



**Site Information:**

Owner: Two Ponds, Inc.  
100 Crescent Court  
Suite 450  
Dallas, Texas 75201

Agent: Thad Brundrett  
Acreage: 41.41 acres  
Comprehensive Plan Sector: Eastside

Surrounding Zoning and Land Uses:

North "AG" Agricultural / vacant  
East "AG" Agricultural / single-family  
South "A-5" & "A-43" One-Family / vacant, gas well, single-family  
West "AG" Agricultural / single-family, vacant

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-11-098 denied by Council 12/06/11 for gas line compressor station;  
ZC-06-115 approved by Council 08/08/06 for PD/SU for specific uses and a site plan

BOA History: None

Platting History: None

**Transportation/Access**

| Street/Thoroughfare | Existing                            | Proposed       | In Capital Improvements Plan (CIP) |
|---------------------|-------------------------------------|----------------|------------------------------------|
| Randol Mill Rd      | Two-way county road; poor condition | Major Arterial | Culvert Improvements only/2012     |

**Public Notification:**

The following Neighborhood Associations were notified:

John T. White  
Riverside Alliance  
Neighborhoods of East Fort Worth

East Fort Worth Business Association  
Northeast FW Mineral Leasing Task Force  
Fort Worth ISD

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing a zoning change to "AG" Agricultural for wetland mitigation and agricultural related activities.

Surrounding land uses are vacant and scattered single-family to the north and east, gas well and single-family to the south, and vacant and single-family to the west. At least three gas well pad sites exist on the northwest, southwest, and eastern sides of the property with active wells. A gas pipeline also currently runs through the property and multiple gas pipelines are located to the north of the site.

Based on the predominance of rural residential land uses surrounding the site, the proposed zoning for this site **is compatible** at this location.

**2. Comprehensive Plan Consistency**

The 2012 Comprehensive Plan designates the subject property as agricultural. The requested zoning change is consistent with the following Comprehensive Plan policies.

- Preserve the character of rural and suburban residential neighborhoods.

