
PLANNING & ZONING COMMISSION

May 1, 2006

Minutes

Members Present:

Eddie Boykin
Ovelia Campos
Jack Harkins
Lydia M. Long
Jeff Luther
Tim McClarty
Floyd Miller

Staff Present:

Jon James, Director, Planning and Development Services
Jared Mayfield, Assistant Director of Planning and Development Services
Jeff Armstrong, Development Services Manager
Dan Santee, First Assistant City Attorney
David Wright, City of Abilene, Finance Director
Tommy O'Brien, City of Abilene, Water Department
Jim Berry, City of Abilene Police Department
Don Green, City of Abilene Aviation
Odis Dolton, City of Abilene Finance
Lowell Phillips, City of Abilene
Gloria Brownell, Planner I
Justin Fortney, Planner I
JoAnn Sczech, Executive Secretary (Recording)

Others Present:

Randy Voorhees
Scottie Squyres
Albert Fuentes
William Rountree
Alton Davis
Betty Davis
Kyle Moore
Janet Ardoyno
David Ardoyno
Jill Fortson
Greg Fortson
Jack Stricklin
Bob Hammond
Perry Stockard
Colleen Perran
Alan Hedrick
Laree Henry
Mike Perkins
Ulrike Quinn
Isabel Salazar
Kenate Boasley
James Gallagher
Sonia Gallagher

Gary Penn
Aiesha Morris
Jim Morris
Sally Peiler
Jackie Henson

Media Present: Sarah Kleiner, Abilene Reporter-News

Item One: Call to Order

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

Mr. Harkins welcomed Dr. Lydia Long as the newly appointed Planning and Zoning Commissioner.

Item Two: Invocation

Ms. Ovelia Campos gave the invocation.

Item Three: Approval of Minutes:

Mr. Tim McClarty moved that the minutes of the April 3, 2006, meeting be approved as submitted. Mr. Miller seconded the motion and the motion carried unanimously.

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

Item Four: Plats

Gloria Brownell provided information for completed plats (Agenda Items a., b., c., d., e., g., and h.). Ms. Brownell stated that staff is recommending approval of these plats as all meet Subdivision Regulation requirements.

Mr. Harkins opened the public hearing and asked if anyone wished to speak regarding any of the plats being presented for approval. No one came forward and the public hearing was closed.

Mr. Boykin moved to approve Items a., b., c., d., e., g., and h. Mr. Luther seconded the motion and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty, and Miller) and none (0) opposed.

Ms. Brownell stated that staff recommends denial of Item f., as this plat does not meet all requirements of the Subdivision Regulations.

Ms. Campos moved to deny Item f. Mr. McClarty seconded the motion and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty, and Miller) to none (0) opposed.

Item Five: Rezoning Requests:

a. Z-2006-12

Public hearing and possible vote to recommend approval or denial to the City Council on a request from CP Offices LP dba Commerce Plaza; agent, Laree Henry, to rezone 4.722 acres from O (Office) and SC (Shopping Center) to PDD (Planned Development District), located at

1290 South Willis. Legal description being Lot 103, Block 1, Harris Replat, Abilene, Taylor County, Texas.

Mr. Jeff Armstrong provided the staff report for this item. This request is to rezone 3.41 acres from O (Office) and SC (Shopping Center) to PDD #108 (Planned Development District). The site has been developed with an office building since 1977. There is little space available on the site for any additional improvements. Much of the site is comprised of the 50,000 square-foot building and 148 parking spaces. North of the building is a drainage channel. Paved areas connect with and continue to the south to properties developed with a bank, a multi-story office building and a fast lube business that are under separate ownerships from the subject parcel. The south part of the parcel is zoned SC, but the majority is zoned O.

The subject property was annexed in 1947. Until the 1960s all of the property from the subject parcel to South 14th Street was zoned multi-family. In the 1960s, the South 14th Street frontage was rezoned to retail commercial. In 1974 the front part was changed to SC zoning when the Zoning Ordinance was rewritten. In late 1974 a request was made to rezone the subject property and other property to the south to SC. Most of the subject property was left out of the rezoning at that time. Only the property that is now the motor bank and the south portion of the subject property was rezoned to SC. Most of the subject property remained multi-family. In 1975 the multi-family zoned portion of the subject property was rezoned to the current O zoning.

