

**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
May 7, 2013

Council District 7

Zoning Commission Recommendation: Approval by a vote of 5-2 Opposition: Arlington Heights NA, adjacent property owners	Continued	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Case Manager	<u>Stephen Murray</u>
	Surplus	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Council Initiated	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Owner / Applicant: **Christ Chapel Bible Church**

Site Location: 3609, 3616 & 3620 and 3704-3738 Pershing Ave Mapsco: 75M

Proposed Use: **Church Parking**

Request: From: "B" Two-Family

To: Amend "PD-449" PD/SU Planned Development/Specific Use for church, accessory buildings, and parking; site plan included.

Land Use Compatibility: Requested change **is not compatible.**

Comprehensive Plan Consistency: Requested change **is not consistent.**
(Significant Deviation)

Background:

The case was continued from the April 2, 2013 City Council meeting in order for the applicant to work with the neighborhood.

The applicant is requesting a zoning change to amend PD 449 to add parking for Christ Chapel Bible Church. The applicant would like to bring the proposed lots into the existing PD and conform to these standards. The case was continued from the November 14th meeting in order to further negotiate with the Arlington Heights Neighborhood Association and property owners.

The proposed site is located across the street from the main church campus and currently contains several single-family homes and treed lots. Pershing Street has served as the delineation between existing single-family to the north and church uses to the south. The block face of the subject area faces the primary church buildings. Many of the former homes purchased by the church have been or will be relocated to the Como neighborhood.

Auxiliary parking lots in residential districts can seek a Special Exception through the Board of Adjustment. The applicant did not choose this option because they want to bring this site into the existing PD for the church, accessory uses, and auxiliary parking.

The applicant will provide a screening fence adjacent the "B" Two-Family District, however; they are requesting a waiver to 20 ft setback requirements. The applicant intends to provide enhanced landscaping to mitigate potential impacts.

An agreement was undertaken between Christ Chapel Bible Church (CCBC) and the Arlington Heights Neighborhood Association (AHNA) in 2004 to express in writing certain expansion issues. The table below provides a brief summary of that document.

Summary of 2004 agreement between Christ Chapel Bible Church (CCBC) and Arlington Heights Neighborhood Association (AHNA)

#	Agreement	Timeframe	Confines
1	CCBC will not initiate any church related development or zoning change requests that could change the use of the property from residential	23 years (4/19/27)	Owosso Street on the west or the alley between Pershing and El Camp Avenues from Owosso Street to the eastern edge of Lot 11, Block 65 on the north
2	For any property CCBC or any agent impose a seven year moratorium for any request for parking	7 years (4/19/11)	North side of Pershing Avenue between Owosso Street and the eastern edge of Lot 3, Block 65
3	CCBC or its agents will not directly or indirectly pursue purchasing property	7 years (4/19/11)	North side of Pershing Avenue between Owosso and Margaret Streets
4	CCBC may pursue purchasing property	No timeframe	North side of Pershing Avenue between Margaret and Montgomery Streets
5	CCBC agrees to restrict property for residential uses and to refrain from the razing of the homes (unless deemed unsafe and must be razed)	7 years (4/19/11)	Lots 1-10 on Block 64 of Pershing Avenue

CCBC understood the AHNA is not agreeing to support requests for parking variances that may occur after the seven year moratorium

Site Information:

Owner: Christ Chapel Bible Church
3740 Birchman Avenue
Fort Worth TX, Texas 76107

Agent: Tom Galbreath, Dunaway and Associates

Acreage: 1.44 acres

Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:

North "B" Two-Family / single-family

East "B" Two-Family / single-family

South "PD 449" "PD/SU" Planned Development/Specific Use for church and parking / church, parking

West "B" Two-Family / single-family; vacant

Recent Relevant Zoning and Platting History:

Zoning History: PD 449 PD/SU for church parking, various approvals between 2002-2010

Platting History: Replatting of multiple lots in four blocks

Site Plan Comments:

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. The key deficiency is:

1. Provide 20 ft. setback along Pershing Avenue
2. Future 75 parking spaces are not included in this case

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

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Pershing Street	Residential	Residential	No

Public Notification:

The following Neighborhood Associations were notified:

- | | |
|--|-------------------|
| Alamo Heights NA | Westside Alliance |
| Arlington Heights | Fort Worth ISD |
| Cultural District Development Initiative | |

Development Impact Analysis:

1. Land Use Compatibility

The applicant is requesting a zoning change to PD/SU for a parking lot. Surrounding uses vary with single-family to the north east and west, with the church campus and parking directly south. The proposed lots will face the church and existing parking, while an alley and the homes along the El Campo blockface will remain. Two single-family homes adjacent and to the east on either side of Margaret are not part of this zoning request. Pershing and Margaret Streets currently separate the church, existing auxiliary parking, and single-family uses.

