
PLANNING & ZONING COMMISSION

March 6, 2017

Minutes

Members Present: Mr. Fred Famble
Mr. Tim Smith
Mr. Bruce Bixby
Mr. Robert Calk
Mr. Mike Dunnahoo
Mr. Clint Rosenbaum
Mr. Tim McClarty, Chair

Staff Present: Mr. Taurus Freeman, Assistant Director
Mr. Bradley Stone, Planner II
Mr. Duane Hall, Planner II & Historic Preservation Officer
Mrs. Melissa Farr, Administrative Secretary
Mrs. Kelley Messer, Assistant City Attorney

Others Present: Mr. Bruce Kreitler Mr. David Todd
Ms. Tiffany Nichols Ms. Alexis Wiser

Item One: Call to Order

Chairman McClarty called the meeting to order at 1:30 p.m. and declared a quorum present. He made the brief announcement that this is his last meeting to serve on the Commission.

Item Two: Invocation

Chairman McClarty gave the invocation.

Item Three: Approval of Minutes

Mr. Famble moved to approve the minutes from the previous meeting, and Mr. Calk seconded the motion. The vote was approved by seven (Famble, Smith, Bixby, Calk, Dunnahoo, Rosenbaum, and McClarty) with none in opposition.

Item Four: Plats:

FP-7116

Rainy Creek Addition, Section 2, Being a Replat of Lot 1, Block C, Rainy Creek Addition, City of Abilene, Taylor County, Texas.

PP-0917

Preliminary Plat for Allen Ridge Subdivision, Abilene, Taylor County, Texas.

Mr. Bradley Stone presented the plat requests.

Chairman McClarty opened the public hearing.

No one spoke for or against these requests.

Chairman McClarty closed the public hearing.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the requested plats.

Mr. Bixby moved to approve the plat requests, and Mr. Smith seconded the motion. The vote was approved by seven (Famble, Smith, Bixby, Calk, Dunnahoo, Rosenbaum, and McClarty) with none in opposition.

Item Five: Zoning:

a. Z-2017-05

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Terry J. Adams, to rezone property from AO (Agricultural Open Space) to LI (Light Industrial), to allow for Wholesaling and Storage (Indoors), legal description being East 1.00 acre of Block A, Silver Spur Addition, located at 3558 E Hwy 80.

Mr. Duane Hall presented this request. The subject parcel is one acre in size. The property is undeveloped, but there are miscellaneous items being stored on the property. A seven-foot high metal fence along the front property line screens the property from E Highway 80. The parcel has 100 feet of frontage along E Highway 80 with a paved driveway.

The surrounding properties are zoned Light Industrial (LI) to the west and south across E Highway 80 and Agricultural Open Space (AO) to the north and east. Current uses of the surrounding area are:

- West: Undeveloped with an unused 1950-era motel
- South: Cabinet / counter-top manufacturing, automobile repair
- East: Undeveloped
- North: Single family residences

The property was annexed in 1964 and was zoned Agricultural Open Space (AO) at that time. The district is typically used as a "holding zone" for land annexed to the City of Abilene, until an applicant requests and the City considers a more intensive zoning district of the land. The southerly 170 feet of the property is located in a 100-year floodplain, but this area of shallow flooding will not impede access to or development of the subject parcel.

The *Future Land Use and Development Plan* map of the Comprehensive Plan designates this general area as part of a 'Gateway/Business-Industrial' designation. The Thoroughfare Plan designates East Highway 80 an 'arterial' roadway. Most of the properties along E Highway 80 between Loop 322 and Interstate 20 have been rezoned Industrial (LI, HI) with some properties still zoned Agricultural Open Space (AO).

Chairman McClarty opened the public hearing.

No one spoke in favor nor in opposition.

Chairman McClarty closed the public hearing.

The Planning Services Division sent, with certificate of mailing, public notices to the applicant and property owners within a 200-foot radius. One (1) response was received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the requested rezoning.

Mr. Famble moved to approve this request, and Mr. Dunnahoo seconded the motion. The vote was approved by seven (Famble, Smith, Bixby, Calk, Dunnahoo, Rosenbaum, and McClarty) with none in opposition.

b. Z-2017-06

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Orange Theory Fitness., agent Enprotec/Hibbs & Todd, to amend the terms and conditions of PD77 (Planned Development 77) to allow for Indoor Recreation as a permitted use, legal description being Lot 1, Block A, PAK Addition, located at 3934 and 3950 Catclaw Drive.

