

City Council
Agenda Memo



City Council
Meeting Date: 12/19/2013

TO: Larry D. Gilley, City Manager

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

SUBJECT: First reading on an ordinance for Case No. Z-2013-44, a request from Darby Enterprises, agent Jason Darby, to rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning, located at 1600, 1601, 1632, 1633, & 1650 Vision Dr; and setting a public hearing for January 9, 2014.

GENERAL INFORMATION

Currently the properties are zoned HI and are developed with industrial uses. The surrounding properties are also zoned HI and are developed similarly. The subject property is requesting a change in zoning to allow for an ambulance service, which is not allowed in the HI zoning. The existing uses on all of these properties comply with the LI zoning and therefore have been included. The requested zoning would allow for the proposed and existing uses in compliance with zoning.

The Future Land Use section of the Comprehensive Plan designates the area as industrial. The requested zoning would allow for an ambulance service as well as accommodate for the exiting uses and future uses similar to those that currently exist on adjacent properties. The requested zoning is compatible with the adjacent uses and the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 5 in favor (Bixby, Glenn, McClarty, Rosenbaum, and Famble), none opposed, & 2 abstained (Todd & Yungblut).

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

December 9, 2013

Item No. 6.7

Disposition by City Council

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

City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 19th day of December, A.D. 2013.

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 November, 2013, 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 9th day of January, 2014 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 9th day of January, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from HI (Heavy Industrial) to LI (Light Industrial) district.

Legal Description:

UNIVERSAL UNITS, BLOCK A, LOTS 1 - 5



Location:
1600, 1601, 1632, 1633, & 1650 Vision Dr

-END-

ZONING CASE Z-2013-44

STAFF REPORT



APPLICANT INFORMATION:

Darby Enterprises
Agent: Jason Darby

HEARING DATES:

Planning & Zoning Commission: December 2, 2013
City Council 1st Reading: December 19, 2013
City Council 2nd Reading: January 9, 2014

LOCATION:

1600, 1601, 1632, 1633, & 1650 Vision Dr

REQUESTED ACTION:

HI (Heavy Industrial) to LI (Light Industrial)



SITE CHARACTERISTICS:

The property is currently zoned HI and is developed with industrial uses. The surrounding properties are zoned HI and are developed with industrial uses.

ZONING HISTORY:

The property was annexed incorporated in 1957 and was zoned HI in 1977.

ANALYSIS:

- Current Planning Analysis

Currently the properties are zoned HI and are developed with industrial uses. The surrounding properties are also zoned HI and are developed similarly. The subject property is requesting a change in zoning to allow for an ambulance service, which is not allowed in the HI zoning. The existing uses on all of these properties comply with the LI zoning and therefore have been included. The requested zoning would allow for the proposed and existing uses in compliance with zoning.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the area as industrial. The requested zoning would allow for an ambulance service as well as accommodate for the exiting uses and future uses similar to those that currently exist on adjacent properties. The requested zoning is compatible with the adjacent uses and the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval by a vote of 5 in favor (Bixby, Glenn, McClarty, Rosenbaum, and Famble), none opposed, & 2 abstained (Todd & Yungblut).

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
MEANS R M TRUST	4650 S TREADAWAY BL	
DARBY ENTERPRISES INC	1632 VISION DR	In Favor
DARBY ENTERPRISES INC	1601 VISION DR	In Favor
DARBY ENTERPRISES INC	1633 VISION DR	In Favor
DARBY ENTERPRISES INC	1650 VISION DR	In Favor
DARBY ENTERPRISES INC	1600 VISION DR	In Favor
DARBY ENTERPRISES INC	5009 S DANVILLE DR	In Favor
D & H RIG SERVICE INC	4550 S TREADAWAY BL	
DARBY DONALD BUD	5041 S DANVILLE DR	In Favor

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