As a result, the proposed zoning **is not compatible** with surrounding land uses and zoning.

2. Comprehensive Plan Consistency

The 2012 Comprehensive Plan designates the subject property as single-family. The proposed zoning is not consistent with the following Comprehensive Plan policy:

- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 37)

Due to the single-family designation, the zoning change request **is not consistent** with the Comprehensive Plan and is considered a Significant Deviation.

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
- Site Plan
- Minutes of the City Council meeting
- Minutes of the Zoning Commission meeting



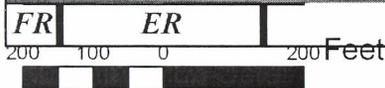
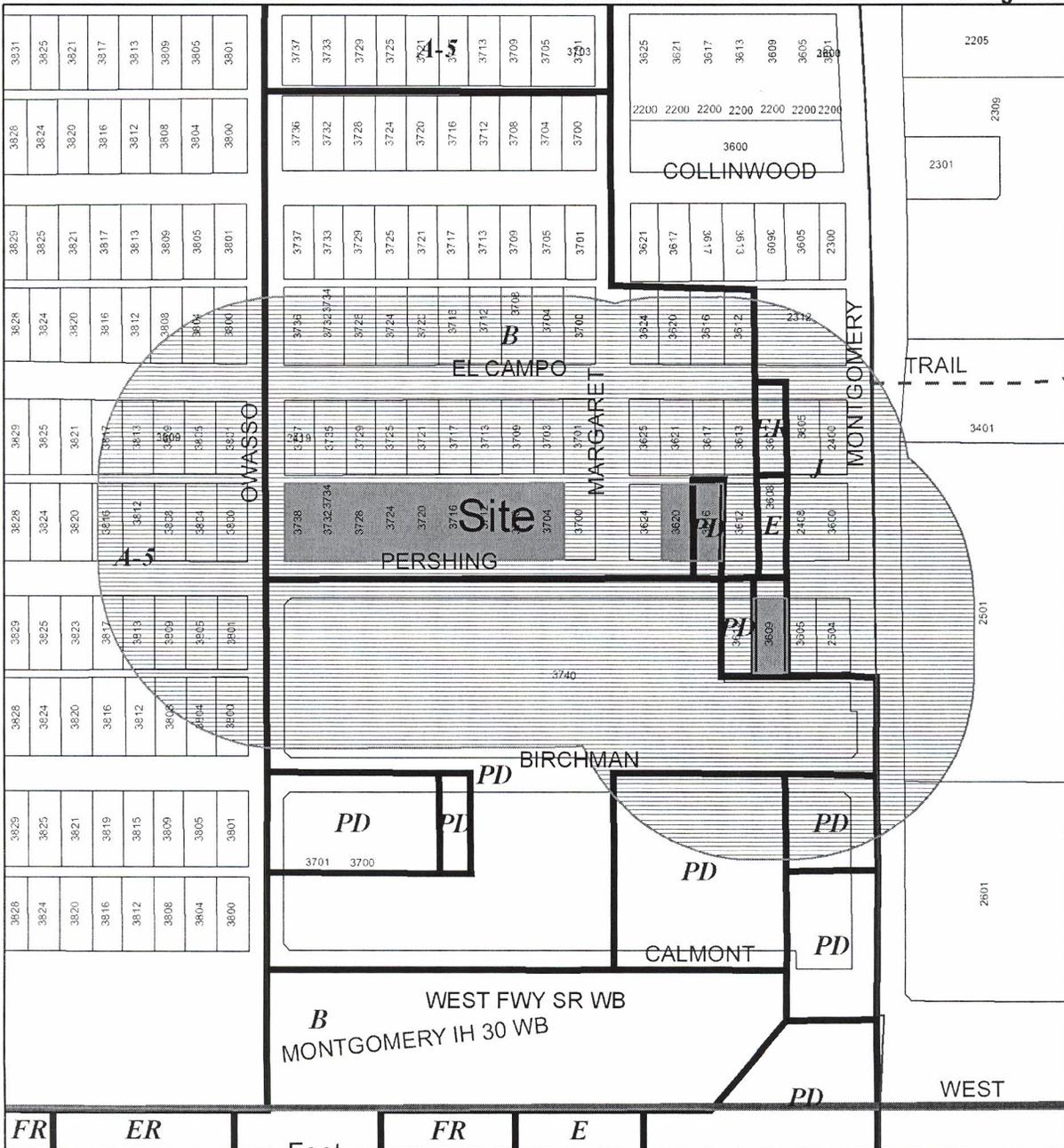
ZC-12-079

