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**PLANNING & ZONING COMMISSION**  
**April 6<sup>th</sup>, 2015**  
**Minutes**

Members Present: Fred Famble  
Bruce Bixby  
Robert Calk  
Joy Ellinger  
Tim McClarty  
Clint Rosenbaum

Members Absent:

Staff Present: Jon James, Director of Planning and Development Services  
Kelley Messer, Asst. City Attorney  
Ben Bryner, Planning Services Manager  
Zack Rainbow, Planner II  
Donna Boarts, Secretary II (recording)

Others Present:

Erica Reyes	Roger Connell
Steve Savage	Chris Riley
Charles/Judith Chapman	Charleen Garrett
Dave/Marlene Goldie	David Burroughs
Dale Scoggins	Jack Stricklin
Ryan Holmes	Bob / Kathleen Joy
Rod Pruitt	Jon McDonald
Leska Christie	Carissa Platt
Jon Ammons	Duane Martin
Allen Teel	BJ Pritchard
Jill Collett	Harold Gillit Jr.
Marva Chaney	Darral Stiffle
Cynthia Coates	Zach Sitzes
Christi Stark	Jonathan Perrier
Jim Moore	Angela Leech
Kim Smith	Steve/Donna Kirby
Sam Chase	Rachel Parish
Jason Pearl	Logan Chandler
Bobby Burke	Michael Haithcole
Neal Coates	Bill Core
Dean Carter	E'Lisa Smetana
Cindy Chitwood	

**Item One: Call to Order**

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

**Item Two: Invocation**

Chairman Famble gave the Invocation.

**Item Three: Approval of Minutes:**

**Chairman Famble stated the March 2, 2015 minutes were received and reviewed. Mr. Rosenbaum moved to approve the minutes. Mr. Bixby seconded the motion and the motion was approved unanimously.**

**Item Four: Plats**

Mr. Rainbow presented the staff report for these cases. Staff recommended approval of all plats.

**FP-6413:** Oldham Oaks Addition, Section 1, City of Abilene, Taylor County, Texas.

**MRP-6714:** Lot 101, 102, and 103, A Replat of Lot 1, Block A, Continuation #1, Section 3, Judge Ely North Addition, City of Abilene, Taylor County, Texas.

**PP-0515:** Preliminary Plat for Tuscany Ridge Addition, Abilene, Taylor County, Texas.

**MRP-1215:** Lot 1, Block A, Macario Martinez Subdivision, a Replat of a part of Block 5, Section 1, Abilene Plaza Addition, City of Abilene, Taylor County, Texas.

Chairman Famble opened the public hearing. No one came forward and the public hearing was closed.

**Mr. Bixby moved to approve FP-6413, MRP-6714, PP-0515, MRP-1215. Mr. Calk seconded the motion and the motion carried by a vote of five (5) in favor (Ellinger, Rosenbaum, Bixby, Calk, & Famble) and none in opposition.**

**Item Five: Zoning**

**a. Z-2015-09**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Hendrick Medical Center, agent Duane Martin, to rezone property from MD (Medium Density Residential) to CU (College & University) zoning, located at 1202, 1210, 1218, 1226 & 1234 N. 16th St.

Mr. McClarty arrived to the meeting.

Mr. Bryner presented the staff report for this case. Currently the property is zoned MD and was previously developed with single-family residential uses. The homes have been removed recently in order to use the property as additional parking for the Texas Tech schools. The surrounding area is developed generally with residential uses to the south & west, medical uses to the north,

and the Texas Tech schools to the east. The purpose of the zoning is to allow for more parking associated with the schools. Several more buildings are proposed to create a larger Texas Tech campus.

The Future Land Use section of the Comprehensive Plan designates the property just outside of a 'Special Activity Center' centered on the N. Treadaway Blvd & Ambler Ave intersection. Pine St to the east is designated as an 'enhancement corridor'. This area is primarily developed with medical office uses and the Texas Tech Schools of Pharmacy & Nursing. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

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

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

Chairman Famble opened the public hearing.

Mr. Dwayne Martin (Architect for Hendricks) spoke in favor of the change in zoning, and spoke regarding the addition to the Texas Tech campus in Abilene.

Chairman Famble closed the public hearing.

**Mrs. Ellinger made a motion to approve Z-2015-09. Mr. Bixby seconded the motion and the motion carried by a vote of five (5) in favor (Ellinger, McClarty, Rosenbaum, Bixby, & Famble), none in opposition, and one (1) abstained (Calk).**

**b. Z-2015-10**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Abilene Christian University, agent Enprotec/Hibbs & Todd, Inc., to rezone property from AO (Agricultural Open Space) to CU (College & University) zoning, located at 1201 E. Ambler Ave.

