



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
September 10, 2013

Council Districts 3 and 7

Zoning Commission Recommendation: Approval by a vote of 7-0 Opposition: none	Continued	Yes <u>X</u>	No ___
	Case Manager	<u>Jocelyn Murphy</u>	
	Surplus	Yes ___	No ___
	Council Initiated	Yes <u>X</u>	No ___

Owner / Applicant: City of Fort Worth Planning and Development

Site Location: North and South of NAS FW JRB Runways Mapsco: Multiple

Proposed Use: Add Airport Overlay and Compatible Use Zones

Request: From: Multiple
To: Add Airport Overlay/Compatible Use Zone Overlay Districts

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

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

Background:

The case was continued from the June 4, 2013 Council meeting in order to revise the language.

This map amendment is a companion case to ZC-13-049, the text amendment creating the Airport Overlay/Compatible Use Zone Overlay Districts for the Clear Zones and Accident Potential Zones at the north and south of the ends of the Naval Air Station Fort Worth Joint Reserve Base runways.

The overlays serve as additional regulations to the base zoning districts. The base district will remain and will be the predominant control over the development of the properties. The overlay is intended to ensure that certain land uses that may encourage large gatherings of people or additional residential uses are not located in these zones.

Over 900 property owners were notified of the proposed changes. Four neighborhood associations have residential property owners that are affected by the change. Representatives from these associations were sent a letter prior to the initiation of the ordinance to let them know it was underway. A meeting was held with the East Lake Worth Neighborhood Association and communication was by phone with the others, which expressed few concerns once the residential protection was understood.

The ordinance is written to allow for the full reconstruction or rebuild of a home and considers new residential and existing residential uses differently. As zoning is future focused, the intent of the overlay is to respect the homes and nonresidential uses that currently exist while discouraging new residential uses or incompatible nonresidential uses as new buildings are constructed or undergo changes of use.

Site Information:

Owner: Multiple

Acreage: 1917.11 ac
 Comprehensive Plan Sector: W. Hills/Ridglea, Far West

Surrounding Zoning and Land Uses:
 North Multiple
 South Multiple
 East Multiple
 West Multiple

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Public Notification:

The following Organizations were notified:

Organizations Notified	
Western Hills North	Bomber Heights NA
Scenic Shores NA	Camp Bowie District, Inc.
Ridgmar NA	Lake Worth Civic Club
Ridglea North Association Inc.	JRB NAS Committee
Ridglea Hills Addition NA	FWISD
Ridglea Hills NA	Eagle Mt-Saginaw ISD
North Lake Worth NA	Lake Worth ISD
Jinken Heights NA	White Settlement ISD
East Lake Worth NA	

Development Impact Analysis:

1. Land Use Compatibility

Multiple uses surrounding the NAS FW JRB and most exist due to the base. The proposed overlays are intended to restrict the future uses within the identified areas to protect the base from incompatible uses. Therefore the overlay zoning **is compatible** at this location.

