



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
March 22, 2016

**Council District** 6

**Zoning Commission Recommendation:**  
Approval by a vote of 9-0 for A-43  
(Applicant requested A-21 after Zoning Commission hearing)  
  
**Opposition:** None submitted  
**Support:** None submitted

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

**Owner / Applicant:** **United American Financial, Inc**

**Site Location:** 809 Burleson Retta Road Mapsco: 119V

**Proposed Use:** **Single-Family/Commercial/Industrial**

**Request:** From: "AG" Agricultural/"AO" Spinks Airport Overlay  
To: "A-43" One-Family original request (Recommended for approval by Zoning Commission)  
A-21" (Requested by applicant after Zoning Commission meeting)  
"E" Neighborhood Commercial and "I" Light Industrial/"AO" Spinks Airport Overlay

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

**Comprehensive Plan Consistency:** Requested change (Tract 1) **is consistent.**  
Requested change (Tracts 2 & 3) **are not consistent (Significant Deviation).**

**Background:**  
The proposed site is located west of Oak Grove Road a residential street and north of Burleson Retta Road, a proposed minor arterial. The applicant is requesting a zoning change from "AG" Agricultural to (Tract 1) "A-43" One-Family for large lot single-family development, (Tract 2) "E" Neighborhood Commercial for commercial type uses, and (Tract 3) "I" Light Industrial for an industrial site with possible out door storage. The site falls within the boundaries of Spinks Airport Overlay which controls lighting and glare. The Building Code may require sound attenuation for residential structures.

At a Pre-Development meeting, the applicant mentioned re-platting to a total of 5 lots. A possible user for the "I" would be a granite company with outside storage. There are no prospective tenants for the neighborhood commercial lot and three residential lots are proposed in the A-43 district.

If approved there will be a 35 ft. projected front yard setback along Oak Grove for the A-43 district that would project onto the E zoned lot. A 20 ft. supplemental setback would be required adjacent to the residential zoning district for a development on the "E" lot and a 50 ft. setback on the "I" lot.

At the Zoning Commission meeting the applicant mentioned the intended user for the "I" zoning property would be a granite company and is seeking to also build a single-family residence on one of the A-43 lots.

The case was continued from the March 1 City Council meeting in order for the applicant to meet with a nearby neighborhood, who is not registered in the City's neighborhood database and therefore did not receive notice. Meeting, conclusion the applicant mentioned he has reached out to the neighborhood to the south and is expecting a letter of support.

After the Zoning Commission, the applicant submitted a revised request to the Council District 6 office for A-21 One-Family instead of A-43 One-Family because the applicant indicated that the platting into three lots would not be able to meet the width requirement of A-43. The lot width requirement for A-43 is 125 ft. at building line and A-21 is 85 ft. at the building line. Legal has confirmed that this change can be completed.

Requirement	A-43 (A-21)	E	I
Front Yard	35 ft. min.	35 ft. min. (projected along Oak Grove)	NA
Lot Width	125 ft. at building line <b>85 ft. at building line (A-21)</b>	NA	NA
Lot Size	Greater than one acre	NA	NA
Supplemental Setback	NA	20 ft. (no permanent structures)	(50 ft.) (no permanent structures)
Height	35 ft. max.	35 ft. max	45 ft. max.
Signage	Unilluminated nameplate bearing family name	Monument sign	Monument sign

**Site Information:**

Owner: United American Financial, Inc.  
1120 Summit Ave.  
Ft. Worth, TX 76102  
Agent: Gerry Curtis  
Acreage: 6.150488 ac  
Comprehensive Plan Sector: Far South

**Surrounding Zoning and Land Uses:**

North "A-21" One-Family / single-family  
East Out of City Limits / single-family  
South "B" Two-Family / single-family  
West "I" Light Industrial / Spinks Airport

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-13-138 Spinks Airport Overlay effective 12/10/14, subject area; ZC-11-064 rezoned from "AG" to "A-21", effective 9-19-11, property to the north.

Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Burleson Retta Rd	Residential	Minor Arterial	No
Oak Grove Rd	Residential	Residential	No

**Public Notification:**

The following organizations were notified:

Organizations Notified	
Streams & Valleys, Inc	Trinity Habitat for Humanity
	Burleson ISD

\*Site not located within a registered Neighborhood Association

***Development Impact Analysis:***

**1. Land Use Compatibility**

The applicant is proposing a zoning change to “A-43” One-Family, “E” Neighborhood Commercial and “I” Light Industrial. Surrounding land uses are single-family to the north and east, single-family and golf course to the south and Spinks Airport to the west.

As a result, the proposed zoning designation **is compatible** at this site.

**2. Comprehensive Plan Consistency**

The 2015 Comprehensive Plan designates the subject property as Suburban Residential. The requested zoning change to A-43 **is consistent** with the Comprehensive Plan.

- Locate single-family homes adjacent to local or collector streets. (pg. 39)

Based on lack of conformance with the future land use map and the policy stated below, the proposed zoning change to “E” and “I” **are not consistent (Significant Deviation)** with the Comprehensive Plan.

- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39).

Attachments:

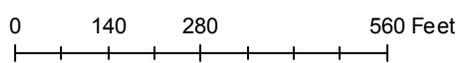
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Exhibit
- Minutes from the Zoning Commission meeting



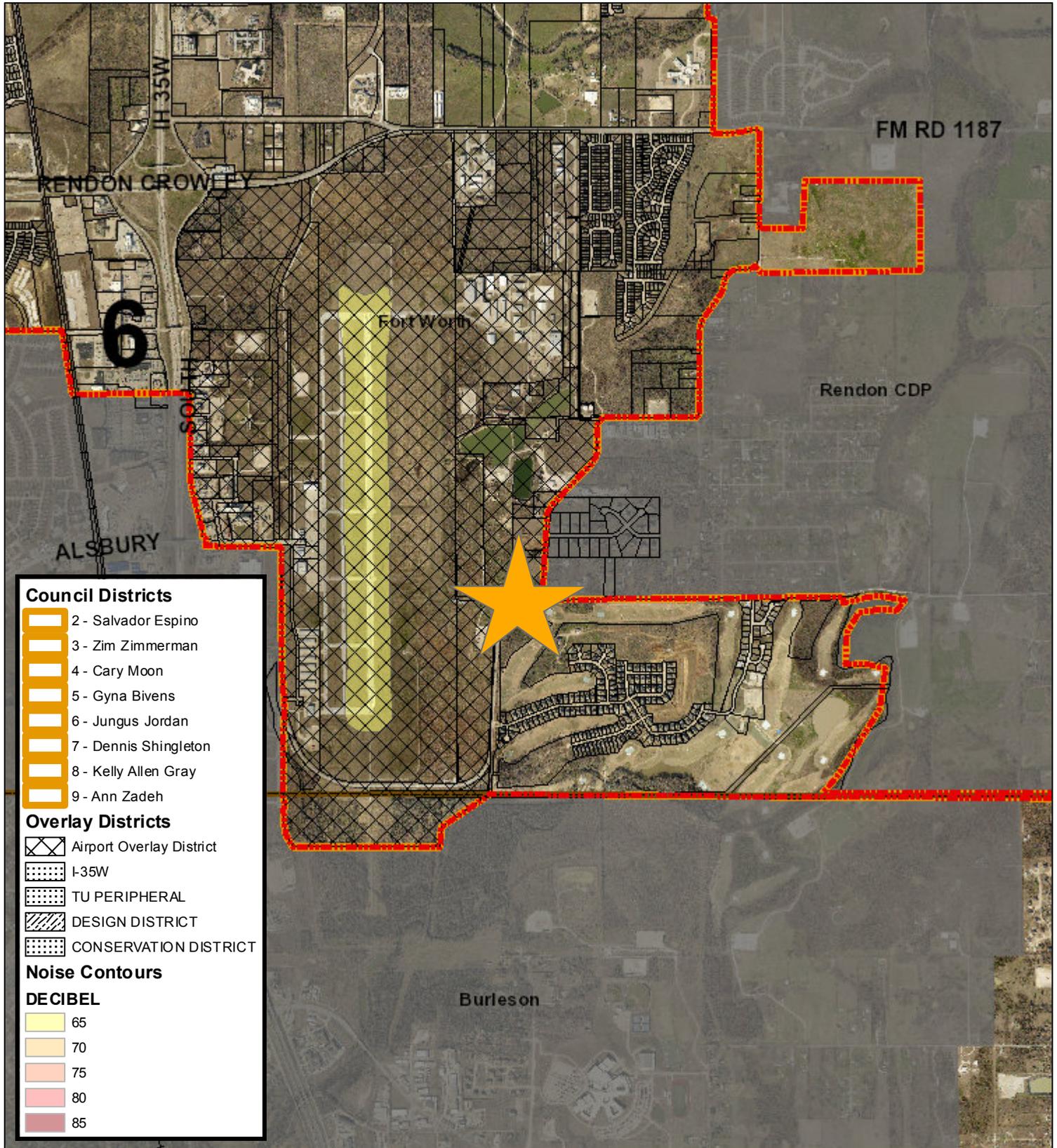
ZC-16-030

# Area Zoning Map

Applicant: United American Financial, Inc.  
 Address: 809 Burleson Retta Road  
 Zoning From: AG  
 Zoning To: A-43, E, and I  
 Acres: 6.15048806  
 Mapsco: 119V  
 Sector/District: Far South  
 Commission Date: 2/10/2016  
 Contact: 817-392-2495



### 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

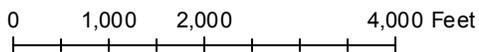
**Overlay Districts**

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

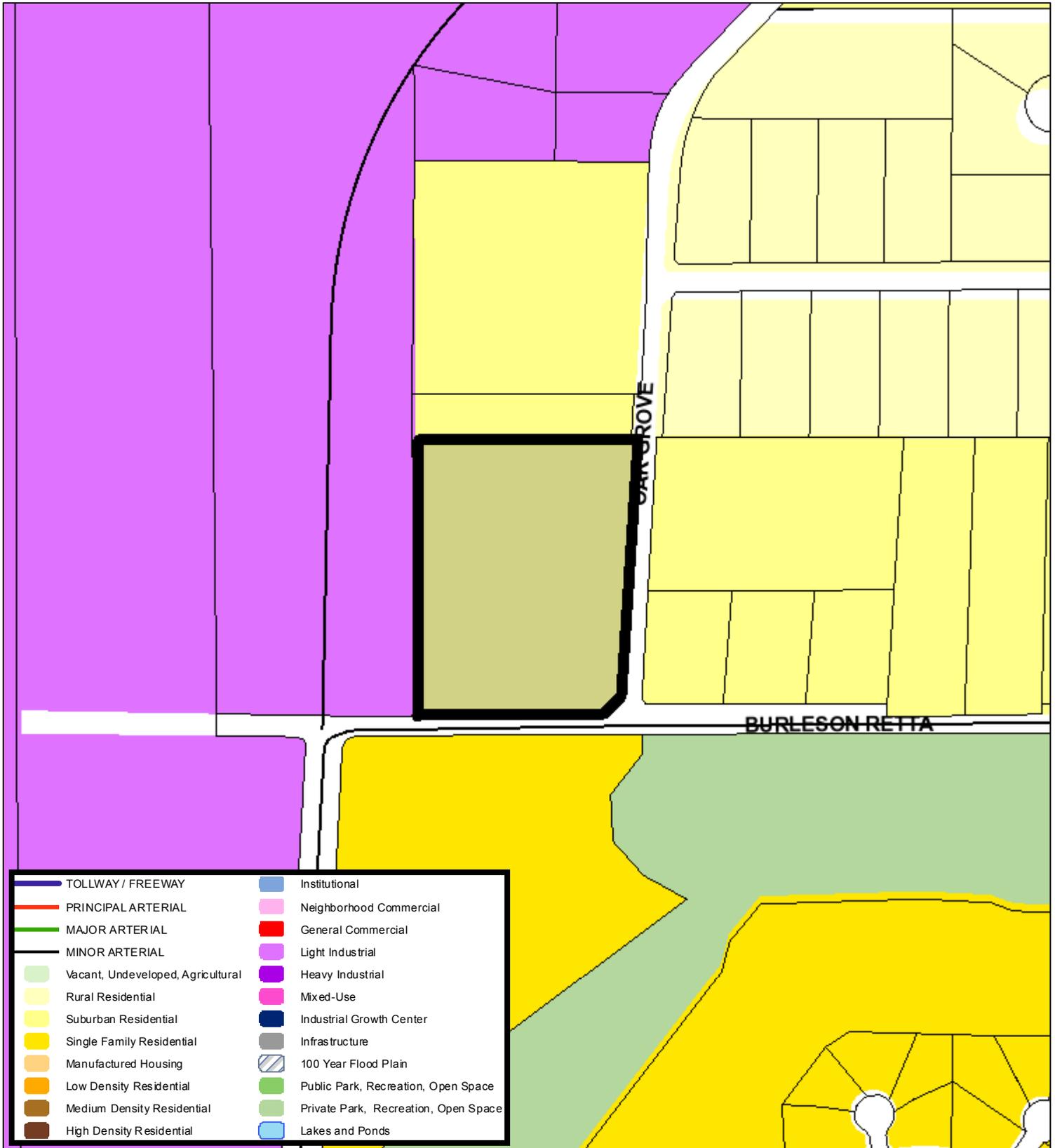
**Noise Contours**

**DECIBEL**

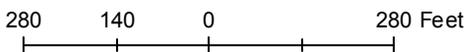
-  65
-  70
-  75
-  80
-  85



### Future Land Use



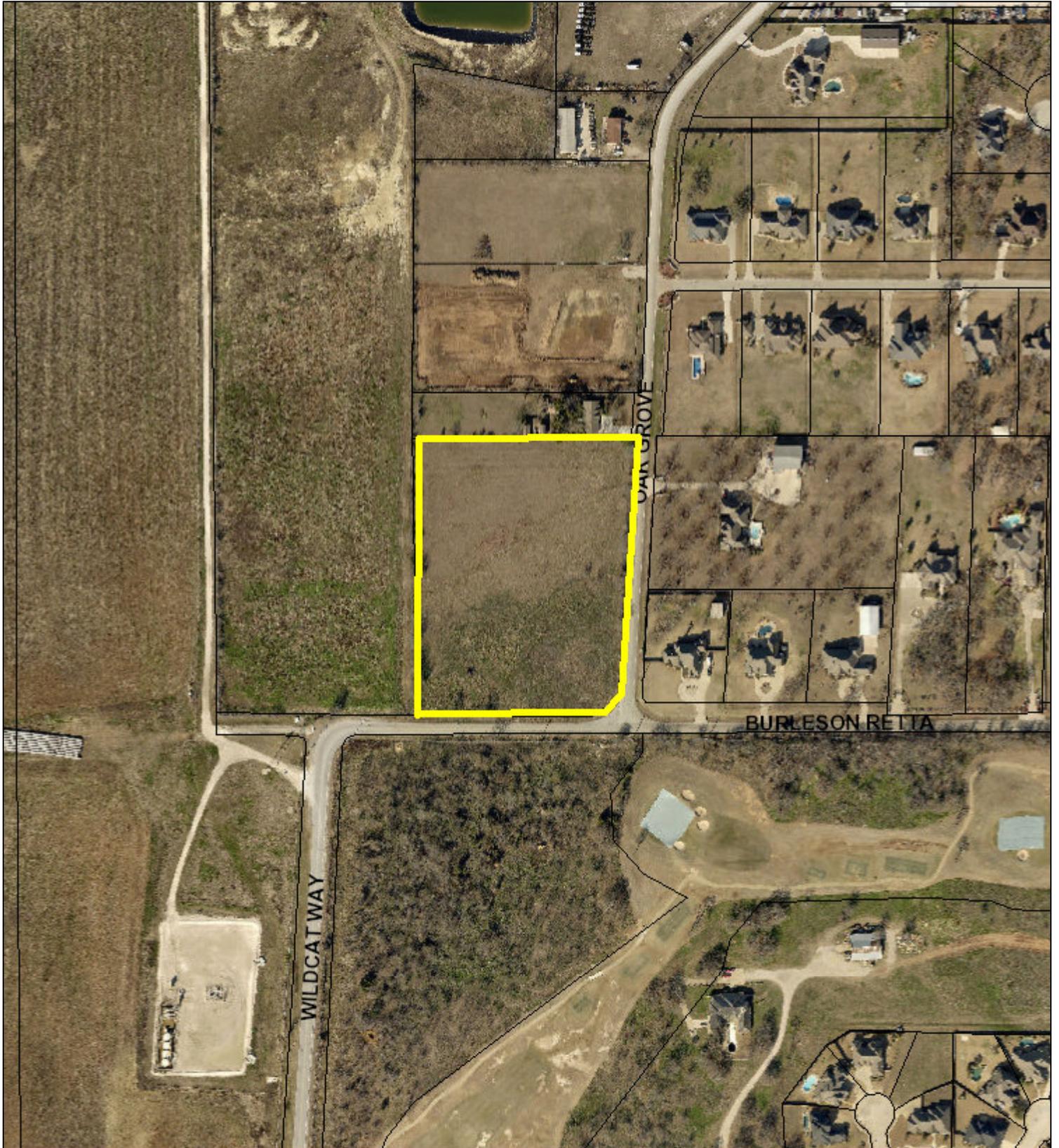
280 140 0 280 Feet



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**



0 180 360 720 Feet





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>					<b>ZC-16-029</b>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>Position on case</b>		<b>Summary</b>
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. 1<sup>st</sup> 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

mention there is a proposed minor arterial on the back side of the proposed "I" and the owner is aware of Spinks Airport requirements.

Mr. Flores asked Mr. Curtis about the triangular area behind the gas line easement and is it proposed to be "I" as well. Mr. Curtis said yes. Mr. Flores asked staff if there were any buffer requirements from the "A-43" single-family. Ms. Murphy said there would be a 50 ft. buffer where no structures are permitted.

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

**15. ZC-16-031 Fort Worth Heritage Development LLC (CD 2) 124 E. Exchange (Fort Worth Stockyards Company, Block 10A, Lot 2, 3.12 Acres): from PD1017 "PD/MU-2/DD" Planned Development for all uses in "MU-2" High Intensity Mixed-Use including certain uses, site plan required/Demolition Delay to PD1017 "PD/MU-2/HSE" Planned Development for all uses in MU-2 High Intensity Mixed-Uses including certain uses; site plan required/Highly Significant Endangered**

Jocelyn Murphy, Planning Manager called the case.

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

**16. ZC-16-032 Fort Worth ISD/MC Lean Middle School (CD 3) 3816 Stadium Drive (Saint Augustine Addition, Tract 4, 13.30 Acres): from "A-5" One-Family to "CF" Community Facilities**

Mike Naughton, 432 Glenwood Terrace, Hurst, Texas representing Fort Worth ISD explained to the Commissioners they are requesting "CF" zoning for McLean Middle School to allow for a replacement marquee sign.

Mr. Flores asked about the dimensions of the proposed sign. Mr. Naughton said maybe 8 ft. by 4 ft. but not for sure on the dimensions.

Shannon Pritchard, 3424 Brady Avenue, Fort Worth, Texas in support but was wondering why schools are zoned in single-family zoning and what is the new paved road behind her house to be used for. Mr. Naughton said there is a significant classroom addition under construction and that is the reason for the new drive. They do not intend to change the use of the property.

Mr. Genua asked where the parking is located. Mr. Naughton said parking is on the north of the school and the road is for access only to the construction site. Ms. Burghdoff explained schools are permitted in any zoning district.

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