

**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
September 10, 2013

Council District 2

Zoning Commission Recommendation:
Approval 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: Thomas Blanton

Site Location: 4000 - 4100 blocks Angle Ave Mapsco: 47V

Proposed Use: Multifamily

Request: From: "PD-917" "PD/K" Planned Development for "K" Heavy Industrial plus rolling mills, rock, cement crushers and stone quarries; wholesale storage of petroleum products; oil drilling and production; manufacture of heavy rubber products. A site development plan shall be provided for administrative review by the Planning & Development Department for the following uses per Section 4.305(D) of the Comprehensive Zoning Ordinance: recycling center, waste tire facility; facilities handling, processing, and loading of municipal solid waste and recyclable materials for transportation at transfer stations, storage, processing, bailing or reclamation of paper, glass, wood, metals, plastics rags, junk, concrete, asphalt and other materials and materials recovery facilities and recycling centers; composting for yard and wood wastes, municipal solid waste, and/or sludge at composting facilities; and processing and storage of scrap tires at waste tire facilities. Site plan waiver recommended for all other uses.

The following uses are prohibited: gambling facilities, circus, adult entertainment, sexually oriented businesses, night clubs, massage parlors, hazardous waste disposal including household hazardous waste, halfway house, horse, dog, or automotive racing, shooting or weapons firing range, disposal, dumping or reducing of offal or dead animals, packing plant, poultry killing or dressing, cotton gin, cotton oil mill, bailing or compress, paper or pulp manufacture, municipal waste landfill

To: "D" High Density Multifamily

Land Use Compatibility: Requested change is compatible.

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

Background:
The applicant is requesting a zoning change of 1.77 acres from PD 917 to "D" High Density Multifamily. The area directly west of the site was rezoned in early 2013 to "D" High Density Multifamily and the applicant would like to obtain additional land to complete the proposed multifamily project.

The primary issue in the earlier zoning case (ZC-12-112) was the reconstruction of Old Denton Rd. The industrial developer was expected to rebuild the road, but concern grew whether the entire road would be built when the multifamily proposal came through. As a result and for approval of the original case, a Memorandum of Understanding was completed and signed by the neighborhoods, councilmember, the industrial developer/owner and the multifamily developer that outlined the timing and financing of the new road.

In 2011, the overall site was identified for heavy industrial uses. Prior to this, the area was designated as a possible future location for a University Campus and Regional Sports & Recreation Complex by *The Northside Economic Development Strategy Final Report*. Adequate land remains to the west of the properties for this campus in the future.

Site Information:

Owner: Thomas Blanton
 777 Main Street
 Suite 3100
 Fort Worth, Texas 76102

Agent: Joe Paniagua
 Acreage: 1.7 acres
 Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

North "D" High Density Multifamily / vacant
 East "PD/K" Planned Development for "K" Heavy Industrial/ vacant
 South "D" High Density Multifamily / vacant
 West "D" High Density Multifamily / vacant

Recent Relevant Zoning and Platting History:

Zoning History: ZC-13-112 from PD 917 to "D" High Density Multifamily, approved 5/2013 (west of the subject property)
 ZC-11-120 Approved by City Council January 27, 2012 for PD/K including numerous uses such as recycling.
 ZC-08-201 Approved by City Council February 12, 2009 for J uses plus a plant to process animal byproducts to biodiesel fuel

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
NW Loop 820	Tollway/Freeway	Tollway/Freeway	No
Old Decatur Road	Two-way Residential	Minor Arterial	Yes
Angle Avenue	Major Arterial	Major Arterial	No

Public Notification:

The following Neighborhood organizations were notified:

Organizations Notified	
Far Greater Northside Historical*	Lake Worth ISD.
Streams & Valleys	FWISD

* Within registered neighborhood association

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to “D” High Density Multifamily. Surrounding uses are primarily vacant. The applicant would like to rezone additional property for a planned multifamily project just west of the proposed site.

This property was originally included within the area directly east which is in the process of being transformed into a heavy industrial complex, including recycling businesses. Old Decatur Road was originally determined to be the buffer between the residential and multifamily uses. The existing creek in the southwestern corner cuts off the subject property from the remainder of the industrial tract, and therefore would be difficult to develop as industrial. As a result, the development into multifamily could act as a buffer for this area.

Based on surrounding land uses and the size of the creek to the east, the proposed zoning **is compatible** at this location.

