



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
November 10, 2015

Council District 8

Zoning Commission Recommendation:
Approval by a vote of 8-0

Opposition: Two letters submitted
Support: Southeast Fort Worth, Inc

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

Owner / Applicant: Lisa Hixson

Site Location: 4205 Panola Avenue Mapsco: 78H

Proposed Use: Commercial

Request: From: "A-5" One-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 proposed site is located east of Oakland Boulevard a minor arterial and north of Panola a residential street. The applicant is requesting a zoning change from "A-5" One-Family to "ER" Neighborhood Commercial Restricted for a mixture of retail type commercial uses. The site is just south and east of Oakland Corners Urban Village. The property was rezoned from E to A-5 through a council-initiated rezoning on February 2, 2010.

There are no proposed uses or tenants at this time. If approved, the site would have a 20 ft. supplemental and projected setback in which no permanent structures are permitted. Variances from the Board of Adjustment may be required depending on the layout of the property.

After the applicant spoke with the Councilmember and explained his intended speculative uses, it was determined that "ER" Neighborhood Commercial Restricted is most appropriate for this site. It is a smaller lot adjacent to single family residential uses and is across the street from existing ER zoning. ER is intended serve as a transitional district between residential and more intense uses.

At the Zoning Commission hearing the applicant had mentioned he received several requests for a restaurant use, staff explained if a restaurant is proposed a special exception would be required and no alcohol sales permitted.

Site Information:

Owner: Lisa Hixson
715 W. Harris Road

Arlington, TX 76001

Acreage: 0.61 ac
Comprehensive Plan Sector: Eastside

Surrounding Zoning and Land Uses:

North "A-5" One-Family / vacant
East "A-5" One-Family / single-family
South "A-5" One-Family / single-family
West "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial / kindergarten building, retail and a church

Recent Relevant Zoning and Platting History:

Zoning History: ZC-07-179 Council-initiated from various zoning districts to "MU-1", subject area to the north; ZC-10-010 Council-initiated from various zoning districts to "A-5", "CF", "ER", "E" and "PD", subject area to the south

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Oakland Blvd	Minor Arterial	Minor Arterial	No
Panola Ave	Residential	Residential	No

Public Notification:

The following organizations were notified:

Organizations Notified	
West Meadowbrook NA*	Streams And Valleys Inc
Neighborhoods of East Fort Worth	East Fort Worth Business Assoc.
Eastside Sector Alliance	East Fort Worth, Inc.
Southeast Fort Worth, Inc.	
Trinity Habitat for Humanity	Fort Worth ISD

*Located within this Neighborhood Organization

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "ER" Neighborhood Commercial Restricted for commercial retail uses. Surrounding land uses are single-family to the east and south, vacant to the north, commercial uses to the west.

Based on surrounding uses, direct access to Oakland, the proposed zoning **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2015 Comprehensive Plan designates the subject property as Single-Family Residential. The requested zoning change is not consistent with the following Comprehensive Plan policies.

