
PLANNING & ZONING COMMISSION
July 5, 2005
Minutes

Members Present: Neomia Banks
Eddie Boykin
Ovelia Campos
Jack Harkins
Jeff Luther

Members Absent: Tim McClarty
Floyd Miller

Staff Present: Jeff Armstrong, Development Services Manager
Dan Santee, First Assistant City Attorney
James Condry, Traffic Engineer
Gloria Brownell, Planner I
Justin Fortney, Planner I
JoAnn Sczech, Executive Secretary (Recording)

Others Present: David White
Bob Hammond
Gary Corpian
Lee Bledsoe
Pete Monroe
Eddie Chase
James Foster

Item One: Call to Order

Mr. Harkins called the meeting to order at 1:32 p.m. and declared a quorum present.

Item Two: Invocation

Mr. Jeff Luther gave the invocation.

Item Three: Approval of Minutes:

**Ms. Ovelia Campos moved that the minutes of the June 6, 2005, meeting be approved as submitted.
Mr. Boykin seconded the motion and the motion carried unanimously.**

Mr. Harkins read the opening statement for the Planning and Zoning Commission.

Item Four: Plats

Ms. Gloria Brownell, Planner I, stated that the plats identified as items “b., f, and h” were incomplete and would not be considered at this meeting. Information was provided regarding the plats to be considered at this meeting (Items a., d., e., and g.).

Mr. Harkins opened the public hearing and asked if anyone wished to speak regarding any of the four plats presented. There was no response and Mr. Harkins closed the public hearing.

Mr. Boykin moved to approve plats a., d., e., and g., as submitted. Ms. Campos seconded the motion and the motion carried by a vote of four (4) in favor (Boykin, Campos, Harkins, and Luther) to none (0) opposed.

Item Five: Rezoning Requests

a. Z-2005-23

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Weatherbee Builders, Inc., agent, Trey Thornton, to amend PDD-92 to increase the maximum density of multi-family residential development, located at the northwest corner of Delaware and Jennings Drives. The legal description being a tract out of Burr and Caswell Survey 2, Abilene, Taylor County, Texas.

Ms. Brownell stated that the applicant, Weatherbee Builders, is requesting to amend Ordinance No. 25-2004 regarding PDD-92. They propose to increase the number of units on the parcel from 24 to 28, and increase the density from 8 to 9 units per acre.

Staff foresees no negative effects on public facilities on the surrounding land uses from the addition of four more units. The property to the north is developed with base housing within the boundaries of Dyess Air Force Base. Dyess Elementary is across the street to the south and there are homes located in RM-3 zoning to the east and vacant RM-3 land to the west.

The development’s driveways will open onto Jennings Drive, which should provide sufficient access due to its classification as a collector street. Four more units would have only a small effect on the amount of traffic already in the neighborhood.

Staff recommends approval of the request. It is in an area that is planned for future residential use and will provide a greater variety of housing options in a neighborhood that is primarily developed with single-family homes at this time. The addition of four more units on a parcel that currently allows 24 will have a minimal impact on the surrounding area.

Ms. Brownell stated that notification forms were mailed to surrounding property owners. No comment forms were received either in favor or in opposition to this request.

Mr. Boykin requested a copy of the original site plan prior to voting on this item. He stated that he thought there was area in this development for a park or open area.

Ms. Brownell stated that there is a ten-foot landscaped strip along the right-of-way; however this area is difficult to determine from the map provided to the Commissioners.

Mr. Glen Weatherbee provided the Commissioners with a copy of the original site plan.

Mr. Harkins opened the public hearing.

Mr. Glen Weatherbee, proponent, stated that he is requesting that PDD-92 be amended to allow two (2) additional duplexes within the parcel being considered.

Mr. Luther stated that when the original PDD request was before this Commission, he recalled a discussion regarding this area being a good location for a park or recreation area. Mr. Luther asked if this item was included as a part of the PDD.

M. Brownell stated that included in the text for the PDD ordinance under the heading of “Landscaping and Buffers,” language is included that states, “the open space/park area located near the intersection of Jennings and Delaware shall be landscaped.”

Mr. Harkins closed the public hearing.

