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**PLANNING & ZONING COMMISSION**  
**November 6, 2006**  
**Minutes**

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Members Present: Ovelia Campos  
Fred Famble  
Jack Harkins  
Jeff Luther  
Lydia M. Long  
Tim McClarty

Members Absent: Eddie Boykin

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

Others Present: Jimmy L. Goodwin  
James Fish  
Charlene Bailey  
Debbie Church  
Marie Vinson  
Tommie Easley  
Araceli Fuentes  
Evelyn Tilbrook  
Henry Bloodworth  
Dennis W. Reiling  
Calvin Bynum  
Thomas C. Tilbrook  
Eloise Pettus  
Lee Fletcher  
Lowell Maxey  
Ebb Maxey  
Gary Milligan  
Randy Barbee  
Warren Parker  
Dwain Vogler  
Volene Vogler  
Tom Clark  
Doris Allen  
A.W. Allen  
Lynne Keightley  
Anita Nguyen  
Bob Hammond  
Crystal Nguyen  
Curtis Horsey

Margaret Basquette  
Kristin Drury  
Larry Fink  
Kristen Gauger  
Bob Gauger  
Belz  
Claudia Clinton  
Brad McDoll  
Maria Vogler  
Dan Vogler  
Garth McLeod  
John Scott  
Tom E. Cowley  
Charlie Jordan  
Linda  
Jackie Love  
Kenneth Baber  
Rick Clark  
Carla Cofer  
Zach Cofer  
Nancy Brod  
Grady Cozby  
Libby Rankin  
Vicki Anderson  
Don Green  
Marela Martinez  
Will Rawlins  
Dan Frieberg  
Tommy Downing  
Brad Carter  
Scott Senter  
Ken Merchant  
Trish Aldridge

Media Present: Jerry Reed, Abilene Reporter-News.  
Morgan Ash, KRBC News

**Item One: Call to Order**

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

**Item Two: Invocation**

Mr. McClarty gave the invocation

Ms. Campos read the opening statement for the Planning and Zoning Commission.

**Item Three: Approval of Minutes**

**Mr. McClarty moved to approve the minutes of the October 2, 2006, meeting as submitted.**

**Mr. Famble seconded the motion and the motion carried unanimously.**

**Item Four: Plats**

Gloria Brownell provided information for completed plats (Agenda Items a., b., c., e., f., and g.). Ms. Brownell stated that staff is recommending approval of these plats as all meet Subdivision Regulation requirements. Ms. Brownell stated that Item d. did not comply with the Subdivision Regulations and that staff recommends denial.

Ms. Campos 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. McClarty moved to approve Items a., b., c., e., f., and g. Mr. Harkins seconded the motion and the motion carried by a vote of six (6) in favor (Campos, Famble, Harkins, Long, Luther, and McClarty) to none (0) opposed.**

**Mr. McClarty moved to deny Item d. Mr. Luther seconded the motion and the motion carried by a vote of six (6) in favor (Campos, Famble, Harkins, Long, Luther, and McClarty) to none (0) opposed.**

**Item Five: Thoroughfare Closure**

a. TC-2006-06

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Lauren Holdings, agent Grady Cozby, AIA, to abandon the entire portion of South 18<sup>th</sup> Street east of the eastern boundary of the railroad right-of-way located approximately 300 feet east of South Treadaway Boulevard, Abilene, Taylor County, Texas.

Jeff Armstrong provided the staff report for this case. The request is to abandon the full right-of-way of South 18<sup>th</sup> Street east of the railroad right-of-way. The applicant owns all of the land surrounding the subject right-of-way. The right-of-way blends with the parking and construction yard that surrounds it. The right-of-way itself is not in the 100-year flood zone, but some of the surrounding property is.

At one time, the South 18<sup>th</sup> Street right-of-way continued eastward to a location just to the east of Cedar Creek. In 1981, that portion of South 18<sup>th</sup> Street from the subject area of this case eastward was abandoned.

Effectively, the street is already part of the yard area of the surrounding properties owned by the applicant. The request is to abandon the street to unify and secure the yard, including what is currently the street.

The Plat Review Committee made the following recommendations:

- Utilities are located in the right-of-way. Therefore, an accessible utility easement must be kept on the entire area or the utilities must be relocated.
- The surrounding property must be replatted so that no lots will be landlocked.
- A new cul-de-sac must be dedicated and constructed east of the railroad right-of-way to provide frontage for the new lot and to create proper termination of South 18<sup>th</sup> Street.

