



City of Abilene

Planning and Zoning Commission Agenda

Notice is hereby given of a meeting of the Planning & Zoning Commission of the City of Abilene to be held on Tuesday, January 3, 2023 at 1:30 PM 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 December 6, 2022

PLATS

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

2. **8122-FRP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a final replat for the Gulf Oil Company Subdivision No. 1.
3. **10522-MP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a minor plat for the Beauchamp Addition

ZONING

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

4. **Z-2023-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From New Dairy Texas, LLC, Represented by Borden Bluff, to Change the Zoning of Approximately 2.4 Acres Located at 309 South Pioneer Drive from Light Industrial (LI) to Planned Development District 178 (PDD-178) to Allow Multi-Family Residential Uses and Uses Permitted in the General Retail (GR) District, While Retaining the Right for Light Industrial (LI) Uses. Legal Description Being Lot 2, Elmwood West, Section N, City Of Abilene, Taylor County, Texas. **(Adam Holland)**
5. **SNC-2023-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Let Us Breathe Abilene, Represented by Dr. A. C. Jackson, to Permanently Change the Name of North 9th Street To Allie Ward Drive Between Ash Street And Plum Street. **(Adam Holland)**
6. **SNC-2023-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Let Us Breathe Abilene, Represented by Dr. A. C. Jackson, to Permanently

Change the Name of Ash Street to Raymond Hayden Drive Between North 9th Street to North 8th Street. **(Adam Holland)**

ADJOURNMENT

Notice

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

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 30th day of December, 2022, at 1:00 p.m.

Shawna Atkinson, TRMC, CMC
City Secretary



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on December 6, 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. Guy Slimp

Mr. Cary Hallum

Mr. James Sanders

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. Barnett moved to approve the minutes from the previous meeting, which was held on November 1, 2022. Mr. Benham seconded the motion.

The motion to **approve** prevailed by the following vote:

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

NAYS: None

PLATS

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

Staff Recommendation: Approval with conditions:

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

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

Staff Recommendation: Approval with conditions:

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

9822-PP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Preliminary Plat for Roberts Overland Addition

9922-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Roberts Overland Addition Lots 1 and 2, Block A

Staff Recommendation: Approval with conditions:

- City staff must be furnished with a title opinion or title commitment letter issued by a title insurance company confirming ownership of the properties.

- All public improvements must be completed in accordance with approved plans and inspected for acceptance or the public works department must be furnished with a financial guarantee in order to secure the obligations of all public improvements prior to recording.

Mr. Holland presented the plats to the commission with the findings and recommendations as stated above.

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 proposed plats with the conditions as stated in the presentation. Ms. Russell seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

ZONING

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.

Mr. Adam Holland presented this request. The subject property is located at 888 Ben Richey Drive. The existing building was constructed in 2003 and was used for automotive repairs. The owner is requesting HC rezoning to allow a variety of commercial uses.

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. Three (3) responses were received in favor with none (0) in opposition.

STAFF RECOMMENDATION: Approval

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-2022-11: 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.

Ms. Clarissa Ivey presented this request. 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.

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. Two (2) responses were received in favor with one (1) in opposition.

STAFF RECOMMENDATION: Staff recommends approval, subject to compliance with the proposed Plan of Operation.

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 1:46 p.m.

APPROVED

Mr. Clint Rosenbaum, Chairman

OWNERS CERTIFICATE AND DEDICATION

THE UNDERSIGNED **BETTER HOTELS, LTD.**, A TEXAS LIMITED PARTNERSHIP ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED REPRESENTATIVE 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: **GULF OIL COMPANY SUBDIVISION NO. 1**

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:

EXECUTED THIS _____ DAY OF _____ A.D. 20__

DULY AUTHORIZED REPRESENTATIVE

WHEREAS Better Hotels and, LTD., a Texas limited partnership is the owner of Lot 102, Block A, *Replat of Lots 1 and 2, Block A, Gulf Oil Company Subdivision No. 1*, an addition in the City of Abilene, Taylor County, Texas, according tot he plat recorded in Cabinet 4, Slide 283, Plat Records, Taylor County, Texas (P.R.T.C.T.), according to the deed to said Better Hotels, LTD., a Texas limited partnership recorded Volume 2704, Page 88, Official Public Records, Taylor County, Texas; the subject tract is more particularly described as follows (bearings are based on the Texas Coordinate System of 1983, North Central Zone):

BEGINNING at a "V" cut in concrete found on the north right of way line of East Overland Trail (also known as Interstate Highway No. 20, a variable width right of way as shown on said Cabinet 4, Slide 283 P.R.T.C.T.), at the most southerly corner of said Lot 102;

THENCE with the perimeter and to the corners of said Lot 102, the following calls:

- NORTH 52°09'25" WEST, with the north right of way line of said East Overland Trail, a distance of 67.90 feet to a found Texas Department of Transportation concrete monument with a bronze disk;
- NORTH 44°40'18" WEST, continuing with the north right of way line of East Overland Trail, a distance of 232.53 feet to a found 1/2 inch rebar;
- NORTH 56°09'33" EAST, a distance of 142.65 feet to a set Mag nail with a metal washer stamped "JPH Land Surveying";
- NORTH 29°08'21" WEST, a distance of 225.37 feet to a found "+" cut in concrete, on the south right of way line of State Highway 351 (a 200 foot right of way as shown on said Cabinet 4, Slide 283);
- NORTH 60°54'21" EAST, with the said south right of way line of State Highway 351, a distance of 331.99 feet to a found "+" cut in concrete;
- SOUTH 33°39'58" EAST, a distance of 158.30 feet to a found 3/8 inch rebar;
- SOUTH 33°46'28" EAST, a distance of 193.74 feet to a found 1/2 inch capped rebar with an illegible stamp;
- SOUTH 38°18'41" WEST, a distance of 198.05 feet to a found nail;
- SOUTH 38°09'19" WEST, a distance of 249.95 feet returning to the **Point of Beginning** and enclosing 4.080 acres (±177,704 square feet).

ACKNOWLEDGEMENT

THE STATE OF TEXAS:
COUNTY OF _____:

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

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

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____ A.D. 20__

NOTARY PUBLIC _____ COUNTY

TEXAS

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 OF 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:
REPLAT OF GULF OIL COMPANY SUBDIVISION, NO. 1
LOTS 202, 203, 204, 205, & 206, BLOCK A

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

SIGNATURE
JEWEL CHADD
REGISTERED PROFESSIONAL
LAND SURVEYOR No.5754

DATE

Line Data Table

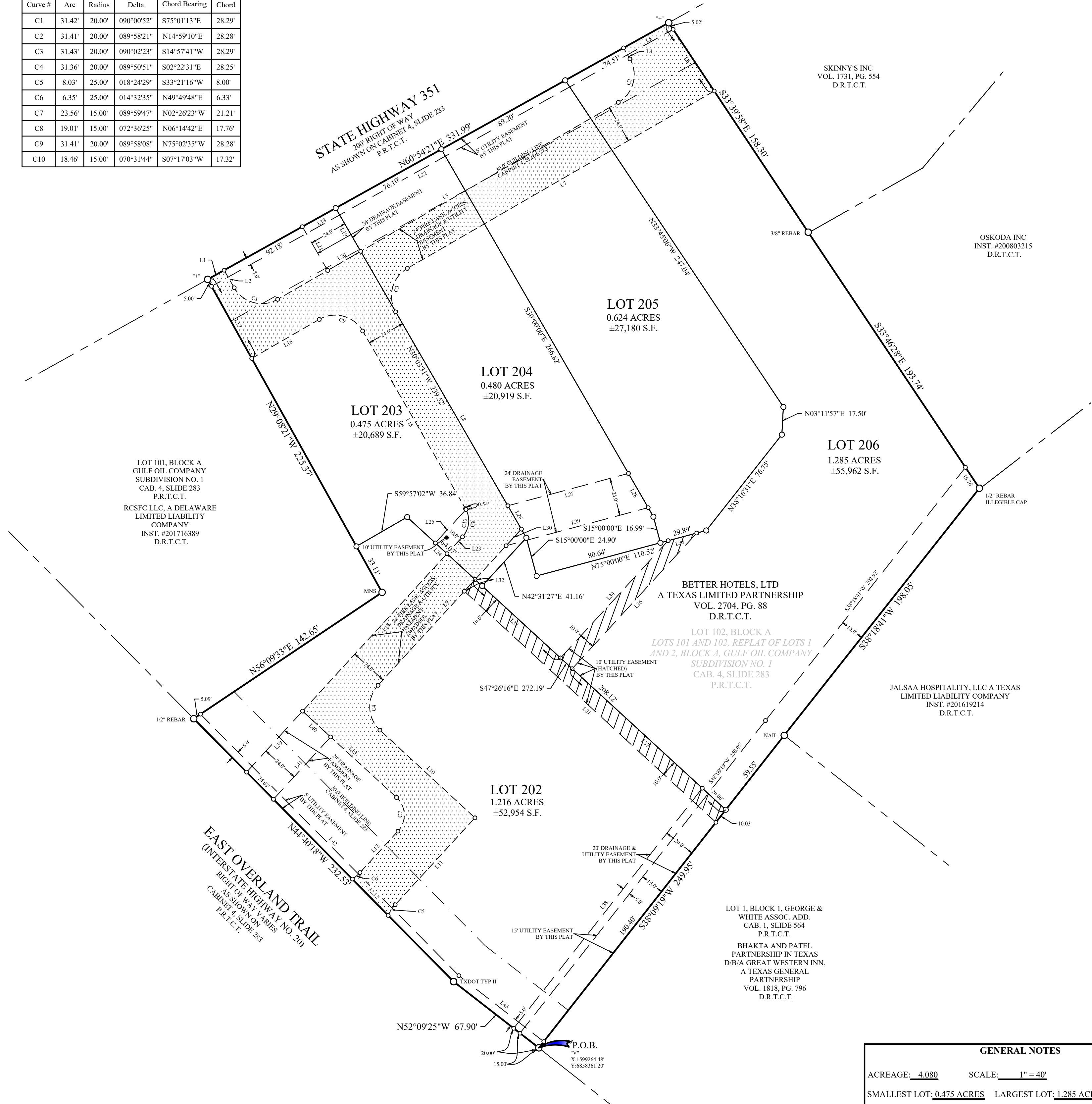
Line #	Bearing	Distance
L1	N60°54'21"E	11.88'
L2	S30°00'47"E	12.72'
L3	N59°58'21"E	247.57'
L4	N30°00'00"W	8.05'
L5	N60°54'21"E	32.53'
L6	S33°39'58"E	51.62'
L7	S59°58'52"W	223.01'
L8	S30°03'31"E	157.84'
L9	S42°32'55"W	133.33'
L10	S47°17'57"E	81.35'
L11	S42°33'30"W	74.22'
L12	N42°33'30"E	35.36'
L13	N47°26'16"W	80.29'
L14	N42°32'55"E	148.78'
L15	N30°03'31"W	129.19'
L16	S59°58'21"W	49.09'
L17	N29°08'21"W	56.93'
L18	N60°54'21"E	24.00'
L19	S30°03'31"E	31.42'
L20	S59°58'21"W	24.00'
L21	N30°03'31"W	31.81'
L22	S60°54'21"W	332.39'

Line Data Table

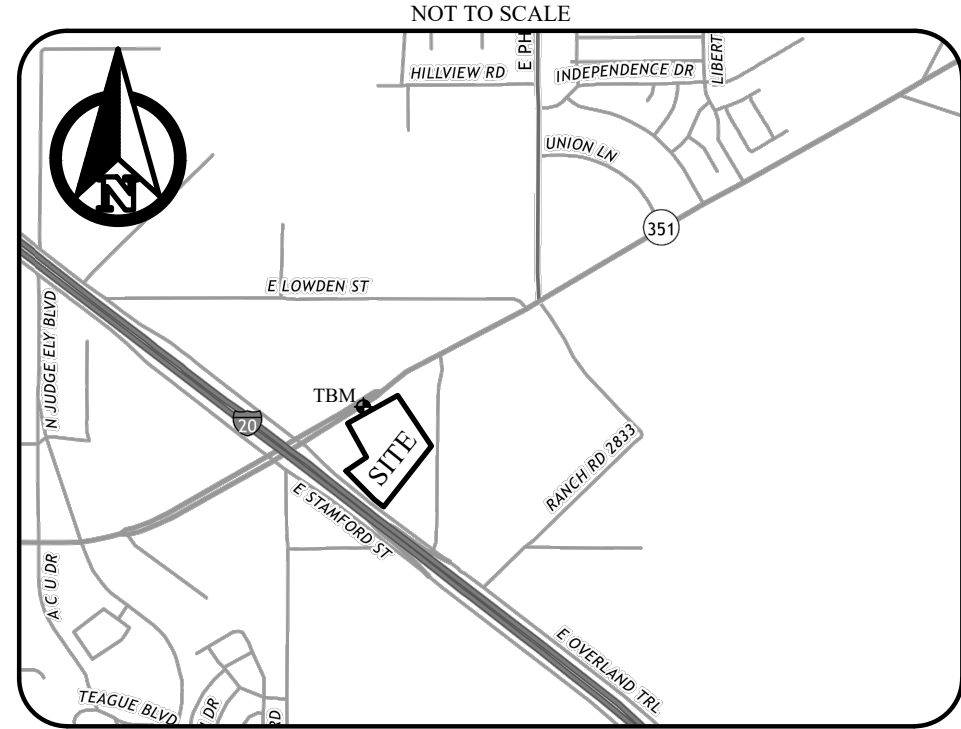
Line #	Bearing	Distance
L23	S42°32'55"W	14.38'
L24	N47°26'16"W	10.00'
L25	N42°32'55"E	28.52'
L26	N30°03'31"W	16.95'
L27	N75°00'00"E	78.54'
L28	S30°00'00"E	24.85'
L29	S75°00'00"W	92.57'
L30	N42°32'55"E	14.22'
L31	N47°26'16"W	214.89'
L32	N42°32'55"E	10.00'
L33	S47°26'16"E	72.96'
L34	N42°33'44"E	100.13'
L35	N75°00'00"E	18.64'
L36	S42°33'44"W	115.86'
L37	S47°26'16"E	131.17'
L38	N38°09'19"E	192.05'
L39	N42°32'55"E	52.08'
L40	S47°26'16"E	24.00'
L41	S42°32'55"W	53.24'
L42	S44°40'18"E	231.25'
L43	S52°09'25"E	67.60'

