City Council
Agenda Memo

City Council
Meeting Date: 3/8/2012

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

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

SUBJECT: **Final reading and public hearing on an Ordinance for Case No. Z-2012-04, a request from Valarie Lantrip to amend PD-123 concerning permitted uses, located at 401 Loop 322 & 2901 Newman Rd.**

GENERAL INFORMATION

The property is zoned PD and has been defined into two tracts: Tract 1 allows some commercial type uses as well as some banquet halls and meeting facilities, while Tract 2 will allow camping, RV parks, and uses more related to AO (Agricultural Open Space) zoning. The request is to eliminate the different tracts and to amend the PD to expand the uses to allow for more outdoor recreation and fitness activities. The PD also proposes that storage units would be allowed.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a commercial area, along Loop 322. The uses defined by the PDD would be appropriate in this area given its proximity to Loop 322, and recreational facilities such as the Taylor County Fair Grounds and Expo Center.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval by a vote of seven (7) in favor (Bixby, Famble, Glenn, Rosenbaum, Todd, Yungblut, & McClarty) to none (0) opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:		Disposition by City Council
Name: Ben Bryner		❑ Approved Ord/Res# _____
Title: Planning Services Manager	Item No. 7.1	❑ Denied
February 24, 2012		❑ Other
		_____ City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-123 AND ORDINANCE NO. 03-2008, A PLANNED DEVELOPMENT DISTRICT; 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, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 03-2008, 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.

PASSED ON FIRST READING this 23rd day of February A.D. 2012.

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 20th day of January, 2012, 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 8th day of March, 2012, 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 8th day of March, A.D. 2012.

ATTEST:

_____ _____

CITY SECRETARY MAYOR

APPROVED:

_____

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

1st Amendment to Ordinance No. 03-2008

PART 7: Specific Modifications

DELETE: A. Permitted Uses
Delete the differentiation between tract 1 & tract 2.

ADD: A. Permitted Uses

1. General office space.
2. Restaurant Standard and Fast-Food
3. Variety/Retail Store
4. Amusement facility (temporary)
5. Arcade, for games
6. Single Family Detached Dwelling (includes PH)
7. Vacation travel trailer parks.
8. Camp, for groups or organizations
9. Drive-in movies
10. Vacation travel trailer parks.
11. Indoor/Outdoor shooting range
12. Hotel/Motel/Spa
13. Golf Driving Range
14. Fitness/Performance Training Center
15. General Purpose/Events Center
16. Recreation – Outdoors (active)
17. Recreation – Outdoors (passive)
18. Farmer's Market
19. Storage Units

-END-

ZONING CASE Z-2012-04
STAFF REPORT

APPLICANT INFORMATION:
Valarie Lantrip

HEARING DATES:
Planning & Zoning Commission: February 6, 2012
City Council 1st Reading: February 23, 2012
City Council 2nd Reading: March 8, 2012

LOCATION:
401 Loop 322 & 2901 Newman Rd

REQUESTED ACTION:
Amend PD-123

SITE CHARACTERISTICS:
The subject property is approximately 3.96 acres and is currently zoned PD (Planned Development). The property is mostly undeveloped with the exception of a few agricultural type structures. The adjacent properties have AO zoning to the north and east, HC zoning to the west, and LI zoning across the highway to the south.

ZONING HISTORY:
The property was annexed in 1964 and was zoned PD in 2008.

ANALYSIS:
- Current Planning Analysis

  The property is zoned PD and has been defined into two tracts: Tract 1 allows some commercial type uses as well as some banquet halls and meeting facilities, while Tract 2 will allow camping, RV parks, and uses more related to AO (Agricultural Open Space) zoning. The request is to eliminate the different tracts and to amend the PD to expand the uses to allow for more outdoor recreation and fitness activities. The PD also proposes that storage units would be allowed.

- Comprehensive Planning Analysis

  The Future Land Use section of the Comprehensive Plan designates this general area as part of a commercial area, along Loop 322. The uses defined by the PDD would be appropriate in this area given its proximity to Loop 322, and recreational facilities such as the Taylor County Fair Grounds and Expo Center.

PLANNING STAFF RECOMMENDATION:
Staff recommends approval as requested.

