



City of Abilene

Planning and Zoning Commission Agenda

Notice is hereby given of a meeting of the Planning & Zoning Commission of City of Abilene to be held on December 6, 2022, at 1:30 p.m., at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

INVOCATION

MINUTES

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

PLATS

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

2. **9022-FRP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Final Re-plat of Lot 405 and 406, Block A, Five Points Business Park
3. **9722-FP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Final Plat for Southern Meadows Section 5, Addition 1
4. **9822-PP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Preliminary Plat for Roberts Overland Addition
5. **9922-FP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Roberts Overland Addition Lots 1 and 2, Block A

ZONING

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

6. **Z-2022-28:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Buffalo Gap I & E, Represented by Harris Acoustics, to Change the Zoning of Approximately 5.83 Acres ***Located at 888 Ben Richey Drive*** from Agricultural Open (AO) to Heavy Commercial (HC). Legal description being Lot 1, Block A Baacks Subdivision, Abilene in Taylor County, Texas. (**Adam Holland**)
7. **CUP-2022-11:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Hallum, Represented by Art Attack Tattoo, for a Conditional Use Permit of Approximately 0.08 Acres ***Located at 226 Pine Street*** Zoned Central Business (CB) to Allow a Tattoo Parlor as a Permitted Use. Legal Description Being Lot 9, Block 8, Original Town of

Abilene, Abilene in Taylor County, Texas. (Clarissa Ivey)

ADJOURNMENT

Notice

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

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 2nd day of December, 2022, at 4:30 p.m.

*Kaitlin Richardson, Deputy City
Secretary, TRMC*



Planning and Zoning Commission MINUTES

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

Commissioners Present:

Mr. Clint Rosenbaum, Chairman

Mr. Mitch Barnett

Ms. Alex Russell, Sergeant-at-Arms

Mr. Bill Noonan, Secretary

Mr. Brad Benham, Chairman Pro Tem

Ms. Shawnte' Fleming

Commissioners Absent:

Rev. Izlar Lankford

Staff Present:

Mr. Michael Rice, Assistant City Manager

Mr. Tim Littlejohn, Director of Planning and Development Services

Ms. Kelley Messer, First Assistant City Attorney

Mr. Adam Holland, Planner I

Ms. Clarissa Ivey, Planner I

Ms. Melissa Farr, Executive Assistant

Others Present:

Mr. B.J. Prichard

Mr. John Felder

Mr. Andrew Briscoe

Mr. Jim McCathreal

Mr. Darin Wilson

Mr. Connor Hardesty

Ms. Carolyn Presswood

Ms. Nancy Logo

Mr. Jon Loudermilk

Ms. Patricia M. Smith

Mr. Steve Price

Ms. Brianne Chavez

Mr. Colby Turnbough

Mr. Roger Welch

Ms. JoAnn Wilson

Mr. Robert Wood

Mr. Brad Bardin

Ms. Susan Pigeon

Mr. Sean Hanfeld

Ms. Yolanda Galvan

Narsiso Alamilla

Mr. Jimmy Fuentes, Jr.

Mr. Jimmy Carson

Ms. Jennifer Welch

Mr. Cody Clevenger

Mr. Cory Dulin

Mr. Terry Bunkley

Mr. Trey Strong

Mr. Jeffery Sweat

Mikel Hawkins

CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:30 p.m.

INVOCATION

Mr. Benham delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Mr. Rosenbaum opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed. Mr. Benham moved to approve the minutes from the previous meeting, which was held on October 4, 2022. Mr. Noonan seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Benham, Russell, Noonan, Fleming, Rosenbaum

NAYS: None

ZONING

Z-2022-24: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Leticia Leija, Represented By Matthew Muzechenko, To Change The Zoning Of Approximately 5 Acres From Agricultural Open (AO) To Heavy Commercial (HC). Legal Description Being 5 Acres Of The Southeast Quarter Of Survey 32 Blind Asylum Lands, Abilene In Taylor County, Texas.

Ms. Clarissa Ivey presented this item. The applicant is requesting 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.

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

Mr. Rosenbaum opened the public hearing. Mr. Matt Muzechenko spoke in favor as the representative for the seller. YellowHouse Machinery Company intends to build a new 30,000 sq. ft. facility.

Property owners within a 200-foot radius were notified of this request. Two (2) responses were received in favor with none (0) in opposition.

STAFF RECOMMENDATION: Denial of rezoning the site to HC and approval of rezoning the site to the GC district.

Mr. Noonan made the motion to **approve Heavy Commercial (HC) zoning**. Mr. Benham seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Benham, Russell, Noonan, Fleming, Rosenbaum

NAYS: None

Z-2022-25: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Mike And Buffi Awtry, Represented By Matthew Muzechenko, To Change The Zoning Of Approximately 5.27 Acres From Agricultural Open (AO) To Heavy Commercial (HC). Legal Description Being 5 Acres Of The Southeast Quarter Of Survey 32 Blind Asylum Lands, Abilene In Taylor County, Texas.

Ms. Clarissa Ivey presented this request. 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.

Mr. Rosenbaum opened the public hearing. Mr. Matt Muzechenko was available to answer any questions.

Property owners within a 200-foot radius were notified of this request. Two (2) responses were received in favor with none (0) in opposition.

STAFF RECOMMENDATION: Approval

Mr. Benham made the motion to **approve Heavy Commercial (HC) zoning**. Mr. Noonan seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Benham, Noonan, Fleming, Rosenbaum

NAYS: Russell

Z-2022-26: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From West Texas Land Guys, Represented By Sean Hanfeld, To Change The Zoning Of Approximately 187 Acres From Agricultural Open (AO) To Planned Development District 177 (PDD-177) To Allow For Single Family Residential Uses, Multi-Family Uses, And Commercial Uses. Legal Description Being, 110.91 Acres In The John Jarmon Survey 82, And 76 Acres In L Bowerman Survey 83, Abilene In Taylor County, Texas.

Mr. Randy Anderson presented this request. 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).

Mr. Rosenbaum opened the public hearing.

- Mr. Steve Price stated his opposition and concern for elderly neighbors who are low-income residents.
- Mikel Hawkins agreed with his neighbor about the fear of increasing property taxes.
- Cory Dulin spoke as a representative of the developer. He clarified that the proposal is for affordable housing. They are trying to provide a variety of housing, such as a 40-ft. wide homes and townhomes.
- Brad Bardin addressed the current water flow situation and lack of responsive drainage. He requested the Commission take this into consideration and ensure this issue is resolved.
- Nancy Lugo asked about the possibility of installing a traffic light at the intersection of West Lake Road and Neas Road.
- Terry Bunkley also stated the intersection is dangerous.
- Patricia Smith spoke to encourage her neighbors to keep properties tidy and stop parking on the roadways.
- Coty Clevenger spoke to express his concerns of negative consequences for those who currently reside near the proposed development, more specifically, safety and traffic concerns.
- Darin Wilson expressed his desire to live in “the country” and opposition to negative changes.
- Mr. Price spoke again to address the assumed increase of property taxes.
- Mr. Hawkins agreed there is a concern about ambulatory and police responses.

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

Property owners within a 200-foot radius were notified of this request. Three (3) responses were received in favor, with six (6) received in opposition. There was also one (1) received in opposition from Jones County.

STAFF RECOMMENDATION: Approval, subject to the proposed Concept Plan.

Commissioners discussed what they had heard and reminded the audience that their charge was to determine if this request is an appropriate use of zoning.

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

AYES: Barnett, Benham, Noonan, Fleming, Rosenbaum

NAYS: Russell

Z-2022-27: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From John Felder To Change The Zoning Of Approximately 3.02 Acres From Heavy Commercial (HC) To General Retail (GR). Legal Description Being Lot 1, Block 4, Radford Hills, Section 3, Continuation 1, Abilene In Taylor County, Texas.

Mr. Adam Holland presented this request. This property was annexed in 1957 and has been commercially developed as a hotel. The applicant intends to use the property as a hotel and multi-family residential.

Mr. Rosenbaum opened the public hearing. Mr. John Felder, property owner, stated the goal for this request is to restore the property and obtain the appropriate zoning for apartment complexes.

Ms. Susan Pigeon asked for clarification as to exactly what is proposed to be constructed on the property. She said the property is very run down, and she was hoping for general businesses to develop in the area.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor with none (0) in opposition.

STAFF RECOMMENDATION: Approval

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

AYES: Barnett, Benham, Russell, Noonan, Fleming, Rosenbaum

NAYS: None

CUP-2022-09: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From John Felder, To Apply A Conditional Use Permit To Approximately 3.02 Acres To Allow Multi-Family Uses In General Commercial. Legal Description Being Lot 1, Block 4, Radford Hills, Section 3, Continuation 1, Abilene In Taylor County, Texas.

Mr. Adam Holland presented this request. 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.

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

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

STAFF RECOMMENDATION: Approval subject to the submitted site plan.

Ms. Russell made the motion to **approve** this request. Mr. Noonan seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Benham, Russell, Noonan, Fleming, Rosenbaum

NAYS: None

CUP-2022-08: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Alexander Trust Real Estate LLC, Represented By Brianne Chavez, To Apply A Conditional Use Permit To Approximately 0.08 Acres Zoned Central Business (CB) To Allow A Tattoo Parlor As A Permitted Use. Legal Description Being Lot 24, Block 1, Original Town Of Abilene, Abilene In Taylor County, Texas.

Ms. Clarissa Ivey announced this application had been withdrawn.

TC-2022-03: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The City Of Abilene, Represented By Enprotech Hibbs & Todd, To Abandon Simmons Avenue Between Ambler Avenue And University Boulevard Located In The City Of Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. 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. 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.

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

it was discovered that a request to close Vogel Avenue had previously been considered and approved by City Council.

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

Mr. Rosenbaum opened the public hearing. Mr. Andrew Briscoe spoke to represent Hardin Simmons University. He stated the purpose of this request being the need for a new dormitory housing approximately 166 students.

Mr. B.J. Prichard was available to answer any questions. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. Eight (8) responses were received in favor with none (0) in opposition.

STAFF RECOMMENDATION: Approval subject to the submitted site plan.

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

AYES: Barnett, Benham, Russell, Noonan, Fleming, Rosenbaum

NAYS: None

Adjournment

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 3:30 p.m.

APPROVED

Mr. Clint Rosenbaum, Chairman

FIELD NOTES
22.61 ACRES

BEING 22.61 acres and being all of Lot 305, replat of Lots 204 and 205, Block A, Five Points Business Park, City of Abilene, Taylor County, Texas, as shown by plat recorded in Cabinet 4, Slide 157, Plat Records, Taylor County, Texas, said 22.61 acres being more particularly described as follows:

BEGINNING at a 1/2" rebar found on the NBL of Five Points Parkway (60 foot right-of-way), at the southeast corner of said Lot 305 and the southwest corner of Lot 3, Block B, Final Plat of Five Points Business Park, as shown by plat recorded in Cabinet 3, Slide 469, Plat Records, Taylor County, Texas, for the southeast corner of this tract;

THENCE N83°58'46"W 370.77 feet, along the NBL of Five Points Parkway, to an "X" found in concrete at the beginning of a curve to the right;

THENCE along the NBL of Five Points Parkway said curve, having a radius of 470.0 feet, an arc length of 356.24 feet and a long chord bearing and distance of N62°16'41"W 347.77 feet to a 1/2" rebar found at the end of this curve to the right;

THENCE N40°28'52"W 226.17 feet, along the NBL of Five Points Parkway, to a 1/2" rebar found at the beginning of a curve to the left;

