
PLANNING & ZONING COMMISSION MEETING MINUTES

November 7, 2017

1:30 p.m.

PLANNING & ZONING COMMISSION OF THE CITY OF ABILENE, TEXAS COUNCIL CHAMBERS, CITY HALL

Members Present: Mr. Fred Famble, Chairman
Mr. Clint Rosenbaum, Vice-Chairman
Mr. Bruce Bixby
Mr. Tim Smith, Secretary
Mr. Robert Calk
Mr. Bill Noonan
Mr. Mike Dunnahoo, Sergeant of Arms

Staff Present: Mr. Taurus Freeman, Interim Director
Mr. Zack Rainbow, Planning Services Manager
Ms. Melissa Farr, Administrative Secretary
Ms. Kelley Messer, First Assistant City Attorney

Others Present:

Mr. Timothy Schmidt	Ms. Edelmira Trevino
Mr. Aaron Young	Mr. Duane Martin
Mr. Johnny Huff	Mr. Kevin Phillips
Mr. Pierce Carpenter	Mr. Steve Walker
Mr. Don Clark	Ms. Carmen Price
Mr. Henry Peacock	Mr. Wade Wilson
Ms. Renee Wilson	Mr. Brad Lilly
Mr. Curtis Robinson	Mr. Liborio Moreno
Mr. Rodney Tedford	Mr. Will Tims, Jr.
Ms. Virginia Parsons	Ms. Betty Ann Little
Councilman Bruce Kreitler	Ms. Trudy Faulkenberry
Ms. Martha Faulkenberry	Mr. Andrew Valdez
Ms. Kris Kinnaman	Mr. Tal Fillingim

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. Rosenbaum moved to approve the minutes from the previous meeting as presented, there being no deletions, no additions, and no corrections. Mr. Noonan seconded the motion. The vote was approved by seven with none in opposition.

AYES: Rosenbaum, Dunnahoo, Smith, Bixby, Calk, Noonan, and Famble
NAYS: None

Item Four: Plats

- a. FP-4817: Heritage Parks Addition, Section 9, Continuation 1, Being 8.579 Acres out of the SE/4 of Section No. 21, City of Abilene, Taylor County Texas.
- b. FRP-6017: Lone Oak Industrial Park, Section 2, Being 16.29 Acres Out of Section 67, Blind Asylum Lands, Taylor County, Texas.
- c. PP-6717: Lots 101 & 2, Lone Oak Industrial Park, Section 1, Being 27.924 Acres Out of Section 67, Blind Asylum Lands, 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.

STAFF RECOMMENDATION:

Staff recommends approval of the requested plats.

Mr. Rosenbaum moved to approve the plat requests, and Mr. Smith seconded the motion. One (1) abstained from the vote for FP-4817. The vote was approved by six with none in opposition.

AYES: Rosenbaum, Dunnahoo, Smith, Calk, Noonan, and Famble
NAYS: None
ABSTAINED: Bixby

One (1) abstained from the vote for PP-6717. The vote was approved by six with none in opposition.

AYES: Rosenbaum, Dunnahoo, Smith, Bixby, Noonan, and Famble
NAYS: None
ABSTAINED: Calk

Item Five: Zoning Items:

a. CUP-2017-01

Public hearing and possible vote to recommend approval or denial to City Council on a request from Jeffery & Margaret Martinez, agent Andrew Valdez for Conditional Use Permit to allow 'Light Manufacturing' on property zoned HC (Heavy Commercial), legal description being Lot 1 in Block 8 of the Pasadena Heights Addition, and located at 1900 E. Hwy 80.

Mr. Famble opened the public hearing.

Mr. Andrew Valdez spoke in favor of this request stating:

- The dust collection system will be inside the building.
- There will be no retail traffic.
- He expects 15-20 employees over a period of time.
- There will be lighting for security.

Those speaking in opposition of this request were: Mr. Curtis Robinson, Mr. Henry Peacock, and Mr. Claudie Brown.

Opposition was based upon:

- Sentimental/historical value to the people who live in the community
- Concern of inviting an unwanted type of commercial business in the area
- Drainage problems in the area

Mr. Famble closed the public hearing.

Commission and Staff discussion included: Base zoning is not changing, 1) Drainage issues will be addressed in the site plan, 2) Conditional use is for the building and use of cabinet shop (The permit stays with the building and does not follow the owner.), 3) Condition of the site will be resolved if development is allowed, and 4) A significant buffer would be required.

Property owners within a 200-foot radius were notified of this request. Zero (0) responses were received in favor with five (*5) in opposition. (*Not in notification area.)

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the request, with the following condition:

1. All of the business be conducted indoors and during normal business hours.

Mr. Calk made the motion to approve this request, and Mr. Smith seconded the motion. The vote was approved by five (5) with two in opposition.

