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**PLANNING & ZONING COMMISSION**  
**June 1, 2015**  
**Minutes**

Members Present: Fred Famble  
Bruce Bixby  
Robert Calk  
Mike Dunnahoo  
Joy Ellinger  
Tim McClarty

Members Absent: Clint Rosenbaum

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: Mr. & Mrs. Glenn Mark Spurlock  
Mr. & Mrs. Peterson Neldon Watson  
Jonathan Sharp Rachel Riley  
Delbert Allred Bruce Kreidler  
E'Lisa Smetana Mike Vandervoot  
Mary Kindrick Carla Varner Knight  
B.J Prichard James Rogge  
Derek Peterson Tommy Downing  
James Condry Bill Core  
Dale Boecker Neal Coates  
Jenna & Matt Cope Kevin Phillips

**Item One: Call to Order**

Mr. Fred 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:** Special Presentation honoring Gary Glenn for his past service on the Planning and Zoning Commission. Mr. Jon James thanked Mr. Glenn for his service and was given a pen set and his nameplate as a token of thanks.

**Item Four: Approval of Minutes**

Chairman Famble stated that the April 6, 2015 & May 4, 2015 minutes were received and reviewed. Mr. Bixby moved to approve the minutes. Mr. Calk seconded the motion and the motion was approved unanimously.

**Item Five: Plats:**

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

**FP-6914:** Wylie Legacies Addition, Section 2, 27.59 Acres Out of the W.E. Vaughn Survey No. 101, Abstract No. 417, Taylor County, Texas.

**PP-1615:** Preliminary Plat for Whistle Stop Addition, Abilene, Taylor County, Texas.

**FP-1715:** Lot 1, Block A, Hoemke Addition, to the City of Abilene, Taylor County, Texas.

**MRP-2015:** Lot 101, a Replat of a part of the west 1/2 of Block E and the north 100' of the west 140' of Block D, McNairy's Subdivision of Lot 2, Block 201, Original Town of Abilene, Taylor County, Texas.

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

**Mr. McClarty moved to approve FP-6914, FP-1615, FP-1715, and MRP-2015. Mrs. Ellinger seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, McClarty, Calk, Dunnahoo, Ellinger, & Famble) and none in opposition. (Mr. Bixby abstained on FP-6914)**

**Item Six: Ordinance Amendment:**

- a. **Public hearing and possible vote to recommend approval or denial to the City Council of an ordinance creating and adopting the Bike Master Plan.  
TABLED FROM APRIL 6, 2015 MEETING.**

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

Mr. James presented the Bike Master Plan with added information based on questions resulting from the Commissioners as well as from the public hearing.

The City of Abilene adopted a "Bikeway Plan" in 1983 that identified locations for bike paths, bike lanes, and bike routes. However, many, if not most, of the recommendations of the 1983 Plan were never realized. In 2014, interest in re-evaluating the 1983 Bike Plan and updating the plan prompted the creation of this new plan. Mr. Jon James spoke about a refocus of efforts on improving bicycle transportation in Abilene that 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 bike paths). One of the questions asked throughout this process, which will also be asked to 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. 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 RECOMMENDATION**

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

Mr. James spoke about the bike plan and the costs.

***Bike at your own risk:*** Streets are primarily for cars with little or no accommodation made for bicycles. Limited or no accommodations for advanced, basic, or children cyclists. ***Almost no cost.***

***Bike Minimal:*** Recognizing that streets are mostly for cars, minimal accommodations will be made for bicycles on known routes to ensure that these routes present fewer obstacles for advanced cyclists. Little or no accommodation for basic or children cyclists. ***Limited cost.***

***Bike Tolerant:*** While streets are primarily for cars, street design will accommodate bicycles in high priority locations such as near parks and schools. Accommodations on select streets will be made for all cyclists, with a priority on advanced cyclists on major streets and basic/children cyclists on safe routes to schools. ***Low cost.***

***Bike Accommodating:*** Bicycle accommodations will be considered for all streets, but will be balanced vs need/costs to prioritize a limited number of streets to create a basic network throughout most parts of the City near neighborhoods, shopping, parks, and schools. Focus on this limited number of streets will be to accommodate all 3 types of bicyclists on most of the selected streets. ***Moderate cost.***

### ***Bike Friendly***

Most, if not all, streets will be designed as "complete streets" to accommodate all street users, including bicycles. With few exceptions, all new streets and street reconstruction will accommodate all 3 types of cyclists. ***High cost.***

Mr. James stated if it is a major arterial then a path off the road is desired. If it is a minor arterial or collector street, bike lanes make sense. If a local street, bike routes make sense.

