



City of Abilene

Planning and Zoning Commission Agenda

Notice is hereby given of a meeting of the Planning & Zoning Commission of City of Abilene to be held on December 5, 2023 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

INVOCATION

MINUTES

1. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Minutes from the Regular Meeting Held on November 7, 2023

PLATS

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

2. **FP-8423:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Final Plat of Lots 101-104, Block C, The Denali Addition

ZONING

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

3. **CUP-2023-07:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Charles A. Doby Represented By Shawn Garrett, To Apply A Conditional Use Permit To Approximately 2.67 Acres To Allow For A Trade School Within General Retail (GR) Zoning. Located At 2449 South Willis Street, Suite 204. Legal Description Being Block A, Lot 302 Of The Chimney Square Subdivision, Abilene, Taylor County, Texas. **(Mason Teegardin)**
4. **Z-2023-36 Tabled** 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)**
5. **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 At 3509 Beltway, Abilene, TX 79606. Legal Description Being Survey 104 Wm E Vaughn, Tract 3 West, Abilene, Taylor County, Texas. **(Kiley Hannah)**
6. **Z-2023-40:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A

Request From PB 6950, LLC, Represented By Jacob Martin, To Change The Zoning Of Approximately 11.14 Acres From Agricultural Open To General Commercial. Located At 7542x S Clack St, Abilene, TX 79606. Legal Description Being South East Quarter Of Survey 12 Of Lunatic Asylum Land Tract 6, Abilene, Taylor County, Texas. (Kiley Hannah)

7. **OAM-2023-01 (Tabled):** 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.

EXECUTIVE SESSION

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

- 551.071 Consultation with Attorney

ADJOURNMENT

Notice

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

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 1st day of December, 2023, at 9:45 a.m.

Shawna Atkinson, City Secretary



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on November 7, 2023 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas

Commissioners Present:

Mr. Clint Rosenbaum, Chairman

Ms. Alex Russell, Sergeant-at-Arms

Ms. Shawnte' Fleming

Mr. Brad Benham, Chairman Pro Tem

Mr. Kevin Halliburton

Commissioners Absent:

Mr. Mitch Barnett

Rev. Iziar Lankford, Secretary

Staff Present:

Mr. Michael Rice, Assistant City Manager

Mr. 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. Garry Irvin

Ms. Irene Funk

Mr. Eddie Earles

Ms. Atria Mason

Mr. Van Jones

Mr. Charles Carter

Ms. Dwalah Nelson

Mr. Kris Kowatch

Mr. Robert Aycock

Mr. Tony Chron

Mr. Ryan Holmes

Mr. Butch Nelson

Ms. Denise Jones

Mr. Tim Watson

Mr. Mike Wilder

Mr. Mike Murray

Mr. Seth Merritt

Mr. Klint Doan

Ms. Kaley Garner

Mr. Gary Causin

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:32 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 October 3, 2023. Mr. Benham seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Benham, Russell, Halliburton, Fleming, Rosenbaum

NAYS: None

PLATS

7123-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Summit View Estates

STAFF RECOMMENDATION: Approval with conditions:

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.

7223-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Sanford 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.

7323-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Highland Farms Section 4

STAFF RECOMMENDATION: Approval with conditions:

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.

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

STAFF RECOMMENDATION: Approval

8123-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Caliber Abilene Lot 1, Block A

STAFF RECOMMENDATION: Approval with conditions:

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.

1522-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Hampton Hills Section 9

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. Mr. Eddie Pugh stepped forward to ask questions. Seeing no one else present and desiring to be heard, the public hearing was closed.

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

AYES: Benham, Russell, Halliburton, Fleming, Rosenbaum

NAYS: None

ZONING

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.

Ms. Mason Teegardin presented this request. The request is to add Historic Overlay to a commercial building within Original Town Abilene. This property is not on the Abilene Register of Historic Properties (ARHP). Staff does not have any information about the history of this property; however, the applicant provided background facts.

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

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor, not in opposition.

STAFF RECOMMENDATION: The Landmarks Commission recommends approval.

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

AYES: Benham, Russell, Halliburton, Fleming, Rosenbaum

NAYS: None

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.

Ms. Mason Teegardin presented this request to add Historic Overlay to a residence within Original Town Abilene. 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.

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

Property owners within a 200-foot radius were notified of this request. There were

STAFF RECOMMENDATION: The Landmarks Commission recommends approval.

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

AYES: Benham, Russell, Halliburton, Fleming, Rosenbaum

NAYS: None

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.

Mr. Randy Anderson presented this request. 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 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.

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

STAFF RECOMMENDATION: Approval

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

AYES: Benham, Russell, Halliburton, Fleming, Rosenbaum

NAYS: None

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.

Mr. Adam Holland presented this request. 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.

Mr. Rosenbaum opened the public hearing. Ms. Atria L. Mason, applicant, stepped forward to speak about her intentions.

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: 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.

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

AYES: Benham, Russell, Halliburton, Fleming, Rosenbaum

NAYS: None

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.

Mr. Benham moved to **remove this item from the table**. Mr. Halliburton seconded the motion.

Mr. Adam Holland presented this request. 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 choice, similar to the Westley Court Senior Living facility. The original Concept Plan has been updated to address the neighborhood concerns from the previous Commission meeting. 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.

Mr. Rosenbaum opened the public hearing. Those who stepped forward were:

Mr. Mike Murray
Ms. Dwalah Nelson
Mr. Kris Kowatch

Mr. Tim Watson
Mr. Butch Nelson

Property owners within a 200-foot radius were notified of this request. One (1) response was received in favor, with none in opposition.

STAFF RECOMMENDATION: Approval subject to conditions.

Mr. Benham moved to **approve** this request as presented and **subject to conditions recommended by staff**. Mr. Halliburton seconded the motion. The motion prevailed by the following vote:

AYES: Benham, Russell, Halliburton, Rosenbaum

NAYS: None

ABSENT: Fleming

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.

Ms. Clarissa Ivey presented this request. 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 Tobbaco) and manufacturing (Pappy Slokum Brewery.) 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.

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

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

STAFF RECOMMENDATION: Approval

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

AYES: Benham, Russell, Halliburton, Fleming, Rosenbaum

NAYS: None

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.

Mr. Adam Holland presented this request. 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.

Mr. Rosenbaum opened the public hearing. Those who stepped forward to address this request were: Mr. Mike Wilder, Mr. Van Jones, Mr. Tal Fillingim, Ms. Denise Jones, Mr. Gary Causin, Mr. Robert Aycock, Mr. Charles Carter

Property owners within a 200-foot radius were notified of this request. One (1) response was received in favor, with three (3) in opposition.

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.

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

AYES: Benham, Halliburton, Fleming, Rosenbaum

NAYS: None

ABSENT: Russell

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.

Ms. Kiley Hannah presented this request. The subject property is currently zoned Agricultural Open (AO) requesting to rezone to General Retail (GR).

Mr. Rosenbaum opened the public hearing. Mr. Tal Fillingim stepped forward to address this request. 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, with none (0) in opposition.

STAFF RECOMMENDATION: Approval of down zoning to NR

Mr. Benham moved to **approve** this request as presented by staff. Ms. Fleming seconded the motion. The motion to approve prevailed by the following vote:

AYES: Benham, Halliburton, Fleming, Rosenbaum

NAYS: None

ABSENT: Russell

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.

Ms. Clarissa Ivey presented this request. The property was annexed in 1980 and has been used for residential purposes since. The residence on the lot was built in 1974. 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.

Mr. Rosenbaum opened the public hearing. Mr. Tal Fillingim stepped forward to address this request. 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, with none (0) in opposition.

STAFF RECOMMENDATION: Approval

Mr. Benham moved to **approve** this request as presented by staff. Ms. Fleming seconded the motion. The motion to approve prevailed by the following vote:

AYES: Benham, Halliburton, Fleming, Rosenbaum

NAYS: None

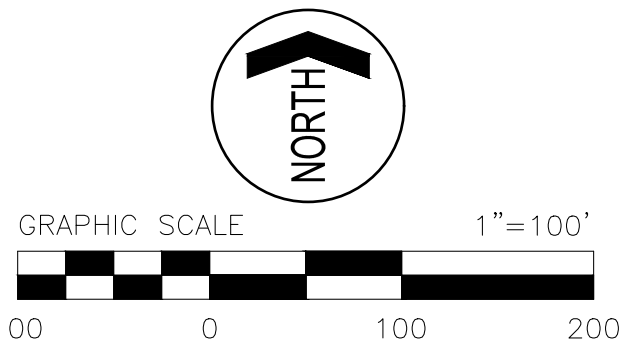
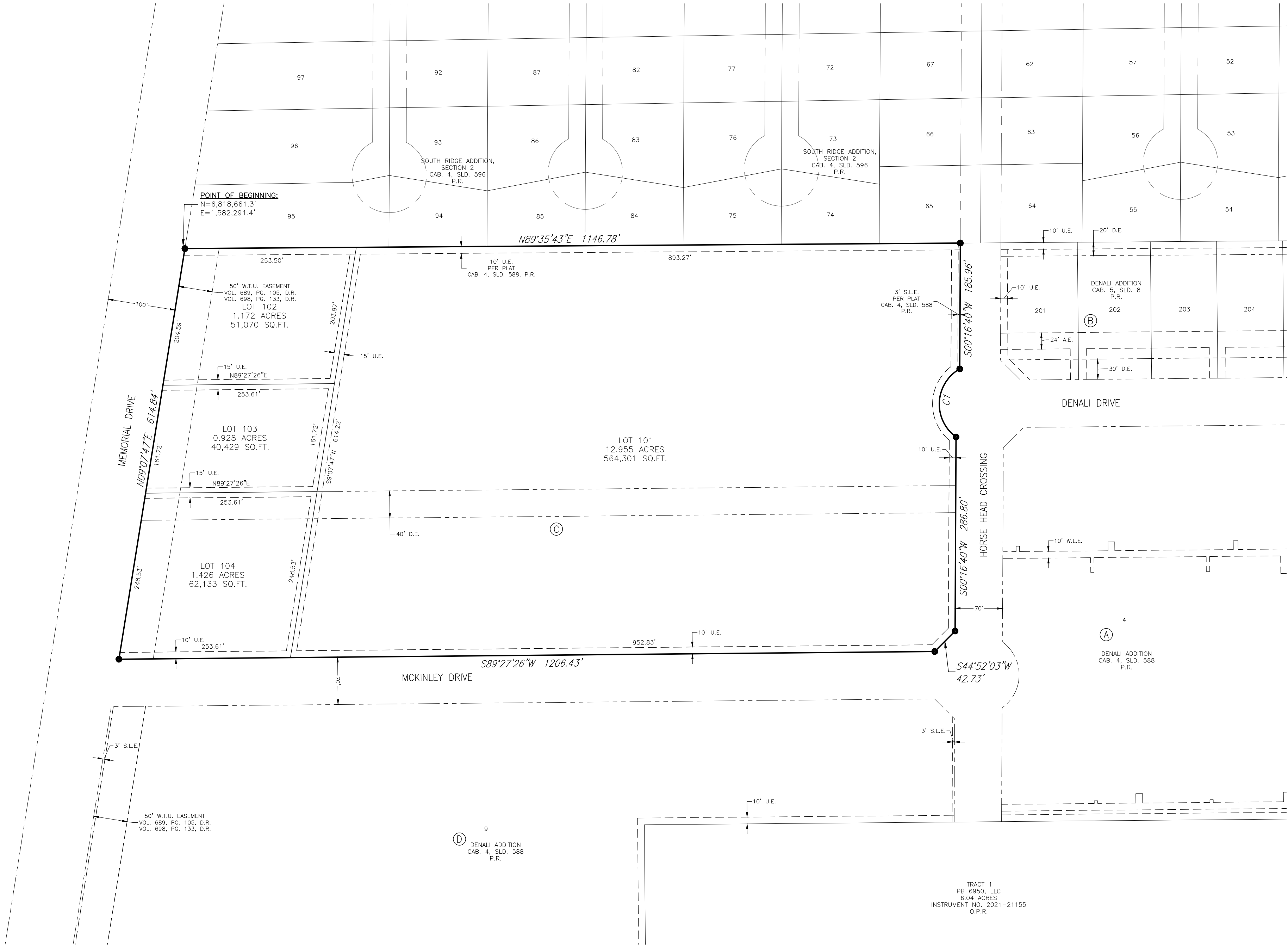
ABSENT: Russell

ADJOURNMENT

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 3:51 p.m.

APPROVED

Mr. Clint Rosenbaum, Chairman



LEGEND

- SUBDIVISION BOUNDARY
- ADJACENT PROPERTY
- PROPOSED LOT LINES
- PROP. UTILITY EASEMENTS
- EXIST. UTILITY EASEMENTS
- PROP. DRAINAGE EASEMENTS
- EXIST. DRAINAGE EASEMENTS
- EXIST. STREET R.O.W.
- FOUND 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"
- FOUND CHISELED "X" IN CONCRETE

A.E. = ACCESS EASEMENTS
D.E. = DRAINAGE EASEMENTS
U.E. = UTILITY EASEMENTS
S.L.E. = STREET LIGHT 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

CURVE TABLE					
CURVE NO.	ARC LENGTH	RADIUS	Δ ANGLE	TANGENT	CHORD BEARING
C1	119.71'	60.00'	114°18'53"	92.95'	S3°07'14"W 100.82'

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.

PLAT NOTES:
1. AREA OF SUBDIVISION = 16,481 ACRES
2. THERE IS NO PUBLIC R.O.W. DEDICATION.
3. NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NO. 48441-C-0355-F EFFECTIVE JANUARY 6, 2012.
4. NO LAND WITHIN THIS SUBDIVISION WILL BE DEDICATED FOR PARKS, OR OPEN SPACE.
5. THIS SUBDIVISION IS LOCATED ENTIRELY WITHIN THE CITY LIMITS OF THE CITY OF ABILENE, TEXAS.
6. BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
7. 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"
8. 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.

DEVELOPER/SUBDIVIDER:
PB 6950, LLC
3409 S. 14TH STREET,
SUITE 204
ABILENE, TX 79605
325-260-6935

A FINAL PLAT OF
LOTS 101-104, BLOCK C,
THE DENALI ADDITION
BEING A REPLAT OF LOT 8, BLOCK C,
THE DENALI ADDITION
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.

CHAIRMAN

SECRETARY

PLANNING DIRECTOR

DEPUTY

FILE NUMBER

DATE

PLANNING DIRECTOR

COUNTY CLERK

FILE NUMBER

COUNTY TEXAS

DATE

DEPUTY

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED MANAGER OF THE HERENAFTER 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
LOTS 101-104, BLOCK C,
THE DENALI ADDITION
BEING A REPLAT OF LOT 8, BLOCK C,
THE DENALI ADDITION
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

KYLE PAUL
PB 6950, 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

PB 6950, 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

GENERAL NOTES

ACREAGE: 16.481 ACRES

SCALE: _____ SMALLEST LOT: _____ ACRES LARGEST LOT: _____ ACRES

LOT WIDTH: MIN _____ MAX _____ LOT DEPTH: MIN _____ MAX _____

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
LOTS 101-104, BLOCK C,
THE DENALI ADDITION
BEING A REPLAT OF LOT 8, BLOCK C,
THE DENALI ADDITION
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

SIGNATURE _____
(PRINT)
REGISTERED PROFESSIONAL LAND SURVEYOR
DATE _____

PRELIMINARY
This document shall not be recorded for any purpose.

