



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on November 3, 2020 at 1:30 p.m. in the Council Chambers at 555 Walnut Street.

Commissioners Present:

Mr. Fred Famble, Chairman	Mr. Clint Rosenbaum, Pro Tem
Ms. Alex Russell, Sergeant-at-Arms	Rev. Iziar Lankford
Mr. Mitch Barnett	Mr. Bill Noonan, Secretary
Mr. Brad Benham	

Staff Present:

Mr. Michael Rice, Assistant City Manager
Mr. Michael Warrix, Director of Planning and Development Services
Ms. Cheryl Sawyers, Planning Services Manager
Mr. Stanley Smith, City Attorney
Mr. Brad Stone, Planner III
Mr. Jared Smith, Planner II
Mr. Nick Watts, Planner I and Historic Preservation Officer
Ms. Melissa Farr, Executive Assistant

Others Present:

Mr. Tal Fillingim	Mr. Clayton Farrow	Ms. Laura Montgomery
Mr. Mike Talcott	Mr. Aaron Waldrop	Mr. Tony Conder
Mr. Don Whitehead	Mr. Jack Zanger	Mr. Chuck Lawson
Ms. Deon Lawson	Mr. Scott Senter	Mr. Kyle Gibson
Ms. Katie Gibson	Mr. Leon Giesecke	Mr. Mike Moore
Mr. Pete Leija	Ms. Monica Leija	Ms. Linda Valerio

CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:30 p.m.

INVOCATION

Reverend Lankford delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Mr. Benham moved to approve the minutes for the Planning and Zoning Commission regular meeting of October 6, 2020 and the Special Called Meeting held on October 13. Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

PLATS

FP-5520: Public hearing and possible vote to approve or deny Quality Implement Addition, a Subdivision of 14.283 acres out of the Southeast 1/4 of Section 62, Blind Asylum Lands, Taylor County, Texas

Mr. Rainbow presented the plat to the Commission. Staff recommends approval with conditions. They need to improve their portion of Industrial on the south side.

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

Reverend Lankford moved to approve the proposed plat. Ms. Russell seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

ZONING

Z-2020-15: Public hearing and possible vote to recommend approval or denial to City Council on a request from Carriage Hills Development Corporation, agent Jacob & Martin LLC, to rezone property from Agricultural Open Space (AO) to a Residential Single Family (RS6) District on 52.88 acres of now vacant land in the 77007800 blocks (east side) of Maple Street in far south Abilene. Legal description being 52.88 acres out of southwest quarter of Lunatic Asylum Lands Section 14 in Taylor County, Texas

Mr. Nick Watts presented this request. The applicant is requesting to rezone vacant property from Agricultural Open Space (AO) to Residential Single Family (RS-6).

Mr. Famble opened the public hearing. Mr. Clayton Farrow spoke in favor. He said the request is to extend the existing Carriage Hills Subdivision.

Property owners within a 200-foot radius were notified of this request. There were three (3) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum moved to approve the proposed request. Mr. Benham seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

Z-2020-16: Public hearing and possible vote to recommend approval or denial to City Council on a request from Carriage Hills Development Corporation, agent Jacob & Martin LLC, to rezone property from Agricultural Open Space (AO) to a Planned Development (PD) District allowing residential townhome development having clusters of as few as two dwelling units, on 22.13 acres of now vacant land located east from the 77007800 blocks of Maple Street and west from Kristie Path and Alex Way in the Sawgrass Addition. Legal description being 22.13 acres out of southwest quarter of Lunatic Asylum Lands Section 14 in Taylor County, Texas

Mr. Nick Watts presented this request. The applicant is requesting to rezone from Agricultural Open space (AO) to a Planned Development (PD167) District with a base zoning of Medium Density Residential (MD).

Mr. Famble opened the public hearing. Speaking in favor was Mr. Clayton Farrow. He addressed the request to split the duplex in half. Half of the lot could be sold to one owner and the other half to another.

