

Site Information:

Owner: Taly's Properties, Inc.
6841 Virginia Parkway, Suite 103, #144
McKinney, TX 75071
Agent: Christopher Bonilla
Acreage: 4.26 acres
Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

North "AG" Agricultural / vacant land
East "A-5" One-Family/ Buck Sansom City Park
South "CR" Low Density Multifamily, "C" Medium Density Multifamily / multifamily complexes
West "A-5" One Family / single family residences

Site Plan Comments:

The site plan is not in compliance with the Zoning Ordinance regulations. The deficiencies are:

- 1. Show required setbacks on the northern side and surrounding the multifamily lot.
- 2. Required screening fences are not shown.
- 3. Show the location of all on-site lighting around the club house.
- 4. The existing signage on the arena wall does not meet the Sign Ordinance. Either remove the signage or request a variance to the Sign Ordinance, instead of stating all signage will be conforming.
- 5. The number of parking spaces along the eastern side is 65, instead of the 67 noted. Please update the provided parking to 99 spaces.

Compliance with the items noted above shall be reflected on the site plan or a waiver is required.

Transportation/Public Works (TPW) site plan comments:

- 1. Sidewalks shall be required for all streets as per City of Fort Worth Standards
- 2. Driveway location must not interfere with intersection function
- 3. Parkway improvements such as curb & gutter, pavement tie-in, drive approaches, sidewalks and drainage inlets may be required at time of building permit issuance via a parkway permit
- 4. Close consideration of the increase in discharge due to the increase in impervious cover should be made to ensure no adverse impacts to the downstream properties (Buck Samson Park).

Comments made by TPW staff cannot be waived through the Zoning Commission. Approval of the site plan does not constitute TPW acceptance of conditions; traffic code will be applied to the project.

Recent Relevant Zoning and Platting History:

Zoning History: ZC-10-011, north, south, and west of site, Council-initiated from various districts to be in conformance to the Comprehensive Plan, approved.

Platting History: None. Site will need to be platted prior to receiving building permits.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
NW 33rd Street	Residential	Residential	No
Rock Island Street	Residential	Residential	No

Additional consideration: Rock Island Street changes to a one-way east-bound street into Buck Samson Park at the eastern edge of this site. The roadway is narrow and in poor condition.

Public Notification:

The following Neighborhood Associations were notified:
Far Greater Northside Historical NA Fort Worth ISD
Streams & Valleys, Inc.

Development Impact Analysis:

1. **Land Use Compatibility**

The site has alternated between being vacant and containing scattered shelters for horses since 2001. Residential uses, either single family or multifamily, are found immediately adjacent to or across the street from the proposed rezoning site to the south and west. Note-worthy is the 23% grade change between the site and the multifamily to the south, with the multifamily buildings being down-stream to the rezoning request. Buck Sansom Park lies across the entire eastern edge, and vacant land is noted to the north. In 2010, single-family zoning was adopted to support stabilization of the existing neighborhood, in accordance with the Comprehensive Plan. The entire area is part of the recently adopted Northside Economic Development Strategy plan.

The site currently contains a commercial stable, a riding arena, and wooden bleachers with no additional landscaping and no hard-surface parking. Trailers are parked to the east of the existing stable on bare land. The proposed site plan adds minimal landscaping along NW 33rd Street to mitigate the impacts of an industrial use. The eastern and southeastern portions of the site plan propose to eliminate the existing terrain and trees, creating additional negative impacts on the surrounding neighborhood and park. No additional buffers are proposed. The site plan does not limit club house operations to rodeo events only, allowing the club house to be open daily as a BYOB establishment. The deficiencies to the site plan requirements are significant.

Commercial stables and riding arenas are first allowed by right in the "I" Light Industrial district, reflecting the intensity of uses and influx of traffic. The current access point, as well as the additional proposed access drive, are from residential streets. The site has very poor access to any arterial, requiring a ½-mile to ¾-mile drive through Buck Sansom Park or the residential neighborhood. The proposed site plan offers parking space for approximately 100 vehicles, significantly impacting the surrounding residential roadway system.

