
PLANNING & ZONING COMMISSION

May 1, 2017

Minutes

Members Present: Mr. Fred Famble
Mr. Clint Rosenbaum
Mr. Bruce Bixby
Mr. Robert Calk
Mr. Mike Dunnahoo
Mr. Bill Noonan

Members Absent: Mr. Tim Smith

Staff Present: Mr. Dana Schoening, Director
Mr. Taurus Freeman, Assistant Director
Mr. Zack Rainbow, Planning Services Manager
Mr. Bradley Stone, Planner III
Mrs. Melissa Farr, Administrative Secretary
Mrs. Kelley Messer, Assistant City Attorney

Others Present: Mr. Jerry Wagamon Mrs. Patricia Wagamon
Mr. B.J. Prichard Mr. Kevin Hanna
Mr. Clay Trumble Mr. Roger Jackson
Mr. Brad Wilson Mr. Bill Bushell
Mr. Clayton Farrow Mr. Mitch Elliott
Mr. Rodger Jungling Mr. Matthew Jungling
Ms. Lin Thompson Mr. Jacob Downing
Mr. Bruce Kreitler

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

Item Four: Plats:

FP-6316
Hampton Hills, Section IV, Abilene, Taylor County, Texas.

MRP-0217
TLC Academy Addition, City of Abilene, Taylor County, Texas.

PP-1417
Preliminary Plat for Griffith Lake Estates, 153.927 Acres out of the NE/4 of Section No. 33, Abstract No. 1432, Blind Asylum Lands, City of Abilene, Taylor County, Texas.

PP-1517
Carriage Hills Addition, 264.739 Acres out of the W/2 of Section No. 14, Lunatic Asylum Lands, Abstract NOS. 776 & 777, City of Abilene, Taylor County, Texas.

FP-2517
A Plat of Lot 3, Block A, Cinemark Subdivision, Abilene, Taylor County, Texas.

FRP-2617
Lots 101 and 102, Block A, Abilene Regional Airport Addition, 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. Rosenbaum moved to approve the plat requests, and Mr. Calk seconded the motion. The vote was approved by six (Dunnahoo, Bixby, Famble, Rosenbaum, Calk, and Noonan) with none in opposition.

Item Five: Zoning:

a. **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 increased hours of operation for 'Recreation and

Commercial Recreation (Indoor)' from 6 a.m.-11 p.m. to 5 a.m.-11 p.m., legal description being Lot 1, Block A, PAK Addition. Located at 3934 and 3950 Catclaw Drive.

The request is to extend the hours of operation one additional hour in the morning.

Mr. Famble opened the public hearing.

Mr. Brad Wilson spoke on behalf of Orange Theory Fitness to confirm the facility will host small fitness classes being no more than 40 people. They do not expect an increase in noise or the traffic count, as everything will be indoor activity.

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. One (1) response was received in favor, with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION:
Approval of the amendment to PD77 as requested.

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

b. Z-2017-10

Public hearing and possible vote to recommend approval or denial to the City Council on a request from Tigris II, LTD, agent B.J. Prichard, Enprotec/Hibbs & Todd, to amend 12.99 acres out of the 26.3 acres of Planned Development District Number 155 (PD 155) to allow MF (Multi-Family/Apartment uses) within the 12.99-acre tract of land. Legal description being 12.99 acres out of A0417 SUR 101 WM E VAUGHN, as described by Tract "A", being 10.72 acres and Tract "B", being 2.27 acres.

Mr. Famble opened the public hearing.

Mr. B.J. Prichard clarified the original request was simply a blanket request for MF zoning, but the proponent is willing to accept the MD zoning as suggested. The only difference between the two is the line between is more to the west.

There is a patio home development in the works adjacent to Wylie Legacy. The new MD part of that tract includes a 10-acre tract for lower density apartment structures and a new street. The intended construction is in the south 10-12 acres south of the apartment complex for expansion.

Mr. Jerry Wagamon reminded that this area has been residential since 2013, and City Council has already approved patio homes. He believes the problem is developing Velta Lane.

Mr. Roger Jackson said his property would be adjacent to the apartment complex. He does not have an issue with the patio homes, so he would like to see the zoning stay the same.

Mr. Kevin Hanna said he would never have purchased his home if he knew the neighborhood could change in this way.

Ms. Lin Thompson said she and her neighbors are very passionate about where they live. They walked the neighborhood last year to retrieve responses and all were opposed. They are requesting the zoning remain the same.

Mr. Jacob Downing stated the neighbors and the builder each made concessions to meet the compromise of patio homes one year ago.

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. Two (2) responses were received in favor, with nine (9) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends denial.

Mr. Bixby moved to deny this request, and Mr. Dunnahoo seconded the motion. The vote was approved by six (Dunnahoo, Bixby, Famble, Rosenbaum, Calk, and Noonan) with none in opposition.

c. Ordinance Amendment:

Public hearing and possible vote to recommend approval or denial to the City Council on an amendment to the Land Development Code (LDC) regarding Section 2.4.2.1 'The Land Use Matrix', Section 2.3.2.9 Residential Multiple-Family, and 2.4.3.3 'All Other Uses Without Specific Requirements' pertaining to changing Residential Uses- Dwelling-Multiple-Family (24 units per acre), 'P-Permitted' to allowed with a 'C-Conditional Use Permit' in CU (College & University), O (Office), NO (Neighborhood Office), GR (General Retail), MU (Medical Use), CB (Central Business) MX (Mixed Use) and NR (Neighborhood Retail) zoning districts.

Mr. Dana Schoening presented this discussion. He said MF designation is a "Use By Right." It is more compatible with other uses. The purpose of this discussion is to decide if MF should be reviewed as a conditional use.

The discussion among the Commission centered on the importance to inform residential owners of project intentions, and whether or not this change would be unattractive to current developers

who might already have an existing project in the idea stage. Everyone agreed the site plan process would have to be clearly communicated, and a time frame to give notice of the change for permitted uses would have to be established.

Mr. Schoening will bring the discussion back to the next meeting.

Item Six: Director's Report:

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

CITY COUNCIL MEETING

April 13, 2017 at 8:30 a.m.

(Final Reading) Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance for 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.

City Council approved this item unanimously (6-0).

(Final Reading) Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance for 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.

City Council approved unanimously (6-0).

CITY COUNCIL MEETING

April 27, 2017 at 8:30 a.m.

(First Reading) Case #TC-2017-02 A request from The Covenant Group, to abandon approximately 195-feet of the Central Park Boulevard near the Royal Estates Assisted Living Facility; and setting a public hearing on May 11, 2017.

City Council approved unanimously (6-0).

(First Reading) Case #Z-2017-07 A request from Charles Sherrill, to rezone property from AO (Agricultural Open Space) to MH (Mobile Home), to allow for placement of mobile/manufactured homes on new lots to be subdivided from this acreage, being 15.0 acres Located at 249 Neas Road; and setting a public hearing May 11th 2017.

City Council approved unanimously (6-0).

(First Reading) **Case #Z-2017-08** 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. legal description being 10 acres; and setting a public hearing on May 11, 2017.

City Council approved unanimously (6-0).

(First Reading) **Case #Z-2017-09** 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 51.891 acre tract out of the northeast portion of Lot 1 in Block A of the Abilene Airport Addition, bordering the east side of Loop 322 to allow universities/colleges and trade/business schools within the 51.891-acre tract of land; and setting a public hearing on May 11, 2017.

City Council approved (5-1).

Item Seven: Meeting Adjourned:

The Planning & Zoning Commission meeting was adjourned at 2:46 p.m.

Approved: _____
Chairman

