



Planning and Zoning Commission MINUTES

November 5, 2019 | 1:30 p.m. | Abilene, Texas City Hall – Council Chambers

Commissioners Present:

Mr. Fred Famble, Chairman
Mr. Bruce Bixby
Rev. Iziar Lankford

Mr. Clint Rosenbaum, Vice-Chairman
Mr. Bill Noonan

Commissioners Absent:

Mr. Robert Calk

Staff Present:

Mr. Michael Rice, Assistant City Manager
Mr. Mike Warrix, Director of Planning and Development Services
Mr. Zack Rainbow, Assistant Director of Planning and Development Services
Mr. Tim Littlejohn, Assistant Director and Chief Building Official
Ms. Cheryl Sawyers, Planning Services Manager
Mr. Brad Stone, Planner III
Mr. Jared Smith, Planner II
Mr. Nick Watts, Planner I
Ms. Melissa Farr, Executive Assistant
Ms. Kelley Messer, First Assistant City Attorney

Others Present:

Mr. Mike Talcott
Mr. Jack Hull
Mr. Miles Dawkins
Ms. Ixel Smith
Mr. Jesse Nieto, Jr.
Mr. Reynaldo Smith
Ms. Mary Linda Valerio
Mr. John Hill

Ms. Lauren Montgomery
Ms. Velia R. Martinez
Ms. Patsy Dawkins
Ms. Mary Fairchild
Ms. Cristina Nieto
Mr. Phil Hill
Mr. Jackie Martin, Jr.
Mr. David Todd

1. CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting. Melissa Farr took the roll call noting the following commissioners present:

PRESENT: 7 – Lankford, Bixby, Rosenbaum, Noonan, Famble

2. INVOCATION

Reverend Lankford delivered the invocation.

3. APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Reverend Lankford moved to approve the minutes for the Planning and Zoning Commission regular meeting of October 1, 2019. Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

AYES: Lankford, Bixby, Rosenbaum, Noonan, Famble

NAYS: None

4. PLATS:

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

MRP-4019: A Plat of Lots 101 Thru 114, Block A and Lots 103 Thru 116, Block B, National Golf Addition, Abilene, Taylor County, Texas

FP-4319: Newhouse Farms, Section 2, being 44.407 acres out of the James Vaughn Survey No. 54, Abstract No. 415, Taylor County, Texas

FRP-4419: Butterfield Meadows, Section 4, Being a Replat of Lot 1, Block B, and Lots 1-2, Block D, out of Butterfield Meadows, Section 1, City of Abilene, Taylor County, Texas

Mr. Rosenbaum moved to approve the submitted plats. Reverend Lankford seconded the motion. The motion to approve prevailed by the following vote:

AYES: Lankford, Bixby, Rosenbaum, Noonan, Famble

NAYS: None

5. ZONING:

CUP-2019-09: Public hearing and possible vote to recommend approval or denial to City Council on a request from Hudman Investment Group, agent Phillip Hill, for Conditional Use Permit to allow contractor services in General Commercial (GC) zoning district and located specifically at

118 North Pioneer Drive. Legal description being Lot 1 in Block N, Continuation of Section 1, Park Plaza Addition to Abilene, Taylor County, Texas

Mr. Jared Smith presented this request. The applicant is requesting a Conditional Use Permit to allow contractor services within General Commercial (GC) Zoning.

Mr. Famble opened the public hearing. Speaking in favor was: Mr. Phillip Hill
Seeing no one else present and desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor, nor in opposition (0).

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum made the motion to approve this request. Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

AYES: Lankford, Bixby, Rosenbaum, Noonan, Famble

NAYS: None

CUP-2019-10: Public hearing and possible vote to recommend approval or denial to City Council on a request from Reynaldo and Ixel Smith, for Conditional Use Permit to allow a Homebased daycare for more than six children (other than caregivers' own children) in Agricultural Open Space (AO) zoning district and located specifically at 6605 Maple Street. Legal description being Lot 16 in Continuation No. 2 of Kings Hill Subdivision and an additional 0.94 acre directly to north and out of northwest quarter of Lunatic Asylum Lands Section 8 in Abilene, Taylor County, Texas

Mr. Jared Smith presented this request. The applicant is requesting a Conditional Use Permit to allow a home-based daycare for more than six children (other than caregivers' own children) in Agriculture Open Space (AO) Zoning.

Mr. Famble opened the public hearing. Speaking in favor was: Ms. Ixel Smith
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. Two (2) responses were received in favor with one (1) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum made the motion to approve this request. Reverend Lankford seconded the motion. The motion to approve prevailed by the following vote:

AYES: Lankford, Bixby, Rosenbaum, Noonan, Famble

NAYS: None

Z-2019-27: Public hearing and possible vote to recommend approval or denial to City Council on a request from Sam Daggubati, agent Lauren Montgomery, to amend the existing Planned Development District Number 116, specifically by amending the graphic site plan (Exhibit B) guiding development on western 6.207 acres of this district. Legal description being Block 1 of J.B. Collins Subdivision of Part of Block 26, North Park Addition to Abilene, Taylor County, Texas, and including former Anson Jones Elementary School at 2002 Jameson Street

Mr. Brad Stone presented this request. The property is the subject of potential development for "Quick Trip" fuel sales/convenience groceries store.

