



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
March 3, 2015

Council District 9

Zoning Commission Recommendation:
Approved as Amended to ER by a vote of 9-0

Opposition: 5 people spoke, 23 letters submitted
Support: None submitted

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

Owner / Applicant: Islamic Association of Tarrant County

Site Location: 4801-4809 Fletcher Avenue Mapsco: 75P

Proposed Use: Office

Request: From: "B" Two-Family
To: "ER" Neighborhood Commercial Restricted

Land Use Compatibility: Requested change is compatible.

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

Background:

The applicant is requesting a zoning change from "B" Two-Family to "E" Neighborhood Commercial for a commercial insurance office. The applicant is not sure if the existing building will be utilized or removed. The proposed site is at the corner of Sanguinet and Fletcher; both are two-way residential streets. It is across from existing commercial with multifamily residential across the street to the north

The existing 8,270 s.f. building was used for mosque activities and is currently vacant. As a religious use, it was allowed in any zoning district. If the building was removed and the zoning approved, an office would be considered a change of use, and supplemental setbacks along the western and southern boundary of 20 ft. and a projected front yard setback of 20 ft. in which no permanent structures or required parking are permitted would apply. Variances would be necessary for any items that cannot be met.

As it is at the edge of a residential area, "ER" Neighborhood Commercial Restricted might be more appropriate for the area as a transitional use. An office use is ideal in ER with parking and signage being limited. The building size is limited to 5,000 s.f. for a single use and 10,000 s.f. maximum. The two street front setbacks of 20 feet appear to be met. A screening fence will be installed if none is currently in place. Variances to building size for a single use and for parking in the projected front yard will be needed if ER zoning is approved.

Several neighborhood representatives spoke in opposition to uses that are permitted in the E zoning district and would compromise for ER Neighborhood Commercial Restricted.

Site Information:

Owner: Islamic Association of Tarrant County
 4901 Diaz Avenue
 Fort Worth, TX 76107

Acreage: 0.60 acres

Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:

- North "CF" Community Facilities / rehabilitation center
- East "ER" Neighborhood Commercial Restricted / commercial
- South "B" Two-Family / single-family
- West "B" Two-Family / duplex

Recent Relevant Zoning and Platting History:

Zoning History: NA
Platting History: NA

Transportation/Access

| Street/Thoroughfare | Existing | Proposed | In Capital Improvements Plan (CIP) |
|---------------------|---------------------|---------------------|------------------------------------|
| Fletcher Ave | Residential/Two-way | Residential/Two-way | No |
| Sanquinet | Residential/Two-Way | Residential/Two-Way | No |

Public Notification:

The following organizations were notified:

| Organizations Notified | |
|------------------------------|-------------------------|
| Sunset Heights South NA* | East Libby Avenue NA |
| Como NAC | Streams & Valleys, Inc. |
| Trinity Habitat for Humanity | Fort Worth ISD |

within this neighborhood association*

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change from "B" Two-Family to "E" Neighborhood Commercial for a commercial office use. Surrounding land uses are institutional to the north, duplex to the west, single-family to the south, and commercial to the east.

The proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as Institutional and Low Density Residential. The requested zoning change is not consistent with the following Comprehensive Plan policies:

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods (pg. 38).

