

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. TC-2014-06, a request from Heavenly Rest Episcopal Church, agent EHT, to abandon Meander St from S. 6th St to S. 7th St & the adjacent east-west alley; and setting a public hearing for October 9, 2014.

GENERAL INFORMATION

The abandonment of this section of Meander St would not create a block that is larger than the maximum block allowed, or 1,200 feet. With the closure of Meander St, traffic will still be able to maneuver various other streets in the vicinity. An alley currently connects into this section of Meander St. Only 1 home would be affected by the street closure and can be resolved with a roll-out trash can. However, continued service in that alley is recommended by the Solid Waste Services department and they opposed the alley closure. The alley also provides rear access to the home. An access easement is needed to allow for continued use of the alley. Additionally, water and sewer lines exist along the alley right-of-way. A utility easement is needed to allow for maintenance of these utilities.

PLAT REVIEW COMMITTEE

The Plat Review Committee recommends approval of the requested closure with the following conditions:

1. The proponent is to be responsible for the cost of adjustment or retirement of the existing public street lights along the abandoned right-of-way.
2. Provide an access easement along Meander St and the alley to connect to either S. 6th St or S. 7th St.
3. Provide appropriate drainage easements and utility easements.
4. Re-plat the adjacent property so that no currently platted lots are left without street frontage.

STAFF RECOMMENDATION

Approval per the Plat Review Committee. The request would not create a block that would be larger than permitted and the abandonment of Meander St would allow for expansion of the church.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of abandoning only the Meander Street right-of-way, not the alley, per the Plat Review Committee conditions by a vote of 6 in favor (Bixby, Calk, Ellinger, McClarty, Rosenbaum, and Famble) and none opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps
Surrounding Owner Response

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

September 15, 2014

Item No. 6.8

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 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 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 9th day of October, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

The City of Abilene hereby abandons: Meander St from S. 6th St to S. 7th St.

All Public ROW as indicated and shown in the map below within the solid (red) area:



With the following conditions:

1. The proponent is to be responsible for the cost of adjustment or retirement of the existing public street lights along the abandoned right-of-way.
2. Provide an access easement along Meander St to connect to either S. 6th St or S. 7th St.
3. Provide appropriate drainage easements and utility easements.
4. Re-plat the adjacent property so that no currently platted lots are left without street frontage.
5. The property must be replatted within 12 months. The replat must not create any non-conforming lots.

-END-

ZONING CASE TC-2014-06

STAFF REPORT



APPLICANT INFORMATION:

Heavenly Rest Episcopal Church
Agent: EHT

HEARING DATES:

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

REQUESTED ACTION:

Abandon Meander St from S. 6th St to S. 7th St
& the adjacent east-west alley

SITE CHARACTERISTICS:

Meander Street exists today and runs in front of the Heavenly Rest Episcopal Church between S. 6th St and S. 7th St. There is some head-in parking that comes off of Meander Street in this block. The church is requesting to abandon this section of Meander St in order to allow for expansion of their campus and to have greater flexibility in creating new parking. The east-west alley was included by the City staff in order to avoid a dead-end alley.



REQUEST ANALYSIS:

The abandonment of this section of Meander St would not create a block that is larger than the maximum block allowed, or 1,200 feet. With the closure of Meander St, traffic will still be able to maneuver various other streets in the vicinity. An alley currently connects into this section of Meander St. Only 1 home would be affected by the street closure and can be resolved with a roll-out trash can. However, continued service in that alley is recommended by the Solid Waste Services department and they opposed the alley closure. The alley also provides rear access to the home. An access easement is needed to allow for continued use of the alley. Additionally, water and sewer lines exist along the alley right-of-way. A utility easement is needed to allow for maintenance of these utilities.

RECOMMENDATIONS:

Plat Review Committee: The Plat Review Committee recommends approval of the requested closure with the following conditions:

- 1. The proponent is to be responsible for the cost of adjustment or retirement of the existing public street lights along the abandoned right-of-way.*
- 2. Provide an access easement along Meander St and the alley to connect to either S. 6th St or S. 7th St.*
- 3. Provide appropriate drainage easements and utility easements.*
- 4. Re-plat the adjacent property so that no currently platted lots are left without street frontage.*

Staff Recommendation: Approval per the Plat Review Committee. The request would not create a block that would be larger than permitted and the abandonment of Meander St would allow for expansion of the church.

PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission recommends approval of abandoning Meander Street only per the Plat Review Committee recommendation by a vote of 6 in favor (Bixby, Calk, Ellinger, McClarty, Rosenbaum, and Famble) and none opposed.

NOTIFICATION:

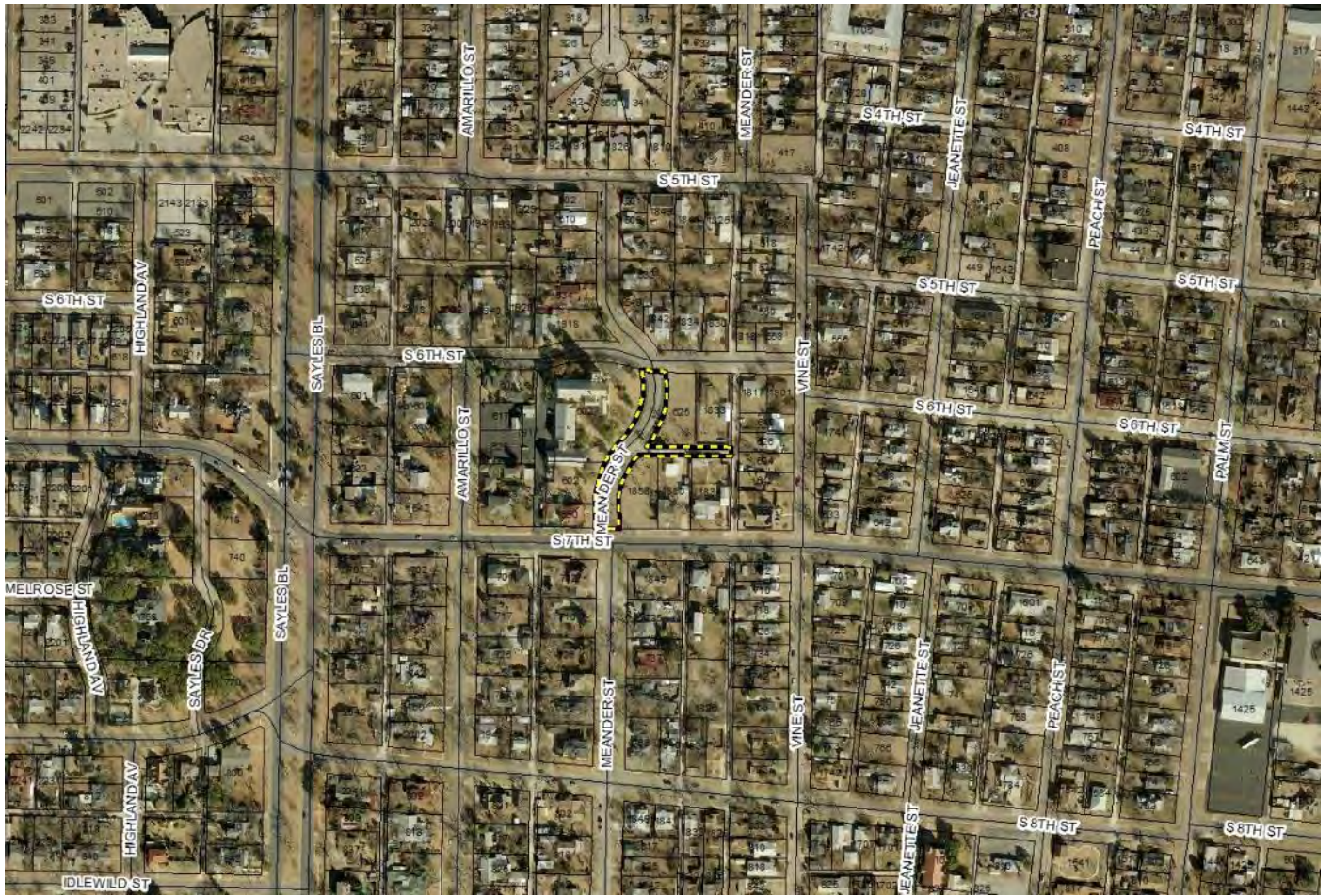
Property owners within the 200’ of the subject rights-of-way were notified.

