



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, June 6, 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 May 2, 2023

PLATS

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

2. **FP-2623:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a final plat for Summit View Estates.

ZONING

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

3. **CUP-2023-03:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Waco Parkdale, LP to Apply a Conditional Use Permit to Approximately 9.82 Acres to Allow for a Trade School Within General Retail (GR) Zoning. Located at 3301 South 14th Street, #35A. Legal Description Being Section 1, Block Remainder 1 of The Wychwood Addition, Abilene, Taylor County, Texas. **(Mason Teegardin)**
4. **CUP-2023-04:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Marla Pollitt – Clearview RV, LLC to Apply a Conditional Use Permit to Approximately 11.16 Acres on a Site Zoned Agricultural Open (AO) and PDD-42 to Allow an RV Park Within the Portion of the Lot Zoned Agricultural Open. Located at 4051 W. Lake Road. Legal Description Being Lot 411, Block 3, Section 1, Pleasant Hills Estates, Abilene, Taylor County, Texas. **(Mason Teegardin)**
5. **Z-2023-15:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from IWS2 Investments, LLC to Change the Zoning of Approximately 1.26 Acres from Residential Single Family-6 (RS-6) to Multi-Family Residential (MF) Located on the 900 Block of Minda Street. Legal Description Being Block 23, Williams Estate Subdivision, Abilene, Taylor County, Texas. **(Adam Holland)**

6. **Z-2023-17:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Mike and Buffi Awtry to Change the Zoning of Approximately 0.08 Acres from Agricultural Open (AO) to Heavy Commercial (HC). Located at 2401 E. Stamford Street. Legal Description Being 3363 Square Feet of Land Out of a 67.4-Acre Tract Out of Block 9 and Block 3, Jackson Subdivision of Section 32, Blind Asylum Lands, Abilene, Taylor County, Texas. **(Mason Teegardin)**
7. **Z-2023-19:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Antonio and Elizabeth Gonzales to Change the Zoning of Approximately 0.82 Acres from Agricultural Open (AO) To Mobile Home (MH). Located at 350 Comanche Trail. Legal Description Being 0.82 Acres Out of Section 46, Block 16, T&P RR Company Surveys, Abilene, Jones County, Texas. **(Adam Holland)**
8. **Z-2023-20:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the City Of Abilene on Behalf of Petra Ortiz to Change the Zoning of Approximately 0.32 Acres from Heavy Commercial (HC) to Residential Single-Family (RS-6). Located at 1317 Mesquite Street. Legal Description Being the S 100 Feet, The N200 Feet, and W 140 Feet of McNairy's Subdivision, Abilene, Taylor County, Texas. **(Adam Holland)**
9. **TC-2023-03:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from IWS2 Investments, LLC to Abandon the Unimproved Manilla Street Located Between Hailey Street and Minda Street, Abilene, Taylor County, Texas. **(Adam Holland)**

EXECUTIVE SESSION

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

- 551.071 Consultation with Attorney

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 1st day of June, 2023, at 3:15 p.m.

Shawna Atkinson, City Secretary



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on May 2, 2023 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas

Commissioners Present:

Mr. Clint Rosenbaum, Chairman

Mr. Brad Benham, Chairman Pro Tem

Mr. Mitch Barnett

Ms. Shawnte' Fleming

Mr. Kevin Halliburton

Commissioners Absent:

Rev. Iziar Lankford, Secretary

Ms. Alex Russell, Sergeant-at-Arms

Staff Present:

Mr. Michael Rice, Assistant City Manager

Mr. Randy Anderson, Assistant Director of Planning and Development Services

Ms. Kelley Messer, First Assistant City Attorney

Ms. Clarissa Ivey, Planner I

Ms. Mason Teegardin, Planner I

Others Present:

C. J. Chaney

Brian Doremus

Ryan Gibson

Jeff Graham

Tim Graves

Sam Chase

Dennis Dunnam

James Webb

Martha Webb

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

INVOCATION

Reverend Lankford delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Mr. Rosenbaum opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed. Mr. Benham moved to approve the minutes from the previous meeting, which was held on April 4, 2023. Mr. Halliburton seconded the motion.

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

AYES: Barnett, Benham, Halliburton, Fleming, Rosenbaum

NAYS: None

ZONING

HOZ-2023-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Third And Pine, LP To Apply Historic Overlay Zoning To Approximately .16 Acres Zoned Central Business (CB). Located At 302 Pine Street. Legal Description Being Lot 11-12, Block 21, Original Town Abilene, Abilene, Taylor County, Texas.

Ms. Mason Teegardin presented this request. The Grant Building is a three-story commercial building in downtown Abilene. It was built in 1932 by local entrepreneur James M. Radford to accommodate a W.T. Grant Co. store. The building retains significant integrity on the exterior with its original massing, masonry ornament, and original windows on the south elevation.

A building permit was issued on 02/01/21 for interior renovations for office spaces, as well as sidewalk replacement. Work was completed on 09/20/22. The building on the subject property is included on the National Register of Historic Places as of December 2020 and is also listed on the Texas Historical Commission register.

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

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

AYES: Barnett, Benham, Halliburton, Fleming, Rosenbaum

NAYS: None

Z-2023-07: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Coffee Momma LLC To Change Zoning From PDD-128 To General Retail. Located At 701 S. Judge Ely Blvd. Legal Description Being Lot 1, Block 8, East Horizon Section 2, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. This property was annexed in 1957 and has remained vacant ever since. In 2009, the property was rezoned from Office (O) to Planned Development

(PD-128). The base zoning of that PD was Shopping Center. The purpose of this request is to allow the property to be uses that were originally intended when the PDD district was established.

The only change in this request is the address.

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: Approval

Mr. Benham moved to approve the request. Mr. Halliburton seconded the motion. The motion prevailed by the following vote:

AYES: Barnett, Benham, Halliburton, Fleming, Rosenbaum

NAYS: None

Z-2023-11: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Bridgestone Bandag, LLC To Change Zoning From Light Industrial To Heavy Industrial. Located At 4962 FM 18 Legal Description Being 22.43 Acres Of The Southeast Quarter Of Survey 44 Blind Asylum Lands, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The subject property was annexed in 1986 and zoned Light Industrial (LI). The applicant is requesting rezoning to match the zoning of the two adjoining properties that they own in order to facilitate the potential expansion of their facilities.

Mr. Rosenbaum opened the public hearing. Mr. Sam Chase spoke in approval as the agent for Bridgestone Bandag, LLC. Seeing no one else present and desiring to be heard, the public hearing was closed.

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

STAFF RECOMMENDATION: Approval

Ms. Fleming made the motion to approve the request. Mr. Halliburton seconded the motion. The motion prevailed by the following vote:

AYES: Barnett, Benham, Halliburton, Fleming, Rosenbaum

NAYS: None

Z-2023-13: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Dennis Ray Dunnam II And Mollie Victoria Dunnam To Change Zoning From Agricultural Open (AO) And General Commercial (GC) To General Commercial. Located At 411 ES 11th Street. Legal Description Being Lot 1 And The West Half Of Lot 2 Of The Browne-Hall-Meyer-Fredeck Subdivision Of Lot 1, Block 211 Of The Original Town Of Abilene, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The subject property is narrow and divided into two zoning districts. The north portion of the lot, along E.S. 11th Street, is zoned GC. The remainder of the site is zoned AO. The owner proposes to rezone the entire lot to GC to allow for the full development of this lot for commercial use.

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

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

STAFF RECOMMENDATION: Approval

Mr. Benham moved to approve the request. Ms. Fleming seconded the motion. The motion prevailed by the following vote:

AYES: Barnett, Benham, Halliburton, Fleming, Rosenbaum

NAYS: None

PARKS MASTER PLAN

Ms. Lesli Andrews presented the goals and vision of Parks and Recreation. An outside source was hired to compose this plan, but guidance was also offered by a steering committee, which consisted of key staff, board members, and city officials.

Ms. Andrews explained the four steps to the process, which were Evaluate, Engage, Envision, and Plan. The plan was presented to the Parks and Recreation Board in February. 82% of respondents visited parks six or more times in the past year. Citizens are most certainly using the parks facilities. The data also revealed that Abilene currently has more seniors and fewer children. Our city is low with flat fields, which are fields that are for any sport. Additionally, staffing is less than the benchmark.

After summarizing the major points and community priorities for investment of the Plan, Ms. Andrews also shared results of the strategic planning revisions to the mission and vision statements. She closed by requesting a recommendation for approval of this document to forward to City Council.

The public hearing was opened. Mr. Sam Chase spoke in favor of this plan. Seeing no one else present and desiring to be heard, the public hearing was closed.

Mr. Barnett moved to approve this item. Ms. Fleming seconded the motion. The motion prevailed by the following vote:

AYES: Barnett, Benham, Halliburton, Fleming, Rosenbaum

NAYS: None

Adjournment

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 2:18 p.m.

APPROVED

Mr. Clint Rosenbaum, Chairman

PLANNING COMMISSION NOTE: IN A RESOLUTION APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ARLING, TEXAS, THE FOLLOWING PERSONS WERE APPOINTED TO THE SAID BOARD OF RESERVANCE AND THE FOLLOWING PERSONS WERE APPOINTED TO THE SAID BOARD OF RESERVANCE: A. AS APPOINTED	
DATE	CHAIRMAN
ATTEND	SECRETARY
DATE	PLANNING DIRECTOR

DIRECTOR OF PUBLIC WORKS THE DESIGNATION FIELD IN CONNECTION WITH THE CITY PLANNING COMMISSION OF ARLING, TEXAS, AND PUBLIC WORKS, IS A POSITION OF THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ARLING, TEXAS.	
DATE	DIRECTOR OF PUBLIC WORKS

PLANNING DIRECTOR FILED WITH PLANNING DIRECTOR, CITY OF ARLING, TEXAS	
DATE	FILE NUMBER
PLANNING DIRECTOR	
FEES	

COUNTY CLERK I HEREBY CERTIFY THAT THE SUBMISSION IS AS DESCRIBED HEREIN AND FILED FOR RECORD ON	
DATE	FILE NUMBER
COUNTY CLERK COUNTY TEXAS	
DEPUTY	

[illegible]

EXECUTED THIS _____ DAY OF _____ 2023

OWNER
ADAM MARTIN ZARLETAL

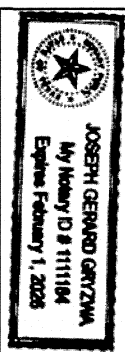
THE STATE OF TEXAS
COUNTY OF TAYLOR

ACKNOWLEDGMENT

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED JOHN MURRAY ZIEGLER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE
DAY OF _____ A D 2023

TAYLOR
COUNTY TEXAS



GENERAL NOTES

SHEET _____ OF _____ SHEETS _____ AGENCY _____ 142186 AC
SCALE _____ SMALLEST LOT .423460 SQ. FT. LARGEST LOT 236.669 SQ. FT.
LOT WIDTH MIN 150.00' MAX 895.48' LOT DEPTH MIN 788.22' MAX 1417.0'
CONCRETE MONUMENTS _____ POLES _____ DOWN CURB _____ (SHOULD) _____
(SHOULD) _____ (SHOULD) _____

CERTIFICATION:
I HEREBY CERTIFY THAT THE PLAT SUBMITTED HEREON REPRESENTS A TRUE SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS AND STANDARDS HAVE BEEN SET AS INDICED ON THE PLAT AND IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS.

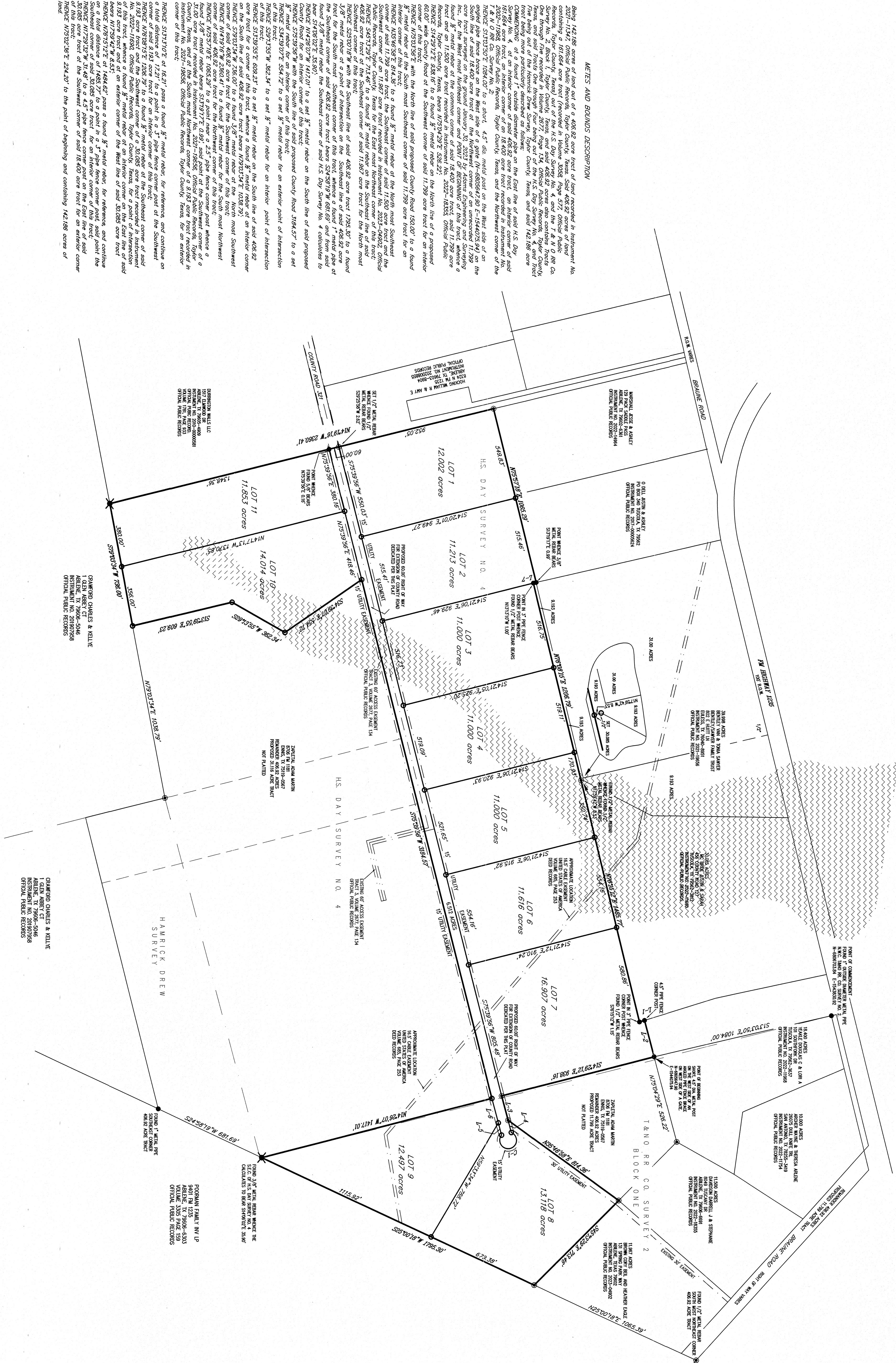
PLAT DESCRIPTION:
OUT OF THE U.S. DAVIS SURVEY NO. 4, THE T & N O RLANDADO COMPANY SURVEY NO. 2, BLOCK 1, AND THE HAWKINS DRIVE SADDLE, FALLEN COUNTRY, TEXAS.

Alan J. Payne

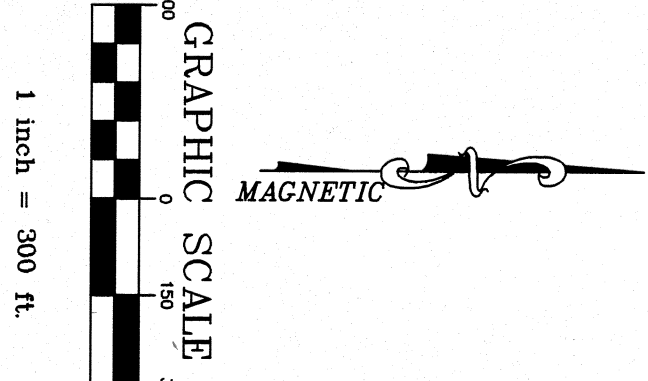
SIGNATURE _____
ALVIN JOE ADAMS
(PRINT)

REGISTERED PROFESSIONAL LAND SURVEYOR
P.E. NO. 49923
R.P.L.S. NO. 4130

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION



METES AND BOUNDS DESCRIPTION

[illegible][illegible]

SUNAMIT VIEW ESTATES
OUT OF THE U.S. DAY SHIRT NO. 4 THE T & M O BALCON
CARMAY STREET NO. 2 BLOCK 1 AND THE HANCOCK DREW
SHIRT; HATCH DOWN, 1800S.

OWNER

ADAMS ENGINEERING AND SURVEYING INC.
4333 SAYLES BOULEVARD
ABILENE, TEXAS 79605
TEL: (325) 695-4183
FAX: (325) 695-4183

ADAM MARTIN ZAPETAL
608 FM 2019
ENNIS, TX 75119-0067

ADAMS ENGINEERING AND SURVEYING INC.
4333 SAYLES BOULEVARD
AILENLE, TEXAS 79605
OFF - (325) 695-8285
FAX - (325) 695-4183
FAX - (325) 695-4183

ZONING CASE CUP-2023-03

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: June 6, 2023
City Council 1st Reading: June 22, 2023
City Council 2nd Reading: July 13, 2023

Applicant

Owner: Waco Parkdale, LP
Agent: Kathleen Mazy

Case Manager

Mason Teegardin – Planner

Request

Apply a Conditional Use Permit to approximately 9.82 acres to allow a Trade School in a General Retail (GR) zoning district.

Location

Section 1, Block Remainder 1 of the Wychwood Addition, at 3301 South 14th Street, #35A.

Background

The subject property is located in the Wychwood Addition Subdivision. The applicant proposes to use Suite 35A at 3301 South 14th Street as a Massage School. A detailed Plan of Operation from the applicant describing the proposed use of the site is attached with this report.

Existing Uses/Zoning

Properties to the north are zoned General Retail (GR) and Office (O). Properties to the east are zoned General Retail (GR). Properties to the south are zoned Single Family Residential-8 (RS-8). Properties to the west are zoned Office (O).

Criteria Assessment

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

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.

The Future Land Use Map designates the site as retail and recommends General Retail and General Commercial zoning. Since the General Commercial district allows a trade school by right, the proposed use is consistent with the Comprehensive Plan recommendations.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations

The proposed use of the subject site as a trade school is consistent with the surrounding zoning and is appropriate at this location.

3. **The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development-related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.**

The use will be conducted indoors and should not negatively affect the surrounding uses. All business activity would occur on the side of the site facing South 14th Street. No new activity will occur on the side of shopping center that backs up the adjoining property zoned RS-8.

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

The proposed use will be located in a shopping center, which has adequate parking and accessibility for vehicles to park and maneuver properly without creating congestion.

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

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

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

The use will be conducted indoors and should not generate any impacts that require mitigation.

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

The use would comply with all applicable LDC requirements. A Site Plan review is not required at this location because the use would be conducted in an existing suite and no alterations to the shopping center are required.

