

**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
October 09, 2012

Council District 2

Zoning Commission Recommendation:
Approved as Amended for the southern portion below
Timberland Blvd. to A-7.5 by a vote of 9-0

Opposition: one spoke, several letters sent in

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

Owner / Applicant: **Christ's Haven for Children, Inc./Mary Guess Est.**

Site Location: 4200 Keller Haslet Road, 5125 W. Caylor Road Mapsco: 8Z,22D

Proposed Use: **Single-family**

Request: From: "A-21" One-Family and "CF" Community Facilities

To: "A-5" One-Family

Land Use Compatibility: Requested change **is compatible.**

Comprehensive Plan Consistency: Requested change **is consistent**

Background:

The applicant is requesting a zoning change from "A-21" One-Family and "CF" Community Facilities to "A-5" One-Family for single-family development. The applicant is proposing approximately 350 single-family lots, of which 118 are proposed to be 50 ft. x120 ft., 75 are proposed to be 60 ft. x120 ft., 90 proposed to be 60 ft. x 125 ft., and 67 are proposed to be 65 ft. x 125 ft.

At the Zoning Commission hearing, property owners to the south expressed concern about the sizes of the lots to be constructed in their area and the traffic pattern, including the construction of the connection section of Timberland Blvd. and the segment of Park Vista. The developer explained that the subdivision will be constructed from the northern sections first and therefore the traffic should not increase in their area for a period of time. The developer agreed to rezone the section south of Timberland to A-7.5, which is consistent with the lot sizes to the south.

Site Information:

Owner: Christ's Haven for Children
 P. O. Box 467
 Keller, Texas 76244

 Mary Guess
 7708 Red Oak Street
 North Richland Hills, Texas 76182

Agent: Hanover Property Company/Thomas Juhn
Acreage: 102.20 ac.
Comprehensive Plan Sector: Far North

Surrounding Zoning and Land Uses:

- North "A-5" One-Family and "E" Neighborhood Commercial / single-family and vacant
- East "A-5" & "A-21" One-Family / single-family and vacant
- South "A-5" One-Family / single-family
- West "CF" Community Facilities / institutional and vacant

Recent Relevant Zoning and Platting History:

Zoning History: ZC-08-199 approved by Council 01/06/09 for single-family, institutional, and light industrial, subject property including to the west and east annexed into the City of Fort Worth (AX-05-023).

Platting History: PP-05-011 Timberland Addition approved by the City Plan Commission 01/26/05, subject property to the east.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Park Vista Blvd	Two-way	Major Arterial	No
Keller Haslet	Two-way	Collector	No
Timberland Blvd	County road	Major Arterial	No
W. Caylor	Two-lane	Two-lane	No

Public Notification:

The following Neighborhood Associations were notified:

- Villages of Woodland Springs
- Harvest Ridge
- McPherson Ranch
- Rolling Meadows
- North Fort Worth Alliance
- Keller ISD

Development Impact Analysis:

1. Land Use Compatibility

The subject property is surrounded on all sides by either large lot or small lot residential. Christ's Haven operates a children's home directly to the west of this site. As a result, the proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2012 Comprehensive Plan designates the subject property as predominantly institutional with single-family in the southwest corner. Institutional uses consist of schools, churches, community centers, day cares, etc. in which all would benefit this area. The requested zoning change is consistent with the following Comprehensive Plan policies on the basis of Institutional being a more intense use:

- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)
- Encourage new development in character with the existing neighborhood scale, architecture, and platting pattern. (pg. 39)

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/>

Attachments:

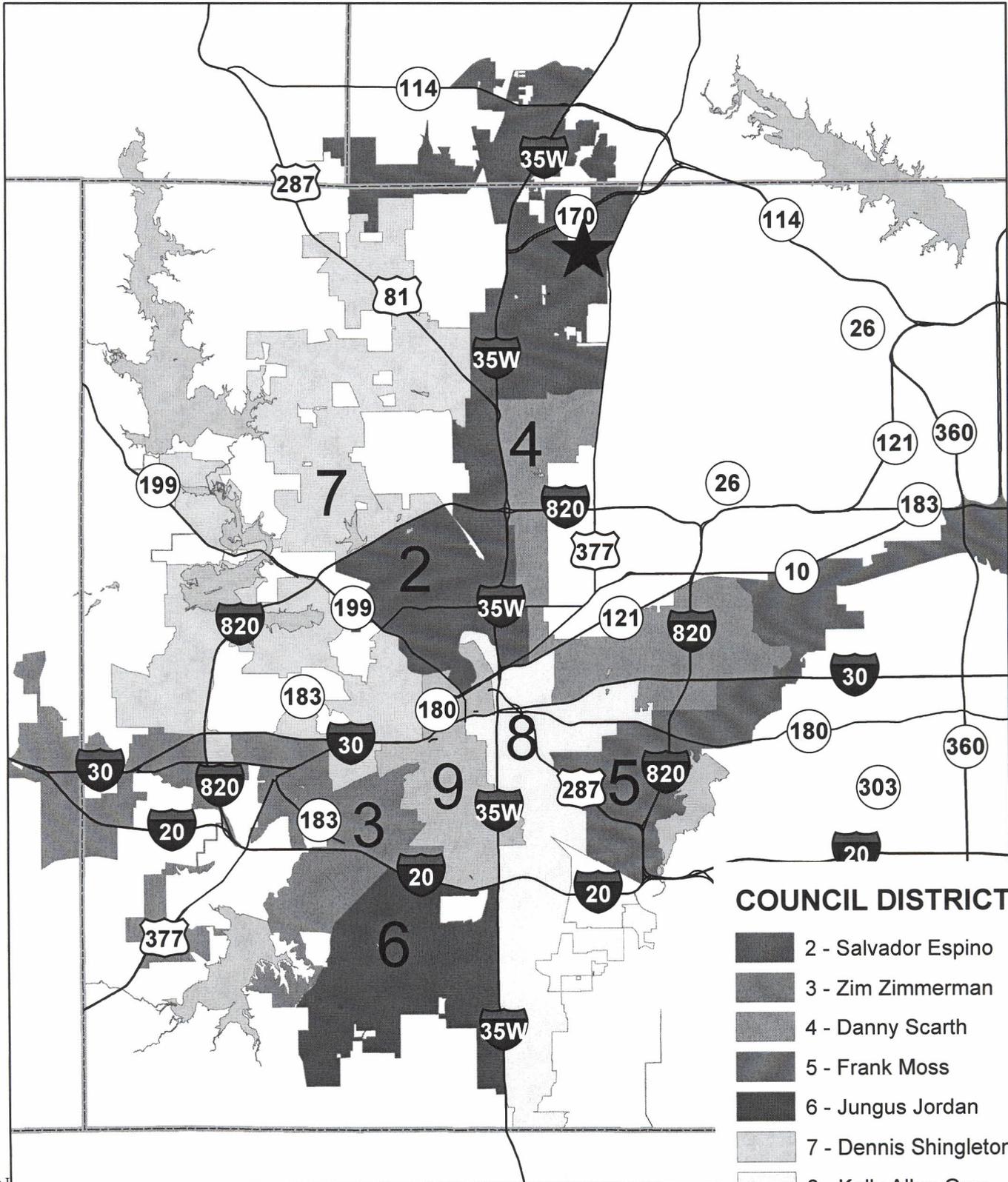
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Conceptual Plan
- Minutes of the Zoning Commission meeting

FORT WORTH



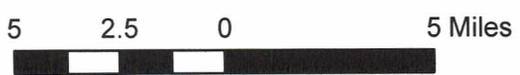
ZC-12-094

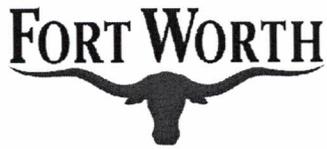
Location Map



COUNCIL DISTRICTS

-  2 - Salvador Espino
-  3 - Zim Zimmerman
-  4 - Danny Scarth
-  5 - Frank Moss
-  6 - Jungus Jordan
-  7 - Dennis Shingleton
-  8 - Kelly Allen Gray
-  9 - Joel Burns