2. Comprehensive Plan Consistency

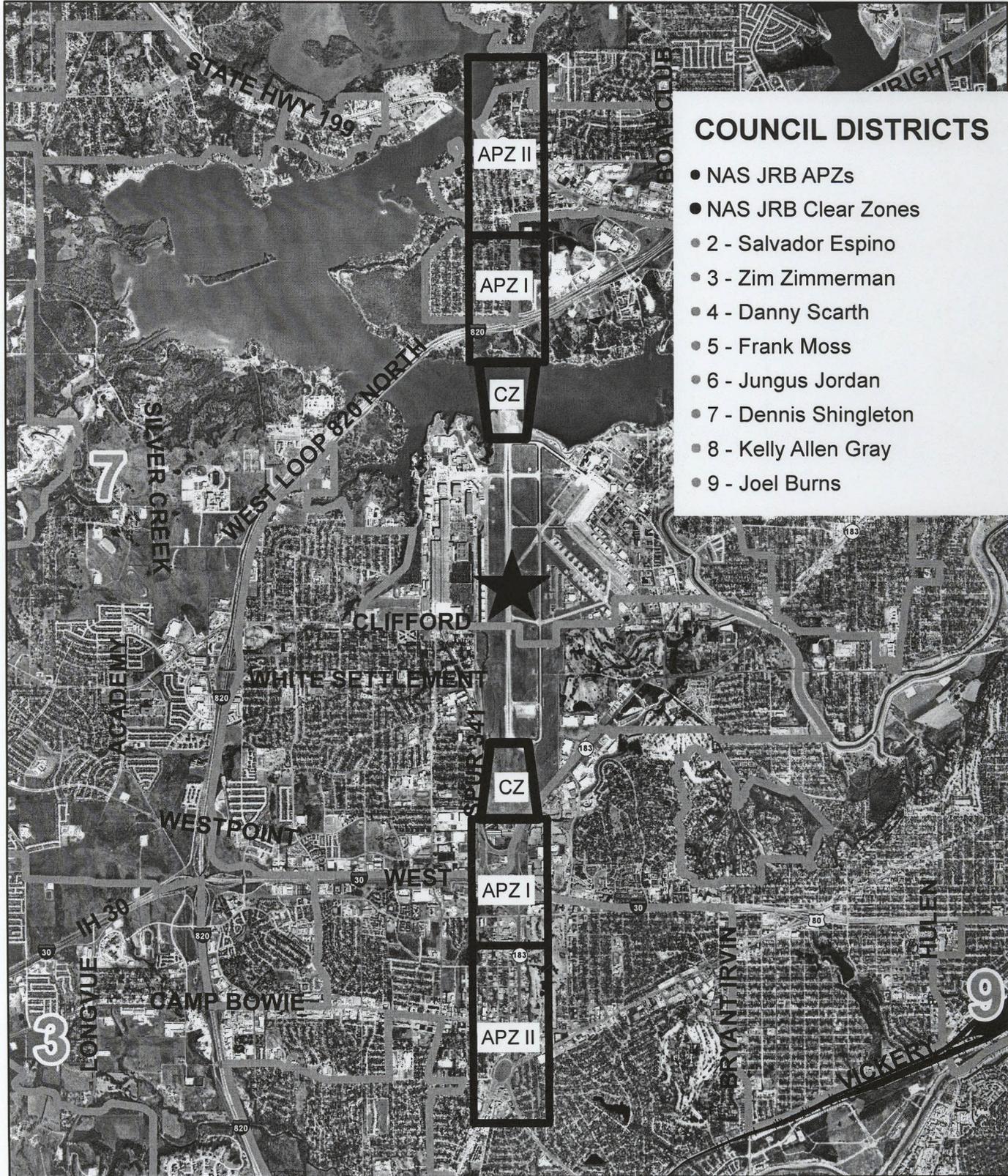
The Airport Overlay/Compatible Use Zone will not change the base zoning districts nor affect the future land use map. Certain uses will be restricted but the overlay **is consistent** with the Comprehensive Plan.

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

Attachments:

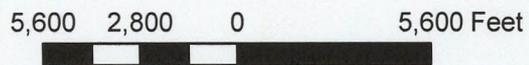
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes of the City Council meeting
- Minutes of the Zoning Commission meeting

