



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
September 10, 2013

Council District 3

Zoning Commission Recommendation: Denial by a vote of 7-1 Opposition: 2 people spoke	Continued	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Case Manager	<u>Crystal Castoreno</u>	
	Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Council Initiated	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Owner / Applicant: **Caroline Schrader**

Site Location: 5101 Helmick Avenue Mapsco: 75S

Proposed Use: **Outdoor Storage and Parking for Fence Company**

Request: From: "A-5" One-Family
To: "PD/I" Planned Development for "I" Light Industrial for outside storage and parking only; site plan waiver requested

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

Comprehensive Plan Consistency: Requested change **is not consistent.**
(Minor Boundary Adjustment)

Background:
The applicant is proposing to rezone the site from "A-5" One-Family to "PD/SU" Planned Development/Specific Use for outdoor storage plus employee parking. The primary business is Buzz Fence located south of this proposed rezoning which fronts Vickery Boulevard.

The business owner has been using the site, zoned for single family uses, for storage of fence materials. Code Compliance was asked to visit the site and has been working with the owner to either remove the outdoor storage or rezone the property to make the storage legal. At this time, the business owner is accessing the property by crossing an undeveloped alley. No materials are being stored in this alley at this time. The owner intends to access the subject site via the public streets or across the alley if possible. Staff observation during the site visit was that the roads accessing the property were minimally sized and possibly not adequate for nonresidential traffic.

This area was part of a Council initiated rezoning in 2004, and was changed to single family with the goal of redevelopment of the Como community. The area currently includes industrial to the east, a horse stable to the north, and three homes to the west of the subject property.

The case was continued at the Zoning Commission for 60 days to provide time for the applicant to meet with the Como and East Libbey Ave. neighborhood representatives. It is understood that meetings were held and the applicants were invited but did not attend. The applicant had requested another continuance at the August 14 Zoning Commission meeting, however the Commission made a recommendation of denial.

Site Information:

Owner: Eric Schrader
6601 River Bend Rd.
Fort Worth, TX 76132

Acreage: 0.14 ac
Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:
North "A-5" Single Family/ horse stable
East "I" Industrial / industrial
South "I" Industrial / fence company
West "A-5" Single Family/ outside storage

Recent Relevant Zoning and Platting History:

Zoning History: None
Platting History: None

Public Notification:

The following Organizations were notified: * denotes closest registered neighborhood associations

Organizations Notified	
* Lake Como/Vickery Redevelopment	FWISD
* Como	

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Helmick Avenue	2 way, Residential	Local Road	No

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change from "A-5" One-Family to "PD/I" Planned Development for I with outdoor storage and employee parking only. Predominant land uses surrounding the proposed site are stables to the north, outdoor storage to the west, and a parking lot for industrial uses to the east. The fencing company is located to the south across the alley.

Based on surrounding nonresidential land uses, the proposed zoning **is compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2013 Comprehensive Plan designates the site as single-family. The proposed zoning is not consistent with the following Comprehensive Plan policies:

