



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on August 1, 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. Alex Russell, Sergeant-at-Arms
Mr. Mitch Barnett	Mr. Kevin Halliburton

Commissioners Absent:

Ms. Shawnte' Fleming

Staff Present:

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, Planner I
Ms. Mason Teegardin, Planner I
Ms. Melissa Farr, Executive Assistant
Ms. Kera Valois, Planning Technician
Ms. Kiley Hannah, Planner I

Others Present:

Mr. Tal Fillingim	Mr. Edward Walker	Mr. Sam Walker
Mr. Darin Albergucci	Mr. Edward Conley	Ms. Javon Christophe
Ms. Nicole Warrion	Mr. John Pugsley	Mr. B.J. Prichard
Ms. Sara Trammell		

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. Rosenbaum informed that the document should show the name "Mr. John White" as speaking in the public hearing for TC-2023-05.

Mr. Benham moved to approve the minutes from the previous meeting, which was held on July 5, 2023. Mr. Barnett seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Benham, Halliburton, Lankford, Rosenbaum

NAYS: None

PLATS

MP-3023: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Lot 101, Greater Abilene Industrial District

STAFF RECOMMENDATION: Approval with conditions.

FP-4123: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on McCoy's Abilene Subdivision

STAFF RECOMMENDATION: Approval with conditions

FP-4623: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Cimarron Meadows, Section 2A

STAFF RECOMMENDATION: Approval with conditions

FP-4723: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Carriage Hills, Section 4A

STAFF RECOMMENDATION: Approval with conditions

Mr. Adam Holland presented the proposed plats.

Mr. Rosenbaum opened the public hearing. Mr. Sam Walker made himself available to answer questions. Seeing no one else present and desiring to be heard, the public hearing was closed.

Mr. Halliburton made the motion to approve the proposed plats with conditions as recommended by Staff. Ms. Russell seconded the motion. The motion prevailed by the following vote:

AYES: Barnett, Benham, Halliburton, Lankford, Rosenbaum

NAYS: None

ZONING

CUP-2023-05: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Alan Wartes, Represented By Jovon Christophe, To Apply A Conditional Use Permit To Approximately 0.17 Acres To Allow For A Daycare Within Residential Single Family (RS-6) Zoning For Up To 12 Children. Located At 3236 Ambler Avenue. Legal Description Being Lot 20, Block 36, Green Acres Section 2, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The subject property has been used as a single-family residence since 1958. Currently the property is being used as a single-family residence with the accessory use of day-care with less than six children, which is an allowed home occupation.

Mr. Rosenbaum opened the public hearing. Ms. Jovon Christophe was available to answer questions. She confirmed that she currently has no issues with parking at the site. 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. The issuance of any required local and state licenses for 6 additional children.
3. A copy of all required licenses shall be provided to the Building Official.
4. The issuance of a Certificate of Occupancy prior to expanding the size of the day-care for up to 12 children.

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

AYES: Barnett, Benham, Russell, Halliburton, Lankford, 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 Trammel, To Change The Zoning Of Approximately 0.68 Acres From Residential Single Family (RS-12) To A Planned Development District (PDD-183) To Allow For A Medical Spa. 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.

Reverend Lankford made the motion to **remove this item from the table.** Mr. Benham seconded the motion.

At the July 5, 2023 Commission meeting, a neighbor testified that the current use of the property as a bed and breakfast and event center was having an adverse impact on the surrounding neighborhood due to noise, late hours of operation, and guest parking/traffic in the neighborhood. The applicant testified that the bed and breakfast/event center would no longer operate if the request is approved. New notice was published and provided to the surrounding owners entitled to notice.

Mr. Randy Anderson presented this request. The applicant originally requested the rezoning of 0.68 acre from Residential Single Family (RS-12/H) to Neighborhood Office (NO/H). The applicant now requests the rezoning of this property to PD-184, with a base zoning district of RS-12/H, with a medical spa.

Mr. Rosenbaum opened the public hearing. Ms. Sara Trammell was available to answer 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. One (1) response was received in favor, with (3) in opposition.

