



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
February 3, 2015

Council District 3

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

Opposition: Five people spoke, a petition and three letters submitted

Support: One person spoke

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

Owner / Applicant: Terry and Sarah Alexander

Site Location: 9617 Santa Monica Drive Mapsco: 72Q

Proposed Use: Group Home I

Request: From: "A-5" One-Family
To: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus Group Home I; site plan waiver requested

Land Use Compatibility: Requested change is not compatible.

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

Background:

The proposed site is located on Santa Monica Dr. just east of San Jacinto Dr. The applicant is proposing a zoning change from "A-5" One-Family to "PD/A-5" Planned Development for all uses in "A-5" One-Family plus Group Home I for their organization, Seeds Time and Harvest. A site plan waiver is requested because the structure is existing. The applicant has explained that the structure was built as a group home. Tarrant Appraisal district shows the structure was built in 2002. Group homes are allowed by right in multifamily districts, mixed-use districts, and the "CF" Community Facility district.

The requested rezoning to a group home would allow a maximum of 15 residents and three resident supervisors on a 24 hour basis. It would be considered the home of the residents – no resident could live in the unit less than 30 days or have occupants change on a daily basis. At the Zoning Commission, the applicants explained that they plan to have up to 14 persons and have been operating for approximately six months but intend for their residents to stay an average of one year. No bus routes currently serve the area.

The definition of "family" per the Zoning Ordinance includes no more than five unrelated persons living and cooking as a single housekeeping unit or home, expressly excluding lodging, boarding or fraternity houses. An alternative to the request could be to allow a maximum of five residents in the group home, which is more consistent with a typical "family" structure and more compatible with the surrounding single family neighborhood. The maximum of five persons would include a resident supervisor(s). A non-resident supervisor would be allowed and would not be included in the count.

The group home would also be required to obtain a Certificate of Occupancy from the City and register as a multifamily structure with Code Compliance.

Site Information:

Owner: Terry & Sarah Alexander
 9617 Santa Monica Dr.
 Fort Worth, TX 76116

Acreage: 0.28 acres

Comprehensive Plan Sector: Far West

Surrounding Zoning and Land Uses:

North "A-5" One-Family; "CF" Community Facilities / single-family, church
 East "A-5" One-Family / vacant
 South "A-5" One-Family / single-family
 West "A-5" One-Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: None
 Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Santa Monica Dr.	Minor Arterial	Minor Arterial	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Chapin & Alameda*	Streams & Valleys Inc
Trinity Habitat for Humanity	Fort Worth ISD

*closest neighborhood organization

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change from "A-5" One-Family to "PD/A-5" Planned Development for all uses in "A-5" plus group home, site plan waiver requested. Uses surrounding the proposed site are primarily single-family with a church northwest of the site. The proposed group home would exceed the number of residents allowed by right as a "family" for this single family zoning district.

As a result, the proposed zoning **is not compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as Single-Family. The proposed "PD/A-5" plus group home zoning is not consistent with the following Comprehensive Plan policies:

