
PLANNING & ZONING COMMISSION

February 5, 2007

Minutes

Members Present: Ovelia Campos
Eddie Boykin
Fred Famble
Jack Harkins
Lydia M. Long
Tim McClarty

Members Absent: Jeff Luther

Staff Present: Jon James, Director of Planning and Development Services
Dan Santee, Interim City Attorney
Trish Aldridge, Assistant City Attorney
Ed McRoy, Assistant Director of Planning and Development Services
Jeff Armstrong, Development Services Manager
Gloria Elder, Planner II
JoAnn Szech, Executive Secretary (Recording)

Others Present: Bill E. Cox
Richard Bosserman
J. Downs
Shannon Sanchez
Ruby Morin
Scott Walker
K.D. & Eva Kellean
Elaine Adams
Joan Foster
Jack & Ruby Yates
Ken Musgrave
Bob Hammond

Media Present: Sarah Kleiner-Varble, Abilene Reporter-News.

Item One: Call to Order

Ms. Campos called the meeting to order at 1:30 p.m. and declared a quorum present.

Item Two: Invocation

Mr. Famble gave the invocation

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

Item Three: Approval of Minutes

Mr. Harkins moved to approve the minutes of the January 2, 2007, 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., d, e., and f.). Ms. Brownell stated that staff is recommending approval of these plats as all meet Subdivision Regulation requirements.

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 Plat Items a., b., c., d., e., and f. Mr. Boykin seconded the motion and the motion carried by a vote of six (6) in favor (Boykin, Campos, Famble, Harkins, Long, and McClarty) to none (0) opposed.

Item Five: Rezoning Requests

a. Z-2007-01

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Amarillo Street Historic District Committee to apply Historic Overlay zoning to create a historic district, located along the east and west sides of Amarillo Street between S. 6th and S. 14th Streets, and along the west side of Meander Street between S. 6th and S. 7th Streets. Legal description being Block H, H. Ward Subdivision; Blocks C and 7-9, and the western halves of Blocks 4-6, Alta Vista Addition; the western half of Block 1, McMurry Heights Addition; the western half of Block 13, B. Austin Subdivision; Lots 1-8 and 13-16, Block C, the western halves of Blocks C, E, G & J, and the eastern halves of Blocks A, B, D, F, & H, Continuation 5, Highland Addition; and the north 156.5 feet of the east 135 feet of the west half and the north 156.5 feet of the west 140 feet of the east half of Lot 1, the south 156.75 feet of the eastern 140 feet of the western half and the south 156.75 feet of the western 140 feet of the eastern half of Lot 8, Block 3, B. Austin Subdivision, Abilene, Taylor County, Texas.

Larry Abrigg presented the staff report for this case. Mr. Abrigg stated that this request was considered by the Landmarks Commission on January 25, 2007, and approved the recommendation to forward this request to the Planning and Zoning Commission. On January 30, 2007, a subcommittee meeting was held to discuss design guidelines for this district. Following this subcommittee meeting, the applicant requested that a recommendation to table this item be submitted to the Planning and Zoning Commission pending further meetings of the design guidelines subcommittee. Staff's recommendation is to open the public hearing to receive input from the applicant and others in attendance to determine if they concur with staff's recommendation of tabling the request.

Mr. Harkins asked Mr. Abrigg if the Planning and Zoning Commission would be approving the design guidelines along with approval of the district.

Mr. Abrigg responded affirmatively.

Ms. Campos opened the public hearing.

Mr. Bill Cox stated that he is a member of the committee that has met for the past two years tasked with developing a recommendation for a historic district. Mr. Cox stated that a meeting was held last Tuesday with proponents and opponents of the zoning request to in order to reach a consensus for the historic district. Mr. Cox requested that the Planning and Zoning Commission table this item until next month.

Ms. Campos closed the public hearing.

Mr. Boykin moved to table Z-2007-01. Mr. McClarty seconded the motion and the motion carried by a vote of six (6) in favor (Boykin, Campos, Famble, Harkins, Long, and McClarty) to none opposed.

b. Z-2007-06

Public hearing and possible vote to recommend approval of denial to the City Council on a request from Trophy Abilene I, L.P., agent Scott Walker, to rezone property from SC (Shopping Center) to PDD-103 (Planned Development District) zoning, located at 6401 Directors Parkway. Legal description being 1.221 acres out of Lot 302, Block A, Section 1, Antilley Square Addition, Abilene, Taylor County, Texas.

