



City of Abilene

Planning and Zoning Commission Agenda

Notice is hereby given of a meeting of the Planning & Zoning Commission of City of Abilene to be held on December 1, 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. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on November 3, 2020

PLATS

2. **MRP-2620:** Lytle Shores West, South Oldham Extension, A Replat of Lots 43, 44, 45, 46, 47 and 49, Being Out of Lytle Shores West Block A, Section 2, and Lot 103 Out of Lytle Shores West Block A, Section 4, Out of Sections 51 and 52, Blind Asylum Land Surveys, Taylor County, Texas

ZONING

3. **Z-2020-22:** Receive a Report and Hold a Discussion and Public Hearing on a request from Mobile Home Concepts, LLC to rezone property from a combination of Manufactured/Mobile Home (MH) and General Commercial (GC) to Planned Development (PD) District allowing occupancy by recreational vehicles and vacation travel trailers as well as mobile and manufactured homes on property at 6101 South 7th Street in western Abilene. Legal description being all of Lot 1 in Block 1 of a Replat of Section 1, Westglen Addition in Abilene, Taylor County, Texas
4. **Z-2020-23:** Receive a Report and Hold a Discussion and Public Hearing on a request from Eugene Rickert to rezone property from Agricultural Open Space (AO) to Rural Residential (RR-1) District on one acre of land located at 1949 Beltway South (F.M. Highway 707). Legal description being one (1) acre out of northeast quarter of Lunatic Asylum Lands Section 23 in Taylor County, Texas

5. **Z-2020-24:** Receive a Report and Hold a Discussion and Public Hearing on a request from Donald Callaway (agents Jacob & Martin LLC) and the City of Abilene to rezone approximately 0.6 acre of land (120 feet wide) located behind the restaurant building at 4801 Buffalo Gap Road, from Agricultural Open Space (AO) to Neighborhood Retail (NR) District. Legal description being the eastern 120 feet of Lot 1 in Block A of Squares Restaurant Addition in Abilene, Taylor County, Texas
6. **Z-2020-25:** Receive a Report and Hold a Discussion and Public Hearing on a request from KPLB LLC, agents Jacob & Martin LLC, to rezone property from Residential Single-Family Patio Home (PH) to a Residential Medium-Density (MD) District on 5.85 acres of now-vacant land at 1826 Colony Hill Road in southeastern Abilene. Legal description being 5.85 acres out of southwest quarter of Lunatic Asylum Lands Section 8 in Abilene, Taylor County, Texas
7. **Z-2020-26:** Receive a Report and Hold a Discussion and Public Hearing on a request from Abilene Christian University, agent Kendra Hanfeld of Parkhill, Smith and Cooper Inc., to rezone 13.05 acres (occupied since 1955 by Taylor Elementary School) at 916 East North 13th Street, from Residential Medium-Density (MD) to a College University (CU) District. Legal description being 13.05 acres out of southwest quarter of Blind Asylum Lands Section 33 in Abilene, Taylor County, Texas
8. **TC-2020-07:** Receive a Report and Hold a Discussion and Public Hearing on a request from Abilene Christian University, agents Enprotec/Hibbs & Todd Inc., to abandon the public right-of-way within a 0.4039-acre tract of presently unpaved land initially dedicated for what is now known as North Judge Ely Boulevard and located northeast from the original campus of Taylor Elementary School at 916 E.N. 13th Street in northeast Abilene
9. **TC-2020-06:** Receive a Report and Hold a Discussion and Public Hearing on a request from the City of Abilene to abandon the public right-of-way within the complete 418-foot length of Crow Street as it extends north from right-of-way for East South 5th Street, approximately 765 feet west from and parallel to T&P Lane in southeast central Abilene

DIRECTORS REPORT

10. 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 24th day of November, 2020, at 4:10 p.m.

Shawna Atkinson, City Secretary



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on November 3, 2020 at 1:30 p.m. in the Council Chambers at 555 Walnut Street.

Commissioners Present:

Mr. Fred Famble, Chairman

Ms. Alex Russell, Sergeant-at-Arms

Mr. Mitch Barnett

Mr. Brad Benham

Mr. Clint Rosenbaum, Pro Tem

Rev. Iziah Lankford

Mr. Bill Noonan, Secretary

Staff Present:

Mr. Michael Rice, Assistant City Manager

Mr. Michael Warrix, Director of Planning and Development Services

Ms. Cheryl Sawyers, Planning Services Manager

Mr. Stanley Smith, City Attorney

Mr. Brad Stone, Planner III

Mr. Jared Smith, Planner II

Mr. Nick Watts, Planner I and Historic Preservation Officer

Ms. Melissa Farr, Executive Assistant

Others Present:

Mr. Tal Fillingim

Mr. Mike Talcott

Mr. Don Whitehead

Ms. Deon Lawson

Ms. Katie Gibson

Mr. Pete Leija

Mr. Clayton Farrow

Mr. Aaron Waldrop

Mr. Jack Zanger

Mr. Scott Senter

Mr. Leon Giesecke

Ms. Monica Leija

Ms. Laura Montgomery

Mr. Tony Conder

Mr. Chuck Lawson

Mr. Kyle Gibson

Mr. Mike Moore

Ms. Linda Valerio

CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:30 p.m.

INVOCATION

Reverend Lankford delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Mr. Benham moved to **approve** the minutes for the Planning and Zoning Commission regular meeting of October 6, 2020 and the Special Called Meeting held on October 13. Mr. Noonan seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

PLATS

FP-5520: Public hearing and possible vote to approve or deny Quality Implement Addition, a Subdivision of 14.283 acres out of the Southeast 1/4 of Section 62, Blind Asylum Lands, Taylor County, Texas

Mr. Rainbow presented the plat to the Commission. Staff recommends approval with conditions. They need to improve their portion of Industrial on the south side.

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

Reverend Lankford moved to approve the proposed plat. Ms. Russell seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

ZONING

Z-2020-15: Public hearing and possible vote to recommend approval or denial to City Council on a request from Carriage Hills Development Corporation, agent Jacob & Martin LLC, to rezone property from Agricultural Open Space (AO) to a Residential Single Family (RS6) District on 52.88 acres of now vacant land in the 77007800 blocks (east side) of Maple Street in far south Abilene. Legal description being 52.88 acres out of southwest quarter of Lunatic Asylum Lands Section 14 in Taylor County, Texas

Mr. Nick Watts presented this request. The applicant is requesting to rezone vacant property from Agricultural Open Space (AO) to Residential Single Family (RS-6).

Mr. Famble opened the public hearing. Mr. Clayton Farrow spoke in favor. He said the request is to extend the existing Carriage Hills Subdivision.

Property owners within a 200-foot radius were notified of this request. There were three (3) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum moved to approve the proposed request. Mr. Benham seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

Z-2020-16: Public hearing and possible vote to recommend approval or denial to City Council on a request from Carriage Hills Development Corporation, agent Jacob & Martin LLC, to rezone property from Agricultural Open Space (AO) to a Planned Development (PD) District allowing residential townhome development having clusters of as few as two dwelling units, on 22.13 acres of now vacant land located east from the 77007800 blocks of Maple Street and west from Kristie Path and Alex Way in the Sawgrass Addition. Legal description being 22.13 acres out of southwest quarter of Lunatic Asylum Lands Section 14 in Taylor County, Texas

Mr. Nick Watts presented this request. The applicant is requesting to rezone from Agricultural Open space (AO) to a Planned Development (PD167) District with a base zoning of Medium Density Residential (MD).

Mr. Famble opened the public hearing. Speaking in favor was Mr. Clayton Farrow. He addressed the request to split the duplex in half. Half of the lot could be sold to one owner and the other half to another.

Speaking in opposition were: Ms. Katie Gibson, Mr. Leon Giesecke, Mr. Pete Leija, and Mr. Mike Moore

With no other speakers coming forward, Mr. Famble closed the public hearing.

Discussion from the Commission included the existence of a buffer between the MD and RS-6 districts. As there is not a set buffer, one could be requested.

Mr. Famble opened the public hearing again. Mr. Farrow was invited to explain the developer's change of mind. He referred to the demographic change, such as products within the housing market.

Mr. Pete Leija expressed his concern of a buffer not fitting the request. Seeing no one else desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were three (3) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Famble moved to approve the proposed request with a “Type B” buffer. Mr. Rosenbaum seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

Z-2020-17: Public hearing and possible vote to recommend approval or denial to City Council on a request from QT South LLC, agent Lauren Montgomery, to change the terms of Planned Development (PD) District Number PD 116 located on southeast corner of Old Anson Road and Interstate Highway 20 in northwest Abilene, specifically regarding the height and area of signs allowed there. Legal description being Lot 1 in Block 1 of the subdivision known as QT South LLC

Mr. Jared Smith presented this request. The applicant is requesting to amend the PD ordinance to allow a free standing pole sign as tall as 100-feet and as large as 700 square feet. The applicant also wishes to add a provision to permit up to eight (8) directional signs on the site, not to exceed 8’ in height and 25 square feet in sign area.

Mr. Famble opened the public hearing. Speaking in favor were Ms. Lauren Montgomery and Mr. Mike Talcott.

Speaking in opposition was Ms. Linda Valerio. Seeing no one else present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were zero (0) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Denial

Mr. Rosenbaum moved to **approve** the request with the revised dimensions of 70’ and 400 square feet. Ms. Russell seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: Noonan

Z-2020-19: Public hearing and possible vote to recommend approval or denial to City Council on a request from Oldham Partners LP and Windmill Circle Partners LP, agent Tony Conder, to rezone approximately 3.8 acres in a General Retail (GR) District extending 300 feet north from the 900 block of Gateway Street, and approximately 4.3 acres in an adjacent Neighborhood Retail (NR) District extending 300 feet west from the 3600-3700 blocks of Oldham Lane, to a General Commercial (GC) District. Legal description being approximately 8.1 acres out of southeast quarter of Blind Asylum Lands Section 62 in Abilene, Taylor County, Texas

Ms. Cheryl Sawyers presented this request. The applicants are requesting to change the zoning of approximately 8.1 acres of vacant land, from what is now a combination of General Retail (3.8 acres) and Neighborhood Retail (4.3 acres) Districts.

Mr. Famble opened the public hearing. Mr. Tony Conder spoke in favor of this request, saying this request is similar to the John Deere Dealership, which is approximately 800 feet from this location. Seeing no one else present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There one (1) response received in favor with two (2) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Benham moved to approve the proposed request. Mr. Famble seconded the motion. The motion to approve prevailed by the following vote:

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

NAYS: None

Z-2020-20: Public hearing and possible vote to recommend approval or denial to City Council on a request from Albert Houle, agents Chris Barnett and Dale Scoggins, to rezone approximately 8.14 acres at 7602 thru 7734 Hwy. 8384 and situated at or near the southwest corner of Waldrop Drive and U.S. Hwys. 8384, from an Agricultural Open Space (AO) District to a General Commercial (GC) District. Legal description being approximately 8.14 acres out of northeast quarter of Lunatic Asylum Lands Section 23 in Taylor County, Texas

Mr. Jared Smith presented this request. The applicant is requesting to rezone from Agricultural Open Space (AO) to General Commercial (GC) in order to promote development of a wide range of commercial activities.

Mr. Famble opened the public hearing. Mr. Dale Scoggins spoke in favor of this request. With no other speakers coming forward, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were zero (0) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Benham moved to approve the proposed request. Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

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

NAYS: None

Z-2020-21: Public hearing and possible vote to recommend approval or denial to City Council on a request from Vinson Higginbotham, agent Jack Zanger of Triangle Engineering, to rezone approximately 4.04 acres on the 49005000 blocks (southwest side) of South Clack Street, from an Agricultural Open Space (AO) to a General Commercial (GC) District. Legal description being approximately 4.04 acres out of Lot 6 in the Alfred and Mary Fasshauer Subdivision of Blind Asylum Lands Section 65 in Abilene, Taylor County, Texas

Mr. Brad Stone presented this request. The applicant is requesting to rezone the subject property from Agricultural Open Space (AO) to a General Commercial (GC) District. The northern half of this 4.04-acre tract is planned for immediate development as a site for automotive body repair. No planned use of the remaining southern half has been identified.

Mr. Famble opened the public hearing. Mr. Jack Zanger spoke in favor of this request and made himself available to answer questions.

Mr. Chuck Lawson and his wife, Deon, spoke in opposition due to potential noise levels and increased traffic. Ms. Lawson also expressed concern of the notification letter not stating the exact purpose for the rezoning request.

Ms. Cheryl Sawyers approached to clarify the nature of the notification letter and its content. Mr. Zanger spoke again to address the concerns. He shared the proposal as being a premier auto body shop brand, Caliber Collision. The work is performed indoors during business hours.

Mr. Don Whitehead spoke in favor saying he is a fan of Caliber Collision. Mr. Lawson approached again to restate his concern of noise. He expected additional medical offices in the area, but not an auto body shop.

Property owners within a 200-foot radius were notified of this request. There were two (2) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum moved to approve the proposed request. Mr. Famble seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

CUP-2020-08: Public hearing and possible vote to recommend approval or denial to City Council on a request from Oldham Partner LP and Windmill Circle Partners LP, agent Tony Conder, for approval of a Conditional Use Permit allowing retail sales and rental of trucks and other large vehicles and equipment on 24.371 acres in a General Commercial (GC) District at 750 Gateway Street and the 3600-3700 blocks (east side) of Loop 322. Legal description being 24.371 acres out of southeast quarter of Blind Asylum Lands Section 62 in Abilene, Taylor County, Texas

Ms. Cheryl Sawyers presented this request. A Conditional Use Permit for the sales and rental of large vehicles and equipment is required. Staff agreed on two conditions being met:

- 1) Opaque Fencing
- 2) 50-Foot Buffer

Mr. Famble opened the public hearing. Mr. Tony Conder spoke in favor of this request. He agreed the 50-foot barrier and the opaque fencing meets the needs for this property. He made himself available to answer any questions. Seeing no one else present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were two (2) responses received in favor with two (2) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Ms. Russell moved to approve the proposed request. Reverend Lankford seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

ABSENT: Barnett

OAM-2020-02: Public hearing and possible vote to recommend approval or denial to City Council on proposed ordinance repealing Ordinance No. 352017 and replacing the provisions of that ordinance with alternative amendments to the Land Development Code of the Abilene City Code, specifically addressing multiple family dwellings in certain nonresidential zoning districts as well as clarifying terms and conditions for multiple family residential development allowed in nonresidential zoning districts

Mr. Brad Stone presented this request. He addressed modifications to Table 2-4 Site Layout and Building Requirements for Nonresidential Zoning Districts.

Mr. Famble opened the public hearing. Mr. Stanley Smith made everyone aware that this is not a repeal or replacement of a previous ordinance or amendment. Mr. Famble closed the public hearing.

Mr. Rosenbaum moved to approve the amendments. Ms. Russell seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Russell, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

ABSENT: Barnett, Benham

DIRECTOR'S REPORT

Mr. Warrix announced recent decisions made by City Council on items recommended from the Commission.

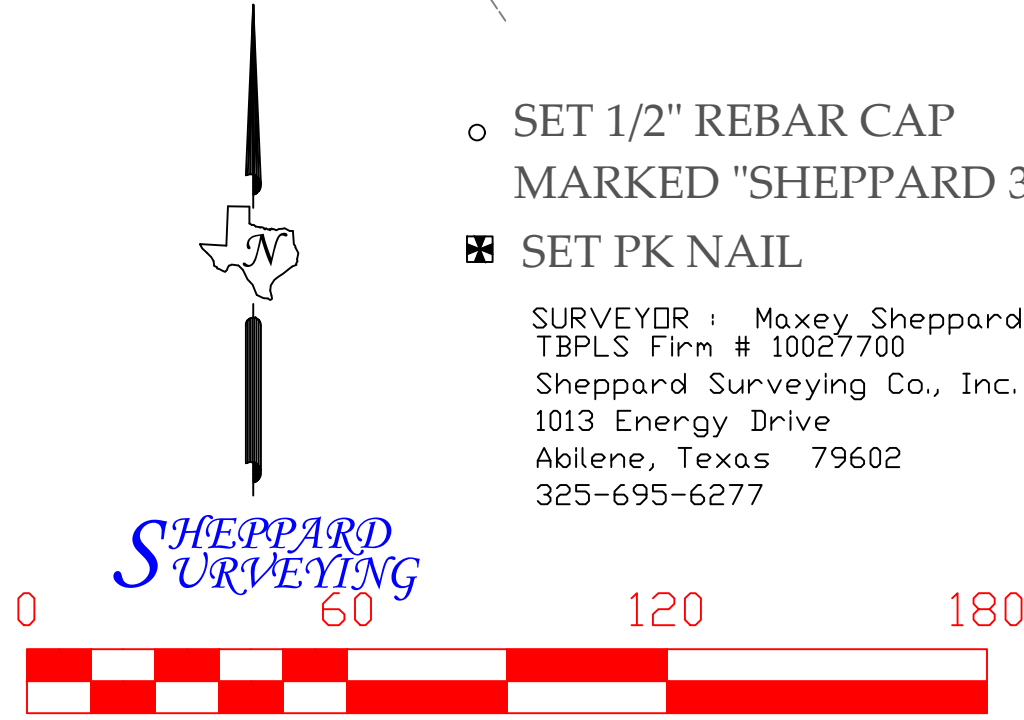
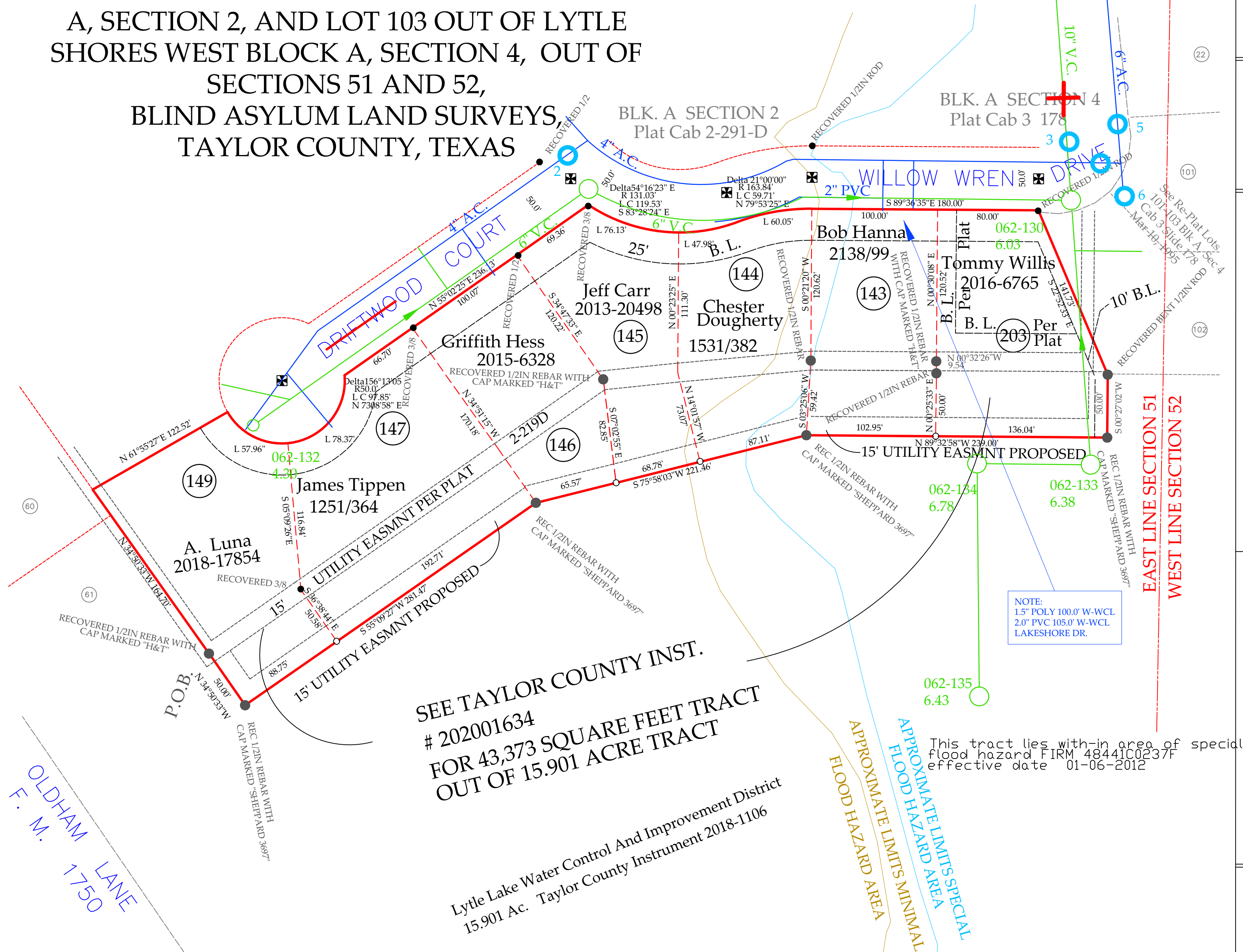
ADJOURNMENT

There being no further discussion, Mr. Famble adjourned the meeting at 3:27 p.m.