Staff recommends approval of the request subject to the recommendation of the Plat Review Committee, with the following conditions:

- (1) All abandoned right-of-way and lots with sole access onto abandoned right-of-way must be replatted.

(2) Easements must be dedicated to accommodate existing utilities unless they are relocated. Property owners within a 200 foot radius were notified. One (1) response was received in favor of the request and none (0) in opposition.

Mr. Santee asked if one of the conditions should be that the gate would have to be moved beyond wherever the cul-de-sac is constructed.

Mr. Armstrong stated that a public street cannot be gated and relocation of the gate would be a legal requirement of the abandonment but this could be added as a condition to approval of this item.

Ms. Campos opened the public hearing. No one came forward to speak regarding this case and the public hearing was closed.

**Mr. Harkins moved to approve TC-2006-06 with conditions recommended by City staff. Mr. McClarty seconded the motion and the motion carried by a vote of six (6) in favor (Campos, Famble, Harkins, Long, Luther, and McClarty) to none (0) opposed.**

**Item Six: Rezoning Requests**

a. Z-2006-44

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Sam Daggubati, M.D., to rezone property from RS-6 (Single-family Residential) to PDD (Planned Development District) zoning, located at 2002 Jameson Street. Legal description being part of Block 1, J.B. Collins Subdivision of the North Park Addition, Abilene, Taylor County, Texas.

Jeff Armstrong provided the staff report for this case. This request is to rezone 10.33 acres from RS-6 to PDD. This property is the site of a former elementary school. The property was recently purchased by the applicant from the Abilene Independent School District. The property has streets on all four sides. I-20 is to the north (freeway with frontage road), Old Anson Road is to the west (arterial), Jameson Street is south (local) and Victoria is east (local). The buildings are all located on the eastern half of the property. The parking lot is located at the east end of the property with single driveways onto Jameson and Victoria Streets. There is also head-in diagonal parking along both Jameson and Victoria Streets. The western half of the parcel is open space with an oval running track. The entire property is within the 100-year floodplain.

To the east across Victoria Street there is a fire station and a church. To the south across Jameson Street are single family homes; across Old Anson Road to the west are a convenience store and vacant land, and Interstate 20 runs along the north side of the property.

This area was annexed in 1957 and has had single-family residential zoning since that time. The school building was constructed around the time of annexation.

The applicant is proposing the establishment of an Indian cultural center that would include various products and services related to the culture of India, including a Hindu Temple, food, and a museum. Existing facilities such as the gymnasium would be made available for organized children's and youth activities.

The PDD is designed to utilize the existing buildings and to maintain existing green spaces. Much of the west half of the property would not be used. If in the future uses for the

undeveloped portions of the property were to be identified, a request to amend the PDD could be made. The PDD has several provisions that are consistent with other recent PDDs, including prohibitions on outdoor storage and certain types of signage, limitations on fencing materials, and provisions for signage.

This proposed rezoning would allow the property owner to reuse what was a school district facility. Reuse of the property would benefit the neighborhood by continuing to have an occupied viable structure as opposed to vacant buildings and property that deteriorates over time.

This property is at the corner of a freeway and an arterial street which is generally an appropriate location for commercial development.

Planning staff recommends approval of the PDD ordinance.

Property owners within 200 feet of the rezoning request were notified and three (3) comment forms were returned in favor of the request and two (2) forms were received in opposition.

Commissioners and Legal staff expressed concern regarding parking for this PDD. A restaurant, church, and cultural center on this property could cause overflow parking onto Jameson Street that is bounded by residential structures on the south.

Mr. Armstrong informed the Commissioners that any amendment to this PDD, as proposed, must be brought back before the Planning and Zoning Commission. Additional concerns expressed by Commissioners pertained to landscaping, building use and the lack of a master plan for this area. Mr. Armstrong stated that hopefully the concerns of the Commissioners will be addressed in the public hearing.

Ms. Campos opened the public hearing. No one came forward to speak regarding this case and Ms. Campos closed the public hearing.

Mr. McClarty stated that he feels that in this case a Maser Plan should be attached to the ordinance.

