LOTS	2024	2026	13	\$	680,000	\$ 8,840,000
130' LOTS	2024	2026	1	\$	765,000	\$ 765,000
			180			\$ 93,075,000
PHASE TWO						
55' LOTS	2026	2028	86	\$	425,000	\$ 36,550,000
60' LOTS	2026	2028	34	\$	510,000	\$ 17,340,000
70' LOTS	2026	2028	0	\$	595,000	\$ -
100' LOTS	2026	2028	0	\$	680,000	\$ -
130' LOTS	2026	2028	0	\$	765,000	\$ -
			120			\$ 53,890,000
PHASE THREE						
55' LOTS	2028	2030	86	\$	425,000	\$ 36,550,000
60' LOTS	2028	2030	52	\$	510,000	\$ 26,520,000
70' LOTS	2028	2030	12	\$	595,000	\$ 7,140,000
100' LOTS	2028	2030	3	\$	680,000	\$ 2,040,000
130' LOTS	2028	2030	0	\$	765,000	\$ -
			153			\$ 72,250,000
PHASE FOUR						
55' LOTS	2030	2032	86	\$	425,000	\$ 36,550,000
60' LOTS	2030	2032	52	\$	510,000	\$ 26,520,000
70' LOTS	2030	2032	12	\$	595,000	\$ 7,140,000
100' LOTS	2030	2032	3	\$	680,000	\$ 2,040,000
130' LOTS	2030	2032	0	\$	765,000	\$ -
			153			\$ 72,250,000
PHASE FIVE						
55' LOTS	2032	2034	86	\$	425,000	\$ 36,550,000
60' LOTS	2032	2034	52	\$	510,000	\$ 26,520,000
70' LOTS	2032	2034	12	\$	595,000	\$ 7,140,000
100' LOTS	2032	2034	3	\$	680,000	\$ 2,040,000
130' LOTS	2032	2034	0	\$	765,000	\$ -
			153			\$ 72,250,000
PHASE SIX						
55' LOTS	2034	2036	86	\$	425,000	\$ 36,550,000
60' LOTS	2034	2036	52	\$	510,000	\$ 26,520,000
70' LOTS	2034	2036	11	\$	595,000	\$ 6,545,000
100' LOTS	2034	2036	3	\$	680,000	\$ 2,040,000
130' LOTS	2034	2036	0	\$	765,000	\$ -
			152			\$ 71,655,000
Total		LOTS	911			\$ 435,370,000

Project Costs

Project Costs of the Zone

There are a number of improvements within Tax Increment Reinvestment Zone #3 that will be financed by in part by incremental real property tax generated within the TIRZ.

Proposed Project Costs		
Water Facilities and Improvements	\$ 3,397,041	25.0%
Sanitary Sewer Facilities and Improvements	\$ 3,397,041	25.0%
Storm Water Facilities and Improvements	\$ 3,397,041	25.0%
Street and Intersection Improvements	\$ 1,358,816	10.0%
Open Space, Park and Recreation Facilities and Improvements	\$ 679,408	5.0%
Utilities and Street Lighting	\$ 679,408	5.0%
Economic Development Grants	\$ 543,527	4.0%
Administrative Costs	\$ 135,882	1.0%
	\$ 13,588,164	100.0%

The categories listed in the table above outline various public improvements, and are meant to include all projects eligible under Chapter 311, Section 311.002 of the Texas Tax Code.

The costs illustrated in the table above are estimates and may be revised. Savings from one line item may be applied to a cost increase in another line item.

It is anticipated that the individual TIRZ project cost allocations will be evaluated on a case by case basis, consistent with the categories listed above, and brought forward to the TIRZ board and City Council for consideration.

Chapter 311 of the Texas Tax Code

Sec. 311.002.

- (1) “Project costs” means the expenditures made or estimated to be made and monetary obligations incurred or estimated to be incurred by the municipality or county designating a reinvestment zone that are listed in the project plan as costs of public works, public improvements, programs, or other projects benefiting the zone, plus other costs incidental to those expenditures and obligations. “Project costs” include:
- (A) capital costs, including the actual costs of the acquisition and construction of public works, public improvements, new buildings, structures, and fixtures; the actual costs of the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and fixtures; the actual costs of the remediation of conditions that contaminate public or private land or buildings; the actual costs of the preservation of the facade of a public or private building; the actual costs of the demolition of public or private buildings; and the actual costs of the acquisition of land and equipment and the clearing and grading of land;
 - (B) financing costs, including all interest paid to holders of evidences of indebtedness or other obligations issued to pay for project costs and any premium paid over the principal amount of the obligations because of the redemption of the obligations before maturity;
 - (C) real property assembly costs;
 - (D) professional service costs, including those incurred for architectural, planning, engineering, and legal advice and services;
 - (E) imputed administrative costs, including reasonable charges for the time spent by employees of the municipality or county in connection with the implementation of a project plan;
 - (F) relocation costs;
 - (G) organizational costs, including the costs of conducting environmental impact studies or other studies, the cost of publicizing the creation of the zone, and the cost of implementing the project plan for the zone;
 - (H) interest before and during construction and for one year after completion of construction, whether or not capitalized;
 - (I) the cost of operating the reinvestment zone and project facilities;
 - (J) the amount of any contributions made by the municipality or county from general revenue for the implementation of the project plan;
 - (K) the costs of school buildings, other educational buildings, other educational facilities, or other buildings owned by or on behalf of a school district, community college district, or other political subdivision of this state; and
 - (L) payments made at the discretion of the governing body of the municipality or county that the governing body finds necessary or convenient to the creation of the zone or to the implementation of the project plans for the zone.

Method of Financing

To fund the public improvements outlined on the previous page, the City of Abilene will contribute 25% of the real property increment within the Zone.

Debt Service

It is not anticipated at this time that the TIRZ will incur any bonded indebtedness.

Economic Feasibility Study

A taxable value analysis was developed as part of the project and financing plan to determine the economic feasibility of the project. The study examined the expected tax revenue the TIRZ would receive based on the previously outlined developments. A summary overview of the anticipated development square footages, the anticipated sales per square foot and the anticipated taxable value per square foot can be found on the table below.

The following pages show the estimated captured appraised value of the zone during each year of its existence and the net benefits of the zone to each of the local taxing jurisdictions as well as the method of financing and debt service.

Utilizing the information outlined in this feasibility study, we have found that the TIRZ is economically feasible and will provide the City and other taxing jurisdictions with economic benefits that would not occur without its implementation.

Real Property Tax		Participation	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
2.53890000			0.19052500

Personal Property Tax		Participation	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
2.53890000			0.00000000

Sales Tax		Participation	
City of Abilene - Regular	0.0100000	0.00%	0.0000000
City of Abilene - Property Tax Relief	0.0050000	0.00%	0.0000000
ECO A (0.25%)	0.0050000	0.00%	0.0000000
0.02000000			0.00000000

PHASE ONE : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
----------------	-------

DISCOUNT RATE	6.00%
---------------	-------

REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE ONE		Final Delivery	AREA SF/UNITS	REAL PROPERTY \$ / SF TAX VALUE		BPP \$ / SF TAX VALUE	SALES \$ / SF TAX VALUE	
55' LOTS	2026	86	\$ 425,000	\$ 36,550,000		\$ -	\$ -	-
60' LOTS	2026	8	\$ 510,000	\$ 4,080,000				
70' LOTS	2026	72	\$ 595,000	\$ 42,840,000				
100' LOTS	2026	13	\$ 680,000	\$ 8,840,000				
130' LOTS	2026	1	\$ 765,000	\$ 765,000				
TOTAL		180	93,075,000		-	-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY		PERSONAL PROPERTY		SALES	
City of Abilene	30.0%	\$ 14,202,354	=	\$ 14,202,354	+	\$ -	+	\$ -
Taylor County	22.4%	\$ 10,575,825	=	\$ 10,575,825	+	\$ -	+	\$ -
Abilene ISD	47.6%	\$ 22,536,291	=	\$ 22,536,291	+	\$ -	+	\$ -
	100.0%	\$ 47,314,470		\$ 47,314,470		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY		PERSONAL PROPERTY		SALES	
City of Abilene	100.0%	\$ 3,550,589	=	\$ 3,550,589	+	\$ -	+	\$ -
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
	100.0%	\$ 3,550,589		\$ 3,550,589		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

NET BENEFIT		TOTAL	REAL PROPERTY		PERSONAL PROPERTY		SALES	
City of Abilene	24.3%	\$ 10,651,766	=	\$ 10,651,766	+	\$ -	+	\$ -
Taylor County	24.2%	\$ 10,575,825	=	\$ 10,575,825	+	\$ -	+	\$ -
Abilene ISD	51.5%	\$ 22,536,291	=	\$ 22,536,291	+	\$ -	+	\$ -
	100.0%	\$ 43,763,881		\$ 43,763,881		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