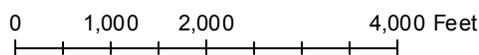
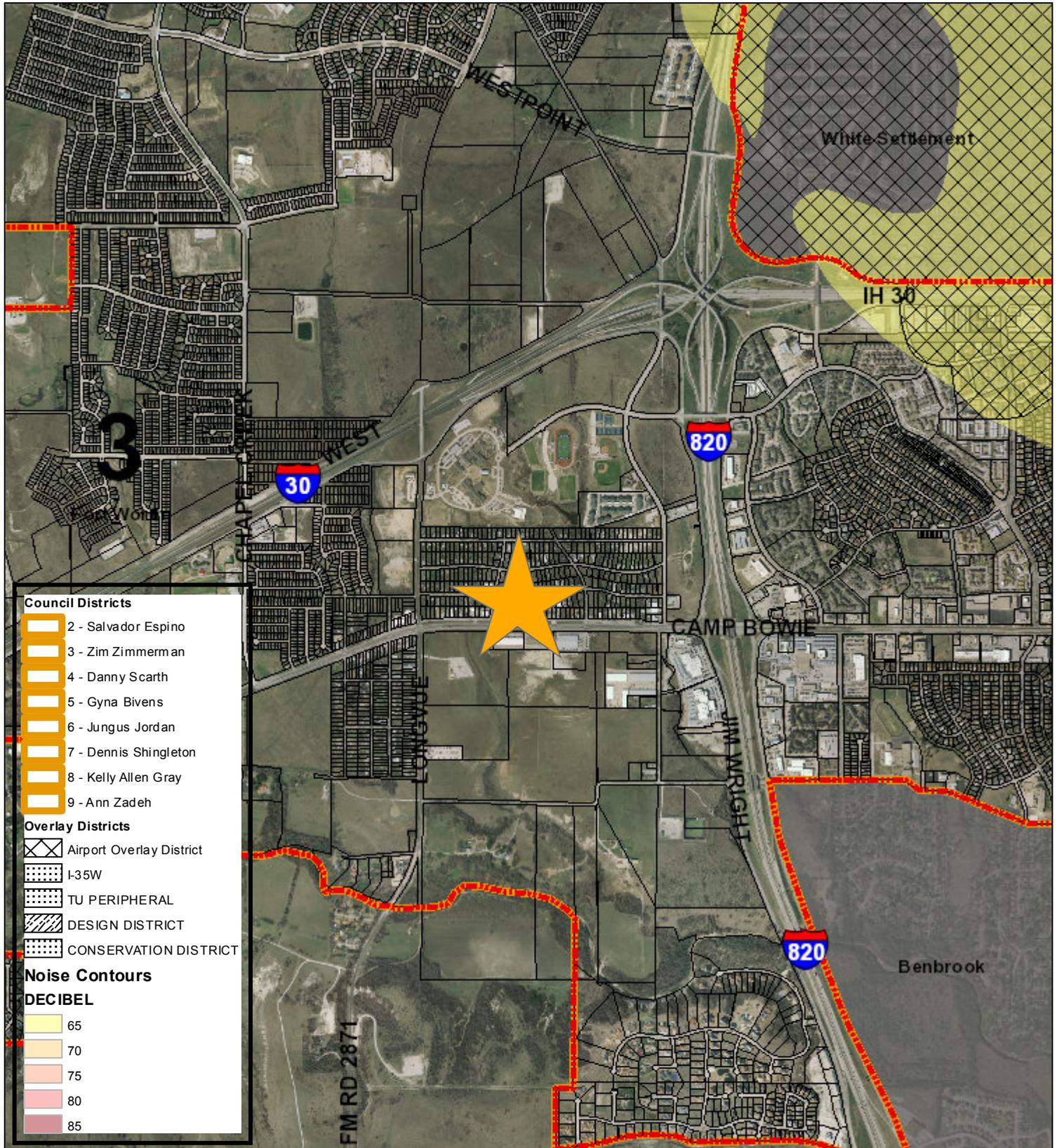
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)
- Preserve the character of rural and suburban residential neighborhoods. (pg. 39)
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)

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

Attachments:

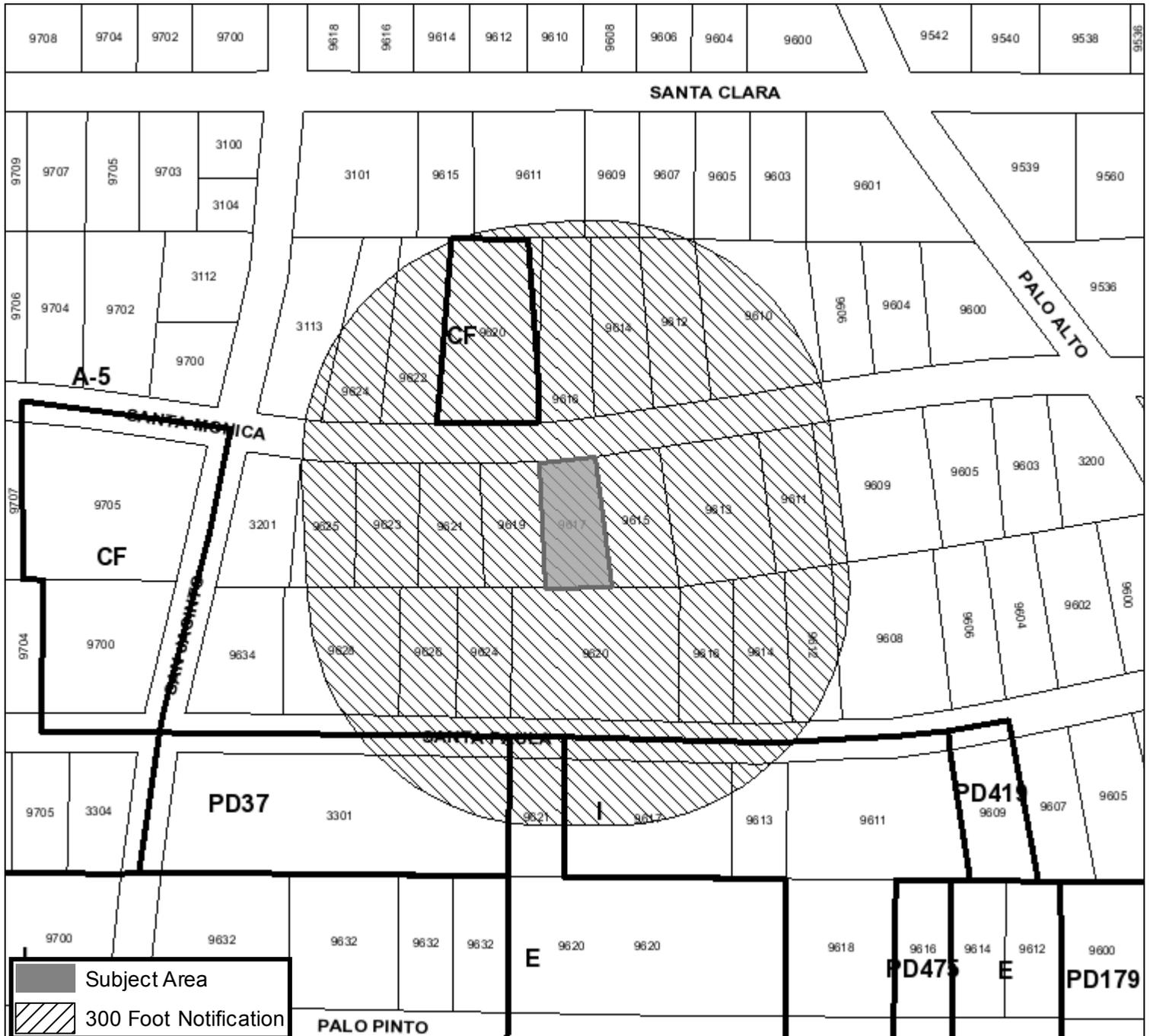
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

