## City Council Agenda Memo



**City Council** 

Meeting Date: 11/13/2012

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP

**Director of Planning and Development Services** 

SUBJECT: First reading of an ordinance for Case No. Z-2012-27, a request from Abilene Bone & Joint

Clinic, LLP, agent Tino Martinez, to rezone property from MD (Medium Density) to GR (General Retail), located at 1641 Cottonwood Street; and setting a public hearing for

**December 6, 2012.** 

#### **GENERAL INFORMATION**

The property is zoned MD. The property was rezoned in 2008 as part of a request to develop a series of duplexes on the property to the south. The surrounding area is developed with industrial and heavy commercial uses both across Cottonwood St on the properties along N. Treadaway Blvd to the west and the properties to the east across the railroad right-of-way. The applicant is developing the property to the south with a medical office as well as a physical fitness & training facility. The applicant has now purchased this property is requesting the GR (General Retail) zoning to conform to the zoning on the property to the south.

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. This area is just to the east of the N. Treadaway Boulevard commercial corridor and is bounded by a railroad right-of-way on the east. The residential uses in this area were originally zoned for industrial uses. While there are existing residential uses in this area, staff believes the proximity to N. Treadaway Blvd and the railroad would lend itself for commercial development throughout this area.

#### STAFF RECOMMENDATION

Staff recommends approval as requested.

#### **BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

#### **ATTACHMENTS**

Ordinance

Staff Report with Maps

Prepared by:		Di	Disposition by City Council		
			Approved	Ord/Res#	
Name: Ben Bryner			Denied		
Title: Planning Services Manager	Item No6_1		Other		
November 6, 2012	10.1		City Sec	cretary	

ORDINANCE NO.	
ORDINI IL ICE I IO.	

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE. TEXAS:

- PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.
- PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 13th day of November, A.D. 2012.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the  $\underline{19^{th}}$  day of  $\underline{October}$ ,  $\underline{2012}$ , the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the  $\underline{6^{th}}$  day of  $\underline{December}$ ,  $\underline{2012}$  to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 6th day of December, A.D. 2012.

ATTEST:	
CITY SECRETARY	MAYOR
	APPROVED:
	CITY ATTORNEY

ORDINANCE NO
EXHIBIT "A"
Rezone property from MD (Medium Density) to GR (General Retail) District.
Legal Description:
COLLEGE DRIVE REPLAT, BLOCK 31, LOT 7
Location:
1641 Cottonwood Street
-END-

# ZONING CASE Z-2012-27 STAFF REPORT



## APPLICANT INFORMATION:

Abilene Bone & Joint Clinic, LLP

#### **HEARING DATES:**

Planning & Zoning Commission: November 5, 2012 City Council 1<sup>st</sup> Reading: November 13, 2012 City Council 2<sup>nd</sup> Reading: December 6, 2012

## **LOCATION:**

1641 Cottonwood Street

## **REQUESTED ACTION:**

Rezone property from MD to GR

## SITE CHARACTERISTICS:

The subject property is approximately 0.96 acres and is currently zoned MD (Medium Density). The property is currently developed with a house. The adjacent properties have MD zoning to the north, HC (Heavy Commercial) zoning to the west across Cottonwood St, and GR (General Retail) to the south.

## **ZONING HISTORY:**

The property was annexed in 1911. The property was zoned LI sometime after. It was rezoned to RM-3 in 2008. The zoning was re-designated to MD with adoption of the LDC in 2010.

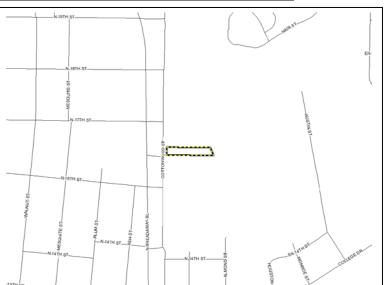
### **ANALYSIS:**

### • Current Planning Analysis

The property is zoned MD. The property was rezoned in 2008 as part of a request to develop a series of duplexes on the property to the south. The surrounding area is developed with industrial and heavy commercial uses both across Cottonwood St on the properties along N. Treadaway Blvd to the west and the properties to the east across the railroad right-of-way. The applicant is developing the property to the south with a medical office as well as a physical fitness & training facility. The applicant has now purchased this property is requesting the GR (General Retail) zoning to conform to the zoning on the property to the south.

## • Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. This area is just to the east of the N. Treadaway Boulevard commercial corridor and is bounded by a railroad right-of-way on the east. The residential uses in this area were originally zoned for industrial uses. While there are existing residential uses in this area, staff believes the proximity to N. Treadaway Blvd and the railroad would lend itself for commercial development throughout this area.



# PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

## PLANNING AND ZONING COMMISSION RECOMMENDATION:

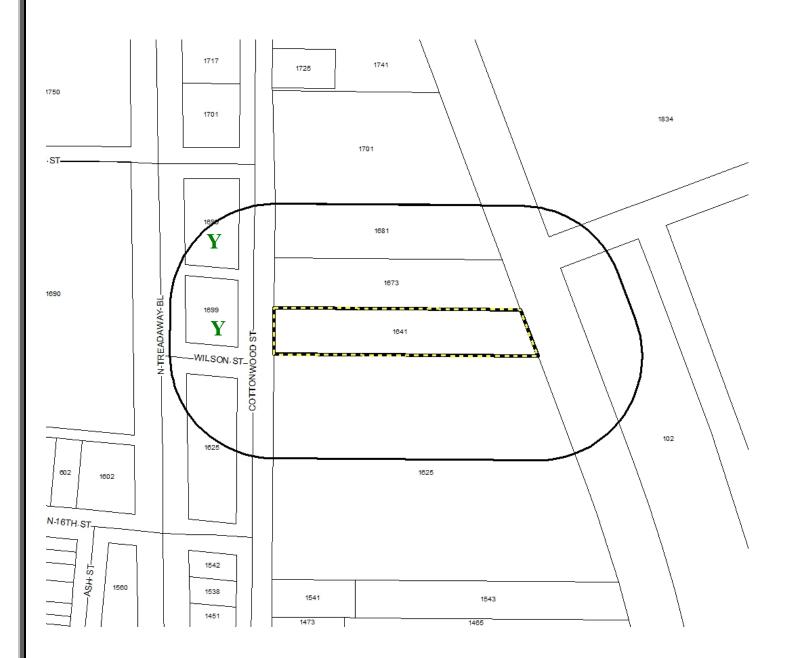
The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

