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**PLANNING & ZONING COMMISSION**  
**August 1, 2005**  
**Minutes**

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Members Present:

Eddie Boykin  
Ovelia Campos  
Jack Harkins  
Jeff Luther  
Tim McClarty  
Floyd Miller

Members Absent:

Neomia Banks

Staff Present:

Jeff Armstrong, Development Services Manager  
Dan Santee, First Assistant City Attorney  
Robert Allen, Transportation Planner, MPO Director  
Ben Finley, Transportation Planner  
Gloria Brownell, Planner I  
Justin Fortney, Planner I  
JoAnn Sczech, Executive Secretary (Recording)

Others Present:

Melanie Criss  
Bob Hammond  
Max W. Richardson  
Paul Cannon  
Andy McCall  
Tony Conder  
Don Whitehead  
Jean Erwin  
Justin Tabor  
Scott Vacca  
K. Craig Manawes  
Joe Starkey

**Item One: Call to Order**

Mr. Harkins called the meeting to order at 1:33 p.m. and declared a quorum present.

**Item Two: Invocation**

Mr. Jeff Luther gave the invocation.

**Item Three: Approval of Minutes:**

**Mr. Floyd Miller moved that the minutes of the July 5, 2005, meeting be approved as submitted.**

**Mr. Luther 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 “a., b., d., f, and i.” were incomplete and would not be considered at this meeting. Information was provided regarding the plats to be considered at this meeting (Items c., e., g., and h.). Ms. Brownell stated that staff recommends approval of these plats as all meet the requirements of the Subdivision Regulations.

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 c., e., g., and h., as submitted. Mr. Miller seconded the motion and the motion carried by a vote of five (5) in favor (Boykin, Harkins, Luther, McClarty and Miller) to none (0) opposed.**

#### **Item Five: Rezoning Requests**

a. Z-2005-25

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Villages of Abilene Meadows, L.P., agent, West Company of Midland, Inc., to rezone a 35.888 acre tract located on the north side of Antilley Road, east of the Wyndham Place Addition from AO (Agricultural Open-space) and RS-6 (Residential Single-family) to RS-12 (Residential Single-family) zoning district. The legal description being a tract out of Survey Number 10, Lunatic Asylum Lands, Abilene, Taylor County, Texas.

Ms. Brownell stated that the applicant is proposing to develop the area with single-family homes, which would be compatible with the existing subdivisions to the west and north. The land to the east across the future collector street is zoned as a PDD that allows some Heavy Commercial and Industrial-type uses, but has limitations on signage and outdoor storage to make it more compatible with surrounding residential uses. The rezoning of that parcel was approved in 1985 but it has never been developed. A proposed landscaped strip within the development along the eastern boundary would provide a sufficient buffer from the PDD across the current railroad right-of-way if that area were ever to be developed.

- **Comprehensive Planning Analysis**

This property is less than a mile from an area identified as a Special Activity Center in the Comprehensive Plan. It generally shows this activity center at the intersection of Antilley Road and Highway 83-84. Furthermore, Highway 83-84 has been designated as an enhancement corridor. The Comprehensive Plan calls for the integration of new residential areas into the citywide pattern of activity centers, enhancement corridors, parks, and school locations. The proposed subdivision would be an extension of the large amount of residential development to the west and north and is consistent with the goals of the Comprehensive Plan.

- **Notification:**

Property owners within a 200-foot radius were notified of the request. Twelve (12) comment forms were returned: six (6) in favor and six (6) in opposition of the request. Comments included on the comment

forms returned were primarily regarding additional traffic in the area. Ms. Brownell stated that in future a collector street will be constructed in this area.

Staff recommends approval of the request.

Mr. Boykin asked the timeframe for development of the collector street.

Ms. Brownell stated that although currently there is no timeframe for the development of the street, the developer has been working with City staff regarding this collector street.

Mr. James stated that the Public Works Department has included this project in their recommendations to the Bond Committee. There is no guarantee, however, that this project will be included in the bond projects. This project is also included in the City's Capital Improvement Plan.

Mr. Harkins opened the public hearing.