Area Zoning Map

Applicant: Christ Chapel Bible Church
 Address: 3609, 3616 & 3620 & 3704-3738 (evens) Pershing Ave
 Zoning From: B
 Zoning To: Amend PD 449 "PD/SU" to add property for parking
 Acres: 1.44612133
 Mapsco: 75M
 Sector/District: Arlington Heights
 Commission Date: 8/8/2012
 Contact: 817-392-8043



 300 Ft. Notification Buffer



GENERAL NOTES:

1. ALL UNPAVED AREAS SHALL BE GRASS.
2. ALL LANDSCAPE AREAS SHALL BE IRRIGATED AND SHALL BE PLANTED WITH GRASS OR GROUND COVER.
3. EXIST. LAND USE IS CHURCH PARKING, CHURCH BUILDING AND CHURCH ACCESSORY BUILDING. EXISTING ZONING IS 'R' TWO FAMILY AND 'PD' PLANNED DEVELOPMENT.
4. PROJECT LIGHTING HAS NOT BEEN DESIGNED BUT WILL BE ORIENTED AWAY FROM ADJACENT RESIDENTIAL PROPERTY.
5. THE PROJECT WILL COMPLY WITH SECTION 6.301 LANDSCAPING OF THE ZONING ORDINANCE AND AN URBAN FORESTRY PLAN WILL BE SUBMITTED PRIOR TO PERMITTING.
6. PARKING DIMENSIONS SHALL BE 9' WIDE X 18' DEEP FOR HEAD-IN SPACES AND 9' WIDE X 13' DEEP FOR COMPACT SPACES EXCEPT FOR CHANGES REQUIRED TO SAVE EXISTING TREES.
7. FINAL GRADING OF THE SITE HAS NOT BEEN DESIGNED AT THIS TIME. HOWEVER ALL GRADES WILL MATCH EXISTING GRADES ALONG THE PERIMETER OF THE DEVELOPMENT AND THE FINISH SITE GRADES WILL GENERALLY CONFORM TO EXISTING GRADES.

PARKING

REQUIRED:
1 SPACE PER EVERY 3 SEATS IN MAIN AUDITORIUM
MAIN AUDITORIUM SEATING = UP TO 1,500 SEATS
300 TOTAL SPACES REQUIRED PLUS 22 ACCESSIBLE SPACES

PARKING COUNT

EXISTING: 934
PROPOSED: 172
FUTURE: 75
TOTAL: 1181

CHURCH AND ACCESSORY BUILDINGS SHALL CONFORM TO THE FOLLOWING:

BIRCHMAN AVENUE

FRONT YARD SETBACK FOR BUILDINGS: 0-FOOT MINIMUM

MONTGOMERY STREET

FRONT YARD SETBACK FOR BUILDINGS: 0-FOOT MINIMUM

CALMONT AVENUE

FRONT YARD SETBACK FOR BUILDINGS: 0-FOOT MINIMUM

PERSHING AVENUE

FRONT YARD SETBACK FOR BUILDINGS: 20-FOOT MINIMUM

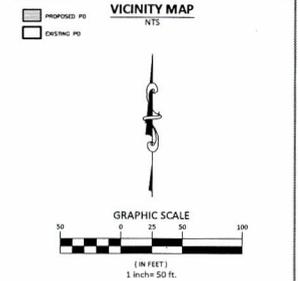
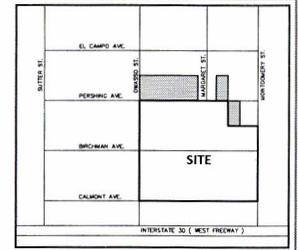
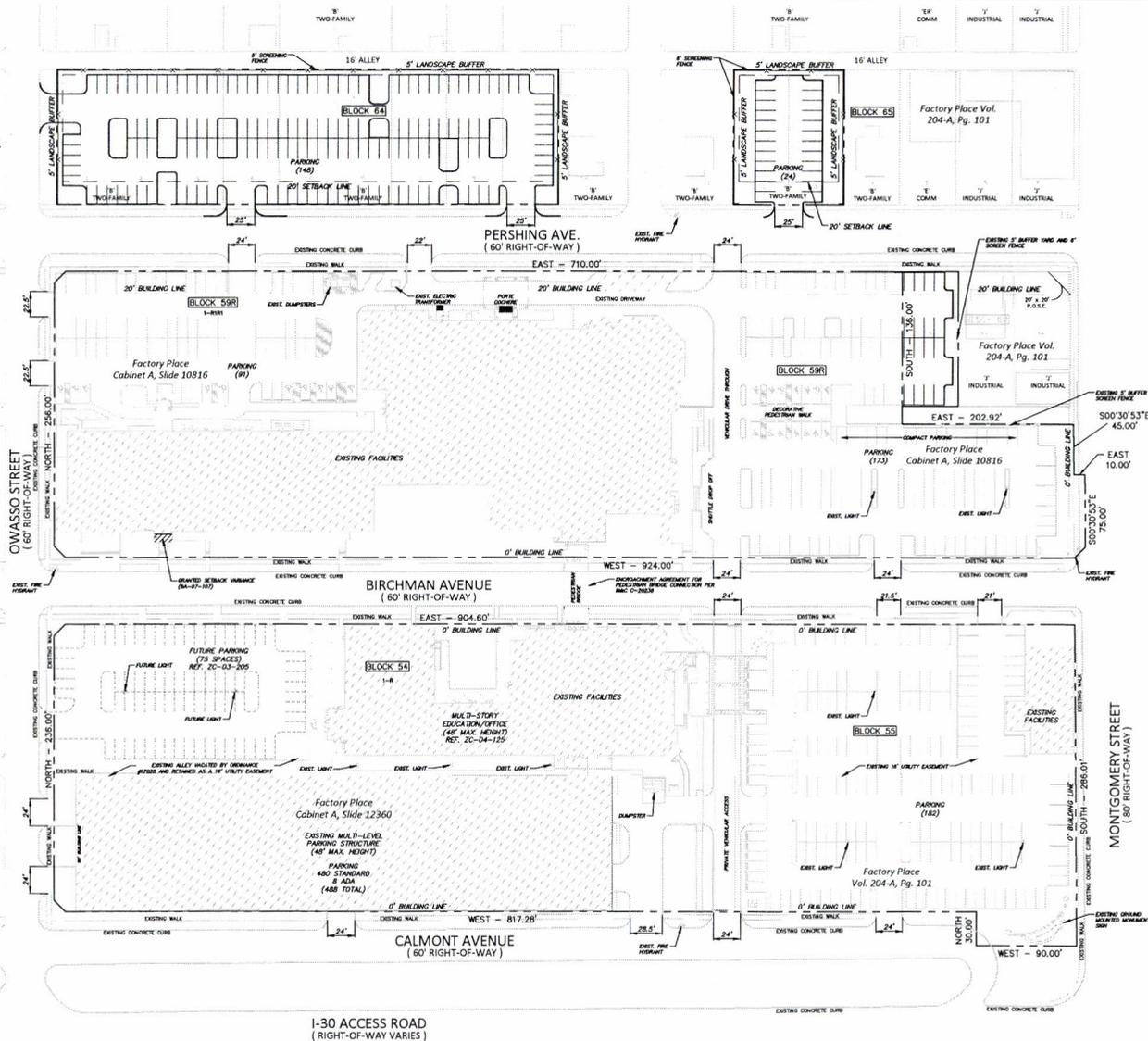
SIDE YARD: 0-FOOT MINIMUM BUILDING SETBACK

CORNER LOT: 0-FOOT MINIMUM BUILDING SETBACK

HEIGHT: 48-FEET MAXIMUM AT BUILDING LINE

LEGAL DESCRIPTION:

BEING all of Lot 1-R, Block 54, Lots 1-10, 11R, 13-14, and a 2,399 s.f. tract of unplatted land Block 55, Lot 1-R1R1, Block 59R, Lots 11, Block 55, Lot 12, Block 60, Lots 1-R, Block 64, Lots 2-3, Block 65, FACTORY PLACE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plats recorded in Cabinet A, Slide 12360, Cabinet A, Slide 10816 and Volume 204-A, Page 101, Plat Records, Tarrant County, Texas.



ENGINEER/SURVEYOR:	DUNAWAY ASSOCIATES L.P. c/o ERIC HINKLIN 550 BAILEY AVE., SUITE 400 FORT WORTH, TEXAS 76107 (817) 335-1121
OWNER / DEVELOPER:	CHRIST CHAPEL BIBLE CHURCH c/o FRED DISNEY 3740 BIRCHMAN AVENUE FORT WORTH, TEXAS 76107 (817) 390-0202
LAND AREA	11.74 ACRES (510,584 square feet)
LAND USE	CHURCH, CHURCH PARKING AND CHURCH ACCESSORY BUILDINGS

CHRIST CHAPEL BIBLE CHURCH
ZC-12-079

DIRECTOR OF PLANNING AND DEVELOPMENT _____

DATE (APPROVED) _____

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121 • Fax: 817.335.7437
(TX REG. F-1114)

NOTE:
ALL PREVIOUSLY SITE PLAN APPROVED CHURCH OWNED PROPERTY IS SHOWN FOR INFORMATIONAL PURPOSES ONLY

PDSU SITE PLAN

RECOMMENDED FOR APPROVAL

JUNE 13, 2012

ZC-12-079



- 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

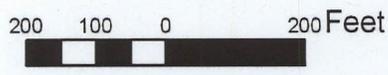
- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



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



agenda. He also added that they would consider any proposal that might be an option to the funding and might be more efficient and effective in delivering the project to the citizens.

