

**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 6, 2013

Council District **5**

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

Opposition: one letter sent in

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

Owner / Applicant: **Emanuel Milledge**

Site Location: 3300 Fite Street MapSCO: 54Z

Proposed Use: **Outdoor Storage for Masonry Business**

Request: From: "AG" Agricultural

 To: "PD/SU" Planned Development/Specific Use for outside storage; site plan waiver requested

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

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

Background:

The owner of the proposed site would like to rezone the property on Fite Street from "AG" Agricultural to "PD/SU" Planned Development/Specific Use for outdoor storage. The application for this case was submitted on December 12, 2012 and was placed on hold for a legal description of the property. The legal description was not received until May at which time the case moved forward. However, the case had reached the maximum six months and had to be acted on by the Zoning Commission at the June 12 hearing. Several attempts were made to contact the applicant to discuss the case and staff did not receive a return call. The applicant was not present for the Zoning Commission meeting.

The zoning case was continued at the July 9, 2012 City Council meeting upon request of the applicant's daughter, asking for more time. Staff received information stating that the materials to be stored on the site are for the business, which is a masonry contractor. The business office is offsite but all of the tools and equipment used to operate the business are stored on this site. Items to be stored on the site shall include rocks, brick, bags of mortar, mixers, scaffolding, pumps, hoses, etc. The site is expected to be accessed at least twice daily to pick up and drop off these items.

The site has been cited by Code Compliance for the outdoor storage and condition of the fencing. The Code case has been delayed during the continuances of the zoning case.

The Comprehensive Plan for this area was changed to single family several years ago to support the re-growth of the Mosier Valley community. Three single-family homes are located to the north of the subject property.

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

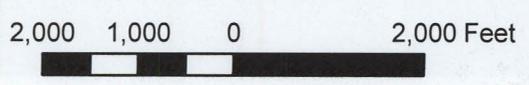
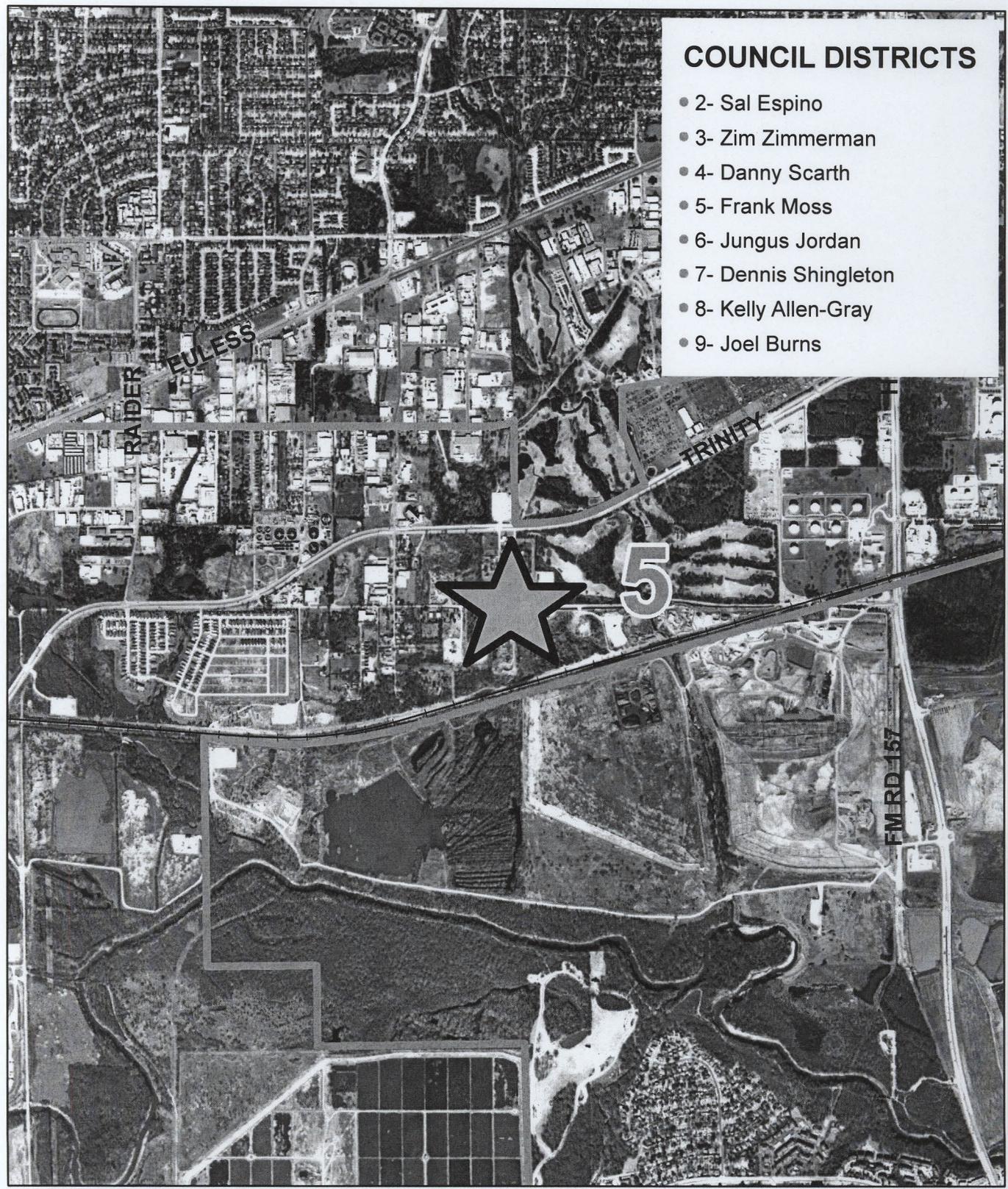
Attachments:

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

Location Map

COUNCIL DISTRICTS

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



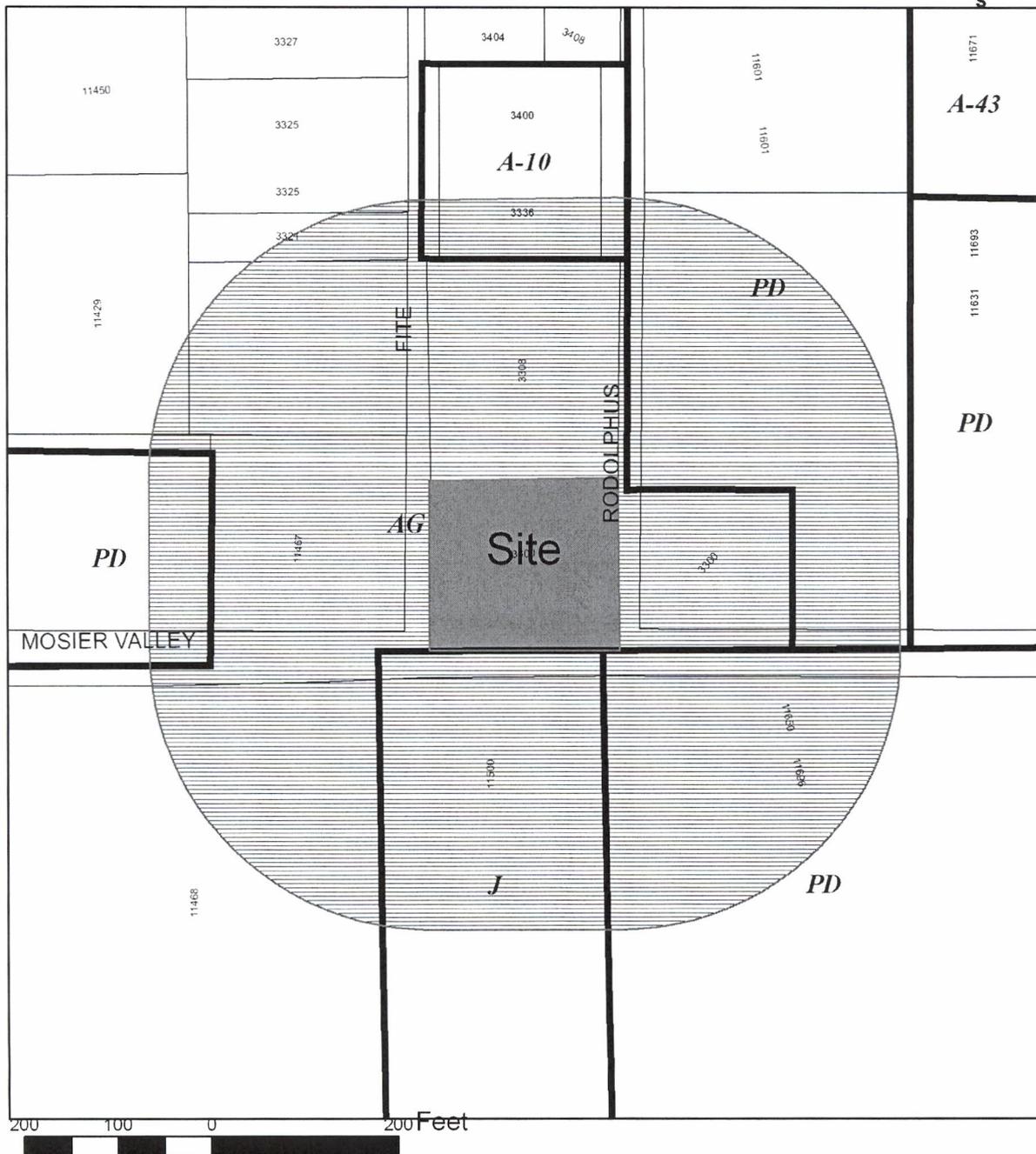


Area Zoning Map

Applicant: Emanuel Milledge
Address: 3300 Fite Street
Zoning From: AG
Zoning To: I
Acres: 1.01
Mapsc0: 54Z
Sector/District: Eastside
Commission Date: 06/12/2013
Contact: 817-392-2495



