



City of Abilene

Planning and Zoning Commission Agenda

Notice is hereby given of a meeting of the City of Abilene Planning & Zoning Commission to be held on Tuesday, January 7, 2025 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 December 3, 2024

ZONING

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

2. **CUP-2025-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner, to Apply a Conditional Use Permit to Approximately 91.21 Acres to Allow a 150' Tall Monopole Tower Within Agriculture Open (AO). Located at 1602 Loop 322. Legal Description Being The North Part Of Lot 101, Block A, Taylor County Expo Center Subdivision, Abilene, Taylor County, Texas. **(Kera Valois)**
3. **CUP-2025-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner, to Apply a Conditional Use Permit to Approximately 0.57 Acres to Allow a Drive-Thru Lane. Located At 3210 Antilley Road. Legal Description Being Lot 218, Block M, Replat Of The Fairways Addition, Abilene, Taylor County, Texas. **(Clarissa Ivey)**
4. **Z-2025-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Change the Zoning of Approximately 2.00 Acres from General Retail (GR) to General Commercial (GC) Zoning. Located On The 6600 Block Of Buffalo Gap Road. Legal Description Being Lot 152, Block B, Champions Addition Section 2, Abilene, Taylor County Texas. **(Adam Holland)**
5. **Z-2025-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Change the Zoning of Approximately 0.48 Acres from Central Business (CB) to A Planned Development District (PDD-192). Located At 1066 S. 2nd Street. Legal Description Being Original Town Abilene, Block 11, Lots 13-15, Abilene, Taylor County, Texas. **(Mason Teegardin)**

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 for consultation with attorney pursuant to Texas Government Code Section 551.071.

ADJOURNMENT

Notice

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

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 2nd day of January, 2025, at 8:40 a.m.

Shawna Atkinson, City Secretary

**CITY OF ABILENE, TEXAS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
December 3, 2024, at 1:30 p.m.**

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on December 3, 2024, at 1:31 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas. Chair Pro Tem Brad Benham was present and presiding, along with **Commissioners** Zach Sitzes, Shawnté Fleming, Secretary, Mitch Barnett, Kevin Halliburton, Sergeant-at-Arms, and Kristen Dressen-Kyker.

Also present were 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, Ms. Mason Teegardin, Planner II, Mr. Adam Holland, Planner II, Ms. Kera Valois, Planner I, and Ms. Melissa Farr, Executive Assistant.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Chair Pro Tem Benham opened the public hearing. With no speakers coming forward, the public hearing was closed.

Meeting minutes were **approved** unanimously. The motion carried by the following vote:

AYES: Barnett, Kyker, Halliburton, Fleming, Sitzes, Benham

NAYS: None

ELECTION OF OFFICERS

Commissioner Halliburton moved that Brad Benham serve as the new Commission Chair. Commissioner Kyker seconded the motion.

Commissioner Halliburton moved that Mitch Barnett serve as the new Chair Pro Tem. Commissioner Kyker seconded the motion.

ZONING

CUP-2024-11: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Apply a Conditional Use Permit to Approximately 0.15 Acres to Allow a 150' Monopole Tower within General Retail (GR). Located at 2560 X Barrow Street.

Legal Description Being a Part of Lot 101 of the Gibson Replat, Block 10, Brookhollow Section 4, Abilene, Taylor County, Texas.

Kera Valois presented this request. The subject property was annexed into the City of Abilene in 1957 and has been zoned General Retail (GR). The east side of the subject property is currently occupied by The Hemp Corner. The remaining west side of the subject property currently is vacant.

Commissioner Benham opened the public hearing. Mr. Laddie Galloway stepped forward. 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 was one (1) received in favor, with one (1) received in opposition.

STAFF RECOMMENDATION: Approval

Commissioner Barnett made a motion to approve the request. Commissioner Kyker seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Kyker, Halliburton, Fleming, Sitzes, Benham

NAYS: None

CUP-2024-12: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Apply a Conditional Use Permit to Approximately 2.75 Acres to Allow for a Tattoo Parlor, More Specifically Applied to Building 4, Suite 403. Located at 4601 Antilley Road, Suite 403. Legal Description Being Lot 101, Block A, Section 1 of the Antilley Road West Addition, Abilene, Taylor County, Texas.

Mason Teegardin presented this request. The applicant requests a CUP to allow a tattoo parlor in one suite of one of the existing buildings. If this CUP is approved, the scope of approval will be limited to just the single suite shown on the site plan. The Plan of Operation submitted by the applicant indicates that the primary use will be a full-service salon that will also offer fine-line tattoo services as a minor use.

Commissioner Benham opened the public hearing. Mr. Tal Fillingim and Ms. Alicia Anderson stepped forward. 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 one (1) in opposition.

STAFF RECOMMENDATION: Approval subject to the Plan of Operation

Commissioner Fleming made a motion to approve the request subject to the Plan of Operation. Commissioner Halliburton seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Kyker, Halliburton, Fleming, Sitzes, Benham

NAYS: None

OAM-2024-02: 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 to Amend the Sign Regulations. Specifically, to Allow for Type III Off-Site Signage and Provide Development Standards Including, but Not Limited to, Size, Location, and Separation.

Adam Holland presented this request. The proposed LDC amendment would affect LDC Section 4.2.8.9 – Area, Height, Placement, and Number and would follow the existing format of that section to create a Type III off-site sign category.

Commissioner Benham opened the public hearing. Mr. Raul Espinoza stepped forward. Seeing no one else present and desiring to be heard, the public hearing was closed.

STAFF RECOMMENDATION: Approval

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

AYES: Barnett, Kyker, Halliburton, Fleming, Sitzes, Benham

NAYS: None

Z-2024-32: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to change the zoning of approximately 2.59 acres from Planned Development District 28 (PDD-28) to General Commercial (GC). Located at the 4300 block of Southwest Drive. Legal description being the north 254 feet of Lot 101, Block C, Southwest Drive Addition, Abilene, Taylor County, Texas.

Adam Holland presented this request. The subject property was annexed in 1959 and is currently used as a recycling drop off. The City of Abilene has entered a lease with Chick-Fil-A to build a new restaurant at this location.

Commissioner Benham 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

PARKS AND RECREATION BOARD RECOMMENDATION: Approval

Commissioner Barnett made a motion to approve the request. Commissioner Kyker seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Kyker, Halliburton, Fleming, Sitzes, Benham

NAYS: None

Z-2024-35: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, Represented By Jacob & Martin, To Change The Zoning Of Approximately 64.25 Acres From Agricultural Open To Planned Development District 191. Specifically, To Have A Residential Single-Family Base Zoning. Located At 7501 Old Forrest Hill Rd, Abilene, TX 79606. Legal Description Being 52.29-Acre Tract Out Of Lots 2, 3, 4, 6 And 7 And A 4.2 Acre Tract Out Of Lot 8 Of A Subdivision Of The T.C. Garner Survey, And A 2.354 Acre Tract Out Of The North Part Of The D.A. Douthit Survey No. 25, Abilene, Taylor County, Texas.

Clarissa Ivey presented this request. The subject property was annexed in 1980 and has remained vacant and zoned as AO. The applicant proposes to change the zoning from AO to a Planned Development District (PDD) to allow lots with a minimum area of 5,000 square feet, a minimum width (frontage) of 50 feet, and five-foot (5') interior side setbacks. The base zoning of the property would be RS-6.

Commissioner Benham opened the public hearing. Those who stepped forward were Mr. Tal Fillingim and John Pugsley. Seeing no one else present and desiring to be heard, the public hearing was closed.

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

STAFF RECOMMENDATION: Staff recommends approval subject to the Concept Plan and regulations as set forth within the PD ordinance.

- Lot size minimum 5,000 sq feet and a minimum of 50 feet in width
- Side yard setback shall be 5 feet minimum – corner lot shall be 15 feet minimum
- And all other regulations as set forth in RS-6 district

Commissioner Fleming made a motion to approve the request based upon the recommended conditions. Commissioner Halliburton seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Kyker, Halliburton, Fleming, Sitzes, Benham

NAYS: None

Z-2024-36: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 134.86 Acres From Agricultural Open (AO) To General Retail (GR), General Commercial (GC), And Multi-Family (MF). Located At 7450 HWY 83-84. Legal Description Being 134.86 Acres Out Of Survey 12, Lunatic Asylum Lands, Abilene, Taylor County, Texas.

Mason Teegardin presented this request. The subject property was annexed into the City of Abilene in 1980 and has remained vacant since. This property has been zoned Agricultural Open (AO) since annexation. The proposed zoning changes are in continuation with the current development of the area.

Commissioner Benham opened the public hearing. Mr. Tal Fillingim stepped forward. Seeing no one else present and desiring to be heard, the public hearing was closed.

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

STAFF RECOMMENDATION: Approval

Commission Halliburton made a motion to approve the request. Commissioner Fleming seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Halliburton, Fleming, Sitzes, Benham

NAYS: None

ABSTAIN: Kyker

ADJOURNMENT

There being no further discussion, Commissioner Benham adjourned the meeting at 2:24 p.m.

APPROVED

Mr. Brad Benham, Chairman



2024 Development Application

Zoning Application Page 1 of 3

Planning

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

Relief Procedures

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

Project Name: EXPO CENTER
Address: EXPO DRIVE Number of Lots: _____ Acreage: 0.1184
Legal Description: 60'x60' TRACT OUT OF LOT 101, BLOCK A, TAYLOR CO. EXPO CENTER SUBDIVISION; SLIDE 26 CAB. 3
Subdivision Name: TAYLOR CO. EXPO CENTER Block: A Lot: 101
Current Zoning: AO Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: TAYLOR County
Address: 400 DAK STREET, SUITE 300
City, State, Zip: ABILENE, TX 79602 Fax: (325) 674-1365
Phone: (325) 674-1235 Email: phil.crowley@taylorcounty.texas.gov
Agent Name: LADDIE C. GALLOWAY
Address: PO Box 6060
City, State, Zip: ABILENE, TX 79608 Fax: _____
Phone: (325) 669-8110 Email: lgalloway@txoexploration.com

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

Signature of Owner:

Phil Crowley
PHIL CROWLEY, TAYLOR COUNTY JUDGE

Date: 11/20/24

FOR OFFICE USE ONLY

Received: _____

Fee: \$ _____

Receipt No.: _____

Case No.: _____

Reviewed By: _____



2024 Development Application

Zoning Application Page 2 of 3

Existing Zoning

- | | | | |
|--|--|-----------------------------|------------------------------|
| ☒ AO | Agricultural Open Space | ☐ GR | General Retail |
| ☐ RR | Rural Residential RR-5 & RR-1 | ☐ MU | Medical Use |
| ☐ RS-12 | Residential Single-Family – 12,000 sq. ft lots | ☐ CB | Central Business |
| ☐ RS-8 | Residential Single-Family – 8,000 sq. ft lots | ☐ MX | Mixed Use |
| ☐ RS-6 | Residential Single-Family – 6,000 sq. ft lots | ☐ GC | General Commercial |
| ☐ PH | Single-Family Residential Patio Home | ☐ HC | Heavy Commercial |
| ☐ TH | Residential Townhouse | ☐ LI | Light Industrial |
| ☐ MD | Residential Medium Density | ☐ HI | Heavy Industrial |
| ☐ MH | Manufactured/Mobile Home | ☐ PD | Planned Development District |
| ☐ CU | College & University | ☐ MF | Multi-Family |
| ☐ NO | Neighborhood Office | | |
| ☐ O | Office | | |
| ☐ NR | Neighborhood Retail | | |

Reason for Zoning Change

150' MONOPOLE FOR COMMUNICATION TOWER

Fees

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

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

Fees can be paid online with credit card.



2024 Development Application

Owner Authorization and Representative Designation

Property Description

Subdivision: TAYLOR COUNTY EXPO CENTER Total Number of Acres: 0.1184
Zoning Classification(s): _____ Total Number of Lots: 1
Location: _____

Property Owner Information & Authorization

Name/Company: TAYLOR COUNTY
Address: 400 OAK STREET, SUITE 300
City: ABILENE State: TX Zip Code: 79602
Phone: (325) 674-1235 Email: phil.crowley@taylorcounty.texas.gov
Project Representation (check one):

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

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

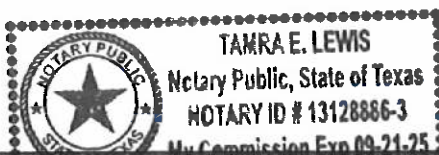
Property Owner's Signature: Phil Crowley Date: 11/20/24

STATE OF: Texas

COUNTY OF: Taylor

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

SUBSCRIBED AND SWORN TO before me, this the 20th day of November, 2024



Tamra Lewis
NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

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

Name: LADDIE C. GALLOWAY Company: TITAN TOWERS, L.P.
Address: PO Box 6060 City: ABILENE State: TX
Zip Code: 79608 Number: _____ Email: lgalloway@txoexploration.com



2024 Development Application

Disclosure of Interest

Disclosure Questions

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

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

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

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

Name of Certifying Person (print): LADDIE C. GALLOWAY

Property Owner ☐ Project Representative ☒

Signature of Certifying Person: Laddie C. Galloway

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

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



2024 Development Application

Recommendations

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

PUBLIC NOTIFICATION

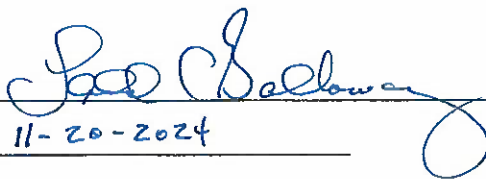
The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood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

PLEASE READ BEFORE SIGNING

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

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

SIGNED: _____



DATE: _____

11-20-2024



2024 Development Application

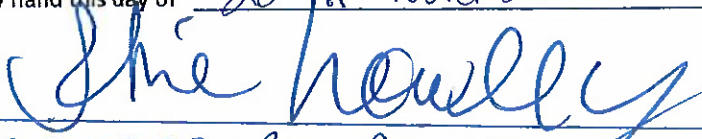
THE STATE OF TEXAS)

COUNTY OF TAYLOR)

Know all men by these presents that the undersigned owner of the real property described on the reverse side hereof, has made, constituted and appointed, and by these presents does make, constitute and appoint, my true and lawful attorney, for me in my name, place and stead, to (1) file an application for a zone change, plat, street closure, alley closure, (appeal to the Board of Adjustment) * concerning such property and

(2) appear on my behalf at all necessary meetings of the appropriate board or commission or City Council, as the case may be; and the undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the Planning & Development Services Division for the City of Abilene, Texas.

Witness my hand this day of 20th of November, 2024

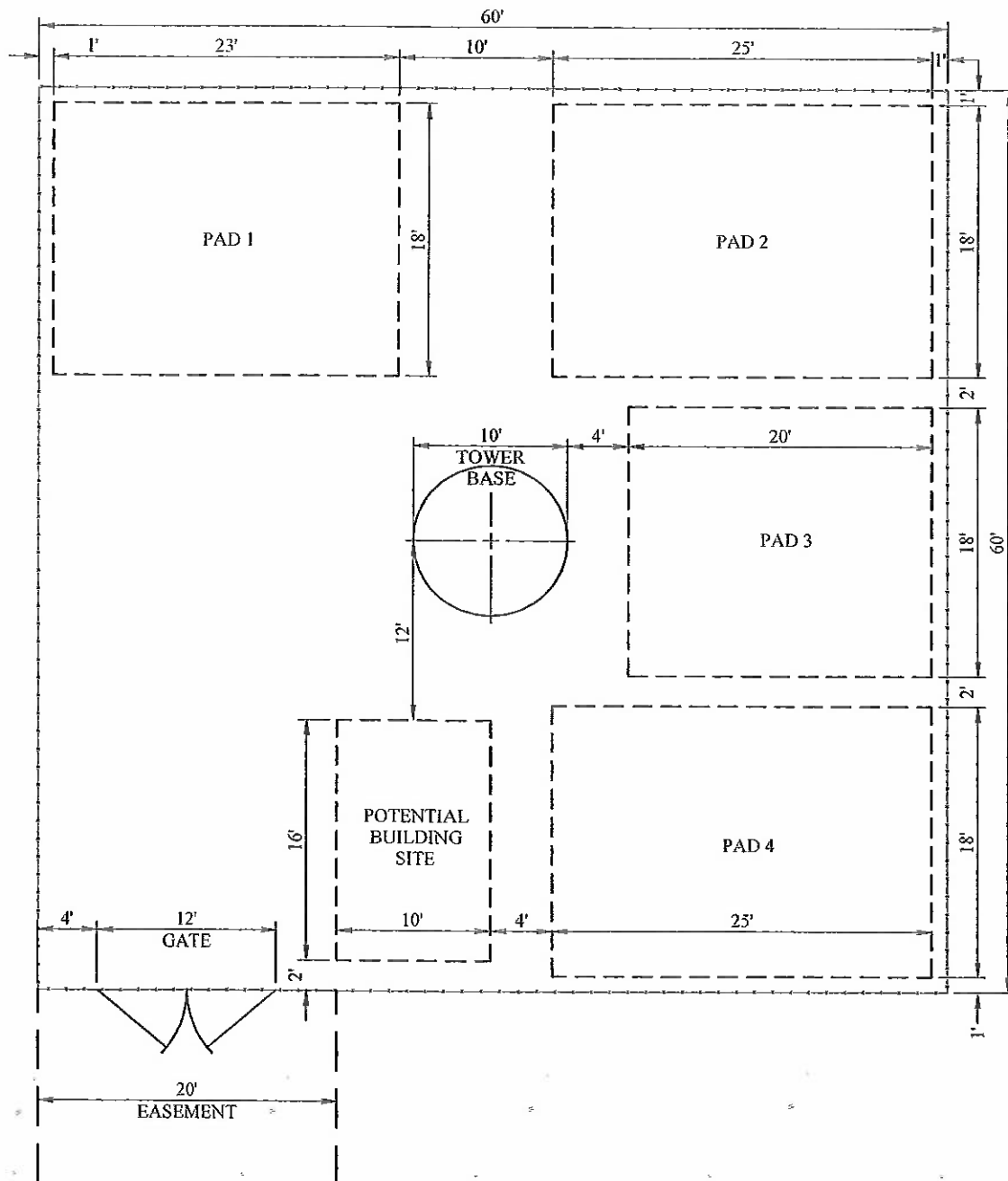
x 
SIGNATURE : PHIL CROWLEY
TAYLOR COUNTY JUDGE

*(cross out the inapplicable phrase)

(1) Inventory of Existing Towers in Abilene

Titan Towers does not have any towers within the City of Abilene, or within 1 mile of the City Limits.

