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**PLANNING & ZONING COMMISSION**

**February 19, 2007**

**Minutes**

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

Members Absent: Eddie Boykin  
Jeff Luther

Staff Present: Jon James, Director of Planning and Development Services  
David Vela, Assistant City Attorney  
Dan Santee, Interim City Attorney  
Mike Hall, Director of Community Services  
David Wright, Director of Finance  
Paul Knippel, Director of Public Works  
Alan Plumlee, Interim Fire Chief  
Odis Dalton, Assistant Director of Finance  
Mark Moore, Assistant Chief of Police  
Ed McRoy, Assistant Director of Planning and Development Services  
Gloria Elder, Planner II  
Justin Fortney, Planner II  
Lowell Phillips,  
JoAnn Sczech, Executive Secretary (Recording)

Others Present: Anthony Williams, City Councilman  
Sam Chase, City Councilman  
Terry Franklin  
Brian & Linda Cargile  
Randy Halstead  
Kenneth L. Musgrave  
Theodore M. Polovy  
Tommie Harendt  
Bob Hammond  
Scott Senter  
Ken P. Musgrage  
Georginana Reagan  
Greg O. Rake  
Susan Moellinger  
Nancy Capra  
Martha Smallwood  
Betsy Mosley  
Randy Perkins  
Heather Beker  
Jackie Sledge  
Leigh S. Black

Maura dela Cruz  
Paul Johnson  
David McMeekan  
Thelma Gray

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

**Item One: Call to Order**

Ms. Campos called the meeting to order at 5:34 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: Capital Improvement Program**

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

Mr. Ed McRoy presented a brief overview of the CIP program and the actions that have occurred to date. 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

Commissioners were also provided with a memorandum highlighting changes in the CIP since the February 5, 2007, meeting. This information included the following:

- Project 1530-02-05 - Boiler Replacement – minus \$104,300.
- Project 5025-01-07 - Forensic Lab - plus \$25,000
- Project 301-01-06 – Crosswalk Improvements – plus \$25,000
- Project 6020-02-06 – Pedestrian Improvements – plus \$40,000

- \$9,800 – Reserve

The purpose of this meeting is to obtain additional citizen input at a public hearing; review the projects; and make a recommendation to the City Manager. Following this meeting, the City Manager will receive the Planning and Zoning Commission's recommendation and forward a final recommendation to the City Council on March 8<sup>th</sup>. A public hearing and final action by City Council is anticipated for March 22<sup>nd</sup>.

Planning staff recommends approval of the CIP as presented.

Ms. Campos opened the public hearing.

Mr. Randy Perkins spoke on behalf of the Christian Community Development Corporation of the Big Country. Mr. Perkins stated that it is his understanding that part of the plan points out the need to reduce the homelessness in families, adults, and children. Mr. Perkins stated that currently Abilene has a major problem with at-risk kids that have nowhere to go for emergency shelter. Mr. Perkins stated that there is a definite need to get young people off the streets and place them within the community. Mr. Perkins stated that their plan is to provide a shelter 365 days a year, seven days a week, 24 hours a day for these at-risk students. The CCDC has developed a service plan, a health plan and an education plan to house these children (11 to 17 years of age) for up to 90 days. The main objective is to bring the child and parent together; however, if this is not accomplished, the goal is to place the child in a place that is best for them.

Ms. Martha Smallwood stated that through a federal grant to serve homeless students and youths, in this region 1000 students have been identified living in unstable family situations. This is a desperate concern and as a caring community Abilene needs to address this issue.

Ms. Betsy Mosley, Counselor at Lincoln Middle School, stated that a stable home environment is not the norm today. A Teen Crisis Center will provide an outlet for troubled youth and help guide them and their families.

Ms. Georgiana Reagan stated that she works with low income families, at-risk youth, and pregnant and parenting teens through the Abilene Independent School District. The program can assist in getting the students back in school, provide transportation, child care, parenting classes, counseling, and agency referral; however, they cannot provide the basic needs of food and shelter.

Ms. Thelma Gray, Presbyterian Children's Home and Services, stated that she works with homeless individuals. Ms. Gray stated that there is a dire need for this service – when you remove children out of the community and away from their support group, you lose them.

