

City Council
Agenda Memo



City Council
Meeting Date: 12/5/2013

TO: Larry D. Gilley, 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-2013-37, a request from Don Bledsoe, agents Enprotec/Hibbs & Todd and Dale A. Scoggins, to rezone property from AO (Agricultural Open Space) & RS-8 (Single-Family Residential) to RS-6 (Single-Family Residential) zoning, being 48.563 acres located on the south side of the 4300-4400 block of Antilley Rd.

GENERAL INFORMATION

Currently the property is zoned AO & RS-8 and is undeveloped. The property to the west is zoned RS-8 and is being developed with a residential subdivision. The properties to the east are zoned GR (General Retail), NR (Neighborhood Retail) & RS-8 and includes a mix of retail, office and some residential development. The properties to the south are zoned AO and are currently requesting a change of zoning to MF (Multi-Family Residential) and GR zoning. The properties to the north are zoned AO & RS-8 and include residential uses and the Wylie High School. The requested zoning would allow for additional single-family residential development.

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. 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 requested zoning would be a transitional zoning from the retail development at the intersection to the RS-8 zoning to the west. The requested zoning is compatible with the adjacent uses and the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 5 in favor (Bixby, 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

November 22, 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 21st day of November, 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 18th day of October, 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 5th day of December, 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 5th day of December, A.D. 2013.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) & RS-8 (Single-Family Residential) to RS-6 (Single-Family Residential) district.

Legal Description:



**FIELD NOTES
FOR
A 48.563 ACRE TRACT
OUT OF
THE W. E. VAUGHN SURVEY NO. 101
ABILENE, TAYLOR COUNTY, TEXAS**

BEING a 48.563-acre tract out of the W. E. Vaughn Survey No. 101, Abilene, Taylor County, Texas, and being out of an 89.68-acre tract conveyed to Donald D. Bledsoe, recorded in Instrument Number 2013-5232, Official Public Records, Taylor County, Texas. The said 48.563-acre tract being more particularly described as follows:

BEGINNING at a point on the south right of way of Antilley Road for the northwest corner of the said 89.68-acre tract;

THENCE South 89 degrees 53 minutes 22 seconds East, along the south right of way of Antilley Road, for a distance of 910.83 feet to a point of curvature;

THENCE along the south right of way of Antilley Road, being a curve to the right having a radius of 2784.79 feet and an arc length of 46.29 feet, being subtended by a chord South 89 degrees 29 minutes 49 seconds East for a distance of 46.29 feet to a point of tangency;

THENCE South 88 degrees 48 minutes 47 seconds East, along the south right of way of Antilley Road, for a distance of 123.33 feet to a point of curvature;

THENCE along the south right of way of Antilley Road, being a curve to the left having a radius of 2944.79 feet and an arc length of 75.03 feet, being subtended by a chord South 89 degrees 45 minutes 53 seconds East for a distance of 75.03 feet to a point of tangency;

THENCE North 89 degrees 37 minutes 23 seconds East, along the south right of way of Antilley Road, for a distance of 235.77 feet to a point for the northeast corner of this tract;

THENCE South 04 degrees 05 minutes 57 seconds East for a distance of 666.96 feet to a point;

THENCE South 60 degrees 54 minutes 00 seconds East for a distance of 90.27 feet to a point;

THENCE South 30 degrees 55 minutes 39 seconds West for a distance of 1146.58 feet to a point for the southeast corner of this tract;

THENCE North 62 degrees 27 minutes 38 seconds West for a distance of 119.01 feet to a point of curvature;

THENCE with a curve to the left having a radius of 500.00 feet and an arc length of 240.31 feet, being subtended by a chord North 76 degrees 13 minutes 45 seconds West for a distance of 238.00 feet to a point of tangency;

THENCE North 89 degrees 59 minutes 53 seconds West for a distance of 584.87 feet to a point for the southwest corner of this tract;

THENCE North 00 degrees 15 minutes 00 seconds West for a distance of 1584.51 feet to the Point of Beginning having an area of 48.563 acres, or 2115395 square feet.

Location:

Being 48.563 acres located on the south side of the 4300-4400 block of Antilley Rd

-END-

ZONING CASE Z-2013-37

STAFF REPORT



APPLICANT INFORMATION:

Don Bledsoe

Agents: Enprotec/Hibbs & Todd and

Dale A. Scoggins

HEARING DATES:

Planning & Zoning Commission: November 4, 2013

City Council 1st Reading: November 21, 2013

City Council 2nd Reading: December 5, 2013

LOCATION:

Being 48.563 acres located on the south side of the 4300-4400 block of Antilley Rd



REQUESTED ACTION:

AO (Agricultural Open Space) & RS-8 (Single-Family Residential) to RS-6 (Single-Family Residential)

SITE CHARACTERISTICS:

The subject parcel totals approximately 48.563 acres. The property is currently zoned AO & RS-8 and is undeveloped.

ZONING HISTORY:

The area was annexed in 1963 & 1980 and zoned AO & RS-8 sometime after.

ANALYSIS:

• Current Planning Analysis

Currently the property is zoned AO & RS-8 and is undeveloped. The property to the west is zoned RS-8 and is being developed with a residential subdivision. The properties to the east are zoned GR (General Retail), NR (Neighborhood Retail) & RS-8 and includes a mix of retail, office and some residential development. The properties to the south are zoned AO and are currently requesting a change of zoning to MF (Multi-Family Residential) and GR zoning. The properties to the north are zoned AO & RS-8 and include residential uses and the Wylie High School. The requested zoning would allow for additional single-family residential development.

• Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. 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 requested zoning would be a transitional zoning from the retail development at the intersection to the RS-8 zoning to the west. The requested zoning is compatible with the adjacent uses and the Comprehensive Plan.

Case # Z-2013-37

Updated: November 8, 2013

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval by a vote of 5 in favor (Bixby, 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
CASEY TERRY & MARY CATHRYN	6458 BUFFALO GAP RD	
DUNCAN JEFFREY & STEPHANIE	4302 ANTILLEY RD	
CASEY TERRY & MARY CATHRYN	6382 BUFFALO GAP RD	
POWELL OLAN BISHOP	6466 BUFFALO GAP RD	
WILLIAMSON ALTON K & JULIE K	4202 ANTILLEY RD	
CLARK WILLIAM E	4318 ANTILLEY RD	
DAVISTA LLC SERIES I	4250 ANTILLEY RD	
BLEDSON DONALD D		
WILLIAMSON ALTON KIM & JULIE K	4234 ANTILLEY RD	
KEMP CYNTHIA YVETTE	6502 BUFFALO GAP RD	
LEACH KATRINA ANN	4334 ANTILLEY RD	
WYLIE IND SCHOOL DIST		
WYLIE IND SCHOOL DIST	4502 ANTILLEY RD	
PUCKETT FRANK TODD & MARLEE J	6209 TRADITION DR	
HOLT SAMMY LEE JR	6225 TRADITION DR	
JACKSON EDWARD & CYNTHIA C	6201 TRADITION DR	
COUNTRYSIDE HOMES LLC	6217 TRADITION DR	
CITY OF ABILENE	4849 ANTILLEY RD	
ELLIS TIMOTHY A	6233 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6301 ARAPAHO TR	
MUSGRAVE & MUSGRAVE LLP	6601 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6525 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6417 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6409 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6301 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6401 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6609 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6517 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6425 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6309 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6509 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6501 TRADITION DR	
MUSGRAVE & MUSGRAVE LLP	6317 TRADITION DR	

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







