

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-8 (Single-Family Residential) zoning.

Legal Description:

A0417 SUR 101 WM E VAUGHN, ACRES 214.34



Location:

Located on the south side of the 5200 block of Antilley Rd

-END-

ZONING CASE Z-2014-33

STAFF REPORT



APPLICANT INFORMATION:

Red Dirt Holdings, LLC
Agent: Lynn Beal

HEARING DATES:

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

LOCATION:

Being approximately 216 acres located on the south side of the 5200 block of Antilley Rd

REQUESTED ACTION:

Rezone property from AO (Agricultural Open Space) to RS-8 (Single-Family Residential) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 216 acres and is currently zoned AO. The parcel is undeveloped. The adjacent properties are zoned AO & RS-8 to the south and RS-6 (Single-Family Residential) to the east. The city limits border the property to the north and west.

ZONING HISTORY:

The property was annexed in 1980 and was zoned AO at that time.

ANALYSIS:

- Current Planning Analysis
Currently, the property is undeveloped. This is located at the western city limits on the south side of Antilley Rd. Elm Creek is the city limit lines and runs along the west and north boundaries of the property. The adjacent properties to the south and east are generally developed with single-family homes. A church exists northeast of this property with frontage on Antilley Rd. The requested RS-8 zoning would allow for the development of a new single-family residential neighborhood similar to the existing adjacent subdivisions.
- 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 adjacent subdivisions and the general area. 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:

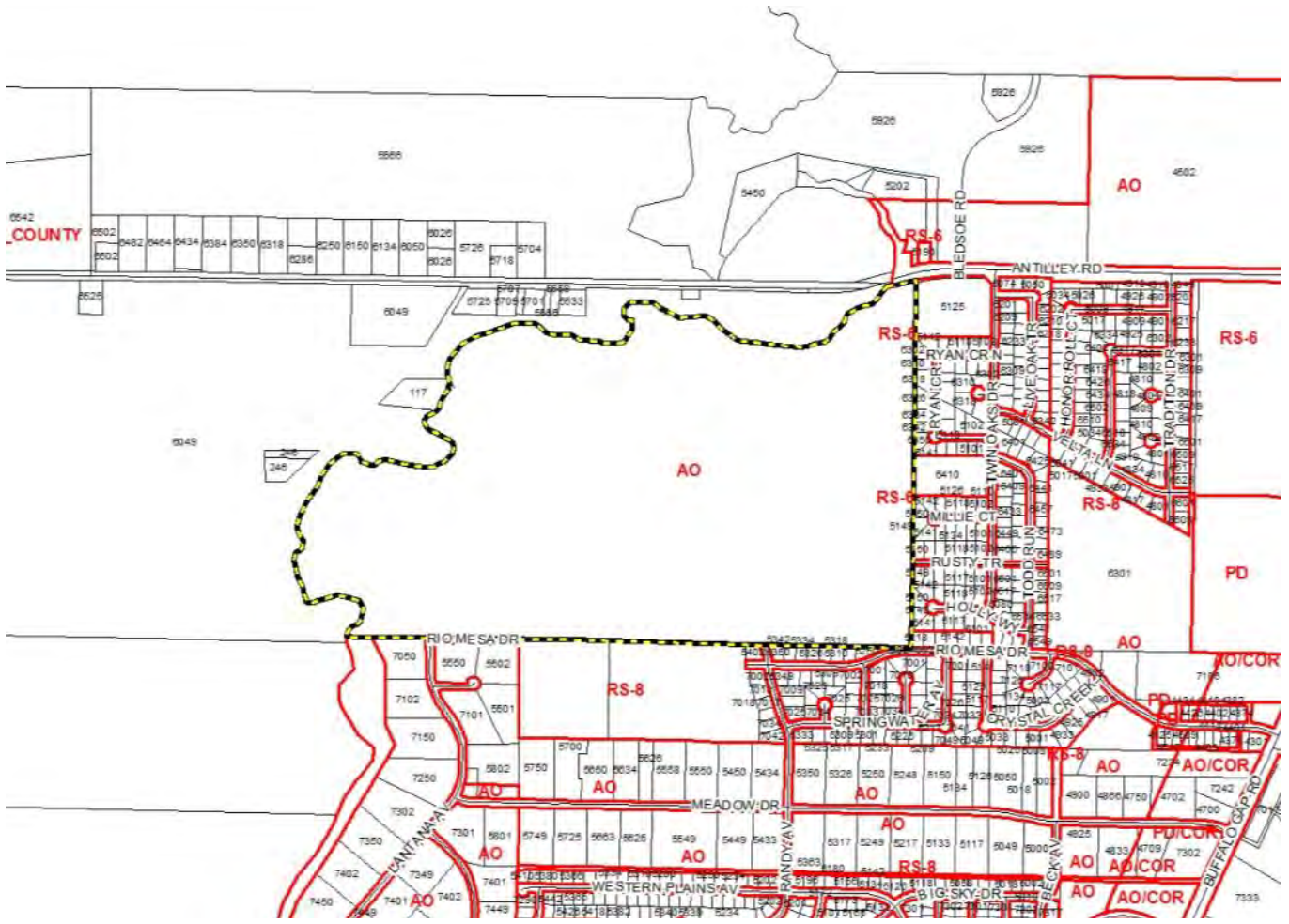
The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Calk, Ellinger, Glenn, Rosenbaum, and Famble) and none opposed.