Mr. Wil Barbee, School Attendance Officer for the AISD, stated that the possibility of a shelter for Abilene's youth is exciting. Mr. Barbee stated that he would rather pay for providing a shelter for these youths as opposed to placement in the Taylor County Juvenile Justice Center or the Middleton Unit of the prison system. Mr. Barbee stated when an individual is hungry and struggling they will do things they would not ordinarily do in order to survive.

Mr. Greg Rake, special education instructor at Cooper High School, stated that it is hard and almost impossible to educate students who are homeless. Providing food and shelter will not solve all problems, but if given an opportunity to assess needs and assist with “coping” skills, there is a good chance to reunify the family by placing the youth back into their home.

Mr. Randy Halstead, Executive Director of Abilene Hope Haven and member of the West Texas Homeless Network, proposed that the Planning and Zoning Commission add to the CIP funding for a homeless shelter. Mr. Halstead stated that there are two types of shelter that could be discussed: 1) Emergency Shelter – 90 – 120 days; and, 2) Transitional Shelters – 1 or even up to a 2-year stay. Mr. Halstead stated that an identifiable gap existing in Abilene, in terms of both emergency and shelter beds, has to do with the 11-17 age span of unaccompanied youths. There is also no transitional facility for a single person or couple with adolescent children. Mr. Halstead stated that Hope Haven is in full support of the CCDC’s plan and would like to collaborate with them in offering the transitional program component.

Ms. Cecelia Barona with the Salvation Army stated that basically the Salvation Army is the only emergency shelter in this area. Recently the facility has been expanded to create space for families. However, there are no accommodations in this facility for teens (under 17 years of age) unless they are accompanied by their family. Ms. Barona stated that the facility being discussed today is a much needed facility for this City of Abilene.

Ms. Campos expressed her appreciation for everyone attending this meeting and speaking to this situation.

Mr. McClarty stated that they has been a turnover in City staff since this issues was originally raised in January 2003. Mr. McClarty stated that on January 6, 2003, the Planning and Zoning Commission voted unanimously to include a homeless shelter in the CIP. This has not happened. Mr. McClarty stated that he sees no need to make a recommendation or vote again on this item, but would like to know if there is any way of making this recommendation a reality.

Mr. McRoy stated that the construction of a homeless shelter would potentially be appropriate in the CIP, e.g., purchase of land. The CIP is not, however, intended for operational expenses – day to day costs of operating a program. Mr. McRoy stated that at this point, he is unsure if the CIP process could be utilized for repair on a facility owned by another entity, as recommended in the proposal presented at this meeting. CIP processes or programs are typically utilized for City facilities. Staff could potentially begin the studies, preliminary in nature, to determine needs, service area, and the more efficient to serve the community given the resources available. Staff would require additional time to study this proposal.

Mr. McClarty asked Mr. McRoy if he was recommending that the unspent funds for this year (\$30,000) be allotted for consultant services to prepare a feasibility study for this project. At the end of one year or six months when this process has been completed and everyone is comfortable with it, it can then be examined for inclusion within the CIP.

Mr. James stated that at this point, this would not be staff’s recommendation. This is an option available to the Commission – there are serious questions as to whether of not CIP funds can

even be utilized for this proposal. Mr. James stated that he would be hesitant recommending the expenditure of funds on studies, architectural fees, etc., without more specifics as to how the funds would actually be expended. CIP funds have never been utilized for a “third” party (City projects only) and may not be allowed to be used in this manner.

Dr. Lydia Long stated that there is a definite need for this type of facility; however, the proposal submitted to the Commissioners only proposes a total of 13 beds (there are approximately 700 homeless children in the AISD). Dr. Long stated that she is concerned that a homeless shelter is a “band aide” solution to a social problem and they meeting might not be the proper venue for such a discussion.

Ms. Campos asked if CDBG funds could be utilized for this type of project.

Mr. McRoy stated that this funding is a possibility; however, all CDBG funds must be approved by the Department of Housing and Urban Development.

Mr. James stated that a certain amount of CDBG funds are set aside each year for outside organizations. Each year during a specific timeframe application may be made to the City for access to these funds. This is one source that would be appropriate for the type of program being discussed today.

Dr. Long recommended that the proposal submitted at this meeting be clarified and specifics are included, such as: target group, need, etc. A more formal proposal is required as to need, costs, and sources of alternative funding.

Ms. Campos requested that the proposal be resubmitted citing how the City can assist the CCDC achieve their goals.