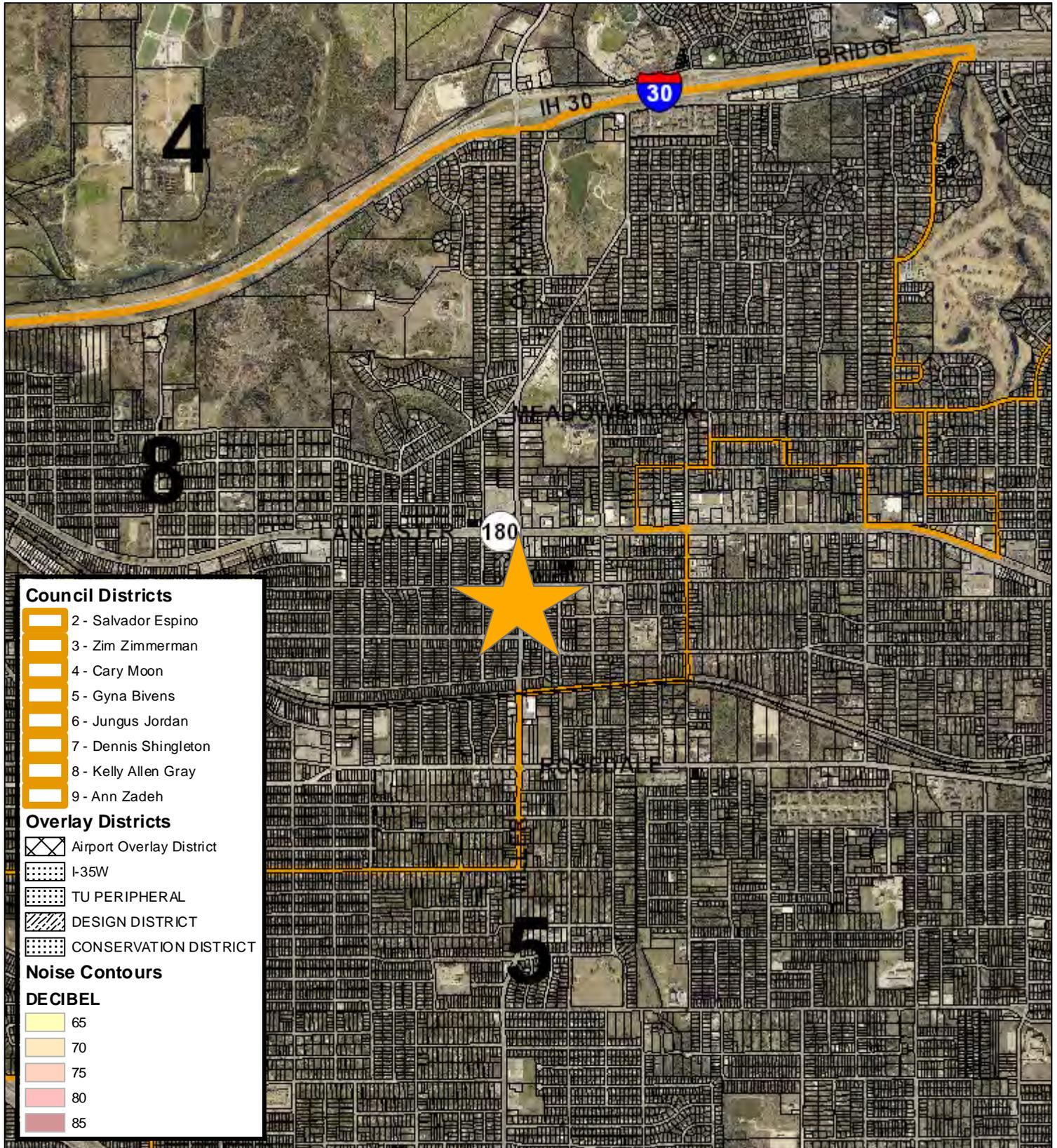
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)

Based on the lack conformance with the future land use map and the 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



Council Districts

-  2 - Salvador Espino
-  3 - Zim Zimmerman
-  4 - Cary Moon
-  5 - Gyna Bivens
-  6 - Jungus Jordan
-  7 - Dennis Shingleton
-  8 - Kelly Allen Gray
-  9 - Ann Zadeh

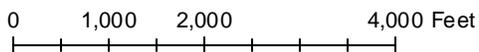
Overlay Districts

-  Airport Overlay District
-  I-35W
-  TU PERIPHERAL
-  DESIGN DISTRICT
-  CONSERVATION DISTRICT

