



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 August 4, 2020 at 1:30 PM at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

INVOCATION

MINUTES

1. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on July 7, 2020.

ZONING

Public Hearing and Action on Zoning Cases

2. **Z-2020-10:** Receive a Report and Hold a Discussion and Public Hearing on a request from Sharon Riley, agent Enprotec/Hibbs and Todd, Inc., to amend existing Planned Development (PD) District Number 32 by removing from subparagraph (f) 1 and 2 the language stating “no other signs shall be allowed” from Lot 232 and allowing all signage allowed in General Retail (GR). Legal description Lot 232 of Planned Development 32, Humana West Addition, Abilene, Taylor County, Texas and located at 2050 Antilley Road.
3. **Z-2020-11:** Receive a Report and Hold a Discussion and Public Hearing on a request from Cade and Katie Browning to rezone property from Single Family Residential 12 (RS-12) to Single Family Residential 12/Historic Overlay (RS-12/HO) zoning located at 910 Highland Avenue. Legal description being all of Lot 5 in Block 20 of the Continuation to the Highland Addition, Abilene, Taylor County, Texas

AGENDA ITEM

4. Public hearing and possible vote to consider recommendation to City Manager regarding the 2020-2024 CIP.

DIRECTORS REPORT

There will be no votes or any formal actions taken on subjects presented during public comment. The public comment period will only allow members of the public to present ideas and information to city officials and staff.

5. 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 31st day of July, 2020, at 2:50 p.m.

Shawna Atkinson, City Secretary



Planning and Zoning Commission MINUTES

July 7, 2020 | 1:30 p.m. | Abilene, Texas City Hall – Council Chambers

Commissioners Present:

Mr. Fred Famble, Chairman
Rev. Iziar Lankford

Mr. Mitch Barnett
Ms. Alex Russell, Sergeant-at-Arms

Commissioners Absent:

Mr. Clint Rosenbaum, Pro Tem
Mr. Brad Benham

Mr. Bill Noonan, Secretary

Staff Present:

Mr. Michael Rice, Assistant City Manager
Mr. Mike Warrix, Director of Planning and Development Services
Mr. Zack Rainbow, Assistant Director of Planning and Development Services
Ms. Cheryl Sawyers, Planning Services Manager
Mr. Stanley Smith, City Attorney
Mr. Jared Smith, Planner II

CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:30 p.m. Melissa Farr noted the following commissioners present:

Present: 4 – Barnett, Russell, Lankford, Famble

INVOCATION

Reverend Lankford delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Reverend Lankford moved to approve the minutes for the Planning and Zoning Commission regular meeting of June 2, 2020. Ms. Russell seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Lankford, Famble

NAYS: None

PLATS

PP-3920: Preliminary plat of Wylie ISD Oldham Lane Subdivision, Abilene, Taylor County, Texas

FP-4020: A plat of Lot 1, Block A, Wylie ISD Oldham Lane Subdivision, Abilene, Taylor County, Texas

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

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

Reverend Lankford moved to approve the plats, and Mr. Famble seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Lankford, Famble

NAYS: None

ZONING

CUP-2020-04: Receive a Report and Hold a Discussion and Public Hearing on a request from AT&T, agent David Draper, for Conditional Use Permit to allow construction of a 75' tall monopole within General Retail (GR) zoning district; Legal Description being Block 103 of Westlawn Addition, Located at 3309 N. 10th Street, Abilene, Taylor County, Texas

Mr. Jared Smith presented this request. The applicant is requesting a Conditional Use Permit to allow a 75-foot tall Antenna Tower (monopole) to be located on the subject property.

Mr. Famble opened the public hearing. Mr. James Moran spoke neither in favor, nor in opposition. He simply inquired about the tower being for phone use only. Seeing no one else present and desiring to be heard, the public hearing was closed.

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

PLANNING STAFF RECOMMENDATION: Approval

Mr. Famble moved to approve this request. Reverend Lankford seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Lankford, Famble

NAYS: None

DIRECTOR'S REPORT

Mr. Warrix provided an update on the recent City Council decision regarding Z-2020-01, a request from Prairie Song LLC, agent Nick Coates, to amend the terms of Planned Development (PD) District Number 144. The motion failed at the City Council meeting on June 11, 2020.

ADJOURNMENT

There being no further discussion, Mr. Famble adjourned the meeting at 1:43 p.m.

APPROVED

Mr. Fred Famble, Chairman

ZONING CASE Z-2020-10

STAFF REPORT



REQUEST: Amend existing Planned Development District Number 32 (PD 32)

APPLICANT:

Owner: Sharon Riley

Agent: HC Zachry

HEARING DATES:

P & Z Commission: August 4, 2020

City Council 1st Reading: August 13, 2020

City Council 2nd Reading: August 27, 2020

LOCATION:

2050 Antilley Road

Legal description: Lot 232 of Humana West Addition

BACKGROUND:

A Planned Development (PD) District is a land development project comprehensively planned which permits flexibility in building siting, mixtures of housing types and land uses, usable open spaces, and the preservation of significant natural features.

Planned Development District 32 (PD 32) was approved in May of 1985. This Planned Development District (PD) is intended to provide a mixture of retail, office and medical care facilities. The Planned Development ordinance was amended by City Council in September of 1986 to modify sign regulations on lots 25-30 as identified on the originally provided site exhibit. This amendment limits all free standing signs constructed on lots 25-30 to 36 square feet in area with a maximum height of 12-feet. Furthermore, all other sign regulations prescribed by office zoning would apply and no other signs would be permitted. Since this time Lot 30 has been subdivided into four new lots which are respectively Lots 130, 131, 232, 233 of Humana West Addition.

PROPOSAL AND REQUESTED ACTION:

Lot 232 is the subject property of potential construction for an off-site advertising billboard. Such a billboard is not permitted due to the current restrictions of the Planned Development Ordinance, although the underlying zoning for this lot is General Retail (GR) which is a zoning district that ordinarily permits off-site advertising billboards. The applicant is requesting to amend the current PD ordinance to allow one off-site advertising billboard on Lot 232. This amendment shall provide an updated graphic concept plan which illustrates the re-platting of Lot 30 to accurately reflect the lots which currently exist within this PD.

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 subject property is located near the intersection of HWY 83-84 and Antilley Road. The Future Land Use and Development Plan Map considers this area to be a special activity center. The Comprehensive Plan states that special activity centers should provide unique services and uses to the local and regional economy, this particular special activity center serves as a medical hub for South Abilene and provide a mixture of both medical office and retail uses. It is customary for billboard advertising signs to be located near Interstate and major arterial interchanges such as this. These locations provide the greatest exposure for promotion of businesses throughout Abilene.

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

Abilene’s Land Development Code provides a list of roads which permit off-site advertising signs. Antilley road is included on this list of roads that allow billboards. The immediate area of the subject property is entirely commercial in nature; therefore installation of a billboard will not appear out of place or inconsistent with the surrounding land uses. Furthermore, the base zoning of the subject property within this PD is (GR), thereby permitting all uses ordinarily allowed within this zoning classification. Traditionally, off-site advertising signs are permitted within General Retail (GR) zoning.

	Zoning	Existing Land Use
North	PDD-32	Vacant
South	PDD-25	Medical Use
East	PDD-32	Medical Use
West	PDD-32	General Retail

(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 proposed change will not adversely affect existing utilities and will not be required to provide public improvements and services.

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

It is the opinion of staff that the proposed rezoning and potential uses would not negatively affect the public health, safety, morals, or general welfare of the City of Abilene.

STAFF COMMENTS:

Abilene’s Land Development Code identifies zoning districts which permit off-site advertising signs, General Retail (GR) zoning is one such zoning classification that is listed. The subject property falls within a Planned Development District with a base underlying zoning of General Retail (GR). Furthermore, Abilene’s Land Development Code provides a list of roads which permit off-site advertising signs, specifically “Type II” signs, Antilley Road is listed as an appropriate road to locate off-site advertising Type II signs. Type II signs can be defined as off-site advertising signs permitted along arterial and collector roads as identified in Abilene’s Thoroughfare Plan, Type II signs are permitted to have a maximum area of 378 square feet and maximum height of 35-feet. Lastly, the proposed location of this sign meets all separation requirements for off-site advertising signs as outlined in Section 4.2.8.9 in Abilene’s Land Development Code.

STAFF RECOMMENDATION:

Staff recommends approval

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission will consider this requested amendment, during a meeting scheduled for Tuesday, August 4, 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
ABILENE SOUTH REALTY LP	2015 HOSPITAL PL	
ABILENE SOUTH REALTY LP	2009 HOSPITAL PL	
ASMO PROPERTIES LLC	2074 ANTILLEY RD	Opposed
GFC LEASING CORP	24 HOSPITAL DR	
GFC LEASING CORP	1926 ANTILLEY RD	
HIT VENTURES LLC	1925 HOSPITAL PL	
PHYSICIAN RELIANCE INVEST	1957 ANTILLEY RD	
PROSPERITY BANK	2001 ANTILLEY RD	
RILEY SHARON		
RILEY SHARON	2050 ANTILLEY RD	
TENISON OIL CO	2005 HOSPITAL PL	In Favor
TENISON OIL CO	1963 HOSPITAL PL	

ATTACHMENTS:

- Application
- Site Plan Exhibit
- PowerPoint



Hoff's
Burgers

SUBWAY





Development Application

Planning

- | | | | |
|--|---|---|---|
| ☐ Conditional Use | ☐ Special Exceptions | ☐ Rezoning | ☐ Variance |
| ☒ PDD Amendment | ☐ Street Name Change | ☐ Thoroughfare Abandonment | ☐ Easement Release |
| ☐ Historic Certification of Appropriateness | ☐ Historic Project Tax Reduction | | |

Relief Procedures

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

Project Name: Sharon's Barbeque D.S. Jul Sign

Address: 2050 Antilley Rd No. of lots: 1 Acreage: _____

Legal Description: _____

Subdivision Name: Humana West Block: _____ Lot: 232

Current Zoning: PDD-32 Proposed Zoning (if applicable): ~~PDD-32~~ ~~Other~~

OWNER AND AUTHORIZATION

Owner Name: Sharon Riley

Address: P.O. Box 3877

City, State, Zip: Abilene, Tex 79604 Fax: _____

Phone: _____ Email: _____

Agent Name: EHT

Address: 402 Cedar

City, State, Zip: Abilene, Tex 79606 Fax: _____

Phone: 698-5560 Email: david.todd@e-hi.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 submission, 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: [Signature] Date: 6/4/20

FOR OFFICE USE ONLY

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

Case No.: _____ Reviewed By: _____

Remove from Subparagraph (f) 1 & 2 the wording "no other signs shall be allowed"

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 H.C. ZACHRY, my true and lawful attorney, for me in my name, place, and stead, to:

(1) File an application for (check all that apply):

- ☒ Zone Change,
- ☐ Plat,
- ☐ Thoroughfare Closure, or
- ☐ Appeal to the Board of Adjustment, and

(2) Appear on my behalf at all necessary meeting of the appropriate board, commission, or City Council, as the case may be.

The undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the Planning and Development Services Division for the City of Abilene, Texas.

Witness my hand this 22 day of JUNE, 2020

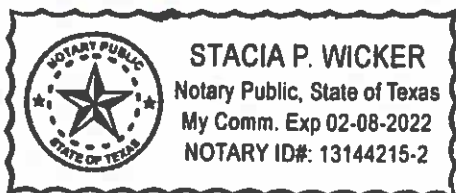
Sharon Riley
Owner

THE STATE OF TEXAS .

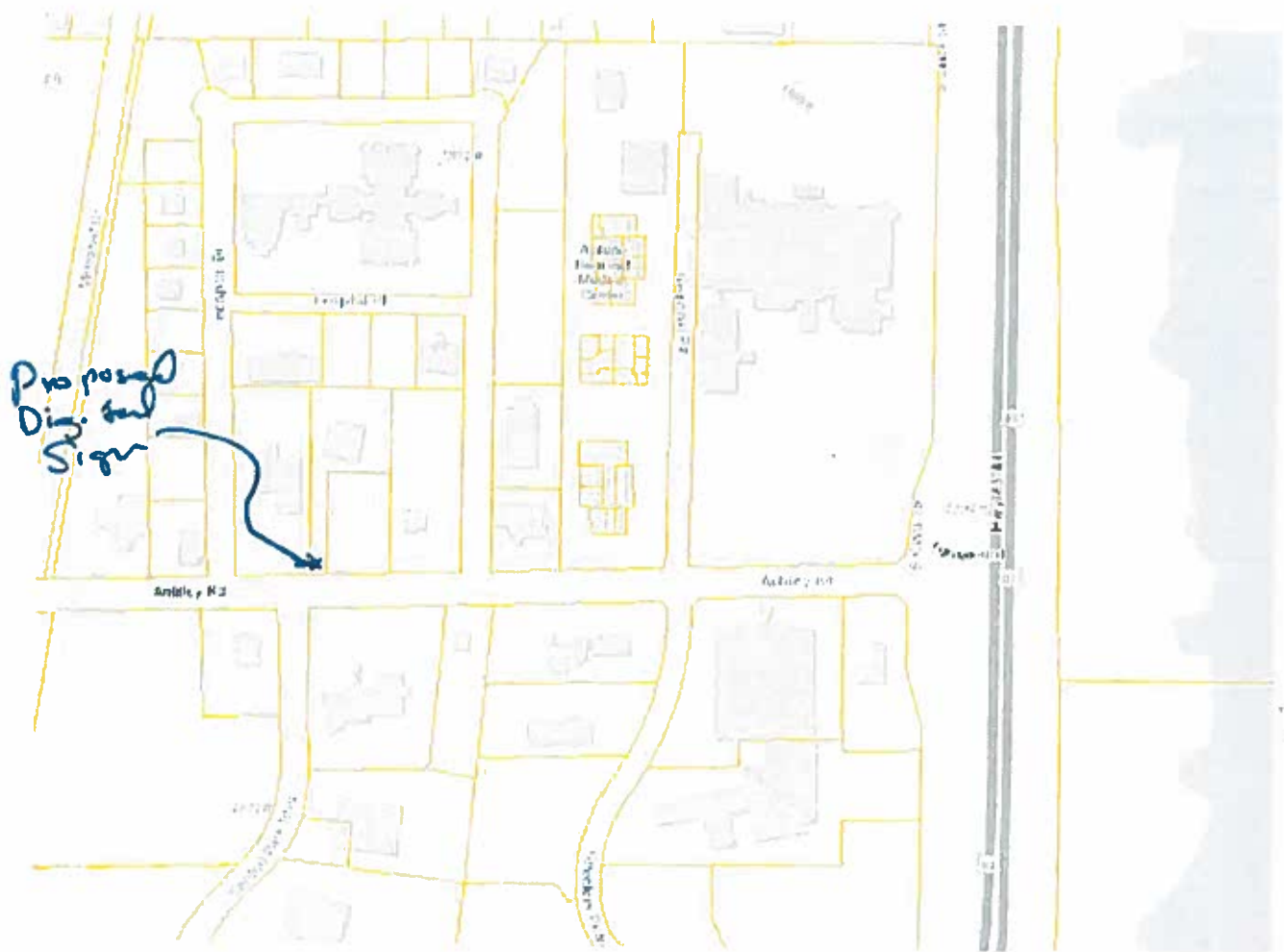
COUNTY OF TAYLOR .

BEFORE ME, the undersigned authority, on this date personally appeared Sharon Riley known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 22 day of June, 20 20.



Stacia P. Wicker
Notary Public, Taylor County, Texas



Zoning

ORDINANCE NO. 49-1985

613 0000 3-4

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING HUMANA WEST PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended; 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 One Thousand Dollars (\$1,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 9 day of May,
A.D. 19 85.

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 5 day of May, 19 85, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 23 day of May, 19 85, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 23 day of _____
May, A.D. 19 85.

ATTEST:

Patricia Patton
CITY SECRETARY

David Stubbeman
MAYOR

APPROVED:

Karen L. Anderson
CITY ATTORNEY

00133

Exhibit "A"

ORDINANCE NO. 49-1985

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

PART 2: Development Specifications. All development in the Planned Development District shall be in accordance with the maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development District and are hereby incorporated by reference and included as part of this ordinance. Site Plan (and vicinity map) is attached as Exhibit B.

Further, all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of this P.D.D. are hereby incorporated by reference and included as part of this ordinance. (Some of these documents may be attached as Exhibit C.)

All use and development within the Planned Development District must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

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

PART 4: Zoning. That Chapter 23, Subpart E, Abilene Municipal Code, known as the Zoning Ordinance of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From AO (Agricultural Open Space) District to PD MX (Planned Development Mixed Use) District.

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

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

Legal Description:

BEING all that certain lot, tract or parcel of land out of a 64.41 acre tract out of a 78.12 acre tract out of lot 4 out of Alfred & Mary Fasshauer Subdivision of Survey 10 and 12, Lunatic Asylum Lands, Abilene, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod, found, for the Northwest corner of said 64.41 acre tract, for the Northwest corner of this tract;

THENCE North 89 degrees 31 minutes 13 seconds East along the North line of said 64.41 acre tract a distance of 1061.62 feet to a 3/8" iron rod, found, for the Northeast corner of this tract;

THENCE South 0 degrees 06 minutes 03 seconds West a distance of 1349.61 feet to a 3/8" iron rod, set, on the North right-of-way of Antilley Road for the Southeast corner of this tract;

THENCE South 88 degrees 09 minutes 11 seconds West along said North right-of-way of Antilley Road a distance of 1018.82 feet to a 3/8" iron rod, found, for the Southwest corner of this tract

THENCE North 1 degree 42 minutes 22 seconds West along the West line of said 64.41 acre tract a distance of 1374.17 feet to the place of beginning containing 32.52 acres of land.

PART 6: Purpose. The purpose of the Humana West Planned Development district is to integrate development of facilities for retail, office, and medical care. District regulations described in the following Part 7 are designed to achieve the following:

- A. designate particular areas within the district for appropriate selected activities, and
- B. integrate the scale of building development in the district with less intensive residential use existing and anticipated to the west, as well as with relatively intensive commercial use existing and anticipated to the north and east.

PART 7: Specific Modifications.

- A. The following regulations shall govern the use and development of the Planned Development district, for each of the lots indicated on the site plan (attached as Exhibit B) and as set forth below:

- 1. Lots 1-20. Except as otherwise specified below, use and development of land shall be subject to regulations applicable to the Office (O) zoning classification.
 - a. Surgical centers shall be permitted as a right-of-use, rather than by special exception only.
 - b. Buildings shall be limited to two stories or 30 feet, whichever is greater, excluding architectural exceptions as generally allowed by Zoning Ordinance.
 - c. Building setbacks shall be a minimum of 30 feet from the bounding arterial street (Antilley Road) and 20 feet from other bounding street rights-of-way.
- 2. Lots 21-24. Except as otherwise specified below, use and development of land shall be subject to regulations applicable to the Limited Commercial (LC) zoning classification.
 - a. Surgical centers shall be permitted as a right-of-use, rather than by special exception only.
 - b. Building setbacks shall be a minimum of 30 feet from the bounding arterial street (Antilley Road) and 20 feet from other bounding street rights-of-way.
 - c. The number of business signs shall be restricted to just one (1) per business, no taller than 30 feet in height and no greater than 150 square feet in area.
- 3. Lots 25-30. Except as otherwise specified below, use and development of land shall be subject to regulations applicable to the Shopping Center (SC) zoning classification.
 - a. Hotel and motel facilities shall be permitted as a right-of-use.
 - b. Building height shall be limited to two stories or 30 feet, whichever is greater, excluding architectural exceptions as normally allowed by Zoning Ordinance.
 - c. Building setbacks shall be a minimum of 30 feet from the bounding arterial street (Antilley Road) and 20 feet from any other bounding street rights-of-way. Rear building setbacks shall be a minimum of 20 feet, and building setbacks from the (interior) side lot line shall be a minimum of 10 feet.

- d. Unless some specific use may be identified, for which parking demand may be more specifically measured, off-street parking spaces shall be provided as follows:

- (1) One space for each 222 square feet of gross retail area.
- (2) One space for each 300 square feet of gross office area.
- (3) One space for each motel or hotel unit.
- (4) For other activities, as specified within the Zoning Ordinance.

- e. Except as otherwise specified below, no more than one (1) business sign shall be permitted per business, and such sign shall be a wall sign no larger than 25 percent of the building wall area to which it is attached. Businesses have customer access and/or building frontage within 100 feet of adjacent street rights-of-way, may have two (2) such business signs mounted on walls of the building in which they are located. In addition to permitted wall signs, a hotel, motel or restaurant may have one (1) free-standing sign mounted on a pole, so long as such sign is no more than 150 square feet in area and extends to a height no more than 30 feet. Also, any shopping center(s) located on the lot shall have no more than one free-standing sign per street frontage, identifying the name of the overall shopping center development. Such signs shall be no more than 150 square feet in area and extend no more than 30 feet in height.

- f. For activities other than of a commercial nature, sign regulations pertinent to the Office (O) zoning classification shall be applicable.

- Lot 31. Except as otherwise specified below, use and development of land shall be subject to regulations applicable to the Medical Use (MU) zoning classification.

- a. Standard restaurant facilities shall be allowed to occupy up to 25% of the total floor area of an appropriate structure in which the restaurant is located.
- b. Buildings, or portions thereof, constructed on the western 100 feet of the lot shall be no greater than two stories or 30 feet, whichever is greater, excluding architectural exceptions normally allowed by Zoning Ordinance.
- c. Buildings, or portions thereof, constructed on the remainder of Lot 31, shall be no greater in height than 3 stories or 40 feet, whichever is greater, excluding architectural exceptions normally allowed by Zoning Ordinance.
- d. Building setbacks from all bounding street rights-of-way shall be a minimum of 20 feet.
- e. For any future lot resubdivided within Lot 31, the minimum (interior) side building setback shall be 10 feet.
- f. The minimum building setback from any rear lot boundary (not adjoining a street) shall be 10 feet.
- g. The Zoning Ordinance requirement for an additional one (1) foot of building setback, for every additional one foot of building height above 30 feet, shall not be applicable.
- h. Screening requirements associated with activities in the MU district shall be applicable only to power and/or heat generation facilities, refuse collection facilities, off-street loading spaces and open storage.

