



## **City of Abilene Planning & Zoning Commission Agenda**

Notice is hereby given of a meeting of the Planning and Zoning Commission to be held on Monday, December 5, 2016 at 1:30 PM at City Council Chambers - 555 Walnut Street, 2nd Floor, Abilene, TX, for the purpose of considering the following agenda items.

- 1. Call to Order**
- 2. Invocation**
- 3. Minutes**
  - a. Approval of the minutes from November 7, 2016
- 4. Plats:**
  - a. **FP-2516**  
Potosi Prairie Addition, Section 3, 45.863 Acres out of the NE/4 of Section 38, Lunatic Asylum Land, Abstract NO. 995, Taylor County, Texas.
- 5. Zoning:**
  - a. **Z-2016-42 (Tabled from 11/7/2016)**  
Public hearing and possible vote to recommend approval or denial to the City Council on a request from International Medical Christian Ministries INC., agent Richard Humphries, to rezone property from AO (Agricultural Open Space) and PD 37 (Planned Development) to GR (General Retail) and NR (Neighborhood Retail), located in the 7300-7400 Blocks (east side) of Buffalo Gap Rd, south of Mesa Springs Retirement, and north of Mesquite Forest Subdivision.
  - b. **TC-2016-03 (Tabled from 11/7/2016)**  
Public hearing and possible vote to recommend approval or denial to the City Council on a request from Abilene Ind. School District, Agent Tal Fillingim, to abandon an unimproved L-shaped strip of land in center of block bounded by Industrial Blvd., Amarillo, Vine and South 36th Streets. Right-of Way dedicated with deed on Pg. 605 in Vol. 226 of Deed Records for Taylor County.
  - c. **Z-2016-46**  
Public hearing and possible vote to recommend approval or denial to the City Council on a request from Griffith Lake Estates, LLC, agent Tal Fillingim to rezone property from AO (Agricultural Open Space) to PH (Patio Home) zoning, located 1701 Griffith Road. Legal Description being 49.54 Acres out of a 129.17 tract described as A1412 SUR 33 B A L NE/4.
  - d. **Z-2016-47**  
Public hearing and possible vote to recommend approval or denial to the City

Council on a request from Matthew W. Meador, to rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential/Historic Overlay) zoning, located at 1941 N. 3rd Street. Legal description being OT ABILENE BLK 206 THOMAS, BLOCK 1-3, LOT 9-11.

**6. Directors Report:**

- a. Recent City Council decisions regarding items recommended by the Planning & Zoning Commission.

**7. Adjourn**

**NOTICE**

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending Board of Adjustment meetings. To better serve you requests should be received forty-eight (48) hours prior to the meetings. Please contact Planning at 676-6237. Telecommunication device for the deaf is 676-6360.

**CERTIFICATION**

I hereby certify that the above notice of the meeting was posted on the bulletin board at the City Hall of Abilene, Texas, on the   2   day of   December  , 2016, at   1:27   pm           .

Danette Dunlap,  
City Secretary



**Planning and Zoning Commission  
Agenda Memo**

**Planning and Zoning Commission Meeting Date: 12/5/2016**

**TO: Mr. Dana L. Schoening, Director of Planning and Development Services**

**FROM: Mr. Zack Rainbow, Planning Services Manager**

**SUBJECT: Z-2016-42 (Tabled from 11/7/2016)  
Public hearing and possible vote to recommend approval or denial to the City Council on a request from International Medical Christian Ministries INC., agent Richard Humphries, to rezone property from AO (Agricultural Open Space) and PD 37 (Planned Development) to GR (General Retail) and NR (Neighborhood Retail), located in the 7300-7400 Blocks (east side) of Buffalo Gap Rd, south of Mesa Springs Retirement, and north of Mesquite Forest Subdivision.**

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**GENERAL INFORMATION**

The subject property now totals approximately 12 acres, all of which is vacant. Single- and Multi-Family (MF) Residential Districts lie directly to the south and east of the subject 12 acres. These zoning districts are occupied by a combination of single-family, townhouse and duplex residences. The same Planned Development District which encompasses the greater part of the subject 12 acres (i.e., PD 37) also extends further north and east. PD 37 reserves this adjacent and still-vacant acreage for uses allowed in Medium-Density Residential zoning districts. An Agricultural Open Space (AO) District is located to the west, across the 120-foot width of right-of-way for Buffalo Gap Road.

That portion of these subject properties zoned AO has had such zoning since this vicinity was annexed during 1980. The remaining portions were included within PD 37 in 1986, along with the Mesa Springs properties to the north. The Mesa Springs development is a retirement and nursing care community with facilities located approximately 630 feet north from the subject 7.02 acres.

Currently, the subject properties total approximately 12 acres and are zoned AO and PD 37. All are currently vacant. The AO-zoned property is 2.36 acres. The remaining properties totaling 9.44 acres are included within Planned Development District Number 37. The approved Preliminary Plat (of this acreage) and Abilene's Master Thoroughfare Plan show Wagon Wheel Avenue extended across Buffalo Gap Road and through these properties. The applicant is requesting to rezone 7.02 acres to GR. The PD currently allows for NR (Neighborhood Retail) uses on a small portion of the southwestern corner of PD 37 and MD (Medium-Density) Residential for the remaining acreage. The applicant is wanting to rezone these in order to make this property more marketable to potential buyers.

The Future Land Use section of the Comprehensive Plan designates this property as 'low density residential'. AO zoning typically functions as a "holding zone" until an applicant desires to rezone to a zoning classification compatible with planned use of nearby property. However, at the time when Wagon Wheel (designated "collector" street) is extended, the properties adjacent to its future intersection with Buffalo Gap Road (designated an

“arterial” street) will be located at a node well-suited for some degree of commercial development.

## **SPECIAL CONSIDERATIONS**

## **FUNDING/FISCAL IMPACT**

## **STAFF RECOMMENDATION**

City staff recommends rezoning only the southernmost approximately 2.36 acres (all in M. Talbot Survey No. 103) to a General Retail (GR) classification. These southernmost 2.36 acres may be viewed as the extreme northern limit to a significant “node” of intensive commercial activity clustered around the intersection of Buffalo Gap Road and Beltway South. Both these streets are considered major arterials in Abilene’s network of thoroughfares, around which intensive commercial zoning is appropriate, allowing both the exposure and multidirectional street capacity necessary for intensive commercial use.

City staff also recommends rezoning the remaining approximately 4.66 acres (all in M. Talbot Survey No. 102) to a Neighborhood Retail (NR) classification. These 4.66 acres are almost ½ mile north from Buffalo Gap Road’s intersection with Beltway South and can hardly be considered part of the same commercial “node” anticipated there. These 4.66 acres are nonetheless at the intersection of a planned collector street (Wagon Wheel Avenue) with Buffalo Gap Road. Neighborhood Retail zoning is generally appropriate at such intersections, with retail trade and services directed toward residential neighborhoods organized around those collector streets. Neighborhood Retail zoning at this particular location may also have the effect of “signaling” the northern limit of land considered suitable for commercial zoning along this segment of Buffalo Gap Road. Neighborhood Retail (NR) zoning here may thus help prevent unsightly and inefficient “strip” commercial zoning along the entire length of Buffalo Gap Road in Abilene.

The portion of property currently zoned as Medium Density MD residential, approximately 4.98 acres, would remain Medium Density MD residential zoning.

## **BOARD OR COMMISSION RECOMMENDATION**

The Planning & Zoning Commission tabled this request at its October 3, 2016 meeting. Reconsideration of this case is now scheduled for December 5, 2016.

