



City of Abilene City Council Agenda

Shane Price, Council Member
Bruce Kreidler, Council Member
Kyle McAlister, Council
Member
Robert Hanna, City Manager

Norm Archibald,
Mayor

Anthony Williams, Mayor Pro-tem
Jay Hardaway, Council Member
Steve Savage, Council Member
Stanley Smith, City Attorney
Danette Dunlap, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on Thursday, July 14, 2016 at 8:30 AM at 555 Walnut Street, 2nd Floor Council Chambers, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. CALL TO ORDER

2. INVOCATION

1. Councilman Anthony Williams

3. PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

4. PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

1. **Employee Service Awards**
Steve Keith Supervisor III - Traffic Op 25 Years
2. **Scholarship Awards**
Holly Pettijohn - Daughter of Chris Pettijohn Division Manager for Fleet Maintenance
KaLynn Amburn - Daughter of Don Estes Fire Lieutenant III EMT
Ty Riggins - Son of Scott Riggins Fire Firghter
Corrina Fuqua - Daughter of Lee Fuqua Public Safety Dispatcher II, Police Communications
Patricia England - Daughter of Michael England, Parks Maintenance Specialist with Community Services
3. **Proclamation:**
Parks and Recreation Month

5. MINUTES

1. Approval of the Special Called Workshop on June 21st, Regular Called Meeting on June 23rd, 2016 and the Public Meeting on July 5th, 2016.

6. CONSENT AGENDA

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

1. **Ordinance:** *(First Reading)* Amending Chapter 29, Streets and Sidewalks Article V. Street Use Licenses, Sections 29-92, AND 29-93; and setting a public hearing July 28th 2016. (Patterson)
2. **Resolution:** Expressing Official Intent to Reimburse Costs of Projects for the Water Utility Department. *(Rains)*
3. **Resolution:** Awarding bid to Guardian Roofing & Sheet Metal, L.L.C. for roof replacement and miscellaneous work at Fire Station #7 and the Fire Academy. *(Rains)*

7. REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

1. **Ordinance & Public Hearing:** *(Final Reading)* **Z-2016-21** A request from LBHDS, LLC, agent Chris Barnett, to rezone property from RS-6 (Single-Family Residential) to NO (Neighborhood Office), MF (Multi-Family Residential), & TH (Residential Townhouse) zoning, being approximately 26.3 acres located on the south side of the 4500 Block of Antilley Rd. *(Schoening)*
2. **Ordinance & Public Hearing:** *(Final Reading)* **Z-2016-22** A request from Keith & Amber Kimmel to rezone property from RS-6 (Single-Family Residential) & MD (Medium Density Residential) to MF (Multi-Family Residential) zoning, located on the north side of the 900 block of Minda St. *(Schoening)*
3. **Ordinance & Public Hearing:** *(Final Reading)* **Z-2016-23** A request from Robert J. Wray to rezone property from MF (Multi-Family Residential) to PD (Planned Development) zoning, located at 3457 N. 10th St. *(Schoening)*
4. **Ordinance & Public Hearing:** *(Final Reading)* **Z-2016-24** A request from Cordova Home, Inc. to rezone property from MH (Manufacture/Mobile Home) to MD (Medium Density Residential) zoning, located at 3125 Grape St & 3009 through 3097 Lafaye Ct. *(Schoening)*
5. **Ordinance & Public Hearing:** *(Final Reading)* **Z-2016-25** A request from David J. Randell, D.O., agent Jonathan Sharp, to rezone property from LI (Light Industrial) to HC (Heavy Commercial) zoning, located at 33 Windmill Cir. *(Schoening)*
6. **Ordinance & Public Hearing:** *(Final Reading)* **Z-2016-26** A request from Sonrise Ministries, agent Brian Massey, to rezone property from RS-6 (Single-Family Residential) to MD (Medium Density Residential) zoning, located at 3042 Hickory St. *(Schoening)*
7. **Resolution:** Authorizing Continued Participation With The Atmos Cities Steering Committee; And Authorizing The Payment Of Two And One-Half Cent Per Capita To The Atmos Cities Steering Committee To Fund Regulatory And Repated Activities Related To Atmos Energy Corporation. *(Rains)*
8. **Resolution & Public Hearing:** Consideration and Adoption of the 2016 Capital

Improvements Program (**Lisenbee**)

9. **Resolution:** Directing the publication of Notice of Intention to Issue Certificates of Obligation, Series 2016. (**Rains**)
10. **Discussion & Possible Action:** Adopting Policy 2016-002 - Parameters for Pursuing an Insurable Loss. (**Hanna**)
11. **Presentation:** Update by Holmes Murphy & Associates Regarding Employee Health Plan. (**Kidd**)

8. EXECUTIVE SESSION

The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code Sections

1. 551.071 (Consultation with Attorney)
2. 551.072 (Deliberations about Real Property)
3. 551.073 (Deliberations about Gifts and Donations),
4. 551.074 (Personnel Matters)
5. 551.087 (Business Prospect/Economic Development)
- 6.. 551.076 (Deliberations about Security Devices)

9. RECONVENE

10. REGULAR AGENDA

1. **Discussion:** Regarding Calendar for Council Workshop's. (**Hanna**)
2. **Oral Resolution:** Discussion and possible action related to Annual Salary for City Attorney.

11. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact Danette Dunlap, City Secretary, at 325-676-6202.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the _____ day of July, 2016, at _____.

Danette Dunlap, City Secretary

EXECUTIVE SESSION

(Consultation with Attorney) Section 551.071

The following pending litigation subjects which may be discussed are:

1. City of Abilene, Texas v. Aurora Bumgarner; 104th Judicial District Court, Taylor County, Texas; filed November 17, 2011
2. Chad Carter v. City of Abilene, Texas; Cause No. 10138-D, In the 350th Judicial District Court, Taylor County, Texas, filed June 17, 2014
3. Gary Lee and Marilu Lee Corpian v. City of Abilene, Cause No. 48,766-A in the 42nd District Court, filed August 7, 2014
4. Margarita Mitchell, et al. v. The City of Abilene, et al., filed in the 350th Judicial

District Court, Taylor County, Texas, on October 21, 2015

5. Susan Lewis King & Austin King MD vs Ken Paxton, Attorney General of Texas and the City of Abilene. Cause No. D-1-GN-16-001160, filed March 16, 2106.
6. Abilene Matera LLC v. Board of Building Standards for the City of Abilene and City of Abilene, Cause No. 10696-D. March 17, 2016.
7. Ruby Flores and Cory Almanza v. Jesus Verastegui, Alfredo Verastegui, Rosalva Verastegui, and City of Abilene, Cause No. 49368-A, 42nd District Court, Abilene, Taylor County, Texas, filed April 13, 2016
8. E.G., et al. v. Barry Bond, City of Abilene, and Abilene Independent School District, Case 1:16-cv-00068-BL, U.S. District Court, Northern District, Abilene Division, filed April 28, 2016
9. [Arthur Jefferson arbitration](#)

(Personnel) Section 551.074

City Council may consider appointment, employment, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members.

The following Boards and Commissions may be discussed:

Abilene Economic Development Company, Inc.
Abilene Health Facilities Development Corp.
Abilene Higher Education Facilities Corporation
Abilene-Taylor County Events Venue District
Board of Adjustments
Board of Building Standards
Civic Abilene, Inc.
Civil Service Commission
Development Corporation of Abilene, Inc.
Firemen's Pension Fund Board
Friends of Safety City Board
Frontier Texas! Board of Directors
Abilene Housing Authority
Landmarks Commission
Library Board
Mechanical/Plumbing/Electrical & Swimming Pool Board of Appeals
Mental Health-Mental Retardation Board of Trustees
9-1-1 Emergency Communications District Board of Managers
Parks & Recreation Board
Planning and Zoning Commission
Taylor County Appraisal District
West Central Texas Municipal Water District
Tax Increment Reinvestment Zone Board

(Real Property) Section 551.072

A) West Texas Utilities Property

(Business Prospect/Economic Development) Section 551.087

B) Hotel Incentives

(Deliberations about Gifts and Donations) Section 551.073

(Deliberations about Security Devices) Section 551.076



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Mindy Patterson, Assistant City Manager

Ordinance: (First Reading) Amending Chapter 29, Streets and Sidewalks Article V.
SUBJECT: Street Use Licenses, Sections 29-92, AND 29-93; and setting a public hearing July 28th 2016. (Patterson)

GENERAL INFORMATION

Currently, Special Events that require the use or control over the streets, alleys, sidewalks or public way during the hours of 7:30 a.m. to 5:30 p.m. in the downtown area on North 1st, Pine, Cypress, Oak or Chestnut Streets require a Street Use License and City Council approval. Additionally, other short-term uses or encroachments within any public street, alley or sidewalk require a Street Use License and City Council approval. All Street Use License applications are submitted to the Director of Public Works.

The current process for events can be streamlined and shortened by allowing approval by the City Manager with an appeal process to the City Council. All street, alley, sidewalk or public way license agreements prepared by the Director of Public Works will be submitted to the City Manager if the duration of the license is for thirty (30) days or less, and to the City Council for approval if the duration of the license is for greater than thirty (30) days.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends amending Chapter 29, Streets and Sidewalks Article V. Street Use Licenses, Sections 29-92, AND 29-93; and setting a public hearing July 28th 2016.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
Street Use Licenses Ordinance	Cover Memo
Street License Exhibit A	Cover Memo

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AMENDING CHAPTER 29, STREETS AND SIDEWALKS, ARTICLE V. STREET USE
LICENSES, SECTIONS 29-92, AND 29-93**

WHEREAS, Special Events that require the use or control over the streets during the hours of 7:30 a.m. to 5:30 p.m. in the downtown area on North 1st, Pine, Cypress, Oak or Chestnut Streets require a Street Use License and City Council approval; and

WHEREAS, other short-term uses or encroachments within any public street, alley or sidewalk require a Street Use License and City Council approval; and

WHEREAS, the process for events and short-term uses or encroachments on public streets, alleys or sidewalks may be streamlined and shortened to allow approval through the City Manager with an appeal process to City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS

PART 1: That the City Council of the City of Abilene amend Article V. Street Use Licenses, Sections 29-92 and 29-93, included as Exhibit "A", attached hereto and made a part of this Ordinance for all purposes.

PART 2: That if the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not effect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

PART 3: That any person, firm, or corporation violating the provisions of this Ordinance shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1 (Section 1-9) of this Code.

PART 4: Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. 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 FIRST READING this 14th day of July, 2016.

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 24th day of July, 2016, the same being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 28th day of July, 2016, to permit the public to be heard.

PASSED ON SECOND AND FINAL READING this 28th day of July, 2016.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

Exhibit A

Sec. 29-92. Application.

All applications for a license to make a specific use of the public streets, alleys, sidewalks or other public ways shall be made to the director of public works. Such application shall be made on a form provided by the director of public works for that purpose. The applicant shall state the complete purpose for making the application and all facts the director of public works deems pertinent to the granting of such license. All information furnished by the applicant shall be correctly stated; otherwise, any license issued thereunder may be declared void by the city manager or city council.

Sec. 29-93. Approval ~~of council~~.

(a) All street, alley, sidewalk or public way license agreements prepared by the director of public works shall be submitted to the city manager if the duration of the license is for thirty (30) days or less, and to the city council for approval if the duration of the license is for greater than thirty (30) days.

(b) In the event the city manager denies a license application, the applicant may appeal the decision to City Council by filing a written appeal with the City Secretary within ten (10) business days after the denial of the license application is mailed to the applicant or personally delivered, whichever occurs first. If no appeal is filed within ten (10) business days, the decision of the City Manager becomes final and unappealable. The written appeal should contain all information on which the City Council can make a decision. The City Council shall hear the appeal within thirty (30) days after the appeal is filed with the City Secretary.



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Mike Rains, Director of Finance

SUBJECT: Resolution: Expressing Official Intent to Reimburse Costs of Projects for the Water Utility Department. (Rains)

GENERAL INFORMATION

The City of Abilene Water Department expects to pay, or have paid on its behalf, expenditures in connection with the design, planning, acquisition and construction of the projects described on Exhibit "A" hereto (the "Projects") prior to the issuance of tax-exempt obligations or other obligations for which a prior expression of intent to finance or refinance is required by Federal or State law (collectively and individually, the "Obligations") to finance the Projects.

The City finds, considers, and declares that the reimbursement for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention to reimburse itself for such payments at such time as it issues Obligations to finance the Projects.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

The Reimbursement Resolution allows the option for funds generated from the sale of certain future obligations to be utilized to reimburse the Water Utility fund identified as "Unrestricted, Designated for Capital Expenditures".

STAFF RECOMMENDATION

Staff recommends that the City Council approve the resolution as described above.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description

Type

RESOLUTION NO. _____

RESOLUTION EXPRESSING OFFICIAL INTENT
TO REIMBURSE COSTS OF WATER AND WASTEWATER SYSTEM PROJECTS

WHEREAS, the City of Abilene, Texas (the "City") is a home-rule municipality and political subdivision of the State of Texas;

WHEREAS, the City expects to pay, or have paid on its behalf, expenditures in connection with the design, planning, acquisition and construction of the projects described on Exhibit "A" hereto (the "Projects") prior to the issuance of tax-exempt obligations or other obligations for which a prior expression of intent to finance or refinance is required by Federal or State law (collectively and individually, the "Obligations") to finance the Projects;

WHEREAS, this City Council adopted Resolution No. 70-2015 expressing official intent to reimburse costs of the Projects described on Exhibit A and, due to increases in the costs of the Projects, has determined to increase the amount of expenditures that may be reimbursed;

WHEREAS, the amount of expenditures authorized herein for reimbursement is in addition to the amount set forth in Resolution No. 70-2015; and

WHEREAS, the City finds, considers, and declares that the reimbursement for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention to reimburse itself for such payments at such time as it issues Obligations to finance the Projects;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Section 1. The City reasonably expects to incur debt, as one or more series of Obligations, with an aggregate maximum principal amount not to exceed \$2,200,000 for the purpose of paying the costs of the Projects.

Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt Obligations will be issued by the City in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt Obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

Section 4. This Resolution shall become effective immediately upon adoption.

(execution page follows)

APPROVED AND ADOPTED this July 14, 2016.

ATTEST:

City Secretary

Mayor

APPROVED:

City Attorney

[CITY SEAL]

Exhibit "A"

Constructing, acquiring installing and equipping additions, extensions and improvements to the City's water and wastewater system.

Elmdale Pump Station Relocation / 2nd Pressure Plane Pipeline Improvements: \$1,600,000

Ambler Avenue Utility Upgrades – Bond Proposition One Street Improvements: \$600,000

The expenditures listed above that may be reimbursed are in addition to the amounts authorized in Resolution No. 70-2015.



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: ROBERT HANNA, CITY MANAGER

FROM: MIKE RAINS, FINANCE DIRECTOR

**Resolution: Awarding bid to Guardian Roofing & Sheet Metal, L.L.C. for roof
SUBJECT: replacement and miscellaneous work at Fire Station #7 and the Fire Academy. (*Rains*)**

GENERAL INFORMATION

Request for Proposals was published in the Reporter News on May 15th and May 22nd. There were two facilities listed in this listing; Fire Station #7 and the Fire Academy. There were nine (9) companies present at the pre-construction meeting on May 24th at 10:00 am and site visits following the pre-construction meeting. Two (2) companies out of the nine (9) attending the pre-construction meeting submitted proposals. Proposals were opened on June 16, 2016. Proposals were submitted by the following companies; Guardian Roofing & Sheet Metal, LLC and Lydick Hooks Roofing Company, Inc. Guardian Roofing & Sheet Metal, LLC was the company that represented the most advantageous proposal for the City of Abilene. Crenshaw Consulting will monitor all work completed on each of these facilities to ensure the City of Abilene is made whole. Lydick Hooks Roofing Company, Inc, overall price for was \$261,700 and Guardian Roofing & Sheet Metal, LLC price was \$197,219.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

Funding for the hail damage work on these facilities will be insurance proceeds from the Texas Municipal League Intergovernmental Risk Pool (TMLIRP), the City of Abilene's Insurance.

STAFF RECOMMENDATION

Staff recommends that Guardian Roofing & Sheet Metal, LLC be awarded the roof replacement and miscellaneous work at Fire Station #7 and the Fire Academy.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
▣	Bid Tab
▣	Cover Memo
resolution roof station 7 and fire academy	Cover Memo

**CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS**

PAGE
1 OF 1

DEPARTMENT: FINANCE
BID NO.: CB-1654
TIME OF OPENING: JUNE 16, 2016
DATE OF OPENING: 2:00 P.M.

GUARDIAN ROOFING &
SHEET METAL, LLC
OKLAHOMA CITY, OK

LYDICK HOOKS ROOFING
COMPANY, INC.
ABILENE, TX

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	FIRE STATION #7 ROOF REPLACEMENT & MISC WORK				99,088.00		165,100.00								
2.	FIRE ACADEMY ROOF REPLACEMENT & MISC WORK				98,131.00		96,600.00								
BASE BID															
DISCOUNT															
TOTAL BID															

*NOTES: INDICATES RECOMMENDED AWARD

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AWARDING BID TO GUARDIAN ROOFING & SHEET METAL, LLC OKLAHOMA
CITY, OK**

WHEREAS, the City of Abilene duly advertised and gave such notice, as required by law, for bids for the roof replacement and miscellaneous work on Fire Station 7, 4317 N. 10th St. and Fire Academy, 4242 E. Lake Rd.; and

WHEREAS, the following bids were received and opened on the June 16, 2016:

Lydick Hooks Roofing Company, Inc., Abilene TX	\$261,700
Guardian Roofing & Sheet Metal, LLC Oklahoma City, OK	\$197,219

WHEREAS, Guardian Roofing & Sheet Metal, LLC., Oklahoma City, OK submitted the most advantageous proposal in the amount of \$197,219 with the bid meeting specifications. Staff recommends awarding the bid to Guardian Roofing & Sheet Metal, LLC Oklahoma City, OK.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF ABILENE, TEXAS**

PART 1: That the City Council awards the bid in the amount of \$197,219 to Guardian Roofing & Sheet Metal, LLC.

PART 2: That this Resolution shall take effect immediately from and after passage.

ADOPTED this 14th day of July, 2016.

ATTEST:

Danette Dunlap, City Secretary

Norm Archibald, Mayor

APPROVED:

Stanley Smith, City Attorney



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Dana Schoening, Director Planning & Development Services

SUBJECT: Ordinance & Public Hearing: (Final Reading) Z-2016-21 A request from LBHDS, LLC, agent Chris Barnett, to rezone property from RS-6 (Single-Family Residential) to NO (Neighborhood Office), MF (Multi-Family Residential), & TH (Residential Townhouse) zoning, being approximately 26.3 acres located on the south side of the 4500 Block of Antilley Rd. *(Schoening)*

GENERAL INFORMATION

UPDATED: The applicant has amended the requested zoning to include MD & PH (Patio Home) zoning in place of the MF & TH zoning.

Currently the property is undeveloped. The adjacent properties to the west are developed with single-family homes. Wylie High School exists to the north across Antilley Rd. An apartment complex is being built on the property to the east. The applicant is requesting the NO zoning along the Antilley frontage, MF zoning on the majority of the remaining area, and a row of townhouses along the western boundary adjacent to the existing single-family homes.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Antilley Rd is designated as an 'arterial' roadway. The RS-6 zoning was approved in 2013 to be consistent with the adjacent single-family homes to the west. Since then, the properties to the east and south have received zoning changes to permit apartments and retail uses closer to Buffalo Gap Rd. The proposed zoning does provide some transition. However, the RS-6 zoning was originally intended to provide transition. Staff feels that a more appropriate transition would be to keep the RS-6 zoning on the western half of the remaining area and the MD (Medium Density Residential) zoning.

SPECIAL CONSIDERATIONS

As provided for in City of Abilene Land Development Code Article 4, Division 1, Section 1.4.1.3(I)(1), when a written protest against the amendment is signed by the owners of twenty percent (20%) or more of either the area of the lots or land covered by the proposed change, or the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred feet (200') from that area, a zoning amendment shall not become effective except by the favorable vote of three fourths of all members of the City Council.

Regarding this particular rezoning item, twenty-one (21) property owners have opposed the rezoning. Together

these property owners constitute 23.4% of the land area within the radius area. The 200' radius area is the legally defined public notification area as provided for in Land Development Code and Texas State Statutes for rezoning applications. Therefore, because opposition is from 20% or more of land area in the public notification area, a super-majority vote of the City Council is required to approve an ordinance for this rezoning item.

For explanation on the 200' radius area constituting the public notification area, the radius begins at the property line of the property proposed for rezoning. The actual property area proposed for rezoning is not included as part of the public notification area. Only the 200' radius area constitutes the public notification area, therefore the portion of the twenty-one (21) properties located within the 200' radius area constitutes over 20% of the total land area that defines the 200' radius area.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval of the NO zoning as requested, MD on the eastern half of the remainder, and keeping the RS-6 zoning (or similar single-family residential zoning) on the western half of the remainder.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approving the amended request as presented by a vote of four (4) in favor (Bixby, Calk, Famble, & McClarty) and one (1) opposed (Dunnahoo).

ATTACHMENTS:

Description	Type
❑ Ordinance Cover	Ordinance
❑ Ordinance Exhibit	Ordinance
❑ Staff Report with Maps	Backup Material
❑ Original request	Cover Memo
❑ Staff Recommendation	Cover Memo
❑ Applicant's Amended Request	Backup Material
❑ Surrounding Property Owner Responses	Backup Material
❑ Surrounding Property Owner Petition	Backup Material

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 23rd day of June, A.D. 2016.

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 15th day of April, 2016, 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 July, 2016 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 July, A.D. 2016.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from RS-6 (Single-Family Residential) to NO (Neighborhood Office), MD (Medium Density Residential), & PH (Single-Family Residential - Patio Home) zoning.

Legal Description:

A0417 SUR 101 WM E VAUGHN, ACRES 26.299



Location:

The south side of the 4500 Block of Antilley Rd

The map displays the following zoning districts and areas:

- RS-8:** Residential Single-Family, lots 4918, 4910, 4902, 4917, 4909, 4901, 6318, 6310, 6302, 6317, 6309, 6301, 4810, 4802, 4818, 4809, 4801, 4810, 4802, 4818, 4809, 4801, 4910, 4910, 4834, 4834, 4810, 4810, 4833, 4833, 4817, 4801, 6601, 6618.
- RS-6:** Residential Single-Family, lots 6201, 6209, 6217, 6217, 6225, 6225, 6233, 6233, 6301, 6301, 6309, 6309, 6317, 6317, 6401, 6401, 6409, 6409, 6417, 6417, 6425, 6501, 6509, 6517, 6517, 6517, 6525, 6525.
- PD:** Planned Development, lots 4333, 4234, 4250, 4250, 4234, 4250.
- MF:** Medium Density Residential, lots 4333, 4234, 4250, 4250, 4234, 4250.
- GR:** General Residential, lots 4333, 4234, 4250, 4250, 4234, 4250.
- AO:** Agricultural Overlay, lots 4333, 4234, 4250, 4250, 4234, 4250.

Key streets and landmarks include:

- Antilley Rd:** The main horizontal street at the top of the map.
- Milestone Dr:** A horizontal street below Antilley Rd.
- Dynasty Cv:** A curved street on the left side of the map.
- Tradition Dr:** A vertical street on the left side of the map.
- Velta Ln:** A diagonal street at the bottom left of the map.

The map also shows various lot numbers, acreage, and specific zoning designations for different areas.

