

City Council
Agenda Memo



City Council
Meeting Date: 9/12/2013

TO: Larry D. Gilley, City Manager

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

SUBJECT: Final reading and public hearing of an ordinance for Case No. Z-2013-21, a request from Directors Real Estate Management, LP, agent Enprotec/Hibbs & Todd, Inc., to rezone property from AO (Agricultural Open Space) to RS-8 (Single-Family Residential) & GR (General Retail) zoning, being approximately 45.19 acres located at 6602 S. Clack St.

GENERAL INFORMATION

Currently the property is zoned AO and is currently undeveloped. There are a few barn buildings on the property. The adjacent properties to the north are zoned PD & GC and developed with large offices and a hotel. The property to the west is zoned MD and developed as a retirement community. The property to the south is zoned AO and is undeveloped. Highway 83-84 exists along the east frontage. The developer plans to develop a new single-family subdivision on the majority of the property while also setting aside the eastern edge for retail development.

The Future Land Use section of the Comprehensive Plan designates the general area at the intersection of Antilley Rd and Hwy 83-84 as a Special Activity Center. Special Activity Centers provide locations for unique attractions or activities serving local, regional & statewide needs. The area is supported by a mix of uses that are connected and of a high quality design. The applicant is requesting the zone change to allow for a single-family residential uses as well as general retail uses measuring approximately 300' in depth along the highway frontage. The requested zoning would be compatible with the adjacent uses to the north as well as 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 4 in favor (Glenn, McClarty, Rosenbaum, and Famble), none opposed, and 2 abstained (Todd & Yungblut).

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

August 30, 2013

Item No. 7.4

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 22nd day of August, A.D. 2013.

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 July, 2013, 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 12th day of September, 2013 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 12th day of September, A.D. 2013.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

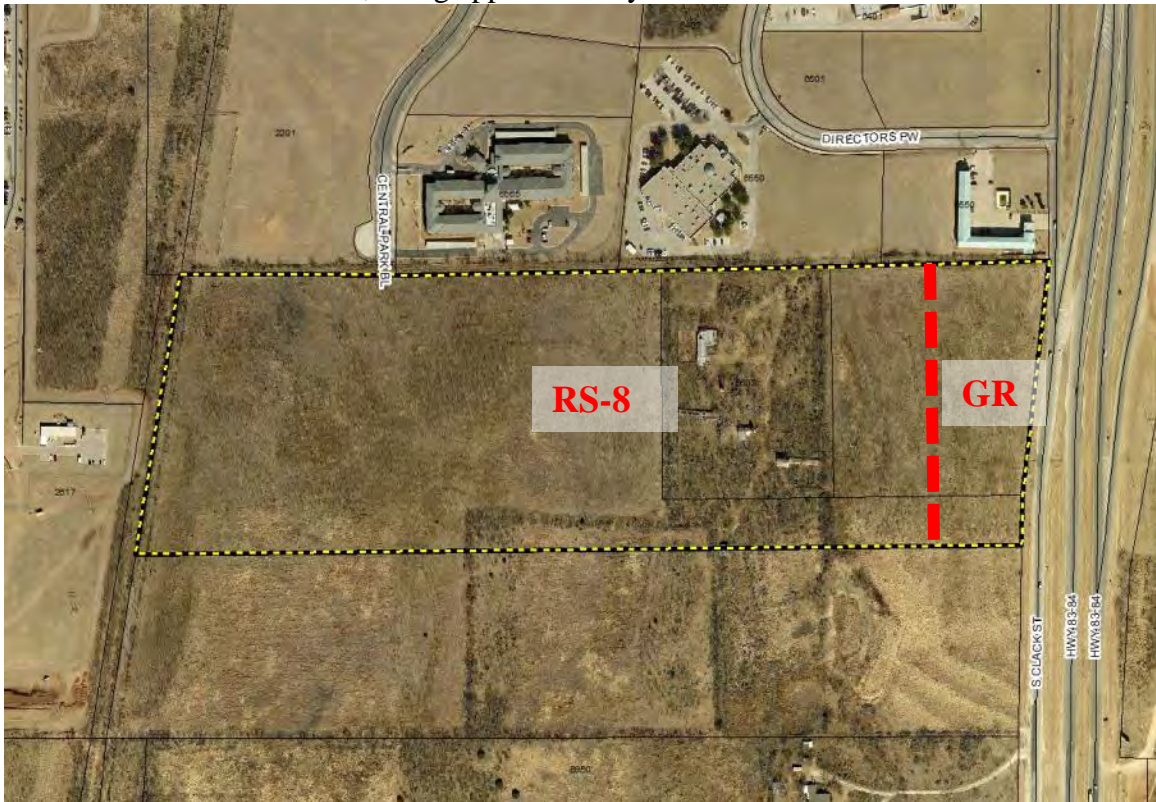
ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to RS-8 (Single-Family Residential) & GR (General Retail) district.