Curve Data Table

Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C1	31.42'	20.00'	090°00'52"	S75°01'13"E	28.29'
C2	31.41'	20.00'	089°58'21"	N14°59'10"E	28.28'
C3	31.43'	20.00'	090°02'23"	S14°57'41"W	28.29'
C4	31.36'	20.00'	089°50'51"	S02°22'31"E	28.25'
C5	8.03'	25.00'	018°24'29"	S33°21'16"W	8.00'
C6	6.35'	25.00'	014°32'35"	N49°49'48"E	6.33'
C7	23.56'	15.00'	089°59'47"	N02°26'23"W	21.21'
C8	19.01'	15.00'	072°36'25"	N06°14'42"E	17.76'
C9	31.41'	20.00'	089°58'08"	N75°02'35"W	28.28'
C10	18.46'	15.00'	070°31'44"	S07°17'03"W	17.32'



VICINITY MAP



REPLAT
OF
GULF OIL COMPANY
SUBDIVISION, NO. 1
LOTS 202, 203, 204, 205, & 206,
BLOCK A
4.080 OF AN ACRE

BEING ALL OF
LOT 102, REPLAT OF LOTS 1 AND 2, BLOCK A, GULF
OIL COMPANY SUBDIVISION NO. 1
CITY OF ABILENE
TAYLOR COUNTY, TEXAS

PREPARATION DATE: September 27, 2022

OWNER: Better Hotels, LTD, a Texas limited Partnership
840 Highway 80 East, Abilene, Texas 79601
Phone: _____

SURVEYOR: JPH Land Surveying, Inc.
785 Lonsome Dove Trail, Hurst, Texas 76054
Phone: (817) 431-4971

ENGINEER: Pope-Dawson Engineers, Inc.
One Ridgeman Centre 6500 West Fwy., Suite 700, Fort Worth, TX 76116
Phone: (817) 870-3668

GENERAL NOTES

ACREAGE: 4.080 SCALE: 1" = 40'
SMALLEST LOT: 0.475 ACRES LARGEST LOT: 1.285 ACRES
LOT WIDTH: MIN ±74' MAX ±300' LOT DEPTH: MIN ±225' MAX ±265'

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.

DATE CHAIRMAN
ATTEST: SECRETARY

DATE PLANNING DIRECTOR

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 EREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS AF THE CITY OF ABILENE, TEXAS.

DATE DIRECTOR OF PUBLIC WORKS

COUNTY CLERK

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

DATE FILE NUMBER

COUNTY CLERK COUNTY, TEXAS

DEPUTY

SURVEYOR NOTES:

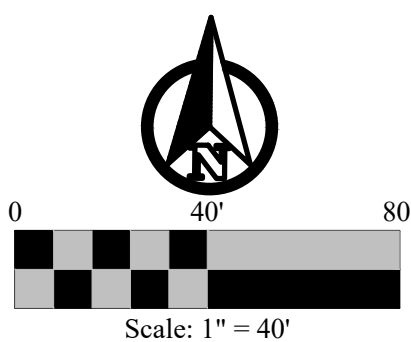
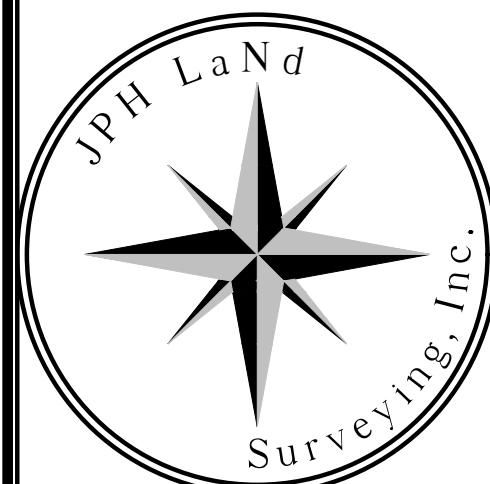
- This property lies within UNSHADED ZONE X and HATCHED ZONE AO of the Flood Insurance Rate Map for Taylor County, Texas and Incorporated Areas, map no. 48441C0227F, dated 2012/01/06, via scaled map location and graphic plotting and/or the National Flood Hazard Layer (NFHL) Web Map Service (WMS) at <http://hazards.fema.gov>.
- This property is located within the city limits of Abilene, Taylor County, Texas.
- No land within this subdivision will be dedicated for parks, floodways, or open space.

LEGEND OF ABBREVIATIONS

US.SyFt United States Survey Feet
TxCS/'83,NCZ Texas Coordinate System of 1983, North Central Zone
NAVD'88 North American Vertical Datum of 1988
P.R.T.C.T. Plat Records of Taylor County, Texas
O.P.R.T.C.T. Official Public Records of Taylor County, Texas
D.R.T.C.T. Deed Records of Taylor County, Texas
VOL/PG/INST# Volume/Page/Instrument Number
POB/POC Point of Beginning/Point of Commencing
ESMT/BL Easement/Building Line

MONUMENTS / DATUMS / BEARING BASIS

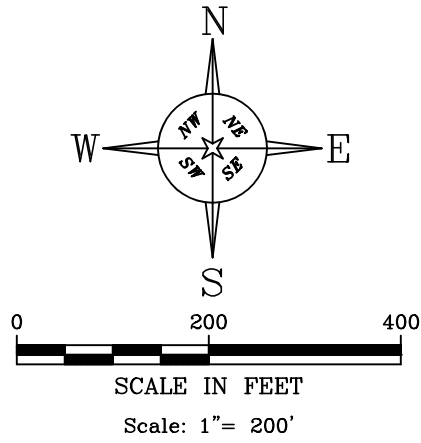
Monuments are found if not marked MNS or CRS.
CRS ○ 1/2" rebar stamped "JPH Land Surveying" set
MNS ○ Mag nail & washer stamped "JPH Land Surveying" set
TBM ♦ Site benchmark (see vicinity map for general location)
○ Vertex or common point (not a monument)
Coordinate values, if shown, are US.SyFt/TxCS/'83,NCZ
Elevations, if shown, are NAVD'88 (Geoid 18)
Bearings are based on the TxCS/'83,NCZ
Distances & areas shown are represented in surface values
"±" ○ "±" cut in concrete
"V" ○ "V" cut in concrete
TYPE II ○ TxDOT Right of Way bronze disk in concrete.



JPH Job/Drawing No. (see below)
2022.143.002 1625 Hwy 351, Abilene, Taylor Co., Tx REPLAT.dwg
© 2022 JPH Land Surveying, Inc. - All Rights Reserved
785 Lonsome Dove Trail, Hurst, Texas 76054
Telephone (817) 431-4971 www.jphlandsurveying.com
TBPELS Firm #10019500
DFW | Central Texas | West Texas | Houston

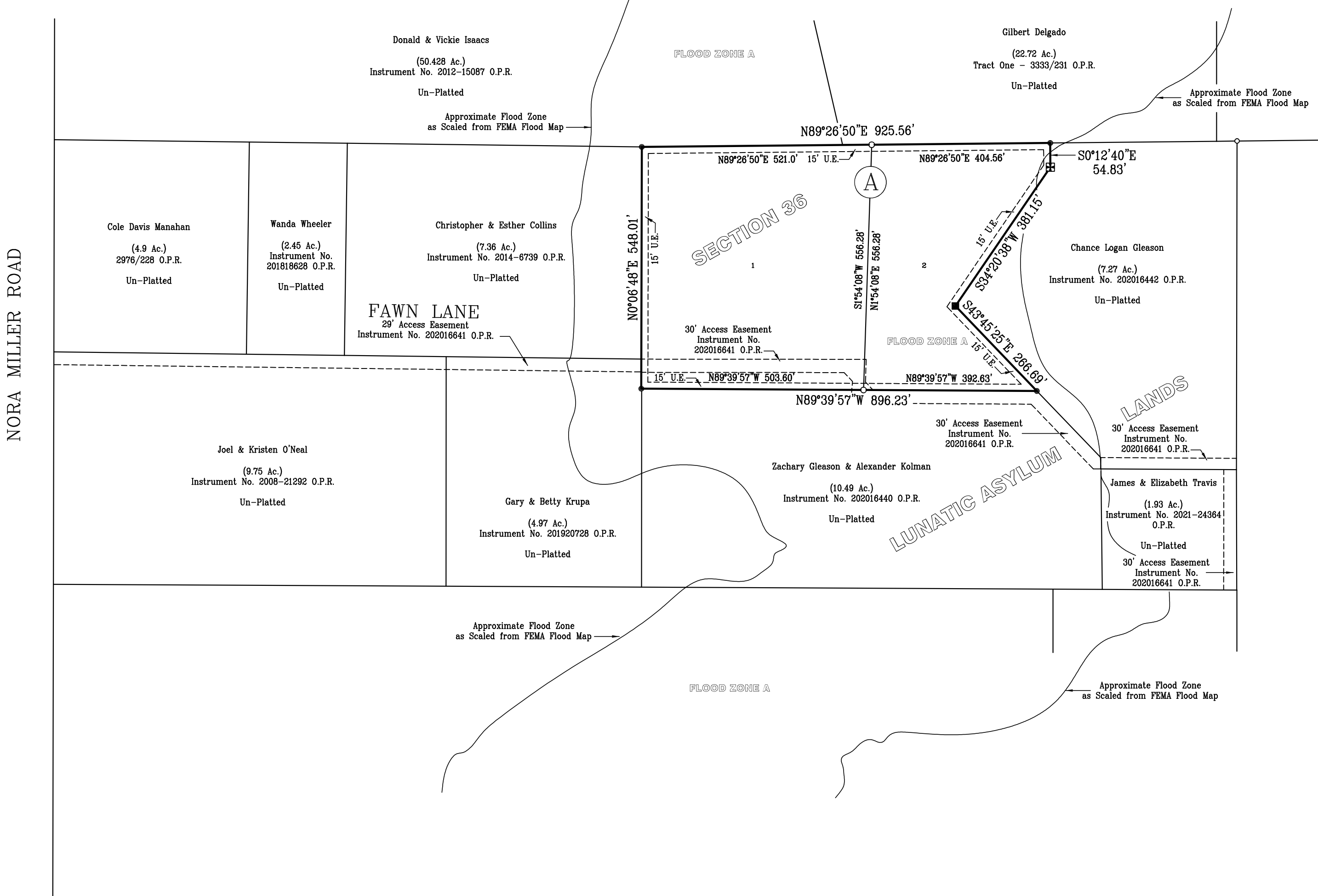
FIELD NOTES
10.49 ACRES

BEING 10.49 acres out of the Southwest 1/4 of Section 36, Lunatic Asylum Lands, Taylor County, Texas, said 10.49 acres being all of that same 10.49 acre tract recorded in Instrument No. 202016641, Official Public Records, Taylor County, Texas and being more particularly described as follows:
BEGINNING at a 3/8" rebar found at the northeast corner of a 7.36 acre tract recorded in Instrument No. 2014-6739, Official Public Records, Taylor County, Texas for the northwest corner of this tract;
THENCE N89°26'50"E 925.56 feet to a 3/8" rebar found at the northwest corner of a 7.27 acre tract recorded in Instrument No. 202016442, Official Public Records, Taylor County, Texas for the northeast corner of this tract;
THENCE S0°12'40"E 54.83 feet to an existing cross-tie fence corner post;
THENCE S34°20'38"W 381.15 feet to an existing 8" wood fence corner post;
THENCE S43°45'25"E 266.69 feet to a 3/8" rebar found at the most northerly northeast corner of a 10.49 acre tract recorded in Instrument No. 202016440, Official Public Records, Taylor County, Texas for the southeast corner of this tract;
THENCE N89°39'57"W 896.23 feet to a 3/8" rebar found at the northwest corner of said 10.49 acre tract for the southwest corner of this tract;
THENCE N0°06'48"E 548.01 feet to the place of beginning and containing 10.49 acres of land.



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 PARTIALLY WITHIN FLOOD ZONE A, ACCORDING TO FEMA FLOOD MAP NO.48441C02607, HAVING AN EFFECTIVE DATE OF 01/06/2012.
NOTE: THIS PROPERTY LIES ENTIRELY WITHIN THE CITY OF ABILENE'S 5 MILE EXTRATERRITORIAL JURISDICTION.

- Legend
- = Found 3/8" rebar
 - = Existing 8" Wood Fence Corner Post
 - ⊞ = Existing Cross-Tie Fence Corner Post
 - = Set 3/8" rebar
 - () = Recorded Call
 - U.E. = Utility Easement
 - O.P.R. = Official Public Records
 - P.O.B. = Place of Beginning
 - Ac. = Acres



BEAUCHAMP ADDITION
a Subdivision of 10.49 acres out of The Southwest
1/4 of Section 36, Lunatic Asylum Lands, Taylor
County, Texas.