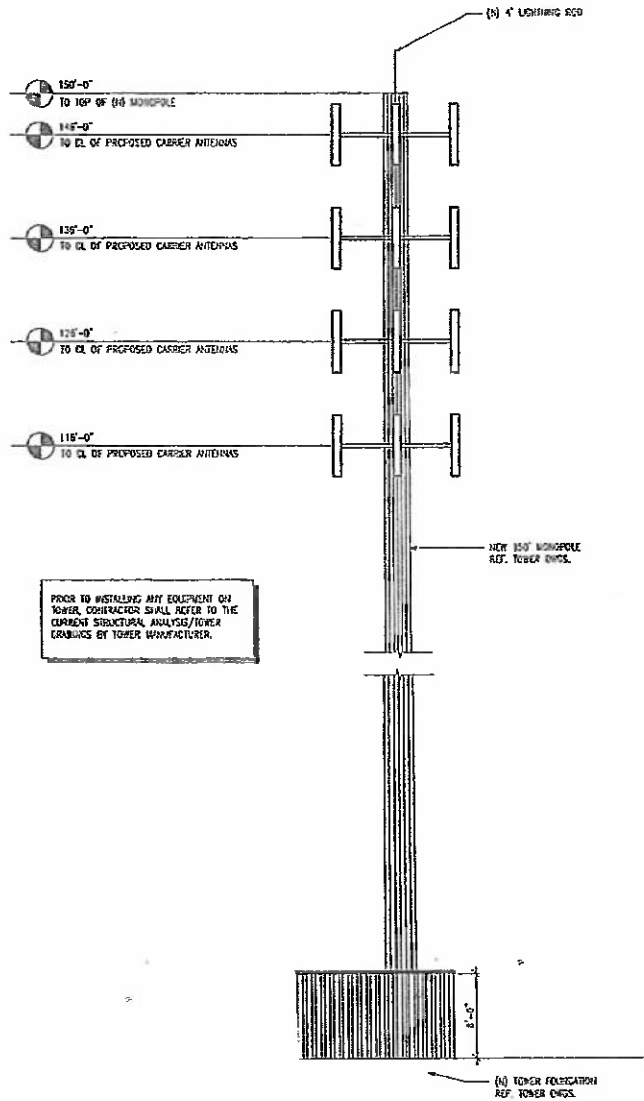
(2) Site Plan



5 0 10
SCALE IN FEET

(3) Tower Drawing

- 150' monopole
- 3 - 4 mobile phone customer capacity (depending on antenna loading)



① TOWER ELEVATION
SCALE: NTS

(4) Letter of Intent to Lease



Titan Towers is a tower company (not a mobile phone carrier) whose business practice is to lease space on its towers to a variety of customers... including mobile phone carriers such as AT&T, Verizon, T-Mobile and Direct TV, as well as wireless internet and various other types of communication & data transmission equipment.

Therefore, Titan Towers is motivated and has planned for the capacity to lease space on the tower to multiple companies.

(5) Justification Statement

See Attached Statement

WTL00907 Signal Level Plots

This site is needed to offload traffic on neighbor site WTL1417 and improve service. The NSB will improve service along Jake Roberts FWY and the Abilene Regional Airport.

Bobby Wells
11/21/2024

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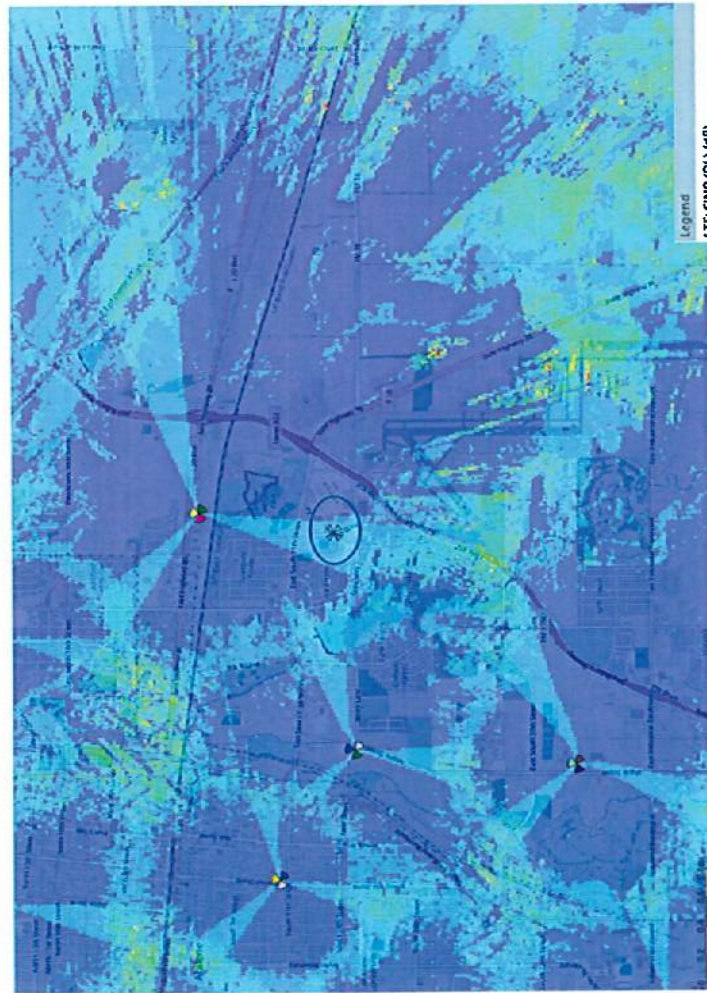


RSRP 700Mhz

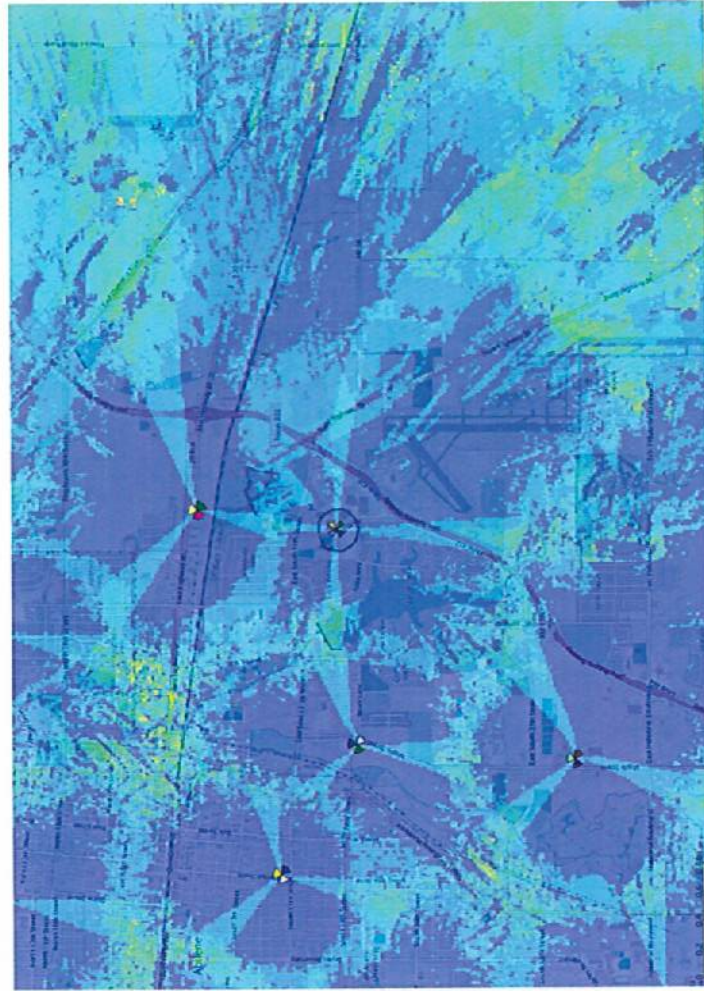


○ Proposed NSB

Number of Servers (Dominance) 700Mhz



○ Proposed NSB



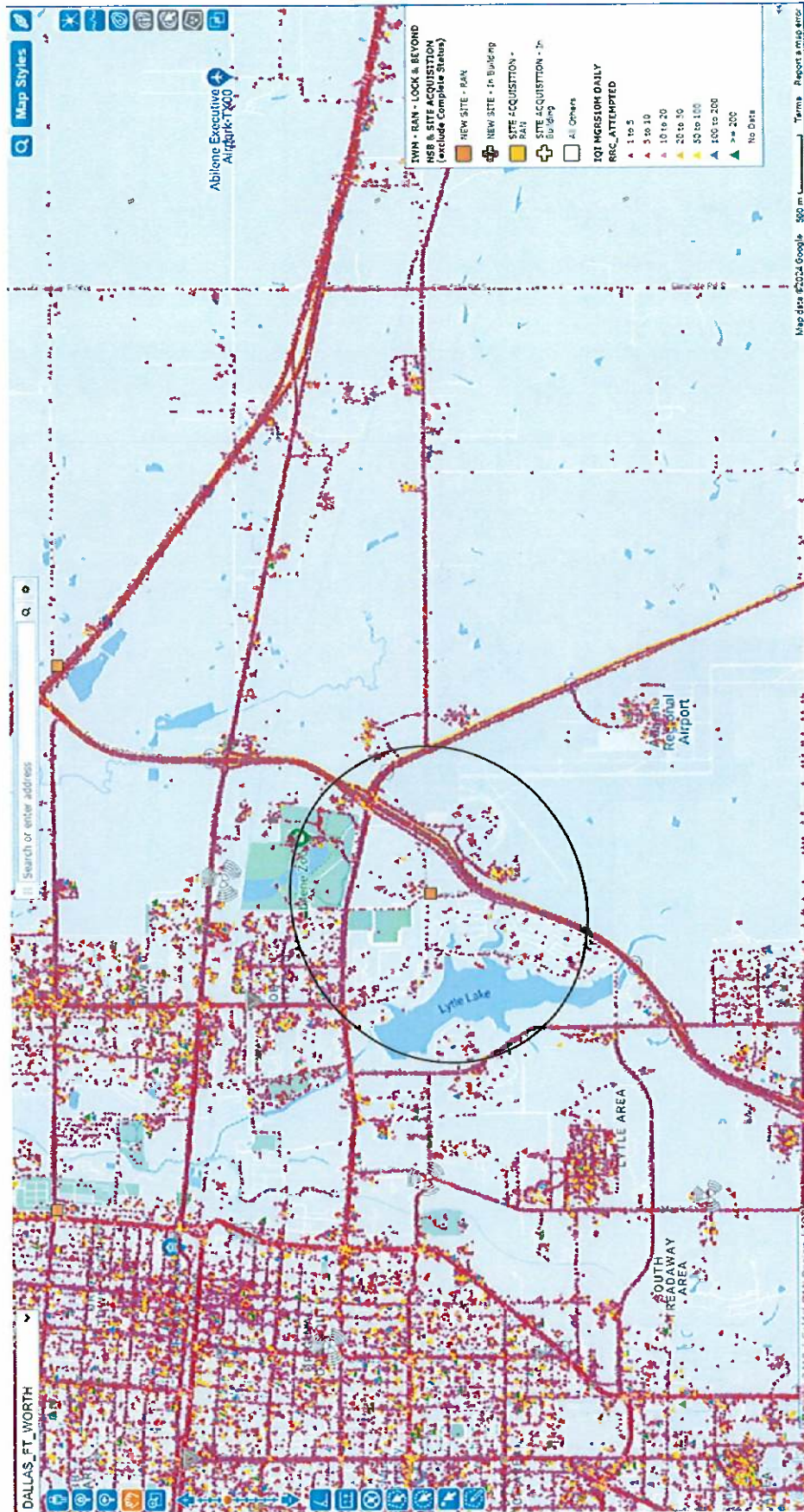
Coverage by Transmitter



○ Proposed NSB

○ Coverage Needed

IQI RRC Attempts near proposed site

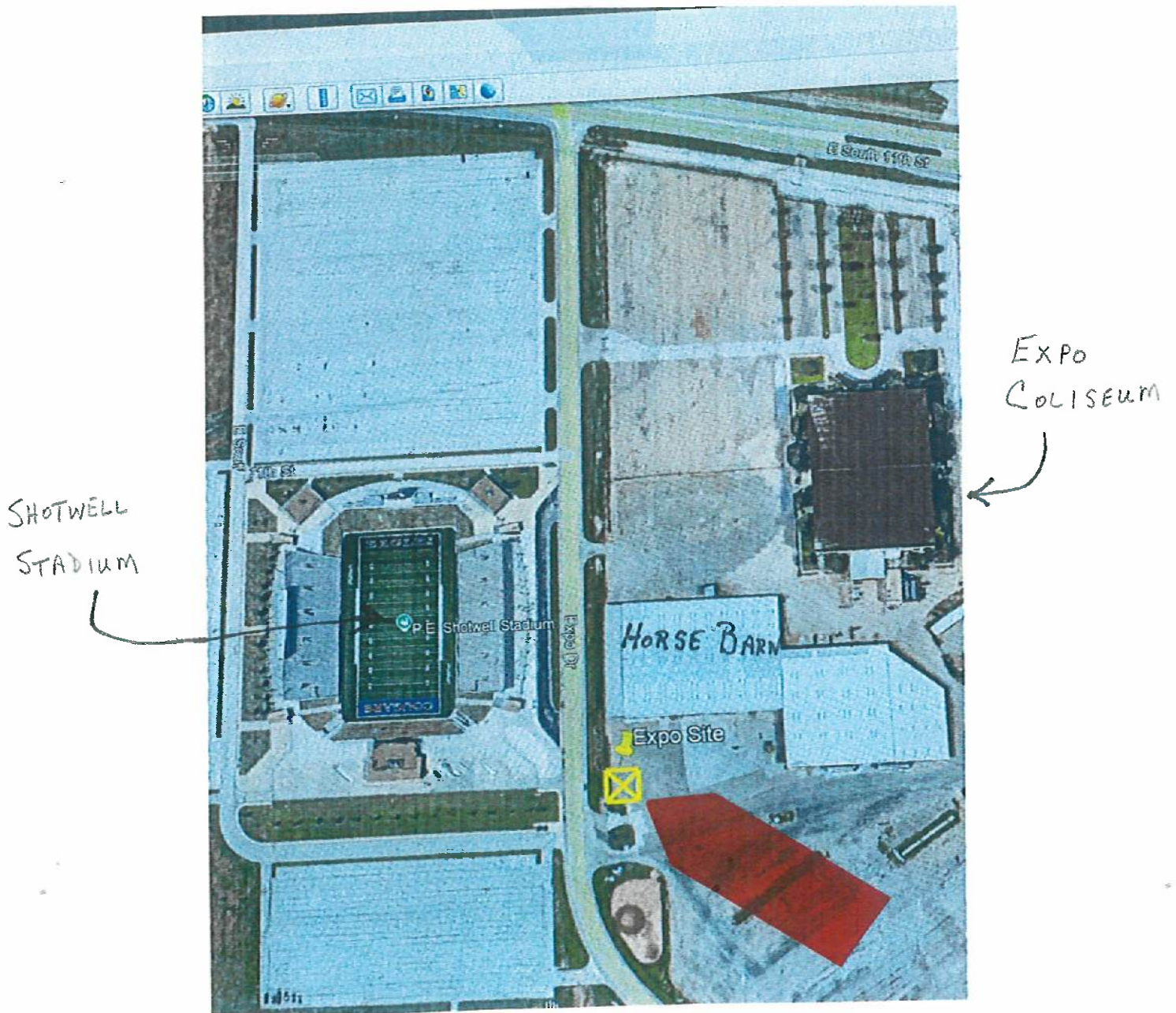


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Aerial



ZONING CASE CUP-2024-08 STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: January 7, 2025

City Council 1st Read: January 23, 2025

City Council 2nd Read: February 13, 2025

Applicant

Owner: Taylor County (Expo Center)

Agent: Laddie Galloway

Case Manager

Kera Valois – Planner

Request

The applicant is requesting a Conditional Use Permit to construct a new 150' tall monopole within Agricultural Open (AO) zoning.

Location

The subject property is located at 1602 Loop 322. Legal description being North Part of Lot 101, Block A, Taylor County Expo Center Subdivision, Abilene, Taylor County, Texas.

Background

The subject property was annexed by the City of Abilene in 1930 and has been zoned Agricultural Open (AO). The proposed tower would be located at the Taylor County Expo Center. To the west of the property is Abilene ISD's Shotwell Stadium. To the east of the property is Abilene Regional Airport.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	PD	Zoo
East	PD	Abilene Regional Airport
South	PD	Abilene Regional Airport
West	AO	Shotwell Stadium

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 proposed request is consistent with the Comprehensive Plan and Future Land Use, which both recommend "Institutional" and "Transitional" uses at this location.

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

The proposed use is compatible with the surrounding Agricultural Open (AO) Zoning. Communication Towers need to be located in areas that generate high levels of communication/data traffic with a height to provide a large area of coverage and allow multiple communication providers to use the tower. This strategy minimizes the need for additional towers to provide service.

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 proposed/existing use is compatible with surrounding developments and will not create adverse impacts regarding traffic, noise, or visual nuisances. The purpose of the tower is to provide communication services for three to four carriers.

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

The proposed use will not generate additional pedestrian or vehicular traffic.

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

The proposed use 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 proposed tower is surrounded by a mix of Agricultural Open, Planned Development as well as Residential zoning and is supported by the Comprehensive Plan. The proposed tower would not adversely affect the existing uses in this area. The proposed area is located on the west side of the property which will effectively screen the base of the proposed tower.

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 applicant for the proposed tower does not currently have any existing towers within City Limits or within one mile of City Limits. The location of the proposed tower is ideal given its proximity to high communication generating uses and regional traffic on Loop 322.

