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**PLANNING & ZONING COMMISSION**  
**July 5th, 2011**  
**Minutes**

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Members Present:           Bruce Bixby  
                                  Fred Famble  
                                  Gary Glenn  
                                  Clint Rosenbaum  
                                  David Todd  
                                  Tim McClarty

Members Absent:           Pam Yungblut

Staff Present:             Jon James, Director of Planning and Development Services  
                                  Dan Santee, City Attorney  
                                  Ben Bryner, Planning Services Manager  
                                  Zack Rainbow, Planner I  
                                  Debra Hill, Secretary II (Recording)

Others Present:           Kathy Turner  
                                  Curtis and Bettye Gindratt  
                                  Dorothy Drones  
                                  Tony Roach

**Item One:                   Call to Order**

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

**Item Two:                   Invocation**

Mr. McClarty gave the Invocation.

**Item Three:               Approval of Minutes**

**Mr. Rosenbaum moved to approve the minutes of the June 6th, 2011 meeting. 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**

Mr. Rainbow presented the staff report for this case.

MRP-2211

A public hearing to consider a Replat Showing Lots 100, 101 & 102, Of Lot 1, Antilley Acres, a Subdivision of 141.03 Acres out of Lot 7 of the Scott Subdivision of the JM Saucedo Survey, Taylor County, Texas.

MRP-2311

A public hearing to consider a plat of Reed Replat of Lot 125, Block A, Merchant and Grape Subdivision, City of Abilene, Taylor County, Texas, as shown by Plat recorded in Cabinet 2, Slide 371-C, Plat Records, Taylor County, Texas.

PP-2511

A public hearing to consider a Preliminary Plat of Hidden Lakes Estates, Section 2, A subdivision of 80.570 Acres out of 340.34 Acres, out of the South Part of Section 13, Block 16, T&P RR CO. Survey, Taylor County, Texas.

Planning staff recommends approval of the requests.

FP-2111

A public hearing to consider a plat of Hidden Lakes Estates, Section 2, A subdivision of 80.570 Acres out of 340.34 Acres, out of the South Part of Section 13, Block 16, T&P RR CO. Survey, Taylor County, Texas.

Planning staff recommends denial of this request. Mr. Rainbow stated the request does not meet the subdivision requirements.

Mr. McClarty opened the public hearing. No one came forward and the public hearing was closed.

**Mr. Famble moved to approve MRP-2211, MRP-2311, PP-2511. Mr. Glenn seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Rosenbaum, Famble, Glenn, Todd and McClarty) and none (0) opposed.**

**Mr. Glenn moved to deny FP-2111. Mr. Todd seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Rosenbaum, Glenn, Todd, Famble and McClarty) and none (0) opposed.**

**Item Five: Zoning**

Z-2011-15

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Minda Street Church of Christ to rezone property from RS-6 (Single Family Residential) to NR (Neighborhood Retail) zoning, located at 855 Minda St.

Mr. Bryner presented the staff report for this case. The subject parcel is approximately 3.2 acres and is currently zoned RS-6 (Single Family Residential). The property has been developed as a church facility. The adjacent properties have RS-6 (Single Family Residential) zoning to the north and east, AO (Agricultural Open Space) to the west and HI (Heavy Industrial) to the south.

Currently the property is zoned RS-6 and has been developed as a church facility. The subject property is at the intersection of two collector streets. The properties to the north and east are developed with single family residential dwelling units. The property to the west has been developed as a park. The property to the south has been developed as an industrial use.

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The applicant is requesting the zone change in order to upgrade their existing signage. The requested zoning would be compatible with the surrounding land uses. The requested NR zoning is compatible with low density residential and given that the property is at the intersection of two collector streets, NR is an appropriate zoning classification.

Property owners within 200 feet of the rezoning request were notified. Zero (0) comment forms were received in favor and zero (0) in opposition of the request. Planning staff recommends approval of the request.

Mr. McClarty opened the public hearing.

Ms. Betty Gindratt (citizen) questioned if this property were to be rezoned as NR (Neighborhood Retail) would this allow businesses such as convenience stores to build in this area? Mr. Bryner stated the NR zoning would allow for those uses and would have to go through the site plan process to develop for those uses. Ms. Gindratt asked if Minda Street Church of Christ owns all of the property in this request. Mr. Bryner stated they do own the property in this request and also the property across the street at 533 Minda. He added the rezoning is only for this property in this request. Ms. Gindratt expressed concerns regarding the increase in traffic in this area, due to the new school. She added that she had contacted the City of Abilene regarding the traffic and the speed of the traffic in this area.