- B. Except as otherwise specified below, subdivision or resubdivision of any one or more lots represented on the site plan (attached as

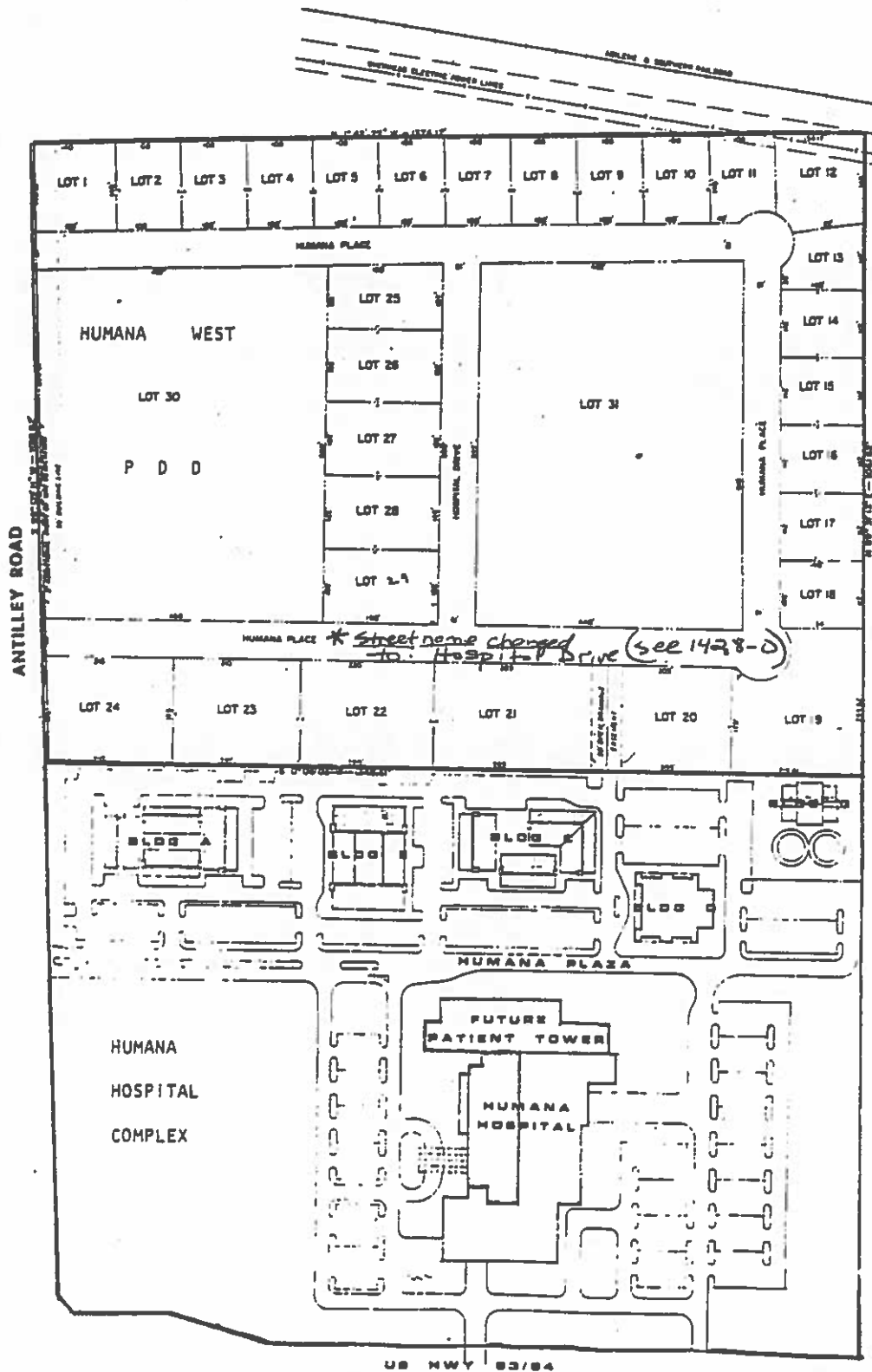
no longer applicable as it implies the old signs. See reg.

Lot 30

Exhibit B) shall be undertaken in conformance with Subdivision Regulations of the City of Abilene applicable at the time of resubdivision. Amendment of this Planned Development ordinance shall not be necessary for resubdivision; however, above-described regulations regarding use and development shall remain applicable to the lots represented on the attached site plan, unless such regulations are modified by amendment to this ordinance.

1. Provisions of Utility Placement Policy shall be modified to permit installation of electric, communication and gas utility lines (and all associated above-ground appurtenances) within any appropriately-designated easements located on private property.
2. Provisions of the Street Naming Policy shall be modified to permit one street name for a U-shaped street extended throughout the Humana West Planned Development district.

ORDINANCE NO. 49-1985
EXHIBIT "B"



Cur. Plan.

ORDINANCE NO. 77-1986

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 49-1985, CONCERNING THE HUMANIA WEST PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended by changing Ordinance No. 49-1985, 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 One Thousand Dollars (\$1,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 11 day of September, A.D. 19 86.

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 31 day of August, 19 86, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 25 day of September, 19 86, to permit the public to be heard prior to final consideration of this ordinance. Such ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 25 day of September, A.D. 19 86.

ATTEST:

Patricia Patton
CITY SECRETARY

David Stubbeman
MAYOR

APPROVED:

Harry Cayce
CITY ATTORNEY

00299

ORDINANCE NO. 77-1986

EXHIBIT "A"

1st amendment to Ordinance #49-1985

Amend Ordinance #49-1985, Part 7, Paragraph 3, subparagraph (f)

DELETE: subparagraph (f)

ADD: New subparagraph (f), to read as follows:

f. For all office-type uses as categorized by the Zoning Ordinance, including medical or dental clinics or offices, and those residential uses permitted in a Shopping Center district, either of the following standards for signs shall apply at the proponents option:

1. Business and/or Identification Sign: Freestanding, maximum thirty-six (36) square feet in area; maximum twelve (12) feet in height; located at least ten (10) feet from all property lines; one sign per use; illumination permitted. A nameplate or placard is allowed for each use and shall not exceed three (3) square feet in area and is to be wall-mounted.

~~All other sign regulation prescribed for Office-type uses shall furthermore apply and no other signs shall be allowed.~~

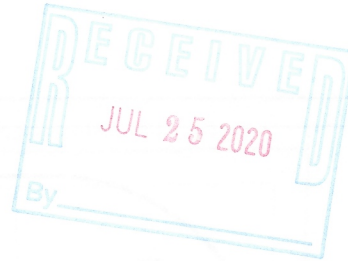
-or-

2. Business and/or Identification Sign: One wall sign no larger than 25% of the area of the wall upon which it is located; only one wall sign per use. A nameplate or placard is allowed for each use and shall not exceed three (3) square feet in area and is to be wall-mounted.

All other sign regulation prescribed for office-type uses shall furthermore apply, and no other signs shall be allowed. '



TENISON OIL CO
STE B101
209 S DANVILLE DR
ABILENE, TX 79605-1451



NOTICE OF PUBLIC HEARING

RE: Rezoning Application Number Z-2020-10

07/20/2020

The Planning and Zoning Commission will hold a public hearing on **Tuesday, August 4, 2020 at 1:30 PM**, in **City Council Chambers, 2nd Floor**, City Hall, N. 5th and Walnut Streets, to recommend approval or denial to City Council on a request from Sharon Riley, agent Enprotec/Hibbs and Todd, Inc., to amend existing Planned Development (PD) District Number 32 by removing from subparagraph (f) 1 and 2 the language stating "no other signs shall be allowed" from Lot 232 and allowing all signage allowed in General Retail (GR); Legal description being Lot 232 of Humana West Addition, Abilene, Taylor County, Texas and located at 2050 Antilley Road.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of the request. Only that area which is bounded by the cross-hatched line on the map is being considered for rezoning. The solid boundary line around the subject area is only a notification area. If approved by the Planning and Zoning Commission or if denied and appealed to Abilene's City Council within the specified ten-day period, this case will be heard by City Council for 2nd and Final Reading with a public hearing on **August 27, 2020, at 8:30 AM** in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Jared Smith, Planner II at (325) 676-6490 or jared.smith@abilenetx.gov

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2020-10

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: TENISON OIL CO
Address: 2005 HOSPITAL PL

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☒
Additional Comments:

I am opposed ☐

Signature: 

July 28, 2020

City of Abilene
Planning and Zoning Commission

RE: Rezoning Application Number Z-2020-10

Dear Planning and Zoning Commission,

I am writing in response to rezoning Application Number Z-2020-10, concerning lot number 232 of Humana West Addition located at 2050 Antilley Road. that asks for a change in language to allow further signage.

The owners respectfully ask for no language change to the current Planned Development on this parcel not because we are anti-growth but because we are enthusiastic supporters of smart, planned urban development. Our most compelling reasons include:

- The request is based exclusively upon a desire to make more money out of the property as we have been made aware of the development plans to place a large, obnoxious sign in the said area.
- The particular physical surroundings do not support the need of such as sign in that particular location, especially that it will detract from our current office at 2074 Antilley and will obstruct our planned sign addition at the corner of 2074 Antilley.
- Another visual distraction will exacerbate current traffic congestion that may result in more accidents, injuries, or fatalities. This might be alleviated by a new traffic signal at the intersection which should be considered by the City of Abilene.
- It is a neighborly consideration to give equal air space to everyone in the area.

In as such, we **oppose** the said variance/language change and rezoning request. We respectfully ask for the Planning and Zoning Commission to deny this application.