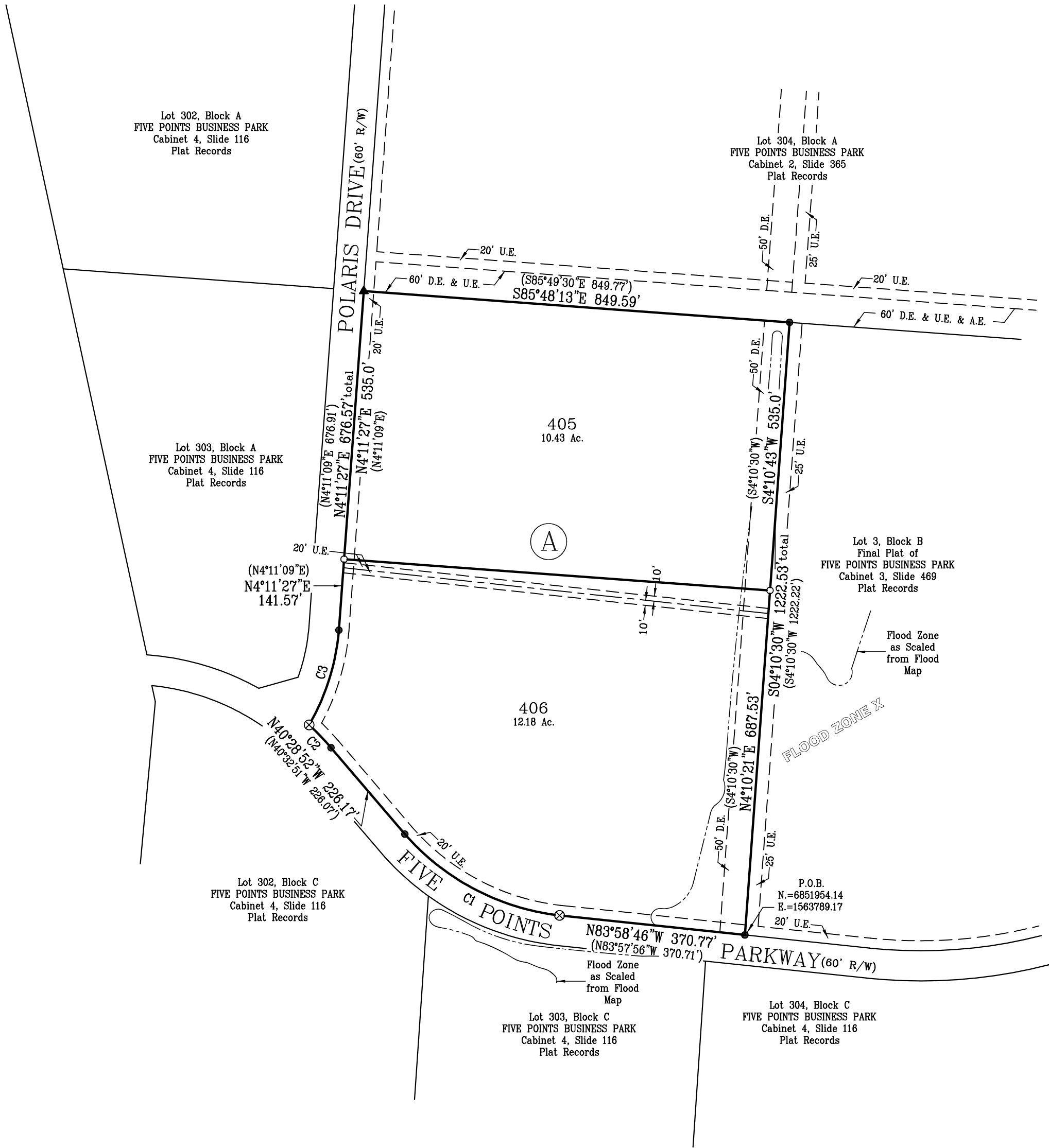
THENCE along the NBL of Five Points Parkway and said curve, having a radius of 530.0 feet, an arc length of 62.94 feet and a long chord bearing and distance of N43°52'50"W 62.90 feet to an "X" found in concrete at the southwest corner of said Lot 305 on the EBL of Polaris Drive (60 foot right-of-way) at the end of this curve to the left and the beginning of another curve to the left, for the southwest corner of this tract;

THENCE along the EBL of Polaris Drive and said curve, having a radius of 430.0 feet, an arc length of 199.53 feet and a long chord bearing and distance of N17°26'22"E 197.74 feet to a 1/2" rebar found at the end of this curve to the left;

THENCE N4°11'27"E 676.57 feet, along the EBL of Polaris Drive, to a 60-d nail found at the northwest corner of said Lot 305 and the southwest corner of Lot 304, Block A, Five Points Business Park, as shown by plat recorded in Cabinet 2, Slide 365, Plat Records, Taylor County, Texas, for the northwest corner of this tract;

THENCE S85°48'13"E 849.59 feet to a 1/2" rebar found at the northeast corner of said Lot 3905 and the northwest corner of said Lot 3 for the northeast corner of this tract;

THENCE S04°10'30"W 1222.53 feet, along the EBL of said Lot 305 and the WBL of said Lot 3, to the place of beginning and containing 22.61 acres of land.



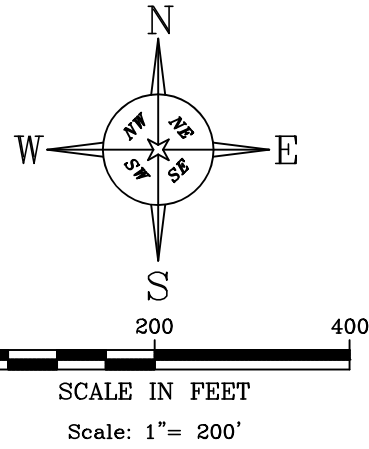
Lots 405 and 406
a Replat of Lot 305, Block A,
FIVE POINTS BUSINESS PARK,
City of Abilene, Taylor County, Texas.

Owner: Development Corp. of Abilene
174 Cypress Street Suite No. 301
Abilene, Texas 79601
325 676-6390

GEOTEX PROPERTY SOLUTIONS
209 s. Pioneer Drive, Suite 2
Abilene, Texas 79605
325-677-6712

Firm Registration No. 10194134

51-72-22 Z:\auto cad\SUBDIVISIONS\6558 Five Points Parkway\6558 Five Points Final



NOTE: BEARINGS SHOWN HEREON ARE BASED ON GEODETIC NORTH, DETERMINED BY G.P.S. OBSERVATIONS.

NOTE: BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.

NOTE: THIS PROPERTY LIES PARTLY WITHIN FLOOD ZONE X, AREAS OF MINIMAL FLOODING, ACCORDING TO FEMA FLOOD MAP NO'S. 48441C0204F AND 48441C0208F, BOTH HAVING AN EFFECTIVE DATE OF 1/6/2012.

NOTE: THIS PROPERTY LIES ENTIRELY WITHIN THE ABILENE CITY LIMITS.

Legend

- ⊗ = Found "X" in Concrete
- = Found 1/2" rebar
- ▲ = Found 60 d Nail
- = Set 3/8" rebar
- △ = Lamp Post
- () = Recorded Call
- R/W = Right of Way
- D.E. = Drainage Easement
- U.E. = Utility Easement
- A.E. = Access Easement

PLANNING & ZONING COMMISSION

THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS, AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT CODE CHAPTER 212, SUBCHAPTER A, AS AMENDED.

DATE _____ CHAIRMAN _____

ATTEST _____ SECRETARY _____

DATE _____ PLANNING DIRECTOR _____

DIRECTOR OF PUBLIC WORKS

THE DEDICATION FILED IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS.

DATE _____ DIRECTOR OF PUBLIC WORKS _____

PLANNING DIRECTOR

FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.

DATE _____ FILE NUMBER _____

PLANNING DIRECTOR _____

FEES _____

COUNTY CLERK

I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON _____

DATE _____ FILE NUMBER _____

COUNTY CLERK _____ COUNTY TEXAS _____

DEPUTY _____

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED OWNER(S) OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAS CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS, AND ALLEYS UNDER THE NAME OF _____

Lots 405 and 406
a Replat of Lot 305, Block A,
FIVE POINTS BUSINESS PARK,
City of Abilene, Taylor County, Texas.

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

"SEE FIELD NOTES SHOWN HEREON"

EXECUTED THIS _____ DAY OF _____, 20 _____

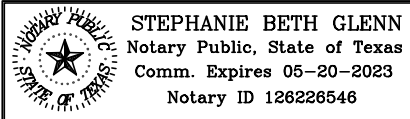
OWNER _____ OWNER _____
OWNER _____ OWNER _____

ACKNOWLEDGMENT

THE STATE OF TEXAS:
COUNTY OF TAYLOR:

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED _____

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____ A.D. 2022



NOTARY PUBLIC _____ COUNTY TEXAS _____

GENERAL NOTES

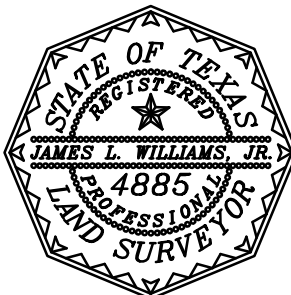
ACREAGE 22.61 acres
SCALE 1" = 200' SMALLEST LOT 10.43 acres LARGEST LOT 12.18 acres

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

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

PLAT DESCRIPTION :

Lots 405 and 406
a Replat of Lot 305, Block A,
FIVE POINTS BUSINESS PARK,
City of Abilene, Taylor County, Texas.



November 28, 2022
DATE _____

PLAT PREPARATION DATE: November 28, 2022

SIGNATURE _____

James L. Williams, Jr. R.P.L.S. #4885
REGISTERED PROFESSIONAL LAND SURVEYOR

LINE TABLE		
LINE NO.	LENGTH	BEARING
L1	179.82'	S1°08'14"W
L2	24.69'	S88°51'46"E
L3	24.30'	N88°52'03"W
L4	170.00'	S1°07'57"W
L5	170.00'	N1°07'57"E
L6	28.30'	S88°52'03"E
L7	18.69'	N88°51'46"W
L8	179.82'	N1°08'14"E

BLOCK H		
LOT AREA TABLE		
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)
20	8,400	0.193
21	8,400	0.193
22	9,600	0.220
23	8,400	0.193

BLOCK I		
LOT AREA TABLE		
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)
7	8,387	0.193
8	8,387	0.193
9	8,387	0.193
10	8,387	0.193

BLOCK L		
LOT AREA TABLE		
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)
1	9,422	0.216
2	8,618	0.198
3	8,618	0.198
4	8,618	0.198
5	9,440	0.217

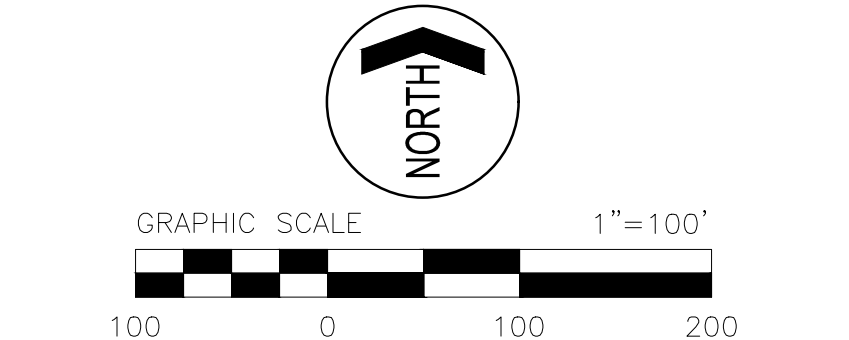
BLOCK K		
LOT AREA TABLE		
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)
6	9,440	0.217
7	8,599	0.197
8	8,617	0.198
9	8,635	0.198
10	9,422	0.216

BASIS OF BEARINGS:
BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83 AND GPS OBSERVATIONS. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF THE TRACT WHICH IS 1.000142485.

FINISHED FLOOR ELEVATION:
ALL FINISHED FLOOR ELEVATIONS SHALL BE 18" MINIMUM ABOVE THE HIGHEST ADJACENT STREET CURB AND 12" MINIMUM ABOVE THE HIGHEST ADJACENT GROUND ELEVATION.

PLAT NOTES:
1. AREA OF SUBDIVISION = 4.776 ACRES.
2. AREA OF ALL PUBLIC R.O.W. DEDICATIONS = 1.154 ACRES.
3. BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
4. MONUMENTATION: A 1/2" REBAR ROD WITH CAP MARKED "J&M BOUNDARY" IS SET AT EACH SUBDIVISION CORNER, LOT CORNER, AND AT EACH P.C., P.T. AND P.I. IN THE PROPOSED STREET RIGHT-OF-WAY LINES SHOWN.
5. NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NOS. 49441-C-0331-F EFFECTIVE JANUARY 6, 2012.
6. NO LAND WITHIN THIS SUBDIVISION WILL BE DEDICATED FOR PARKS, OPEN SPACE OR FLOODWAY.
7. THIS SUBDIVISION IS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE CITY OF ABILENE, TEXAS.

A FINAL PLAT OF
SOUTHERN MEADOWS, SECTION 5,
ADDITION 1
BEING 4.776 ACRES OUT OF THE
M. TALBOT SURVEY NO. 102,
ABSTRACT NO. 318,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS



LEGEND

- SUBDIVISION BOUNDARY
- ADJACENT PROPERTY
- PROPOSED LOT LINES
- PROP. UTILITY EASEMENTS
- EXIST. UTILITY EASEMENTS
- PROP. STREET R.O.W.
- EXIST. STREET R.O.W.