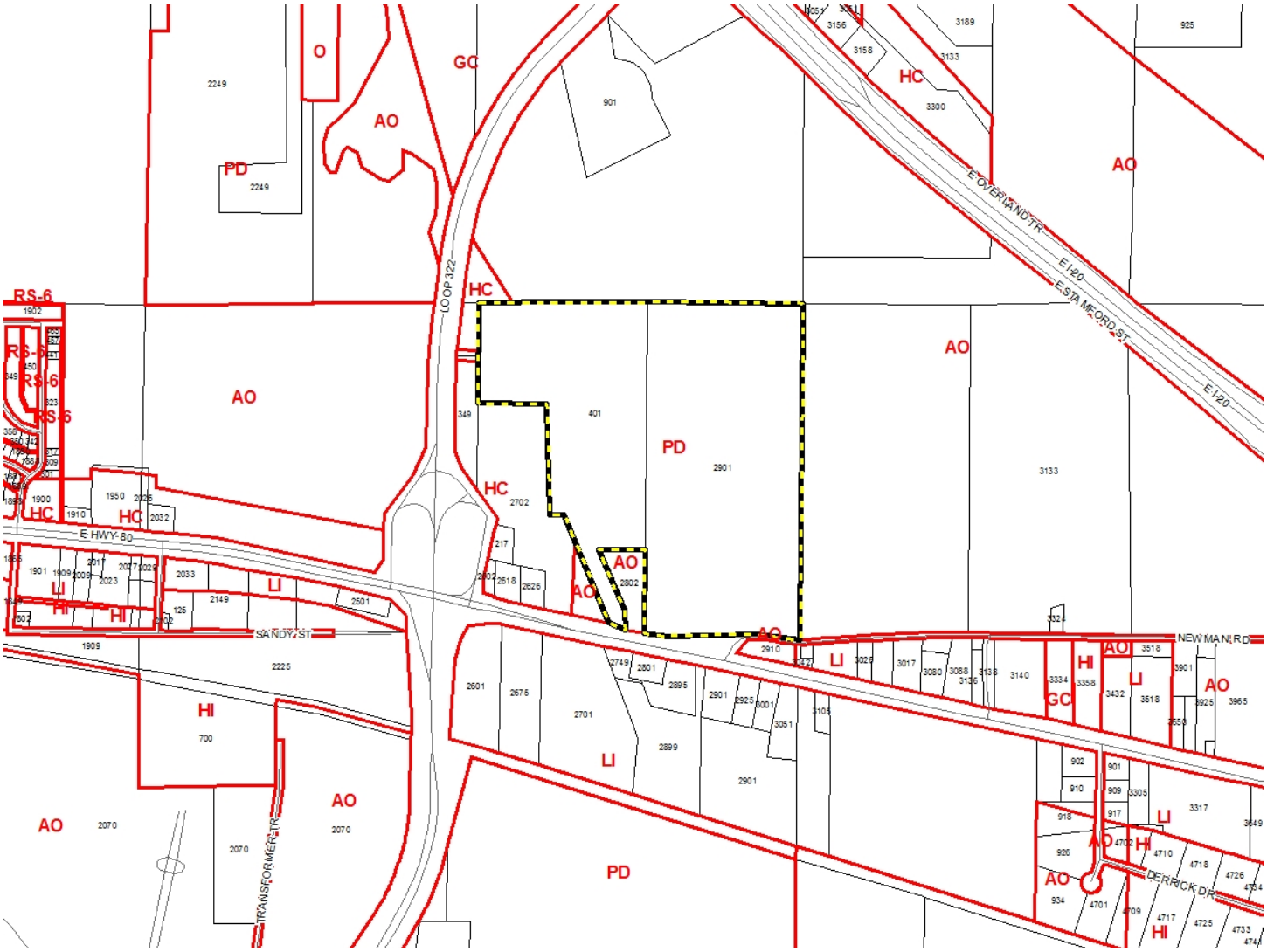
PLANNING AND ZONING COMMISSION RECOMMENDATION:
The Planning and Zoning Commission recommended approval by a vote of seven (7) in favor (Bixby, Famble, Glenn, Rosenbaum, Todd, Yungblut, & McClarty) to none (0) opposed.

