



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 9, 2011

Council District 5

Zoning Commission Recommendation:
Original proposal Approved by a vote of 6-1

Opposition: Representative for the property owner

Continued Yes No
Case Manager Beth Knight
Surplus Yes No
Council Initiated Yes No

Owner / Applicant: City of Fort Worth Planning & Development Department,
US 287/Vaughn Boulevard Neighborhood

Site Location: 3530 US 287/MLK, 3817 and 3819 Vaughn Boulevard
Mapsc0: 78Y

Proposed Use: Vacant land

Request: From: "B" Two-Family and "I" Light Industrial

To: "PD" Planned Development for all ER uses plus: greenhouse or plant nursery; grocery store, meat market; recording studio; retail sales, general; veterinary clinic with indoor kennels; assembly of pre-manufactured parts excluding vehicles, trailers, airplanes, or mobile homes; contractor yard; farmers' market; furniture or cabinet construction or repair; machine shop; maintenance of industrial tenant's company vehicles and equipment only; outdoor sales and storage as accessory to industrial tenant only; warehouse; and welding shop for custom work

Other development standards: site plan required; site plan to follow "I" Light Industrial development standards for industrial uses; all existing trees within 60 feet of residential property to be retained; all outdoor storage to be screened as per Sec. 5.133; 8-foot minimum screening fence height; main access from US 287, emergency access only from Vaughn Boulevard; and all work shall be done inside a building with no bay doors facing a residential structure or residential zoning for machine shops and furniture construction

Land Use Compatibility: Requested change is not compatible.

Comprehensive Plan Consistency: Requested change is not consistent.

Background:

The subject lots were part of the US 827/Vaughn Boulevard neighborhood rezoning case which was presented for approval by Council on June 7, 2011. The land is designated single family in the 2011 Comprehensive Plan. The continued parcels are located directly east of the Masonic Home site and the

redevelopment area including the Renaissance Square commercial development currently under construction and the proposed Mason Heights residential and commercial development. Access from US 287 would be through the Berry St. intersection which is being reconstructed.

At the May 8, 2011, Zoning Commission meeting, the property owner indicated she is working to sell the land to Texas State Utilities, whose representatives also spoke at the meeting. Discussions with the property owner after the meeting indicate no sales contract has been submitted to date. The property owner also noted alternative uses, such as residential units or offices, have not been considered.

Texas State Utilities installs underground utilities, and their existing site on 3201 E. Loop 820 South contains a contractor's shop with outdoor storage and large truck/equipment parking. The representative for this company noted uses contemplated for the rezoning case site to be the similar.

Councilmember Moss met with the property owner and potential buyer to determine the uses for the property. The case was continued from the August 2nd meeting for one week to meet newspaper notification criteria.

Site Information:

Owner: Mary Haines
3722 Green Hollow Dr.
Grand Prairie, Texas

Applicant: City of Fort Worth Planning & Development Dept.
1000 Throckmorton Street
Fort Worth, TX 76102

Acreage: 4.26 ac.

Comprehensive Plan Sector: Southeast

Surrounding Zoning and Land Uses:

North A-5 and B (proposed for A-7.5 in ZC-11-041) / Single family and vacant land
East I (proposed for A-7.5 in ZC-11-041) / Single family and private horse arena
South B / Single family
West B (proposed for A-7.5 in ZC-11-041) / Single family and vacant land

Public Notification:

The following Neighborhood Associations were notified:

Burchill NA	South Poly NA
Eastland NA	Village Creek NA
Eastwood Pleasant Glade NA	United Communities Association
Echo NA	Morningside/Hillside Crime Watch/COPS
Fairhaven NA	Southeast Forth Worth, Inc.
Mitchell Boulevard NA	Fort Worth ISD

Recent Relevant Zoning and Platting History:

Zoning History: ZC-06-189, west of rezoning area, from C/DD to A-5/DD, PD/DD for CF, E, approved;
ZC-07-047 and ZC-10-160, within rezoning area, surplus from B to A-5, approved;
ZC-08-129, ZC-09-058, ZC-09-100, ZC-10-105, ZC-11-041; north, east, and south of rezoning area,
Council-initiated to be in conformance with the Comprehensive Plan, approved;
ZC-08-178, west of rezoning area, staff-initiated to remove demolition delay, approved; and
ZC-10-005 and ZC-10-110, north of and within rezoning area, from A-5 and B to E, approved.

