

City Council  
Agenda Memo



City Council  
Meeting Date: 7/24/2014

**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-2014-32, a request from Kay P. Braden, agent Foxwood Development Services, to rezone property from RS-8 (Single-Family Residential), RS-8/COR (Single-Family Residential/Corridor Overlay), & AO (Agricultural Open Space) to GR (General Retail) zoning, located at 4102 & 4118 Antilley Rd; and setting a public hearing for August 14, 2014.

**GENERAL INFORMATION**

Currently, the property is developed with 2 homes. The properties on the south side of Antilley Rd were recently rezoned to the GR zoning district. The adjacent properties to the east are developed with a horse barn and a church. A restaurant exists to the south at the corner with Buffalo Gap Rd. The requested GR zoning would allow for retail development. The Buffalo Gap Corridor Overlay will remain on a portion of the property.

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. The requested zoning would allow for retail development. The property is close to the intersection with Buffalo Gap Rd which is considered a commercial node and is supported by a mix of retail, office, and institutional uses of a high quality design. The Buffalo Gap Corridor study indicates that retail zoning is allowable in nodes at intersections of major thoroughfares. 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, Calk, Ellinger, Glenn, Rosenbaum, and Famble) and none opposed.

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

July 15, 2014

Item No. 6.10

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 24<sup>th</sup> day of July, 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 20<sup>th</sup> day of June, 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 14<sup>th</sup> day of August, 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 14<sup>th</sup> day of August, A.D. 2014.

ATTEST:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

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

EXHIBIT "A"

Rezone property from RS-8 (Single-Family Residential), RS-8/COR (Single-Family Residential/Corridor Overlay), & AO (Agricultural Open Space) to GR (General Retail) zoning.

Legal Description:

A0086 SUR 100 A GREENWALL, TRACT 12 G J ROBERTS  
A0086 SUR 100 A GREENWALL, TRACT 13 & 14 G J ROBERTS



Location:  
4102 & 4118 Antilley Rd

-END-

# ZONING CASE Z-2014-32

## STAFF REPORT



### APPLICANT INFORMATION:

Kay P. Braden  
Agent: Foxwood Development Services

### HEARING DATES:

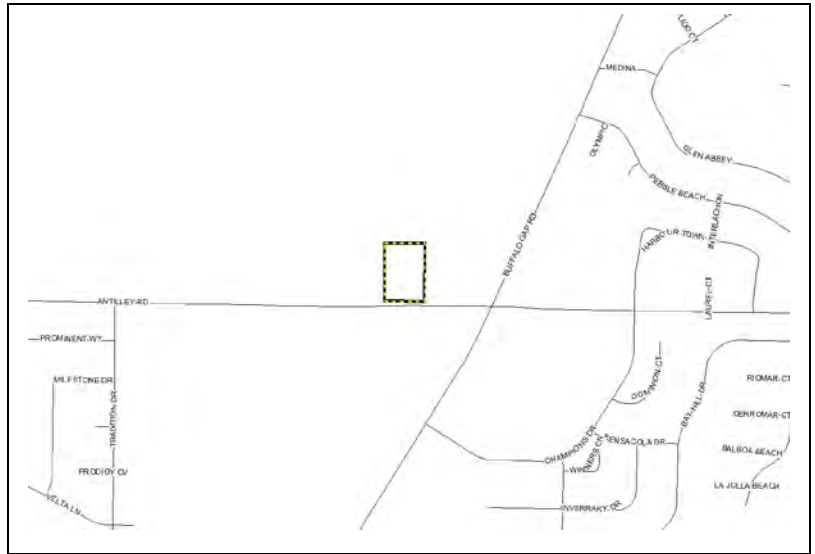
Planning & Zoning Commission: July 7, 2014  
City Council 1<sup>st</sup> Reading: July 24, 2014  
City Council 2<sup>nd</sup> Reading: August 14, 2014

### LOCATION:

4102 & 4118 Antilley Rd

### REQUESTED ACTION:

Rezone property from RS-8 (Single-Family Residential), RS-8/COR (Single-Family Residential/Corridor Overlay), & AO (Agricultural Open Space) to GR (General Retail) zoning



### SITE CHARACTERISTICS:

The subject parcel totals approximately 2.83 acres and is currently zoned RS-8, RS-8/COR, & AO. The properties are developed with 2 homes. The adjacent properties are zoned RS-8 to the west, AO to the north, GR & GR/COR (General Retail/Corridor Overlay) to the south, and RS-8/COR to the east.

### ZONING HISTORY:

The property annexed in 1963 and was zoned RS-8 sometime after. The Buffalo Gap Corridor Overlay was adopted by the City in 1995.

### ANALYSIS:

- Current Planning Analysis  
Currently, the property is developed with 2 homes. The properties on the south side of Antilley Rd were recently rezoned to the GR zoning district. The adjacent properties to the east are developed with a horse barn and a church. A restaurant exists to the south at the corner with Buffalo Gap Rd. The requested GR zoning would allow for retail development. The Buffalo Gap Corridor Overlay will remain on a portion of the property.
- 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 retail development. The property is close to the intersection with Buffalo Gap Rd which is considered a commercial node and is supported by a mix of retail, office, and institutional uses of a high quality design. The Buffalo Gap Corridor study indicates that retail zoning is allowable in nodes at intersections of major thoroughfares. 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, Calk, Ellinger, Glenn, Rosenbaum, and Famble) and none opposed.

**NOTIFICATION:**

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

<b>OWNER</b>	<b>ADDRESS</b>	<b>RESPONSE</b>
CASEY JEAN WALDROP	6142 BUFFALO GAP RD	In Favor
WILLIAMSON ALTON KIM & JULIE K		
BRADEN KAY	4118 ANTILLEY RD	
BRADEN KAY	4102 ANTILLEY RD	
CENTRAL AREA OF THE CHRISTIAN CHURCH	6250 BUFFALO GAP RD	
WILLIAMSON ALTON K & JULIE K	4202 ANTILLEY RD	
WYLIE IND SCHOOL DIST	4042 ANTILLEY RD	
WYLIE IND SCHOOL DIST	4026 ANTILLEY RD	
CASEY TERRY & MARY CATHRYN	6382 BUFFALO GAP RD	
KIRKPATRICK M DOUG ET AL	6302 BUFFALO GAP RD	
D & K LLC	6326 BUFFALO GAP RD	In Favor
WILLIAMSON ALTON KIM & JULIE K	4234 ANTILLEY RD	
D & B LAND & CATTLE LLC	4117 ANTILLEY RD	

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