Owner: Cole Beauchamp
817-694-6391

GEOTEX PROPERTY SOLUTIONS
209 s. Pioneer Drive, Suite 2
Abilene, Texas 79605
325-677-6712
Firm Registration No. 10194134

129-19-22 Z:\auto cad\SUBDIVISIONS\Beauchamp Preliminary

PLANNING & ZONING COMMISSION	PLANNING DIRECTOR
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.	FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.
DATE _____ CHAIRMAN _____	DATE _____ FILE NUMBER _____
ATTEST _____ SECRETARY _____	PLANNING DIRECTOR _____
DATE _____ PLANNING DIRECTOR _____	FEES _____
DIRECTOR OF PUBLIC WORKS	COUNTY CLERK
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.	I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON _____
DATE _____ DIRECTOR OF PUBLIC WORKS _____	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

BEAUCHAMP ADDITION
a Subdivision of 10.49 acres out of The Southwest
1/4 of Section 36, Lunatic Asylum Lands, 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 _____

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

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

NOTARY PUBLIC _____ COUNTY TEXAS _____

GENERAL NOTES

ACREAGE 10.49 acres

SCALE 1" = 40' SMALLEST LOT 4.0 acres LARGEST LOT 6.49 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 :

BEAUCHAMP ADDITION
a Subdivision of 10.49 acres out of The Southwest
1/4 of Section 36, Lunatic Asylum Lands, Taylor
County, Texas.

December 5, 2022
DATE

PLAT PREPERATION DATE: December 5, 2022

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.

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

ZONING CASE Z-2023-01 PD-178

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: January 3, 2023

City Council 1st Reading: January 26, 2023

City Council 2nd Reading: February 9, 2023

Applicant

Owner: New Dairy Texas

Agent: JES Dev Co, Inc. and its employees

Case Manager

Adam Holland

Request

Rezone approximately 2.4 acres from the Light Industrial (LI) zoning district to Planned Development District (PD-178). The applicant proposes to adapt the existing building, and build a smaller second building, for senior living multi-family dwellings, and to retain the right for light industrial use, and for uses permitted in the General Retail (GR) district.

Location

Approximately 2.4 acres of land currently addressed as 309 South Pioneer Drive.

Background

Proposed Use

The applicant proposes to retain the existing creamery building and to adapt the interior of the building for senior living. The exterior of building is not proposed to be materially altered in order pursue State and Federal grants for historic development. All of the other buildings around the main building would be removed in order to provide area for a smaller 1-story apartment building that would complement the design of the existing building. The applicant provided a proposed Plan of Operation, which is attached with this report.

The proposed PD is structured in a way to establish General Retail (GR) as the base zoning district to allow the uses in that district and to also allow all uses permitted by right in Light Industrial district, consistent with the historic use of the subject site.

Surrounding Uses and Zoning

Single-family residential development zoned RS-8 and RS-6 are located south and east of the subject site, respectively. Public alleys are located between the subject site and both residential districts. The property to the north is zoned LI and is used for commercial purposes. Property to the west is zoned GR and is used for general retail purposes.

Buffering, Screening, and Landscaping

The subject property was developed in 1926 and has never had a buffer from the adjoining residential uses. In order to mitigate potential adverse impacts from the use of this site, it would be prudent to apply the screening, buffering, and landscaping requirements of the LDC to the proposed use of this site. Specifically, that a Type "B" buffer would be required for any new development on the property

and a minimum of 15% of the area from the building façade to adjacent right-of-way be landscaped.

Criteria Assessment

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

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

The Future Land Use Map designates the subject property as commercial and residential. The proposed PD generally conforms to those designations by allowing development options for both uses.

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

The proposed uses are compatible with the zoning districts surrounding the subject site. Staff is recommending a less intensive base zoning district to encourage more compatible uses adjacent to the single-family residential and to match the zoning of the properties directly across from the site on South Pioneer Drive. The proposed development standards attached below will improve the compatibility between the future use of this site and the adjoining residences.

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

The proposed use of the subject site can be adequately served by the existing streets and utilities surrounding the proposed PD.

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

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

Staff Recommendation:

Staff recommends **approval**, subject to the proposed Concept Plan and the “Proposed Base Zoning District, Land Uses, and Development Standards.”

Attachments

Proposed Development Standards

Concept Plan

Proposed Plan of Operation

PowerPoint Presentation

Proposed Base Zoning District, Land Uses, and Development Standards

Base Zoning - General Retail (GR) Base zoning subject to all GR district Standards

Permitted Uses – All uses permitted by right in the Light Industrial District, the General Retail district, and Multi-Family district shall be a permitted.

Setbacks – Building setbacks shall follow the General Retail zoning districts with the following modification:

1. Building setbacks abutting residential shall be 25 feet minimum for buildings up to 35 feet in height. Each additional foot in height above 35 feet shall add one foot of minimum setback.

Parking Standards – Parking standards shall follow the Land Development code with the following modifications:

1. The minimum parking ratio for multi-family dwellings shall be 5 spaces for every 4 dwelling units.
2. For all other uses, the standard parking requirements of the LDC shall be applicable.

Additional Standards –

1. Multi-family development shall be generally consistent with the attached concept plan and plan of operation, except where the Plan of Operation is not consistent with the requirements listed herein.
2. The maximum density for multi-family dwellings shall be 26 units per acre.
3. When developed as multi-family residential, the landscape standard will be a minimum of 15% of the area between the front building façade and adjacent street right-of-way shall be landscaped area.
4. A Type B buffer shall be required along both adjacent alleys for any new development.
5. If the site is completely redeveloped, all standard landscaping, buffering, and screening requirements shall be applicable. If only a portion of the site is redeveloped, all standard landscaping, buffering, and screening requirements shall be applicable to that portion of the site to be redeveloped.
6. If the use of the site remains as Light Industrial (LI) and all existing site improvements remain “as is” and are not expanded, the requirements listed above shall not be applicable.

Concept Plan



Proposed Plan of Operation

JES Dev Co, Inc. plans to convert the old Borden building at 309 S Pioneer Dr. to multifamily housing while preserving the historic legacy of the building. The development will be financed, in part, using housing tax credits. The tax credits are awarded through a competitive application process and will require a Resolution of Support from the City of Abilene to be successful. To receive a Resolution of Support for Housing Tax Credits from the Abilene City Council, the site needs to be properly zoned prior to receiving that Resolution. The Sellers want to ensure that the zoning will not be left as only Multifamily if the development is not awarded tax credits. Below is an approximate schedule of the timing of the tax credit process:

- Preliminary application submitted to TDHCA: January 6, 2023.
- Date to receive rezoning on the subject property: February 9, 2023.
- Date to receive a Resolution of Support from the Abilene City Council: February 9, 2023, or February 23, 2023.
- Full application submitted to TDHCA: March 1, 2023.
- Tax credit awards announced by TDHCA: July 27, 2023.
- Closing on Property: August 31, 2023.

The proposed development will not mix industrial and multifamily uses. The finished development will be multifamily housing in a preserved and rehabilitated historic building. A second new construction building to be built behind the existing historic building will contain additional residential units and community space and amenities. If the property is not awarded tax credits and ultimately falls out of contract, the Seller wishes to maintain the property's original Light Industrial zoning. The pursuit of the PDD gives the Buyer the ability to rezone the property prior to the full tax credit application being submitted (thus qualifying us to receive the needed Resolution of Support from the Abilene City Council) and gives the Seller the ability to retain Light Industrial zoning if the contract terminates.

Existing Proximate Land Uses

North: Light industrial and then residential

East: Residential

South: Residential

West: General retail and commercial with some residential

Conformance to 2004 Comprehensive Plan

The development furthers the City's housing and preservation strategies laid out in the 2004 Comprehensive Plan.

Residential Use

Employ higher density housing as a supporting residential use for activity center and transition the density to the surrounding residential areas.

This project is considered to be a redevelopment. This development keeps growth in the central city

rather than spreading it outward in a leapfrog pattern. We are adding some density to an area and converting an underutilized building into a more housing options for Abilene residents. We are also preserving a historic building and adding more housing to the Abilene stock.

Preservation

This development will preserve a historic building and part of Abilene’s heritage and culture, meeting Strategies 30 and 31 under the Preservation section of the 2004 Comprehensive Plan. The historic nature of the building will be maintained and the new construction building (which will be built behind the historic building) will complement the façade of the existing structure.

Development Standards for PDD

If the property is developed as multifamily, the base zoning shall be Multi-family with the following exceptions:

- The minimum parking ratio will be 1.25 parking spaces per unit.
- The setbacks for all yards (front, rear, and side) shall be a minimum of five (5) feet.
- Building length shall not exceed 300 feet.
- Density shall be a maximum of 26 units per acre.

All uses permitted under Light Industrial Zoning shall also be allowable and meet all Light Industrial development standards.

If the property is not developed as multifamily, the base zoning shall be Light Industrial, but will still allow for multifamily uses with the conditions stated above.

Notification

Pursuant to Section 1.2.2.2 of Abilene's Land Development Code, City staff mailed personal notices on December 23rd, of 2022, to the applicant and to other owners of property within a 200-foot radius of this subject property. These property owners and associated parcel identification numbers are identified in Table 1.

TABLE 1

Owner

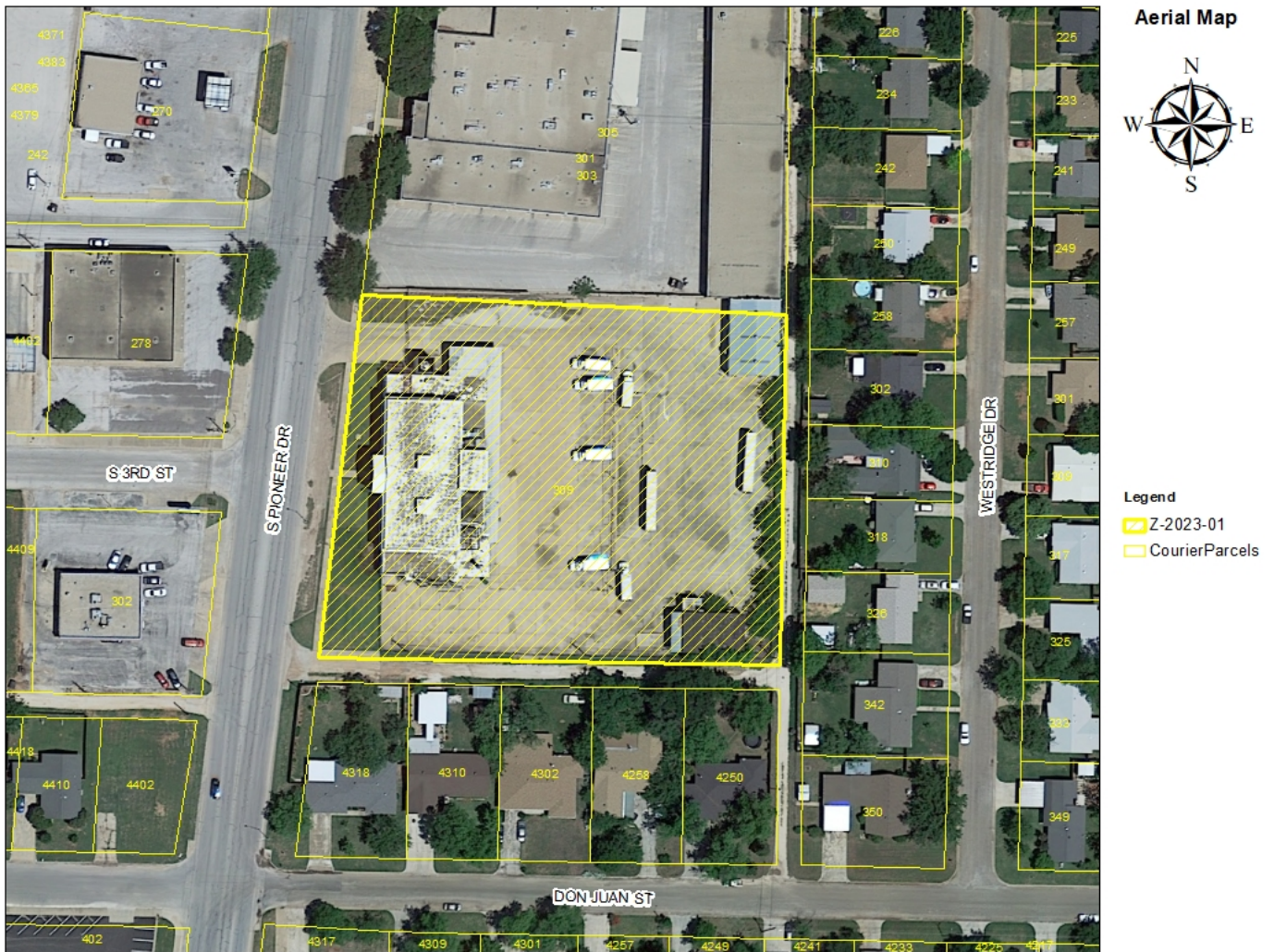
Owner	Property ID	Situs	Response
ACKER PAMELA	12896	258 WESTRIDGE DR	
BURGERS & FRIES INC	55889	302 S PIONEER DR	
CORTINEZ CLEMENTE O	12526	318 WESTRIDGE DR	
ESPARZA ANDY C & ROSEMARY	12655	310 WESTRIDGE DR	
ESTES RENTALS LLC	13023	250 WESTRIDGE DR	
FLEMING COLLEEN	13254	234 WESTRIDGE DR	
FOCO CAPITAL LLC	11444	301 WESTRIDGE DR	
FRY REAL PROPERTY	40827	4302 DON JUAN ST	
GOSWICK WESLEY L & TIFFANY J	12161	350 WESTRIDGE DR	
GRANTHAM KAYLA J	11908	325 WESTRIDGE DR	
HALFORD JAMES L & JEWELL V LF EST	11764	317 WESTRIDGE DR	
HERBERT KEVIN	55511	4410 DON JUAN ST	O
HUTCHESON ERIC & SONIA	12038	333 WESTRIDGE DR	
JOHNSON PAUL	98661	4379 S 1ST ST	O
JOHNSON PAUL	98661	4371 S 1ST ST	O
JOHNSON PAUL	98661	4365 S 1ST ST	O
JOHNSON PAUL	98661	4383 S 1ST ST	O
JOHNSON PAUL	98661	242 S PIONEER DR	O
KELLY LONNIE & PAULA	12762	302 WESTRIDGE DR	
MARTINEZ SYLVIA	40576	4318 DON JUAN ST	
MARTINEZ SYLVIA &	40701	4310 DON JUAN ST	
MICHAEL WESLEY W	13145	242 WESTRIDGE DR	
MILLER LAUREL ANN	40949	4258 DON JUAN ST	
MOORE ROBERT JOHN & JAMIE PITTS	11172	257 WESTRIDGE DR	
NETZ WESLEY R	12403	326 WESTRIDGE DR	
NEW DAIRY TEXAS LLC	40453	309 S PIONEER DR	
PARRISH LARRY D & TERRY A	11610	309 WESTRIDGE DR	
PIONEER VENTURES LLC	65600	278 S PIONEER DR	
RUTLEDGE CHRISTOPHER D	12282	342 WESTRIDGE DR	
SCAIEF FABIO A &	41070	4250 DON JUAN ST	
SKINNYS INC	98662	270 S PIONEER DR	

