



**ZONING MAP CHANGE
STAFF REPORT**

Zoning Commission Meeting Date:
September 11, 2012

Council District 5

Zoning Commission Recommendation:
Approved by a vote of 9-0

Opposition: none

Continued Yes ___ No X
Case Manager Lynn Jordan
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: John and Edith Clark

Site Location: 3825 and 3829 Tarrant Main Mapsco: 54S

Proposed Use: Single Family Residential

Request: From: "AG" Agricultural
To: "R2" Townhouse/Cluster

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent.

Background:

This area of the Town of Tarrant retains the default "AG" Agricultural zoning from its annexation. The applicant is proposing to build three attached townhomes. While the R2 district is cumulative and allows all single family residential, the applicant is proposing to construct attached townhomes as is typical of a R2 townhouse development and no rear alley access will be provided. The lots are proposed at 117 ft. x 100 ft. A 25 ft. projected setback along Tarrant Main and Violet Streets would apply to the project, and a variance would be necessary to build within these setbacks.

A similar zoning case, ZC-08-091, was approved in 2008 rezoning an adjacent property to R1. The lot was less than 5,000 sf and a house on this site was damaged beyond repair and the rezoning was necessary for reconstruction, which has not occurred. The R1 was chosen instead of A-5 due to the reduced lot size of 4,458 s.f.

	R2 Townhouse/Cluster	R1 Zero lot line/cluster	A-5 One Family
Min. lot size	none	3,300 s.f. (center loaded), 2,500 s.f. (zero lotline)	5,000 s.f.
Min. lot width	25 ft.(platting)	33 ft.(center loaded), 25 ft. (zero lotline)	50 ft.
Max. height	35 ft.	35 ft.	35 ft.
Front setback	0 ft. (25 ft. projected setback would apply on both streets)	5 ft. (25 ft. projected setback would apply on both streets)	20 ft.

According to the Tarrant Appraisal District, the sizes for the two lots in the subject area are 2,875 s.f. and 8,687 s.f for a total of 11,562 s.f. If the proposal is to divide the property into three lots, each lot would be an average of 3,854 s.f. Other than the above zoning case, the smallest lot is 4,357, which is the result of a divided lot. Otherwise, the smallest lot on the block is 8,750 s.f.

A recent petition case was approved on the block directly to the west of this site. The smallest lot on that block is 6,179 s.f. Another 2008 petition zoning case to the west rezoned 17 lots to A-5.

Site Information:

Owner: John Clark
 738 CR 44140
 Powderly, Texas 75473

Agent / Consultant: Jamal Aloffe

Acreage: 0.26 ac.

Comprehensive Plan Area: Eastside

Surrounding Zoning and Land Uses:

- North "E" Neighborhood Commercial / vacant land
- East "PD-247" Planned Development / industrial yard
- South "AG" Agricultural / single-family
- West "AG" Agricultural and "R1" Zero Lot Line / single-family and vacant land

Public Notification:

The following Neighborhood Associations were notified:
 Hurst-Eules-Bedford ISD

Recent Relevant Zoning and Platting History:

Zoning History: ZC-12-027 approved by Council 04/03/12;
 ZC-08-084 and ZC-08-126 approved by Council 06/03/08 & 09/02/08 Petition cases from AG to A-5, southeast and west of subject area; and
 ZC-08-091, approved by Council 07/08/08 from AG to R1, just west of subject property

Platting History: PP-07-013 Kymik Addition, northwest of rezoning area for industrial uses

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Tarrant Main	Residential; Two-way	Residential; Two-way	No
Violet Ln.	Residential; Two-way	Residential; Two-way	No

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to R2 in order to build three attached units on a 11,000 s.f. lot with frontage on Violet Lane.

Surrounding land uses are vacant to the north, industrial outdoor storage to the east, and single-family to the west and south.

Due to the single family characteristics of the neighborhood, industrial zoning and uses to the east the proposed zoning **is compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2012 Comprehensive Plan designates the site as Single Family. The proposed zoning does not conform to the following Comprehensive Plan policies:

- Promote measures to ensure that residential developments, whether single-family or multifamily, large lot or small lot, are compatible in scale to abutting residential developments. A significant increase in units per acre or reduction in lot size should be discouraged for new development immediately adjacent to existing development or platted and zoned property.