Location Map



COUNCIL DISTRICTS

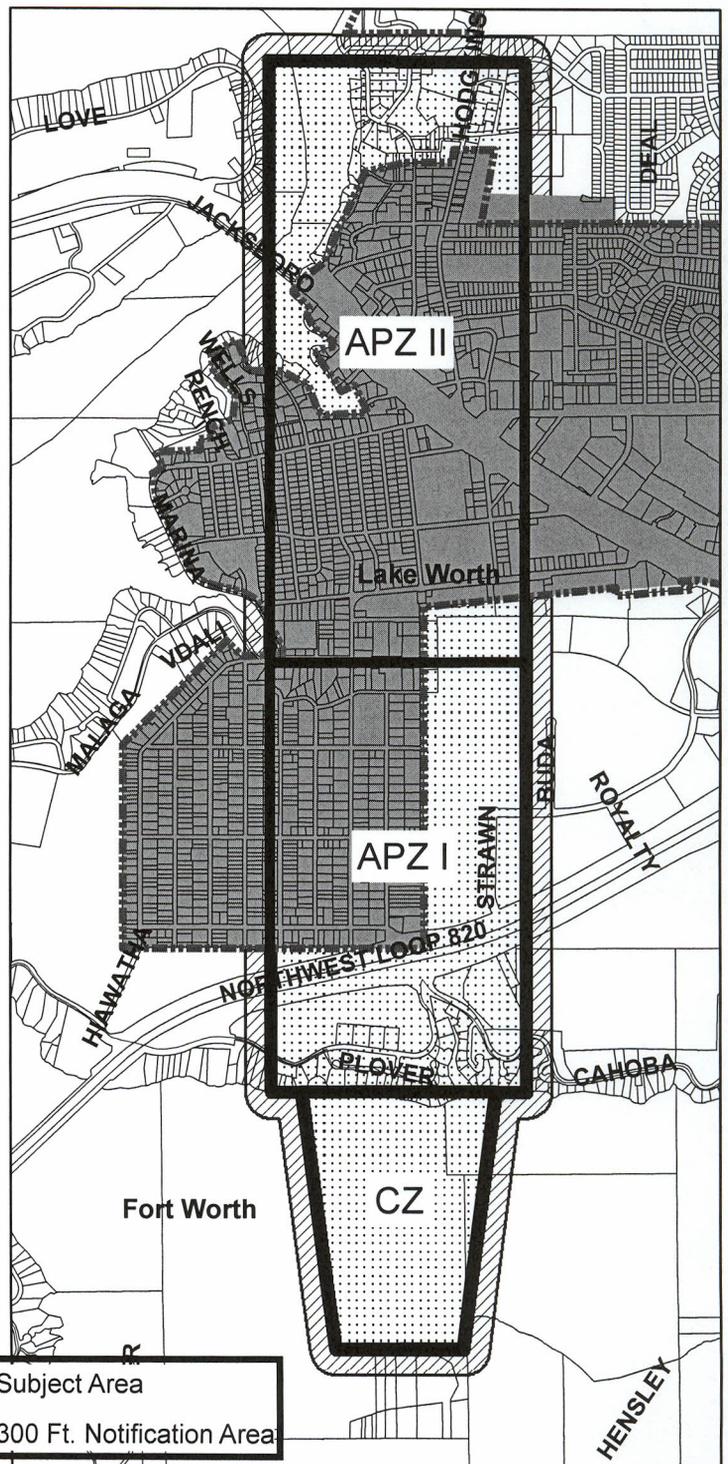
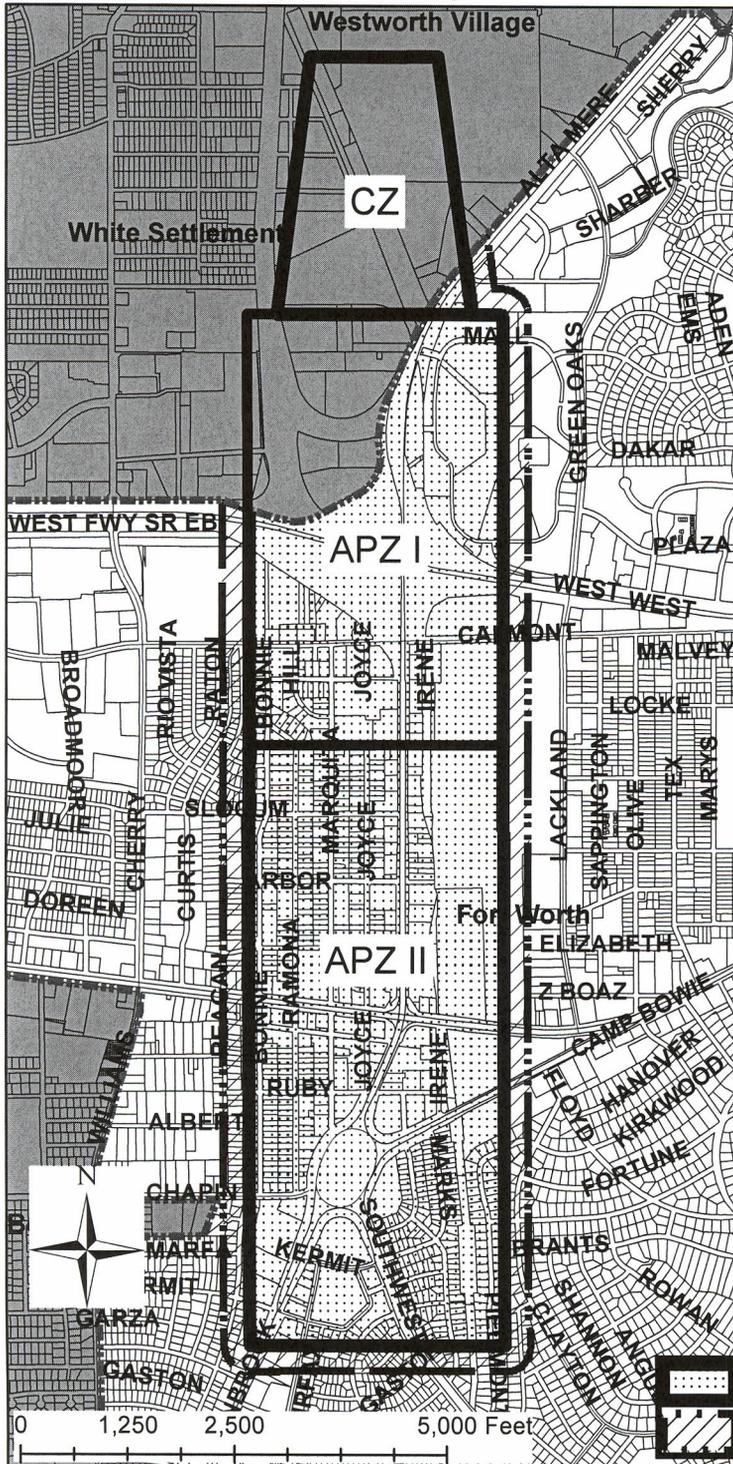
- NAS JRB APZs
- NAS JRB Clear Zones
- 2 - Salvador Espino
- 3 - Zim Zimmerman
- 4 - Danny Scarth
- 5 - Frank Moss
- 6 - Jungus Jordan
- 7 - Dennis Shingleton
- 8 - Kelly Allen Gray
- 9 - Joel Burns