Platting History: None.

Transportation/Access

<u>Street</u>	<u>Existing Size</u>	<u>Thoroughfare Plan classification</u>	<u>Current Plans</u>
US 287 service road	2 lanes undivided	none - freeway service road	none
Vaughn Boulevard	2 lanes undivided	none - residential street equivalent	none

Other factors to access: The closest southbound US 287 exit to this site is Berry Street, causing a ¼-mile trip through residential areas.

Development Impact Analysis:

1. **Land Use Compatibility**

The site at 3530 US 287 and 3817/3819 Vaughn Boulevard has a mid-block location between Erath and Reed Streets and consists of vacant land. The site is accessed by both the US 287 service road and Vaughn Boulevard. None of these streets have significant traffic volumes. Single family uses are the predominant land uses in the vicinity, including the opposite side of US 287.

Based on the access from residential equivalent streets, lack of existing industrial usage, and intrusion into an existing residential area; industrial uses are **not compatible** with the neighborhood. The land use limitations with additional screening and buffering requirements may serve to mitigate any proposed nonresidential development adjacent to the residential properties.

2. **Comprehensive Plan Consistency**

The 2011 Comprehensive Plan designates the subject neighborhood as single family. The requested zoning classification is not appropriate for the land use designations. The proposed PD zoning is not consistent with the following Comprehensive Plan policies:

- Discourage the location of industrial uses adjacent to residential districts. (pg. 38)
- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)

Based on conformance with the future land use map and on conformance with the policies stated above, the proposed zoning **is not consistent** with the Comprehensive Plan.

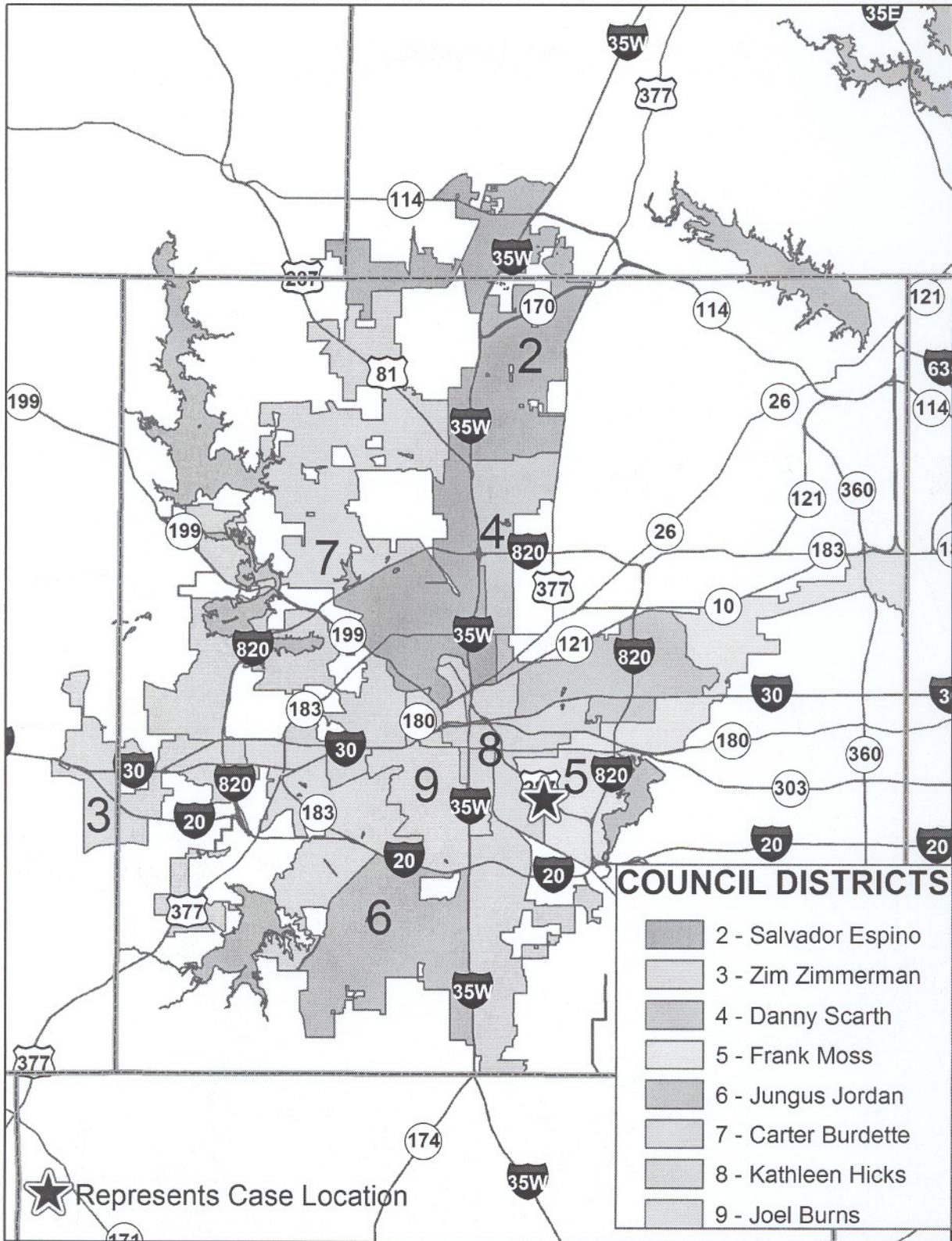
Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Map of Proposed Zoning Districts
- Future Land Use Map
- Aerial Photograph
- Zoning Commission meeting minutes

