

The case was continued from the June 4, 2013 City Council meeting. At this meeting, a representative of Charley's Concrete located to the north of the subject site provided a presentation of the business' operational concerns if a residential subdivision is located in close proximity to the existing business. These concerns included hours of operation, dust, and noise from vibrations and audible warnings that would be incompatible with the residential use. The representative was also concerned about the costs of possible mitigation that might eventually be expected from the business including sound walls and adjustments to the audible warnings that could affect employee safety.

Site Information:

Owner: David McDavid
 3340 Camp Bowie
 Suite 200
 Fort Worth, Texas 76147
 Agent: Ross Calhoun
 Acreage: 44.1 ac.
 Comprehensive Plan Sector: Far North

Surrounding Zoning and Land Uses:

North "PD-689" Planned Development / single-family & vacant
 East City of Keller / electric sub-station and outdoor storage
 South "I" Light Industrial / commercial and industrial outdoor storage uses
 West "A-5" One-Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-05-236 approved by Council 04-11-06 for industrial uses with exclusions, subject property to the north
Platting History: PP-12-027 Keller Hicks Addition Plan Commission hearing scheduled for May 22, 2013

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Keller Hicks Rd	Two-way Residential	Minor Arterial	No
Katy Rd	Two-way County	Two-way County	No

Public Notification:

The following Neighborhood Associations were notified:
 Villages of Woodland Springs Keller ISD
 North Fort Worth Alliance

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "A-5" single-family. Surrounding land uses consist of single-family to the west, mostly industrial with outdoor storage and some commercial uses to the north, east and south

Since the property is surrounded on three sides with industrial uses, including a concrete batch plant on the property line directly to the north, the proposed zoning for this site **is not compatible** at this location.

2. Comprehensive Plan Consistency

The 2013 Comprehensive Plan designates the subject property as light industrial. The requested zoning change is not consistent with the following Comprehensive Plan policies:

- 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. (pg. 38)