Mr. Bradley Stone presented this request. The applicant is requesting to amend the PD zoning in order to allow for "indoor recreation/physical fitness." Currently the PD zoning has a base zoning of NR (Neighborhood Retail) and does not allow for "indoor recreation/physical fitness" by right. The requested amendment would be compatible with the surrounding commercial and multi-family uses as well as the Comprehensive Plan. One reason why NR was selected is this particular commercial strip is located directly across the street from a residential environment.

Catclaw Drive is designated as a 'minor-arterial' roadway. There is a 100-year flood hazard area that only affects the north-western most portion of the property.

The entire PD-77, made up of four (4) parcels total approximately 8.25 acres and is currently zoned PD-77 (Planned Development). There has been a retail space and an office space developed within the PD on approximately 4.598 acres and the rest of the subject parcel is 3.652 acres in size, located in the center of the PD, is currently undeveloped. The adjacent properties have AO (Agricultural Open Space) zoning to the west, MF (Multi-Family) to the east, and PD-77 (Planned Development) zoning to the north and south. Current uses of the surrounding area are:

West: Regional Detention Facility
South: Restaurant Use
East: Apartments
North: Retail and Medical Uses

Chairman McClarty opened the public hearing.

Mr. David Todd addressed this item as the representative for Orange Theory Fitness. He replied to Mr. Bixby's question by sharing his opinion that one of the reasons indoor workout facilities have been left out of Neighborhood Retail District zoning (NR) are due to the hours of operation. He said Orange Theory is a franchise workout facility.

Chairman McClarty closed the public hearing.

The Planning Services Division sent, with certificate of mailing, public notices to the applicant and property owners within a 200-foot radius. One (1) response was received in favor from the owner of the property to the south of the subject property, with none (0) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the requested PD 77 amendment, as long as this additional permitted use remains subject to the same limitation as the NR district.

Mr. Rosenbaum moved to approve this request, and Mr. Calk seconded the motion. The vote was approved by seven (Famble, Smith, Bixby, Calk, Dunnahoo, Rosenbaum, and McClarty) with none in opposition.

Item Six: Director's Report:

In the absence of the director, Mr. Dana Schoening, Mr. Freeman, assistant director, addressed recent City Council decisions regarding items recommended by the Planning & Zoning Commission.

Approved Ordinances from February 9, 2017:

7.1 Ordinance & Public Hearing: (Final Reading) Case #Z-2017-01 A request from Nora Carpenter, to rezone property from AO/COR (Agricultural Open Space/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay), being 1.005 acres, located at 7542 Buffalo Gap Road.

City Council Approved unanimously (6-0)

7.2 Ordinance & Public Hearing: (Final Reading) Case #Z-2017-02 A request from Tuscany Ridge, LLC., agent Enprotec/Hibbs and Todd, to rezone property from RS6 (Residential Single Family) to PH (Patio Home) being 17.292 acres located in the 7550 Block (west side) of Hardwick Rd, north of Waldrop Dr.

City Council Approved unanimously (6-0)

Approved Ordinances from February 23, 2017:

6.1 Ordinance: (First Reading) TC-2016-03 A request from Abilene Ind. School District, Agent Tal Fillingim, to abandon an unimproved L-shaped strip of land in center of block bounded by Industrial Blvd., Amarillo, Vine and South 36th Streets; and setting a public hearing for March 9, 2017.

City Council Approved unanimously to move to Final Reading.

6.2 Ordinance: (First Reading) Z-2017-03 A request from Ramsey Leasing Inc., agent Enprotect/Hibbs & Todd, to rezone property from AO (Agricultural Open Space) to GC (General Commercial), being 60.29 acres, located at 302 E. Overland Trail; and setting a public hearing for March 9, 2017.

City Council Approved unanimously to move to Final Reading.

Item Seven: Meeting Adjourned:

The Planning & Zoning Commission meeting was adjourned at 2:03 p.m.

Approved: _____
Chairman