## **ATTACHMENTS:**

Description	Type
□ Z-2016-42 Staff Report	Backup Material

# ZONING CASE Z-2016-42

## STAFF REPORT



### APPLICANT INFORMATION:

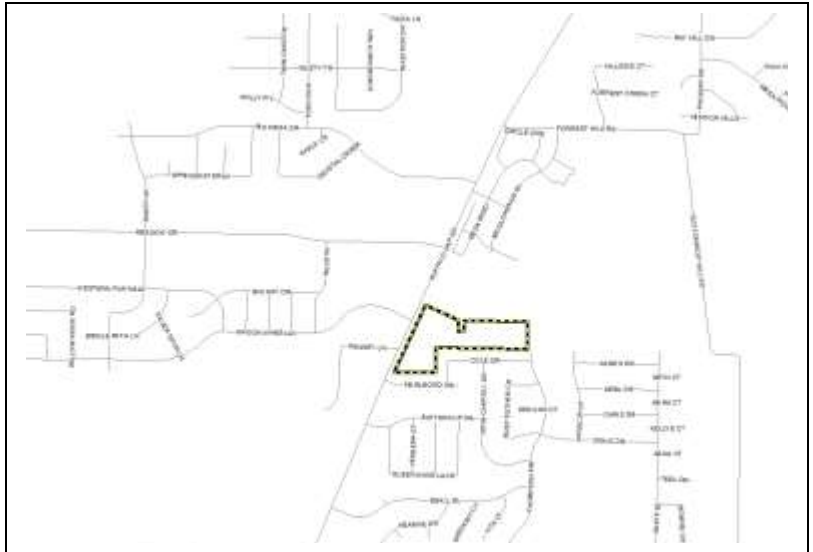
International Medical Christian Ministries INC.  
Agent: Richard Humphries, IMCM Board Member

### HEARING DATES:

P & Z Commission: October 3, 2016 (**Tabled**)  
City Council 1<sup>st</sup> Reading: December 15, 2016  
City Council 2<sup>nd</sup> Reading: January 12, 2016

### LOCATION:

the 7300-7400 Blocks (east side) of Buffalo Gap Rd, south of Mesa Springs Retirement, and north of Mesquite Forest Subdivision.



### REQUESTED ACTION:

Rezone property from a combination of AO (Agricultural Open Space) and PD (Planned Development) Districts, to General Retail (GR) District and Neighborhood Retail (NR) Districts.

### SITE CHARACTERISTICS:

The subject property now totals approximately 12 acres, all of which is vacant. Single- and Multi-Family (MF) Residential Districts lie directly to the south and east of the subject 12 acres. These zoning districts are occupied by a combination of single-family, townhouse and duplex residences. The same Planned Development District which encompasses the greater part of the subject 12 acres (i.e., PD 37) also extends further north and east. PD 37 reserves this adjacent and still-vacant acreage for uses allowed in Medium-Density Residential zoning districts. An Agricultural Open Space (AO) District is located to the west, across the 120-foot width of right-of-way for Buffalo Gap Road.

### ZONING HISTORY:

That portion of these subject properties zoned AO has had such zoning since this vicinity was annexed during 1980. The remaining portions were included within PD 37 in 1986, along with the Mesa Springs properties to the north. The Mesa Springs development is a retirement and nursing care community with facilities located approximately 630 feet north from the subject 7.02 acres.

### ANALYSIS:

- Current Planning Analysis

Currently, the subject properties total approximately 12 acres and are zoned AO and PD 37. All are currently vacant. The AO-zoned property is 2.36 acres. The remaining properties totaling 9.44 acres are included within Planned Development District Number 37. The approved Preliminary Plat (of this acreage) and Abilene's Master Thoroughfare Plan show Wagon Wheel Avenue extended across Buffalo Gap Road and through these properties. The applicant is requesting to rezone 7.02 acres to GR. The PD currently allows for NR (Neighborhood Retail) uses on a small portion of the southwestern corner of PD 37 and MD (Medium-Density) Residential for the remaining acreage. The applicant is wanting to rezone these in order to make this property more marketable to potential buyers.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this property as ‘low density residential’. AO zoning typically functions as a “holding zone” until an applicant desires to rezone to a zoning classification compatible with planned use of nearby property. However, at the time when Wagon Wheel (designated “collector” street) is extended, the properties adjacent to its future intersection with Buffalo Gap Road (designated an “arterial” street) will be located at a node well-suited for some degree of commercial development.

## **PLANNING STAFF RECOMMENDATION:**

City staff recommends rezoning only the southernmost approximately 2.36 acres (all in M. Talbot Survey No. 103) to a General Retail or GR classification. These southernmost 2.36 acres may be viewed as the extreme northern limit to a significant “node” of intensive commercial activity clustered around the intersection of Buffalo Gap Road and Beltway South. Both these streets are considered major arterials in Abilene’s network of thoroughfares, around which intensive commercial zoning is appropriate, allowing both the exposure and multidirectional street capacity necessary for intensive commercial use.

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## **PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission tabled this request at its October 3, 2016 meeting. Reconsideration of this case is now scheduled for the meeting on December 5, 2016.

## **NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
BERRY KENNY RAY &	7501 THOMPSON PW	
BOWERS JOSHUA M	4542 COLE DR	
BROWN KARLA	4434 COLE DR	
CALDWELL CHARLES & MARY	4418 COLE DR	Opposed
CANADY JAMES E & ROSE A	4450 COLE DR	In Favor
CAPGROW HOLDINGS JV SUB I LLC	4458 COLE DR	
CHOLEWINSKI KRISTIE	4534 COLE DR	
CLAUDE PARKER LLC	4710 MARLBORO DR	
CLEARVIEW FAMILY LIMITED PART	4525 COLE DR	
GALLAGHER ANNA	4425 COLE DR	

GIANNOPOULOS NICKOLAOS & ERZSEBET	4409 COLE DR	
GRIFFIN JAMES B & HARRIS JUDY	4402 COLE DR	
HARRIS JUDY	4626 MARLBORO DR	
HARRIS JUDY L	4634 MARLBORO DR	
HARRIS JUDY L	4682 MARLBORO DR	
HARRIS JUDY L	4674 MARLBORO DR	
HARRIS JUDY L	4506 COLE DR	
HARRIS JUDY L	4508 COLE DR	
HARRIS JUDY L	4510 COLE DR	
HARRIS JUDY L	4518 COLE DR	
INTERNATIONAL MEDICAL		
INTERNATIONAL MEDICAL	7449 BUFFALO GAP RD	
INTERNATIONAL MEDICAL		
JOHNSON JUSTIN	7509 THOMPSON PW	
LAMB STEVEN H & HAZEL D	7518 JOHN CARROLL DR	
LONESTAR ACRES LLC	4433 COLE DR	
MARTIN CARL RICHARD	4449 COLE DR	
MARTINEZ ROBERT & REBECCA		
MATHIS TAMMIE MACHELLE	4517 COLE DR	
MC BRIDE CAROL LOUISE KECK	7502 BUFFALO GAP RD	
MK POWELL PROPERTIES LLC	4550 COLE DR	
MK PRICE HOLDINGS LLC	7542 BUFFALO GAP RD	
MORRIS & MORRIS LLC	4709 MARLBORO DR	
NIBLETT JOHN ROBERT	4426 COLE DR	
OSBORNE MARJORIE	4534 MARLBORO DR	
PINEDA REO LLC	7474 BUFFALO GAP RD	
PINEDA REO LLC		
RAY JOSHUA DAVID & RAFAELA	4666 MARLBORO DR	In Favor
RAY JOSHUA DAVID & RAFAELA	4658 MARLBORO DR	In Favor
RICHARDSON SHANNON ROAD	4501 COLE DR	
ROTH STEVEN M	4642 MARLBORO DR	
ROTH STEVEN M	4650 MARLBORO DR	
SCIOTO PROPERTIES SP 16 LLC	4417 COLE DR	
SCIOTO PROPERTY SP 16 LLC	4466 COLE DR	
SIITERI JORDAN	4526 COLE DR	
SIITERI JORDAN	4528 COLE DR	
SMITH CAROLYN RENIA	4509 COLE DR	
SMITH ROBERT	4641 MARLBORO DR	
SMITH ROBERT	4617 MARLBORO DR	
SMITH ROBERT	4633 MARLBORO DR	
SMITH ROBERT	4549 MARLBORO DR	
SMITH ROBERT	4657 MARLBORO DR	
SMITH ROBERT	4625 MARLBORO DR	
SMITH ROBERT	4681 MARLBORO DR	