# **NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

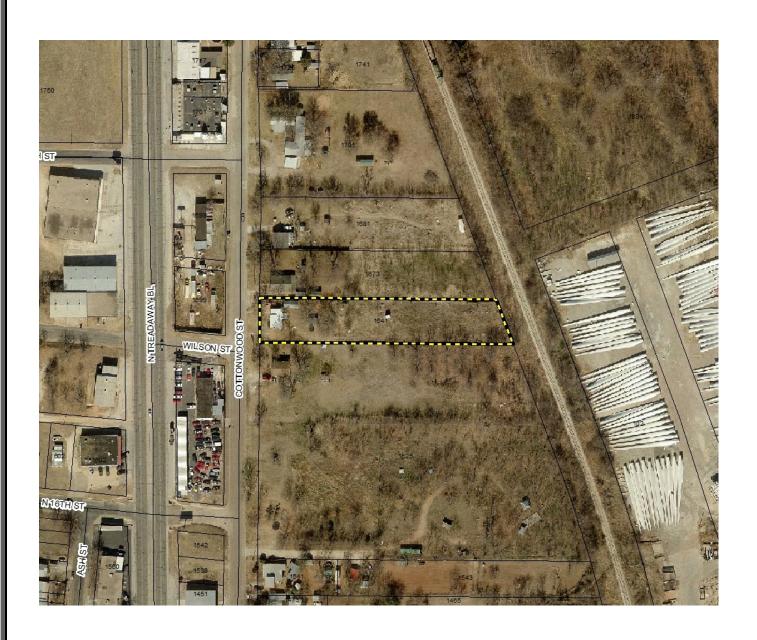
OWNER	ADDRESS	RESPONSE
LEAL LUPE T	1699 N TREADAWAY BL	In Favor
LEAL LUPE T	1699 N TREADAWAY BL	In Favor
ABILENE BONE & JOINT PROPERTIES	1625 N TREADAWAY BL	
FREEMAN MARK	1834 AUSTIN ST	
STOCKDELL CAROLYN R	1673 COTTONWOOD ST	
ABILENE BONE & JOINT PROPERTIES	1641 COTTONWOOD ST	
MARINES JULIO TREVINO & ELIZABETH ANN	1681 COTTONWOOD ST	
ABILENE BONE & JOINT PROPERTIES	1625 COTTONWOOD ST	
BONTKE BROTHERS CONST CO	102 COLLEGE DR	

Case # Z-2012-27 Updated: November 6, 2012 2 in Favor- **Y** 0 Opposed- **N** 









## City Council Agenda Memo



**City Council** 

Meeting Date: 11/13/2012

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP

**Director of Planning and Development Services** 

SUBJECT: First reading of an ordinance for Case No. Z-2012-28, a request from Village Investment

Partners/Windmill Circle Partners, Agent Tony Conder, to rezone property from PD (Planned Development) and LI (Light Industrial) to GR (General Retail), located north of Covenant Drive between S. Clack Street and Memorial Drive; and setting a public hearing

for December 6, 2012.

#### **GENERAL INFORMATION**

The property is zoned PD-31, PD-100, and LI. The property is currently vacant and no business activity has occurred on the property for several years. The applicant is proposing to rezone the property in order to market the property for retail development. The PD districts generally allow for GC uses in the area within 400 feet Highway 83/84. The remaining area to the west allows for HC uses. The requested GR zoning would be more consistent with the desired uses for the area. However, large single-family residential homes are being developed to the west. A transition to less intensive retail zoning, such as NR (Neighborhood Retail) zoning, would be appropriate.

The Future Land Use section of the Comprehensive Plan designates this general area as business/industrial. This area is just to the north of a Special Activity Area that includes Abilene Regional Hospital. There is an existing retirement community and a proposed Sam's Club to the south. There are existing residential subdivisions to the west. Maintaining a less intensive retail zoning on the west portion of the property would serves as a transition from the proposed GR zoning. The request would not have a negative impact on the surrounding properties and would be compatible with the City's plans for this area.

#### STAFF RECOMMENDATION

Staff recommends approval of GR zoning on the east portion of the property and NR zoning on the west portion of the property.

#### **BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommends approval of GR by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

## **ATTACHMENTS**

Ordinance

Staff Report with Maps

Prepared by:		Disposition by City Council
		□ Approved Ord/Res#
Name: Ben Bryner		□ Denied
Title: Planning Services Manager	Item No. <mark>6.2</mark>	□ Other
November 6, 2012		City Secretary

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.
- PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 13<sup>th</sup> day of November, A.D. 2012.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the  $\underline{19^{th}}$  day of  $\underline{October}$ ,  $\underline{2012}$ , the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the  $\underline{6^{th}}$  day of  $\underline{December}$ ,  $\underline{2012}$  to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 6th day of December, A.D. 2012.

ATTEST:		
CITY SECRETARY	MAYOR	_
	APPROVED:	
	CITY ATTORNEY	

ORDINANCE NO	
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## EXHIBIT "A"

Rezone property from PD (Planned Development) & LI (Light Industrial) to GR (General Retail) district.

# Legal Description:

A1355 SUR 10 L A L NE/4, TRACT 2 FASSHAUER, ACRES 29.87 SUPERIOR SUPPLY ADDN, BLOCK A, LOT 5.483 ACRES OF LT 1 WALDEN ADDN, BLOCK A, LOT 1 & 2 LESS E PART



## Location:

North of Covenant Drive between S. Clack Street and Memorial Drive

-END-

# ZONING CASE Z-2012-28 STAFF REPORT



## **APPLICANT INFORMATION:**

Village Investment Partners/Windmill Circle Partners, Agent: Tony Conder

## **HEARING DATES:**

Planning & Zoning Commission: November 5, 2012 City Council 1<sup>st</sup> Reading: November 13, 2012 City Council 2<sup>nd</sup> Reading: December 6, 2012

## **LOCATION:**

North of Covenant Drive between S. Clack Street and Memorial Drive

## **REQUESTED ACTION:**

PD & LI to GR

# SITE CHARACTERISTICS:

The property is approximately 36.33 acres and is currently zoned PD-31 (Planned Development), PD-100, & LI (Light Industrial). The property is currently vacant. The adjacent properties have RS-12 (Single-Family Residential) zoning to the west, PD zoning to the south, and AO (Agricultural Open Space) to the north. Highway 83/84 bounds the property to the east.

## **ZONING HISTORY:**

The property was annexed in 1978. It was rezoned to PD-31 in 1985, PD-100 in 2005, and LI sometime after 1978.

#### **ANALYSIS:**

## • Current Planning Analysis

The property is zoned PD-31, PD-100, and LI. The property is currently vacant and no business activity has occurred on the property for several years. The applicant is proposing to rezone the property in order to market the property for retail development. The PD districts generally allow for GC uses in the area within 400 feet Highway 83/84. The remaining area to the west allows for HC uses. The requested GR zoning would be more consistent with the desired uses for the area. However, large single-family residential homes are being developed to the west. A transition to less intensive retail zoning, such as NR (Neighborhood Retail) zoning, would be appropriate.

## • Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as business/industrial. This area is just to the north of a Special Activity Area that includes Abilene Regional Hospital. There is an existing retirement community and a proposed Sam's Club to the south. There are existing residential subdivisions to the west. Maintaining a less intensive retail zoning on the west portion of the property would serves as a transition from the proposed GR zoning. The request would not have a



negative impact on the surrounding properties and would be compatible with the City's plans for this area.

## PLANNING STAFF RECOMMENDATION:

Staff recommends approval of GR zoning on the east portion of the property and NR zoning on the west portion of the property.

# PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval of GR by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

# **NOTIFICATION:**

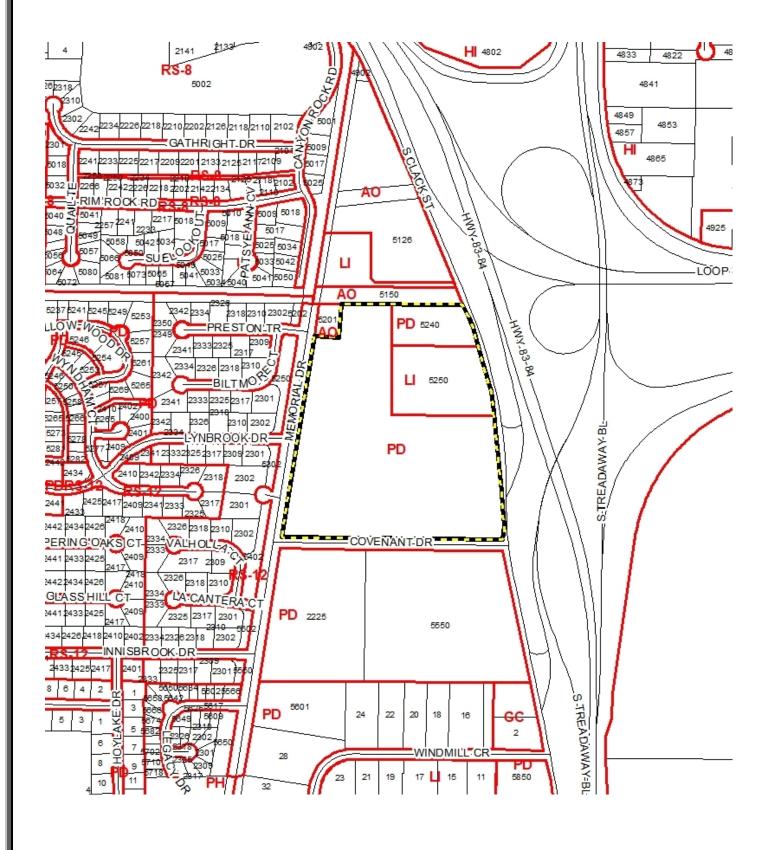
Property owners within a 200-foot radius were notified of the request.

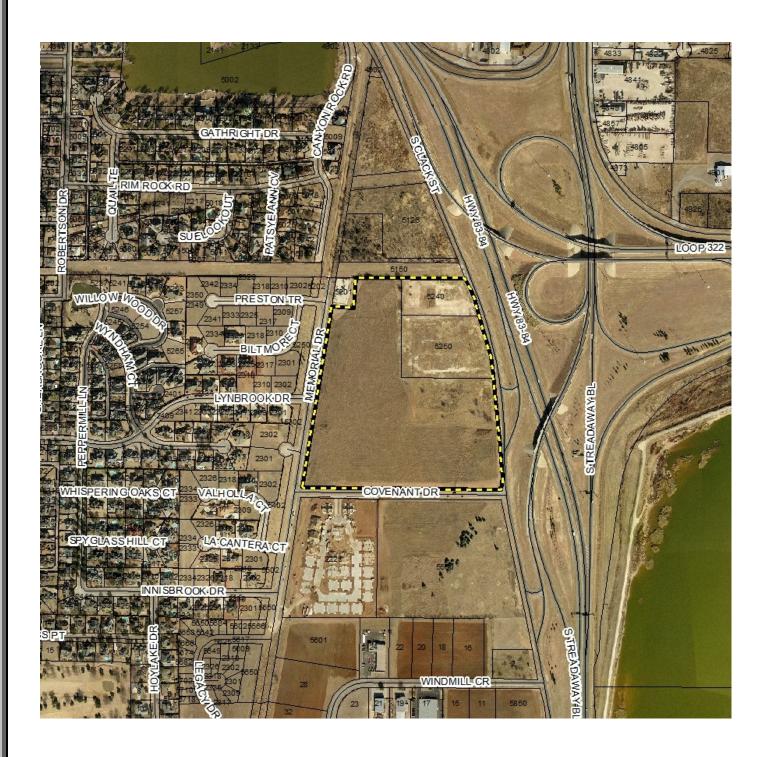
OWNER	ADDRESS	RESPONSE
VILLAGES OF ABILENE MEADOWS LP	5250 MEMORIAL DR	
VILLAGES OF ABILENE MEADOWS LP	5202 MEMORIAL DR	
MORROW JOHN & SHANNON	2302 LYNBROOK DR	
KUSCHEL MARK H & TRACY L	2301 LYNBROOK DR	
VILLAGE INVESTMENT PARTNERS LP	5250 S CLACK ST	In Favor
OLSON SCOTT	2302 VALHOLLA CT	
CONDER TONY	2301 BILTMORE CT	In Favor
HIGGINBOTHAM VINSON		
WEST TEXAS UTILITIES CO	5201 MEMORIAL DR	
CARAVEO LOUIE & SUSIE	2302 PRESTON TR	In Favor
CHEVRON USA INC	5150 S CLACK ST	
VILLAGE INVESTMENT PARTNERS LP	5240 S CLACK ST	In Favor
CARLYNN ENTERPRISE	5126 S CLACK ST	
ABILENE CHARGER PROPERTIES LP	2225 COVENANT DR	In Favor
VILLAGES OF ABILENE MEADOWS LP	5302 MEMORIAL DR	
VILLAGES OF ABILENE MEADOWS LP	5402 MEMORIAL DR	
SHANNON MICHAEL J	2301 HILTON HEAD	
WHITEHEAD DONALD R	2302 HILTON HEAD	In Favor
	5550 S CLACK ST	
VILLAGE INVESTMENT PARTNERS LP		In Favor

Case # Z-2012-28 Updated: November 6, 2012

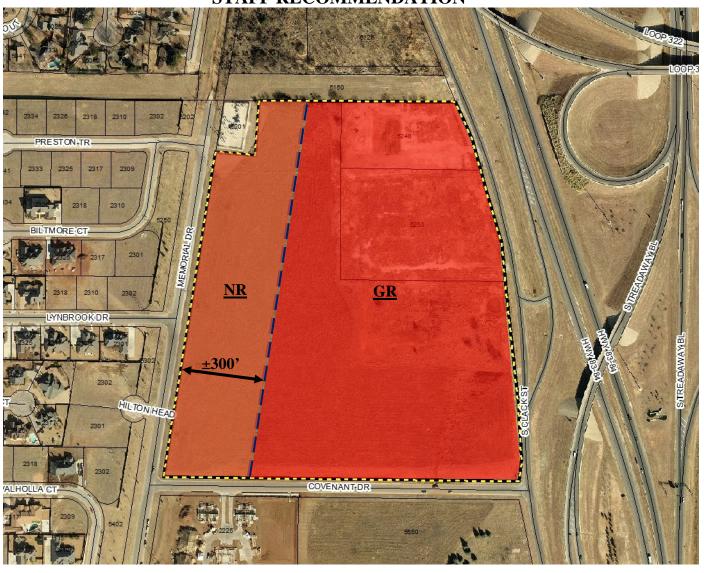
# 7 in Favor- **Y** 0 Opposed- **N**







# STAFF RECOMMENDATION



Case # Z-2012-28 Updated: November 6, 2012

## City Council Agenda Memo



**City Council** 

Meeting Date: 11/13/2012

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP

**Director of Planning and Development Services** 

SUBJECT: First reading of an ordinance for Case No. Z-2012-29, a request from Village Investment

Partners/Windmill Circle Partners, Agent Tony Conder, to rezone property from PD (Planned Development) to GR (General Retail), located at 28, 32, 34, & 36 Windmill Circle, 5601 Memorial Drive, and 5850, 5950, & 6042 S. Clack Street; and setting a public hearing

for December 6, 2012.