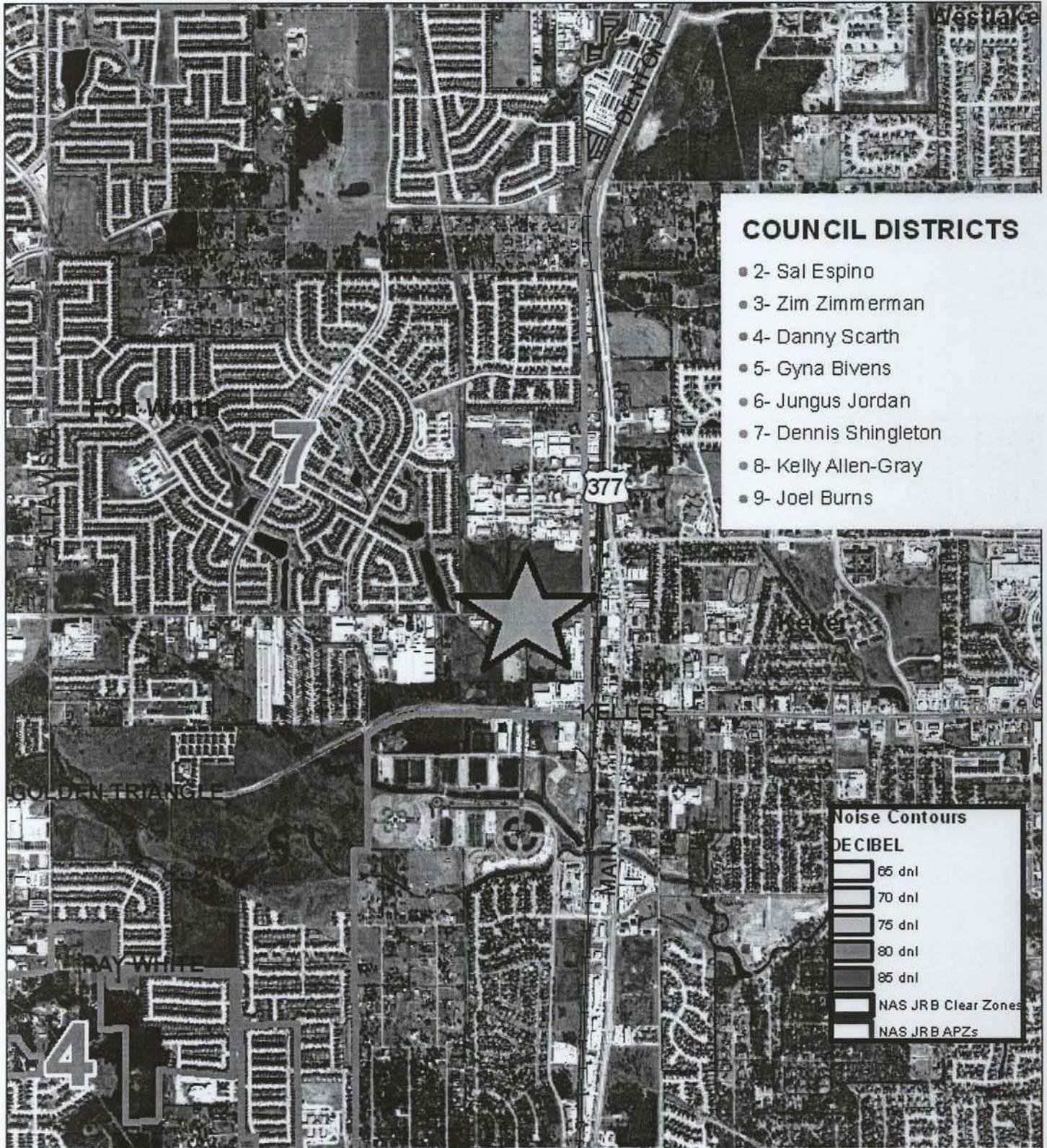
Based on the lack of conformance with the future land use map and the policies stated above; the proposed zoning **is not consistent** with the Comprehensive Plan and is considered a Significant Deviation.

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
- Proposed Plat
- Minutes of the City Council meeting
- Minutes of the Zoning Commission meeting

