
PLANNING & ZONING COMMISSION
October 7th, 2013
Minutes

Members Present: Tim McClarty- Substitute Chairman
 Clint Rosenbaum
 Bruce Bixby
 David Todd
 Gary Glenn

Members Absent: Fred Famble
 Pam Yungblut

Staff Present: Jon James, Director of Planning and Development Services
 Dan Santee, City Attorney
 Ben Bryner, Planning Services Manager
 Zack Rainbow, Planner II
 Stephanie Goodrich, Planner I Historic Preservation Officer
 Donna Boarts, Secretary II (recording)

Others Present: Tim & Pat Trail Tommy Stevens
 Judy Sorrells Matt Miller
 Glynnice Self Mrs. Fincher
 B.J. Pritchard Ivory Dillard
 Melvin Faircloth Scott Senter
 Gilberto Escobedo Tommy Carpenter
 Pierce Carpenter Richard Burdine
 Miguel Moreno Duane Martin
 Zane Dennis Brannon Barnes
 Wes & Perry Stockard Robert & Beckie Ortiz
 Bill Tolbert J.B. Mauldin
 Matt Muzechenko Paul Johnson
 Peter & Petra Franco Alma K. Thomas

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 September 3rd, 2013 meeting. Mr. Todd seconded the motion and the motion was carried unanimously.

Item Four: Plats:

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

Plats:

FP-5013

A public hearing to consider a plat of Lot 2, Block A, Indian Creek Addition, Out of a 117.708 Ac. Tract out of Part of Blocks 9 & 10, Steffens Sub. of Merchants Pasture out of the F. Rodrigues Survey No. 26, Abilene, Taylor County, Texas.

FRP-5413

A public hearing to consider a plat of Lots 101 and 102, Block A, A Replat of Lot 1, Block A, Liddle Acres, City of Abilene, Taylor County, Texas.

FP-5713

A public hearing to consider a plat of Dry Subdivision, a Subdivision of 10 acres out of a 500 acre tract of land out of the James Vaughn Survey No. 54 and the Ramon Ortiz Survey, Taylor County, Texas.

PP-6013 (tabled from 9/16/13)

A public hearing to consider a Preliminary Plat of Section 2, Tuscany Trails Subdivision, Abilene, Taylor County, Texas.

FP-6113

A public hearing to consider a plat of A Plat of Lot 1, Block A, Jensen Addition, Abilene, Taylor County, Texas.

MRP-7213

A public hearing to consider a plat of Lot 101, Horton and Williams Subdivision, Replat of Lots 1, 2, 11, 12, the North 10' of Lots 3 and 10, Replat of Block 2, Horton and Williams Subdivision of Block 23 of the A. Harris Subdivision, to the City of Abilene, Taylor County, Texas.

FRP-7613

A public hearing to consider a plat of Lots 301-303, Block A, Lots 301-306, Block B, Lots 301-304, Block C, Five Points Business Park, Abilene, Taylor County, Texas.

PP-7813

A public hearing to consider a Preliminary Plat of Lots 1 and 2, Block A, Catclaw Ridge Addition, Abilene, Taylor County, Texas.

Mr. Jon James commented on **FRP-5413**, looks different than what is shown on the screen. One change, they are showing an additional Cul-de-sac at the end of Louden and Hwy 351 for a future Cal-de-sac to accommodate TexDOT plans for 351, once Enterprise goes through.

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

Mr. Rosenbaum moved to approve FP-5013, FRP-5413, FP-5713, FRP-6813, PP-6013, FP-6113, MRP-7213, FRP-7613 and PP-7813. Mr. Todd seconded the motion and the motion carried by a vote of five (5) in favor (McClarty, Rosenbaum, Glenn, Bixby and Todd). Zero (0) in opposition. (Mr. Bixby abstained from FRP-5413, Mr. Todd abstained from PP-6013, FP-6113, and FRP- 7613.

Item Five: Zoning

a. Z-2013-34

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Patricia L. Trail, to rezone property from AO (Agricultural Open Space) to MH (Manufactured/Mobile Home) zoning, located at 5150 FM 18.

