



Planning and Zoning Commission MINUTES

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on June 4, 2024 at 1:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas.

Commissioners Present:

Mr. Clint Rosenbaum, Chairman	Mr. Brad Benham, Chairman Pro Tem
Ms. Shawnté Fleming, Secretary	Mr. Mitch Barnett
Mr. Kevin Halliburton, Sergeant-at-Arms	Mr. Zach Sitzes

Commissioners Absent:

Ms. Kristen Dressen-Kyker

Staff Present:

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

Others Present:

Ms. Carolyn Koch	Mr. Tim Martin	Mr. Kevin Hendershott
Ms. Sondra Zorones	Tanell Blackmon	Mr. James Zorn
Ms. Connie Peacock	Mr. Curt Robinson	Mr. Justin Upshaw
Ms. Deydra Williams	Mr. Malcolm Scott	Mr. Gary Marks
Mr. Jerome Abor	Ms. Doris Brown	Mr. Kenneth Brown
Mr. Andrew Penns	Marva Chaney	K. Robinson
Ms. Mellanie Myers	Sal Panzeca	Ms. Felicia Kelley
Mr. Jerry Taylor	Mr. Derek Tigris	Ms. Mildred Deckard
Mr. Tye Morrison	Ms. Melissa Diles	Mr. Ebony Jay
Ms. Cheryl Sawyers	Ms. Bobbi Jo Ryburn	Mr. Daniel Cortinez
Mr. Santos Valadez	Mr. B.C. McCreary	Ms. Barbara Smith
Mr. Randall Smith	Mr. Kenneth Allen	Mr. Chris Daughtery
Mr. Curtis Gindratt	Mr. Kenneth Deckard	Ms. Mildred Deckard

Ms. Bettye Gindratt
Ms. Sharese Smith
Mr. Thomas Draine

Ms. Sabrina Arnic
Mr. Anthony Draine
Mr. Darryl Kelley

Mr. Leo Simonetti
Ms. Casondra Bell
Mr. Shawn Genenbacher

The Planning and Zoning Commission convened in a regular meeting and was called to order at 1:31 p.m.

INVOCATION

Mr. Benham 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 meeting minutes. Ms. Fleming seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

PLATS

3424-FP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a final plat for the Denali Addition Section 2A-1

Staff Recommendation: Approval with conditions:

1. 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.

2. City staff must be furnished with a title opinion or title commitment letter issued by a title insurance company confirming ownership of the properties.

3524-MP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Final Plat for Speedway Chapel Hill Mobile Resort Park

Staff Recommendation: Approval with conditions:

1. 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.
2. City staff must be furnished with a title opinion or title commitment letter issued by a title insurance company confirming ownership of the properties.

3624-MP: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a final plat for the Lancium Subdivision

Staff Recommendation: Approval with conditions:

1. 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.
2. City staff must be furnished with a title opinion or title commitment letter issued by a title insurance company confirming ownership of the properties.

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

Mr. Halliburton moved to **approve the plats as presented**. Mr. Sitzes seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

ZONING

SNC-2024-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Reverend Iziar Lankford, To Change The Name Of A Portion Of North 13th Street To Gladys Abor Street. More Specifically That Portion Of North 13th Street Between Grape Street And North Treadaway Boulevard.

Ms. Mason Teegardin presented this request. The applicant proposes to rename a portion of North 13th Street after Gladys Abor. Mrs. Arbor relocated to Abilene in 1955 and received her LVN (Licensed Vocational Nurse) certification from Hendricks School of Nursing. Mrs. Abor was referred to as the matriarch of ICAN, which was an organization dedicated to cleaning up her neighborhood of drugs and crime. Mrs. Abor died at the age of 88 on February 26, 2014.

Mr. Rosenbaum opened the public hearing. Mr. Abor spoke in favor of an honorary name rather than street name change. 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 nine (9) in opposition,

STAFF RECOMMENDATION: If the Commission determines that the request is appropriate, staff would recommend adding the following condition:

1. The applicant shall be responsible for all costs associated with the name change, including the cost of producing and installing each new street sign and the address change fee.