Gloria Elder presented the staff report for this item. The request is to rezone 1.22 acres from SC to PDD-103. The property is currently under construction for a new specialty hospital adjacent to the existing medical mall. It is situated across Directors Parkway from PDD-99, which includes hotel and restaurant uses. PDD-103 mirrors the high aesthetic standards of the other PDDs in the area.

The subject property was annexed in 1980 and rezoned from AO to Shopping Center zoning in 1983.

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 is currently developing the subject parcel with a specialty hospital in support of the Regional Medical Center, but there will be additional acreage available for retail or other mixed-use development in the future. After beginning the design process following the approval of their rezoning request, the developers determined that the site may 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.

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 on the west side 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 Shopping Center zoning.

Property owners within 200 feet of the rezoning request were notified. Two (2) comment forms were received in favor of the request and none (0) in opposition. Planning staff recommends approval of this request.

Ms. Campos opened the public. No one came forward to speak in favor or in opposition of the rezoning request and the public hearing was closed.

Mr. Boykin moved to approve Z-2007-06. Mr. Harkins seconded the motion and the motion carried by a vote of five (5) in favor (Boykin, Campos, Famble, Harkins, and Long); one (1) abstention (McClarty) and none (0) opposed.

Item Six: Capital Improvement Program

Public Hearing, discussion, and possible vote to recommend the proposed 2007-2011 Capital Improvement Program to the City Manager.

Ed McRoy presented information regarding the Capital Improvement.

The Capital Improvements Program (CIP) is a five-year plan for major non-recurring capital projects that uses a range of funding sources. CIP projects are long-term investments rather than day-to-day operating expenses. Typical items include infrastructure and assets that are relatively costly, (\$25,000+) and that are expected to have a long life, (15+ years). Typical projects in a CIP include the acquisition, upgrading or major repair of streets, water lines, sewer lines, drainage facilities, large vehicles, buildings, parks, major equipment or similar projects. Two major goals for the CIP this year have been to focus on critical infrastructure and to improve the stability and predictability of the out-years (2008-2011). Emphasis was placed on evaluating projects for their potential to prevent future costs, to eliminate risks, and/or to provide cost savings. Additionally, staff is proposing greater use of cyclical and programmatic funding to reduce fluctuations in out-years.

Commissioners were provided with a three-ring binder that includes an introduction to CIP concepts, summary sheets, maps, charts and detailed project sheets explaining the various projects. The first year of the CIP (2007) is the Capital Budget. Projects approved in this first year (2007) will be authorized for funding. Projects scheduled for the subsequent years (2008-2011) are included in the CIP for planning purposes only. They will not receive expenditure authority until they are part of the current year. Projects not in the current 5-year window have been designated as “unfunded” and included in their own section. Unfunded projects are held in reserve in the event that unanticipated funding becomes available. They are also kept on file for consideration during future CIP years.

Commissioners were also provided with a memorandum highlighting CIP changes, trends, and items of interest. This information included the following:

- 2007 Bond Capacity dropped 31.1% from \$5.8 million in 2006 to \$4 million.
- 5-Year Bond Capacity (2007-2011) dropped 3.4% from \$13.05 million to \$12.6 million
- 85% of 2007 projects are for Public Safety, Transportation, or Building projects
- Two (2) fire trucks need replacement this year, (\$900,000). This represents 22.5% of the total CO budget. The 2006 CIP anticipated replacement one of these trucks in 2007.
- The 2007 “funded” list has eight projects making their debut, five projects being delayed, five projects with increased funding, and two with reduced funding.
- Street funds are proposed to increase as a percentage from 20% in 2006 to 45% in 2007.

- 5-Year funds for Transportation and Drainage are proposed to increase as a total percentage from 49% up to 60% of “funded” projects.
- Public Safety funds are proposed to increase as a percentage from 15% in 2006 to 26% in 2007.
- 5-Year funds for Public Safety are proposed to decrease as a total percentage from 15% down to 8% of “funded” projects
- Park funds are proposed to increase as a percentage from 5% in 2006 to 15% in 2007.
- 5-Year funds for Parks are proposed to increase as a total percentage from 11% up to 21% of “funded” projects
- Building funds are proposed to decrease as a percentage from 31% in 2006 to 14% in 2007.
- 5-Year funds for Buildings are proposed to decrease as a total percentage from 19% down to 11% of “funded” projects
- The “Other” funds category used for miscellaneous projects does not include any funded projects for the 2007-2011 CIP.
- The smallest project on the funded list in any one year is \$25,000 the largest is \$900,000.
- Individual project sheets have been expanded to provide more detailed information.
- Subtotals have been included in summary sheets for broad categories of projects.
- A spending cap target for the 2008-2011 years of 5% was implemented.
- Citizen comments were a factor in seven (7) projects being placed on the “funded” list.