● SET 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"

✕ SET MAGNAIL WITH METAL WASHER

● FOUND 1/2 INCH REBAR ROD WITH PLASTIC CAP (UNLESS OTHERWISE NOTED)

U.E. = UTILITY EASEMENTS
S.E. = SEWER EASEMENTS
S.L.E. = STREET LIGHT EASEMENTS
P.R. = PLAT RECORDS, TAYLOR CO., TX.
D.R. = DEED RECORDS, TAYLOR CO., TX.
O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR CO., TEXAS
P.C.P. = PRIMARY CONTROL POINT

METES & BOUNDS DESCRIPTION:

BEING: a 4.776 acre tract of land out of the M. Talbot Survey No. 102, Abstract No. 318, City of Abilene, Taylor County, Texas, and said 4.776 acre tract being out of a tract called to be 666.30 feet wide (east-west) which has a calculated area of 11.152 acres and is out of a 55.574 acre tract, both described in a certain General Warranty Deed to Permian Real Estate, Inc. recorded in Volume 3023, Page 848, Official Public Records, Taylor County, Texas. Said 4.776 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a found 1/2 inch rebar rod with a plastic cap marked "J&M BOUNDARY" (N-68°18'14"W, E-1568'411.12') (any found 1/2 inch rebar rod with cap marked "J&M BOUNDARY" will hereafter be referred to as a FOUND REBAR) located in the common north line of said 11.152 acre tract and said 55.574 acre tract, same being the south line of a 217.08 acre tract to Red Dirt Holdings, LLC, recorded in Instrument No. 2015-8414, Official Public Records, Taylor County, Texas, and further, said point of beginning is the northeast corner of this described tract and the northwest corner of the Southern Meadows Addition, Section 5 per plat thereof recorded in Cabinet 4, Slide 587, Plat Records, Taylor County, Texas, and from said point of beginning the northwest corner of said 11.152 acre tract is calculated to bear N88°51'47"W 458.91 feet, and a found 1/2 inch rebar rod for the northwest corner of said 55.574 acre tract bears N88°51'47"W 1129.40 feet, and from said 1/2 inch rebar rod found for said northwest corner of said 55.574 acre tract a 1/2 inch rebar rod found for the northwest corner of said M. Talbot Survey No. 102 bears N88°52'03"W 831.66 feet;

THENCE along the east line of this described tract and the west line of said Southern Meadows Addition, Section 5, the following bearings and distances:

- S01°08'14"W a distance of 179.82 feet to a FOUND REBAR;
- S88°51'46"E a distance of 24.69 feet to a FOUND REBAR;
- S01°07'57"W a distance of 378.92 feet to a FOUND REBAR;
- N88°52'03"W a distance of 24.30 feet to a FOUND REBAR;
- S01°07'57"W a distance of 170.00 feet to a FOUND REBAR being the southeast corner of this described tract and the southwest corner of said Southern Meadows Addition, Section 5, and located in the common south line of said 11.152 acre tract and said 55.574 acre tract, same being north line of the Mystic Meadows Addition to the City of Abilene per plat of said addition recorded in Cabinet 2, Slide 92A, Plat Records, Taylor County, Texas, and said line also being the north right-of-way line of a 10-foot wide alley as shown in said plat of Mystic Meadows Addition;

THENCE S88°52'03"W 290.00 feet along the south line of this described tract, the common south line of said 11.152 acre tract and said 55.764 acre tract and the north line of said Mystic Meadows Addition, to a set 1/2 inch rebar rod with cap marked "J&M BOUNDARY" (any set 1/2 inch rebar rod with cap marked "J&M BOUNDARY" will hereafter be referred to as a SET REBAR) for the southwest corner of this described tract, and from which a found 3/8 inch rebar rod for the southwest corner of said 55.764 acre tract bears N88°52'03"W 831.66 feet;

THENCE along the west line of this described tract, over and across said 11.152 acre tract the following bearings and distances:

- N01°07'57"E a distance of 170.00 feet to a SET REBAR;
- S88°52'03"E a distance of 28.30 feet to a SET REBAR;
- N01°07'57"E a distance of 378.95 feet to a SET REBAR;
- N88°51'46"W a distance of 18.69 feet to a SET REBAR;
- N01°08'14"E a distance of 179.82 feet to a SET REBAR for the northwest corner of this described tract, and located in said common north line of said 11.152 acre tract and said 55.764 acre tract, and in the south line of said Red Dirt Holdings, LLC tract;

THENCE S88°51'47"E along the north line of this described tract and said common north line of said 11.152 acre tract and said 55.764 acre tract and the south line of said Red Dirt Holdings, LLC tract, a distance of 280.00 feet to the **POINT OF BEGINNING** and containing 4.776 acres of land.

DEVELOPER/SUBDIVIDER:
PERMIAN REAL ESTATE, INC
P.O. BOX 7018
ABILENE, TEXAS 79608
325-668-6449

PLANNING COMMISSION THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT CODE CHAPTER 212, SUBCHAPTER A, AS AMENDED.	PLANNING DIRECTOR FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.
DATE _____ CHAIRMAN _____ ATTEST _____ SECRETARY _____	DATE _____ FILE NUMBER _____ PLANNING DIRECTOR _____ FEES _____
DATE _____ PLANNING DIRECTOR _____	DIRECTOR OF PUBLIC WORKS _____ DATE _____ DIRECTOR OF PUBLIC WORKS _____

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED MANAGER OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAS CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS AND ALLEYS UNDER THE NAME OF _____

A FINAL PLAT OF
SOUTHERN MEADOWS, SECTION 5,
ADDITION 1
BEING 4.776 ACRES OUT OF THE
M. TALBOT SURVEY NO. 102
ABSTRACT NO. 318,
CITY OF ABILENE
TAYLOR COUNTY, TEXAS

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

EXECUTED THIS _____ DAY OF _____ DECEMBER _____ A.D. 2022

TAMMY WORLEY
PERMIAN REAL ESTATE, INC

ACKNOWLEDGEMENT

THE STATE OF TEXAS:
COUNTY OF TAYLOR:

BEFORE ME, _____ THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED

TAMMY WORLEY

KNOWN TO ME TO BE THE PERSON AND MANAGER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID

PERMIAN REAL ESTATE, INC

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ DECEMBER _____ A.D. 2022

TAYLOR
COUNTY TEXAS

GENERAL NOTES

ACREAGE: 4.776 ACRES

SCALE: 1"=100' SMALLEST LOT: 0.193 ACRES LARGEST LOT: 0.220 ACRES

LOT WIDTH: MIN 70.00' MAX 80.00' LOT DEPTH: MIN 118.00' MAX 120.00'

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

CERTIFICATION

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

A FINAL PLAT OF
SOUTHERN MEADOWS, SECTION 5,
ADDITION 1
BEING 4.776 ACRES OUT OF THE
M. TALBOT SURVEY NO. 102
ABSTRACT NO. 318,
CITY OF ABILENE
TAYLOR COUNTY, TEXAS

PLAT DESCRIPTION:

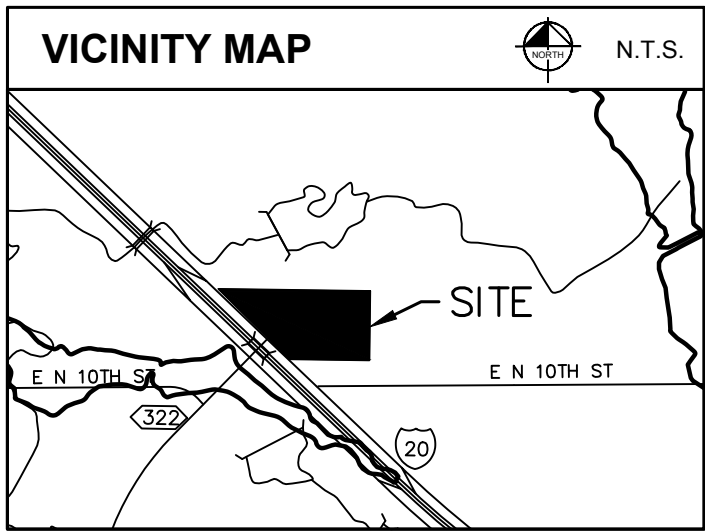
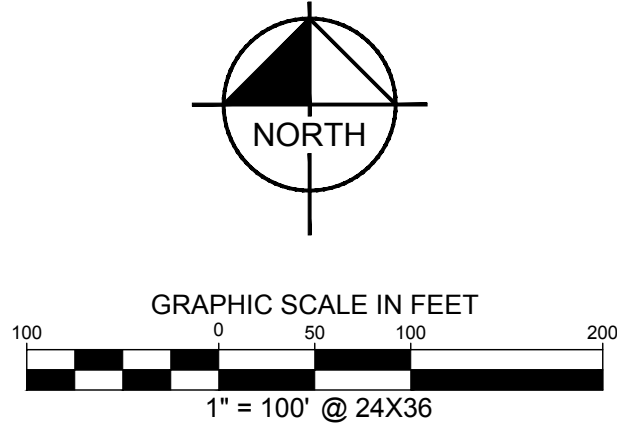
SIGNATURE
MARK T. BROWN
(PRINT)
REGISTERED PROFESSIONAL LAND SURVEYOR
DECEMBER, 2022
DATE

JACOB MARTIN

3465 CURRY LANE
ABILENE, TX 79606
325-695-1070

1508 SANTA FE DR, STE 204
WEATHERFORD, TX 76086
817-594-9880

TBPLS FIRM# 10194493



LINE TYPE LEGEND	
	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
	WATER LINE
	SANITARY SEWER LINE
	STORM SEWER LINE
	UNDERGROUND GAS LINE
	OVERHEAD UTILITY LINE
	UNDERGROUND ELECTRIC LINE
	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT

LEGEND

P.O.B. = POINT OF BEGINNING

IRF = IRON ROD FOUND

IRFC = IRON W/ CAP ROD FOUND

IRSC = IRON ROD W/ "KHA" CAP SET

CMF = CONCRETE MONUMENT FOUND

- NOTES:
- This plat is within the City of Abilene's City Limits.
 - The bearing system for this survey is based on the Texas Coordinate System of 1983 (2011), North Central Zone 4202, with an applied combined scale factor of 1.00012.

DESCRIPTION OF PROPERTY SURVEYED:

BEING an 871,049 square foot (19.9965 acre) tract of land situated in Section 32, Blind Asylum Lands, Taylor County, Texas, and being all of a called 20.00 acre tract of land described in the Warranty Deed with Vendor's Lien to N2 Development, LLC, recorded in Instrument No. 201901972, Official Public Records, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the northeast corner of the said called 20.00 acre tract, and being the southeast corner of a called 217.31 acre tract of land described in the Warranty Deed to Janell Griffith Ward, recorded in Volume 2737, Page 69, Deed Records Taylor County, Texas;

THENCE South 0°36'27" West, along the east line of the said called 20.00 acre tract, a distance of 721.80 feet to a 1/2-inch iron rod found for the southeast corner of the said called 20.00 acre tract, and being the northeast corner of a called 4.040 acre tract described in the General Warranty Deed to Fareed Hassen and Nasser Saab, recorded in Instrument No. 200902637, said Official Public Records, from which a 3/8-inch iron rod found for the northeast corner of Lot 1, Block A, Continuation of Duck Subdivision, an addition to the City of Abilene, Taylor County, Texas, recorded in Cabinet 3, Slide 439, Plat Records, Taylor County, Texas, bears South 0°36'27" West, a distance of 249.95 feet;

THENCE North 89°12'15" West, along the north line of the said called 4.040 acre tract, a distance of 833.01 feet to a 1/2-inch iron rod found for the southwest corner of the said 20.00 acre tract, and being the northwest corner of the said called 4.040 acre tract, and being in the northeast right-of-way line of Interstate Highway No. 20;

THENCE North 45°16'37" West, along the said northeast right-of-way line, a distance of 1040.81 feet to a 1/2-inch iron rod found for the northwest corner of the said called 20.00 acre tract;

THENCE South 89°11'42" East, departing the said northeast right-of-way line, and along the north line of the said called 20.00 acre tract, a distance of 1580.25 feet to the **POINT OF BEGINNING** and containing 871,049 square feet or 19.9965 acres of land, more or less.

