

City Council
Agenda Memo



City Council
Meeting Date: 4/24/2014

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP
Director of Planning and Development Services

SUBJECT: First reading on an ordinance for Case No. Z-2014-11, a request from William D. Tate, agent Wayne Sanford, to rezone property from PD (Planned Development) to RS-6 (Single-Family Residential) zoning, located at 1541 Lytle Acres Dr; and setting a public hearing for May 8, 2014.

GENERAL INFORMATION

Currently the property is zoned PD and is undeveloped. The properties to the north and west are zoned RS-6 and are developed with residential uses. The property to the south is also zoned RS-6 but is currently undeveloped. The properties to the east are zoned RS-12 (Single-Family Residential) and developed with residential uses. The current PD zoning only allows for a "licensed small Assisted Living Facility having a minimum of 12 beds and a maximum of 16 beds". This approved use is no longer planned for the property. The change of zoning would allow for the property to be developed with single-family homes similar to the other properties in the area.

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. The requested zoning would allow for single-family residential development which is consistent with the adjacent uses. The requested zoning would be compatible with the adjacent uses and the Comprehensive Plan.

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, Glenn, McClarty, Rosenbaum, Todd, and Famble) and none opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

April 11, 2014

Item No. 06-04

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 24th day of April, 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 21st day of March, 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 8th day of May, 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 8th day of May, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from PD (Planned Development) to RS-6 (Single-Family Residential) zoning.

Legal Description:

A0708 SUR 48 B A L SE/4, TRACT 3, ACRES 0.84



Location:
1541 Lytle Acres Dr

-END-

ZONING CASE Z-2014-11

STAFF REPORT



APPLICANT INFORMATION:

William D. Tate
Agent: Wayne Sanford

HEARING DATES:

Planning & Zoning Commission: April 7, 2014
City Council 1st Reading: April 24, 2014
City Council 2nd Reading: May 8, 2014

LOCATION:

1541 Lytle Acres Dr

REQUESTED ACTION:

Rezone from PD (Planned Development) to
RS-6 (Single-Family Residential) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 0.84 acres. The property is currently zoned PD and is undeveloped.

ZONING HISTORY:

The area was annexed in 1959 and zoned PD on November 4, 2004.

ANALYSIS:

- Current Planning Analysis
Currently the property is zoned PD and is undeveloped. The properties to the north and west are zoned RS-6 and are developed with residential uses. The property to the south is also zoned RS-6 but is currently undeveloped. The properties to the east are zoned RS-12 (Single-Family Residential) and developed with residential uses. The current PD zoning only allows for a “licensed small Assisted Living Facility having a minimum of 12 beds and a maximum of 16 beds”. This approved use is no longer planned for the property. The change of zoning would allow for the property to be developed with single-family homes similar to the other properties in the area.
- Comprehensive Planning Analysis
The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. The requested zoning would allow for single-family residential development which is consistent with the adjacent uses. The requested zoning would be compatible with the adjacent uses and the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Glenn, McClarty, Rosenbaum, Todd, and Famble) and none opposed.

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
ORTEGA BERNARDO JR	550 BERRY LN	
HOLT GLADYS CLAUDEAN KIMMELL	1509 GRIGGS ST	
PATTERSON EVERETT & LANA	1550 LYTLE ACRES DR	
HOLT GLADYS CLAUDEAN KIMMELL	1517 GRIGGS ST	
TATE WILLIAM D	1541 LYTLE ACRES DR	In Favor
HOLLEY VIRGINIA G	1502 OLDHAM LN	
STEVENS DANNY ETAL	1526 LYTLE ACRES DR	In Favor
WEATHERSBEE FLOYD JACKSON	750 BERRY LN	
FLORES KATHRYN L	1542 LYTLE ACRES DR	In Favor
TATE BILL & MARY	742 BERRY LN	In Favor
COBARRUVIAS MARTIN & RENEE D	1510 OLDHAM LN	
STEVENS DANNY ETAL	1534 LYTLE ACRES DR	In Favor
CAMRI INC	525 BERRY LN	In Favor
TATE BILL	1457 LYTLE ACRES DR	In Favor
WATKINS JOSEPH R & LOIS R	1533 LYTLE ACRES DR	In Favor
ARREDONDO EMILIO & PATRICIA	526 BERRY LN	

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