Staff Recommendation

Staff recommends **approval** of the Conditional Use Permit subject to:

1. FAA approval of the tower height and location; and
2. The submitted site plan.

Attachments

- Technical Drawings
- PowerPoint Presentation

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on November 15, 2024, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

PROPERTY OWNER

Legend: O - Opposed, F - In Favor

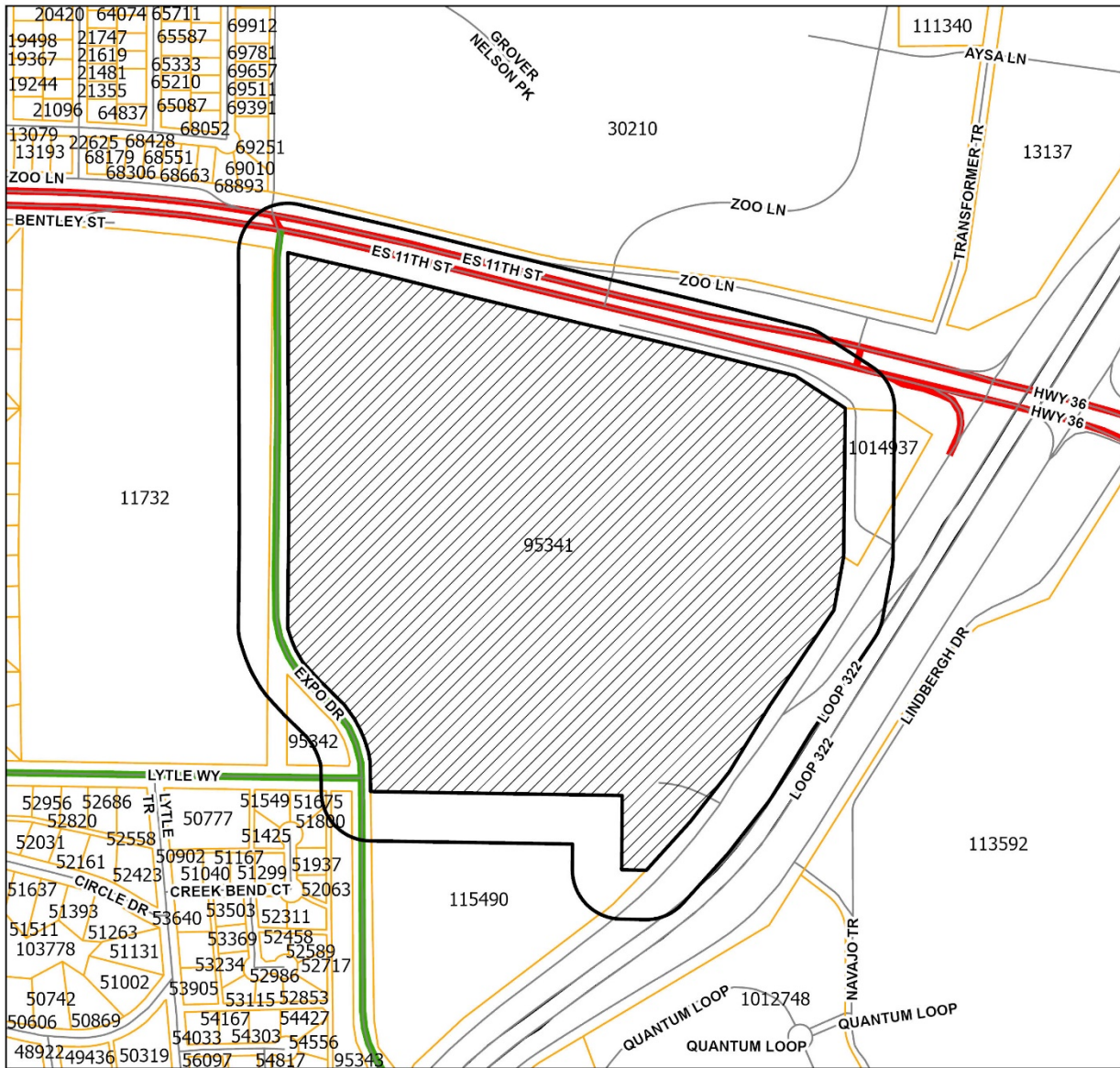
PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ABILENE IND SCHOOL DIST	11732	1350 EXPO DR	
EXPO CENTER OF TAYLOR	95342		
EXPO CENTER OF TAYLOR	95341	1801 ES 11 TH ST	
EXPO CENTER OF TAYLOR	95341	1725 ES 11 TH ST	
EXPO CENTER OF TAYLOR	95341	1602 LOOP 322	
HADLEY RYAN LEE & DANIELLE	51800	1549 CREEK BEND CT	
KIDD RONNIE C & SHEILA S	51675	1557 CREEK BEND CT	
TAYLOR COUNTY	95343		
TAYLOR COUNTY	115490		
TAYLOR COUNTY	1014937		

PROPERTY ID

Legend: O – Opposed, F - Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ABILENE IND SCHOOL DIST	11732	1350 EXPO DR	
KIDD RONNIE C & SHEILA S	51675	1557 CREEK BEND CT	
HADLEY RYAN LEE & DANIELLE	51800	1549 CREEK BEND CT	
EXPO CENTER OF TAYLOR	95341	1801 ES 11 TH ST	
EXPO CENTER OF TAYLOR	95341	1725 ES 11 TH ST	
EXPO CENTER OF TAYLOR	95341	1602 LOOP 322	
EXPO CENTER OF TAYLOR	95342		
TAYLOR COUNTY	95343		
TAYLOR COUNTY	115490		
TAYLOR COUNTY	1014937		

NOTIFICATION MAP



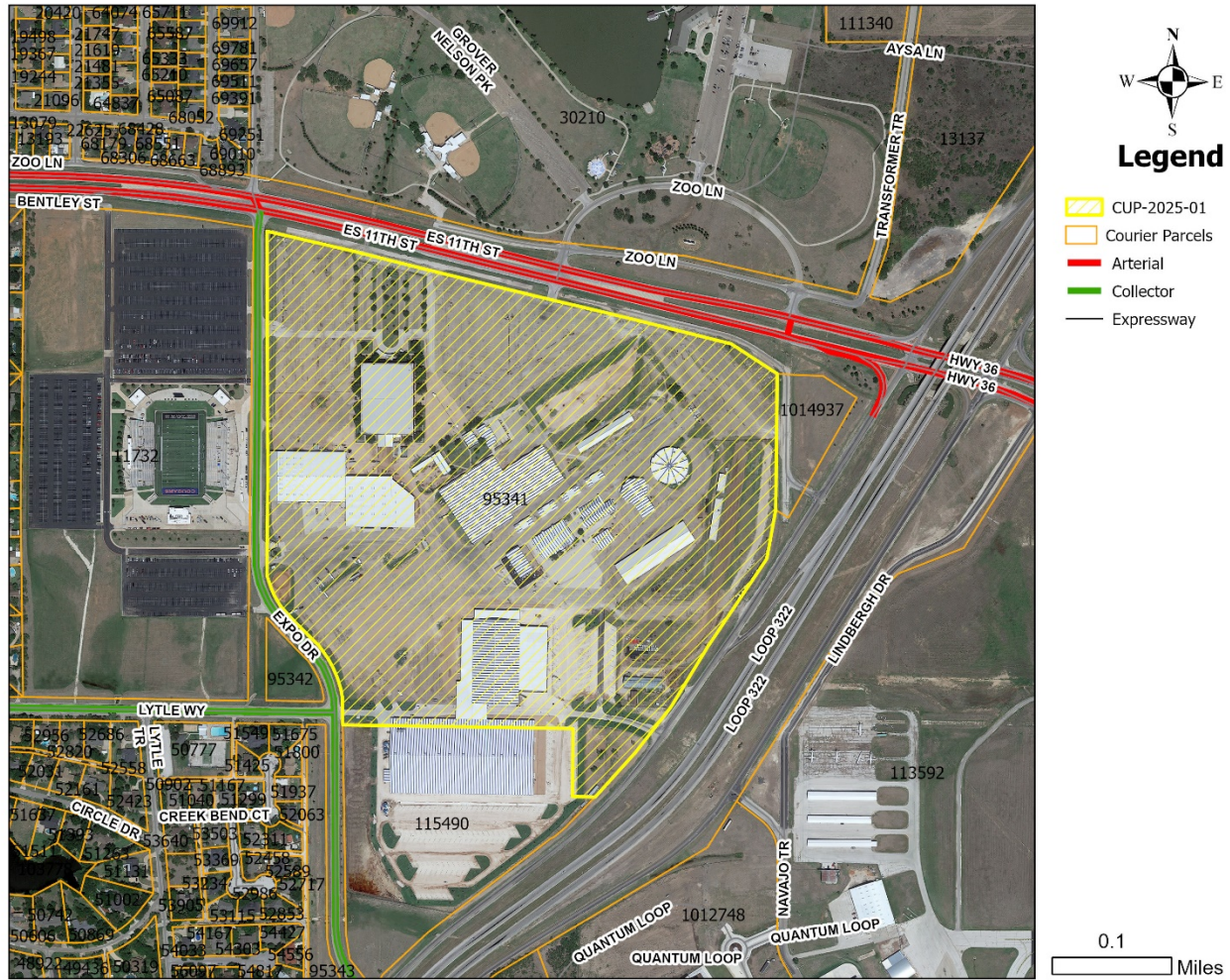
Legend

- CUP-2025-01
- Notification Area
- Courier Parcels
- Arterial
- Collector
- Expressway

0.1

Miles

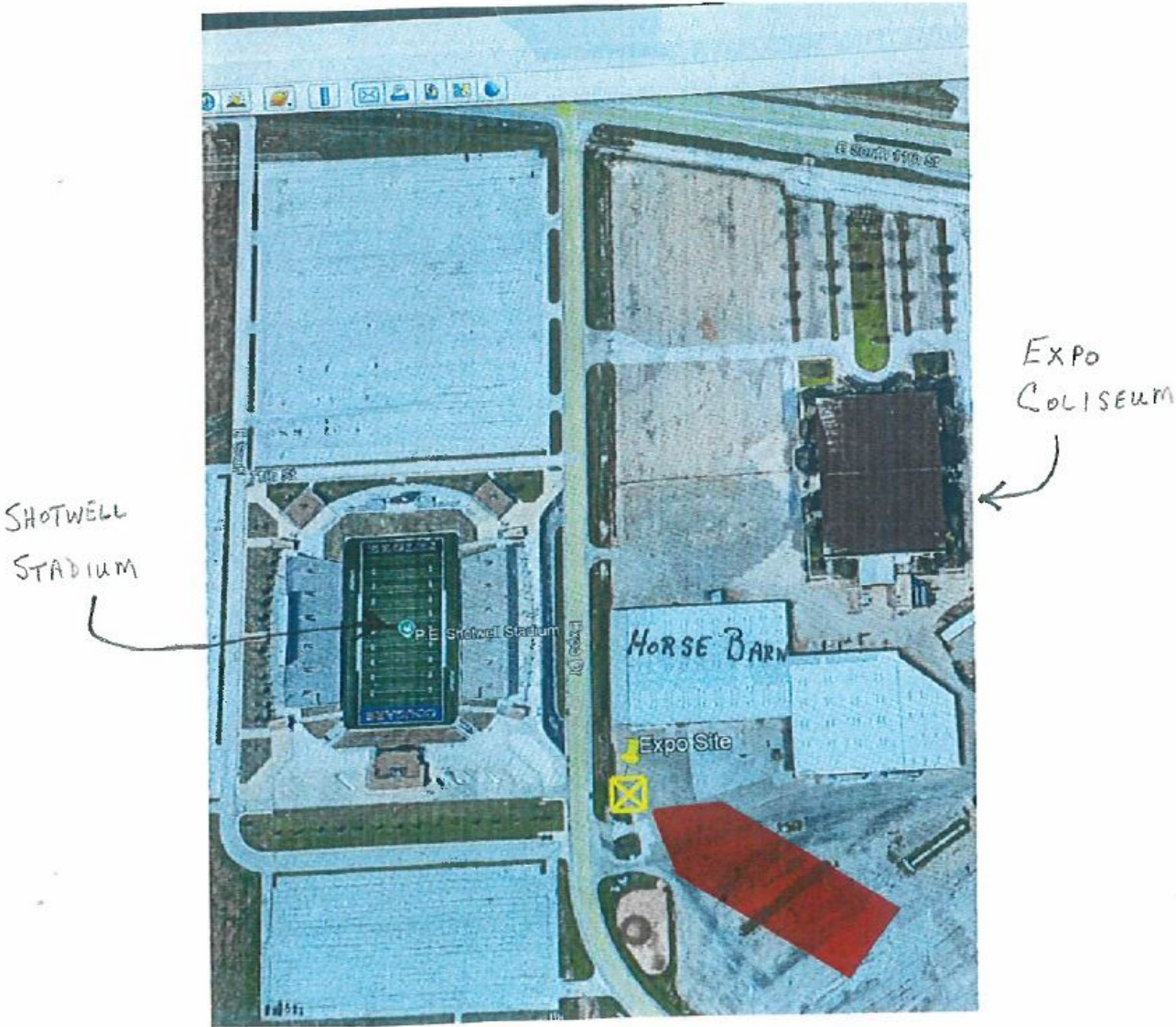
LOCATION MAP



ZONING MAP

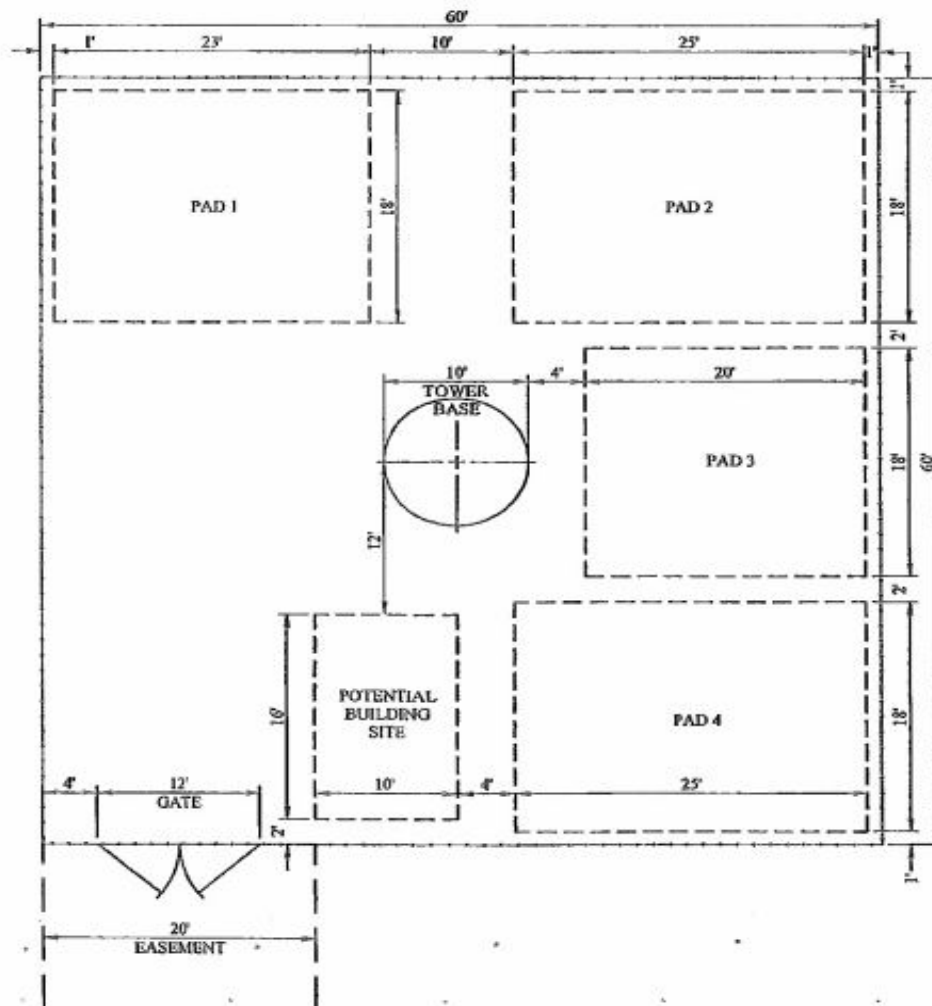


Proposed Site Location



Proposed Site Plan

(2) Site Plan





CONDITIONAL USE PERMIT

Case:	CUP-2025-01
Agent:	Laddie Galloway
Requests:	A Conditional Use Permit to allow a 150' tall monopole in Agricultural Open (AO) zoning.
Location:	1602 Loop 322
Notification:	0 in Favor, 0 in Opposition
Planning & Zoning:	January 7, 2025
Council Hearing:	January 23, 2025 February 13, 2025





AERIAL LOCATION MAP

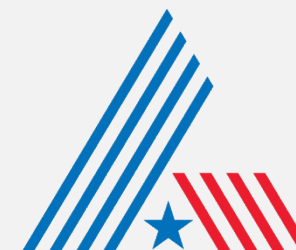


Legend

- CUP-2025-01
- Courier Parcels
- Arterial
- Collector
- Expressway

0.1

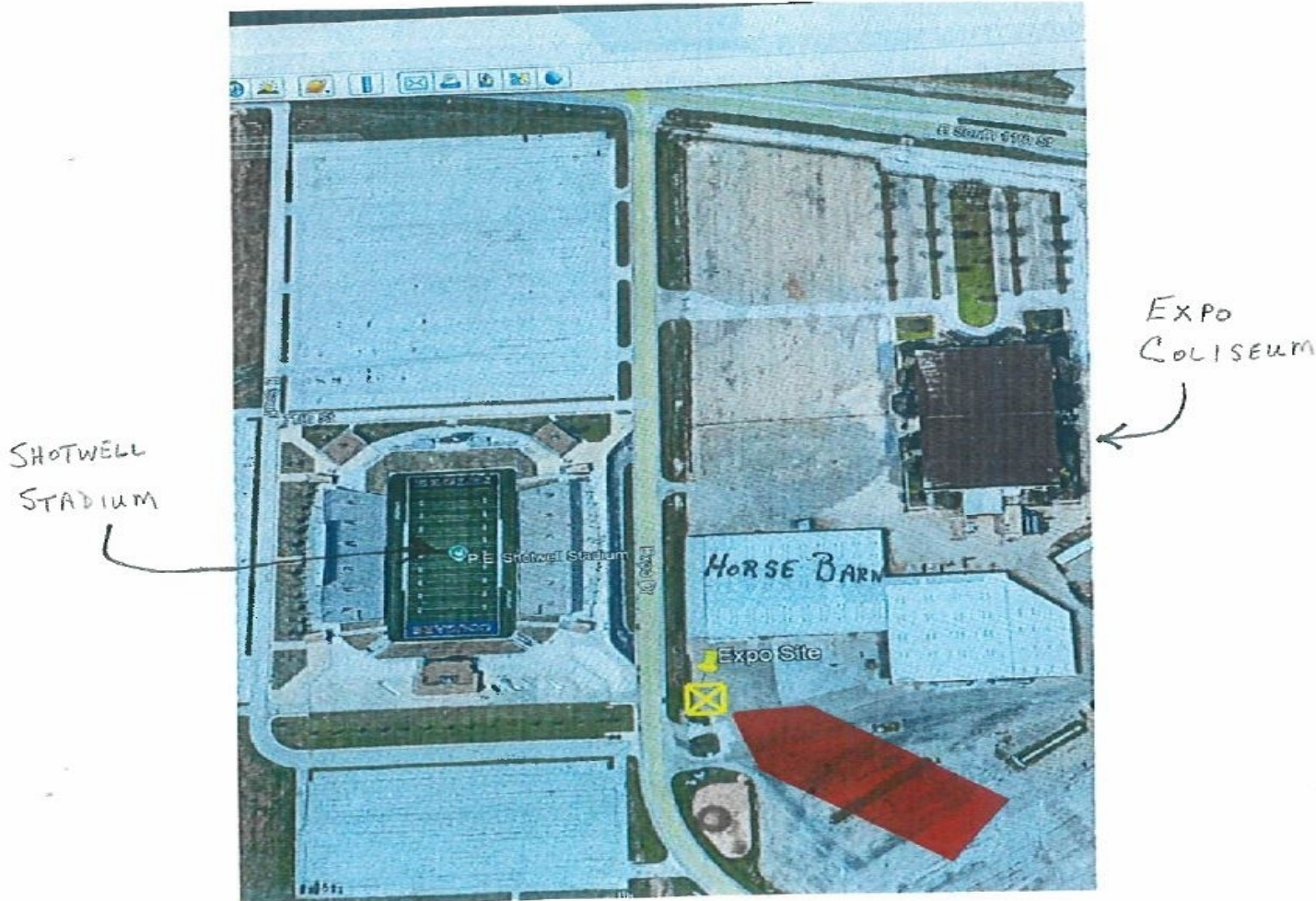
Miles



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PROPOSED SITE LOCATION

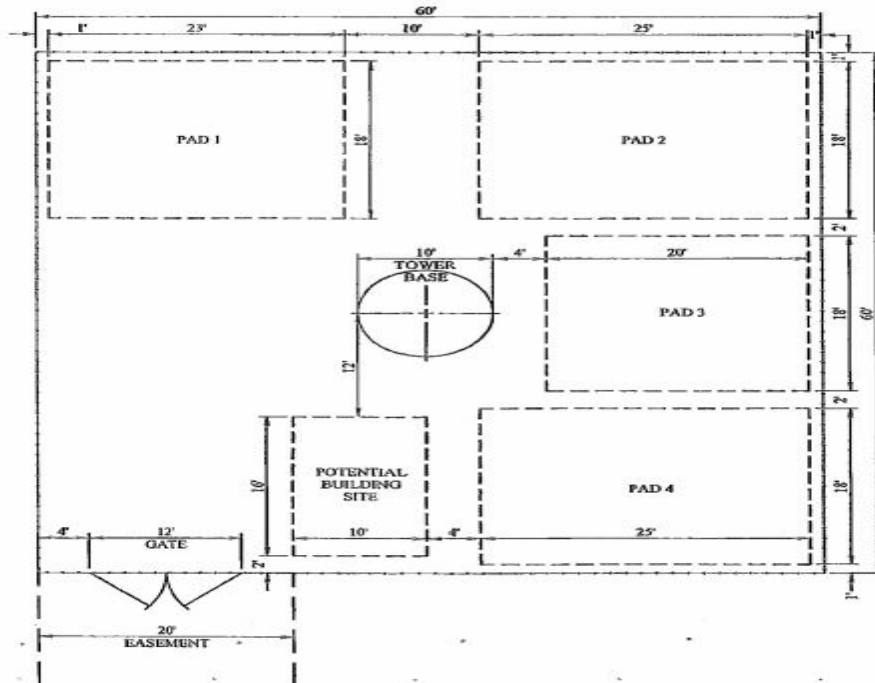


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TEXAS



SITE PLAN

(2) Site Plan





ZONING MAP

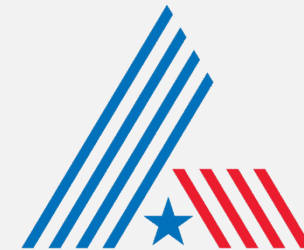


Legend

- CUP-2025-01
- Courier Parcels
- PD (Planned Development)
- MD (Residential - Medium Density)
- RS (Residential - Single Family)
- AO (Agricultural Open)
- Arterial
- Collector
- Expressway