Mr. Halliburton moved to **deny** the request for a street name change. Mr. Benham seconded the motion. The motion to **deny** prevailed by the following vote:

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

NAYS: None

Z-2024-12: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, Represented By Civetta Solutions, To Create A New Planned Development District (PD-187). The Proposed Planned Development District Will Allow Medium Density Residential With A Maximum Density Of 12 Units Per Acre And Would Remove The Requirement That Limits Development To A Maximum Of Four Units Per Lot. Located At 368 Centenary Drive. Legal Description Being Lots 2-18 Of Block 9, Lots 3-18 Of Block 6, Lots 1-23 Of Block 7, And Lots 7-17 Of Block 8, Pasadena Heights Addition, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The owner proposes to rezone the subject property to allow a low-density apartment complex. The Medium Density Residential (MD) zoning district, which allows a maximum density of 4 dwelling units per lot. The proposed Planned Development District would allow a maximum density of 12 dwelling units per acre.

The primary reason why the applicant is requesting a PDD pertains to density because the MD district limits dwelling units to per lot. The applicant proposes 12 du/acre in order to achieve a specific yield of lots/dwelling units to make the proposed project be feasible. The MD district allows single-family detached/attached, duplex, triplex, quadplex, and condominium residential options. All of these uses are appropriate at this location and match the recommendation of the Future Land Use Plan and Comprehensive Plan. An apartment complex is not permitted in the MD district and would not be appropriate at this location and would not be consistent with the afore mentioned plans.

Mr. Rosenbaum opened the public hearing. Those who stepped forward to speak were:

- | | | |
|-------------------|-----------------|----------------|
| Rev. Andrew Penns | Melissa Diles | Sabrina Arnak |
| Curtis Robinson | Bettye G | Darryl Kelley |
| Connie Peacock | Chris Daughtery | Billy McCreary |
| Robin Callaway | Jerry Taylor | Barbara Smith |
| Doris Brown | | |

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 receive in favor, with eight (8) in opposition.

STAFF RECOMMENDATION: Approval with conditions

1. Where a lot zoned MD will adjoin a lot zoned RS-6, a Type B buffer yard shall be required.
2. Where an alley separates a lot zoned MD from a lot zoned RS-6, a Type A buffer yard shall be required.
3. Where a lot zoned MD will adjoin property zoned AO, a Type A buffer yard shall be required, except as modified by condition five (5) below.
4. When a lot zoned MD will directly adjoin a lot zoned RS-6, without any intervening alley, windows on the second floor that directly face toward the lot zoned RS-6 shall be prohibited.
5. If properties on the adjoining acreage to the north and west obtain a recorded plat before the subject property obtains a recorded plat, the buffer yard requirement of condition three (3) shall be upgraded to a Type B buffer yard.
6. The four (4) du/lot development standard of the MD district shall be rescinded.
7. No more than 4 dwelling units per structure as intended for MD District.
8. Patio Homes and Townhouses shall be allowed by right.

Mr. Benham moved to **approve** this request with base zoning of Medium Density (MD) and a maximum of three (3) units per lot with the flexibility of patio homes and townhomes. Mr. Barnett seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Barnett, Benham, Halliburton, Fleming, Sitzes, Rosenbaum
NAYS: None

Z-2024-13: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Walmart Stores Texas, LLC, Represented By Madeline Hart, To Amend The Terms Of The Planned Development District 57 To Allow The Storage Of Shipping Containers At Designated Locations. Located At 4350 Southwest Dr. Legal Description Being The Wal-Mart Addition, Block 1, Lot 1, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The applicant indicates that the storage of shipping containers is necessary during the Christmas shopping season in order to maintain store inventory between October and New Year's Day. The applicant and staff have been coordinating to find a solution that satisfies the needs of the applicant and the needs of the City with respect to maintaining fire lanes, parking lot drive aisles, and neat site appearance from the right-of-way view. The applicant has agreed to abide by the following conditions:

1. The temporary and seasonal storage of shipping containers shall only be permitted between October 1 through December 31, annually.
2. All seasonal shipping containers shall be removed from the subject property no later than January 15, annually.
3. Fire lanes and driving aisles may not be blocked and must remain open at all times.
4. Seasonal shipping containers may only be stored at the locations shown in the proposed site plan.
5. Seasonal shipping containers shall not be stacked on each other or on any other structure.