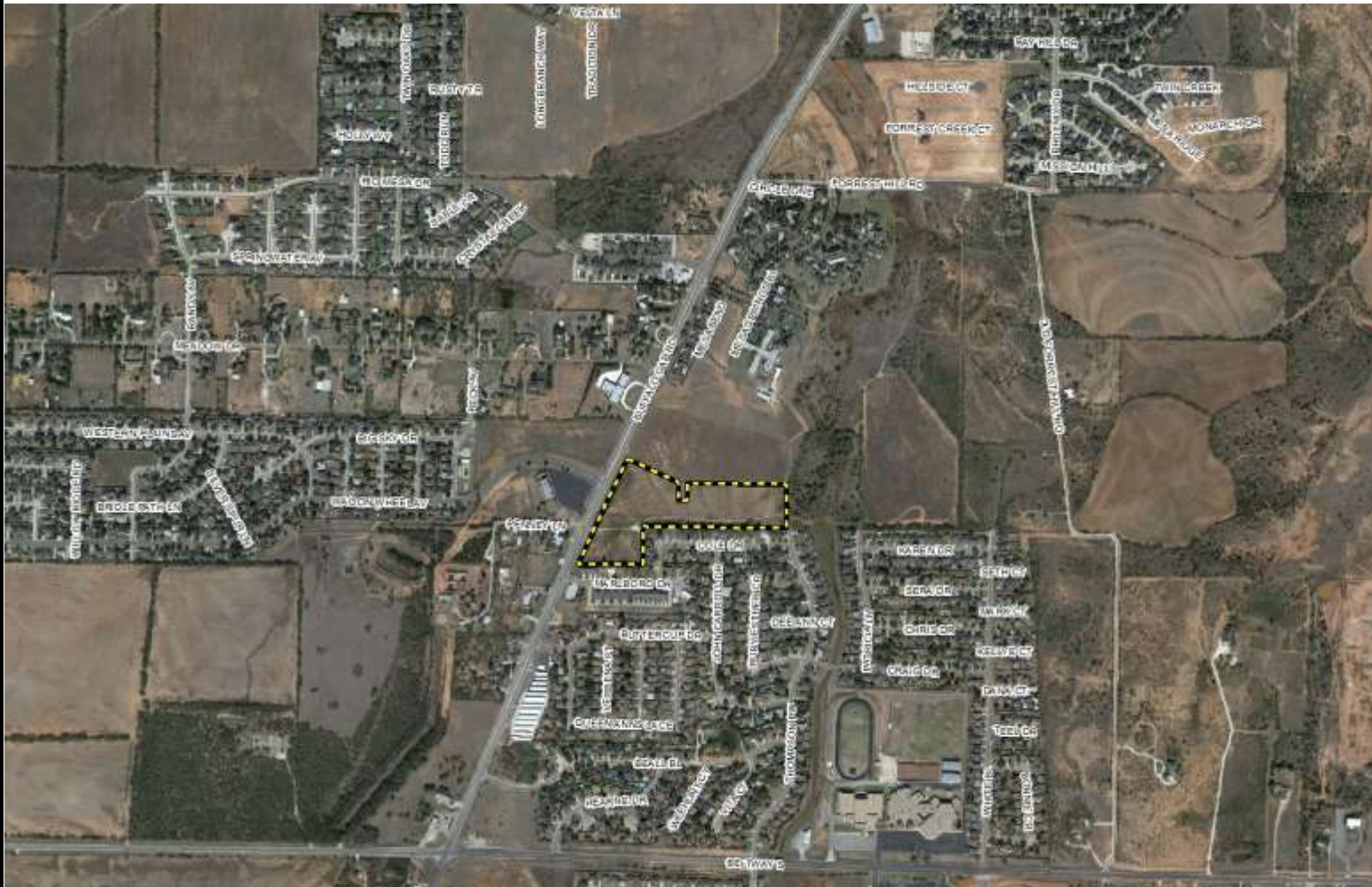
SMITH ROBERT	4609 MARLBORO DR
SMITH ROBERT	4697 MARLBORO DR
SMITH ROBERT	4649 MARLBORO DR
SMITH ROBERT	4601 MARLBORO DR
SMITH ROBERT	4689 MARLBORO DR
SMITH ROBERT	4673 MARLBORO DR
SMITH ROBERT	4665 MARLBORO DR
TAYLOR HOWARD A III &	4602 MARLBORO DR
TAYLOR HOWARD A III & HOLLIE J	4610 MARLBORO DR
TAYLOR WILLIAM F	4442 COLE DR
TURNER LARRY W & BETTY J	4558 COLE DR
WHEELER CHARLES	4618 MARLBORO DR
WYLIE UNITED METHODIST CHURCH	



3 in Favor- **Y**  
 1 Opposed- **N**







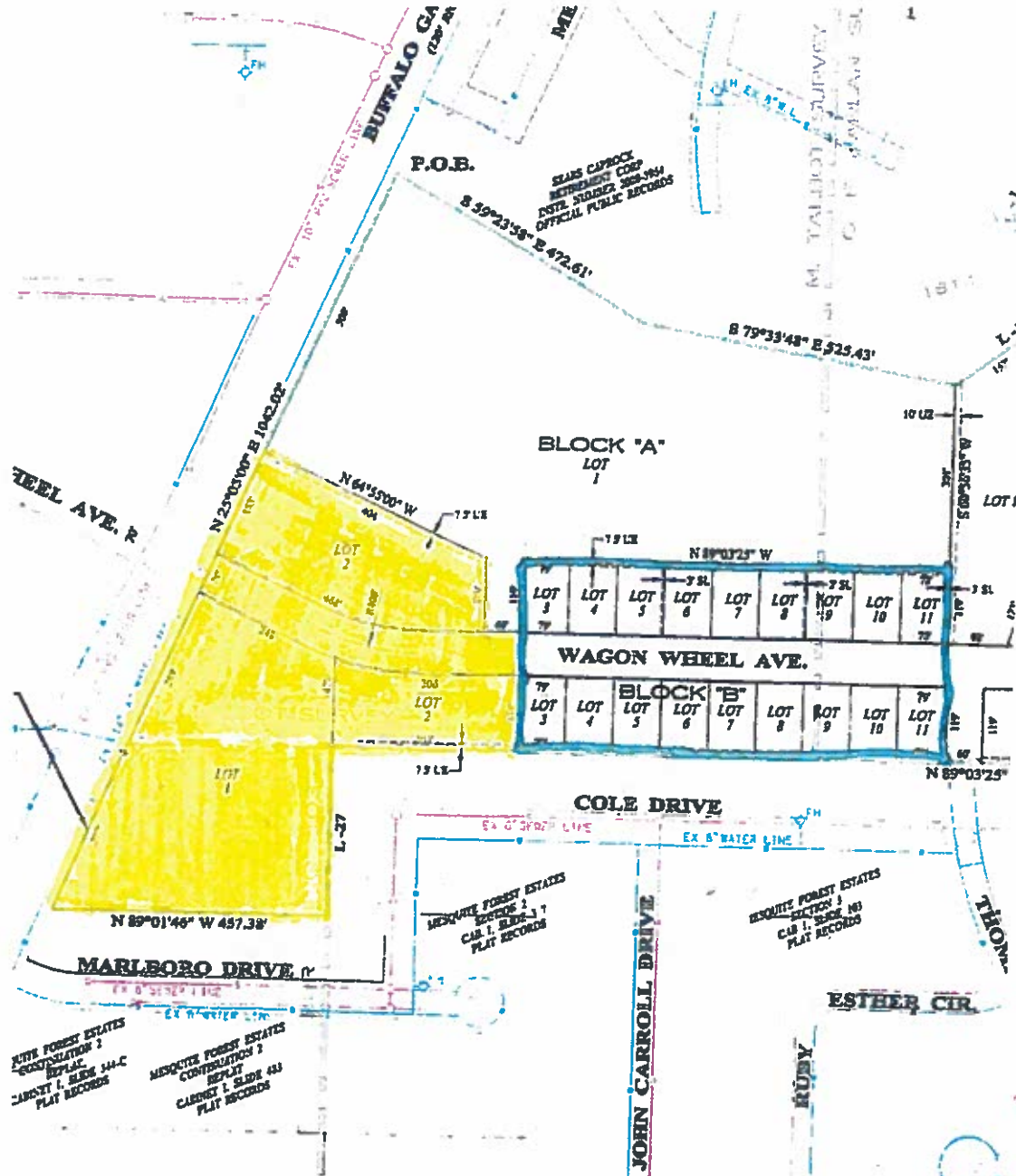




LOT 4, BLOCK "A"  
REMARKS: ABOVE-AD INTERMEDIATE DENSITY  
LIFE CARE ADJUTANT/ADJUTANT TOLLAGE ROAD  
CAR 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 7



