
PLANNING & ZONING COMMISSION MEETING MINUTES

July 3, 2018

1:30 p.m.

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

Commissioners Present: Mr. Fred Famble, Chairman
Mr. Clint Rosenbaum, Vice-Chairman
Mr. Tim Smith, Secretary
Rev. Iziar Lankford
Mr. Bruce Bixby
Mr. Bill Noonan

Commissioners Absent: Mr. Robert Calk

Staff Present: Mr. Ken Flynn, Interim Director/Planning & Development
Services
Mr. Bradley Stone, Planner III
Mr. Hayden Brodowsky, Planner I/Historic Preservation Officer
Ms. Melissa Farr, Administrative Secretary
Ms. Kelley Messer, First Assistant City Attorney

Others Present:

Mr. Larry Earley	Ms. Rosemary Hall
Mr. Joe D. Hall	Mr. Barry Fowlkes
Ms. Patricia Galloway	Mr. Jay C. Davis
Ms. Charlotte Pachall	Mr. John Chalmers
Ms. Marilyn Chalmers	Mr. Jim W. Grohman
Ms. Barbara Miers	Mr. Jerod Newberry
Mr. Steve Dieterichs	Mr. Caleb Fullerton
Mr. Skip Cannon	Mr. David Halbert
Ms. Dee Halbert	Mr. Kenneth Heaton
Mr. Anthony Miller	Mr. Dan Flatt

CALL TO ORDER

Mr. Famble called the meeting to order at 1:30 p.m. and Ms. Farr recorded the minutes. A quorum of commissioners was present, and the meeting proceeded.

INVOCATION

Mr. Famble delivered the invocation.

MINUTES

The minutes of the previous meeting, June 5, 2018, were provided in advance to the commissioners, and were approved as presented.

Reverend Lankford moved to approve the minutes as presented, there being no deletions, no additions, and no corrections. Mr. Noonan seconded the motion. The motion carried unanimously by six (6) with none in opposition.

AYES: Smith, Lankford, Bixby, Noonan, Rosenbaum, Famble

NAYS: None

PLATS

FP-7517: Newhouse Farms, Being 16.079 Acres Out of the James Vaughn Survey No. 54, Abstract No. 415, City of Abilene, Taylor County, Texas.

FP-2818: A Plat of Section 3, Tuscany Ridge Addition, Abilene, Taylor County, Texas.

MRP-3018: Replat of Hampton Hills, Section IV, Lots 1-12 and a .161 Acre Tract out of Burr & Caswell Survey NO. 2, Abilene, Taylor County, Texas.

PP-3118: Preliminary Plat for Lake Rock Trails at Team Ranch, City of Abilene, Jones County, Texas.

PP-3318: Preliminary Plat for Bontke Addition, Abilene, Taylor County, Texas.

Mr. Zack Rainbow presented the plats to the Commission.

Mr. Famble opened the public hearing; there being no one present and desiring to be heard, the public hearing was closed.

Mr. Bixby moved to approve the plats as presented. Mr. Smith seconded the motion. The motion carried unanimously by six (6) with none in opposition.

AYES: Smith, Lankford, Bixby, Noonan, Rosenbaum, Famble

NAYS: None

ZONING ITEMS

Z-2018-16 (Tabled from 6/5/2018) (Applicant has requested to withdraw the request.) Public hearing and possible vote to recommend approval or denial to City Council on a request from Cade and Katie Browning, to rezone property from Residential Single-Family (RS-12) to Mixed Use (MX) zoning. Legal description being Lot 5 in Block 20 of the Continuation 1, Highland Park Addition and located at 910 Highland Avenue.

Mr. Famble announced the applicants have requested to withdraw this application.

Mr. Famble opened the public hearing. There being no one present and desiring to be heard, the public hearing was closed.

Mr. Rosenbaum made the motion to remove this item from the table. Mr. Noonan seconded the motion. The motion carried unanimously by six (6) with none in opposition.

**AYES: Smith, Lankford, Bixby, Noonan, Rosenbaum, Famble
NAYS: None**

Z-2018-17 Public hearing and possible vote to recommend approval or denial to City Council on a request from Job Done, LLC, to rezone property from Office (O) to General Commercial (GC). Legal description being 1.44 acres out of the Benjamin Austin Survey No. 92 in Taylor County, Texas and located at 2017 S. Danville Drive.

Mr. Bradley Stone presented this request.

Mr. Famble opened the public hearing. Those who spoke in *opposition* were:

- Mr. Joe Hall
- Mr. Barry Fowlkes
- Mr. Kenneth Heaton

Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. Nine (9) responses were received in favor with four (4) in opposition.

PLANNING STAFF RECOMMENDATION:

City staff is inclined to specifically recommend General Retail (GR) instead of General Commercial (GC) zoning on this particular property.

Commission and staff discussion included: 1) Was the request in 2001 approved or denied? 2) The preference is Office (O). 3) General Retail District (GR) is a good fit.

Mr. Rosenbaum made the motion to approve the staff recommendation of General Retail District (GR) zoning. Mr. Smith seconded the motion. The motion carried unanimously by six (6) with none in opposition.

**AYES: Smith, Lankford, Bixby, Noonan, Rosenbaum, Famble
NAYS: None**

Z-2018-18 Public hearing and possible vote to recommend approval or denial to City Council on a request from Jarod Newberry and Anthony Miller to rezone property from Light Industrial (LI)

to Central Business (CB). Legal description being Lots 1-8, Block 16, Original Town of Abilene, Taylor County, Texas and located at 721 S. 1st Street.