Ben Bryner presented the staff report for this case. Currently the property is zoned AO and is developed with a maintenance and operation facility for Abilene Christian University (ACU). The surrounding area is developed generally with single-family residential uses to the south. ACU owns property to the north, east & west. The purpose of the zoning is to allow for an expansion to this maintenance & operations facility. The existing AO zoning does not technically permit this uses.

The Future Land Use section of the Comprehensive Plan designates the property as part of a 'Major Commercial/Business Center' centered on the I-20 & Ambler Ave intersection. The Ambler Ave Corridor Overlay was recently approved for Ambler Ave. Ambler Ave is also designated as an 'enhancement corridor'. This area is primarily developed with the ACU

campus to the west and single-family residential uses to the south. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

Property owners within a 200-foot radius were notified of the request. Four (4) comment forms were received in favor and two (2) in opposition of the request.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

Chairman Famble opened the public hearing.

Mr. BJ Pritchard (Agent) spoke in favor of the zoning change authorizing the expansion of the building.

Chairman Famble closed the public hearing.

**Mr. McClarty made the motion to approve Z-2015-10. Mr. Ellinger seconded the motion and the motion carried by a vote of six (6) in favor (McClarty, Rosenbaum, Bixby, Calk, Ellinger, & Famble) and none in opposition.**

**c. Z-2015-11**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Butterfield Meadows, LLC, agent Tal Fillingim, to rezone property from AO (Agricultural Open Space) to RS-6 (Single-Family Residential) zoning, being a portion of 4810 Southwest Dr. at the end of Butterfield Meadows Pkwy..

Mr. Bryner presented the staff report for this case. Currently, the property is undeveloped. This is located at the east end of Butterfield Meadows Pkwy and will be an extension for the next phase of the Butterfield Meadows subdivision. The development has a mix of single-family, duplex, and patio homes with areas for commercial, retail and office development along Hwy 277 S. The Quail Hollow apartment complex exists to the south of this subdivision. The requested RS-6 zoning would allow for the next phase of the development.

The Future Land Use section of the Comprehensive Plan designates this area low-density development. The requested zoning will allow for the development of single-family homes consistent with the existing homes in the subdivision. The requested zoning is compatible with the adjacent uses and the Comprehensive Plan.

Property owners within the 200' of the zoning request were notified. Ten (10) comment forms were received in favor and zero (0) in opposition of the request.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval as requested.

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Chairman Famble opened the public hearing.

Mr. Tal Fillingim (agent) spoke in favor of the zoning supporting the next phase for the existing Butterfield Meadows Development.

Chairman Famble closed the public hearing.

**Mr. Rosenbaum made the motion to approve Z-2015-11. Mr. Calk seconded the motion and the motion carried by a vote of (6) in favor (Rosenbaum, Bixby, Calk, Ellinger, McClarty, & Famble) and none in opposition.**

**d. Z-2015-12**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from DRD Development, agent Blake Howard, to amend PD-74 (Planned Development) zoning, being generally the southeast corner of Buffalo Gap Rd & Beltway S. including the Bella Vista subdivision.

Mr. Ben Bryner presented the staff report for this case. Currently, the parcel is developed with the Bella Vista subdivision. Several portions within the PD boundary are vacant. The purpose of the amendment is to combine the previous ordinances and modify the maximum number of multi-family dwellings and the maximum height allowed for multi-family structures. The current regulation limits the total number of multi-family dwellings to 400 units within the entire PD boundary. The applicant is proposing to construct apartments on the south side of Sierra Sunset with approximately 430 units. The area on the north side of Sierra Sunset allows for multi-family residential development as well. Eliminating the maximum unit number would permit apartments on both side of Sierra Sunset. Additionally, the maximum height allowed for apartment buildings is 40 feet. The amendment would change the regulation to allow for a maximum height of 45 feet. The maximum density allowed would remain at 24 units per acre.

The Future Land Use section of the Comprehensive Plan designates this area as part 'commercial' and 'low density residential'. The requested amendment does not alter the permitted uses but will allow for the development of more apartments than currently permitted. The requested zoning is compatible with the Comprehensive Plan.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval as requested.

Property owners within the 200' of the zoning request were notified. Five (5) comment forms were received in favor and thirty-seven (37) in opposition of the request.

Mr. Bryner states the exhibit that is being shown identifies the seven (7) tracts and their uses.

- 1-Allows for multi-family dwellings, motel, hotel, office and retail uses.
- 2-Residential use only.

- 3-Single Family dwellings only.
- 4-Single-family and Multi-family dwellings at 8 units per acre, duplex and patio homes.
- 5-Same as area Two (2)
- 6-Allows for multi-family dwellings, motel, hotel, office and retail uses
- 7-Residential uses and water storage.