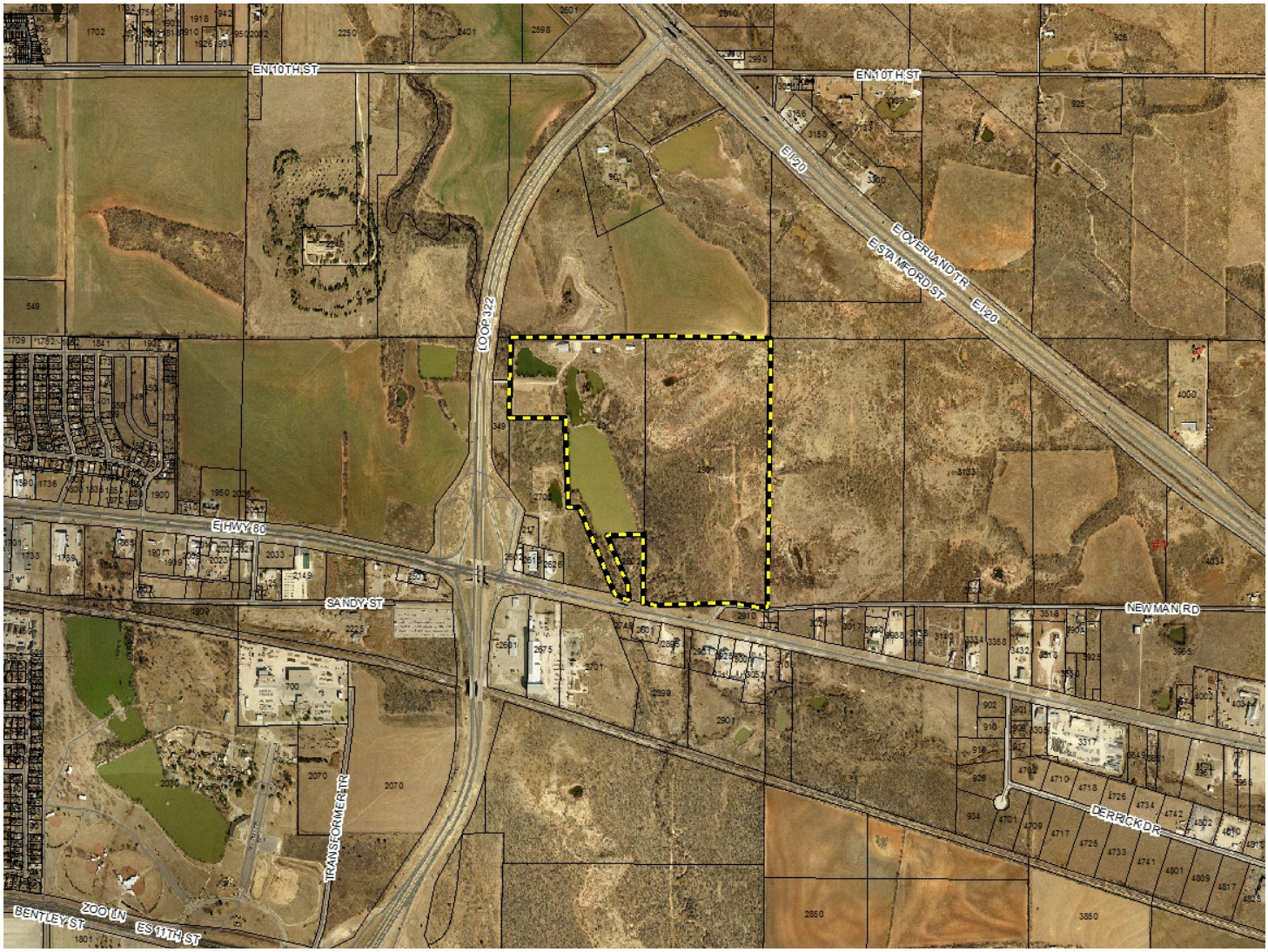
NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
PMC ACQUISITION INC	2701 E HWY 80	
PATTERSON J B MRS		In Favor
POER KATIE ET AL		In Favor
LONE STAR GAS CO		
RICE RONALD DEAN JR	3042 E HWY 80	
HIBBS KAY GRIFFITH		
RICE RONALD DEAN JR	2910 E HWY 80	
ABILENE CHRISTIAN UNIVERSITY		
ABILENE CHRISTIAN UNIVERSITY	349 LOOP 322	
LITTLE MANUFACTURING	2702 E HWY 80	
POER KATIE ET AL		In Favor
GVT PROPERTIES LLC	2895 E HWY 80	
TOUCHSTONE GLENDA KAY	2749 E HWY 80	
EEPHUS ENTERPRISES LLC	2801 E HWY 80	
SHEPHERD ASSETT MGMT LLC	2802 E HWY 80	
SHEPHERD ASSETT MGMT LLC	401 LOOP 322	
SHEPHERD ASSET MANAGEMENT LLC	2901 NEWMAN RD	