Noise Contours

DECIBEL

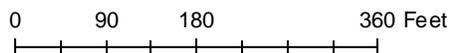
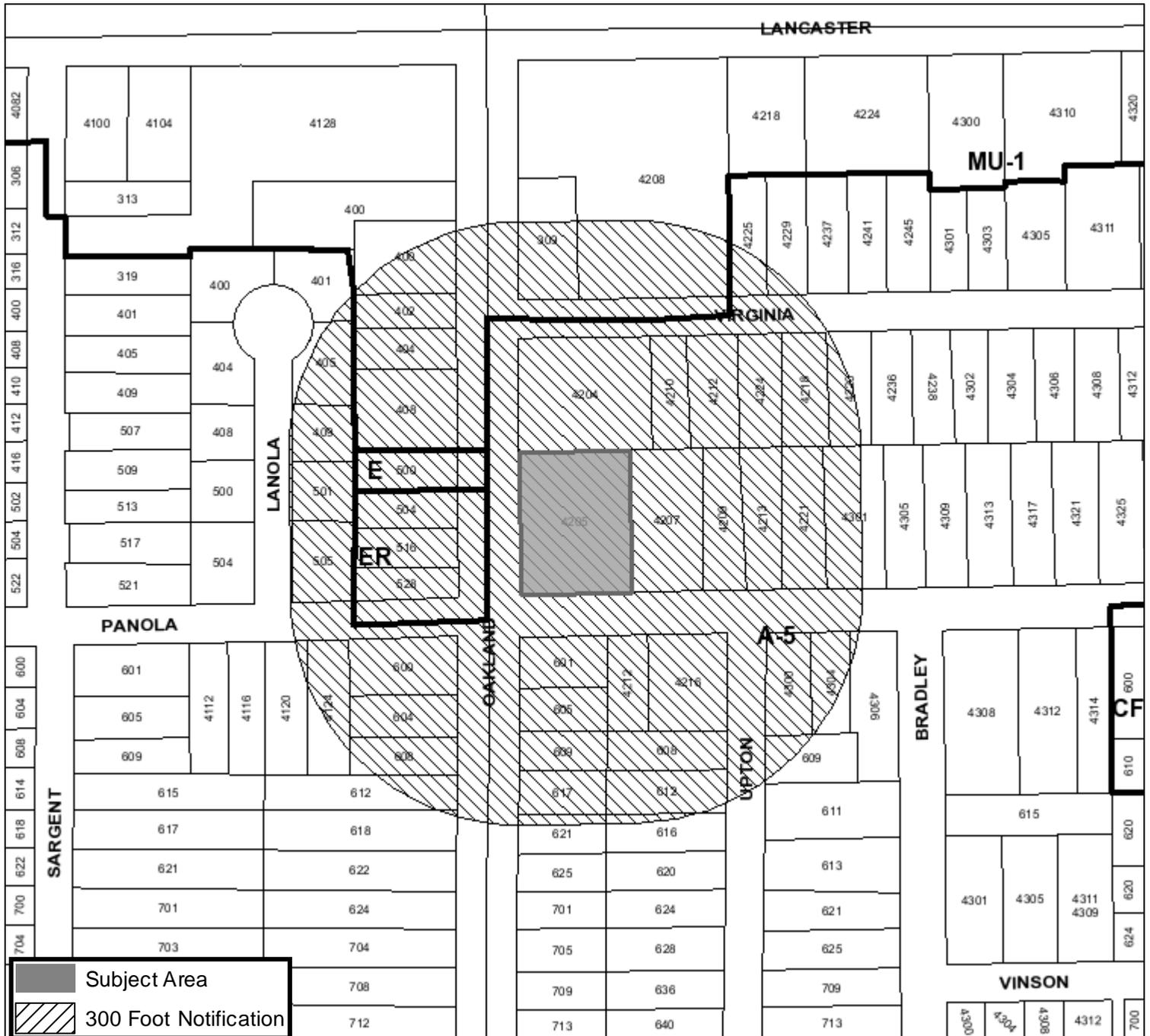
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-  80
-  85



