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## PLANNING & ZONING COMMISSION

February 7, 2005

### Minutes

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Members Present: Neomia Banks  
Eddie Boykin  
Jack Harkins  
Jeff Luther  
Floyd Miller

Members Absent: Ovelia Campos  
Tim McClarty

Staff Present: Jon James, Director of Planning and Development Services  
Jeff Armstrong, Development Services Manager  
Shannon Meinhold, Planner II  
Dan Santee, First Assistant City Attorney  
Gloria Brownell, Planner I  
JoAnn Sczech, Executive Secretary (Recording)

Others Present: Bob Hammond  
Sandy Rainey  
Jim Fox  
Denny Marsallis  
John Tatum  
Joey Rocha  
Tracy Friske  
Joseph Lopez  
Kristin N. Ferguson  
Paul Washburn  
Deedra C. Scott  
Jerry Smith  
Chris Qualizza

**Item One: Call to Order**

Mr. Harkins called the meeting to order at 1:35 p.m. and declared a quorum present.

**Item Two: Invocation**

Mr. Jeff Luther gave the invocation.

**Item Three: Approval of Minutes:**

The minutes from the December 6, 2004, and the January 3, 2005, meetings were considered for approval individually. **Mr. Miller moved that the minutes of the December 6, 2004, meeting be approved as submitted. Mr. Boykin seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Harkins, Luther, and Miller) to none (0) opposed.**

**Mr. Boykin moved that the minutes of the January 3, 2005, meeting be approved as submitted. Ms. Banks seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Harkins, Luther, and Miller) to none (0) opposed.**

**Item Four: Election of Officers**

**Mr. Luther moved that the current officers continue to serve. Mr. Boykin seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Harkins, Luther, and Miller) to none (0) opposed.** Planning and Zoning Commission officers are as follows:

Chairman – Jack Harkins  
Vice Chairman – Jeff Luther  
Secretary – Eddie Boykin  
Sergeant at Arms – Tim McClarty

**Item Five: Plats**

Mr. Armstrong provided information regarding the plats (Items a. – g.) to be considered at this meeting. All plats listed on the agenda are complete and ready to be considered at this meeting. **Mr. Boykin moved to approve the plats as submitted. Mr. Miller seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Harkins, Luther, and Miller) to none (0) opposed.**

**Item Six: Rezoning Requests**

- a. Z-0105 – This case was withdrawn and will not be considered at this meeting.
- b. Z-0205 – Public hearing and possible vote to recommend approval or denial to the City Council on a request from Jim Fox to amend existing PDD #095, located at 402 Arnold Boulevard, Abilene, Taylor County, Texas.

Shannon Meinhold provided the staff report for Z-0205.

**ZONING HISTORY:**

Most of the site had been zoned MH since 1974. The southeast corner had been zoned GC since that time. The Abilene City Council approved a PDD at this site in December 2004.

The applicant applied for variances through the Board of Adjustment in January 2005. It was the consensus of the Board of Adjustment that the most appropriate course of action was request an amendment to the PDD ordinance through the Planning and Zoning Commission

The site plan submitted by the applicant for review at this meeting includes:

1. “Flips” lots along “interior islands” to be 45 feet deep and 100 feet wide and creates six (6) stacked lots;
2. Staff polled Nationwide and Cowboy Homes to discuss the parallel parking of mobile homes and staff conditions for approval of this amendment;

3. Angled lots along interior islands are 90 feet deep by 45 feet wide;
4. Inclusion of 20 feet by 20 feet parking pad for all spaces
5. Spaces along Chapel Hill Road are 90 feet deep by 45 feet wide, with a five (5) foot rear setback and the addition of an opaque fence.

Planning Staff recommends approval on the amendments applied for by the applicant

1. To allow 45' and 90' mobile home space depths;
2. To allow for mobile homes to be located 5' from exterior park boundaries; and,
3. A requirement to add a 6' opaque fence along the property line adjacent to Chapel Hill Road

Property owners within a 200-foot radius were notified of the request. One (1) comment form was received in favor, none in opposition.

Mr. Harkins opened the public hearing.