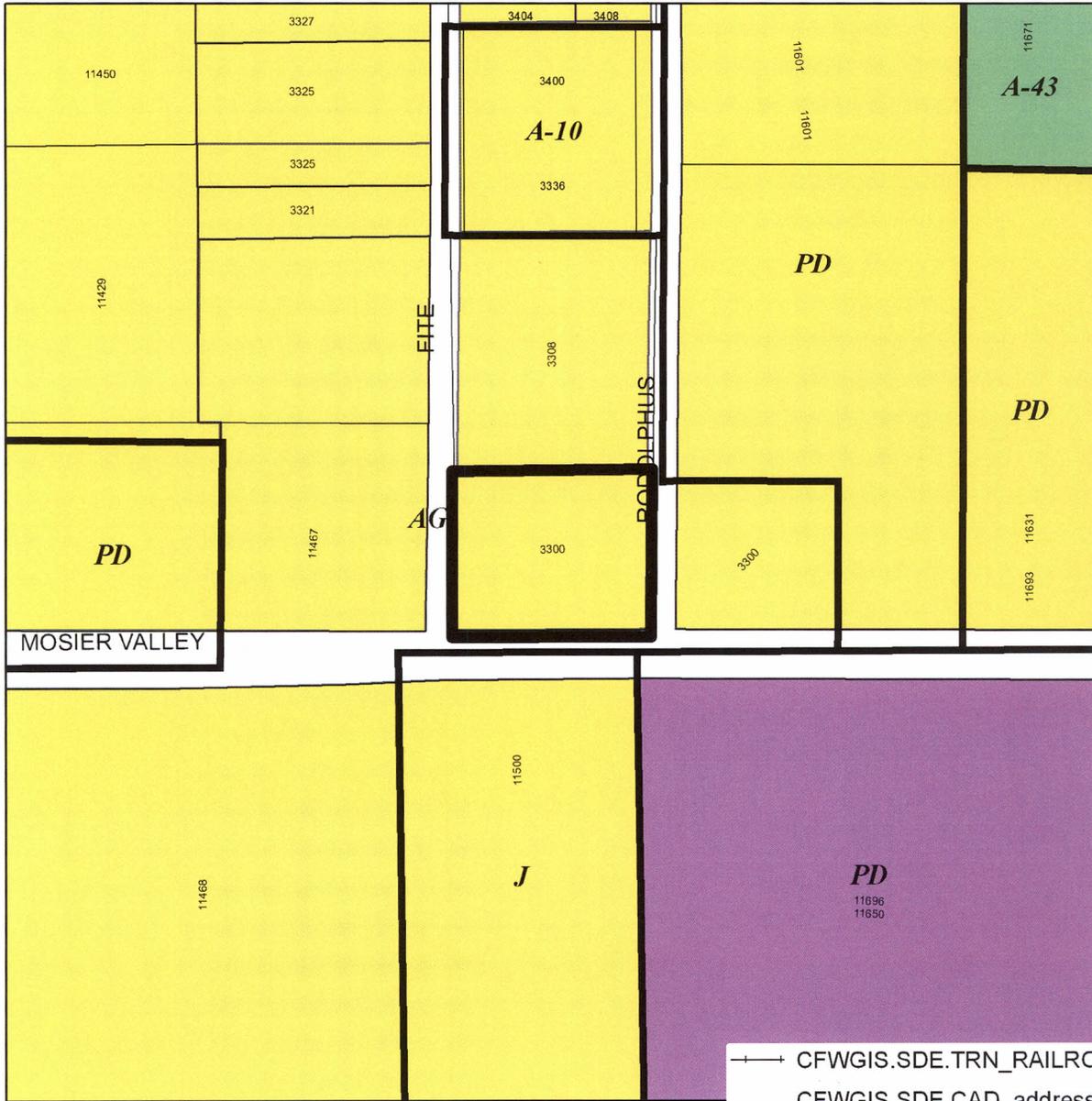
 300 Ft. Notification Buffer





Future Land Use

ZC-13-003



- 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

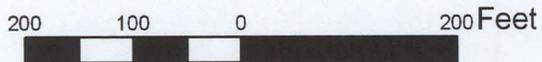
- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



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



3. **Council Proposal No. 296 - Rename a Portion of East 1st Street to Randol Mill Road East of Beach Street**

Note: Council procedure provides that Council proposals are introduced at one meeting and followed by Council action at the next Council meeting.

The following individuals appeared before Council in opposition of Council Proposal No. 296.

Ms. Libby Willis, 2300 Primrose Avenue
Mr. Rick Herring, 1811 North Riverside Drive

The following individuals completed a comment card in opposition of Council Proposal No. 296.

Ms. Mary Kelleher, 7901 Randol Mill Road
Ms. Jackie Band, 7249 Specklebelly Lane
Ms. Melissa McDougall, 2971 Seguin Trail

XVI. **PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES**

There were no presentations and/or communications from boards, commissions and/or City Council committees.

XVII. **ZONING 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 June 21, 2013.

Mayor Price opened the public hearing.

1. **ZC-13-003 - (CD 5) - Emanuel Milledge, 3300 Fite Street; from: "AG" Agricultural to: "PD/SU" Planned Development/Specific Use for outside storage; site plan waiver requested. (Recommended for Denial without Prejudice by the Zoning Commission)**

Ms. Melita Pryor, 3300 Fite Street, appeared before Council in support of Zoning Docket ZC-13-003 and requested that the zoning case be continued for 30 days.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-003 be continued to the August 6, 2013, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Espino absent.