-END-

ZONING CASE Z-2016-21

STAFF REPORT



APPLICANT INFORMATION:

LBDHS, LLC

Agent: Chris Barnett

HEARING DATES:

P & Z Commission: May 2, 2016

-Tabled to June 6, 2016

City Council 1st Reading: June 23, 2016

City Council 2nd Reading: July 14, 2016

LOCATION:

Being ±26.3 acres located on the south side of the 4500 block of Antilley Rd

REQUESTED ACTION:

Rezone property from RS-6 (Single-Family Residential) to NO (Neighborhood Office), MF (Multi-Family Residential), & TH (Residential Townhouse) zoning *UPDATED: The applicant has amended the requested zoning to include MD & PH (Patio Home) zoning in place of the MF & TH zoning.*



SITE CHARACTERISTICS:

The subject parcel totals approximately 26.3 acres and is currently zoned RS-6. It is undeveloped. The adjacent properties are zoned AO (Agricultural Open Space) to the north, MF to the east, PD (Planned Development) to the south, & RS-8 (Single-Family Residential) to the west.

ZONING HISTORY:

The property was annexed in 1980 and zoned RS-6 in 2013.

ANALYSIS:

- Current Planning Analysis
Currently the property is undeveloped. The adjacent properties to the west are developed with single-family homes. Wylie High School exists to the north across Antilley Rd. An apartment complex is being built on the property to the east. The applicant is requesting the NO zoning along the Antilley frontage, MF zoning on the majority of the remaining area, and a row of townhouses along the western boundary adjacent to the existing single-family homes. *UPDATED: The applicant has amended the requested zoning to include MD & PH (Patio Home) zoning in place of the MF & TH zoning.*
- Comprehensive Planning Analysis
The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Antilley Rd is designated as an 'arterial' roadway. The RS-6 zoning was approved in 2013 to be consistent with the adjacent single-family homes to the west. Since then, the properties to the east and south have received zoning changes to permit apartments and retail uses closer to Buffalo Gap Rd. The proposed zoning does provide some transition. However, the RS-6 zoning was

originally intended to provide transition. Staff feels that a more appropriate transition would be to keep the RS-6 zoning on the western half of the remaining area and the MD (Medium Density Residential) zoning. *UPDATED: The applicant has amended the requested zoning to include MD & PH (Patio Home) zoning in place of the MF & TH zoning.*

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the NO zoning as requested, MD on the eastern half of the remainder, and keeping the RS-6 zoning (or similar single-family residential zoning) on the western half of the remainder.

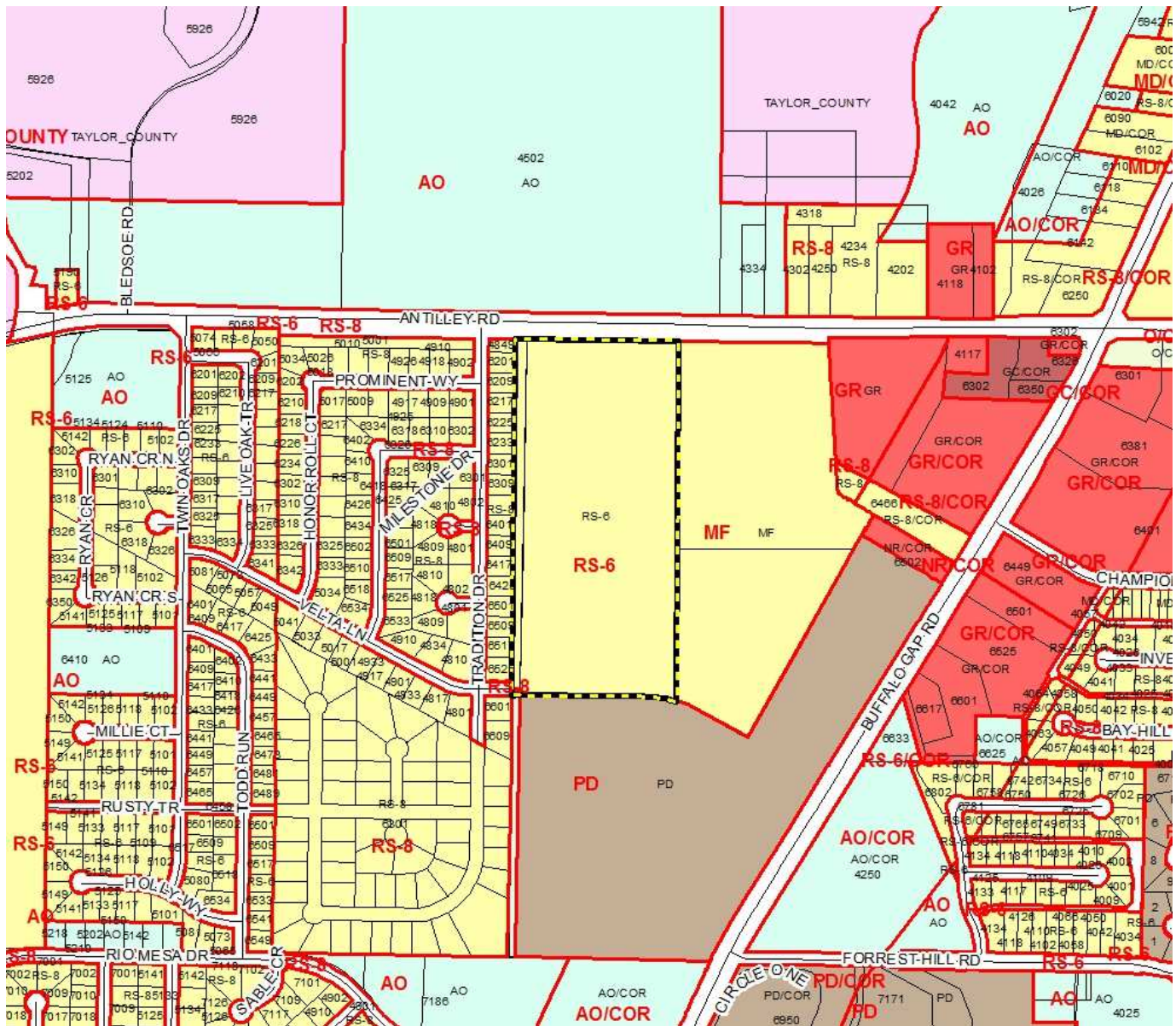
PLANNING AND ZONING COMMISSION RECOMMENDATION:

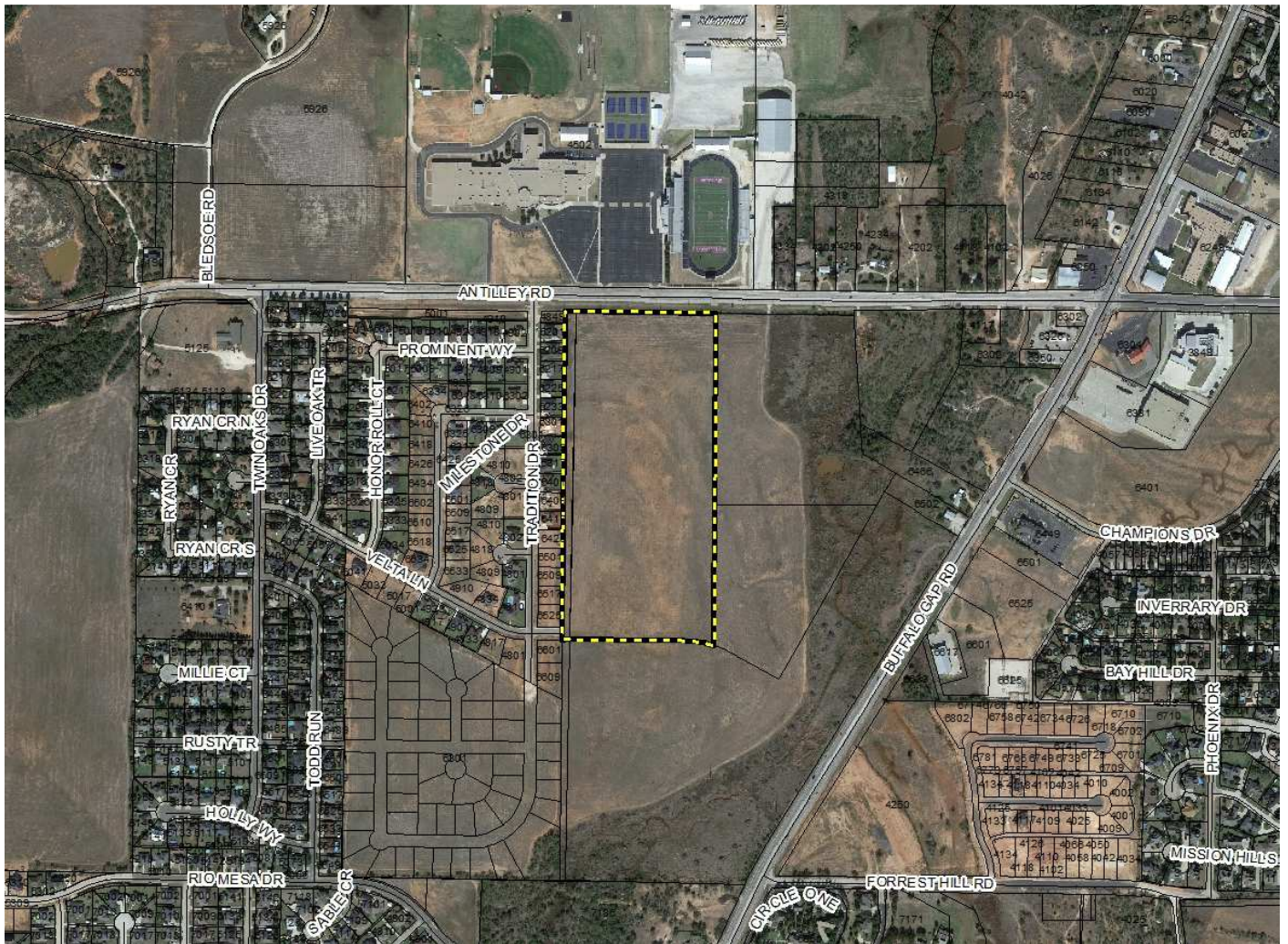
The Planning and Zoning Commission recommends approving the amended request as presented by a vote of four (4) in favor (Bixby, Calk, Famble, & McClarty) and one (1) opposed (Dunnahoo).

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
TRAN HA THU	6217 TRADITION DR	Opposed
BREEDLOVE BRADLEY & DANIELLE	6517 TRADITION DR	Opposed
MITCHELL DIANA	6401 TRADITION DR	Opposed
HANNA KEVIN & MICHELLE	6309 TRADITION DR	Opposed
STAFFORD JULIE MICHELLE HANSEN	6409 TRADITION DR	Opposed
HOLT SAMMY LEE JR	6225 TRADITION DR	Opposed
BLEDSE DONALD D		
SMITH TIM & DEBRA	4901 PROMINENT WY	Opposed
LANTRIPS CUSTOM HOMES INC	6609 TRADITION DR	
TIGRIS II LTD		
SHOEMAKER CHRISTOPHER & JENNIFER L	6301 TRADITION DR	Opposed
Confidential Owner	6417 TRADITION DR	Opposed
LACY JIM & KATHY	4810 VELTA LN	Opposed
ROBINSON JARROD W & LAUREN E	6301 MILESTONE DR	Opposed
HUGHES DERICK M & ALEXIS S	4801 PRODIGY CV	Opposed
MEANS BRIAN & LORA	4802 PRODIGY CV	Opposed
GUERRA ELIAS SR & CORINA	6201 TRADITION DR	Opposed
LANTRIPS CUSTOM HOMES INC	4801 DYNASTY CV	
TIGRIS XIII LTD		
CASTANEDA IRVIN & ISMAEL	4902 PROMINENT WY	
CITY OF ABILENE	5001 ANTILLEY RD	
ELLIS TIMOTHY A	6233 TRADITION DR	Opposed
EVATT CHRISTOPHER KEITH & JACKELYN KRISTINE	4801 VELTA LN	Opposed
GARCIA JAMES MARTIN	6317 TRADITION DR	Opposed
BRUNING BRYAN C & LINDI A	4802 DYNASTY CV	Opposed
LBHDS LLC		
SAMHAT ZOUHEIR & MAYRA V	6302 MILESTONE DR	Opposed
WYLIE IND SCHOOL DIST	4502 ANTILLEY RD	
COUNTRYSIDE HOMES LLC	6501 TRADITION DR	

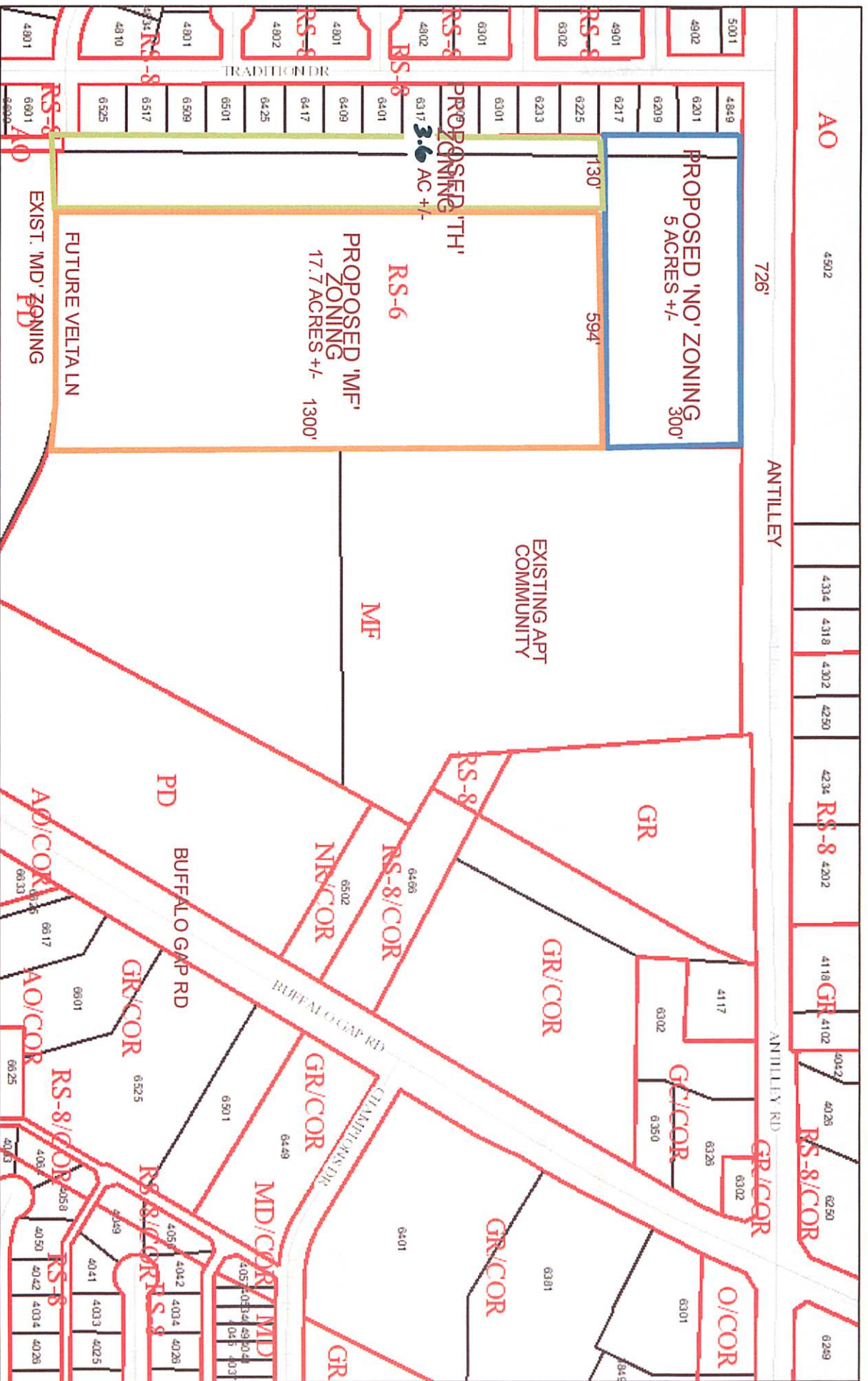




REQUESTED ZONING - UPDATED



City of Abilene

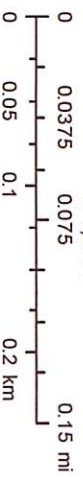


April 1, 2016

Lines

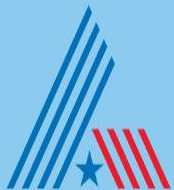
- Override 1
- Override 2
- Override 3
- Streets
- ZONING
- Parcels
- Lakes

1:4,514

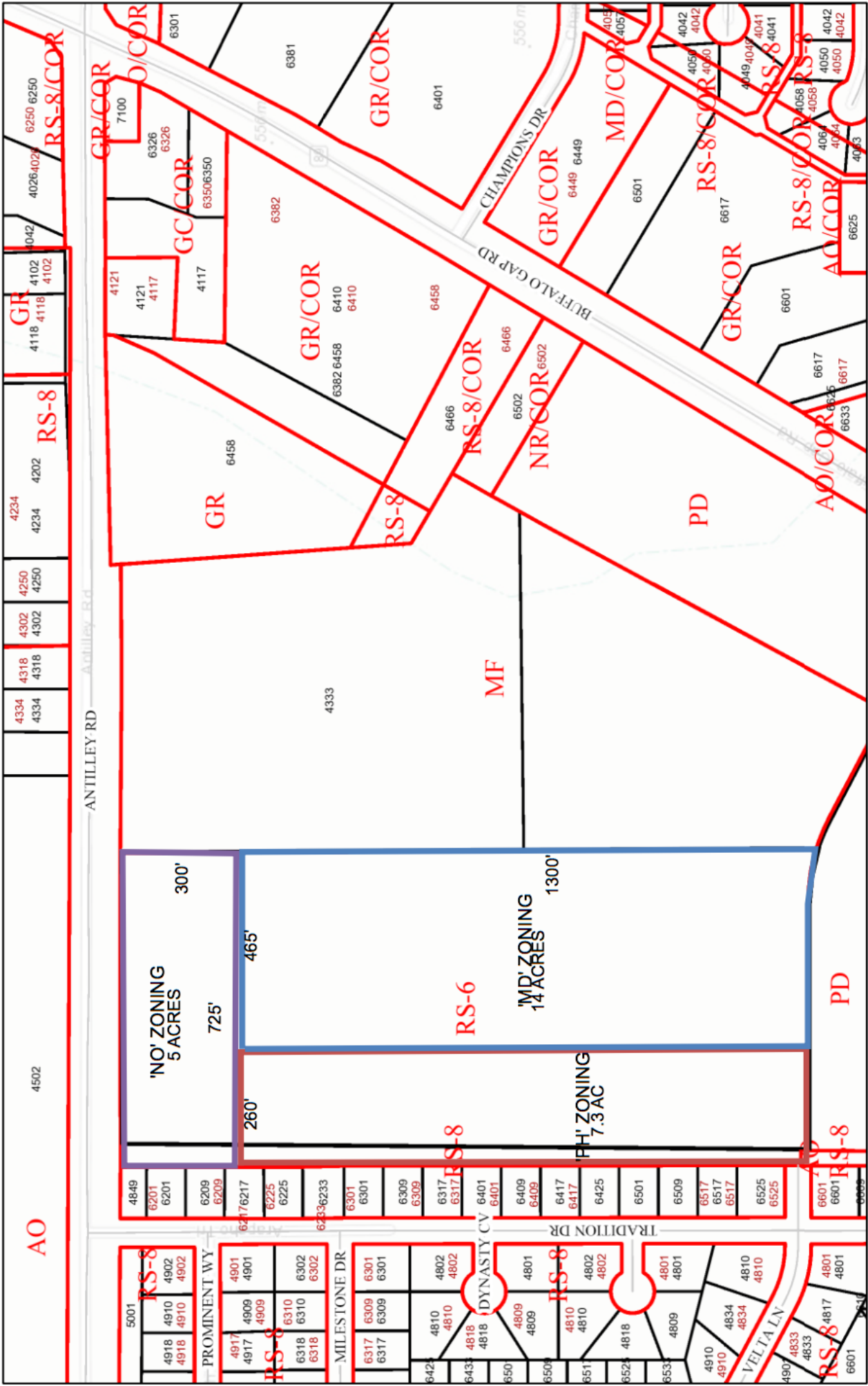


Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey,

Staff Recommendation



City of Abilene



Rainbow, Zack

From: Cameron Hanna <kevinhanna85@gmail.com>
Sent: Friday, April 29, 2016 5:22 PM
To: Reports, Planning
Subject: Rezoning application number Z-2016-21

6309 Tradition

I am a resident of the Wylie Legacy neighborhood on Tradition Drive and received the notice of the above mentioned rezoning request. My back yard borders the land being considered in the rezoning request. I am against the rezoning request. The proposed request will increase the population density causing an increase in traffic, noise, and a loss of privacy for the land and home owners of our neighborhood. It is also likely that the change would decrease adjacent property values and potentially increase local crime. Lastly, the rezoning would go against the current character of the Wylie Legacy neighborhood.

Thank you for your consideration,

Kevin Hanna

Rainbow, Zack

From: Garcia, James <James.Garcia@magellanlp.com>
Sent: Tuesday, April 26, 2016 8:01 AM
To: Reports, Planning
Cc: jgarcia73183@yahoo.com
Subject: Rezoning # Z-2016-21

To Whom It May Concern,

My name is James Garcia. I live at 6317 Tradition Dr. My house is located directly behind the land where you want to rezone for multifamily housing. I am **100% opposed** to this rezoning application #Z-2016-21. There are several factors that I am concerned about. One issue is that I am afraid of is that this will lower my property value. I paid a lot of money to live where I am to get away from multifamily housing areas. It would be a damn shame to have to pay what I pay and still have to live with the issues that these multifamily housing areas bring. That brings me to my next few issues. If this rezoning is allowed it will increase traffic, lighting, and noise. I have two small children which will be in danger with the increased traffic. They love to play outside ride bikes and scooters. If approved this may not be available for them to do anymore. That is one of the reasons I paid what I did to let my children have that luxury. I get up at 430am every morning to get to work. I need my rest so we go to bed early. With my house being directly next to this rezoning area the lighting and noise will affect my sleep and quality of life. I have a utility easement 10' into my back yard so I can't just go plant 15' foot trees to block the light and dampen the noise. I am also afraid that this might increase the crime in my area. Every year more and more crimes are pushing south of town. With more people crammed into an area it is bound to increase the crime. My family and I like to enjoy the hot tub we have & my wife likes to sun bath on the back porch. We currently have a 6' privacy fence so we can enjoy these activities in private. Multifamily housing areas are usually 2 to 3 stories high. Again our quality of life we pay a lot for is going to diminish because we can't enjoy our back yard with privacy. Please **DO NOT** approve the rezoning application.

Thanks,

James M. Garcia

Technician
BridgeTex Pipeline
Office: 325-691-2815
Cell: 325-436-4243
Fax: 325-691-2832



Rainbow, Zack

From: Debra Smith <deblessmith@yahoo.com>
Sent: Sunday, May 1, 2016 9:29 PM
To: Reports, Planning
Subject: Opposition to Case # Z-2016-21 Rezoning Application
Attachments: filename-1.pdf

Tim and Debra Smith, residence at 4901 Prominent Way are oppose to this rezoning. We purchased and built in our neighborhood under the understanding that land adjoining was for single-family residence. We like being close to the high school but traffic is already a problem during morning and after school times, and will only get heavier when the apartments down the street become occupied. Property values would not be increased with the addition of another apartment complex.

Rainbow, Zack

From: Brad Robinson <brad.rob77@gmail.com>
Sent: Friday, April 29, 2016 10:01 AM
To: Reports, Planning
Subject: CASE #: Z-2016-21

I, Brad Robinson residing at 6333 Honor Roll Ct., Abilene, TX 79606 am OPPOSED to this zone request. There are numerous concerns that having a second apartment complex move into the same block create.

1. Increased traffic- During the school year Antilley road has heavy traffic as it is. There are young drivers that are learning to drive and numerous residents in the area. The congestion at the Buffalo Gap Rd and Antilley intersection on school mornings is very disruptive as of now.

2. Property values- The Wylie Legacies neighborhood would be the only neighborhood in Wylie with multiple apartment complexes adjacent to the existing neighborhood. Many prospective buyers would look elsewhere to purchase a house that does not have the traffic or apartments next door.