# Applicant Request



- = GR General Retail
- = NR Neighborhood Retail

Staff Recommendation



- = NR Neighborhood Retail (\*4.66 acres)
  - = MD Medium Density Residential (current zoning - 4.99 acres)
  - = GR General Retail (\*2.36 acres)
- \* Approximate acreages



**Planning and Zoning Commission  
Agenda Memo**

**Planning and Zoning Commission Meeting Date: 12/5/2016**

**TO: Mr. Dana L. Schoening, Director of Planning and Development Services**

**FROM: Mr. Zack Rainbow, Planning Services Manager**

**TC-2016-03 (Tabled from 11/7/2016)**

**Public hearing and possible vote to recommend approval or denial to the City Council on a request from Abilene Ind. School District, Agent Tal Fillingim, to abandon an**

**SUBJECT: unimproved L-shaped strip of land in center of block bounded by Industrial Blvd., Amarillo, Vine and South 36th Streets. Right-of Way dedicated with deed on Pg. 605 in Vol. 226 of Deed Records for Taylor County.**

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**GENERAL INFORMATION**

**REQUESTED ACTION:**

Abandon: Abandon all of the unimproved L-shaped strip of land in center of block bounded by Industrial Blvd., Amarillo, Vine and South 36th Streets. Being R.O.W. dedicated with deed on Pg. 605 in Vol. 226 of D.R. for Taylor County

**SITE CHARACTERISTICS:**

An unimproved L-shaped strip of land in center of block bounded by Industrial Blvd., Amarillo, Vine and South 36th Streets. Located south of the Cooper High School bus lot.

**REQUEST ANALYSIS:**

The applicant is requesting to abandon the street right-of-way (ROW) area for future development. The street was dedicated to the public by a deed filed at the Courthouse is 1929 and has never been improved or platted. The abandonment will clean up the property records and allow the applicant to include the land into a replat of the surrounding properties they own. Additionally, the closure of this right-of way does not create any violations to the maximum block length in this area.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

**STAFF RECOMMENDATION**



RECOMMENDATIONS:

**Plat Review Committee:**

Approval of the requested street ROW closure with the following condition:

1. The applicant must replat within 12 months, at which time any issues regarding access to any lots affected by the thoroughfare closer. The replat must not create any non-conforming lots.

**Staff Recommendation:**

Approval of abandonment request on condition abandonment does not remove legal access rights/requirements for abutting property tracts.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission will hear this request on December 5, 2016.

**ATTACHMENTS:**

Description	Type
□ TC-2016-03 Staff Report	Backup Material



# THOROUGHFARE CLOSURE CASE TC-2016-03

## STAFF REPORT

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### APPLICANT INFORMATION:

Abilene Independent School District  
Agents: Tal Fillingim

### HEARING DATES:

Planning & Zoning Commission: November 7, 2016  
(*Tabled until December 5, 2016*)  
City Council 1<sup>st</sup> Reading: December 15, 2016  
City Council 2<sup>nd</sup> Reading: January 12, 2016

### REQUESTED ACTION:

Abandon: Abandon all of the unimproved L-shaped strip of land in center of block bounded by Industrial Blvd., Amarillo, Vine and South 36th Streets. Being R.O.W. dedicated with deed on Pg. 605 in Vol. 226 of D.R. for Taylor County



### SITE CHARACTERISTICS:

An unimproved L-shaped strip of land in center of block bounded by Industrial Blvd., Amarillo, Vine and South 36th Streets. Located south of the Cooper High School bus lot.

### REQUEST ANALYSIS:

The applicant is requesting to abandon the street right-of-way (ROW) area for future development. The street was dedicated to the public by a deed filed at the Courthouse is 1929 and has never been improved or platted. The abandonment will clean up the property records and allow the applicant to include the land into a replat of the surrounding properties they own. Additionally, the closure of this right-of way does not create any violations to the maximum block length in this area.

### RECOMMENDATIONS:

**Plat Review Committee:** Approval of the requested street ROW closure with the following condition:

1. The applicant must replat within 12 months, at which time any issues regarding access to any lots affected by the thoroughfare closer. The replat must not create any non-conforming lots.

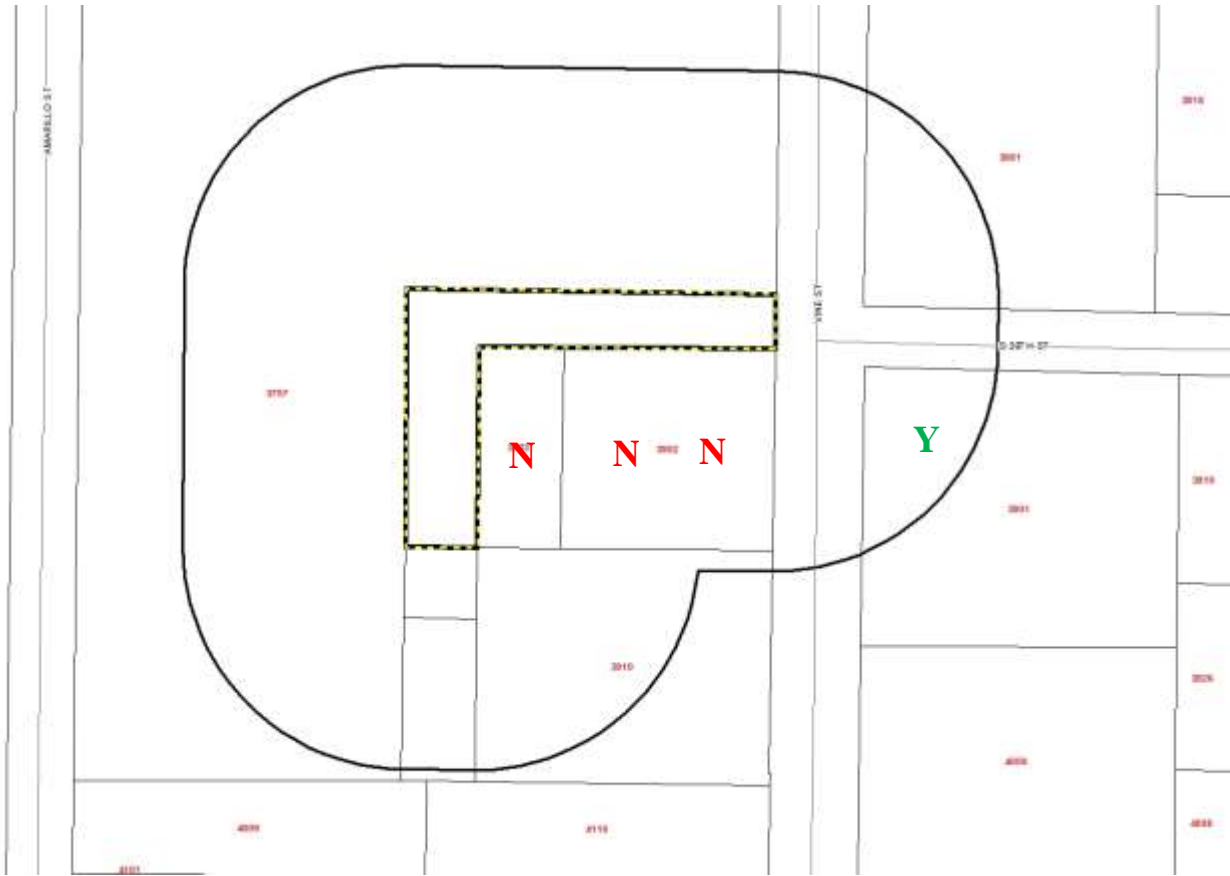
**Staff Recommendation:** Approval of abandonment request on condition abandonment does not remove legal access rights/requirements for abutting property tracts.