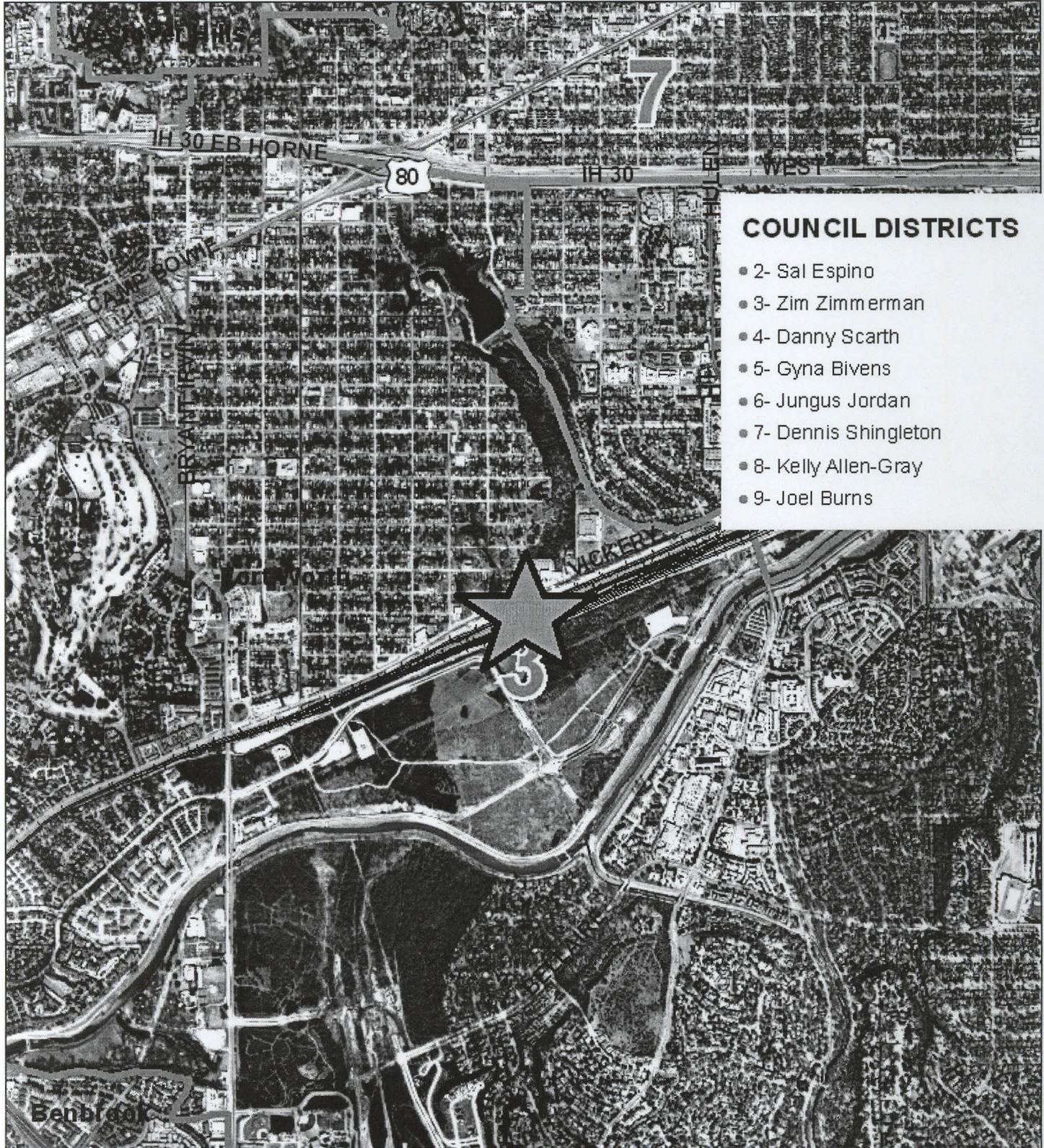
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses.

Based on lack of conformance with the future land use map and policy stated above, the proposed zoning **is not consistent** with the Comprehensive Plan. The primary use of the site would be outside storage and would be considered a **Minor Boundary Adjustment**.

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- Gyna Bivens
- 6- Jungus Jordan
- 7- Dennis Shingleton
- 8- Kelly Allen-Gray
- 9- Joel Burns



