



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 5, 2016

Council District 9

Zoning Commission Recommendation:
Approval by a vote of 9-0

Opposition: Linwood NA
Support: Two letters submitted

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

Owner / Applicant: **A. Mota, A. Zavala, YRL Properties, Ltd., PSQ Barbie, LP., M. Reyna, J. Guerrero, J. Navarrete, Jason Baxter, etal**

Site Location: 300 & 354 Foch Street, 2805, 2812-2818 and 2817-2827 Wingate Street
Mapsco: 62X

Proposed Use: **Urban Residential**

Request: From: "A-5" One-Family
To: "UR" Urban Residential

Land Use Compatibility: Requested change **is compatible**

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

Background:

The site is located north of Wingate Street and west of Foch Street, both considered residential streets. The applicant is proposing to rezone from "A-5" One-Family to "UR" Urban Residential to construct townhomes. Parking for townhomes is intended to be accessed from the rear of the primary structure via a driveway or rear alley which is planned for these properties. Several of the sites are located within the 100 year floodplain; drainage studies will be necessary through the platting process to accommodate the development.

Urban Residential is intended to be used for higher density residential with no maximum units per acre. The southern sections of Linwood have been in transition with the construction of a four story multifamily structure and the replatting and construction of townhouses in "B" duplex zoning with front access.

These properties are the last remaining properties in Linwood to retain the single family future land use designation. Staff met with the neighborhood in November to discuss the change of the Future Land Use plan. Staff presented a map with the majority of the area going to Low Density Multifamily to reflect several recent zoning changes to UR. However, at the meeting, the neighborhood chose to retain two blocks as single family with the hope was that single family homes would redevelop on the properties adjacent to the part, and retain some of the former single family subdivision.

The owners of the subject properties of this zoning case attended the January 27 City Plan Commission meeting where a public hearing was held concerning the annual Comprehensive Plan update, requesting that these lots be changed to Urban Residential to be consistent with the remainder of the neighborhood.

A neighborhood representative attended requesting that they stay single family. The commissioners voted to retain the single family future land use, with the understanding that the appropriateness of the Urban Residential use would be considered through this zoning case and reflected in next year's update if approved. A neighborhood meeting was later held on January 28 where this case was discussed and the neighborhood voted 10-9 to oppose the case with the president being the deciding vote.

City staff held an onsite public meeting on February 27 concerning the future land uses in the area. The discussion included the background of the future land uses in the area. It identified that the area was part of the Mixed Use Growth Center for several years then converted to Low Density Multifamily for the neighborhood, with some blocks later shown as single family since 2008. Staff explained that the Future Land Use plan was intended to have a 20 year vision and zoning was the implementation of that plan.

The discussion requested input from the property owners and residents of the three blocks that were proposed to remain as single-family. Two families from the Azalea block wanted to remain as single family, with the concerns including traffic and the size of the buildings. All of the other property owners and residents on the Foch and Wingate blocks were in support of the new Urban Residential future land use category. Staff provided two maps as options: one showed the future land uses as recommended by the City Plan Commission with the one block remaining single family and the other showed the future land uses as recommended by staff with the neighborhood shown as Urban Residential.

Urban Residential is designed to:

- Promote a pedestrian-oriented urban form. Mixed-Use development standards and guidelines focus on promoting a walkable, urban form of development, consistent with the surrounding areas historic urban character. The focus on form promotes buildings that conform to tested urban design principles.
- Require excellence in the design of the public realm and of buildings that front public spaces. Encourage creativity, architectural diversity, and exceptional design. Mixed-use is intended to promote high quality design, and the development review process for mixed-use projects is intended to promote flexibility.
- Promote sustainable development that minimizes negative impacts on natural resources. Creating a walkable, higher density residential district surrounding mixed-use districts supports sustainable development by providing an alternative to low density development in peripheral areas.

The case was continued from the February 10 Zoning Commission meeting in order to provide time to meet with the neighbors and property owners concerning the future land use map. The continuance also will allow for the City Council to consider the future land use update for this area on March 1 before the zoning case is heard by the Council on April 5. The Comprehensive Plan is scheduled to be heard on March 22 before the City Council hearing for this case.

