



**City Council
Agenda Memo**

City Council Meeting Date: 9/22/2015

TO: Robert Hanna, City Manager

FROM: Gordon Browning Interim Director of Planning and Development Services

SUBJECT: First reading on an ordinance for Case No. Z-2015-23, a request from John Treanor, agent Paul Johnson, & the City of Abilene to rezone property from LI (Light Industrial) to GR (General Retail) zoning, being approximately 11.36 acres on the east side of Treanor Dr (including properties at 4102 Loop 322 & 4373 Treanor Dr) and approximately 12.06 acres on the west side of Treanor Dr; and setting a public hearing for October 22, 2015.

GENERAL INFORMATION

Currently the majority of the property is undeveloped. The surrounding area is developed with various industrial & office uses. The Blue Cross Blue Shield office is located to the north. Various businesses and offices exist to the south. The Cisco Junior College exists to the east across Loop 322. The purpose of the rezoning is to allow for the possibility of a mix of uses to include retail, restaurants, offices, & even assisted living. The City included the 2 smaller lots adjacent to Loop 322 as part of the rezoning request. One is the existing gas station on the corner. The other is a medical office currently under construction. Both uses are permitted in the GR zoning district.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a 'Major Commercial/Business Center' centered on the intersection of Loop 322 and Industrial Blvd. Staff is concerned about the transition from GR zoning to the existing LI zoning to the west. A site plan for a sign manufacturer is currently in process and would not be compatible with the GR zoning. Staff feels that the GR zoning would not be appropriate on the west side of Treanor Dr. Otherwise, the requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

The 2nd reading for this item will be held on October 22, 2015 due to the Planning staff attending a conference out of town for the October 8, 2015 meeting. The applicant was contacted about the conflict and agreed to delay the final reading to the 2nd meeting in October.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval as requested for the properties east of Treanor Dr only.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of GR zoning per the staff recommendation with 2 modifications: 1) to include the north portion on the west side of Treanor Dr; 2) removing the 2 City initiated properties (4102 Loop 322 & 4373 Treanor Dr), by a vote of 6 in favor (Bixby, Calk, Dunnahoo, Ellinger, Rosenbaum, & Famble) and none opposed.

ATTACHMENTS:

Description	Type
☐ Ordinance	Ordinance
☐ Ordinance Exhibit	Exhibit
☐ Staff Report and Maps	Backup Material

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 22nd day of September, 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 21st day of August, 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 22nd day of October, 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 October, A.D. 2015.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

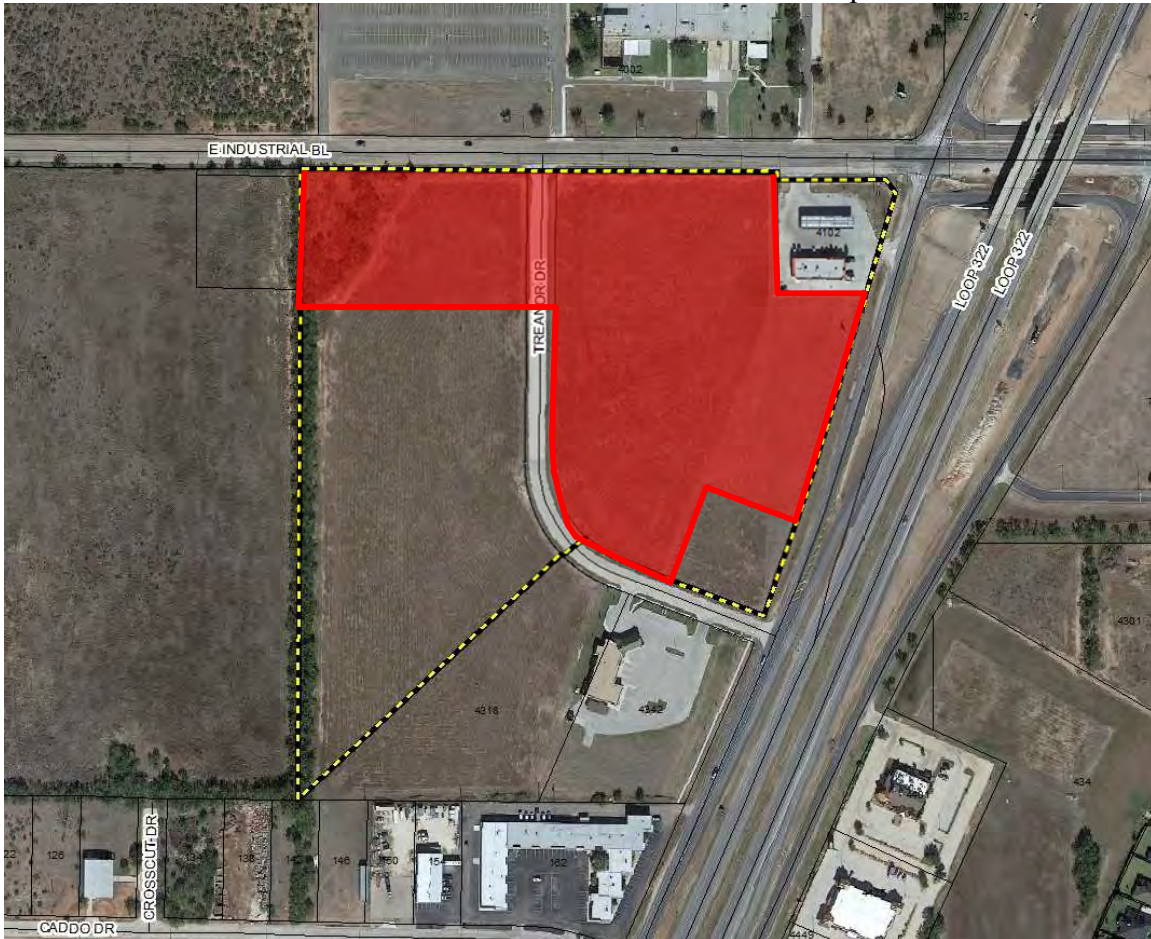
ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from LI (Light Industrial) to GR (General Retail) zoning.