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

ZONING CASE CUP-2023-07

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: December 5, 2023
City Council 1st Reading: December 21, 2023
City Council 2nd Reading: January 11, 2024

Applicant

Owner: Charles A. Doby
Agent: Shawn Garrett

Case Manager

Mason Teegardin – Planner

Request

Apply a Conditional Use Permit to approximately 2.67 acres to allow for a Trade School within General Retail (GR) Zoning.

Location

Block A, Lot 302 of the Chimney Square Subdivision, at 2449 South Willis Street, Suite 204.

Background

The subject property is located in the Chimney Square Subdivision. The applicant is currently using Suite 204 at 2449 South Willis Street as a Massage School. The applicant did not know that a Conditional Use Permit is required to allow a massage school at this location. The applicant was also unaware that a Certificate of Occupancy was required prior to operating. As a result, staff cannot determine how long this school has been operating. A detailed Plan of Operation describing the proposed trade school is attached with this report.

Existing Uses/Zoning

Properties to the north and south are zoned General Retail (GR). Properties to the east are zoned Multi-Family (MF). Properties to the west are zoned Office (O).

Criteria Assessment

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

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

The Future Land Use Map designates the site as Low Density Residential (LDR). The primary zoning districts in LDR are residential. The Comprehensive Plan lists supporting zoning districts that may also be appropriate depending on the zoning of surrounding properties, which in this case include General Retail (GR) and General Commercial (GC) at this location. Since the GC district allows a trade school by right, the proposed school would be consistent with the Comprehensive Plan.

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

The use of the site as a trade school is consistent with the surrounding zoning and would be less

intensive than most of the uses allowed in the GR district.

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

The use is conducted indoors and should not negatively affect the surrounding uses. All business activity occurs within a suite located at the rear of the building, which faces a podiatrist's office.

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

The use is located in a business plaza, which has adequate parking and accessibility for vehicles to park and maneuver properly without creating congestion and adequate pedestrian access.

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

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

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

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

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

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

Staff Recommendation

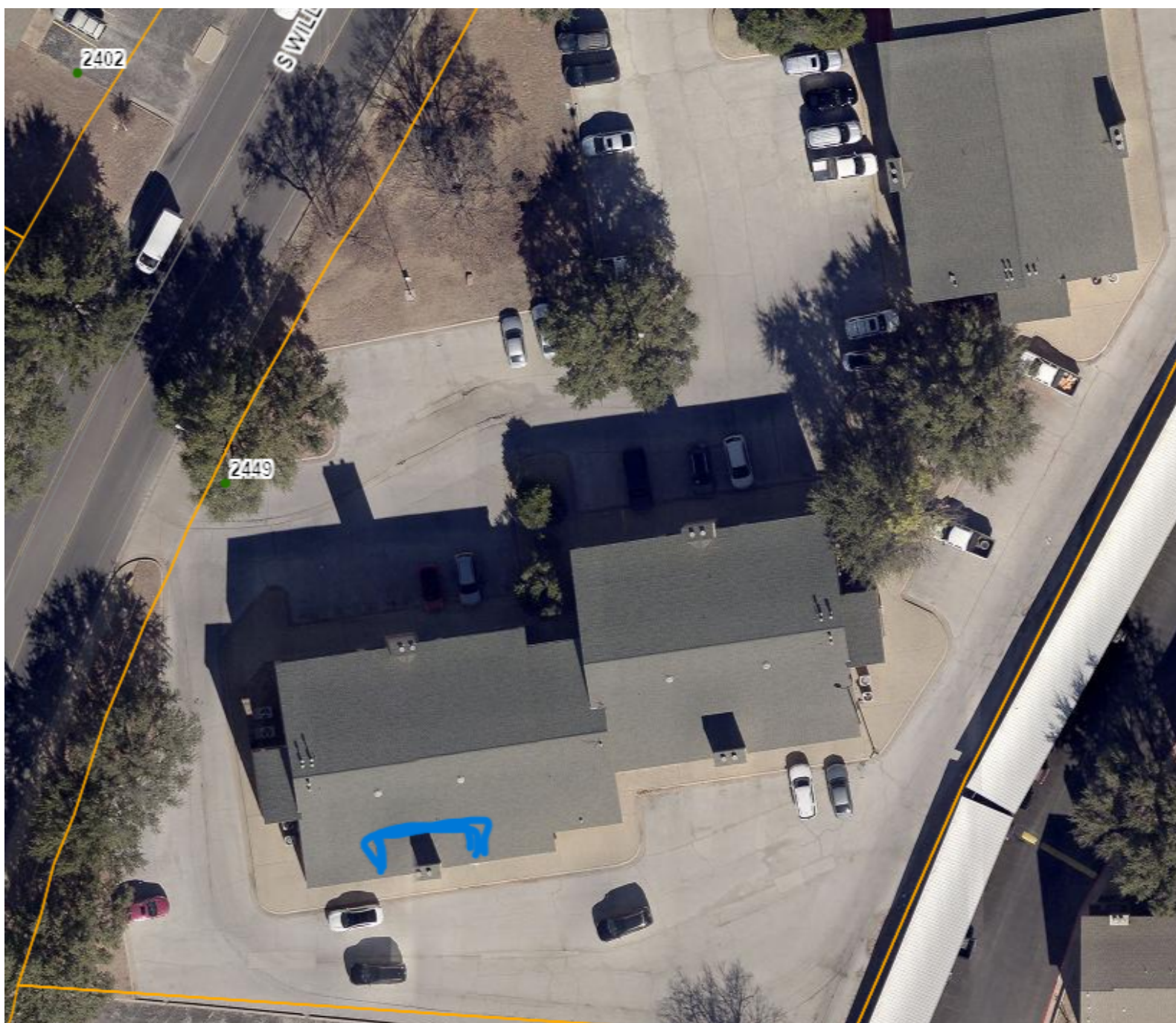
Staff recommends **approval**, subject to compliance with the Plan of Operations.

NOTIFICATIONS

Legend:
O- Opposed
F- In Favor

OWNER	PROPERTY ID	SITUS	RESPONSE
WANG FAMILY TRUST	75634	2309 S WILLIS ST	
BUMPUS DONALD R GRANTOR TRUST	75761	3201 S 23RD ST	
DOBY CHARLES A &	75896	2449 S WILLIS ST	
CATHER ENTERPRISES LTD	75897	2501 S WILLIS ST	
BROOKHOLLOW SHOPPING CENTER NORTH LTD	76084	2301 S WILLIS ST	
CONDER TONY	76147	3234 S 27TH ST	F
BELTWAY PARK BAPTIST	76567	2310 S WILLIS ST	
ABILENE SUNRISE PROPERTIES LP	76821	2402 S WILLIS ST	
CONQUESO LLC	76946	2424 S WILLIS ST	
CBAX PROPERTIES VII LLC	77188	2500 S WILLIS ST	

SUITE LOCATION MAP



LOCATION MAP



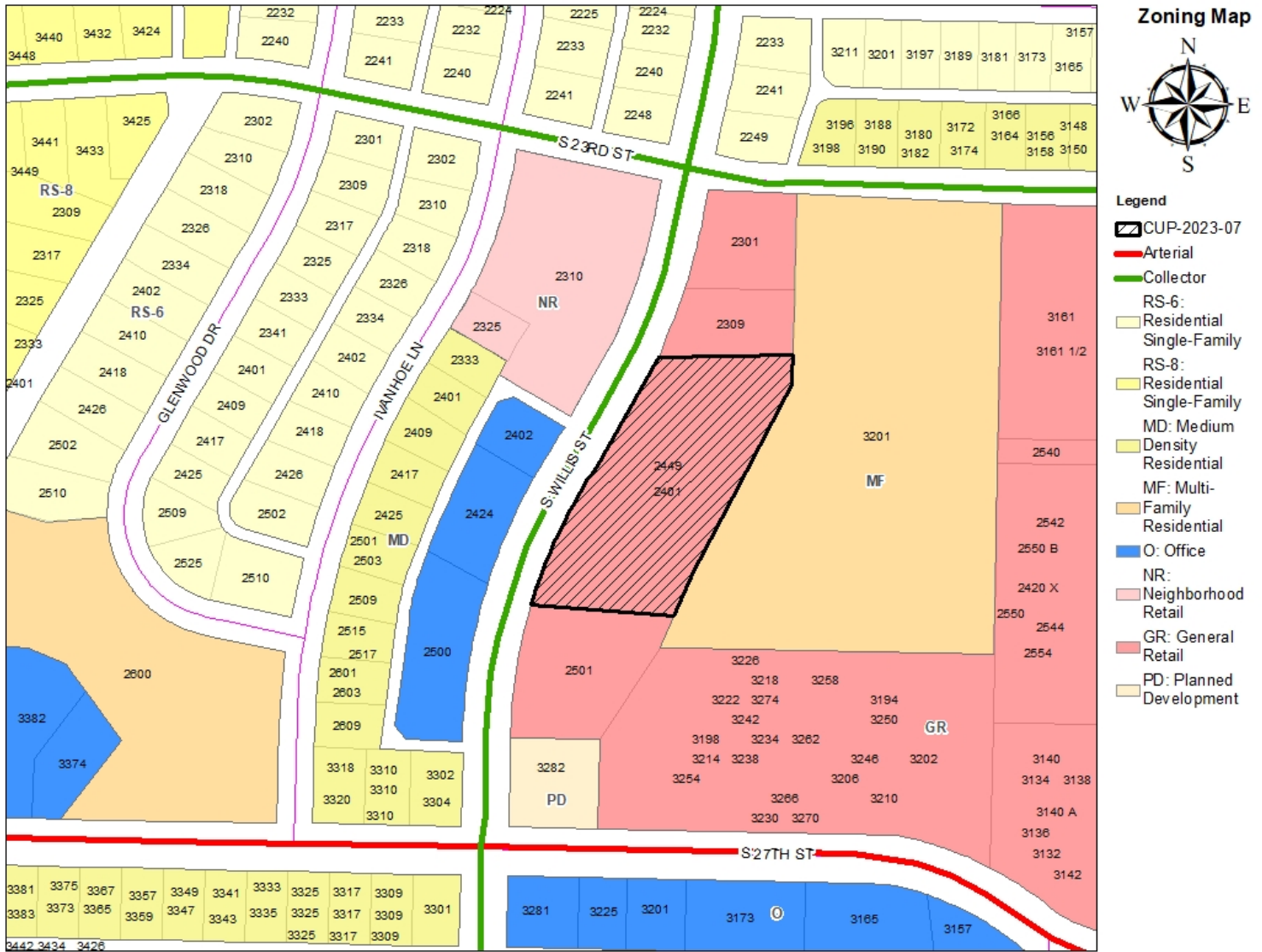
Aerial Map



Legend

- CUP-2023-07
- CourierParcels

ZONING MAP



PLAN OF OPERATION

Nov 1, 2023

Plan of Operation for On the Spot Massage Academy

2449 S Willis, suite 204

The goal of On the Spot Massage Academy is to provide superior training to students who want to be Massage Therapist, in and around Abilene.

Our Plan of operation is as follows:

1. Hrs of operation are: Day class, Mon-Thurs 8:30-2:30, Evening Class 6:00pm-9:30Pm
2. We provide on site training for prospective massage therapist. We offer complete training fully compliant with Texas Department of Licensing and Regulation. We are licensed as Massage School #1096. Once a student completes our program, they are eligible to take the state licensing exam.
3. We operate a small school out of a suite in Chimney Plaza, no outdoor activity of any kind. All training takes place in our main teaching room inside said suite.
4. We will not add or subtract anything from the building or effect landscaping at all.
5. There are already several sole proprietor massage therapists operating out of Chimney Plaza so our school fits right in.
6. Students sign a conduct policy before they are allowed to join our program which assures no alcoholic beverages on site, no smoking, no loud noise or music, no sexual contact or conduct of any type, and no stealing from the school or Chimney Plaza property. If found in violation of any of these policies, the student is expelled from the program.
7. Since our instructors are the last to leave, we assure the building is properly secured/locked before leaving for the evening.
8. We do not store or sell any products out of our suite, it will be used for School purposes only.
9. Occasionally the school will be used on Sat, from 1:00pm-4:00pm, for student to complete their on-site clinical massages.
10. We only have one neighbor on our floor, and we are on good terms and make sure we do not disturb them at any time.



