



City of Abilene Planning and Zoning Commission Agenda

Notice is hereby given of a meeting of the Planning & Zoning Commission of City of Abilene to be held on the 2nd day of June, 2020, 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. Approval of minutes from previous meeting held on May 5, 2020

PLATS

Public Hearing and Action on Plats

2. FP-3620: A Plat of Lots 1 and 2, Block H, Southlake Estates, Abilene, Taylor County, Texas.
3. MRP-3520: Lot 301, Block A, Hardin Simmons Addition, Abilene, Taylor County, Texas.

ZONING

Public Hearing and Action on Zoning Cases

4. **Z-2020-08:** Public hearing and possible vote to recommend approval or denial to City Council on a request from TTY Holdings LLC. and Jeff Luther Construction Company, agent Timothy Yandell, to rezone from Light Industrial (LI) and Multi-Family Residential (MF) to a Planned Development District (PDD); Legal descriptions being Lots 7 & 8 Block 67, Original Town Abilene, and located at 630 North 5th Street, Lot 1-6, Block 67, located at 502 & 518 Ash Street, Lot 12, Block 67, located at 629 North 6th Street, Lot 7, Block 104, located at 601 Plum Street, Lots 7-12, Block 66, located at 501, 509, 525, 533, 541 Ash Street, Original Town Abilene, Abilene, Taylor County, Texas

5. **Z-2020-09:** Public hearing and possible vote to recommend approval or denial to City Council on a request from Quality Implement Company, agents Gary and Diana Handley, to rezone property from Agricultural Open Space (AO) to General Commercial (GC) District; Legal description being approximately 1.85 acres of vacant land out of Southeast Quarter of Blind Asylum Lands, Section 62, City of Abilene, Taylor County, Texas and located near northeast corner of Loop 322 and Industrial Boulevard.
6. **CUP-2020-03:** Public hearing and possible vote to recommend approval or denial to City Council on a request from Quality Implement Company, agents Gary and Diana Handley, for Conditional Use Permit allowing retail sale and rental of trucks and other large vehicles and equipment in a General Commercial District; Legal Description being approximately 1.85 acres of vacant land out of Southeast Quarter of Blind Asylum Lands, Section 62, City of Abilene, Taylor County, Texas and located near northeast corner of Loop 322 and Industrial Boulevard

DIRECTORS REPORT

7. Recent City Council decisions regarding items recommended by the Planning and Zoning Commission

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 29th day of May, 2020 at 2:40 p.m.

Shawna Atkinson, City Secretary



Planning and Zoning Commission MINUTES

May 5, 2020 | 1:30 p.m. | Abilene, Texas City Hall – Council Chambers

Due to the COVID-19 pandemic, this time-sensitive meeting was held via teleconference to allow the public to comment via telephone. Abilene, Texas City Hall is closed to the public while practicing required social distancing. Please refer to the Notice Regarding Public Participation included on the Agenda.

Commissioners Present:

Mr. Fred Famble, Chairman	Mr. Clint Rosenbaum, Pro Tem
Mr. Bill Noonan, Secretary	Mr. Mitch Barnett
Rev. Izlar Lankford	Mr. Brad Benham
Ms. Alex Russell, Sergeant-at-Arms	

Staff Present:

Mr. Zack Rainbow, Assistant Director of Planning and Development Services
Ms. Cheryl Sawyers, Planning Services Manager
Ms. Kelley Messer, First Assistant City Attorney

CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:34 p.m.

INVOCATION

Reverend Lankford delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Mr. Rosenbaum expressed concern about the Z-2021-01 case. Discussion centered on whether or not “Action” Minutes taken at these meetings were acceptable, or not. The concern expressed was what and how the information was presented to City Council. Action Minutes are taken to brief others, in addition to watching video recordings. Mr. Benham voted Nay, so this must be included in revision. Mr. Rosenbaum moved to approve the minutes with the revision. Reverend Lankford seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Lankford, Famble

NAYS: None

PLATS

FP-4118: Elm Creek at Wylie, Section 2, City of Abilene, Taylor County, Texas

PP-2220: Lots 1, 2, & 3, Block A, Oldham Lane Church of Christ Subdivision and the Southwest Quarter of Section 68 Blind Asylum Lands, Abilene, Taylor County, Texas

FP-2420: Section 2, South Ridge Addition, Abilene, Taylor County, Texas

MRP-2820: Replat of Bobcat Addition, Lots 1 & 2, Block A, 8.458 Acres, Being Portions of Block 22 & 23, Bowyer Subdivision, A. Berry Survey, Abstract No. 628, City of Abilene, Taylor County, Texas

FRP-2920: Abilene Hotel And Convention Center, Lot 1, Block A, Being A Replat Of Lots 1-6, Block 73, And All Of Block 72, Original Town, And A Portion Of Cedar Street (Abandoned) 3.588 Acres Situated In The M. Berry Survey, Abstract No. 627, City Of Abilene, Taylor County, Texas

PP-3020: South Lake Villas Addition, Being 5.844 Acres Out of the SW/4 of Section 8, Lunatic Asylum Land, Abstract No. 806, City of Abilene, Taylor County, Texas

FP-3120: South Lake Villas Addition, Being 5.844 Acres Out of the SW/4 of Section 8, Lunatic Asylum Land, Abstract No. 806, City of Abilene, Taylor County, Texas

MRP-3220: Lots 101 Thru 108, Replat of Lot 6, Block A, Replat of Block A, Parramore's Subdivision, City of Abilene, Taylor County, Texas

Mr. Zack Rainbow presented the plats to the Commission. Staff recommends approval with conditions.

Mr. Famble opened the public hearing. Hearing no one desiring to be heard via teleconference, the public hearing was closed.

Mr. Rosenbaum moved to **approve** the plats with conditions, and Mr. Noonan seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Lankford, Famble

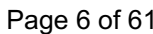
NAYS: None

ADJOURNMENT

There being no further discussion, Mr. Famble adjourned the meeting at 1:56 p.m.

APPROVED

Mr. Fred Famble, Chairman





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ZONING CASE Z-2020-08

STAFF REPORT



REQUEST: Rezoning 16 lots within Old Town of Abilene from a mixture of Multi-Family (MF) and Light Industrial (LI) zoning to Planned Development District (PDD-166)

APPLICANT:

Owner: TTY Holdings, LLC and Jeff Luther Construction CO.
Agent: Tim Yandell

HEARING DATES:

P & Z Commission: June 2, 2020
City Council 1st Reading: June 25, 2020
City Council 2nd Reading: July 9, 2020

LOCATION:

630 North 5th Street, 629 North 6th Street and approximately 2.1 acres of vacant land within Original Town of Abilene.

Legal Description: Lots 7-12 in Block 66, Lots 1-6,7,8 and 12 in Block 67 as well as Lot 7 and the south 11-feet of Lot 8 in Block 104 of Original Town Abilene, Abilene, Taylor County, Texas.

PROPOSAL AND REQUESTED ACTION:

The applicants are requesting to rezone the subject properties from Multi-Family (MF) and Light Industrial (LI) zoning to Planned Development District (PDD-166). This Planned Development District will provide a base underlying zoning of Central Business (CB) while permitting light manufacturing uses as well as wholesale and storage (indoor) as defined within Section 5.1.1.3 "Land Use Definitions" found within Abilene's Land Development Code.

APPLICATION REVIEW:

According to Section 1.4.1.4 (Criteria for Approval) in the City of Abilene Land Development Code, the Planning & Zoning Commission and City Council may consider the following factors in making a determination regarding requested zoning changes:

- (1) Whether the proposed zoning 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 and development plan of the Comprehensive Plan designates this general area as the 'Central Business District'. According to the comprehensive plan, new growth in the "central city" will be accommodated primarily through compatible infill development, commercial and civic activity centers, and community enhancement corridors; rather than development on the periphery of the City's boundaries. This approach to future development will create a more livable, vibrant and cost-effective city. This proposed zone change will promote a wider range of commercial activity as well as achieve the Comprehensive Plans objective of infill and redevelopment.

(2) Whether the proposed zoning amendment will be appropriate in the immediate area of the subject property.

The base zoning classification of Central Business (CB) in the proposed Planned Development (PD) and the additional permitted use of alcohol manufacturing and other light manufacturing as well as wholesale and storage (indoor) allowed by the proposed zone change would be appropriate in the immediate area, due to existing surrounding land uses. This rezone request also continues the ongoing trend of industrial zoning districts becoming Central Business (CB) within Downtown Abilene. Central Business (CB) is considered a more retail-friendly zone than industrial zoning districts, allowing for typical uses you would ordinarily associate with city downtowns.

The subject lots have been zoned Light Industrial and Multi-Family since at least 1974 and was part of the Original Townsite of Abilene, incorporated in 1895.

	Zoning	Existing Land Use
North	MF/LI	Mixed Retail / Vacant Land
South	PD/LI	Warehousing
East	HC	Residence (1) / Vacant Lots / Church Parking
West	LI	Warehousing / Light Manufacturing

(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 to the area.

This proposed zoning request will not have a negative impact on surrounding public schools, streets, water supply, sanitary sewers, and other public services or utilities. The subject property adjoins fully improved and paved streets, and fully improved water and sewer lines. Staff feels the proposed rezoning and potential uses would not negatively affect the public health, safety, morals, or general welfare of the surrounding residents or property owner(s).

STAFF COMMENTS:

The applicant's request is to rezone from a mixture of Light Industrial (LI) and Multi-Family (MF) to Planned Development (PD) zoning which will allow 'light manufacturing' of alcoholic beverages, along with all other uses which would be considered light manufacturing as well as wholesaling and storage (indoor) as defined in Abilene's Land Development Code. Furthermore, the Planned Development (PD) will have a base or default zoning of CB and will permit all uses within this zoning district. The initial proposal which has led to this zone change request was the intent to manufacture, store and distribute alcohol at 630 N 5th Street which occupies Lots 7&8 in block 67. These lots currently fall within Light Industrial (LI) zoning which permits these uses, however there are long term plans to expand operations to include a tasting room or potentially a brewpub, restaurant or perhaps an event space. These are examples of commercial uses which are not permitted within Light Industrial (LI) Zoning, but are allowed within Central Business (CB).