Mr. Max Richardson with the West Company, representing the Villages of Abilene Meadows Partnership stated that the proposal before the Commission today is a residential development. Streets will be constructed within the development for ingress, egress and circulation within this development. Mr. Richardson stated that the proposed landscaping would be installed by the developer and maintained by the Neighborhood Association.

Mr. Scott Vacca stated that the construction of homes south of his property and the increased impervious surface would increase the possibility of flooding of his property. The City has constructed a water easement on the north end of the property to divert some of the water; however, the development of this project will create additional flooding of his property.

Mr. Harkins stated that the Planning and Zoning Commission cannot and does not deal with the issue of flooding except that in order for this property to be developed, the developer must ensure that the streets will not incur a higher rate of water than prior to development.

Mr. Boykin asked staff if the city has some mechanism in place by which they verify that what was proposed in the development plans is actually completed.

Mr. McClarty stated that when his firm designs a project, a civil engineer must prepare a floodwater detention plan. This plan is submitted to the City of Abilene for review. Prior to final project approval, the City's engineer inspects the project and certifies that the (detention) project has been completed in accordance with the plan.

Mr. Luther stated that the issue of flooding, although of great concern to the Commission, is not an issue that can be solved by this Commission.

Mr. Harkins closed the public hearing.

**Mr. Luther moved to approve Z-2005-25. Mr. McClarty seconded the motion and the motion carried by a vote of six (6) in favor (Campos, Harkins, Boykin, Luther, Miller, and McClarty) to none (0) opposed.**

b. Z-2005-26

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Wal-Mart Stores, L.P., agent, Paul Cannon, to amend PDD-91 regarding signage. The legal description being Wal-Mart Supercenter Addition, Abilene, Taylor County, Texas and located on the north side of the I-20 and Highway 351 intersection.

Mr. Armstrong provided the staff report for this item. Mr. Armstrong stated that the request to amend PDD-91 pertains only to the Wal-Mart parcel. The request is to increase the pole height from 35 feet to 75 feet; to increase pole sign square footage from 175 to 196 square feet; allow a second monument sign (in the original PDD this parcel was allowed a free-standing sign and a monument sign); and, to increase the square footage of the monument signs from 75 to 120 square feet (no increase in height – monument sign will remain at six (6) feet in height). The proponent's request is only for the Wal-Mart parcel. Staff recommends that the Planning and Zoning Commission review the entire PDD for signage and recommends the following:

- Recommendation for the Wal-Mart Parcel:
  - Approval of monument sign requests
  - Denial of height increase for pole sign
  - Approval of additional square footage for pole sign (from 175 to 200square feet)
- Recommendations for Out-parcels:
  - Allow each to have a 25-foot tall 150 square foot pole sign

OR

- Monument sign

Mr. Armstrong stated that when the PDD ordinance was developed, it was intended that the “primary” use have the primary sign. That is the reason this parcel was approved for a pole sign originally – none of the other parcels were approved for a pole sign. Mr. Armstrong stated that the 35 foot limitation originally written into the ordinance was what was proposed to staff for the Wal-Mart parcel. Mr. Armstrong stated that the Wal-Mart Corporation was notified of the request from Cracker Barrel (for a 60 foot pole sign) and staff did not receive a response from Wal-Mart. Wal-Mart's agent who worked directly with staff to prepare the PDD ordinance prior to the Cracker Barrel issue was informed of Cracker Barrel's request and staff received no input or response. Mr. Armstrong reiterated the fact that Wal-Mart was afforded an opportunity to provide input prior to the request from Cracker Barrel being submitted to the Planning and Zoning Commission.

Mr. Armstrong stated that he is aware of another business that will be locating in this area that also wants a taller sign. This business is not within the PDD so they cannot request an amendment – they must request a variance from the Board of Adjustment. Mr. Armstrong stated that staff expressed concern when Cracker Barrel requested an amendment to the PDD for a taller sign – where is this going to end? Mr. Armstrong stated that nowhere else in Abilene is a 50+ foot sign allowed.

- Notification  
No comment forms were returned.

Mr. Boykin asked for clarification as to who originally proposed the 35-foot pole sign for Wal-Mart.