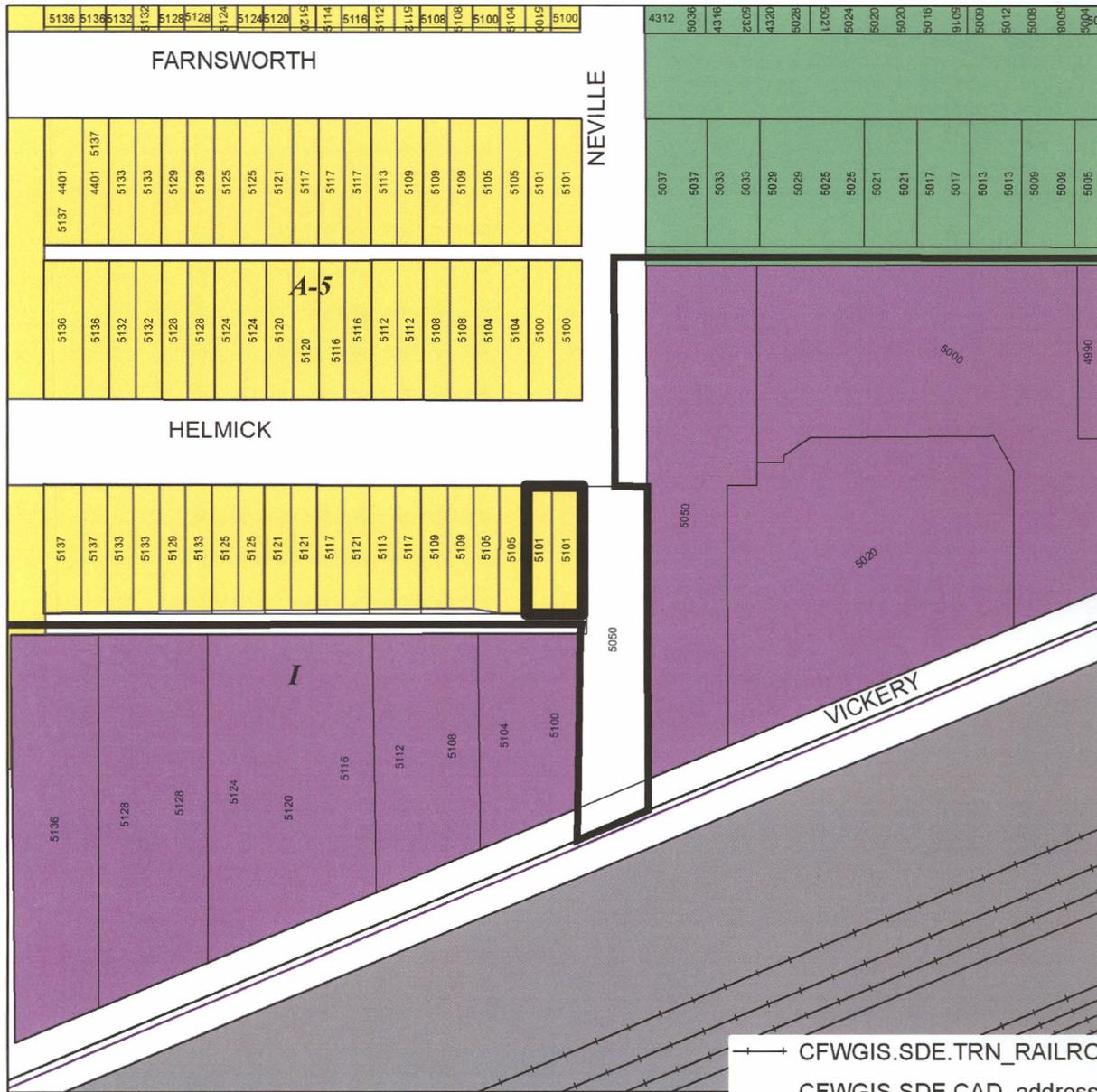
2,000 1,000 0 2,000 Feet





Future Land Use

ZC-13-084



- 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



City of Fort Worth, Texas
Zoning Commission
August 14, 2013 – Meeting Minutes

Present:

Ann Zadeh, Chair, District 1
Carlos Flores, District 2
Robert West, District 3
Charles Edmonds, Jr., District 4
Namon Hollis, 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
Beth Knight, Senior Planner
Melinda Ramos, Sr. Assistant City Attorney