Based on the impact of an industrial use in a residential neighborhood, lack of transitions or buffers with the adjacent properties including a city park, and lack of compliance with the site plan requirements, the proposed PD/SU zoning for an arena, commercial stables, and club house is **not compatible** with the neighborhood.

2. **Comprehensive Plan Consistency**

The 2012 Comprehensive Plan designates the site as agricultural. Pasture land to serve an individual property owner is appropriate, instead of an arena with a club house and commercial stables which serves the public and broader community and is appropriate in an industrial area.

The proposed PD/SU site is not consistent with the following Comprehensive Plan policies or with the Northside Economic Development Strategy plan.

- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, demolition, neglect, and other negative forces. (pg. 37)
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses. (pg. 38)
- Discourage the location of industrial uses adjacent to residential districts. (pg. 38)
- Promote industrial development within the Meacham industrial growth center.
- Protect, retain, or enhance the region's natural important assets.
- Investigate equestrian center enhancements near Stockyards.

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

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Minutes of the Zoning Commission meeting
- Minutes of the City Council meeting

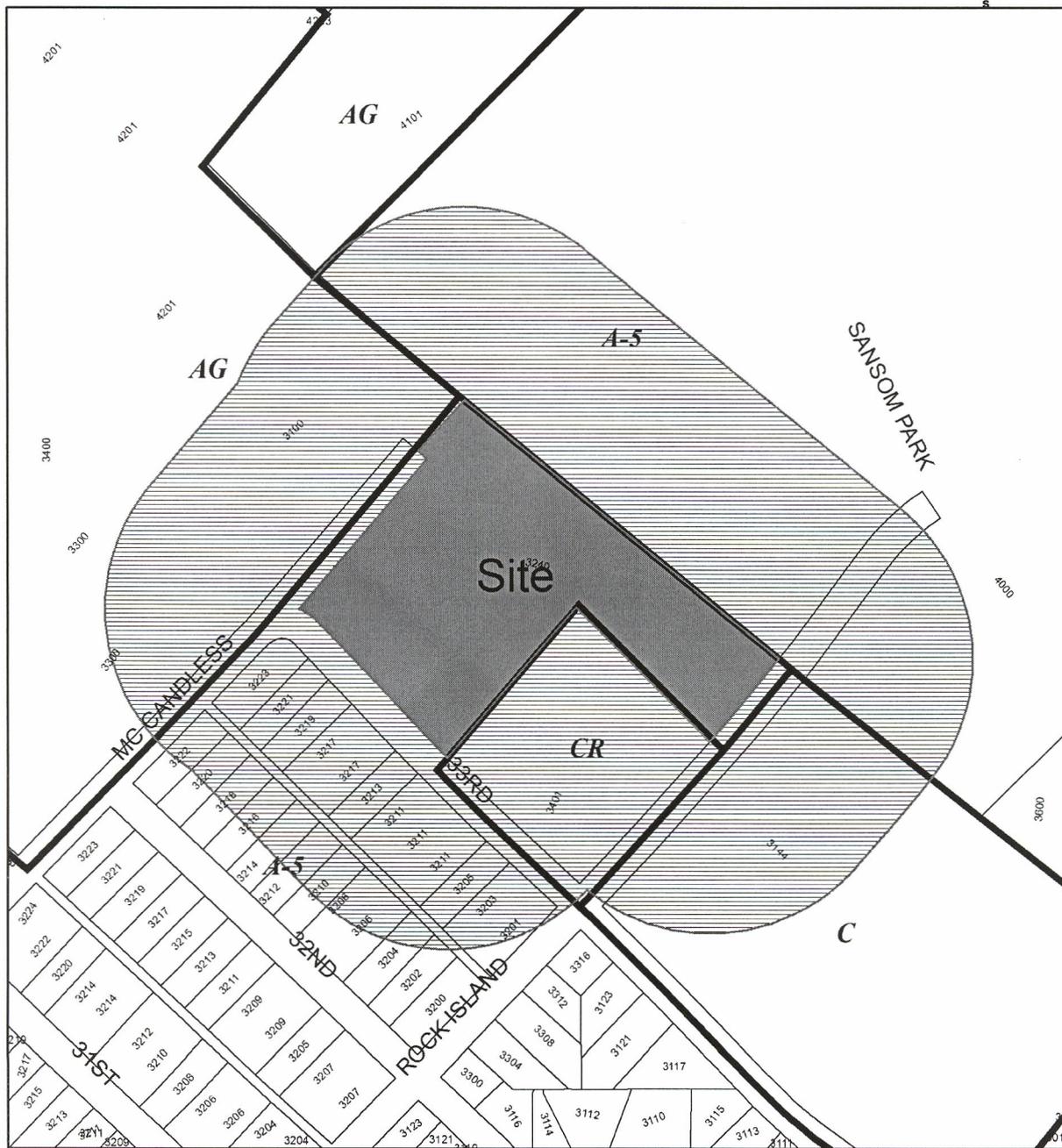


ZC-12-042

Area Zoning Map

Applicant: Taly's Properties Inc.
 Address: 3420 NW 33rd Street
 Zoning From: A-5
 Zoning To: PD/SU for arena, club house, & stables
 Acres: 4.26303221
 Mapsco: 47YZ
 Sector/District: Northside
 Commission Date: 05/09/2012
 Contact: 817-392-8190

 300 Ft. Notification Buffer



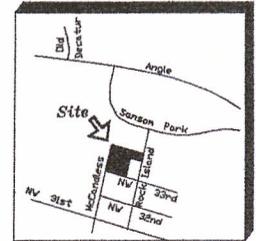
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RECOMMENDED FOR DENIAL

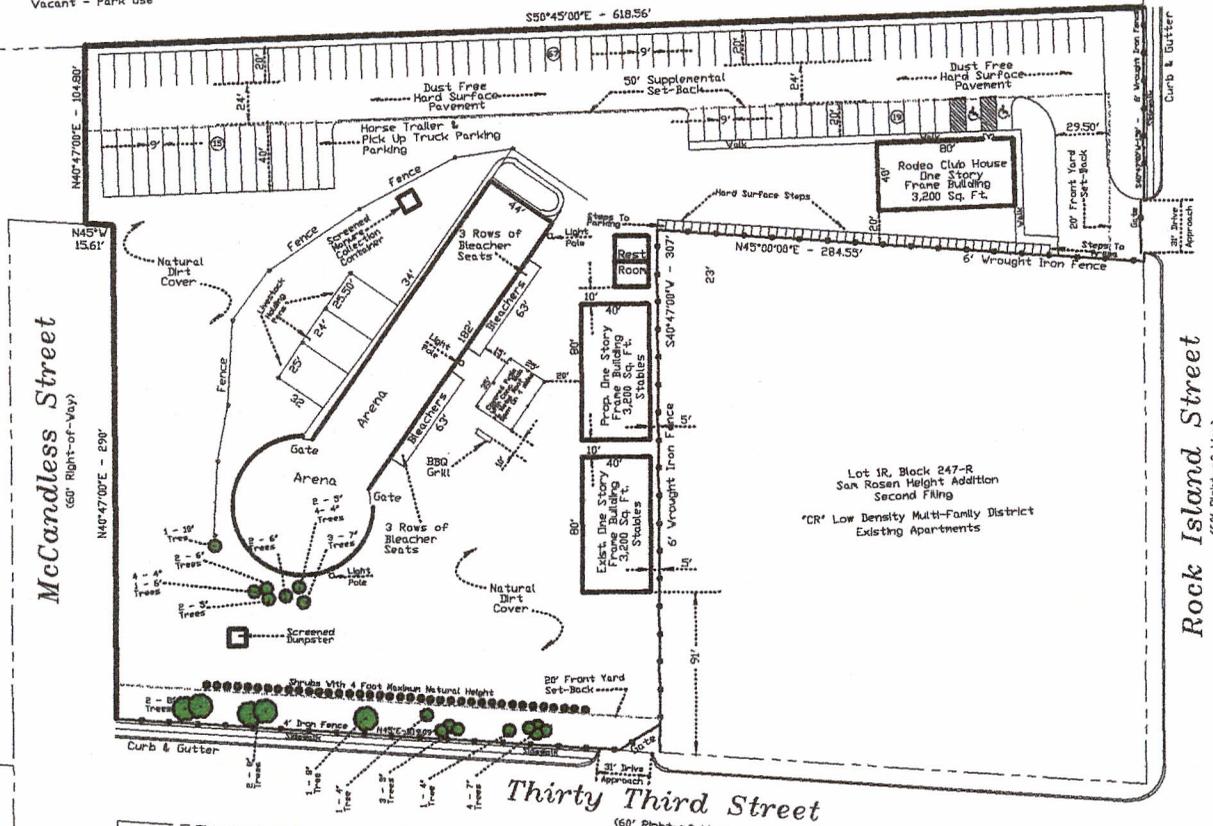
Buck Sanson Park
Tract 6, Abstract 907
J. Kirby Survey
"A-5" Single Family Residential District
Vacant - Park Use

