



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on July 5, 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

Commissioners Absent:

Ms. Alex Russell, Sergeant-at-Arms

Staff Present:

Mr. Michael Rice
Mr. Tim Littlejohn, Director of Planning and Development Services
Mr. Randy Anderson, Assistant Director of Planning and Development Services
Ms. Kelley Messer, First Assistant City Attorney
Mr. Adam Holland, Planner I
Ms. Clarissa Ivey
Ms. Mason Teegardin, Planner I
Ms. Melissa Farr, Executive Assistant
Mr. Scott Chandler
Mr. Blake Tulloch

Others Present:

Ms. Gwynne McDonald	Ms. Debbie Oliver	Ms. Kim Graves
Mr. Darin Alberqucci	Mr. John Pugsley	Ms. Rebecca Pugsey
Ms. Karen Barbour	Mr. John Reed	Mr. B.J. Prichard
Ms. Sara Trammell	Mr. Eric Emerson	Mr. Ed Emerson
Mr. Jake Gravell	Mr. Taylor Routon	Mr. Nathan McCraey
Ms. Sherry Stansbury	Mr. Matthew Muzechenko	Ms. Cassidy Coddell
Mr. Allan Meador	Mr. Darrell Stansbury	The McNeill's
Mr. Shannon Couch	Ms. Kelly Couch	Ms. Liad Flores
Mr. Scott Senter	Mr. Riley Griffith	Mr. Tal Fillingim

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:31 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 June 6, 2023. Mr. Barnett seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

PLATS

3123-PP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Preliminary Plat for Abilene Regional Airport Addition

3223-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Final Plat for The Harvest Section 2

3723-MP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Final Plat for the Bright Addition

2323-MRP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a vacation of two previous plats and a minor replat of Lots 302, 303, and 304 Block A, Mall of Abilene Addition

Mr. Adam Holland presented the first two plats. Mr. Rosenbaum opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed.

Mr. Halliburton made the motion to approve PP-3123 and FP-3223 as presented. Mr. Benham seconded the motion.

Mr. Adam Holland presented MP-3723. Staff recommends denial, as Staff's comments were not addressed. Reverend Lankford made the motion to deny the proposed plat. Mr. Halliburton seconded the motion.

Mr. Halliburton made the motion to approve MRP-2323. Mr. Benham seconded the motion. All motions prevailed by the following votes:

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

NAYS: None

ZONING

CUP-2023-06: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Public Hearing And Possible Vote To Recommend Approval Or Denial To City Council On A Request From WV Meridian, LLC To Apply A Conditional Use Permit To Approximately 1.09 Acres On A Site Zoned PDD-130 To Allow An Automobile Wash Which Was Previously Abandoned To Be Reopened. Located At 5190 Buffalo Gap Road. Legal Description Being Lot 10, Block A, Countryside South Section 3, Abilene, Taylor County, Texas.

Ms. Mason Teegardin presented this request. The applicant proposes to use the existing self-service carwash and vacuums in same manner that it historically operated. The applicant does propose to install an automatic drive through car wash in one of the existing wash bays.

Mr. Rosenbaum opened the public hearing. Mr. Eric Emerson addressed this item. 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.

STAFF RECOMMENDATION: Staff recommends approval, subject to:

1. Compliance with the proposed Plan of Operation.
2. Approval of a site plan that indicates the location and dimensions of the proposed automatic wash bay.

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

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

NAYS: None

SNC-2023-04: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Kalla Family LP, Represented By Jacob Martin, To Change The Name Of Tin Cup Drive To Phoenix Drive. Located At The Intersection Of Forrest Meadows Drive And Phoenix Drive At The 7100 Block Of Tin Cup Drive, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. Forest Meadows Section 1 was recorded showing a segment of Tin Cup immediately east of Forrest Meadows Drive that would eventually connect to an existing segment of Tin Cup to the north. The Preliminary Plat of Forest Meadows Section 2 was approved with a design that would not the proposed southern segment of Tin Cup with the existing segment of Tin Cup to the north. This resulted in two disconnected street segments named Tin Cup.

As a condition of approval of the Final Plat of Forest Meadows Section 2 requires that southern segment of Tin Cup be renamed as Phoenix Drive to match the existing street name west of the intersection of Forest Meadow Drive and Tin Cup.

Mr. Rosenbaum opened the public hearing. Those who spoke for this item were:

Mr. Blake Tulloch

Mr. John Pugsley

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 three (3) in opposition.