Mr. Armstrong stated that Dunaway Associates, agent for Wal-Mart, submitted the request.

Mr. Luther stated that the current PDD does not allow other parcels to have pole signs and why is staff now recommending pole signs for these parcels.

Mr. James stated that there are two reasons why staff is submitting a different recommendation:

1. The City Council made a decision on the Cracker Barrel sign and, based on Council's discussion, staff feels that to continue to recommend six-foot monument signs for the other out parcels would not be seriously considered by the Council.
2. Staff has been meeting with a 12 member Community Appearance Focus Group and the consensus among this group is that signs along the Interstate should be treated differently than signs off the interstate highway. The Group's recommendation for height is somewhere in the range of 25 to 40 feet.

Mr. Harkins opened the public hearing.

Mr. Paul Cannon, agent for Wal-Mart, provided slides of the area to illustrate sign visibility from the interstate. Mr. Cannon stated that if the exit ramps are relocated the distance from the development will be extended on both sides of the interstate. Mr. Cannon stated that it is important to note that many of the businesses that are or will be located along this corridor are in the food service, fuel service, or lodging business. These types of businesses are generally provided signage along the interstate by the Highway Department. A business such as Wal-Mart is not included on this signage. Mr. Cannon stated that Dunaway and Associates is a contractor of Wal-Mart and their involvement relates to site engineering, development and feasibility. Mr. Cannon stated that in most situations their involvement occurs prior to the site being purchased (in most situations). Mr. Cannon stated that there are separate functions that occurs once a development has become an evident development and the site is being built. Wal-Mart contracts with a sign company to determine visibility, i.e., what is required for the site to visibly be apparent on an interstate highway for a traveler to safely exit and arrive at the site without additional signage if at all possible. Mr. Cannon stated that with the Wal-Mart Corporation the entire development of a site occurs in steps. Mr. Cannon stated that as a result of engineering and sight tests, the sign for the Wal-Mart in Eastland, Texas, is 30 feet high (Eastland has no zoning ordinance and therefore the height of the sign is not regulated by the City) while the sign for the new Wal-Mart store in Sweetwater, Texas, is 75 feet in height. Mr. Cannon read the following statement provided by Wal-Mart stating their position regarding signage:

*We are not pursuing a 75 foot overall height sign just because we didn't want Cracker Barrel to have a taller sign. We're doing this purely for interstate visibility. We have done line of sight testing and the results show that we need a 75-foot sign to be seen in time to safely exit from both directions now and in the future. The extra cost of raising our sign 40 feet above the City's ordinance (meaning this PDD's 35-foot provision) costs tens of thousands of dollars in pipe, concrete and labor. Wal-Mart is not doing this just to throw money around and to keep up with Cracker Barrel. Our intention at this site has always been that we would pursue a variance for a taller sign if line of sight recommendations from our sign company indicated the need for a taller sign."*

Mr. Cannon provided slides along the interstate from both the eastbound and westbound lanes. This line of sight testing was conducted utilizing a 60-foot sign. Mr. Cannon stated that the reasons for requesting a 75 foot sign are: (1) Wal-Mart is not on the hierarchy for being placed on the exit signage provided by the highway department; (2) billboard signs are not desirable and none are planned at this time; (3) Wal-Mart will be the identifier used by other businesses in identifying their location; (4) interstate visibility – “while this is not perfect, this gives us what we feel is appropriate visibility on the interstate without using the clutter of additional billboard signs” and would be a request that we would ask that you entertain favorably; and, (5) we want travelers to be able to exit safely.

Mr. Miller stated that he is rather surprised that Wal-Mart has waited this long to make this request.

Mr. Cannon stated that Wal-Mart is a large organization and much of the development process is completed in a sequential order. Signage is one of the final elements and sight analysis has determined that this would be appropriate and advantageous.

Mr. Harkins asked if staff was aware of TxDOT’s plans for the exit ramps in this area.