Calendar Year		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
TOTAL TAX REVENUE																							
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	
55' LOTS				28	57	86	86	86	86	86	86	86	86	86	86	86	86	86	86	86	86	86	
86		-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145	
TAXABLE VALUE					25,097,569	38,787,152	39,562,895	40,354,153	41,161,236	41,984,461	42,824,150	43,680,633	44,554,246	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448	
60' LOTS				3	5	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	
8			510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974	
TAXABLE VALUE				1,373,328	2,801,589	4,329,729	4,416,323	4,504,650	4,594,743	4,686,638	4,780,370	4,875,978	4,973,497	5,072,967	5,174,427	5,277,915	5,383,473	5,491,143	5,600,966	5,712,985	5,827,245	5,943,790	
70' LOTS				24	48	72	72	72	72	72	72	72	72	72	72	72	72	72	72	72	72	72	
72			595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803	
TAXABLE VALUE				14,419,944	29,416,686	45,462,151	46,371,394	47,298,822	48,244,798	49,209,694	50,193,888	51,197,766	52,221,721	53,266,155	54,331,478	55,418,108	56,526,470	57,657,000	58,810,140	59,986,342	61,186,069	62,409,791	
100' LOTS				4	9	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	
13			680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632	
TAXABLE VALUE				2,975,544	6,070,110	9,381,079	9,568,700	9,760,074	9,955,276	10,154,381	10,357,469	10,564,618	10,775,911	10,991,429	11,211,257	11,435,483	11,664,192	11,897,476	12,135,426	12,378,134	12,625,697	12,878,211	
130' LOTS				1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
1			765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461	
TAXABLE VALUE				780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461	
SF (CUMMULATIVE UNITS)				60	119	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	
REAL PROPERTY	TOTAL TAXABLE VALUE	-		16,573,572	58,111,750	89,390,856	91,178,673	93,002,246	94,862,291	96,759,537	98,694,728	100,668,623	102,681,995	104,735,635	106,830,348	108,966,955	111,146,294	113,369,219	115,636,604	117,949,336	120,308,323	122,714,489	
City of Abilene		-	-	126,307	442,870	681,248	694,873	708,770	722,946	737,404	752,153	767,196	782,539	798,190	814,154	830,437	847,046	863,987	881,267	898,892	916,870	935,207	14,202,354
Taylor County		-	-	94,055	329,784	507,293	517,439	527,788	538,344	549,110	560,093	571,294	582,720	594,375	606,262	618,387	630,755	643,370	656,238	669,362	682,750	696,405	10,575,825
Abilene ISD		-	-	200,424	702,745	1,081,004	1,102,624	1,124,676	1,147,170	1,170,113	1,193,515	1,217,386	1,241,733	1,266,568	1,291,899	1,317,737	1,344,092	1,370,974	1,398,393	1,426,361	1,454,889	1,483,986	22,536,291
Total		-	-	420,786	1,475,399	2,269,544	2,314,935	2,361,234	2,408,459	2,456,628	2,505,760	2,555,876	2,606,993	2,659,133	2,712,316	2,766,562	2,821,893	2,878,331	2,935,898	2,994,616	3,054,508	3,115,598	47,314,470
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SUMMARY																							
City of Abilene		-	-	126,307	442,870	681,248	694,873	708,770	722,946	737,404	752,153	767,196	782,539	798,190	814,154	830,437	847,046	863,987	881,267	898,892	916,870	935,207	14,202,354
Taylor County		-	-	94,055	329,784	507,293	517,439	527,788	538,344	549,110	560,093	571,294	582,720	594,375	606,262	618,387	630,755	643,370	656,238	669,362	682,750	696,405	10,575,825
Abilene ISD		-	-	200,424	702,745	1,081,004	1,102,624	1,124,676	1,147,170	1,170,113	1,193,515	1,217,386	1,241,733	1,266,568	1,291,899	1,317,737	1,344,092	1,370,974	1,398,393	1,426,361	1,454,889	1,483,986	22,536,291
Total		-	-	420,786	1,475,399	2,269,544	2,314,935	2,361,234	2,408,459	2,456,628	2,505,760	2,555,876	2,606,993	2,659,133	2,712,316	2,766,562	2,821,893	2,878,331	2,935,898	2,994,616	3,054,508	3,115,598	47,314,470
PARTICIPATION																							
REAL PROPERTY	Taxable Value	-	-	16,573,572	58,111,750	89,390,856	91,178,673	93,002,246	94,862,291	96,759,537	98,694,728	100,668,623	102,681,995	104,735,635	106,830,348	108,966,955	111,146,294	113,369,219	115,636,604	117,949,336	120,308,323	122,714,489	
City of Abilene		-	-	31,577	110,717	170,312	173,718	177,193	180,736	184,351	188,038	191,799	195,635	199,548	203,539	207,609	211,761	215,997	220,317	224,723	229,217	233,802	3,550,589
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		

PHASE TWO : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
----------------	-------

DISCOUNT RATE	6.00%
---------------	-------

REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE TWO	Final Delivery	AREA SF/UNITS	REAL PROPERTY		BPP		SALES	
			\$ / SF	TAX VALUE	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE
55' LOTS	2028	86	\$ 425,000	\$ 36,550,000		\$ -	\$ -	-
60' LOTS	2028	34	\$ 510,000	\$ 17,340,000				
70' LOTS	2028	-	\$ 595,000	\$ -				
100' LOTS	2028	-	\$ 680,000	\$ -				
130' LOTS	2028	-	\$ 765,000	\$ -				
TOTAL		120	53,890,000		-		-	

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	30.0%	\$ 8,278,776	=	\$ 8,278,776	+	\$ -	+	\$ -
Taylor County	22.4%	\$ 6,164,815	=	\$ 6,164,815	+	\$ -	+	\$ -
Abilene ISD	47.6%	\$ 13,136,759	=	\$ 13,136,759	+	\$ -	+	\$ -
	100.0%	\$ 27,580,351		\$ 27,580,351		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	100.0%	\$ 2,069,694	=	\$ 2,069,694	+	\$ -	+	\$ -
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
	100.0%	\$ 2,069,694		\$ 2,069,694		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

NET BENEFIT		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	24.3%	\$ 6,209,082	=	\$ 6,209,082	+	\$ -	+	\$ -
Taylor County	24.2%	\$ 6,164,815	=	\$ 6,164,815	+	\$ -	+	\$ -
Abilene ISD	51.5%	\$ 13,136,759	=	\$ 13,136,759	+	\$ -	+	\$ -
	100.0%	\$ 25,510,657		\$ 25,510,657		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

Financial Feasibility Analysis

Calendar Year		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
TOTAL TAX REVENUE																							
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	
55' LOTS	86	-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145	
	TAXABLE VALUE	-	-	-	-	12,799,760	26,111,511	40,354,153	41,161,236	41,984,461	42,824,150	43,680,633	44,554,246	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448	
60' LOTS	34	-	510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974	
	TAXABLE VALUE	-	-	-	-	6,072,444	12,387,787	19,144,761	19,527,656	19,918,209	20,316,574	20,722,905	21,137,363	21,560,111	21,991,313	22,431,139	22,879,762	23,337,357	23,804,104	24,280,186	24,765,790	25,261,106	
70' LOTS	0	-	595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803	
	TAXABLE VALUE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
100' LOTS	0	-	680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632	
	TAXABLE VALUE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
130' LOTS	0	-	765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461	
	TAXABLE VALUE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SF (CUMMULATIVE UNITS)		-	-	-	40	79	120	120	120	120	120	120	120	120	120	120	120	120	120	120	120	120	
REAL PROPERTY	TOTAL TAXABLE VALUE	-	-	-	18,872,205	38,499,298	59,498,914	60,688,893	61,902,671	63,140,724	64,403,539	65,691,609	67,005,441	68,345,550	69,712,461	71,106,711	72,528,845	73,979,422	75,459,010	76,968,190	78,507,554		
City of Abilene		-	-	-	-	143,825	293,403	453,441	462,510	471,760	481,195	490,819	500,636	510,648	520,861	531,279	541,904	552,742	563,797	575,073	586,575	598,306	8,278,776
Taylor County		-	-	-	-	107,100	218,484	337,656	344,409	351,298	358,324	365,490	372,800	380,256	387,861	395,618	403,531	411,601	419,833	428,230	436,794	445,530	6,164,815
Abilene ISD		-	-	-	-	228,222	465,572	719,520	733,911	748,589	763,561	778,832	794,409	810,297	826,503	843,033	859,893	877,091	894,633	912,526	930,776	949,392	13,136,759
Total		-	-	-	-	479,146	977,459	1,510,618	1,540,830	1,571,647	1,603,080	1,635,141	1,667,844	1,701,201	1,735,225	1,769,930	1,805,328	1,841,435	1,878,264	1,915,829	1,954,145	1,993,228	27,580,351
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	143,825	293,403	453,441	462,510	471,760	481,195	490,819	500,636	510,648	520,861	531,279	541,904	552,742	563,797	575,073	586,575	598,306	8,278,776
Taylor County		-	-	-	-	107,100	218,484	337,656	344,409	351,298	358,324	365,490	372,800	380,256	387,861	395,618	403,531	411,601	419,833	428,230	436,794	445,530	6,164,815
Abilene ISD		-	-	-	-	228,222	465,572	719,520	733,911	748,589	763,561	778,832	794,409	810,297	826,503	843,033	859,893	877,091	894,633	912,526	930,776	949,392	13,136,759
Total		-	-	-	-	479,146	977,459	1,510,618	1,540,830	1,571,647	1,603,080	1,635,141	1,667,844	1,701,201	1,735,225	1,769,930	1,805,328	1,841,435	1,878,264	1,915,829	1,954,145	1,993,228	27,580,351
PARTICIPATION																							
REAL PROPERTY	Taxable Value	-	-	-	-	18,872,205	38,499,298	59,498,914	60,688,893	61,902,671	63,140,724	64,403,539	65,691,609	67,005,441	68,345,550	69,712,461	71,106,711	72,528,845	73,979,422	75,459,010	76,968,190	78,507,554	
City of Abilene		-	-	-	-	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577	2,069,694
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577	2,069,694
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577	GROSS
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,069,694
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6,164,815
Total		-	-	-	-	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577	13,136,759
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																							
SUMMARY		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	107,869	220,052	340,081	346,883	353,820	360,897	368,115	375,477	382,986	390,646	398,459	406,428	414,557	422,848	431,305	439,931	448,730	GROSS
Taylor County		-	-	-	-	107,100	218,484	337,656	344,409	351,298	358,324	365,490	372,800	380,256	387,861	395,618	403,531	411,601	419,833	428,230	436,794	445,530	