Since the proposed zoning would create lots smaller than the existing residential lots, the proposal is not in conformance with the future land use map and policies stated above, and the proposed zoning **is not consistent** with the 2012 Comprehensive Plan.

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

Attachments:

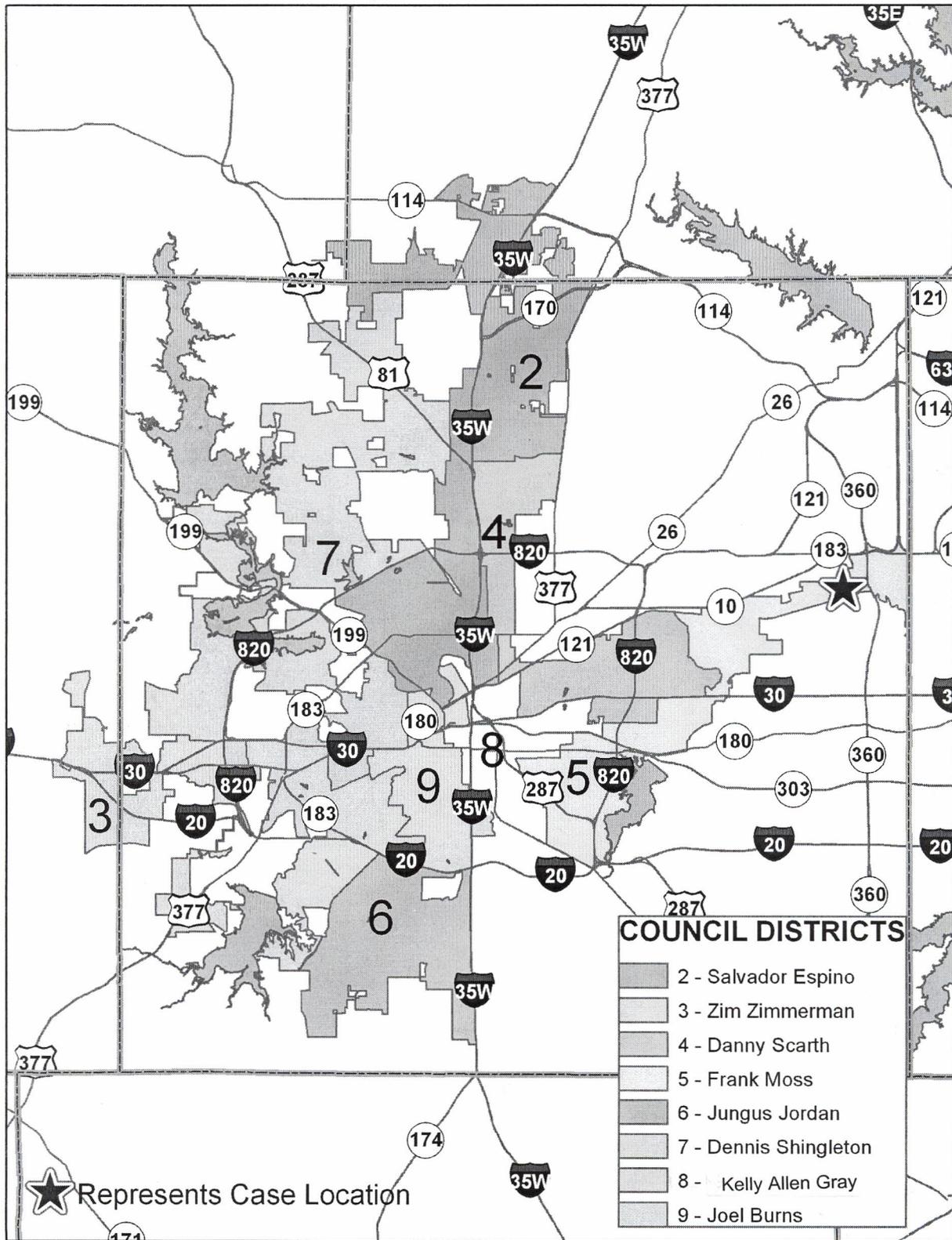
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes of the Zoning Commission meeting

