



City of Abilene

Board of Adjustment Agenda

Notice is hereby given of a meeting of the Board of Adjustment of City of Abilene to be held on Tuesday, October 13, 2020 at 8:30 AM at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

PUBLIC COMMENTS

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.

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 14, 2020

AGENDA ITEMS

2. **BA-2020-06:** Receive a Report and Hold a Discussion and Public Hearing on a request from Shane McClung, represented by Jay Taranton of Watershed Car Wash, for approval of a Special Exception allowing construction and operation of an automobile wash on property at 617 Ambler Avenue, including a 1.172-acre tract out of Block 1 in the Central Park Addition to Abilene and situated on the southeast corner of Ambler Avenue and North Treadaway Boulevard in north central Abilene, Texas

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 9th day of October, 2020 at 1:45 p.m.

Shawna Atkinson, TRMC
City Secretary

BOARD OF ADJUSTMENT REGULAR MEETING MINUTES
July 14, 2020 **8:30 a.m.**

BOARD OF ADJUSTMENT OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

Members Present: Mr. Scott Hay, Chairman
Col. Morton Langholtz, Vice-Chairman
Mr. Roger Huber, Secretary
Mr. Robert Beermann
Mr. Jon Loudermilk, Alternate
Mr. Bob Thomas, Alternate

Member Absent: Mr. Mark Odle

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Zack Rainbow, Assistant Director/Planning & Dev. Services
Ms. Cheryl Sawyers, Planning Services Manager
Mr. Stanley Smith, City Attorney
Mr. Nick Watts, Planner I and Historic Preservation Officer
Ms. Melissa Farr, Executive Assistant

Others Present: Ms. Shawntee Fleming

CALL TO ORDER

Mr. Hay called the meeting to order at 8:30 a.m. and Ms. Melissa Farr recorded the minutes. A quorum of members was present, and the meeting proceeded.

MINUTES

Colonel Langholtz made the motion to **approve** the minutes of the previous meeting, which was held on March 10, 2020. Mr. Huber seconded the motion. The vote to **approve** minutes was carried by five (5) with none in opposition.

AYES: Langholtz, Huber, Beermann, Loudermilk, Hay

NAYS: None

AGENDA ITEMS

BA-2020-05: Receive a Report and Hold a Discussion and Public Hearing on a request from owner Mary Fleming and agent, Shawntee Fleming, for a request of an approval of a Special Exception to allow a home occupation (Hair Salon) in a detached accessory building located at 2802 N 18th Street; Legal description being Lot 3 in Block S of the Crescent Heights neighborhood to the City of Abilene, Taylor County, Texas

Mr. Nick Watts presented this request. The applicant intends to operate a small-scale hair salon in a detached accessory building located in the rear yard of her mother's (owner) property. The detached accessory building is a 168 sq. foot portable building placed on a concrete foundation with a two car parking surface that can be accessed from the alley for patrons. If the special exception is approved, the agent intends to comply with all building standards associated with a beauty salon.

Mr. Hay opened the public hearing. Ms. Shawntee Fleming spoke to expand upon the request and answer questions. She clarified that access to the building will be from the alley (side street), and parking will be inside the fence. The maximum limit will be two patrons at a time. Seeing no one else present and desiring to speak in favor or opposition, the public hearing was closed.

Property owners within 200 feet of the request were notified. There were no (0) responses received in favor, nor in opposition.

STAFF RECOMMENDATION: Staff recommends approval.

Based upon the findings of Staff, which meets the criteria for approval per Land Development Code Section 1.4.4.1 (e) Special Exception, Colonel Langholtz moved to **approve** this request for a Special Exception. Mr. Loudermilk seconded the motion.

The motion to **approve** this Special Exception prevailed by the following vote:

AYES: Langholtz, Huber, Beermann, Loudermilk, Hay

NAYS: None

ADJOURNMENT

There being no further business, Colonel Langholtz moved to adjourn the meeting. Mr. Beerman seconded. The Board of Adjustment meeting was adjourned at 8:46 a.m.

Approved: _____, Chair

BA-2020-06

STAFF REPORT



REQUEST:

The applicant is requesting a Special Exception to allow an automobile wash (Car Wash) in an Corridor Overlay Zone.