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


O
GC
AO
PD
HC
RS-6
LOOP 322
E OVERLAND TR
E I-20
E STAMFORD ST
E HWY 80
SANDY ST
NEW MAN RD
DERRICK DR
TRANSFORMER TR
LI
HI
GC


EN 10TH ST
EN 10TH ST
I-20
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E STAMFORD ST
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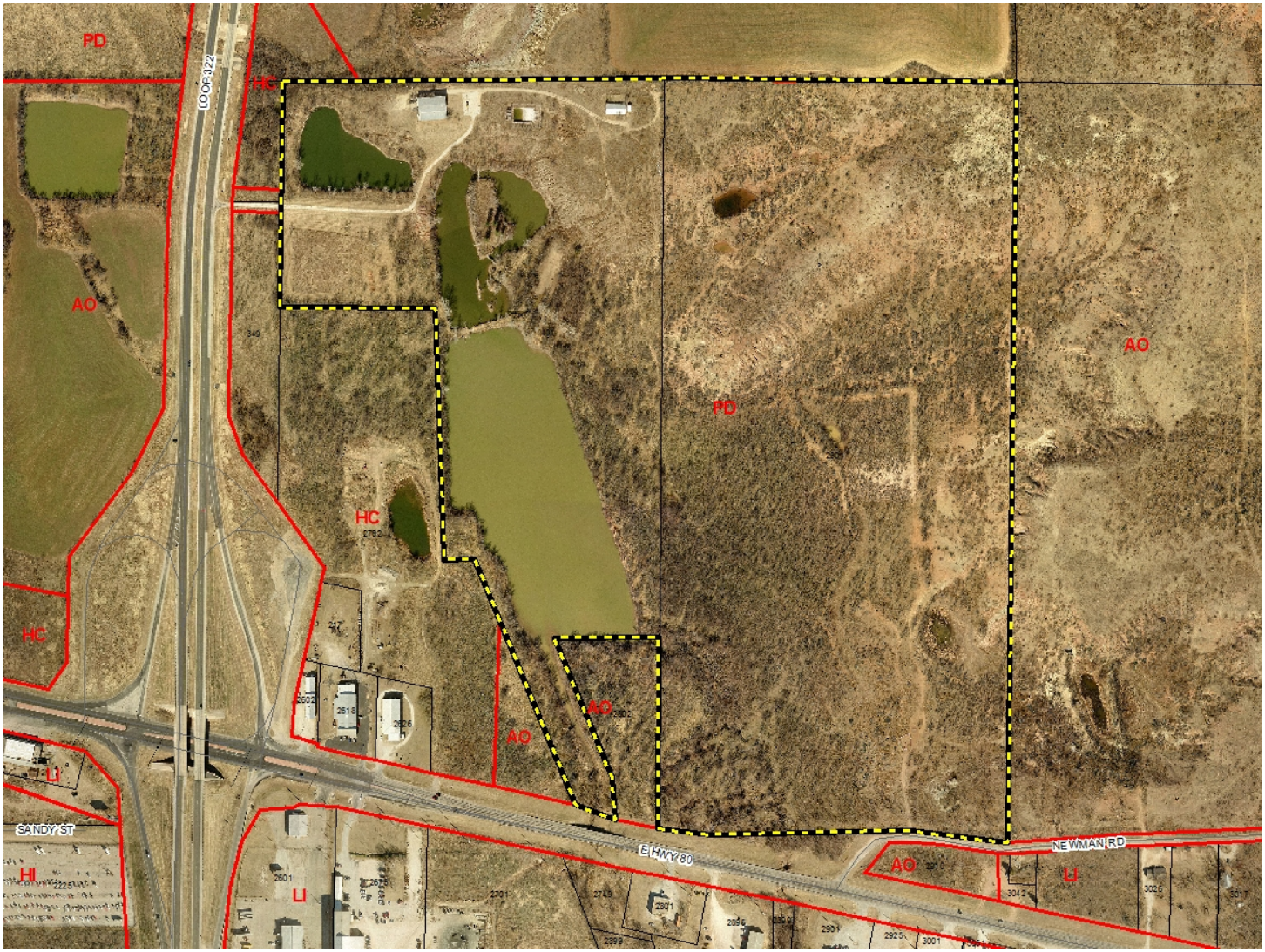
LOOP 322
E HWY 80
SANDY ST
NEWMAN RD
TRANSFORMER TR
DERRICK DR
BENTLEY ST
ZOO LN
ES 11TH ST