Legal Description:

Being approximately 9.241 acres on the east side of Treanor Dr and approximately 3.5 acres on the west side of Treanor Dr as identified in red on the map below.



Location:

Being approximately 9.241 acres on the east side of Treanor Dr and approximately 3.5 acres on the west side of Treanor Dr

-END-

ZONING CASE Z-2015-23

STAFF REPORT



APPLICANT INFORMATION:

John Treanor, Agent: Paul Johnson
City of Abilene

HEARING DATES:

P & Z Commission: September 8, 2015
City Council 1st Reading: September 22, 2015
City Council 2nd Reading: October 22, 2015

LOCATION:

Being approximately 11.36 acres on the east side of Treanor Dr (including properties at 4102 Loop 322 & 4373 Treanor Dr) and approximately 12.06 acres on the west side of Treanor Dr



REQUESTED ACTION:

Rezone property from LI (Light Industrial) to GR (General Retail) zoning

SITE CHARACTERISTICS:

The subject parcel totals approximately 23.42 acres and is currently zoned LI. The adjacent properties are zoned LI to the north & west and HI (Heavy Industrial) to the south. Loop 322 exists to the east.

ZONING HISTORY:

The property was annexed in 1968 and zoned LI in 1979.

ANALYSIS:

• Current Planning Analysis

Currently the majority of the property is undeveloped. The surrounding area is developed with various industrial & office uses. The Blue Cross Blue Shield office is located to the north. Various businesses and offices exist to the south. The Cisco Junior College exists to the east across Loop 322. The purpose of the rezoning is to allow for the possibility of a mix of uses to include retail, restaurants, offices, & even assisted living. The City included the 2 smaller lots adjacent to Loop 322 as part of the rezoning request. One is the existing gas station on the corner. The other is a medical office currently under construction. Both uses are permitted in the GR zoning district.

• Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as part of a 'Major Commercial/Business Center' centered on the intersection of Loop 322 and Industrial Blvd. Staff is concerned about the transition from GR zoning to the existing LI zoning to the west. A site plan for a sign manufacturer is currently in process and would not be compatible with the GR zoning. Staff feels that the GR zoning would not be appropriate

on the west side of Treanor Dr. Otherwise, the requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested for the properties east of Treanor Dr only.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval of GR zoning per the staff recommendation with 2 modifications: 1) to include the north portion on the west side of Treanor Dr; 2) removing the 2 City initiated properties (4102 Loop 322 & 4373 Treanor Dr), by a vote of 6 in favor (Bixby, Calk, Dunnahoo, Ellinger, Rosenbaum, & Famble) and none opposed.

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
RAINEY SANDRA Y & RAINEY WILLIAM WALKER ET AL		
DEVELOPMENT CORP OF ABILENE INC		In Favor
SIVLEY & TOOGOOD REAL ESTATE LLC		
DEVELOPMENT CORP OF ABILENE INC	4002 LOOP 322	In Favor
SKINNYS INC	4102 LOOP 322	
BLANTON RANDY & ARMSTRONG WILLIAM H II	154 CADDO DR	
TEAGUE ENTERPRISES LP	4318 TREANOR DR	
TEAGUE ENTERPRISES LP	4342 TREANOR DR	
J V CONSTRUCTION INC	142 CADDO DR	
RAINEY WILLIAM WALKER ET AL		
TREANOR PARTNERS LTD		
LANIER PROPERTIES LLC	138 CADDO DR	
BLANTON RANDY & WM H ARMSTRONG II	146 CADDO DR	
COLES OTIS CALVIN III	134 CADDO DR	
BLANTON RANDY & WM H ARMSTRONG II	150 CADDO DR	
TREANOR PARTNERS LTD		

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