**NOTIFICATION:**

Property owners within the 200' of the subject rights-of-way were notified.

OWNER	SITUS	RESPONSE
ABILENE IND SCHOOL DIST	3910 VINE ST	
ABILENE IND SCHOOL DIST	3757 AMARILLO ST	
ABILENE ISD		
DEVELOPMENT CORP OF ABILENE INC	3901 VINE ST	IN FAVOR
MC CORD SAM PROPERTIES INC	3881 VINE ST	
WHITE RALPH SHANE &		OPPOSED
WHITE RALPH SHANE &	3902 VINE STREET	OPPOSED
WHITE RALPH SHANE &	3902 VINE STREET	OPPOSED

1 In Favor- **Y**  
3 Opposed- **N**













**Planning and Zoning Commission  
Agenda Memo**

**Planning and Zoning Commission Meeting Date: 12/5/2016**

**TO: Mr. Dana L. Schoening, Director of Planning and Development Services**

**FROM: Mr. Zack Rainbow, Planning Services Manager**

**Z-2016-46**

**Public hearing and possible vote to recommend approval or denial to the City Council on a request from Griffith Lake Estates, LLC, agent Tal Fillingim to rezone property from**

**SUBJECT: AO (Agricultural Open Space) to PH (Patio Home) zoning, located 1701 Griffith Road. Legal Description being 49.54 Acres out of a 129.17 tract described as A1412 SUR 33 B A L NE/4.**

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**GENERAL INFORMATION**

The subject parcel totals approximately 49.54 acres and is currently zoned AO. The adjacent properties are zoned RS-8 (Single-Family Residential) to the west, AO to the north and east, AO & RS-6 (Single-Family Residential) to the south. There is some PH (Single-Family Residential Patio Home) zoning to the south along Griffith Road and EN 10th Street as well.

Currently the property is undeveloped. The surrounding area is developed with primarily single-family homes to the west and south. There are some patio homes on the east side of Griffith road and north of E.N. 10th Street. The property has street frontage only along Griffith Road and is proposing two entrances into the subdivision, both onto Griffith Road. Patio homes are a type of single-family residential development.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Griffith Road is designated as a 'collector' street. The desired minimum right-of way width for a "collector" road is 70' with an improved street width of 40'. In this case Griffith Road is approximately a 20' wide paved street with no curb and gutter as would typically be required for new developments. Improvement of Griffith Road will be required adjacent to the proposed subdivision. Additionally, the Master Thoroughfare Plan shows a future collector roadway entering into the proposed subdivision and turning to the south. Due to the proposed design and the substandard nature of Griffith Road and the other subdivision streets, there may be concern with this rezoning. Staff feels that the proposed number of lots may place an overwhelming burden on the present infrastructure in the surrounding area upon full development. These issues should be addressed at the preliminary plat stage.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**



### **STAFF RECOMMENDATION**

Staff recommends approval of PH (Single-Family Residential Patio Home) zoning.

### **BOARD OR COMMISSION RECOMMENDATION**

The Planning & Zoning Commission will hear this request on December 5, 2016.

### **ATTACHMENTS:**

Description	Type
▣ Z-2016-46 Staff Report	Backup Material

# ZONING CASE Z-2016-46

## STAFF REPORT



### APPLICANT INFORMATION:

Griffith Lake Estates

Agent: Tal Fillingim, Jacob & Martin

### HEARING DATES:

P & Z Commission: December 5, 2016

City Council 1st Reading: December 15, 2016

City Council 2nd Reading: January 12, 2017

### LOCATION:

1701 Griffith Rd. Legal Description being 49.54

Acres out of a 129.17 tract described as A1412

SUR 33 B A L NE/4.



### REQUESTED ACTION:

Rezone property from AO (Agricultural Open Space) to PH (Single-Family Residential Patio Home) zoning. Including approximately 184 new patio home lots.

### SITE CHARACTERISTICS:

The subject parcel totals approximately 49.54 acres and is currently zoned AO. The adjacent properties are zoned RS-8 (Single-Family Residential) to the west, AO to the north and east, AO & RS-6 (Single-Family Residential) to the south. There is some PH (Single-Family Residential Patio Home) zoning to the south along Griffith Road and EN 10<sup>th</sup> Street as well.

### ZONING HISTORY:

The property was annexed in 1964 and zoned AO at that time.

### ANALYSIS:

#### • Current Planning Analysis

Currently the property is undeveloped. The surrounding area is developed with primarily single-family homes to the west and south. There are some patio homes on the east side of Griffith road and north of E.N. 10<sup>th</sup> Street. The property has street frontage only along Griffith Road and is proposing two entrances into the subdivision, both onto Griffith Road. Patio homes are a type of single-family residential development.

#### • Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Griffith Road is designated as a 'collector' street. The desired minimum right-of way width for a "collector" road is 70' with an improved street width of 40'. In this case Griffith Road is approximately a 20' wide paved street with no curb and gutter as would typically be required for new developments. Improvement of Griffith Road will be required adjacent to the proposed subdivision. Additionally, the Master Thoroughfare Plan shows a future collector roadway entering into the proposed subdivision and turning to the south. Due

to the proposed design and the substandard nature of Griffith Road and the other subdivision streets, there may be concern with this rezoning. Staff feels that the proposed number of lots may place an overwhelming burden on the present infrastructure in the surrounding area upon full development. These issues should be addressed at the preliminary plat stage.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of PH (Single-Family Residential Patio Home) zoning.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

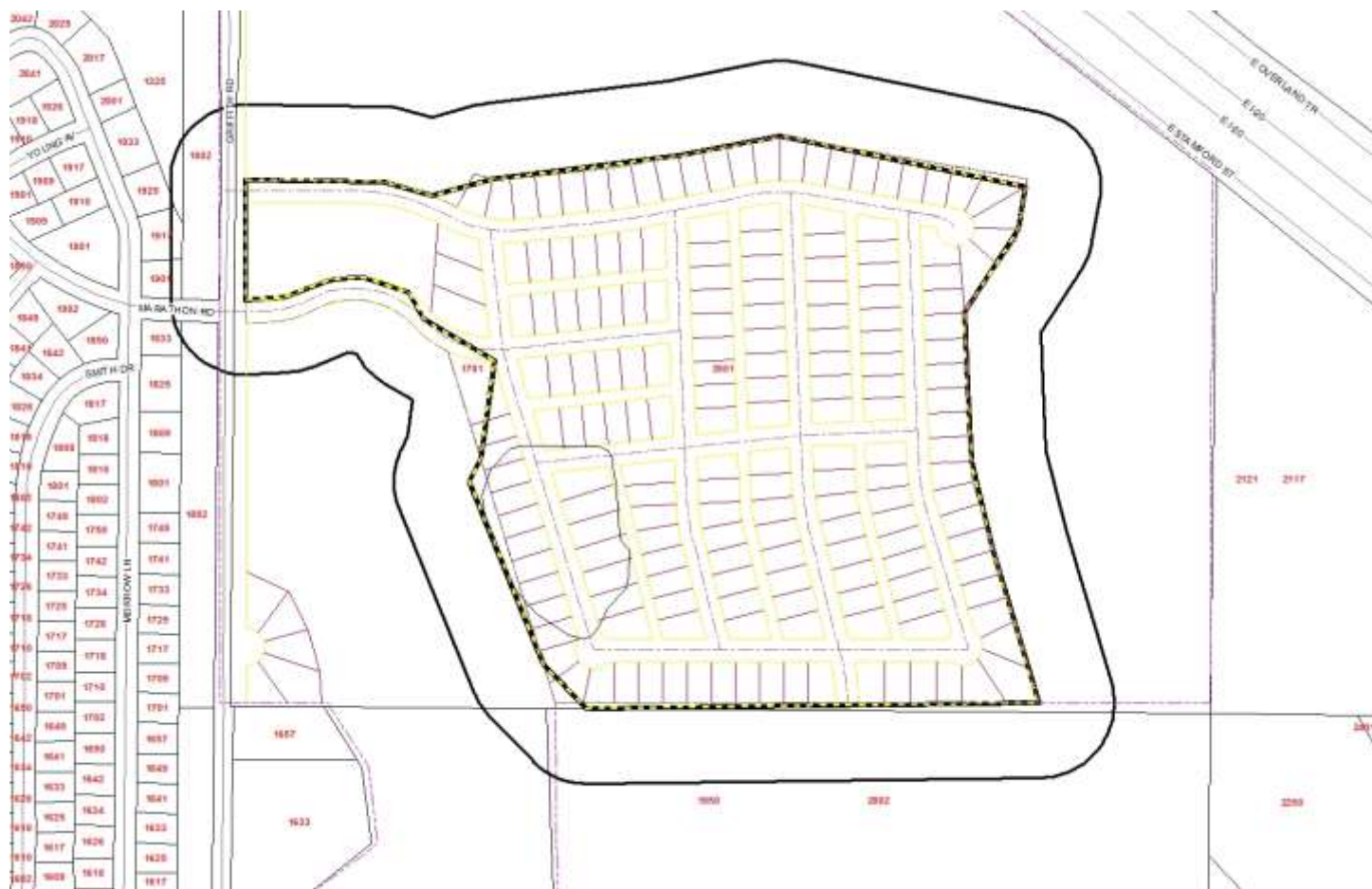
The Planning and Zoning Commission will consider this request at their December 5, 2016 meeting.