AYES: Rosenbaum, Dunnahoo, Smith, Calk, and Noonan

NAYS: Bixby and Famble

b. Z-2017-20

Public hearing and possible vote to recommend approval or denial to City Council on a request from Steve & Diana Walker, and Brad Lilly, to rezone two (2) lots from a combination of GC/RS-6 (General Commercial/Residential Single Family) Districts to only a GC (General Commercial) District. Legal descriptions being Lot 1, Block A, Walker Addition and a 1.843-acre tract out of southeast quarter of B.A.L. Survey 48, and located at 625 and 541 ES 11th Street.

Mr. Famble opened the public hearing.

No one spoke in favor nor opposition for this item.

Mr. Famble closed the public hearing.

Commission and Staff discussion included:

- Which one is worse, to add commercial zoning or to leave undeveloped land?
- Expectation of residents behind this area
- Rights of ownership

Property owners within a 200-foot radius were notified of this request. One (1) response was received in favor with one (1) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends the Commission recommend approval of the requested rezoning to the City Council.

Mr. Smith made the motion to approve this request, and Mr. Rosenbaum seconded the motion. The vote was approved by five (5) with two in opposition.

AYES: Rosenbaum, Dunnahoo, Smith, Calk, and Noonan

NAYS: Bixby and Famble

c. Z-2017-21

Public hearing and possible vote to recommend approval or denial to City Council on a request from Prairie Song LLC, agent eHT, to rezone two (2) tracts of land from PD144 (Planned Development 144) to a combination of MD and MF (Medium-Density Residential and Multi-Family Residential) Districts. Legal descriptions being a 12.04-acre tract out of Survey 84 of T.&P. RWY CO. Block 14, and all of Block 11 in The Hillcrest Addition, Section 4, Abilene, Taylor County, Texas, and located at 2668 Garfield Avenue and the northwest corner of Garfield Avenue and Campus Court.

Mr. Famble opened the public hearing.

Those speaking in opposition were: Ms. Betty Ann Little, Mr. Aaron Young, Ms. Carmen Price and Ms. Kris Kinnaman.

Some of the concerns expressed were:

- The destruction of a floodplain
- Reduction of rental value for properties
- Potential for an increase in traffic.

Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. Zero (0) responses were received in favor with *46 in opposition. (*31 are outside of 200' notification area.) Five (5*) for Amending PD to allow duplexes (per petition).

PLANNING STAFF RECOMMENDATION:

Staff recommends the Commission recommend approval of the requested rezoning to the City Council

Mr. Smith made the motion to TABLE this request, and Mr. Calk seconded the motion. The vote to table this request was approved by seven (7) with none in opposition.

AYES: Rosenbaum, Dunnahoo, Smith, Bixby, Calk, Noonan, and Famble

NAYS: None

d. Z-2017-22

Public hearing and possible vote to recommend approval or denial to City Council on a request from Hendrick Medical Center, agent Duane Martin, to rezone four (4) lots from RS-12/COR (Residential Single Family/Corridor Overlay) to MU/COR (Medical Use/Corridor Overlay). Legal descriptions being Lots 1-4, Crestview Acres Addition and located at 5321, 5315, 5301, and 5209 Ridgeline Drive.

Mr. Calk recused himself from this item.

Mr. Famble opened the public hearing.

Mr. Johnny Huff spoke to confirm the houses are serviced by natural gas lines in the alley. He has no objections to the medical plaza.

Mr. Duane Martin spoke in favor of this request and confirmed: 1) The building will face Bettes Lane, 2) The building will house 12 physicians during regular business hours

Mr. Will Timms spoke, not in opposition, to express concern about flooding and traffic flow. He stated the gas lines serve across to Ridgeline Drive.

Mr. Rodney Tedford spoke in opposition. He also confirmed the gas lines are in the alley.

Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. Four (4) responses were received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends the Commission recommend approval of the requested rezoning to the City Council.

Mr. Dunnahoo made the motion to approve this request, and Mr. Noonan seconded the motion. The vote was approved by six (6) with none in opposition.

AYES: Rosenbaum, Dunnahoo, Smith, Bixby, Noonan, and Famble

NAYS: None

ABSTAINED: Calk

e. Z-2017-23

Public hearing and possible vote to recommend approval or denial to City Council on a request from Carriage Hills Development Corporation, agent Clayton Farrow/Jacob and Martin, to rezone property from AO (Agricultural Open Space) to RS-6 (Residential Single Family). Legal description being 45.877 acres out of the northwest quarter of L.A.L. Survey 14, and located at 7681 Maple Street, and east from the southeast corner of Maple Street & Colony Hill Road.

Mr. Famble opened the public hearing.

Mr. Tal Fillingim spoke in favor of this request.

Ms. Virginia Parsons spoke in opposition of this request and expressed dissatisfaction of the timeline of notification process.

Ms. Edelmira Trevino also spoke in opposition due to the concern of notification process and a possible decrease in value of her home.