Mr. Jim Korenek, 500 Throckmorton Street, No. 603, completed a comment card in support of the resolution.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Resolution No. 4193-04-2013, be adopted as amended. The motion carried unanimously 8 ayes to 0 nays with Council Member Espino absent.

(Council Member Espino assumed his place at the dais at 7:38 p.m.)

XIII. ZONING HEARING

Mayor Price opened the public hearing, The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Fort Worth Star-Telegram, the official newspaper of the City of Fort Worth, on March 17, 2013.

1. ZC-12-079 - (CD 7) - Christ Chapel Bible Church, 3609, 3616 & 3620 and 3704 - 3738 Pershing Avenue; from: "B" Two-Family to: Amend "PD-449" PD/SU Planned Development/Specific use for church, accessory buildings, and parking; site plan included. (Recommended for Approval by the Zoning Commission)

Council Member Shingleton stated that there had been a long discussion regarding this project and just recently they had great participation from both sides. He added that they have almost come to an agreement and that he would continue this item until the May 7, 2013, Council meeting.

Mr. Tom Galbreath, 550 Bailey Avenue, Suite 400, appeared before Council in support of Zoning Docket No. ZC-12-079.

The following individuals completed speaker cards in support of Zoning Docket No. ZC-12-079 and were recognized by Mayor Price but were not present in the Council chamber.

Mr. Tim Harvard, 2600 Montgomery Street
Mr. Rick Neves, 2600 Montgomery Street

The following individuals appeared before Council in opposition of Zoning Docket No. ZC-12-079.

Ms. Christina Patoski, 4237 El Campo Avenue
Mr. Kevin Stark, 3801 El Campo Avenue

The following individuals completed a comment card in opposition of Zoning Docket No. ZC-12-079.

Ms. Teresa Moore, 3616 Watonga Street
Ms. Melissa Wade, 3923 Lafayette Avenue
Mr. Paul Hunter, 3923 Lafayette Avenue

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Zoning Docket No. ZC-12-079 continued until the May 7, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

2. ZC-12-112 - (CD 2) - Thomas Blanton, 3900 and 3950 Angle Avenue; from: "I" Light Industrial to: "D" High Density Multifamily (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Joe Paniagua, 8125 Mount Shasta Circle, completed a speaker card in support of Zoning Docket No. ZC-12-112, but did not wish to address the Council.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-12-112 continued until the May 14, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

3. ZC-12-115 - (CD 9) - Jeanie Cornelius, 2839 Merida Street; from: "B" Two-Family to: "PD/UR" Planned Development for all uses in "UR" Urban Residential; site plan included. (Recommended for Approval by the Zoning Commission)

Mr. Jim Schell, 500 West 7th Street, 6th Floor, completed a speaker card in support of Zoning Docket No. ZC-12-115, but did not wish to address the Council.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-12-115 be approved. The motion carried unanimously 9 ayes to 0 nays.

City of Fort Worth, Texas
Zoning Commission
March 13, 2013 – Meeting Minutes

Present:

Carlos Flores, District 2
Robert West, District 3
Charles Edmonds, Jr., Acting Chair, District 4
Hugh Ferrell, District 5
Nick Genua, District 7
Wanda Conlin, 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
Ted Gorski, Sr. Assistant City Attorney

Absent:

Ann Zadeh, Chair, District 1
Namon Hollis, District 6
Melinda Ramos, Sr. Assistant City Attorney

I. Public Hearing – 10:00 A. M.

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

II. Minutes

The Commission, on a motion by Mr. West, seconded by Ms. Conlin, on a vote of 7-0, voted to approve the Zoning Commission minutes of the February 13, 2013 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-12-079 Christ Chapel Bible Church (CD 7)- 3609, 3616 – 3620, 3704 – 3738 Pershing Avenue (Factory Place Addition, Block 60, Lot 12, Block 64, Lots 1 – 9, Block 65, Lots 2 & 3, 1.44 Acres): from “B” Two-Family to Amend “PD-449” Planned Development/Specific Use for church, accessory buildings, and parking; site plan included