Mr. McClarty stated that much of this information has been collected by the CCDC and the group should be contacted to obtain the required information. Mr. McClarty stated that he did not want to see this project “shelved,” as it has in the past. Mr. McClarty stated that the homeless in this City need to be taken care of and requested City staff move forward on this project.

At this point, Ms. Campos stated that the Commission would move on to actual 2007 CIP projects.

Mr. Theodore M. Polovy commented on:

- Sidewalks – there is no walkway from Ambler Avenue to Ortiz Elementary School (along Shelton Street)
- Access ramps for wheelchairs (there is a concrete abutment in the walkway south of Pine Street behind the Visitors’ Center from North 1<sup>st</sup> to South 1<sup>st</sup> Street)
- Bus stops - There are many bus stops that do not have benches or enclosures
- Demolition of substandard structures (Abilene Courts on E.S. 11<sup>th</sup> Street and the Saraha Motel on Highway 80)

Ms. Campos closed the public hearing.

Ms. Campos asked Commissioners for questions and/or comments.

Dr. Long asked for information/clarification regarding the following issues/projects:

- Unpaved streets within the City (particularly off Treadaway) – is there a reason these streets remain unpaved? Mr. Paul Knippel stated that many of these streets are low volume (traffic-wise). Staff’s recommendation is to improve the worse streets with the highest volume of traffic and the ones which receive the most complaints from the citizens of Abilene.
- ADA ramps which lead to nowhere. What is the criteria for the installation of an ADA ramp? Mr. Knippel stated that there are two major entities involved in the installation of ADA ramps – the City and TxDOT. TxDOT’s installation criterion is not as stringent as the City of Abilene’s.
- Bus passenger shelter and benches – it would be nice to coordinate ADA ramps leading to a bus stop where an individual could sit on a bench while waiting for the bus. Mr. McClarty stated that the benches do not belong to the City of Abilene – in the past benches have been the responsibility of the Abilene Jaycees. Mr. Knippel stated that he has been unable to locate an agreement between the City and the Jaycees regarding these benches. The bus shelters have been included in the CIP for the CityLink Bus System.
- Northway Drainage Project – Dr. Long asked if the homes on Northway ever flooded. Mr. Knippel stated that to his knowledge, the homes of Northway have never flooded.
- Fire apparatus replacement – Alan Plumlee, Interim Fire Chief, stated that funds for replacement apparatus comes solely from the CIP. Dr. Long asked why funds were not budgeted over a continuing bases rather than a large amount of funds every three to four years. David Wright, Director of Finance, stated that fire apparatus are treated differently from other City equipment (e.g., pickup trucks, police cars). Because of the large dollar amount of fire apparatus, a great deal of funds would be tied up (on paper) annually to purchase fire apparatus which may not be purchased until 15 to 16 years in the future. A great deal of tax dollars would be tied up over this period of time that could have been utilized for services rather than replacement needs. Equipment replacement should be showing up in the CIP “out years” (planning process).
- Forensic Lab – Mark Moore, Assistant Police Chief, represented the Police Department. Dr. Long asked the plans for this facility. The area for the forensic lab will be the area currently being utilized by dispatch. This is about 2000 square feet that will be refurbished for the forensic lab.
- Municipality Facilities – Rose Park Adaptive Recreation Improvements – Mike Hall, Director of Community Services, addressed Dr. Long’s questions. Dr. Long stated that this project is in the year 2009 and wondered why it was not a higher priority. Mr. Hall stated that the previous Senior Citizens Center is being utilized for the adaptive recreation program. The current request is to improve the air conditioning and heating system. This work would trigger updating of the electrical units currently in the building. Dr. Long stated that this project involves a portion of Abilene’s population that is definitely underserved and would like to see this project moved up in the CIP process. Mr. Harkins recommended that this project remain in Year 2009 with the caveat that if a heating or cooling unit becomes inoperable, the City must repair or replace the unit.

Mr. McClarty asked if the Commission could earmark a portion of the funds remaining from the CIP for the investigation of a homeless shelter – whether the funds are spent or not – these funds are earmarked and not utilized for any other purpose until an answer can be determined as to how to address the problem of homelessness.

Mr. McRoy suggested that the way to accomplish this is to include a recommendation in the motion relating to the unexpended dollars that the City Council consider assigning these funds for this task. In its investigation of this issue, staff may determine that this is not an appropriate expenditure or a means of accomplishing this cannot be found. In this way, the additional \$30,000 could be applied to other projects or could be utilized for cost overruns, etc. Mr. McRoy requested that the Commission provide staff with some flexibility if these funds cannot be utilized for this particular project (homeless shelter).

