

City Council  
Agenda Memo



City Council  
Meeting Date: 10/24/2013

**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-2013-35, a request from Hendrick Medical Center, Agents Duane Martin & Brannon Barnes, to rezone certain properties from HC (Heavy Commercial) & RS-6 (Single-Family Residential) to MU (Medical Use) zoning, located in the area between N. 16th St & N. 17th St and between Pine St & the alley east of Mesquite St; and setting a public hearing for November 7, 2013.

**GENERAL INFORMATION**

Currently the property is zoned HC & RS-6 and is developed with a mix of commercial and residential uses. The applicant is planning to develop the property with a medical facility. The properties to the north and south are zoned both HC & RS-6, similar to the subject area. The property to the west is zoned HC. The property to the east is zoned MU (Medical Use). This area has experienced a significant amount of redevelopment associated with Hendrick Medical Center. The proposed zoning will allow for this continued redevelopment compatible to what has been done in the immediate vicinity.

The Future Land Use section of the Comprehensive Plan designates this general area for commercial activity and it is also designated as an Enhancement Corridor (along Pine St). The requested zoning would be compatible along Pine St. and match the zoning approved on the property to the east. The request for MU would be appropriate for the surrounding area, seeing that there is a large amount of medical type uses from Hickory St. to the east to N. Treadaway Blvd. The request is also consistent with the recommendations of the Carver Neighborhood Plan.

**STAFF RECOMMENDATION**

Staff recommends approval.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommends approval by a vote of 4 in favor (Bixby, Glenn, Rosenbaum, and McClarty), none opposed, and 1 abstained (Todd).

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

October 11, 2013

Item No. 6.5

Disposition by City Council

- Approved Ord/Res# \_\_\_\_\_
- Denied \_\_\_\_\_
- Other \_\_\_\_\_

\_\_\_\_\_  
City Secretary

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "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, part 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 24<sup>th</sup> day of October, A.D. 2013.

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 20<sup>th</sup> day of September, 2013, 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 7<sup>th</sup> day of November, 2013 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 7<sup>th</sup> day of November, A.D. 2013.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

Rezone property from HC (Heavy Commercial) & RS-6 (Single-Family Residential) to MU (Medical Use) district.

Legal Description:

LOTS 1-20 201 BLACKBURN 1-A ABL OT  
LT 101 REP D JOHN M BLACKBURN 201 1-D ABL OT  
LTS 10-20 201 BLACKBURN 1-D OT ABL  
LOTS 3 & 5-11 201 BLACKBURN 1-E OT ABL  
GRIFFIN NURSING HOME SUB, BLOCK A, LOT 2, ACRES .288



Location:

Between N. 16th St & N. 17th St and between Pine St & the alley east of Mesquite St

-END-

# ZONING CASE Z-2013-35

## STAFF REPORT



### APPLICANT INFORMATION:

Hendrick Medical Center  
Agents: Duane Martin & Brannon Barnes

### HEARING DATES:

Planning & Zoning Commission: October 7, 2013  
City Council 1<sup>st</sup> Reading: October 24, 2013  
City Council 2<sup>nd</sup> Reading: November 7, 2013

### LOCATION:

The area between N. 16<sup>th</sup> St & N. 17<sup>th</sup> St and between Pine St & the alley east of Mesquite St

### REQUESTED ACTION:

HC & RS-6 to MU



### SITE CHARACTERISTICS:

The subject area totals approximately 11.69 acres. The property is currently zoned HC (Heavy Commercial) and RS-6 (Single-Family Residential). The area is developed with a mix of commercial and residential uses.

### ZONING HISTORY:

The area was included in the original town of 1895. The property was zoned HC and RS-6 sometime after. The Pine Street Corridor Overlay was approved in 2009 and will apply to the property.

### ANALYSIS:

- Current Planning Analysis

Currently the property is zoned HC & RS-6 and is developed with a mix of commercial and residential uses. The applicant is planning to develop the property with a medical facility. The properties to the north and south are zoned both HC & RS-6, similar to the subject area. The property to the west is zoned HC. The property to the east is zoned MU (Medical Use). This area has experienced a significant amount of redevelopment associated with Hendrick Medical Center. The proposed zoning will allow for this continued redevelopment compatible to what has been done in the immediate vicinity.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area for commercial activity and it is also designated as an Enhancement Corridor (along Pine St). The requested zoning would be compatible along Pine St. and match the zoning approved on the property to the east. The request for MU would be appropriate for the surrounding area, seeing that there is a large amount of medical type uses from Hickory St. to the east to N.