3. Overcrowding of school resources- Many people move to the Wylie school district for the outstanding academic achievements the district has been able to uphold. If more students flow in the the district the resources will be spread thin amongst all of the students allowing for a decline the teaching capabilities of the teachers with fewer resources. We moved into the Wylie district for that very reason. We wanted our children to have the best public education possible.

I am very concerned that the zoning committee does not have the best interest of the community, as they schedule meetings knowing that people will be more reluctant to attend during working hours through the week. They know that by hosting the meeting at this time that less people will show and not seem to care. In fact we do care and are unable to attend due to our work schedules. This is very concerning that a city committee intentionally tries to avoid the people and push their agenda through with out any concern to the community they are affecting. This makes me question our decision on living in the Abilene city limits.

Sincerely,
Brad Robinson
6333 Honor Roll Ct.

April 27, 2016

To Whom it Concerns,

I am writing to you with my concern and objection to the proposed new development on the south side of 4500 Antilley Road. I am a property owner and taxpayer in the neighborhood.

First, the proposed development could add 75-100 new students to the Wylie Independent School District. As anyone who lives in this area knows our class sizes are already at capacity and this addition would only add increased pressure to an already serious problem for our children's learning experience.

Secondly, as a property owner at 4810 Dynasty Cove, I am afraid this development would drastically reduce our property values in the area.

Thirdly, this development would add increased traffic patterns to an already very busy roadway. Being that it is situated directly across from the high school, congestion and automobile accidents will be more likely. Thus, putting us and our children in more danger.

Fourthly, putting in a low income development would put our neighborhood more susceptible to increased drugs and crime. Absentee landlords do not have a vested interest in their property as long as tenants are paying their rent which can result in drugs, trash, noise, and substandard housing.

As a tax paying citizen of Abilene, I am highly against this proposed new development.

Sincerely,

Kurt and Jennifer Richardson
4810 Dynasty Cove
Abilene, TX 79606

Jennifer Richardson
Kurt Richardson

WYLIE LEGACIES NEIGHBORHOOD PETITION

The following are residents of WYLIE LEGACIES who are AGAINST the proposed low-income/additional apartment complex to be built directly next to their neighborhood.

1. PRINTED NAME: Kurt and Jennifer Richardson
a. ADDRESS: 4810 Dynasty Cove
b. SIGNATURE: Jennifer Richardson
2. PRINTED NAME: ELIAS GUERRA + CORINA GUERRA
a. ADDRESS: 6201 TRADITION DR.
b. SIGNATURE: Elias Guerra
3. PRINTED NAME: James A. Richards
a. ADDRESS: 6209 Tradition Dr.
b. SIGNATURE: James A. Richards
4. PRINTED NAME: Khank Tran Le
a. ADDRESS: 6217 Tradition Dr
b. SIGNATURE: [Signature]
5. PRINTED NAME: Henny LeTrie
a. ADDRESS: 4809 Dynasty Cv
b. SIGNATURE: [Signature]
6. PRINTED NAME: Brian Lewis
a. ADDRESS: 6402 milestone Dr
b. SIGNATURE: [Signature]

7. PRINTED NAME: Alexis Hughes
a. ADDRESS: 4801 Prodigy Cove
b. SIGNATURE: Alexis S. Hughes
8. PRINTED NAME: Gilbert Luna
a. ADDRESS: 4810 Prodigy Cove
b. SIGNATURE: Gilbert Luna
9. PRINTED NAME: Lora Means
a. ADDRESS: 4802 Prodigy Cove Abilene, TX 79606
b. SIGNATURE: Lora Means
10. PRINTED NAME: Danielle Breedlove
a. ADDRESS: 10517 Tradition Dr.
b. SIGNATURE: Danielle Breedlove
11. PRINTED NAME: JERRY WALKER
a. ADDRESS: 6601 TRADITION DR
b. SIGNATURE: Jerry Walker
12. PRINTED NAME: CHRIS CARLOS PORTILLO
a. ADDRESS: 6617 TRADITION DR
b. SIGNATURE: Chris Carlos Portillo
13. PRINTED NAME: Chris Evatt
a. ADDRESS: 4801 Vella Ln
b. SIGNATURE: Chris Evatt

14. PRINTED NAME: Megan Bibb

a. ADDRESS: 6481 Todd Run

b. SIGNATURE: Megan Bibb

15. PRINTED NAME: Valerie McKinney

a. ADDRESS: 1902 Tradition Dr.

b. SIGNATURE: Valerie McKinney

16. PRINTED NAME: Jimmy D. Laff Jr.

a. ADDRESS: 4813 VELTA LN.

b. SIGNATURE: Jimmy D. Laff Jr.

17. PRINTED NAME: Ashley Anderson

a. ADDRESS: 4910 Velta Ln.

b. SIGNATURE: Ashley Anderson

18. PRINTED NAME: Venessa Gonzales

a. ADDRESS: 6509 Milestone Dr.

b. SIGNATURE: Venessa Gonzales

19. PRINTED NAME: ERIC & TRICIA BRITTON

a. ADDRESS: 4833 VELTA LN

b. SIGNATURE: Tricia Britton

20. PRINTED NAME: Tiffani Rainbow

a. ADDRESS: 4834 Velta Ln

b. SIGNATURE: Tiffani Rainbow

21. PRINTED NAME: Vicki Byrd

a. ADDRESS: 6534 Milestone Dr.

b. SIGNATURE: Vicki Byrd

22. PRINTED NAME: Kris Gay

a. ADDRESS: 6317 TWIN OAKS DR

b. SIGNATURE: [Signature]

23. PRINTED NAME: Amanda Gay

a. ADDRESS: 6317 Twin Oaks Dr.

b. SIGNATURE: Amanda Gay

24. PRINTED NAME: Malissa Wright Elliott

a. ADDRESS: 6233 Twin Oaks Dr.

b. SIGNATURE: Malissa W. Elliott

25. PRINTED NAME: Shirley Reed

a. ADDRESS: 4901 Velta Lane

b. SIGNATURE: Shirley Reed

26. PRINTED NAME: NAVEED ANWAR, MD

a. ADDRESS: 4933 VELTA LN

b. SIGNATURE: [Signature]

27. PRINTED NAME: MICHAEL BURNS

a. ADDRESS: 5041 VELTA LN.

b. SIGNATURE: [Signature]

28. PRINTED NAME: Megan Thorup

a. ADDRESS: 6342 Honor Roll Ct.

b. SIGNATURE: Megan Thorup

29. PRINTED NAME: Brad Robinson

a. ADDRESS: 6333 Honor Roll Ct

b. SIGNATURE: BRAD ROBINSON

30. PRINTED NAME: Tammy Robinson

a. ADDRESS: 6333 Honor Roll

b. SIGNATURE: Tammy Robinson

31. PRINTED NAME: Erin & Garrett Rybak

a. ADDRESS: 6326 Honor Roll Court

b. SIGNATURE: Erin Rybak

32. PRINTED NAME: Sarah Ruth Ford / Michael W Ford

a. ADDRESS: 6318 Honor Roll Ct

b. SIGNATURE: Sarah Ruth Ford

33. PRINTED NAME: Sherril Hunt

a. ADDRESS: 6318 Honor Roll Ct

b. SIGNATURE: Sherril Hunt

34. PRINTED NAME: Emily Arnsberg

a. ADDRESS: 5018 Prominent Way

b. SIGNATURE: Emily Arnsberg

35. PRINTED NAME: Megan & Brandon Parker

a. ADDRESS: 16325 Honor Roll Ct. Abilene, TX 79606

b. SIGNATURE: Megan Parker

36. PRINTED NAME: Christopher Dooley

a. ADDRESS: 16718 Honor Roll Ct. Abilene, TX 79606

b. SIGNATURE: Chris Dooley

37. PRINTED NAME: Shirley O'Connor

a. ADDRESS: 5017 Prominent Way

b. SIGNATURE: Shirley O'Connor

38. PRINTED NAME: Lindsey Thompson & Corey Thompson

a. ADDRESS: 5010 Prominent Way

b. SIGNATURE: Lindsey Thompson

39. PRINTED NAME: MICHAEL ARNSBERG

a. ADDRESS: 5013 PROMINENT WAY

b. SIGNATURE: Michael Arnsberg

40. PRINTED NAME: Krista & Curt Hale

a. ADDRESS: 5002 Prominent Way

b. SIGNATURE: Krista Hale

41. PRINTED NAME: Justin & Kristal Woble

a. ADDRESS: 5002 Prominent Way

b. SIGNATURE: Kristal Woble

42. PRINTED NAME: Lauren & Jarrod Robinson

a. ADDRESS: 6301 Milestone Dr. Abilene, TX 79606

b. SIGNATURE: Lauren Robinson

43. PRINTED NAME: Randall & Amanda Carlton

a. ADDRESS: 5026 Prominent Way Abilene, TX 79606

b. SIGNATURE: Nick

44. PRINTED NAME: Amanda Holt

a. ADDRESS: 6225 Tradition Dr. Abilene, TX 79606

b. SIGNATURE: Amanda Holt

45. PRINTED NAME: Cassey Todd

a. ADDRESS: 4220 Honor Roll Ct.

b. SIGNATURE: Cassey Todd

46. PRINTED NAME: Christopher Shoemaker

a. ADDRESS: 6301 Tradition Dr

b. SIGNATURE: Chris

47. PRINTED NAME: Timothy Ellis

a. ADDRESS: 4233 Tradition Dr

b. SIGNATURE: Tim

48. PRINTED NAME: Brittany Downing

a. ADDRESS: 4109 Prominent way

b. SIGNATURE: BDowning

49. PRINTED NAME: Robert & Deborah Tellez

a. ADDRESS: 6318 Milestone 79604

b. SIGNATURE: [Signature]

50. PRINTED NAME: Gavin & Brittany O'Brien

a. ADDRESS: 6310 milestone dr

b. SIGNATURE: [Signature]

51. PRINTED NAME: Jennifer Gregg

a. ADDRESS: 6309 Milestone Dr.

b. SIGNATURE: [Signature]

52. PRINTED NAME: Patrick & Chelsea Humphreys

a. ADDRESS: 6317 Milestone Dr

b. SIGNATURE: [Signature] Chelsea Humphreys

53. PRINTED NAME: Laura Edwards

a. ADDRESS: 6817 Tradition

b. SIGNATURE: [Signature]

54. PRINTED NAME: BROOKS HANSEN

a. ADDRESS: 4912 Prominent Way

b. SIGNATURE: [Signature]

55. PRINTED NAME: Norman Hessock & Jennifer

a. ADDRESS: 4926 Prominent Way

b. SIGNATURE: [Signature]

56. PRINTED NAME: Kelly Trumble & Clay Trumble

a. ADDRESS: 4917 Prominent Way

b. SIGNATURE: Kelly Trumble

57. PRINTED NAME: WILLIAM GLACKMEYER

a. ADDRESS: 4925 PROMINENT WAY

b. SIGNATURE: W. Glackmeyer

58. PRINTED NAME: Dalton M. Mason

a. ADDRESS: 5001 Prominent Way

b. SIGNATURE: [Signature]

59. PRINTED NAME: Kevin Hanna

a. ADDRESS: 6309 Tradition

b. SIGNATURE: [Signature]

60. PRINTED NAME: LOBI MITCHELL

a. ADDRESS: 6401 TRADITION DR

b. SIGNATURE: [Signature]

61. PRINTED NAME: James Garcia

a. ADDRESS: 6317 Tradition Dr

b. SIGNATURE: [Signature]

62. PRINTED NAME: Angela Adams

a. ADDRESS: 1417 Tradition Dr

b. SIGNATURE: Angela Adams

63. PRINTED NAME: Stacey and Edward Hennigan

a. ADDRESS: 6302 Honor Roll Court Abilene TX 79606

b. SIGNATURE: [Signature]

64. PRINTED NAME: Debbie and Tim Smith

a. ADDRESS: 4901 Prominent Way, Abilene TX 79606

b. SIGNATURE: Debbie Smith

65. PRINTED NAME: Bill & Linda Bushell

a. ADDRESS: 6533 Milestone Dr.

b. SIGNATURE: William Bushell

66. PRINTED NAME: Lindi Bruning

a. ADDRESS: 4802 Dynasty Cove Abilene, TX 79606

b. SIGNATURE: [Signature]

67. PRINTED NAME: Shana Hrbacek

a. ADDRESS: 6525 Milestone Dr.

b. SIGNATURE: Shana Hrbacek

68. PRINTED NAME: Aaron & Soonhee Jacobs

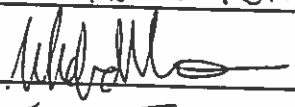
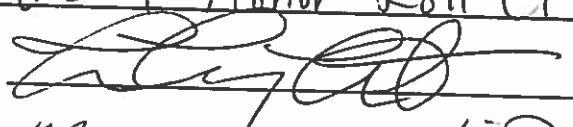
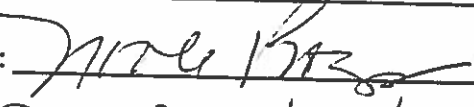
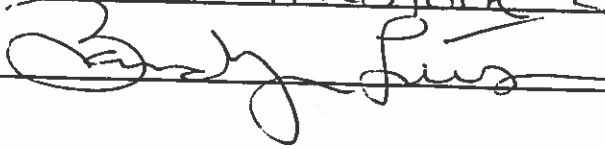
a. ADDRESS: 6434 Milestone Dr.

b. SIGNATURE: Soonhee Jacobs

69. PRINTED NAME: Eric & Monica Rambo

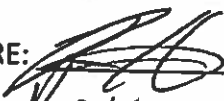
a. ADDRESS: 6501 Milestone Dr.

b. SIGNATURE: [Signature]

70. PRINTED NAME: Malcolm & Jane Mercado
a. ADDRESS: 6210 Honor Roll Ct.
b. SIGNATURE: 
71. PRINTED NAME: Treux Taylor - Tillet
a. ADDRESS: 6234 Honor Roll Ct
b. SIGNATURE: 
72. PRINTED NAME: Mike and Sandy O'Dell
a. ADDRESS: 6320 Honor Roll Ct.
b. SIGNATURE: Mike and Sandy O'Dell
73. PRINTED NAME: Ray and Gretchen Dubois
a. ADDRESS: 10317 Honor Roll Ct
b. SIGNATURE: - Not home -
74. PRINTED NAME: Rachel Graham and Jason Graham
a. ADDRESS: 5034 Velta Abilene Tx 79606
b. SIGNATURE: Rachel Graham
75. PRINTED NAME: NIKE ROGERS
a. ADDRESS: 6433 MILESTONE
b. SIGNATURE: 
76. PRINTED NAME: Brandy Lewis
a. ADDRESS: 6334 Milestone Dr
b. SIGNATURE: 

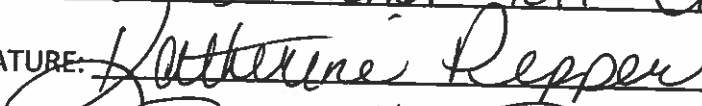
77. PRINTED NAME: Richard Havins

a. ADDRESS: 6225 Honor Roll CT Abilene, Tx 79606

b. SIGNATURE: 

78. PRINTED NAME: Katherine Pepper

a. ADDRESS: 6233 Honor Roll Ct.

b. SIGNATURE: 

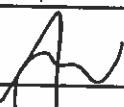
79. PRINTED NAME: Randall Pepper

a. ADDRESS: 6233 Honor Roll Ct.

b. SIGNATURE: 

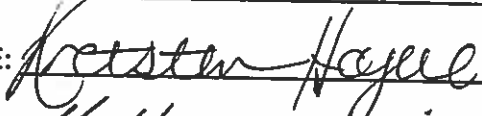
80. PRINTED NAME: Sam Walker

a. ADDRESS: 6209 Honor Roll Court

b. SIGNATURE: 

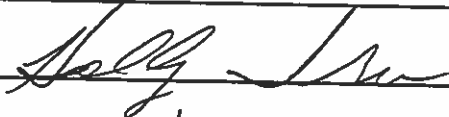
81. PRINTED NAME: Kristen & Braely Hogue

a. ADDRESS: 5033 Vetta Lane

b. SIGNATURE: 

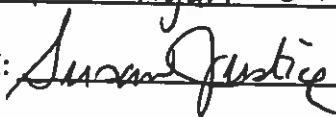
82. PRINTED NAME: Holly Irvin

a. ADDRESS: 6201 Live Oak

b. SIGNATURE: 

83. PRINTED NAME: Susan Justice

a. ADDRESS: 6310 Ryan Circle

b. SIGNATURE: 

84. PRINTED NAME: Elizabeth Thomas
a. ADDRESS: 6502 Milestone Dr.
b. SIGNATURE: Elizabeth Thomas
85. PRINTED NAME: Julia Mediavilla
a. ADDRESS: 6410 Milestone Dr
b. SIGNATURE: J Mediavilla
86. PRINTED NAME: Robert Mediavilla
a. ADDRESS: 6410 Milestone
b. SIGNATURE: [Signature]
87. PRINTED NAME: MR & MRS. Alfred Martinez
a. ADDRESS: 6418 Milestone
b. SIGNATURE: Mary Mary
88. PRINTED NAME: Jeremy Gray / Jackie Gray
a. ADDRESS: 6325 Milestone Dr.
b. SIGNATURE: [Signature]
89. PRINTED NAME: LARRY TUTOVSKY
a. ADDRESS: 6326 MILESTONE DR.
b. SIGNATURE: [Signature]
90. PRINTED NAME: Sara Bailey / Jay Bailey
a. ADDRESS: 5034 Prominent Way
b. SIGNATURE: [Signature]

91. PRINTED NAME: Michelle Alambar
a. ADDRESS: ~~42~~ 6217 Honor Roll Ct.
b. SIGNATURE: Michelle Alambar

92. PRINTED NAME: Nancy Bear
a. ADDRESS: 6510 Milestone Dr
b. SIGNATURE: Nancy Bear

93. PRINTED NAME: Mayra Samhat
a. ADDRESS: 6302 Milestone Dr
b. SIGNATURE: Mayra Samhat

94. PRINTED NAME: Melinda Tesch
a. ADDRESS: 4902 Prominent Way
b. SIGNATURE: Melinda Tesch

95. PRINTED NAME: Julie Stafford
a. ADDRESS: 6409 Tracition
b. SIGNATURE: Julie Stafford

96. PRINTED NAME: James Johnson
a. ADDRESS: 4918 Prominent way
b. SIGNATURE: James Johnson



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Dana Schoening, Director Planning & Development Services

Ordinance & Public Hearing: (Final Reading) Z-2016-22 A request from Keith & Amber Kimmel to rezone property from RS-6 (Single-Family Residential) & MD (Medium Density Residential) to MF (Multi-Family Residential) zoning, located on the north side of the 900 block of Minda St. *(Schoening)*

GENERAL INFORMATION

Currently the property is undeveloped. The adjacent properties are primarily developed with single-family homes in this area except for a large steel manufacturing plant which exists to the north. There are 2 churches, Cal Young Park, and Craig Middle School located nearby. The applicant is proposing MF zoning in order to develop multi-family units, possibly as apartments. The MF zoning would allow for up to 24 units per acre. Staff has concerns with the location being close to the HI use to the north. There is a gated entrance to that facility across Hailey St from the subject property. Additional concerns of noise and hours of operation could potentially affect any future residents negatively.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Minda St is designated as a 'collector' roadway which connects to S. Judge Ely Blvd to the east. The property is near the 'Local Community Center' located at S. Judge Ely Blvd and S. 11th St. The requested zoning would allow multi-family development, including apartments. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. However, the HI zoning to the north is a concern.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval of MD zoning for the entire area.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as requested by the applicant by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

ATTACHMENTS:

Description	Type
▣ Ordinance Cover	Ordinance
▣ Ordinance Exhibit	Ordinance
▣ Staff Report with Maps	Backup Material
▣ Surrounding Property Owner Responses	Backup Material

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 23rd day of June, A.D. 2016.

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 May, 2016, 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 July, 2016 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 July, A.D. 2016.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

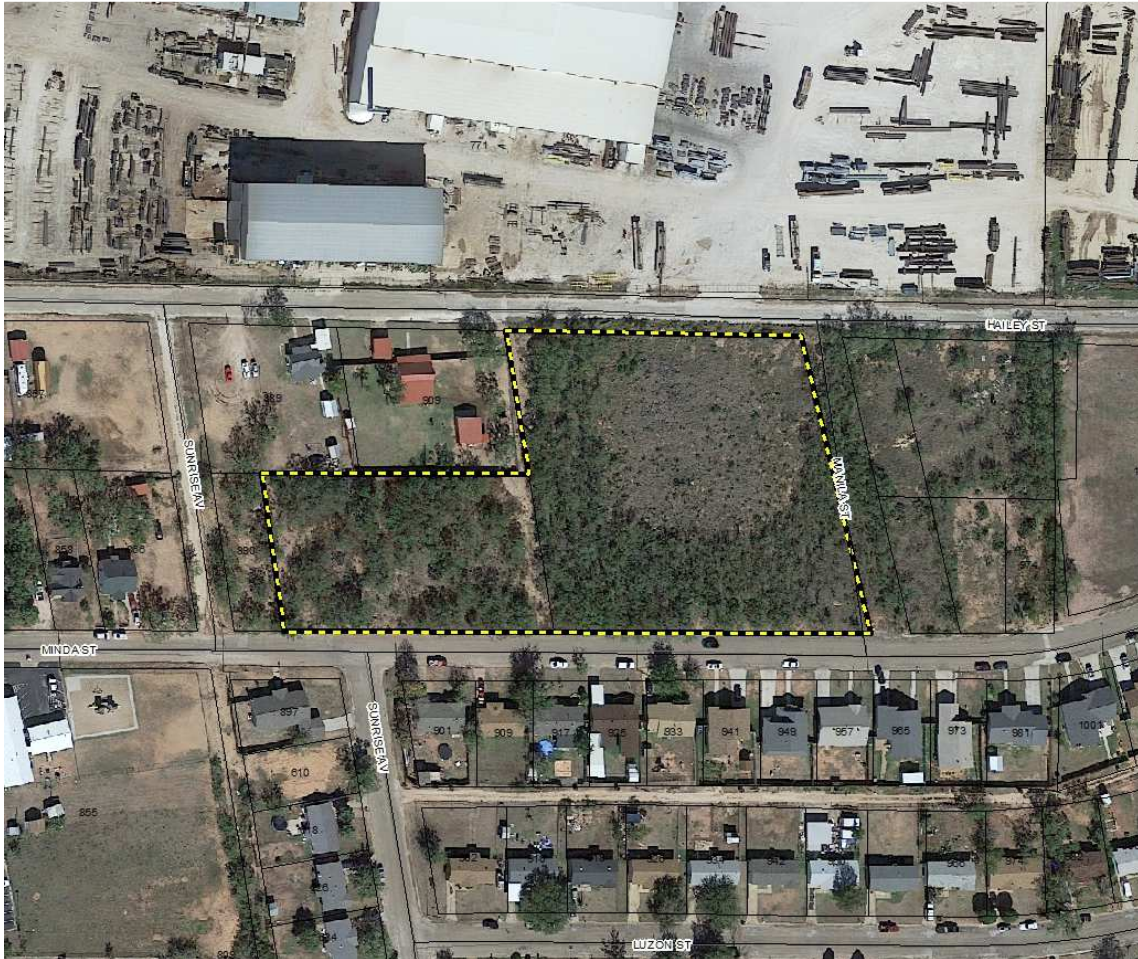
ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from RS-6 (Single-Family Residential) & MD (Medium Density Residential) to MF (Multi-Family Residential) zoning.