Where there is a choice between several routes, cyclists generally choose a route which provides the best balance of the following characteristics:

- Directness between the origin and destination points,
- Minimal gradients to be negotiated,
- Well-maintained and constructed riding surfaces
- Lower volumes of motor vehicle traffic, and
- Pleasant environmental surroundings.

Mr. McClarty approved of updating the amendment to the existing 1983 Bike Master Plan. Questioned where the funds would come from, will the costs be placed on the developers or would CIP funds be used?

Mr. James stated the funds are available through the Capital Improvement Projects (CIP) funds, TxDOT grants, and possible future bond elections. Highest attention would be on bike routes and lanes as they are less expensive.

Chairman Famble opened the public hearing.

Mr. Mark Spurlock (property owner) spoke in favor of adopting and updating the Master Bike Plan.

Mr. Neal Coates (property owner) spoke in favor of this ordinance amendment, but showed a concern about Austin Street on the Bike Master Plan. Mr. Coates stated that it is a quiet residential area. Neighbors have suggested that from E.N 10<sup>th</sup> to the West side of the park along Almond Street near the railroad a lane could be constructed.

Mr. Matt Cope (property owner) spoke in opposition of have a bike path down Austin Street.

Mr. James stated that the Commission has the option of recommending leaving Austin Street off of the plan as a bike route.

Mr. Mike Vandervoot (Rep. National Federation for the Blind) spoke about having safe bike routes throughout Abilene.

Mrs. Erica Reyes (rep. for Doug Myers, property owner) spoke in opposition of Austin Street being on the plan as a bike route due to safety concerns.

Mrs. Rachel Riley (property owner) spoke in opposition and would like to have Austin Street removed from the plan as a bike route.

Chairman Famble closed the public hearing

Mr. Bixby stated where there is availability for bike paths they should be constructed. Not in agreement with mixing cars and bicycles on a busy road.

Mr. Calk stated we need to update and move forward with the Bike Master Plan. He suggested adding signs and lanes on these routes with emphasis on educating the drivers.

Chairman Famble inquired if there were apprehensions regarding the letter that was provided to the Commission about not having Austin Street on the plan as a bike route?

Mr. Mike Dunnahoo stated there are concerns, would like to see Austin Street removed from the table.

Mr. Bixby stated Cedar Creek and Austin Street are in discussion to be removed from the table.

Mr. James explained that we are able to do the following: have it remain a TBD (to be determined) later; bring back as an amendment to the plan; send the plan on to City Council; or TABLE this item. Hwy 351 is already to begin construction on the bike lanes.

Mr. McClarty stated that he would like to make a motion that the Commission recommend approval of the Bike Master Plan and send it on to City Council.

Mr. Bixby spoke in opposition.

Mrs. Ellinger was in agreement with Mr. Bixby.

**Mr. McClarty made a motion to approve the Ordinance adopting the Bike Master Plan with details to be worked out when funds are available. Mr. Calk seconded the motion and the motion carried by a vote of four (4) in favor (McClarty, Calk, Dunnahoo, & Famble) and two (2) in opposition (Bixby, Ellinger).**

### **Item Seven: Zoning**

#### **a. Z-2015-14**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Carla Varner Knight, to rezone property from GC (General Commercial) & MF (Multi-Family Residential) to GR (General Retail) zoning, located at 3450 N. 10<sup>th</sup> St.

Ben Bryner presented the staff report for this case. Currently the property is undeveloped. It is zoned MF on the north portion of the lot & GC on the south portion of the lot. The surrounding area is developed generally with retail uses to the south & east, multi-family and single-family uses to the west, and churches to the north. The purpose of the zoning is to have a consistent zoning on the entire lot and to allow for retail uses to include a 'washateria'. The GR zoning is requested as it provides a better transition to the residential uses to the west than the GC zoning while still permitting the desired uses.

The Future Land Use section of the Comprehensive Plan designates the property as 'commercial'. It is near a 'Local Community Center' designated at the intersection of N. 10<sup>th</sup> St and N. Mockingbird Ln. North 10<sup>th</sup> St is designated as an 'enhancement corridor'. A retail node currently exists at the intersection of N. 10<sup>th</sup> St and N. Willis St, of which this is a contributing part. The area is primarily developed with retail uses and 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. Three (0) comment forms were received in favor and zero (0) in opposition of the request.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

Chairman Famble opened the public hearing.