FORT WORTH

ZC-11-041A

Location Map



5 2.5 0 5 Miles



Area Zoning Map

Applicant: City of Fort Worth Planning and Development
Address: 3530 US 287/MLK and 3817 and 3819 Vaughn Blvd.
Zoning From: B, I
Zoning To: A-7.5
Acres: 4.26
Mapsc0: 78XY, 92CD
Commission Date: 05/11/2011

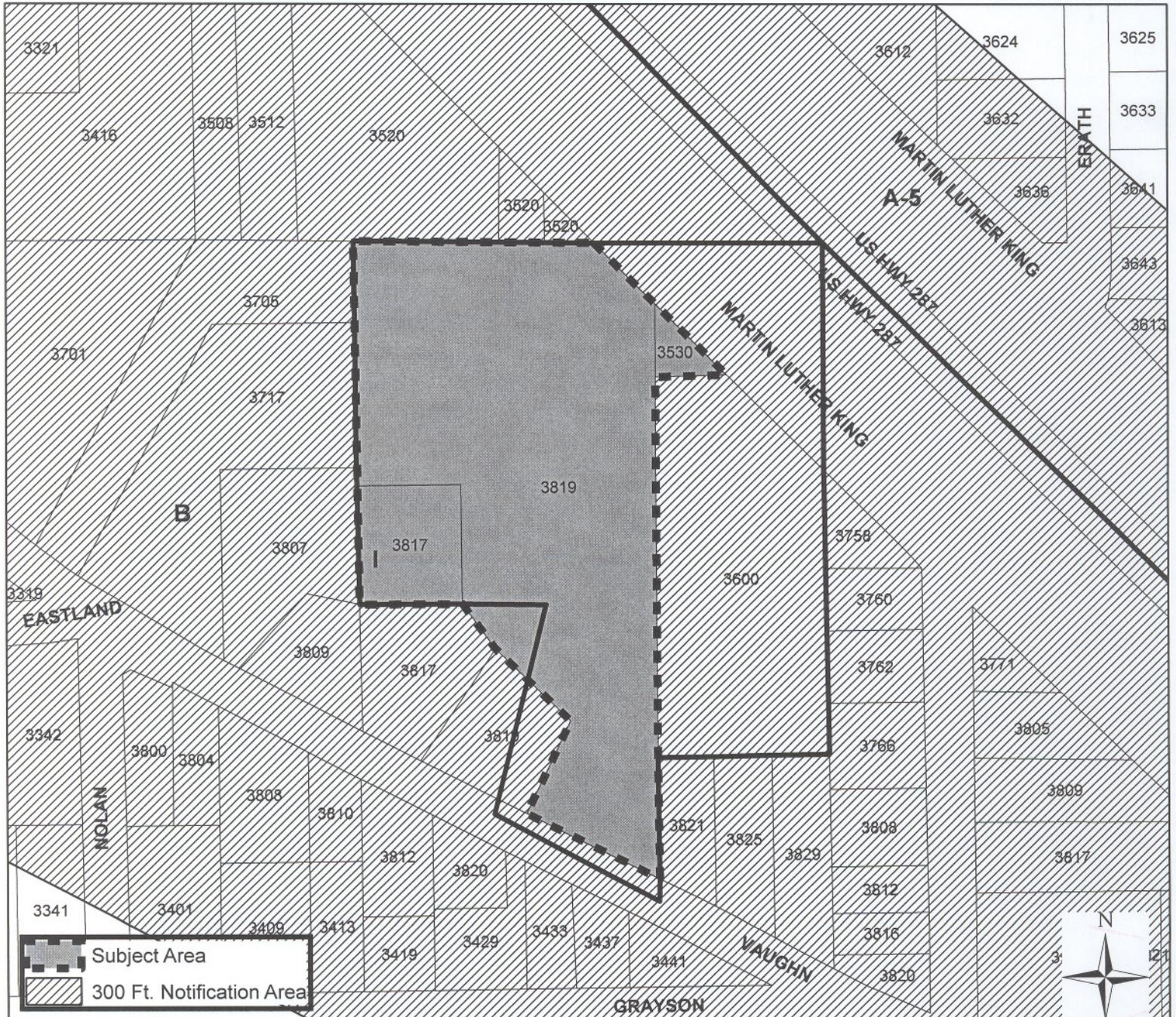
Sector/District: Southeast
Contact: 817-392-8190

You may find a list of included properties at:

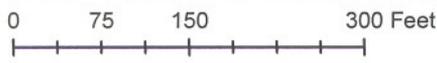
<http://www.fortworthgov.org/planninganddevelopment/zoningcommission.aspx>

Click on "Property List" under the case name.

A map of proposed zoning districts is attached.



