

City Council  
Agenda Memo



City Council  
Meeting Date: 10/23/2014

**TO: David A. Vela, Interim City Manager**

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

**SUBJECT: First reading on an ordinance for Case No. Z-2014-42, a request from Richard & Terri Hartmann, agent Southwind Group, Inc, to rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning, being Lots 11 & 12, Block C, Lone Oak Industrial Park, Section 3, located at 115 Caddo Dr; and setting a public hearing for November 6, 2014.**

**GENERAL INFORMATION**

Currently the property is zoned HI and an undeveloped portion of the property currently addressed as 115 Caddo Dr. The surrounding area is developed generally with industrial uses, warehousing, and associated office uses. The property is located between Loop 322 and Maple St. The applicant is requesting the LI zoning for development of an office building for a fuel wholesale company. The current HI zoning does not allow for office development.

The Future Land Use section of the Comprehensive Plan designates this area as ‘industrial’ and ‘commercial’. This area is located near a “Major Commercial/Business Center” designated at the intersection of Industrial Blvd and Loop 322. The request is deemed compatible with the Future Land Use Map.

**STAFF RECOMMENDATION**

Staff recommends approval.

**BOARD OR COMMISSION RECOMMENDATION**

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

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

October 10, 2014

Item No. 6.5

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 23<sup>rd</sup> day of October, 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 19<sup>th</sup> day of September, 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 6<sup>th</sup> day of November, 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 6<sup>th</sup> day of November, A.D. 2014.

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

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

EXHIBIT "A"

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

Legal Description:

Lots 11 & 12, Block C, Lone Oak Industrial Park, Section 3



Location:  
115 Caddo Dr

-END-

# ZONING CASE Z-2014-42

## STAFF REPORT



### APPLICANT INFORMATION:

Richard & Terri Hartmann  
Agent: Southwind Group, Inc.

### HEARING DATES:

P & Z Commission: October 6, 2014  
City Council 1<sup>st</sup> Reading: October 23, 2014  
City Council 2<sup>nd</sup> Reading: November 6, 2014

### LOCATION:

Lots 11 & 12, Block C, Lone Oak Industrial Park,  
Section 3, located at 115 Caddo Dr

### REQUESTED ACTION:

Rezone property from HI (Heavy Industrial) to  
LI (Light Industrial) zoning



### SITE CHARACTERISTICS:

The subject parcel totals approximately 1.08 acres and is currently zoned HI. The adjacent properties are zoned HI to the north, south, east, and west.

### ZONING HISTORY:

The property was annexed in 1968 and was zoned HI in 1980.

### ANALYSIS:

- Current Planning Analysis  
Currently the property is zoned HI and an undeveloped portion of the property currently addressed as 115 Caddo Dr. The surrounding area is developed generally with industrial uses, warehousing, and associated office uses. The property is located between Loop 322 and Maple St. The applicant is requesting the LI zoning for development of an office building for a fuel wholesale company. The current HI zoning does not allow for office development.
- Comprehensive Planning Analysis  
The Future Land Use section of the Comprehensive Plan designates this area as 'industrial' and 'commercial'. This area is located near a "Major Commercial/Business Center" designated at the intersection of Industrial Blvd and Loop 322. The request is deemed compatible with the Future Land Use Map.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

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

**NOTIFICATION:**

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

<b>OWNER</b>	<b>ADDRESS</b>	<b>RESPONSE</b>
COLES OTIS CALVIN III	134 CADD O DR	
LOVE BRADLEY BRETT	146 TANNEHILL DR	
LANIER PROPERTIES LLC	138 CADD O DR	
QRP LLC DBA BENEFIT SOLUTIONS	142 TANNEHILL DR	
LONE OAK IND PARK JOINT VENTURE	126 TANNEHILL DR	
LONE OAK IND PARK JOINT VENTURE	118 TANNEHILL DR	
LONE OAK IND PARK JOINT VENTURE	122 TANNEHILL DR	
CHRIS MOORE CONSTRUCTION	145 CADD O DR	
STALLINGS MARK	122 CADD O DR	
STALLINGS MARK	126 CADD O DR	
SMEDLEY OWEN W & BECKY I	130 CADD O DR	
HARTMANN RICHARD E & TERRI	115 CADD O DR	
NEW LEAF LANDSCAPING LLC	138 TANNEHILL DR	
LANIER PROPERTIES LLC	141 CADD O DR	
JE MORRIS VENTURES LLC	130 TANNEHILL DR	

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