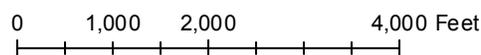
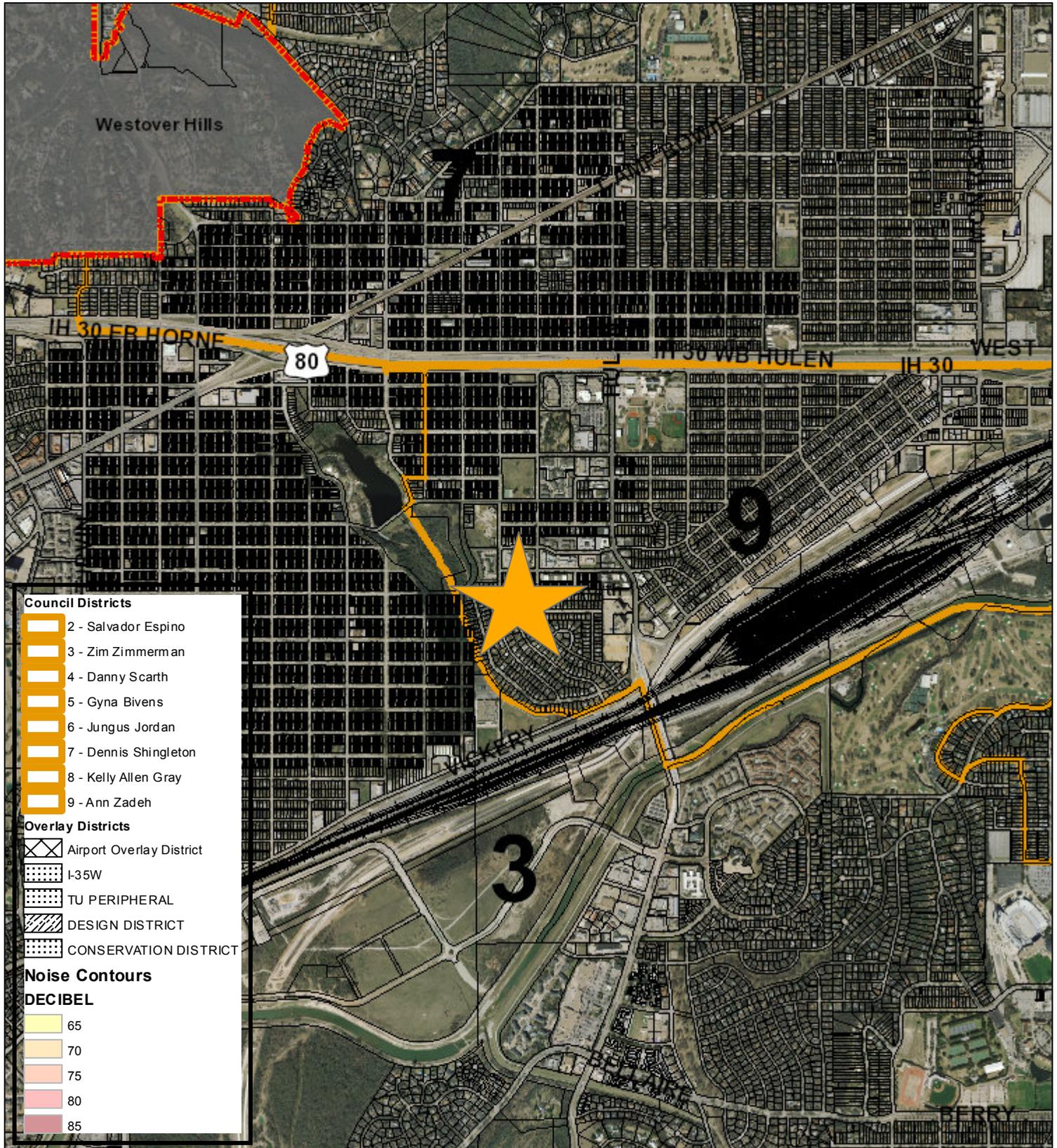
Based on conformance with the future land use map and policies stated above the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

