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# PLANNING & ZONING COMMISSION

April 3, 2017

## Minutes

**Members Present:** Mr. Fred Famble  
Mr. Tim Smith  
Mr. Bruce Bixby  
Mr. Robert Calk  
Mr. Mike Dunnahoo

**Members Absent:** Mr. Clint Rosenbaum

**Staff Present:** Mr. Dana Schoening, Director  
Mr. Taurus Freeman, Assistant Director  
Mr. Zack Rainbow, Planning Services Manager  
Mr. Duane Hall, Planner II & Historic Preservation Officer  
Mrs. Melissa Farr, Administrative Secretary  
Mrs. Kelley Messer, Assistant City Attorney

**Others Present:** Mr. Chris Taylor                      Mr. Weldon Hurt  
Mr. Bruce Kreitler                      Mr. Ryan Holmes  
Ms. Michelle Lord                      Mr. Rick Denbow  
Ms. Mindy Patterson                      Mr. William Peacock  
Mrs. Margaret Peacock                      Mr. Charles Sherrill

**Item One: Call to Order**

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

**Item Two: Invocation**

Mr. Famble gave the invocation.

**Item Three: Approval of Minutes**

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

**Item Four: Plats:**

FP-2916

Elm Creek at Wylie, Section 1, an Addition to the City of Abilene, Taylor County, Texas.

PP-2117

Revised Preliminary Plat for Tuscany Ridge, Section 2, Abilene, Taylor County, Texas.

Mr. Zack Rainbow presented the plat requests.

Mr. Famble opened the public hearing.

No one spoke for or against these requests.

Mr. Famble closed the public hearing.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of the requested plats.

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

**Item Five: Zoning:**

a. Z-2017-07

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Charles Sherrill, to rezone property from AO (Agricultural Open Space) to MH (Mobile Home), to allow for Allow placement of manufactured homes on new lots to be subdivided from this acreage, legal description being 15.0 acres out of J. Jarman Survey 82, Abilene, Texas, located at 249 Neas Road.

The applicant, Charles Sherrill, is seeking to rezone a 15+/- acre parcel addressed as 249 Neas Road, to rezone the parcel from AO (Agricultural Open Space) to MH (Mobile Home) in order to subdivide and locate mobile/manufactured homes on the property.

Mr. Famble opened the public hearing.

Mr. Charles Sherrill clarified he only wants to place one mobile home on the back portion of the property. He stated his grandmother currently lives in the house on the lot, and he wants to live on the property to assist her.

Ms. Michelle Lord announced her opposition to this request. Her concern is the request will potentially allow a future mobile home park. She owns the property to the east of this subject site.

Mrs. Margaret Peacock also stated opposition and the same concern of a future mobile home park, if the property was rezoned to MH. Also, she said it will not only decrease the value of her personal property, but that of her neighbors' as well.

Mr. Sherrill approached to revise his original request to address the concerns of his neighbors. He is willing to rezone less property for MH use.

Ms. Lord restated the desire to have ample space between neighbors on that road.

Mr. Famble closed the public hearing.

There was some discussion that much of the area is currently surrounded by MH zoning and flood plain area.

Mr. Famble opened the public hearing.

The applicant was asked if he had a specific time frame to resolve this matter and place a mobile home on the property. Mr. Sherrill replied he would like to do this within a year. Mr. Sherrill indicated he wants one (1) acre rezoned on the southwest portion of the lot, and will place the mobile home approximately 700-feet south of the existing home.

Mr. Famble 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. No (0) responses were received in favor, but one (1) response was received directly before the meeting in opposition.

**PLANNING STAFF RECOMMENDATION:**

Approval of AO to MH as requested.

**Mr. Bixby made a motion to approve this revised request, which designates the front five (5) acres as agricultural (AO), and Mr. Smith seconded the motion. The vote was approved by four (Famble, Smith, Bixby, and Dunnahoo) with one (Calk) in opposition.**

b. Z-2017-08

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Efran Villalobos to rezone property from AO (Agricultural Open Space) to HC (Heavy Commercial), being 9.871 acres, located at 6633 Hwy 277 S., with the legal description being 10 acres, described in Volume 707, Page 101, Deed Records, out of the William Scallorns Survey No. 46.

Mr. Duane Hall presented this request. The applicant, Efran Villalobas, is seeking to rezone the parcel from AO (Agricultural Open Space) to HC (Heavy Commercial) for an electrical contractor business. The HC zoning district "is intended to accommodate the sale, service, display, and

storage of certain commodities which by their nature may not be compatible with many other sales and display operations." Heavy commercial uses include building material yards, contractor yards, open storage and warehousing. In addition to the existing building being used for commercial uses, the vacant portion of the property could be developed with heavy commercial uses, including new buildings and outdoor storage areas.

Mr. Famble opened the public hearing.

No one was present to speak in favor or in opposition.

Mr. Famble 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. No (0) responses were received in favor, with one (1) received in opposition.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of the requested rezoning.