Tom Galbreath, Dunaway & Associates, 550 Bailey Avenue, Fort Worth, Texas mentioned to the Commissioners this case has been ongoing and they have been working with the neighborhood. Mr. Galbreath explained the facts of the case as indicated in the power point. He did mention there was a memorandum of understanding between Christ Chapel and Arlington Heights NA in 2004. There was a seven year period in which Christ Chapel would not pursue in seeking parking on the north side of Pershing. The moratorium ended in 2011 and the church has been acquiring property on the north side of Pershing in order to provide more parking. Today they park off-site across the street on Montgomery and or limited areas in the neighborhood. There are approximately 160 cars that park on the east side of Montgomery Street. They are looking at a type 2 grass paving surface that would be attractive to the neighborhood when not being used, which would be on Sunday. In working with the neighborhood they have come up with additional enhancements: a dog watering station with a bench for sitting, additional sitting areas with flagstone pavers, and a 6 ft screen wall on the north property line. Between the two

services there are 3,175 people are on-site at any given point. They have 934 spaces with 64 spaces interior to the site and proposing another 172 spaces with this zoning case. There is a total of 1,170 parking spaces. On a typical Sunday morning they can occupy 934 spaces on-site and 160 spaces off-site. Mr. Galbreath mentioned they may be bringing a college program on-site which would require about 100 more parking spaces.

Christina Patoski, 4237 El Campo, Fort Worth, Texas spoke in opposition. There were several present in opposition that chose not to speak but were recognized. She is the President of Arlington Heights neighborhood and a member of the Christ Chapel Joint Steering Committee. They have been trying to reach an acceptable agreement between both parties. Ms. Patoski mentioned they were told by Rick Neese with Christ Chapel that they purchased the lots in June so they can provide more parking for the church and decrease street parking. A few of the houses were relocated with the majority of them being taken down. She noted 77 nearby property owners have filed a petition in opposition. The neighborhood has continually asked the Church to come up with a master plan, but they have declined since they don't know what the future is. She went on to mention if they had developed a plan they probably wouldn't be here today. Ms. Patoski noted the 11 parcels being proposed for a parking lot is not the highest and best use of the land. It was also noted they would rather have people parking in the neighborhood streets for a few hours on Sunday then to see homes taken down for a parking lot.

Kevin Stark, 3801 El Campo, Fort Worth, Texas spoke in opposition. Mr. Stark mentioned they own property just one lot over, moved to Arlington Heights last year and never imagined the homes that were around him would be torn town for a parking lot. He also is a member of the Joint Steering Committee. He is against incompatible development in their neighborhood.

Paul Hooper, 3701 El Campo, Fort Worth, Texas spoke in opposition. Mr. Hooper mentioned he too is a new home owner in the neighborhood, 45 days after he moved in the zoning change sign went up. He indicated in the power point the number of signatures they have received from property owners in the neighborhood. The church has grown tremendously in the last 10 years encompassing over 10 acres of land. Mr. Hooper mentioned the hours that the parking is needed are between 9:15 to 11:00 on Sundays. He is concerned there has been no master plan or traffic study done. They have offered several solutions to mitigate the parking situation with the Church.

Tom Galbreath in rebuttal mentioned the neighborhood has changed and thought parking in the neighborhood is not a safe option. He noted they want to be self contained with screening and landscaping. Some time ago they offered a revised MOU and have not been able to settle with the neighborhood. They utilize 160 parking spaces on Sunday across the street on Montgomery.

Tim Harvard, 1502 McDonald, Aledo, Texas representing Christ Chapel and a member of the Board spoke in support. He mentioned in 2003 they had a big parking problem with the neighborhood. He mentioned the parking they are proposing now is the last step for completion of the Campus. He did note that at some point they will lose the parking across the street on Montgomery. They have listened to the neighborhood and added a dog and sitting area.

Mr. West asked about the MOU and did they live up to it. Mr. Harvard said yes they did as far as he knew. There are three temporary buildings that will be removed and add additional parking. Mr. West asked why they weren't converted to parking spaces before now. Mr. Harvard said

they had facility needs; they have completed the last major construction building project which has allowed them to consolidate staff in the new building. Mr. West asked about the parking garage. Mr. Harvard said the parking garage is designed to add one more story of parking and the addition of 64 spaces will be surface parking.