**Mr. McClarty moved to table Z-2006-44 with the condition that a Master Plan be attached to the Ordinance providing information as to uses. Mr. Famble seconded the motion and the motion carried by a vote of six (6) in favor (Campos, Famble, Harkins, Long, and Luther and McClarty) to none (0) opposed.**

b. Z-2006-45

Public hearing and possible vote to recommend approval or denial to the City Council on a request from BGH, Inc. and RGP Enterprises, Inc., agent Becky Bollinger, to rezone 12.03 acres from LI (Light Industrial) and HI (Heavy Industrial) to HC (Heavy Commercial) zoning, located at 2009 Industrial Boulevard. Legal description being Lot 107, Block A, Industrial Trade Center Addition, Abilene, Taylor County, Texas.

Gloria Brownell provided the staff report for this item. The request is to rezone 12.03 acres from LI and HI to HC. The property is located adjacent to a railroad right-of-way that runs along the eastern boundary. The western portion of the property has been developed with various commercial uses and the eastern portion remains vacant.

The property was annexed in 1957 and zoned M-3 (General Industrial) until it was modified to Light Industrial with the new Zoning Ordinance in 1974. Sixteen acres along the railroad right-of-way were rezoned to Heavy Industrial in 1996 in preparation for a tentative deal with a roofing company to use part of the land for outdoor storage. The roofing company eventually located further south along Crawford Drive, leaving the eastern portion of the subject parcel vacant.

Although the subject parcel is located in the middle of a sizeable district of industrial zoning, the area has recently developed with primarily commercial and office uses. The applicant is currently in the process of constructing a new building that will house multiple retail spaces for lease. The LI and HI zoning districts allow only a limited amount of retail uses, and the applicant wishes to rezone to a commercial zoning district that will provide more flexibility for future tenants of the site.

Property owners within 200 feet of the rezoning request were notified. One (1) comment form was returned in favor of the request and none (0) opposed.

Planning staff recommends approval of this request.

Ms. Campos opened the public hearing. No one came forward to speak regarding this case and Ms. Campos closed the public hearing.

**Dr. Long moved to approve Z-2006-45. Mr. Harkins seconded the motion and the motion carried by a vote of six (6) in favor (Campos, Famble, Harkins, Long, and Luther and McClarty) to none (0) opposed.**

c. Z-2006-46

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Hendrick Medical Center, agent Duane Martin, to rezone property from RM-3 (Multi-family Residential) to O (Office) zoning, located at 1658 Hickory Street. Legal description being Lot 4, Block 25, College Heights Addition, Abilene, Taylor County, Texas.

Gloria Brownell provided the staff report for this case. The request is to rezone property from RM-3 to O. The property is currently developed with a single-family home. It is located one block west of the new Texas Tech Pharmacy School site and directly south of an existing hospice and office that are located in converted residences. The rear portion of the subject parcel is already being used as an extension of the unimproved parking area adjacent to the alley.

The applicant intends to convert the existing residential structure into a medical office and use the rear portion of the lot for additional parking. The subject parcel is bordered by single-family homes on two sides, and offices on the other two. Extension of the Office zoning district further south would not constitute an incompatible encroachment into the existing neighborhood due to the fact that it will provide an additional buffer from the intensity of uses located further to the northwest.

The Comprehensive Plan designates the area northeast of the subject parcel as a Special Activity Center that encompasses both Hendrick Medical Center and Hardin-Simmons University. Each Special Activity Center should promote its own unique character and provide a mix of supportive uses that are compatible with the primary assets of the area and the surrounding neighborhoods. The conversion of a single-family residential structure for medical office use represents a good

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compromise between the scale and character of the residential area while still allowing expansion of the viability of the regional medical services offered within the area.

Property owners within 200 feet of the rezoning request were notified. Staff received several comment forms from residents in the area in favor of this request.

Planning staff recommends approval of the rezoning request.

Mr. Santee asked at what point would it be required that the parking area be improved.

Mr. Harkins asked if the change in use and meeting of the building codes would trigger the parking and pavement requirements (Certificate of Occupancy).

Ms. Brownell stated that this issue must be researched.

Mr. Santee also asked about screening of the parking area.

Ms. Brownell stated that screening is not required in Office zoning.

Ms. Campos opened the public hearing. No one came forward to speak regarding this case and Ms. Campos closed the public hearing.

Dr. Long asked why the rezoning request was not for the entire block.

Ms. Brownell stated that there are occupied residences in the area and for this reason staff did not believe it appropriate to rezone the entire block.

Ms. Campos reopened the public hearing.