CONDITIONAL USE PERMIT

Case: CUP-2023-07

Owner: Charles A. Doby

Agent: Shawn Garrett

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

Location: 2449 South Willis Street, Suite 204

Notification: 1 in Favor, 0 Opposed

Planning & Zoning: December 5, 2023

Council Hearing: December 21, 2023
January 11, 2024





AERIAL LOCATION MAP

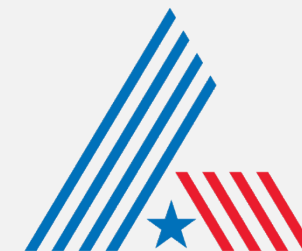


Aerial Map



Legend

- CUP-2023-07
- CourierParcels



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ZONING MAP

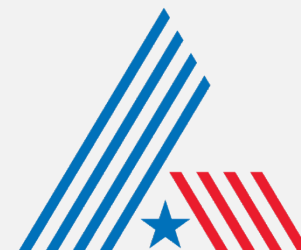


Zoning Map



Legend

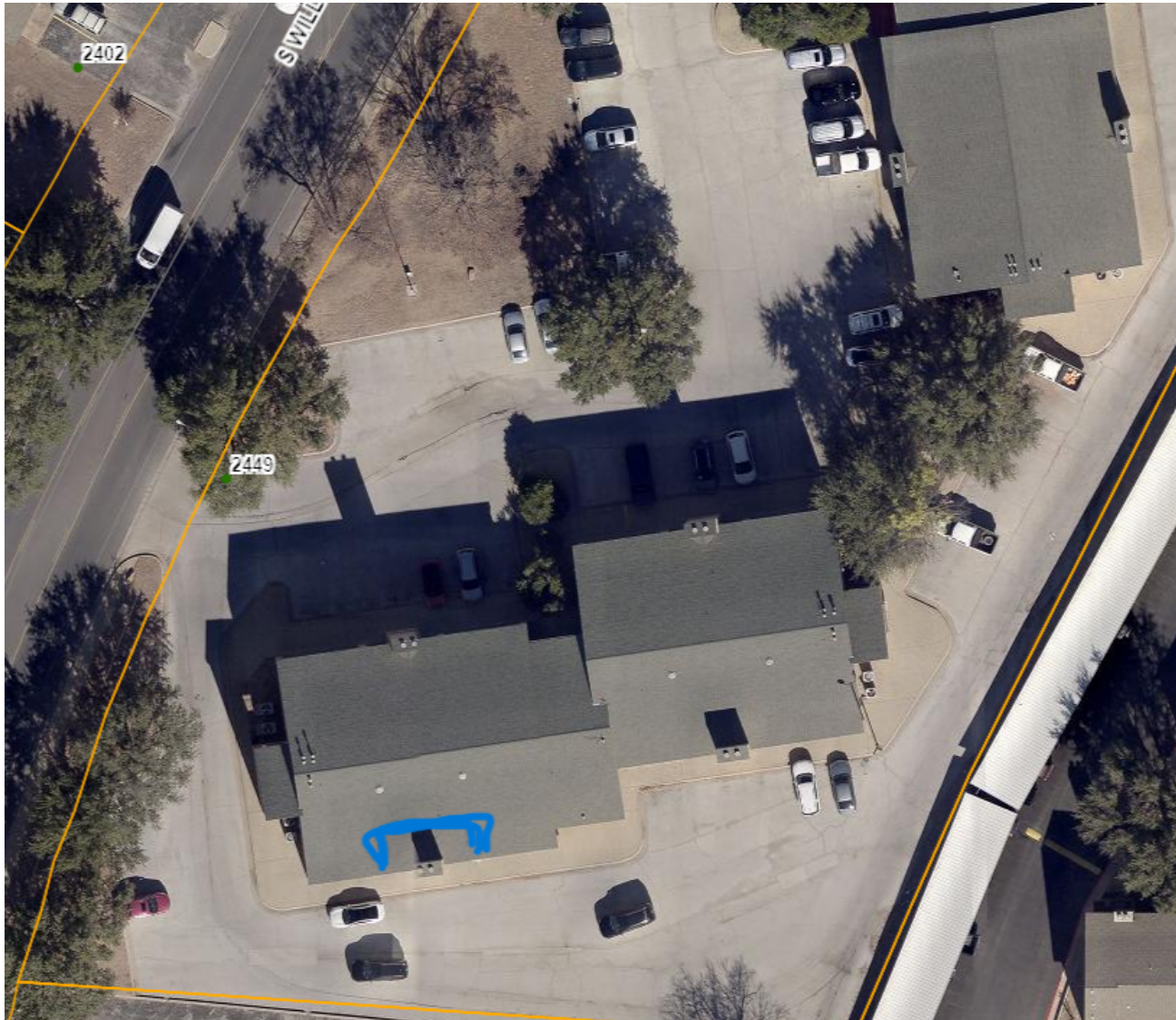
- CUP-2023-07
- Arterial
- Collector
- RS-6: Residential Single-Family
- RS-8: Residential Single-Family
- MD: Medium Density Residential
- MF: Multi-Family Residential
- O: Office
- NR: Neighborhood Retail
- GR: General Retail
- PD: Planned Development



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SITE PLAN





VIEWS OF SUBJECT PROPERTY



Subject Property



South Neighboring Property



East Neighboring Property

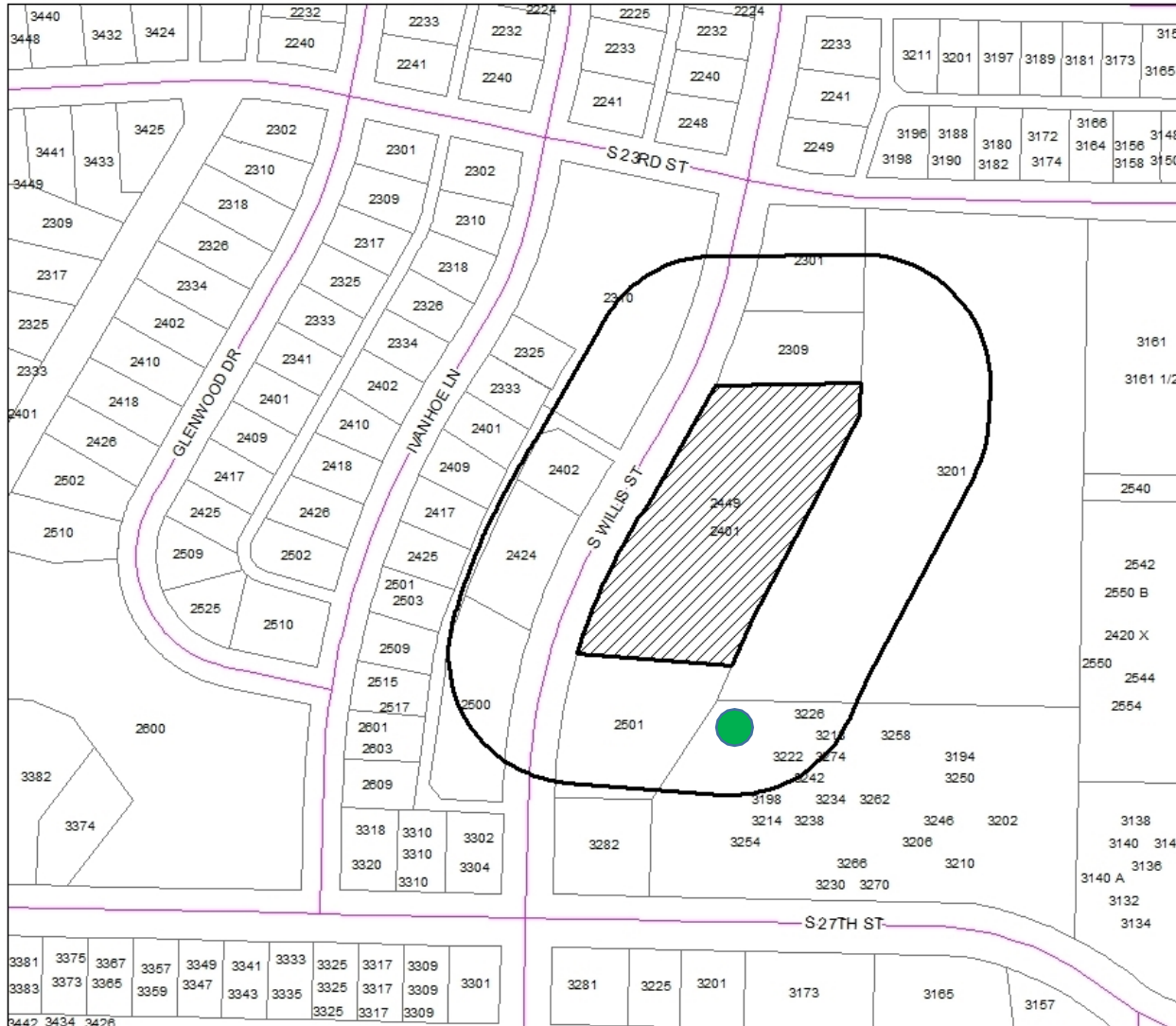


West Neighboring Property

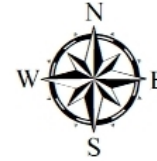




NOTIFICATION AREA MAP



Notification Map



Legend

- CUP-2023-07
- Notification Area

- 1- In Favor-
- 0- Opposed-



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TEXAS



FINDINGS AND RECOMMENDATIONS

The request is consistent with:

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





Questions?



Nov 1, 2023

Plan of Operation for On the Spot Massage Academy

2449 S Willis, suite 204

The goal of On the Spot Massage Academy is to provide superior training to students who want to be Massage Therapist, in and around Abilene.

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9. Occasionally the school will be used on Sat, from 1:00pm-4:00pm, for student to complete their on-site clinical massages.
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ZONING CASE Z-2023-36

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 7, 2023 (Tabled)
December 5, 2023
City Council 1st Reading: December 21, 2023
City Council 2nd Reading: January 11, 2024

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 with additional uses of General Retail allowed. Staff believes that downzoning the property towards the east of this development provides an appropriate buffer between the higher intensity General Retail use and the current Low density residential uses.

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

The 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.

Addendum (11/28/23)

A public hearing was conducted on November 7, 2023. Action on the item was tabled at the request of the applicant to allow additional time to consider possible amendments to the request to address the concerns of the area residents and because three P&Z members were absent for the meeting.

Staff received a petition from many of the surrounding homeowners in opposition to this request. That petition is included in the P&Z packet.

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	o
BEARD DANIEL ANTHONY &	68896	3117 CHERRY BARK	
BRIDGESTOCK ALAN N &	70761	5349 HUNTERS CR	o
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	o
COLWELL RONALD G	71015	5341 HUNTERS CR	o
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	o
GARNER AUSTIN & KALEY	64444	3234 WOODHOLLOW CR	o
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	o
IRVIN ALTON LARRY &	67171	3018 WOODWAY CR	o
ITSON JOE & MINNIE	65328	3142 WOODGLEN CV	o
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	o
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	o
ROBERTSON EARL & MARY	1002362	5355 HUNTERS CR	o
ROSE JIMMIE & CONSTANCE	63935	3266 WOODHOLLOW CR	
ROSTVOLD STEVE	63431	3294 WOODHOLLOW CR	
S J JACKS LIVING TRUST	64191	3250 WOODHOLLOW CR	o
SAUNDERS ROY E	68666	3133 CHERRY BARK	O
SMITH ALTON	67029	3026 WOODWAY CR	O
SMITH NATHAN W & JESSICA APRIL	59557	3257 WOODHOLLOW CR	O
STASSER FREDRICK & RACHEL	65458	3134 WOODGLEN CV	O
TOWNE GERALD R & ALICE JANE	74720	5362 HUNTERS CR	
TOWNSEND SEAN ANDRE &	59292	3273 WOODHOLLOW CR	o
VELA RICARDO J	71269	5333 HUNTERS CR	
WEATHERMAN SCOTT D &	63672	3282 WOODHOLLOW CR	o
WILDER MICHAEL R & DIANNE	68431	3126 CHERRY BARK	o

PROPERTY ID

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3W BRANDS LLC	1087056	5333 BUFFALO GAP RD	

LOCATION MAP



Zoning Map

Legend

- Z-2023-36
- 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 – Tabled

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, 22 Opposed

Planning & Zoning: December 11, 2023

Council Hearing: December 21, 2023
January 11, 2024





AERIAL LOCATION MAP

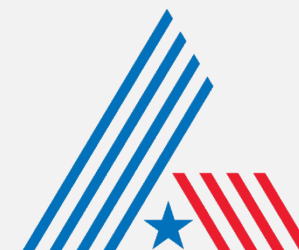


Aerial Map

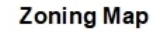


Legend

-  Z-2023-36
-  Roads
-  CourierParcels



CITY OF
ABILENE
TEXAS



Legend

-  Z-2023-36
 Roads
 Courier/Parcels
 RS-6: Residential Single-Family
 RS-8: Residential Single-Family
 RS-12: Residential Single-Family
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 GR: General Retail
 PD: Planned Development





VIEWS OF SUBJECT PROPERTY



Subject Property



North Neighboring Property



South Neighboring Property



Subject Property

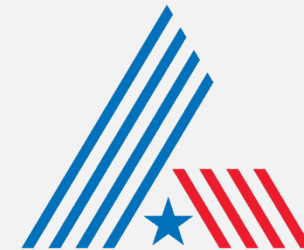
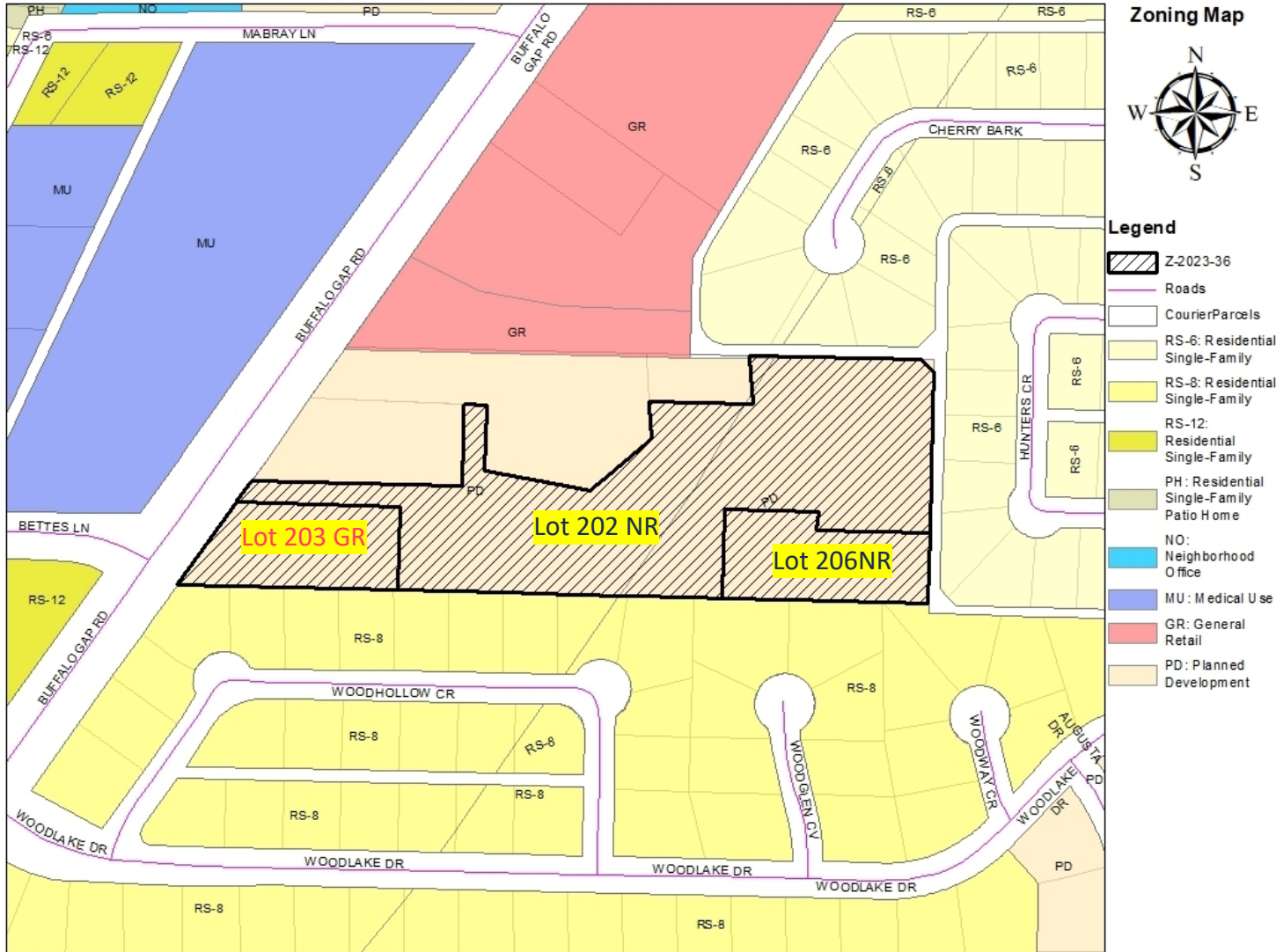