Current Planning Analysis

The applicant originally requested rezoning of the property to LC to have greater flexibility in permitted land uses and signage. However, LC districts are restricted to a maximum area of 2 ½ acres. The site was too large to be considered for LC zoning. Staff suggested a PDD that would permit some of the opportunities and flexibility allowed in the LC district. Since the site is already developed, the PDD ordinance is tied directly to the existing site plan, any changes to the site layout would require amendments to the PDD ordinance.

A significant development issue for this site is the limited parking spaces. The ratio of parking to building area is approximately one parking space per 340 square feet of building. Many uses permitted in the O and LC districts require one space per 200 or 300 square feet of building area. Others have lower rates such as 1:400 or 1:500. In developing the permitted use list for the proposed PDD the LC district was used as a base, but uses with the highest parking requirements and higher expected traffic generation were deleted from the list. This would still allow a number of retail and service uses not permitted in the existing O zoning and it does not eliminate any of the uses currently permitted. The proponent requested a variance from the Board of Adjustment regarding the sign height and size limitations in Office zoning district. The Board denied this request. The PDD ordinance, as proposed, allows for one (1) freestanding sign up to 12 feet in height and 100 square feet in area. This is consistent with other PDDs of this nature (proximity to residential areas). Mr. Armstrong stated that the proponent has expressed the preference for an 18-foot sign.

The extent of permitted uses and development standards are limited in the ordinance partly due to the proximity of the property to residential uses to the north and west. The proposed PDD provides a transition from the more intensive commercial zoning at the intersection of South 14th and Willis and the nearby residential uses

Planning Staff recommends approval of this request.

Property owners within 200 feet of the rezoning request were notified. No responses were received either in favor or in opposition of the request.

Mr. Harkins opened the public hearing and asked if anyone wished to speak regarding this rezoning request. No one came forward and the public hearing was closed

Mr. Boykin moved to approve Z-2006-12 with the amendment that the 12-foot sign limitation be replaced to allow an 18-foot sign. Mr. McClarty second the motion, as amended, and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty and Miller) to none (0) opposed.

b. Z-2006-14

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Randy Voorhees to amend PDD #82 (Planned Development District), located on the northeast and southeast corners of Lone Star Drive and Loop 322. Legal description being, Lone Star Ranch, Abilene, Taylor County, Texas.

Justin Fortney provided the staff report for this item. Mr. Fortney stated that the subject parcel was rezoned from AO to a commercial PDD in January 2005. This PDD text amendment is to add two additional uses and change a height limitation.

Randy Voorhees bought 12.17 acres of land from Centro Real Estate for the purpose of developing the area into an entertainment center. He is proposing to build a bowling center, billiards, climbing wall, arcade, bumper cars, miniature golf, electric go-carts, indoor water park, a four-story hotel/motel, and others.

All of these uses are currently allowed in the PDD except electric go-carts and an indoor water park. The PDD also has a height restriction of 35', which will not allow for a four-story hotel/motel.

Staff believes that the height increase and the two additional uses are suitable in this area, as long as the hotel/motel and electric go-carts have a setback of 100' from the property line that is adjacent to the residential portion of the PDD.

Property owners within 200 feet of the request were notified. Three comment forms were received: one (1) in favor of the request; one (1) opposed to the request; and one (1) partially in favor and partially opposed to the request.

Staff recommends approval of the request.

Mr. Harkins opened the public hearing and asked if anyone wished to speak regarding this rezoning request.

Mr. Randy Voorhees, Primetime Family Entertainment Center, provided a power point presentation regarding the development of this land. Mr. Vorhees provided the Commissioners with a site layout and a building layout for Phase I of this project (miniature golf course, laser tag area, climbing wall, indoor bumper cars, coffee bar, arcade, billiards, bowling center, restaurant, water park, and electric go carts). Phase II will include a 3-D theatre, an outdoor ropes course, and NASCAR simulators. The long-term plan includes the motel and indoor water park.

Mr. Terry Franklin, Centro Real Estate Development Group, requested that the Planning and Zoning Commission favorably consider this project. This is a good project for Abilene and for the Lone Star Development. Mr. Franklin stated that although the request is to amend the entire PDD, it is not their intent for any of the requested uses to be duplicated on any other part of the development.