A Planned Development District is a custom-made zoning classification tailored to meet the unique demands of some particular proposed use(s) set in the specific environment where such use(s) is (are) planned to be located.

It is of the opinion of staff that the proposed rezoning and redevelopment (as well as potential uses permitted

by such rezoning) will be consistent with existing and emerging uses (as well as with the zoning) of nearby properties. Central Business (CB) zoning as well as light manufacturing uses have long existed on many of the surrounding properties. The proposed Planned Development (PD) zoning with a base zoning of Central Business (CB) will coincide with prevalent retail, entertainment and even residential trends emerging within Downtown Abilene.

STAFF RECOMMENDATION:

City staff recommends approving this proposed Planned Development District. The rezoning request complies with section 1.4.1.4 (Criteria for Approval). The proposed Planned Development zoning will allow the currently vacant buildings and properties to be developed with compatible uses in this area of town. Furthermore, the subject properties are located within the Neighborhood Empowerment Zone (78-2018), a zone designed to promote infill redevelopment in “economically distressed” areas.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission is scheduled to vote on this matter on June 2, 2020.

NOTIFICATION:

The Planning Services Division sent, with certificate of mailing, public notices to the applicant and to all owners of property within a 200-foot radius of the subject property.

Owner	Situs	Response
ALVAREZ SILVANO	518 N TREADAWAY BL	
CHAMBERS KAREN D	635 PLUM ST	
CORPIAN GARY LEE & MARILU LEE	526 N TREADAWAY BL	
DBD ENTERPRISES LLC	434 ASH ST	
DOUBLE R PLUMBING LLC	417 ASH ST	
FIRST MEXICAN BAPTIST	442 N TREADAWAY BL	
GARUS-OAB ELTON DONEWALD	510 N TREADAWAY BL	
GARZA MARICELA IGLESIAS	618 ASH ST	
GEE WILLIS & NELL	630 ASH ST	
HUNTER EDWARD	617 ASH ST	
JAR LAND INVESTMENTS LLC	634 PLUM ST	
JAR LAND INVESTMENTS LLC	642 PLUM ST	
JONES CAROLYN YUVONNE	626 ASH ST	
LUTHER JEFF	601 PLUM ST	
LUTHER JEFF	629 N 6TH ST	
LUTHER JEFF	601 PLUM ST	
LUTHER MELINDA KATHARINE	718 N 5TH ST	
LUTHER MELINDA KATHARINE	533 PLUM ST	
LUTHER MELINDA KATHARINE	542 PLUM ST	
LUTHER MELINDA KATHARINE	510 PLUM ST	
LUTHER MELINDA KATHARINE	718 N 5TH ST	
LUTHER MELINDA KATHARINE TRUST	502 ASH ST	
LUTHER MELINDA KATHARINE TRUST	518 ASH ST	
LUTHER MELINDA KATHARINE TRUST	509 ASH ST	
LUTHER MELINDA KATHARINE TRUST	501 ASH ST	
LUTHER MELINDA KATHARINE TRUST	534 ASH ST	

MACEDONIA BAPTIST CHURCH	602 ASH ST	
MACEDONIA BAPTIST CHURCH	642 ASH ST	
MACEDONIA BAPTIST CHURCH	643 PLUM ST	
MACEDONIA BAPTIST CHURCH	610 ASH ST	
MC LEMORE EDDIE TR	541 ASH ST	
MGM CONTROLS LLC	741 N 5TH ST	
NEW LIGHT BAPT CHURCH	518 N 6TH ST	
NEW LIGHT BAPTIST CHURCH	601 ASH ST	
NEW LIGHT BAPTIST CHURCH	603 ASH ST	
NEW LIGHT BAPTIST CHURCH	609 ASH ST	
NEW LIGHT BAPTIST CHURCH TR	533 ASH ST	
NEW LIGHT BPT CHURCH	542 N TREADAWAY BL	
NEW LIGHT BPT CHURCH	534 N TREADAWAY BL	
NEW LIGHT MISSIONARY	525 ASH ST	
PORTLOCK WALTER	517 PLUM ST	
ROBINSON KIRT D	502 N TREADAWAY BL	
ROUNSAVILLE DEE & GLORIA	702 N 6TH ST	
ROUNSAVILLE DEE & GLORIA	704 N 6TH ST	
ROUNSAVILLE DEE & GLORIA	712 N 6TH ST	
ROUNSAVILLE DEE & GLORIA	710 N 6TH ST	
ROUNSAVILLE DEE & GLORIA	708 N 6TH ST	
ROUNSAVILLE DEE & GLORIA	706 N 6TH ST	
TTY HOLDINGS LLC	630 N 5TH ST	
WARD JENNABETH L	609 PLUM ST	
WILCOX ROBERT L FAMILY LV TR	625 PLUM ST	
WILCOX ROBERT L FAMILY LV TR	617 PLUM ST	
YUMS INC	401 PLUM ST	

ATTACHMENTS:

- Application
- PowerPoint



Development Application

Planning

- ☐ Conditional Use ☐ Easement Release ☒ Rezoning ☐ Other
☐ PDD ☐ Street Name Change ☐ Thoroughfare Abandonment ☐ PDD Amendment
Other: _____

Project Name: Zoning change from LI/MF to PD on properties owned by Luther Construction and TTY, Holdings LLC.

Address: (a) 630 North 5th Street and (b) 542 Plum Street No. of lots: _____ Acreage: _____

Legal Description: _____

Subdivision Name: Original Town of Abilene (Downtown North) Block: _____ Lot: _____

Current Zoning: Light Industrial/Multi Family (LI/MF) Proposed Zoning (if applicable): Project Development (PD)

OWNER AND AUTHORIZATION

Owner Name: (a) TTY HOLDINGS, LLC and (b) JEFF LUTHER CONSTRUCTION CO.

Address: (a) 630 NORTH 5th STREET and (b) 542 PLUM STREET

City, State, Zip: ABILENE, TEXAS 79601 Fax: (325) 676-0505

Phone: (a) 325-665-0584 (b) 325-676-8294 Email: (a) tim@beltbuckledistillery.com (b) jeff@jefflutherconstruction.com

I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) TIMOTHY G. YANDELL will act as ~~my~~ agent before the Planning and Zoning Commission.

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 Owner: *Timothy G. Yandell* Date: MAY 13, 2020

FOR OFFICE USE ONLY

Received: May 13, 2020 Fee: \$ NEZ Receipt No.: N/A
Case No.: 2-2020-08 Reviewed By: *Paul Smith*



Development Application

Please answer the following question in order to assist Staff with the processing of your Zoning request.

1. Please (if necessary) provide background information for the zoning request and explain why you feel it is appropriate.

The request is being made by both property owners simultaneously to simplify the zoning change process and to facilitate shared property utility ambitions. Both property owners wish to expand commercial and property-development activities on Downtown Abilene's east side in synchronization with numerous development activities throughout Downtown. TTY Holdings' primary tenant, West Texas Spirits, LLC, needs the change to allow future operation of a tasting room on site without onerous requirements for admission fees or excessive regulation of on-site consumption of their products. The transition of adjacent property from Multi Family (MF) to Project Development (PD) will accomplish this while also opening other business development opportunities.



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 (FAX or E-mail) 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: Christy A. Vandell DATE: May 13, 2020



Revised

5/12/2020, 2:49 PM

Lots 7-12, Block 66, Lots 1-6, 7, 8, 12, Block 67, and
 Lot 7 and S 11' of Lot 8 in Block 104 in Original Town
 Abilene,



New Light Missionary Baptist Church

518 North 6th Street @ Abilene, Texas 79601 (325) 677-5088

Website: newlightabilene.com

E-mail: newlightpastor@yahoo.com

Rev. Eddie Jordan, B. S., M.Th.

Pastor

Mr. Fred Famble, Chair
Planning and Zoning Commission
City of Abilene
555 Walnut Street
Abilene, Texas 79601

Dear Mr. Famble;

I am writing to express my approval and support on behalf of New Light Missionary Baptist Church for the rezoning of three of the church's lots located at: 525, 533 and 541 Ash Street. These three addresses are to be included and designated as part of the current Planned Development request submitted by TTY Holdings and the Melinda Luther Trust.

We as a church are keenly interested and excited about the future growth and development in the northeast quadrant of downtown Abilene and certainly desire to be an active partner.

Please feel free to contact me if you have any further questions.

Best regards,

Reverend Eddie Jordan, B.S., M.Th.