OWNER	ADDRESS	RESPONSE
EPISCOPAL CHURCH OF THE HEAVENLY REST	625 AMARILLO ST	
PARTIN DEBBIE	658 VINE ST	
MILLIORN TOMMY E TR	1834 S 6TH ST	
LOWERY JAMES RAY & CARLA ANN	1918 S 6TH ST	
EPISCOPAL CHURCH OF THE HEAVENLY REST	1858 S 7TH ST	
CLOUD ROY J	1818 S 6TH ST	
ORTEGON DALIA VERONICA	725 MEANDER ST	
HORTON JOWELL DEAN	1835 S 7TH ST	
ALEXANDER BRUCE A	1834 S 7TH ST	
JENNINGS CONNIE V	650 MEANDER ST	
REID BOB H & PATRICIA M	1850 S 7TH ST	In Favor
EPISCOPAL CHURCH OF THE HEAVENLY REST	602 MEANDER ST	
HUFFAKER JERRY & M BETH P	534 MEANDER ST	
EPISCOPAL CHURCH OF THE HEAVENLY REST	602 MEANDER ST	
PURSLEY BRIT & KRISTA	1849 S 7TH ST	
GUTIERREZ GREGORIO JR & ROSA	618 VINE ST	
BROWALL JAMES R & SHERON E TR	1817 S 6TH ST	
HENAGER BRUCE & ELIZABETH	1833 S 6TH ST	
MATTHEWS JULIA JONES TR	1938 S 7TH ST	
GALLION ROBERT CIRO SR	1801 S 6TH ST	
WATSON THOMAS W & AMANDA P	701 AMARILLO ST	
CITY OF ABILENE		
PIAZZA HECTOR L JR & LINDA J	642 VINE ST	
OLIVAS MANUEL & MARTHA L	634 VINE ST	
EPISCOPAL CHURCH OF THE HEAVENLY REST	1917 S 6TH ST	
CASTILLO ELIZABETH R	1830 S 6TH ST	
VG PARTNERS LTD	626 VINE ST	
KAISER ANDREA	710 MEANDER ST	
THE EPISCOPAL CHURCH OF HEAVENLY REST	625 MEANDER ST	
DEAL LANCE & BARRIENTES VICTORIA	1842 S 6TH ST	
BERNAL CAROLYN H	549 MEANDER ST	
TILLMAN SCOTT R & NELIDA M	702 MEANDER ST	

1 in Favor- **Y**
0 Opposed- **N** (1 received outside 200')











07/24/2014
 TITLE LUTHER
 ARCHITECTURE & INTERIOR DESIGN
 1000 N. 10TH ST. SUITE 100
 ABILENE, TX 79610
 TEL: 325.676.1111
 FAX: 325.676.1112
 www.titleluther.com

MASTER PLAN
Episcopal Church of the Heavenly Rest
 Abilene, Texas



Bryner, Ben

From: Rainbow, Zack
Sent: Tuesday, September 02, 2014 9:37 AM
To: Bryner, Ben
Subject: FW: 600 Block of Meander

From: Shahan, Suzanne
Sent: Tuesday, September 02, 2014 8:55 AM
To: Rainbow, Zack
Cc: 'David Shahan'
Subject: 600 Block of Meander

I just want to express that my family that resides at 510 Meander St are opposed to the closure of the 600 block of Meander St.

If this section of street were to be closed it would reduce access by residents and emergency vehicles to the surrounding houses and streets.

The alternate routes from the 500 block of Meander to S 7th or Sayles Blvd would be South 6th and that is a very precarious and dangerous curve to divert all current through traffic to. When church is in session it is already unsafe to drive West on South 6th from Meander toward Sayles. Leaving Meander St open as a through street is what is safe for our neighborhood.

Suzanne M. Shahan

City of Abilene

Solid Waste Services

325-676-6053

fax. 325-738-8045

email.suzanne.shahan@abilenetx.com

website.www.abilenetx.com