



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
May 7, 2013

Council District 2

Zoning Commission Recommendation:
Denial without Prejudice by a vote of 8-0

Opposition: none

Continued Yes ___ No X
Case Manager Stephen Murray
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: St. Thomas the Apostle Church/Catholic Diocese of Ft. Worth

Site Location: 2920 N.W. 27th Street Mapsco: 61C

Proposed Use: Neighborhood Commercial

Request: From: "CF" Community Facilities
To: "ER" Neighborhood Commercial Restricted

Land Use Compatibility: Requested change is not compatible.

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

Background:

The proposed site is located near the corner of Macie Avenue and NW 27th Street. The applicant would like to amend the zoning from "CF" Community Facilities to "ER" Neighborhood Commercial Restricted for a small commercial development.

In 2008, St. Thomas the Apostle Church changed the zoning from "B" to "CF" with plans to expand church operations across the street. A small church office and parking lot was constructed shortly thereafter. The church would like to now sell the property for commercial purposes.

Site Information:

Owner: Catholic Diocese of Fort Worth
St. Thomas the Apostle Church
800 W Loop 820 S
Fort Worth, TX 76108

Agent: Ronnie Herrera
Acreage: 0.33 ac
Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:
North "B" Two-Family / Single-family residential
East "B" Two-Family / Single-family residential
South "B" Two-Family / Single-family residential
West "B" Two-Family / Place of worship

Recent Relevant Zoning and Platting History:

Zoning History: ZC-08-028, from "B" Two-Family to "CF" Community Facilities, approved 5/9/08

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Macie Avenue	Residential	Residential	No
NW 27 th Street	Residential	Residential	No

Public Notification:

The following Neighborhood Associations were notified:

Organizations Notified	
Far Greater Northside Historical	FWISD

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change from a "CF" Community Facilities to "ER" Neighborhood Commercial Restricted for the construction for commercial redevelopment. Predominant land uses surrounding the site are single-family residences with the St. Thomas Catholic Church southwest of the site.

In 2008, zoning for the site was changed in order to expand the church use for parking and a small building across the street. The property is no longer needed by the church, and in order to maximize the current building and parking; the applicant would like to rezone the site for neighborhood commercial purposes.

The proposed site is located on a residential street and surrounded by single-family uses on three sides. The church use is permitted within a residential area, however, the proposed changed to commercial will encroach into the neighborhood, and split the single-family residential uses to the north and south. Commercial uses are located in close proximity to the southwest, but these sites are located along Azle Avenue, a collector street which is appropriate for many neighborhood commercial uses.

Due to the location and proximity to residential, the proposed ER **is not compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

