



Planning and Zoning Commission MINUTES

September 3, 2019 | 1:30 p.m. | Abilene, Texas City Hall – Council Chambers

Commissioners Present:

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

Staff Present:

Mr. Anthony Williams, Mayor
Mr. Michael Rice, Assistant City Manager
Ms. Cheryl Sawyers, Planning Services Manager
Mr. Brad Stone, Planner III
Mr. Jared Smith, Planner I
Ms. Melissa Farr, Executive Assistant
Ms. Kelley Messer, First Assistant City Attorney

Others Present:

Pat Harris	Mr. Mitchell Harris
Mr. Tommy Jones	Mr. Clarence Elliott, Jr.
Ms. Nita Brewer	Mr. Ian Nickerson
Ms. Sandra Sorrells	Ms. Dorothy Drones
Mr. Roston Duman	Mr. Michael T. Royals
Ms. Zella Woodruff	Mr. Gene E. Burgess
Mr. Ben Muzechenko	Ms. Alana Jeter
Ms. Briona Sattarphai	Mr. Will Meray
Mr. John Hill	Mr. Paul Johnson
Ms. Tami Shifflett	Mr. Dal Randle
Mr. Erik Johnson	Mr. Brian Massey

Mr. Bixby made the motion to approve this request. Reverend Lankford seconded the motion. The motion was approved by the following vote:

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

NAYS: Calk

- b. **Z-2019-21** Public hearing and possible vote to recommend approval or denial to City Council on a request from Tim Smith, agents Pat and Mitchel Harris, to rezone from Central Business (CB) to a Planned Development District (PDD); Legal description being Lot 101 Block 4 in Original Town Abilene, Abilene, Taylor County, Texas, and located at 833 South 1st Street

Mr. Jared Smith presented this request. The applicant is requesting to rezone from Central Business (CB) to Planned Development (PD-163) zoning to allow the 'light manufacturing' of alcoholic beverages, and maintain the base or default zoning of CB and the permitted uses within this zoning district.

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

Property owners within a 200-foot radius were notified of this request. One (1) response was received in favor (by the applicant) with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval (Subject to conditions outlined in the Planned Development Ordinance.)

Mr. Rosenbaum made the motion to approve this request. Mr. Calk seconded the motion. The motion was approved by the following vote:

AYES: Calk, Bixby, Rosenbaum, Noonan, Lankford and Famble

NAYS: None

ABSTAINED: Smith

- c. **Z-2019-22** Public hearing and possible vote to recommend approval or denial to the City Council on a request from Houses for Healing, Inc. to rezone from Single Family Residential (RS-6) to Medium Density Residential (MD) zoning; Legal description being North Park Addition, Block 24, Lot N 127, S 489.30, W 475, or 1 ½ AC, Abilene, Taylor County, Texas and located at 3065 Hickory Street

Mr. Jared Smith presented this request. The applicant is requesting to rezone from Single Family Residential (RS-6) to Medium Density (MD) zoning for the development of "Tiny Homes," to serve as temporary residential housing for recovering medical patients and/or family members.

Mr. Famble opened the public hearing. Speaking in favor was:

- Mr. Brian Massey

Seeing no one else present and desiring to be heard, the public hearing was closed.

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

PLANNING STAFF RECOMMENDATION: Approval

Reverend Lankford made the motion to approve this request. Mr. Smith seconded the motion. The motion was approved by the following vote:

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

NAYS: None

- d. **Z-2019-23** Public hearing and possible vote to recommend approval or denial to City Council on a request from Judy Proctor, agent Paul Johnson, to rezone two (2) properties from General Retail (GR) to General Commercial (GC) zoning; Legal descriptions being The Moors, Block 1, Lots 102 and 103, Abilene, Taylor County, Texas and located at 5001 and 5009 Hwy 277 South.

Mr. Jared Smith presented this request. The applicant is requesting to rezone from General Retail (GR) to General Commercial (GC) zoning.