Area Zoning Map

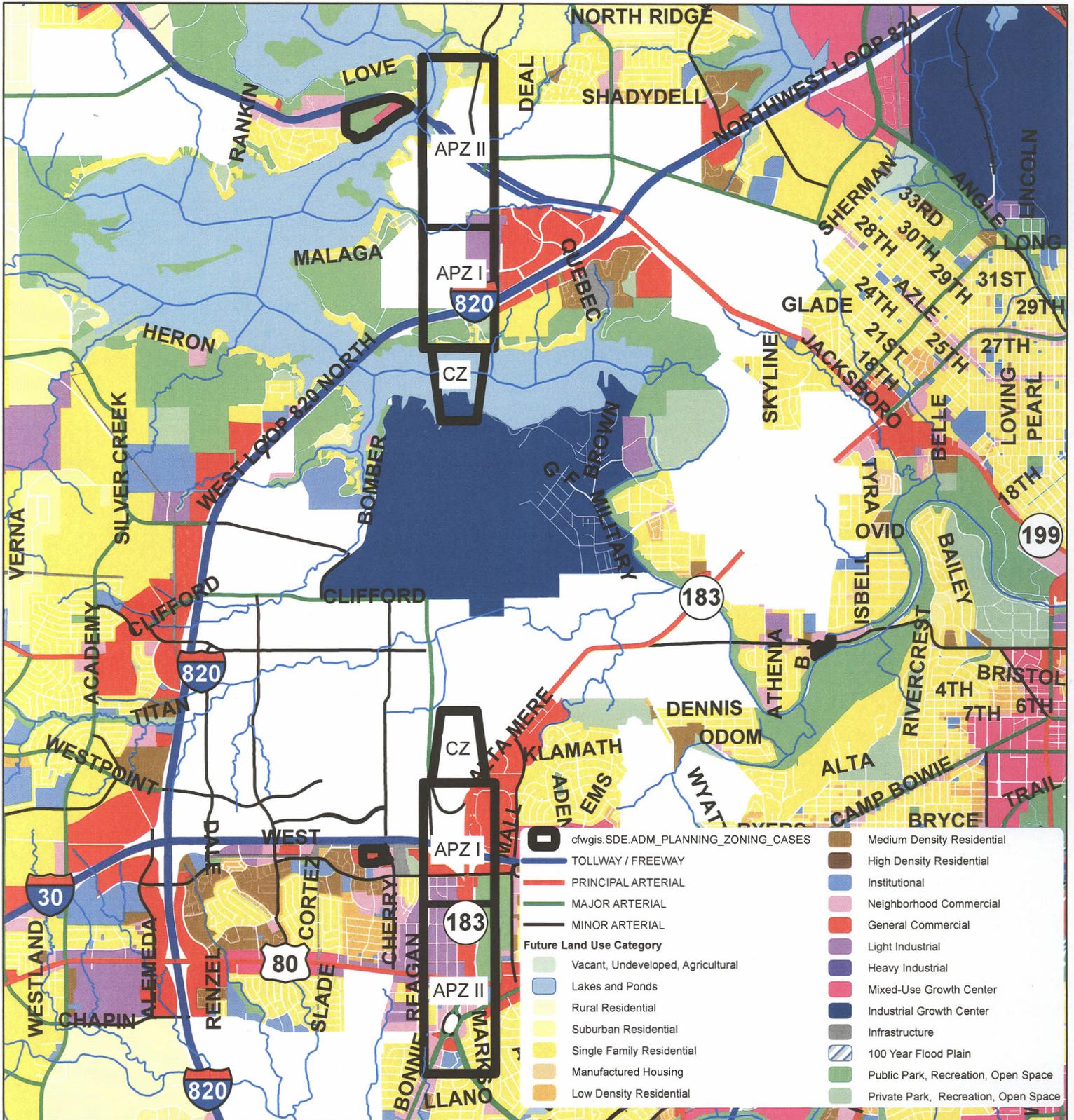
Applicant: City of Fort Worth Planning and Development
Address: NASJRB Clear Zones and Accident Potential Zones I & II
Zoning From: multiple districts
Zoning To: Overlay for Compatible Use Zones
Acres: 1917.109342
Mapsco: multiple
Sector/District: WHills/Ridglea, FarWest
Commission Date: 03/13/2013
Contact: 817-392-6226