Location Map



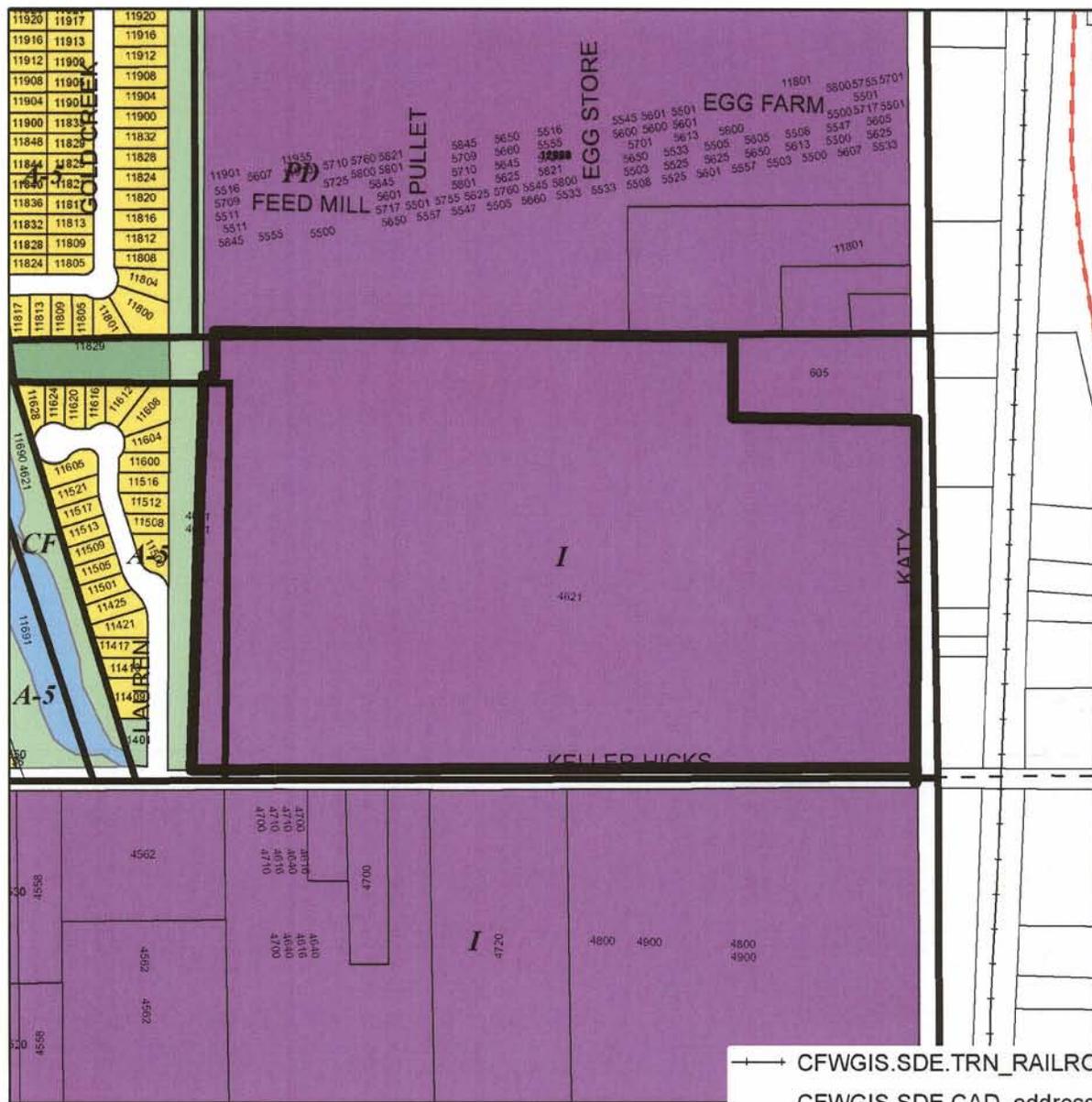
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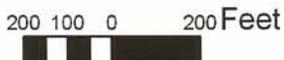
Future Land Use

