

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-2014-24, a request from Tannehill Corporate Offices, LLC, agent Judy Harris, to rezone property from HI (Heavy Industrial) to GC (General Commercial) & HC (Heavy Commercial) zoning, located at 4542 Loop 322.

GENERAL INFORMATION

Currently the property is zoned HI and is developed with 3 separate buildings with multiple tenants in each building. The purpose of the zoning is to allow for a greater mix of uses on the property. The current zoning is restrictive and does not permit many uses that have sought to locate on the property. Specifically, a child care center was denied as the use is not allowed in the HI zoning. The surrounding area is developed generally with light industrial uses. The applicant is requesting a change to the GC & HC zoning which would allow for a greater mix of uses.

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 commercial and personal service uses not allowed in the HI zoning. The area has not developed with the heavy industrial uses that were anticipated when rezoned in 1980. The requested GC & HC zoning in this location is deemed compatible with the Future Land Use Map and the adjacent uses in the area. Additionally, the frontage along Loop 322 would be more suitable for commercial development.

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. 7.3

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 26th 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 16th 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 10th 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 10th day of July, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

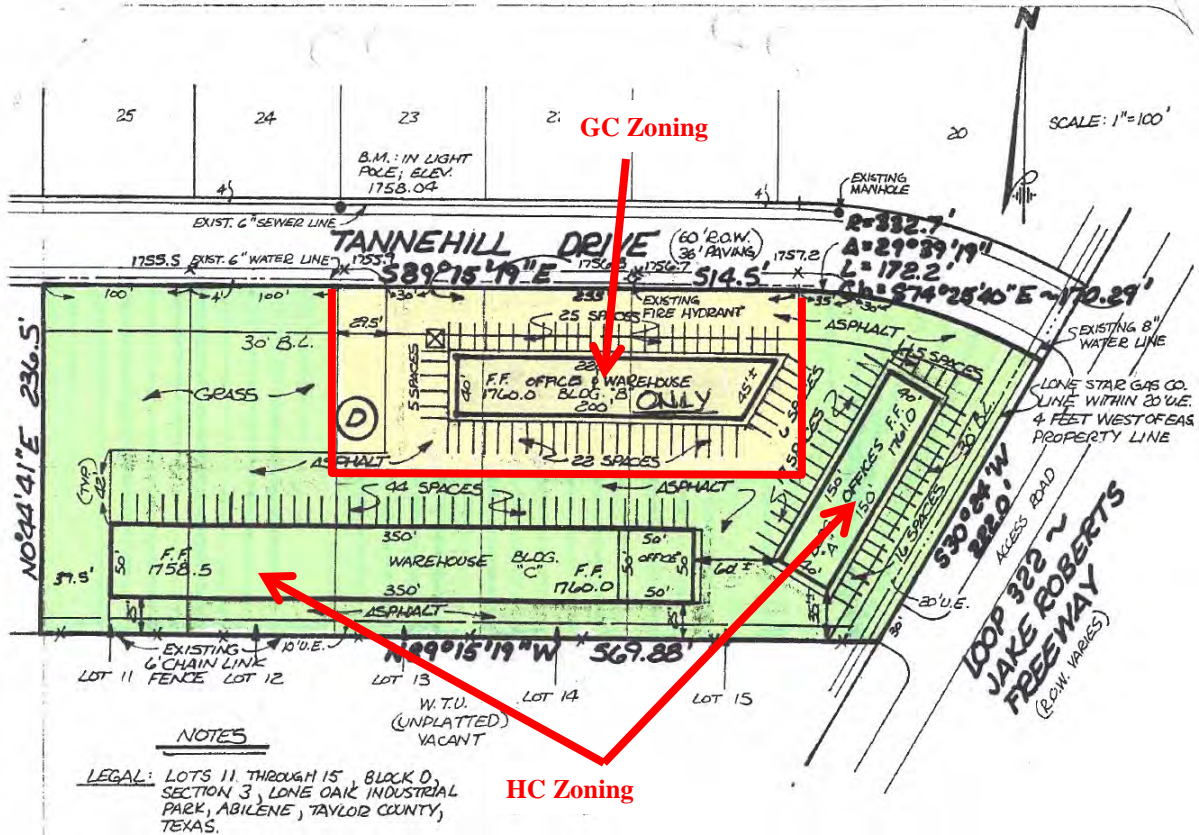
ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from HI (Heavy Industrial) to GC (General Commercial) & HC (Heavy Commercial) zoning.