Site Information:

Owner:

Alberto Mota & Angelica Roldan
2827 Wingate
Fort Worth, TX 76107

Arthur and Cynthia Zavala
2821 Wingate
Fort Worth, TX 76107

Maria Reyna/Cynthia Zavala
2818 Wingate
Fort Worth, TX 76107

YRL Properties, Ltd.
2817 Wingate
Fort Worth, TX 76107

Jorge Guerrero
2812 Wingate
Fort Worth, TX 76107

PSQ Barbie, LP
2805 Wingate
Fort Worth, TX 76107

Jesus & Irma Navarrete
300 Foch
Fort Worth, TX 76107

Jason & Charlene Baxter
354 Foch
Fort Worth, TX 76107

Acreage: 1.43 acres
 Agent: Townsite Company/Phillip Poole
 Comprehensive Plan Sector: Arlington Heights
 Surrounding Zoning and Land Uses:
 North "A-5" One-Family; "UR" Urban Residential / single-family, vacant
 East "A-5" One-Family; "UR" Urban Residential; PD 936 "PD/UR" Planned Development for all uses in "UR" Urban Residential with a maximum four stories and development standards attached as Exhibit "E"; site plan waived. / single-family, urban residential
 South "B" Two-Family; "A-5" One-Family / single-family, park
 West "B" Two-Family; "A-5" One-Family / single-family, park

Recent Relevant Zoning and Platting History:

Zoning History: ZC-07-144 petition initiated rezoning approved by City Council to various zoning districts subject area; effective 9/04/07.

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Wingate St.	Residential	Residential	No
Foch	Residential	Residential	No

Public Notification:

The following Organizations were notified:

Organizations Notified	
Linwood NA*	Montgomery Plaza Master Condominium Association, Inc.
University Park Owners Association	Trinity Habitat for Humanity
Montgomery Plaza Residential Condominium Association	Streams And Valleys Inc
Cultural District Alliance	Fort Worth ISD

*Located within the Linwood NA.

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing to rezone the property to "UR" Urban Residential to build townhomes. The surrounding land uses vary with single-family, planned Urban Residential to the north, single-family and a park to the south and west, and multifamily, single-family and planned Urban Residential to the east.

The proposed site abuts several single-family residential uses. However, the majority of property owners along the blockface are requesting that the zoning for their land be changed to Urban Residential and several zoning cases have been approved along Wingate. Urban Residential is designed to buffer One-Family zoning from Mixed Use districts.

As a result, the proposed zoning **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

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

- Encourage Urban Residential and Low Density Residential as transitional uses between single-family residential and high density uses. (pg. 38)
- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city. (pg. 39)

- Accommodate higher density residential and mixed uses in areas designated as a mixed-use growth center on the City's future land use maps. (pg. 38)

The future land use for this area was reviewed and a meeting was held with the Linwood Neighborhood Association in the fall of 2015. At that time, the neighborhood chose to keep the single-family designation for this portion of Wingate. The property owners and a neighborhood representative spoke at the public hearing for the 2016 Future Land Use changes where the single family use was recommended for the two blocks.

The proposed zoning **is not consistent (Significant Deviation)** with the future land use designations.

Attachments:

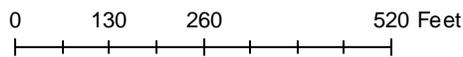
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

Area Zoning Map

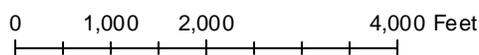
Applicant: Navarette/Mota/Zavala/PSQ Barbie/YRL/Baxter etal
 Address: 300 & 354 Foch St, 2805, 2812-2818 and 2817-2827 Wingate Street
 Zoning From: A-5
 Zoning To: UR
 Acres: 1.4329782
 Mapsco: 62X
 Sector/District: Arlington Heights
 Commission Date: 2/10/2016
 Contact: 817-392-8043