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
PERMIAN REAL ESTATE INC		
ZACHARY MARK S & SHANNON	7050 LANTANA AV	
STERLING STANLEY M & GAIL L	5550 PRADERA CR	
AMERICAN TOWER LP		
CLARK RANDY	246 CR 661	
KNIGHT DANNY & JAN	5559 ANTILLEY RD	
PETERSON GARY & PETERSON JOE		
BOLLS CINDY	5565 ANTILLEY RD	
HODGES LARRY A & CHERYL	5707 ANTILLEY RD	
BRESLIN CHRISTOPHER & JUDITH	5709 ANTILLEY RD	
MARTIN JANICE WISE	5533 ANTILLEY RD	
HANNER HUNTER R & JENNIFER	246 CR 661	Opposed
DAVIS OLLIE V LIFE ESTATE	5701 ANTILLEY RD	
ADKISSON TRUMAN DOIS & SHIRLEY	117 CR 661	
MACNOLL GARY W & CHRISTI S	5566 ANTILLEY RD	
JHCP INC	6325 RYAN CR	
THOMAS JOSEPH	5141 RYAN CR S	
LITTLE RICHARD D & KELLY J	6318 RYAN CR	
MARTIN WALTER N & NANCY L	6342 RYAN CR	
MORRISON TED B & NANCY J	5149 MILLIE CT	
BRISCOE RODNEY F & TAMARA	5134 MILLIE CT	
GLANTZ SHANE L	5133 RYAN CR S	
PARVIN BILLY W & PATRICIA J	5150 HOLLY WY	
PACHECO CARLOS	5134 HOLLY WY	
WILSON MICAH D & BRITTANY P	5333 RIO MESA DR	
HUELAR PHARES MILES & MARY JANE	7002 SPRINGWATER AV	
HOWELL MELISSA B	7002 RANDY AV	
GREER JAMES CRAWFORD & PATRICIA	6326 RYAN CR	Opposed
ISHAM BRYAN	5150 MILLIE CT	Opposed
STREICHER MICHAEL	5150 RUSTY TR	
BOWERS EPHA I %MBANK ABL		
SPARKS RANDY E & CYNTHIA J	5134 RUSTY TR	
TANKERSLEY BOYCE N & MARIA T TORO	6410 TWIN OAKS DR	
LACY JIMMY D JR & KATHERINE R	6334 RYAN CR	Opposed
ROBINSON SCOTT MICHAEL	5142 MILLIE CT	
SWANSON LYLE L & BARBARA J	5126 RYAN CR S	Opposed
MC ROY EDWARD S & PATRICIA C	5141 MILLIE CT	
TURNER GARRETT & XUEFEI HUANG	5142 RUSTY TR	
STEPHENS PROPERTIES INC	5310 RIO MESA DR	
ROEDER AUSTIN L & CALLIE N	5250 RIO MESA DR	