Staff Recommendation

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

NOTIFICATIONS

Legend:
O- Opposed
F- In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
SALMON JEFFREY DAVID &	41663	110 TIQUEWOOD CR	
7 HUBBARD A TEXAS LLC	52108	3402 S 14TH ST	
TNK HOUSE HOLDINGS LLC	52510	3357 S 15TH ST	
LEPORE ABILEEN TEXAS LLC	48471	3373 S 14TH ST	
RHODES JAMES A & CAROL S	52238	3341 S 15TH ST	
HLP A 3409 LLC	48466	3409 S 14TH ST	
R M LEASING GROUP LLC	51718	1341 GLENWOOD DR	
DAWKINS MILES A & PATSY	51850	3317 S 15TH ST	
DAWKINS MILES A & PATSY	51850	3319 S 15TH ST	
GARRETT CHARLES & CANDACE BERRES	52765	3358 GREEN ACRES RD	
FIRST NATL BK OF ABILENE	65117	3300 S 14TH ST	
REES	53034	3342 GREEN ACRES RD	
CALLAHAN JOHN P & SUSAN D	49013	1526 GLENWOOD DR	
KENT LUBRICATION CENTERS LTD	105631	3382 S 14TH ST	
WACO PARKDALE LP	48463	3401 S 14TH ST	
WACO PARKDALE LP	48463	3301 S 14TH ST STE B16	
WACO PARKDALE LP	48463	3301 S 14TH ST STE B17	
WACO PARKDALE LP	48463	3301 S 14TH ST STE B20	
WACO PARKDALE LP	48463	3301 S 14TH ST STE B21	
WACO PARKDALE LP	48463	3301 S 14TH ST STE B25	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 25	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 35	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 41	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 26B	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 27	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 28	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 31	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 32	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 34B	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 34A	
WACO PARKDALE LP	48463	3301 S 14TH ST STE E46C	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 46A	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 15B	
WACO PARKDALE LP	48463	3301 S 14TH ST STE B21A	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 23A	
WACO PARKDALE LP	48463	3365 S 14TH ST	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 15	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 26C	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 30	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 33	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 42E	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 43	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 45	

WACO PARKDALE LP	48463	3301 S 14TH ST STE E46B	
WACO PARKDALE LP	48463	3301 S 14TH ST STE 44E	
BERKLEY CLYDE J & ANN T	43401	117 CIRCLE OF HOLLY	
WACO PARKDALE LP	48734	1510 GLENWOOD DR	
BOECKEL TAYLOR ELIZABETH	48874	1518 GLENWOOD DR	
KRUSER CLINTON & BRANDI	40891		
DODD RANDY	51988	3325 S 15TH ST	
DODD RANDY	51988	3327 S 15TH ST	
TATUM JOHN AUSTIN & ELIZABETH	52117	3333 S 15TH ST	
TATUM JOHN AUSTIN & ELIZABETH	52117	3335 S 15TH ST	
ABILENE WOMANS CLUB FOUNDATION	59350	3425 S 14TH ST	
HAMP JACKEE V	51586	1333 GLENWOOD DR	
DRESSEN EDWARD RUSSELL JR & LINDA	43280		
SLEDGE LARRY &	52640	3366 GREEN ACRES RD	
LEPORE ABILEEN TEXAS LLC	104497	3301 S 14TH ST	
ROSS MORGAN	53158	3334 GREEN ACRES RD	
CANON JOSEPH EDWIN &	41535		
YEZAK RYAN & ANDREA	50277	1525 GLENWOOD DR	
HS/NS FAMILY REAL ESTATE LTD	28842	3303 S 14TH ST	
HILL JOHN A	65361	1395 ALBANY ST	
HOLLINGSWORTH COLIN ANDREW & ELIZABETH PULLMAN &	43164	125 CIRCLE OF HOLLY	
ZETT JOSHUA MATTHEW &	50148	1517 GLENWOOD DR	
GOTCH DAVID WAYNE & BRENDA	52903	3350 GREEN ACRES RD	
HECK EDWARD P & LORETTA F	52369	3349 S 15TH ST	
SPEER MATTHEW ADAM &	51354	1502 VEGAS RD	
TORRES JOSE M & CONSUELO S	51218	1518 VEGAS RD	
CASTILLO RANDAL C & NICKI D	51471	1509 GLENWOOD DR	
MCNEIL KYLER & MCKINSEY	49140	1602 GLENWOOD DR	

SUITE LOCATION MAP

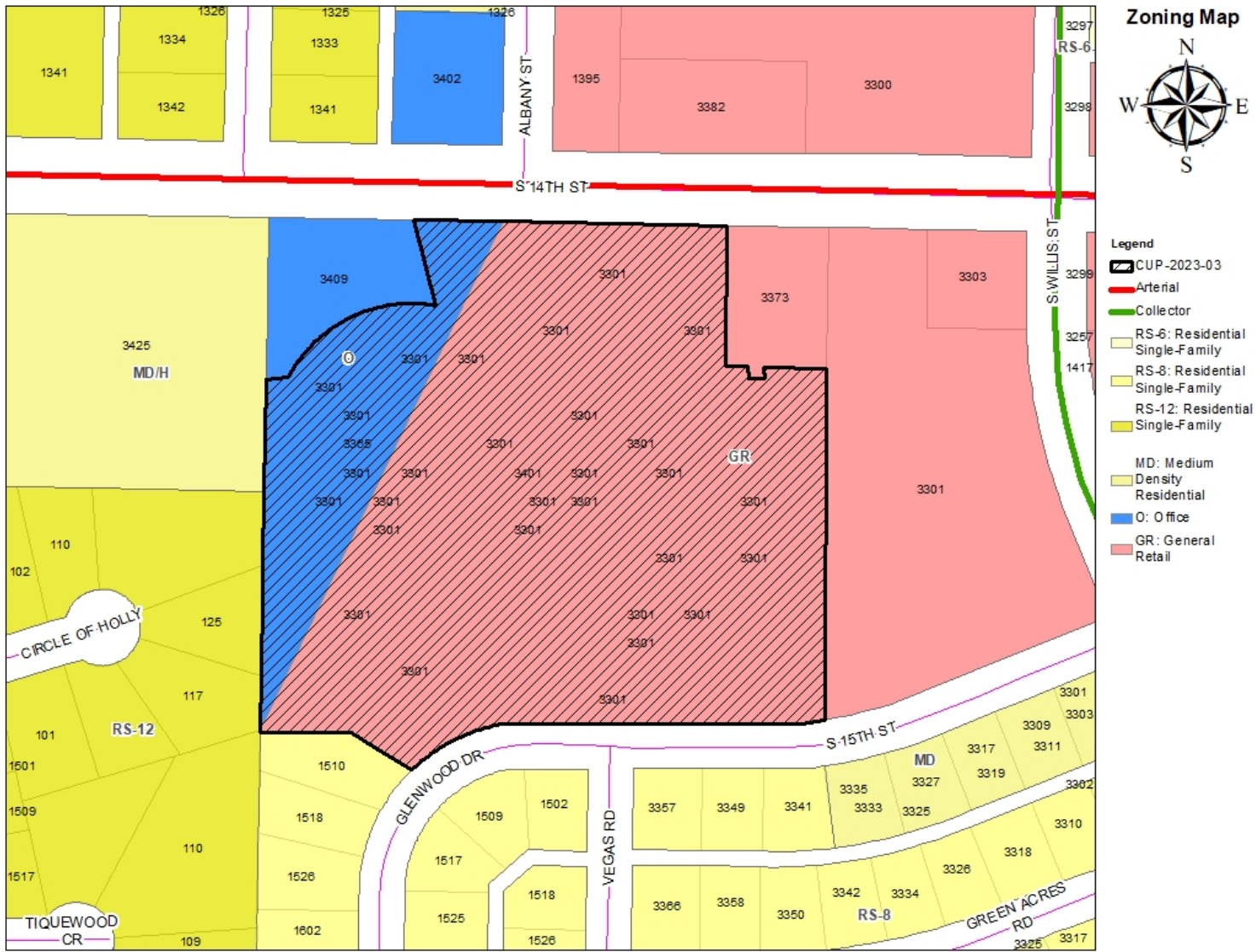
Unit 35A Highlighted in Red



LOCATION MAP



ZONING MAP





CONDITIONAL USE PERMIT

Case: CUP-2023-03

Owner: Waco Parkdale, LP

Agent: Kathleen Mazy

Request: A CUP to allow for a Trade School in a GR zoning district.

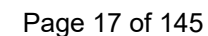
Location: 3301 South 14th Street, Suite #35A

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: June 6, 2023

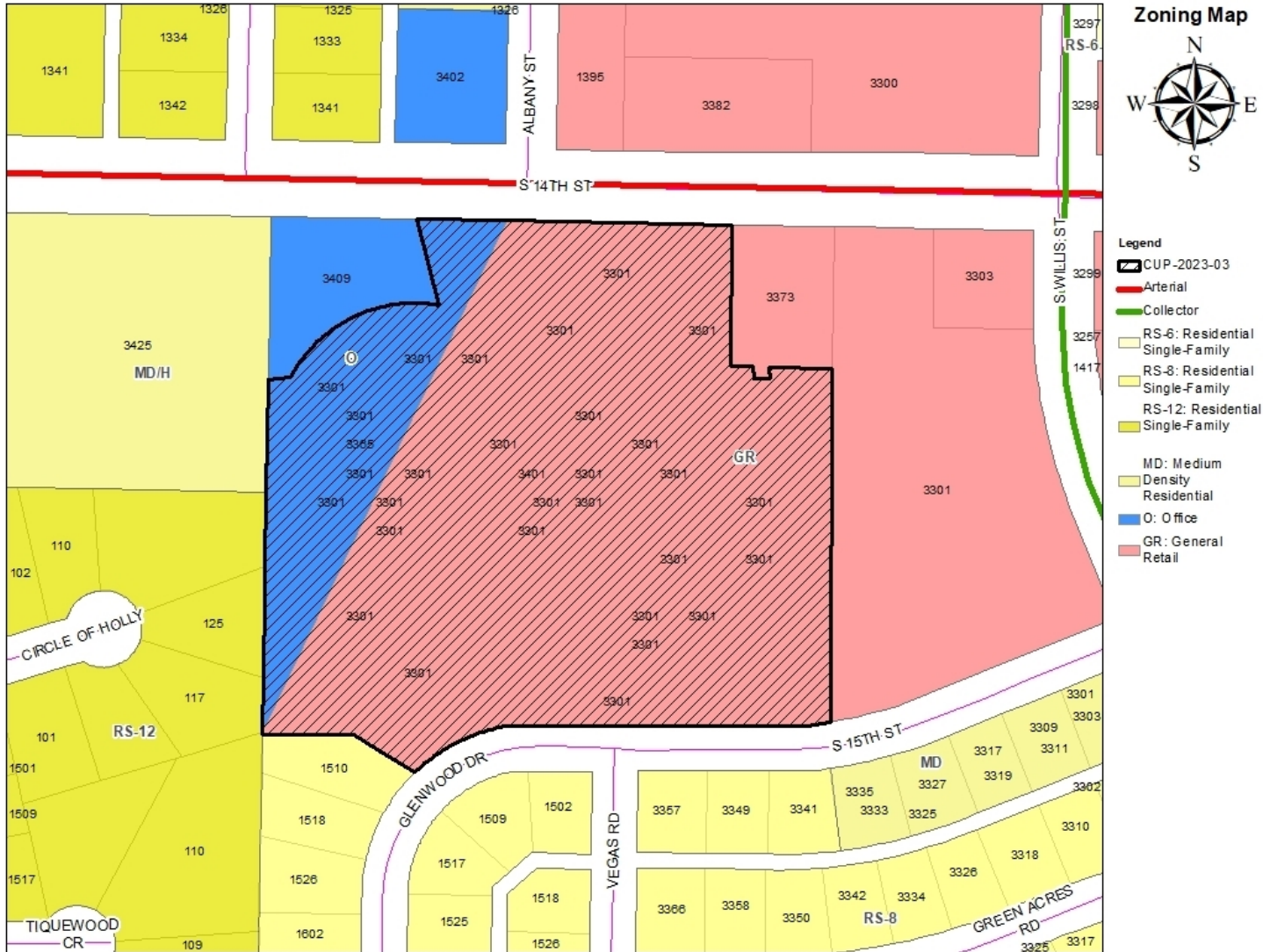
Council Hearing: June 22, 2023
July 13, 2023







ZONING MAP





SUITE LOCATION MAP

Unit 35A Highlighted in Red





VIEWS OF SUBJECT PROPERTY



Subject Property

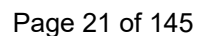
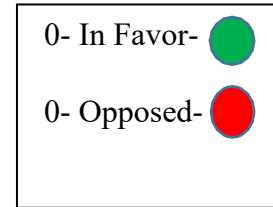


East Neighboring
Property



West Neighboring
Property







FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

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





Questions?





Texas Massage Academy

CUP Plan of Operation

Texas Massage Academy plans to operate a Massage School located at 3301 S 14th Street Unit 35A.

Expected Hours of Operation: Monday to Sunday 9 am to 10 pm.

Expected Class size: 20 students with 2 instructors.

All operations will be conducted within the facility.

Texas Massage Academy has been licensed as a Massage School since 2011 in Brownwood Texas and is looking to expand into the Abilene area by bringing a 2nd licensed facility closer to many of their students. This will allow the many residents of Abilene and the surrounding areas that are wanting to become a massage therapist an opportunity to achieve this dream.

In 2022 27% of all American Adults received at least 1 massage, this is up from 23% the year prior. 45% of all Americans have received a professional massage during their life. With the growing number of people seeking massages, there is a growing need for professional massage therapy education programs.

At this location, student will be taught all aspects of the massage program, including classroom and lab instruction, instruction in various massage modalities and services, and being required to perform massage services on the general public. Additionally, Texas Massage Academy will provide retail items available to the public and students, CPR Classes to the students and public, and CE classes to currently licensed Massage Therapists.

Texas Massage Academy's facility is located within a large property and will not have any adverse impact on any of the surrounding property owners or the City, thus no improvements are needed. The property surrounding Texas Massage Academy is a large shopping complex that includes large parking lots, the influx of students and clients will not impact the neighbors within the property except in a positive way by bringing additional shoppers to the area.

2023 Development Application



PLANNING & DEVELOPMENT SERVICES

CITY OF ABILENE TEXAS

- Conditional Use Permit
- Planned Development District (PDD)
- PDD Amendment
- Street Name Change
- Thoroughfare Abandonment
- Rezoning
- Easement Release
- Plats
- Petition for Relief
- Board of Adjustments (Variance, Special Exception)
- Other



2023 Development Application

DOCUMENTS & MAPS

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

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

NEIGHBORHOOD EMPOWERMENT ZONE INCENTIVE

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

SUBMITTAL INFORMATION

ONLINE SUBMITTALS FOR DEVELOPMENT APPLICATIONS ARE PREFERRED

CTRL & CLICK LINK BELOW

https://public.mygov.us/tx_abilene

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

Planning and Development Services Department

555 Walnut Street, Suite 100

325.676.6237

planning@abilenetx.gov

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.*

2023 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.

2023 Development Application

2023 PLANNING AND ZONING COMMISSION

PD APPLICATION DEADLINE	ZONING APPLICATION DEADLINE	PLANNING & ZONING MEETING ***	CITY COUNCIL 1 ST READING	CITY COUNCIL 2 ND READING ***
16-DEC-22	3-JAN-23	7-FEB-23	23-FEB-23	9-MAR-23
13-JAN-23	31-JAN-23	7-MAR-23	23-MAR-23	13-APR-23
10-FEB-23	28-FEB-23	4-APR-23	27-APR-23	11-MAY-23
10-MAR-23	28-MAR-23	2-MAY-23	25-MAY-23	8-JUN-23
14-APR-23	2-MAY-23	6-JUNE-23	22-JUN-23	13-JUL-23
12-MAY-23	31-MAY-23	5-JULY-23	27-JUL-23	10-AUG-23
11-JUN-23	28-JUN-23	1-AUG-23	24-AUG-23	14-SEP-23
14-JUL-23	1-AUG-23	5-SEP-23	28-SEP-23	12-OCT-23
14-AUG-23	31-AUG-23	3-OCT-23	26-OCT-23	2-NOV-23
17-SEP-23	4-OCT-23	7-NOV-23	16-NOV-23	7-DEC-23
13-OCT-23	31-OCT-23	5-DEC-23	21-DEC-23	11-JAN-24
3-NOV-23	28-NOV-23	2-JAN-24	25-JAN-24	8-FEB-24
15-DEC-23	2-JAN-24	6-FEB-24	22-FEB-24	14-MAR-24
15-JAN-24	1-FEB-24	7-MAR-24	28-MAR-24	11-APR-24

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

2023 BOARD OF ADJUSTMENT

APPLICATION DEADLINE	MEETING DATE ***
6-DEC-22	10-JAN-23
10-JAN-23	14-FEB-23
7-FEB-23	14-MAR-23
7-MAR-23	11-APR-23
4-APR-23	9-MAY-23
9-MAY-23	13-JUN-23
6-JUN-23	11-JUL-23
3-JUL-23	8-AUG-23
8-AUG-23	12-SEP-23
5-SEP-23	10-OCT-23
10-OCT-23	14-NOV-23
7-NOV-23	12-DEC-23
5-DEC-23	9-JAN-24
9-JAN-24	13-FEB-24



2023 Development Application

Zoning Application Page 1 of 3

Planning

- ☒ Conditional Use ☐ Special Exceptions ☐ Rezoning ☐ Variance
☐ PDD Amendment ☐ Street Name Change ☐ Thoroughfare Abandonment
☐ Easement Release

Relief Procedures

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

Project Name: Rivers Oaks Village Shopping Center
Address: 3301 S. 14th #35A Number of Lots: _____ Acreage: _____
Legal Description: 9.8285 acres, remainder Block 1, Sect 1, Wychwood addition, City of Abilene
Subdivision Name: _____ Block: _____ Lot: _____
Current Zoning: GR-General Retail Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Waco Parkdale, LP Mark Kaufman managing member
Address: PO Box 9699
City, State, Zip: Chilabasco, CA 91372 Fax: 805.496.4366
Phone: 805.496.4330 x1205 Email: Mark@Kaufmanprop.com
Agent Name: Kathleen Mazy
Address: 400 Center Ave
City, State, Zip: Brownwood, Texas 76801 Fax: _____
Phone: (210) 687-9219 Email: kathleen@texasmassageacademy.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 of Owner: _____

Date: 3/29/23

FOR OFFICE USE ONLY

Received: _____

Fee: \$ _____

Receipt No.: _____

Case No.: _____

Reviewed By: _____



2023 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

Allow for Massage School

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.



2023 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?

Yes

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?

Yes the use is permitted with a conditional use permit

Yes, the use is appropriate in the immediate area

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?

The proposed change will not affect any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area

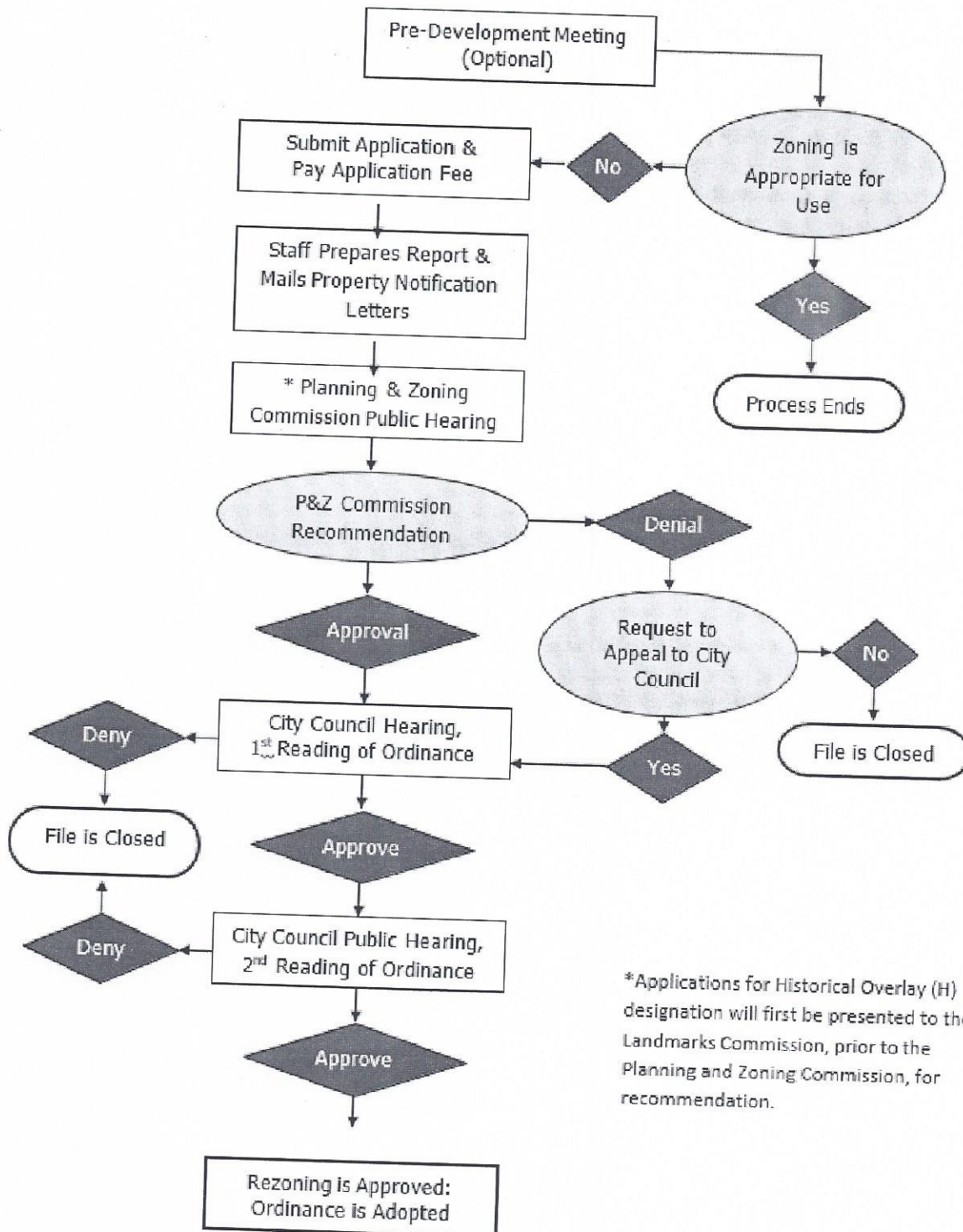
4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?