► INPUT

INFLATION RATE	2.00%
----------------	-------

DISCOUNT RATE	6.00%
---------------	-------

REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE THREE		Final Delivery	AREA SF/UNITS	REAL PROPERTY		BPP		SALES	
				\$ / SF	TAX VALUE	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE
55' LOTS	2030	86	\$	425,000	\$ 36,550,000		\$ -	\$ -	-
60' LOTS	2030	52	\$	510,000	\$ 26,520,000				
70' LOTS	2030	12	\$	595,000	\$ 7,140,000				
100' LOTS	2030	3	\$	680,000	\$ 2,040,000				
130' LOTS	2030	-	\$	765,000	\$ -				
TOTAL		153			72,250,000		-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	30.0%	\$ 9,894,978	=	\$ 9,894,978	+	\$ -	+	\$ -
Taylor County	22.4%	\$ 7,368,324	=	\$ 7,368,324	+	\$ -	+	\$ -
Abilene ISD	47.6%	\$ 15,701,347	=	\$ 15,701,347	+	\$ -	+	\$ -
	100.0%	\$ 32,964,648		\$ 32,964,648		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	100.0%	\$ 2,473,744	=	\$ 2,473,744	+	\$ -	+	\$ -
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
	100.0%	\$ 2,473,744		\$ 2,473,744		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

NET BENEFIT		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	24.3%	\$ 7,421,233	=	\$ 7,421,233	+	\$ -	+	\$ -
Taylor County	24.2%	\$ 7,368,324	=	\$ 7,368,324	+	\$ -	+	\$ -
Abilene ISD	51.5%	\$ 15,701,347	=	\$ 15,701,347	+	\$ -	+	\$ -
	100.0%	\$ 30,490,904		\$ 30,490,904		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

Financial Feasibility Analysis

Calendar Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
---------------	---	---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----

TOTAL TAX REVENUE																						
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
55' LOTS								28	57	86	86	86	86	86	86	86	86	86	86	86	86	
	86	-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145
	TAXABLE VALUE			-	-	-	-	13,316,871	27,166,416	41,984,461	42,824,150	43,680,633	44,554,246	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448
60' LOTS								17	34	52	52	52	52	52	52	52	52	52	52	52	52	
	52		510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974
	TAXABLE VALUE			-	-	-	-	9,662,474	19,711,446	30,463,144	31,072,407	31,693,855	32,327,732	32,974,287	33,633,772	34,306,448	34,992,577	35,692,428	36,406,277	37,134,402	37,877,090	38,634,632
70' LOTS								4	8	12	12	12	12	12	12	12	12	12	12	12	12	
	12		595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803
	TAXABLE VALUE			-	-	-	-	2,601,435	5,306,928	8,201,616	8,365,648	8,532,961	8,703,620	8,877,693	9,055,246	9,236,351	9,421,078	9,609,500	9,801,690	9,997,724	10,197,678	10,401,632
100' LOTS								1	2	3	3	3	3	3	3	3	3	3	3	3	3	
	3		680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632
	TAXABLE VALUE			-	-	-	-	743,267	1,516,265	2,343,319	2,390,185	2,437,989	2,486,749	2,536,484	2,587,213	2,638,958	2,691,737	2,745,571	2,800,483	2,856,492	2,913,622	2,971,895
130' LOTS								-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	0		765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SF (CUMMULATIVE UNITS)				-	-	-	-	50	101	153	153	153	153	153	153	153	153	153	153	153	153	
REAL PROPERTY	TOTAL TAXABLE VALUE	-	-	-	-	-	-	26,324,047	53,701,055	82,992,539	84,652,390	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	200,616	409,256	632,486	645,136	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	149,389	304,753	470,983	480,402	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	318,337	649,407	1,003,629	1,023,701	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	668,341	1,363,416	2,107,098	2,149,240	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SUMMARY																						
City of Abilene		-	-	-	-	-	-	200,616	409,256	632,486	645,136	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	149,389	304,753	470,983	480,402	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	318,337	649,407	1,003,629	1,023,701	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	668,341	1,363,416	2,107,098	2,149,240	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
PARTICIPATION																						
REAL PROPERTY	Taxable Value	-	-	-	-	-	-	26,324,047	53,701,055	82,992,539	84,652,390	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SUMMARY																						
City of Abilene		-	-	-	-	-	-	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																						
SUMMARY																						
City of Abilene		-	-	-	-	-	-	150,462	306,942	474,365	483,852	493,529	503,400	513,468	523,737	534,212	544,896	555,794	566,910	578,248	589,813	601,609
Taylor County		-	-	-	-	-	-	149,389	304,753	470,983	480,402	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	318,337	649,407	1,003,629	1,023,701	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	618,187	1,261,102	1,948,976	1,987,956	2,027,715	2,068,269	2,109,634	2,151,827	2,194,864	2,238,761	2,283,536	2,329,207	2,375,791	2,423,307	2,471,773

PHASE FOUR : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
----------------	-------

DISCOUNT RATE	6.00%
---------------	-------

REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE FOUR		Final Delivery	AREA SF/UNITS	REAL PROPERTY		BPP		SALES	
				\$ / SF	TAX VALUE	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE
55' LOTS	2032	86	\$	425,000	\$ 36,550,000		\$ -	\$ -	-
60' LOTS	2032	52	\$	510,000	\$ 26,520,000				
70' LOTS	2032	12	\$	595,000	\$ 7,140,000				
100' LOTS	2032	3	\$	680,000	\$ 2,040,000				
130' LOTS	2032	-	\$	765,000	\$ -				
TOTAL		153			72,250,000		-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY	PERSONAL	SALES	
City of Abilene	30.0%	\$ 8,641,994	=	\$ 8,641,994	+	\$ -
Taylor County	22.4%	\$ 6,435,286	=	\$ 6,435,286	+	\$ -
Abilene ISD	47.6%	\$ 13,713,113	=	\$ 13,713,113	+	\$ -
	100.0%	28,790,394		\$ 28,790,394		\$ -
		100.0%		100.0%	0.0%	0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY	PERSONAL	SALES	
City of Abilene	100.0%	\$ 2,160,499	=	\$ 2,160,499	+	\$ -
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -
	100.0%	\$ 2,160,499		\$ 2,160,499		\$ -
		100.0%		100.0%	0.0%	0.0%

NET BENEFIT		TOTAL	REAL PROPERTY	PERSONAL	SALES	
City of Abilene	24.3%	\$ 6,481,496	=	\$ 6,481,496	+	\$ -
Taylor County	24.2%	\$ 6,435,286	=	\$ 6,435,286	+	\$ -
Abilene ISD	51.5%	\$ 13,713,113	=	\$ 13,713,113	+	\$ -
	100.0%	\$ 26,629,896		\$ 26,629,896		\$ -
		100.0%		100.0%	0.0%	0.0%

Financial Feasibility Analysis

Calendar Year		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TOTAL TAX REVENUE																						
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
55' LOTS										28	57	86	86	86	86	86	86	86	86	86	86	86
86		-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145
TAXABLE VALUE				-	-	-	-	-	-	13,854,872	28,263,939	43,680,633	44,554,246	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448
60' LOTS										17	34	52	52	52	52	52	52	52	52	52	52	52
52			510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974
TAXABLE VALUE				-	-	-	-	-	-	10,052,837	20,507,788	31,693,855	32,327,732	32,974,287	33,633,772	34,306,448	34,992,577	35,692,428	36,406,277	37,134,402	37,877,090	38,634,632
70' LOTS										4	8	12	12	12	12	12	12	12	12	12	12	12
12			595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803
TAXABLE VALUE				-	-	-	-	-	-	2,706,533	5,521,328	8,532,961	8,703,620	8,877,693	9,055,246	9,236,351	9,421,078	9,609,500	9,801,690	9,997,724	10,197,678	10,401,632
100' LOTS										1	2	3	3	3	3	3	3	3	3	3	3	3
3			680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632
TAXABLE VALUE				-	-	-	-	-	-	773,295	1,577,522	2,437,989	2,486,749	2,536,484	2,587,213	2,638,958	2,691,737	2,745,571	2,800,483	2,856,492	2,913,622	2,971,895
130' LOTS										-	-	-	-	-	-	-	-	-	-	-	-	-
0			765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461
TAXABLE VALUE				-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SF (CUMMULATIVE UNITS)				-	-	-	-	-	-	50	101	153	153	153	153	153	153	153	153	153	153	153
REAL PROPERTY	TOTAL TAXABLE VALUE	-	-	-	-	-	-	-	-	27,387,538	55,870,578	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	-	-	208,720	425,790	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	-	-	155,424	317,066	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	-	-	331,197	675,643	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	-	-	695,342	1,418,498	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene		-	-	-	-	-	-	-	-	208,720	425,790	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	-	-	155,424	317,066	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	-	-	331,197	675,643	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	-	-	695,342	1,418,498	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
28,790,394																						
PARTICIPATION																						
REAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	27,387,538	55,870,578	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	-	-	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
2,160,499																						
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene		-	-	-	-	-	-	-	-	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
2,160,499																						
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																						
SUMMARY																						
City of Abilene		-	-	-	-	-	-	-	-	156,540	319,342	493,529	503,400	513,468	523,737	534,212	544,896	555,794	566,910	578,248	589,813	601,609
Taylor County		-	-	-	-	-	-	-	-	155,424	317,066	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	-	-	331,197	675,643	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	-	-	643,162	1,312,051	2,027,715	2,068,269	2,109,634	2,151,827	2,194,864	2,238,761	2,283,536	2,329,207	2,375,791	2,423,307	2,471,773
26,629,896																						