Mr. Scott Senter stated that conventional VA and FHA financing cannot be obtained for structures in nonresidential areas (such as Office zoning). This is one reason that the City does not initiate the rezoning of entire blocks where single-family residences exist. Office zoning would also increase property taxes in the area.

Ms. Campos closed the public hearing.

**Mr. McClarty moved to approve Z-2006-46. Dr. Long seconded the motion and the motion carried by a vote of six (6) in favor (Campos, Famble, Harkins, Long, and Luther and McClarty) to none (0) opposed.**

**Item Seven: Citizen Proposals for the Capital Improvements Program**

Public hearing for citizen proposals of projects and general comments regarding the 2007-2011 Capital Improvement Program.

Gloria Brownell provided an overview of the 2006-2010 Capital Improvements Program for the City of Abilene.

The CIP is a 5-Year Plan that identifies needed capital projects and coordinates the financing and timing of these projects. The CIP is a method of planning for the effective and efficient

provision of public facilities, infrastructure improvements, and the acquisition of property and equipment.

The CIP Process is conducted as follows:

- Department heads submit project proposals
- Projects reviewed by team of department heads
- P&Z Commission review & recommendation to City Manager
- City Manager Review & Recommendation
- City Council Review & Approval

Generally, capital improvement projects are defined by the following:

- Project must be long term in nature (minimum life expectancy of 15 years)
- Cost in excess of \$25,000
- Includes professional services, new and/or renovated facilities, major equipment purchases, and property acquisition

#### CIP Financing

- Fiscally constrained for the entire 5-Year Plan.
- The first year of the CIP (2006) represents the City Manager's recommendation for the annual Certificate of Obligation (C.O.) sale.
- Projects scheduled for subsequent years are approved for *planning purposes* only and do not receive expenditure authority until they are part of the *Capital Budget*.

#### CIP Recommendations – 2006

|                        |                    |
|------------------------|--------------------|
| Municipal Facilities   | \$1,962,410        |
| Drainage               | \$ 94,400          |
| Park                   | \$ 284,000         |
| Public Safety          | \$ 903,500         |
| Street                 | \$1,156,332        |
| Traffic/Transportation | \$ 820,000         |
| Other                  | <u>\$ 621,750</u>  |
| <b>TOTAL</b>           | <b>\$5,842,392</b> |

Citizens have been encouraged to participate in the CIP process by telephone, in person, or via the internet. Many CIP suggestions/recommendations were received by City staff.

Ms. Campos opened the public hearing.

Ms. Eloise Pettus stated that there are many streets within the City of Abilene that do not have proper and adequate markings, particularly for night time driving. These streets include Southwest Drive, Industrial Boulevard, and South 14<sup>th</sup> Street.

Ms. Lynne Keightley reiterated the concerns expressed by Ms. Pettus and asked that the lane markers for South 14<sup>th</sup> Street, Butternut, and North and South 1<sup>st</sup> Streets be improved so that the lane markers are visible. Ms. Keightley stated that South 11<sup>th</sup> Street needs to be rebuilt; the timing of the traffic signals at Shelton and South 1<sup>st</sup> need to be reconfigured. Also, the length of



the signals South 3<sup>rd</sup> Streets and Sayles Boulevard are entirely too long; and, the new traffic signal on South 14<sup>th</sup> Street does not allow a left turn.

Mr. Billy Enriquez addressed the needs of the Sears Neighborhood. Mr. Enriquez stated that the Sears Park Revitalization Committee has developed three (3) plans to present to the Commission – short-term, mid-term, and long-term plans. Some of the issues covered by Mr. Enriquez included the installation of benches and improved lighting along the walking track at Sears Park; increased parking spaces and improved surface for parking; sidewalks; covered bus stops; and, additional land for a park.

Mr. Charlie Jordan requested the installation of bike paths to connect all of Abilene. Mr. Jordan stated that many citizens bike in the section of town in which he lives (south Abilene) and throughout the City and the increasing traffic poses a very serious threat to individuals utilizing this mode of transportation.

Ms. Nancy Brock, representing Friends of the Library, stated that in addition to the permanent south side library branch, a library is needed for the north side of the City of Abilene.

Mr. Scott Senter thanked the Commission for citizen input for the Capital Improvement Program projects. Mr. Senter stated that with the installation of the new Kohl's store it is important to improve Sharon Road and open this road as a through road– this will open this area for development. Mr. Senter asked the Commission to also consider the improvement of Old Forrest Hill Road including improvement of water and sewer lines in this area.