T & T OKLAHOMA LLC	1006027	301 S PIONEER DR	
T & T OKLAHOMA LLC	1006027	305 S PIONEER DR	
T & T OKLAHOMA LLC	1006027	303 S PIONEER DR	
WESTGATE CHURCH OF CHRIST	55632	4402 DON JUAN ST	

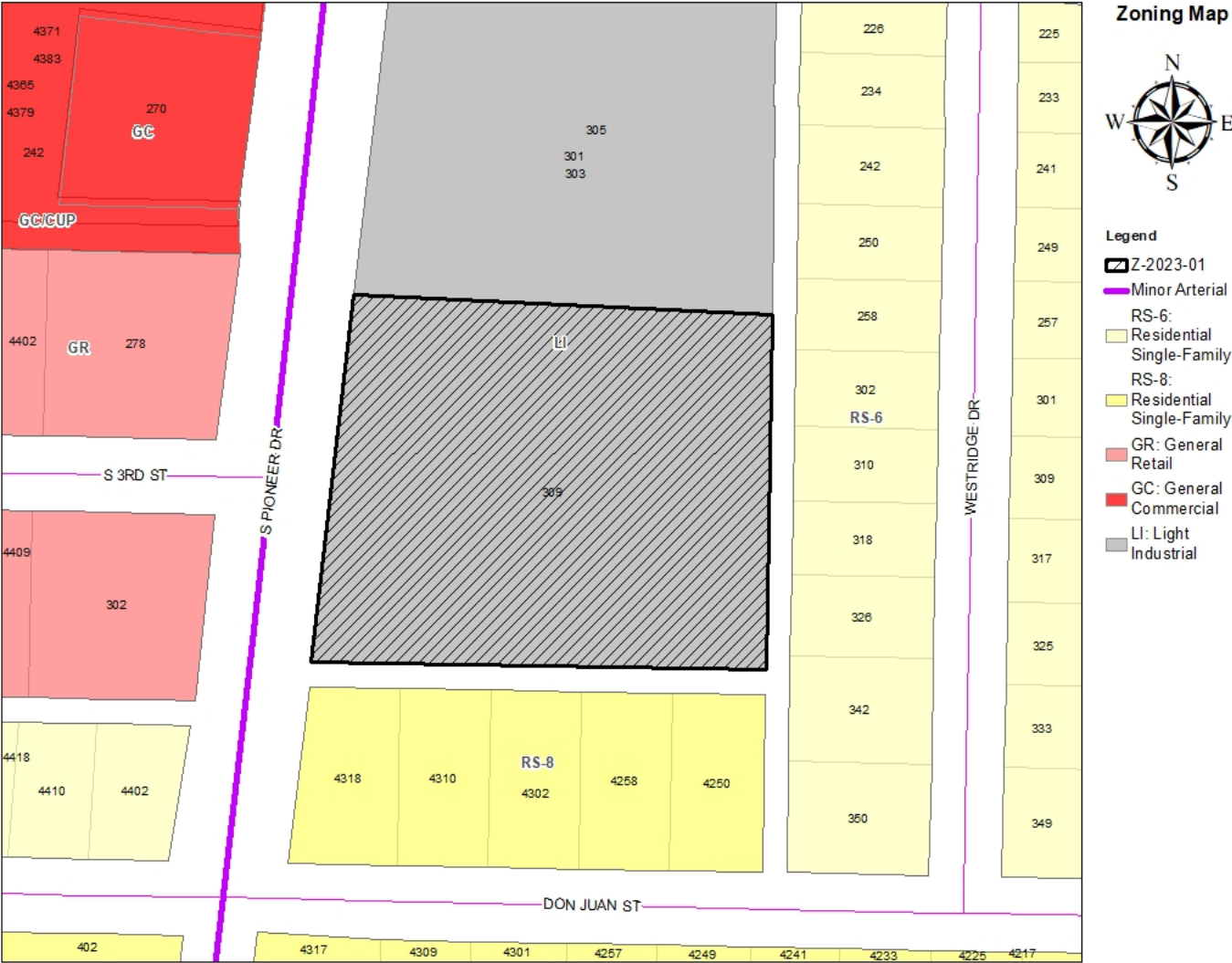
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T & T OKLAHOMA LLC	1006027	303 S PIONEER DR	

LOCATION MAP



ZONING MAP





REZONE REQUEST

Case: Z-2023-01

Owner: New Dairy Texas, LLC

Agent: JES Dev Co, Inc.

Request: Rezoning from LI to PDD

Location: 309 South Pioneer Drive

Notification: 0 in Favor, 6 Opposed

Planning & Zoning: January 3, 2023

City Council Hearing: January 26, 2023
February 9, 2023

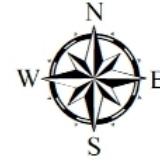




Z-2023-01 LOCATION MAP



Aerial Map



Legend

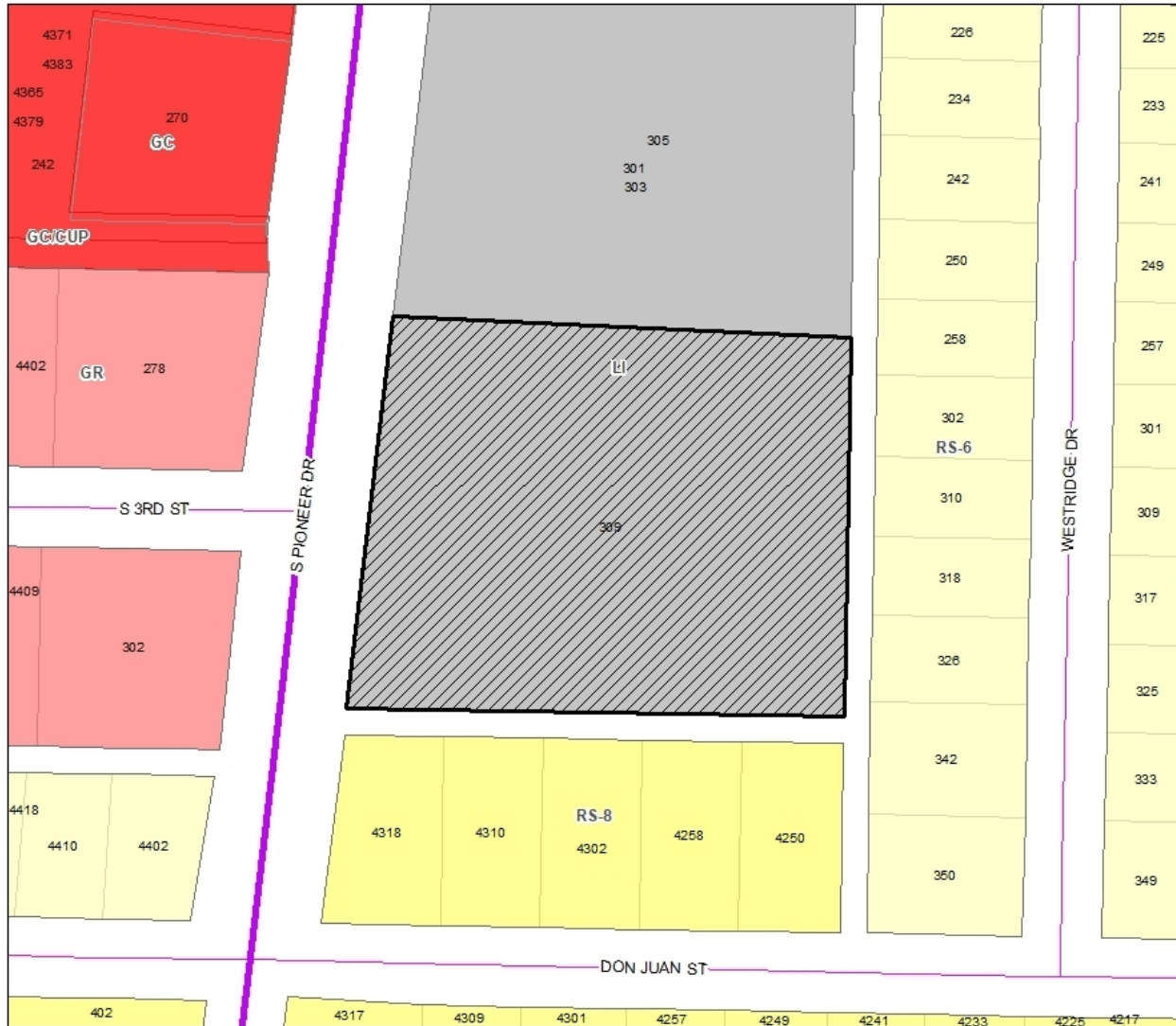
- Z-2023-01
- CourierParcels



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Z-2023-01 ZONING MAP



Zoning Map



Legend

- Z-2023-01
- Minor Arterial
- RS-6:
Residential
Single-Family
- RS-8:
Residential
Single-Family
- GR: General
Retail
- GC: General
Commercial
- LI: Light
Industrial



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Permitted Uses in LI Zoning

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- 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 Recreation Building, Multipurpose
- P Recycling Collection Point
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- P Adult Entertainment Enterprise
- C Cultural Facilities
- P Drive-in Theater
- C Motorized Racing
- P Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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



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LEGEND

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



Permitted Uses in GR Zoning

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

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





Z-2023-01 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



West Neighboring Property

Southwest Neighboring Property



Subject Property



North Neighboring Property





Z-2023-01 NOTIFICATION AREA MAP



Notification Map



Legend

- 200' Buffer
- Z-2023-01

- 0- In Favor- ●
- 6- Opposed- ●
- .5% Opposition



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FINDINGS AND RECOMMENDATIONS

The proposed request 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** subject to the proposed Concept Plan and the “Proposed Base Zoning District, Land Uses, and Development Standards”.





Proposed Concept Plan



S. PIONEER DR.

CONCEPTUAL SITE PLAN

Abilene, TX

November 14, 2022



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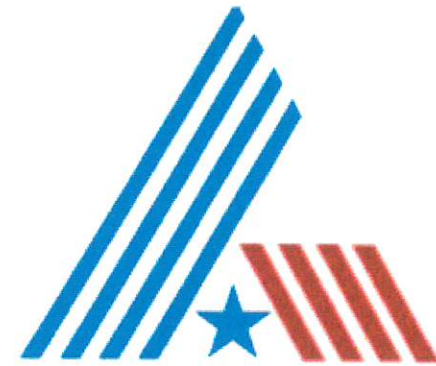


Questions?





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>) 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

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

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



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: Borden Bluff

Address: 309 S Pioneer Dr No. of lots: 1 Acreage: 2.4

Legal Description: ELMWOOD WEST SEC N, LOT 2

Subdivision Name: Elmwood West Block: Sec N Lot: 2

Current Zoning: Light Industrial Proposed Zoning (if applicable): Planned Development District

OWNER AND AUTHORIZATION

Owner Name: New Dairy Texas, LLC

Address: 250 Fillmore St, Ste 525

City, State, Zip: Denver, CO 80206 Fax: _____

Phone: 303-578-1052 Email: colin.murphy@capitolpeakpartners.com

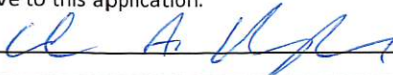
Agent Name: JES Dev Co, Inc. and its employees

Address: 206 Peach Way

City, State, Zip: Columbia, MO 65203 Fax: 573-874-7116

Phone: 573-397-2105 Email: rgarcia@jesholdins.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:  Date: 11/21/2022

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

We are requesting a zoning change to be able to convert an existing but under utilized historic industrial building into multifamily housing to better serve the residents of Abilene and better blend with the character of the neighborhood.

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?

The proposed amendment furthers the Comprehensive Plan's strategies related to housing and preservation. The proposed multifamily use is more compatible with existing uses in the neighborhood than the existing light industrial use, even though the Future Land Use Plan shows Light Industrial.

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?

The proposed changes to the Planned Development with underlying multifamily zoning is a more appropriate use for this site than the current light industrial use (even though the Future Land Use Plan shows Light Industrial). Multifamily is a less intense use than light industrial, is more compatible with the surrounding uses, will act as a buffer between Pioneer Drive and residential uses to the east, reduce the likelihood of traffic conflicts between cars and trucks, and will bring more residents to the area to support the commercial and retail uses in the neighborhood all while preserving the historic character of the existing building.

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?

There is an existing 10" water line in front of the property and an existing 10" sanitary sewer line on the side of the property that should have sufficient capacity to service the development.