PHASE FIVE : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
----------------	-------

DISCOUNT RATE	6.00%
---------------	-------

REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
2.53890000			0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
2.53890000			0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
0.02000000			0.0000000

PHASE FIVE		Final Delivery	AREA SF/UNITS	REAL PROPERTY \$ / SF TAX VALUE		BPP \$ / SF TAX VALUE	SALES \$ / SF TAX VALUE	
55' LOTS	2034	86	\$ 425,000	\$ 36,550,000	\$ -	\$ -	\$ -	-
60' LOTS	2034	52	\$ 510,000	\$ 26,520,000				
70' LOTS	2034	12	\$ 595,000	\$ 7,140,000				
100' LOTS	2034	3	\$ 680,000	\$ 2,040,000				
130' LOTS	2034	-	\$ 765,000	\$ -				
TOTAL		153	72,250,000		-	-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY	PERSONAL PROPERTY	SALES	
City of Abilene	30.0%	\$ 7,338,391	= \$ 7,338,391	+ \$ -	+	\$ -
Taylor County	22.4%	\$ 5,464,554	= \$ 5,464,554	+ \$ -	+	\$ -
Abilene ISD	47.6%	\$ 11,644,556	= \$ 11,644,556	+ \$ -	+	\$ -
100.0%		24,447,500	\$ 24,447,500	\$ -		\$ -
		100.0%	100.0%	0.0%		0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY	PERSONAL PROPERTY	SALES	
City of Abilene	100.0%	\$ 1,834,598	= \$ 1,834,598	+ \$ -	+	\$ -
Taylor County	0.0%	\$ -	= \$ -	+ \$ -	+	\$ -
Abilene ISD	0.0%	\$ -	= \$ -	+ \$ -	+	\$ -
100.0%		1,834,598	\$ 1,834,598	\$ -		\$ -
		100.0%	100.0%	0.0%		0.0%

NET BENEFIT		TOTAL	REAL PROPERTY	PERSONAL PROPERTY	SALES	
City of Abilene	24.3%	\$ 5,503,793	= \$ 5,503,793	+ \$ -	+	\$ -
Taylor County	24.2%	\$ 5,464,554	= \$ 5,464,554	+ \$ -	+	\$ -
Abilene ISD	51.5%	\$ 11,644,556	= \$ 11,644,556	+ \$ -	+	\$ -
100.0%		22,612,903	\$ 22,612,903	\$ -		\$ -
		100.0%	100.0%	0.0%		0.0%

Financial Feasibility Analysis

Calendar Year		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
TOTAL TAX REVENUE																							
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	
55' LOTS												28	57	86	86	86	86	86	86	86	86	86	
	86	-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145	
	TAXABLE VALUE			-	-	-	-	-	-	-	-	14,414,609	29,405,802	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448	
60' LOTS												17	34	52	52	52	52	52	52	52	52	52	
	52		510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974	
	TAXABLE VALUE			-	-	-	-	-	-	-	-	10,458,972	21,336,303	32,974,287	33,633,772	34,306,448	34,992,577	35,692,428	36,406,277	37,134,402	37,877,090	38,634,632	
70' LOTS												4	8	12	12	12	12	12	12	12	12	12	
	12		595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803	
	TAXABLE VALUE			-	-	-	-	-	-	-	-	2,815,877	5,744,389	8,877,693	9,055,246	9,236,351	9,421,078	9,609,500	9,801,690	9,997,724	10,197,678	10,401,632	
100' LOTS												1	2	3	3	3	3	3	3	3	3	3	
	3		680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632	
	TAXABLE VALUE			-	-	-	-	-	-	-	-	804,536	1,641,254	2,536,484	2,587,213	2,638,958	2,691,737	2,745,571	2,800,483	2,856,492	2,913,622	2,971,895	
130' LOTS																							
	0		765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461	
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SF (CUMMULATIVE UNITS)				-	-	-	-	-	-	-	-	50	101	153	153	153	153	153	153	153	153	153	
REAL PROPERTY	TOTAL TAXABLE VALUE	-	-	-	-	-	-	-	-	-	-	28,493,995	58,127,749	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607	
City of Abilene		-	-	-	-	-	-	-	-	-	-	217,153	442,992	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145	
Taylor County		-	-	-	-	-	-	-	-	-	-	161,703	329,875	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	344,578	702,939	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844	
Total		-	-	-	-	-	-	-	-	-	-	723,434	1,475,805	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309	24,447,500
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SUMMARY																							
City of Abilene		-	-	-	-	-	-	-	-	-	-	217,153	442,992	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145	
Taylor County		-	-	-	-	-	-	-	-	-	-	161,703	329,875	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	344,578	702,939	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844	
Total		-	-	-	-	-	-	-	-	-	-	723,434	1,475,805	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309	24,447,500
PARTICIPATION																							
REAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	28,493,995	58,127,749	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607	
City of Abilene		-	-	-	-	-	-	-	-	-	-	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	1,834,598
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SUMMARY																							
City of Abilene		-	-	-	-	-	-	-	-	-	-	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	GROSS
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,834,598
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5,464,554
Total		-	-	-	-	-	-	-	-	-	-	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	1,834,598
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																							
SUMMARY																							
City of Abilene		-	-	-	-	-	-	-	-	-	-	162,865	332,244	513,468	523,737	534,212	544,896	555,794	566,910	578,248	589,813	601,609	GROSS
Taylor County		-	-	-	-	-	-	-	-	-	-	161,703	329,875	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320	5,503,793
Abilene ISD		-	-	-	-	-	-	-	-	-	-	344,578	702,939	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844	5,464,554
Total		-	-	-	-	-	-	-	-	-	-	669,146	1,365,058	2,109,634	2,151,827	2,194,864	2,238,761	2,283,536	2,329,207	2,375,791	2,423,307	2,471,773	11,644,556

PHASE SIX : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
----------------	-------

DISCOUNT RATE	6.00%
---------------	-------

REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE SIX	Final Delivery	AREA SF/UNITS	REAL PROPERTY		BPP		SALES	
			\$ / SF	TAX VALUE	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE
55' LOTS	2036	86	\$ 425,000	\$ 36,550,000		\$ -	\$ -	\$ -
60' LOTS	2036	52	\$ 510,000	\$ 26,520,000				
70' LOTS	2036	11	\$ 595,000	\$ 6,545,000				
100' LOTS	2036	3	\$ 680,000	\$ 2,040,000				
130' LOTS	2036	-	\$ 765,000	\$ -				
TOTAL		152		71,655,000		-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY	PERSONAL PROPERTY	SALES	
City of Abilene	30.0%	\$ 5,932,857	= \$ 5,932,857	+ \$ -	+ \$	-
Taylor County	22.4%	\$ 4,417,919	= \$ 4,417,919	+ \$ -	+ \$	-
Abilene ISD	47.6%	\$ 9,414,255	= \$ 9,414,255	+ \$ -	+ \$	-
	100.0%	\$ 19,765,031	\$ 19,765,031	\$ -	\$	-
		100.0%	100.0%	0.0%		0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY	PERSONAL PROPERTY	SALES	
City of Abilene	100.0%	\$ 1,483,214	= \$ 1,483,214	+ \$ -	+ \$	-
Taylor County	0.0%	\$ -	= \$ -	+ \$ -	+ \$	-
Abilene ISD	0.0%	\$ -	= \$ -	+ \$ -	+ \$	-
	100.0%	\$ 1,483,214	\$ 1,483,214	\$ -	\$	-
		100.0%	100.0%	0.0%		0.0%

NET BENEFIT		TOTAL	REAL PROPERTY	PERSONAL PROPERTY	SALES	
City of Abilene	24.3%	\$ 4,449,643	= \$ 4,449,643	+ \$ -	+ \$	-
Taylor County	24.2%	\$ 4,417,919	= \$ 4,417,919	+ \$ -	+ \$	-
Abilene ISD	51.5%	\$ 9,414,255	= \$ 9,414,255	+ \$ -	+ \$	-
	100.0%	\$ 18,281,817	\$ 18,281,817	\$ -	\$	-
		100.0%	100.0%	0.0%		0.0%