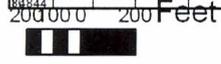
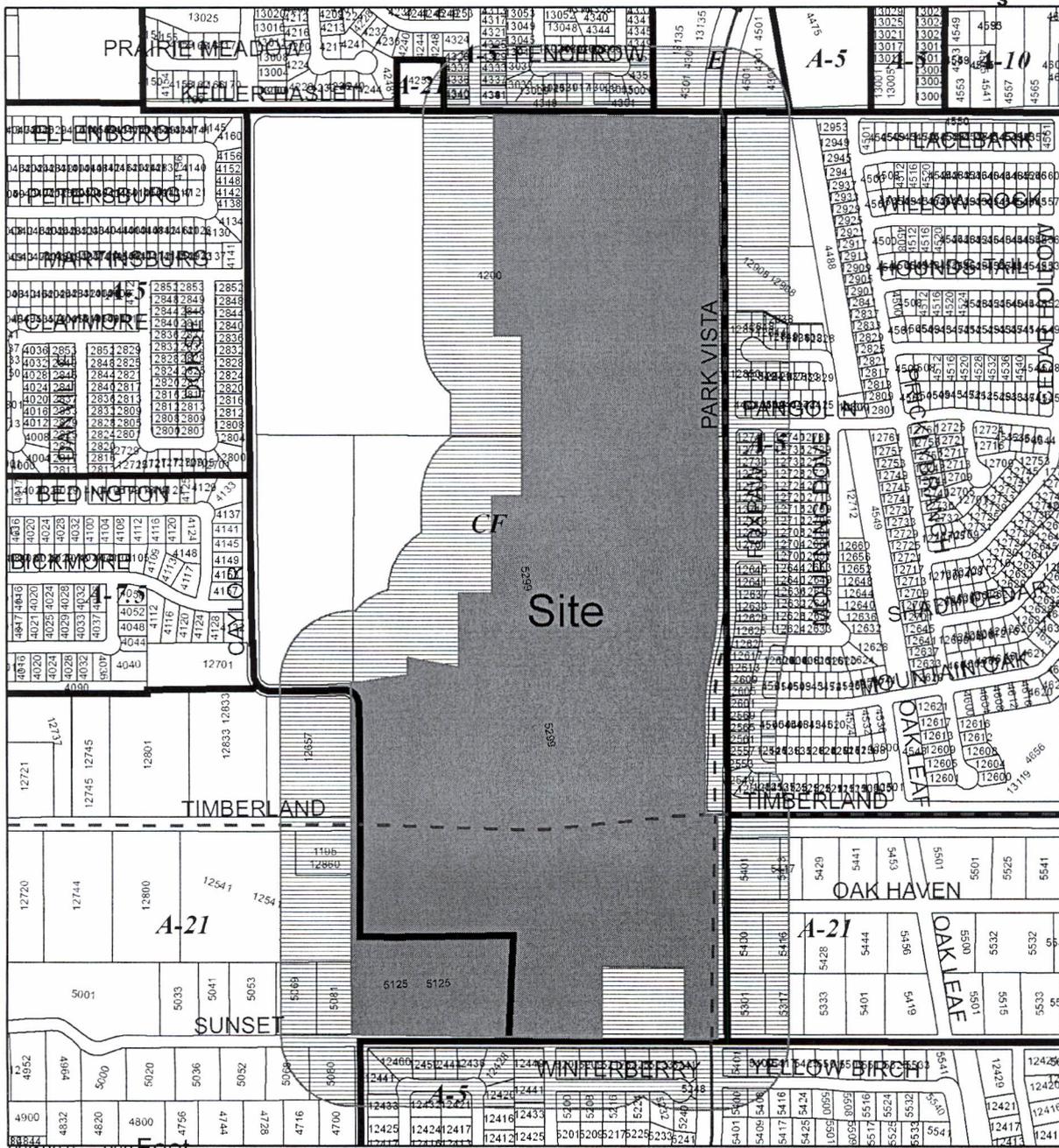
ZC-12-094

