



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
March 1, 2016

**Council District** 5

**Zoning Commission Recommendation:**  
Denial by a vote of 7-2  
  
**Opposition:** None submitted  
**Support:** Stop 6/Poly NA

Continued Yes \_\_\_ No X  
Case Manager Stephen Murray  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** Ahmed Gaafar Alkatheri

**Site Location:** 4400 - 4412 (evens) E. Berry Street Mapsco: 79S

**Proposed Use:** Automotive Parts Sales and Inspection

**Request:** From: "E" Neighborhood Commercial

To: "FR" General Commercial Restricted

**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 the corner of Berry Street and Hughes Ave. The applicant is requesting a zoning change from "E" Neighborhood Commercial to "FR" General Commercial Restricted. The applicant would like to remodel the existing building for auto parts sales and inspection and add two bay doors. The applicant also indicated that they would be able to do estimates for repairs for other businesses.

The proposed site is located within the Miller/Berry Mixed-Use Growth Center. Mixed-Use Growth Centers differ from commercial corridors in that they are compact (vs. linear), are favorable to pedestrians and public transit (vs. automobiles), have integrated land uses, and have buildings oriented to the street (vs. parking lots). Growth centers support the concept of sustainable development, seeking to balance access, mobility, affordability, community cohesion, and environmental quality. Auto related land uses are not appropriate in these locations.

The proposed site is also in close proximity to single-family development. Operational characteristics of auto repair are inconsistent with single-family development.

The area neighborhood was supportive of the change because it would cause for the rehabilitation of the building, which has been deteriorating.

**Site Information:**

Owner: Ahmed Gaafar Alkatheri

2617 S Center St.  
 Arlington, TX 76014  
 Agent Robby Massop  
 Acreage: 1.09 ac  
 Comprehensive Plan Sector: Southeast  
 Surrounding Zoning and Land Uses:  
 North "E" Neighborhood Commercial / convenience store  
 East "A-5" One-Family / church  
 South "A-5" One-Family / single-family  
 West "E" Neighborhood Commercial; "FR" General Commercial Restricted / convenience store, church

**Recent Relevant Zoning and Platting History:**

Zoning History: None  
Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Berry Street	Minor Arterial	Minor Arterial	No
Hughes Ave	Residential	Residential	Residential

**Public Notification:**

The following organizations were notified:

Organizations Notified	
South Edgewood NA	Streams And Valleys Inc
Stop 6/Poly Oversight	East Fort Worth, Inc.
Southeast Fort Worth Inc	Fort Worth ISD
Trinity Habitat for Humanity	

\*Site not located within a registered Neighborhood Association

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing a zoning change to "FR" General Commercial Restricted for automotive parts sales and inspection. Surrounding land uses vary with a convenience store to the north, single-family just south, a church to the east and convenience store to the west. The proposed site is located a minor arterial with mainly neighborhood commercial uses. Introducing auto repair and sales is not appropriate at this location.

As a result, the proposed zoning **is not compatible** at this site.

**2. Comprehensive Plan Consistency**

The 2015 Comprehensive Plan designates the subject property as the Miller/Berry Mixed Use Growth Center. The requested zoning change is not consistent with the Comprehensive Plan.

- Encourage new development type and intensity appropriate to existing or planned street infrastructure by coordinating future land use map changes with the Master Thoroughfare Plan and an adopted Complete Streets policy (pg. 38).
- Identify and designate on future land use maps mixed-use neighborhood centers and/or new mixed-use growth centers in rapidly developing areas, based on proximity to future rail transit and key transportation intersections. (pg. 39).

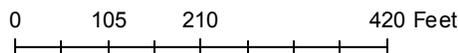
Based on lack of conformance with the future land use map and the policies stated above, the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

