

City Council
Agenda Memo



City Council
Meeting Date: 7/23/2015

TO: Robert Hanna, City Manager

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

SUBJECT: First reading on an ordinance for Case No. Z-2015-17, a request from Jamie Anderson, to rezone property from RS-6 (Single-Family Residential) to RS-6/H (Single-Family Residential/Historic Overlay) zoning, located at 1134 Grand Ave; and setting a public hearing for August 13, 2015.

GENERAL INFORMATION

Currently the property is developed with a home. The surrounding area is developed with single-family homes in all directions. The Presley/Anderson House was built c. 1929. This house has had few external alterations since 1930. Building records do show that there was an additional separate garage structure added to the lot in 1947, it is of age and construction type to be considered contributing to the property. The purpose of the zoning is to designate a historic overlay on the home in order to protect the home and provide tax incentives for the home owner.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Landmarks Commission recommends approval by a vote of 5 in favor (Butman, Lee, McClellan, Miller, & Minter) and none opposed.

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

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

July 13, 2015

Item No. 6.2

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 23rd day of July, 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 19th day of June, 2015, 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 13th day of August, 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 13th day of August, A.D. 2015.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from RS-6 (Single-Family Residential) to RS-6/H (Single-Family Residential/Historic Overlay) zoning.

Legal Description:

HIGHLAND ADDN CONT 3, BLOCK 34, LOT S44 LT 6 N10 OF LT 7



Location:
1134 Grand Ave

-END-

ZONING CASE Z-2015-17

STAFF REPORT



APPLICANT INFORMATION:

Jamie Anderson

HEARING DATES:

P & Z Commission: July 6, 2015

City Council 1st Reading: July 23, 2015

City Council 2nd Reading: August 13, 2015

LOCATION:

1134 Grand Ave

REQUESTED ACTION:

Rezone property from RS-6 (Single-Family Residential) to RS-6/H (Single-Family Residential/Historic Overlay) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 0.16 acres and is currently zoned RS-6. The adjacent properties are zoned RS-6 to the north, south, east, & west.

ZONING HISTORY:

The property was annexed in 1923 and zoned RS-6 sometime after.

ANALYSIS:

- Current Planning Analysis

Currently the property is developed with a home. The surrounding area is developed with single-family homes in all directions. The Presley/Anderson House was built c. 1929. This house has had few external alterations since 1930. Building records do show that there was an additional separate garage structure added to the lot in 1947, it is of age and construction type to be considered contributing to the property. The purpose of the zoning is to designate a historic overlay on the home in order to protect the home and provide tax incentives for the home owner.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

LANDMARKS COMMISSION RECOMMENDATION:

The Landmarks Commission recommends approval by a vote of 5 in favor (Butman, Lee, McClellan, Miller, & Minter) and none opposed.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

