
PLANNING & ZONING COMMISSION
August 6, 2012
Minutes

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

Members Absent: None

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

Others Present: Fred Lee Hughes
 B J Prichard
 Robert Weeks
 James McNeer
 Megan Santee
 Lisa Britton

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. Famble gave the Invocation.

Item Three: Approval of Minutes

Mr. Famble moved to approve the minutes of the July 9th, 2012 meeting. Mr. Todd seconded the motion and the motion carried unanimously.

Mr. Famble moved to approve the minutes of the July 16th, 2012 meeting. Mr. Rosenbaum seconded the motion and the motion carried unanimously.

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

No Plats were presented for this meeting.

Item Four: Zoning

a. Z-2012-18

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Wanda McLeod, to rezone property from AO (Agricultural Open Space) to RS-6 (Single-Family Residential), located at 7089 Maple St and approximately 112.75 acres north of Colony Hill Rd.

Mr. Bradley Stone presented the staff report for this case. The subject property is approximately 115.22 acres and is currently zoned AO (Agricultural Open Space). The property is currently undeveloped with frontage on both Maple Street and Colony Hill Road. The adjacent properties have AO zoning to the west, south, and east, and RS-6 (Single-Family Residential) zoning to the north. The Parkside Place subdivision is adjacent to the north. The property was annexed in 2009 and was zoned AO with the annexation.

Currently the property is zoned AO and is undeveloped. The surrounding properties primarily have been developed with single-family homes on larger lots. Kirby Lake Park is located to the west across Maple Street. The Parkside Place subdivision is adjacent to the north. The Colonial Hills subdivision is located to the southeast across Colony Hills Road in the City's ETJ. The purpose of the zoning request is to allow for development of a subdivision for single-family residences.

This area was recently annexed by the City of Abilene in December 2009. The area is a mix of large agricultural properties and large-lot single-family residences. The Future Land Use section of the Comprehensive Plan designates this general area for low density residential development. The requested zoning would allow for a development of a residential subdivision. Other residential subdivisions exist adjacent to the property and this zoning request would be compatible to the area.

Property owners within 200 feet of the zoning request were notified. One (1) Comment forms was received in favor and four (4) in opposition of the request. Staff recommends approval as requested.

Mr. McClarty opened the public hearing.

Mr. Robert Weeks (7101 Maple) questioned if the frontage area between his property and the proposed rezoning will be required fencing or landscaping. Mr. Stone stated the entrance is only wide enough for a single outlet onto Maple Street.

Mr. McClarty closed the public hearing.

Mr. Bixby moved to approve Z-2012-18. Mr. Glenn seconded the motion and the motion carried by a vote of seven (7) in favor (Famble, Todd, Glenn, Rosenbaum, Yungblut, Bixby and McClarty) and none (0) opposed.

b. Z-2012-19

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Charles E. Schroeder, III, Agent Enprotec/Hibbs & Todd, to rezone property from RS-8/COR (Single-Family Residential/Corridor Overlay) to NO/COR (Neighborhood Office/Corridor Overlay), located at 5657 Buffalo Gap Rd.

Mr. Stone presented the staff report for this case. The subject parcel totals approximately 0.53 acres and is currently zoned RS-8/COR (Single Family Residential with Corridor Overlay). The parcel has been vacant for several years. The adjacent properties have RS-8/COR (Single-Family Residential with Corridor Overlay) zoning to the west, north, and south, and PDD/COR (Planned Development District with Corridor Overlay) to the east, which allows for single family residential. The area was annexed in 1963 and zoned RS-8 sometime after it was annexed. The Buffalo Gap Corridor Overlay was adopted in 2006.

Currently the property is zoned RS-8/COR (Single Family Residential with Corridor Overlay) and has been vacant for several years. The properties surrounding the subject property have been developed with single family homes. A rezoning was approved 2 years ago for O (Office) zoning farther south along Buffalo Gap Road. The purpose of the request is to allow for a neighborhood office development.

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The requested office zoning is compatible with the Buffalo Gap Corridor study which specifically states that residential and office uses are suitable at mid-block locations, such as the subject property. The proposed zoning request would be similar to the previously approved request and is compatible with the area.

Mr. Stone described the Neighborhood Office (NO) zoning classification.