Mr. Harkins stated that it may be determined that it is illegal for the Commission to recommend funds for this project (homeless shelter). It might not be, but it is unknown now so at this time all the Commission can do is to direct staff – this is a project that is a high priority for the Commission and something that should be investigated.

Mr. McClarty asked Mr. Harkins if he thought that funds should not be earmarked for this project – only to direct staff to investigate this project.

Mr. Harkins agreed that this issue should be sent forward as a recommendation from this Commission.

Ms. Campos asked if staff could provide information to the Commission by the April meeting.

Jon James stated that staff will commit to moving forward on this issue and provide the Commission with information as quickly as possible. Mr. James stated that staff will provide an update as to where they are in this process at the Commission's April meeting.

**Dr. Long moved that the Capital Improvements Program recommendations be forwarded to the City Manager. Mr. Famble seconded the motion and the motion carried by a vote of five (5) in favor (Campos, Famble, Harkins, Long, and McClarty) to none (0) opposed.**

**Item Four: Community Appearance**

Public hearing and possible vote to recommend approval or denial to the City Council on a proposal to amend the Zoning Ordinance regarding landscaping, fencing, screening, and urban design regulations.

Mr. John James presented information regarding the Landscaping and Urban Design Ordinance. The Commission has reviewed this information a number of times. This is the culmination of a process that began back in June of 2005. Four (4) meetings were held with the Community Appearance Focus Group and four (4) meetings with the Planning and Zoning Commission, including two (2) public hearing. Staff presented a draft ordinance at a special meeting on July 17, 2006 where the Commission provided additional direction with recommended changes to the draft. At the October 2, 2006, P & Z meeting, these ordinance amendments were tabled to allow the creation of the Landscaping Ordinance Review Committee to review the proposed draft and provide comments and suggestions. This committee was appointed by the City Manager and held two meetings (December 15, 2006 and January 18, 2007). A summary of the committee's recommendations is attached. In addition, the Commission was provided with staff recommendations and response to each of the committee's recommendations.

Given the significant changes to the ordinance that would be required by the Committee's recommendations, staff would like to receive direction from the Commission on each of these issues prior to wholesale revision of the proposed ordinance. Staff provided the Commissioners with a questionnaire of outstanding issues that will be used as a guide for the meeting.

Ms. Campos opened the public hearing.

Mr. Bob Hammond with the Abilene Association of Independent Business Owners stated that the Commission has received good information regarding this ordinance and the Review Committee was a very-rounded group. Mr. Hammond stated that he mailed a copy of his report of the group's work to each of the Commissioners. Mr. Hammond stated that it was very strongly acknowledged that this is a very aggressive and expensive program for the Abilene business community. Mr. Hammond stated that the information provided from these meeting is reliable and trusts that the Commission will help the business community work in tandem – the economics as well as the appearance of this community – to benefit the entire community.

Mr. Scott Senter with Senter Realty stated that he served on both the Comprehensive Plan Committee and the Landscaping Ordinance Review Committee. Mr. Senter stated that he would like to see Abilene grow and develop as some of the planned communities around the Metroplex have, but this is a 125 year old City and some of the features (telephone poles, cell towers, etc.) of this City will not change no matter what regulations are imposed. The City and citizenry of Abilene have built a good City. Mr. Senter stated that some of the recommendations of this Ordinance would not allow some of the structures that have been constructed along the Winter's Freeway – but today are viable and good-looking buildings. Mr. Senter urged the Commissioners to listen to the citizenry of Abilene and the Committee members – Abilene needs to progress but in little steps.

Mr. Paul Johnson with Paul Johnson Associates stated that he served on both of these Committee and concurred with Mr. Senter's comments. Mr. Johnson stated that everyone on the Committees was in favor of improving the appearance of Abilene; however, this should be accomplished in increments otherwise it is too difficult and/or too expensive. Mr. Johnson urged the Commission to review the recommendations of the Committee.

Mr. Kenneth Musgrave stated that he was not on the Ordinance Committee but knows a number of the members. These individuals made many good recommendation for the City of Abilene – they have an interest in Abilene and want to make this a better place in which to live and work. Mr. Musgrave stated that he hoped the Commission would accept the Committee's recommendations rather than City staff.