ZC-12-128



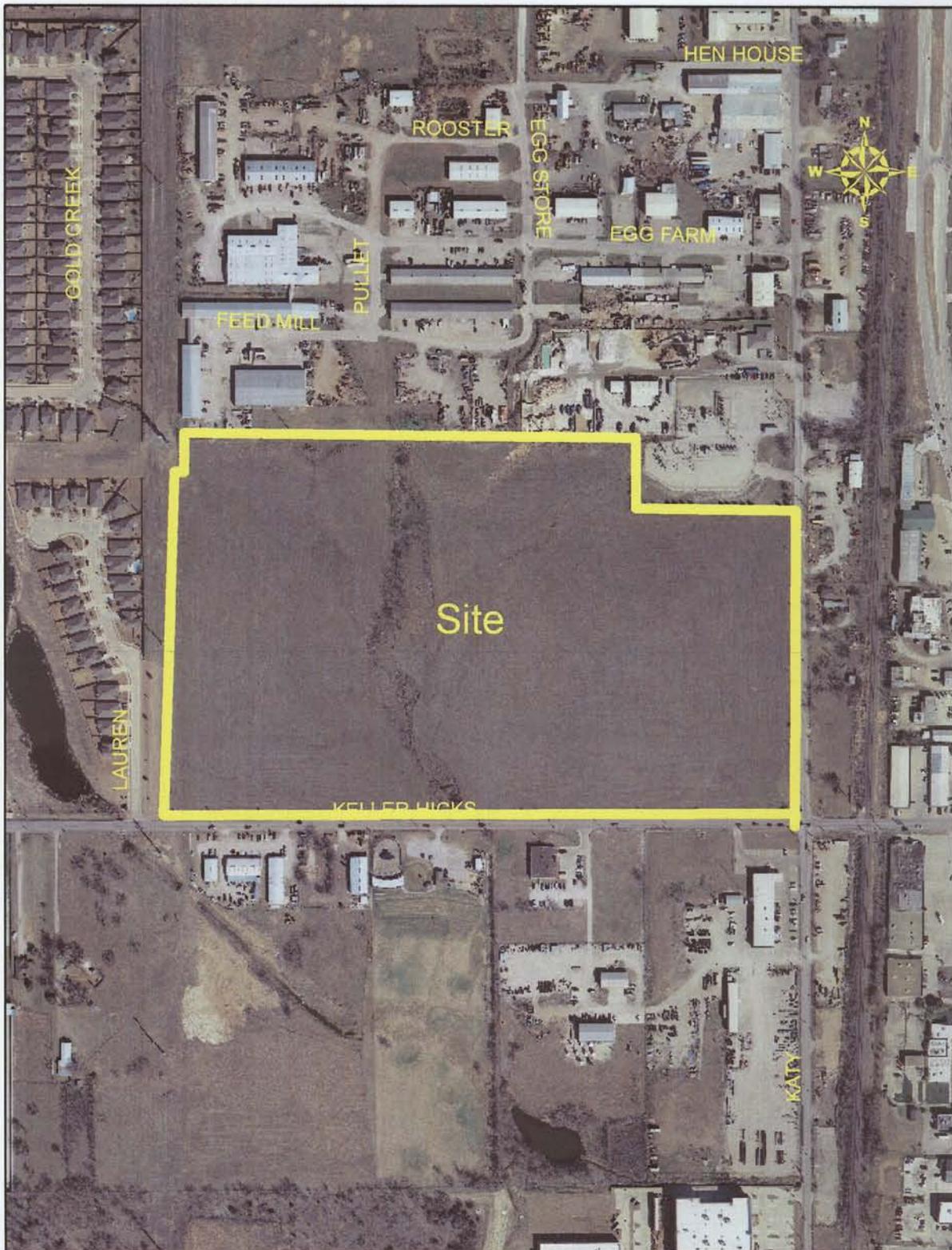
- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain

- 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



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





VICINITY MAP
N.T.S.