Mrs. Carla Varner Knight (property owner) spoke in favor of this zoning.

Mr. Jonathan Sharp (developer) spoke in favor of the zoning to allow for a coin-operated laundry facility.

Chairman Famble closed the public hearing.

**Mr. Bixby made the motion to approve Z-2015-14. Mr. Calk seconded the motion and the motion carried with a vote of six (6) in favor (Bixby, Calk, Dunnahoo, Ellinger, McClarty & Famble) and none in opposition.**

**b. Z-2015-15**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from LWMW Management, LLC, agent Harris Acoustics, Ltd., to rezone property from LI (Light Industrial) to GR (General Retail) zoning, located at 981 E. Hwy 80.

Ben Bryner presented the staff report for this case. Currently the property is zoned LI and is developed with a car wash. The surrounding area is developed generally with commercial uses. The purpose of the zoning is to allow for retail uses. The GR zoning is requested as it provides a wide range of allowable uses and is compatible with the adjacent properties.

The Future Land Use section of the Comprehensive Plan designates the property as ‘commercial’. Both E. Hwy 80 and Judge Ely Blvd are designated as an ‘enhancement corridor’. A commercial node currently exists at this intersection. The other 3 corners are zoned for commercial uses. The area is primarily developed with retail & commercial uses and 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. One (1) comment form was received in favor and zero (0) in opposition of the request.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

Chairman Famble opened the public hearing.

Mr. Kevin Phillips (representing property owner) spoke in favor of the zoning change.

Chairman Famble closed the public hearing.

**Mr. Calk made the motion to approve Z-2015-15. Mr. Dunnahoo seconded the motion and the motion carried with a vote of six (6) in favor (Calk, Dunnahoo, Ellinger, McClarty, Bixby, & Famble) and none in opposition.**

**c. Z-2015-16**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Neldon & Anna Watson, agent Derek Peterson, to rezone property from HI (Heavy Industrial) to HC (Heavy Commercial) zoning, located at 158 Tannehill Dr.

Ben Bryner presented the staff report for this case. Currently the property is zoned HI and is undeveloped. The surrounding area is developed generally with industrial uses. The property to the south recently was rezoned to the GC & HC districts. The purpose of the zoning is to allow for a food truck court and outdoor concert venue. The HC zoning is requested as it would allow for these uses and is compatible with the adjacent properties.

The Future Land Use section of the Comprehensive Plan designates this general area for heavy commercial/light industrial development. The requested zoning would be to specifically allow for entertainment and restaurant uses not allowed in the HI zoning. The area has not developed with the heavy industrial uses that were anticipated when rezoned in 1980. The requested HC zoning in this location is deemed compatible with the Future Land Use Map and the adjacent uses in the area. Additionally, the frontage along Loop 322 would be more suitable for commercial development.

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

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

Chairman Famble opened the public hearing.

Mr. Derek Peterson (realtor for the property owners) spoke in favor of the zoning. Mr. Peterson stated due to the property's location this zoning change would make the property more marketable.

Mr. Neldon Watson (property owner) stated the areas around the property is zoned commercial. Mr. Watson stated that he is selling the property and is not aware of the buyer's potential use of this property.

Chairman Famble closed the public hearing.

**Chairman Famble made the motion to approve Z-2015-16. Mrs. Ellinger seconded the motion and the motion carried with a vote of six (6) in favor (Famble, Bixby, Calk, Dunnahoo, Ellinger, & McClarty) and none in opposition.**

**Item Eight: Thoroughfare Closure**

**a. TC-2015-03**

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Dempsey D. Peterson and the City of Abilene to abandon an unimproved alley along the rear (north side) of the properties located at 2650, 2658, 2666, 2674, 2682 & 2690 Madison Ave and 2650, 2654, & 2660 Garfield Ave.

Mr. Bryner presented the staff report for this case. This is an unimproved section of alley that exists to the rear of properties along the north side of Madison Ave & Garfield Ave. The alley right-of-way (ROW) was dedicated with the plat for the subdivision but was never improved. A few accessory buildings have been built within this alley area. The original request is to abandon the alley behind 2650 Madison Ave so that improvements may be made to an accessory building. However, the alley does not provide any service and does not connect to the adjoining streets, so staff is recommending closure of the entire alley.