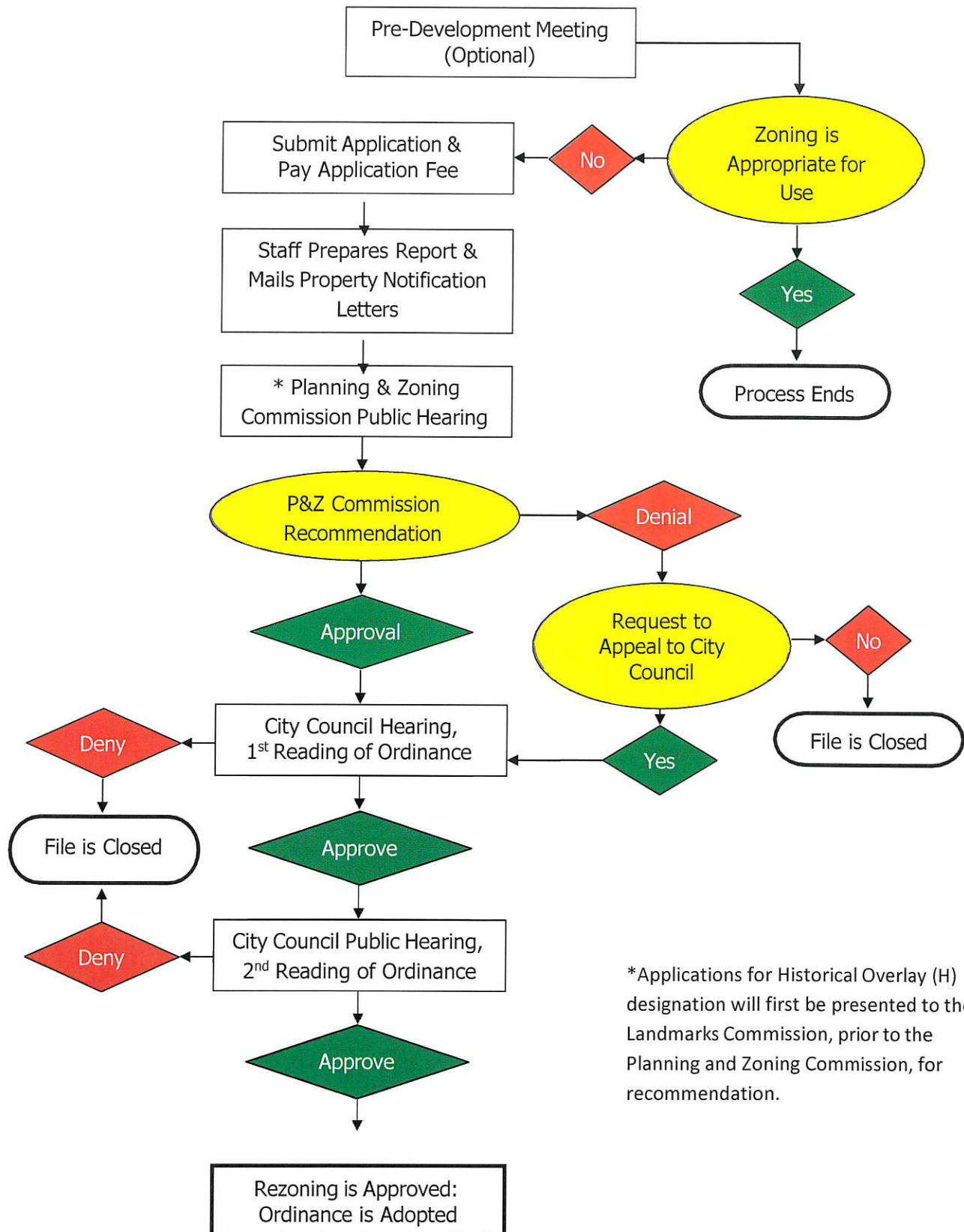
4. Are there other factors which will substantially affect the public health, safety, morals, or general welfare? Yes, this development will add to Abilene's housing stock, preserve a historic building, and convert an underutilized industrial building into a new useful multifamily community.

Other Required Forms – Disclosure of Interest (See Attached)

Please see attached Disclosure of Interest form.

Development Application

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





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.

_____ 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: Elmwood West Total Number of Acres: 2.4
 Zoning Classification(s): Light Industrial Total Number of Lots: 1
 Location: 309 S Pioneer Dr.

Property Owner Information & Authorization

Name/Company: New Dairy Texas, LLC
 Address: 250 Fillmore St, Ste 525
 City: Denver State: CO Zip Code: 80206
 Phone: 303-578-1052 Email: colin.murphy@capitalpeakpartners.com

Project Representation (check one):

- ☐ I will represent the application myself; OR
☒ I hereby designate JES Dev Co, Inc. and its employees (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: Colin A. Murphy Date: 11/21/2022

STATE OF: Colorado

COUNTY OF: Denver

BEFORE ME, a Notary Public, on this day personally appeared Colin A. Murphy (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 21 day of November, 20 22

Colin A. Murphy

NOTARY PUBLIC in and for the State of ~~Texas~~ Colorado

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.

N/A

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

N/A

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): Colin A. Murphy

Property Owner ☒ Project Representative ☐

Signature of Certifying Person: Colin A. Murphy

*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.

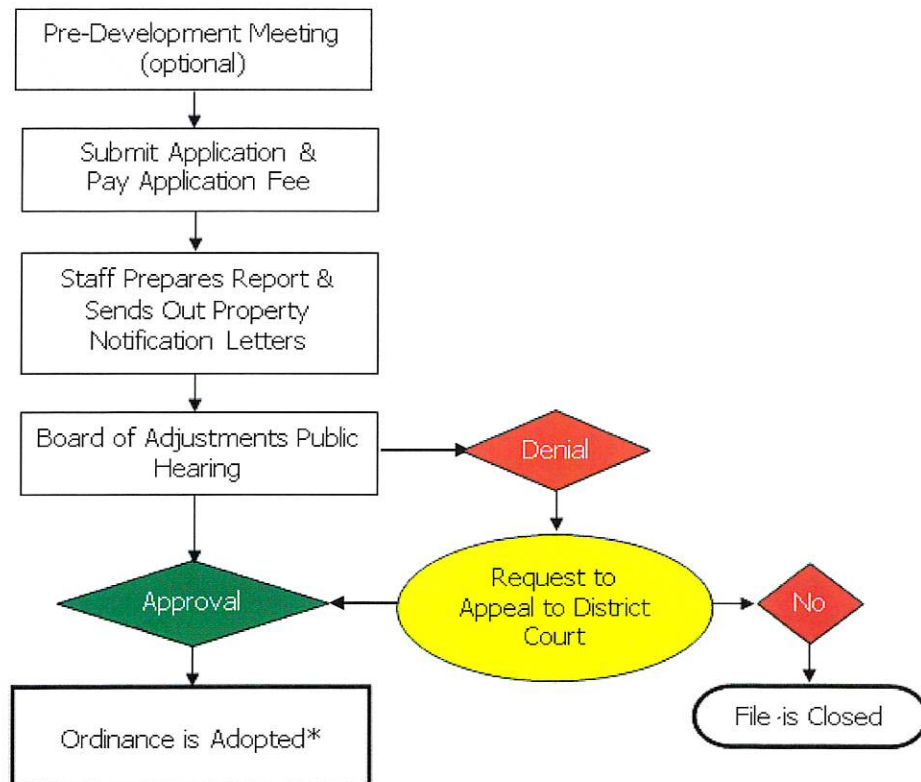
The Board of Adjustment shall finally decide appeals on the following matters of an appeal of any official's interpretation of the requirements of Chapters 2 or 4 of this LDC in which the requirement applies to development within the City limits of Abilene, unless a separate appeals process is otherwise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



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.

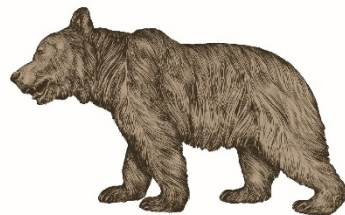
Witness my hand this day of _____, 20_____

*(cross out the inapplicable phrase)

ELSIE'S MANOR

A 36-UNIT SENIOR DEVELOPMENT

Abilene, TX



JES HOLDINGS, LLC

COMPANY OVERVIEW

JES HOLDINGS, LLC

DEVELOP

BUILD

MANAGE

INVEST



QUALITY HOUSING WHERE **OUR FAMILIES**
WOULD BE PROUD TO LIVE.

DEVELOPER



- 29 years experience developing affordable multi-family housing
- Developed 150 apartment communities with over 6,000 residential units
- Fifteen communities built or under development in Texas

GENERAL CONTRACTOR



Fairway Construction Co., Inc.

- 38 years experience
- Over 200 apartment communities and over 8,200 apartment units built nationwide
- Over \$2 billion in construction value

PROPERTY MANAGER



- Almost 30 years of experience
- Currently manages over 12,200 apartment units throughout the nation
- 250 apartment communities under management
- Overall portfolio occupancy of 97.5%

SYNDICATOR



Affordable Equity Partners, Inc.

- Syndicated over \$4 billion in Federal and State Tax Credits
- More than 500 tax credit developments syndicated in 16 states and 250 cities without a foreclosure or credit recapture
- Provides a full range of services for developers and investors in the Section 42 LIHTC Program.

Texas Communities



**Settlement Estates,
Bastrop**

70 Cottage-Style Senior Units
(32) One Bedroom Units
– 651 Sq. Ft.
(38) Two Bedroom Units
– 859 Sq. Ft.



**Riverwood
Commons I and II,
Bastrop**

36 Senior Units Located
in Elevared Building
(11) One Bedroom Units
– 725 Sq. Ft.
(25) Two Bedroom Units
– 935 Sq. Ft.



**Hidden Glen,
Salado**

50 Cottage-Style Senior Units
(15) One Bedroom Units – 700 Sq. Ft.
(35) Two Bedroom Units – 850 Sq. Ft.



**Bluff View
Senior Village,
Crandall**

48 Senior Units in
Elevared Building
(15) One Bedroom Units
– 710 Sq. Ft.
(33) Two Bedroom Units
– 893 to 925 Sq. Ft.



**Highlander
Senior Village,
Bulverde**

66 Cottage-Style Senior Units
(20) One Bedroom Units
– 740 Sq. Ft.
(46) Two Bedroom Units – 850 Sq. Ft.

Texas Communities



**Maple Park Senior,
Lockhart**

56 Cottage-Style Senior Units
(14) One Bedroom Units
– 767-789 Sq. Ft.
(42) Two Bedroom Units
– 882 Sq. Ft.



**Paige Estates,
Waco**

**64 Senior Units in
Elevated Building**
(20) One Bedroom Units
– 750 Sq. Ft.
(44) Two Bedroom Units
– 880 Sq. Ft.



**Parkside on
Carrier,
Grand Prairie**

**38 Senior Units in
Elevated Building**
(13) One Bedroom
Units – 750 Sq. Ft.
(25) Two Bedroom
Units – 880 Sq. Ft.



**Sweetwater
Station,
Sweetwater**

**52 Senior Units in
Elevated Building**
(16) One Bedroom Units
– 750 Sq. Ft.
(36) Two Bedroom Units
– 880 Sq. Ft.



**Pebblebrook
Parkside,
Denton**

**216 Family Units in
Walk-up and Elevated
Buildings**
(54) One Bedroom Units
– 746 Sq. Ft.
(108) Two Bedroom
Units – 988-1,075 Sq. Ft.
(54) Three Bedroom
Units – 1,082 Sq. Ft.

Texas Communities



**Estacado Estates,
Amarillo**

**46 Senior Units in
Elevated Building
(14) One Bedroom Units
– 750 Sq. Ft.
(32) Two Bedroom Units
– 880 Sq. Ft.**



**Riverside Manor,
Kerrville**

**36 Senior Units in
Elevated Building
(11) One Bedroom
Units – 750 Sq. Ft.
(25) Two Bedroom
Units – 880 Sq. Ft.**



**Trailside Estates,
Tyler**

**74 Senior Units in
Elevated Building
(24) One Bedroom Units
– 750 Sq. Ft.
(50) Two Bedroom Units
– 880 Sq. Ft.**



**Blanco Basin,
San Marcos**

**200 Senior Units in
Elevated Buildings
(100) One Bedroom
Units – 746 Sq. Ft.
(100) Two Bedroom
Units – 988-1,075 Sq. Ft.**

