

City Council
Agenda Memo



City Council
Meeting Date: 3/27/2014

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. Z-2014-07, a request from Abilene Christian University, agent Enprotec/Hibbs & Todd, Inc., to rezone property from MF (Multi-Family Residential) & GR/COR (General Retail/Corridor Overlay) to CU/COR (College University/ Corridor Overlay) zoning, being approximately 10.5 acres located at the northwest corner of Ambler Ave & ACU Dr; and setting a public hearing for April 10, 2014.

GENERAL INFORMATION

Currently the property is zoned MF & GR with Corridor Overlay and is undeveloped. The properties to the north are zoned PH (Patio Home) and is developed as a residential subdivision. The properties to the west are zoned RS-8 (Single-Family Residential) and developed as a residential subdivision as well. The properties to the east and south are zoned CU/COR and owned & developed as part of the ACU campus. The requested zoning is to incorporate this property as part of the campus and prepare it for future development by ACU.

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. The property is close to the intersection of Ambler Ave and N. Judge Ely Blvd. The Ambler Avenue Corridor Overlay was created to insure high-quality development along Ambler Ave. The requested zoning would be compatible with the adjacent uses and the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as requested by a vote of 4 in favor (Bixby, Glenn, McClarty, and Famble), none opposed, and 2 abstained (Todd & Yungblut).

ATTACHMENTS

Ordinance
Staff Report with Maps
Response from Adjacent Home Owner's Association

Prepared by: Name: <u>Ben Bryner</u> Title: <u>Planning Services Manager</u> March 14, 2014	Item No. <u>6.3</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# _____ <input type="checkbox"/> Denied _____ <input type="checkbox"/> Other _____ _____ City Secretary
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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 27th day of March, A.D. 2014.

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 14th day of February, 2014, 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 10th day of April, 2014 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 10th day of April, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from MF (Multi-Family Residential) & GR/COR (General Retail/Corridor Overlay) to CU/COR (College University/ Corridor Overlay) zoning.

Legal Description:

HILLCREST ADDN SEC 6, BLOCK 19, LOT 9 THRU 16
HILLCREST ADDN SEC 6, BLOCK 20
HILLCREST ADDN SEC 6, BLOCK 21, LOT 17 REP OF LTS 1-10



Location:

Being approx. 10.5 acres located at the northwest corner of Ambler Ave & ACU Dr

-END-

ZONING CASE Z-2014-07

STAFF REPORT



APPLICANT INFORMATION:

Abilene Christian University (ACU)
Agent: Enprotec/Hibbs & Todd, Inc.

HEARING DATES:

Planning & Zoning Commission: March 3, 2014
City Council 1st Reading: March 27, 2014
City Council 2nd Reading: April 10, 2014

LOCATION:

Being approximately 10.5 acres located at the northwest corner of Ambler Ave & ACU Dr



REQUESTED ACTION:

MF (Multi-Family Residential) & GR/COR (General Retail/Corridor Overlay) to CU/COR (College University/Corridor Overlay) zoning

SITE CHARACTERISTICS:

The subject parcel totals approximately 10.5 acres. The property is currently zoned MF & GR/COR and is undeveloped.

ZONING HISTORY:

The area was annexed in 1957 and zoned MF & GR zoning sometime after. The Ambler Avenue Corridor Overlay was approved in 2013.

ANALYSIS:

- Current Planning Analysis

Currently the property is zoned MF & GR with Corridor Overlay and is undeveloped. The properties to the north are zoned PH (Patio Home) and is developed as a residential subdivision. The properties to the west are zoned RS-8 (Single-Family Residential) and developed as a residential subdivision as well. The properties to the east and south are zoned CU/COR and owned & developed as part of the ACU campus. The requested zoning is to incorporate this property as part of the campus and prepare it for future development by ACU.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. The property is close to the intersection of Ambler Ave and N. Judge Ely Blvd. The Ambler Avenue Corridor Overlay was created to insure high-quality development along Ambler Ave. The requested zoning would be compatible with the adjacent uses and the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