OWNER: Shane McClung

AGENT: Jay Taranton of Watershed Car Wash

HEARING DATE:

October 13, 2020

LOCATION:

617 Ambler Avenue, on the southeast corner of Ambler Avenue and North Treadaway Boulevard in north central Abilene

LEGAL DESCRIPTION:

1.1742 acre out of Block 1 in the Central Park Addition to Abilene

ZONING CLASSIFICATION:

General Commercial (GC) District and the Ambler Avenue Corridor (AMB-COR) Overlay Zone

BACKGROUND:

During April of 2013, Abilene's City Council amended the City's zoning map and text, to create the Ambler Avenue Corridor Overlay Zone. This particular overlay zone is applied to all properties adjacent to Ambler Avenue between Grape Street and Interstate Highway 20.

An overlay zone is a special zoning classification that encompasses one or more underlying (base) zoning districts and impose additional regulations above the required underlying (base) zoning district.* In the Ambler Avenue Corridor Overlay Zone, auto-related businesses are allowed only with the Board of Adjustment's approval of a Special Exception. Such Special Exceptions shall only be granted for auto-related uses deemed compatible with the City's stated goals for development of the Ambler Avenue Corridor.

As stated in Section 2.3.4.6 of Abilene's Land Development Code, the primary purpose of the Ambler Avenue Corridor Overlay Zone is to encourage "*high-quality, attractive development*" designed to create a positive "*first impression of Abilene for visitors to Abilene Christian University, Hardin-Simmons University and Hendrick Medical Center.*"

The Board's approval of such Special Exception may be made subject to any conditions considered necessary and appropriate to advance those goals. Such conditions may, for example, address elements such as building design, landscaping and screening, as well as limitations on outdoor activity.

* Conversely, an overlay zone may permit certain specific allowances from regulations ordinarily required by the underlying (base) zoning district.

PROPOSAL AND REQUESTED ACTION:

The proponents seek permission to construct and operate an automobile wash at 617 Ambler Avenue. This site lies in a General Commercial (GC) zoning district wherein automobile washes are ordinarily allowed. But this site also lies in the Ambler Avenue Corridor (AMB-COR) Overlay Zone wherein auto-related businesses are allowed only with the Board's approval of a Special Exception for such.

APPLICATION REVIEW:

Land Development Code Section 1.4.4.1 (e) Special Exception Criteria for Approval

The purpose of a Special Exception is to authorize a modification of zoning standards applicable to some particular type of development, consistent with the overall intent of Zoning Regulations but that requires additional review to determine whether the prospective development is compatible with adjoining land uses and the character of the neighborhood in which that particular development is proposed. In deciding whether to approve, conditionally approve or deny the application for a special exception, the Board shall determine that the requested special exception complies with the following standards:

- a. Will be wholly compatible with the use and permitted development of adjacent property, either as filed or subject to such requirements as the Board finds to be necessary to protect and maintain the stability of adjacent properties.**

Finding: An automobile wash facility is not typically covered by parked automobiles, as one might find at an automobile sales lot. Nor are wash facilities typically covered by automobiles parked in various states of disrepair, often overnight or for days and weeks on end, like an auto body shop or automotive repair garage. To function properly, an automobile wash must have a continuous succession of automobiles parked for relatively short periods of time. That is no different than restaurants as well as other types of retail trade and service businesses encouraged elsewhere along the Ambler Avenue Corridor. City staff thereby concludes the automobile wash proposed at 617 Ambler Avenue to be reasonably compatible with planned use and permitted development along the Ambler Avenue Corridor.

- b. Will place no undue burden on public facilities. Public facilities to be considered shall include, but are not limited to streets and alleys, water and sewer utilities, schools and parks**

Finding: Given this site's location at the intersection of two arterial streets, it is City staff's opinion that this business will place no undue burden on public facilities including, but not limited to, the traffic-carrying capacity of those adjoining streets.

- c. That approval of the special exception is clearly in harmony with the general purposes and intent of the Land Development Code and, furthermore, provides for substantial justice.**

Finding: It is the City staff's opinion that this prospective business at this particular location is in clear harmony with the intent and purpose of Abilene's Land Development Code. Ordinary regulations for site development in General Commercial (GC) Districts and the Ambler Avenue Corridor (AMB-COR) Overlay Zone will be applicable to this prospective

development. These include standards for landscaping, signage, paved parking and maneuvering, as well as driveway access management.

STAFF RECOMMENDATION: City staff recommends approval, based on positive response to all three (3) above-stated criteria.

