

City Council
Agenda Memo



City Council
Meeting Date: 5/8/2014

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-2014-12, a request from LBHDS, LLC, agent Tigris Development, LLC, to rezone property from RS-6 (Single-Family Residential) & PD (Planned Development) to MF (Multi-Family Residential) zoning, located on the south side of the 4300 block of Antilley Rd.

GENERAL INFORMATION

Currently the property is zoned RS-6 and is undeveloped. The property to the west is zoned RS-6 and was originally part of the area just zoned to RS-6. Beyond that, the adjacent property 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 PD that will include MD (Medium Density Residential), NR (Neighborhood Retail), NO (Neighborhood Office) 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 multi-family residential development.

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. The requested zoning would allow for multi-family residential development. The MF zoning can be considered as transitional from the GR zoning to the east and the RS-6 zoning to the west. Therefore, the requested zoning would be compatible with the adjacent uses single-family residential uses and the Comprehensive Plan. However, traffic is a concern and the MF zoning would be separated from the GR zoning to the east due to topography and a floodway area.

STAFF RECOMMENDATION

Staff recommends approval as requested.

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 1 abstained (Todd).

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

April 25, 2014

Item No. _____

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 RS-6 (Single-Family Residential) & PD (Planned Development) to MF (Multi-Family Residential) zoning.

Legal Description:

Approximately 25.15 acres out of A0417 SUR 101 WM E VAUGHN



Location:

The south side of the 4300 block of Antilley Rd

-END-

ZONING CASE Z-2014-12

STAFF REPORT



APPLICANT INFORMATION:

LBHDS, LLC

Agent: Tigris Development, LLC

HEARING DATES:

Planning & Zoning Commission: April 7, 2014

City Council 1st Reading: April 24, 2014

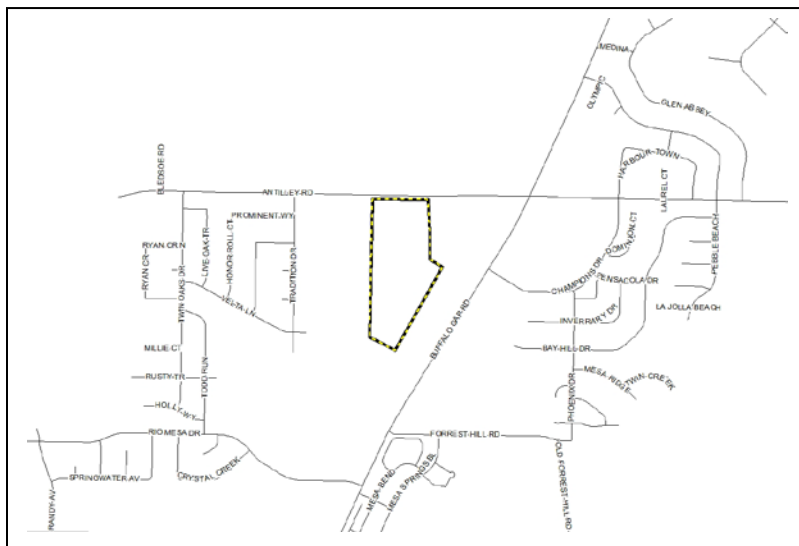
City Council 2nd Reading: May 8, 2014

LOCATION:

The south side of the 4300 block of Antilley Rd

REQUESTED ACTION:

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



SITE CHARACTERISTICS:

The subject parcel totals approximately 25.15 acres. The property is currently zoned RS-6 & PD and is undeveloped.

ZONING HISTORY:

The area was annexed in 1963 & 1980 and zoned RS-6 on December 5, 2013.

ANALYSIS:

- Current Planning Analysis

Currently the property is zoned RS-6 and is undeveloped. The property to the west is zoned RS-6 and was originally part of the area just zoned to RS-6. Beyond that, the adjacent property 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 PD that will include MD (Medium Density Residential), NR (Neighborhood Retail), NO (Neighborhood Office) 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 multi-family residential development.

- 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 multi-family residential development. The MF zoning can be considered as transitional from the GR zoning to the east and the RS-6 zoning to the west. Therefore, the requested zoning would be compatible with the adjacent uses single-family residential uses and the Comprehensive Plan. However, traffic is a

concern and the MF zoning would be separated from the GR zoning to the east due to topography and a floodway area.

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 1 abstained (Todd).

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
WYLIE IND SCHOOL DIST		
CLARK WILLIAM E	4318 ANTILLEY RD	Opposed
CASEY TERRY & MARY CATHRYN	6382 BUFFALO GAP RD	
KEMP CYNTHIA YVETTE	6502 BUFFALO GAP RD	
CASEY TERRY & MARY CATHRYN	6458 BUFFALO GAP RD	
LBHDS LLC		
WYLIE IND SCHOOL DIST	4502 ANTILLEY RD	
LEACH KATRINA ANN	4334 ANTILLEY RD	Opposed
BLEDSON DONALD D		In Favor
CROWN RESERVE LTD	4250 ANTILLEY RD	
DUNCAN JEFFREY & STEPHANIE	4302 ANTILLEY RD	Opposed
WILLIAMSON ALTON KIM & JULIE K	4234 ANTILLEY RD	
POWELL OLAN BISHOP	6466 BUFFALO GAP RD	

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



