

City Council
Agenda Memo



City Council
Meeting Date: 11/21/2013

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP
Director of Planning and Development Services

SUBJECT: First reading on an Ordinance for Case No. TC-2013-06, a request from Hendrick Medical Center, agents Duane Martin & Brannon Barnes, to abandon: Walnut St, the alley between Pine St & Walnut St, and the alley between Mesquite St & Walnut St, all between N. 16th St & N. 17th St; and setting a public hearing for December 5, 2013.

GENERAL INFORMATION

The applicant is requesting to abandon the street right-of-way (ROW) and alley ROWs to be able to utilize the area for development of a medical facility. The street & alleys currently exist and will be removed to allow for the development. All properties along these ROWs will be combined and used together for the development. The properties to the north and south are a mix of residential and commercial properties.

The closure of Walnut Street does not create any violations to the maximum block length in this area. Mesquite will remain open for north-south traffic. Additionally, Pine St and Treadaway Blvd are in close proximity and accommodate the majority of the north-south traffic in this area. There is a concentration of residential homes along Walnut St north of N. 17th St. The closure would inhibit large truck traffic from travelling along Walnut St. In addition, Hendrick Medical has worked with city staff on street improvements in the area to address some of these concerns, which they will present at the meeting.

PLAT REVIEW COMMITTEE

The Plat Review Committee recommends approval of the requested street ROW closure with the following condition:

1. The applicant must replat within 12 months, at which time any issues regarding access to utilities and relocation of utilities will be resolved. The replat must not create any non-conforming lots.

STAFF RECOMMENDATION

Staff recommends approval of the requested street ROW abandonment per the Plat Review Committee.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval per the Plat Review Committee by a vote of 5 in favor (Bixby, Glenn, McClarty, Rosenbaum, and Famble), none opposed, and 2 abstained (Todd & Yungblut).

ATTACHMENTS

Ordinance

Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

November 8, 2013

Item No. 6.7

Disposition by City Council

Approved Ord/Res# _____

Denied _____

Other _____

City Secretary

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

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

PART 1: That the following described portion of a Public Right of Way, as described on Exhibit "A," attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned, subject to conditions as stated in Exhibit A.

PART 2: That said portion of a Public Right of Way is not needed for public purposes and it is in the public interest of the City of Abilene to abandon said described portion of a Public Right of Way.

PART 3: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Part 1 of this ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

PASSED ON FIRST READING this 21st day of November, 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 18th day of October, 2013, the same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final reading.

PASSED ON FINAL READING THIS 5th day of December, A.D. 2013.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

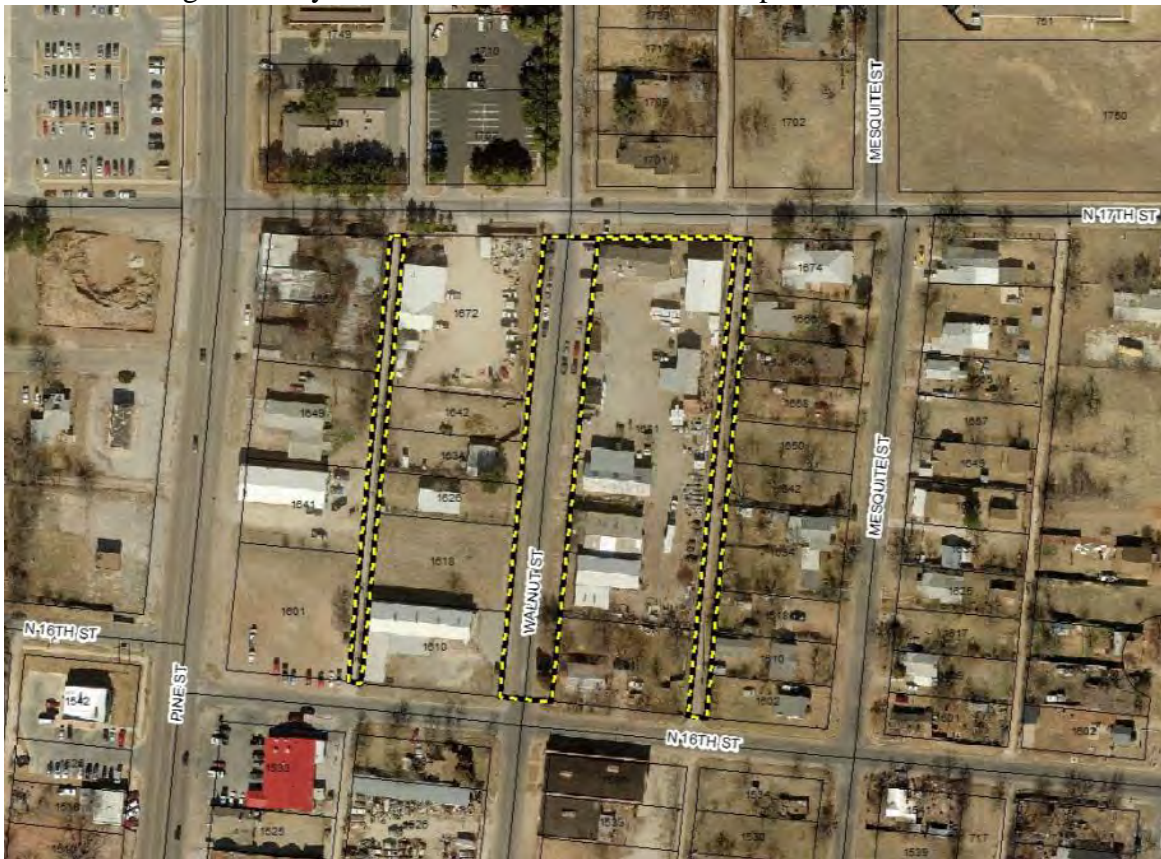
CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