Mr. Robert Allen, Abilene Metropolitan Planning Organization, stated that he has participated in discussions with TxDOT, City of Abilene, and the developer, Kenneth Musgrave, concerning the relocation of ramps along the north side of Interstate Highway 20 between Loop 322 and State Highway 351. Two (2) primary locations were discussed concerning where the exit ramp would most likely be located. One (1) is at a point approximately one mile from the interchange; the other is at the point where the current on ramp is located just to the northwest of Loop 322. The ramp location closer to Loop 322 to date has been the more preferred location. Additional design review will be conducted prior to a final decision. Mr. Allen stated that has recently been informed by TxDOT that relocation of the ramps should commence in approximately one year.

Mr. Joe Starkey expressed the following concerns regarding travel along the interstate highway:

1. A traveler must be able to see the signage in sufficient time to exit
2. Location of business after exiting

Mr. Starkey stated that the Wal-Mart sign is well recognized (blue and white colors). Mr. Starkey stated that the size and shape of the sign is important.

Ms. Melanie Criss representing Brinker International (Chili’s Restaurants) stated that they support Wal-Mart’s request. In light of the fact that Cracker Barrel has received approval for a 60-foot sign and the fact that their sign will front along I-20 as well as Highway 351, it is felt that this puts them at a visibility disadvantage. Ms. Criss provided the Commissioners with photographs of signs currently in the area. Ms. Criss stated that in order to maintain a competitive business atmosphere between Dairy Queen, Cracker Barrel and Chili’s, they respectfully request that staff reconsider limitations for signage along Highway 351.

Mr. Miller asked Ms. Criss if she is requesting that the Chili’s sign be the same size as the Cracker Barrel sign.

Ms. Criss responded affirmatively.

Mr. Harkins closed the public hearing.

Mr. Boykin stated that he has mixed emotions regarding this request:

1. Commission should remain firm on signage as outlined in the Comprehensive Plan and deny this request. It seems that on the first request (signage for Cracker Barrel) the Council ignores the Comprehensive Plan (in particular that portion dealing with “sign clutter”) and grants that request for a 60-foot sign. Mr. Boykin stated that he is tempted to deny the request knowing full well that the Planning and Zoning Commission will be overruled by the City Council.
2. During the City Council discussions regarding the request from Cracker Barrel, it seemed to be implied that the Council is “pro business” and regardless of the recommendation from the Planning and Zoning Commission, the Council voted to approve a 60-foot sign even though a 50-foot sign was requested. Mr. Boykin stated that he would challenge that statement because most of the Commissioners are small business owners/employees and resents the implication that this Commission is anti-business. Mr. Boykin stated that in order to prove that the Planning and Zoning Commission is not anti-business – the City Council granted Cracker Barrel a sign 60 feet in height – Mr. Boykin stated that the Planning and Zoning Commission is ten times more pro-business than suggested at the City Council meeting – and if he does not hear information that would make him change his mind he will be making a motion to limit the sign height on this PDD, and only this PDD, to 600 feet

Mr. Luther asked that the staff recommendation for this PDD be placed on the screen for review. Mr. Luther stated that he disagrees with allowing pole signs on the out parcels – monument signs should be utilized.

Mr. Boykin asked Mr. Luther if he had any doubt that if the Commission denies this request, the City Council will ignore this Commission’s recommendation.

Mr. Luther stated that there is not much doubt of this. However, after hearing Chili’s representative, there is not doubt in his mind that this is about to become a war of pole signs.

Mr. Boykin stated that he agrees and if anyone is entitled to a large sign in this area, it probably should be Wal-Mart.

Mr. McClarty stated that this Commission was directed by the City Council to assist in the preparation of a Comprehensive Plan for the City of Abilene. A great deal of time was spent in doing this. The Comprehensive Plan is a “roadmap” for development. The Comprehensive Plan does not have all the answers. Mr. McClarty stated that it will not be possible to apply the Comprehensive Plan to specific situations until a Zoning Ordinance, Sign Ordinance and all other necessary ordinances built from the Comprehensive Plan are in place. Mr. McClarty stated that the Planning and Zoning Commission tried desperately to follow the Comprehensive Plan when they forwarded their recommendation to the City Council. Mr. McClarty stated that in reality, what Abilene is indicating and what is really needed is development along I-20. Mr. McClarty stated that his recommendation is to delete the sign ordinance 200 feet on both sides of the interstate.

