

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-2014-03, a request from the City of Abilene to rezone property from RS-6 (Single-Family Residential) to NO (Neighborhood Office) zoning, being approximately 1 acre located on a portion of 2726 N. 18th St.

**GENERAL INFORMATION**

Currently the property is zoned RS-6 and developed with a school and the previous location of a Boys & Girls Club. The surrounding properties in all directions are also zoned RS-6 and developed with single-family homes. The requested zoning would allow for the re-use of the Boys & Girls Club to be a health clinic. The NO zoning was created to be compatible adjacent to residential uses. The zoning restricts the maximum size of buildings to 15,000 square feet. It also restricts the hours of operation to be between 7 am and 11 pm. The proposed use will not require expansion of the building or any substantial changes to the building or site.

The Future Land Use section of the Comprehensive Plan designates the area as 'low density residential'. The property is located in the middle of a single-family residential area. The site is the location of Fannin Elementary School and a Boys & Girls Club. The requested zoning would allow for re-use of the Boys & Girls Club to allow for a neighborhood health clinic. 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 6 in favor (Bixby, Glenn, Rosenbaum, Todd, Yungblut, and McClarty) and none opposed.

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

January 10, 2014

Item No. 7.4

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 RS-6 (Single-Family Residential) to NO (Neighborhood Office) zoning.

Legal Description:

CRESCENT HEIGHTS, BLOCK R



Location:

Being approximately 1 acre located on a portion of 2726 N. 18<sup>th</sup> St.

-END-

# ZONING CASE Z-2014-03

## STAFF REPORT



### APPLICANT INFORMATION:

City of Abilene

### 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:

Being approximately 1 acre located on a portion of 2726 N. 18th St

### REQUESTED ACTION:

RS-6 (Single-Family Residential) to NO (Neighborhood Office) zoning



### SITE CHARACTERISTICS:

The subject parcel totals approximately 1 acre. The property is currently zoned RS-6 and is developed with a school and the previous location of a Boys & Girls Club. The surrounding properties are zoned RS-6 in all directions.

### ZONING HISTORY:

The area was annexed in 1950 and zoned RS-6 sometime after.

### ANALYSIS:

- Current Planning Analysis

Currently the property is zoned RS-6 and developed with a school and the previous location of a Boys & Girls Club. The surrounding properties in all directions are also zoned RS-6 and developed with single-family homes. The requested zoning would allow for the re-use of the Boys & Girls Club to be a health clinic. The NO zoning was created to be compatible adjacent to residential uses. The zoning restricts the maximum size of buildings to 15,000 square feet. It also restricts the hours of operation to be between 7 am and 11 pm. The proposed use will not require expansion of the building or any substantial changes to the building or site.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the area as 'low density residential'. The property is located in the middle of a single-family residential area. The site is the location of Fannin Elementary School and a Boys & Girls Club. The requested zoning would allow for re-use of the Boys & Girls Club to allow for a neighborhood health clinic. 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 6 in favor (Bixby, Glenn, Rosenbaum, Todd, Yungblut, and McClarty) and none opposed.

**NOTIFICATION:**

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

OWNER	ADDRESS	RESPONSE
TREVINO ROBERT	2534 N 18TH ST	
GONZALES JOSIE	2542 N 18TH ST	
RUIZ IRENE GUERRERO	1957 SHELTON ST	
DOMINGUEZ MATILDE V	1925 SHELTON ST	
NEW FRONTIER DEVELOPMENT GROUP OF TEXAS	1901 SHELTON ST	
TONCHE DOMINGO & LORENZA	1909 SHELTON ST	
MARTINEZ RICARDO	1941 SHELTON ST	
SANCHEZ MINERVA T	1933 SHELTON ST	
RAMIREZ RICKY R & ROSALINDA	1917 SHELTON ST	
DURRINGTON WALLS LLC	1949 SHELTON ST	
ABILENE IND SCHOOL DIST	2726 N 18TH ST	

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