No

Other Required Forms - Disclosure of Interest (See Attached)

2023 Development Application

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





2023 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 & 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 five (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 Forms - Disclosure of Interest, Owner Authorization (See Attached)



2023 Development Application

Owner Authorization and Representative Designation

Property Description

Subdivision: _____ Total Number of Acres: _____
Zoning Classification(s): _____ Total Number of Lots: _____
Location: _____

Property Owner Information & Authorization

Name/Company: Waco Parkdale, LP Mark Kaufman Managing Member
Address: PO Box 96699
City: Calabasas State: CA Zip Code: 91372
Phone: 805-441-4330 x225 Email: MARK@KAUFMANPROP.COM

Project Representation (check one):

- ☐ I will represent the application myself; OR
☒ I hereby designate Kathleen Mazy (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.

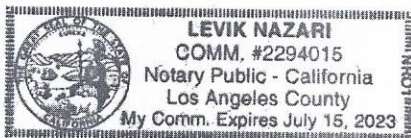
Property Owner's Signature: _____ Date: 3/29/23

STATE OF: CALIFORNIA
COUNTY OF: LOS ANGELES

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

BEFORE ME, a Notary Public, on this day personally appeared MARK A. KAUFMAN (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 29th day of MARCH, 20 23



NOTARY PUBLIC in and for the State of Texas CA
CALIFORNIA

Project Representative Information (complete if designated by owner)

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

Name: Kathleen Mazy Company: _____
Address: 400 Center Ave City: Brownwood State: Texas
Zip Code: 76801 Number: (210) 687-9219 Email: kathleen@texasmassageacademy.com



2023 Development Application

Disclosure of Interest

Disclosure Questions

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.

- 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): Mark Hoffman

Property Owner ☐ Project Representative ☒

Signature of Certifying Person: [Signature]

*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



2023 Development Application

Disclosure of Interest

Disclosure Questions

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.

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

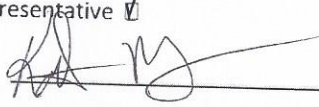
C. State all information upon which you base the belief (use additional paper, if necessary).

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): Kathleen Mazy

Property Owner ☐ Project Representative ☒

Signature of Certifying Person: 

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

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

2023 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.

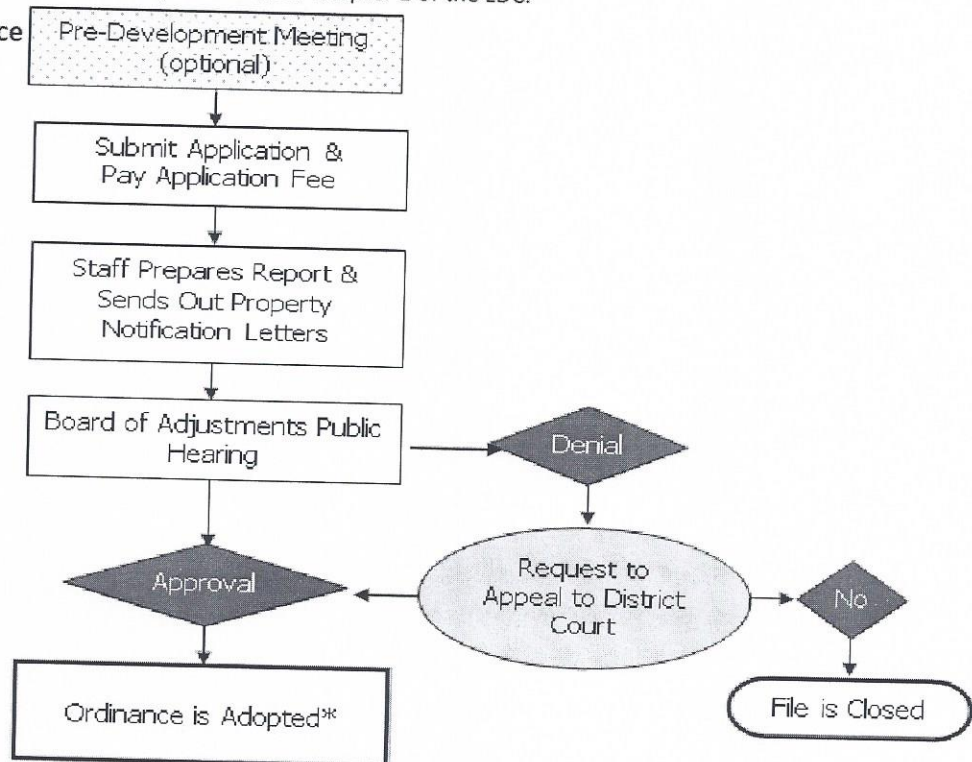
The Board of Adjustment shall finally decide appeals on the following matters of an appeal of any official's interpretation of the requirements of Chapters 2 or 4 of this LDC in which the requirement applies to development within the City limits of Abilene, unless a separate appeals process is otherwise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



2023 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?



2023 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.

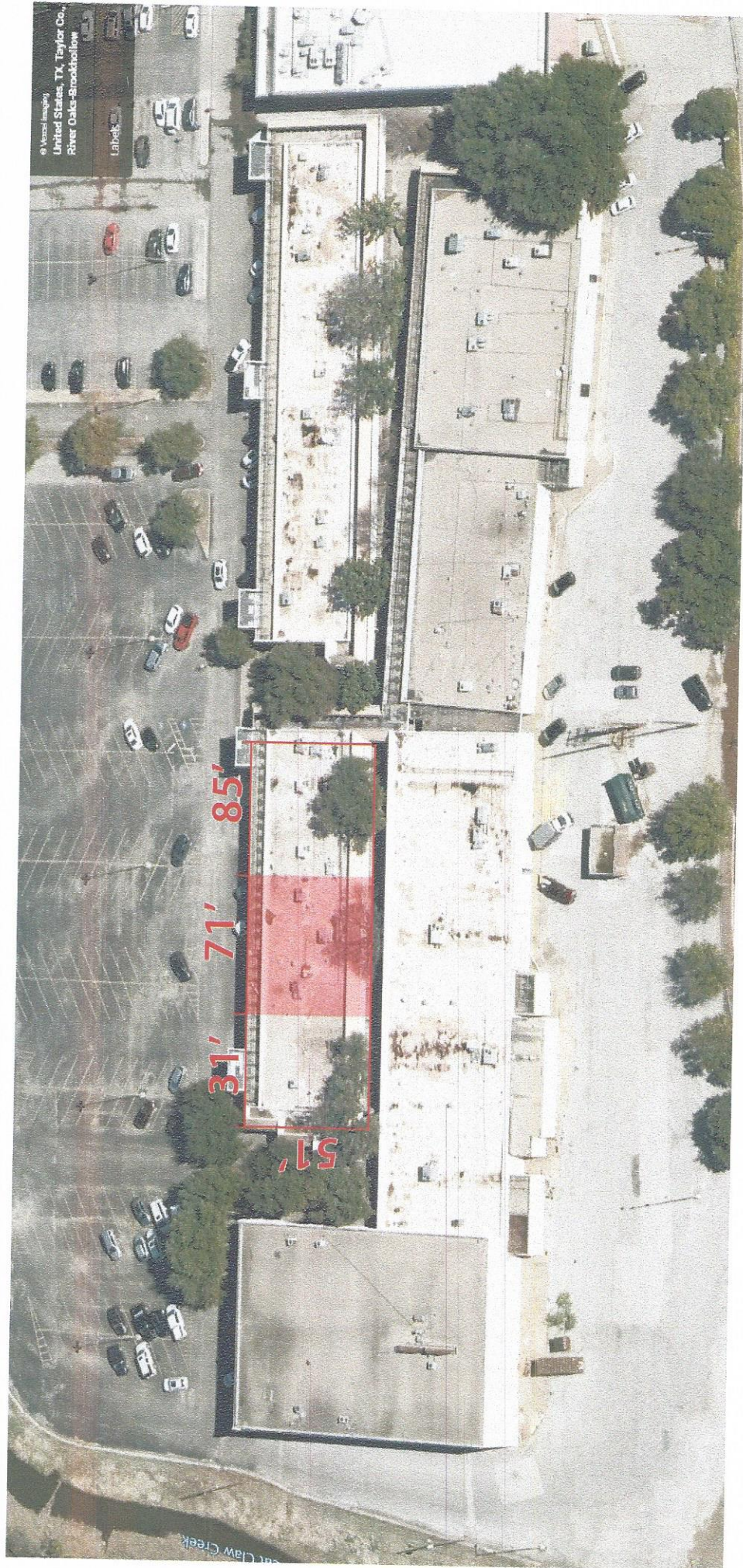
SIGNED: _____

DATE: 3.29.23 _____

Lot 35A of River Oaks Village, an addition to the City of Abilene, Taylor County, Texas, according to the plat thereof recorded in Volume 137, Page 16 of the Plat Records of Taylor County, Texas. The property is located on 9.9285 acres of land, which is the remainder of Block 1, Section 1 Wychwood Addition to the City of Abilene, Taylor County, Texas.

Lot 35A is specifically situated approximately 31 feet from the northwest corner of Building 3 within the subdivision.

Unit 35A Highlighted in Red



ZONING CASE CUP-2023-04

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: June 6, 2023
City Council 1st Reading: June 22, 2023
City Council 2nd Reading: July 13, 2023

Applicant

Owner/Agent: Marla Pollitt - Clearview RV, LLC

Case Manager

Mason Teegardin – Planner

Request

A Conditional Use Permit on a 11.16-acre site zoned Agricultural Open (AO) and PDD-42 to allow an RV Park only on that portion of the site zoned Agricultural Open. PDD-42 would not be affected.

Location

Lot 411, Block 3, Section 1, Pleasant Hills Estates, at 4051 W Lake Road.

Background

The subject property is located in the Pleasant Hills Estates Subdivision. The applicant proposes a 20 space RV Park on the portion of the site zoned Agricultural Open (AO). A Plan of Operation describing the proposed use is attached with this report.

Existing Uses/Zoning

The property to the north is zoned Agricultural Open (AO). The property to the east is zoned Planned Development– 42 (PD-177), also known as Water Crest Ranch. Properties to the south are zoned Mobile Home (MH). To the west, across W Lake Roads is Agricultural Open (AO) and the portion of this site zoned PDD-42.

Criteria Assessment

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

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.

The Future Land Use Map recommends Very Low Residential. It is common for RV Parks to be located within Agricultural Open (AO) zoning. A mobile home development is located to the south. All of the acreage to the immediate east is zoned PD-177 and will be developed as a single-family residential community known as Water Crest Ranch. Plats for Water Crest Ranch have been approved and development has begun. For that reason, the proposed use must be developed in a manner that will not diminish the use or value of PD-177.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations

The proposed use, as designed, is not consistent with the surrounding zoning to the east. The proposed use would only be compatible with PDD-177 if base surfacing of the internal ring road and

parking pads is upgraded from compacted base to hard surfacing, as required by the LDC, and if the eastern portion of the park includes a buffer yard. Compacted base surfacing would result in dust and is not durable over the long term.

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development-related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.

The use should not negatively affect the surrounding uses to the north, south, or west, but would have a negative impact on the use of PD-177. To mitigate potential negative impacts on PD-177, the eastern portion of the subject site should be buffered, the driving aisles should have hard surfacing, as required by the LDC to mitigate dust, any trash collection areas should be located away from the eastern property line.

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

The proposed use will generate more traffic but it should not be conflicting or hazardous to the anticipated traffic from upcoming development in the area or the existing traffic.

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

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

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

The use does generate visual impacts on PD-177 that should be mitigated by buffering.

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

The use would comply with all applicable LDC requirements. A Site Plan review is required at this location because it will be a new development on a previously undeveloped lot.

Staff Recommendation

Staff can only recommend **approval**, subject to the following conditions:

1. The RV Park shall operate in accordance with the submitted Plan of Operation.
2. A Type A buffer yard shall be required along the eastern property line.
3. The width, design, and each turning radius of the internal ring road shall be subject to Public Works and Fire Marshal approval.
4. Hard surfacing of the internal ring road and each parking pad shall be required.

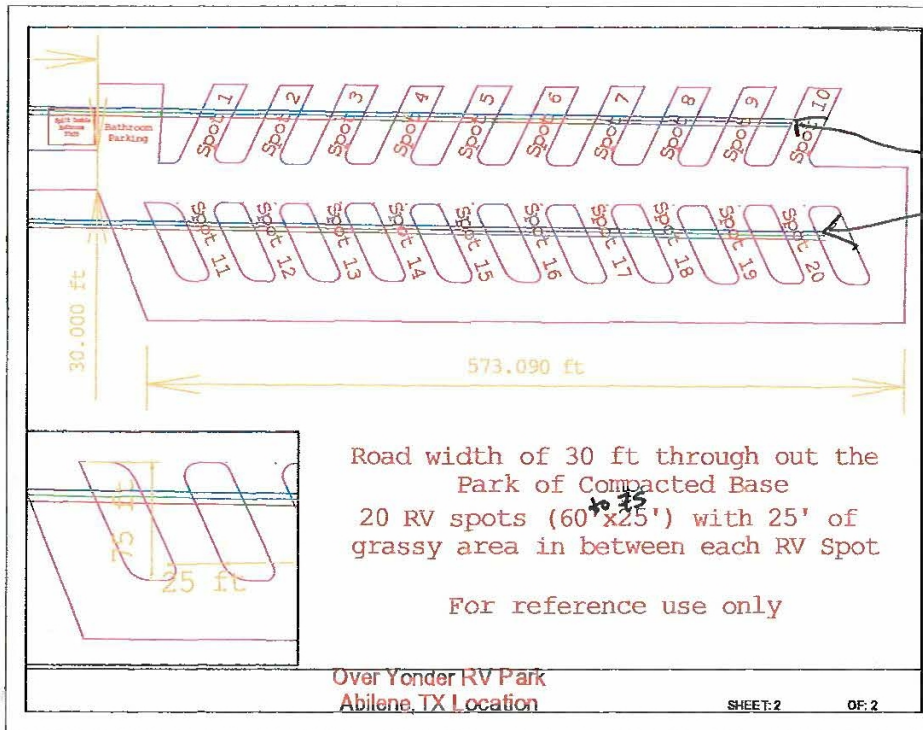
NOTIFICATIONS

Legend:
O- Opposed
F- In Favor

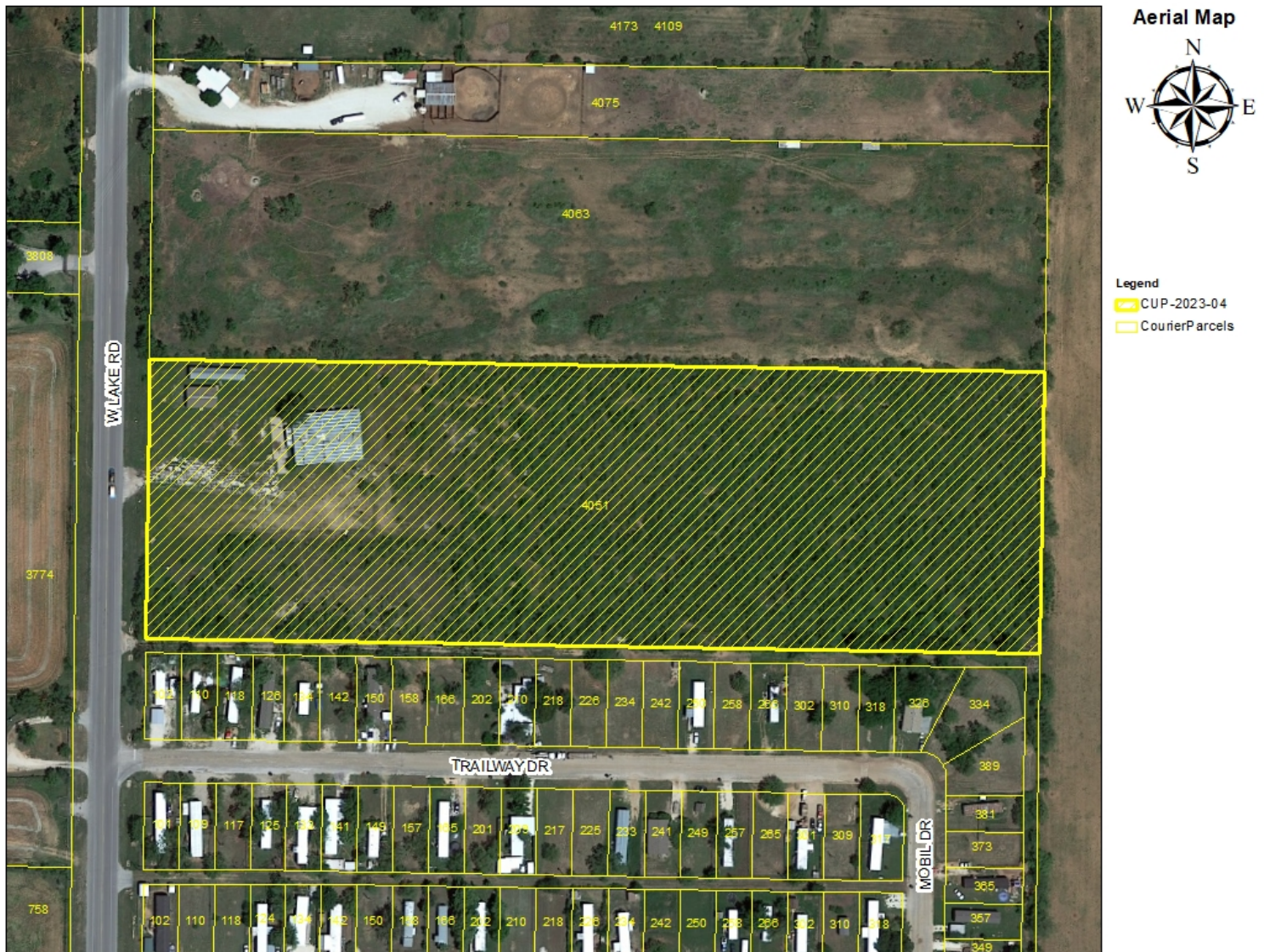
PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
BLANTON RANDY	96531	4063 W LAKE RD	
CLEAR VIEW RV LLC	31613	4051 W LAKE RD	
DANKWORTH DAN	20030	3774 W LAKE RD	
MOORE GREATHOUSES LLC	31359	202 TRAILWAY DR	
WEST TEXAS LAND GUYS	22018		
MOORE GREATHOUSES LLC	36114	250 TRAILWAY DR	
MOORE GREATHOUSES LLC	35711	226 TRAILWAY DR	
MOORE GREATHOUSES LLC	36624	310 TRAILWAY DR	
VESTAL GRACE	30461	118 TRAILWAY DR	
MOORE GREATHOUSES LLC	30850	142 TRAILWAY DR	
MOORE GREATHOUSES LLC	30588	126 TRAILWAY DR	
NICHOLS ANN	35441	210 TRAILWAY DR	
MOORE GREATHOUSES LLC	37021	334 TRAILWAY DR	
MOORE GREATHOUSES LLC	31104	158 TRAILWAY DR	
MOORE GREATHOUSES LLC	37150	389 MOBIL DR	
MOORE GREATHOUSES LLC	31231	166 TRAILWAY DR	
MOORE GREATHOUSES LLC	37277	381 MOBIL DR	
	30296	110 TRAILWAY DR	
MOORE GREATHOUSES LLC	30151	102 TRAILWAY DR	
BLACKBURN JANE	30717	134 TRAILWAY DR	
MOORE GREATHOUSES LLC	35579	218 TRAILWAY DR	
MOORE GREATHOUSES LLC	36235	258 TRAILWAY DR	
MOORE GREATHOUSES LLC	36752	318 TRAILWAY DR	
MARTINEZ FLORANCE	36353	266 TRAILWAY DR	
DANKWORTH DAN	19906	3808 W LAKE RD	
MOORE GREATHOUSES LLC	35986	242 TRAILWAY DR	
MOORE GREATHOUSES LLC	36882	326 TRAILWAY DR	
MOORE GREATHOUSES LLC	35836	234 TRAILWAY DR	
MOORE GREATHOUSES LLC	30978	150 TRAILWAY DR	
MOORE GREATHOUSES LLC	36482	302 TRAILWAY DR	