Mr. Armstrong stated that this is not a recommendation before the Commission at this meeting.

Mr. McClarty stated that he understands this and that he is abstaining on this vote because there is no reason for the Commission to vote on it because it will be forwarded to City Council – anything decided by the Commission will ultimately be decided by the City Council and they must give this Commission direction.

Mr. Boykin stated that he understands that the Planning and Zoning Commission is a recommending body. He would have preferred for the Council to state that a different set of rules and regulations should be in place for the I-20 corridor and the item should have been sent back to the Planning and Zoning Commission for further review.

Mr. Harkins stated that when the Commission reviews the Sign Ordinance there is a place for a separate or different set of regulations for the interstate. However, it is not practical to continue to grant taller and taller signs because the perspective at a particular point on the highway indicates that you will be unable to view all the signs because of the placement (one sign in front of another). Mr. Harkins stated that he is not in favor of granting anything more than a 50-foot sign – or at the very most a 60-foot sign – at this location because of the precedence set.

Ms. Campos stated that she agrees with the discussion that has taken place today among the Commissioners and was somewhat offended by the Council's remarks. Ms. Campos stated that many citizens who have stated that the Cracker Barrel is needed in Abilene have approached her and expected her to vote in favor of the Cracker Barrel request. Ms. Campos stated that she voted her conscience and now feels that the Sign Ordinance for signage along the interstate requires revision. Ms. Campos stated that she also agrees that a 75-foot sign is not required. However, because Wal-Mart is the primary developer of this area, Ms. Campos agreed that perhaps a taller sign is needed.

**Mr. Boykin moved to limit the height of the signs for this PDD-91 only to 600 feet. Mr. McClarty seconded the motion.**

**Mr. Luther asked for clarification regarding Mr. Boykin's motion. Mr. Luther asked if Mr. Boykin's motion included monument signs per staff's recommendation (120 square feet); increase the height of pole signs to a maximum of 600 feet; addition of pole sign square footage (200 square feet); and, inclusion of the out parcels regarding pole sign height.**

**Mr. Boykin stated that this is correct.**

**The motion failed by a vote of two (2) in favor (Boykin and McClarty) to four (4) opposed (Campos, Harkins, Luther and Miller).**

At the recommendation of Assistant City Attorney Dan Santee, the Commission considered each staff recommendation separately.

1. Monument Signs

**Mr. McClarty moved to approve staff's recommendation for monument signs – six (6) feet in height – 120 square feet in size and allow Wal-Mart Site a second monument sign. Also, – Allow each of the out parcels to have a 25-foot tall 150 square foot pole sign OR a monument sign. Mr.**



**Boykin seconded the motion and the motion carried by a vote of six (6) in favor (Boykin, Campos, Harkins, Luther, McClarty, and Miller) to none (0) opposed.**

2. Wal-Mart Pole Signs

**Mr. McClarty moved that the pole sign in PDD-91 for Wal-Mart be no higher than 60 feet. Mr. Harkins seconded the motion and the motion failed by a vote of two (2) in favor (Harkins and McClarty) to four (4) opposed (Boykin, Campos, Luther, and Miller).**

**Mr. Boykin moved to allow a 75-foot pole sign for Wal-Mart and all other lots in PDD-91 be limited to a maximum height of 60 feet. Ms. Campos seconded the motion and the motion failed by a vote of one (1) in favor (Campos) to five (5) opposed (Boykin, Harkins, Luther, McClarty, and Miller).**

**Mr. Boykin moved to deny Z-2005-26. Mr. McClarty seconded the motion and the motion carried by a vote of four (4) in favor (Boykin, Luther, McClarty, and Miller) to two (2) opposed (Campos and Harkins).**

**Mr. Luther moved to approve staff's recommendation of additional square footage for a pole sign (from 175 to 200 square feet) for the Wal-Mart parcel. Mr. Harkins seconded the motion and the motion carried by a vote of four (4) in favor (Boykin, Campos, Harkins, and Luther) to two (2) opposed (McClarty and Miller).**

Mr. Harkins stated that the Commission has the option of dealing with signs for the out-parcels – height, type, square footage – or let it remain as in the PDD ordinance. The consensus of the Commissioners was to keep this portion of the ordinance intact, i.e., no pole signs.