APPROVED

Mr. Fred Famble, Chairman

LYTLE SHORES WEST, SOUTH OLDHAM
EXTENSION
A REPLAT OF LOTS 43, 44, 45, 46, 47, AND 49,
BEING OUT OF LYTLE SHORES WEST BLOCK
A, SECTION 2, AND LOT 103 OUT OF LYTLE
SHORES WEST BLOCK A, SECTION 4, OUT OF
SECTIONS 51 AND 52,
BLIND ASYLUM LAND SURVEYS,
TAYLOR COUNTY, TEXAS



SEE TAYLOR COUNTY INST.
202001634
FOR 43,373 SQUARE FEET TRACT
OUT OF 15.901 ACRE TRACT

Lytle Lake Water Control And Improvement District
15.901 Ac. Taylor County Instrument 2018-1106

OWNERS:
Tommy and Jill Willis, 925 Willow Wren Street, Abilene, Texas, 79602;
Bob and Donna Hanna, 917 Willow Wren Street, Abilene, Texas, 79602;
Chester and Donna Dougherty, 913 Willow Wren Street, Abilene, Texas, 79602;
Jeff and Cynthia Carr, 909 Willow Wren Street, Abilene, Texas, 79602;
Griffin and Amy Hess, 1809 Driftwood Court, Abilene, Texas, 79602;
Philip and Pam Tippen, 1817 Driftwood Court, Abilene, Texas, 79602; and
Aureliano and Victoria Luna, 1833 Driftwood Court, Abilene, Texas,

BEARINGS AND DISTANCES ARE GRID NAD 83 TXNC 4202
BASED UPON CITY ABILENE CONTROL NETWORK

PLANNING COMMISSION THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS AND THE COUNTY CLERK IS HEREBY AU- THORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 970A, VERNON'S ANNOTATED CIVIL STATUTES, AND ARTICLE 927B, PENAL CODE OF TEXAS, AS AMENDED	PLANNING DIRECTOR FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS. DATE _____ FILE NUMBER _____ PLANNING DIRECTOR FEES COUNTY CLERK I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON DATE _____ FILE NUMBER _____ COUNTY CLERK COUNTY TEXAS DEPUTY
DIRECTOR OF PUBLIC WORKS THE DEDICATION FILED IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS DATE _____ DIRECTOR OF PUBLIC WORKS	
OWNER'S CERTIFICATE AND DEDICATION THE UNDERSIGNED OWNER(S) OF THE HERENAFTER DESCRIBED REAL PROPERTY HAVE CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS AND ALLEYS UNDER THE NAME OF LYTLE SHORES WEST, SOUTH OLDHAM EXTENSION. AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LINES, EASEMENTS, PARKS AND OTHER PUBLIC LANDS SHOWN THEREON THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS SEE ATTACHED FIELD NOTES EXECUTED THIS _____ DAY OF _____ 19____ OWNER OWNER OWNER OWNER	
ACKNOWLEDGEMENT THE STATE OF TEXAS COUNTY OF _____ BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED KNOWN TO ME TO BE THE PERSON _____ WHOSE NAME _____ SUBSCRIBED TO THE FOREGOING INSTRU- MENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____ A D 20____ NOTARY PUBLIC COUNTY TEXAS THE STATE OF TEXAS COUNTY OF _____ BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID A CORPORATION AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____ NOTARY PUBLIC COUNTY TEXAS	
GENERAL NOTES SHEET 1 of 1 SHEETS _____ ACREAGE _____ SCALE 60' SMALLEST LOT _____ 50 FT LARGEST LOT _____ 50 FT LOT WIDTH MIN _____ MAX _____ LOT DEPTH MIN _____ MAX _____ CONCRETE MONUMENTS (SYMBOL) _____ POLES (SYMBOL) _____ DOWN GUYS (SYMBOL) _____	
SURVEYOR CERTIFICATE AND PLAT DESCRIPTION CERTIFICATION I HEREBY CERTIFY THAT THE PLAT SUBMITTED HERewith REPRESENTS A TRUE SURVEY MADE BY THE UNDERSIGNED OR UNDER MY SUPERVISION ON THE GROUND AND THAT PERMANENT MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE WITH THE "SUBDIVISION REGULATIONS" OF TAYLOR COUNTY, TEXAS PLAT DESCRIPTION: LYTLE SHORES WEST, OLDHAM SOUTH EXTENSION A REPLAT OF LOTS 143, 144, 145, 146, 147, AND 149, BEING OUT OF LYTLE SHORES WEST BLOCK A, SECTION 2, AND LOT 103 OUT OF LYTLE SHORES WEST BLOCK A, SECTION 4, OUT OF SECTIONS 51 AND 52, BLIND ASYLUM LAND SURVEYS, TAYLOR COUNTY, TEXAS DATE _____ SIGNATURE _____ Maxey Sheppard REGISTERED PROFESSIONAL LAND SURVEYOR	

ZONING CASE Z-2020-22

STAFF REPORT



REQUEST: Rezoning

APPLICANT:

Owner: Mobile Home Concepts, LLC

HEARING DATES:

P & Z Commission: December 1, 2020

City Council 1st Reading: December 17, 2020

City Council 2nd Reading: January 14, 2021

LOCATION:

- 6101 S. 7th Street
- Legal description (s): all of Lot 1 in Block 1 of a Replat of Section 1, Westglen Addition in Abilene, Taylor County, Texas.

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting to rezone a 17.5 acre tract from Manufactured/Mobile Home (MH) and General Commercial (GC) to Planned Development District 168 (PD 168) to allow recreational vehicles, vacation travel trailers, and manufactured homes.

APPLICATION REVIEW:

Pursuant to Section 1.4.1.4, Criteria for Approval, of the Land Development Code, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and 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 “local community center.” The intent of local community centers is to provide neighboring residential districts with a mixture of supermarkets, retail stores, service shops, churches, and parks within a walkable distance. Higher-density housing and retail centers typically surround local community centers. Permitting a mixture of both manufactured/mobile homes and vacation travel trailers would be consistent with the characteristics of higher density housing and consistent with the Future Land Use and Development Plan map.

- (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 subject property has been predominately vacant for several years. There is a property zoned Planned Development (PD 95) located just northwest that permits both manufactured/mobile homes and vacation travel trailers. It is the opinion of staff that the proposed PD zoning is appropriate in the immediate area.

	Zoning	Existing Land Use
North	AO	Vacant land
South	RS-6	Single-family residential
East	MD	Duplex residences
West	GC	Retail and Fuel Sales

(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 is served with the necessary utilities and is located along an existing arterial street (S. 7th St.).

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

It is the opinion of the staff that there are no other factors, which would substantially affect the public health, safety, morals, or general welfare.

STAFF COMMENTS: If approved, PD 168 will be subject to all requirements within the Land Development Code regarding Section 2; Article 3; Division 2. Chapter 10 (Section 2.3.2.10 Manufactured/Mobile Home District requirements and Section 4; Article 2; Division 11 (Section 4.2.11) regarding vacation travel trailer/recreational vehicle parks except for 4.2.11.1; c) site location. A site plan must also be approved before any building permits are granted.

STAFF RECOMMENDATION:

This request was reviewed pursuant to Section 1.4.1.4 (Criteria for Approval) in the Land Development Code. Staff recommends approval with the following condition:

- The eastern 200 feet to be reserved for only manufactured/mobile homes to protect the character of the adjacent medium density neighborhood.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission will meet to hear this request, on December 1, 2020.

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
ADRIAN DAVID M & KATHERINE	728 CHAPARRAL CR	
ADRIAN DAVID M & KATHERINE	726 CHAPARRAL CR	
ADRIAN DAVID M & KATHERINE Y	712 CHAPARRAL CR	
ADRIAN DAVID M & KATHERINE Y	710 CHAPARRAL CR	
ALLSUPS CONVENIENCE STORE	765 VETERANS DR	
ARNOLD GERALD M	6009 PUEBLO DR	
BEALL FRED	761 ARNOLD BL	
BLK GOLD LTD PTSH	742 CHAPARRAL CR	
BLK GOLD LTD PTSH	744 CHAPARRAL CR	
BLK GOLD LTD PTSH	741 CHAPARRAL CR	
BLK GOLD LTD PTSH	743 CHAPARRAL CR	
BRACKETT JOHN A	718 CHAPARRAL CR	
BRACKETT JOHN A	720 CHAPARRAL CR	
CHURCH OF GOD OF PROPHECY	6110 S 7TH ST	
CHURCH OF GOD OF PROPHECY	6102 S 7TH ST	
COKER LORRIE & TRAVIS	6202 S 7TH ST	
CORPIAN GARY LEE & MARILU	769 ARNOLD BL	
DAVIS JOE E	6126 S 7TH ST	
ENGBERG WILLIAM DEREK	704 CHAPARRAL CR	
ENGBERG WILLIAM DEREK	702 CHAPARRAL CR	
ENGBERG WILLIAM DEREK	736 CHAPARRAL CR	
ENGBERG WILLIAM DEREK	734 CHAPARRAL CR	
FILLMON BRENDA J	818 BAKER ST	
G LAUGHLIN PARTNERS	6150 S 7TH ST	
HANTMAN JOSEPH		
JACQUES DANILE A & LINDA M	6118 S 7TH ST	
KOREAN METHODIST CHURCH	6024 S 7TH ST	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 94	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 47	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 1	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 20	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 33	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 15	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 41	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 8	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 13	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 90	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 104	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 61	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 73	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 45	
MOBILE HOME CONCEPTS LLC	6101 S 7TH ST TRLR 12	
SKINNYS INC	733 ARNOLD BL	
SKINNYS INC	6267 S 7TH ST	
SKINNYS INC	6265 S 7TH ST	
TCR REALTY	6263 S 7TH ST	
TEST TERRY E	743 ARNOLD BL	
TEST TERRY E	741 ARNOLD BL	
TEST TERRY E	749 ARNOLD BL	
TEST TERRY E	755 ARNOLD BL	
VFW POST #6873	825 VETERANS DR	
VFW POST #6873	6249 PUEBLO DR	

ATTACHMENTS:

- Application
- PowerPoint



Development Application

Planning

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

Project Name: WESTGLEN MOBILE HOME AND RV PARK
 Address: 6101 S 7th Street No. of lots: 127 Acreage: 17.53
 Legal Description: WESTGLEN ADDN, block 1 Sec 1, Lot 1 & 2
 Subdivision Name: Westglen ADDN Block: 1 Sec 1 Lot: 1 & 2
 Current Zoning: MH Proposed Zoning (if applicable): PD

OWNER AND AUTHORIZATION

Owner Name: Mobile Home Concepts LLC
 Address: 4742 DERRICK DR
 City, State, Zip: ABILENE Fax: 325 455 1489
 Phone: 325 672 7785 Email: bo@mobilehomeconcepts.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) _____ 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: [Signature] Date: Oct 2, 2020

FOR OFFICE USE ONLY

Received: 10/5/2020 Fee: \$ 2000. Receipt No.: ADD1055686
 Case No.: _____ Reviewed By: NICK WATTS



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.

Gentlemen,

We kindly request that zoning will be changed to allow us place RV's along with Mobile Homes.

Currently there are 6 Mobile homes in the park located on spaces 15, 28/29/30, 47/48/49, 45, 93/4, 119/120. Remaining spaces we would like to be able place RV's along with the Mobile Homes.
(Maps Attached)



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: _____

A handwritten signature in black ink, appearing to read "Thomas S. Hoff", written over a horizontal line.

DATE: _____

Oct 2, 2020

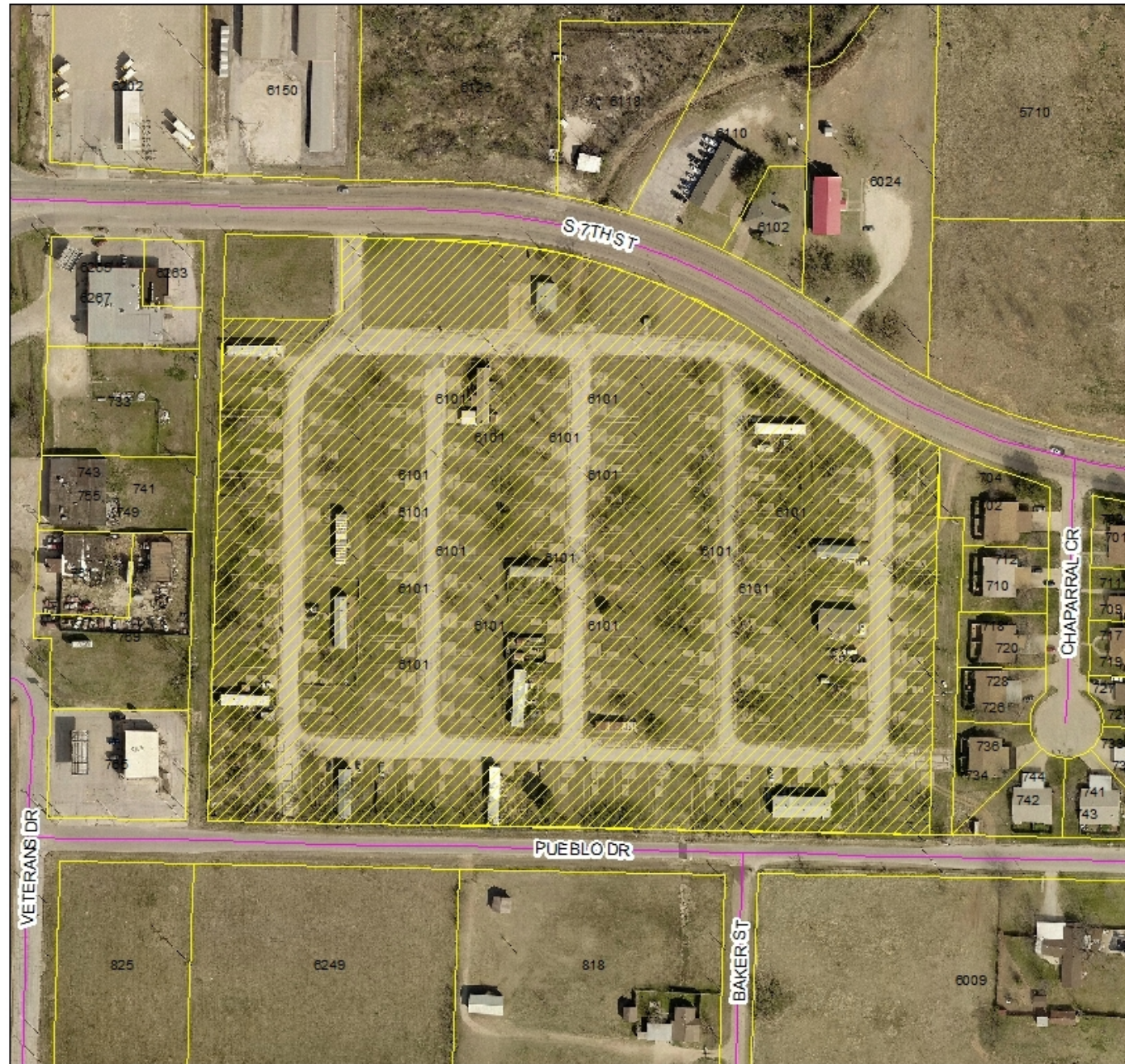
**6101 S 7th St
Abilene, TX 79605
(325) 672-7785**

PUEBLO ST

Page 20 of 119

Case:	Z-2020-22
Owner:	Mobile Home Concepts, LLC
Request:	Rezone from MH to PDD
Legal Description:	Lot 1 in Block 1 of a Replat of Section 1, Westglen Addition in Abilene, Taylor County, Texas. Located at 6101 South 7 th Street
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	December 1, 2020
City Council Hearing:	December 17, 2020 January 14, 2021