The abandonment of this alley would not create any block or traffic issues. There are some utilities within the alley ROW and any existing utilities will require an easement. Additionally, Cedar Creek runs just to the west. Drainage is accommodated from Madison Ave in an existing concrete drainage flume. However, if drainage is required in the alley ROW area, appropriate drainage easements may be needed.



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.

**RECOMMENDATIONS:**

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

1. Provide appropriate drainage easements and utility easements as needed.
2. The adjacent properties must be replatted within 12 months. The replat must not create any non-conforming lots.

**Staff Recommendation:** Approval per the Plat Review Committee with the addition that an individual property owner may plat their section only rather than the entire alley at once, eliminating the 12 month limitation. The request would not create any block or traffic issues.

Mr. Bixby inquired whose responsibility it was to maintain the lots.

Mr. Bryner stated with no alley improvements it would be up to the property owners.

Chairman Famble opened the public hearing.

Mr. Dempsey Peterson (property owner to the west) spoke in favor of this thoroughfare closure request to make improvements to the property.

Chairman Famble closed the public hearing.

**Mr. McClarty made the motion to approve TC-2015-03. Mrs. Ellinger seconded the motion and the motion carried with a vote of six (6) in favor (McClarty, Bixby, Calk, Dunnahoo, Ellinger, & Famble) and none in opposition.**

**Item Nine: Discussion Item:**

Discussion regarding requirements related to review time of drainage plans.

Mr. James presented this discussion item. The existing language reads:

All Drainage Plans as required by this Section shall be submitted to and received by the Floodplain Administrator. A conference to discuss the Drainage Plan may be held with the Floodplain Administrator, but only after Construction Plans have been officially submitted.

- a. Within twenty (20) working days after receipt of a properly completed Drainage Plan (also refer to Chapter 1, Section 1.2.1.2), the Floodplain Administrator shall either approve or deny the submitted plan.
- b. Approval of a submitted Drainage Plan shall only constitute acceptance by the Floodplain Administrator of the certification of the submitting engineer and such acceptance shall

not operate to remove any requirement of Abilene's adopted Drainage Standards which are not specifically considered in the approved plan.

- c. Drainage Plans which meet the requirements of this ordinance and which conform to all requirements of the adopted Abilene Drainage Standards shall be approved.
- d. If the required findings cannot be made based upon the information contained in the submitted plan, such additional information as is required by the Floodplain Administrator to make such determination will be identified; in the event that the information deficiency is of a technical nature, the Floodplain Administrator may request an engineering conference with the submitting engineer.
- e. If a submitted Drainage Plan is denied, the certifying engineer or applicant, as applicable, shall be advised in writing of the disapproval.

Mr. McClarty stated he is in favor of an amendment to reduce the time needed to review drainage plans and would like it to be approved.

Chairman Famble opened the public hearing.

Mr. B.J Pritchard (agent) spoke about the concerns on getting plans back to the developers in a timely manner before the final plat deadline is due.

Megan Santee specified what constitutes a properly completed drainage plan. She stated that review times can be reduced. She explained that the City Engineer stamps the plan indicating that they accept the plan as prepared has assured all necessary paperwork is in order.

Chairman Famble closed the public hearing.

Mr. McClarty stated he would like to see growth progression in Abilene.

Mr. Bixby inquired what constitutes 100% complete.

Mr. McClarty read; "within twenty (20) working days after receipt of a properly completed drainage plan, the flood plan administrator shall either approve or deny the submitted plan."

Mr. James stated the time does not begin until all are in agreement of a completed plan. For application under the current city ordinance we would have five (5) days to determine completeness. Once in agreement, the twenty (20) day timeframe begins.

Chairman Famble opened the public hearing.

Mr. BJ Pritchard stated it is viewed similar to a site plan. A check-list is gone through and when completed a check is then made out for the client and submitted to the City with an application affirming that all requirements have been made. The City then goes over a check list to make sure the interpretation is correct on both parts.

Chairman Famble closed the public hearing.

The Commission discussed the timeframe and directed staff to prepare an ordinance amendment for the next meeting (July) to reduce the timeframe for review from 20 working days to 10 working days.

**Item Ten: Directors Report:**

All was approved as recommended by the Commission with one added change. The PDD at Antilley/Buffalo Gap Rd removed the restriction that was originally in the PDD that prohibited portable signs. The Council stated that whatever portable sign regulation that applies city wide should apply to this property.

**Item Eleven: Meeting Adjourned:**

**The Planning & Zoning Commission meeting was adjourned at approximately 4:04 p.m.**

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