



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
April 19, 2016

**Council District** 4

<b>Zoning Commission Recommendation:</b> Approval by a vote of 5-4  <b>Opposition:</b> Property owner and neighboring developer <b>Support:</b> None submitted	Continued	Yes <u>X</u> No ___
	Case Manager	<u>Beth Knight</u>
	Surplus	Yes ___ No <u>X</u>
	Council Initiated	Yes <u>X</u> No ___

**Owner / Applicant:** City of Fort Worth Planning and Development

**Site Location:** 8901 N. Beach Street Mapsco: 36A

**Proposed Use:** Vacant land

**Request:** From: "C" Medium Density Multifamily

To: "A-5" One-Family

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

**Comprehensive Plan Consistency:** Requested change is consistent.

**Background:**

The property consists of vacant land, designated for single family residential in the 2015 Comprehensive Plan. This multifamily zoning district is located outside a growth center or area designated for transit-oriented development where higher density is encouraged.

In 2009 and 2010, the previous Council Member proposed rezoning the site, and the property owner's representative noted a rezoning alternative would be offered. However, no rezoning case has been noted in the intervening years. Councilmember Moon mailed a letter to the affected property owner regarding the proposed zoning changes in November 2015. A response from the property owner was noted to be in opposition.

At the Zoning Commission meeting, a representative of the property owner spoke in objection. A neighboring developer then spoke in objection and explained the history of the single family development of the area and the planning and contract on the subject property. He explained that the property is divided from the single family uses to the west, which he developed, by a creek and large floodplain. He said that the floodplain would serve as a buffer to the multifamily uses proposed on this property and did not understand why the proposal to change zoning was being conducted at this time.

Since the property owner is in opposition, state law requires that a supermajority vote is necessary for approval.

**Site Information:**

Owner: JDI Investors  
1900 Preston Road, Suite 267-88  
Plano, Tx 75093

Applicant: City of Fort Worth Planning & Development Dept.  
1000 Throckmorton Street  
Fort Worth, TX 76102  
Acreage: 14.74 acres  
Comprehensive Plan Sector: Far North

**Surrounding Zoning and Land Uses:**

North "A-5" One-Family and "C" Medium Density Multifamily / Single family and public park  
East "A-5" One-Family and "C" Medium Density Multifamily / Single family and public park  
South "E" Neighborhood Commercial / Vacant land  
West "A-5" One-Family / Single family

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-09-044, north and south of subject site, Council-initiated, to be in conformance with the Comprehensive Plan, approved.

Platting History: PP-07-038, North Community Park, east of site; and FS-16-024, North Beach Apartments, subject site.

**Transportation/Access**

<u>Street</u>	<u>Existing Size</u>	<u>Thoroughfare Plan classification</u>	<u>Current Plans/CIP</u>
N. Beach Street	6 lanes divided	Principal Arterial	none
Shiver Road	4 lanes undivided	Collector	none

**Public Notification:**

The following Neighborhood Associations were notified:

Heritage HOA	Trinity Habitat for Humanity
Heritage Glen HOA	Streams & Valleys, Inc
North Fort Worth Alliance	Keller ISD

**Development Impact Analysis:**

1. **Land Use Compatibility**

This council-initiated zoning change request aligns the future land use designation and zoning district. Based on the zoning classification that is appropriate for the vacant land, the proposed zoning to "A-5" One-Family with development standards **is compatible** with the neighborhood.

2. **Comprehensive Plan Consistency**

The 2015 Comprehensive Plan designates the site as Single Family. The proposed zoning conforms to the following Comprehensive Plan policies:

- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, demolition, neglect, and other negative forces. (pg. 38)
- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)

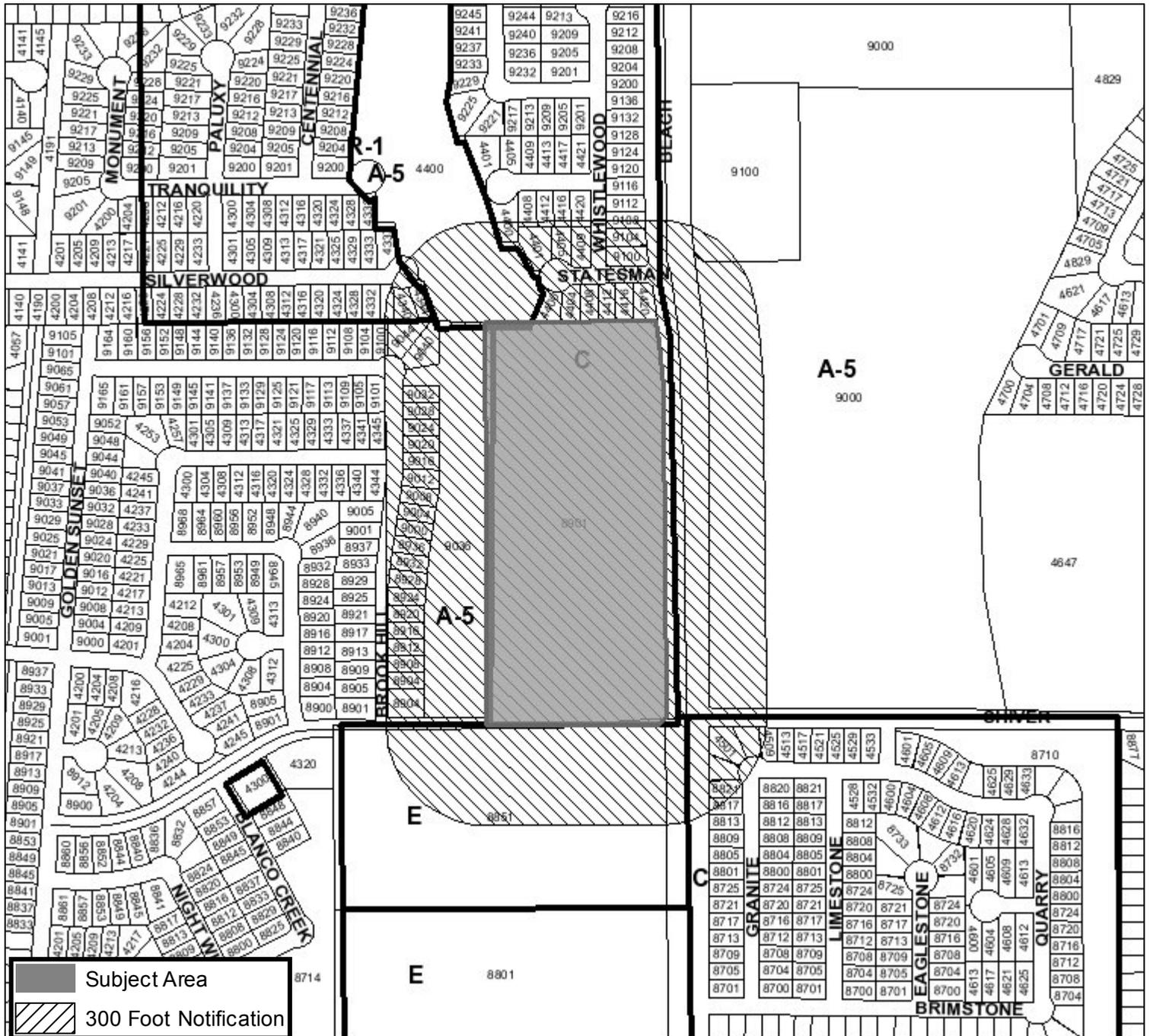
Based on conformance with the future land use map and policies stated above, the proposed zoning **is consistent** with the 2015 Comprehensive Plan.

**Attachments:**

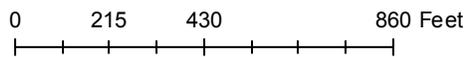
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

### Area Zoning Map

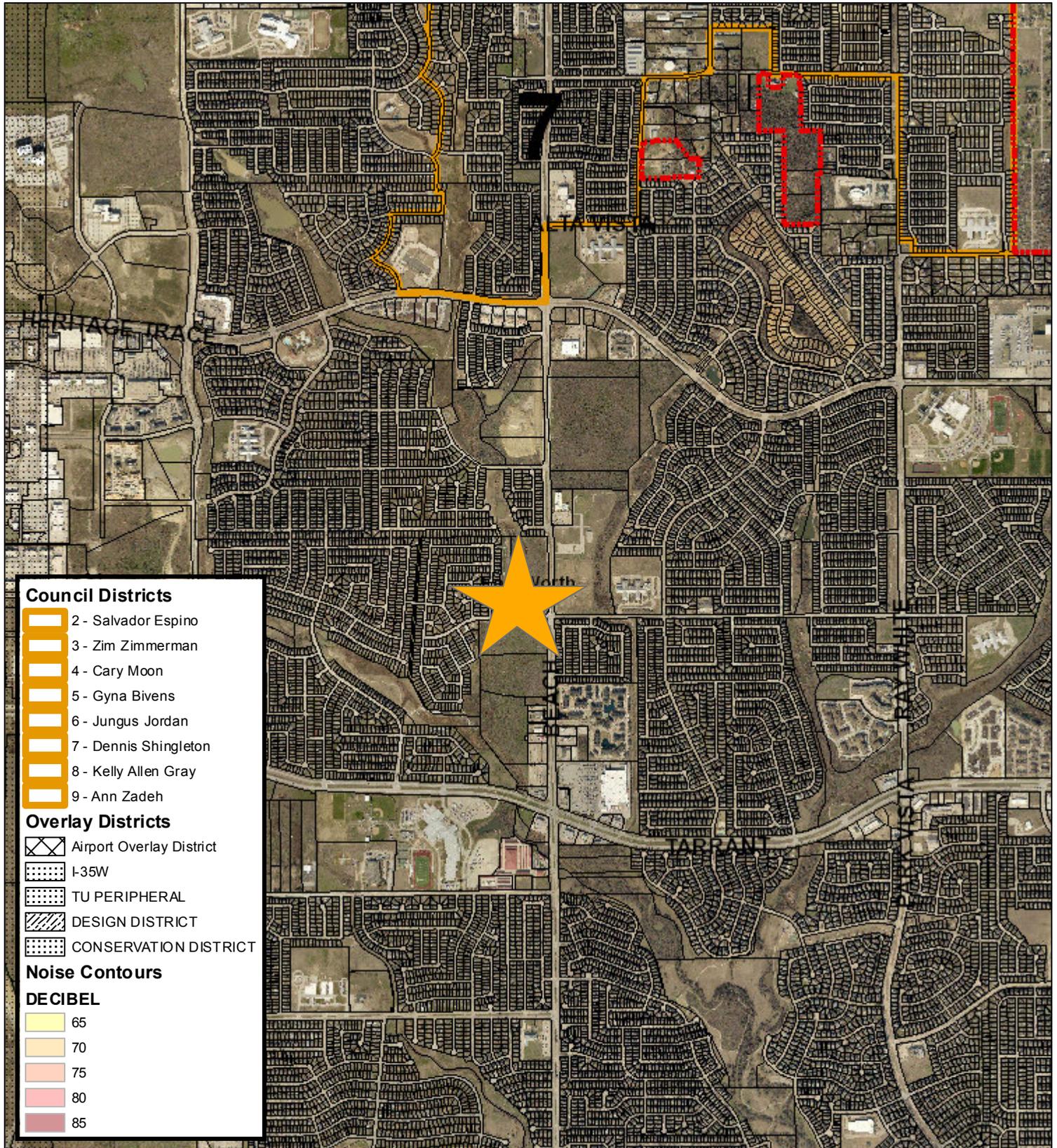
Applicant: City of Fort Worth Planning & Development  
 Address: 8901 N. Beach Street  
 Zoning From: C  
 Zoning To: A-5  
 Acres: 14.74249487  
 Mapsco: 36A  
 Sector/District: Far North  
 Commission Date: 3/9/2016  
 Contact: 817-392-8190



Subject Area  
 300 Foot Notification

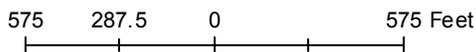
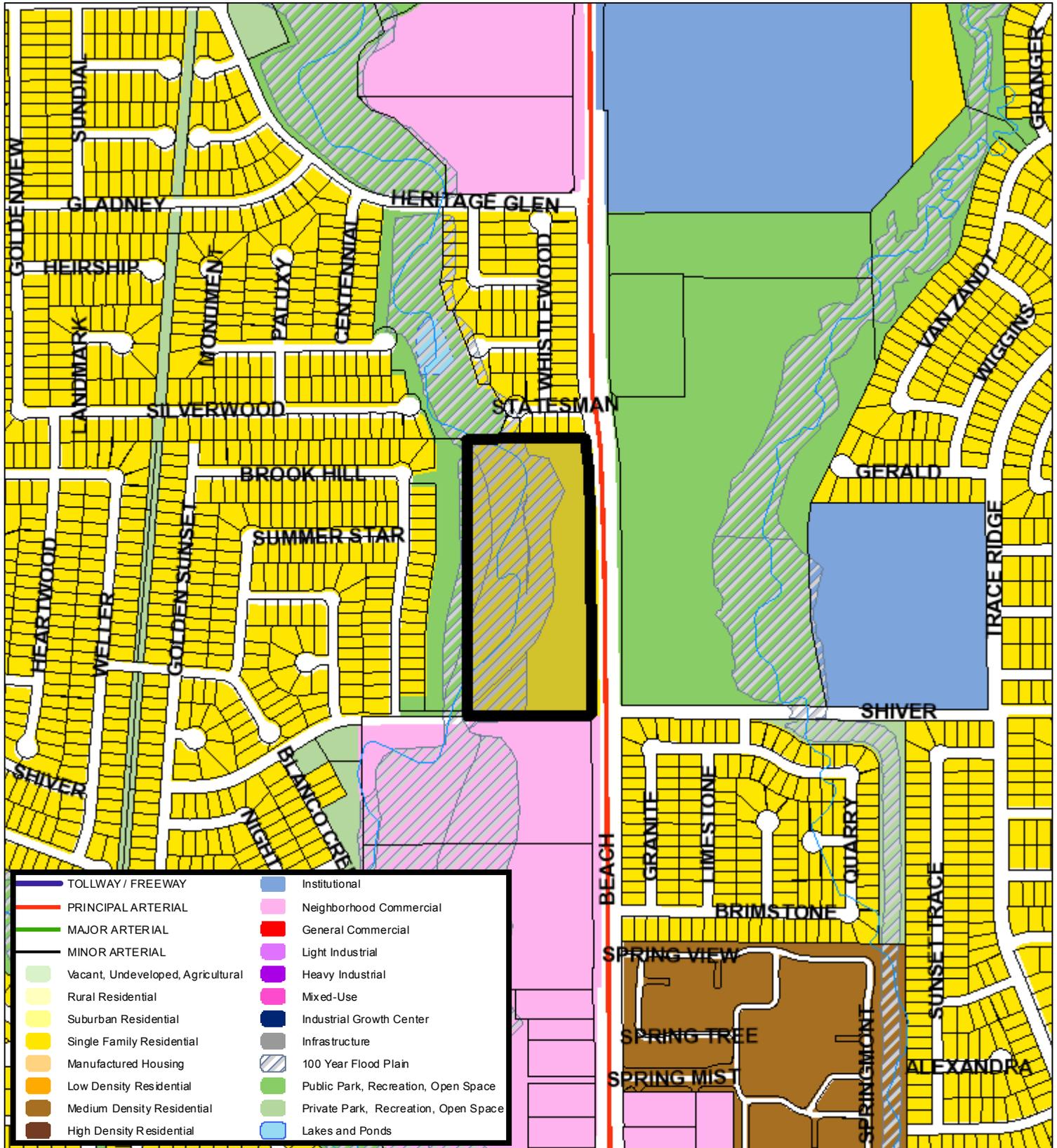


### Area Map



0 1,000 2,000 4,000 Feet

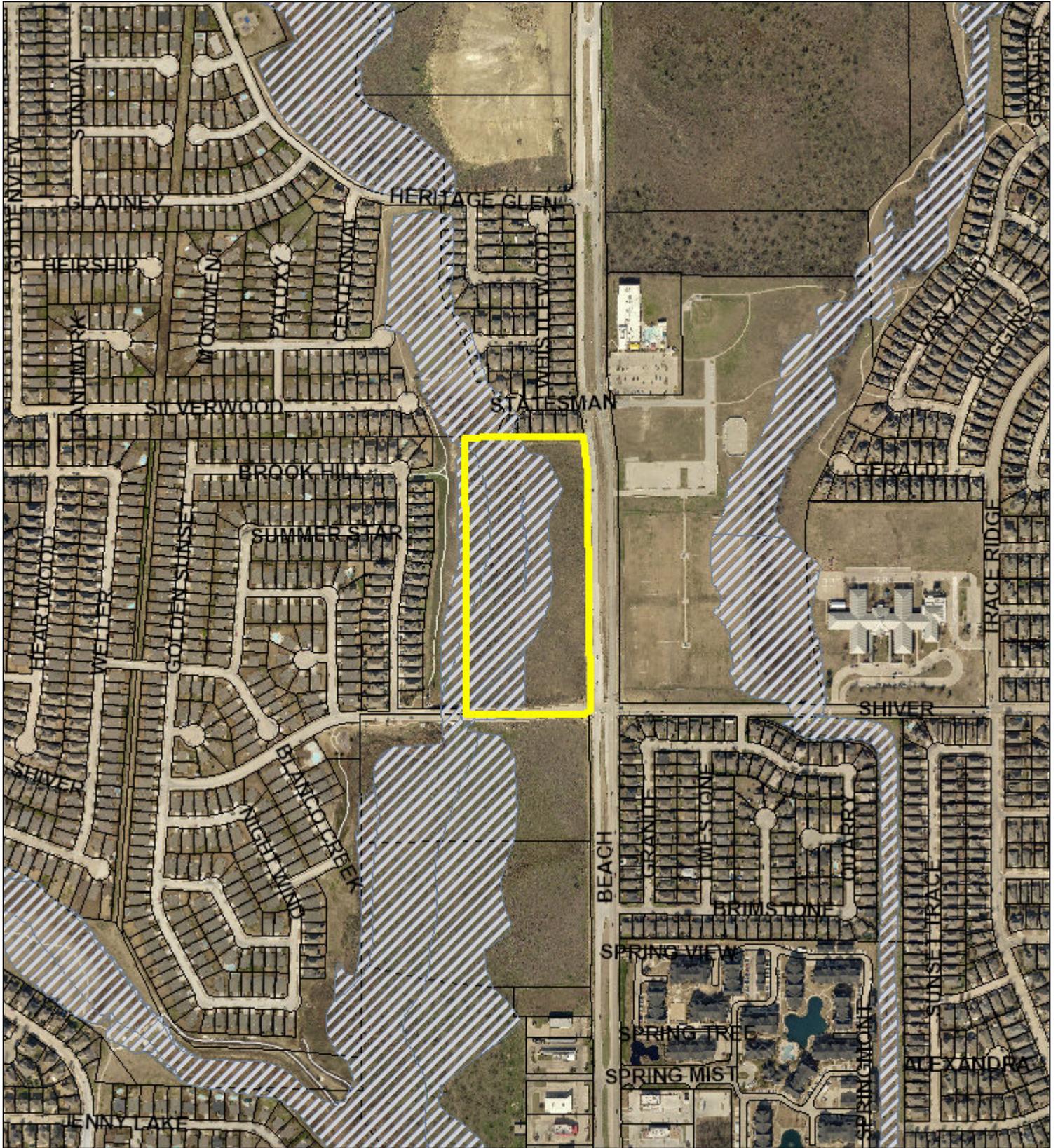
### Future Land Use



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



0 360 720 1,440 Feet



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

<i>Document received for written correspondence</i>					ZC-16-039
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Dick LeBlanc/Developer	3001 Knox St	Out		Support	Spoke at hearing

**10. ZC-16-040 Fossil Ridge Ltd Etal (CD 2) 2800 Sedona Ranch Drive (Samuel Lockhart Survey, Abstract 977, 4.87 Acres): from “C” Medium Density Multifamily to “PD/C” Planned Development for all uses in “C” Medium Density Multifamily plus assisted living and memory care; site plan included**

No one was present. Mr. Flores made a motion to table the case to the end of the agenda, seconded by Ms. Dunn. The motion carried unanimously 9-0.

The case was called at the end of the agenda, no one was present.

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

**11. ZC-16-041 City of Fort Worth Planning and Development/Petition (CD 8) 3600 Block (odds) Galvez Avenue (Riverside Addition, Block 39, Lots 15-28, 2.35 Acres): from “J” Medium Industrial to “A-5” One-Family**

Richard Dennis, 2307 S Branch, Arlington, Texas property owner for 3601 Galvez spoke in support of the case. Mr. Dennis explained to the Commissioners the majority of the block is single-family and his commercial business. He wants to build a house there now.

Ms. McDougall asked he still wanted to keep his business. Mr. Dennis said he has a small plumbing business. Ms. Burghdoff said he would become legal non-conforming. He said he understood.

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

**12. ZC-16-042 City of Fort Worth Planning & Development (CD 4) 8901 N. Beach (Charles Whyte Survey Block A-16111, Tr.1, 14.74 Acres): from “C” Medium Density Multifamily to “A-5” One Family**

Ms. Burghdoff explained to the Commissioners this is a Council-initiated zoning case.

Justin Light, 500 W 7<sup>th</sup> Street, Suite 600, Fort Worth, Texas representing JDI Investors spoke in opposition. Mr. Light mentioned through some of the conversations with the current owner that the property is planned to remain multifamily. There is a greenbelt that provides a buffer from the single-family to the west. In October of 2015, the property owner went into contract with the buyer with the understanding it was zoned for multifamily. In November of 2015, he received notice of the down zoning.

Mr. Edmonds asked if the property owner has considered other uses. Mr. Light said yes he has but it is not economically feasible.

Mr. Northern asked if anyone had reached out to the neighborhood. Mr. Light said no they have not.

Robert Sandlin, 8310 Boedeker Street, Dallas, Texas developer for the property spoke in opposition. Mr. Sandlin said when they bought the property it was zoned multifamily. They have been working on several projects with the City in this area including major drainage projects. He doesn't know why they have been singled out to rezone this property to single-family.

Ms. Dunn asked staff why the zoning request. Mr. Edmonds mentioned he represents District 4 and the reason for the zoning request is the demand from the residential property owners in this area. Mr. Sandlin said they have a written contract on this lot. He built all the single-family homes in this area as well as provided the water and sewer. Ms. Burghdoff said the Comprehensive Plan designates this property as single-family and that is why Council has requested this change.

Motion: Following brief discussion, Mr. Edmonds recommended Approval of the request, seconded by Ms. Conlin. The motion carried 5-4 with Mr. Genua, Ms. Dunn, Mr. Flores and Ms. McDougall against.

<i>Document received for written correspondence</i>					<b>ZC-16-042</b>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>ft</b>	<b>Position on case</b>	<b>Summary</b>
Justin Light representing JDI Inv.	500 W 7 <sup>th</sup>	Out		Opposition	Spoke at hearing
Robert Sandlin/Developer	8310 Boedeker	Out		Opposition	Spoke at hearing
Dustin Knowles	9032 Brook Hill Ln	In		Support	Sent letter in

**13. ZC-16-043 City of Fort Worth Planning and Development (CD 4) 1300 Block of Kings Highway, 1330 Harper Street, 4005 Wheeler Street (M LGilstrap Addition, Lots A, 5, 6, 7, 8, 9R and Sandyland Addition, Block 1, Lot 4, 3.81 Acres): from “CR” Low Density Multifamily and “D” High Density Multifamily to “A-5” One-Family**

Ms. Burghdoff explained to the Commissioners this is a Council-initiated zoning case.