
PLANNING & ZONING COMMISSION

January 7, 2008

Minutes

Members Present: Bruce Bixby
Fred Famble
Lydia M. Long
Tim McClarty
Clint Rosenbaum
David Todd

Members Absent: Ovelia Campos

Staff Present: Jon James, Director of Planning and Development Services
T. Daniel Santee, City Attorney
Paul Knippel, Director of Public Works
Edward S. McRoy, Assistant Director of Planning and Development Services
Kyle Thomas, Assistant City Attorney
Mike Hall, Director of Community Services
Tony Neitzler, Assistant Director of Community Services
Bob Lindley, City Engineer
Matt Jones, Planner I
Zack Rainbow, Planner I
Reginald Sampson, Transportation Planner
JoAnn Szech, Executive Secretary (Recording)

Others Present: Christina Loppez
Jenny Goode
Mike Varner
Larry C. Sanders
Nick Coates
Dal Randle
Jeff Baskett
Jim Carrillo
Shelia Dankworth
John H. Large
Tom Watsson
Courtney Jackson
Terry & Janet Franklin
Marcela Martinez
LaShay McDaniel

Media Present:

Item One: Call to Order

Mr. Tim McClarty called the meeting to order at 1:31 p.m. and declared a quorum present.

Item Two: Invocation

Mr. Tim McClarty gave the invocation.

Mr. McClarty announced that **Item 6.** (TC-2008-01) has been pulled from the agenda and will not be considered at today's meeting.

Item Three: Approval of Minutes

Mr. Bixby moved to approve the minutes of the November 5, 2007, and December 3, 2007, Planning and Zoning Commission meetings as submitted. Mr. Famble seconded the motion and the motion carried unanimously.

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

Item Four: Plats

Zack Rainbow presented information regarding plats listed on the agenda. Five (5) plats are being submitted for consideration by the Commission. Mr. Rainbow stated that staff is recommending approval of these plats as all meet Subdivision Regulation requirements.

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

Mr. Rosenbaum moved that the plats listed as Items a., b., c., d., and e. on the agenda be approved. Mr. Famble seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Famble, Long, McClarty, Rosenbaum and Todd) to none (0) opposed.

Item Five: Rezoning Requests

a. Z-2008-01

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Betty Hardwick Center to rezone property from O (Office) to LC (Limited Commercial) zoning, located at 2616 and 2626 S. Clack Street.

Mr. Matt Jones presented the staff report for this case. The subject parcels are 2.79 acres and currently zoned O (Office). The property is used as a commercial building. The current zoning behind the properties is RM-2 (Multi-Family Residential), with O (Office) to the North, LC (Limited Commercial) to the South, and GC (General Commercial) across Highway 83/84. The area was annexed in 1957 and zoned to O (Office) sometime after.

Currently the properties are zoned O (Office) and are used as such, with some commercial activity as well. The properties front on an expressway and are adjacent to commercially zoned property, the LC (Limited Commercial) zoning would also provide as a zoning buffer between the expressway and the apartment complex to the rear of the subject properties.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a commercial area, along HWY 83/84. The uses allowed in the requested LC (Limited Commercial) would be compatible with the surrounding area.

Property owners within 200 feet of the rezoning request were notified. No comment forms were returned either in favor or in opposition of the request.

Planning staff recommends approval of LC (Limited Commercial) zoning.

Mr. McClarty opened the public hearing.

Ms. Jenny Goode with the Betty Hardwick Center stated that the Limited Commercial zoning is being requested in order to place additional signage on the property. Ms. Goode stated that Limited Commercial zoning is more in accordance with the surrounding businesses and requested that the Commission approve this request.

Mr. McClarty closed the public hearing.

Mr. Bixby moved to approve Limited Commercial zoning for case Z-2008-01. Dr. Long seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Famble, Long, McClarty, Rosenbaum and Todd) to none (0) opposed.

b. Z-2008-02

Public hearing and possible vote to recommend approval or denial to the City Council on a request from David J. Randell, D.O., to rezone property from PI (Park Industrial) to GC (General Commercial) located at 35 Windmill Circle.

