



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
October 10, 2017

**Council District** 5

**Zoning Commission Recommendation:**  
Denial by a vote of 8-1

**Opposition:** From adjacent neighbors and City of Arlington to proposed concrete recycling

**Support:** None submitted

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

**Owner / Applicant:** DDM Development, Inc.

**Site Location:** 12665 Calloway Cemetery Rd and 3601 Euless South Main St.  
Mapsco: 55UVYZ

**Proposed Use:** Concrete Recycling; Equipment and Material Storage without a primary use

**Request:** From: "C" Medium Density Multifamily, PD 223 "PD/SU" Planned Development/Specific Use for all uses in "I" Light Industrial and sand and gravel mining subject to development standards

To: Amend PD 223 to remove mining and allow storage of construction materials and equipment without a primary use; site plan included

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

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

**Background:**

The property was rezoned in 1996 as a larger pattern of land use in the area, using the Trinity River bottomlands for mining. This PD set a time limit of the mining activity and a maximum amount to be mined at one time. Some mining was done on the property and a lake/pond remains. The mining activity had a reclamation bond which was intended to recover the property to premining conditions. The applicant has worked with city staff to renew that bond so that the property is reestablished. The applicant is requesting to rezone the property in order to fill the mined areas but use the remainder for industrial storage, trucking, and possible concrete recycling.

Existing district: PD 223 "PD/SU" Planned Development/Specific Use for all uses in "I" Light Industrial and sand and gravel mining (See SP-96-020) subject to the following:

1. Mining operations to be completed within 9 years. No more than ten acres is to be open to excavation at any one time with 5 acres of the 10 acres under reclamation.
2. A bond of \$20,000 is to be posted with the Department of Transportation and Public Works to cover reclamation costs. Such amount may be adjusted at the discretion of the Director of Transportation and Public Works to cover reclamation costs.
3. Progress reports are to be submitted every six months to the Department of Transportation and Public Works in a format and form acceptable to the Director of that department.
4. Site plan required for mining and reclamation of the site only. Future developments will not require a site plan submission.

The primary purpose of the property initially is for material storage and construction equipment storage including trucks, tractors, etc. for earth moving. No office is provided on the site plan therefore the request is for the storage without a primary use. The originally submitted site plan provided for concrete crushing activities since the applicant was considering the use as an option in the future. This has been removed.

The intended use for the plan is that over the next 5-10 years, the quarry area will receive fill. If storage uses are planned in the fill area once the fill operations are complete, the site plan will need to reflect this use. At the time, the fill area would remain unused once the filling is complete.

The property is only accessed by Calloway Cemetary Rd., a two-way county road which appears to only serve industrial uses and enters onto FM 157 to the west. It is severed from access to the east by a large creek and floodplain. Truck traffic will increase only on Calloway Cemetary, however it would be consistent with the large truck traffic at the current time.

The property on the eastern edge of the subject case is currently zoned C. It is included in this case since it is part of the legal description of the lot. However, the property is divided from the main area by a large creek and floodplain and no use is intended at this time. Staff recommended that the lot be divided from this case; that will require an amended legal description for both lots.

During a case in early 2017, a neighborhood approximately 800 feet to the northeast of this case became involved and was encouraged to register to receive notices and communications from the city. That neighborhood chose not to formally organize or register and therefore would not receive notice concerning this case. Staff did send the courtesy notice to a primary contact so that she is aware of the rezoning request. This neighborhood is not expected to be affected by traffic from this use. No communications have been received from the area neighborhoods.

After the Zoning Commission hearing, the applicant indicated that she is willing to remove the concrete recycling from the proposal and request only construction truck and material storage. The site plan as provided for the Council docket does not indicate any concrete recycling activity.

**Site Information:**

Owner:	DDM Development, Inc. 807 N. Frontage Rd. Valley View, TX 76282
Agent:	Lisa Ramsey
Acreage:	83.64 acres
Comprehensive Plan Sector:	Eastside

**Surrounding Zoning and Land Uses:**

North	"A-5" One Family/ single family
East	"PD 43" PD/SU for petroleum storage and "PD 492" Planned Development for truck transport storage and staging area
South	railroad, not in city limits / railroad, City of Arlington
West	"PD 705" Planned Development for wholesale storage, handling and distribution of petroleum products, "K" Heavy Industrial/ tank farm

**Site Plan Comments:**

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. The key deficiencies are:

1. Identify on the site plan the square footage of the guard shack, required parking spaces must be hard surface dust free.
2. Identify on the site plan the width at the entrance to the site and the placement of the road throughout the site, what type of surface.
3. Label surrounding land uses, etc., per the checklist.
4. Indicate the type of perimeter fencing proposed and location.
5. Is there a scale house- needs to be indicated.
6. Indicate on the site plan the type of lighting proposed for security.

7. Provide row width for Calloway Cemetery Road.

**Compliance with the items noted above shall be reflected on the site plan or a waiver is required.**

**TPW Floodplain comments:** No comments have been received at this time.

**TPW Comments:** No comments have been received at this time.

**Platting Comments:** No comments have been received at this time.

**Water Comments:** No comments have been received at this time.

**Fire Comments:** No comments have been received at this time.

**(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)**

**Recent Relevant Zoning and Platting History:**

Zoning History: PD 223 "PD/SU" Planned Development/Specific Use for all uses in "I" Light Industrial and sand and gravel mining (See SP-96-020) subject to the following:

1. Mining operations to be completed within 9 years. No more than ten acres is to be open to excavation at any one time with 5 acres of the 10 acres under reclamation.
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4. Site plan required for mining and reclamation of the site only. Future developments will not require a site plan submission.

ZC-16-173 Proposed for "AG" Agricultural to "PD/I" Light Industrial for outside storage; Withdrawn by applicant

Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Eules South Main St.	Collector	Collector	No
Trinity Blvd.	Arterial – System Link	Arterial - System Link	No

**Public Notification:**

300 foot Legal Notifications were mailed on September 1, 2017

The following organizations were notified: (emailed August 21, 2017)

Organizations Notified	
East Fort Worth, Inc.	Streams and Valleys Inc
Stone Creek Addition HOA*	DFW International Airport
Fort Worth League of Neighborhoods Assoc.	Eastside Sector Alliance
Trinity Habitat for Humanity	Hurst Eules Bedford ISD
	Fort Worth ISD

Located within the registered Neighborhood Association.\*

**Development Impact Analysis:**

1. **Land Use Compatibility**

The applicant is proposing to amend PD 223 to allow outside storage of construction equipment and materials and possible concrete recycling. Surrounding land uses include a single family subdivision to the north separated by a floodplain but heavier industrial uses in the general area.

Additional heavy truck traffic will use an existing industrial route and will not affect residential areas. As a result, the proposed zoning **is compatible** at this location.

2. **Comprehensive Plan Consistency**

The 2017 Comprehensive Plan designates the site as Single Family (east side) and Light Industrial (west side) which permits outside storage. Concrete recycling is permitted by PD only and not by right in any district.

The proposed PD/E zoning is consistent with the following Comprehensive Plan policies.

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 38).

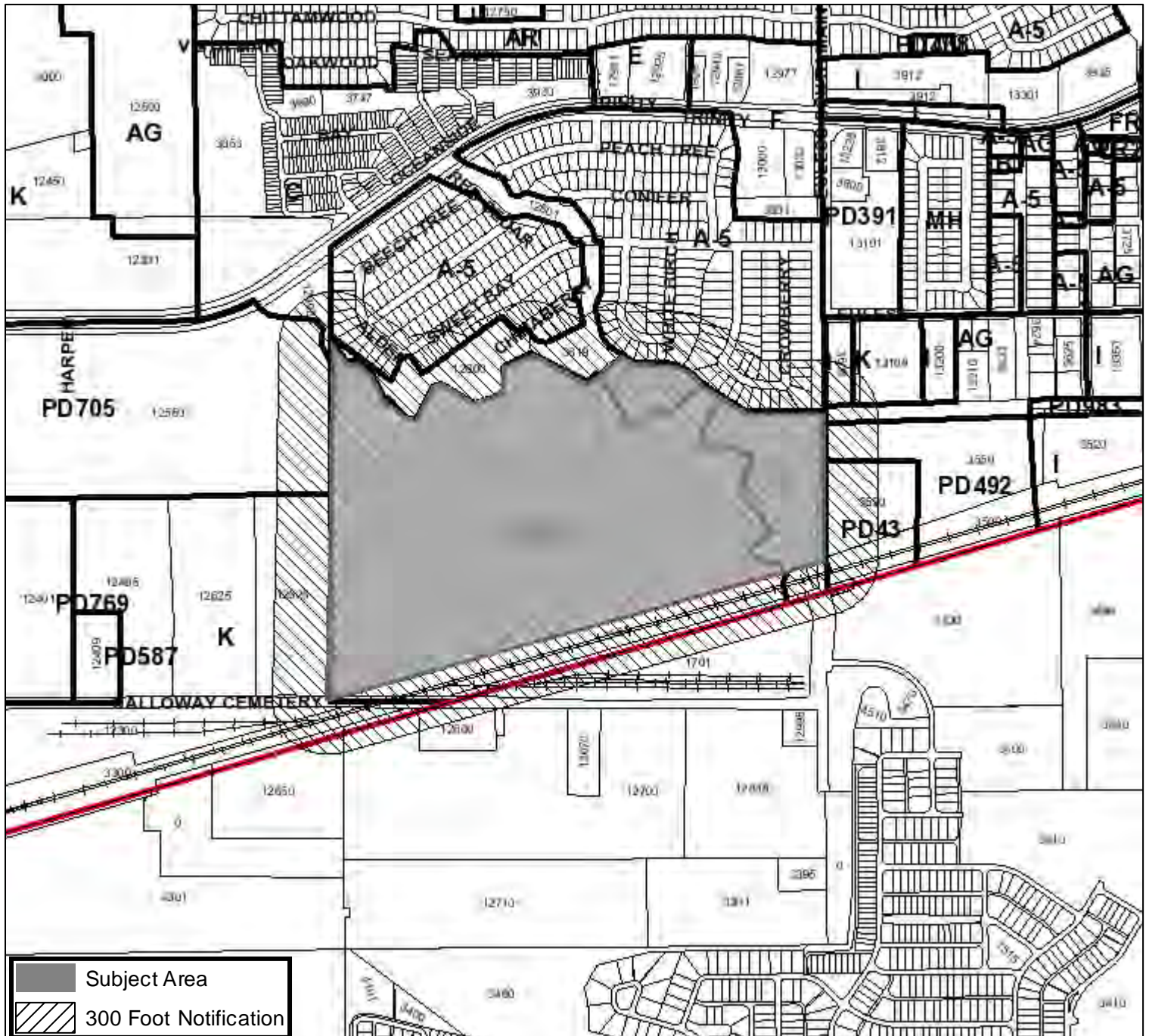
Based on the conformance with the future land use map and policies stated above, the proposed zoning **is not consistent** (Significant Deviation) with the Comprehensive Plan. Since the subject property is separated from the residential uses to the north by a major creek and heavier industrial uses including quarrying, earth moving, and petroleum tank farms are in the immediate area, consideration may be made for changing the future land use to reflect heavier uses.

***Attachments:***

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

### Area Zoning Map

Applicant: DDM Development, Inc.  
 Address: 12665 Calloway Cemetery Road and 3601 Euless South Main Street  
 Zoning From: C, PD 223 for I uses plus mining  
 Zoning To: Amend PD 223 for concrete recycling and outdoor storage of materials and constr. equip.  
 Acres: 83.64274836  
 Mapsco: 55UVYZ  
 Sector/District: Eastside  
 Commission Date: 9/13/2017  
 Contact: 817-392-6226

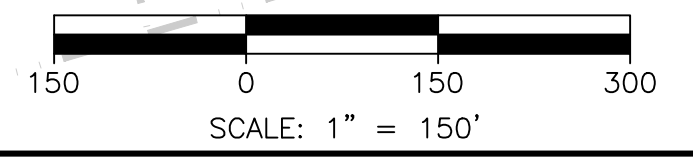
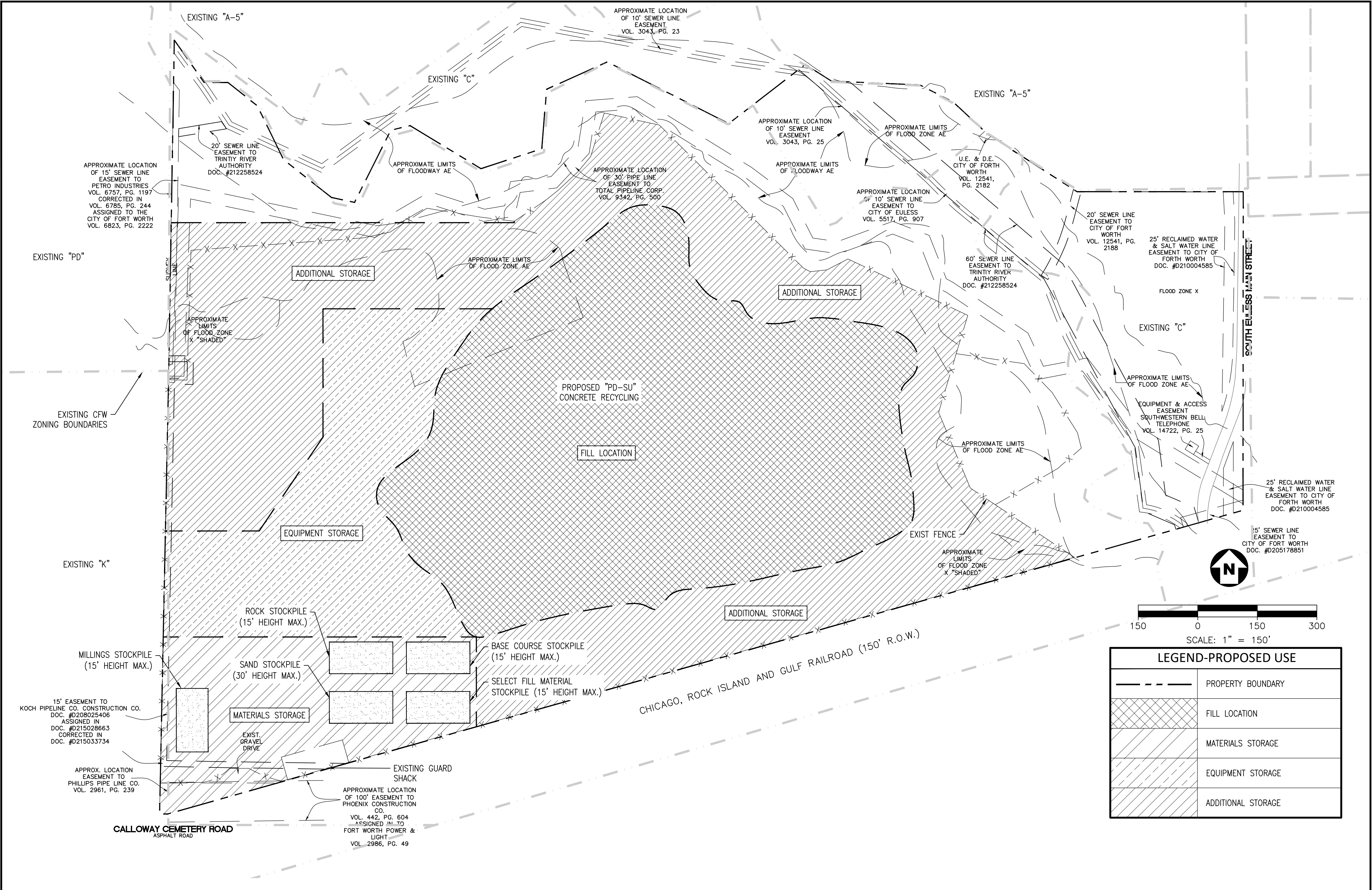




### Area Map







LEGEND-PROPOSED USE	
	PROPERTY BOUNDARY
	FILL LOCATION
	MATERIALS STORAGE
	EQUIPMENT STORAGE
	ADDITIONAL STORAGE

- GENERAL NOTES:
1. ALL SIGNAGE SHALL CONFORM TO ARTICLE 4, SIGNS.
  2. PROJECT WILL COMPLY WITH SECTION 6.301, LANDSCAPING.
  3. PROJECT WILL COMPLY WITH SECTION 6.302, URBAN FORESTRY.

DIRECTOR OF PLANNING & DEVELOPMENT \_\_\_\_\_ DATE \_\_\_\_\_

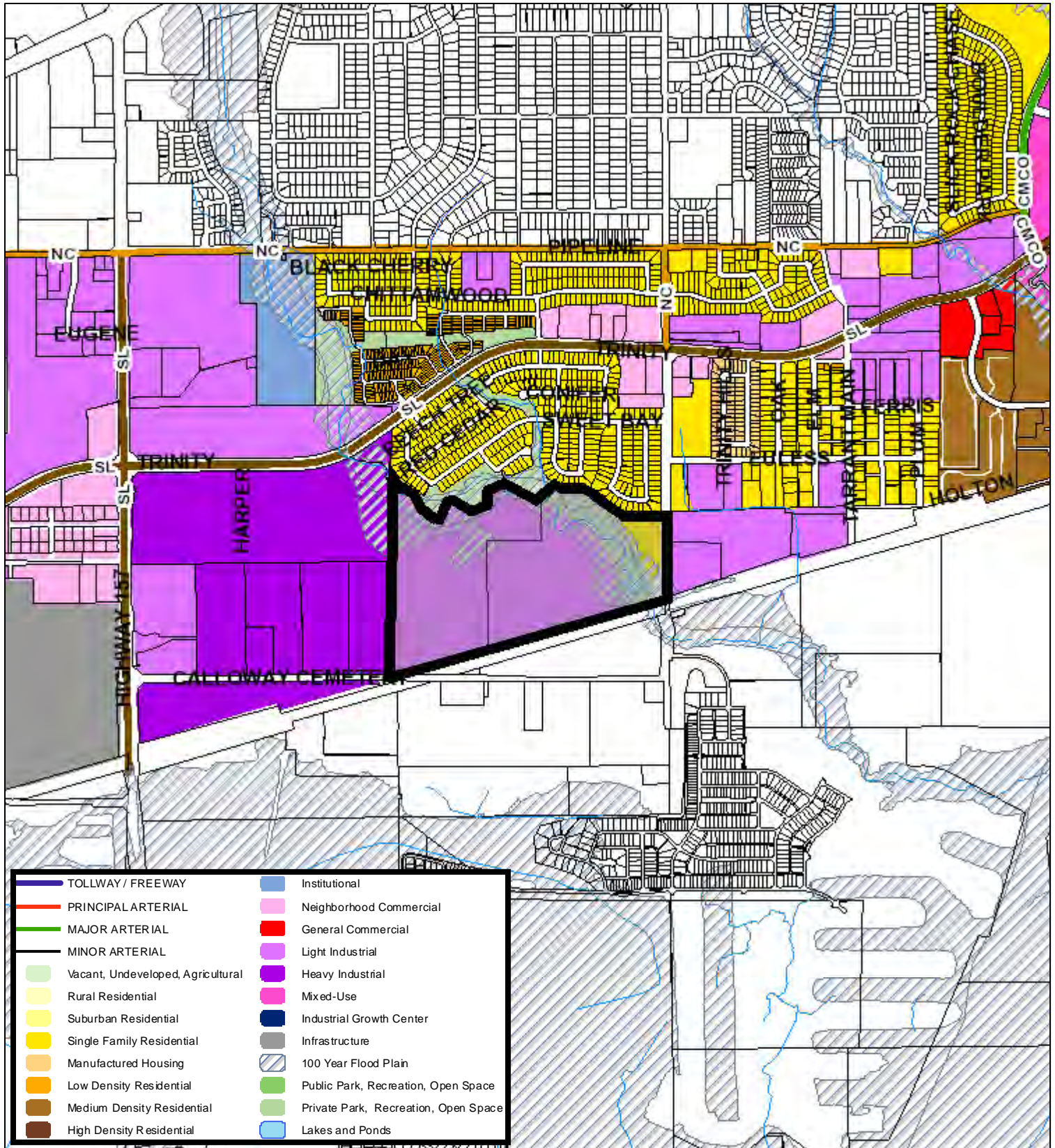
# 12665 CALLOWAY CEMETERY ROAD PLANNED DEVELOPMENT SITE PLAN

RICHARD H. CALLOWAY SURVEY, TRACT 1 & TRACT 2

**JGR** JG RODRIGUEZ  
ENGINEERING  
CIVIL ENGINEERING - HYDROLOGIST  
2920 SAN ROCENDO ST., APT 4222  
FORT WORTH, TX 76116  
(575) 642-1331  
TX REG NO. 18049



### Future Land Use



1,200 600 0 1,200 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 7, 2017.









Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Ronald O'Donnell	653 Jan Ct			Support	Applicant
Allen Tucker	1601 Briar Dr	In		Support	Spoke at hearing

**17. ZC-17-150 Warren McKnight (CD 9) – 3132 Cockrell Avenue (Weatherford PR Addition, Lot 10 Block 11, 0.14 ac.) From: “BU-RA-3” Berry/University Residential Attached-3 Stories To: PD/BU-RA-3 Planned Development for all uses in “BU-RA-3” Berry/University Residential Attached for 5 units; site plan included**

Jake Proctor, 2568 Stadium Dr, applicant stated he is confused why his prior two cases have been denied. A discussion was held concerning the details of the request.

Motion: Following brief discussion, Ms. Dunn recommended Denial Without Prejudice of the request, seconded by Ms. Conlin. The motion passed 6-3 with Mr. Gober, Mr. Northern, and Mr. Aughinbaugh voting against.

<i>Document received for written correspondence</i>					ZC-17-150
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Jake Proctor	2568 Stadium Dr			Support	Applicant
Natalie Weimer	6412 Inca	Out		Opposition	Did not speak; sent letter
John Rubin	3144-3146 Cockrell	In		Opposition	Sent email

**18. ZC-17-151 DDM Development, Inc. (CD 5) – 12665 Calloway Cemetery Road and 3601 Eules South Main Street (R. H. Calloway Survey Abstract No. 337, 83.64 ac.) From: “C” Medium Density Multifamily, PD 223 "PD/SU" Planned Development/Specific Use for all uses in "I" Light Industrial and sand and gravel mining subject to development standards To: Amend PD 223 to remove mining and allow storage of construction materials and equipment and concrete recycling; site plan included**

Jaime Rodriguez, 12665 Calloway Cemetery, representing the applicant, stated they are wanting to renew the PD with the changes that are listed. They want to add concrete recycling, storage of construction materials, and fill the previously mined area.

Matthew Cragun, 3660 Smoke Tree Trail, president of the Stone Creek NA, spoke in opposition. He expressed concerns with traffic, the floodplain, noise, and dust. He also expressed concern that it would become a landfill.



Tomeka Jones, 3601 Smoke Tree Trail, spoke in opposition. Her property abuts the subject property and she does not want this use in her backyard. She expressed concerns with traffic, noise, and air pollution.

Phyllis Taylor, 3616 Smoke Tree Trail, spoke in opposition. She expressed concerns with health risks, noise pollution, and a decline in property values. She wants to protect existing property owners. She asked the case be denied or continued.

Carol Sue Buxton, 3805 Alder Trail, spoke in opposition and agreed with what her neighbors had said.

Lisa Ramsey, 12665 Calloway Cemetery Rd, owner, spoke during the rebuttal. She stated they do not plan on touching any of the property that hasn't already been touched. She said there is already truck traffic coming into area. She stated would be amenable to take the concrete recycling out of the PD.

Motion: Following brief discussion, Ms. Conlin recommended Denial of the request, seconded by Ms. Runnels. The motion passed 8-1 with Mr. Gober voting against.

<b>Document received for written correspondence</b>					<b>ZC-17-151</b>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 ft notification area</b>	<b>Position on case</b>		<b>Summary</b>
Jamie Rodriguez	12665 Calloway Cemetery Rd		Support		Representing applicant
Matthew Cragun	3660 Smoke Tree Trail	In		Opposition	Spoke at hearing; sent letter
Tomeka Jones	3601 Smoke Tree Trail	In		Opposition	Spoke at hearing
Phyllis Taylor	3616 Smoke Tree Trail	Out		Opposition	Spoke at hearing; sent email
Carol Sue Buxton	3805 Alder Trail	In		Opposition	Spoke at hearing; sent email
Lisa Ramsey	12665 Calloway Cemetery Rd	Out	Support		Applicant
Rory Huie	12713 Chinaberry Ct	In		Opposition	Sent email
Junaid Memon	4008 Shady Forge Tr	Out		Opposition	Sent email
Ron Dagdag	12624 Sweet Bay Dr	In		Opposition	Sent email
Amy Rinehart	3666 Crowberry Way			Opposition	Sent email
John Rhodes		Out		Opposition	Sent email
Dan Tolbert	3721 Alder Tr	In		Opposition	Sent email
Laura Ramos		Out		Opposition	Sent email

Ivan Rivera	12724 Chinaberry Ct	In		Opposition	Sent email
Elizabeth Deckard	3649 Smoke Tree Trail	In		Opposition	Sent email
Samuel Cortez		Out		Opposition	Sent email
Tracy Irvin		Out		Opposition	Sent email
Niraj Koirala	12620 Sweet Bay Dr	In		Opposition	Sent email
Clarice Smith	12716 Chinaberry Ct	Out		Opposition	Sent email
Jinesh Mathai	3667 Smoke Tree Tr	Out		Opposition	Sent email
Sue Hicks	4150 Stonehollow Way	Out		Opposition	Sent email
Karen Herman	3713 Elm St	Out		Opposition	Sent email
Brad Bradshaw	3701 Elm St	Out		Opposition	Sent email
Robert Franklin	12701 Beech Tree Ln	Out		Opposition	Sent email
Linda Losekamp	3800 Black Gum Tr	Out		Opposition	Sent email
Olivier Belzile		Out		Opposition	Sent email
Sherry Tjitakham	12625 Sweet Bay Dr	Out		Opposition	Sent email
Piyush Patel	3821 Alder Tr	Out		Opposition	Sent email
Cody Sears	3605 White Birth Way	In		Opposition	Sent email
Mir Mohammed Ali		Out		Opposition	Sent email
Indra Poudel	3620 White Birch Way	Out		Opposition	Sent email
Eric Wilden	12613 Red Cedar Dr	Out		Opposition	Sent email
Akbar Sukhyani	3612 Smoke Tree Tr	In		Opposition	Sent email
Michael Nguyen		In		Opposition	Sent email
Emily Malorzo	12628 Sweet Bay	In		Opposition	Sent email
David Campbell	12717 Sweet Bay	Out		Opposition	Sent email
Cory Claffun	12833 Conifer Ln	Out		Opposition	Sent email
Robert Fisher	3908 Oceanside Dr	Out		Opposition	Sent email



Mary Nicholas	12617 Sweet Bay Dr	Out		Opposition	Sent email
Brian Smith	3642 Crowberry Way	Out		Opposition	Sent email
Kimberly Madrid	12605 Red Cedar Dr	Out		Opposition	Sent email
Karim Hudda	3613 White Birch Way	In		Opposition	Sent email
Duanwu Zhang	12608 Sweet Bay Dr	Out		Opposition	Sent email
Jerry Droptini		In		Opposition	Sent email
Jack Urso	3713 Elm	Out		Opposition	Sent email
Shahid Hussain	3609 Smoke Tree Tr	In		Opposition	Sent notice
Inyoung Lee	3656 Crowberry Way	In		Opposition	Sent notice
Rameshwar Thapa	12721 Chinaberry Ct	In		Opposition	Sent notice
Thoai Tran	3633 Smoke Tree Tr	In		Opposition	Sent notice
Kim Pham	3634 Crowberry Way	In		Opposition	Sent notice
Vanessa Stanford	3650 Crowberry Way	Out		Opposition	Sent notice

**19. ZC-17-152 City of Fort Worth Planning and Development (CD 9) – 1157 E. Fogg Street (Fairview Heights Addition Lot 35 Block 17, 0.07 ac.) From: “B” Two-Family To: “A-5” One-Family**

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

**20. ZC-17-153 City of Fort Worth Planning and Development (CD 8) – 2232 Brookes Street (Avalon Heights, Lot 9, Block 7, 0.31 ac.) From: “B” Two-Family To: “A-5” One-Family**

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

**21. ZC-17-154 City of Fort Worth Planning and Development (CD 8) – 3404 E. 1st Street, 109 Alvord Street (Riverside Addition, Lot 2A Block 9, 0.14 ac.) From: “B” Two-Family To: “A-5” One-Family**

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