



# Planning and Zoning Commission MINUTES

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

**Commissioners Present:**

Mr. Fred Famble, Chairman  
Mr. Bill Noonan, Secretary  
Mr. Mitch Barnett

Mr. Clint Rosenbaum, Pro Tem  
Rev. Iziar Lankford

**Commissioners Absent:**

Ms. Alex Russell, Sergeant-at-Arms  
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  
Ms. Kelley Messer, First Assistant 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. Donald Burton  
Mr. Kelly Gill

Mr. Clayton Farrow  
Ms. Eugenia Burton  
Mr. Bo Shomansuroff

Mr. Corey Ruff  
Ms. Kendra Hanfeld

## 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

Reverend Lankford moved to approve the minutes for the Planning and Zoning Commission regular meeting of November 3, 2020. Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

**AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble**

**NAYS: None**

## PLATS

**MRP-2620:** Lytle Shores West, South Oldham Extension, A Replat of Lots 43, 44, 45, 46, 47 and 49, Being Out of Lytle Shores West Block A, Section 2, and Lot 103 Out of Lytle Shores West Block A, Section 4, Out of Sections 51 and 52, Blind Asylum Land Surveys, Taylor County, Texas

Ms. Sawyers presented the plat to the Commission. Staff recommends approval.

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

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

**AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble**

**NAYS: None**

## ZONING

**Z-2020-22:** Receive a Report and Hold a Discussion and Public Hearing on a request from Mobile Home Concepts, LLC to rezone property from a combination of Manufactured/Mobile Home (MH) and General Commercial (GC) to Planned Development (PD) District allowing occupancy by recreational vehicles and vacation travel trailers as well as mobile and manufactured homes on property at 6101 South 7<sup>th</sup> Street in western Abilene. Legal description being all of Lot 1 in Block 1 of a Replat of Section 1, Westglen Addition in Abilene, Taylor County, Texas

Mr. Nick Watts presented this request. The applicant is requesting to rezone a 17.5 acre tract from Manufactured/Mobile Home (MH) and General Commercial (GC) to Planned Development District 168 (PD 168) to allow recreational vehicles, vacation travel trailers, and manufactured homes.

Mr. Famble opened the public hearing. With no speakers 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 none (0) in opposition.

**PLANNING STAFF RECOMMENDATION:** Staff recommends approval with the following condition:

- o The eastern 200 feet to be reserved for only manufactured/mobile homes to protect the character of the adjacent medium density neighborhood.

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

**AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble**

**NAYS: None**

**Z-2020-23:** Receive a Report and Hold a Discussion and Public Hearing on a request from Eugene Rickert to rezone property from Agricultural Open Space (AO) to Rural Residential (RR1) District on one acre of land located at 1949 Beltway South (F.M. Highway 707). Legal description being one (1) acre 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 two (2), one acre tracts from Agricultural Open Space (AO) to Rural Residential (RR1) District for the purpose of combining the lots through a replat. The rezone and subsequent replat will bring the lots into conformity with the Land Development Code allowing the construction of an addition to an existing single family residence.

Mr. Famble opened the public hearing. Mr. Kelly Gill spoke in favor. With no other speakers 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, nor in opposition.

**PLANNING STAFF RECOMMENDATION:** Approval

Mr. Rosenbaum moved to approve the request. Mr. Noonan seconded the motion.

The motion to **approve** prevailed by the following vote:

**AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble**

**NAYS: None**

**Z-2020-24:** Receive a Report and Hold a Discussion and Public Hearing on a request from Donald Callaway (agents Jacob & Martin LLC) and the City of Abilene to rezone approximately 0.6 acre of land (120 feet wide) located behind the restaurant building at 4801 Buffalo Gap Road, from Agricultural Open Space (AO) to Neighborhood Retail (NR) District. Legal description being the eastern 120 feet of Lot 1 in Block A of Squares Restaurant Addition in Abilene, Taylor County, Texas

Mr. Jared Smith presented this request. The applicant is requesting to rezone a portion, approximately 61-foot by 102-feet, of the AO zoning to accommodate additional parking. In order to expand the existing parking area for Al's Mesquite Grill, Abilene's Land Development Code Section 4.2.1.3 stipulates that off-street parking requirements shall be within the same zoning classification required of the use which the parking area supports.

Mr. Famble opened the public hearing. Mr. Tal Fillingim spoke in favor and was available for questions. With no other speakers 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 two (2) in opposition.

**PLANNING STAFF RECOMMENDATION:** Approval

Mr. Rosenbaum moved to approve the request. Mr. Noonan seconded the motion.

The motion to **approve** prevailed by the following vote:

**AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble**

**NAYS: None**

**Z-2020-25:** Receive a Report and Hold a Discussion and Public Hearing on a request from KPLB LLC, agents Jacob & Martin LLC, to rezone property from Residential Single Family Patio Home (PH) to a Residential Medium Density (MD) District on 5.85 acres of now vacant land at 1826 Colony Hill Road in southeastern Abilene. Legal description being 5.85 acres out of southwest quarter of Lunatic Asylum Lands Section 8 in Abilene, Taylor County, Texas

Ms. Cheryl Sawyers presented this request. The applicant is requesting to rezone from Residential Single-Family Patio Home (PH) to the subject property's previously zoned Residential Medium-Density (MD). The applicant has shown renewed interest in MD after reviewing market trends and the growing demand for MD type units.