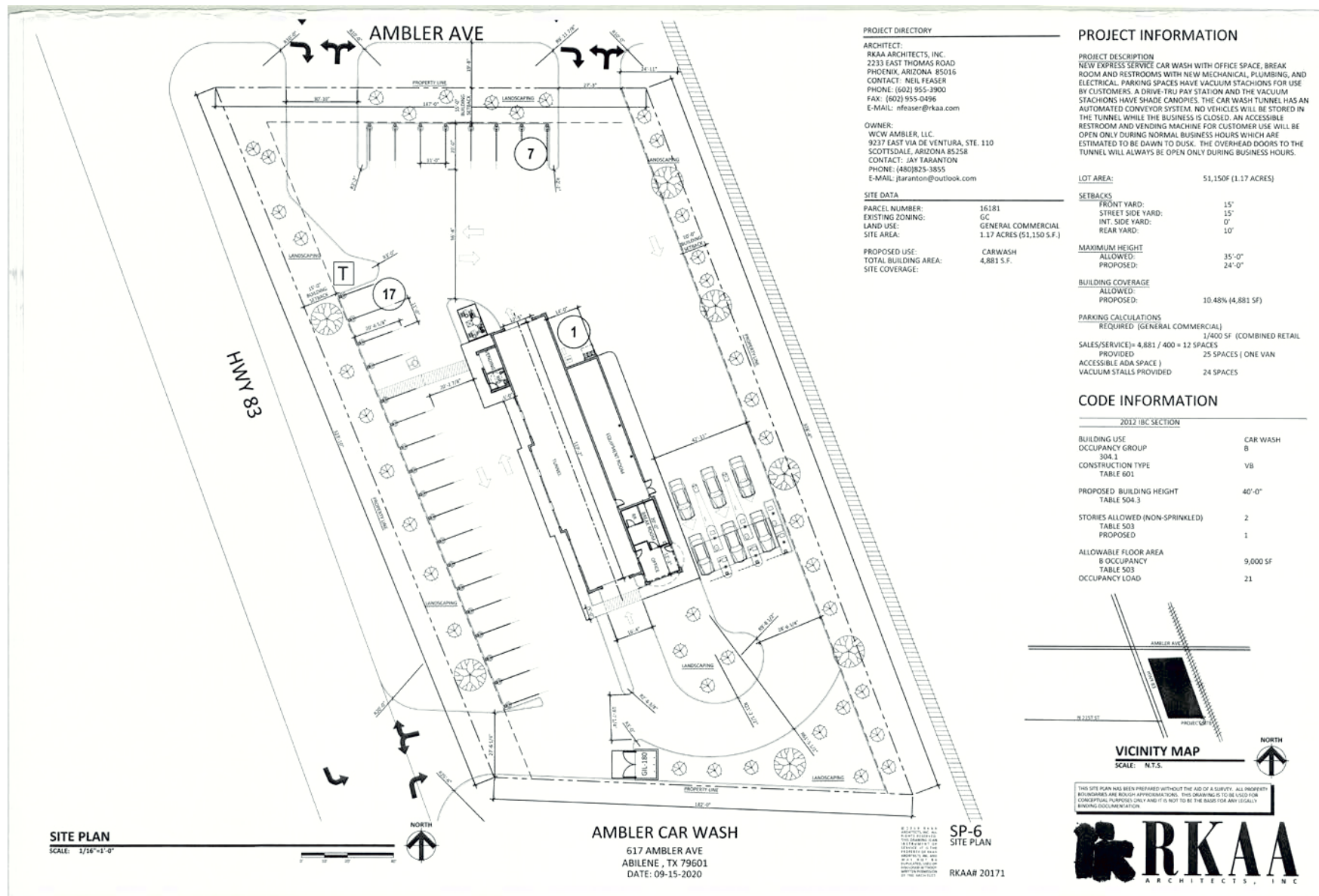
NOTIFICATION: The Planning Services Division sent a notice of the requested Special Exception to owners of all property within a 200-foot radius from this subject property:

Owner	Situs	Response
	2017 N TREADAWAY BL	
ADVANTAGE OUTDOOR COMPANY LP	2020 N TREADAWAY BL	
BELL ALAN & MARY PAULINE	710 N 21ST ST	
BLEDSON LERA JO	620 AMBLER AV	
DOMINGUEZ DAMACIO &	718 N 21ST ST	
DOMINGUEZ DAMACIO &	726 N 21ST ST	
GROMAX BUILDINGS LLC	558 AMBLER AV	
HIT VENTURES LLC	549 AMBLER AV	
HOWARD ALLEN	2120 N TREADAWAY BL	
JONES WILLIAM F JR	701 N 21ST ST	
KEITH BEN E CO	2118 COTTONWOOD ST	
KEITH BEN E CO	511 AMBLER AV	
LONE STAR RAILROAD INC		
LONE STAR RAILROAD INC	2126 COTTONWOOD ST	
LONE STAR RAILROAD INC	2128 COTTONWOOD ST	
MC CLUNG SHANE	617 AMBLER AV	
MC GEE GARY BLANT	634 AMBLER AV	
MC GEE GARY BLANT	626 AMBLER AV	
SKINNYS INC	2150 N TREADAWAY BL	
TAYLOR KENT	709 N 21ST ST	

