



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, November 7, 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 October 3, 2023

PLATS

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

2. **7123-FP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Summit View Estates
3. **7223-FP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Sanford Addition
4. **7323-FP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Highland Farms Section 4
5. **7823-PP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a revised Preliminary Plat for Waterside at Cedar Creek Section 3
6. **8123-FP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Caliber Abilene Lot 1, Block A
7. **1522-FP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Hampton Hills Section 9

ZONING

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

8. **HOZ-2023-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Robert Hoemke To Apply Historic Overlay Zoning To Approximately 0.44 Acres Zoned Central Business (CB). Located At 1201 South 1st Street. Legal Description Being Lots 1-6, Block 49, Original Town Abilene, Abilene, Taylor County, Texas. (**Mason Teegardin**)
9. **HOZ-2023-03:** Receive a Report, Hold a Discussion and Public Hearing, and Take

Action on A Request From Matthew Meador To Apply Historic Overlay Zoning To Approximately 0.69 Acres Zoned Medium Density (MD). Located At 1941 North 3rd Street. Legal Description Being Lots 9-11, Blocks 1-3, Original Town Abilene, Abilene, Taylor County, Texas. **(Mason Teegardin)**

10. **OAM-2023-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The City Of Abilene To Amend The Land Development Code (LDC) To Create The Rebuild ABI Infill Overlay (RAI) District To Promote Infill Development And Redevelopment In Targeted Neighborhoods. **(Adam Holland)**
11. **SNC-2023-05:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Atria Mason, To Change The Name Of Stevenson Drive To Atria L. Mason Drive. Located At Stevenson Drive From East North 10th Street To East North 7th Street. **(Adam Holland)**
12. **Z-2023-31:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Abilene Christian University, Represented By TJC Development And McMahon Surovik Suttle, To Amend The Terms And Conditions And Concept Plan Of Planned Development District 157 To Allow Single Family Residential Uses West Of Judge Ely Boulevard, To Reduce The Setback Requirement For Single Family Residential Uses, And To Provide A New Concept Plan. Located On The West Side 2500 Block Of Judge Ely Blvd. Legal Description Being Block A, ACU Drive Addition, Abilene, Taylor County, Texas. **(Adam Holland)**
13. **Z-2023-35:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Hoemke Property LLC Represented By Seth Merritt, To Change The Zoning Of Approximately 0.33 Acres From Heavy Industrial To Light Industrial. Located At 409 S Treadaway Blvd. Legal Description Being Lots 1, 2, 3, Block 94, Original Town Abilene, Abilene, Taylor County, Texas. **(Clarissa Ivey)**
14. **Z-2023-36:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From 3W Brands LLC, Represented By Jacob Martin, To Change The Zoning Of Approximately 7.07 Acres From PD 96A To General Retail. Located on the East Side of the 5300 Block Buffalo Gap Road. Legal Description Being Lots 202, 203, And 206, Mindy Morris Subdivision, Abilene, Taylor County, Texas. **(Adam Holland)**
15. **Z-2023-37:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Cosper Properties LLC, Represented By Jacob Martin, To Change The Zoning Of Approximately 2.2 Acres From Agricultural Open To General Retail. Located 3509 Beltway, Abilene, TX 79606. Legal Description Being Survey 104 WM E Vaughn, Tract 3 West, Abilene, Taylor County, Texas. **(Kiley Hannah)**
16. **Z-2023-38:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Nathan Hathorn, Represented By Jacob & Martin, To Change The Zoning Of Approximately 12.97 Acres From Agricultural Open And General Commercial To General Commercial. Located At 1209 Spur 707. Legal Description Being 12.97 Acres Out Of The North Half Of The Southwest Quarter Of Lunatic Asylum Lands, Abilene, Taylor County, Texas. **(Clarissa Ivey)**

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 3rd day of November, 2023, at 2:00 p.m.

*Kaitlin Richardson, Deputy City
Secretary, TRMC, CMC*



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on October 3, 2023 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas

Commissioners Present:

Mr. Clint Rosenbaum, Chairman
Mr. Mitch Barnett
Ms. Shawnte' Fleming

Mr. Brad Benham, Chairman Pro Tem
Mr. Kevin Halliburton

Commissioners Absent:

Ms. Alex Russell, Sergeant-at-Arms

Rev. Iziar Lankford, Secretary

Staff Present:

Mr. Tim Littlejohn, Director of Planning and Development Services
Mr. Randy Anderson, Assistant Director of Planning and Development Services
Ms. Kelley Messer, First Assistant City Attorney
Mr. Adam Holland, Planner I
Ms. Clarissa Ivey, Planner I
Ms. Melissa Farr, Executive Assistant
Ms. Kiley Hannah, Planner I

Others Present:

Mr. Tal Fillingim
Mr. Eddie Pugh
Mr. Darren Stone
Mr. Kris Kowatch

Ms. Dwalah Nelson
Ms. Bambi Pugh
Ms. Susan Perry
Ms. Cynthia Alvidrez

Mr. Tim Watson
Ms. Carmen Price
Mr. Ted Presley
Ms. Cheryl Sawyers

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

INVOCATION

Mr. Benham delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Mr. Rosenbaum opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed. Mr. Halliburton moved to approve the minutes from the previous meeting, which was held on September 5, 2023. Ms. Fleming seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Benham, Fleming, Halliburton, Rosenbaum

NAYS: None

PLATS

5923-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Final Plat Cimarron Meadows Section 2B

STAFF RECOMMENDATION: Approval with conditions:

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

6023-PP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Preliminary Plat The Campus Edge Addition

STAFF RECOMMENDATION: Staff recommends approval.

6123-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Final Plat The Campus Edge Addition

STAFF RECOMMENDATION: Approval with conditions:

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

financial guarantee in order to secure the obligations of all public improvements prior to recording.

6223-PP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Preliminary Plat Nelson Park Subdivision

STAFF RECOMMENDATION: Staff recommends approval.

6323-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Final Plat Nelson Park Subdivision

STAFF RECOMMENDATION: Staff recommends approval.

6423-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Final Plat Carriage Hills Section 4B

STAFF RECOMMENDATION: Approval with conditions:

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

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

Mr. Rosenbaum opened the public hearing. The following spoke and had no comments regarding the plats: Mr. Eddie Pugh and Ms. Cynthia Alvidrez

Those who spoke in regards to the plats were: Ms. Carmen Price, Mr. Kris Kowatch, Mr. Ted Presley. Seeing no one else present and desiring to be heard, Mr. Rosenbaum closed the public hearing.

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

AYES: Barnett, Benham, Fleming, Halliburton, Rosenbaum

NAYS: None

ZONING

Z-2023-30: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the City of Abilene, represented by Jacob & Martin, to change the zoning of approximately 225.93 acres from Agricultural Open to Planned Development District 184, to allow base zoning districts of General Commercial along SE 11th Street and Loop 322 and Agricultural Open, for the Abilene Zoo. Located at 2070 Zoo Lane and 1042 Loop 322. Legal

Description being 225.95 acres out of the northwest quarter of Blind Asylum Lands Section 46 in Taylor County, TX.

Ms. Clarissa Ivey presented this request. The applicant proposes to replat the property. The plat will set the boundary between the two base zoning districts at a location that is generally consistent with the boundary shown on the attached PDD concept plan. The creation of the General Commercial base zoning district will maximize the use of the PD and help to facilitate additional improvements to Nelson Park and the Abilene Zoo. The existing uses in Grover Nelson Park will continue.

Mr. Rosenbaum opened the public hearing. Mr. Ted Presley spoke. 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, subject to the following conditions:

1. The use and development of PDD-184 shall be subject to the proposed ordinance.
2. A plat of PDD-184 shall be filed within one (1) year from the date in which the PDD is approved by City Council.

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

AYES: Barnett, Benham, Fleming, Halliburton, Rosenbaum

NAYS: None

Z-2023-31: (Tabled) Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Abilene Christian University, represented by TJC Development and McMahon Surovik Suttle, to amend the terms and conditions and concept plan of Planned Development District 157 to allow single family residential uses west of Judge Ely Boulevard, to reduce the setback requirement for single family residential uses, and to provide a new concept plan. Located on the west side 2500 block of Judge Ely Blvd. Legal description being Block A, ACU Drive Addition, Abilene, Taylor County, Texas

Mr. Barnett moved to **remove this item from the table**. Ms. Fleming seconded the motion.

Mr. Rosenbaum opened the public hearing. Ms. Dwalah Nelson stepped forward and asked questions. Seeing no one else present and desiring to be heard, the public hearing was closed.

STAFF RECOMMENDATION:

Approval, subject to the following conditions:

1. The use and development of PDD-184 shall be subject to the proposed ordinance.
2. A plat of PDD-184 shall be filed within one (1) year from the date in which the PDD is approved by City Council.

Mr. Barnett moved to **place this request on the table until next month's regular scheduled meeting**. Mr. Benham seconded the motion. The motion to **table** prevailed by the following vote:

AYES: Barnett, Benham, Fleming, Halliburton, Rosenbaum

NAYS: None

Z-2023-32: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Weatherbee Construction Inc, represented by Civetta Solutions LLC, to amend the terms and conditions and concept plan of Planned Development District 104. Specifically, to allow Self-storage and General Commercial uses in Tract 2 and to remove Exhibit C to expand the scope of the permitted uses in Tract 1. Located on the west side of Oldham Lane from S. 27th to Loop 322. Legal description being the Northeast quarter of Survey 62 Blind Asylum Lands, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The subject property encompasses PD-104, which is a mixed-use residential, office, and retail development governed by a Concept Plan and development regulations. The applicant proposes to:

1. Revise the base zoning of Tract 2 from Office (O) to General Commercial (GC); and
2. Remove all listed used and add General Retail (GR) base zoning in Tract 1, without limitations.

The applicant indicates the base zoning of GC is proposed on Tract 2 in order to allow a self-storage facility. The GC base zoning district would also allow the following uses that would not be appropriate at this location:

Contractor services, indoor/outdoor kennels (with outdoor pens), recycling collection and processing, major repair service of cars and small trucks, outdoor repairs of vehicles, truck sales/rentals, repair of large trucks and equipment, and wholesaling etc..

Mr. Rosenbaum opened the public hearing. Ms. Cheryl Sawyers stepped forward representing the case and availability to answer any questions. Seeing no one else present and desiring to speak, the public hearing was closed.

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

STAFF RECOMMENDATION: Approval subject to:

The base zoning of Tract 1 shall be General Retail (GR), without any GR use limitations.

The base zoning of Tract 2 shall be General Retail (GR), with self-storage being an additional permitted use.

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

AYES: Barnett, Benham, Fleming, Halliburton, Rosenbaum

NAYS: None

Z-2023-34: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Aaron & Andrea Robison, represented by Jacob & Martin, to change the zoning of approximately 3.21 acres from General Commercial to General Retail. Located at 5308 Hwy. 277 S. Legal Description being 3.21 acres out of the Joseph Beck survey 42 in Taylor County, TX.

Ms. Kiley Hannah presented this request. The subject property has remained vacant since being annexed into the City limits of Abilene in 1959. The property was rezoned to General Commercial (GC) in March of 2022. The applicant indicates that rezoning to General Retail (GR) is requested to allow a single-family residence that would include a recording studio.

Mr. Rosenbaum opened the public hearing. Mr. Tal Fillingim noted support and availability for questions. Seeing no one else present and desiring to be heard, the public hearing was closed.

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

STAFF RECOMMENDATION: Approval

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

AYES: Barnett, Benham, Fleming, Halliburton, Rosenbaum

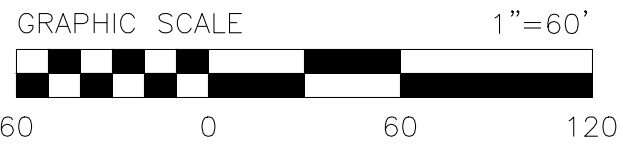
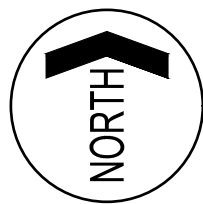
NAYS: None

ADJOURNMENT

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 2:39 p.m.

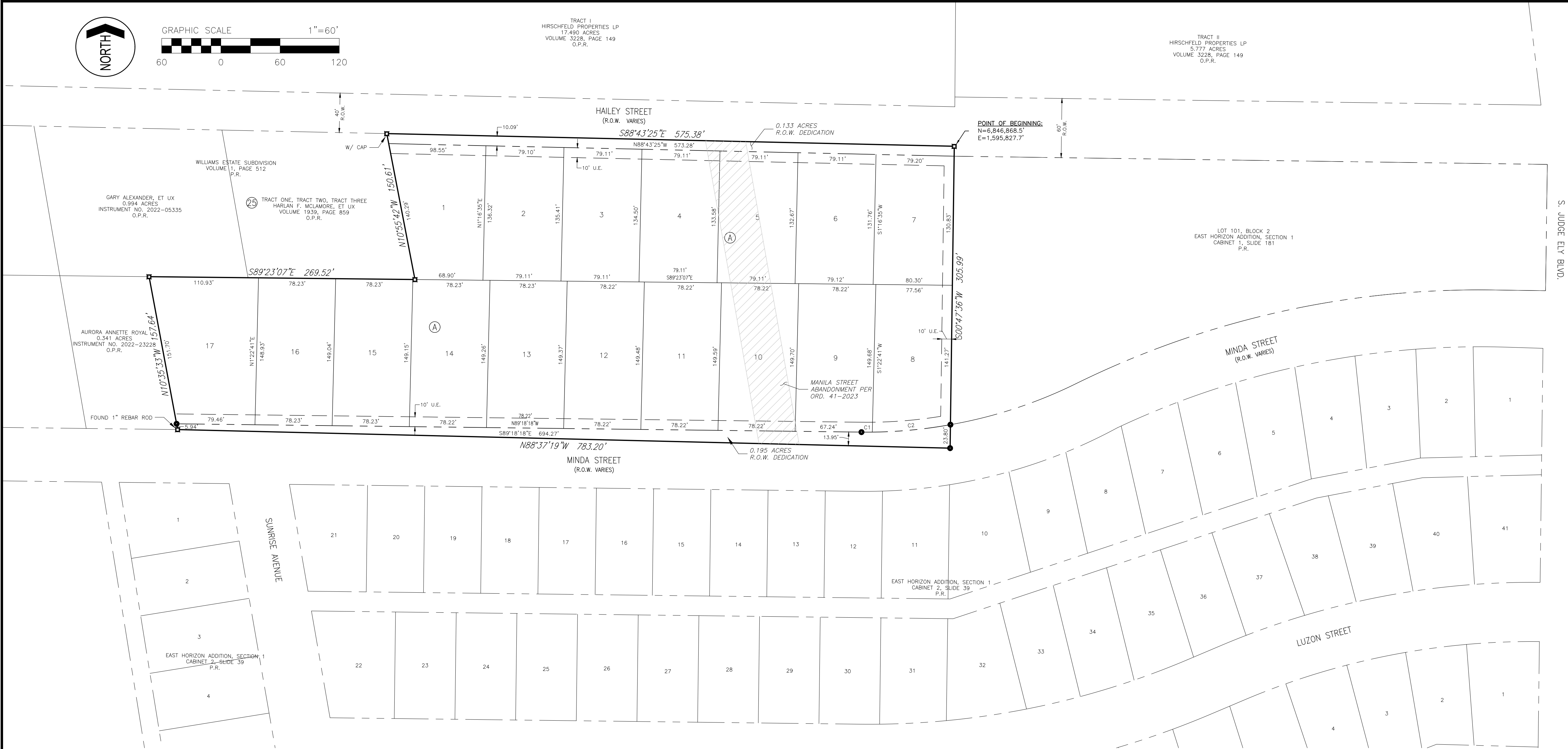
APPROVED

Mr. Clint Rosenbaum, Chairman



TRACT I
HIRSCHELD PROPERTIES LP
7.450 ACRES
VOLUME 3228, PAGE 149
O.P.R.

TRACT II
HIRSCHELD PROPERTIES LP
5.777 ACRES
VOLUME 3228, PAGE 149
O.P.R.



LEGEND

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

- SET 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"
- SET MAGNAIL WITH METAL WASHER
- FOUND 1/2 INCH REBAR ROD WITH PLASTIC CAP
- FOUND 3/8 INCH REBAR ROD (UNLESS OTHERWISE NOTED)
- U.E. = UTILITY EASEMENTS
- D.E. = DRAINAGE EASEMENTS
- S.L.E. = STREET LIGHT EASEMENTS
- W.L.E. = WATER LINE EASEMENTS
- P.R. = PLAT RECORDS, TAYLOR CO., TX.
- D.R. = DEED RECORDS, TAYLOR CO., TX.
- O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR CO., TEXAS

BLOCK A

LOT AREA TABLE			
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERIMETER
1	11,453	0.263	444.06'
2	10,748	0.247	429.95'
3	10,676	0.245	428.13'
4	10,604	0.243	426.30'
5	10,532	0.242	424.48'
6	10,459	0.240	422.65'
7	10,471	0.240	422.09'
8	11,479	0.264	448.16'
9	11,712	0.269	455.82'
10	11,704	0.269	455.73'
11	11,696	0.269	455.51'
12	11,687	0.268	455.29'
13	11,679	0.268	455.08'
14	11,671	0.268	454.86'
15	11,662	0.268	454.64'
16	11,654	0.268	454.42'
17	14,170	0.325	491.02'

PLAT NOTES:

- AREA OF SUBDIVISION = 4.783 ACRES, AREA OF ALL PUBLIC R.O.W. DEDICATIONS IS 0.328 ACRES.
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NO. 48441C0229F EFFECTIVE JANUARY 6, 2012.
- NO LAND WITHIN THIS SUBDIVISION WILL BE DEDICATED FOR PARKS, OR OPEN SPACE.
- THIS SUBDIVISION IS LOCATED ENTIRELY WITHIN THE CITY LIMITS OF THE CITY OF ABILENE, TEXAS.
- BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
- UPON COMPLETION OF THE SUBDIVISION STREETS, BURIED UTILITIES, AND FINAL GRADING, MONUMENTATION WILL BE SET AS FOLLOWS: CENTERLINE MARKERS ARE MAG-NAILS WITH WASHERS; LOT CORNERS ARE 1/2" REBAR RODS WITH PLASTIC CAPS STAMPED "J&M BOUNDARY"
- IF OBSTACLES (FENCES, TRANSFORMERS, OPEN TRENCHES, ETC.) ARE ENCOUNTERED DURING THE COURSE OF SETTING MONUMENTATION, THOSE AFFECTED LOT CORNERS WILL BE SET AT AN OFFSET ALONG THEIR RESPECTIVE LOT LINES AT A WHOLE FOOT INTERVAL BETWEEN 1 AND 6 FEET. SURVEYOR WILL SET SAID OFFSET AS CLOSE AS PRACTICAL TO ACTUAL LOT CORNER AND WILL KEEP RECORD OF THE FINAL STAKED LOCATION.

BASIS OF BEARINGS:

BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED ON GRID NORTH REFERENCING THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, AND NAD 83 AS DETERMINED FROM GPS SURVEY DATA. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF 1.000142119.

FINISHED FLOOR ELEVATION:

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

DEVELOPER/SUBDIVIDER:
IWS2 INVESTMENTS, LLC
901 INDUSTRIAL BLVD.
ABILENE, TX 79602

A FINAL PLAT OF
SANFORD ADDITION
BEING A REPLAT OF ALL OF BLOCK 23,
BLOCK 24, & 0.896 ACRES OUT
OF THE S/2 OF BLOCK 25, OUT OF
THE WILLIAMS ESTATE SUBDIVISION,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

PLANNING COMMISSION THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT CODE CHAPTER 212, SUBCHAPTER A, AS AMENDED.	PLANNING DIRECTOR FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.
DATE _____ CHAIRMAN _____ ATTEST: _____ SECRETARY _____ DATE _____ PLANNING DIRECTOR _____	DATE _____ FILE NUMBER _____ PLANNING DIRECTOR _____ FEES _____
COUNTY CLERK I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON _____	DIRECTOR OF PUBLIC WORKS THE DEDICATION FILED, IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS.
DATE _____ FILE NUMBER _____ COUNTY CLERK _____ COUNTY TEXAS DEPUTY _____	DATE _____ DIRECTOR OF PUBLIC WORKS _____

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED MANAGER OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAS CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS AND ALLEYS UNDER THE NAME OF
A FINAL PLAT OF
SANFORD ADDITION
BEING A REPLAT OF ALL OF BLOCK 23,
BLOCK 24, & 0.896 ACRES OUT
OF THE S/2 OF BLOCK 25, OUT OF
THE WILLIAMS ESTATE SUBDIVISION,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS
AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LANES, EASEMENTS, PARKS AND OTHER PUBLIC LANDS SHOWN THEREON. THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

SEE ATTACHED METES & BOUNDS DESCRIPTION

EXECUTED THIS _____ DAY OF _____ A.D. 2023

IRA SANFORD, JR.
IWS2 INVESTMENTS, LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS:
COUNTY OF TAYLOR:

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

IRA SANFORD, JR.

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

IWS2 INVESTMENT, LLC

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____

DAY OF _____ A.D. 2023
TAYLOR
COUNTY TEXAS
NOTARY PUBLIC

GENERAL NOTES
ACREAGE: 4.783 ACRES

SCALE: 1"=60' SMALLEST LOT: 0.258 ACRES LARGEST LOT: 0.325 ACRES

LOT WIDTH: MIN. 78.22' MAX. 110.93' LOT DEPTH: MIN. 140.92' MAX. 149.86'

CONCRETE MONUMENT FOUND (SYMBOL) CENTERLINE MARKER SET (SYMBOL)

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

CERTIFICATION

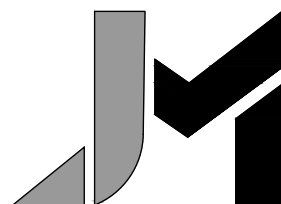
I HEREBY CERTIFY THAT THE PLAT SUBMITTED HERewith REPRESENTS A TRUE SURVEY MADE BY THE UNDERSIGNED OR UNDER MY SUPERVISION ON THE GROUND AND THAT PERMANENT MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE WITH THE "SUBDIVISION REGULATIONS" OF THE CITY OF ABILENE.

A FINAL PLAT OF
SANFORD ADDITION
BEING A REPLAT OF ALL OF BLOCK 23,
BLOCK 24, & 0.896 ACRES OUT
OF THE S/2 OF BLOCK 25, OUT OF
THE WILLIAMS ESTATE SUBDIVISION,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

PLAT DESCRIPTION:

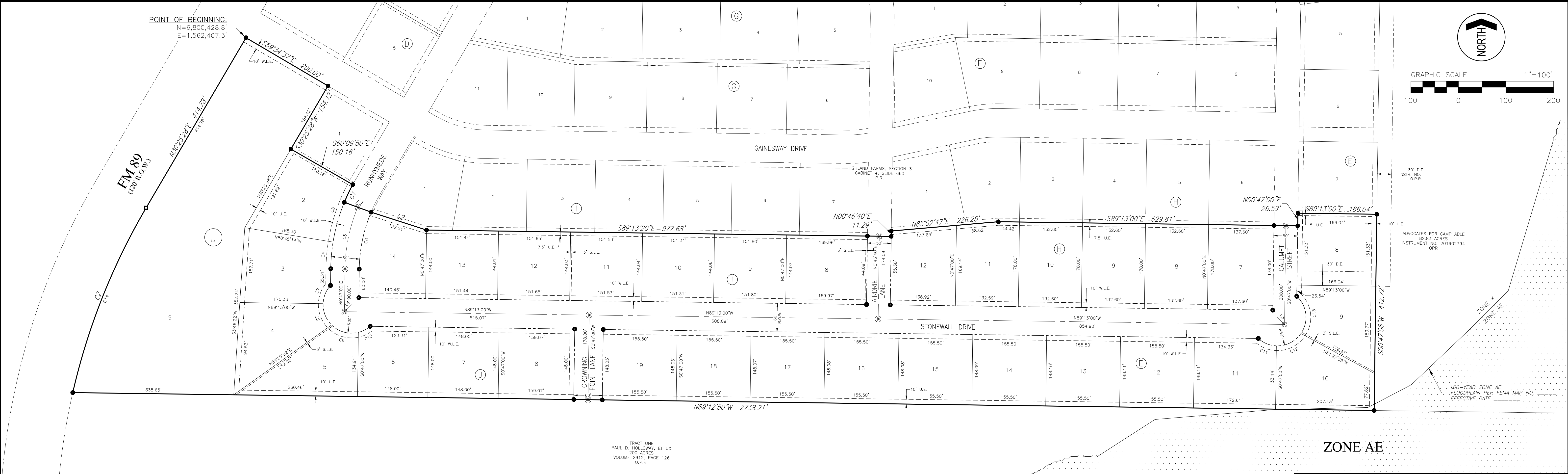
PRELIMINARY
This document shall not be
recorded for any purpose.

SIGNATURE _____
(PRINT)
REGISTERED PROFESSIONAL LAND SURVEYOR
DATE _____



JACOB
MARTIN
[TBPELS FIRM # 10194493]

3465 CURRY LANE
ABILENE, TX 79606
325-695-1070
1508 SANTA FE DR, STE 204
WEATHERFORD, TX 76086
817-594-9880
4920 S. LOOP 289, STE 104
LUBBOCK, TX 79414
806-368-6375



METES AND BOUNDS DESCRIPTION:

BEING a 25.027 acre tract of land out of the George N. Robinson Survey No. 58, Abstract No. 227, Taylor County, Texas, being out of and a part of the remainder of that certain 177.27 acre tract of land described in a Warranty Deed with Vendor's Lien to Highland Farms Development Company, LLC recorded in Instrument No. 201910089, Official Public Records, Taylor County, Texas. Said 25.027 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a found 1/2 inch rebar rod with plastic cap stamped "J&M BOUNDARY" (hereafter being known as a FOUND REBAR), the coordinates thereof being N=6,800,428.8', E=1,562,407.3', for the northwest corner of the herein described tract and the remainder of said 177.27 acre tract, also being the most westerly southwest corner of Highland Farms, Section 3, as shown per plat recorded in Cabinet 4, Slide 660, Plat Records, Taylor County, Texas, same being the intersection of the southeast right-of-way line of FM 89 and the southwest right-of-way line of Gainesway;

THENCE along the northerly line of the herein described tract and the remainder of said 177.27 acre tract, and along the southerly line of said Highland Farms, Section 3, the following courses and distances:

- S59°34'37"E, a distance of 200.00 feet to a FOUND REBAR for corner;
- S30°25'28"W, a distance of 154.12 feet to a FOUND REBAR for corner;
- S60°09'50"E, a distance of 150.16 feet to a FOUND REBAR for corner, being the beginning of a curve to the left, having a radius of 380.00 feet and a delta angle of 06°13'18", with a chord bearing S25°30'39"W 41.29 feet;
- S69°50'56"E, a distance of 60.05 feet to a FOUND REBAR for corner;
- S72°05'26"E, a distance of 122.51 feet to a FOUND REBAR for corner;
- S89°13'00"E, a distance of 977.68 feet to a FOUND REBAR for corner;
- N00°46'40"E, a distance of 11.29 feet to a FOUND REBAR for corner;
- N85°02'47"E, a distance of 226.25 feet to a FOUND REBAR for corner;
- S89°13'00"E, a distance of 629.81 feet to a FOUND REBAR for corner;
- N00°47'00"E, a distance of 26.59 feet to a FOUND REBAR for corner;
- S89°13'00"E, a distance of 166.04 feet to a FOUND REBAR for the northeast corner of the herein described tract and the remainder of said 177.27 acre tract, same being the southeast corner of said Highland Farms, Section 3, said point being located in the west line of that certain 82.83 acre tract of land described in a Warranty Deed with Mineral Reservation and Restrictive Covenants to the Advocates For Camp Able recorded in Instrument No. 201902394, of said Official Public Records;

THENCE S00°47'08"W along the east line of the herein described tract and the remainder of said 177.27 acre tract, and also along the west line of said Camp Able tract to a 1/2 inch rebar rod set with plastic cap stamped "J&M BOUNDARY" for the southeast corner of the herein described tract and said the remainder of said 177.27 acre tract, same being the southwest corner of said Camp Able tract, said point being located in the north line of a that certain 200 acre tract of land, known as Tract One, described in a Warranty Deed with Vendor's Lien to Paul D. Holloway, et ux recorded in Volume 2912, Page 126, of said Official Public Records;

THENCE N89°12'50"W along the south line of the herein described tract and said 177.27 acre tract, also along the north line of said Holloway tract to a 1/2 inch rebar rod set with a plastic cap stamped "J&M BOUNDARY" for the southwest corner of the herein described tract and said 177.27 acre tract, same being the northwest corner of said Holloway tract, said point being located in the southeast right-of-way line of FM 89, being the beginning of a non-tangent curve to the right, having a radius of 1372.39 feet, with a delta angle of 17°31'40" and a chord bearing N21°40'05"E 418.21 feet;

THENCE along said curve and along the westerly line of the herein described tract and said 177.27 acre tract, also along the southeast right-of-way line of said FM 89 a distance of 419.84 feet to a concrete TxDOT monument found for an angle corner of the herein described tract and said 177.27 acre tract;

THENCE N30°25'28"E along the westerly line of the herein described tract and said 177.27 acre tract, and also along the southeast right-of-way line, a distance of 414.78 feet to the POINT OF BEGINNING and containing 25.027 acres of land, more or less.

LINE TABLE		
CURVE NO.	ARC LENGTH	CHORD BEARING
C1	41.26'	S69°50'56"E
C2	1372.39'	S72°05'26"E
C3	1921.21'	N44°54'00"E
C4	28.20'	N45°47'00"E

CURVE TABLE				
CURVE NO.	ARC LENGTH	RADIUS	ANGLE	TANGENT
C1	41.26'	380.00'	6°13'18"	20.65'
C2	1372.39'	1731'40"	211.57'	N21°40'05"E
C3	128.37'	380.00'	19°21'21"	64.80'
C4	56.26'	380.00'	8°28'57"	28.18'
C5	133.23'	350.00'	21°48'35"	67.43'
C6	123.09'	320.00'	22°02'20"	62.31'
C7	42.10'	60.00'	40°12'09"	21.96'
C8	49.56'	60.00'	47°19'23"	26.29'
C9	61.12'	60.00'	58°21'42"	33.51'
C10	28.20'	60.00'	26°55'56"	14.37'
C11	41.96'	60.00'	40°03'04"	21.88'
C12	60.29'	60.00'	57°34'35"	32.97'
C13	85.83'	60.00'	81°57'29"	52.12'
C14	419.84'	1372.39'	17°31'40"	211.57'

BLOCK E				
LOT AREA TABLE				
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI-METER	
8	25,126	0.577	634.73'	
9	22,107	0.508	635.61'	
10	25,757	0.591	654.94'	
11	25,179	0.578	630.15'	
12	23,030	0.529	607.21'	
13	23,029	0.529	607.20'	
14	23,028	0.529	607.18'	
15	23,027	0.529	607.17'	
16	23,026	0.529	607.15'	
17	23,025	0.529	607.14'	
18	23,024	0.529	607.12'	
19	23,022	0.529	607.11'	

BLOCK H				
LOT AREA TABLE				
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI-METER	
7	24,492	0.562	631.19'	
8	23,602	0.542	621.19'	
9	23,602	0.542	621.19'	
10	23,602	0.542	621.19'	
11	23,211	0.533	612.77'	
12	22,219	0.510	599.08'	

BLOCK I				
LOT AREA TABLE				
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI-METER	
8	24,489	0.562	628.09'	
9	21,868	0.502	591.72'	
10	21,797	0.500	590.72'	
11	21,825	0.501	591.13'	
12	21,840	0.501	591.33'	
13	21,808	0.501	590.89'	
14	22,260	0.511	590.06'	

BLOCK J				
LOT AREA TABLE				
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)	PERI-METER	
2	25,787	0.592	658.53'	
3	26,550	0.610	655.02'	
4	22,781	0.523	672.38'	
5	23,019	0.528	709.45'	
6	21,712	0.498	582.42'	
7	21,904	0.503	592.00'	
8	23,543	0.540	614.14'	
9	183,624	4.215	2071.33'	

PLAT NOTES:

- AREA OF SUBDIVISION = 25.027 ACRES, AREA OF ALL PUBLIC R.O.W. DEDICATIONS IS 3,724 ACRES.
- A VERY SMALL PORTION OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NO. 13070C0210.
- NO LAND WITHIN THIS SUBDIVISION WILL BE DEDICATED FOR PARKS, OR OPEN SPACE.
- THIS SUBDIVISION IS LOCATED ENTIRELY WITHIN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ABILENE, TEXAS.
- ALL LOTS WITHIN THIS DEVELOPMENT WILL USE ON-SITE SEWAGE FACILITIES.
- UPON COMPLETION OF THE SUBDIVISION STREETS, BURIED UTILITIES, AND FINAL GRADING, MONUMENTATION WILL BE SET AS FOLLOWS: CENTERLINE MARKERS ARE MAG-NAILS WITH WASHERS; LOT CORNERS ARE 1/2" REBAR RODS WITH PLASTIC CAPS STAMPED "J&M BOUNDARY"
- IF OBSTACLES (FENCES, TRANSFORMERS, OPEN TRENCHES, ETC.) ARE ENCOUNTERED DURING THE COURSE OF SETTING MONUMENTATION, THOSE AFFECTED LOT CORNERS WILL BE SET AT AN OFFSET ALONG THEIR RESPECTIVE LOT LINES AT A WHOLE FOOT INTERVAL BETWEEN 1 AND 6 FEET. SURVEYOR WILL SET SAID OFFSET AS CLOSE AS PRACTICAL TO ACTUAL LOT CORNER AND WILL KEEP RECORD OF THE FINAL STAKED LOCATION.

BASIS OF BEARINGS:

BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED ON GRID NORTH REFERENCING THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, AND NAD 83 AS DETERMINED FROM GPS SURVEY DATA. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF 1.000130663.

FINISHED FLOOR ELEVATION:

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

LEGEND

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

- SET 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"
- SET MAGNAIL WITH METAL WASHER
- FOUND 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"
- FOUND CONCRETE MONUMENT

U.E. = UTILITY EASEMENTS
S.L.E. = STREET LIGHT EASEMENTS
D.E. = DRAINAGE EASEMENTS
W.L.E. = WATER LINE EASEMENTS
P.R. = PLAT RECORDS, TAYLOR CO., TEXAS
D.R. = DEED RECORDS, TAYLOR CO., TEXAS
O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR CO., TEXAS

DEVELOPER/SUBDIVIDER:
HIGHLAND FARMS
DEVELOPMENT COMPANY, LLC
3409 S. 14TH ST., STE 204
ABILENE, TEXAS 79605

A FINAL PLAT OF
HIGHLAND FARMS, SECTION 4
BEING 25.027 ACRES OUT OF THE
GEORGE N. ROBINSON SURVEY NO. 58,
ABSTRACT NO. 227,
TAYLOR COUNTY, TEXAS

PLANNING COMMISSION

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

DATE CHAIRMAN

ATTEST SECRETARY

DATE PLANNING DIRECTOR

COUNTY CLERK COUNTY TEXAS

DEPUTY

PLANNING DIRECTOR

FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.

DATE FILE NUMBER

PLANNING DIRECTOR

FEES

DIRECTOR OF PUBLIC WORKS

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

DATE DIRECTOR OF PUBLIC WORKS

OWNER'S CERTIFICATE AND DEDICATION

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

A FINAL PLAT OF
HIGHLAND FARMS, SECTION 4
BEING 25.027 ACRES OUT OF THE
GEORGE N. ROBINSON SURVEY NO. 58,
ABSTRACT NO. 227,
TAYLOR COUNTY, TEXAS

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

SEE ATTACHED METES & BOUNDS DESCRIPTION

EXECUTED THIS DAY OF A.D. 2023

KYLE PAUL
PRESIDENT
HIGHLAND FARMS DEVELOPMENT COMPANY, LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS:
COUNTY OF TAYLOR:

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

KYLE PAUL

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

HIGHLAND FARMS DEVELOPMENT COMPANY, LLC

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE DAY OF A.D. 2023 TAYLOR COUNTY TEXAS

NOTARY PUBLIC

GENERAL NOTES

ACREAGE: 25.027 ACRES

SCALE: 1" = 100' SMALLEST LOT: 0.498 ACRES LARGEST LOT: 4.215 ACRES

LOT WIDTH: MIN 132.59' MAX 169.97' LOT DEPTH: MIN 144.00' MAX 188.30'

CONCRETE MONUMENT FOUND CENTERLINE MARKER SET

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

CERTIFICATION

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

PLAT DESCRIPTION:

A FINAL PLAT OF
HIGHLAND FARMS, SECTION 4
BEING 25.027 ACRES OUT OF THE
GEORGE N. ROBINSON SURVEY NO. 58,
ABSTRACT NO. 227,
TAYLOR COUNTY, TEXAS

SIGNATURE

(PRINT)

REGISTERED PROFESSIONAL LAND SURVEYOR

DATE

PRELIMINARY
This document shall not be
recorded for any purpose.

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

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

4920 S. LOOP 289, STE 104
LUBBOCK, TX 79414
806-368-6375

JACOB MARTIN
TBPELS FIRM # 10194493

FIELD NOTES
22.35 ACRES

BEING 22.35 acres out of the Northeast 1/4 of Section 63, Blind Asylum Lands, Taylor County, Texas, said 22.35 acres being part of a 57 acre tract recorded in Volume 1037, Page 849, Deed Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" rebar found on the WBL of Maple Street, to a 1/2" rebar found at the northeast corner of Lot 7, Block B, Section 2, Waterside at Cedar Gap Subdivision, as shown by plat recorded in Cabinet 4, Slide 769, Plat Records, Taylor County, Texas, for the southeast corner of this tract;

THENCE S0°49'44"W 1212.44 feet, along the WBL of Maple Street, to a 1/2" rebar found at the northeast corner of Lot 7, Block B, Section 2, Waterside at Cedar Gap Subdivision, as shown by plat recorded in Cabinet 4, Slide 769, Plat Records, Taylor County, Texas, for the southeast corner of this tract;

THENCE N89°43'04"W 850.68 feet to a 1/2" rebar found at the northwest corner of Lot 27, Block I of said Section 2, for the southwest corner of this tract;

THENCE N0°49'44"E 557.23 feet to a 1/2" rebar found at the northeast corner of Lot 21, Block D of said Section 2, for the most westerly northwest corner of this tract;

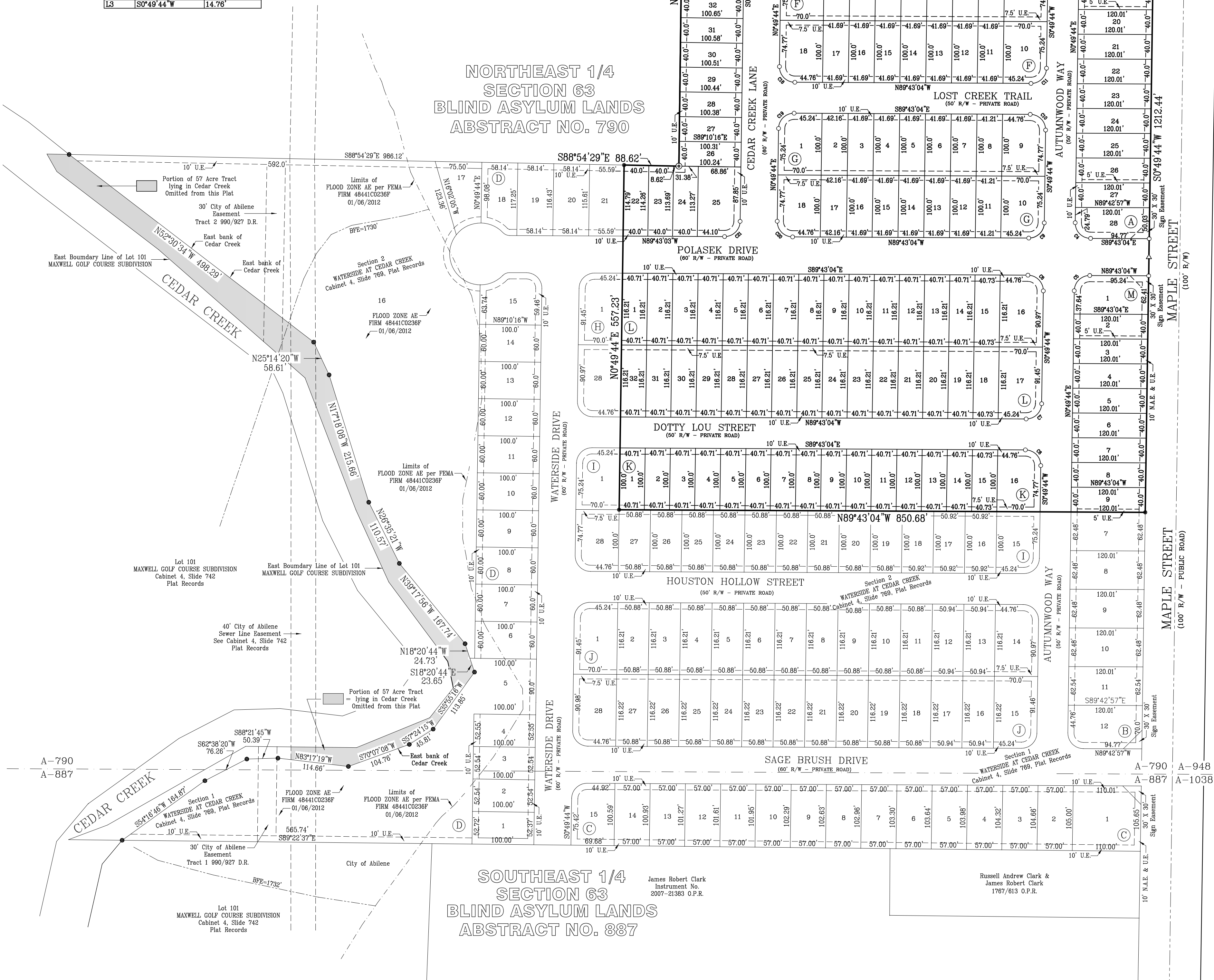
THENCE S88°54'29"E 88.62 feet to a 1" rod found at the southeast corner of Lot 102, Maxwell Golf Course Subdivision, as shown by plat recorded in Cabinet 4, Slide 742, Plat Records, Taylor County, Texas, for an interior corner of this tract;

THENCE N0°43'56"E 656.45 feet to a 1/2" rebar found on the SBL of South 27th Street, at the northeast corner of said Lot 102, for the most northerly northwest corner of this tract;

THENCE S89°43'03"E 763.17', along the SBL of South 27th Street, to the place of beginning and containing 22.35 acres of land.

CURVE TABLE				
CURVE	CHORD BEARING	CHORD LENGTH	RADIUS	ARC LENGTH
C1	N44°26'39"W	35.52	25.0	39.51
C2	N62°38'56"W	22.75	25.0	23.62
C3	N17°22'33"W	15.62	25.0	13.99
C4	N44°26'39"W	35.52	25.0	39.51
C5	N45°33'21"E	35.19	25.0	39.03
C6	S44°26'39"E	35.52	25.0	39.51
C7	S45°33'21"W	35.19	25.0	39.03
C8	S44°26'39"E	35.52	25.0	39.51
C9	S45°33'21"W	35.19	25.0	39.03
C10	S44°26'39"E	35.52	25.0	39.51
C11	S45°33'21"W	35.19	25.0	39.03
C12	S44°26'39"E	35.52	25.0	39.51
C13	S45°33'21"W	35.19	25.0	39.03
C14	S44°26'39"E	35.52	25.0	39.51
C15	N45°33'21"E	35.19	25.0	39.03
C16	N44°26'39"W	35.52	25.0	39.51
C17	N45°33'21"E	35.19	25.0	39.03
C18	N44°26'39"W	35.52	25.0	39.51
C19	N45°33'21"E	35.19	25.0	39.03
C20	N44°26'39"W	35.52	25.0	39.51
C21	S45°33'21"W	35.19	25.0	39.03

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°43'03"E	30.00
L2	S89°43'03"E	6.55
L3	S0°49'44"W	14.76



Owner: Houston Polasek
3210 Maple Street
Abilene, Texas 79602

GEOTEX PROPERTY SOLUTIONS
4701 S. 3rd Street
Abilene, Texas 79605
325-6771-0712
Firm Registration No. 10194134

REVISED PRELIMINARY PLAT OF WATERSIDE AT CEDAR CREEK,
out of the Northeast 1/4 of Section 63, Blind Asylum Lands,
Taylor County, Texas.

October 26, 2022
DATE

PLAT PREPARATION DATE: October 26, 2022

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

SIGNATURE

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

FIELD NOTES FOR R.O.W. DEDICATION
0.7144 ACRES OR 31,120 SQ. FT.

A TRACT OR PARCEL CONTAINING 0.7144 ACRES OR 31,120 SQUARE FEET OF LAND SITUATED IN THE JOHN C. DONLEY SURVEY NO. 95, ABSTRACT NO. 466, TAYLOR COUNTY, TEXAS, BEING A PORTION OF A CALLED 140 ACRE TRACT, CONVEYED IN DEED TO KICKAPOO LAND COMPANY, ET AL, AS RECORDED IN VOLUME 1551, PAGE 823, OF THE DEED RECORDS OF TAYLOR COUNTY, TEXAS (T.C.D.R.), WITH SAID 0.7144 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (NAD 83):

BEGINNING AT A 5/8 INCH IRON ROD (BENT) FOUND ON THE NORTHWEST CORNER OF THE RIGHT-OF-WAY (R.O.W.) OF POST OAK ROAD (70' WIDTH), SOUTHWEST DRIVE PARK ADDITION, AS RECORDED IN CABINET 4, SLIDE 113 OF THE OFFICIAL PUBLIC RECORDS OF TAYLOR COUNTY, TEXAS (O.P.R.T.C.T.), BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING OF A CURVE TO THE RIGHT;

LENGTH, WITH SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, PASSING AT AN ARC LENGTH OF 399.11 FEET, A CAPPED 5/8 INCH IRON ROD STAMPED "SHEPARD" FOUND FOR AN INTERIOR CORNER OF A CALLED "0.73 ACRES", CURVE, CONVEYED TO THE CITY OF ABILENE, AS RECORDED IN DEED BOOK 4191, PAGE 419, OF THE PUBLIC RECORDS OF TARRANT COUNTY, TEXAS. THE TOTAL AREA OF SAID 556.68 ACRES, A CENTRAL ANGLE OF 319 DEG. 03 MIN. 58 SEC. AND A CHORD BEARING AND DISTANCE OF NORTH 85 DEG. 00 MIN. 12 SEC. EAST, 69.93 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET BEING THE SOUTHWEST CORNER OF SAID CALLED 473 ACRES, BEING THE SOUTHWEST CORNER OF SAID CALLED 473 ACRES, BEING THE SOUTHWEST CORNER OF THE SOUTHWEST DRIVE PARK ADDITION, BEING THE NORTHEAST CORNER OF SAID POST OAK ROAD AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT.

THENCE, SOUTH 85 DEG. 00 MIN. 12 SEC. WEST, WITH THE NORTH R.O.W. LINE OF SAID POST OAK ROAD, A DISTANCE OF 69.93 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.7144 ACRES OR 31,120 SQUARE FEET OF LAND.