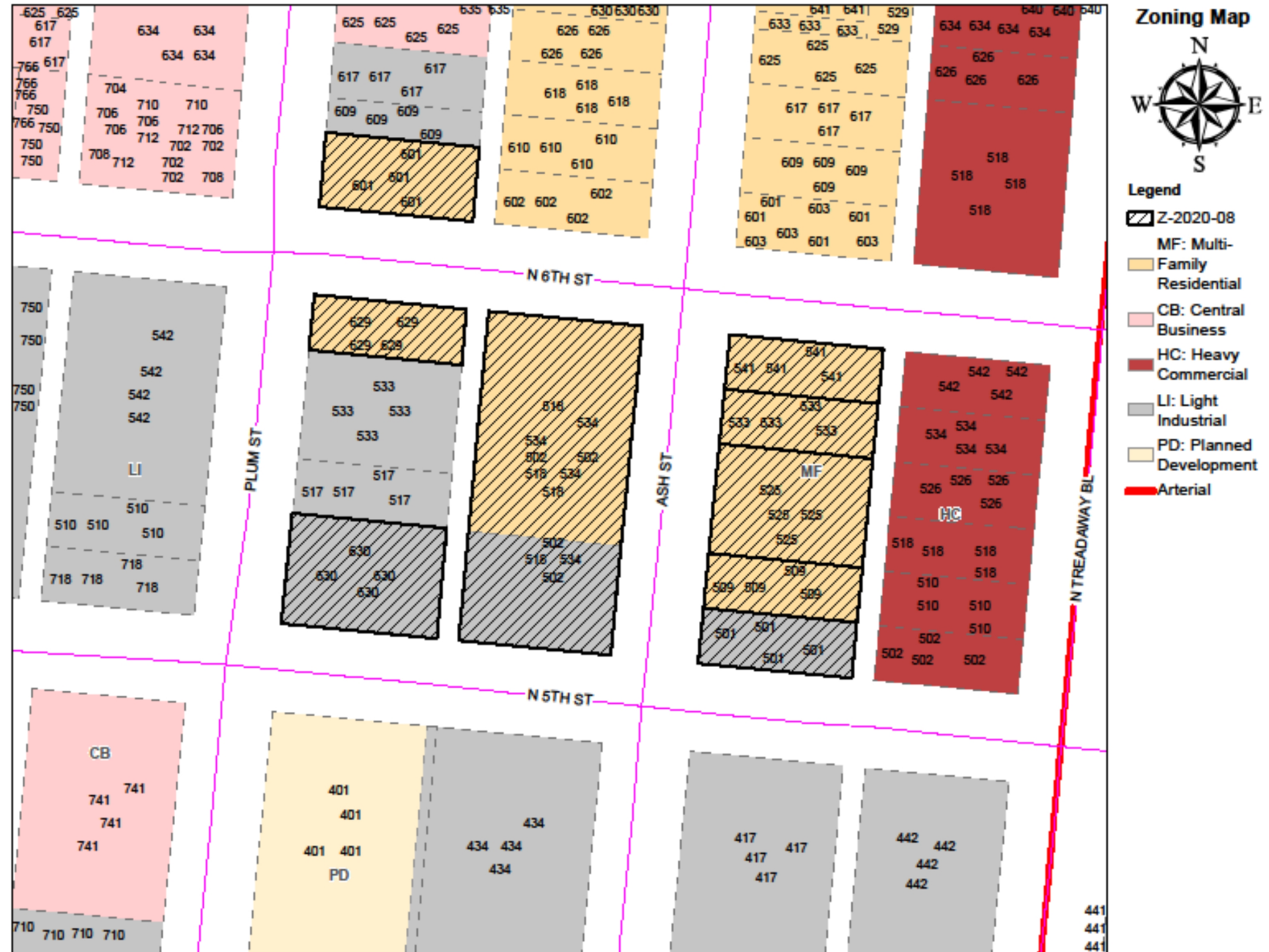
Pastor, New Light Missionary Baptist Church

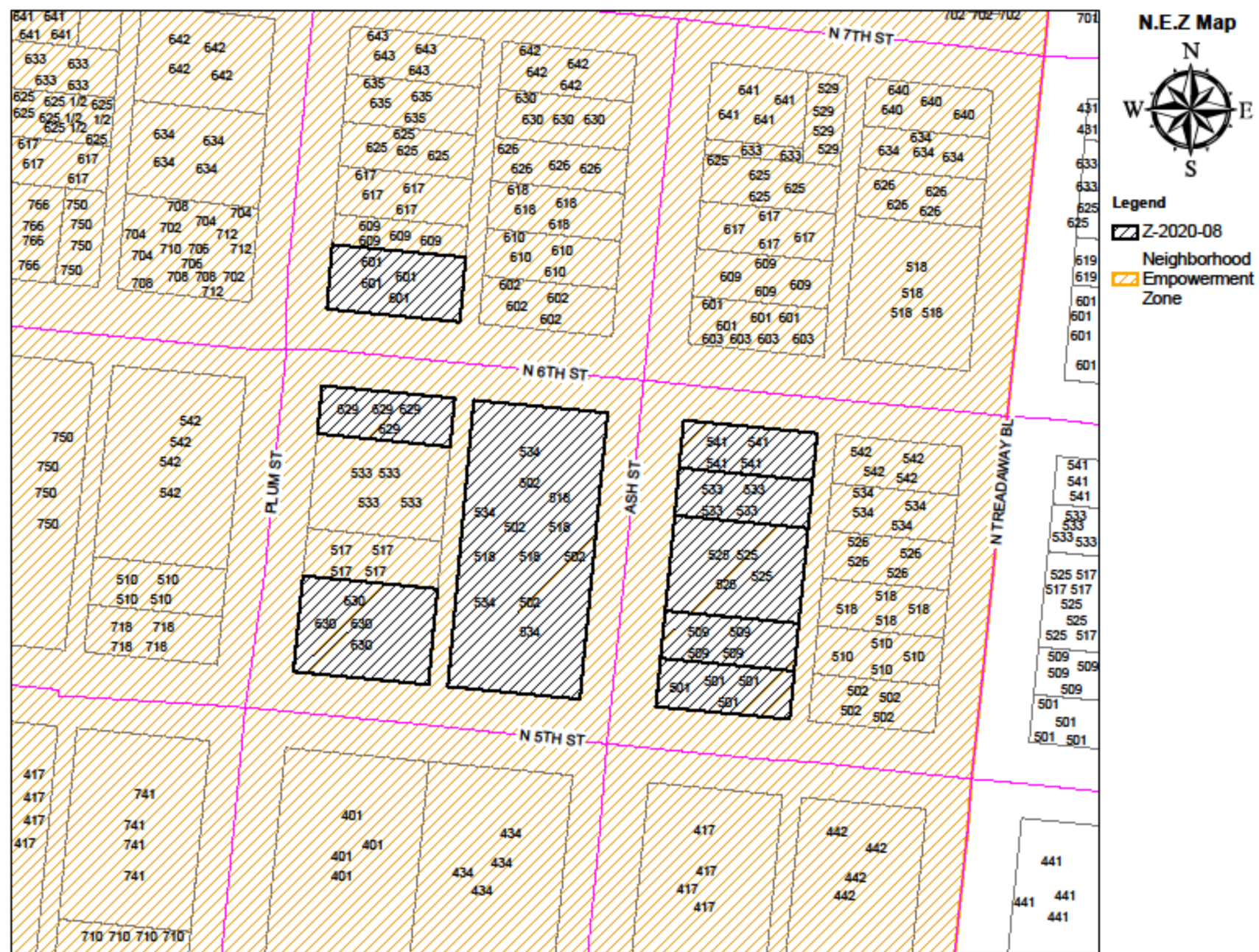
Case:	Z-2020-08
Owner:	TTY Holdings, LLC & Jeff Luther
Construction	
Agent:	Tim Yandell
Request:	Rezone the subject properties from Multi-Family (MF) and Light Industrial(LI) zoning to Planned Development District (PDD-166)
Location:	630 North 5th Street, 629 North 6th Street and approximately 2.1 acres of vacant land within Original Town of Abilene
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	June 2, 2020
City Council Hearing:	June 25, 2020 July 9, 2020

Z-2020-08 AERIAL LOCATION MAP



Z-2020-08 ZONING MAP





Permitted Uses in CB 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 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
- P Veterinary Service (small animals)

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, 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

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 Section 2.4.3 of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

Permitted Uses in LI Zoning

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

- P/C Automobile Wash
- P Contractor Services
- P Funeral Home/ Mortuary/Morgue
- P Kennel (With Outdoor Pens)
- P Kennel (Without Outdoor Pens)
- P Laundry, Dry Cleaning, Dyeing, and Linen Service (no retail customers)
- P Laundry/Dry Cleaning Services & Facilities

- P Office (general, professional, financial)
- P Printing, Copying, Reproduction, Publishing
- P Recycling Collection and Processing Center
- P Repair and Maintenance Services - Automobile/Small Truck (major)
- P Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- P Repair and Maintenance Services (outdoors)
- P Repair and Maintenance Services (truck and other large vehicles)
- P Scales (public)
- P Storage - Self-Service Units
- P Tattoo Parlor
- P Taxidermist
- P Veterinary Service (all size animals)
- P Veterinary Service (small animals)
- P Wrecker/Towing

TRADE – RETAIL USES

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

TRADE – WHOLESALE USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

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

LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 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





- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 5.1.1.3)
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

Z-2020-08 NOTIFICATION AREA MAP



Questions?

ZONING CASE Z-2020-09

STAFF REPORT



REQUEST: Rezoning

APPLICANT:

Owner: Gary & Diana Handley

Agent: Jeff Tickner of Quality Implement Company

HEARING DATES:

P & Z Commission: June 2, 2020

City Council 1st Reading: June 25, 2020

City Council 2nd Reading: July 9, 2020

LOCATION:

- 1.859 acres situated approximately 70 feet along the eastern frontage road of Loop 322. Between E. Industrial Boulevard and Gateway Street.
- Legal description(s): 1.859 acres out of Blind Asylum Lands Survey Number 62

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting to rezone from Agricultural Open (AO) to General Commercial (GC) in order to utilize the location for a wide range of commercial activities. In addition to the permitted uses in General Commercial (GC), the applicant will be seeking a Conditional Use Permit to allow the retail sale/rental of trucks and other large vehicles and equipment.

APPLICATION REVIEW:

According to Section 1.4.1.4, Criteria for Approval, of the City of Abilene Land Development Code, 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 and Development Plan Map of the Comprehensive Plan designates this general area as a major commercial/business activity center. General Commercial (GC) zoning promotes the goal of the future land use plan as it intends to provide a wide range of retailing activities, personal and business services, and other commercial activities. Furthermore, the proposed zone change will promote the Comprehensive Plan's goal of achieving a mixture of land uses which will encourage a variety of activities, shorten automobile trips and promote pedestrian and bicycle accessibility.