RIVERWOOD COMMONS

BASTROP, TX



HIDDEN GLEN

SALADO, TX



BLUFF VIEW SENIOR VILLAGE

CRANDALL, TX



DA HOLMES SENIOR HOUSING

KANSAS CITY, MO



LOFTS AT LANDMARK

ST JOSEPH, MO

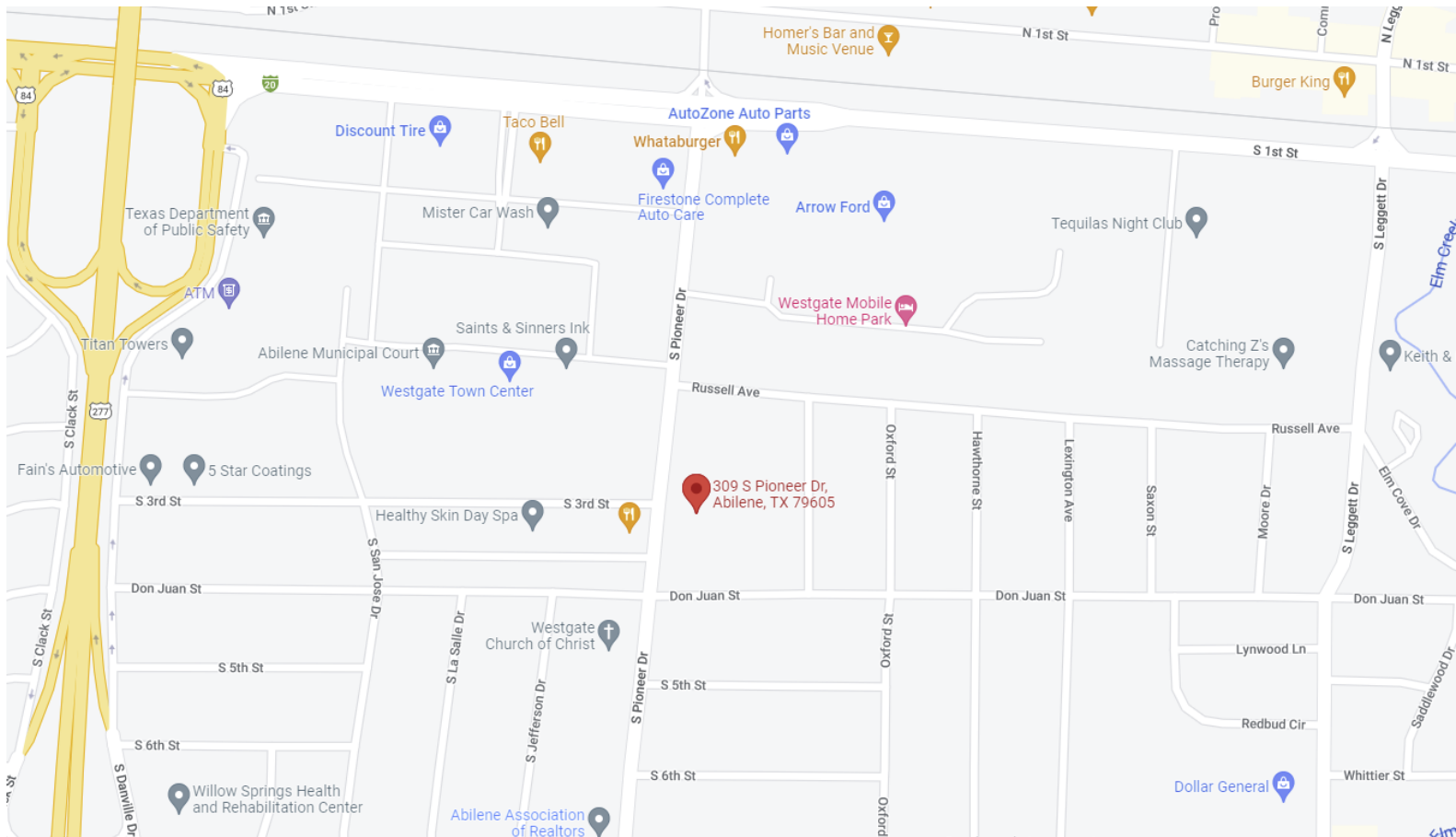


MARY LEILA LOFTS

GREENSBORO, GA



SITE INFORMATION



SITE AERIAL



SITE LAYOUT



S. PIONEER DR.

Abilene, TX

CONCEPTUAL SITE PLAN

November 14, 2022



rosemann
& ASSOCIATES

COMMUNITY FEATURES

COMMUNITY FEATURES

- Leasing office
- Community lounge
- Community kitchen
- Fitness room
- Business center
- Game/reading room
- Outdoor amenities



UNIT FEATURES & RESIDENT PROFILE

RESIDENTIAL UNIT FEATURES



Unit Mix and Rents

- 21 one-bedroom units (roughly 650-750 square feet)
- 15 two-bedroom units (roughly 850-880 square feet)

Unit Features

- Full kitchen with energy-star appliances
- In Unit Washer/Dryer Carpet and vinyl flooring



RESIDENT PROFILE



Age and Income Requirements

- Age restricted 55 +
- 24 units for residents at \$30K - \$34K
- 8 units for residents at \$25K - \$28
- 4 units for residents at \$15K - \$17K



- 24 units rent for \$798 - \$958
- 8 units rent for \$665 - \$798
- 4 units rent for \$399 - \$479

RESIDENT SERVICES

PROPOSED RESIDENT SERVICES

- Weekly home chore services (such as valet trash removal, assistance with recycling, furniture movement, etc., and quarterly preventative maintenance including light bulb replacement)
- Weekly exercise classes
- Twice monthly arts, crafts, and other recreational activities
- Twice monthly on-site social events
- Food pantry
- Annual health fair provided by a health care professional
- Partnership with local law enforcement or local first responders to provide quarterly on-site social and interactive activities intended to foster relationships with residents
- Notary Services during regular business hours
- Outreach to nonprofit service providers in community

CONTACT

Michael Ash, Development Manager

- 737-228-4962
- mash@aepartners.com

Ryan Garcia, Development Manager

- 573-397-2105
- rgarcia@jesholdings.com

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

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

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

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

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

PASSED ON FIRST READING the 26th day of January, 2023.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 18th day of December, 2022, the same being more than fifteen (15) days prior to a public hearing held at the Council Chambers of the City Hall at 555 Walnut St. in Abilene, Texas, at 8:30 a.m. on the 3rd day of January, 2023, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 9th day of February, 2023.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Change the zoning classification of the following described land, from Light Industrial (LI) to Planned Development District 178 (PD-178) subject to compliance with the “Base Zoning District, Land Uses, and Development Standards” attached hereto as Exhibit B and the Concept Plan attached hereto as Exhibit C:

Elmwood West, Section N, Lot 2, Abilene, Taylor County, Texas

EXHIBIT B

Proposed Base Zoning District, Land Uses, and Development Standards

Base Zoning - General Retail (GR) Base zoning subject to all GR district Standards

Permitted Uses – All uses permitted by right in the Light Industrial District, the General Retail district, and Multi-Family district shall be a permitted.

Setbacks – Building setbacks shall follow the General Retail zoning districts with the following modification:

1. Building setbacks abutting residential shall be 25 feet minimum for buildings up to 35 feet in height. Each additional foot in height above 35 feet shall add one foot of minimum setback.

Parking Standards – Parking standards shall follow the Land Development code with the following modifications:

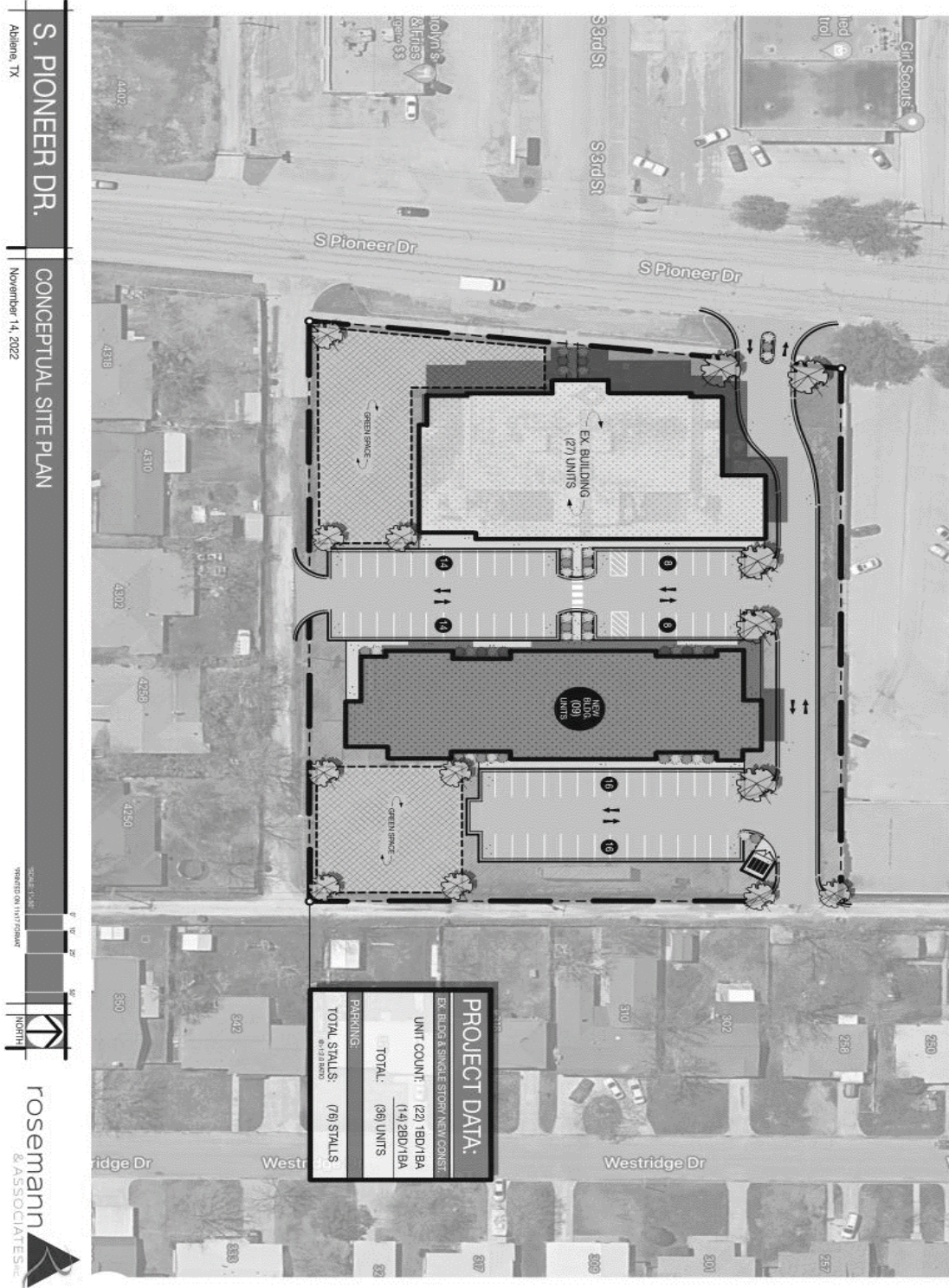
1. The minimum parking ratio for multi-family dwellings shall be 5 spaces for every 4 dwelling units.
2. For all other uses, the standard parking requirements of the LDC shall be applicable.

Additional Standards –

1. Multi-family development shall be generally consistent with the attached concept plan and plan of operation, except where the Plan of Operation is not consistent with the requirements listed herein.
2. The maximum density for multi-family dwellings shall be 26 units per acre.
3. When developed as multi-family residential, the landscape standard will be a minimum of 15% of the area between the front building façade and adjacent street right-of-way shall be landscaped area.
4. A type B buffer shall be required along both adjacent alleys for any new development.
5. If the site is completely redeveloped, all standard landscaping, buffering, and screening requirements shall be applicable. If only a portion of the site is redeveloped, all standard landscaping, buffering, and screening requirements shall be applicable to that portion of the site to be redeveloped.
6. If the use of the site remains as Light Industrial (LI) and all existing site improvements remain “as is” and are not expanded, the requirements listed above shall not be applicable.

ORDINANCE NO. _____

EXHIBIT C
Concept Plan



-END-

For the PLANNING & ZONING COMMISSION

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

CASE #: Z-2023-01

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: HERBERT KEVIN

Parcel I.D.: 55511

Address: 4410 DON JUAN 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: _____



DEC 28 AM 10:45



JOHNSON PAUL
4633 S 14TH ST
ABILENE, TX 79605-4734

NOTICE OF PUBLIC HEARING

RE: Zoning Application Number Z-2023-01

12/19/2022

The Planning and Zoning Commission will hold a public hearing on **January 3, 2023 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 New Dairy Texas, LLC, represented by Borden Bluff, to change the zoning of approximately 2.4 acres from Light Industrial (LI) to Planned Development District 178 (PDD-178) to allow multi-family residential uses and uses permitted in the General Retail (GR) district, while retaining the right for Light Industrial (LI) uses. Legal description being Lot 2, Elmwood West, Section N, City of Abilene, Taylor County, Texas.

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

The attached map shows the area of this request. Only the area highlighted by striped lines shown on that map is being considered for a change of zoning. The solid boundary line surrounding this subject area is only a notification area. If approved by the Planning and Zoning Commission, or if denied and promptly appealed to Abilene's City Council, this case will be heard by City Council for 2nd and Final Reading with a public hearing on **February 9, 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.

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Name: JOHNSON PAUL

Parcel I.D.: 98661

Address: 4365 S 1ST 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: _____

Paul Johnson

Not in favor of "MF" zoning



JOHNSON PAUL
4633 S 14TH ST
ABILENE, TX 79605-4734

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12/19/2022

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Name: JOHNSON PAUL
Parcel I.D.: 98661
Address: 4371 S 1ST 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: _____

A handwritten signature in blue ink, appearing to read "Paul Johnson", is written over a horizontal line.

Not in favor of "MF" zoning



JOHNSON PAUL
4633 S 14TH ST
ABILENE, TX 79605-4734

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Name: JOHNSON PAUL
Parcel I.D.: 98661
Address: 4379 S 1ST 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: _____

Paul Johnson

Not in favor of "MF" zoning



JOHNSON PAUL
4633 S 14TH ST
ABILENE, TX 79605-4734

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Name: JOHNSON PAUL
Parcel I.D.: 98661
Address: 4383 S 1ST ST

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: _____

Not in favor of "MF" zoning



JOHNSON PAUL
4633 S 14TH ST
ABILENE, TX 79605-4734

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Name: JOHNSON PAUL
Parcel I.D.: 98661
Address: 242 S PIONEER 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:

Paul Johnson

Not in favor of "MF" zoning

SNC-2023-01

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: January 3, 2023

City Council 1st Reading: January 26, 2023

City Council 2nd Reading: February 9, 2023

Applicant

Applicant: Let Us Breathe Abilene

Agent: Dr. A. C. Jackson

Case Manager

Adam Holland

Request

Change the name of North 9th Street to Allie Ward Drive.

Location

500-600 blocks of North 9th Street between Ash Street and Plum Street.

Background

This street was platted, named and constructed as part of the Original Town of Abilene Subdivision in 1881. There is one address on this street. Allie Ward was an important figure in Abilene's past and was a pioneer in Abilene education.

Assessment

All property owners that would be directly affected by the street name change have been notified. If approved, the applicant will need to replace five existing street name signs. There is one address located on North 9th Street that would be directly affected by this request.

The Development Review Committee reviewed this request and found that:

1. The address on North 9th Street must be changed to accommodate the new street name.

Staff Recommendation

The Land Development Code does not contain criteria to assess when a street name change is appropriate. If the Commission and City Council find that the request is appropriate, staff recommends:

1. The applicant shall be responsible for all costs associated with the name change, including the costs of producing and installing the new street signs and the street address change.