Mr. Harkins closed the public hearing.

Dr. Long stated that trees of sufficient height should be specified within the PDD to protect the residents from the hotel.

Mr. Fortney stated that this would be covered in the Site Plan process.

Mr. Harkins asked if staff felt comfortable with landscaping being addressed during the site plan process as opposed to specifying this in the PDD.

Mr. James stated that he would feel more comfortable with the Commission specifying trees. Staff could review similar PDDs and come up with a recommendation between now and the time this item is presented to the City Council (a more specific recommendation)

Dr. Long stated that this would be her preference.

Mr. James stated that if the Commission chooses not to amend the ordinance, staff would pay particular attention to the back portion of the property.

Ms. Ovelia Compos moved to approve Z-2006-14 with the stipulation that staff ensure the landscaping is consistent with the remainder of the development. Mr. Miller seconded the motion and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty and Miller) to none (0) opposed.

c. Z-2006-16

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Higginbotham Brothers And Company to apply Historic Overlay zoning to property located at 2074 North 1st Street. Legal description being Lot 1, Block A, R.A.. McDaniel Subdivision, Abilene, Taylor County, Texas.

Larry Abrigg, Historic Preservation Officer for the City of Abilene, provided the staff report for this item. This item has been reviewed by the Landmarks Commission and recommended for Historic Overlay Zoning.

Property owners within 200 feet for the rezoning request were notified. Twenty-two letters were sent to property owners in the area. Two comment forms were received in favor of HO zoning and none opposed.

Mr. Gary Penn, District Manager for Higginbotham Brothers, stated that they are thrilled to be in a historic district. They do not intend to alter the exterior of the building in any way. Only maintenance will be performed on the out buildings.

Mr. Harkins asked Mr. Penn for what purpose the other structures on the site will be utilized.

Mr. Penn responded that these buildings would be used for storage and warehousing. Mr. Penn stated that the primary structure would be used as a “pro center” for displays and information areas.

Mr. Harkins closed the public hearing.

Mr. McClarty moved to approve Z-2006-16. Mr. Miller seconded the motion and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty and Miller) to none (0) opposed.

c. Z-2006-17

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Bruce Bixby to rezone property from RM-3 (Multi-family Residential), GC (General Commercial), and HC (Heavy Commercial) to CB (Central Business) zoning district, located between South 4th and South 7th Streets and Chestnut Street and the north-south alley located approximately 140 feet west of Butternut Street. Legal description being Blocks 52, 53, 85, 86, 126, 127, and 128, Original Town of Abilene, Taylor County, Texas.

Jeff Armstrong provided the staff report for this item. This request is to rezone from RM-3, GC and HC to CB. The area is a mix of residential and commercial uses. Most of the commercial uses are along Butternut and Chestnut Streets. Some of the RM-3 zoning along Sycamore is developed with parking lots that serve the Enterprise Building. The streets in the area are on a grid pattern with alleys in most blocks.

Current Planning Analysis

Mr. Bixby owns a number of parcels in the subject area and surrounding areas with CB, RM-3 and GC zoning. He requested that his parcels all be rezoned to CB and suggested that it would be appropriate to rezone a larger area to CB as well. Staff concurs that consistent, appropriate zoning of the area would be better than the existing mix of zoning districts.

Staff is unaware of any specific development plans that Mr. Bixby may have, but the zoning would allow for a variety of retail, office and residential uses.

Mr. Bixby owns the only lot in the area that is zoned GC.

All of the residential uses permitted in the RM-3 district would continue to be allowed in CB district. The most significant impact of the proposed changes would be along Butternut Street where the zoning is currently HC. The HC district permits a large number of uses including warehousing and trucking, all types of auto repair and sales, and many other uses in addition to many retail and office uses. Although this zoning change would reduce the permitted uses available to property owners along Butternut, the rezoning would allow for development that is currently not possible. Currently, the HC district has a 50-foot setback requirement in the rear where adjacent to residential zoning. That requirement along with a front setback of 30 feet from front property lines on lots that are only 140 feet deep, makes it very difficult for any new construction to take place, particularly additions to existing buildings, unless the Board of Adjustment can approve a variance. The CB district has no setback requirement except where adjacent to residential zoning in which case the rear setback is 25 feet. This would give the businesses along Butternut much more flexibility to develop or redevelop their property.