Mr. West asked Ms. Patoski how they felt about the MOU and if the Church had fulfilled their requirement. Ms. Patoski said yes they did and they would like to have another tool instead of a new MOU negotiated. A master plan or formal mediation would be much better. She mentioned the church has bought four properties west of their site on Owasso and asked why they were purchased. It was mentioned they needed a buffer from the neighborhood. She felt like they had violated their original MOU with the neighborhood. Ms. Patoski mentioned the grass pavers proposed and looked at a couple of sites where they were failing tremendously. There are two existing homes that chose not to sell to the Church between the proposed parking lots. They would rather see this as a green space then a paved parking lot.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Ms. Conlin. The motion carried 5-2 with Ms. Conlin and Ms. Reed against.

<i>Document received for written correspondence</i>					ZC-12-079
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Janice Michel	2115 Pershing	Out		Support	Present did not speak
Christina Patoski	4237 El Campo	Out		Opposition	Spoke at hearing
Kevin Stark	3801 El Campo	In		Opposition	Spoke at hearing
Paul Hooper	3701 El Campo	In		Opposition	Spoke at hearing
Tim Harvard	1502 McDonald	Out		Support	Spoke at hearing
John Morris	4900 Calmont	Out		Opposition	Sent letter in
Diana Wiley	3909 Pershing	Out		Opposition	Sent letter in
D. Ragan	4028 El Campo	Out		Opposition	Sent letter in
Allan Pickering	3829 Birchman	Out		Opposition	Sent letter in

2. ZC-12-130 Trinidad Ministries Foundation, Inc. (CD 2)- 3005 Oscar Avenue (J M Moody Addition, Block 18, Lots 3, 4, & 5, 0.46 Acres): from "A-5" One-Family to "PD/A-5" Planned Development for all uses in "A-5" One-Family plus two independent accessory living units within existing church building for church related uses only; site plan waiver requested

Deric Salser, 10847 Sandin Drive, Suite 101, Dallas, Texas with Evergreen Architectural Group representing Trinidad Ministries Foundation explained to the Commissioners since the last meeting there has been a lot of activity between the Church staff and neighborhood. He asked

City of Fort Worth, Texas
Zoning Commission
November 14, 2012–Meeting Minutes

Present:

Ann Zadeh, Chair, District 1
Carlos Flores, District 2
Robert West, District 3
Charles Edmonds, Jr., Vice-Chair, District 4
Hugh Ferrell, District 5
Stephanie Spann, District 6
Nick Genua, District 7
Wanda Conlin, District 8
Gaye Reed, District 9

Staff Members Present:

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

Absent:

none

I. Public Hearing – 10:18 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 Mr. Genua, on a vote of 8-0-1 with Mr. Flores abstaining, voted to approve the Zoning Commission minutes of the October 10, 2012 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-12-079 Christ Chapel Bible Church (CD 7)- 3609, 3616–3620, 3704–3738 Pershing Avenue (Factory Place Addition, Block 60, Lot 12, Block 64, Lots 1–9, Block 65, Lots 2 & 3, 1.44 Acres): from “B” Two-Family to Amend “PD-449” Planned Development/Specific Use for church, accessory buildings, and parking; site plan included

No one was present for the case, Ms. Murphy, Planning Manager, City of Fort Worth explained to the Commissioners there was a request to continue the case for 60 days.

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

2. 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 representing Anchor Asphalt Company explained to the Commissioners at the last hearing it was recommended he speak with Councilman Moss. He is requesting to rezone to PD/AG with outside storage of construction

City of Fort Worth, Texas
Zoning Commission
September 12, 2012 – Meeting Minutes

Present:

Neftali Ortiz, Chair, District 2
Ann Zadeh, Vice- Chair, District 1
Robert West, District 3
Charles Edmonds, Jr. District 4
Hugh Ferrell, District 5
Stephanie Spann, District 6
Nick Genua, District 7
Wanda Conlin, District 8
Gaye Reed, District 9

Staff Members Present:

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

Absent:

none

I. Public Hearing – 10:09 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. Conlin, on a vote of 9-0, voted to approve the Zoning Commission minutes of the August 8, 2012 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-12-079 Christ Chapel Bible Church (CD 7)- 3609, 3616 – 3620, 3704 – 3738 Pershing Avenue (Factory Place Addition, Block 60, Lot 12, Block 64, Lots 1 – 9, Block 65, Lots 2 & 3, 1.44 Acres): from “B” Two-Family to Amend “PD-449” Planned Development/Specific Use for church, accessory buildings, and parking; site plan included

Tom Galbreath, 550 Bailey Avenue, Fort Worth, Texas representing Christ Chapel Bible Church requested a 60 day continuance to the November 14 meeting. He explained they are still working with the neighborhood.