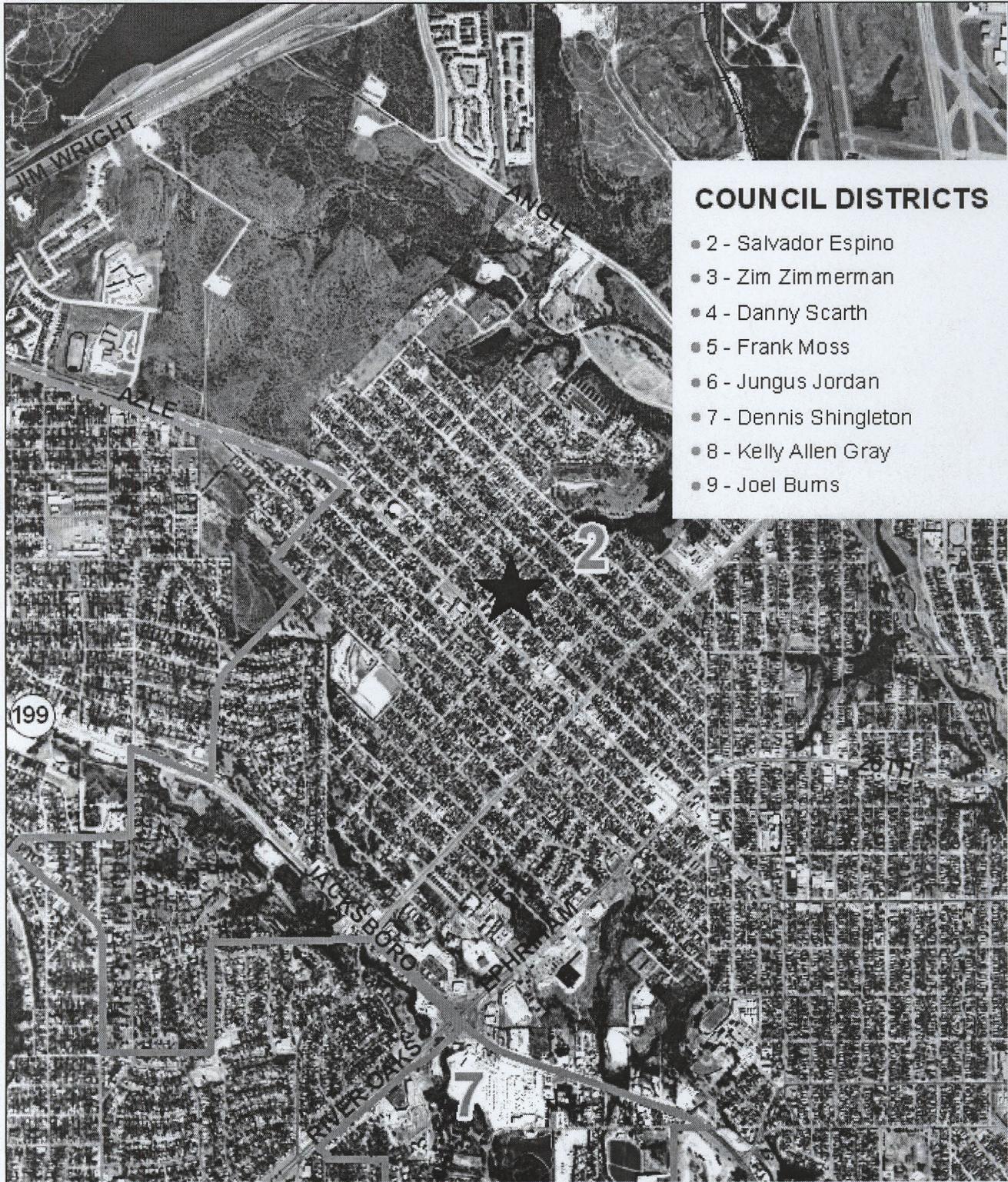
The 2013 Comprehensive Plan designates the site as single-family residential. The proposed "ER" at this location is inconsistent to the following Comprehensive Plan policies:

- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces (pg. 37)
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 38)

Based on the lack of conformance with the future land use map and policies stated above the zoning change request **is not consistent** (*Significant Deviation*) with the Comprehensive Plan.

Attachments:

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



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 Bums



2,000 1,000 0 2,000 Feet





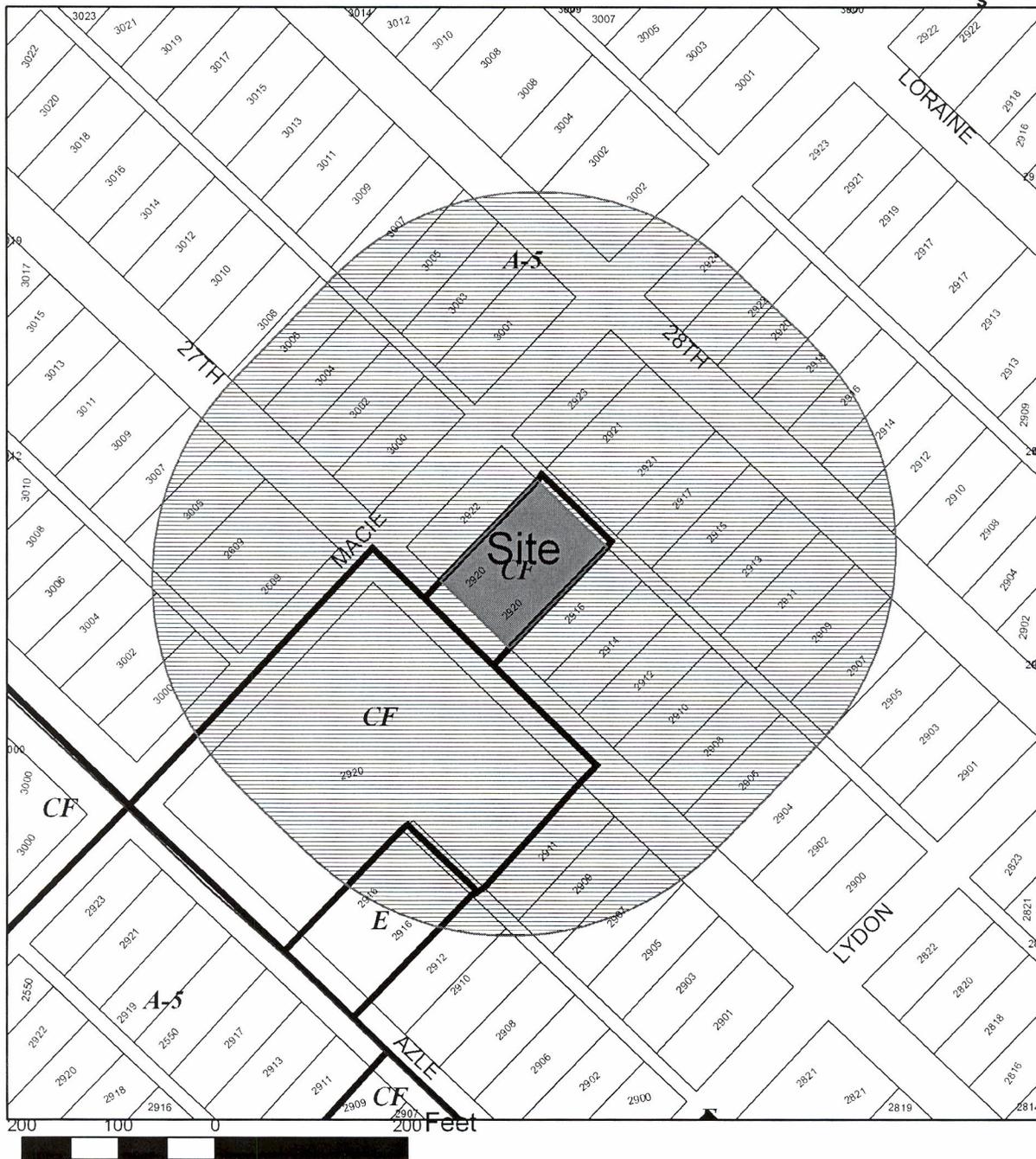
ZC-13-062

Area Zoning Map

Applicant: St. Thomas the Apostle Church
 Address: 2920 NW 27th Street
 Zoning From: CF
 Zoning To: ER
 Acres: 0.33
 Mapsco: 61C
 Sector/District: Northside
 Commission Date: 04/10/2013
 Contact: 817-392-8043