Mr. Boykin moved to approve Z-2005-23. Mr. Luther seconded and the motion carried by a vote of five in favor (Banks, Boykin, Campos, Harkins, and Luther) to none (0) opposed.

b. Z-2005-24

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Lee Bledsoe to rezone a 15.75 acre tract located on the south side of Antilley Road, east of Twin Oaks Subdivision from AO (Agricultural Open-space) to RS-8 (Residential Single-family) district. The legal description being a 15.75 acre tract out of the W.E. Vaughn Survey No. 101, Abilene, Taylor County, Texas.

Mr. Justin Fortney stated that the applicant proposes rezoning to construct 42 single-family residential homes. They are proposing one entrance onto Antilley Road and a continuance of Velta Lane from the Twin Oaks Subdivision. There are no known plans for the rest of the owner’s adjacent property that will remain AO.

The proposed rezoning would be considered compatible land uses with the surrounding agricultural land, high school, and existing residential homes. In addition, the subject property is identified in the Comprehensive Plan as a low-density residential area.

Mr. Fortney stated that surrounding property owners were notified. One (1) comment form was received in opposition and five (5) comment forms were received in favor of the request.

Mr. Harkins opened the public hearing.

Mr. James Foster asked the price range for these homes and the square footage. Mr. Foster also asked if one (1) entrance would be sufficient for this proposed development.

Mr. Lee Bledsoe stated that the request before the Commission today is Phase I of a 65-acre development. The proposed street will serve 42 homes. The homes will be 1800 square feet (by deed restrictions) and the lots will be larger than those in the Twin Oaks Addition.

Mr. Harkins closed the public hearing.

Ms. Campos moved to approve Z-2005-24. Ms. Banks seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Campos, Harkins, and Luther) to none (0) opposed.

Item 6: Thoroughfare Closure

a. TC-2005-3

Public Hearing and possible vote to recommend approval or denial to the City Council on a request from Richard Burdine, Director of Economic Development, to abandon all of Lockheed Way, west of Wall Street, Abilene, Taylor County, Texas.

Ms. Brownell stated that this portion of Lockheed Way dead-ends just to the west of the former Lockheed facility. It only serves the properties to the north and south that are owned by the DCOA. This street is unlikely to ever be extended further west because it would have to cross a creek. The nearby streets of Highway 84 and North 10th Street provide the connection across the creek and there is no community need for Lockheed Way to make that connection.

The Plat Review Committee recommended approval with the condition that the entire right-of-way area be retained as a drainage and utility easement. Staff concurs with this recommendation and approval of the thoroughfare closure.

One comment form was received in favor of the request (from the proponent).

Mr. Harkins opened the public hearing.

Mr. David White, Economic Development, stated that the Lockheed Plant is owned by Carbone Properties. The land to the north will be sold to the present owner of Lockheed and there are no specific plans for the property at this time. This area is a part of the Five Points Industrial Park – only 110 acres of which are not in the floodway.

Mr. Gary Corpian stated that he owns a 3.82-acre tract on the west end of the Lockheed Plant. Mr. Corpian stated that he is concerned about closing Lockheed Way because at the present time he does not have good access to his property and if this road is closed, his access will be even more limited.

Mr. Boykin stated that Mr. Corpian does not have direct access to his land presently and closing Lockheed Way is not going to change access to his land.

Mr. James Foster questioned whether the abandonment of Lockheed Way would hinder selling or the value of the facility in the future since this road serves all the parking lots for this facility

Mr. Harkins closed the public hearing.

Mr. Luther moved that TC-2005-3 be approved. Ms. Banks seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Campos, Harkins, and Luther) to none (0) opposed.

Item 7. Ordinance Amendment

Public hearing and possible vote to recommend approval or denial to the City Council on a proposed amendment to Sections 23-306.4 of the Zoning Ordinance pertaining to the parking requirements for certain uses.