Mr. Hayden Brodowsky presented this request. The applicants would like to add restaurant use to their current location.

Mr. Famble opened the public hearing.

Mr. Dieterichs spoke in favor of this request, as he supports a sports-themed casual environment in the downtown area.

There being no one else present wishing to speak, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. One (1) notification was received in favor with zero (0) received in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Bixby made the motion to approve this request for Central Business (CB) zoning. Mr. Smith seconded the motion. The motion carried unanimously by six (6) with none in opposition.

AYES: Smith, Lankford, Bixby, Noonan, Rosenbaum, Famble

NAYS: None

Z-2018-19 Public hearing and possible vote to recommend approval or denial to City Council on a request from TXOK Investments, agent eHT, to rezone property from Agricultural Open Space (AO) to General Retail (GR), and to approve a Conditional Use Permit (CUP) to allow for multi-family residential use on the same properties. Legal descriptions being an 8.92-Acre Tract, a 22.77-Acre Tract, and a 2.22-Acre Tract out the northeast quarter of Blind Asylum Lands Survey 24 and located in the 1700 Block of E. Lowden Street.

Mr. Hayden Brodowsky presented this request. The Conditional Use Permit (CUP) is required per changes to the land Development Code, Ordinance 35-2017, which required Multi-Family Residential uses in General Retail to be council approved.

Mr. Famble opened the public hearing.

Those who spoke in *opposition* were:

- Ms. Dee Halbert
- Mr. Daniel Flatt
- Mr. Larry Earley
- Mr. David Halbert

Speaking in *favor* of this request was:

- Mr. David Todd

There being no one else present wishing to speak, Mr. Famble closed the public hearing.

Commission and Staff discussion included: 1) Possibility to zone property MF, 2) Two votes would be appropriate for clarity, 3) The allowance for MF in our ordinance is with the CUP

Mr. Famble opened the public hearing.

Mr. David Todd explained the plan is to create a Cul-de-sac through the middle and use GR in the southern portion and transition into duplexes at the back of the property. He requested GR and remove the CUP.

Ms. Dee Halbert expressed her concern of a multi-story apartment complex being built and requested a restriction of single level buildings.

Mr. Famble closed the public hearing.

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: Approval

Mr. Bixby made the motion to approve the front 60% portion of the parcel as General Retail District (GR), and the back 40% portion as Residential Multiple-Family (MF) zoning. Mr. Smith seconded the motion. The motion failed by three (3) in favor with three (3) in opposition.

AYES: Smith, Lankford, Bixby

NAYS: Noonan, Rosenbaum, Famble

Mr. Rosenbaum made the motion to approve the General Retail (GR) zoning. The Conditional Use Permit (CUP) includes the northern one third of the parcel to allow for multi-family residential use with Residential Medium Density (MD) restrictions and no General Retail (GR) uses permitted. Mr. Noonan seconded the motion. The motion carried unanimously by six (6) with none in opposition.

AYES: Smith, Lankford, Bixby, Noonan, Rosenbaum, Famble

NAYS: None

Z-2018-20 Public hearing and possible vote to recommend approval or denial to the City Council on a request from Jay C. Davis, to rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential/Historic Overlay) zoning, located at 525 Victoria Street.

Legal description being Lots 8 and 9, Block C, J.R. Fletchers Subdivision of Lot 1, Block 205, Original Town of Abilene, Taylor County, Texas.

Mr. Hayden Brodowsky presented this request. He explained the requirements for Historic Overlay, and stated the Abilene Landmarks Commission found the subject property embodies 1, 2, and 4 of the required characteristics.

Mr. Famble opened the public hearing.

Those speaking in favor of this request were:

- Mr. Jay Davis

There being no one present and wishing to speak, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were no responses received in favor nor in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Commission and Staff discussion included: 1) Clarification of intent of Historic Overlay zoning, 2) Relevancy of the Maxwell family having lived in the house

Mr. Bixby made the motion to approve this request. Reverend Lankford seconded the motion. The motion failed by two (2) in favor and four (4) in opposition.

AYES: Lankford, Bixby

NAYS: Smith, Noonan, Rosenbaum, Famble

OAM-2018-02 Public hearing and possible vote to recommend approval or denial to the City Council on an amendment to Abilene's Land Development Code (LDC) regarding Section 1.1.7.2 in Chapter 1, pertaining to the Powers and Duties of the Landmarks Commission. Also changes to Section 2.3.4.4 in Chapter 2, regarding initiation by Landmarks Commission, Action by the Landmarks Commission on a Certificate of Appropriateness, Minimum Maintenance Standards, and the Authority to apply a 60-day stay on potentially historic properties.

Mr. Hayden Brodowsky presented this amendment request.

Mr. Famble opened the public hearing.

There being no one present and wishing to speak, Mr. Famble closed the public hearing.

Mr. Rosenbaum made the motion to approve this request. Mr. Famble seconded the motion. The motion carried unanimously by six (6) with none in opposition.

**AYES: Smith, Lankford, Bixby, Noonan, Rosenbaum, Famble
NAYS: None**

PUBLIC HEARING ITEM

Capital Improvement Program (CIP):

Mr. Howdy Wayne Lisenbee presented this item. He stated the street maintenance fee affected funding and availability to the Capital Improvement Program. There is currently no funding available for future projects.

Mr. Lisenbee suggested a new prioritization matrix and possible increased participation of the commissioners.

Adjournment

There being no further business to come before the meeting, the Planning & Zoning Commission meeting was adjourned at 3:55 p.m.

Approved:
Chairman