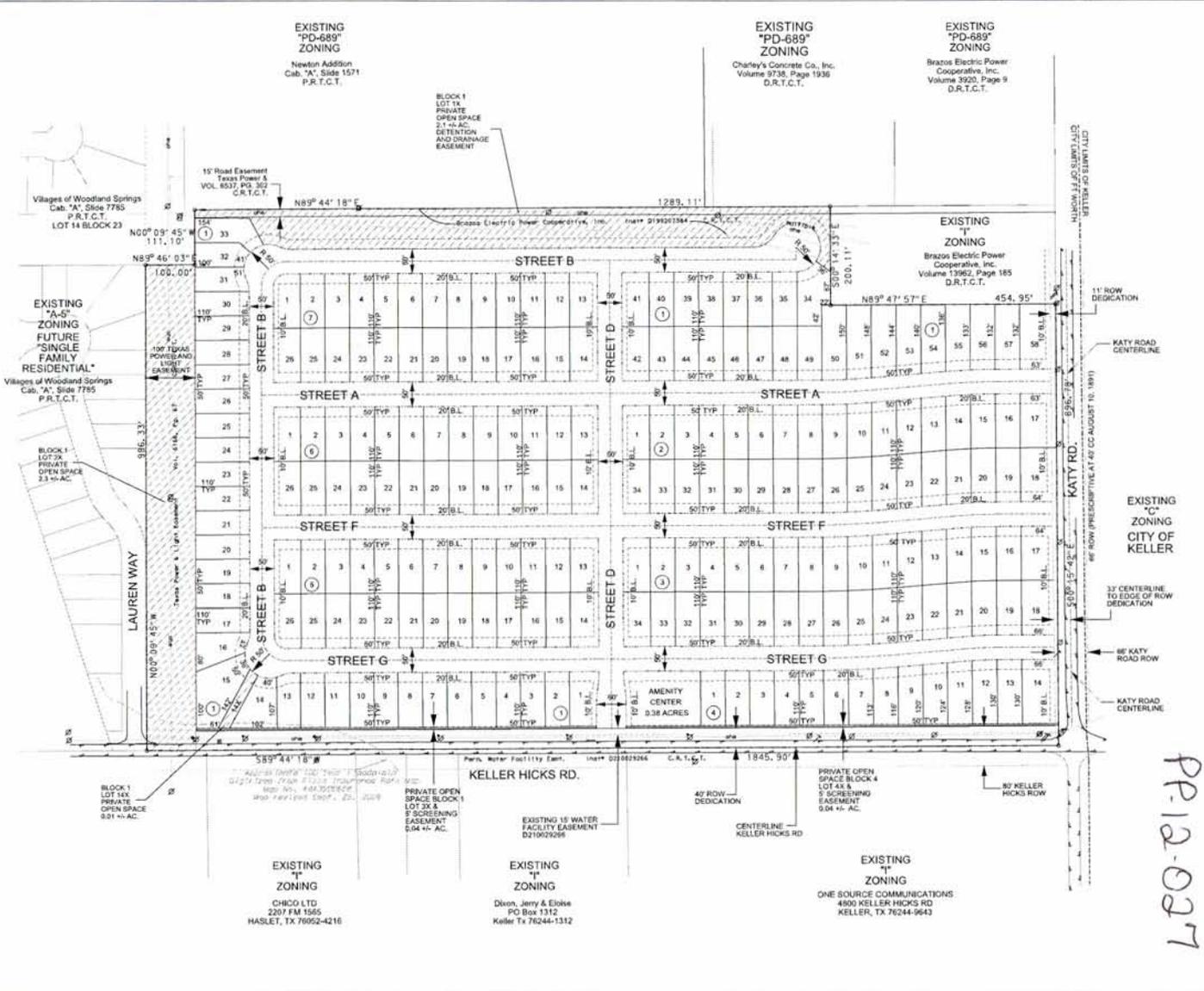
LAND USE SUMMARY			
USE	ACREAGE +/-	LOTS	DENSITY (UNITS/ACRE)
PHASE 1	18.4	107	
PHASE 2	19.6	111	
RESIDENTIAL	37.5		5.81
50'x110' LOTS		218	
AMENITY CENTER	0.4		
OPEN SPACE	6.2	5	
TOTAL	44.1	218	

- LONG BLOCK VARIANCE REQUIRED ON BLOCK ONE, 2278 (BLOCK 1 LOTS 1-33 AND LOT 1X)
- STREET CONNECTION TO LAUREN WAY VARIANCE REQUESTED.
- STREET CONNECTION NORTH TO EXISTING PD INDUSTRIAL VARIANCE REQUESTED.

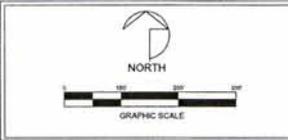
- INSTALL PRIVATE PRESSURE REDUCING VALVES ON EACH WATER SERVICE AT THE TIME OF BUILDING CONSTRUCTION. THE VALVE HAS TO BE A CITY APPROVED APPURTENANCES.

- NOTES:
- ROADS ARE CONSISTENT WITH CITY OF FORT WORTH MTP, CITY OF FORT WORTH WATER AND SANITARY SEWER. PROPERTY IS IN CITY OF FORT WORTH.
 - EXISTING T ZONING.
 - PROPOSED A-S ZONING, ZC 12-128.
 - PROPOSED 10' UTILITY EASEMENT ALONG FRONT OF THE LOTS.
 - WILL BE SHOWN ON FINAL PLAT.
 - PRIVATE OPEN SPACE WILL BE MAINTAINED BY HOA.
 - SIDEWALKS SHALL BE REQUIRED FOR ALL STREETS.