The request is to amend the maximum number of units and the height.

Chairman Famble opened the public hearing.

Mr. Dave Goldie (property owner) spoke in opposition. Mr. Goldie has apprehensions due to the influx of traffic and possible crime the apartment building could bring in.

Mr. Charles Chaplin (property owner) spoke in opposition. Mr. Chaplin has concerns of traffic and looking to keep the neighborhood unobtrusive. Advised the board to table the item until more study is done.

Mrs. Rachel Parish (property owner) spoke in opposition. Mrs. Parish stated traffic and crime would be a problem. The Wiley School district will be greatly impacted due to the new apartment complex. Would like to see single-family homes built.

Mr. Tal Fillingim (agent) stated the zoning is appropriate for this location. The 18-building apartment complex will be built on twenty (20) acres south of Sierra Sunset. FM-707 (Beltway S.) is an expressway on the Master Thoroughfare Plan and Buffalo Gap Road is an arterial.

Mr. McClarty stated that he perceives the residents' apprehension is the area to the north allowing another 600 units to be built.

Mr. Bixby inquired to the east part of that property and how Mr. Fillingim perceives this part of the property being developed.

Mr. Fillingim stated that what makes sense is a transitional zoning from single-family residential to lower density multi-family residential. Beginning in 2001, the development in the PD district has been pieced together over time.

Mr. Charles Chaplin (property owner) stated residents would not be happy with an unlimited amount of apartments being built in this area.

Mr. McClarty inquired to staff if it is possible to re-define the PD areas 6 & 7 and a portion of 2 and that they be allowed to have 432 units with a 45-foot height with the other areas remaining as is.

Mr. James clarified that staff would still recommend that this clean up the older PD's and combine them into one new PD.

Tal Fillingim indicated that areas #6, #7 and #2 (as previously mentioned) are the way they were originally drawn and that Sierra Sunset was built just south of area #1.

Mr. James stated that to clean this up the boundaries are able to be adjusted.

Mr. Dale Scoggins (Rep for R.D. Development) was involved with this property when it was acquired and annexed into the city of Abilene. The city limits line ran through the middle of this tract on a north/south line, therefore half of the property was annexed in while the north part was already within the city limits. There were two different land holdings which was the reason for the multiple PDDs. Area #1 was the area most likely to have future commercial development whereas multi-family residential would be limited to south of Sierra Sunset and east of the strip. Plans are for a high-end apartment complex that is not to exceed 432 units.

Mr. Rod Pruitt (property owner) spoke in opposition of this development due to the increase of traffic, congestion and fire concerns.

Mr. Jack Strickland (property owner) spoke in opposition of this development due to the traffic and encroachment of his privacy.

Mr. Roger Connell (property owner) inquired if security would be provided due to the statistics showing an influx of crime that comes with apartments.

Mr. McClarty questioned each neighboring property owner: Were you aware when you purchased your property that it had the potential of having 400 apartment units?

Mr. Connell stated he is speaking today in support of friends that reside in that area. He inquired whose responsibility is it to inform these homeowners of possible developments.

Mr. James stated that residents should inquire with the City when buying a home that is next to vacant land.

Mrs. Rachel Parish inquired whether it possible to relocate the driveway currently proposed onto Sierra Sunset to cut down on the traffic.

Mr. McClarty stated this is a preliminary plan and will need to go before a site plan development committee and important factors will need to be assessed.

Mr. Rosenbaum showed concern that more than 400 units could be allowed.

Chairman Famble closed the public hearing.

**Mr. Bixby made a motion to approve Z-2015-12 with the following modifications: Using Jacob & Martin's field notes to describe the new area that would allow 432 units; 432 apartment units is the maximum allowed for the entire PD; and, allowing for a 45 foot height for the apartments. Mr. McClarty seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Calk, Ellinger, McClarty, Rosenbaum, & Famble) and none in opposition.**

e. **Z-2015-13**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Taylor Electric Co-Op, agent Tal Fillingim, to rezone property from GC (General Commercial), GR (General Retail), and O (Office) to PD (Planned Development) zoning, located at 7850, 7918, 7966, & 7982 S. Clack St and the 5.55 acres to the north.

Mr. Ben Bryner presented the staff report for this case. Currently, the majority of the property is undeveloped. An office building exists on the southern GR lot. This property exists along S. Clack St which is the western frontage road for Highway 83/84. The proposed development will be to include a main office with service yard for a public utility agency. The Skyline Estates subdivision exists to the west. Typically this type of use is not considered appropriate adjacent to residential property. However, potential issues with outside storage and parking of large vehicles are proposed to be mitigated by buffering and a screening. Additionally, the applicant has provided a concept plan for the development and the site will be required to substantially comply with the concept plan.