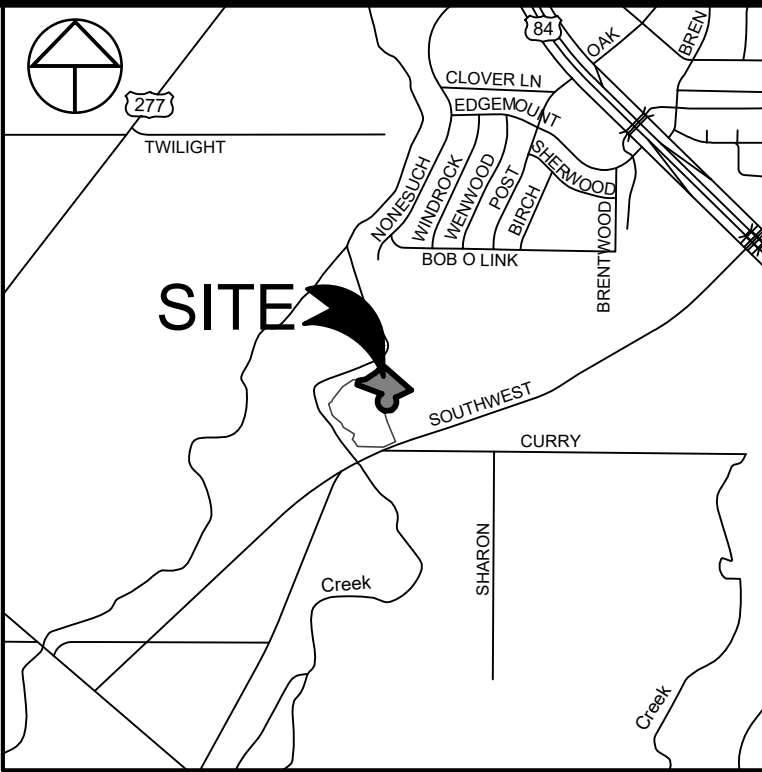
- JOHN ADAMS SURVEY NO. _____
ABSTRACT NO. 3 _____
COUNT _____

TAYLOR & FRANCIS

1. COORDINATES AND BEARINGS SHOWN ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES AND MAY BE BROUGHT TO GRID BY APPLYING SCALE FACTOR: 0.99855010.
2. A PORTION OF THIS TRACT IS WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR TAYLOR COUNTY AND INCORPORATED AREAS, MAP NO. 48441C0216F, EFFECTIVE DATE: JANUARY 6, 2012.
3. THIS SUBDIVISION DOES LIE WITHIN THE CITY LIMITS OF THE CITY OF ABILENE.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	157.77'	100.00'	090°23'41"	100.69'	141.91'	N19°20'20"E
C2	224.79'	100.00'	128°47'52"	208.71'	180.36'	S10°07'51"E

- = FOUND 1/2" IRON ROD
(UNLESS NOTED OTHERWISE)
- = SET 5/8" IRON ROD W/ PLASTIC CAP STAMPED "WINDROSE"
- AC = ACRES
- B.L. = BUILDING LINE SETBACK
- ESMT = EASEMENT
- INSTR. # = INSTRUMENT NUMBER
- R.O.W. = RIGHT-OF-WAY
- DOC. NO. = DOCUMENT NUMBER
- SQ. FT. = SQUARE FEET
- F.F.E. = FINISHED FLOOR ELEVATION
- P.R.T.C.T. = OFFICIAL PUBLIC RECORDS OF TAYLOR COUNTY, TEXAS
- D.R.T.C.T. = DEED RECORDS OF TAYLOR COUNTY, TEXAS
- C— = EXISTING R.O.W. CENTERLINE



LOCATION MAP
NOT TO SCALE

PLANNING COMMISSION THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE TEXAS AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT CODE CHAPTER 212, SUBCHAPTER A, AS AMENDED.	PLANNING DIRECTOR FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.
DATE _____ CHAIRMAN _____ ATTEST _____ SECRETARY _____ DATE _____ PLANNING DIRECTOR _____	DATE _____ FILE NUMBER _____ PLANNING DIRECTOR _____ FEE\$ _____
DIRECTOR OF PUBLIC WORKS THE DEDICATION FILED, IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS AT THE CITY OF ABILENE, TEXAS.	COUNTY CLERK I CERTIFY THAT THIS SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON
DATE _____ DIRECTOR OF PUBLIC WORKS _____	DATE _____ FILE NUMBER _____ COUNTY CLERK _____ TEXAS _____ COUNTY _____
	DEPUTY _____

THE UNDERSIGNED MICHAEL J. PLANK OF THE HEREIN AFTER DESCRIBED REAL PROPERTY HAS CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS AND ALLEYS UNDER THE NAME OF:

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

EXECUTED THIS _____ DAY OF _____ A.D. 2023

MICHAEL J. PLANK – PRESIDENT & CEO
PRINTED NAME

SIGNATURE

THE STATE OF TEXAS:
COUNTY OF HARRIS:

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

MICHAEL J. PLANK, PRESIDENT & CEO

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

NPH VENTURES, LLC

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

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

NOTARY PUBLIC COUNTY TEXAS

ACREAGE: 2.000

SCALE: 1" = 40' LOT: 2.000 ACRES

R.O.W. DEDICATION: 0.7144 ACRES

CERTIFICATION

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

BEING 2.000 ACRES/87,120 SQ. FT OF LAND, OUT OF THE JOHN C DONLY SURVEY NO.95, ABSTRACT NO. 466, CITY OF ABILENE, TAYLOR COUNTY, TEXAS.

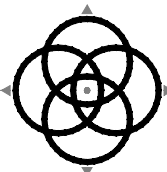
SIGNATURE _____
ROBERT KNESS _____
(PRINT)
REGISTERED PROFESSIONAL SURVEYOR _____
DATE _____

LOT 1, BLOCK A

DATE OF PREPARATION: OCTOBER 6, 2023

OWNER:
NPH VENTURES, LLC
3207 S. SAM HOUSTON PKWY E, SUITE 100
HOUSTON, TEXAS 77047

ENGINEER:
ALTAR GROUP, PLLC
11615 SPRING CYPRESS, SUITE E
TOMBALL, TEXAS 77375



WINDROSE
LAND SURVEYING | PLATTING

9360 CORPORATE DR, SUITE 102 | SELMA, TX 78154 | 210.634.1565
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

SHEET 1 OF 1

7033

OWNER:
QUEEN BEE ENTERPRISES, LLC
4550 PEPPERGRASS LANE
ABILENE, TEXAS 79606-2310

DOC NO:2021-09633
OFFICIAL PUBLIC RECORDS

VOLUME 920, PAGE 345
DEED RECORDS

P.O.B.
(SOUTHERN PORTION)
N: 6835294.96
E: 1564571.61



BEING HAMPTON HILLS, SECTION IX, ABILENE, TAYLOR COUNTY, TEXAS, OUT OF THE WILLIAM BISHOP SURVEY NO. 43, TAYLOR COUNTY, TEXAS, SAME BEING COMPRISED OF A 21.158 ACRE TRACT RECORDED IN VOLUME 2674, PAGE 241, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS, AND A 1.31 ACRE TRACT RECORDED IN VOLUME 3316, PAGE 379, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING IS GRID NORTH, NAD 83 TEXAS NORTH CENTRAL ZONE BASED ON GPS OBSERVATIONS

NORTH PORTION

BEGINNING AT A FOUND 3/8 INCH IRON ROD AT THE INTERSECTION OF THE WEST LINE OF SAID BISHOP SURVEY NO. 43 AND THE SOUTH RIGHT OF WAY OF JENNINGS DRIVE AT THE NORTHWEST CORNER OF THIS TRACT AND SAID 21.158 ACRE TRACT;

THENCE SOUTH 89 DEGREES 23 MINUTES 51 SECONDS EAST, ALONG THE SOUTH RIGHT OF WAY OF JENNINGS DRIVE, AT A DISTANCE OF 398.74 FEET PASSING A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" AT THE NORTHERN NORTHEAST CORNER OF SAID 21.158 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF SAID 1.31 ACRE TRACT, CONTINUING FOR A TOTAL DISTANCE OF 500.57 FEET TO A FOUND TXDOT BRASS DISK MONUMENT AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF JENNINGS DRIVE AND THE WEST RIGHT OF WAY OF DUB WRIGHT BOULEVARD, A.K.A. FM 3438, AT THE NORTHERN NORTHEAST CORNER OF SAID 1.31 ACRE TRACT AND THIS TRACT;

THENCE SOUTH 43 DEGREES 47 MINUTES 33 SECONDS EAST, ALONG THE WEST RIGHT OF WAY OF DUB WRIGHT BOULEVARD, A DISTANCE OF 35.13 FEET TO A FOUND TXDOT BRASS DISK MONUMENT AT THE EASTERN NORTHEAST CORNER OF SAID 1.31 ACRE TRACT AND THIS TRACT;

THENCE SOUTH 01 DEGREES 32 MINUTES 13 SECONDS WEST, ALONG THE WEST RIGHT OF WAY OF DUB WRIGHT BOULEVARD, AT A DISTANCE OF 454.53 FEET PASSING A FOUND 3/8 INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID 1.31 ACRE TRACT, SAME BEING THE EASTERN NORTHEAST CORNER OF SAID 21.158 ACRE TRACT, CONTINUING FOR A TOTAL DISTANCE OF 905.99 FEET TO A FOUND TXDOT BRASS DISK MONUMENT AT AN ANGLE POINT IN THE WEST RIGHT OF WAY OF DUB WRIGHT BOULEVARD AT CORNER OF THIS TRACT;

THENCE SOUTH 01 DEGREES 31 MINUTES 28 SECONDS WEST, ALONG THE WEST RIGHT OF WAY OF DUB WRIGHT BOULEVARD, A DISTANCE OF 11.38 FEET TO A SET CHISELED X IN CONCRETE FOR THE NORTHEAST CORNER OF A SIXTY (60) FEET WIDE RIGHT OF WAY DEDICATION RECORDED IN VOLUME 2744, PAGE 716, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS, NAMED HAMPTON HILLS STREET, AND BEING THE SOUTHEAST CORNER OF THIS TRACT, WHERE A FOUND 1/2 INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID 21.158 ACRE TRACT BEARS 963.63'S 01°31'28" W;

THENCE NORTH 88 DEGREES 47 MINUTES 53 SECONDS WEST, ALONG THE NORTH RIGHT OF WAY OF HAMPTON HILLS STREET, A DISTANCE OF 516.41 FEET TO A FOUND 1/2 INCH BENT IRON ROD AT THE NORTHWEST CORNER OF SAID 60' WIDE RIGHT OF WAY DEDICATION, SAME BEING THE SOUTHEAST CORNER OF LOT 2, BLOCK A, SECTION 1, AMENDED FINAL PLAT OF HAMPTON HILLS, RECORDED IN CABINET 1, SLIDE 562, PLAT RECORDS, TAYLOR COUNTY, TEXAS, SAME BEING IN THE WEST LINE OF SAID 21.158 ACRE TRACT, AND BEING THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 51 MINUTES 06 SECONDS EAST, ALONG THE WEST LINE OF SAID 21.158 ACRE TRACT, A DISTANCE OF 137.98 FEET TO A FOUND 1/2 INCH IRON ROD AT A CORNER OF THE NORTHEAST CORNER OF SAID AMENDED HAMPTON HILLS SECTION 1 AT AN ANGLE POINT IN THE WEST LINE OF THIS TRACT;

THENCE NORTH 01 DEGREES 00 MINUTES 13 SECONDS EAST, ALONG THE WEST LINE OF SAID 21.158 ACRE TRACT, A DISTANCE OF 798.99 FEET TO THE POINT OF BEGINNING CONTAINING AN AREA OF 11.24 ACRES, SURVEYED IN MARCH, 2022.

SOUTH PORTION

BEGINNING AT A FOUND 1/2 INCH IRON ROD AT THE INTERSECTION OF THE WEST RIGHT OF WAY OF DUB WRIGHT BOULEVARD, A.K.A. FM 3438, AND THE SOUTH LINE OF SAID BISHOP SURVEY NO. 43 AT THE SOUTHEAST CORNER OF THIS TRACT AND SAID 21.158 ACRE TRACT;

THENCE NORTH 89 DEGREES 07 MINUTES 22 SECONDS WEST, ALONG THE SOUTH LINE OF SAID BISHOP SURVEY NO. 43 AND SAID 21.158 ACRE TRACT, AT A DISTANCE OF 329.23 FEET PASSING A FOUND 3/8 INCH IRON ROD AT THE NORTHWEST CORNER OF A 30 ACRE TRACT RECORDED IN VOLUME 920, PAGE 545, DEED RECORDS, TAYLOR COUNTY, TEXAS, CONTINUING FOR A TOTAL DISTANCE OF 505.08 FEET TO A SET 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" FOR THE SOUTHWEST CORNER OF THIS TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID 21.158 ACRE TRACT, SAME BEING THE SOUTHEAST CORNER OF AMENDED HAMPTON HILLS SECTION 1, RECORDED IN CABINET 1, SLIDE 562, PLAT RECORDS, TAYLOR COUNTY, TEXAS;

THENCE NORTH 00 DEGREES 51 MINUTES 06 SECONDS EAST, ALONG THE WEST SIDE OF SAID 21.158 ACRE TRACT, A DISTANCE OF 906.49 FEET TO A FOUND 1/2 INCH IRON ROD AT THE SOUTHWEST CORNER OF A SIXTY (60) FEET WIDE RIGHT OF WAY DEDICATION RECORDED IN VOLUME 2744, PAGE 716, OFFICIAL PUBLIC RECORDS, TAYLOR COUNTY, TEXAS, NAMED HAMPTON HILLS STREET, AND BEING THE NORTHWEST CORNER OF THIS TRACT;

THENCE SOUTH 88 DEGREES 47 MINUTES 53 SECONDS EAST, ALONG THE SOUTH RIGHT OF WAY OF HAMPTON HILLS STREET, A DISTANCE OF 515.70 FEET TO A SET 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "H&T" AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF HAMPTON HILLS STREET AND THE WEST RIGHT OF WAY OF DUB WRIGHT BOULEVARD FOR THE NORTHWEST CORNER OF THIS TRACT, WHERE A FOUND TXDOT BRASS DISK MONUMENT ON THE WEST RIGHT OF WAY OF DUB WRIGHT BOULEVARD BEARS 71.38' N 01°31'28" E;

THENCE SOUTH 01 DEGREES 31 MINUTES 28 SECONDS WEST, ALONG THE WEST RIGHT OF WAY OF DUB WRIGHT BOULEVARD, A DISTANCE OF 903.63 FEET TO A THE POINT OF BEGINNING CONTAINING AN AREA OF 10.60 ACRES, SURVEYED IN MARCH, 2022.

HAMPTON HILLS, SECTION IX ABILENE, TAYLOR COUNTY, TEXAS

NOTES

- AS PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 485450, MAP NUMBER 48441C0216F MAP REVISED JANUARY 6, 2012, THIS PROPERTY IS NOT LOCATED IN A FEDERALLY DESIGNATED FLOOD AREA.
- BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SUBDIVISION STREETS, ALLEYS, AND BURIED UTILITIES THE FINAL SUBDIVISION MONUMENTATION WILL BE SET AS FOLLOWS: 1/2" IRON RODS WITH PLASTIC CAPS, STAMPED "H&T", WILL BE SET AT ALL OF THE LOT CORNERS.
- THIS ADDITION IS LOCATED WITHIN THE CITY LIMITS OF ABILENE, TAYLOR COUNTY, TEXAS.

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	90.00'	S89° 23' 51"E
L2	14.09'	S44° 11' 49"E
L3	14.10'	S46° 01' 36"W
L4	14.19'	N45° 48' 11"E
L5	180.00'	S89° 23' 51"E
L6	14.09'	S44° 11' 49"E
L7	14.10'	S46° 01' 36"W
L8	14.19'	N43° 58' 24"W
L9	14.19'	N45° 48' 11"E
L10	120.50'	S89° 21' 28"E
L11	14.19'	N43° 58' 24"W
L12	14.19'	S43° 58' 24"E
L13	14.14'	S45° 51' 52"W
L14	14.10'	N46° 01' 36"E
L15	14.19'	S43° 58' 24"E
L16	14.14'	S45° 51' 52"W
L17	14.15'	N44° 08' 08"W
L18	14.10'	N46° 01' 36"E
L19	14.15'	N44° 08' 08"W

LEGEND

- MONUMENTATION PER FIELD NOTES
- SUBDIVISION BOUNDARY
- SUBDIVISION LOT LINES
- ADJACENT BOUNDARY LINES
- EASEMENT LINES
- N/AE NON-ACCESS EASEMENT
- PAE PUBLIC ACCESS EASEMENT
- SLE STREET LIGHT EASEMENT
- UE UTILITY EASEMENT

PLANNING COMMISSION		PLANNING DIRECTOR	
THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 974A, VERNON'S ANNOTATED CIVIL STATUTES, AND ARTICLE 927B PENAL CODE OF TEXAS, AS AMENDED.		FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS	
DATE	CHAIRMAN	DATE	FILE NUMBER
ATTEST	SECRETARY	PLANNING DIRECTOR	
DATE	PLANNING DIRECTOR	FEES	
DIRECTOR OF PUBLIC WORKS		COUNTY CLERK	
THE DEDICATION FILED, IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS.		I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON	
DATE	DIRECTOR OF PUBLIC WORKS	DATE	FILE NUMBER
COUNTY CLERK		COUNTY, TEXAS	
DEPUTY			
OWNER'S CERTIFICATE AND DEDICATION			
THE UNDERSIGNED OWNER(S) OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAVE CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS, ALLEYS, UNDER THE NAME OF			
HAMPTON HILLS, SECTION IX ABILENE, TAYLOR COUNTY, TEXAS			
AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LANES, EASEMENTS, PARKS AND OTHER PUBLIC LANDS SHOWN THEREON THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:			
"FIELD NOTES HEREON"			
OWNER'S CERTIFICATE AND DEDICATION			
EXECUTED THIS		DAY OF	
		20	
SIGNATURE		JANE ESTES WEATHERBEE, PRESIDENT OWNER	
ACKNOWLEDGMENT			
THE STATE OF TEXAS; COUNTY OF TAYLOR			
BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY			
PERSONALLY APPEARED JANE ESTES WEATHERBEE, PRESIDENT			
KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME ACT OF THE SAID			
QUEEN BEE ENTERPRISES, LLC			
A CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED			
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE			
DAY OF		A D 20	
ELIZABETH YOUNG Notary ID #131732339 My Commission Expires September 21, 2022		NOTARY PUBLIC COUNTY TEXAS	
GENERAL NOTES			
SHEET 1 OF 1	SHEETS	ACREAGE	22.522
SCALE 1" = 100'	SMALLEST LOT 6,000	SQ FT	LARGEST LOT 52,216
SURVEYOR CERTIFICATE AND PLAT DESCRIPTION			
CERTIFICATION:			
I HEREBY CERTIFY THAT THE PLAT SUBMITTED HERewith REPRESENTS A TRUE SURVEY MADE BY THE UNDERSIGNED OR UNDER MY SUPERVISION ON THE GROUND AND THAT PERMANENT MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE WITH THE "SUBDIVISION REGULATIONS" OF THE CITY OF ABILENE			
PLAT DESCRIPTION:			
HAMPTON HILLS, SECTION IX ABILENE, TAYLOR COUNTY, TEXAS			
SIGNATURE			
10/30/2023		RILEY ELMER GRIFFITH	
DATE		REGISTERED PROFESSIONAL LAND SURVEYOR	
50 0 100 SCALE IN FEET			
eHT ENVIRONMENTAL AND CIVIL ENGINEERING 402 Cedar Street 325-698-5560 Abilene, Texas 79601 PE Firm Registration No. 1151 PG Firm Registration No. 50103 RPLS Firm Registration No. 10011900			

HOZ-2023-02

STAFF REPORT



Scheduled Hearing(s)

Tabled Landmarks Commission: August 22, 2023
Landmarks Commission: October 24, 2023
Planning & Zoning: November 7, 2023
Council Hearing: November 16, 2023
December 7, 2023

Applicant

Owner: Robert Hoemke

Request

Add Historic Overlay to a commercial building within Original Town Abilene.

Location

1201 South 1st Street

Background (from applicant)

1927: S.B. Shelton built the building for Buick.
1928: Buick buys building.
1929: Depression hits.
1931: Buick vacates the building.
1932: Jessie Franklin Winters buys the building and operates as D&W Tire Store.
1951: Winters sells the building and the new owners operate it as D&W Furniture.
1980's: The building begins operating as Thomas Everett's Furniture.
2019: The new owner of the building is Robert Hoemke.
2023: The building is operated as D&W Underground Venue.

This property is not on the Abilene Register of Historic Properties (ARHP). As a result, staff does not have any information about the history of this property.

Criteria Assessment

According to Section 2.3.4.4 (c) Criteria for Designation. Historic Overlay Districts shall be established only if principal districts, conservation districts, areas, sites, structures, buildings, properties, or objects within the boundaries of a proposed zone exhibit any one or more of the following characteristics:

- 1. Possesses significance with respect to history, culture, architecture, archeology, paleontology, or as a natural site with a demonstrable cultural association.**
Information provided by the applicant on the history of owners and businesses could be construed as historic significance.
- 2. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, national, or international history.**
Undetermined.
- 3. Embodies characteristics distinct to a type, period, or method of construction or architecture.**

None available.

4. **Is associated with the lives of persons significant in local, regional, state, national, or international history.**

None available.

5. **Represents a distinctive and familiar visual feature of a neighborhood or of the city.**

The Coca-Cola sign is a very significant feature along South 1st Street.

6. **Represents the works of a master designer, architect, builder, or craftsman.**

Undetermined.

Recommendation

The Landmarks Commission recommends **approval**.

Attachments

- Application
- PowerPoint Presentation

NOTIFICATIONS

Legend:
O- Opposed
F- In Favor

OWNER	PROP_ID	SITUS	RESPONSE
CORPIAN GARY LEE & MARILU LEE	30593	1243 S 1ST ST	
DUKE NOAH & KENDRA	31111	142 ELM ST	
EAGLE JAMES C II & SAMANTHA	31238	1234 S 2ND ST	
GIRDNER MEREDITH	15220	125 ELM ST	
GIRDNER MEREDITH	15344	141 ELM ST	
HOEMKE PROPERTY LLC	15106	107 ELM ST	
HOEMKE PROPERTY LLC	30157	1201 S 1ST ST	
HOEMKE PROPERTY LLC	103730	1149 S 1ST ST	
HOEMKE PROPERTY LLC	30302	1225 S 1ST ST	
ROADRUNNER MANAGEMENT LLC	30720	129 BUTTERNUT ST	
ROADRUNNER MANAGEMENT LLC	30720	189 BUTTERNUT ST	
ROADRUNNER MANAGEMENT LLC	31367	126 ELM ST	
SWORD OF JOSHUA FELLOWSHIP	103971	123 ELM ST	
SWORD OF JOSHUA FELLOWSHIP	15458	1152 S 2ND ST	
SWORD OF JOSHUA FELLOWSHIP	15458	1158 S 2ND ST	
SWORD OF JOSHUA FELLOWSHIP	15458	1174 S 2ND ST	

PROPERTY ID

OWNER	PROP_ID	SITUS	RESPONSE
HOEMKE PROPERTY LLC	15106	107 ELM ST	
GIRDNER MEREDITH	15220	125 ELM ST	
GIRDNER MEREDITH	15344	141 ELM ST	
SWORD OF JOSHUA FELLOWSHIP	15458	1152 S 2ND ST	
SWORD OF JOSHUA FELLOWSHIP	15458	1158 S 2ND ST	
SWORD OF JOSHUA FELLOWSHIP	15458	1174 S 2ND ST	
HOEMKE PROPERTY LLC	30157	1201 S 1ST ST	
HOEMKE PROPERTY LLC	30302	1225 S 1ST ST	
CORPIAN GARY LEE & MARILU LEE	30593	1243 S 1ST ST	
ROADRUNNER MANAGEMENT LLC	30720	129 BUTTERNUT ST	
ROADRUNNER MANAGEMENT LLC	30720	189 BUTTERNUT ST	
DUKE NOAH & KENDRA	31111	142 ELM ST	
EAGLE JAMES C II & SAMANTHA	31238	1234 S 2ND ST	
ROADRUNNER MANAGEMENT LLC	31367	126 ELM ST	
HOEMKE PROPERTY LLC	103730	1149 S 1ST ST	
SWORD OF JOSHUA FELLOWSHIP	103971	123 ELM ST	

LOCATION MAP

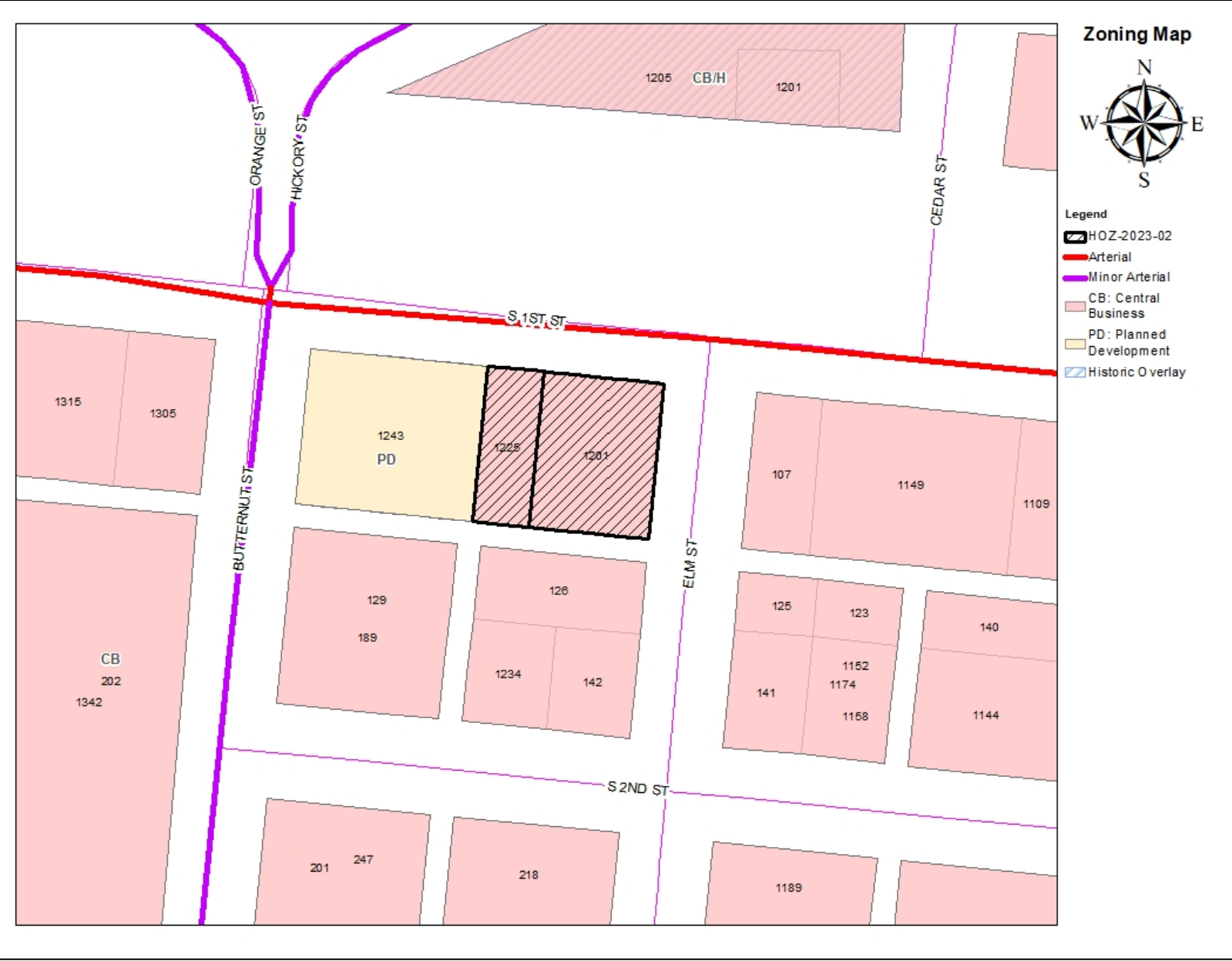


Location Map



Legend
[Hatched Box] HOZ-2023-02

ZONING MAP





HISTORIC OVERLAY REQUEST

Case: HOZ-2023-02

Owner/Agent: Robert Hoemke

Request: Add Historic Overlay to a commercial building within Original Town Abilene.

Location: 1201 South 1st Street

Tabled Landmarks: August 22, 2023

Landmarks: October 24, 2023

Planning & Zoning: November 7, 2023

Council Hearing: November 16, 2023
December 7, 2023





BACKGROUND INFORMATION

1927: S.B. Shelton built the building for Buick

1928: Buick buys building

1929: Great Depression begins

1931: Buick moves out

1932: Jessie Franklin Winters buys the building and begins operations as D&W Tire Store

1951: The building begins operating as D&W Furniture

1980s: The building begins operating as Thomas Everett's Furniture

2019: The building is purchased by Robert Hoemke

2023: The building begins operating as D&W Underground Venue

This property is not on the Abilene Register of Historic Properties.





AERIAL LOCATION MAP

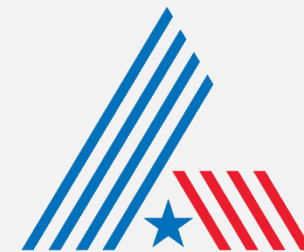


Aerial Map



Legend

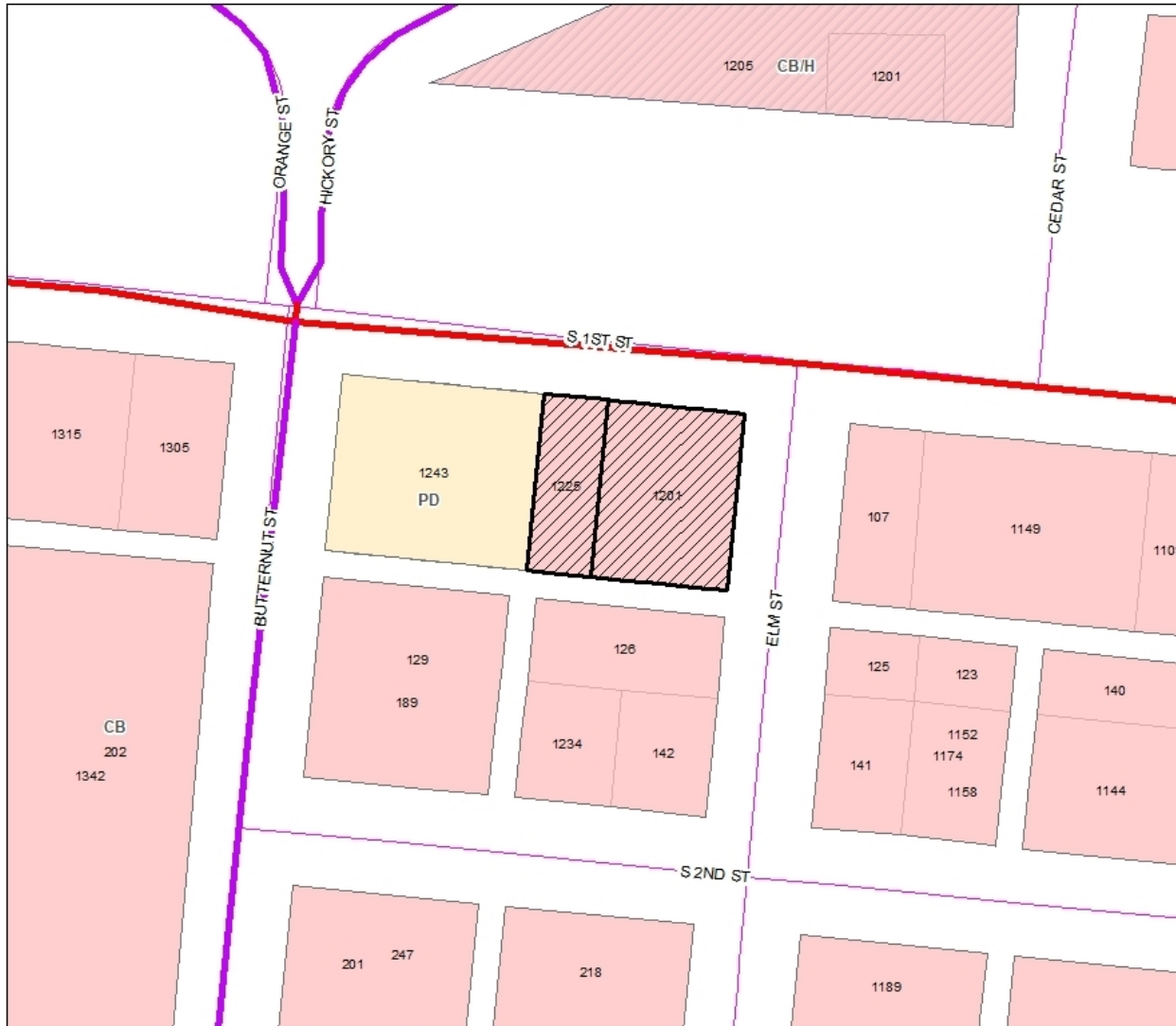
- HOZ-2023-02
- Historic Overlay
- Courier Parcels



CITY OF
ABILENE
TEXAS



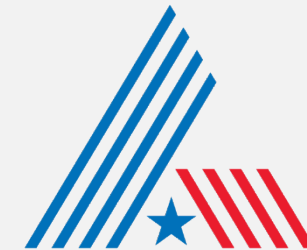
ZONING MAP



Zoning Map



- Legend
- HOZ-2023-02
 - Arterial
 - Minor Arterial
 - CB: Central Business
 - PD: Planned Development
 - Historic Overlay



CITY OF
ABILENE
TEXAS



VIEWS OF SUBJECT PROPERTY





HISTORIC PHOTO OF SUBJECT PROPERTY





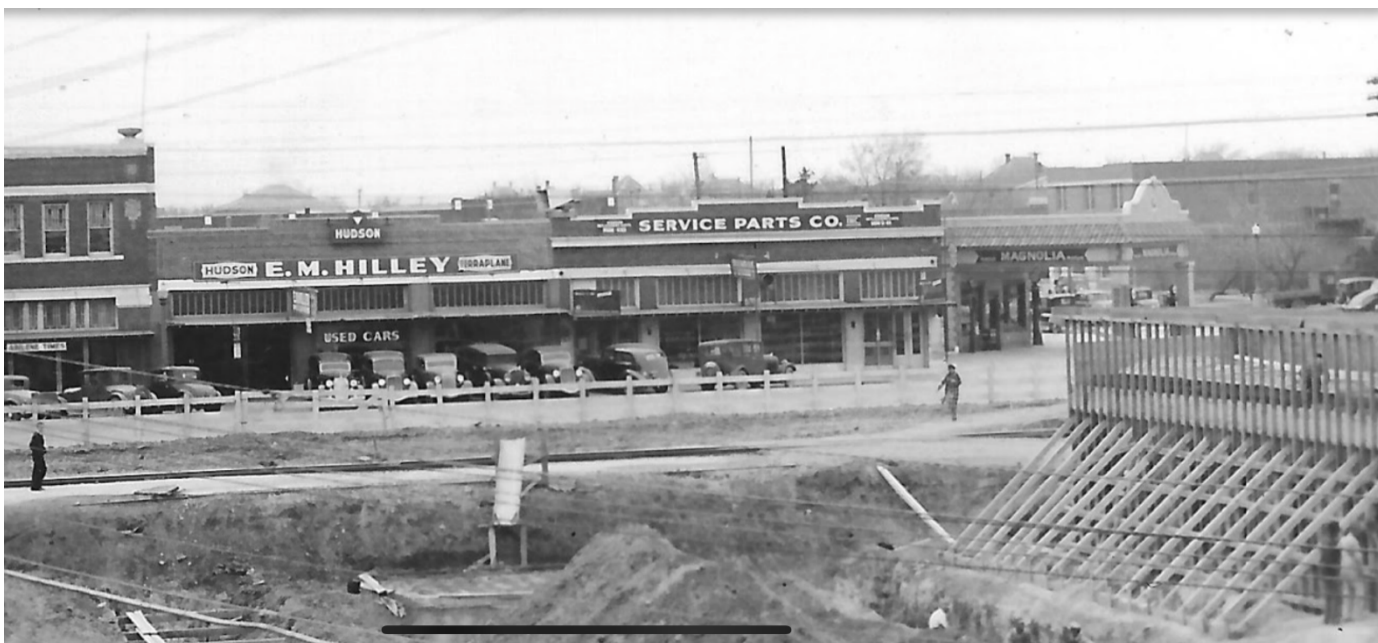
HISTORIC PHOTO OF SUBJECT PROPERTY



CITY OF
ABILENE
TEXAS



HISTORIC PHOTOS OF SUBJECT PROPERTY



CITY OF
ABILENE
TEXAS

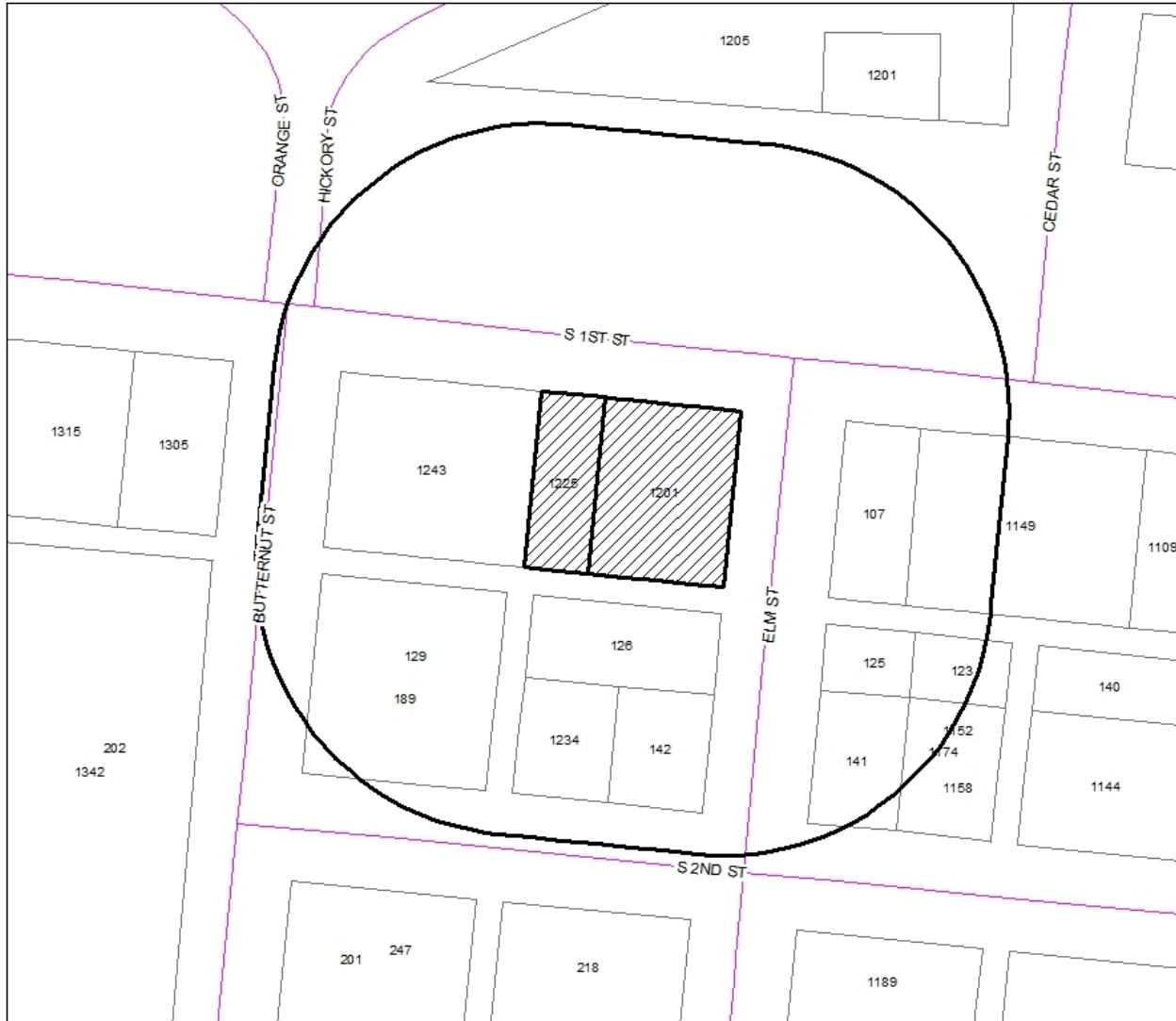


EXISTING PHOTOS OF SUBJECT PROPERTY





NOTIFICATION MAP

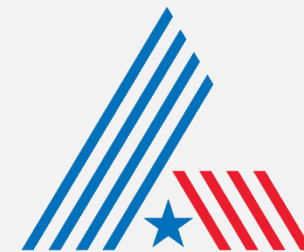


Notification Map



Legend

-  HOZ-2023-02
-  Notification Area



CITY OF
ABILENE
TEXAS



FINDINGS AND RECOMMENDATIONS

According to Section 2.3.4.4 (c) Criteria for Designation. Historic Overlay Districts shall be established only if principal districts, conservation districts, areas, sites, structures, buildings, properties, or objects within the boundaries of a proposed zone exhibit any one or more of the following characteristics:

1. Possesses significance with respect to history, culture, architecture, archeology, paleontology, or as a natural site with a demonstrable cultural association.
2. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, national, or international history.
3. Embodies characteristics distinct to a type, period, or method of construction or architecture.
4. Is associated with the lives of persons significant in local, regional, state, national, or international history.
5. Represents a distinctive and familiar visual feature of a neighborhood or of the city.
6. Represents the works of a master designer, architect, builder, or craftsman.

Landmarks Commission recommends approval.





Questions?



ORDINANCE NO. _____

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

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

PASSED ON FIRST READING the 16th day of November, 2023.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of October, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 7th day of December, 2023, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 7th day of December, 2023.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Add the Historic Overlay (HO) District to the following described land:

Legal Description: Lots 1-6, Block 49, Original Town Abilene, Abilene, Taylor County, Texas.

Location: 1201 South 1st Street.



END



Historic Overlay Zoning

Owner Name: Robert Auerke

Project Address: 1201 SOUTH FIRST

OWNER/AGENT AND AUTHORIZATION

Owner/Agent Name: Robert Auerke

Address: 1201 SOUTH FIRST

City/State/Zip: ABILENE TX 79602 Fax: _____

Phone: 325-829-8217

Email: Robert@AirtiteProducts.com

I hereby certify that I am the owner of the property and further certify that the information provided on this 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 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: [Signature]

Date: _____

BREIF DESCRIPTION OF PROPERTY AND ITS HISTORIC SIGNIFICANCE:

1927 SA SHELTON BUILT THIS BUILDING FOR BUIK.

1928 BUIK Buys Building.

1929 DEPRESSION HITS.

1931 BUIK MOVES OUT.

1932 JESSIE EDANUN WINTERS Buys Building AND TURNS it INTO
D+W TIRE STORE

1951 WINTERS SELLS THE BUILDING TO 3 INVESTOR THEY
TURN it INTO D+W APPLIANCES

1960's D+W FURNITURE

1980's THOMAS EVERETT FURNITURE

2019 NEW OWNER ROBERT AUERKE

2023 D+W UNDERGROUND HISTORICAL VENUE

IS SUBJECT PROPERTY ON THE ABILENE REGISTER OF HISTORIC PROPERTIES?

- ☐ Yes
☒ No
☐ Unsure



Historic Overlay Zoning

ADDITIONAL INFORMATION

Please attach any information regarding the history of the property, including old photos. Also include a current description and photographs of the property. Staff may request additional information be submitted with the application or prior to the Landmarks Commission meeting.

CERTIFICATION

I have read and completed this application and certify that all information contained therein is complete, true, and correct. I request that this application be submitted to the Landmarks Commission for consideration.

Signature of Owner or Authorized Agent

03-23-23

Date

For Office Use Only

Commission Action:

- ☐ Approved
☐ Approved with Conditions
☐ Denied

Landmarks Commission, Chair

Date

Letter Sent to Taylor Central Appraisal District:

Date: _____ Initials: _____

PAYMENT INFORMATION

Received: _____

Fee: \$ _____

Receipt No.: _____

Case No.: _____

Reviewed By: _____

HOZ-2023-03

STAFF REPORT



Scheduled Hearing(s)

Landmarks Commission: October 24, 2023
Planning & Zoning: November 7, 2023
Council Hearing: November 16, 2023
December 7, 2023

Applicant

Owner: Matthew Meador

Request

Add Historic Overlay to a residence within Original Town Abilene.

Location

1941 North 3rd Street

Background

The subject residence is a 2-story, multiple-bay domestic building in the Queen Anne style with Beaux Arts/Neo-Classical influences built circa 1910. The building is irregular in plan. The structural system is frame. The foundation is undetermined. Exterior walls are original wood siding. The building has a multi-plane/complex roof clad in replacement asphalt shingles with box cornice. There are three offset left, side slope, brick chimneys. There is a five (5) sided tower located in the middle of the rear side of the house. Windows are original wood, 1/1 double-hung sashes. There is a single-story, recessed corner umbrage characterized by a bell cast gable roof with classical wood posts.

The house has been named the King House, after Harry Tom King & his wife. Mr. King was a prominent lawyer and judge in early Abilene.

Staff could not locate a building file or permit(s) for the home 1941 North 3rd Street.

Staff located the 1979 and 2011 Historic Resources Survey Forms from the Texas Historical Commission. This property is listed on the Abilene Register of Historic Properties.

Criteria Assessment

According to Section 2.3.4.4 (c) Criteria for Designation. Historic Overlay Districts shall be established only if principal districts, conservation districts, areas, sites, structures, buildings, properties, or objects within the boundaries of a proposed zone exhibit any one or more of the following characteristics:

- 1. Possesses significance with respect to history, culture, architecture, archeology, paleontology, or as a natural site with a demonstrable cultural association.**
None available.
- 2. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, national, or international history.**
None available

3. Embodies characteristics distinct to a type, period, or method of construction or architecture.

The home is a multiple-bay domestic building in the Queen Anne style with Beaux Arts/Neo-Classical influences distinct to the late 1800s, early 1900s.

4. Is associated with the lives of persons significant in local, regional, state, national, or international history.

Harry T. King was a well-known lawyer and judge. King had his own firm, Kirby, King & Overshiner.

5. Represents a distinctive and familiar visual feature of a neighborhood or of the city.

None available.

6. Represents the works of a master designer, architect, builder, or craftsman.

None available.

Recommendation

Landmarks Commission recommends **approval**.

Attachments

- Application
- PowerPoint Presentation

NOTIFICATIONS

Legend:
O- Opposed
F- In Favor

OWNER	PROP_ID	SITUS	RESPONSE
ABSOLUTE RESTORATION INC	55146	210 CLINTON ST	
BARBER MICHAEL E & CHERYL	67457	1918 N 3RD ST	
BLASCHKE CARRIE	55525	258 CLINTON ST	
BLASCHKE RUSSELL	55401	242 CLINTON ST	
BLASCHKE RUSSELL	55401	244 CLINTON ST	
BOWER RICHARD K & LAURIE JAN	18985	410 1/2 VICTORIA ST	
BOWER RICHARD K & LAURIE JAN	18985	410 1/2 VICTORIA ST APT 1	
BOWER RICHARD K & LAURIE JAN	18985	410 1/2 VICTORIA ST APT 2	
BOWER RICHARD K & LAURIE JAN	18985	410 1/2 VICTORIA ST APT 4	
BOWER RICHARD K & LAURIE JAN	18985	410 VICTORIA ST	
BOWER RICHARD K & LAURIE JAN	18985	410 1/2 VICTORIA ST APT 3	
CYUMA SAMUEL	56303	1942 N 2ND ST	
GARZA LUISA M	68076	1930 N 3RD ST	
HAMM KEVIN R & SANDRA D	55268	230 CLINTON ST	
HERNANDEZ EDUARDO A	21608	218 VICTORIA ST	
LANIER PROPERTIES LLC	56165	1934 N 2ND ST	
LECK JUDY GAIL	21472	210 VICTORIA ST	
MATTA PAUL R & ALMA L	67952	1942 N 3RD ST	
MEADOR MATTHEW WARREN &	55766	1941 N 3RD ST	
MEADOR MATTHEW WARREN &	55766	1939 N 3RD ST	
ROSS DOUGLAS D	19233	258 VICTORIA ST	
ROSS DOUGLAS D	19233	258 1/2 VICTORIA ST	
SPENCER CHERYL J	19358	222 VICTORIA ST	
WAYNE JERRY J	55904	219 VICTORIA ST	
WAYNE JERRY J	56033	217 VICTORIA ST	
WILLEFORD JAMES & DANA	67821	1928 N 3RD ST	
WILLEFORD JAMES & DANA	67588	1910 N 3RD ST	

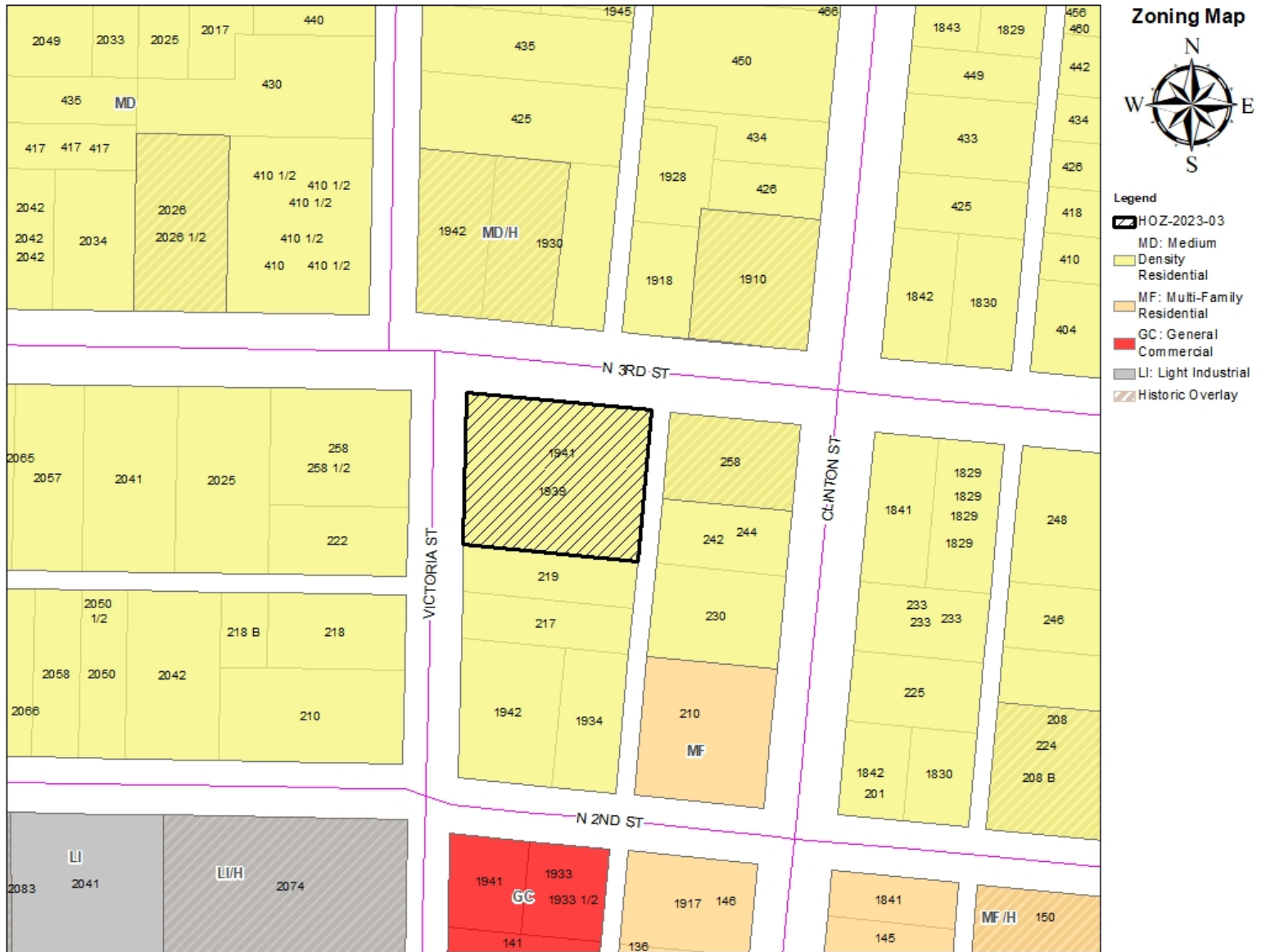
PROPERTY ID

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BOWER RICHARD K & LAURIE JAN	18985	410 1/2 VICTORIA ST APT 4	
BOWER RICHARD K & LAURIE JAN	18985	410 VICTORIA ST	
BOWER RICHARD K & LAURIE JAN	18985	410 1/2 VICTORIA ST APT 3	
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GARZA LUISA M	68076	1930 N 3RD ST	

LOCATION MAP



ZONING MAP



AERIAL LOCATION MAP





HISTORIC OVERLAY REQUEST

Case: HOZ-2023-03

Owner/Agent: Matthew Meador

Request: Add Historic Overlay to a residence within Original Town Abilene.