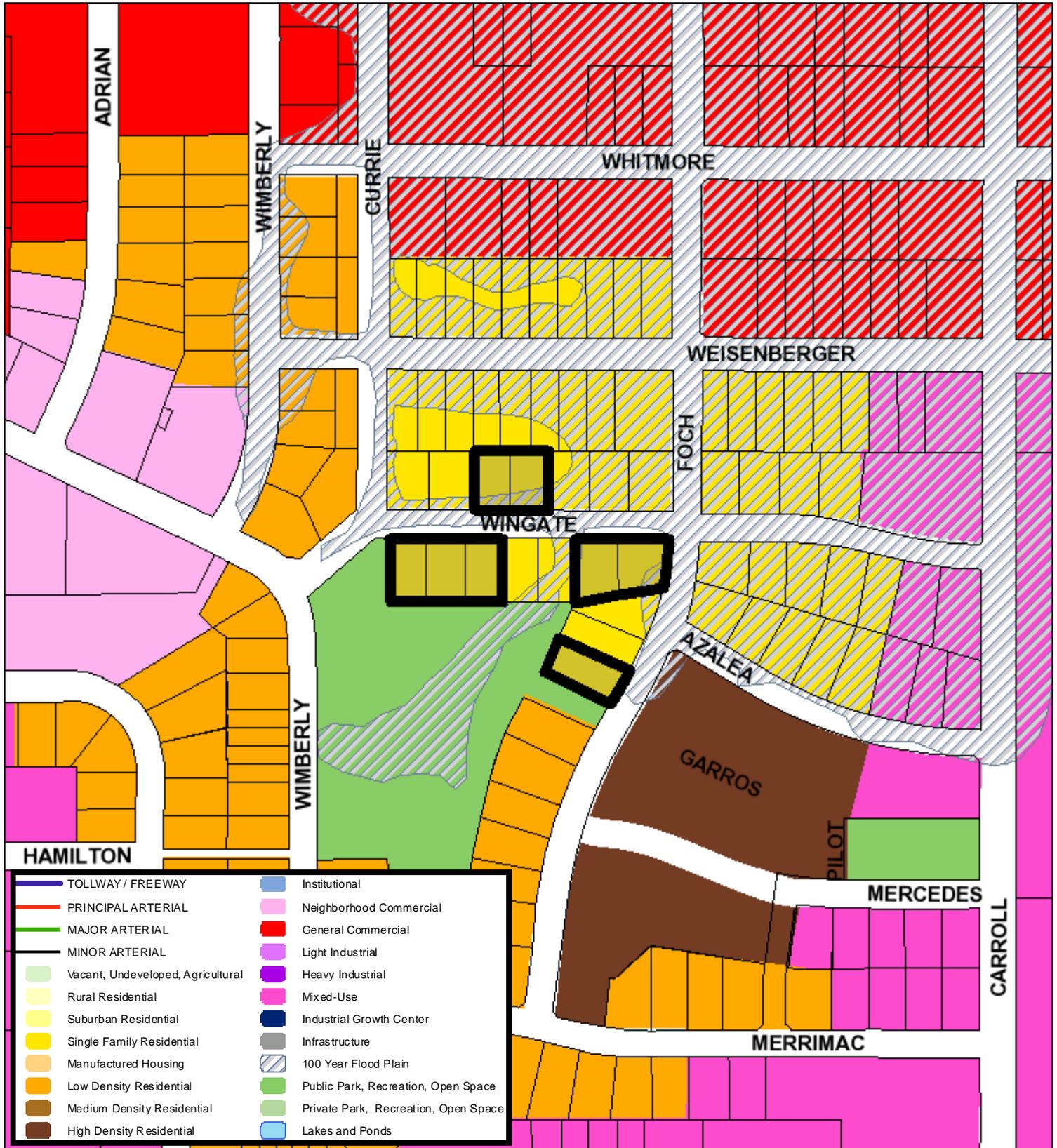
Subject Area
 300 Foot Notification



Area Map



Future Land Use



240 120 0 240 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



0 150 300 600 Feet



Dan Martinez	2311 N Houston	Out	Opposition		Signed petition
Jacinto Contreras	2219 N Houston	In	Opposition		Signed petition
Elia Estrada	2302 N Houston	In	Opposition		Signed petition
Bud Starnes & Associates	2225 N Houston	In	Opposition		Sent letter in

13. ZC-16-029 Linwood Area: Alberto Mota, Arthur Zavala, YRL Properties LTD, PSQ Barbie LP, Maria Reyna, Jorge Guerrero, Jesus Navarrette, and Jason Baxter (CD 9) 2805, 2812, 2817, 2818, 2821 and 2827 Wingate and 300 and 354 Foch Street (Linwood Addition, Block 10, Lots 1, 4, 5, 8, 9, 10 and Block 7, Lot 3 & 4, 1.43 Acres): from “A-5” One-Family to “UR” Urban Residential

Mary Nell Poole, 2918 Wingate Street, Suite 100, Fort Worth, Texas representing the property owners explained to the Commissioners they are requesting to rezone these properties to “UR” zoning. Ms. Poole asked those present in support to stand. Ms. Poole mentioned she usually comes with support from the neighborhood; in this case there was a split vote. She has submitted a petition with 56% of property owners within the residential streets of Linwood NA, 79% on Wingate and 80% of property owners on Foch support the rezoning for a total of 97 signatures. There were several conversations of why the property owners weren’t included when the neighborhood had talks about rezoning this area. All the new development has been on the northern side of Linwood until recently there have been some zoning changes on the southern side. The property owners present believe “UR” zoning is the best use of zoning for their land.