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

The retail and commercial uses permitted by the proposed zone change would be appropriate in the immediate area. Rezoning this property will provide an opportunity for a wide range of commercial and retail opportunity, which will encourage the Comprehensive Plan's objective for providing a mixture of mutually supportive and integrated residential and non-residential land uses within a major commercial business center as designated on the Future Land Use and Development Plan Map.

The subject lot has been Agricultural Open (AO) since 1968. This lot will be incorporated into the lot to the north and east which are zoned General Commercial with a CUP attached (GC/CUP). The property to the south is a Gas convenience store zoned as Planned Development (PD). To the west is the loop 322 Expressway thoroughfare.

	Zoning	Existing Land Use
North	GC/CUP	Vacant Acreage
South	PD	Gas convenience store
East	GC/CUP	Vacant Acreage
West	N/A	Loop 322 Expressway

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

The subject property has access to existing water mains and sewer mains. Therefore water and sewer capacity should not be a limiting factor to the development of these properties.

According to the Land Development Code good automobile accessibility within General Commercial (GC) districts is essential. The subject property is located near the intersection of Loop 322 and East Industrial Boulevard. Traditional planning considers intersections of freeways and major arterial roads such as this to be customarily appropriate for commercial purposes.

STAFF COMMENTS:

The subject lot has been zoned Agricultural Open (AO) since at least 1968, when the property was annexed by the City of Abilene. The Agricultural Open Space (AO) district is typically used as a “holding zone”, until an applicant requests and the City considers a more intensive zoning district of the land. Over the years the properties surrounding this tract of land have undergone rezoning and development that is consistent with the Future Land Use and Development Plan’s goal of creating a major commercial business center in the area. Major commercial business centers are designed to provide mutually supportive activities in a single, integrated regional destination. General Commercial (GC) zoning will continue this trend by promoting a mix of mutually supportive uses within this designated major commercial/business activity center.

STAFF RECOMMENDATION:

Staff recommends approval of the request. The rezoning request complies with Section 1.4.1.4 (Criteria for Approval).

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On June 2, 2020, the Planning and Zoning Commission will meet to review this request.

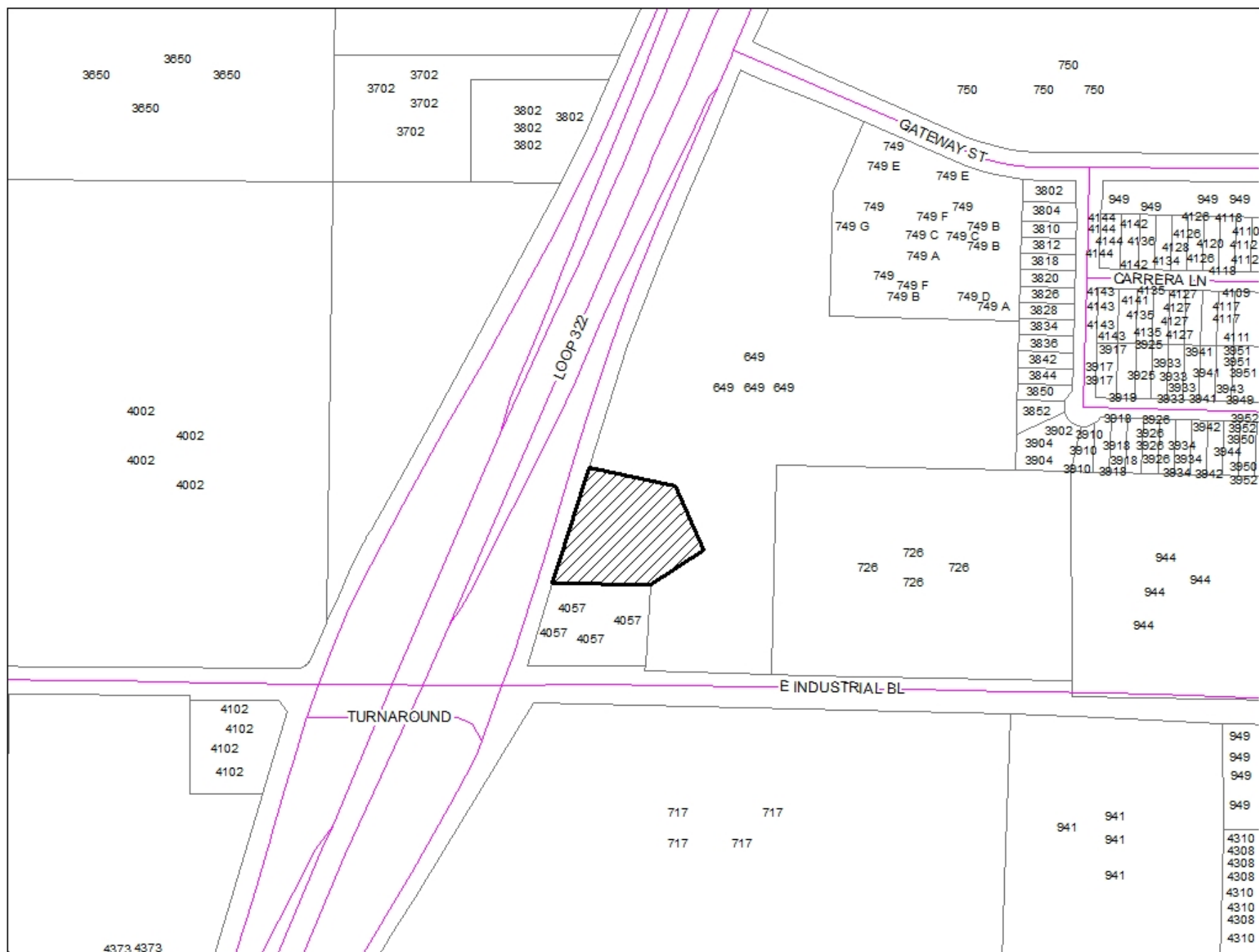
NOTIFICATION:

The Planning Services Division sent, with a certificate of mailing, public notices to the applicant and property owners within a 200-foot radius.

Owner	Situs	Response
ABILENE STATE SCHOOL	726 E INDUSTRIAL BL	
HANDLEY GARY & DIANA FAMILY		
TEXAS REM INVESTMENTS LLC	4057 LOOP 322	
WINDMILL CIRCLE PARTNERS LP &	649 GATEWAY ST	

ATTACHMENTS:

- Application
- PowerPoint





Development Application

Planning

☒ Conditional Use ☐ Easement Release ☒ Rezoning ☐ Other
☐ PDD ☐ Street Name Change ☐ Thoroughfare Abandonment ☐ PDD Amendment
 Other: _____

Project Name: Quality Implement Co. John Deere
 Address: _____ No. of lots: _____ Acreage: 1.859
 Legal Description: A0679 SUR 62 B A L SE/4 Acres 1.859
 Subdivision Name: Neighborhood 986 Block: A0679000800 Lot: 108930
 Current Zoning: A0 Proposed Zoning (if applicable): GC with conditional use

OWNER AND AUTHORIZATION

Owner Name: Handley Gary + Diana Family
 Address: PO Box 1323
 City, State, Zip: Granbury TX 76048-8323 Fax: _____
 Phone: 928-899-4685 Email: _____

I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) Jeff Tickner will act as my agent before the Planning and Zoning Commission.

Agent Name: Jeff Tickner Quality Implement Co.
 Address: PO Box 159
 City, State, Zip: Munday, TX 76371 Fax: _____
 Phone: 325-201-5958 Email: JeffT@QualityImplement.com

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

Signature Owner: Gary Handley + Diana Handley Date: 5/13/20

FOR OFFICE USE ONLY

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



Development Application

Please answer the following question in order to assist Staff with the processing of your Zoning request.

1. Please (if necessary) provide background information for the zoning request and explain why you feel it is appropriate.

Purpose of this requested change is to mirror the GC with conditional use of the adjacent property being purchased for a new John Deere dealership. Utilize the same conceptual drawing as used for the adjacent property.



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 (FAX or E-mail) 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.