Financial Feasibility Analysis

Calendar Year		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TOTAL TAX REVENUE																						
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
55' LOTS														28	57	86	86	86	86	86	86	86
	86	-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	14,996,959	30,593,797	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448
60' LOTS														17	34	52	52	52	52	52	52	52
	52		510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	10,881,515	22,198,290	34,306,448	34,992,577	35,692,428	36,406,277	37,134,402	37,877,090	38,634,632
70' LOTS														4	7	11	11	11	11	11	11	11
	11		595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	2,685,502	5,478,424	8,466,655	8,635,989	8,808,708	8,984,882	9,164,580	9,347,872	9,534,829
100' LOTS														1	2	3	3	3	3	3	3	3
	3		680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	837,040	1,707,561	2,638,958	2,691,737	2,745,571	2,800,483	2,856,492	2,913,622	2,971,895
130' LOTS														-	-	-	-	-	-	-	-	-
	0		765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SF (CUMMULATIVE UNITS)				-	-	-	-	-	-	-	-	-	-	50	100	152	152	152	152	152	152	152
REAL PROPERTY		TOTAL TAXABLE VALUE	-	-	-	-	-	-	-	-	-	-	-	29,401,015	59,978,071	92,693,383	94,547,251	96,438,196	98,366,960	100,334,299	102,340,985	104,387,805
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	224,065	457,093	706,416	720,545	734,955	749,655	764,648	779,941	795,539
Taylor County			-	-	-	-	-	-	-	-	-	-	-	166,851	340,376	526,035	536,556	547,287	558,232	569,397	580,785	592,401
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	355,546	725,315	1,120,941	1,143,360	1,166,227	1,189,552	1,213,343	1,237,610	1,262,362
Total			-	-	-	-	-	-	-	-	-	-	-	746,462	1,522,783	2,353,392	2,400,460	2,448,469	2,497,439	2,547,388	2,598,335	2,650,302
PERSONAL PROPERTY		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	224,065	457,093	706,416	720,545	734,955	749,655	764,648	779,941	795,539
Taylor County			-	-	-	-	-	-	-	-	-	-	-	166,851	340,376	526,035	536,556	547,287	558,232	569,397	580,785	592,401
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	355,546	725,315	1,120,941	1,143,360	1,166,227	1,189,552	1,213,343	1,237,610	1,262,362
Total			-	-	-	-	-	-	-	-	-	-	-	746,462	1,522,783	2,353,392	2,400,460	2,448,469	2,497,439	2,547,388	2,598,335	2,650,302
PARTICIPATION																						
REAL PROPERTY		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	29,401,015	59,978,071	92,693,383	94,547,251	96,438,196	98,366,960	100,334,299	102,340,985	104,387,805
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	56,016	114,273	176,604	180,136	183,739	187,414	191,162	194,985	198,885
Taylor County			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	56,016	114,273	176,604	180,136	183,739	187,414	191,162	194,985	198,885
PERSONAL PROPERTY		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	56,016	114,273	176,604	180,136	183,739	187,414	191,162	194,985	198,885
Taylor County			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	56,016	114,273	176,604	180,136	183,739	187,414	191,162	194,985	198,885
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																						
SUMMARY																						
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	168,049	342,820	529,812	540,408	551,217	562,241	573,486	584,955	596,655
Taylor County			-	-	-	-	-	-	-	-	-	-	-	166,851	340,376	526,035	536,556	547,287	558,232	569,397	580,785	592,401
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	355,546	725,315	1,120,941	1,143,360	1,166,227	1,189,552	1,213,343	1,237,610	1,262,362
Total			-	-	-	-	-	-	-	-	-	-	-	690,446	1,408,510	2,176,788	2,220,324	2,264,730	2,310,025	2,356,226	2,403,350	2,451,417

Financial Feasibility Analysis - Proposed TIRZ Revenue

ESTIMATE OF GENERAL IMPACT OF PROPOSED ZONE PROPERTY VALUES AND TAX REVENUES																										
TAXABLE BASE YEAR GROWTH DISCOUNT RATE				2.00% 6.00%																						
				REAL PROPERTY TAX			BUSINESS PERSONAL PROPERTY TAX			SALES TAX																
City of Abilene				0.7621000	25.0%	0.1905250	City of Abilene				0.7621000	0%	0.0000000	City of Abilene - Regular												
Taylor County				0.5675000	0%	0.0000000	Taylor County				0.5675000	0%	0.0000000	City of Abilene - Property Tax Relief												
Abilene ISD				1.2093000	0%	0.0000000	Abilene ISD				1.2093000	0%	0.0000000	ECOA (0.25%)												
				2.5399000		0.1905250					2.5399000		0.0000000													
TAX YEAR	BASE YEAR	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20					
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	TOTALS				
BASE YEAR																										
	City of Abilene	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565				
	Taylor County	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565				
	Abilene ISD	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565				
TAXABLE VALUE																										
	City of Abilene	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444				
	Taylor County	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444				
	Abilene ISD	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444				
TAXABLE VALUE INCREMENT																										
	City of Abilene		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879				
	Taylor County		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879				
	Abilene ISD		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879				
REVENUE A																										
TAXABLE VALUE GROWTH																										
	City of Abilene		66	134	203	273	344	417	492	568	645	725	805	888	971	1,057	1,144	1,233	1,324	1,417	1,511	1,608	15,826	City of Abilene		
	Taylor County		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		66	134	203	273	344	417	492	568	645	725	805	888	971	1,057	1,144	1,233	1,324	1,417	1,511	1,608	15,826				
REVENUE 1																										
PHASE ONE																										
	REAL PROPERTY TAX	0	16,573,572	58,111,750	89,390,856	91,178,673	93,002,246	94,862,291	96,759,537	98,694,728	100,668,623	102,681,995	104,735,635	106,830,348	108,966,955	111,146,294	113,369,219	115,636,604	117,949,336	120,308,323	122,714,489	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	31,577	110,717	170,312	173,718	177,193	180,736	184,351	188,038	191,799	195,635	199,548	203,539	207,609	211,761	215,997	220,317	224,723	229,217	233,802	3,550,589	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	31,577	110,717	170,312	173,718	177,193	180,736	184,351	188,038	191,799	195,635	199,548	203,539	207,609	211,761	215,997	220,317	224,723	229,217	233,802	3,550,589				
REVENUE 2																										
PHASE TWO																										
	REAL PROPERTY TAX	0	0	0	18,872,205	38,499,298	59,498,914	60,688,893	61,902,671	63,140,724	64,403,539	65,691,609	67,005,441	68,345,550	69,712,461	71,106,711	72,528,845	73,979,422	75,459,010	76,968,190	78,507,554	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	0	0	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577	2,069,694	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	0	0	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577	2,069,694				
REVENUE 3																										
PHASE THREE																										
	REAL PROPERTY TAX	0	0	0	0	0	26,324,047	53,701,055	82,992,539	84,652,390	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	0	0	0	0	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	2,473,744	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	0	0	0	0	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	2,473,744				
REVENUE 4																										
PHASE FOUR																										
	REAL PROPERTY TAX	0	0	0	0	0	0	0	27,387,538	55,870,578	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	0	0	0	0	0	0	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	2,160,499	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	0	0	0	0	0	0	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	2,160,499				
REVENUE 5																										
PHASE FIVE																										
	REAL PROPERTY TAX	0	0	0	0	0	0	0	0	0	28,493,995	58,127,749	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	0	0	0	0	0	0	0	0	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	1,834,598	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	0	0	0	0	0	0	0	0	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	1,834,598				
REVENUE 6																										
PHASE SIX																										
	REAL PROPERTY TAX	0	0	0	0	0	0	0	0																	