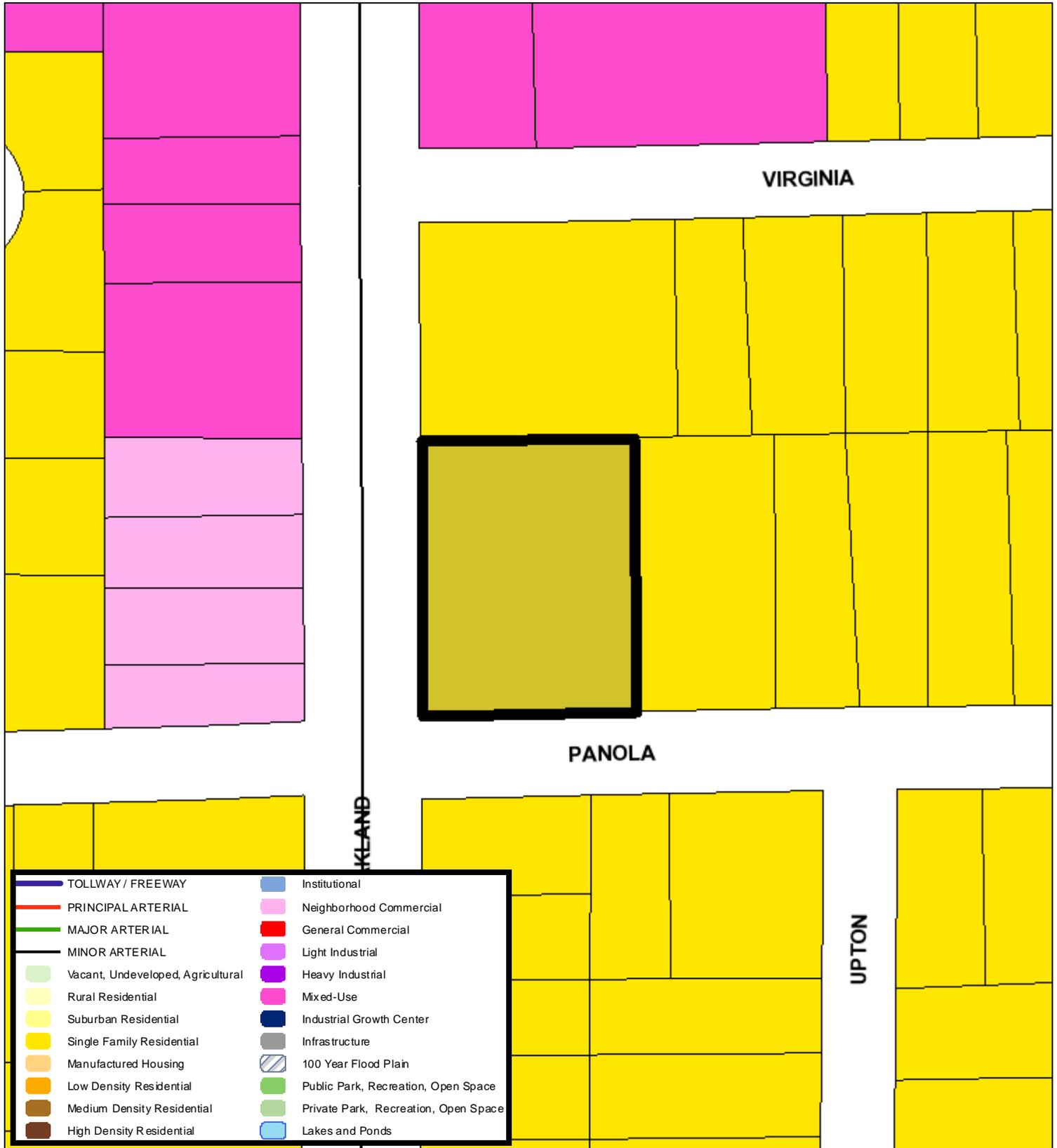


Area Zoning Map

Applicant: Lisa Hixson
 Address: 4205 Panola Avenue
 Zoning From: A-5
 Zoning To: E
 Acres: 0.61725009
 Mapsco: 78H
 Sector/District: Eastside
 Commission Date: 10/14/2015
 Contact: 817-392-2495



Future Land Use



90 45 0 90 Feet

A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 17, 2015.



Aerial Photo Map



0 55 110 220 Feet



Ms. McDougall asked about the lot on the corner and what the use is there now, and does he own other lots in the area. Mr. Hixson said the lot on Riverside is zoned “J” and is currently vacant. Mr. Hixson also said he has an existing business but needs a shop for it; he only owns the three lots.