FORT WORTH



ZC-12-082

Location Map



★ Represents Case Location





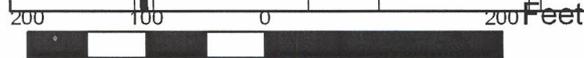
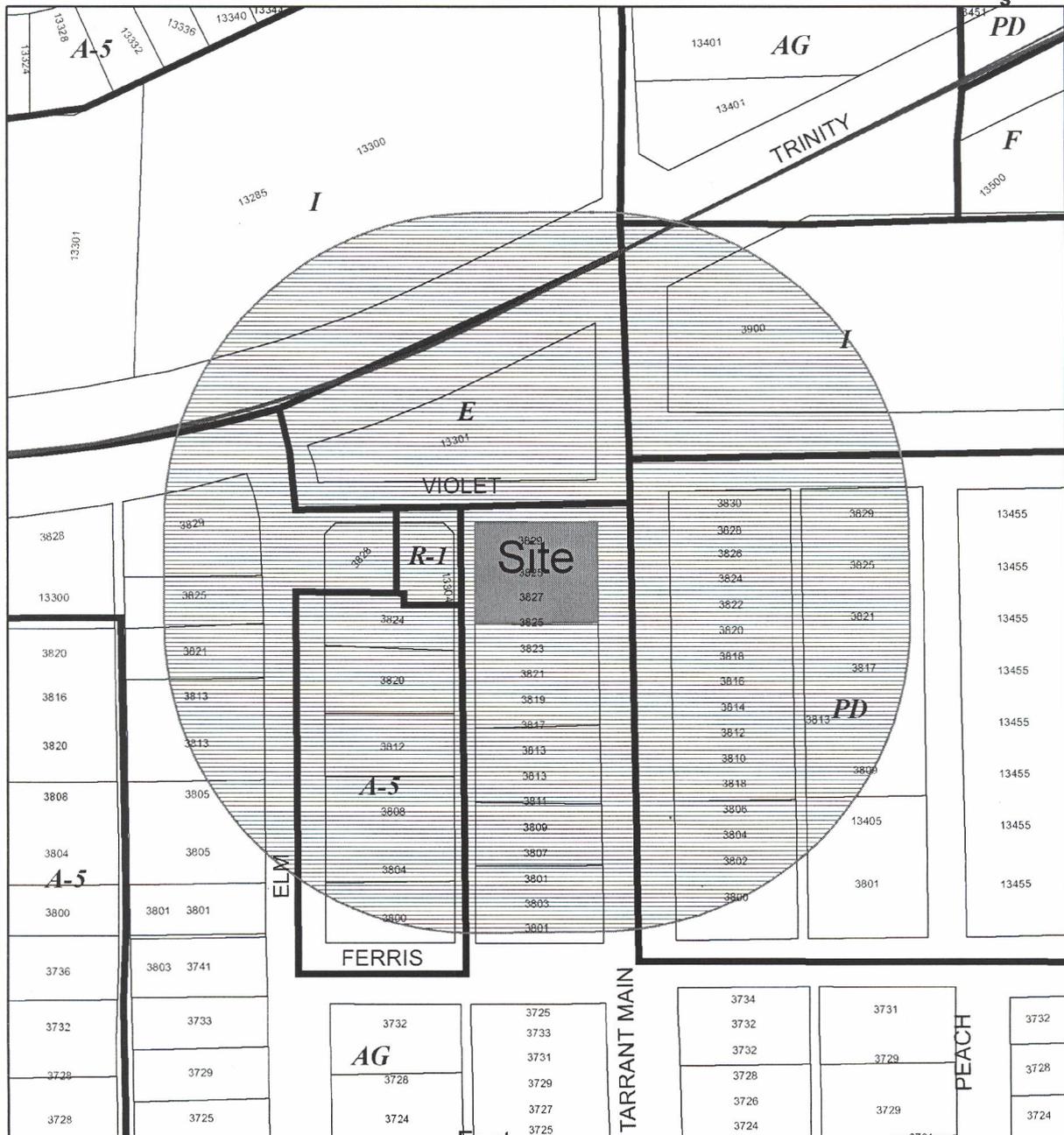
ZC-12-082

Area Zoning Map

Applicant: John & Edith Clark
 Address: 3825 & 3829 Tarrant Main Street
 Zoning From: AG
 Zoning To: R2
 Acres: 0.2661878
 Mapsco: 56S
 Sector/District: Eastside
 Commission Date: 8/8/2012
 Contact: 817-392-2495