The Future Land Use section of the Comprehensive Plan designates this area as part of a 'Gateway/Mixed Use' area. The requested zoning will allow for the development of a main office with service yard for a public utility agency. The requested zoning is compatible with the Comprehensive Plan. The proposed PD has been created to minimize impacts on the adjacent residential uses.

Property owners within the 200' of the zoning request were notified. Seven (7) comment forms were received in favor and zero (0) in opposition of the request.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval as requested.

Mr. Bryner explained the usage is considered a contractor service yard. The PD proposes that: outdoor storage would be allowed; an 8ft solid opaque metal fence would be required around the storage yard area to provide screening; and that this site would allow 3 signs- one pole sign and 2 monument signs.

Mr. Bixby had concerns of having an outdoor storage area as the entrance to our city.

Mr. James stated it was an initial concern and staff was able to work with Taylor Electric and come up with a concept plan that will address most of the concerns regarding outdoor storage by requiring landscaping and fencing.

Chairman Famble opened the public hearing.

Mr. Tal Fillingim (agent) spoke in support of Taylor Electric Coop and the expansion of their facilities in Abilene. He stated this property was chosen as a good central location. He stated that Taylor Electric has concerns of putting a business in a place so that the community can be proud of their site. Therefore, Taylor Electric is proposing to install a 30-ft buffer strip around the



entire property, planting a tree every 20 ft., and installing an 8 ft. opaque fence along the boundary line. Architectural requirements, as mentioned in the PD, will also be met.

Mr. Jason Pearl (property owner) indicated that his property is one of three affected by a city easement for storm water. When AEP installed some power poles, the drainage system was damaged. Therefore, when it rains it would cause a severe water backup onto their properties. Although the city did repair this issue, concern is that this does become problematic again.

Mr. McClarty stated that the City has the right to use that easement to make any repairs needed to the property.

Mr. Pearl stated that as a retired Air Force veteran loud noises cause anxiety and he has concerns regarding the type of fencing and height that will be used.

Chairman Famble states that the fence type that will be used is for more of screening and aesthetic purposes than a sound barrier.

Mr. Tal Fillingim stated that the metal fencing will not protect from sound, but the trees will buffer the noise.

Chairman Famble closed the public hearing.

**Mr. McClarty made the motion to approve Z-2015-13. Mr. Calk seconded the motion and the motion carried with a vote of four (4) in favor (McClarty, Rosenbaum, Calk, & Famble), and two (2) in opposition (Bixby & Ellinger).**

**Item Six: Thoroughfare Closure:**

**a. TC-2015-01**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Jon McDonald to abandon S. 20th St, east of Oak St & S. Treadaway Blvd and west of the railroad.

Mr. Bryner presented the staff report for this case. The abandonment of this section of S. 20<sup>th</sup> St would not create any block or traffic issues. With the closure of S. 20<sup>th</sup> St, traffic will still be able to maneuver various other streets in the vicinity. The railroad to the west provides a physical barrier to extending S. 20<sup>th</sup> St to the east. A water line exists along the south side of the right-of-way. A utility easement is needed to allow for maintenance of this line. There is no identifiable need for construction of S. 20<sup>th</sup> St at this location.

The Plat Review Committee recommends approval of the requested closure with the following conditions:

1. *Provide appropriate drainage easements and utility easements.*

2. *The adjacent properties must be re-platted within 12 months. The re-plat must not create any non-conforming lots.*

Property owners within the 200' of the zoning request were notified. Four (4) comment forms were received in favor and zero (0) in opposition of the request.

**Staff Recommendation:**

Approval per the Plat Review Committee. The request would not create any block or traffic issues and the abandonment of S. 20<sup>th</sup> St would allow for expansion of the use to the south.

Chairman Famble opened the public hearing.

Mr. John McDonald (property owner) spoke in favor of this zoning request.

Chairman Famble closed the public hearing.

**Mr. McClarty made the motion to approve TC-2015-01. Mr. Bixby seconded the motion and the motion carried with a vote of six (6) in favor (McClarty, Rosenbaum, Bixby, Calk, Ellinger, & Famble) and none in opposition.**

**Chairman Famble requested a 5 minute break.**

**Item Seven: Ordinance Amendment**

- a. Public hearing and possible vote to recommend approval or denial to the City Council of an ordinance amending the Land Development Code to create and adopt standards for a Lake Fort Phantom Hill Overlay zone. **TABLED FROM MARCH 2, 2015 MEETING.**

**Mr. McClarty made the motion to REMOVE the Ordinance Amendment from the table. Mr. Bixby seconded the motion and the motion carried unanimously.**

Mr. Jon James spoke regarding the Lake Fort Phantom Overlay and that the boundary of the zoning will be determined at a future date. The purpose of this meeting is that staff was asked to bring back was the wording of the street section.

