



# Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on November 2, 2021 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas.

**Commissioners Present:**

Mr. Clint Rosenbaum, Chairman

Ms. Alex Russell, Sergeant-at-Arms

Mr. Mitch Barnett

Mr. Bill Noonan, Secretary

Mr. Brad Benham, Chairman Pro Tem

Rev. Iziar Lankford

**Commissioner Absent:**

Ms. Shawnte' Fleming

**Staff Present:**

Mr. Tim Littlejohn, Interim Director of Planning and Development Services/Chief Building Official

Ms. Kelley Messer, First Assistant City Attorney

Mr. Brad Stone, Planner III

Mr. Jared Smith, Planner II

Mr. Nick Watts, Planner I/Historic Preservation Officer

Ms. Melissa Farr, Executive Assistant

**Others Present:**

Mr. David Todd

Mr. Charles Snead

Mr. Kyle Tamez

Mr. Zane Sitzes

Mr. Tal Fillingim

Mr. Alex Whitten

Ms. Wendy Tamez

Mr. Ken Trevathan

Mr. Jeff Jackson

Mr. Wes Terry

## CALL TO ORDER

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:32 p.m.

## INVOCATION

Reverend Lankford delivered the invocation.

## APPROVAL OF MINUTES FOR THE PREVIOUS MEETING

Ms. Russell moved to approve the minutes from the previous meeting held on October 5, 2021, with the revision to include her vote as NAY for item Z-2021-28. Mr. Benham seconded the motion. The motion to **approve** prevailed by the following vote:

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

**NAYS: None**

## PLATS

**FRP-7121:** Arthur Sears Park Addition, Block 11, Lots 101 – 108

No Condition

**PP-7321:** Hardison Estates

No Conditions

**PP-7421:** Faculty Row Addition

No Conditions

**FP-5021:** Cross Development Addition, Block A, Lot 1

- Prior to recording, Construction Plans detailing required public improvements must be submitted to the Public Works Department and approved by the City Engineer.

- Prior to recording, all public improvements must be completed in accordance with approved construction plans and inspected for acceptance or the public works department must be furnished with a financial guarantee in order to secure the obligations of all public improvements prior to recording.

**FP-3019:** Carriage Hills, Section 3

- Prior to recording, all public improvements must be completed in accordance with approved construction plans and inspected for acceptance or the public works department must be furnished with a financial guarantee in order to secure the obligations of all public improvements prior to recording.

Mr. Smith presented the proposed plats for consideration. The Development Review Committee has determined that the following plats meet all requirements outlined within Abilene's Land Development Code and is recommending approval with the noted conditions.

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

Reverend Lankford made the motion to approve the plats as presented. Mr. Benham seconded the motion. The motion to **approve** prevailed by the following vote:

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

**NAYS: None**

## ZONING

**Z-2021-30:** Public Hearing and Possible Vote to Recommend Approval or Denial to City Council on a Request from Hit Ventures LLC to Change Zoning from Agricultural Open Space (AO) to a Neighborhood Retail (NR) District on Approximately 4.51 acres at 3250 Beltway South and out of W.J. Reddell Survey in Abilene, Taylor County, Texas.

Mr. Stone presented this request. This property was annexed to the City limits of Abilene during 1980 and has been embraced within an Agricultural Open Space (AO) zoning district ever since. The subject property was long owned by a church congregation which completed the existing building there in 1982. Churches are allowed in every zoning district of Abilene, including AO Districts. This particular congregation has since moved elsewhere. The building and surrounding property (4.51 acres) are now vacant.

Mr. Rosenbaum opened the public hearing. Mr. Alex Whitten spoke on behalf of Mr. Arnett, stating that he is unfamiliar with Medium density zoned projects. They are in favor of the Neighborhood Retail zoning, as that is the best fit. 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 one (1) in opposition.

**PLANNING STAFF RECOMMENDATION:** City staff recommends denying the requested zone change to a Neighborhood Retail (NR) District and, instead, recommends approving a zone change to a Residential Medium-Density (MD) District with a Conditional-Use Permit, specifically allowing a day care center therein.

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

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

**NAYS: None**

**Z-2021-31:** Public Hearing and Possible Vote to Recommend Approval or Denial to City Council on a Request from Jeffrey C. Snead to Change Zoning from Agricultural Open Space (AO) to a General Commercial (GC) District on Approximately 36 Acres of Land at 3658 East Highway 80 in East Abilene. Legal Description Being 35.89 Acres Out of Blind Asylum Lands Section 45 in Abilene, Taylor County, Texas.

Mr. Stone presented this request. The subject property's new owner desires to develop as-yet undetermined portions of this acreage for:

- Self-service storage (outdoors or under roof) of boats and other recreational vehicles; and
- A recreational vehicle park.

The only one of Abilene's conventional zoning classifications that can accommodate both these uses is General Commercial (GC) zoning.

Mr. Rosenbaum 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) responses were received in favor with none (0) in opposition.

**PLANNING STAFF RECOMMENDATION:** Approval

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

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

**NAYS: None**

**Z-2021-32:** Public Hearing And Possible Vote To Recommend Approval Or Denial To City Council On A Request From Weatherbee Construction Inc. (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) To Change Zoning From Agricultural Open Space (AO) To A Residential Medium-Density (MD) District On Approximately 14 Acres Of Land at 665 East South 27th Street In Southeast Abilene. Legal Description Being A Certain 14.34 Acres Out Of The Northeast Quarter Of Blind Asylum Lands Section 62 In Abilene, Taylor County, Texas.