Notification and Rezoning does not include properties not within the City of Fort Worth.



 Subject Area
 300 Ft. Notification Area

Future Land Use

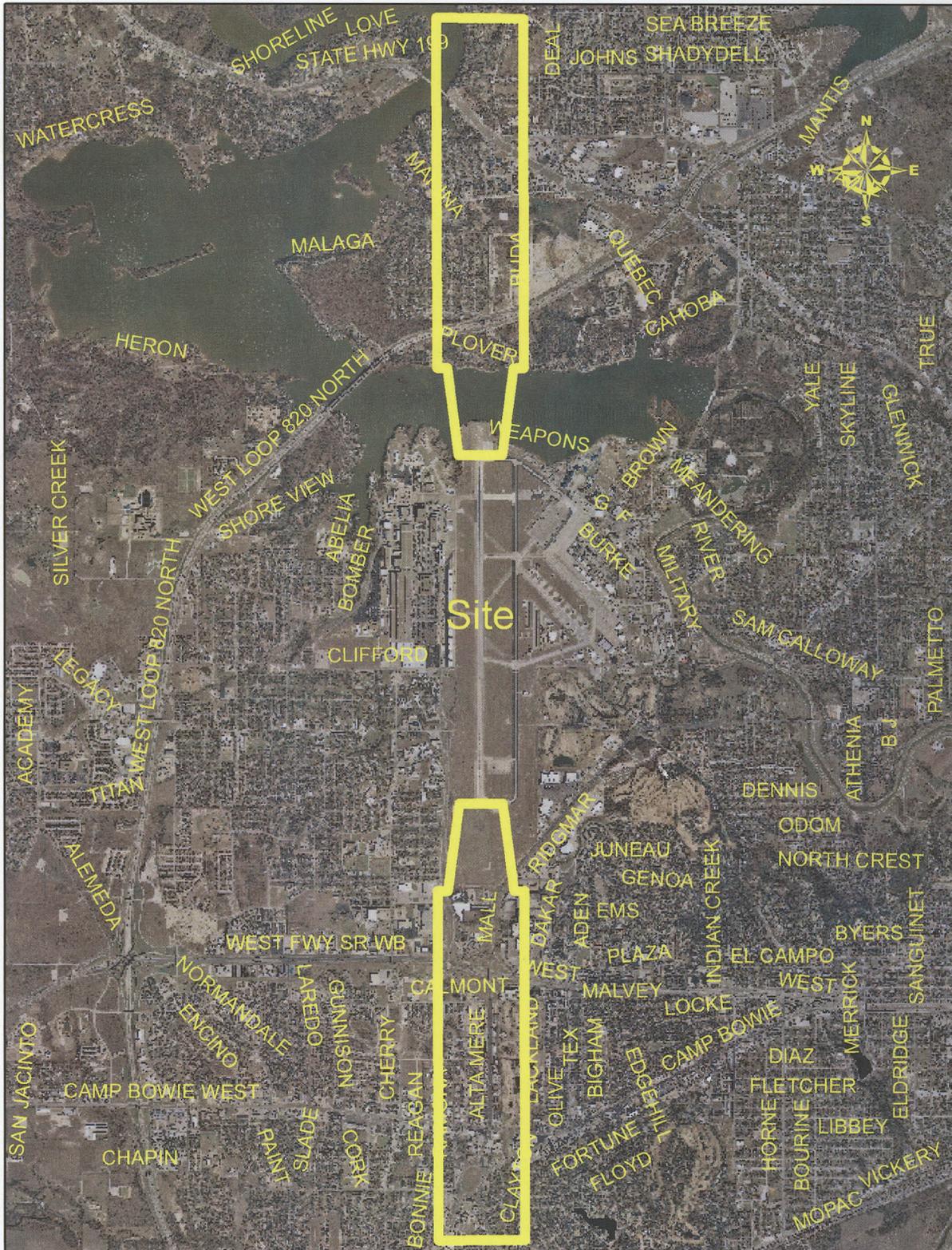


5,000 2,500 0 5,000 Feet

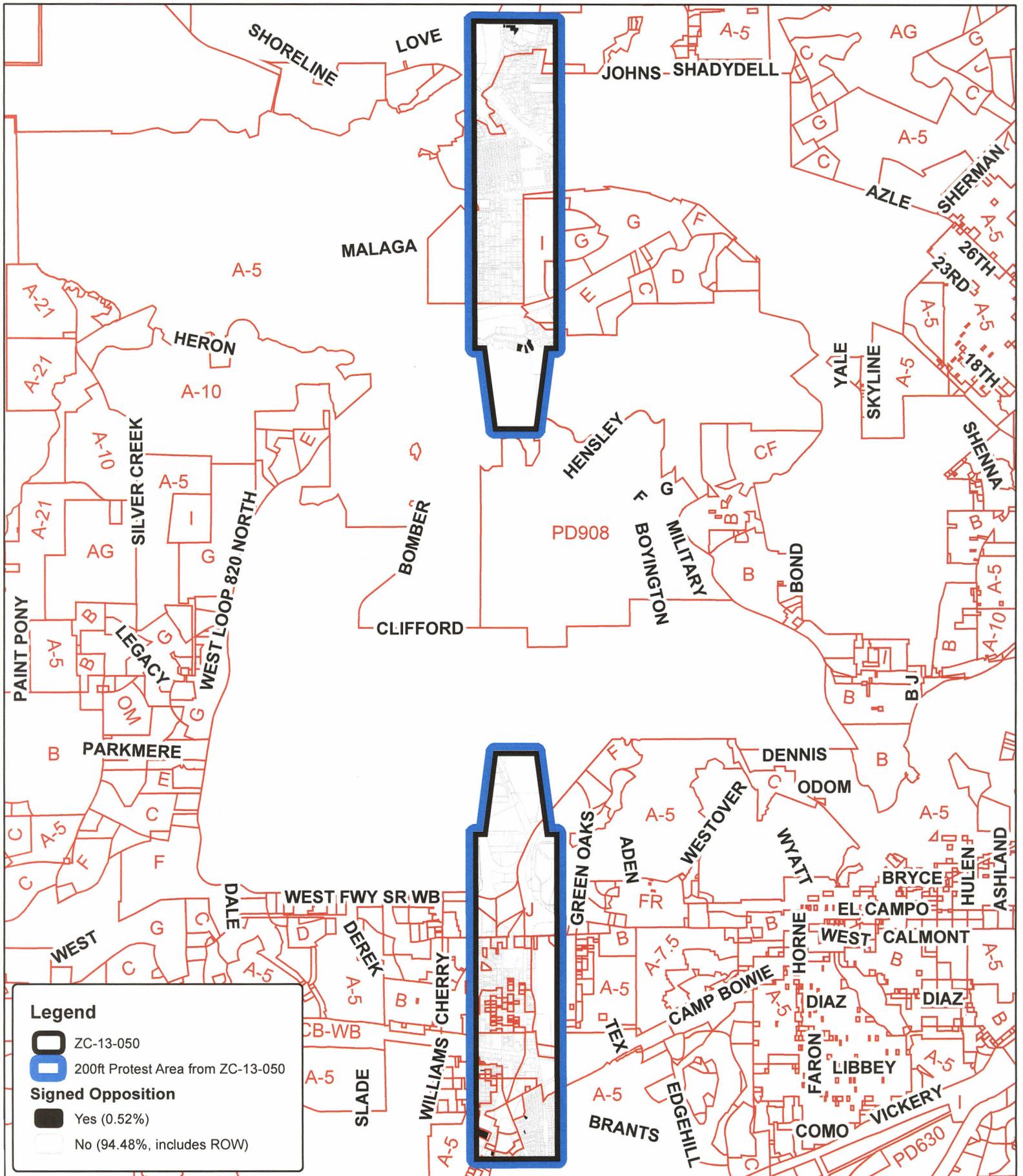
A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 219.005.) Land use designations were approved by City Council on March 5, 2013.



Aerial Photo Map



20% Protest Area for ZC-13-050



Planning & Development
Department 3/27/13 - BK



100 Feet

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Ms. Judy Raab, 801 Cherry Street, Suite 3700, completed a comment card in opposition of Zoning Docket ZC-13-034.