Mr. Ben Bryner presented the staff report for this case. Currently the property is zoned AO and is undeveloped. The applicant is planning to place a manufactured home on the property. The properties to the south and east are zoned AO (Agricultural Open Space). The property to the west was recently rezoned from AO to LI (Light Industrial). The railroad right-of-way is adjacent to the north. There are other manufactured homes in the area. The proposed zoning will allow a similar use to what is in the immediate vicinity.

The Future Land Use section of the Comprehensive Plan designates this general area as 'business/industrial'. The applicant is requesting the zone change to allow for placement of a manufactured home. There are multiple properties adjacent to the subject property that is currently being used as manufactured homes. The requested zoning would be compatible with the adjacent uses.

Property owners within a 200-foot radius were notified of the request. Zero (0) comment forms were received in favor and zero (0) in opposition of the request.

PLANNING STAFF RECOMMENDATION:

Staff recommends **approval** of zoning

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

Mr. Rosenbaum made a motion to approve Z-2013-34. Mr. Bixby seconded the motion and the motion carried by a vote of five (5) in favor (Glen, Bixby, McClarty, Rosenbaum, Todd) and zero (0) in opposition.

b. Z-2013-35

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Hendrick Medical Center, Agents Duane Martin & Brannon Barnes, to rezone certain properties from HC (Heavy Commercial) & RS-6(Single-Family Residential) to MU (Medical Use) zoning, located in the area between N. 16th St & N. 17th St and between Pine St & the alley east of Mesquite St.

Mr. Ben Bryner presented the staff report for this case. Currently the property is zoned HC & RS-6 and is developed with a mix of commercial and residential uses. The applicant is planning to develop the property with a medical facility. The properties to the north and south are zoned both HC & RS-6, similar to the subject area. The property to the west is zoned HC. The property to the east is zoned MU (Medical Use). This area has experienced a significant amount of redevelopment associated with Hendrick Medical Center. The proposed zoning will allow for this continued redevelopment compatible to what has been done in the immediate vicinity.

The Future Land Use section of the Comprehensive Plan designates this general area for commercial activity and it is also designated as an Enhancement Corridor (along Pine St). The requested zoning would be compatible along Pine St. and match the zoning approved on the property to the east. The request for MU would be appropriate for the surrounding area, seeing that there is a large amount of medical type uses from Hickory St. to the east to N. Treadaway Blvd. The request is also consistent with the recommendations of the Carver Neighborhood Plan.

Property owners within a 200-foot radius were notified of the request. Thirty-Six (36) comment forms were received in favor (*mostly from applicant*) and three (3) in opposition.

STAFF RECOMMENDATION:

Staff recommends approval of this zoning request.

Mr. Bixby inquired about possible holdouts.

Mr. Bryner stated that property 1657 already has the MU zoning; they will not be included in this boundary. There are two pieces of properties that Hendrick does not own, and were included in the notification boundary and zoning request. Would like the surrounding area properties zoned MU (Medical Use).

Mr. James stated it does not create a non-conforming situation, the RS-6(Single-Family) uses that are allowed, could still continue with no negative effect.

Chairman McClarty opened the public hearing.

Mr. Duane Martin (Hendrick Medical Center) spoke in favor of this zoning. Mr. Martin discussed the area being in transition, Hendrick has retained multiple properties in the area for medical purposes. Mr. Martin stated that they are conscious of the drainage and utility issues regarding this property, and Hendrick is committed to the continued development on Pine Street.

Ms. Alma K. Thomas (Spokesperson for Mr. Dillard, homeowner) Mrs. Thomas stated that Mr. Dillard has lived in his home for over 45 years. He is requesting to be able to remain his remaining years in his home. Ms. Thomas spoke to Mr. Bryner regarding the *grandfather clause* in writing.

Mr. Tommy Stevens (Property Owner) is hoping to sell his property to the City if they are interested.

Chairman McClarty closed the public hearing.

Mr. McClarty inquired about the *Grandfather Clause* for Mr. Dillard. Can we do it or does City Council need to vote on it?

Mr. Bryner stated that he will draft up a letter for property owner showing it is a permitted use with the zoning.

Mr. Rosenbaum made a motion to approve Z-2013-35. Mr. Glenn seconded the motion and the motion was carried by a vote of four (4) in favor (Glenn, Bixby, McClarty, Rosenbaum), Zero (0) in opposition, and one (1) abstained (Mr. Todd).

Moving up Thoroughfare Closure: Item TC-2013-06 due the similarities.