0.1

Miles



CITY OF
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TEXAS



USES IN AGRICULTURAL OPEN 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





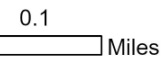
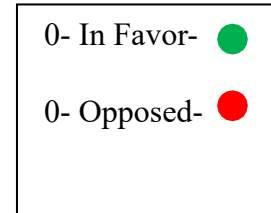
PROPERTY VIEWS





PROPERTY VIEWS







FINDINGS AND RECOMMENDATION

The proposed request is consistent with:

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

Staff Recommendation: Approval subject to:

1. FAA approval of the tower height and location; and
2. The proposed site plan.





Questions?



ZONING CASE CUP-2025-02 STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: January 7, 2025

City Council 1st Read: January 23, 2025

City Council 2nd Read: February 13, 2025

Applicant

Owner: Dr. Russell Liles

Agent: Lauren Lowther

Case Manager

Clarissa Ivey – Planner

Request

The applicant is requesting to apply a Conditional Use Permit to approximately 0.57 acres zoned Planned Development District (PD-4) to allow for a Drive-thru Lane.

Location

The subject property is located at 3210 Antilley Road. Legal description being Lot 218, Block M, Replat of the Fairways Addition, Abilene, Taylor County, Texas.

Background

The Planned Development was created in 1978 with the intention of this lot to be used for golf course related uses. However, in 2001 it was amended to allow office uses for the subject lot. In 2006 construction was completed for the subject medical office.

The current owner purchased and opened his optometry office in May 2024. When the office was later remodeled to suit the new office, the subject drive-thru window was not a part of the changes approved with the building permit. Additional site improvements were made that were not approved and were in violation of multiple LDC requirements. Staff informed the owner that a drive-thru window required the approval of a Conditional Use Permit and that a site plan must be submitted to show the new site improvements and to bring the site into conformance with the LDC. Those issues have been rectified by the owner.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	PD-4	Fairway Oaks Country Club
East	PD-4	Medical Office
South	PD-175	Vacant
West	PD-4	Vacant & Single-Family Residences

Criteria Assessment

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

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

The proposed request is consistent with the spirit and intent of PD-4.

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 proposed use is compatible with surrounding development and will not create adverse impacts regarding traffic, noise, or visual nuisances.

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

The proposed use will not generate additional pedestrian or vehicular traffic as they are proposing a call ahead drive-through experience.

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

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

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

By using a call ahead feature the applicant will be able to significantly reduce the number of vehicles idling in line for service.

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 proposed drive-thru lane complies with the standards set out in the Land Development Code and is compatible with the surrounding uses at this location.

Staff Recommendation

Staff recommends **approval** of the Conditional Use Permit, subject to the submitted concept plan and Plan of Operation.

Attachments

- PowerPoint Presentation
- Plan of Operation
- Concept Plan

Notification

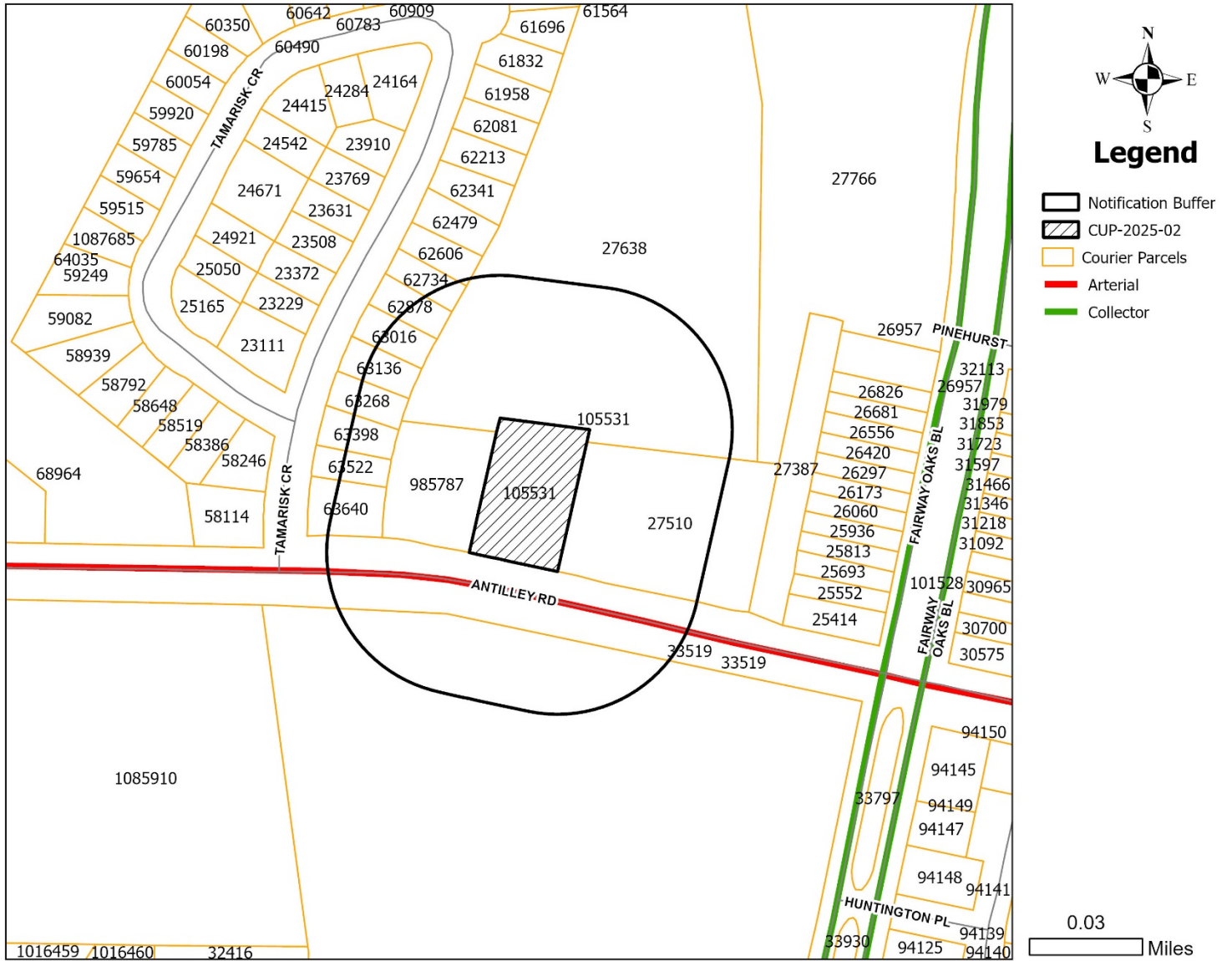
Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on December 20, 2024, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

Legend: O - Opposed, F - In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ABILENE COUNTRY CLUB INC	27638	3192 FAIRWAY OAKS BL	
ABILENE URBAN PROPERTIES LP	27510	3190 ANTILLEY RD	
BYRDS DOMINION POINT LLC	985787	3226 ANTILLEY RD	
DAVIS WILLIAM E	63398	5 TAMARISK CR	
ELITE WEST TEXAS HOLDINGS LLC	105531	3210 ANTILLEY RD	
EOFF KEETON E	63268	7 TAMARISK CR	
FITZHUGH CINDY G BURLESON	63640	1 TAMARISK CR	
LANIER PROPERTIES LLC	33519	6325 FAIRWAY OAKS BL	
LANIER PROPERTIES LLC	33519	3203X ANTILLEY RD	
MITCHELL HERITAGE HOLDINGS LLC	62734	15 TAMARISK CR	
NELSON JAMES RAY LIFE EST	63016	11 TAMARISK CR	
ORREN SHIRLEY A	63522	3 TAMARISK CR	
ROBERTS JEFFREY & DIANE	63136	9 TAMARISK CR	
SIMMONS TWALLA	62878	13 TAMARISK CR	
SONNENBURG JACQUELINE B	62606	17 TAMARISK CR	

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ABILENE URBAN PROPERTIES LP	27510	3190 ANTILLEY RD	
ABILENE COUNTRY CLUB INC	27638	3192 FAIRWAY OAKS BL	
LANIER PROPERTIES LLC	33519	6325 FAIRWAY OAKS BL	
LANIER PROPERTIES LLC	33519	3203X ANTILLEY RD	
SONNENBURG JACQUELINE B	62606	17 TAMARISK CR	
MITCHELL HERITAGE HOLDINGS LLC	62734	15 TAMARISK CR	
SIMMONS TWALLA	62878	13 TAMARISK CR	
NELSON JAMES RAY LIFE EST	63016	11 TAMARISK CR	
ROBERTS JEFFREY & DIANE	63136	9 TAMARISK CR	
EOFF KEETON E	63268	7 TAMARISK CR	
DAVIS WILLIAM E	63398	5 TAMARISK CR	
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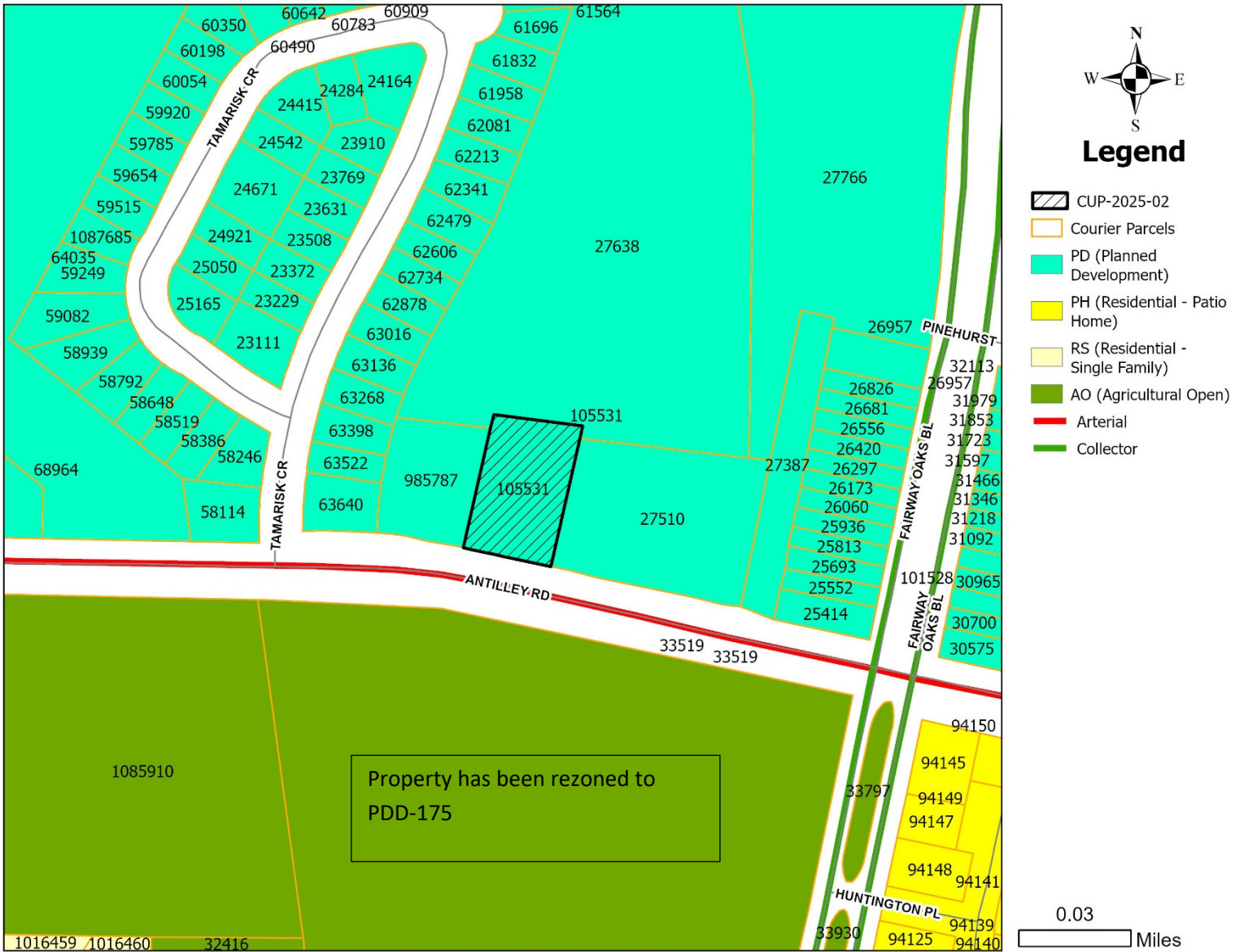
NOTIFICATION MAP



LOCATION MAP



ZONING MAP



Concept Plan

NUMBER OF EMPLOYEES: 7

PROPOSED COVERED PARKING: 198 SQ. FEET

INTERNAL LANDSCAPE ARE CALCULATIONS: (3,140 SQ. FEET)

SOLID WASTE CONTAINER PAD AND ENCLOSURE SHALL BE
CONSTRUCTED IN COMPLIANCE WITH APPLICABLE CITY OF ABILENE STANDARDS,
APPEARANCE CODE SECTION 23-320.

ALL NEW DESIGNATED FIRE LANES SHALL BE MARKED TO CONFORM WITH APPLICABLE CITY STANDARDS.

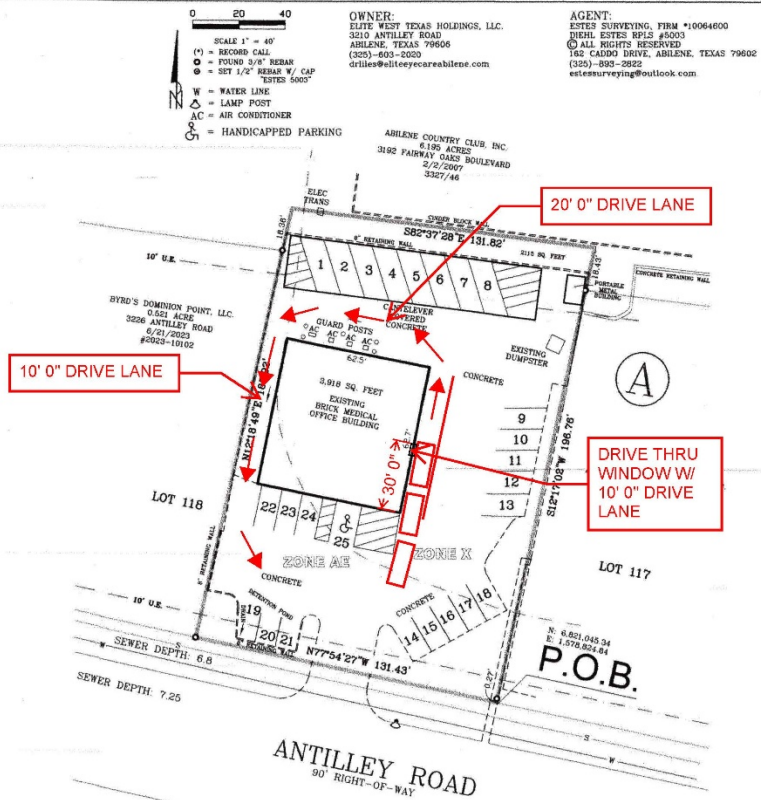
DURING CONSTRUCTION SILK FENCES, RIPRAP SHALL BE CONSTRUCTED ON SITE TO MAINTAIN SEDIMENT/EROSION CONTROL OF STORM WATERS.

RETURNED CURB RAMP SHALL BE CONSTRUCTED TO COMPLY WITH THE 2012 TEXAS ACCESSIBILITIES STANDARDS: 405 AND 406.

ALL EXTERIOR LIGHTING (INCLUDING WALL MOUNTED FIXTURES) SHALL BE FULLY-SHIELDED.

THIS LOT IS IN ZONE AE & X, AS PER FIRM COMMUNITY,
48441C0332F, 1-6-2012.

LOT 218, BLOCK A, A REPLAT OF A 0.577 ACRE TRACT
BEING OUT OF A 0.52 OF AN ACRE BEING OUT
OF THE EAST PART OF LOT 118, CABINET 3, SLIDE 593,
AND A 2115 SQUARE FEET OUT OF LOT 18
AND LOT 19, THE FAIRWAYS ADDITION TO
THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS,
AS SHOWN BY PLAT RECORDED IN CABINET 3, SLIDE 593,
PLAT RECORDS, TAYLOR COUNTY, TEXAS.