STAFF RECOMMENDATION: Staff recommends approval, subject to the following conditions:

1. The base zoning shall be PD-183/H, with a medical spa being a permitted use, subject to the attached Plan of Operation.
2. A Certificate of Occupancy (CO) shall be obtained from the Building Inspection Division prior to commencing business.
3. The property may continue to be used as a bed and breakfast and event center until a CO is issued to allow the proposed medical spa. Upon the issuance of the CO, the use of the property as a bed and breakfast or an event center shall be prohibited.
4. The exterior appearance of the home shall not be altered in a manner that diminishes the historic character of the home.

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

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

NAYS: None

Z-2023-26: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From KKP Investments, LLC, Represented By Jacob & Martin, To Amend The Terms Of Planned Development District 172 To Allow Single-Family Residential Uses With No Through Connection To East Stamford Street. Located At 2668 Garfield Avenue. Legal Description Being The Hillcrest Addition Section 4, Block 10, Lots 4 And 5, Hillcrest Addition Section 4, Block 11, And 12.04 Acres Out Of Survey 84, T&P Railway Company, Block 14, Abilene, Taylor County, Texas.

Ms. Mason Teegardin presented this request. The applicant proposes to amend PDD-172 by:

1. Changing the base zoning of Tract 1 from Medium Density (MD) to Single Family Residential (RS-6); and
2. Eliminating the "Development Regulation" cited above and replacing it "No road connection between Garfield Avenue and East Stamford Street."

Mr. Rosenbaum opened the public hearing. Mr. Tal Fillingim spoke in favor and clarified the request by providing background details.

Ms. Carmen Price shared some of the topics that were discussed when Mr. Fillingim spoke with the Homeowners Association in May. She shared that they support this specific request and are very appreciative of the cooperation between the developer and neighborhood. 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. Four (4) responses were received in favor, with one (1) in opposition.

STAFF RECOMMENDATION: Staff recommends approval.

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

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

NAYS: None

Z-2023-28: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Darin Albergucci, represented by e-HT, to change the zoning of approximately 4.80 acres from Light Industrial (LI) to General Commercial (GC). Legal description being Lot 21-23, Block B, Section 3, Continuation No. 2, H&W Tool Company Addition, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The subject property has remained vacant since it's annexation in 1964. The proposed use of a baseball training facility is compatible with the current uses in the immediate area. Those uses are mostly retail, non-intensive uses, and vacant properties. There are other properties zoned GC in the immediate vicinity of the subject site.

Mr. Rosenbaum opened the public hearing. Mr. B.J. Prichard spoke in favor to represent the applicant. He explained there will be indoor batting cages with an outdoor field behind.

Property owners within a 200-foot radius were notified of this request. There were two (2) responses received in favor, with one (1) in opposition.

STAFF RECOMMENDATION: Approval

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

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

NAYS: None

Z-2023-29: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Moore Abilene Holdings, LP, represented by Alex Moore, to change the zoning of approximately 0.64 acres from Heavy Industrial (HI) to Heavy Commercial (HC). Located at 2222, 2234, 2250 Butternut Street. Legal description being Lot 3-6, Block 6, Bowyer Addition, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The subject property was previously used for warehousing/retail sales. The owner proposes to expand the permitted uses for these properties by down zoning the lots to less intensive HC zoning classification.

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

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

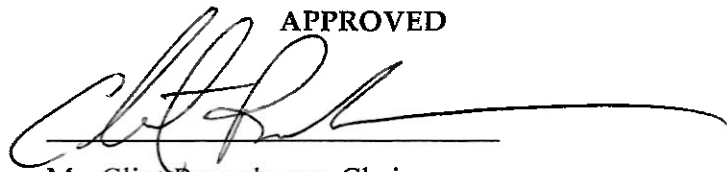
AYES: Barnett, Benham, Russell, Halliburton, Lankford, Rosenbaum

NAYS: None

Adjournment

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 2:13 p.m.

APPROVED

A handwritten signature in black ink, appearing to read 'Clint Rosenbaum', written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mr. Clint Rosenbaum, Chairman