This rezoning will create a few non-conforming uses. Along Butternut only one business would become legally non-conforming with this zoning change. Any non-conforming use would be allowed to continue indefinitely, but would not be allowed to expand. However, nearly all of the buildings along Butternut are currently non-conforming structures, incapable of being physically expanded anyway. The CB zoning would make all of them conforming structures.

Twelve parcels currently have nonconforming uses on them. The uses on those properties would be conforming in the CB district if the rezoning were approved. Nine of the parcels are zoned RM-3 but have commercial parking lots on them and three of the parcels have an apartment building on them that exceeds the maximum density for multi-family structures in the RM-3 district, but would not exceed the maximum density in the CB district.

This rezoning is one way to link Butternut to the rest of downtown by creating consistent zoning that allows the flexibility necessary to create and sustain a viable downtown through a mix of residential, commercial and institutional uses.

A group of property owners along the Butternut corridor is working with the City on a number of issues to improve the Butternut Street corridor. One item that has been discussed with that group and has come up in numerous situations is the inappropriate HC zoning along much of Butternut Street. The proposed rezoning would only apply to a few blocks of Butternut, but would tie in with CB zoning along the street to the north. Other zoning may be considered for the remainder of Butternut to the south at some future date.

The Planning and Zoning Commission may, if they so desire, reduce the area of rezoning (they may reduce but may not increase the size of the area).

Staff recommends approval of this request.

Mr. Harkins opened the public hearing and asked if anyone wished to speak regarding this rezoning request. No one came forward and the public hearing was closed.

Mr. Boykin moved to approve Z-2006-17. Mr. McClarty seconded the motion and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty and Miller) to none (0) opposed.

f. Z-2006-18

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Abilene Diagnostic Clinic PLLC, agent Albert Fuentes, to rezone property from O (Office) and SC (Shopping Center) to PDD #103 (Planned Development) zoning district, located at 1665 Antilley Road. Legal description being part of Lots 1 & 2, Block A, Section 1, Antilley Square Addition, Abilene, Taylor County, Texas.

Gloria Brownell provided the staff report for this item. The request is to rezone 3.3 acres from SC and O to PDD #103. The property is currently vacant and located adjacent to a medical mall and the recently rezoned site designated for development with medical and retail uses. It is situated across Directors Parkway from PDD#99, which was recently expanded for hotel and restaurant development. The subject property was annexed in 1980 and the western portion was rezoned from AO to Shopping Center and Office zoning in 1983.

Current Planning Analysis

PDD #103 was designed to accommodate development of a mix of medical and retail uses. There are three existing PDDs in the immediate area of the request and the ordinance for PDD #103 was modeled after the regulations governing the neighboring properties. The ordinance includes standards for building materials, signage, landscaping, sidewalks, and access management.

The applicant plans to develop a primary parcel with medical uses in support of the Regional Medical Center, but there will be additional acreage available for retail or other mixed-use development. After beginning the design process following the approval of their rezoning request, the developers determined that the site might be more cohesive if this additional acreage were included in the same zoning district. The PDD ordinance allows a variety of uses for parcels with frontage on the State right-of-way, and a more limited list of uses for parcels with frontage only on Directors Parkway, which is a local street. This limitation, along with the internal circulation and pedestrian accommodations required by the ordinance, should help concentrate most of the traffic on the State right-of-way where there is greater capacity.

Comprehensive Planning Analysis

The Comprehensive Plan identifies the general area surrounding the parcel as a Special Activity Center. The Plan does not provide any information for this specific area, although it does offer some general goals for development. Mixed uses, pedestrian-friendly development, and aesthetic enhancement of building facades and site design are mentioned to help create a “more livable, vibrant, and accessible community.”