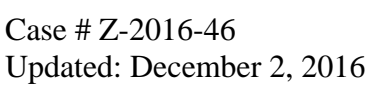
**NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

OWNER	SITUS	RESPONSE
ABILENE CHRISTIAN UNIV	1325 E AMBLER AV	
DAVIS C BRUCE & CHARLOTTE J	2002 WILDLIFE TRAILS PW	
DAVIS C BRUCE & CHARLOTTE J	1950 EN 10TH ST	
HANCOCK JAMES ROBERT & HENDRICK MEDICAL CENTER	1917 MORROW LN	
HENDRICK MEDICAL CENTER	2001 GRIFFITH RD	
HENDRICK MEDICAL CENTER	1701 GRIFFITH RD	
PETERSON HUPERT & LENORA R	1925 MORROW LN	
REESE JEANENE SPA	1901 MORROW LN	
SKAGGS DONALD E & DAWN	1833 MORROW LN	
VELASCO RUBEN O JR &	1825 MORROW LN	
WEST TEXAS UTILITIES CO	1902 GRIFFITH RD	
WEST TEXAS UTILITIES CO	1802 GRIFFITH RD	

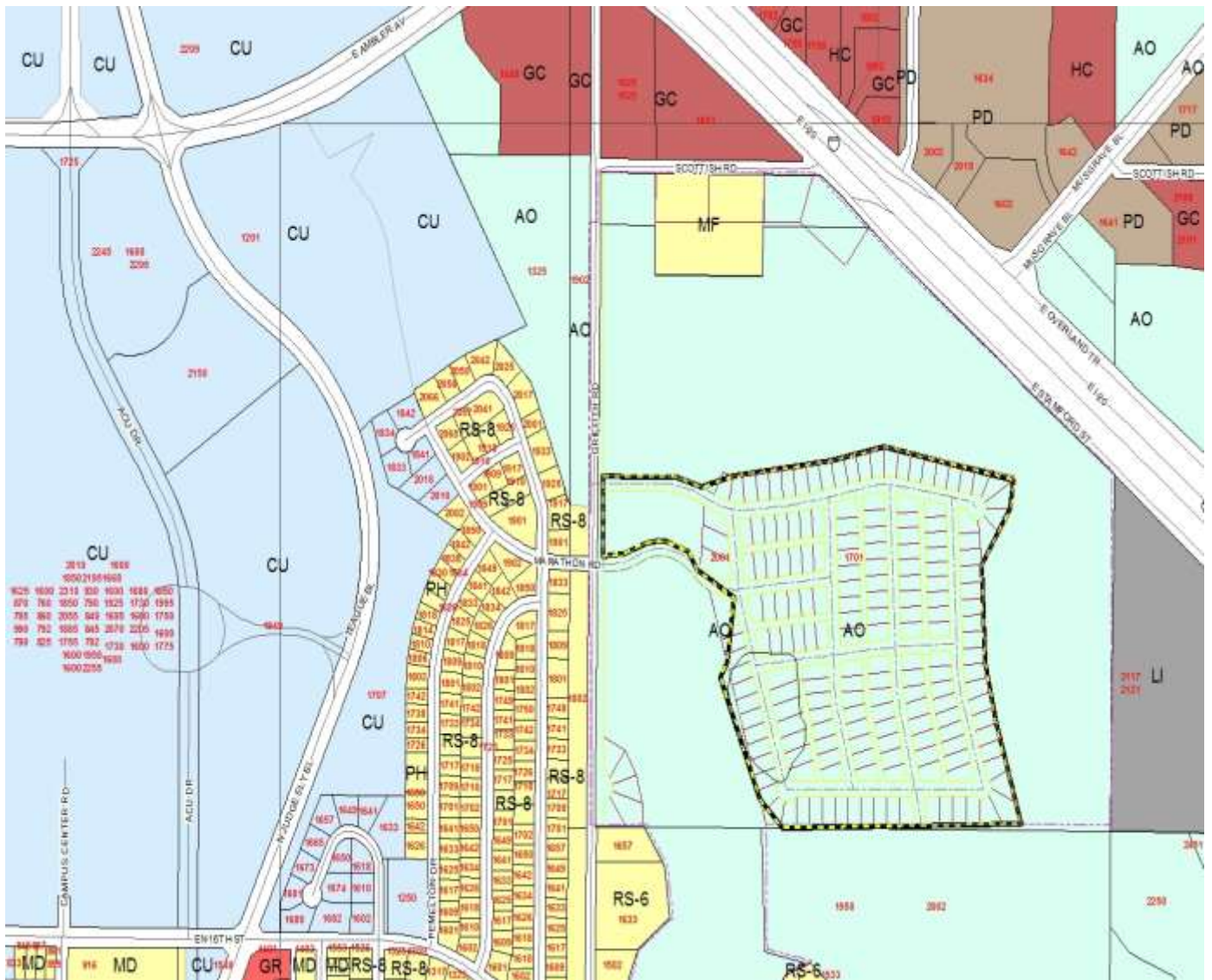
0 in Favor- **Y**  
0 Opposed- **N**





















**Planning and Zoning Commission  
Agenda Memo**

**Planning and Zoning Commission Meeting Date: 12/5/2016**

**TO: Mr. Dana L. Schoening, Director of Planning and Development Services**

**FROM: Mr. Zack Rainbow, Planning Services Manager**

**Z-2016-47**

**SUBJECT: Public hearing and possible vote to recommend approval or denial to the City Council on a request from Matthew W. Meador, to rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential/Historic Overlay) zoning, located at 1941 N. 3rd Street. Legal description being OT ABILENE BLK 206 THOMAS, BLOCK 1-3, LOT 9-11.**

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**GENERAL INFORMATION**

LOCATION: 1941 North 3rd Street.

REQUESTED ACTION: Rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential/Historic Overlay) zoning.

SITE CHARACTERISTICS: The subject parcel totals approximately 0.6966 acres and is currently zoned MD. The adjacent properties are all zoned MD. Four of which also have Historic Overlay Zoning.

