
PLANNING & ZONING COMMISSION
October 5, 2015
Minutes

Members Present: Fred Famble
Robert Calk
Mike Dunnahoo
Tim McClarty
Clint Rosenbaum

Members Absent: Bruce Bixby
Joy Ellinger

Staff Present: Gordon Browning, Interim Director of Planning & Development Services
Ben Bryner, Planning Services Manager
Zack Rainbow, Planner II
Kelley Messer, Asst. City Attorney
Donna Boarts, Administrative Secretary (recording)

Others Present: Betty Ann Little
Tal Fillingim
Bruce Kritler
David Todd
Glenn Weatherbee

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 September 8, 2015 minutes were received and reviewed.

Mr. Rosenbaum moved to approve the minutes. Mr. Dunnahoo seconded the motion and the motion was approved unanimously.

Item Four: Plats

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

PP-6114: Sierra Sunset Addition, 28.473 Acres out of a 100 Acre Tract out of the W.E. Vaughn Survey NO. 104, Abstract NO. 418, City of Abilene, Taylor County, Texas.

FP-6214: Sierra Sunset Addition, Section 1, 20.900 Acres out of the W.E. Vaughn Survey NO. 104, Abstract NO. 418, City of Abilene, Taylor County, Texas.

FP-7814: Bunny Run Addition, Section 2, 9.251 Acres of Land out of the E/2 of the SE/4 of Section 67, Blind Asylum Land, Abstract No. 642, City of Abilene, Taylor County, Texas.

FRP-2615: A Plat of the Episcopal Church of the Heavenly Rest Addition, Abilene, Taylor County, Texas.

FP-2715: A Plat of Section 1, Tuscany Ridge Addition, Abilene, Taylor County, Texas.

FRP-3215: Lot 1 and Lot 2, Block A, Grape and Ambler Subdivision, Being 8.328 Acres, Abilene, Taylor County, Texas.

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

Mr. Rosenbaum moved to approve PP-6114, FP-6214, FP-7814, FRP-2615, FP2715 & FRP-3215. Mr. Calk seconded the motion and the motion carried by a vote of five (5) in favor (Rosenbaum, McClarty, Dunnahoo, Calk, & Famble) and none in opposition.

Item Five: Zoning

a. Z-2015-24

Public hearing and possible vote to recommend approval or denial to the City Council on a request from 1049 Industrial Abilene, LP, agent Tal Fillingim, Jacob & Martin, to rezone property from LI (Light Industrial) to GC (General Commercial) zoning, located at 1049 Industrial Blvd.

Mr. Bryner presented the staff report for this case. Currently the property is developed with a multi-tenant building housing office and service uses. The surrounding area is developed with other office uses to the west and industrial uses to the south & east. The Abilene Country Club exists to the north across Industrial Blvd. The purpose of the rezoning is to allow for a gym user to locate within the building. This use is classified under the "Recreation & Commercial Entertainment – Indoor" designation which is not allowed in the LI district. A performing arts school currently exists in the building. The proposed use would be compatible with the other uses in the building.

The Future Land Use section of the Comprehensive Plan designates this general area as 'commercial'. Just to the west, S. Treadaway Blvd is designated as an 'enhancement corridor'. Industrial Blvd is a major corridor connecting Buffalo Gap Rd with Loop 322. The corridor has transitioned to more commercial uses from the industrial uses. 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. Zero (0) comment forms were received in favor and zero (0) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

Chairman Famble opened the public hearing.

Mr. Tal Fillingim (agent) spoke in favor of the change in zoning, stated that the area is transitioning to more commercial intensive uses.

Chairman Famble closed the public hearing.

Mr. McClarty made a motion to approve Z-2015-24. Mr. Dunnahoo seconded the motion and the motion carried by a vote of five (5) in favor (McClarty, Rosenbaum, Dunnahoo, Calk, & Famble) and none in opposition.

b. Z-2015-25

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Whistle Stop RV Resort, LLC, agent David Todd, EH-T, to amend PD-148 (Planned Development) zoning specifically to allow for 2 freight containers closer than 200' from any property line, located at 695 E. Stamford St.