SITE LAYOUT

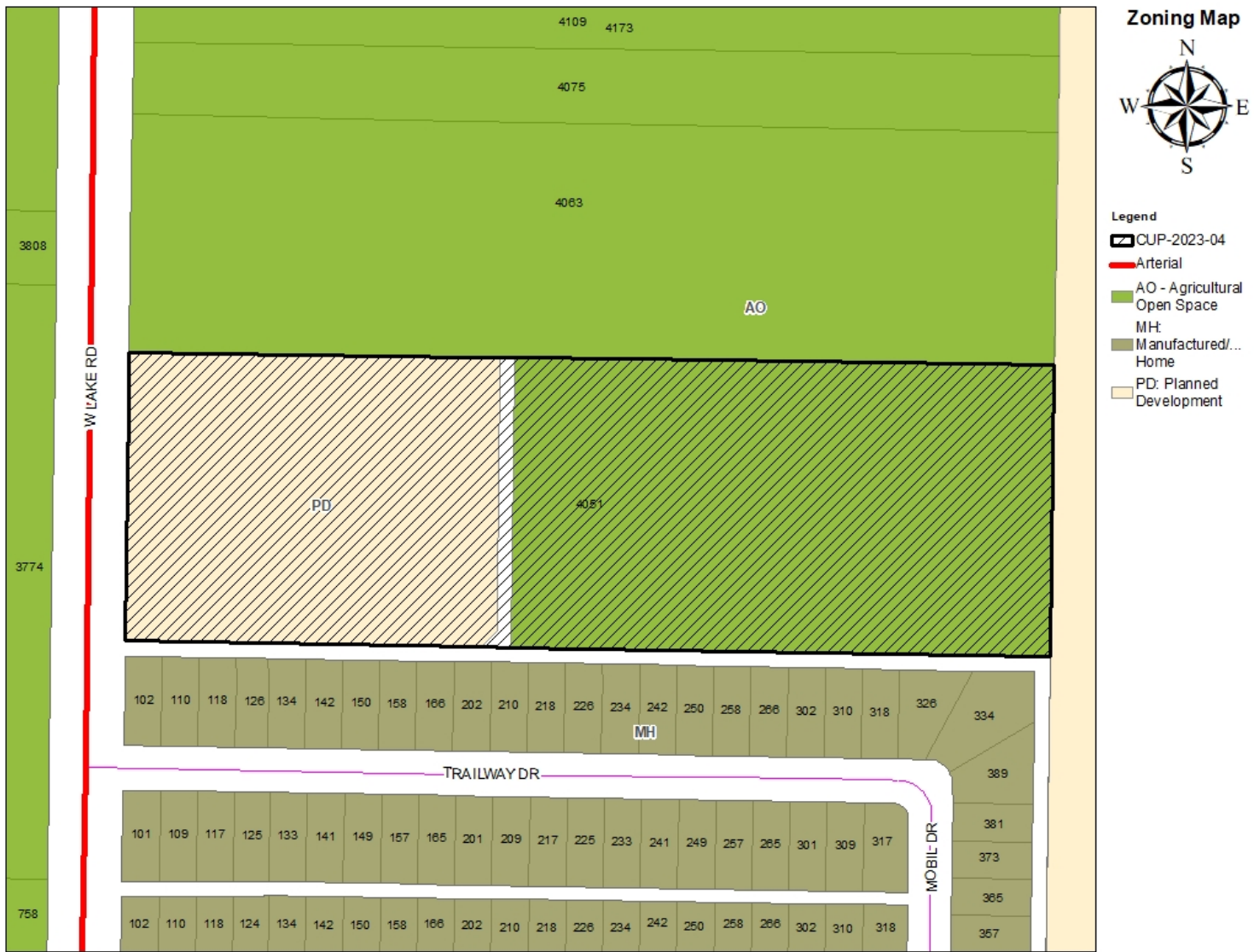
4051 W. Lake



LOCATION MAP



ZONING MAP





CONDITIONAL USE PERMIT

Case:	CUP-2023-04
Owner/Agent:	Marla Pollitt – Clearview RV, LLC
Request:	Apply a Conditional Use Permit on a site zoned Agricultural Open (AO) and PDD-42 to allow an RV Park within the portion of the lot zoned Agricultural Open.
Location:	4051 W Lake Road
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	June 6, 2023
Council Hearing:	June 22, 2023 July 13, 2023



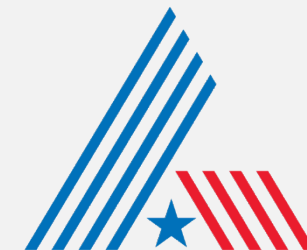


AERIAL LOCATION MAP



Legend

- CUP-2023-04
- CourierParcels



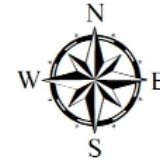
CITY OF
ABILENE
TEXAS



ZONING MAP

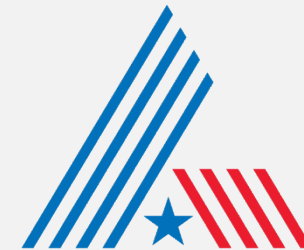


Zoning Map



Legend

- CUP-2023-04
- Arterial
- AO - Agricultural Open Space
- MH: Manufactured/... Home
- PD: Planned Development

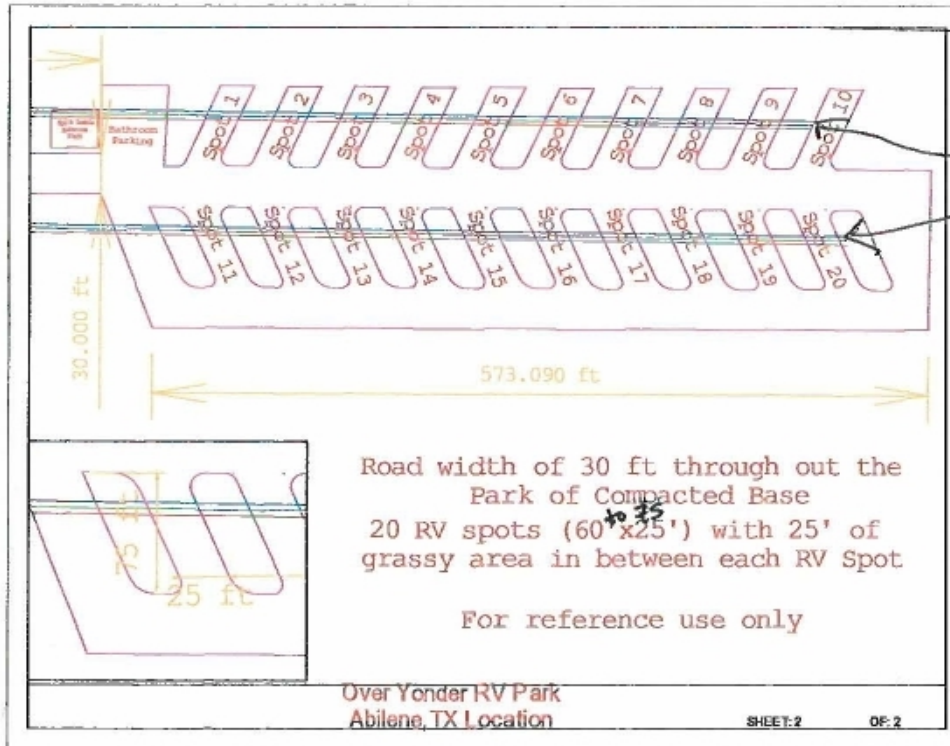


CITY OF
ABILENE
TEXAS

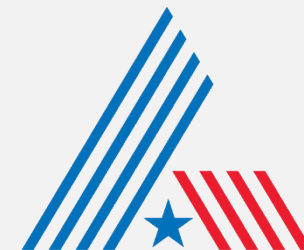


SITE LAYOUT

4051 W. Lake



water, electric, sewer



CITY OF
ABILENE
TEXAS

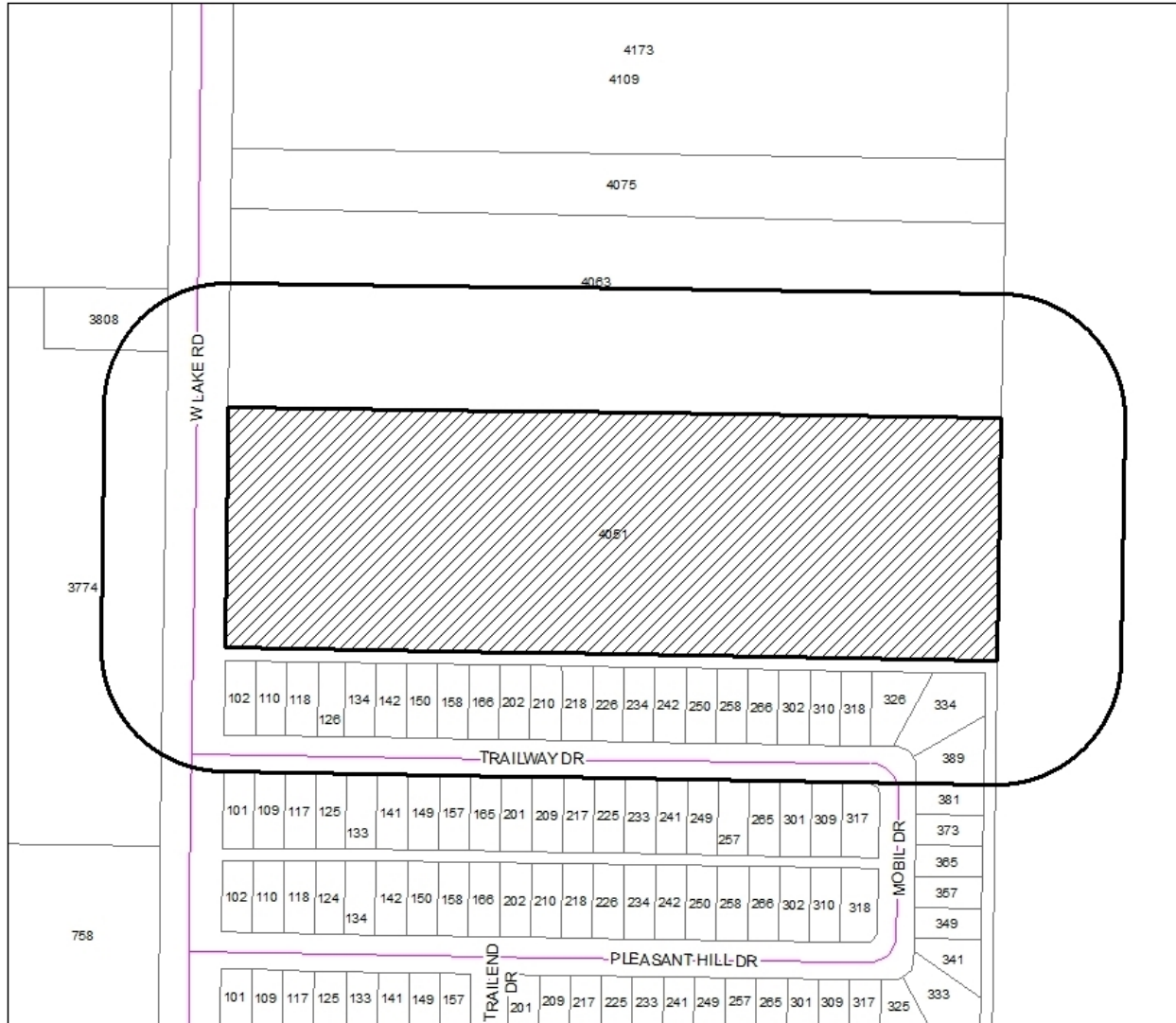


VIEWS OF SUBJECT PROPERTY





NOTIFICATION AREA MAP



Notification Map



Legend

- CUP-2023-04
- Notification Area

0- In Favor- 

0- Opposed- 





FINDINGS

The proposed request, is consistent with:

- The proposed *Comprehensive Plan*;

The proposed use, as designed, however, is not consistent with:

- The proposed use and zoning of property to the east;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.





RECOMMENDATION

Staff can only recommend **approval** subject to the following conditions:

1. The RV Park shall operate in accordance with the submitted Plan of Operation.
2. A Type A buffer yard shall be required along the eastern property line.
3. The width, design, and each turning radius of the internal ring road shall be subject to Public Works and Fire Marshal approval.
4. Hard surfacing of the internal ring road and each parking pad shall be required.

If the applicant is not agreeable with the above conditions, staff would recommend **denial**.





Questions?





2023 Development Application

Zoning Application Page 1 of 3

Planning

- ☒ Conditional Use ☐ Special Exceptions ☐ Rezoning ☐ Variance
☐ PDD Amendment ☐ Street Name Change ☐ Thoroughfare Abandonment
☐ Easement Release

Relief Procedures

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

Project Name: Over Yonder RV Park of Abilene
Address: 4051 W. Lake Number of Lots: 20 Acreage: 11.165
Legal Description: 11.159 acres Lots 11, 12, 13 Block 3 Section 1 Pleasant Hill Estates and part of L Brouman
Subdivision Name: Pleasant Hill Estates Block: 3 Lot: 11-12-13
Current Zoning: PDD Proposed Zoning (if applicable): ~~RE~~

OWNER AND AUTHORIZATION

Owner Name: Marla Pollitt - Clearview RV LLC
Address: 108 E Cherry
City, State, Zip: Olney TX 76374 Fax: _____
Phone: 940-564-4829 Email: trnz4m@gmail.com
Agent Name: _____
Address: _____
City, State, Zip: _____ Fax: _____
Phone: _____ Email: _____

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

Signature of Owner: Marla Pollitt Date: 2-21-2023

FOR OFFICE USE ONLY

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

2023 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

I am combining two parcels for an RV park, storage facility, and laundry facility.

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.



2023 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?

Yes

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?

Yes

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?

No

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

No

Other Required Forms - Disclosure of Interest (See Attached)



2023 Development Application

Owner Authorization and Representative Designation

Property Description

Subdivision: Pleasant Hill Estates Sec 1 Total Number of Acres: 11.165
Zoning Classification(s): _____ Total Number of Lots: _____
Location: _____

Property Owner Information & Authorization

Name/Company: Over Yonder RV Park Marda Pollitt
Address: 4051 W Lake 108 E Cherry
City: Olney State: TX Zip Code: 76374
Phone: 940-364-4229 Email: tmz4m@gmail.com

Project Representation (check one):

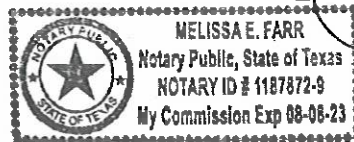
- ☒ I will represent the application myself; OR
☐ I hereby designate _____ (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all 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: Marda Pollitt Date: 2-21-2023
STATE OF: Texas
COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared Marda Pollitt
(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 21st day of February, 2023



Melissa E. Farr
NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

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

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



2023 Development Application

Disclosure of Interest

Disclosure Questions

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.

- A. Do you believe that a City official* or City employee** may have a conflict of interest in the property or application referenced on the reverse side? ☐ Yes ☒ No
- B. If so, state the name of each City official or employee of the City of Abilene known by you that may have a conflict of interest in the property or application referenced on reverse side.
- _____
- _____
- C. State all information upon which you base the belief (use additional paper, if necessary).
- _____
- _____

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

Name of Certifying Person (*print*): _____

Property Owner ☐ Project Representative ☐

Signature of Certifying Person: _____

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

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



2023 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.

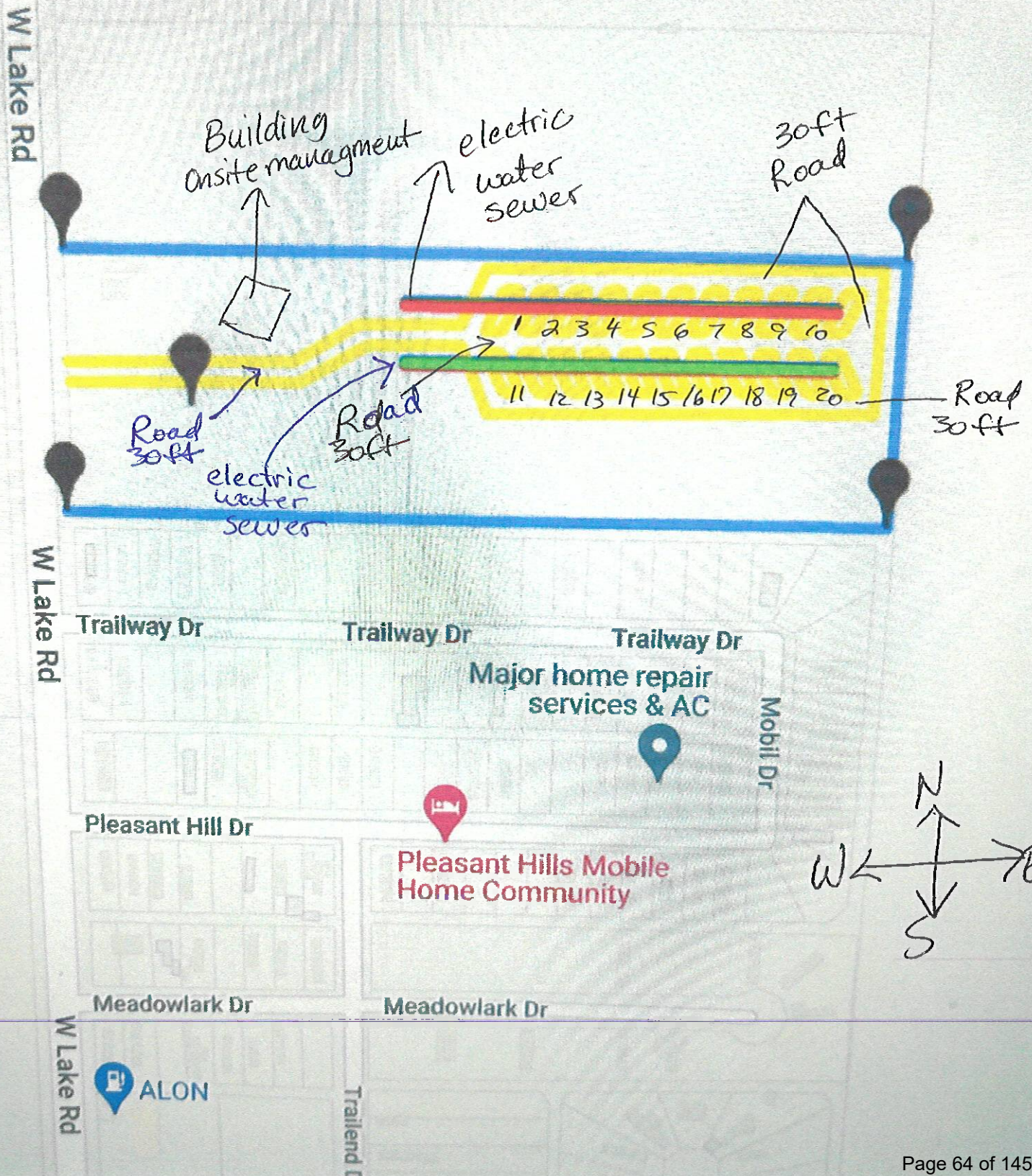
SIGNED: 

DATE: 2-21-2023

4051 W. LAKE

20 RV SPOTS on 3 acres

60' x 25' + with 25' ft in between



Over Yonder RV Park

4051 W Lake
Abilene, TX

February 6, 2023

Request for new RV Park

The RV park will have 20 spots on 3 acres with electric, water, and sewer at each spot

We want to continue to provide a family feel to our guest like the RV park we have in Olney, TX

The park will be open 24 hours with onsite management

All spots will be pull through- 60 ft by 25 ft with 25 ft between spots

This project will be done in phases

PHASE 1- Define and clear limits

PHASE 2- set lines with water, sewer and electric

PHASE 3- bring in road base for spots and roads

PHASE 4- construct restrooms/shower house

PHASE 5- complete on site management quarters

PHASE 6 - provide covered parking and RV spots

PHASE 7 - onsite laundry

PHASE 8 - on site storage buildings

Marla Pollitt- clear view RV LLC

940-564-4229

ZONING CASE Z-2023-15

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 6, 2023

City Council 1st Reading: June 22, 2023

City Council 2nd Reading: July 13, 2023

Applicant

Owner: IWS2 Investments, LLC

Agent: Jacob & Martin

Case Manager

Adam Holland – Planner

Request

Rezoning of approximately 1.26 acres from Residential Single-Family (RS-6) to Residential Multi-Family (MF).

