



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
May 3, 2016

Council District 7

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

Opposition: None submitted
Support: None submitted

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

Owner / Applicant: **BNM Properties**

Site Location: 1400 block (odds) Old Decatur Road Mapsco: 33K

Proposed Use: **Multifamily**

Request: From: "C" Medium Density Multifamily and "E" Neighborhood Commercial
To: "C" Medium Density Multifamily

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

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

Background:

The proposed site is located on along Old Decatur Rd. near the corner of Bailey Boswell Rd. The applicant would like to rezone 2.7 acres from "C" Medium Density Multifamily and "E" Neighborhood Commercial to "C" Medium Density Multifamily in order to make the zoning consistent with the contiguous tract for development. The site appears to be include an existing gas well pad site. The applicant will have to comply with all fire code setbacks associated with this use.

The surrounding area is generally undeveloped. A few single-family subdivisions are platted nearby. A large grocery store is proposed immediately west of the proposed site. Multifamily zoning is an appropriate buffer adjacent to intense commercial uses.

Site Information:

Owner: BNM Properties LP
9001 Airport Freeway Suite 400
North Richland Hills, Texas 76180
Acreage: 2.74 acres
Comprehensive Plan Sector: Far Northwest

Surrounding Zoning and Land Uses:
North "C" Medium Density Multifamily / vacant
East City of Saginaw / vacant

South "PD 1002" PD/E for grocery store greater than 60,000 sf; "E" Neighborhood Commercial/
vacant
West "PD 1002" PD/E for grocery store greater than 60,000 sf / vacant

Recent Relevant Zoning and Platting History:

Zoning History: ZC-14-148, from "C", "E", and PD 544 "PD/SU" for one-family residential with 40 ft. lots and 5 ft. side yards, site plan required to "PD/E" with grocery store greater than 60,000 sf; site plan approved; effective 12/2/04 (west of the subject property)

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Old Decatur Rd	Minor Arterial	Minor Arterial	No

Public Notification:

The following Organizations were notified:

Organizations Notified	
Northwest Fort Worth Community Alliance	Streams And Valleys Inc
Trinity Habitat for Humanity	Eagle Mountain-Saginaw ISD

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing to rezone the site "C" Medium Density Multifamily. Surrounding uses are primarily vacant. The applicant would like to make the proposed site consistent with the contiguous tract. The proposed site is located on a gas well pad and the applicant will have to comply with the gas well ordinance if they intend to develop this portion of the site. Multifamily will provide a buffer to the proposed commercial uses to the south and west.

The proposed zoning **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2016 Comprehensive Plan designates the subject property as Neighborhood Commercial with a small sliver as Medium Density Multifamily. The proposed zoning **is not consistent (Technical Inconsistency)** with the Comprehensive Plan.

Attachments:

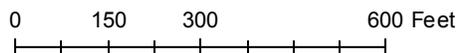
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting



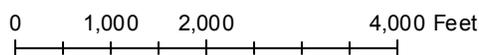
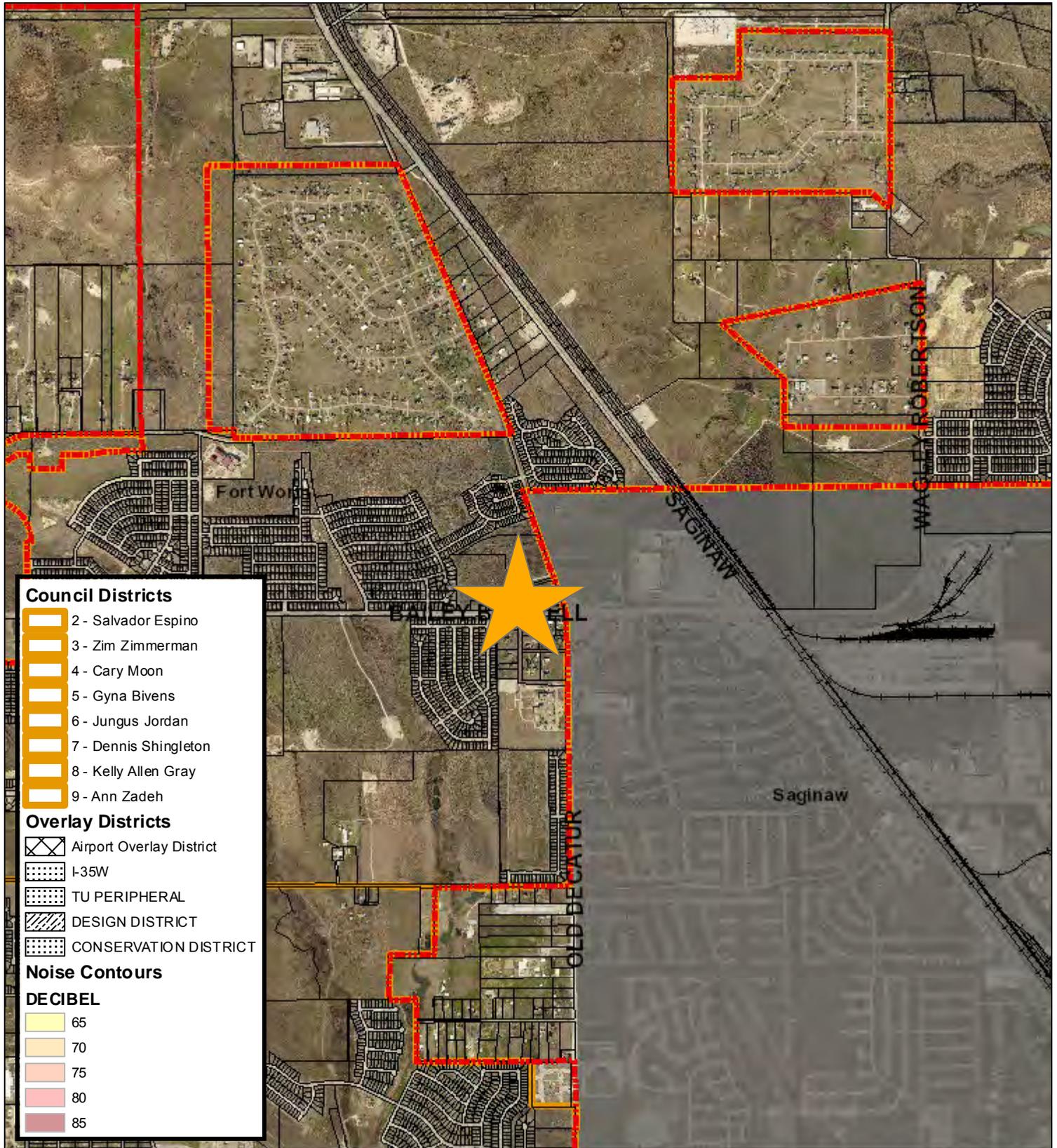
ZC-16-068

Area Zoning Map

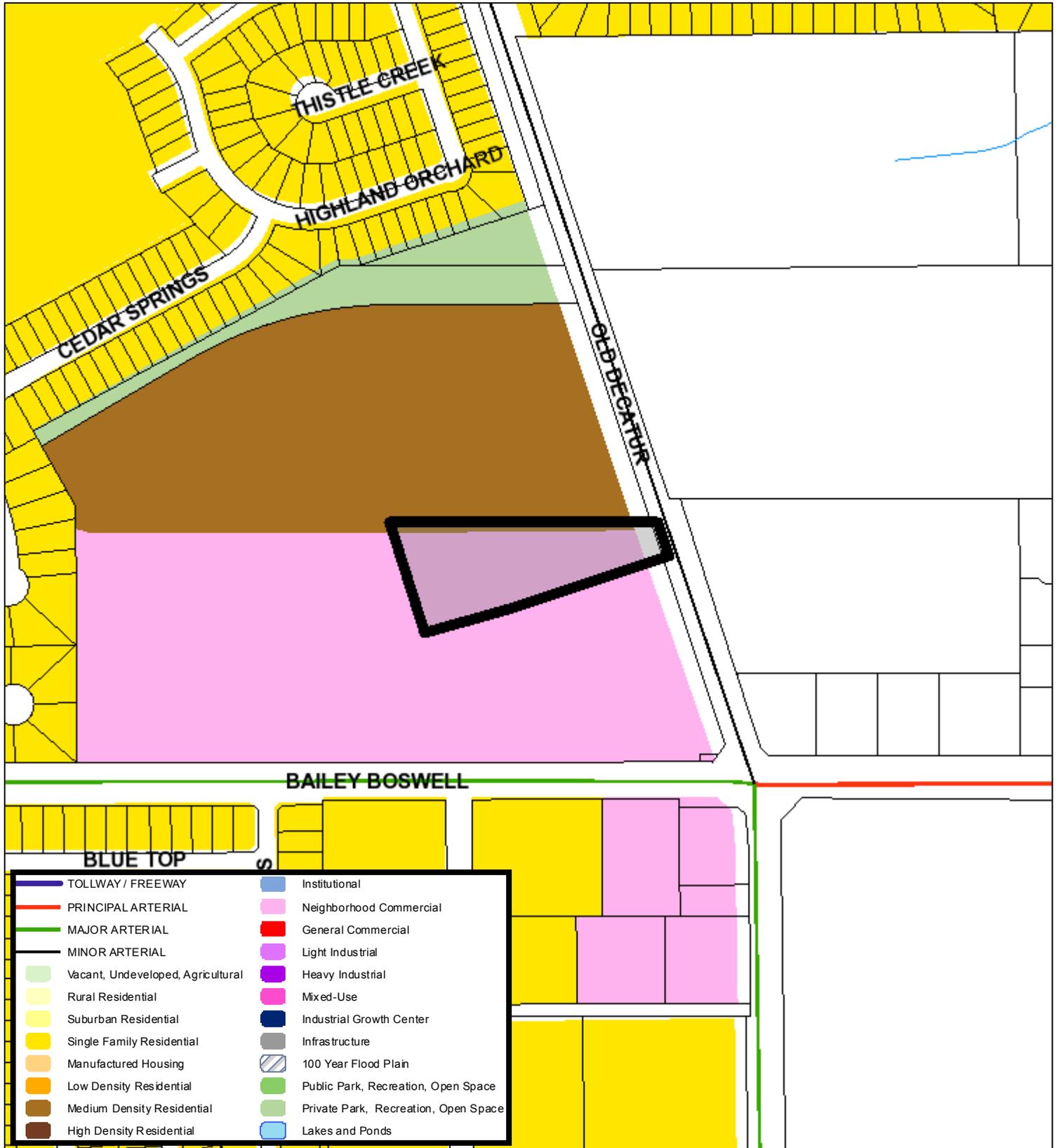
Applicant: BNM Properties
 Address: 8701 Old Decatur Road
 Zoning From: C, E
 Zoning To: E
 Acres: 2.74734334
 Mapsco: 33K
 Sector/District: Far Northwest
 Commission Date: 4/13/2016
 Contact: 817-392-8043



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

325 162.5 0 325 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 29, 2016.



Aerial Photo Map



0 210 420 840 Feet



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

5. ZC-16-068 BNM Properties (CD 7) 1400 block (odds) Old Decatur Road (Heirs of Benjamin Thomas Survey, Abstract No. 1497, 2.74 Acres): from “C” Medium Density Multifamily and “E” Neighborhood Commercial to “C” Medium Density Multifamily

Michael Clark, 6750 Hillcrest Plaza, Suite 325, Dallas, Texas representing BNM Properties explained to the Commissioners they are trying to clean this piece up in relation to the Kroger Store.

Mr. Northern asked about the time frame. Mr. Clark said there is not one for this particular area.

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

6. ZC-16-069 BNM Properties (CD 7) 9200 block (odds) Saginaw Boulevard (Heirs of Benjamin Thomas Survey, Abstract No. 1497, 14.67 Acres): from “E” Neighborhood Commercial and “I” Light Industrial to “E” Neighborhood Commercial

Michael Clark, 6750 Hillcrest Plaza, Dallas, Texas representing BNM Properties explained to the Commissioners they are downzoning to make the contiguous property all neighborhood commercial.

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

7. ZC-16-070 Hayco Realty LTD (CD 2) 6100 Bowman Roberts Road (Joseph Bowman Survey, Abstract No. 79, 13.09 Acres): from “C” Medium Density Multifamily and “E” Neighborhood Commercial to “R1” Zero Lotline/Cluster and “C” Medium Density Multifamily

Justin Light, 500 W. 7th Street, Suite 600, Fort Worth, Texas representing Hayco Realty explained to the Commissioners they are realigning the existing boundaries of “C” zoning which has been in place since 1984. Mr. Light said they are losing 6.55 acres of multifamily and replacing it with 6.54 acres. They will be removing some of the “E” zoning on the hard corner. Mr. Light displayed some pictures of the existing area where there is a pipeline.

Mr. Flores asked Mr. Light about the discussions they had with the neighborhood. Mr. Light said at the neighborhood meeting some people realized what was being done and some did not want anything to happen. Mr. Flores said they received approximately 59 letters of opposition and their concerns were not being sufficient infrastructure, no parks close by and low income housing. Mr. Light said he only spoke with one home owner but that the representative from the