Mr. Fillingim informed those present at the hearing the development will be approximately 7,000 foot lots with brand new homes. Drainage should significantly improve with this project.

Ms. Trudy Faulkenberry spoke in opposition saying she was not notified of the rezoning request. She would like to see other neighbors have a chance to vote on this action.

Ms. Kelley Messer reminded the Commission they could make the decision to table this request or move forward to City Council.

Mr. Zack Rainbow addressed the notification process as being based on the property tax roll and identification.

Mr. Wade Wilson and Mrs. Renee Wilson both spoke in opposition of this request. Some of the concerns addressed were:

- Increase in traffic volume
- Speeding traffic
- Additional driveways on Colony Hill Road

Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. Two (2) responses were received in favor with one (1) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends the Commission recommend approval of the requested rezoning to the City Council.

Mr. Calk made the motion to approve this request, and Mr. Bixby seconded the motion. The vote was approved by six (6) with none in opposition.

AYES: Dunnahoo, Smith, Bixby, Calk, Noonan, and Famble

NAYS: None

f. Z-2017-24

Public hearing and possible vote to recommend approval or denial to City Council on a request from Glenn & Teresa Mitchell, to rezone property from RR-1 (Rural Residential) to GR (General Retail). Legal descriptions being, Lot 102 in Block A, CB Allen Subdivision, City of Abilene, Taylor County, Texas, and located at 6149 Hartford Street.

Mr. Famble opened the public hearing.

No one spoke in favor nor opposition for this item.

Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. Four (4) responses were received in favor with none (0) in opposition.

Mr. Noonan made the motion to approve this request, and Mr. Bixby seconded the motion. The vote was approved by six (6) with none in opposition.

AYES: Dunnahoo, Smith, Bixby, Calk, Noonan, and Famble

NAYS: None

g. Z-2017-25

Public hearing and possible vote to recommend approval or denial to City Council on a request from Charles Wolfe, to rezone property from LI (Light Industrial) to CB (Central Business). Legal description being, Lots 7-10 in Block 17, Original Town, City of Abilene, Taylor County, Texas, and located at 201 Mesquite Street and 203 Mesquite Street.

Mr. Famble opened the public hearing.

The applicant was unable to attend; however, he sent an email message.

Commission and Staff discussion included: 1) The necessary review of South of Downtown Abilene Area (SoDA) and comprehensive plans to confirm they are in agreement with each other.

Property owners within a 200-foot radius were notified of this request. Zero (0) responses were received in favor with none (0) in opposition. An additional letter was received from the owner in favor.

PLANNING STAFF RECOMMENDATION:

Staff recommends the Commission recommend approval of the requested rezoning to the City Council.

Mr. Bixby made the motion to approve this request, and Mr. Smith seconded the motion. The vote was approved by six (6) with none in opposition.

AYES: Dunnahoo, Smith, Bixby, Calk, Noonan, and Famble

NAYS: None

Item Six: Director's Report:

Below are recent decisions made by the City Council on items that had recommendations from the Commission:

CITY COUNCIL MEETING

October 12 at 4:30 p.m.

Ordinance & Public Hearing: (Final Reading) TC-2017-05 A request from G&P Rentals/Yonge Rentals, agent Jim Hatchett Jr., to abandon all of a 20' wide, east-west alley through Block 9, Oakwood Addition, City of Abilene, Taylor County, Texas, as shown on plat recorded in Volume 2, Page 391, Plat Records, Taylor County, Texas., located at 2960 North 1st Street.

City Council approved. (6-0) Councilman Price declared a conflict and abstained.

CITY COUNCIL MEETING

October 26 at 8:30 a.m.

Ordinance: (First Reading) Z-2017-18 A request from HIT Ventures LLC, represented by Harley Burnett, Agent CJ Chaney, to rezone two (2) lots from AO (Agricultural Open Space) to GC (General Commercial) located at the northwest corner of Maple St. and S. 27th St.; and setting a public hearing for November 2, 2017.

City Council approved unanimously. (7-0)

Ordinance: (First Reading) Z-2017-19 A request from Charles Coody, agent eHT, to enlarge the boundary of Planned Development District located at 1510 E. Industrial Boulevard, and amending Planned Development District Number 70), to allow PH (Patio Homes), and to amend other specific regulations. Located at 1510 E. Industrial Boulevard and the 1500 Block of the north side of E. Industrial Boulevard; and setting a public hearing for November 2, 2017.

City Council approved unanimously. (7-0)

Ordinance: *(First Reading)* OAM-2017-04 Amendment to the Land Development Code (LDC) regarding Section 2.4.3.3 'All Other Uses Without Specific Requirements' pertaining to changing (33) LIQUOR STORE, On-Premise Consumption; subpart a. Distances Required; and setting a public hearing for November 2, 2017.

City Council approved unanimously. (7-0)

Item Seven: Adjourn

The Planning & Zoning Commission meeting was adjourned at 4:15 p.m.

Approved:
Chairman