Ms. Campos closed the public hearing

Mr. James stated that the Committee agreed with much of what was included in the draft ordinance that was recommended by this Commission. Mr. James stated that he would address those areas where staff recommendation is different from that of the Committee.

Questions to be addressed by the Planning and Zoning Commission are as follows:



1. Should the scope of the landscaping ordinance be limited to streetscaping only (eliminating proposed requirements for minimum landscape areas for a site, parking lot landscaping, and tree preservation)?

Mr. James stated that if the Commission agrees with the Committee's recommendation, some of the remaining questions will be unnecessary.

Mr. Harkins stated that as an architect and his personal feeling is that he would like for more to be done. However, having sat through the Committee meetings, streetscaping will be beneficial to the entire community. Secondly, one of the first landscaping items to be addressed for a project will be landscaping near the building. Even though this may not be required, Mr. Harkins stated that the tendency on most projects will be that this landscaping will be completed. What would not always be obtained is streetscaping.

2. Should the landscaping requirements apply to redevelopment?

Dr. Long asked the difference between infill development and redevelopment. Mr. James stated that that infill would be redevelopment in a particular area (these areas have not been defined, however, typically infill development pertains to the older areas of town closer to the City center).

Mr. James stated that when this item was discussed two or three months ago, one of the options presented to the Commission by staff was whether or not to apply these standards across the board or to have lower standards for infill development. The broad consensus of the Commission was that these standards should apply to both infill development and new development.

Dan Santee informed the Commission that staff has been working with the Planning staff and Economic Development staff to determine the scope of this issue – e.g., infill incentives for redevelopment or any type of development; the locations for which these incentives would be available; and, in what form. The challenge for the City is to determine ways to provide incentives, e.g., through the permitting process (waiving a portion of this), taxing incentives, etc. These issues are being investigated, but it will take time to develop a policy that will work for the City.

Mr. James recommended that that Commission discuss this issue after the remaining elements have been discussed and a consensus reached.

3. Should the ordinance require a 10' private landscaping strip adjacent to roads (streetscaping)?

Prior to the vote, Mr. McClarty stated that he would be voting in favor of the 10' wide landscaping along the street. The reason for this is that he will be voting against the next question regarding minimum percentage of the site to be landscaped.

**Dr. Long moved that the width of the landscaping strip adjacent to roads (streetscaping) be reduced to five (5) feet where the landscaped parkway is at least ten (10) feet in width. The motion failed for lack of a second.**

**Mr. McClarty moved to require a ten (10) foot private landscaping strip adjacent to roads and at the same time not require any landscaping anywhere else on the site (which was the recommendation of the Committee). Mr. Harkins seconded the motion and the motion carried by a vote of three (3) in favor (Famble, Harkins and McClarty) to two (2) opposed (Campos and Long).**

Mr. Santee stated that this item is not a zoning matter where four (4) affirmative votes are required for approval. This vote is to provide direction to the staff regarding development of the ordinance.

Mr. James stated that the ordinance will be presented to the Commission for formal approval prior to submission to the City Council. At this point, recommendations will require a majority vote of the Commissioners.

4. Should the ordinance require a minimum percent of the site to be landscaped?

**Dr. Long moved that the ordinance require a minimum percent of the site to be landscaped varied by zoning district. The motion failed for lack of a second.**

**Mr. McClarty moved that no minimum landscaping be required to the site (as proposed by the Committee: “No, but offer incentives to accomplish this”). Mr. Famble seconded the motion and the motion carried by a vote of three (3) in favor (Famble, Harkins and McClarty) to two (2) opposed (Campos and Long).**

5. Should the ordinance include parking lot landscaping requirements?

**Mr. McClarty moved that parking lot landscaping not be required, as recommended by the Committee. Mr. Harkins seconded the motion and the motion carried by a vote of three (3) in favor (Famble, Harkins and McClarty) to two (2) opposed (Campos and Long).**

Both Mr. Harkins and Mr. McClarty stated that they were voting as recommended by the Committee and not their personal preference and requested that this information be made a part of the record.

