



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 24, 2017

Council District 7

Zoning Commission Recommendation:

Approval by a vote of 9-0

Opposition: One person spoke

Support: None submitted

Continued	Yes ___ No <u>X</u>
Case Manager	<u>Leo Valencia</u>
Surplus	Yes ___ No <u>X</u>
Council Initiated	Yes <u>X</u> No ___

Owner / Applicant: City of Fort Worth Planning & Development/SH 199 Area

Site Location: North and South sides of SH 199 near Surfside, Midland, and Roadrunner Roads
Mapsco: 45P, Q, U

Proposed Use: Single-family and General Commercial

Request: From: "AG" Agricultural

To: "A-5" One-Family, "A-21" One-Family, "E" Neighborhood Commercial, "FR" General Commercial Restricted and "PD/FR" Planned Development for all uses in "FR" General Commercial Restricted plus equipment rental with accessory retail concrete batch plant and stone works with outside storage; site plan waiver recommended

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

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

Background:

On September 27, 2016, the City Council approved M& C L-15954 authorizing an annexation agreement with the Town of Lakeside. The agreement authorizes full-purpose annexation of a portion of an enclave identified as Area 38 in the 2016-2020 annexation program, adopted with the 2016 Comprehensive Plan.

The portion of the enclave identified as Area 38 contains approximately 93.4 acres of land and is located along Jacksboro Highway, north and east of the Town of Lakeside. The site was annexed on November 15, 2016 and was zoned to the default "AG" Agriculture zoning. The area currently consists of single family, commercial, and vacant land and no additional development is anticipated.

The existing land uses consist of residential, recycling facilities, a mobile home park, RV park, used auto sales, auto repair, light equipment rental, propane sales, mini warehouse storage facility, storage building sales, memorial monuments dealer, golf cart dealer, kayak rentals, upholstery shop and a convenience store with alcohol sales. The subject area also falls within the 65-70 dbL airport noise contours of the NASJRB.

The proposed zoning districts reflect the uses as determined on the future land use map in the Comprehensive Plan. Many of the properties have an outside storage and sales component that is not allowed by right in any of the city's commercial districts and are instead considered as industrial uses. The E Neighborhood Commercial districts also were selected due to the very close proximity of the

properties to Lake Worth, the city's water supply. All of the existing uses are considered legal nonconforming, and providing a more restrictive zoning district will generate discussion about any new uses and the effect on the lake.

Opposition has been received from an existing operator of a recycling center on the north side adjacent to the lake and the owner of the RV Park. Recycling uses are allowed only by PD zoning. Long term, the recycling use would not be preferred in close proximity to the lake. Staff also worked with the owner of an equipment rental business between Jacksboro Hwy and Roadrunner St., "PD/FR" is proposed for the existing uses on this property due to the smaller scale of outside storage and display and accessory uses for retail concrete batch plant and metal fabrication tied to the business.

At the Zoning Commission meeting the owner of the Green Metal Recycling business spoke in opposition. Staff explained to the Commission that recycling is only allowed by PD and does not want to make permanent the industrial use near Lake Worth. Staff also explained to the applicant that his current operation would be considered legal non-conforming and can continue indefinitely as provided in the Zoning Ordinance.

Site Information:

Applicant: City of Fort Worth Planning & Development Dept.
 1000 Throckmorton Street
 Fort Worth, TX 76102

Acreage: 91.95 ac.

Comprehensive Plan Sector: Far West

Surrounding Zoning and Land Uses:

North "A-5" One-Family / City of Fort Worth Nature Center

East "A-5" One-Family and PD963 "PD/CF" Planned Development for "CF" Community Facilities including public park and indoor and outdoor recreational and entertainment uses and events only with mobile food vendors, and with alcohol sales in the Event Center and adjacent outdoor space and at the Pavilion and adjacent lawn

South "A-5" One-Family / Lake Worth

West Town of Lakeside

Public Notification:

300 foot Legal Notifications were mailed on November 29, 2016.
 The following organizations were notified: (emailed October 17, 2016)

Scenic Shores*	Streams & Valleys, Inc.
NAS Fort Worth JRB RCC	Trinity Habitat for Humanity
Azle ISD	Fort Worth ISD

Closest registered neighborhood organization*

Recent Relevant Zoning and Platting History:

Zoning History: ZC-13-007, east of site, from "A-5" One-Family, "E" Neighborhood Commercial, and "PD-963" to "PD/CF" Planned Development for "CF" Community Facilities including public park and indoor and outdoor recreational and entertainment uses and events only with mobile food vendors, and with alcohol sales in the Event Center and adjacent outdoor space and at the Pavilion and adjacent lawn; approved by City Council, effective 2/22/13

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Watercress	Collector	Collector	No
Jacksboro Highway/SH 199	Freeway	Freeway	TxDOT maintained
Lupine Circle	Residential	Residential	No
Roadrunner	County Rd	County Rd	No

Development Impact Analysis:

1. **Land Use Compatibility**

This Council-initiated zoning change request is intended to align the existing land uses, future land use map, and zoning. The process for Council-initiated rezoning was adopted in November 2000 regarding the procedure for City-Council-initiated rezoning. The procedures include:

- Verifying the zoning changes are consistent with the City's Comprehensive Plan (10/2016); and
- Placing an appropriate Mayor and Council Communication on the agenda for a City Council meeting authorizing the Planning and Development Department to prepare and submit an appropriate rezoning application (11/8/2016), which shall schedule the application for the next available public hearing by the Zoning Commission (11/09/2016).

The subject area covers 93.4 acres and approximately 125 parcels. The request is to rezone the area to correspond to existing land uses, in accordance with the future land use. On the basis of existing land uses, the proposed zoning change **is compatible** with the surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2016 Comprehensive Plan designates the subject property as Single-Family Residential, Neighborhood Commercial and General Commercial. The requested zoning classifications are appropriate for the land use designations.

- Encourage development type and intensity appropriate to existing or planned street infrastructure by coordinating future land use map changes with the Master Thoroughfare Plan and an adopted Complete Streets Policy.
- Locate single-family homes adjacent to local or collector streets.

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
- Zoning exhibit
- Minutes from the Zoning Commission meeting



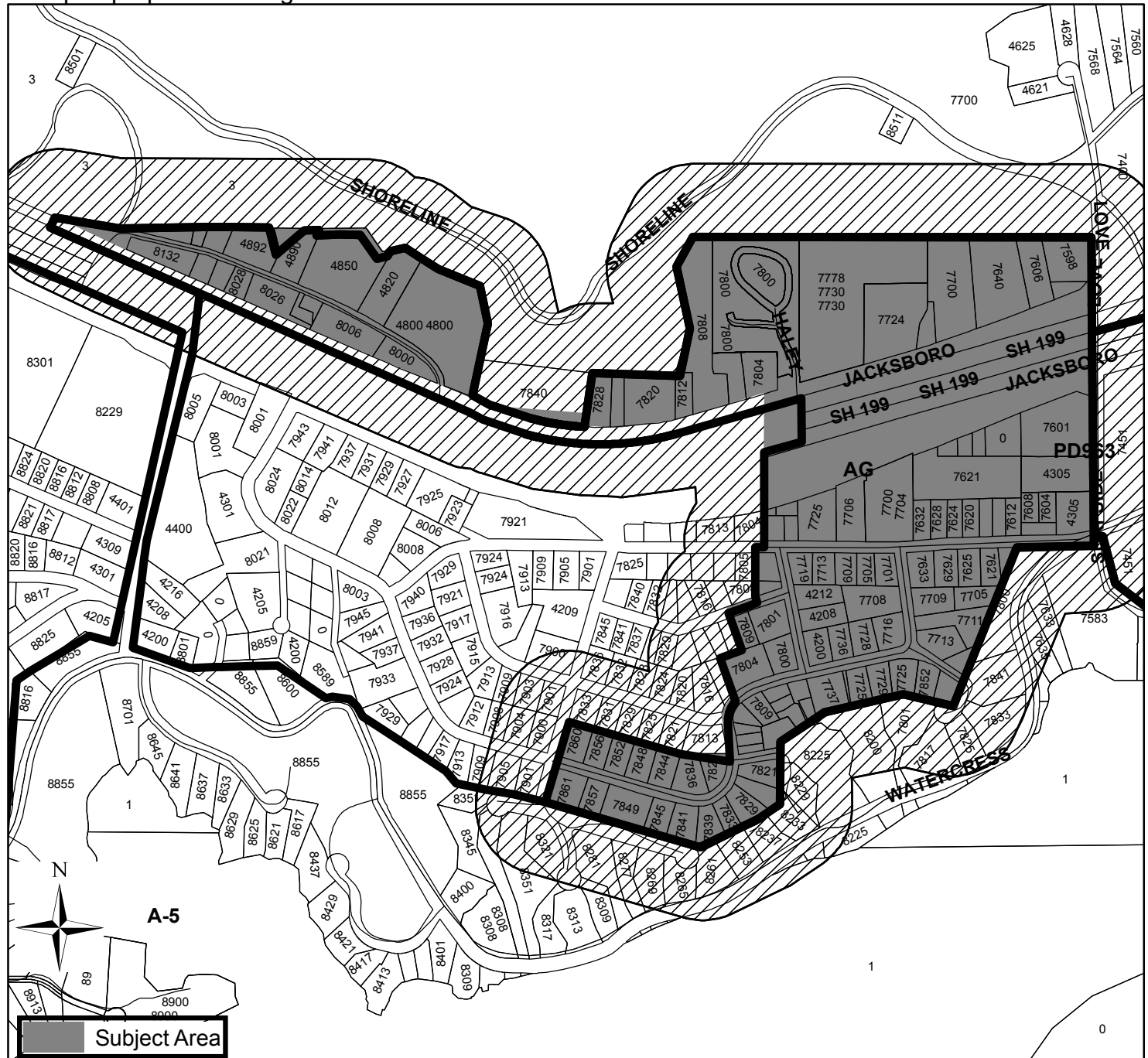
ZC-16-199

Area Zoning Map

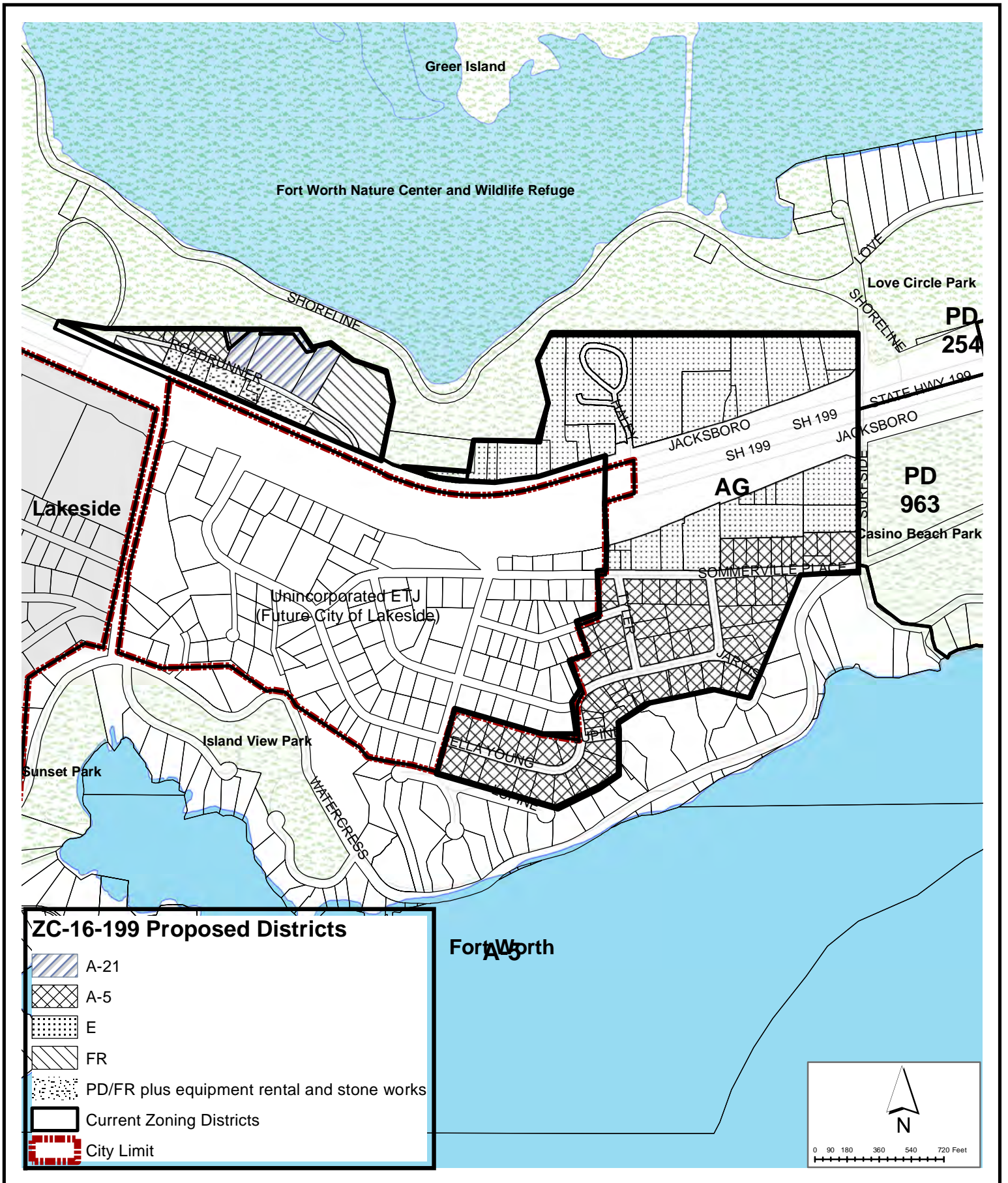
Applicant: City of Fort Worth Planning and Development
 Address: North and South sides of SH 199 near Surfside, Midland, and Roadrunner Rds.
 Zoning From: Agricultural
 Zoning To: A-5, A-21, E, FR, PD/FR plus equipment rental, with accessory retail concrete batch plant and stone works with outside storage

Acres: 91.951063
 Mapsco: 45P,Q 45U Sector/District: Far West
 Commission Date: 12/13/2016 Contact: 817-392-2495

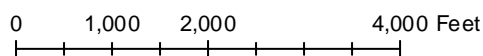
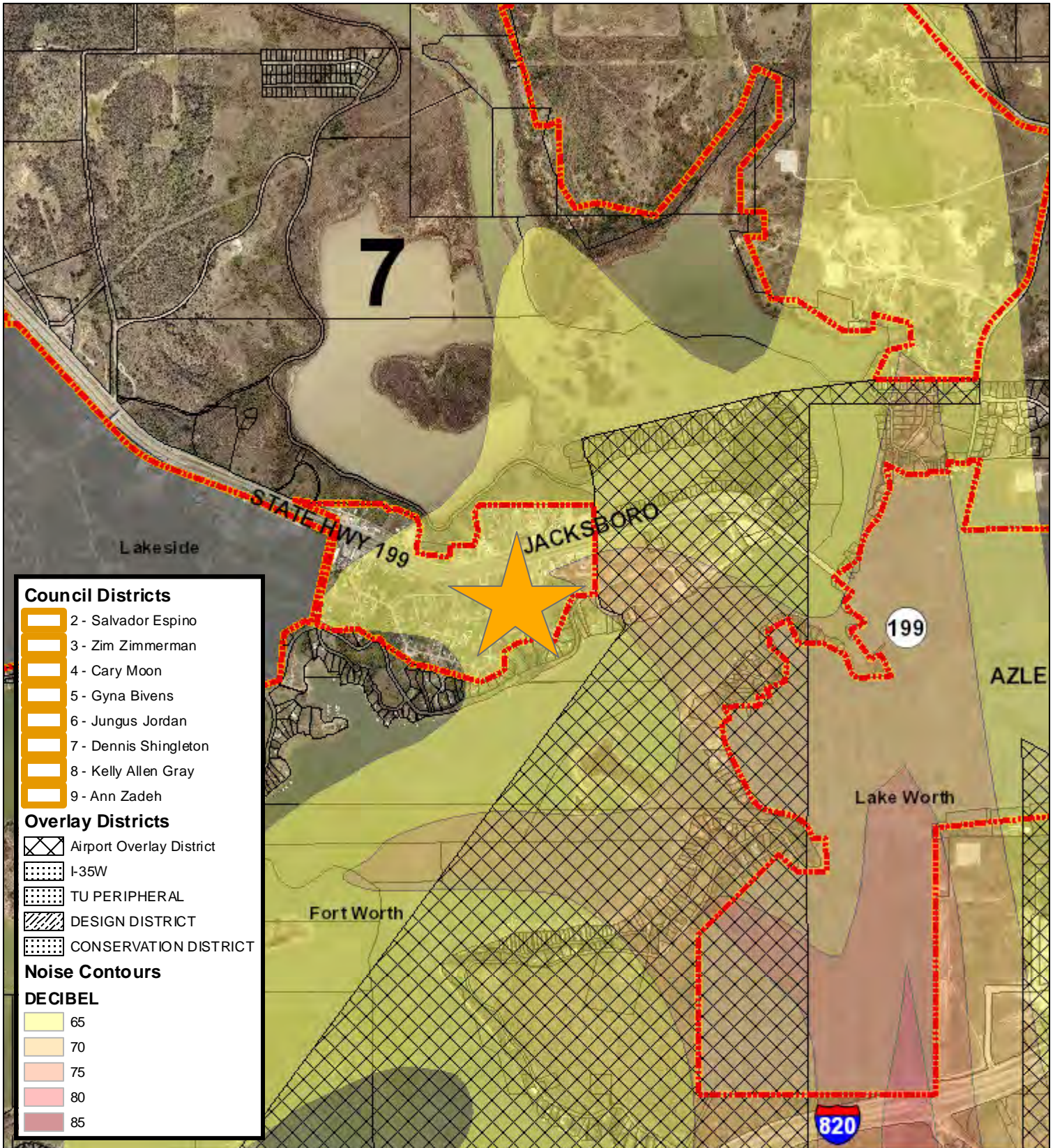
A map of proposed zoning districts is attached.



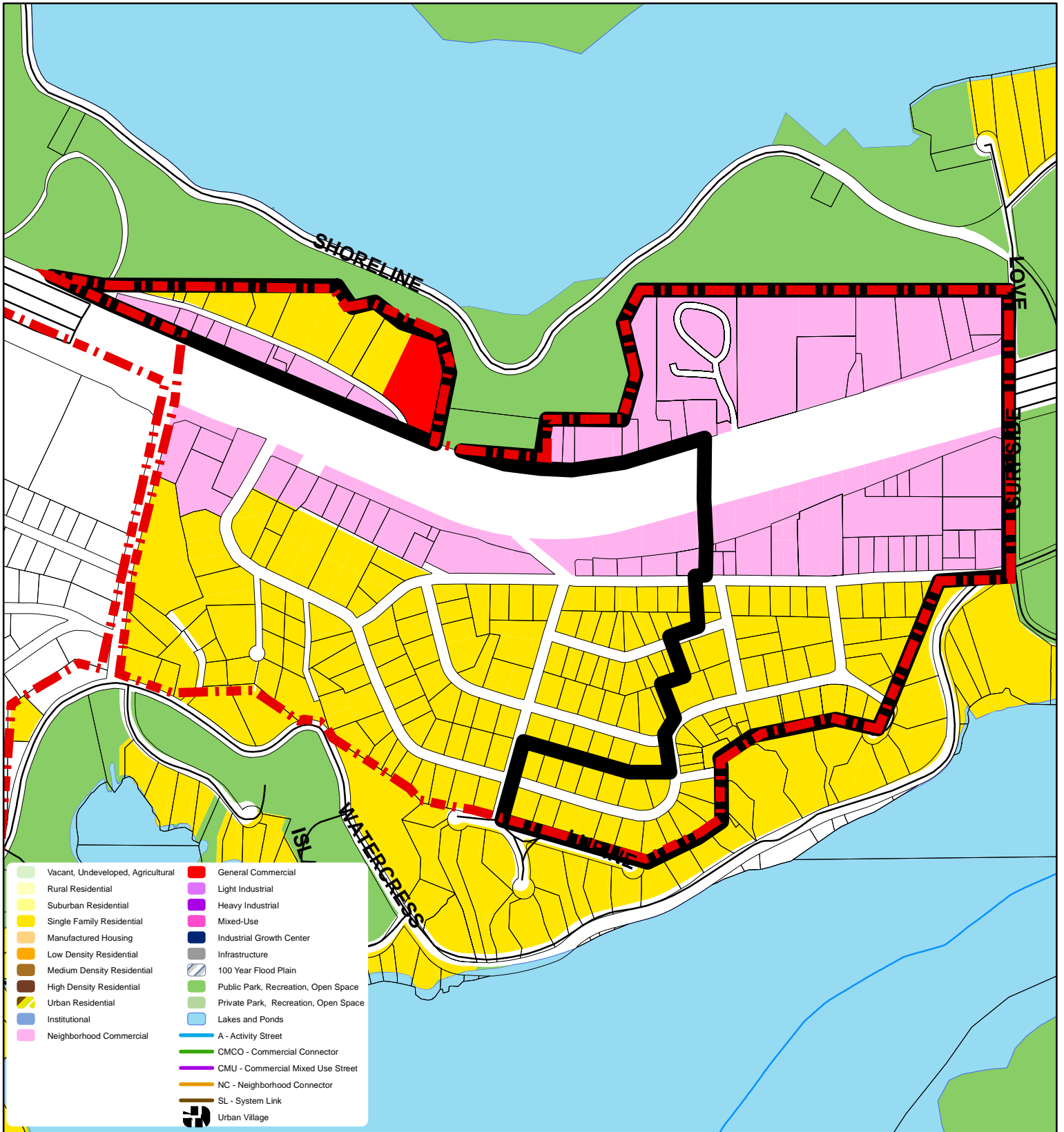
0 495 990 1,980 Feet



Area Map



Future Land Use



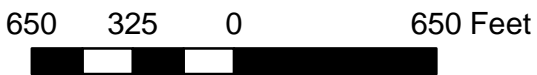
625 312.5 0 625 Feet



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 219.005.) Land use designations were approved by City Council on March 29, 2016.



Aerial Photograph



Aerial Photography Date February 2015



DRAFT
City of Fort Worth, Texas
Zoning Commission
December 14, 2016 – Meeting Minutes

Present:

Carlos Flores, Chair, District 2
Will Northern, District 1
John Cockrell, Sr., District 3
Charles Edmonds Jr., District 4
Melissa McDougall, District 5
Sandra Runnels, District 6
John Aughinbaugh, District 7
Wanda Conlin, District 8
Leah Dunn, District 9

Staff Members Present:

Dana Burghdoff, Assistant P&D Director
Jocelyn Murphy, Planning Manager
Lynn Jordan, Planner
Melinda Ramos, Sr. Assistant City Attorney

Absent:

None

I. Public Hearing – 1:03 P. M.

Ms. Murphy explained the procedure to be followed for the Zoning Commission meeting.

II. Minutes

The Commission, on a motion by Mr. Aughinbaugh, seconded by Ms. McDougall, on a vote of 9-0 voted to approve the Zoning Commission minutes of the November 9, 2016 meeting.

Video on individual cases can be viewed at the following website.

http://fortworthgov.granicus.com/ViewPublisher.php?view_id=2

III. Continued Cases

1. ZC-16-199 City of Fort Worth Planning and Development (CD 7) – AX-16-013 Jacksboro Highway/Lakeside Area, North and South sides of SH 199 near Surfside, Midland and Roadrunner Roads (See addresses in case file, 91.95 Acres): from “AG” Agricultural to “A-5” One-Family, “A-21” One-Family, “E” Neighborhood Commercial, “FR” General Commercial Restricted and “PD/FR” Planned Development for all uses in “FR” General Commercial Restricted plus equipment rental with accessory retail concrete batch plant and stone works with outside storage; site plan waiver requested

Ms. Murphy explained to the Commissioners this case is a companion case to an annexation and was continued from the last meeting in order for staff to discuss some of the properties along Roadrunner. Staff worked with the applicant to acknowledge the equipment rental and monument works. These uses are identified in a PD district.

Chau Hoang property owner for Green Metal Recycling spoke in support of the annexation but is opposed to the proposed zoning for his business.

Mr. Flores asked Mr. Chau if he spoke with staff and if the recycling is all indoor or outdoor. Mr. Chau said the recycling is done both inside and outside, but mostly outside. They recycle copper, steel and aluminum. They are open 8-5 for deliveries. Ms. Murphy said she spoke with someone representing the Company.

Mr. Aughinbaugh mentioned he can continue his operation even though the zoning has changed.

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

<i>Document received for written correspondence</i>					ZC-16-199
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Chau Hoang/Green Metal Recycling	7700 Jacksboro Hwy	In		Opposition	Spoke at hearing

2. ZC-16-203 Vertex Asset Partners LP (CD 8) – 3097 Yuma/2942 S. Riverside Drive (S P Loving Survey, Abstract No. 943, 8.87 Acre): from “UR” Urban Residential to “PD/UR” Planned Development for all uses in “UR” Urban Residential for 272 multifamily units with 4 stories and height limited to 50 ft. and waivers to two design standards: 1) the depth of the façade variations and 2) maximum entry distance of 125 ft.; site plan included

Bill Dahlstrom, 777 Main Street, Fort Worth, Texas representing Vertex Asset Partners explained to the Commissioners they were continued from the last meeting in order to seek approval for a couple of design waivers. They did receive a recommendation for approval from the Urban Design Commission for the UR waivers.

Earl Mitchell spoke in opposition. Mr. Mitchell said he is opposed. Too many units for that property and it will create too much concentration in one area for housing. He would rather see more single-family homes.

In rebuttal Mr. Dahlstrom said the use is permitted and commerce will come once there are more roof tops.

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

Motion to reconsider: Ms. Conlin made the motion, seconded by Mr. Aughinbaugh. The motion carried unanimously 9-0.

Motion: Ms. Conlin recommended Approval of the request with waivers to include the detached sign, seconded by Mr. Aughinbaugh. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-16-203
Name	Address	In/Out 300 notification area	ft	Position on case	Summary

Joe Ortiz	2536 Wakecrest	In	Opposition		Sent letter in
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10. ZC-16-199 City of Fort Worth Planning & Development/AX-16-013/Jacksboro Highway-Lakeside Area (CD 7) – North and south sides of SH 199 near Surfside, Midland and Roadrunner Roads (see addresses in case file, 91.95 Acre): from Unzoned to “A-5” One-Family, “A-21” One-Family, “E” Neighborhood Commercial and “FR” General Commercial Restricted

Ms. Murphy explained to the Commissioners staff is requesting a 30 day continuance.

Tina Child spoke in opposition. Ms. Child owns property at 8026, 8028, 8100 Jacksboro Highway and the proposed zoning does not match what they actually do on the property. She indicated they have been there for 25 years, they have a batch plant, and do metal fabrication as part of an equipment rental company.

Ms. Burghdoff asked her to identify her property on the screen.

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

<i>Document received for written correspondence</i>					ZC-16-199
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Tina/Tyler Child	8026 Jacksboro Hwy/multiple properties	In		Opposition	Spoke at hearing

~~**11. ZC-16-200 SGD 121 FW, LLC (CD 8) – 109 N. Chandler (Blandford Addition, Block 7, Lots 22RA & 22RB, 2.84 Acre): from “G” Intensive Commercial and PD 99 Planned Development for all uses in “G” Intensive Commercial and an 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 RV Sales, storage and service; site plan included**~~

~~Greg Walker, 5624 Airport Freeway, Haltom City, Texas representing SGD 121 FW, LLC explained to the Commissioners they are expanding their business and are requesting to add RV Sales, storage and service to the existing PD. He explained they attended a neighborhood meeting in early September and hosted an open house in October.~~

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