



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
September 13, 2016

**Council District** 4

**Zoning Commission Recommendation:**  
Approval by a vote of 9-0  
  
**Opposition:** None submitted  
**Support:** None submitted

Continued Yes \_\_\_ No X  
Case Manager Lynn Jordan  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** Silver Bay Group, LLC

**Site Location:** 5801 North Beach Street Mapsco: 50A

**Proposed Use:** Commercial

**Request:** From: "G" Intensive Commercial  
To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial excluding off premise alcohol sales /package store; site plan waiver recommended

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

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

**Background:**

The proposed site is located west of N. Beach Street and north of Fossil Creek Boulevard both are commercial connectors. The applicant is proposing a zoning change from "G" Intensive Commercial to "E" Neighborhood Commercial for future development.

In the "G" zoning district the supplemental setback is 40 ft. from "A-5" or "B" zoning. The proposed "E" district would only be a 20 ft. supplemental setback.

The applicant has proposed PD/E excluding off premise alcohol sales/package store in response to neighbors' requests. On premise sales of alcohol within a restaurant where the food sales are greater than 50% of the income will be permitted.

**Site Information:**

Owner: Silver Bay Group, LLC  
2140 E. Southlake Boulevard  
Suite L-505  
Southlake, TX 76092  
  
Acreage: 1.57 acres  
Comprehensive Plan Sector: Far North  
Agent: ANA Consultants/Osama Nashed  
Surrounding Zoning and Land Uses:  
North "A-5" One-Family / vacant and single-family  
East City of Euless / single-family

South "J" Medium Industrial / commercial  
 West "A-5" One-Family / vacant and single-family

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-14-176 from G to A-5, effective 2/26/15; subject property directly adjacent west and north  
Platting History: FP-15-054 The Parks of Fossil Creek still in review process.

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
N. Beach St	Commercial Connector	Commercial Connector	No
Fossil Creek Blvd	Commercial Connector	Commercial Connector	No

**Public Notification:**

The following organizations were notified:

Organizations Notified	
Fairway Bend HOA*	Streams and Valleys Inc.
Trinity Habitat for Humanity	Fort Worth ISD

\*Within this neighborhood organization

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing a zoning change from "G" Intensive Commercial to "PD/E" Planned Development for "E" Neighborhood Commercial excluding off premise alcohol sales/package store. Uses surrounding the proposed site consist of single-family, vacant, and commercial.

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

**2. Comprehensive Plan Consistency**

The 2016 Comprehensive Plan designates the subject property as Neighborhood Commercial. The proposed "E" Neighborhood Commercial is consistent with the following Comprehensive Plan policies:

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)

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

**Attachments:**

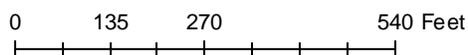
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

