



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
November 17, 2015

Council District 7

Zoning Commission Recommendation:
Approval by a vote of 7-0-1

Opposition: None submitted
Support: None submitted

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

Owner / Applicant: James Harris Properties, Village Homes

Site Location: 205 & 213 Nursery Lane Mapsco: 61X

Proposed Use: Zero/Lot line Single-Family

Request: 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

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent. (Technical Inconsistency)

Background:

The proposed site is located on Nursery Lane south of White Settlement Road a minor arterial. The applicant is proposing to change the zoning from "B" Two Family to "PD/AR" Planned Development for construction of six zero lot line single-family structures with rear entry garages. The current "B" zoning would allow for two (2) units per lot.

The proposed site is located in a single-family neighborhood that is beginning to transition to higher density residential with several PD/UR and or UR zoning cases. A staff evaluation using Tarrant Appraisal District owner records identifies approximately 2/3 of the properties are not owner occupied, some of which are clearly owned by investor companies. No construction toward the new area redevelopment has begun.

The parking will be located behind the site with a 12.5 ft. shared access easement/driveway accessed from both sides of the development around the rear.

At the Zoning Commission hearing the applicant explained the reason for the zero lot line is to have a patio area to the side instead of the rear of the property.

Following are the regulations for zero lotline developments. Creating a zero/lot line product within the block face requires a waiver to (ii) below since the proposed development is in the middle of the block of single-family homes with five foot side yards.

4.708D 5. Residential Design Standards. A site plan for residential development is required. A. Zero Lot Line Dwellings

i. Platting Required. All blocks using the zero yard concept shall be platted or replatted to provide a zero-foot setback and a ten-foot access easement per lot.

ii. Pattern of Yards. The first dwelling unit on a lot within a block shall set the zero lot line pattern of yards for the remaining lots within a block.

iii. Corner Lot Setback. Depending on the zero lot line pattern, the last corner lot may have a setback adjacent to the street, a ten-foot setback on the interior side to maintain the pattern.

Staff reached out to the applicant with a proposal of PD/UR, since there are several requests on this docket to rezone to Urban Residential. The applicant opted to stay with the "AR" request due to the development standards in "UR" zoning including setbacks and pedestrian/streetscape requirements.

Site Information:

Owner: James Harris Properties/Village Homes
2929 W. 5th Street, Suite A
Fort Worth, TX 76102

Applicant: Pape Dawson Engineers / Ken Davis

Acreage: 1.04 acres

Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

North "B" Two-Family / single-family
East "PD990" Planned Development for single-family / under construction single-family
South "B" Two-Family / single-family
West "B" Two-Family and "MU-1" Low Intensity Mixed-Use / single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-15-077, from "B" & "E" to "MU-1"; approved by City Council 6/16/15 (directly west and north of the subject property); PD990 Planned Development for "A-5" One-Family with development standards for a 15 ft. front yard setback and 60% lot coverage; site plan waived; subject property to the east.

Platting History: PP-15-038 Rivercrest Addition continued by the City Plan Commission to October 28, 2015

Site Plan Comments:

The site plan as submitted is not in general compliance with the zoning regulations. The key deficiencies are:

1. The site is located in the middle of the block, adjacent to single-family structures with five foot side yards. Per Sect. 4.708D5 "AR" standards, the first unit determines lot pattern in the block face. **(waiver required)**

Zoning Commission recommended a waiver to the block pattern.

Transportation/Public Works (TPW) site plan comments:

TPW (Mirian Spencer, 817-392-8702, Mirian.Spencer@fortworthtexas.gov)

1. Variable ROW – Show the full ROW widths for all existing streets. For streets having variable ROW, call out the ROW as "Variable" and give the range of the ROW. Provide the recording documentation for the width of Nursery Lane as the Rivercrest Bluffs (FP-14-050) shows nursery to be less than 50ft.
2. Property Location – Show distance(s) from property corner(s) to nearest identifiable street, railroad or other intersection.
3. Sidewalks - Sidewalks and street lights are required for all public and private streets and public access easements as per City of Fort Worth Standards.

Platting site plan comments:

Teresa Burk 817.392.2412 Teresa.burk@fortworthtexas.gov

1. Preliminary plat (PP-15-038) scheduled for Sept. should be heard by CPC in Oct. Complies with Subdivision and no waivers needed.