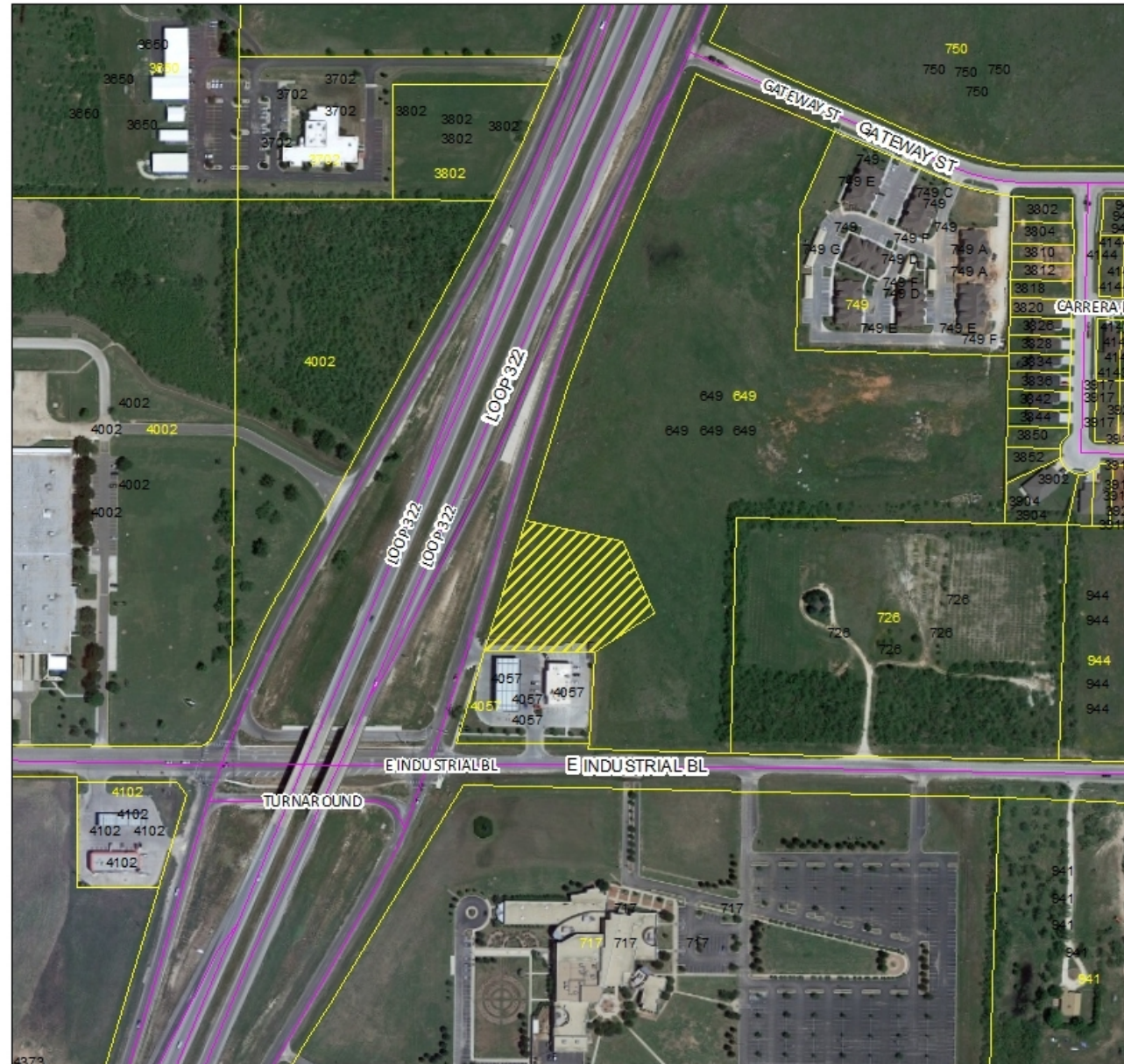
PLEASE READ BEFORE SIGNING

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.

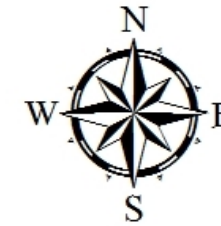
I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of 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: *Gay Handley, Diana & Sandra* DATE: 5/13/20

Case: Z-2020-09
Owner: Gary & Diana Handley
Agent: Jeff Tickner of Quality Implement Company
Request: Rezone from AO to GC
Location: 1.859 acres on the eastern frontage road of LP
322, between East Industrial & Gateway St.
Notification: 0 in Favor, 0 Opposed
Planning & Zoning: June 2, 2020
City Council Hearing: June 25, 2020
July 9, 2020

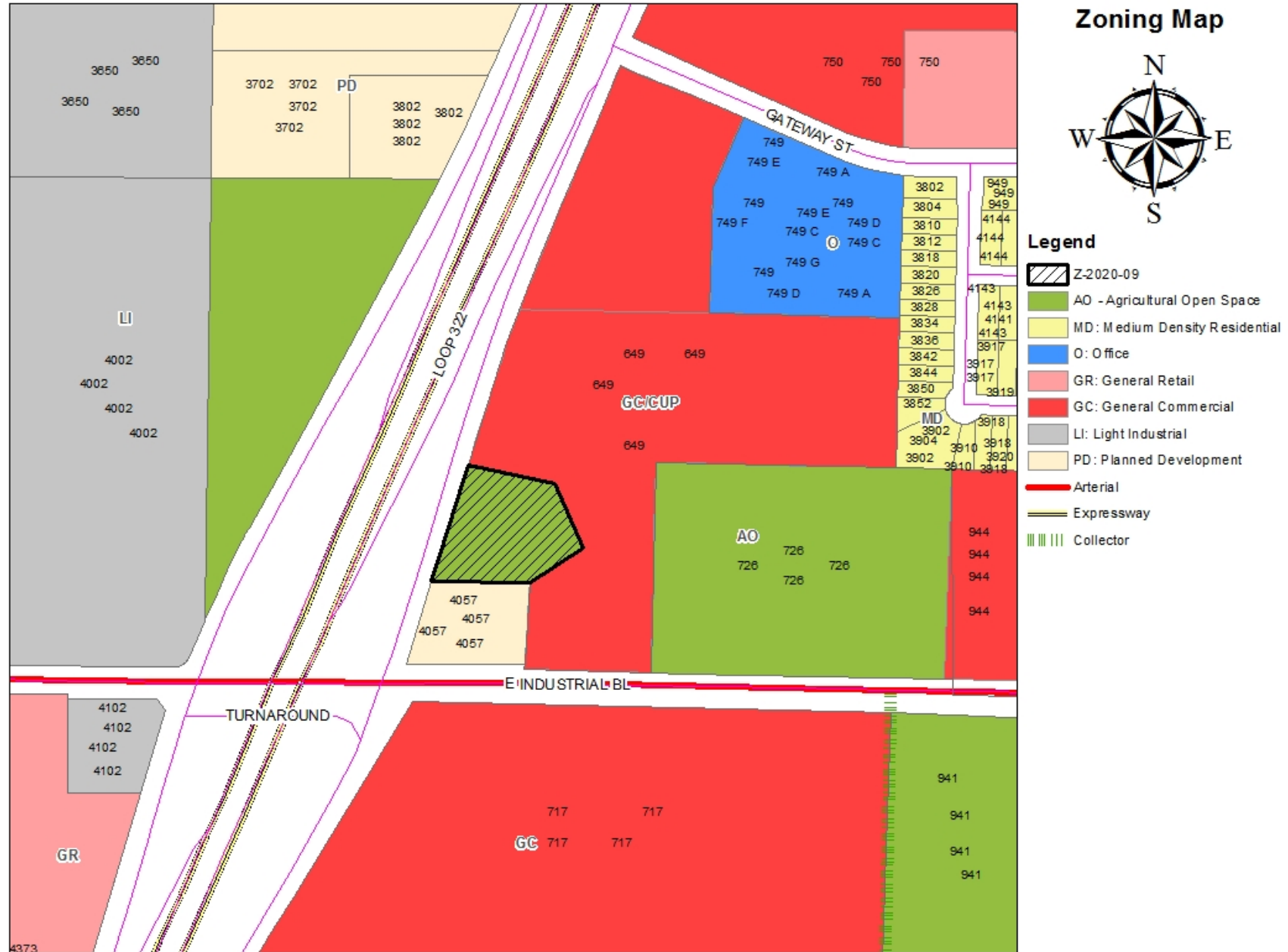


Location Map



Legend

 CUP-2020-03



Permitted Uses in GC Zoning

RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

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, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (automobile/small truck)
- P Retail Sales/Rental (indoor)
- P Retail Sales/Rental (outdoors, non-vehicle)
- C Retail Sales/Rental (trucks and other large vehicles and equipment)

TRADE – WHOLESALE USES

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

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 Section 2.4.3 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

subject property facing north east

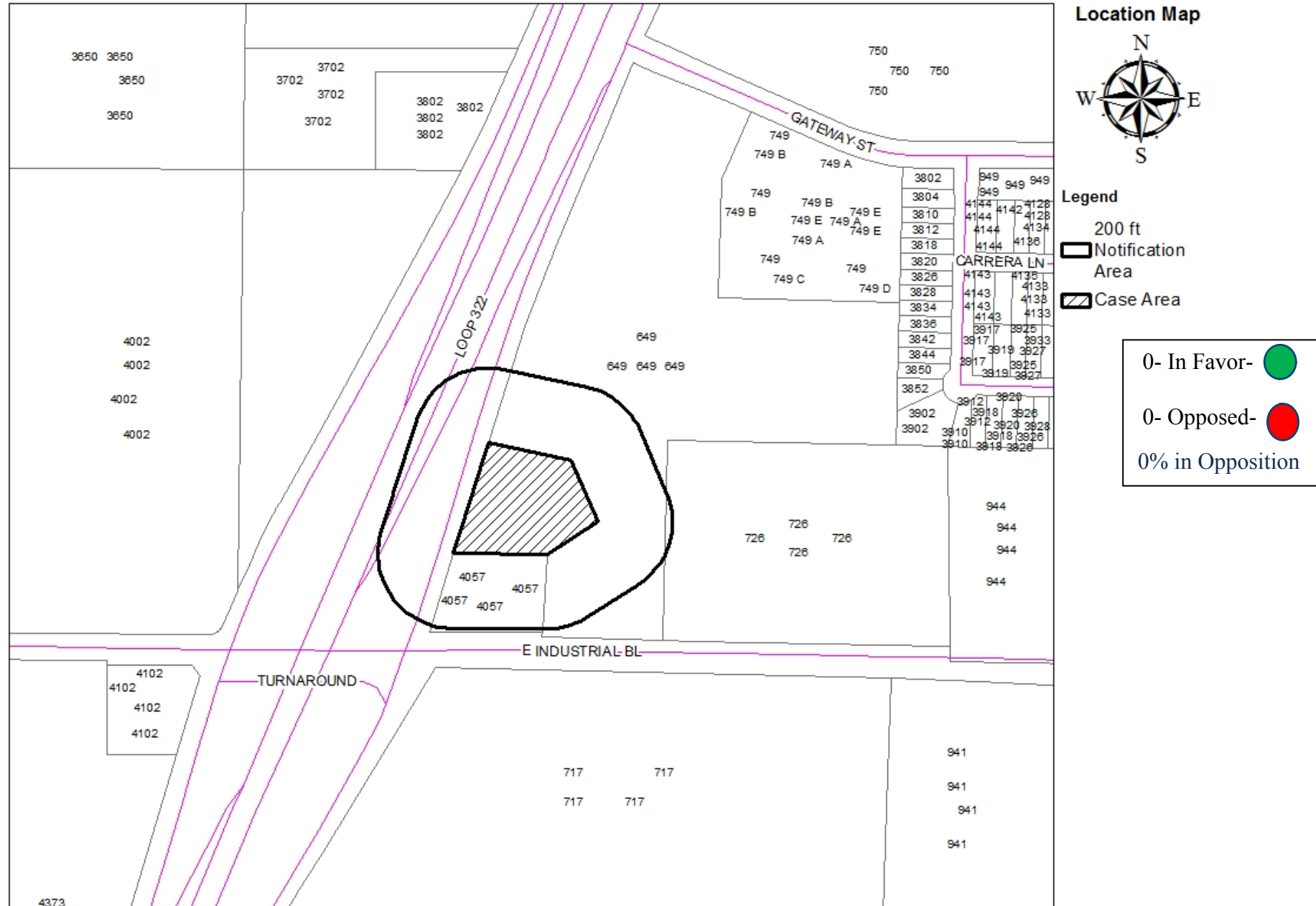


neighboring property to the south



- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 2.3.3.9)
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

Z-2020-09 NOTIFICATION AREA MAP



Questions?