Buck Sanson Park
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"A-5" Single Family Residential District
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Buck Sanson Park
Tract 6, Abstract 907
J. Kirby Survey
"A-5" Single Family Residential District



Location Map



Site Restrictions

1. Site to Have 24 Maximum Rodeo Events Per 12 Months;
2. Site to Board 24 Maximum Horses;
3. Hours of Operation For Rodeo Events: 7am thru 11pm;
4. Public Address System Prohibited;
5. Sale of Alcohol Prohibited;
6. Horse Manure To Be Placed Into Covered Containers And Removed From Site 3 Times A Week;
7. Site To Be Maintained Free of Litter;
8. All Lighting To Be Directed Away From Residential Districts;
9. Site To Comply with Section 6.301, Landscaping;
10. Site to comply with Section 6.302 Urban Forestry;

Parking Requirements

- 63 parking spaces required for 252 bleacher seats
 - 2.5 parking spaces required for 525 sq. ft. of bathroom
 - 23 parking spaces required for 92 seats in club house
 - 1 parking space required for 4 employees
- 90 parking space required
101 parking spaces provided

Requested Waivers

1. Request waiver to allow commercial stables within 300 feet of residential;
2. Request waiver for required screening fence;

ZC-12-042
Planned Development/Specific Use
For
Club House, Arena & Stables

3240 NW 33rd Street
Fort Worth, Texas
Lot 1A, Block 247R
Rosen Heights Seond Filing
3.93 Acres of Land

Director of Planning & Development
Date

Revised April 30, 2012

Tract 5A, Abstract 907
J. Kirby Survey
"A5" Agricultural District
Vacant - Undeveloped

Tract 8F, Abstract 907
J. Kirby Survey
"A5" Agricultural District

Lot 12 Rosen Heights Addition	Lot 11 Rosen Heights Addition	Lot 10 Rosen Heights Addition	Lot 9 Rosen Heights Addition	Lot 8 Rosen Heights Addition	Lot 7 Rosen Heights Addition	Lot 6 Rosen Heights Addition	Lot 5 Rosen Heights Addition	Lot 4 Rosen Heights Addition	Lot 3 Rosen Heights Addition	Lot 2 Rosen Heights Addition	Lot 1 Rosen Heights Addition
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Owner / Applicant
Daniel Mendes
c/o Taly's Properties, Inc.
Suite 103, #144
6241 Virginia Place
McKinney, Texas 75071-5710
(214) 882-0404

Submit Prepared By
Bonilla Group
Land Development Consultants
BonillaGroup@gmail.com
(817) 230-9754

ZC 12-042



Revised April 30, 2012
207210 - Hanesz Zoning - 3240 NW 33rd Street - PD/SU Site Plan 04-30-12



