

City Council  
Agenda Memo



City Council  
Meeting Date: 5/19/2014

**TO:** Larry D. Gilley, City Manager

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

**SUBJECT:** First reading on an ordinance for Case No. Z-2014-09, a request from the City of Abilene, to rezone property from MH (Manufactured/Mobile Home) to NO (Neighborhood Office) zoning, located at 1000 S. 32nd St; and setting a public hearing for June 12, 2014.

**GENERAL INFORMATION**

Currently the property is zoned MH and is developed with an overflow parking area for Maxwell Golf Course. The properties to the north and west are zoned MH and are developed with residential uses. There are 2 homes and a mobile home park to the west of the subject property. The properties to the south and east are zoned AO (Agricultural Open Space) and developed as the Abilene Country Club and Maxwell golf courses. The change of zoning would allow for greater flexibility with Maxwell Golf Course and the potential of selling alcohol at the clubhouse.

The Future Land Use section of the Comprehensive Plan designates the area as medium-density residential. The requested zoning would allow for greater flexibility with the golf course. The requested zoning would be compatible with the adjacent uses and the Comprehensive Plan.

**STAFF RECOMMENDATION**

Staff recommends approval as requested.

**BOARD OR COMMISSION RECOMMENDATION**

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

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

May 6, 2014

Item No. 6.4

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 19<sup>th</sup> day of May, A.D. 2014.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 21<sup>st</sup> day of March, 2014, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 12<sup>th</sup> day of June, 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 12<sup>th</sup> day of June, A.D. 2014.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

Rezone property from MH (Manufactured/Mobile Home) to NO (Neighborhood Office) zoning.

Legal Description:

COUNTRY CLUB, BLOCK 17, LOT E125 OF 3



Location:  
1000 S. 32nd St

-END-

# ZONING CASE Z-2014-09

## STAFF REPORT



### APPLICANT INFORMATION:

City of Abilene

### HEARING DATES:

Planning & Zoning Commission: April 7, 2014

City Council 1<sup>st</sup> Reading: May 19, 2014

City Council 2<sup>nd</sup> Reading: June 12, 2014

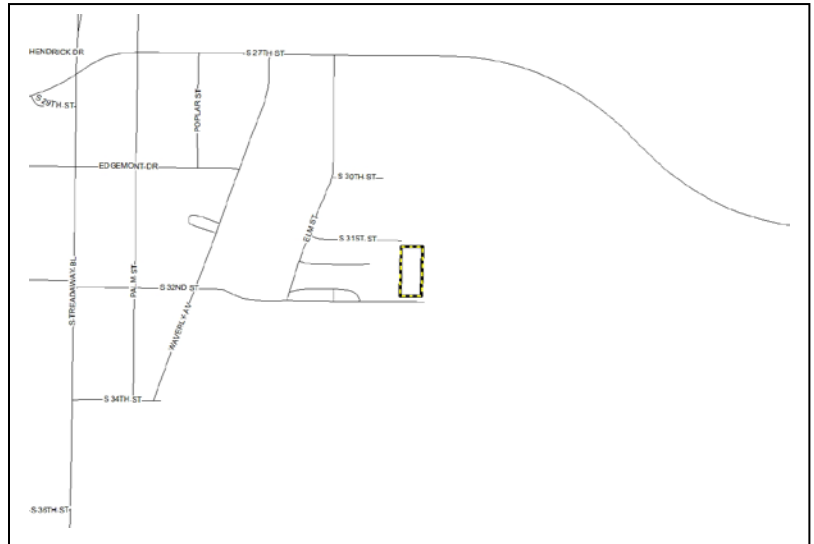
### LOCATION:

1000 S. 32<sup>nd</sup> St

### REQUESTED ACTION:

MH (Manufactured/Mobile Home) or

NO (Neighborhood Office)



### SITE CHARACTERISTICS:

The subject parcel totals approximately 0.84 acres. The property is currently zoned MH and is developed with an overflow parking area for Maxwell Golf Course.

### ZONING HISTORY:

The area was annexed in 1959 and zoned MH sometime after.

### ANALYSIS:

- Current Planning Analysis

Currently the property is zoned MH and is developed with an overflow parking area for Maxwell Golf Course. The properties to the north and west are zoned MH and are developed with residential uses. There are 2 homes and a mobile home park to the west of the subject property. The properties to the south and east are zoned AO (Agricultural Open Space) and developed as the Abilene Country Club and Maxwell golf courses. The change of zoning would allow for greater flexibility with Maxwell Golf Course and the potential of selling alcohol at the clubhouse.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the area as medium-density residential. The requested zoning would allow for greater flexibility with the golf course. The requested zoning would be 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 6 in favor (Bixby, Glenn, McClarty, Rosenbaum, Todd, and Famble) and none opposed.

**NOTIFICATION:**

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

OWNER	ADDRESS	RESPONSE
JUSTICE DALE	3149 ELM ST	
SAMPSON SHANNON E & SHAWNA M	1026 S 32ND ST	
CITY OF ABILENE	1000 S 32ND ST	
ABILENE COUNTRY CLUB	4039 S TREADAWAY BL	
BIRD BOBBIE DEAN DOBBS	1018 S 32ND ST	
CITY OF ABILENE	1002 S 32ND ST	
GLR LEASING INC	1018 S 31ST ST	
GLR LEASING INC	3045 ELM ST	

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