Legal Description:

WILLIAMS ESTATE SUB, LOT E250 S160 OF LT 25 & W20' OF ABANDONED ST
WILLIAMS ESTATE SUB, LOT 24 & E20' OF ABANDONED ST



Location:

The north side of the 900 block of Minda St

-END-

ZONING CASE Z-2016-22

STAFF REPORT



APPLICANT INFORMATION:

Keith & Amber Kimmel

HEARING DATES:

P & Z Commission: June 6, 2016

City Council 1st Reading: June 23, 2016

City Council 2nd Reading: July 14, 2016

LOCATION:

The north side of the 900 block of Minda St

REQUESTED ACTION:

Rezone property from RS-6 (Single-Family Residential) & MD (Medium Density Residential) to MF (Multi-Family Residential) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 3.21 acres and is currently zoned RS-6 & MD. It is currently undeveloped. The adjacent properties are zoned RS-6 & HI (Heavy Industrial) to the north and RS-6 to the east, south, and west.

ZONING HISTORY:

The property was annexed in 1957 and zoned RS-6 & MD sometime after.

ANALYSIS:

• Current Planning Analysis

Currently the property is undeveloped. The adjacent properties are primarily developed with single-family homes in this area except for a large steel manufacturing plant which exists to the north. There are 2 churches, Cal Young Park, and Craig Middle School located nearby. The applicant is proposing MF zoning in order to develop multi-family units, possibly as an apartments. The MF zoning would allow for up to 24 units per acre. Staff has concerns with the location being close to the HI use to the north. There is a gated entrance to that facility across Hailey St from the subject property. Additional concerns of noise and hours of operation could potentially affect any future residents negatively.

• Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Minda St is designated as a 'collector' roadway which connects to S. Judge Ely Blvd to the east. The property is near the 'Local Community Center' located at S. Judge Ely Blvd and S. 11th St. The requested zoning would allow multi-family development, including apartments. The request zoning is deemed compatible with the Future Land Use Map and the adjacent properties. However, the HI zoning to the north is a concern.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of MD zoning for the entire area.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval as requested by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

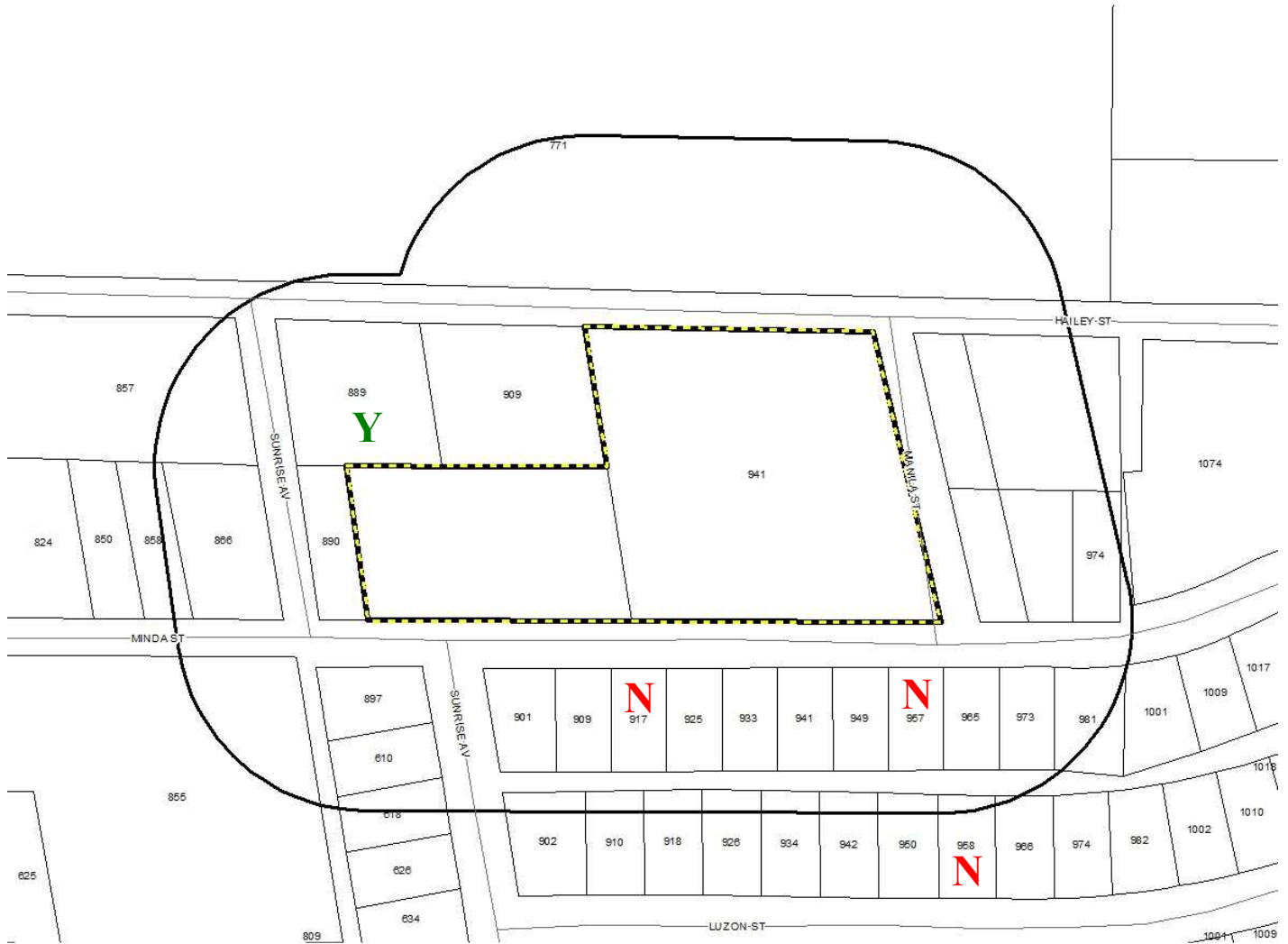
NOTIFICATION:

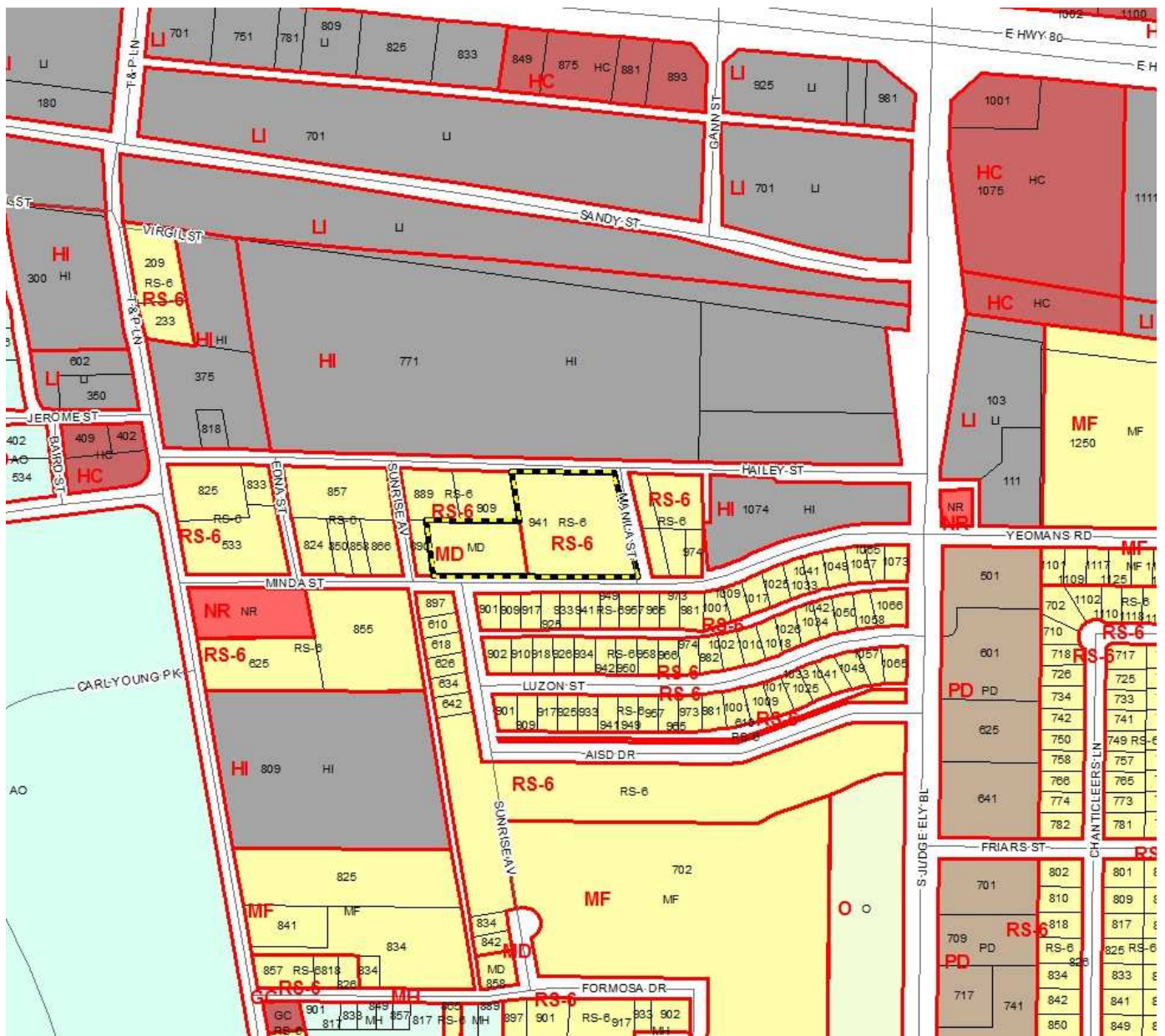
Property owners within a 200-foot radius were notified of the request.

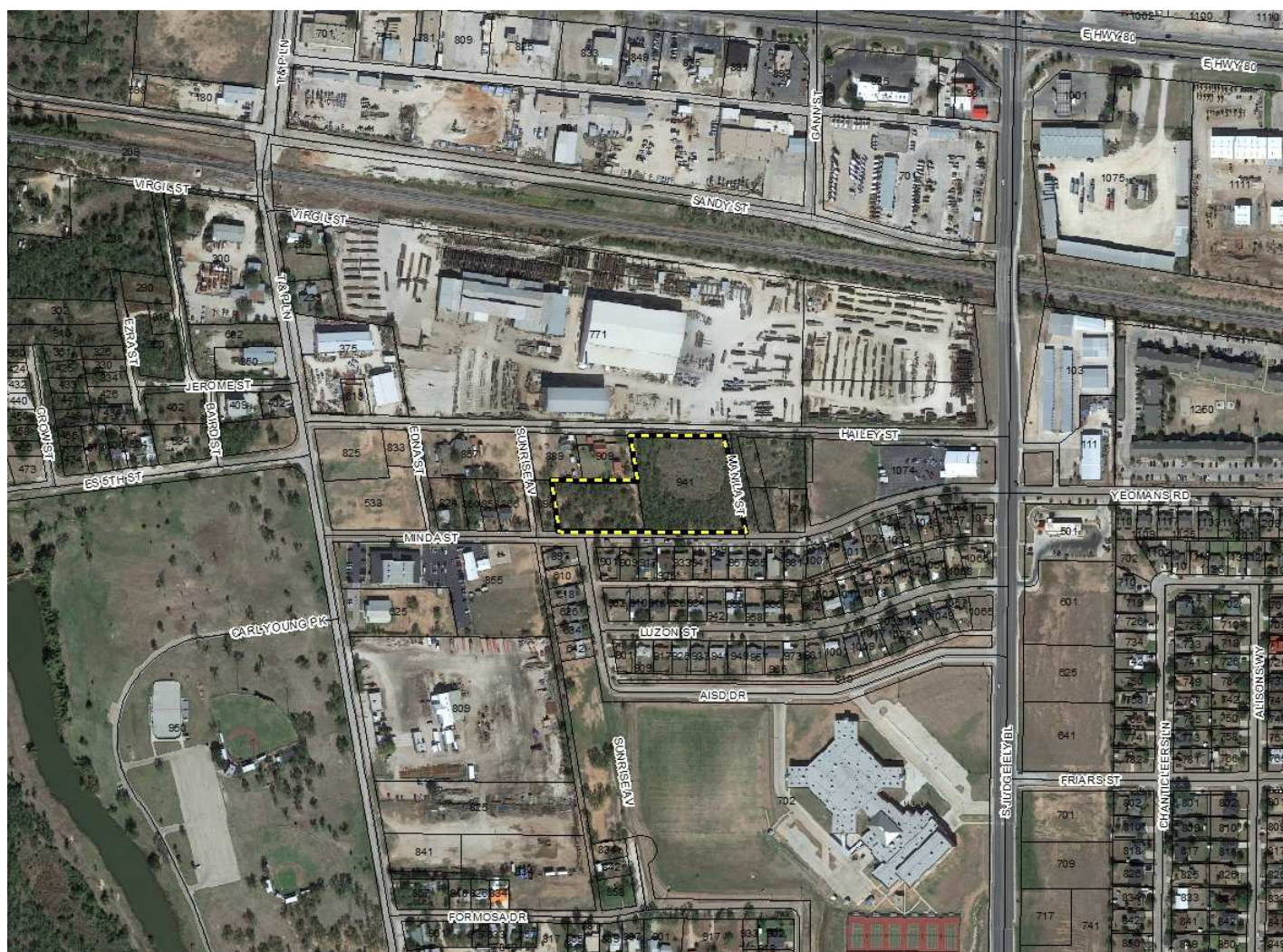
OWNER	ADDRESS	RESPONSE
MINDA ST CHURCH OF CHRIST	855 MINDA ST	
WASHINGTON WILLIE L	950 LUZON ST	
ELLIOTT SAMMY LEE & MAY ELAINE	958 LUZON ST	Opposed
YOUNG MAE DELL LIFE ESTATE	610 SUNRISE AV	
MITCHELL PAMELA GAYLE	957 MINDA ST	Opposed
MUSONERA EVARISTE & MUKANDOLI ESPERANCE	965 MINDA ST	
RAMIREZ ROY	901 MINDA ST	
MC LAMORE HARLAN F & DELORES V	909 HAILEY ST	
RAMOS MANUEL JR & MARYBEL CRUZ	917 MINDA ST	Opposed
MC CLURE ROBERT & LORI		
DAVIS RANDY		
HIRSCHFELD PROPERTIES LP	771 VIRGIL ST	
MORREN MYRTLE FRANCES	857 HAILEY ST	
RODRIGUEZ SANTOS & JANIE		
MUDAGIRI SHEMU & NAMASOSO CLEMENTINE	949 MINDA ST	
GONZALES FELECITY MAUVE	981 MINDA ST	
GUAJARDO RAYMOND JR	889/897 HAILEY ST	In Favor
RODRIGUEZ SANTOS & JANIE		
KWONG MEI		
RICHARDSON MANUELA J	1001 MINDA ST	
THE TANDEM TEAM LLC	933 MINDA ST	
DRONES FRANK & DOROTHY J	925 MINDA ST	
JOHNSON RONNIE B	902 LUZON ST	
BATISTE PROPERTIES LLC	858 MINDA ST	
CONNER BOBBY RAY	966 LUZON ST	
MORGAN HENRY FAYE LF EST	910 LUZON ST	
STOFFELS DOLAN M & ANN	918 LUZON ST	
MOORE ALICE COLEMAN	926 LUZON ST	
SERRANO PEDRO	618 SUNRISE AV	
RODRIGUEZ RAYMOND	974 MINDA LN	
RIVERA ABRAN A & LEONOR H	866 MINDA ST	
GUERRERO MONICA ANN	897 MINDA ST	
LANDEROS ALBERTO		
RIVERA ABRAM A	890 MINDA ST	
RW 1 REAL ESTATE LLC	934 LUZON ST	
BETHEL A M E CHURCH	942 LUZON ST	
MITCHELL MISTI GAYLE	973 MINDA ST	

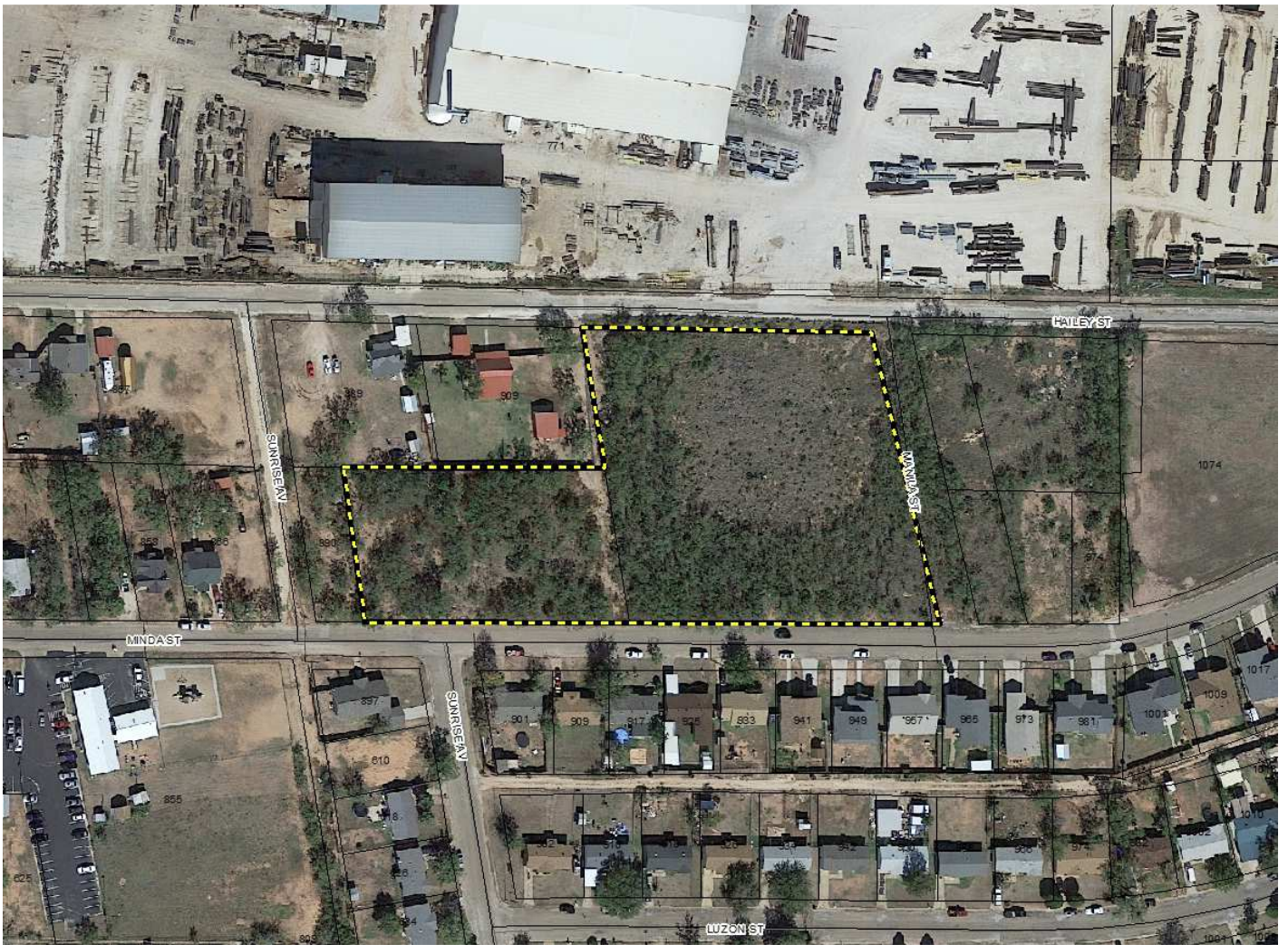
FLORES JUANITA & MARGARITA	909 MINDA ST	
NTAWUKENASHAKA SERGE & SINANIRAYNE SCOLASTIQUE	941 MINDA ST	

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









May 31, 2016

JUN 1 AM 9:09

Dear Planning and Development Services,

My name is Manuel Ramos Jr. and I and my wife Marybel Cruz Ramos are the owners of 917 Minda St. Abilene, TX. 79602. We strongly **opposed** the request of Keith & Amber Kimmel in case# **z-2016-22** to rezone our current zoning to that of Multifamily Residential Zone. Our contact information is 401 E. Oliver Stamford, TX. 79553, Cell (325) 660-4716.

Respectfully,

Manuel Ramos Jr. & Marybel Cruz Ramos
Manuel Ramos Jr. & Marybel Cruz Ramos

For the PLANNING & ZONING COMMISSION

Please call at (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2016-22

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: MITCHELL PAMELA GAYLE

Address: 957 MINDA ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604

Fax #: (325) 676-6242
email: planning@abilenetx.com

I am in favor ☒ Good Families I am opposed ☒ No Low Income Apartments
Women Apartments are horrible.
lot of drugs.

Additional Comments:

We do not need
Low Income Apartments
Across from Any of us.
We need good Families in Here.

Signature: *Pamela Gayle Mitchell*



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Dana Schoening, Director Planning & Development Services

Ordinance & Public Hearing: (Final Reading) Z-2016-23 A request from Robert J.
SUBJECT: Wray to rezone property from MF (Multi-Family Residential) to PD (Planned Development) zoning, located at 3457 N. 10th St. (*Schoening*)

GENERAL INFORMATION

Currently the property is undeveloped. The adjacent properties are developed with a medical clinic to the north, a grocery store to the east, a small apartment complex to the south, and duplexes to the west. The applicant is proposing to develop the site with a self-service storage unit facility with apartments for employees. The PD proposes to have GR zoning as the underlying zoning which allows for residential uses. The PD also would allow for the 'Self-Service Storage Units' use as a permitted principal use. The applicant is requesting specific development regulations regarding building materials, parking, bufferyards, and setbacks.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. North 10th St is designated as an 'arterial' roadway as well as an enhancement corridor. The property is part of a 'Local Community Center' located at the intersection of N. 10th St and N. Willis St. The proposed use would be located behind a large grocery store and have access off of the arterial street. The requested PD zoning would allow for GR uses and also permit a self-service storage unit development. The request zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval with an additional regulation that all entrances for

the self-service storage units be oriented to the interior of the property by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

ATTACHMENTS:

Description	Type
▣ Proposed PD Ordinance	Ordinance
▣ Staff Report with Maps	Backup Material

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-154 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 23rd day of June A.D. 2016.

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 May, 2016, 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 14th day of July, 2016, 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 July, A.D. 2016.

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 MF (Multi-Family Residential) 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.

