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**PLANNING & ZONING COMMISSION**  
**July 9th, 2012**  
**Minutes**

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Members Present:           Tim McClarty  
                                  David Todd  
                                  Fred Famble  
                                  Gary Glenn

Members Absent:           Bruce Bixby  
                                  Clint Rosenbaum  
                                  Pam Yungblut

Staff Present:             Jon James, Director of Planning and Development Services  
                                  Ed McRoy, Assistant Director of Planning and Development Services  
                                  Dan Santee, City Attorney  
                                  Ben Bryner, Planning Services Manager  
                                  Zack Rainbow, Planner II  
                                  Brad Stone, Planner II  
                                  Stephanie Goodrich, Planner I  
                                  Hong Mang, Planning Intern  
                                  Debra Hill, Secretary II (Recording)

Others Present:            Jerry and Betty Gayden  
                                  Kevin Phillips  
                                  Lisa Britton  
                                  Derek Peterson  
                                  Royce "Pete" Peterson  
                                  Dave Boyll

**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. Famble moved to approve the minutes of the June 4th, 2012 meeting. Mr. Glenn seconded the motion and the motion carried unanimously.**

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

Mr. McClarty requested to review the Zoning cases before the reviewing the Plats for this meeting.

**Item Five: Zoning**

a. Z-2012-14

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Shirley Kay Yates, to rezone property from RS-8 (Single-Family Residential) to RS-8/H (Single-Family Residential/Historic Overlay), located at 1826 Belmont Blvd.

Mr. Ben Bryner presented the staff report for this case. The subject property is approximately 0.24 acres and is currently zoned RS-8 (Single Family Residential). The property has been developed with a residential dwelling unit. The adjacent properties have RS-8 zoning to the north, south, east and HC zoning to the west. The property was annexed in 1927 and was zoned RS-8 sometime after it was annexed.

The property is zoned RS-8 and has been developed with a residential dwelling unit. The Ranch Bungalow was built in 1948 and represents the architectural style that transitioned from Victorian, Craftsman, and Prairie to a modern ranch style that started in California. The long, low ranch has a cousin, however, that can be described as a Ranch Bungalow due to its smaller size and interior configuration. The bungalow has a private side for bed and bath and a public side for living and dining, which this house clearly exhibits. The ranch features include, single-story, long, low roofline, side gable and cross-gabled roof, simple open floor plan, sliding glass patio door, large picture window and the exterior siding materials are wood and stone.

The Future Land Use section of the Comprehensive Plan designates this general area as low-density residential. The requested zoning is an overlay zoning that would not affect the underlying residential zoning and would be compatible with the surrounding land uses. Recently two other properties in the area have received Historic Overlay Zoning, and this request could encourage other properties to do the same.

Property owners within 200 feet of the zoning request were notified. Four (4) Comment forms were received in favor and zero (0) in opposition of the request. Staff recommends approval as requested.

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

**Mr. Todd moved to approve Z-2012-14. Mr. Famble seconded the motion and the motion carried by a vote of four (4) in favor (Famble, Todd, Glenn and McClarty) and none (0) opposed.**

b. Z-2012-15

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Betty & Jerry Gayden, to rezone property from RS-12 (Single-Family Residential) to RS-12/H (Single-Family Residential/Historic Overlay), located at 1102 Sayles Blvd.

Mr. Bryner presented the staff report for this case. The subject property is approximately 0.30 acres and is currently zoned RS-12 (Single Family Residential). The property has been developed with a residential dwelling unit. The adjacent properties have RS-12 zoning to the north, south, east and RS-6 zoning west. The property was annexed in 1895 and was zoned RS-12 sometime after it was annexed.