Location

968-974 Minda Street and 965-977 Hailey Street in the Williams Estate Subdivision, Block 23.

Background

This property has remained vacant since annexation. The property owner would like to expand the allowed uses on this property by rezoning to a multi-family zoning district. The property owner has an accompanying application for a Thoroughfare Closure for Manila Street adjacent to the west property line. It should be noted that if the Thoroughfare Closure request is approved, and if this rezoning request is approved, the former right-of-way would automatically be zoned as MF by virtue of MF zoning on each side of the former right-of-way.

Zoning, Existing and Proposed Land Use

MF zoning exists to the west of the property and RS-6 zoning is south of the property. East and north of the property there is Heavy Industrial zoning. Nearby existing land uses include single-family residences, a steel plant to the north, and a church to the east.

Criteria Assessment

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

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

The Future Land Use Map (FLUM) recommends low density residential use which is inconsistent this request. The comprehensive plan identifies this area as being a suburban/transitional character area, which encourages varying housing options. The request is consistent with suburban/transitional character recommendation of the Comprehensive Plan, and is also more appropriate given the nature of the surrounding 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 MF zoning is consistent with the uses surrounding the subject property. MF zoning acts as a transition from the heavier industrial zoning districts to the single-family residential uses.

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

This property has adequate utility services for residential use.

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

None known.

Staff Recommendation

Staff recommends **approval**.

Notification

TABLE 1

Owner

Owner	Property ID	Situs	Response
CAMPBELL CHRISTOPHER	64454	974 LUZON ST	
CONNER BOBBY RAY	64333	966 LUZON ST	
EBENGO IBADIYE MAMIE &	61621	1009 MINDA ST	
ELLIOTT SAMMY LEE &	64207	958 LUZON ST	
GINDRATT ISIAH JR ET AL	61344	1025 MINDA ST	
GONZALES FELECITY MAUVE	61881	981 MINDA ST	
HEGER THOMAS P & YING L	64709	1002 LUZON ST	
HILL CHARLES	64585	982 LUZON ST	
HIRSCHFELD PROPERTIES LP	974937	771 VIRGIL ST	
IWS2 INVESTMENTS LLC	974961	968 MINDA ST	
IWS2 INVESTMENTS LLC	974959	977 HAILEY ST	
IWS2 INVESTMENTS LLC	974962	974 MINDA ST	
IWS2 INVESTMENTS LLC	980717	934 MINDA ST	
IWS2 INVESTMENTS LLC	113619	976 MINDA ST	
KIMMEL KAX INC	974960	965 HAILEY ST	
KING SOLOMON BAPTIST	59145	1074 MINDA ST	
MITCHELL MISTI GAYLE	62008	973 MINDA ST	
MITCHELL PAMELA GAYLE	62263	957 MINDA ST	
MUDAGIRI SHEMU &	62389	949 MINDA ST	
MUSONERA EVARISTE &	62133	965 MINDA ST	
NTAWUKENASHAKA SERGE &	62527	941 MINDA ST	
RICHARDSON MANUELA J	61762	1001 MINDA ST	
RODRIGUEZ LUCILLA	64843	1010 LUZON ST	
TAYLOR LAWANDA	61477	1017 MINDA ST	
WASHINGTON WILLIE L	64081	950 LUZON ST	

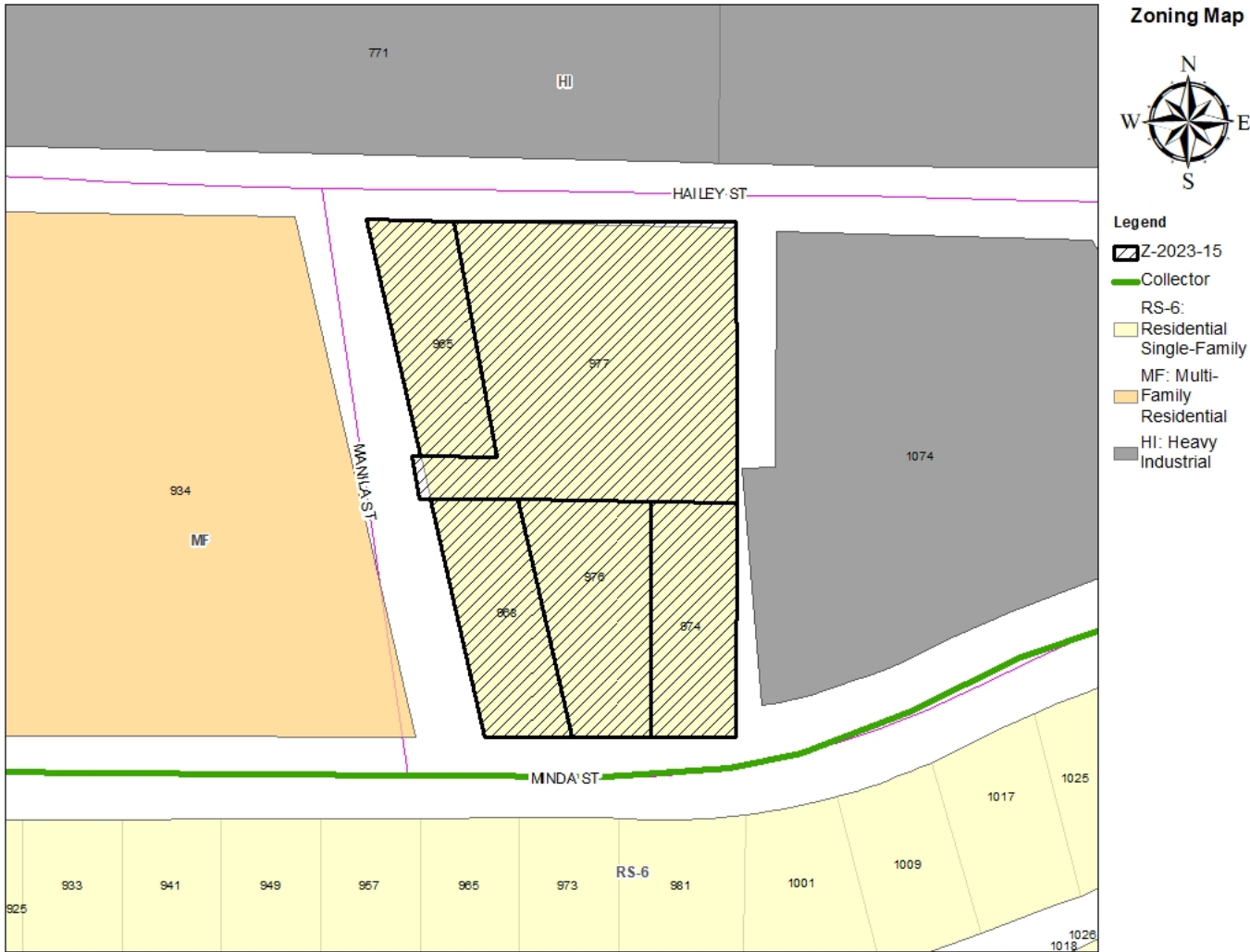
Prop ID

Owner	Property ID	Situs	Response
KING SOLOMON BAPTIST	59145	1074 MINDA ST	
GINDRATT ISIAH JR ET AL	61344	1025 MINDA ST	
TAYLOR LAWANDA	61477	1017 MINDA ST	
EBENGO IBADIYE MAMIE &	61621	1009 MINDA ST	
RICHARDSON MANUELA J	61762	1001 MINDA ST	
GONZALES FELECITY MAUVE	61881	981 MINDA ST	
MITCHELL MISTI GAYLE	62008	973 MINDA ST	
MUSONERA EVARISTE &	62133	965 MINDA ST	
MITCHELL PAMELA GAYLE	62263	957 MINDA ST	
MUDAGIRI SHEMU &	62389	949 MINDA ST	
NTAWUKENASHAKA SERGE &	62527	941 MINDA ST	
WASHINGTON WILLIE L	64081	950 LUZON ST	
ELLIOTT SAMMY LEE &	64207	958 LUZON ST	
CONNER BOBBY RAY	64333	966 LUZON ST	
CAMPBELL CHRISTOPHER	64454	974 LUZON ST	
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HEGER THOMAS P & YING L	64709	1002 LUZON ST	
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KIMMEL KAX INC	974960	965 HAILEY ST	
IWS2 INVESTMENTS LLC	974961	968 MINDA ST	
IWS2 INVESTMENTS LLC	974962	974 MINDA ST	
IWS2 INVESTMENTS LLC	980717	934 MINDA ST	

LOCATION MAP



ZONING MAP





REZONE REQUEST

Case: Z-2023-15

Owner: IWS2, LLC

Agent: Jacob & Martin

Request: Rezone from RS-6 to MF

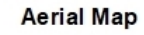
Location: 968-974 Minda Street and 965-977 Hailey Street

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: June 6, 2023

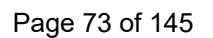
City Council Hearing: June 22, 2023
July 13, 2023





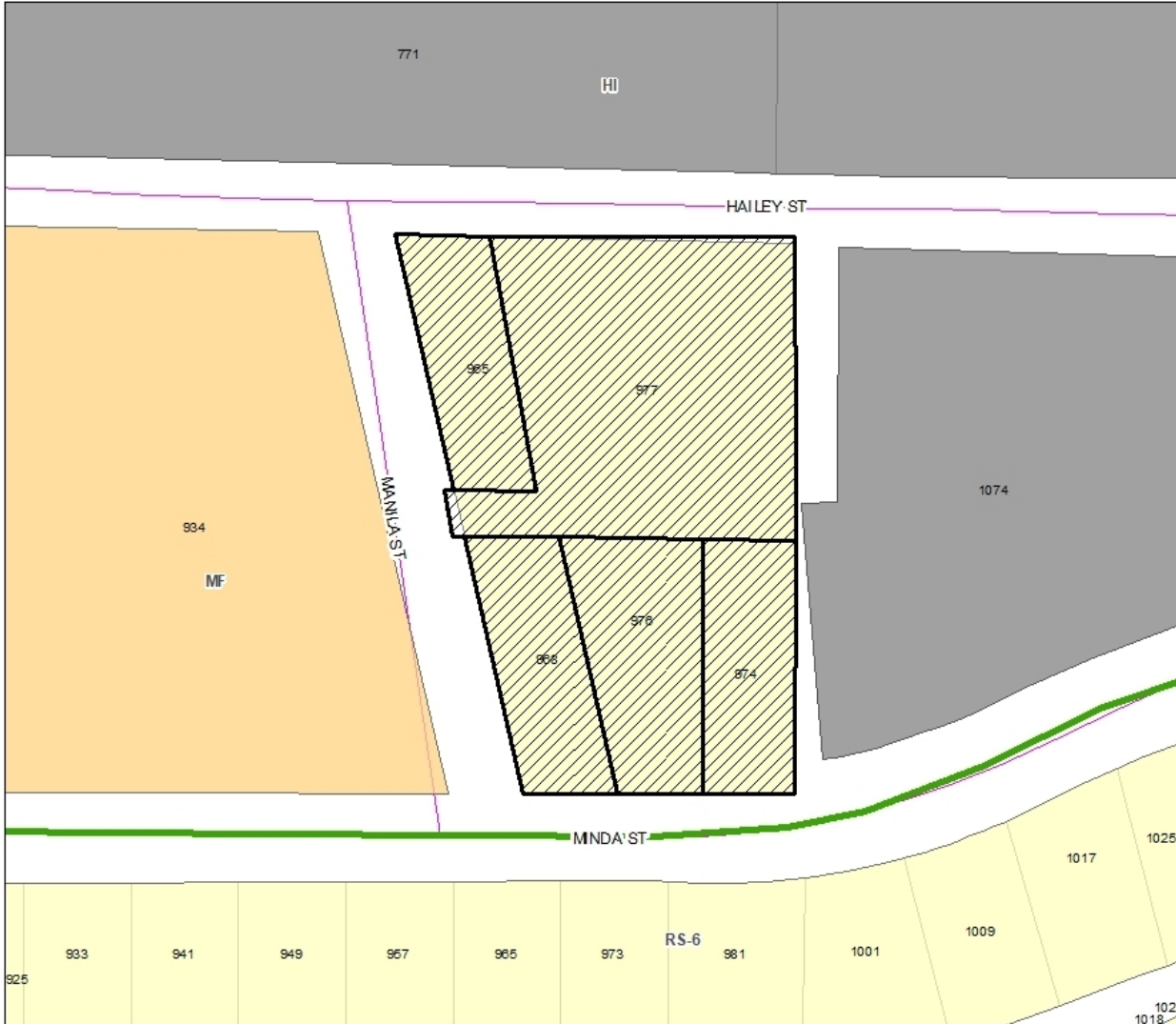
Legend

- ☒ Z-2023-15
- ☐ CourierParcels





Z-2023-15 ZONING MAP



Zoning Map



Legend

- Z-2023-15
- Collector
- RS-6:
 - Residential Single-Family
 - MF: Multi-Family Residential
- HI: Heavy Industrial





Permitted Uses in RS Zoning

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

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





Permitted Uses in MF Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- P Dwelling – Multiple-Family
- P Dwelling – Single-Family Detached
- C Group Home

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Homeless/Emergency Shelter
- C Personal Care Facility
- C Rehabilitation Facility
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- P School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- 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-2023-15 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES



Subject Property



West Neighboring Property



East Neighboring Property

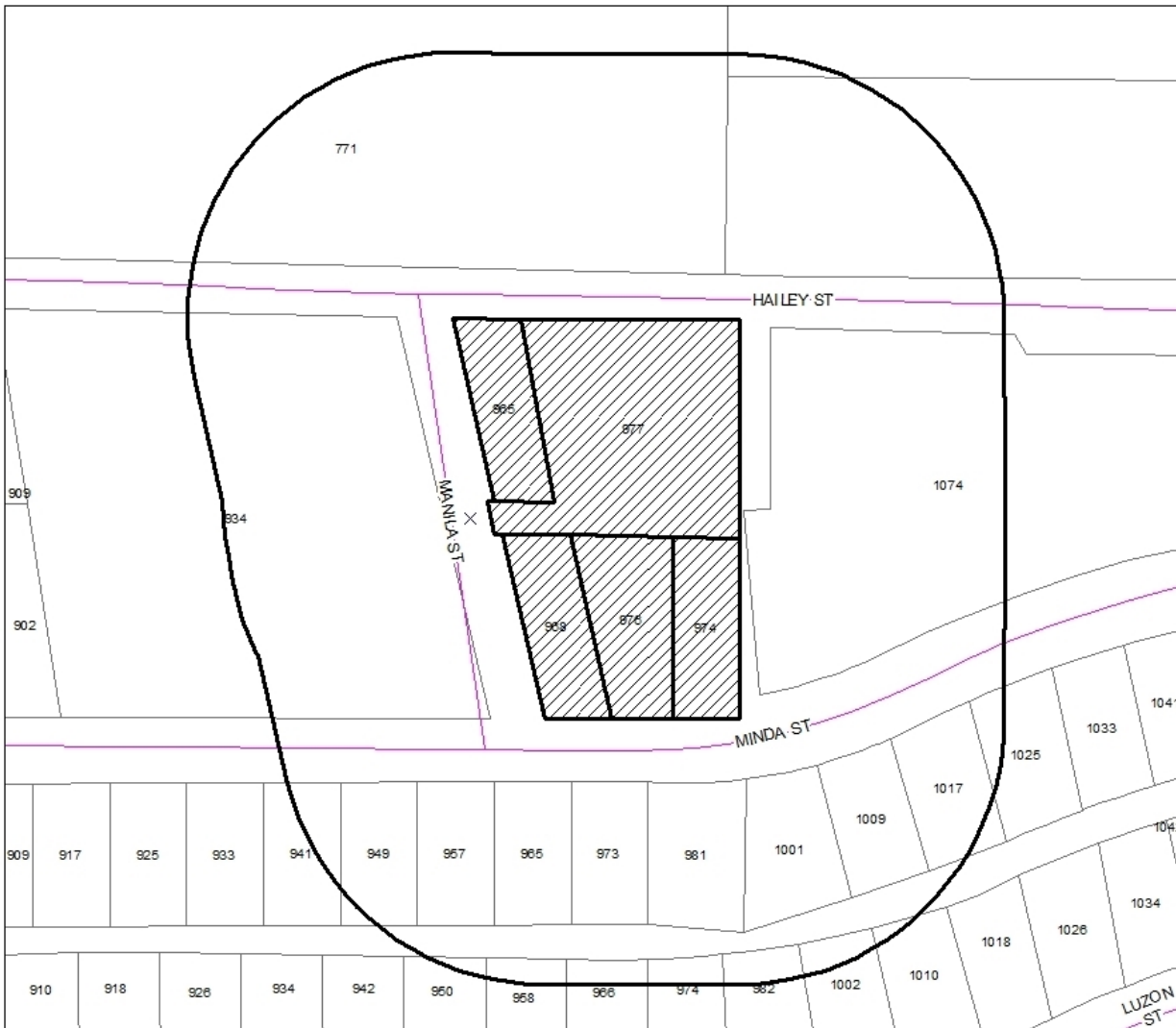


Adjacent Right-of-way





Z-2023-15 NOTIFICATION AREA MAP



Notification Map



Legend

- Notification Area
- Z-2023-15

- 0- In Favor- ●
- 0- Opposed- ●
- 0% Opposed





FINDINGS AND RECOMMENDATIONS

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

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

Staff Recommendation: **Approval**





Questions?



ZONING CASE Z-2023-17

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: June 6, 2023
City Council 1st Reading: June 22, 2023
City Council 2nd Reading: July 13, 2023

Applicant

Owner: Mike and Buffi Awtry
Agent: Matthew Muzechenko

Case Manager

Mason Teegardin – Planner

Request

Change the zoning of approximately 0.08 acres from Agricultural Open (AO) to Heavy Commercial (HC).

Location

0.08 acres of land out of a 67.4-acre tract out of Block 9 and Block 3, Jackson Subdivision of Section 32, Blind Asylum Lands, at 2401 E Stamford Street.

Background

The subject property is located within the Blind Asylum Lands. The applicant had two parcels rezoned to Heavy Commercial (HC) in January 2023 (Z-2022-24, Z-2022-25). It was determined that there was not adequate space to satisfy the driveway requirements of the City, so the applicant purchased the subject for that purpose and is requesting that the additional acreage be rezoned to HC.

Zoning, Existing and Proposed Land Use

The property to the north is zoned Agricultural Open (AO) and Heavy Commercial (HC). The property to the east is zoned Heavy Commercial (HC). The property to the south is zoned General Commercial (GC). The property to the west is zoned Agricultural Open (AO).

