

City Council
Agenda Memo



City Council
Meeting Date: 2/12/2015

TO: David A. Vela, Interim 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-2015-03, a request from PCH Investments, agent Enprotec/Hibbs & Todd, Inc., to rezone property from AO (Agricultural Open Space) to RS-6 (Single-Family Residential) zoning, being a total of approximately 56.6 acres being a portion of 7550 Hardwick Rd & a portion of the approximately 38.9 acres to the north.

GENERAL INFORMATION

Currently the property is zoned AO and is undeveloped. The surrounding area is largely undeveloped but there are residential uses to the south with 2 schools located to the south along Hardwick Rd. The purpose of the zoning is to allow for development of new single-family residential homes. A large area along Hardwick Rd is not included and includes an existing home. Additionally, the area along Hardwick Rd is within floodway and floodplain area that would be difficult to develop. Waldrop Dr is designated as a 'collector' street and would be required to be built as part of this development.

The Future Land Use section of the Comprehensive Plan designates the block as 'low density residential'. The requested RS-6 zoning is the same as the adjacent zoning to the south and is similar to the residential development in the area. The requested zoning is compatible with the Future Land Use Map and the adjacent properties.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 4 in favor (Bixby, Calk, Rosenbaum, & Famble), none opposed, and 1 abstained (Ellinger).

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

January 30, 2015

Item No. 7.2

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 22nd day of January, A.D. 2015.

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 19th day of December, 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 12th day of February, 2015 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 12th day of February, A.D. 2015.

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 A1118 SUR 11 L A L, ACRES 37.672
A portion of A1118 SUR 11 L A L , ACRES 38.884



Location:

Being a portion of 7550 Hardwick Rd & a portion of the approximately 38.9 acres to the north

-END-

ZONING CASE Z-2015-03

STAFF REPORT



APPLICANT INFORMATION:

PCH Investments

Agent: Enprotec/Hibbs & Todd, Inc.

HEARING DATES:

P & Z Commission: January 5, 2015

City Council 1st Reading: January 22, 2015

City Council 2nd Reading: February 12, 2015

LOCATION:

Being a portion of 7550 Hardwick Rd & a portion of the approximately 38.9 acres north.

REQUESTED ACTION:

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



SITE CHARACTERISTICS:

The subject parcel totals approximately 56.6 acres and is currently zoned AO. The adjacent properties are zoned AO to the north, west, & east and RS-6 zoning to the south.

ZONING HISTORY:

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

ANALYSIS:

- Current Planning Analysis

Currently the property is zoned AO and is undeveloped. The surrounding area is largely undeveloped but there are residential uses to the south with 2 schools located to the south along Hardwick Rd. The purpose of the zoning is to allow for development of new single-family residential homes. A large area along Hardwick Rd is not included and includes an existing home. Additionally, the area along Hardwick Rd is within floodway and floodplain area that would be difficult to develop. Waldrop Dr is designated as a 'collector' street and would be required to be built as part of this development.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the block as 'low density residential'. The requested RS-6 zoning is the same as the adjacent zoning to the south and is similar to the residential development in the area. The requested zoning is compatible with the Future Land Use Map and the adjacent properties.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval by a vote of 4 in favor (Bixby, Calk, Rosenbaum, & Famble), none opposed, and 1 abstained (Ellinger).

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
BYRD MIKE		
THACKER FAMILY INVESTMENTS LTD		
MORSE ERIC DANIEL &	7602 TUSCANY DR	
GREEN AARON A & KRISTIN	7602 VENICE DR	
EVANS ALLYSIA E	7601 TUSCANY DR	
EVANS MARK	7610 VENICE DR	
ANDERSON RICHARD	7617 TUSCANY DR	
BIG COUNTRY TRENDSETTERS LLP	7601 VENICE DR	
THACKER FAMILY INVESTMENTS LTD	7550 HARDWICK RD	
LOWRY STEPHEN R & TONJA J		
UNDERWOOD ROY EARL		
MAYFIELD DAVID R & ASHLEY R	7609 TUSCANY DR	
OCON ERICK CHRIS & DORIS	7618 TUSCANY DR	
WYLIE IND SCHOOL DIST	7650 HARDWICK RD	
KALLA FAMILY LP		
LOWRY STEPHEN RAY &	3436 BELTWAY S	
CLINE WILLIAM E & KIMBERLY J	7610 TUSCANY DR	
MASON TRENDSETTERS DEVELOPMENT CO LLC		



