

City Council
Agenda Memo



City Council
Meeting Date: 8/14/2014

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-2014-30, a request from Seymour Beitcher, agent Tal Fillingim, to rezone property from AO (Agricultural Open Space) to RS-6 (Single-Family Residential) zoning, being 7.71 acres located at the east end of Butterfield Meadows Pkwy & Firedog Rd.

GENERAL INFORMATION

Currently, the property is undeveloped. This is located at the east ends of Butterfield Meadows Pkwy and Firedog Rd and will be an extension for the next phase of the Butterfield Meadows subdivision. The development has a mix of single-family, duplex, and patio homes with areas for commercial, retail and office development along Hwy 277 S. The Quail Hollow apartment complex exists to the south of this subdivision. The requested RS-6 zoning would allow for the next phase of the development.

The Future Land Use section of the Comprehensive Plan designates this area low-density development. The requested zoning will allow for the development of single-family homes consistent with the existing homes in the subdivision. The requested zoning is 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, Calk, Ellinger, Glenn, Rosenbaum, and Famble) and none opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

August 1, 2014

Item No. 7.11

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 July, 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 20th day of June, 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 14th day of August, 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 14th day of August, A.D. 2014.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

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

Legal Description:

A portion of A0003 SUR 44 JOHN ADAMS, ACRES 7.71



ZONING CASE Z-2014-30

STAFF REPORT



APPLICANT INFORMATION:

Seymour Beitcher
Agent: Tal Fillingim

HEARING DATES:

Planning & Zoning Commission: July 7, 2014
City Council 1st Reading: July 24, 2014
City Council 2nd Reading: August 14, 2014

LOCATION:

Being 7.71 acres located at the east end of Butterfield Meadows Pkwy & Firedog Rd

REQUESTED ACTION:

Rezone property from AO (Agricultural Open Space) to RS-6 (Single-Family Residential) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 7.71 acres and is currently zoned AO. The parcel is undeveloped. The adjacent properties are zoned RS-6 to the west and AO to the north, south, & east.

ZONING HISTORY:

The property annexed in 1986 and was zoned AO at that time.

ANALYSIS:

- Current Planning Analysis
Currently, the property is undeveloped. This is located at the east ends of Butterfield Meadows Pkwy and Firedog Rd and will be an extension for the next phase of the Butterfield Meadows subdivision. The development has a mix of single-family, duplex, and patio homes with areas for commercial, retail and office development along Hwy 277 S. The Quail Hollow apartment complex exists to the south of this subdivision. The requested RS-6 zoning would allow for the next phase of the development.
- Comprehensive Planning Analysis
The Future Land Use section of the Comprehensive Plan designates this area low-density development. The requested zoning will allow for the development of single-family homes consistent with the existing homes in the subdivision. The requested zoning is 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, Calk, Ellinger, Glenn, Rosenbaum, and Famble) and none opposed.

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
BUTTERFIELD MEADOWS LLC	3417 GAYS WY	
BUTTERFIELD MEADOWS LLC	3434 GAYS WY	
ABILENE IND SCHOOL DIST	5749 HWY 277 S	
BUTTERFIELD MEADOWS LLC	3410 GAYS WY	
BUTTERFIELD MEADOWS LLC	3433 GAYS WY	
BUTTERFIELD MEADOWS LLC	3302 FIREDOG RD	
BUTTERFIELD MEADOWS LLC	3250 FIREDOG RD	
CITY OF ABILENE		
BUTTERFIELD MEADOWS LLC	3425 GAYS WY	
BUTTERFIELD MEADOWS LLC	3418 GAYS WY	
BUTTERFIELD MEADOWS LLC	3409 GAYS WY	
BUTTERFIELD MEADOWS LLC	3310 FIREDOG RD	
BUTTERFIELD MEADOWS LLC	3449 GAYS WY	
BUTTERFIELD MEADOWS LLC	3442 GAYS WY	
BUTTERFIELD MEADOWS LLC	3441 GAYS WY	
BUTTERFIELD MEADOWS LLC	3450 GAYS WY	
BUTTERFIELD MEADOWS LLC	3426 GAYS WY	
BUTTERFIELD MEADOWS LLC	3258 FIREDOG RD	
BUTTERFIELD MEADOWS LLC	3465 GAYS WY	
BUTTERFIELD MEADOWS LLC	3457 GAYS WY	
BUTTERFIELD MEADOWS LLC	3401 GAYS WY	
BUTTERFIELD MEADOWS LLC	3309 GAYS WY	
BEAUCHAMP SCOTT & KALLIE	3302 GAYS WY	
BUTTERFIELD MEADOWS LLC	4810 SOUTHWEST DR	
BUTTERFIELD MEADOWS LLC	3466 GAYS WY	
MC NEILL ANDREW & DESSA	3301 GAYS WY	
SANCHEZ PAUL & FELIPA	3458 GAYS WY	
BUTTERFIELD MEADOWS LLC	3317 GAYS WY	
BUTTERFIELD MEADOWS LLC	3402 GAYS WY	
KUMAR KRISHNA P	3482 GAYS WY	
BUTTERFIELD MEADOWS LLC	3481 GAYS WY	
ADAMS GARY A & GAYLA S	3473 GAYS WY	In Favor
BUTTERFIELD MEADOWS LLC	3474 GAYS WY	

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