FLOOD STATEMENT:

According to Community Panel No. 48441C0235F, dated January 6, 2012 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Taylor County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, a portion of this property is within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

SURVEYOR'S CERTIFICATION

That I, Joshua D. Wargo, do hereby certify that the plat submitted herewith represents a true survey made by the undersigned or under my supervision on the ground on that permanent markers have been set as indicated on the plat and in accordance with the "Subdivision Regulations" of the City of Abilene.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

Joshua D. Wargo
Registered Professional Land
Surveyor No. 6391

Date

PRELIMINARY
THIS DOCUMENT SHALL
NOT BE RECORDED FOR
ANY PURPOSE AND
SHALL NOT BE USED OR
VIEWED OR RELIED
UPON AS A FINAL
SURVEY DOCUMENT

OWNER:
N2 DEVELOPMENT, LLC
2709 SOUTH 38TH STREET
ABILENE, TEXAS 79605

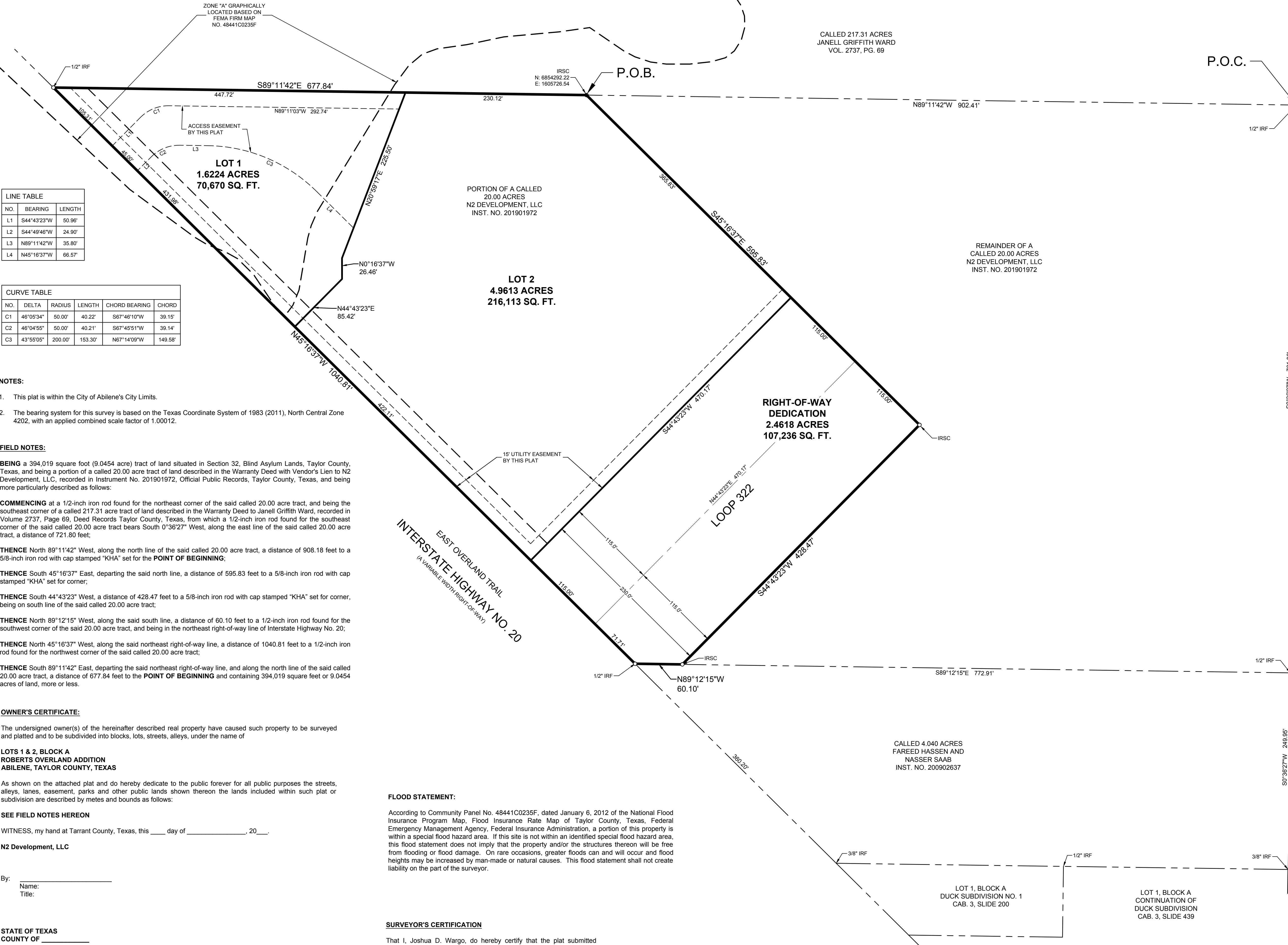
SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
801 CHERRY STREET, UNIT 11, SUITE 1300
FORT WORTH, TEXAS 76102
PHONE: 817-962-2193
CONTACT: JOSH WARGO, R.P.L.S.

PRELIMINARY PLAT
19.9965 ACRES
LOTS 1-3, BLOCK A, AND LOT 1, BLOCK B
ROBERTS OVERLAND ADDITION
SECTION 32, BLIND ASYLUM LANDS
CITY OF ABILENE
TAYLOR COUNTY, TEXAS

Kimley»Horn

801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102
FIRM # 10194040
Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	DMD	JDW	11/29/2022	068721436	1 OF 1



LINE TABLE		
NO.	BEARING	LENGTH
L1	S44°43'23"W	50.96'
L2	S44°49'46"W	24.90'
L3	N89°11'42"W	35.80'
L4	N45°16'37"W	66.57'

CURVE TABLE				
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING
C1	46°05'34"	50.00'	40.22'	S67°46'10"W 39.15'
C2	46°04'55"	50.00'	40.21'	S67°45'51"W 39.14'
C3	43°55'05"	200.00'	153.30'	N67°14'09"W 149.58'

- NOTES:**
- This plat is within the City of Abilene's City Limits.
 - The bearing system for this survey is based on the Texas Coordinate System of 1983 (2011), North Central Zone 4202, with an applied combined scale factor of 1.00012.

FIELD NOTES:

BEING a 394,019 square foot (9.0454 acre) tract of land situated in Section 32, Blind Asylum Lands, Taylor County, Texas, and being a portion of a called 20.00 acre tract of land described in the Warranty Deed with Vendor's Lien to N2 Development, LLC, recorded in Instrument No. 201901972, Official Public Records, Taylor County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod found for the northeast corner of the said called 20.00 acre tract, and being the southeast corner of a called 217.31 acre tract of land described in the Warranty Deed with Vendor's Lien to N2 Development, LLC, recorded in Instrument No. 201901972, Official Public Records, Taylor County, Texas, and being more particularly described as follows:

THENCE North 89°11'42" West, along the north line of the said called 20.00 acre tract, a distance of 908.18 feet to a 5/8-inch iron rod with cap stamped "KHA" set for the **POINT OF BEGINNING**;

THENCE South 45°16'37" East, departing the said north line, a distance of 595.83 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner;

THENCE South 44°43'23" West, a distance of 428.47 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner, being on south line of the said called 20.00 acre tract;

THENCE North 89°12'15" West, along the said south line, a distance of 60.10 feet to a 1/2-inch iron rod found for the southwest corner of the said 20.00 acre tract, and being in the northeast right-of-way line of Interstate Highway No. 20;

THENCE North 45°16'37" West, along the said northeast right-of-way line, a distance of 1040.81 feet to a 1/2-inch iron rod found for the northwest corner of the said called 20.00 acre tract;

THENCE South 89°11'42" East, departing the said northeast right-of-way line, and along the north line of the said called 20.00 acre tract, a distance of 677.84 feet to the **POINT OF BEGINNING** and containing 394,019 square feet or 9.0454 acres of land, more or less.

OWNER'S CERTIFICATE:

The undersigned owner(s) of the hereinafter described real property have caused such property to be surveyed and platted and to be subdivided into blocks, lots, streets, alleys, under the name of

**LOTS 1 & 2, BLOCK A
ROBERTS OVERLAND ADDITION
ABILENE, TAYLOR COUNTY, TEXAS**

As shown on the attached plat and do hereby dedicate to the public forever for all public purposes the streets, alleys, lanes, easement, parks and other public lands shown thereon the lands included within such plat or subdivision are described by metes and bounds as follows:

SEE FIELD NOTES HEREON

WITNESS, my hand at Tarrant County, Texas, this ____ day of _____, 20__.

N2 Development, LLC

By: _____
Name: _____
Title: _____

**STATE OF TEXAS
COUNTY OF _____**

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as a duly authorized officer for such corporation, for the purposes and considerations therein expressed, and in the capacity herein stated.

Given under my hand and seal of office, this ____ day of _____, 20__.

NOTARY PUBLIC in and for the State of Texas

My commission expires _____

FLOOD STATEMENT:

According to Community Panel No. 48441C0235F, dated January 6, 2012 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Taylor County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, a portion of this property is within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

SURVEYOR'S CERTIFICATION

That I, Joshua D. Wargo, do hereby certify that the plat submitted herewith represents a true survey made by the undersigned or under my supervision on the ground on that permanent markers have been set as indicated on the plat and in accordance with the "Subdivision Regulations" of the City of Abilene.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

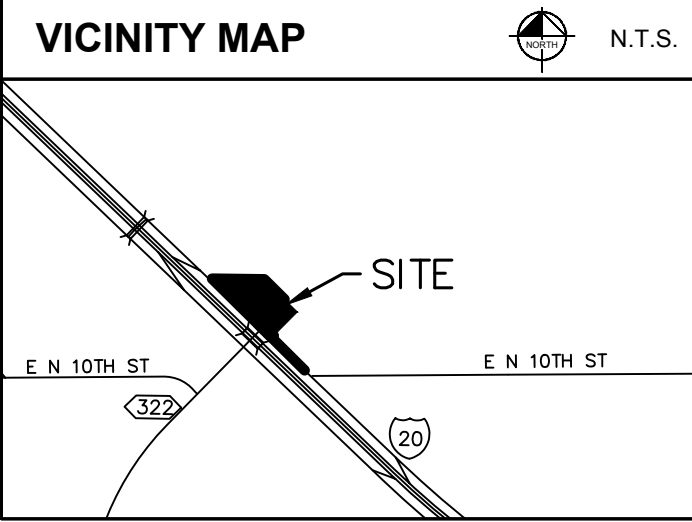
Joshua D. Wargo
Registered Professional Land
Surveyor No. 6391

Date _____

PRELIMINARY
THIS DOCUMENT SHALL
NOT BE RECORDED FOR
ANY PURPOSE AND
SHALL NOT BE USED OR
VIEWED OR RELIED
UPON AS A FINAL
SURVEY DOCUMENT

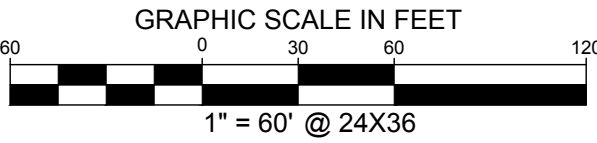
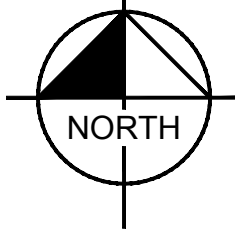
OWNER:
N2 DEVELOPMENT, LLC
2709 SOUTH 38TH STREET
ABILENE, TEXAS 79605

SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
801 CHERRY STREET, UNIT 11, SUITE 1300
FORT WORTH, TEXAS 76102
PHONE: 817-962-2193
CONTACT: JOSH WARGO, R.P.L.S.



LEGEND

P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRF = IRON ROD FOUND
IRFC = IRON W/ CAP ROD FOUND
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET



COUNTY CLERK

I certify the subdivision plat described herein was file for record on

Date _____ File Number _____

County Clerk, Taylor County, Texas

Deputy

PLANNING DIRECTOR

Filed with Planning Director, City of Abilene, Texas.

Date _____ File Number _____

Planning Director

Fees

DIRECTOR OF PUBLIC WORKS

The dedication filed, in connection with this plat is hereby approved and all streets, alleys, and public areas shown hereon are hereby accepted on behalf of the Public by the Director of Public Works of the City of Abilene, Texas.

Date _____ Director of Public Works

PLANNING COMMISSION

This plat is hereby approved by the City Planning Commission of the City of Abilene, Texas, and the County Clerk is hereby authorized to file said plat in accordance with the provisions of Article 974A, Vernon's Annotated Civil Statutes, and Article 927B Penal Code of Texas, as amended.

Date _____ Chairman

Attest: _____ Secretary

Date _____ Planning Director

**FINAL PLAT
9.0454 ACRES
LOTS 1 & 2, BLOCK A
ROBERTS OVERLAND ADDITION
SECTION 32, BLIND ASYLUM LANDS
CITY OF ABILENE
TAYLOR COUNTY, TEXAS**

Kimley»Horn

801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102
FIRM # 10194040
Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	DMD	JDW	11/29/2022	068721436	1 OF 1

ZONING CASE Z-2022-28

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: December 6, 2022

City Council 1st Reading: December 15, 2022

City Council 2nd Reading: January 12, 2023

Applicant

Owner: Buffalo Gap I&E

Agent: Harris Acoustics

Case Manager

Adam Holland – Planner I

Request

Rezoning of approximately 5.8 acres from Agricultural Open (AO) to Heavy Commercial (HC). The owner intends to use the property for commercial purposes.

Location

The subject property is located at 888 Ben Richey Drive and is legally described as Lot 1, Block A of the Baacks Subdivision.