The property is zoned RS-12 and has been developed with a residential dwelling unit. The brick home built in 1926 by owner, Barney Duffy, was designed by architect Jerry M. Schaefer who created an eclectic home incorporating the styles of the European Renaissance with the basic American Craftsman. When the home was first constructed it had a red clay tile roof, characteristic of both Italian and Spanish architecture. The arched multi-pane windows and an arched front door with transom and side lights reflect the Italian Renaissance Revival style. Classical Greek columns embellish the porch between the massive brick pillars that support the corners. The Craftsman design elements include, a low-pitched side-gabled roof with cross-gables facing the front facade and featuring a clipped-gable over the porch entry and deep overhanging eaves with exposed rafter tails. The house is also elevated above ground level similar to Acadian style homes along the Gulf of Mexico and British Colonial homes in the West Indies. The double-stairway design can be seen in both of these places on homes that are elevated due to their locations near the ocean. The clay tile roof had been replaced earlier (1950's) with the current metal roof that is unique and no longer produced by any manufacturers.

The Future Land Use section of the Comprehensive Plan designates this general area as low-density residential. The requested zoning is an overlay zoning that would not affect the underlying residential zoning and would be compatible with the surrounding land uses. Recently, other properties in the area have received Historic Overlay Zoning, and this request could encourage other properties to do the same.

Property owners within 200 feet of the zoning request were notified. Four (4) Comment forms were received in favor and zero (0) in opposition of the request. Staff recommends approval as requested.

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

**Mr. Glenn moved to approve Z-2012-15. Mr. Famble seconded the motion and the motion carried by a vote of four (4) in favor (Famble, Todd, Glenn and McClarty) and none (0) opposed.**

c. Z-2012-16

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Southern Storage & Warehousing, agent Royce G. (Pete) Peterson, to rezone property from LI (Light Industrial) to GC (General Commercial), located at 1910 Industrial Blvd.

Mr. Bryner presented the staff report for this case. The subject property is approximately 1.00 acres and is currently zoned LI (Light Industrial). The property is currently developed with 2 buildings designed with lease spaces. The adjacent properties have LI zoning to the west, north, and south, and HC (Heavy Commercial) & LI to the south across Industrial Blvd. The property was annexed in 1957 and was zoned LI sometime after.

Currently the property is zoned LI and has been developed with a commercial building complex. The surrounding properties have been developed with a mixed group of uses ranging from contractor services, to retail, and auto related uses. An application for a Certificate of Occupancy was submitted for a use that is not allowed in the LI zoning district. The purpose of the zoning request is to allow for Personal Service uses.

The Future Land Use section of the Comprehensive Plan designates this general area for commercial activity. There are several different businesses operating out of the existing building. Industrial Blvd is transitioning into more of a commercial/retail area. The requested zoning would be compatible with the surrounding uses, and would be more appropriate with the development trends along Industrial Blvd. The requested zoning would allow for a proposed Personal Service use to the building.

Property owners within 200 feet of the zoning request were notified. Three (3) Comment forms were received in favor and zero (0) in opposition of the request. Staff recommends approval as requested

Mr. McClarty opened the public hearing.

Mr. Pete Peterson (Developer) spoke in favor of this request. Mr. Peterson stated he was unaware the uses for this area would conflict with the zoning for this area and would appreciate approval of this request.

Mr. McClarty closed the public hearing.

**Mr. Todd moved to approve Z-2012-16. Mr. Famble seconded the motion and the motion carried by a vote of four (4) in favor (Famble, Todd, Glenn and McClarty) and none (0) opposed.**

d. Z-2012-17

Public hearing and possible vote to recommend approval or denial to the City Council on a request from PAK Harris, agent Harris Acoustics, to rezone property from HC (Heavy Commercial) to GC (General Commercial), located at 1813 Industrial Blvd.

Mr. Bryner presented the staff report for this case. The subject property is approximately 1.00 acres and is currently zoned HC (Heavy Commercial). The property is currently developed with a building designed with lease spaces. The adjacent properties have HC zoning to the west, south, and east, and LI (Light Industrial) to the north across Industrial Blvd. The property was annexed in 1957 and was zoned HC sometime after.