Uses allowed, by right:

Single-family dwelling
Duplex dwelling
Multiple-family dwelling
Institutional dwelling
Post Office
Bed & Breakfast inn
ATM's, other self-service kiosks
Church or other place of worship
Civic, Social and Fraternal organizations
Day care, home-based
Offices general, professional or financial
(not including veterinary services)
Personal services
(not including tattoo parlors)
Automobile parking lot
Public utility facility

Uses allowed only with Conditional Use Permit:*

Cultural facilities (galleries, museums, theaters)
Arts school
School, public or private
(not including trade or business school)
Day care, center-based
Medical / Dental laboratory
Printing, copying or reproduction
Broadcast studio
Restaurant, standard
Restaurant, fast-food

***requires specific approval by City Council,
after public hearing and recommendation
by Planning & Zoning Commission**

Mr. Stone stated the maximum building height for the NO zoning is two stories, compared to the Office (O) zoning which there is no limit. He added the maximum ratio of floor area for NO zoning is ½ to 1 versus the 4 to 1 in O zoning. Mr. Stone stated the maximum building coverage allowed on any lot zoned NO that is adjacent to a single-family resident is 15,000 feet. He added there are landscaping and screening standards for existing COR overlay, which this property is located. Mr. Stone stated that 10% of the site must be landscaped, including two trees and six shrubs for each 500 sq. ft. of required landscape area. At least half of required landscaped area must be alongside the street, with minimum 10-foot wide landscaping strip and the buffer areas adjacent to residences, including solid wall (or fence) and landscaped area at least 20 feet wide.

Property owners within 200 feet of the zoning request were notified. Zero (0) 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. B. J. Prichard (Hibbs & Todd Engineering) spoke in favor of this request. Mr. Prichard described the intent for property. He added that any construction for this area would resemble a large two story home to compliment the residential area and would also provide landscaping for this development.

Mr. McClarty closed the public hearing.

Mrs. Yungblut moved to approve Z-2012-19. Mr. Bixby seconded the motion and the motion carried by a vote of six (6) in favor (Famble, Glenn, Rosenbaum, Yungblut, Bixby and McClarty) and none (0) opposed. (Mr. Todd abstained from Z-2012-19)

c. Z-2012-20

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Charles E. Schroeder, III, Agent Enprotec/Hibbs & Todd, to rezone property from RS-8/COR (Single-Family Residential/Corridor Overlay) to NO/COR (Neighborhood Office/Corridor Overlay), located at 5901 Buffalo Gap Rd.

Mr. Stone presented the staff report for this case. The subject parcel totals approximately 1.00 acres and is currently zoned RS-8/COR (Single Family Residential with Corridor Overlay). The parcel has been developed with a single-family home. The adjacent properties have RS-8/COR (Single-Family Residential with Corridor Overlay) zoning to the west and south, O (Office) zoning to the north, and PDD/COR (Planned Development District with Corridor Overlay) to the east, which allows for single family residential. The area was annexed in 1963 and zoned RS-8 sometime after it was annexed. The Buffalo Gap Corridor Overlay was adopted in 2006.

Currently the property is zoned RS-8/COR (Single Family Residential with Corridor Overlay) and has been developed with a single-family home. The properties surrounding the subject property have been developed with single family homes.

A rezoning was approved 2 years ago for O (Office) zoning adjacent to the north along Buffalo Gap Road. The purpose of the request is to allow for a neighborhood office development.

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The requested office zoning is compatible with the Buffalo Gap Corridor study which specifically states that residential and office uses are suitable at mid-block locations, such as the subject property. The proposed zoning request would be similar to the previously approved request and is compatible with the area.

Property owners within 200 feet of the zoning request were notified. One (1) Comment forms were received in favor and three (3) in opposition of the request. Staff recommends approval as requested.

Mr. McClarty opened the public hearing.

Mr. Fred Lee Hughes (51 Glen Abbey) spoke in opposition of this request. Mr. Hughes expressed his concerns with the increase of traffic as a result of this rezoning. He stated that Medina is currently used as a thoroughfare from Antilley Rd to Buffalo Gap Rd and with the approval of this rezoning could increase the flow of traffic. Mr. Hughes expressed his concerns with the affect this could have on the property values of this area.

Mr. McClarty closed the public hearing.