Mr. McClarty stated clarification on this request. He added the reason for this request is to upgrade the signage in front of the Church. He also stated that if the Church were to be sold in the future, it could develop into a retail space. Mr. McClarty asked the staff the size of a retail building and what would be the allowable parking places that could possibly develop in this area. Mr. Bryner stated the NR restricts the maximum coverage of a structure to no more than 15,000 square feet on a single lot and the hours of operation are from 6:00 A.M. to 11:00 P.M. He added there could be no outside storage or display and the development would have buffer yard requirements. Mr. Bryner explained the uses for NR would primarily be Offices, Dry Cleaners, Convenience stores or small retail stores. Mr. McClarty asked explanation of the parking in ratio to the size of the development. Mr. Bryner stated it would be one vehicle per 500 square feet. Mr. McClarty stated that if this area were to revert to a retail development, he believes that with the requirements of the NR, the traffic in this area would then decrease. Mr. James added that also any development in this zoning that would have fuel pumps, drive through windows, or any fast food use

would require a CU (Conditional Use) permit and would then go through the Planning and Zoning Commission and the City Council for approval.

Ms. Dorothy Drones (citizen) expressed concerns with this rezoning, stating the traffic has increased with the addition of a new school and she is concerned if this area is rezoned NR wouldn't this increase the traffic in this area even more. Mr. McClarty explained that this request for the zoning change is primarily for the addition of the new sign for the Church. He added that if, in the future, the Church were to be sold and the property developed for a retail business, the traffic would actually decrease due to the parking requirements.

Mr. Bixby asked the location of Ms. Drone's property. Ms. Drones stated that she has property located on Sunrise and currently lives at 925 Minda. She added that she is in favor of the signage for the Church but just wanted to express concerns on the amount of traffic and the speed of traffic on Minda Street.

Mr. Tony Roach (applicant) spoke in favor of this request. He added the new sign would enable the Church to adequately serve the community. Mr. Bixby asked to clarify the location of the present sign. Mr. Glenn asked if the height of the new sign would change. Mr. Roach answered the new sign would be in the same place and the same height, the only difference is it would be an electronic sign apposed to the manual sign presently located on the property. Mr. Roach also expressed concerns with the increase traffic and the speed of the traffic. Mr. McClarty discussed the use of road humps in the community. Mr. James explained the citizens would have to raise the funds for the road humps. He added that the road humps apply to residential streets and Minda Street is considered a Collector street and this would not apply to this area. Mr. McClarty suggested contacting the Police Department to try to increase the patrol in this area.

Mr. McClarty closed the public hearing.

Mr. Bixby suggested limiting the NR zoning to the western portion of the property located on the corner of T & P lane and Minda Street where the sign is located. He added this would relieve any concerns to the neighborhood pertaining to the NR zoning.

Mr. Rosenbaum questioned the ability to split the zoning on a property. Mr. James answered that, although staff generally prefers not to split a property, two different zoning districts on one property is allowable.

Mr. McClarty reopened the public hearing.

Mr. McClarty asked Mr. Roach if splitting the zoning between RS-6 and NR would be something he would agree to. He added the only NR zoning on the property would be the corner of T & P and Minda Street; this would enable the Church to have the electronic signage and decrease the ability to develop this property as retail. Mr. Roach agreed with this proposal.

Mr. McClarty closed the public hearing.

**Mr. Bixby moved to approve Z-2011-15 with the exception to rezone the western portion of the property located on the corner of T & P Lane and Minda Street to NR and to leave the current zoning on the remaining property as RS-6. Mr. Glenn seconded the motion and the motion carried by a vote of five (5) in favor (Bixby, Todd, McClarty, Glenn and Rosenbaum), and none (0) opposed. Mr. Famble asked to abstain from Z-2011-15**

**Item Six: Director's Report:**

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

Mr. James referenced the included memo detailing the City Council results of past Commission recommendations. Mr. James also noted the City Council did approve the sidewalk waiver request for a business located on South Treadaway. He added there have been four appeals go before the City Council for sidewalk waivers. Mr. James stated that staff has also granted several sidewalk waivers in the past and he feels the system is working according to the new Land Development Code and sidewalk ordinance. Mr. James discussed training for the Planning and Zoning Commissioners, stating since the City has limited the funds for training, staff is looking into different options for additional training for the Commissioners in the future and he is seeking suggestions from the Commissioners.

**Item Eight: Adjourn**

The Planning and Zoning Commission meeting was adjourned at approximately 2:10 P.M.

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