Mr. Famble opened the public hearing. Mr. Clayton Farrow spoke in favor and was available for questions. With no other speakers 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, nor in opposition.

**PLANNING STAFF RECOMMENDATION: Approval**

Reverend Lankford moved to approve the request. Mr. Barnett seconded the motion. The motion to **approve** prevailed by the following vote:

**AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble**  
**NAYS: None**

**Z-2020-26:** Receive a Report and Hold a Discussion and Public Hearing on a request from Abilene Christian University, agent Kendra Hanfeld of Parkhill, Smith and Cooper Inc., to rezone 13.05 acres (occupied since 1955 by Taylor Elementary School) at 916 East North 13<sup>th</sup> Street, from Residential Medium Density (MD) to a College University (CU) District. Legal description being 13.05 acres out of southwest quarter of Blind Asylum Lands Section 33 in Abilene, Taylor County, Texas

Mr. Brad Stone presented this request. Abilene Christian University seeks to rezone this acreage to a College University (CU) District for university use after Taylor Elementary moves into their new building. With their application for zone change, Abilene Christian University indicated they plan to use this site for “academic and research offices, classrooms, laboratories and other administrative uses.”

Mr. Famble opened the public hearing. Ms. Kendra Hanfeld spoke in favor of this request. With no other speakers 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 14 responses received in favor with two (2) in opposition.

**PLANNING STAFF RECOMMENDATION: Approval**

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

**AYES: Barnett, Rosenbaum, Lankford, Famble**  
**NAYS: None**  
**ABSTAINED: Noonan**

**TC-2020-07:** Receive a Report and Hold a Discussion and Public Hearing on a request from Abilene Christian University, agents Enprotec/Hibbs & Todd Inc., to abandon the public right of way within a 0.4039 acre tract of presently unpaved land initially dedicated for what is now known as North Judge Ely Boulevard and located northeast from the original campus of Taylor Elementary School at 916 E.N. 13<sup>th</sup> Street in northeast Abilene

Mr. Brad Stone presented this request. Abilene Christian University is now committed to purchase the 13.05-acre site of Taylor Elementary School's original campus. As a result, the University will become the sole owner of land adjacent to this remaining segment of North Judge Ely's original and now-obsolete right-of-way. Abilene Christian University thereby seeks to have this 0.4039-acre parcel of right-of-way officially abandoned by the public. If this request is approved, the University may then integrate that acreage within its expanded campus on the former site of Taylor Elementary School.

Mr. Famble opened the public hearing. As no one from Enprotec was available to attend the meeting, Ms. Kendra Hanfeld spoke in favor on their behalf. With no other speakers 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 three (3) responses received in favor with none (0) in opposition.

**PLANNING STAFF RECOMMENDATION:** Staff recommends approval subject to conditions.

Mr. Rosenbaum moved to approve the request subject to the conditions presented. Mr. Famble seconded the motion.

The motion to **approve** prevailed by the following vote:

**AYES: Barnett, Rosenbaum, Noonan, Lankford, Famble**

**NAYS: None**

**TC-2020-06:** Receive a Report and Hold a Discussion and Public Hearing on a request from the City of Abilene to abandon the public right of way within the complete 418 foot length of Crow Street as it extends north from right of way for East South 5<sup>th</sup> Street, approximately 765 feet west from and parallel to T&P Lane in southeast central Abilene

Mr. Nick Watts presented this request. This proposed public right-of-way abandonment is a part of the Cedar Creek Waterway Project and the City has initiated the request for abandonment due to the frequency of illegal dumping on this dead-end unimproved roadway. Additionally, of Crow Street and the adjacent properties to the west are within the floodway.

Mr. Famble opened the public hearing. Mr. Donald Burton spoke in opposition to this request, saying he and his mother are opposing this request due to the lack of information received. With no other speakers present and desiring to be heard, Mr. Famble closed the public hearing.

Mr. Famble initiated an open discussion to allow for more detail that might answer Mr. Burton's questions. Discussion took place regarding the Cedar Creek Bond Project and the need to mitigate illegal dumping.

Mr. Famble opened the public hearing again. Mr. Donald Burton spoke in response to say a separate issue involving his mother's property exists that has not been addressed by the City. He would like for that issue as well to be resolved before a sound decision about the current request could be made.

Mr. Rice approached to clarify the purpose of this request. The street will be closed so the right-of-way along the property may be fenced. This is an effort to provide a vehicle barrier, which will keep people out.

Mr. Rice explained that the majority of area on the west side of the street is in the floodway. The City owns all of the properties fronting Crow Street except Mr. Burton's property on Ezra. The will have access to Ezra Street, as it is not being blocked off.

He also agreed with Mr. Burton, saying the City has been in communication with Mr. Burton for quite some time. The City has an existing line on 310 Ezra Street, which traverses east to west. They are working on the acquisition of a formal easement. Work was performed on the Burton's property in 2019 because of the existing line. With the cooperation of the Burton's, the City is seeking a formal easement and will compensate the Burton's for any damages that may have occurred.

Property owners within a 200-foot radius were notified of this request. There were zero (0) responses received in favor, nor in opposition.

**PLANNING STAFF RECOMMENDATION:** City staff recommends approving the requested abandonment subject to approval and subsequent recording of a re-plat showing how the right-of-way (authorized to be abandoned) will be integrated with one or more adjacent new lot(s).

#### **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 2:30 p.m.

**APPROVED**



Mr. Fred Famble, Chairman