ZONING CASE CUP-2020-03

STAFF REPORT



REQUEST: Conditional Use Permit

APPLICANT:

Owner: Gary & Diana Handley

Agent: Jeff Tickner of Quality Implement Company

HEARING DATES:

P & Z Commission: June 2, 2020

City Council 1st Reading: June 25, 2020

City Council 2nd Reading: July 9, 2020

LOCATION:

- 1.859 acres situated approximately 70 feet along the eastern frontage road of Loop 322. Between E. Industrial Boulevard and Gateway Street.
- Legal description(s): 1.859 acres out of Blind Asylum Lands Survey Number 62

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting a Conditional Use Permit (CUP) to allow retail sale/rental of trucks and other large vehicles and equipment in General Commercial (GC) Zoning.

BACKGROUND:

The subject property has been zoned Agricultural Open Space (AO) since at least 1968, when the property was annexed by the City of Abilene. This property has remained vacant since being annexed into the City of Abilene. Agricultural Open Space (AO) zoning is typically used as a “holding zone”, until an applicant requests a more intensive zoning district for the land. One such request is being reviewed concurrent to this proposed Conditional Use Permit. Approval of this Conditional Use Permit (CUP) shall be subject to the approval of the requested zone change to this parcel from Agricultural Open (AO) to General Commercial (GC) zoning. This Conditional Use Permit will allow the retail sale/rental of large vehicles and equipment by John Deere at this location.

ANALYSIS:

Criteria Analysis:

Staff has reviewed the request based upon the factors established in Section 1.4.3.1, 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.

Yes, the Comprehensive Plan designates the property to be located within a “Major Commercial Business Center.” The Comprehensive Plan details this area to “Provide the highest level of commercial, service, and employment concentration outside of downtown.”

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

Yes, subject to approval of the proposed zone change from Agricultural Open (AO) to General Commercial (GC) Zoning. General Commercial (GC) zoning is intended to provide a wide range of retailing activities, personal and business services, and other commercial activities. General Commercial (GC) district regulations are designed to permit development of commercial activities which are generally not appropriate within other commercial districts, such as NR and CB districts. (Section 2.3.3.9)

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.

4. This tract of land will be incorporated into a much larger tract of land to the North zoned GC/CUP which requires a "type B" land use buffer.

5. 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.

Yes, the proposed use will not generate pedestrian and vehicular traffic that will be hazardous or conflict with existing and anticipated traffic.

6. 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.

No, the proposed use will not incorporate roadway adjustments, traffic control devices, mechanisms and access restrictions. However, there should be no increased traffic generated by the proposed use of the site.

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

This tract of land will be incorporated into a much larger tract of land to the North zoned GC/CUP which requires a "type B" land use buffer.

8. 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.

Yes, if the requested change of zoning to General Commercial (GC) is approved, the proposed use meets the standards for the zoning district.

Comprehensive Planning Analysis

The Future Land Use and Development Plan Map of the Comprehensive Plan designates this general area as a major commercial/business activity center. Approval of the Conditional Use Permit promotes the goal of the future land use plan as it intends to provide a wide range of retailing activities, employment opportunities as well as personal and business services within the major commercial business center. Additionally, the subject property is located at the intersection of a major arterial road and expressway. Traditional planning considers locations such as this ideal for commercial activity as this optimizes public access and exposure necessary for success.

STAFF RECOMMENDATION:

Staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On June 2, 2020, the Planning and Zoning Commission will meet to review this Conditional Use Permit request.

Location	Zoning	Existing Land Use
North	GC/CUP	Vacant Acreage
South	PD	Gas convenience store
East	GC/CUP	Vacant Acreage
West	N/A	Loop 322 Expressway

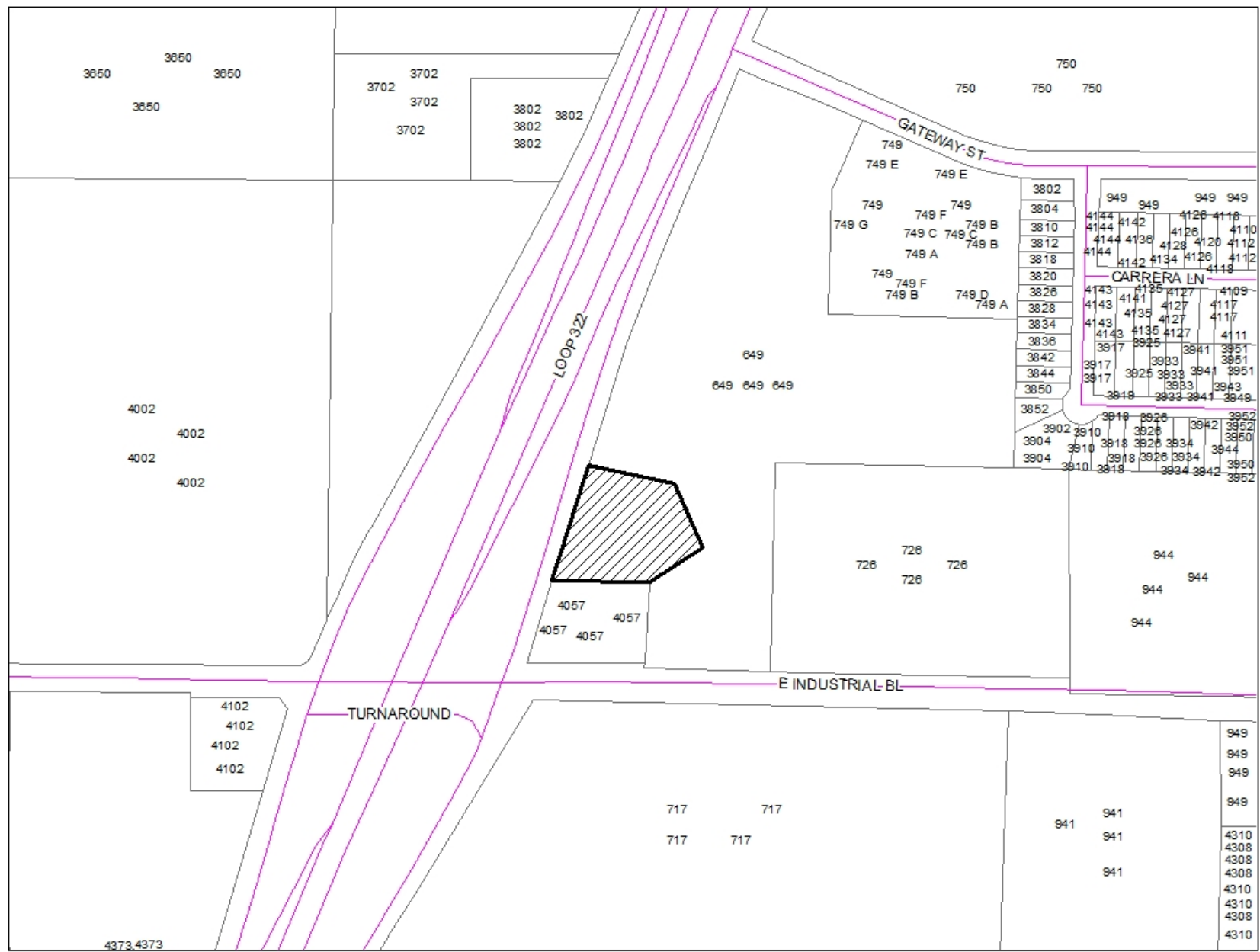
NOTIFICATION:

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Owner	Situs	Response
ABILENE STATE SCHOOL	726 E INDUSTRIAL BL	
HANDLEY GARY & DIANA FAMILY		
TEXAS REM INVESTMENTS LLC	4057 LOOP 322	
WINDMILL CIRCLE PARTNERS LP &	649 GATEWAY ST	

ATTACHMENTS:

- Application
- PowerPoint





Development Application

Planning

☒ Conditional Use

☐ Easement Release

☒ Rezoning

☐ Other

☐ PDD

☐ Street Name Change

☐ Thoroughfare Abandonment

☐ PDD Amendment

Other: _____

Project Name: Quality Implement Co. John Deere

Address: _____ No. of lots: _____ Acreage: 1.859

Legal Description: A0679 SUR 62 B A L SE/4 Acres 1.859

Subdivision Name: Neighborhood 986 Block: A0679000800 Lot: 108930

Current Zoning: A0 Proposed Zoning (if applicable): GC with conditional use

OWNER AND AUTHORIZATION

Owner Name: Handley Gary + Diana Family

Address: PO Box 1323

City, State, Zip: Granbury TX 76048-8323 Fax: _____

Phone: 928-899-4685 Email: _____

I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) Jeff Tickner will act as my agent before the Planning and Zoning Commission.