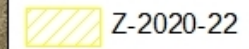
Z-2020-22 AERIAL LOCATION MAP



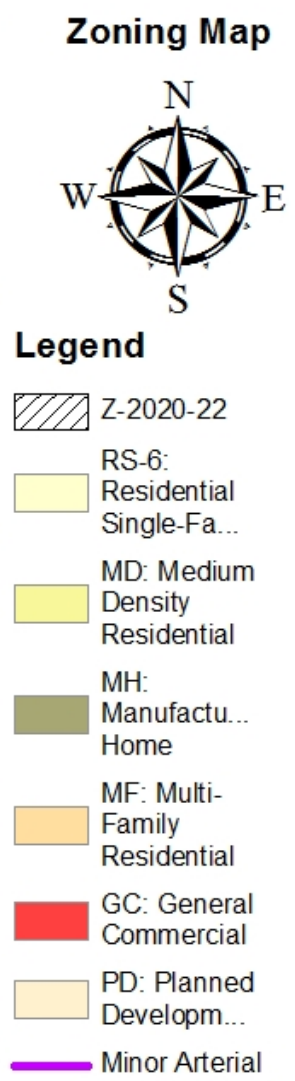
Location Map



Legend



Z-2020-22 ZONING MAP



Z-2020-22 FLOOD ZONE MAP



**6101 S 7th St
Abilene, TX 79605
(325) 672-7785**

**6101 S 7th St
Abilene, TX 79605
(325) 672-7785**

S 7TH ST

[illegible]

PUEBLO ST

MANUFACTURED/MOBILE HOME PERMITTED USES

RESIDENTIAL USES:

- P Dwelling – Industrialized Housing Unit
- P Dwelling – Manufactured Home (HUD-Code)
- P Dwelling – Mobile Home
- P Dwelling – Single-Family Detached

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- C Mobile Home or Temporary Building (Office for sales and service)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- C Civic, Social, and Fraternal Organization
- P Recreation – Outdoors (passive)
- C Recreation – Outdoors (active)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Homeless/Emergency Shelter

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- P School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

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

MD Neighboring properties to east



MD Neighboring properties to east



Neighboring property to west



Southern view and Office zoned GC



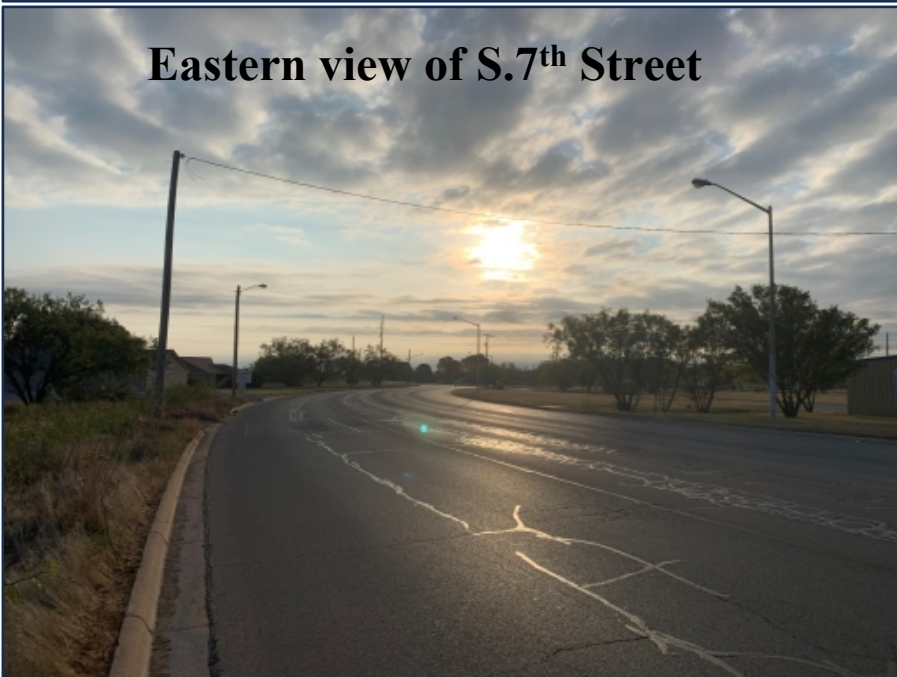
Middle private road



Utilities



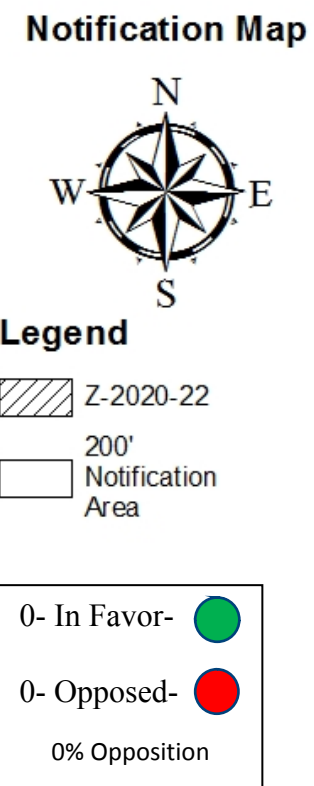
Eastern view of S.7th Street



Western view of S.7th Street



Z-2020-22 NOTIFICATION AREA MAP



- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval with conditions
 - The eastern 200 feet to be reserved for only manufactured/mobile homes to protect the character of the adjacent medium density neighborhood

Questions?

ZONING CASE Z-2020-23

STAFF REPORT



REQUEST: Rezone two (2), one acre tracts from Agricultural Open Space (AO) Zoning to Rural Residential (RR-1).

APPLICANT:

Owner: Eugene Rickert

HEARING DATES:

P & Z Commission: December 1, 2020

City Council 1st Reading: December 17, 2020

City Council 2nd Reading: January 14, 2021

LOCATION:

- 1949 Beltway South
- Legal description(s): Two (2) acres out of northeast quarter of Lunatic Asylum Lands Section 23 in Taylor County, TX.

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting to rezone two (2), one acre tracts from Agricultural Open Space (AO) to Rural Residential (RR1) District for the purpose of combining the lots through a replat. The rezone and subsequent replat will bring the lots into conformity with the Land Development Code allowing the construction of an addition to an existing single family residence.

BACKGROUND

The residence located on the subject property was constructed in 1970, prior to annexation into the City Limits of Abilene in 1980. Both subject properties are owned by the applicant who is now seeking a building permit for an addition which exceeds 30% of the existing floor area. Pursuant to Section 3.1.1.1, Provisions Applicable to Platting Procedures, of the Land Development Code, if an addition/accessory building exceeds 30% of the existing floor area on a piece of property, no permit shall be issued for any building or structure until a plat has been approved and filed at the County Clerk's Office.

APPLICATION REVIEW:

Pursuant to Section 1.4.1.4, Criteria for Approval, of the 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 identifies this general area as low density residential. Low density residential is designed to encourage large tracts of land that limit concentration of development. Abilene's Land Development Code defines Rural Residential (RR-1) as a district that preserves open space and limits overcrowding.

- (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.**

Rural Residential (RR-1) would be appropriate in the immediate area as the surrounding lots are similar in character, size, and density.

Direction	Zoning	Existing Land Use
North	AO	Single-Family Residence
South	AO	Single-Family Residence
East	AO	Single-Family Residence
West	AO	Single-Family Residence

- (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 rezoning would not negatively affect any proposed or existing plans for public services and utilities.

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

It is the opinion of the staff that there are no other factors which will substantially affect the public health, safety, morals, or general welfare.

STAFF COMMENTS:

Due to the proposed size of the addition, the property owner is required to execute a subdivision plat for the property to meet minimum setbacks. Prior to plat approval for the subject properties an appropriate zoning must be approved. The property is currently zoned Agricultural Open Space (AO), however, it no longer meets the minimum lot size requirement of five (5) acres within AO zoning. The subject property meets the minimum requirement of one (1) acre that is required within Rural Residential (RR-1) Zoning.

STAFF RECOMMENDATION:

Rezoning to RR-1 is consistent with the Future Land Use and Development Plan Map and is consistent with the currently surrounding land uses. Staff recommends approval of the request.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission will meet on December 1, 2020 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
DAVIDSON DAVID K &		
DAVIDSON DAVID K &	2009 BELTWAY S	
FANNING JANIE R		
GILL KELLY	1964 BELTWAY S	
GRAHAM SARA L ET AL		
GRAHAM SARA L ET AL	150 HWY 83-84	
JOHNSTON EVAN D	1873 BELTWAY S	
REYNOLDS BETTY GRACE TRUST	1925 BELTWAY S	
RICKERT EUGENE WILLIAM &	1949 BELTWAY S	
RICKERT EUGENE WILLIAM &		
SAURBER SYBIL LF EST	1958 BELTWAY S	
SAURBER SYBIL LF EST		

ATTACHMENTS:

- Application
- PowerPoint





Development Application

Planning

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

Project Name: Rickert Residence
 Address: 1949 Beltway S No. of lots: 2 Acreage: 2
 Legal Description: _____
 Subdivision Name: _____ Block: _____ Lot: _____
 Current Zoning: AO Proposed Zoning (if applicable): RR

OWNER AND AUTHORIZATION

Owner Name: Eugene Rickert
 Address: 1949 Beltway S
 City, State, Zip: Abilene, Tx, 79606 Fax: _____
 Phone: 325 698 0841 Email: takbill@hotmail.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) _____ 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: Eugene Rickert Date: Nov 2, 2020 ^{BR}

FOR OFFICE USE ONLY

Received: 11/2/20 Fee: \$ 1500.00 Receipt No.: 0001056463
 Case No.: 2-2020-23 Reviewed By: [Signature]



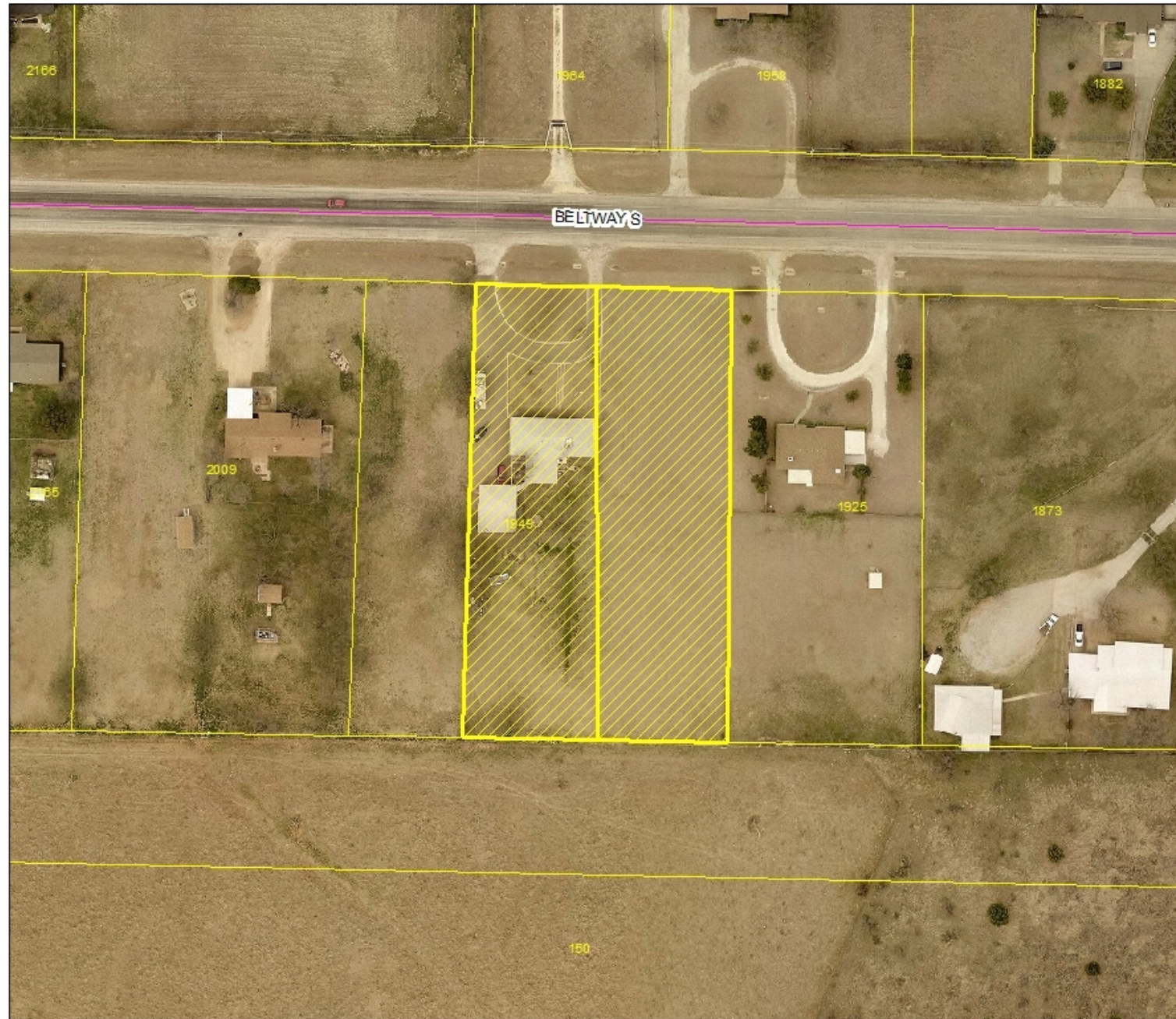
Development Application

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.

Rezone 2 acres of property from AO to RR in order to get a plat approved to allow an addition to the residence greater than 30%.

Case:	Z-2020-23
Owner:	Eugene Rickert
Request:	Rezone from AO to RR-1
Legal Description:	2 acres out of northeast quarter of Lunatic Asylum Lands Sec. 23, Taylor County, TX.
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	December 1, 2020
City Council Hearing:	December 17, 2020 January 14, 2021



Location Map



Legend

 Z-2020-23

Z-2020-23 ZONING MAP



Subject Property



Subject property vacant lot



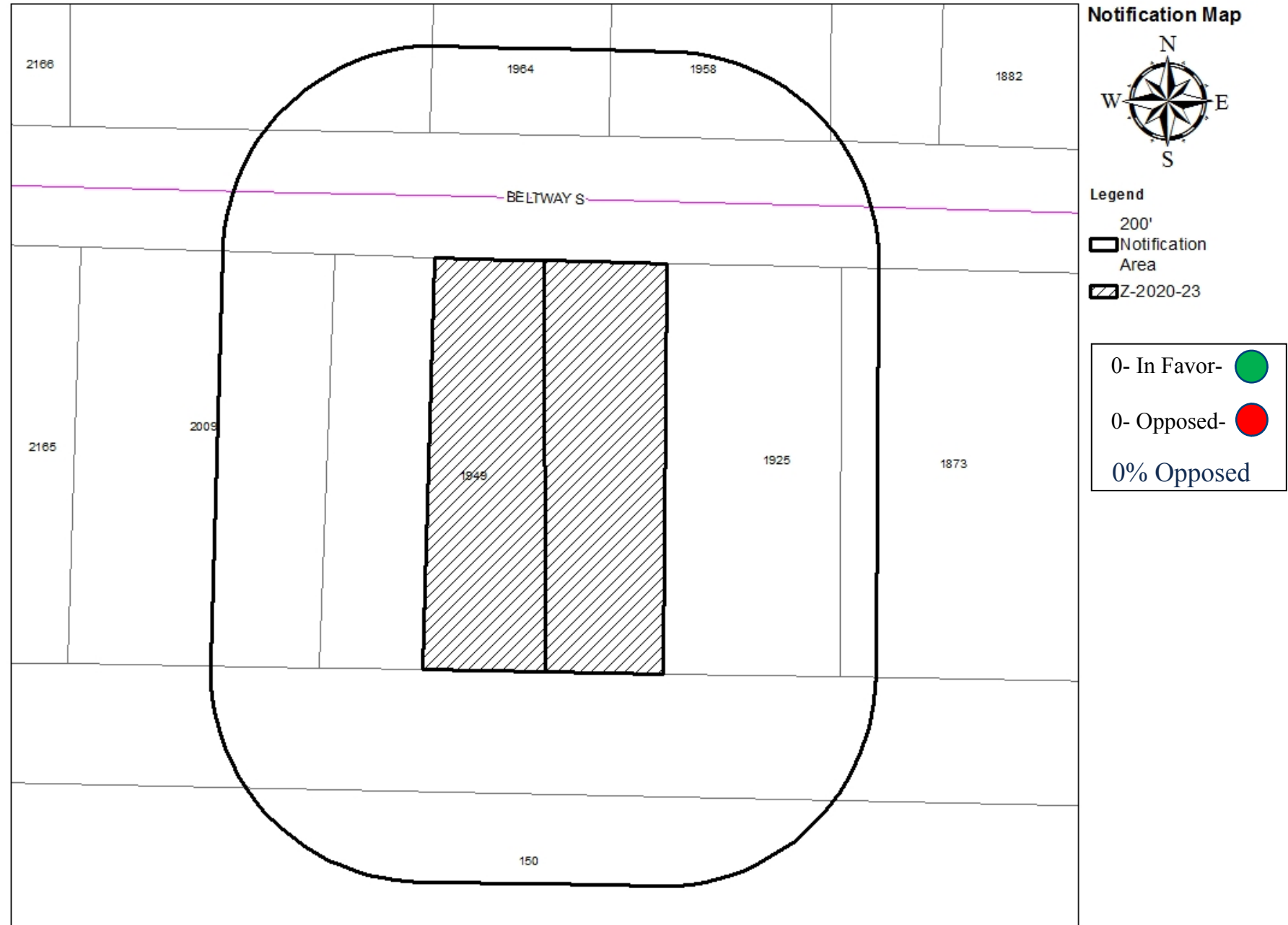
Northern neighboring property



Northern neighboring property



Z-2020-23 NOTIFICATION AREA MAP



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

Questions?

ZONING CASE Z-2020-24

STAFF REPORT



REQUEST: Rezoning

APPLICANT:

Owner: Donald A Callaway
Agent: Jacob & Martin, LLC.

HEARING DATES:

P & Z Commission: December 1, 2020
City Council 1st Reading: December 17, 2020
City Council 2nd Reading: January 14, 2021

LOCATION:

- 4801 Buffalo Gap Rd.
- Legal description(s): Easternmost 150 feet of Lot 1, Block A of Squares Restaurant Addition to Abilene, Taylor County, Texas, being the rear (eastern) approximately .75 acres of a building site at 4801 Buffalo Gap Road.