STAFF RECOMMENDATION: Staff recommends approval with the following condition:

1. All address changes shall be completed through the 911/Addressing Department prior to the issuance of permits for any affected property and for all addresses within one year of the effective date of approval.

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

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

NAYS: None

TC-2023-04: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Southside Baptist Church To Abandon An Alley Located At 1425 South 7th Street. Legal Description Being The Alley Of Block 161, Original Town Of Abilene, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. This alleyway located in Original Town Abilene is an active alley between two buildings owned by Southside Baptist Church built in 1960. Currently a non-conforming structure connects the two buildings across the alley, the agent for the applicant reached out to the Planning Department proosing to fence off this area, but was advised by staff that abandonment of the alley would negate the need for a fence and would, if approved, eliminate the non-nonconformity.

Mr. Rosenbaum opened the public hearing. Speaking on behalf of Southside Baptist Church was Mr. Taylor Routon. 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.

STAFF RECOMMENDATION: Staff would not object to this request subject to the following conditions:

1. The subject alley right-of-way, and all adjoining properties, shall be platted within one year of the effective date of the abandonment ordinance.
2. If a replat is not approved and recorded within one year, the granting of the abandonment of the subject right-of-way shall be void.
3. Any utilities that may be located in the subject alley right-of-way shall be covered by a utility easement or relocated at the owners' expense.

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

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

NAYS: None

TC-2023-05: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Brandon Lee And Mirran Cassidy Caddell To Abandon A Cul-De-Sac Located At 2301 Hilton Head, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. Hilton Head is a cul-de-sac in The Villages of Abilene Subdivision which was platted in 2005. The owner intends to gate off the property and address the property off of Memorial Drive.

Mr. Rosenbaum opened the public hearing. Those who addressed this item were:

Mr. John
B.J. Prichard

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.

STAFF RECOMMENDATION: Staff would not object to this request subject to the following conditions:

1. The subject right-of-way, and all adjoining properties, shall be platted within one year of the effective date of the abandonment ordinance.
2. If a replat is not approved and recorded within one year, the granting of the abandonment of the subject right-of-way shall be void.
3. Any utilities that may be located in the subject right-of-way shall be covered by an easement or relocated at the owners' expense.
4. All accompanying address changes must be completed within two (2) months of the granting of this request through the 911 Addressing Department.
5. The placement and design of the proposed gate shall be subject to approval by the Public Works Department and the Fire Marshal.

6. The owners shall be fully responsible for the maintenance of the pavement, curb, and gutter of the former Hilton Head right-of-way upon the approval of the abandonment ordinance.

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

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

NAYS: None

Z-2023-14: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Jose Valenzuela To Change The Zoning Of Approximately 1.95 Acres From Residential Single Family-6 (RS-6) To General Commercial (GC). Located At 1925 Henson Street. Legal Description Being Tract 1 & 2 Out Of The John Jarmon Survey No. 82, Abilene, Taylor County, Texas.

Ms. Mason Teegardin presented this request. The subject property is located within John Jarmon Survey No. 82. The lot has never been developed since annexation in 1963. The applicant is requesting a zoning change to allow a shop and a commercial business on the lot.

Mr. Rosenbaum opened the public hearing. Speaking in opposition was Ms. Sherry Stansbury. 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.

STAFF RECOMMENDATION: Approval

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

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

NAYS: None

Z-2023-21: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From CKG Rentals, LLC, Represented By Jacob & Martin, To Change The Zoning Of Approximately 2.00 Acres From Agricultural Open (AO) To General Commercial (GC). Located At 6010 Highway 277 South. Legal Description Being Lot 1, Block A, First Evangelical Methodist Church Addition, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The subject lot has been used as a church near the time of its annexation in 1986. The applicant is requesting a zoning change to allow self-storage units.

Mr. Rosenbaum opened the public hearing. Tal Fillingim spoke in favor of this item. 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 none (0) in opposition.

STAFF RECOMMENDATION: Approval

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

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

NAYS: None

Z-2023-22: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Teartex, LLC To Change The Zoning Of Approximately 6.0 Acres From Heavy Commercial (HC) To Planned Development District 182 To Allow A Vacation Travel Trailer Park In Addition To The Existing Uses Of The Property. Located At 1075 East Highway 80. Legal Description Being Lot 101, Block 1 Bailey Industrial District No. 1, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The owner proposes to convert covered storage spaces that were rented as storage into a vacation travel trailer park, which would include RVs, in the southern portion of the property. The applicant intends to continue the use of his business on the north portion of the lot which includes an office and indoor manufacturing space.

The applicant proposes to install a fence to divide the commercial uses of the property from the proposed vacation travel trailer park. No additional buildings or structures are proposed.