Ms. Brownell stated that this ordinance amendment would affect permitted uses in five (5) areas of the Zoning Ordinance. Ms. Brownell stated that this arose during the Site Plan process when the Site Plan Committee was reviewing renovations at several public schools. The present parking requirements seem excessive for the need at these locations. Mr. Condry, Traffic Engineer for the City of Abilene, conducted research at two (2) elementary schools and six (6) middle schools in the AISD to gather data. The current regulations were compared with nine (9) peer cities in Texas. The proposed changes are as follows:

**Ordinance Amendment
Section 23-306.4**

<u>Use</u>	<u>Current Parking Requirement</u>	<u>Proposed Parking Requirement</u>
Modular Home	None	2/dwelling
Governmental Administrative Office	1/5 employees	1.25/employee
Social Service Organization Office	2/3 employees	1.25/employee
School: Elementary	1/classroom+1/4 seats in place of assembly	2.2/classroom or 1/4 seats in place of assembly, whichever is greater
School: Middle School or Junior High	1/classroom+1/4 seats in place of assembly	2.8/classroom or 1/4 seats in place of assembly, whichever is greater

Mr. Boykin stated that the proposed change for Governmental Administrative Office and Social Service Organization Office is quite drastic – from four spaces to 25 spaces. Mr. Boykin stated that he would like to speak with builders and architects to receive their input regarding these changes.

Mr. Harkins stated that the 1/5 ratio is low compared to similar uses. Mr. Harkins stated that a concern might arise with the 1.25 ratio in Governmental Administrative Office situation where there are many employees and few visitors.

Mr. Santee stated that a variance from these requirements may be requested from the Board of Adjustment.

Mr. Harkins opened the public hearing.

Mr. James Condry, Traffic and Transportation Administrator, stated that the research conducted by his office focused primarily on schools. Mr. Condry stated that nine (9) other cities were surveyed utilizing a specific set of criteria.

Mr. Harkins expressed concern regarding schools that have more than one place of assembly, e.g., cafeteria and gymnasium. Perhaps the wording should be 1/4 seats in **PRIMARY** place of assembly.

Mr. Harkins closed the public hearing.

Mr. Boykin moved to approve the ordinance amendment to Section 23-306.4 of the Zoning Ordinance pertaining to parking requirements for certain uses with the following conditions:

Add: Primary place of Assembly in schools

Correct: Pages 2 and 3 of the information submitted to the Commissioners: 1.25 spaces per 1 employee under Government and Social Services (rather than 1 per 1.25 employees)

Ms. Campos seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Campos, Harkins, and Luther) to none (0) opposed.

Item 8. Thoroughfare Plan Amendments

- a. Request to eliminate a proposed east-west collector street from the Thoroughfare Plan that extends west from FM 707, located just south of the City of Tye in the Extraterritorial Jurisdiction.

Mr. Armstrong provided background information regarding the Thoroughfare Plan. The Thoroughfare Plan provides for corridors to be set aside or planned for and developed for freeways, arterial streets or collector streets. The intent is that as land develops the plan ensures sufficient locations for the various classifications of streets mentioned above. The Thoroughfare Plan identifies existing and proposed collector streets, which are the type of thoroughfares to be considered today.

The Tye Volunteer Fire Department is building a new facility on a tract of land and the owner of the land is proposing to subdivide the remaining portion of the tract into lots for residential development. The Thoroughfare Plan requires a collector street in this area of the Extraterritorial Jurisdiction (ETJ). As

property is subdivided, the City will request these rights-of-way dedications for the different types of streets identified on the Thoroughfare Plan. Collector streets cannot cul-de-sac (dead-end) and must meet certain design standards to ensure smooth traffic flow (i.e., no sharp curvatures, minimum radii on curves, and the street width is slightly larger than that of a local street. As illustrated on the plat provided to the Commissioners, the applicant is proposing a very long cul-de-sac ending in a 90⁰ turn with lots along each side of the street. This cannot be a collector street, by definition. The applicant does not wish to install a collector street and has asked that the requirement either be removed or the collector be relocated in which case the responsibility for a collector street may fall upon another property owner.

Collector streets have minimum design standards that are greater than a local street. In addition, the collector street must pass through the property. The plat, as proposed by the applicant, will not permit a cul-de-sac of the length proposed. Unless a major redesign of the subdivision is undertaken, the proponent must extend the street through the subdivision and stub it out at the other end of the property, or redesign and add other streets. If the Commission approves the Thoroughfare Plan amendment, the proponent could have the right angle and stub the street to the north as a local street.