Regards,



Bryan R. Vela
Administrator
ASMO Properties
2074 Antilley Road
Abilene, Texas 79606

CASE #: Z-2020-10

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: ASMO PROPERTIES LLC
Address: 2074 ANTILLEY RD

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

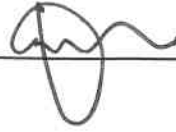
Email: planning@abilenetx.gov

I am in favor ☐

I am opposed ☒

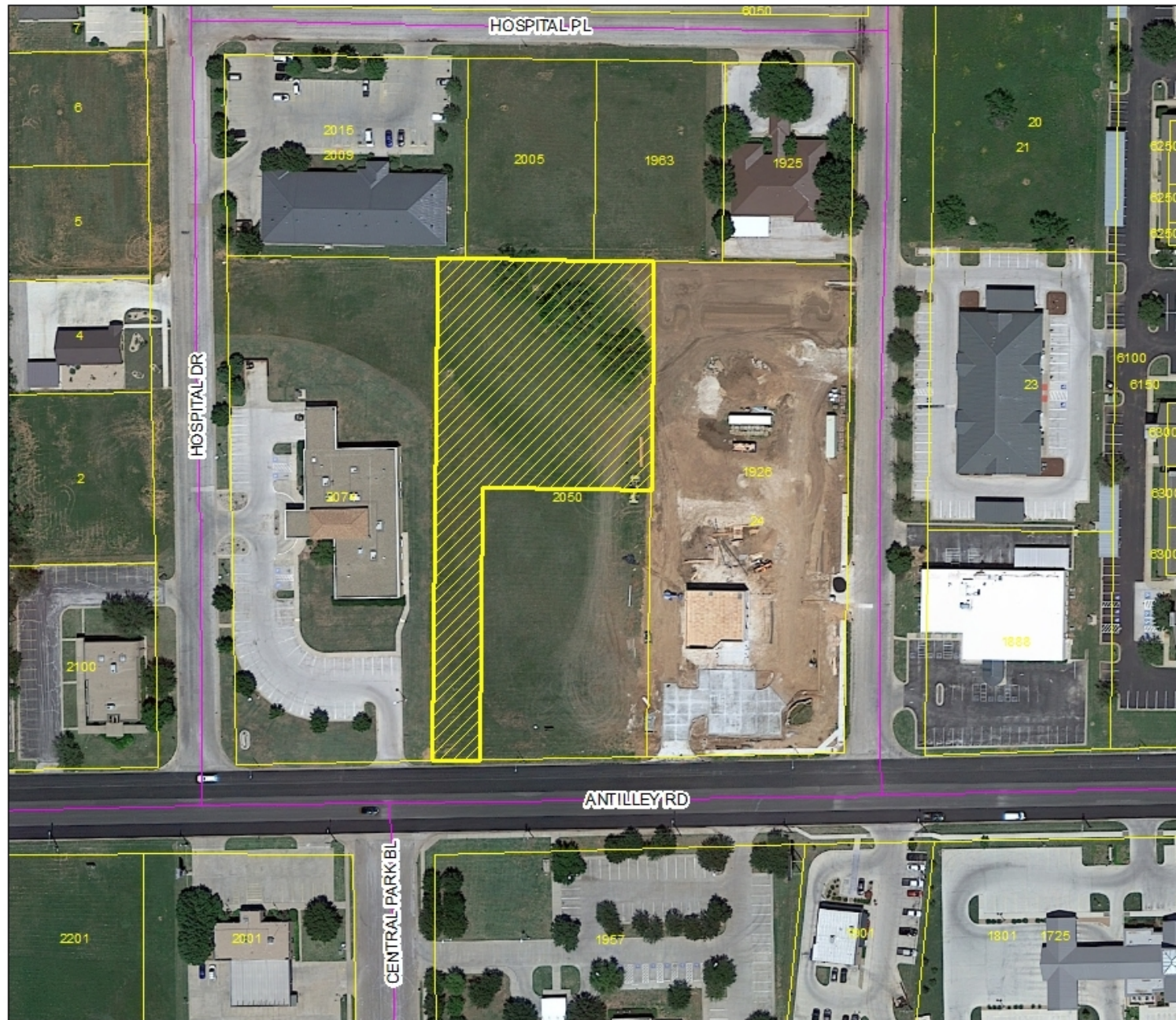
Additional Comments:

Signature: _____

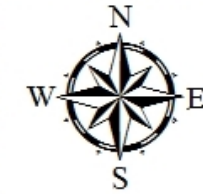
A handwritten signature in black ink, consisting of a stylized 'A' followed by a wavy line, is written over a horizontal line.

Case: Z-2020-10
Owner: Sharon Riley
Agent: HC Zachry
Request: Amend existing Planned Development District
Number 32 (PD 32)
Location: 2050 Antilley Road
Notification: 1 in Favor, 1 Opposed
Planning & Zoning: August 4, 2020
City Council Hearing: August 13, 2020
August 27, 2020