ZONING HISTORY: The property was annexed in 1895 and zoned MD sometime after. ANALYSIS: This is a 2-story, multiple-bay domestic building in the Queen Anne style with Beaux Arts/Neo-Classical influences built in 1910. The structural system is frame. The foundation is undetermined. Exterior walls are original wood siding. The building has a multi-plane/complex roof clad in replacement asphalt shingles with box cornice. There are three offset left, side slope, brick chimneys and two offset right, straddle ridge, brick chimneys. Windows are original wood, 1/1 double-hung sashes. There is a single-story, recessed corner umbrage characterized by a bellcast gable roof with classical wood posts. The property is currently zoned as MD. The applicant is requesting historic overlay zoning. All of the properties nearby are MD (Medium Density Residential), with 4 other surrounding properties having the Historic Overlay Zoning as well. The project's purpose is to rezone this property to match the Historic designation.

COMPREHENSIVE PLANNING ANALYSIS: The Future Land Use section of the Comprehensive Plan designates this property as part of the 'low density residential'. The existing MD zoning will remain. The requested overlay zoning is compatible with the Future Land Use Map and the adjacent properties.

**SPECIAL CONSIDERATIONS**

## **FUNDING/FISCAL IMPACT**

## **STAFF RECOMMENDATION**

### LANDMARKS COMMISSION RECOMMENDATION:

The Landmarks Commission recommends approval by a vote of 5 in favor (Minter, Weatherl, Butman, Lee, and McClellan), and none opposed.

### PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

## **BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission will hear this request on December 5, 2016.

## **ATTACHMENTS:**

Description	Type
□ Z-2016-47 Staff Report	Backup Material

# ZONING CASE Z-2016-47

## STAFF REPORT



### APPLICANT INFORMATION:

Matthew W. Meador

### HEARING DATES:

P & Z Commission: December 5, 2016

City Council 1<sup>st</sup> Reading: December 15, 2016

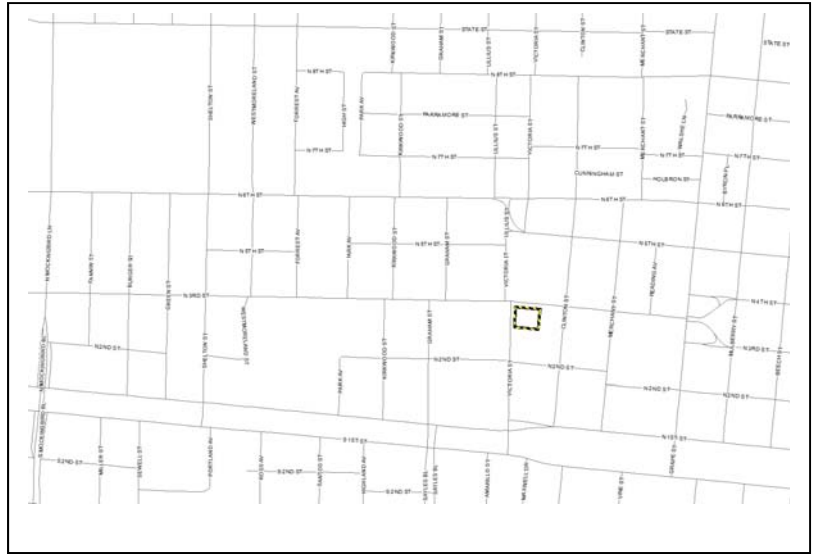
City Council 2<sup>nd</sup> Reading: January 12, 2016

### LOCATION:

1941 North 3rd Street.

### REQUESTED ACTION:

Rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential/Historic Overlay) zoning



### SITE CHARACTERISTICS:

The subject parcel totals approximately 0.6966 acres and is currently zoned MD. The adjacent properties are all zoned MD. Four of which also have Historic Overlay Zoning.

### ZONING HISTORY:

The property was annexed in 1895 and zoned MD sometime after.

### ANALYSIS:

- Current Planning Analysis

This is a 2-story, multiple-bay domestic building in the Queen Anne style with Beaux Arts/Neo-Classical influences built in 1910. The structural system is frame. The foundation is undetermined. Exterior walls are original wood siding. The building has a multi-plane/complex roof clad in replacement asphalt shingles with box cornice. There are three offset left, side slope, brick chimneys and two offset right, straddle ridge, brick chimneys. Windows are original wood, 1/1 double-hung sashes. There is a single-story, recessed corner umbrage characterized by a bellcast gable roof with classical wood posts.

The property is currently zoned as MD. The applicant is requesting historic overlay zoning. All of the properties nearby are MD (Medium Density Residential), with 4 other surrounding properties having the Historic Overlay Zoning as well. The project's purpose is to rezone this property to match the Historic designation.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this property as part of the 'low density residential'. The existing MD zoning will remain. The requested overlay zoning is compatible with the Future Land Use Map and the adjacent properties.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

**LANDMARKS COMMISSION RECOMMENDATION:**

The Landmarks Commission recommends approval by a vote of 5 in favor (Minter, Weatherl, Butman, Lee, and McClellan), and none opposed.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission will consider this request at their December 5, 2016 meeting.

**NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

OWNER	POST SITUS	RESPONSE
BARBER MICHAEL E & CHERYL	1928 N 3RD ST	
BASSINGER WILBURN J & WINONA M	222 VICTORIA ST	
BLASCHKE CARRIE	258 CLINTON ST	In Favor
BLASCHKE RUSSELL	242 CLINTON ST	In Favor
BLASCHKE RUSSELL	244 CLINTON ST	In Favor
BOWER RICHARD K & LAURIE JAN	410 1/2 VICTORIA ST	
BOWER RICHARD K & LAURIE JAN	410 1/2 VICTORIA ST APT APT 1	
BOWER RICHARD K & LAURIE JAN	410 1/2 VICTORIA ST APT APT 2	
BOWER RICHARD K & LAURIE JAN	410 1/2 VICTORIA ST APT APT 4	
BOWER RICHARD K & LAURIE JAN	410 VICTORIA ST	
BOWER RICHARD K & LAURIE JAN	410 1/2 VICTORIA ST APT APT 3	
COLLIER HOWARD TAYLOR III	210 CLINTON ST	
HAMM KEVIN R & SANDRA D	230 CLINTON ST	
HERNANDEZ EDUARDO A	218 VICTORIA ST	
KAGABO JEAN MARIE	1942 N 2ND ST	
LANIER PROPERTIES LLC	1934 N 2ND ST	
LECK JUDY GAIL	210 VICTORIA ST	
MARTINEZ PAUL A JR & GAIL	1930 N 3RD ST	
MATTA PAUL R & ALMA L	1942 N 3RD ST	
MEADOR MATTHEW WARREN &	1941 N 3RD ST	
MEADOR MATTHEW WARREN &	1939 N 3RD ST	
ROSS DOUGLAS D	258 VICTORIA ST	

