



# Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on January 2, 2024 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas

**Commissioners Present:**

Mr. Clint Rosenbaum, Chairman      Ms. Shawnte' Fleming  
Mr. Mitch Barnett                      Rev. Iziar Lankford, Secretary  
Mr. Kevin Halliburton

**Commissioners Absent:**

Mr. Brad Benham, Chairman Pro Tem

**Staff Present:**

Mr. Michael Rice, Assistant City Manager  
Mr. 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. Melissa Farr, Executive Assistant  
Ms. Kiley Hannah, Planner I

**Others Present:**

Mr. James King	Mr. Larry Irvin	Mr. Charles Carter
Ms. Denise Howison	Mr. Mike Wilder	Mr. Dave Howison
Ms. Annette Dulaney	Mr. Scott Weatherman	Ms. Jennifer Weatherman
Mr. Van Jones		

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.

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

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

**NAYS: None**

## PLATS

**9623-FP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Bel Air Addition.

**STAFF RECOMMENDATION:** Approval with conditions

**7123-FP:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Summit View Estates Amendment

**STAFF RECOMMENDATION:** Approval with conditions

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

Reverend Lankford moved to **approve** the proposed plats **with conditions** as explained in the staff reports. Mr. Halliburton seconded the motion. The motion to approve prevailed by the following vote:

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

**NAYS: None**

## ZONING

**Z-2023-36: (Tabled)** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owners, Represented By Jacob Martin, To Change The Zoning Of Approximately 7.07 Acres From PD 96A To General Retail. Located On The East Side Of The 5300 Block Buffalo Gap Road. Legal Description Being Lots 202, 203, And 206, Mindy Morris Subdivision, Abilene, Taylor County, Texas.

Mr. Halliburton moved to *remove this item from the table*. Reverend Lankford seconded the motion.

Mr. Adam Holland presented this request. The subject property was zoned as PD-96A in 2004 to create a mixed-use development that allowed specific higher intensity uses along the frontage of the property and less intense uses, primarily educational uses to the rear where the PD abuts residential zoning districts on 3-sides. The property did not have a base zoning district assigned, but is similar to uses allowed in the General Retail or Neighborhood Retail district.

The existing PD allows multi-family, light commercial, educational uses, and specialty retail uses. This request, if approved, would eliminate the PD zoning of the site and replace it with a standard zoning district classification.

Mr. Rosenbaum opened the public hearing. Those who stepped forward were:  
Mr. Clayton Farrow, Mr. Mike Wilder, Ms. Denise Jones, Mr. Charles Carter, Mr. Van Jones

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor, with 22 in opposition.

**STAFF RECOMMENDATION:** Approval of General Retail on Lot 203 and downzoning the request from General Retail (GR) to Neighborhood Retail (NR) on Lots 202 and 206.

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

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

**NAYS: None**

**Z-2023-39:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From HD Development Properties LP (D/B/A The Home Depot), Represented By Cassie Permenter, To Amend The Terms Of The Planned Development District 75 To Allow Outdoor Retail Sales/Rental And Display Within The Track "The Home Depot". Located At 4590 Southwest Dr, Abilene, TX 79606. Legal Description Being Lot 1, Block 1, Home Depot Addition, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The property was rezoned from AO to PDD-75 in April 2002. The PDD-75 was created with the intent of locating the Home Depot and the Tractor Supply store. In September 2006, an amendment was approved to allow the display of goods within a specific area in front of Tractor Supply.

The Home Depot tract is currently in violation of the Land Development Code and the requirements of PDD-75 by having outdoor display of storage buildings and parking rental

equipment on required parking spaces. PDD-75 does not allow outdoor display on this lot. The proposed amendment, if approved, would allow outdoor display in designated areas.

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, subject to the following condition:

1. Outdoor display of equipment, rental trucks, general merchandise, or any other materials on a permanent or seasonal basis shall be prohibited at all other locations on the site.

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

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

**NAYS: None**

**Z-2024-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, Represented By Jacob Martin, To Change The Zoning Of Approximately 14.6 Acres From Agricultural Open To Planned Development District 185. Specifically, To Allow Residential Single-Family Uses On 5,000 Sq. Ft. Lots. Located At The 6500-6800 Block Of Fairway Oaks Blvd, Abilene, TX 79606. Legal Description Being 14.6 Acres Of Survey 11 Lunatic Asylum Lands, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The subject property was annexed in 1980 and has remained vacant and zoned as AO since. The owner would like to change the zoning from AO to a Planned Development District (PDD) to allow lots with a minimum area of 5,000 square feet, a minimum width (frontage) of 50 feet, and five-foot (5') interior side setbacks. The base zoning of the property would be RS-6.

Mr. Rosenbaum opened the public hearing. Those who stepped forward to speak were Mr. Clayton Farrow and Mr. James King. 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** subject to the Concept Plan and proposed ordinance.

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

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

**NAYS: None**

**Z-2024-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, To Change The Zoning Of 0.47 Of An Acre From Agricultural Open To Multi-Family. Located On 2900 Block Of Old Anson Rd, Block A, Portion Of Lot 1 Of The Robert Rasberry Subdivision, Abilene Texas 79606.

Ms. Kiley Hannah presented this request. This property was annexed in 1957 and has remained vacant and zoned as AO since annexation.

On October 4, 2022, the Planning and Zoning Commission recommended approval of Z-2022-23 to rezone the subject property to Multi-Family (MF) after finding that the request satisfied the criteria set out in Sec. 1.4.1.4 of the LDC. The City Council, on November 3, 2022, on a Super Majority Vote required, determined that the request did not satisfy the criteria set out in Sec. 1.4.1.4 of the LDC.

Since one year has lapsed since Z-2022-23 was filed and denied, this new application can be considered by the Commission and City Council. The proposed land use and zoning district would match the land uses and zoning district of the properties immediately north and west of the subject site.

Mr. Rosenbaum opened the public hearing. Those who stepped forward to speak were Mr. Dave Howison and Ms. Denise Jones.

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: Approval**

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

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

**NAYS: None**

**OAM-2023-01: (Tabled)** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The City Of Abilene To Amend The Land Development Code (LDC) To Create The Rebuild ABI Infill Overlay (RAI) District To Promote Infill Development And Redevelopment In Targeted Neighborhoods.

Mr. Halliburton moved *to remove this item from the table*. Reverend Lankford seconded the motion.

Mr. Randal Anderson presented this request. Staff proposes to repeal the NCO District and to replace it with the Rebuild ABI Infill Overlay (RAI) District. Since the Neighborhood Conservation Overlay (NCO) District has not achieved its intended purposes, it would be appropriate to replace the NCO district with a new overlay district that will promote infill development in a manner that will respect the traditional flavor of the existing neighborhoods.

The following neighborhoods are proposed to be included within the RAI Overlay District:

Alameda Addition	Holiday Hills	Butternut/Chestnut
College Heights	Stevenson / Sancudo	Sears
North Sayles	Carver	Pasadena Heights
Old Town Abilene		

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

**STAFF RECOMMENDATION:** Approval of the proposed LDC text change and proposed amendment to the Official Zoning Map, as set out in Exhibits B and C of the staff report.

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

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

**NAYS: None**

**ADJOURNMENT**

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 3:16 p.m.

**APPROVED**

Mr. Clint Rosenbaum, Chairman