Mr. Smith presented this request. The subject property was annexed into the City of Abilene in 1963. These tracts of land have remained vacant since this time. The applicant is requesting to rezone these tracts of land in order to develop duplexes and single-family residences.

Mr. Rosenbaum opened the public hearing. Mr. David Todd 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. There were no (0) responses received in favor nor in opposition.

**PLANNING STAFF RECOMMENDATION:** Approval

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

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

**NAYS: None**

**Z-2021-33:** Public Hearing And Possible Vote To Recommend Approval Or Denial To City Council On A Request From Sitzes Brothers LLC (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) To Change Zoning From Residential Multi-Family (MF) To A Planned Development (PD) District Allowing Uses Commensurate With Residential Multi-Family (MF) Zoning As Well As Self-Service Storage, On Approximately 1¼ Acre Of Now-Vacant Land At 3750 Rolling Green Drive, In South Abilene. Legal Description Being A Certain 1.219-Acre Tract Out Of J. E. Sheppard Survey No. 96 In Abilene, Taylor County, Texas.

Mr. Stone presented this request. This property was annexed to the City limits of Abilene during 1963. This property remained in an AO (previously RA) zoning district until the early 21st Century, when it was embraced within the same Residential Multi-Family (MF) zoning district as the Tylor Grand Apartments.

All buildings in the Tylor Grand complex are connected to a sewer main existing adjacent to the northwest corner of that complex, at least 500 feet from the subject property of the current proposed zone change. Another sewer main does exist closer to the subject property, only approximately 75 feet to the south and across the width of Rolling Green Drive. But this existing sewer main is too shallow to be extended any further and expect wastewater to flow, according to the City's Utility Engineer.

Mr. Rosenbaum opened the public hearing. Mr. David Todd spoke in favor, stating this will be a totally conditioned storage facility where everything is inside. 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.

**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: Barnett, Russell, Benham, Noonan, Lankford, Rosenbaum**  
**NAYS: None**

**Z-2021-34:** Public Hearing And Possible Vote To Recommend Approval Or Denial To City Council On A Request From Christopher Blake Howard (Represented By Jacob & Martin LLC) To Change Zoning From Residential Single-Family (Rs-6) To A Residential Single-Family Patio Home (PH) District On Approximately 2.78 Acres Of Now-Vacant Land At 1633 Griffith Road. Legal Description Being All Of Lot 1 In HBMS Roppe Estates, Abilene, Taylor County, Texas.

Mr. Smith presented this request. The intention for this rezoning, according to a draft subdivision plat received by staff, is to create seven (7) single-family home sites that are fronting onto Griffith Road.

Mr. Rosenbaum opened the public hearing. Mr. Tal Fillingim spoke in favor, saying the developer's intent is to construct a new development of patio homes, which are a different product than Griffith Lake Estates. 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 one (1) in opposition.

**PLANNING STAFF RECOMMENDATION:** Approval

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

**AYES: Barnett, Russell, Benham, Noonan, Lankford, Rosenbaum**  
**NAYS: None**

**Z-2021-35:** Public Hearing And Possible Vote To Recommend Approval Or Denial To City Council On A Request From Broadview Baptist Church (Represented By Les Campbell) To Change Zoning From Residential Single-Family (RS-6) To A Neighborhood Retail (NR) District On 0.3271 Acre Of Land At 2414 South 27th Street In South Central Abilene. Legal Description Being The South 104 Feet Of The West 137 Feet Of Lot 4 In Block 1 Of The Over Place Addition To Abilene, Taylor County, Texas.

Mr. Watts presented this request. The subject property was zoned Residential Single Family (RS-6) District in 1974. The subject property is a portion of lot 4 within Block 1 of the Over Place Addition. Broadview Baptist Church has owned the property since 2014. According to

information included within the application, Broadview Baptist Church would like to rezone the subject property to attract buyers interested in a retail district.

Mr. Rosenbaum 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 nor in opposition.

**PLANNING STAFF RECOMMENDATION:** Approval

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

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

**NAYS: None**

**Z-2021-36:** Public Hearing And Possible Vote To Recommend Approval Or Denial To City Council On A Request From Abilene Majestic LLC (Represented By Jacob & Martin LLC) To Amend Terms And Conditions Of Planned Development District Number 77 (PD 77) Specifically As They Affect 1.98 Acre Of Now-Vacant Land At 3850 Catclaw Drive In South Abilene, Expanding The Range Of Allowed Uses There To Include (Minor) Repair And Maintenance Of Automobiles And Small Trucks. Legal Description Of Said 1.98 Acre Being All Of Lot 201 In Block A Of The Pak Addition To Abilene, Taylor County, Texas.

Mr. Watts presented this request. There are no automotive related uses indicated as a permitted use within this entire PD district. The applicant is requesting this amendment to operate an automobile oil change business on this lot.

Mr. Rosenbaum opened the public hearing. Mr. Tal Fillingim 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. Two (2) responses were received in favor with one (1) in opposition.

**PLANNING STAFF RECOMMENDATION:** Approval with the following conditions:

- Alter the permitted use language to include “Automobile/small truck oil change.”
- Add a limit to the hours of operation for the permitted use “automobile small/truck oil change” from 7 AM to 7 PM C.S.T.

Mr. Benham made the motion to approve this request with the condition to specify “small auto” oil change services. Mr. Noonan seconded the motion. The motion to approve prevailed by the following vote:

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

**NAYS: None**

**ABSENT: Russell**

### **Adjournment**

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 2:54 p.m.

**APPROVED**



Mr. Clint Rosenbaum, Chairman