Criteria Assessment

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

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

The proposed request is consistent with the Comprehensive Plan and Future Land Use Map.

- (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 zoning is consistent with the previous rezoning cases (Z-2022-24, Z-2022-25) for this project.

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

This property has access to all required utilities.

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

None.

Staff Recommendation

Staff recommends **approval**.

NOTIFICATIONS

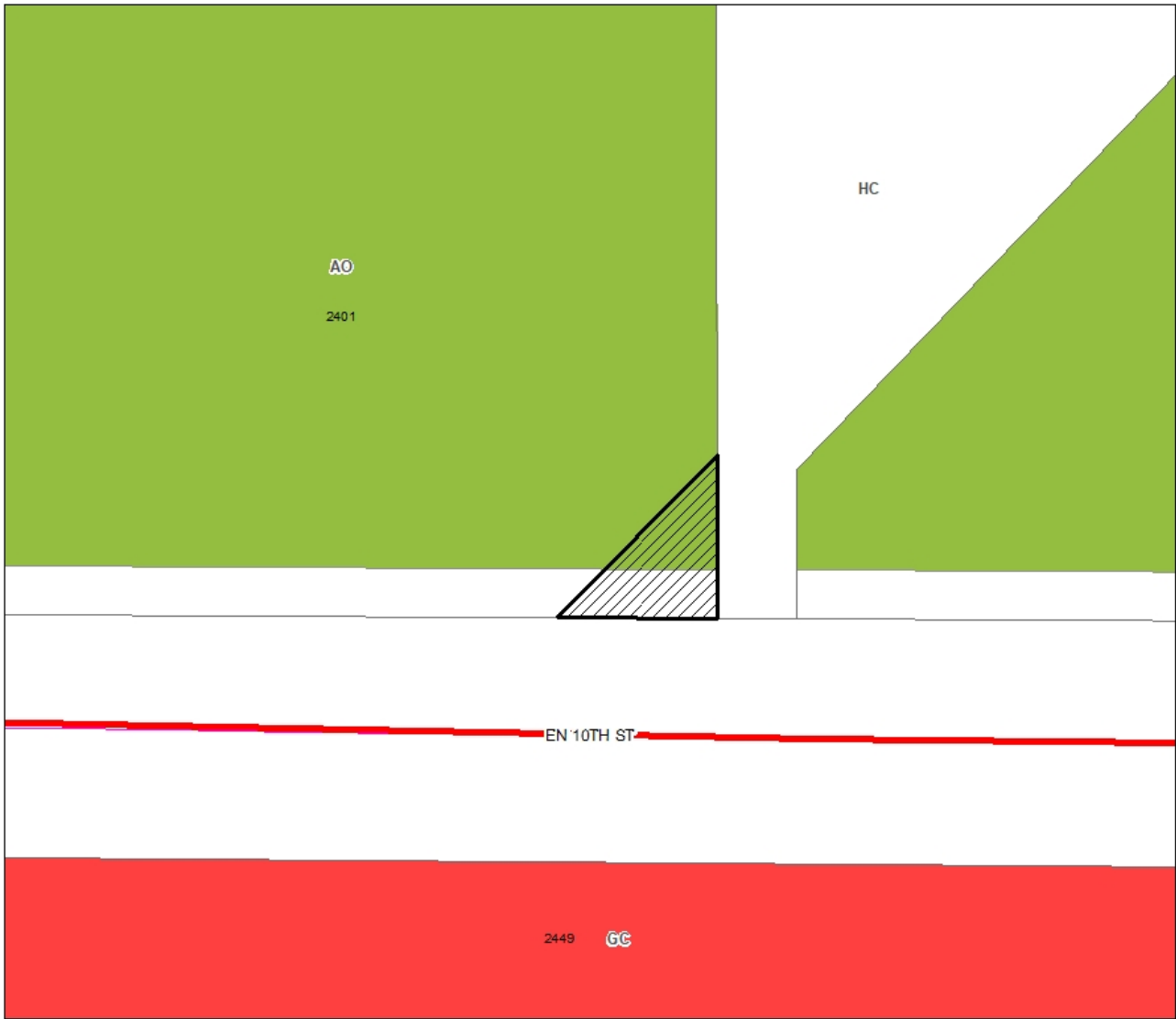
Legend:
O- Opposed
F- In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
AWTRY MIKE & BUFFI	1088184		
AWTRY MIKE & BUFFI	1017941	2401 E STAMFORD ST	
ABILENE CHRISTIAN UNIVERSITY	22574	2449 EN 10TH ST	
AWTRY MIKE & BUFFI	1088185		

LOCATION MAP



ZONING MAP



Zoning Map



Legend

- Z-2023-17
- Arterial
- AO - Agricultural Open Space
- GC: General Commercial



REZONE REQUEST

Case: Z-2023-17

Owner: Mike and Buffi Awtry

Agent: Matt Muzechenko

Request: Rezone from AO to HC

Location: 2401 E Stamford Street

Notification: 0 in Favor, 0 Opposed

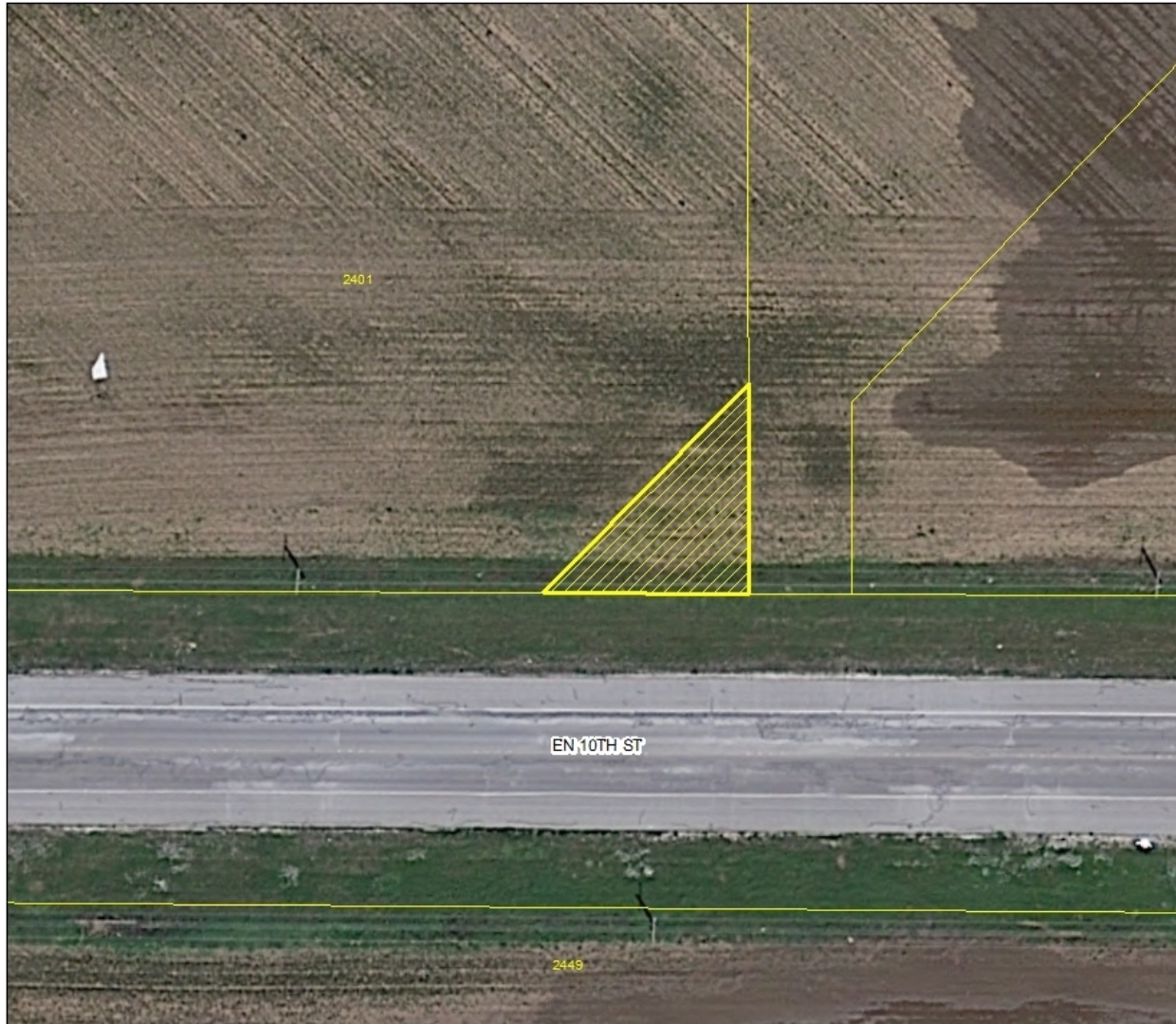
Planning & Zoning: June 6, 2023

Council Hearing: June 22, 2023
July 13, 2023





AERIAL LOCATION MAP



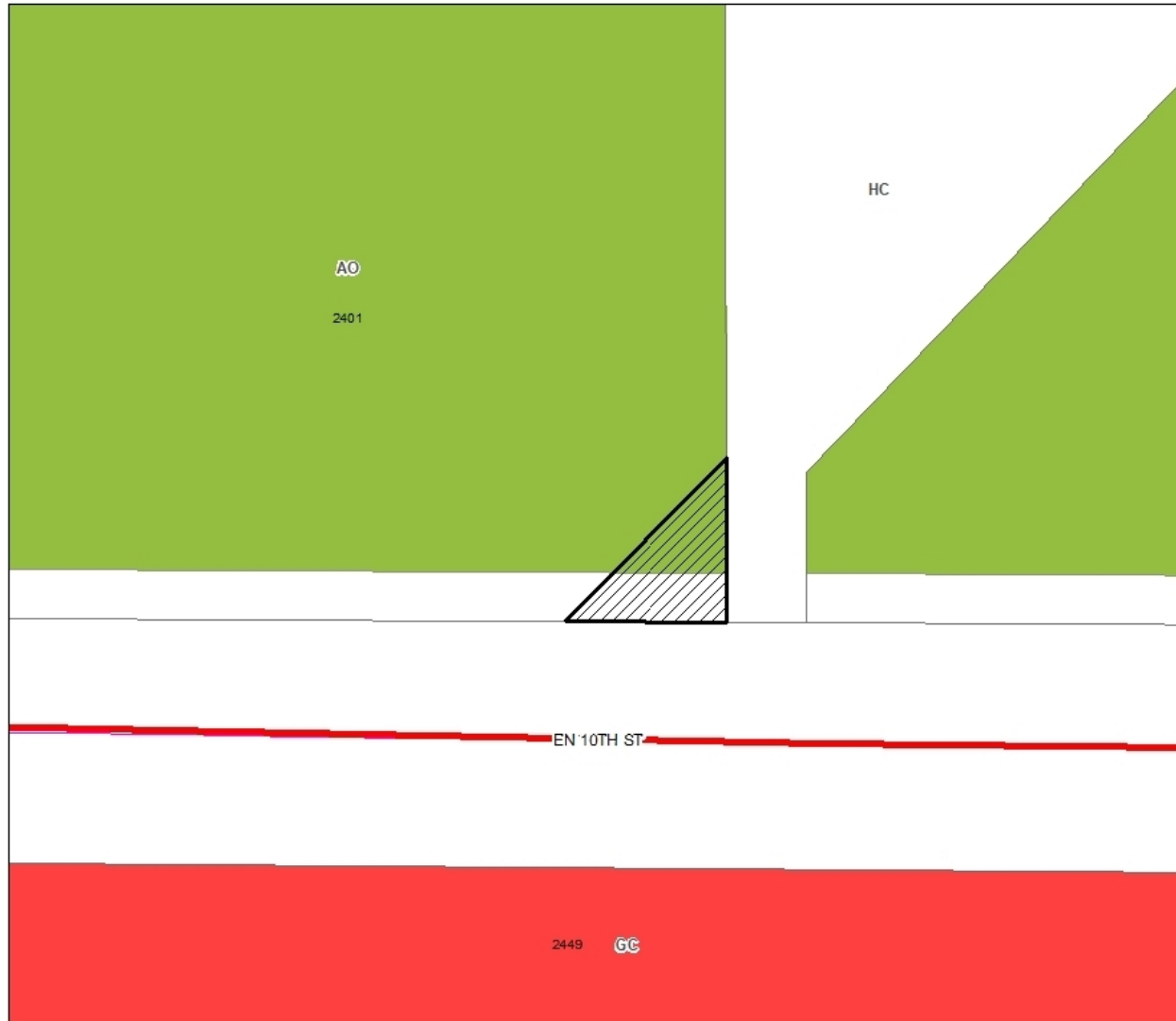
Legend

- Z-2023-17
- CourierParcels





ZONING MAP



Zoning Map



Legend

Z-2023-17

Arterial

AO - Agricultural
Open Space

GC: General
Commercial



CITY OF
ABILENE
TEXAS



VIEWS OF SUBJECT PROPERTY



West Neighboring
Property



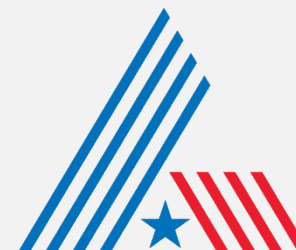
East Neighboring
Property



Subject Property



South Neighboring
Property



CITY OF
ABILENE
TEXAS



PERMITTED USES IN AO ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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





PERMITTED USES IN HC ZONING

RESIDENTIAL USES:

C 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 Drive-Through Facility
TP Field Office or Construction Office (temporary)
P Freight Container
P Fuel Sales
TP Itinerant Business
P Manufacturing (incidental)
C Mobile Home (permanent security residence)
TP Mobile Home (temporary security residence)
P Mobile Home or Temporary Building (office for sales and service)
P Recycling Collection Point
C Travel Trailers (accessory to hospitals)
P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRADE – WHOLESALE USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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

LEGEND

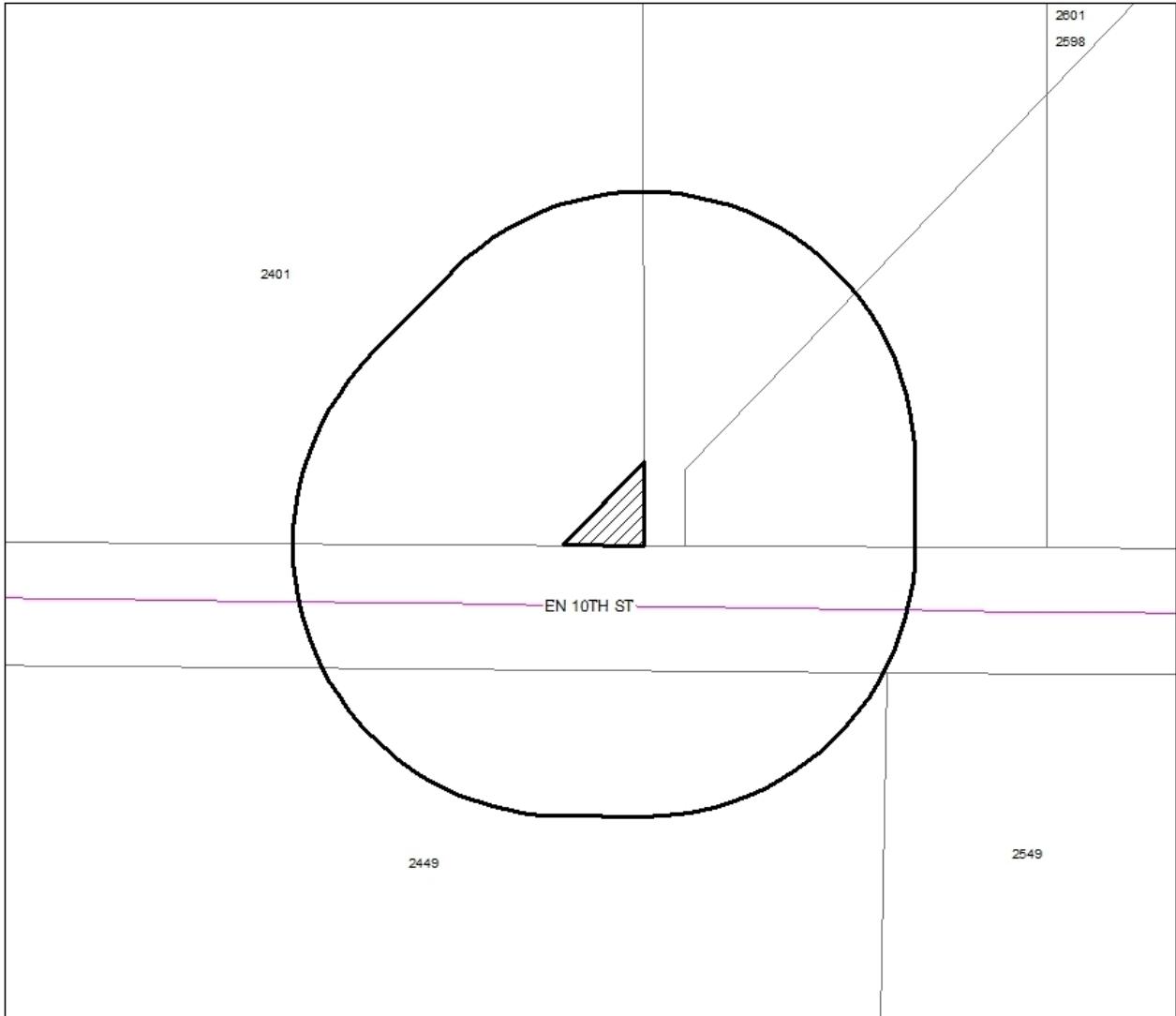
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C Permitted as a Conditional Use Permit, Requiring Approval by City Council
TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



CITY OF
ABILENE
TEXAS



NOTIFICATION AREA MAP



Notification Map



Legend

- Z-2023-17
- Notification Area

- 0- In Favor-
- 0- Opposed-





FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

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





Questions?



PROJECT OVERVIEW

Project Type: Zoning Application | **Project Title:** Z-2023-17 AO to HC

ID # 23-000074 | **Started** 05/02/2023 at 11:39 AM



Address

2401 E Stamford St, Abilene, TX USA 79601

Legal

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

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

Description

The city would like the new owner (Yellowhouse) to widen the entrance off of EN 10th Street. We just rezoned two parcels in January 2023. A survey and field notes are attached.

PROPERTY DETAILS

Property ID	1017941
GEO ID	25940
Enforcement Area	Abilene Heights Area

PROPERTY ADDITIONAL INFORMATION

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

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

PROJECT STEPS	DATE & TIME	RESULT	USER
Request	05/02/2023 at 11:45 AM	Accept	-
Zoning Application Review	05/02/2023 at 4:34 PM	Accepted	Adam Holland

Planning Payment	05/04/2023 at 10:07 AM	Paid	Mason Teegardin
Create Agenda for Planning and-Zoning Commission		-	-
Staff Prepares Report & Send Property Notification Letters	-	-	-
P&Z Commission Decision	-	-	-
Prepare City Council Agenda	-	-	-
City Council Decision	-	-	-
Archive	-	-	-

INFORMATION FIELDS

Owner Name

Mike & Buffi Awtry

Agent Name

Matthew Muzechenko

Block

A1433 SUR 32 B A L SW/4, ACRES 52.293

Lot

A1433 SUR 32 B A L SW/4, ACRES 52.293

Acreage

0.08

Legal Description of property

A1433 SUR 32 B A L SW/4, ACRES 52.293

Subdivision Name

-

Current Zoning

AO

Proposed Zoning

HC

Agree to Terms

YES

INVOICES	DUE DATE	CONTACT	TOTAL	PAID	DUE
23-002125	05/07/2023	Matthew Muzechenko	\$ 1,500.00	\$ 1,500.00	\$ 0.00
	Fees	Account No	Total	Paid	Due
	Zoning - Zone change request	1002503010-42101	\$ 1,500.00	\$ 1,500.00	\$ 0.00
TOTALS			\$ 1,500.00	\$ 1,500.00	\$ 0.00

CREDENTIALS

Developer

Homeowner

Engineer

Surveyor

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

No data for Occupancy Type.