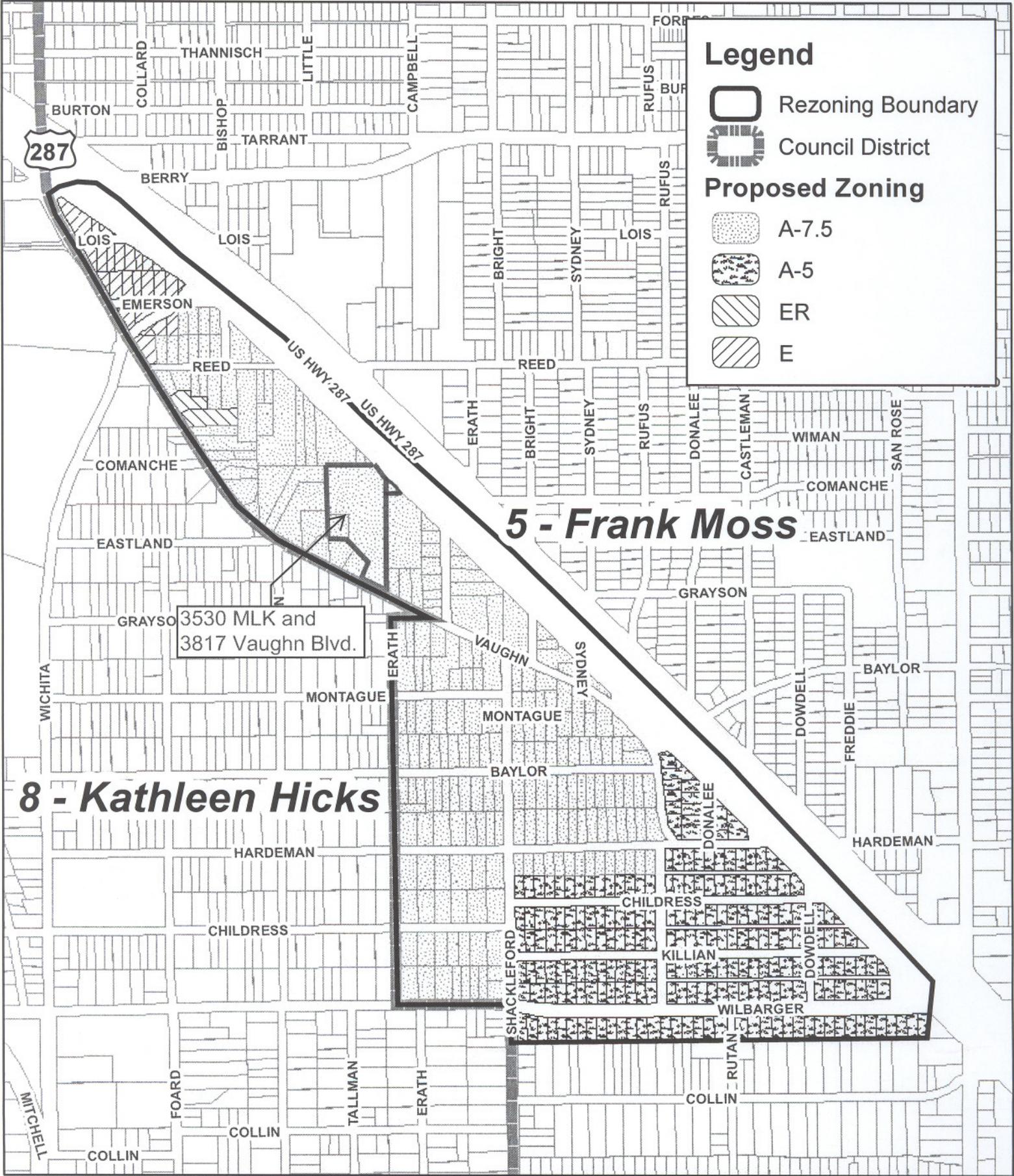
Subject Area
300 Ft. Notification Area



US 287/Vaughn Neighborhood: Proposed Zoning

From Various Districts To "A-7.5" One-Family, "A-5" One-Family, "ER" Neighborhood Commercial Restricted, and "E" Neighborhood Commercial