CUP Plan of Operation for Elite Eyecare of Abilene

Elite Eyecare

3210 Antilley Road

Abilene TX 79606

Innovation and convenience are at the heart of our commitment to exceptional patient care, which is why we are proud to be one of the only offices in town to offer a call ahead drive-through experience. This service provides a modern solution for picking up medical items, such as eyewear and contact lenses, combining efficiency with the high level of care patients expect from us. Patients can enjoy the ease of staying in their vehicles while still receiving high-quality service, ensuring both safety and comfort. By embracing this innovative approach, we strive to make the experience as seamless and stress-free as possible without compromising the personalized care that sets us apart.

Our proposed drive-through service is designed to provide a convenient and efficient way for patients to pick up medical items. This service is strictly for pre-arranged medical pick-ups and does not accommodate food, taking orders, extended transactions, or long wait times, ensuring a smooth flow of traffic. By focusing on brief, call-ahead pick-ups, the drive-through minimizes noise, prevents disruptions to the surrounding area, and maintains the beauty and tranquility of Abilene. This option is especially beneficial for clients with busy schedules or mobility challenges, offering a seamless experience that reflects our commitment to professional care, safety, and convenience.

Our drive-through operates Monday through Friday during regular business hours, ensuring accessibility and convenience for our patients throughout the week. To maintain efficiency and safety, we limit service to one patient at a time in the drive-through. This approach allows us to provide personalized attention and a smooth, professional experience for every client.



CONDITIONAL USE PERMIT

Case: CUP-2025-02

Agent: Lauren Lowther

Requests: A Conditional Use Permit to allow a Drive-thru Lane

Location: 3210 Antilley Road

Notification: 0 in Favor, 0 in Opposition

Planning & Zoning: January 7, 2025

Council Hearing: January 23, 2025
February 13, 2025





AERIAL LOCATION MAP

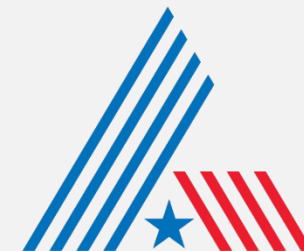


Legend

-  CUP-2025-02
-  Courier Parcels
-  Arterial
-  Collector

0.03

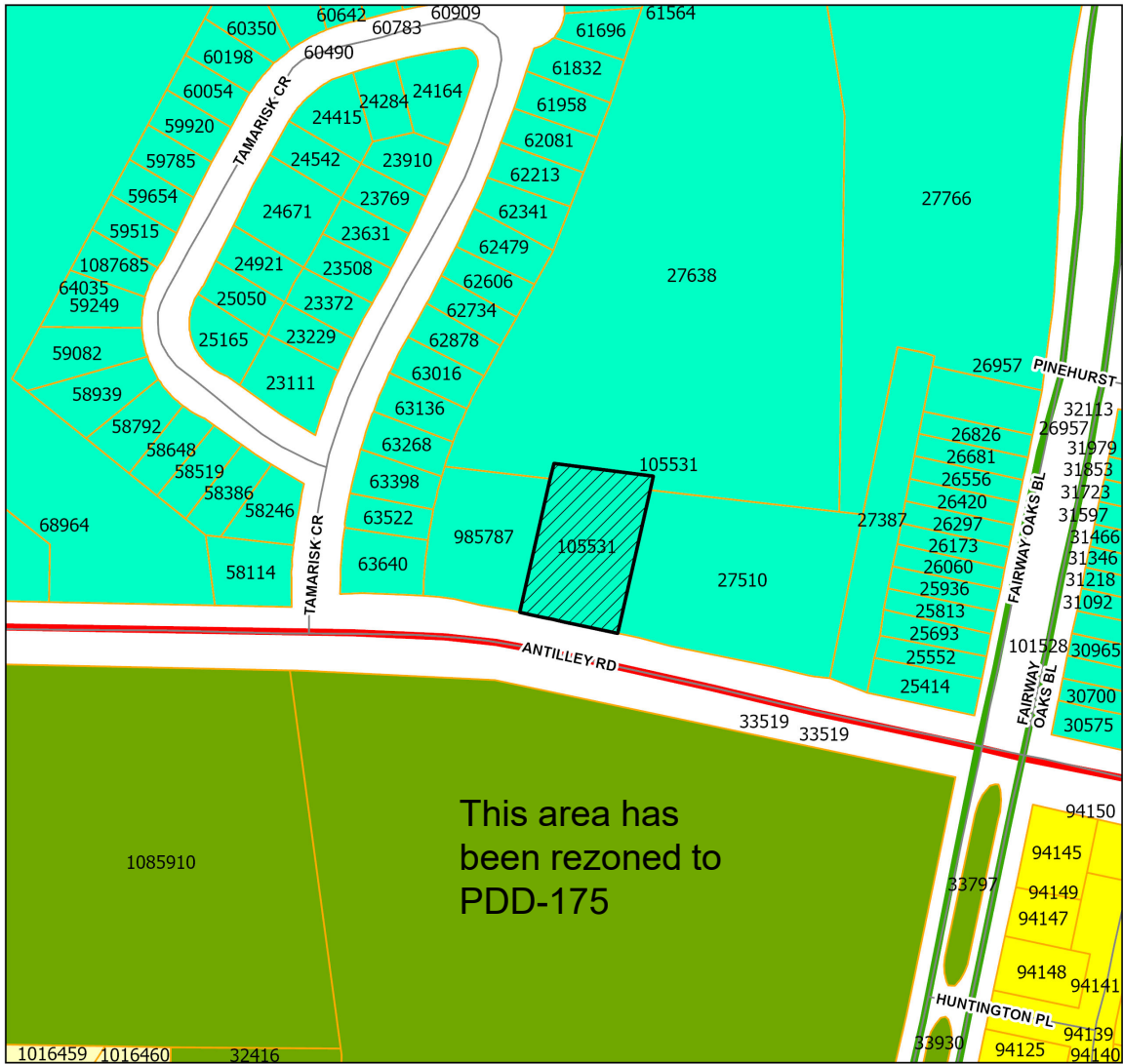
Miles



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ZONING MAP



Legend

- CUP-2025-02
- Courier Parcels
- PD (Planned Development)
- PH (Residential - Patio Home)
- RS (Residential - Single Family)
- AO (Agricultural Open)
- Arterial
- Collector

0.03
Miles

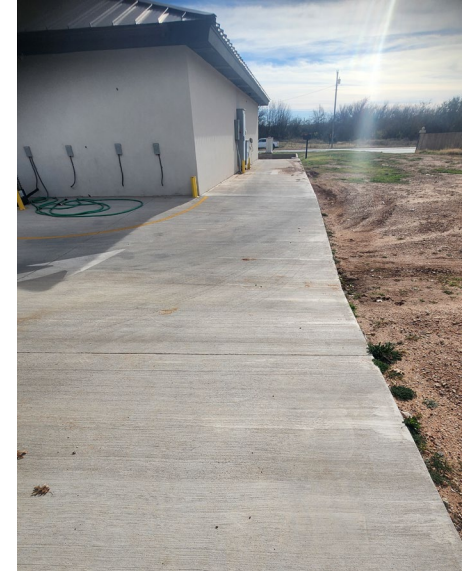
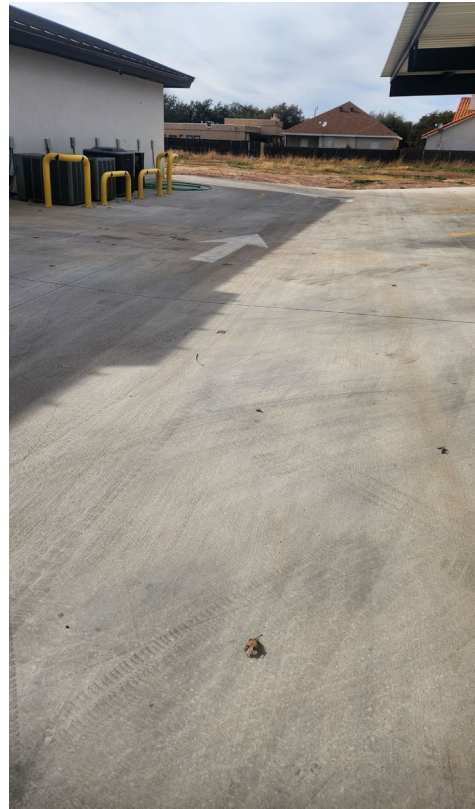


CITY OF
ABILENE
TEXAS





PROPERTY VIEWS



Drive-thru lane wraps around building.





NEIGHBORING PROPERTY VIEWS



Subject Property



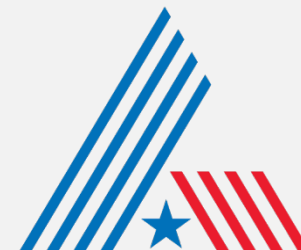
Vacant lot to the West



East Neighboring Property



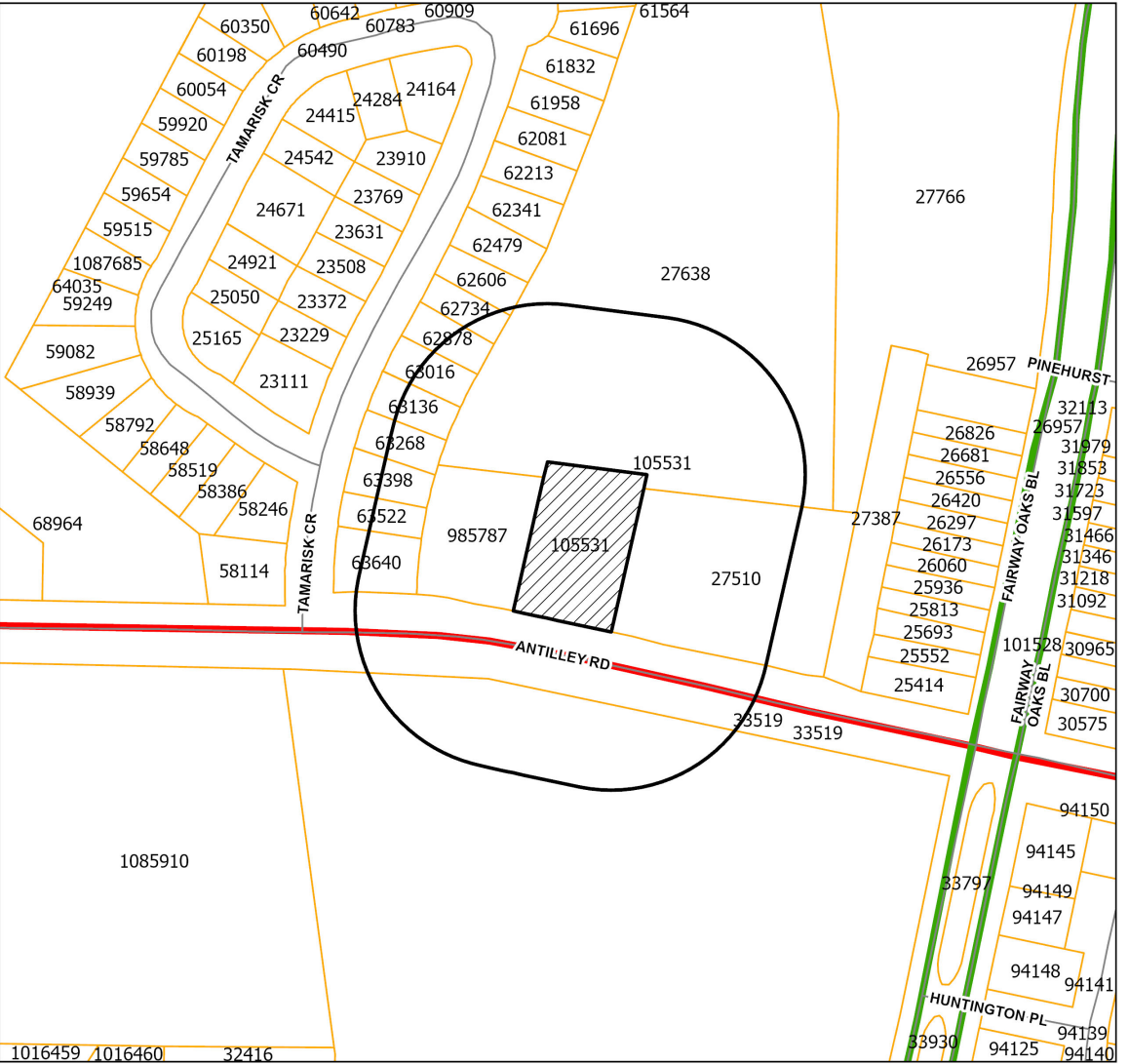
South Neighboring Property



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NOTIFICATION AREA MAP



Legend

- Notification Buffer
- CUP-2025-02
- Courier Parcels
- Arterial
- Collector

- 0- In Favor-
- 0- Opposed-

0.03
Miles





FINDINGS AND RECOMMENDATION

The proposed request is consistent with:

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

Staff Recommendation:

Staff recommends **approval**





Questions?





2024 Development Application

Zoning Application Page 1 of 3

Planning

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

Relief Procedures

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

Project Name: _____
Address: 3210 Antilley Road Number of Lots: 1 Acreage: _____
Legal Description: _____
Subdivision Name: _____ Block: _____ Lot: _____
Current Zoning: _____ Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Dr. Russell Liles
Address: 3210 Antilley Road
City, State, Zip: Abilene TX 79602 Fax: 325 690-0175
Phone: 325 693 2020 Email: _____
Agent Name: Lauren Lowmer
Address: 3210 Antilley Road
City, State, Zip: Abilene TX 79602 Fax: 325 690-0175
Phone: 325 321 8791 Email: elitereyecarelauren@outlook.com

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

Signature of Owner: Russell Liles Date: 11/08/2024

FOR OFFICE USE ONLY

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



2024 Development Application

Owner Authorization and Representative Designation

Property Description

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

Property Owner Information & Authorization

Name/Company: Russell Liles Elite Eyecare of Abilene
Address: 3210 Ambley Road
City: Abilene State: TX Zip Code: 79604
Phone: 325 603 2020 Email: _____

Project Representation (check one):

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

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

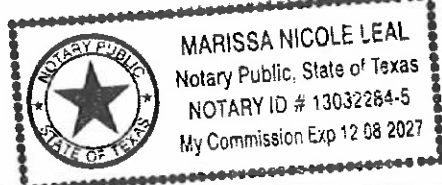
Property Owner's Signature: Russell Liles Date: 11/8/24

STATE OF: Texas

COUNTY OF: Taylor

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

SUBSCRIBED AND SWORN TO before me, this the 8 day of November, 2024



M Leal

NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

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

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



2024 Development Application

Disclosure of Interest

Disclosure Questions

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

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

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

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

Name of Certifying Person (print): Lauren Lawther

Property Owner ☐ Project Representative ☒

Signature of Certifying Person: Lauren Lawther

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

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



2024 Development Application

Recommendations

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

PUBLIC NOTIFICATION

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

PLEASE READ BEFORE SIGNING

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

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

SIGNED: Lauren Gauthier
DATE: 11/09/2024

CUP Plan of Operation for Elite Eyecare of Abilene

Elite Eyecare

3210 Antilley Road

Abilene TX 79606

Innovation and convenience are at the heart of our commitment to exceptional patient care, which is why we are proud to be one of the only offices in town to offer a call ahead drive-through experience. This service provides a modern solution for picking up medical items, such as eyewear and contact lenses, combining efficiency with the high level of care patients expect from us. Patients can enjoy the ease of staying in their vehicles while still receiving high-quality service, ensuring both safety and comfort. By embracing this innovative approach, we strive to make the experience as seamless and stress-free as possible without compromising the personalized care that sets us apart.

Our proposed drive-through service is designed to provide a convenient and efficient way for patients to pick up medical items. This service is strictly for pre-arranged medical pick-ups and does not accommodate food, taking orders, extended transactions, or long wait times, ensuring a smooth flow of traffic. By focusing on brief, call-ahead pick-ups, the drive-through minimizes noise, prevents disruptions to the surrounding area, and maintains the beauty and tranquility of Abilene. This option is especially beneficial for clients with busy schedules or mobility challenges, offering a seamless experience that reflects our commitment to professional care, safety, and convenience.

Our drive-through operates Monday through Friday during regular business hours, ensuring accessibility and convenience for our patients throughout the week. To maintain efficiency and safety, we limit service to one patient at a time in the drive-through. This approach allows us to provide personalized attention and a smooth, professional experience for every client.

ZONING CASE Z-2025-01

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: January 7, 2025
 City Council 1st Reading: January 23, 2025
 City Council 2nd Reading: February 13, 2025

Applicant

Agent: Z & Co., LLC, by Ziad Kaakouch
 Owner: Pak Harris Enterprises, LTD

Case Manager

Adam Holland – Planner

Request

Change the zoning of approximately 2.00 acres from General Retail (GR) to General Commercial (GC).

Location

Located on the 6600 block of Buffalo Gap Road.

Background

The subject property was annexed in 1963 and has remained vacant since annexation.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	GR/COR	Restaurant – Fast food
East	GR/AO	Vacant/Utility
South	GR/RS-6	Retail use/ Single Family
West	PDD	Vacant

Criteria Assessment

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

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

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

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

The proposed zoning would be appropriate as it would be consistent with the surrounding uses.

(3) **Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**
This property has access to all required utilities necessary for development.

(4) **Any other factors, which will substantially affect the public health, safety, morals, or general welfare.**
None known.

Staff Recommendation

Staff recommends **approval**.