ATTACHED DOCUMENTS	UPLOADED ON	UPLOADED BY
--------------------	-------------	-------------

No data for Attached Documents.

EPR DOCUMENTS	ASSOCIATED STEPS	STATUS	LAST REVIEW BY
---------------	------------------	--------	----------------

Civil	Zoning Application Review	Not Uploaded	-
-------	---------------------------	--------------	---

SURVEYED FOR: JOHN KRITSER

GF#

SCALE 1" = 20'



- (*)-RECORD CALL
- E-OVERHEAD ELECTRIC
- T-ELEC. TRANS.
- TP-TELE. PED.
- WM-WATER METER
- GM- GAS METER
- UPL- UNDERGROUND PIPE LINE
- -FOUND REBAR
- ⊙ -FOUND PIPE
- -FOUND CONC. MON.
- ⊙ -SET REBAR W/CAP
"ESTES 5003"
- -CONCRETE
- - - - - - -FENCE

MIKE AWTRY ET UX
67.4 ACRES
8/7/2018
*2018-13458

5.787 ACRES

35' GATE
40' DRIVE

CONC. PAV

S00°09'56"E 83.37'

CONC. PAV

3363 SQ FT

40' DRIVE

40' R

30' R

S89°50'04"W 80.68'

CONC. PAV

30' R

S89°50'04"W 30'

E.N. 10TH STREET

ACU
48.04 ACRES
1/5/2000
2475/99



I HEREBY CERTIFY TO
SECURITY ABSTRACT & TITLE COMPANY
OF ABILENE
AND JOHN KRITSER
THAT THIS PLAT REPRESENTS
A SURVEY OF 3363 SQUARE FEET
OUT OF A 67.40 ACRE TRACT OUT OF
BLOCK 9 AND BLOCK 3, JACKSON SUBDIVISION
OF SECTION 32, BLIND ASYLUM LANDS,
TAYLOR COUNTY, TEXAS.

SURVEYED ON THE GROUND APRIL 2023
ESTES SURVEYING, FIRM *10064600
DIEHL ESTES RPLS *5003
© ALL RIGHTS RESERVED
162 CADDO DRIVE, STE 132, ABILENE TEXAS, 79602
PO BOX 1044, CLYDE TX, 79510
(325) 704-3054 (325) 893-2822
estessurveying@outlook.com

Taylor County, Texas
Jackson Subdivision, Blocks 3 & 9
3363 Square Feet
John Kritser

Attachment A

Being 3363 square feet of land out of a 67.4 acre tract out of Block 9 and Block 3, Jackson Subdivision of Section 32, Blind Asylum Lands, Taylor County, Texas, said 67.4 acres being conveyed in deed to Mike Awtry et ux, dated August 7, 2018, of record in Instrument No. 2018-13458, Official Public Records, Taylor County, Texas, and said 3363 square feet being more thoroughly described as follows:

Beginning at a set ½” rebar with a cap marked “Estes 5003”, on the North line of East North 10th Street, for the Southwest corner of a 5.787 acre tract surveyed previously and the Southeast corner of this tract;

Thence S89°50’04”W, along the North line of said East North 10th Street a distance of 80.68’ to a set ½’ rebar with a cap marked “Estes 5003” for the Southwest corner of this tract;

Thence N43°53’42”E a distance of 116.02’ to a set ½” rebar with a cap marked “Estes 5003”, on the West line of said 5.787 acre tract, for the Northeast corner of this tract;

Thence S00°09’56”E a distance of 83.37’ to the point of beginning, containing 3363 square feet of land, more or less.

Surveyed on the ground April 2023.

Estes Surveying Inc., Firm No. 10064600
Diehl Estes RPLS No. 5003
162 Caddo Drive, Abilene, TX 79602
PO Box 1044, Clyde Texas, 79510
estessurveying@outlook.com

ZONING CASE Z-2023-19

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: June 6, 2023

City Council 1st Reading: June 22, 2023

City Council 2nd Reading: July 13, 2023

Applicant

Owner: Antonio and Elizabeth Gonzales

Agent: Geotex

Case Manager

Adam Holland – Planner

Request

Rezoning of approximately 0.82 acres from Agricultural Open (AO) to Mobile/Manufactured Home (MH).

Location

West of 350 Comanche Trail.

Background

This property has remained vacant since annexation. The owner proposes to rezone the site to the Mobile Home zoning district.

Zoning, Existing and Proposed Land Use

AO zoning surrounds the property. MH zoning exists nearby to the east of the subject property. Nearby existing land uses include agricultural uses and the Texas State Veterans Cemetery at Abilene to the south.

Criteria Assessment

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

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

The Future Land Use Map (FLUM) recommends low density residential use which is inconsistent with the map. The comprehensive plan identifies this area as being a rural character area. This request is inconsistent with the Comp plan and FLUM, however the owner intends to place one mobile home on this property which would maintain a density of around 1 unit per acre which can be considered low density.

- (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 MH zoning is consistent with the uses and zoning surrounding the subject property.

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

This property is served by nearby water lines and will require a septic system.

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

None known.

Staff Recommendation

Staff recommends **approval**.

Notification

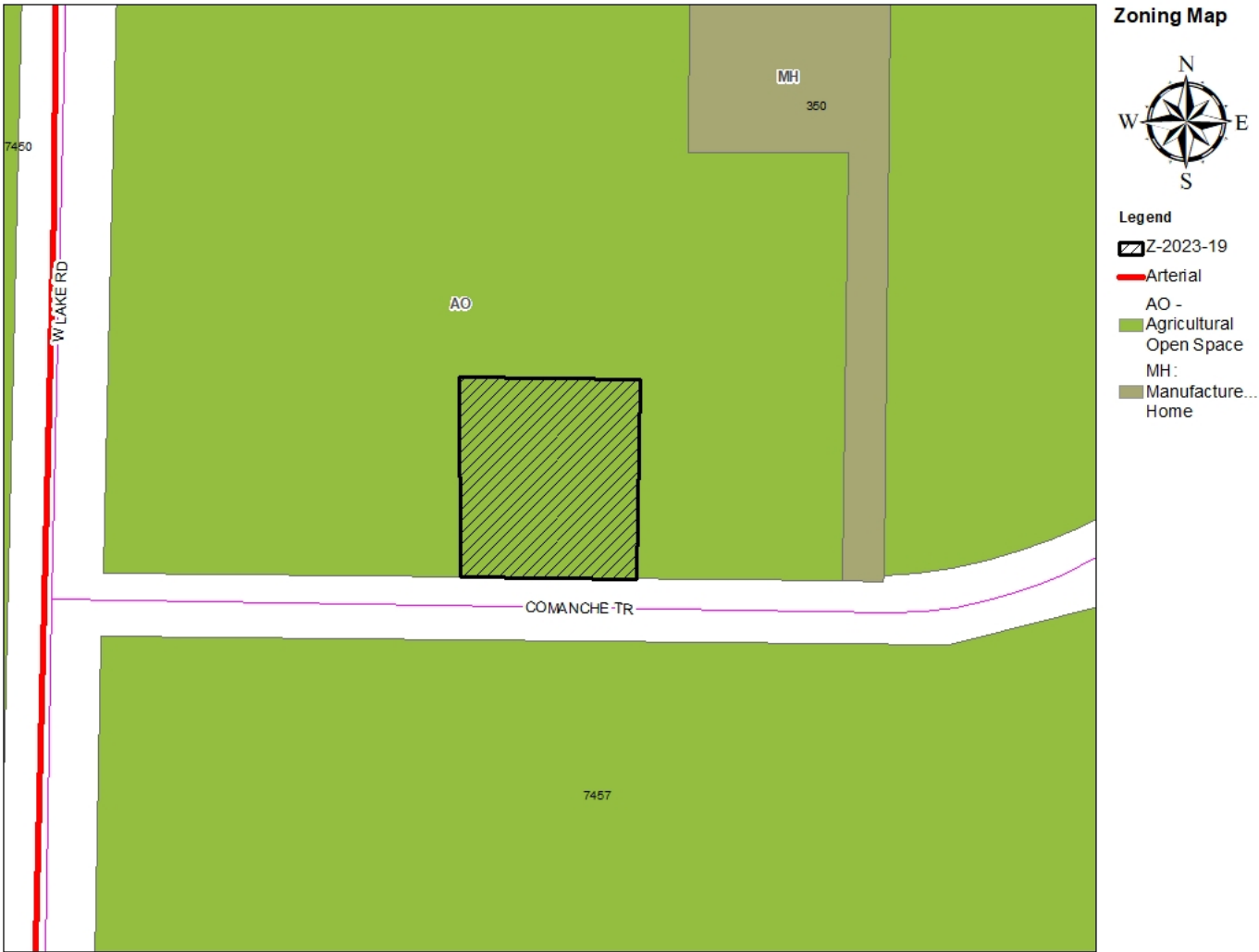
TABLE 1
Owner & Prop ID

Owner	Property ID	Situs	Response
CITY OF ABILENE		7457 W LAKE RD	
Gonzales Antonio P & Elizabeth	54279	350 Comanche Trail	

LOCATION MAP



ZONING MAP





REZONE REQUEST

Case: Z-2023-19

Owner: Antonio and Elizabeth Gonzales

Agent: Geotex

Request: Rezone from AO to MH

Location: West of 350 Comanche Trail

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: June 6, 2023

City Council Hearing: June 22, 2023
July 13, 2023





Z-2023-19 LOCATION MAP



Aerial Map



Legend

- Z-2023-19
- CourierParcels





Z-2023-19 ZONING MAP



Zoning Map



Legend

Z-2023-19

Arterial

AO -
Agricultural
Open Space

MH:
Manufacture...
Home





Permitted Uses in AO Zoning

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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

LEGEND

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





Permitted Uses in MH Zoning

RESIDENTIAL USES:

- P Dwelling – Industrialized Housing Unit
- P Dwelling – Manufactured Home (HUD-Code)
- P Dwelling – Mobile Home
- P Dwelling – Single-Family Detached

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- C Mobile Home or Temporary Building (Office for sales and service)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Homeless/Emergency Shelter

EDUCATIONAL AND RELIGIOUS USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility
- P Petroleum or Gas Well*
- P Urban Garden

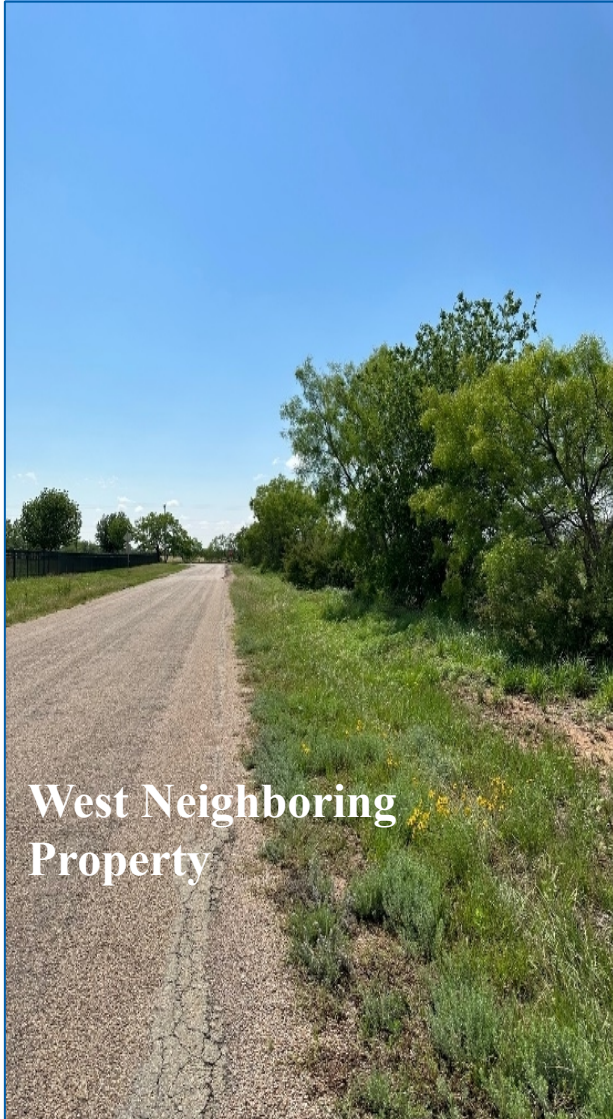
LEGEND

- 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



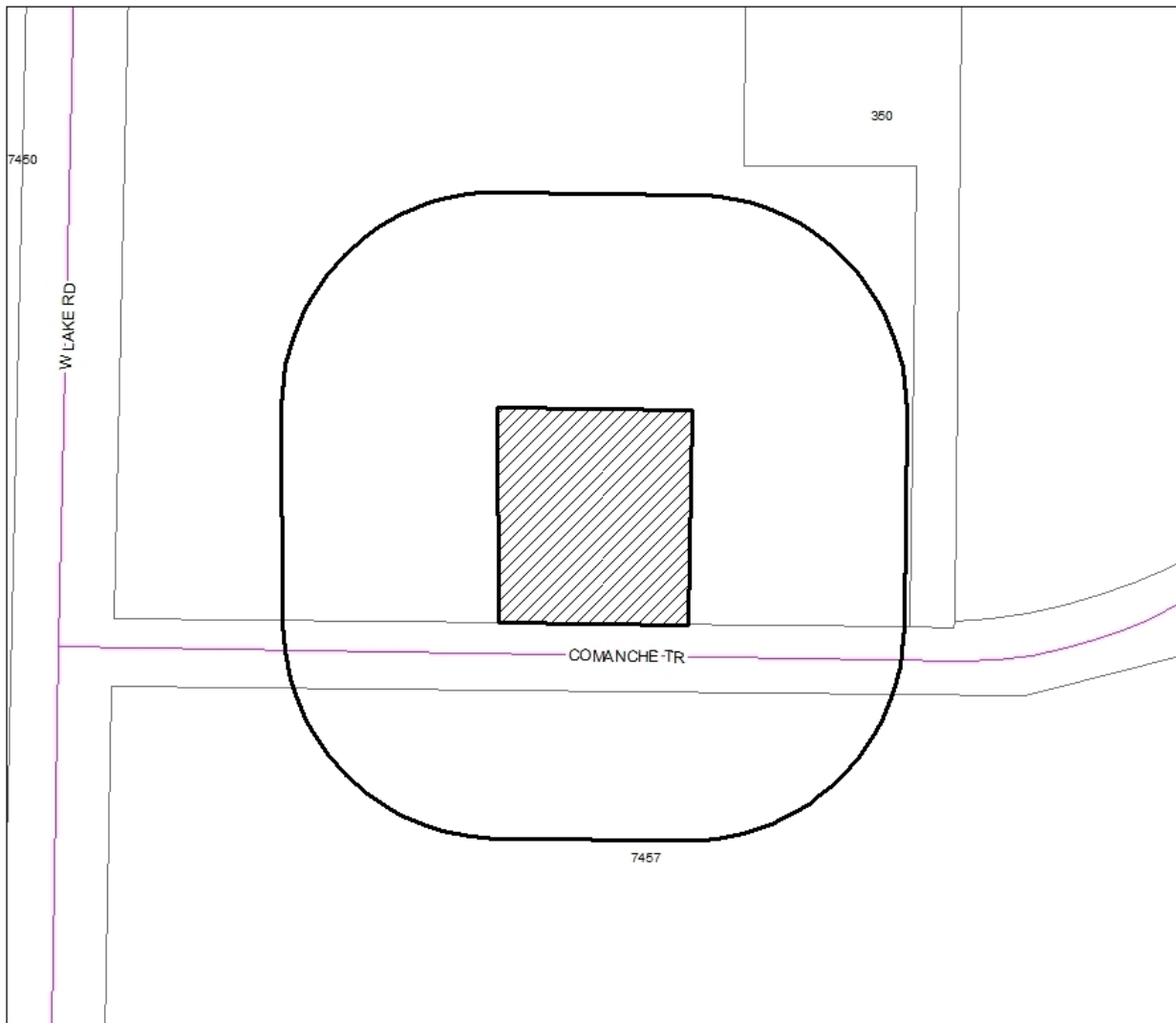


Z-2023-19 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES





Z-2023-19 NOTIFICATION AREA MAP



Notification Map



Legend

- Notification Area
- Z-2023-19

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





FINDINGS AND RECOMMENDATIONS

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

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

Staff Recommendation: **Approval**





Questions?



ZONING CASE Z-2023-20

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: June 6, 2023

City Council 1st Reading: June 22, 2023

City Council 2nd Reading: July 13, 2023

Applicant

Owner: Petra Ortiz

Agent: City of Abilene

Case Manager

Adam Holland – Planner

Request

Rezoning of approximately 0.32 acres from Heavy Commercial (HC) to Residential Single-Family (RS-6).

Location

1317 Mesquite Street

Background

An existing residence was torn down for the purpose of reusing the property as single-family residential. The original home was a legally nonconforming use that lost that status when the home was demoed. Rezoning is required to allow a new home.

Zoning, Existing and Proposed Land Use

RS-6 zoning is north of the property. All existing surrounding land uses are single-family residential.

Criteria Assessment

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

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

The Future Land Use Map (FLUM) recommends residential use. The request is consistent with the existing and proposed Comprehensive Plan and FLUM. The redevelopment of this lot of this lot is also consistent with the City Council to encourage in-fill development because the HC zoning district does not allow residential 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 RS-6 zoning is consistent with the uses surrounding the subject property and with the historic use of the property. The surrounding neighborhood has also historically been residential uses.

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

This property has adequate utility service for residential use.

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

None known.

Staff Recommendation

Staff recommends **approval**.

Notification

TABLE 1

Owner

Owner	Property ID	Situs	Response
	14233	1402 PLUM ST	
ABI 180 LLC	76431	730 N 13TH ST	
ACOSTA GUADALUPE HERNANDEZ	13488	702 N 13TH ST	
CULBERSON JAMES D &	13677	742 N 14TH ST	
DANSBY MARY JAMES ET AL	51179	1233 MESQUITE ST	
DELA GARZA JESSICA T	76309	742 N 13TH ST	
ESP INVESTMENTS LLC	75805	1342 MESQUITE ST	
ESP INVESTMENTS LLC	75940	802 N 13TH ST	
ESP INVESTMENTS LLC	75941	1334 MESQUITE ST	
GRACEY PERRY	13608	710 N 13TH ST	
JOHNSON BOB WAYNE	76193	1341 MESQUITE ST	
JOHNSON JOE B	12715	1402 MESQUITE ST	
MC MEEKAN DAVID JR &	52076	801 N 13TH ST	
ORTIZ PETRA	76066	1317 MESQUITE ST	
PATTON LAND	49738	1242 PLUM ST	
PORTLOCK WALTER	13895	738 N 14TH ST	
TAMEZ KYLE	13827	726 N 13TH ST	
TAMEZ KYLE	13827	726 1/2 N 13TH ST	
WILLIAMS STEVE	76548	1342 PLUM ST	
WILLIAMS STEVE	76677	1326 PLUM ST	

Prop ID

Owner	Property ID	Situs	Response
JOHNSON JOE B	12715	1402 MESQUITE ST	
ACOSTA GUADALUPE HERNANDEZ	13488	702 N 13TH ST	
GRACEY PERRY	13608	710 N 13TH ST	
CULBERSON JAMES D &	13677	742 N 14TH ST	
TAMEZ KYLE	13827	726 N 13TH ST	
TAMEZ KYLE	13827	726 1/2 N 13TH ST	
PORTLOCK WALTER	13895	738 N 14TH ST	
	14233	1402 PLUM ST	
PATTON LAND	49738	1242 PLUM ST	
DANSBY MARY JAMES ET AL	51179	1233 MESQUITE ST	
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ESP INVESTMENTS LLC	75941	1334 MESQUITE ST	
ORTIZ PETRA	76066	1317 MESQUITE ST	
JOHNSON BOB WAYNE	76193	1341 MESQUITE ST	
DELA GARZA JESSICA T	76309	742 N 13TH ST	
ABI 180 LLC	76431	730 N 13TH ST	
WILLIAMS STEVE	76548	1342 PLUM ST	
WILLIAMS STEVE	76677	1326 PLUM ST	

LOCATION MAP



ZONING MAP





REZONE REQUEST

Case: Z-2023-20

Owner: Petra Ortiz

Request: Rezone from HC to RS-6

Location: 1317 Mesquite Street

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: June 6, 2023

City Council Hearing: June 22, 2023
July 13, 2023





Z-2023-20 LOCATION MAP

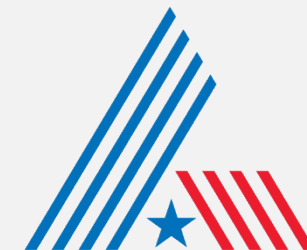


Aerial Map



Legend

-  Z-2023-20
-  CourierParcels



CITY OF
ABILENE
TEXAS



Z-2023-20 ZONING MAP



Zoning Map



Legend

- Z-2023-20
- Collector
- RS-6:
 - Residential Single-Family
 - HC: Heavy Commercial





Permitted Uses in HC Zoning

RESIDENTIAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRADE – WHOLESALE USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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

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 RS Zoning

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P 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-2023-20 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES





Z-2023-20 NOTIFICATION AREA MAP



Notification Map



Legend

- Notification Area
- Z-2023-20

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





FINDINGS AND RECOMMENDATIONS

The proposed request for RS-6 rezoning is *consistent* with:

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

Staff Recommendation: **Approval**





Questions?