#### **GENERAL INFORMATION**

The property is zoned PD-34and all lots are currently vacant. The applicant is proposing to rezone the property in order to market the property for retail development. The PD districts generally allow for GC uses in area #1 adjacent to Highway 83/84. Area #2 to the west allows for HC uses. The requested GR zoning would be more consistent with the desired uses for the area. However, large single-family residential homes are being developed to the west. A transition to less intensive retail zoning, such as NR (Neighborhood Retail) zoning, would be appropriate.

The Future Land Use section of the Comprehensive Plan designates this general area as business/industrial. This area is just to the north of a Special Activity Area that includes Abilene Regional Hospital. There is an existing retirement community and a proposed Sam's Club to the north. There are existing residential subdivisions to the west. Maintaining a less intensive retail zoning on the west portion of the property would serves as a transition from the existing LI (Light Industrial) uses that exist along Windmill Circle.

#### STAFF RECOMMENDATION

Staff recommends approval of GR zoning on the east lots and NR zoning on the west lots.

#### BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of GR by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

## <u>ATTACHMENTS</u>

Ordinance

Staff Report with Maps

Prepared by:		Di	Disposition by City Council		
			Approved	Ord/Res#	
Name: Ben Bryner			Denied		
Title: Planning Services Manager	Item No. 6.3		Other		
November 6, 2012	20011 1 101_0.0		City Sec	cretary	

ORDINANCE NO.	
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AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.
- PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 13<sup>th</sup> day of November, A.D. 2012.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the  $\underline{19^{th}}$  day of  $\underline{October}$ ,  $\underline{2012}$ , the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the  $\underline{6^{th}}$  day of  $\underline{December}$ ,  $\underline{2012}$  to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 6th day of December, A.D. 2012.

ATTEST:		
CITY SECRETARY	MAYOR	_
	APPROVED:	
	CITY ATTORNEY	

ORDINANCE NO.
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## EXHIBIT "A"

Rezone property from PD (Planned Development) to GR (General Retail) district.

# Legal Description:

WINDMILL ACRES, BLOCK A, LOT 1 & 2 PART WINDMILL ACRES, BLOCK B, LOT 8, 107, 108, 109, 304, & 305 REP



# Location:

28, 32, 34, & 36 Windmill Circle, 5601 Memorial Drive, and 5850, 5950, & 6042 S. Clack Street

-END-

# ZONING CASE Z-2012-29 STAFF REPORT



## **APPLICANT INFORMATION:**

Village Investment Partners/Windmill Circle Partners, Agent: Tony Conder

## **HEARING DATES:**

Planning & Zoning Commission: November 5, 2012 City Council 1<sup>st</sup> Reading: November 13, 2012 City Council 2<sup>nd</sup> Reading: December 6, 2012

## **LOCATION:**

28, 32, 34, & 36 Windmill Circle, 5601 Memorial Drive, and 5850, 5950, & 6042 S. Clack Street

## **REQUESTED ACTION:**

PD to GR



## **SITE CHARACTERISTICS:**

The property area totals approximately 22.10 acres and is currently zoned PD-34 (Planned Development). The lots are currently vacant. The adjacent properties have RS-12 (Single-Family Residential) zoning to the west, PD & MU (Medical Use) zoning to the south, and PD to the north. Highway 83/84 bounds the property to the east.

#### **ZONING HISTORY:**

The property was annexed in 1978. It was rezoned to PD-34 in 1985.

## **ANALYSIS:**

#### Current Planning Analysis

The property is zoned PD-34and all lots are currently vacant. The applicant is proposing to rezone the property in order to market the property for retail development. The PD districts generally allow for GC uses in area #1 adjacent to Highway 83/84. Area #2 to the west allows for HC uses. The requested GR zoning would be more consistent with the desired uses for the area. However, large single-family residential homes are being developed to the west. A transition to less intensive retail zoning, such as NR (Neighborhood Retail) zoning, would be appropriate.

## Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as business/industrial. This area is just to the north of a Special Activity Area that includes Abilene Regional Hospital. There is an existing retirement community and a proposed Sam's Club to the north. There are existing residential subdivisions to the west. Maintaining a less intensive retail zoning on the west portion of the property would serves as a transition from the existing LI (Light Industrial) uses that exist along Windmill Circle.

# PLANNING STAFF RECOMMENDATION:

Staff recommends approval of GR zoning on the east lots and NR zoning on the west lots.

# PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval of GR by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

# **NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

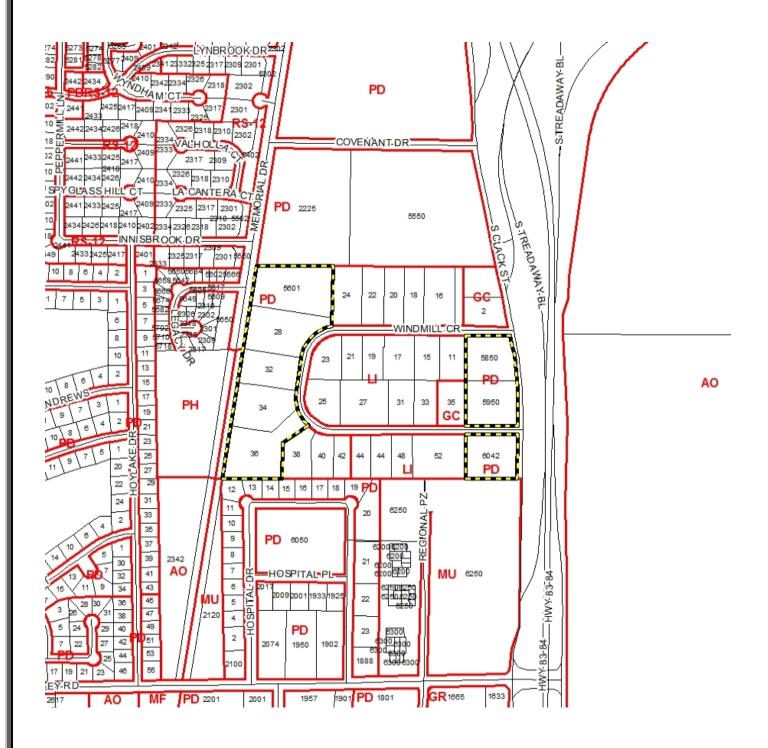
OWNER	ADDRESS	RESPONSE
KAERWER FLOYD	11 WINDMILL CR	
HUMANA WEST LTD	11 HOSPITAL DR	
RANDALL DAVID D O PA	35 WINDMILL CR	
KAERWER FLOYD	15 WINDMILL CR	
WINDMILL CIRCLE PARTNERS LP	5850 S CLACK ST	In Favor
RANDALL DAVID D O PA	33 WINDMILL CR	
WINDMILL CIRCLE PARTNERS LP	34 WINDMILL CR	In Favor
TSCHAAR MIKE HEATING & AIR CONDITIONING INC	25 WINDMILL CR	
WINDMILL CIRCLE PARTNERS LP	5950 S CLACK ST	In Favor
HUMANA WEST LTD	13 HOSPITAL DR	
SELBY VIRGINIA	42 WINDMILL CR	
SELBY VIRGINIA	40 WINDMILL CR	
AEI PROPERTIES LLC	2120 ANTILLEY RD	
SELBY VIRGINIA	38 WINDMILL CR	
HUMANA WEST LTD	12 HOSPITAL DR	
WINDMILL CIRCLE PARTNERS LP	36 WINDMILL CR	In Favor
AEI PROPERTIES LLC		
WALDROP C AARON		
CITY OF ABILENE		
WALDROP C AARON	5650 MEMORIAL DR	
CIC INVESTMENTS INC	2342 ANTILLEY RD	In Favor
VILLAGES OF ABILENE MEADOWS LP	5550 MEMORIAL DR	
WALDROP C AARON	5566 MEMORIAL DR	
ABILENE CHARGER PROPERTIES LP	2225 COVENANT DR	In Favor
WINDMILL CIRCLE PARTNERS LP	32 WINDMILL CR	In Favor
CITY OF ABILENE		
SMITH KEVIN A & CONNIE F	23 WINDMILL CR	
SMITH KEVIN A & CONNIE F	21 WINDMILL CR	
HUMANA WEST LTD	15 HOSPITAL DR	
NC SCHI INC	52 WINDMILL CR	
WINDMILL CIRCLE PARTNERS LP	6042 S CLACK ST	In Favor
WINDMILL CIRCLE PARTNERS LP	5601 MEMORIAL DR	In Favor
WINDMILL CIRCLE PARTNERS LP	28 WINDMILL CR	In Favor