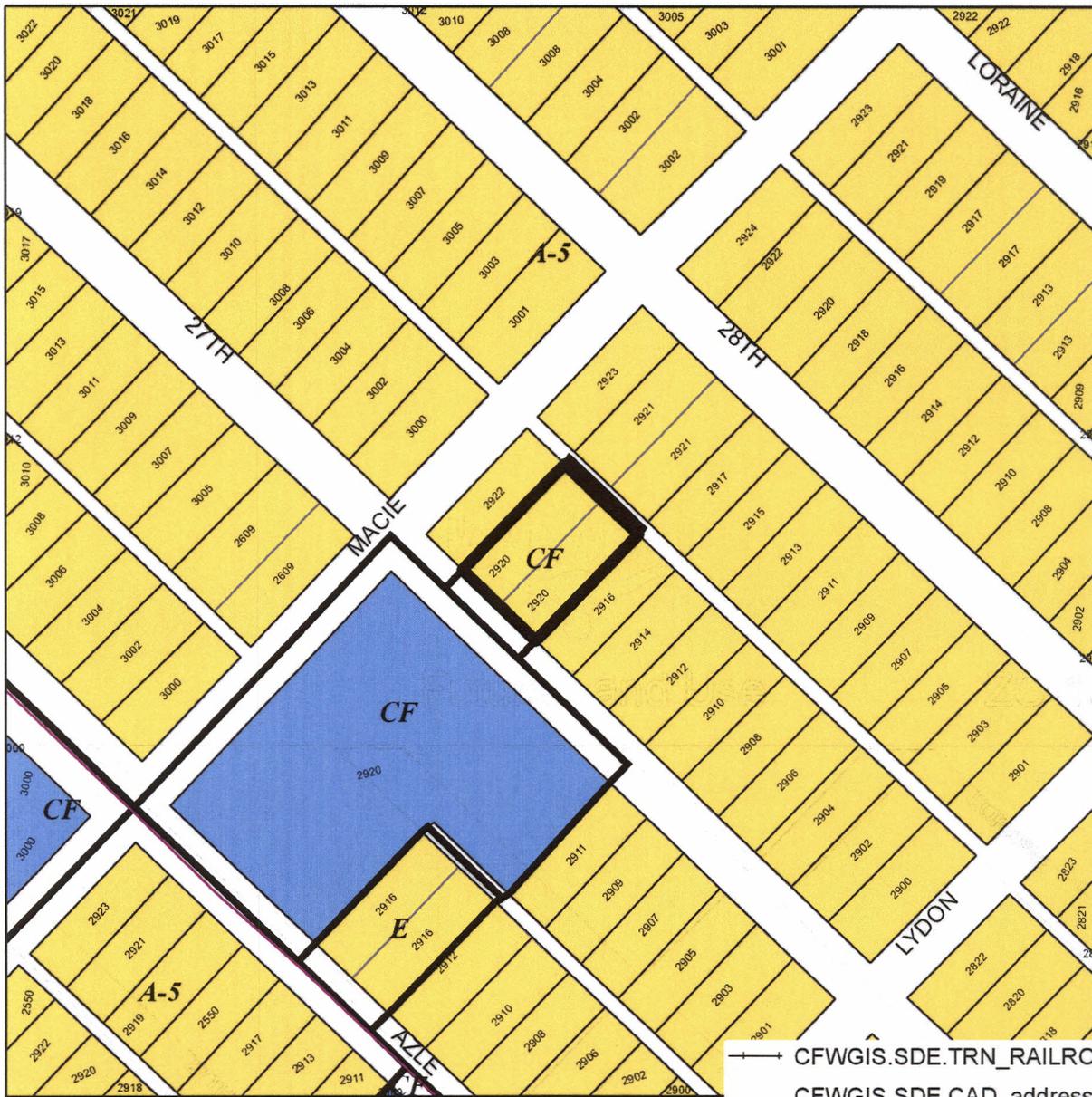
 300 Ft. Notification Buffer





Future Land Use

ZC-13-062



- 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

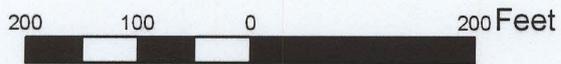
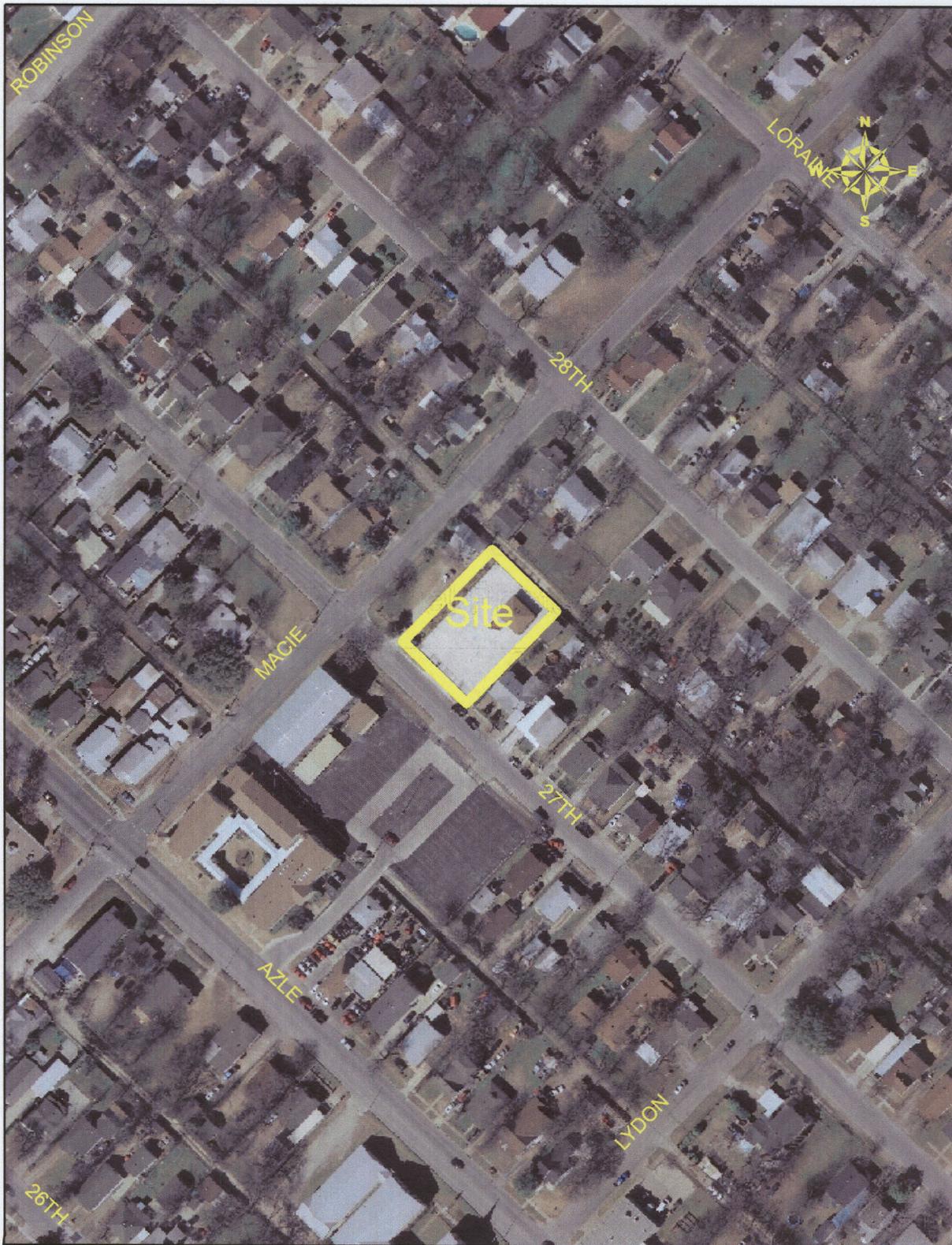
- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



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



Aerial Photo Map



In rebuttal, Mr. Newsome said they have been aware of Ms. Field's concerns. They met with her after the meeting on Tuesday night and discussed the landscaping in the alley. He mentioned there is a significant grade change of about 10 feet below Forest Park Blvd. and think they have resolved her issue. They have a defined time line to meet the next schedule for TCU's school year and to get the housing built.