**Attachments:**

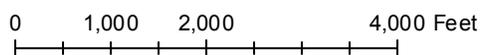
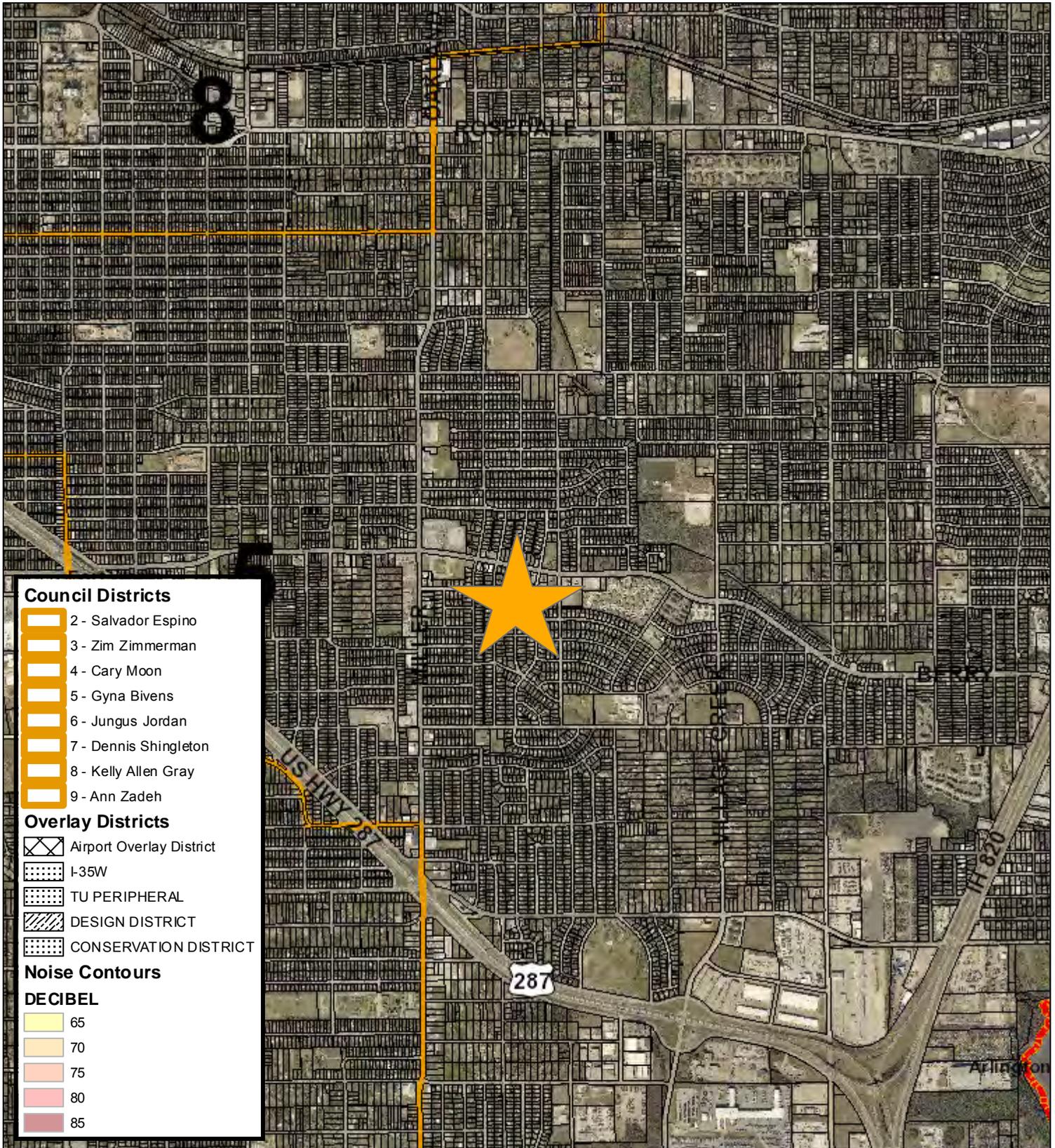
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