Case # Z-2012-29 Updated: November 6, 2012

WINDMILL CIRCLE PARTNERS LP	22 WINDMILL CR	In Favor
	5550 S CLACK ST	
PRICE DALE K & JANICE W	2 WINDMILL CR	
	16 WINDMILL CR	
SHERROD PAUL BLAKE JR & CINDY M	24 WINDMILL CR	
NC SCHI INC	6250 HWY 83-84	
WHITEHEAD DONALD R	2301 INNISBROOK DR	In Favor
HUMANA WEST LTD	14 HOSPITAL DR	
HUMANA WEST LTD	16 HOSPITAL DR	

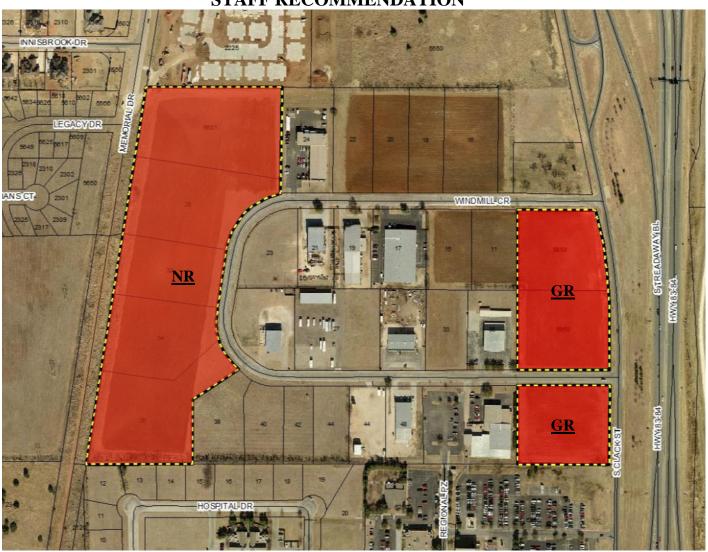
12 in Favor- **Y** 0 Opposed- **N** 







# STAFF RECOMMENDATION



Case # Z-2012-29 Updated: November 6, 2012

## City Council Agenda Memo



**City Council** 

Meeting Date: 11/13/2012

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP

**Director of Planning and Development Services** 

SUBJECT: First reading of an ordinance for Case No. Z-2012-30, a request from Cherryl McNally to

rezone property from MD (Medium Density) to MD/H (Medium Density/Historic Overlay),

located at 1343 S. 3<sup>rd</sup> Street; and setting a public hearing for December 6, 2012.

#### **GENERAL INFORMATION**

The property is zoned MD and has been developed with a residential dwelling unit: The Miller-McNalley house has been identified as a significant resource for Abilene in every historic resource survey conducted since 1977. It has been included on the City Council official Landmarks list, and is one of the oldest private residences in the Old Town neighborhood. This Folk Victorian residence has many of its original features including windows, doors, siding, and sawn wood ornament decorations. The metal fencing on 3rd Street and part of Poplar is original. It was built c. 1900 as a single story wood frame dwelling, and was expanded to the 1-1/2 story residence, as shown, by two additions, both prior to 1915. It is a contributing structure to the neighborhood with several historic homes. It is in good condition. They are requesting Historic Overlay Zoning after gaining more information regarding the responsibilities and benefits of the zoning.

The Future Land Use section of the Comprehensive Plan designates this general area as medium-density residential. The requested zoning is an overlay zoning that would not affect the underlying residential zoning and would be compatible with the surrounding land uses. This request could encourage other properties in the area to request Historic Overlay Zoning.

#### STAFF RECOMMENDATION

Staff recommends approval as requested.

#### **BOARD OR COMMISSION RECOMMENDATION**

The Landmarks Commission recommended approval by a vote of five (5) in favor to none (0) in opposition.

The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

#### **ATTACHMENTS**

Ordinance

Staff Report with Maps

Prepared by:		Dis	Disposition by City Council		
			Approved	Ord/Res#	
Name: Ben Bryner			Denied		
Title: Planning Services Manager	Item No. 6.4		Other		
November 6, 2012			City Sec	cretary	

ORDINANCE NO.	
---------------	--

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.
- PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 13<sup>th</sup> day of November, A.D. 2012.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the  $19^{th}$  day of October, 2012, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the  $6^{th}$  day of December, 2012 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS  $6^{th}$  day of December, A.D. 2012.

ATTEST:	
CITY SECRETARY	MAYOR
	APPROVED:
	CITY ATTORNEY

ORDINANCE NO			
EXHIBIT "A"			
MD (Medium Density) to MD/H (Medium Density/Historic Overlay) District			
Legal Description:			
OT ABILENE, BLOCK 82, LOT W94 OF LT 11-12			
Location:			
1343 S. 3rd Street			
-END-			

# ZONING CASE Z-2012-30 STAFF REPORT



#### APPLICANT INFORMATION:

Cherryl Scott

## **HEARING DATES:**

Planning & Zoning Commission: November 5, 2012 City Council 1<sup>st</sup> Reading: November 13, 2012 City Council 2<sup>nd</sup> Reading: December 6, 2012

## **LOCATION:**

1343 S. 3<sup>rd</sup> Street

# **REQUESTED ACTION:**

Rezone property from MD to MD/H

## SITE CHARACTERISTICS:

The subject property is approximately 0.2158 acres and is currently zoned MD (Residential Medium Density). The property has been developed with a residential dwelling unit. The adjacent properties have MD zoning to the south and west, and CB (Central Business District) to the North and east.

## **ZONING HISTORY:**

The property is part of the Original Town South established in 1895.

#### **ANALYSIS:**

#### • Current Planning Analysis

The property is zoned MD and has been developed with a residential dwelling unit: The Miller McNalley house has been identified as a significant resource for Abilene in every historic resource survey conducted since 1977. It has been included on the City Council official Landmarks list, and is one of the oldest private residences in the Old Town neighborhood. This Folk Victorian residence has many of its original features including windows, doors, siding, and sawn wood ornament decorations. The metal fencing on 3rd Street and part of Poplar is original. It was built c. 1900 as a single story wood frame dwelling, and was expanded to the 1-1/2 story residence, as shown, by two additions, both prior to 1915. It is a contributing structure to the neighborhood with several historic homes. It is in good condition. They are requesting Historic Overlay Zoning after gaining more information regarding the responsibilities and benefits of the zoning.

## • Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as medium-density residential. The requested zoning is an overlay zoning that would not affect the underlying residential zoning and would be compatible with the surrounding land uses. This request could encourage other properties in the area to request Historic Overlay Zoning.

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# PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

## LANDMARKS COMMISSION RECOMMENDATION:

The Landmarks Commission recommended approval by a vote of five (5) in favor to none (0) in opposition.

## PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

# **NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
STONEHENGE INVESTMENTS LLC	340 BUTTERNUT ST	
MC NALLY CHERRYL	1343 S 3RD ST	In Favor
MACMILLAN MICHAEL A JR	318 POPLAR ST	
WOLFE LANCE	242 BUTTERNUT ST	
CARMONA JORGE & SYLVIA	1418 S 3RD ST	
FIRST UNITED METHODIST CHURCH	242 POPLAR ST	
COOK ALEX & TAMMY L	341 POPLAR ST	
SMITH CHARLES & BENNETT KATHRYN	302 POPLAR ST	
ACKER DAVID P & PAMELA R	342 POPLAR ST	
MC NALLY MERCY M	1330 S 3RD ST	Opposed
RASLEY SEAN & ALISA M	326 POPLAR ST	
GALLION GIULIA	317 POPLAR ST	
RAINS KEITH & PIERCE GARRY	1325 S 3RD ST	
ABILENE COMMUNITY CHURCH	1417 S 3RD ST	
MATTEA ROGER	325 POPLAR ST	
MC NALLY MERCY M	302 BUTTERNUT ST	Opposed
ORTIZ JESUS & FRANCISCA	310 POPLAR ST	
FIRST UNITED METHODIST CHURCH	202 BUTTERNUT ST	
MC NALLY MERCY	326 BUTTERNUT ST	Opposed

Case # Z-2012-30 Updated: November 6, 2012  $1 - \text{In Favor- } \mathbf{Y}$ 

3 – Opposed- N









Case # Z-2012-30 Updated: November 6, 2012

## City Council Agenda Memo



**City Council** 

**Meeting Date: 11/13/2012** 

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP

**Director of Planning and Development Services** 

SUBJECT: First reading of an ordinance for Case No. CUP-2012-04, a request from Jan Kidd Engelke

for a Conditional Use Permit to allow a Vacation Travel Trailer Park on property zoned GC (General Commercial), located at 1125 Elmdale Road; and setting a public hearing for

**December 6, 2012.** 

#### **GENERAL INFORMATION**

Currently the property is zoned GC and has been developed with a restaurant. The property to the south has been developed as a single family residence. There is a retail store to the east of the property. The majority of the surrounding area is undeveloped. The request is to allow for a Vacation Travel Trailer Park to be developed on the remaining area of the property to the south. The site plan requirement has been deferred by the Planning Director. However, a site exhibit has been provided showing the proposed development.

The Future Land Use section of the Comprehensive Plan designates this general area for commercial activity and is also designated as a Gateway into the City of Abilene. The applicant proposes to add a Vacation Travel Trailer Park to the property. The request would allow the applicant to develop their property as they intend, and would be compatible with the surrounding uses.

## **STAFF RECOMMENDATION**

Staff recommends approval as requested.

#### **BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommends approval with a 6' solid, opaque fence along the south property line by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

#### **ATTACHMENTS**

Ordinance

Staff Report with Maps

Prepared by:		Disposition by City Council		
		□ Approved	Ord/Res#	
Name: Ben Bryner		<ul><li>Denied</li></ul>		
Title: <u>Planning Services Manager</u>	Item No. 6.5	□ Other		
November 6, 2012	2.0	City Secr	retary	

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1: That Chapter 23, Subpart B, "Land Development Code," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this <u>13<sup>th</sup></u> day of <u>November</u> A.D. 2012.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19<sup>th</sup> day of October, 2012, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 6<sup>th</sup> day of December, 2012, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS  $\underline{6^{th}}$  day of  $\underline{\text{December}}$ , A.D. 2012.

ATTEST:		
CITY SECRETARY	MAYOR	_
	APPROVED:	
	CITY ATTORNEY	

ORDINANCE NO	
EXHIBIT "A"	
	D 1

Approve a Conditional Use Permit for a Vacation Travel Trailer Park on property zoned GC (General Commercial).

Location:

1125 Elmdale Road

Legal Description:

ELMDALE COMMUNITY CENTER, BLOCK 1, LOT S PT OF 2 & ALL OF 3, ACRES 3.9  $\,$ 

With the following conditions:

• A 6' solid, opaque fence shall be required along the south property line.

-END-

### ZONING CASE CUP-2012-04 STAFF REPORT



#### APPLICANT INFORMATION:

Jan Kidd Engelke

#### **HEARING DATES:**

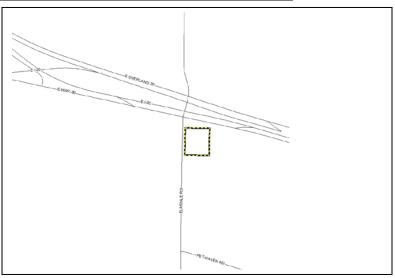
Planning & Zoning Commission: November 5, 2012 City Council 1<sup>st</sup> Reading: November 13, 2012 City Council 2<sup>nd</sup> Reading: December 6, 2012

#### **LOCATION:**

1125 Elmdale Road

#### **REQUESTED ACTION:**

Conditional Use Permit to allow a Vacation Travel Trailer Park on property zoned GC



#### **SITE CHARACTERISTICS:**

The subject parcel totals approximately 3.0 acres and is currently zoned GC (General Commercial). The property has been developed with a restaurant. The adjacent properties have LI zoning to the east, west, and south, and AO (Agricultural Open Space) and GR (General Retail) zoning to the north across I-20. This property is right along the merger of E HWY 80 and I-20.

#### **ZONING HISTORY:**

The property was annexed in 1964 and was zoned AO when it was annexed. The property was zoned LI sometime after. The property was rezoned to GC zoning last year in preparation for this request.

#### **ANALYSIS:**

#### • Current Planning Analysis

Currently the property is zoned GC and has been developed with a restaurant. The property to the south has been developed as a single family residence. There is a retail store to the east of the property. The majority of the surrounding area is undeveloped. The request is to allow for a Vacation Travel Trailer Park to be developed on the remaining area of the property to the south. The site plan requirement has been deferred by the Planning Director. However, a site exhibit has been provided showing the proposed development.

#### • Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area for commercial activity and is also designated as a Gateway into the City of Abilene. The applicant proposes to add a Vacation Travel Trailer Park to the property. The request would allow the applicant to develop their property as they intend, and would be compatible with the surrounding uses.