BACKGROUND:

The subject property was annexed into the City limits of Abilene in 1959, at which time it was zoned Agricultural Open Space (AO). In January 2010, the Planning & Zoning Commission considered the rezoning of the entire two acre tract to Neighborhood Retail (NR) Zoning. However, the Commission recommend City Council rezone the approximate western 1.25 acres of the property to NR and the remaining easternmost .75 acres would remain in AO Zoning. According to the applicant the easternmost .75 acres of land was reserved for onsite detention for the proposed development. The Commission recommended it serve as an effective land use buffer from the residentially zoned lots to the east. Ordinance #2-2010 was approved by City Council in February 2010, which rezoned the westernmost 1.25 acres of the subject property to NR Zoning and the remaining easternmost .75 acres of the subject property was left in AO Zoning. In November 2010, Abilene's Development Review Committee approved the official Site Plan for what is now the site of Al's Mesquite Grill.

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting to rezone a portion, approximately 61-foot by 102-feet, of the AO zoning to accommodate additional parking. In order to expand the existing parking area for Al's Mesquite Grill, Abilene's Land Development Code Section 4.2.1.3 stipulates that off-street parking requirements shall be within the same zoning classification required of the use which the parking area supports.

However, it is the opinion of staff that the remaining .75 acres of this subject property be rezoned from Agricultural Open Space (AO) to Neighborhood Retail (NR) in order to avoid spot zoning and avoid creating a remnant piece of property which is unusable and unnecessary.

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 mixture of commercial and residential land uses. The proposed zone change will further promote the Comprehensive Plans objective of creating a mixture of mutually supportive land uses which are integrated residential and non-residential land uses.

(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 proposed zone change will be appropriate in the immediate area. Neighborhood Retail Zoning is intended to accommodate a limited range of retail trade, services and office activities that are needed to serve a neighborhood area. The level of intensity and scale of development permissible within the NR District are designed for compatibility with nearby residential uses.

Zoning		Existing Land Use
North	O/COR	Optometry Office
South	AO/COR	Single Family Residence
East	RS-6	Single Family Residences
West	RS-6	Single Family Residences

(1) 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 further development of this property. No additional development of above stated facilities/infrastructure will be necessary for the development of this subject property.

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

It is the opinion of the staff that there are no other factors, which substantially affect the public health, safety, morals, or general welfare of the City of Abilene.

STAFF COMMENTS:

The subject property was rezoned in 2010, however, during that rezoning the rear .75 acres was left out of the zone change and required the rear 150-feet remain in AO zoning to serve as a buffer leaving a remnant piece of property. This 150-foot “buffer” greatly exceeds the land use buffers typically required in similar arrangements found throughout Abilene where NR uses back up to residential homes. By nature, Neighborhood Retail (NR) Zoning is intended to be in close proximity to residential neighborhoods in an effort to provide necessary amenities that will benefit the nearby community; any necessary buffering is ordinarily determined during the site planning process. Furthermore, the level of intensity and scale of development within NR Districts are designed to be compatible with nearby residential uses. Additionally, the property directly north of the subject property is within an Office (O) Zoning District which extends the full length of the property and backs up to residential homes to the north and east. In May 2020, the Development Review Committee approved a site plan which allowed the expansion of the existing office building at this location and permitted the expansion of the parking lot as close as 29-feet to the residential homes to the east.

STAFF RECOMMENDATION:

This rezoning request was reviewed pursuant to Section 1.4.1.4 (Criteria for Approval) in the Land Development Code and staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission will meet on December 1, 2020 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 PEDIATRIC DENTAL ASSOCIATES PLLC	3033 STONECREST DR	
AVILA GABRIEL & SHERRY	4749 BUFFALO GAP RD	
BERG MELANIE D	2958 ARLINGTON AV	
BROWN LINDA	2966 ARLINGTON AV	
BUFFALO GAP STREET PROPERTIES LLC	4741 BUFFALO GAP RD	
CALLAWAY DONALD A III	4801 BUFFALO GAP RD	
CALLAWAY STOMI JANEWAY &	4809 BUFFALO GAP RD	
CANALES CALEB ANTHONY &	3017 STONECREST DR	
COLES JERI LYNN	3001 STONECREST DR	
DEAVER TOMMIE H	3009 RED OAK CR	
FALADE OLUGBENGA & JANET F	2965 RED OAK CR	
HARRISON DEBORAH BLESSING LF EST	3002 ARLINGTON AV	
JOSHUA MATTHEW W & GLORIA	3025 STONECREST DR	
MC ALISTER JERRY P & SUE	2966 RED OAK CR	
MORALES BENJAMIN III & JUSTINE	3010 ARLINGTON AV	
RIDGEMONT BAPTIST CHURCH	4857 BUFFALO GAP RD	
SHARP STEVEN R & ANGELA R	3008 RED OAK CR	
SINGLETON JAMES A &	3009 STONECREST DR	
STONE JAMES C & MEREDITH J	3001 RED OAK CR	
THARP GWYNN & BEVERLY	2965 STONECREST DR	
WRIGHT SHANNA C	3002 RED OAK CR	

ATTACHMENTS:

- Application
- PowerPoint



Development Application

Planning

☐ Conditional Use

☐ Easement Release

☒ Rezoning

☐ Other

☐ PDD

☐ Street Name Change

☐ Thoroughfare Abandonment

☐ PDD Amendment

Other: _____

Project Name: Rezone for Al's Mesquite Grill
 Address: 4801 Buffalo Gap Road No. of lots: 1 Acreage: 2.006
 Legal Description: Squares Restaurant Addition, Block A, Lot 1
 Subdivision Name: Squares Restaurant Addition Block: A Lot: 1
 Current Zoning: AD Proposed Zoning (if applicable): NR

OWNER AND AUTHORIZATION

Owner Name: Donald A Callaway
 Address: 4801 Buffalo Gap Rd.
 City, State, Zip: Abilene, TX 79606 Fax: _____
 Phone: _____ 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) Tal Fillingim will act as my agent before the Planning and Zoning Commission.

Agent Name: Jacob + Martin, LLC
 Address: 3465 Curry lane
 City, State, Zip: Abilene, TX 79606 Fax: _____
 Phone: 325-675-1070 Email: Tal@jacobmartin.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: Donald A Callaway Emi Callaway Date: 11/3/2020

FOR OFFICE USE ONLY

Received: 11/3/20 Fee: \$ 1500 Receipt No.: 0002056464
 Case No.: 2-2020-24 Reviewed By: [Signature]



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 platted lot where Al's Mesquite Grill is located is currently zoned NR along front portion of the lot and is zoned AO along the back 125'. This zoning request is to extend the existing NR zoning for Al's Mesquite Grill to the east for a portion (61'x102') of the existing AO zoned area on this same lot. Exhibit is attached that outlines the area requested for rezone. The zoning is being extended to accommodate the addition of 20 parking spaces immediately adjacent to the existing Al's parking area.



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.

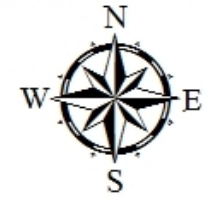
SIGNED: Donald A. Kelley III Shirley Callaway DATE: 11/3/2020

Case:	Z-2020-24
Owner:	Donald A Callaway
Agent:	Jacob & Martin, LLC
Request:	Rezone from AO to NR
Legal Description:	Approximately .75 acres of Lot 1, Block A of Squares Restaurant Addition to Abilene, Taylor County, Texas, 4801 Buffalo Gap Rd.
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	December 1, 2020
City Council Hearing:	December 17, 2020 January 14, 2021

Z-2020-24 LOCATION MAP



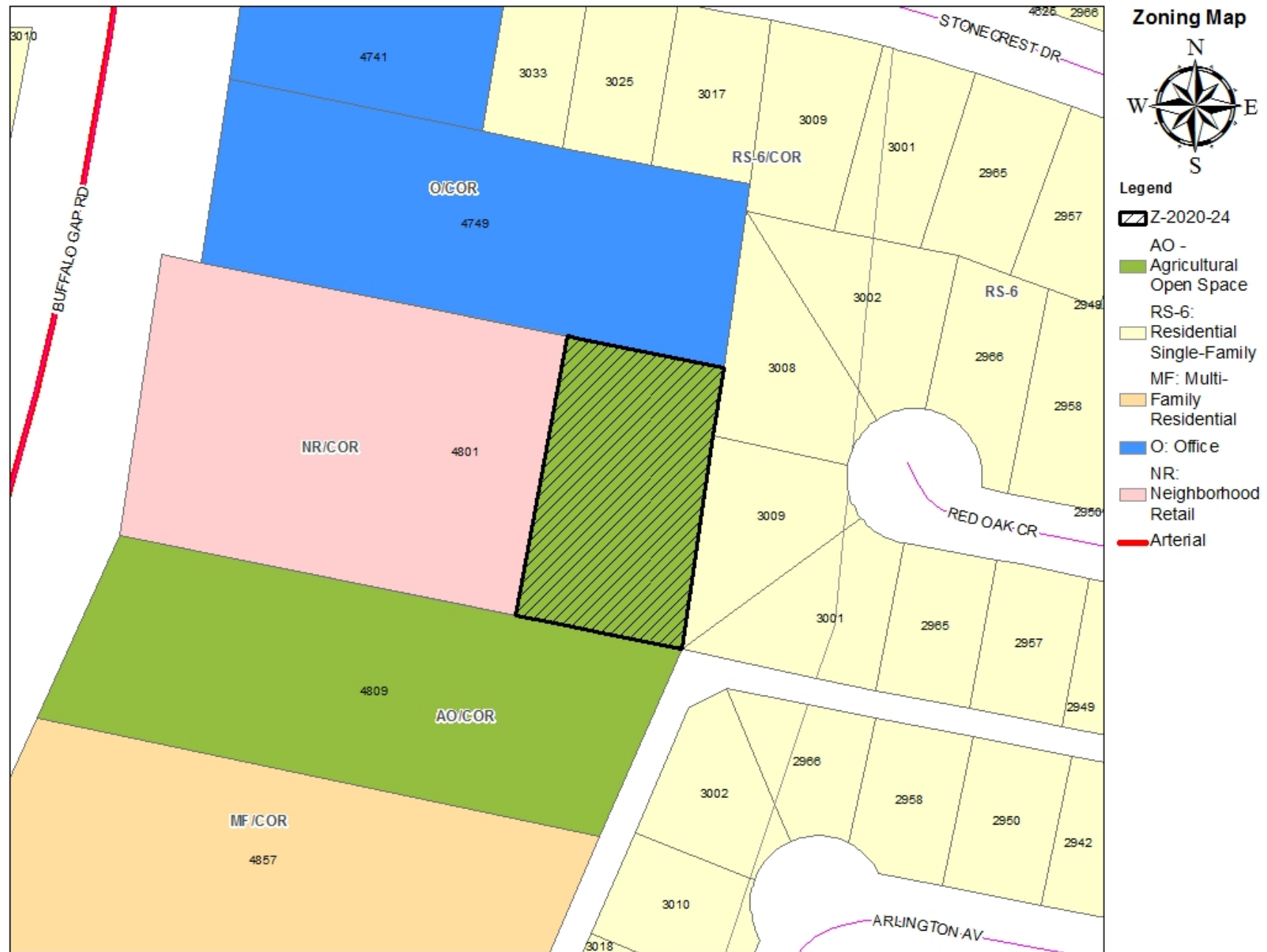
Location Map



Legend

 Z-2020-24

Z-2020-24 ZONING MAP



Z-2020-24 VIEWS OF SUBJECT PROPERTY

Southern view Buffalo Gap Road



Northern view Buffalo Gap Road



Northern view neighboring property



Southern view neighboring property



Z-2020-24 VIEWS OF SUBJECT PROPERTY

Northeast view neighboring properties



Southeast view neighboring property



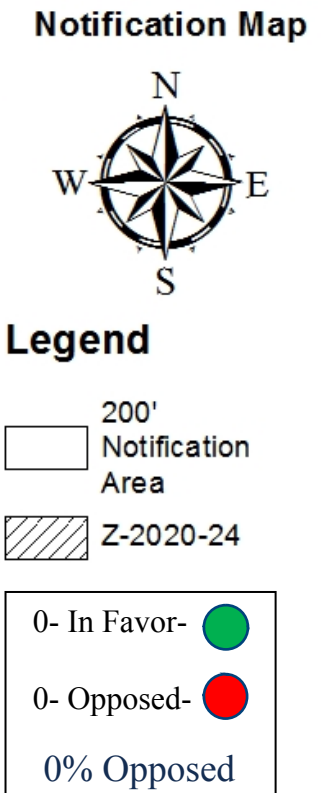
Subject property



Subject property



Z-2020-24 NOTIFICATION AREA MAP



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

Questions?

ZONING CASE Z-2020-25

STAFF REPORT



REQUEST: Rezoning from existing Residential Single-Family Patio Home District (PH) to previous Residential Medium-Density District (MD) zoning.

APPLICANT:

Owner: Kyle Paul Construction

Agent: Jacob & Martin Engineering

HEARING DATES:

P & Z Commission: December 1, 2020

City Council 1st Reading: December 17, 2020

City Council 2nd Reading: January 14, 2021

LOCATION:

- 1826 Colony Hill Road
- Legal description(s): 5.85 acres of vacant land out of Southwest quarter of Lunatic Asylum Lands Section 8

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting to rezone from Residential Single-Family Patio Home (PH) to the subject property's previously zoned Residential Medium-Density (MD). The applicant has shown renewed interest in MD after reviewing market trends and the growing demand for MD type units.

APPLICATION REVIEW:

Pursuant 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;**

When the Future Land Use and Development Plan Map of the Comprehensive Plan was developed in 2004, this subject property had not yet been annexed to the City limits of Abilene. Therefore, the Future Land Use and Development Plan provides no real guidance in regard to the zoning of the subject property. However, the City's Thoroughfare Plan identifies both Colony Hill Road and Maple Street to be future "Arterial" streets which are intended to carry major traffic between large areas of the city. Proposed MD zoning of the subject property may offer an effective transition in the intensity of urban use and carrying-capacity characteristic of arterial streets by separating anticipated retail development to the west and lower density residential development to the east.

- (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 Medium Density (MD) zoning classification is intended to accommodate the development of duplex, triplex, and quadraplexes which allows a density of 9 units per acre. The Patio Home (PH)

zoning classification is designed to accommodate the development of detached single-family dwellings on lots smaller than those in RS-6 single family housing districts and typically allows densities of 7 ½ units per acre. The change back to MD from PH is a slight change in intensity and is still appropriate for the surrounding area with an increased density of 1 ½ units per acre.

	Zoning	Existing Land Use
North	AO	Single Family Residential Large Lots
South	AO	Wylie ISD East Elementary
East	RS-6	Single Family Residential Vacant Acreage
West	AO	Single Family Residential Large Lot

(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.

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

It is the opinion of staff that there are no other factors which will substantially affect the public health, safety, morals or general welfare of the City of Abilene.

STAFF COMMENTS:

The subject property was annexed in 2009 and zoned Agricultural Open Space (AO) classification. In January 2016, a request to rezone the subject property to Residential Medium-Density (MD) was approved by the Planning and Zoning Commission and City Council. In February 2020 the Planning and Zoning Commission recommended approval of a zone change from MD to PH zoning and the City Council approved the rezoning in March. However, since approval, a plan and/or subdivision plat was never provided for the planning staff to review and the applicant has a renewed desire to develop the subject property into MD zoning standards. It is the opinion of staff that the intended development of this vacant tract of land for Residential Medium-Density zoning (MD) is appropriate for the surrounding area and size of this tract of land.

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:

The Planning and Zoning Commission will meet on December 1, 2020 to review this request.

NOTIFICATION: The Planning Services Division sent, with a 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
JOHNSTON TYLER	7302 MOUNTAIN VIEW RD	
KPLB LLC	1826 COLONY HILL RD	
LIVELY LEVI & MINDY	7081 MAPLE ST	
MC LEOD PROPERTY DEV LLC		
MC LEOD PROPERTY DEV LLC		
MC LEOD PROPERTY DEV LLC	7089 MAPLE ST	
MC LEOD PROPERTY DEV LLC		
NEWQUIST DENNIS M & AMY A	7201 MAPLE ST	
WEEKS ROBERT MCKAY	7101 MAPLE ST	
WYLIE INDEPENDENT SCHOOL DISTRICT	7401 MAPLE ST	

ATTACHMENTS: 1) Application 2) PowerPoint



Development Application

Planning

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

Project Name: Colony Hill Road Development

Address: 1826 Colony Hill Road No. of lots: _____ Acreage: 5.85

Legal Description: A0806 SUR 8 L A L SW/4, ACRES 5.85

Subdivision Name: Colony Hill Road Development Block: _____ Lot: _____

Current Zoning: PH Proposed Zoning (if applicable): MD

OWNER AND AUTHORIZATION

Owner Name: KPLB, LLC

Address: 3409 S. 14TH Street, Suite 204

City, State, Zip: Abilene, TX 79605 Fax: _____

Phone: 325-260-6935 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) Jacob & Martin will act as my agent before the Planning and Zoning Commission.

Agent Name: Jacob & Martin

Address: 3465 Curry Lane

City, State, Zip: Abilene, TX 79606 Fax: 325-691-5134

Phone: 325-695-1070 Email: cfarrow@jacobmartin.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: [Signature] Date: 10/30/2020

FOR OFFICE USE ONLY

Received: 10/30/20 Fee: \$ 1500.00 Receipt No.: 0001056465

Case No.: Z-2020-25 Reviewed By: [Signature]



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

Owner understands the property was recently rezoned from MD to PH, but has requested to return to the previous zoning after reviewing additional market trends. Area has previously been zoned MD, and there is similar zoning in the Carriage Hills neighborhood to the south.