PD
LOOP 322
HC
AO
PD
AO
HC
HC
AO
AO
LI
SANDY ST
HI
LI
E HWY 80
NEWMAN RD
AO
LI

City Council
Agenda Memo

City Council
Meeting Date: 3/8/2012

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

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

SUBJECT: **Final reading and public hearing on an Ordinance for Case No. Z-2012-05, a request from Valarie Lantrip to rezone property from AO (Agricultural Open Space) to PD-123 (Planned Development) zoning, located at 2802 E. Hwy 80.**

GENERAL INFORMATION

The property is zoned AO and is vacant. The property surrounding it has been defined into two tracts: Tract 1 allows some commercial type uses as well as some banquet halls and meeting facilities, while Tract 2 will allow camping, RV parks, and uses more related to AO (Agricultural Open Space) zoning. The previous request is to amend the uses to expand the uses to allow for more outdoor recreation and fitness activities. The proposed zoning is to include this tract into the PD zoning boundary.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a commercial area, along Loop 322. The uses defined by the PDD would be appropriate in this area given its proximity to Loop 322, and recreational facilities such as the Taylor County Fair Grounds and Expo Center.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval by a vote of seven (7) in favor (Bixby, Famble, Glenn, Rosenbaum, Todd, Yungblut, & McClarty) to none (0) opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:		Disposition by City Council
Name: Ben Bryner		❑ Approved Ord/Res# _____
Title: Planning Services Manager	Item No. 7.2	❑ Denied
February 24, 2012		❑ Other
		_____ City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AND AMENDING PDD-123 AND ORDINANCE NO. 03-2008, A PLANNED DEVELOPMENT DISTRICT; 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, Subpart E, known as the Land Development Code of the City of Abilene, and PDD-123 are 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 February A.D. 2012.

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 20th day of January, 2012, 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 8th day of March, 2012, 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 8th day of March, A.D. 2012.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

ADD:

Rezone property from AO (Agricultural Open Space) to PDD-123 (Planned Development) zoning district.

Legal Description:

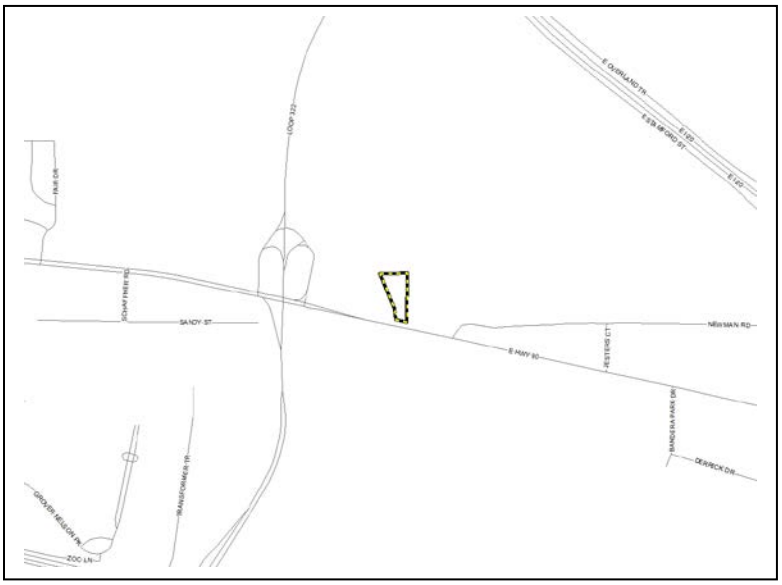
A0787 SUR 39 B A L SE/4, ACRES 3.96

Location:

2802 E. Hwy 80

-END-

ZONING CASE Z-2012-05
STAFF REPORT



APPLICANT INFORMATION:
Valarie Lantrip

HEARING DATES:
Planning & Zoning Commission: February 6, 2012
City Council 1st Reading: February 23, 2012
City Council 2nd Reading: March 8, 2012

LOCATION:
2802 E. Hwy 80

REQUESTED ACTION:
Rezone property from AO to PD-123

SITE CHARACTERISTICS:
The subject property is approximately 3.96 acres and is currently zoned AO (Agricultural Open Space). The property is vacant. The adjacent properties have PD zoning to the north, east and west and LI zoning across the highway to the south. There is some AO & HC zoning to the west.

ZONING HISTORY:
The property was annexed in 1964 and was zoned AO after it was annexed.