Mr. Matt Jones presented the staff report for this case. The subject parcel is 1.37 acres and is currently zoned PI (Park Industrial). The property has been developed and is being used as a medical facility. The property has a PDD (Planned Development District) to the East, with PI (Park Industrial) to the North, South, and West. The area was annexed in 1978 and zoned to GC (General Commercial) in 1979, and later zoned to PI (Park Industrial) in 1980.

Currently the property is zoned for industrial uses and is being used as a medical office/clinic, which is a conditional use under the current zoning. The properties' proximity to Highway 83/84 makes the requested zoning compatible with the general area. PI (Park Industrial) zoning was created to allow for higher aesthetic industrial areas, which the city's Landscaping ordinance now addresses, and would accomplish what the PI (Park Industrial) zoning was intended for.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a commercial area, along Highway 83/84 South. The uses allowed under GC (General Commercial) would be compatible with the surrounding area.

Property owners within 200 feet of the rezoning request were notified. No comment forms were returned either in favor or in opposition of the request.

Planning staff recommends approval of GC (General Commercial) zoning.

Mr. McClarty opened the public hearing. No one came forward to speak regarding this zoning change request and the public hearing was closed.

Dr. Long moved to approve rezoning request Z-2008-02. Mr. Rosenbaum seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Famble, Long, McClarty, Rosenbaum and Todd) to none (0) opposed.

c. Z-2008-03

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Centro Real Estate, LP. to rezone property from AO (Agricultural Open Space) and RM-2 (Multi-Family Residential) to GC (General Commercial) zoning, located at 5201 Hartford Street.

Mr. Jon James presented the staff report for this case. The subject parcel is 12.25 acres and is currently zoned RM-2 (Multi-Family Residential), and AO (Agricultural Open Space). The property is currently undeveloped. The property has AO (Agricultural Open Space) to the North, with GC (General Commercial) to the East along Highway 83/84, RS-6 (Single-Family Residential) to the South, and RM-2 (Multi-Family Residential) to the West. Part of the area was annexed in 1957 and the other in 1959 now a part of the property remains as AO (Agricultural Open Space) while the other part was zoned to RM-2 (Multi-Family Residential) in 1982.

Currently the property is undeveloped. There is an apartment complex adjacent to the property, as well as an elementary school to the South. Recent changes to the Zoning Ordinance regarding landscaping, buffering, and screening are intended to help buffer intensive GC (General Commercial) uses from adjacent lower intensive uses, such as the apartment complex and school in this case.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a commercial area, along Highway 83/84. The uses allowed by GC (General Commercial) would be appropriate in this area given its proximity to Highway 83/84.

Planning staff recommends approval of GC (General Commercial) zoning. However, staff has concerns regarding this rezoning request:

- Large area of GC adjacent to a school property with single-family residential zoning.
- Not implementing the use of transitioning zoning.
- Potential for increasing traffic on school's private drive.
- Lack of street frontage for the area of the property to be rezoned, except on North Drive, which is used as drive for access to private school.

Possible solutions:

- Rezone a smaller part of the property to GC, but not that adjacent to the RS zoning.
- Rezone all or part of the property to PDD to ensure adequate protection for adjacent school and access onto North Drive.

Mr. Bixby asked about the possibility of utilizing Water Tower Road as access to the property.

Mr. James stated that this is a possibility. The applicant would need to contact the City to determine if this is a dedicated road and if it could be utilized as an access point onto the property.

Mr. Bixby asked if buffering requirements would apply on this property. Mr. James responded affirmatively.

Mr. Bixby stated that he views this rezoning request as “infill development.”

Mr. James stated that an addition option for this request is to develop a PDD for the area. If a PDD is recommended by this Commission, staff would not come back with additional buffering/screening requirements.