Mrs. Yungblut moved to approve Z-2012-20. Mr. Bixby seconded the motion and the motion carried by a vote of six (6) in favor (Famble, Glenn, Rosenbaum, Yungblut, Bixby and McClarty) and none (0) opposed. (Mr. Todd abstained from Z-2012-20)

d. Z-2012-21

Public hearing and possible vote to recommend approval or denial to the City Council on a request from A.E. Nelson, Jr, Agent Enprotec/Hibbs & Todd, to rezone property from RS-8/COR (Single-Family Residential/Corridor Overlay) to NO/COR (Neighborhood Office/Corridor Overlay), located at 5909 Buffalo Gap Rd & 3749 Medina.

Mr. Stone presented the staff report for this case. The subject parcels total approximately 0.52 acres and are currently zoned RS-8/COR (Single Family Residential with Corridor Overlay). The parcels are undeveloped. The adjacent properties have RS-8/COR (Single-Family Residential with Corridor Overlay) zoning to the west, south, and north, and PDD/COR (Planned Development District with Corridor Overlay) to the east, which allows for single family residential. The area was annexed in 1963 and zoned RS-8 sometime after it was annexed. The Buffalo Gap Corridor Overlay was adopted in 2006.

Currently the properties are zoned RS-8/COR (Single Family Residential with Corridor Overlay) and are undeveloped. The properties surrounding the subject property have been developed with single family homes. A rezoning was approved 2 years ago for O (Office) zoning to the north along Buffalo Gap Road. The purpose of the request is to allow for a neighborhood office development.

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The requested office zoning is compatible with the Buffalo Gap Corridor study which specifically states that residential and office uses are suitable at mid-block locations, such as the subject property. The proposed zoning request would be similar to the previously approved request and is compatible with the area.

Property owners within 200 feet of the zoning request were notified. One (1) Comment forms were received in favor and three (3) in opposition of the request. Staff recommends approval as requested.

Mr. McClarty opened the public hearing.

Mr. James McNeer (3 Pebble Beach) spoke in opposition of this request. Mr. McNeer expressed the same concerns as Mr. Hughes regarding the increase of traffic and the possibility of decreasing the value of the surroundings properties.

Mr. McClarty closed the public hearing.

Mr. Rosenbaum questioned the opposition response from the notified property owners. Mr. Stone read the remarks from one property owner stating they had been through this process before and the Commissioners voted to keep the zoning as is. Mr. Stone stated that this zoning, N/O, was adopted in June of 2010. Mr. James stated that the previous application was for a MD/MF zoning. Mr. Bixby stated that with the zoning for N/O there would be more requirements for landscaping and buffering.

Mr. Bixby moved to approve Z-2012-21. Mr. Famble seconded the motion and the motion carried by a vote of six (6) in favor (Famble, Glenn, Rosenbaum, Yungblut, Bixby and McClarty) and none (0) opposed. (Mr. Todd abstained from Z-2012-21)

Item Five: Directors Report:

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

July 12, 2012 Council Meeting

Z-2012-13

A request from Kenneth Musgrave, Agent Tal Fillingim, to rezone property from AO (Agricultural Open Space) to GR (General Retail), located at the southwest corner of Hwy 351 and East Lake Road.

P&Z Recommendation: Approval as requested (4-0)

Council Decision: Approval as recommended by P&Z (6-0)

CUP-2012-03

A request from Milliron J & Company, LLC, Agent John M. Rogers, for a Conditional Use Permit to allow a fast food restaurant on property zoned NR/COR (Neighborhood Retail/Corridor Overlay), located at 5001 Buffalo Gap Rd.

P&Z Recommendation: Approval as requested to allow the drive-thru only within the area from the front of the property to the back of the existing building, approximately 165', and with a minimum of 8 stacking spaces (4-0)

Council Decision: Approval as recommended by P&Z with modification that the drive-thru use shall not be allowed within the area 125 feet from the rear property line (6-0)

July 26, 2012 Council Meeting

No Items were considered.

Mr. Rosenbaum questioned the progress for the Sign Ordinance. Mr. James stated that staff is awaiting direction from the City Council.

Item Seven: Adjourn

The Planning and Zoning Commission meeting was adjourned at approximately 2:18 P.M.

Approved: _____, Chairman