Speaking in opposition were: Ms. Katie Gibson, Mr. Leon Giesecke, Mr. Pete Leija, and Mr. Mike Moore

With no other speakers coming forward, Mr. Famble closed the public hearing.

Discussion from the Commission included the existence of a buffer between the MD and RS-6 districts. As there is not a set buffer, one could be requested.

Mr. Famble opened the public hearing again. Mr. Farrow was invited to explain the developer's change of mind. He referred to the demographic change, such as products within the housing market.

Mr. Pete Leija expressed his concern of a buffer not fitting the request. Seeing no one else desiring to be heard, Mr. Famble closed the public hearing.

Property owners within a 200-foot radius were notified of this request. There were three (3) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Famble moved to approve the proposed request with a “Type B” buffer. Mr. Rosenbaum seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

Z-2020-17: Public hearing and possible vote to recommend approval or denial to City Council on a request from QT South LLC, agent Lauren Montgomery, to change the terms of Planned Development (PD) District Number PD 116 located on southeast corner of Old Anson Road and Interstate Highway 20 in northwest Abilene, specifically regarding the height and area of signs allowed there. Legal description being Lot 1 in Block 1 of the subdivision known as QT South LLC

Mr. Jared Smith presented this request. The applicant is requesting to amend the PD ordinance to allow a free standing pole sign as tall as 100-feet and as large as 700 square feet. The applicant also wishes to add a provision to permit up to eight (8) directional signs on the site, not to exceed 8’ in height and 25 square feet in sign area.

Mr. Famble opened the public hearing. Speaking in favor were Ms. Lauren Montgomery and Mr. Mike Talcott.

Speaking in opposition was Ms. Linda Valerio. 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 zero (0) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Denial

Mr. Rosenbaum moved to approve the request with the revised dimensions of 70’ and 400 square feet. Ms. Russell seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Lankford, Famble

NAYS: Noonan

Z-2020-19: Public hearing and possible vote to recommend approval or denial to City Council on a request from Oldham Partners LP and Windmill Circle Partners LP, agent Tony Conder, to rezone approximately 3.8 acres in a General Retail (GR) District extending 300 feet north from the 900 block of Gateway Street, and approximately 4.3 acres in an adjacent Neighborhood Retail (NR) District extending 300 feet west from the 3600-3700 blocks of Oldham Lane, to a General Commercial (GC) District. Legal description being approximately 8.1 acres out of southeast quarter of Blind Asylum Lands Section 62 in Abilene, Taylor County, Texas

Ms. Cheryl Sawyers presented this request. The applicants are requesting to change the zoning of approximately 8.1 acres of vacant land, from what is now a combination of General Retail (3.8 acres) and Neighborhood Retail (4.3 acres) Districts.

Mr. Famble opened the public hearing. Mr. Tony Conder spoke in favor of this request, saying this request is similar to the John Deere Dealership, which is approximately 800 feet from this location. 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 one (1) response received in favor with two (2) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Benham moved to approve the proposed request. Mr. Famble seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

Z-2020-20: Public hearing and possible vote to recommend approval or denial to City Council on a request from Albert Houle, agents Chris Barnett and Dale Scoggins, to rezone approximately 8.14 acres at 7602 thru 7734 Hwy. 8384 and situated at or near the southwest corner of Waldrop Drive and U.S. Hwys. 8384, from an Agricultural Open Space (AO) District to a General Commercial (GC) District. Legal description being approximately 8.14 acres out of northeast quarter of Lunatic Asylum Lands Section 23 in Taylor County, Texas

Mr. Jared Smith presented this request. The applicant is requesting to rezone from Agricultural Open Space (AO) to General Commercial (GC) in order to promote development of a wide range of commercial activities.