This site is located 200 feet west of the US 83/84 corridor, which places it in a Gateway Mixed Use Area as designated in the Comprehensive Plan. Aesthetic enhancement should be a priority in Gateway Districts because they are “the area where visitors will form their first impression of the city and as such, should reflect the highest quality and provide a glimpse of Abilene’s local identity.” The landscaping, signage, and building material regulations listed in the PDD ordinance make it consistent with the strategies associated with corridor enhancement. More specifically, this PDD is consistent with the strategy designed for the US 83/84 Corridor due to the permitted uses supporting Abilene Regional Medical Center. The PDD zoning will require a more aesthetically pleasing development than the current regulations in the existing Office or Shopping Center zoning.

Property owners within 200 feet of the rezoning request were notified. Two comment forms were received in favor of the request and none in opposition.

Planning staff recommends approval of the request.

Mr. Harkins opened the public hearing and asked if anyone wished to speak regarding this rezoning request. No one came forward and the public hearing was closed.

Mr. McClarty moved to approve Z-2006-18. Mr. Miller seconded the motion and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty and Miller) to none (0) opposed.

g. Z-2006-19

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Glen Weatherbee, agent Erik Johnson, to rezone property from AO (Agricultural

Open Space), LC (Limited Commercial), and RM-3 (Multi-family Residential) to SC (Shopping Center) zoning district, located at the southwest corner of Dub Wright Boulevard and Jennings Drive. Legal description being 22.5 acres out of Survey #43, William Bishop, Abilene, Taylor County, Texas.

Gloria Brownell provided the staff report for this item. The request is to rezone 22.5 acres from AO and RM3 to SC. (The LC portion was initiated by Staff to unify the development). The property is currently vacant and adjacent to the Hampton Hills residential subdivision. Dyess Air Force Base is located directly to the north and the majority of land to the south and west is vacant.

The northern portion of the property was annexed in 1959 and rezoned to RM3 sometime prior to 1964. The remainder of the property was annexed in 1983 and has remained AO since that time. A 1.31-acre tract located in the northeast corner of the request was rezoned from RM3 to LC in 1986.

Current Planning Analysis

The property's proximity to Dyess Air Force Base heightens the need for a quality development with an attractive appearance. The Shopping Center Zoning District does not include any aesthetic regulations or protections for adjacent residential properties. With this in mind, staff felt that a PDD would be more appropriate to ensure the long-term quality of the development and to protect the neighboring residential subdivision. The proposed PDD includes almost all the uses allowed in the Shopping Center Zoning District, plus a few that are compatible but not included by the Zoning Ordinance. It offers reduced setbacks to increase the buildable area of the tract if parking is not located between the structures and the right-of-way. It also includes provisions for landscaping, building materials, screening, sidewalks, and driveway access to enhance the appearance and accessibility along the corridor adjacent to Dyess Air Force Base.

The site is served by an arterial, two future collectors, and a local street, which will provide ample accommodation for the amount of traffic a large commercial development will generate. Furthermore, internal and boundary sidewalks will provide safe transportation alternatives for pedestrians and bicyclists. Reduced setbacks are permitted if parking is placed to the rear or side of the structures in order to promote a more centered and pedestrian-friendly development. Group signage will allow businesses located toward the rear of the development to be visible to passing traffic on Dub Wright Boulevard.

Comprehensive Planning Analysis

The Future Land Use portion of the Comprehensive Plan designates a large area around the request as a location for low-density residential development. However, the property's location adjacent to an arterial and two collectors make it a good candidate for a higher density of development. The PDD was designed to provide flexibility throughout the development process that would be consistent with some of the mixed-use goals mentioned in the Comprehensive Plan.

Furthermore, the Thoroughfare Plan designates Dub Wright Boulevard as a Visual Pathway and addresses them specifically with the following recommendation:

These are roadways around or into the City that give the passer-by a lasting impression of the City. Therefore, development along these highways should be carefully monitored so as to maximize positive images of the City. Concentrated efforts from both the public and private sectors to enhance and preserve the visual quality along streets can be achieved through the application of Planned Development Districts (PDD). These zoning districts are "designed to promote, through

unified planning and development, more efficient land use, more sensitive treatment of natural features, harmonious integration of diverse activities, and creative design.”