South Neighboring Property





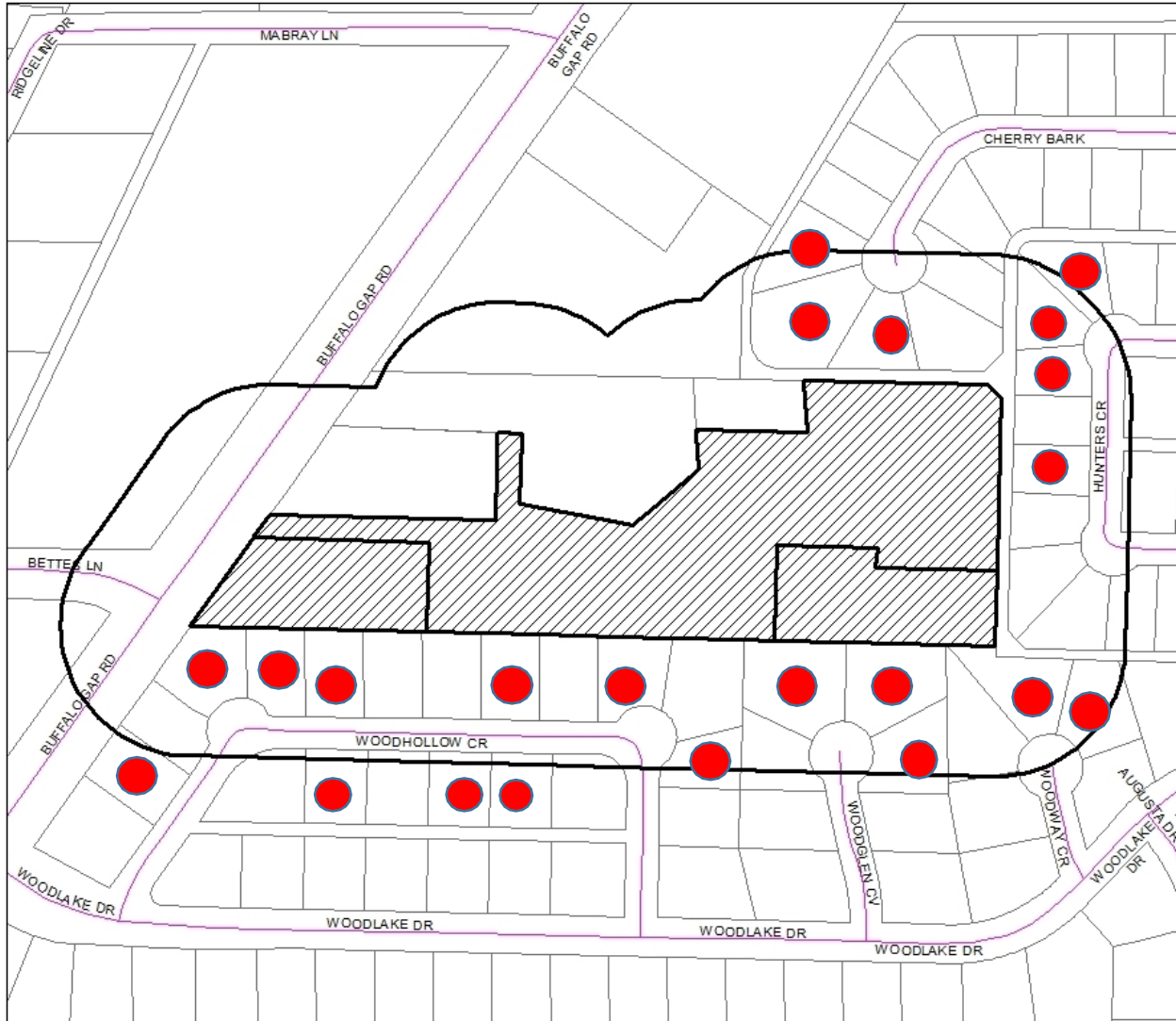
PROPOSED STAFF RECOMENDATION



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NOTIFICATION AREA MAP



Notification Map



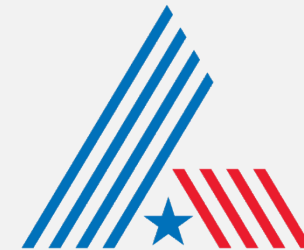
Legend

- Notification Buffer
- Z-2023-36
- Roads
- CourierParcels

0- In Favor-

22- Opposed-

29.35 % OPPOSITION



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ABILENE
TEXAS



FINDINGS

The proposed request for GR zoning for the front portion of the site onto Buffalo Gap Road is *consistent* with:

- Comprehensive Plan;
- Generally accepted planning principals;
- The surrounding uses and zoning of properties fronting on Buffalo Gap; and
- The Criteria for Approval in the LDC.

The potential downzoning of lots 202 & 206 to NR zoning would still be consistent with the Comprehensive Plan and be more a appropriate buffer for the current Low Density Residential.





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?



PROJECT OVERVIEW

Project Type: Zoning Application | **Project Title:** Z-2023-36 PD-96A to GR

ID # 23-000181 | **Started** 10/02/2023 at 4:13 PM



Address

5333 Buffalo Gap Rd, Abilene, TX USA 79606

Legal

Mindy Morris Blk Block A Lot Pt Of Lot
Mindy Morris, Block A, Lot Nw/pt Of 102 Rep, Acres
0.946

Description

Rezone from PD to GR

PROPERTY DETAILS

Property ID	1087056
GEO ID	47370
Enforcement Area	Chimney Rock Area

PROPERTY ADDITIONAL INFORMATION

Account Number	47558000100
Property ID	47370, 47164
Land Use	Vacant
High School	CHS
Middle School	Clack
Elementary School	Ward
Super Neighborhood	CHIMNEY ROCK AREA
AID #	47164, 47370
County	Taylor
Courier - Building Square Feet	5221

CONTACTS	CONTACT INFO	ADDRESS	CREDENTIALS	ROLE
3w Brands Llc	-	Po Box 3101 Abilene, TX 79604-3101	-	Property Owner
Clayton Farrow	cfarrow@jacobmartin.com 3256951070	3465 Curry Lane Abilene, TX 79606-2287	Engineer	APPLICANT

INFORMATION FIELDS

Owner Name

PAK HARRIS ENTERPRISES LTD

Agent Name

-

Block

-

Lot

-

Acreage

-

Legal Description of property

MINDY MORRIS, BLOCK A, LOT 202 REP, ACRES 5.049

Subdivision Name

-

Current Zoning

PD

Proposed Zoning

GR

Agree to Terms

Clayton Farrow, 10-02-2023

- SURVEYOR'S NOTES:
1. The Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202).
 2. No encroachments were observed in the course of the survey.
 3. The surveyor has relied upon that commitment for title insurance as prepared by Fidelity National Title Insurance Company, GF Number FT-44122-9001222203155, having an effective date of November 23, 2022 and issued date of January 18, 2023, in the preparation of this survey. The property shown hereon is all of that property described in said commitment.
 4. Per FEMA Flood Insurance Rate Map Number 48441C0219F, dated January 06, 2012, the subject property lies within Zone X (unshaded), designated as those areas outside the 0.2% annual chance floodplain.
 5. The subject property has direct access to Buffalo Gap Road, a public right-of-way.
 6. Elevations and contours shown hereon are based upon the NAVD88 vertical datum.
 7. The purpose of this plat is to create a single lot addition for commercial development.
 8. This plat lies within the City of Abilene's City Limits.

OWNERS CERTIFICATE AND DEDICATION

THE UNDERSIGNED OWNER 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: **LOT 203, BLOCK A, BUFFALO GAP ADDITION**

WHEREAS CJ Real Estate II, LLC are the owners of a 1.0146 acre of land situated in the John Smith Survey, Abstract Number 99, Abilene, Taylor County, Texas, and being part of Lot 102, Block A, Mindy Morris Subdivision, a replat of the remainder of Lot 1, Block A, Mindy Morris Subdivision, as recorded in Cabinet Number 4, Slide 237 of the Plat Records, Taylor County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with a yellow plastic cap stamped "GEONAV" (hereinafter referred to as "with cap") set on the common east right-of-way line of Buffalo Gap Road (120' right-of-way) and the west line of said Lot 102;

THENCE South 88 degrees 35 minutes 17 seconds East, departing said common line and over and across said Lot 102, a distance of 269.72 feet to a 1/2-inch iron rod with cap set for the northeast corner of the herein described tract;

THENCE South 01 degree 28 minutes 43 seconds West, continuing over and across said Lot 102, a distance of 139.45 feet to a 1/2-inch iron rod with cap set for the southeast corner of the herein described tract, said corner being on the south line of said Lot 102;

THENCE North 88 degrees 35 minutes 17 seconds West, along said south line, a distance of 364.15 feet to a 5/8-inch iron rod with cap stamped "HIBBS" found for the southwest corner of the herein described tract and southwest corner of said Lot 102, said corner being on the aforementioned common east line of said Buffalo Gap Road;

THENCE North 35 degrees 34 minutes 00 seconds East, along the common said east line and said west line of Lot 102, a distance of 168.49 feet to the POINT OF BEGINNING AND CONTAINING 44,195 square feet or 1.0146 acres of land, more or less.

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 LANADS SHOWN THERON THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

EXECUTED THIS _____ DAY OF _____ A.D. 2023

OWNER/MANAGER _____

THE STATE OF TEXAS:
COUNTY OF _____:

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF SAID _____, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH _____, FOR THE PURPOSES AND CONSIDERATION THERIN 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

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

CERTIFICATION:

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

PLAT DESCRIPTION: LOT 203, BLOCK A BUFFALO GAP ADDITION

SIGNATURE _____

REGISTERED PROFESSIONAL LAND SURVEYOR

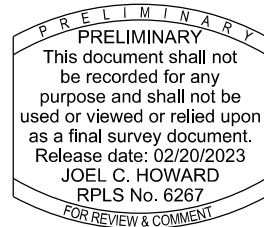
DATE _____

THE STATE OF TEXAS:
COUNTY OF _____:

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED **Joel C. Howard**, 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 **JOEL C. HOWARD**, A LAND SURVEYOR, AND THAT HE EXECUTED THE ACT OF SUCH SURVEYOR FOR THE PURPOSES AND CONSIDERATION THERIN 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



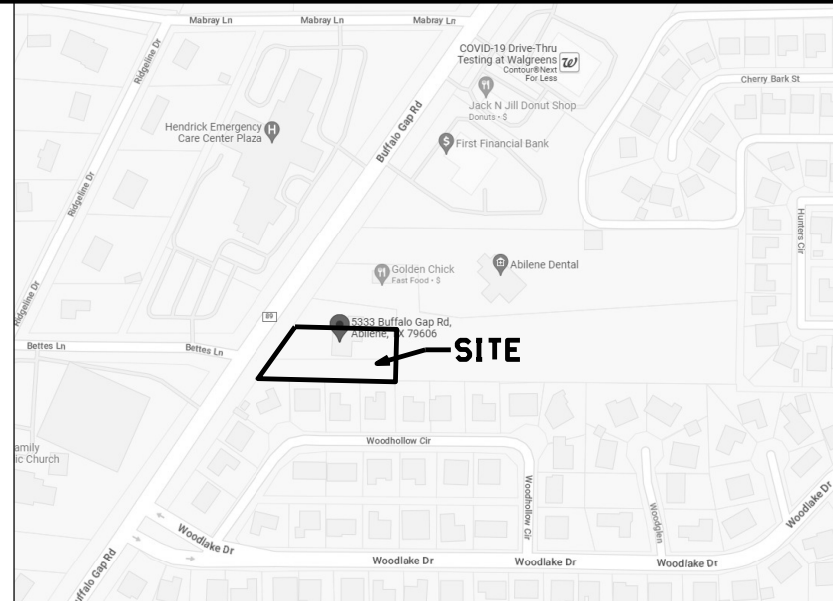
LEGEND

- | | |
|------------|--|
| D.R.T.C.T. | DEED RECORDS OF TAYLOR COUNTY, TEXAS |
| P.R.T.C.T. | PLAT RECORDS OF TAYLOR COUNTY, TEXAS |
| SIR | SET 1/2" IRON ROD WITH YELLOW CAP STAMPED "GEONAV" |
| FIR(C) | FOUND IRON ROD (WITH CAP STAMPED) |
| SO.FT. | SQUARE FEET |
| DOC | DOCUMENT |
| NO | NUMBER |

OWNER:

CJ REAL ESTATE II, LLC
MATT JAMESON
m.jameson@geonav.com
PH: 817-665-2343

0 15' 30' 60'
1" = 30'



VICINITY MAP
(NOT TO SCALE)

PLANNING DIRECTOR

FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.

DATE _____ FILE NUMBER _____

PLANNING DIRECTOR _____

FEES _____

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

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

DATE _____ FILE NUMBER _____

COUNTY CLERK _____ COUNTY TEXAS

DEPUTY _____

DIRECTOR OF PUBLIC WORKS

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

DATE _____ DIRECTOR OF PUBLIC WORKS _____

GEONAV

SURVEYING • MAPPING • SCANNING

3410 MIDCOURT RD., STE 110: CARROLLTON, TEXAS 75006
SCALE: 1"=30' (972)243-2409 PROJECT #2932
TBPLS FIRM NO. 10194205

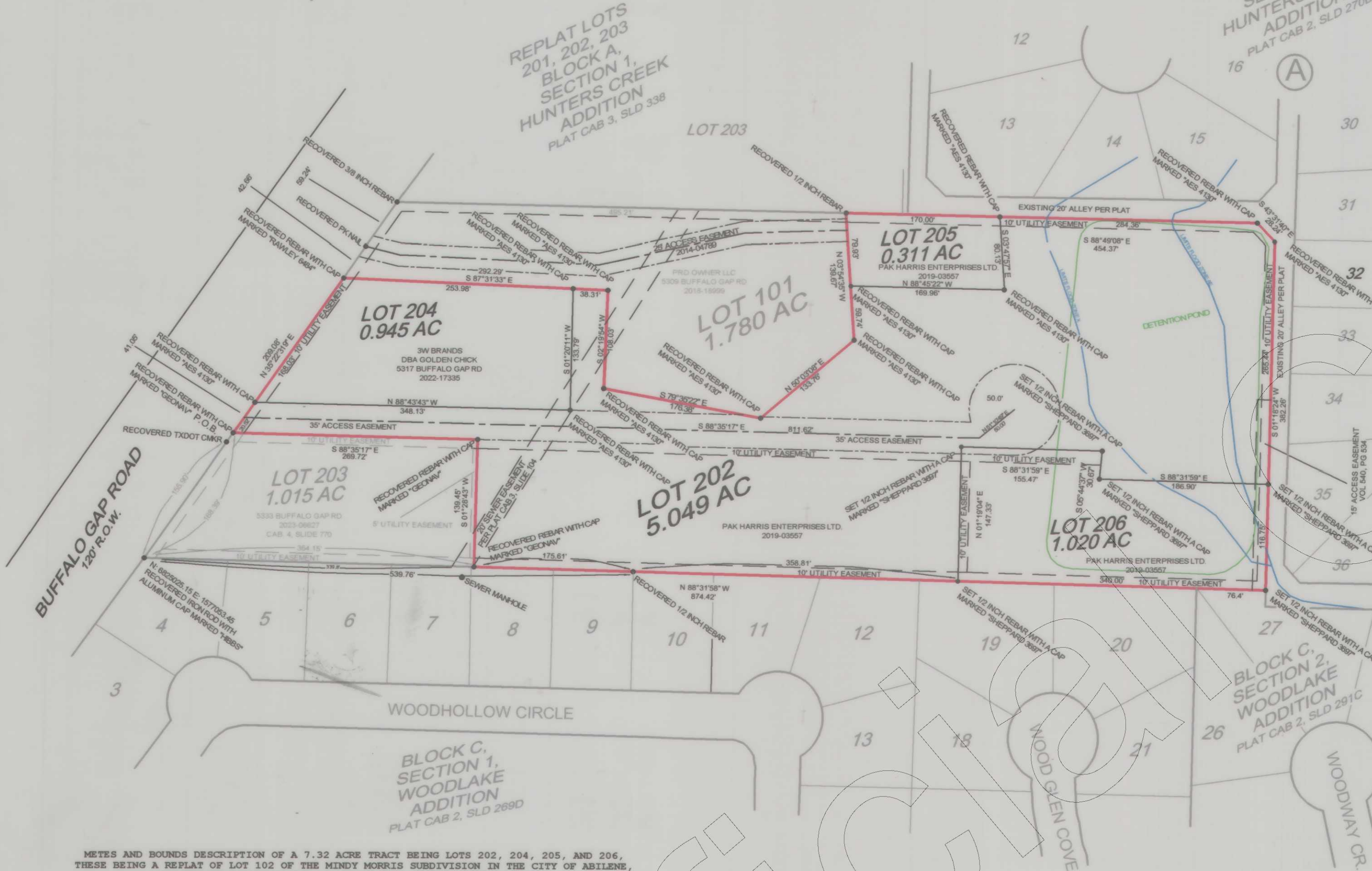
DATED: FEBRUARY 20, 2023 DRAWN BY: JCH

AMENDING PLAT
LOT 203, BLOCK A
BUFFALO GAP ADDITION
BEING A REPLAT OF
PART OF LOT 102, BLOCK A
MINDY MORRIS SUBDIVISION
JOHN SMITH SURVEY,
ABSTRACT NUMBER 99
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