Mr. Famble opened the public hearing. Mr. Dale Scoggins spoke in favor of this request. With no other speakers coming forward, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were zero (0) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Benham moved to approve the proposed request. Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

Z-2020-21: Public hearing and possible vote to recommend approval or denial to City Council on a request from Vinson Higginbotham, agent Jack Zanger of Triangle Engineering, to rezone approximately 4.04 acres on the 49005000 blocks (southwest side) of South Clack Street, from an Agricultural Open Space (AO) to a General Commercial (GC) District. Legal description being approximately 4.04 acres out of Lot 6 in the Alfred and Mary Fasshauer Subdivision of Blind Asylum Lands Section 65 in Abilene, Taylor County, Texas

Mr. Brad Stone presented this request. The applicant is requesting to rezone the subject property from Agricultural Open Space (AO) to a General Commercial (GC) District. The northern half of this 4.04-acre tract is planned for immediate development as a site for automotive body repair. No planned use of the remaining southern half has been identified.

Mr. Famble opened the public hearing. Mr. Jack Zanger spoke in favor of this request and made himself available to answer questions.

Mr. Chuck Lawson and his wife, Deon, spoke in opposition due to potential noise levels and increased traffic. Ms. Lawson also expressed concern of the notification letter not stating the exact purpose for the rezoning request.

Ms. Cheryl Sawyers approached to clarify the nature of the notification letter and its content. Mr. Zanger spoke again to address the concerns. He shared the proposal as being a premier auto body shop brand, Caliber Collision. The work is performed indoors during business hours.

Mr. Don Whitehead spoke in favor saying he is a fan of Caliber Collision. Mr. Lawson approached again to restate his concern of noise. He expected additional medical offices in the area, but not an auto body shop.

Property owners within a 200-foot radius were notified of this request. There were two (2) responses received in favor with zero (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Mr. Rosenbaum moved to approve the proposed request. Mr. Famble seconded the motion. The motion to approve prevailed by the following vote:

AYES: Barnett, Russell, Benham, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

CUP-2020-08: Public hearing and possible vote to recommend approval or denial to City Council on a request from Oldham Partner LP and Windmill Circle Partners LP, agent Tony Conder, for approval of a Conditional Use Permit allowing retail sales and rental of trucks and other large vehicles and equipment on 24.371 acres in a General Commercial (GC) District at 750 Gateway Street and the 3600-3700 blocks (east side) of Loop 322. Legal description being 24.371 acres out of southeast quarter of Blind Asylum Lands Section 62 in Abilene, Taylor County, Texas

Ms. Cheryl Sawyers presented this request. A Conditional Use Permit for the sales and rental of large vehicles and equipment is required. Staff agreed on two conditions being met:

- 1) Opaque Fencing
- 2) 50-Foot Buffer

Mr. Famble opened the public hearing. Mr. Tony Conder spoke in favor of this request. He agreed the 50-foot barrier and the opaque fencing meets the needs for this property. He made himself available to answer any questions. 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 two (2) responses received in favor with two (2) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

Ms. Russell moved to approve the proposed request. Reverend Lankford seconded the motion. The motion to approve prevailed by the following vote:

AYES: Russell, Benham, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

ABSENT: Barnett

OAM-2020-02: Public hearing and possible vote to recommend approval or denial to City Council on proposed ordinance repealing Ordinance No. 352017 and replacing the provisions of that ordinance with alternative amendments to the Land Development Code of the Abilene City Code, specifically addressing multiple family dwellings in certain nonresidential zoning districts as well as clarifying terms and conditions for multiple family residential development allowed in nonresidential zoning districts

Mr. Brad Stone presented this request. He addressed modifications to Table 2-4 Site Layout and Building Requirements for Nonresidential Zoning Districts.

Mr. Famble opened the public hearing. Mr. Stanley Smith made everyone aware that this is not a repeal or replacement of a previous ordinance or amendment. Mr. Famble closed the public hearing.

Mr. Rosenbaum moved to approve the amendments. Ms. Russell seconded the motion. The motion to approve prevailed by the following vote:

AYES: Russell, Rosenbaum, Noonan, Lankford, Famble

NAYS: None

ABSENT: Barnett, Benham

DIRECTOR'S REPORT

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

ADJOURNMENT

There being no further discussion, Mr. Famble adjourned the meeting at 3:27 p.m.

APPROVED

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

Mr. Fred Famble, Chairman