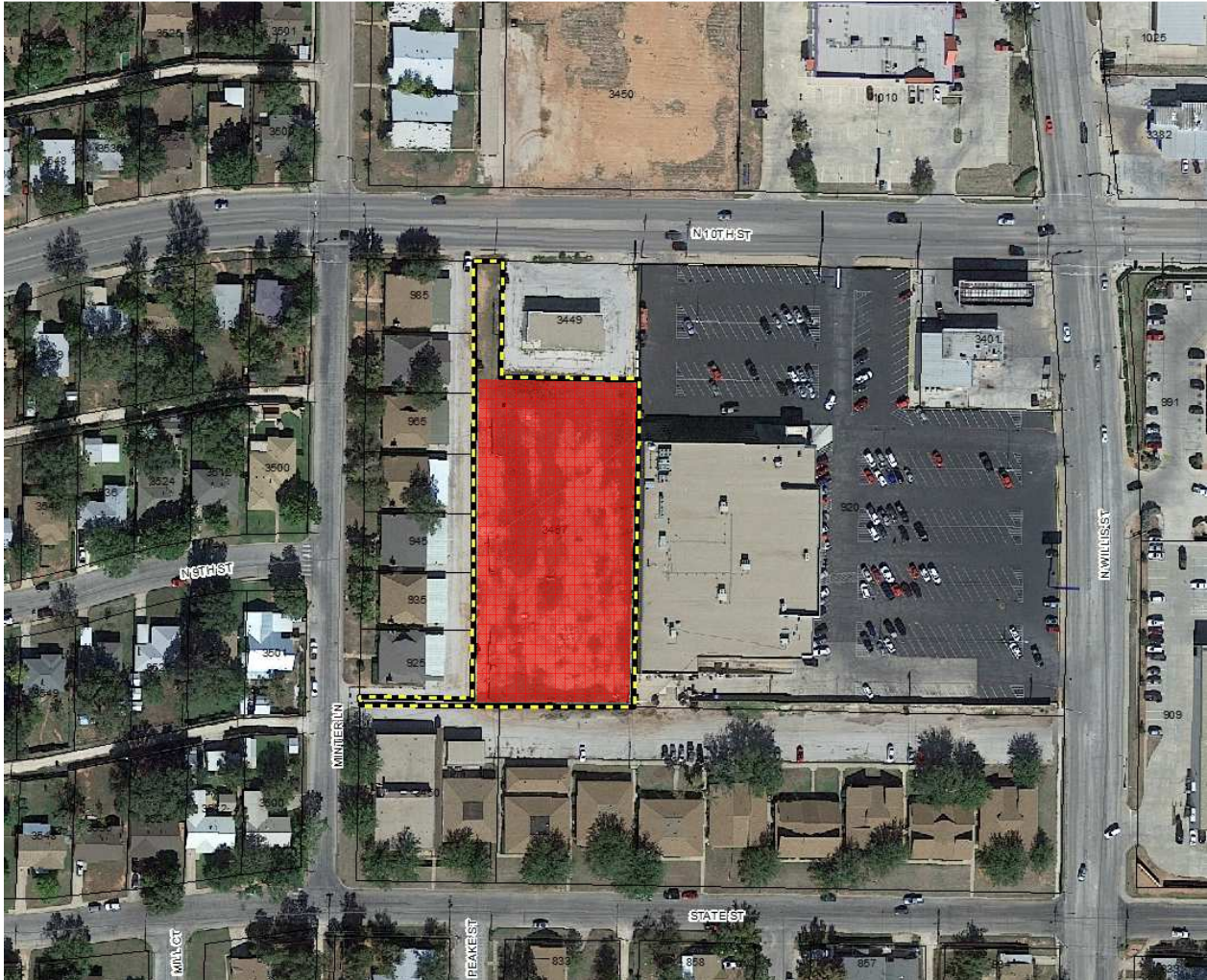
ORDINANCE NO. _____

EXHIBIT "A"

PAGE 2

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

WESTLAWN ADDN, BLOCK 12, LOT 309 REP, to include the area in red only.



Location:
3457 N. 10th St

ORDINANCE NO. _____

EXHIBIT "A"

PAGE 3

PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for general retail uses, up to 4 on-site residential units for employees, & self-service storage units.

PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the GR (General Retail) zoning district, except as modified below:

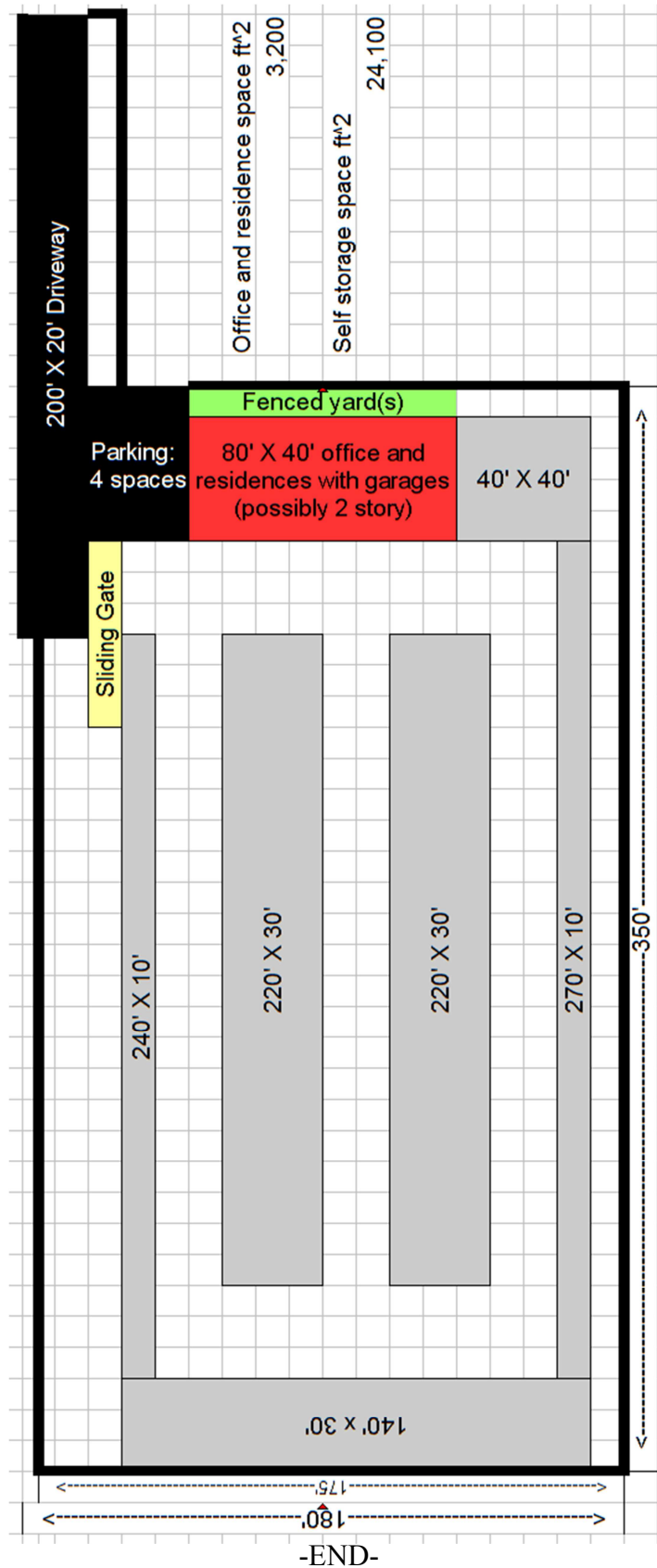
1) PERMITTED USES:

- a. Self-Service Storage Units shall be allowed as a principal use.

2) DEVELOPMENT REGULATIONS: When developed as a self-service storage unit facility, with or without accessory residences, the following shall apply:

- a. Setbacks: A zero foot (0') setback shall be allowed along the south property line. A twenty-five foot (25') setback shall be allowed along the west property line.
- b. Metal building materials shall be allowed on all façades.
- c. No bufferyards shall be required along the south and west boundaries.
- d. No more than 4 parking spaces shall be required.
- e. All entrances to the self-service storage units must be oriented to the interior of the site.
- f. Substantial compliance with the accompanying graphic concept plan in this ordinance shall be required.

Graphic Concept Plan



Robert J. Wray

P & Z Commission: June 6, 2016

City Council 1st Reading: June 23, 2016

City Council 2nd Reading: July 14, 2016

3457 N. 10th St

Rezone property from MF (Multi-Family Residential) to PD (Planned Development) zoning



The subject parcel totals approximately 1.45 acres and is currently zoned MF & GC (General Commercial). It is currently undeveloped. The adjacent properties are zoned GC to the north, GR (General Retail) to the east, MF to the south, and MD (Medium Density Residential) to the west.

The property was annexed in 1957 and zoned MF & GC sometime after.

- Current Planning Analysis

Currently the property is undeveloped. The adjacent properties are developed with a medical clinic to the north, a grocery store to the east, a small apartment complex to the south, and duplexes to the west. The applicant is proposing to develop the site with a self-service storage unit facility with apartments for employees. The PD proposes to have GR zoning as the underlying zoning which allows for residential uses. The PD also would allow for the 'Self-Service Storage Units' use as a permitted principal use. The applicant is requesting specific development regulations regarding building materials, parking, bufferyards, and setbacks.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as ‘low density residential’. North 10th St is designated as an ‘arterial’ roadway as well as an enhancement corridor. The property is part of a ‘Local Community Center’ located at the intersection of N. 10th St and N. Willis St. The proposed use would be located behind a large grocery store and have access off of the arterial street. The requested PD zoning would allow for GR uses and also permit a self-service storage unit development. The request zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

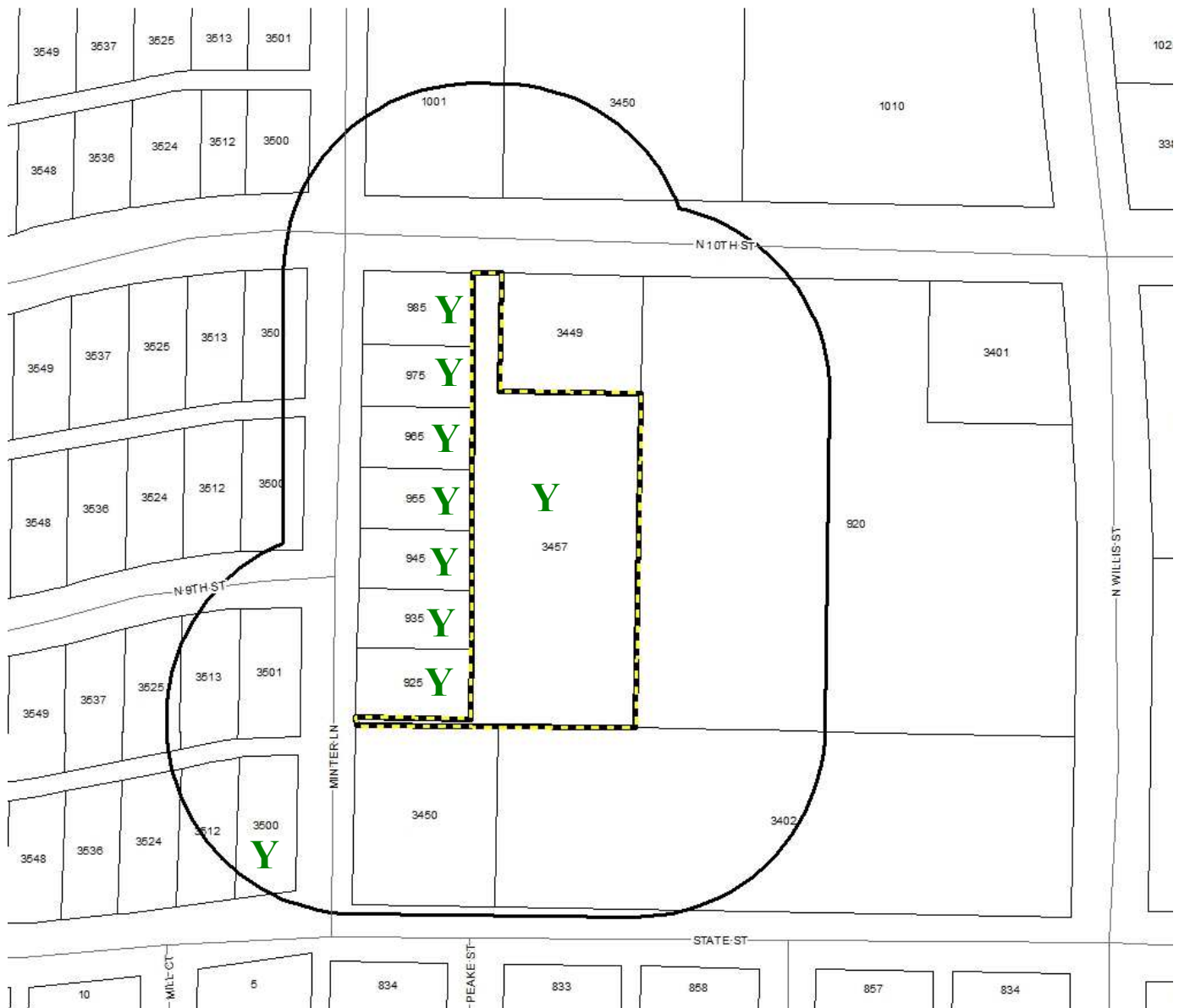
The Planning and Zoning Commission recommends approval with an additional regulation that all entrances for the self-service storage units be oriented to the interior of the property by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

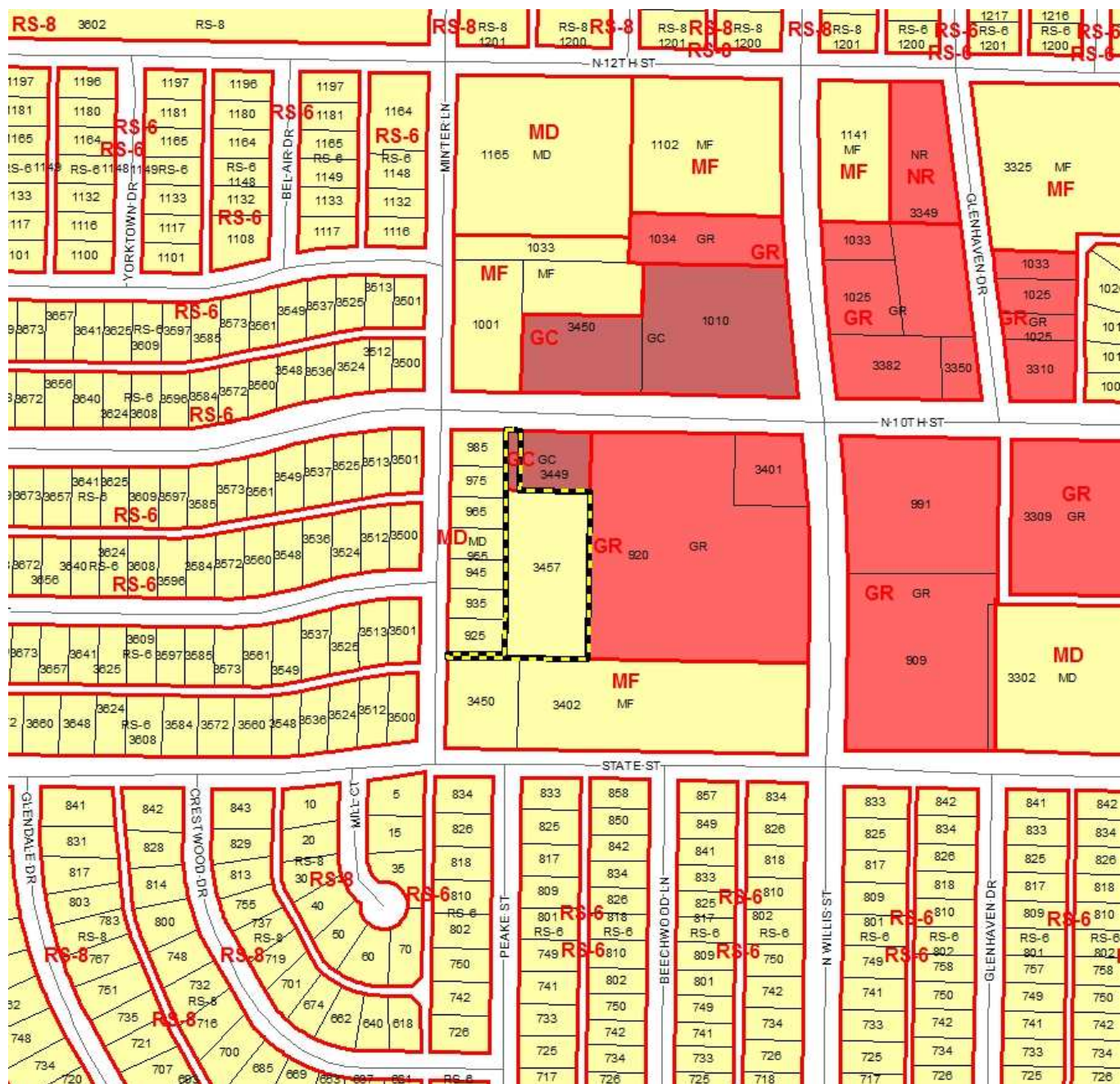
NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
LARC MANAGEMENT LLC	965 MINTER LN	In Favor
CHRISTIAN HOME OF ABL INC	3402 STATE ST	
LARC MANAGEMENT LLC	975 MINTER LN	In Favor
ISAAC JUANELL D	3500 STATE ST	
LARC MANAGEMENT LLC	925 MINTER LN	In Favor
GARCIA EDUARDO LOPEZ	3524 STATE ST	
SCHERER DOROTHY S	3525 N 9TH ST	
LARC MANAGEMENT LLC	935 MINTER LN	In Favor
JAY WILLIAM KELLY	3501 N 10TH ST	
TROGDON TEDDY B	3500 N 10TH ST	
SPIRIT MASTER FUNDING LLC	920 N WILLIS ST	
LYON MARK DBA ML PROPERTIES	1001 MINTER LN	
LARC MANAGEMENT LLC	945 MINTER LN	In Favor
TILLEY JAMES & ESTHER M	3501 N 9TH ST	
ABILENE DIAGNOSTIC CLINIC P LLC	3449 N 10TH ST	
LARC MANAGEMENT LLC	985 MINTER LN	In Favor
LARC MANAGEMENT LLC	3457 N 10TH ST	In Favor
LARC MANAGEMENT LLC	955 MINTER LN	In Favor
PARROTT BONNIE FERN BRUSHWOOD	3500 N 9TH ST	In Favor
CHRISTIAN HOME OF ABL INC	3450 STATE ST	
CHATMAN BARBARA ANN	3513 N 9TH ST	
KEAN JOHN HOWARD ETUX	3512 STATE ST	
SHARP JONATHAN	3450 N 10TH ST	

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











**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Dana Schoening, Director Planning & Development Services

SUBJECT: Ordinance & Public Hearing: (Final Reading) Z-2016-24 A request from Cordova Home, Inc. to rezone property from MH (Manufacture/Mobile Home) to MD (Medium Density Residential) zoning, located at 3125 Grape St & 3009 through 3097 Lafaye Ct. (Schoening)

GENERAL INFORMATION

Currently the property is undeveloped. The area is located on Grape St just south of Interstate 20. The adjacent properties are developed with single-family homes to the south & east and commercial uses to the north & west, to include a hotel and a gas station with convenience store. The applicant is proposing to develop duplexes on the existing platted lots. The property was platted with the intention on building a small cul-de-sac street. Before any building permits can be issued, the street will need to be constructed.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. It is also part of a 'Major Commercial/Business Center' area with the primary focus at the intersection of Pine St and Interstate 20. This area is starting to fill in with new homes being developed to the south, west, and nearby. The location just off of Grape St & the interstate and its proximity to major uses to the south (Hardin Simmons, Hendrick Hospital, etc.) lends itself to the proposed use. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

ATTACHMENTS:

Description	Type
▣ Ordinance Cover	Ordinance
▣ Ordinance Exhibit	Ordinance
▣ Staff Report with Maps	Backup Material

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 23rd day of June, A.D. 2016.

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 May, 2016, 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 July, 2016 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 July, A.D. 2016.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ZONING CASE Z-2016-24

STAFF REPORT



APPLICANT INFORMATION:

Cordova Home, Inc.

HEARING DATES:

P & Z Commission: June 6, 2016

City Council 1st Reading: June 23, 2016

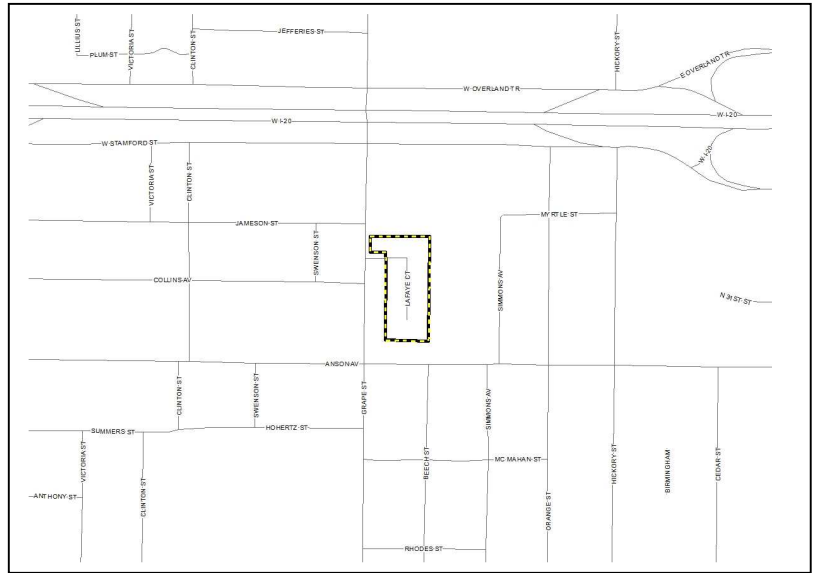
City Council 2nd Reading: July 14, 2016

LOCATION:

3125 Grape St & 3009 through 3097 Lafaye Ct

REQUESTED ACTION:

Rezone property from MH (Manufacture/Mobile Home) to MD (Medium Density Residential) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 3.30 acres and is currently zoned MH. It is currently undeveloped. The adjacent properties are zoned MH to the north & west, RS-6 (Single-Family Residential) to the east & south, and GC (General Commercial) also to the west.

ZONING HISTORY:

The property was annexed in 1957 and zoned MH in 2003.

ANALYSIS:

- Current Planning Analysis

Currently the property is undeveloped. The area is located on Grape St just south of Interstate 20. The adjacent properties are developed with single-family homes to the south & east and commercial uses to the north & west, to include a hotel and a gas station with convenience store. The applicant is proposing to develop duplexes on the existing platted lots. The property was platted with the intention on building a small cul-de-sac street. Before any building permits can be issued, the street will need to be constructed.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. It is also part of a 'Major Commercial/Business Center' area with the primary focus at the intersection of Pine St and Interstate 20. This area is starting to fill in with new homes being developed to the south, west, and nearby. The location just off of Grape St & the interstate and its proximity to major uses to the south (Hardin Simmons, Hendrick Hospital, etc.) lends itself to the proposed use. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

NOTIFICATION:

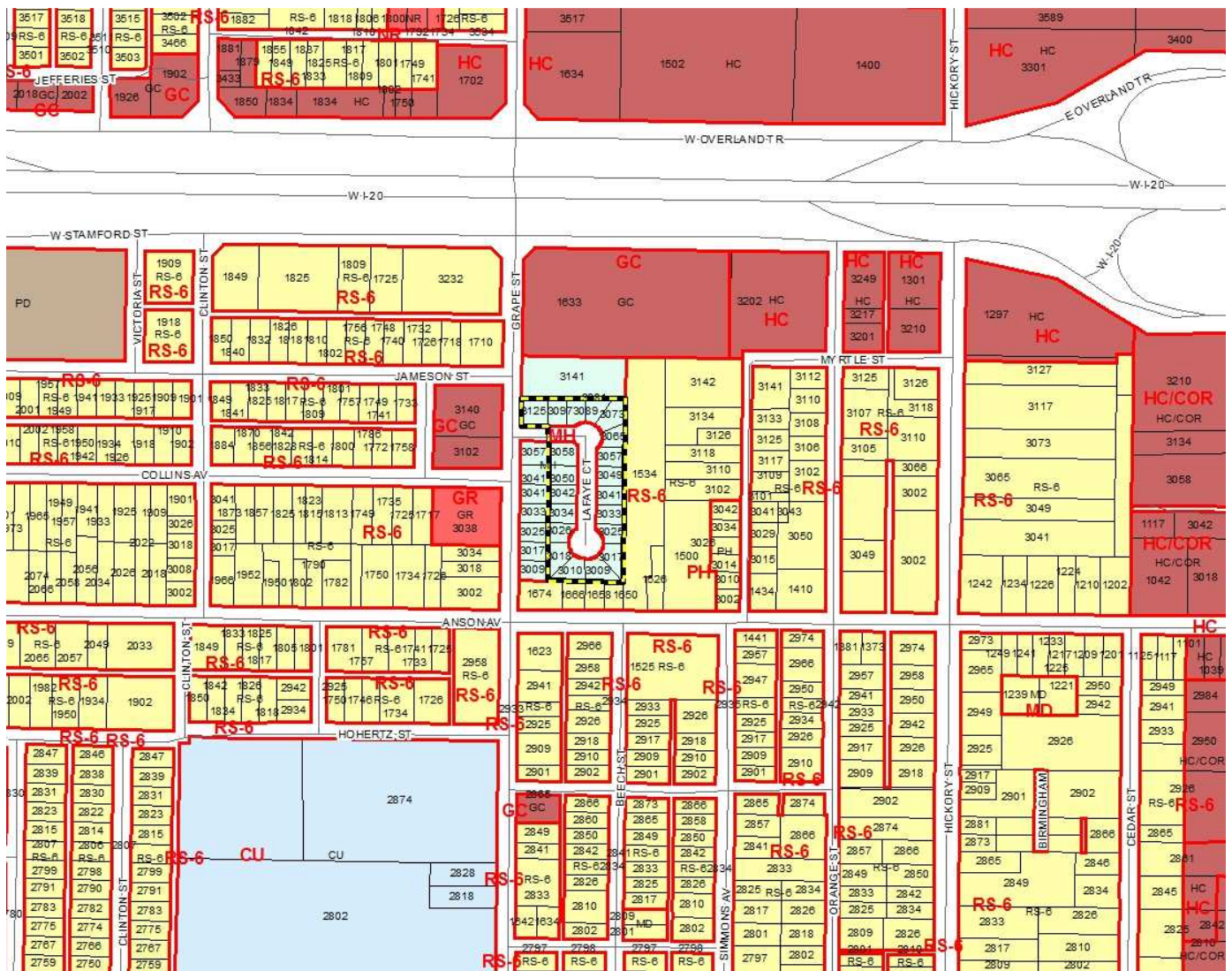
Property owners within a 200-foot radius were notified of the request.