Mr. McClarty opened the public hearing.

Mr. Terry Franklin, proponent, stated that he owns a much larger tract (12 acres) than the area indicated on the rezoning request. Mr. Franklin stated that they own an access easement, 60 feet wide, that runs east and west to South Clack. Mr. Franklin stated that his intention is to develop the entire tract as an automobile dealership. Mr. Franklin stated that they are aware of the landscaping ordinance and design standards and have no problem with the screening fence along the side on which St. John’s School is located. Mr. Franklin stated that he felt this request is consistent with the development in the area and requests General Commercial zoning.

Mr. Tom Watson stated that he has not had an opportunity to study this proposal as the notice arrived during the Christmas holidays. His concern at this time is regarding the North Drive access (what is and what is not a public road). Mr. Watson stated that in his opinion, the developer should be conversing with the school prior to development.

Mr. McClarty closed the public hearing.

Mr. Famble expressed concern regarding the buffer between this property and the school.

Mr. James stated that staff is comfortable with the buffer. Of greater concern is the access to North Drive.

Mr. Todd stated that one-half of the tract is zoned RM-2 and this use would increase traffic on North Drive more than the expansion of the commercial venture (GC zoning).

Mr. Bixby moved to approve General Commercial zoning for case Z-2008-03. Mr. Rosenbaum seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Famble, Long, McClarty, Rosenbaum and Todd) to none (0) opposed.

d. Z-2008-04

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Southern Switching Company to rezone property from AO (Agricultural Open Space) and to LI (Light Industrial) zoning, located North of Huckleberry and East of the Railroad Right of Way. (3800 Block Pine St.).

Mr. Rainbow presented the staff report for this case. The subject parcel is 98.5 acres and is currently zoned AO (Agricultural Open Space). The property is mostly undeveloped with the exception of a few agricultural type structures. The property has AO (Agricultural Open Space) to the North and South,

with HI (Heavy Industrial) to the West along Pine St., MH (Mobile Home) to the East, and LI (Light Industrial) to the South across East Highway 80. There are also a few properties to the South zoned RM-3 (Residential Multi-Family). The area was annexed in 1980 and zoned to AO (Agricultural Open Space) sometime after.

Currently the property is two separate lots and zoned AO. The proposed zoning of LI (Light Industrial) would allow for the proposed use of the property as a storage and distribution site for wind farm materials. Given the adjacency of very intensive Heavy Industrial use to the west, the requested LI zoning would begin a transition to the lower intensity residential and commercial uses to the south and east. The scrap metal business to the west of the property has illegally expanded its use onto southwest corner of this site. The proposed use of the property will remedy this illegal use.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a low density residential uses. While the Comprehensive Plan shows this as a general area for low density residential, the proposed zoning is generally compatible given the site specific characteristics of the area, namely the high intensity HI uses to the west, and the adjacent Railroad tracks. This LI zoning will begin a transition to lower intensity uses. Adequate screening and buffering are currently in place.

Planning staff recommends approval of LI (Light Industrial) zoning.

Property owners within 200 feet of the rezoning request were notified. Two (2) comment forms were returned in favor of the request and none (0) in opposition.

Mr. McClarty opened the public hearing.

Mr. Jeff Baskett with Iron Horse Resources stated that they have owned and operated this section of railroad for the past 12-13 years. The intent for this rezoning is to bring a wind energy storage facility to the area.

Mr. John Large stated that he has no objection to the rezoning request; however, would like to know who owns Hardy Street and if there are plans to pave Hardy Street.

Mr. Baskett stated that the railroad owns Hardy Street. Mr. Baskett stated that the paving of Hardy Street has not been included in their current plans.

Mr. McClarty closed the public hearing.

Dr. Long moved to approve Z-2008-04. Mr. Famble seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Famble, Long, McClarty, Rosenbaum and Todd) to none (0) opposed.

Item Seven: Long Range Planning

a. Presentation, discussion, and possible action on the proposed City of Abilene Parks, Recreation and Senior Facilities Master Plan.