Mr. Brad Carter, representing the Cedar Creek Neighborhood Association, requested that two issues be addressed: Sidewalks in the Cedar Creek Neighborhood and street improvements for College Drive. Mr. Carter distributed information regarding these two issues to the Commissioners.

Mr. Calvin Bynum requested four areas be addressed: (1) Street improvement for EN 10<sup>th</sup> Street (requested that this area be a priority as it is an entryway into the City; (2) Industrial Boulevard and Loop 322 (this may be State highway); (3) Industrial Boulevard and South Treadaway (the State has improved Industrial Boulevard and the City needs to improve approximately 100 feet on each side of industrial; and, (4) South 14<sup>th</sup> Street and Leggett.

Ms. Campos closed the public hearing. Ms. Campos stated that the Commission appreciates citizen input for this process and all requests will be given consideration. Ms. Campos informed everyone that additional input may be submitted via the telephone or the City's website.

**Item Eight:                   Annexation Plan**

Public hearing and possible vote to recommend approval or denial to the City Council on the proposed Three-Year Municipal Annexation Plan

Gloria Brownell stated that staff has prepared a Three-Year Annexation Plan in accordance with the requirements of Section 43.052 of the Texas Local Government Code. The Comprehensive Plan specifically addresses the use of annexation as a tool to “manage future growth, ensure fiscal responsibility, and plan for cost-effective expansion of infrastructure systems.”

Ms. Brownell provided maps of four (4) study areas that City staff determined warranted further consideration and research. One issue taken into consideration was the decibel level for those areas situated near Abilene Regional Airport and Dyess Air Force Base.

Area A is in the southeast portion of Abilene between Hardison Lane and Colony Hill Road; Area B is south of Abilene Regional Airport; Area C is located on both sides of FM 18; and Area D is situated directly south of Dyess Air Force Base.

The timeline for the Three-Year Annexation Plan is as follows:

November 16 - City Council Discussion

December 7 - City Council Public Hearing/second and final reading/possible date of adoption by Council

January 1, 2007 – June 1, 2008 - Notification of property owners and development of Final Service Plan

December 7, 2009 – January 7, 2010 – Final Annexation proceedings

From January 1, 2007 – June 1, 2008, the following proceedings will occur:

- Property owner notification
- Formally request service providers to prepare an inventory of services in the areas identified by the Plan
- City staff will compile inventory and make available for review
- Public hearings are conducted at two (2) City Council meetings
- County Commissioner's Court appoints representatives from each area to negotiate projected service levels for their area
- City officials and appointed representatives prepare the Final Service Plan

Ms. Campos opened the public hearing.

Mr. Tom Cowley, Manager of the Potosi Water Supply Corporation, addressed Areas A and B. Mr. Cowley stated that in Area A from FM 1750 down Hardison Lane to the east a 2 inch water line is in place and serves only three residences in this area. Mr. Cowley stated that Colony Hill Road is also served by a two inch water line. A two inch line will not provide fire protection for these areas. Area B (Allen Acres and Miller Lane) is supplied by way of Potosi Road. If these areas are annexed and the Potosi Water Supply Corporation ceases to serve the area, the City must install a line from FM 1750 to Allen Acres. Mr. Cowley stated that the Potosi Water Supply Corporation must decertify the area before the City can install lines. Mr. Cowley stated that he received a letter on Friday, November 3, 2006, stating, "the Potosi Water Supply Corporation currently provides service for this area and has not released its records for review." Mr. Cowley stated that the Potosi Water Supply Corporation has not received a request for their records. Mr. Cowley stated that the current contract with the City of Abilene the PWSC must be compensated (fair market value less depreciation for the lines plus compensation for loss of revenue). In these two areas proposed for annexation there are currently 76 meters of water lines. Mr. Cowley stated that it is his understanding that State law requires provision of fire protection immediately following annexation. Mr. Cowley stated that at this point the PWSC is attempting to protect their customers and they stand to lose revenue if these areas are annexed. Mr. Cowley stated that his point is that Abilene City staff should have investigated the current facilities and what must be provided if the area is annexed.

Ms. Claudia Clinton stated that she currently resides on Catclaw Drive within the City limits of Abilene and will be moving very soon into a home in annexation Area B on Colony Hill Road.