The Lake Fort Phantom Hill (LFPH) Area Plan was approved by the City Council on January 12, 2009. The plan established a vision of the lake area as a unique place within the City that would benefit from customized and higher development standards. The intent of the plan was to integrate and exploit both natural and developed assets of the area in ways that would protect and showcase its future potential.

The proposed overlay district is intended to implement standards envisioned within the LFPH Plan. The overlay will over time influence development to balance potentially competing

interests of human, natural, local and citywide users of the lake. Stakeholders have been actively included in the development of the overlay since August 2012

The overlay is currently following a two-step adoption process. This first step is an amendment of the Land Development Code text creating the standards. The next and second step will be the application of these standards to specific area(s) of land. The decision on the overlay district boundary itself will have an equally significant impact on how the area ultimately develops and on the effectiveness/need for various provisions. The two issues are distinct but interrelated.

Staff has updated the proposed text as per the action on 03/02/2015. The only remaining item under discussion is Section 2.3.4.6 (k) regarding streets. The motion to table at the last P&Z Commission meeting included language to limit the discussion today to this specific issue only.

- **Clarified wording so streets will be 24' of paving with no curbs, gutters, or shoulders**

In keeping with the rural nature of the area and the intent to preserve its unique character, local streets within the district shall have a **minimum pavement width of 24 feet** without curbs, gutters or paved shoulders based upon the Interim Rural Section Standards as established by the City's Engineering Division. If approved we request this wording to be added: "The 24 ft. maximum width may be variable by the City Engineer for safety reasons."

Mr. McClarty stated that in speaking with the Lake's Home Owners Association this is an accurate sentence: "In keeping with the rural nature of the area and the intent to preserve its unique character, streets within the district shall have a paved width not exceeding 24 ft. without curbs, gutters and paved shoulders." New developers that would like to do a standard city street can seek an ordinance amendment or request PD zoning to be reviewed at that time.

Mr. Bixby stated the wording "maximum or not exceeding" needs to read "will be".

Chairman Famble opened the public hearing.

Mr. Sam Chase (property owner, spokesperson for the Lake Association) spoke in favor of having the minimum and maximum 24 ft. street width and keeping the rural look out at the lake. The Lake Association wants the text to say "Alternative Design Standards for the lake" and omit "rural" from the wording. Is not opposed to trails.

Mr. James stated having the word "rural section" should not be a problem. As it is currently written, this will not prevent a developer from putting in trails and sidewalks. Mr. James spoke about possibly allowing for ribbon curbs, which are flat curbs as opposed to normal stand-up curbs, that can help protect the pavement edge and add an aesthetic benefit.

Mr. Rosenbaum stated if you removed the wording "minimum of 24 feet" based upon the Interim Rural Section Standards then it would not need to say "established by the City Engineer" due to the standards being established already.

Chairman Famble closed the public hearing.

Mr. James stated that a vote is needed to clarify exactly what changes the Commission is approving regarding streets and also a vote to recommend the entire LFPH Overlay .

Mr. Bixby stated the wording on fences along the rear of the property is not what he recalls being the intent of the Commission. His recollection is that a fence across the back would be allowed, but the current ordinance wording would only allow opaque fencing along the sides.

Mr. James advised it was to allow the normal city rules to apply.

**Mr. McClarty made the motion to approve to reflect changes to the streets: In keeping with the rural nature of the area and intent to preserve its unique character (removing the word: *Local*) streets within the district shall have a paved width of 24 ft. without curbs, gutters or paved shoulders, based on the interim rule sections standards.**

Mr. James indicated additional wording: after the word curb: “except ribbon curbing” should be included in the 24 ft. width if they are used.

In order to address Mr. Bixby’s concern regarding fencing, if that is the desire of the Commission, language would need to be added stating that “opaque fencing is allowed across the back between the two points”.

Chairman Famble opened the public hearing.

Mr. Sam Chase agreed with the changes and additional language.

**Mr. McClarty amended his motion to include the additional language. Mr. Bixby seconded the motion and the motion carried with a vote of six (6) in favor (McClarty, Rosenbaum, Bixby, Calk, Ellinger, & Famble), and none in opposition.**

- b. Public hearing and possible vote to recommend approval or denial to the City Council of an amendment to the Land Development Code (LDC) regarding detention requirements related to pre-existing impervious cover.

Mr. Bryner presented the staff report for this case. At the last Planning & Zoning Commission meeting, a discussion item was held to discuss detention requirements related to pre-existing impervious cover. Specifically the discussion centered on a site that had been developed at one time in the past and has since been demolished and whether credit would be given for existing impervious cover when determining if detention on the site is required.