 300 Ft. Notification Buffer



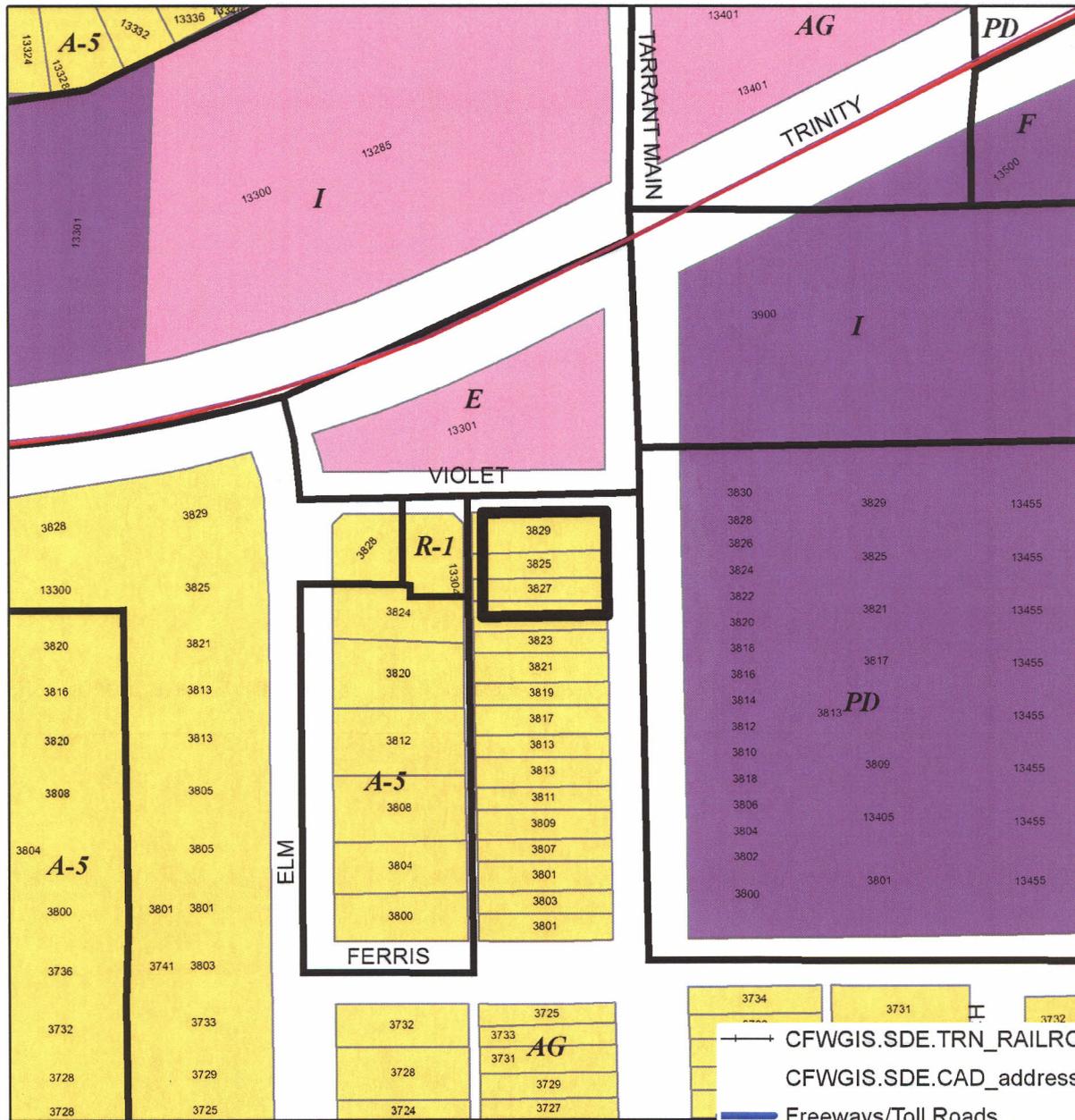
FORT WORTH



3825 & 3829 Tarrant Main Street

Future Land Use

ZC-12-082



- 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

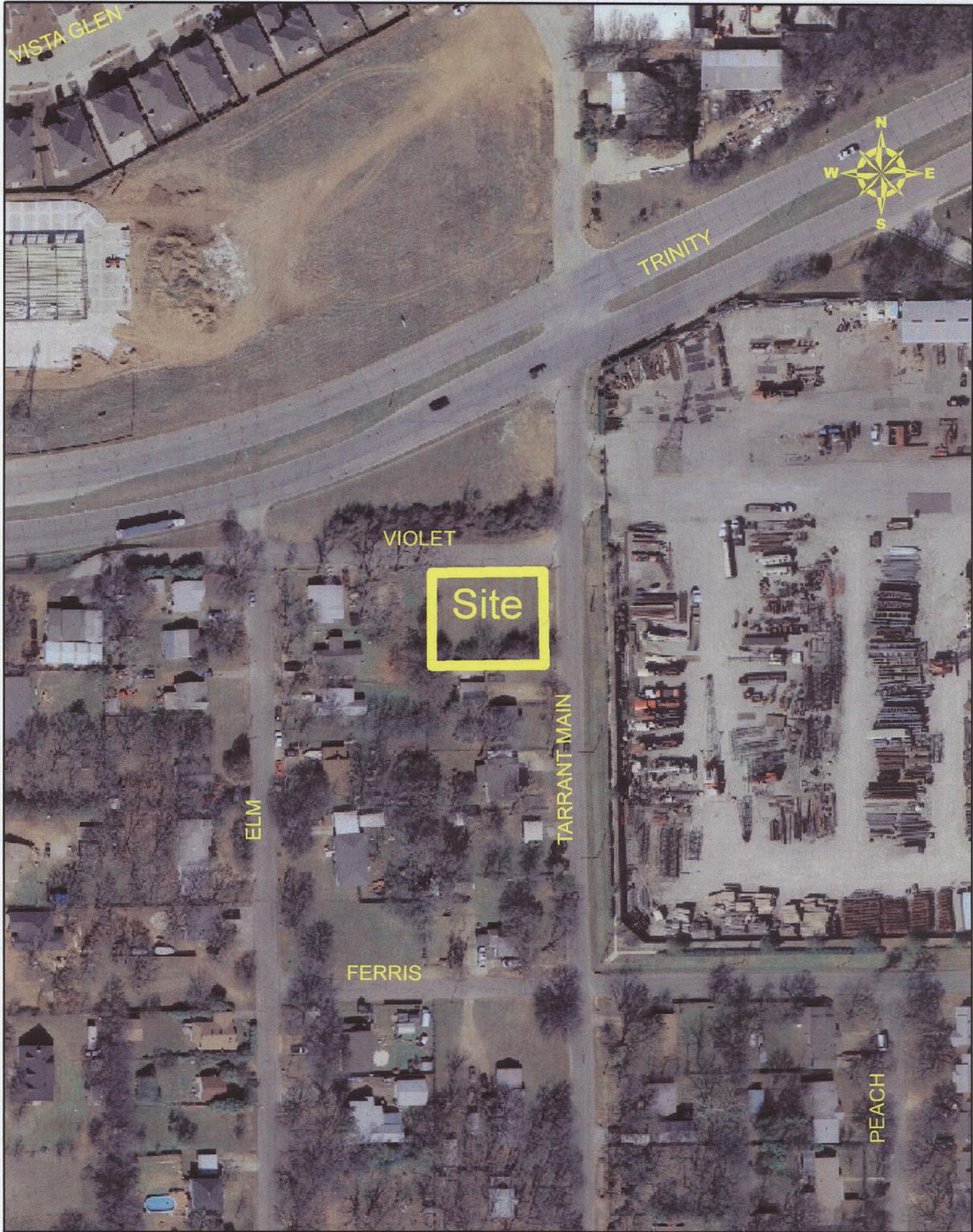


A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on March 06, 2012





Aerial Photo Map



5. ZC-12-081 Dennis Thornton, DBA Anchor Asphalt (CD 5) 11467 Mosier Valley Road (Kitty House Survey, Abstract 678, 1.25 Acres): from "AG" Agricultural to "I" Light Industrial

Dennis Hopkins, 3414 Pitkin Drive, Arlington, Texas is representing the Anchor Asphalt Company. Mr. Thornton is the property owner. Mr. Hopkins explained the current road conditions and locations. He mentioned the property was involuntarily annexed in the late 1960's and the purpose of the annexation was to create a municipal corridor to extend out to DFW Airport and Centerport. The property has been used for many years as outside storage. He stated Mr. Thornton was not aware the property was not zoned for outside storage until he was cited in April by Code Compliance. Mr. Hopkins said he wants to amend his zoning request to PD/AG with outside storage and waiving the site plan. He noted his client has no plans to build a structure just use the property for outside storage. Mr. Hopkins said there are a lot of industrial uses in the area. He displayed pictures of the heavy truck traffic that occurs on Mosier Valley Road. They contacted several property owners in the area and are not aware of any opposition.