LEGEND	
	BUILDING SETBACK
	EXISTING MAJOR CONTOURS
	LOT LINES
	PROPERTY BOUNDARY
	RIGHT OF WAY
	STREET CENTERLINE
	OPEN SPACE



PROJECT NO.	CEN12014
FILE PATH	G:\JOB\CEN12014\ENT\PLAT
REFERENCE NO.	ZC 12-128
REVIEWED BY	TDC
DATE	FEBRUARY 2013
DATE	REVISIONS



OWNER

CADG WS44, LLC
1221 N.H. 35E, Suite 200
Carrollton, TX 75006

DEVELOPER

CADG WS44, LLC
1221 N.H. 35E, Suite 200
Carrollton, TX 75006

PLANNER / ENGINEER

PELOTON LAND SOLUTIONS, LLLP
SUITE 135
KELLER, TX 76244
PHONE: 817-562-3350

A PRELIMINARY PLAT
KELLER HICKS ADDITION

CONTAINING LOTS 1X, 2X, 3X, 4X, 14X, 1-56, BK 1; 1-56, BK 2; 1-34, BK 3; 1-34, BK 4; 1-14, BK 5; 1-26, BK6; 1-26, BLK 7

EXISTING T ZONING
BEING A 44.131 ACRE TRACT OF LAND LOCATED IN THE WILLIAM HUFF SURVEY, A-649 SITUATED IN CITY OF FORT WORTH, TARRANT COUNTY, TEXAS

PR-12-027

4. ZC-12-128 - (CD 2) - David McDavid, 4621 Keller Hicks Road; from: "I" Light Industrial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-12-128 be continued until the May 7, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

5. ZC-12-130 - (CD 2) - Trinidad Ministries Foundation, Inc., 3005 Oscar Avenue; from: "A-5" One-Family to: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus two independent accessory living units within existing church building for church related uses; site plan waiver recommended. (Recommended for Approval by the Zoning Commission)

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-12-130 be continued until the April 16, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

6. ZC-13-009 - (CD 2) - Legend Bank, Tarrant County Water District, 1351, 1801, 1811 E. Northside Drive; from: "O-1" Floodplain, "PD-399" Planned Development/Specific Use for all uses in "F" General Commercial except certain prohibited uses and allowing limited uses will be permitted: Property development standards will be the same as set forth in the "F" district except for height. A height of 5 stories or 75 feet maximum shall be permitted if approved on the required site plan, and "PD-717" Planned Development/Specific Use for all uses in "F" General Commercial plus hotel, permitting a parking area or garage as long as it is in conjunction with or auxiliary to an onsite business, a temporary residence for security purposes, a temporary trailer used for construction or storage purposes, a bar, tavern, or cocktail lounge if such use is a part of or in connection with a hotel, motel, or restaurant. Property development standards will be the same as set forth in the "F" district except for height. A height of 5 stories or 75 feet maximum shall be permitted; site plan required, and excluding certain uses to: "PD/D" Planned Development for all uses in "D" High Density Multifamily; site plan included. (Recommended for Approval by the Zoning Commission)

Council Member Espino stated that it was his intent to continue this item for two (2) weeks due to some concerns voiced by the Oakhurst neighborhood.

Mr. Erik France, 6008 Wormar Avenue, completed a speaker card in support of Zoning Docket No. ZC-13-009, but did not wish to address the Council.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-12-106 be denied without prejudice. The motion carried unanimously 9 ayes to 0 nays.

2. ZC-12-113 - (CD 7) - Pearl Developments LLC, 11300 - 11400 block of White Settlement Road; from: "A-5" One-Family to: "E" Neighborhood Commercial (Recommended for Approval by the Zoning Commission)

Mr. Ron Ramirez, 701 Highlander Boulevard, Suite 300, Arlington, TX 76015, completed a speaker card in support of Zoning Docket No. ZC-12-113, but did not wish to address the Council.