Legal Description:

LONE OAK INDUSTRIAL PARK SEC 3, BLOCK D, LOT 11-15



Location:
4542 Loop 322

-END-

ZONING CASE Z-2014-24

STAFF REPORT



APPLICANT INFORMATION:

Tannehill Corporate Offices, LLC
Agent: Judy Harris

HEARING DATES:

Planning & Zoning Commission: June 2, 2014
City Council 1st Reading: June 26, 2014
City Council 2nd Reading: July 10, 2014

LOCATION:

4542 Loop 322

REQUESTED ACTION:

Rezone property from HI (Heavy Industrial) to GC (General Commercial) & HC (Heavy Commercial) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 3.41 acres and is currently zoned HI. The parcel is developed with 3 separate buildings with multiple tenants in each building. The adjacent properties are zoned HI to the north, south and west. Loop 322 exists to the east.

ZONING HISTORY:

The property was annexed in 1968 and was zoned HI in 1980.

ANALYSIS:

- Current Planning Analysis
Currently the property is zoned HI and is developed with 3 separate buildings with multiple tenants in each building. The purpose of the zoning is to allow for a greater mix of uses on the property. The current zoning is restrictive and does not permit many uses that have sought to locate on the property. Specifically, a child care center was denied as the use is not allowed in the HI zoning. The surrounding area is developed generally with light industrial uses. The applicant is requesting a change to the GC & HC zoning which would allow for a greater mix of uses.
- 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 commercial and personal service uses not allowed in the HI zoning. The area has not developed with the heavy industrial uses that were anticipated when rezoned in 1980. The requested GC & HC zoning in this location is deemed compatible with the Future Land Use Map and the adjacent uses in the area. Additionally, the frontage along Loop 322 would be more suitable for commercial development.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

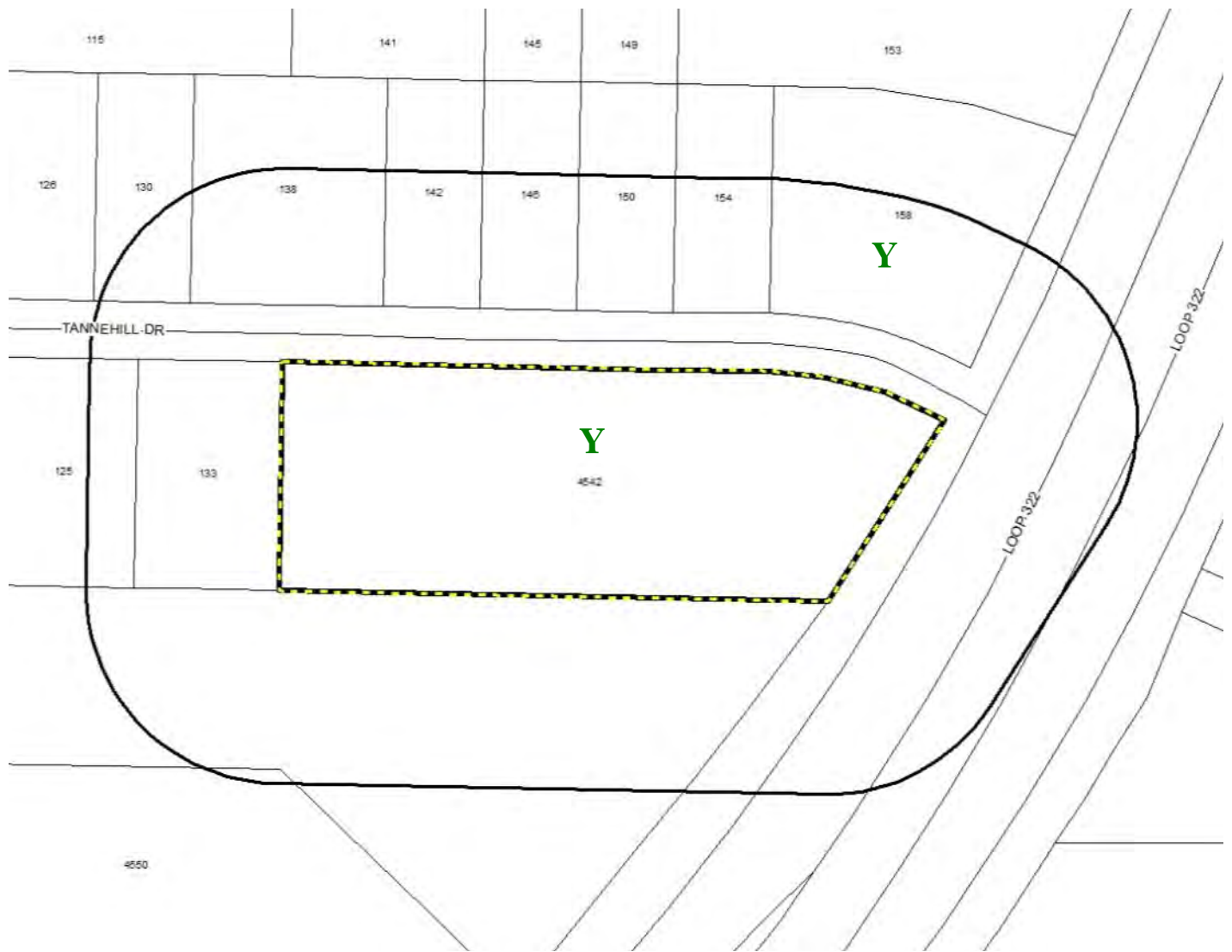
The Planning and Zoning Commission recommends approval by a vote of 7 in favor (Bixby, Calk, Ellinger, Glenn, McClarty, Rosenbaum, and Famble) and none opposed.