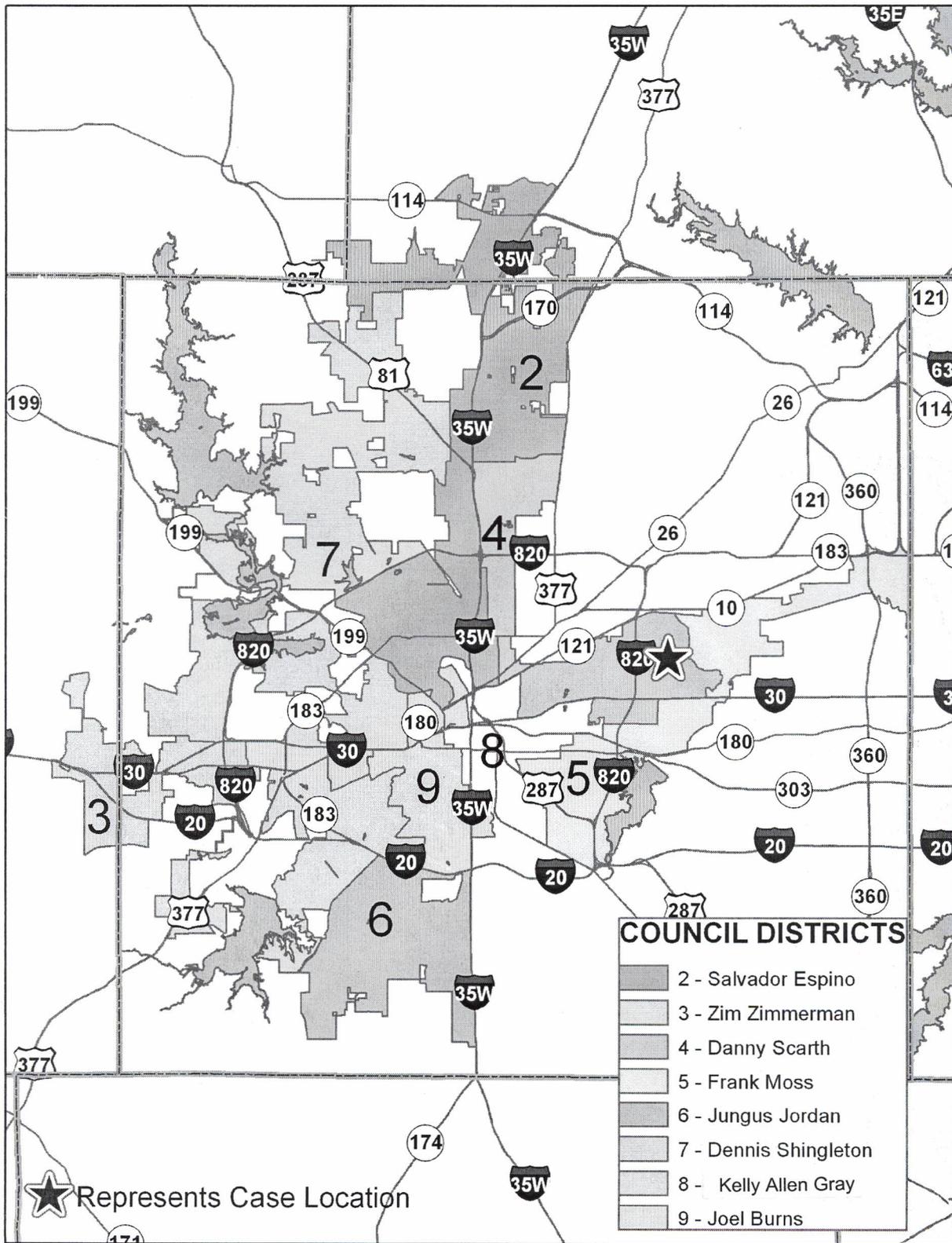
Based on conformance with the future land use map and the policies stated above; the proposed zoning **is consistent** with the Comprehensive Plan.

To view the Comprehensive Plan: <http://www.fortworthgov.org/planninganddevelopment/misc.aspx?id=81678>