6. a. TC-2013-06

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Hendrick Medical Center, agents Duane Martin & Brannon Barnes, to abandon: Walnut St, the alley between Pine St & Walnut St, and the alley between Mesquite St & Walnut St, all between N. 16th St & N. 17th St.

Mr. Ben Bryner presented the staff report for this case. The applicant is requesting to abandon the street right-of-way (ROW) and alley ROWs to be able to utilize the area for development of a medical facility. The street & alleys currently exist and will be removed to allow for the development. All properties along these ROWs will be combined and used together for the development. The properties to the north and south are a mix of residential and commercial properties.

A north-to-south street right-of-way (ROW) and 2 north-to-south alleys located east of Pine Street and between N. 16th St & N. 17th St. Improvements have been made for these segments of the ROW.

Approval of the requested street ROW closure with the following condition:

1. The applicant must replat within 12 months, at which time any issues regarding access to utilities and relocation of utilities will be resolved. The replat must not create any non-conforming lots.

Property owners within a 200-foot radius were notified of the request. Twenty-Six (26) comment

forms were received in favor and four (4) in opposition of the request. One (1) outside the 200ft.

STAFF RECOMMENDATION: Approval of the requested street ROW abandonments per the Plat Review Committee recommendations.

Mr. Bryner stated that there would be access to frontage on Mesquite. Trash pick-up would be from the front of their property.

Mr. Bixby mentioned that he hopes the residents on Mesquite, due to the closure, are aware of this change for them.

Mr. Rosenbaum asked for the classifications of Walnut and Mesquite on the Master Thoroughfare Plan.

Mr. Bryner stated that they both were local streets, Pine and Treadaway are arterial streets.. N. 18th Street as a collector road to the north. Mesquite and Pine streets, will both remain open with ample opportunities to get around this area.

Chairman McClarty opened the public hearing.

Mr. Duane Martin (Hendrick Medical) spoke in favor of this zoning. Clarifying that Hendrick Medical has purchased most of the property within Mesquite, Pine, N. 16th and N. 17th Street area. He is aware of Walnut Street's traffic concerns. With the quality progress that will be created, residents will be pleased. This is a Medical Use development currently being planned that would require the closing of Walnut Street and the surrounding alleyways in order for it to be accommodated.

Mr. Pierce Carpenter (property owner) spoke in opposition of the closure. Explained that Walnut is a heavily used street and a closure would be detrimental to other business owners.

Mr. Bixby inquired if it would be a hardship.

Mr. Carpenter stated that it would be a hardship, due to the deliveries from oversize trucks to his place of business.

Mr. Tommy Carpenter (property owner) spoke in opposition of the closure, although he was not notified due to residing outside of the 200' notification area. Mr. Carpenter has owned Central Texas Tool Company for the past 77 years. They depend on deliveries each day for their supplies. The street closures would be detrimental to their business as Walnut is the lone road that is useable for the larger trucks.

Mr. Dickey (property owner) spoke in opposition of the closure. Mr. Dickey is owner of the medical office building at 1701 Pine Street, across from Texas Tech. He has approximately 100-200 patients and employees that use this area frequently. Furthermore he expressed concerns about the heavy traffic from both the medical center offices and nearby Texas Tech that will be now forced to use Pine Street.

Mr. Faircloth (property owner) spoke in opposition of the closure. Mr. Faircloth is the owner of City Lumber Company on Walnut Street that has been there for 44 years. Did not receive notification regarding the proposed closure. Walnut Street is used frequently for intended deliveries to his business.

Chairman McClarty closed the public hearing.

Mr. Rosenbaum inquired if Walnut Street transitions from a residential street to a wider street elsewhere.

Mr. Bryner stated that further north there are some residential uses, further south more of a central business, non-residential area.

Mr. Bixby inquired about the designation of Walnut Street and how wide the R.O.W. (right of way).

Mr. Bryner believes the designation possibly would a sub-collector; however it is not on the Master Thoroughfare Plan (MTP) as a collector or arterial. Some areas are 100ft R.O.W. (right of way), whereas the older City streets are usually 80ft of R.O.W. (right of way)

Mr. Bixby stated that he has concern for the businesses with this road closure.

Mr. McClarty spoke about Walnut Street, and the widespread flooding that ensues in that area.