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-12-113 be approved. The motion carried unanimously 9 ayes to 0 nays.

3. ZC-12-116 - (CD 8) - McKneely Properties, 930 S. Ayers Avenue; from: "FR" General Commercial Restricted to: "J" Medium Industrial (Recommended for Approval by the Zoning Commission)

The following individuals appeared before Council in support of Zoning Docket No. ZC-12-116, but did not wish to address the Council.

Ms. Lisa Leaton, 301 Commerce Street
Mr. Floyd McKneely, 932 South Ayers Street

Motion: Council Member Allen Gray made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-12-116 be approved. The motion carried unanimously 9 ayes to 0 nays.

4. ZC-12-128 - (CD 2) - David McDavid, 4621 Keller Hicks Road; from: "I" Light Industrial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)

Council Member Espino requested the applicant to approach the podium and asked if he was aware of any opposition from the North Fort Worth Alliance.

Mr. Ross Calhoun stated that he had received a letter from the Woodland Springs Homeowners' Association in support of this application as long as the property was not annexed into the Woodland Springs Association and that he assured them it would be a freestanding location, would have a separate name and would not be part of the recreational facilities. He further stated that he was unaware of any opposition.

Council Member Espino stated that he would continue this zoning case until January 15, 2013, and asked Mr. Calhoun to meet with Mr. Rusty Fuller of the North Fort Worth Alliance to address their concerns.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-12-128 be continued until the January 15, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

5. SP-12-010 - (CD 7) - Will Ed Wadley (Taylor's Rental), 220 University Drive; Amend PD-458 site plan to add a building and carport for existing buildings. (Recommended for Approval by the Zoning Commission)

Mr. Joe Hardin, 8328 Thorncrest Court, North Richland Hills, TX 76182, completed a speaker card in support of Zoning Docket No. SP-12-010, but did not wish to address the Council.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Zoning Docket No. SP-12-010 be approved. The motion carried unanimously 9 ayes to 0 nays.

6. ZC-12-131 - (CD 8) - SGD-121 FW, LLC, 109 N. Chandler Drive; from: "G" Intensive Commercial and "RD-99" Planned Development for all uses in the "G" Intensive Commercial District and an office warehouse (for package delivery service subject to the site plan submitted), site plan required to: Amend "PD-99" Planned Development to include warehousing for equipment, supplies and other inert materials and the outdoor storage of landscaped trees, plant life, soil/rocks used in landscaping, and other inert landscape materials; site plan included. (Recommended for Approval by the Zoning Commission as Amended for an 8 ft. red cedar fence on the south and west sides)

Mr. Jim Schell, 901 Washington Terrace, completed a speaker card in support of Zoning Docket No. ZC-12-131, but did not wish to address the Council.

Motion: Council Member Allen Gray made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-12-131 be approved. The motion carried unanimously 9 ayes to 0 nays.

7. ZC-12-132 - (CD 7) - Langley Corp (Hudson & Hudson), Deecorp Properties Ltd., 9551 & 9601 Blue Mound Road, 10600 - 10800 blocks of NW US 287; from: "AG" Agricultural and "I" Light Industrial to: "A-7.5" One-Family; "A-5" One-Family; "C" Medium Density Multifamily and "F" General Commercial (Recommended for Approval by the Zoning Commission)

Mr. Flores asked about why the second request from Mr. Stevens for the roof pitch on the buildings was not doable. Mr. Aghili referred to his architect.

Lynn Sale, 7636 Terry Drive, N. Richland Hills, Texas is the architect for the project. In answer to Mr. Flores' question about the roof pitch, the building structure they have chosen is a metal frame building typically on a modular systems about 10 to 20 feet in depth. These type buildings do not support a pitch roof, which would take an additional light gauge framing to meet those particular requirements. Mr. Flores asked if pre-fab metal trusses would be an option. Mr. Sale said that would add additional weight to the structures.