Attachments

- PowerPoint Presentation
- Ordinance

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on December 20, 2024, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

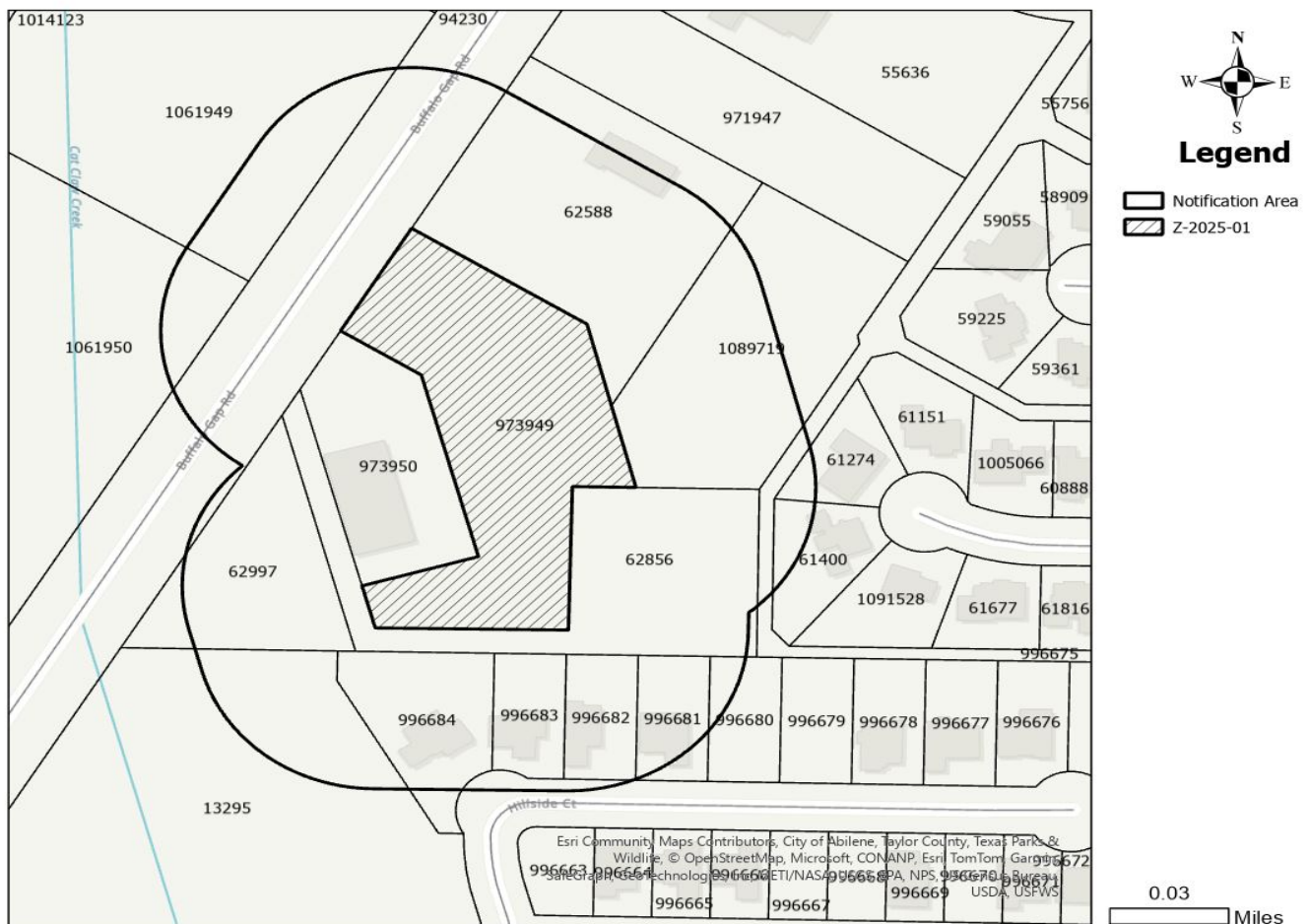
PROPERTY OWNER		Legend: O - Opposed, F - In Favor	
OWNER	SITUS	PROP_ID	RESPONSE
ABAN ZENIA O	6766 HILLSIDE CT	996682	
BRAZORIA SMITH LEASE LLC	6617 BUFFALO GAP RD	973950	
CITY OF ABILENE	6633 BUFFALO GAP RD	62997	
ELDRIDGE DAVID RYAN & REBEKAH ANN	6774 HILLSIDE CT	996683	
FRANCO NATHAN LARRY II	6750 HILLSIDE CT	996680	
GREAT EXPECTATIONS LLC	6642 BUFFALO GAP RD	1061950	
LBHDS LLC	6809 BUFFALO GAP RD	13295	
MANHAM FOODS LLC	6517 BUFFALO GAP RD	62588	
MANHAM FOODS LLC		1089719	
MUSTOE KENT & TARA	6802 HILLSIDE CT	996684	
PAK HARRIS ENTERPRISES LTD	6601 BUFFALO GAP RD	973949	
REMELE MIKOEL J & HEIDI R	6758 HILLSIDE CT	996681	
SIVLEY DAVID & JUDY	4064 BAY HILL DR	61274	
WEST TEXAS UTILITIES CO	6625 BUFFALO GAP RD	62856	
WOODS PATRICIA	4063 BAY HILL DR	61400	

PROPERTY ID

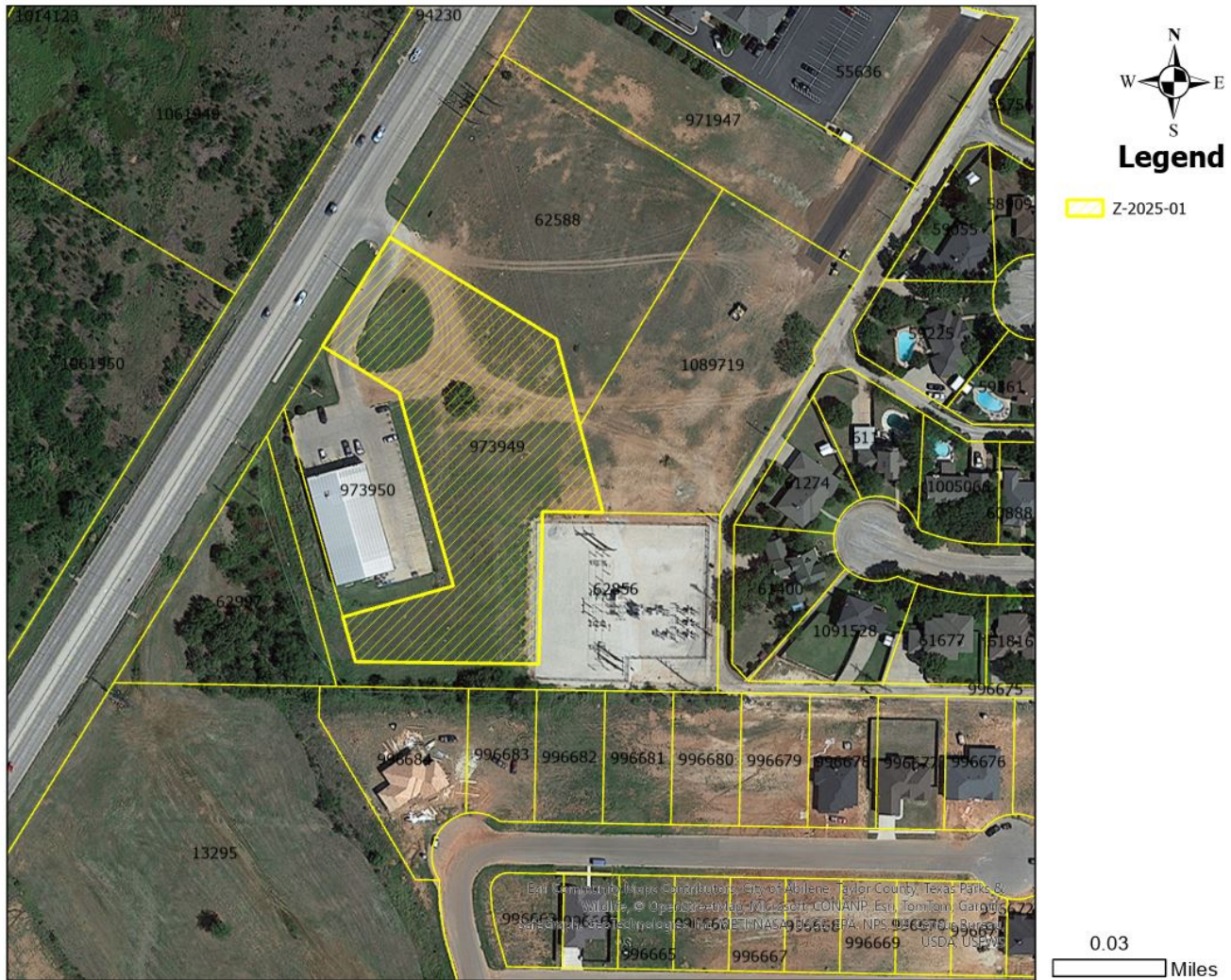
Legend: O - Opposed, F - In Favor

OWNER	SITUS	PROP_ID	RESPONSE
LBHDS LLC	6809 BUFFALO GAP RD	13295	
SIVLEY DAVID & JUDY	4064 BAY HILL DR	61274	
WOODS PATRICIA	4063 BAY HILL DR	61400	
MANHAM FOODS LLC	6517 BUFFALO GAP RD	62588	
WEST TEXAS UTILITIES CO	6625 BUFFALO GAP RD	62856	
CITY OF ABILENE	6633 BUFFALO GAP RD	62997	
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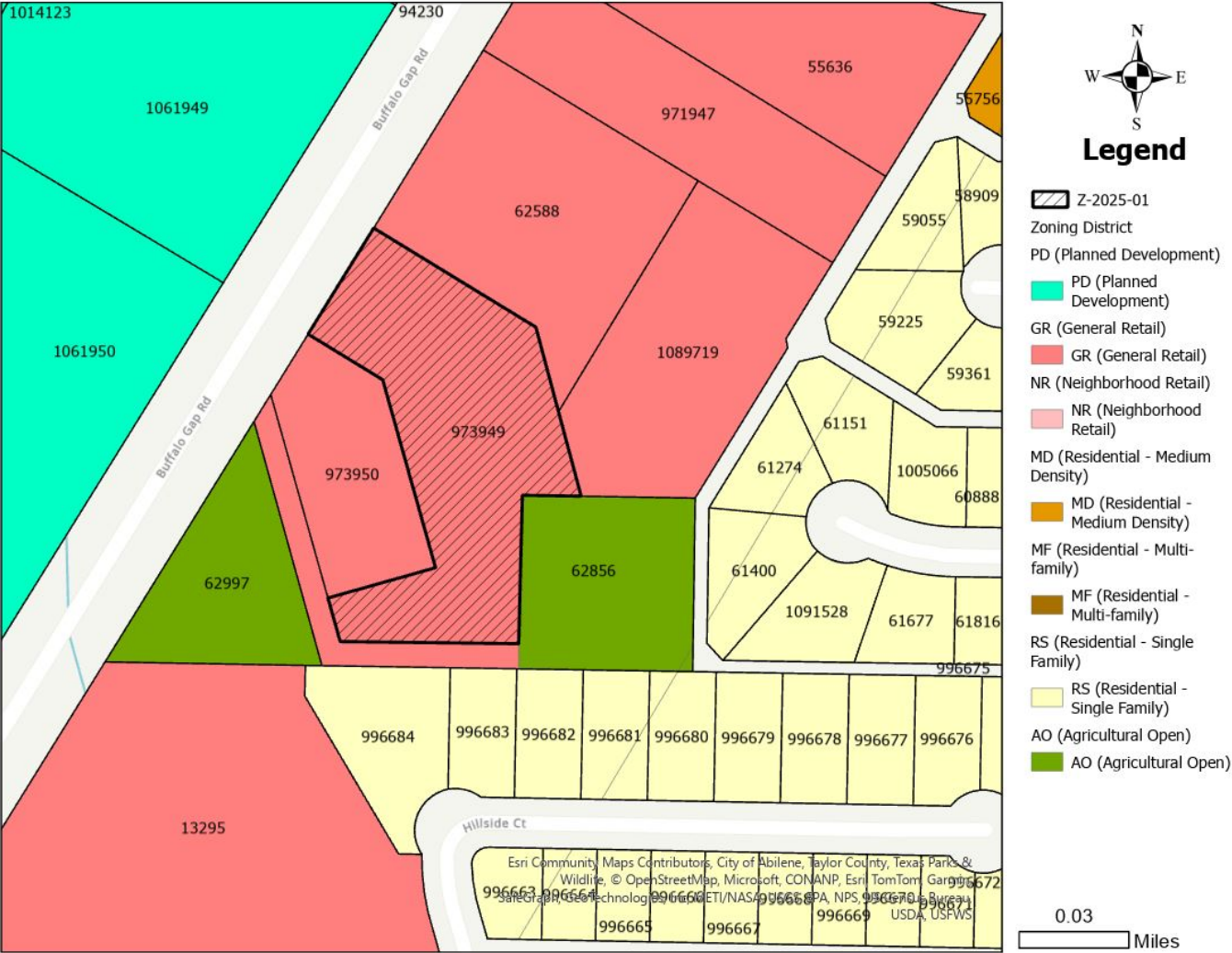
NOTIFICATION MAP



LOCATION MAP



ZONING MAP





ZONING REQUEST

Case: Z-2025-01

Agent: Z & Co., LLC

Owner: Pak Harris Enterprises

Requests: Change the zoning of approximately 2.00 acres from General Retail (GR) to General Commercial (GC).

Location: 6600 block of Buffalo Gap Road

Notification: 0 in Favor, 0 in Opposition

Planning & Zoning: January 7, 2025

Council Hearing: January 23, 2025
February 13, 2025





AERIAL LOCATION MAP

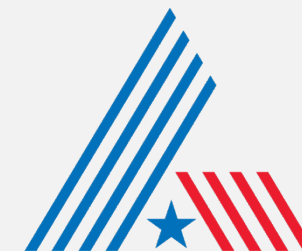


Legend

 Z-2025-01

0.03

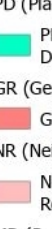
Miles

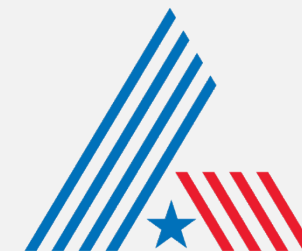


CITY OF
ABILENE
TEXAS

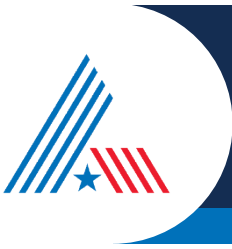


Legend

-  Z-2025-01
- Zoning District
- PD (Planned Development)
- GR (General Retail)
- NR (Neighborhood Retail)
- MD (Residential - Medium Density)
- MF (Residential - Multi-family)
- RS (Residential - Single Family)
- AO (Agricultural Open)



**CITY OF
ABILENE
TEXAS**



USES IN GENERAL RETAIL ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE:

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

TRADE – RETAIL USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

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





USES IN GENERAL COMMERCIAL ZONING

RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

TRADE – WHOLESALE USES:

- C Wholesaling and Storage (indoor)

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)

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





PROPERTY VIEWS

East Neighboring property



Northeast Neighboring property



Southwest Neighboring property



Subject property





0- In Favor- ●

0- Opposed- ●





FINDINGS AND RECOMMENDATION

The request is consistent with:

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

Planning and Zoning Commission Recommendation:

Approval





Questions?



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 23rd day of January, 2025.

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 December, 2024, 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 23rd day of January, 2025, 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 13th day of February 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Change the zoning of approximately 2.00 acres from General Retail (GR) to General Commercial (GC).

Legal Description being as follows:

Lot 152, Block B, Champions Addition Section 2, Abilene, Taylor County, Texas

Located at 6600 block of Buffalo Gap Road



-END-

ZONING CASE Z-2025-02 STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: January 7, 2025

City Council 1st Read: January 23, 2025

City Council 2nd Read: February 13, 2025

Applicant

Owner: Loyd Ivester

Case Manager

Mason Teegardin – Planner

Request

Rezone approximately 0.48 acres from Central Business (CB) to a Planned Development District (PDD-192). The purpose of this request is to allow a distillery within Central Business (CB) zoning.

Location

The subject property is located at 1066 S. 2nd Street. Legal description being Original Town Abilene, Block 11, Lots 13-15, Abilene, Taylor County, Texas.

Background

The subject property was annexed within the Original Town of Abilene in 1895. The property has been part of the Central Business area since zoning adoption. The property has had many uses over its time, with the most recent use being a night club.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	CB	Vacant lots, photography studio
East	CB	Parking lot
South	CB	Auto parts store
West	CB	Offices

Site Plan

As permitted by the LDC, the Planning Director determined that a site plan was not required in support of this request because site improvements are not proposed. The applicant will utilize the subject property as is and will only make improvements to the interior of the existing building.

Criteria Assessment

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

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

The Future Land Use Map recommends Central Business District. The proposed use is generally consistent with the Comprehensive Plan and with the historic use of the site for light industrial and heavy commercial uses.

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

The proposed use is consistent with the general of uses surrounding the subject property.

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

This property has access to all required utilities.

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

None known.

Staff Recommendation

Staff recommends **approval** subject to the Operation Plan prepared by the applicant.

Attachments

- Proposed PDD Ordinance
- Application
- Operation Plan
- Presentation

Notification

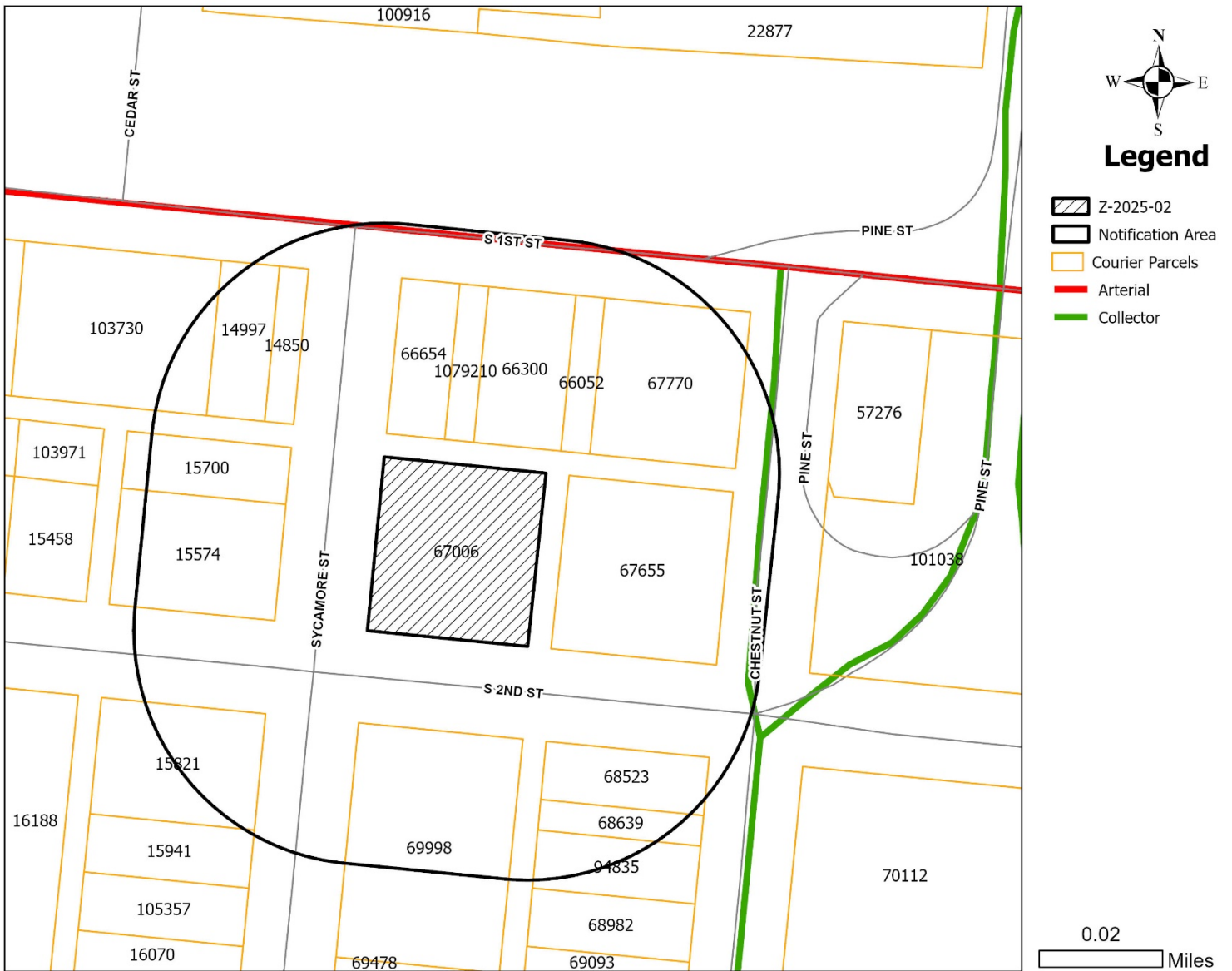
Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on December 20, 2024, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