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: _____

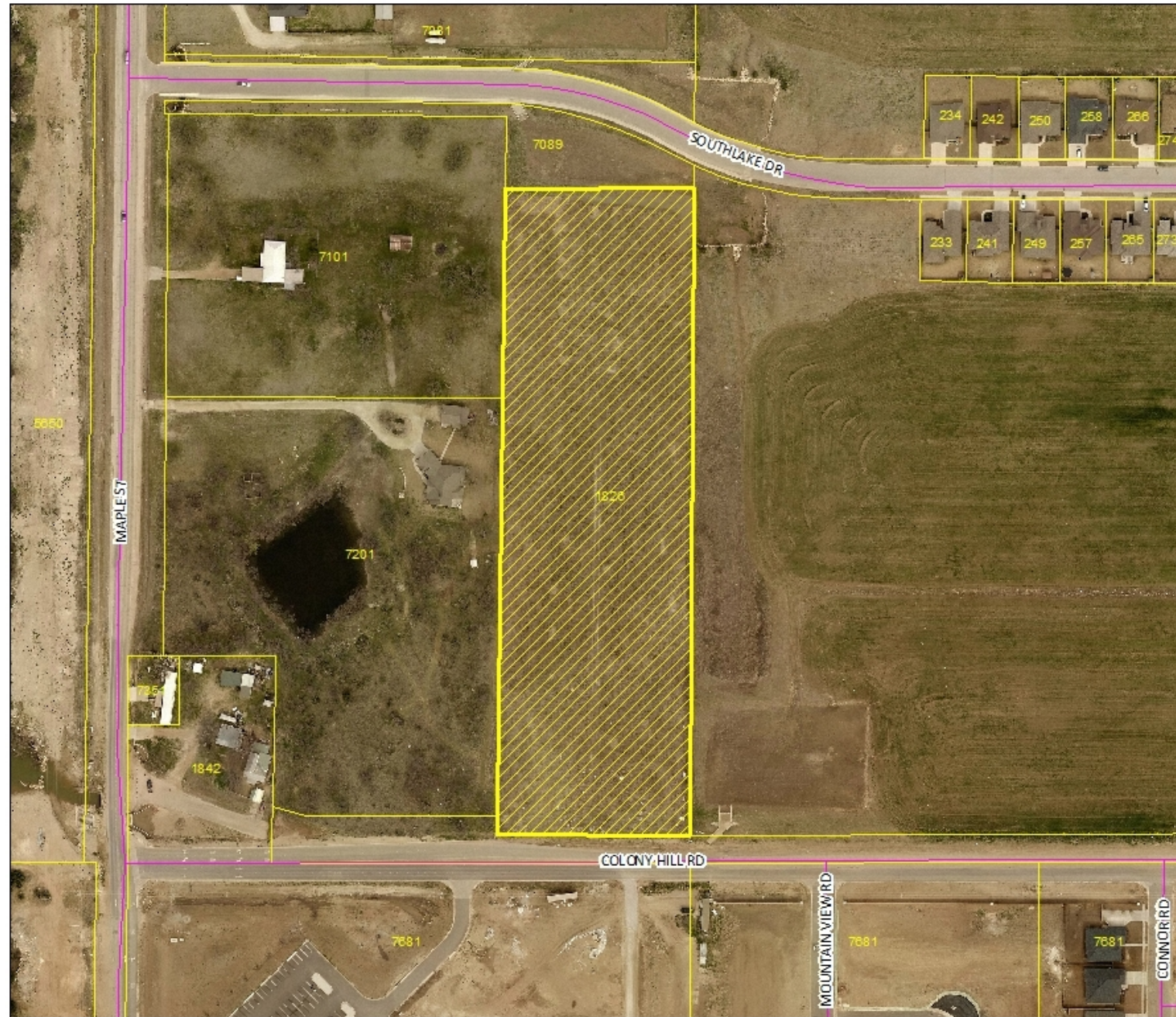
A handwritten signature in black ink, appearing to be 'KJ' or similar, written over a horizontal line.

DATE: _____

10/30/2020

Case:	Z-2020-25
Owner:	KPLB, LLC
Agent:	Jacob & Martin, LLC
Request:	Rezone from PH to MD
Legal Description:	5.85-acre tract of vacant land out of southwest quarter of Lunatic Asylum Lands Section 8 in City of Abilene, Taylor County, Texas and located at 1826 Colony Hill Road
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	December 1, 2020
City Council Hearing:	December 17, 2020 January 14, 2021

Z-2020-25 LOCATION MAP



Location Map



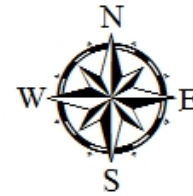
Legend

 Z-2020-25

Z-2020-25 ZONING MAP



Zoning Map



Legend

- Z-2020-25
- Arterial
- Arterial
- AO - Agricultural Open Space
- RS-6: Residential Single-Family
- PH: Residential Single-Family Patio Home
- MD: Medium Density Residential

Subject Property Facing North



Vacant land to the East



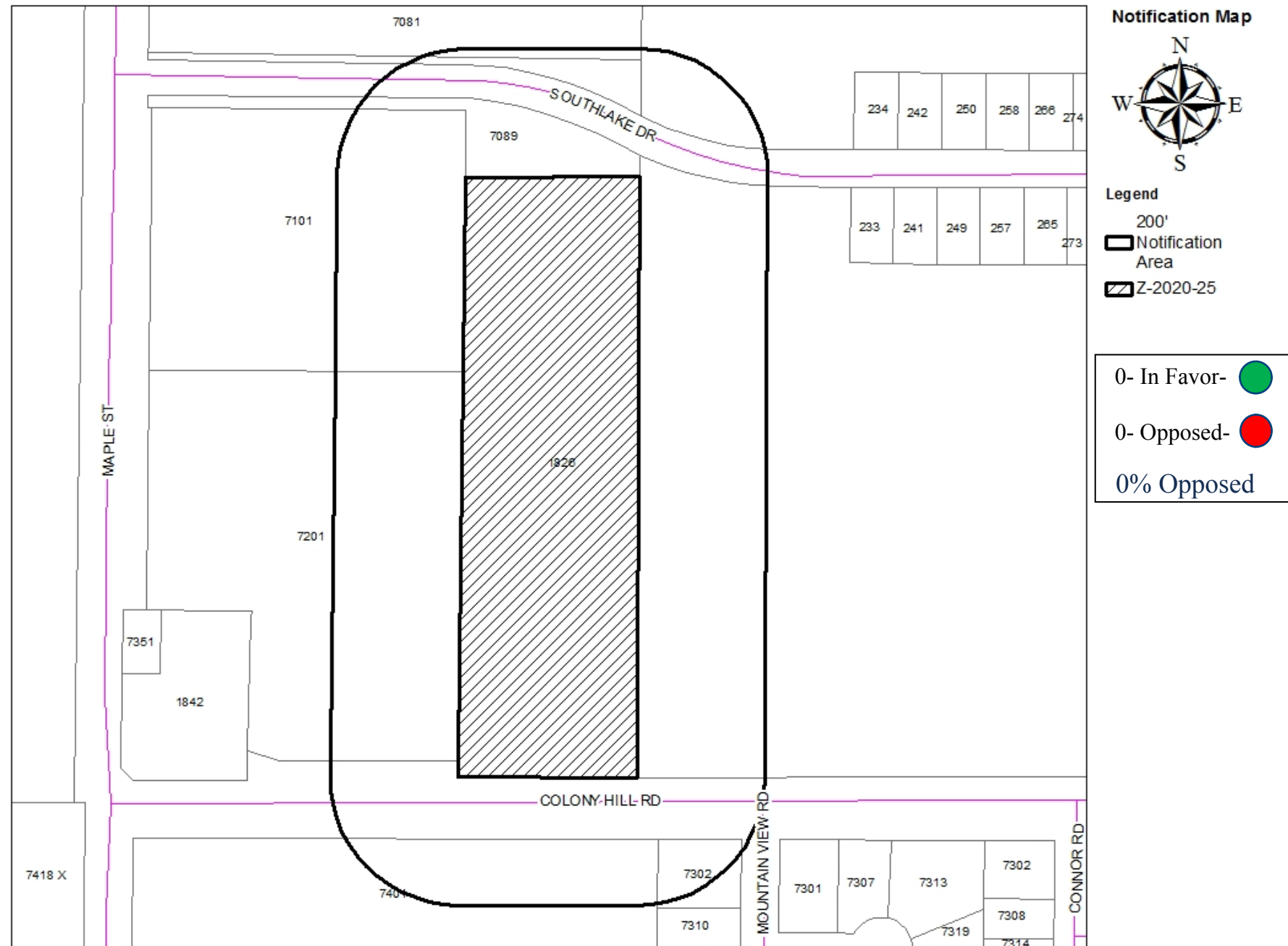
Subject Property Eagle View



Wylie ISD East Elementary



Z-2020-25 NOTIFICATION AREA MAP



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

Questions?

ZONING CASE Z-2020-26

STAFF REPORT



REQUEST: Rezone 13.05 acres in a Residential Medium-Density (MD) District, to a College University (CU) District.

APPLICANT:

Owners: Abilene Christian University

Agent: Parkhill (Architects and Engineers) represented by Kendra Hanfeld

HEARING DATES:

P & Z Commission: December 1, 2020

City Council 1st Reading: December 17, 2020

City Council 2nd Reading: January 14, 2021

LOCATION: 13.05 acres at 916 East North 13th Street, on the east side of Avenue F and extending south from East North 16th Street. Since the mid-1950's, this acreage has been the site of Taylor Elementary School. After December 2020, Taylor Elementary School will relocate to another campus on East North 10th Street. Abilene Christian University has committed to purchase these 13.05 acres situated south (of East North 16th Street) from the University's main campus.

PROPOSAL AND REQUESTED ACTION:

All 13.05 acres of the subject property are zoned Residential Medium-Density (MD), the same as the residential neighborhood to the west of this subject property. Abilene Christian University seeks to rezone this acreage to a College University (CU) District for university use after Taylor Elementary moves into their new building.

With their application for zone change, Abilene Christian University indicated they plan to use this site for "academic and research offices, classrooms, laboratories and other administrative uses." For at least the past 15 years, Abilene Christian University has leased (from Abilene Independent School District) the northern half of this school site, to use as paved parking and for intramural athletic fields. As mentioned above, Abilene Christian University's main campus lies directly north from what will soon be the former site of Taylor Elementary School, separated only by the width of East North 16th Street.

BACKGROUND:

As the name implies, College University (CU) zoning districts are intended for use and occupancy by a college or university. A wide variety of educational, residential and support service facilities (including sports venues) are allowed in College University zoning districts, commensurate with the needs of these institutions for higher learning. Abilene's Land Development Code goes on to state the College University (CU) zoning classification is "*designed to promote the orderly, interrelated development of college- and university-related facilities and to prevent the encroachment of incompatible use into such areas of high building concentration and pedestrian activity.*"

APPLICATION REVIEW:

Section 1.4.1.4 of Abilene's Land Development Code concerns criteria for approval of zoning changes. This Section stipulates that, in making a recommendation regarding a requested zone change, the Planning and Zoning Commission and City Council should 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 map of Future Land Use and Development in Abilene's Comprehensive Plan (circa 2004) indicates the subject 13+ acres are wedged between Abilene Christian University's main campus and a "local activity center" focused at the intersection of North Judge Ely Boulevard and E.N. 10th Street. Local activity centers are intended to contain a mix of shopping, dining and other entertainment uses serving the neighborhoods which surround them. More than a few such businesses are located within this existing activity center; however, one-and-a-half blocks of solid residences now separate that activity center from the subject property at Taylor Elementary School.

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

Two extensive sides of these 13+ acres are bordered by streets separating this site from residential districts to the south and west. This is a common attribute of existing College University districts embracing all three Abilene universities: McMurry, Hardin-Simmons and Abilene Christian Universities. The College University zoning classification has not been viewed or proven to be inherently incompatible with adjacent and nearby residences.

	Zoning	Existing Land Use
North	CU	ACU's main campus (across E.N. 16 th Street)
South	RS-6	one-family residences (across E.N. 13 th Street)
East	GR	vacant land, restaurant (across N. Judge Ely)
West	MD	one-, two- and multi-family residences

(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 remaining two sides of these 13+ acres (not adjoining residential districts) have frontage on either E.N. 16th Street or on North Judge Ely Boulevard. E.N. 16th is a collector-type street, while North Judge Ely Boulevard is a major arterial. Both such streets are intended and improved to carry relatively high volumes of traffic commensurate with what may be generated by college and university facilities.

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

It is the opinion of City staff that there are no other factors about this zone change request, which substantially affect the public health, safety, morals, or general welfare of residents in Abilene.

STAFF RECOMMENDATION:

City staff recommends approving this requested change to a College University zoning district, based on (a) the extent to which College University zoning districts routinely adjoin residential neighborhoods elsewhere in Abilene, and (b) the capacity of at least two adjacent streets for carrying higher traffic volumes generated by potentially more intensive use of this subject property

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission will meet to review this request on December 1, 2020.

NOTIFICATION:

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

Owner	Situs	Response
ABILENE CHRISTIAN UNIV	1548 N JUDGE ELY BL	
ABILENE CHRISTIAN UNIV	843 EN 16TH ST	
ABILENE CHRISTIAN UNIV	841 EN 16TH ST	
ABILENE CHRISTIAN UNIV	847 EN 16TH ST	
ABILENE CHRISTIAN UNIV	845 EN 16TH ST	
ABILENE CHRISTIAN UNIV	851 EN 16TH ST	
ABILENE CHRISTIAN UNIV	853 EN 16TH ST	
ABILENE CHRISTIAN UNIV	855 EN 16TH ST	
ABILENE CHRISTIAN UNIV	849 EN 16TH ST	
ABILENE CHRISTIAN UNIV	849 EN 13TH ST	
ABILENE CHRISTIAN UNIV	861 EN 16TH ST	
ABILENE CHRISTIAN UNIV	859 EN 16TH ST	
ABILENE CHRISTIAN UNIV	857 EN 16TH ST	
ABILENE CHRISTIAN UNIV	863 EN 16TH ST	
ABILENE CHRISTIAN UNIV		
ABILENE CHRISTIAN UNIV	1725 ACU DR	
ABILENE CHRISTIAN UNIV	1949 ACU DR	
ABILENE CHRISTIAN UNIV	2000 Y N JUDGE ELY BL	
ABILENE CHRISTIAN UNIV	1401 N JUDGE ELY BL	
ABILENE CHRISTIAN UNIV	792 EN 16TH ST	
ABILENE CHRISTIAN UNIV	2010 ACU DR	
ABILENE CHRISTIAN UNIV	990 EN 16TH ST	
ABILENE CHRISTIAN UNIV	1950 ACU DR	
ABILENE CHRISTIAN UNIV	2195 OLIVER JACKSON BL	
ABILENE CHRISTIAN UNIV	1850 TEAGUE BL	
ABILENE CHRISTIAN UNIV	2310 OLIVER JACKSON BL	
ABILENE CHRISTIAN UNIV	1995 CAMPUS CT	
ABILENE CHRISTIAN UNIV	845 COLISEUM WY	
ABILENE CHRISTIAN UNIV	870 COLISEUM WY	
ABILENE CHRISTIAN UNIV	1925 CAMPUS CT	
ABILENE CHRISTIAN UNIV	1750 CAMPUS CENTER RD	
ABILENE CHRISTIAN UNIV	760 LIBRARY CT	
ABILENE CHRISTIAN UNIV	1695 CAMPUS CT	
ABILENE CHRISTIAN UNIV	2070 ACU DR	
ABILENE CHRISTIAN UNIV	1600 CAMPUS CT	
ABILENE CHRISTIAN UNIV	790 LIBRARY CT	

ABILENE CHRISTIAN UNIV	1730 CAMPUS CENTER RD	
ABILENE CHRISTIAN UNIV	1775 CAMPUS CENTER RD	
ABILENE CHRISTIAN UNIV	1850 CAMPUS CENTER RD	
ABILENE CHRISTIAN UNIV	795 COLISEUM WY	
ABILENE CHRISTIAN UNIV	1885 CAMPUS CT	
ABILENE CHRISTIAN UNIV	860 EN 16TH ST	
ABILENE CHRISTIAN UNIV	1755 CAMPUS CT	
ABILENE CHRISTIAN UNIV	930 EN 16TH ST	
ABILENE CHRISTIAN UNIV	1680 CAMPUS CENTER RD	
ABILENE CHRISTIAN UNIV	1730 ACU DR	
ABILENE CHRISTIAN UNIV	1625 CAMPUS CT	
ABILENE CHRISTIAN UNIV	790 EN 16TH ST	
ABILENE CHRISTIAN UNIV	849 COLISEUM WY	
ABILENE CHRISTIAN UNIV	825 E AMBLER AV	
ABILENE CHRISTIAN UNIV	1668 CAMPUS CENTER RD	
ABILENE CHRISTIAN UNIV	2018 ACU DR	
ABILENE CHRISTIAN UNIVERSITY	834 EN 13TH ST	
ABILENE CHRISTIAN UNIVERSITY	858 EN 15TH ST	
ABILENE CHRISTIAN UNIVERSITY	848 EN 15TH ST	
ABILENE IND SCHOOL DIST	916 EN 13TH ST	
ABILENE IND SCHOOL DIST	1342X AVENUE F	
ANDERSON JOHN D &	909 EN 13TH ST	
ANDERSON JOHN D &	911 EN 13TH ST	
DALZELL DAVID E	841 1/2 EN 15TH ST	
DALZELL DAVID E	843 EN 15TH ST	
DALZELL DAVID E	841 EN 15TH ST	
DAVISTA LLC SERIES Q	925 EN 13TH ST	
FORD WILLIE	901 EN 13TH ST	
GANIRON ANTONINO B III LF EST	849 EN 14TH ST	
JANECOLE PROPERTIES LLC	949 EN 13TH ST	
JOHNSON DAVID C &	846 1/2 EN 14TH ST	
JOHNSON DAVID C &	846 EN 14TH ST	
JOHNSON DAVID LANCE &	1420 AVENUE F	
JOHNSON DAVID LANCE &	858 EN 14TH ST	
JOHNSON JUDY LYNN ET AL	941 EN 13TH ST	
KKTHAX INVESTMENTS LLC	841 EN 13TH ST	
KKTHAX INVESTMENTS LLC	841 1/2 EN 13TH ST	
KNIGHT STEVE	917 EN 13TH ST	
LEE MATTHEW S	842 EN 13TH ST APT D	
LEE MATTHEW S	842 EN 13TH ST APT A	
LEE MATTHEW S	842 EN 13TH ST APT B	

LEE MATTHEW S	842 EN 13TH ST APT C	
MAYES GARRET DIXON	849 EN 15TH ST	
MC DONALDS CORP 421614	1201 N JUDGE ELY BL	
OXLEY DAVID & TERRY	933 EN 13TH ST	
PEARSON JOSEPH D & DANA A	845 EN 14TH ST	
PEARSON JOSEPH D & DANA A	857 EN 15TH ST	
PEARSON JOSEPH DAVID & DANA A	872 EN 15TH ST	
RIGGS HAROLD S	857 EN 14TH ST	
SONJOHN PROPERTY LLC	850 EN 13TH ST	
SONJOHN PROPERTY LLC	852 EN 13TH ST	
SOULAR RTS LLC SERIES B	957 EN 13TH ST	
STRICKLAND FAMILY TRUST ET AL	1301 N JUDGE ELY BL	
UNREAL ESTATE LLC	857 EN 13TH ST	

ATTACHMENTS:

- Application
- PowerPoint



Development Application

Planning

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

Project Name: ACU South Campus
 Address: 916 E North 13th St, Abilene, TX 79601 No. of lots: 1 Acreage: 13.05
 Legal Description: 13.05 acres of SW1/4 Section 33, Blind Asylum Lands, Abstract 1050
 Subdivision Name: _____ Block: _____ Lot: _____
 Current Zoning: Residential Medium Density (MD) Proposed Zoning (if applicable): College & University (CU)

OWNER AND AUTHORIZATION

Owner Name: Abilene Christian University
 Address: ACU Box 29120
 City, State, Zip: Abilene, TX 79699 Fax: 325-674-6713
 Phone: 325-674-6552 Email: Kevin.Campbell@acu.edu

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

Agent Name: Kendra Hanfeld with Parkhill
 Address: 340 Beach St
 City, State, Zip: Abilene, TX 79601 Fax: _____
 Phone: 325-696-7336 Email: KHanfeld@parkhill.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: [Signature] Date: Oct 27, 2020

FOR OFFICE USE ONLY

Received: 10/27/20 Fee: \$ 1,500.00 Receipt No.: 0001056466
 Case No.: Z-2020-26 Reviewed By: [Signature]



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

This site is currently the location of the Taylor Elementary School. In addition, ACU has a use agreement with AISD that allows ACU to use the northern part of the property for intramural fields and a parking lot. ACU has recently acquired the site from AISD. When AISD is finished with the site at the end of the fall term, ACU is proposing to use it for academic and research offices, classrooms, laboratories and other administrative uses.