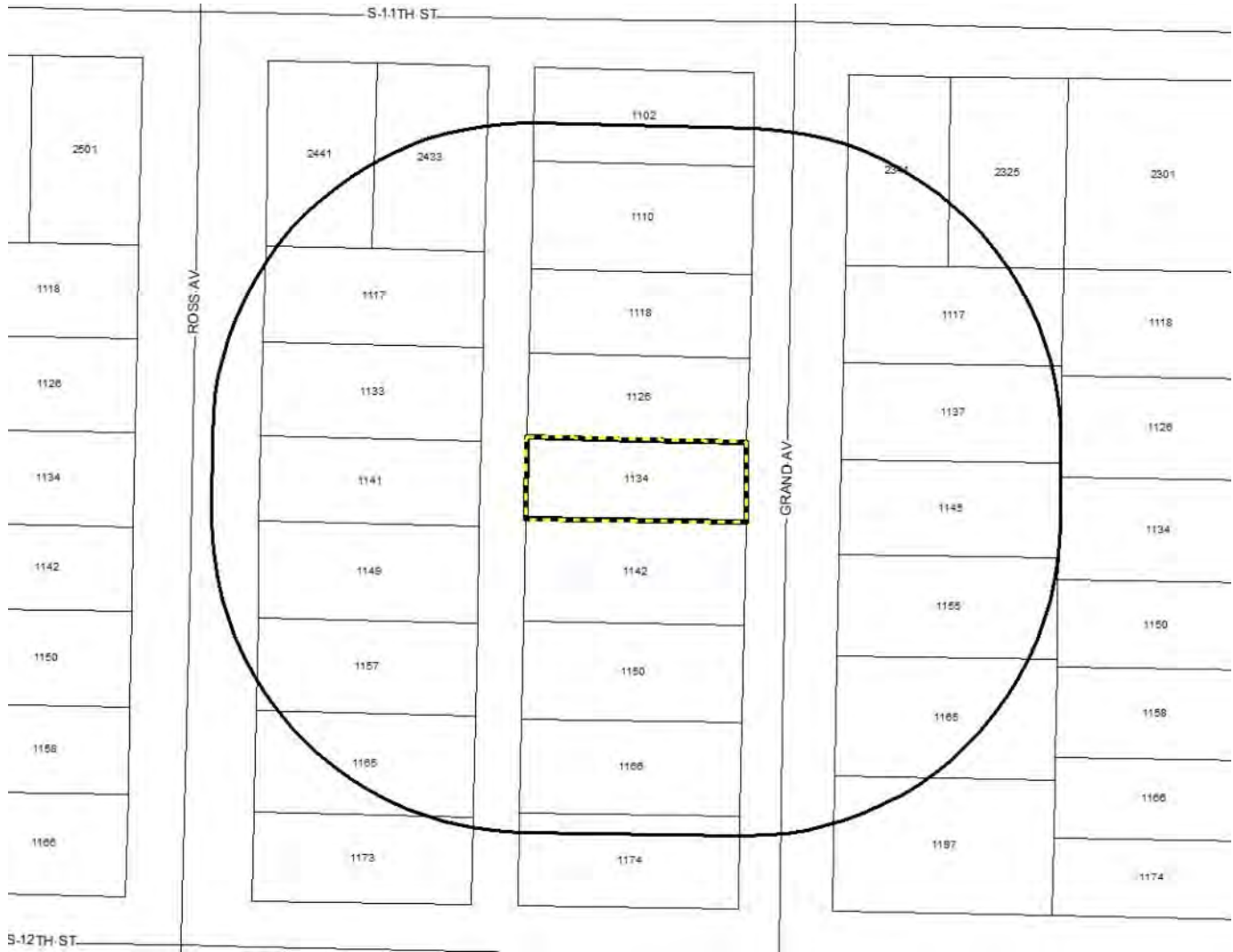
The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Calk, Dunnahoo, Ellinger, Rosenbaum, & McClarty) and none opposed.