Currently the property is zoned HC and has been developed with a commercial building complex. The surrounding properties have been developed with a mixed group of uses ranging from contractor services, to retail, and auto related uses. An application for a Certificate of Occupancy was submitted for a use that is not allowed in the HC zoning district. The purpose of the zoning request is to allow for Personal Service uses.

The Future Land Use section of the Comprehensive Plan designates this general area for commercial activity. There are several different businesses operating out of the existing building. Industrial Boulevard is transitioning into a commercial/retail area. The requested zoning would be compatible with the surrounding uses, and would be more appropriate with the development trends along Industrial Boulevard. The requested zoning would allow for a proposed Personal Service use to the building.

Property owners within 200 feet of the zoning request were notified. Six (6) Comment forms were received in favor and zero (0) in opposition of the request. Staff recommends approval as requested

Mr. McClarty questioned the future procedures of rezoning areas that are currently in need of updating. Mr. Bryner stated that staff is currently reviewing these areas for rezoning.

Mr. McClarty opened the public hearing.

Kevin Phillips (Harris Acoustics) spoke in favor of this request.

Mr. McClarty closed the public hearing.

**Mr. Famble moved to approve Z-2012-17. Mr. Todd seconded the motion and the motion carried by a vote of four (4) in favor (Famble, Todd, Glenn and McClarty) and none (0) opposed.**

**Item Four: Plats**

Mr. Zack Rainbow presented the staff report for these cases.

FP-1412

A public hearing to consider a plat of Section 5, Lone Star Ranch, Abilene, Taylor County, Texas.

FRP-3012

A public hearing to consider a plat of A Final Plat of Lot 1, Block A, Abilene Bone & Joint Subdivision, City of Abilene, Taylor County, Texas.

MRP-3212

A public hearing to consider a plat of Lot 101, Block G, First Continuation of the John Toughy's Subdivision, out of Lot 2, Block 208, Original Town of Abilene, to the City of Abilene, Taylor County, Texas.

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

**Mr. Famble moved to approve MRP-3212. Mr. Glenn seconded the motion and the motion carried by a vote of four (4) in favor (Famble, Glenn, Todd and McClarty) and none (0) opposed. (Mr. Todd asked to abstain from FP-1412 and FRP-3012.)**

No action was taken on FP-1412 and FRP-3012. Mr. McClarty requested these plats be reviewed at the additional meeting this month due to lack of quorum for approval or denial.

Mr. McClarty addressed the issue of attendance for these meetings. He asked Mr. James to discuss this issue with City Council. Mr. McClarty questioned when would be the earliest these remaining plats could be reviewed. Mr. Santee stated the earliest would be 72 hours. Mr. James stated he would inform the Commissioners of the next available meeting to review these plats.

**Item Six: Directors Report:**

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

Below are recent decisions made by the City Council on items that had recommendations from the Commission:

**June 14, 2012 Council Meeting**

**Z-2012-11**

A request from Village Investment Partners, LP, Agent Dunaway Associates, LP, to amend PD-33 concerning allowable building height, located at 5550 S. Clack St. and 2225 Covenant Dr.

P&Z Recommendation: Approval as requested but only for the lot to include the Sam's Club (5-0)

Council Decision: Approval as recommended by P&Z and an 8' solid wall along the west property line (7-0)

**Z-2012-12**

A request from Abilene Bone & Joint Clinic, LLP, to rezone property from MD (Medium Density) to GR (General Retail) zoning, located at 1549, 1557, 1601, 1609, 1617, & 1633 Cottonwood St.

P&Z Recommendation: Approval as requested (5-0)

Council Decision: Approval as recommended by P&Z (7-0)

**CUP-2012-03**

A request from Robert Krieger, Agent C-Tex Heating, Cooling, & Electrical, for a Conditional Use Permit to allow a Rehabilitation Facility on property zoned GC (General Commercial), located at 1133 S. 27th St.

P&Z Recommendation: Approval as requested (5-0)

Council Decision: Approval as recommended by P&Z (7-0)

**Item Eight: Adjourn**

The Planning and Zoning Commission meeting was adjourned at approximately 1:55 P.M.

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