Case # CUP-2012-04 Updated: November 6, 2012

#### PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

#### PLANNING AND ZONING COMMISSION RECOMMENDATION:

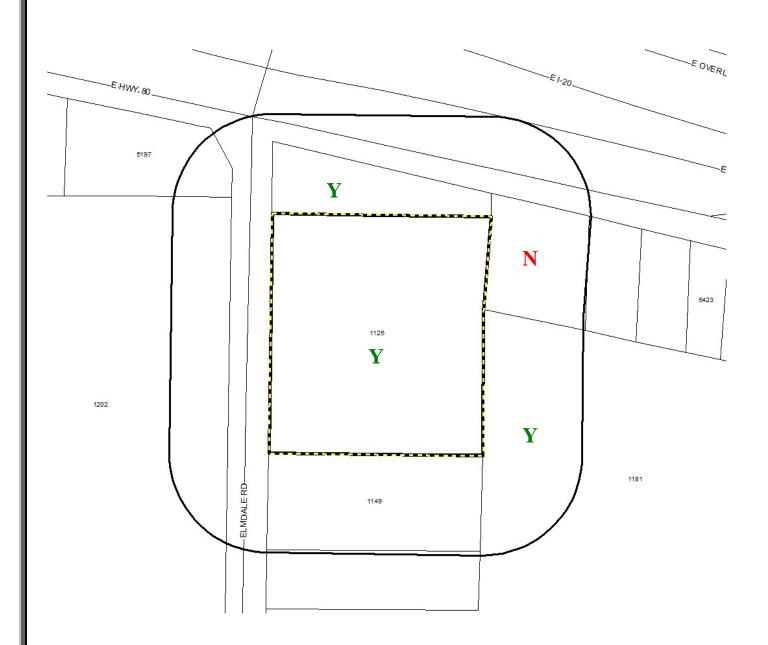
The Planning and Zoning Commission recommends approval with a 6' solid, opaque fence along the south property line by a vote of 6 in favor (Bixby, Famble, Glenn, Rosenbaum, Yungblut, and McClarty) and none opposed.

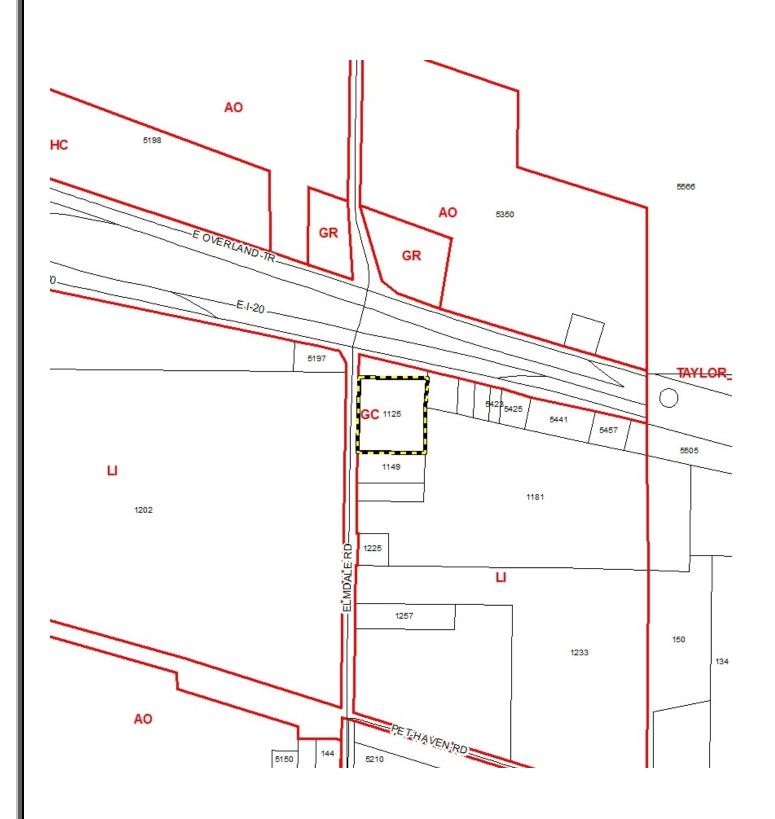
#### **NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
BLACKBURN RUTH BROOKS	5197 E HWY 80	
BLACKBURN RUTH BROOKS	1202 ELMDALE RD	
CITY OF ABILENE		
HAILEY ROBERT		Opposed
ENGLELKE JAN KIDD	1181 ELMDALE RD	In Favor
GUERRERO FREDRICK	1149 ELMDALE RD	
ENGLELKE JAN KIDD	1125 ELMDALE RD	In Favor
ENGLELKE JAN KIDD		In Favor
KMBD INC		

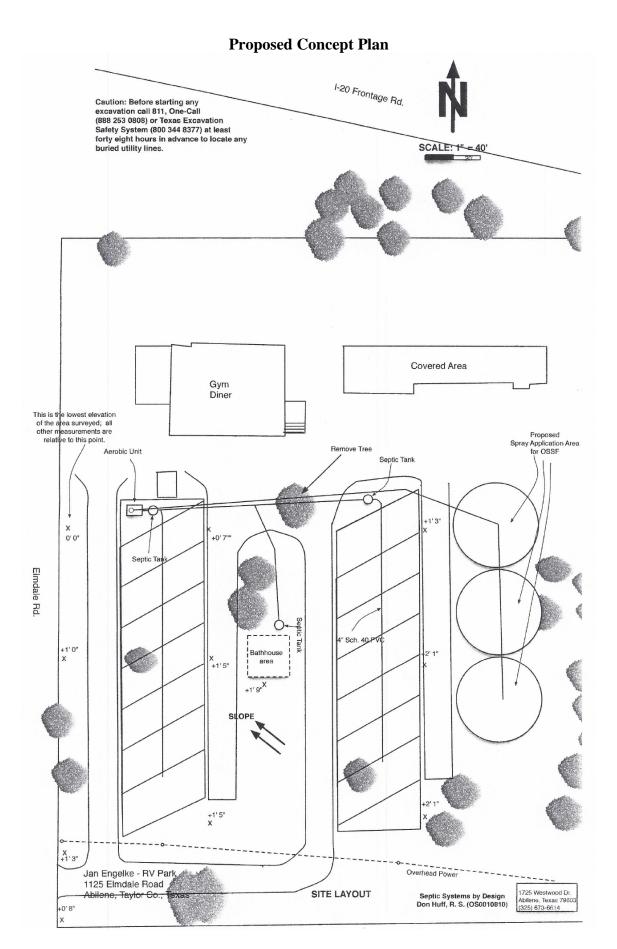
Case # CUP-2012-04 Updated: November 6, 2012 3 in Favor- **Y**1 Opposed- **N** 













**City Council** 

TO: Larry D. Gilley, City Manager Meeting Date: November 13, 2012

FROM: Don Green, Director of Aviation

**SUBJECT:** Hangar 3 Lease Rent Abatement

#### **GENERAL INFORMATION**

Hangar 3 is currently under a 25 year lease effective October 1, 2005 with Experimental Aircraft Association (EAA) Chapter 471. EAA has requested an abatement of the rent to help offset repairs/improvements to the hangar structure and doors that will increase the useful life and exterior aesthetics. EAA estimates a cost of \$15,150 and has collected approximately \$13,000 toward this work and additional interior work. The Airport Development Board considered this request and recommends a 30-month rent abatement at a value of approximately \$4,100.00.

#### **FUNDING/FISCAL IMPACT**

This would be an unbudgeted revenue reduction, beginning December 1, of \$1,365.60 in remaining FY13. FY14 revenue will be budgeted to account for the full \$1,638.72 rent abatement and FY15 will account for only \$546.24 in rent revenue when it resumes eight months into the FY.