LOTS 202, 204, 205, AND 206, BEING A REPLAT OF LOT 102 OF THE MINDY MORRIS SUBDIVISION AS RECORDED IN PLAT CAB. 4, SLIDE 237, IN THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS

REPLAT LOTS 201, 202, 203 BLOCK A, SECTION 1, HUNTERS CREEK ADDITION PLAT CAB 3, SLD 338

SECTION 1, HUNTERS CREEK ADDITION PLAT CAB 2, SLD 270B



METES AND BOUNDS DESCRIPTION OF A 7.32 ACRE TRACT BEING LOTS 202, 204, 205, AND 206, THESE BEING A REPLAT OF LOT 102 OF THE MINDY MORRIS SUBDIVISION IN THE CITY OF ABILENE, AS RECORDED IN PLAT CAB. 4, SLIDE 237, TAYLOR COUNTY, TEXAS.

BEGINNING AT AN IRON ROD WITH A CAP MARKED "GEONAV" RECOVERED ON THE EASTERN RIGHT-OF-WAY OF BUFFALO GAP ROAD (120' R.O.W.) FOR THE NORTHWEST CORNER OF LOT 203, AS RECORDED IN PLAT CABINET 4, SLIDE 770, OF OFFICIAL PUBLIC RECORDS OF TAYLOR COUNTY, AND FROM WHICH AN IRON ROD WITH A CAP MARKED "HIBBS" RECOVERED FOR THE ORIGINAL SOUTHWEST CORNER OF THE MINDY MORRIS SUBDIVISION, ALSO THE NORTHWEST CORNER OF BLOCK C, SECTION 1, WOODLAKE ADDITION, BEARS S 35°22'39" W AT 168.39' (N:6829025.15 E:1577053.45). FROM THIS IRON ROD WITH CAP MARKED "GEONAV", A TXDOT R.O.W. MARKER BEARS S 35°22'39" W AT 12.49'.

THENCE N 35°22'19" E UP THE EASTERN RIGHT-OF-WAY OF BUFFALO GAP ROAD WITH THE ORIGINAL WEST BOUNDARY LINE OF THE MINDY MORRIS SUBDIVISION, AT 41.05' PASS A REBAR WITH A CAP MARKED "AES 4130" RECOVERED FOR THE SOUTHWEST CORNER OF A 0.945 ACRE TRACT CONVEYED TO 3W BRANDS, IN INSTRUMENT NUMBER 2022-17335, THIS BEING THE SOUTHWEST CORNER OF LOT 204, CONTINUE COURSE FOR A TOTAL DISTANCE OF 209.08' TO A REBAR WITH A CAP MARKED "RAWLEY" RECOVERED FOR THE NORTHERNMOST SOUTHWEST CORNER OF LOT 101, A 1.782 ACRE TRACT CONVEYED TO PRD OWNER, LLC., IN INSTRUMENT NUMBER 2018-16599, THE NORTHWEST CORNER OF LOT 204, AND BEING ALSO THE WESTERNMOST NORTHWEST CORNER OF THIS TRACT.

THENCE S 87°31'33" E ALONG THE SHARED BOUNDARY WITH LOT 101, AT 253.98' PASSING A REBAR WITH A CAP MARKED "AES 4130" RECOVERED FOR THE NORTHEAST CORNER OF LOT 204, CONTINUE FOR A TOTAL DISTANCE OF 292.29' TO A REBAR WITH A CAP MARKED "AES 4130" RECOVERED FOR AN ELL CORNER OF LOT 101 AND BEING AN ELL CORNER OF THIS TRACT.

THENCE S 02°19'54" W ALONG THE SHARED LINE WITH LOT 101 FOR A DISTANCE OF 108.03' TO A REBAR WITH A CAP MARKED "AES 4130" RECOVERED FOR THE SOUTHWEST CORNER OF THE BODY OF LOT 101 AND AN ELL CORNER OF THIS TRACT.

THENCE S 79°35'22" E ALONG THE SHARED LINE WITH LOT 101 FOR A DISTANCE OF 176.38' TO A REBAR WITH A CAP MARKED "AES 4130" RECOVERED FOR THE SOUTHERNMOST CORNER OF LOT 101 AND AN ELL CORNER OF THIS TRACT.

THENCE N 50°03'08" E ALONG THE SHARED LINE WITH LOT 101 FOR A DISTANCE OF 133.76' TO A REBAR WITH A CAP MARKED "AES 4130" RECOVERED FOR THE MOST EASTERLY CORNER OF LOT 101 AND FOR AN ELL CORNER OF THIS TRACT.

THENCE N 03°54'35" W ALONG THE SHARED LINE WITH LOT 101 FOR A DISTANCE OF 139.67' TO A 1/2 INCH REBAR RECOVERED ON THE SOUTH BOUNDARY LINE OF BLOCK A, SECTION 1, HUNTERS CREEK ADDITION, FOR THE NORTHEAST CORNER OF LOT 101 AND THE NORTHERNMOST NORTHWEST CORNER OF THIS TRACT.

THENCE S 88°49'08" E ALONG THE SHARED LINE WITH BLOCK A, SECTION 1, HUNTERS CREEK ADDITION, FOR A DISTANCE OF 454.37' TO A REBAR WITH A CAP MARKED "AES 4130" RECOVERED FOR THE NORTHERNMOST NORTHEAST CORNER OF THE MINDY MORRIS SUBDIVISION AND OF THIS TRACT.

THENCE S 43°31'40" E ALONG THE SHARED LINE WITH BLOCK A, SECTION 1, HUNTERS CREEK ADDITION, FOR A DISTANCE OF 28.24' TO A REBAR WITH A CAP MARKED "AES 4130" RECOVERED FOR THE EASTERNMOST NORTHEAST CORNER OF THE MINDY MORRIS SUBDIVISION AND OF THIS TRACT.

THENCE S 01°18'24" W ALONG THE SHARED LINE WITH BLOCK A, SECTION 1, HUNTERS CREEK ADDITION, FOR A DISTANCE OF 382.26' TO A 1/2 INCH REBAR WITH A CAP MARKED "SHEPPARD 3697" SET FOR THE SOUTHEAST CORNER OF THE MINDY MORRIS SUBDIVISION AND OF THIS TRACT.

THENCE N 88°31'58" W, AT 76.4' PASS THE NORTHWEST CORNER OF BLOCK C, SECTION 2, WOODLAKE ADDITION, CONTINUE COURSE ALONG THE COMMON LINE WITH BLOCK C, SECTION 1, WOODLAKE ADDITION FOR A TOTAL DISTANCE OF 874.42' TO AN IRON ROD WITH A CAP MARKED "GEONAV" RECOVERED FOR THE SOUTHEAST CORNER OF LOT 203 AND THE SOUTHERNMOST SOUTHWEST CORNER OF THIS TRACT.

THENCE N 01°28'43" E ALONG THE SHARED LINE WITH LOT 203 FOR A DISTANCE OF 139.45' TO AN IRON ROD WITH A CAP RECOVERED FOR THE NORTHEAST CORNER OF LOT 203 AND AN ELL CORNER OF THIS TRACT.

THENCE N 88°35'17" W ALONG THE SHARED LINE WITH LOT 203 FOR A DISTANCE OF 269.72' TO THE POINT OF BEGINNING AND HAVING AN AREA OF 7.32 ACRES.

NOTE: ALL BEARINGS AND DISTANCES ARE GRID-NAD 83, TXNC 4202, BASED UPON OPUS SOLUTION.

I, MAXEY SHEPPARD, A REGISTERED PROFESSIONAL LAND SURVEYOR OF TEXAS, HEREBY CERTIFY THAT THE FOREGOING DESCRIPTION AND ATTACHED PLAT REPRESENT A SURVEY COMPLETED ON THE GROUND THE 28TH DAY OF FEBRUARY 2023

MAXEY SHEPPARD, RPLS 3697

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
KNOWN TO ME TO BE THE PERSON WHOSE NAME SUBSCRIBED TO THE FOREGOING INSTRUMENT
AND ACKNOWLEDGED TO ME THAT THEY 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 28TH DAY OF FEBRUARY 2023

THE STATE OF TEXAS
COUNTY OF TAYLOR
BEFORE ME THIS DAY PERSONALLY APPEARED
KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 28TH DAY OF FEBRUARY 2023

THIS SUBDIVISION LIES COMPLETELY WITHIN THE CORPORATE LIMITS OF THE CITY OF ABILENE. SIDEWALKS ARE REQUIRED AT THE TIME OF CONSTRUCTION.
ZONED PCOR
BEARINGS AND DISTANCES ARE GRID-NAD 83 TXNC 4202. THIS PROPERTY PARTIALLY LIES IN A DESIGNATED FLOOD HAZARD AREA PER FIRM MAP PANEL NUMBER 48441C0219F, REVISED JANUARY 6, 2012, SHOWN ON SKETCH

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
5-3-23 FRP-2123
DATE FILE NUMBER
J. A. Linder
PLANNING DIRECTOR
Paid
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.

5/8/23
DATE
DIRECTOR OF PUBLIC WORKS

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 AND ALLEYS UNDER THE NAME OF
LOTS 202, 204, 205, AND 206, BEING A REPLAT OF LOT 102 OF THE MINDY MORRIS SUBDIVISION AS RECORDED IN PLAT CAB. 4, SLIDE 237, IN THE 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

EXECUTED THIS 1ST DAY OF MAY 2023
Bobbie Lee Wolfe
OWNER
AIA
OWNER
R. Williams
OWNER
AIA
OWNER

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
KNOWN TO ME TO BE THE PERSON WHOSE NAME SUBSCRIBED TO THE FOREGOING INSTRUMENT
AND ACKNOWLEDGED TO ME THAT THEY 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 28TH DAY OF FEBRUARY 2023

THE STATE OF TEXAS
COUNTY OF TAYLOR
BEFORE ME THIS DAY PERSONALLY APPEARED
KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 28TH DAY OF FEBRUARY 2023

GENERAL NOTES

SHEET 1 OF 1 SHEETS
ACREAGE 7.32
SCALE 1"=100' SMALLEST LOT 0.311 AC 96-FT LARGEST LOT 5.049 AC 96-FT
LOT WIDTH MIN MAX LOT DEPTH MIN MAX

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 TAYLOR COUNTY, TEXAS.

PLAT DESCRIPTION:
LOTS 202, 204, 205, AND 206, BEING A REPLAT OF LOT 102 OF THE MINDY MORRIS SUBDIVISION AS RECORDED IN PLAT CAB. 4, SLIDE 237, IN THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS

May 4, 2023
DATE
MAXEY SHEPPARD
REGISTERED PROFESSIONAL LAND SURVEYOR

Issued By:

CENTRAL APPRAISAL DISTRICT OF TAYLOR COUNTY
P O BOX 1800
1534 S TREADAWAY
ABILENE, TX 79604

Property Information

Property ID: 1087056 Geo ID: 47558000500
Legal Acres: 7.0710
Legal Desc: MINDY MORRIS, BLOCK A, LOT PT OF 102 REP,
ACRES 7.071
Situs: 5333 BUFFALO GAP RD TX
DBA:
Exemptions:

Owner ID: 162164 100.00%
PAK HARRIS ENTERPRISES LTD
PO BOX 5615
ABILENE, TX 79608-5615

For Entities

Value Information

ABILENE ISD	Improvement HS:	0
CITY OF ABILENE	Improvement NHS:	0
TAYLOR COUNTY	Land HS:	0
	Land NHS:	743,850
	Productivity Market:	0
	Productivity Use:	0
	Assessed Value	743,850

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 03/31/2023

Total Due if paid by: 03/31/2023

0.00

ATTACHED TO PLAT
IN CABINET 4
SLIDE 112

Tax Certificate Issued for:

CITY OF ABILENE
TAYLOR COUNTY
ABILENE ISD

Taxes Paid in 2022

5,668.88
4,221.34
8,995.37

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse or granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 03/31/2023
Requested By: Miscellaneous Customer
Fee Amount: 10.00
Reference #:

Page: 1

Andrea Anosta
Signature of Authorized Officer of Collecting Office

Issued By:

CENTRAL APPRAISAL DISTRICT OF TAYLOR COUNTY
P O BOX 1800
1534 S TREADAWAY
ABILENE, TX 79604

Owner ID: 162164 100.00%
PAK HARRIS ENTERPRISES LTD
PO BOX 5615
ABILENE, TX 79608-5615

Property Information

Property ID: 1087056 Geo ID: 47558000500
Legal Acres: 7.0710
Legal Desc: MINDY MORRIS, BLOCK A, LOT PT OF 102 REP,
ACRES 7.071
Situation: 5333 BUFFALO GAP RD TX
DBA:
Exemptions:

For Entities

Value Information

ABILENE ISD	Improvement HS:	0
CITY OF ABILENE	Improvement NHS:	0
TAYLOR COUNTY	Land HS:	0
	Land NHS:	743,850
	Productivity Market:	0
	Productivity Use:	0
	Assessed Value	743,850

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 05/02/2023

Total Due if paid by: 05/31/2023

0.00

ATTACHED TO PLAT
IN CABINET 4
SLIDE 772

Tax Certificate Issued for:

CITY OF ABILENE
TAYLOR COUNTY
ABILENE ISD

Taxes Paid in 2022

5,668.88
4,221.34
8,995.37

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 05/02/2023
Requested By: Miscellaneous Customer
Fee Amount: 10.00
Reference #:

Page: 1

Signature of Authorized Officer of Collecting Office

FEE RECEIPT

5/2/2023 4:34:24PM

2023 07617 V: 4 P: 772 Page 4 of 8

Tax Office

Receipt Number

3495388

CENTRAL APPRAISAL DISTRICT OF TAYLOR
COUNTY
P O BOX 1800
1534 S TREADAWAY
ABILENE, TX 79604

Payer Name and Address

Miscellaneous Customer
None
Abilene, TX 79604

Fee ID	Fee Description		Fee Date	Year	Amount Due	Amount Paid
179040	TAX CERTIFICATE		5/2/2023	2023	10.00	10.00
Operator	Batch ID	Batch Description	Date Paid	Payment Type	Total Paid	
andreaa	12577	MAY 2023 TAX CERTS	5/2/2023	P	10.00	
Tender Type		Details	Description		Amount	
Cash					10.00	

ATTACHED TO PLAT
IN CABINET 4
SLIDE 772.

