

City Council
Agenda Memo



City Council
Meeting Date: 9/25/2014

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-2014-37, a request from Hendrick Home for Children, agent EHT, to rezone property from AO (Agricultural Open Space) to PD (Planned Development) zoning, located at 2758 Jeanette St; and setting a public hearing for October 9, 2014.

GENERAL INFORMATION

Currently the property is zoned AO and is developed with the Hendrick Home for Children campus. The children's home is proposing to expand their services with construction of an additional facility. The current zoning does not permit the expansion and thus requires a change of zoning to accommodate their desires. The surrounding area is developed generally with residential uses to the north and south, industrial uses to the east, and retail uses to the west. The applicant is requesting a change to the AO zoning to allow for the existing use and current & future expansions of their services.

The Future Land Use section of the Comprehensive Plan designates this general area for commercial/light industrial development. The requested zoning would be to specifically allow for the services provided by the children's home. The requested PD zoning will allow for continuation of the existing use and future expansion of services. The request is deemed compatible with the Future Land Use Map and the adjacent uses in the area.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval with the modification that no sidewalk is required along S. 24th St until site development occurs adjacent to the street by a vote of 4 in favor (Bixby, Calk, Rosenbaum, and Famble), none opposed, and 2 abstained (Ellinger & McClarty).

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

September 15, 2014

Item No. 6.4

Disposition by City Council

- Approved Ord/Res# _____
- Denied _____
- Other _____

City Secretary

Sidewalk Schedule

2024

2014

2019

2029

2034

Hendrick Home For Children



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-146_A PLANNED DEVELOPMENT; 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.

PASSED ON FIRST READING this 25th day of September 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 16th day of August, 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 p.m., on the 9th day of October, 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 9th day of October, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

Exhibit "A"

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in possession of the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development shall be in accordance with any maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development, which are hereby incorporated by reference and included as part of this ordinance. All use and development within the Planned Development must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Abilene Municipal Code, part known as the Land Development Code of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From AO (Agricultural Open Space) to PD (Planned Development) zoning.

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.

ORDINANCE NO. _____

EXHIBIT "A"

PAGE 2

PART 5: Legal Description. The legal description of this PD is as follows:

HENDRICK HOME FOR CHILDREN ADDN, BLOCK A, LOT 1, ACRES 69.579



Location:

2758 Jeanette St

ORDINANCE NO. _____

EXHIBIT "A"

PAGE 3

PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for the Hendrick Home for Children and their associated services which generally are not allowed under present zoning and development procedures.

PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the MF (Multi-Family Residential) zoning district, except as modified below:

- 1) **ADDITIONAL PERMITTED USES:** The 'animal lot' use, to include the stabling and keep of horses and other equestrian uses, shall be permitted.
- 2) **INSTALLATION OF SIDEWALKS:** Sidewalks shall be installed according to the proposed Sidewalk Schedule attached as exhibit 'B'. The order of construction of segments may be swapped, but one identified segment of sidewalk shall be constructed in each designated year. Additionally, no sidewalk is required along S. 24th St until site development occurs adjacent to the street.
- 3) **LANDSCAPING:** The minimum area required for calculating interior landscaping shall be based on the area between the minimum required building setback and the adjacent street right-of-way. All other landscaping standards shall apply to the site.

-END-

ZONING CASE Z-2014-37

STAFF REPORT



APPLICANT INFORMATION:

Hendrick Home for Children
Agent: EHT

HEARING DATES:

P & Z Commission: September 2, 2014
City Council 1st Reading: September 25, 2014
City Council 2nd Reading: October 9, 2014

LOCATION:

2758 Jeanette St

REQUESTED ACTION:

Rezone property from AO (Agricultural Open Space) to PD (Planned Development) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 69.6 acres and is currently zoned AO. The parcel is developed with the Hendrick Home for Children campus. The adjacent properties are zoned RS-6 (Single-Family Residential) to the north, RS-8 (Single-Family Residential) to the south, GR (General Retail) & GC (General Commercial) to the west, and HI (Heavy Industrial), GC, & RS-6 to the east.

ZONING HISTORY:

The property was annexed in 1938 and 1951 and was zoned AO at that time.

ANALYSIS:

- Current Planning Analysis
Currently the property is zoned AO and is developed with the Hendrick Home for Children campus. The children's home is proposing to expand their services with construction of an additional facility. The current zoning does not permit the expansion and thus requires a change of zoning to accommodate their desires. The surrounding area is developed generally with residential uses to the north and south, industrial uses to the east, and retail uses to the west. The applicant is requesting a change to the AO zoning to allow for the existing use and current & future expansions of their services.
- Comprehensive Planning Analysis
The Future Land Use section of the Comprehensive Plan designates this general area for commercial/light industrial development. The requested zoning would be to specifically allow for the services provided by the children's home. The requested PD zoning will allow for continuation of the existing use and future expansion of services. The request is deemed compatible with the Future Land Use Map and the adjacent uses in the area.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval with the modification that no sidewalk is required along S. 24th St until site development occurs adjacent to the street by a vote of 4 in favor (Bixby, Calk, Rosenbaum, and Famble), none opposed, and 2 abstained (Ellinger & McClarty).