Treadaway Blvd. The request is also consistent with the recommendations of the Carver Neighborhood Plan.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of MU zoning.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission recommends approval by a vote of 4 in favor (Bixby, Glenn, Rosenbaum, and McClarty), none opposed, and 1 abstained (Todd).

**NOTIFICATION:**

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

OWNER	ADDRESS	RESPONSE
HENDRICK MEDICAL CENTER	1659 PINE ST	In Favor
HENDRICK MEDICAL CENTER	1650 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1750 N TREADAWAY BL	In Favor
CARPENTER PIERCE & HOEMKE ROBERT	1517 WALNUT ST	
HENDRICK MEDICAL CENTER	1664 MESQUITE ST	In Favor
CARPENTER PIERCE & HOEMKE ROBERT	1533 WALNUT ST	
CARPENTER PIERCE & HOEMKE ROBERT	1535 WALNUT ST	In Favor
STEVENS TOMMIE	1526 WALNUT ST	Opposed
CORPIAN GARY LEE	1518 PINE ST	
HENDRICK MEDICAL CENTER	1602 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1658 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1666 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1641 PINE ST	In Favor
BIG COUNTRY SUBS CO	1542 PINE ST	
OAA PROPERTIES LP	1702 WALNUT ST	Opposed
HENDRICK MEDICAL CENTER	1601 PINE ST	In Favor
MATHEWS JAMES T	717 N 16TH ST	
WEBB DAVID R	1701 WALNUT ST	
ALLEN ROSIE	1539 MESQUITE ST	
SANCHEZ ERLINDA & MANUEL D	1541 MESQUITE ST	
HENDRICK MEDICAL CENTER	1610 MESQUITE ST	In Favor
OAA PROPERTIES LP	1701 PINE ST	Opposed
HENDRICK MEDICAL CENTER	1649 PINE ST	In Favor
HENDRICK MEDICAL CENTER	1642 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1618 MESQUITE ST	In Favor
TCR REALTY INC	1525 PINE ST	
HENDRICK MEDICAL CENTER	1626 WALNUT ST	In Favor
WELCH LEONA & JOSEPH A PARKER	1534 WALNUT ST	
SANCHEZ MANUEL DIAZ	1534 MESQUITE ST	
HENDRICK MEDICAL CENTER	1618 WALNUT ST	In Favor
HENDRICK MEDICAL CENTER	1642 WALNUT ST	In Favor
GUTIERREZ FREDDIE & ANITA	1526 PLUM ST	
GUTIERREZ ANITA RAMIREZ	1542 PLUM ST	

REYES ROLAND	1530 MESQUITE ST	
HENDRICK MEDICAL CENTER	1672 WALNUT ST	In Favor
HENDRICK MEDICAL CENTER	1610 WALNUT ST	In Favor
LOWRY FRANK	1513 MESQUITE ST	
HENDRICK MEDICAL OFFICE BLDS LLC	1749 PINE ST	In Favor
HENDRICK MEDICAL CENTER	1674 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1702 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1717 WALNUT ST	In Favor
SHIELDS JEFFREY CHARLES	1709 WALNUT ST	
BIG COUNTRY SUBS CO	1526 PINE ST	
GHANT MARGARET	1634 MESQUITE ST	
HENDRICK MEDICAL CENTER	1634 WALNUT ST	In Favor
GONZALES NAVEJAS MARTINA TAMEZ	1518 MESQUITE ST	
GUTIERREZ ANITA RAMIREZ	1534 PLUM ST	
HENDRICK MEDICAL CENTER	1601 WALNUT ST	In Favor
HENDRICK MEDICAL CENTER	1681 WALNUT ST	In Favor
ARIAS RICARDO & ORALIA G	1533 PINE ST	
HENDRICK MEDICAL OFFICE BLDS LLC	1710 WALNUT ST	In Favor
HENDRICK MEDICAL CENTER	1674 PINE ST	In Favor
HENDRICK MEDICAL CENTER	1633 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1617 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1625 MESQUITE ST	In Favor
DILLARD IVORY	1649 MESQUITE ST	
HENDRICK MEDICAL CENTER	1665 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1601 MESQUITE ST	In Favor
HENDRICK MEDICAL CENTER	1641 MESQUITE ST	In Favor
HILL FRANCES R	1602 PLUM ST	
HENDRICK MEDICAL CENTER	1609 MESQUITE ST	In Favor
ABILENE NH LTD	1618 PLUM ST	
RODRIGUEZ REFUJIO M	1673 MESQUITE ST	
ABILENE NH LTD	1690 N TREADAWAY BL	
TEXAS TECH UNIVERSITY	1718 PINE ST	In Favor
ABILENE NH LTD	1657 MESQUITE ST	

36 in Favor- **Y**    \*34 from applicant  
 3 Opposed- **N**