Unofficial Copy

Issued By:

CENTRAL APPRAISAL DISTRICT OF TAYLOR COUNTY

P O BOX 1800

1534 S TREADAWAY

ABILENE, TX 79604

Property Information

Property ID: 103784 Geo ID: 47558000100

Legal Acres: 0.9460

Legal Desc: MINDY MORRIS, BLOCK A, LOT NW/PT OF 102 REP, ACRES 0.946

Situs: 5317 BUFFALO GAP RD TX

DBA: GOLDEN CHICK

Exemptions:

Owner ID: 386975

100.00%

3W BRANDS LLC

PO BOX 3101

ABILENE, TX 79604-3101

For Entities

Value Information

ABILENE ISD	Improvement HS:	0
CITY OF ABILENE	Improvement NHS:	791,801
TAYLOR COUNTY	Land HS:	0
	Land NHS:	99,517
	Productivity Market:	0
	Productivity Use:	0
	Assessed Value	891,318

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 05/02/2023

Total Due if paid by: 05/31/2023

0.00

ATTACHED TO PLAT
IN CABINET 4
SLIDE 772

Tax Certificate Issued for:

CITY OF ABILENE

TAYLOR COUNTY

ABILENE ISD

Taxes Paid in 2022

6,792.73

5,058.22

10,778.71

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 05/02/2023
Requested By: Miscellaneous Customer
Fee Amount: 10.00
Reference #:

Page: 1

Signature of Authorized Officer of Collecting Office

FEE RECEIPT

5/2/2023 4:39:59PM

2023-07517 V. 4 P. 772 Page 7 of 8

Tax Office

Receipt Number

3495389

CENTRAL APPRAISAL DISTRICT OF TAYLOR
COUNTY
P O BOX 1800
1534 S TREADAWAY
ABILENE, TX 79604

Payer Name and Address

Miscellaneous Customer
None
Abilene, TX 79604

Fee ID	Fee Description		Fee Date	Year	Amount Due	Amount Paid
179041	TAX CERTIFICATE		5/2/2023	2023	10.00	10.00
Operator	Batch ID	Batch Description	Date Paid	Payment Type	Total Paid	
andreaa	12577	MAY 2023 TAX CERTS	5/2/2023	P	10.00	
Tender Type		Details	Description		Amount	
Cash					10.00	

ATTACHED TO PLAT
IN CABINET 4
SLIDE 772

Unofficial Copy

THE STATE OF TEXAS

COUNTY OF TAYLOR

I hereby certify that this instrument was FILED on the
date and the time stamped hereon by me and was duly
RECORDED in the Official Public Records of Taylor County

2023-07517 PL
05/10/2023 03:11:57 PM Total Fees: \$175.00



Brandi DeRemer
Brandi DeRemer, County Clerk
Taylor County, TX

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: Cosper Properties LLC

Agent: Jacob & Martin, LLC

Request: Rezoning from Agricultural Open(AO) to General Retail (GR).

Location: 3509 Beltway S

Notification: 1 in Favor, 0 Opposed

P&Z: November 7, 2023
December 5, 2023

City Council: December 21, 2023
January 11, 2023





REZONE REQUEST

Addendum (11/28/23)

November 7, 2023: The Commission conducted a public hearing and vote to recommend approval of this request to GR, as submitted.

November 10, 2023: Staff discovered that a technical error in preparing the legal notice occurred, meaning that the property owners who were entitled to notice were not notified.

New notice was completed to allow this item to be reheard by the Commission.

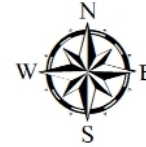




Z-2023-37 AERIAL LOCATION MAP

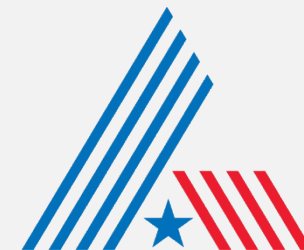


Aerial Map



Legend

- Z-2023-37
- Roads
- CourierParcels



CITY OF
ABILENE
TEXAS



Z-2023-37 ZONING MAP





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

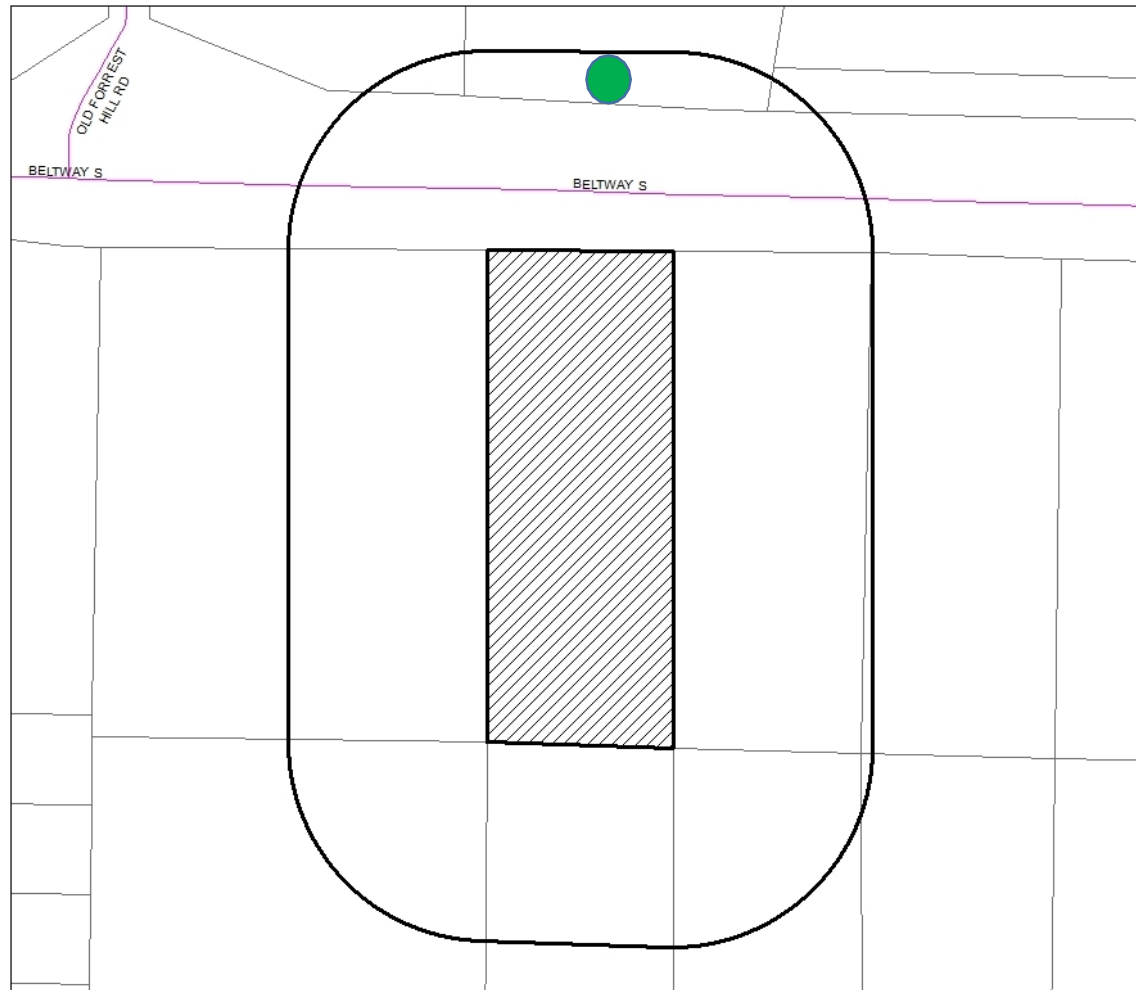


West





Z-2023-37 NOTIFICATION AREA MAP



Notification Map



Legend

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

1- In Favor- 

0- Opposed- 





FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

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

Staff Recommendation: **Approval**





Questions?



ZONING CASE Z-2023-37

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: November 7, 2023
December 5, 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 is currently zoned Agricultural Open (AO) requesting to rezone to General Retail (GR).

Zoning, Existing and Proposed Land Use

AO zoning is 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 consistent with the Comprehensive Plan and the Future Land Use Map.

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

The 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 retail uses.

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

All required utilities are available.

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

None known.

Addendum (11/28/23)

The Commission, after conducting a public hearing, approved this request as submitted. It was discovered by staff that a technical error regarding the legal notice occurred, meaning that the owners who were entitled to notice were not notified. For that reason, new notice was completed to allow this item to be reheard by the Commission.

Staff Recommendation

Staff recommends **approval**

Notification:

HOWARD ROBERT A & JERITA D	101635	7943 OLD FORREST HILL RD	
COSPER PROPERTIES LLC	20010		
PARR DAVID & SONJA CASEY	19509	3417 BELTWAY S	
ESTES DON & SHERRY	19382	3473 BELTWAY S	
SHEPHERD ASSET MANAGEMENT LLC	20141		
STATE OF TEXAS	99519		
HOWARD ROBERT A & JERITA D	101636	7941 OLD FORREST HILL RD	F
SHEPHERD ASSET MANAGEMENT LLC	20023	3573 BELTWAY S	
COSPER PROPERTIES LLC	19890	3509 BELTWAY S	
PARR DAVID & SONJA CASEY	19612		
ESTES DON & SHERRY	19495		

LOCATION MAP



ZONING MAP



ZONING CASE Z-2023-40

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: December 5, 2023
City Council 1st Reading: December 21, 2023
City Council 2nd Reading: January 11, 2024

Applicant

Owner:
Agent: Jacob & Martin, LLC

Case Manager

Kiley Hannah – Planner

Request

Rezoning of approximately 11.14 acres from Agricultural Open (AO) to General Commercial (GC).

Location

7542x S. Clack Street, South East Quarter of Survey 12 of Lunatic Asylum Land Tract 6, Abilene, Taylor County, Texas.

Background

The subject property is currently zoned Agricultural Open (AO) requesting to rezone to General Commercial (GC).

Zoning, Existing and Proposed Land Use

AO zoning is located north, east, and west of the subject property. General Commercial (GC) is located to the south. Additional commercial zoning is located to the north along Denali Drive and to the south along Waldrop Drive.

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 in accordance with the Comprehensive Plan and the Future Land Use Map.

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

The property is located adjacent to a regional highway in an area where commercial uses are emerging. The requested zoning is appropriate at this location.

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

The subject property will be required to be platted. During that process, the applicant will need to submit construction plans to extend water and sanitary sewer services to this site.

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

None known.

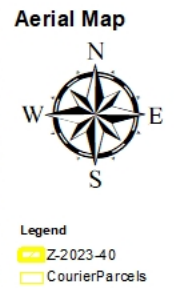
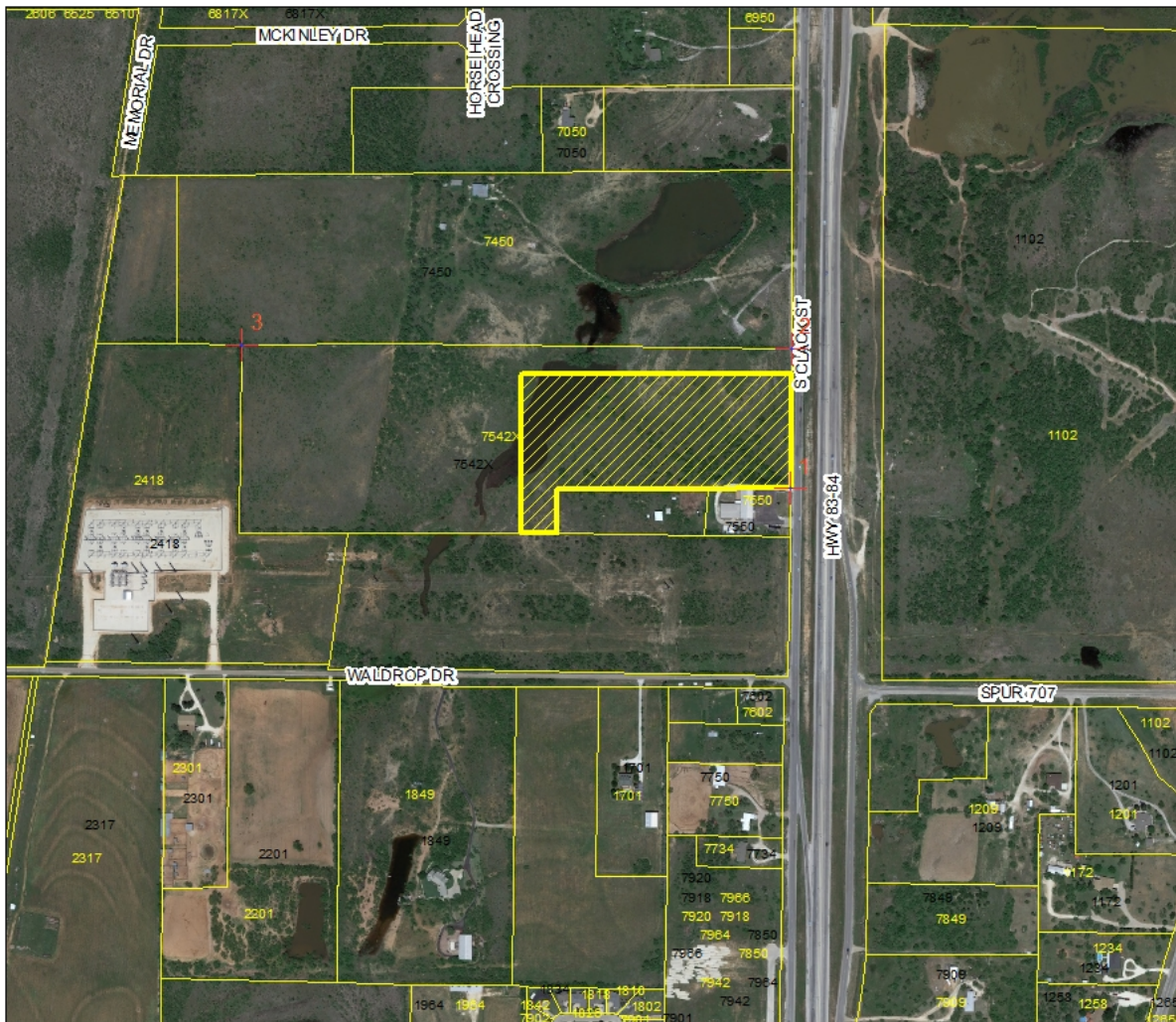
Staff Recommendation

Staff recommends **approval**

Notification:

OWNER	PROP_ID	SITUS	RESPONSE
STRICKLIN JOE B	100784		
WEST TEXAS UTILITIES CO	13803		
BOLT ALLEN J & TANYA ELAINE	43664	7550 HWY 83-84	
PB 6950 LLC	14029	7542X S CLACK ST	
PB 6950 LLC	13695	7450 HWY 83-84	

LOCATION MAP



ZONING MAP





REZONE REQUEST

Case: Z-2023-40

Owner: PB 6950 LLC

Agent: Jacob & Martin, LLC

Request: Rezoning 11.14 acres from Agricultural Open(AO) to General Commercial (GC).