A special “called” meeting of the Planning and Zoning Commission has been scheduled for February 19, 2007, at 5:30 p.m. to allow additional time for consideration of this item. The City Manager will receive the Planning and Zoning Commission’s recommendation and forward a final staff recommendation to the City Council on March 8th. A public hearing and final action by City Council is anticipated for March 22nd.

Planning staff recommends approval of the CIP as presented.

Ms. Campos opened the public hearing. No one came forward to speak in favor or in opposition of this item and the public hearing was closed.

Tim McClarty stated that approximately three (3) years ago the Planning and Zoning Commissioners recommended the introduction of a homeless shelter, funded through the CIP program. Although not recommended by staff, the Planning and Zoning Commission voted unanimously to include this project in the CIP program. Mr. McClarty asked staff if any action has been taken on this item.

Mr. James stated that the role of the Planning and Zoning Commission is to make a recommendation. The Commission can, at its discretion, add projects, delete projects, change the funding, and shift projects to different years. Therefore, it is not out of the question for this Commission to recommend projects that have not been included in the CIP program.

At this point Mr. McClarty read a statement and referred to a newspaper article, both of which are attached to these minutes as Exhibit A (statement) and Exhibit B (newspaper article).

Mr. McClarty moved that the Planning and Zoning Commission table this issue (CIP) until further research is done by the City of Abilene staff.

Mr. Harkins asked Mr. McClarty if this is his motion.

Mr. McClarty stated that his motion is to table this item until the City staff makes more of an effort toward getting this item into the CIP as instructed by the Planning and Zoning Commission back in 2004.

Trish Aldridge, Assistant City Attorney, stated that she did not believe a motion is not required. Ms. Aldridge stated that Mr. James noted Mr. McClarty's comments and is confident that staff will look into this matter.

Mr. James stated that staff will bring back information on this issue at the Commission's next meeting. If at that point the Commission determines that the information is not sufficient, the item could be tabled at that time.

Mr. McRoy requested that the Commissioners contact City staff by email, telephone, etc. regarding questions pertaining to the CIP program.

Ms. Campos reiterated that a special meeting of the Planning and Zoning Commission will be held on Monday, February 19, 2007, at 5:30 p.m. in the City Council Chambers.

Item Seven: Director's Report

a. Status update on the Land Development Code and interim ordinance amendments.

Mr. James stated that a number of committees have been appointed to review the Land Development Code. All of these committees have met recently.

- The ETJ Committee met and came to a general consensus on the ETJ Ordinance Amendments. This information has been reviewed by the Planning and Zoning Commission and forwarded to City Council. The City Council tabled this issue pending the recommendations of the ETJ Committee.

Mr. Boykin asked the reason for the Council tabling the issue.

Mr. James responded that the primary "change" was the creation of an Interim Rural Standard Street which will be allowed in the ETJ. Such a street will be constructed in such a manner that the street could be converted to a curb and gutter street. This is different from a typical county road that provides ditches on either side of the street for drainage purposes.

- The Landscaping and Urban Design Ordinance Review Committee reviewed the ordinance tabled by this Commission a couple of time ago. This group developed recommendations, although not unanimously, that will be presented to this Commission at their next meeting. Prior to this meeting, the Commission will receive the recommendations of the Landscaping Committee as well as staff recommendations. Staff will list specific issues addressed by this Committee.
- The Sign Ordinance Review Committee met and because of the suspension of billboards at this time, it was decided to focus only on billboard regulations in order to complete these regulations prior to the end of the six month suspension

period. The remainder of the sign ordinance has been delayed for a few months. The Sign Ordinance Review Committee arrived at a consensus regarding addressing billboards within the City and the Commission will be receiving this information at their March 5, 2007, meeting.

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

Commissioners were provided with a memorandum outlining final decisions by the City Council on recommendations from the Planning and Zoning Commission. The Council requested that Dunkin, Sefko, Consultants for the Land Development Code, provide a status update. Following this update, the Council authorized the continuation of Phase II (writing of the code) of this project. It is anticipated that a first draft of this code will be received within the next couple of months. This draft will be released to the City Council, the Planning and Zoning Commission and the public for review.

Item Eight: Adjourn

There being no further business, the meeting was adjourned at 2:40 p.m.

Approved: _____, Chairman