Mr. Famble opened the public hearing. Speaking in favor was:

- Mr. Paul Johnson

Mr. Higginbotham approached to answer any questions from the Commission. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Smith made the motion to approve this request. Mr. Calk seconded the motion. The motion was approved by the following vote:

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

NAYS: None

- e. **Z-2019-24** Public hearing and possible vote to recommend approval or denial to City Council on a request from Eduardo Garza to rezone from General Commercial (GC) to Multi-Family Residential (MF) zoning; Legal description being Lot S42 FT Lot 5 & All 4 of Block 2-1 out of the Original Town of Abilene, Abilene, Taylor County, Texas and located at 126 Merchant Street

Mr. Jared Smith presented this request. The applicant is requesting to rezone from General Commercial (GC) to Multi-Family (MF) zoning for the purpose of constructing a single-family residence.

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

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Bixby made the motion to approve this request. Mr. Noonan seconded the motion. The motion was approved by the following vote:

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

NAYS: None

- f. **CUP-2019-07** Public hearing and possible vote to recommend approval or denial to City Council on a request from BCFS, agent Alana Jeter, for a Conditional Use Permit to allow the expansion of an 'Institutional Dwelling' in Medium Density Residential (MD) zoning; Legal descriptions being the North 67 feet, the East 200 feet of Lot 2, 207 2, Original Town of Abilene, Taylor County, Texas and OUR HOUSE SUB, BLOCK 207, LOT 101 REP, ACRES .472, Abilene, Taylor County, Texas and located at 142 & 202 Vine Street

Mr. Brad Stone presented this request. The applicant is requesting a Conditional Use Permit to allow the expansion of a "Dwelling-Institutional" in Medium Density Residential (MD) zoning.

Mr. Famble opened the public hearing. Speaking in favor was:

- Ms. Alana Jeter

Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Reverend Lankford made the motion to approve this request. Mr. Bixby seconded the motion. The motion was approved by the following vote:

AYES: Calk, Smith, Bixby, Rosenbaum, Lankford and Famble

NAYS: None

ABSTAINED: Noonan

- g. **TC-2019-02** Public hearing and possible vote to recommend approval or denial to City Council on a request from Lone Star Railroad Inc./Jeff Basket, agent John Hill, to abandon all of the 20' wide alley right-of-way (ROW) running north-south beginning at S. 8th Street, and heading north 531' terminating at the ROW of S. 7th Street. Additionally, request to abandon a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300' to the westernmost extent of Southern Switching Railroad ROW, Abilene, Taylor County, Texas.

Ms. Cheryl Sawyers presented this request. The applicant is requesting to abandon all of the 20-foot wide alley right-of-way (ROW) running north-south, beginning at S. 8th Street and heading north approximately 531-feet, terminating at the ROW of S. 7th Street. The applicant is also requesting the abandonment of a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300-feet to the westernmost extent of Southern Switching Rail Road ROW.

Mr. Famble opened the public hearing. Speaking in favor was:

- Mr. John Hill

Seeing no one else present and desiring to be heard, the public hearing was closed.

Discussion topics included: 1) Possibility of tabling this item to allow written finalization with utilities

Mr. Famble opened the public hearing again. The agent, Mr. John Hill, requested thirty (30) days to complete these issues.

Mr. Famble closed the public hearing.

PLANNING STAFF RECOMMENDATION: The applicant was provided with the comments from the Development Review Committee (DRC) at their July 31, 2019 meeting, and met again with the DRC on August 7, 2019. No further correspondence has been received from the applicant or any DRC members since that time stating that the comments have been addressed.