ATTACHMENTS:

- Application
- Presentation

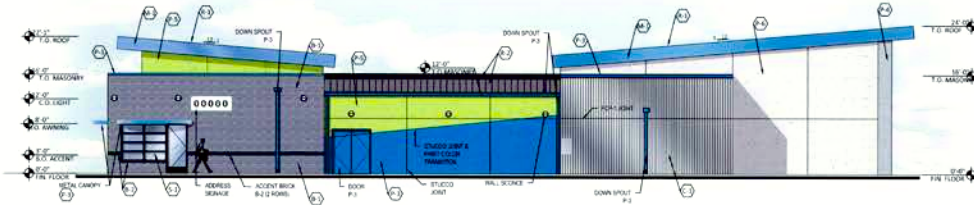




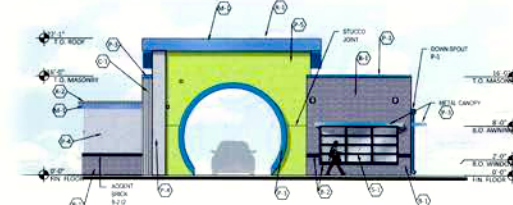
Case # BA-2020-06
October 8, 2020

FINISH AND MATERIAL LEGEND

- | | |
|--|--|
| 1. PAINT (STUCCO/DOOR/CANOPY)
SPE: DUNA TONARDES
COLOR: BEAUFORT BLUE
SPEC: # DE 4136 | 2. METAL PANELS (WALL CLADDING)
SPE: PAC CLAD
COLOR: SILVER |
| 3. PAINT (STUCCO/DOOR)
SPE: DUNA TONARDES
COLOR: GRAY MIST
SPEC: # DE 4134 | 4. MODULAR BRICK
SPE: PACIFIC CLAY
COLOR: DARK BROWN SPOT |
| 5. PAINT (STUCCO)
SPE: DUNA TONARDES
COLOR: GRASSLAND PATCH
SPEC: # DE 1579 | 6. MODULAR BRICK
SPE: PACIFIC CLAY
COLOR: DUSTY BLUE |
| 7. PAINT (STUCCO)
SPE: DUNA TONARDES
COLOR: FOREWAVE
SPEC: # DE 4131 | 8. RIBBED METAL ROOF PANELS
SPE: 1001
COLOR: CHARCOAL GRAY |
| 9. METAL PANELS (FASCIA)
SPE: PAC CLAD
COLOR: SEASIDE BLUE | 10. STANDING SEAM METAL ROOF PANELS
SPE: 1001
COLOR: CHARCOAL GRAY |
| | 11. ALUMINUM STONE/ROCK
SPE: 1001
FINISH: BLACK UNPAINTED |



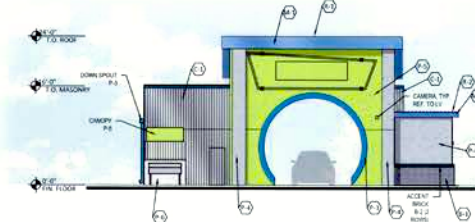
04 | EAST ELEVATION
SCALE: 1/8" = 1'-0"



02 | SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



03 | WEST ELEVATION
SCALE: 1/8" = 1'-0"



01 | NORTH ELEVATION
SCALE: 1/8" = 1'-0"

AMBLER CAR WASH
617 AMBLER AVE
ABILENE, TX. 79601
DATE: 09-15-2020

A-201
EXTERIOR
ELEVATIONS
RKAA# 200XX.00



Case # BA-2020-06
October 8, 2020

OWNER AND/OR AGENT AUTHORIZATION

Owner Name: Shane McClung
Address: 15415 CR 341
City, State, Zip: Abilene Tx 79601 Fax: _____
Phone: 325 721 3490 Email: shane.outsource@me.com
Agent Name: Jay Taranton / Watershed CAR Wash
Address: 9237 East Via De Ventura, Suite 110
City, State, Zip: Scottsdale, Arizona 85258 Fax: _____
Phone: 480-825-3855 Email: jtaranton@outlook.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) Jay Taranton will act as my agent before the Board of Adjustment."