Mr. Schell said the paper alley has utilities in it and if it is treated the same as the parkway then they can plant landscaping and trees.

Ms. Burghdoff said the five site plan comments noted and are they asking for waivers to them. Mr. Schell said yes they are.

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

<i>Document received for written correspondence</i>				<i>ZC-13-061</i>	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Linda Bridwell/Frisco Heights	2936 Forest Park	In		Opposition	Spoke at hearing
Anita Horky/Paschal NA	NA	Out		Support	Sent letter in
Bryan Jamail	2409 W. Cantey	In		Support	Sent letter in
Bill Newsome	601 N. Iowa	Out		Support	Spoke at hearing
Sheryl Field	2720 Forest Park	In		Support	Spoke at hearing

17. ZC-13-062 St. Thomas The Apostle Church-Catholic Diocese of Fort Worth (CD 2) – 4661 and 4717 White Settlement Road (Rosen Heights Second Filing, Block 148, Lots 14 & 15, 0.32 Acres): from “CF” Community Facilities to “ER” Neighborhood Commercial Restricted

Dale Erwin, 8205 Camp Bowie West, Fort Worth, Texas explained to the Commissioners the church owns a little building that is about 900 square feet that site directly behind the main church facility. They have been marketing it for over a year trying to get a community facilities organization in there. Mr. Erwin said the only inquiries they had are from beauty salons, insurance agencies, etc.

Mr. Flores wanted him to clarify what the church is doing. Mr. Erwin said the church on Azle Avenue will be moving in about 18 to 24 months because they have outgrown the facility. The one building they are requesting to rezone has been used for over flow parking. Mr. Flores said the original request back in 2008 was originally for a commercial use and staff had requested they change to a CF zoning for community facilities. Mr. Flores mentioned the letter from Burl Hampton and his support of the rezoning. Mr. Flores asked if he talked with any of the surrounding property owners. Mr. Erwin said he did talk with the property owners adjacent and across the street who thought it was already a commercial building and were in support.

In rebuttal Mr. Erwin said the church doesn't know what it is going to do with the existing building. There has been some discussion that they would keep it for a community facility campus for the north side.

Mr. Flores asked about the committee he talked about. Mr. Erwin said it was the constituents of the church that want to keep this facility as a secondary structure. Mr. Flores said he would like to hear what the committee has in mind.

Ron Herrera is one of the committee members and answered Mr. Flores' question. He said their plan is to move the entire church. The building was originally planned for a youth center which never happened. Mr. Herrera said the church bought 33 acres off of Boat Club Road about eight months ago. Mr. Flores asked if there are any plans to keep the property. Mr. Herrera said no there is not.

Mr. Edmonds mentioned this is the middle of a residential area and the community facility use is more compatible than an ER use.

Mr. Erwin said the church is on a separate lot and this lot needs to be treated separately.

Mr. West asked if they have a contract pending on it. Mr. Erwin said no they do not; they have had several inquiries for a commercial use. Mr. West said not having a specific use on the lot concerns him. Mr. Erwin said most of the people looking at this do not have the money to rezone this small building which is why the church took the initiative to bring the request forward.

Mr. Flores mentioned there was a lot of neighborhood support when the Council-initiated case came through in 2008.

Motion: Following brief discussion, Mr. Flores recommended denial without prejudice of the request, seconded by Mr. West. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>				<i>ZC-13-062</i>	
Name	Address	In/Out 300 notification area	ft	Position on case	
				Summary	
Burl Hampton Jr./Far Northside Historical	NA	Out		Support	Sent letter in

**Meeting adjourned: 3:34 p.m.
4/10/13**

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

Ann Zadeh, Chair