

City Council
Agenda Memo



City Council
Meeting Date: 7/24/2014

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-2014-10, a request from Abilene Housing Authority, agent Diana McIver & Associates, & the City of Abilene to rezone property from MD (Medium Density) to MF (Multi-Family Residential) zoning, located at 2001 & 2121 N. 6th St; and setting a public hearing for August 14, 2014.

GENERAL INFORMATION

Currently, the property is undeveloped. It previously was the site of a small apartment complex. The property is being considered for apartments again. The current MD zoning does not allow for apartment complexes, rather smaller duplexes, triplexes, and quad-plexes. The surrounding properties are developed generally with single-family homes. The requested zoning would allow for development of apartments.

The Future Land Use section of the Comprehensive Plan designates this general area for low density residential development. The requested zoning would be to specifically allow for development of apartments. The existing MD zoning allows for multi-family residential uses, but limits the number of units per structure. The MF zoning would allow for up to 24 units per acre. However, the size of the property will limit the total number of units developed. North 6th Street is designated as a 'minor arterial' street on the Master Thoroughfare Plan. Due to the previous use as apartments, the size of the property, and the N. 6th St designation, the requested zoning is 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 by a vote of 6 in favor (Bixby, Calk, Ellinger, Glenn, Rosenbaum, and Famble) and none opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

July 15, 2014

Item No. 6.1

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 24th day of July, 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 20th day of June, 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 14th day of August, 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 14th day of August, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from MD (Medium Density Residential) to MF (Multi-Family Residential) zoning.

Legal Description:

PT LTS 1 THRU 6 205 1 F FLETCHER ABL OT
HARRIS ADDN OUTLOT 1 BARRETT OF HARRIS, BLK 24, LOT 1, ACRES 2.955



Location:
2001 & 2121 N. 6th St

-END-

ZONING CASE Z-2014-10

STAFF REPORT



APPLICANT INFORMATION:

Abilene Housing Authority
Agent: Diana McIver & Associates
& the City of Abilene

HEARING DATES:

Planning & Zoning Commission: July 7, 2014
City Council 1st Reading: July 24, 2014
City Council 2nd Reading: August 14, 2014

LOCATION:

2001 & 2121 N. 6th St

REQUESTED ACTION:

Rezone property from MD (Medium Density Residential) to MF (Multi-Family Residential) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 3.22 acres and is currently zoned MD. The parcel is undeveloped. It previously was the site of a small apartment complex. The adjacent properties are zoned MD to the west, south, and RS-6 (Single-Family Residential) to the north.

ZONING HISTORY:

The property was part of the original City of Abilene incorporated in 1895 and was zoned MD in 1985.

ANALYSIS:

- Current Planning Analysis
Currently, the property is undeveloped. It previously was the site of a small apartment complex. The property is being considered for apartments again. The current MD zoning does not allow for apartment complexes, rather smaller duplexes, triplexes, and quad-plexes. The surrounding properties are developed generally with single-family homes. The requested zoning would allow for development of apartments.
- Comprehensive Planning Analysis
The Future Land Use section of the Comprehensive Plan designates this general area for low density residential development. The requested zoning would be to specifically allow for development of apartments. The existing MD zoning allows for multi-family residential uses, but limits the number of units per structure. The MF zoning would allow for up to 24 units per acre. However, the size of the property will limit the total number of units developed. North 6th Street is designated as a 'minor arterial' street on the Master Thoroughfare Plan. Due to the previous use as apartments, the size of the property, and the N. 6th St designation, the requested zoning is compatible with the adjacent uses and the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of MF zoning.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

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

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
CITY OF ABILENE	2001 N 6TH ST	
CONTRERAS ROSENDO	546 GRAHAM ST	
ABRAM TOMMIE M TR	526 GRAHAM ST	
CUESTA JOZUE & MARIA	1945 N 5TH ST	
BLANTON RONNIE WAYNE & WILLIE MAY	520 GRAHAM ST	
SERRANO ISAUL & OLGUIN SONJA	534 GRAHAM ST	
GONZALEZ MIGUEL & ANA L	514 GRAHAM ST	
GONZALEZ MIGUEL & ANA L	2118 N 5TH ST	
SMITH MARY ANN	2115 N 5TH ST	
HOOPER AARON ISAIAH & CATON TERRI WHITNEY	2107 N 7TH ST	
HAWKINS JODY F & MARY ANN	2118 N 6TH ST	Opposed
ALCANTAR ARNOLDO F & CARMEN H	2114 N 6TH ST	
SCARBOROUGH JOHN F & JANE	440 VICTORIA ST	
BOWER LUKE	430 VICTORIA ST	
OCON REBECCA SANCHEZ	2033 N 5TH ST	Opposed
LOPEZ JOSE A	2105 N 7TH ST	
HB EQUITY LLC	2116 N 6TH ST	
ALCANTAR MICHELLE MENDOZA	2112 N 6TH ST	
SANDS TRUMAN BARKLEY	435 VICTORIA ST	
SIMINGTON CASEY	442 GRAHAM ST	
SMITH JOY B	2049 N 5TH ST	
VILLARREAL J D	1942 N 6TH ST	
MALEA LLC SERIES M	1930 N 6TH ST	
JOHNSON RONNY D	634 LILLIUS ST	
CASEY LOLITA M	2106 N 6TH ST	
MORENO JESSE D & HERMINIA A	1930 N 5TH ST	
DEARMAN DON L & MARY ANN	1942 N 5TH ST	
EARP HOMER S & SHARON E	2109 N 7TH ST	
ESTRADA TONY	2102 N 6TH ST	
NEW FRONTIER DEVELOPMENT		
SANDS KATHERINE MARIE	425 VICTORIA ST	
PITTMAN RUSTY & BETTY	435 GRAHAM ST	
SMITH GREGG & MARY ANN	450 GRAHAM ST	
WAITS JEFFREY A	2111 N 7TH ST	Opposed
DALZELL DAVID E	2025 N 5TH ST	
BOMAR DARWINNA JUNE	2041 N 7TH ST	





