

City Council  
Agenda Memo



City Council  
Meeting Date: 7/10/2014

**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-2014-23, a request from Vincent Coates to rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning, located at 4290 S. Treadaway Blvd.

**GENERAL INFORMATION**

Currently the property is zoned HI and is developed as the previous site of Bill Reed Distributors. The desired use of the property is for the sale and service of automobiles, trucks, trailers and recreational vehicles. The current zoning does not permit this use in the district. The surrounding area is developed generally with light industrial and heavy commercial uses. The applicant is requesting a change to the LI zoning which would allow for the desired use.

The Future Land Use section of the Comprehensive Plan designates this general area for heavy commercial/light industrial development. The requested zoning would be to specifically allow for the sales and service of automobiles, trucks, trailers and recreational vehicles. The area has not developed to the heavy industrial uses that were anticipated when rezoned in 1977. The requested LI zoning in this location is deemed compatible with the Future Land Use Map and the adjacent uses in the area.

**STAFF RECOMMENDATION**

Staff recommends approval as requested.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommends approval by a vote of 7 in favor (Bixby, Calk, Ellinger, Glenn, McClarty, Rosenbaum, and Famble) and none opposed.

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

June 27, 2014

Item No. 7.2

Disposition by City Council

- Approved Ord/Res# \_\_\_\_\_
- Denied \_\_\_\_\_
- Other \_\_\_\_\_

\_\_\_\_\_  
City Secretary

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

EXHIBIT "A"

Rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning.

Legal Description:

COS-HUMBLE INDUSTRIAL DIST, BLOCK 2, ACRES 5.92



Location:  
4290 S. Treadaway Blvd

-END-

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 26<sup>th</sup> day of June, 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 16<sup>th</sup> day of May, 2014, 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 10<sup>th</sup> day of July, 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 10<sup>th</sup> day of July, A.D. 2014.

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

# ZONING CASE Z-2014-23

## STAFF REPORT



### APPLICANT INFORMATION:

Vincent Coates

### HEARING DATES:

Planning & Zoning Commission: June 2, 2014

City Council 1<sup>st</sup> Reading: June 26, 2014

City Council 2<sup>nd</sup> Reading: July 10, 2014

### LOCATION:

4290 S. Treadaway Blvd

### REQUESTED ACTION:

Rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning



### SITE CHARACTERISTICS:

The subject parcel totals approximately 5.92 acres and is currently zoned HI. The parcel is developed and was the previous location of Bill Reed Distributors. The adjacent properties are zoned HI to the north, south and west and HC (Heavy Commercial) & LI to the east.

### ZONING HISTORY:

The property was annexed in 1957 and was zoned HI in 1977.

### ANALYSIS:

- Current Planning Analysis  
Currently the property is zoned HI and is developed as the previous site of Bill Reed Distributors. The desired use of the property is for the sale and service of automobiles, trucks, trailers and recreational vehicles. The current zoning does not permit this use in the district. The surrounding area is developed generally with light industrial and heavy commercial uses. The applicant is requesting a change to the LI zoning which would allow for the desired use.
- Comprehensive Planning Analysis  
The Future Land Use section of the Comprehensive Plan designates this general area for heavy commercial/light industrial development. The requested zoning would be to specifically allow for the sales and service of automobiles, trucks, trailers and recreational vehicles. The area has not developed to the heavy industrial uses that were anticipated when rezoned in 1977. The requested LI zoning in this location is deemed compatible with the Future Land Use Map and the adjacent uses in the area.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval as requested.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission recommends approval by a vote of 7 in favor (Bixby, Calk, Ellinger, Glenn, McClarty, Rosenbaum, and Famble) and none opposed.

**NOTIFICATION:**

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

<b>OWNER</b>	<b>ADDRESS</b>	<b>RESPONSE</b>
PAK HARRIS ENTERPRISES LTD	4249 BURL HARRIS DR	In Favor
PAK HARRIS ENTERPRISES LTD	4266 S TREADAWAY BL	In Favor
WOLFE LANCE & PATTIE	4273 S TREADAWAY BL	
SPECTRUM PARTNERSHIP	4333 S TREADAWAY BL	
REGION XIV EDUCATION SERV	4300 S TREADAWAY BL	
CITIZENS BANK	4233 S TREADAWAY BL	
MC CARTY KELLY	4289 S TREADAWAY BL	In Favor
BILL REED DISTRIBUTING	4290 S TREADAWAY BL	
PAK HARRIS ENTERPRISES LTD	4325 BURL HARRIS DR	In Favor

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









