

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-2014-02, a request from Dub Wright Blvd, LLC, agent Enprotec/Hibbs & Todd, Inc., to rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning, located at 3533 Dub Wright Blvd.

**GENERAL INFORMATION**

Currently the property is zoned AO and developed with a house. The surrounding properties to the west are zoned AO and are undeveloped. The properties to the north and east are zoned GC and developed with a self-storage facility and a gas station. The requested zoning would allow for expansion of the self-storage use.

The Future Land Use section of the Comprehensive Plan designates the area as 'low density residential'. The property is located near an existing highway interchange with existing commercial development and property zoned for future commercial development. Commercial development is recommended to be developed at nodes and concentrated at major intersections. The property is adjacent to an existing self-storage facility and near an existing gas station. The requested zoning would allow for expansion of the existing use. 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

January 10, 2014

Item No. 7.3

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 9<sup>th</sup> 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 20<sup>th</sup> 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 23<sup>rd</sup> 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 23<sup>rd</sup> day of January, A.D. 2014.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning.

Legal Description:

A0003 SUR 44 JOHN ADAMS, ACRES .843



Location:  
3533 Dub Wright Blvd

-END-

# ZONING CASE Z-2014-02

## STAFF REPORT



### APPLICANT INFORMATION:

Dub Wright Blvd, LLC

Agent: Enprotec/Hibbs & Todd, Inc.

### HEARING DATES:

Planning & Zoning Commission: January 6, 2014

City Council 1<sup>st</sup> Reading: January 9, 2014

City Council 2<sup>nd</sup> Reading: January 23, 2014

### LOCATION:

3533 Dub Wright Blvd

### REQUESTED ACTION:

AO (Agricultural Open Space) to GC (General Commercial) zoning



### SITE CHARACTERISTICS:

The subject parcels total approximately 0.84 acres. The property is currently zoned AO and is developed with a house. The surrounding properties are zoned AO to the west and zoned GC to the north and east.

### ZONING HISTORY:

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

### ANALYSIS:

- Current Planning Analysis

Currently the property is zoned AO and developed with a house. The surrounding properties to the west are zoned AO and are undeveloped. The properties to the north and east are zoned GC and developed with a self-storage facility and a gas station. The requested zoning would allow for expansion of the self-storage use.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the area as 'low density residential'. The property is located near an existing highway interchange with existing commercial development and property zoned for future commercial development. Commercial development is recommended to be developed at nodes and concentrated at major intersections. The property is adjacent to an existing self-storage facility and near an existing gas station. The requested zoning would allow for expansion of the existing use. 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
SITZES STEVE	3533 DUB WRIGHT BL	
DUB WRIGHT BOULEVARD LP	3617 DUB WRIGHT BL	
NAIL PATRICIA	3201 DUB WRIGHT BL	

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