**Item Six: Thoroughfare Closure**

Mr. Harkins stated that he will be abstaining from voting on this item and asked Mr. Luther to Chair the Commission for review of this item.

a. TC-2005-4

Public Hearing and possible vote to recommend approval or denial to the City Council on a request from Pioneer Drive Baptist Church; agent, Tittle Luther Partnership, to abandon a 20' by 175' north-south dead-end alley located between Pioneer and Buccaneer Drive., north from Potomac Avenue. Legal Description being Block 6, Section J, Elmwood West Addition, Abilene, Taylor County, Texas.

Mr. Fortney provided the staff report and slides for this item.

Staff also recommends approval. There are no foreseeable benefits to the public in keeping this dead-end alleyway dedication. Two easement release requests for the applicant have also been reviewed by the Plat Review Committee and have been approved, as long as the applicant relocates all of those utilities

The applicant has also applied for a 2-foot variance to the side setback requirement along Potomac Avenue and will be heard by the Board of Adjustment on August 9<sup>th</sup>.

Surrounding property owners were notified of the request. No comments forms were received either in favor or in opposition of this request.

Mr. Luther opened the public hearing.

Mr. Gary Pullin stated that the portion of the alley requested for abandonment is not being utilized as an alley. There is a utility easement located in this area; however, the applicant will relocate all utilities in this easement.

Mr. Luther closed the public hearing.

**Mr. McClarty moved to approve TC-2005-4. Ms. Campos seconded the motion and the motion carried by a vote of five (5) in favor (Boykin, Campos, Luther, McClarty, and Miller); none (0) opposed; and, one (1) abstention (Harkins).**

b. TC-2005-5

Public Hearing and possible vote to recommend approval or denial to the City Council on a request from AEP Texas North Company; agent, John M. Garcia, to abandon a 20' by 300' north-south alley located east of Bois D'arc St., extending between N. 2<sup>nd</sup> and N. 3<sup>rd</sup> Streets. Legal Description being Block 171, Original Town, Abilene, Taylor County, Texas.

Mr. Fortney provided the staff report and slides for this item.

AEP has applied for an alley abandonment between North 2<sup>nd</sup> and North 3<sup>rd</sup> Streets. The area is zoned LI (Light Industrial) and is surrounded by LI zoning west of the AEP substation. AEP currently cuts and maintains the area. They would like to fence-off the entire property to keep people from dumping trash there, and in the future they may want to use the site as a "lay down area" (Storage of large objects, like utility poles).

This site and many parcels around it are vacant developable land and the City may have a need for an alley in this location someday as development occurs. The Abilene Bicycle Plan shows a future bike path in this general area and there are no public benefits to the loss of this public right-of-way

The Plat Review Committee reviewed this request and expressed concern regarding the location of a waterline in the alleyway and would require an open utility easement 20 feet wide for the length of the alley; the Engineering Division would require an open drainage easement 20 feet wide for the length of the alley – this places severe limitations on fencing.

Property owners within 200 feet of this property were notified. Staff received no comments either in favor or against this request. Due to the limitations placed on the parcel by the Plat Review Committee and the potential this alleyway might have in the future, staff is recommending denial of the request.

Planning and Zoning Commissioners questioned staff regarding the Abilene Bicycle Plan, e.g., are there currently bike paths in Abilene, could the path be located somewhere near this property; current status of Bicycle Plan (location of first segment).

Mr. Harkins opened the public hearing.

No one spoke regarding this request and the public hearing was closed.

**Ms. Campos moved to deny TC-2005-5. Mr. Miller seconded the motion and the motion carried by a vote of five (5) in favor (Boykin, Campos, Harkins, Luther, and Miller) to one (1) opposed (McClarty).**

**Item Seven. Thoroughfare Plan Amendments**

- a. Request to amend the Thoroughfare Plan in the general area of FM 707, CR 309 and CR 310, located in the Extraterritorial Jurisdiction.