#### **STAFF RECOMMENDATION**

Staff recommends that City Council approve the 30-month rent abatement of this lease.

#### BOARD OR COMMISSION RECOMMENDATION

The Airport Development Board approved its recommendation of this rent abatement at its October 10<sup>th</sup> meeting.

Prepared by:		Disposition by City Council
		☐ Approved Ord/Res#
Name: Don Green		□ Denied
Title: <u>Director of Aviation</u>	Item No. 6.6	□ Other
		City Secretary



**City Council** 

TO: Larry D. Gilley, City Manager Meeting Date: November 13, 2012

FROM: Don Green, Director of Aviation

**SUBJECT:** Richard Baxter Ground Lease Assignment

#### **GENERAL INFORMATION**

Richard Baxter currently holds a 15 year ground lease for a hangar he owned until selling that hangar in September. Mr. Baxter sold the hangar to Mike Hanneman. The ground lease terms remain unchanged and must be assigned to Mr. Hanneman; it will expire at the original date of February 1, 2026, with one five year option. The lease includes a CPI adjustment every five years.

#### **FUNDING/FISCAL IMPACT**

Rent revenue will remain the same as budgeted.

#### **STAFF RECOMMENDATION**

Staff recommends that City Council approve the assignment of this lease.

#### BOARD OR COMMISSION RECOMMENDATION

The Airport Development Board approved its recommendation of this assignment at its October 10<sup>th</sup> meeting.

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TO:

Larry D. Gilley, City Manager City Council
Meeting Date

Meeting Date: November 13, 2012

FROM: Adm

**Administrative Staff** 

SUBJECT: Resolution Encouraging the Texas Legislature to Reexamine Standardized Testing of

**Public School Students** 

#### **GENERAL INFORMATION**

The Abilene Independent School District (AISD) has adopted a resolution encouraging the Texas Legislature to reexamine the standardized testing of public school students that is currently in place. The AISD has reached out to community partners asking for support of this proposal and requesting adoption of a similar resolution by the Abilene City Council. By adopting such a resolution, the City Council will be stating its support for a system that will develop an education accountability system that encompasses multiple assessments, reflects greater validity, uses more cost efficient sampling techniques and other external evaluation arrangements, and more accurately reflects what students know, appreciate and can do in terms of the rigorous standards essential to their success.

#### **FUNDING/FISCAL IMPACT**

N/A

#### STAFF RECOMMENDATION

Staff recommends adoption of the proposed resolution by the City Council.

Prepared by:		Disposition by City Council
Name: Larry D. Gilley		□ Approved Ord/Res# □ Denied
Title: City Manager	Item No. 6.8	Other  City Secretary

RESOLUTION	NO.	
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# A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS ENCOURAGING THE TEXAS LEGISLATURE TO REEXAMINE STANDARDIZED TESTING OF TEXAS PUBLIC SCHOOL STUDENTS

WHEREAS, reliance on standardized, high stakes testing as the major assessment of learning that in the state and federal accountability systems may inhibit the education system's ability to transform a traditional system of schooling into a broad range of learning experiences that better prepares our students to live successfully and be competitive on a global stage; and

WHEREAS, we believe our state's future prosperity relies on a high-quality education system that prepares students for college and careers, and without such a system Texas' economic competitiveness and ability and to attract new business may suffer; and

WHEREAS, designing more engaging student learning experiences requires changes in the culture and structure of the systems in which teachers and students work; and

WHEREAS, what occurs in classrooms every day should be student-centered and result in students learning at a deep and meaningful level; and

WHEREAS, we support the vision for all students to be engaged in meaningful learning activities that cultivate their unique individual talents, to provide for student choice in work that is designed to respect how they learn best, and to embrace the concept that students can be both consumers and creators of knowledge; and

WHEREAS, only by developing new capacities and conditions in districts and schools, and the communities in which they are embedded, will we ensure that all learning spaces foster and celebrate innovation, creativity, problem solving, collaboration, communication and critical thinking; and

WHEREAS, these are the very skills that business leaders desire in a rising workforce and the very attitudes that are essential to democracy; and

WHEREAS, we do not oppose accountability in public schools, but believe that the system of the past will not prepare students to lead in the future;

## NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1. That we, the City Council of the City of Abilene, Texas, calls on the Texas Legislature to reexamine the public school accountability system in Texas.
- PART 2. That the members of the Texas Legislature work to introduce and adopt legislation that will develop an education accountability system that encompasses multiple

assessments, reflects greater validity, uses more cost efficient sampling techniques and other external evaluation arrangements, and more accurately reflects what students know, appreciate and can do in terms of the rigorous standards essential to their success.

PART 3. That any standardized testing used within the state of Texas should enhance the role of teachers as designers, guides to instruction and leaders, and nurture the sense of inquiry and love of learning in all students.

PART 4. This resolution shall be effective immediately upon passage.

ADOPTED this 13<sup>th</sup> day of November 2012.

ATTEST:	
City Secretary	Mayor
	APPROVED:
	City Attorney



TO:	Larry D. Gilley, City Manager	City Council Meeting Date: 11-13-2012
FROM:	<b>Mindy Patterson, Director of Finance</b>	

SUBJECT: Award of Bid – Paddy Wagon for Police Department, Bid CB-1304

#### **GENERAL INFORMATION**

Fleet Management seeks approval to purchase a Paddy Wagon to be assigned to the Police Department. The unit will be utilized for multiple arrest situations.

Advertisements were published on September 30, 2012 and October 7, 2012. Bids were opened on October 16, 2012 at 11:00 A.M. Seventeen (17) bid invitations were requested with two (2) vendors submitting a bid.

#### **SPECIAL CONSIDERATIONS**

Both bidding vendors met specifications. Lawrence Hall was within the 5% local preference allowance.

#### **FUNDING/FISCAL IMPACT**

Funds for these purchases are to be provided by the Fleet Replacement Fund.

#### **STAFF RECOMMENDATION**

It is recommended that Bid CB-1304 be awarded to Lawrence Hall.

#### **BID TABULATION**

See attached.

Prepared By:		Disposition by City Council
Name <u>Cheri Carter</u>	Itama Na	☐ Approved ☐ Denied ☐ Other Ord/Res #
Title <u>Fleet Analyst</u>	Item No6.9	City Secretary

#### **CITY OF ABILENE PURCHASING DIVISION TABULATION OF BIDS**

PAGE 1 OF 1

**DEPARTMENT**: FLEET MANAGEMENT **BID NO.:** CB – 1304 TIME OF OPENING: 11:00

CHEVROLET ABILENE, TX

LAWRENCE HALL

\*\$52,022.50

CALDWELL COUNTRY CHEVROLET - FORD

DATE OF OPENING: OCTOBER 16, 2012

CALDWELL, TX UNIT UNIT UNIT UNIT UNIT UNIT ITEM DESCRIPTION QTY UNIT PRICE EXTENSION PRICE **EXTENSION** PRICE **EXTENSION** PRICE EXTENSION PRICE EXTENSION PRICE EXTENSION PADDY WAGON EΑ \$52,022.50 \$49,887.00 BASE BID DISCOUNT

\*NOTES: INDICATES RECOMMENDED AWARD

TOTAL BID