

City Council
Agenda Memo



City Council
Meeting Date: 11/06/2014

TO: David A. Vela, Interim 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-2014-46, a request from Brad Pursley, to rezone property from HI/H (Heavy Industrial/Historic Overlay) to HI (Heavy Industrial) zoning, located at 2734 S. 27th St.

GENERAL INFORMATION

Currently the property is zoned HI and is undeveloped. The lot was recently created by a plat and was previously part of the property including the historic rock house at the corner. The surrounding area is developed generally with industrial uses to the north, south, & east. The Hendrick Home for Children exists nearby across S. Treadaway Blvd to the west. The Mrs. Baird's bakery exists nearby across Palm St to the east. The applicant is requesting that the historic overlay be removed from this lot as it does not include the historic rock house. This would allow for standard development to occur on the lot.

The Future Land Use section of the Comprehensive Plan designates this area as 'industrial' and 'commercial'. Both S. Treadaway Blvd & S. 27th St are classified as an 'enhancement corridor'. The underlying HI zoning will remain. Any future development will be required to comply with existing development regulations. The request is deemed compatible with the Future Land Use Map.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Landmarks Commission recommends approval as requested by a vote of 5 in favor (Butman, Calk, McClellan, Miller, & Minter) and none opposed.

The Planning and Zoning Commission recommends approval as requested by a vote of 5 in favor (Bixby, Ellinger, McClarty, Rosenbaum, & Famble), none opposed, and 1 abstained (Calk).

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

October 27, 2014

Item No. 7.5

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 23rd day of October, 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 19th day of September, 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 6th day of November, 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 6th day of November, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from HI/H (Heavy Industrial/Historic Overlay) to HI (Heavy Industrial) zoning.

Legal Description:

B & B POLEBENDERS SUB, BLOCK A, LOT 101, ACRES .478



Location:
2734 S. 27th St

-END-

ZONING CASE Z-2014-46

STAFF REPORT



APPLICANT INFORMATION:

Brad Pursley

HEARING DATES:

P & Z Commission: October 6, 2014

City Council 1st Reading: October 23, 2014

City Council 2nd Reading: November 6, 2014

LOCATION:

2734 S. 27th St

REQUESTED ACTION:

Rezone property from HI/H (Heavy Industrial/
Historic Overlay) to HI (Heavy Industrial) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 0.48 acres and is currently zoned HI. The adjacent properties are zoned HI to the north & east, AO (Agricultural Open Space) to the west, and HI & RS-8 (Single-Family Residential) to the south.

ZONING HISTORY:

The property was annexed in 1951 and was zoned HI sometime after. The Historic Overlay was approved on May 12, 1996.

ANALYSIS:

- Current Planning Analysis
Currently the property is zoned HI and is undeveloped. The lot was recently created by a plat and was previously part of the property including the historic rock house at the corner. The surrounding area is developed generally with industrial uses to the north, south, & east. The Hendrick Home for Children exists nearby across S. Treadaway Blvd to the west. The Mrs. Baird's bakery exists nearby across Palm St to the east. The applicant is requesting that the historic overlay be removed from this lot as it does not include the historic rock house. This would allow for standard development to occur on the lot.
- Comprehensive Planning Analysis
The Future Land Use section of the Comprehensive Plan designates this area as 'industrial' and 'commercial'. Both S. Treadaway Blvd & S. 27th St are classified as an 'enhancement corridor'. The underlying HI zoning will remain. Any future development will be required to comply with existing development regulations. The request is deemed compatible with the Future Land Use Map.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

LANDMARKS COMMISSION RECOMMENDATION:

The Landmarks Commission recommends approval as requested by a vote of 5 in favor (Butman, Calk, McClellan, Miller, & Minter) and none opposed.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval as requested by a vote of 5 in favor (Bixby, Ellinger, McClarty, Rosenbaum, & Famble), none opposed, and 1 abstained (Calk).

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
ESPARZA ANDY C	2801 S TREADAWAY BL	
BIMBO BAKERIES USA INC	2701 PALM ST	
TRAVIS JANICE KATHLEEN	2757 S TREADAWAY BL	
DOBY ELIZABETH DIANE	2801 PALM ST	
RICH WILLIE M	2802 PALM ST	
CHISUM LLOYD & CAROL	2718 PALM ST	
BIMBO BAKERIES USA INC	2641 S TREADAWAY BL	
WILLIS THOMAS LEE	2765 S TREADAWAY BL	
MC DANIEL JACK RUSSELL	2726 PALM ST	
HENDRICK HOME FOR CHILDREN	2758 JEANETTE ST	In Favor
B&B POLEBENDERS INC	2775 S TREADAWAY BL	
B&B POLEBENDERS INC	2734 S 27TH ST	

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