Location: 1941 North 3rd Street

Landmarks: October 24, 2023

Planning & Zoning: November 7, 2023

Council Hearing: November 16, 2023
December 7, 2023





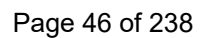
BACKGROUND INFORMATION

- The home is a a 2-story, multiple-bay domestic building in the Queen Anne style with Beaux Arts/Neo-Classical influences approximately built circa 1910.
- There are three offset left, side slope, brick chimneys.
- There is a single-story, recessed corner umbrage characterized by a bell cast gable roof with classical wood posts.
- There is a five (5) sided tower located in the middle of the rear side of the house.

The house has been named the King House, after Harry Tom King & his wife. Mr. King was a prominent lawyer and judge in early Abilene.

This property is located on the Abilene Register of Historic Properties.







ZONING MAP

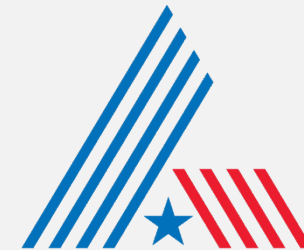


Zoning Map



Legend

- HOZ-2023-03
- MD: Medium Density Residential
- MF: Multi-Family Residential
- GC: General Commercial
- LI: Light Industrial
- Historic Overlay



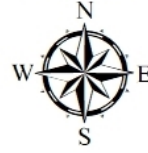
CITY OF
ABILENE
TEXAS



HISTORIC OVERLAY ZONING MAP

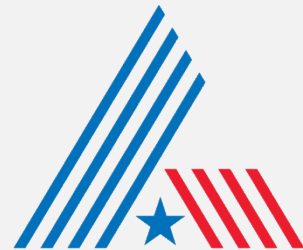


Location Map





VIEWS OF SUBJECT PROPERTY



CITY OF
ABILENE
TEXAS



VIEWS OF SUBJECT PROPERTY



CITY OF
ABILENE
TEXAS



HISTORIC PHOTOS OF SUBJECT PROPERTY





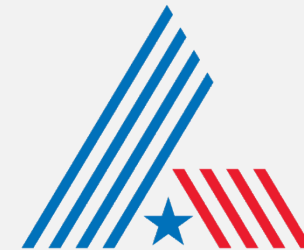
NOTIFICATION MAP



Notification Map



Legend
HOZ-2023-03
Notification Area



CITY OF
ABILENE
TEXAS



FINDINGS AND RECOMMENDATIONS

According to Section 2.3.4.4 (c) Criteria for Designation. Historic Overlay Districts shall be established only if principal districts, conservation districts, areas, sites, structures, buildings, properties, or objects within the boundaries of a proposed zone exhibit any one or more of the following characteristics:

1. Possesses significance with respect to history, culture, architecture, archeology, paleontology, or as a natural site with a demonstrable cultural association.
2. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, national, or international history.
3. Embodies characteristics distinct to a type, period, or method of construction or architecture.
4. Is associated with the lives of persons significant in local, regional, state, national, or international history.
5. Represents a distinctive and familiar visual feature of a neighborhood or of the city.
6. Represents the works of a master designer, architect, builder, or craftsman.

Landmarks Commission recommends approval.





Questions?



ORDINANCE NO. _____

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

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

PASSED ON FIRST READING the 16th day of November, 2023.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of October, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 7th day of December, 2023, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 7th day of December, 2023.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Add the Historic Overlay (HO) District to the following described land:

Legal Description: Lots 9-11, Blocks 1-3, Original Town Abilene, Abilene, Taylor County, Texas.

Location: 1941 North 3rd Street.



END



Historic Overlay Zoning

Owner Name: MATTHEW W MEADOR

Project Address: 1941 N 3RD ST

OWNER/AGENT AND AUTHORIZATION

Owner/Agent Name: MATTHEW W MEADOR

Address: 1941 N 3RD ST

City/State/Zip: ABILENE, TX 79603 Fax: _____

Phone: 940-389-9516 Email: MATMEADOR@HOTMAIL.COM

I hereby certify that I am the owner of the property and further certify that the information provided on this 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 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: *Matthew Meador* Date: 9-18-23

BREIF DESCRIPTION OF PROPERTY AND ITS HISTORIC SIGNIFICANCE:

BUILT IN 1908 AS A SINGLE STORY HOUSE
SOLED TO HARRY TOM KING & WIFE IN 1918.
UNDERWENT MAJOR RENOVATION IN 1928 AT
WHICH TIME THE 2ND STORY WAS ADDED.

HARRY TOM KING WAS A PROMINENT LAWYER
AND JUDGE IN EARLY ABILENE.

IS SUBJECT PROPERTY ON THE ABILENE REGISTER OF HISTORIC PROPERTIES?

- ☒ Yes
☐ No
☐ Unsure



Historic Overlay Zoning

ADDITIONAL INFORMATION

Please attach any information regarding the history of the property, including old photos. Also include a current description and photographs of the property. Staff may request additional information be submitted with the application or prior to the Landmarks Commission meeting.

CERTIFICATION

I have read and completed this application and certify that all information contained therein is complete, true, and correct. I request that this application be submitted to the Landmarks Commission for consideration.

[Signature]
Signature of Owner or Authorized Agent

9-18-23
Date

For Office Use Only

Commission Action:

- ☐ Approved
☐ Approved with Conditions
☐ Denied

Landmarks Commission, Chair Date

Letter Sent to Taylor Central Appraisal District:

Date: _____ Initials: _____

PAYMENT INFORMATION

Received: _____

Fee: \$ _____

Receipt No.: _____

Case No.: _____

Reviewed By: _____



LDC TEXT AMENDMENT REQUEST

Case: OAM-2023-01

Applicant: City of Abilene

Request: An amendment to repeal Sec. 2.3.4.3 Neighborhood Conservation Overlay (NCO) of the LDC and to replace it with Sec. 2.3.4.3 Rebuild ABI Infill Overlay (RAI) District and to amend the Official Zoning Map to show the location of the RAI District.

Planning & Zoning: November 7, 2023

City Council Hearing: November 16, 2023
December 7, 2023





BACKGROUND

- In 2010, the City Council created the Neighborhood Conservation Overlay (NCO) District.
- The goal of that district was to maintain the character and original development patterns of the original City neighborhoods that surround the Central Business (CB) District.
- Since 2010, no property has ever been rezoned to NCO and most people aren't aware that the NCO district exists.
- The NCO district has not achieved it's objectives.





NCO DISTRICT ISSUES

1. NCO district boundaries are undefined.
2. The NCO development standards are similar to those in the Historic Overlay (HO) District.
3. The stated purposes of the NCO district are consistent with the desire for infill development, but the regulations do not match the purposes.
4. There is no balance between infill needs and the need to maintain the development pattern of existing neighborhoods.
5. Requires owner collaboration to rezone properties in a form that is similar to a Planned Development (PD) district.
6. Development requires Landmarks Commission approval.
7. The process is time consuming, expensive, and is not infill friendly.





SUGGESTED MEASURES

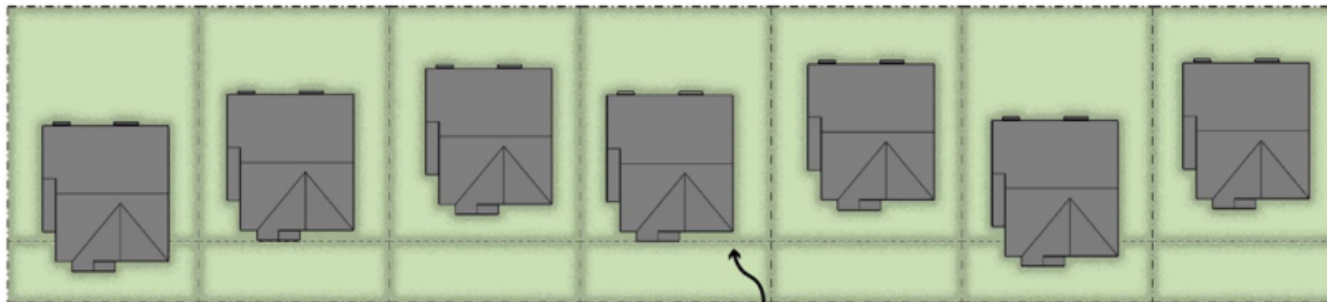
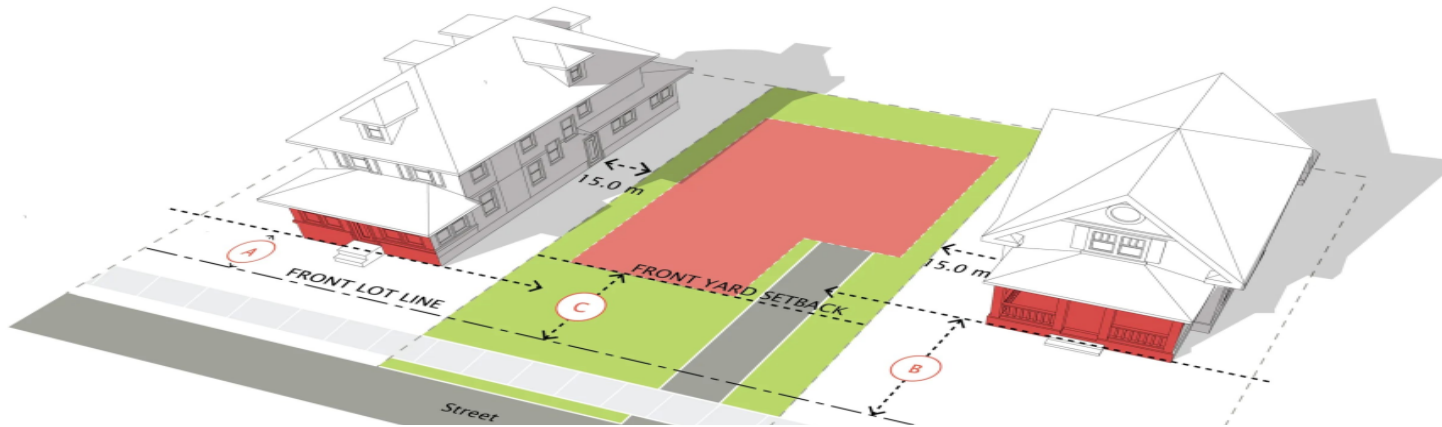
1. Amend the Official Zoning Map to show the new overlay district.
2. Expand the scope of the district beyond the neighborhoods surrounding the CBD into neighborhoods within the adopted boundaries with existing vacant platted single-family detached residential lots that do not comply with the RS-6 standards.
3. Remove the requirement for Landmarks Commission action.
4. Create development standards that promotes infill development and maintains the fabric of existing neighborhoods.
5. Structure the approval process so that only a building permit is required (no rezoning or variances).





MAINTAIN NEIGHBORHOOD FABRIC

$(A + B) \div 2 = C$
C = Front Yard Setback

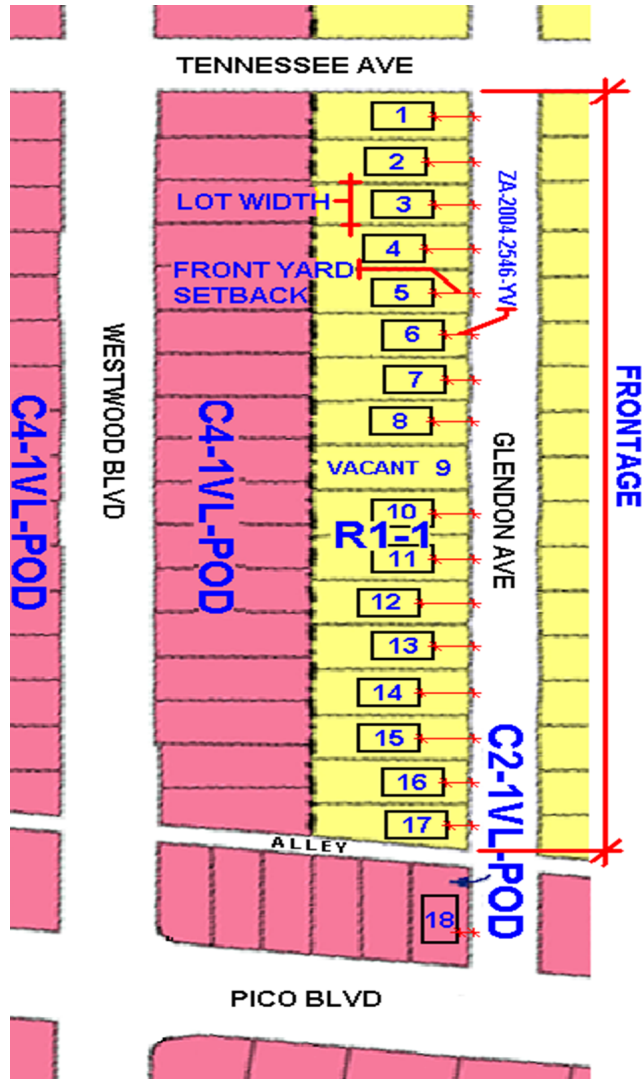


AVERAGE SETBACK LINE





MAINTAIN NEIGHBORHOOD FABRIC



RAI neighborhoods in Abilene tend to be deep and narrow with variable front setbacks. For that reason:

- Front yard setback averaging will be utilized often.
- Expanding the scope of averaging provides additional flexibility in blocks that have many vacant lots.
- The use of rear and side yard averaging will be minimal.
- Applying flexible standards and averaging will make it easier to build on existing corner lots.





BIG TAKEAWAYS

1. Variances from the proposed relaxed standards would not be permitted.
2. Lot averaging is the preferred method used by cities to promote infill development.
3. The proposed regulations address all of the corrective measures previously listed.
4. The regulations only pertain to single-family detached residential on legally platted nonconforming lots within the adopted boundaries.





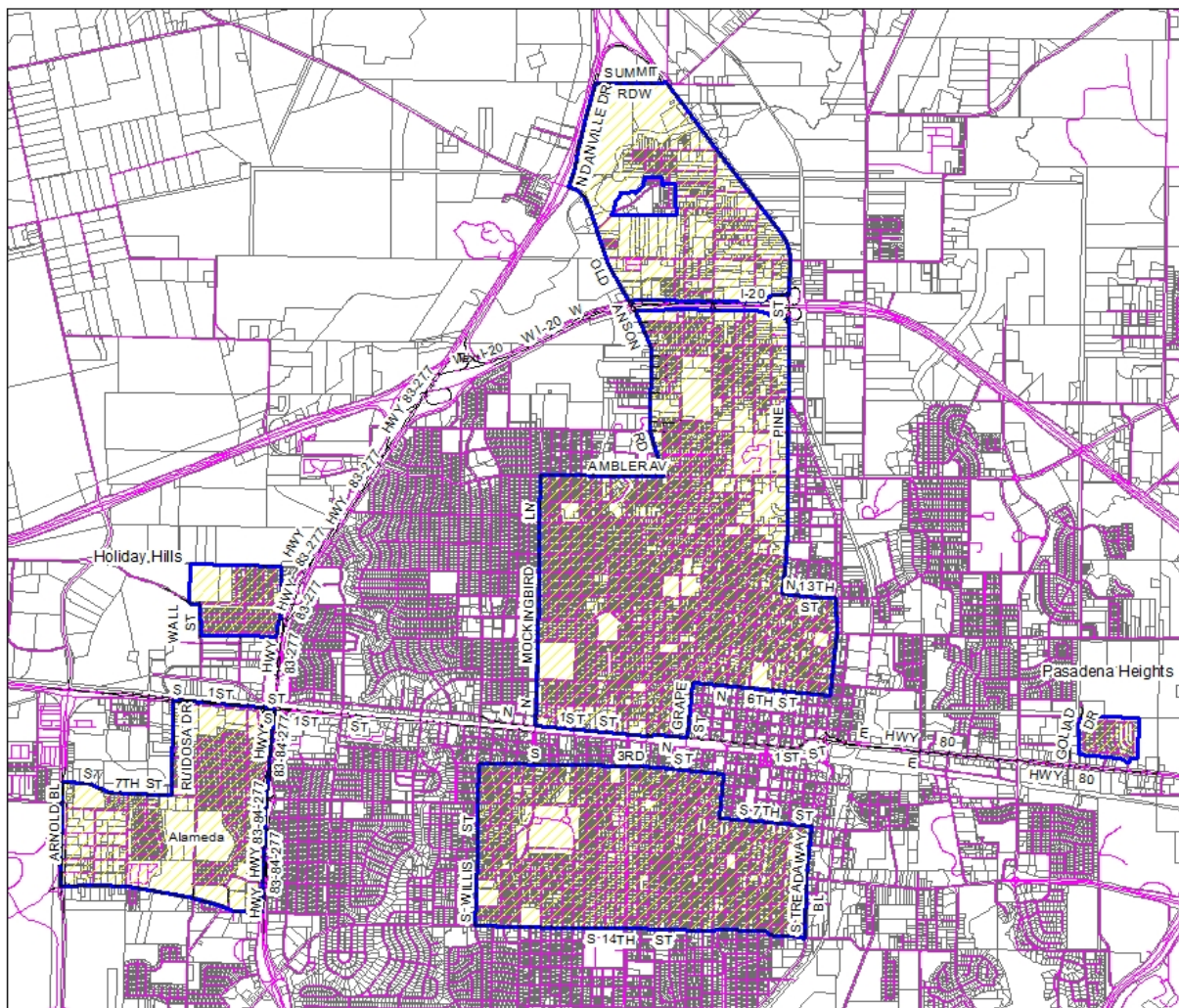
AFFECTED NEIGHBORHOODS

1. Alameda Addition
2. Holiday Hills
3. Butternut/Chestnut
4. College Heights
5. Stevenson / Sancudo
6. Sears
7. North Sayles
8. Carver
9. Pasadena Heights
10. Old Town Abilene





PROPOSED RAI OVERLAY BOUNDARIES

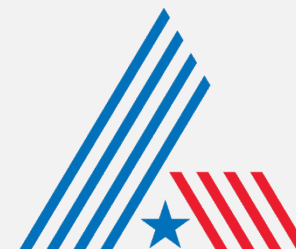


RAI District



Legend

- Boundary Roads
- RAI District
- Roads
- CourierParcels



CITY OF
ABILENE
TEXAS



RECOMMENDATIONS

Staff Recommendation:

Approval of the proposed LDC text change and proposed amendment to the Official Zoning Map, as set out in Exhibits B and C of the staff report.





Questions?



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 2 (ZONING REGULATIONS) OF THE LAND DEVELOPMENT CODE (LDC) SPECIFICALLY TO REPEAL SECTION 2.3.4.3, “NEIGHBORHOOD CONSERVATION OVERLAY (NCO) DISTRICT” AND TO REPLACE SAID SECTION WITH SECTION 2.3.4.3 “REBUILD ABILENE INFILL OVERLAY (RAI) DISTRICT”, TO FACILITATE INFILL DEVELOPMENT AND REDEVELOPMENT IN TARGETED ABILENE NEIGHBORHOODS THAT HAVE LEGALLY PLATTED NON-CONFORMING LOTS; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, the City Council finds it to be desirable to protect the residential character of existing single-family detached residences and neighborhoods, in terms of lot area, width, depth, and building placement in targeted neighborhoods; and

WHEREAS, the City Council wants to encourage and facilitate reinvestment in targeted neighborhoods that have vacant platted lots that cannot be developed without one or more variances from the Land Development Code (LDC); and

WHEREAS, the City Council wants to provide additional affordable single-family detached residential housing opportunities for all socio-economic populations of Abilene; and

WHEREAS, the City Council wants to maximize the use of existing utility and transportation assets to improve the functionality and efficiency of Abilene; and

WHEREAS, the City Council finds that the procedures required to establish an NCO District requires collective action by multiple property owners, the creation of a Neighborhood Conservation Plan, and rezoning are time consuming, burdensome, and generally not feasible for most property owners in the target neighborhoods; and

WHEREAS, the City Council, upon determining no property in the City is zoned NCO, has concluded that the NCO District has not achieved the intended purposes set out in Section 2.3.4.3(a), “Purposes”.

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

PART 1: That Chapter 2 (Zoning Regulations), Section 2.3.4.3 “Neighborhood Conservation Overlay (NCO) District”, is hereby repealed and replaced by Section 2.3.4.3 “Rebuild ABI Infill Overlay (RAI) District”, as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

PART 2: That the Official Zoning Map of the City of Abilene, is hereby amended to show the boundaries of the “Neighborhood Conservation Overlay (NCO) District”, as set out in Exhibit B, attached hereto and made a part of this ordinance for all purposes.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 4: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 16th day of November, 2023.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of October 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 7th day of December 2023, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 7th day of December, 2023.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Section 2.3.4.3 Rebuild ABI Infill Overlay (RAI) District

(a) **Purpose.** The purpose of the Rebuild ABI Infill Overlay (RAI) District is to provide reasonable opportunities for affordable single-family detached residential infill development, and redevelopment, in targeted established single-family residential neighborhoods without the need for variances. This district is also designed to achieve the following:

- (1) Protect the residential character of existing single-family detached residences and neighborhoods;
- (2) Maintain the historic context of established single-family neighborhoods in terms of lot area, width, depth, and building placement;
- (3) Encourage reinvestment in targeted neighborhoods that have vacant lots and cannot be developed without one or more variances;
- (4) Provide additional affordable single-family detached residential housing opportunities for all socio-economic populations of Abilene; and
- (5) Fully utilize existing utility and transportation assets to improve the functionality and efficiency of Abilene.

(b) **General Applicability.**

- (1) The requirements of this section shall only apply if the following criteria are satisfied:
 - A. The subject property shall be a lawfully platted lot;
 - B. The subject property shall be located within the boundaries of the RAI District;
 - C. The subject property shall be zoned RS-6 or MD, on which one single-family residence is proposed; and
 - D. The subject lot shall be legally non-conforming in terms of lot width, depth, area, and any other applicable development standard(s), relative to the development requirements of the RS-6 zoning district, which would require one or more variances.
- (2) The development standards set out in this district shall not apply to any accessory buildings or structures, unless expressly stated in this Section.

(c) **Infill Overlay Location.**

- (1) The locations and boundaries of the Rebuild ABI Infill Overlay District (RAI) shall be shown on the Official Zoning Map of the City of Abilene.
- (2) The boundaries of the RAI may be modified as necessary to satisfy the purposes of the RAI in accordance with the Zoning Map Amendment procedures set out in Chapter 1, Article 4, Division 1 of the Land Development Code (LDC).

(d) **Conforming Lots.**

- (1) All legally platted lots located in the Rebuild ABI Infill Overlay District that lawfully existed on the effective date of this Section are "conforming" with respect to lot width and lot areas.
- (2) The lot width and lot area requirements set out in in Table 2-12, *Rebuild ABI Infill Overlay Development Standards* apply only to the subdivision of existing lots or parcels in this district after the effective date of this Section.

(e) **Relationship to Variances.**

- (1) Compliance with the standards of this Section shall not be considered to be variances.
- (2) Variances from the alternative standards set out in Section 2.3.4.3 of the Land Development Code shall not be permitted.
- (3) Compliance with the standards set out in Section 2.3.4.3 shall not constitute grounds for a variance or deviation from the requirements of the Abilene Building Code.

(f) **Relationship to Easements, Rights-of-Way, Sight Visibility Triangles, and the Environment.** The standards of this Section shall not be construed to authorize construction of buildings, or portions of buildings, in any utility or drainage easement, public right-of-way, within a required sight visibility triangle, or within environmental hazards, such as floodways.

(g) **Development Standards.**

- (1) Development in this district shall satisfy the minimum *Infill Overlay Development Standards* set out in Table 2-12.

TABLE 2-12: Rebuild ABI Infill Overlay Development Standards

Minimum Lot Size			Minimum Building Line Setbacks (Feet)								Max. Height (Feet)	Max. Lot Coverage (%)
Area (SF)	Width (FT) ¹	Depth (FT)	Street Setback				Garage Setback (Front facing on local and collector streets)	Rear Yard	Side Yard	Corner Street Side Yard ⁴		
			Local Street	Collector Street	Arterial or Expressway with Frontage Road	Expressway Without Frontage Road						
Base RS-6 Development Standards												
6,000	60	100	15	20	30	40	20	20	6	NA	35	50
RAI Overlay RS-6 & MD Development Standards*												
4,500	45	100	15 ¹	15 ¹	20 ¹	20 ¹	15 ¹	15 ³	5 ²	10	35	70
General Note: *The RAI Overlay development standards shall only be used to single family detached dwellings. The base RS-6 development standards of the Land Development Code shall apply to all other dwelling types and permitted RS-6 uses.												
Table Notes: 1. Refer to Subsection (h), Alternative Street Setbacks, below. 2. Refer to Subsection (i), Alternative Interior Side Setbacks, below. 3. Refer to Subsection (j), Alternative Rear Setbacks, below. 4. For corner lots, the street setback requirements shall be applied to the "street address" front of the home. The corner street side yard requirement shall only apply to "non-addressed" side of the home.												

(h) **Alternative Street Setbacks.**

- (1) *Unenclosed Front Porches.* Unenclosed front porches and patio covers may not be located closer than ten feet (10') from the front property line, as measured from the front wall of the porch.
- (2) *Street Setback Averaging.* When infill development is proposed in an existing neighborhood, homes should be located in a manner that is consistent with the context of the surrounding residential development. Street Setback Averaging shall be used to determine the appropriate street setback, using the following criteria:
 - A. Front setbacks may be reduced to the average front setback of the existing homes on the same side of the street within the same block as a proposed new home.
 - B. If there are no existing residences in the same block and same side of the street as the proposed new home, lot averaging shall be based on the front setbacks of existing homes on the same side of the street of each adjoining block or the blocks on the opposing side of the street in order to maintain and protect the character of the existing neighborhood.

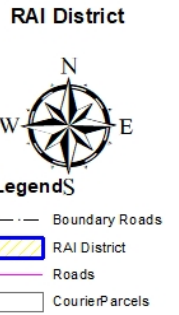
- C. If all previous criteria are not applicable, the front setback shall be subject to the standards set out in Table 2-12.
- (3) *Garage Behind Principal Building.* Front setbacks may be reduced to ten feet (10') if:
- A. The garage is detached and located at least twenty-five feet (25') behind the front property line and located behind the front façade of the principal building; or
 - B. The garage is attached, but the garage door is set back at least twenty feet (20') behind the front property line of the principal building.
- (i) **Alternative Interior Side Setbacks.** The following standards may be applied to interior side setbacks as an alternative to the interior side setback standards in Table 2-12, *Rebuild ABI Infill Overlay Development Standards*:
- (1) Interior side setbacks may be reduced on any lot if it is demonstrated that the proposed interior side setback is within ten percent (10%) of the average actual setback of the existing homes on the same side of the same street, measured for a distance of up to five-hundred feet (500') or up to five (5) lots in either direction, whichever is less, subject to compliance with the City of Abilene's Building Code.
 - (2) Interior side setbacks may be reduced to three feet (3') along a side property line that abuts an adjoining property that is designated as permanent open space or that has an easement that precludes development, provided that the said adjoining open space or easement on the adjoining lot has a minimum width of ten feet (10') wide along the entire length of the affected side property line.
- (j) **Alternative Rear Setbacks.** The following standards may be applied to rear setbacks as an alternative to the rear setback standards as set out in Table 2-12, *Rebuild ABI Infill Overlay Development Standards*:
- (1) *Abutting Permanent Open Space.* Rear yard setbacks that abut an adjoining property that is designated as permanent open space or as an easement that precludes development and has a minimum width of at least ten feet (10') along the entire distance of the rear property line may be reduced to ten feet (10'), unless rear setback averaging determines that the average rear setback of homes in the same block, or on adjoining blocks is more than ten feet (10'), in which case required rear setback would be the greater distance.
 - (2) *Double Frontage Lots.* On a double frontage lot, the street frontage that is assigned an address shall be designated as street setback (front yard), with the opposite street frontage to be designated as a rear yard with a setback that may be reduced to an average of existing residential development within five-hundred feet (500') on the same side of the proposed development.
 - (3) *Adjoining an Alley.* The rear setback on a lot that adjoins an alley may be reduced to an average of existing residential development within 500 feet on the same side of the proposed development.
- (k) **Alternative Setback Limitations.** The application of alternative setback standards shall not be permitted if the proposed construction would result in:
- (1) The lack of required off-street parking spaces or the ability to provide code compliant driveways to the said off-street parking spaces;
 - (2) A conflict with a planned expansion of right-of-way of a scheduled project on the City of Abilene Capital Improvements Schedule, or as designated by the City of Abilene Thoroughfare Plan;
 - (3) Additional non-sheet flow drainage on any surrounding property;
 - (4) Any nonconformity with respect to the City of Abilene Building Code on either the lot where construction is proposed or any surrounding property; and

- (5) The inability of an adjoining undeveloped lot zoned RS-6 to be able to be built to same setback and building code requirements as the lot on which construction is proposed.

(l) Carports.

- (1) The minimum street side setback for carports shall be determined by applying the criteria set out in Subsection (h)(2), *Street Setback Averaging*. If the criteria set out in Subsection (h)(2) cannot be satisfied, the LDC regulations for carports shall be applicable.
- (2) The minimum corner street yard setback for carports shall be determined by applying the criteria set out in Subsection (h)(2), *Street Setback Averaging*. If the criteria set out in Subsection (h)(2) cannot be satisfied, the LDC regulations for carports shall be applicable.

RAI Overlay Distric Boundardies



-END-

ZONING CASE OAM-2023-01

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 7, 2023
City Council 1st Reading: November 16, 2023
City Council 2nd Reading: December 7, 2023

Applicant

City of Abilene

Case Manager

Randal Anderson – Assistant Director

Request

An amendment to the Land Development Code (LDC) to repeal Section 2.3.4.3 Neighborhood Conservation Overlay (NCO) and to replace that section with Section 2.3.4.3 Rebuild ABI Infill Overlay (RAI) District to promote infill development and redevelopment in targeted neighborhoods.

Background

In 2010, the City Council created the Neighborhood Conservation Overlay (NCO) District. The goal of that district was to maintain the character and original development patterns of the original City neighborhoods that surround the Central Business (CB) District. The NCO was not depicted on the Official Zoning Map. Instead, it was dependent on property owners to take the initiative to create each NCO District, similar to how Historic Overlay zoning is applied. Since 2010, no property has ever been zoned NCO. The NCO District regulations are attached as Exhibit A.

The most likely reasons why the NCO District has not been utilized are:

1. NCO District boundaries are not designated on the Official Zoning Map.
2. The NCO district regulations are geared toward maintaining existing residences that are unique and of public interest but that do not satisfy the Historic Overlay (HO) District criteria. However, the stated purposes of the NCO district are closely aligned with infill development. Since the NCO development standards are similar to those in the HO District, they hinder infill development. The NCO regulations are not structured to promote infill development in manner that would respect the existing neighborhood fabric.
3. The creation of NCO Districts requires owner collaboration to develop an NCO Concept Plan, similar to a PUD Concept Plan, for the affected properties to be rezoned to NCO, as well as owner collaborate to initiate the rezoning of the affected properties.
4. Linked with the Historic Overlay (HO) District and requires Landmarks Commission action.
5. The process is time consuming, expensive, and likely exceeds the purposes and means of owners in the target neighborhoods.

The NCO District has not achieved its intended purposes. In contrast, the HO District has affectively achieved its goals and objectives to protect historic properties and unique buildings. As a result, the professional opinion of staff is that the NCO district needs to be modified in a manner that will promote infill development that respects the traditional flavor of surrounding neighborhoods.

The Connect Abilene 2040 Comprehensive Plan prioritizes single-family residential infill in the original neighborhoods of the City to fully buildout the existing inventory of undeveloped single-family residential lots to fully utilize the existing infrastructure of the City and to provide affordable housing opportunities for all socio-economic classes of city residents. The NCO Overlay can be modified in a manner that would address the objectives of the Comprehensive Plan.

Proposed Amendment

Staff proposes to repeal the NCO District, to be replaced by the Rebuild ABI Infill Overlay (RAI) District. The advantages of the proposed RAI regulations that would establish:

1. Relaxed RS-6 development standards for platted lots that do not comply with the current RS-6 standards and that require one or more variances to allow development.
2. Development standards to help ensure that infill development will maintain the character and continuity of the surrounding residences and neighborhoods.
3. Regulations that would only apply to the RS-6 and MD districts for single-family detached residential development. All other RS-6 and MD district uses would continue to follow the standard development standards of the RS-6 and MD districts.
4. The location of the RAI overlay by amending the Official Zoning Map, meaning that owners will no longer need to collaborate to rezone properties or to create development standards. Also, there will no longer be a linkage to the Historic Overlay District and the Landmarks Commission.
5. The creation of a speedy and simplified process for persons proposing single-family detached residential development that only would require a building permit.

It should be noted that:

1. Variances from the relaxed RS-6 development standards would be prohibited; and
2. The proposed lot averaging techniques shown in the RAI development standards have been used by other cities in Texas and neighboring states to successfully facilitate infill development and to maintain the fabric of the surrounding neighborhoods.

The following neighborhoods are proposed to be included within the RAI Overlay District:

1. Alameda Addition
2. Holiday Hills
3. Butternut/Chestnut
4. College Heights
5. Stevenson / Sancudo
6. Sears
7. North Sayles
8. Carver
9. Pasadena Heights
10. Old Town Abilene

The proposed RAI District regulations and proposed Official Zoning Map amendment are attached with this report as Exhibits B and C, respectively.

Staff Recommendation

Staff recommends **approval**.

EXHIBIT A

Section 2.3.4.3 Neighborhood Conservation Overlay (NCO) District

- (a) *Purpose.* Although each Neighborhood Conservation Overlay (NCO) District will be unique, the general purposes of creating such districts in older Abilene residential neighborhoods are described in the following:
- (1) To protect and strengthen desirable and unique physical features, design characteristics, historic characteristics, and recognized identity and charm;
 - (2) To reduce the potential for land use conflicts;
 - (3) To promote new compatible development;
 - (4) To stabilize property values;
 - (5) To provide residents and property owners with a tool for conservation of their neighborhoods;
 - (6) To promote and retain affordable housing;
 - (7) To encourage and strengthen civic pride;
 - (8) To regulate demolition; and
 - (9) To encourage harmonious and compatible redevelopment that conforms to the size, orientation and setting of the buildings of the neighborhood.
- (b) *Criteria.* An area suitable for an NCO designation would be one that has a significant number of unique homes or areas that are in the public interest to preserve, but that do not meet the criteria for the establishment of a Historic Overlay (HO) District (refer to Section 2.4.4.4 [2.3.4.4]). To be designated as an NCO District, the area must meet the following criteria:
- (1) The area must contain a minimum of one block face, meaning all the lots on one side of a block;
 - (2) The area must have been platted or developed at least twenty-five (25) years previous; and
 - (3) The area must possess one or more of the following distinctive features that create a cohesive identifiable setting, character, or association:
 - a. Scale, size, type of construction, or distinctive building materials;
 - b. Lot layouts, setbacks, street layouts, alleys or sidewalks;
 - c. Special natural or streetscape characteristics, such as creek beds, parks, gardens or street landscaping;
 - d. Land use patterns, including mixed or unique uses or activities; or
 - e. Abuts or links designated historic landmarks.
 - (4) The area must be predominantly residential in use and character.
- (c) *Applicability.* As an overlay zoning district, the NCO District is limited to specified areas encompassing land that has already been assigned conventional zoning district classifications. It supplements the standards of the underlying conventional districts with new or different standards which are more restrictive. In the event of a conflict between the standards of the NCO District and the regulations of the underlying zoning district, the standards described herein will prevail. Regulations of the underlying zoning district not augmented or otherwise supplemented by the NCO District shall continue to apply.
- (d) *Application Procedures.*
- (1) *Who May Initiate.* A proposal for designation as an NCO District may be initiated:
 - a. At the direction of City Council; or
 - b. By City staff; or
 - c. At the request of owners representing fifty-one percent (51%) of the land area within the proposed district; or
 - d. At the request of fifty-one percent (51%) of property owners in a proposed district.

- (2) *Neighborhood Conservation Plan Required.* Following initiation for designation of an NCO District, the Planning Department shall develop supporting documentation in the form of a Neighborhood Conservation Overlay Plan for the proposed district that includes:
 - a. A map(s) indicating the boundaries, age of structures and land use of the proposed district;
 - b. Graphic and written materials identifying and describing the distinctive neighborhood and building characteristics of the proposed district, such as identification of recognized historic structures/areas; and
 - c. Design standards for new construction, additions or alterations to the street facades of existing buildings or structures within the proposed district.
 - (3) *Neighborhood Participation.* All property owners within the proposed district shall be afforded the opportunity to participate in drafting a Neighborhood Conservation Overlay Plan that will serve as the planning basis for the applicable NCO; there will be at least one (1) neighborhood meeting for this purpose. A Neighborhood Conservation Overlay Plan shall be approved as part of the zoning amendment that creates an NCO District.
- (e) *Design Standards.*
- (1) *Neighborhood Conservation Overlay Plan as Part of the Ordinance.* A Neighborhood Conservation Overlay Plan shall be approved as part of the ordinance creating a Neighborhood Conservation Overlay District. The Plan shall include design standards for new construction or placement of any building, structure, foundation, sign, public art or outdoor apparatus or equipment (including visible utility boxes or mechanical equipment; trucks; playground equipment; or sports equipment), and any additions, alterations, relocation or rehabilitation to the street facades of existing buildings, structures, foundations, sign, public art, or outdoor apparatus or equipment.
 - (2) *Ordinary Repair & Maintenance.* The Neighborhood Conservation Overlay Plan and requisite design standards shall not apply to those activities which constitute ordinary repair and maintenance, which shall be defined for the purpose of these regulations as:
 - a. The maintenance and/or replacement of materials located on the external portion of a building or structure with materials that are the same in terms of appearance, quality, design, and color. The replacement of a sign, building, object or structure in its entirety does not constitute ordinary repair and maintenance.
 - (3) *Design Standards Required.* The design standards for the NCO District shall, at a minimum, include the following elements in order to effectively oversee the physical characteristics and features of all property within the NCO District:
 - a. Building height, number of stories;
 - b. Building size, massing (frontage, entrance location/features);
 - c. Lot size, coverage;
 - d. Front and side yard setbacks;
 - e. Off-street parking and loading requirements;
 - f. Roof line and pitch;
 - g. Paving.
 - (4) *Design Standards Optional.* In addition, the design standards may include the following elements:
 - a. Building orientation;
 - b. General site planning (primary, accessory structures);
 - c. Density;
 - d. Floor area ratio;
 - e. Signage;
 - f. Architectural style and details;
 - g. Building materials;
 - h. Garage entrance location;

- i. Size and location of windows and/or dormers;
- j. Landscaping;
- k. Fences and walls;
- l. Driveways and sidewalks;
- m. Satellite dishes, utility boxes;
- n. Street furniture;
- o. Demolition (see Subsection (e)(2) [(f)(2)] below).

(f) *Design Plan & Certificate of Appropriateness.* Following the adoption of an ordinance creating a Neighborhood Conservation Overlay District, new construction and alterations to buildings within the NCO District shall require approval of a Design Plan and issuance of a Certificate of Appropriateness, as described in the following:

- (1) No building permit shall be issued for new construction or an alteration or addition to the street facade of an existing building or structure within a designated Neighborhood Conservation District without the submission and approval of a Design Plan and the issuance of a Certificate of Appropriateness by the Landmarks Commission.
- (2) No permit shall be issued for the following specific activities within a Neighborhood Conservation District without issuance of a Certificate of Appropriateness:
 - a. Demolition;
 - b. Construction of a primary or accessory building, structure or other additions to real estate;
 - c. The addition of space to an existing primary or accessory building.
- (3) If the Landmarks Commission determines that the Design Plan is in conformance with the Neighborhood Conservation Overlay Plan adopted as part of the related NCO District, the following shall subsequently occur:
 - a. The Landmarks Commission shall approve the Design Plan;
 - b. The Landmarks Commission shall issue a Certificate of Appropriateness within thirty (30) days, certifying that the Design Plan is appropriate for completion within the NCO District;
 - c. The Building Official may issue a building permit.
- (4) If the Landmarks Commission determines that the Design Plan is not in conformance with the Neighborhood Conservation Overlay Plan adopted for the district, the Design Plan shall be denied, and the applicant shall be informed of the specific design standards that were not adequately met.
- (5) The applicant may appeal the Landmark Commission's denial to the Planning and Zoning Commission following the procedures set forth within the Historic District Overlay for such appeals, specifically within Section 2.4.4.4(i) [2.3.4.4(j)].

(g) *Designation.* The zoning designation for property located within a Neighborhood Conservation Overlay District shall consist of the overlay district symbol (NCO) as a prefix. NCO Districts shall be numbered sequentially to distinguish among different districts, such as NCO-1, NCO-2, etc. Each separate NCO District area may also include the neighborhood name in its description for further delineation, such as NCO-1 Old Town Neighborhood.

(Ord. No. 8-2010, pt. 1 (Exh. A), 4-22-10)

EXHIBIT B

Section 2.3.4.3 Rebuild ABI Infill Overlay (RAI) District

(a) **Purpose.** The purpose of the Rebuild ABI Infill Overlay (RAI) District is to provide reasonable opportunities for affordable single-family detached residential infill development, and redevelopment, in targeted established single-family residential neighborhoods without the need for variances. This district is also designed to achieve the following:

- (1) Protect the residential character of existing single-family detached residences and neighborhoods;
- (2) Maintain the historic context of established single-family neighborhoods in terms of lot area, width, depth, and building placement;
- (3) Encourage reinvestment in targeted neighborhoods that have vacant lots and cannot be developed without one or more variances;
- (4) Provide additional affordable single-family detached residential housing opportunities for all socio-economic populations of Abilene; and
- (5) Fully utilize existing utility and transportation assets to improve the functionality and efficiency of Abilene.

(b) **General Applicability.**

- (1) The requirements of this section shall only apply if the following criteria are satisfied:
 - A. The subject property shall be a lawfully platted lot;
 - B. The subject property shall be located within the boundaries of the RAI District;
 - C. The subject property shall be zoned RS-6 or MD, on which one single-family residence is proposed; and
 - D. The subject lot shall be legally non-conforming in terms of lot width, depth, area, and any other applicable development standard(s), relative to the development requirements of the RS-6 zoning district, which would require one or more variances.
- (2) The development standards set out in this district shall not apply to any accessory buildings or structures, unless expressly stated in this Section.

(c) **Infill Overlay Location.**

- (1) The locations and boundaries of the Rebuild ABI Infill Overlay District (RAI) shall be shown on the Official Zoning Map of the City of Abilene.
- (2) The boundaries of the RAI may be modified as necessary to satisfy the purposes of the RAI in accordance with the Zoning Map Amendment procedures set out in Chapter 1, Article 4, Division 1 of the Land Development Code (LDC).

(d) **Conforming Lots.**

- (1) All legally platted lots located in the Rebuild ABI Infill Overlay District that lawfully existed on the effective date of this Section are "conforming" with respect to lot width and lot areas.
- (2) The lot width and lot area requirements set out in in Table 2-12, *Rebuild ABI Infill Overlay Development Standards* apply only to the subdivision of existing lots or parcels in this district after the effective date of this Section.

(e) **Relationship to Variances.**

- (1) Compliance with the standards of this Section shall not be considered to be variances.
- (2) Variances from the alternative standards set out in Section 2.3.4.3 of the Land Development Code shall not be permitted.
- (3) Compliance with the standards set out in Section 2.3.4.3 shall not constitute grounds for a variance or deviation from the requirements of the Abilene Building Code.

(f) **Relationship to Easements, Rights-of-Way, Sight Visibility Triangles, and the Environment.** The standards of this Section shall not be construed to authorize construction of buildings, or portions of buildings, in any utility or drainage easement, public right-of-way, within a required sight visibility triangle, or within environmental hazards, such as floodways.

(g) **Development Standards.**

- (1) Development in this district shall satisfy the minimum *Infill Overlay Development Standards* set out in Table 2-12.

TABLE 2-12: Rebuild ABI Infill Overlay Development Standards

Minimum Lot Size			Minimum Building Line Setbacks (Feet)								Max. Height (Feet)	Max. Lot Coverage (%)
Area (SF)	Width (FT) ¹	Depth (FT)	Street Setback				Garage Setback (Front facing on local and collector streets)	Rear Yard	Side Yard	Corner Street Side Yard ⁴		
			Local Street	Collector Street	Arterial or Expressway with Frontage Road	Expressway Without Frontage Road						
Base RS-6 Development Standards												
6,000	60	100	15	20	30	40	20	20	6	NA	35	50
RAI Overlay RS-6 & MD Development Standards*												
4,500	45	100	15 ¹	15 ¹	20 ¹	20 ¹	15 ¹	15 ³	5 ²	10	35	70
General Note: *The RAI Overlay development standards shall only be applied to single family detached dwellings. The base RS-6 development standards of the Land Development Code shall apply to all other dwelling types and other permitted RS-6 uses.												
Table Notes: 1. Refer to Subsection (h), Alternative Street Setbacks, below. 2. Refer to Subsection (i), Alternative Interior Side Setbacks, below. 3. Refer to Subsection (j), Alternative Rear Setbacks, below. 4. For corner lots, the street setback requirements shall be applied to the "street address" front of the home. The corner street side yard requirement shall only apply to "non-addressed" side of the home.												

(h) **Alternative Street Setbacks.**

- (1) *Unenclosed Front Porches.* Unenclosed front porches and patio covers may not be located closer than ten feet (10') from the front property line, as measured from the front wall of the porch.
- (2) *Street Setback Averaging.* When infill development is proposed in an existing neighborhood, homes should be located in a manner that is consistent with the context of the surrounding residential development. Street Setback Averaging shall be used to determine the appropriate street setback, using the following criteria:
 - A. Front setbacks may be reduced to the average front setback of the existing homes on the same side of the street within the same block as a proposed new home.
 - B. If there are no existing residences in the same block and same side of the street as the proposed new home, lot averaging shall be based on the front setbacks of existing homes on the same side of the street of each adjoining block or the blocks on the

opposing side of the street in order to maintain and protect the character of the existing neighborhood.

- C. If all previous criteria are not applicable, the front setback shall be subject to the standards set out in Table 2-12.

(3) *Garage Behind Principal Building.* Front setbacks may be reduced to ten feet (10') if:

- A. The garage is detached and located at least twenty-five feet (25') behind the front property line and located behind the front façade of the principal building; or
- B. The garage is attached, but the garage door is set back at least twenty feet (20') behind the front property line of the principal building.

(i) **Alternative Interior Side Setbacks.** The following standards may be applied to interior side setbacks as an alternative to the interior side setback standards in Table 2-12, *Rebuild ABI Infill Overlay Development Standards*:

(1) Interior side setbacks may be reduced on any lot if it is demonstrated that the proposed interior side setback is within ten percent (10%) of the average actual setback of the existing homes on the same side of the same street, measured for a distance of up to five-hundred feet (500') or up to five (5) lots in either direction, whichever is less, subject to compliance with the City of Abilene's Building Code.