**City of Fort Worth, Texas
Zoning Commission
June 12, 2013–Meeting Minutes**

Present:

Ann Zadeh, Chair, District 1
 Carlos Flores, District 2
 Robert West, District 3
 Charles Edmonds, Jr., 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
 Melinda Ramos, Sr. Assistant City Attorney

Absent:

Namon Hollis, District 6

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. Edmonds, seconded by Mr. Genua, on a vote of 8-0, voted to approve as amended the Zoning Commission minutes of the May 8, 2013 meeting

Video on individual cases can be viewed at the following website.

http://fortworthgov.granicus.com/ViewPublisher.php?view_id=2

III. New Cases

1. ZC-13-003 Emanuel Milledge (CD 5) 3300 Fite Street (House Kitty Survey, Abstract No. 678, Tract 4C, 0.97 Acres): from “AG” Agricultural to “PD/SU” Planned Development/Specific Use for outside storage; site plan waiver requested

The applicant was not present to discuss the case. On a motion by Mr. Edmonds, seconded by Ms. Conlin, voted to move the case to the end of the agenda. The case was called and a motion was made by Mr. Ferrell to continue the case. Ms. Murphy explained to the Commissioners the case has reached the six month time frame and has to be acted upon.

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

| <i>Document received for written correspondence</i> | | | | <i>ZC-13-003</i> | |
|---|-----------------|---|-----------|-------------------------|----------------|
| Name | Address | In/Out 300 notification area | ft | Position on case | Summary |
| ATR Partnership/Ron Graves | 11457 Valley | Mosier | In | Opposition | Sent letter in |