Parks Department site plan comments:

PARD/PDP: This development is within the boundaries of Park Planning District 4 and the Neighborhood and Community Park Dedication Policy applies. There is a required \$500.00 PACSD fee due for each new residential unit to be constructed. All fees must be paid in full, at or before the time of applying for a building permit. No City permits will be issued until the PACSD fees have been paid. Call Joe Janucik at 817-392-5706 for additional information

Water Department site plan comments:

David Hernandez, 817-392-5803 david.hernandez@ForthWorthTexas.gov

1. PRV"s, pressure reducing valves required due to high pressure
2. Cut and plug private plumbing services at property line prior to demolition
3. No size on size tap to 6-inch water line

Comments made by Platting, TPW, Water and Parks staff cannot be waived through the Zoning Commission. Approval of the site plan does not constitute Platting, Water and TPW acceptance of conditions. Park fees will be applied to the project.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Nursery Ln	Residential	Residential	No

Public Notification:

The following Organizations were notified:

Organizations Notified	
Riverbend NA*	Streams And Valleys Inc
Trinity Habitat for Humanity	Castleberry ISD
	Fort Worth ISD

*Site located within this Neighborhood Organization

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "PD/AR" for single-family zero/lot line. Surrounding land uses consist of single-family to the north and west, single-family under construction to the east and vacant lot to the south. The proposed zoning **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2015 Comprehensive Plan designates the subject property as Single-Family Residential. Zero lotline homes are considered low density residential uses. The proposed is zoning is consistent with the following Comprehensive Plan policies:

- Encourage development type and intensity appropriate to existing or planned street infrastructure (Pg. 38)

However, several nearby properties are being requested to rezone to "UR" or "PD/UR" for townhomes and apartments, increasing the overall future density of the area. Based on the conformance with the future land use map and policies stated above, the proposed zoning **is not consistent (Technical Inconsistency)** with the Comprehensive Plan.

Attachments:

- Location Map

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

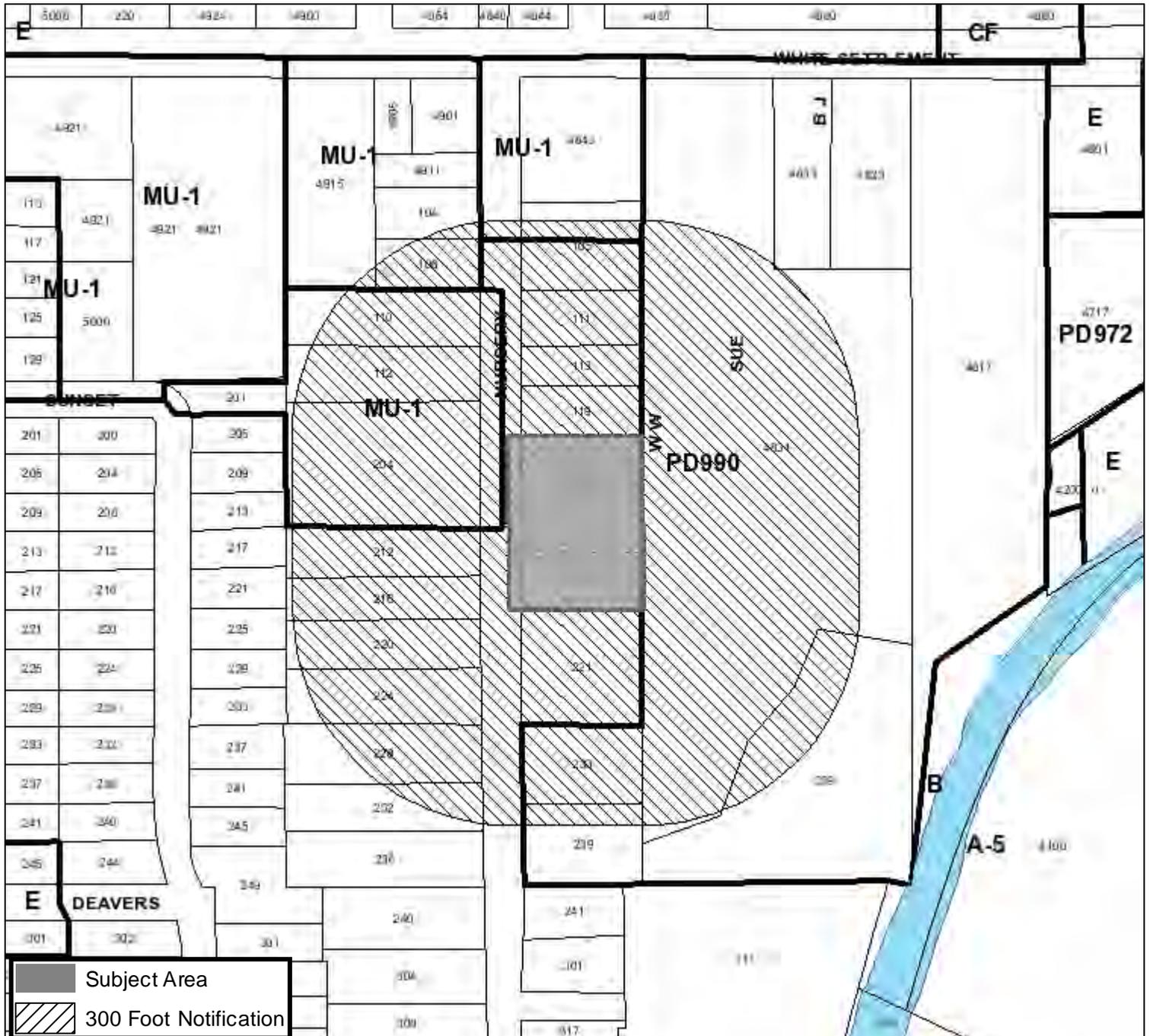
Area Map



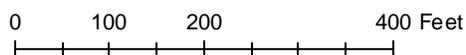


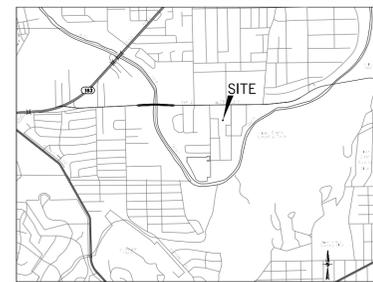
Area Zoning Map

Applicant: James Harris Properties, Village Homes
 Address: 205 & 213 Nursery Lane
 Zoning From: B
 Zoning To: PD for all uses in AR
 Acres: 1.04501005
 Mapsco: 61X
 Sector/District: Northside
 Commission Date: 10/14/2015
 Contact: 817-392-2495



 Subject Area
 300 Foot Notification





LOCATION MAP
NOT-TO-SCALE



MAYORGA RENZO
LOT 13-A BLOCK 13,
RIVERCREST ADDITION,
VOL. 388-O, PG. 397,
INST. No. D212203805
D.R.T.C.T

LOT 13-A

CONTROL MONUMENT
N=6960698.29
E=2308032.98
SET 1/2" IRON ROD
WITH YELLOW CAP

POC
PASSING A FND. 5/8"
IRON ROD @ 0.83'

BELL, MICHAEL S & PAUL W BELL
D203445050

EXISTING 'B' ZONING

AVERAGE CENTER LINE LOCATION NURSERY LANE

NURSERY LANE

HAMMONDS, BOB ETUX SHIRLE H
D206364591

FERRELL, NORMA

EXISTING 'B' ZONING

170.42'

S89°44'39"E

SET 1/2" IRON ROD
WITH YELLOW CAP

12.5' SHARED ACCESS EASEMENT

BLOCK 13
LOT 13H2X

140.42'

13B1

14.19'

25.47'

12.5'
3.5'

35.00'

154.31'

N89°44'40"W

13B2

35.02'

154.92'

EXISTING 'B' ZONING
PROPOSED 'PD-AR'

13C1

24.68'

35.00'

35.00'

35.00'

35.00'

35.00'

35.00'

35.00'

35.00'

35.00'

12.5'
3.5'

154.92'

13C2

35.00'

10'

154.92'

154.92'

13H1

35.00'

154.92'

13H2

25.00'

144.92'

14.09'

12.5' SHARED ACCESS EASEMENT

BLOCK 13
LOT 13H2X

170.42'

N89°44'40"W

S0°8'54"E

12.5' SHARED ACCESS EASEMENT

242.15'

SET 1/2" IRON ROD
WITH YELLOW CAP

EXISTING 'PD A-5' ZONING

RIVERCREST BLUFFS
FP-14-050

Fw RIVERCREST BLUFFS LLC
RIVER CREST ADDITION
BLK. 14-R-1
VOL. 388-4, PG. 455,
INST. No. D2141167702
D.R.T.C.T.