(2) Interior side setbacks may be reduced to three feet (3') along a side property line that abuts an adjoining property that is designated as permanent open space or that has as an easement that precludes development, provided that the said adjoining open space or easement on the adjoining lot has a minimum width of ten feet (10') wide along the entire length of the affected side property line.

(j) **Alternative Rear Setbacks.** The following standards may be applied to rear setbacks as an alternative to the rear setback standards as set out in Table 2-12, *Rebuild ABI Infill Overlay Development Standards*:

(1) *Abutting Permanent Open Space.* Rear yard setbacks that abut an adjoining property that is designated as permanent open space or as an easement that precludes development and has a minimum width of at least ten feet (10') along the entire distance of the rear property line may be reduced to ten feet (10'), unless rear setback averaging determines that the average rear setback of homes in the same block, or on adjoining blocks is more than ten feet (10'), in which case required rear setback would be the greater distance.

(2) *Double Frontage Lots.* On a double frontage lot, the street frontage that is assigned an address shall be designated as street setback (front yard), with the opposite street frontage to be designated as a rear yard with a setback that may be reduced to an average of existing residential development within five-hundred feet (500') on the same side of the proposed development.

(3) *Adjoining an Alley.* The rear setback on a lot that adjoins an alley may be reduced to an average of existing residential development within 500 feet on the same side of the proposed development.

(k) **Alternative Setback Limitations.** The application of alternative setback standards shall not be permitted if the proposed construction would result in:

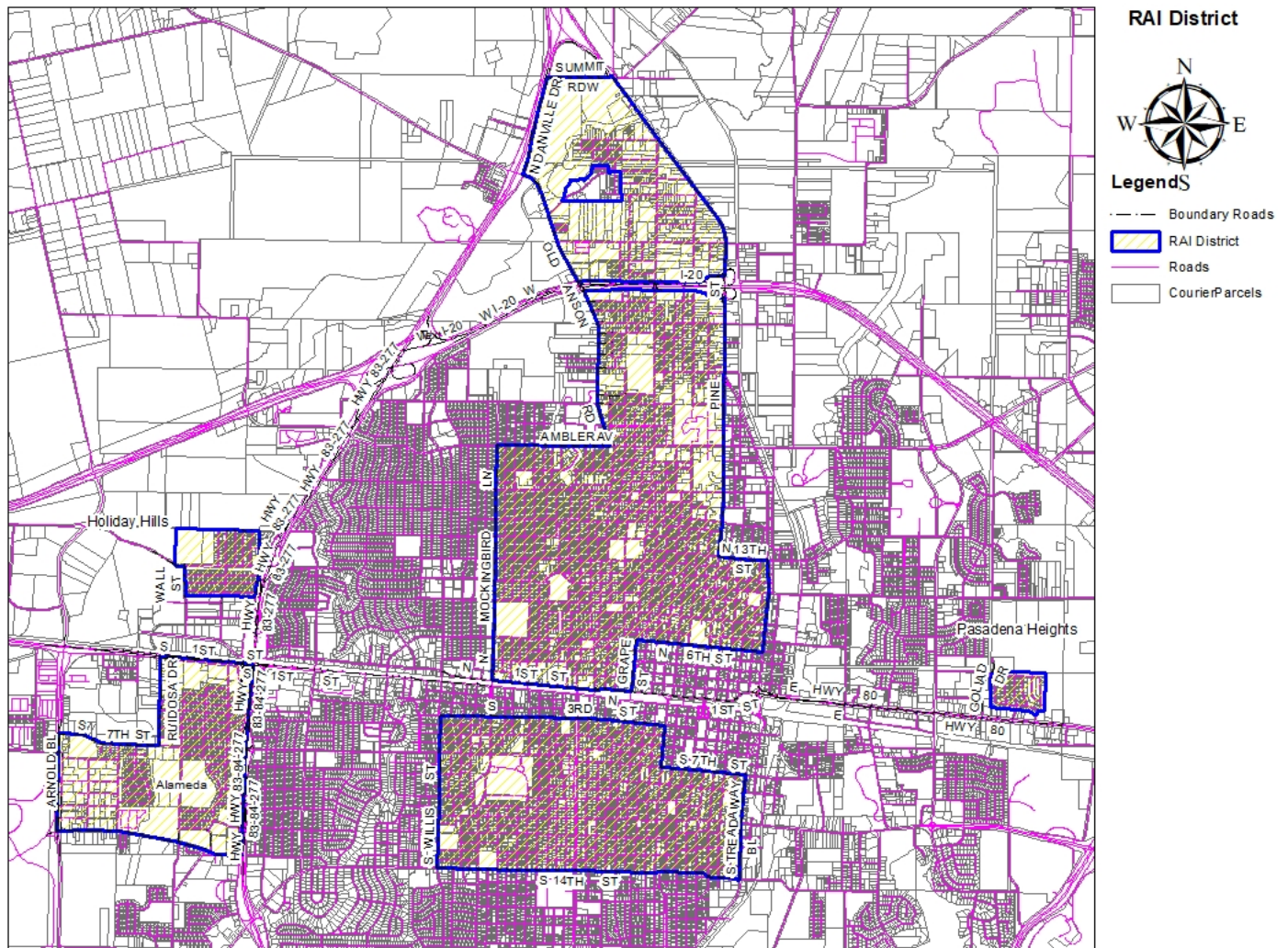
- (1) The lack of required off-street parking spaces or the ability to provide code compliant driveways to the said off-street parking spaces;
- (2) A conflict with a planned expansion of right-of-way of a scheduled project on the City of Abilene Capital Improvements Schedule, or as designated by the City of Abilene Thoroughfare Plan;

- (3) Additional non-sheet flow drainage on any surrounding property;
- (4) Any nonconformity with respect to the City of Abilene Building Code on either the lot where construction is proposed or any surrounding property; and
- (5) The inability of an adjoining undeveloped lot zoned RS-6 to be able to be built to same setback and building code requirements as the lot on which construction is proposed.

(l) **Carports.**

- (1) The minimum street side setback for carports shall be determined by applying the criteria set out in Subsection (h)(2), *Street Setback Averaging*. If the criteria set out in Subsection (h)(2) cannot be satisfied, the LDC regulations for carports shall be applicable.
- (2) The minimum corner street yard setback for carports shall be determined by applying the criteria set out in Subsection (h)(2), *Street Setback Averaging*. If the criteria set out in Subsection (h)(2) cannot be satisfied, the LDC regulations for carports shall be applicable.

EXHIBIT C



SNC-2023-05

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 7, 2023
City Council 1st Reading: November 16, 2023
City Council 2nd Reading: December 7, 2023

Applicant

Applicant: Atria Mason

Case Manager

Adam Holland

Request

Change the name of Stevenson Drive to Atria L. Mason Drive

Location

All of Stevenson Drive from EN 10th Street to EN 7th Street

Background

This street was platted, named, and constructed as part of the Stevenson Park Addition in 1949. This subdivision was expressly platted to provide housing for African-American residents. Ellouise and J. McAllister Stevenson donated the land for the nearby Stevenson Park in 1949 and 1951. Stevenson Drive continues to bear their names due to their historic significance to the community.

The applicant does not reside in Abilene, but does own the majority of properties adjoining Stevenson Drive. Staff is not aware of any contributions that the applicant may have made to the community.

Assessment

All property owners that would be directly affected by the street name change have been notified. If approved, the applicant will need to replace five existing street name signs. There are two addresses on Stevenson Drive that would be directly affected by this request.

The Development Review Committee reviewed this request and have found that:

1. Two addresses exist on Stevenson Drive which must be changed.
2. Five street signs must be changed.

Staff Recommendation

The Land Development Code does not contain criteria to assess when a street name change is appropriate. If the Commission determines that the request is appropriate, staff would recommend adding the following condition:

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

Attachments

- Application
- PowerPoint

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on October 26th, 2022 via certified mail to the applicant and to the owners of property within a 200-foot radius of the subject street right-of-way. These property owners and associated parcel identification numbers are identified below:

Property Owners

Owner	Property ID	Situs	Response
ABI 180 LLC	46804	517 E WASHINGTON ST	
ABILENE CHRISTIAN UNIVERSITY	63628		
APOLLO PROPERTIES LLC	50503	758 CARVER ST	
ATRIA L MASON & TRI OF LIFE LLC	33530	901 STEVENSON DR	
BARRON GROUP INC	32859	934 NELSON DR	
BERMEJO JUAN	32046	858 NELSON DR	
CASILLAS ALBERTO ESTRADA	31785	842 NELSON DR	
CEDAR CREEK COMP REAL ESTATE LLC	31179	800 ALMOND ST	
CLAY GLORIA L	52059	789 NELSON DR	
CORPIAN GARY LEE & MARILU LEE	51158	402 E WASHINGTON ST	
DALZELL DAVID E	50218	774 CARVER ST	
DOBBINS ALBERT & OLIVERA	33379	966 NELSON DR	
EDWARDS MACAYA TRUST	50640	750 CARVER ST	
GASTON ARTHUR W	31149	802 NELSON DR	
GG3 LLC ABTX1 PROTECTED SERIES	45367	534 EN 7TH ST	
GOOCH PACKING CO INC	31300		
GREEN ELOUISE G	50345	766 CARVER ST	
HALL ROBERT	51294	741 STEVENSON DR	
HICKMAN JOE & HELEN	32979	942 NELSON DR	
HOME EQUITY OPTIONS LLC	46675	525 E WASHINGTON ST	
JACKSON KEVIN L	32429	910 NELSON DR	
KRUZZ HOLDINGS LLC	31921	850 NELSON DR	
LONE STAR RAILROAD INC	64652		
MASTON LEWIS	31657	834 NELSON DR	
MATHEWS JAMES T	33116	950 NELSON DR	
MAYA PRESTIGE HOMES LLC	51423	749 STEVENSON DR	
MC KAY ROLAND	31523	826 NELSON DR	
MONTEZ JIMMY	33248	958 NELSON DR	
MOORE BILLY BOB	46556	533 E WASHINGTON ST	
PICASO MARIA ESTHER	52306	798 NELSON DR	
PIERSON ARTHUR L SR & DORIS	52850	781 STEVENSON DR	
PIERSON ARTHUR LEE	52714	774 NELSON DR	
REAGOR CARRIE MAE	51797	773 NELSON DR	
REED EARNEST EDWARD	31404	818 NELSON DR	
ROBINSON FLOYD ALLEN JR	51545	757 NELSON DR	
ROGERS TESSIE	46931	502 EN 7TH ST	

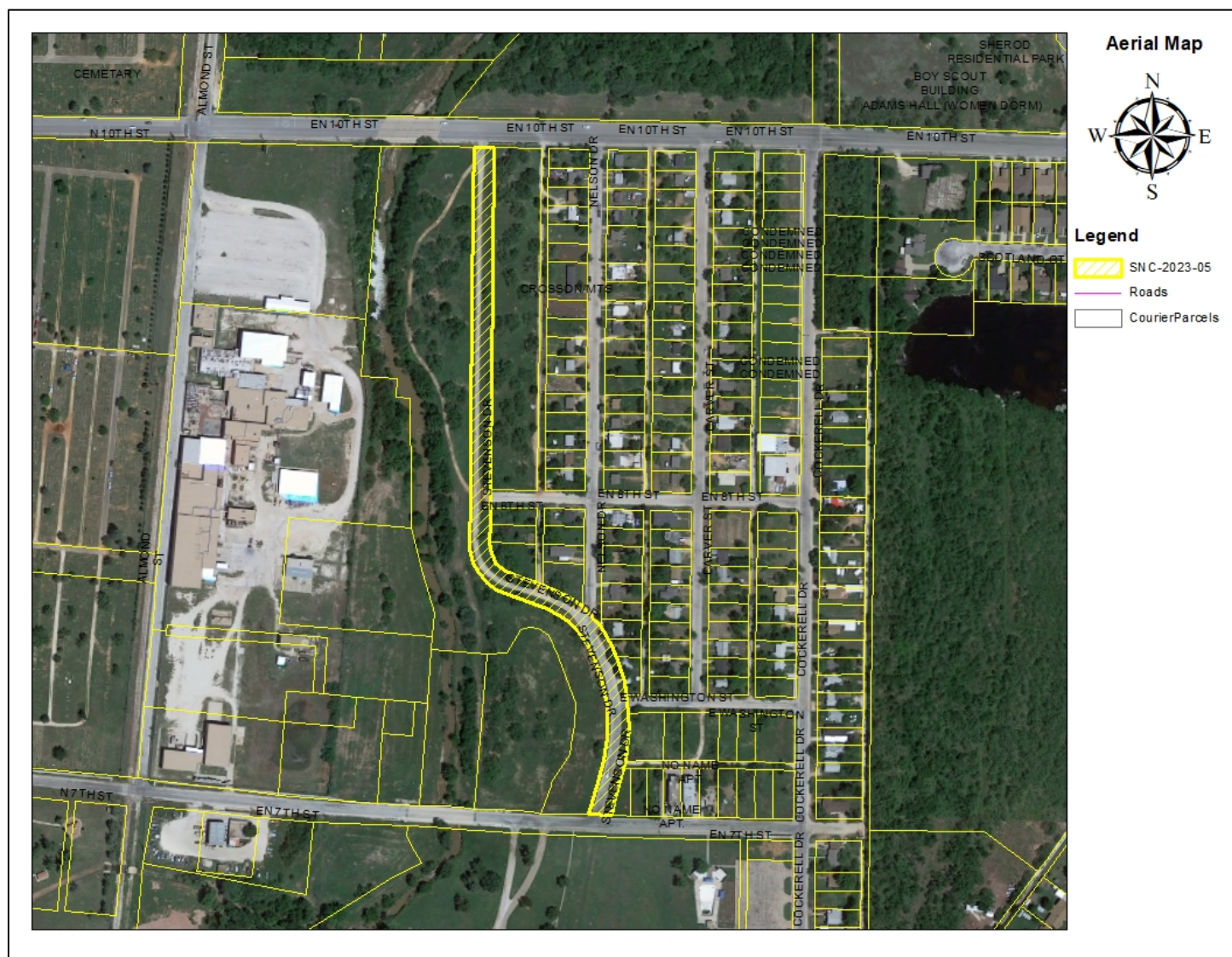
SUAREZ LUIS G & JUANITA E	31273	810 NELSON DR	
TORRES FRANCISCO C	32727	926 NELSON DR	
TRES DIAMOND PROPERTIES LLC	32173	866 NELSON DR	
VARGAS JOSE LUIS	52454	790 NELSON DR	
WILEY DORIS MEDEARIS	52586	782 NELSON DR	
WILSON ALBERT JR & WILSON DANIEL E	50898	734 CARVER ST	
WILSON ALBERT SR LF EST	50772	742 CARVER ST	
WOODS LENNOS LIN	51034	726 CARVER ST	
WRIGHT MATTHEW RAY & SUMMER	51932	781 NELSON DR	

Property ID

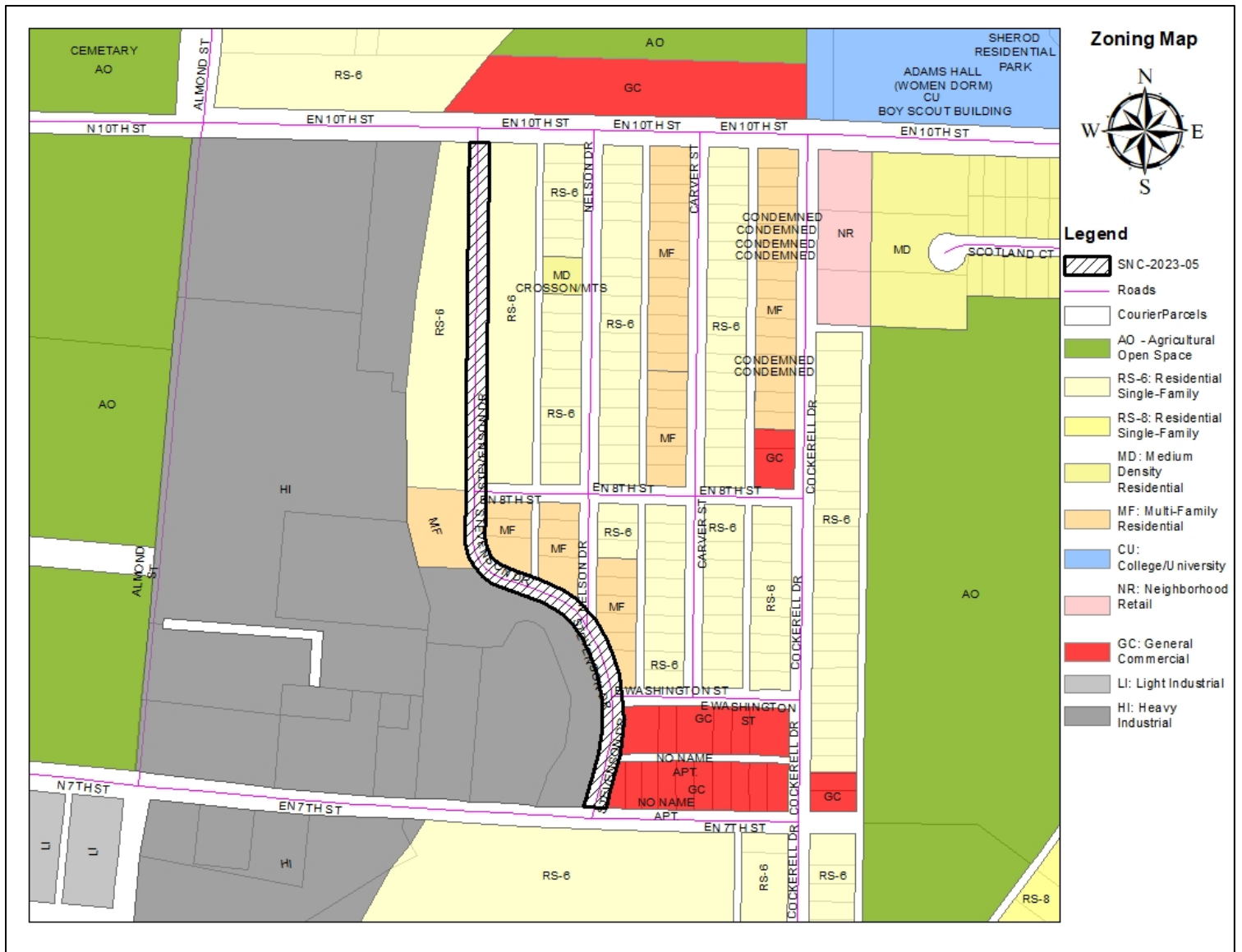
Owner	Property ID	Situs	Response
GASTON ARTHUR W	31149	802 NELSON DR	
CEDAR CREEK COMP REAL ESTATE LLC	31179	800 ALMOND ST	
SUAREZ LUIS G & JUANITA E	31273	810 NELSON DR	
GOOCH PACKING CO INC	31300		
REED EARNEST EDWARD	31404	818 NELSON DR	
MC KAY ROLAND	31523	826 NELSON DR	
MASTON LEWIS	31657	834 NELSON DR	
CASILLAS ALBERTO ESTRADA	31785	842 NELSON DR	
KRUZZ HOLDINGS LLC	31921	850 NELSON DR	
BERMEJO JUAN	32046	858 NELSON DR	
TRES DIAMOND PROPERTIES LLC	32173	866 NELSON DR	
JACKSON KEVIN L	32429	910 NELSON DR	
TORRES FRANCISCO C	32727	926 NELSON DR	
BARRON GROUP INC	32859	934 NELSON DR	
HICKMAN JOE & HELEN	32979	942 NELSON DR	
MATHEWS JAMES T	33116	950 NELSON DR	
MONTEZ JIMMY	33248	958 NELSON DR	
DOBBINS ALBERT & OLIVERA	33379	966 NELSON DR	
ATRIA L MASON & TRI OF LIFE LLC	33530	901 STEVENSON DR	
GG3 LLC ABTX1 PROTECTED SERIES	45367	534 EN 7TH ST	
MOORE BILLY BOB	46556	533 E WASHINGTON ST	
HOME EQUITY OPTIONS LLC	46675	525 E WASHINGTON ST	
ABI 180 LLC	46804	517 E WASHINGTON ST	
ROGERS TESSIE	46931	502 EN 7TH ST	
DALZELL DAVID E	50218	774 CARVER ST	
GREEN ELOUISE G	50345	766 CARVER ST	
APOLLO PROPERTIES LLC	50503	758 CARVER ST	
EDWARDS MACAYA TRUST	50640	750 CARVER ST	
WILSON ALBERT SR LF EST	50772	742 CARVER ST	
WILSON ALBERT JR & WILSON DANIEL E	50898	734 CARVER ST	
WOODS LENNOS LIN	51034	726 CARVER ST	

CORPIAN GARY LEE & MARILU LEE	51158	402 E WASHINGTON ST	
HALL ROBERT	51294	741 STEVENSON DR	
MAYA PRESTIGE HOMES LLC	51423	749 STEVENSON DR	
ROBINSON FLOYD ALLEN JR	51545	757 NELSON DR	
REAGOR CARRIE MAE	51797	773 NELSON DR	
WRIGHT MATTHEW RAY & SUMMER	51932	781 NELSON DR	
CLAY GLORIA L	52059	789 NELSON DR	
PICASO MARIA ESTHER	52306	798 NELSON DR	
VARGAS JOSE LUIS	52454	790 NELSON DR	
WILEY DORIS MEDEARIS	52586	782 NELSON DR	
PIERSON ARTHUR LEE	52714	774 NELSON DR	
PIERSON ARTHUR L SR & DORIS	52850	781 STEVENSON DR	
ABILENE CHRISTIAN UNIVERSITY	63628		
LONE STAR RAILROAD INC	64652		

LOCATION MAP



ZONING MAP





REZONE REQUEST

Case: SNC-2023-05

Owner: Atria Mason

Request: Change the name of Stevenson Drive to Atria L. Mason Drive

Location: All of Stevenson Drive between EN 10th Street to EN 7th Street

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: November 7, 2023

Council Hearing: November 16, 2023
December 7, 2023







ZONING MAP

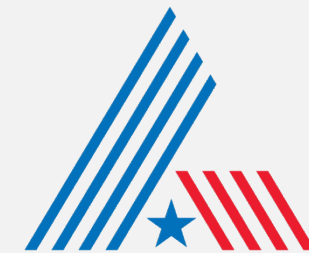


Zoning Map



Legend

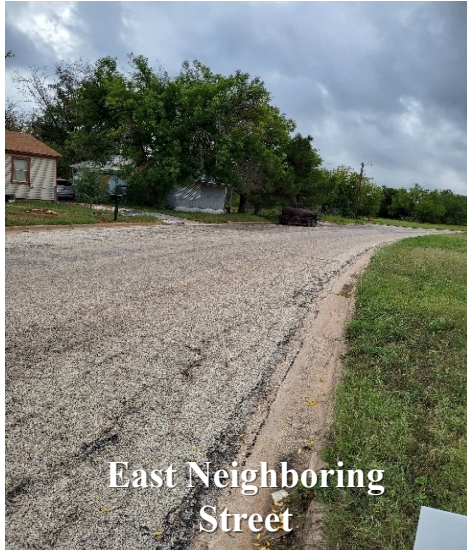
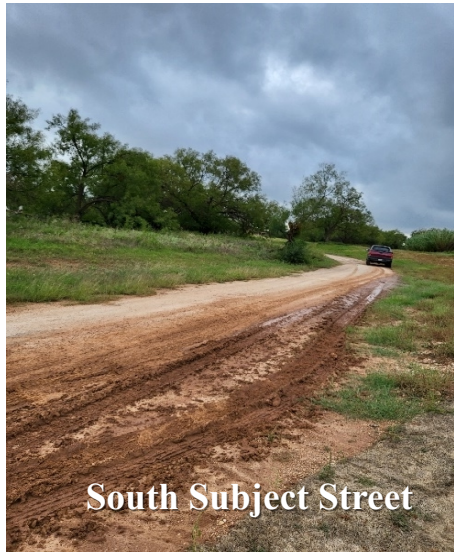
- SNC-2023-05
- Roads
- CourierParcels
- AO - Agricultural Open Space
- RS-6: Residential Single-Family
- RS-8: Residential Single-Family
- MD: Medium Density Residential
- MF: Multi-Family Residential
- CU: College/University
- NR: Neighborhood Retail
- GC: General Commercial
- LI: Light Industrial
- HI: Heavy Industrial



CITY OF
ABILENE
TEXAS

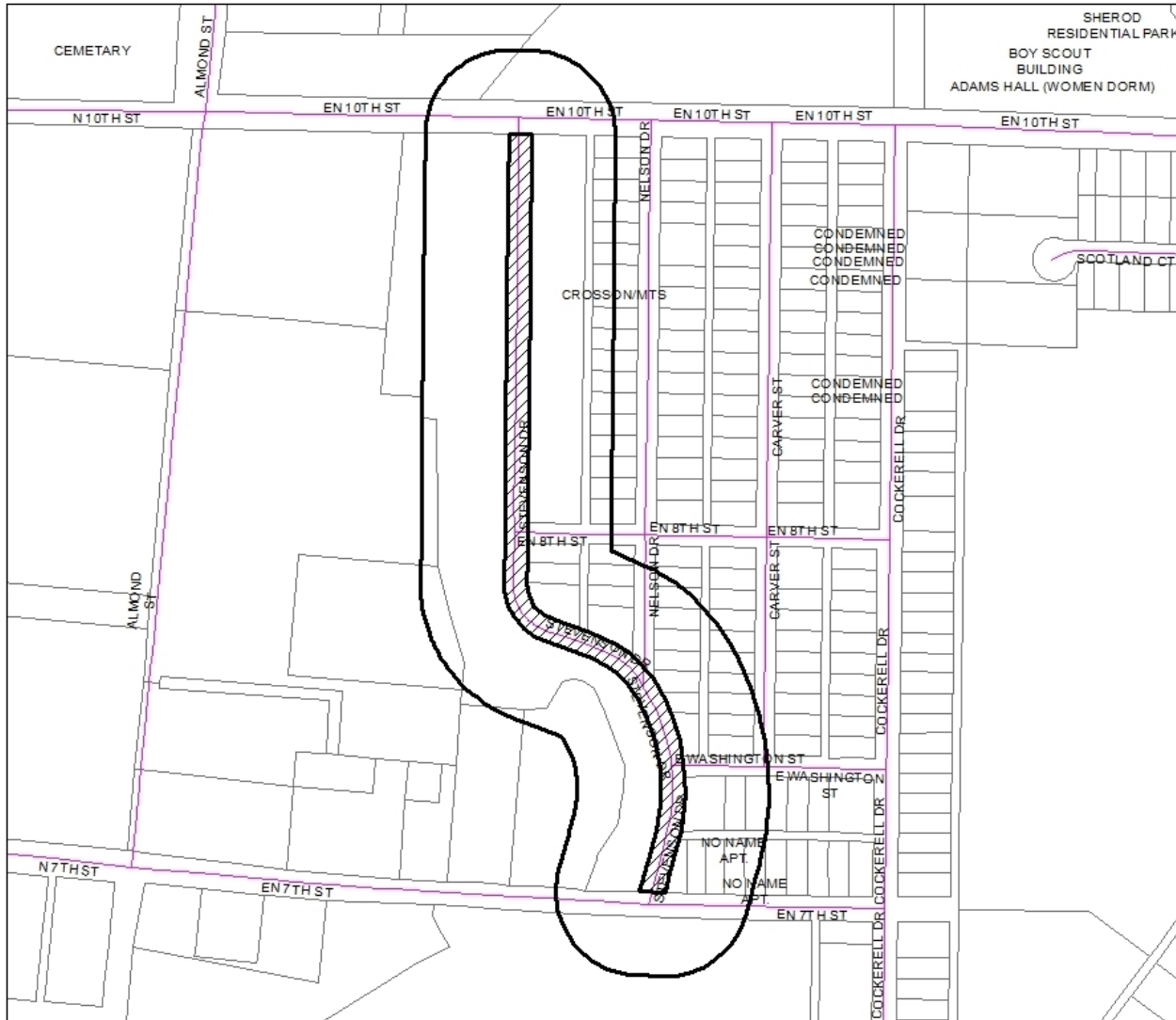


VIEWS OF SUBJECT STREET





NOTIFICATION AREA MAP



Notification Area



Legend

- Notification Area
- SN C-2023-05
- Roads
- CourierParcels

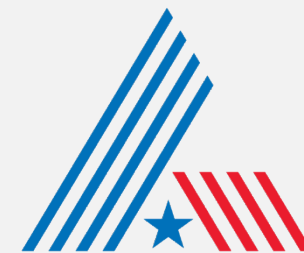
0- In Favor-



0- Opposed-



0 % OPPOSITION



CITY OF
ABILENE
TEXAS



RECOMMENDATION

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

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





Questions?



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, FOR A STREET NAME CHANGE OF STEVENSON DRIVE TO ATRIA L. MASON DRIVE, AS DESCRIBED BELOW AND CALLING A PUBLIC HEARING.

WHEREAS, it is the recommendation of the Planning and Zoning Commission of the City of Abilene that Stevenson Drive in the City of Abilene, located between East North 7th Street and East North 10th Street should be renamed; and,

WHEREAS, it is the opinion of the City Council that this street should be renamed; now, therefore,
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Stevenson Drive, as described above, be renamed and will hereafter be known as Atria L. Mason Drive.

PART 2: That the City Engineer be and is hereby authorized and directed to change his maps, plats, and records to include such name to be the proper name of the street described above.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto. PASSED ON FIRST READING this 16th day of November A.D. 2023.

PART 4: A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of October, 2022, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chambers of the City Hall in Abilene, Texas, at 8:30 a.m., on the 7th day of December, 2023 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 7th day of December, A.D. 2023.

ATTEST:

CITY SECRETARY

MAYOR
APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

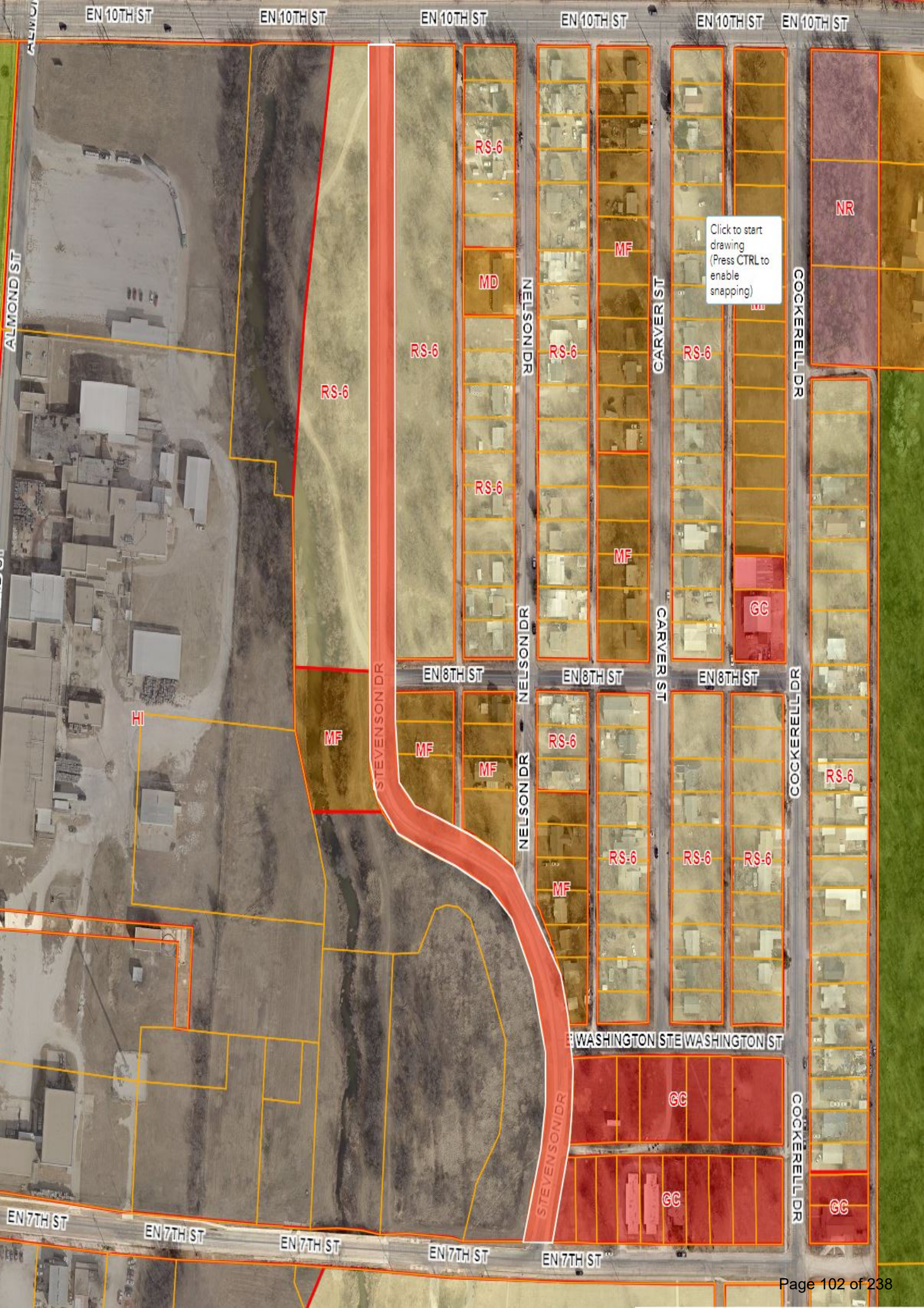
Change the name of Stevenson Drive to Atria L. Mason Drive.

Legal Description:

Stevenson Drive from East North 7th to East North 10th



-END-



Click to start drawing
(Press CTRL to enable snapping)



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: 333 Atria L. Mason Dr.
Address: 901 Stevenson Dr. Number of Lots: 18 Acreage: 2.3485
Legal Description: Meadowbrook Addn, Block 3, Lot 19-36
Subdivision Name: Meadowbrook Stevenson Park Block: 3 Lot: 19-36
Current Zoning: RS6 Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Atria L. Mason Dr., Tri of Life LLC
Address: 313 SW 14th Ave.
City, State, Zip: Mineral Wells, TX 76067 Fax: _____
Phone: 414-477-7306 Email: atriad85@gmail.com
Agent Name: Atria L. Mason
Address: 313 SW 14th Ave.
City, State, Zip: Mineral Wells, TX 76067 Fax: _____
Phone: 414-477-7306 Email: atriad85@gmail.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: Atria L. Mason Date: 9/20/23

FOR OFFICE USE ONLY

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

SEP 26 PM 3:36



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 the owner and its deeded of over two acres of land on unpaved street with no residential properties on it and before I start building on it, I would like to be named after me in honorary.

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: Meadowbrook, Stevenson Park Total Number of Acres: 2.3485
Zoning Classification(s): B56 Total Number of Lots: 18
Location: 901 Stevenson Drive, Abilene, TX 79601

Property Owner Information & Authorization

Name/Company: Atria L. Mason, Tri of Life LLC
Address: PO Box 1283
City: Mineral Wells State: TX Zip Code: 76068
Phone: 414-477-7306 Email: atriad85@gmail.com

Project Representation (check one):

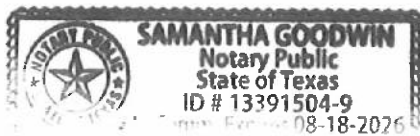
- ☒ I will represent the application myself; OR
☐ I hereby designate _____ (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all 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: Atria Mason Date: 9/20/23
STATE OF: Texas
COUNTY OF: Palo Pinto

BEFORE ME, a Notary Public, on this day personally appeared Atria Lavonne Mason
(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 20 day of September, 20 23



Samantha Goodwin
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): Atria L. Mason

Property Owner ☒ Project Representative ☐

Signature of Certifying Person: Atria L. Mason

*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

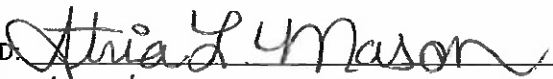
The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood 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:

09/20/23

THE STATE OF TEXAS!

COUNTY OF TAYLOR! KNOW ALL MEN BY THESE PRESENTS: That we, Ellouise C. Stevenson, the owner of Part One (1) of Stevenson Park Addition to the City of Abilene, Texas, shown on foregoing attached map, joined pro forma by her husband, J. McAllister Stevenson, subject to the provisions hereof, hereby adopt said map in so far as same covers Blocks 1, 2, 3 and 4 shown thereon and hereby dedicate for the use and benefit of the public E. North Seventh Street, East Washington Street, East North Eighth Street, Carver Street, Nelson Street, that portion of Stevenson Drive from an extension of the South line of East North Seventh Street to an extension of the North line of East North Eighth Street and that portion of Cockrell Drive from an extension of South line of East North Seventh Street to an extension of the North line of East North Eighth Street and the alleys in said Blocks 1, 2, 3 and 4 as shown on said map.

We hereby restrict the use to which said Blocks 1, 2, 3 and 4 may be put, and the character of the improvements, in accordance with a general plan, which may be erected thereon, and the restrictions herein set out are covenants running with the land, and shall be binding on us, our heirs, executors, administrators, successors and assigns and upon our grantees, their heirs, executors, administrators, successors and assigns.

1. Said Blocks shall be occupied and used for residential, school or church purposes only, and only by the Negro race, except as hereinafter set out.

2. No dwelling shall be erected, altered, placed or permitted to remain on any residential building plot other than a one-family dwelling, except as hereinafter provided.

3. The ground floor of any one-story dwelling in said Blocks shall be not less than 450 square feet. The ground floor of any dwelling other than a one-story dwelling in said Blocks shall be not less than 500 square feet. In computing the square footage of any dwelling, there shall be excluded any attached garage, breezeway or porch not enclosed by solid walls.

4. The dwelling or apartments on Lot 4, Block 4 shall front on Nelson Street; the dwelling or apartments on Lot 5, Block 4 will front West on Stevenson Drive. All other dwellings or buildings in said Blocks 1, 2, 3, and 4 shall front on the Street or Drive on which the respective lots front on which such dwellings or buildings are respectively located.

5. Said Lots and Blocks shall respectively be in the following respective Zoning Districts as set out in "The Zoning Ordinance of the City of Abilene of 1946" and amendments thereof, to wit: Lots 1 to 7 inclusive, Block 1 and Lots 11, 12, 13, Block 3, shall be in Zone "H". Lots 8 to 21 inclusive, Block 1, shall be in Zone "G". Lots 1 to 7 inclusive, Block 4, shall be in Zone "E". Lots 1 to 20 inclusive, Block 2, and Lots 1 to 10 inclusive and Lots 14 to 19 inclusive, Block 3, shall be in Zone "B".

6. All buildings placed on said lots shall be new construction erected thereon and all woodwork, both outside and inside shall have at least two coats of paint.

7. All business buildings, including hotels and rooming-houses, which may be erected and maintained on Lots 1 to 7, both inclusive, in Block 1, and Lots 11, 12, 13 inclusive, Block 3 shall be of brick, brick veneer, hollow tile with brick veneer, stucco or concrete block construction or concrete.

8. All improvements erected on any of said lots shall make provision for the disposal of sewerage and waste water as is now or may hereafter be required by the regulations of the City of Abilene with reference to property within the City Limits and must comply with the requirements of the City Ordinances relating to property situated within the limits of the City of Abilene. No surface privies shall be allowed under any circumstances.

9. No horse, cow, hog, goat or sheep or other livestock shall be kept on any of said property for any purpose; nor shall any type ^{of} fowl or animals be raised or kept thereon for commercial purposes.

10. No garage, barn or other out house, basement, shack or trailer shall at any time be used as a residence, temporarily or permanently and no structure of a temporary character shall be used as a residence.

11. The construction or maintenance of bill boards or advertising boards for the displaying, posting, printing or painting of signs or advertisements of any of the lots is prohibited, except with written consent of us, or our executors, administrators, successors or assigns.

12. If any part of the foregoing covenants should be in conflict with "The Zoning Ordinance of the City of Abilene of 1946" and amendments thereof said Zoning Ordinance and amendments thereof shall control.

13. Any of the foregoing covenants may be enforced by injunction proceedings by Ellouise C. Stevenson, her heirs, executors, administrators, successors or assigns or by any person or persons owning any interest in any lot in said Blocks 1, 2, 3 and 4; provided, however, that any such injunction proceedings shall not affect any mortgage or other lien then existing upon or against any of said property or improvements thereon, but each such mortgage or other lien shall remain in full force and effect.

14. Invalidation of any one of these covenants by judgment or order of court shall in no way affect any of the other provisions, which shall remain in full force and effect.

15. The foregoing covenants may be repealed or altered as to the lot adjacent to any Street or Drive by the vote of a three-fourths (3/4ths) majority of the owners of lots adjacent to such street or Drive.

16. Conveyances may be made of Lots in said Blocks 1, 2, 3 and 4 by describing same as being in Stevenson Park Addition to the City of Abilene, Texas.

Witness our hands this 25th day of March, 1949.

Ellouise C. Stevenson
J. McAllister Stevenson

THE STATE OF TEXAS}

COUNTY OF TAYLOR} Before me, the undersigned Notary Public in and for said County and State, on this day personally appeared J. McAllister Stevenson and Ellouise C. Stevenson, his wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed; and the said Ellouise C. Stevenson, wife of the said J. McAllister Stevenson, having been examined by me privily and apart from her husband, and having the same by me fully explained to her, she, the said Ellouise C. Stevenson, acknowledged such instrument to be her act and deed and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this 25th day of March, 1949.

John Sayles, Notary Public
in and for Taylor County, Texas

(SEAL)

CERTIFICATE OF APPROVAL OF A PLAT OR REPLAT OF
THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE

We, the undersigned, do hereby certify that the attached plat has been approved by the Board of Commissioners, the governing body of said city, as is required by Art. 974a, Vernon's Annotated Civil Statutes of Texas.

Witness our hands this 25th day of March, A. D. 1949.

B. R. Blankenship, Mayor of the
City of Abilene

(SEAL)

ATTEST: Lila Fern Martin, City Secretary

ZONING CASE Z-2023-31

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 7, 2023
City Council 1st Reading: November 16, 2023
City Council 2nd Reading: December 7, 2023

Applicant

Owner: Abilene Christian University
Agent: TJC Development and McMahon, Surovik, Suttle, PC

Case Manager

Adam Holland – Planner

Request

ACU proposes to allow single-family residential uses in PD-157 and to allow residential accessory uses and buildings.

Location

The west side of the 2500 block of North Judge Ely Boulevard.

Background

The subject property was zoned as PD-157 in 2016 to create a mixed-use development known as Allen Ridge, to allow uses in the Multi-Family (MF), Townhome (TH), and General Retail (GR) zoning districts. The applicant proposes to add single-family detached residential as a new permitted use in order to create a development multiple residential choices, similar to the Westley Court Senior Living facility. The original Concept Plan has been updated, as described in the “Addendum”, to address the neighborhood concerns from the previous Commission meeting.

At the initial Commission meeting, staff indicated that the original concept plan would require an amendment to the ordinance (22-2014) that abandoned ACU Drive. Since the amended concept plan fully complies with the ACU Drive abandonment conditions, there is no longer an issue.

If the proposed amendment is approved, the subject property will need to be platted.

Zoning, Existing and Proposed Land Use

The existing zoning of the property is a Planned Development that allows multi-family, townhomes, and general retail. The applicant proposes to add single-family residential uses to the mix.

West and north of the property are single-family detached residences. To the east is the retail portion of PD-157, which includes restaurants, hotel, and general retail uses. Abilene Christian University is located 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.**

This development is consistent with the Comprehensive Plan and Future Land Use Plan.

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

PD-157 allows virtually all residential uses, with the exception of single-family residential uses. Adding this use at the proposed location will provide an appropriate land use transition between the existing single-family subdivision to the north and the proposed higher density residential uses to the south.

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

This property has access to all required utilities.

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

In March 2014, when ACU Drive was abandoned in 2014, appropriate conditions were imposed to help to mitigate the impact of PD-157 on the neighborhood to the north. The approval of the amended Concept Plan essentially “downzones” the property that adjoins the neighborhood, which further mitigates any potential negative impacts from PD-157.

Addendum

The proposed Concept Plan has been amended to address the comments expressed by the surrounding owners at the previous Commission meeting. Below are the significant changes:

1. A private alley behind the proposed residences, with emergency access to the public alley to the north is no longer proposed.
2. A new driveway from Judge Ely Boulevard in the vicinity of Cloverleaf Lane is no longer proposed. Access to the proposed homes will be provided from the existing driveway south of Cloverleaf Lane.
3. All conditions of the 2014 abandonment of ACU Drive, namely a non-access agreement, buffer yard, and a screening fencing, relative to the alley north of PD-157, will be fully honored.

Staff Recommendation

Staff recommends **approval** of the proposed amendment to PD-157 to allow single-family residential uses and residential accessory uses subject to the following conditions, as described in the attached ordinance:

1. The amendment shall be subject to the amended Concept Plan;
2. A Type A buffer that includes a berm and vegetation shall be provided, as shown on the amended Concept Plan.

NOTIFICATIONS

Legend:
O- Opposed
F- In Favor

OWNER

Owner	Property ID	Situs	Response
ABILENE CHRISTIAN SCHOOLS	46673	2550 N JUDGE ELY BL	
ABILENE CHRISTIAN UNIVERSITY	53571	1725 ACU DR	
ADAMS RONALD	45167	2517 SUNNIBROOK CT	
ARMER ALBERT & BEVERLY DIANE	42134	2410 ROUNTREE DR	
BABER DONALD C &	45081	2502 CLOVERLEAF LN	
BAGGS TERRY W & KAREN	45154	2565 SUNNIBROOK CT	
BARTON JOHN M & MARY E	45065	849 CLOVERLEAF LN	
CAMPUS CREST AT ABILENE LP	110513	2702 N JUDGE ELY BL	
CARPENTER TOM P LF EST	42617	2426 ROUNTREE DR	
CARPENTER TOM P LF EST	42617	2430 ROUNTREE DR	
CEDILLO OSCAR S & CARLA	45169	2509 SUNNIBROOK CT	
CLEMMER BETTY R	45058	873 CLOVERLEAF LN	
CLUTE ALAN CHARLES &	44987	2433 ROUNTREE DR	
COLLINSWORTH THAD J	41885	2402 ROUNTREE DR	
CORNING CARYN	44915	2437 ROUNTREE DR	
DAVIDSON MASON & MADGE	45064	857 CLOVERLEAF LN	
DELONY ROBERT L & MIKEE C	45072	817 CLOVERLEAF LN	
DRENNAN JERRY DALE	42253	2414 ROUNTREE DR	
EARLES JAMES EDWARD &	44683	2421 ROUNTREE DR	
EDGAR STEVEN RANDALL &	44681	2409 ROUNTREE DR	
GRUBBS DONALD RAY &	225401	2505 JOHN C STEVENS ST	
HARRIS CAMILLE LF EST	45082	2510 CLOVERLEAF LN	
HOLMANS JIMMIE D & MYRA	45069	825 CLOVERLEAF LN	
ICE BERLE J	45161	2533 SUNNIBROOK CT	
JOHNSON JAKE & KRISTEN	45160		
KING BEVERLY C	45076	801 CLOVERLEAF LN	
LEPARD LOUANN	45061	865 CLOVERLEAF LN	
LONG INVESTMENTS LLC	45066	841 CLOVERLEAF LN	
MILLER AARON R & ELIZABETH A	44678	2429 ROUNTREE DR	
MIMS GREGORY & PAMELA &	45164	2525 SUNNIBROOK CT	
NEWBY CHARLES JR & SHARI	46554	2441 ROUNTREE DR	
PHIPPS MICHAEL	45075	809 CLOVERLEAF LN	

ROBERSON CHARLES W & GEORGAN	42891	2434 ROUNTREE DR	
ROBERTS REV LIVING TRUST	45057	881 CLOVERLEAF LN	
STRADER ROYE SUE	42499	2422 ROUNTREE DR	
SWAG ASSETS LLC	42013	2406 ROUNTREE DR	
TINKLER LOUISE S LF EST	45157	2557 SUNNIBROOK CT	
TROCHE JOSE & JOAN ELIZABETH	45134	2502 SUNNIBROOK CT	
WEST TEXAS UTILITIES CO	68246	1902 GRIFFITH RD	
WHITAKER ROBERT H & DANA	45130	2501 CLOVERLEAF LN	
WILLIAMS LINDA M	45171	2501 SUNNIBROOK CT	

PROPERTY ID

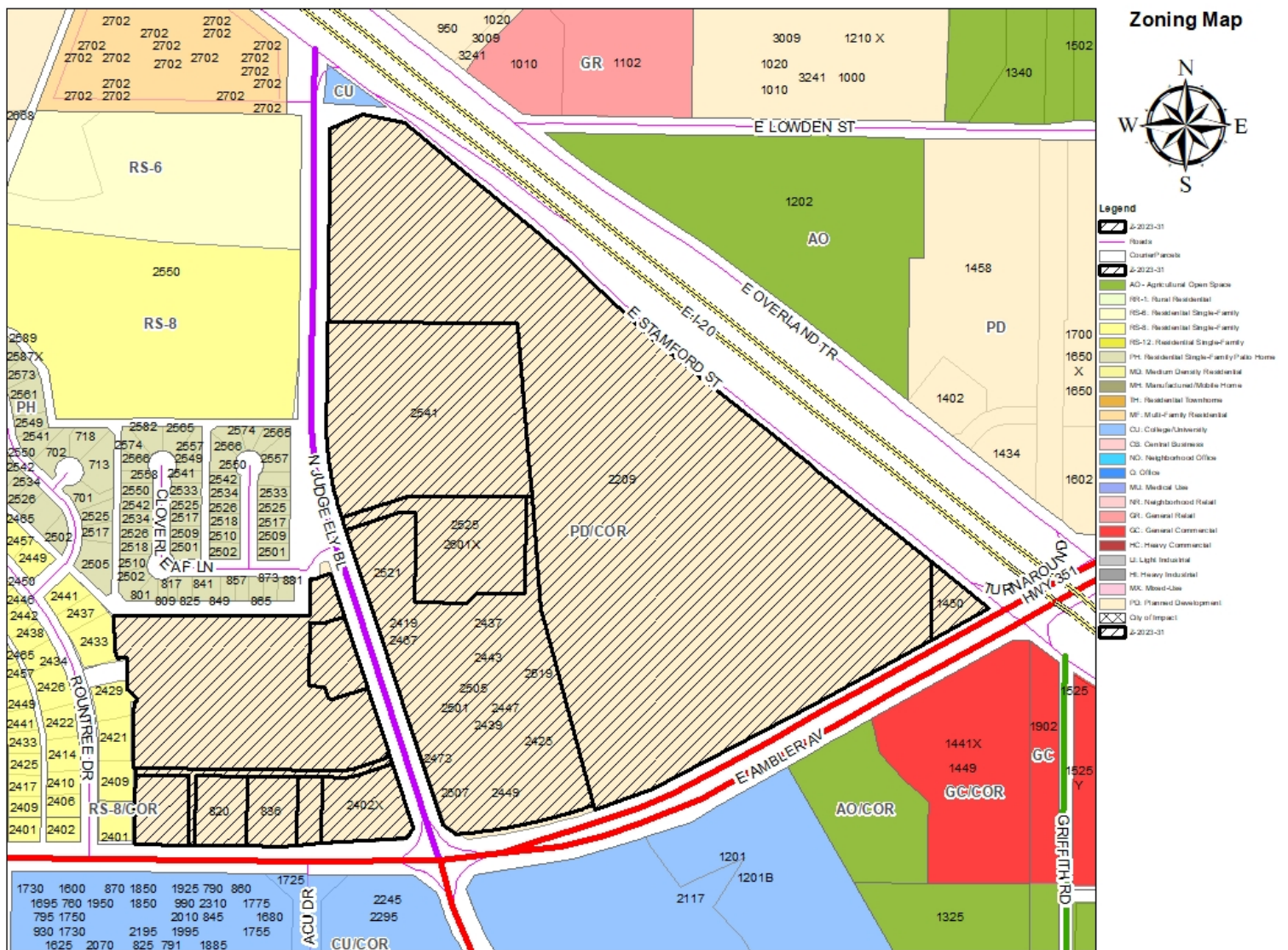
Owner	Property ID	Situs	Response
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SWAG ASSETS LLC	42013	2406 ROUNTREE DR	
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CAMPUS CREST AT ABILENE LP	110513	2702 N JUDGE ELY BL	
GRUBBS DONALD RAY &	225401	2505 JOHN C STEVENS ST	

LOCATION MAP



ZONING MAP



Case # Z-2023-31
October 25, 2023



REZONE REQUEST

Case: Z-2023-31(Tabled)

Owner: Abilene Christian University

Agent: TJC Development
McMahon Surovik Suttle, PC

Request: Amend the terms of PDD-157

Location: 2500 Block of North Judge Ely Blvd.