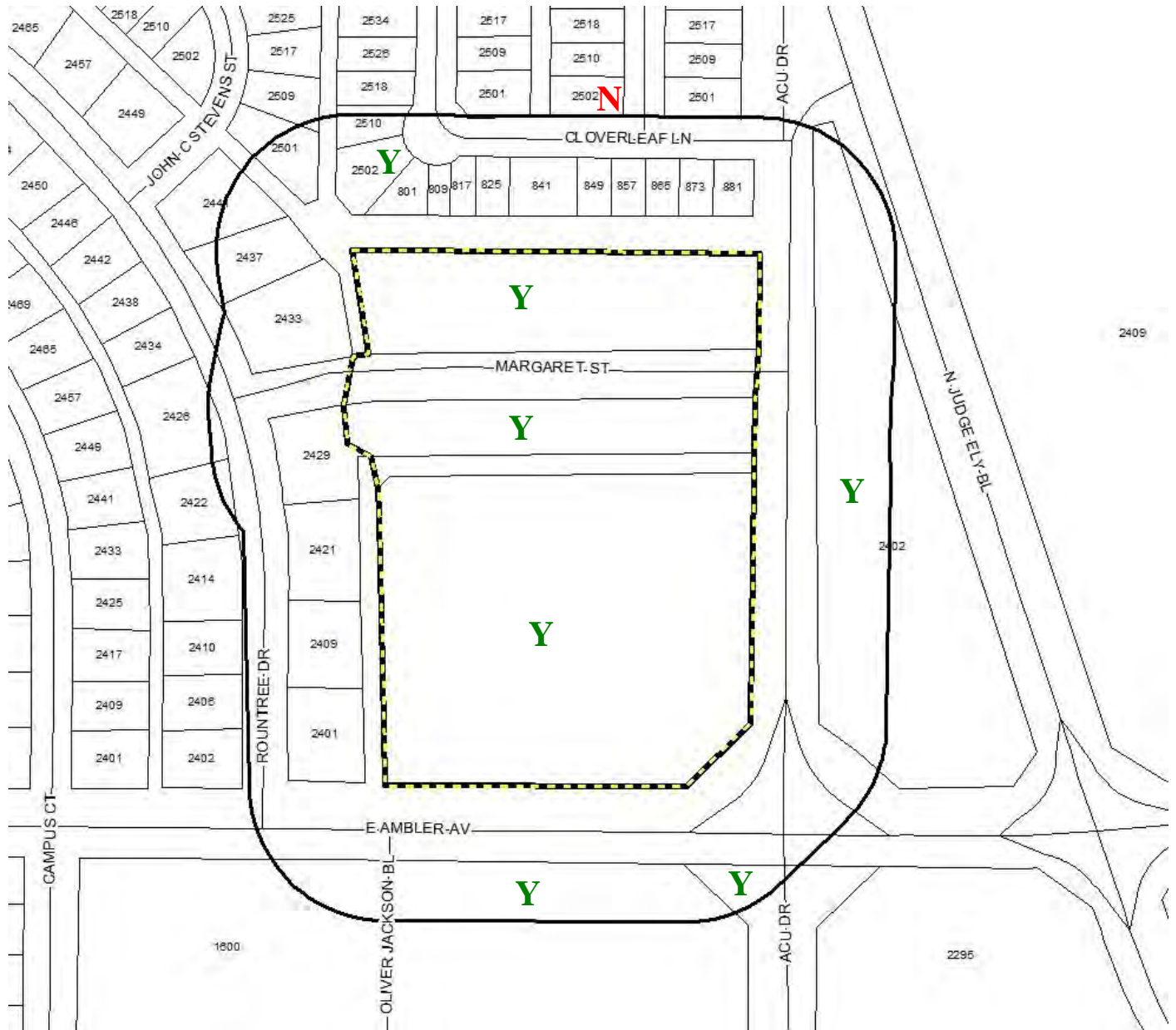
The Planning and Zoning Commission recommends approval as requested by a vote of 4 in favor (Bixby, Glenn, McClarty, and Famble), none opposed, and 2 abstained (Todd & Yungblut).