Mr. Rosenbaum explained that we should table this item until more information is received.

Mr. McClarty agreed with tabling this item for one (1) month, when everyone is available to vote on it. Mr. Todd would need to abstain from this vote.

Mr. Martin stated that he is not opposed to tabling this item for one (1) month. Explained it would not terminate the progress to postpone. However, if the street is not closed, it will halt the development.

Mr. McClarty closed the public hearing.

Mr. McClarty made a motion to TABLE, TC-2013-06 for one (1) month. Mr. Rosenbaum seconded the motion and the motion carried by a vote of four (4) in favor (Mr. Glenn, Mr. McClarty, Mr. Rosenbaum, Mr. Bixby), and zero (0) in opposition, and 1(one) abstained (Mr. Todd)

Back in order

c. CUP-2013-03

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Sam's Real Estate Business Trust, Agent Fehr Foods Inc., for a Conditional Use Permit to allow for Manufacturing (Light) on property zoned HC (Heavy Commercial), located at 5301 S. 1st St.

Mr. Ben Bryner presented the staff report for this case. Currently the property is zoned HC and has been developed with a large retail building. The adjacent properties are a mix of hotel, industrial, and residential uses. The property was previously occupied by the Sam's Club retail use. The proposed business is a bakery, Fehr Foods. The request is to allow for 'Manufacturing (Light)' to allow for the baking and packaging of their product on-site. The baking and packaging of the product is considered light manufacturing and is only allowed with approval of a Conditional Use Permit in the HC zoning.

The Future Land Use section of the Comprehensive Plan designates this area as a 'Major Commercial/Business area. The light manufacturing request would be compatible with the surrounding uses.

Property owners within a 200-foot radius were notified of the request. One (1) comment form was received in favor and zero (0) in opposition of the request.

STAFF RECOMMENDATION:

Staff recommends approval as requested.

Chairman McClarty opened the public hearing.

Mr. Miguel Moreno (Spokesperson for Fehr Foods) spoke in favor of the zoning change. Purchased this property two (2) years ago. Are in need of a larger structure, will have state of the art equipment for their food production.

Chairman McClarty closed the public hearing.

Mr. Bixby made a motion to approve CUP-2013-03. Mr. Rosenbaum seconded the motion and the motion was carried by a vote of five (5) in favor (McClarty, Todd, Glenn, Rosenbaum, Bixby) and zero (0) in opposition.

d. Z-2013-36

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Kelly Buford, agent Matthew Muzechenko/Paul Johnson & Associates, to rezone property from CB (Central Business) to PD (Planned Development) zoning to allow contractor services with incidental manufacturing, located at 242 Sycamore St.

Mr. Ben Bryner presented the staff report for this case. Currently the property is zoned CB and is developed with a single-story building. The properties to the north, south, east and west are zoned CB as well. The adjacent properties are developed with a wide mix of uses. The proposed PD zoning would maintain the central business district zoning and would also allow for light carpentry as a permitted use, to include cabinet making. The building was once used as a mattress sales and warehousing business.

The Future Land Use section of the Comprehensive Plan designates the area as Central Business District. The area is located on the west side of the South Downtown Area with a focus on commercial and office uses. The requested zoning is incompatible with the adjacent uses and the Comprehensive Plan. Staff has concerns of noise, debris, and odorous matter associated with manufacturing.

Property owners within a 200-foot radius were notified of the request. Three (3) comment forms were received in favor and zero (0) in opposition.

STAFF RECOMMENDATION:

Staff recommends denial. Staff does not recommend manufacturing in the Central Business area.

Mr. Glenn inquired if the apprehension was about the lacquer odors.

Mr. Bryner stated that proponent affirms that this location will be assembly and trim work at this time.

Mr. Glenn stated that in the same neighborhood, there are quite a few automobile body and paint shops in this neighborhood; would not be in opposition.

Mr. Matthew Muzechenko (Agent/Paul Johnson & Assoc.) spoke in favor of this request. Plans are to display custom finished cabinetry. No spraying would be involved. Nearby businesses would like to see the building occupied.

Mr. Kelly Bufford (Applicant) spoke in favor of this request. Explained this would not be a retail outlet. Stated there will be no painting, staining or finish work at this site. Only custom trim work and assemble of cabinetry.