Mr. Harkins stated that this item was tabled at the Commission's July meeting and requested a motion to remove this item from the table.

**Mr. McClarty moved to remove this item from the table. Mr. Boykin seconded the motion and the motion carried unanimously.**

Mr. Armstrong stated this item was tabled at the Commission's July meeting. This particular item relates to the Thoroughfare Plan, i.e., a proposed east-west collector street – west from FM 707 to CR 303. 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 90<sup>0</sup> 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.

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. The owner of the property to the north has once again been notified but staff has received no response.

Mr. Harkins opened the meeting for public input.

Mr. Robert Allen, Metropolitan Planning Organization, City of Abilene, indicated on a slide a parcel of land owned by Dyess Air Force Base. The original purpose of the land is no longer valid and the community planner at Dyess has informed Mr. Allen that Dyess is actively looking at other uses for this parcel, e.g., recreational area, land swap in order for Dyess to acquire land to protect the AICUZ zone, or simply sell it on the open market. The necessity of avoiding this parcel of land, as perceived in the past, probably does not apply. Mr. Allen asked that the Commission not approve the removal of the collector street requirement for the reason provide by staff.

Mr. Harkins stated that it appears to him that an option for development of this land by the Tye Volunteer Fire Department would be to move the collector street in line with the north property line of this parcel.

Mr. Allen stated that this is an option.

Mr. Harkins closed the public input portion of the hearing

**Mr. McClarty moved to deny the elimination of the collector as indicated in the Thoroughfare Plan. Mr. Boykin seconded the motion and the motion carried by a vote of five (5) in favor (Boykin, Campos, Harkins, McClarty and Miller) to none (0) opposed.**

### **Item Eight: Director's Report**

Mr. Harkins stated that he has received questions from some of the architects regarding the Community Appearance Focus Group and concerns regarding the role of this group in development of the ordinance.

Mr. James stated that in September the Planning and Zoning Commission will receive a detailed presentation regarding this group, recommendations received from this group, and an opportunity for the Commissioners to provide direction for the Community Appearance Ordinance. Mr. James stated that staff will prepare the ordinance and present the information to the Commission at their October or November meeting. The Community Appearance Focus Group was comprised of 12 members representing architects, landscape architects, business owners, Landmarks Commission representatives, Keep Abilene Beautiful representatives, sign companies, and interested citizens. This group met four times and dealt with specific topics: signs, landscaping/screening/buffering, urban design issues. The fourth and final meeting was a wrap-up meeting to discuss all of the issues mentioned above. The Focus Group was provided with an eight-page questionnaire (including an opportunity to provide direction and feedback to staff). Mr. James stated that the Planning and Zoning Commissioners will be provided a similar questionnaire that includes the information received from the Focus Group.

Mr. Harkins stated that one of the things that he stated during the Comprehensive Plan process is that he is personally opposed (and believes this is general consensus of architects) to a “prescriptive-type ordinance” in terms of community appearance. If an ordinance is developed it should be a performance-based design criteria. If an architect is NOT involved in a project, only the developer, then this criteria would come into play.

Mr. James provided the Commissioners with a copy of the *Planning Commissioners Journal*. This publication will be distributed to the Planning and Zoning Commissioners as it is received (quarterly).

Mr. James provided the Commissioners with an update regarding the Land Development Code project. An RFP was submitted to consultants and interviews and a selection recommendation should be submitted to the City Council within the next few weeks. Within the next few months, work should begin on rewriting the Zoning Ordinance, Subdivision Regulations, and other ordinances. This will be about an 18-month project.

Mr. James stated that next month the Commissioners will be provided with a written report regarding City Council votes on recommendations forwarded by this Commission. Mr. James stated that of the 12 cases submitted to the Council for the last month, only two (2) recommendations forwarded by this Commission were reversed by the Council:

1. Zone change Walnut Street – GC - Planning and Zoning Commission voted to deny and City Council voted to approve.
2. Thoroughfare Abandonment on Clark Road – Planning and Zoning Commission voted to approve abandonment and Council voted to deny the request.

There being no further business, the meeting was adjourned at 4:19 p.m.

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