Area Zoning Map

Applicant: Christ's Haven for Children, Mary Guess Est.
 Address: 4200 Keller Haslet Road, 5125 W. Caylor Road
 Zoning From: A-21, CF
 Zoning To: A-5
 Acres: 102.20715014
 Mapsco: 8Z, 22D
 Sector/District: Far North
 Commission Date: 9/12/2012
 Contact: 817-392-2495



300 Ft. Notification Buffer

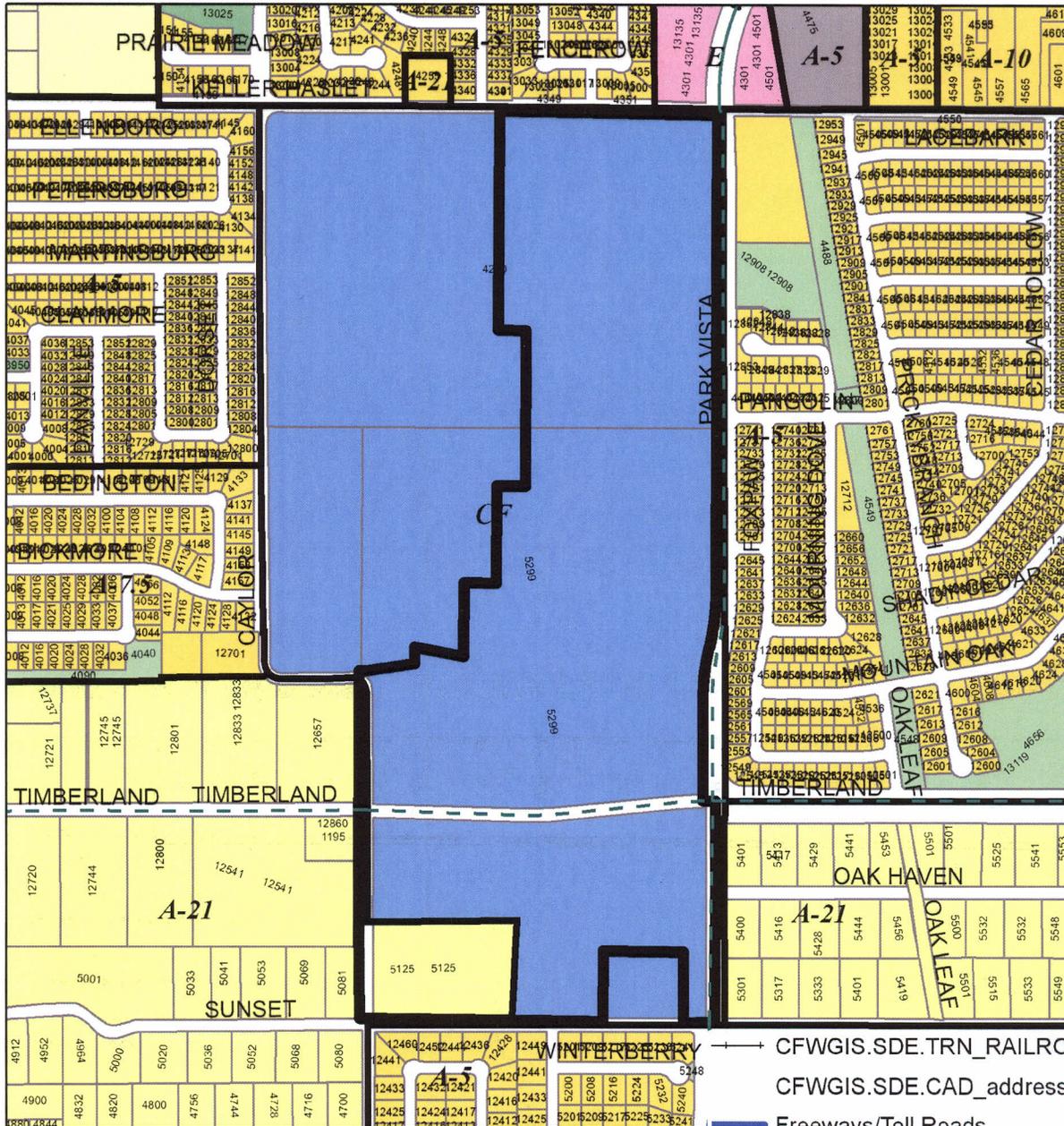




00 Keller Haslet Road, 5125 W. Caylor Road

Future Land Use

ZC-12-094



- 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

200000 200Feet

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Sect. 219.005) Land use designations were approved by the City Council on March 6, 2012.





Aerial Photo Map



200100 0 200 Feet

490-81-22



NEIGHBORHOOD DATA

- 118 LOTS (50' X 120' TYP)
- 75 LOTS (60' X 120' TYP)
- 90 LOTS (60' X 125' TYP)
- 67 LOTS (65' X 125' TYP)
- 350 LOTS**



CONCEPT 3

PARK VISTA FT WORTH, TEXAS

Jocelyn Murphy, Planning Manager, City of Fort Worth, Texas explained the text amendment to the Commissioners. She noted this was prepared due to numerous locations where the Trinity River, railroads, and Oncor 100 foot easements are zoned single-family which triggers parking and bufferyard requirements or rezoning to a PD. She explained that these requirement were intended to protect residential uses, and that this amendment removes the burden when you're not protecting a residential use.

Motion: Following brief discussion Mr. Genua recommended approval of the request as amended to strike out Residential district and add One or Two-Family district for Section 5.116A, seconded by Ms. Zadeh. The motion carried unanimously 9-0.

4. ZC-12-092 City of Fort Worth Planning & Development (CD All)- Text Amendment: Accessory Uses

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING

- **Article 1 "Standards for Selected Uses", of Chapter 5, "Supplemental Use Standards" to Amend Article 3, "Accessory Uses"; to**
- **Clarify Types of Accessory Uses and Standards applied to such uses; to**
- **Increase the Maximum Height of Storage Sheds; to**
