
PLANNING & ZONING COMMISSION
February 1st, 2016
Minutes

Members Present: Fred Famble – Chairman
Robert Calk
Mike Dunnahoo
Joy Ellinger
Tim McClarty
Clint Rosenbaum

Members Absent: Bruce Bixby

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

Others Present:

Bruce Kreidler	Walter Meller
Charles Peters	Betty Clark
Janie Popnoe	Donna Brown
Odie Bell Willson	Bill Billingsley
Lauren Roeder	Mary Jo Loyd
CJ Chaney	Iris Todd
Cheryl Harding	M.A. Warmer
Robert Berg	Bill Dawson
Mitzi Merchant	Jill Holland
Jay Pike	Jack Ridlehoover
Rick Weatherl	Dwain and Orneita Burton
Scott Senter	Douglas Morton
Lynn Ingram	Charles Black
Stephanie Goodrich	Shawna Abernathy
Larry Berg	E’Lisa Smetana
Amelia Boyle	Doug and Connie Price
Josh and Lindsay Boynton	Jerry Holman

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 McClarty gave the invocation.

Item Three: Approval of Minutes

Chairman Famble stated that the January 4th, 2016 minutes were received and reviewed. Mr. McClarty moved to approve the minutes. Mr. Dunnahoo seconded the motion and the motion was approved unanimously.

Item Four: Plats

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

FP-5415: Rainy Creek Addition, 16.647 Acres out of the S/2 of the SE/4 of Section 33, Blind Asylum Lands, Abstract No. 1432, City of Abilene Taylor County, Texas.

FP-0216: Lot 1, Block A, McCullar Subdivision, Abilene, Taylor County, Texas.

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

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

Mrs. Ellinger moved to approve FP-5415 and FP-0216. Mr. McClarty seconded the motion and the motion carried by a vote of six (6) in favor (Ellinger, McClarty, Rosenbaum, Dunnahoo, Calk, & Famble) and none opposed.

Item Five: Zoning

- a. **Z-2015-28 [WITHDRAWN BY APPLICANT]**
Public hearing and possible vote to recommend approval or denial to the City Council on a request from Darnell Bailey, agent EHT, to rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning, being approximately 10.67 acres located at the southeast corner of Maple St and Hardison Ln. **TABLED FROM 1/4/2016 MEETING.**

Chairman Famble stated Item Z-2015-28 has been withdrawn by the applicant.

- b. **Z-2016-04**
Public hearing and possible vote to recommend approval or denial to the City Council on a request from Abilene Auto Glass & Willie Rich Lawson, agents Jeff & Shawna Abernathy, to rezone property from HI (Heavy Industrial) & RS-8 (Single-Family Residential) to GR (General Retail) zoning, located at 2801 S. Treadaway Blvd & 2802 Palm St.

Mr. Bryner presented the staff report for this case. Currently the property is developed and undergoing a complete remodel. It is the previous location of RAM Printing. The adjacent properties to the south are developed with businesses that utilize outdoor storage areas. The Hendrick Home for Children is located across S. Treadaway Blvd to the northwest. The Mrs. Baird's Factory exists nearby to the northeast. A single-family residential area exists to the east. The applicant is proposing to use the newly remodeled building for an office use. In their review of the need for an adequate parking area, the applicant determined that the area behind the adjacent home would accommodate their need for additional parking. Thus the request to rezone both properties. Single-family residential uses are permitted in the GR zoning.

The Future Land Use section of the Comprehensive Plan designates this general area as a mix of industrial and residential. Both S. Treadaway Blvd & S. 27th St are designated as 'arterial' roadways and 'enhancement corridors'. The property along S. Treadaway Blvd is part of an existing industrial area. The eastern property is part of a single-family residential development. As the area continues to redevelop, it is anticipated that retail, office, and commercial development will occur. The intersection of the 2 arterial streets creates a node that lends itself more office & retail uses than industrial uses. 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 (3) 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.

Mrs. Shawna Abernathy (property owner) spoke in favor of this zoning change. Stated that the backyard of the residence would be used for additional parking.

Chairman Famble closed the public hearing.

Mr. Rosenbaum made a motion to approved Z-2016-04. Mrs. Ellinger seconded the motion and the motion carried by a vote of five (5) in favor (Calk, Dunnahoo, Ellinger, Rosenbaum, & Famble), none opposed, and one (1) abstained (McClarty).

c. Z-2016-05

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Texas Methodist Foundation, agent Tom Niblo, to rezone property from AO (Agricultural Open Space) & MF (Multi-Family Residential) to GR (General Retail) zoning, being approximately 19.32 acres located at the southwest corner of Antilley Rd & Memorial Dr.

Mr. Bryner presented the staff report for this case. Currently the property is undeveloped. The Wesley Court retirement community is adjacent to the west. The Fairway Oaks subdivision exists to the north & northwest. Vacant property exists to the east across Memorial Dr. However, there are many non-residential uses to the east including Abilene Regional Medical Hospital, offices, hotels, restaurants, etc. The new Southridge Subdivision is located to the southeast of the property. The applicant is requesting the GR zoning to allow for the potential to include office & retail uses along with multi-family residential development. No specific use is proposed at this time.

The Future Land Use section of the Comprehensive Plan designates this general area as part of the 'Gateway/Mixed Use' & a 'Special Activity Center'. Antilley Rd is designated as an 'arterial' roadway. Memorial Dr is designated as a 'minor arterial' roadway. As the area continues to develop, it is anticipated that retail, office, and commercial development will occur. The intersection of the 2 arterial streets creates a node that lends itself to more office & retail uses. 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 (3) 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. Dwain Burton (resident) spoke in opposition and indicated concerns regarding property values and a possible tax increase.