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
BERETTA VIRGINIA SUE	2325 JEANETTE ST	
KIWANIS CLUB OF ABL FN D TN	2441 JACKSON ST	
LUTZ MARY ANN	2334 VINE ST	
COCHRAN PHILLIP LYNN II	2318 JEANETTE ST	
SOSA JOSE S	1717 S 23RD ST	
BOUFORD WILLIAM D & DEBORAH L	1701 S 23RD ST	
CLEM JAMES L JR & APRIL H	2425 JEANETTE ST	
GOLDBLATT KENNETH ALLEN AS INDIV	1734 EDGEMONT DR	
SHERROD DAVID W	1617 S 23RD ST	
SOSA JOSE S	2426 JACKSON ST	
D & PF INVESTMENTS	2318 MEANDER ST	
CORDOVA EDGAR BENITO	2325 AMARILLO ST	
GRIMES JOSEPH DANIEL	2325 MEANDER ST	
FURNISH STEVE & ANGELA	2333 VINE ST	
KIWANIS CLUB OF ABL FN D TN	2433 JACKSON ST	
BURTON PEGGY ANN	2310 MEANDER ST	
PATTERSON BOBBY & DEBBIE	2334 JEANETTE ST	
SOSA JOSE S	2418 JACKSON ST	
ARTHUR RICHARD & KATHLYN	2318 AMARILLO ST	
ADKINS RICHARD GLENN	2326 MEANDER ST	
WILLIS EDWIIN EARL JR	2310 AMARILLO ST	
BEAIRD STEVEN EARL	1709 S 23RD ST	
KERBO TERRY D & MELISSA D	2433 JEANETTE ST	
REYES CESAR D	2417 JACKSON ST	
DARBY JASON & LEILA	2317 AMARILLO ST	
SITZES STEVEN O	2501 JEANETTE ST	In Favor
PACKWOOD JERRON F	2326 AMARILLO ST	
SKILES BRUCE	1725 S 23RD ST	
DARBY JASON	2309 AMARILLO ST	
GARZA LYDIA	2325 VINE ST	
ESPARZA ANDY C	2801 S TREADAWAY BL	
WOOLDRIDGE GARY LEO & MELANIE J	2302 VINE ST	
HARDIN DONALD DEAN JR	2309 MEANDER ST	
RIDDLE HERSCHELL EDDIE	2310 JEANETTE ST	
ALAZAWA OMER & RAWAN ALABDALLAH	2309 JEANETTE ST	
EXODUS METROPOLITAN COMMUNITY CHURCH	1933 S 27TH ST	

PERKINS TERRILL L JR	2902 VINE ST	
LOCKHART MARY L	2001 S 29TH ST	
GARCIA JESSICA	2401 JEANETTE ST	
COX BILLY A & DOROTHY L	2409 JEANETTE ST	In Favor
ABILENE KIWANIS CLUB	2334 JACKSON ST	
PERKINS TERRILL L JR	2909 VINE ST	
WELLS KEVIN ALLEN & STEPHANIE GAY	2417 JEANETTE ST	
BIGGS DAVID E & PATSY BELLE	1749 S 23RD ST	
SEABORN TRACI	1741 S 23RD ST	
MAZY TRAVIS O	1733 S 23RD ST	
MC CLARTY TIM RICE	2610 S TREADAWAY BL	
PAYNE JAMES KYLE & TERI LYN	2317 JEANETTE ST	
TALLY FLOY L	2317 MEANDER ST	
MEADOWS HUBERT PERRY	2909 AMARILLO ST	
BIGGS NEIL	2318 VINE ST	
O CONNOR HOWARD K & KARLA S	2326 VINE ST	
TRAVIS JANICE KATHLEEN	2757 S TREADAWAY BL	In Favor
DARBY JASON	2901 VINE ST	
KGR LP	2912 S TREADAWAY BL	
HIGHLANDER APTS INC	2800 SAYLES BL	
PERKINS TERRILL L JR	1841 S 27TH ST	
GONZALEZ VICENTE & LEONOR	2333 JEANETTE ST	
PLASTIC WHOLESALE PLUMBING INC	2917 S TREADAWAY BL	In Favor
SHIPMAN GARY STEVEN	1633 S 23RD ST	
REED JAMES A	1625 S 23RD ST	
MUSCHALEK STACY J	2326 JEANETTE ST	
KIWANIS CLUB OF ABILENE	2425 JACKSON ST	
PERKINS TERRILL L JR	2910 VINE ST	
KEMP EVA L	2326 SAYLES BL	
GUERRA PEDRO L & ROSE R	2366 SAYLES BL	In Favor
BOYSEN DIANNE	2318 SAYLES BL	
KING JO NELL MAPLES	2309 SAYLES BL	
ABILENE TEACHERS FEDERAL CREDIT UNION	2555 BUFFALO GAP RD	
BROWN ARTHUR	2441 SAYLES BL	
ROGERS D L CORP	2402 SAYLES BL	
GRIFFIN BILLY C & PEGGY L	2317 SAYLES BL	
UNITED STATES POSTAL	2501 BUFFALO GAP RD	
GRAHAM WILEY R	2325 SAYLES BL	
JACK - BILT INC	2525 JEANETTE ST	
STORE MASTER FUNDING II LLC	2665 BUFFALO GAP RD	
WILLIS THOMAS LEE	2765 S TREADAWAY BL	
KENT BRENDA	2929 SAYLES BL	
B&B POLEBENDERS INC	2775 S TREADAWAY BL	
BIMBO BAKERIES USA INC	2641 S TREADAWAY BL	
INTERFIRST BANK S ABILENE	2200 S 27TH ST	
B&B POLEBENDERS INC	2734 S 27TH ST	
HENDRICK HOME FOR CHILDREN	2758 JEANETTE ST	
DARBY JASON	2333 MEANDER ST	
PAK HARRIS ENTERPRISES LTD	2134 S 27TH ST	

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