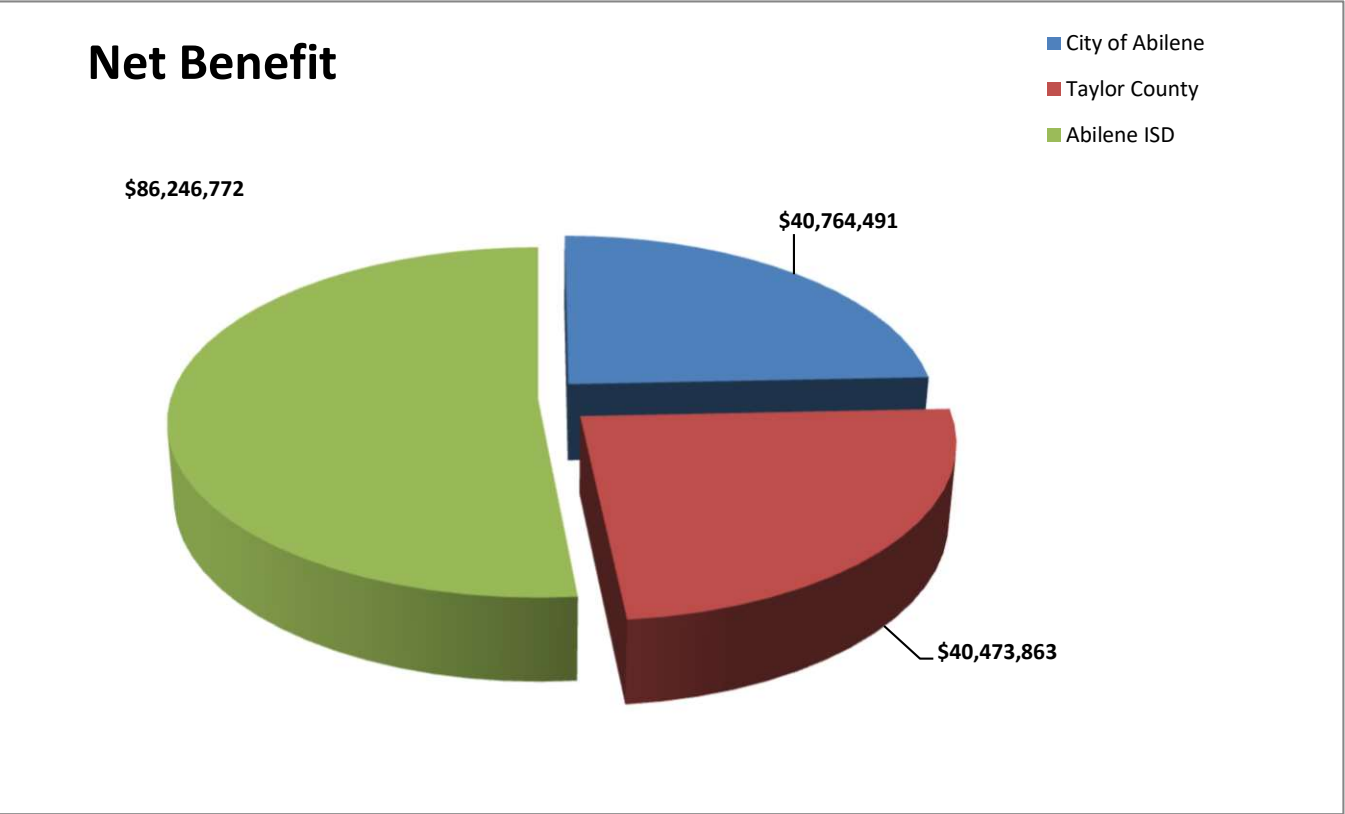
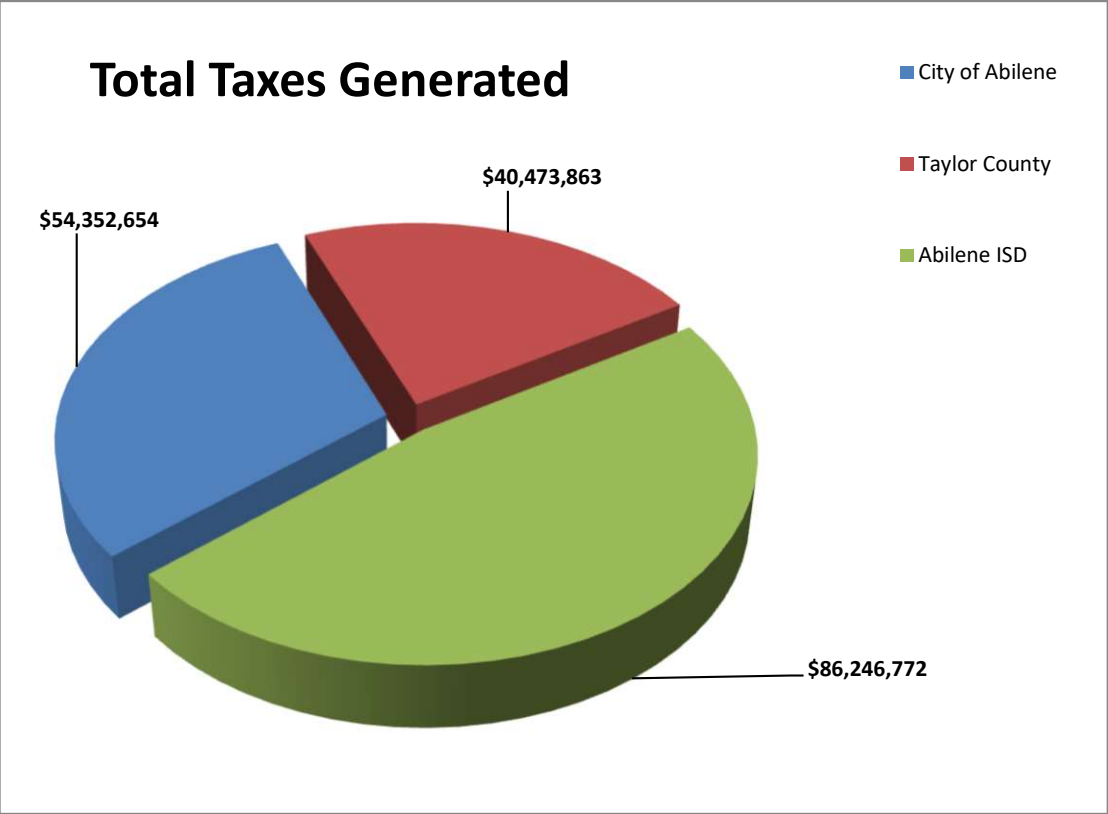
Financial Feasibility Analysis - 100% of Revenue

ESTIMATE OF GENERAL IMPACT OF PROPOSED ZONE PROPERTY VALUES AND TAX REVENUES

TAXABLE BASE YEAR GROWTH		2.00%																							
DISCOUNT RATE		6.00%																							
		REAL PROPERTY TAX				BUSINESS PERSONAL PROPERTY TAX				SALES TAX															
		City of Abilene	0.7621000	100.0%	0.7621000	City of Abilene	0.7621000	100%	0.7621000	0.0100000	100.00%	0.0100000	City of Abilene - Regular												
		Taylor County	0.5675000	100%	0.5675000	Taylor County	0.5675000	100%	0.5675000	0.0050000	100.00%	0.0050000	City of Abilene - Property Tax Relief												
		Abilene ISD	1.2093000	100%	1.2093000	Abilene ISD	1.2093000	100%	1.2093000	0.0050000	100.00%	0.0050000	ECCA (0.25%)												
			2.5389000		2.5389000		2.5389000		2.5389000																
TAX YEAR		BASE YEAR	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20			
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	TOTALS		
BASE YEAR	City of Abilene	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565			
	Taylor County	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565			
	Abilene ISD	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565			
TAXABLE VALUE	City of Abilene	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444			
	Taylor County	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444			
	Abilene ISD	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444			
TAXABLE VALUE INCREMENT	City of Abilene		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879			
	Taylor County		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879			
	Abilene ISD		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879			
REVENUE A																									
TAXABLE VALUE GROWTH	City of Abilene		265	535	810	1,091	1,377	1,670	1,968	2,272	2,582	2,898	3,221	3,550	3,886	4,228	4,577	4,934	5,297	5,668	6,046	6,431	63,304	City of Abilene	
	Taylor County		197	398	603	812	1,026	1,243	1,465	1,692	1,923	2,158	2,398	2,644	2,893	3,148	3,409	3,674	3,944	4,220	4,502	4,789	47,140	Taylor County	
	Abilene ISD		420	848	1,285	1,731	2,186	2,649	3,122	3,605	4,097	4,599	5,111	5,633	6,166	6,709	7,263	7,829	8,405	8,993	9,593	10,205	100,451	Abilene ISD	
			882	1,781	2,699	3,634	4,589	5,562	6,555	7,568	8,602	9,655	10,730	11,827	12,945	14,086	15,249	16,436	17,647	18,881	20,141	21,425	210,895		
REVENUE 1																									
PHASE ONE	REAL PROPERTY TAX		0	16,573,572	58,111,750	89,390,856	91,178,673	93,002,246	94,862,291	96,759,537	98,694,728	100,668,623	102,681,995	104,735,635	106,830,348	108,966,955	111,146,294	113,369,219	115,636,604	117,949,336	120,308,323	122,714,489			
	BUSINESS PERSONAL PROPERTY		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
			0	126,307	442,870	681,248	694,873	708,770	722,946	737,404	752,153	767,196	782,539	798,190	814,154	830,437	847,046	863,987	881,267	898,892	916,870	935,207	14,202,354	City of Abilene	
	City of Abilene		0	94,055	329,784	507,293	517,439	527,788	538,344	549,110	560,093	571,294	582,720	594,375	606,262	618,367	630,755	643,370	656,728	669,362	682,750	696,405	10,575,825	Taylor County	
	Taylor County		0	200,424	702,745	1,081,004	1,102,624	1,124,676	1,147,170	1,170,113	1,193,515	1,217,386	1,241,733	1,266,568	1,291,899	1,317,737	1,344,092	1,370,974	1,398,393	1,426,361	1,454,889	1,483,986	22,536,291	Abilene ISD	
	Abilene ISD		0	420,786	1,475,399	2,269,544	2,314,935	2,361,234	2,408,459	2,456,628	2,505,760	2,555,876	2,606,993	2,659,133	2,712,316	2,766,562	2,821,893	2,878,331	2,935,898	2,994,616	3,054,508	3,115,598	47,314,470		
REVENUE 2																									
PHASE TWO	REAL PROPERTY TAX		0	0	0	18,872,205	38,499,298	59,498,914	60,688,893	61,902,671	63,140,724	64,403,539	65,691,609	67,005,441	68,345,550	69,712,461	71,106,711	72,528,845	73,979,422	75,459,010	76,968,190	78,507,554			
	BUSINESS PERSONAL PROPERTY		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
			0	0	0	143,825	293,403	453,441	462,510	471,760	481,195	490,819	500,636	510,648	520,861	531,279	541,904	552,742	563,797	575,073	586,575	598,306	8,278,776	City of Abilene	
	City of Abilene		0	0	0	107,100	218,484	358,324	344,409	351,298	364,409	372,800	380,256	387,861	395,618	403,531	411,601	419,833	428,230	436,794	445,530	6,164,815	Taylor County		
	Taylor County		0	0	0	228,222	465,572	719,520	733,911	748,589	763,561	778,832	794,409	810,297	826,503	843,033	859,893	877,091	894,633	912,526	930,776	949,392	13,136,759	Abilene ISD	
	Abilene ISD		0	0	0	479,146	977,459	1,510,618	1,540,830	1,571,647	1,603,080	1,635,141	1,667,844	1,701,201	1,735,225	1,769,930	1,805,328	1,841,435	1,878,264	1,915,829	1,954,145	1,993,228	27,580,351		
REVENUE 3																									
PHASE THREE	REAL PROPERTY TAX		0	0	0	0	0	26,324,047	53,701,055	82,992,539	84,652,390	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607			
	BUSINESS PERSONAL PROPERTY		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
			0	0	0	0	0	200,616	409,256	632,486	645,136	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145	9,894,978	City of Abilene	
	City of Abilene		0	0	0	0	0	149,389	304,753	470,983	480,402	490,010	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320	7,368,324	Taylor County		
	Taylor County		0	0	0	0	0	318,337	649,407	1,003,629	1,023,701	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844	15,701,347	Abilene ISD	
	Abilene ISD		0	0	0	0	0	668,341	1,363,416	2,107,098	2,149,240	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309	32,964,648		
REVENUE 4																									
PHASE FOUR	REAL PROPERTY TAX		0	0	0	0	0	0	0	27,387,538	55,870,578	86,345,438	88,072,347	89,833,794	91,630,43										