Attachments

- Application
- PowerPoint

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on December 23rd, 2022 via certified mail to the applicant and to the owners of property within a 200-foot radius of the subject street right-of-way. These property owners and associated parcel identification numbers are identified below:

Property Owners

Owner	Property ID	Situs	Response
800 MESQUITE STREET	14506	878 PLUM ST	
ABILENE IND SCHOOL DIST	66984	601 N 9TH ST	
ABILENE IND SCHOOL DIST	66984	866 ASH ST	
ABILENE IND SCHOOL DIST	66984	874 ASH ST	
ABILENE IND SCHOOL DIST	66032	520 N 9TH ST	
ABILENE IND SCHOOL DIST	66032	949 PLUM ST	
CASTILLO LETICIA	1000984	858 PLUM ST	
CASTILLO LETICIA	1000984	860 PLUM ST	
CORPIAN GARY & MARILU &	65907	888 N TREADAWAY BL	
CORPIAN GARY LEE & MARILU LEE	65657	898 N TREADAWAY BL	
COY PAMELA A	67378	858 ASH ST	
FLORES ED & DEE	65404	933 ASH ST	
GUNS NOHEMI	65781	896 N TREADAWAY BL	
HUNTER LAVEAERNE	67629	855 PLUM ST	
JEFFERSON MURIEL	67744	857 PLUM ST	
MEALS ON WHEELS PLUS	72485	717 N 10TH ST	
MEALS ON WHEELS PLUS INC	73819	898 PLUM ST	
MEALS ON WHEELS PLUS INC	68129	889 PLUM ST	
MEALS ON WHEELS PLUS INC	73964	894 PLUM ST	
MT ZION BAPTIST CHURCH	72360	874 N TREADAWAY BL	
MT ZION BAPTIST CHURCH	68375	881 ASH ST	
MT ZION BAPTIST CHURCH	71979	850 N TREADAWAY BL	
MT ZION BAPTIST CHURCH	68733	517 N 9TH ST	
MT ZION BAPTIST CHURCH	72111	852 N TREADAWAY BL	
MT ZION BAPTIST CHURCH	68616	518 STAFFORD DR	
MT ZION BAPTIST CHURCH	72240	866 N TREADAWAY BL	
MT ZION BAPTIST CHURCH	68846	861 ASH ST	
MT ZION BAPTIST CHURCH	68256	857 ASH ST	

MT ZION BAPTIST CHURCH	68496	873 ASH ST	
MT ZION BAPTIST CHURCH	68959	859 ASH ST	
MT ZION BAPTIST CHURCH	69070	520 STAFFORD DR	
PORTLOCK WALTER	14279	874 PLUM ST	
ROBERTS SAMUEL E	67866	861 PLUM ST	
ROBINSON BILLIE LONG	65536	902 N TREADAWAY BL	
ROBINSON LILLIAN	13949	880 PLUM ST	
WILLIAMS VICTOR JEROME &	67996	881 PLUM ST	
WILSON J D	67506	850 ASH ST	

Property ID

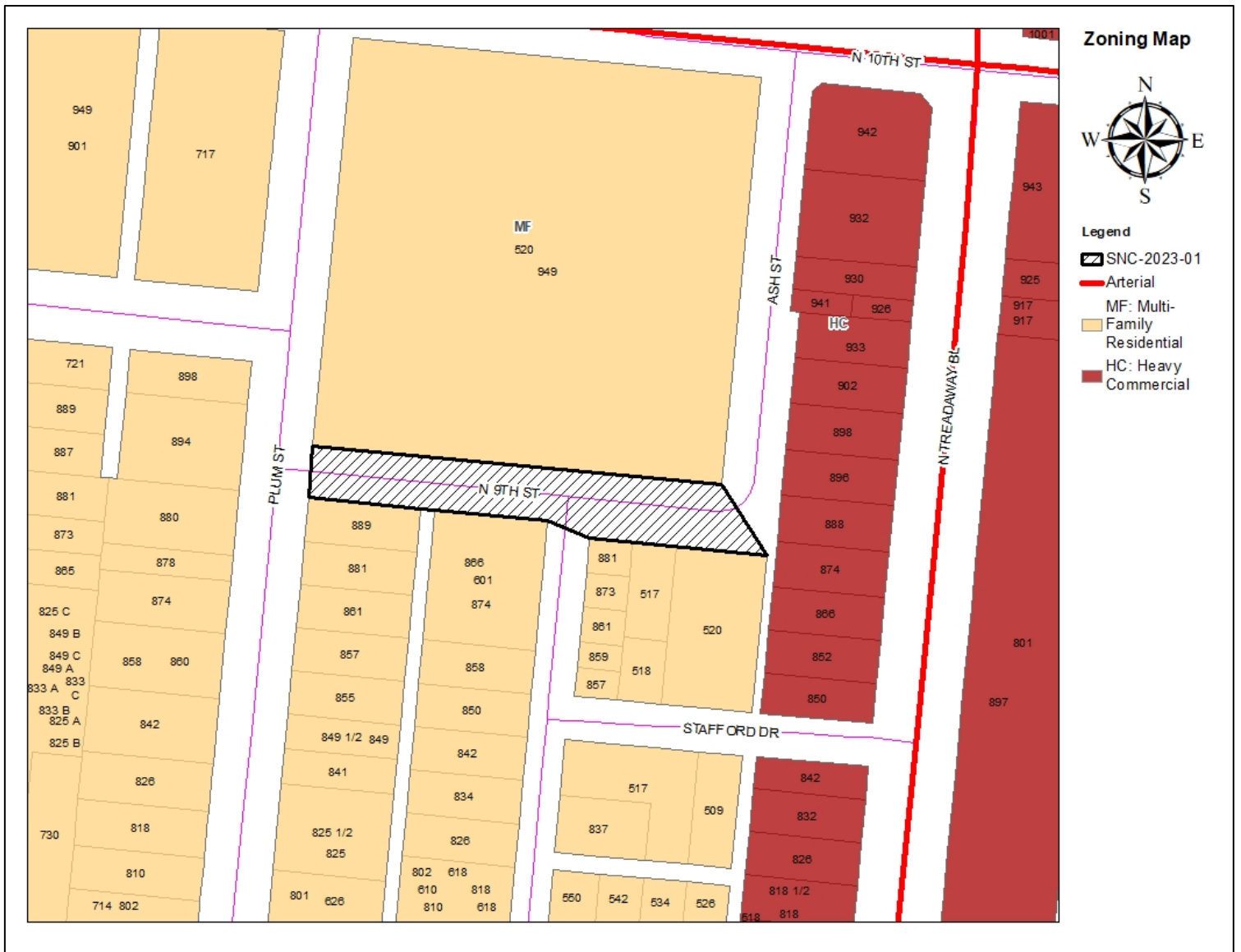
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CORPIAN GARY LEE & MARILU LEE	65657	898 N TREADAWAY BL	
GUNS NOHEMI	65781	896 N TREADAWAY BL	
CORPIAN GARY & MARILU &	65907	888 N TREADAWAY BL	
ABILENE IND SCHOOL DIST	66032	520 N 9TH ST	
ABILENE IND SCHOOL DIST	66032	949 PLUM ST	
ABILENE IND SCHOOL DIST	66984	601 N 9TH ST	
ABILENE IND SCHOOL DIST	66984	866 ASH ST	
ABILENE IND SCHOOL DIST	66984	874 ASH ST	
COY PAMELA A	67378	858 ASH ST	
WILSON J D	67506	850 ASH ST	
HUNTER LAVEAERNE	67629	855 PLUM ST	
JEFFERSON MURIEL	67744	857 PLUM ST	
ROBERTS SAMUEL E	67866	861 PLUM ST	
WILLIAMS VICTOR JEROME &	67996	881 PLUM ST	
MEALS ON WHEELS PLUS INC	68129	889 PLUM ST	
MT ZION BAPTIST CHURCH	68256	857 ASH ST	
MT ZION BAPTIST CHURCH	68375	881 ASH ST	
MT ZION BAPTIST CHURCH	68496	873 ASH ST	
MT ZION BAPTIST CHURCH	68616	518 STAFFORD DR	
MT ZION BAPTIST CHURCH	68733	517 N 9TH ST	
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MT ZION BAPTIST CHURCH	68959	859 ASH ST	
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MEALS ON WHEELS PLUS INC	73964	894 PLUM ST	
CASTILLO LETICIA	1000984	858 PLUM ST	
CASTILLO LETICIA	1000984	860 PLUM ST	

LOCATION MAP



ZONING MAP





STREET NAME CHANGE REQUEST

Case: SNC-2023-01

Applicant: Let Us Breathe Abilene

Agent: Dr. A. C. Jackson

Request: Change the name of North 9th Street

Location: 500-600 Block of North 9th Street

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: January 3, 2023

City Council Hearing: January 26, 2023
February 9, 2023





STREET NAME CHANGE REQUEST

Case: SNC-2023-02

Applicant: Let Us Breathe Abilene

Agent: Dr. A. C. Jackson

Request: Change the names of Ash Street

Location: 800 Block of Ash Street

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: January 3, 2023

City Council Hearing: January 26, 2023
February 9, 2023





SNC-2023-01 AND SNC-2023-02 LOCATION MAP



Aerial Map



Legend

- SNC-2023-02
- SNC-2023-01
- CourierParcels



CITY OF
ABILENE
TEXAS



SNC-2023-01 AND SNC-2023-02 ZONING MAP



Zoning Map



Legend

- SNC-2023-02
- SNC-2023-01
- Arterial
- MF: Multi-Family Residential
- CB: Central Business
- HC: Heavy Commercial



CITY OF
ABILENE
TEXAS



SNC-2023-01 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES

**Neighboring property
south**



N 9th from west



N 9th from east



**Neighboring property
north**





SNC-2023-02 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES

Ash Street from the north

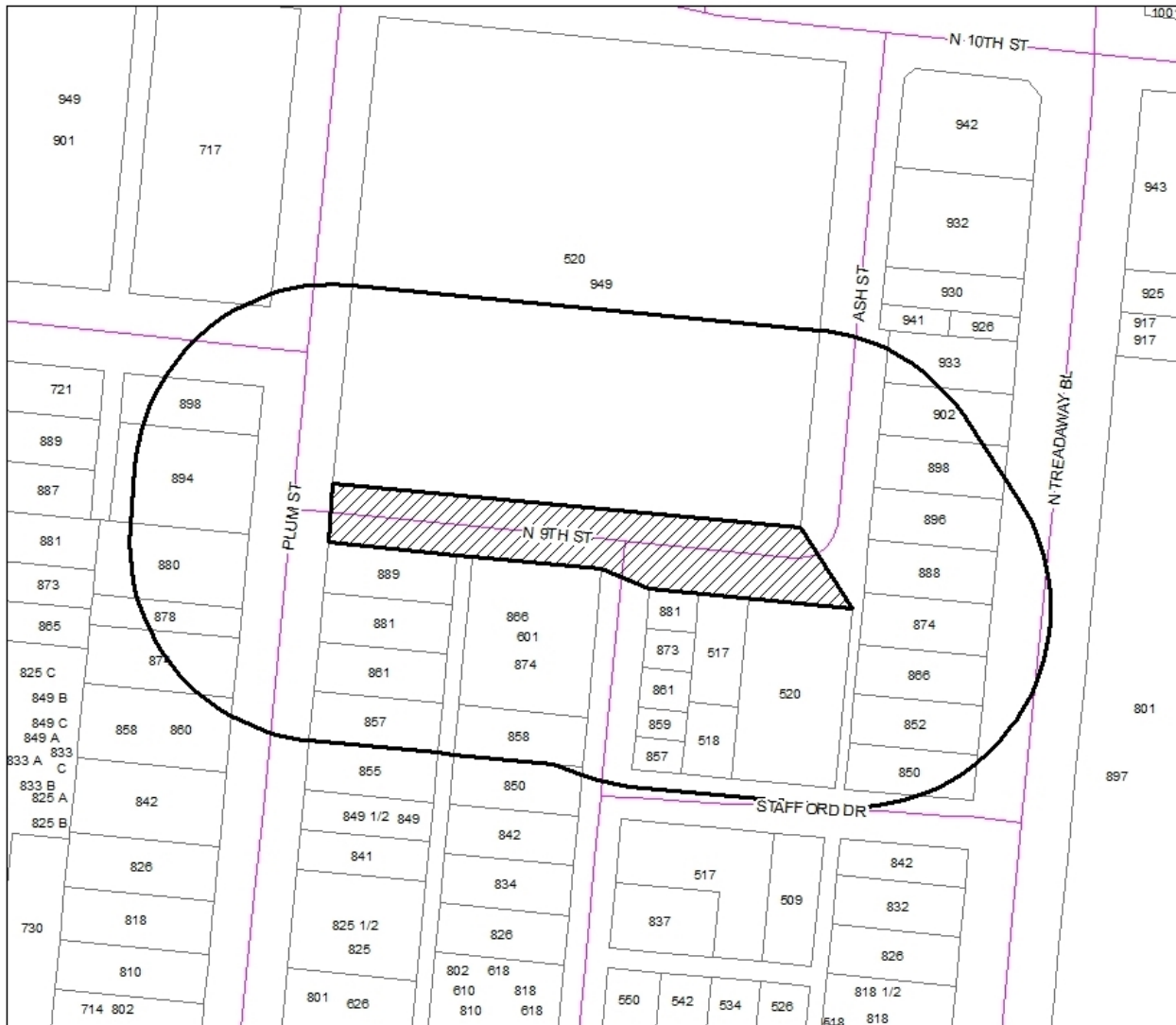


Ash Street from the south

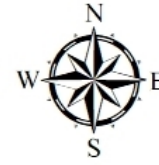




SNC-2023-01 NOTIFICATION AREA MAP



Notification Map



Legend

- 200' buffer
- SNC-2023-01

- 0- In Favor-
- 0- Opposed-



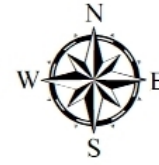
CITY OF
ABILENE
TEXAS



SNC-2023-02 NOTIFICATION AREA MAP



Notification Map



Legend

- 200' Buffer
- SNC-2023-02

0- In Favor-



0- Opposed-



CITY OF
ABILENE
TEXAS



Impacts of the Proposed Name Changes

North 9th Street (SNC-2023-01)

- The applicant would be required to replace five existing street name signs.
- 1 address on North 9th Street is directly affected by this request.