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

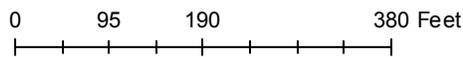
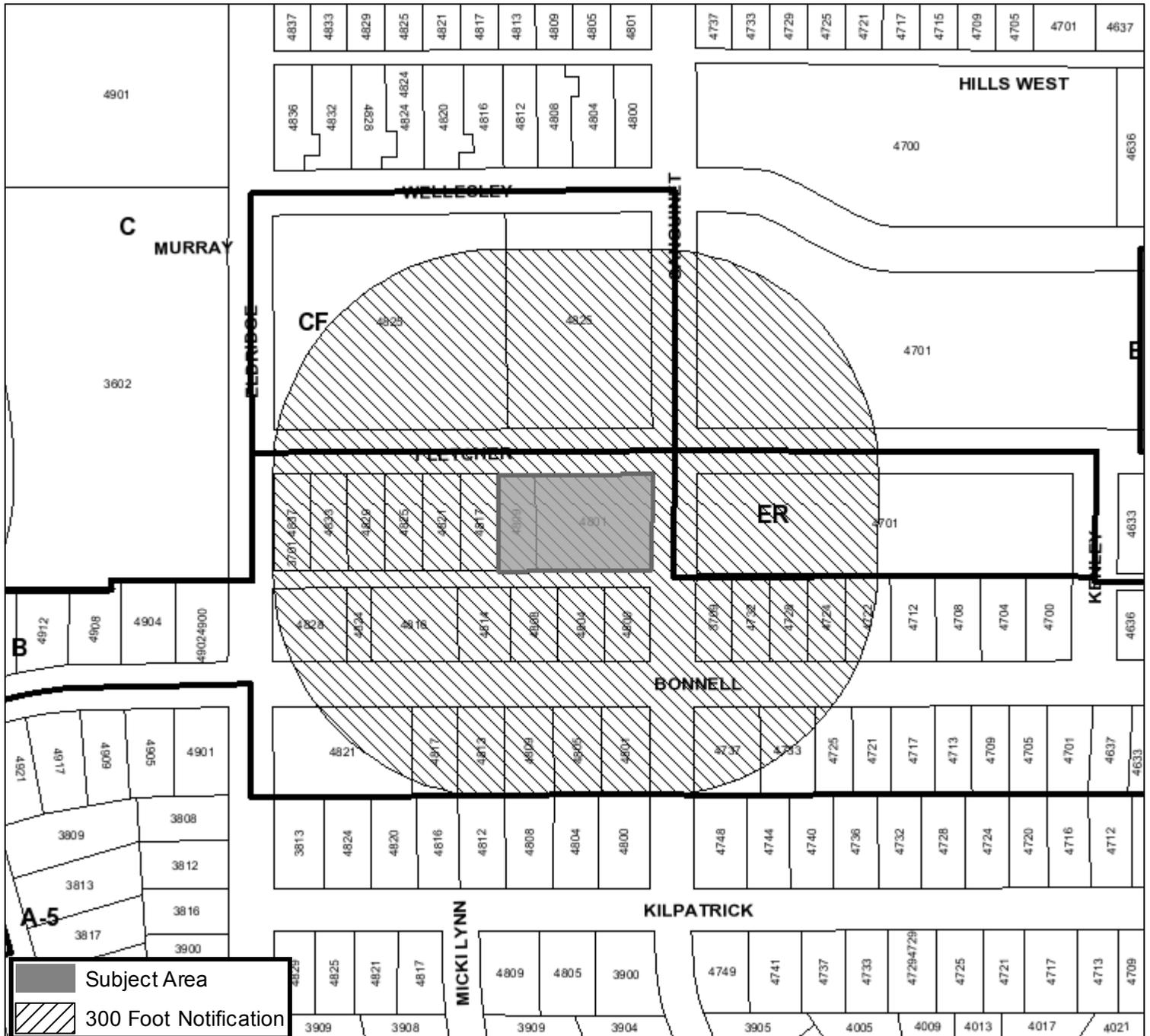
Area Map