Chairman McClarty closed the public hearing.

Mr. Rosenbaum made a motion to approve Z-2013-36. Mr. Glenn seconded the motion and the motion carried, four (4) in favor (McClarty, Glenn, Rosenbaum, and Todd) and zero (0) in opposition, and one (1) abstained (Mr. Bixby).

Item Seven:

a. Plat Waiver to the Maximum Cul-de-Sac Length for Waldrop Estates.

Mr. Ben Bryner presented the Plat Waiver. A new plat is proposing a 14-lot subdivision designed as a cul-de-sac. The Land Development Code (LDC) restricts the maximum length allowed for a cul-de-sac to not exceed 1,000 feet. It further restricts the total number of lots on a cul-de-sac to not more than 25 lots. Additionally, the LDC restricts the maximum block length to not exceed 1,200 feet. The overall depth of the property is approximately 1,230 feet. The applicant is requesting a waiver to: (1) the maximum length to allow for a cul-de-sac length of approximately 1,220 feet; and (2) the maximum block length to be greater than 1,200 feet. The sections requested to be waived are Sections 3.2.7.8 (a) and 3.2.7.8 (b).

The applicant is requesting the waiver based on the number of lots and the minimum lot size. All lots are to be larger than 1-acre in size. The applicant suggests that the reduced number of lots offsets the additional 220 feet in length for the cul-de-sac and the additional 230 feet for block length.

In review of the plat, staff provided a comment that a future street connection be provided to adjacent properties. This would reduce the length of the cul-de-sac and allow for inter-connectivity between this subdivision and future development.

STAFF RECOMMENDATION:

Staff recommends denial of the requested plat waiver.

Mr. Bixby asked for clarity regarding discussions of the past cul-de-sac recommended lengths. Mr. Bryner stated previously it was 800ft, and it was lengthen up to 1000 ft. An RR-1(Rural Residential Zoning requires a one- acre lot.

Mr. Bixby questioned the limitations on lengths and lots sizes and if there is a safety issue. Mr. Bryner explained that the lot size is a factor as much as the length, going beyond the 1,000 ft. distance, having to add more hydrants, pressure could possibly be a factor.

Chairman McClarty opened the public hearing.

B.J. Pritchard (Hibbs & Todd Inc.) spoke in favor of the development of this property. Mr. Pritchard stated that the proposed length of 1,220 ft. will be a small amount above the maximum length. There will be no limitations or obstacles to this property. Fire hydrants and water utilities will be in accordance to City standards. There will be plenty of turn around area for the emergency vehicles.

Mr. McClarty closed the public hearing.

Mr. Bixby stated that he would have anticipated that the Fire Department would be in attendance for this discussion.

Mr. Bryner stated that the Fire Department was part of the Plat Review Committee to provide a stub to the adjacent properties.

Mr. McRoy stated that with the additional 200 ft. is in question. The commission believes that the additional length does not create a dangerous situation, the waiver is justified based on the designed number of lots. However, the emergency response does go down.

More density also provides a greater opportunity for more delayed emergency response. If approved, the waiver should be based on the current level of density.

Although, this does not stop someone from amending the plat or shifting lot lines.

Mr. Bixby commented that with this many lots, lengthening the cul-de-sac should be allowed. It should be the way the LDC (Land Development Code) is written so as not to have a waiver each time.

Mr. Bryner stated that the property to the west is underdeveloped, anticipates that it has the potential to develop into a much denser situation.

Mr. Rosenbaum made a motion to approve the Plat Waiver as presented with 14 lots. Mr. Bixby seconded the motion and the motion carried, by a vote of four (4) in favor (Glenn, Bixby, McClarty, Rosenbaum) and zero (0) in opposition, and one (1) abstained (Mr. Todd).

b. Plat Waiver to the Maximum Block Length for Director's Park Subdivision

Mr. Ben Bryner presented the Plat Waiver. A new plat is proposing a large subdivision that will exceed the maximum block length along the north boundary. The Land Development Code (LDC) restricts the maximum block length to not exceed 1,200 feet. However, in cases where physical barriers or limitations imposed by existing adjacent development or subdivisions creates conditions where it is appropriate that these standards be varied, the length may be increased or decreased to meet the existing conditions having due regard for connecting streets, circulation of traffic, and public safety. The applicant is requesting a waiver to the maximum length to not provide a street stub-out to the north for future connection with Central Park Blvd. The section requested to be waived is Section 3.2.7.8 (a).

