



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on February 2, 2021 at 1:30 p.m. at the Abilene Public Library, South Branch Conference Room, Mall of Abilene, 4310 Buffalo Gap Road.

Commissioners Present:

Mr. Clint Rosenbaum, Pro Tem

Ms. Alex Russell, Sergeant-at-Arms

Mr. Brad Benham

Mr. Bill Noonan, Secretary

Rev. Iziar Lankford

Ms. Shawnte' Fleming (Present But Not Voting)

Commissioners Absent:

Mr. Mitch Barnett

Staff Present:

Mr. Michael Rice, Assistant City Manager

Mr. Michael Warrix, Director of Planning and Development Services

Mr. Zack Rainbow, Assistant Director of Planning and Development Services

Ms. Cheryl Sawyers, Planning Services Manager

Ms. Kelley Messer, First Assistant City Attorney

Mr. Jared Smith, Planner II

Mr. Nick Watts, Planner I and Historic Preservation Officer

Ms. Melissa Farr, Executive Assistant

Others Present:

Mr. Clayton Farrow

Mr. Odell Taylor

Mr. David Todd

Ms. Carol Taylor

Mr. Scott Senter

CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:35 p.m.

INVOCATION

Reverend Lankford delivered the invocation.

APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Mr. Noonan moved to approve the minutes from the previous meeting held on January 5, 2021. Ms. Russell seconded the motion. The motion to approve prevailed by the following vote:

AYES: Russell, Benham, Noonan, Lankford, Rosenbaum

NAYS: None

PLATS

FP-6120: Receive a Report, Hold a Discussion and Public Hearing on a plat for A.C.U. Addition, Section 3, Lot 1 Block A, Abilene, Taylor County, Texas

PP-6320: Receive a Report, Hold a Discussion and Public Hearing on a plat for The South End Addition, Abilene, Taylor County, Texas

MRP-0521: Receive a Report, Hold a Discussion and Public Hearing on a plat for McNairy's Subdivision, Block H & Block I, Lot 2, Block 201 Original Town of Abilene, Abilene, Taylor County, Texas

Mr. Zack Rainbow presented the proposed plats to the Commission. Staff recommends approval.

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

Mr. Noonan moved to approve the proposed plats. Ms. Russell seconded the motion. The motion to approve prevailed by the following vote:

AYES: Russell, Benham, Noonan, Lankford, Rosenbaum

NAYS: None

ZONING

Z-2021-03: Public hearing and possible vote to recommend approval or denial to City Council on a request from Abi Harvest, LLC to rezone property from Agricultural Open Space (AO) to a mixture of both General Commercial (GC) and Residential Single Family (RS6) District and located on approximately 172.98 acres near the northwest corner of FM 707 & FM 89. Legal description being approximately 150 acres in Tract 1 and 22.98 acres in Tract 2 out of Mathew Talbot Section 103, in Abilene, Taylor County, Texas.

Mr. Nick Watts presented this request. This request encompass three (3) parcels of land, all of which were annexed into the city limits in 1980 and zoned Agricultural Open Space (AO). The proposed RS-6 zoning is compatible with the single family residences to the north in the Willow Ridge Addition. These properties do not fall within the Buffalo Gap Corridor.

Mr. Rosenbaum opened the public hearing. Mr. Clayton Farrow addressed questions asked during the meeting. Ms. Carol Taylor asked questions in regard to the requirements for surface water and the possibility of multi-family dwelling units being allowed in the new zoning district. 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 four (4) received in opposition.

PLANNING STAFF RECOMMENDATION: Approval

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

AYES: Russell, Benham, Noonan, Lankford, Rosenbaum

NAYS: None

Z-2021-04: Public hearing and possible vote to recommend approval or denial to City Council on a request from Kickapoo Land Company and 5KLM Properties, LP to rezone property from Agricultural Open Space (AO) to General Commercial (GC) and located on approximately 82.3 acres near the northwest corner of FM 707 & FM 89. Legal description being approximately 82.3 acres out of Mathew Talbot Section 103, in Abilene, Taylor County, Texas.

Mr. Nick Watts presented this request. The subject property was annexed into the city limits in 1980 and zoned Agricultural Open Space (AO). The applicants are requesting to rezone this parcel to General Commercial (GC).

Mr. Rosenbaum opened the public hearing. Mr. David Todd spoke in favor and provided more detail about the request. 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 responses received in favor nor in opposition.

PLANNING STAFF RECOMMENDATION: Approval

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

AYES: Russell, Benham, Noonan, Lankford, Rosenbaum

NAYS: None

Z-2021-05: Public hearing and possible vote to recommend approval or denial to City Council on a request from Hardin Simmons University to rezone property from Residential Single Family (RS6) District to General Retail (GR) and located on approximately 1.203 acres at the 1500 and 1600 blocks (north side) of Ambler Avenue in north Abilene. Legal description being all of lots 5 & 6 of Block C in Darby of North Park Subdivision and all of Lot 14 and the easternmost 25feet of Lot 13 of Block B in Darby of North Park Subdivision.

Mr. Jared Smith presented this request. The applicant is requesting the rezoning to construct a Braum's restaurant and convenience grocery store on the subject properties.

Mr. Rosenbaum opened the public hearing. Mr. David Todd spoke in favor and provided more detail about the request. 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 53 responses received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval

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

AYES: Russell, Benham, Noonan, Lankford, Rosenbaum

NAYS: None

TC-2021-03: Public hearing and possible vote to recommend approval or denial to City Council on a request from Hardin Simmons University to abandon an approximately 60 foot width of public right-of-way available for Beech Street wedged between the westernmost boundary of Block C in Darby of North Park Subdivision and the easternmost boundary of Block B in Darby of North Park Subdivision. Extending approximately 150 feet north from northernmost right of way boundary for Ambler Avenue. Additionally the request is to abandon the 20 foot wide alley north of lots 5 & 6 of Block C in Darby of North Park Subdivision extending approximately 98 feet from the easternmost right of way boundary of Beech Street in Abilene, Taylor County, Texas.

Mr. Jared Smith presented this request. The applicant is requesting to abandon these two rights-of-way to construct a Braum's restaurant and convenience grocery store within the adjacent lots.

Mr. Rosenbaum opened the public hearing. Mr. David Todd spoke in favor and made himself available to answer any questions. 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 51 responses received in favor with none (0) in opposition.

PLANNING STAFF RECOMMENDATION: Approval with conditions as noted below:

1. Approval and subsequent recording of a re-plat showing how the street and alley rights-of-way will be integrated with one or more adjacent new lot(s).
2. On the required replat, right-of-way must be reserved and/or dedicated for a suitable vehicle turnaround at the termination of the remaining dead-end segment of Beech Street as a result of this abandonment. Such turnaround may be either a "cul-de-sac" or "hammerhead" type, but must be designed and improved to allow routine movement of utility service and refuse collection vehicles.
3. On the required replat, suitable easements must be reserved for continued access to all existing utility facilities planned to remain within the otherwise abandoned street and alley rights-of-way.
4. Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street and alley will be integrated.
5. Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subject street and alley rights-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.

Ms. Russell made the motion to approve this request with conditions. Mr. Benham seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Russell, Benham, Noonan, Lankford, Rosenbaum

NAYS: None

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. Rosenbaum adjourned the meeting at 2:20 p.m.

APPROVED

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

Mr. Clint Rosenbaum, Pro Tem