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

2. ZC-12-088 City of Fort Worth Planning & Development (CD 7)- 4000 – 4037 Block of Linden Avenue (see addresses in case file, 3.33 Acres): from “A-5” One-Family to “A-5/HC” One-Family/Historic & Cultural Overlay

To review the historic guidelines:

Motion: Following brief discussion Ms. Spann recommended a denial without prejudice of the request, with no second. On a substitute motion Ms. Zadeh recommended approval of the request, seconded by Ms. Reed. The motion carried 6-2-1 with Ms. Spann and Ms. Conlin being against and Mr. West abstaining.

<i>Document received for written correspondence</i>					ZC-12-071
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Doug Woodson/Hickman Investments	South Frwy	Yes		Opposition	Spoke at hearing
Jim Nelson	15120 NW Frwy/Houston	No		Support	Spoke at hearing
Jim Poole	9350 South Frwy	Yes		Opposition	Sent letter in
Cynthia Benton	9440 South Frwy	Yes		Opposition	Spoke at hearing
Mike Rader	South Frwy	No		Opposition	Sent letter in
Bill Watt	9320 South Frwy	Yes		Opposition	Sent letter in

IV. New Cases

3. ZC-12-079 Christ Chapel Bible Church (CD 7)- 3609, 3616 – 3620, 3704 – 3738 Pershing Avenue (Factory Place Addition, Block 60, Lot 12,Block 64, Lots 1 – 9, Block 65, Lots 2 & 3, 1.44 Acres): from “B” Two-Family to Amend “PD-449” Planned Development/Specific Use for church, accessory buildings, and parking; site plan included

Tom Galbreath, 550 Bailey Avenue, Fort Worth, Texas representing Christ Chapel Bible Church requested a 30 day continuance. He explained the Powerpoint presentation so that the neighborhood would know what they are requesting for next month. They are proposing a grass paved two system with concrete ribbons to indicate the drive aisles, wood fencing and large and small canopy trees. The lot is only to be used during peak activity and it will be opened up for the neighborhood to use for picnic activities, etc.

Motion: Following brief discussion, Mr. Genua recommended a 30 day continuance of the request, seconded by Ms. Spann. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-12-079
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Billie Appleton	3736 El Campo	Yes		Opposition	Sent letter in
Ross Auten	3809 Pershing Ave	Yes		Opposition	Sent letter in
Janes Chavolla	3713 El Campo	Yes		Opposition	Sent letter in

James Cohen	3709 El Campo	Yes		Opposition	Sent letter in
Arezow Doost	3703 El Campo	Yes		Opposition	Sent letter in
Rose Ewing	3704 El Campo	Yes		Opposition	Sent letter in
Annabelle Gallo	3620 El Campo	Yes		Opposition	Sent letter in
Heather Hanna	3805 El Campo	Yes		Opposition	Sent letter in
Cheryl Hensley	3825 El Campo	Yes		Opposition	Sent letter in
Lawrence Hooper	3701 El Campo	Yes		Opposition	Sent letter in
Gabe Huckabe	3617 El campo	Yes		Opposition	Sent letter in
Joel Hulseley	3809 El Campo	Yes		Opposition	Sent letter in
Nick Kithas	2504 Montgomery	Yes		Opposition	Sent letter in
Mike McDonald				Opposition	Sent letter in
Nlnfa Morena	3616 El Campo	Yes		Opposition	Sent letter in
John Morris	3624 El Campo	Yes		Opposition	Sent letter in
Marcus Newman	3625 El Campo	Yes		Opposition	Sent letter in
Kevin Stark	3801 El Campo	Yes		Opposition	Sent letter in
Linda Stewart	3729 El campo	Yes		Opposition	Sent letter in
Billie Appleton	3825 Birchman	No		Opposition	Sent letter in
Carol Berry	3837 Collinwood	No		Opposition	Sent letter in
Patrick Craine	3817/3813 Pershing	Yes		Opposition	Sent letter in
David Dominquez	3815 Birchman	Yes		Opposition	Sent letter in
Odessa Gallia	3828 Pershing	No		Opposition	Sent letter in
Janet Ehret	3823 Pershing	No		Opposition	Sent letter in
Joan Garner	3824 Pershing	No		Opposition	Sent letter in
Mary Hughes	3820 El Campo	No		Opposition	Sent letter in
Dana King	3816 El Campo	No		Opposition	Sent letter in
Luke Kozelichki	3825 Pershing	No		Opposition	Sent letter in
Jake McGee	3835 El Campo	No		Opposition	Sent letter in
Jamie Pickering	3829 Birchman	No		Opposition	Sent letter in
Cheryl Robinson	3820 Pershing	No		Opposition	Sent letter in

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