

City Council
Agenda Memo



City Council
Meeting Date: 1/8/2015

TO: David A. Vela, Interim City Manager

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

SUBJECT: First reading on an ordinance for Case No. Z-2014-55, a request from Martin Sprocket & Gear, agent Kris Johnson, to rezone property from AO (Agricultural Open Space) to HI (Heavy Industrial) zoning, located at 4300 F.M. 18; and setting a public hearing for January 22, 2015.

GENERAL INFORMATION

Currently the property is zoned AO and is developed with Martin Sprocket & Gear business. The surrounding area is developed generally with similar industrial uses. The purpose of the zoning is to allow for an expansion to the site. The current AO zoning does not allow for the existing non-conforming use to expand; therefore, the applicant has requested to rezone the property to the HI zoning district. The FM 18 corridor has similar properties with HI zoning and can be expected to continue to develop similarly in the future.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a 'Gateway/Major Business-Industrial' area. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as presented by a vote of 5 in favor (Calk, Ellinger, Glenn, McClarty, & Famble) and none opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

December 22, 2014

Item No. 6.1

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 8th day of January, A.D. 2015.

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 26th day of November, 2014, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 22nd day of January, 2015 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 22nd day of January, A.D. 2015.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to HI (Heavy Industrial) zoning.

Legal Description:

MARTIN SPROCKET & GEAR SUB, BLOCK A, LOT 1, ACRES 12.39



Location:
4300 F.M. 18

-END-

ZONING CASE Z-2014-55

STAFF REPORT



APPLICANT INFORMATION:

Martin Sprocket & Gear
Agent: Kris Johnson

HEARING DATES:

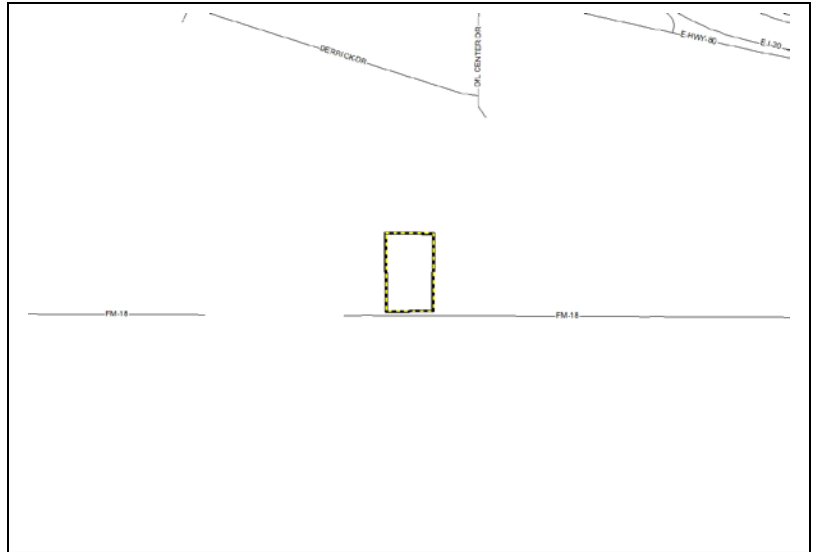
P & Z Commission: December 15, 2014
City Council 1st Reading: January 8, 2015
City Council 2nd Reading: January 22, 2015

LOCATION:

4300 F.M. 18

REQUESTED ACTION:

Rezone property from AO (Agricultural Open Space) to HI (Heavy Industrial) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 12.39 acres and is currently zoned AO. The adjacent properties are zoned AO to the north, east & west and HI to the south. There is a mix of HI & LI (Light Industrial) zoning in the immediate area to the east and north.

ZONING HISTORY:

The property was annexed in 1986 and zoned AO at that time.

ANALYSIS:

- Current Planning Analysis

Currently the property is zoned AO and is developed with Martin Sprocket & Gear business. The surrounding area is developed generally with similar industrial uses. The purpose of the zoning is to allow for an expansion to the site. The current AO zoning does not allow for the existing non-conforming use to expand; therefore, the applicant has requested to rezone the property to the HI zoning district. The FM 18 corridor has similar properties with HI zoning and can be expected to continue to develop similarly in the future.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as part of a 'Gateway/Major Business-Industrial' area. 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 5 in favor (Calk, Ellinger, Glenn, McClarty, & Famble) and none opposed.

NOTIFICATION:

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

| OWNER | ADDRESS | RESPONSE |
|------------------------|----------------|-----------------|
| SPROCKET MARTIN | 4300 FM 18 | |
| DODGCO INC | | |
| BANDAG INC | | |
| MARTIN SPROCKET & GEAR | | |
| BANDAG INC | 4550 FM 18 | |

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