2023 Development Application

Zoning Application Page 1 of 3

Planning

- ☐ Conditional Use ☐ Special Exceptions ☒ Rezoning ☐ Variance
☐ PDD Amendment ☐ Street Name Change ☐ Thoroughfare Abandonment
☐ Easement Release

Relief Procedures

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

Project Name:

Address: 1317 Mesquite Street Number of Lots: _____ Acreage: _____
 Legal Description: S100 N200 W140 201 MC NAIRY 2 W1/2 DT ABILENE
 Subdivision Name: DT Abilene Block: _____ Lot: _____
 Current Zoning: HC Proposed Zoning (if applicable): RS-6

OWNER AND AUTHORIZATION

Owner Name: Petra Ortiz
 Address: 1317 Mesquite Street
 City, State, Zip: Abilene TX 79601 Fax: _____
 Phone: (325) 266-7398 Email: none
 Agent Name: City of Abilene
 Address: _____
 City, State, Zip: _____ Fax: _____
 Phone: _____ Email: _____

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

Signature of Owner: Petra Ortiz Date: 5-17-23

FOR OFFICE USE ONLY

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

2023 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

Current zoning does not allow for the rebuild of a single family dwelling.

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.

2023 Development Application

Owner Authorization and Representative Designation

Property Description

Subdivision: _____ Total Number of Acres: _____
Zoning Classification(s): _____ Total Number of Lots: _____
Location: 1317 mesquite Street

Property Owner Information & Authorization

Name/Company: Petra Ortiz
Address: 1317 mesquite street
City: Abilene State: TX Zip Code: 79601
Phone: (325) 266-7398 Email: _____

Project Representation (check one):

- ☒ I will represent the application myself; OR
☐ I hereby designate _____ (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.

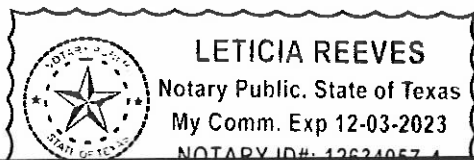
Property Owner's Signature: Petra Ortiz Date: 5-17-23

STATE OF: Texas

COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared Petra Ortiz
(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 17th day of May, 2023



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

Project Representative Information (complete if designated by owner)

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

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

2023 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: Petra Ortiz

DATE: 5-17-23

2023 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 17th May, 2023

*(cross out the inapplicable phrase)

ZONING CASE TC-2023-03

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: June 6, 2023

City Council 1st Reading: June 22, 2023

City Council 2nd Reading: July 13, 2023

Applicant

Owner: IWS2 Investments

Agent: Jacob & Martin

Case Manager

Adam Holland – Planner

Request

Thoroughfare closure of Manilla Street between Minda Street and Hailey Street.

Background

Manilla Street is an unimproved right-of-way that was platted in 1937. The applicant owns the properties on each side of Manilla Street and is in the process of rezoning the eastern property to Multi-Family (MF) to match the zoning of the property west of Manilla Street to facilitate multi-family development.

Assessment

The Development Review Committee reviewed this request and had no comments or issues.

Staff Recommendation

Staff would not object to request subject to the following conditions:

1. The subject right-of-way, and all adjoining properties, shall be platted within one year of the effective date of the abandonment ordinance.
2. If a replat is not approved and recorded within one year, the granting of the abandonment of the subject right-of-way shall be void.
3. Any utilities that may be located in the subject right-of-way shall be covered by an easement.

Notification

TABLE 1

Owner

Owner	Property ID	Situs	Response
ABERNATHY JEFFREY & SHAWNA	62660	933 MINDA ST	
CAMPBELL CHRISTOPHER	64454	974 LUZON ST	
CONNER BOBBY RAY	64333	966 LUZON ST	
DESCENDANTS LAND LLC	63948	942 LUZON ST	
ELLIOTT SAMMY LEE &	64207	958 LUZON ST	
GONZALES FELECITY MAUVE	61881	981 MINDA ST	
HIRSCHFELD PROPERTIES LP	974937	771 VIRGIL ST	
IWS2 INVESTMENTS LLC	974961	968 MINDA ST	
IWS2 INVESTMENTS LLC	974959	977 HAILEY ST	
IWS2 INVESTMENTS LLC	974962	974 MINDA ST	
IWS2 INVESTMENTS LLC	980717	934 MINDA ST	
IWS2 INVESTMENTS LLC	113619	976 MINDA ST	
KIMMEL KAX INC	974960	965 HAILEY ST	
KING SOLOMON BAPTIST	59145	1074 MINDA ST	
MITCHELL MISTI GAYLE	62008	973 MINDA ST	
MITCHELL PAMELA GAYLE	62263	957 MINDA ST	
MUDAGIRI SHEMU &	62389	949 MINDA ST	
MUSONERA EVARISTE &	62133	965 MINDA ST	
NTAWUKENASHAKA SERGE &	62527	941 MINDA ST	
RICHARDSON MANUELA J	61762	1001 MINDA ST	
WASHINGTON WILLIE L	64081	950 LUZON ST	

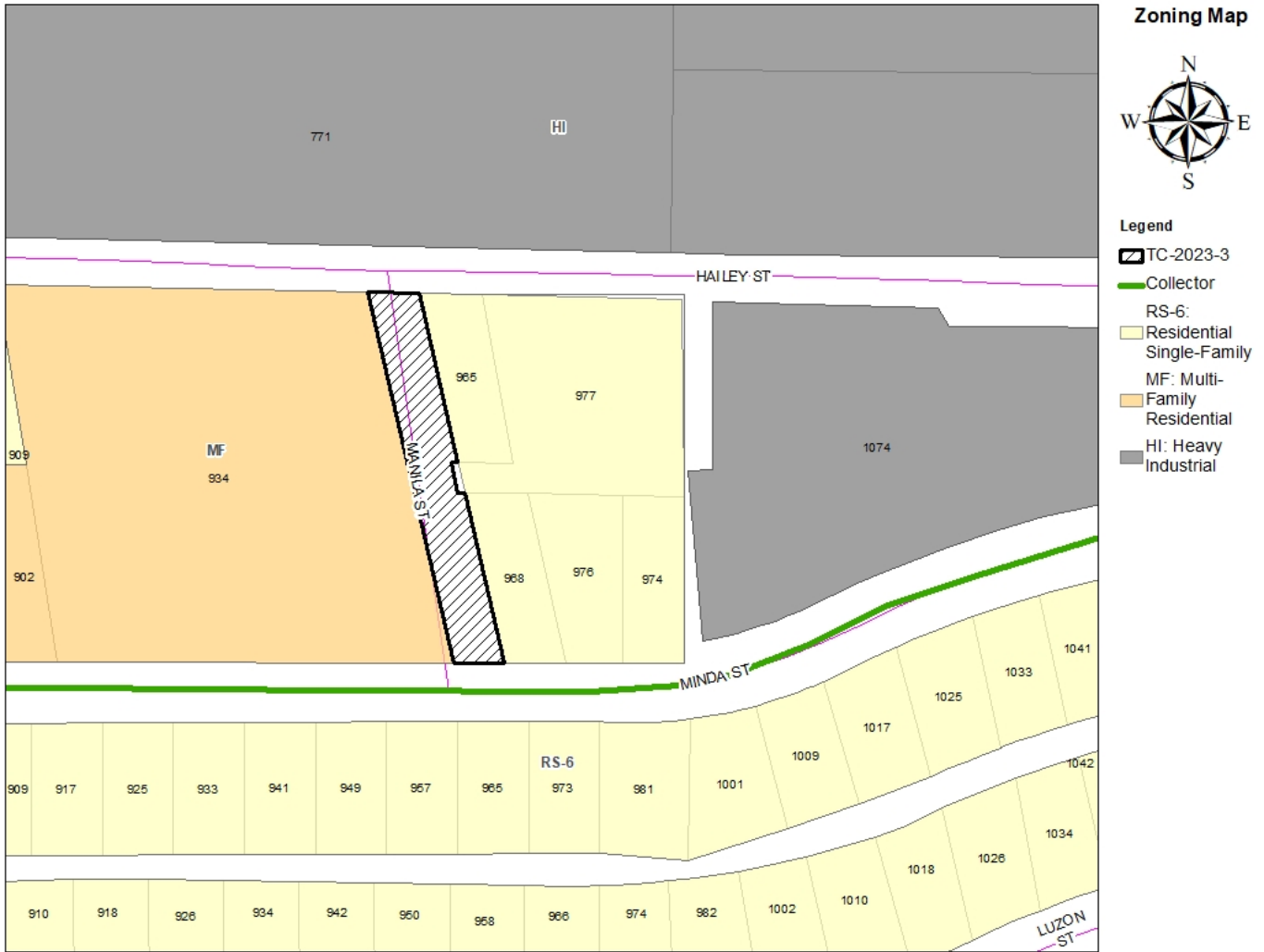
Prop ID

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MITCHELL PAMELA GAYLE	62263	957 MINDA ST	
MUDAGIRI SHEMU &	62389	949 MINDA ST	
NTAWUKENASHAKA SERGE &	62527	941 MINDA ST	
ABERNATHY JEFFREY & SHAWNA	62660	933 MINDA ST	
DESCENDANTS LAND LLC	63948	942 LUZON ST	
WASHINGTON WILLIE L	64081	950 LUZON ST	
ELLIOTT SAMMY LEE &	64207	958 LUZON ST	
CONNER BOBBY RAY	64333	966 LUZON ST	
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IWS2 INVESTMENTS LLC	974961	968 MINDA ST	
IWS2 INVESTMENTS LLC	974962	974 MINDA ST	
IWS2 INVESTMENTS LLC	980717	934 MINDA ST	

LOCATION MAP



ZONING MAP





REZONE REQUEST

Case: TC-2023-03

Owner: IWS2, LLC

Agent: Jacob & Martin

Request: Abandon Manilla Street between Minda Street and Hailey Street

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: June 6, 2023

City Council Hearing: June 22, 2023
July 13, 2023





TC-2023-03 LOCATION MAP



Aerial Map



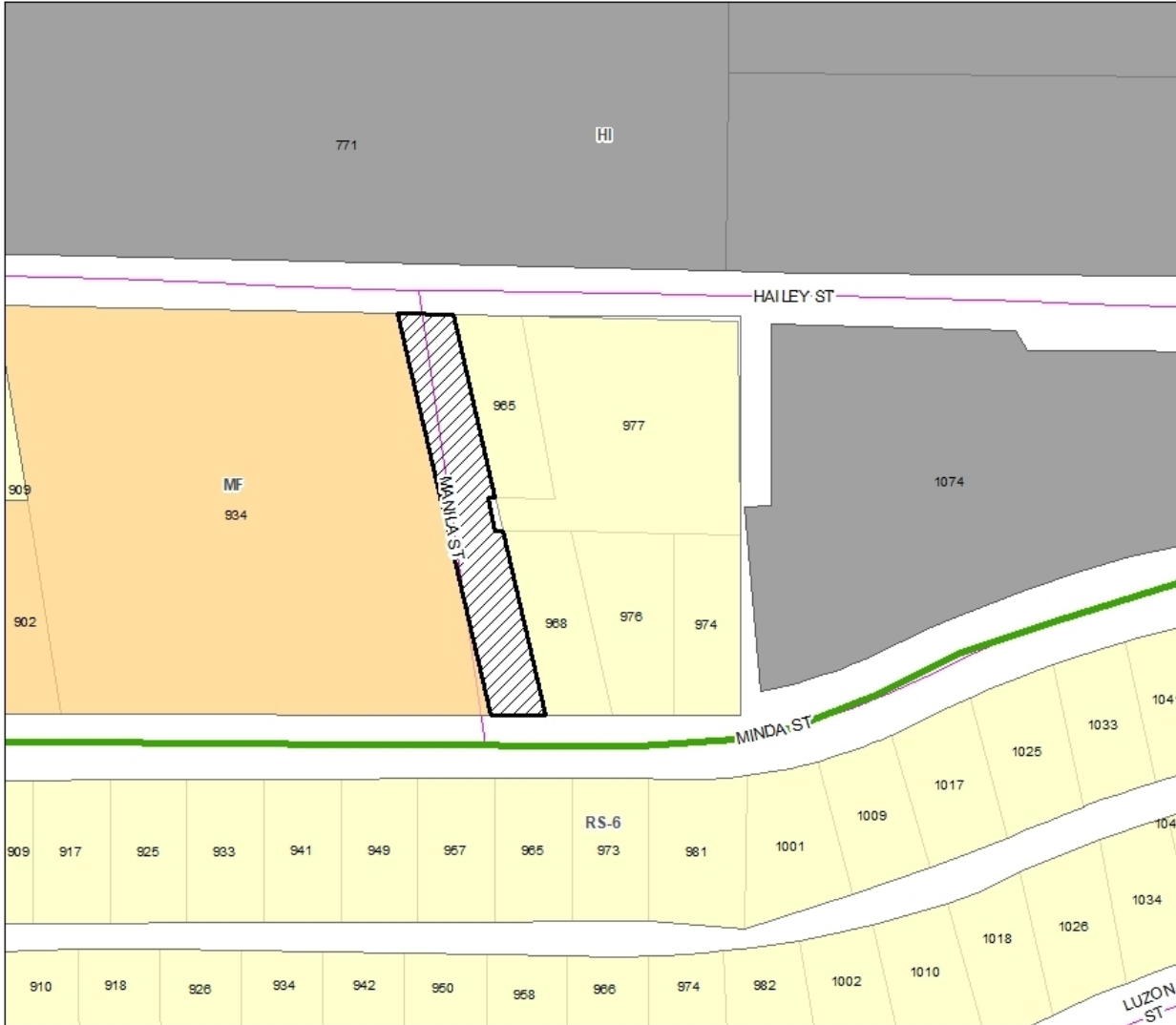
Legend

-  TC-2023-3
-  CourierParcels





TC-2023-03 ZONING MAP



Zoning Map



Legend

- TC-2023-3
- Collector
- RS-6:
Residential
Single-Family
- MF: Multi-
Family
Residential
- HI: Heavy
Industrial



ABILENE, TEXAS
MINDA STREET DEVELOPMENT

MANILA STREET ABANDONMENT



**CITY OF
ABILENE
TEXAS**

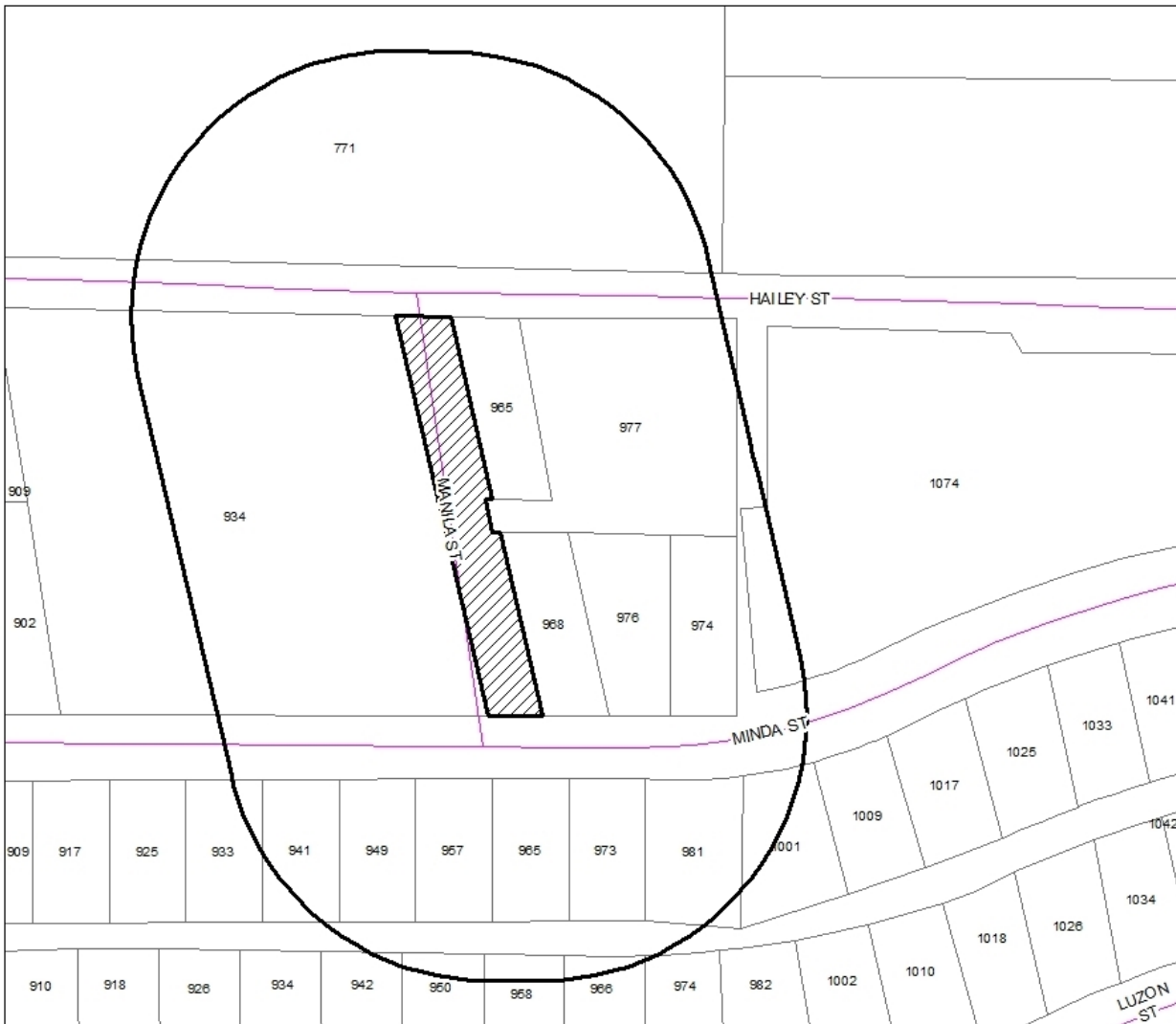


TC-2023-03 VIEWS OF SUBJECT & NEIGHBORING PROPERTIES





TC-2023-03 NOTIFICATION AREA MAP



Notification Map



Legend

- Notification Area
- TC-2023-3

0- In Favor- ●
0- Opposed- ●
0% Opposed





FINDINGS AND RECOMMENDATION

- The improvement of Manilla Street would not serve a useful public purpose.
- The development of this property for MF uses will provide a useful public purpose and facilitate in-fill development.

Staff recommends **approval**, subject to:

1. The subject rights-of-way, and all adjoining properties, shall be platted within one year of the effective date of the abandonment ordinance.
- 2 If a replat is not approved and recorded within one year, the granting of the abandonment of the subject right-of-way shall be void.
3. Any utilities located in the subject right-of-way shall be covered by an easement.





Questions?





ABILENE, TEXAS
MINDA STREET DEVELOPMENT

MANILA STREET ABANDONMENT

NO.	REVISION	DATE
PROJECT #	SCALE	BAR IS ONE INCH IN LENGTH ON ORIGINAL DRAWING.
	N.T.S.	CHECK SCALE AND ADJUST ACCORDINGLY.
SEQ.	SHEET	