

**CITY COUNCIL WORKSHOP MEETING
TOGETHER WITH THE PLANNING & ZONING COMMISSION
March 4, 2010, 8:30 a.m.**

**CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
CIVIC CENTER**

The City Council of the City of Abilene, Texas, met in a Joint Workshop Session with the Planning and Zoning Commission on March 4th, at 8:30 a.m. in the Civic Center, Conference Room 2, 1100 North 6th Street. Mayor Archibald was present and presiding with Councilmen Shane Price, Stormy Higgins, Joe Spano, Anthony Williams, Robert O Briley, and Councilwoman Laura Moore.

Tim McClarty Chairman of the Planning and Zoning Commission was present and presiding with Bruce Bixby, Ovelia Campos, Fred Famble, and Clint Rosenbaum.

Also present were City Manager Larry Gilley, City Attorney Dan Santee, City Secretary Danette Dunlap, Director of Planning and Development Services Jon James and various members of the City staff.

Mayor Archibald gave the invocation and led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

Mayor Archibald stated that this would be a time for the City Council to hear from the Planning and Zoning Commission. Chairman McClarty gave a brief outline of where they have come from on the Land Development Code and there are 10 questions or differences between Staff/Consultant/Committee and P&Z.

Jon James Director of Planning and Development Services briefed the Council on the Land Development Code and reviewed the 10 questions.

Timeline...

- Contract signed, September 2005*
- Phase I, Diagnostic Review (Sept 2005-May 2006)*
- Joint Council / P&Z Meeting (June 2006)*
- Council authorized proceeding with Phase II (January 2007)*
- Consultant provided initial draft for staff review (late 2007)*
- Staff Review (delayed due to other intervening projects and staff turnover) (2008, early 2009)*
- LDC Review Committee (May 2009-August 2009)*
- P&Z Review (August 2009-February 2010)*
P&Z recommended draft ordinance (February 2010)

Land Development Code – Questions

1. Should the applicant or staff be required to post a sign or signs on the property proposed for rezoning to provide additional notification to potentially interested neighbors or citizens that might not be within the 200' notification area?

- ***No, current notifications are sufficient***
(Staff/Consultant, Committee, and P&Z)*

- Yes, the applicant should be responsible
 - Yes, the City staff should be responsible*
- * P&Z not unanimous

Discussion included: 1) whether or not the applicant would be responsible; and 2) whether or not staff would handle or not.

2. *Should the City Council or the Planning and Zoning Commission have the authority to waive individual plat requirements as part of plat review and approval?*

- No, the current system works (Consultant's original draft)
- Yes, the P&Z Commission should have this authority (Committee)
- Yes, but given the potential impacts to the city budget and infrastructure, the City Council should make the final decision based on a recommendation by the P&Z Commission. (P&Z)
- **Yes, but waiving normal requirements should require a super-majority vote by the Council, similar to the super-majority required for variances by the Board of Adjustment. (Staff)**

Discussion included: 1) less than 10 acres; and 2) other requirements that can come into play when a plat is required.

3. *When the P&Z Commission denies a case, should a Council vote to over-ride the denial require a ³/₄ super-majority?*

- **Yes (Staff/Consultant)**
- No (Committee)

Peer Cities:

- 6 Yes (Carrollton, Denton, Killeen, Lubbock, San Angelo, Waco)
- 4 No (Grand Prairie, Midland, Odessa, Wichita Falls)

4. *Should the Landmarks Commission be authorized to permanently stop demolition of an historic building, as opposed to the current 12 month demolition delay?*

{Note: this was approved by the Landmarks Commission and P&Z in 2007 and has been tabled since that time by the Council} *(The Review Committee did not discuss)*

- **Yes (Staff/Consultant, P&Z, and Landmarks Commission)**
- No

Peer Cities:

- 4 Yes (Denton, Odessa, San Angelo, Wichita Falls)
- 4 No (Carrollton, Killeen, Midland, Waco)
- 2 Unknown (Grand Prairie, Lubbock)

Note: There is always an "appeal" authority to Council to simply rezone the property to remove the historic zoning.

Discussion included: 1) could also request to amend the zoning and take the property out of the Historic Overlay Zoning.

5. *Should a subdivision be required to have two points of vehicular access?*

- **Yes, for a subdivision with more than 60 lots. (Staff/Consultant)**
- *Yes, for a subdivision with more than 100 lots. (Committee and P&Z)*
- No

Peer Cities:

- *2 Yes, 30 lots* (Killeen, San Angelo)*
- *2 Yes, discretionary per Fire Dept (Carrollton, Midland)*
- *2 No (Waco, Wichita Falls)*
- *4 Unknown (Denton, Grand Prairie, Lubbock, Odessa)*

* Per provision in optional appendix in the 2006 Fire Code

Discussion included: 1) differences between the 60 lots and the 100 lots subdivisions.