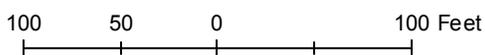
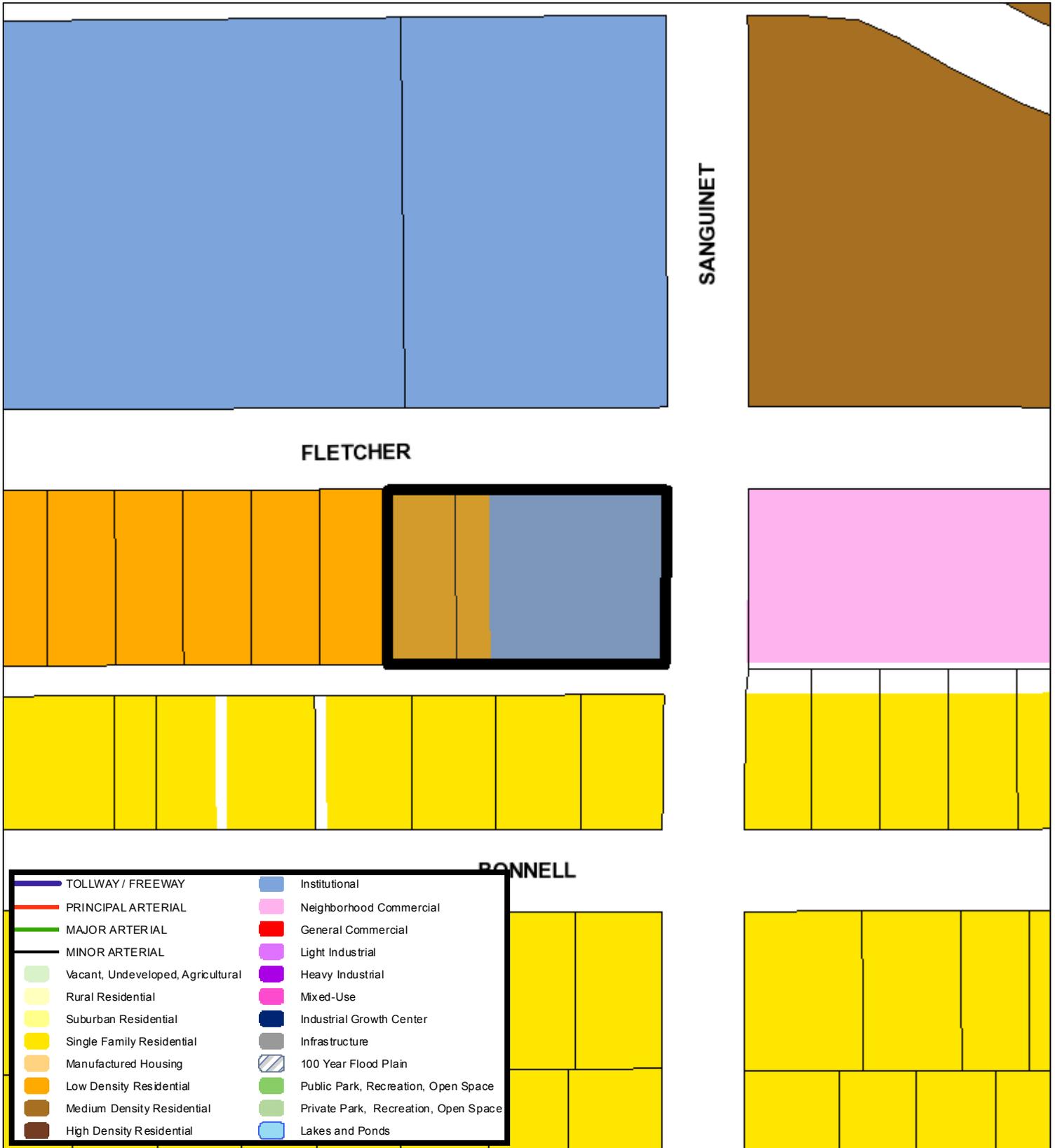


Area Zoning Map

Applicant: Islamic Association of Tarrant County
 Address: 4801-4809 Fletcher Avenue
 Zoning From: B
 Zoning To: E
 Acres: 0.60222405
 Mapsco: 75P
 Sector/District: Arlington Heights
 Commission Date: 2/11/2015
 Contact: 817-392-2495



Future Land Use



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.



Aerial Photo Map



0 62.5 125 250 Feet



Mr. Reeves asked about the surrounding zoning where the 7-11 is. Mr. Elhamed said it is industrial zoning around that property. Ms. Burghdoff also mentioned the other business that sell alcohol are located on arterials and not on neighborhood streets.

Mr. Flores mentioned signage can be posted that prohibits loitering. Mr. Elhamed said he does have no loitering signs on the property.