Agent Name: Jeff Tickner Quality Implement Co.

Address: PO Box 159

City, State, Zip: Munday, TX 76371 Fax: _____

Phone: 325-201-5958 Email: JeffT@QualityImplement.com

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

Signature Owner: Gary Handley + Diana Handley Date: 5/13/20

FOR OFFICE USE ONLY

Received: _____ Fee: \$ _____ Receipt No.: _____

Case No.: _____ Reviewed By: _____



Development Application

Please answer the following question in order to assist Staff with the processing of your Zoning request.

1. Please (if necessary) provide background information for the zoning request and explain why you feel it is appropriate.

Purpose of this requested change is to mirror the GC with conditional use of the adjacent property being purchased for a new John Deere dealership. Utilize the same conceptual drawing as used for the adjacent property.



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 (FAX or E-mail) 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.

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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: *Gay Handley, Diana & Sandra* DATE: 5/13/20

Case: CUP-2020-03

Owner: Gary & Diana Handley

Agent: Jeff Tickner of Quality Implement Company

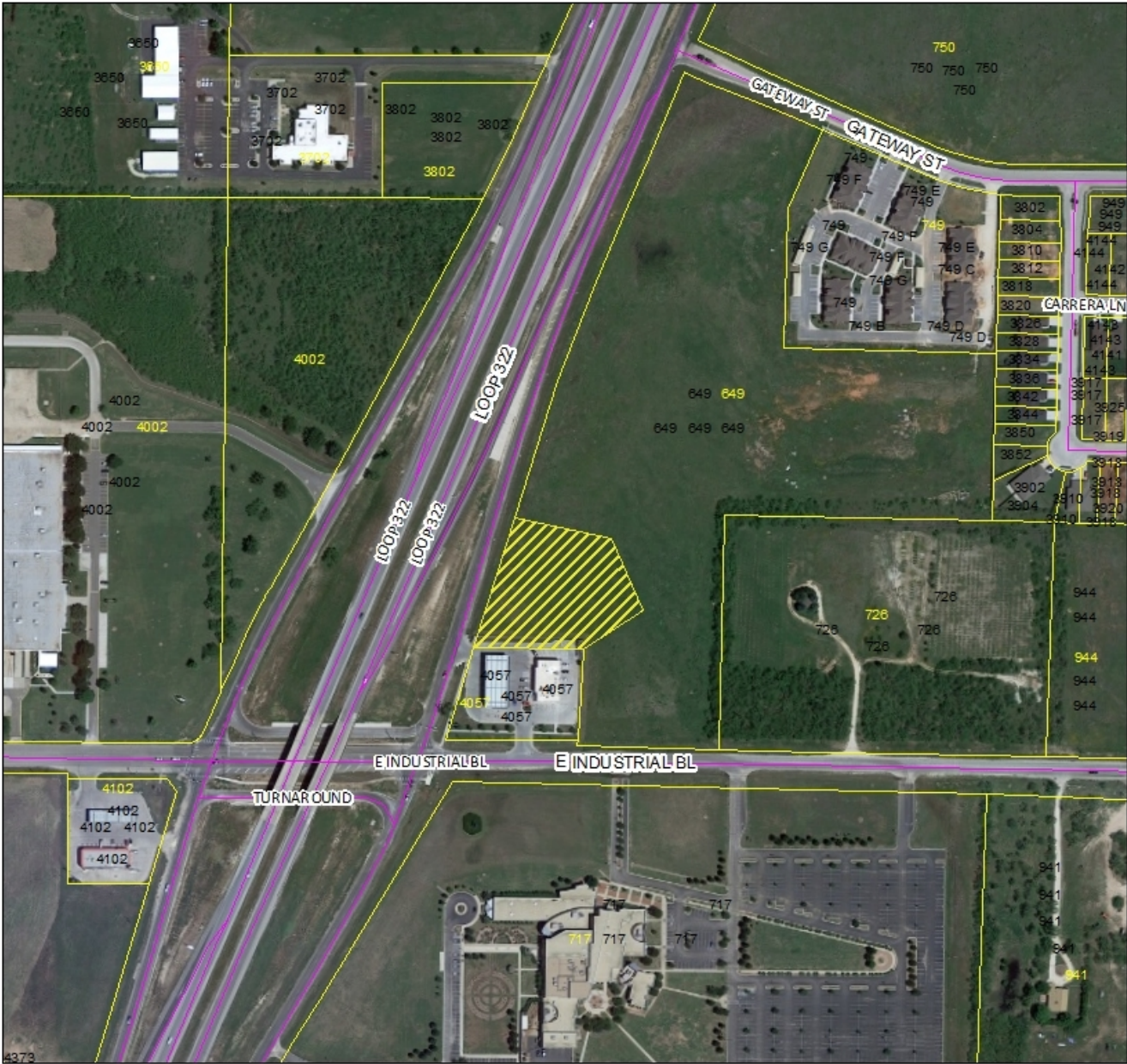
Request: Conditional Use Permit to allow retail sale/rental of trucks and other large vehicles and equipment.

Location: 1.859 acres on the eastern frontage road of LP 322, between East Industrial & Gateway St.