- **Provide for Regulation of Dumpsters and Temporary Storage Structures; to**
- **Allow Two Garages on Residential Lots of ½ Acre or Larger; to**
- **Create New Regulations for Commercial Accessory Structures and**
- **Add Definition**

To review the proposed amendments:

<http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

Jocelyn Murphy, Planning Manager, City of Fort Worth, Texas explained the text amendment to the Zoning Commissioners. Ms. Murphy noted this is a cleanup of the Zoning Ordinance to reorganize and provide regulations for uses that currently do not have regulations, and to address accessory uses for commercial structures.

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

5. ZC-12-094 Christ Haven for Children, Inc. and Mary Guess Est. (CD 2)- 4200 Keller Haslet Road, 5125 Caylor Road (Jose Chirino Survey, No. 265, 102.20 Acres): from "A-21" One-Family and "CF" Community Facilities to "A-5" One-Family

Jim Schell, 901 Fort Worth Club Building, Fort Worth, Texas representing Christ Haven for Children and the developers, explained to the Commissioners the request. Mr. Schell noted this is a 102 acre single-family development. He mentioned Christ Haven for Children's activities

and they have existed since 1956. They have about 50 acres they are retaining and are selling off some land for funds to expand in the future. Mr. Schell said there will be 350 lots with minimum lot sizes of 50 ft. x 120 ft., 60 ft. x 120 ft., and 65 ft. x 125 ft. The sale price will be anywhere between \$250,000.00 for the smaller lots and \$325,000.00 for the larger lots. Perimeter screening will consist of brick walls with brick columns; some will be board on board columns. There will be an amenity center with a pool. They hope to start construction around 2013. As part of this project they will be constructing one-half of Timberland Boulevard and connecting it from the west. They will also be constructing a portion of Park Vista, making it a four-lane divided road.