Mr. Bixby made the motion to table this request until the regular scheduled meeting on October 1st. Mr. Calk seconded the motion. The motion was tabled by the following vote:

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

NAYS: None

- h. **TC-2019-03** Public hearing and possible vote to recommend approval or denial to City Council on a request from the Texas Department of Public Safety to abandon six (6) segments of street and alley rights-of-way (ROW). Each segment is less than 1000 square feet in size and adjoins a consistently 120-ftwide ROW on Buffalo Gap Road. All ROW's were formally dedicated for public use by subdivision plats. Legal descriptions being: 983

sq. ft. of public ROW dedicated with the Stonegate Addition, Section 1 during 1964, 544 sq. ft. of public ROW dedicated with the Stonegate Addition, Section 1 during 1964, 105 sq. ft. of public ROW dedicated with Stonegate Addition, Section 6 during 1977, 95 sq. ft. of public ROW with the Countryside Estates subdivision, Section 1 during 1973, 785 sq. ft. of public ROW with the South Mesa Addition during 1965, and 94 sq. ft. of public ROW with the Countryside Estates subdivision, Section 1 during 1973, Abilene, Taylor County, Texas.

Ms. Cheryl Sawyers presented this item. The Texas Department of Transportation (TxDOT) plans to improve the existing roadway and install sidewalks on the northernmost segment of FM 89; extending approximately 1 mile from Winters Freeway to Chimney Rock Road.

Per state law, TxDOT cannot construct any project on property the state does not “own.” Therefore before undertaking planned improvements to Buffalo Gap Road, TxDOT desires the City of Abilene to formally relinquish its control of these segments or “slivers” of right-of-way, to the State of Texas.

Mr. Famble opened the public hearing. Speaking in favor was:

- Mr. Tommy Jones

Seeing no one else present and desiring to be heard, the public hearing was closed.

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

PLANNING STAFF RECOMMENDATION: Approval

Mr. Calk made the motion to approve this request. Mr. Smith seconded the motion. The motion was approved by the following vote:

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

NAYS: None

- i. **SNC-2019-03** Public hearing and possible vote to recommend approval or denial to City Council on a request from Iziar Langford to change the name of San Jacinto Drive to Claudie C. Royals Drive as it extends east to west from Fair Drive to N. Judge Ely Boulevard approx. 3,993 feet

Ms. Cheryl Sawyers presented this request. The applicant is requesting to change the name of San Jacinto Drive to Claudie C. Royals Drive as it extends west to east from N. Judge Ely to Fair Drive.

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

- Mr. Michael T. Royals
- Mr. Gene E. Burgess

Speaking in opposition was:

- Mr. Roston Duman

Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were seven (7) responses received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval (Subject to condition recommended by the Development Review Committee.)

Commission discussion included: 1) Combining two ideas to form “Dunham Royals” and 2) Staying true to the original request

Mr. Rosenbaum made the motion to approve this request. Mr. Calk seconded the motion. The motion was approved by the following vote:

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

NAYS: None

ABSTAINED: Lankford

- j. **SNC-2019-04** Public hearing and possible vote to recommend approval or denial to the City Council on a request from Minda Street Church of Christ for an honorary street name change of Minda Street to Dr. Tony Roach Street as it extends east to west from T&P Lane to S. Judge Ely Boulevard approx. 2,139 feet.

Ms. Cheryl Sawyers presented this request. The Minda Street Church of Christ is seeking to add the honorary street name “Dr. Tony Roach” to Minda Street from T&P Lane to South Judge Ely Blvd.

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

- Mr. Ian Nickerson
- Ms. Dorothy Drones
- Ms. Zella Woodruff

Speaking in opposition was:

- Mr. Clarence Elliott, Jr.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Bixby moved to approve this request, and Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

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

NAYS: None

ABSTAINED: Lankford


5. DIRECTOR'S REPORT

Mr. Zack Rainbow announced recent decisions made by City Council on items recommended from the Commission.

6. ADJOURNMENT

There being no further discussion, Mr. Famble adjourned the meeting at 3:25 p.m.

APPROVED



Mr. Fred Famble, Chairman