Legal Description:

A0832 SUR 12 L A L NE/4, being approximately 45.19 acres



Location:
6602 S. Clack St

-END-

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

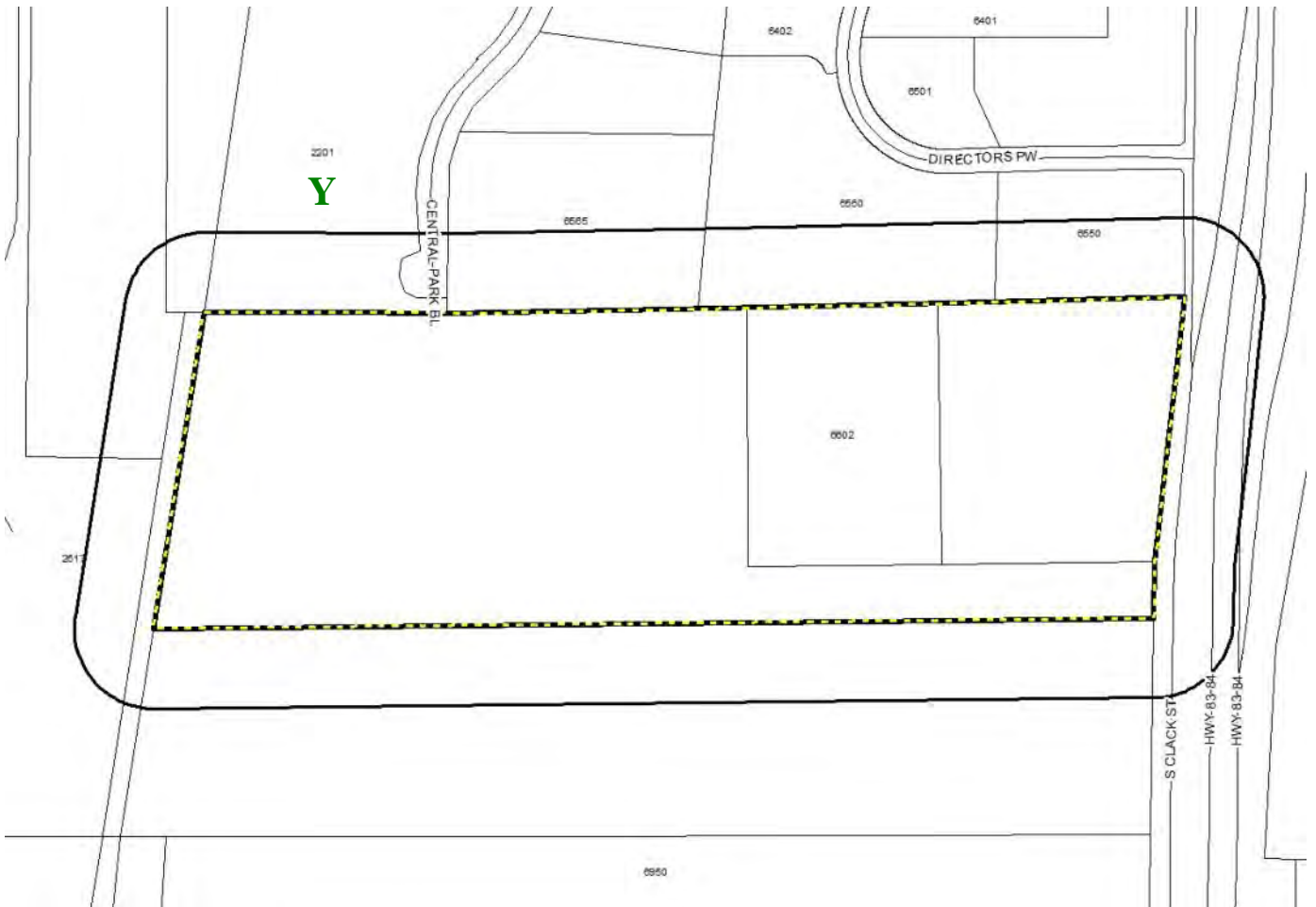
The Planning and Zoning Commission recommends approval by a vote of 4 in favor (Glenn, McClarty, Rosenbaum, and Famble), none opposed, and 2 abstained (Todd & Yungblut).

NOTIFICATION:

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

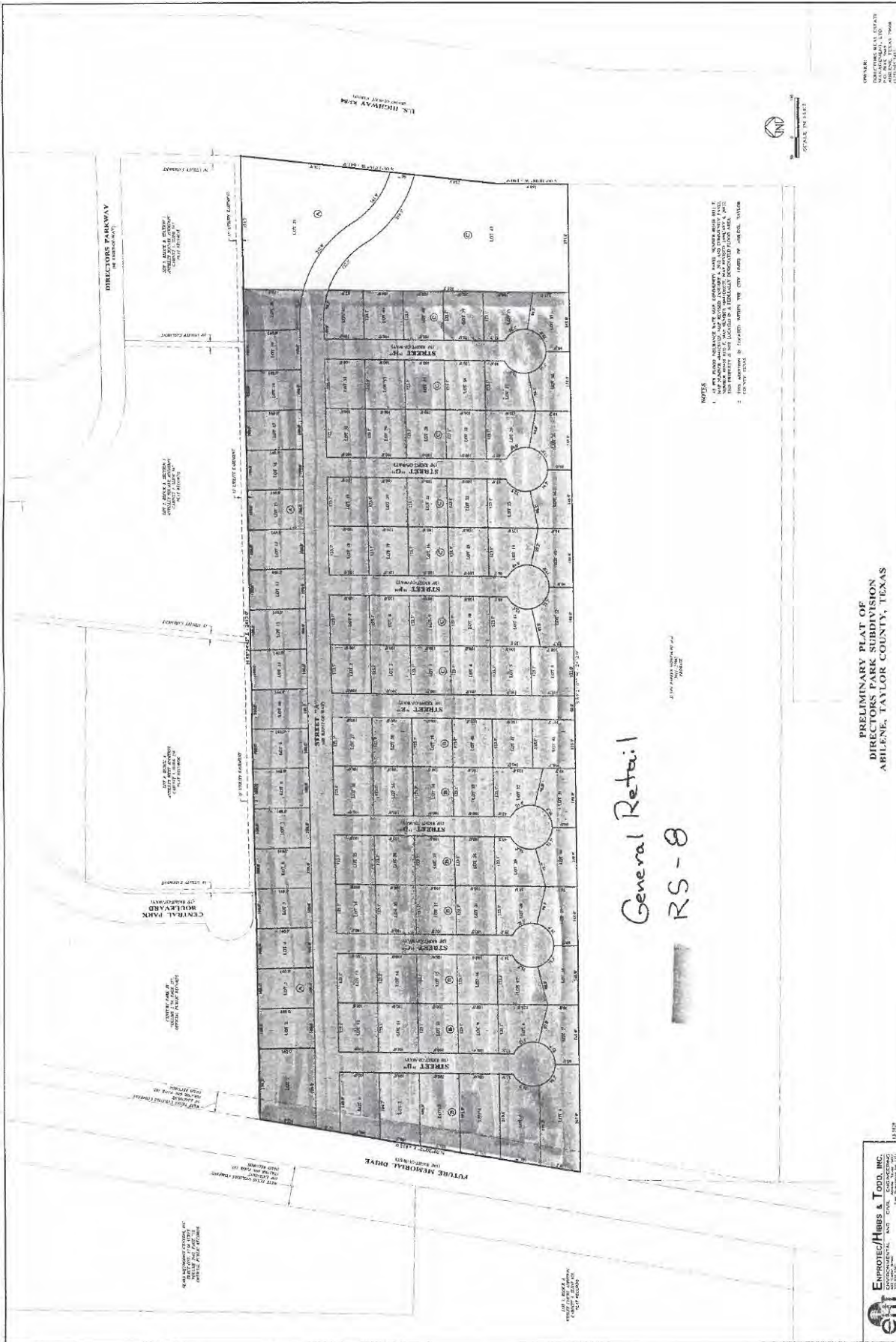
| OWNER | ADDRESS | RESPONSE |
|-------------------------------------|----------------------|----------|
| SEARS METHODIST CENTERS INC | | |
| SEARS METHODIST CTRS INC | 2617 ANTILLEY RD | |
| FUNERAL DIRECTORS LIFE INSURANCE CO | 6550 DIRECTORS PW | |
| DIRECTORS REAL ESTATE MGMT LP | 6602 HWY 83-84 | |
| SIDDHIDHATA ENTERPRISES INC | 6550 HWY 83-84 | |
| SEARS METHODIST CTRS INC | | |
| SEARS METHODIST CENTERS INC | | |
| MONTALVO SUSAN PARKER ET AL | | |
| DIRECTORS REAL ESTATE MGT L P | | |
| DIRECTORS REAL ESTATE MGMT LP | | |
| WSL HOLDINGS 2006 V ABILENE LP | 6565 CENTRAL PARK BL | |
| CENTRAL PARK 91 JV | 2201 ANTILLEY RD | In Favor |

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









General Retail
RS-8

- NOTES:
1. ALL LOTS SHOWN ARE UNIMPROVED LOTS. NO OTHER UTILITIES OR STRUCTURES ARE SHOWN ON THIS PLAT. THE LOCATION OF UTILITIES AND STRUCTURES IS TO BE DETERMINED BY THE OWNER.
 2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 3. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



OWNER:
 DIRECTORS PARK SUBDIVISION
 ARRLINE, TAYLOR COUNTY, TEXAS

PRELIMINARY PLAT OF
 DIRECTORS PARK SUBDIVISION
 ARRLINE, TAYLOR COUNTY, TEXAS

EHP E. PROTEC/HIBBS & TODD, INC.
 ENGINEERING AND SURVEYING
 1000 WEST 10TH STREET, SUITE 100
 ARLINGTON, TEXAS 76010
 (817) 462-1111