### Area Zoning Map

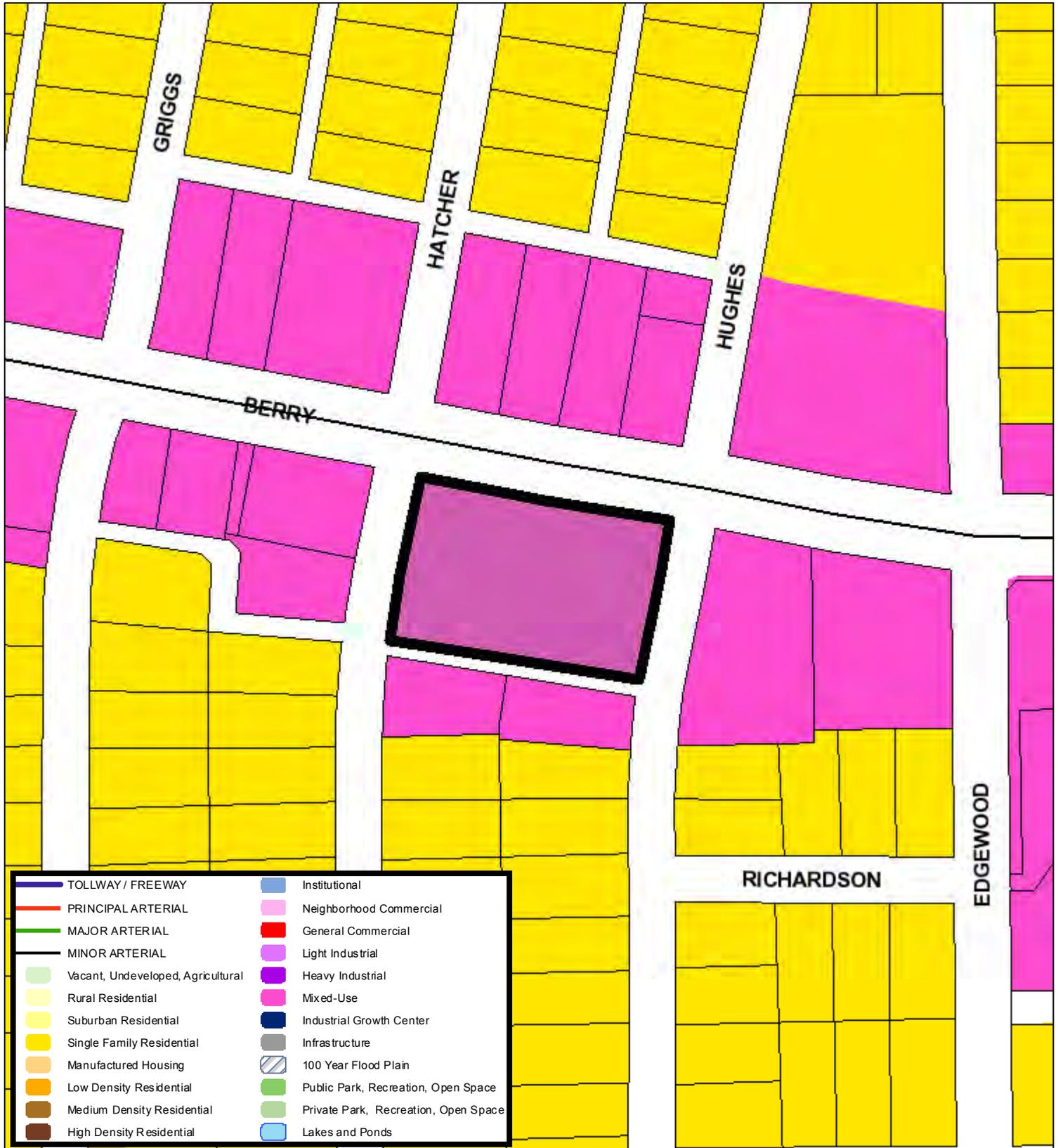
Applicant: Ahmed Gaafar Alkatheri  
 Address: 4400 - 4412 (evens) E. Berry Street  
 Zoning From: E  
 Zoning To: FR  
 Acres: 1.09368871  
 Mapsco: 79S  
 Sector/District: Southeast  
 Commission Date: 2/10/2016  
 Contact: 817-392-8043



### Area Map



### Future Land Use



TOLLWAY / FREEWAY	Institutional
PRINCIPAL ARTERIAL	Neighborhood Commercial
MAJOR ARTERIAL	General Commercial
MINOR ARTERIAL	Light Industrial
Vacant, Undeveloped, Agricultural	Heavy Industrial
Rural Residential	Mixed-Use
Suburban Residential	Industrial Growth Center
Single Family Residential	Infrastructure
Manufactured Housing	100 Year Flood Plain
Low Density Residential	Public Park, Recreation, Open Space
Medium Density Residential	Private Park, Recreation, Open Space
High Density Residential	Lakes and Ponds

140 70 0 140 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 90 180 360 Feet



**To PD 569 Walsh Ranch “PD/CC” Planned Development for Community Center, to add the following uses: retail sales accessory to community recreation center, country club, amphitheater, amusement outdoor, swimming pool HOA, hotel, motel, cottage or inn, business college or commercial school, greenhouse or plant nursery, recording studio, community garden, urban farming, electronic signs, amusement outdoor (temporary), temporary residences for attendees of educational, technical or artistic gatherings and amend the development standards to allow a maximum height of 65 feet for hotels, motels, cottages or inns and to allow electronic signs per Sect. 6.411; site plan waiver recommended. Walsh Planned Development Nonresidential Use Table attached as Exhibit A.**