Revenue Summary

Taxing Jurisdictions	Total Taxes Generated	TIF	Net Benefit
City of Abilene	\$54,352,654	\$13,588,164	\$40,764,491
Taylor County	\$40,473,863	\$0	\$40,473,863
Abilene ISD	\$86,246,772	\$0	\$86,246,772
Total	\$181,073,290	\$13,588,164	\$167,485,126





Projects Cost Estimates:

All project costs listed in the project plan shall be considered estimates and shall not be considered a cap on expenditures.

Length of TIRZ #3 in Years:

The TIRZ has a 20 year term and is scheduled to end on December 31, 2042 (with the final year’s tax increment to be collected by September 1, 2043).

Powers and Duties of Board of Directors:

The Board shall have all powers granted to it by Chapter 311 of the Texas Tax Code, including powers of a municipality under Chapter 380, Local Government Code. The Board shall not be authorized to:

- issue bonds;
- impose taxes or fees;
- exercise the power of eminent domain; or
- give final approval to the Zone’s project and financing plan.

Property ID	Owner	Legal Description	Acres	2022 Taxable Value	
25617	ABILENE CHRISTIAN UNIVERSITY	RAINY CREEK FARMS BLOCK A LOT PT LOT 1	10.55982	\$	1,482,117
10497	ABILENE CHRISTIAN UNIVERSITY	MILK PRODUCERS PLAT BLOCK 1 LOT W381 X 450	4.125057	\$	199,284
10381	ABILENE CHRISTIAN UNIVERSITY	MILK PRODUCERS PLAT BLOCK 1 LOT W69 X 450	0.444636	\$	10,480
77146	ABILENE CHRISTIAN UNIVERSITY	A0668 SUR 38 B A L NE/4 ACRES 148.332	133.332	\$	10,485
22574	ABILENE CHRISTIAN UNIVERSITY	A0633 SUR 39 B A L NW/4 ACRES 35.64	34.28635	\$	4,891
22312	ABILENE CHRISTIAN UNIVERSITY	A0633 SUR 39 B A L NW/4 ACRES 33.20	33.43172	\$	2,811
22450	ABILENE CHRISTIAN UNIVERSITY	A0633 SUR 39 B A L NW/4 ACRES 1.49	1.494175	\$	6,644
25735	ABILENE CHRISTIAN UNIVERSITY	RAINY CREEK FARMS BLOCK A LOT PT LOT 1	72.24172	\$	7,374
61268	ABILENE CHRISTIAN UNIVERSITY	LAUREN ENGINEERING ADDN BLK 1 LOT 1	5.01572	\$	315
58751	ABILENE CHRISTIAN UNIVERSITY	A0798 SUR 38 B A L SW/4 ACRES 23.14	21.5067	\$	2,083
60604	ABILENE CHRISTIAN UNIVERSITY	A0663 SUR 39 B A L SW/4 ACRES 90.38	91.41777	\$	9,019
16273	ABILENE CHRISTIAN UNIVERSITY	A0833 SUR 39 B A L NW/4 ACRES 11.802	12.91394	\$	1,062
		Total	420.77	\$	1,736,565

PUBLIC HEARING NOTICE

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS TO CONSIDER THE ADVISABILITY OF THE CREATION OF REINVESTMENT ZONE NUMBER THREE, CITY OF ABILENE, TEXAS FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311, TEXAS TAX CODE

NOTICE IS HEREBY GIVEN THAT the City Council of the City of Abilene, Texas (the “City”), pursuant to Chapter 311.003 Texas Tax Code, as amended, (the “Act”), will hold a public hearing at **8:30 A.M. on Thursday, November 17, 2022**, at City Hall, 555 Walnut Street, Abilene, Texas for the purpose of considering the establishment of Tax Increment Reinvestment Zone Number Three. The proposed zone is located wholly within the city limits of the City of Abilene, and is generally located west of Jake Roberts Freeway, bound by North 10th Street to the north, and E. Hwy 80 to the south.

All persons are invited to attend the hearing and speak for or against the creation of Tax Increment Reinvestment Zone Number Three, City of Abilene, Texas, the proposed boundaries, or the concept of tax increment financing. Written or oral statements will be considered. The legal description and boundary map of the proposed Reinvestment Zone Number Three, City of Abilene, Texas, are on file and open for public inspection in the office of the City Secretary at City Hall, 555 Walnut Street, Abilene, Texas. Questions or requests for additional information may be directed to David Pettit, David Pettit Economic Development, LLC, dpettit@dpedllc.com; 817-439-9515.

Proposed Tax Increment Reinvestment Zone #3

City of Abilene, Texas

NOVEMBER 2022



DAVID PETTIT
Economic Development

Purpose

- TIRZ Overview
- TIRZ Creation Process
- Proposed TIRZ #3
- Next Steps

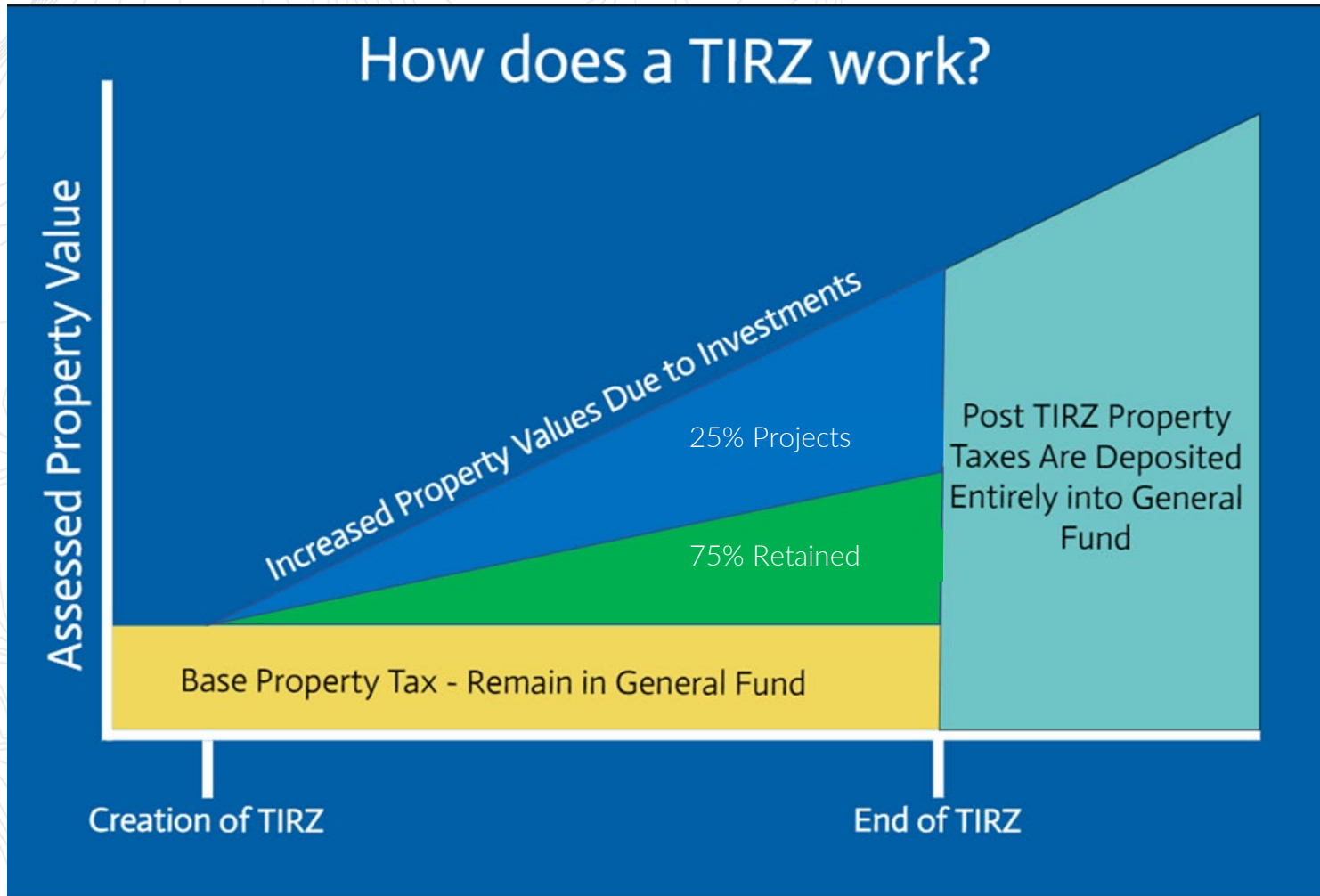
Tax Increment Reinvestment Zones (TIRZ)