Mr. Rosenbaum opened the public hearing. Those who stepped forward to speak were:

Carolyn Cook Mellanie Myers Daniel Cortinez

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: Staff recommends approval subject to the following conditions:

1. The temporary and seasonal storage of shipping containers shall only be permitted between October 1 through December 31, annually.
2. All seasonal shipping containers shall be removed from the subject property no later than January 15, annually.
3. Fire lanes and driving aisles may not be blocked and must remain open at all times.
4. Seasonal shipping containers may only be stored at the locations shown in the proposed site plan.
5. Seasonal shipping containers shall not be stacked on each other or on any other structure.

Mr. Benham moved to **approve** this request with the proposed conditions and the inclusion of a new site plan showing the additional paved area. Mr. Sitzes seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

Z-2024-15: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner To Amend The Terms Of A Planned Development District (PDD-74) To Reduce Minimum Setbacks For Area 2. Specifically, The Proposed Lots 7 And 8 Of Continuation 1 Sierra Sunset Addition Section 1. Located At 4693 Sierra Sunset. Legal Description Being 163.734 Acres Of Land Out Of The William E. Vaughn Survey No. 104, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The proposed plat, once recorded, will complete the Sierra Sunset development. The issue only pertains to Lots 7 and 8 and results from the desire of the applicant to use the same building floorplan proposed for Lots 1 -6. Because Lots 7 and 8 front onto a knuckle-sac (a half cul-de-sac), the depth of both lots is reduced. The applicant seeks a PDD amendment to allow an alternative rear yard setback for these two lots.

Mr. Rosenbaum opened the public hearing. Those who stepped forward to speak were:

James Zorn

Shawn Genenbacher

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 seven (7) in opposition.

STAFF RECOMMENDATION: Approval

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

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

NAYS: None

Z-2024-16: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, Represented By Luke Harwell, To Change The Zoning Of Approximately 1.02 Acres From Light Industrial (LI) To General Commercial (GC). Located At 19 Windmill Circle. Legal Description Being Windmill Acres, Lot 102, Less 0.37 Acres On East Side Of Block A, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The owner proposes to rezone the property to expand the number of uses permitted by the GC zoning district. The intended use of the property is a gym (recreation and commercial entertainment-indoors).

Mr. Rosenbaum opened the public hearing. Mr. Leo Simonetti stepped forward to answer any 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. There were no (0) responses received in favor nor in opposition.

STAFF RECOMMENDATION: Approval

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

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

NAYS: None

Z-2024-17: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Walmart Stores Texas, LLC, Represented By Tim M. Martin, To Amend The Terms Of The Planned Development District 91 To Allow The Storage Of Shipping Containers At Designated Locations. Located At 1650 Hwy 351. Legal Description Being The Lot 1 Of Block 1 Of The Walmart Supercenter Addition, Abilene, Taylor County, Texas.

Ms. Kiley Hanna presented this request. Planned Development District-91 (PDD-91) was created in 2004 and amended in 2005 and 2014 to allow the retail use of the subject property. Staff and Walmart have been in communication the past several years regarding allowing temporary use of storage containers for the Christmas shopping season.

The applicant indicates that the storage of shipping containers is necessary during the Christmas shopping season in order to maintain store inventory between October and New Year's Day. The applicant and staff have been coordinating to find a solution that satisfies the needs of the applicant and the needs of the City with respect to maintaining fire lanes, parking lot drive aisles, and neat site appearance from the right-of-way view.

Mr. Rosenbaum opened the public hearing. Mr. Tim Martin stepped forward to speak. 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: Staff recommends approval subject to the following conditions:

1. The temporary and seasonal storage of shipping containers shall only be permitted between October 1 through December 31, annually.
2. All seasonal shipping containers shall be removed from the subject property no later than January 15, annually.
3. Fire lanes and driving aisles may not be blocked and must remain open at all times.
4. Seasonal shipping containers may only be stored at the locations shown in the proposed site plan.
5. Seasonal shipping containers shall not be stacked on each other or on any other structure.

Mr. Barnett moved to **approve** this request with the recommended conditions. Mr. Halliburton seconded the motion. The motion to **approve** prevailed by the following vote:

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

NAYS: None

ADJOURNMENT

There being no further discussion, Mr. Rosenbaum adjourned the meeting at 4:16 p.m.

APPROVED



Mr. Clint Rosenbaum, Chairman