Z-2020-10 AERIAL LOCATION MAP



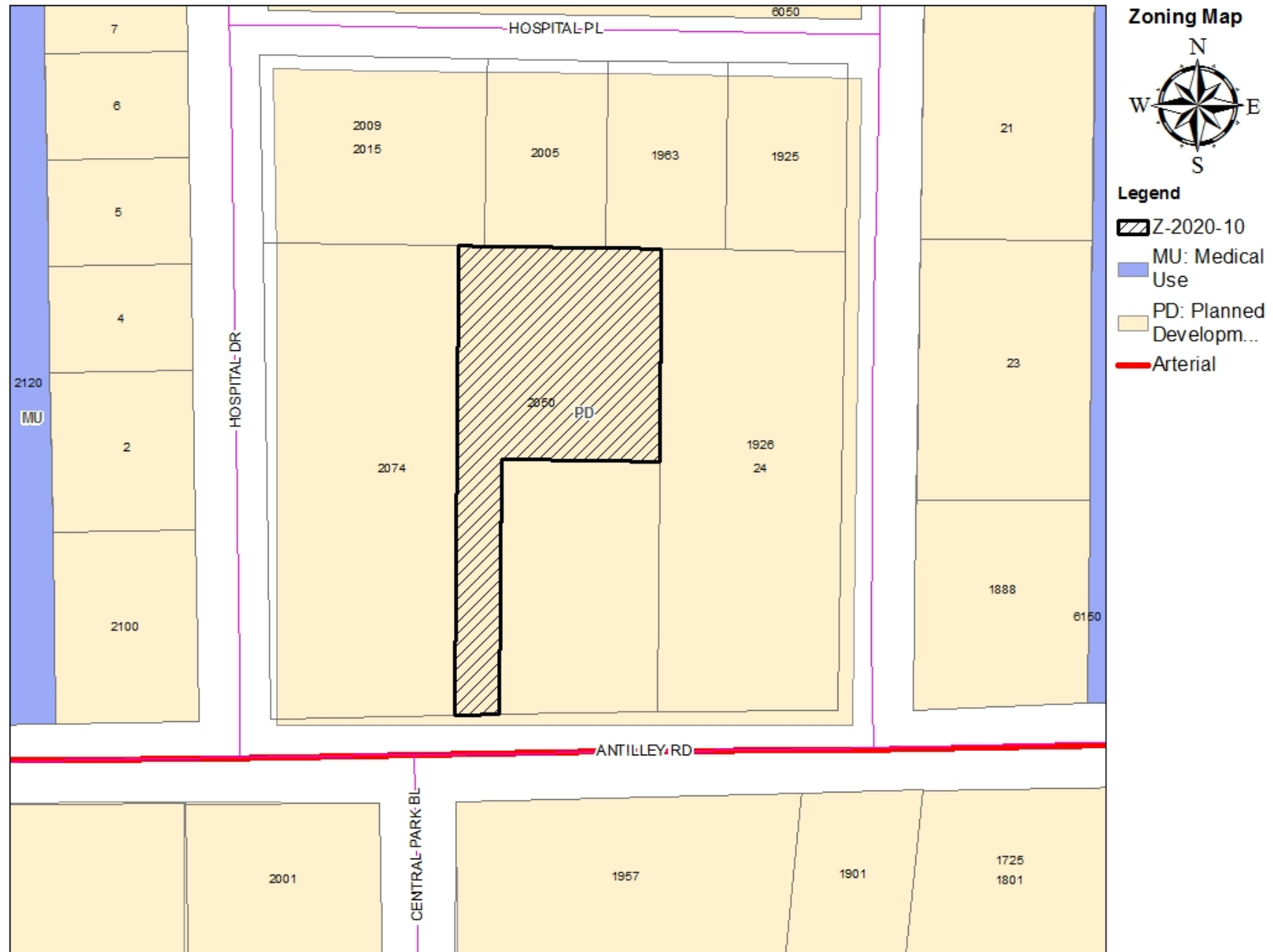
Location Map

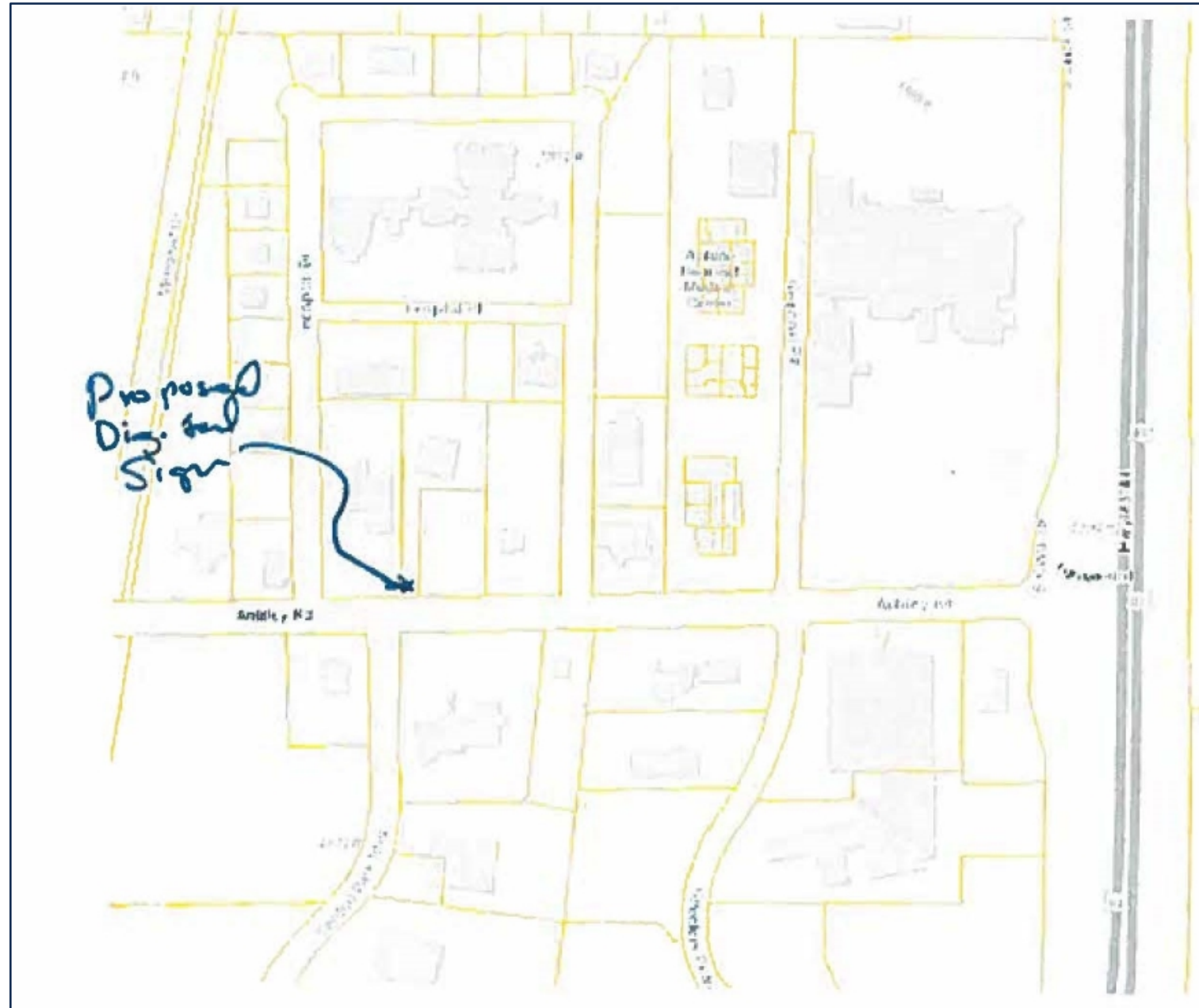


Legend

 Z-2020-10

Z-2020-10 ZONING MAP







Subject Property



Neighboring property to the East



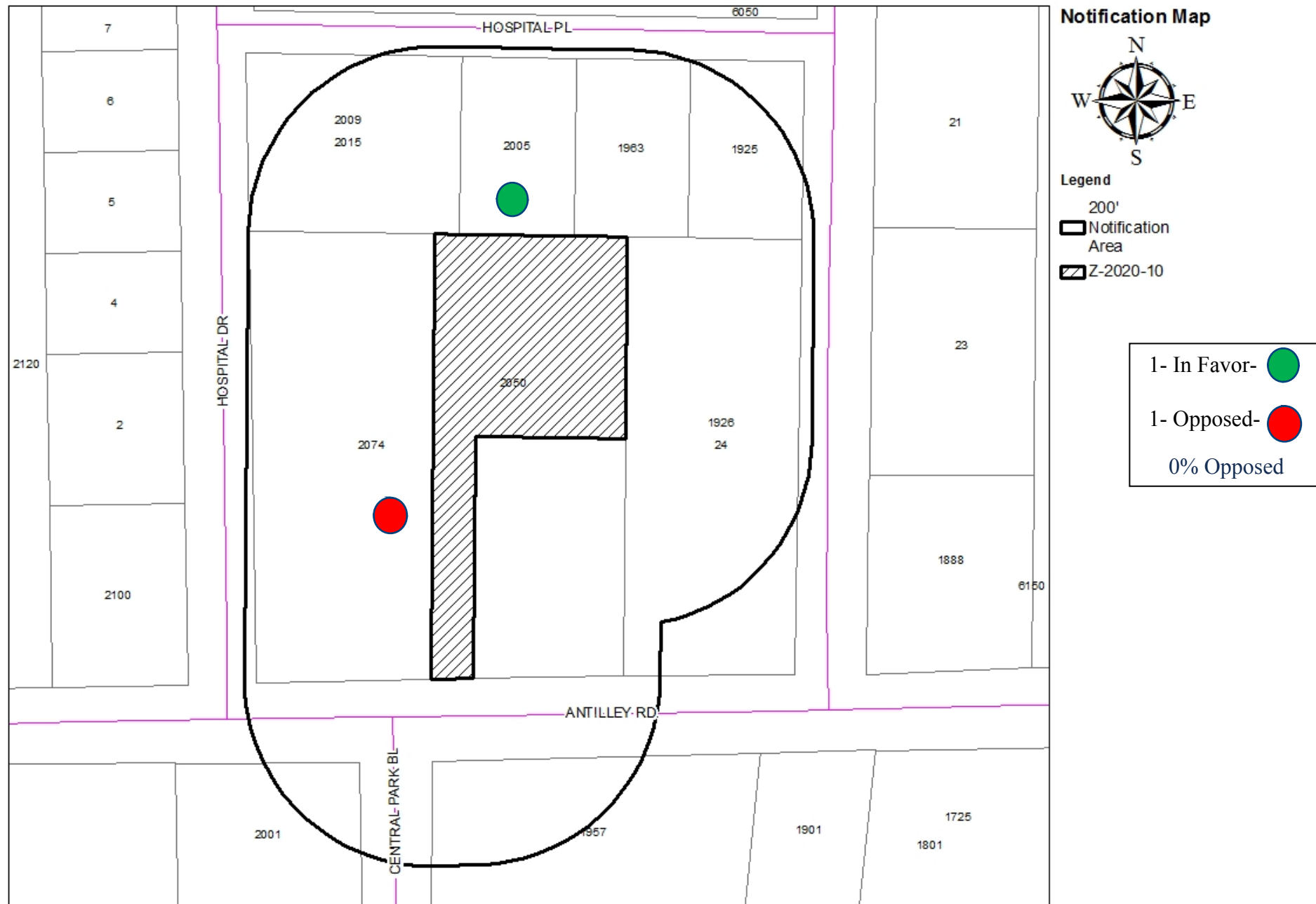
Neighboring property to the West



Property South of Antilley Rd.



Z-2020-10 NOTIFICATION AREA MAP



- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Consistent with General Land Use and Zoning Character of Immediate Area (Section 2.3.3.5)
- Reviewed Pursuant to Section 1.4.3.5 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval

Questions?

Historic Overlay District

CASE Z-2020-11

STAFF REPORT



REQUEST: Historic Overlay Zoning

APPLICANT:

Owner: Cade & Katie Browning

HEARING DATES:

Landmarks Commission: June 23, 2020

P & Z Commission: August 4, 2020

City Council 1st Reading: August 13, 2020

City Council 2nd Reading: August 27, 2020

LOCATION:

910 Highland Avenue, at the southwest corner of South 9th Street and Highland Avenue. Legal Description being all of Lot 5 in Block 20 of the Continuation to the Highland Addition to the City of Abilene, Taylor County Texas.

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting to add Historic Overlay District Zoning to the subject property. The subject property is zone RS-12. If approved, this would result in RS-12/HO zoning form the subject property.

The William J. Fulwiler house, built in 1925, is one of the few landmarks here in Abilene that represents Italian Renaissance architecture. As Abilene's premier example of this type of architecture, this residence exhibits rich ornamentation and classically inspired detailing that distinguishes the building from others in the neighborhood. The symmetrical façade, round arched first floor openings, and broken pediment are typical of Italian Renaissance. The building is also associated with historical context in "The Railroad and Abilene's Development into a Wholesale and Distribution Center in West, Texas 1881 – 1939;" a historical resource published with the National Park Service. The book cites the involvement of the original owner, William J. Fulwiler. Mr. Fulwiler was the owner of Fulwiler Motors Company, Manager of Fulwiler Electric Company, and involved in several investments such as McMurry University, Camp Barkley, and the original Hilton Hotel, now known as the Windsor Hotel.

This structure has been accepted into the National Park Service National Register of Historic Places on November 26, 2018 and placed on the Texas Historical Commission list of Historic Structures on December 9, 2019.

APPLICATION REVIEW:

According to Section 2.3.4.4 (c), Criteria for Designation, of the City of Abilene's Land Development Code (LDC), Historic Overlay Districts shall be established only if principal districts, conservation districts, area, sites, structures, buildings, properties, or objects within the boundaries of a proposed zone exhibit any one or more of the following characteristics:

- (1) Possesses significance with respect to history, culture, architecture, archeology, paleontology, or as a natural site with a demonstrable cultural association;**
- (2) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, national, or international history;**

- (3) Embodies characteristics distinct to a type, period, or method of construction or architecture,
- (4) Is associated with the lives of persons significant in local, regional, state, national, or international history;
- (5) Represents a distinctive and familiar visual feature of a neighborhood or of the city;
- (6) Represents the works of a master designer, architect, builder, or craftsman.

It is the opinion of staff that the subject property meets more than one of the criteria stated in Section 2.3.4.4.

According to Section 1.4.1.4, Criteria for Approval, 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 designate this area as “Low Density Residential.” The neighborhood has been in the city limits since at least 1922 with multiple historic properties in the area, some of which located to the west at Sayles Boulevard and 9th Street.

- (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 historic designation permitted by the proposed zone change would be appropriate in the immediate area. There are six (6) properties with Historic Overlay (HO) zoning approximately 175 to 400 feet from the applicant.

	<u>Zoning</u>	<u>Existing Land Use</u>
North	RS-12	Residential Uses
South	RS-12	Residential Uses
East	RS-12	Residential Uses
West	RS-6	Residential Uses

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

This proposed zoning request should 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.

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

It is the opinion of staff that 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).

LANDMARKS COMMISSION RECOMMENDATION:

On June 23, 2020, the Landmarks Commission recommended approval based on the criteria for designation contained in Section 2.3.4.4 (c).

STAFF RECOMMENDATION:

Staff recommends approval of the request. The rezoning request was reviewed pursuant to Sections 2.3.4.4 (Criteria for Designation) and 1.4.1.4 (Criteria for Approval).

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On August 4, 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
ARRANT LUCIA	2309 S 10TH ST	
ARRANT LUCIA	1002 SANTOS ST	
BOYLES JOHN H & LAUREN	889 SANTOS ST	
BRINKMAN SAMUEL & LORA	2201 S 10TH ST	
BROWNING CADE W &	910 HIGHLAND AV	
BUIE BRENDA SUE	918 SANTOS ST	
CAPRA TWIG HANNAH NICOLE	917 GRAND AV	
CAUDLE MATTHEW R & NICOLE C	890 SANTOS ST	
CHALMERS MARILYN TULL	898 SAYLES BL	
COLLIER PATRICIA W	902 SANTOS ST	
CORLEY RICKY E & CINDY	902 SAYLES BL	
COX CONALD W & JANIE	881 HIGHLAND AV	
CREEL JAMES FRED JR &	886 HIGHLAND AV	
GALLOWAY PATRICIA KAY	917 HIGHLAND AV	
KEEBLE WILLIAM R III & DIANE	877 SANTOS ST	
KNIGHT KELLY D	901 GRAND AV	
LEE NORMAN L	920 SAYLES BL	
LONDON NICOLE J	926 SANTOS ST	
MARTIN HOWARD L &	901 HIGHLAND AV	
MUMME JUNE LEISHMAN	897 HIGHLAND AV	
MYSTUFF LLC	888 HIGHLAND AV	
NALL JOHNNIE L	881 SANTOS ST	
NEAL MARK H & MARJORIE J	933 GRAND AV	
PASSEL CHARLOTTE	909 GRAND AV	
RECTOR TIEL & RECTOR KETRIN	942 SANTOS ST	
ROBERTSON LARRY D & CHRISTY A	2143 S 10TH ST	
SHAW RONALD L &	880 HIGHLAND AV	
THOMAS KITTY BENTLEY	2243 S 10TH ST	
WEAVER CHRISTOPHER H	940 SAYLES BL	
WIGGINS ROBERT E & HELEN S	2210 S 10TH ST	
WINTERS DAN BARRY	2142 S 10TH ST	
WOODS JUSTIN M	941 GRAND AV	

ATTACHMENTS:

- Application
- Zoning Map
- Aerial map
- Copies of original plat with subdivision notes
- 1987 subdivision survey
- Formal letter from United States Department of Interior Standards
- Certificate of eligibility from Texas Historical Commission
- Photographs of Property and Building



Landmarks Application

Planning

☐ Historic Certification of Appropriateness

☒ ~~Historic Project Tax Reduction~~

☒ ^{AIN} Historic Overlay Zoning

Project Name: Fulwiler House

Address: 910 Highland No. of lots: _____ Acreage: 1.2351

Legal Description: HIGHLAND ADDN CONT 1, BLOCK 20, LOT 5

Subdivision Name: Highland Block: 20 Lot: 5

Current Zoning: _____ Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Cade and Katie Browning

Address: PO Box 1600

City, State, Zip: Abilene, Texas 79604 Fax: 325-437-1799

Phone: 325-437-3737 Email: cade@browningfirm.com

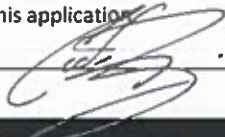
Agent Name (if applicable): _____

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:  Date: 5.11.20

FOR OFFICE USE ONLY

Received: _____

Fee: \$ _____

Receipt No.: _____

Case No.: _____

Reviewed By: _____

Staff may request additional information to be submitted with the application or prior to the Landmarks Commission meeting. Staff will provide assistance in determining which of the following information is needed:

1. A current description of and/or photograph(s) of the existing structure.
2. Sketches, plans, elevations, and/or specifications of the proposed work to be done.
3. Historic photographs (if available) that the proposed work is based on.
4. Sample of material(s) and colors to be used. A product brochure may be sufficient.