The location of the collector street could be moved to the north and satisfy the need for an east-west collector in the area. However, this will simply move the requirement from one property owner to another.

Mr. Armstrong stated that staff is not opposed to relocation of this collector street to the north; however, is opposed to elimination of the collector street altogether.

Ms. Campos stated that the staff report for this item indicated that staff preferred to have input from the property owner to the north.

Mr. Armstrong stated that this property owner was sent written notice ten (10) days to two (2) weeks prior to this meeting and staff has received no response from this property owner.

Mr. Harkins opened the meeting for public input.

Mr. Pete Monroe with the Tye Volunteer Fire Department addressed this issue. Mr. Monroe stated that currently there is a structure on the southeast corner of this tract. The area of the proposed subdivision is 12.59 acres. The Fire Station encompasses 35 acres of land for the station and a training field. Mr. Monroe stated that he has been informed that the curve of the street as indicated on the proposed plan is too sharp – there is no problem with straightening this curve. Also, the cul-de-sac can be reduced from the proposed 900 feet to 800 feet and an intersection can be placed at this location to run behind the fire station. The parcel of land located to the northwest can be designated as the training facility and the proposed street can lead to this facility. Mr. Monroe stated that access to the remainder of the property could be through a private road (into a gated community).

Mr. Boykin asked if the Thoroughfare Plan was filed for record.

Mr. Armstrong responded that this information is not on file (or filed for record).

Mr. Boykin then asked if a title attorney could access this information in filed records.

Mr. Armstrong responded that he would not – there is no record of the Thoroughfare Plan at the Courthouse.

Mr. Armstrong stated that there is no legal description of the exact location of the collector street. This is a “corridor” in a general vicinity and this allows a developer the flexibility to place the collector street within the development that best serves that development.

Mr. Harkins stated that with information provided by Mr. Monroe (in terms of the construction of the street), it does not appear that redesigning this plan with a 60-foot right-of-way (ending the street at the northwest corner of the property) would create a hardship.

Mr. Monroe stated that the waterline for the Blair Water System ends in the northwest corner of the property and utility poles are located in this area. Mr. Monroe stated that he was informed that if the collector street was moved to this vicinity he would be required to have at least 60% of the street on his property. Mr. Monroe stated that when the building was constructed, he was required to allocate 75 feet from the fence line to the back of the building for a septic system – he allowed 125 feet. If the collector street is moved to the north, the area will be too small.

Mr. Harkins closed the public input portion of the hearing

Mr. Luther proposed tabling this item until input has been received from the property owner to the north.

Mr. Luther moved to table the Thoroughfare Plan amendment listed as Item a. on the agenda. Mr. Boykin seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Campos, Harkins, and Luther) to none (0) opposed.

- b. Request to eliminate a proposed north-south collector street from the Thoroughfare Plan that extends north from Clark Road, located just west of FM 1750 in the Extraterritorial Jurisdiction.

Mr. Armstrong stated that a developer is proposing to construct a residential subdivision in this part of the Extraterritorial Jurisdiction (ETJ). The Thoroughfare Plan requires a collector street in this area. The applicant does not wish to install a collector street, citing concerns about building in a flood hazard area and existing development to the north. They have asked that the requirement be removed.

The concerns about building the collector street through a flood hazard area are not well founded if the developer believes such an area is appropriate for residential development. Although there is development to the north, it is staff’s opinion that the collector street can be provided and extend to the north without interfering with any existing development.

Staff recommends denial of this Thoroughfare Plan amendment.

Mr. Harkins opened the hearing for public input.

Mr. Eddie Chase stated that Weatherman is an existing road to the north. If the proposed collector street is required, it will be in the floodway and property in this vicinity cannot be developed as residential development.

Mr. Harkins closed the public input portion of the hearing.

Mr. Eddie Boykin moved to approve the request to eliminate that portion of the collector street that runs through this subdivision up to Weatherman. Ms. Campos seconded the motion and the motion carried by a vote of five (5) in favor (Banks, Boykin, Campos, Harkins, and Luther) to none (0) opposed.

There being no further business, the meeting was adjourned at 3:45 p.m.

Approved: _____, Chairman