The City of Abilene hereby abandons: Walnut St, the alley between Pine St & Walnut St, and the alley between Mesquite St & Walnut St, all between N. 16th St & N. 17th St.

All Public Right of Way as indicated and shown in the map below within the dashed area:



With the following conditions:

1. The applicant must replat within 12 months, at which time any issues regarding access to utilities and relocation of utilities will be resolved. The replat must not create any non-conforming lots.

-END-



THOROUGHFARE CLOSURE CASE TC-2013-06 STAFF REPORT

APPLICANT INFORMATION:

Hendrick Medical Center
Agents: Duane Martin & Brannon Barnes

HEARING DATES:

Planning & Zoning Commission: October 7, 2013
-Tabled to November 4, 2013
City Council 1st Reading: November 21, 2013
City Council 2nd Reading: December 5, 2013

REQUESTED ACTION:

Abandon: Walnut St, the alley between Pine St & Walnut St, and the alley between Mesquite St & Walnut St, all between N. 16th St & N. 17th St



SITE CHARACTERISTICS:

A north-to-south street right-of-way (ROW) and 2 north-to-south alleys located east of Pine Street and between N. 16th St & N. 17th St. Improvements have been made for these segments of the ROW.

REQUEST ANALYSIS:

The applicant is requesting to abandon the street right-of-way (ROW) and alley ROWs to be able to utilize the area for development of a medical facility. The street & alleys currently exist and will be removed to allow for the development. All properties along these ROWs will be combined and used together for the development. The properties to the north and south are a mix of residential and commercial properties.

Based on questions brought forward at the last meeting, the closure of Walnut Street does not create any violations to the maximum block length in this area. Mesquite will remain open for north-south traffic. Additionally, Pine St and Treadaway Blvd are in close proximity and accommodate the majority of the north-south traffic in this area. There is a concentration of residential homes along Walnut St north of N. 17th St. The closure would inhibit large truck traffic from travelling along Walnut St. In addition, Hendrick Medical has worked with city staff on street improvements in the area to address some of these concerns, which they will present at the meeting.

RECOMMENDATIONS:

Plat Review Committee: Approval of the requested street ROW closure with the following condition:

1. The applicant must replat within 12 months, at which time any issues regarding access to utilities and relocation of utilities will be resolved. The replat must not create any non-conforming lots.

Staff Recommendation: Approval of the requested street ROW abandonments per the Plat Review Committee recommendations.

PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission recommends approval per the Plat Review Committee by a vote of 5 in favor (Bixby, Glenn, McClarty, Rosenbaum, and Famble), none opposed, and 2 abstained (Todd & Yungblut).