Location: 7542x S Clack St

Notification: 1 in Favor, 0 Opposed

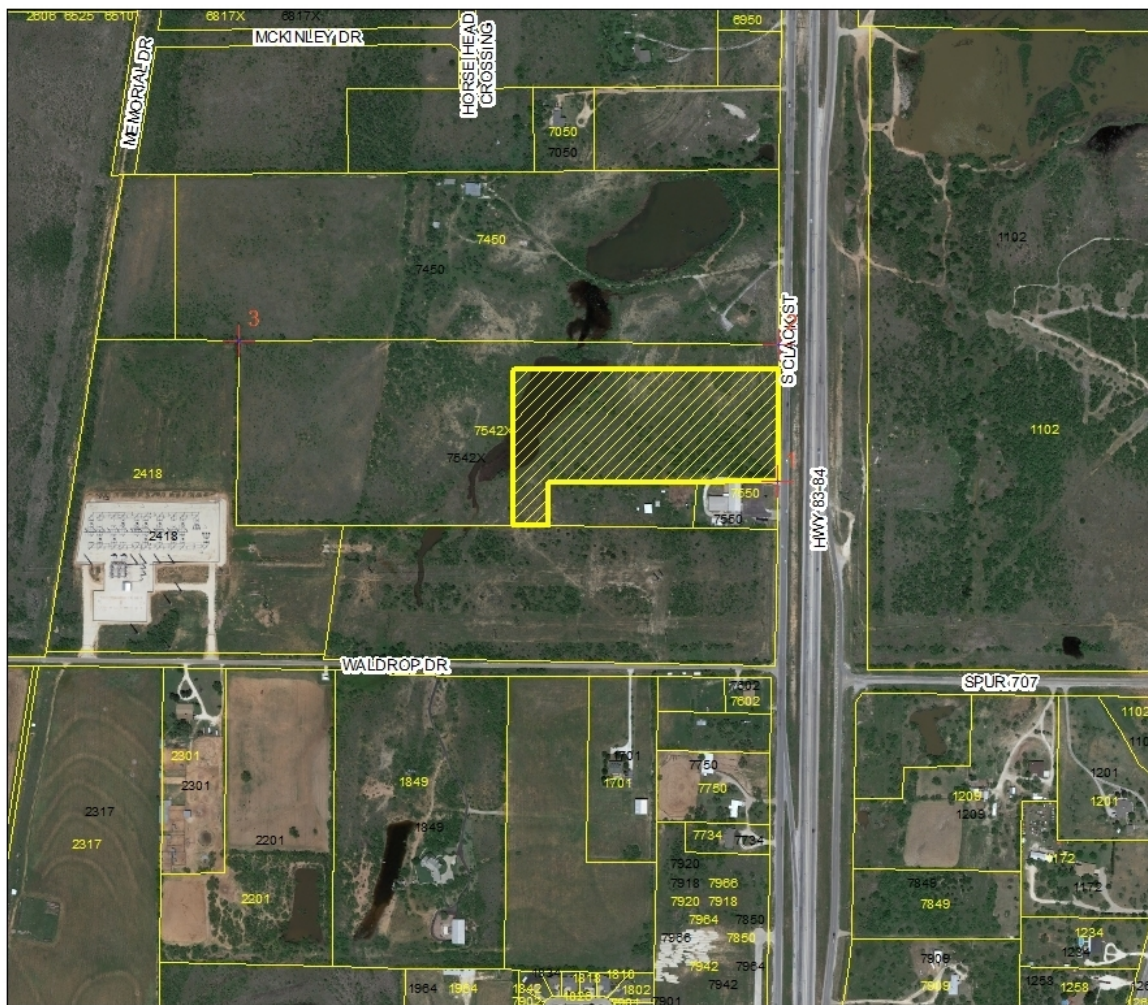
P&Z: December 5, 2023

City Council: December 21, 2023
January 11, 2024





Z-2023-40 AERIAL LOCATION MAP

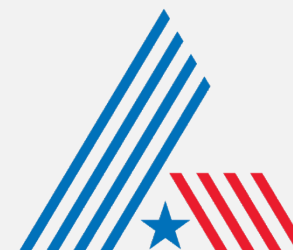


Aerial Map



Legend

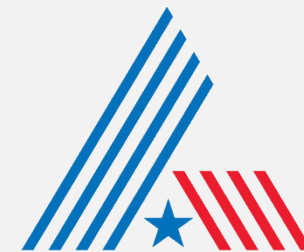
- Z-2023-40
- CourierParcels



CITY OF
ABILENE
TEXAS



Z-2023-40 ZONING MAP



CITY OF
ABILENE
TEXAS



PERMITTED USES IN AO ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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

LEGEND

P

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

C

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

TP

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





PERMITTED USES IN 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
- C 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





Z-2023-40 VIEWS OF SUBJECT PROPERTY



East



North



Subject Property

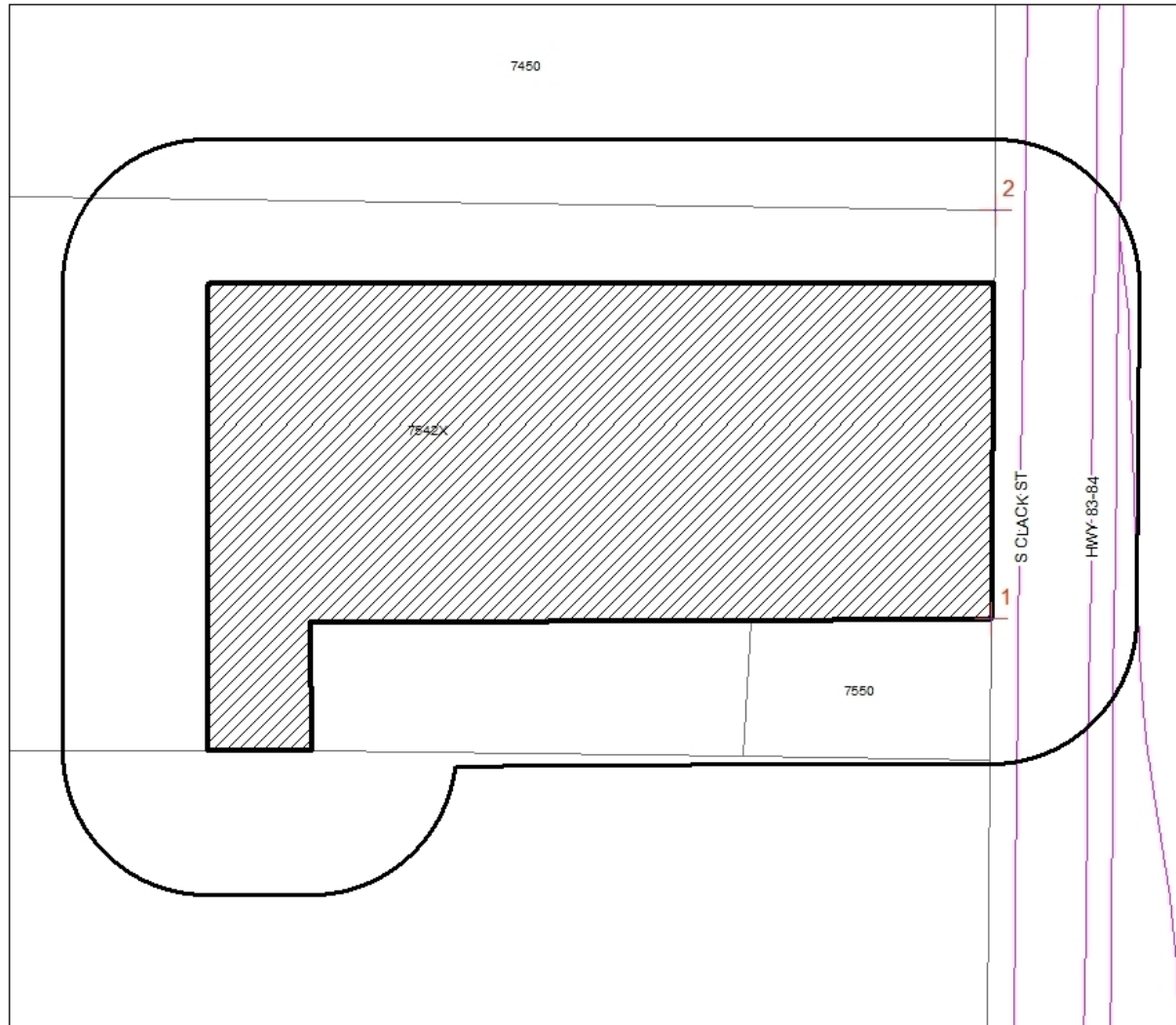


South





Z-2023-40 NOTIFICATION AREA MAP



Notification Map



Legend

- Notification Buffer
- Z-2023-40

1- In Favor- 

0- Opposed- 



CITY OF
ABILENE
TEXAS



FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

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

Staff Recommendation: Approval





Questions?



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 21st day of December, 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 November, 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 11th day of January, 2024, 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 11th day of January, 2024

ATTEST:

CITY SECRETARY

MAYOR

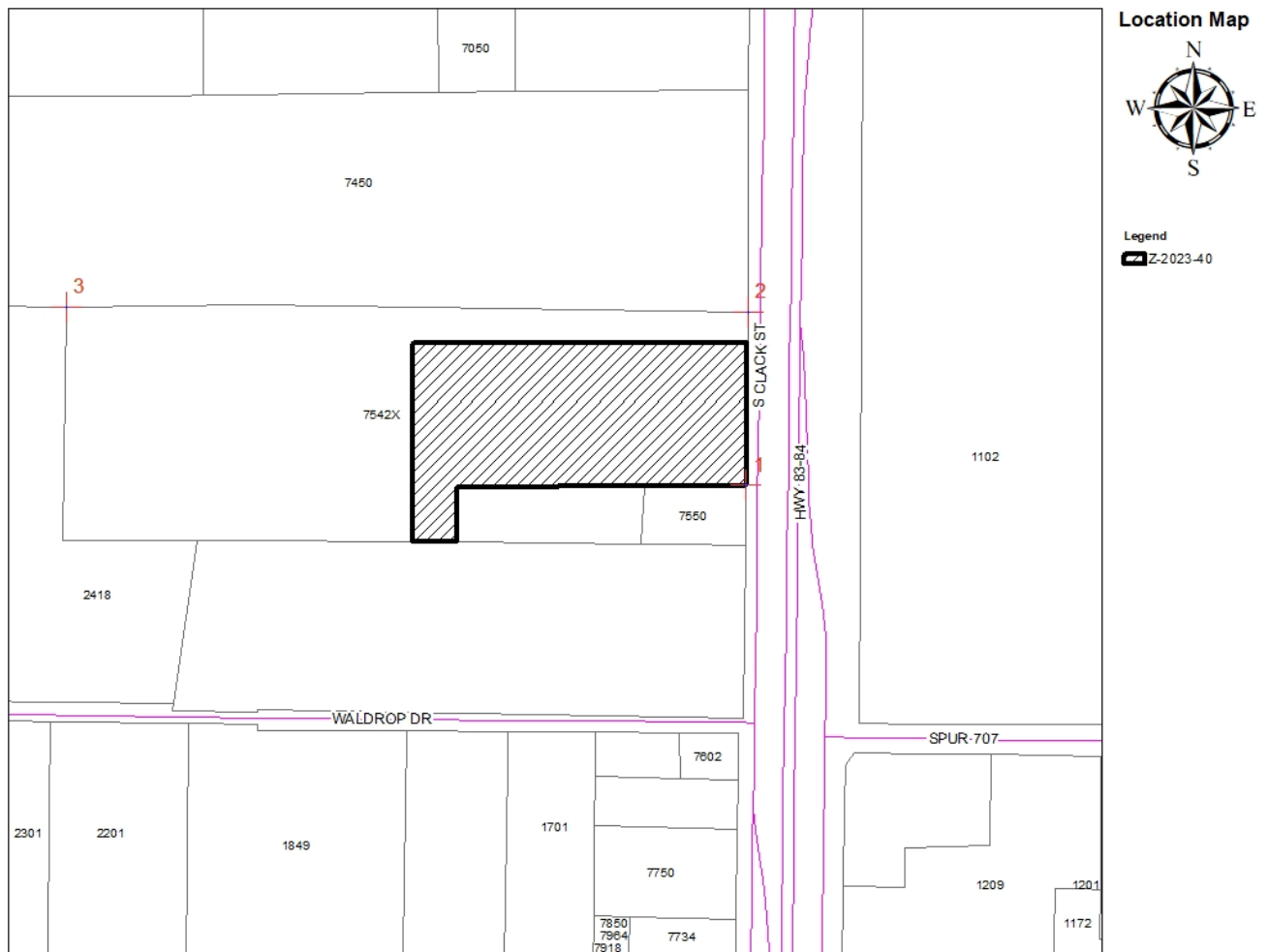
APPROVED:

CITY ATTORNEY

EXHIBIT A

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

Location: 7542x S Clack St, South East Quarter of Survey 12 of Lunatic Asylum Land Tract 6, Abilene, Taylor County, Texas.