- Tax Increment Financing (TIF) is a tool that incentivizes economic development within a Tax Increment Reinvestment Zone (TIRZ)
- Governed by Tax Code, Chapter 311
- Hundreds of TIRZs have been created in the state of Texas
- Cities, alone or in partnership with other taxing units, can use this tool to pay for improvements in a zone so it will attract new development, facilitate investment, and bring excitement and energy to a designated area

Tax Increment Reinvestment Zones (TIRZ)

- Taxing entities contribute ad valorem taxes received from incremental value increases on property within the TIRZ.
- A TIRZ can pay for:
 - infrastructure;
 - public improvements;
 - economic development programs; or
 - other projects benefiting the zone

Tax Increment Reinvestment Zones (TIRZ)



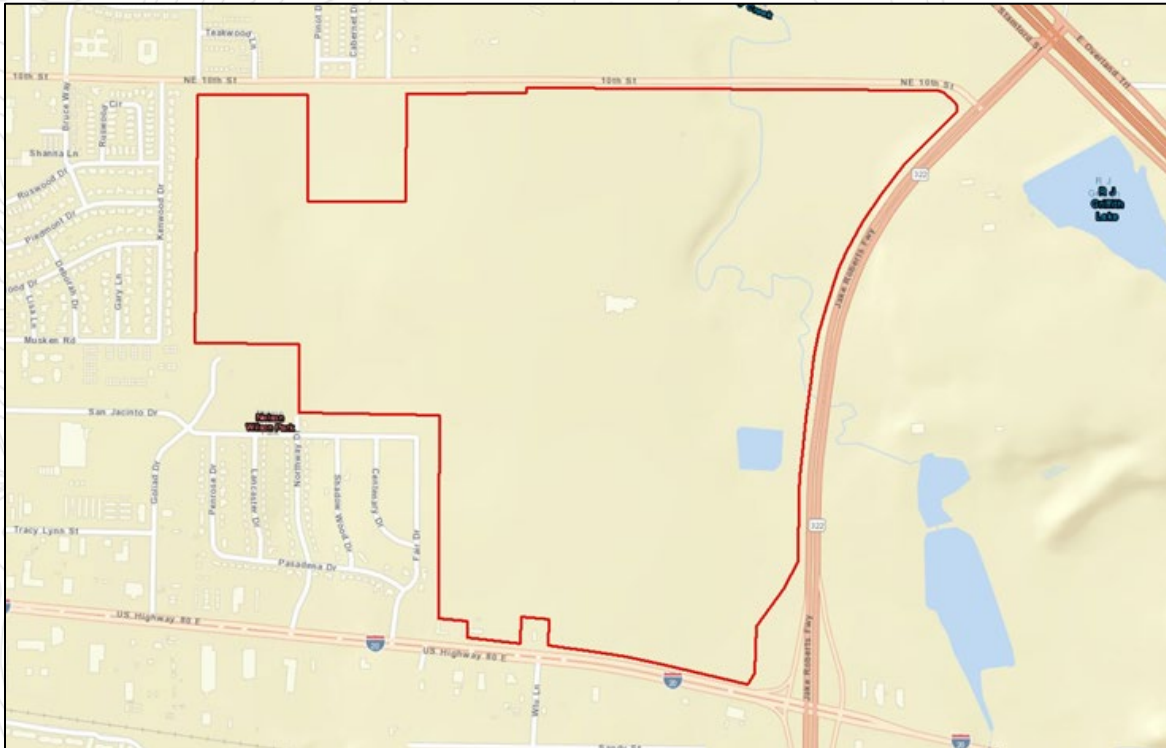
- Taxing entity rates are negotiated and can vary (not identical).

TIRZ Creation Process

- Chapter 311 outlines the various procedures for creating and amending a TIRZ. Two main documents:
 1. Creation ordinance; and
 2. TIRZ Project and Financing Plan
- Creation ordinance establishes five key elements:
 - Boundary;
 - Term;
 - TIRZ Board;
 - City Participation and
 - Preliminary Project and Financing Plan
- Upon TIRZ creation the Final Project and Financing Plan is approved by the TIRZ Board and then the City Council by separate ordinance

TIRZ #3 – Overview

- Approx. 420.77 acres generally located west of Jake Roberts Freeway, bound by North 10th Street to the north, and E. Hwy 80 to the south.
- The purpose of the TIRZ is to encourage private development that will yield additional tax revenue to all taxing jurisdictions.

 - TIRZ Boundary

TIRZ #3 – Proposed Development

- Anticipated 911 single family residential units
- \$436 million in incremental taxable value
- Public improvements to support the development will be made throughout the TIRZ



ACU Trail Ridge – Overall Site Plan

LOT COUNT:		
50' Lots:	86	
55' Lots:	388	
60' Lots:	48	
70' Lots:	294	
100' Lots:	77	
130' Lots:	20	
TOTAL LOTS:		911

TIRZ #3 – Participation Assumptions

- City of Abilene participation at 25% of its real property increment

Real Property Tax		Participation	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.19052500

- 20-year term - December 31, 2042 (with final year's tax to be collected by September 1, 2043)

TIRZ #3 – Revenue Summary

Taxing Jurisdictions	Total Taxes Generated	TIF	Net Benefit
City of Abilene	\$54,352,654	\$13,588,164	\$40,764,491
Taylor County	\$40,473,863	\$0	\$40,473,863
Abilene ISD	\$86,246,772	\$0	\$86,246,772
Total	\$181,073,290	\$13,588,164	\$167,485,126

Proposed Project Costs		
Water Facilities and Improvements	\$ 3,397,041	25.0%
Sanitary Sewer Facilities and Improvements	\$ 3,397,041	25.0%
Storm Water Facilities and Improvements	\$ 3,397,041	25.0%
Street and Intersection Improvements	\$ 1,358,816	10.0%
Open Space, Park and Recreation Facilities and Improvements	\$ 679,408	5.0%
Utilities and Street Lighting	\$ 679,408	5.0%
Economic Development Grants	\$ 543,527	4.0%
Administrative Costs	\$ 135,882	1.0%
	\$ 13,588,164	100.0%

It is anticipated that the individual TIRZ project cost allocations will be evaluated on a case-by-case basis, consistent with the categories listed above, and brought forward to the TIRZ board and City Council for consideration.

Next Steps

- First Reading of Creation Ordinance
 - November 3, 2022
- Public Hearing and Second Reading of Creation Ordinance
 - November 17, 2022
- Appoint TIRZ Board
 - February 9, 2023
- TIRZ Board Meeting Recommending Approval of Final Project and Financing Plan
- Final Project and Financing Plan Adoption – First Reading
- Final Project and Financing Plan Adoption – Second Reading



**City Council
Agenda Memo**

City Council Meeting Date: 11/17/2022

TO: Honorable Mayor and City Council Members

FROM: Stanley Smith, City Attorney

SUBJECT: 13. The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:

GENERAL INFORMATION

The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:

A. 551.071 (Consultation with Attorney)

1. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016
2. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al.; Cause No. 11968-D, In the 350th Judicial District Court, Taylor County, Texas; filed October 11, 2019
3. John Doe v. Robert Hanna, Individually and as City Manager; Cause No. 28078-B; In the 104th Judicial District Court, Taylor County, Texas; filed July 7, 2020
4. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-004598, In the 53rd Judicial District Court, Travis County, Texas; filed September 1, 2020
5. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
6. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-007028, In the 459th Judicial District Court, Travis County, Texas; filed November 18, 2020
7. Alton H. Smith, Jr. and Alicia Malorie Smith v. City of Abilene, Texas; Cause No. 51055-A, In the 42nd Judicial District Court, Taylor County, Texas; filed March 11, 2021
8. Steve Van Horne, et al. v. City of Abilene, et al.; Cause No. 12530-D, In the 350th Judicial District Court, Taylor County, Texas; filed September 7, 2021
9. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-21-006299, In the 250th Judicial District Court, Travis County, Texas; filed October 20, 2021
10. Allstate Fire and Casualty Insurance Company as Subrogee of Del Davis v. City of Abilene; Case No. SC22-11166J11, In the Justice Court, Precinct 1, Place 1, Taylor County, Texas, filed March 30, 2022

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

1. City Council may consider appointment, employment, compensation, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members
2. City of Abilene Boards and Commissions may be discussed, as needed for (re)appointment

E. 551.076 (Deliberations about Security Devices)

F.551.087 (Business Prospect/Economic Development)

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

None