Mr. Mike Hall, Director of Community Services stated that the process of developing this Master Plan began about one year ago when the City entered into a contract with an Austin, Texas, company to

prepare this Master Plan. This document will be utilized as a guide over the next ten years and beyond. Staff would appreciate the Commission's thoughts and comments regarding this Plan.

Mr. Jim Carrillo with the consulting firm of Halff Associates provided the Commission with an overview of the Abilene Parks, Recreation and Senior Facilities Master Plan. Mr. Carrillo discussed each of the following components of the Master Plan:

1. Introduction
 - Purpose of the Parks Master Plan
 - Jurisdiction and Planning Area
 - Comprehensive Master Plan
 - Parks, Recreation & Senior Facilities Time Frame
2. Abilene Today
 - History of Abilene
 - Abilene's Economy
 - Demographic Profile of Abilene
3. Existing Parks in Abilene
4. Goals
 - Guiding Principles
 - Key Goals and Objectives
5. Public Input
 - Utilization and Opinions from Citizen Survey
 - Student Survey
 - Community meeting
6. Needs Assessment
 - Methods of Assessment
 - Standard Base Needs
7. Trails Master Plan
 - Existing Trails
 - Citizen Survey Findings
 - Proposed Trails
8. Indoor Recreation and Aquatic Facilities
 - Renovation of Existing Facilities
 - Construction of New Facilities
 - Aquatic Facilities and Water Spraygrounds
9. Master Plan Recommendations
 - Land Acquisition
 - Park Types for Development
 - High Priority Renovation Actions
10. Implementation Plan
 - Key Recommendations
 - Concepts to Address
 - Key Needs

Mr. Rosenbaum and the Commissioners thanked Mr. Carrillo and his firm for their preparation of this document and expressed appreciate for the work completed.

Mr. Rosenbaum moved to forward this document to the City Council for their consideration.

Dr. Long seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Famble, Long, McClarty, Rosenbaum and Todd) to none (0) opposed.

b. Public Hearing to receive citizen input and suggestions on the 2008-2012 Capital Improvements Program.

Mr. Edward McRoy stated that the purpose for this item being placed on the Commission's agenda for this meeting is to receive citizen input. No vote will be required of the Planning and Zoning Commission at today's meeting.

- The CIP Program is a five-year plan 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.

Generally, capital improvement projects are:

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

Financing:

- Fiscally constrained for the entire 5-Year Plan.
- The first year of the CIP (2008) 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.

Mr. McRoy provided a timeline of current projects and projected projects from last year's CIP program. Mr. McRoy was asked for an explanation or definition of Certificates of Obligation. Mr. McRoy provided a brief definition or description of a CO. Mr. James stated that the Director of Finance will be present at the meeting where formal action is taken by the Planning and Zoning Commission on the CIP program and any questions regarding COs can be answered at that time.

Mr. McRoy stated that staff has been seeking citizen input through the City's website and the newspaper.

Mr. McClarty opened the public hearing.

Mr. Mike Varner with the Boys Baseball Association provided the Commissioners with a list of improvements for the various baseball sites located throughout the City.

Dr. Long asked Mr. Varner what is the number one priority in the list he presented to the Commissioners.

Mr. Varner responded that the number one priority would be the fencing for the two junior league

fields.

Mr. McClarty closed the public hearing.

Dr. Long stated that the one issue brought to her attention concerned resurfacing or recondition of South 8th Street between Sayles Boulevard and Butternut street.

Item Eight: Election of Officers

This item will be considered at the next meeting of the Planning and Zoning Commission.

Item Nine: Director's Report

Mr. James provided information to the Commissioners regarding recent City Council actions. Mr. James introduced a new member of the Planning staff, Mr. Ben Bryner, Planning Services Manager.

Item Ten: Adjourn

There being no further business, the meeting was adjourned at 4:20 p.m.

Approved: _____, Chairman