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
STRADER ROBERT J & ROYCE SUE	2422 ROUNTREE DR	
ABILENE CHRISTIAN UNIV		In Favor
ABILENE CHRISTIAN UNIV		In Favor
ABILENE CHRISTIAN UNIV	1600 CAMPUS CT	In Favor
EDGAR STEVEN RANDALL & NANCY D	2409 ROUNTREE DR	
EARLES JAMES EDWARD & CYNTHIA ANN	2421 ROUNTREE DR	
CARPENTER TOM P	2426 ROUNTREE DR	
MILLER AARON R & ELIZABETH A	2429 ROUNTREE DR	
ESCOBEDO JOSEPH T	2401 ROUNTREE DR	
ABILENE CHRISTIAN UNIV	2402 N JUDGE ELY BL	In Favor
SIKES MARY ANN	2502 SUNNIBROOK CT	
KING BEVERLY C	801 CLOVERLEAF LN	
SPRABERRY ERNEST M & DOTTIE S	865 CLOVERLEAF LN	
DAVIDSON MASON & MADGE	857 CLOVERLEAF LN	
HOLMANS JIMMIE D & MYRA	825 CLOVERLEAF LN	
CLEMMER WILLIAM D & BETTY R	873 CLOVERLEAF LN	
COTTEN MARIE W	849 CLOVERLEAF LN	
CUMMINS ELIZABETH ANN	841 CLOVERLEAF LN	
ABILENE CHRISTIAN UNIV		In Favor
HARRIS NOBLE & BETTE JOYCE	2510 CLOVERLEAF LN	
WHITAKER ROBERT H & DANA	2501 CLOVERLEAF LN	Opposed
DELONY ROBERT L & MIKEE C	817 CLOVERLEAF LN	
TARRANT EDDIE D & CASSIE	881 CLOVERLEAF LN	
BABER DONALD C & SHIRLEY N	2502 CLOVERLEAF LN	In Favor
GRAY C G & BARBARA J	809 CLOVERLEAF LN	
CLUTE ALAN CHARLES & JENNIFER REBECCA	2433 ROUNTREE DR	
CORNING CARYN	2437 ROUNTREE DR	
PRAIRIE SONG LLC	2501 JOHN C STEVENS ST	
PRAIRIE SONG LLC	2509 JOHN C STEVENS ST	
ABILENE CHRISTIAN UNIV		In Favor
WILLIAMS LINDA M	2501 SUNNIBROOK CT	
PRICE ALMA SUE LF EST	2441 ROUNTREE DR	

7 in Favor- **Y**
 1 Opposed- **N**









Date: March 10, 2014

To: Jon James
City of Abilene, Planning/Zoning

Subject: ACU Drive closing, Margret St. Alleys, & Zoning Changes et.al.

From: Tim Watson (325) 864-0148
2550 Cloverleaf Lane
Abilene, Texas 79601

Dear Mr. James,


As a resident of Country Meadows, and current representative of the "Homeowners Association," I visited your offices March 7, 2014 and inquired about some of the proposed changes that will impact our neighborhood. It was suggested that I put in writing a letter to you briefly stating our concerns to address.

Closure of ACU Drive and adjusting the entry of Country Meadows (C/M) at Cloverleaf Lane creates a "Triangle of land," North of Cloverleaf Ln. to Abilene Christian Schools, with the boundary of C/M Wall and alley of Sunnibrook Ln. on the west and east by N. Judge Ely Blvd., (formerly Stadium Way or FM 1234). Who will own this land, and who will maintain this "Triangle of land?" It is requested that if Closure of ACU drive is granted, that this piece of property is included in that, and that ACU will own and maintain it. Also, consideration of "Sidewalks" connecting to A.C.S.'s existing walks on the west side of N. Judge Ely Blvd. Basically connecting from Stamford/I-20 at the Grove Apartment Complex to Ambler Blvd./Hwy 351 which has access ramps already installed should be considered. That would make a walk complete from I-20 to South 11th on the full length of Judge Ely.

Also, zoning changes of RM1, and RM2 of land north and south of the undeveloped Margaret St. removes a "comfort barrier" to Country Meadows residents of direct contact to the SC designation of the remaining land ACU desires to lump together. (We would prefer not to have a future development like that of Sherrod and Dorms on Cedar Crest Drive across from Single Family Private Residences.) Should this be granted, the South alley of C/M development is deteriorated and cannot support the traffic of vehicles, buses, and motor homes that may try to exit the proposed parking area as they currently do when events are held and the area is used for overflow parking.

In closing, the proposed Stadiums will bring a lot of pedestrian traffic crossing Ambler Blvd. That continuous flow of people to the parking area needs a connecting underground walkway or overpass, not crosswalks on Ambler. Thank you for considering these comments. If a hearing by the P/Z Board is scheduled, please let me know.

Sincerely,


Tim Watson