Eva Bonilla, 362 Foch Street, Fort Worth, Texas President of the Linwood NA spoke in opposition. Ms. Bonilla said she is representing the majority of the owners in Linwood as well as some of the townhome owners. Ms. Bonilla said a sustainable neighborhood should consist of single-family homes, low density housing and apartments. She also mentioned only three families on the list live in the neighborhood and only one is homesteaded. There was discussion about the neighborhood meeting and why the vote ended up being 10-9. She submitted a letter stating their concerns pertaining to density, infrastructure challenges, traffic, drainage problems, etc. Ms. Bonilla said there has not yet been a “UR” product built in the neighborhood even though there are several lots zoned “UR”.

Mr. Flores asked Ms. Bonilla for clarification of the vote of 10-9 at the neighborhood meeting. The nine representative active voting members were owners, what did the 10 members represent? Ms. Bonilla was the tenth voting member opposing because the vote was a tie 9-9. Ms. Bonilla read into the record the procedural rules for Linwood NA. Mr. Flores asked if there was full attendance of all property owners at the meeting. Ms. Bonilla said there was partial attendance.

Ms. McDougall wanted to clarify on the vote taken at the neighborhood meeting and if they pay dues. Ms. Bonilla said they are not an HOA where dues are required. Ms. Bonilla said if they live in the neighborhood, not just an owner, they can be a member of the neighborhood association.

Mr. Edmonds mentioned the approved zonings for “UR” in this area and asked how many lots are in Linwood. Ms. Bonilla did not know for sure but indicated all the ones identified in yellow on the Comprehensive Plan are single-family lots. He mentioned “UR” is supposed to be a variety of housing types including single-family. Ms. Bonilla said they gave up too many single-family lots to “UR” zoning.

Mr. Edmonds asked staff where “UR” stands in the neighborhood. Ms. Burghdoff said going back to the year 2000 when Councilmember Davis made some land use changes to create low density and single-family there have been some minor changes based on new development. The zoning changes to “UR” started a couple of years ago. Ms. Murphy said after several of the “UR” zoning cases, they looked at the area to make changes to the Comprehensive Plan. He also mentioned “UR” was to be the buffer between single-family and mixed uses.

Mr. Flores asked if there was opportunity for there to be another meeting to discuss. Ms. Burghdoff said yes and meeting with the neighborhood would be good, but there are issues going forward with the Comprehensive Plan especially for this area and what is realistic for the next twenty years. She mentioned there needs to be conversation with staff and the neighborhood.

In rebuttal Ms. Poole said yes her clients want to have a voice in this as well. Everything on Wingate is zoned “UR” except for a couple of lots and makes no sense not to rezone it. She also said you can build an A-5 single-family home in “UR”. As far as home many lots, there are roughly 220 residential lots in Linwood.

Motion: Following brief discussion, Ms. Dunn recommended a 30-day Continuance of the request, seconded by Mr. Flores. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-16-029
Name	Address	In/Out 300 notification area	Position on case		Summary
Eva Bonilla/Linwood NA	362 Foch	In	Opposition		Spoke at hearing
Daniel Garcia		Out	Opposition		Sent letter in
Mary Byrd	2736 Merrimac	Out	Opposition		Sent letter in
Elva & Jorge Fuentes	350 Foch	In		Support	Sent letter in

14. ZC-16-030 United American Financial (CD 6) 809 Burleson Retta Road (Abner Lee Survey, Abstract No. 931, 6.15 Acres): from “AG” Agricultural to “A-43” One-Family, “E” Neighborhood Commercial and “I” Light Industrial

Gerry Curtis, 1107 E. 1st Street, Fort Worth, Texas representing United American Financial explained to the Commissioners the request is to rezone to “A-43”, “E” and “I” for a marble, slab outside storage contractor to house his business as well as have his single-family home with some commercial uses. There is a gas line easement that runs down the back of the lot. He did

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