2. **Comprehensive Plan Consistency**

The 2013 Comprehensive Plan designates the subject property as an Industrial Growth Center. The proposed multifamily component is not compatible with the Northside Economic Development Strategy Final Report, which envisions a University and regional sports complex. The requested zoning change is not consistent with the following Comprehensive Plan policies:

- Accommodate higher density residential in and mixed uses in areas designated as mixed-use growth center on the City’s future land use maps (pg 37)
- Locate large industrial uses along rail lines, highways, or airports within industrial growth centers and other appropriate locations. (pg. 38)
- Discourage the location of industrial uses adjacent residential districts (pg 38)

Based on nonconformance with the future land use map and the policies stated above, the proposed zoning **is not consistent (Minor Boundary Adjustment)** with the Comprehensive Plan. However, the subject property will be included into a development area already approved for multifamily residential and the adjacent creek and floodplain could serve as a buffer to the future industrial uses. (Minor Boundary Adjustment)

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 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

Noise Contours DECIBEL

	65 dnl
	70 dnl
	75 dnl
	80 dnl
	85 dnl



2,000 1,000 0 2,000 Feet

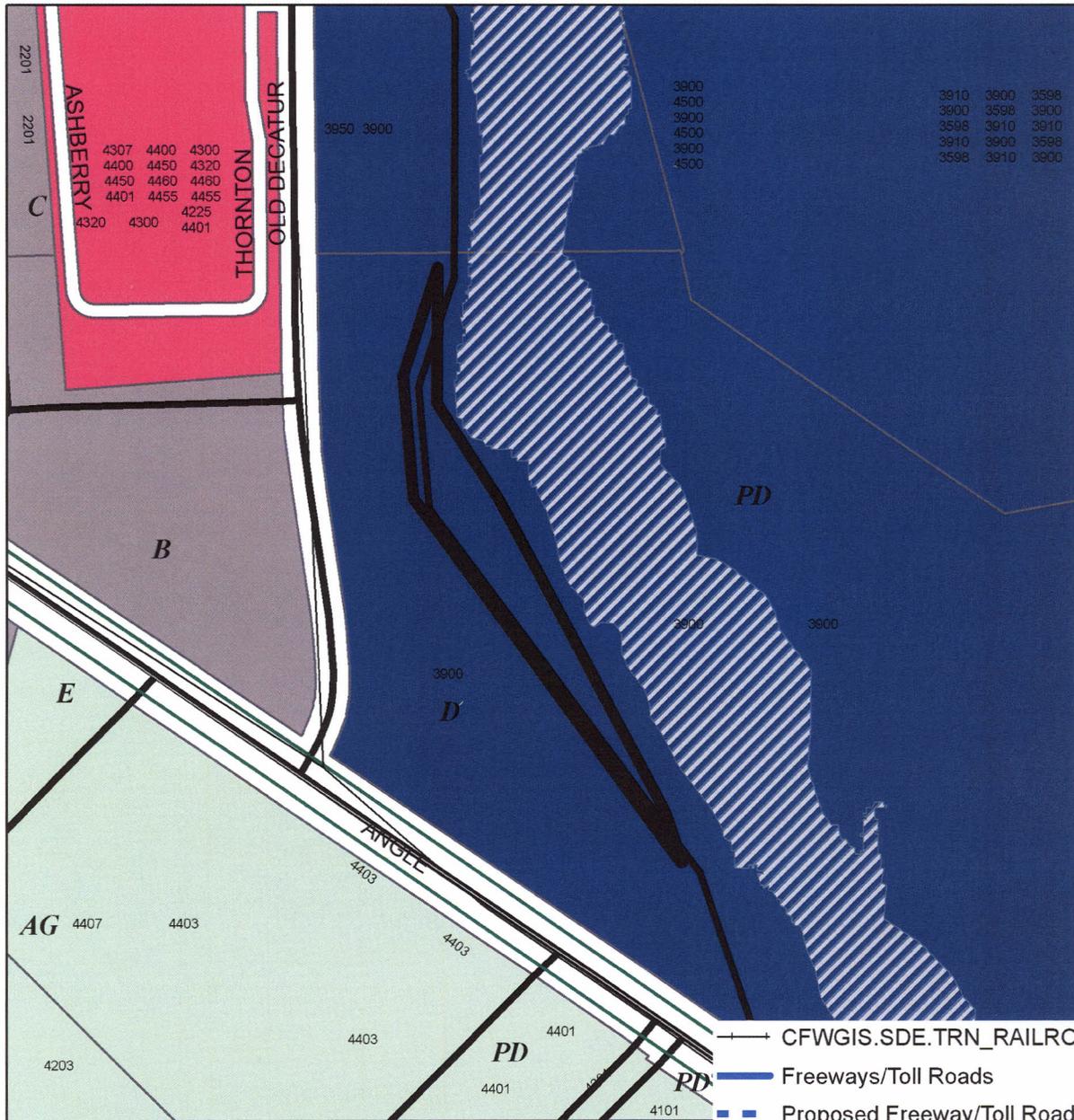




4000 - 4100 blocks Angle Avenue

Future Land Use

ZC-13-117



- | | | |
|-----------------------------------|-------------------------|--------------------------|
| Vacant, Undeveloped, Agricultural | Neighborhood Commercial | General Commercial |
| Rural Residential | Light Industrial | Heavy Industrial |
| Suburban Residential | Mixed Use | Industrial Growth Center |
| Single Family Residential | Infrastructure | Lakes and Ponds |
| Manufactured Housing | Public Park, Open Space | Private Park, Open Space |
| Low Density Residential | | |
| Medium Density Residential | | |
| High Density Residential | | |
| Institutional | | |
-
- | | |
|----------------------------|-----------------------------|
| CFWGIS.SDE.TRN_RAILROADS | Principal Arterial |
| Freeways/Toll Roads | Proposed Principal Arterial |
| Proposed Freeway/Toll Road | Major Arterial |
| | Proposed Major Arterial |
| | Minor Arterial |
| | Proposed Minor Arterial |
-
- FLD_ZONE**
- Floodplain



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 Photograph



500 250 0 500 Feet

Aerial Photography Date February 2011



Jim Schell, 500 W. 7th Street, Suite 600, Fort Worth, Texas representing Jim Ryffel one of the property owners is also requesting a 30 day continuance.