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

c. Z-2017-09

Public hearing and possible vote to recommend approval or denial to the City Council on a request from City of Abilene, agent Don Green, to enlarge the boundary of Planned Development District Number 2 (PD 2) to include all of a certain 51.91-acre tract out of the northeast portion of Lot 1 in Block A of the Abilene Airport Addition to Abilene, Taylor County, Texas and bordering the east side of Loop 322 (west of Navajo Trail on the grounds of Abilene Regional Airport) and furthermore to allow universities/colleges and trade/business schools within the same 51.91-acre tract of land.

Mr. Zack Rainbow presented this request. The applicant's request to rezone the parcel is to allow for College/University and Technical/Business School as permitted uses, in order to build a new Texas State Technical College Campus.

Mr. Famble opened the public hearing.

Mr. Rick Denbow stated his appreciation to the Commission for their consideration of this request and asked for approval. He said the intention is to expand according to the needs of the community.

Mr. Famble 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. Thirty-three (33) responses were received in favor from the City of Abilene, with zero (0) received in opposition.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of the requested rezoning to enlarge the boundary of Planned Development District Number 2 (PD 2) and approval of the rezoning amendments to PD 2 to allow for College/University and Technical Trade/Business School as permitted uses.

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

d. TC-2017-02

Public hearing and possible vote to recommend approval or denial to the City Council on a request from The Covenant Group, with David Todd eHT as the agent, to abandon approximately 195-feet of the Central Park Boulevard, near the Royal Estates Assisted Living Facility. Despite the 330' dimension shown, the cul-de-sac would continue to be City right-of-way; thus, the abandonment would start on the south end of the proposed cul-de-sac.

Mr. Calk recused himself from this item.

The applicant is requesting to abandon approximately 195-feet of the Central Park Boulevard, near the Royal Estates Assisted Living Facility. Questions regarding the location of the cul-de-sac, safety concerns, and if there would be a period of time when roadway would not be available.

Mr. Rainbow explained the conditions of the Plat Review Committee, which requires the applicant to replat within 12 months, and that the applicant is responsible for providing easements for and/or relocating existing utilities.

Mr. Famble opened the public hearing.

Mr. B. J. Pritchard, of eHT, said the proponent owns both facilities and their intent is to replat into one (1) lot. The plan is to develop a new assisted care facility to the west of the closure.

Mr. Famble 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. No (0) responses were received in favor, nor in opposition. One response was received with signature, but not marked in favor or opposition.

**PLANNING STAFF RECOMMENDATION:**

Approval per the Plat Review Committee.

**Mr. Bixby made a motion to approve this request, and Mr. Dunnahoo seconded the motion. The vote was approved by four (Famble, Smith, Bixby, and Dunnahoo,) with none in opposition. Mr. Calk had recused himself from the vote.**

**Item Six: Director's Report:**

Mr. Dana Schoening addressed recent City Council decisions regarding items recommended by the Planning & Zoning Commission.

**CITY COUNCIL MEETING  
March 9, 2017 at 8:30 a.m.**

*(Final Reading)* Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance to amend Chapter 19 "Nuisances and Illegal Dumping," Article III, "Nuisance Enforcement," Section 19-34 "Administrative Procedure for Junked Vehicles" and Section 19-35 "Penalties, Costs and Fees for Section 19-1: Junked Vehicle."

**City Council tabled this item unanimously (6-0).**

*(Final Reading)* Case #TC-2016-03. Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance for Case #TC-2016-03. A request from Abilene Independent 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.

**City Council approved unanimously (6-0).**

*(Final Reading)* Case #Z-2017-03. Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance for Case #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.

**City Council approved unanimously (6-0).**

**CITY COUNCIL MEETING  
March 23, 2017 at 8:30 a.m.**

*(First Reading)* Case #Z-2017-05: A request from Terry J. Adams, to rezone property from AO (Agricultural Open Space) to LI (Light Industrial), to allow for Wholesale and Storage (Indoors), located at 3558 E Hwy 80; and setting a public hearing for April 13<sup>th</sup> 2017.

**City Council approved unanimously (6-0).**

*(First Reading)* Case #Z-2017-06: A request from Orange Theory Fitness, agent Enprotec/Hibbs & Todd, to amend the terms and conditions of the PD77 (Planned Development 77) to allow for Indoor Recreation as a permitted use, located at 3934 and 3950 Catclaw Drive; and setting a public hearing for April 13<sup>th</sup>, 2017.

**City Council approved unanimously (6-0).**

*(Final Reading)* Ordinance & Public Hearing: REMOVED FROM TABLE. Amending Chapter 19 "Nuisances and Illegal Dumping," Article III, "Nuisance Enforcement," Section 19-34 "Administrative Procedure for Junked Vehicles" and Section 19-35 "Penalties, Costs and Fees for Section 19-1: Junked Vehicle."

**City Council approved (4-2).**

**Item Seven: Meeting Adjourned:**

The Planning & Zoning Commission meeting was adjourned at 2:23 p.m.

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