## Area Zoning Map

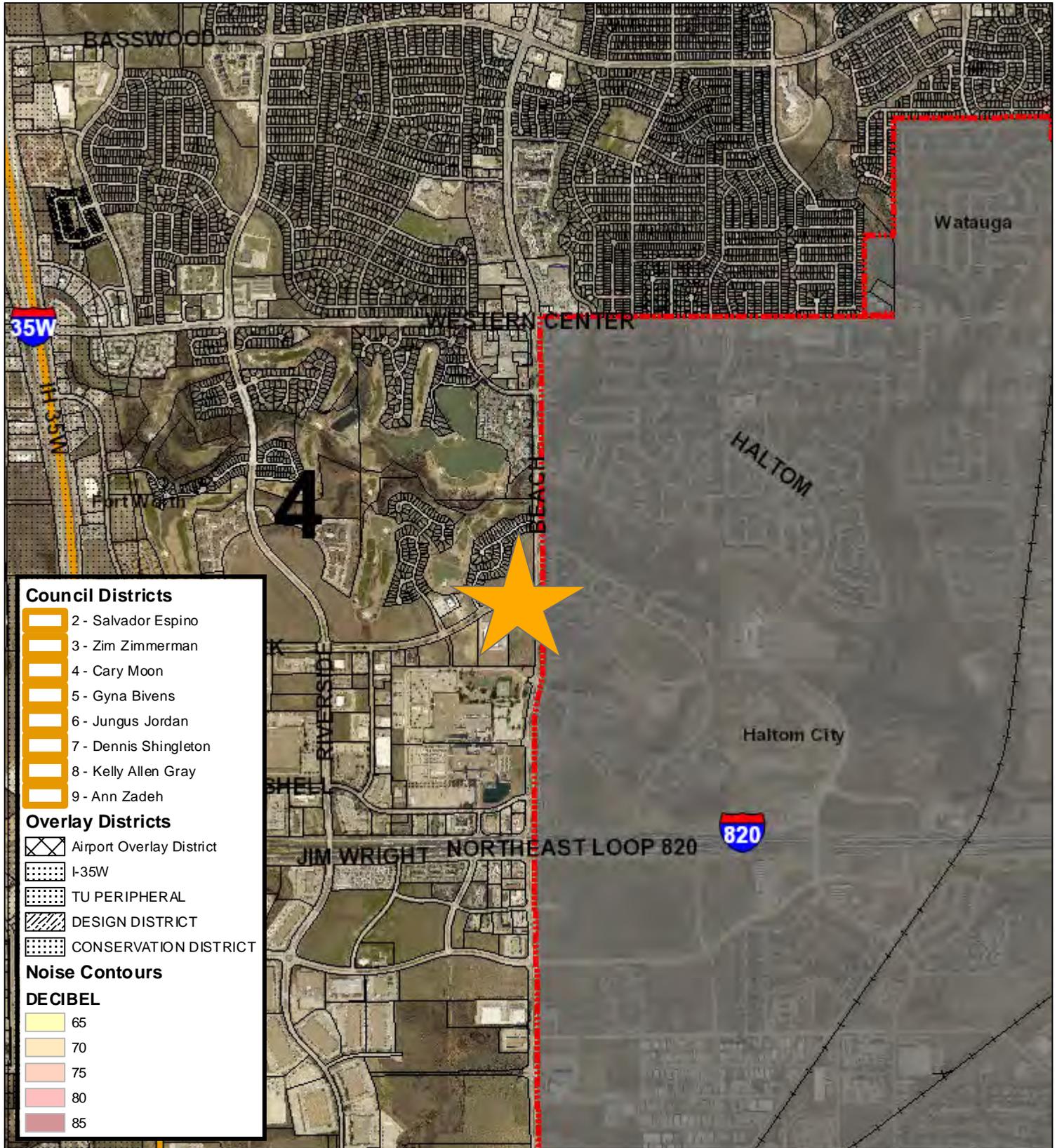
Applicant: Silver Bay Group, LLC  
 Address: 5801 N. Beach Street  
 Zoning From: G  
 Zoning To: E  
 Acres: 1.57354123  
 Mapsco: 50A  
 Sector/District: Far North  
 Commission Date: 7/13/2016  
 Contact: 817-392-2495



	Subject Area
	300 Foot Notification



### Area Map



**Council Districts**

-  2 - Salvador Espino
-  3 - Zim Zimmerman
-  4 - Cary Moon
-  5 - Gyna Bivens
-  6 - Jungus Jordan
-  7 - Dennis Shingleton
-  8 - Kelly Allen Gray
-  9 - Ann Zadeh

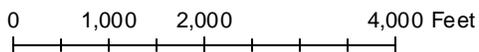
**Overlay Districts**

-  Airport Overlay District
-  I-35W
-  TU PERIPHERAL
-  DESIGN DISTRICT
-  CONSERVATION DISTRICT

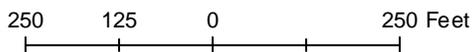
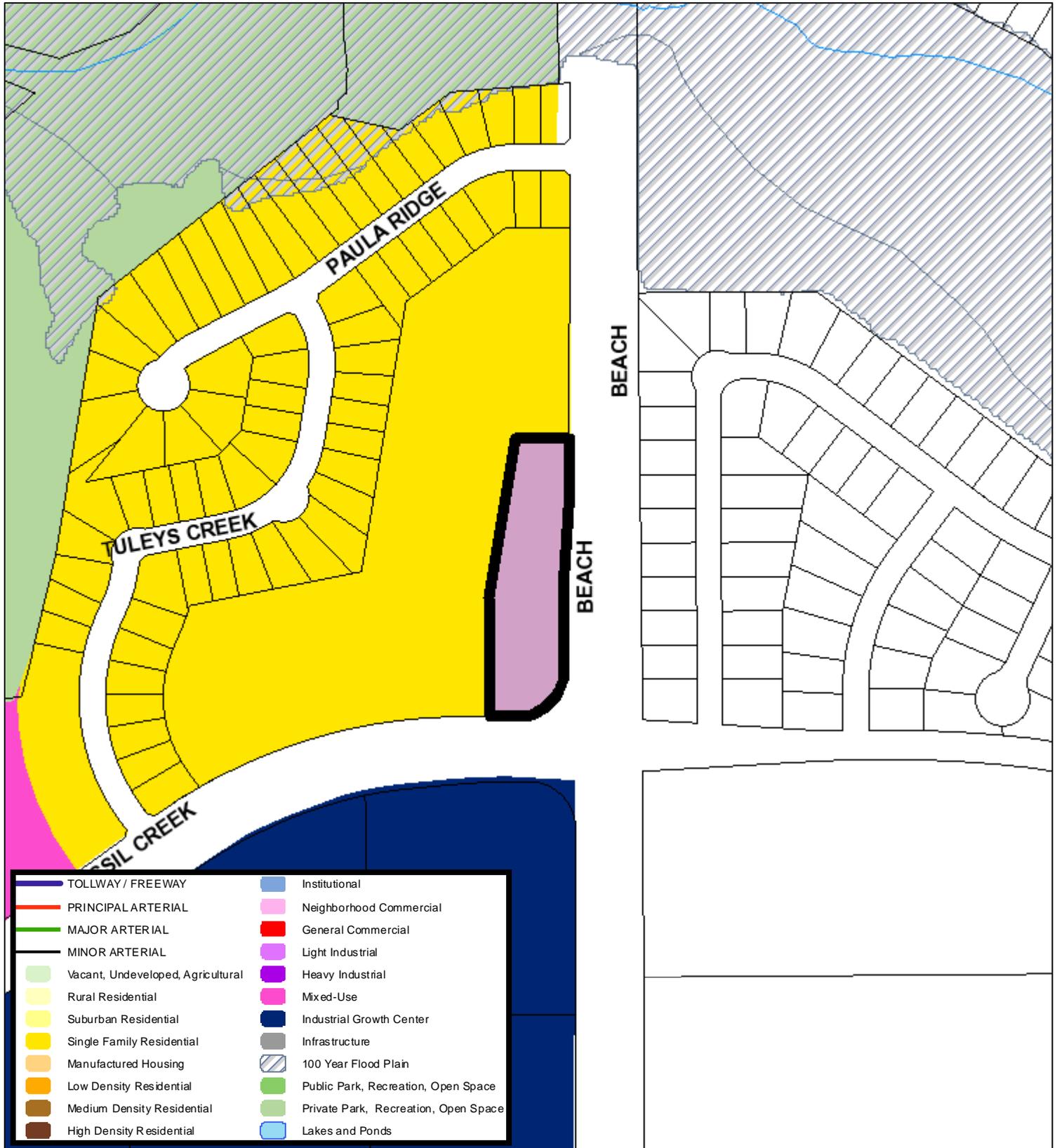
**Noise Contours**

**DECIBEL**

-  65
-  70
-  75
-  80
-  85



### 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 29, 2016.



Aerial Photo Map



0 162.5 325 650 Feet



Mr. Paniagua stated there will be 160 units with 127 one bedroom units and 33 two bedroom units, and marketed to ages 55 and older. Ten percent of the units will be at market rate. The site is close to the Alliance Corridor Center.

Mr. Northern asked Mr. Paniagua to discuss the parking count. Mr. Paniagua stated they are parking at a ratio of one to one to include common area for a total of 213 parking spaces.

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

<i>Document received for written correspondence</i>					ZC-16-072
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Dave Fancher/ Tehama Ridge HOA	NA	Out		Support	Sent letter in

**2. ZC-16-125 SGD-121 FW LLC (CD 8) – 109 N. Chandler Drive (Blandford Addition, Block 7, Lots 22RA & 22RB, 2.83 Acres): from “G” Intensive Commercial and PD 99 “PD/SU” Planned Development/Specific Use for all uses in the "G" Commercial District and office warehouse (for package delivery service subject to the site plan submitted) and include warehousing for equipment, supplies and other inert materials and the outdoor storage of landscape trees, plant life, soil/rocks used in landscaping, and other inert landscape materials, to add an 8 ft. red cedar fence on the west and south side property lines; site plan approved  
To Amend PD 99 to add property and add production of cast stone and outside storage; site plan waiver requested**

Justin Light, 500 W. 7<sup>th</sup> Street, Fort Worth, Texas representing SGD-121 FW LLC explained to the Commissioners the proposed buyer has terminated the contract therefore they are requesting the case be withdrawn/denied without prejudice.

Motion: Following brief discussion, Ms. Conlin recommended a Denial without Prejudice of the request, seconded by Ms. McDougall. The motion carried unanimously 9-0.

**3. ZC-16-127 Silver Bay Group LLC (CD 4) – 5801 N. Beach Street (Portion of Lot A, Block 2, The Fairways at Fossil Creek, 1.57 Acres): from “G” Intensive Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial excluding off premise alcohol sales/package store; site plan waiver requested**

Osama Nashed, 5,000 Thompson Terrace, Colleyville, Texas with ANA Consultants explained to the Commissioners they are changing their request to rezone to PD/E excluding alcohol uses based on information received from the neighborhood.

Mr. Flores asked staff to explain the off premise use. Ms. Murphy said taking the beer and wine off premise to be consumed elsewhere; on premise is related to a restaurant or bar use.

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

#### IV. New Cases

#### **4. ZC-16-121 WGK Development (CD 2) – 6000 Old Denton Road (A. Smith Survey, Abstract 1419 and J. A. Walker Survey, Abstract 1738, 6.48 Acre): from “G” Intensive Commercial to “PD/G” Planned Development for all uses in “G” Intensive Commercial plus mini-warehouse; site plan included**

Barney Boydston, 1590 Staree Lane, Fort Worth, Texas representing WGK Development explained to the Commissioners they would like to continue the case for 30 days.

Mr. Flores asked Mr. Boydston why the continuance. Mr. Boydston said they had some last minute changes to the site plan that would require the case to be renoticed and go back before the neighborhood.

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

#### **5. ZC-16-133 David Salgado (CD 8) – 3921 E. Rosedale Street (Rouland Place Addition, Block, Lot 31, 0.19 Acres): from “A-5” One-Family to “E” Neighborhood Commercial**

David Salgado, 4312 Ashmore Drive, North Richland Hills, Texas property owner explained to the Commissioners they own the property across the street and purchased this property to expand the business for an office use. Mr. Salgado presented five letters of support.

Mr. Flores asked Mr. Salgado the intended use. Mr. Salgado said it would be a multi-use office for tax and accounting services. He wants to move their existing office across the street.

Ms. Conlin explained their existing business across the street consists of a grocery store, bakery and restaurant.

Ms. Burghdoff asked if they had considered “ER” zoning. Mr. Salgado said “ER” would be sufficient.

Motion: Following a brief discussion, Ms. Conlin recommended Approval as Amended of the request for “ER” Neighborhood Commercial Restricted, seconded by Ms. McDougall. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				ZC-16-133
Name	Address	In/Out 300	ft Position on case	Summary