Ben Bryner presented the staff report for this case. Currently the property is zoned PD-148 and is being developed as an RV park. The surrounding area is developed generally with single-family residential uses to the south and proposed multi-family residential zoning to the east. The purpose of the amendment to the PD zoning is to allow for the use of 2 freight containers for storage less than 200 feet from property lines. The PD has a base AO zoning that allows for 1 freight container a minimum of 200 feet from all property lines. The zoning requires a Conditional Use Permit in order to allow for more than freight container or if a freight container is proposed to be less than 200 feet from a property line. The proposed location for the freight containers is along the west boundary and closer than allowed.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The requested PD zoning amendment will maintain the AO zoning and allow for a Travel Trailer (RV) Park but add additional regulations for freight containers to be used on the site. The requested zoning amendment is compatible with the Future Land Use Map and the adjacent residential uses in the area.

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

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

Mr. Rosenbaum inquired if the freight containers have a screening requirement.

Mr. Bryner stated all requirements are outlined in the LDC (Land Development Code) Section 2.4.3.3. The containers are not allowed to be stacked and screening material needs to be a solid fencing material or a continuous hedge.

Chairman Famble opened the public hearing.

Mrs. Betty Ann Little (property owner) specified the concern about having these containers on this property due to being in the 100-year flood plain area. Stated that flooding occurs on the south and west side of the property.

Mr. David Todd (agent for Whistle Stop R.V. Park) spoke in favor of this request.

Chairman Famble closed the public hearing.

Mr. McClarty made the motion to approve Z-2015-25 as presented. Mr. Rosenbaum seconded the motion and the motion carried by a vote of five (5) in favor (McClarty, Rosenbaum, Dunnahoo, Calk, & Famble) and none in opposition.

- c. Z-2015-26
Public hearing and possible vote to recommend approval or denial to the City Council on a request from Glen Weatherbee, agent David Todd, EH-T, to amend PD-104 (Planned Development) zoning specifically to allow for a church or place of worship use in the western portion of the property (Tract 3), located at the northwest corner of Oldham Ln & Loop 322.

Mr. Bryner presented the staff report for this case. Currently the property is zoned PDD-104 and has not been developed. The City of Abilene has one of its fire stations in the northeast corner of this PDD. There is single and multi-family zoning located to the east across Oldham Lane from the subject property. The remainder of the properties that surround the subject property are zoned for agricultural uses and used as such. The purpose of the amendment to the PD zoning is to allow for a church or place of worship use in the western approximately 20 acres of the property (Tract 3). The PD has a many tracts which are governed by a base zoning district except for this tract. At this time the only use allowed on Tract 3 is self-storage units. The proposed amendment will place the MD (Medium Density Residential) district as the base zoning for the tract which will allow for the church use in addition to single-family residential and multi-family residential uses such duplexes, triplexes and quadplexes. The option for self-storage units will remain on the tract.

The Future Land Use section of the Comprehensive Plan designates this general area as a Community Enhancement Corridor and for residential uses. The current zoning allows for

service and retail uses along Loop 322 with single and multi-family uses along S. 27th St. The requested amendment is consistent with the allowed uses within the PD and is compatible with the surrounding uses.

Property owners within the 200' of the zoning request were notified. Zero (0) comment forms were received in favor and one (1) in opposition of the request.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

Chairman Famble opened the public hearing.

Mr. David Todd (agent) spoke in favor of the amendment of allowing a church use into the area and keeping the self-storage units with eighteen (18) residential units per acre.

Chairman Famble closed the public hearing.

Mr. McClarty made the motion to approve Z-2015-26 as presented. Mr. Famble seconded the motion and the motion carried by a vote of five (5) in favor (McClarty, Rosenbaum, Dunnahoo, Calk, & Famble) and none in opposition.

Item Six: Director's Report:

Mr. Bryner stated council approved the one zoning request off of EN 10th next to Wildlife Trails Subdivision. City Council did approve the PD (Planned Development) zoning but added that no street or alley connection to Wildlife Trails Pkwy be allowed and that two (2) street connections onto EN 10th be required.

Item Seven: Meeting Adjourned:

Planning and Zoning Commission meeting was adjourned at approximately 2:03 p.m.

Approved: _____,
Chairman