



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
July 10, 2012

Council District 8

Zoning Commission Recommendation:

Approved by a vote of 9-0

Opposition: none

Continued	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Case Manager	<u>Lynn Jordan</u>	
Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Council Initiated	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Owner / Applicant: Tomas Aquirre

Site Location: 1128 McPherson Rd. Mapsco: 77V

Proposed Use: Single-family

Request: From: "ER" Neighborhood Commercial Restricted and "E" Neighborhood Commercial
To: "A-43" One-Family

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

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

Background:

The proposed site is located on the corner of McPherson Road and Oak Grove Road. The applicant would like to change the zoning from "ER" Neighborhood Commercial Restricted and "E" Neighborhood Commercial to "A-43" One-Family to build a house and possibly subdivide into several lots later.

The City's Master Thoroughfare Plan provides the alignment of the future Wichita/Oak Grove Road as a major arterial through this property. The applicant understands that the property must be platted for the construction of his home and the 110 ft. right of way will have to be dedicated at that time. Access to this arterial for residential properties will not be permitted; commercial uses will be allowed access. The property to the north of McPherson Rd. was platted in the alignment of the arterial. In 2006, the city purchased several properties in order to provide property for the future construction of the street.

Site Information:

Owner: Tomas Aquirre
3708 S. Adams Street
Fort Worth, Texas 76110

Acreage: 5.36 acres
Comprehensive Plan Sector: Far South

Surrounding Zoning and Land Uses:

- North "A-5" One-Family / single-family
- East "E" Neighborhood Commercial / vacant
- South "PD-389" Planned Development for residential, site plan required / single-family & vacant

West "PD-389" Planned Development for residential, site plan required & "FR" General Commercial Restricted / single-family

Recent Relevant Zoning and Platting History:

Zoning History: PD-389, Planned Development for residential, site plan required, approved December 2000 (west and south of the subject site); ZC-01-1053 A-5, approved December 2001 (north of the subject site)

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
McPherson	County Road	Major Arterial	No
Oak Grove Rd S /Wichita St. North of McPherson	No – Proposed ROW	Major Arterial	No/Yes

Public Notification:

The following Neighborhood Associations were notified:

Garden Acres Area
Kingspoint

Burleson ISD

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zone change to "A-43" Single-family rural residential. Surrounding land uses are primarily single-family and vacant land to the east.

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

2. Comprehensive Plan Consistency

The 2012 Comprehensive Plan designates the subject property as single-family. While the single-family designation is located on two future major arterials, this is appropriate for the area until the arterial is constructed, at which time the use may be changed to neighborhood commercial. The policies below apply to this development:

- Preserve the character of rural and suburban residential neighborhoods. (pg. 37)

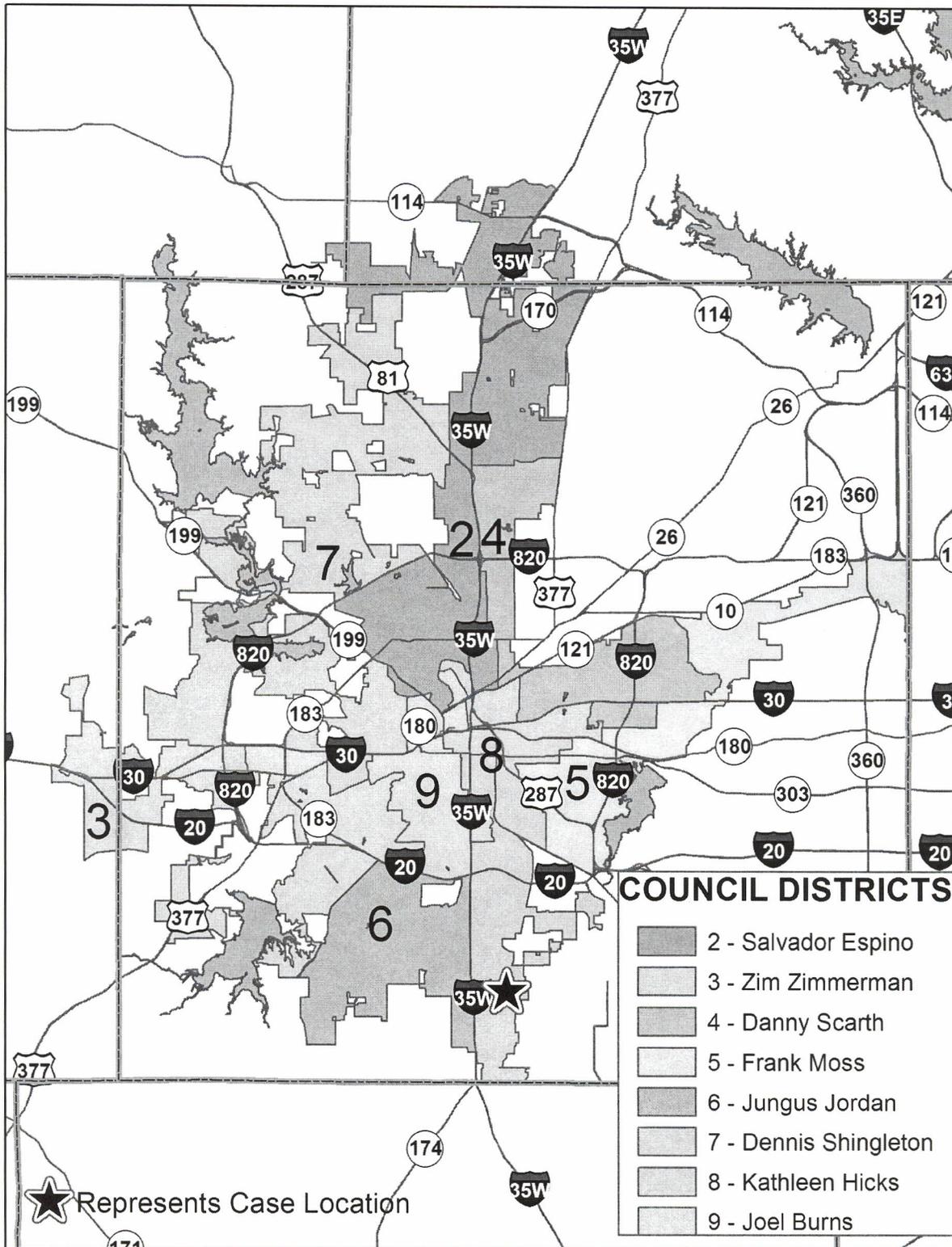
Due to the single-family designation, the zoning change request **is consistent** with the Comprehensive Plan.

To view the Comprehensive Plan: <http://www.fortworthgov.org/planninganddevelopment/misc.aspx?id=81678>

Attachments:

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

Location Map





ZC-12-048

Area Zoning Map

Applicant: Tomas Aguirre
 Address: 1128 McPherson Road
 Zoning From: ER, E
 Zoning To: A-43
 Acres: 5.19
 Mapsco: 105Z
 Sector/District: Far South
 Commission Date: 06/13/2012
 Contact: 817-392-2495



 300 Ft. Notification Buffer

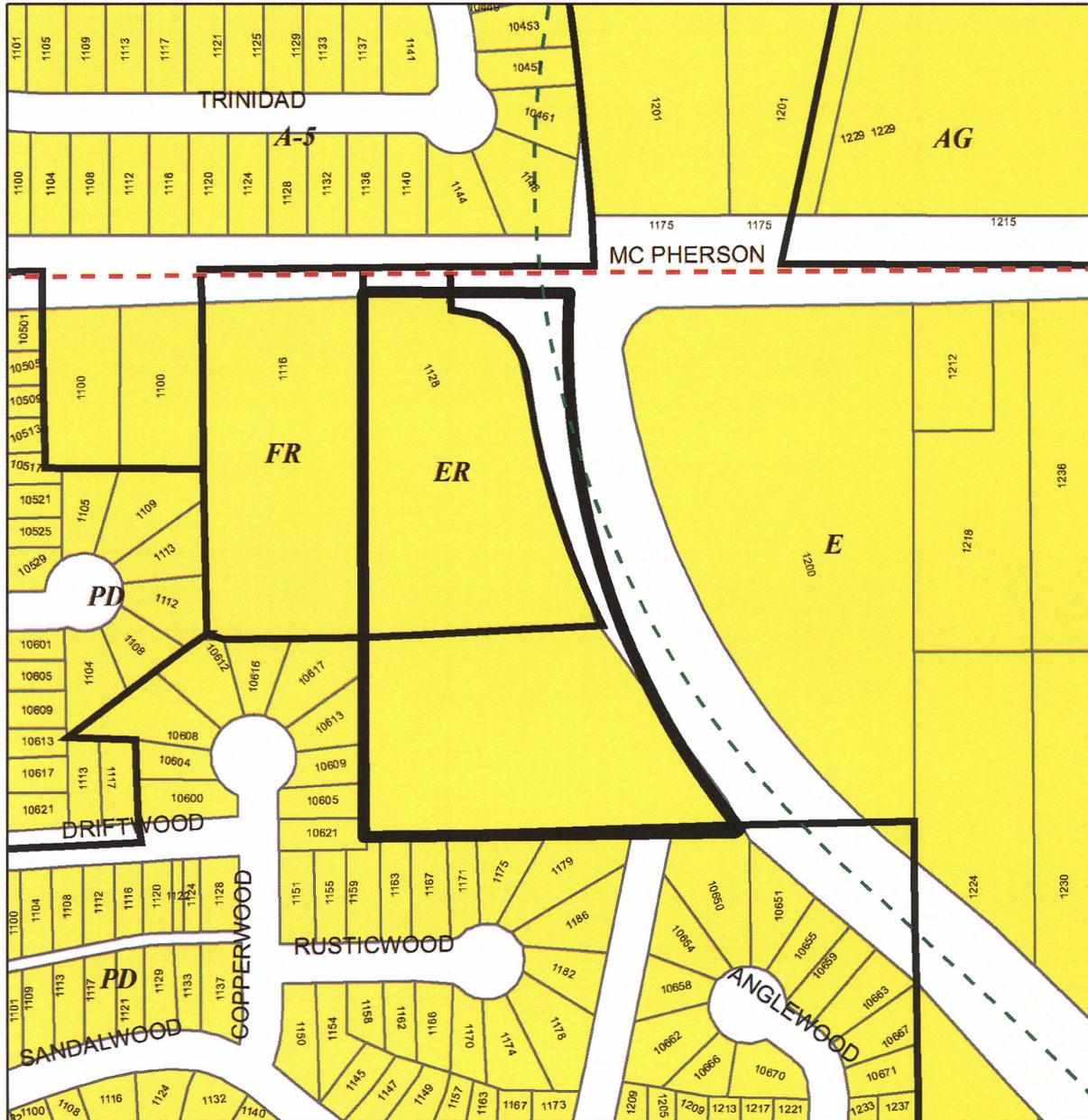




1128 McPherson Road

Future Land Use

ZC-12-048



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



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 06, 2012



Aerial Photo Map



Jim Hodges	2940 S Jennings	Out	Opposition		Spoke at hearing
Paul Millender/South Hemphill Heights	3121 Lipscomb St	Out	Opposition		Spoke at hearing

3. ZC-12-033 John M Kelley, Jr/BSFC LLC (CD 3)- 2915 Riverglen Drive (Stonegate Addition, Block 1, Lot 4J2A, 0.60 Acres): from “F” General Commercial to “PD/F” Planned Development for all uses in “F” General Commercial plus wine storage; site plan waiver requested

Terry Perkins, 314 Crossing Court, Keller, Texas owner of Classic Wine Storage, explained to the Commissioners the case was continued from the April meeting in order for the applicant to meet with the person in opposition. Mr. Perkins said they did meet and explained the operation of the business and the minimal traffic generation at this site and he was ok with the request.

Motion: Following brief discussion Mr. West recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

IV. New Cases

4. ZC-12-048 Tomas Aguirre (CD 8)- 1128 McPherson (Hiram Little Survey, Abstract 930, Tracts 9A04 & 9A04B, 5.36 Acres): from “ER” Neighborhood Commercial Restricted and “E” Neighborhood Commercial to “A-43” One-Family

Tomas Aguirre, 1128 McPherson, Fort Worth, Texas, property owner explained the request to the Commissioners with Roy Salinas, City of Fort Worth Zoning Plans Examiner interpreting. Mr. Salinas mentioned he would like to rezone his property to A-43 for single-family.

Ms. Murphy, Planning Manager, City of Fort Worth explained that staff met with Mr. Aguirre to ensure that he understood about the right of way dedication that will be required at the time of platting.

James Harrison, 1116 McPherson, Fort Worth, Texas wanted to request that the existing 65 year old barn be torn down before a house is built on the property. He said the barn is substandard and a safety concern.

Ms. Conlin explained he needed to call Code Compliance for substandard buildings.

Mr. Harrison asked staff if it would be permitted for them to have livestock on the property. Ms. Burghdoff explained the property owner would have to live on the property in order to have large animals.

Mr. West mention there was a letter of opposition in their packet from Wesley and Diana Holzhey concerned about families being too close to a gas well.

In rebuttal Mr. Acuirre said he would clear up the lot, remove the barn before building a structure and will probably have a couple of horses with some stables.

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

5. ZC-12-49 John and Janet Thornhill (CD 3)- 2800 Alta Mere (Alta Mere Addition, Block 4, Lot 1A-R, 1.92 Acres): from "FR" General Commercial Restricted to "F" General Commercial

Jake Petras, 3529 Lake Hill Lane, Fort Worth, Texas representing Quik Trip explained to the Commissioners they are requesting F zoning in order to allow for alcohol sales. They will be relocating an existing QuikTrip down the road. He did mention they have a new store design that they want to build there. Their new design focuses on more food options than gasoline sales.

Motion: Following brief discussion Mr. West recommended approval of the request, seconded by Mr. Genua. The motion carried unanimously 9-0.

6. ZC-12-050 John Chapman (CD 9) 2931 Hemphill Avenue (South Hemphill Heights Addition, Block 21, Lot 9, 0.17 Acres): from "A-5" One-Family to "PD/SU" Planned Development/Specific Use for office with development standards; site plan included

Gregory Phillips, 1420 Cloverdale Drive, Fort Worth, Texas, representing Chapman Motors explained to the commissioners they are requesting to rezone to PD/SU for office with development standards. He mentioned Mr. Chapman bought the building and wants to make it into a commercial office for collections on his automobiles and an insurance office. Mr. Phillips explained they met with the HOA and came to an agreement to rezone to PD and to regulate development standards to protect the neighborhood. Mr. Phillips displayed pictures of what the property looked like. He mentioned the revised site plan and they plan on putting some type of pottery landscaping in the front yard. He said that the neighbor between this property and Chapman motors is in support.

Ms. Reed asked about the existing building. Mr. Phillips mentioned they tore down the house portion and left the front building for commercial.

Mr. Edmonds asked about the residential uses on the street. Mr. Phillips responded the building was zoned FR and the zoning changed to A-5 while Mr. Chapman was purchasing the property and did not have the information.

Fernando Florez, 2740 Hemphill Street, Fort Worth, Texas Chairman for the Hemphill Corridor Task Force spoke in support. Mr. Florez mentioned they have concerns about buildings being vacant and want good development in the area.

Mr. Ortiz asked if he knew what the building was going to be used for. Mr. Florez responded with his understanding is it will be an insurance office. Mr. Ortiz asked about the parking in the rear and the building fronting Hemphill. Mr. Florez said yes but they will not have access to the