Mr. Hollis asked staff when the property owners were contacted. Ms. Knight said letters were mailed to property owners in late May. Mr. Schell said his client has been out of the state for about six weeks.

Motion: Following brief discussion, Mr. Hollis recommended a 30 day continuance of the request, seconded by Ms. Reed. The motion carried unanimously 8-0.

Document received for written correspondence				ZC-13-116	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Jim Schell/Jim Ryffel	500 W. 7th	In		Opposition	Spoke at hearing/Sent letter in

13. ZC-13-117 Thomas Blanton (CD 2) – 4000 – 4100 Block Angle Avenue (W. Y. Allen Survey, Abstract No.15, 1.77 Acres): from “PD-917” Planned Development for “K” Heavy Industrial plus rolling mills, rock, cement crushers and stone quarries; wholesale storage of petroleum products; oil drilling and production; manufacture of heavy rubber products. A site development plan shall be provided for administrative review by the Planning & Development Department for the following uses per Section 4.305(D) of the Comprehensive Zoning Ordinance: recycling center, waste tire facility; facilities handling, processing, and loading of municipal solid waste and recyclable materials for transportation at transfer stations, storage, processing, bailing or reclamation of paper, glass, wood, metals, plastics rags, junk, concrete, asphalt and other materials and materials recovery facilities and recycling centers; composting for yard and wood wastes, municipal solid waste, and/or sludge at composting facilities; and processing and storage of scrap tires at waste tire facilities. Site plan waiver recommended for all other uses. The following uses are prohibited: gambling facilities, circus, adult entertainment, sexually oriented businesses, night clubs, massage parlors, hazardous waste disposal including household hazardous waste, halfway house, horse, dog, or automotive racing, shooting or weapons firing range, disposal, dumping or reducing of offal or dead animals, packing plant, poultry killing or dressing, cotton gin, cotton oil mill, bailing or compress, paper or pulp manufacture, municipal waste landfill to “D” High Density Multifamily

Joe Paniagua, 8125 Mount Shasta Circle, Fort Worth, Texas representing Thomas Blanton and the NRP Group, potential developer, explained to the Commissioners they were before the Commission in November requesting a change for 13.4 acres from I to D. Mr. Paniagua said in May this year the zoning case was approved by City Council and part of the delay was the concern for Old Decatur Road. This has been addresses through an MOU that was put together along with Council, staff and the neighborhood. They are requesting the additional 1.77 acres to comply with building orientation, parking and open space requirements. Mr. Paniagua said they met with the Far Greater Historical Northside NA and were in support.

Mr. Flores asked Mr. Paniagua about the meeting held with the neighborhood and one of the items mentioned was the parking deficit of 219 parking spaces of which 754 are required. Mr. Paniagua said that is something they still need to work through with the neighborhood. He stated there are utility easements along the southern boundary restricting any structures. Mr. Flores said there is still land available that can align with the vision encompassed for that general area for a university campus, recreational sports arena.

Motion: Following brief discussion, Mr. Flores recommended approval of the request, seconded by Mr. Genua. The motion carried unanimously 8-0.

Document received for written correspondence				ZC-13-117	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Ron Shearer/Inter-District 2 Alliance/Greater North Fort Worth Assoc	NA	Out		Support	Sent letter in
Jason Arechiga/NRP Group	NA	Out		Support	Present but did not speak

14. ZC-13-120 City of Fort Worth Planning & Development Text Amendment: Model Homes (CD All) 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:

- **Section 5.403 “Model Home” to provide for when and where a model home may be built; provide for an increase in the amount of time a model home may be used as such**

Jocelyn Murphy, Planning Manager, City of Fort Worth explained to the Commissioners the change to the text.

Motion: Following brief discussion, Ms. Reed recommended approval of the request, seconded by Mr. Genua. The motion carried unanimously 8-0.

15. ZC-13-121 City of Fort Worth Planning & Development Text Amendment: Cottage Foods (CD All) 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:

- **Section 5.116a “Home Occupation” to provide that a Cottage Food Production Operation may sell directly to the consumer**

Jocelyn Murphy, Planning Manager, City of Fort Worth explained to the Commissioners the change to the text.

Motion: Following brief discussion, Mr. Hollis recommended approval of the request, seconded by Mr. Flores. The motion carried unanimously 8-0.