Background

- The subject property was annexed in 1963.
- The existing building was constructed in 2003 and was used for automotive repairs.
- Amendments to the Zoning Ordinance and Land Development Code no longer allowed most commercial uses in the AO zoning district, resulting in the use being grandfathered.
- The grandfathered use has ceased to exist for more than six months, so that use is considered by the LDC to have been abandoned.
- The owner is requesting HC rezoning to allow a variety of commercial uses.

Zoning, Existing and Proposed Land Use

Heavy Commercial (HC) zoning is located west of the subject property. Light Industrial and Heavy Industrial zoning districts are located across Ben Richey Drive to the west. To the northeast and east is an Agricultural Open zoning district. The Ben Richey Boys Ranch is immediately south of the subject property.

Comprehensive Plan (Future Land Use Map)

The 100-year floodplain covers the northern portion of the subject site. The existing building is located just south of the floodplain. The attached exhibit shows the subject site and 100- and 500-year floodplain boundaries. The floodplain information is noteworthy because it was a factor in the Future Land Use Map use recommendation of open space for the subject site. Development in the 100- and 500-year floodplains is permitted.

When Future Land Use Maps are created, it is not typical for the authors to review individual properties when considering boundaries between different land uses, but rather to generalize those boundaries. Had that level of detail been considered for this site, it's likely that the commercial use boundary on the lot to the immediate west would have been extended to include the subject site.

Based on those circumstances, the request, if approved, would be generally consistent with the spirit and intent of the Future Land Use Map, the zoning of properties to the immediate west, and the historic use of the site.

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.**

As described in detail above, the proposed request would be generally consistent with the spirit and intent of the Comprehensive Plan and Future Land Use Map (FLUM) and would establish the appropriate boundary between commercial and open space development.

- (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 Heavy Commercial (HC) is consistent with zoning immediately west of this site and is appropriate given the close proximity of industrial development to the south/southwest.

- (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 access to all required utilities.

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

None.

Staff Recommendation

Staff recommends **approval**.

Notification

X – Not applicable

O – Opposed

F – In favor

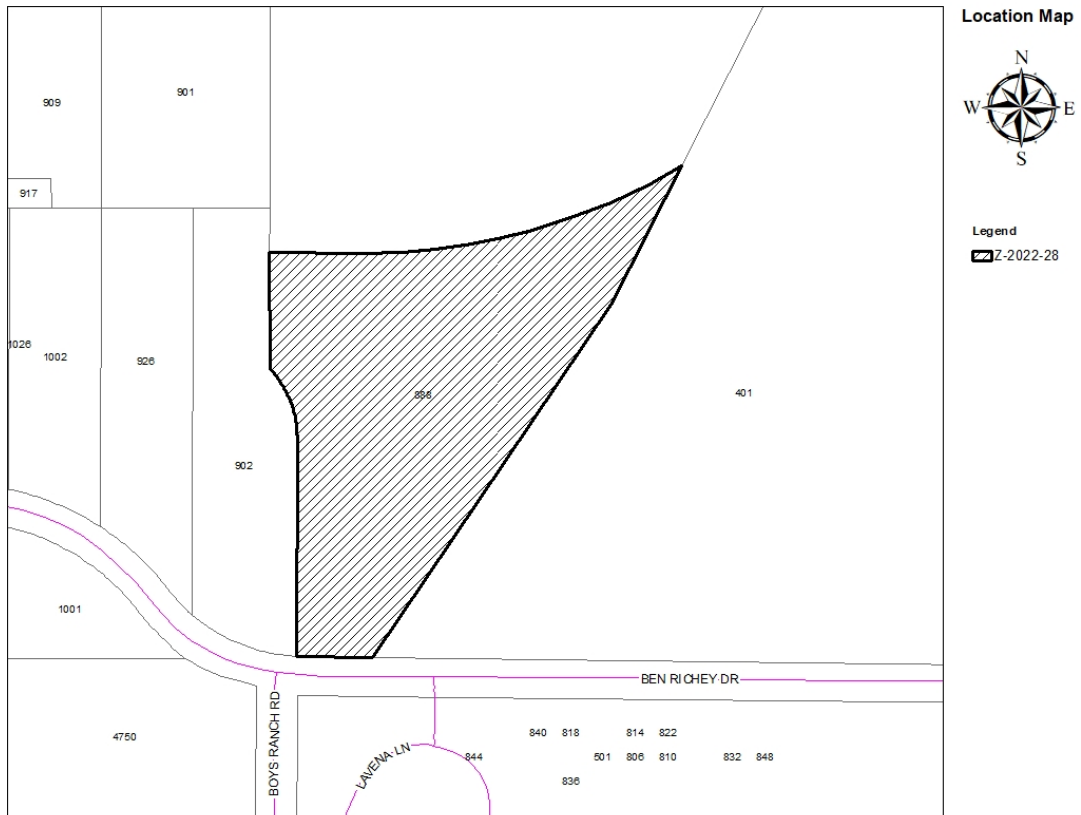
Owner

Owner	Property ID	Situs	Response
ABILENE ASSET MANAGEMENT LLC	77199	4750 BOYS RANCH RD	
ARRINGTON RICHARD SHANE &	72566	901 PETROLEUM DR	
ARRINGTON RICHARD SHANE &	21525		
CITY OF ABILENE	68390	501 BEN RICHEY DR	X
PAK HARRIS ENTERPRISES LTD	10185	902 BEN RICHEY DR	F
PAK HARRIS ENTERPRISES LTD	10079	926 BEN RICHEY DR	F
PAK HARRIS ENTERPRISES LTD	76201	1001 BEN RICHEY DR	F
PITTMAN HERB	21526	888 BEN RICHEY DR	
SHOOK MARKLIN ROBERT	1079223	401 BEN RICHEY DR	

Property ID

Owner	Property ID	Situs	Response
PAK HARRIS ENTERPRISES LTD	10079	926 BEN RICHEY DR	F
PAK HARRIS ENTERPRISES LTD	10185	902 BEN RICHEY DR	F
ARRINGTON RICHARD SHANE &	21525		
PITTMAN HERB	21526	888 BEN RICHEY DR	
CITY OF ABILENE	68390	501 BEN RICHEY DR	X
ARRINGTON RICHARD SHANE &	72566	901 PETROLEUM DR	
PAK HARRIS ENTERPRISES LTD	76201	1001 BEN RICHEY DR	F
ABILENE ASSET MANAGEMENT LLC	77199	4750 BOYS RANCH RD	
SHOOK MARKLIN ROBERT	1079223	401 BEN RICHEY DR	

LOCATION MAP



ZONING MAP



EXISTING FLOODPLAIN/ZONING BOUNDARIES

ArcGIS Web Map



12/1/2022, 2:14:48 PM

1:1,128
0 0.01 0.03 0.05
0 0.01 0.03 0.05
City of Atlanta, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin,
GeoTechnology, Inc., USGS, EPA, USDA

ArcGIS Web AppBuilder
City of Atlanta, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin, GeoTechnology, Inc., USGS, EPA, USDA

2022 Development Application



CITY OF ABILENE

PLANNING AND
DEVELOPMENT SERVICES

- Conditional Use • Rezoning
 - PDD • PDD Amendment
 - Street Name Change
- Thoroughfare Abandonment
 - Easement Release
- Historic Certificate of Appropriateness
 - Historic Project Tax Reduction
 - Plats • Petition for Relief
- Board of Adjustment (Variance)
 - Other



2022 Development Application

DOCUMENTS & MAPS

Reports, Plans, Ordinances, Maps, and other documents are often available on the City's website (<https://www.abilenetx.gov>) at no charge. Copies of these will be provided at the reproduction cost, currently 10 cents per page for black and white copies and \$1 per page for color copies. In addition, any other actual materials costs will be assessed.

Requests for the creation of maps or other documents not already existing will only be available based on availability of staff and will be billed at a rate of \$25 per hour, plus the cost of reproduction and/or materials.

NEIGHBORHOOD EMPOWERMENT ZONE INCENTIVE

Projects located within the designated "Neighborhood Empowerment zone" will have fees waived in accordance with the City's Land Development Code. This does not apply to any portion of a fee that is based on actual costs to the City, such as filing plats, photocopies, notifications, etc.

SUBMITTAL INFORMATION

ONLINE SUBMITTALS FOR DEVELOPMENT APPLICATIONS ARE PREFERRED

CTRL & CLICK LINK BELOW

https://public.mygov.us/tx_abilene

- Prior to submittal, we strongly recommend setting up and attending a pre-submittal meeting.
- **INCOMPLETE APPLICATIONS AND SUBMITTALS WILL BE REJECTED** or will be returned; an application may be deemed incomplete after initial staff review.
- Please refer to the Land Development Code online Part III Appendix A for questions or concerns in respect to site development and development standards.
https://library.municode.com/tx/abilene/codes/code_of_ordinances?nodeId=PTIIIAPANDECO
- Plans for Conditional Use, Special Exceptions, Rezoning, Variance and Planned Development District Amendment shall be on 8.5" x 11" paper with one (1) copy.
- Site plans or conceptual site plans, plats, except Engineering Construction Sets, shall be 24" x 36" and folded, with two (2) hard copies. If applicable, please provide survey plat of property. Plats and Engineering plans shall be GEO Referenced and in DWG format.
- PDF copies can be emailed to planning@abilenetx.com.
- If a case is withdrawn or delayed at the request of the applicant after notifications have been sent and/or public notice has been posted, the applicant will be responsible for the cost of re-notifications and re-posting of notice.
- All other questions may be directed to the following:

FOR DEVELOPMENT FEES CTRL & CLICK LINK BELOW AND CHOOSE "Z"

<https://abilenetx.gov/563/Fee-Schedule>

Fees can be paid online with credit card.

See RECORDING FEES for actual filing costs with Taylor County Clerk's Office. Thoroughfare Abandonment Fee 10% of the calculated land value of the ROW area to be abandoned, based on the average square footage value of adjacent properties, per the most recent official Appraisal District valuation. Minimum fee is \$1,500. *Any portion over the minimum fee is refundable if the abandonment is not approved.*

Planning and Development Services Department
555 Walnut Street, Suite 100
325.676.6237
planning@abilenetx.gov

2022 Development Application

PLANNING & ZONING COMMISSION

The members of the Planning & Zoning Commission (also referred to as the Commission) are appointed by the City Council. In making appointments to the Commission, the City Council shall seek to ensure broad representation and expertise among the membership.

According to Section 1.1.3.3. Powers & Duties, of the City of Abilene Land Development Code (LDC), the Planning and Zoning Commission shall:

1. Make recommendations on a Comprehensive Plan or amendments thereto related to the physical development, growth, improvement, and beautification of the City.
2. Make recommendations on other types of City plans that are related to the physical development, growth, improvement, and beautification of the City, including Neighborhood Plans and Corridor Plans.
3. Recommend to the City Council approval or denial of proposed changes in the zoning districts and/or ordinance.
4. Approve or disapprove the platting or subdividing of land within the corporate limits of the City and within adjacent areas as permitted by law.
5. Recommend to the City Council approval or disapproval of requests for street name changes and street closures within the corporate limits of the City.
6. Submit annually to the City Manager, not less than ninety (90) business days prior to the beginning of the budget year, a list of recommended capital improvements, if any, which in the opinion of the Commission, are necessary or desirable during the forthcoming five (5) year period.
7. Recommend to the City Council approval or disapproval of plans for housing clearance, public housing, and urban redevelopment and renewal projects.
8. Perform such additional duties and exercise such additional powers as may be prescribed by ordinance not inconsistent with the provisions of the City Charter.
9. Advise the City Council on applications and petitions for legislative decisions as authorized by the Land Development Code, such as:
 - a. Petition for amending the Comprehensive Plan;
 - b. Petition for a zoning map amendment, including a petition for creation of an overlay district, Conditional Use Permit (CUP), or Planned Development (PD) district;
 - c. Amendments to the text of the Land Development Code (LDC) as authorized by City Charter; and
 - d. Others as assigned by City Council.

The Planning and Zoning Commission shall finally decide appeals filed in accordance with Article 3 of the Land Development Code (Relief Procedures). Also, the Commission shall finally decide the following petitions for relief:

1. The Planning and Zoning Commission shall finally decide any variance petition on an application for a Preliminary Plat, Final Plat or replat, except when such variance is for relief from a dedication or construction requirement, in which case Section 1.1.4.3 shall apply; and
2. The Planning and Zoning Commission shall initially decide any vested rights petition for any decision for which it is the initial decision-maker.

2022 Development Application

*Applications for Historical Overlay designation will first be presented to the Landmark Commission, prior to the Planning Commission, for recommendation.