ATTACHMENT A



Legend

Rezoning Boundary

Council District

Proposed Zoning

A-7.5

A-5

ER

E

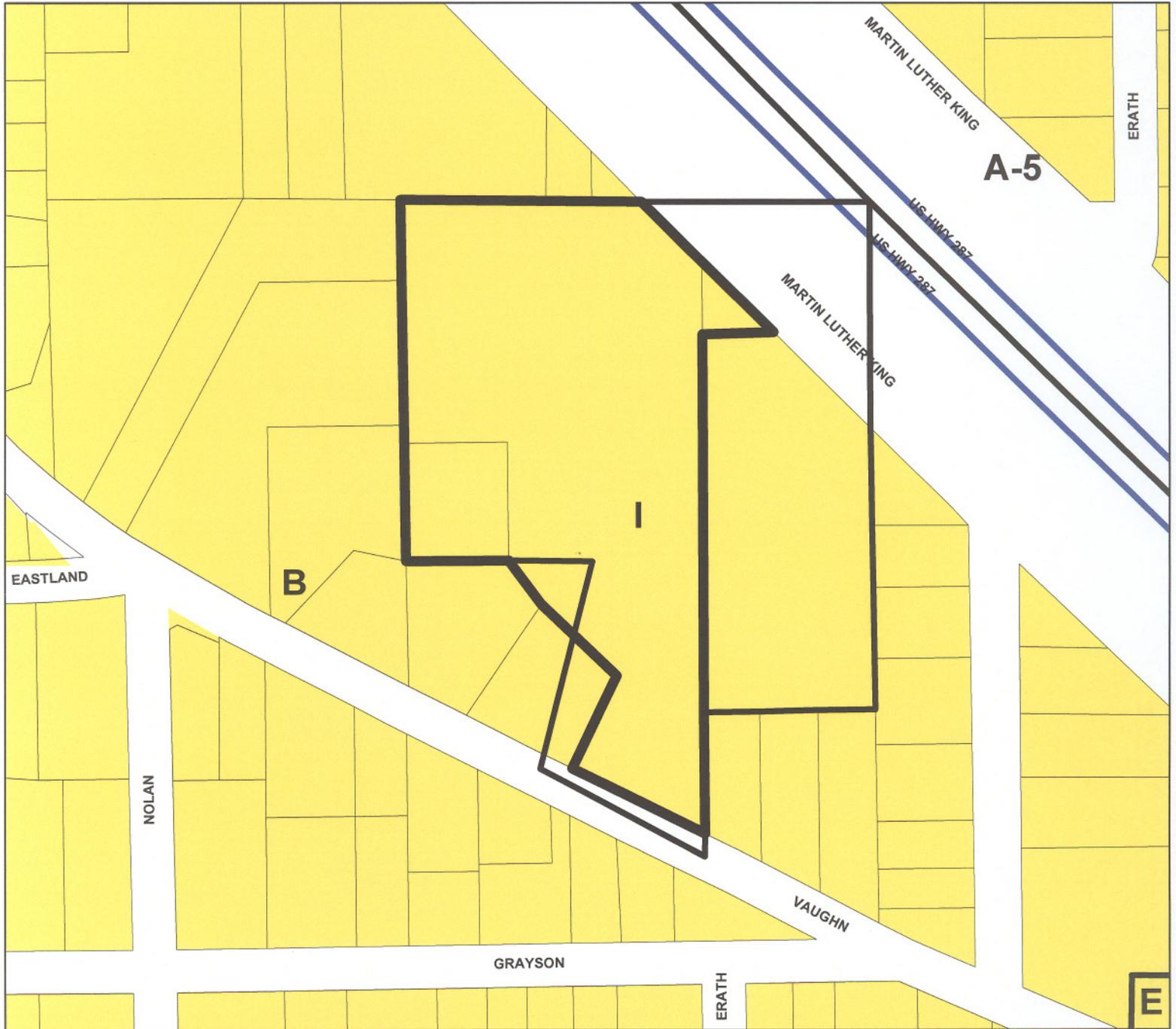
5 - Frank Moss

8 - Kathleen Hicks

3530 MLK and
3817 Vaughn Blvd.



Future Land Use



- | | | |
|--------------------|-----------------------------------|--------------------------------------|
| TOLLWAY / FREEWAY | Future Land Use Category | Neighborhood Commercial |
| PRINCIPAL ARTERIAL | Vacant, Undeveloped, Agricultural | General Commercial |
| MAJOR ARTERIAL | Lakes and Ponds | Light Industrial |
| MINOR ARTERIAL | Rural Residential | Heavy Industrial |
| | Suburban Residential | Mixed-Use Growth Center |
| | Single Family Residential | Industrial Growth Center |
| | Manufactured Housing | Infrastructure |
| | Low Density Residential | 100 Year Flood Plain |
| | Medium Density Residential | Public Park, Recreation, Open Space |
| | High Density Residential | Private Park, Recreation, Open Space |
| | Institutional | |



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 219.005.) Land use designations were approved by City Council on March 1, 2011.