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Ms. Clinton stated that in both areas she is aware of the noise contours and air traffic from both Dyess Air Force Base and Abilene Regional Airport. Ms. Clinton stated that the noise is not a factor and cannot understand why staff is utilizing the noise contours as a reason for annexation. Ms. Clinton stated that most of the attendees at this meeting oppose annexation. Ms. Clinton stated that anyone involved with the annexation process will agree that it takes 10 to 20 years to recoup just the cost of the basic infrastructure that must be provided. Ms. Clinton stated that she cannot see any reason for annexation. Ms. Clinton provided the Commissioners with an alternative plan to protect the citizens in this area from the noise, which involved zoning in the ETJ (according to the Local Government Code) that would protect the airport and citizens and address the noise issue. Ms. Clinton provided the Commissioners with a petition signed by approximately 46 individuals opposing annexation. Ms. Clinton requested that the Commission deny this item and ask staff to determine if there is a less restrictive alternative to annexation.

Mr. Will Rollins with the View-Caps Water Supply Corporation stated that his concern is with Area D. Mr. Rollins stated that he understands that the City wants to control development at the end of the runway; however, he believes that can be accomplished through an amendment to the water contract with the City without the annexation process.

Mr. Dennis Reiling stated that in 1995 an Abilene/Buffalo Gap/Taylor County/Jones County Zoning Board was in force for the distinct purpose of zoning the area around Dyess Air Force Base. An extensive article appeared in the Abilene Reporter-News on May 19, 1996, regarding this board. Mr. Reiling recommended that the Commission investigate as to whether or not this Board still exists.

Mr. Tom Clark stated that he lives in the area designated as Area B of the annexation study areas and has lived there for approximately 20 years. Mr. Clark stated that everyone he knows in the area has chosen to live there. Mr. Clark stated that he does not understand the statement “Protect the airport” – from what is the airport being protected? Additional costs to the City of Abilene include water, sewer, police, and fire.

Ms. Evelyn Tilbrook stated that she does not need City services and does not want City services. Development in the area would affect drainage – much of the area is a flood area and a great deal of the land is not developable.

Ms. Doris Island stated that her concern regards the land in Area B. Ms. Island stated that to her knowledge every tract of land in the area has been sold except for perhaps one tract. Therefore, there should be no more homes built in this area (Allen Acres and Spring Creek both have 10 acre minimum tract size). Ms. Island stated that they do not need the services that the City has to offer at the expenses it would cost.

Mr. Jim Goodwin also expressed concern regarding Area B. Mr. Goodwin stated that noise is not a problem for him and annexation would eliminate hunting on his property. Mr. Goodwin stated that annexation would pose a serious burden for the City.

Mr. Dwain Vogler stated that his 200 acres of property lies within Area A. Mr. Vogler stated that his sources of income from this property include cattle, farming and hunting. Mr. Vogler stated that he understands that if the area is annexed his hunting lease rights will be taken away and asked that this be considered as this is a valuable part of his income. He asked the Commission to reconsider and deny this request for annexation.

Mr. Ken Barbian stated that he believes the City has set a precedent by annexing only the development around Sugarberry Avenue. Mr. Barbian stated that the City Council set the standard by allowing this development and leaving the remainder of the area out of the City limits. Mr. Barbian requested that the Commission deny any annexation plans for this area except for those areas where a developer requests annexation and is responsible for the installation of roads and water lines to City standards.

Ms. Campos closed the public hearing and called a five-minute break.

Mr. Jon James clarified the purpose of the annexation plan:

1. Adding the proposed areas into a plan triggers the three-year process during which staff must proceed through a number of steps, including the detailed research on existing infrastructure. State law requires that the County appoint a committee of citizens within these areas specifically to negotiate a service plan with the City. This also allows the City a period of time in which to prepare the detailed analysis for annexation. The Commission's decision today would not be to decide whether or not to recommend annexation of these areas – it is simply to initiate a three-year plan that would trigger the analysis studies. At the end of the three year time period or anywhere between now and three years, the City Council can decide to remove areas from the plan. Alternatively, at the end of three years, the City Council could decide to annex the proposed areas. At this point, staff is not recommending annexation of these areas but rather these areas require further study for consideration of annexation.
2. This item has been considered by the Airport Board and they did recommend approval of annexation. Staff has also received the support of Dyess Air Force Base (Area D).
3. Staff is moving forward on the issue of a Joint Airport Zoning Board (County, City and other impacted jurisdictions).