Mr. West asked the applicant to state again the zoning request he is asking for. Mr. Hopkins said he is requesting "PD/AG" Planned Development for AG uses plus outdoor storage; waiver to the site plan.

Ms. Zadeh asked if he had spoken with Councilman Moss on this. Mr. Hopkins said no his protocol is to speak with the Councilperson after the Zoning Commission has made their recommendation. Ms. Zadeh mentioned a recent zoning case that was brought forward by Councilman Moss. He stated he helped zone some of the properties to single-family and the market does not support it at this time. Many of the properties in this area have been used for fill over the years and are not be suitable for single-family.

Mr. Ferrell mentioned some things need to be addressed in this area before they make a decision. Mr. Hopkins said he would be willing to entertain a continuance if that is what he is seeking and asked if so to continue it for 60 days since he will be out of town at the next regularly scheduled meeting.

Ms. Conlin asked if the owner would be ok to store his equipment if it is continued since he received a citation from Code Compliance. Ms. Burghdoff responded that once the applicant has made application the violations are on hold until a remedy is solved.

Motion: Following brief discussion, Mr. Ferrell recommended a 60 day continuance of the request, seconded by Mr. Genua. The motion carried unanimously 9-0.

6. ZC-12-082 John & Edith Clark (CD 5)- 3825 – 3829 Tarrant Main (Tarrant Town of Addition, Block 8, Lots 1 -4A, 0.26 Acres): from "AG" Agricultural to "R2" Townhouse/Cluster

Jamal Allouffe, 4148 Slick Rock Chase, Euless, Texas explained to the Commissioners he wants to rezone to R2 to build 3 to 4 attached townhomes.

Mr. Ferrell asked if there was enough room to build what he is proposing. Mr. Allouffe said yes the property is 117 by 100; lots will be 25 ft. wide.

Ms. Zadeh mentioned this not being consistent or compatible with the Comprehensive Plan. Mr. Allouffe said he upgraded several homes in this area and resold them.

Mr. West asked if he had contacted any of the surrounding neighbors. He said they do support it and handed in a petition from the neighborhood.

Motion: Following brief discussion, Mr. Ferrell recommended approval of the request, seconded by Mr. Genua. The motion carried 8-1 with Mr. Ortiz against.

<i>Document received for written correspondence</i>				ZC-12-082
Name	Address	In/Out 200 notification area	ft Position on case	Summary
Barbara Richards	3712 Elm St	No	Support	Signed petition
Loren Bradshaw	3701 Elm St	No	Support	Signed petition
Johnnie Murray	3825 Elm St	Yes	Support	Signed petition
Linda Waller	3724 Tarrant Main	No	Support	Signed petition
Mary Williams	3732 Tarrant Main	No	Support	Signed petition

7. ZC-12-083 All Storage River Hills LP (CD 3)- 6150 Bryant Irvin Road (River Hills Addition Phase II, Block B, Lot 2R1, 5.30 Acres): from “F” General Commercial to “PD/F” Planned Development for all uses in “F” General Commercial plus mini-warehouse; site plan included

Coy Quine, 301 S. Sherman, Suite 100, Richardson, Texas explained to the Commissioners when the facility was built it was permitted by right; now they are legal non-conforming. The property needs to be legal conforming so if they had a natural disaster they would be able to rebuild.

Mr. West asked if he has had contact with the neighborhood. Mr. Quine said no. Mr. West wanted to clarify that they are not building any new buildings. Mr. Quine said no everything is existing as it sits now.

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

8. ZC-12-084 Ultimate Properties Inc. (CD 2)- 2842 – 2850 Western Center Boulevard (Spindor Addition, Block 1, Lot 1B1 – 1B3, 4.61 Acres): from: “G” Intensive Commercial to: “PD/G” Planned Development for all uses in “G” Intensive Commercial plus mini-warehouse; site plan included

Chris Bonilla, 8540 Charleston Avenue, Fort Worth, Texas representing Ultimate Properties, Inc., explained to the Commissioners the request to rezone to PD/G plus mini-warehouse. The