

City Council
Agenda Memo



City Council
Meeting Date: 1/23/2014

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-2014-01, a request from Sitzes Treadaway, LLC, agent Enprotec/Hibbs & Todd, Inc., and the City of Abilene to rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning, located at 2433, 2449, & 2479 S. Treadaway Blvd.

GENERAL INFORMATION

Currently the properties are zoned HI and are developed with self-storage, an auto repair business, and an office building. The surrounding properties are also zoned HI and are being used with industrial and commercial uses. With adoption of the Land Development Code (LDC) the HI zoning became much more restrictive and no longer allows for uses that previously were allowed. The requested zoning would allow for expansion of the self-storage use and allow for a wider range of uses. The original request was for 2433 & 2449 S. Treadaway Blvd. The corner property at 2479 S. Treadaway Blvd was added to provide for consistency on the map. The zoning change would not affect the current use of the property.

The Future Land Use section of the Comprehensive Plan designates the area as 'heavy commercial/light industrial'. The properties are along S. Treadaway Blvd, which is an enhancement corridor. The requested zoning would allow for expansion of the existing uses and allow for a wider range of uses. The requested zoning is compatible with the adjacent uses and the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 4 in favor (Bixby, Glenn, Rosenbaum, and McClarty), none opposed, and 2 abstained (Todd & Yungblut).

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

December 27, 2013

Item No. 7.2

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 9th day of January, 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 20th day of December, 2013, 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 23rd day of January, 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 23rd day of January, 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:

SITZES SUB OF BOWYER, BLOCK A, LOT 1, ACRES 5.02

BOWYER SUBDIVISION, BLOCK 23, LOT PT OF SW/CORNER, ACRES 1.28

BOWYER SUBDIVISION, BLOCK 23, LOT SW/CORNER, ACRES .54



Location:

2433, 2449, & 2479 S. Treadaway Blvd

-END-

ZONING CASE Z-2014-01

STAFF REPORT



APPLICANT INFORMATION:

Sitzes Treadaway, LLC

Agent: Enprotec/Hibbs & Todd, Inc.

City of Abilene

HEARING DATES:

Planning & Zoning Commission: January 6, 2014

City Council 1st Reading: January 9, 2014

City Council 2nd Reading: January 23, 2014

LOCATION:

2433, 2449, & 2479 S. Treadaway Blvd

REQUESTED ACTION:

HI (Heavy Industrial) to LI (Light Industrial) zoning



SITE CHARACTERISTICS:

The subject parcels total approximately 6.84 acres. The properties are currently zoned HI and are developed with self-storage, an auto repair business, and an office building. The surrounding properties are zoned HI in all directions.

ZONING HISTORY:

The area was annexed in 1951 zoned HI sometime after.

ANALYSIS:

- Current Planning Analysis

Currently the properties are zoned HI and are developed with self-storage, an auto repair business, and an office building. The surrounding properties are also zoned HI and are being used with industrial and commercial uses. With adoption of the Land Development Code (LDC) the HI zoning became much more restrictive and no longer allows for uses that previously were allowed. The requested zoning would allow for expansion of the self-storage use and allow for a wider range of uses. The original request was for 2433 & 2449 S. Treadaway Blvd. The corner property at 2479 S. Treadaway Blvd was added to provide for consistency on the map. The zoning change would not affect the current use of the property.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the area as 'heavy commercial/light industrial'. The properties are along S. Treadaway Blvd, which is an enhancement corridor. The requested zoning would allow for expansion of the existing uses and allow for a wider range of uses. The requested zoning is compatible with the adjacent uses and the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval by a vote of 4 in favor (Bixby, Glenn, Rosenbaum, and McClarty), none opposed, and 2 abstained (Todd & Yungblut).

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
LLOYD HERMAN R & SAMUEL F HUGHES	2501 S TREADAWAY BL	
MHS LLC	956 S 25TH ST	
SITZES STEVEN O	2433 S TREADAWAY BL	
CHITTUM JAMES GREGORY	2258 S TREADAWAY BL	
KELLEY MASONRY INC	2442 S TREADAWAY BL	
MHS LLC	2425 S TREADAWAY BL	
SITZES STEVE	2249 BUTTERNUT ST	
VERIC LLC	2402 S TREADAWAY BL	
RGP ENTERPRISES INC	2364 BUTTERNUT ST	
MABERRY MIKE	2479 S TREADAWAY BL	
	2426 S TREADAWAY BL	
SITZES STEVEN O	2449 S TREADAWAY BL	

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