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: November 7, 2023

Council Hearing: November 16, 2023
December 6, 2023





AERIAL LOCATION MAP

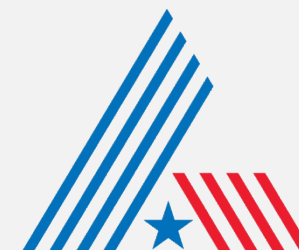


Aerial Map



Legend

- Z-2023-31
- Roads
- Z-2023-31
- Z-2023-31



CITY OF
ABILENE
TEXAS



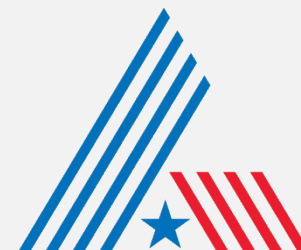
ZONING MAP



Zoning Map



- Legend**
- 2-2023-31
 - Roads
 - County/Parcels
 - 2-2023-31
 - AO - Agricultural Open Space
 - RS-6 - Rural Residential
 - RS-8 - Residential Single-Family
 - RS-12 - Residential Single-Family
 - PH - Residential Single-Family/Patio Home
 - MD - Medium Density Residential
 - MM - Manufactured/Mobile Home
 - RM - Residential Townhome
 - MP - Multi-Family Residential
 - CU - College/University
 - CB - Central Business
 - NO - Neighborhood Office
 - O - Office
 - MU - Medical Use
 - RI - Neighborhood Retail
 - GR - General Retail
 - GC - General Commercial
 - HC - Heavy Commercial
 - LI - Light Industrial
 - HI - Heavy Industrial
 - MA - Mixed-Use
 - PD - Planned Development
 - City of Impact
 - 2-2023-31



CITY OF
ABILENE
TEXAS



VIEWS OF SUBJECT PROPERTY



Subject Property



East Neighboring Property



South Neighboring Property



Subject Property



East Neighboring Property



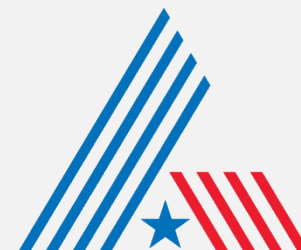
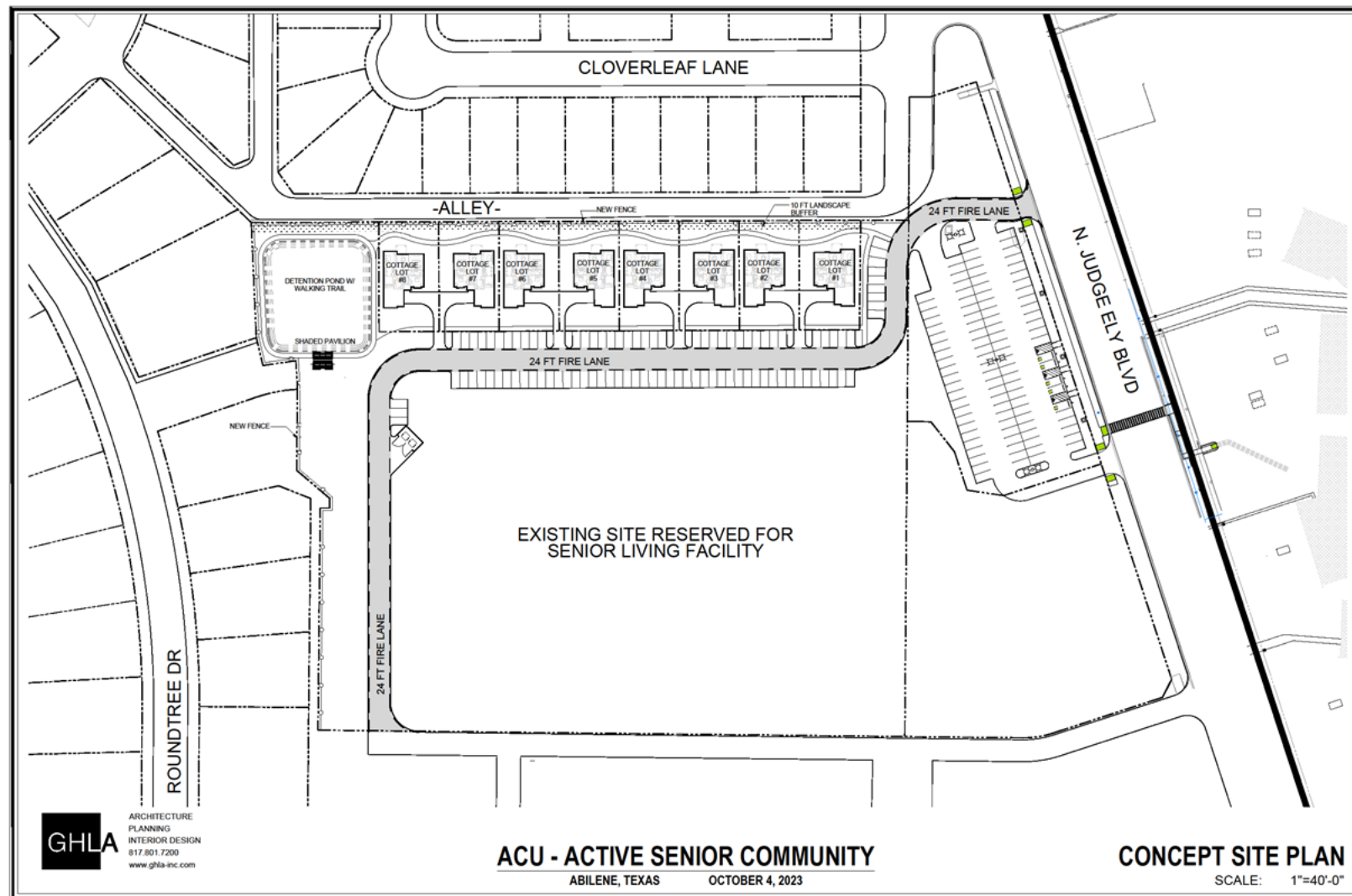


SIMILAR ACTIVE SENIOR DEVELOPMENT





AMENDED CONCEPT PLAN



CITY OF
ABILENE
TEXAS



AMENDED CONCEPT PLAN

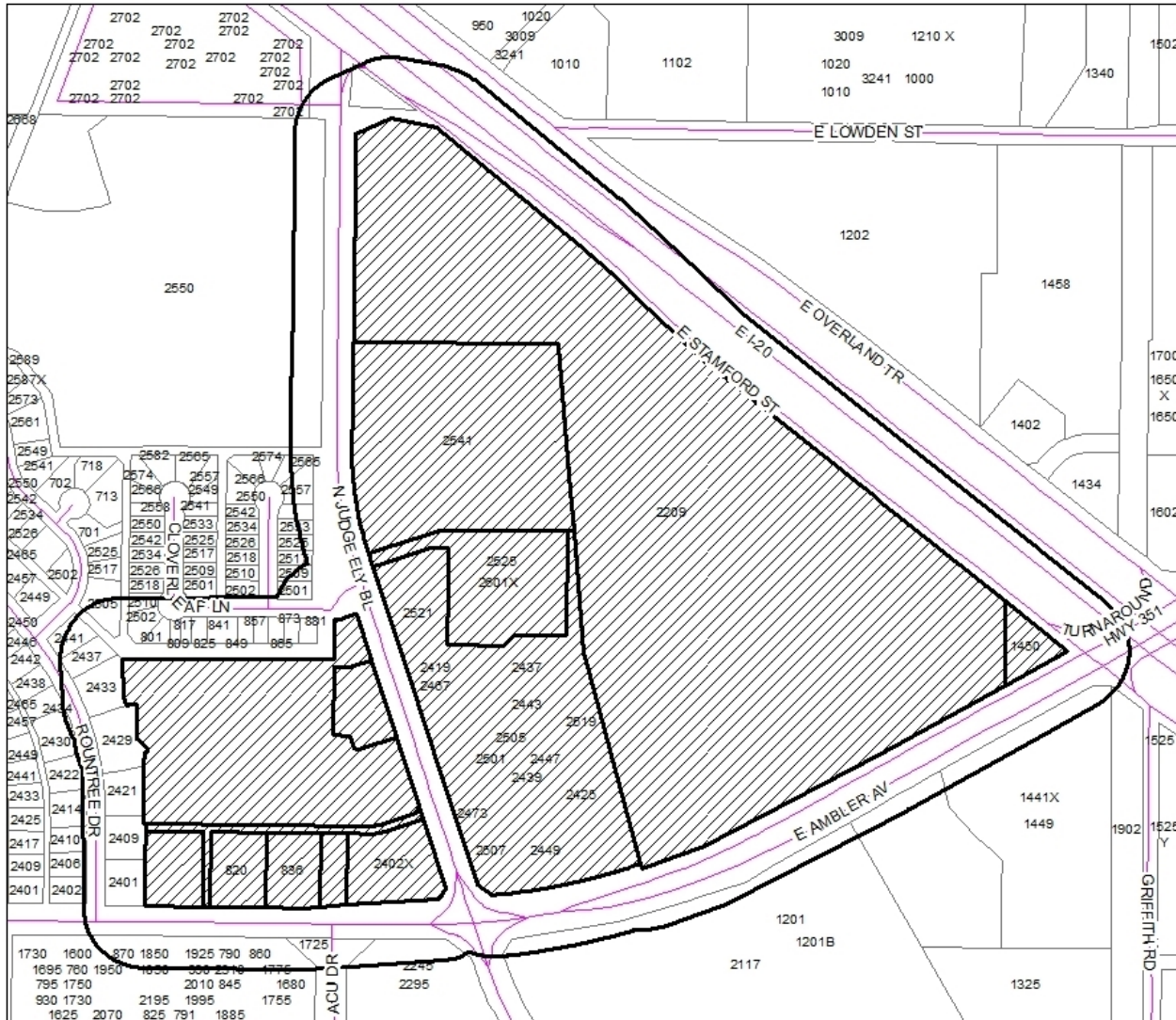
Below are the major changes to the Concept Plan:

1. A private alley behind the proposed homes that provides emergency access to the alley to the north is not proposed.
2. A new driveway off Judge Ely Blvd. near Cloverleaf Lane is no longer proposed. Access will be provided from an existing driveway farther south of Cloverleaf Lane.
3. All conditions of the 2014 abandonment of ACU Drive, namely a non-access agreement, buffer yard, and a screening fence will be fully honored.

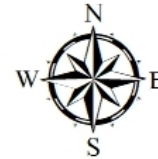




NOTIFICATION AREA MAP



Notification Map



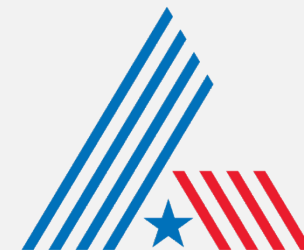
Legend

- Z-2023-31
- Buffer (Not affected)
- Roads
- Courier Parcels

0- In Favor-

0- Opposed-

0 % OPPOSITION



CITY OF
ABILENE
TEXAS



FINDINGS

The proposed request is consistent with:

- The spirit and intent of PDD-157;
- Comprehensive Plan;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.





RECOMMENDATION

Staff Recommendation: **Approval**, subject to the following conditions:

1. The amendment shall be subject to the amended Concept Plan;
2. A Type A buffer yard shall be provided, as shown on the amended Concept Plan.





Questions?



July 5, 2023

Sent via Hand Delivery

City of Abilene
Planning and Development Services
555 Walnut Street
Abilene, Texas 79601

RE: Amendment to Planned Development District No. 157 ("PD-157") under Zoning Ordinance No. 44-2016 (the "Ordinance")

Planning and Development Services:

This law firm represents Abilene Christian University ("ACU") in connection with the request for amendment of PD-157 restrictions related to the Village at Allen Ridge development project. Enclosed with the letter please find the following:

1. Development Application form;
2. Owner Authorization and Representative Designation forms;
3. Disclosure of Interest form;
4. Concept Site Plan;
5. Check in the amount of \$1,000 for the Planned Development District amendment application fee.

Presently, zoning and use regulations established in the Ordinance for PD-157 (the "*Regulations*") allow general retail, multi-family, and townhouse uses. ACU contemplates constructing single-family residences within PD-157 to the south of the existing residential single-family subdivisions to the west of Judge Ely Blvd. However, although the Regulations contemplate residential development, the Regulations do not allow single-family residences. Additionally, the Regulations mandate 60-foot side and rear setbacks abutting residential single-family districts to the west of Judge Ely Blvd as specified in Part 7, Section 2(A)(3) of the Ordinance and as depicted in the attached Concept Site Plan (the "*Setback*"). Accordingly, ACU requests an amendment to the zoning restrictions for PD-157, allowing development as shown on the Concept Site Plan, to (1) allow use as Single-Family Residential Patio Homes and Residential Single-Family – 6,000 sq. ft. lots; and (2) apply the setback restriction only to uses other than single-family residential use.

Specifically, ACU requests that the current codification of the Ordinance be modified as follows:

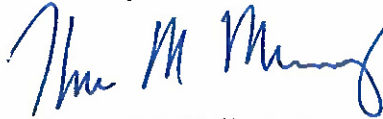
1. Part 6: After "MF (Multi-Family)," add "PH (Single-Family Residential Patio Home), RS-6 (Residential Single-Family – 6,000 sq. ft. lots)";

2. Part 7, "Specific Modifications": After "MF (Multi-Family)," add "PH (Single-Family Residential Patio Home), RS-6 (Residential Single-Family – 6,000 sq. ft. lots)";
3. Part 7, Section 1: After "MF (Multi-Family)," add "PH (Single-Family Residential Patio Home), RS-6 (Residential Single-Family – 6,000 sq. ft. lots)";
4. Part 7, Section 2(A)(3): This section be stricken and replaced with the following:

"60' Side and Rear Setbacks abutting Residential Single-Family Districts to the West of Judge Ely Boulevard to provide additional privacy for the existing adjacent residential uses, except that these setbacks shall not apply to any use of the specified areas for single-family residential use, including PH (Single-Family Residential Patio Home) and RS-6 (Residential Single-Family – 6,000 sq. ft. lots) use."

Thank you for your consideration of this submission. ACU appreciates the ability to work with the City to bring the Allen Ridge development project to Abilene and looks forward to continuing to further its development to the benefit of the City. If you have any questions related to this amendment request, please do not hesitate to contact me at the information provided above.

Sincerely,



Thomas M. "Mike" Murray
Attorney at Law

TMM/rr

cc: Abilene Christian University

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: The Village at Allen Ridge (PD-157)

Address: _____ Number of Lots: _____ Acreage: _____

Legal Description: ACU Drive Addition, Block A, Lot 1; A0956 SUR 24 B A L SW/4, Acres 84.23; A0956 SUR 24 B A L SW/4, Acres 0.35

Subdivision Name: The Village at Allen Ridge Block: _____ Lot: _____

Current Zoning: PDD (GR, MF, GH) Proposed Zoning (if applicable): PDD (GR, MF, GH, PH, and RS-6)

OWNER AND AUTHORIZATION

Owner Name: Abilene Christian University

Address: 1600 Campus Court

City, State, Zip: Abilene, Texas 79699

Phone: 325-674-2000

Agent Name: Tony J Chron, TJC Development, LLC

Address: 322 Hearthstone Lane

City, State, Zip: Coppell, Texas 75019

Phone: 214-771-6300

Fax: _____

Email: _____

Additional Agent:

Mike Murray, McMahon Surovik Suttle, PC

P.O. Box 3679, Abilene, Texas 79604

Fax: Phone: 325-676-9183 Email: mmurray@mss.law

Email: tchron@transitiondevelopment.net

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: _____

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

The current Planned Development zoning provides for general retail, multi-family, and townhouse uses. Applicant seeks to (1) add the zoning uses of Single-Family Residential Patio Home (PH) and Residential Single-Family -- 6,000 sq. ft. lots (RH-7); and (2) remove the sixty-foot (60') setbacks specified in Ordinance 44-2016, Part 7, Section 2.3, for residential purposes. Accordingly, Applicant requests an amendment of the Official Zoning District Map codification of Ordinance No. 44-2016.

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, generally. The Comprehensive Plan policies and land use contemplate use of the property for residential purposes.

Applicant seeks this amendment to allow construction of single-family residences.

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?

(a) Yes, residential use is permitted generally in the current PD usage provisions, and will be allowed in the location desired by Applicant after the proposed amendments.

(b) Yes, the standards applicable to single-family residences are appropriate in the PD, including in the area that now encompasses the referenced 60' setbacks

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?

Yes, because the existing PD plan already contemplates residential construction in this general area.

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

No such factors are known by Applicant at this time.

Other Required Forms - Disclosure of Interest (See Attached)

2023 Development Application

Owner Authorization and Representative Designation

Property Description

Subdivision: The Village at Allen Ridge (PD-157) Total Number of Acres: appx. 85
 Zoning Classification(s): GR, MF, TH Total Number of Lots: _____
 Location: near Judge Ely Blvd. and Ambler Avenue

Property Owner Information & Authorization

Name/Company: Abilene Christian University
 Address: 1600 Campus Court
 City: Abilene State: TX Zip Code: 79699
 Phone: 325-674-2000 Email: kelly.young@acu.edu

Project Representation (check one):

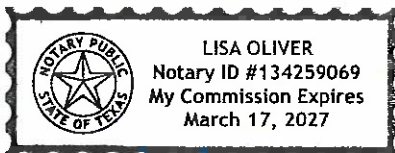
- ☐ I will represent the application myself; OR
☒ I hereby designate Tony J. Chron (TJC Development, LLC) (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact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

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

Property Owner's Signature: [Signature] Date: 6/29/23
 STATE OF: Texas
 COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared Kelly Young
 (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 June, 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): Master Developer

Name: Tony Chron Company: TJC Development, LLC
 Address: 322 Hearshstone Ln. City: Coppell State: TX
 Zip Code: 75019 Number: 214.616.7919 Email: tchron@transitiondevelopment.net

2023 Development Application

Owner Authorization and Representative Designation

Property Description

Subdivision: The Village at Allen Ridge (PD-157) Total Number of Acres: appx. 85
 Zoning Classification(s): GR, MF, TH Total Number of Lots: _____
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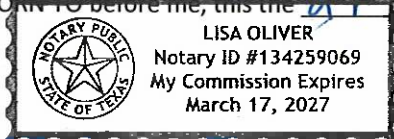
- ☐ I will represent the application myself; OR
☒ I hereby designate Mike Murray, McMahon Surovik Suttle, PC (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

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

Project Representative Information (complete if designated by owner)

☐ Engineer ☐ Purchaser ☐ Tenant ☐ Preparer ☒ Other(specify): Master Developer

Name: Tony Chron Company: TJC Development, LLC
 Address: 322 Hearthstone Ln. City: Coppell State: TX
 Zip Code: 75019 Number: 214-616-7914 Email: tchron@transitiondevelopment.net
Thomas M. "Mike" Murray, McMahon Surovik Suttle, PC
P.O. Box 3679, Abilene, Texas 79604
(325) 676-9183 mmurray@mss.law

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.

Kyle McAlister ; Shane Price

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

Mr. McAlister's wife, Amy, works for ACMA.

Mr. Price lives in Country Meadows, adjacent to the property requested for changes.

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): Kelly C. Young, Vice President of ACMA, Agent for Abilene Christian University

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

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

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

PART 1: That the following described portion of a Public Right of Way, as described on Exhibit "A," attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned, subject to conditions as stated in Exhibit A.

PART 2: That said portion of a Public Right of Way is not needed for public purposes and it is in the public interest of the City of Abilene to abandon said described portion of a Public Right of Way.

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

PASSED ON FIRST READING this 27th day of March, A.D. 2014.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 14th day of February, 2014, the same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final reading.

PASSED ON FINAL READING THIS 10th day of April, A.D. 2014.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

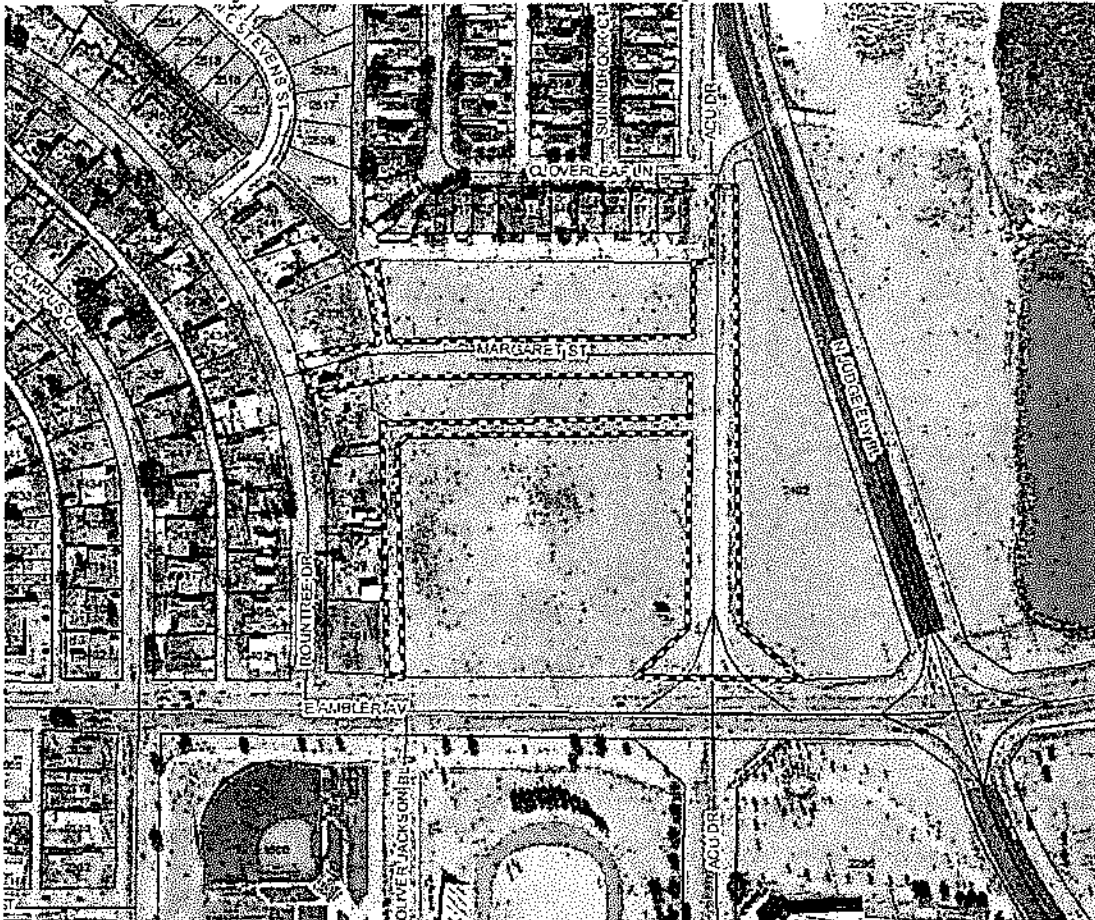
CITY ATTORNEY

ORDINANCE NO. 22-2014

EXHIBIT "A"

The City of Abilene hereby abandons: ACU Drive north of Ambler Avenue, abandon Margaret Street, and abandon the adjacent alleys totaling approximately 1,200 feet.

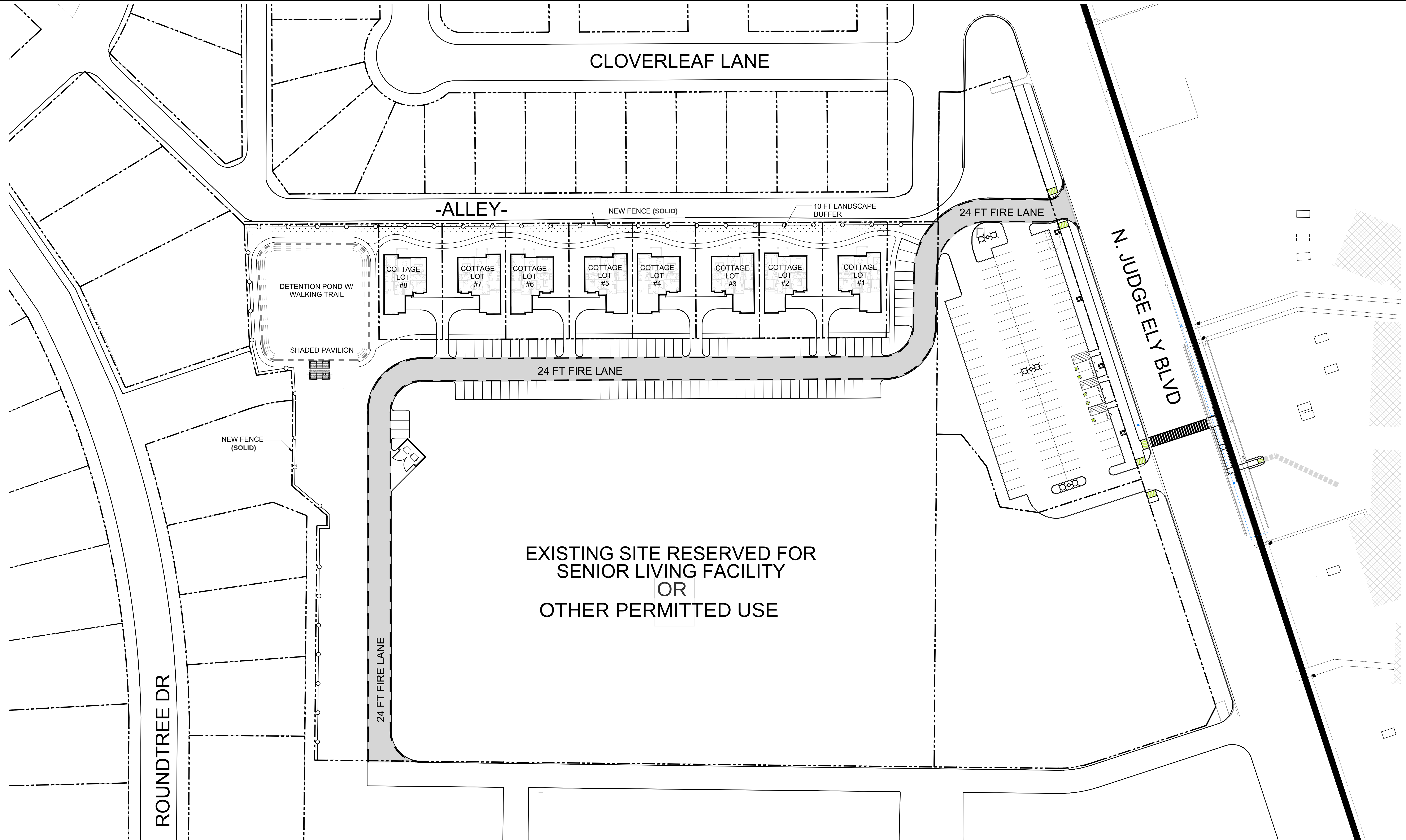
All Public Right of Way as indicated and shown in the map below within the dashed area:



With the following conditions:

1. Utility Easements shall be required for existing public and private utilities (i.e., gas, phone, electricity, water & sewer) or relocation shall be the responsibility of the applicant.
2. Address the alley connection to Cloverleaf Ln and street alignment of Cloverleaf Ln to N. Judge Ely Blvd.
3. A "No Access Easement" shall be required along the south side of the southern alley in the Cloverleaf Subdivision. A 7', solid fence shall be required upon development of the property adjacent to the alley.
4. The applicant must replat within 12 months, at which time any issues regarding access to utilities and/or relocation of utilities will be resolved. The replat must not create any non-conforming lots.

-END-



AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-157 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

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

PASSED ON FIRST READING this 25th day of August A.D. 2016.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of August, 2016, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 p.m., on the 8th day of September, 2016, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 8th day of September, A.D. 2016.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

Exhibit "A"

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in possession of the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development shall be in accordance with any maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development, which are hereby incorporated by reference and included as part of this ordinance. All use and development within the Planned Development must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Abilene Municipal Code, part known as the Land Development Code of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From CU/COR (Neighborhood Retail/Corridor Overlay) to PD/COR (Planned Development/Corridor Overlay) zoning.

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

PART 5: Legal Description. The legal description of this PD is as follows:

ACU DRIVE ADDITION, BLOCK A, LOT 1

A0956 SUR 24 B A L SW/4, ACRES 84.23

A0956 SUR 24 B A L SW/4, ACRES 0.35



Location:

The northeast & the northwest corners of Ambler Avenue & N. Judge Ely Boulevard
2209 N JUDGE ELY, 1450 E AMBLER AV

PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for GR (General Retail), MF (Multi-Family), and TH (Town House) uses, mixed-use development encompassing, office, restaurant retail, multi-family housing, single family residential and parks at the property. Additionally, the conditions shown in the attached exhibits.

PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the GR (General Retail), MF (Multi-Family), and TH (Town House) zoning districts, except as modified below:

1) PERMITTED USES:

- a. All the land uses permitted in the GR (General Retail), MF (Multi-Family), and TH (Town Home) districts. MF (Multi-Family) shall be allowed in GR (General Retail).

2) DEVELOPMENT REGULATIONS:

A. Setbacks

1. 0' Setback along Judge Ely Boulevard to accommodate ground floor street-oriented retail.
2. 10' Setback along Ambler Avenue.
3. 60' Side and Rear Setbacks abutting Residential Single-Family Districts to the West of Judge Ely Boulevard to provide additional privacy for the existing adjacent residential uses.

B. Height

1. Height approved to not more than 4 stories (55 feet) on the West side of Judge Ely Boulevard, and 4 stories (55 feet) and 7 stories on the East side of Judge Ely Boulevard

C. FAR. 2:1 FAR to accommodate a pedestrian-oriented mixed use district.

D. Landscaping

1. 10' Landscaped buffer along Ambler Avenue to satisfy the COR overlay requirements.
2. Waiving of Landscape requirements along property lines adjacent to a street where ground floor retail is provided to accommodate street oriented retail.

E. Multi-Family. All Multi-family per the Residential Multiple-Family (MF) Standards with the following exceptions:

1. 10' front setback to accommodate for a more urban frontage condition.
2. 60' side and rear setbacks abutting Residential Single-Family Districts to provide additional privacy for the existing adjacent residential uses.
3. Buildings longer than 200' are permitted with approval of the Planning Director upon recommendation of the Development Review Committee provided there is adequate relief on the façade.
4. 30 units permitted per acre.

F. Townhomes. All Townhomes per the Residential Townhome (TH) District with the following exceptions:

1. 25' x 75'; 1875 s.f. minimum lot size to accommodate for a smaller, more urban townhome product.
2. 10' Front Setback to accommodate a more urban frontage.
3. 5' Rear Setback along an alley to accommodate a more urban alley condition.

3) SIGNAGE: Signage within this Planned Development District shall generally comply with provisions and limitations of sign regulations adopted by the City of Abilene and

ORDINANCE NO. _____

EXHIBIT "A"

PAGE 4

generally applicable to General Retail zoning districts, except as modified in attachment labeled "Exhibit B" Comprehensive Sign Plan.

-END-

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-157 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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PASSED ON FIRST READING this 25th day of August A.D. 2016.

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PASSED ON SECOND AND FINAL READING THIS 8th day of September, A.D. 2016.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 44-2016

Exhibit "A"

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in possession of the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

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ORDINANCE NO. 44-2016
EXHIBIT "A"
PAGE 2

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ACU DRIVE ADDITION, BLOCK A, LOT 1
A0956 SUR 24 B A L SW/4, ACRES 84.23
A0956 SUR 24 B A L SW/4, ACRES 0.35



Location:

The northeast & the northwest corners of Ambler Avenue & N. Judge Ely Boulevard
2209 N JUDGE ELY, 1450 E AMBLER AV

PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for GR (General Retail), MF (Multi-Family), and TH (Town House) uses, mixed-use development encompassing, office, restaurant retail, multi-family housing, single family residential and parks at the property. Additionally, the conditions shown in the attached exhibits.

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E. Multi-Family. All Multi-family per the Residential Multiple-Family (MF) Standards with the following exceptions:

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2. 60' side and rear setbacks abutting Residential Single-Family Districts to provide additional privacy for the existing adjacent residential uses.
3. Buildings longer than 200' are permitted with approval of the Planning Director upon recommendation of the Development Review Committee provided there is adequate relief on the façade.
4. 30 units permitted per acre.

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ORDINANCE NO. 44-2016
EXHIBIT "A"
PAGE 4

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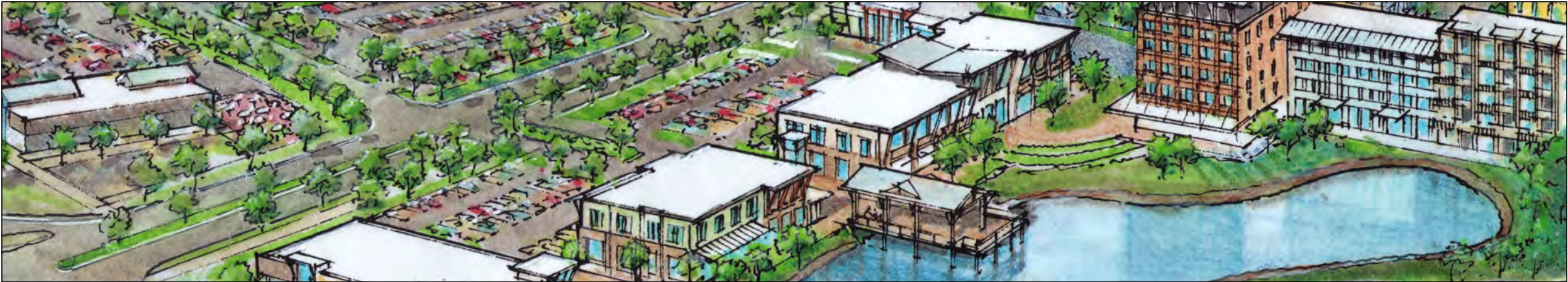
-END-

COMPREHENSIVE SIGN PLAN



The Village at Allen Ridge





TENANT SIGNAGE CRITERIA

Project Description:

The Village at Allen Ridge is a first class open-air retail development that preserves the essence of its natural surroundings. The Village at Allen Ridge will transcend conventional mixed-use developments; it will be constantly alive with activity and commerce. It will contain 180,000 square feet of inspired mixed-use space.

Purpose of Tenant Signage Design Criteria:

This Signage Design Criteria is provided to guide designers, architects, and Tenants in the development of Tenant identity signs at Village at Allen Ridge.

A. The objectives are:

- To generate varied and creative Tenant signage through application of imaginative design treatments and distinctive logos and tpestyles.
- To establish signage as a design element that contributes to a “shopping district” environment unique to Village at Allen Ridge.
- To provide standards of acceptability for signs in order to facilitate the review and approval process.

B. A map of designated areas is located on the Tenant Signage Zoning Plan. Tenants and their designers are to refer to that map and select a combination of at least two sign types, and no more than three, from the designated district assigned to their store.

Tenant Signage Within Village at Allen Ridge, Abilene:

All Tenants are encouraged to push the boundaries and design exciting signage. Every signage submission approval is at the discretion of the Landlord and the Landlord may approve signage that exceeds the limits listed in the following criteria on a case-by-case basis. Tenants are required to use LED type lighting in their signage where the lighting source will be hidden from view.

The Tenant signage for Village at Allen Ridge is divided into five (5) distinct “districts” to assist the Tenant in choosing the appropriate signage type, location, and quantity for their identity. All stores and their corresponding elevations fit within a particular district. Please refer to the included Tenant Zoning Plan for the location.

All tenants in each district must abide by signage height restrictions, reference sheet 3 of 20

Tenant Signage Allowed Within Each District:

The Tenants in each district must have certain required sign types. They are listed below. In addition to the two required sign types, Tenants are allowed to have signs selected from the “optional” signage in the indicated areas. A maximum selection of three sign types are allowed per Tenant, as noted in the zone descriptions below.

If a tenant has two distinct retail concepts and a separate entrance for each concept, they are allowed a sign above each entrance. The two concepts will be viewed independently and linear foot of storefront will be calculated based upon demising wall or other significant interior transition between the two concepts.

Variations away from these designated areas need approval from the Landlord prior to being submitted to the City for permit. The maximum allowable square footage area of each sign is to be determined based on the lineal frontage of the storefront, it's location in The Village at Allen Ridge.

Tenants Located in Multiple Districts: When a Tenant's façade is located in multiple signage “districts”, each particular façade is dictated by the regulations for that district.

Note: A separate sign permit is required from the City of Abilene prior to installation. All signs require review by the City of Abilene Architectural Review Committee.

A. Shops District Signage Guidelines:

The Shops District is premium retail in an inviting environment characterized by quality materials, soft light, natural materials and external illumination. A sense of quality is reinforced through a careful attention to scale.

The primary viewing of the Tenant signage will be from the pedestrian areas. As such, Tenant signage should respond to the appropriate scale. Tenant logos will be encouraged and are recommended. To ensure variety in the district, adjacent Tenants will be required to use different sign types, materials, and colors.

Allowable Sign Types:

- Primary Signage: REQUIRED
 - Reverse pan channel halo lit individual dimensional letters with LED type lighting – OR –
 - Dimensional letters, externally illuminated with projecting fixtures i.e. goose neck – OR –
 - Canopy sign
- Secondary Signage: REQUIRED
 - Blade sign
- Optional Signage:
 - Wall mounted plaques
 - Identity on valance of awning

FRONT ELEVATION. Each tenant is allowed 40 square feet regardless of the lineal foot of frontage of the tenant space . Each linear foot of tenant space frontage in excess of twenty-five (25) feet will be allowed one point six (1.6) square feet of additional sign area.

BACK ELEVATION. Tenant will be allowed 80% of the front elevation total allowable square footage.

B. Office District Signage Guidelines:

Located on the second level, over the retail signage, the office signage will be understated and elegant. As such, non-illuminated signage will be the primary signage option. Office signage will only be allowed for Tenants with over 4,000 square feet of leased area.

Allowable Sign Types:

- Primary Signage:
 - Non-illuminated dimensional letters

Signage Calculation Guidelines:

FRONT ELEVATION. For tenants over 4,000 square feet of leased area, tenant is allowed 40 square feet regardless of the lineal foot of frontage of the tenant space . Each linear foot of tenant space frontage in excess of twenty-five (25) feet will be allowed one point six (1.6) square feet of additional sign area.

BACK ELEVATION. Tenant will be allowed 80% of the front elevation total allowable square footage.

The Village at Allen Ridge

Design #	
0612846AR5	
Sheet	2 of 18
Location	
The Village at Allen Ridge	
Address	
ABILENE, TEXAS	
Acct. Rep.	STAN MACRUM
Coordinator	NICOLE VANCE
Designer	P. AGUIAR
Date	05/20/16
Approval / Date	
Client	
Sales	
Estimating	
Art	
Landlord	
Engineering	
Revision / Date	
R1(05/27/16)PA: CHANGES TO GUIDELINES	
R2(06/01/16)PA: REVISED TENANT GUIDELINES, ADDING MORE RULES ABOUT FREESTANDING SIGNS AND TENANT LETTER / LOGO SIGN HEIGHTS PER SQUARE FOOTAGE OF LEASED.	
R3(6/13/16)PA: REVISED DIRECTIONAL DESIGN: DELETED LOCATION OF "D" NEAR PAVILLION TO THE ENTRY ISLAND AT PAVILLION; ADDED MONUMENT "M" TO ENTRANCE AT ACU DRIVE; ADDED "F" FUEL SIGN.	
R4(6/21/16)PA: ADDED INFORMATIONAL BANNERS (ACU BRANDED / COMMUNITY BRANDED); ADDED TO LIST OF PROHIBITED SIGNAGE, PORTABLE SIGNS; TOOK OUT SHEETS 9 & 10 AND SHOWED SITE PLAN WITHOUT LANDSCAPE DETAILS.	
R5(6/24/16)PA: REVISED SPECIFICATIONS ON DIRECTIONALS ON SHEET 3 OF 18; REMOVED SKEWS FROM SITE PLANS ON SHEETS 5,7,8.	



Chandler Signs
Brand Image Begins Here.

3201 Manor Way 214-902-2000	Dallas, TX 75235 Fax 214-902-2044
17319 San Pedro, Ste 200 210-349-3604	San Antonio, TX 78232 Fax 210-349-8724
963 Baxter Avenue, Ste 200 502-479-3075	Louisville, KY 40204 Fax 502-412-0013
2584 Sand Hill Point Circle 863-420-1100	Davenport, FL 33837 Fax 863-424-1160
37 Waterfront Park Court 800-851-7062	Dawsonville, GA 30534 Fax 210-349-8724
P.O. Box 125, 206 Doral Drive 361-563-5599	Portland, TX 78374 Fax 361-643-6533
1335 Park Center Drive, UNIT C 760-967-7003	Vista, CA 92081 Fax 760-967-7033

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FINAL ELECTRICAL CONNECTION BY CUSTOMER



THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGN WILL BEAR UL LABEL(S).

C. Out Parcel District Signage Guidelines:

The out-parcel zone is comprised of mainly freestanding Tenants. The energy of the signage will help draw the customer to the out-parcel perimeter locations, thus the need for vibrant colors, dimensional signage, and multiple signs.

Allowable Sign Types:

- 1. Primary Signage: REQUIRED
 - a. Reverse pan channel halo lit individual dimensional letters with LED type lighting – OR –
 - b. Dimensional letters, externally illuminated with projecting fixtures i.e. goose neck
- 2. Secondary Signage: REQUIRED
 - a. Blade sign
- 3. Optional Signage:
 - a. Wall mounted plaques
 - b. Identity on valance of awning
 - c. Canopy sign

Allowable area for primary sign on front elevation is based upon below calculations.

FRONT ELEVATION. Each tenant is allowed 40 square feet regardless of linear foot of frontage of the tenant space. Each linear foot of tenant space frontage in excess of twenty five (25) feet will be allowed one point six (1.6) square feet of additional sign area.

BACK/SIDE ELEVATIONS. If the tenant chooses to only have two wall signs, the area of the secondary wall sign is allowed to be no greater than the primary sign. If tenant chooses to have three wall signs, the area of each secondary sign is allowed to be no greater than 70% of the primary sign.

All Tenants in the Shops / Office / Outparcel Must Comply with Maximum Logo / Letter Heights in chart referenced below:

Tenant Building Square Footage	Maximum Letter/Logo Height Allowed
0 - 2,499	24"
2,500 - 4,999	30"
5,000 - 9,999	36"

D. Power Center District Signage Guidelines:

The Power Center District is primarily occupied by large nationally known retailers. tenants are allowed slightly larger signage and the implementation of a vertical marquee type is encouraged and size will be as approved by Landlord and as negotiated in the lease.

Blade signs are allowed. See exhibit E (Pag. 5) for allowed sign area in Power Center District. Blade signs are not included in the square footage calculation detailed in Exhibit.

Total sign area (Per tenant Space) is 20% of the area of the wall in which the sign is attached.

End caps are allowed a sign on front elevation and either side or back elevation, in-line tenants are allowed a sign on front and back elevation.

Each tenant is allowed 40 square feet regardless of linear foot of frontage of the tenant space.

Each linear foot of tenant space frontage in excess of twenty five (25) feet will be allowed two point zero, (2.0) square feet of additional sign area.

All Tenants in Power Center District must comply with maximum logo/letter heights in chart referenced below.

Tenant Building Square Footage	Maximum Letter/Logo Height Allowed
0 - 4,999	30"
5,000 - 9,999	36"
10,000 - 14,999	40"
15,000 - 28,999	48"
29,000 - 54,999	60"
55,000 - Greater	72"

E. Freestanding Signage:

- 1. There are two (2) Two Multi-Tenant pylon signs on Interstate 20 that are 50' tall and 500 Square feet of signage area.
- 2. There are (3) Three Multi-Tenant entry monument signs that brand the development. These features are limited to 15' in height and each one can't exceed 250 Square Feet.
- 3. There will be multiple vehicular directional Signs throughout the development that will be limited to 8' in height and 50 Square Feet.
- 4. Up to (1) One Fuel pricing display that is limited to 8' in height and 100 Square Feet.

Signage Details and Specifications:

A. Address Signage:

The suite number or building address needs to be applied to the exterior façade as determined by the Landlord and local jurisdiction. The numbers must be visible to the street and color contrast to the façade for visibility. Please refer to design drawing for specifications.

- 1. Numbers to be dimensional metal.
- 2. Out-parcel Tenants primary building address numerals to be 12 inches high, with rear door address 6 inches in height.
- 3. All other Tenants to have a minimum of 6 inches in letter height.
- 4. ¼" Aluminum flat cut-out. Color TBD by landlord.
- 5. Flush to the architecture.
- 6. Mounted on the pier closest to the entrance.
- 7. Vinyl letters applied to glass not allowed.
- 8. Address signs are required for each Tenant and not included in square area calculations or not counted towards the three-maximum sign limit.

B. Blade Signs:

A double-sided sign mounted perpendicular to the building facade and suspended on a decorative metal bracket. Usually placed near the store-front entrances.

- 1. Each tenant is required to have one double-faced hanging sign per public/customer entrance.
- 2. The creative use of logo shapes is encouraged in the design of the blade sign.
- 3. Tenants are encouraged to utilize a variety of colors and graphic elements along with typestyle to create a whimsical and energetic signing solution. Painted flat forms layered to give a 3-dimen-sional effect are encouraged.
- 4. Blade signs are to be fabricated of painted metal only. Sentra and acrylic are not allowable materials for blade signs.
- 5. Signs are to be wall mounted from a metal bracket, or suspended from the canopy with metal supports. If suspended, sign to be centered within the walkway.
- 6. Placement to be reviewed with consideration of all adjacent signs and will be free from visual obstruction. The sign will not be located less than 4' to the adjacent Tenant's blade sign.
- 7. External illumination with Landlord approved fixtures is encouraged.
- 8. Signs to be mounted with minimum of 8' of clearance from finished floor.
- 9. Signs to project a maximum of 4', inclusive of bracket, not to exceed 10 sq. feet, blade sign square footage will not count towards tenant overall allowable area of signage.
- 10. Trade name or logo only, no taglines, slogans, products, services, or advertising allowed. centered within the walkway.