PROPERTY OWNER

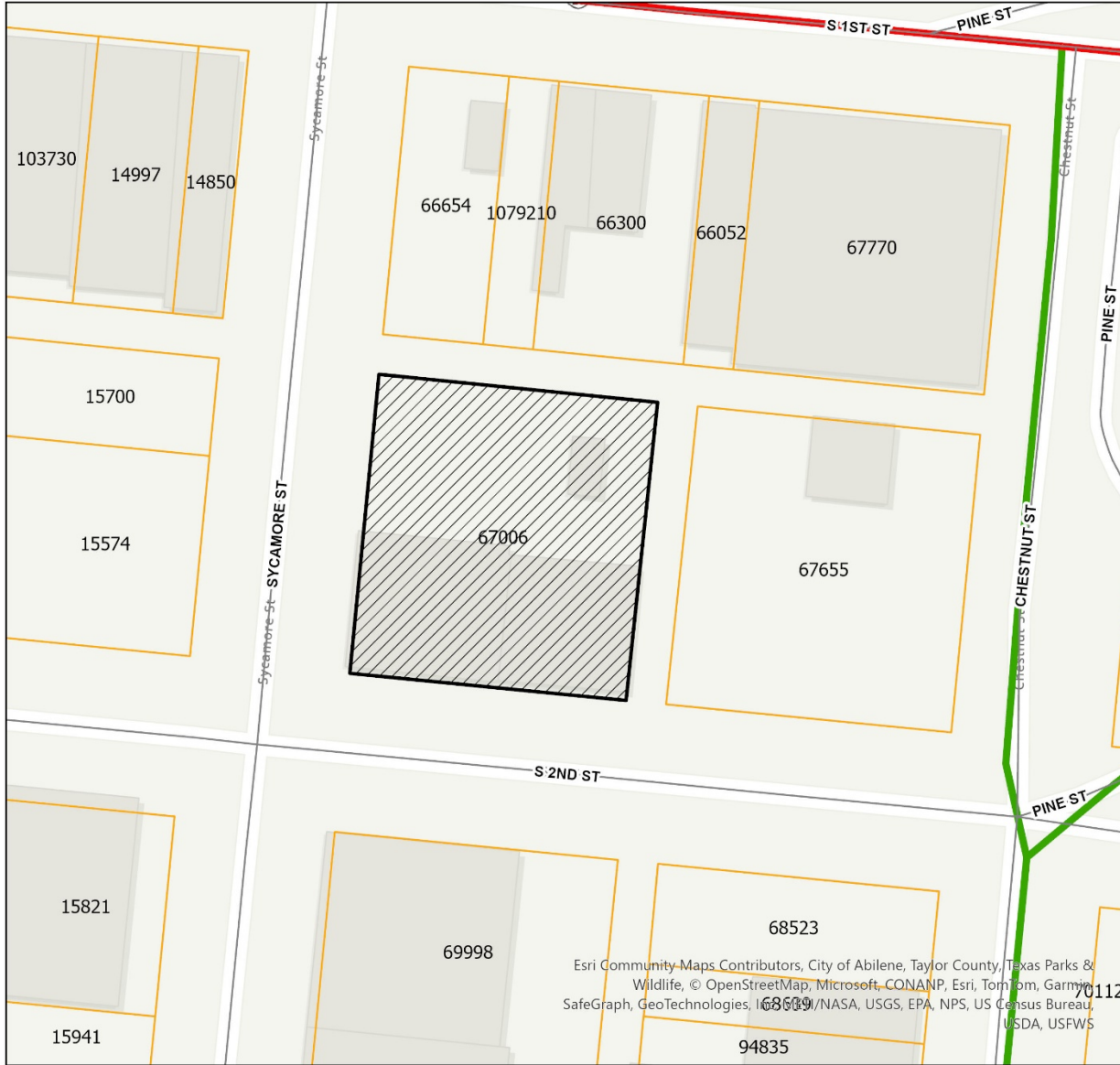
Legend: O - Opposed, F - In Favor

OWNER	PROP_ID	SITUS	RESPONSE
BIXBY BRUCE TRUSTEE	67655	160 CHESTNUT ST	
BROWNING CADE W	66654	1089 S 1ST ST	
BROWNING CADE W	1079210	1073 S 1ST ST	
BUTMAN STEVEN & WILMA	66300	1065 S 1ST ST	
CITY OF ABILENE	15941		N/A
CITY OF ABILENE	15821		N/A
FAB PROPERTIES INC	69998	233 SYCAMORE ST	
FAB PROPERTIES INC	69998	1065 S 2ND ST	
GOOD THINGS BAKERY LLC	66052	1041 S 1ST ST	
HERMOSILLO JESSE & GLORIA	68639	228 CHESTNUT ST	
HILL RESOURCES INC	94835	234 CHESTNUT ST	
HINDS SQUARE ABILENE LP	67770	100 CHESTNUT ST	
HOEMKE PROPERTY LLC	103730	1149 S 1ST ST	
ISLAS GUADALUPE	14850	102 SYCAMORE ST	
IVESTER LOYD	67006	1082 S 2ND ST	
IVESTER LOYD	67006	1066 S 2ND ST	
IVESTER LOYD	67006	141 SYCAMORE ST	
OGLESBY LINDA C	15574	1144 S 2ND ST	
REYES SAM	68523	202 CHESTNUT ST	
WOODRIDGE INVESTMENTS LP	14997	1109 S 1ST ST	
WOODRIDGE INVESTMENTS LP	15700	140 SYCAMORE ST	

NOTIFICATION MAP



LOCATION MAP



Legend

-  Z-2025-02
-  Courier Parcels
-  Arterial
-  Collector

0.01
Miles

ZONING MAP



Legend

- Z-2025-02
- Courier Parcels
- CB (Central Business)
- Arterial
- Collector

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0.01

Miles



REZONE REQUEST

Case: Z-2025-02

Owner: Loyd Ivester

Request: Rezone approximately 0.48 acres from Central Business (CB) to a Planned Development District (PDD-192). The purpose of this request is to allow for a distillery within Central Business (CB) zoning.

Location: 1066 S. 2nd Street

Notification: 0 in Favor, 0 in Opposition

Planning & Zoning: January 7, 2025

Council Hearing: January 23, 2025
February 13, 2025





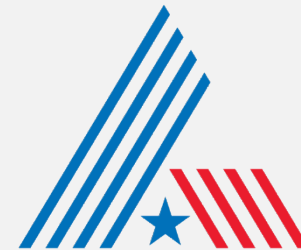
AERIAL LOCATION MAP



Legend

-  Z-2025-02
-  Courier Parcels
-  Arterial
-  Collector

0.01
Miles



CITY OF
ABILENE
TEXAS



ZONING MAP

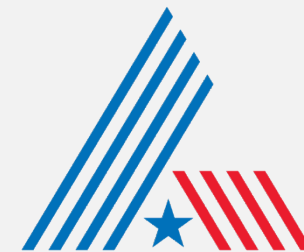


Legend

- Z-2025-02
- Courier Parcels
- CB (Central Business)
- Arterial
- Collector

0.01

Miles



CITY OF
ABILENE
TEXAS

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PROPERTY VIEWS



CITY OF
ABILENE
TEXAS



SURROUNDING PROPERTY VIEWS



CITY OF
ABILENE
TEXAS



USES IN CENTRAL BUSINESS ZONING

RESIDENTIAL USES:

- P Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- P 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
- C Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Fuel Sales
- P Garage Sale
- 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 Subdivision Sales Office (Temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- 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 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
- 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 Funeral Home/ Mortuary/Morgue
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- P Printing, Copying, Reproduction, Publishing
- C Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- C Storage - Self-Service Units
- C Tattoo Parlor*
- P Veterinary Service (small animals)

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

TRADE – RETAIL USES:

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

TRADE – WHOLESALE USES:

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Passenger Ground Transportation Terminal
- 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





NOTIFICATION AREA MAP



Legend

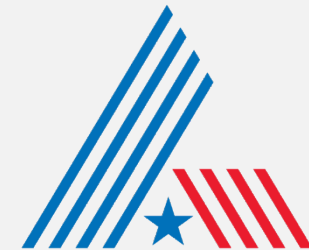
- Z-2025-02
- Notification Area
- Courier Parcels
- Arterial
- Collector

0 - in Favor -

0 - in Opposition -

0.02

Miles



CITY OF
ABILENE
TEXAS



FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

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

Staff Recommendation: **Approval** subject to the Operation Plan submitted by the applicant.





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 23rd day of January, 2025.

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 December, 2024, 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 13th day of February, 2025, 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 13th day of February, 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Change the zoning classification of the following described land from Central Business (CB) zoning to a Planned Development District (PDD-192) subject to the requirements set out in Exhibit B.

Legal description being Original Town Abilene, Block 11, Lots 13-15, Abilene, Taylor County, Texas.

Located at 1066 S. 2nd Street.



- Z-2025-02
- Courier Parcels
- Arterial
- Collector

0.01 Miles

ORDINANCE NO. _____

EXHIBIT B

Purpose: The purpose of the Planned Development District (PDD) is to allow for uses permitted within Central Business (CB) zoning, whether by right or requiring a Conditional Use Permit, as well as a Distillery.

Specific Modifications: This Planned Development shall be subject to the requirements of the Central Business (CB) zoning district, except as modified below:

- a. The use of a Distillery, classified as manufacturing (light) (per Land Development Code), is permitted by right
- b. All uses ordinarily requiring a Conditional Use Permit to remain as such.
- c. The use of the site as a distillery subject to conformance with the Operation Plan attached as **Exhibit C**.

EXHIBIT C



West Texas Spirits, LLC

1541 North 4th Street
Abilene, Texas 79601

The following information is provided to the City of Abilene to satisfy the request for an Operations Plan for Belt Buckle Distillery's location at 1082 to 1066 South 2nd Street. Downtown South property ID number **67006** includes lots **13-1(5)**.

West Texas Spirits, LLC is an Abilene-owned and Abilene-based company; registered and licensed for operations by the U.S. Treasury Department (TTB) and the Texas Alcoholic and Beverage Commission (TABC).

Belt Buckle Distillery is Abilene's first and this region's only registered distillery.

Our Business

In considering the proposed business location, the City of Abilene is requested to study Belt Buckle Distillery's performance record at its previous location at 630 N. 5th Street. That location required a duplicate request for required zoning change and yields for the City's analysis a model business operation from 2019 through December of 2023. Belt

Buckle Distillery will execute identical operations, in all aspects, at the South 2nd business location.

West Texas Spirits, LLC, the Distillery's owners, now calls to the attention of the city the reasons for moving from its previous address to the South 2nd location.

Though the business enjoyed an exceptional hospitality facility, the focus of the business has always been the manufacturing and sales of its produced spirits. Hospitality will continue to be a key feature of operations at the new location; however, an expanded production facility will allow dramatic increases in production for our distributor, Ben E. Keith Beverages. Further, the new location will facilitate an expansion of hospitality services in a historic, dedicated site that will enhance the area, be fully integrated into Abilene's tourism and hospitality industry. The new site will also offer capabilities of expanding in-house rectification and distillation processes that were impossible at the previous location.

With the appropriate zoning change from **CB** to **PD**, the South 2nd location offers new opportunity for Downtown Abilene, community enhancement and economic development.

Facilities and Improvements

The South 2nd location will be bifurcated into two distinct operations.

1066 South 2nd Street, a single-story building on the property's east side, is the dedicated Belt Buckle Distillery production facility. This single-story building is ideally formatted for production with full access to adequate City water lines for Belt Buckle Distillery's **required** water sprinkler fire suppression system.

1082 South 2nd Street, the three-story historic building on the property's west side, is Belt Buckle Distillery's hospitality facility. Constructed by the Independent Order of Odd Fellows before 1920, the historically significant building will host Belt Buckle's popular Tasting Room on the first floor, meeting and activity areas on the second floor and administrative areas on the third floor.

In addition to enhancing the utility of all levels of the IOOF-Carpenter Building, significant improvement of the historic building's décor and attraction will create increased visitation by tourists to Abilene, increase regular utilization by community-based organizations and enhance perceptions of positive development in a historically under-frequented business area.

The building has been employed continuously as a bar/club venue since the early 1970s. Belt Buckle Distillery's acquisition, rehabilitation and repurposing of the property will be an emphatic improvement to this area.

Operations Plan

Production activities will occur at the 1066 South 2nd property on a daily basis. The nature of those production activities will not be visible outside the facility; in fact, there has been, historically, no evidence of production activity to anyone outside the walls of Belt Buckle Distillery.

Operations at Belt Buckle Distillery has never been intentionally inconspicuous. That is simply the nature of our business and the distillery's production processes.

Primary permitted production activities are referred to as "**Rectifying**"; that is, the mixing, dilution, blending and re-distilling of spirits. The other production activity will be primary and secondary "**Distilling**" of spirits. These processes include the fermentation of grains or juices followed by distillation to create products for either barrel aging or immediate dilution, bottling and packaging for licensed sales.

These production processes are skilled and labor-intense, however only require a handful (2 to 4) of trained professionals to ensure quality and product consistency.

It is imperative to emphasize that these processes are non-intrusive; segregated from neighboring businesses and totally compatible with existing neighborhood business.

Additionally, per discussions with the City of Abilene's Environmental Lab Program, there is keen awareness of regulations and specific discharge limitations. There is no anticipation of current or future concerns for such discharge issues. The Department has been informed that they will be aware of operations via regular updates and required reports.

When orders made by Ben E. Keith Beverages have been fulfilled, their staff drives to our facility in vans or mid-sized delivery vehicles and execute pick-up of cardboard-encased product. These product pick-ups are hand-stacked and managed without need for heavy transport, though this is an option for certain deliveries.

Ben E. Keith then facilitates delivery to package stores and secondary retailers.

Belt Buckle Distillery can, by Texas law, only sell its bottled products directly to customers who come to our Tasting Room. This is accomplished at the rate of four bottles per customer per month, certified by detailed documentation reviewed by TABC.

Tasting Room Operation

Belt Buckle Distillery's Tasting Room will rapidly become a tourism attraction for Abilene and a popular attraction for locals.

Though business hours may expand in the future, initial hours of operation for the Tasting Room will be Wednesday, Thursday and Friday from 4PM till 9PM and Saturdays from 2PM till 11PM. No bottle sales are permitted by Texas law after 9PM.

Unlike the dance halls, clubs and bars that defined the historic use of 1082 S. 2nd Street, Belt Buckle Distillery's Tasting Room is a marketing facility for the Distillery; a relaxed, low-key classic environment to enjoy Belt Buckle Distillery product, enjoy good company and great background music.

A further distinction of the Tasting Room operation is the fact that by Texas law, Belt Buckle Distillery can only sell products, including all mixed beverages, which Belt Buckle Distillery manufactures in-house.

Belt Buckle Distillery has established a tradition of quality, hospitality and a "Friendly Frontier" environment that is highly anticipated as we approach re-opening.

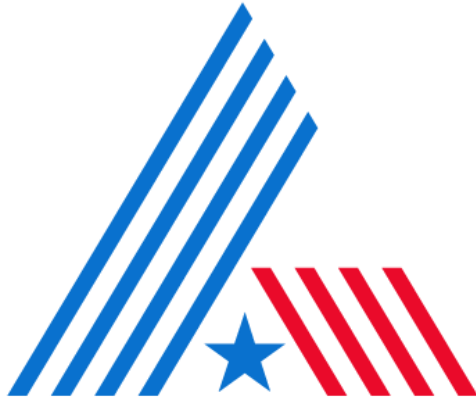
This outstanding location will attract audiences of both visitors and natives, who will discover this much-appreciated time-machine in the heart of Abilene.



1082 – 1066 South 2nd Street

END

2024 Development Application



PLANNING & DEVELOPMENT SERVICES

CITY OF ABILENE TEXAS

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

2024 Development Application

DOCUMENTS & MAPS

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

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

NEIGHBORHOOD EMPOWERMENT ZONE INCENTIVE

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

SUBMITTAL INFORMATION

ONLINE SUBMITTALS FOR DEVELOPMENT APPLICATIONS ARE PREFERRED

CTRL & CLICK LINK BELOW

https://public.mygov.us/tx_abilene

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

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

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

<https://abilenetx.gov/563/Fee-Schedule>
Fees can be paid online with credit card.