NOTES

- EXISTING 'B' ZONING, PROPOSED 'PD-AR'.
- THE SITE IS LOCATED IN THE MIDDLE OF THE BLOCK, ADJACENT TO SINGLE-FAMILY STRUCTURES WITH FIVE FEET SIDE YARDS. PER 'AR' STANDARDS, THE FIRST UNIT DETERMINES LOT PATTERN IN THE BLOCK FACE. (WAIVER REQUIRED)



500 WEST 7TH ST | FORT WORTH TEXAS 76102 | PHONE: 817.870.3668
SUITE 350
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION • 470

OWNER / DEVELOPER:
HARRIS & ASSOCIATES
2929 W. FIFTH ST., #A
FORT WORTH, TX 76102
PHONE: (469)471-3977
EMAIL: TIA@JRHPARTNERS.COM

SITE PLAN

RE-PLAT OF RIVERCREST ADDITION
LOTS 13B, 13C, 13H, BLOCK 13
RIVERCREST ADDITION
LOTS 13B1, 13B2, 13C1, 13C2, 13H1,
13H2, 13H2X, BLOCK 13

EXISTING 'B' ZONING

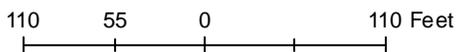
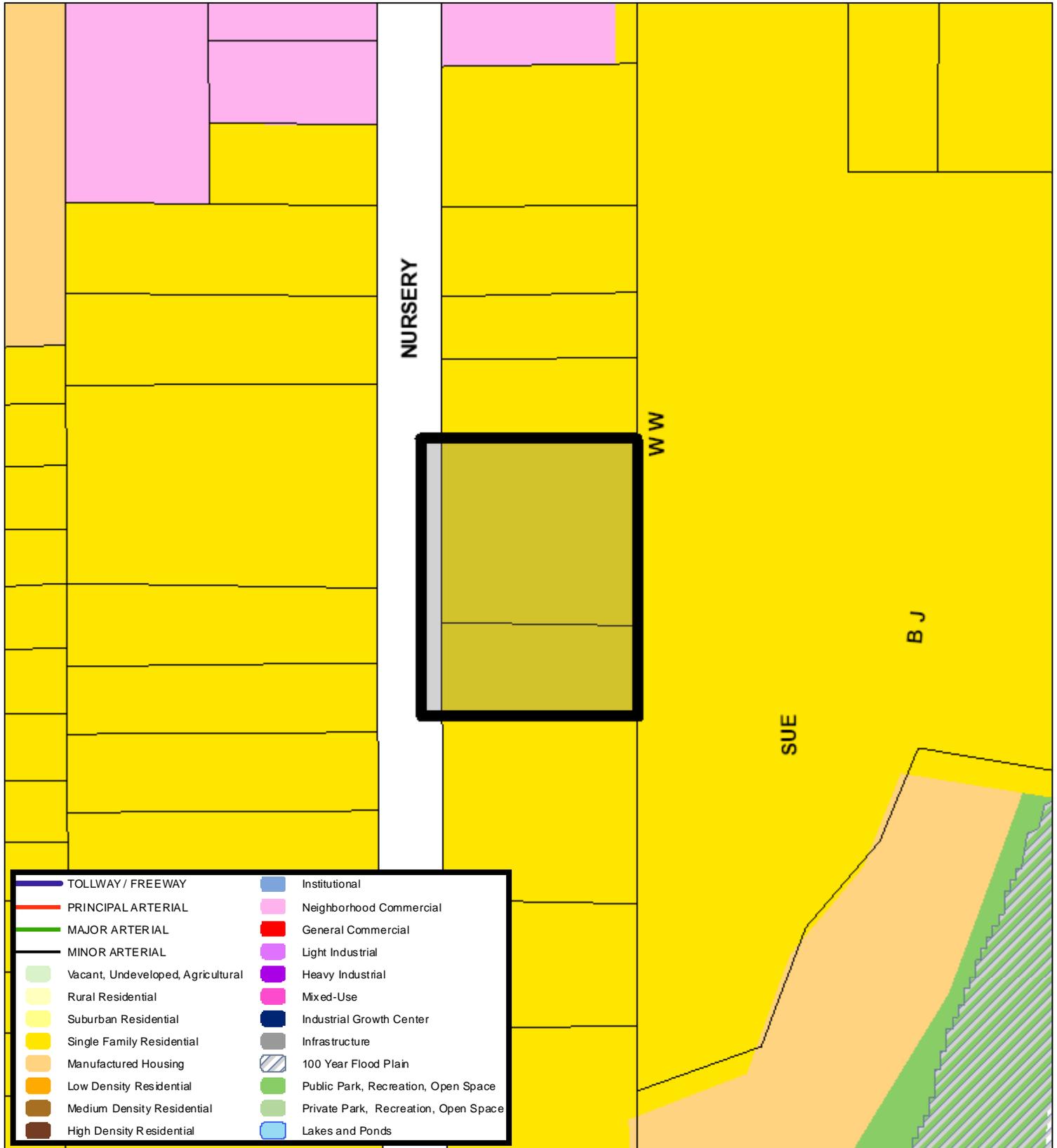
BEING A 0.947 ACRE TRACT OF LAND
AND PART OF BLOCK 13, IN THE
RIVERCREST ADDITION, AN ADDITION TO
CITY OF FORT WORTH, TARRANT
COUNTY, TEXAS, ACCORDING TO PLAT
RECORDED IN VOL. 310, PG. 91-92,
DEED RECORDS OF TARRANT COUNTY,
TEXAS, AND ALSO BEING THAT CERTAIN
TRACT OF LAND CONVEYED BY DEED
TO JUAN MARTINEZ AS LOTS 13-E BY
INSTRUMENT NO. D210022500 DEED
RECORD TARRANT COUNTY, TEXAS
D.R.T.C.T.