The Village at Allen Ridge

Design #

0612846AR5

Sheet3 of 18

Location

The Village at Allen Ridge

Address

ABILENE, TEXAS

Acct. Rep. STAN MACRUM
Coordinator NICOLE VANCE

DesignerP. AGUIAR

Date05/20/16

Approval / Date

Client

Sales

Estimating

Art

Landlord

Engineering

Revision / Date

R1(05/27/16)PA: CHANGES TO GUIDELINES

R2(06/01/16)PA: REVISED TENANT GUIDELINES, ADDING MORE RULES ABOUT FREESTANDING SIGNS AND TENANT LETTER / LOGO SIGN HEIGHTS PER SQUARE FOOTAGE OF LEASED.

R3(6/13/16)PA: REVISED DIRECTIONAL DESIGN; DELETED LOCATION OF "D" NEAR PAVILLION TO THE ENTRY ISLAND AT PAVILLION; ADDED MONUMENT "M" TO ENTRANCE AT ACU DRIVE; ADDED "F" FUEL SIGN.

R4(6/21/16)PA: ADDED INFORMATIONAL BANNERS (ACU BRANDED / COMMUNITY BRANDED); ADDED TO LIST OF PROHIBITED SIGNAGE, "PORTABLE SIGNS"; TOOK OUT SHEETS 9 & 10 AND SHOWED SITE PLAN WITHOUT LANDSCAPE DETAILS.

R5(6/24/16)PA: REVISED SPECIFICATIONS ON DIRECTIONALS ON SHEET 3 OF 18; REMOVED SKEWS FROM SITE PLANS ON SHEETS 5,7,8.



Chandler Signs

Brand Image Begins Here.

3201 Manor Way
214-902-2000

Dallas, TX 75235
Fax 214-902-2044

17319 San Pedro, Ste 200
210-349-3804

San Antonio, TX 78232
Fax 210-349-8724

963 Baxter Avenue, Ste 200
502-479-3075

Louisville, KY 40204
Fax 502-412-0013

2584 Sand Hill Point Circle
863-420-1100

Davenport, FL 33837
Fax 863-424-1160

37 Waterfront Park Court
800-851-7062

Dawsonville, GA 30534
Fax 210-349-8724

P.O. Box 125, 206 Doral Drive
361-563-5599

Portland, TX 78374
Fax 361-643-6533

1335 Park Center Drive, UNIT C
760-967-7003

Vista, CA 92081
Fax 760-967-7033

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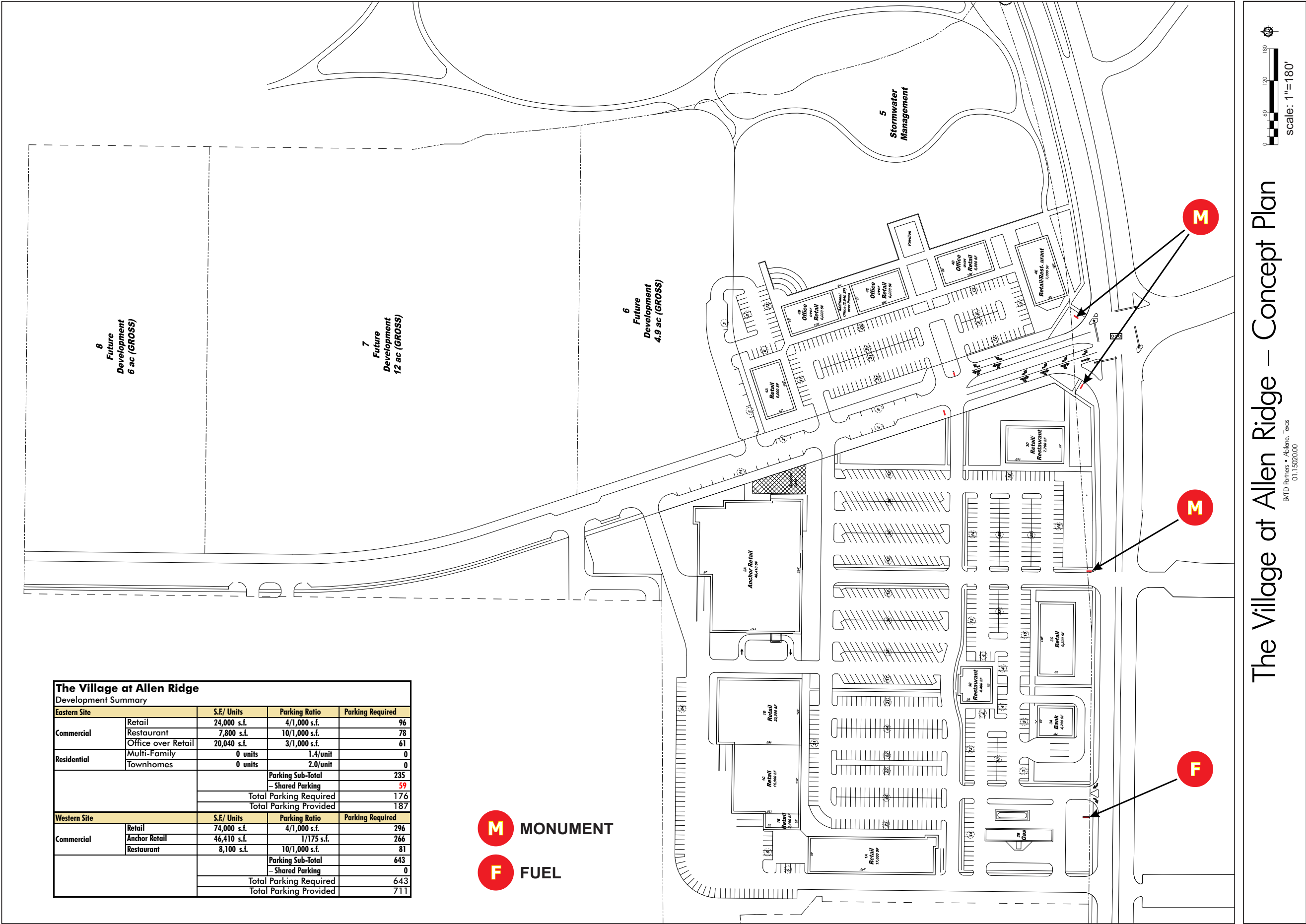
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7.4 Page 9

Page 151 of 238



The Village at Allen Ridge				
Development Summary				
Eastern Site		S.F./ Units	Parking Ratio	Parking Required
Commercial	Retail	24,000 s.f.	4/1,000 s.f.	96
	Restaurant	7,800 s.f.	10/1,000 s.f.	78
	Office over Retail	20,040 s.f.	3/1,000 s.f.	61
Residential	Multi-Family	0 units	1.4/unit	0
	Townhomes	0 units	2.0/unit	0
			Parking Sub-Total	235
			- Shared Parking	59
			Total Parking Required	176
			Total Parking Provided	187
Western Site		S.F./ Units	Parking Ratio	Parking Required
Commercial	Retail	74,000 s.f.	4/1,000 s.f.	296
	Anchor Retail	46,410 s.f.	1/175 s.f.	266
	Restaurant	8,100 s.f.	10/1,000 s.f.	81
			Parking Sub-Total	643
			- Shared Parking	0
			Total Parking Required	643
			Total Parking Provided	711

M MONUMENT

F FUEL



The Village at Allen Ridge – Concept Plan

BYTD Partners • Abilene, Texas
01.1502000

The Village at
Allen Ridge

Design #	
0612846AR5	
Sheet	5 of 18
Location	
The Village at Allen Ridge	
Address	
ABILENE, TEXAS	
Acct. Rep.	STAN MACRUM
Coordinator	NICOLE VANCE
Designer	P. AGUIAR
Date	05/20/16
Approval / Date	
Client	
Sales	
Estimating	
Art	
Landlord	
Engineering	

Revision / Date	
R1(05/27/16)PA:	CHANGES TO GUIDELINES
R2(06/01/16)PA:	REVISED TENANT GUIDELINES, ADDING MORE RULES ABOUT FREESTANDING SIGNS AND TENANT LETTER / LOGO SIGN HEIGHTS PER SQUARE FOOTAGE OF LEASED.
R3(6/13/16)PA:	REVISED DIRECTIONAL DESIGN; DELETED LOCATION OF "D" NEAR PAVILION TO THE ENTRY ISLAND AT PAVILION; ADDED MONUMENT "M" TO ENTRANCE AT ACU DRIVE; ADDED "F" FUEL SIGN.
R4(6/21/16)PA:	ADDED INFORMATIONAL BANNERS (ACU BRANDED / COMMUNITY BRANDED); ADDED TO LIST OF PROHIBITED SIGNAGE, "PORTABLE SIGNS"; TOOK OUT SHEETS 9 & 10 AND SHOWED SITE PLAN WITHOUT LANDSCAPE DETAILS.
R5(6/24/16)PA:	REVISED SPECIFICATIONS ON DIRECTIONALS ON SHEET 3 OF 18; REMOVED SKEWS FROM SITE PLANS ON SHEETS 5,7,8.



Brand Image Begins Here.

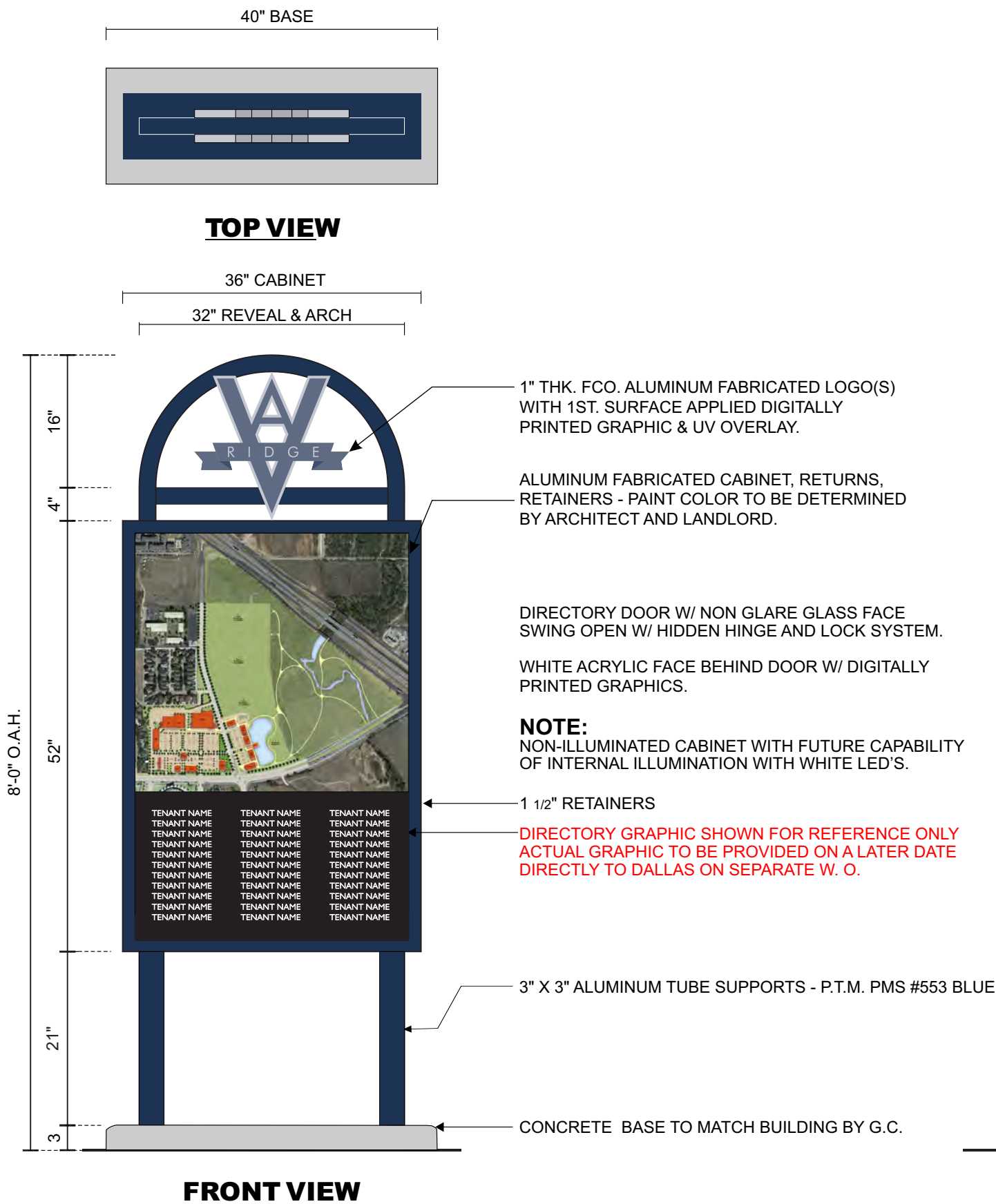
3201 Manor Way 214-902-2000	Dallas, TX 75235 Fax 214-902-2044
17319 San Pedro, Ste 200 210-349-3804	San Antonio, TX 78232 Fax 210-349-8724
963 Baxter Avenue, Ste 200 502-479-3075	Louisville, KY 40204 Fax 502-412-0013
2584 Sand Hill Point Circle 863-420-1100	Davenport, FL 33837 Fax 863-424-1160
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P.O. Box 125 206 Doral Drive 361-563-5599	Portland, TX 78374 Fax 361-643-6533
1335 Park Center Drive, UNIT C 760-967-7003	Vista, CA 92081 Fax 760-967-7033

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FINAL ELECTRICAL CONNECTION BY CUSTOMER



THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGN WILL BEAR UL LABEL(S).



D PEDESTRIAN DIRECTIONAL SIGN 3/4"=1'-0"
(X) - T.B.D. REQ'D. - MANUFACTURE & INSTALL 18.75 SQ. FT. EA.



ENGINEERING

(1) x 4" (.38) O.D. .237" WALL SQ. STEEL TUBE REQUIRED
(1) x 14" DIA. 4'-6" DEEP FOUNDATIONS REQUIRED W/ 3000 PSI CONCRETE.
NOTE: ENGINEERING DATA IS FOR 80 MPH. WIND LOADS.

CABINET BACK & RETURNS
PAINT COLOR TO BE DETERMINED
BY ARCHITECT AND LANDLORD.

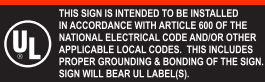
DIGITALLY PRINTED
LOGO GRAPHIC WITH
UV OVERLAY.



The Village at Allen Ridge

Design #	
0612846AR5	
Sheet	6 of 18
Location	
The Village at Allen Ridge	
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Chandler Signs Brand Image Begins Here.	
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1335 Park Center Drive, UNIT C 760-967-7003	Vista, CA 92081 Fax 760-967-7033
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**FINAL ELECTRICAL
CONNECTION BY
CUSTOMER**



The Village at Allen Ridge

Design #	0612846AR5
Sheet	7 of 18
Location	The Village at Allen Ridge
Address	ABILENE, TEXAS
Acct. Rep.	STAN MACRUM
Coordinator	NICOLE VANCE
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FINAL ELECTRICAL CONNECTION BY CUSTOMER



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Town Center at Allen Ridge Development Summary				
Eastern Site		S.F./ Units	Parking Ratio	Parking Required
Commercial	Retail	24,000 s.f.	4/1,000 s.f.	96
	Restaurant	7,800 s.f.	10/1,000 s.f.	78
	Office over Retail	20,040 s.f.	3/1,000 s.f.	61
Residential	Multi-Family	0 units	1.4/unit	0
	Townhomes	0 units	2.0/unit	0
			Parking Sub-Total	235
			Shared Parking	59
			Total Parking Required	176
			Total Parking Provided	187
Western Site		S.F./ Units	Parking Ratio	Parking Required
Commercial	Retail	74,000 s.f.	4/1,000 s.f.	296
	Anchor Retail	46,410 s.f.	1/175 s.f.	266
	Restaurant	8,100 s.f.	10/1,000 s.f.	81
			Parking Sub-Total	643
			Shared Parking	0
			Total Parking Required	643
			Total Parking Provided	711



MONUMENT



PYLON



FUEL

The Village at Allen Ridge – Concept Plan

BVTD Partners • Abilene, Texas
01.15020.00



Scale: 1"=400'

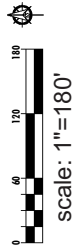


The Village at Allen Ridge				
Development Summary				
Eastern Site				
	S.F./ Units	Parking Ratio	Parking Required	
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	Office over Retail	20,040 s.f.	3/1,000 s.f.	61
Residential	Multi-Family	0 units	1.4/unit	0
	Townhomes	0 units	2.0/unit	0
			Parking Sub-Total	235
			- Shared Parking	59
			Total Parking Required	176
			Total Parking Provided	187
Western Site				
	S.F./ Units	Parking Ratio	Parking Required	
Commercial	Retail	74,000 s.f.	4/1,000 s.f.	296
	Anchor Retail	46,410 s.f.	1/175 s.f.	266
	Restaurant	8,100 s.f.	10/1,000 s.f.	81
			Parking Sub-Total	643
			- Shared Parking	0
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- M MONUMENT
- P PYLON
- F FUEL

The Village at Allen Ridge – Concept Plan

BYD Partners • Abilene, Texas
01.15.2020.00



The Village at Allen Ridge

Design #	
0612846AR5	
Sheet	
8 of 18	
Location	
The Village at Allen Ridge	
Address	
ABILENE, TEXAS	
Acct. Rep.	
STAN MACRUM	
Coordinator	
NICOLE VANCE	
Designer	
P. AGUIAR	
Date	
05/20/16	
Approval / Date	
Client	
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Art	
Landlord	
Engineering	

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1335 Park Center Drive, UNIT C 760-967-7003	Vista, CA 92081 Fax 760-967-7033

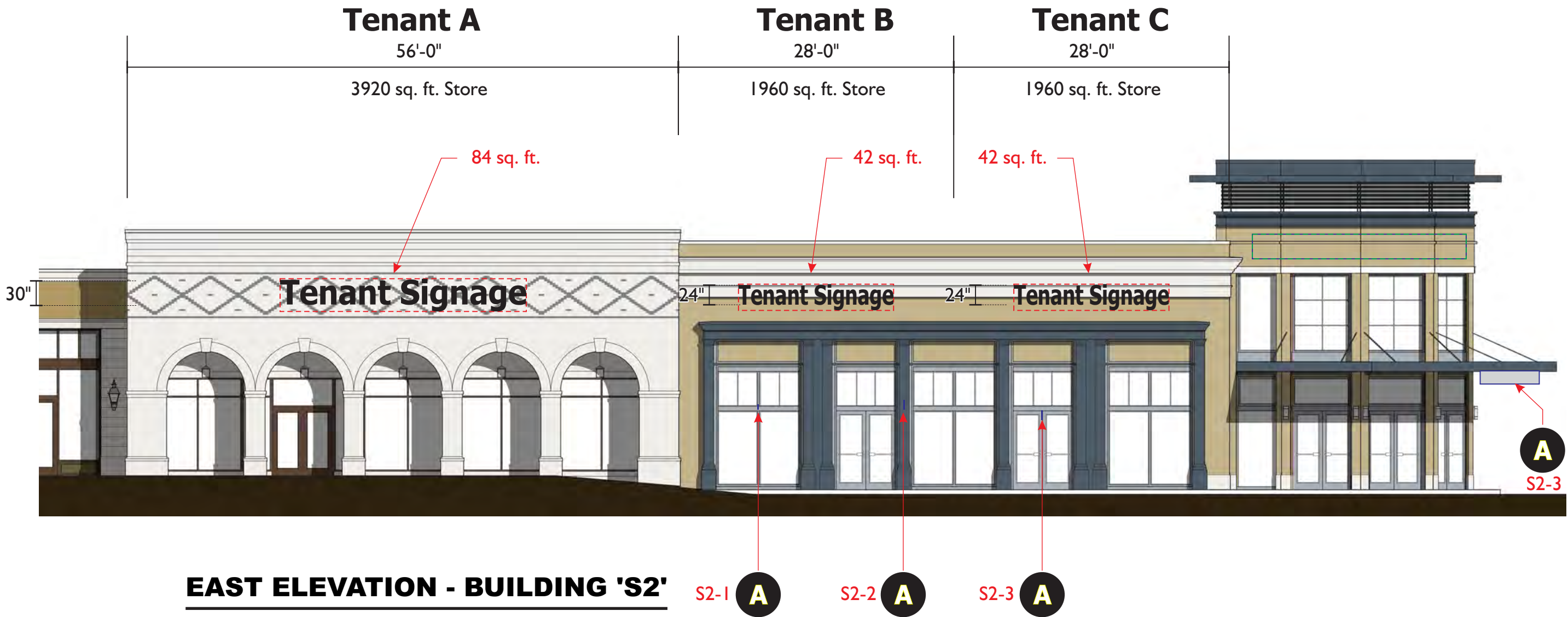
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FINAL ELECTRICAL CONNECTION BY CUSTOMER



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The Village at
Allen Ridge



EAST ELEVATION - BUILDING 'S2'

SCALE: 3/32" = 1'-0"

Design #	
0612846AR5	
Sheet	9 of 18
Location	
The Village at Allen Ridge	
Address	
ABILENE, TEXAS	
Acct. Rep.	STAN MACRUM
Coordinator	NICOLE VANCE
Designer	P. AGUIAR
Date	05/20/16
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	Chandler Signs
Brand Image Begins Here.	
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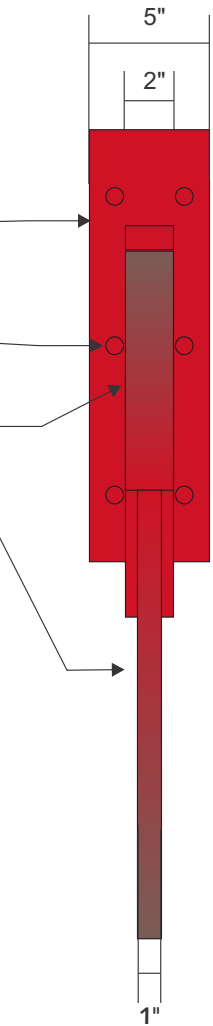


SIGN SUPPORTS 1" x 2" SQ. TUBE ALUM. W/ A 18" x 5" PLAQUE FLUSH MOUNTED TO WALL, PTD PER TENANT LAYOUT.

ATTACH TO WALL W/ NON CORROSIVE HARDWARE AS REQUIRED, PTD. PER TENANT LAYOUT.

CENTRAL SIGN ATTACHED TO BASE W/ 1"x1" WELDED SQ. PIPES PTD. PER TENANT LAYOUT.

CENTRAL FCO. ALUM. PANELS PTD PER TENANT LAYOUT.



SIDE VIEW

A

D/F BLADE SIGN NON-ILLUM. 1 1/2"=1'-0"
7.31 = SQ. FT.

NOTE:

ALL BLADE SIGNS PER TENANT LAYOUT NOT TO PROJECT MOTE THAN 4' FROM WALL & NOT TO EXCEED 10.00 SQ. FT., ALL FACES TO BE PAINTED ALUMINUM ONLY.

COPY SHOWN FOR VISUAL PURPOSES ONLY

The Village at
Allen Ridge

Design #	
0612846AR5	
Sheet	10 of 18
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The Village at Allen Ridge	
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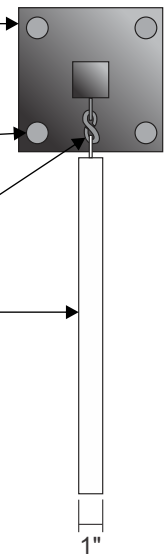
UL

2



**ALL BLADE SIGNS PER TENANT LAYOUT NOT TO PROJECT MORE THAN 4' FROM WALL
& NOT TO EXCEED 10.00 SQ. FT., ALL FACES TO BE PAINTED ALUMINUM ONLY.**

SIDE VIEW



The Village at Allen Ridge

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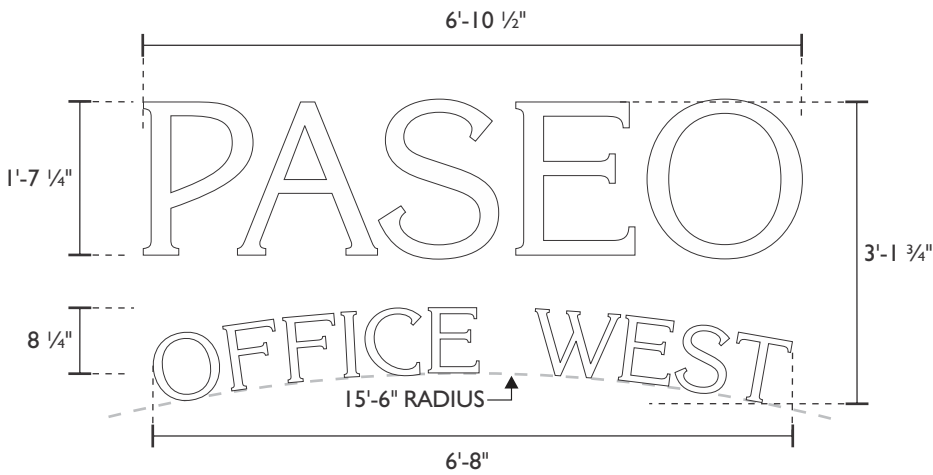
 Chandler Signs Brand Image Begins Here.	
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A UL label with a black background and white text. The top section is enclosed in a red border and contains the text "FINAL ELECTRICAL CONNECTION BY CUSTOMER" in bold, red, sans-serif capital letters. Below this, the UL logo (a circle with "UL" inside) is on the left. To the right of the logo, the text reads: "THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGN WILL BEAR UL LABEL(S)." in white, sans-serif capital letters.

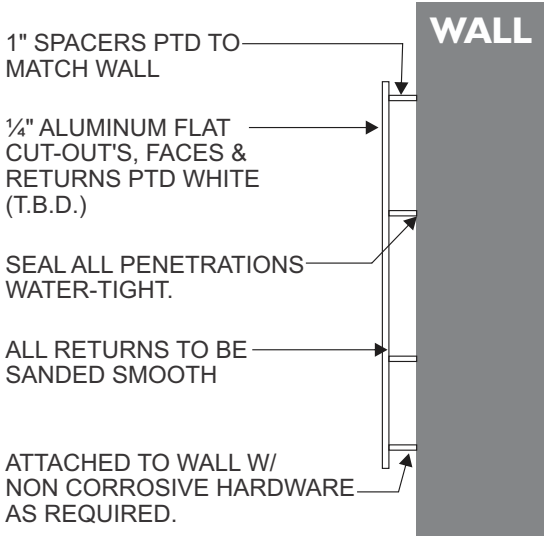


BUILDING "K" EAST ELEVATION DETAIL 1/4" = 1'



B NON ILLUMINATED FLAT CUT-OUT'S
ONE SET REQUIRED - MANUFACTURE & INSTALL

1/2" = 1'



The Village at
Allen Ridge

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Location	
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R5(6/24/16)PA: REVISED SPECIFICATIONS ON DIRECTIONALS ON SHEET 3 OF 18; REMOVED SKEWS FROM SITE PLANS ON SHEETS 5,7,8.	
 Chandler Signs Brand Image Begins Here.	
3201 Manor Way Dallas, TX 75235 214-902-2000 Fax 214-902-2044	
17319 San Pedro, Ste 200 San Antonio, TX 78232 210-349-3604 Fax 210-349-8724	
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1335 Park Center Drive, UNIT C Vista, CA 92081 760-967-7003 Fax 760-967-7033	
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FINAL ELECTRICAL CONNECTION BY CUSTOMER

 THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGN WILL BEAR UL LABEL(S).

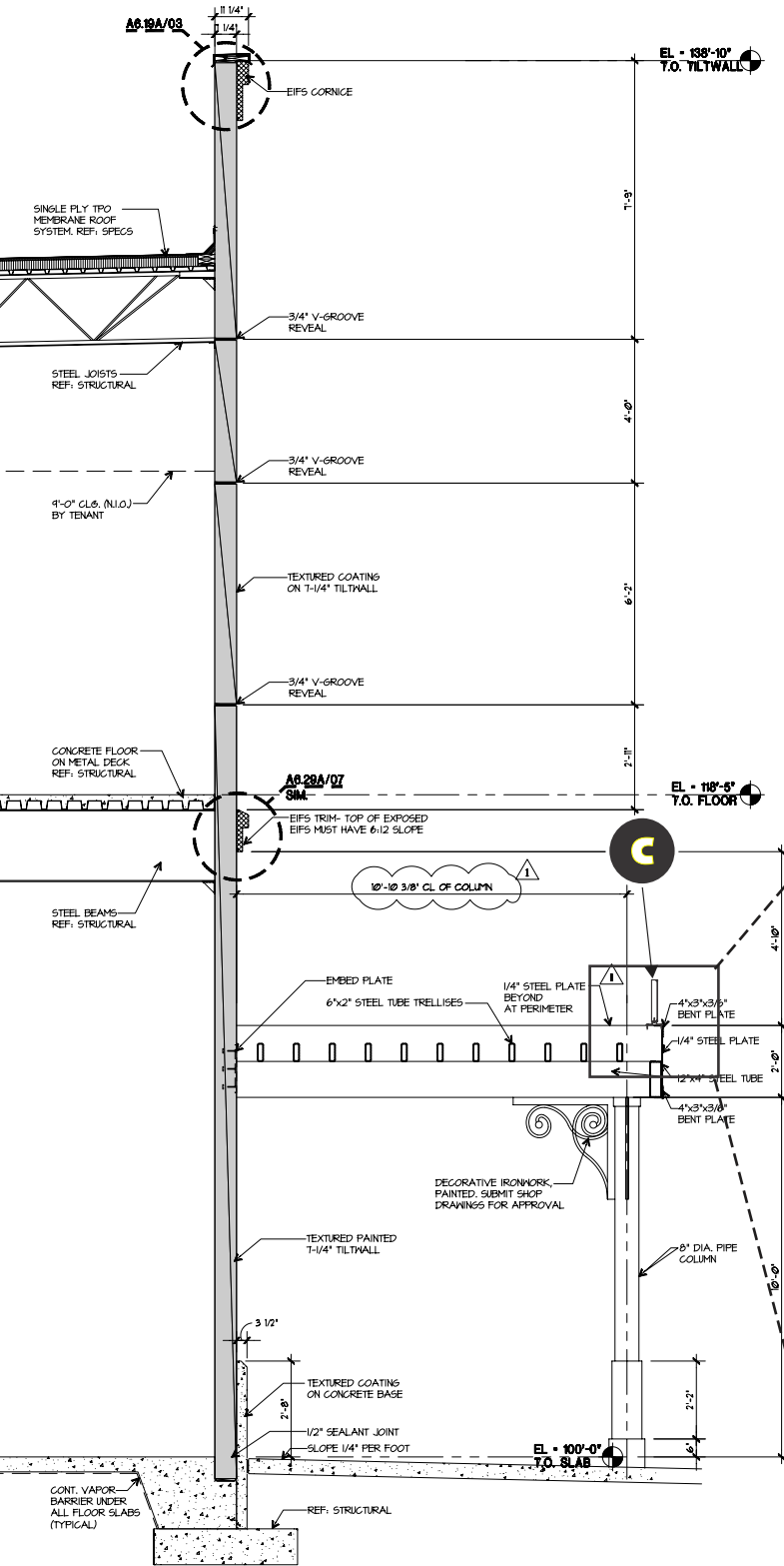
Design #	
0612846AR5	
Sheet	13 of 18
Location	
The Village at Allen Ridge	
Address	
ABILENE, TEXAS	
Acct. Rep.	STAN MACRUM
Coordinator	NICOLE VANCE
Designer	P. AGUIAR
Date	05/20/16
Approval / Date	
Client	
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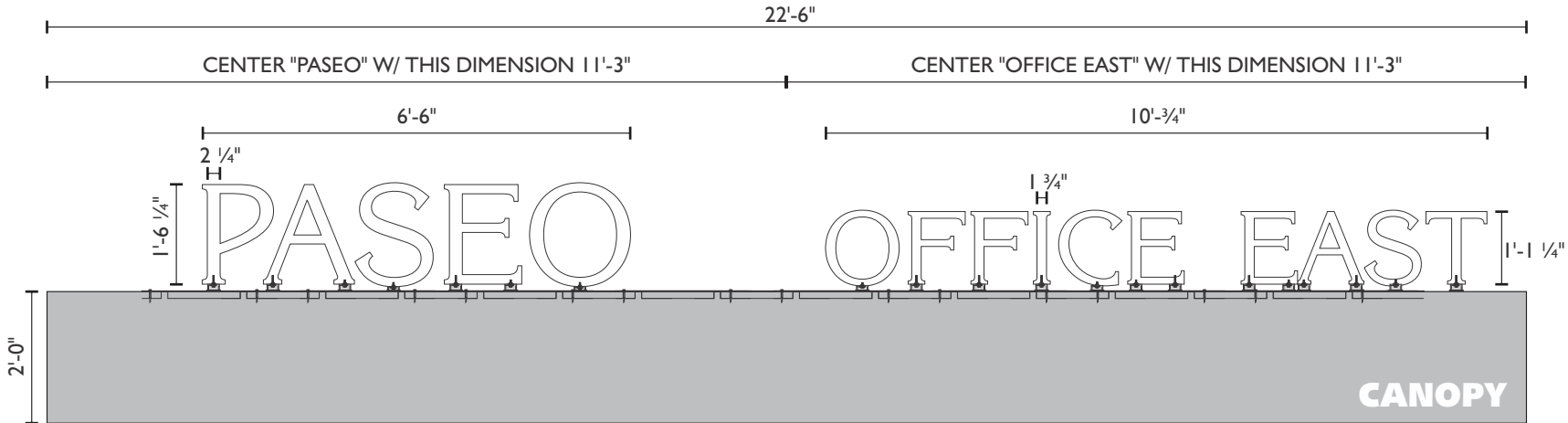
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WALL SECTION 3/16" = 1'



C ALUM. NON-LIT CHNL LTRS CANOPY MOUNTED 3/8"=1'-0"
ONE SET REQUIRED - MANUFACTURE & INSTALL.

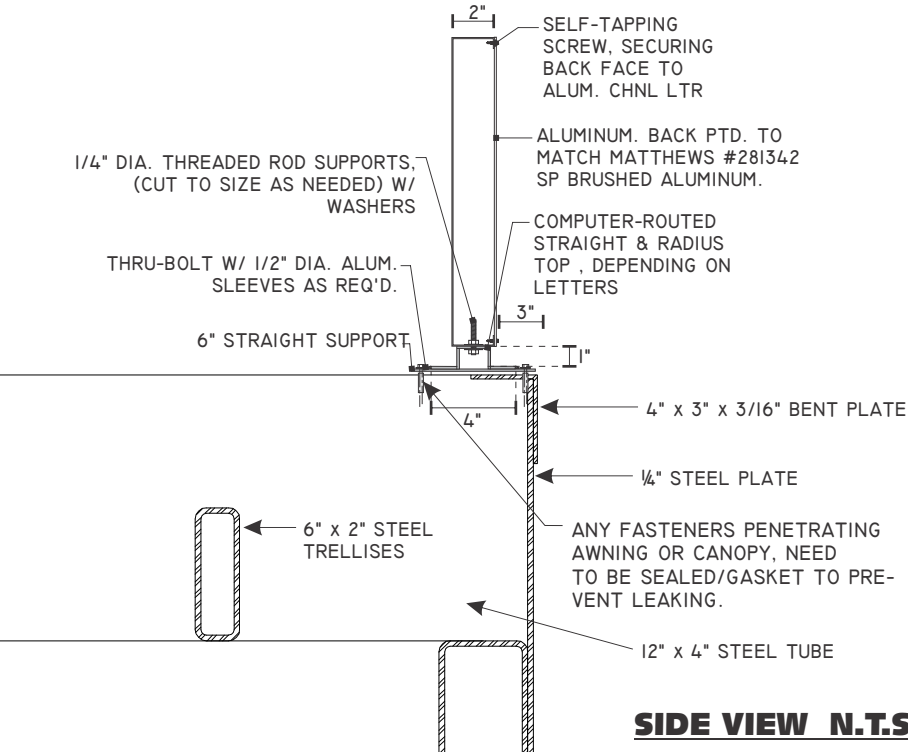
ALUM. NON-LIT CHANNEL LETTERS, FACES & RETURNS PTD.
PER TENANTS LAYOUT

SEAL ALL PENETRATIONS WATER-TIGHT.

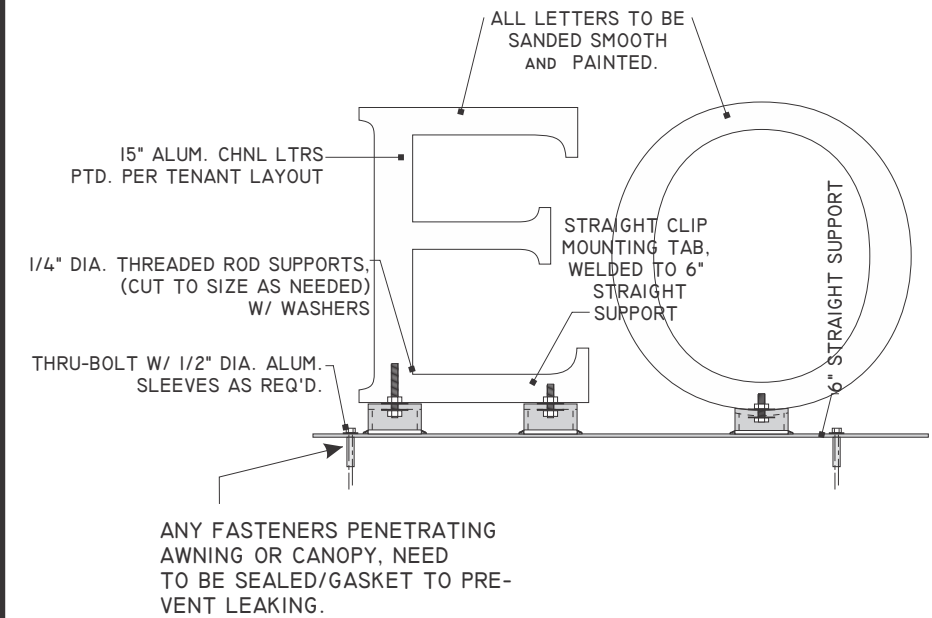
ALL RETURNS TO BE SANDED SMOOTH

ATTACHED TO CANOPY W/ NON CORROSIVE HARDWARE
AS REQUIRED.(ALL MOUNTING HARDWARE PAINTED TOP MATCH CANOPY.

ALL MOUNTING HARDWARE PTD TO MATCH
EXISTING AWNING COLOR.



SIDE VIEW N.T.S.



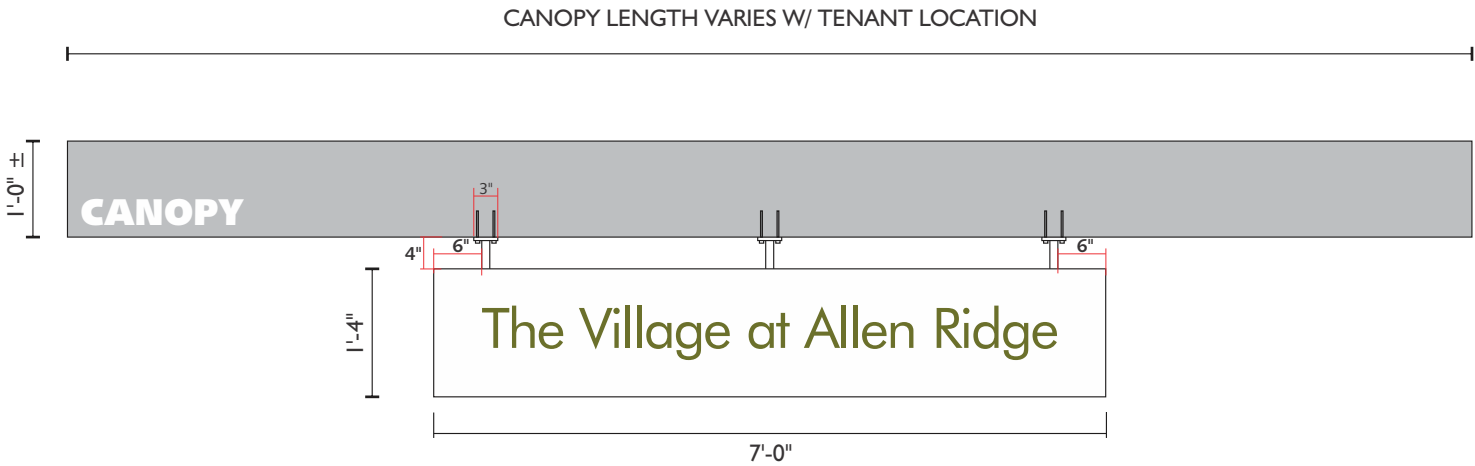
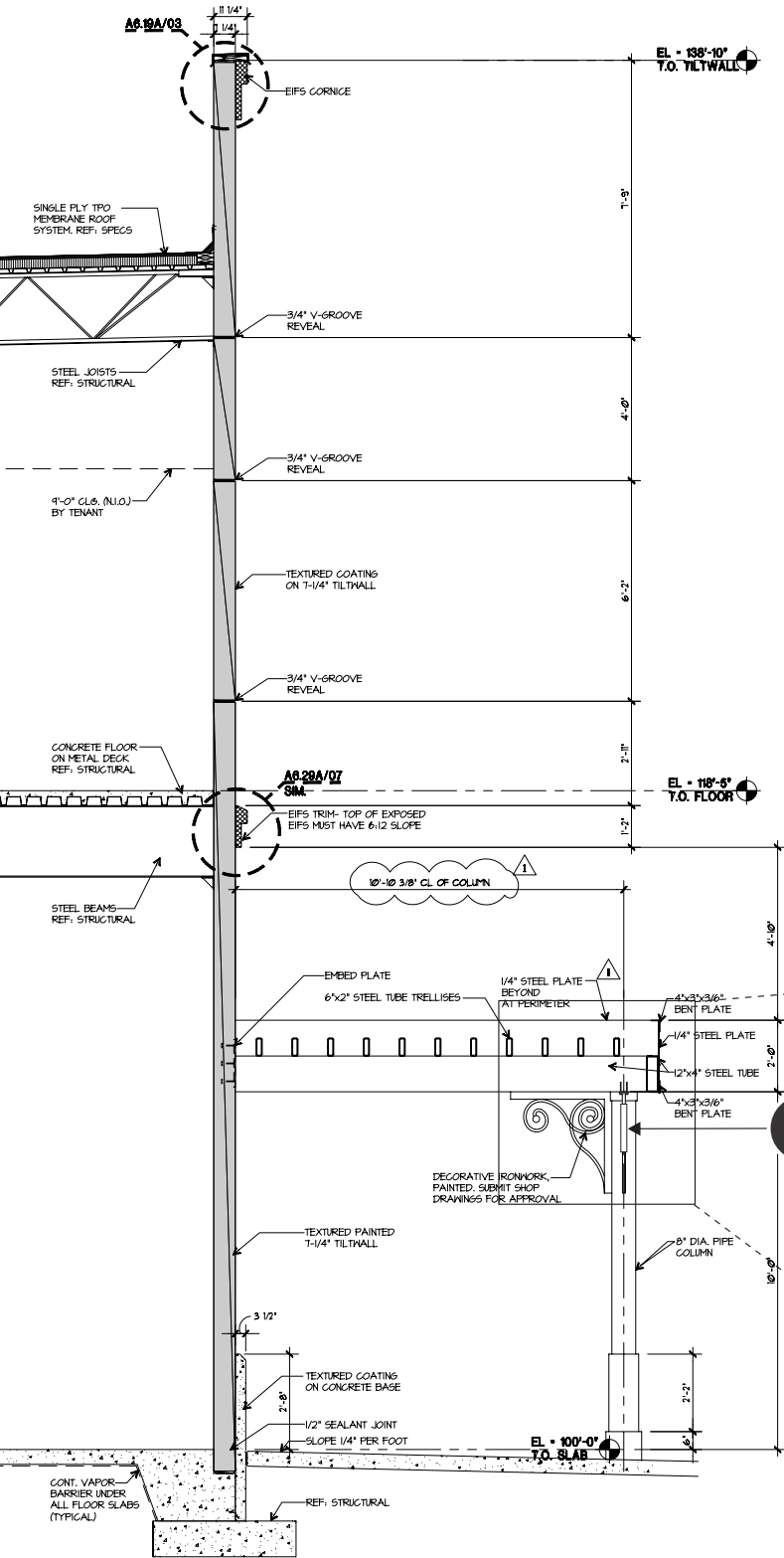
MOUNTING DETAIL N.T.S.

MATERIAL LIST

DISTRIBUTION OF PRINTS

Work Order

The Village at Allen Ridge



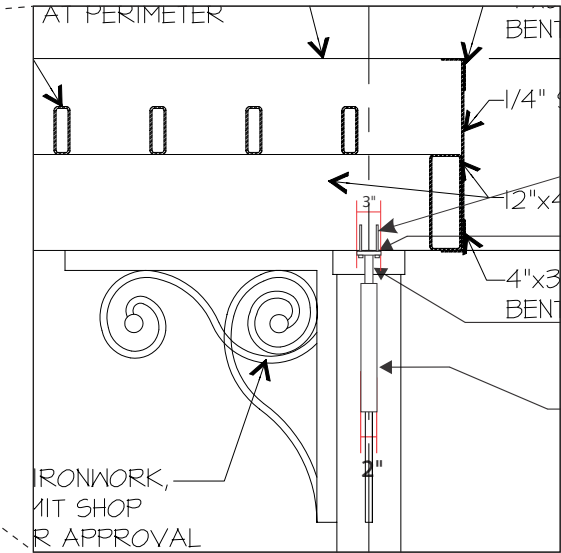
D ALUM. FCO. NON-LIT CANOPY MOUNTED **1/2"=1'-0"**
9.33 SQ. FT.

ALUM. NON-LIT CHANNEL LETTERS, FACES & RETURNS PTD.
PER TENANTS LAYOUT

(COPY SHOWN FOR VISUAL PURPOSES ONLY)

CANOPY SIZES VARY PER TENANT LOCATION

NOTE:
ALL UNDER CANOPY SIGNS PER TENANT LAYOUT NOT TO EXCEED
10.00 SQ. FT., ALL FACES TO BE PAINTED ALUMINUM ONLY.



ANY FASTENERS PENETRATING
AWNING OR CANOPY, NEED
TO BE SEALED/GASKET TO PRE-
VENT LEAKING.

ATTACH TO CANOPY W/ NON CORROSIVE HARDWARE
AS REQUIRED, PTD. PER TENANT LAYOUT.

CENTRAL SIGN ATTACHED TO CANOPY W/1" SQ. PIPE
& 3" MOUNTING PLATES AS REQUIRED PTD PER TENAT LAYOUT.

CENTRAL SIGN ALUM. PANELS PTD PER TENANT LAYOUT.

SIDE VIEW **NTS**

Design #	
0612846AR5	
Sheet	14 of 18
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UL

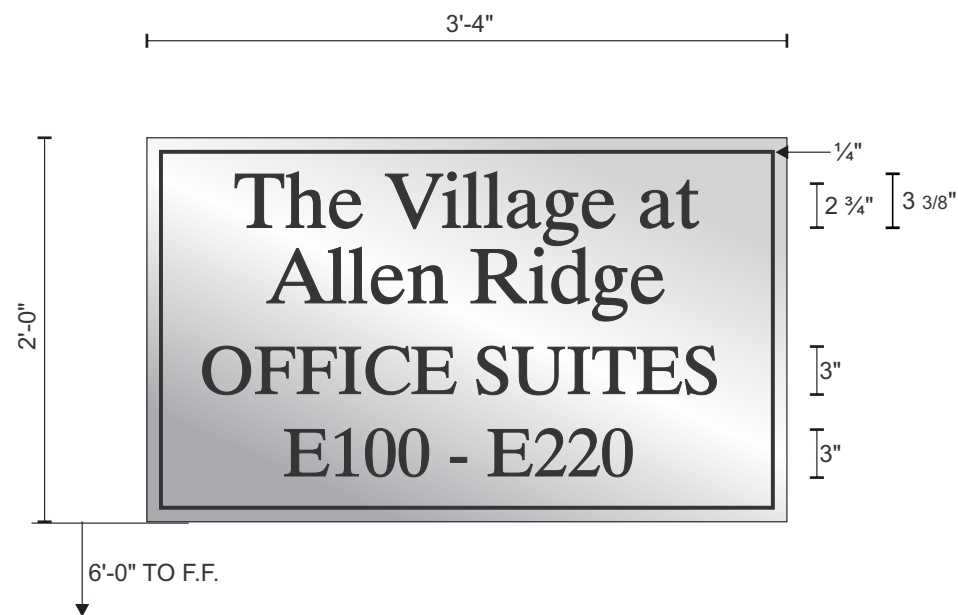
The Village at Allen Ridge

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E1-E2

BRUSHED STAINLESS STEEL PLAQUE NON-ILLUM.