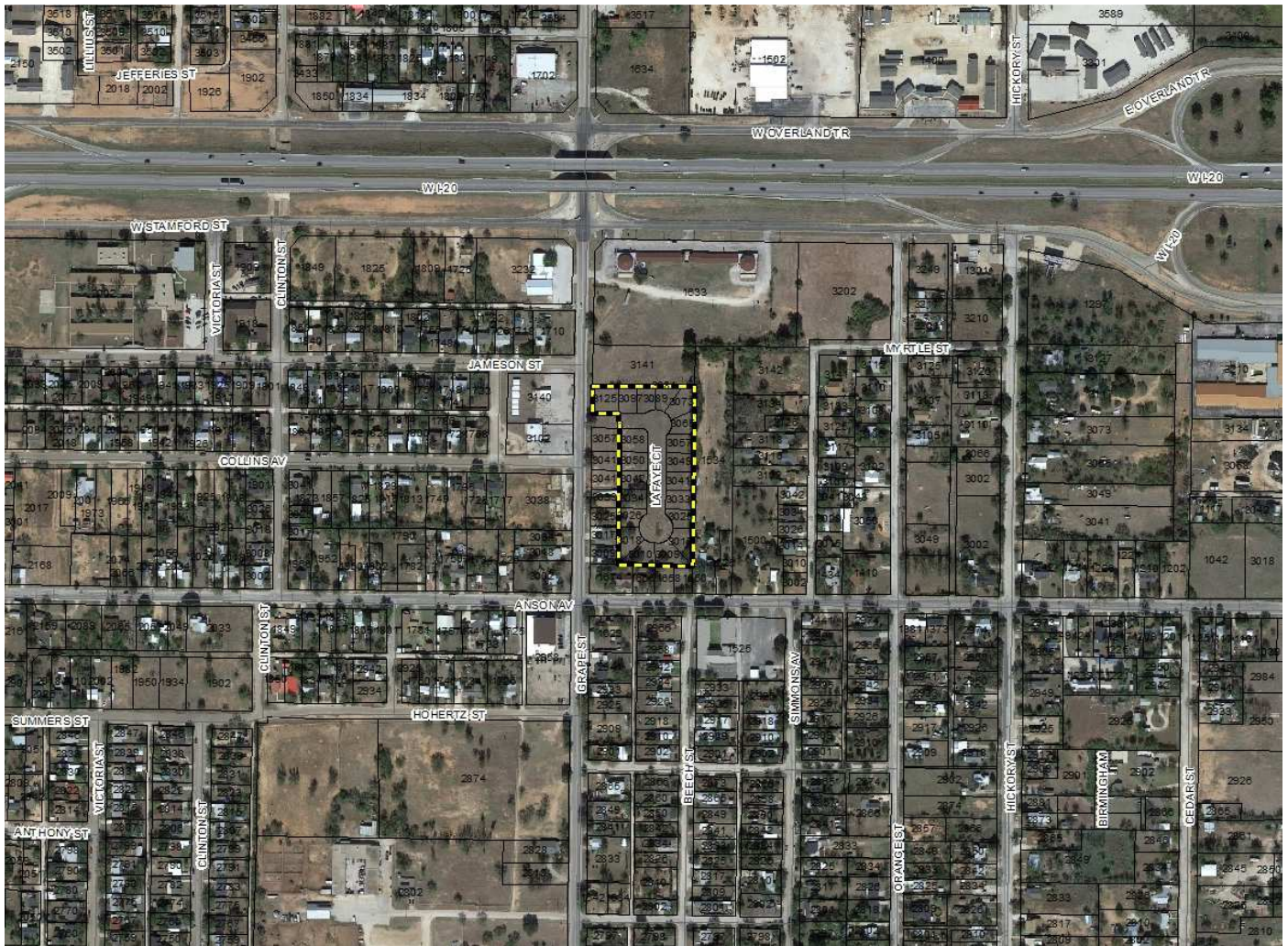
OWNER	ADDRESS	RESPONSE
NORTH PARK BAPTIST CHURCH	1525 ANSON AV	
CORDOVA HOMES INC	3034 LAFAYE CT	
LUNA JOSE	1526 ANSON AV	
SMITH JAMES A	1710 JAMESON ST	
CORDOVA HOMES INC	3058 LAFAYE CT	
SKINNYS INC	3102 GRAPE ST	
CORTINAZ RICHARD ORTIZ	2966 BEECH ST	
FAIRCLOTH JO ANN	3034 GRAPE ST	
THOMAS CHARLOTTE	3142 SIMMONS AV	
CORDOVA HOMES INC	3073 LAFAYE CT	
OM MOTEL HOSPITALITY LLC	1633 W STAMFORD ST	In Favor
CASTORENA ERVEY	3009 GRAPE ST	
CORDOVA HOMES INC	3017 LAFAYE CT	
COLVIN CAROL A	3017 GRAPE ST	
CORDOVA HOMES INC	3065 LAFAYE CT	
CORDOVA HOMES INC	3057 GRAPE ST	
CHIAPPONE MARGARET S	1674 ANSON AV	
FAIRCLOTH FLORENCE JOAN	3018 GRAPE ST	
CORDOVA HOMES INC	3049 GRAPE ST	
KMBD INC	3038 GRAPE ST	
CORDOVA HOMES INC	3033 LAFAYE CT	
CORDOVA HOMES INC	3018 LAFAYE CT	
SMITH NITA	3102 SIMMONS AV	
CORDOVA HOMES INC	3025 LAFAYE CT	
CORDOVA HOMES INC	3042 LAFAYE CT	
CORDOVA HOMES INC	3057 LAFAYE CT	
CORDOVA HOMES INC	3081 LAFAYE CT	
TAYLOR CLARA MARIE	1534 ANSON AV	
PRITCHARD COMMERCIAL PROPERTIES	3002 GRAPE ST	
CORDOVA HOMES INC	3050 LAFAYE CT	
CORDOVA HOMES INC	3097 LAFAYE CT	
CORDOVA HOMES INC	3125 GRAPE ST	
CORDOVA HOMES INC	3026 LAFAYE CT	
CORDOVA HOMES INC	3049 LAFAYE CT	
BONVIE GERARD & SUZEL	3134 SIMMONS AV	
CORDOVA HOMES INC	3141 GRAPE ST	
ROSADO JOSE & FRANCES	1623 ANSON AV	

GREEN DANIEL A	1658 ANSON AV	
CORDOVA HOMES INC	3041 LAFAYE CT	
CORDOVA HOMES INC	3041 GRAPE ST	
FARMER TIMOTHY A & BERIT C T	3118 SIMMONS AV	
THOMPSON DOUGLAS LEE	3033 GRAPE ST	
GREEN DANIEL A	1650 ANSON AV	
GREEN DANIEL A	1666 ANSON AV	
CORDOVA HOMES INC	3025 GRAPE ST	
MC LENNAN OLGA C	3140 GRAPE ST	
CORDOVA HOMES INC	3010 LAFAYE CT	
LATHAM KEVIN M & BRENDA L	3110 SIMMONS AV	
CORDOVA HOMES INC	3009 LAFAYE CT	
KIRBY SANDRA FAYE	1500 ANSON AV	
CORDOVA HOMES INC	3089 LAFAYE CT	

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











**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Dana Schoening, Director Planning & Development Services

Ordinance & Public Hearing: (Final Reading) Z-2016-25 A request from David J. Randell, D.O., agent Jonathan Sharp, to rezone property from LI (Light Industrial) to HC (Heavy Commercial) zoning, located at 33 Windmill Cir. *(Schoening)*

GENERAL INFORMATION

Currently the property is undeveloped. The adjacent properties are halfway developed with industrial uses to the west and a mix of retail & services uses to the north and east. The newer Sam's Club business is located nearby north from this site. Abilene Regional Hospital is located nearby to the south. The applicant is proposing to develop a new restaurant. Due to its location just off the freeway, the site will have adequate access.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a 'Gateway/Mixed Use' area with the primary focus at the intersection of Beltway S. and Hwy 83/84 but extending north along the highway to include this area. Additionally, a 'Special Activity Center' is designated at the intersection of Antilley Rd & Hwy 83/84 where the hospital is located. This area is slowly transitioning away from the industrial zoning to a retail/commercial area. The location just off the highway and its proximity to the Sam's Club and the hospital lends itself to future multi-family, office & retail uses. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of GC (General Commercial) zoning by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

ATTACHMENTS:

Description	Type
☐ Ordinance Cover	Ordinance
☐ Ordinance Exhibit	Ordinance
☐ Staff Report with Maps	Backup Material
☐ Surrounding Property Owner Responses	Backup Material

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 23rd day of June, A.D. 2016.

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 May, 2016, 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 July, 2016 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 July, A.D. 2016.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from LI (Light Industrial) to GC (General Commercial) zoning.

Legal Description:

WINDMILL ACRES, BLOCK A, LOT 109 REP



Location:
33 Windmill Cir

-END-

ZONING CASE Z-2016-25

STAFF REPORT



APPLICANT INFORMATION:

David J. Randell, D.O.
Agent: Jonathan Sharp

HEARING DATES:

P & Z Commission: June 6, 2016
City Council 1st Reading: June 23, 2016
City Council 2nd Reading: July 14, 2016

LOCATION:

33 Windmill Cir

REQUESTED ACTION:

Rezone property from LI (Light Industrial) to
HC (Heavy Commercial) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 1.15 acres and is currently zoned LI. It is currently undeveloped. The adjacent properties are zoned LI to the north, south, & west and GC (General Commercial) to the east.

ZONING HISTORY:

The property was annexed in 1978 and zoned LI in 1979.

ANALYSIS:

• Current Planning Analysis

Currently the property is undeveloped. The adjacent properties are halfway developed with industrial uses to the west and a mix of retail & services uses to the north and east. The newer Sam's Club business is located nearby north from this site. Abilene Regional Hospital is located nearby to the south. The applicant is proposing to develop a new restaurant. Due to its location just off the freeway, the site will have adequate access.

• Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as part of a 'Gateway/Mixed Use' area with the primary focus at the intersection of Beltway S. and Hwy 83/84 but extending north along the highway to include this area. Additionally, a 'Special Activity Center' is designated at the intersection of Antilley Rd & Hwy 83/84 where the hospital is located. This area is slowly transitioning away from the industrial zoning to a retail/commercial area. The location just off the highway and its proximity to the Sam's Club and the hospital lends itself to future multi-family, office & retail uses. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

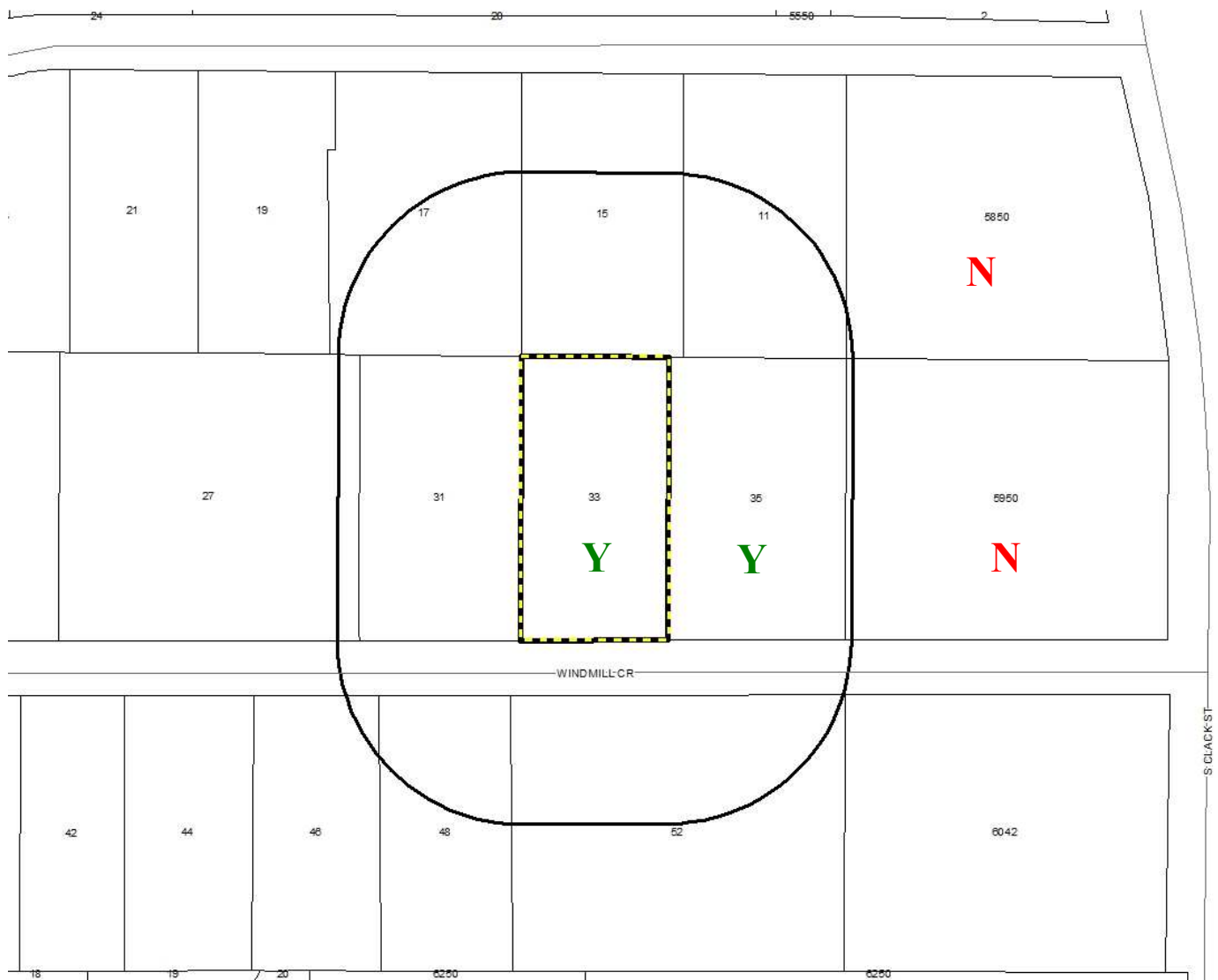
The Planning and Zoning Commission recommends approval of GC (General Commercial) zoning by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

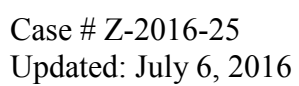
NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
HASTEN FAMILY INVESTMENTS LTD	27 WINDMILL CR	
PICKENS REX F	31 WINDMILL CR	
KAERWER FLOYD	15 WINDMILL CR	
WINDMILL CIRCLE PARTNERS LP		Opposed
ADAMS LYNN	17 WINDMILL CR	
RANDELL DAVID J	33 WINDMILL CR	In Favor
RANDELL DAVID J	35 WINDMILL CR	In Favor
WINDMILL CIRCLE PARTNERS LP		Opposed
KAERWER FLOYD	11 WINDMILL CR	
NC SCHI INC	52 WINDMILL CR	
MC CALL GARY & VICKIE	46 WINDMILL CR	
MC CALL GARY & VICKIE	48 WINDMILL CR	

2 in Favor- **Y**
2 Opposed- **N**









Rainbow, Zack

From: Tony Conder <tconder@condercompany.com>
Sent: Monday, May 30, 2016 12:01 PM
To: Reports, Planning
Cc: 'Jonathan Sharp'; donwhitehead@sbcglobal.net
Subject: Protest to application Number Z-2016-25
Attachments: Protest of zoning to HC Windmill Circle.pdf

To whom it may concern at Planning and Zoning,

Please find attached my forms in protest of proposed HC zoning along Windmill Circle. As the city is aware, this is an area in transition to higher uses than LI as it is currently zoned, or HC as proposed. ***It would behoove the city to recommend zoning to reflect the use.*** To that end, I am in support of this property transitioning to GC to allow Mr. Sharp a zoning district that he can operate his restaurant operation within.

Regards,

Tony Conder

For the PLANNING & ZONING COMMISSION

Please call at (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2016-25

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: WINDMILL CIRCLE PARTNERS LP
Address: 5850 S CLACK ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604

Fax #: (325) 676-6242
email: planning@abilenetx.com

I am in favor ☐

I am opposed ☒

Additional Comments:

I am in support of GC zoning to allow for the proposed use of food preparation and delivery.

Signature: *Toy Conner*

For the PLANNING & ZONING COMMISSION

Please call at (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2016-25

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: WINDMILL CIRCLE PARTNERS LP
Address: 5950 S CLACK ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604

Fax #: (325) 676-6242
email: planning@abilenetx.com

I am in favor ☐

I am opposed ☒

Additional Comments:

I am in support of GC zoning to allow for the proposed use of food preparation and delivery.

Signature: *Toy Conner*



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Dana Schoening, Director Planning & Development Services

SUBJECT: Ordinance & Public Hearing: (Final Reading) Z-2016-26 A request from Sonrise Ministries, agent Brian Massey, to rezone property from RS-6 (Single-Family Residential) to MD (Medium Density Residential) zoning, located at 3042 Hickory St. (Schoening)

GENERAL INFORMATION

Currently the property is undeveloped. The adjacent properties are developed with single-family homes. The area is located just south of Interstate 20 between Grape St to the west and Pine St to the east. The applicant is proposing to develop up to 4 units for individuals and families with medical needs. The units will be for temporary stay while the individuals are receiving treatment from Hendrick Hospital. Due to its location just off the freeway and near 2 arterial streets, the site will have adequate access.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. It is also part of a 'Major Commercial/Business Center' area with the primary focus at the intersection of Pine St and Interstate 20. This area is starting to fill in with new homes being developed to the south and nearby. The location just off the highway and its proximity to the Pine St and the hospital lends itself to the proposed use. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as requested by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

ATTACHMENTS:

Description	Type
▣ Ordinance Cover	Ordinance
▣ Ordinance Exhibit	Ordinance
▣ Staff Report with Maps	Backup Material

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 23rd day of June, A.D. 2016.

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 May, 2016, 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 July, 2016 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 July, A.D. 2016.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

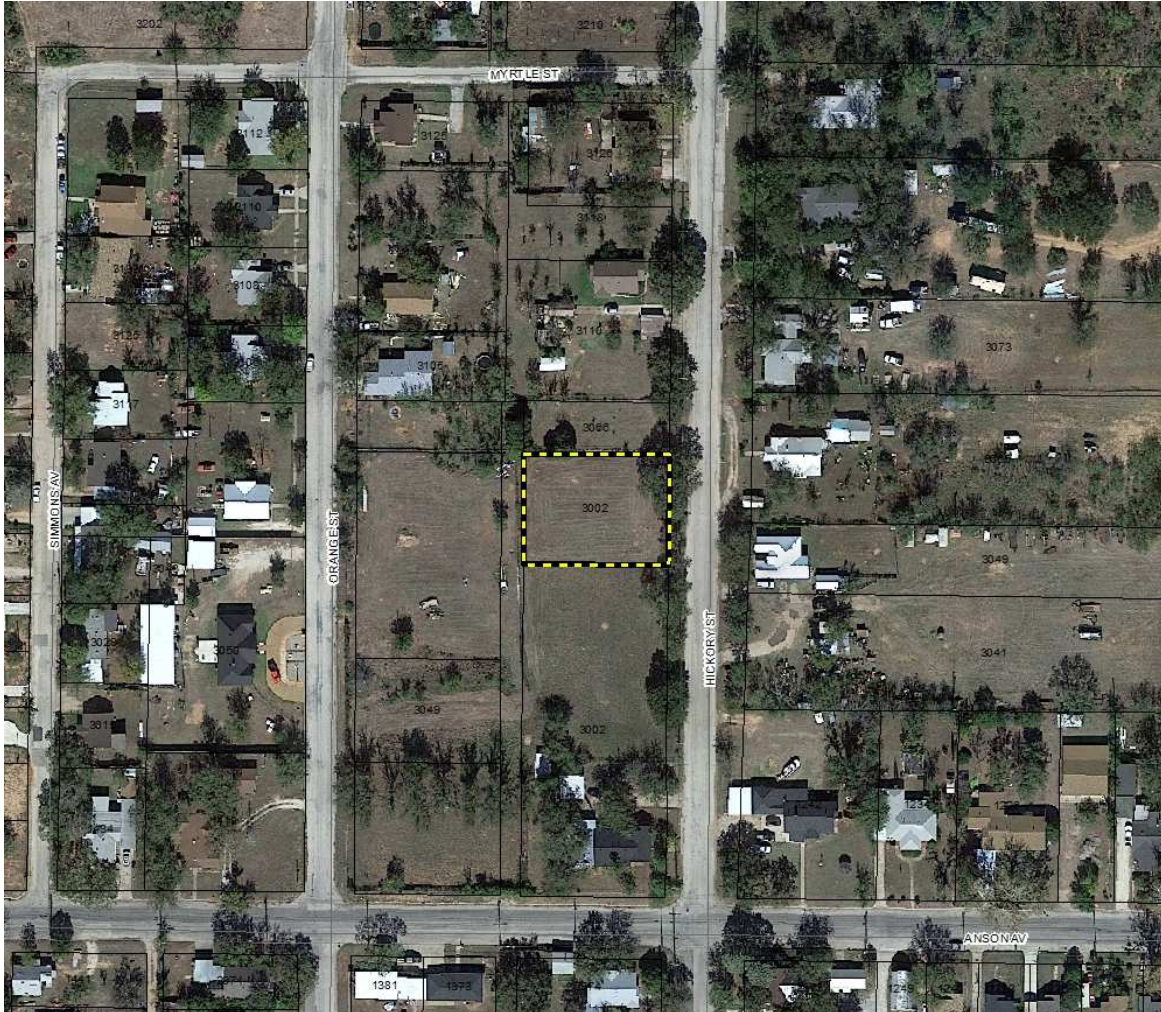
ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from RS-6 (Single-Family Residential) to MD (Medium Density Residential) zoning.

