

City Council
Agenda Memo



City Council
Meeting Date: 7/9/2015

TO: Robert Hanna, 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-2015-16, a request from Neldon & Anna Watson, agent Derek Peterson, to rezone property from HI (Heavy Industrial) to HC (Heavy Commercial) zoning, located at 158 Tannehill Dr.

GENERAL INFORMATION

Currently the property is zoned HI and is undeveloped. The surrounding area is developed generally with industrial uses. The property to the south recently was rezoned to the GC & HC districts. The purpose of the zoning is to allow for a food truck court and outdoor concert venue. The HC zoning is requested as it would allow for these uses and is compatible with the adjacent properties.

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 entertainment and restaurant 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 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 6 in favor (Bixby, Calk, Dunnahoo, Ellinger, McClarty, & Famble) and none opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

June 26, 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 25th day of June, 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 16th day of May, 2015, 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 9th day of July, 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 9th day of July, A.D. 2015.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

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

Legal Description:

LONE OAK INDUSTRIAL PARK SEC 3, BLOCK C, LOT 20



Location:
158 Tannehill Dr

-END-

ZONING CASE Z-2015-16

STAFF REPORT



APPLICANT INFORMATION:

Neldon & Anna Watson
Agent: Derek Peterson

HEARING DATES:

P & Z Commission: June 1, 2015
City Council 1st Reading: June 25, 2015
City Council 2nd Reading: July 9, 2015

LOCATION:

158 Tannehill Dr

REQUESTED ACTION:

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



SITE CHARACTERISTICS:

The subject parcel totals approximately 1.52 acres and is currently zoned HI. The adjacent properties are zoned HI to the north & east and GC (General Commercial) & HC to the south. Loop 322 runs along the east boundary.

ZONING HISTORY:

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

ANALYSIS:

- Current Planning Analysis
Currently the property is zoned HI and is undeveloped. The surrounding area is developed generally with industrial uses. The property to the south recently was rezoned to the GC & HC districts. The purpose of the zoning is to allow for a food truck court and outdoor concert venue. The HC zoning is requested as it would allow for these uses and is compatible with the adjacent properties.
- 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 entertainment and restaurant 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 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.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Calk, Dunnahoo, Ellinger, McClarty, & Famble) and none opposed.

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
CHRIS MOORE CONSTRUCTION	145 CADD O DR	
LOVE BRADLEY BRETT DBA	146 TANNEHILL DR	
TAYLOR BRADLEY S & CATHERINE A	153 CADD O DR	
WATSON NELDON L & ANNA S	158 TANNEHILL DR	In Favor
ACME COMMERCIAL PROPERTIES LLC	150 TANNEHILL DR	
ACME COMMERCIAL PROPERTIES LLC	154 TANNEHILL DR	
TANNEHILL CORPORATE OFF LLC	4542 LOOP 322	
CHRIS MOORE CONSTRUCTION	149 CADD O DR	

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