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

Mr. Mike Talcott Ms. Lauren Montgomery

Those who spoke in opposition were:

Mr. Jackie Martin, Jr. Ms. Velia R. Martinez
Ms. Mary Anne Fairchild Mr. and Mrs. Miles Dawkins
Ms. Mary Linda Valerio

Commission and Staff discussion included: 1) Length of time the land has been vacant, 2) Buffer types and requirements, 3) Low lighting and landscaping

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

PLANNING STAFF RECOMMENDATION: Approval

Mr. Bixby made the motion to approve this request with a masonry wall, six (6) feet in height, along the south boundary with articulation every 50 feet of at least two (2) feet offset and the south approach/drive will be allowed to remain. Mr. Rosenbaum seconded the motion. The motion to approve prevailed by the following vote:

AYES: Lankford, Bixby, Rosenbaum, Noonan, Famble

NAYS: None

Z-2019-28: Public hearing and possible vote to recommend approval or denial to City Council on a request from Stan Chapman, Ron Fogle, Bobby Bright, Carol Purser and Mesquite Gate Properties to rezone property from Light Industrial (LI) with Historic (H) Overlay, to Central Business (CB) with Historic (H) Overlay. Legal description being all of Lots 4, 5 and 6 in Block 19 of Original Townsite for Abilene, Taylor County, Texas and including buildings at 802, 818, 826, 834 and 842 North 3rd Street as well as at 324 Mesquite Street

Mr. Nick Watts presented this request. The applicant is requesting to rezone from Light Industrial (LI) and Light Industrial/Historical to Central Business (CB) and Central Business/Historical (CB/H) in order to utilize the locations for uses consistent with CB zoning. The current use of the property is printing, publishing and reproduction, which is allowed in both CB and LI zoning districts.

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. Two (2) requests were received in favor, with none (0) received in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum made the motion to approve this request. Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

AYES: Lankford, Bixby, Rosenbaum, Noonan, Famble

NAYS: None

Z-2019-29: Public hearing and possible vote to recommend approval or denial to City Council on a request from Three JB Properties to rezone property from a Heavy Industrial (HI) District to a Planned Development (PD) District allowing industrial use but with no Site elated or boundary street improvements required by terms of Chapter 3 (Subdivision) and Chapter 4 (Site Development) in Abilene's Land Development Code, on properties at 749 China Street, 750 Rose Street and 397 South 8th Street. Legal description being Lots 1 thru 22 in Pecks's Subdivision of Outlot No. 1 in Block 164 of Original Townsite for Abilene, Taylor County, Texas, as well as a certain 5.277 acres out of Outlot Nos. 1 and 4 in Block 190 of Abilene's Original Townsite

Ms. Cheryl Sawyers presented this request. The applicants seek approval of a zone change on their 8.69 acres of land, from its present HI zoning classification, to a Planned Development District.

Mr. Famble opened the public hearing. Mr. John Hill spoke in favor. 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. One (1) response was received in favor, with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum made the motion to approve this request. Mr. Bixby seconded the motion. The motion to approve prevailed by the following vote:

AYES: Lankford, Bixby, Rosenbaum, Noonan, Famble

NAYS: None

TC-2019-02 (TABLED): 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

Mr. Bixby made the motion to remove this item from the table. Mr. Noonan seconded the motion. The motion prevailed by the following vote:

AYES: Lankford, Bixby, Rosenbaum, Noonan, Famble

NAYS: None

Ms. Cheryl Sawyers presented this request. The applicant is requesting the City of Abilene abandon a platted alley that extends north-to-south through the center of vacant city block bounded by rights-of-way for South 7th and 8th, China and Rose Streets. Additionally, the applicant is officially requesting to abandon an 80' x 300' segment of right-of-way for South 8th Street, between rights-of-way for China and Rose Streets.

Mr. Famble opened the public hearing. Mr. David Todd spoke in favor of this request and was present to answer any questions.

Fire Chief Cande Flores addressed the question regarding the relocation of the fire hydrant and that it still would not allow access to maneuver in the area.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor, with one (1) received in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Bixby made the motion to approve this request with the following conditions as listed in the staff report:

Any utilities shall be moved at the property owners expense (Existing water, sewer, natural gas main and storm water drainage) or shall remain within necessary easements

That the applicant of this thoroughfare closure provide City staff with documentation from an appropriate official of each affected utility provider (having facilities now situated in subject alley segments and right-of-way) and indicating that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.

The alley is not an issue for the Fire Department. However, the loss of S. 8th Street is unsatisfactory per the Fire Department unless the section of Rose street that runs north to south from S. 7th to S. 8th is improved with a minimum paved fire lane, so apparatus can access the east side of Rose and the fire hydrant located on the corner of Rose and S. 8th.

Reverend Lankford seconded the motion. The motion to approve prevailed by the following vote:

AYES: Lankford, Bixby, Rosenbaum, Noonan, Famble

NAYS: None

5. DIRECTOR'S REPORT

Mr. Warrix 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 3:18 p.m.

APPROVED

A handwritten signature in black ink, appearing to read 'Fred Famble', written over a horizontal line.

Mr. Fred Famble, Chairman