
PLANNING & ZONING COMMISSION MEETING MINUTES

June 5, 2018

1:30 p.m.

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

Commissioners Present:

Mr. Clint Rosenbaum, Vice-Chairman
Mr. Tim Smith, Secretary
Rev. Iziar Lankford
Mr. Robert Calk
Mr. Bill Noonan

Commissioners Absent:

Mr. Fred Famble, Chairman
Mr. Bruce Bixby

Staff Present:

Mr. Michael Rice, Assistant City Manager
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. David Weaver	Mr. Samuel Brinkman
Mr. Bobby Robinson	Ms. Robin Mason
Ms. Donna Downing	Ms. Anne Wilson
Ms. Erika Vela	Ms. Cindy Corley
Ms. Marianne Kwiecinski	Councilman Bruce Kreidler
Ms. Marilyn Chalmers	Mr. John H. Chalmers
Mr. Chad Deaver	Mr. Charles Scarborough
Mr. Jim Creel	Mr. Matthew Caudle
Ms. Victoria Carter	Mr. Tommy Downing
Ms. Rosemary Wallace	Ms. Cathy Hernandez
Ms. Geneva Eubank	Mr. Jim W. Grohman
Mr. Van Hayes	Mr. Howard Martin
Mr. Mark Garrett	Ms. Janie Cox
Ms. Weezie Fitzhugh	Ms. Charlotte Passel
Ms. Patti Galloway	Mr. Jim Fitzhugh
Ms. Taylor Barnhill	Mr. Daniel Flatt
Ms. B.J. Pollan	Mr. Tal Fillingim
Ms. Nelda Sims	

CALL TO ORDER

Mr. Rosenbaum 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. Rosenbaum delivered the invocation.

MINUTES

The minutes of the previous meeting, May 1, 2018, were provided in advance to the commissioners, and were approved as presented.

Mr. Noonan moved to approve the minutes as presented, there being no deletions, no additions, and no corrections. Mr. Calk seconded the motion. The motion carried unanimously by five (5) with none in opposition.

AYES: Smith, Lankford, Calk, Noonan, Rosenbaum
NAYS: None

PLATS

FP-1718: Lot 1, Block A, Starbucks Subdivision, Abilene, Taylor County, Texas.

Mr. Hayden Brodowsky presented the plat to the Commission.

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

Mr. Calk moved to approve the plat as presented. Mr. Smith seconded the motion. The motion carried unanimously by five (5) with none in opposition.

AYES: Smith, Lankford, Calk, Noonan, Rosenbaum
NAYS: None

Mr. Rosenbaum announced the proper protocol would not be followed according to the agenda, as the applicants for zoning case number Z-2018-16 requested the item to be tabled. He offered the public the opportunity to provide input, but a vote would not be taken. The item was moved from its position on the agenda to the first item under zoning to be discussed.

ZONING ITEMS

- a. Z-2018-16 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. Brad Stone presented this request. The proponents have requested to table this request.

Mr. Rosenbaum opened the public hearing.

No one spoke in favor of this request. Those who spoke in **opposition** were:

Mr. Sam Brinkman, Ms. Marilyn Chalmers, Ms. Anne Wilson, Ms. Rosemary Wallace, Mr. Jim Grohman, Ms. Janie Cox, Ms. B.J. Pollan, Ms. Cindy Corley, Ms. Victoria Carter, Mr. Matt Caudle, Mr. John Chalmers, Mr. Tommy Downing, Ms. Charlotte Passel, and Ms. Diane Keeble.

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

Property owners within a 200-foot radius were notified of this request. Thirty (30) notifications were mailed to property owners within a 200-foot radius, and twenty-three (23) were returned in opposition. A total of 55 opposed this request, as a petition was signed and other property owners not within the 200-foot radius and formally notified also responded.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

Mr. Calk made the motion to table this request until the next meeting, which will be held July 3, 2018. Mr. Noonan seconded the motion. The motion carried unanimously by five (5) with none in opposition.

AYES: Smith, Lankford, Calk, Noonan, Rosenbaum

NAYS: None

Mr. Rosenbaum announced a short break at 2:45 p.m. The meeting reconvened.

- b. CUP-2018-02 Public hearing and possible vote to recommend approval or denial to City Council on a request from Bun Hour Puch, agent Soeun Nhorch, for Conditional Use Permit to allow a 'Restaurant-Fast Food' on property zoned Neighborhood Retail (NR). Legal description being The East 90 feet of Lot 124 in Block V of the Alameda Addition Section 5 Continuation, and located at 5202 S. 7th Street.

Mr. Hayden Brodowsky presented this request.

Mr. Rosenbaum opened the public hearing.

Mr. Soeun Nhorch approached to state the purpose of this request as being to open a donut shop.

There being no one else present wishing to speak, Mr. Rosenbaum 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:

Staff recommends approval with conditions.