SHEET 1 OF 1

DEVELOPMENT: RIVERCREST ADDITION LOT 13B, 13C, 13H, BLOCK 13
ZONING CASE: ZC-15-129
DIRECTOR OF PLANNING AND DEVELOPMENT:
DATE:

DATE OF SUBMITTAL: 9-10-2015

Future Land Use



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 70 140 280 Feet



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 as noticed, 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 is 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 recusing herself.

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

4905 White Settlement	NA	In		Support	Sent letter in
Fort Worth Growth Partners, LP	NA	In		Support	Sent letter in

4. ZC-15-130 Bertilla Ventura (CD 9) 405 Wimberley Street (Linwood Addition, Block 15, Lot 2, 0.19 Acres): from “B” Two-Family to “UR” Urban Residential

Ms. Murphy mentioned the applicant has requested the case be withdrawn.

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

<i>Document received for written correspondence</i>				ZC-15-130
Name	Address	In/Out 300 ft notification area	Position on case	Summary
Keith Lawrence	NA	NA		Applicant; Request to withdraw

5. ZC-15-131 Texas Tile Roofing LLC (CD 5) 801 E. Loop 820 (Robert Ray Survey, Abstract 1290, 0.71 Acres): from “E” Neighborhood Commercial to “I” Light Industrial

Gerry Curtis, 1107 E. First Street, Fort Worth, Texas representing Texas Tile Roofing explained to the Commissioners they originally requested “I” zoning for the outside storage. The company has outgrown their existing location in Haltom City. Mr. Curtis mentioned the neighborhood has requested a site plan to show what will be on the property.

Ms. McDougall mentioned that the original request was not favored by the neighborhood and she was glad to see it had changed. Ms. McDougall asked if there would be a forklift stored outside, hours of operation, and any lighting plans. Mr. Curtis said he is not sure if there will be one stored outside but there would be pallets, they operate from 8-5, and they have not prepared any lighting plans at this time. Ms. McDougall asked if it would be appropriate to continue the case so the owner and architect can get together with the neighborhood. Mr. Curtis said there have been discussions with Ms. Haskins, a neighborhood representative. Ms. McDougall asked again if a continuance be appropriate. Mr. Curtis said yes it would be.

Motion: Following brief discussion, Ms. McDougall recommended a 30 day Continuance of the request to submit a site plan and work with the neighborhood, seconded by Ms. Conlin. The motion carried unanimously 8-0. The motion included the request for a detailed site plan with considerations to lighting, professional appearance, etc., and for the applicant to reach out to the neighborhood.

<i>Document received for written correspondence</i>				ZC-15-131
Name	Address	In/Out 300 ft notification area	Position on case	Summary