

City Council  
Agenda Memo



City Council  
Meeting Date: 2/12/2015

**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-2015-04, a request from the City of Abilene to rezone property from LI (Light Industrial) to LI/H (Light Industrial/Historic Overlay) zoning, located at 189 Locust St.**

**GENERAL INFORMATION**

Currently the property is zoned LI and is developed with an old railway station building. The Burlington Railroad Station, referred to on the National Register of Historic Places as “Abilene and Northern Railway Company Depot” was built in 1929. This one story, red brick veneer building is a distinctive Mission Revival Style building. The exterior retains a high degree of integrity. The surrounding area is largely developed with warehousing and commercial uses. The purpose of the zoning is to add the historic overlay on the building to provide some incentives for restoring the building and to place protections from demolition.

The Future Land Use section of the Comprehensive Plan designates this property as part of the ‘Central Business District’. The existing LI zoning will remain. The requested overlay zoning is compatible with the Future Land Use Map and the adjacent properties.

**STAFF RECOMMENDATION**

Staff recommends approval.

**BOARD OR COMMISSION RECOMMENDATION**

The Landmarks Commission recommends approval by a vote of 5 in favor (Butman, Calk, Lee, McClellan, & Weatherl), none opposed, and 1 abstained (Minter).

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

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

January 30, 2015

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 22<sup>nd</sup> day of January, A.D. 2015.

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 19<sup>th</sup> day of December, 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 12<sup>th</sup> day of February, 2015 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 12<sup>th</sup> day of February, A.D. 2015.

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

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

EXHIBIT "A"

Rezone property from LI (Light Industrial) to LI/H (Light Industrial/Historic Overlay) zoning.

Legal Description:

OT ABILENE TIF #1, BLOCK 35, LOT 13-14-15, LEASED LOTS



Location:  
189 Locust St

-END-

# ZONING CASE Z-2015-04

## STAFF REPORT



### APPLICANT INFORMATION:

City of Abilene

### HEARING DATES:

P & Z Commission: January 5, 2015

City Council 1<sup>st</sup> Reading: January 22, 2015

City Council 2<sup>nd</sup> Reading: February 12, 2015

### LOCATION:

189 Locust St

### REQUESTED ACTION:

Rezone property from LI (Light Industrial) to LI/H (Light Industrial/Historic Overlay) zoning



### SITE CHARACTERISTICS:

The subject parcel totals approximately 0.48 acres and is currently zoned LI. The adjacent properties are zoned LI to the north, south, & east and HC/H (Heavy Commercial/Historic Overlay) zoning to the west.

### ZONING HISTORY:

The property was of the original town limits of 1895 and zoned LI in 1977.

### ANALYSIS:

- Current Planning Analysis

Currently the property is zoned LI and is developed with an old railway station building. The Burlington Railroad Station, referred to on the National Register of Historic Places as “Abilene and Northern Railway Company Depot” was built in 1929. This one story, red brick veneer building is a distinctive Mission Revival Style building. The exterior retains a high degree of integrity. The surrounding area is largely developed with warehousing and commercial uses. The purpose of the zoning is to add the historic overlay on the building to provide some incentives for restoring the building and to place protections from demolition.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this property as part of the ‘Central Business District’. The existing LI zoning will remain. The requested overlay zoning is compatible with the Future Land Use Map and the adjacent properties.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

**LANDMARKS COMMISSION RECOMMENDATION:**

The Landmarks Commission recommends approval by a vote of 5 in favor (Butman, Calk, Lee, McClellan, & Weatherl), none opposed, and 1 abstained (Minter).

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

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

**NOTIFICATION:**

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

OWNER	ADDRESS	RESPONSE
THE MILL WINERY & EVENT CENTER LLC	239 LOCUST ST	
LONE STAR RAILROAD INC	189 LOCUST ST	
UNION PACIFIC SYSTEM	601 S 2ND ST	
FAULKNER DONALD C & MARGIE E	260 CHERRY ST	
K & M AUTO WRECKING INC	721 S 1ST ST	
MC CLUNG SHANE & MELISSA	150 LOCUST ST	
MAYFIELD J STANLEY & DEANNA G	702 S 3RD ST	
LONE STAR RAILROAD INC	550 S 1ST ST	
UNION PACIFIC SYSTEM	601 S 2ND ST	
LONE STAR RAILROAD INC	102 S 1ST ST	
MAYFIELD J STANLEY & DEANNA G	208 LOCUST ST	
LONE STAR RAILROAD INC	101 S 1ST ST	

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