Motion: Following brief discussion, Ms. Conlin recommended Denial of the request, seconded by Mr. Reeves. The motion carried unanimously 9-0.

| <i>Document received for written correspondence</i> | | | | | <i>ZC-15-004</i> |
|---|----------------|--|-------------------------|--|------------------|
| Name | Address | In/Out 300 ft notification area | Position on case | | Summary |
| Johnny Lewis | 953 E. Terrell | Out | Opposition | | Spoke at hearing |
| Wallace Bridges | 915 E. cannon | Out | Opposition | | Spoke at hearing |
| Charles Mendez | NA | Out | Opposition | | Sent letter in |

8. ZC-15-005 Islamic Association of Tarrant County (CD 9) – 4801-4809 Fletcher Avenue (Chamberlain Arlington Heights, Block 31, Lots 1-8, 0.60 Acres): from “B” Two-Family to “E” Neighborhood Commercial

Zarmira Giotis, 4901 Diaz Avenue, Fort Worth, Texas representing Islamic Association of Tarrant County explained to the Commissioners the request to rezone the property to neighborhood commercial to allow an office use in a vacant mosque building. Ms. Giotis said she has spoken with the nursing home and apartment complex and they have no problem with the change. She did speak with some of the neighbors who were concerned about uses in E and being too close to the neighborhood.

Ms. Reed asked if she had considered ER zoning which would limit certain uses. Ms. Giotis said she is ok with ER as long as they can have the use.

Mr. Genua said ER would limit the building size. Ms. Giotis said they are going to keep the building.

Elaine Khan, 6252 Klamath Road, Fort Worth, Texas spoke in opposition. She owns the adjacent duplexes and would prefer ER zoning.

Ruben Jiminez Jr., 4636 Bonnell Avenue, Fort Worth, Texas with Sunset Heights NA spoke in opposition. He said they have collected a number of signatures and have concerns with E uses if the business sells to someone else.

Ms. Murphy explained the various uses permitted in E and ER which restricts alcohol sales, building size and parking in the front yard.

Mr. Genua asked Mr. Jiminez if they would be ok with ER zoning. Mr. Jiminez said they would.

Stella Jiminez, 4636 Bonnell Avenue, Fort Worth, Texas spoke in opposition. She said they are opposed to any commercial zoning. Mr. Flores asked if she understood the proposal to change the zoning to ER. Ms. Jiminez said yes but she doesn't like it want it to remain residential. If they have no choice then ER would be ok.

Scott Foster, 3908 Kenley, Fort Worth, Texas spoke in opposition. He prefers the area stay residential.

In rebuttal Kiz Stevenson, 5000 Ridgeview Court, Fort Worth, Texas, realtor for the property owner said she is ok with ER zoning because there are no plans to enlarge the building.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request as Amended to ER, seconded by Mr. Northern. The motion carried unanimously 9-0.

| <i>Document received for written correspondence</i> | | | | | <i>ZC-15-005</i> |
|--|-------------------|---|-----------|-------------------------|------------------|
| Name | Address | In/Out 300 notification area | ft | Position on case | Summary |
| Ruben Jiminez Jr. | 4636 Bonnell Ave | | | Opposition to E | Spoke at hearing |
| Elaine Khan | 6252 Klamath Rd | | | Opposition to E | Spoke at hearing |
| Stella Jiminez | 4636 Bonnell Ave | | | Opposition | Spoke at hearing |
| Scott Foster | 3908 Kenley | | | Opposition | Spoke at hearing |
| Kiz Stevenson | 5000 Ridgeview Ct | | | Support | Spoke at hearing |
| Sergio Quinton | 4704 Bonnell | | | Support | Sent letter in |
| Norma Anderson | 4637 Bonnell | | | Opposition | Sent letter in |
| Melissa Mahan | 4700 Bonnell | | | Opposition | Sent letter in |
| Ms. Robert Willimas | 4900/4902 Bonnell | | | Opposition | Sent letter in |
| Gary Shank | 4801 Bonnell | | | Opposition | Sent letter in |
| Karen Hart | 4732 Bonnell | | | Opposition | Sent letter in |
| There are more than 50 letters of opposition in the case file. | | | | | |

9. ZC-15-006 Crestmont Management Co. LLC (CD 7) 1600 Montgomery and 3609-3613 Crestline Road (Queensborough Heights Addition, Block 1, Lots 1-4, 0.56 Acres): from “PD-770” Planned Development/Specific Use for offices; site plan approved to “MU-1” Low Intensity Mixed-Use