Historically, properties that had once been developed but improvements were removed were given credit for those past improvements and a drainage plan would not be needed. Recently it was discovered that the Land Development Code (LDC) may not be explicitly clear in this regard and has caused a delay in at least one development project.

The LDC does have a definition for ‘natural’ which allows for the staff to give credit for man-made improvements that were in existence on April 30, 1983. The proposed amendments clarify this exception in 2 locations and are described with the following:

**Section 3.2.11.1 Purpose, Definitions, and Methods**

The LDC includes a list of methods for reducing flood losses. The first is to ‘limit runoff from development to a level not to exceed that runoff that would exist under natural, undeveloped conditions unless provided for in a regional detention facility.’ The amendment would add a reference to the definition for ‘natural’ as described above.

**Section 3.2.11.4 Drainage Plans**

This section specifically determines when drainage plans are required. One criterion is for development which creates less than twenty thousand (20,000) total square feet of impervious surface on the site will not be required to submit a formal Drainage Plan. The amendment clarifies that the calculation is determined as new impervious surface from its natural state and includes the reference to the definition for ‘natural’ as described above.

**Section 3.2.11.1 Purpose, Definitions, and Methods**

(b) Definitions. Unless specifically defined below, words or phrases used in this Division 11 shall be interpreted to give them the meaning they have in common usage and to give the provisions of this Division their most reasonable application.

(1) Natural. The cover and topography of land before any man-made changes, or in areas where there have already been man made modifications, the state of the area and topography of land on April 30, 1983.

(c) Methods for Reducing Flood Losses. In order to accomplish its purpose, this Division 11 uses the following methods:

Limit runoff from development to a level not to exceed that runoff that would exist under natural, undeveloped conditions unless provided for in a regional detention facility. The natural state shall be as defined in (b) Definitions above.

**Section 3.2.11.4 Drainage Plans**

(c) Determination of Requirement in Relation to a Floodway Development Permit. Prior to the Floodplain Administrator's approval of any Floodway Development Permit, and prior to the issuance of a building permit or a Site Development Permit for the construction of a parking lot, when a Drainage Plan has not been previously required under the terms of this Section, the Floodplain Administrator shall determine whether a Drainage Plan should be required and may require such plan in such instances where the same is necessary to meet the purposes of this Section.

(1) In general, development on a tract of less than one-half (1/2) acre that has less than forty-five percent (45%) impervious surface will not be required to submit a formal Drainage Plan.

- (2) Development which creates less than twenty thousand (20,000) total square feet of impervious surface on the site will not be required to submit a formal Drainage Plan. This calculation is determined as new impervious surface from its natural state as defined in 3.2.11.1 (b) Definitions for 'Natural'.

**Mrs. Ellinger left the meeting @ 4:15pm**

Chairman Famble opened the public hearing. No one came forward and the public hearing was closed.

**Mr. Rosenbaum made the motion to approve the changes to the Land Development Code. Mr. McClarty seconded the motion and the motion carried with a vote of five (5) in favor (Rosenbaum, Bixby, Calk, McClarty, & Famble), and none in opposition.**

- c. Public hearing and possible vote to recommend approval or denial to the City Council of an ordinance creating and adopting the Bicycle Master Plan.

Mr. Jon James presented the Bicycle Plan. In 2014, interest in reevaluating the 1983 Bike Plan and updating it to refocus efforts on improving bicycle transportation in Abilene was initiated. A Citizen Advisory Roundtable was formed to facilitate this update. This group, comprised of a diverse range of citizens, established a vision and a set of goals that will lead to an improved transportation system in Abilene that accommodates bicyclists. Relying on input from professional staff, input obtained from two public meetings, and the advice of the Citizen Advisory Roundtable, a vision was formed for the role of bicycling in our City. This vision is reflected in the following statement: *“Abilene will be a community where bicycling is a viable means of transportation with a comprehensive network of bicycle facilities”.*

Bicycle facility improvements can range from minimal (designated bike route) to moderate (striped bike lane) to intensive (protected bike lanes and off-road bike paths). One of the questions asked throughout this process, which we will also be asking the Commission, is “what kind of City do we want to be in relation to bicycles?” Everything from “Bike at your own risk” to “Bike Friendly” was considered (see attachment). The recommendation of this plan is a combination of “Bike Friendly” and “Bike Accommodating”. This plan is not intended to be static but recognizes the need for periodic revision and is intended to expand upon the general goals and strategies of the Comprehensive Plan, not to supersede the recommendations of that Plan.