Ash Street (SNC-2023-02)

- The applicant would be required to replace five existing street name signs.
- 8 addresses on Ash Street are directly affected by this request.





FINDINGS AND RECOMMENDATIONS

The Land Development Code does not contain criteria to assess when a street name change is appropriate.

If the Commission and City Council find that the request is appropriate, staff would recommend that the following condition be required:

- The applicant shall be responsible for all costs associated with the name change, including the costs of producing and installing the new street signs and the street address change fee.





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: Temporary Permanent Street Name Change - Allie Ward Dr.
 Address: 500 - 600 block of North 9th Number of Lots: _____ Acreage: _____
 Legal Description: _____
 Subdivision Name: _____ Block: _____ Lot: _____
 Current Zoning: _____ Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Let US Breathe--
 Address: 541 Cochran Ave
 City, State, Zip: Abilene TX 79601 Fax: _____
 Phone: 325-267-1794 Email: letusbreatheabilene@gmail.com
 Agent Name: Dr. AC Jackson
 Address: 4345 Garden Grove Lane
 City, State, Zip: Abilene TX 79606 Fax: _____
 Phone: 325-266-3438 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: Shante Fleming Date: 12/6/2022

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 & RR-1 | ☐ MU | Medical Use |
| ☐ RS-12 | Residential Single-Family – 12,000 sq. ft lots | ☐ CB | Central Business |
| ☐ RS-8 | Residential Single-Family – 8,000 sq. ft lots | ☐ MX | Mixed Use |
| ☐ RS-6 | Residential Single-Family – 6,000 sq. ft 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 | ☐ PD | Planned Development District |
| ☐ CU | College & University | ☐ | Empowerment Overlay |
| ☐ NO | Neighborhood Office | | |
| ☐ O | Office | | |
| ☐ NR | Neighborhood Retail | | |

Reason for Zoning Change

To honor and preserve Black American Pathfinders history in Abilene. Ms. Allie Ward was the first black female teacher employed by Abilene I.S.D.

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. Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map?

The Permanent Name Change is within the Comprehensive Plan for Street Name Change. Honoring Black American Abilene history. Starting at North 9th and Ash to North 9th and Plum Street, to Allie Ward Drive.

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

The area of the name changes are appropriate. Ms. Allie Ward is a Black American Pathfinder in Abilene's history. Most of her work was conducted on the Northside of Abilene in these black community areas.

3. Are the proposed changes in agreement with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

We have contacted the Abilene City Manager and Abilene ISD both parties are in favor of this name change. Ms. Allie Ward has Allie Ward elementary named after her.

4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?

This name change of the street will not affect public health, safety, morals or general welfare.

Other Required Forms - Disclosure of Interest (See Attached)

SNC-2023-02

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: January 3, 2023

City Council 1st Reading: January 26, 2023

City Council 2nd Reading: February 9, 2023

Applicant

Applicant: Let Us Breathe Abilene

Agent: Dr. A. C. Jackson

Case Manager

Adam Holland

Request

Change the name of a certain right-of-way in the City of Abilene from Ash Street to Raymond Hayden Drive.

Location

800 block of Ash Street between North 9th Street to North 8th Street.

Background

This street was platted, named and constructed as part of the Letcher D. King Subdivision of Out lot 3, Block 177, Abilene in 1927. There are eight addresses on this street. Raymond Hayden was the first black police officer of the City of Abilene.

Assessment

All property owners that would be directly affected by the street name change have been notified. If approved, the applicant will need to replace five existing street name signs. There are eight (8) addresses located on the street.

The Development Review Committee reviewed this request and found that:

1. The addresses on Ash Street must be changed to accommodate the new street name.

Staff Recommendation

The Land Development Code does not contain criteria to assess when a street name change is appropriate. If the Commission and City Council find that the request is appropriate, staff recommends:

1. The applicant shall be responsible for all costs associated with the name change, including the costs of producing and installing the new street signs and the street address change.

Attachments

- Application
- PowerPoint

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on December 23, 2022, via certified mail, to the applicant and all owners of property within a 200-foot radius of the subject street right-of-way. These property owners and associated parcel identification numbers are identified below:

Property Owners

Owner	Property ID	Situs	Response
ABILENE IND SCHOOL DIST	66032	520 N 9TH ST	
ABILENE IND SCHOOL DIST	66032	949 PLUM ST	
ABILENE IND SCHOOL DIST	66984	601 N 9TH ST	
ABILENE IND SCHOOL DIST	66984	866 ASH ST	
ABILENE IND SCHOOL DIST	66984	874 ASH ST	
ANTIOCH CHRISTIAN METHODIST EPISCOPAL	66400	626 N 8TH ST	
ANTIOCH CHRISTIAN METHODIST EPISCOPAL	66400	801 PLUM ST	
BLANTON ANGELINA L ET AL	66512	610 N 8TH ST	
BLANTON ANGELINA L ET AL	66512	618 N 8TH ST APT A	
BLANTON ANGELINA L ET AL	66512	618 N 8TH ST APT B	
BLANTON ANGELINA L ET AL	66512	802 ASH ST	
BLANTON ANGELINA L ET AL	66512	810 ASH ST	
BLANTON ANGELINA L ET AL	66512	818 ASH ST	
BOYD WILLIE GIPSON	68713	617 N 8TH ST	
BURNETTE KAREN D	69849	542 N 8TH ST	
CHAMBERS KAREN	69970	550 N 8TH ST	
CITY OF ABILENE	68358	541 N 8TH ST	
CITY OF ABILENE	69960	610 W WASHINGTON ST	
COY PAMELA A	67378	858 ASH ST	
CUMMINGS BILLY E ET AL	68600	605 N 8TH ST	
FOCO CAPITAL LLC	68941	633 N 8TH ST	
GARRETT RACQUEL	69054	637 N 8TH ST	
HUNTER LAVEAERNE	67629	855 PLUM ST	
ISLAND MARY JAY	66148	825 1/2 PLUM ST	
ISLAND MARY JAY	66148	825 PLUM ST	
ISLAS GUADALUPE	68478	601 N 8TH ST	
JEFFERSON MURIEL	67744	857 PLUM ST	
KNIGHT BILLY RAY	66630	826 ASH ST	
MC KINNEY WILLIE MAE REED	69726	534 N 8TH ST	
MEALS ON WHEELS PLUS INC	68129	889 PLUM ST	

MOUNT MORIAH BAPTIST CHURCH	69573	526 N 8TH ST	
MT ZION BAPTIST CHURCH	68256	857 ASH ST	
MT ZION BAPTIST CHURCH	68375	881 ASH ST	
MT ZION BAPTIST CHURCH	68496	873 ASH ST	
MT ZION BAPTIST CHURCH	68616	518 STAFFORD DR	
MT ZION BAPTIST CHURCH	68733	517 N 9TH ST	
MT ZION BAPTIST CHURCH	68846	861 ASH ST	
MT ZION BAPTIST CHURCH	68959	859 ASH ST	
MT ZION BAPTIST CHURCH	69070	520 STAFFORD DR	
MT ZION BAPTIST CHURCH	69197	837 ASH ST	
MT ZION BAPTIST CHURCH	69318	517 STAFFORD DR	
MT ZION BAPTIST CHURCH	69451	509 STAFFORD DR	
PORTILLO JORGE A	66749	834 ASH ST	
PORTILLO JORGE A	66868	842 ASH ST	
PORTLOCK WALTER	66397	841 PLUM ST	
ROBERTS SAMUEL E	67866	861 PLUM ST	
SIMS TERRANCE SHAQUIL	68830	629 1/2 N 8TH ST	
SIMS TERRANCE SHAQUIL	68830	629 N 8TH ST	
VALLEY VIEW MISSIONARY	66276	849 1/2 PLUM ST	
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WILLIAMS VICTOR JEROME &	67996	881 PLUM ST	
WILSON J D	67506	850 ASH ST	

Property ID

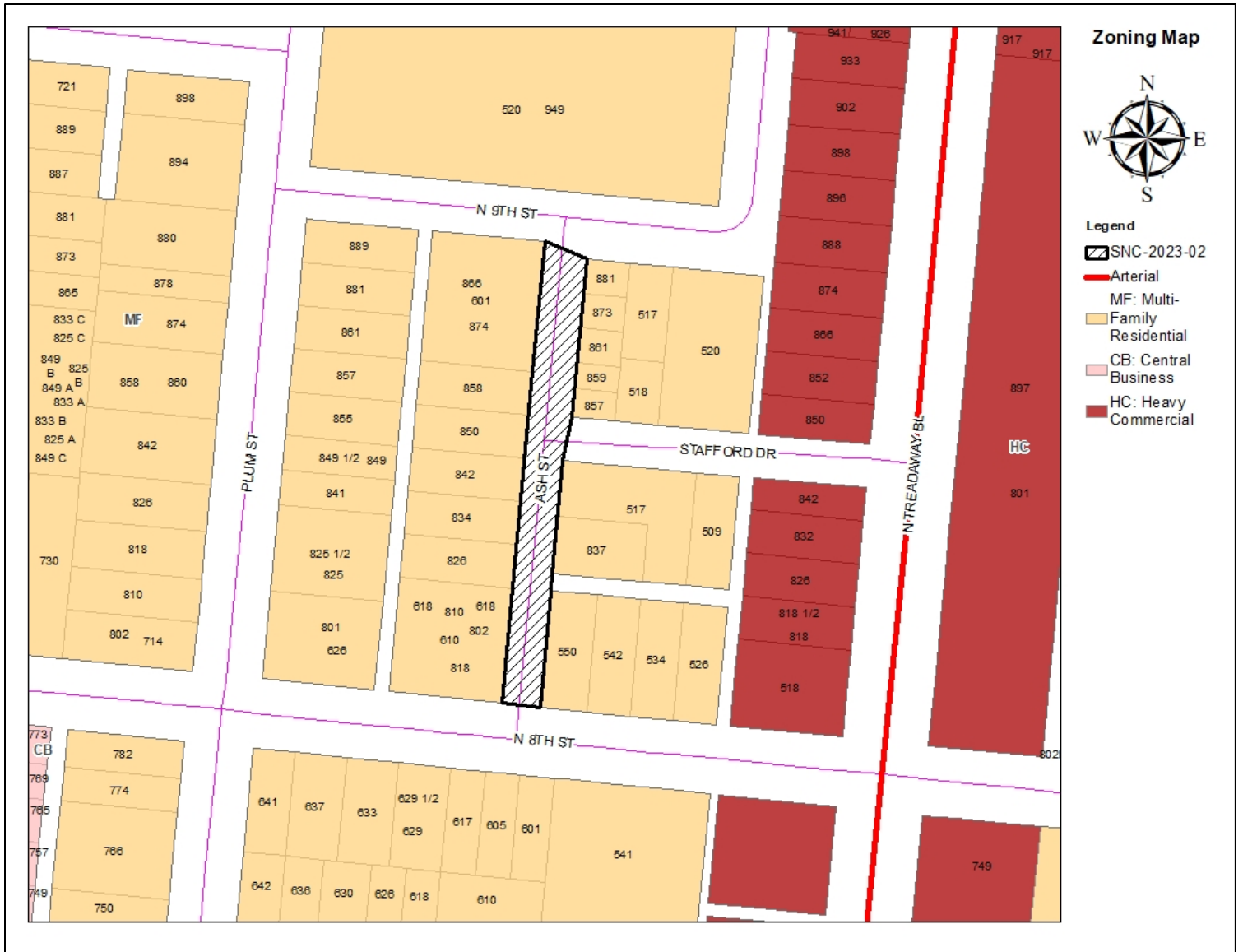
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LOCATION MAP



ZONING MAP





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: Honoring Permanent Street Name Change - Raymond Hayden Dr.
 Address: 800 bluffs Ash - 5 Number of Lots: _____ Acreage: _____
 Legal Description: _____
 Subdivision Name: _____ Block: _____ Lot: _____
 Current Zoning: _____ Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Let Us Breathe
 Address: 541 Cackered Drive
 City, State, Zip: Abilene TX 79601 Fax: _____
 Phone: 325-267-1794 Email: letusbreatheabilene@gmail.com
 Agent Name: AC Jackson
 Address: 4845 Garden Grove Lane
 City, State, Zip: Abilene TX 79606 Fax: _____
 Phone: 325-266-8438 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.

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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. Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map?

The permanent name change is within the ~~comprehensive~~ ^{comprehensive} Plan for the street name change. Honoring Black American Abilene history.

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

The area of the name changes are appropriate. Raymond Hayden was a Pathfinder in Black American history in Abilene. Most of his work and where he lived was on the northside of Abilene in the black community areas.

3. Are the proposed changes in agreement with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

We have the support of Abilene ISD. Especially since Raymond B. Hayden was the first black football coach.

4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?

The name change of the street will not affect public health, safety, morals or general welfare.

Other Required Forms - Disclosure of Interest (See Attached)

2022 Development Application

Zoning Application Page 2 of 3

Existing Zoning

- | | | | |
|--------------------------------|--|-----------------------------|------------------------------|
| ☐ AO | Agricultural Open Space | ☐ GR | General Retail |
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| ☐ MD | Residential Medium Density | ☐ HI | Heavy Industrial |
| ☐ MH | Manufactured/Mobile Home | ☐ PD | Planned Development District |
| ☐ CU | College & University | ☐ | Empowerment Overlay |
| ☐ NO | Neighborhood Office | | |
| ☐ O | Office | | |
| ☐ NR | Neighborhood Retail | | |

Reason for Zoning Change

Street name change to honor and preserve Black American Pathfinders history in Abilene TX. Raymond B. Hayden was the first black american football coach at Abilene Negro High School now known as "Woodson"

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.