SOKOLNICKI THOMAS D & LISA M	7010 CLEARLAKE CT	
TAYLOR KEITH W & TREVA N	6317 RYAN CR	
JUSTICE DAVID D & SUSAN A	6310 RYAN CR	
EDWARDS BOBBY G JR		
MOORE MICHAEL RICHARD & CAROL ANN	5202 RIO MESA DR	
SMITH JAMES M	5149 RUSTY TR	
HUGHES DERICK M & ALEXIS S	6350 RYAN CR	
INCE RAYMON LEE & LEIGH ANN	6301 RYAN CR	
JOHNSON KAY F & JERRY A	5325 RIO MESA DR	
KRAKE JONATHAN D & AMY M	7002 WATERWAY LN	
CALL ROBERT G	5350 RIO MESA DR	
HATHORN HOWARD W & JACQUELINE G	5190 ANTILLEY RD	
PANG JASON A & CHRISTIA M	5141 HOLLY WY	
PERMIAN REAL ESTATE INC		
DRUMHELLER DOUGLAS N & SUE H	5334 RIO MESA DR	
REX MILLER CUSTOM HOMES INC	5326 RIO MESA DR	
WITTKOWSKI LAWRENCE A & JULIA A	5133 HOLLY WY	
VAIANA PETER C & ASHLEY H	7002 CLEARLAKE CT	
WEST TEXAS DIST CHURCH OF THE NAZARENE	5125 ANTILLEY RD	
LAFONTAINE KEITH D & MELYSSA D	5218 RIO MESA DR	In Favor
STEPHENS PROPERTIES INC	5317 RIO MESA DR	
STEPHENS PROPERTIES INC	5309 RIO MESA DR	
SPENCER EDWARD L	5302 RIO MESA DR	
LAURANCE RONNIE & IRENE	5134 RYAN CR N	
EPIC CONSTRUCTION CO		
GLENN GEORGE E & SHARON J LF EST	5133 RUSTY TR	
JACKSON GEORGE R & ANN G	5210 RIO MESA DR	
WELLS EDWARD R & KIMBERLI L	5141 RUSTY TR	
HADLEY COLLEEN	6302 RYAN CR	
WISDOM L KYLE	5142 RYAN CR N	
BROWN DENNIS AND DELORES	5149 HOLLY WY	
GOLDSMITH STANLEY & SANDRA RAMSEY	5342 RIO MESA DR	
DANIEL DAVID A & MICHELLE D	7009 CLEARLAKE CT	
SCHAAKE SCOTT & SUNNE L	7001 CLEARLAKE CT	
PRICHARD ROBERT & JENNIFER	5402 RIO MESA DR	
PATEL YOGESHKUMAR T & ZARNA METHA	5502 PRADERA CR	
HONEY JOHN T	5725 ANTILLEY RD	Opposed
CALDWELL JAMES R	6309 RYAN CR	
LUNNEY MICHAEL A & JEANNIE	5133 MILLIE CT	
MEGGINSON WILLIAM THOMAS	5142 HOLLY WY	
OWEN KENNY D & DANITA	7010 SPRINGWATER AV	
CHO JUN HUNG	5341 RIO MESA DR	
HENRY GEORGIA L	5318 RIO MESA DR	
REYES MARCUS A & PATRICIA L	7001 WATERWAY LN	In Favor
DODS GLEN & GWENDOLYN J		
BUTTS TERENCE E & VICKI J	5349 RIO MESA DR	
HTB FARMS INC	6049 ANTILLEY RD	







For the PLANNING & ZONING COMMISSION

Please call at (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2014-33

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: REYES MARCUS A & PATRICIA L
Address: 7001 WATERWAY LN

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604

Fax #: (325) 676-6242
email: planning@abilenetx.com

I am in favor

I am opposed

Additional Comments:

Sounds like a done deal. With or without my vote. How will this effect our taxes? Increase or decrease?

0.1

325-701-4043

Marcus Reyes

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CASE #: Z-2014-33

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: HONEY JOHN T
Address: 5725 ANTILLEY RD

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604

Fax #: (325) 676-6242
email: planning@abilenetx.com

I am in favor

I am opposed

Additional Comments:

Aren't we out of the city limits? When we purchased our property 2 years ago, it was to get outside of a residential area and into a more rural setting. I strongly oppose.
John J. Honey

From: Jennifer Hanner
Sent: Thursday, July 03, 2014 2:09 PM
To: Reports, Planning
Subject: case z-2014-33

Hunter and Jennifer Hanner
246 CR 661

We are strongly opposed to the request of Red Dirt Holdings LLC to rezone the property located at 5200 Antilley Road. Our family enjoys the peaceful quiet of country living and do not desire a neighborhood right across the street nor the increased traffic on our road. Antilley Road is already full of potholes and unsafe due to the lack of a shoulder. This area is also prone to flooding from the creek that is nearby. The development should be elsewhere.

Thanks for your consideration,
Hunter and Jennifer Hanner