

Councilman Higgins made the motion to approve the use of signs as additional notification and provide that city staff will be responsible for the installation of the signs. Councilman Briley seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Briley, Higgins, Councilwoman Moore and Mayor Archibald

NAYS: None

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?

- P&Z approved no change to the current system where the City/taxpayers are responsible for these costs. (Some on the commission disagreed)
- Staff/Consultant recommends that the developer be responsible for these costs.
- Review Committee recommended no change to the current system where the City/taxpayers are responsible for these costs.

Councilman Williams made the motion to keep as brought forward by the P&Z no change to the current system. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Briley, Councilwoman Moore and Mayor Archibald

NAYS: Councilmen Spano and Higgins

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 square feet?

- P&Z approved increasing the exemption to 20,000 square feet.
- Staff/Consultant and the City Engineer recommend not increasing the exemption to 20,000 square feet. While the current 5,000 sf is preferable, staff could support increasing the exemption to 10,000 sf.
- Review Committee did not discuss.

Councilman Price made the motion to keep the P&Z recommendation of increasing the exemption to 20,000 square feet. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Briley, Higgins, Councilwoman Moore and Mayor Archibald

NAYS: None

Councilman Higgins made the motion to approve the Ordinance adopting the Land Development Code as presented from the Planning and Zoning Commission. Councilwoman Moore seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Briley, Higgins, Councilwoman Moore and Mayor Archibald

NAYS: None

Ordinance numbered [#8-2010](#) and captioned as follows:

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," OF THE ABILENE MUNICIPAL CODE, BY REPEALING SUBPARTS B, D & E; REPEALING THE SIDEWALK MASTER PLAN; AND ADOPTING THE CITY OF ABILENE LAND

- 6.1** *(First Reading)* **Z-2010-03** Request from Abilene Griffith Road Apartments, LP to rezone property from AO (Agricultural Open Space) to RM-2 (Multi Family Residential) zoning, located at 2001 Griffith Road; and setting a public hearing for June 24, 2010.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," 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.

- 6.2** *(First Reading)* **Z-2010-04** Request from Calvin L. Sumrall and Thomas M. Duncan to rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning, located at 6002 HWY 277 South; and setting a public hearing for June 24, 2010.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," 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.

- 6.3** *(First Reading)* **Z-2010-05** Request from Sojourner Drilling Corporation to rezone property from SC (Shopping Center) to GC (General Commercial) zoning, located at 3366 Ambler Ave; and setting a public hearing for June 24, 2010. *Item pulled prior to the start of the meeting. Planning & Zoning Commission had denied the request.*

- 6.4** *(First Reading)* **Z-2010-06** Request from Mark & Janice Reeder to rezone property from LC/COR (Limited Commercial with Corridor Overlay) to PDD/COR (Planned Development District with Corridor Overlay) zoning, located at 5190 Buffalo Gap Rd.; and setting a public hearing for June 24, 2010.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-130 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- 6.5** *(First Reading)* **Z-2010-07** Request from Exceptional Holdings, L.P. to amend PDD-99 concerning permitted uses, located at 1801 Antilley Rd; and setting a public hearing for June 24, 2010.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-99 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- 6.6** *(First Reading)* **Z-2010-08** Request from A.E. Nelson, Jr. to rezone property from RS-8/COR (Single Family Residential with Corridor Overlay) to O/COR (Office with Corridor Overlay) zoning, located at 5701 Buffalo Gap Rd.; and setting a public hearing for June 24, 2010.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," 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.

- 6.7 *(First Reading)* Proposal to amend Section 2.3.3.4 Historic Overlay (HO) District, Section 2.4.2.1 Land Use Matrix, Section 2.4.3 Requirements Applicable to Specific Land Uses, and Section 3.1.1.1 ETJ Subdivision Provisions of the Land Development Code; and setting a public hearing for June 24, 2010.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

Bid Awards:

- 6.8 **Award of Bid** – **CB#1030** Lake Fort Phantom Hill Parks Improvements. Item pulled for further consideration.
- 6.9 **Award of Bid** – **CB#1027** Contract for Print and Copying Services. The City Council awarded the bid to Abilene Printing & Stationery Company for a term of one-year from the date the contract is executed. The City reserves the option upon mutual consent to extend the contract for four (4) additional one-year periods.

ITEM PULLED FROM CONSENT

6.8 – Bid CB#1030 Lake Fort Phantom Hill Parks Improvements. Councilman Briley had concerns over the difference in pricing between the bidders in the area of Entry Monuments, Stone Seating and Boat Ramp Extension. Mike Hall Director of Community Services explained how the bid process had taken place and they felt confident that the construction company was aware of the specs of the project. Craig Rooney representative for Bulldog Constructors of Texas, Inc. stated that they stood firm by the numbers presented in the bid specs.

Councilman Briley made the motion to approve Item 6.8 – Lake Fort Phantom Hill Parks Improvements awarding the bid to Bulldog Constructors of Texas, Inc. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Briley, Higgins, Councilwoman Miller and Mayor Archibald

NAYS: None

REGULAR AGENDA

7.1 Tony Neitzler, Assistant Director of Community Services briefed the City Council on the Ordinance amending Chapter 21, Section 21-26 that establishes a prohibition for drilling oil and gas wells on city owned land used for park purposes at Lake Fort Phantom.