Absent:

Hugh Ferrell, District 5

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 Ms. Conlin, seconded by Mr. Hollis, on a vote of 8-0, voted to approve the Zoning Commission minutes of the July 10, 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-13-084 Caroline Schrader (CD 3) 5101 Helmick Avenue (Chamberlain Arlington Heights Addition, Block 132, Lots 1 & 2, 0.14 Acres): from “A-5” One-Family to “PD/I” Planned Development for “I” Light Industrial for outside storage and parking only; site plan waiver requested

Ms. Murphy mentioned the applicant has requested a 30 day continuance. The applicant was not in attendance.

Tommie Henton, 5017 Wilmenton Drive, Fort Worth, Texas Vice Chair and representing West Vickery Development Organization spoke in opposition. Ms. Henton mentioned she did not receive the information and was not in attendance at the last meeting. She noted a few years ago Como rezoned this area to A-5. She displayed some pictures of the houses within the block and noted there is only one person that lives there. She also displayed some of the items being stored outside in the area.

George Barnes, 5300 Helmick Avenue, Fort Worth, Texas also spoke in opposition. He noted they are trying to revitalize the Como area. There have been several issues with the property owner and complying with Code requirements.

Dave Horger, 1605 Lieschen Court, Arlington, Texas representing Carl Fretwell spoke in opposition. Mr. Fretwell owns the four lots to the west of the subject property. Mr. Horger mentioned there were trailers stored on his property that have been removed. Mr. West asked if he could identify the lots that are owned by his client. Mr. Horger said he owns the four lots to the west.

Motion: Following brief discussion Mr. West recommended a 30 day continuance of the request, seconded by Mr. Flores. On a substitute motion Ms. Reed recommended a denial of the request, seconded by Ms. Conlin. The motion carried 7-1 with Mr. West against.

<i>Document received for written correspondence</i>				ZC-13-084	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Tommie Henton/ West Vickery Development	5017 Wilmenton	Out		Opposition	Spoke at hearing
George Barnes	5300 Helmick	Out		Opposition	Spoke at hearing
Dave Horger for Carl Fretwell	5105 Helmick	In		Opposition	Spoke at hearing
Maurice Barnes/ Zion Baptist Church	5101 Helmick	Out		Opposition	Sent letter in

2. ZC-13-088 Frances Clark and Phillip Sotel (CD 7) 3295 Keller Haslet Road (J. Matthews Survey, Abstract 1021, 35.33 Acres): from Unzoned to “C” Medium Density Multifamily

Dennis Hopkins, P.O. Box 630, Arlington, Texas representing Frances Clark and Phillip Sotel explained to the Commissioners the applicant has entered into a contract to purchase the property with time constraints. Mr. Hopkins noted he sent a letter on June 28, 2013 to the respected neighborhoods explaining what their intention was for this property; a copy was submitted for the public record. He said he had received no correspondence from the neighborhood. Mr. Hopkins said the property is 35 acres and approximately 10 acres of that cannot be developed because the client is required to dedicate 100% of North Beach Street, a 130 ft. row and an additional 55 ft. for the dedication of Keller Haslet Road.

Mr. Genua asked if he could show on the map the 130 ft. row. Mr. Hopkins said it will continue north and that this has been on the Master Thoroughfare Plan for some time. He said the single-family did not have to dedicate when they platted.

Mr. Edmonds asked about a development agreement signed in 2011. Mr. Hopkins mentioned it was a voluntary annexation. When they entered into the development agreement it was determined that the property would be zoned in accordance with the Comprehensive Plan which was Mixed Use at that time. He noted that some time in 2012 the Comprehensive Plan changed to Industrial and that was after his client had executed an agreement. He requested at a recent City Plan Commission meeting that the Comprehensive Plan revert back to the Mixed Use that was in place in 2011.

Lawrence Jamison, 4025 Alderbrook Lane, Fort Worth, Texas spoke in support.