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.

STAFF RECOMMENDATION: Approval

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

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

NAYS: None

Z-2023-23: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Industrial Blocks, LLC, Paul Grohman, And Frenchman’s Creek Townhome Owners Association, Represented By Jacob & Martin, To Change The Zoning Of Approximately 2.21 Acres From Medium Density Residential (MD) And PDD-45 To Medium Density Residential (MD). Located At 45, 61, And 71 Rue Maison Street. Legal Description Being The Northeast Part Of Lot 401, Block 2, Section 2, Frenchman’s Creek, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The subject property is included in the “Frenchman’s Creek PDS” District when it was created in 1986. The Frenchman’s Creek PDS allowed general retail uses and self-storage units. This request, if approved, would allow the owner to create additional units in the Frenchman’s Creek Subdivision.

Mr. Rosenbaum opened the public hearing. Mr. Tal Fillingim spoke in favor of this 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. One (1) response was received in favor, with one (1) in opposition.

STAFF RECOMMENDATION: Approval

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

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

NAYS: None

Z-2023-24: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Amazing Grace True Grit, LLC, Represented By Sara Trammell, To Change The Zoning Of Approximately 0.68 Acre From Residential Single Family (RS-12) To Neighborhood Office (NO). Located At 642 Sayles Boulevard. Legal Description Being The East 26’ Of Lot A And All Of Lots B And C, Block 9, Highland Addition, Abilene, Taylor County, Texas.

Ms. Mason Teegardin presented this request. The subject property is located within the Highland Addition. The lot has been used as a residential lot since 1889. The residence is currently being used as a Bed and Breakfast (Ordinance No. 53-2011), as well as an event space. This property was zoned Historic Overlay (H) in July 1985.

Mr. Rosenbaum opened the public hearing. Those who addressed this item were:

Ms. Sara Trammell

Ms. Tracy McNeill

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 two (2) received in opposition.

STAFF RECOMMENDATION: Denial

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

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

NAYS: None

Z-2023-25: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From PB 6950, LLC, Represented By Jacob & Martin, To Change The Zoning Of Approximately 3.6 Acres From Medium Density Residential (MD) And Patio Home (PH) To General Retail (GR). Located At 6817x Horse Head Crossing. Legal Description Being The East 250' Of Lot 8, Block C, Denali Addition, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The subject property has remained vacant since it's annexation in 1980. The properties surrounding the subject site portion of a lot are primarily residential. Property to the north is zoned Residential Single-Family 8 (RS-8). Property to the south is zoned Multi-Family (MF). Properties to the west across Memorial Drive are zoned Medium Density (MD) residential. Properties to the west are zoned Patio Home (PH) and MD.

Mr. Rosenbaum opened the public hearing. Mr. Tal Fillingim spoke in favor of this 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. One (1) response was received in favor, with none (0) in opposition.

STAFF RECOMMENDATION: Based on the criteria listed above, staff recommends denial of the request to rezone the subject property to General Retail (GR).

If the request is downzoned to Neighborhood Retail (NR), it would still not be consistent with the Comprehensive Plan, but may be appropriate because:

1. The site is located on an arterial street;
2. Neighborhood Retail zoning is compatible with residential zoning; and
3. The LDC "Criteria for Approval" would be satisfied.

Staff recommends approval if the request is downed to Neighborhood Retail (NR).

Mr. Benham made the motion to **approve** this request to rezone the subject property to **General Retail (GR)**. Ms. Fleming seconded the motion. The motion to approve prevailed by the following vote:

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

NAYS: None

Z-2023-27: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Melinda Hill And Rebecca King Represented By Matthew Musechenko To Change The Zoning Of Approximately 3.4 Acres From Agricultural Open To Multi-Family (MF). Located At 2349 And 2333 Huckleberry Lane. Legal Description Being 3.4 Acres Of Lot 1 W. T. McQuary Of North Park, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The subject property has remained vacant since it's annexation in 1959. The properties surrounding this portion of a lot are primarily zoned Agricultural Open (AO), with a mobile home park zoned MH to the east, a lot to the north zoned General Commercial (GC), and a single-family residence to the south on a lot zoned Single-Family Residential (RS-6).

Mr. Rosenbaum opened the public hearing. Those who addressed this item were:

Mr. Shannon Couch

Mr. Matthew Musechenko

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.

STAFF RECOMMENDATION: Approval

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

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

NAYS: None

Adjournment

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 3:46 p.m.

APPROVED

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

Mr. Clint Rosenbaum, Chairman