2022 Planning and Zoning Commission					
PD Application Deadline	Zoning Application Deadline	Planning and Zoning Commission Regular Meeting ***	Planning and Zoning Commission Workshop as Needed ***	CITY COUNCIL (1st Reading)	CITY COUNCIL (2nd Reading) ***
20-Nov-21	07-Dec-21	04-Jan-22	19-Jan-21	27-Jan-22	10-Feb-22
18-Dec-21	04-Jan-22	01-Feb-22	16-Feb-21	24-Feb-22	10-Mar-22
15-Jan-22	01-Feb-22	01-Mar-22	16-Mar-21	24-Mar-22	14-Apr-22
19-Feb-22	08-Mar-22	05-Apr-22	21-Apr-21	28-Apr-22	12-May-22
19-Mar-22	05-Apr-22	03-May-22	18-May-21	26-May-22	09-Jun-22
23-Apr-22	10-May-22	07-Jun-22	15-Jun-21	23-Jun-22	14-Jul-22
21-May-22	07-Jun-22	05-Jul-22	20-Jul-21	28-Jul-22	11-Aug-22
18-Jun-22	05-Jul-22	02-Aug-22	17-Aug-21	25-Aug-22	08-Sep-22
23-Jul-22	09-Aug-22	06-Sep-22	21-Sep-21	22-Sep-22	13-Oct-22
20-Aug-22	06-Sep-22	04-Oct-22	19-Oct-21	27-Oct-22	03-Nov-22
17-Sep-22	04-Oct-22	01-Nov-22	16-Nov-21	17-Nov-22	01-Dec-22
22-Oct-22	08-Nov-22	06-Dec-22	21-Dec-21	15-Dec-22	12-Jan-23

***These meetings require public hearings and the applicant or a representative must be present.

2022 Board of Adjustment Calendar	
Application Deadline	Meeting Date ***
14-Dec-21	11-Jan-22
11-Jan-22	08-Feb-22
08-Feb-22	08-Mar-22
15-Mar-22	12-Apr-22
12-Apr-22	10-May-22
17-May-22	14-Jun-22
14-Jun-22	12-Jul-22
12-Jul-22	09-Aug-22
16-Aug-22	13-Sep-22
13-Sep-22	11-Oct-22
11-Oct-22	08-Nov-22
15-Nov-22	13-Dec-22



Development Application

Zoning Application Page 1 of 3

Planning

- | | | | |
|--|---|---|---|
| ☐ Conditional Use | ☐ Special Exceptions | ☒ Rezoning | ☐ Variance |
| ☐ PDD Amendment | ☐ Street Name Change | ☐ Thoroughfare Abandonment | ☐ Easement Release |
| ☐ Historic Certification of Appropriateness | | ☐ Historic Project Tax Reduction | |

Relief Procedures

- | | | | |
|--|---|---|---------------------------------|
| ☐ Petition for Relief | ☐ Proportionality Appeal | ☐ Vested Rights Petition | ☐ Appeal |
|--|---|---|---------------------------------|
- Other: _____

Project Name: Buffalo Gap I&E

Address: 888 Ben Richey Dr. No. of lots: 1 Acreage: 5.839

Legal Description: Baacks Subdivision, Block A, Lot 1, Acres 5.839

Subdivision Name: Baacks Block: A Lot: 1

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

OWNER AND AUTHORIZATION

Owner Name: Buffalo Gap Instrumentation and Electrical Co

Address: 325 N W St

City, State, Zip: Buffalo Gap, TX 79508 Fax: N/A

Phone: 325-572-3389 Email: cutter.flatt@bgie.net

Agent Name: Harris Acoustics, Ltd.

Address: P O Box 5615

City, State, Zip: Abilene, TX 79608 Fax: (325) 692-1366

Phone: (325) 692-1347 Email: Lbritton@harrisabilene.com

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

Signature Owner: [Signature] Date: 11-2-2022

FOR OFFICE USE ONLY

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



2022 Development Application

Zoning Application-Page 2 of 3

Existing Zoning

- | | | | |
|--|---|-----------------------------|------------------------------|
| ☒ AO | Agricultural Open Space | ☐ GR | General Retail |
| ☐ RR | Rural Residential RR-5 & RR1 | ☐ MU | Medical Use |
| ☐ RS-12 | Residential Single-Family – 12,000 lots | ☐ CB | Central Business |
| ☐ RS-8 | Residential Single-Family - 8,000 lots | ☐ MX | Mixed Use |
| ☐ RS-6 | Residential Single-Family - 6,000 lots | ☐ GC | General Commercial |
| ☐ PH | Single-Family Residential Patio Home | ☐ HC | Heavy Commercial |
| ☐ TH | Residential Townhouse | ☐ LI | Light Industrial |
| ☐ MD | Residential Medium Density | ☐ HI | Heavy Industrial |
| ☐ MH | Manufactured/Mobile Home | | |
| ☐ CU | College & University | ☐ PD | Planned Development District |
| ☐ NO | Neighborhood Office | | |
| ☐ O | Office | ☐ | Empowerment Overlay |
| ☐ NR | Neighborhood Retail | | |

Reason for Zoning Change

New business and change of type of use

Fees

FOR DEVELOPMENT FEES CTRL & CLICK LINK BELOW AND CHOOSE "Z"

<https://abilenetx.gov/563/Fee-Schedule>

Fees can be paid online with credit card.



2022 Development Application

Zoning Application-Page 3 of 3

ZONING IMPACT ANALYSIS

Please answer these questions in order to assist Staff with the processing of your Zoning request.

1. Is 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?

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

Yes

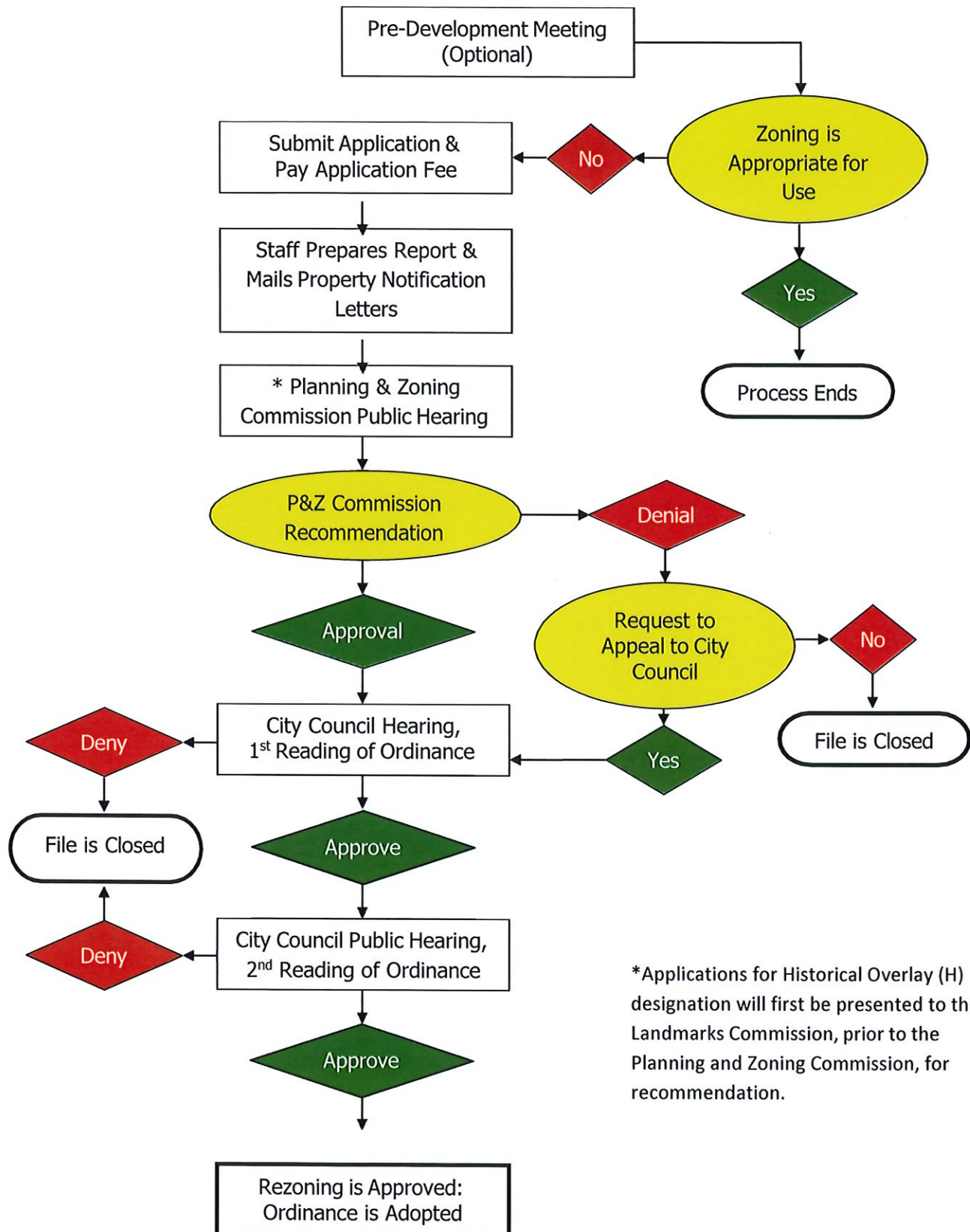
3. Is the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

4. Are there other factors which will substantially affect the public health, safety, morals, or general welfare? No

Other Required Forms – Disclosure of Interest (See Attached)

Development Application

Zoning • Conditional Use • PDD Amendment • Street Name Change • Thoroughfare Abandonment
Flowchart



*Applications for Historical Overlay (H) designation will first be presented to the Landmarks Commission, prior to the Planning and Zoning Commission, for recommendation.

Development Application

Plats and Other submittals Page 1 of 1

Submittal

- | | |
|--|--|
| ☐ Preliminary Plat/Replat | ☐ Civil Plans |
| ☐ Final Plat/Replat | ☐ Site Plan/Revised Site Plan |
| ☐ Combination Preliminary and Final Plat* | ☐ Landscape Plan |
| ☐ Amended Plat | ☐ Tree Preservation |
| ☐ Minor Plat/Replat | ☐ Lighting Plan |
| ☐ Development Plat | ☐ Concept Plan |

**Prior approval required*

Submittal Type

- ☐ Pre-Submittal: all required documents are present excluding fees. I understand that the project information presented to the City at this time is not filed, and therefore the City is not required to approve, approve with conditions, or disapprove the plan(s)/plat(s) within 30 days by the approval authority. This Pre-Submittal will be changed to a Submittal following the receipt of written notice and payment of fees. I am requesting this of my own volition and not at the request of the City of Abilene.
- ☐ Submittal: all required documents are present including fees. I understand that the project information presented to the City at this time is filed and therefore, the City is required to approve, approve with conditions, or disapprove the plat(s) within 30 days by the approval authority.

Acreage

Round decimals up to the nearest whole number.

5 acre(s)

Fees

FOR DEVELOPMENT FEES CTRL & CLICK LINK BELOW AND CHOOSE "P"

<https://abilenetx.gov/563/Fee-Schedule>

Fees can be paid online with credit card.

The application fee of \$ _____, to be paid to the City of Abilene within 5 days of being accepted.

NOTE: Additional costs may accrue during review by City consultants of any facilities agreement and/or civil construction plans.

Submittals

- Site plans or conceptual site plans, plats, except Engineering Construction Sets, shall be 24" x 36" and folded, with two (2) hard copies. If applicable, please provide survey plat of property. Plats and Engineering plans shall be GEO Referenced and in DWG format.

Other required Documents Required are attached (Owner Authorization, and Disclosure of Interest)



Development Application

Owner Authorization and Representative Designation

Property Description

Subdivision: Baacks Total Number of Acres: 5.839
 Zoning Classification(s): AO Total Number of Lots: 1
 Location: 888 Ben Richey Dr.

Property Owner Information & Authorization

Name/Company: Buffalo Gap Intrumentation and Electrical Co
 Address: 325 N W St
 City: Buffalo Gap State: TX Zip Code: 79508

Phone: 325-572-3389 Email: cutter.flatt@bgie.net

Project Representation (check one):

- ☐ I will represent the application myself; OR
☒ I hereby designate Harris Acoustics, Ltd. (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

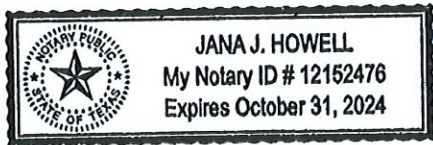
Property Owner's Signature: [Signature] Date: 11-2-2022

STATE OF: Texas

COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared Farley D. Flatt (printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 2nd day of November, 2022



[Signature]
 NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

Engineer ☐ Purchaser ☐ Tenant ☐ Preparer ☐ Other (specify): _____

Name: _____ Company: _____
 Address: _____ City: _____ State: _____
 Zip Code: _____ home: _____ Email: _____



Development Application

Disclosure of Interest

Every question must be answered. If the question is not applicable, answer with "N/A".

