



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on April 4, 2023 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas

Commissioners Present:

Mr. Clint Rosenbaum, Chairman	Rev. Iziar Lankford, Secretary
Mr. Brad Benham, Chairman Pro Tem	Ms. Shawnte' Fleming
Mr. Mitch Barnett	Mr. Kevin Halliburton
Ms. Alex Russell, Sergeant-at-Arms	

Staff Present:

Mr. Michael Rice, Assistant City Manager
Mr. Randy Anderson, Assistant Director of Planning and Development Services
Ms. Kelley Messer, First Assistant City Attorney
Ms. Clarissa Ivey, Planner I
Ms. Mason Teegardin, Planner I
Ms. Melissa Farr, Executive Assistant

Others Present:

Mr. Tal Fillingim	Mr. Espen Johansen	Mr. Andy Schonert
Mr. Chris Watola	Mr. Sam Chase	Ms. Diane Cole
Mr. Calvin Donaghey	Ms. Gail Donaghey	

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. Rosenbaum opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed. Mr. Benham moved to approve the minutes from the previous meeting, which was held on March 7, 2023. Reverend Lankford seconded the motion.

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

AYES: Barnett, Benham, Russell, Halliburton, Lankford, Fleming, Rosenbaum

NAYS: None

PLATS

FP-0422: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Waterside at Cedar Creek, Sections 1 and 2

Ms. Clarissa Ivey presented the proposed plats. Staff recommends approval with the following conditions:

- City staff must be furnished with a title opinion or title commitment letter issued by a title insurance company confirming ownership of the properties.
- All public improvements must be completed in accordance with approved 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. Rosenbaum opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed.

Ms. Russell made the motion to approve the proposed plats as presented, with conditions. Ms. Fleming seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Benham, Russell, Halliburton, Lankford, Fleming, Rosenbaum

NAYS: None

ZONING

Z-2023-09: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request Rolling Plains EV Stations LLC to change zoning of approximately 826 acres of land from Agricultural Open to Planned Development (PD-181). Located at 5502 Spinks Rd. Legal description being Approximately 285.9 acres out of Section 53 and 54, Block 16, T.&P. RR. Company Surveys, 191.18 acres of Section 55, Block 16, T.&P. RR. Company Surveys, 305.95 Acres of Section 24, W. W. Sills Survey, and Lots 9 and 10, Block 16, Meadow Valley Estates, Abilene, Taylor County, Texas.

Mr. Randal Anderson presented this request. The subject property automatically zoned Agriculture Open Space (AO) when it was annexed in 2022. The purpose of this request is to establish the permanent zoning of the subject property and to develop and implement new

green-based technology to result in a positive impact the general welfare of society by reducing greenhouse gas, developing green energy solutions, and producing green energy.

The applicant was recruited by the Development Corporation of Abilene (DCOA) for green-energy and cryptocurrency production, with an electric substation, charging station, and potential corporate headquarters. The predominant use would be light industrial, with limited heavy industrial uses.

Mr. Rosenbaum opened the public hearing. Mr. Andy Schonert spoke in favor saying this Lancium uses electrolysis in a closed space. The facilities are “clean campuses.” He remarked that working with the community and being a good neighbor is important. His company would welcome open house events and other outreach to share their processes and environment. Currently, the main focus is on the green hydrogen piece.

Mr. Espen Johansen asked for clarification about the Commission asking permission to take another look at this application. An approval with a condition was discussed for this specific meeting. Mr. Johansen reiterated that a detailed concept plan is not currently available. Lancium would partner with someone to assist with the plans, as they do not plan to build ammonium sites on their own.

Discussion among the commissioners centered around American Electric Power (AEP) property being included in this planned development. Concern was expressed about not having written documentation from AEP stating their agreement to the zoning change. Mr. Rice spoke to ensure everyone that AEP is aware of this project.

Commissioners also deliberated about the zoning recommendations and future land use. The applicant was asked about the 200-foot buffer, and why they do not want it all around the property. Mr. Johansen stated there are no concerns of selling the land in the future, as that is not their intent.

Mr. Calvin Donaghey expressed his concern about the volume of potential noise and smells. He did not state opposition, but concern.

Mr. Espen Johansen answered questions about fencing. Lancium does not have plans to fence in the property, but they are building in stages.

Commissioners and Staff discussed the AEP owned property again. There was discomfort since this has not been done before. It was confirmed the AEP property is included in the PDD.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor, with three (3) in opposition.

STAFF RECOMMENDATION: Staff recommends approval with conditions.

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

AYES: Barnett, Russell, Halliburton, Lankford, Fleming, Rosenbaum

NAYS: None

Z-2023-10: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Bridgestone Bandag, LLC to change zoning from Agricultural Open to Heavy Industrial. Located at 4678 FM 18 Legal description being 41.8 acres of the southwest quarter of Survey 44 Blind Asylum Lands, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The subject property was annexed in 1986 and automatically zoned Agricultural Open (AO). A non-conforming parking lot exists along portion of the eastern boundary line, its unknown when the parking lot was built, but technically the subject should have been rezoned as industrial to allow it on this site. The applicant now proposes to expand the parking lot further onto the subject site and is requesting rezoning for that purpose.

Mr. Rosenbaum opened the public hearing. Mr. Sam Chase spoke as the representative for Bridgestone.

Property owners within a 200-foot radius were notified of this request. One (1) response was received in favor, with none (0) in opposition.

STAFF RECOMMENDATION: Approval

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

AYES: Barnett, Russell, Halliburton, Lankford, Fleming, Rosenbaum

NAYS: None

Z-2023-12: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from KPLB LLC to amend the terms of PDD-155. More specifically this request is to change the base zoning of the north three hundred feet of this PD from Neighborhood Office to Neighborhood Retail. Located on the 4600 Block of Antilley Road. Legal description being lots 101 and 102, Block A and Lot 1 Block F, Antilley Road West Addition, Abilene, Taylor County, Texas.

Ms. Mason Teegardin presented this request. In 2016, Planned Development District Number 155 (PDD-155) was approved to allow for certain neighborhood office uses and single-family patio home residential use. The PD describes the northern three hundred feet (300') be governed by the terms and conditions of the Neighborhood Office (NO) zoning, except for

multi-family residential use shall not be allowed. The remainder of the PD is designated to be used as for Patio Home (PH).

The applicant proposes to amend PDD-155 by changing the base zoning of the northern three hundred feet (300') of PDD from Neighborhood Office (NO) to Neighborhood Retail (NR).

Mr. Rosenbaum opened the public hearing. Mr. Tal Fillingim stated the request to allow indoor retail. They request NR to provide more flexibility to prevent his client from having to return in the future with additional applications. He informed that both NO and NR were created for locations such as this. Seeing no one else desiring to be heard, the public hearing was closed.

Ms. Diane Cole was recognized as wanting to speak. Mr. Rosenbaum opened the public hearing again. She expressed her concern about the traffic on Antilley near schools and any distractions for students. Seeing no one else 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 two (2) in opposition.

STAFF RECOMMENDATION: Approval

Mr. Halliburton made the motion to approve this request as presented. Mr. Barnett seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Halliburton, Lankford, Fleming, Rosenbaum

NAYS: None

Adjournment

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 2:42 p.m.

APPROVED



Mr. Clint Rosenbaum, Chairman

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