In 2009 the Texas Parks and Wildlife Department and the City of Abilene entered into a project agreement to make improvements to Johnson and Seabee Parks and the North Boat Ramp at Lake Fort Phantom Hill. The agreement provided for matching funds from the Texas Parks and Wildlife Department's Local Park Grant Program for \$500,000 in matching funds. One of the requirements of this agreement was the stipulation that the City of Abilene prohibit surface drilling and mining activity on the site of Johnson and Seabee parks. In order to accomplish this Chapter 21, Section 21-26 must be amended to specify the prohibition. A similar amendment to the Land Development Code will also be requested.

Mayor Archibald opened the public hearing and there being no one present and desiring to be heard the hearing was closed.

Councilwoman Miller made the motion to approve the Ordinance amending Chapter 21, Section 21-26 establishing a prohibition for drilling oil and gas wells on property used for park purposes. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Briley, Higgins, Councilwoman Miller and Mayor Archibald

NAYS: None

Ordinance [#11-2010](#) and captioned as follows:

AN ORDINANCE AMENDING CHAPTER 21, SECTION 21-26 THE CITY OF ABILENE MUNICIPAL CODE BY AMENDING THE SECTION AS SET OUT BELOW, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING FOR A PUBLIC HEARING.

7.2 Jon James Director of Planning and Development Services briefed the City Council on the ordinance that amends various portions of the Land Development Code (LDC).

During the adoption of the Land Development Code several minor changes were identified as needed. The majority of these changes are grammatical in nature and do not change the intent of the language in the LDC.

A few of the significant changes include:

- Many typographical and grammatical corrections pointed out by Council members, P&Z Commissioners, or staff
- Need to change cross reference to City's engineering standards to reflect correct name for document
→ "Design Details and Construction Standards, as amended"
- Added missing Neighborhood Office column in Permitted Use Chart (uses same as Office)
- Clarified wind energy provision re: net metering
- Removed requirement for Drainage Flow Diagram (superfluous requirement, not used by Engineering)

- Inserted language from current code that had been inadvertently deleted in Manufactured Home section
- Replaced City Engineer with Director of Water Utilities, or designee, as authority for water/wastewater decision-making
- Requirements for posting notice on property for zoning amendments (page 1-25)
- Restrictions on mining in City parks at Lake Fort Phantom Hill (p. 2-103)
- Revise language on parking lot barriers per P&Z recommendation (p. 4-18)

Mayor Archibald opened the public hearing and there being no one present and desiring to be heard the public hearing was closed.

Councilman Briley made the motion to approve the amendments to the Land Development Code Ordinance as presented. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Briley, Higgins, Councilwoman Miller and Mayor Archibald

NAYS: None

Ordinance [#12-2010](#) and captioned as follows:

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE , BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING

7.3 Jon James Director of Planning and Development Services briefed the City Council on the South Downtown Master Plan and then introduced Jim Carrillo with Halff Associates Inc. Mr. Carrillo gave a over view of the Plan.

The vision of the Master Plan is to create a safe and appealing destination for Abilene's citizens and visitors while preserving the history and character of the areas that make up the South Downtown study area.

Master Plan Goal....

- Create a sense of community
- Create a sense of place
- Create a sense of value

Guiding Principles

- Building Principles – build off existing efforts
- Clear hierarchy of streets

Gateway Street

- Features: Wide sidewalks

- Enhanced intersections
- Heavy landscaping and street-scaping

Commercial Corridor Features:

- Auto-priority
- Sidewalks & enhanced crosswalks for pedestrian safety
- Landscape buffer

Action Plan: Prepare Your Policies

- Incentives to attract investment
 - Historic renovation/adaptive reuse
 - Redevelopment
- Regulations to guide development
 - Design guidelines to regulate form and character
 - Zoning to allow flexibility in land uses
 - Corridor study along Treadaway Boulevard and Butternut Street
- Creative financing
 - New TIF district to direct public investment

Action Plan: Public Investment

- Enhance pedestrian linkage between north and south downtown
- Improve South 1st Street as a gateway into the South Downtown area
- Renovate Historic Courthouse Building and enhance surrounding grounds for public use
- Create focal point public gathering spaces
- Create key gateways into South Downtown and the Warehouse District
- Enhance pedestrian facilities along Treadaway to improve
- Create pedestrian trail connection to Cedar Creek
- Enhance/expand CityLink transit facility to accommodate Greyhound
- Convert one-way streets to two-way streets
- Create permanent farmers market location

Mayor Archibald opened the public hearing and the City Council heard from the following citizens:

- Wilma Butman – in favor of the plan, encouraged the city to move forward
- Neil Hall with the Butternut Association – in favor, encouraged those to clean-up
- Carolyn Cockrell with the Downtown Association – in favor and excited about this project
- Bill Minter Executive Director Preservation League – in favor, needs to happen
- Jeff Salmon Executive Director of Frontier Texas! – good road map, encourage private development
- Merci McNally owner of business on Butternut – concerned about being pushed out

There being no one else present and desiring to be heard Mayor Archibald closed the public hearing.

Councilman Briley made the motion to approve the Resolution amending the Comprehensive Plan adopting and incorporating the South Downtown master Plan as an attached Neighborhood Plan. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Briley, Higgins, Councilwoman Miller and Mayor Archibald

NAYS: None

Resolution [#18-2010](#) and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE TO AMEND THE CITY'S COMPREHENSIVE PLAN ADOPTING AND INCORPORATING THE SOUTH DOWNTOWN MASTER PLAN AS A NEIGHBORHOOD PLAN ATTACHMENT

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 9:39 a.m. 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 11:25 a.m. and reported no votes or action was taken in Executive Session in regards to Section 551.071 Litigation/Consultation with Attorney, Section 551.072 Real Property and Section 551.087 Business Prospect/Economic Development.

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

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor