

City Council
Agenda Memo



City Council
Meeting Date: 1/9/2014

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-2013-42, a request from Shelia Rutledge to rezone property from AO (Agricultural Open Space) to MH (Manufactured/Mobile Home) zoning, located at 6102 W. Lake Rd to include the 2 acres north.

GENERAL INFORMATION

Currently the property is zoned AO and is developed with an old residential home. The surrounding properties are zoned AO and are developed with homes on large acreage properties, some of which are manufactured homes. The subject property is requesting a change in zoning to allow for a new manufactured home. There are several properties close by that have manufactured homes on them. The requested zoning would allow for a manufactured home use on a property similar to other properties nearby.

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. The property is also part of the Lake Fort Phantom Hill (LFPH) Master Plan. The LFPH Plan recommends that the use of manufactured homes be restricted. The requested zoning would allow a manufactured home similar to other properties located nearby. Although the LFPH Plan recommends restricting manufactured homes, the requested zoning is compatible with the manufactured home uses on adjacent properties and the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 7 in favor (Bixby, Glenn, McClarty, Rosenbaum, Todd, Yungblut, and Famble) and none opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

December 27, 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 19th day of December, 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 15th day of November, 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 9th day of January, 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 9th day of January, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to MH (Manufactured/Mobile Home) district.

Legal Description:



Location:
6102 W. Lake Rd to include the 2 acres north

-END-

ZONING CASE Z-2013-42

STAFF REPORT



APPLICANT INFORMATION:

Shelia Rutledge

HEARING DATES:

Planning & Zoning Commission: December 2, 2013

City Council 1st Reading: December 19, 2013

City Council 2nd Reading: January 9, 2014

LOCATION:

6102 W. Lake Rd to include the 2 acres north

REQUESTED ACTION:

AO (Agricultural Open Space) to MH
(Manufactured/Mobile Home)



SITE CHARACTERISTICS:

The property is currently zoned AO and is developed with an old residential home. The surrounding properties are zoned AO and are developed with homes on large acreage properties.

ZONING HISTORY:

The property was annexed incorporated in 1983 and was zoned AO at that time.

ANALYSIS:

- Current Planning Analysis

Currently the property is zoned AO and is developed with an old residential home. The surrounding properties are zoned AO and are developed with homes on large acreage properties, some of which are manufactured homes. The subject property is requesting a change in zoning to allow for a new manufactured home. There are several properties close by that have manufactured homes on them. The requested zoning would allow for a manufactured home use on a property similar to other properties nearby.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. The property is also part of the Lake Fort Phantom Hill (LFPH) Master Plan. The LFPH Plan recommends that the use of manufactured homes be restricted. The requested zoning would allow a manufactured home similar to other properties located nearby. Although the LFPH Plan recommends restricting manufactured homes, the requested zoning is compatible with the manufactured home uses on adjacent properties 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 7 in favor (Bixby, Glenn, McClarty, Rosenbaum, Todd, Yungblut, and Famble) and none opposed.

NOTIFICATION:

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

| OWNER | ADDRESS | RESPONSE |
|----------------------------------|----------------|----------|
| YUEN STEVE & SHELIA | 6102 W LAKE RD | |
| YUEN STEVE & SHELIA | | |
| WALTON KERRY KIM & KAREN SHIELDS | | Opposed |
| HUDSON KENNETH D JR & TASHA | 6042 W LAKE RD | |

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