Tony Ruggeri, 500 W. 7<sup>th</sup> Street, Suite 1235, Fort Worth, Texas representing Walsh Ranches Limited Partnership explained to the Commissioners as they are developing the first phase they are defining their development plan. Mr. Ruggeri said they are relocating where the Community Center zoning is and adding additional acreage as well as adding additional uses.

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

**6. ZC-16-023 Walsh Ranches Limited Partnership (CD 3) Generally bounded by Patterson Branch Creek, Walsh Ranch Parkway & future Quail Meadow Boulevard (metes and bounds in case file, 18.00 Acres): from “PD569 Planned Development for “PD/CC” Community Center for uses listed in the Walsh Planned Development District Use Table. Development standards shall be in accordance with “F” General Commercial district; site plan waived**

**To PD522 Planned Development for “PD/LDR” Low Density Residential, for all single-family uses in “A-43” One-Family through “R2” Townhouse/Cluster districts listed in the Walsh Planned Development Residential Use Table. A maximum of 14,785 dwelling units in permitted. Development standards shall be in accordance with each applicable single-family district as recorded in Ordinance #13896; site plan waiver recommended.**

Tony Ruggeri, 500 W. 7<sup>th</sup> Street, Suite 1235, Fort Worth, Texas representing Walsh Ranches Limited Partnership explained to the Commissioners they are moving the location of the community center and need to change some of the Community Center zoning to Low Density Residential.

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

**7. ZC-16-022 Ahmed Gaafar Alkatheri (CD 5) – 4400-4412 (evens) E. Berry Street (Eastwood Addition, Block 14, Lots 13-16, 1.09 Acres): from “E” Neighborhood Commercial to “FR” General Commercial Restricted**

Sarina Paape & Robby Mossop, P.O. Box 494, Sherman, Texas representing Ahmed Alkatheri explained to the Commissioners they are requesting to rezone to allow for auto parts sales and inspections station.

Ms. McDougall asked if they were going to relocate, what type of auto sales is proposed and are they familiar with what is being proposed for this area. Ms. Paape said new auto parts sales plus inspection station. Ms. McDougall said there seems to be an abundance of automobile related uses and their request is neither compatible nor consistent for the plans in this area.

Sharon Armstrong with Stop 6 Poly NA spoke in support. She mentioned the building has been vacant for at least two years and is an eye sore. She said they need something in that building and that is why they agreed with an auto parts store.

Jimel Charoon, 1501 Choca Drive, Arlington, Texas spoke in support. He works for the owner/investor for the property. Mr. Charoon mentioned he has hauled a lot of trash from inside the building. He felt this is a nice area and that they would remodel to have someone there. He has seen their site in Sherman and looks really nice.

Ms. McDougal said they are looking for something more appropriate from a land use designation. Ms. McDougall mentioned when they go before Council, they should have a site plan and show them what the building is going to look like.

Mr. Edmonds asked if the building has bay doors. Mr. Charon said they can add them and modify it for two bays.

Mr. Northern said it would also help if they had letters of support.

Motion: Following brief discussion, Ms. McDougall recommended Denial of the request, seconded by Ms. Conlin. The motion carried 7-2 with Mr. Cockrell and Ms. Runnels against.

<i>Document received for written correspondence</i>					<i>ZC-16-022</i>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 ft notification area</b>	<b>Position on case</b>		<b>Summary</b>
Sharon Armstrong/Stop 6 Poly NA	NA	Out		Support	Spoke at hearing
Jimel Charoon	1501 Choca Dr	Out		Support	Spoke at hearing

**8. ZC-16-024 Atallah Zitoon (CD 2) – 2923 N. Houston Street (M. G. Ellis Addition, Block 69, Lot 12, 0.14 Acres): from “A-5” One-Family to “E” Neighborhood Commercial**

Melany & Atallah Zitoon, 4632 Moss Ross Drive, Fort Worth, Texas property owner explained to the Commissioners they have owned the property since the mid 1980’s. The business closed in the late 90’s and has been vacant since. They would like to rezone it back to commercial.