Review of zoning requests, subdivision plat submittals, and public improvement projects on designated visual pathways should be considered for the following guidelines:

- Landscaping
 - Landscaping, compatible with pedestrian safety and sight distance requirements, is recommended in the area between the street right-of-way and adjacent building lines.
- Design
 - Screening is recommended for open storage waste disposal containers, loading areas, and outdoor storage.
 - Parking should be discouraged on the street and encouraged to locate at the side or rear of buildings. (Adopted 1985)

Planning staff recommends approval of the attached PDD ordinance.

Property owners within a 200-foot radius were notified of the request. Twelve comment forms were received in opposition of the request.

Mr. Harkins asked if the applicant was in agreement with the proposed PDD.

Ms. Brownell stated that a draft copy of the PDD was provided to the applicant’s agent about one week ago. The one request received from the agent was to allow an additional driveway onto Dub Wright Boulevard. Ms. Brownell stated that the TxDOT spacing requirements could possibly provide one more driveway and this was added to the PDD ordinance.

Mr. Harkins opened the public hearing.

Mr. Paul Johnson, representing Mr. Weatherbee, stated that in regard to the access concerns, access will be provided off Hampton Hills, Jennings, Inverness and TxDOT has provided two additional curb cuts into the shopping center site. Therefore, there will be sufficient access into the shopping center without having to go through the residential area (unless a resident). Because of the increased access into the shopping center, traffic in the residential areas should not be increased at all. The landscaping and screening requirements will make this commercial area more attractive. Mr. Johnson also spoke with a representative of Dyess AFB to determine if the Base had concerns about the proposed shopping center. Dyess AFB did not express concerns.

Mr. Harkins asked Mr. Johnson if it is correct that preliminary approval has been obtained for two curb cuts off Dub Wright Boulevard. Mr. Johnson responded that that is his understanding. Mr. Harkins stated that the PDD only addresses one curb cut so this PDD will require an amendment to allow for up to two curb cuts.

Ms. Stacey Pevler expressed concern for increased traffic through the neighborhood and the safety of their children. Ms. Pevler also expressed concerns regarding noise, pollution and the resale value of their home.

Ms. Janet Ardoyno stated that her main concern is the speed of traffic in this area the amount of traffic in the area and the lack of traffic signals on Dub Wright Boulevard.

Mr. Greg Fortson stated that he has the same concerns as other who have spoken. Another concern is for Dyess Elementary School, particularly regarding the drop in enrollment. Mr.

Fortson also mentioned that no responses were received in favor of this shopping center from the property owners in the area.

Ms. Ulrike Quinn stated that she spoke with approximately 90% of the residents in this area over the weekend and no one was in favor of this shopping center. Other concerns include traffic, safety of children and homes, drop in property values, dumpsters, delivery trucks, loitering on the site, and drop in enrollment at Dyess Elementary School.

Ms. Kenate Boasley stated that she is delighted with the area and would prefer not to have a shopping center at this location.

Ms. Aiesha Morris stated she is not in favor of the shopping center. She concurred with the concerns expressed by other residents.

Mr. Mike Perkins stated that he enjoys the quiet community and family atmosphere of this area. Mr. Perkins echoed the sentiments of those who spoke earlier against the development of a shopping center in this area.

Mr. Alton Davis stated that his primary concern is the decreasing of property values, increased traffic, noise, and lighting issues. Mr. Davis stated that he is strongly opposed to this rezoning request.

Ms. Betty Davis expressed concerns regarding their rental property in this area. Over time they may be unable to rent their property due to this development. Ms. Davis stated that she felt it would be impossible to sell this property in the future. Other concerns include lighting, parking, and the expansion of commercial areas and encroachment toward Dyess AFB.

Mr. Allen Hedrick stated that it was his understanding that Inverness Street would not be extended. Now, they are being told that Inverness will be extended to Dub Wright Boulevard. Mr. Hedrick stated that he felt there would be more opposition to this proposal if everyone in the area were aware of the plans for a shopping center.

Mr. Harkins stated that just the fact that Inverness Street is not constructed as a cul-de-sac (the fact that the road stops at a property line) would be an indication that the street would at some point be a through street and not a cul-de-sac.

Mr. Hedrick stated that he was told that Inverness would not be extended beyond its current length and that the area in question would be additional residential housing.

Mr. Tim Morris stated that the Hampton Hills area is a quiet, family-oriented area. There seems to be no plan for this area as far as development is concerned.