Area Map

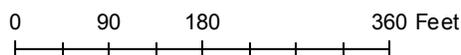


Area Zoning Map

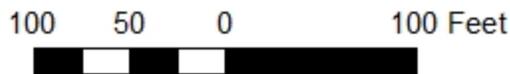
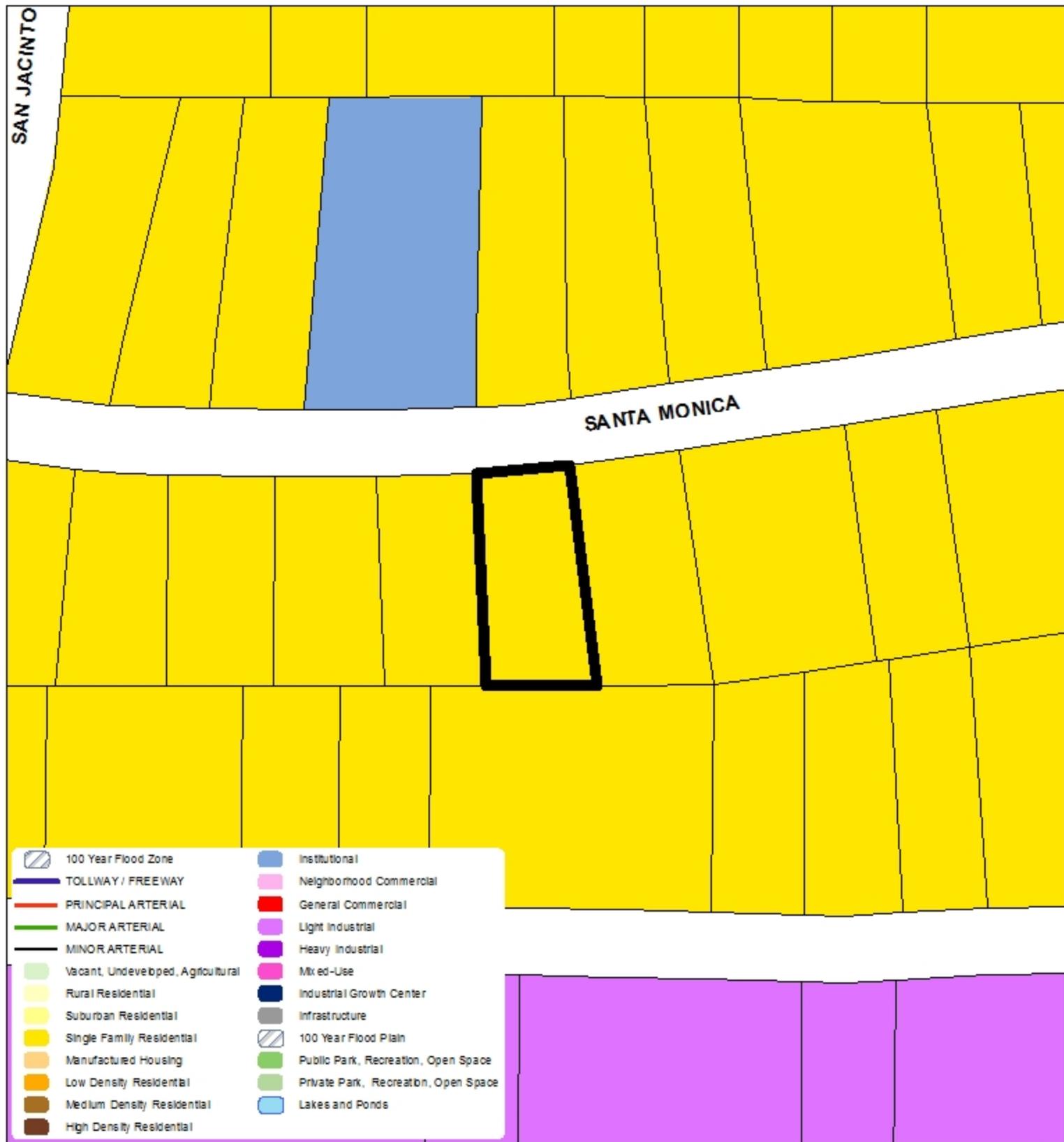
Applicant: Terry & Sarah Alexander
 Address: 9617 Santa Monica Drive
 Zoning From: A-5
 Zoning To: PD for all A-5 uses plus group home I
 Acres: 0.28743243
 Mapsco: 72Q
 Sector/District: Far West
 Commission Date: 1/14/2015
 Contact: 817-392-8043



 Subject Area
 300 Foot Notification



Future Land Use



Aerial Photograph



100 50 0 100 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 18, 2014.



		300 ft notification area		
Tony Martinez/North Beverly Hills NA	NA	Out	Opposition	Sent letter in

6. ZC-14-169 Prosper Bank (CD 5) – 15239 FAA Boulevard (Centerport Addition, Block 313C, Lot 1R, 1.49 Acres): from “J” Medium Industrial to “PD/J” Planned Development for all uses in “J” Medium Industrial plus game room; site plan included

Mohammad Shaha’k, 5874 Midnight Moon, Frisco, Texas representing Prosper Bank explained to the Commissioners the request to rezone to operate a game room facility; they have been there since 2011.