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City of Fort Worth, Texas
Zoning Commission
June 08, 2011 – Meeting Minutes

DRAFT

Present:

Neftali Ortiz, Chair, District 2
Ann Zadeh, Vice Chair, District 1
Charles Edmonds, Jr., District 4
Stephanie Spann, District 6
Nick Genua, District 7
Ramon Romero, District 8
Gaye Reed, District 9

Staff Members Present:

Dana Burghdoff, Deputy Director
Jocelyn Murphy, Planning Manager
Lynn Jordan, Planner
Stephen Murray, Planner
Beth Knight, Senior Planner
Melinda Ramos, Assistant City Attorney

Absent:

Maurice Barnes, District 5
Jackson Wilson, District 3

I. Public Hearing – 10:01 A. M.

Ms. Murphy explained the procedure to be followed for the Zoning Commission meeting.

II. Minutes

The Commission, on a motion by Mr. Edmonds, seconded by Ms. Spann, on a vote of 7-0, voted to approve the Zoning Commission minutes of the May 11, 2011 meeting.

Video on individual cases can be viewed at the following website.
http://fortworthgov.granicus.com/ViewPublisher.php?view_id=2

III. Continued Cases

1. ZC-11-025 Richard Young (CD 6)- 5700 McCart Avenue (Southwest Hills Addition, Block 5, Lot 1RB, 050 Acres): from “E” Neighborhood Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus auto detail; site plan required.

No one was in attendance to represent the case, nor in favor or in objection.

Motion: Following brief discussion, Ms. Spann recommended a denial without prejudice of the request, seconded by Ms. Zadeh. The motion unanimously carried 7-0.

2. ZC-11-041A City of Fort Worth Planning & Development (CD 5)- 3530 U.S. 287/Martin Luther King Freeway and 3817 & 3819 Vaughn Boulevard (Masonic Home #1 Addition, Lot 11A, 11A1, & 11B, Block 14, Lot 12F, 4.26 Acres): from “B” Two-Family, and “I” Light Industrial to “A-7.5” One-Family

Beth Knight, Senior Planner City of Fort Worth, explained to the Commissioners this site was part of a larger Council-initiated rezoning in Councilman Moss' district. The site was continued from a previous meeting at the property owners' request.

Walter Cheatle, 3301 E. Loop 820 S, representing Mary Haines property owner for 3530 Martin Luther King, 4.6 acres of land, spoke in opposition. Mr. Cheatle mentioned his client is working with Councilman Moss to try to come up with some options for the property that will still allow them to do what they want to do with the property. They are requesting a 30 day continuance.

Mr. Romero asked if they are looking at zoning options other than I. Mr. Cheatle said yes they are. Mr. Romero also asked if they would be able to come up with an option before the July Council meeting. Mr. Cheatle mentioned he could not respond on that at this time.

Motion: Following brief discussion, Mr. Edmonds recommended a 30 day continuance of the request, seconded by Ms. Spann, on a substitute motion Mr. Genua recommended approval of the request, seconded by Mr. Romero he motion carried 6-1 with Mr. Edmonds being against.

IV. New Cases

3. ZC-11-043 M & H Food Mart. (CD 7)- 2484 Avondale Haslet Road (Haslet Heights, Block 6, Lot 22, 3.45 Acres): from Unzoned to "E" Neighborhood Commercial.

Jeff Davis, 550 Bailey Avenue, Fort Worth, Texas representing the property owner, explained to the Commissioners they are requesting to zone the property to E neighborhood Commercial for an existing convenience store. He also mentioned they are in the process of being annexed in order to receive water and sewer.

Motion: Following brief discussion Mr. Genua recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 7-0.

4. ZC-11-044 Blanca D. Cantu (CD 2)- 1207-1211 Clinton Avenue (North Fort Worth, Block 61, Lots 23 thru 26, 0.62 Acres): from "A-5" One-Family to "ER" Neighborhood Commercial Restricted

Blanca Cantu, 2422 Jacksboro Highway, Fort Worth, Texas explained to the Commissioners they are requesting to rezone the property to ER to allow for a beauty shop. Ms. Cantu mentioned she has been in business for five years and wants to open her own shop. The salon will be open from 10:00 a.m. to 8:00 p.m. Ms. Cantu also mentioned she had signatures for support from surrounding property owners.

Mr. Ortiz asked if she had received anything from the neighborhood association. Ms. Cantu said yes she was present to speak. Mr. Ortiz also mentioned the letters of opposition.