6. Should the ordinance include a tree preservation requirement?

**Mr. McClarty moved to approve a tree preservation requirement, but limit to fewer tree species (excluding mesquite trees) and larger sizes (8 inches in diameter or larger). Mr. Famble seconded the motion and the motion carried by a vote of five (5) in favor (Campos, Famble, Harkins, Long and McClarty) to none (0) opposed**

7. Should the “Alternative Landscaping Plan” process be available for new development?

**Mr. Harkins moved to approve to approve staff's recommendation for this item (No, new development should meet the minimum requirements unless a true hardship exists, in which case the Board of Adjustment could authorize a variance). Mr. Famble seconded the motion.**

Mr. James reminded the Commissioners that the threshold for a variance is a hardship which would be more difficult to meet than the alternative plan requirement. The alternative landscaping requirement indicates that a developer is meeting the intent of the ordinance but through different means.

Mr. Harkins withdrew his motion. Mr. Famble withdrew his second to Mr. Harkins motion.

**Mr. Harkins moved to approve the Committee's recommendation (Yes, new development should also have an avenue for relief from the strict application of the ordinance requirements in unique situations). Mr. McClarty seconded the motion and the motion carried by a vote of five (5) in favor (Campos, Famble, Harkins, Long and McClarty) to none (0) opposed**

8. Should existing fences on adjacent properties be allowed to count toward the "buffer points" for a more intensive use?

**Mr. Harkins moved to approve the recommendation that existing fences on adjacent properties be allowed to count toward the "buffer points" for a more intensive use (option three). Ms. Campos seconded the motion and the motion carried by a vote of three (3) in favor (Campos, Harkins, and McClarty) to two (2) opposed (Famble and Long).**

9. Should chain link fencing be prohibited adjacent to the street in certain commercial zoning districts?

**Mr. McClarty moved to approve the Committee's recommendation to NOT prohibit chain link fencing adjacent to the street in certain commercial zoning districts. Mr. Famble seconded the motion and the motion carried by a vote of five (5) in favor (Campos, Famble, Harkins, Long and McClarty) to none (0) opposed.**

10. Should the ordinance include limitations on building materials in certain commercial districts?

**Dr. Long moved to approve the Committee's recommendation of not placing any limits on building materials. Mr. McClarty seconded the motion and the motion carried by a vote of three (3) in favor (Famble, Long and McClarty) to two (2) opposed (Campos and Harkins).**

The Commissioners considered Question #2 at this time:

2. Should the landscaping requirements apply to redevelopment?

Mr. McClarty asked Mr. James to explain the difference between redevelopment and infill development.

Mr. James stated that infill development would be redevelopment in a defined area of the City. This area has not yet been defined by staff but is typically the older sections of town close to the City center. Mr. James stated that currently the ordinance defines any project that triggers the requirement of a site plan would be considered redevelopment.

Dr. Long stated that this issue is a problem mainly because there are no definitive definitions for these terms – redevelopment vs. infill development.

Mr. James stated that this is part of what is required from this Commission – instruct staff as to how to define these terms in the context of the landscaping requirements. The current trigger for this definition is the site plan – if a site plan is required, the landscaping requirements must be met. Mr. James stated that if the Commission wanted to back away from this definition and state that some redevelopment on an existing site –even if a site plan is required, the landscaping requirement does not have to be met- staff needs direction as to how far they should back off.

**Mr. McClarty made the following motion:**

- 1. Clearing land and new construction should trigger compliance with the ordinance**
- 2. If an addition is made to the existing structure by 50% or more in size – area not value - (substantially change the character of the floor plan and the fabric of the site) it must be brought into compliance.**

**Dr. Long seconded this motion and the motion carried by a vote of five (5) in favor (Campos, Famble, Harkins, Long and McClarty) to none (0) opposed.**

Dr. Long asked about the changes to the fencing requirements – particularly as it pertains to razor wire and barbed wire. Where will this type of material be allowed?

Mr. McClarty stated that it is his recollection that this type of material will be allowed in Heavy Industrial areas and behind commercial buildings where it will not be visible from the street.

Mr. James stated that this section will require review to ensure that the revisions accurately reflect the Committee's recommendations. The retroactivity was removed from this issue, therefore, existing sites would not have to comply.

Dr. Long stated that if this issue is not retroactive, current razor and/or barbed wire would remain in residential areas. If this is the case this type of material will never be removed from residential areas.

Mr. James stated that staff will investigate this issue and report to the Commission.

**Item Five: Adjourn**

There being no further business, the meeting was adjourned at 9:30 p.m.

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