The goal of the plan is to outline strategies and facilities that will not only benefit those who bicycle today, but that promotes bicycling as a means of transportation for the future. These strategies will include identifying how the existing infrastructure can be modified to improve opportunities for bicycling and make cyclists safer, look at future investments in infrastructure to see where appropriate facilities to promote bicycling and the safety of cyclists can be made, and finally to look at potential funding sources to expedite the process. The plan includes a map showing proposed facilities throughout the community and identifies priority projects.

Staff recommends **approval** of adoption of the update to the City of Abilene Bicycle Plan.

Mr. Bixby stated that he is in agreement with having the “*Safe Routes to Schools*” and a need for bike paths for recreational use, not sure about the percentage of those riding bicycles to work.

Chairman Famble opened the public hearing.

Mr. Neal Coates (Property owner) spoke in favor of the bicycle plan, but suggested other routes be used to maintain the safety and privacy of homes in the area along Cedar Creek.

Mr. Jason Pearl (property owner) spoke in favor of the bicycle plan. Jason Pearl, he gladly rode his bicycle to work while serving, and noted that he would still love that opportunity to bike via a safe route to Hardin-Simmons University, where he is attending school.

Mr. Bob Joy (property owner) spoke about the different streets around Abilene that are not accessible due to ROW (right-of-way) access.

Mr. Darryl Steele (property owner) spoke in favor of bike trails and hiking trails. Mr. Steele is opposed to having it in his backyard.

Mr. Steve Savage (councilman) spoke about the bicycle safety. Stated that painting a stripe doesn’t deter vehicles from crossing over the line. Would rather see sidewalks completed for bicycles and pedestrians to use.

Mr. McClarty stated it is essential to know how many people are using these bike lanes before city funds are spent.

Mrs. Erica Reyes spoke in favor of the bicycle trail, had concerns of having one behind her home.

Mr. Jason Pearl spoke about making our City a family oriented place.

Chairman Famble closed the public hearing.

Mr. Bixby stated he would like to see more information before a vote can be taken.

Mr. McClarty stated more planning needs to be done to be able to make a decision on the Bike Master Plan.

Chairman Famble asked to *TABLE* the Bicycle Master Plan.

Mr. Bixby stated there is a recommendation that we do not have a Bicycle Master Plan.

Mr. James explained that the City is not under any obligation to have a Bicycle Master Plan.

Mrs. Kelley Messer stated we are able to APPROVE, DENY or TABLE. However, if it is denied, the City's existing 1983 Bike Plan will still be in place.

Mr. James stated that a committee was formed from those that had shown an interest in the last five (5) years about having bicycling facilities. We also included representatives from all of the universities, realtors, businesses, and other interested citizens and groups.

Mr. McClarty stated there is a Comprehensive Plan in place now, we need to address larger issues to plan for the next 100 years, including flood water and drainage, drought issues, circulation, and pedestrians and bicycles and come up with a price tag for the cities future plans.

Mr. James indicated that staff could initiate the process to update the Comprehensive Plan if that was the recommendation from the Commission and City Council.

Mr. Bixby suggested to TABLE until after we learn the results of the bond election.

**Mr. Calk made the motion to TABLE the Bike Master Plan until the June 1<sup>st</sup>, 2015 Commission meeting. Mr. Famble seconded the motion.**

Mr. James suggested that it could be problematic for our grant application (which is your next item on the agenda) if those projects are not included on the City's adopted Bicycle Plan. Therefore, he recommended at least adopting an amendment to the 1983 Bike Plan to incorporate the elements of the grant proposal.

**Mr. Calk agreed to amend his motion and made the motion to TABLE the Bicycle Master Plan until after the Grant Proposal (next item on the agenda).**

**Mr. Famble seconded the motion and the motion was approved with a vote of five (5) in favor (Calk, McClarty, Rosenbaum, Bixby, & Famble), and none in opposition.**

#### **Item Eight:**

A Resolution in support of the filing of an application for the Transportation Alternatives Program for the "US 277 Pedestrian & Bicycle Safety Project".

#### **BACKGROUND**

The Texas Department of Transportation announced a 2015 call for projects for the Transportation Alternatives Program (TAP). This program provides funding for a variety of alternative transportation projects, including on-and off-road pedestrian and bicycle facilities, infrastructure for non-driver access to public transportation, projects that enhance mobility, and Safe Routes to School infrastructure projects. An estimated \$52 million in federal funds is anticipated to be available to fund authorized pedestrian and bicycle infrastructure projects submitted under this call for projects. The project application deadline is 5:00 p.m. on May 4, 2015.