3420 NW 33rd Street

Future Land Use

ZC-12-042



- | | | |
|-----------------------------------|--------------------------|-----------------------------|
| Vacant, Undeveloped, Agricultural | Neighborhood Commercial | CFWGIS.SDE.TRN_RAILROADS |
| Rural Residential | General Commercial | CFWGIS.SDE.CAD_addresses |
| Suburban Residential | Light Industrial | Freeways/Toll Roads |
| Single Family Residential | Heavy Industrial | Proposed Freeway/Toll Road |
| Manufactured Housing | Mixed-Use Growth Center | Principal Arterial |
| Low Density Residential | Industrial Growth Center | Proposed Principal Arterial |
| Medium Density Residential | Infrastructure | Major Arterial |
| High Density Residential | Lakes and Ponds | Proposed Major Arterial |
| Institutional | Public Park, Open Space | Minor Arterial |
| | Private Park, Open Space | Proposed Minor Arterial |
| | | Flood Plain |



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 06, 2012



Aerial Photo Map



3. ZC-12-038 - (CD 4) - Juan Gabriel Gonzales, 8328 Randol Mill Road; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus indoor and outdoor storage for a pool construction business with or without a primary use; site plan waiver recommended. (Recommended for Approval as Amended by the Zoning Commission to include indoor storage)

Mr. Brian Clettenberg, 3616 Doris Walker Trail, completed a speaker card in support of Zoning Docket No. ZC-12-038, but did not wish to address the City Council.

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-12-038 be approved. The motion carried unanimously 9 ayes to 0 nays.

4. ZC-12-039 - (CD 7) - White Settlement ISD, 9850 Legacy Drive; from: "C" Medium Density Multifamily to: "CF" Community Facilities. (Recommended for Approval by the Zoning Commission)

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-12-039 be approved. The motion carried unanimously 9 ayes to 0 nays.

5. ZC-12-041 - (CD 6) - Robert Petrie, 5408 Woodway Drive; from: "CF" Community Facilities to: "E" Neighborhood Commercial. (Recommended for Approval by the Zoning Commission)

Mr. Mitch Reitman, 3805 Trails Edge Road, appeared before Council in support of Zoning Docket No. ZC-12-041.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-12-041 be approved. The motion carried unanimously 9 ayes to 0 nays.

6. ZC-12-042 - (CD 2) - Taly's Properties, Inc. 3240 NW 33rd Street; from: "A-5" One-Family to: "PD/SU" Planned Development/Specific Use for arena, club house, and stables; site plan included.(Recommended for Denial by the Zoning Commission)

Mr. Christopher Bonilla, 8540 Charleston Avenue, completed a speaker card in support of Zoning Docket No. ZC-12-042, but did not wish to address the City Council.

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REGULAR CITY COUNCIL MEETING
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Mr. JD Jimmerson, 3302 Roosevelt Avenue, completed a speaker card in opposition of Zoning Docket No. ZC-12-042, but did not wish to address the City Council.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-12-042 be continued until the July 10, 2012, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

7. SP-12-005 - (CD 4) - Dan Vo, 6705 Meadowbrook Drive; Amend "PD-612" site plan to add 900 sq. ft.(Recommended for Approval by the Zoning Commission)

Mr. Christopher Bonilla, 8540 Charleston Avenue, completed a speaker card in support of Zoning Docket No. SP-12-005, but did not wish to address the City Council.

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. SP-12-005 be approved. The motion carried unanimously 9 ayes to 0 nays.

8. ZC-12-043 - (CD 6) - Forestar (USA) Real Estate Group, Inc. 8808 W. Cleburne Road; from: "A-5" One-Family to: "PD/SU" Planned Development for all uses in "F" General Commercial with the exception of a tattoo parlor, cocktail lounge, private or teen club, bar and tavern, no auto repair allowed within 200' of the intersection of South Hulen and McPherson; site plan waiver recommended. (Recommended for Approval by the Zoning Commission)

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-12-043 be approved with the amendment to require a Site Plan. The motion carried unanimously 9 ayes to 0 nays.