Motion: Following brief discussion Mr. West recommended a 30 day continuance of the request, seconded by Mr. Genua. Mr. Genua made a substitute motion to include a 5 foot buffer zone along the property line adjacent to the single-family neighborhood to be included on the site plan, seconded by Mr. West. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				<i>ZC-12-127</i>	
Name	Address	In/Out 200 notification area ft	Position on case		Summary
Charlie Stevens Tiffany Garden HOA	developer	In		Opposition	Sent letter in
Paula Rossi	10129 Chapel Springs Trail	In		Opposition	Sent letter in
Daniel Robinson	6152 Middleview	In		Opposition	Sent letter in

7. ZC-12-128 David McDavid (CD 2)- 4621 Keller Hicks Road (William Huff Survey, Abstract 649, 41.76 Acres): from "I" Light Industrial to "A-5" One-Family

Ross Calhoun, 1221 I-35E, Carrollton, Texas with Centurion American Development Group representing David McDavid explained to the Commissioners they are requesting to change the zoning from industrial to A-5. Mr. Calhoun explained the pictures displayed on the overhead. He mentioned they developed Woodland Springs and there are about 4,000 homes.

The subject property is located at the corner of Keller Hicks and Katy Road. Mr. Calhoun mentioned several times the Villages of Woodland Springs has approached them to develop this property to single-family since it is the front door to their subdivision. They are proposing 217 lots build in two phases with an amenity center.

Mr. Genua asked about the property to the left on the overhead. Mr. Calhoun said that is the Villages of Woodland Springs.

Mr. Calhoun said they did meet with the Villages of Woodland Springs West who is in support. There will be landscaping and masonry walls along Keller Hicks and Katy Road.

Mr. Flores mentioned the letter of support from the Villages of Woodland Springs and noted there were two items this was contingent on. First being they did not want to enter into any type

of recreational easement agreement. Mr. Calhoun said they agreed to that, and they will have their own amenity center and will have their own name.

Ms. Zadeh asked about the compatibility issue that was mentioned in the staff report and asked if he has talked to the industrial owners that surround the property. Mr. Calhoun said they have talked to Tri-County Electric and the operator of the golf driving range and they had no problems with single-family. He did not know who owned the metal storage building immediately adjacent to them on the north. Charlie's concrete is further to the north and they use them in their development. Ms. Zadeh mentioned she is concerned once you put home owners in this area there will be issues that the City may have to address later on. Mr. Calhoun stated they've put many homeowners up against the industrial use as depicted on the overhead.

Motion: Following brief discussion Ms. Conlin recommended approval of the request, seconded by Ms. Spann. The motion carried 5-4 with Ms. Zadeh, Ms. Reed, Ms. Conlin and Mr. Edmonds against.

<i>Document received for written correspondence</i>				<i>ZC-12-128</i>	
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Justin Hue/Villages of Woodland Springs	NA	In		Support	Sent letter in
Tri-County Electric	4900 Keller Hicks Rd	In		Support	Sent letter in

8. SP-12-010 Will Ed Wadley/Taylor's Rental (CD 7)- 220 University (Westgate (Ft. Worth) Addition, Block 3R, Lot AR1, 3.93 Acres): Amend "PD-458" site plan to add a building and carport to existing building

Joe Hardin, 8328 Thorncrest Court, North Richland Hills, Texas representing Taylor's Rental explained to the Commissioners they are adding a 404 x404 building and a carport to an existing shop.

Mr. Flores asked if there were any existing screening fences in place. Mr. Hardin said everything is already in place.

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

9. ZC-12-129 First United Bank and Trust (CD 2)- 12550 Old Denton Road (Walter Houston Survey, Abstract 746, 20.72 Acres): from "AG" Agricultural and "A-5" One-Family to "A-5" One-Family and "D" High Density Multifamily

Ross Calhoun, 1221 I-35E, Carrollton, Texas with Centurion American Development Group explained to the Commissioners they are developing the subdivision to the south Valley Ridge and will make improvements to Old Denton Road. Mr. Calhoun explained they are preserving