NOTE: If the Project Representative is not the Property Owner, this form must be filled out by **both** the Property Owner and the Project Representative.

Disclosure Questions

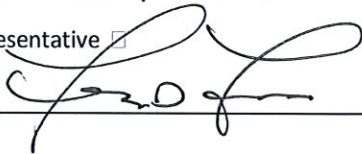
- A. Do you believe that a City official* or City employee** may have a conflict of interest in the property or application referenced on the reverse side? Yes ☐ No ☒
- B. If so, state the name of each City official or employee of the City of Abilene known by you that may have a conflict of interest in the property or application referenced on reverse side.

- C. State all information upon which you base the belief (use additional paper, if necessary).

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Abilene, Texas, as changes occur.

Name of Certifying Person (print): Farley "Cutter" Platt

Property Owner ☒ Project Representative ☐

Signature of Certifying Person: 

*Mayor, City Council members, Planning and Zoning Commission members, and Zoning Board of Adjustment members.

**City Manager, City Secretary, City Attorney, and all department heads

Development Application

BOARD OF ADJUSTMENT

The Board of Adjustment is organized to have all the powers and authority as set forth in the Charter of the City of Abilene, Texas, and as authorized by Chapter 211 of the Texas Local Government Code.

The Board of Adjustment has authority of applications to decide the following types of applications:

1. An application for a Special Exception pursuant to Section 1.4.4.1;
2. An application for a Variance pursuant to Section 1.4.4.2;
3. A sign permit or an interpretation of Sign Regulations related to development within the City limits (refer to Chapter 4, Article 1, Division 3, Section 4.1.3.6 or Chapter 4, Article 2, Division 8, respectively); and
4. An application for a change in the status of a non-conformity pursuant to Section 1.4.4.3.

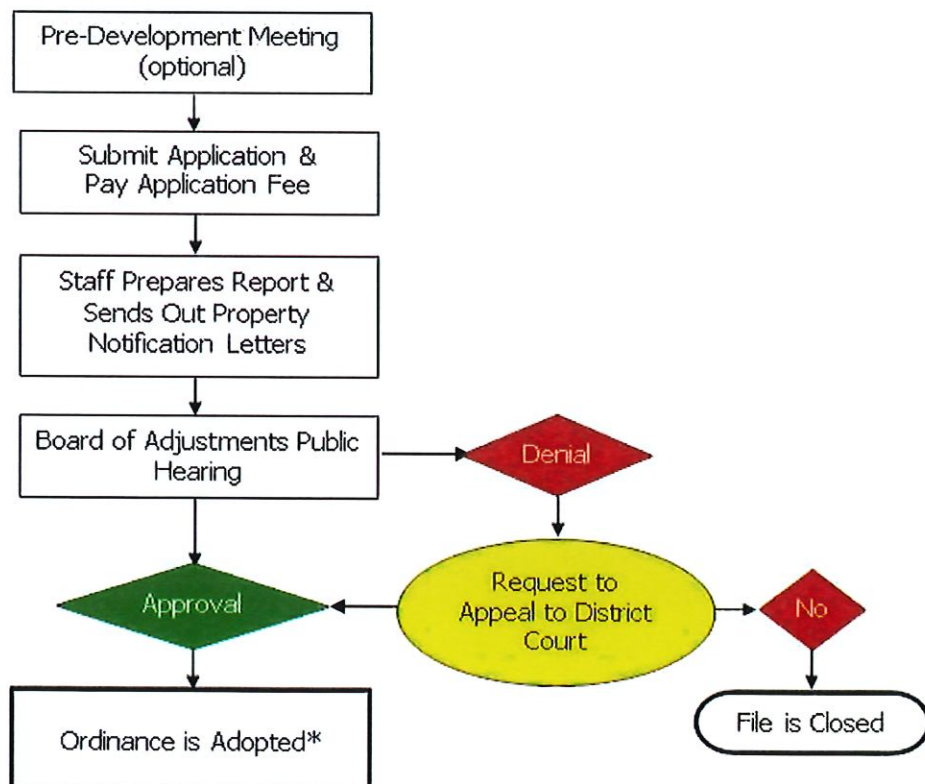
The Board of Adjustment shall finally decide appeals on the following matters of an appeal of any official's interpretation of the requirements of Chapters 2 or 4 of this LDC in which the requirement applies to development within the City limits of Abilene, unless a separate appeals process is otherwise defined within this LDC.

The authority delegated to the Board of Adjustment under this Land Development Code shall not be construed to affect any of the following:

1. Approval of a petition for a zoning map amendment;
2. Approval of a Conditional Use Permit; and
3. Authorization of a use not authorized in the zoning district in which the applicant's property is located, except to the extent necessary to decide a special exception or a petition for a change in status of a non-conformity.

Also, the Board of Adjustment shall not render any decision on an application, appeal or relief petition while a petition for a zoning amendment, application for a Conditional Use Permit, or plat application for the same land is pending and until such petition or application has been finally decided pursuant to procedures in Chapter 1 of the LDC.

Special Exception • Variance Flowchart



*If the request is approved, the owner or agent will have 180 days from the hearing date to obtain a building permit, if one is required.



Development Application

Special Exception • Variance

Please answer these questions in order to assist Staff with the processing of your Special Exception or Variance request. Please use additional sheet(s), if necessary.

1. Fully describe the unique circumstances or peculiarities of the land or improvements in question that do not allow the desired use to conform to the provisions in the Ordinance and the intent.

2. Are there other locations on the property that could accommodate the use while still complying with the Ordinance and, if so, why have you chosen the proposed location?



Development Application

The City Council created the Landmarks Commission in 1983 with the purpose of administering the provisions of the City Code relating to the protection and preservation of structures and lands deemed by the Abilene community to be of unique historical, architectural, and cultural value. The Landmarks Commission has the following powers and duties regarding development applications:

- Review all completed applications for designation of a Historic Overlay zoning district and forward its recommendations to the Planning and Zoning Commission;
- Review and approve or deny all completed applications for Certificates of Appropriateness in accordance with Section 2.3.4.4(f) of the Land Development Code;
- Review and approve or deny all completed applications requesting a Historic Project Tax Reduction in accordance with Section 30-41 of the City Code.

Historic Overlay (H) District

The City of Abilene, Texas, recognizes the importance of historically, architecturally and culturally significant sites and structures to the community. Regulations of the Historic Overlay (H) District are intended for the enhancement, perpetuation and use of areas, sites, structures, buildings, properties, and objects which typify the community's past through recognizable characteristics. The City of Abilene further declares that as a matter of public policy the protection, enhancement, and perpetuation of landmarks or districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational, and general welfare of the public.

It is recognized that the City of Abilene represents the unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural, and cultural resources that constitute their heritage. It is further recognized that the unapproved demolition of historic resources could constitute a public nuisance.

Certificate of Appropriateness

The Landmarks Commission shall determine, from the data submitted and other pertinent information made available at the public hearing, the appropriateness of all undertakings for which a Certificate of Appropriateness is required. The Landmarks Commission shall have the power to approve or deny an application for Certificate of Appropriateness, or to approve a request with such conditions as the Landmarks Commission deems necessary to carry out the purposes of the Historic Overlay District.

In considering an application for a Certificate of Appropriateness, the Landmarks Commission shall be guided by the *District Standards*, any adopted design guidelines, and where applicable, the Secretary of the Interior's "*Standards for the Rehabilitation of Historic Buildings*." A copy of the *District Standards*, any adopted design guidelines, and the Secretary of the Interior's Standards shall be made available to the property owner(s) of historic landmarks or within a Historic Overlay District upon request.

Historic Project Tax Reduction

The City Council offers a reduction in the city property taxes when a project is done that improve a property in the Historic Overlay (H) zoning district. The historic project tax reduction is a financial incentive for property owners who place their property in (H) zoning and undertake project in accordance with a certificate of appropriateness required by the (H) zoning. For these projects that improve a historic property, the City compensates the property owner for part of the eligible costs by reducing the owner's property taxes for a period of up to a maximum of ten (10) years.

The Landmarks Commission shall determine if the completed project is substantially in compliance with the property proposal or the Certificate of Appropriateness. The Commission may postpone the public hearing on an application if additional information is necessary. The Landmarks Commission shall have the authority to approve or disapprove an application for a project tax reduction, or to approve a request with such conditions as the Commission deems necessary for compliance.



Development Application

RECOMMENDATIONS

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

PUBLIC NOTIFICATION

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

PLEASE READ BEFORE SIGNING

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

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

SIGNED: _____

A handwritten signature in black ink, appearing to be "J. R. [unclear]", written over a horizontal line.

DATE: 11-2-2022



Development Application

THE STATE OF TEXAS)

)

COUNTY OF TAYLOR)

Know all men by these presents that the undersigned owner of the real property described on the reverse side hereof, has made, constituted and appointed, and by these presents does make, constitute and appoint, my true and lawful attorney, for me in my name, place and stead, to (1) file an application for a zone change, plat, street closure, alley closure, (appeal to the Board of Adjustment)* concerning such property and (2) appear on my behalf at all necessary meetings of the appropriate board or commission or City Council, as the case may be; and the undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the Planning & Development Services Division for the City of Abilene, Texas.

Witness my hand this day of _____, 20_____

*(cross out the inapplicable phrase)



PAK HARRIS ENTERPRISES LTD
PO BOX 5615
ABILENE, TX 79608-5615

NOTICE OF PUBLIC HEARING

RE: Zoning Application Number Z-2022-28

11/21/2022

The Planning and Zoning Commission will hold a public hearing on **December 6, 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 Buffalo Gap I & E, represented by Harris Acoustics, to change the zoning of approximately 5.83 acres from Agricultural Open (AO) to Heavy Commercial (HC). Legal description being Lot 1, Block A Baacks Subdivision, Abilene in 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 **January 12, 2023 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-2022-28

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

Name: PAK HARRIS ENTERPRISES LTD

Parcel I.D.: 76201

Address: 1001 BEN RICHEY DR

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: 



PAK HARRIS ENTERPRISES LTD
PO BOX 5615
ABILENE, TX 79608-5615

NOTICE OF PUBLIC HEARING

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11/21/2022

The Planning and Zoning Commission will hold a public hearing on **December 6, 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 Buffalo Gap I & E, represented by Harris Acoustics, to change the zoning of approximately 5.83 acres from Agricultural Open (AO) to Heavy Commercial (HC). Legal description being Lot 1, Block A Baacks Subdivision, Abilene in 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 **January 12, 2023 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-2022-28

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

Name: PAK HARRIS ENTERPRISES LTD
Parcel I.D.: 10079
Address: 926 BEN RICHEY DR

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 be "PAK HARRIS", is written over a horizontal line.



PAK HARRIS ENTERPRISES LTD
PO BOX 5615
ABILENE, TX 79608-5615

NOTICE OF PUBLIC HEARING

RE: Zoning Application Number Z-2022-28

11/21/2022

The Planning and Zoning Commission will hold a public hearing on **December 6, 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 Buffalo Gap I & E, represented by Harris Acoustics, to change the zoning of approximately 5.83 acres from Agricultural Open (AO) to Heavy Commercial (HC). Legal description being Lot 1, Block A Baacks Subdivision, Abilene in Taylor County, Texas.

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Name: PAK HARRIS ENTERPRISES LTD
Parcel I.D.: 10185
Address: 902 BEN RICHEY DR

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 be "PAK HARRIS", is written over a horizontal line.



REZONE REQUEST

Case: Z-2022-28

Owner: Buffalo Gap Instrumentation and Electrical Co.