**Attachments:**

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

## Location Map



5 2.5 0 5 Miles

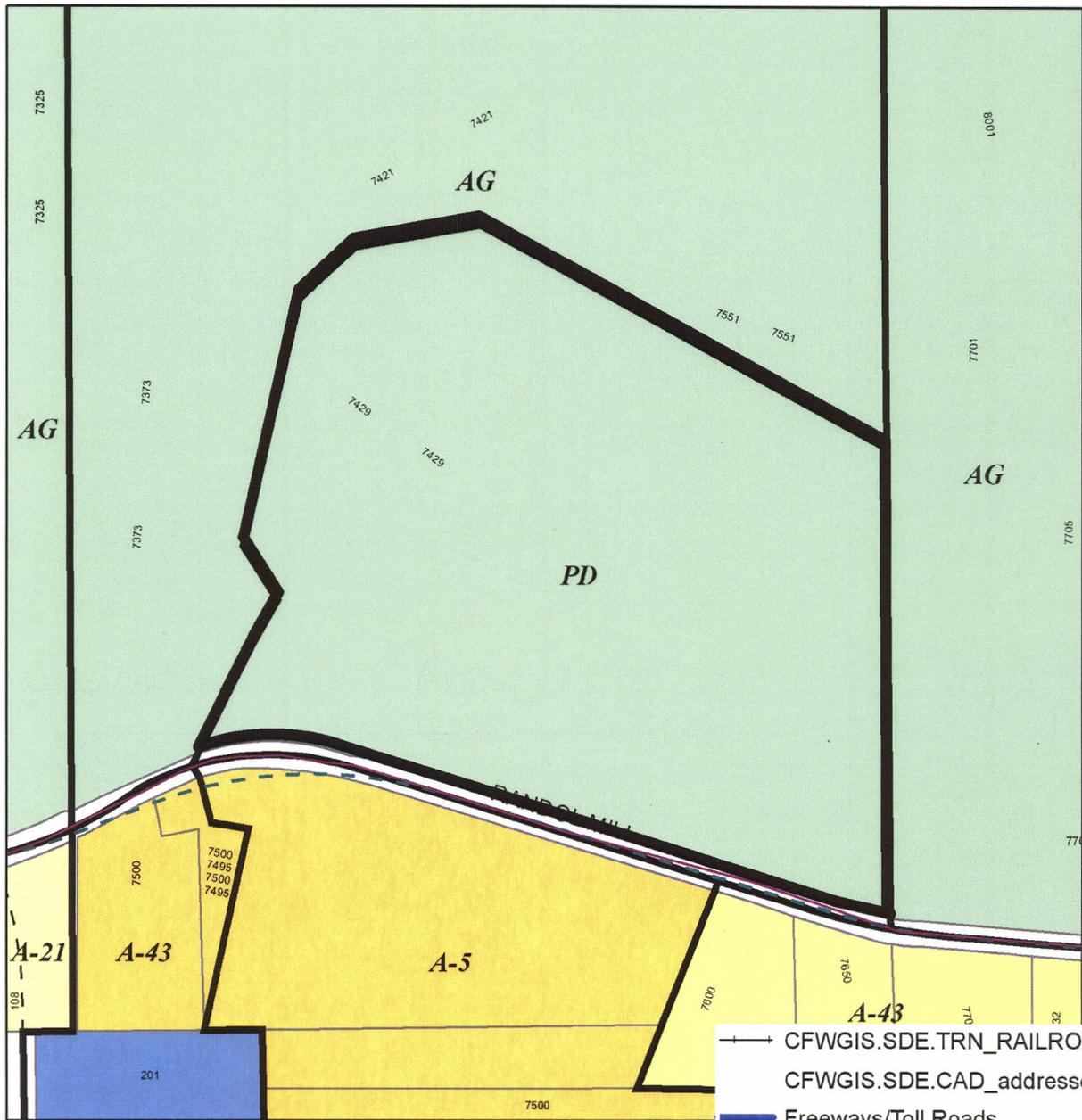




7429 Randol Mill Road

# Future Land Use

ZC-12-080



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- CFWGIS.SDE.TRN\_RAILROADS
- CFWGIS.SDE.CAD\_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- 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



|                  |                  |     |  |            |                |
|------------------|------------------|-----|--|------------|----------------|
| Betty Strong     | 3725 Collingwood | No  |  | Opposition | Sent letter in |
| John Thomas      | 3800 El Campo    | Yes |  | Opposition | Sent letter in |
| Kathryn Thornton | 4521 El Campo    | No  |  | Opposition | Sent letter in |
| Matthew Vaughn   | 3804 Birchman    | Yes |  | Opposition | Sent letter in |
| Diana Wiley      | 3909 Pershing    | No  |  | Opposition | Sent letter in |
| Shellye Wright   | 3808 Birchman    | Yes |  | Opposition | Sent letter in |

**4. ZC-12-080 Two Ponds, Inc. (CD 4)- 7429 Randol Mill Road (Rockin River M Addition, Block 1, Lot 1, 41.41 Acres): from “PD-707” Planned Development/Specific Use for clothing/wearing apparel sales, new; recreational vehicle park for events only; restaurant, café, cafeteria, stable, commercial, riding, boarding or rodeo arena; saddle or harness repair or sales, to be developed under “E” Neighborhood Commercial development standards to “AG” Agricultural**

Thad Brundrett, 316 Bailey Avenue, Suite 106, Fort Worth, Texas representing Two Ponds, Inc. noted they acquired the property in 2011 from the property owners to the west. Mr. Brundrett said the property is on the edge of the 100 year floodplain. He mentioned the zoning case history that started in 2006 rezoned the property to PD/SU for specific uses, and prior to that it was zoned C and E. The property is primarily being used for agricultural uses. He explained the reason they are requesting AG zoning is to allow for the continued use. He went on to note the property to the west is a mitigation bank which has livestock on it and the equestrian use has been ceased for some time. Mr. Brundrett also mentioned there are some concerns as to the uses permitted in AG. He did note this application is not for Midstream it is for Two Ponds, Inc.