Witness my hand this day, of Sept. 9 2020

☒ Special Exceptions ☐ Variance ☐ Appeal

What is the specific nature of the request?

Removal of the Automotive restriction from this property
so that we may construct A Watershed CAR Wash pursuant to
this Application and Submittal.

Project Address: 617 Ambler Ave, Abilene, Tx 79601 No. of lots: 1 Acreage: 1.17
Legal Description (Use attachment if necessary): Central Park Addn., Block 1,
Lot W165.2 E/2 of 1
Current Zoning: GC

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: [Signature] Date: Sept. 9, 2020

FOR OFFICE USE ONLY

Received: 9/01/2020 Fee: \$ 400

Receipt No.: _____

Case No.: BA-2020-060

Reviewed By: Brad Stone

Variance

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

1. Fully describe the unique, special circumstances or peculiarities of the land or improvements in question that do not allow the desired use to conform to the provisions in the Ordinance and the intent. (This CANNOT be solely caused by the applicant.)

N/A

2. If this application is for a special Exception to allow a carport in the front yard setback, please fill-in the diagram below.

House building material: ☐ Brick ☐ Stone ☐ Wood ☐ Other: _____

Carport Building Material: ☐ Similar to principal structure ☐ Metal ☐ Brick ☐ Stone ☐ Wood

☐ Other _____

The diagram illustrates the layout of a house and a carport relative to property lines and a street. A large rectangle at the top is labeled "House". Below it, a smaller rectangle represents a carport. To the left of the carport, a horizontal line is labeled "Distance from Side Property Line". To the right of the carport, another horizontal line is labeled "Distance from Side Property Line". Inside the carport rectangle, a horizontal line is labeled "Length" and a vertical line is labeled "Width". Below the carport, a vertical line extends to a horizontal line at the bottom, which is labeled "Distance from the Curb". At the very bottom, a horizontal line is labeled "Street Name".

Watershed Car Wash

9237 E Via De Ventura

Suite 110

Scottsdale, AZ 85258

September 14, 2020

Mr. Brad Stone
City of Abilene, Planning and Development Services Department
555 Walnut Street, Suite 100
Abilene, TX 79601

RE: Watershed Car Wash Application for Special Exceptions
617 Ambler Ave, Abilene, TX 79601

Dear Mr. Stone;

Watershed Car Wash is a chain of express car washes. We operate under the name of Clean Freak Car Wash in the Arizona market where we have 20 operating properties. In the last 24 months the company has decided to expand into Texas, and we are operating under the name of Watershed Car Wash in Texas. We currently have five operating car washes and seven additional locations in Texas under construction or development. The Ambler location is one of the seven.

Ambler Project Description:

Attached is our application for a Special Exception to remove the automotive restriction for this property so that we may proceed to develop an Express Car Wash on it. The Property is zoned GC but has an automotive restriction. We appear to meet all setback requirements for this zone.

The car wash project contains several parts including the building with an office, two restrooms, training room, equipment room and wash tunnel at just under five thousand square feet. The project also contains the point of sale islands, bug prep area and twenty-four free vacuum spaces. The project represents a \$5,000,000 investment in the City of Abilene by Watershed Car Wash.

The car wash will employ approximately twelve people in two shifts per day. Our business will operate twelve hours per day during daylight hours from approximately 7am to 7pm seven days a week.

We ask the City to approve our request for the removal of the automotive restriction on this property so that we can build this new car wash for the community at this location.

Sincerely,



Jay Taranton

TDM Services LLC

Development and Construction Managers for Watershed Car Washes

SPECIAL EXCEPTION REQUEST

Case: BA-2020-06
Owner: Shane McClung
Agent: Jay Taranton/ Watershed Car Wash
Request: Special Exception
Location: 617 Ambler Ave
Notification: 0 in Favor, 0 Opposed
Board of Adjustment: October 13, 2020



BA-2020-06 AERIAL LOCATION MAP





BA-2020-06 VIEWS OF SUBJECT PROPERTY

South View



North View



West View



East View



BA-2020-06 NOTIFICATION AREA MAP



- Reviewed Pursuant to Section 1.4.4.1 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval



Questions?