The applicant is requesting the waiver based on the proposed streets being private and gated, Central Park Blvd not extending to the south boundary of the property to the north, and the future Memorial Drive being constructed approximately 500 feet to the west.

In review of the plat, staff made a comment that a street connection be provided to the north to allow for connection with Central Park Blvd. Although this does not resolve the block length to the east, it significantly improves the overall block length along the entire length of the north boundary. Based on the exhibit provided in the approved PD zoning, there was intent for connection to Central Park Blvd at one time and the connection would help with connectivity. Although the plat to the north shows that the street ended 12.4 feet from the south boundary, the remaining property to the south and west remains un-platted. A future plat for this property will require right-of-way dedication and construction of the remaining 12.4 feet of roadway. The purpose of the plat to the north was to dedicate a private street to the public and to subdivide lots for development on the east side of the street. As part of the approval process, improvements to the private street were required in order to be accepted by the City. A letter from the City Engineer outlined the needed improvements. This did not address future dedication and extension of the road from the remaining un-platted property to the west.

STAFF RECOMMENDATION:

Staff recommends denial of the requested plat waiver.

Mr. Rosenbaum questioned if this area was addressed with the MTP (Master Thoroughfare Plan). Mr. Bryner stated that at one time Central Park Blvd. was a north-south, as a Collector. When the railroad was abandoned, Memorial was then identified as a collector. Central Park Blvd now functions as a sub-collector.

Mr. McClarty opened the public hearing.

Mr. Senter spoke in favor of this development. Mr. Senter acquired the property in 1991, kept the street private as there was a question about the railroad right-of-way. We sold off property, but made a commitment to keep the road private and traffic to a minimum. Central Park is a self-inclusive development. If the roadway went through it would possibly bring an opportunity to buy land at a cheaper cost. Mr. Senter referred to a newspaper article “*Abandonment of the Railroad 1994*” The City Thoroughfare Plan has been revised to show a minor arterial street along the tracks. Came in with our plat in 1996, upgraded the street, and made improvements. Stated that zoning, flood water management, PDD (Planned Development Department) are in place.

Mr. B.J Pritchard (Hibbs and Todd Engineering) spoke on behalf of the developer. Spoke in favor of the development to the south of this property. It is intended to be a private residential community. Stated that the twelve (12) ft. strip at the end of Central Park Drive has utilities to the property and will be an expense to relocate.

Mr. Stockard (Developer of the property in question) spoke on behalf of this development. Mr. Stockard stated that this is a gated residential community with high end homes, elaborate entry gates and retention pond.

Mr. McClarty closed the public hearing.

Mr. Rosenbaum requested information on the waiver and what was on the maximum block length. Mr. Bryner explained the entire East/West dimension is a little over 2,400 ft. The south side complies with the block length, but the north side does not. It is unlikely to acquire anything on the eastern half. Central Park Blvd stops short, however a connection could still be made. Ordinance does allow for slight modifications when other developments patterns or prevent connection if there are physical barriers. In this case there is an option to connect. Memorial to 83-84 the overall length is 2,412, with the maximum allowed 1,200 ft.

Mr. Ed McRoy stated that a block is an area bounded by streets. An ordinance identifies that on some occasions there will be situations where existing developments or conditions might necessitate a variance to that block length.

Mr. Bixby mentioned that Central Park Blvd was put in with a clear intent to prevent connection, therefore meets that exception.

Mr. Rosenbaum inquired why an “*Intent letter*” was in this packet.

Mr. Bixby states to show intent.

Mr. Todd questioned the Plat approval letter accepting the street and all the plat comments not included being in the packet.

Mr. Rosenbaum made a motion to approve the Plat Waiver. Mr. Bixby seconded the motion and the motion carried, by a vote of five (5) in favor (Glenn, Bixby, McClarty, Rosenbaum) and zero (0) in opposition. (Mr. Todd abstained)

Item Seven: Director’s Report:

City Council approved all that Planning and Zoning had recommended for approval. No peculiarities.

Item Eight: Adjourned:

Planning and Zoning Commission meeting was adjourned at approximately 3:30 P.M.

Approved: _____, Chairman