Mr. Edmonds asked what the real use of the property will be. Mr. Brundrett said his client wants to go back to AG and his uses are consistent with Agricultural. He noted the surrounding zoning is AG and Randol Mill is a rural setting. He feels the zoning would be consistent with the uses going on out there. He can't speak to what the ultimate use may be but for now it is going to be for agricultural activities. There are a lot of activities out there that are not associated with AG zoning. Mr. Edmonds asked about restricting some of the uses that the neighborhoods are strongly against. Mr. Brundrett said unfortunately his client is not present and he is not authorized to act on that. He mentioned the equestrian center was not a viable use and that is why it doesn't exist today. He would rather see straight zoning than trying to manipulate or negotiate uses.

Mr. West asked specifically what is the property being used for right now. Mr. Brundrett said there is livestock on the property now but is mostly vacant. There is a stable that is not utilized, so basically it is livestock grazing. Mr. West asked if the language in the PD allows for them to continue the use now. Mr. Brundrett stated he has questions as to whether they can have livestock grazing under that PD.

Mr. Edmonds mentioned the PD's tend to be more restrictive than permissive. Mr. Brundrett responded he is unclear of the language and maybe needs an interpretation. Mr. Edmonds asked staff for clarification on the language. Ms. Burghdoff, Deputy Director, City of Fort Worth

responded that staff has not received a formal interpretation request, but to answer the question the language has some uses that are related to the large animal ordinance in which grazing would be considered ok.

Jackie Barnd, 7249 Speckelbelly, Fort Worth, Texas spoke in opposition. Ms. Barnd mentioned the property to the east of Mallard Cove known as McGuffin Estates and zoned agricultural began excavation on the property for the second time in April and is still going on. Sand and topsoil are being excavated anywhere from 10 to 25 feet and being trucked out and unwanted fill is being trucked in. They are excavating before 7 a.m. and the dust is unbearable and affecting the health of several neighbors. There are trucks running all day on Randol Mill. She is concerned about uses that might be permitted.

Mary Kelleher, 7901 Randol Mill Road, Fort Worth, Texas also spoke in opposition. She explained some of the concerns they have such as health, safety, convenience and comfort. Ms. Kelleher said they did some research on Two Ponds and found out they are a small part of a conglomerate of uses immersed in gas drilling activities, mining and wetland mitigation. They are concerned about what the intended use will be: gas compressors, farm land or both. She handed a list to the Commissioners of complaints filed against Mr. Hall and Mr. McGuffin, and went on to explain they manipulate ordinances to suit their needs.

Mr. Ortiz asked Ms. Kelleher to explain the pictures displayed. Ms. Kelleher explained the pictures display the property to the west of this site being excavated for improved hay, and the other picture is how the subject property is being used today as farm land. The Rosedale compressor station was also displayed.

Bob Horton, 9104 Autumn Falls Drive, Fort Worth, Texas, on the board of the Lakes of River Trails South and President of the Historic Randol Mill Valley Alliance, spoke in opposition. He did recognize several people in the audience who are in opposition to this case and chose not to speak. He noted the request is for wetland mitigation with no improvement to this particular property and uses permitted such as a gas compressor station. Mr. Horton went on to mention Two Ponds is a subsidiary of Texas Midstream Gas Services associated with Chesapeake Energy. In 2009, this Commission resisted a request to build a gas compressor close to them on Cooks Lane. In 2011, the multilayered neighborhood brought over 1800 petitions. The zoning request is not consistent, not compatible and certainly not sensible.