Mr. Genua asked if he had reached out to the duplexes next door to him and if they were rental properties. Mr. Hixson said he wasn’t for sure if they were owner occupied and has not reached out to them.

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

<i>Document received for written correspondence</i>					ZC-15-127
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Southeast Fort Worth Inc.	NA	Out		Support	Sent letter in
East Fort Worth Business Assoc.	NA	Out		Undecided	Sent letter in

2. ZC-15-128 Lisa D. Hixson (CD 8) 4205 Panola Avenue (Panola Subdivision, Block 1, Lot 1, 0.62 Acres): from “A-5” One-Family to “ER” Neighborhood Commercial Restricted

John Hixson, 715 W. Harris Road, Arlington, Texas property owner explained to the Commissioners when they purchased the property they thought it was zoned commercial. Several of the lots surrounding them are commercial and or MU-1. They have had several requests for a restaurant use.

Mr. Flores explained to Mr. Hixson that the Tarrant Appraisal District does not have the same zoning classifications as the City of Fort Worth. Mr. Flores asked what type of restaurant are they getting calls for, and the request for ER limits alcohol. Mr. Hixson said Mexican restaurants, both independent and a chain, and he is requesting “E” for alcohol sales.

Ms. Burghdoff asked staff to explain the revised agenda. Ms. Murphy explained the original request was for “MU-1” which was too far into the neighborhood. Staff spoke with the applicant and suggested “ER” might be a better fit adjacent to the residential. If they wanted to entertain “E” then it would have to be continued and re-noticed. Mr. Hixson said they initially came in with “MU-1” and staff suggested “ER” based on comments from the Councilmember.

Ms. Murphy explained the requirements related to “ER” zoning. Mr. Hixson said he is ok with “ER” and would come back before the Commission if needed.

Ms. Conlin said she doesn’t think the neighborhood would support a restaurant but supports “ER”.

Ms. McDougall asked if he reached out to the neighborhood. Mr. Hixson said he did and received correspondence back from Southeast Fort Worth Inc. who said they would not support “E” but maybe a restaurant.

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

<i>Document received for written correspondence</i>					ZC-15-127
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Shirley Norman	4221 Panola	In	Opposition		Sent letter in
Julia Molina	4213 Panola	In	Opposition		Sent letter in
Southeast Fort Worth Inc.	NA	Out		Support	Sent letter in
East Fort Worth Business Assoc.	NA	Out		Undecided	Sent letter in

3. ZC-15-129 James R. Harris Properties/Village Homes (CD 7) 205-2013 Nursery (Rivercrest Addition, Block 13, Lots 13B, 13BC, 13H, 1.04 Acres): from “B” Two-Family to “PD/AR” Planned Development for all uses in “AR” One-Family Restricted with a waiver to the block pattern; site plan included

Tyler Arbogast, 5212 Wharton Drive, Fort Worth, Texas representing James R. Harris explained to the Commissioners they have two projects going on in this area, River Heights and Rivercrest Bluffs adjacent to this site. They feel this development will be a good transition with six single-family detached units with rear alley access.

Mr. Northern asked Mr. Arbogast how they will enter the driveway. He said they will enter from the north which is one way and head south to their driveway and or exit from the alley. Mr. Arbogast explained they are asking for a waiver to the zero lot line block pattern within the block. They want to create a courtyard between the houses via a pedestrian gate.

Mr. Flores asked about the request and not going to “UR”. Mr. Arbogast said they did not want duplexes next to the bluffs and chose the “AR” district for detached single-family units with less density. Mr. Flores asked about Madison Place and what was the zoning of the property. Mr. Arbogast said he wasn’t involved with them at the time and did not know.

Motion: Following brief discussion, Mr. Northern recommended Approval of the request, seconded by Mr. Flores. The motion carried unanimously 7-0 with Ms. Dunn abstaining.

<i>Document received for written correspondence</i>					ZC-15-129
Name	Address	In/Out 300 ft notification area	Position on case		Summary