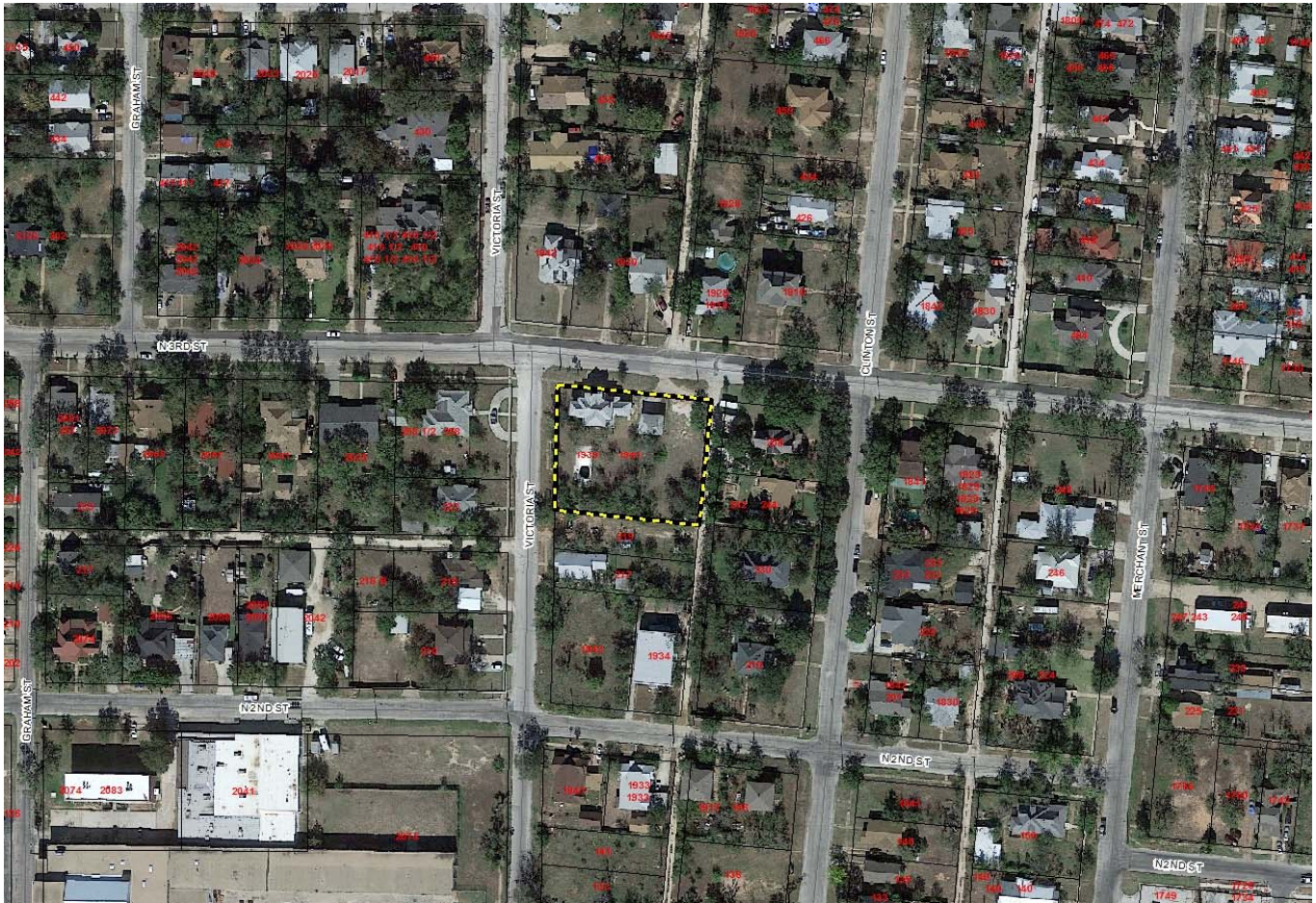
ROSS DOUGLAS D	258 1/2 VICTORIA ST	
TEDFORD MARSHALL O &	426 CLINTON ST	
WAYNE JERRY J	217 VICTORIA ST	
WAYNE JERRY J	219 VICTORIA ST	
WILLEFORD JAMES & DANA	1928 N 3RD ST	
WILLEFORD JAMES & DANA	1910 N 3RD ST	

3 in Favor- **Y**  
 0 Opposed- **N**

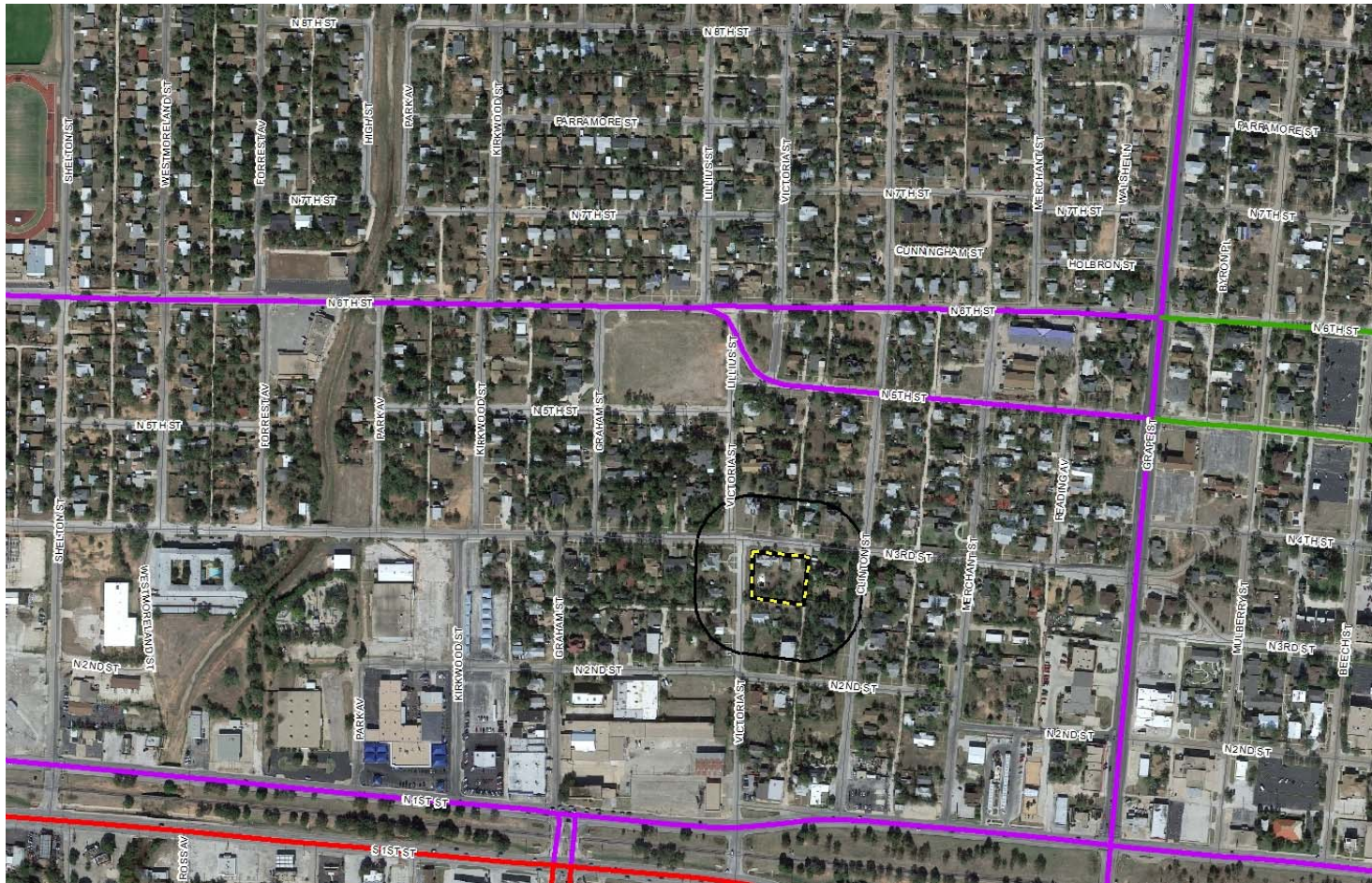














CITY OF ABILENE, TX  
**MEMORANDUM**

**December 5, 2016**

**TO: Planning and Zoning Commission**

**FROM: Dana L. Schoening, Director of Planning and Development Services**

**SUBJECT: Recent Council Actions**

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Below are recent decisions made by the City Council on items that had recommendations from the Commission:

**November 17, 2016 Council Meeting**

**CONSENT AGENDA**

**Ordinance:** *(First Reading)* **Z-2016-44** A request from St. Ann's Hospital LLC, Agent Chad Baker, to rezone property from MD (Medium Density) Residential to MF (Multi-Family) Residential zoning, located at 1350 Cypress St, and setting a public hearing on December 1st 2016.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

**Council approved on December 1.**

**6.4 Ordinance:** *(First Reading)* **Z-2016-45** A request from Hit Ventures LLC, agent Harley Burnett, to rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning, located at 720 China St., Legal description being OT ABILENE, BLOCK 164, LOT SOUTH 31.64' OF LOT 25, ALL OF 26-27 & THE NORTH 35 FEET OF LOT 28; and setting a public hearing for December 1st 2016.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

**Council approved on December 1.**