Mr. Schell mentioned the petition that was submitted and wanted to explain their concerns. The majority of the opposition is along and backs up to Caylor Road. The concerns are that any access from Caylor and Park Vista would create undue traffic congestion which is a small county road now. Mr. Schell explained the project is focused on Timberland, making Park Vista the main connection with an exit point being off of Caylor Road. He also noted the properties have brick fences and are heavily treed.

Jonathan Gray, 12428 Woodland Springs Drive, Fort Worth, Texas spoke in opposition, would like to make some modifications to the zoning request. Mr. Gray mentioned the petition that was submitted and that the majority of the signatures are from property owners south of Caylor Road. Mr. Gray mentioned that the Villages of Woodland Springs is divided into villages and the lot sizes vary throughout the subdivision. The hillside area is one of the larger lot areas with more than 10,000 square foot lots. Mr. Gray also mentioned they do have brick fences and the houses sit at a higher elevation looking down towards the trees and field. He said Caylor Road is in poor condition and believes that will be used for a second point of access if Timberland isn't built coming in from Highway 377. He noted the transition area for McPherson Ranch with the lots sizes starting at A-5 going up to A-21. With respect to the properties south of Caylor, they would like to see a transition area of at least A-7.5. They would also like to see them save the trees that create a buffer of at least 75 feet. Mr. Gray is asking the Zoning Commission to change the request for lots below Timberland Boulevard to be rezoned to A-10 and have the secondary access off of Park Vista not Caylor, plus a 75 ft wide tree buffer.

Mr. Schell in rebuttal responded to the issues. He said they could take the lots below Timberland to A-7.5, the access off of Caylor would be a platting issue he's not sure they can do that. They would not be able to accommodate the 75 ft buffer but will retain the existing tree line which would be a selling point for those lots.

Mr. Ortiz asked about the timeline for Timberland. Mr. Schell responded it would be a challenge to build Timberland all the way back to Highway 377.

Dick LeBlanc 3001 Mock Street, Dallas, Texas, President of Hanover Properties responded to Mr. Ortiz's question. They have had several meetings with the City in a coordinated effort to build the remainder of Timberland and make it operational from I-35 to Highway 377. He explained that in the first phase, they are constructing homes and the amenity center up to the north closer to Keller Haslet. Keller Haslet and Park Vista will be the primary traffic concerns. There will be no traffic off Caylor until the last phase because there is no access.

Mr. West asked if they had visited with the homeowners in this area. Mr. Schell said he didn't know of any opposition until the other day. They did meet with Councilman Espino who is

supportive of the project. Mr. West asked about the time urgency on the project. Mr. Schell said they have agreed to request the more restrictive zoning south of Timberland to A-7.5, retain access off Caylor, and preserve the existing tree line but not accommodate the 75 ft. buffer.

Ms. Zadeh asked about the 75 ft. buffer. Mr. Schell said he wanted the 75 ft buffer and to keep the existing trees and that they had value to the developer, but they could not place an easement due to construction needs. Mr. Gray responded that he wanted to keep the trees. He would prefer to have larger lots based on their adjacent lot sizes.

Mr. Genua asked the applicant how many homes are in the area south of Timberland. Mr. Schell said there are 67 homes proposed, with the lot size being around 8,000 sq.ft. Mr. Genua also mentioned he was concerned about the tree line and asked if you had to give up 5 feet to keep or maintain the tree line, will he keep them as part of that lot.

Ms. Conlin made a comment about trying to keep yards watered on big lots. She stated it might not be a bad idea to have a larger house on an A-5 or A-7.5 lot.

Motion: Following brief discussion, Mr. Edmonds recommended approval of the request as amended for the southern lots south of Timberland to A-7.5, seconded by Ms. Conlin. The motion carried unanimously 9-0.