NOTIFICATION:

Property owners within the 200’ of the subject rights-of-way were notified.

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	Opposed
CARPENTER PIERCE & HOEMKE ROBERT	1535 WALNUT ST	
STEVENS TOMMIE	1526 WALNUT ST	Opposed
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
OAA PROPERTIES LP	1702 WALNUT ST	Opposed
HENDRICK MEDICAL CENTER	1601 PINE ST	In Favor
WEBB DAVID R	1701 WALNUT 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
REYES ROLAND	1530 MESQUITE ST	
HENDRICK MEDICAL CENTER	1672 WALNUT ST	In Favor
HENDRICK MEDICAL CENTER	1610 WALNUT ST	In Favor
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	
GHANT MARGARET	1634 MESQUITE ST	
HENDRICK MEDICAL CENTER	1634 WALNUT ST	In Favor
GONZALES NAVEJAS MARTINA TAMEZ	1518 MESQUITE 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

26 in Favor- **Y**
 4 Opposed- **N** (+2 outside 200')

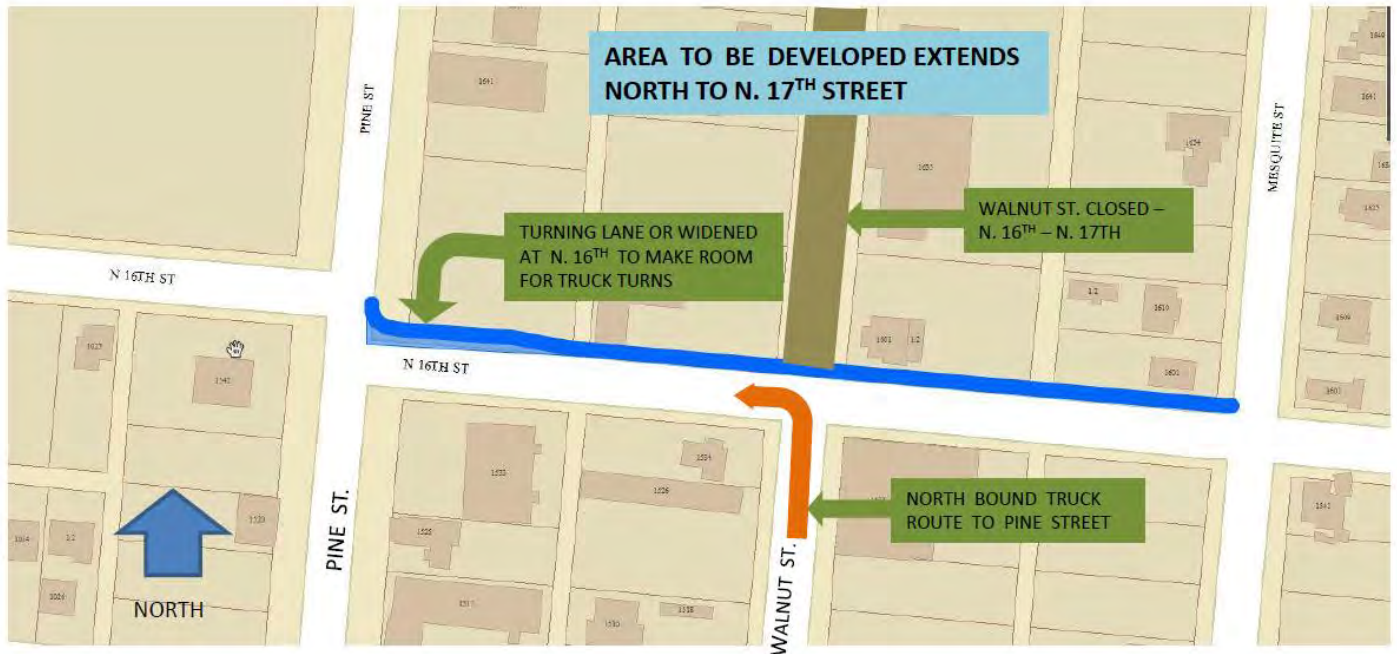








PROVIDE TRUCK TURN ON North 16th AND PINE



1. Gives large trucks route to Pine Street.
Better route than through Residential area
2. Turning lane will add to traffic flow efficiency