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

Date _____

For Office Use Only

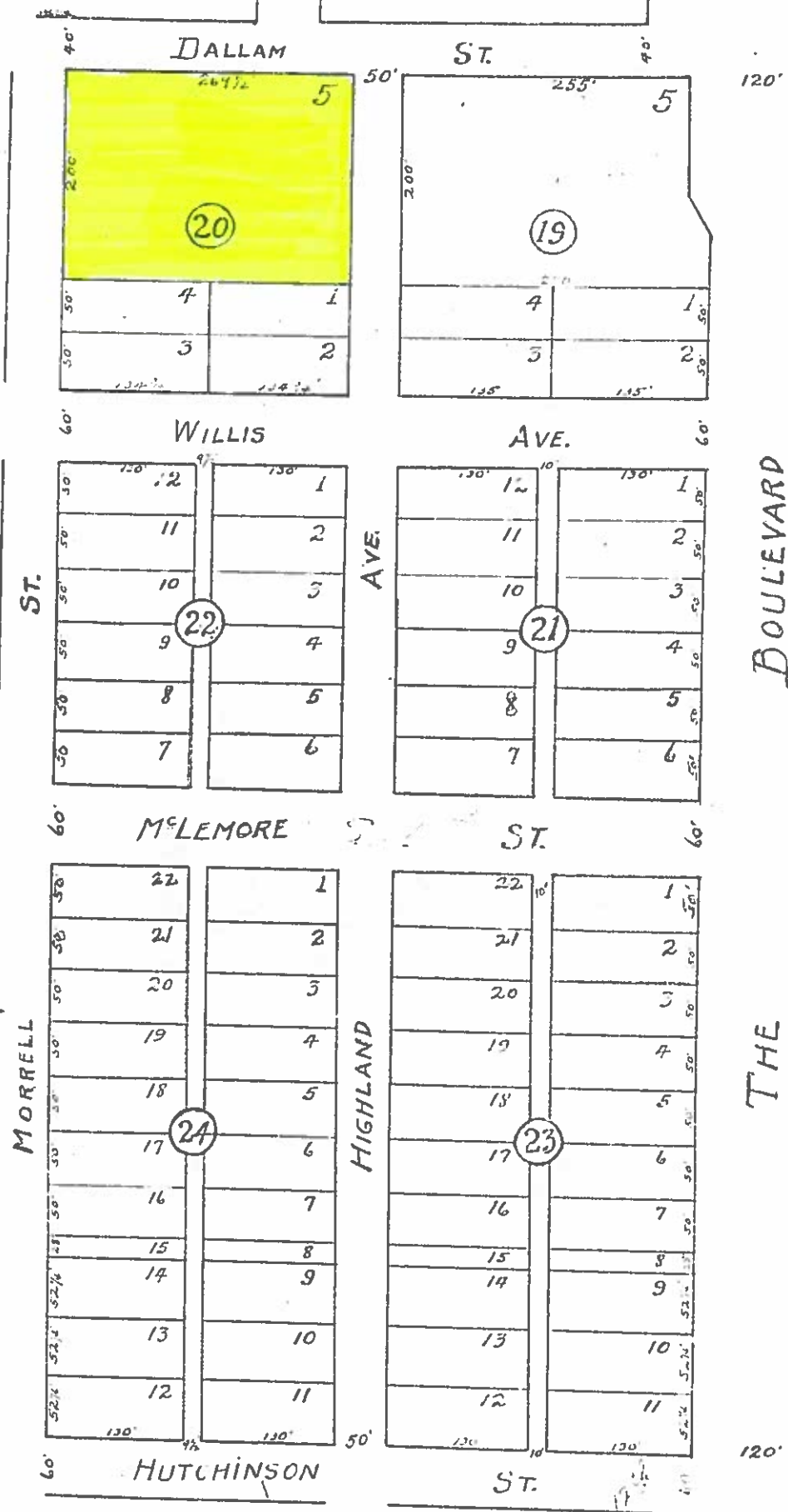
☐ Approved

☐ Approved with Conditions

☐ Denied

, Landmarks Commission, Chair	Date
-------------------------------	------

, Historic Preservation Officer Date



Noted M. Sayles by his
 duly authorized agent
 and attorney in fact
 Henry Sayles Jr.
 Henry Sayles Jr.
 Ed. S. Hughes
 H. H. Suggett
 H. C. Fairbank

The above endorsement
 was on back of original
 map — Clerk

THE CONTINUATION TO
 THE HIGHLANDS ADDITION
 TO THE CITY OF ABILENE, TAYLOR COUNTY, TEX.

THE STATE OF TEXAS.)
COUNTY OF TAYLOR)

Dedication of streets and alleyways for the use and benefit of adjoining property owners and the public, and subdivision into lots and blocks, to be known as *The Continuation to The Highlands Addition to the City of Abilene, Taylor County, Texas, of a part of Block Number Thirteen. (lying west of Meander Street) of the Subdivision of Benjamin Austin Survey N° 91, Taylor County, Texas, and bounded by Dallam, Morrell, and Hutchinson Streets, and the Sayles Boulevard.*

Abilene, Texas, February 8th 1922.

Mathe M. Sayles,
by her duly authorized
agent and attorney in
fact Henry Sayles, Jr.

Henry Sayles, Jr.
K. K. Legett
W. J. Fulwiler
Ed S. Hughes

THE STATE OF TEXAS.)
COUNTY OF TAYLOR.)

Before me, the undersigned authority, a Notary Public in and for said State and County, on this day personally appeared Henry Sayles Jr., K. K. Legett, and W. J. Fulwiler, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and the said Sayles in the capacities therein stated

Given under my hand and seal of office this 8th day of February, 1922.

(seal)

E. D. Sayles,
Notary Public, Taylor County, Texas.

THE STATE OF NEW YORK,)
COUNTY OF NEW YORK.)

Before me, the undersigned authority, a Notary Public in and for said State and County, on this day personally appeared Ed S. Hughes, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 18th day of February, 1922.

(seal)

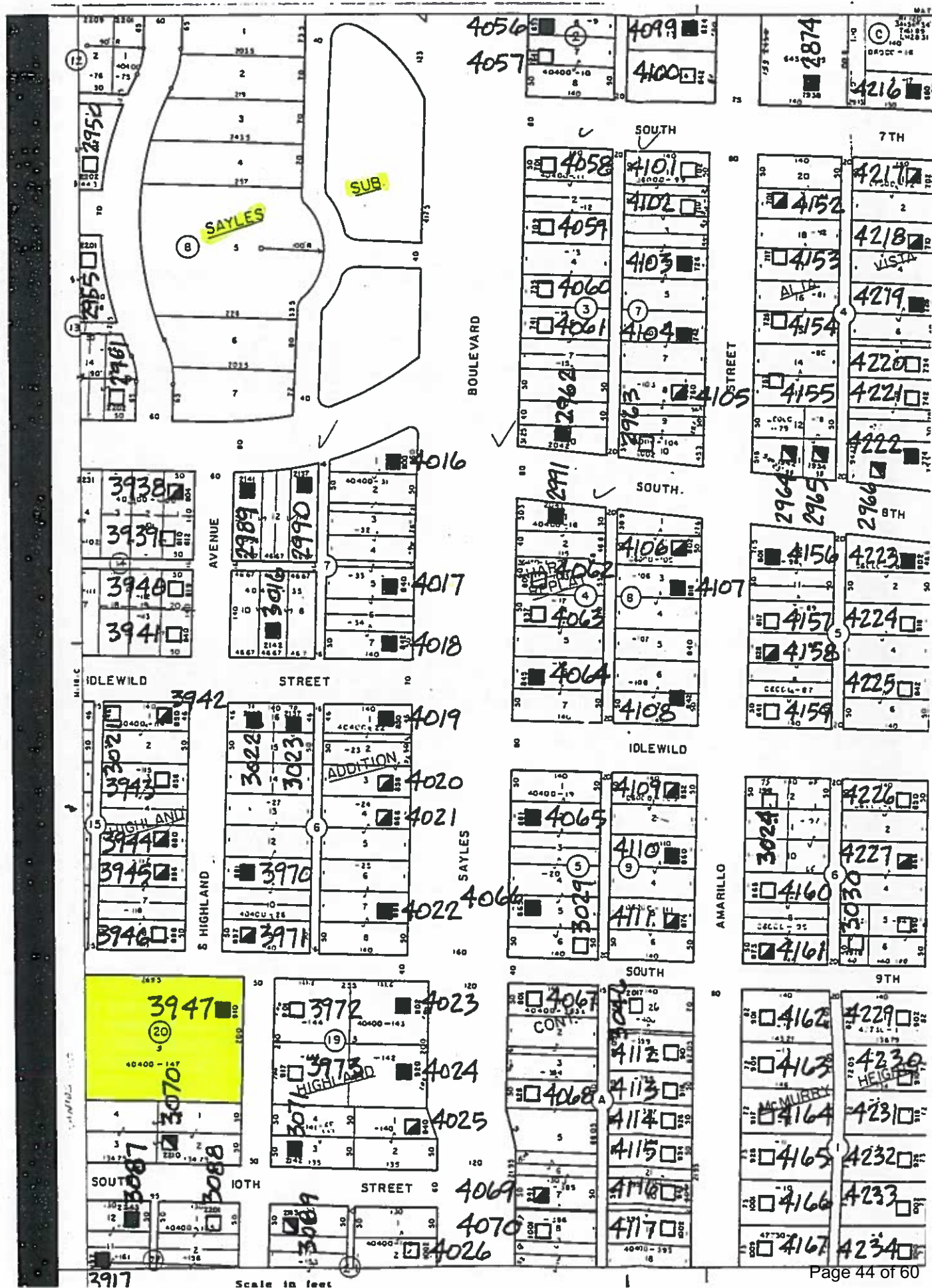
Earle W. Lytle
Notary Public, New York County, New York.
N. Y. Co. Clerk NE 463
N. Y. Registers N° 3370A
Commission expires March 30, 1928.