2 REQUIRED - MANUFACTURE & INSTALL.

- BRUSHED STAINLESS STEEL PLAQUE
- 1/8" ENGRAVED COPY PTD. BLACK
- ATTACHED TO WALL W/ NON-CORROSIVE HARDWARE & 1" SPACERS PTD TO MATCH WALL.
- SEAL ALL PENETRATIONS WATER TIGHT.
- ALL CORNERS TO BE SANDED SMOOTH.

1"=1'-0"

6.6 SQ. FT.



F₁-F₂

BRUSHED STAINLESS STEEL PLAQUE NON-ILLUM.

2 REQUIRED - MANUFACTURE & INSTALL.

- BRUSHED STAINLESS STEEL PLAQUE
- 1/8" ENGRAVED COPY PTD. BLACK
- ATTACHED TO WALL W/ NON-CORROSIVE HARDWARE & 1" SPACERS PTD TO MATCH WALL.
- SEAL ALL PENETRATIONS WATER TIGHT.
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1"=1'-0"

6.6 SQ. FT.

WALL

SURVEY NOTE

CONFIRM ALL COPY PRIOR TO MANUFACTURE

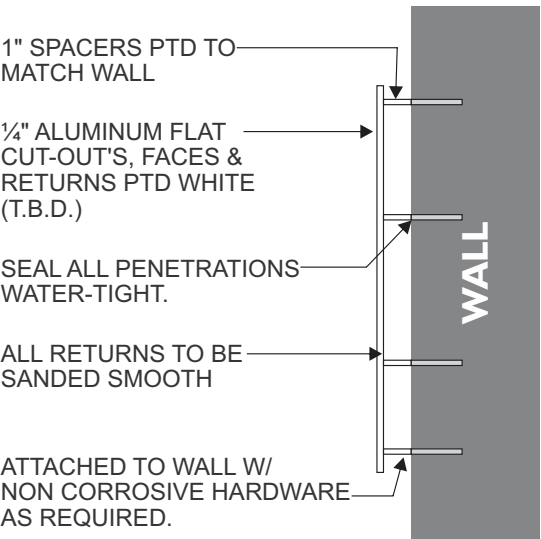
OPTION
1



G NON ILLUMINATED FLAT CUT-OUT'S **1" = 1'-0"**
ONE SET REQUIRED - MANUFACTURE & INSTALL SQ. FT. = 3.33

FIELD SURVEY REQUIRED

CONFIRM SIGN LOCATION & DIMENSIONS
OF SIGN AREA PRIOR TO MANUFACTURE.



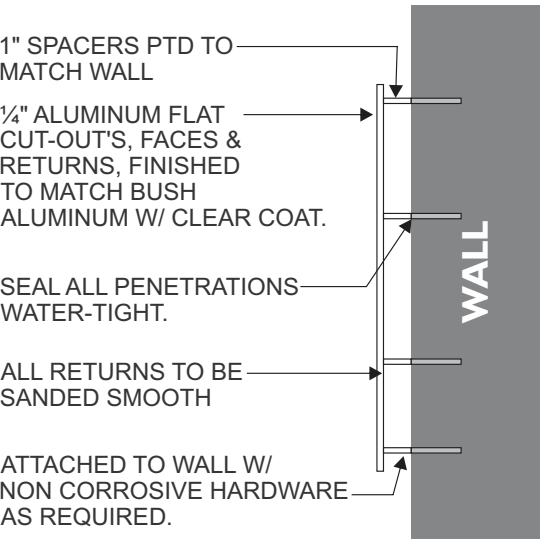
OPTION
2



G NON ILLUMINATED FLAT CUT-OUT'S **1" = 1'-0"**
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CONFIRM SIGN LOCATION & DIMENSIONS
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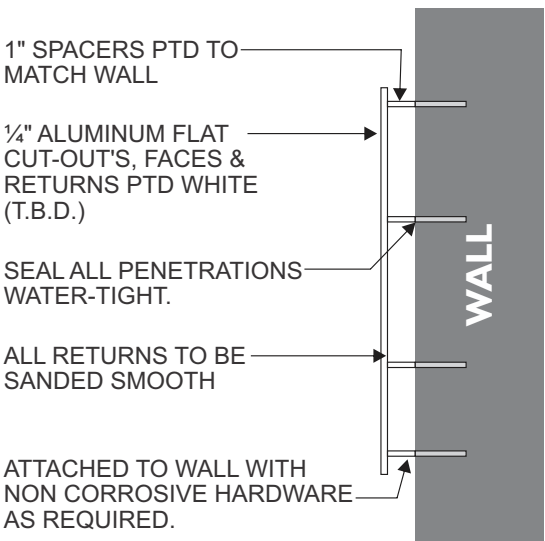
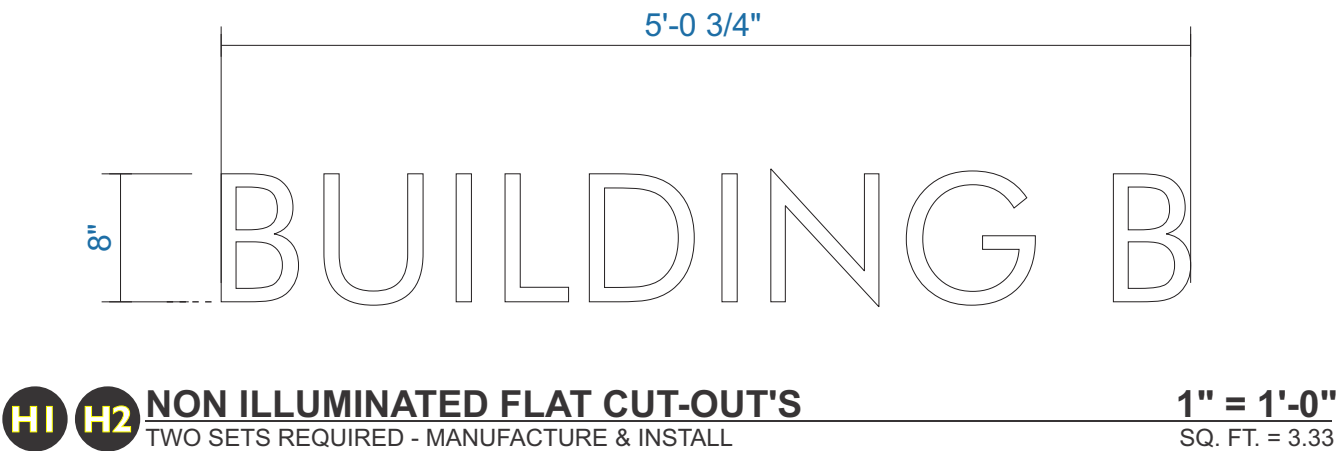
The Village at
Allen Ridge

Design #	
0612846AR5	
Sheet	16 of 18
Location	
The Village at Allen Ridge	
Address	
ABILENE, TEXAS	
Acct. Rep.	STAN MACRUM
Coordinator	NICOLE VANCE
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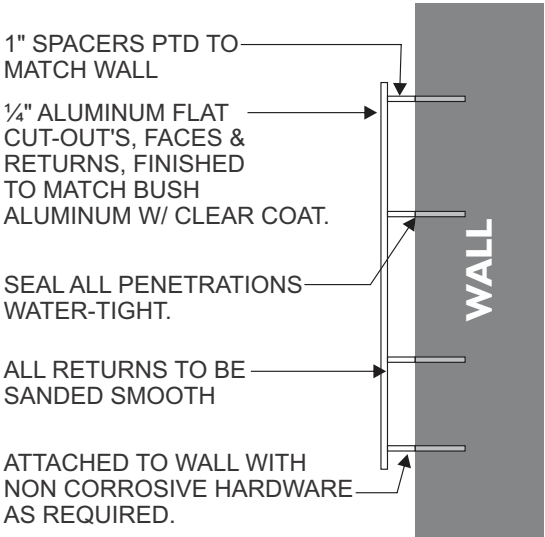
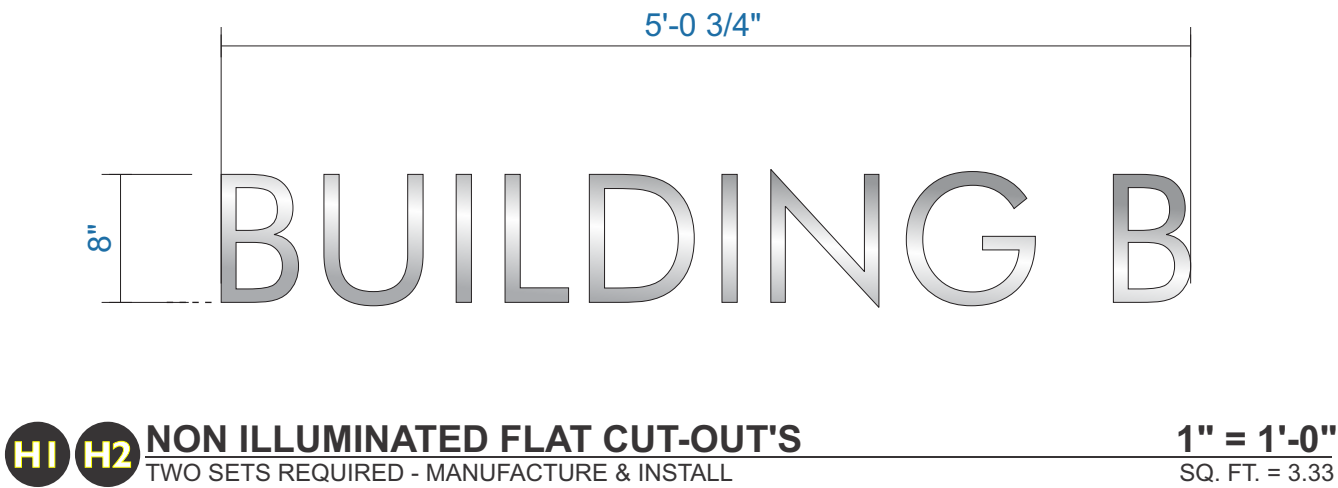
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OPTION
1



OPTION
2



The Village at
Allen Ridge

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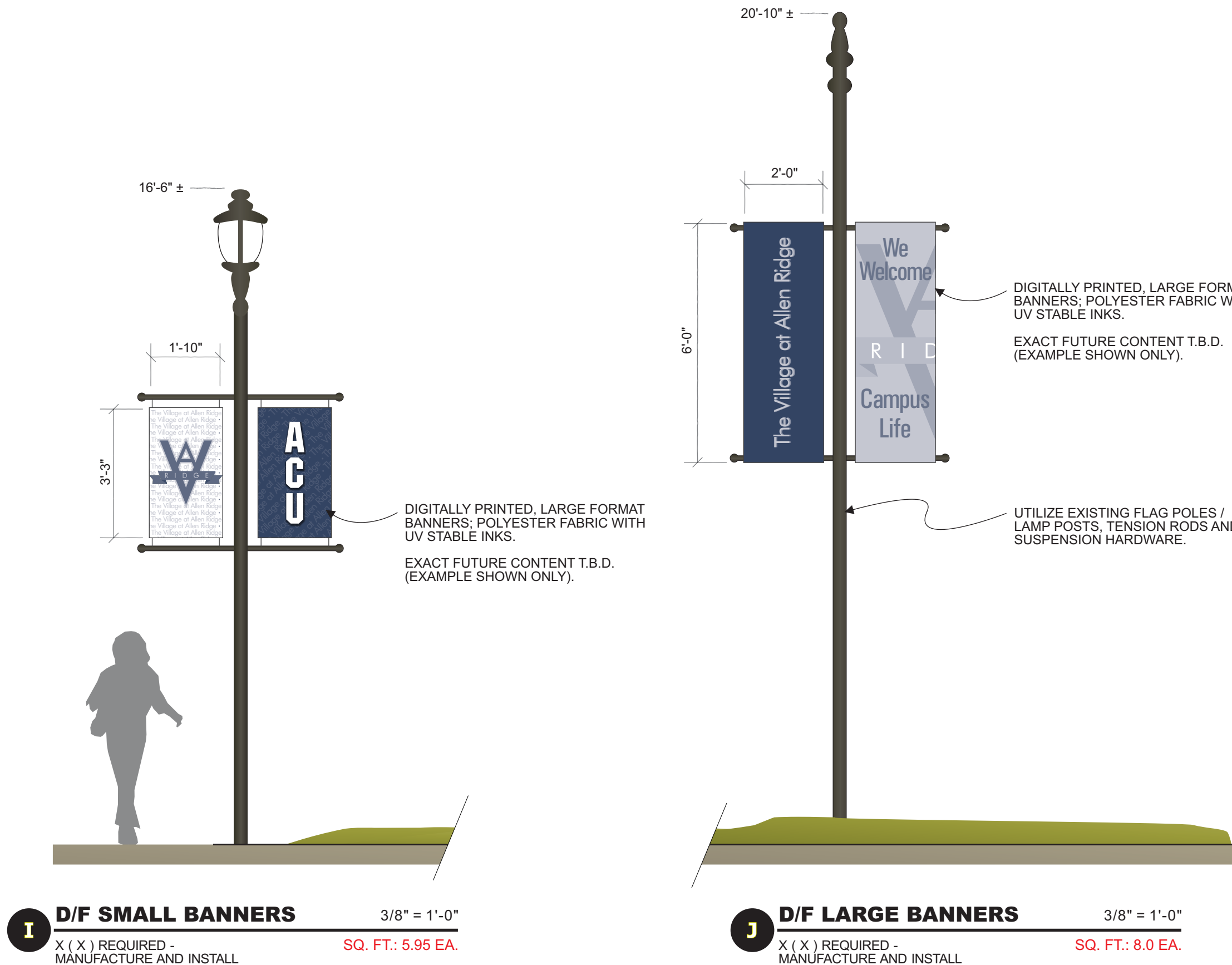
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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, CONCERNING PDD-157 AND ORDINANCE NO. 44-2016 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 44-2016, as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

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

PASSED ON FIRST READING the 16th day of November, 2023.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of October, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 6th day of December, 2023, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 6th day of December, 2023.

ATTEST:

CITY SECRETARY

MAYOR

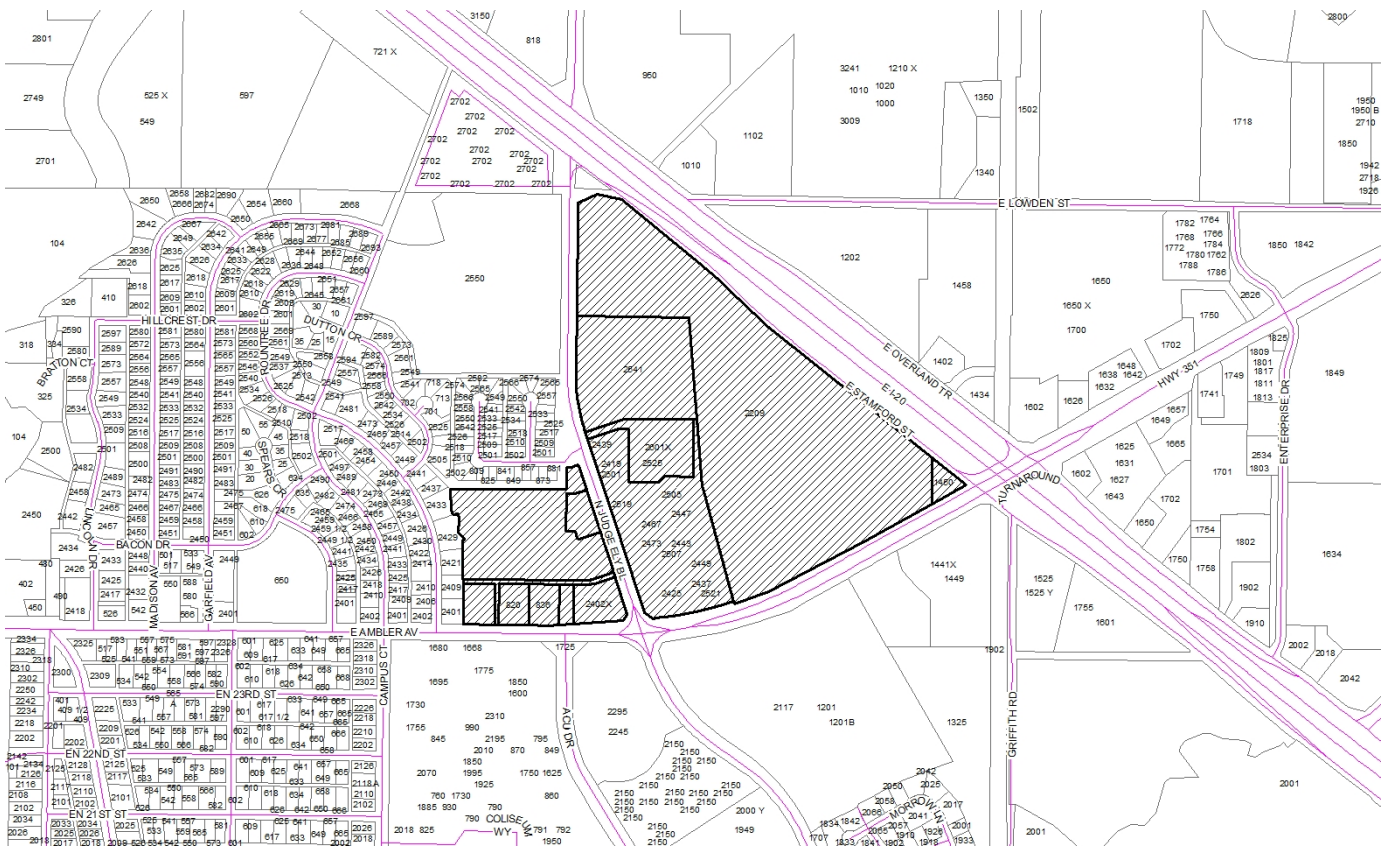
APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Located at the northeast and northwest corners of Ambler Avenue & North Judge Ely Boulevard. 2209 N Judge Ely,



ADD UNDERLINED PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for GR (General Retail), MF (Multi-Family), PH (Residential Patio Home), RS-6 (Residential Single-Family 6,000 Square foot lots), and TH (Town House) uses, mixed-use development encompassing, office, restaurant retail, multi-family housing, single family residential and parks at the property. Additionally, the conditions shown in the attached exhibits.

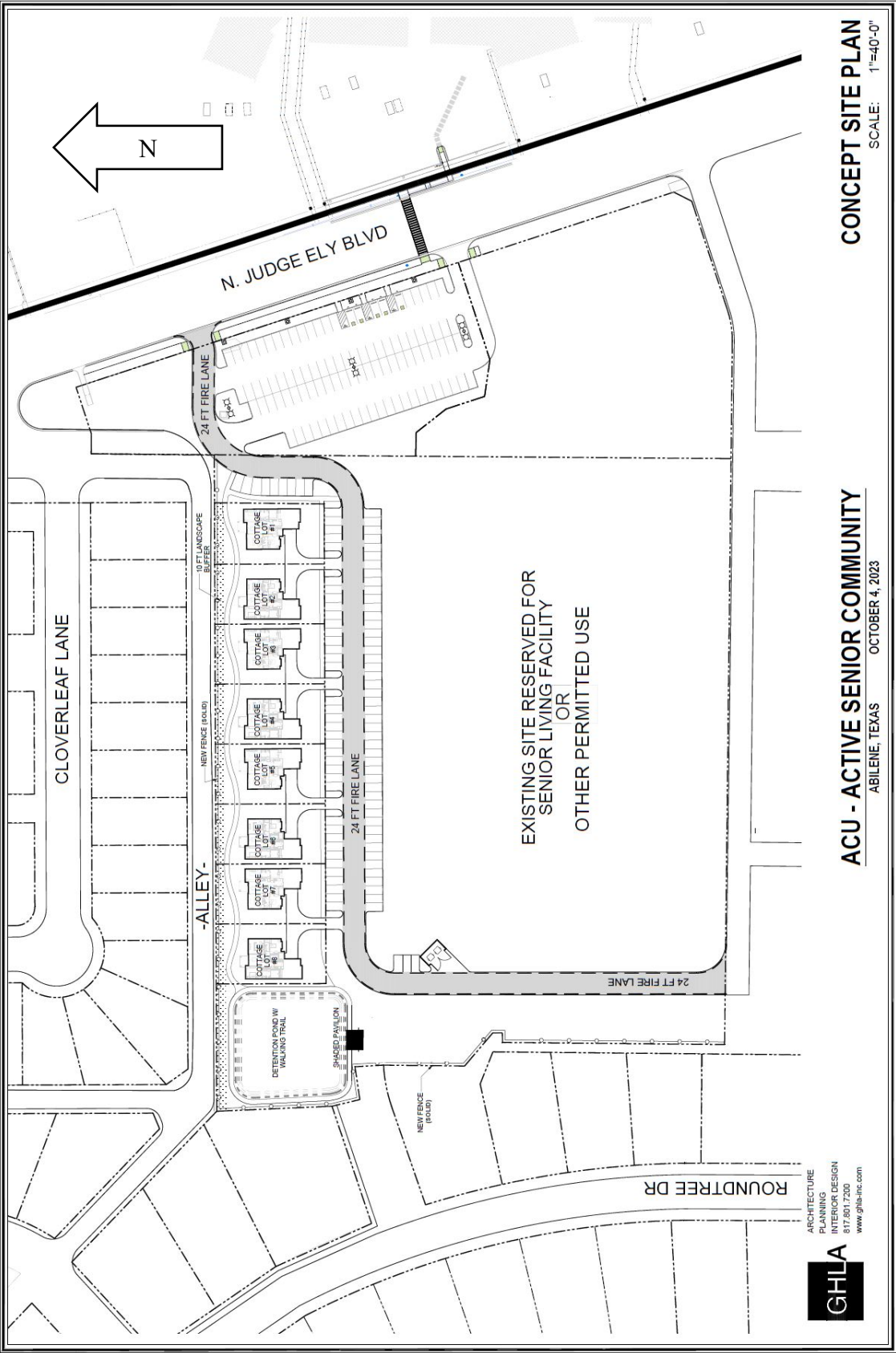
ADD UNDERLINED PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the GR (General Retail), MF (Multi-Family), PH (Residential Patio Home), RS-6 (Residential Single-Family 6,000 Square foot lots), and TH (Town House) zoning districts, except as modified below:

ADD UNDERLINED Part 7: I) PERMITTED USES:
a. All the land uses permitted in the GR (General Retail), MF (Multi-Family), and TH (Town Home) districts. MF (Multi-Family), PH (Residential Patio Home), and RS-6 (Residential Single-Family 6,000 Square foot lots) shall be allowed in GR (General Retail).

ADD UNDERLINED Part 7: Section 2(A)(3) 60' Side and Rear Setbacks abutting Residential Single-Family Districts to the West of Judge Ely Boulevard to provide additional privacy for the existing adjacent residential uses, except that these setbacks shall not apply to any use of the specified areas for single-family residential use, including PH (Single-Family Residential Patio Home) and RS-6 (Residential Single-Family – 6,000 sq. ft. lots) use.

ADD UNDERLINED Part 7: Section 2(A)(4) All Accessory structures shall adhere to the standards set in the Land Development Code (as amended)

ADD The attached concept plan to the Planned Development District applicable to the West side of Judge Ely in Block A, ACU Drive Addition



ORDINANCE NO. _____

ADD

Part 8: Buffering and Access

1. The proposed amendment shall be subject to the proposed Concept Plan;
2. A Type A buffer that includes a berm and vegetation shall be provided north of the alley, as shown on the proposed Concept Plan, between alley and existing residential development to the north

END

ZONING CASE Z-2023-35

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 7, 2023
City Council 1st Reading: November 16, 2023
City Council 2nd Reading: December 7, 2023

Applicant

Owner: Hoemke Property LLC
Agent: Seth Merritt

Case Manager

Clarissa Ivey – Planner

Request

Change the zoning of approximately 0.33 acres from Heavy Industrial (HI) to Light Industrial (LI)

Location

409 S Treadaway Blvd
Lots 1, 2, 3, Block 94, Original Town Abilene, Abilene, Taylor County, Texas.

Background

The property is home to a commercial building that was built in 1958. For the last decade the property has been used for various uses that include retail (Smitty's Tabbaco) and manufacturing (Pappy Slokum Brewing Co.).

Zoning, Existing and Proposed Land Use

The properties directly to the north and west are zoned Light Industrial (LI). Properties to the south and east are zoned Heavy Industrial (HI).

The agent proposes to use this building as a bar and as a warehouse to store bikes used for the bike tour service to be known as ABI Bikes.

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 (FLUM), which both recommend Light Industrial.

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

The proposed uses are appropriate in the immediate area as light industrial is intended for uses such as warehousing. The bar aspect of this business is also compatible with the area.

(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 known relating to zoning. Safety for the proposed bike tours, agent has been in contact with various departments regarding that use.

Staff Recommendation

Staff recommends **approval**.

NOTIFICATIONS

Legend:

O- Opposed

F- In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
BOYD VANCE W	10266	334 S TREADAWAY BL	
	10866	317 WILLOW ST	
	10866	442 S 4TH ST	
UNION PACIFIC SYSTEM	59563	433 CHINA ST	
LYDICK-HOOKS ROOFING INC	59834	409 CHINA ST	
LYDICK-HOOKS ROOFING INC	59834	401 CHINA ST	
LYDICK-HOOKS ROOFING INC	59967	341 CHINA ST	
LYDICK-HOOKS ROOFING INC	60109	333 CHINA ST	
HOEMKE PROPERTY LLC	75775	409 S TREADAWAY BL	
HOEMKE PROPERTY LLC	76279	425 S TREADAWAY BL	
HOEMKE PROPERTY LLC	76405	441 S TREADAWAY BL	
ADVANTAGE OUTDOOR COMPANY LP	59834	409 CHINA ST	
ADVANTAGE OUTDOOR COMPANY LP	59834	401 CHINA ST	
ADVANTAGE OUTDOOR COMPANY LP	59967	341 CHINA ST	
ROBINSON PATRICIA N	76522	446 S TREADAWAY BL	
ROBINSON PATRICIA N	77269	442 S 4TH ST	
BOYD VANCE W	10266	334 S TREADAWAY BL	
HOEMKE PROPERTY LLC	75775	409 S TREADAWAY BL	
HOEMKE PROPERTY LLC	76279	425 S TREADAWAY BL	
HOEMKE PROPERTY LLC	76405	441 S TREADAWAY BL	
LYDICK-HOOKS ROOFING INC	59834	409 CHINA ST	
LYDICK-HOOKS ROOFING INC	59834	401 CHINA ST	
LYDICK-HOOKS ROOFING INC	59967	341 CHINA ST	

LYDICK-HOOKS ROOFING INC	60109	333 CHINA ST	
ROBINSON PATRICIA N	77269	433 WILLOW ST	
ROBINSON PATRICIA N	106773	402 S TREADAWAY BL	
UNION PACIFIC SYSTEM	59563	433 CHINA ST	

LOCATION MAP



ZONING MAP





REZONE REQUEST

Case: Z-2023-35

Owner: Hoemke Properties LLC

Agent: Seth Merritt

Request: Rezone from HI to LI

Location: 409 S Treadaway Blvd.

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: November 7, 2023

City Council Hearing: November 16, 2023
December 7, 2023





AERIAL LOCATION MAP

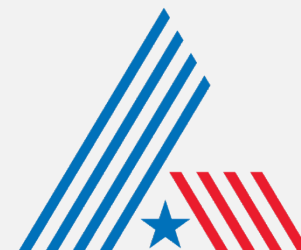


Aerial Map



Legend

- Z-2023-35
- CourierParcels



CITY OF
ABILENE
TEXAS



ZONING MAP

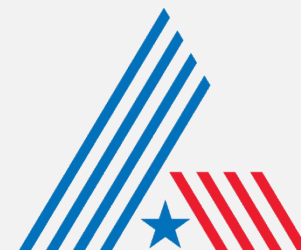


Zoning Map

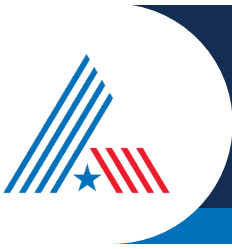


Legend

- Z-2023-35
- Arterial
- RS-6: Residential Single-Family
- HC: Heavy Commercial
- LI: Light Industrial
- HI: Heavy Industrial



CITY OF
ABILENE
TEXAS



PERMITTED USES IN HI ZONING

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- TP Field Office or Construction Office (temporary)
- P Freight Container
- P Manufacturing (incidental)
- C Mobile Home (permanent security residence)
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recycling Collection Point
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- P Adult Entertainment Enterprise
- C Motorized Racing

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Fire/Police Station
- P Homeless/Emergency Shelter
- P Post Office
- P Sanitary Landfill

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- P Educational and Scientific Research
- P School: Public/Private

SERVICE

- P Contractor Services
- P Recycling Collection and Processing Center
- P Scales (public)
- P Wrecker/Towing

TRADE – RETAIL USES

- P Head Shop
- C Scrap and Waste Material

TRADE – WHOLESALE USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Mining
- P Petroleum or Gas Well
- P Liquor
- P Manufacturing (light)
- P Manufacturing (heavy)
- 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 LI ZONING

ACCESSORY AND INCIDENTAL USES:

P Accessory Structure (Also see Division 4 of this article)
P Antenna, Non-Commercial/Amateur
P ATM's, Self-Serve Kiosks, and Similar Facilities
P Drive-Through Facility
TP Field Office or Construction Office (temporary)
P Freight Container
P Fuel Sales
TP Itinerant Business
P Manufacturing (incidental)
C Mobile Home (permanent security residence)
TP Mobile Home (temporary security residence)
P Mobile Home or Temporary Building (office for sales and service)
P Recreation Building, Multipurpose
P Recycling Collection Point
P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRADE – WHOLESALE USES

P Liquor, Wholesale/Distribution
C Livestock – Wholesale or Auction
P Wholesaling and Storage (indoor)
P Wholesaling and Storage (outdoors)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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

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





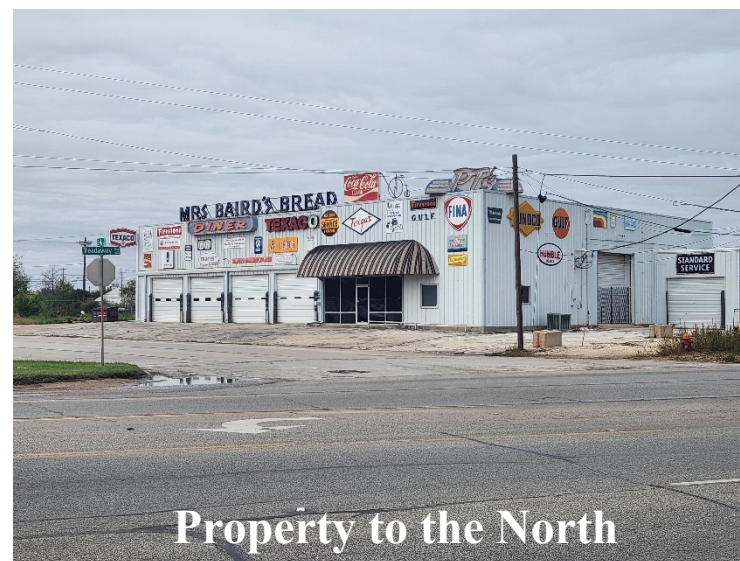
VIEWS OF SUBJECT PROPERTY



Subject Property



Property to the East



Property to the North



Property to the West



Property to the South





NOTIFICATION AREA MAP





FINDINGS AND RECOMMENDATIONS

The proposed request for Light Industrial (LI) 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?



ORDINANCE NO. _____

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

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

PASSED ON FIRST READING the 16th day of November, 2023.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of October, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 7th day of December, 2023, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 7th day of December, 2023.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

City of Abilene
Planning & Zoning Dept.
October 3rd, 2023

To whom it my concern,

Bike ABI, LLC would like to request rezoning of our leased property owned by Hoemke Properties located at 409 S Treadaway Blvd Abilene, TX 79602. We are requesting the property be rezoned from "Heavy Industrial" to "Light Industrial" to allow us the ability to open a small on premises bar after obtaining our Wine & Malt Beverage Retailers Permit to sell alcohol for on premises and off premises consumption (Wine & Beer only).

The previous tenant had the ability to operate as a brewpub since they were utilizing the space to manufacture alcohol, we do not intend to manufacture in the warehouse, but plan to use the space for storage for our Party Bikes, Pedicabs, and Bicycles. We do not plan to serve food and will only allow adults 18 and older into our establishment.

Our goal is to create a fun and exciting atmosphere for patrons to enjoy while waiting to depart on a bike tour or enjoy after completion of a bike tour. We plan to utilize the indoor and patio area for bar seating and utilize the warehouse for tool and bike storage.

The ability to serve wine and malt beverages for on-premises and off-premises consumption would allow us the ability to serve our patrons who forgot to BYOB for their party bike tour a closed container of wine or beer to take on the tour or drinks to enjoy onsite in the bar areas. Many surrounding buildings of the property are zoned as light industrial, our request would keep the integrity of the city zoning whilst allowing us to operate as requested.

After discussing with Robert Hoemke landlord, he gave us his permission to submit this application for the property to be rezoned, and it was also mentioned that the connecting property is used for fire extinguisher repair and sales so the re-zoning to Light Industrial would not negatively affect the businesses day to day operations.

Seth Merritt, Co-Owner

Bike ABI, LLC

10/3/2023

-
A handwritten signature in black ink, appearing to read 'Seth Merritt', is written over a horizontal line. To the left of the signature, there is a small 'X' mark.

ZONING CASE Z-2023-36

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 7, 2023
City Council 1st Reading: November 16, 2023
City Council 2nd Reading: December 7, 2023

Applicant

Owner: Pak Harris Enterprises LTD
Agent: Jacob Martin

Case Manager

Adam Holland – Planner

Request

Change the zoning of approximately 5.04 acres from PD-96A to GR.

Location

5333 Buffalo Gap Road

Background

The subject property was zoned as PD-96A in 2004 to create a mixed-use development that allowed specific higher intensity uses along the frontage of the property and less intense uses, primarily educational uses to the rear where the PD abuts residential zoning districts on 3-sides. The property did not have a base zoning district assigned, but is similar to uses allowed in the General Retail or Neighborhood Retail district.

Zoning, Existing and Proposed Land Use

The existing PD allows multi-family, light commercial, educational uses, and specialty retail uses. This request, if approved, would eliminate the PD zoning of the site and replace it with a standard zoning district classification.

Properties south and east of the subject property are zoned RS-8 and RS-6 respectively. Properties to the north are zoned GR, RS-6, and the remainder of PD-96A northwest. Hendrick Emergency Care Center Plaza is located to the west of the subject property across Buffalo Gap Road.

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 Comprehensive Plan and FLUM identify this area as Low Density Residential, therefore General Retail would not be consistent. The Neighborhood Retail zoning district, however, is listed as a secondary zoning district for this residential characteristic.

- (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 original Planned Development District allows specialized retail, office, and low-density residential use. Staff believes that the Neighborhood Retail classification will strike the right balance between the needs of neighborhood to minimize the impacts of commercial development and those of the property owner to fully develop the PD.

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

The subject property has access to all required utilities.

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

None known.

Staff Recommendation

Staff recommends **approval** of GR in Lot 203 and downzoning the request from General Retail (GR) to Neighborhood Retail (NR) on lots 202 and 206.

NOTIFICATIONS

Legend:
O- Opposed
F- In Favor

OWNER

Owner	Property ID	Situs	Response
3W BRANDS LLC	1087056	5333 BUFFALO GAP RD	
AYCOCK ROBERT D & PAMELA D	64069	3258 WOODHOLLOW CR	
BEARD DANIEL ANTHONY &	68896	3117 CHERRY BARK	
BRIDGESTOCK ALAN N &	70761	5349 HUNTERS CR	
BUTLER SHARRON	59426	3265 WOODHOLLOW CR	
CARRIGAN STEPHEN & TRACEY E	64698	3218 WOODHOLLOW CR	o
CARTER CHARLES E & CATHY L	67300	3010 WOODWAY CR	o
CHORN RONALD J & ROBERTA DIANE	70519	5357 HUNTERS CR	
COLWELL RONALD G	71015	5341 HUNTERS CR	
Confidential Owner	71394	5329 HUNTERS CR	
Confidential Owner	63557	3290 WOODHOLLOW CR	
EDICK LEROY III & CYNTHIA	68789	3125 CHERRY BARK	
EVERSON ALLEN TODD & STEPHANIE	66911	3034 WOODWAY CR	
FIORENZA JOSEPH A REV	58922	5442 BUFFALO GAP RD	
FIORENZA JOSEPH A REV	58922	3849 BETTES LN	
FIRST FINANCIAL BANK NA	67041	5257 BUFFALO GAP RD	
FLORES RODOLFO	59129	3281 WOODHOLLOW CR	
FUNK MICHAEL A & IRENE L	63805	3274 WOODHOLLOW CR	
GARNER AUSTIN & KALEY	64444	3234 WOODHOLLOW CR	
GOTCHER CHRIS & GENA	63303	3298 WOODHOLLOW CR	
HARRIS JUDY L	64318	3242 WOODHOLLOW CR	
HENDRICK MEDICAL CENTER	1005437	5310 BUFFALO GAP RD	
HERMAN JOSH WADE	64573	3226 WOODHOLLOW CR	
HOLLOWELL CODIE C	68554	3134 CHERRY BARK	
IRVIN ALTON LARRY &	67171	3018 WOODWAY CR	
ITSON JOE & MINNIE	65328	3142 WOODGLEN CV	
JAMISON KELLY W & LEANN G	69013	3101 CHERRY BARK	
JONES VAN M & DENISE D	59698	3249 WOODHOLLOW CR	
LINDLEY JERRY THOMAS & J'DANA LEA	59830	3241 WOODHOLLOW CR	
MASSIE WILBUR W	71137	5337 HUNTERS CR	
MC DANIEL ROY LEE	65706	3118 WOODGLEN CV	
OBRIEN SUSAN K	70885	5345 HUNTERS CR	
OWEN MARLENE	67557	2958 WOODLAKE DR	
PRD OWNER LLC	993705	5309 BUFFALO GAP RD	

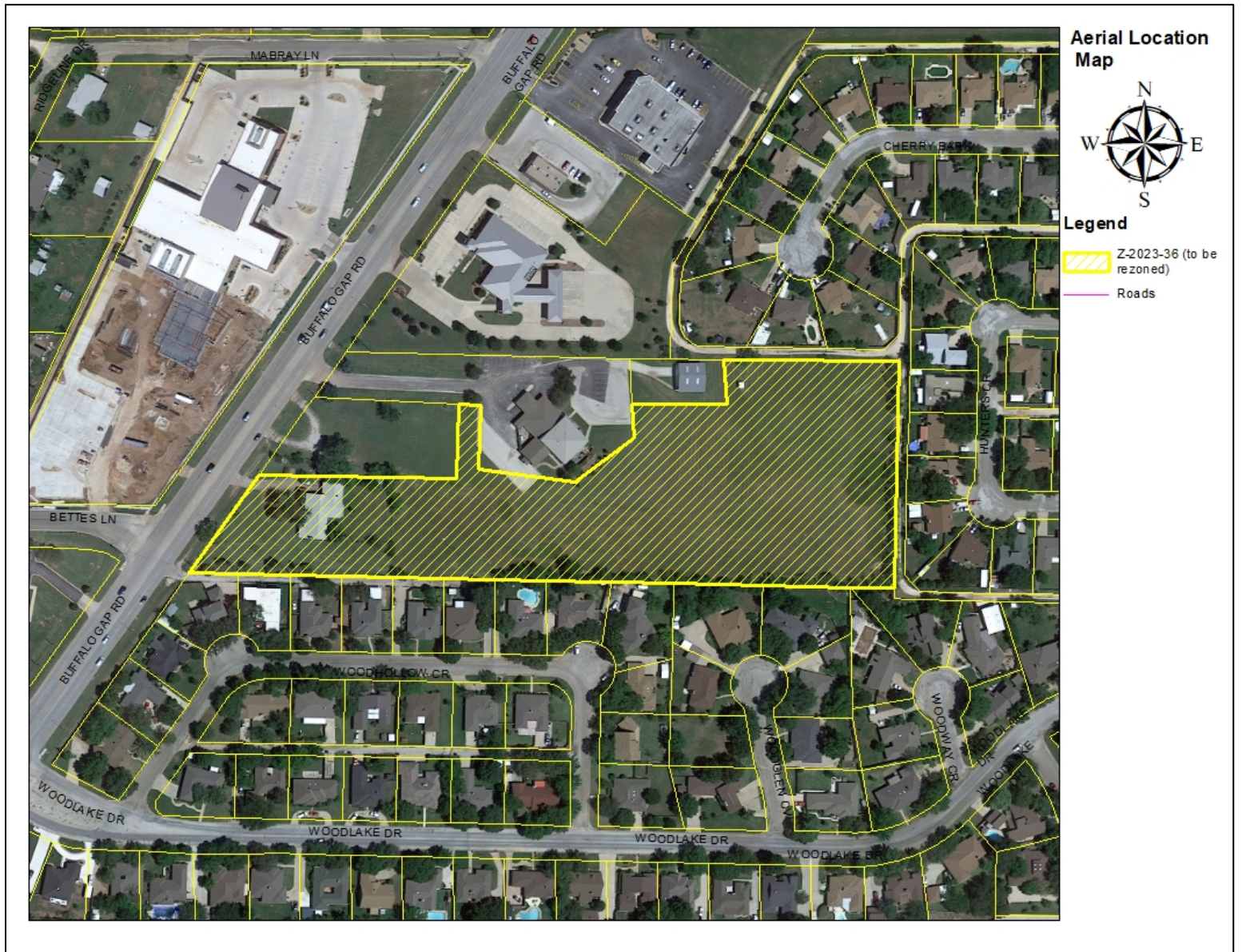
RANDOLPH G B III	74846	5322 HUNTERS CR	
RENEAU STEVEN HAYES	71516	5325 HUNTERS CR	
RICHARDSON DANIEL & DEBORAH	65582	3126 WOODGLEN CV	
ROBERTSON EARL & MARY	1002362	5355 HUNTERS CR	
ROSE JIMMIE & CONSTANCE	63935	3266 WOODHOLLOW CR	
ROSTVOLD STEVE	63431	3294 WOODHOLLOW CR	
S J JACKS LIVING TRUST	64191	3250 WOODHOLLOW CR	
SAUNDERS ROY E	68666	3133 CHERRY BARK	
SMITH ALTON	67029	3026 WOODWAY CR	
SMITH NATHAN W & JESSICA APRIL	59557	3257 WOODHOLLOW CR	o
STASSER FREDRICK & RACHEL	65458	3134 WOODGLEN CV	
TOWNE GERALD R & ALICE JANE	74720	5362 HUNTERS CR	
TOWNSEND SEAN ANDRE &	59292	3273 WOODHOLLOW CR	
VELA RICARDO J	71269	5333 HUNTERS CR	
WEATHERMAN SCOTT D &	63672	3282 WOODHOLLOW CR	
WILDER MICHAEL R & DIANNE	68431	3126 CHERRY BARK	

PROPERTY ID

Owner	Property ID	Situs	Response
FIORENZA JOSEPH A REV	58922	5442 BUFFALO GAP RD	
FIORENZA JOSEPH A REV	58922	3849 BETTES LN	
FLORES RODOLFO	59129	3281 WOODHOLLOW CR	
TOWNSEND SEAN ANDRE &	59292	3273 WOODHOLLOW CR	
BUTLER SHARRON	59426	3265 WOODHOLLOW CR	
SMITH NATHAN W & JESSICA APRIL	59557	3257 WOODHOLLOW CR	o
JONES VAN M & DENISE D	59698	3249 WOODHOLLOW CR	
LINDLEY JERRY THOMAS & J'DANA LEA	59830	3241 WOODHOLLOW CR	
GOTCHER CHRIS & GENA	63303	3298 WOODHOLLOW CR	
ROSTVOLD STEVE	63431	3294 WOODHOLLOW CR	
Confidential Owner	63557	3290 WOODHOLLOW CR	
WEATHERMAN SCOTT D &	63672	3282 WOODHOLLOW CR	
FUNK MICHAEL A & IRENE L	63805	3274 WOODHOLLOW CR	
ROSE JIMMIE & CONSTANCE	63935	3266 WOODHOLLOW CR	
AYCOCK ROBERT D & PAMELA D	64069	3258 WOODHOLLOW CR	
S J JACKS LIVING TRUST	64191	3250 WOODHOLLOW CR	
HARRIS JUDY L	64318	3242 WOODHOLLOW CR	
GARNER AUSTIN & KALEY	64444	3234 WOODHOLLOW CR	
HERMAN JOSH WADE	64573	3226 WOODHOLLOW CR	
CARRIGAN STEPHEN & TRACEY E	64698	3218 WOODHOLLOW CR	o
ITSON JOE & MINNIE	65328	3142 WOODGLEN CV	
STASSER FREDRICK & RACHEL	65458	3134 WOODGLEN CV	
RICHARDSON DANIEL & DEBORAH	65582	3126 WOODGLEN CV	

MC DANIEL ROY LEE	65706	3118 WOODGLEN CV	
EVERSON ALLEN TODD & STEPHANIE	66911	3034 WOODWAY CR	
SMITH ALTON	67029	3026 WOODWAY CR	
FIRST FINANCIAL BANK NA	67041	5257 BUFFALO GAP RD	
IRVIN ALTON LARRY &	67171	3018 WOODWAY CR	
CARTER CHARLES E & CATHY L	67300	3010 WOODWAY CR	o
OWEN MARLENE	67557	2958 WOODLAKE DR	
WILDER MICHAEL R & DIANNE	68431	3126 CHERRY BARK	
HOLLOWELL CODIE C	68554	3134 CHERRY BARK	
SAUNDERS ROY E	68666	3133 CHERRY BARK	
EDICK LEROY III & CYNTHIA	68789	3125 CHERRY BARK	
BEARD DANIEL ANTHONY &	68896	3117 CHERRY BARK	
JAMISON KELLY W & LEANN G	69013	3101 CHERRY BARK	
CHORN RONALD J & ROBERTA DIANE	70519	5357 HUNTERS CR	
BRIDGESTOCK ALAN N &	70761	5349 HUNTERS CR	
OBRIEN SUSAN K	70885	5345 HUNTERS CR	
COLWELL RONALD G	71015	5341 HUNTERS CR	
MASSIE WILBUR W	71137	5337 HUNTERS CR	
VELA RICARDO J	71269	5333 HUNTERS CR	
Confidential Owner	71394	5329 HUNTERS CR	
RENEAU STEVEN HAYES	71516	5325 HUNTERS CR	
TOWNE GERALD R & ALICE JANE	74720	5362 HUNTERS CR	
RANDOLPH G B III	74846	5322 HUNTERS CR	
PRD OWNER LLC	993705	5309 BUFFALO GAP RD	
ROBERTSON EARL & MARY	1002362	5355 HUNTERS CR	
HENDRICK MEDICAL CENTER	1005437	5310 BUFFALO GAP RD	
3W BRANDS LLC	1087056	5333 BUFFALO GAP RD	

LOCATION MAP



Zoning Map



	Z-2023-36 (to be rezoned)
	Roads
	Courier/Parcels
	RS-6: Residential Single-Family
	RS-8: Residential Single-Family
	RS-12: Residential Single-Family
	PH: Residential Single-Family Patio Home
	NO: Neighborhood Office
	MU: Medical Use
	GR: General Retail
	PD: Planned Development