ANALYSIS:
- Current Planning Analysis

  The property is zoned AO and is vacant. The property surrounding it has been defined into two tracts: Tract 1 allows some commercial type uses as well as some banquet halls and meeting facilities, while Tract 2 will allow camping, RV parks, and uses more related to AO (Agricultural Open Space) zoning. The previous request is to amend the uses to expand the uses to allow for more outdoor recreation and fitness activities. The proposed zoning is to include this tract into the PD zoning boundary.

- Comprehensive Planning Analysis

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PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommended approval by a vote of seven (7) in favor (Bixby, Famble, Glenn, Rosenbaum, Todd, Yungblut, & McClarty) to none (0) opposed.

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
LITTLE MANUFACTURING	2702 E HWY 80	
TOUCHSTONE GLENDA KAY	2749 E HWY 80	
EEPHUS ENTERPRISES LLC	2801 E HWY 80	
SHEPHERD ASSETT MGMT LLC	2802 E HWY 80	
SHEPHERD ASSETT MGMT LLC	401 LOOP 322	
SHEPHERD ASSET MANAGEMENT LLC	2901 NEWMAN RD	

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

Y

PD
AO
LOOP 322
HC
E OVERLAND TR
E STAMFORD ST
E I-20
E HWY 80
SANDY ST
NEW MAN RD
LI
HI
GC
TRANSFORMER TR
TAYLOR_COUNTY

LOOP 322
E STAMFORD ST
E OVERLAND TR
E I-20
E I-20
E HWY 80
SANDY ST
NEWMAN RD
TRANSFORMER TR

LOOP 322
E HWY 60
NEWMAN RD

City Council
Agenda Memo

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

City Council
Meeting Date: 03/08/12

FROM: Mindy Patterson, Director of Finance

SUBJECT: FY 2011 Audit Report

GENERAL INFORMATION

The Comprehensive Annual Financial Report (CAFR) for FY 2011 has been sent for your review. This audit report will be presented at the Council meeting on March 8, 2012. Some sections that you may wish to read are the Transmittal Letter, Management's Discussion and Analysis, Notes, and Statistical Section.

I will make a presentation of the report and Davis Kinard & Co. will provide their comments regarding the report and audit process.

STAFF RECOMMENDATION

Staff recommends acceptance of the CAFR for year ended September 30, 2011 and the incorporated Investment Policies.

Prepared By:		**Disposition by City Council**
Name **Mindy Patterson**		☐ **Approved** ☐ **Denied** ☐ **Other Ord/Res #** _____
Title **Director of Finance**	**Item No.** 7.3	_____ **City Secretary**

CITY OF ABILENE

MEMORANDUM

February 22, 2012

TO: NORM ARCHIBALD, MAYOR

FROM: LARRY JOHNSON, HEALTH ADMINISTRATOR

SUBJECT: REAPPOINTMENT OF DR. ZANE TRAVIS AS HEALTH AUTHORITY

Dr. Travis must be reappointed as Health Authority for the City of Abilene. A "Certificate of Appointment" form must be completed by you following Dr. Travis' appointment by the City Council. The form for you to sign is attached. Please complete it and return it to me. I will insure that it is sent to the Director of Regional Health Services for processing. The appointment is dated January 22, 2012, to coincide with the effective date of Dr. Travis' contract. The contract includes a clause that names Dr. Travis as the Health Authority.

I am also sending Judge Bolls an identical form for his signature verifying that Dr. Travis has been appointed the Health Authority for Taylor County. This is the procedure that has been used the past two times that the Health Authority was appointed.

Please let me know if you need additional information.

Certificate of Appointment
For a
Local Health Authority

I, Norm Archibald, acting in the capacity as a

(*Check the appropriate designation below*)

_____Non-physician and the Local Health Department Director
_X__Mayor or Designee
_____County Judge of Designee
_____Chairperson of the Public Health District

do hereby certify the physician, Zane R. Travis, M.D., who is licensed by the Texas Board of Medical Examiners, was duly appointed as the Local Health Authority for City of Abilene, Texas.

Date term of office begins January 22, 20 12

Date term of office ends January 21, 20 14, unless removed by law.

The Local Health Authority has been appointed and approved by the:

(Check the appropriate designation below)

_____Director, _____

_____City Council for the City of _____

_____Commissioners Court for _____ County

_____Board of Health for the _____Public Health District

I certify to the above information on this the _____ day of _____, 20__.

_____
Signature of appointing official

Revised by the Division of Regional and Local Health Services, February 2008