Document received for written correspondence					ZC-012-094
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Jonathon Gray	12428 Woodland Springs	Yes		Opposition	Spoke at hearing
Dick LeBlanc	7336 Hill Forest	No		Support	Spoke at hearing
Ralph Siebert	5401/5417 Oak Haven	Yes		Opposition	Sent letter in
Carol Kirkland	12725 Foxpaw Tr	Yes		Opposition	Sent letter in
Michael Stateler	12436 Woodland Springs	No		Opposition	Sent letter in
Steven Warnick	12460 Woodland Springs	Yes		Opposition	Sent letter in
Peggy Archibald	12421 Woodland Springs	Yes		Opposition	Sent letter in
Mike Cordes	12444 Woodland Springs	Yes		Opposition	Sent letter in
James Goerge	12452 Woodland Springs	Yes		Opposition	Sent letter in
Brian Massey	5225 Winterberry Ct	Yes		Opposition	Sent letter in
Humberto Melendez	5240 Winterberry Ct	Yes		Opposition	Sent letter in
Brad Bartels	5232 Winterberry Ct	Yes		Opposition	Sent letter in
Jesse Padilla	5208 Winterberry Ct	Yes		Opposition	Sent letter in
Patrick Traynor	5224 Winterberry Ct	Yes		Opposition	Sent letter in

Christpher Goulet	5216 Winterberry Ct	Yes		Opposition	Sent letter in
Frederick Acuma	5201 Winterberry Ct	Yes		Opposition	Sent letter in
Chris Hamilton	5209 Winterberry Ct	Yes		Opposition	Sent letter in
Lewis Sykalski	5217 Winterberry Ct	Yes		Opposition	Sent letter in
Ken Orban	5233 Winterberry Ct	Yes		Opposition	Sent letter in

6. ZC-12-095 Steve Lipsett (CD 9)- 1925 Hemphill Street (Emory College Subdivision, Block 13, South 45' Lot 2 & SW portion Lot 23, 0.12 Acres): from "E" Neighborhood Commercial to "A-5" One-Family

David Cantu, 1800 South Henderson, Fort Worth, Texas representing Steve Lipsett explained to the Commissioners the PowerPoint presentation and the reason for the request to A-5 zoning. The property has been vacant for a while and Mr. Lipsett wants to convert it back to a single-family residence since it lost the legal non-conforming status. This site is surrounded by rental properties. Mr. Cantu said they spoke with the Hemphill Corridor Task Force and received a letter of support. They addressed some of the concerns that were brought up in the staff report and noted in the handout.

Ms. Reed asked if this is being used for a single family and what about the garage. Mr. Cantu said it will be for a single family use; the garage will be converted back to a garage use and there is parking in the rear.

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

7. ZC-12-096 RM Real Estate LTD. (CD 9) 3716 Lisbon Street (Factory Place Addition, Block 27, Lots 8 & 9, 0.27 Acres): from "C" Medium Density Multifamily to "FR" General Commercial Restricted

Barry Hudson, 555 Bailey Avenue, Suite 400, Fort Worth, Texas represented Southern Multi Foods and explained to the Commissioners the request to rezone the property to FR for a fast food restaurant. The southern portion of the overall site is zoned C and currently has a paved parking lot on it. They want to make the zoning consistent with the northern property for a Taco Bell Restaurant. The plan is to construct a new Taco Bell restaurant on the east side of the northern lot and the southern portion would be providing more green space, 13 parking spaces and an entry to the drive thru which would allow for a 10 car stacking lane.

The primary access will be from an existing driveway for Whataburger off the I-35 access road which will be a shared access easement. Two driveways off Valentine Street will be closed and a new right-in-right-out driveway will be constructed. A third access point will be off of Lisbon. There are currently two drives now; one will be closed and the other one shifted to the west. He noted the school to the west is a secondary school with 200 students. They will be constructing a wooden fence along the entire western boundary with a five foot buffer.