

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-2014-13, a request from Jennifer Salazar, agent Foxwood Development Services, to rezone property from RS-8/COR (Single-Family Residential/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay) zoning, located at 4117 Antilley Rd.

GENERAL INFORMATION

Currently the property is zoned RS-8 and is developed with a home. The property to the west is zoned GR (General Retail) and was rezoned recently to this district. The properties to the south and east are zoned GC (General Commercial) and includes a mix of office and restaurant development. The properties to the north are zoned RS-8 and are currently developed with residential homes as well as a church. The requested zoning would allow for retail development.

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 Antilley 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, Glenn, McClarty, Rosenbaum, Todd, and Famble) and none opposed.

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-8/COR (Single-Family Residential/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay) zoning.

Legal Description:

A0417 SUR 101 WM E VAUGHN, ACRES .62



Location:
4117 Antilley Rd

-END-

ZONING CASE Z-2014-13

STAFF REPORT



APPLICANT INFORMATION:

Jennifer Salazar
Agent: Foxwood Development Services

HEARING DATES:

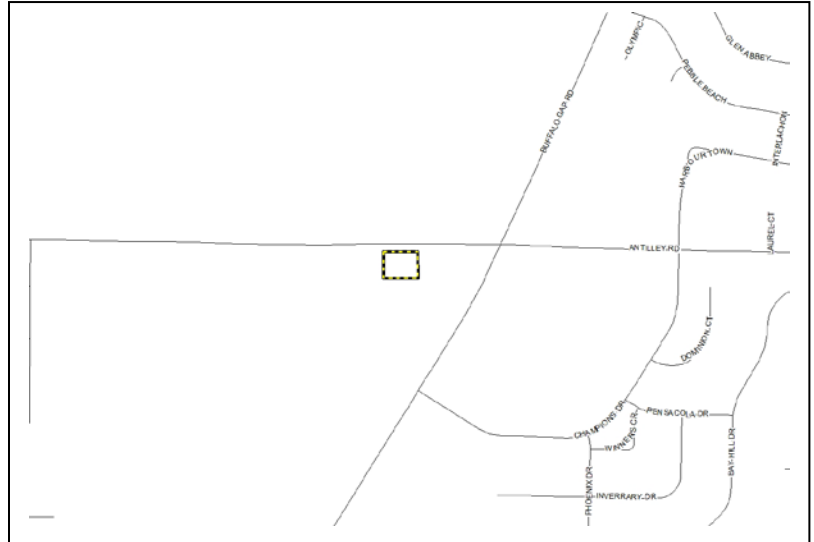
Planning & Zoning Commission: April 7, 2014
City Council 1st Reading: April 24, 2014
City Council 2nd Reading: May 8, 2014

LOCATION:

4117 Antilley Rd

REQUESTED ACTION:

Rezone from RS-8/COR (Single-Family Residential/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 0.62 acres. The property is currently zoned RS-8/COR and is developed with a home.

ZONING HISTORY:

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

ANALYSIS:

- Current Planning Analysis

Currently the property is zoned RS-8 and is developed with a home. The property to the west is zoned GR (General Retail) and was rezoned recently to this district. The properties to the south and east are zoned GC (General Commercial) and includes a mix of office and restaurant development. The properties to the north are zoned RS-8 and are currently developed with residential homes as well as a church. The requested zoning would allow for retail 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 retail development. The property is close to the intersection with Antilley 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, Glenn, McClarty, Rosenbaum, Todd, and Famble) and none opposed.

NOTIFICATION:

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

| OWNER | ADDRESS | RESPONSE |
|------------------------------|---------------------|----------|
| WILLIAMSON ALTON K & JULIE K | 4202 ANTILLEY RD | |
| WYLIE IND SCHOOL DIST | 4042 ANTILLEY RD | |
| WALKER GLYNN | 6350 BUFFALO GAP RD | In Favor |
| D & K LLC | 6326 BUFFALO GAP RD | In Favor |
| WYLIE IND SCHOOL DIST | 4026 ANTILLEY RD | |
| CASEY TERRY & MARY CATHRYN | 6382 BUFFALO GAP RD | |
| KIRKPATRICK M DOUG ET AL | 6302 BUFFALO GAP RD | |
| BRADEN KAY | 4102 ANTILLEY RD | |
| BRADEN KAY | 4118 ANTILLEY RD | |
| SALAZAR JENNIFER | 4117 ANTILLEY RD | |

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

