

City Council
Agenda Memo



City Council
Meeting Date: 1/8/2015

TO: David A. Vela, Interim City Manager

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

SUBJECT: Final reading and public hearing on an ordinance for Case No. Z-2014-51, a request from McMurry University, agent John F. Harvey, III, to rezone property from MD (Medium Density) to CU (College & University) zoning, located at 2333 Hunt St and 1726, 1734, & 1742 Santos St.

GENERAL INFORMATION

Currently the property is zoned CU & MD and is developed with McMurry's maintenance building and a parking lot. The surrounding area is developed generally with single-family residential uses to the south & west and apartments to the east. The property across Hunt St to the north is McMurry University. The applicant is requesting the CU zoning so that this property conforms to the zoning of the university. There are plans to improve the existing parking lot as well. The property has been used by the university for many years and the zoning request would bring it into conformance with current use of the property.

The Future Land Use section of the Comprehensive Plan designates this area as 'low-density residential'. The general area on the south side of Campus Ct is developed with both single-family homes and apartments. McMurry University exists to the north across Hunt St. This area has been used by the university for many years and complies with the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

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

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

December 22, 2014

Item No. 7.3

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 18th day of December, 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 November, 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 8th day of January, 2015 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 8th day of January, A.D. 2015.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from MD (Medium Density Residential) to CU (College & University) zoning.

Legal Description:

FRANK A MILLER OF BLVD HTS, BLOCK 3, LOT 1-11



Location:
2333 Hunt St and 1726, 1734, & 1742 Santos St

-END-

ZONING CASE Z-2014-51

STAFF REPORT



APPLICANT INFORMATION:

McMurry University
Agent: John F. Harvey, III

HEARING DATES:

P & Z Commission: December 1, 2014
City Council 1st Reading: December 18, 2014
City Council 2nd Reading: January 8, 2015

LOCATION:

2333 Hunt St and 1726, 1734 & 1742 Santos St

REQUESTED ACTION:

Rezone property from MD (Medium Density Residential) to CU (College & University) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 1.76 acres and is currently zoned both MD & CU. The adjacent properties are zoned MD to the south & west and zoned MF (Multi-Family Residential) to the east. The property to the north is McMurry University and is zoned CU.

ZONING HISTORY:

The property was annexed in 1946 and was zoned CU & MD sometime after.

ANALYSIS:

• Current Planning Analysis

Currently the property is zoned CU & MD and is developed with McMurry's maintenance building and a parking lot. The surrounding area is developed generally with single-family residential uses to the south & west and apartments to the east. The property across Hunt St to the north is McMurry University. The applicant is requesting the CU zoning so that this property conforms to the zoning of the university. There are plans to improve the existing parking lot as well. The property has been used by the university for many years and the zoning request would bring it into conformance with current use of the property.

• Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this area as 'low-density residential'. The general area on the south side of Campus Ct is developed with both single-family homes and apartments. McMurry University exists to the north across Hunt St. This area has been used by the university for many years and complies with the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

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

NOTIFICATION:

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

| OWNER | ADDRESS | RESPONSE |
|------------------------------|----------------|----------|
| KIRBY DALTON | 2401 S 18TH ST | |
| PATTON REAGAN | 2341 S 18TH ST | |
| LAWRENCE BESS M | 2326 S 19TH ST | |
| MC MURRY UNIVERSITY | 2410 S 18TH ST | |
| MEYER BETTY A | 2309 S 18TH ST | |
| VG PARTNERS LTD | 1825 GRAND AV | |
| CLEMMER CALVIN J | 2325 S 18TH ST | |
| RCD HOLDINGS LLC | 2417 S 18TH ST | |
| CLEARVIEW FAMILY LTD PTR | 2242 S 19TH ST | |
| MC MURRY UNIVERSITY | 2402 S 18TH ST | |
| DELATORRE HEATHER B & JUAN M | 2234 S 19TH ST | |
| COCHRAN SHARON | 2301 S 18TH ST | |
| MC MURRY UNIVERSITY | 2401 HUNT ST | |
| REOYO GASPAR & SILVIA | 2241 S 18TH ST | |
| NEW JIMMY L SR | 1741 ROSS AV | |
| MC MURRY UNIVERSITY | 1734 SANTOS ST | |
| SCOTT DALE DAYTON | 2409 HUNT ST | In Favor |
| MC MURRY UNIVERSITY | 2301 HUNT ST | |
| MC MURRY UNIVERSITY | 1726 SANTOS ST | |
| MC MURRY UNIVERSITY | 2441 HUNT ST | |
| VILLALOVAS CONSTRUCTION INC | 2402 S 19TH ST | |
| PAYNE RICHARD | 2209 S 18TH ST | |
| BETTS CHRISTOPHER | 1818 SANTOS ST | |
| MC MURRY UNIVERSITY | 1742 SANTOS ST | |
| MC MURRY COLLEGE | 1400 SAYLES BL | |
| MC MURRY UNIVERSITY | 2333 HUNT ST | |
| MC MURRY UNIVERSITY | 2233 HUNT ST | |

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