Legal Description:

J Q POTEET SUB, LOT 2-3



Location:
3042 Hickory St

-END-

ZONING CASE Z-2016-26

STAFF REPORT



APPLICANT INFORMATION:

Sonrise Ministries
Agent: Brian Massey

HEARING DATES:

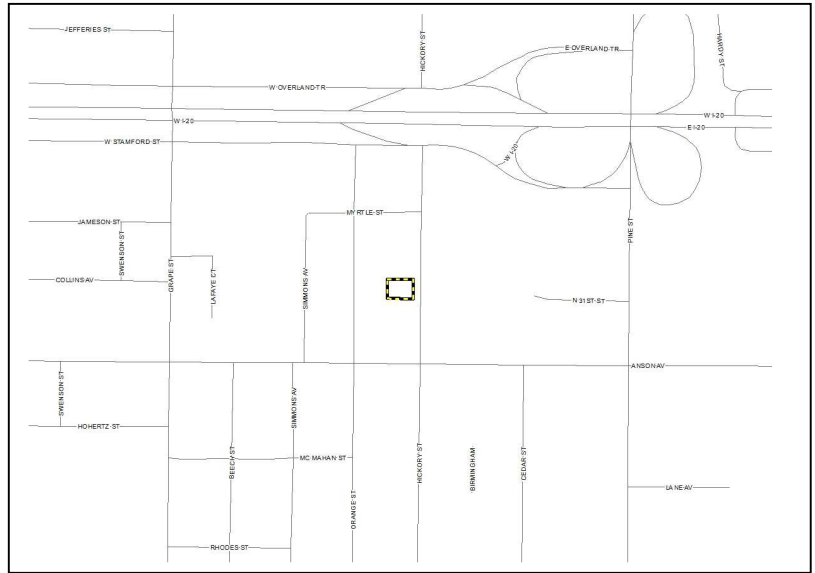
P & Z Commission: June 6, 2016
City Council 1st Reading: June 23, 2016
City Council 2nd Reading: July 14, 2016

LOCATION:

3042 Hickory St

REQUESTED ACTION:

Rezone property from RS-6 (Single-Family Residential) to MD (Medium Density Residential) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 0.35 acres and is currently zoned RS-6. It is currently undeveloped. The adjacent properties are zoned RS-6 to the north, south, east & west.

ZONING HISTORY:

The property was annexed in 1957 and zoned RS-6 sometime after.

ANALYSIS:

• Current Planning Analysis

Currently the property is undeveloped. The adjacent properties are developed with single-family homes. The area is located just south of Interstate 20 between Grape St to the west and Pine St to the east. The applicant is proposing to develop up to 4 units for individuals and families with medical needs. The units will be for temporary stay while the individuals are receiving treatment from Hendrick Hospital. Due to its location just off the freeway and near 2 arterial streets, the site will have adequate access.

• Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. It is also part of a 'Major Commercial/Business Center' area with the primary focus at the intersection of Pine St and Interstate 20. This area is starting to fill in with new homes being developed to the south and nearby. The location just off the highway and its proximity to the Pine St and the hospital lends itself to the proposed use. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval as requested by a vote of five (5) in favor (Bixby, Calk, Dunnahoo, Famble, & McClarty) and none opposed.

NOTIFICATION:

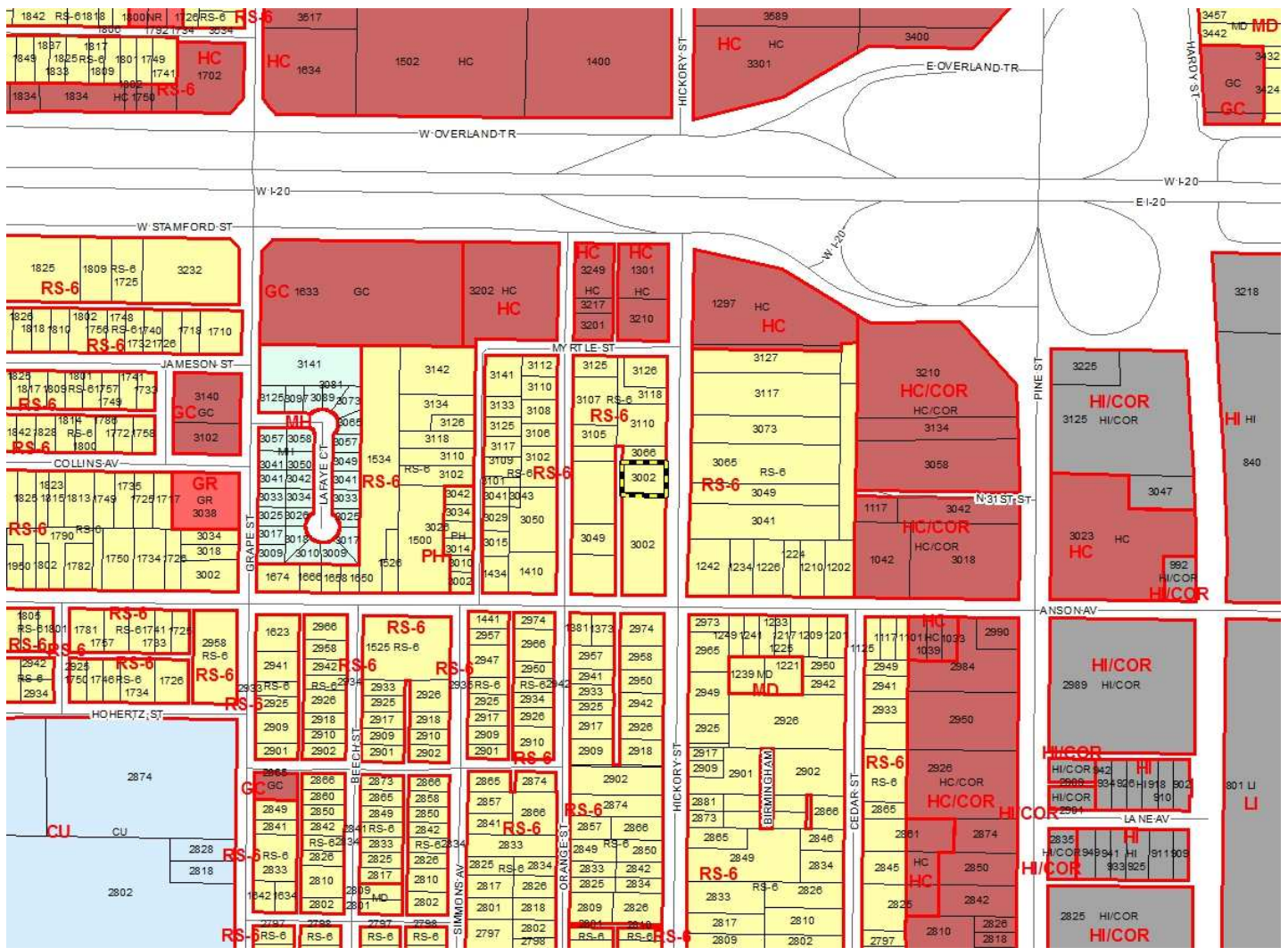
Property owners within a 200-foot radius were notified of the request.

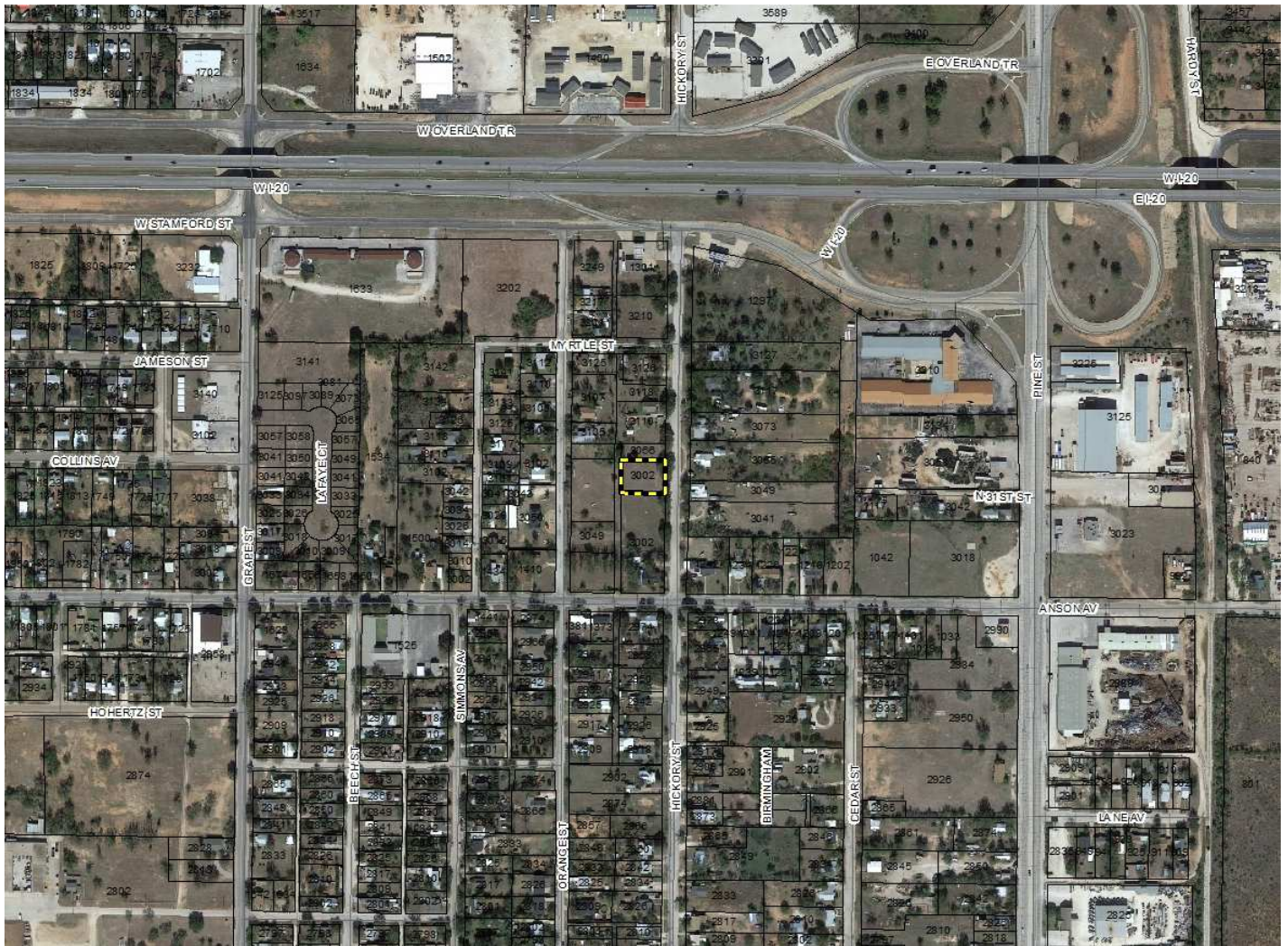
OWNER	ADDRESS	RESPONSE
EDMONDSON T C JR	3041 HICKORY ST	
EDMONDSON T C JR	3049 HICKORY ST	
KINNEY JAMES R	3065 HICKORY ST	
FINLEY MICHAEL & CHRISTIE		
HALL MICHAEL & GEORGINA		
HALL MICHAEL & GEORGINA	3002 HICKORY ST	
MC KINZIE DOROTHY WALTRIP TONY	3118 HICKORY ST	
MC DONALD JERRY D & TONI D	1242 ANSON AV	
MORRIS MARILYN L	3073 HICKORY ST	
FINLEY MICHAEL & CHRISTIE	3105 ORANGE ST	
MC KINZIE DOROTHY WALTRIP TONY	3110 HICKORY ST	
TACKETT ROGER L & MAURI A	3117 HICKORY ST	
GIBSON LARRY ET AL	3107 ORANGE ST	
CALIX JORGE		
STARKS ELYCE J	3066 HICKORY ST	
LANDEROS JOSE M & ROSAELENA		
CORDOVA HOMES INC	3057 ORANGE ST	

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

Y











**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: ROBERT HANNA, CITY MANAGER

FROM: MIKE RAINS, FINANCE DIRECTOR

Resolution: Authorizing Continued Participation With The Atmos Cities Steering Committee; And Authorizing The Payment Of Two And One-Half Cent Per Capita To
SUBJECT: The Atmos Cities Steering Committee To Fund Regulatory And Repeated Activities Related To Atmos Energy Corporation. (*Rains*)

GENERAL INFORMATION

For over twenty (20) years the City of Abilene has been a member of the Atmos Energy Corporation, Mid-Tex Division (ATMOS) Cities Steering Committee (ACSC). ACSC has historically intervened in ATMOS rate proceedings and gas utility related matters to protect the interest of municipalities and gas customers residing within municipal boundaries. ACSC is participating in the Railroad Commission dockets and projects as well as court proceedings, affecting gas utility rates. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of the residential and small commercial customers within the cities. Cities are the only consumer advocates that work to keep natural gas rates reasonable. The work undertaken by ACSC has saved ratepayers millions of dollars in unreasonable charges. On May 12, 2016, the Atmos Cities Steering Committee ("ACSC") held a quarterly meeting with representatives from Atmos Energy. During the meeting, the group held a discussion of upcoming natural gas issues and approved the assessment for ACSC membership. In order for ACSC to continue its participation in these activities, which affect the provisions of gas utility services and rates to be charged, it must assess its members for such cost. Using the population-based assessment protocol previously adopted by ACSC, the assessment for 2016 is a per capita fee of \$0.025. The per capita assessment for Abilene is approximately \$3,005.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

The funding of the participation fee of 0.025 per capita will come from the City's General Fund.

STAFF RECOMMENDATION

Staff recommends that the City of Abilene continues its participation with the Atmos Cities Steering Committee and pay the two and one-half cent per capita fee to the Atmos Cities Steering Committee.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description		Type
☐	Resolution	Cover Memo

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF TWO AND ONE-HALF CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

WHEREAS, the City of Abilene is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

I.

That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Abilene and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

II.

The City is further authorized to pay its 2016 assessment to the ACSC in the amount of five cents (\$0.025) per capita.

III.

A copy of this Resolution and approved assessment fee payable to “*Atmos Cities Steering Committee*” shall be sent to:

David Barber
Atmos Cities Steering Committee
c/o Arlington City Attorney’s Office, Mail Stop 63-0300
101 S. Mesquite St., Suite 300
Arlington, Texas 76010

PRESENTED AND PASSED on this the _____ day of _____, 2016, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Abilene, Texas.

Norm Archibald, Mayor

ATTEST:

Danette Dunlap, City Secretary

APPROVED AS TO FORM:
City Attorney

BY _____
Stanley Smith



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Wayne Lisenbee, Director of Capital Improvements

SUBJECT: Resolution & Public Hearing: Consideration and Adoption of the 2016 Capital Improvements Program (Lisenbee)

GENERAL INFORMATION

This year's 2016 Capital Improvements Program (CIP) is a one-year program that includes five projects in the General Fund Program (\$2,000,000) and seven projects in the Water Utilities Program (\$10,350,000). Each of these projects are: critical to the continued operation of a system, complimentary to a 2015 Bond project, or both.

The General Fund Program includes: 50% allocation to Park Improvements (critical parking lot failures), 35% allocation to Municipal Facilities (Civic Center), and 15% allocation to Public Safety Improvements (Police). The Water Utility Program includes: 28% allocation to the Potable Water System, 62% allocation to the Raw Water System, and 10% allocation to the Wastewater System.

SPECIAL CONSIDERATIONS

The City's Capital Improvement Program typically includes a single year's set of projects for consideration and adoption by the City Council, as well as four additional years of projects for planning and forecasting purposes. This year's CIP only includes the single year for consideration and adoption. There are two factors that led to this departure.

As you are aware, City staff is currently reviewing the CIP process and will be making changes to how projects are vetted, prioritized, and included into the CIP that comes before Council each year. Once the new processes are implemented, staff feels that the four outlying years within the Program could significantly change. Additionally, the 2015 Bond Program placed many large projects in front of City staff. This voter-approved portfolio of capital investment impacts the need and viability of some of the projects in outlying years.

Staff plans to resume the five year CIP approach next year.

FUNDING/FISCAL IMPACT

The 2016 CIP is proposed to be funded with the issuance of Certificates of Obligation. The General Fund issuance is proposed at \$2,000,000 and can be funded within the current certificate debt tax rate policy of 10.7¢. The Water Fund issuance is proposed at \$5,450,000 and is proposed to be funded within the rate adjustment proposal within the Proposed 2017 Operating Budget.

STAFF RECOMMENDATION

Staff recommends adoption of the 2016 CIP as presented.

BOARD OR COMMISSION RECOMMENDATION

The Planning & Zoning Commission conducted a public hearing on June 6, 2016. They unanimously forwarded their recommendation for projects to the City Manager. Based on directives from Council, the Proposed 2016 CIP before has been altered from their recommendation to include the Police Records Facility and the GV Daniels Basketball Court has been removed.

ATTACHMENTS:

Description	Type
▣ 2016 CIP Resolution	Backup Material

Resolution No _____

A RESOLUTION OF THE CITY COUNCIL OF ABILENE APROVING AND
ADOPTING THE 2016 CAPITAL IMPROVEMENTS PROGRAM.

WHEREAS, the City of Abilene strongly supports the use of a Capital Improvements Program (CIP) as a budgetary tool; and

WHEREAS, the City of Abilene Planning and Zoning Commission on June 6, 2016 conducted a public hearing and approved a recommendation for the 2016 Capital Improvements Program; and

WHEREAS, upon full consideration of the matter including a public hearing, the City Council made such changes to the Proposed CIP which in their judgment are warranted and in the best interests of the residents of the City of Abilene.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS THAT;

PART 1. The Capital Improvements Program (CIP) for 2016, as submitted by the City Manager and adjusted by the City Council, containing estimates and proposed expenditures for each planned project, is hereby approved and adopted.

PART 2. The City Manager or designee is hereby authorized in accordance with City policy and State Law to expend funds and issue indebtedness through Certificates of Obligations as indicated in the 2016 Capital Improvements Program.

ADOPTED this the _____ day of _____, 2016.

ATTEST:

Danette Dunlap, City Secretary

Norm Archibald, Mayor

APPROVED:

Stanley Smith, City Attorney



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Mike Rains, Director of Finance

SUBJECT: Resolution: Directing the publication of Notice of Intention to Issue Certificates of Obligation, Series 2016. (Rains)

GENERAL INFORMATION

Staff is recommending \$2,000,000 in projects for the annual certificates of obligation sale. These projects are for the purpose of (i) constructing, improving and equipping a public safety facility for records storage; (ii) constructing and equipping improvements and renovations to existing municipal buildings, including primarily the civic center; (iii) constructing and equipping parks and recreation improvements, including related infrastructure and parking lot rehabilitation; and (iv) legal, fiscal and engineering fees in connection with such projects.

If approved, staff will complete preparation of the Official Statement and set August 25, 2016 as the sale date.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

The annual certificates of obligation program in an amount not to exceed \$2,000,000 is funded within the current certificate debt tax rate policy of 10.7¢; therefore, in keeping with City Council policy, no increase in the debt tax rate should occur as a result of the certificates.

STAFF RECOMMENDATION

Staff recommends the City Council approve the Resolution directing the publication of Notice of Intention to Issue Certificates of Obligation in an amount not to exceed \$2,000,000.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

	Description	Type
▣	Resolution Notice of Intent to Issue Certificates of Obligation 2016	Cover Memo

RESOLUTION NO. _____
DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

WHEREAS, this City Council deems it advisable to give notice of intention to issue certificates of obligation of the City of Abilene Texas, as hereinafter provided; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed, was open to the public and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE:

1. Attached hereto is a form of the Notice of Intention to issue Combination Tax and Revenue Certificates of Obligation, the form and substance of which is hereby adopted and approved.

2. The City Secretary shall cause said notice to be published in substantially the form attached hereto, in a newspaper, as defined by Subchapter C, Chapter 2051, Texas Government Code, of general circulation in the area of said City, once a week for two consecutive weeks, the date of the first publication thereof to be at least 30 days prior to the date tentatively set for the adoption of the ordinance authorizing the issuance of such certificates of obligation as shown in said notice.

3. This Resolution shall become effective immediately upon adoption.

APPROVED AND ADOPTED this July 14, 2016.

ATTEST:

City Secretary

Mayor

APPROVED:

City Attorney

[CITY SEAL]

**CITY OF ABILENE
NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND REVENUE
CERTIFICATES OF OBLIGATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of Abilene, Texas, at its meeting to commence at 8:30 A.M. on August 25, 2016, at its regular meeting place in the City Hall, 555 Walnut, Abilene, Texas, tentatively proposes to adopt an ordinance authorizing the issuance of interest bearing certificates of obligation, in one or more series, in an amount not to exceed \$2,000,000 for paying all or a portion of the City's contractual obligations incurred in connection with:

- (i) constructing, improving and equipping a public safety facility for records storage;
- (ii) constructing and equipping improvements and renovations to existing municipal buildings, including primarily the civic center;
- (iii) constructing and equipping parks and recreation improvements, including related infrastructure and parking lot rehabilitation; and
- (iv) legal, fiscal and engineering fees in connection with such projects. The City proposes to provide for the payment of such certificates of obligation from the levy and collection of ad valorem taxes in the City as provided by law and from a pledge of limited surplus revenues of the City's waterworks and sewer system, remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve, and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding), which are payable from all or any part of the net revenues of the City's waterworks and sewer system. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271.

CITY OF ABILENE, TEXAS



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Honorable Mayor and members of the City Council

FROM: Robert Hanna, City Manager

SUBJECT: Discussion & Possible Action: Adopting Policy 2016-002 - Parameters for Pursuing an Insurable Loss. (Hanna)

GENERAL INFORMATION

Council Member Kreitler requested a policy be drafted outlining how the City pursues compensation for an insurable loss in regards to uninsured motorists. The attached policy is staff's initial draft of this policy statement.

SPECIAL CONSIDERATIONS

None.

FUNDING/FISCAL IMPACT

None.

STAFF RECOMMENDATION

Staff recommends that Council adopt the policy as proposed, or provide alternative direction.

BOARD OR COMMISSION RECOMMENDATION

None.

ATTACHMENTS:

Description	Type
□ Policy 2016-002	Exhibit

COUNCIL POLICY STATEMENT

<i>SUBJECT</i>	<i>POLICY NO.</i>	<i>ADOPTED</i>	<i>PAGE</i>
Parameters for pursuing an insurable loss	2016-002	07/14/2016	1 of 1

PURPOSE

The purpose of this policy is to establish rules governing whether or not the City will decide to pursue an insurable loss of its municipal infrastructure against a party that may or may not have insurance.

POLICY AND PROCEDURE

- A. The City Manager, in his or her discretion, is directed by the City Council to pursue remuneration of the full or partial recovery of municipal infrastructure damaged or destroyed by a vehicle, vandalism or any other act or failure to act that causes the damage or destruction, but not including a natural disaster whereby:
- 1.) The party or parties responsible for the damage or destruction is readily known or otherwise ascertainable; and
 - 2.) The party or parties responsible for the damage or destruction is insured; or
 - 3.) The party or parties responsible for the damage or destruction is not insured or the status of insurance is not known, and the City Manager in consultation with the City Attorney reasonably believes that the legal costs to pursue full or partial recovery of the damaged or destroyed municipal infrastructure is less than the replacement cost of the damaged or destroyed item.
- B. Nothing in this policy limits or otherwise prohibits the City Manager from consulting the City Council and the City Attorney on loss events that are not contemplated in this policy.



**City Council
Agenda Memo**

City Council Meeting Date: 7/14/2016

TO: Robert Hanna, City Manager

FROM: Ronnie Kidd, Managing Director for Administration

SUBJECT: Presentation: Update by Holmes Murphy & Associates Regarding Employee Health Plan. (Kidd)

GENERAL INFORMATION

Health insurance is an important component of the City's compensation and benefits package. The City has experienced significant large dollar claims during FY 16. The increase in claims is related to two issues. The first is the less advantageous contract agreements with our current third party administrator versus our previous third party administrator. This issue is increasing our costs over historical claim amounts. Our current plan design cannot withstand this new reality. The second issue is simply an expensive claim year. In an effort to mitigate the higher than normal claim costs, the City is making significant changes to the health plan and will also increase both the City's contribution and employee's contribution in the proposed budget. Jarrad Wills with Holmes Murphy & Associates will present information to Council regarding the Employee Health Plan and these pending changes.