REZONE REQUEST

Case: Z-2023-36

Owner: Pak Harris Enterprises LTD

Agent: Jacob Martin

Request: Change the zoning of approximately 5.04 acres from PD 96A to GR

Location: 5333 Buffalo Gap Road

Notification: 0 in Favor, 3 Opposed

Planning & Zoning: November 7, 2023

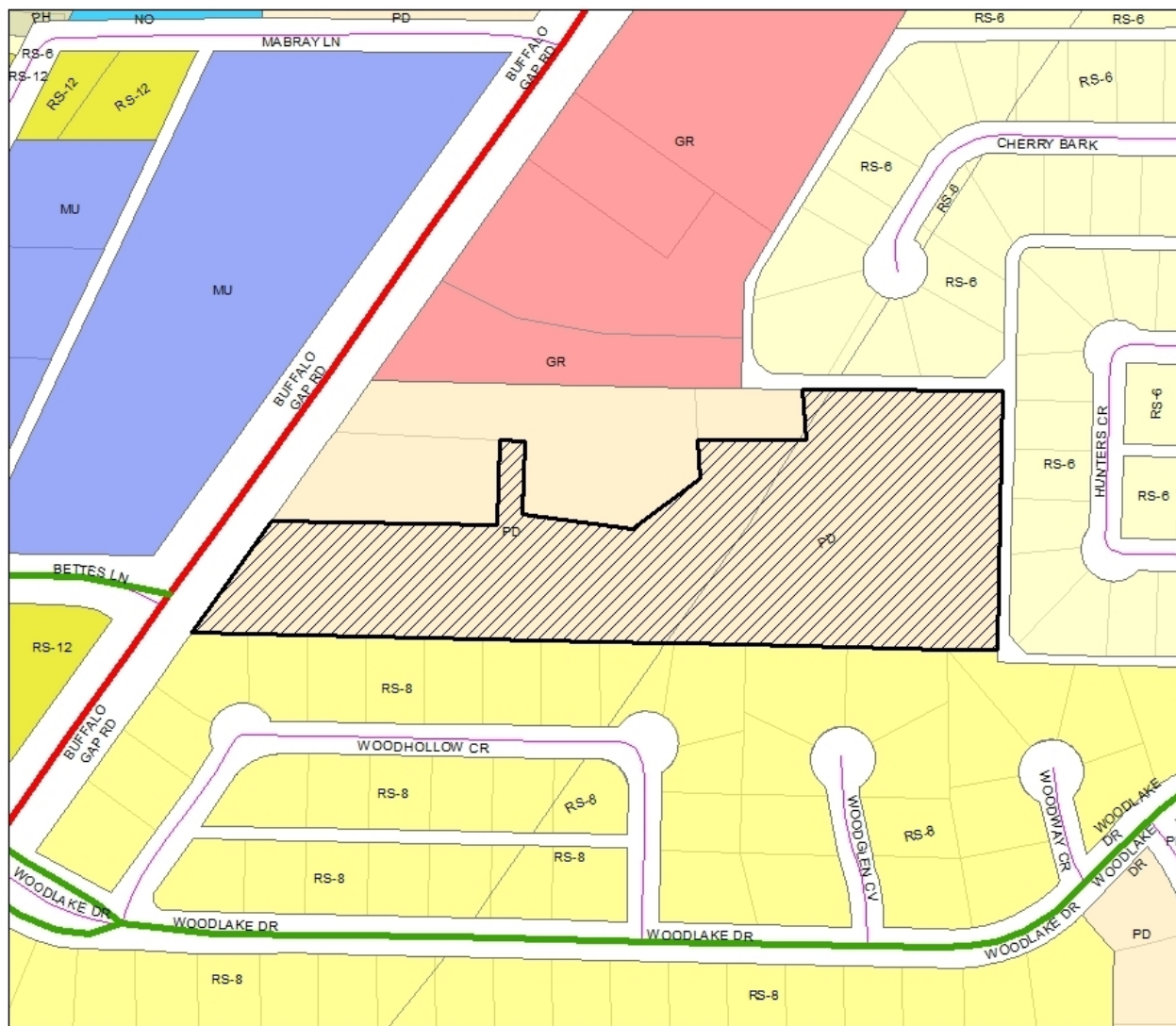
Council Hearing: November 16, 2023
December 7, 2023







ZONING MAP

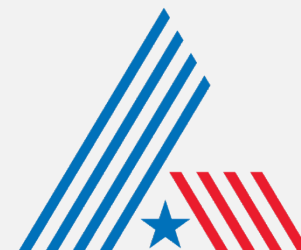


Zoning Map



Legend

- Z-2023-36 (to be rezoned)
- Roads
- Courier Parcels
- RS-6: Residential Single-Family
- RS-8: Residential Single-Family
- RS-12: Residential Single-Family
- PH: Residential Single-Family Patio Home
- NO: Neighborhood Office
- MU: Medical Use
- GR: General Retail
- PD: Planned Development



CITY OF
ABILENE
TEXAS



VIEWS OF SUBJECT PROPERTY



Subject Property



North Neighboring Property



South Neighboring Property



Subject Property

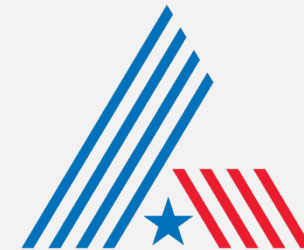
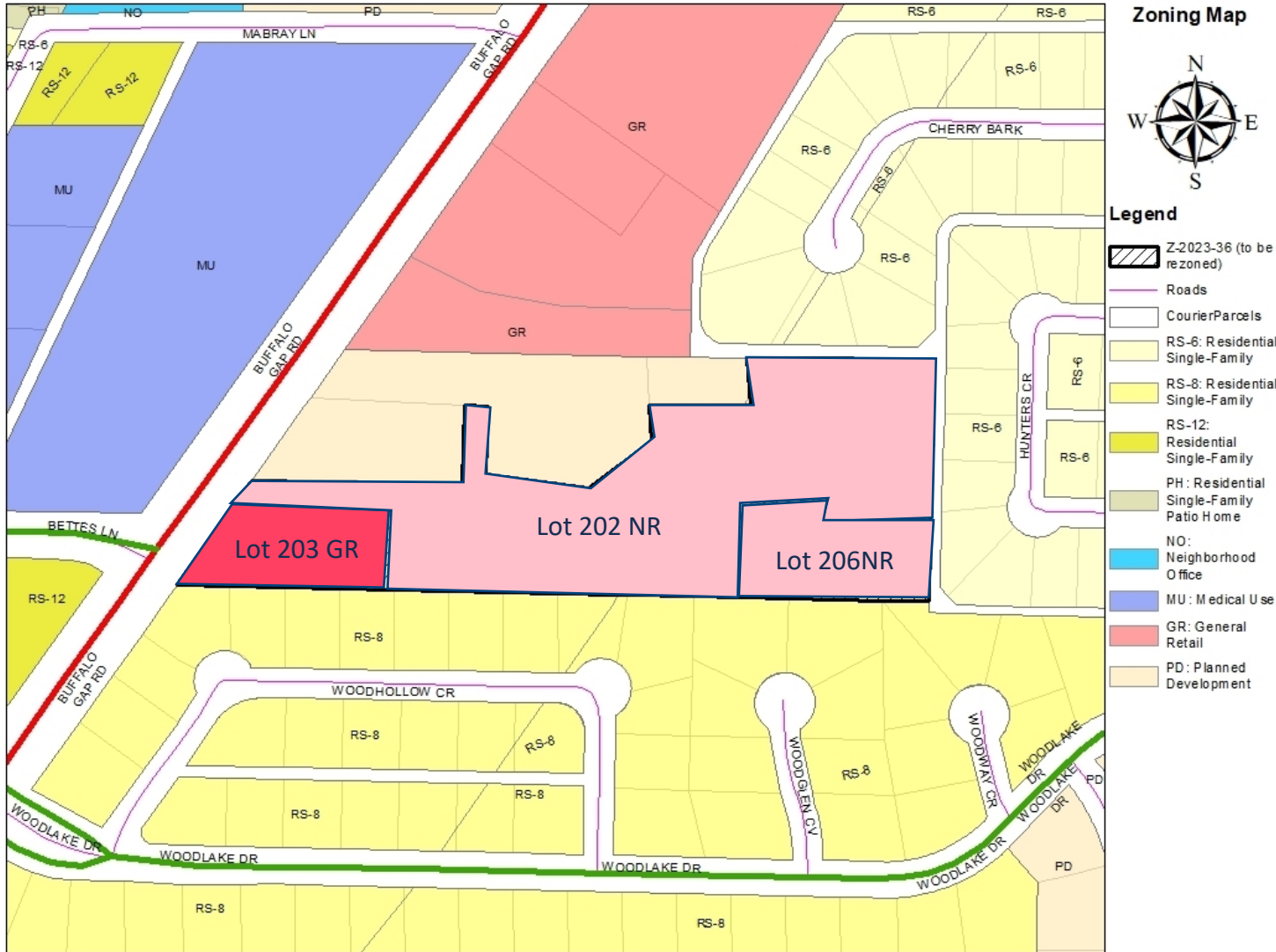


South Neighboring Property





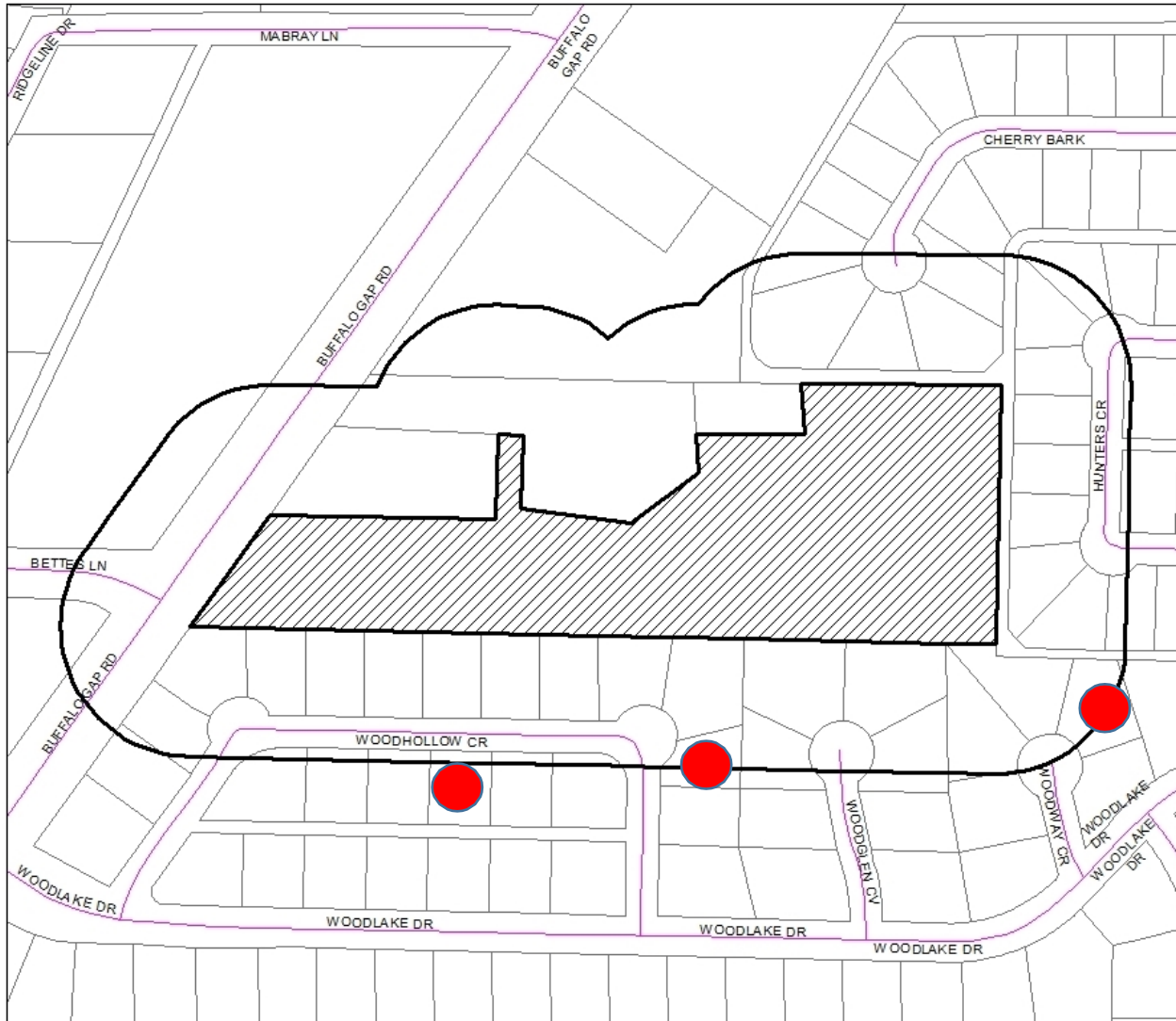
PROPOSED STAFF RECOMENDATION



CITY OF
ABILENE
TEXAS



NOTIFICATION AREA MAP



Notification Map



Legend

- Notification area (not to be rezoned)
- Z-2023-36 (to be rezoned)
- Roads
- Courier Parcels

0- In Favor- 
3- Opposed- 
3.27 % OPPOSITION





FINDINGS

The proposed request for GR zoning is *inconsistent* with:

- Comprehensive Plan;
- The surrounding uses and zoning, particularly on the rear half of the site;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

The potential downzoning of the property to NR zoning is *consistent* with the secondary use recommendation of the Comprehensive Plan and would satisfy the Criteria for Approval in the LDC.





RECOMMENDATION

Staff Recommendation:

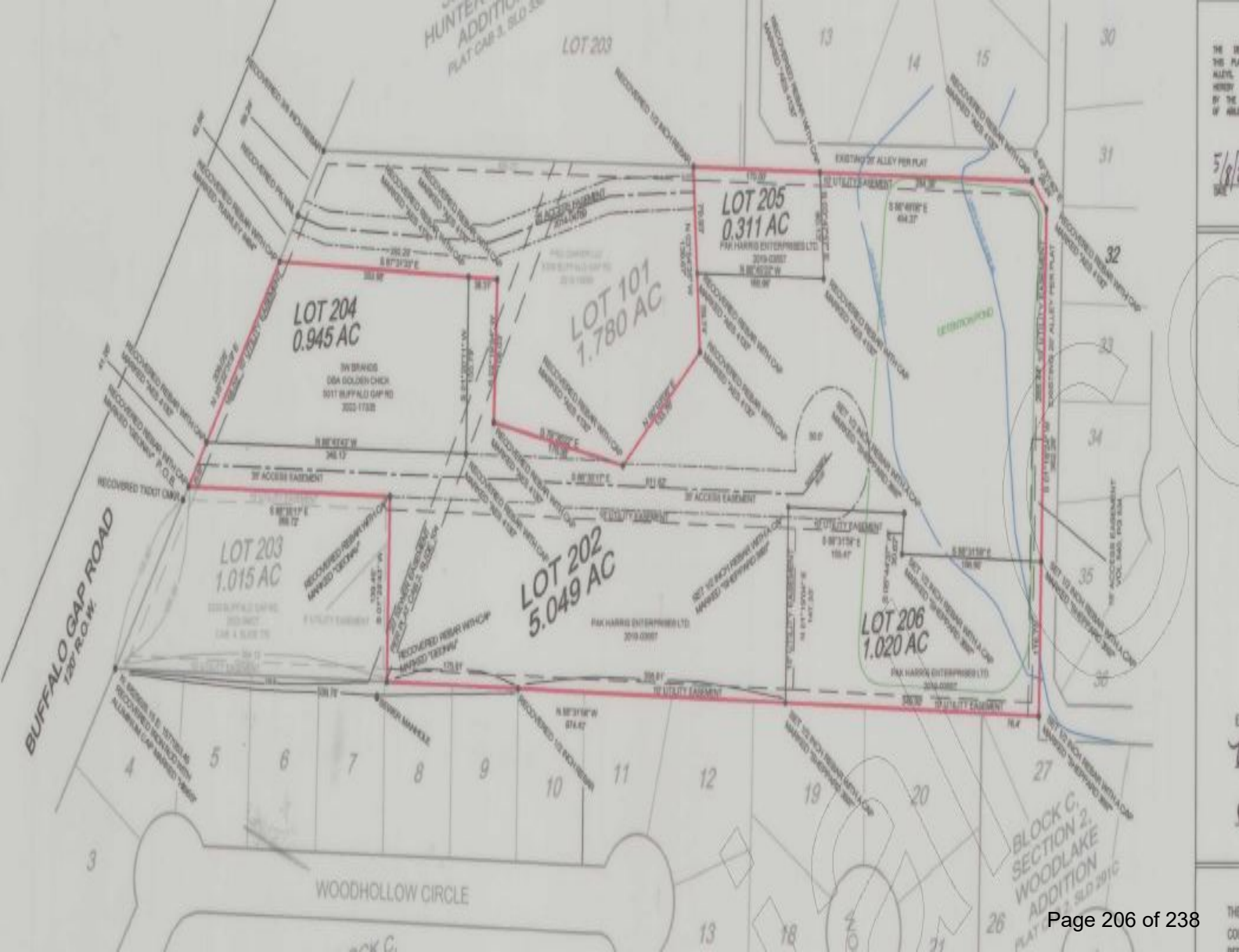
Approval of General Retail on Lot 203 and downzoning the request from General Retail (GR) to Neighborhood Retail (NR) on lots 202 and 206.





Questions?





ORDINANCE NO. _____

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

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

PASSED ON FIRST READING the 16th day of October, 2023.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of October, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 7th day of December, 2023, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 7th day of December, 2023

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Change the zoning classification of the following described land, from Agricultural Open (AO) District to a Neighborhood Retail (NR) District:

Location: 3509 Beltway S, Survey 104 WM E Vaughn, Tract 3 West

END

PROJECT OVERVIEW

Project Type: Zoning Application | Project Title: Z-2023-37 AO to GR

ID # 23-000182 | Started 10/02/2023 at 4:14 PM



Address

3509 Beltway, Abilene, TX USA 79606

Legal

A0418 Sur 104 Wm E Vaughn Blk Tract 3 We Lot Acres 2.2

A0418 Sur 104 Wm E Vaughn, Tract 3 West, Acres 2.2

Description

Rezone from AO to GR

PROPERTY DETAILS

Property ID	19890
GEO ID	36670
Enforcement Area	Far Southside

PROPERTY ADDITIONAL INFORMATION

Account Number	A0418003300
Property ID	36670
Land Use	Single Family Res
High School	Wylie
Middle School	Wylie
Elementary School	Wylie
Super Neighborhood	Far Southside
Courier - Building Square Feet	0

CONTACTS	CONTACT INFO	ADDRESS	CREDENTIALS	ROLE
Clayton Farrow	cfarrow@jacobmartin.com 3256951070	3465 Curry Lane Abilene, TX 79606-2287	Engineer	APPLICANT
Cosper Properties LLC	-	1317 Lytle Way Abilene, TX 79602-4210	-	Property Owner

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	-
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REZONE REQUEST

Case: Z-2023-37

Owner: Cospers Properties LLC

Agent: Jacob & Martin, LLC

Request: Rezoning from Agricultural Open(AO) to General Commercial (GC).

Location: 3509 Beltway S

Notification: 0 in Favor, 0 Opposed

P&Z: November 7, 2023

City Council: November 16, 2023
December 7, 2023

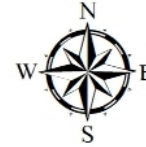




Z-2023-37 AERIAL LOCATION MAP

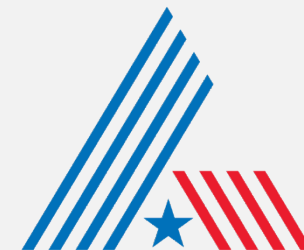


Aerial Map



Legend

- Z-2023-37
- Roads
- CourierParcels



CITY OF
ABILENE
TEXAS



Z-2023-37 ZONING MAP

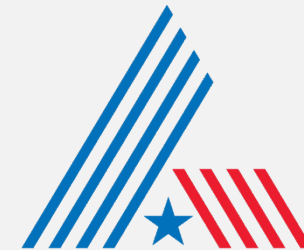


Zoning Map



Legend

- Z-2023-37
- Roads
- Courier Parcels
- AO - Agricultural Open Space
- RS-6: Residential Single-Family
- PH: Residential Single-Family Patio Home
- NR: Neighborhood Retail
- PD: Planned Development



CITY OF
ABILENE
TEXAS



PERMITTED USES IN AO ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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

LEGEND

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





PERMITTED USES IN GR ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

P Petroleum or Gas Well
P Urban Garden

LEGEND

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





Z-2023-37 VIEWS OF SUBJECT PROPERTY



East



North



Subject Property

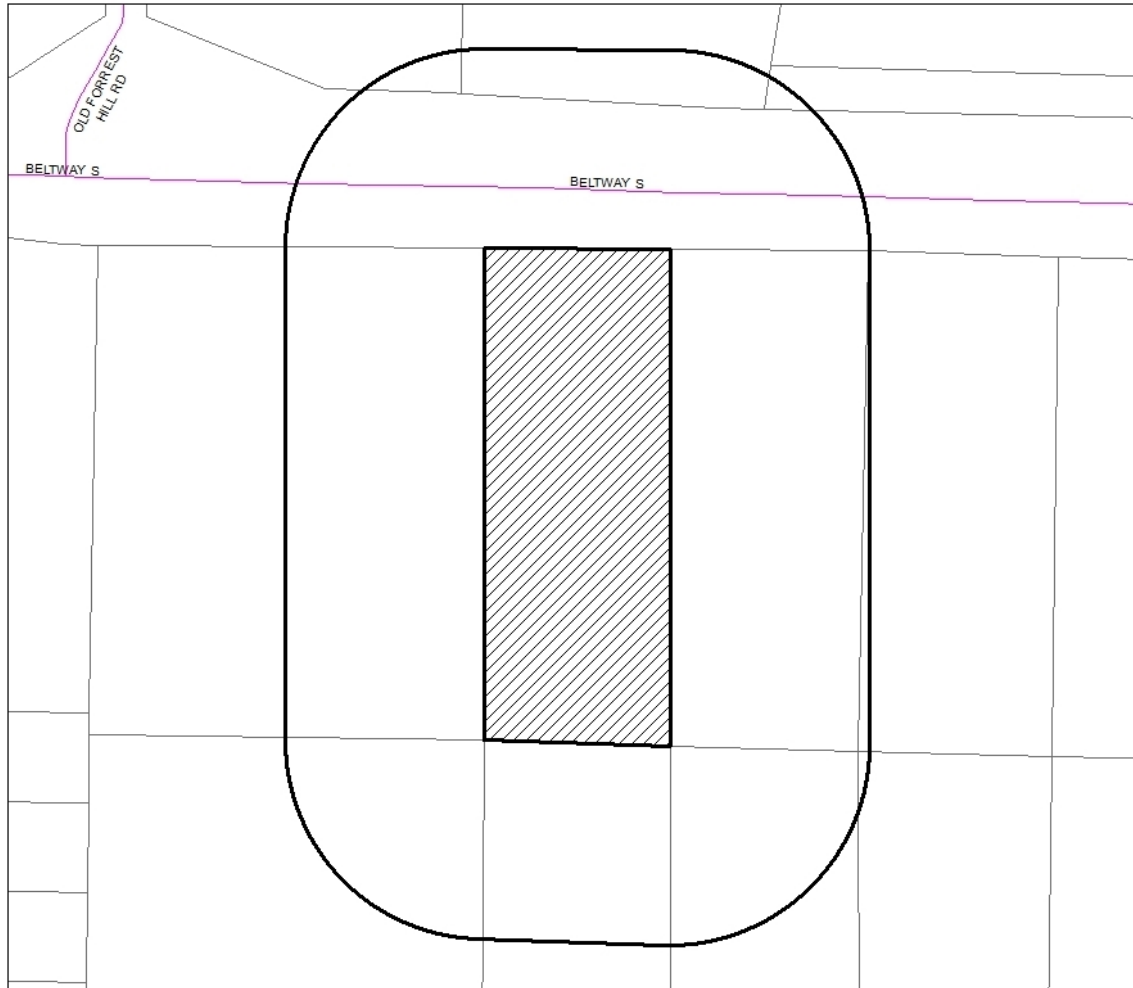


West





Z-2023-37 NOTIFICATION AREA MAP



Notification Map



Legend

- Notification area
- Z-2023-37
- Roads
- CourierParcels

0- In Favor- 

0- Opposed- 





FINDINGS AND RECOMMENDATIONS

The proposed request is not 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 of down zoning to NR





Questions?



ZONING CASE Z-2023-37

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 7, 2023
City Council 1st Reading: November 16, 2023
City Council 2nd Reading: December 7, 2023

Applicant

Owner: Cospers Properties LLC
Agent: Jacob & Martin, LLC

Case Manager

Kiley Hannah – Planner

Request

Rezoning of approximately 2.2 acres from Agricultural Open (AO) to General Retail (GR).

Location

3509 Beltway S, Survey 104 WM E Vaughn, Tract 3 West

Background

The subject property has remained vacant since being annexed into the city in 1959. The owner rezoned the property to General Commercial (GC) in March 2022. The owner is proposing to down zone the property to General Retail (GR) to allow the use of a single family residence, while retaining the right to use the property commercially at some future time.

Zoning, Existing and Proposed Land Use

General commercial uses that are zoned AO are located north and south of the subject property. Residential uses zoned RS-6 are located northwest of the subject property.

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, as amended.

The proposed amendment is not consistent with the Comprehensive Plan or the Future Land Use Map, which both recommend single-family residential development. But NR could be supported here.

(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 majority of properties between Buffalo Gap Road to South Clack Street are zoned as low intensity AO and RS-6. The introduction of General Retail zoning is not consistent with the surrounding uses, and if approved could be cited as creating a zoning precedent and could destabilize the surrounding neighborhood. Abutting an expressway, staff realizes the need for certain uses.

The closet property that is not zoned as residential (AO is a residential zoning district) is located to the east and is zoned Neighborhood Residential (NR).

(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.

All required utilities are available.

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

None known.

Staff Recommendation

Staff recommends downzoning the request to NR.

Notification:

OWNER	PROP_ID	SITUS	RESPONSE
HARDIN SIMMONS UNIVERSITY	74676	2610 HICKORY ST	
MOORE SAM L	53979	3 OLYMPIC	
ABILENE IMPROVEMENT CORP	16744	1424 PINE ST	
BRASWELL CASE B & DEVIN R	42327	3750 GEORGETOWN DR	

LOCATION MAP



ZONING MAP



ZONING CASE Z-2023-38

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 7, 2023
City Council 1st Reading: November 16, 2023
City Council 2nd Reading: December 7, 2023

Applicant

Owner: Nathan Hathorn
Agent: Jacob & Martin

Case Manager

Clarissa Ivey – Planner

Request

Change the zoning of approximately 12.97 acres from Agricultural Open (AO) and General Commercial (GC) to General Commercial (GC).

Location

1209 Spur 707, with the legal description being 12.97 acres out of the north half of the southwest quarter of Lunatic Asylum Lands, Abilene, Taylor County, Texas.

Background

The property was annexed in 1980 and has been used for residential purposes since. The residence on the lot was built in 1974.

Zoning, Existing and Proposed Land Use

The properties directly to the north, east, and south are zoned Agricultural Open (AO). Across Highway 83-84 General Commercial (GC) zoning exists, along with a Planned Development (PDD-150) for a public utility agency.

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 not consistent with the Comprehensive Plan and Future Land Use Map (FLUM), which recommend for this area to be Parks and Open Space. However, General Commercial (GC) would be an appropriate zoning given that this property is right off a highway and near an expressway. This property is also near the proposed home of Fire Station #9.

(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 permitted uses within this zoning district will act as a transition from the busy highway to the residential area just to the east of Beltway S.

- (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 known.

Staff Recommendation

Staff recommends **approval**.

NOTIFICATIONS

Legend:
O- Opposed
F- In Favor

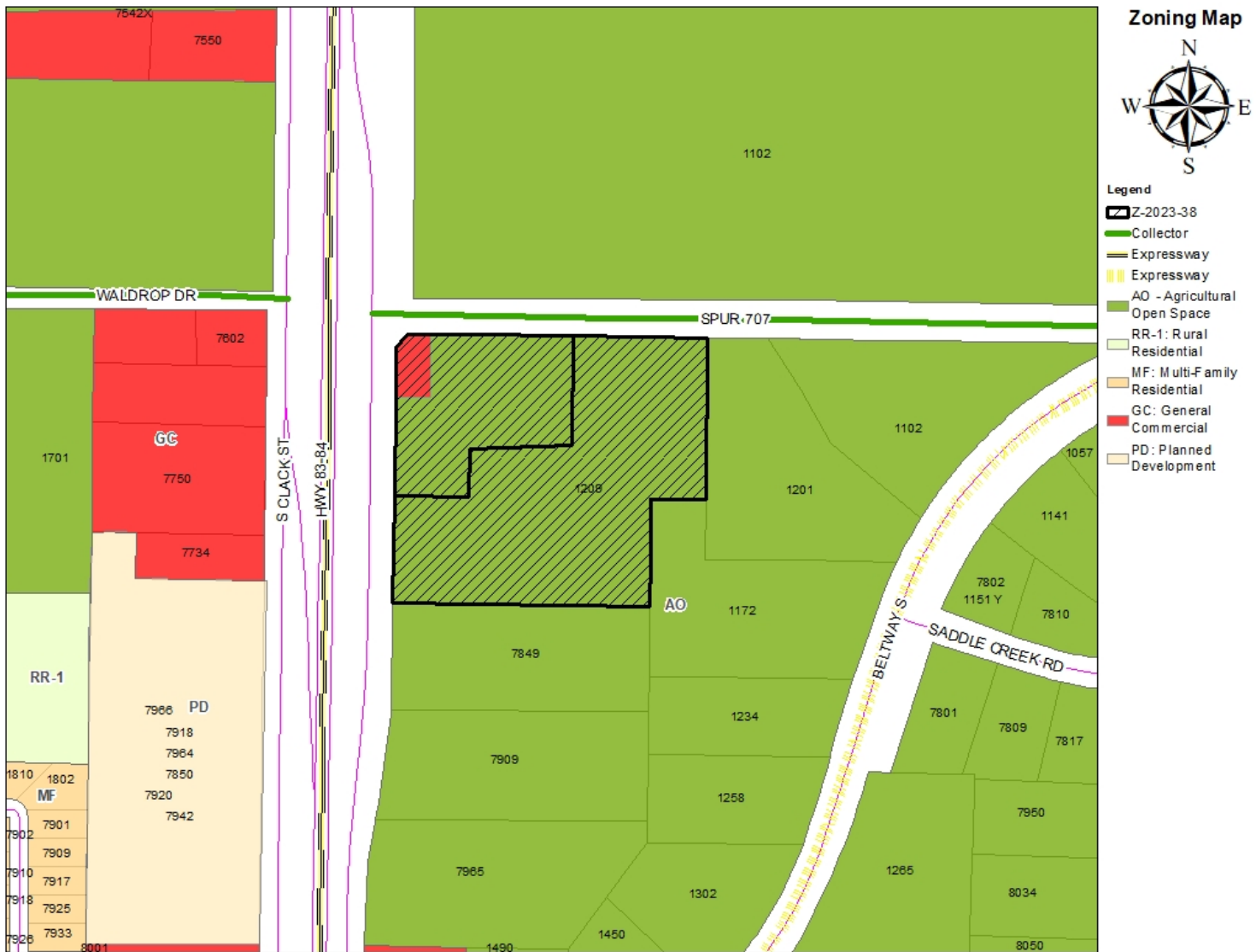
PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
MONTERROSA JAVIER A & RITA	31843	1234 BELTWAY S	
CITY OF ABILENE	44112	1102 SPUR 707	
HATHORN NATHAN & KATIE	73366	1209 SPUR 707	
TERRY CODY D	74057	7849 HWY 83-84	
TERRY GARY & CONNIE	74284	1172 BELTWAY S	
ABILA RAUL & STACI	74400	1201 SPUR 707	
CITY OF ABILENE	74512	1102 BELTWAY S	
EDGE STREET CAPITAL LLC &	1002583		

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ABILA RAUL & STACI	74400	1201 SPUR 707	
CITY OF ABILENE	44112	1102 SPUR 707	
CITY OF ABILENE	74512	1102 BELTWAY S	
EDGE STREET CAPITAL LLC &	1002583		
HATHORN NATHAN & KATIE	73366	1209 SPUR 707	
MONTERROSA JAVIER A & RITA	31843	1234 BELTWAY S	
TERRY CODY D	74057	7849 HWY 83-84	
TERRY GARY & CONNIE	74284	1172 BELTWAY S	

LOCATION MAP



ZONING MAP





REZONE REQUEST

Case: Z-2023-38

Owner: Nathan Hathorn

Agent: Jacob & Martin

Request: Rezone from AO/GC to GC

Location: 1209 Spur 707

Notification: 0 in Favor, 0 Opposed

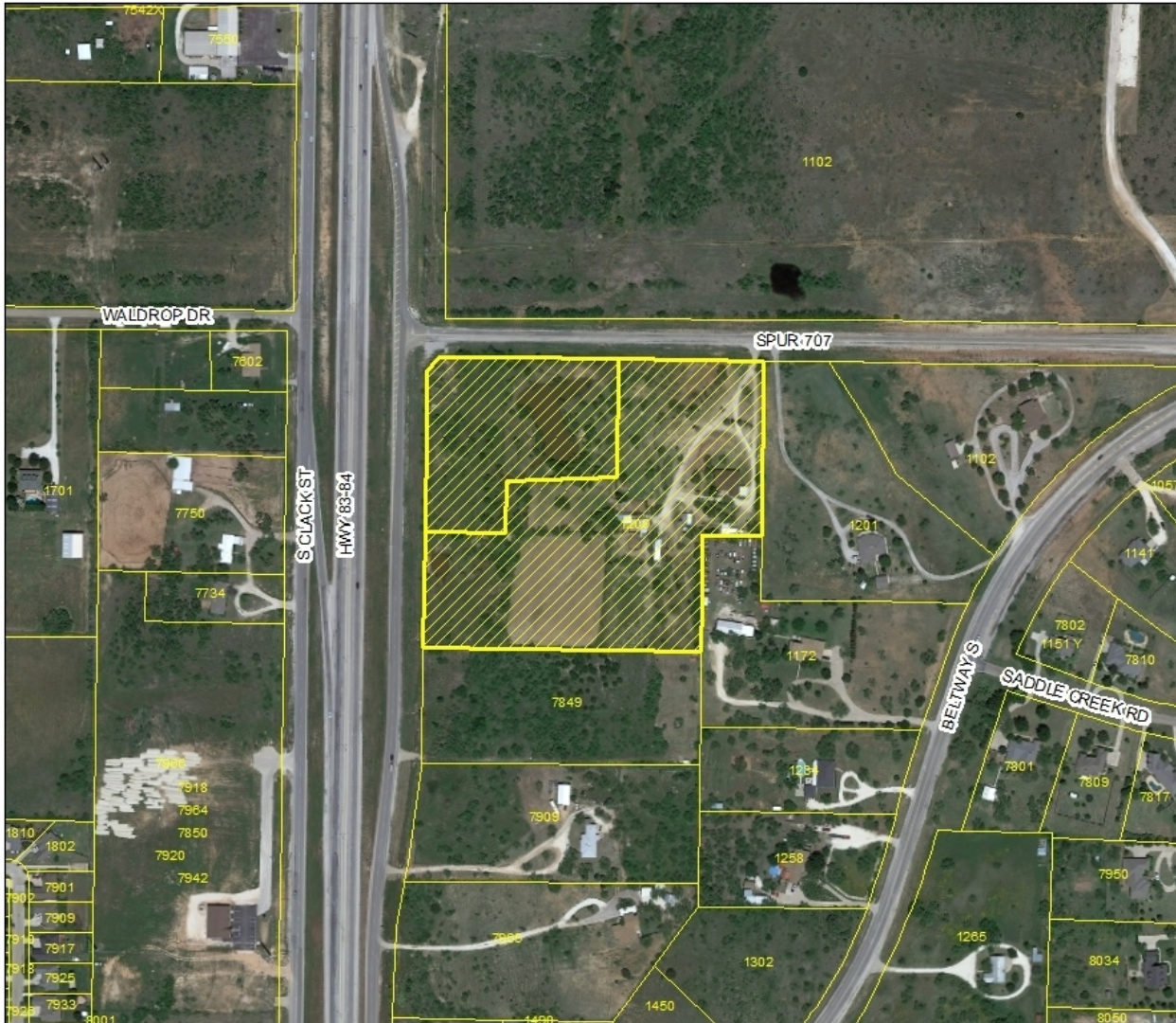
Planning & Zoning: November 7, 2023

City Council Hearing: November 16, 2023
December 7, 2023

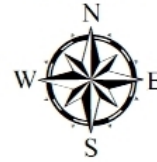




AERIAL LOCATION MAP

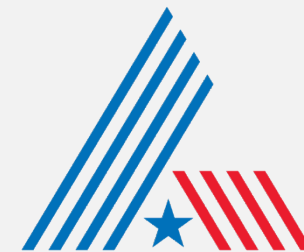


Aerial Map



Legend

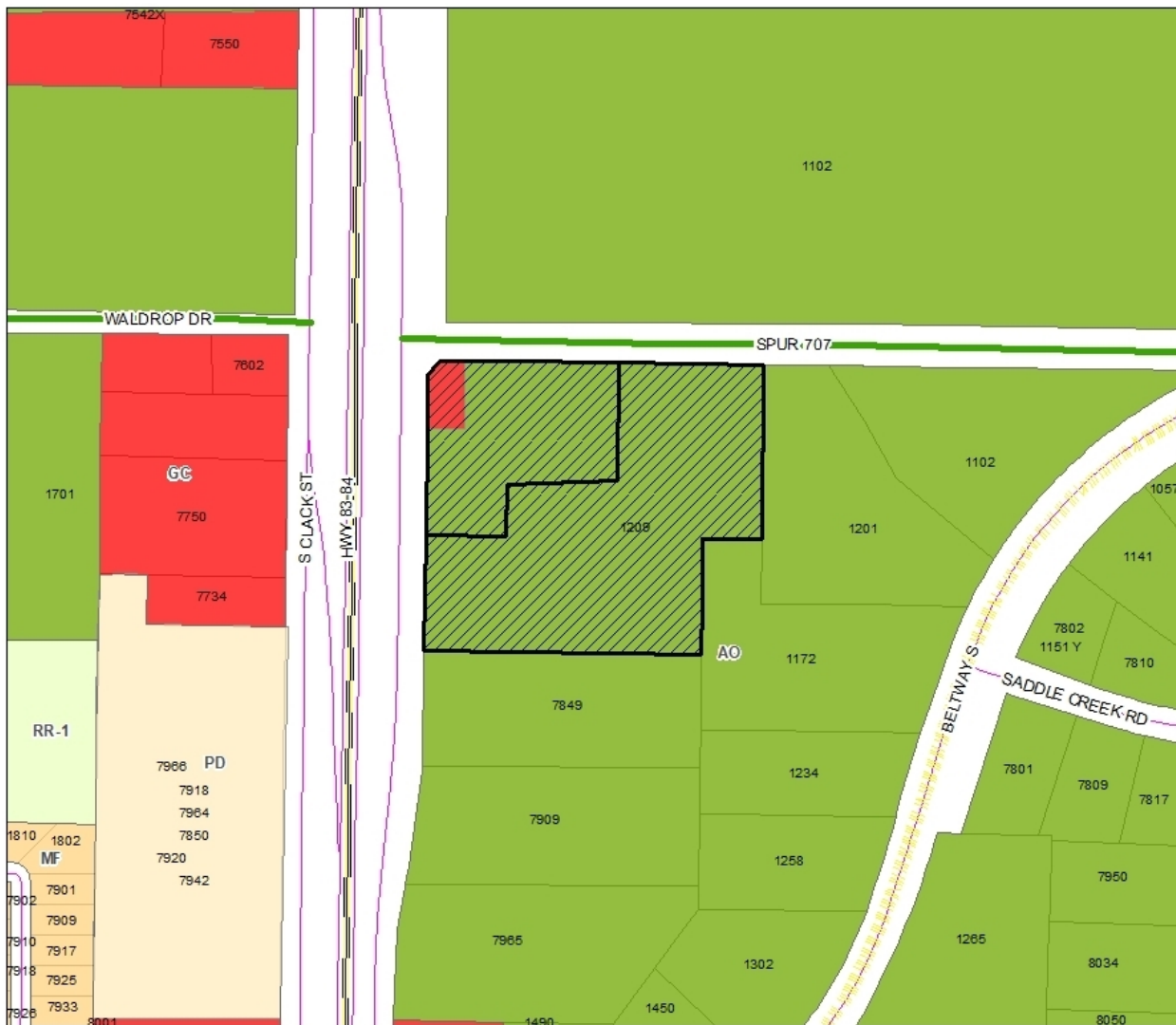
- Z-2023-38
- CourierParcels



CITY OF
ABILENE
TEXAS



ZONING MAP

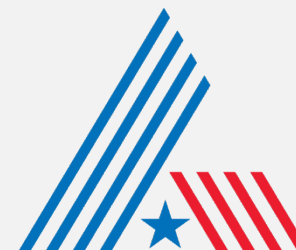


Zoning Map



Legend

- Z-2023-38
- Collector
- Expressway
- Expressway
- AO - Agricultural
- Open Space
- RR-1: Rural
- Residential
- MF: Multi-Family
- Residential
- GC: General
- Commercial
- PD: Planned
- Development



CITY OF
ABILENE
TEXAS



PERMITTED USES IN AO ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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

LEGEND

P

Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)

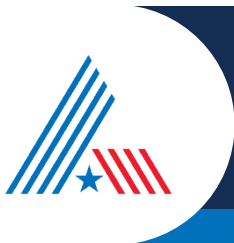
C

Permitted as a Conditional Use Permit, Requiring Approval by City Council

TP

Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment





PERMITTED USES IN GC ZONING

RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Ambulance Service
- P Fire/Police Station
- C Homeless/Emergency Shelter
- P Hospital
- P Medical/Dental Laboratory
- P Post Office
- C Rehabilitation Facility
- P Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

TRADE – RETAIL USES

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

TRADE – WHOLESALE USES

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower - Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Passenger Ground Transportation Terminal
- P Pressure Control Station
- P Public Utility Facility

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





VIEWS OF SUBJECT PROPERTY



Subject Property



Property to the North



Property to the West

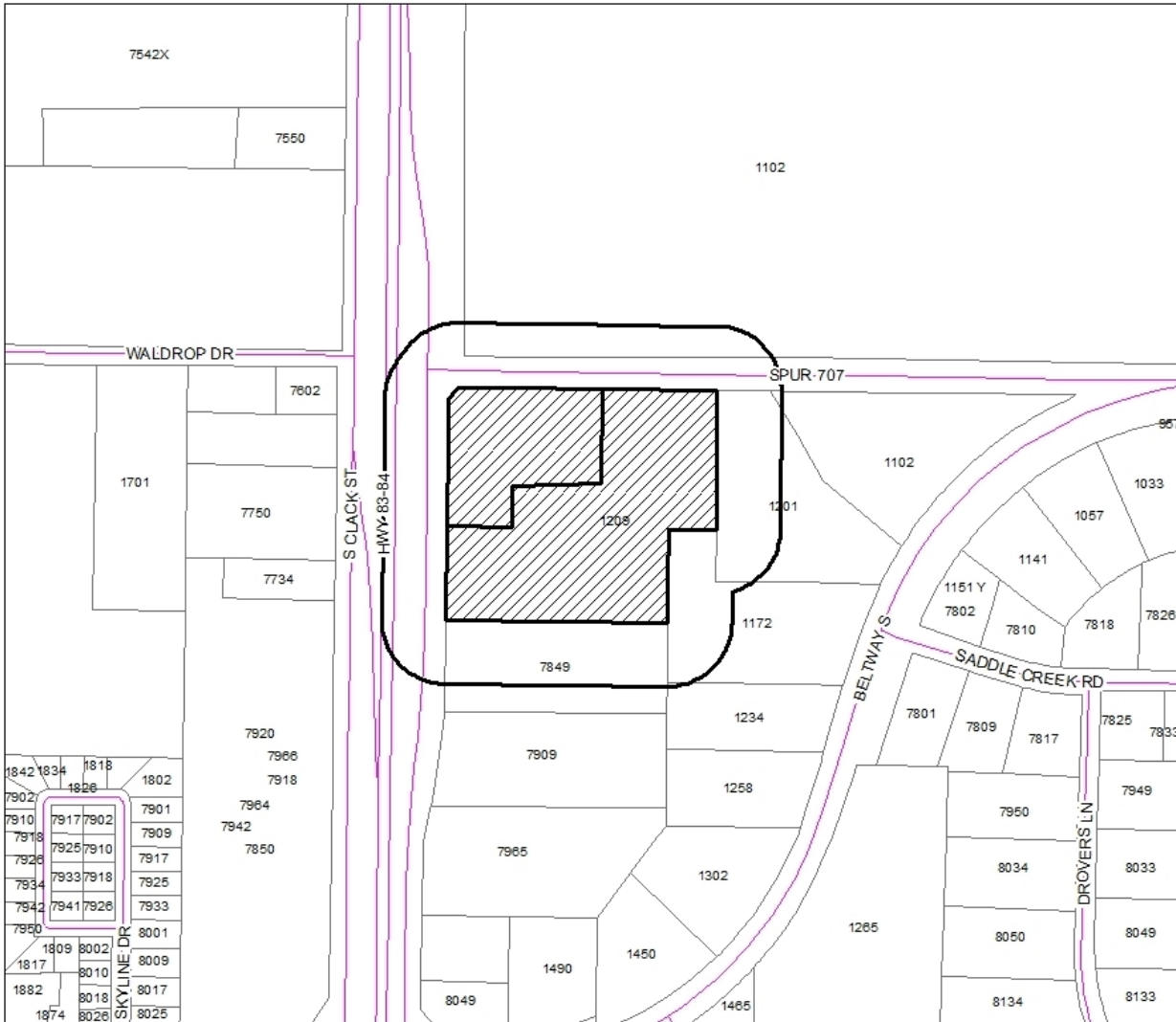


Area to the Southwest

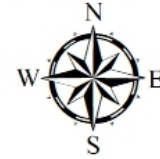




NOTIFICATION AREA MAP



Notification Map



Legend

- Z-2023-38
- Notification Area

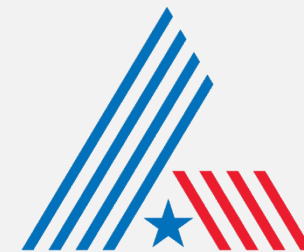
0- In Favor-



0- Opposed-



0% Opposed



CITY OF
ABILENE
TEXAS



FINDINGS AND RECOMMENDATIONS

The proposed request for General Commercial (GC) rezoning is *consistent* with:

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

Not consistent with:

The *Comprehensive Plan*, however, the property location acts as a gateway from the busy highway to the residential area.

Staff Recommendation: **Approval**





Questions?



ORDINANCE NO. _____

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

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

PASSED ON FIRST READING the 16th day of November, 2023.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of October, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 7th day of December, 2023, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 7th day of December, 2023.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

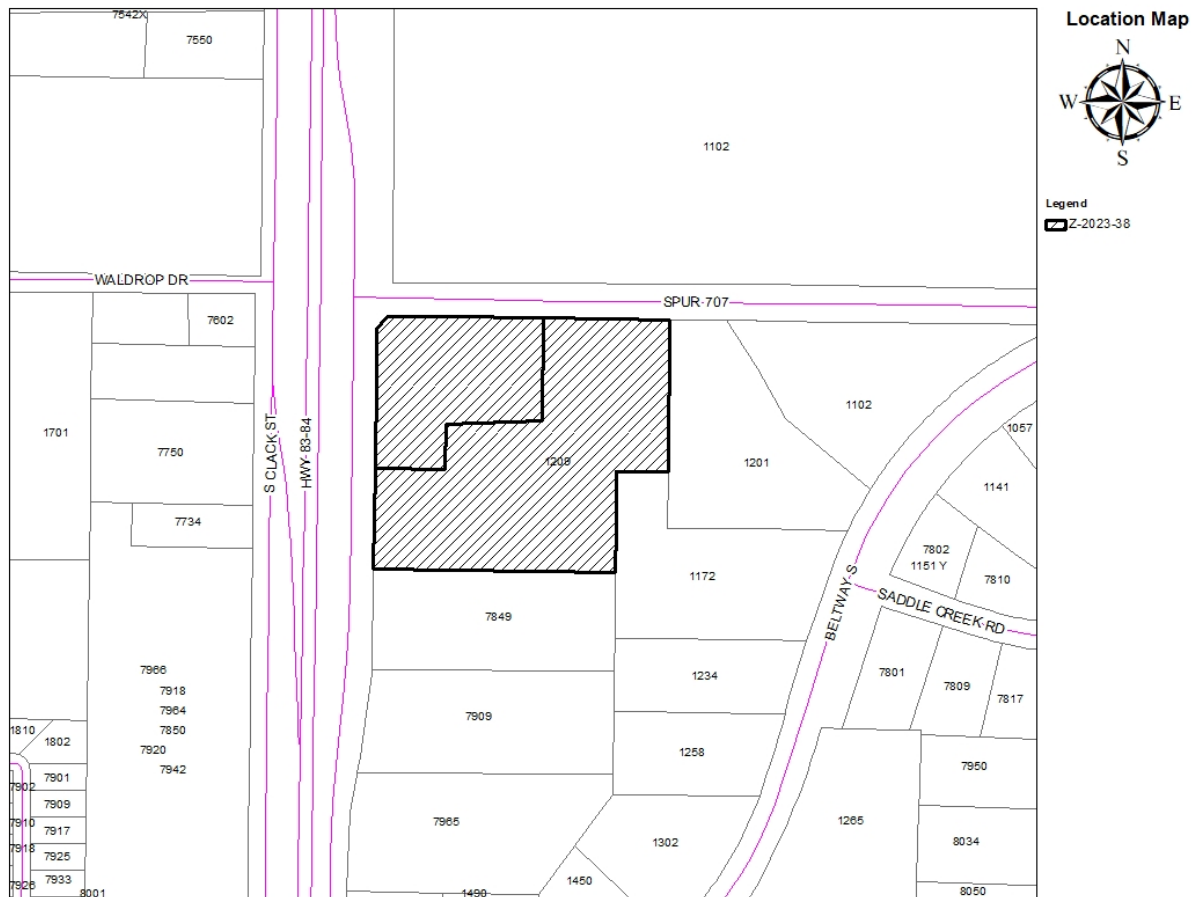
ORDINANCE NO. _____

EXHIBIT A

Change the zoning classification of the following described land from the Agricultural Open (AO) District and the General Commercial (GC) District to the General Commercial (GC) District.

Legal description being 12.97 acres out of the north half of the southwest quarter of Lunatic Asylum Lands, Abilene, Taylor County, Texas.

Located at 1209 Spur 707, Abilene, Taylor County, Texas.



-END-