Ms. McDougall asked about the transparent glass that is required. Mr. Shaha’k said they do have the glass on the front of the store.

Motion: Following brief discussion, Ms. McDougall recommended Approval of the request, seconded by Ms. Conlin. The motion carried unanimously 8-0.

7. ZC-14-170 Terry & Sarah Alexander (CD 3) – 9617 Santa Monica Drive (F. D. Beasley Survey, Abstract No. 135 and L. J. Edwards Survey, Abstract No. 464, 0.28 Acres): from “A-5” One-Family to “PD/A-5” Planned Development for all uses in “A-5” One-Family plus group home 1; site plan waiver requested

Sarah Alexander, 9617 Santa Monica Drive, Fort Worth, Texas property owner explained to the Commissioners the request to rezone their single-family home to a PD plus group home in order to take care of people who are homeless and help them rebuild their lives. The name of the ministry is Seed Time and Harvest, when they purchased the property they thought the home was already being used as group home. Terry Alexander also mentioned their purpose is to help change people’s lives. They have rules and regulations for those who stay there and are not allowed outside after 9:30 pm. Mr. Alexander said they do not take in sex offenders.

Mr. Reeves commended on what they are trying to do and asked on average how many people are in the home, have they reached out to the neighborhood and are they aware of whats going on in the home. Mr. Alexander said it is a five bedroom home, all rooms have two bunk beds in them except one room has one bunk bed, so a total of 14 people could live there. They have ten people living there now. Ms. Alexander said she sent emails out to the neighborhood and went door to door, no one opened their door. The community does know what they are doing there.

Ms. McDougall asked how long do the people stay there, have they been acting as a group home in the past year, do they charge for the service and have the police been out there. Mr. Alexander said approximately one year and no they have been acting as a group home all this time. Mr. Alexander said they do not charge for this service and the police have not been called out there.

Ms. Conlin asked who sends the residents to them. Mr. Alexander said he is affiliated with other ministries and are often called upon to help.

Mr. Edmonds asked how they are funded. Mr. Alexander said they fund the ministry, a non-profit organization and if the people they are helping out want to help the ministry they can.

Ms. McDougall asked about the ages of the tenants. Mr. Alexander said anywhere from 18 to 100.

Arnold Morse, 9608 Santa Paula, Fort Worth, Texas spoke in opposition.

Larry Bruce North, 9622 Santa Monica Drive, Fort Worth, Texas spoke in opposition. Mr. North said it was not used as a group home before.

Kenneth North, 9612 Santa Clara Drive, Fort Worth, Texas spoke in opposition.

Harry Gonzales, 9612 Santa Monica Drive, Fort Worth, Texas spoke in opposition.

Elain Emerson, 9621 Santa Monica Drive, Fort Worth, Texas spoke in opposition.

In rebuttal Kevin Alexander, 9617 Santa Monica Drive, Fort Worth, Texas spoke in support and has helped Mr. Alexander in the past and sends people to him. He said there has been no problems with this home.

Motion: Following brief discussion, Mr. Reeves recommended Denial without Prejudice of the request, seconded by Ms. Conlin. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>					<i>ZC-14-170</i>
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Arnold Morse	9608 Santa Paula	In		Opposition	Spoke at hearing
LB North	9622 Santa Monica	In		Opposition	Spoke at hearing
Kenneth North	9612 Santa Clara	Out		Opposition	Spoke at hearing
Harry Gonzales	9612 Santa Monica	In		Opposition	Spoke at hearing
Elain Emerson	9621 Santa Monica	In		Opposition	Spoke at hearing
Kevin Alexander	9617 Santa Monica	In		Support	Spoke at hearing
Several people sent in letters of opposition					

8. ZC-14-171 Cooks/Tarrant 11.7 Joint Venture (CD 5) 7901 Ederville Road (T K Hamby Survey, Abstract 815, 1.33 Acres): from “G” Intensive Commercial to “PD/G” Planned Development for all uses in “G” Intensive Commercial plus hotel; site plan included