FILED FOR RECORD FEB. 23, 1922, AT 11⁴⁰ A.M.

RECORDED MARCH 3, 1922 AT 10 A.M.

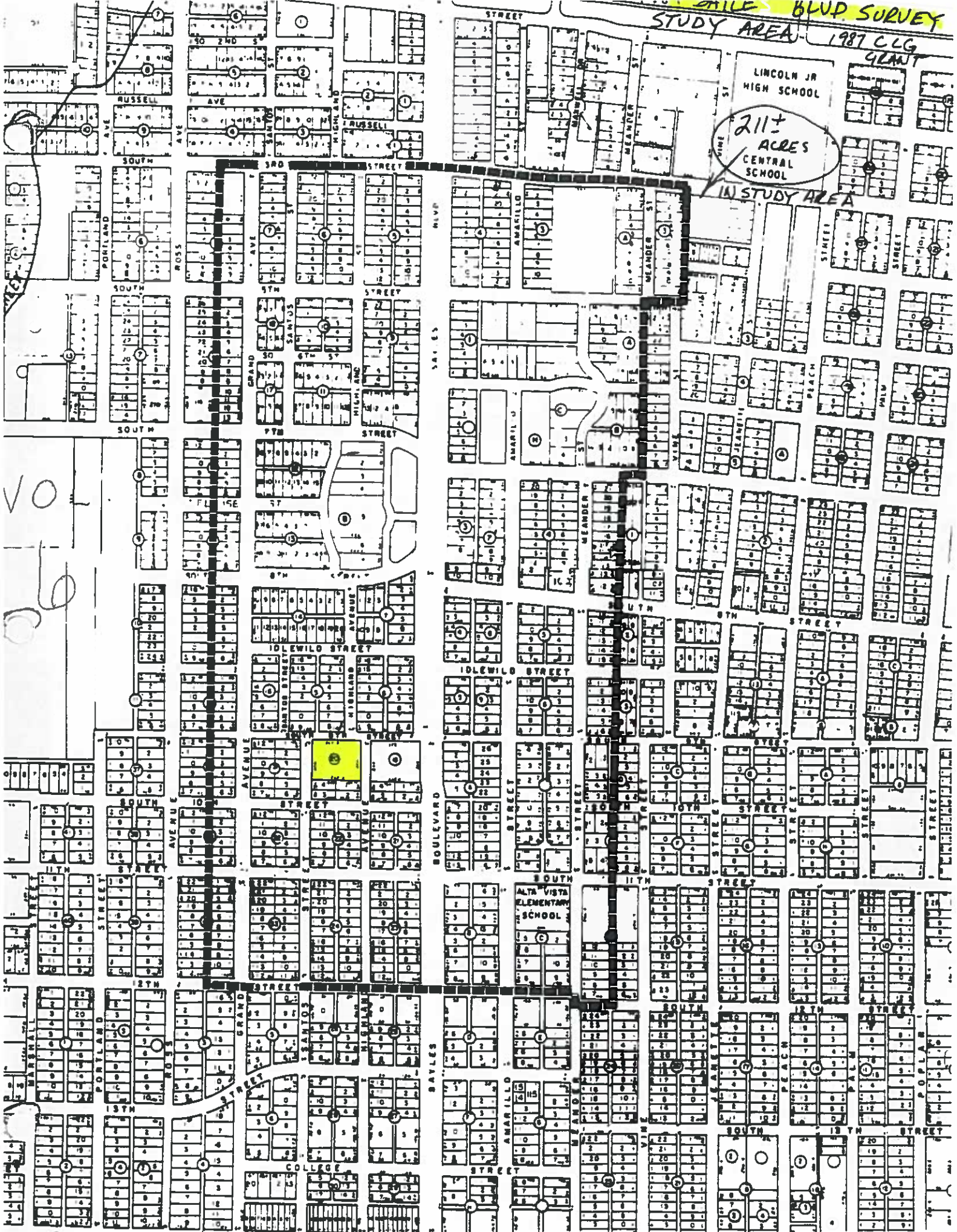
W. E. BEASLEY, COUNTY CLERK,
TAYLOR COUNTY, TEXAS.

File #2505



LINCOLN JR
HIGH SCHOOL

211+
ACRES
CENTRAL
SCHOOL
IN STUDY AREA





75. 910 HIGHLAND AVENUE • FULWILER-SHOULTZ HOUSE
• Built 1925

This is one of Abilene's few landmark examples of Italian Renaissance and/or Colonial Revival styles of architecture.

This home was built by W.J. Fulwiler, owner of Fulwiler Motors Company (Lincoln-Ford) and manager of Fulwiler Electric Company.



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

December 10, 2018

Mr. Cade Browning
802 Mulberry
Abilene, TX 79601-4008

PROPERTY: **Fulwiler House, 910 Highland, Abilene, TX**
PROJECT NUMBER: **39543**

Application: **Part 1**
Action: **Approval**

Dear Mr. Browning:

The National Park Service (NPS) has reviewed the Historic Preservation Certification Application -- Part 1 for the property cited above, and has determined that the property appears to meet the National Register Criteria for Evaluation and will likely be listed in the National Register of Historic Places if nominated by the State Historic Preservation Officer.

Because the property contains more than one building, and those buildings were functionally related historically to serve an overall purpose, program regulations require NPS to determine which of the buildings contribute to the significance of the historic property, and therefore will be "certified historic structures" when the property is listed.

Based on the documentation presented, the following buildings appear to contribute to the significance of the property:

- House
- Garage

This determination is preliminary only. These buildings will become "certified historic structures" only when the property is listed in the National Register of Historic Places.

The documentation also indicates that the following building does not contribute to the significance of the property:

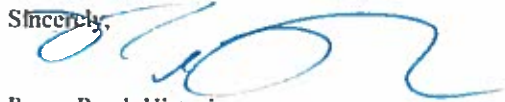
- Pool house

This building is not a "certified historic structures" for purposes of rehabilitation

Federal regulations also require NPS to review the rehabilitation work as a single overall project, and to issue rehabilitation certification on the merits of the overall project rather than for each structure. Consequently, your Part 2 of the application, the Description of Rehabilitation, must describe all proposed work on the property, although the 20% investment tax credit is based only on costs for the rehabilitation of "certified historic structures"

A copy of this decision will be forwarded to the Internal Revenue Service. If you have any questions regarding the review of your Part 1 application, please contact the State Historic Preservation Office or me at 202-354-2278.

Sincerely,


Roger Reed, Historian
National Register of Historic Places

cc: IRS
TX SHPO

TEXAS HISTORICAL COMMISSION

real places telling real stories

December 6, 2018

Katie and Cade Browning
P.O. Box 1600
Abilene, Texas 79604

Re: William J. Fulwiler House
910 Highland Street
Abilene, Taylor County, Texas
November 26, 2018

Dear Mr. & Mrs. Browning:

Congratulations! The National Park Service listed your property in the National Register of Historic Places on the date referenced above. As the nation's official list of historically significant properties, National Register listing denotes that your property is especially worthy of preservation. Your property joins some 3183 properties in Texas with this designation.

Various historic preservation programs may be available to aid in the preservation of your property, including investment tax credits for certain income producing properties. Although funding is limited, grants may also be available to aid in the further preservation of your property. For more information regarding grant programs, contact the THC's Division of Architecture at 512/463-6094.

Thank you for all your efforts to recognize this historic property. Your continued interest in the preservation of Texas' heritage is greatly appreciated.

Sincerely,



Mark Wolfe
State Historic Preservation Officer

Enclosures



Summarize supplementary or amended information. Attach additional pages if necessary.

The basement was also restored. There was a non-working steam boiler and various unneeded and outdated pipes in the basement, making it non-usable. The steam boiler and unneeded pipes were removed, the floors redone, the cabinetry painted, walls patched and painted, and butcher block counter-tops installed. The basement is now a usable inviting game room for guests, complete with historic refrigerator. Before and after photographs are attached.

TIC Official Use Only

The Texas Historical Commission has reviewed the Historic Preservation Tax Credit Application: Amendment for the above-named property and has determined that:

- ☒ The proposed rehabilitation work described in the amendment is consistent with the character of the property and, where applicable, with the district in which it is located, and meets the *Secretary of the Interior's Standards for Rehabilitation*. This letter is a preliminary determination only, since a formal certification of rehabilitation can be issued to the owner(s) of a certified historic structure only after rehabilitation work is complete and found to conform to the description provided in the application.
- ☐ The proposed rehabilitation work described in the amendment will meet the *Secretary of the Interior's Standards for Rehabilitation* if the attached conditions are met.
- ☐ The proposed rehabilitation work described in the amendment is not consistent with the historic character of the property or the district in which its located, and does not meet the *Secretary of the Interior's Standards for Rehabilitation*.

Bill M. Mann, LSHPE
Texas Historical Commission Authorized Signature

2.28.2020
Date

TEXAS HISTORICAL COMMISSION
real places telling real stories

February 27, 2020

Cade Browning
P.O. Box 1600
Abilene, TX 79604

PROPERTY: Fulwiler House, Abilene, Taylor County
PROJECT NUMBER: THPTC-0438-19-014
APPLICATION: Part C and Dec. 18, 2019 Amendment
DECISION: Approved

Dear Mr. Browning,

The Texas Historical Commission has reviewed your Part C: Request for Certification of Completed Work as well as your Amendment submitted December 18, 2019 for the above-named property, and this letter represents the official determination of the Executive Director of the Texas Historical Commission. This project correlates with corresponding federal tax credit project #39543, which was certified by the National Park Service on February 18, 2020. As such, the rehabilitation of the above property, as shown in the submitted documentation, meets the Secretary of the Interior's Standards for Rehabilitation and is a certified rehabilitation under the THPTC program.

Enclosed is the Certificate of Eligibility for your project, confirming that this property is a certified historic structure, and that this project is a certified rehabilitation for the purposes of the Texas Historic Preservation Tax Credit program. Note that this certificate alone does not entitle the holder to a franchise tax credit. Further steps must be taken to establish credit with the Texas Comptroller of Public Accounts. Information and necessary forms are available online at: <https://comptroller.texas.gov/taxes/historic-structures>.

Congratulations on the successful completion of your project, and thank you for your interest in the cultural heritage of Texas. Photos and general information about successfully completed projects may be used to promote our program in the future – however, your private information will not be shown in publicity materials. If you have any questions concerning our review or if we can be of further assistance, please contact Valerie Magolan at valerie.magolan@thc.texas.gov, or at 512-463-3857.

Sincerely,



Bess Althaus Graham, AIA, NCARB, LEED AP BD+C
Director, Deputy SHPO, Division of Architecture
Texas Historical Commission



TEXAS HISTORICAL COMMISSION

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

CERTIFICATE OF ELIGIBILITY

The Texas Historical Commission grants this Certificate of Eligibility to declare that the below property is a certified historic structure, and that the below project is a certified rehabilitation, which meets the Secretary of the Interior's Standards for Rehabilitation and other requirements as stated in Texas Administrative Code, Title 13.