SPECIAL CONSIDERATIONS

N/A

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

Description	Type
▣ Health Plan Summary - Holmes Murphy & Associates	Cover Memo



HOLMES MURPHY®

THINKING AHEAD

CITY OF ABILENE HEALTH PLAN SUMMARY

COUNCIL PRESENTATION

JULY 14, 2016

AGENDA

- **WHAT WE'VE BEEN WORKING ON**
- **CURRENT WORK**
- **CURRENT PLAN**
- **HEALTH PLAN PERFORMANCE**
- **PLANNING AND LOOKING FORWARD**
- **2017 PLAN CHANGES**
- **2017-2019 STRATEGIC PLAN**



CURRENT WORK

- **MANAGE PLAN PERFORMANCE**
- **BENCHMARK ANALYSIS**
- **ANTICIPATE CURRENT/FUTURE TRENDS**
- **MONITOR MARKET DYNAMICS**
- **ANALYZE PLAN DESIGN COMPETITIVENESS**
- **BUDGETARY CONSTRAINTS**
- **CLAIMS EXPERIENCE (PARTICULARLY MOST RECENT 12 MONTHS)**



CURRENT WORK

- **CURRENTLY OFFER 3 PPO PLAN DESIGNS**
- **PROVIDING CHOICE FOR EMPLOYEES**
- **BALANCE BETWEEN COST, PLAN DESIGN, EMPLOYEE CONTRIBUTIONS**
- **AS COST CONTINUES TO RISE, BELIEVE MORE TRANSPARENCY THROUGH PLAN DESIGN IS A GOOD THING**



CURRENT PLAN: DESIGN

Benefits	Gold Medical Plan		Silver Medical Plan		Bronze Medical Plan	
	In-Network	Out of Network	In-Network	Out of Network	In-Network	Out of Network
Annual Deductible						
Individual	\$1,000	\$1,500	\$1,750	\$2,650	\$2,500	\$3,750
Family	\$2,000	\$3,000	\$3,500	\$5,300	\$5,000	\$7,500
Out-of-Pocket Maximum						
Individual	\$4,000	\$5,500	\$5,250	\$9,650	\$6,350	\$13,750
Family	\$8,000	\$11,000	\$10,500	\$19,300	\$12,700	\$27,500
Coinsurance	70%	50%	70%	50%	70%	50%
Annual Maximum	Unlimited		Unlimited		Unlimited	
Preventive Care Routine Physical, Well Baby Care Immunizations, Mammogram, PSA Exams, PAP Tests, Colon Cancer Screening**	100%	50%	100%	50%	100%	50%
Physician's Services – Office Visit (including lab only visits)	\$30 copay	50% after ded*	\$40 copay	50% after ded*	\$50 copay	50% after ded*
Lab and X-Ray Lab (Physician office or outpatient facilities due to office visit)	100%	50% after ded*	100%	50% after ded*	100%	50% after ded*
X-Ray/Certain Diagnostic Procedures**	70% after ded*	50% after ded*	70% after ded*	50% after ded*	70% after ded*	50% after ded*
Hospital Services Inpatient (<i>out-of-network \$400 penalty for failure to preauthorize</i>)	90% after ded*	50% after ded*	80% after ded*	50% after ded*	80% after ded*	50% after ded*
Outpatient Surgery	70% after ded*	50% after ded*	70% after ded*	50% after ded*	70% after ded*	50% after ded*
Emergency Room*** (<i>waived if admitted</i>)						



CURRENT PLAN: ELECTIONS

2016 Plan Year

Plan Name	Employee Only	Employee+Spouse	Employee+Child(ren)	Employee+Family	Total	% Enrollment
Gold	54	10	16	3	83	9%
Silver	132	23	65	50	270	28%
Bronze	247	82	112	177	618	64%
Total	433	115	193	230	971	100%
% Enrollment	45%	12%	20%	24%	100%	



CURRENT PLAN: CONTRIBUTIONS

2016 Plan Year Funding Rates (Monthly)

Plan Name	Employee Only	Employee+Spouse	Employee+Child(ren)	Employee+Family
Gold	\$594.34	\$1,029.34	\$730.34	\$1,150.34
Silver	\$532.34	\$790.34	\$614.34	\$866.34
Bronze	\$493.34	\$646.34	\$541.34	\$689.34

2016 Plan Year Employee Contribution (Monthly)

Plan Name	Employee Only	Employee+Spouse	Employee+Child(ren)	Employee+Family
Gold	\$155.00	\$590.00	\$291.00	\$711.00
Silver	\$93.00	\$351.00	\$175.00	\$427.00
Bronze	\$54.00	\$207.00	\$102.00	\$250.00

2016 Plan Year City Rates (Monthly)

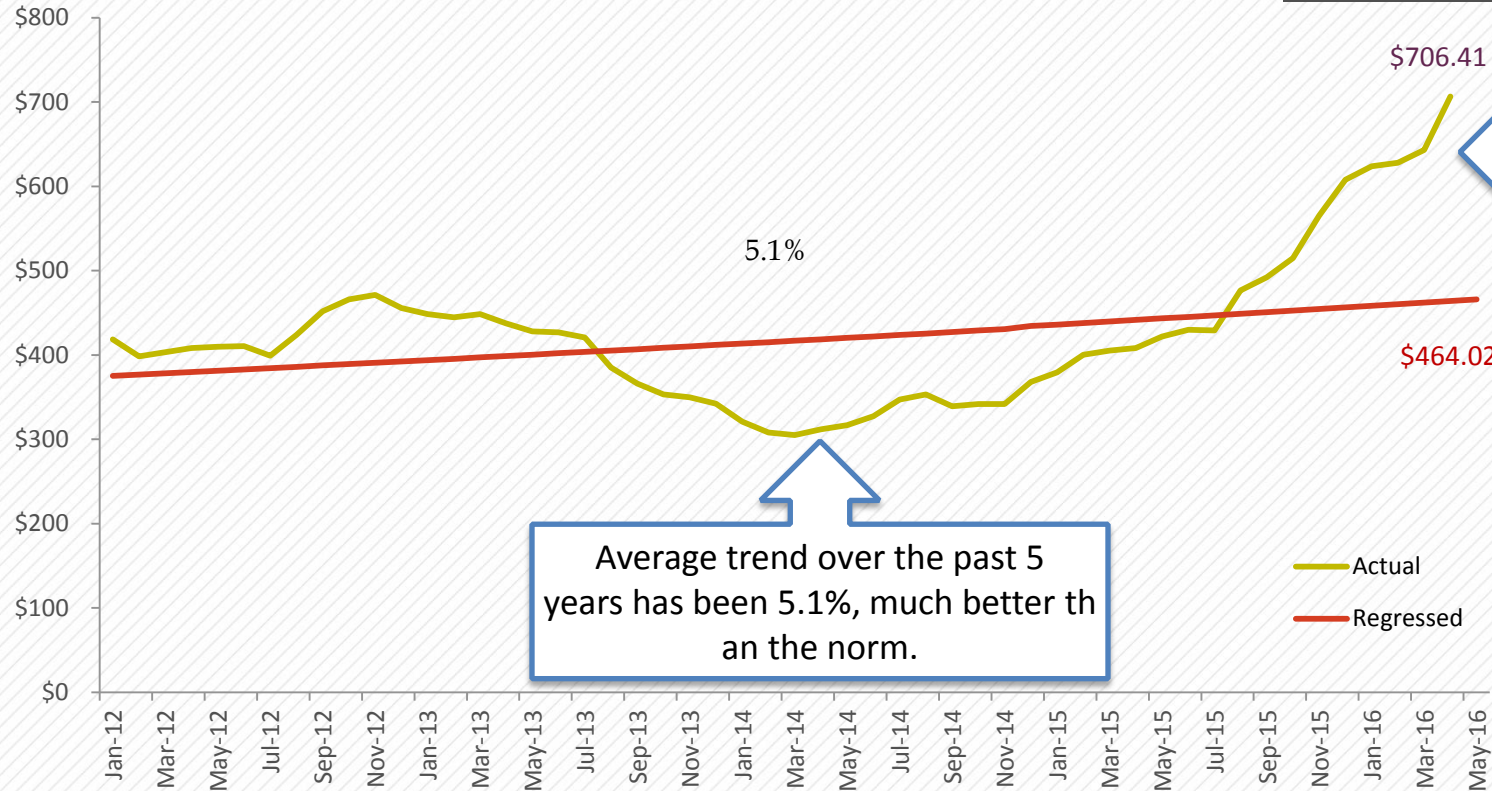
Plan Name	Employee Only	Employee+Spouse	Employee+Child(ren)	Employee+Family
Gold	\$439.34	\$439.34	\$439.34	\$439.34
Silver	\$439.34	\$439.34	\$439.34	\$439.34
Bronze	\$439.34	\$439.34	\$439.34	\$439.34



MEDICAL TREND

Look- Back Rolling 12 Medical Claims

Rolling 12-Months Claims
Per Employee Per Month



Not
attractive
trend as
of late.

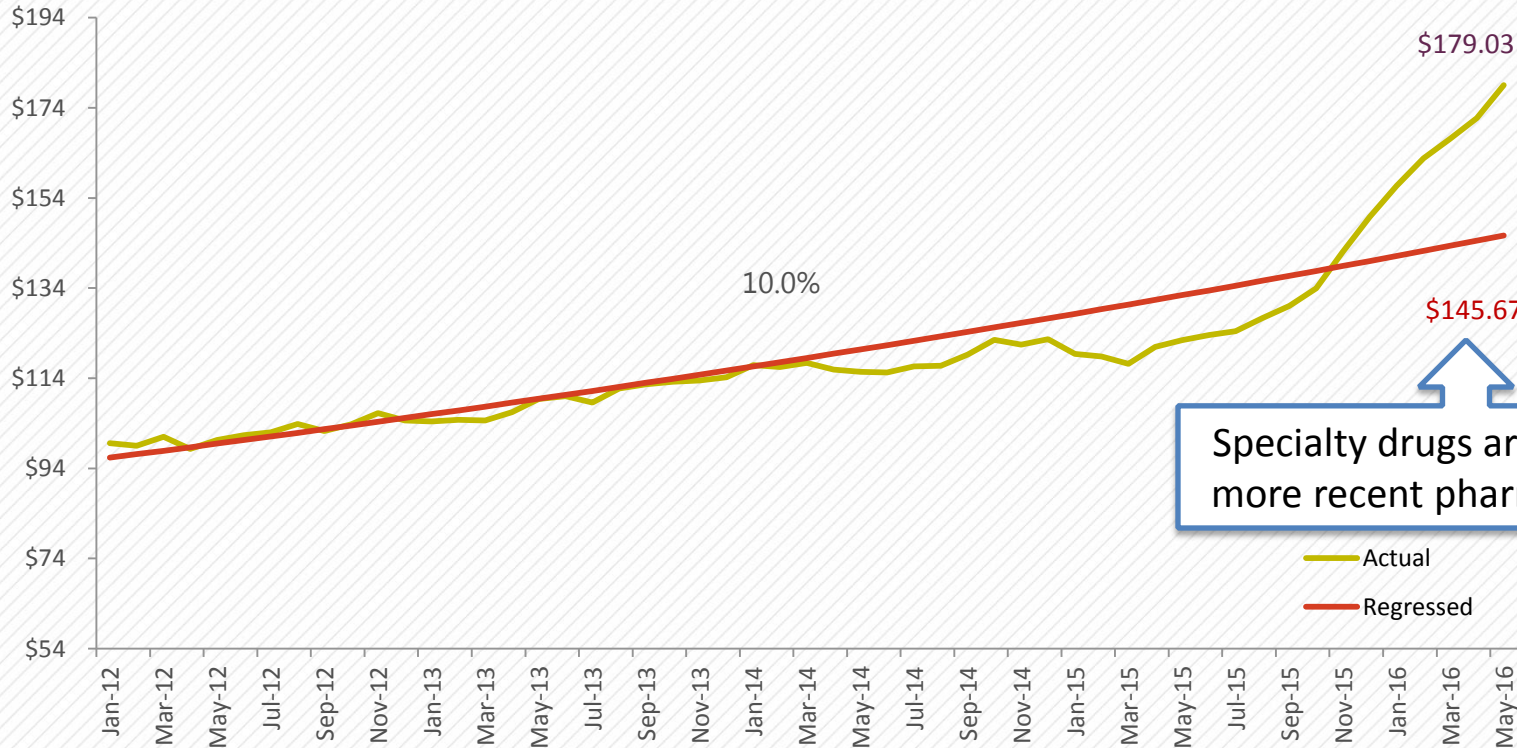
Average trend over the past 5
years has been 5.1%, much better th
an the norm.



PHARMACY TREND

Look-Back Rolling 12 Rx Claims

Rolling 12-Months Claims
Per Employee Per Month



PLANNING AND LOOKING FORWARD

- Explored with Sr. Leadership and Benefits Committee
 - Where We Have Been, Where We Are, and Where We are Going
 - S.W.O.T. Analysis
 - Performed C.O.A.C.H. Analysis
- Developed Strategic Plan
- Developed Three Year Strategy
 - City/Employee Action
 - Plan Changes/Benchmarking
 - Financial Obligations



COACH ANALYSIS

- C.O.A.C.H. Analysis
 - Most Recent 8 Years of Performance
 - Compared Actual Utilization to the Market
 - Clinic Operating at 1/3 Less Cost than the Market
 - Employees Value the Clinic
- Plan Design –Transparency and Employee Engagement



2017 PLAN CONSIDERATIONS

- Plan Design
 - Do Nothing
 - Reduce and/or Modify Choices
- Assumptions
 - Current
 - More Aggressive
- Contributions
 - City Currently Pays Roughly 73% of Premiums
 - Determine Cost Share Between City/Employee



ILLUSTRATION 1 - COST

(NO PLAN CHANGES, ROLLING 12-MONTH CLAIMS)

PEPM Cost				
	2016 Reforecast	Before Chg	2017 After Chg	Savings
Revenue				
ER Contribution	\$439.34	\$439.34	\$688.93	
EE Contribution	\$165.64	\$165.64	\$259.74	
Total Premium	\$604.98	\$604.98	\$948.67	
% Increase in ER Funding			56.8%	
% Increase in EE Funding			56.8%	
Cost				
Gross Cost	\$1,022.60	\$1,111.13	\$1,111.13	\$0.00
Employee Contribution	\$165.64	\$165.64	\$259.74	\$94.10
Net Cost	\$856.97	\$945.49	\$851.39	\$94.10
Annual Cost				
	2016 Reforecast	Before Chg	2017 After Chg	Savings
Revenue				
ER Contribution	\$6,326,000	\$6,326,000	\$9,921,000	
EE Contribution	\$1,931,000	\$1,930,000	\$3,026,000	
Total Premium	\$8,257,000	\$8,256,000	\$12,947,000	
Cost				
Gross Cost	\$11,919,000	\$12,947,000	\$12,947,000	\$0
Employee Contribution	\$1,931,000	\$1,930,000	\$3,026,000	\$1,096,000
Net Cost	\$9,988,000	\$11,017,000	\$9,921,000	\$1,096,000
Net \$ Increase		\$1,029,000	(\$67,000)	
Surplus	(\$3,662,000)	(\$4,691,000)	\$0	



ILLUSTRATION 1 - CONTRIBUTIONS

(NO PLAN CHANGES, ROLLING 12-MONTH CLAIMS)

Employee Contributions

2016				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
Gold	\$155.00	\$590.00	\$291.00	\$711.00
Silver	\$93.00	\$351.00	\$175.00	\$427.00
Bronze	\$54.00	\$207.00	\$102.00	\$250.00
2017				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
Gold	\$243.06	\$925.18	\$456.32	\$1,114.92
Silver	\$145.83	\$550.41	\$274.42	\$669.58
Bronze	\$84.68	\$324.60	\$159.95	\$392.03
\$ Increase (Monthly)				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
Gold	\$88.06	\$335.18	\$165.32	\$403.92
Silver	\$52.83	\$199.41	\$99.42	\$242.58
Bronze	\$30.68	\$117.60	\$57.95	\$142.03
\$ Increase (Semi-Monthly)				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
Gold	\$44.03	\$167.59	\$82.66	\$201.96
Silver	\$26.42	\$99.70	\$49.71	\$121.29
Bronze	\$15.34	\$58.80	\$28.97	\$71.01



ILLUSTRATION 2 - COST

(NO PLAN CHANGES, MORE AGGRESSIVE ASSUMPTIONS)

PEPM Cost				
	2016	2017		
Revenue	Reforecast	Before Chg	After Chg	Savings
ER Contribution	\$439.34	\$439.34	\$552.17	
EE Contribution	\$165.64	\$165.64	\$208.17	
Total Premium	\$604.98	\$604.98	\$760.34	
% Increase in ER Funding			25.7%	
% Increase in EE Funding			25.7%	
Cost				
Gross Cost	\$904.01	\$890.58	\$890.58	\$0.00
Employee Contribution	\$165.64	\$165.64	\$208.17	\$42.54
Net Cost	\$738.38	\$724.95	\$682.41	\$42.54
Annual Cost				
	2016	2017		
Revenue	Reforecast	Before Chg	After Chg	Savings
ER Contribution	\$6,326,000	\$6,326,000	\$7,951,000	
EE Contribution	\$1,931,000	\$1,930,000	\$2,426,000	
Total Premium	\$8,257,000	\$8,256,000	\$10,377,000	
Cost				
Gross Cost	\$10,537,000	\$10,377,000	\$10,377,000	\$0
Employee Contribution	\$1,931,000	\$1,930,000	\$2,426,000	\$496,000
Net Cost	\$8,606,000	\$8,447,000	\$7,951,000	\$496,000
Net \$ Increase		(\$159,000)	(\$655,000)	
Surplus	(\$2,280,000)	(\$2,121,000)	\$0	



ILLUSTRATION 2 - CONTRIBUTIONS

(NO PLAN CHANGES, MORE AGGRESSIVE ASSUMPTIONS)

<u>Employee Contributions</u>				
2016				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
Gold	\$155.00	\$590.00	\$291.00	\$711.00
Silver	\$93.00	\$351.00	\$175.00	\$427.00
Bronze	\$54.00	\$207.00	\$102.00	\$250.00
2017				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
Gold	\$194.81	\$741.52	\$365.73	\$893.59
Silver	\$116.88	\$441.14	\$219.94	\$536.66
Bronze	\$67.87	\$260.16	\$128.19	\$314.20
\$ Increase (Monthly)				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
Gold	\$39.81	\$151.52	\$74.73	\$182.59
Silver	\$23.88	\$90.14	\$44.94	\$109.66
Bronze	\$13.87	\$53.16	\$26.19	\$64.20
\$ Increase (Semi-Monthly)				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
Gold	\$19.90	\$75.76	\$37.37	\$91.30
Silver	\$11.94	\$45.07	\$22.47	\$54.83
Bronze	\$6.93	\$26.58	\$13.10	\$32.10



ILLUSTRATION 3 - COST

(PLAN CHANGES, MORE AGGRESSIVE ASSUMPTIONS)

<u>PEPM Cost</u>				
	2016 Reforecast	2017		
<u>Revenue</u>		<u>Before Chg</u>	<u>After Chg</u>	<u>Savings</u>
ER Contribution	\$439.34	\$439.34	\$483.27	
EE Contribution	\$165.64	\$165.64	\$247.90	
Total Premium	\$604.98	\$604.98	\$731.18	
% Increase in ER Funding			10.0%	
% Increase in EE Funding			49.7%	
<u>Cost</u>				
Gross Cost	\$904.01	\$891.91	\$846.55	\$45.36
Employee Contribution	\$165.64	\$165.64	\$247.90	\$82.27
Net Cost	\$738.38	\$726.27	\$598.64	\$127.63
<u>Annual Cost</u>				
	2016 Reforecast	2017		
<u>Revenue</u>		<u>Before Chg</u>	<u>After Chg</u>	<u>Savings</u>
ER Contribution	\$6,326,000	\$6,326,000	\$6,959,000	
EE Contribution	\$1,931,000	\$1,930,000	\$2,889,000	
Total Premium	\$8,257,000	\$8,256,000	\$9,848,000	
<u>Cost</u>				
Gross Cost	\$10,537,000	\$10,393,000	\$9,864,000	\$529,000
Employee Contribution	\$1,931,000	\$1,930,000	\$2,889,000	\$959,000
Net Cost	\$8,606,000	\$8,463,000	\$6,975,000	\$1,488,000
Net \$ Increase		(\$143,000)	(\$1,631,000)	
Surplus	(\$2,280,000)	(\$2,137,000)	(\$16,000)	



ILLUSTRATION 3 - CONTRIBUTIONS

(PLAN CHANGES, MORE AGGRESSIVE ASSUMPTIONS)

<u>Employee Contributions</u>				
2016				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
Gold	\$155.00	\$590.00	\$291.00	\$711.00
Silver	\$93.00	\$351.00	\$175.00	\$427.00
Bronze	\$54.00	\$207.00	\$102.00	\$250.00
2017				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
High	\$201.00	\$849.00	\$383.00	\$849.00
Low	\$100.00	\$388.00	\$194.00	\$388.00
\$ Increase (Monthly)				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
High	\$46.00	\$259.00	\$92.00	\$138.00
Low	\$46.00	\$181.00	\$92.00	\$138.00
\$ Increase (Semi-Monthly)				
	<u>E</u>	<u>S</u>	<u>C</u>	<u>F</u>
High	\$23.00	\$129.50	\$46.00	\$69.00
Low	\$23.00	\$90.50	\$46.00	\$69.00



2017 CHANGES

- Reduced Plan Election Options
 - From 3 PPO Plans to 2 PPO Plans
- Better Align Employee Contributions (Eliminate Spouse Tier)
- Continue to Offer Flexible Spending Accounts
- Continue to offer Aetna comprehensive nationwide network
 - Eliminate Out-of-Network benefits



2017 CHANGES

Current Structure

Proposed Structure

	Current Structure						Proposed Structure	
	Gold		Silver		Bronze		High Plan	Low Plan
	<u>In-Net</u>	<u>Out of Net</u>	<u>In-Net</u>	<u>Out of Net</u>	<u>In-Net</u>	<u>Out of Net</u>	<u>In-Net</u>	<u>In-Net</u>
Coinsurance	70%	50%	70%	50%	70%	50%	70%	70%
Deductible	\$1,000	\$1,500	\$1,750	\$2,650	\$2,500	\$3,750	\$2,000	\$3,000
OOP Max	\$4,000	\$5,500	\$5,250	\$9,650	\$6,350	\$13,750	\$5,000	\$6,600
Primary Office Visit	\$30	0%	\$40	0%	\$50	0%	\$40	\$50
Specialist Office Visit	\$30	0%	\$40	0%	\$50	0%	\$40	\$50
In-Network Utilization	95%		95%		95%		99%	99%
<u>Rx Plan Design</u>								
Deductible	\$100		\$100		\$100		\$100	\$100
	<u>Retail</u>	<u>Mail Order</u>	<u>Retail</u>	<u>Mail Order</u>	<u>Retail</u>	<u>Mail Order</u>	<u>Retail</u>	<u>Retail</u>
Generics	\$15	\$30	\$15	\$30	\$15	\$30	\$15	\$15
Preferred Brand Drugs	\$40	\$80	\$40	\$80	\$40	\$80	\$40	\$40
Non-Preferred Brand Drugs	\$60	\$120	\$60	\$120	\$60	\$120	\$60	\$60
Specialty High-Cost Drugs	\$60	\$120	\$60	\$120	\$60	\$120	\$60	\$60
Active Enrollment %	8.5%		27.8%		63.6%		10.0%	90.0%



SUCCESS REQUIREMENTS

- Budgetary Support (ROI sensitivity)
- Employee Benefits Committee Support
- Council Understanding/Support (phones will ring)
- Sr. Leadership Understanding/Support
- Targeted and Constant Communication (cost and time intensive)
- Adapt to Changing Healthcare Landscape



2017-2019 STRATEGIC PLAN SUMMARY

- Condense Plan Options
- Promote Transparency
- Better Alignment of Employee Contributions
 - Tier Restructuring
 - Spousal Cost Difference (if no coverage elsewhere)
- Fund and Promote Wellness Initiatives
 - Biometric Screenings
 - Age/Gender Appropriate Health Screenings
- Fund and Promote Healthy Behavior (i.e., Tobacco Cessation)



NEXT STEPS

- Actively engaged in repricing exercise with the market
 - HMA to Report to City with results
 - Full RFP option available
- Open enrollment begins October 14th



Thank You