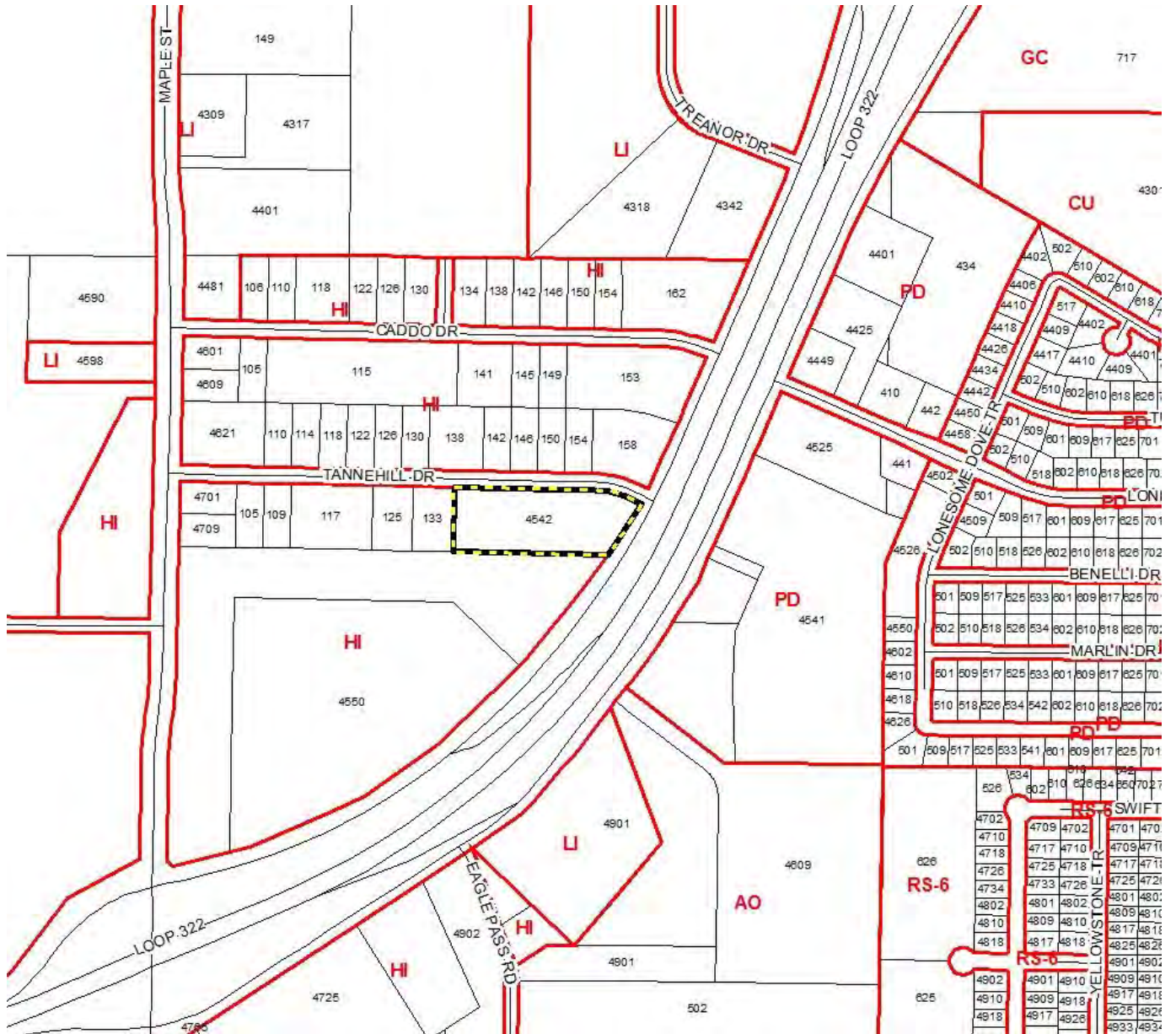
NOTIFICATION:

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

| OWNER | ADDRESS | RESPONSE |
|-------------------------------|------------------|-----------------|
| WATSON NELDON L & ANNA S | 158 TANNEHILL DR | In Favor |
| LOVE BRADLEY BRETT | 146 TANNEHILL DR | |
| SOUTHWEST DIRECT INC | 150 TANNEHILL DR | |
| SOUTHWEST DIRECT INC | 154 TANNEHILL DR | |
| QRP LLC DBA BENEFIT SOLUTIONS | 142 TANNEHILL DR | |
| WEST TEXAS UTILITIES CO | | |
| DRACO SERVICES INC | 125 TANNEHILL DR | |
| AGUIRRE GILBERT & DOMINIQUE | 133 TANNEHILL DR | |
| WEST TEXAS UTILITIES CO | 4550 LOOP 322 | |
| TANNEHILL CORPORATE OFF LLC | 4542 LOOP 322 | In Favor |
| JE MORRIS VENTURES LLC | 130 TANNEHILL DR | |
| NEW LEAF LANDSCAPING LLC | 138 TANNEHILL DR | |

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

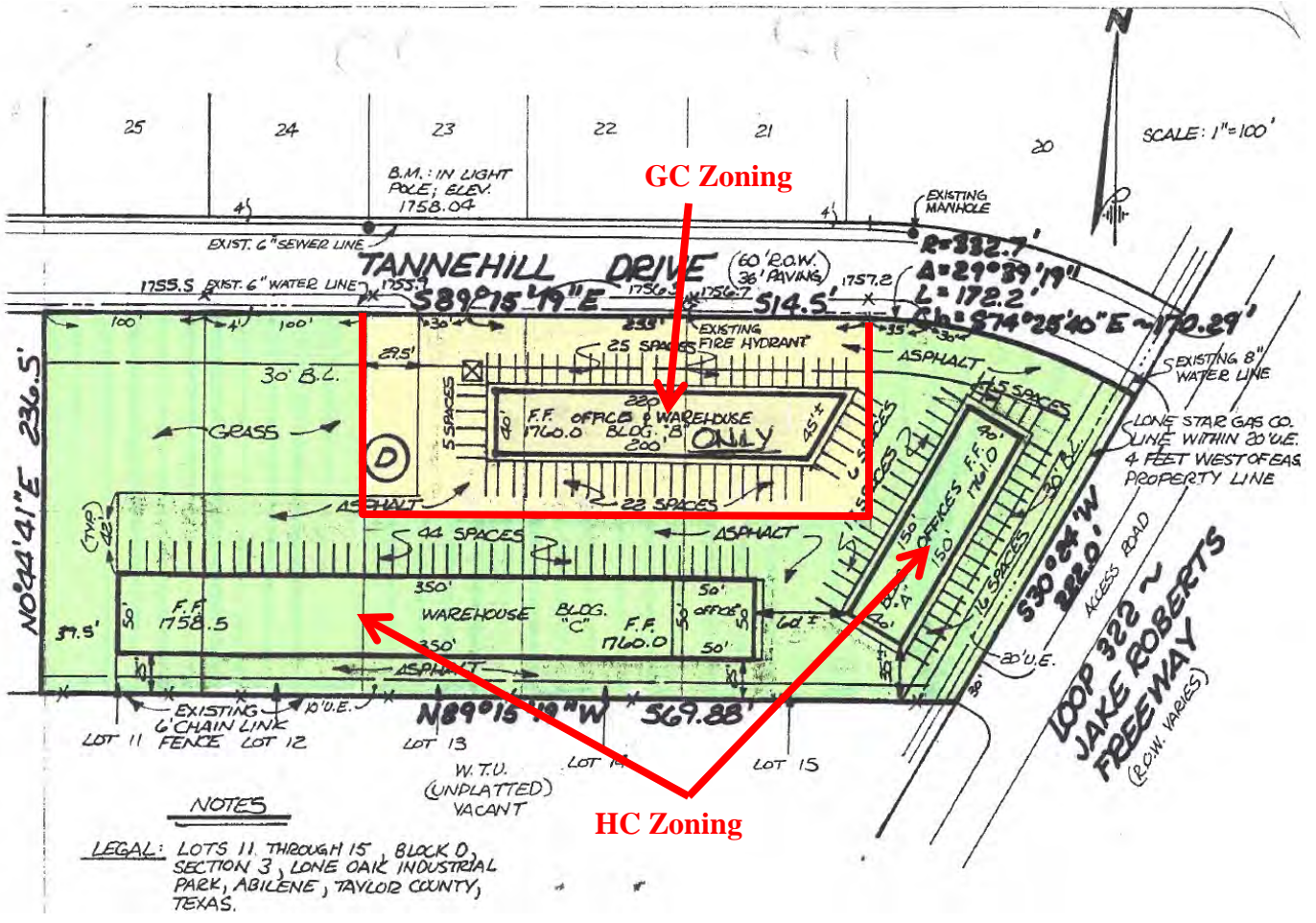








Zoning Exhibit



GC Zoning

HC Zoning