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

2024 Development Application

PLANNING & ZONING COMMISSION

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

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

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

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

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

2024 Development Application

2024 PLANNING AND ZONING COMMISSION

PD APPLICATION DEADLINE	ZONING APPLICATION DEADLINE	PLANNING & ZONING MEETING ***	CITY COUNCIL 1 ST READING	CITY COUNCIL 2 ND READING ***
9-NOV-23	28-NOV-23	2-JAN-24	25-JAN-24	8-FEB-24
15-DEC-23	2-JAN-24	6-FEB-24	22-FEB-24	14-MAR-24
12-JAN-24	30-JAN-24	5-MAR-24	28-MAR-24	11-APR-24
9-FEB-24	27-FEB-24	2-APR-24	25-APR-24	9-MAY-24
15-MAR-24	2-APR-24	7-MAY-24	23-MAY-24	13-JUNE-24
12-APR-24	30-APR-24	4-JUNE-24	27-JUNE-24	11-JULY-24
10-MAY-24	28-MAY-24	2-JULY-24	25-JULY-24	8-AUG-24
14-JUNE-24	2-JUNE-24	6-AUG-24	22-AUG-24	12-SEP-24
12-JULY-24	30-JUNE-24	3-SEP-24	26-SEP-24	3-OCT-24
9-AUG-24	27-AUG-24	1-OCT-24	24-OCT-24	7-NOV-24
13-SEP-24	1-OCT-24	5-NOV-24	21-NOV-24	5-DEC-24
11-OCT-24	29-OCT-24	3-DEC-24	19-DEC-24	9-JAN-25
15-NOV-24	3-DEC-24	7-JAN-25	23-JAN-25	13-FEB-25
13-DEC-24	30-DEC-24	4-FEB-25	27-FEB-25	13-MAR-25

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

2024 BOARD OF ADJUSTMENT

APPLICATION DEADLINE	MEETING DATE ***
5-DEC-23	9-JAN-24
9-JAN-24	13-FEB-24
6-FEB-24	12-MAR-24
5-MAR-24	9-APR-24
9-APR-24	14-MAY-24
7-MAY-24	11-JUNE-24
4-JUNE-24	9-JULY-24
9-JULY-24	13-AUG-24
6-AUG-24	10-SEP-24
3-SEP-24	8-OCT-24
8-OCT-24	12-NOV-24
5-NOV-24	10-DEC-24
9-DEC-24	14-JAN-25
7-JAN-25	11-FEB-25



2024 Development Application

Zoning Application Page 1 of 3

Planning

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

Relief Procedures

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

Project Name: WEST TEXAS SPIRITS, LLC dba BELT BUCKLE DISTILLERY
Address: 1066 S 2ND Street Number of Lots: LOTS 13-15 Acreage: .482 Acres
Legal Description: OT ABILENE TIF #1, BLOCK 11, LOT LT 13-15
Subdivision Name: Old Town Abilene Block: 11 Lot: 13-15
Current Zoning: CB Proposed Zoning (if applicable): PD or LI

OWNER AND AUTHORIZATION

Owner Name: IVESTER, LOYD
Address: 1083 N. JUDGE ELY BLVD.
City, State, Zip: ABILENE, TX 79601 Fax: _____
Phone: _____ Email: _____
Agent Name: _____
Address: _____
City, State, Zip: _____ Fax: _____
Phone: _____ Email: _____

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

Signature of Owner: _____ Date: _____

FOR OFFICE USE ONLY

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

2024 Development Application

Zoning Application Page 2 of 3

Existing Zoning

- | | | | |
|--------------------------------|--|--|------------------------------|
| ☐ AO | Agricultural Open Space | ☐ GR | General Retail |
| ☐ RR | Rural Residential RR-5 & RR-1 | ☐ MU | Medical Use |
| ☐ RS-12 | Residential Single-Family – 12,000 sq. ft lots | ☒ CB | Central Business |
| ☐ RS-8 | Residential Single-Family – 8,000 sq. ft lots | ☐ MX | Mixed Use |
| ☐ RS-6 | Residential Single-Family – 6,000 sq. ft lots | ☐ GC | General Commercial |
| ☐ PH | Single-Family Residential Patio Home | ☐ HC | Heavy Commercial |
| ☐ TH | Residential Townhouse | ☐ LI | Light Industrial |
| ☐ MD | Residential Medium Density | ☐ HI | Heavy Industrial |
| ☐ MH | Manufactured/Mobile Home | ☒ PD | Planned Development District |
| ☐ CU | College & University | ☐ | Empowerment Overlay |
| ☐ NO | Neighborhood Office | | |
| ☐ O | Office | | |
| ☐ NR | Neighborhood Retail | | |

Reason for Zoning Change

OPERATING A DISTILLERY IN ABILENE REQUIRES A LI (LIGHT INDUSTRIAL) OR A PD
ZONE DESIGNATION. THIS ZONE CHANGE IS CONSISTANT WITH HISTORIC AND EXISTING
BUSINESS IN THE CONTIGUOUS AREA/NEIGHBORHOOD AND POSES NO ANOMOLOUS
INTRUSIONS. BY CURRENT ZONING CODE, A CHANGE MUST BE IMPLEMENTED.

Fees

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

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

Fees can be paid online with credit card.

2024 Development Application

Zoning Application Page 3 of 3

Zoning Impact Analysis

Please answer these questions in order to assist staff with the processing of your zoning request.

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

THE REQUESTED TRANSITION OF THE SOUTH 2ND ST. PROPERTY IS CONSISTANT WITH THE
COMMERCIAL PROPERTY CLASSIFICATIONS ADOPTED IN THE COMPREHENSIVE PLAN AND .
COMPATIBLE WITH THE CURRENT AND FUTURE DEVELOPMENT OF THIS AREA.

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

THE STANDARDS ARE APPLICABLE.

THE APPLICANT'S PROPOSED BUSINESS OPERATION CAN BE EASILY CHECKED BY BELT BUCKLE
DISTILLERY'S PREVIOUS FOUR YEARS OF COMPLEMENTARY OPERATIONS IN DOWNTOWN ABILENE.
PERFORMANCE RECORDS ARE PERFECT AND WILL CONTINUE TO ENHANCE DOWNTOWN.

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

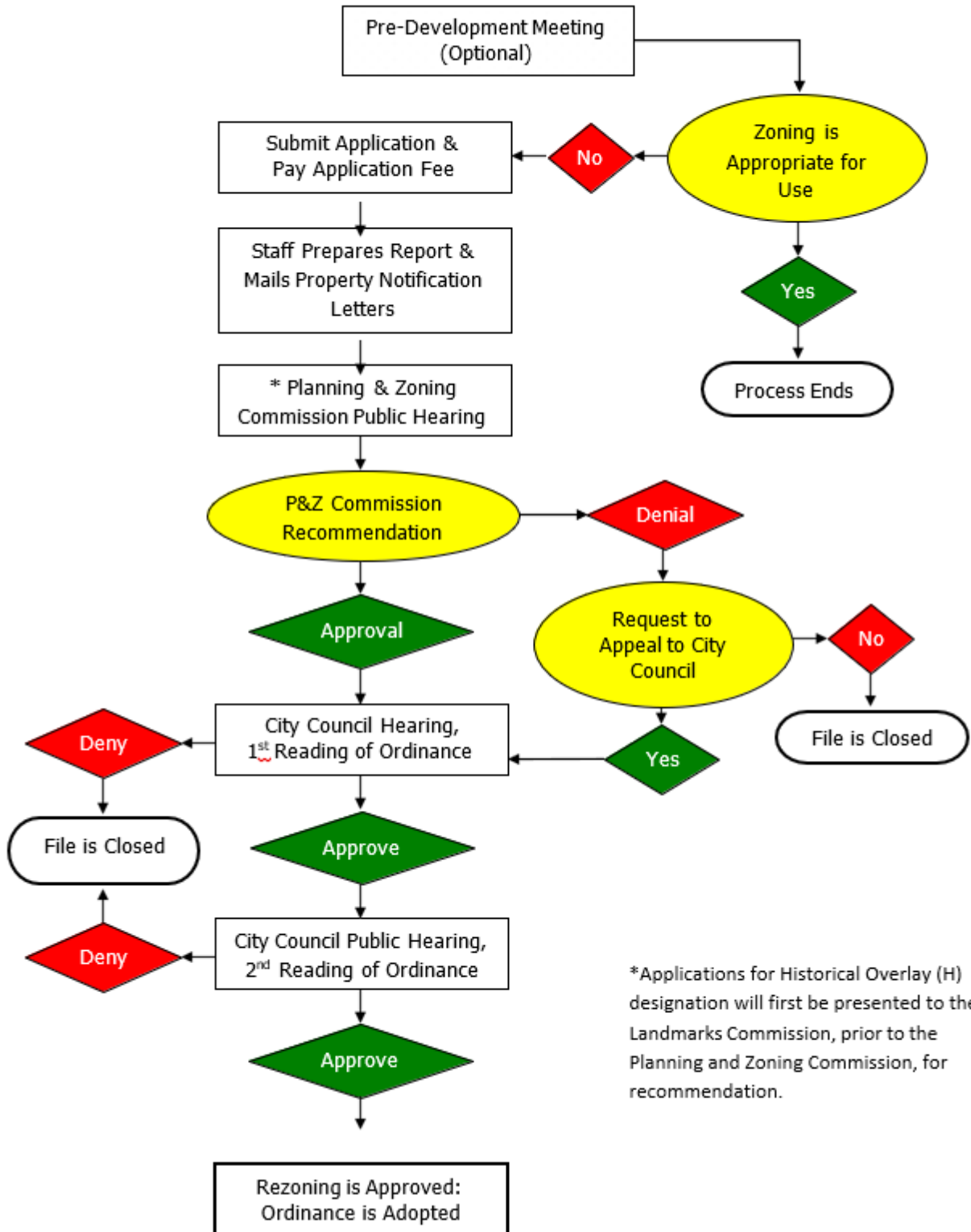
THE PROPOSED CHANGE IS IN AGREEMENT WITH ALL EXISTING CITY INFRASTRUCTURE,
PUBLIC SERVICES AND UTILITIES ARE IN THE AREA. MANUFACTURERS HAVE CONDUCTED
MORE ACTIVE PRODUCTION FACILITIES WITHIN BLOCKS OF THIS PROPOSED S. 2ND LOCATION.
THIS WILL BE MORE CONSISTANT WITH AND ENHANCE EXISTING BUSINESS.

4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?
NO. THIS REQUEST IS TOTALLY COMPATIBLE.

Other Required Forms - Disclosure of Interest (See Attached)

2024 Development Application

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



2024 Development Application

Plats and Other Submittals Page 1 of 1

Submittal

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

*Prior approval required

Submittal Type

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

Acreage

Round decimals up to the nearest whole number. .482 acre(s)

Fees

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

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

Fees can be paid online with credit card.

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

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

Submittals

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

Other Required Forms - Disclosure of Interest, Owner Authorization (See Attached)

2024 Development Application

Owner Authorization and Representative Designation

Property Description

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

Property Owner Information & Authorization

Name/Company: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone: _____ Email: _____

Project Representation (check one):

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

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

Property Owner's Signature: _____ Date: _____

STATE OF: _____

COUNTY OF: _____

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

SUBSCRIBED AND SWORN TO before me, this the _____ day of _____, 20____

NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

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

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

2024 Development Application

Disclosure of Interest

Disclosure Questions

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

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

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

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

Name of Certifying Person (*print*): LARRY C. SANDERS, CFO of WEST TEXAS SPIRITS, LLC & authorized agent for H&R TEXAS VENTURES, LLC

Property Owner ☐ Project Representative ☒

Signature of Certifying Person: _____

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

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

2024 Development Application

BOARD OF ADJUSTMENT

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

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

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

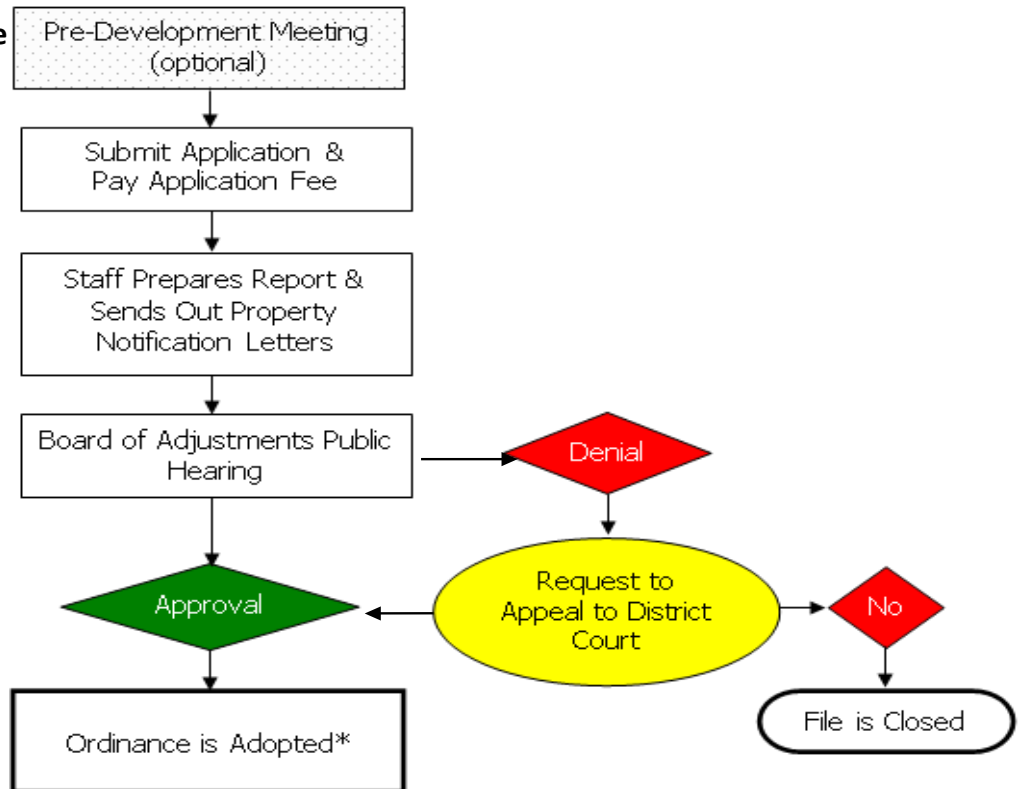
The Board of Adjustment shall finally decide appeals on the following matters of an appeal of any official's interpretation of the requirements of Chapters 2 or 4 of this LDC in which the requirement applies to development within the City limits of Abilene, unless a separate appeals process is otherwise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

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

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

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

Special Exception & Variance Flowchart



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



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Special Exception & Variance

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

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

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

NONE

2024 Development Application

Recommendations

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

PUBLIC NOTIFICATION

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

PLEASE READ BEFORE SIGNING

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

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

SIGNED: _____

DATE: _____



2024 Development Application

THE STATE OF TEXAS)

)

COUNTY OF TAYLOR)

Know all men by these presents that the undersigned owner of the real property described on the reverse side hereof, has made, constituted and appointed, and by these presents does make, constitute and appoint, my true and lawful attorney, for me in my name, place and stead, to (1) file an application for a zone change, plat, street closure, alley closure, (appeal to the Board of Adjustment) * concerning such property and

(2) appear on my behalf at all necessary meetings of the appropriate board or commission or City Council, as the case may be; and the undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the Planning & Development Services Division for the City of Abilene, Texas.

Witness my hand this day of _____, 20____

*(cross out the inapplicable phrase)



West Texas Spirits, LLC

1541 North 4th Street

Abilene, Texas 79601

The following information is provided to the City of Abilene to satisfy the request for an Operations Plan for Belt Buckle Distillery's location at 1082 to 1066 South 2nd Street. Downtown South property ID number **67006** includes lots **13-16**.

West Texas Spirits, LLC is an Abilene-owned and Abilene-based company; registered and licensed for operations by the U.S. Treasury Department (TTB) and the Texas Alcoholic and Beverage Commission (TABC).

Belt Buckle Distillery is Abilene's first and this region's only registered distillery.

Our Business

In considering the proposed business location, the City of Abilene is requested to study Belt Buckle Distillery's performance record at its previous location at 630 N. 5th Street. That location required a duplicate request for required zoning change and yields for the City's analysis a model business operation from 2019 through December of 2023. Belt Buckle Distillery will execute identical operations, in all aspects, at the South 2nd business location.

West Texas Spirits, LLC, the Distillery's owners, now calls to the attention of the city the reasons for moving from its previous address to the South 2nd location.

Though the business enjoyed an exceptional hospitality facility, the focus of the business has always been the manufacturing and sales of its produced spirits. Hospitality will continue to be a key feature of operations at the new location; however, an expanded production facility will allow dramatic increases in production for our distributor, Ben E. Keith Beverages. Further, the new location will facilitate an expansion of hospitality services in a historic, dedicated site that will enhance the area, be fully integrated into Abilene's tourism and hospitality industry. The new site will also offer capabilities of expanding in-house rectification and distillation processes that were impossible at the previous location.

With the appropriate zoning change from **CB** to **PD**, the South 2nd location offers new opportunity for Downtown Abilene, community enhancement and economic development.

Facilities and Improvements

The South 2nd location will be bifurcated into two distinct operations.

1066 South 2nd Street, a single-story building on the property's east side, is the dedicated Belt Buckle Distillery production facility. This single-story building is ideally formatted for production with full access to adequate City water lines for Belt Buckle Distillery's **required** water sprinkler fire suppression system.

1082 South 2nd Street, the three-story historic building on the property's west side, is Belt Buckle Distillery's hospitality facility. Constructed by the Independent Order of Odd Fellows before 1920, the historically-significant building will host Belt Buckle's popular Tasting Room on the first floor, meeting and activity areas on the second floor and administrative areas on the third floor.

In addition to enhancing the utility of all levels of the IOOF-Carpenter Building, significant improvement of the historic building's décor and attraction will create increased visitation by tourists to Abilene, increase regular utilization by community-based organizations and enhance perceptions of positive development in a historically under-frequented business area.

The building has been employed continuously as a bar/club venue since the early 1970s.

Belt Buckle Distillery's acquisition, rehabilitation and repurposing of the property will be an emphatic improvement to this area.

Operations Plan

Production activities will occur at the 1066 South 2nd property on a daily basis. The nature of those production activities will not be visible outside the facility; in fact, there has been, historically, no evidence of production activity to anyone outside the walls of Belt Buckle Distillery.

Operations at Belt Buckle Distillery has never been intentionally inconspicuous. That is simply the nature of our business and the distillery's production processes.

Primary permitted production activities are referred to as "**Rectifying**"; that is, the mixing, dilution, blending and re-distilling of spirits. The other production activity will

be primary and secondary “**Distilling**” of spirits. These processes include the fermentation of grains or juices followed by distillation to create products for either barrel aging or immediate dilution, bottling and packaging for licensed sales.

These production processes are skilled and labor-intensive, however only require a handful (2 to 4) of trained professionals to ensure quality and product consistency.

It is imperative to emphasize that these processes are non-intrusive; segregated from neighboring businesses and totally compatible with existing neighborhood business.

Additionally, per discussions with the City of Abilene’s Environmental Lab Program, there is keen awareness of regulations and specific discharge limitations. There is no anticipation of current or future concerns for such discharge issues. The Department has been informed that they will be aware of operations via regular updates and required reports.

When orders made by Ben E. Keith Beverages have been fulfilled, their staff drives to our facility in vans or mid-sized delivery vehicles and execute pick-up of cardboard-encased product. These product pick-ups are hand-stacked and managed without need for heavy transport, though this is an option for certain deliveries.

Ben E. Keith then facilitates delivery to package stores and secondary retailers.

Belt Buckle Distillery can, by Texas law, only sell its bottled products directly to customers who come to our Tasting Room. This is accomplished at the rate of four bottles per customer per month, certified by detailed documentation reviewed by TABC.

Tasting Room Operation

Belt Buckle Distillery’s Tasting Room will rapidly become a tourism attraction for Abilene and a popular attraction for locals.

Though business hours may expand in the future, initial hours of operation for the Tasting Room will be Wednesday, Thursday and Friday from 4PM till 9PM and Saturdays from 2PM till 11PM. No bottle sales are permitted by Texas law after 9PM.

Unlike the dance halls, clubs and bars that defined the historic use of 1082 S. 2nd Street, Belt Buckle Distillery’s Tasting Room is a marketing facility for the Distillery; a relaxed, low-key classic environment to enjoy Belt Buckle Distillery product, enjoy good company and great background music.

A further distinction of the Tasting Room operation is the fact that by Texas law, Belt Buckle Distillery can only sell products, including all mixed beverages, which Belt Buckle Distillery manufactures in-house.

Belt Buckle Distillery has established a tradition of quality, hospitality and a “Friendly Frontier” environment that is highly anticipated as we approach re-opening.

This outstanding location will attract audiences of both visitors and natives, who will discover this much-appreciated time-machine in the heart of Abilene.



1082 – 1066 South 2nd Street