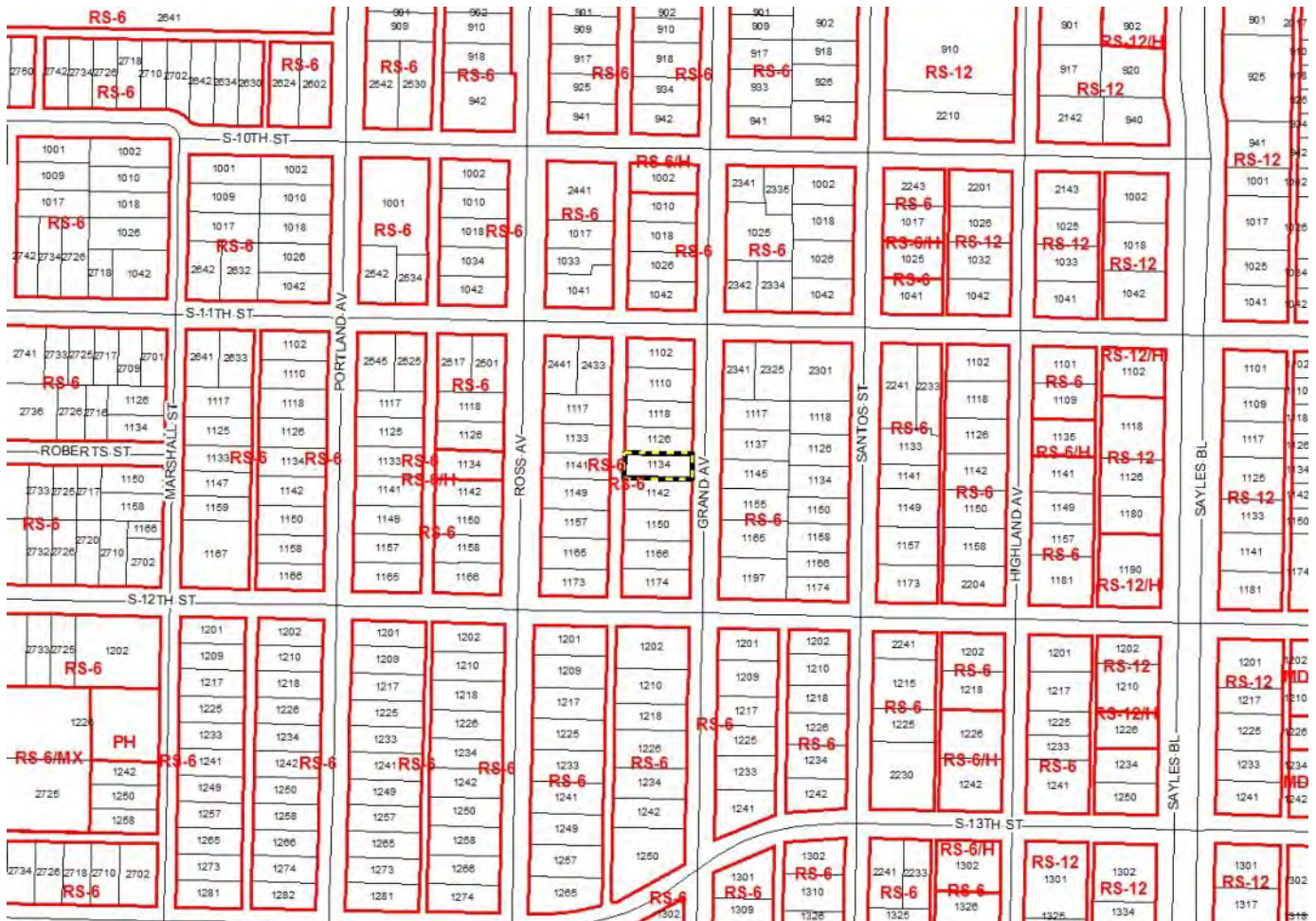
NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
ARIAS JOSE LUIS JR	2441 S 11TH ST	
HARLAN JOHN & LINDSEY R	1126 SANTOS ST	
VANNOY REBECCA S	2433 S 11TH ST	
JONES ORDIS P & GERALDINE	1166 GRAND AV	
GRAY THELMA	1102 GRAND AV	
GOODWIN BRENDA	1110 GRAND AV	
WHEELER JOEL E & CAROLYN C	1118 GRAND AV	
PARKS CHARLES M	1150 GRAND AV	
MC CLEARY SCOTT & CATHY S	1142 GRAND AV	
BLACKBURN STEPHANIE L	1157 ROSS AV	
FAIRCLOTH JACQUELINE K	1155 GRAND AV	
DAVIDSON EDWARD LEE & BILLIE SUE	1126 GRAND AV	
CAMP BRENT Z & ALISON R	1145 GRAND AV	
MILLER JOHN & BONNIE	1117 GRAND AV	
HARGUS RONALD KENT	2325 S 11TH ST	
D & J RENTALS PARTNERSHIP	1117 ROSS AV	
FILLMON DONALD J & SHERYL	1173 ROSS AV	
SHANAFELT GARY W & NANCY	1197 GRAND AV	
HOWARD AMBER BROOKE	2341 S 11TH ST	
WILSON CHRISTOPHER T	1149 ROSS AV	
PHELPS TONY	1141 ROSS AV	
STRAIT NICHOLAS A & NICHOLE TUMEY	1134 SANTOS ST	
BRONAUGH JASON R & ALISA	1165 ROSS AV	
YOUNGBLOOD DANIEL P & JESSICA S	1137 GRAND AV	
BOCKENFELD STEVEN E & APRIL L	1174 GRAND AV	
GLR LEASING INC	1133 ROSS AV	
EAGLE ROBERT A & LAUREN	1165 GRAND AV	
ANDERSON JAMES P	1134 GRAND AV	

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









Case # Z-2015-17
Updated: July 13, 2015