Mr. Charles Black (rep. for adjacent property owner) spoke in opposition for the property owner and showed concerns for the proposed uses for the request. Mr. Black recommended allowing a 250 ft. portion of the north part of this tract to be rezoned and have the other areas to remain zoned MF (Multi-Family) or possibly table this item.

Mrs. Sheryl Harding (director, Wesley Court senior living) spoke in opposition of this request. Mrs. Harding stated that the residents signed a petition opposing the retail zoning.

Mrs. Jamie Popnoe (resident) spoke in opposition of this retail zoning.

Mr. Tom Niblo (rep. for property owner) stated that the current zoning allows for a three-story apartment complex with 24 hr. activity. Stated that the property owner has a commercial zoning use in mind for this property.

Mr. Bill Billingsley (resident) spoke in opposition of the retail zoning.

Mrs. Kelley Messer indicated to Chairman Famble the need to allow the everyone in the public to speak but can apply a time limit if desired.

Mrs. Carolyn Beckham (parents reside at senior home) spoke in opposition of the retail zoning.

Mr. Tim McClarty requested to speak to Mrs. Sheryl Harding (director). Mr. McClarty inquired if there was any future development plans to purchase the additional property?

Mrs. Harding stated they would like to have additional homes and possibly a nursing center.

Chairman Famble closed the public hearing.

Mr. McClarty stated that he would like to reopen the public hearing to speak to Mr. Niblo.

Chairman Famble opened the public hearing.

Mr. McClarty inquired if the property owner would consider a PD (Planned Development) district to include a regulation for the west side property to have a landscaping buffer.

Mr. Niblo stated that he was not able to authorize that today.

Chairman Famble closed the public hearing.

Mr. Rosenbaum made a motion to approved Z-2016-05. Mrs. Ellinger seconded the motion and the motion carried by a vote of five (5) in favor (Dunnahoo, Ellinger, McClarty, Rosenbaum, & Famble), none opposed, and one (1) abstained (Calk).

d. Z-2016-06

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Rick Weatherl, agent EHT, to rezone property from LI (Light Industrial) to CB (Central Business) zoning, located at 858 (850) N. 1st St.

Mr. Ben Bryner presented the staff report for this case. Currently the property is developed with a building and associated parking lot. The overflow parking for Frontier Texas & area used for the farmer's market is adjacent to the east. Adjacent uses are more office & retail and not industrial. The applicant is requesting the CB zoning to allow for a new office use. The CB zoning is preferred to the LI zoning as it does not have any setback requirements from the property lines. An expansion is being considered for the building.

The Future Land Use section of the Comprehensive Plan designates this general area as part of the 'Central Business District' area. North 1st Rd is designated as a 'minor arterial' roadway. The majority of this area is zoned and used for CB uses. 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. Two (2) comment forms were received in favor and zero (0) 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 this request and inquired if there were any questions.

Chairman Famble closed the public hearing.

Chairman Famble moved to approve Z-2016-06. Mr. Calk seconded the motion and the motion carried by a vote of six (6) in favor (Calk, Dunnahoo, Ellinger, McClarty, Rosenbaum, & Famble) and none opposed.

e. Z-2016-07

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Joshua Boynton, agent C.J. Chaney - Coldwell Banker Realtor, to rezone property from LI (Light Industrial) to GC (General Commercial) zoning, located at 1701 N. Treadaway Blvd.

Mr. Ben Bryner presented the staff report for this case. Currently the property is developed and was the previous Mrs. Baird's Pies. Adjacent uses are more office, retail, & commercial in nature and not industrial. A new assisted living facility and a surgery center exist to the west across N. Treadaway Blvd. Several single-family residential uses exist along the east side of Cottonwood St. The applicant is requesting the GC zoning to allow for a personal fitness gym. The proposed use is not allowed in the existing LI zoning district.

The Future Land Use section of the Comprehensive Plan designates this general area as the southern part of a 'Special Activity Center' area located at the intersection of N. Treadaway Blvd & Ambler Ave. North Treadaway Blvd is designated as an 'arterial' roadway as well as an 'enhancement corridor'. Although the corridor does include some industrial type uses, the majority have transitioned to office and commercial uses. 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 as requested.

Chairman Famble opened the public hearing.

Mr. Josh Boyton (agent) spoke in favor of the zoning change. Mr. Boyton stated he is proposing a small cross-fit fitness center.

Mr. Dunnahoo inquired about the hours of operation.
Mr. Boyton stated having a class in the early morning and a class at night until established.

Chairman Famble closed the public hearing.

Mr. Rosenbaum made a motion to approve Z-2016-07. Mr. Dunahoo seconded the motion and the motion carried by a vote of six (6) in favor (Calk, Dunnahoo, Ellinger, McClarty, Rosenbaum, & Famble) and none opposed.

Item Six: Ordinance Amendment:

Mr. Ben Bryner stated this ordinance was to help one of the tax-credit proposals with their scoring and points to gain funding for a project within the Cobb Park area. Was notified that they will not move forward on this project, therefore no need to discuss the amendment.

Mr. McClarty inquired if this item needs to be TABLED.
Mrs. Kelley Messer stated no need to TABLE, but that we need to open the public hearing.

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

Item Seven: Directors Report:

The two (2) items brought before City Council as recommended by the Commission were approved with no restrictions or added changes.

Mr. McClarty stated he would like to see an item put on next month agenda regarding Preliminary Plats and the process that is needed.

Item Eight: Meeting Adjourned:

The Planning & Zoning Commission meeting was adjourned at approximately 2:21 p.m.

Approved: _____,
Chairman