END

ZONING CASE OAM-2023-01

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: December 5, 2023
City Council 1st Reading: December 21, 2023
City Council 2nd Reading: January 11, 2024

Applicant

City of Abilene

Case Manager

Randal Anderson – Assistant Director, Planning and Community Development Department

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:

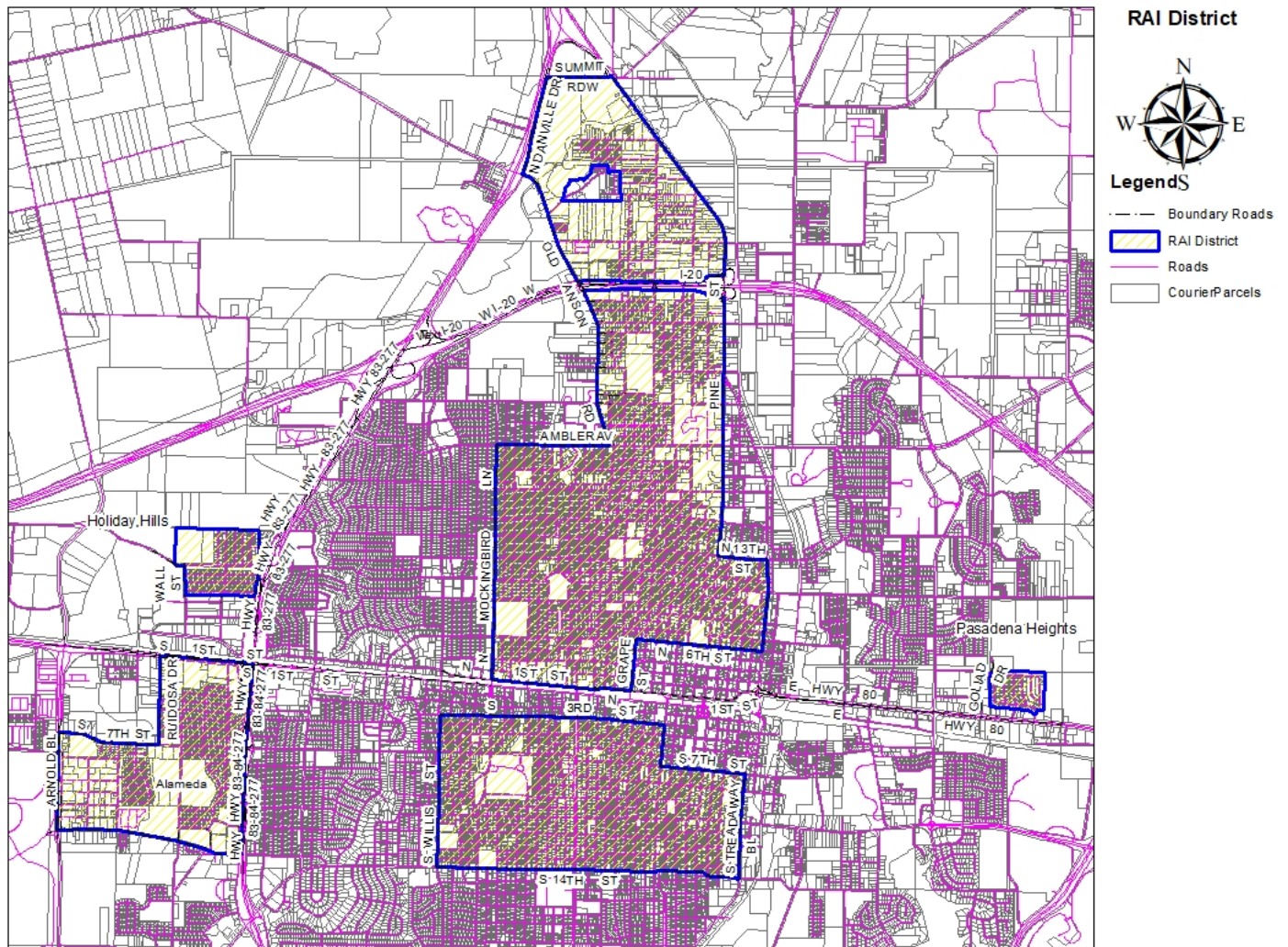
- (1) The lack of required off-street parking spaces or the ability to provide code compliant driveways to the said off-street parking spaces;
- (2) A conflict with a planned expansion of right-of-way of a scheduled project on the City of Abilene Capital Improvements Schedule, or as designated by the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



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 21st day of December, 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 November 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 11th day of January 2023, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 11th day of January 2024.

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



LegendS

- - - Boundary Roads
 RAI District
 — Roads
 CourierParcels

-END-

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:
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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
December 5, 2023

City Council Hearing: December 21, 2023
January 11, 2023





BACKGROUND

- In 2010, the City Council created the Neighborhood Conservation Overlay (NCO) District.
- The goals of that district were to maintain the character of neighborhoods surrounding the Central Business District and promote infill development.
- 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 its objectives.





NCO DISTRICT ISSUES

1. Since the NCO district is not designated on the Zoning Map, each lot must be rezoned to NCO.
2. The purpose of the NCO district was to encourage infill development but the development standards are not conducive for infill development.
3. The development standards ignore the fact that most potential infill lots require one or more variances.
4. The following steps are required to do an NCO district infill project before applying for a permit:
 - Rezoning to the NCO district (2 ½ months)
 - Board of Adjustment approval of variances (1 ½ months)
 - Landmarks Commission design approval (1 ½ months)

TOTAL: 5 ½ months of process





PROPOSED AMENDMENTS

1. Amend the Official Zoning Map to show the overlay district boundaries.
2. Include all neighborhoods with similar circumstances where legally platted lots require multiple variances to be developed.
3. Remove the Landmarks Commission requirement.
4. Create development standards that are flexible, negate the need for variances, and maintain the fabric of existing neighborhoods.
5. In making the above changes, applicants only need to apply for a building permit.

TOTAL: 0 months of process

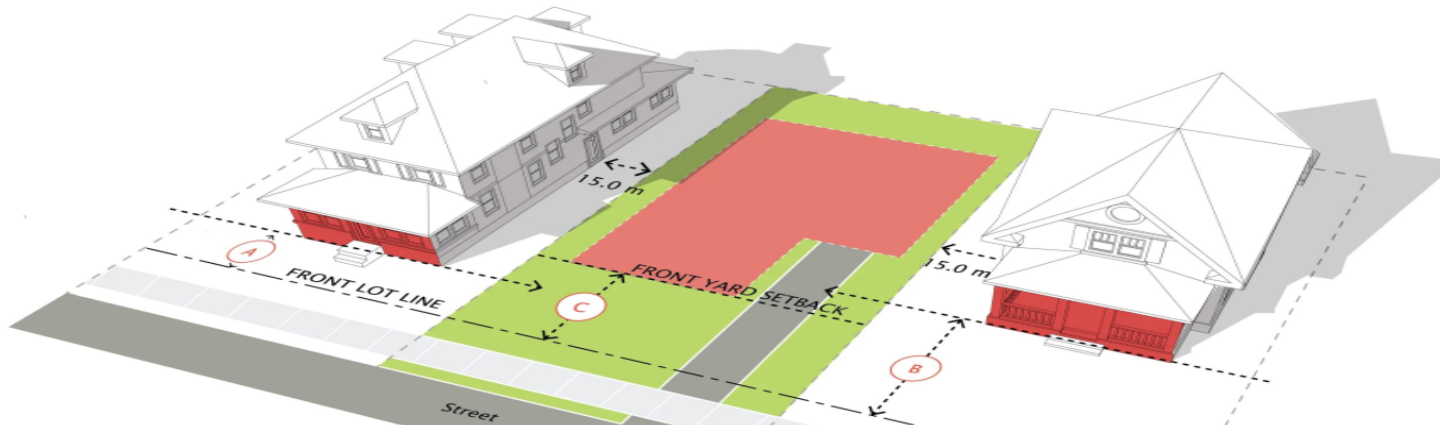




MAINTAIN NEIGHBORHOOD FABRIC

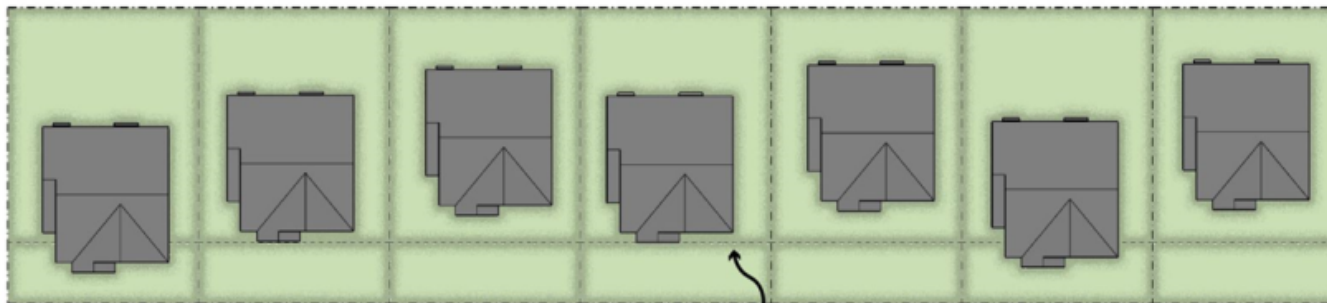
$$(A + B) \div 2 = C$$

C = Front Yard Setback



Setback Averaging

- Provides Flexibility;
- Maintains Neighborhood Fabric;
- Will apply to side, rear, and corner side setbacks.

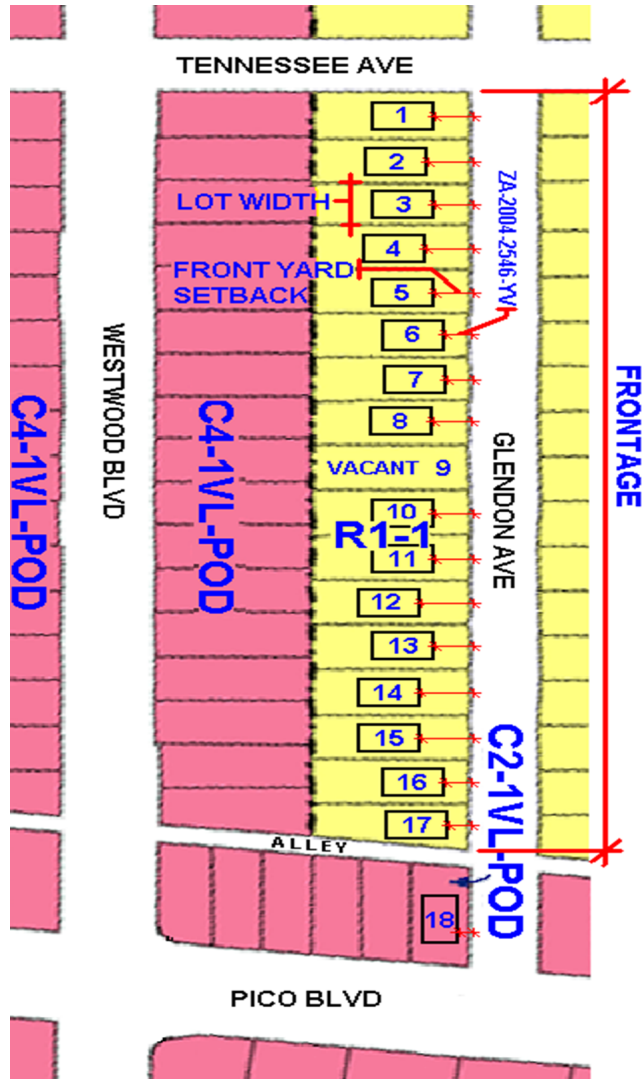


AVERAGE SETBACK LINE





MAINTAIN NEIGHBORHOOD FABRIC



Older Abilene neighborhoods tend to be deep and narrow with variable setback distances. For that reason:

- Front yard setback averaging will be applied often.
- The use of rear and side yard averaging will be relatively minimal.
- Setback averaging will make it simple to build on corner lots.
- Minimizes the need for variances.





BIG TAKEAWAYS

1. Variances from the relaxed standards would not be permitted.
2. Lot averaging is the typical method used by cities to promote infill development.
3. The regulations only pertain to single-family detached residential on legally platted nonconforming lots within the RAI boundaries.





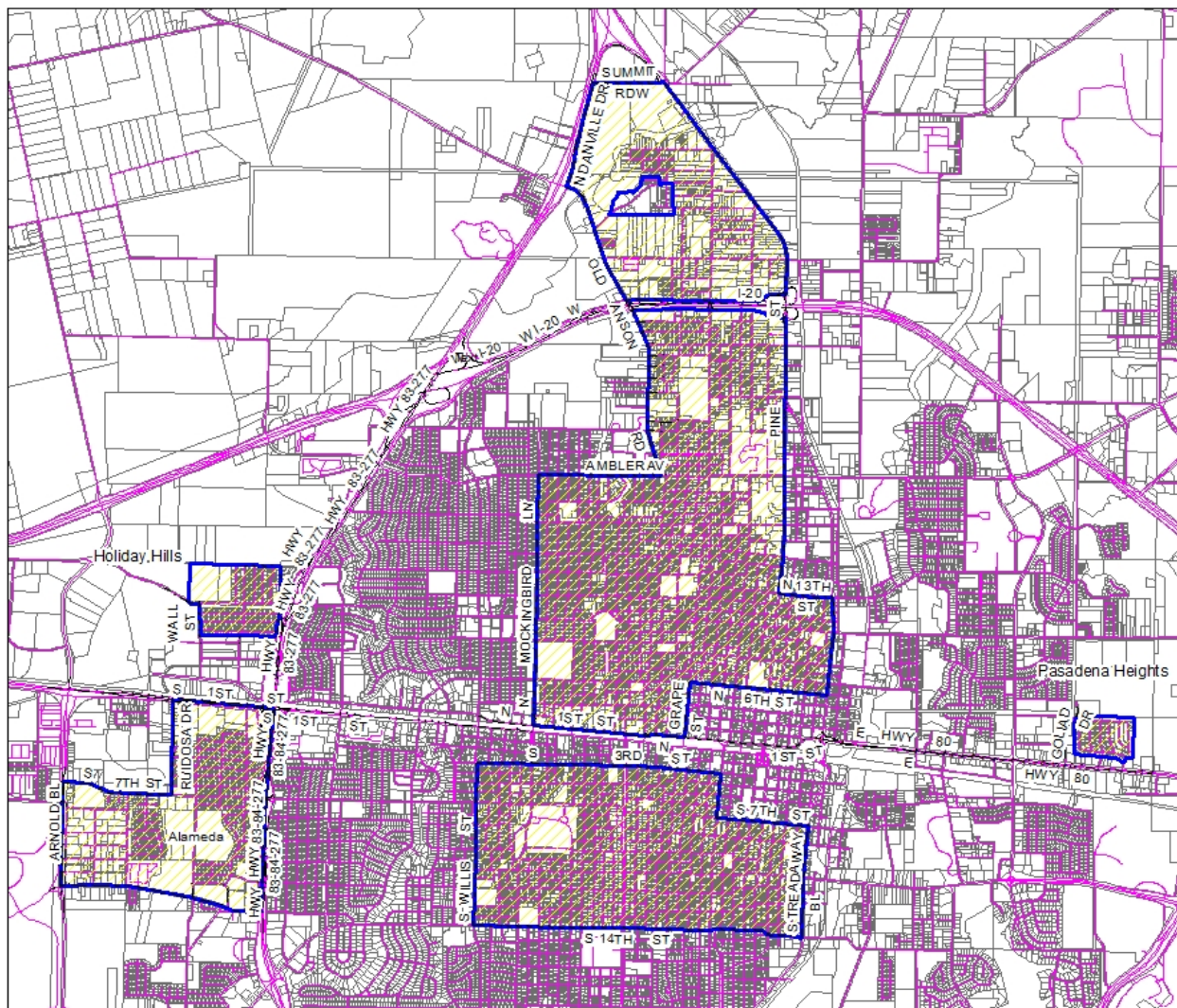
AFFECTED NEIGHBORHOODS

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



Legends

- Boundary Roads
- RAI District
- Roads
- Courier Parcels



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?





PROPOSED RELAXED 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		
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MAINTAIN NEIGHBORHOOD FABRIC

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