Notification: 0 in Favor, 0 Opposed

Planning & Zoning: June 2, 2020

City Council Hearing: June 25, 2020
July 9, 2020

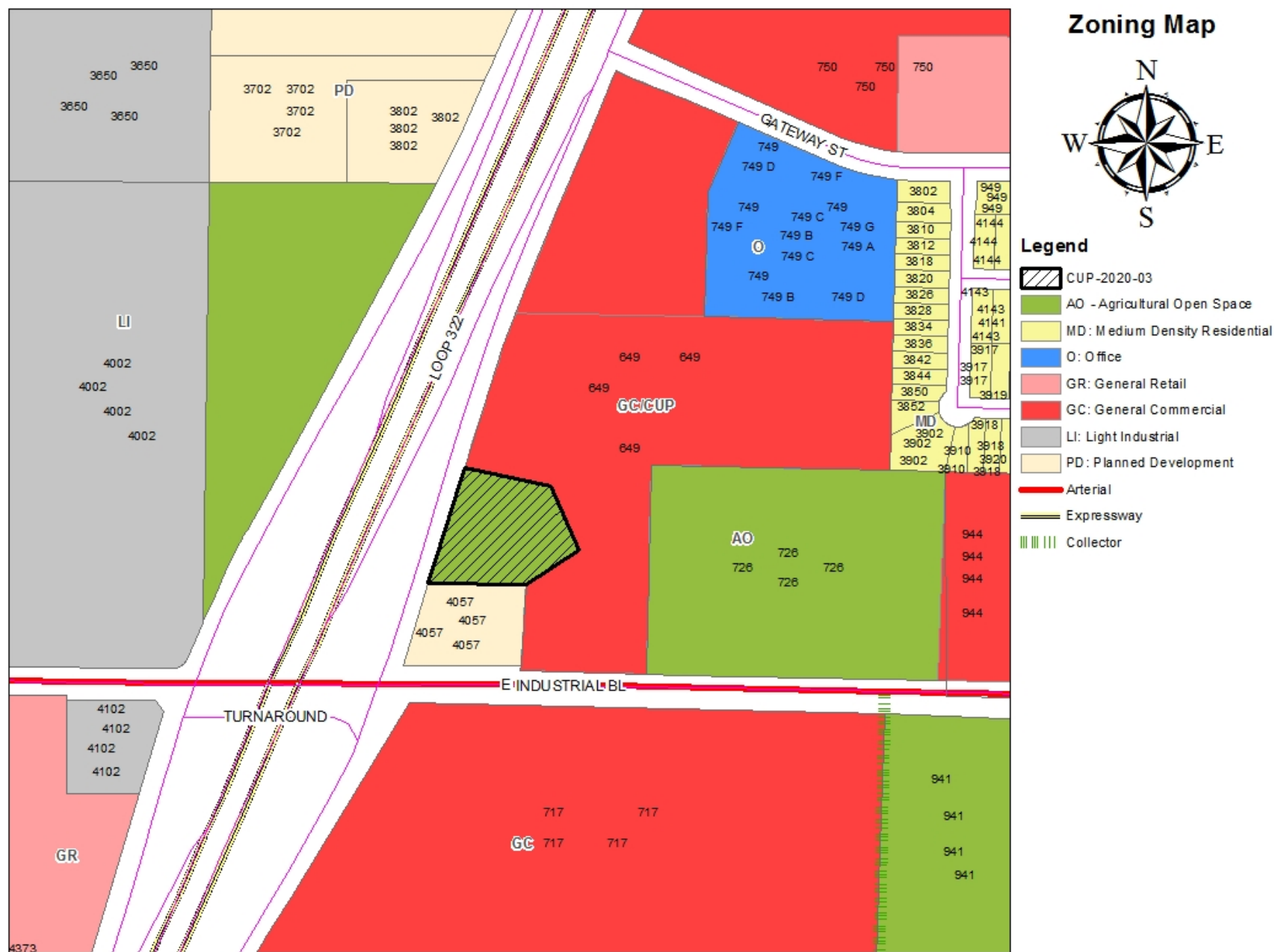


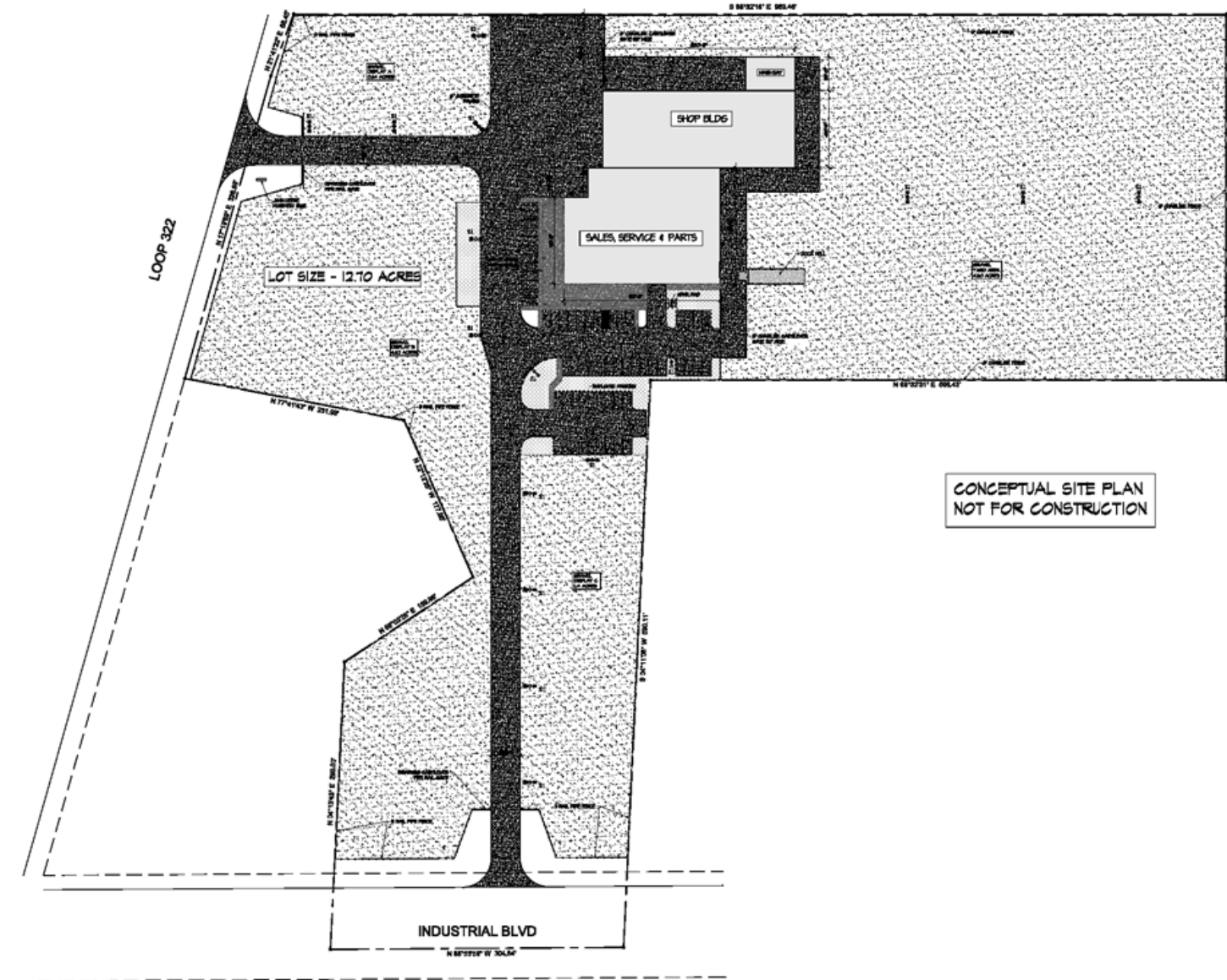
CUP Location Map



Legend

 CUP-2020-03





RED CONSTRUCTION SERVICES, L.L.C. LORENA, TEXAS 254-744-0608 www.redconstructionllc.com		NO. DATE DESCRIPTION REVISIONS
A NEW BUILDING FOR: QUALITY IMPLEMENT CO. ARLEN, TEXAS		BY
LOOP 322		SITE LAYOUT PLOT SCALE: 1" = 30' JOB NO: 20200 DRAWN: CPM CHECKED: CPM DATE: 02-17-21
Sheet C1.0 of 22		Page 55 of 61

Permitted Uses in GC Zoning

RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 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

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)

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, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (automobile/small truck)
- P Retail Sales/Rental (indoor)
- P Retail Sales/Rental (outdoors, non-vehicle)
- C Retail Sales/Rental (trucks and other large vehicles and equipment)**

TRADE – WHOLESALE USES

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

subject property facing northeast

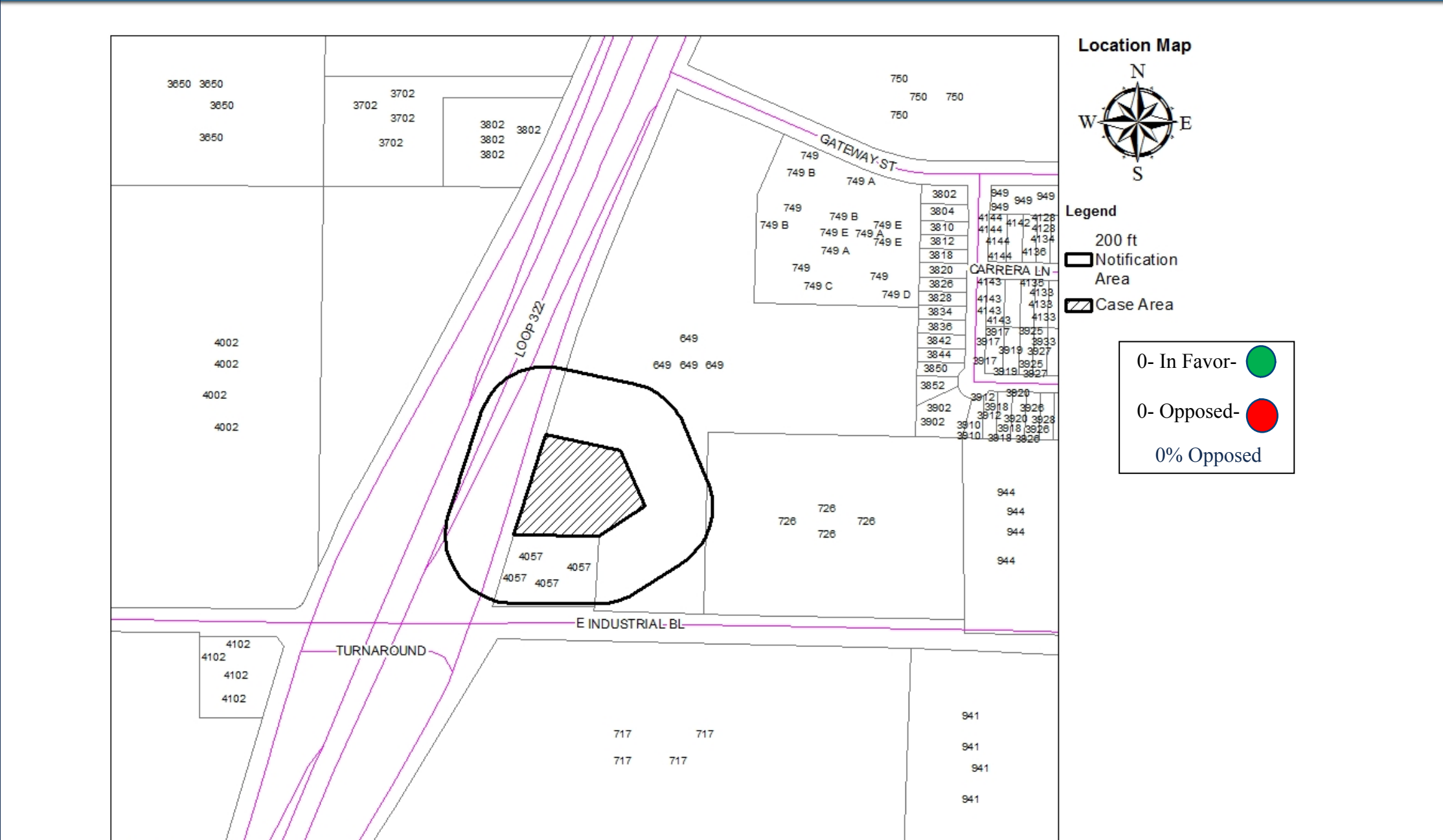


neighboring property to the south



- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 2.3.2.1)
- Reviewed Pursuant to Section 1.4.3.5 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

CUP-2020-03 NOTIFICATION AREA MAP



Questions?



June 2, 2020

TO: Planning and Zoning Commission

FROM: Mr. Mike Warrix, Director/Planning & Development Services

SUBJECT: Recent Council Actions

Below are recent decisions made by City Council on items recommended from the Commission:

CITY COUNCIL MEETING
May 14, 2020 at 8:30 AM

Item	Motion	Vote
Z-2020-06: A request from Eric Salazar to rezone property from an Agricultural Open Space (AO) to a Rural Residential (RR-1) District located in the 7100-7200 blocks (east side) of West Lake Road, approximately 1.5 miles north of F.M. 3034 in the Lake Fort Phantom Hill area of Abilene, Texas	Approved	7-0
Z-2020-07: A request from Vader Enterprises LLC, agent Sheldon Greene, to rezone property from a Heavy Industrial (HI) to a Heavy Commercial (HC) District at 4721 Hill Street in southern Abilene	Approved	7-0
Z-2020-01: A request from Prairie Song LLC, agent Nick Coates, to amend the terms of Planned Development (PD) District Number 144 by expanding its original 14.166 acres to include 0.5 acre of additional now-vacant land at 2660 Garfield Avenue, by changing allowed uses to include all those permissible within Residential Medium-Density (MD) zoning districts and by requiring all access to future development of this property to be from Garfield Avenue; Legal description being 12.004 acres out of T&P Railway Co. Section 84 (and located at least 140 feet north of Garfield Avenue) as well as Lots 4-5 in Block 10 and all of Block 11 in the Hillcrest Addition (on north side of 2600 block of Garfield Avenue)	Tabled to Meeting on May 28th	