This Certificate of Eligibility alone does not entitle the holder to a franchise tax credit for certified rehabilitation of a certified historic structure. Refer to Texas Administrative Code, Title 34, Part 1, Chapter 3, Subchapter V, Rule 3.598 for information on how to apply for and claim the credit.

PROJECT NUMBER: THPTC-0380-18-075 **PLACED IN SERVICE:** December 9, 2019

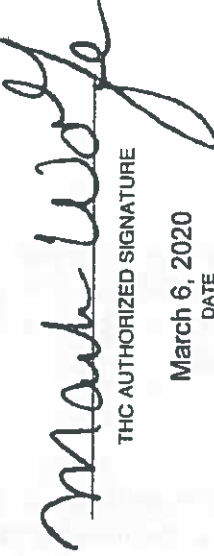
Property name:
Fulwiler House

Property address:

910 Highland Ave.
Abitene, TX 79602

Historic designation:
Individually Listed in the
National Register of Historic
Places

Applicants:
Cade Browning
Katie Browning


THC AUTHORIZED SIGNATURE
March 6, 2020
DATE

**TEXAS
HISTORICAL
COMMISSION**
REAL PLACES TELLING REAL STORIES

Z-2020-11 HISTORIC OVERLAY ZONING

Case: Z-2020-11

Owner: Cade & Katie Browning

Request: Rezone from RS-12 to RS-12/H

Location: 910 Highland Avenue; all of Lot 5 in Block 20 of the Continuation to the Highland Addition to the City of Abilene, Taylor County Texas.

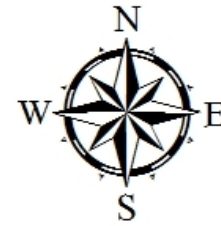
Notification: 0 in Favor, 1 Opposed

Landmarks Commission: June 23, 2020

Planning & Zoning: August 4, 2020

City Council Hearing: August 13, 2020
August 27, 2020

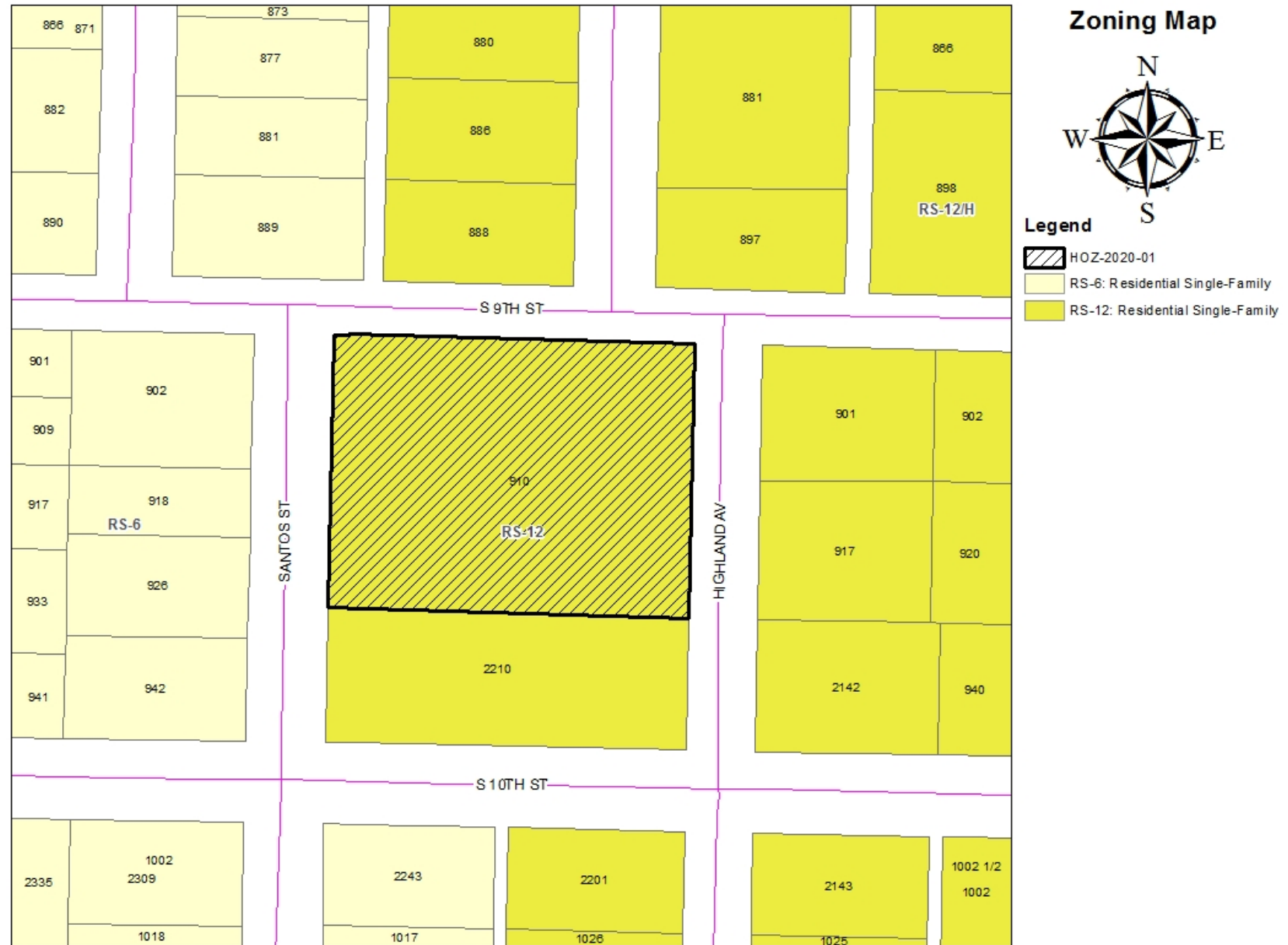




Legend

 HOZ-2020-01

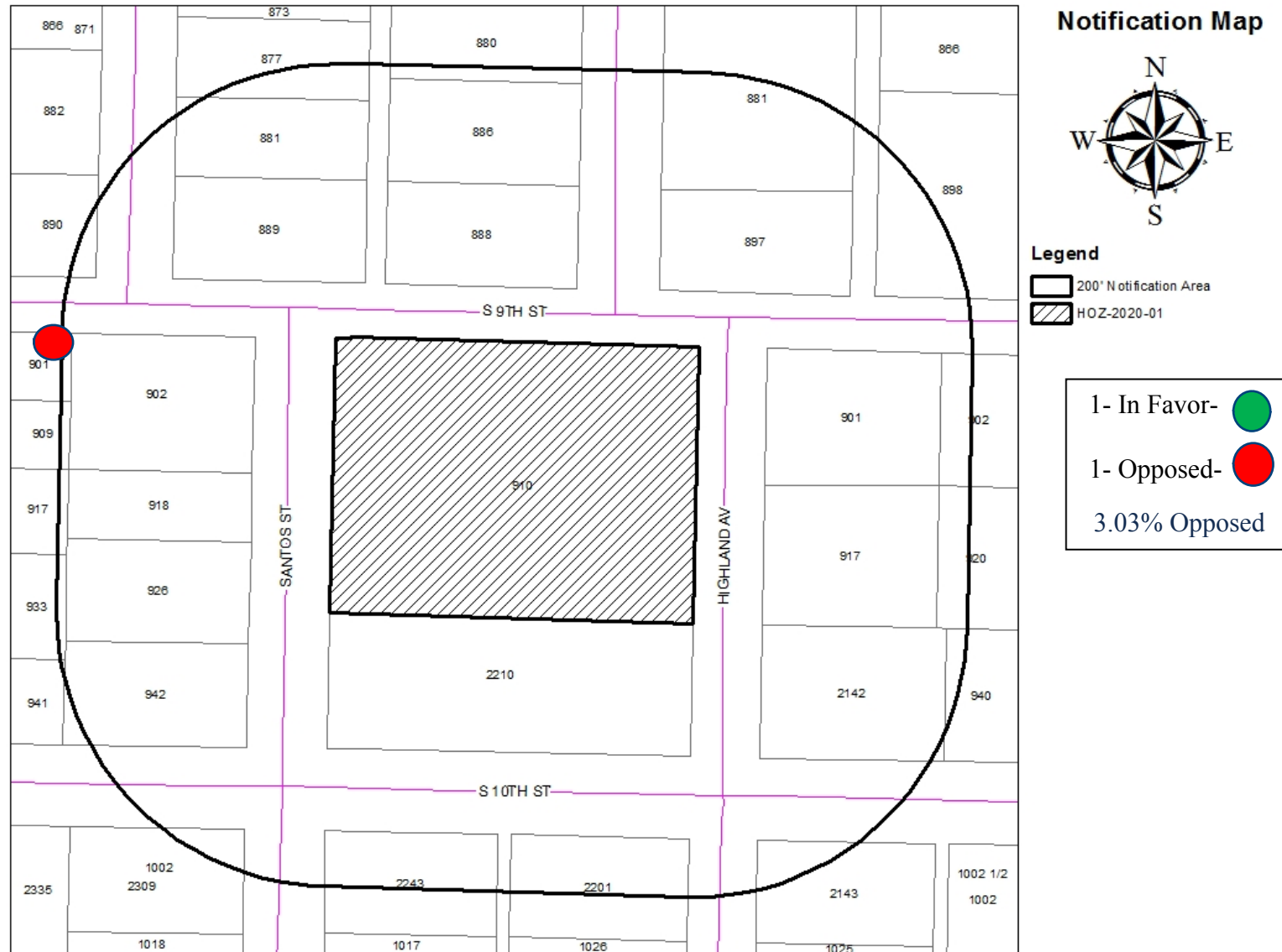
Z-2020-11 ZONING MAP



Z-2020-11 PHOTOS OF PROPERTY



Z-2020-11 NOTIFICATION MAP



FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Consistent with the criteria for historic designation (Section 2.3.4.4 (c))
- Reviewed Pursuant to Section 1.4.4.1 of the Land Development Code (Criteria for Approval)
- Landmarks Commission Recommendation: Approval
- Staff Recommendation: Approval



Questions?



CIP Items Recommended by the Planning and Zoning Commission

- Vacant Burlington building
- Improvements on Butternut Street
- The widening of Griffith Road
- Addition of small parks on the south side of downtown
- Traffic signal at Industrial Boulevard and 1750 FM
- Carver basketball courts
- Railroads and right-of-way
- Continue expansion of Lake Kirby trails
- Potential public projects on 600 acres south of Diamondback Golf Course
- Further expansion of Cedar Creek
- Improvements to Civic Center
- Improvements of alleys
- Roundabouts as shown on Exhibit A from the South Downtown Abilene Master Plan



MEMORANDUM

August 4, 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 July 9, 2020 at 8:30 AM

Item	Motion	Vote
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) 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	Approved	6-0
Request from Quality Implement Company, agents Gary and Diana Handley, to rezone property from Agricultural Open Space (AO) to General Commercial (GC) District located near northeast corner of Loop 322 and Industrial Boulevard	Approved	6-0
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 located near northeast corner of Loop 322 and Industrial Boulevard	Approved	6-0