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.

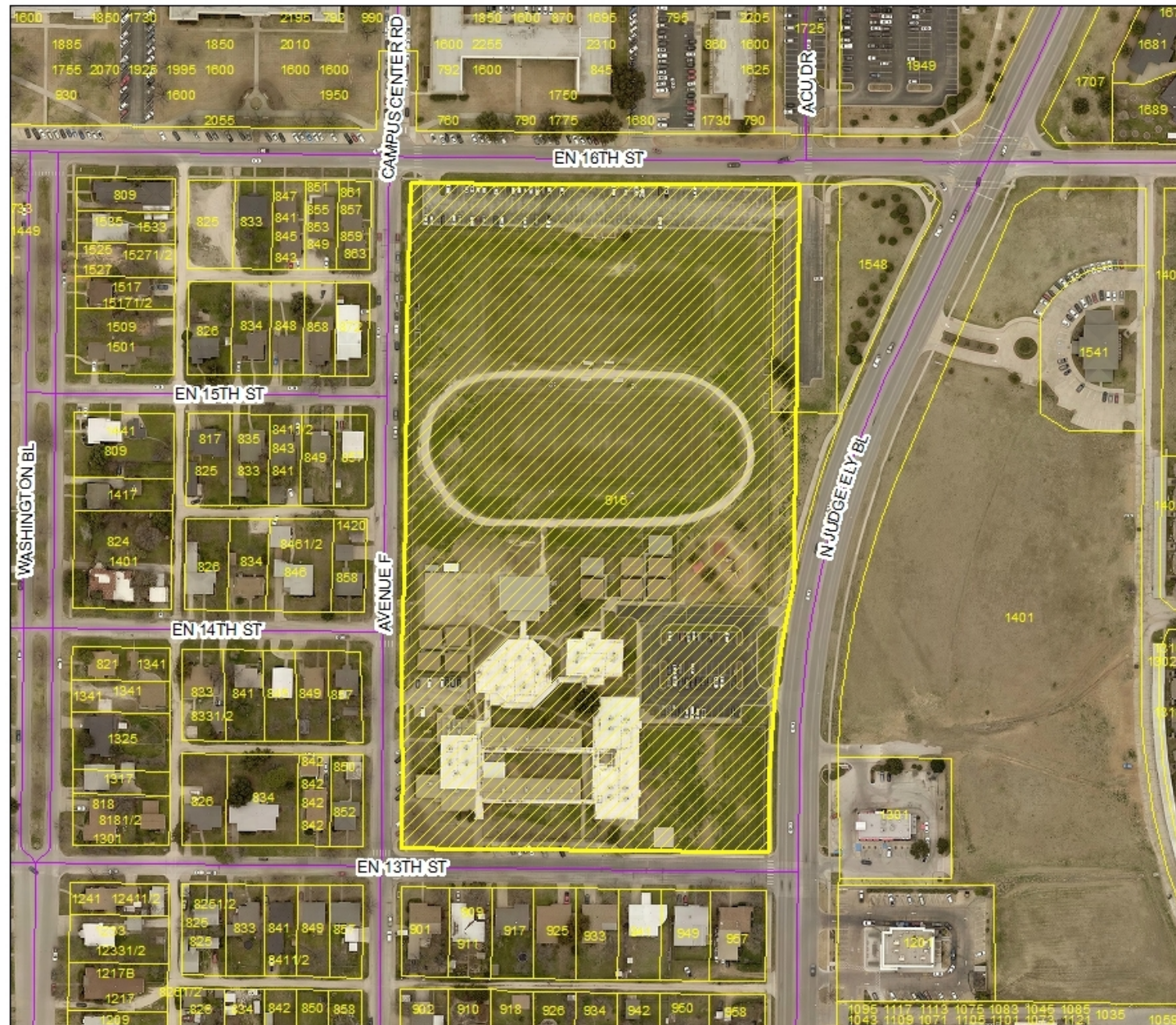
I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of 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:  Kevin Campbell (Oct 27, 2020 16:36 CDT)

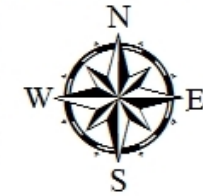
DATE: Oct 27, 2020

Case:	Z-2020-26
Owner:	Abilene Christian University
Agent:	Kendra Hanfeld, Parkhill
Request:	Rezone from MD to CU
Legal Description:	13.05 acres out of southwest quarter of Blind Asylum Lands Section 33 in Abilene, Taylor County, Texas.
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	December 1, 2020
City Council Hearing:	December 17, 2020 January 14, 2021

Z-2020-26 LOCATION MAP



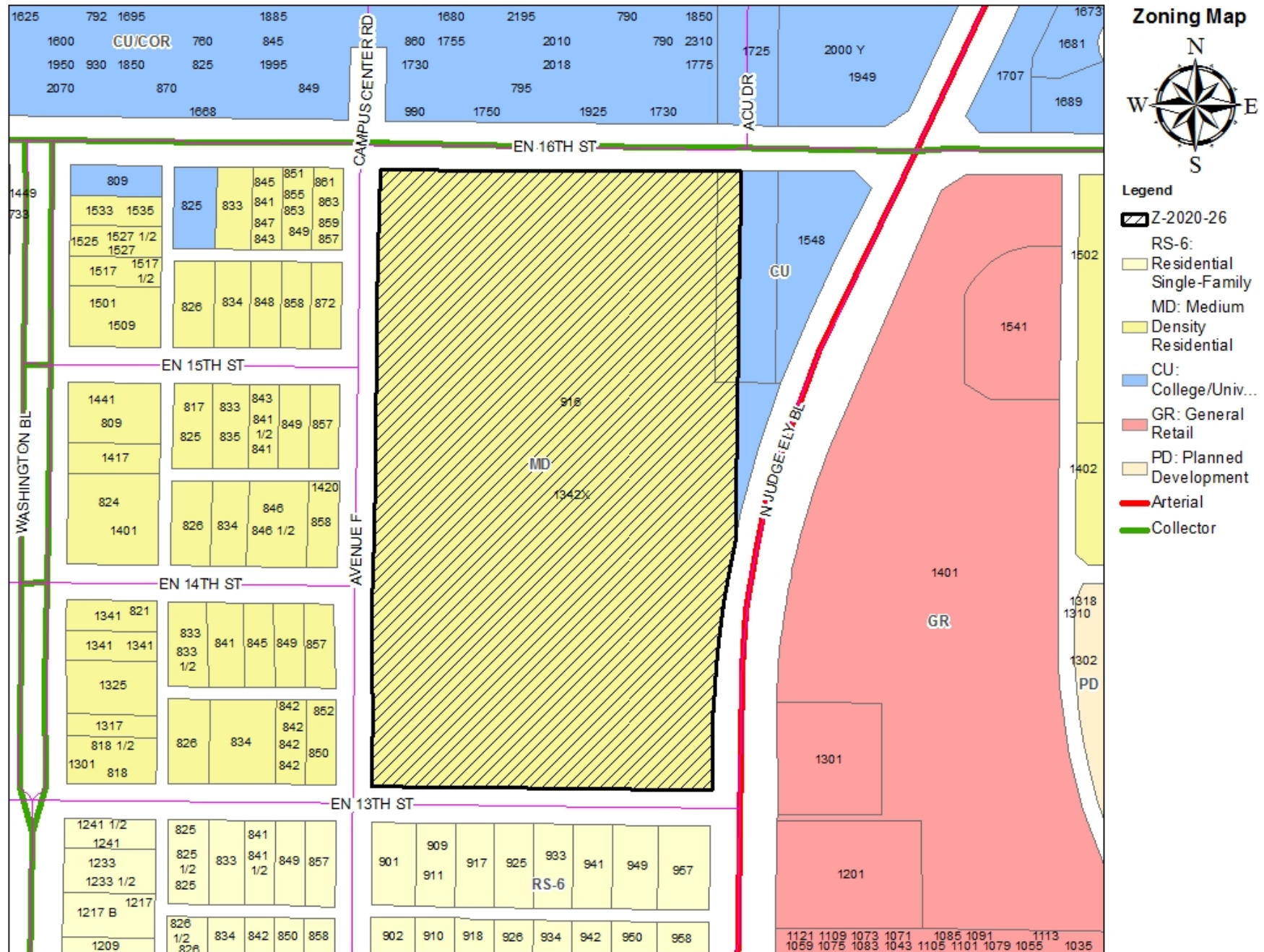
Location Map



Legend

 Z-2020-26

Z-2020-26 ZONING MAP



Z-2020-25 VIEWS OF SUBJECT PROPERTY



Z-2020-25 NOTIFICATION AREA MAP



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

Questions?

TC-2020-07

STAFF REPORT



REQUEST: Abandon the public right-of-way within a 0.4039-acre parcel of presently unpaved land initially dedicated for what is now known as North Judge Ely Boulevard and located northeast from the original campus of Taylor Elementary School at 916 E.N. 13th Street in northeast Abilene.

APPLICANT: Abilene Christian University

AGENT: Enprotec / Hibbs & Todd

HEARING DATES:

P & Z Commission: December 1, 2020

City Council 1st Reading: December 17, 2020

City Council 2nd Reading: January 14, 2021

LOCATION:

A triangular-shaped segment of unpaved right-of-way once (but no longer) occupied by North Judge Ely Boulevard, located directly east from what will soon be the former site of Taylor Elementary School and west from the present alignment of North Judge Ely Boulevard

BACKGROUND:

Until the 1990's, North Judge Ely Boulevard projected straight north from North 1st Street, all the way to Interstate Highway 20 and beyond. During the 1990's, North Judge Ely Boulevard was relocated eastward (in an arc-like manner) to allow enlargement of Abilene Christian University without having this major arterial street projected through the center of their campus.

Almost all of the now-obsolete segments of North Judge Ely's right-of-way were subsequently abandoned and relinquished to Abilene Christian University, who own the adjacent properties to those segments.

The subject 0.4039-acre of now obsolete right-of-way for North Judge Ely has never been formally and officially abandoned by the public. This acreage lies adjacent to what will soon be the former site of Taylor Elementary School. A new building for Taylor Elementary School has been constructed at a campus on East North 10th Street, approximately $\frac{3}{4}$ mile from the original campus. The Abilene Independent School District never sought abandonment of this sole remaining segment of North Judge Ely Boulevard's original and now-obsolete right-of-way.

Abilene Christian University is now committed to purchase the 13.05-acre site of Taylor Elementary School's original campus. As a result, the University will become the sole owner of land adjacent to this remaining segment of North Judge Ely's original and now-obsolete right-of-way. Abilene Christian University thereby seeks to have this 0.4039-acre parcel of right-of-way officially abandoned by the public. If this request is approved, the University may then integrate that acreage within its expanded campus on the former site of Taylor Elementary School.

ANALYSIS:

Street pavement has long been removed from this 0.4039-acre parcel of North Judge Ely Boulevard's original right-of-way. It is now surfaced entirely with grass cover and is no longer needed as a thoroughfare for either vehicle or pedestrian traffic. However, this 0.4039-acre parcel still includes some critical utility lines for which suitable easements must be reserved:

- A thirty-inch-wide raw water main lies in the west margin of right-of-way requested to be abandoned. At least a 20-foot-wide utility easement must be reserved (for such) along the entire west margin of the otherwise abandoned right-of-way.
- An electric distribution utility (AEP Texas) has a 12.47 KV electric power line encroaching into the east margin of right-of-way requested to be abandoned. At least a 10-foot-wide utility easement must be reserved (for such) along the entire east margin of the otherwise abandoned right-of-way.

APPLICATION REVIEW:

Pursuant to Section 3.2.7.4, Street, Alley Abandonment, and Closure Policy, of the Land Development Code, any closure or abandonment shall follow the same process as required for a zoning change. Section 1.4.1.4, Criteria for Approval, states 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 University/College District. Abandoning this obsolete section of public right-of-way will help implement the goals of the Comprehensive Plan.

- (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.**

Abilene Christian University owns all of the surrounding property adjacent to this obsolete right-of-way. The proposed street closure will have no adverse effects to the immediate area.

Direction	Zoning	Existing Land Use
North	CU	Vacant/Parking Lot
South	MD	Taylor Elementary School
East	GR	Vacant/Undeveloped Land
West	MD	Vacant/Recreational Fields

- (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 is served with existing utilities and is located along an arterial street.

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

It is the opinion of the staff that there are no other factors which will substantially affect the public health, safety, morals, or general welfare.

STAFF RECOMMENDATION:

Case # TC-2020-07
November 23, 2020

City staff recommends approving the requested abandonment of this right-of-way, subject to the following conditions:

1. Approval and subsequent recording of a subdivision plat showing how this right-of-way (authorized to be abandoned) will be integrated with adjacent property;
2. Reservation of a 20-foot-wide utility easement along the entire west margin of the otherwise abandoned right-of-way;
3. Reservation of a 10-foot-wide utility easement along the entire east margin of the otherwise abandoned right-of-way; and
4. Payment of a supplemental fee in partial compensation (to the public) for land embraced within right-of-way authorized to be abandoned, not otherwise covered by initial payment of the \$1500 application fee. This supplemental fee is required by the Fee Schedule adopted by Abilene's City Council, which stipulates payment in an amount equal to *"ten percent of the calculated land value of the right-of-way area to be abandoned, based on the average square footage value of adjacent properties, per the most recent official Appraisal district valuation."* The Central Appraisal District's 2020 valuation of the adjacent elementary school site is \$1.50 per square foot, ten percent of which equals \$0.15 per square foot. If that amount is applied to the 17,594 square feet of land in right-of-way to be abandoned, then the total fee required in compensation for that land's value would be \$2639 which exceeds the initial \$1500 application fee by an amount equal to \$1139. This amount is the supplemental fee required for payment to the City of Abilene, not covered by the initial \$1500 application fee.

As described in the above analysis, this segment of North Judge Ely's original right-of-way is no longer needed as a thoroughfare for vehicles or pedestrian traffic. But it is a useful conduit for some critical utilities.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

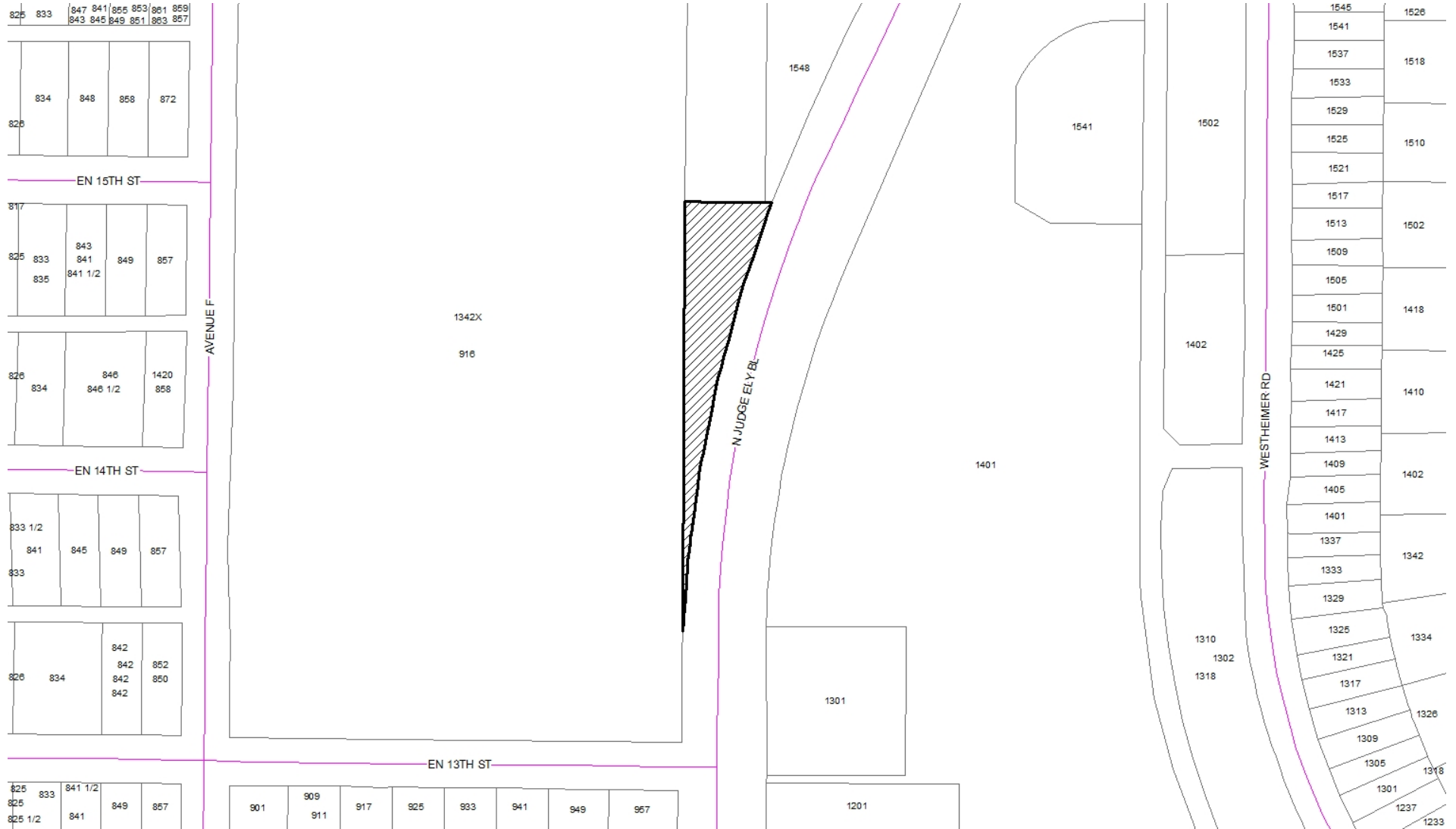
The Planning & Zoning Commission will consider this requested right-of-way abandonment, during a meeting scheduled for Tuesday, December 1 of 2020.