Motion: Council Member Scarth made a motion, seconded by Council Member Burns, that Zoning Docket ZC-13-034 be denied without prejudice. The motion carried 8 ayes to 1 nay with Council Member Bivens casting the dissenting vote.

The City Council at its regular meeting of July 9, 2013, continued ZC-13-049.

3. ZC-13-049 - (CD-ALL) - City of Fort Worth Planning & Development; Text Amendment: Airport Overlay and Compatible Use Zones; 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 (1986), to amend: Article 4 "Overlay Districts", of Chapter 4, "District Regulations" to add a new section, Section 4.405 "Airport/Airfield Overlay ("AO") District"; Providing for regulations for Airport Overlay Zones and Compatible Use Zones ("AO-CUZ") Restrictions for incompatible uses within Clear Zones and Accident Potential Zones for the Naval Air Station Fort Worth Joint Reserve Base; and to revise Chapter 9, "Definitions" to add definitions related to airports (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Jo LaMarca, PO Box 748, MZ 1224, completed a speaker card in support of Zoning Docket ZC-13-049 and was recognized by Mayor Price but was not present in the Council chamber.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket ZC-13-049 be continued to the August 20, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

The City Council at its regular meeting of July 9, 2013, continued ZC-13-050.

4. ZC-13-050 - (CD 3, CD 7) - City of Fort Worth Planning and Development, North and South of NAS FW JRB Runways; from: various zoning districts to: add Airport Overlay/Compatible Use Zone Overlay Districts (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Kyle Jensen, 1105 Mistletoe Drive, completed an undecided comment card pertaining to Zoning Docket ZC-13-050.

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-13-050 be continued to the August 20, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

2. **ZC-13-049 - (CD-ALL) - City of Fort Worth Planning & Development; Text Amendment: Airport Overlay and Compatible Use Zones; 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 (1986), to amend: Article 4 "Overlay Districts", of Chapter 4, "District Regulations" to add a new section, Section 4.405 "Airport/Airfield Overlay ("AO") District"; Providing for regulations for Airport Overlay Zones and Compatible Use Zones ("AO-CUZ") Restrictions for incompatible uses within Clear Zones and Accident Potential Zones for the Naval Air Station Fort Worth Joint Reserve Base; and To revise Chapter 9, "Definitions" to add definitions related to airports To review the proposed amendments: <http://www.fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx> (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)**

The City Council at its regular meeting of June 4, 2013, continued ZC-13-049.

Captain Robert Bennett, 1510 Chennault Avenue, completed a speaker card in support of Zoning Docket ZC-13-049 and was recognized by Mayor Price but was not present in the Council Chamber.

Mr. David Patterson, 1500 Aden Road, completed a comment card in support of Zoning Docket ZC-13-049.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket ZC-13-049 be continued to the August 6, 2013, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

3. **ZC-13-050 - (CD 3, CD 7) - City of Fort Worth Planning and Development, North and South of NAS FW JRB Runways; from: various zoning districts to: add Airport Overlay/Compatible Use Zone Overlay Districts (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)**

The City Council at its regular meeting of June 4, 2013, continued ZC-13-050.

Mr. David Patterson, 1500 Aden Road, completed a comment card in support of Zoning Docket ZC-13-050.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket ZC-13-050 be continued to the August 6, 2013, Council meeting. be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

Mr. Cecil Collier, 6200 Pershing Avenue #181
Mr. Cleveland Harris, 1037 Colvin Avenue

Mr. Monnie Gilliam, 1100 Vicki Lane, completed a speaker card in opposition of Zoning Docket ZC-13-044, but did not wish to address the Council.

Mr. Johnny Lewis, 953 East Terrell Avenue, completed a comment card in opposition of Zoning Docket ZC-13-044.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Burns, that Zoning Docket No. ZC-13-044 be continued to the June 4, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

10. **ZC-13-049 - (CD-ALL) - City of Fort Worth Planning & Development; Text Amendment: Airport Overlay and Compatible Use Zones; 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 (1986), to amend: Article 4 "Overlay Districts", of Chapter 4, "District Regulations" to add a new section, Section 4.405 "Airport/Airfield Overlay ("AO") District"; Providing for regulations for Airport Overlay Zones and Compatible Use Zones ("AO-CUZ") Restrictions for incompatible uses within Clear Zones and Accident Potential Zones for the Naval Air Station Fort Worth Joint Reserve Base; and To revise Chapter 9, "Definitions" to add definitions related to airports. (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)**

The City Council at its regular meeting of April 2, 2013, continued ZC-13-049.