Mr. Jim Fox, proponent, 402 Arnold Boulevard, addressed the Commission and stated that an amendment was required to PDD #95 in order to accommodate the spaces desired on this site. Mr. Fox stated that a privacy fence would be constructed around the perimeter of the property for aesthetic and privacy reasons.

Mr. Denny Marsallis, 202 Arnold Boulevard, stated that there have been several changes to this request. Mr. Marsallis recommended that Mr. Fox have a site plan prepared which indicates what is being proposed for this property. Mr. Marsallis stated that the current site plan will not allow for the placement of a mobile home due to space restrictions and maneuvering space; placement of RVs within five (5) feet of a city street is unsafe; and, the parking spaces are currently crushed limestone and should be paved.

Mr. Paul Washburn, 318 Arnold Boulevard, stated that Mr. Fox has made tremendous improvements to this property. Mr. Washburn encouraged the Commission to approve this amendment and allow Mr. Fox to open his mobile home park.

Mr. Harkins closed the public hearing and opened discussion among Commissioners.

Mr. Harkins asked the reason for Mr. Fox bringing this issue back before this Commission.

Ms. Meinhold stated Mr. Fox requested a variance from the Board of Adjustment in order to place the mobile homes on the site. That request was denied and staff recommended that the PDD be amended. Staff has reviewed the plan provided by Mr. Fox and has informed him as to what must be done in order for this request to be completed.

Mr. Harkins asked if a plan was submitted to the Site Plan Committee for review. Ms. Meinhold responded affirmatively. Ms. Meinhold stated that staff is requesting that Mr. Fox submit an amended site plan if this Commission approves the amendment to PDD #95.

Mr. Harkins stated that his is concerned that the site plan the Commission is viewing today is not drawn to scale. Ms. Meinhold stated that Mr. Joe Adams prepared the drawing submitted for this meeting. Mr. Jon James stated that a scaled site plan would be required for plan approval.

Mr. Luther asked for clarification regarding the fence on the north side of the property.

Mr. Harkins asked Mr. Fox for clarification of this fence.

Mr. Fox stated that he would like to place a fence around the entire property – not just the north side.

**Mr. Boykin moved to approve the amendment to PDD #95 as presented by staff. Mr. Harkins requested that Mr. Boykin include the installation of a six-foot fence on the north property line. Ms. Meinhold asked that the following language be included: “a row” to one (1) row”; the word “angled” be included as well as the word “deep.” Mr. Boykin amended his motion to include a six-foot opaque fence and the language changes/corrections/additions. Mr. Miller seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Harkins, Luther, and Miller) to none (0) opposed.**

**Item Seven: Discussion Item:**

- a. Discussion and direction to staff on a potential staff-initiated rezoning of multiple parcels along Buffalo Gap Road and South Danville Drive.

Ms. Meinhold stated that this item is affiliated with Case Z-0105 that was withdrawn from the agenda. (This request was to rezone property from AO (Agricultural Open Space) and LI (Light Industrial) to GC (General Commercial) or staff-recommended SC (Shopping Center). Staff consensus is that it is inappropriate to perpetuate GC (General Commercial) zoning and believes SC (Shopping Center) would be a better fit with the area. The proponent for Case Z-0105 did not provide site uses until two days prior to the case being heard. When this information was provided, staff recommended rezoning to a PDD – a PDD would provide land use controls. Current zoning in this area includes Shopping Center, Agricultural Open Space, Light Industrial, Heavy Commercial, and General Commercial.

There was discussion between staff and Commission members regarding rezoning to suit the current land use. Mr. Harkins stated that he would be opposed to rezoning without notifying current property owners. Mr. Harkins asked staff for additional information regarding the rezoning of the area and permitted uses in areas as currently zoned and permitted uses in the proposed zoning categories.

Mr. Harkins asked that this item be listed as a “discussion item” on next month’s agenda rather than a rezoning request.

**Item 8: Director’s Report**

Mr. James provided the Commissions with information regarding a workshop being conducted by the West Central Texas Council of Governments. This workshop will be held on February 24, 2005, from 9:00 a.m. until 3:00 p.m. and will be conducted by Dr. David Pugh of Texas A & M University.

There being no further business, the meeting was adjourned at 3:04 p.m.

Approved: \_\_\_\_\_, Chairman