NOTIFICATION:

The planning Services Division sent written notice of this request (with certificate of mailing) to all owners of property within a 200-foot radius of this subject property.

Owner	Situs	Response
ABILENE CHRISTIAN UNIV	1548 N JUDGE ELY BL	
ABILENE CHRISTIAN UNIV		
ABILENE CHRISTIAN UNIV	1401 N JUDGE ELY BL	
ABILENE IND SCHOOL DIST	916 EN 13TH ST	
ABILENE IND SCHOOL DIST	1342X AVENUE F	
SOULAR RTS LLC SERIES B	957 EN 13TH ST	
STRICKLAND FAMILY TRUST ET AL	1301 N JUDGE ELY BL	

ATTACHMENTS: 1) Application 2) PowerPoint





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

Project Name: Abilene Christian University - Request for Abandonment of a Portion of Existing Judge Ely ROW

Address: 916 EN 13th Street, Abilene, Texas No. of lots: 1 Acreage: 14.889 Acres

Legal Description: See attached Exhibit

Subdivision Name: ACU Addition, Section 3 Block: A Lot: 1

Current Zoning: N/A Proposed Zoning (if applicable): N/A

OWNER AND AUTHORIZATION

Owner Name: Abilene Christian University

Address: PO Box 29139

City, State, Zip: Abilene, Texas 79699-0001 Fax: N/A

Phone: 325-674-2665 Email: corey.ruff@acu.edu

Agent Name: Enprotec / Hibbs & Todd, Inc

Address: 402 Cedar Street

City, State, Zip: Abilene, Texas, 79601 Fax: N/A

Phone: 325-698-5560 Email: bj.prichard@e-ht.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: [Signature] Date: 11/03/2020

FOR OFFICE USE ONLY

Received: 11/3/20 Fee: \$ 1,500.00 Receipt No.: 0001056467

Case No.: ~~TC-2020-07~~ Reviewed By: [Signature]

TC-2020-07



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

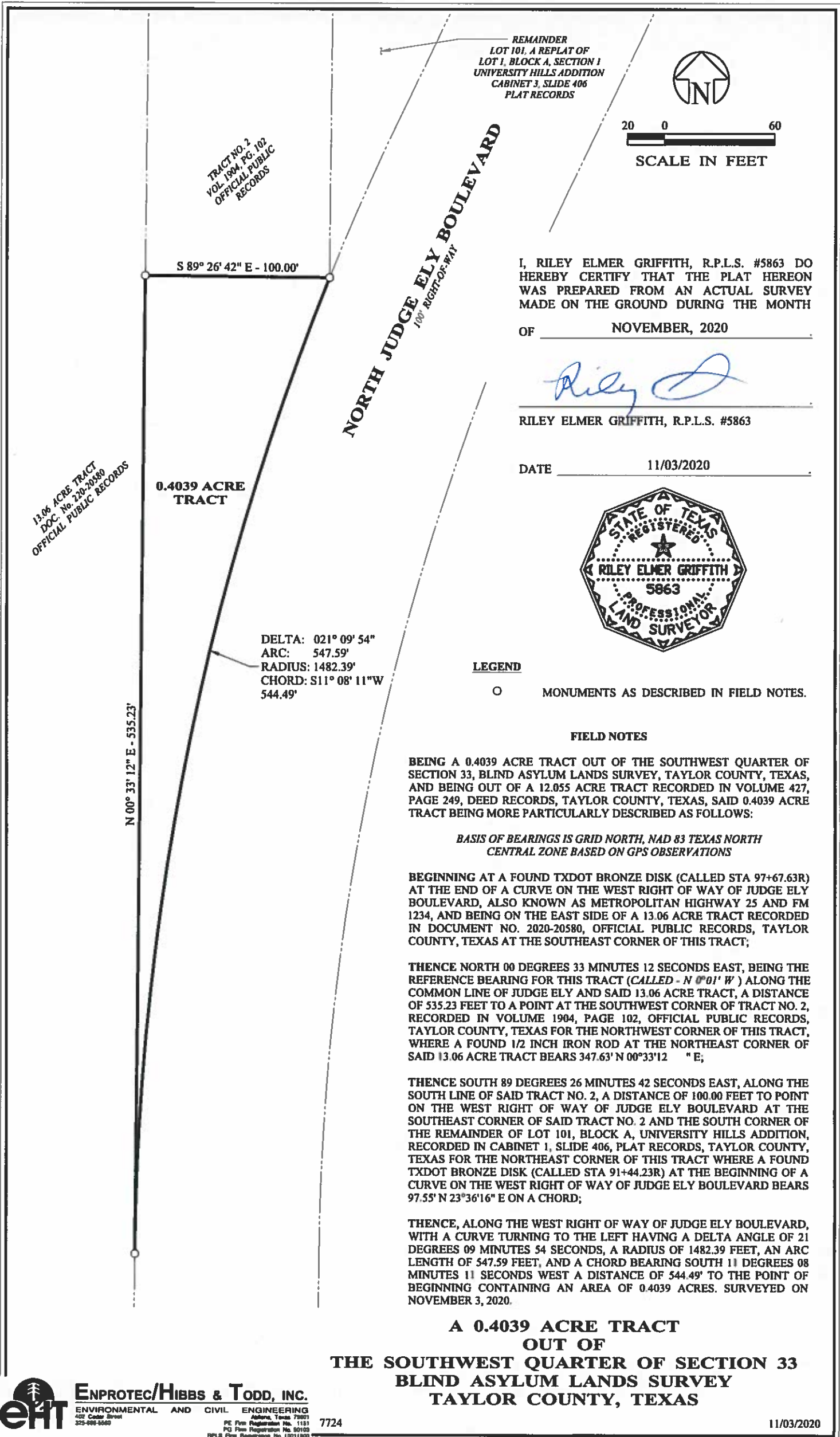
The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

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: _____

A handwritten signature in blue ink, appearing to be "M. P. D.", written over a horizontal line.

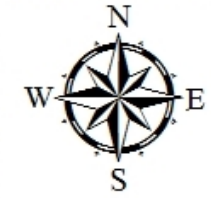
DATE: 11/03/2020



Case:	TC-2020-07
Owner:	Abilene Christian University
Agent:	Enprotec Hibbs & Todd, Inc.
Request:	Abandon a 0.4039- acre public right-of-way initially dedicated for what is now known as North Judge Ely Boulevard
Location:	Taylor Elementary School at 916 E.N. 13 th Street in northeast Abilene, Texas
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	December 1, 2020
City Council Hearing:	December 17, 2020 January 14, 2021

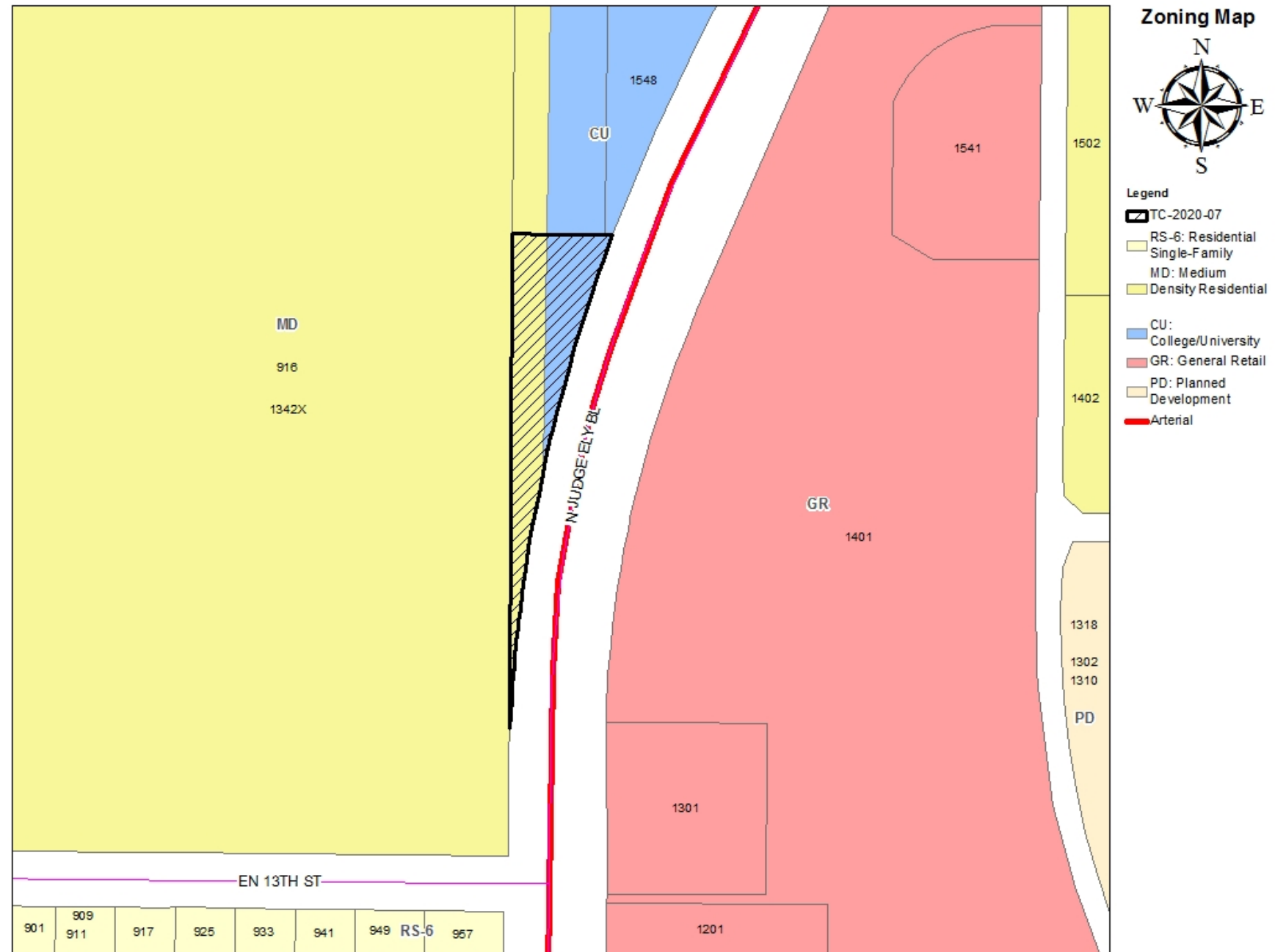


Location Map



Legend

 TC-2020-07



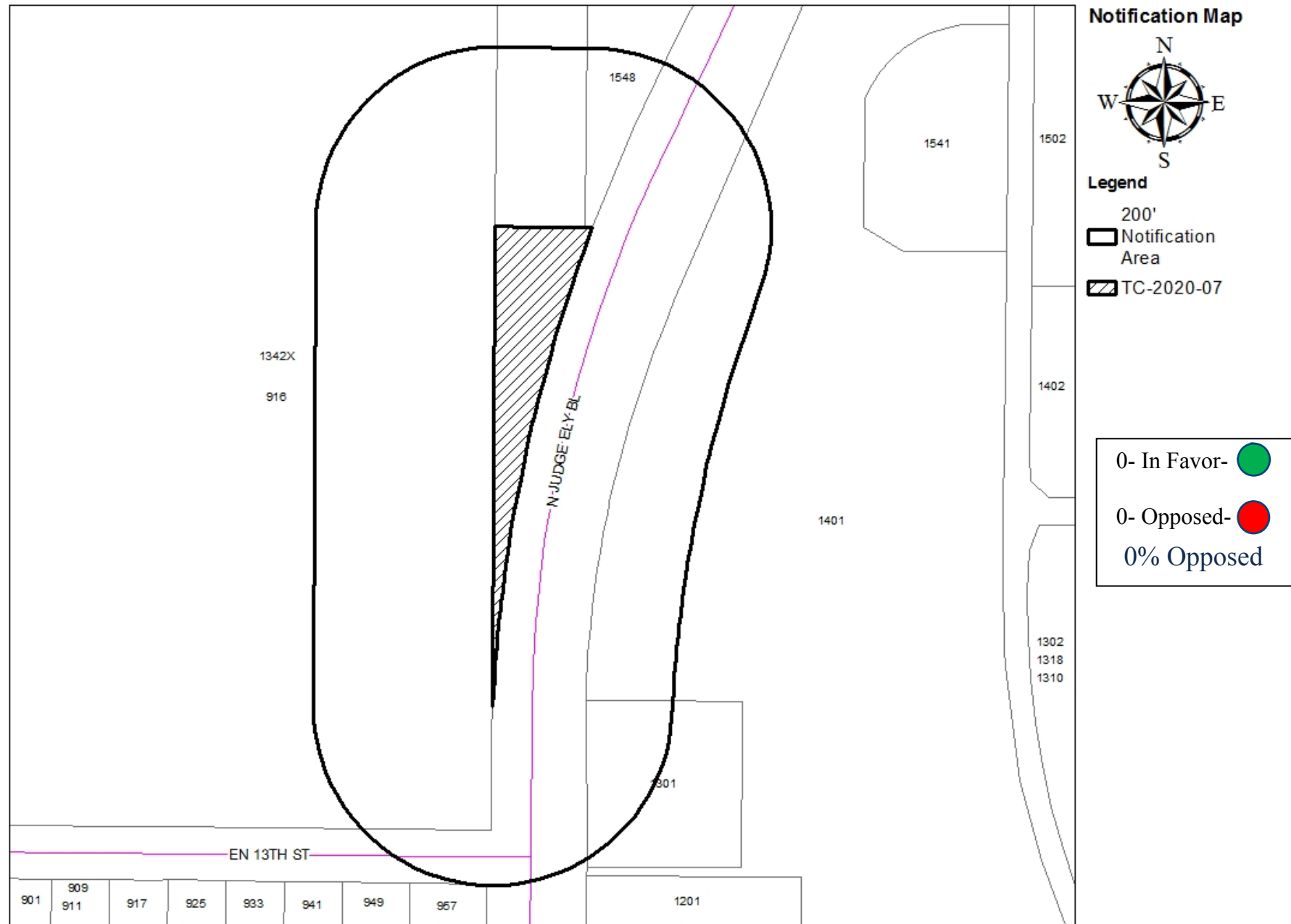
Northern property view



Southern property view



TC-2020-07 NOTIFICATION AREA MAP



- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- DRC Recommendation: Satisfactory with conditions
- Staff Recommendation: Approval

Questions?

TC-2020-06

STAFF REPORT



REQUEST: Abandon the public right-of-way within the complete 418-foot length of Crow Street.

APPLICANT:

City of Abilene

HEARING DATES:

P & Z Commission: December 1, 2020

City Council 1st Reading: December 17, 2020

City Council 2nd Reading: January 14, 2021

LOCATION:

- 60-foot wide right-of-way with an approximate depth of 440 feet that extends north of East South 5th Street and approximately 750 feet west of T & P Lane.

BACKGROUND AND REQUESTED ACTION: This proposed public right-of-way abandonment is a part of the Cedar Creek Waterway Project and the City has initiated the request for abandonment due to the frequency of illegal dumping on this dead-end unimproved roadway. Additionally, of Crow Street and the adjacent properties to the west are within the floodway.

REQUEST ANALYSIS:

Plans for proposed abandonment were shared with the City of Abilene's Development Review Committee (DRC) whose members include representatives from locally franchised utility services as well as the City's Utilities Department. There were no objections from members of the DRC, however, the proposed right-of-way abandonment will require water and sewer easement(s), as both pipelines extend from Lot 10 of Williams Estate Subdivision south down East South 5th Street. Proposed easement(s) are designated during plat review.

APPLICATION REVIEW:

Pursuant to Section 3.2.7.4, Street, Alley Abandonment, and Closure Policy, of the Land Development Code, any closure or abandonment shall follow the same process as required for a zoning change. Section 1.4.1.4, Criteria for Approval, states 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 public/semipublic space with an emphasis on parks, recreation, and open space. Abandoning Crow Street will help the City of Abilene transform vacant residential property in to a vibrant outdoor recreational space and enhance the image of the entire community.

- (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 City of Abilene owns all of the surrounding properties of Crow Street, all of which are vacant. The proposed street closure will have no adverse effects to the immediate area.

Direction	Zoning	Existing Land Use
North	AO	Vacant/Undeveloped Land
South	AO	Cal Young Park
East	RS-6	Vacant/Undeveloped Land
West	RS-6	Vacant/Undeveloped Land

(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.

There are currently water and sewer lines that extend through the entirety of Crow Street that serve surrounding properties. All proposed easements will be addressed during the re-platting process.

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

It is the opinion of the staff that there are no other factors which will substantially affect the public health, safety, morals, or general welfare.

STAFF RECOMMENDATION:

City staff recommends approving the requested abandonment subject to approval and subsequent recording of a re-plat showing how the right-of-way (authorized to be abandoned) will be integrated with one or more adjacent new lot(s).

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission will consider this request, during a meeting on Tuesday, December 1, 2020.

NOTIFICATION:

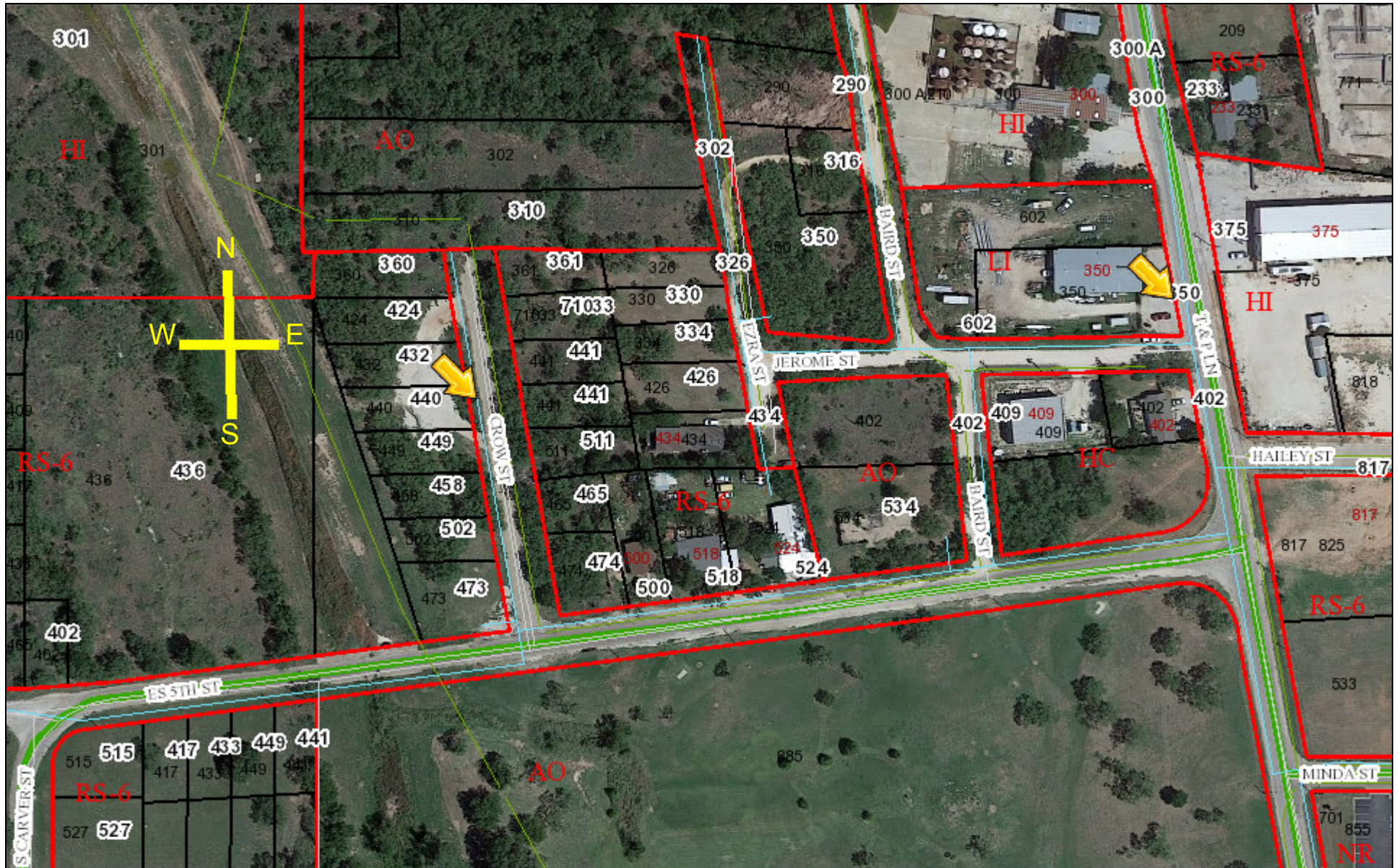
The planning Services Division sent written notice of this request (with certificate of mailing) to all owners of property within a 200-foot radius of this subject property.

Owner	Situs	Response
PICHARDO JOE	500 ES 5TH ST	
BURTON EUGENIA	310 EZRA ST	
CITY OF ABILENE	449 CROW ST	
CITY OF ABILENE	441 CROW ST	
CITY OF ABILENE	361 CROW ST	
CASAREZ STEVE	434 EZRA ST	
CASAREZ STEVE	330 EZRA ST	
CITY OF ABILENE CAL	885 CAL YOUNG PK	
CITY OF ABILENE	432 CROW ST	
CASAREZ STEVE	334 EZRA ST	
CASAREZ STEVE	426 EZRA ST	
CITY OF ABILENE	465 CROW ST	
CITY OF ABILENE	424 CROW ST	
CITY OF ABILENE	473 CROW ST	
CITY OF ABILENE	502 CROW ST	
CEDAR CREEK WATERWAY DEV INC	436 ES 5TH ST	
THOMPSON JOHNNY B &	518 ES 5TH ST	
CASAREZ STEVE	326 EZRA ST	
TUTT THOMAS ET AL	302 EZRA ST	
CITY OF ABILENE	441 CROW ST	
CITY OF ABILENE	360 CROW ST	
CITY OF ABILENE	511 CROW ST	
CITY OF ABILENE	71033 CROW ST	
CITY OF ABILENE	474 CROW ST	
CITY OF ABILENE	458 CROW ST	
CITY OF ABILENE	440 CROW ST	
TUTT THOMAS ET AL	288 BAIRD ST	
CITY OF ABILENE	301 HENDERSON AV	

ATTACHMENTS: 1) Application 2) PowerPoint

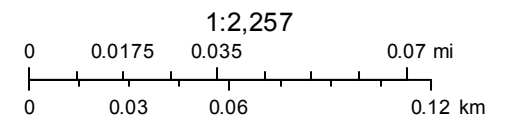


ArcGIS Web Map



October 23, 2020

- | | | | |
|-------------|-------------------------|----------------|--------------------------|
| Water Lines | Streets | Collector | Thfrplan Extended |
| Sewer Lines | Thfrplan Current | Expressway | Arterial - Extended |
| ROW_width | Arterial | minor arterial | Expressway |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

THE STATE OF TEXAS |
COUNTY OF TAYLOR |

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Price Campbell, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said West Texas Utilities Company, a Private Corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This the 27th day of October, 1953.

J. C. Crownover, Notary Public
in and for Taylor County, Texas

(SEAL)

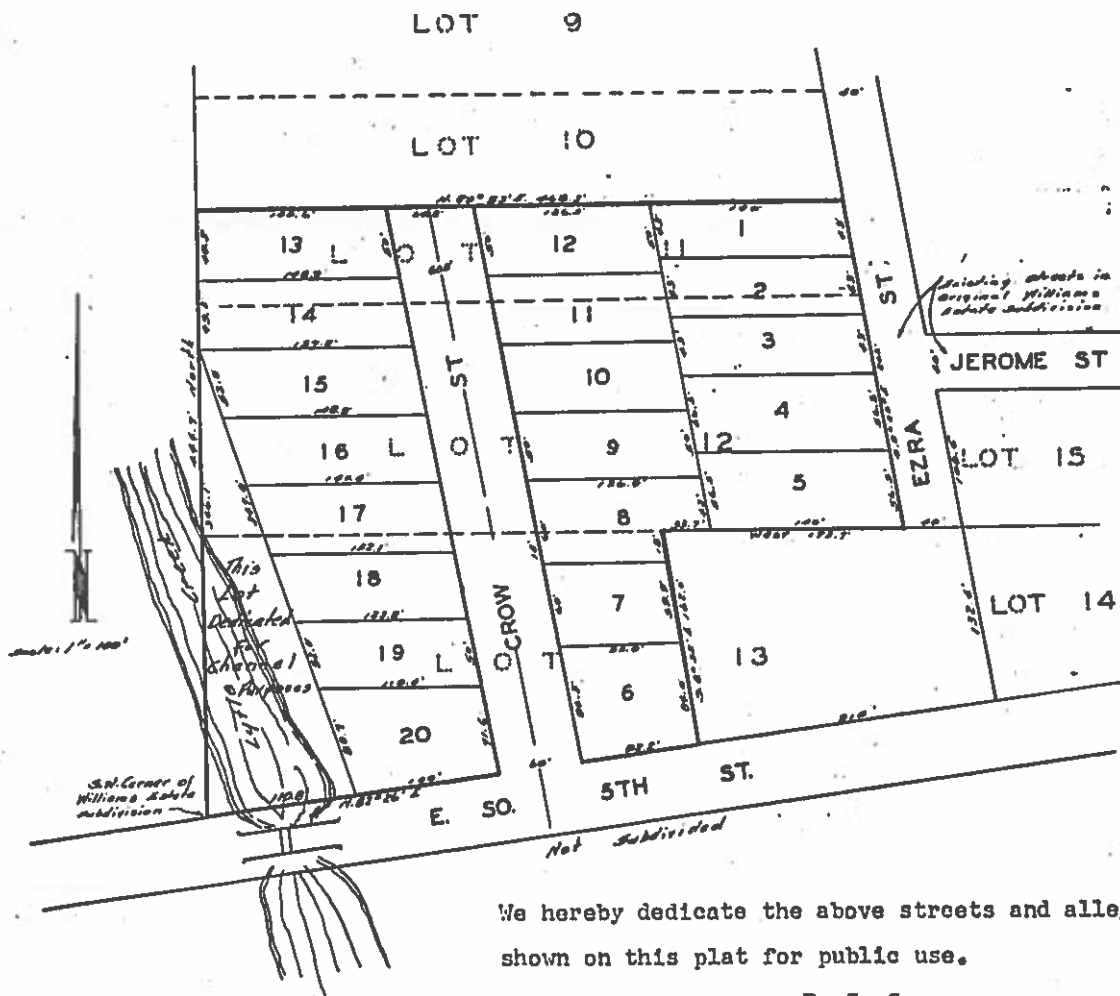
FILED FOR RECORD NOVEMBER 19, 1953 at 3:30 P. M.

RECORDED JUNE 10, 1954 at 2:15 P. M.

Mrs. Chester Hutcheson, County Clerk
By Marjorie Clark, Deputy

FILE NO. 2528

CROW SUBDIVISION
A SUBDIVISION OF LOTS 11, 12, AND ALL BUT THE EAST 215' OF LOT 13, WILLIAMS
ESTATE SUBDIVISION OF SECTIONS 37 & 48, B. A. LANDS, TAYLOR CO., TEXAS.



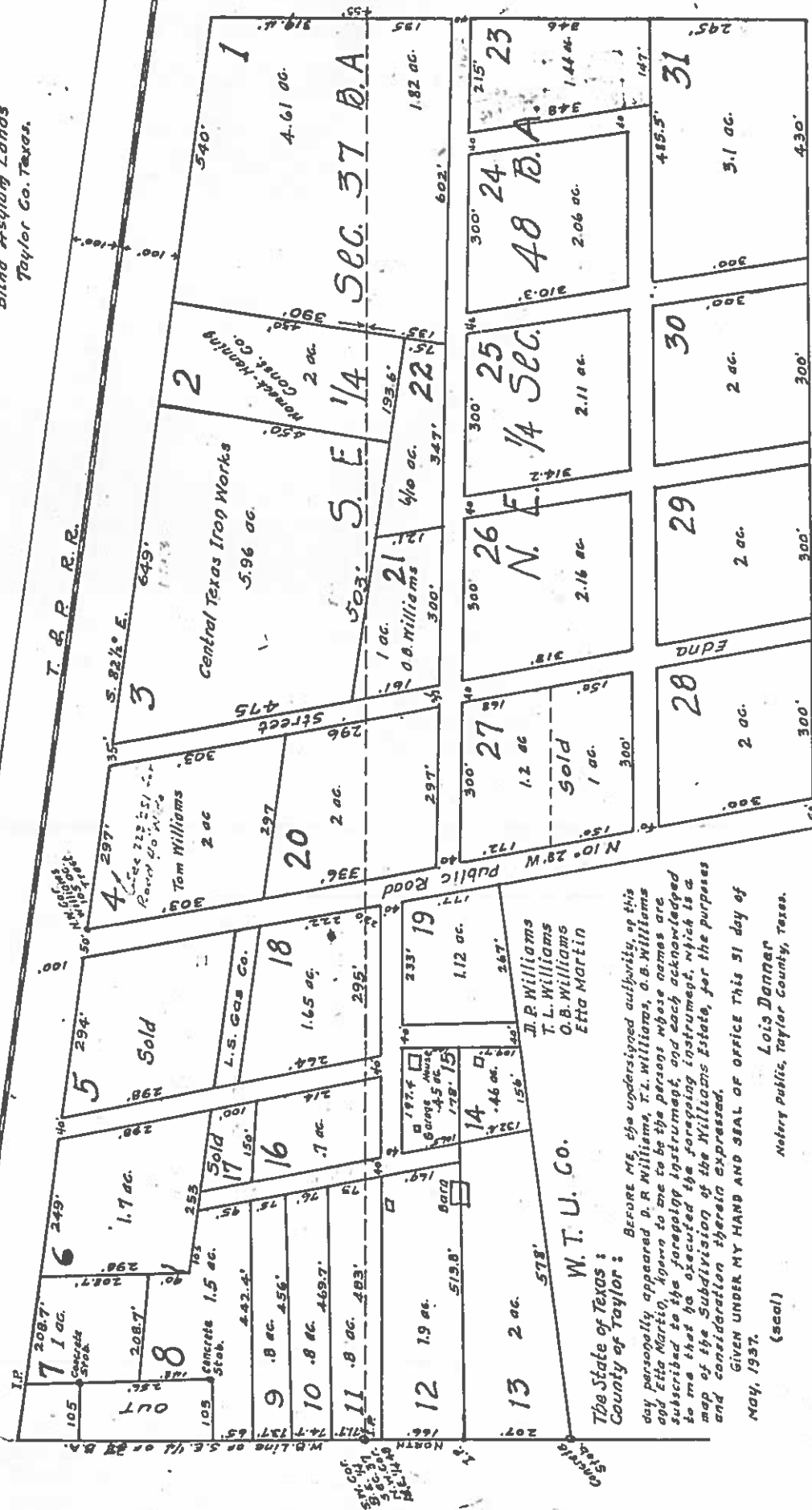
We hereby dedicate the above streets and alley shown on this plat for public use.

B. J. Crow
A. L. Frazier

COUNTY OF TAYLOR |
STATE OF TEXAS |

Before me, the undersigned authority, a Notary Public in and for

Williams Estate Subdivision
of
Part of Sections 37 & 48
Blind Asylum Lands
Taylor Co. Texas.



I, G.M. Thomson, do hereby certify the above plat is true and correct as surveyed by me on the ground March 23 & April 5 & 6, 1937.

G.M. Thomson,
Licensed Land Surveyor,
Athens, Tex.

BEFORE ME, the undersigned authority, on this day personally appeared D. R. Williams, T. L. Williams, O. B. Williams and Edna Martin, known to me to be the persons whose names are subscribed to the foregoing instrument, and each acknowledged to me that he executed the foregoing instrument, which is a map of the Subdivision of the Williams Estate, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 31 day of May, 1937.

(seal)
Lois Danner
Notary Public, Taylor County, Texas.

Filed for RECORD June 1, 1937 at 10:00 o'clock A.M.
RECORDED June 30, 1937 at 5:00 o'clock P.M.

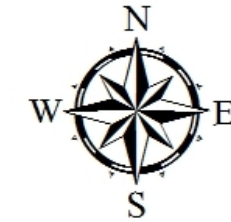
Vivian Fryar
County Clerk, Taylor County, Texas

File No 2400.

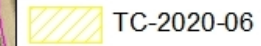
Case:	TC-2020-06
Owner:	City of Abilene
Request:	Abandon Crow St. right-of-way
Location:	418-foot length of Crow Street as it extends north from right-of-way for East South 5 th Street, approximately 765-feet west from and parallel to T&P Lane in southwest central Abilene, Texas
Notification:	0 in Favor, 0 Opposed
Planning & Zoning:	December 1, 2020
City Council Hearing:	December 17, 2020 January 14, 2021



Location Map



Legend





Zoning Map



Legend

- TC-2020-06
- AO - Agricultural Open Space
- RS-6: Residential Single-Fa...
- LI: Light Industrial
- HI: Heavy Industrial
- Collector



Northern view of Crow St.



Southern view of Crow St.



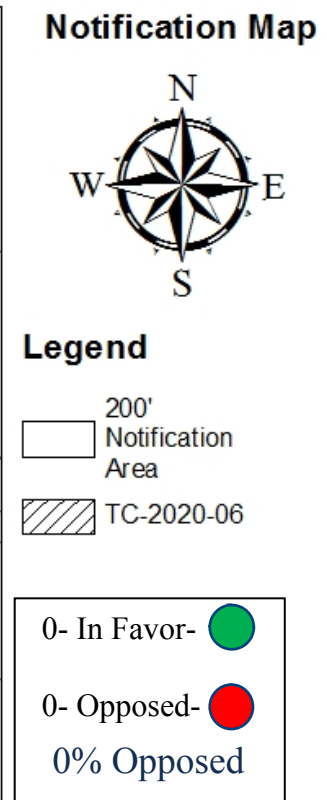
Eastern view of E.S. 5th St



Western view of E.S. 5th St



TC-2020-06 NOTIFICATION AREA MAP



- Consistent with *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- DRC Recommendation: Satisfactory
- Staff Recommendation: Approval

Questions?



CITY OF ABILENE

MEMORANDUM

December 1, 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

November 5, 2020 at 8:30 AM

Item	Motion	Vote
SNC-2020-01: Street Name Change request to add an honorary street name “Larry and Mary Gill’s Way” to the street known as Lytle Way Circle extending west from Lytle Way in southeast central Abilene	Approved	6-0
CUP-2020-07: Conditional Use Permit Allowing Multiple Family Dwellings In General Retail (GR) District and in an Adjoining Office (O) District	Approved with the addition of language limiting the CUP to 24 units per acre.	6-0
Z-2020-14: A request from Rogers Recreation Inc., agent Jacob & Martin LLC, to rezone property from Planned Development (PD) District Number 58 to a Residential Single-Family (RS-6) District and a Residential Medium-Density (MD) District on 60.83 acres of now vacant land wrapped around (but not adjoining) the southeast corner of Maple Street and Berry Lane in southeast central Abilene	Approved	6-0
Z-2020-10: A request from Sharon Riley, agent H.C. Zachry, to amend existing Planned Development (PD) District Number 32 by removing from subparagraph (f) 1 and 2 stating “no other signs shall be allowed” from Lots 25-30 and allowing all signage allowed in General Retail (GR)	Approved	6-0