6. *Who should be responsible for the cost of installing streetlights (\$2,000 - \$3,000 per light pole) and street signs (\$100-\$200 per sign post) in a new development?*

- *The City/taxpayers (current practice and Committee and P&Z* recommendation)*
- **The developer should be responsible for this* (Staff/Consultant)**

Discussion included: 1) keeping cost low and not passing on extra cost to developers; 2) if added costs are added they will be passed on to the home buyer; and 3) want to encourage development in the short term.

7. *Currently drainage plans are required for development that would exceed 5,000 square feet of impervious cover on a site. Should this exemption threshold be increased to 20,000 sf?
(Not discussed by Review Committee)*

- **No, the current standard is preferable (Staff/Consultant and City Engineer)**
- *Yes, the current standard is too low and makes development difficult for small projects (P&Z)*

Peer Cities:

- *3 Require for all development (Carrollton, Grand Prairie, Killeen)*
- *4 Require for some development (Denton, San Angelo, Waco, Wichita Falls) → details on following slide*
- *3 Unknown (Lubbock, Odessa, Midland)*

Peer Cities (trigger for drainage plan):

- **Denton:** *greater of 1,000 sf or 25% expansion (or anything over 10,000 sf)*
- **San Angelo:** *5,000 sf of building or any site over 5 acres*
- **Waco:** *Any residential subdivision and "large" commercial (discretion of City Engineer)*
- **Wichita Falls:** *Residential > 2 acres; Non-residential > 1 acre*

Discussion included: 1) staff is strong on keeping the current standard; 2) P&Z is strong on standards being too low and makes development difficult for small projects; 3) Infill development; and 4) sidewalks & parking areas.

8. *Should infill areas be exempt from the requirement to prepare a drainage plan?
(Not discussed by Review Committee)*

- Yes, exempt all designated infill areas (Central Business District and designated corridors) with the exception of East Highway 80 (east of Treadaway) (P&Z)
- **No, but only exempt the CBD, not the infill corridors (Pine, Butternut, South 1st, Treadaway) due to localized drainage issues on those corridors that should be addressed with new development. Note that any individual site would still be eligible for an individualized waiver through the Alternative Design process.**
(Staff/Consultant and City Engineer)

Discussion included: 1) encourage infill development; 2) doesn't cost the tax payer; and 3) trying to protect downstream.

9. *Should the City require new subdivisions to dedicate parkland or fees-in-lieu of parkland to ensure adequate parkland for the future?*

- **Yes (Staff/Consultant initial recommendation)**
- *No (Committee and P&Z)*

Peer Cities:

- *4 Yes (Carrollton, Denton, Midland, Waco)*
- *3 No (Killeen, Odessa, San Angelo)*
- *1 Allows for parkland reservation, but not dedication (Wichita Falls)*
- *2 Unknown (Grand Prairie, Lubbock)*

10. *Should a Traffic Impact Analysis (TIA) be required for new developments that result in substantial traffic impacts on City streets?*

(Note: the TIA would identify proportionate traffic system improvements that the developer would be responsible for including as part of the development)

- **Yes, for large commercial developments and large residential subdivisions (Staff/Consultant recommendation)**
- *Yes, with larger thresholds that only apply to the largest big box and shopping center developments and do NOT apply to residential developments (some Committee members support this option, Staff could support this option)*
- *No (some Committee members recommend eliminating this provision altogether, P&Z agreed)*

Peer Cities:

- *5 Yes (Carrollton, Denton, Grand Prairie, Midland, Waco*)*
- *4 No (Killeen, Odessa, San Angelo, Wichita Falls)*
- *1 Unknown (Lubbock)*
** TIA is discretionary in Waco through the development review process*

Discussion included: 1) no one in Abilene with the ability to conduct the TIA.

Land Development Code overall discussion included: 1) balance cost to developer/city; 2) thresholds; 3) Traffic or Parklands; 4) trigger points; 5) impact/costs 6) other areas that could be addressed in the Land Development Code; and 7) encourage development.

Planning and Zoning Commission adjourned their meeting at 10:55 a.m.

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session 10:55 am. pursuant to Sections 551.071, 551.074, 551.072 and 551.087 of the Open Meetings Act, to seek the advice of the City Attorney with respect to pending and contemplated litigation, to consider the appointment and evaluation of public officers, to consider the purchase, exchange, lease or value of real property, and to discuss contemplated business prospects and or economic development matters.

The Council reconvened from Executive Session at 11:24 a.m. and reported no votes or action was taken in Executive Session in regards to Section 551.074 Personnel Matters, and Section 551.071 Consultation with Attorney.

- 10.** Oral Resolution approving the appointment to the following board and commission.
Development Corporation of Abilene

Councilman Price made the motion to appoint Dani Ramsey to the Development Corporation of Abilene. Councilman Spano seconded the motion. Motion carried.

AYES: Councilmen Price, Spano, Williams, Briley, Higgins, Councilwoman Moore and Mayor Archibald
NAYS: None

There being no further business the meeting was adjourned at 11:25 a.m.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor