



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 8, 2013

Council District 7

Zoning Commission Recommendation:
Approval by a vote of 8-0-1

Opposition: property owners adjacent to new development

Continued Yes ___ No X
Case Manager Stephen Murray
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: Pearl Developments, LLC

Site Location: 11300 – 11400 block of White Settlement Rd Mapsco: 57V

Proposed Use: Commercial

Request: From: "A-5" One-Family
To: "E" Neighborhood Commercial

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent.

Background:

The proposed site is located on White Settlement Rd. near Silver Ridge Blvd. The change of zoning from "A-5" One-Family to "E" Neighborhood Commercial will allow for commercial development. The exact types of commercial have not been determined; they are expected to be restaurants, cleaners, beauty shops, etc. that might serve the existing and new residents. Single-family is located in close proximity, but the surrounding area is primarily vacant. A small nursery is located directly across the street. The closest commercial zoning to this area is approximately 1/2 mile to the east, at Silver Ridge Drive, but it has not been developed. The closest developed commercial appears to be on White Settlement between Academy and Loop 820.

The commercial area is part of the Hills of Windridge subdivision. The preliminary plat was approved by the City Plan Commission on November 16, 2012. It will consist of 1,284 single family lots, two commercial lots, and 32 open space lots. Neighborhood Commercial is intended to be compatible with single-family development.

The proposed commercial will be located on White Settlement Road, which is currently a two-way county road but is proposed as a principal arterial. The developer has completed a traffic impact study for the entire development which will be reviewed by Transportation and Public Works Department staff.

Consideration was made to determine if the "ER" Neighborhood Commercial Restricted district could work on this property. The uses in "ER" are more restrictive, no alcohol sales is allowed in a restaurant, no detached signage is permitted, and no building on a lot can be more than 10,000 sq.ft. with one tenant no more than 5,000 sq. ft. The proposed commercial area as approved on the plat is 12 acres and two lots, with each lot possibly 6 acres. The maximum building size of 10,000 sq.ft. is not suitable for the large lots.

Finally, the "E" Neighborhood Commercial district would be located on a principal arterial that is designed for higher traffic quantities and a larger market area.

Site Information:

Owner: Pearl Developments, LLC
 4325 Windsor Centre Trail
 Flower Mound, TX 76015
 Agent: Ron Ramirez, PE
 Acreage: 12.02 acres
 Comprehensive Plan Sector: Far West

Surrounding Zoning and Land Uses:

North Fort Worth ETJ / vacant, nursery, Army Reserve
 East "A-5" One-Family / single-family
 South "A-5" One-Family / vacant
 West "A-5" One-Family; "CF" Community Facilities / vacant

Recent Relevant Zoning and Platting History:

Zoning History: ZC-06-092 approved by City Council 06/06 from E to A-5 subject area

Platting History: PP-12-019 The Hills of Windridge approved by the City Plan Commission on 11/16/12; PP-06-046 Windridge Addition approved by the City Plan Commission 10-06

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
White Settlement Rd	County Road	Major Arterial	No

Public Notification:

The following Neighborhood Associations were notified:

Organizations Notified	
Silver Ridge NA	White Settlement ISD
Westpoint Citizens on Patrol	

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zone change from "A-5" One-Family to "E" Neighborhood Commercial. Surrounding land uses are primarily vacant with a single-family subdivision located just east of the proposed site.

The proposed new commercial is compatible with the single-family subdivision near the proposed site and will provide a buffer for future single-family development near White Settlement Road, which is currently a two lane road and planned as a principal arterial. Additionally, the uses allowed in "E" neighborhood commercial are intended to be compatible with single-family.

As a result, 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 proposed commercial development is not consistent with the single-family designation, the property is located on a future principal arterial, which is a proper location for a neighborhood commercial use. The policy below applies to this development:

- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses.

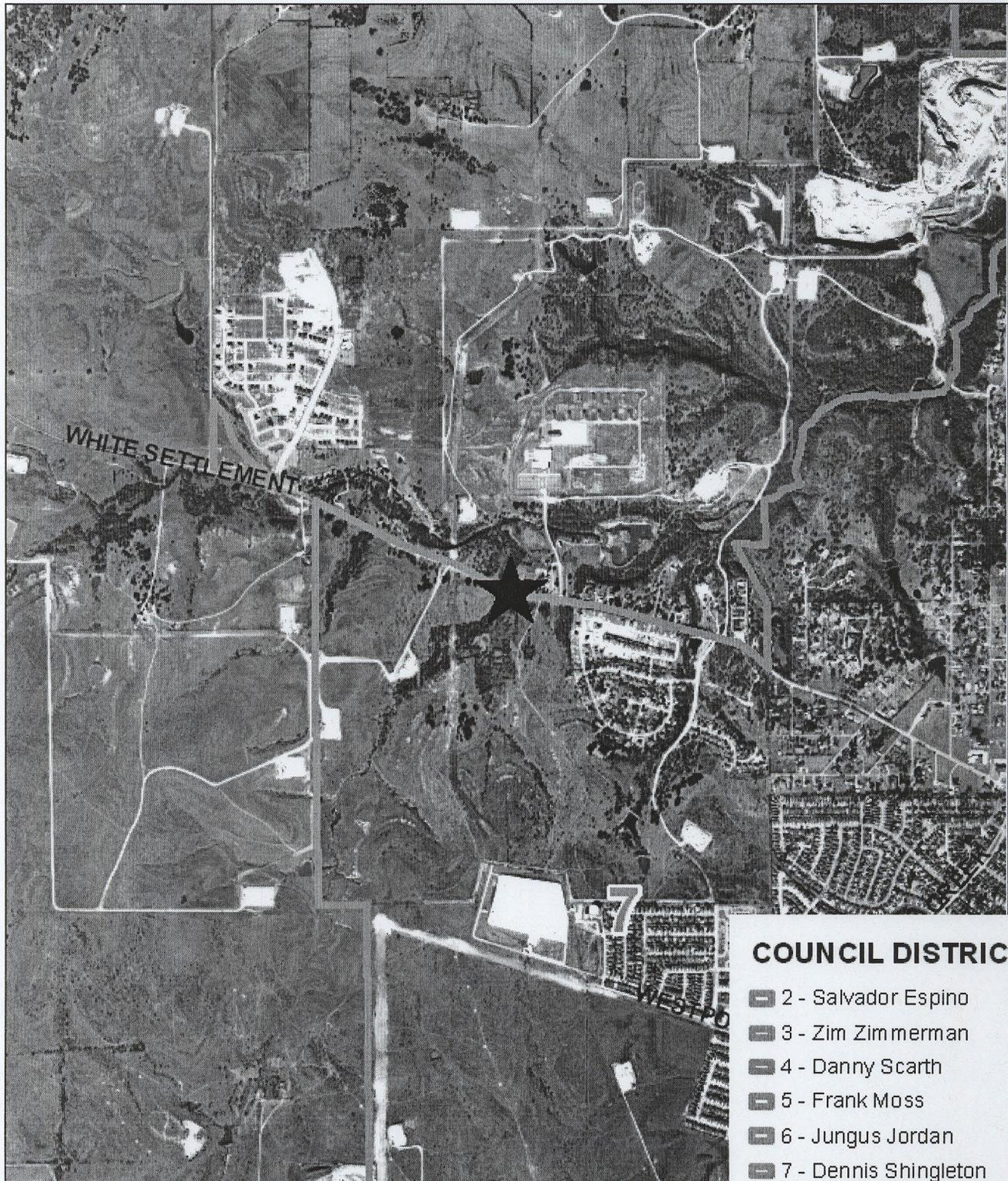
Due to the single-family designation, the zoning change request **is not consistent** with the Comprehensive Plan.

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



COUNCIL DISTRICTS

- 2 - Salvador Espino
- 3 - Zim Zimmerman
- 4 - Danny Scarth
- 5 - Frank Moss
- 6 - Jungus Jordan
- 7 - Dennis Shingleton
- 8 - Kelly Allen Gray
- 9 - Joel Bums



2,000 1,000 0 2,000 Feet





ZC-12-113

Area Zoning Map

Applicant: Pearl Developments, LLC
Address: 11300 - 11400 blocks of White Settlement Road
Zoning From: A-5
Zoning To: E
Acres: 11.69
Mapsc0: 57V
Sector/District: Far West
Commission Date: 11/14/2012
Contact: 817-392-8043



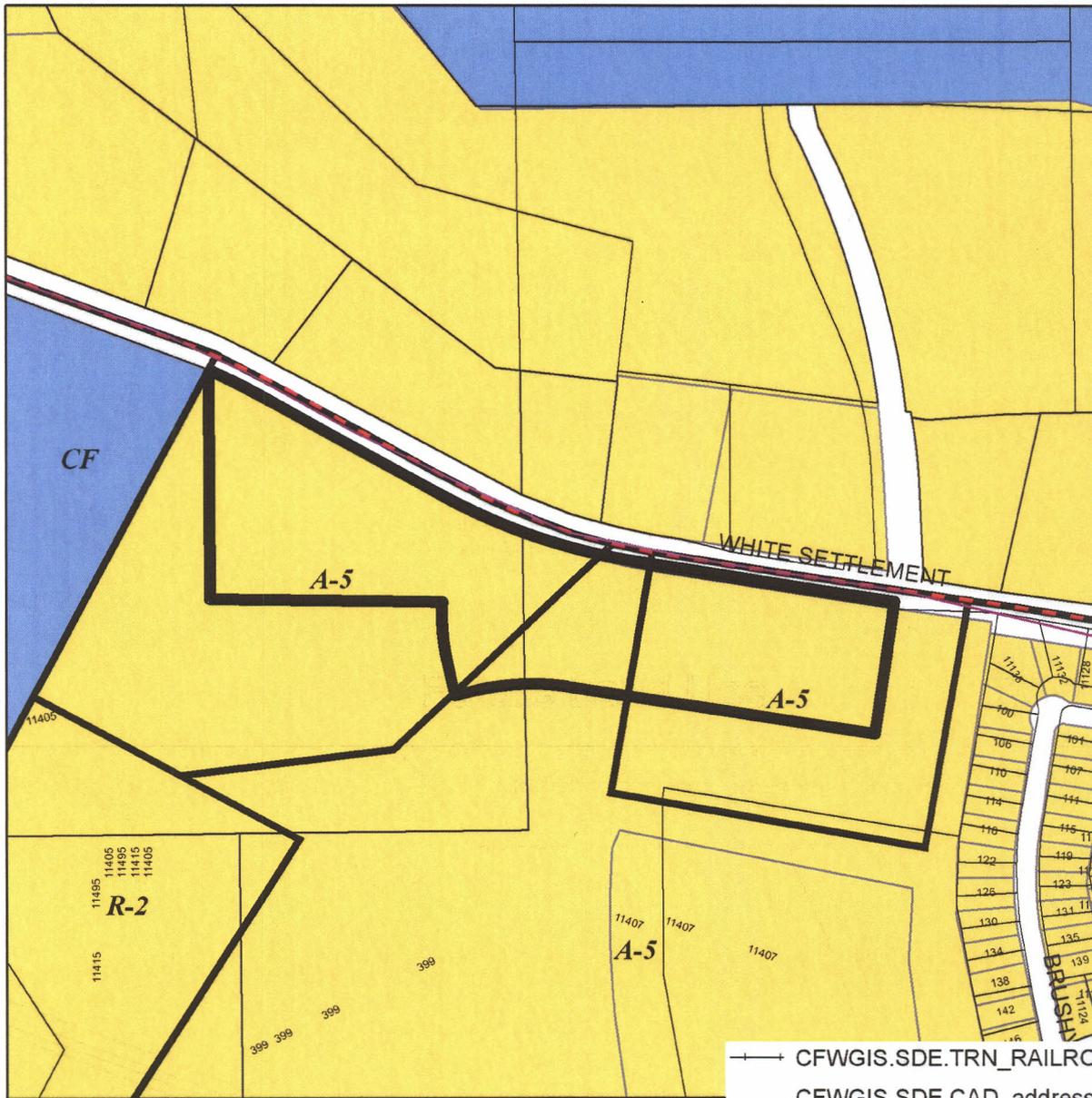
 300 Ft. Notification Buffer





Future Land Use

ZC-12-113



- 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

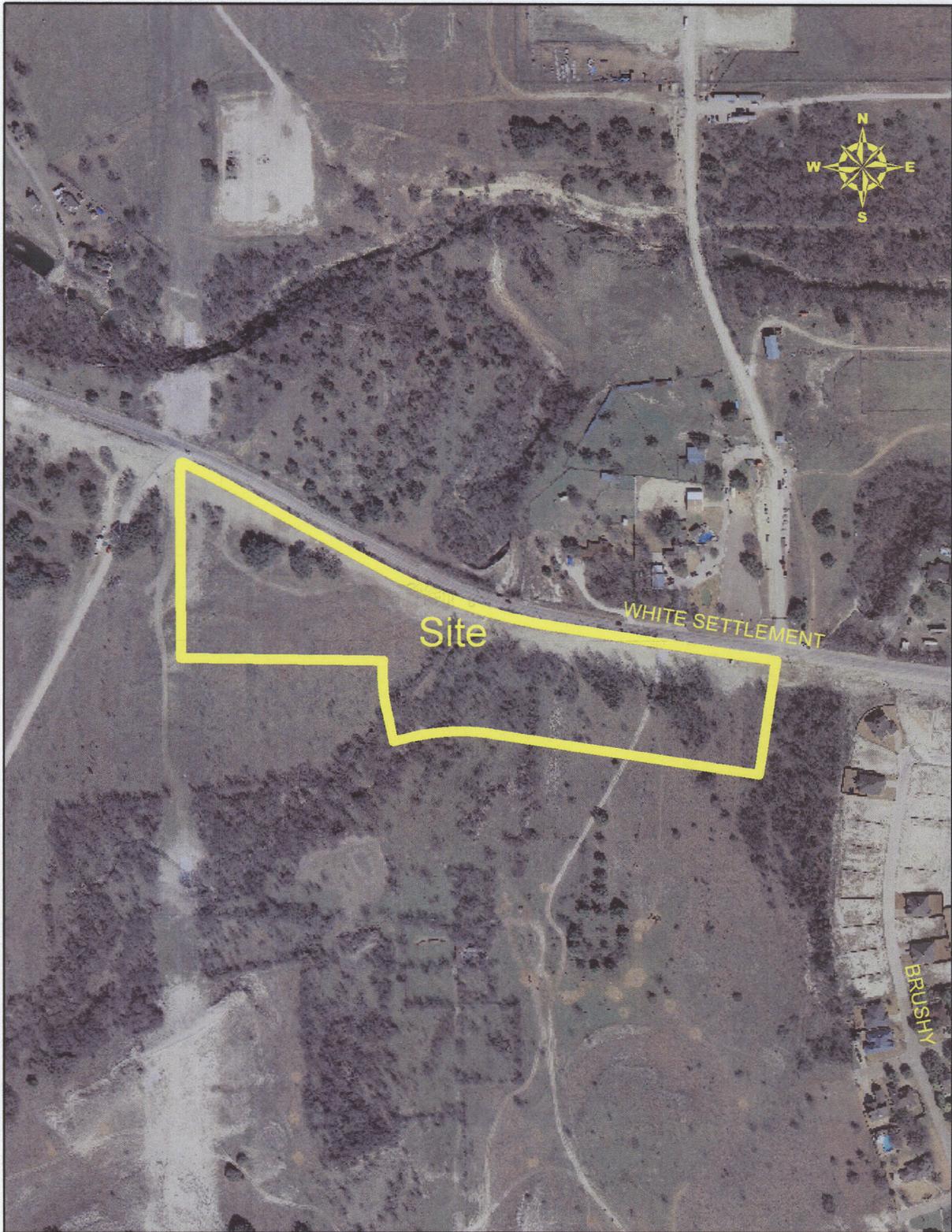
- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Sect. 219.005) Land use designations were approved by the City Council on March 6, 2012.



Aerial Photo Map



2. ZC-12-113 Pearl Development, LLC (CD 7)- 11300 – 11400 block of White Settlement Road (GB Kenney Survey, Abstract 2, 12.02 Acres): from “A-5” One-Family to “E” Neighborhood Commercial

Jeff Taster, 3709 Sandhurst Drive, Flower Mound, Texas representing Pearl Development mentioned to the Commissioners he did not see the applicant for their case and was not prepared to speak on the case.

Mr. Zadeh asked if they would like to move the case to the end of the agenda. Mr. Genua said yes he would, he would like to speak with the applicant.

Mr. Genua made a motion to move the case to the end of the agenda and for the public record stated he is not necessarily in favor of moving the case to the end and did not want to set precedent, seconded by Ms. Conlin. The motion carried unanimously 8-0-1 with Mr. West abstaining.

When the case was recalled, Ron Ramirez, 701 Highlander, Suite 300, Arlington, Texas with Weir & Associates representing Pearl Development explained to the Commissioners the request to rezone to E is to support the adjacent residential component of the development that surrounds this to the south and east. Since the time of the continuance, they received approval of the preliminary plat.

He wanted to address the distance from other commercial zoning districts and indicated them on the overhead. Approximately 1280 homes are proposed over the next five to seven years and there will be a need to facilitate commercial uses along White Settlement Road. He does not know what is proposed to go in the tenant spaces. He did have a conceptual drawing of what the possible building size, and clarified that ER zoning would not work for this site. He mentioned that a traffic impact analysis has been done in conjunction with the overall development and there are no improvements recommended by the traffic consultant until such time as five phases of the overall development have been completed.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Ms. Spann. The motion carried 8-0-1 with Mr. West abstaining.

3. ZC-12-126 City of Fort Worth Planning & Development (CD All)- Text Amendment Near Southside Form Base District Mobile Vending Food Court

An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being ordinance no. 13896, as amended, codified as Appendix "A" of the Code of the City Of Fort Worth, by amending various sections of the Near Southside Development Standards and Guidelines as provided by Section 4.1305d, “Other Development Standards” of Chapter 4, “District Regulations” of Article 13, “Form Based Districts” to:

- Provide for requirements for Mobile Vending Food Courts; and
- Add Mobile Vending Food Courts as a permitted use to the permitted land use table