Mr. Smith made the motion to approve this request. Colonel Lankford seconded the motion. The motion carried unanimously by five (5) with none in opposition.

AYES: Smith, Lankford, Calk, Noonan, Rosenbaum

NAYS: None

- c. Z-2018-12 Public hearing and possible vote to recommend approval or denial to City Council on a request from Robin Lynn Mason, to rezone property from Residential Single-Family/Corridor Overlay (RS-8/COR) to Neighborhood Office Corridor Overlay (NO/COR). Legal description being 0.558 acres out of the A Greenwall Survey No. 100 in Taylor County, Texas and located at 5919 Buffalo Gap Road.

Mr. Hayden Brodowsky presented this request.

Mr. Rosenbaum opened the public hearing.

Ms. Robin Mason approached to answer any questions that might arise.

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

Property owners within a 200-foot radius were notified of this request. No (0) responses were received in favor with two (2) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

Mr. Calk made the motion to approve this request. Mr. Smith seconded the motion. The motion carried unanimously by five (5) with none in opposition.

AYES: Smith, Lankford, Calk, Noonan, Rosenbaum

NAYS: None

- d. Z-2018-13 Public hearing and possible vote to recommend approval or denial to City Council on a request from Bontke Brothers Construction Company, Inc., agent Kenneth Bontke, to rezone property from Agricultural Open Space (AO) to Heavy Industrial (HI). Legal description being 89.31 acres out of the northeast quarter of Section 55, Blind Asylum Lands in Taylor County, Texas and located on 4900-5000 Blocks (south side) of FM 18.

Mr. Bradley Stone presented this request.

Mr. Rosenbaum abstained from the open hearing and vote. Mr. Smith opened the public hearing.

No one spoke in favor of this request. Those who spoke in **opposition** were:

Mr. Chad Deaver, Mr. David Weaver, and Mr. Bobby Robinson

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

Mr. Rosenbaum reopened the public hearing.

Mr. Deaver asked a question.

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

Property owners within a 200-foot radius were notified of this request. No (0) responses were received in favor with two (2) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

Mr. Calk made the motion to approve this request. Reverend Lankford seconded the motion. The motion failed by one (1) in favor with three (3) in opposition.

AYES: Calk

NAYS: Smith, Lankford, Noonan

ABSTAINED: Rosenbaum

- e. Z-2018-14 Public hearing and possible vote to recommend approval or denial to City Council on a request from Daniel Flatt, to rezone property from Agricultural Open Space (AO) to Residential Single Family (RS-12). Legal description being five (5) acres out of the south half of Section 22, Blind Asylum Lands in Taylor County, Texas and located at 1718 Rainey Road.

Mr. Hayden Brodowsky presented this request.

Mr. Rosenbaum opened the public hearing.

Mr. Daniel Flatt approached to answer any questions that might arise.

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

Property owners within a 200-foot radius were notified of this request. Two (2) responses were received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

Mr. Smith made the motion to approve this request. Mr. Noonan seconded the motion. The motion carried unanimously by five (5) with none in opposition.

AYES: Smith, Lankford, Calk, Noonan, Rosenbaum

NAYS: None

- f. Z-2018-15 Public hearing and possible vote to recommend approval or denial to the City Council on a request from Hardin Simmons University, agent Tal Fillingim of Jacob and Martin, to rezone property from General Commercial/COR Overlay (GC/COR), Medium Density (MD), and General Commercial (GC) to College University/Corridor Overlay (CU/COR) and College University (CU) to allow for university and related uses on property located just east of Hardin Simmons University. Location being 13 parcels located north of Ambler Avenue and south of University Boulevard, between Pine Street and Walnut Street. Legal description being all of Lot 6 in Block 5, North Park Addition to Abilene; the West 120 feet of Lot 5 in Block 5, North Park Addition to Abilene; the north 60 feet of the east 105 feet of Lot 5 in Block 5 of North Park Addition to Abilene; Lots 1 and 2 in Annie Hull Subdivision of the South 104 Feet of the East 105 Feet of Lot 5 in Block 5, North Park Addition to Abilene; and Lots 1 thru 6 (and private alley separating Lots 1-3 from Lots 4-6) in Block 1 of Howell Subdivision of Lots 7, 9 and 10 in Block 5, North Park Addition to Abilene.

Mr. Hayden Brodowsky presented this request.

Mr. Rosenbaum opened the public hearing.

Mr. Tal Fillingim was present to answer questions.

There being no one else present wishing to speak, Mr. Rosenbaum 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:

Staff recommends approval.

Reverend Lankford made the motion to approve this request. Mr. Smith seconded the motion. The motion carried unanimously by five (5) with none in opposition.

AYES: Smith, Lankford, Calk, Noonan, Rosenbaum

NAYS: None

Adjournment

There being no further business to come before the meeting, the Planning & Zoning Commission meeting was adjourned at 3:32 p.m.