Mike Dean, 124 Cooks Lane, Fort Worth, Texas spoke in opposition. Mr. Dean stated his property is about 1,000 ft. from the edge of the proposed request. He also noted there have been three cows on the property for the last two months. He mentioned they are not against the industry only the things that affect them, in this case Ag uses.

Jerry Lobdill, 6336 Darwood Avenue, Fort Worth, Texas spoke in opposition. He is a retired chemical engineer and physicist with about five years dealing with gas drilling. His primary concern is the endangerment to the health of the people who live nearby. He mentioned issues related to gas drilling around the nation.

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

| <b>Document received for written correspondence</b> |                                    |   |           |                         | <b>ZC-12-080</b>   |
|---|------------------------------------|---|-----------|-------------------------|--------------------|
| <b>Name</b>   | <b>Address</b>                     | <b>In/Out<br/>200<br/>notification<br/>area</b> | <b>ft</b> | <b>Position on case</b> | <b>Summary</b>     |
| Jackie Barnd  | 7249 Speckelbelly                  | No  |           | Opposition              | Spoke at hearing   |
| Mary Kelleher                                       | 7901 Randol Mill                   | No  |           | Opposition              | Spoke at hearing   |
| Robert Horton                                       | 9104 Autumn Falls                  | No  |           | Opposition              | Spoke at hearing   |
| Mike Dean   | 124 Cooks Lane                     | No  |           | Opposition              | Spoke at hearing   |
| Jerry Lobdill                                       | 6336 Darwood Ave                   | No  |           | Opposition              | Spoke at hearing   |
| Louis McBee   | 2320 Oakland                       | No  |           | Opposition              | Present at hearing |
| Kim Sheppard  | 9090 River Trails<br>Blvd          | No  |           | Opposition              | Sent letter in     |
| Two Ponds, Inc.                                     | 7429 Randol Mill                   | Yes   |           | Support                 | Sent letter in     |
| Martha Boykin                                       | 7261 Speckelbelly                  | No  |           | Opposition              | Sent letter in     |
| Mei Chu   | 7252 Speckelbelly                  | No  |           | Opposition              | Sent letter in     |
| Cecil Driskell                                      | Lakes of River Trails              | No  |           | Opposition              | Sent letter in     |
| Kristal Wallace                                     | Lakes of River Trails              | No  |           | Opposition              | Sent letter in     |
| Sharon &<br>Lonnie<br>Heldenbrand                   | 245 Williams Rd                    | No  |           | Opposition              | Sent letter in     |
| Fred McCulley                                       | 101 Cooks Ln                       | No  |           | Opposition              | Sent letter in     |
| Cheryl Seese  | Mallard Cove                       | No  |           | Opposition              | Sent letter in     |
| Tammie<br>McDuffie                                  | Lakes of River Trails              | No  |           | Opposition              | Sent letter in     |
| Barbara Ross  | 441 Shadow Grass                   | No  |           | Opposition              | Sent letter in     |
| Gary Hogan  | North Central Texas<br>Communities | No  |           | Opposition              | Sent letter in     |
| Skip Steed  | Mallard Cove                       | No  |           | Opposition              | Sent letter in     |
| Calinda Lucas                                       | 9008 Rushing River                 | No  |           | Opposition              | Sent letter in     |
| Jessica Smith                                       | Lakes of River Trails              | No  |           | Opposition              | Sent letter in     |
| Cherri<br>Henderson                                 | Mallard Cove                       | No  |           | Opposition              | Sent letter in     |
| Suzanne Olson                                       | 9120 Rushing River                 | No  |           | Opposition              | Sent letter in     |
| Gail Gray   | Lakes of River Trails              | No  |           | Opposition              | Sent letter in     |