### **CURRENT STATUS**

Staff recommends a project for this program called the “US 277 Pedestrian & Bicycle Safety Project”. This project will include a pedestrian/bike path along US 277 from Clack Street to Rebecca Lane; sidewalk connections along the southeast side of US 277 from Danville Dr to Clack St, along the northwest side of US 277 from Danville Dr to Texas Ave, and along the north side of Texas Ave from US 277 to Corsicana Ave; a bike lane on Texas Ave from US 277 to Dub Wright Blvd.; intersection improvements with pedestrian islands, signal upgrades, and pavement marking improvements; and a portion of the sidewalks along Clack Street connecting to the Elm Creek bridge project. The project will provide safer bicycle and pedestrian connections to Bassetti Elementary School and Clack Middle School and will create a much-improved pedestrian and bicycle network within this area with connections from many apartments and homes to schools and retail areas.

### **FUNDING/FISCAL IMPACT**

The resolution includes a commitment to provide a local funding match of at least 20% of the allowable costs of the project. The local funding match is a cash match or an approved in-kind contribution. The City agrees to commit to the project’s development, implementation, construction, maintenance, management, and financing and also be willing to enter into an agreement with the department by resolution or ordinance should the project receive TAP funding. The total project cost is estimated at \$2,043,562.26 with the City’s local match consisting of \$408,712.45, which will come from designated sidewalk funds from the Capital Improvements Plan (CIP) and/or the Bond Election.

**Mr. James needed to leave the meeting.**

**Mr. McClarty made the motion to approve the resolution of support to apply for the grant. Mr. Calk seconded the motion and the motion carried with a vote of four (4) in favor (McClarty, Rosenbaum, Calk, & Famble), none in opposition, and one (1) abstained (Bixby).**

### **Return to Item Seven: TABLED PREVIOUSLY.**

**Mr. McClarty made a motion to REMOVE the Bicycle Master Plan item from the TABLE, seconded by Mr. Rosenbaum, and approved by a vote of five (5) in favor (McClarty, Rosenbaum, Bixby, Calk, & Famble) and none in opposition.**

**Mr. Calk made the motion to AMEND the 1983 Bike Plan to incorporate the elements of the US 277 Pedestrian and Bicycle Safety Project. Mr. Rosenbaum seconded the motion and the motion was approved with a vote of four (4) in favor (Calk, McClarty, Rosenbaum, & Famble), none in opposition, and one (1) abstained (Bixby).**

**Mr. Calk made the motion TABLE the rest of the Bicycle Master Plan until the June 1, 2015 meeting. Mr. Rosenbaum seconded the motion and the motion was approved with a vote of five (5) in favor (Calk, McClarty, Rosenbaum, Bixby, & Famble), and none in opposition.**

**Item Nine: Staff Preliminary Report for CIP 2015-2019**

Mr. Ed McRoy presented the staff report for this case. The CIP projects receive funding from various sources. Historically the City has primarily relied on Certificates of Obligation (C.O.). In some years however surplus reserve funds have also been used when available. Other sources of funding can include General Obligation (G.O.) Bonds, General Fund Revenues, Water and Sewer Utility Fund Revenues, specified fees and State and Federal funds in the form of grants or program awards. General Obligation (G.O.) bonds are funds that have been approved by the voters during a previous bond election. Utility fund revenues are derived from the fees charged to users of these systems. Funds from utilities generally can only be used to support capital needs for those same utilities. A Certificate of Obligation, (C.O.) has the same legal status as a G.O. bond but it is issued by an ordinance of the City Council and approved by the Attorney General of the State of Texas. A C.O. does not involve a vote of the citizens except in certain rare cases.

**CONCLUSION**

The CIP is designed to identify both the capital needs and priorities of the City over a five-year period in concert with projected funding levels and the Strategies included in the *Comprehensive Plan*. Project schedules and details are subject to change. Actual programming of projects is dependent upon the fiscal resources available. Funding constraints may preempt the completion of projects listed in the CIP. Project schedules and details may also be altered due to regulatory changes, unanticipated events such as natural disasters, or the availability of unexpected resources. The Project Sheets on the following pages reflect those projects recommended to for funding in the *Fiscal Years 2015-2019 Capital Improvements Program*.

No voting is needed today, will discuss further at a special meeting in two weeks to make a recommendation to the City Manager.

Mr. Bryner stated that he will send out an email if a special meeting is held, otherwise this item will be on the next regular agenda.

**Item Ten: Director’s Report:**

Due to Mr. James leaving the meeting, Mr. Bryner stated council approved all items as recommended by the Commission with the exception that an exemption was added for the ordinance amendment that parking lot screening be exempt along expressways & major arterial roadways.

**Item Eleven: Meeting Adjourned:**

**Planning and Zoning Commission meeting was adjourned at approximately 6:47 p.m.**

Approved: _____, Chairman
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