Mr. Harkins closed the public hearing.

Mr. Harkins stated that it might be unknown by the general public, but AO zoning is only a "holding" zone for future rezoning or development. There should, however, have been some idea that property fronting on Dub Wright Boulevard would eventually be developed. Mr. Harkins stated that he is somewhat confused by the neighborhood's opposition due to the fact that the development will be screened by a masonry fence and trees. Mr. Harkins stated that he

did not believe the shopping center would create additional traffic in the housing area and that a well-planned shopping center should not decrease property values.

Mr. Boykin stated that he agrees with Mr. Harkins. Mr. Boykin stated that it appears to him that the developer has agreed to do as much as could be done to screen the shopping center from the residential area; traffic should not be increased; and, the shopping area should enhance – not decrease – property values.

Mr. Luther moved to approve Z-2006-18 with an amendment to include two (2) curb cuts on Dub Wright Boulevard as allowed by TxDOT. Ms. Campos seconded the motion, as amended, and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty and Miller) to none (0) opposed.

Item Six: Capital Improvement Program

Discussion and possible vote to recommend the proposed 2006-2010 Capital Improvement Program to the City Manager.

Jared Mayfield, Assistant Director of Planning and Development Services, provided a brief introduction to the 2006-2010 Capital Improvement Program for the City of Abilene.

The City's Charter requires that the Planning and Zoning Commission make a recommendation to the City Manager each year for a 5-year Capital Improvements Plan. Commissioners were provided with a schedule for CIP adoption, which illustrates events to date to create the proposed CIP.

The Commission's task is to review the proposed CIP and make recommendations to the City Manager. Representatives of each department were present at the meeting to answer questions regarding various projects.

One note about the project sheets: Each project sheet reflects the request from each department and has not been updated to reflect the amount proposed for funding, which results in discrepancies between the project sheets and the summary sheet. Once recommended by the Commission and the City Manager, these sheets will be updated for City Council.

Staff recommends that the Commission recommend the proposed Capital Improvements Plan to the City Manager.

Mr. Boykin moved to recommend the proposed 2006-2010 Capital Improvements Program to the City Manager for his review and recommendation(s) to the City Council. Mr. Miller seconded the motion and the motion carried by a vote of five (5) in favor (Boykin, Campos, Harkins, McClarty and Miller) to two (2) opposed (Long and Luther).

Item Seven: Ordinance Amendment

Gloria Brownell provided the staff report for this item. Ms. Brownell stated that the purpose of this amendment is to bring the City of Abilene into compliance with State law – Application and Procedural section.

Mr. Harkins opened the public hearing and asked if anyone wished to speak regarding this rezoning request. No one came forward and the public hearing was closed.

Mr. McClarty moved to approve amendments to Chapter 23, Subpart D of the Code of the City of Abilene, Subdivision Regulations regarding application requirements, procedural requirements, and vested rights. Ms. Campos seconded the motion and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty and Miller) to none (0) opposed.

Item Eight: Director's Report

- a. Joint meeting with City Council regarding the code consultant's Diagnostic Report for the Land Development Code project.

The proposed dates for this joint meeting are June 1 (if no runoff election is required for City Council positions) or June 29 if a runoff election is required. A location has not yet been determined for this meeting.

- b. Discuss meeting schedule for the month of July

Commissioners were given the opportunity to select either July 3rd or July 5th for this meeting. Commission consensus was to move the July meeting to July 5th.

- c. Recent City Council decisions regarding items recommended by the Planning and Zoning Commission.

Commissioners were provided with a memorandum providing Council votes on Planning and Zoning Commission recommendations.

Item Nine: Election of Officers

The nominated slate of officers includes:

- Ovelia Campos, Chair
- Tim Rice McClarty, Vice Chair
- Lydia M. Long, Secretary
- Jeff Luther, Sergeant at Arms

Mr. Boykin moved to approve the proposed slate of officers for the Planning and Zoning Commission. Mr. McClarty seconded the motion and the motion carried by a vote of seven (7) in favor (Boykin, Campos, Harkins, Long, Luther, McClarty, and Miller) to none (0) opposed

There being no further business, the meeting was adjourned at 5:15 p.m.

Approved: _____, Chairman