Mr. Harkins asked if there is a mechanism available other than annexation to protect the airport areas from overdevelopment.

Mr. James stated that the Joint Airport Zoning Board would be one way to impose zoning regulations – height, land use, etc.

Ms. Campos reopened the public hearing.

A member of the audience stated that the reason for his attendance at this meeting was due to the wording of the notification letter he received, “Public hearing and possible vote to recommend approval or denial to the City Council on the proposed three year municipal annexation plan.” For zone changes considered earlier in the meeting, staff listed the number of individuals notified in favor or in opposition of the request and asked the Commission to note that not one person present has spoken in favor of the annexation plan. Attendees are requesting the Commission to deny recommending annexation to the City Council.

Ms. Clinton provided the Commissioners with information regarding less restrictive means for regulations in this area. Ms. Clinton stated that there are other avenues available besides annexation.

Ms. Campos closed the public hearing

**Mr. McClarty moved to forward Areas C and D to the City Council to continue the annexation planning process. Dr. Long seconded the motion and the motion carried by a vote of six (6) in favor (Campos, Famble, Harkins, Long, Luther, and McClarty) to none opposed.**

**Mr. McClarty moved to table Areas A and B with direction to staff to research the other options that have been provided to the Commissioners (Government Regulations and Airport Zoning Board in conjunction with other entities to come up with other means of protecting the areas). There was not a second to Mr. McClarty's motion and the motion failed to carry.**

**Mr. Harkins moved that Areas A and B be added to the areas to be sent forward to the City Council for study. Mr. Luther seconded the motion and the motion carried by a vote of four (4) in favor (Campos, Famble, Harkins, and Luther) to two (2) opposed (Long and McClarty).**

**Item Nine: Committee Appointment**

Committee Appointment

- a. Appointment of two Commissioners to the Land Development Code Review Committee.
- b. Appointment of two Commissioners to the Extra-territorial Jurisdiction Ordinance Review Committee.

Ms. Campos stated that in order to expedite this process, she visited with Commission members and the following appointments have been made:

Land Development Code Review Committee: Jack Harkins and Tim McClarty

Extra-territorial Jurisdiction Ordinance Review Committee: Lydia Long and Fred Famble

Jon James stated that the Land Development Code Review Committee will review the entire Land Development Code. There will be a subgroup to review specific items; e.g. landscape architects to review landscaping requirements; sign company representatives to review the sign regulations. In addition to the Planning and Zoning Commissioners, two City Council members will be a part of the Land Development Code Review Committee.

In addition to the two Planning and Zoning Commissioners serving on the ETJ Ordinance Review Committee, representatives from the various Water Supply Corporations and developers will serve on this Committee.

**Mr. McClarty moved to accept the Planning and Zoning Commissioners recommendations for the Land Development Code Review Committee and the Extra-territorial Jurisdiction Ordinance Review Committee. Mr. Luther seconded the motion and the motion carried by a vote of six (6) in favor (Campos, Famble, Harkins, Long, Luther, and McClarty) to none opposed.**

**Item Ten: Director's Report**

- a. Discussion of the possibility of adding a second monthly meeting.

Mr. James stated that this item is a result of the issues that will be discussed by this Commission in the months ahead, e.g., the Land Development Code, Landscape and Urban Design, Sign Ordinances. A great many Texas cities hold two Planning and Zoning Commission meetings per month. The second meeting of the month could be a standing meeting date to be utilized as required. Other options include called meetings or reserve the third Monday of each month for special planning issues or ordinance revisions (not zoning cases, subdivision plats).

Ms. Campos stated that for months the Planning and Zoning Commission has had very lengthy meetings. When this idea was first introduced, Ms. Campos stated that she thought two meetings would be held every month. Since learning the second meeting will be for specific issues and only meet if required, this is a good plan.

Mr. McClarty recommended that the second meeting of the month be an evening meeting. Ms. Campos agreed with this recommendation. Staff will research possible conflicts with a Monday evening (school board, etc.) and report back to the Commissioners

- b. Recent City Council decisions regarding items recommended by the Planning & Zoning Commission.

Staff provided the Commission members with a memorandum regarding recent Council actions of recommendations forwarded from the Planning and Zoning Commission.

**Item Eleven: Adjourn**

There being no further business, the meeting was adjourned at 4:45 p.m.

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| Approved: _____, Chairman |
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