9. ZC-12-044 - (CD 6) - BR2R1: Tarrant Opportunity Fund, Ltd. 2101 Sycamore School Road; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial with building greater than 60,000 square feet; site plan included. (Recommended for Approval by the Zoning Commission)

Mr. Gerald Luecke, applicant, 13642 Omega Road, Dallas, Texas 75244, appeared before Council in support of Zoning Docket No. ZC-12-044. (provided handout of comments)

Mr. Benjamin Hamrick, representing Estrella Freight Service, 2020 Sycamore School Road, appeared before Council in opposition to Zoning Docket No. ZC-12-044.

for a CPA office. Mr. Reitman mentioned this was the site for the Cook Children’s Hospital outpatient clinic and has been vacant for about three years. He noted he is requesting to go to E instead of ER because of the front parking which is needed for his staff. They are going to resurface the parking lot and do some minor changes to the outside of the building.

Mr. West asked where his office is now. Mr. Reitman mentioned they are at the corner of Hulen & Vickery where all the construction is going on. Mr. West also asked if he had any contact with the neighborhood associations or direct neighbors adjacent to him. He said they did sent out letters and knocked on some doors; the only negative response was they wanted it to go back to a pediatrician’s office. He has had conversations with Councilman Jordan.

Ms. Spann mentioned this would be a good fit for the neighborhood. Ms. Spann asked if he was going to re-landscape the property. Mr. Reitman said he is a big believer in native plants.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Mr. West. The motion carried 9-0.

<i>Document received for written correspondence</i>				ZC-12-041	
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Billie Foster	5409 Wonder Dr.	Out		Opposition	Sent letter in

6. ZC-12-042 Taly’s Properties Inc. (CD 2)- 3240 NW 33rd St. (Rosen Heights Second Filing, Block 247R, Lot 1A, 3.93 Acres): from “A-5” One-Family to “PD/SU” Planned Development/Specific Use for arena, club house, and stables; site plan included

Chris Bonilla, 8540 Charleston Avenue, Fort Worth, Texas representing Taly’s Properties Inc. explained the request to the Commissioners. Mr. Bonilla mentioned the site has an existing stable and can accommodate 12 horses which are boarded on site. There are some bleachers in the building process and an arena which the owner did not request permits for. Mr. Bonilla mentioned the applicant is not familiar with the permitting and or zoning process. They have sent letters to all the executive members of the Far Greater Northside Historical neighborhood and invited over 400 citizens from the neighborhood to the facility to discuss the site plan. Mr. Bonilla said in the development control they will be limited to 24 rodeos per year, 24 maximum horses boarded on site, hours of operation 7 am to 11 pm, public address system and the sale of alcohol is prohibited. Horse manure will be placed in covered containers and removed from the site three times a week. They will comply with the Landscaping and Urban Forestry requirements.

Two waivers are being requested for this site; 1) to allow commercial stables within 500 feet of a residential district and 2) the required screening fence. Mr. Bonilla did mention the Parks Department is in opposition to the request based on the drainage runoff and traffic flow through the park. He explained to the Parks Department that their drainage would not flow towards the park. It would be captured on-site, filtered prior to being discharged into an existing drainage

facility located on Rock Island. Mr. Bonilla mentioned they also have a support petition in their packet from six property owners directly across the street.

Mr. Ortiz asked if another arena is needed in this area. He is concerned about access to the site as mentioned in the staff report. Mr. Bonilla said traffic will be coming in from Long Avenue to Angle Avenue then up Rock Island which prevents traffic from coming through the neighborhood. Wear and tear on the streets should be minimal. He said he met with Mr. J.D. Jimmerson with the Greater Northside Historical and discussed the development controls as well as the site plan and could not find anyone in opposition.

Mr. West asked Mr. Bonilla to address where the primary entrance to the site will be. Mr. Bonilla drew the access route on the map overhead, indicating that their traffic would be directed through from Long Ave. through the park. Mr. West asked what the road type is through Sansom Park. Mr. Bonilla mentioned it is an asphalt road with one-way traffic and that Rock Island is two-way traffic all the way to Azle Avenue.