Ms. Rachel Wiggins, 1510 Chennault Avenue, completed a speaker card in support of Zoning Docket ZC-13-049 but did not wish to address the Council.

Council Member Shingleton requested that ZC-13-049 and ZC-13-050 be considered at the same time.

11. **ZC-13-050 - (CD 3, CD 7) - City of Fort Worth Planning and Development, North and South of NAS FW JRB Runways; from: various zoning districts to: add Airport Overlay/Compatible Use Zone Overlay Districts (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)**

The City Council at its regular meeting of April 2, 2013, continued ZC-13-050.

Ms. Rachel Wiggins, 1510 Chennault Avenue, completed a speaker card in support of Zoning Docket ZC-13-050 but did not wish to address the Council.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket Nos. ZC-13-049 and ZC-13-050 be continued to the June 4, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

Council Member Burns left his place at the dais.

12. **ZC-13-053 - (CD 4) - LTT Investment Corp., 3820 Marigold Avenue; from: "A-7.5" One-Family to: "ER" Neighborhood Commercial Restricted (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-13-053 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Burns absent.

13. **ZC-13-054 - (CD 8) - Octapharma Plasma, Inc., 2549 Newark Avenue, 2552 Sargent Street; from: "A-5" One-Family to: "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed Use plus parking lot; site plan included. (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Allen Gray made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-13-054 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Burns absent.

14. **ZC-13-055 - (CD 2) - Centurion Aquisitions, LP, 14151 Willow Springs Road; from: "E" Neighborhood Commercial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-13-055 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Burns absent.

15. **ZC-13-056 - (CD 7) - HV Harmon Road L. P., 8741 Harmon Road; from: "A-5" One-Family and "PD-556" Planned Development for "E" Neighborhood Commercial uses with 20 ft. landscape strip along the southern property line, adjacent to the proposed ROW; site plan waived. to: "FR" General Commercial Restricted (Recommended for Approval by the Zoning Commission)**

Mr. Bill Boomer, 6610 Bryant Irvin Road, Suite 200, completed a comment card in support of Zoning Docket ZC-13-056.

13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend: Article 4 "Overlay Districts", of Chapter 4, "District Regulations" to add a new section, Section 4.405 "Airport/Airfield Overlay ("AO") District"; Providing for regulations for Airport Overlay Zones and Compatible Use Zones ("AO-CUZ") Restrictions for incompatible uses within Clear Zones and Accident Potential Zones for the Naval Air Station Fort Worth Joint Reserve Base; and To revise Chapter 9, "Definitions" to add definitions related to airports. To review the proposed amendments: <http://www.fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx> (Recommended for Approval by the Zoning Commission)

Ms. Rachel Wiggins, 1510 Chennault Avenue, completed a speaker card in support of Zoning Docket No. ZC-13-049, but did not wish to address the Council.

Mr. Jim Schell, 500 West 7th Street, 6th Floor, completed a speaker card in opposition of Zoning Docket No. ZC-13-049, but did not wish to address the Council.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-13-049 be continued until the May 7, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

18. ZC-13-050 - (CD 3, CD 7) - City of Fort Worth Planning and Development, North and South of NAS FW JRB Runways; from: various zoning districts to: add Airport Overlay/Compatible Use Zone Overlay Districts (Recommended for Approval by the Zoning Commission)

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-13-050 be continued until the May 7, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 13896 for the above listed cases, Council Member Zimmerman made a motion, seconded by Council Member Shingleton, that the hearing be closed and that Ordinance No. 20689-04-2013 be adopted. The motion carried 9 ayes to 0 nays.

XIV. REPORT OF THE CITY MANAGER

B. General

1. M&C G-17848 - Ratify Expenditures in the Amount of \$1,752,038.08 and Authorize Increase of Additional Funds in the Amount of \$1,201,272.00 for the

22. ZC-13-050 City of Fort Worth Planning & Development Department Map Amendment (CD All) – Airport Overlay/Compatible Use Zones from various districts to add Airport Overlay/Compatible Use Zone Overlay

Jocelyn Murphy, Planning Manager, City of Fort Worth explained to the Commissioners the map amendment runs with the text amendment.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Mr. Ferrell. The motion carried unanimously 7-0.

**Meeting adjourned: 4:13 p.m.
3/13/13**

Dana Burghdoff, Executive Secretary and Deputy Director, Planning and Development Department

Charles Edmonds, Acting Chair