Agent: Harris Acoustics

Request: Rezoning from AO to HC

Location: 888 Ben Richey Drive

Notification: 3 in Favor, 0 Opposed

Planning & Zoning: December 6, 2022

City Council Hearing: December 15, 2022
January 12, 2023





Z-2022-28 LOCATION MAP



Location Map



Legend

- Z-2022-28
- CourierParcels



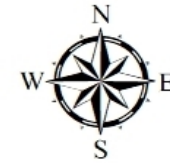
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Z-2022-28 ZONING MAP



Zoning Map



Legend

- Z-2022-28
- Collector
- Collector
- AO -
- Agricultural Open Space
- HC: Heavy Commercial
- LI: Light Industrial
- HI: Heavy Industrial
- PD: Planned Development



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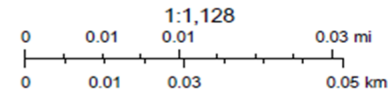


Z-2022-28 FLOODPLAIN/ZONING MAP



12/1/2022, 2:14:48 PM

 Zoning Districts  Flood Layer 500 Year .2%
 100 Year 1%



City of Abilene, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA

ArcGIS Web AppBuilder

City of Abilene, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA



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Permitted Uses in AO Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling– Industrialized Housing Unit
- P Dwelling – Single-Family Detached
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P Animal Lot
- P/C Day Care Operation – Home-Based*
- P Dwelling – Accessory*
- TP Field Office or Construction Office (temporary)*
- P Freight Container*
- P Garage Sale
- P Home Occupation
- C Mobile Home (permanent security residence)
- C Mobile Home (temporary security residence)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems*

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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



LEGEND

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



Permitted Uses in HC Zoning

RESIDENTIAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRADE – WHOLESALE USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

P	Airport, Heliport and Flying Field Terminals - Commercial (passenger and freight)
C	Antenna Tower - Commercial
P	Automobile Parking Lot or Structure - Commercial
P	Broadcast Studio
P	Passenger Ground Transportation Terminal
P	Pressure Control Station
P	Public Utility Facility
C	Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

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



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LEGEND

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



Z-2022-28 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES

West Neighboring Property



Subject Property



East Neighboring Property

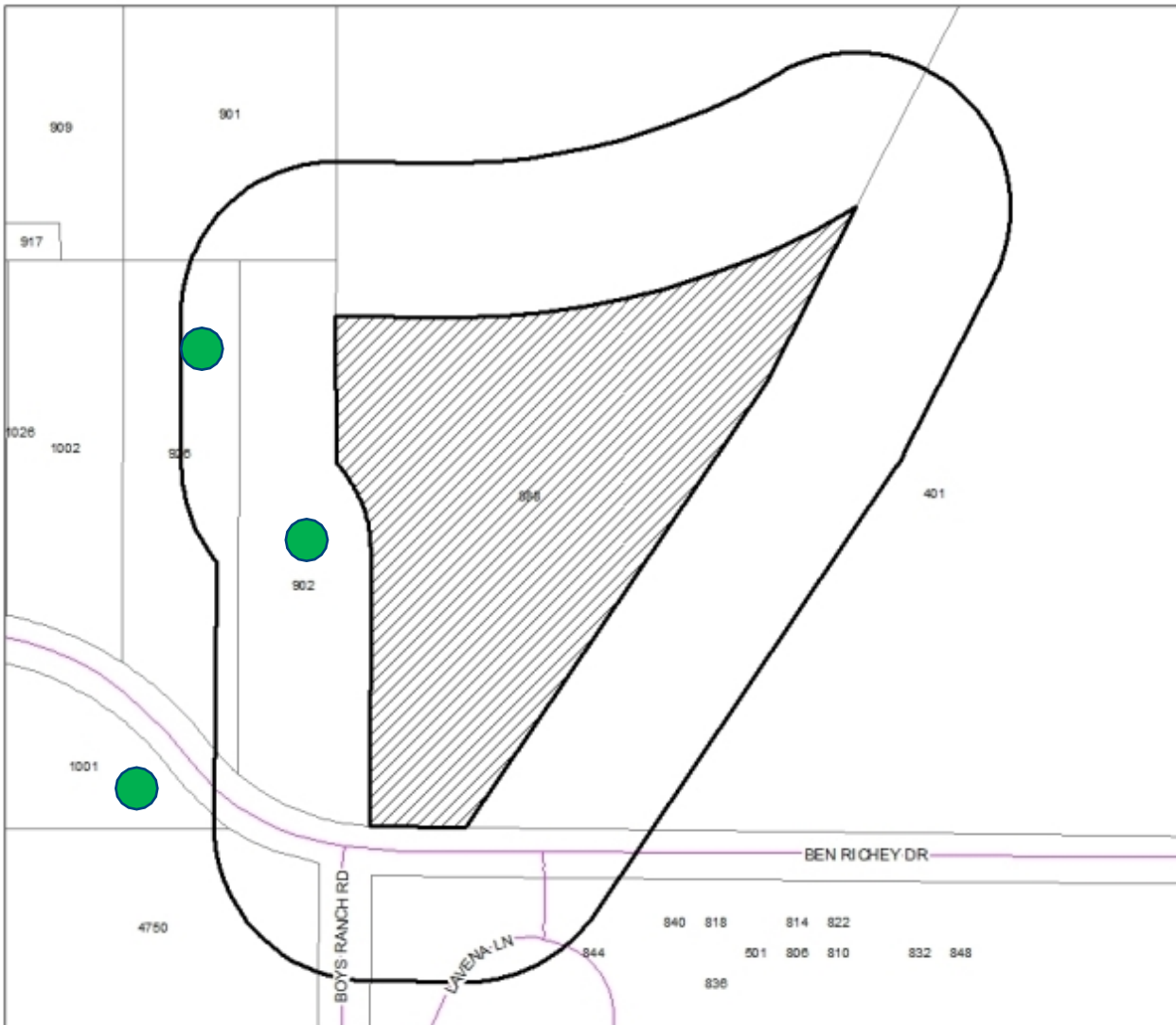


South Neighboring Property





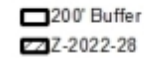
Z-2022-28 NOTIFICATION AREA MAP



Notification Map



Legend



3- In Favor-



0- Opposed-



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FINDINGS AND RECOMMENDATIONS

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

- The surrounding uses and zoning;
- The spirit and intent of the Comprehensive Plan;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

Staff Recommendation: **Approval**





Questions?



ZONING CASE CUP-2022-11

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: December 6, 2022

City Council 1st Reading: December 16, 2022

City Council 2nd Reading: January 12, 2023

Applicant

Owner: Cary Hallum

Agent: Art Attack Tattoo

Case Manager

Clarissa Ivey - Planner I

Request

A Conditional Use Permit to approximately 0.08 acres of land in the Central Business District to allow a Tattoo Parlor

Location

Lot 9, Block 8, Old Town Abilene, at 226 Pine Street

Background

The subject property is located in the Original Town of Abilene. The applicant proposes to use a portion of the building at 226 Pine Street as a tattoo parlor. A Plan of Operation from the applicant describing the proposed use of the site is attached with this report.

Zoning, Existing and Proposed Land Use

This property is located in the Central Business district. Surround the subject site are the Abilene ISD building to the west, retail uses to the south, a restaurant to the east, and a brewery further north.

Criteria Assessment

Staff has reviewed the request based upon the factors established in Section 1.4.3.5, Criteria for Approval, of the Land Development Code. These factors are identified and addressed below:

- 1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.**
The Future Land Use Map shows the subject site is within the Central Business district which encourages a multitude of different walkable uses.
- 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations**
The proposed use is consistent with the surrounding 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 use will be conducted indoors and should not negatively affect the surrounding uses.

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

The Central Business District encourages walkable, pedestrian oriented uses and development.

5. **The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.**

The proposed use does not generate a level of traffic that would adversely affect the existing road network in the vicinity of the subject site.

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

The use will be conducted indoors and should not generate any visual impacts that would need to be mitigated.

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

The use would comply with all applicable LDC requirements.

Staff Recommendation

Staff recommends **approval**, subject compliance with the proposed Plan of Operation.

X – Not Applicable

O – Opposed

F – In Favor

Notification

Owner	Property ID	Situs	Response
ABILENE CITY OF	61712	209 CYPRESS ST	X
ABILENE IMPROVEMENT CORP	56726	101 CYPRESS ST	
ABILENE IMPROVEMENT CORP	56726	166 PINE ST	
ABILENE IND SCHOOL DISTRICT	60364	241 PINE ST	
ABILENE MAJESTIC LLC SERIES J	60795	258 PINE ST	
ALEXANDER TRUST REAL ESTATE LLC	55174	957 N 2ND ST	
ALEXANDER TRUST REAL ESTATE LLC	55174	959 N 2ND ST	
ALEXANDER TRUST REAL ESTATE LLC	55174	101 PINE ST	
ALEXANDER TRUST REAL ESTATE LLC	55174	951 N 2ND ST	
ALEXANDER TRUST REAL ESTATE LLC	55174	189 PINE ST	
ALEXANDER TRUST REAL ESTATE LLC	55174	951 1/2 N 2ND ST	
BOWEN LATIMER M	61058	234 PINE ST	
CASTILLO TRES GENERACIONES LLC	61308	216 PINE ST	
HALLUM CARY E	61181	226 PINE ST	
KEY CITY FOODS LLC	62232	241 CYPRESS ST	F
KEY CITY FOODS LLC	62232	233 CYPRESS ST	F
LE MUSEE IMAGINAIRE INC	61848	1060 N 2ND ST	
MOTIS INVESTMENTS LLC	61436	202 PINE ST	
SILVERTHORNE INVESTMENTS LLC	1085040	244 PINE ST	
STATE NATIONAL BANK	60502	290 PINE ST	
STATE NATIONAL BANK	60656	266 PINE ST	
STATE NATIONAL BANK	62356	257 CYPRESS ST	
STATE NATIONAL BANK	62494	265 CYPRESS ST	
STATE NATIONAL BANK	62620	275 CYPRESS ST	
STATE NATIONAL BANK	62620	1049 N 3RD ST	
THIRD AND PINE LP	60220	993 N 3RD ST	
VAGABOND PIZZA LLC	61972	1056 N 2ND ST	
VLETAS JODY KLOTZ	61847	1080 N 2ND ST	
VLETAS JODY KLOTZ	62096	233 N 2ND ST	

Owner	Property ID	Situs	Response
ALEXANDER TRUST REAL ESTATE LLC	55174	957 N 2ND ST	
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CASTILLO TRES GENERACIONES LLC	61308	216 PINE ST	
MOTIS INVESTMENTS LLC	61436	202 PINE ST	
ABILENE CITY OF	61712	209 CYPRESS ST	X
VLETAS JODY KLOTZ	61847	1080 N 2ND ST	
LE MUSEE IMAGINAIRE INC	61848	1060 N 2ND ST	
VAGABOND PIZZA LLC	61972	1056 N 2ND ST	
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STATE NATIONAL BANK	62620	275 CYPRESS ST	
STATE NATIONAL BANK	62620	1049 N 3RD ST	
SILVERTHORNE INVESTMENTS LLC	1085040	244 PINE ST	

LOCATION MAP



ZONING MAP





CONDITIONAL USE PERMIT REQUEST

Case:	CUP-2022-11
Owner:	Cary E. Hallum
Agent:	Art Attack Tattoo
Request:	A Conditional Use Permit to allow a tattoo parlor in the CB zoning district
Location:	226 Pine Street
Notification:	2 in Favor, 0 Opposed
Planning & Zoning:	December 6, 2022
City Council Hearing:	December 15, 2022 January 12, 2023

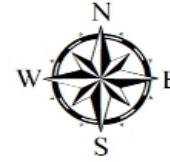




CUP-2022-11 LOCATION MAP



Location Map



Legend

- CUP-2022-11
- CourierParcels



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CUP-2022-11 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES





CUP-2022-11 NOTIFICATION AREA MAP



Notification Map



Legend

- 200' Buffer
- CUP-2022-11

2- In Favor-



0- Opposed-



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FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

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





Questions?





2022 Development Application

Zoning Application Page 1 of 3

Planning

- ☒ Conditional Use ☐ Special Exceptions ☐ Rezoning ☐ Variance
☐ PDD Amendment ☐ Street Name Change ☐ Thoroughfare Abandonment
☐ Easement Release ☐ Historic Certification of Appropriateness ☐ Historic Project Tax Reduction

Relief Procedures

- ☐ Petition for Relief ☐ Proportionality Appeal ☐ Vested Rights Petition ☐ Appeal
Other: _____

Project Name: Art Attack Tattoo
Address: 226 Pine St. Number of Lots: _____ Acreage: _____
Legal Description: _____
Subdivision Name: _____ Block: _____ Lot: _____
Current Zoning: CB Proposed Zoning (if applicable): CB-CUP (Tattoo Parlor)

OWNER AND AUTHORIZATION

Owner Name: Cary E. Hallum
Address: 25 Augusta Dr.
City, State, Zip: Abilene, TX 79606 Fax: _____
Phone: 325-271-9272 Email: cary.hallum@gmail.com
Agent Name: _____
Address: _____
City, State, Zip: _____ Fax: _____
Phone: _____ Email: _____

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

Signature of Owner: Cary E. Hallum Date: 11-8-22

FOR OFFICE USE ONLY

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

226 Pine Street
Art Attack Tattoo

Hours

Sun-Mon	Tues-Wed	Thur-Sat
Closed	1pm-9pm	1pm-12am

Services:

Tattooing

Piercing

Reasoning:

Desire a good, clean, safe enviroment for the establishment.

The block provides what is needed to establish a high end clientel base.

We seek to set the bar to a higher standard in the industry.

The area is perfect and we would eventually buy the building.

planning@abilenetx.gov

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

CASE #: CUP-2022-11

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: KEY CITY FOODS LLC

Parcel I.D.: 62232

Address: 241 CYPRESS 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: Heath Katlyff