Mr. Edmonds asked about safety and routing these vehicles through the park where you have children playing. He asked if there is another way to get to the site other than going through the park. Mr. Bonilla said the only other way is through a dense neighborhood and wouldn't suggest it. Mr. Bonilla said they revised the site plan and the one displayed on the overhead is incorrect.

Ms. Reed asked how drainage will be addressed from the stables flowing toward the multifamily. Mr. Bonilla explained the drainage will be channeled into the interior of the property, down through the parking lot, through the storm drains as indicated on their revised site plan.

Beth Knight, Senior Planner, City of Fort Worth, Texas explained to the Commissioners the site plan displayed and in their packet is the last site plan staff received from the applicant. Mr. Bonilla mentioned upon the second set of comments he received is when he turned in a revised site plan. Mr. Bonilla explained the minor changes to the Commissioners; one was relocating the clubhouse to be outside the 50 ft. supplemental setback. (This was not received by staff as of the meeting.)

Mr. Ortiz asked how big the ceptor is. Mr. Bonilla said it holds 2400 gallons.

Ms. Zadeh asked if he was requesting a waiver to the setback surrounding the multifamily. Mr. Bonilla said no. Ms. Zadeh also asked about the required screening fences. Mr. Bonilla mentioned he talked with the six property owners adjacent to where the screening fence is required and they had asked him not to put one up so as not to obstruct their view. If the Commission desires that he put one up he will. Ms. Zadeh also asked about the on-site lighting. Mr. Bonilla said that has been addressed on the revised site plan. One last thing Ms. Zadeh asked if he was going to comply with the sign ordinance. Mr. Bonilla explained it is a liability sign that is displayed before you come on to the property and is not visible from the public row. She also asked him to address why it is not consistent with the Comprehensive Plan. Mr. Bonilla explained they met with Far Greater Northside and could not find anyone in opposition. As an example, he described a nearby lot that is about 15 acres, zoned single-family, with a future land use of single-family, with over 60 stables adjacent to the park. Their site is four acres and is only asking for the same property right privileges.

Mr. West asked if the intent for the stables is for the customers who come into the stables to ride in the park. Mr. Bonilla said the intent is to keep everyone on site. The horses are worked in the arena; the stables are 40 x 80 ft. Mr. West asked if he wanted to move forward with the revised site plan or the one displayed. Mr. Bonilla said they would like to move forward with the revised site plan.

Ms. Zadeh asked about the existing trees in relation to the proposed parking and the maximum rodeos per year. Mr. Bonilla said they will have to meet the Urban Forestry requirement and will save as many as they can. They have a maximum of 24 rodeos per year as indicated under the site development controls.

Mr. Genua had Mr. Bonilla indicate on the site plan where the new clubhouse will be located and where the trucks will be entering and exiting the property. Mr. Bonilla indicated the clubhouse will be moved out of the 50 ft. supplemental setback on the southeast corner. The trucks with trailers will be entering and existing on 33rd Street, going back to Rock Island to enter on the property to park and then exiting the same way. Mr. Genua stated he is going to have a traffic problem and that he doesn't believe the site is big enough.

Natali Hernandez, 3312 NW 33rd Street, Fort Worth, Texas spoke in opposition. She is concerned about the park and how busy it is on the weekends and the amount of traffic. Ms. Hernandez mentioned most of the people from other stables ride their horses in the park. She does not see any kids.

In rebuttal, Mr. Bonilla acknowledged the other stables in the area and certain activities that go on, however; they have a site plan with development controls and the operation is a family oriented business. He did mention he has been through the park several times and had no problems getting through there.

Mr. Edmonds mentioned from previous experience people riding horses would not actually stay on the grounds where the stables are, and how would he control that. Mr. Bonilla responded he does not have control over that and there is a good possibility that someone may want to take their horse off-site.

Motion: Following brief discussion, Mr. Genua recommended denial of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				<i>ZC-12-042</i>	
Name	Address	In/Out 200 notification area	ft	Position on case	
				Summary	
Parks Department	Parks & Community Services	In		Opposition	Sent letter in
Natali Hernandez	3312 NW 33 rd St	In		Opposition	Spoke at hearing