



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
May 7, 2013

Council District 7

Zoning Commission Recommendation:
Approval by a vote of 9-0

Opposition: none

Continued Yes ___ No X
Case Manager Crystal Castoreno
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: HV Harmon Rd L. P.

Site Location: 8741 Harmon Rd. Mapsco: 35A

Proposed Use: Commercial

Request: From: "A-5" One-Family Residential and "PD-556" Planned Development for "E" Neighborhood Commercial uses with 20 ft. landscape strip along the southern property line, adjacent to the proposed ROW; site plan waived

To: "FR" General Commercial Restricted

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent.
(Technical Inconsistency)

Background:

The applicant is proposing to rezone a small sliver (0.35 acres) to FR for commercial uses, which is consistent with the zoning district of the adjacent property which is already zoned "FR" General Commercial Restricted.

This small strip was created with the original PD zoning request in order to provide a 20 ft. landscape buffer on the southern property line adjacent to the proposed ROW. The applicant is requesting the rezoning in order to develop the property.

Site Information:

Owner: HV Harmon Road L.P.
8613 Passionvine Street
North Richland Hills, TX 76180

Agent: Civil Solutions/Bill Boomer
Acreage: 0.35 acres
Comprehensive Plan Sector: Far North

Surrounding Zoning and Land Uses:
North "PD-556" Planned Development / vacant
East "C" Medium Density Multifamily / vacant
South "FR" General Commercial Restricted / vacant
West "A-5" One Family / Single family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-03-311 FR uses approved by City Council 02-10-04, subject property; "PD-556" Planned Development for E commercial uses with landscaping requirements, approved by City Council 02-10-04, subject property and to the north

Platting History: PP-03-100 Quail Grove Addition approved by the City Plan Commission 12-19-03

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Harmon Road	County Rd/Two-way	Principal Arterial	No
Quail Grove	Two-way Residential	Local Road	No

Public Notification:

Organizations Notified	
Quail Grove	NWISD
North Fort Worth Alliance	Eagle Mt.- Saginaw ISD

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing commercial type uses and is requesting to incorporate the small sliver of A-5 and PD zoning into the same zoning as the remainder of the property. Surrounding land uses consist of vacant land to the north, south and east, with single-family homes to the west.

As the strip of land is adjacent to and part of the larger parcel zoned "FR", the proposed zoning request **is consistent** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2013 Comprehensive Plan designates the site as Neighborhood Commercial. Lower intensity commercial uses are appropriate within this designation. The site was rezoned in 2003 to "FR" General Commercial, however the future land use map does not reflect the approved uses permitted in "FR".

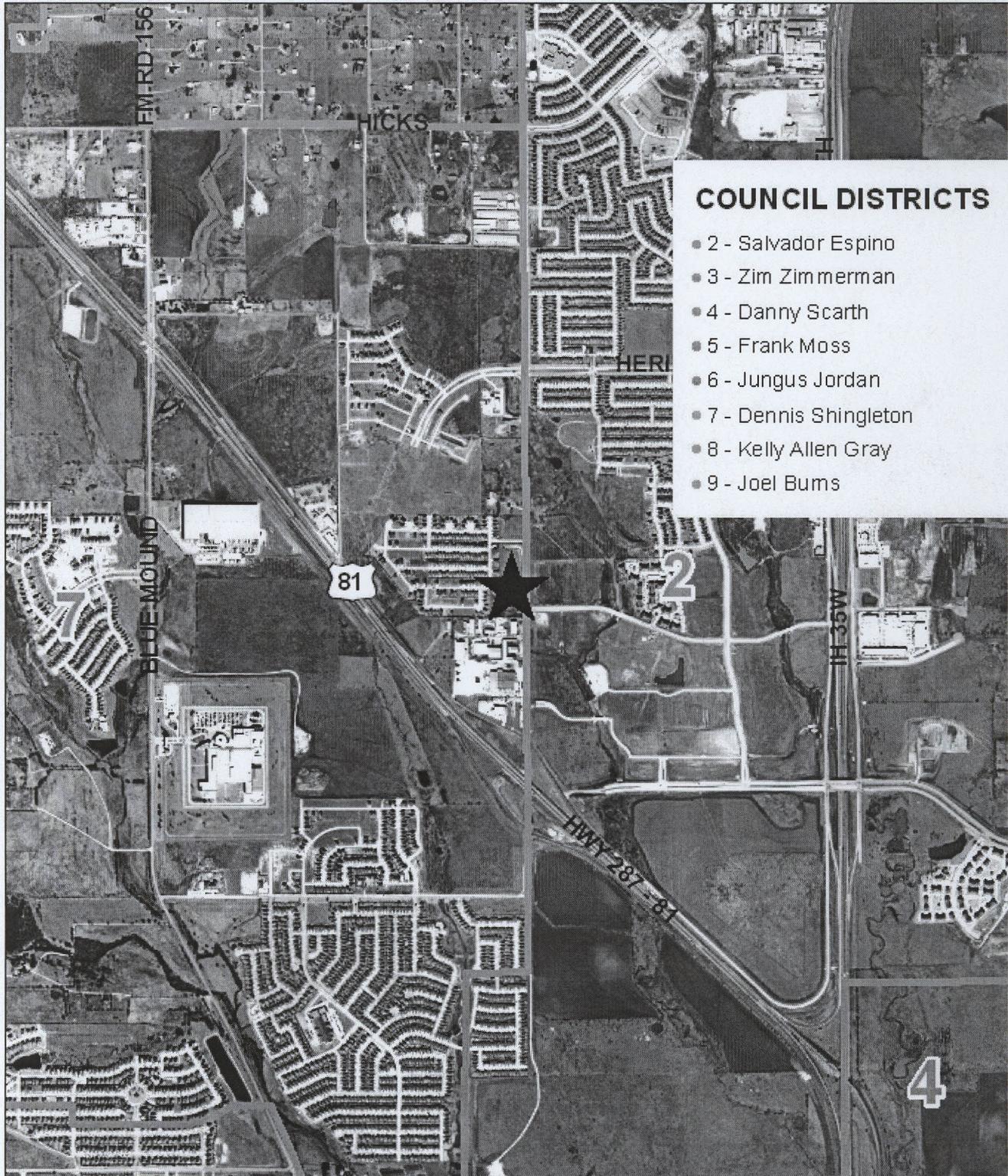
The proposed "FR" zoning request is consistent with the following Comprehensive Plan policies.

- 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.

Based on the lack of conformance with the future land use map and policies stated above, the proposed zoning **is not consistent** with the Comprehensive Plan. Based on the realignment of the boundary line and being a small sliver of land it is considered a **Technical Inconsistency**.

Attachments:

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



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



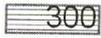


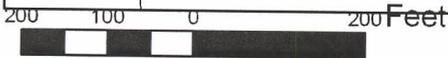
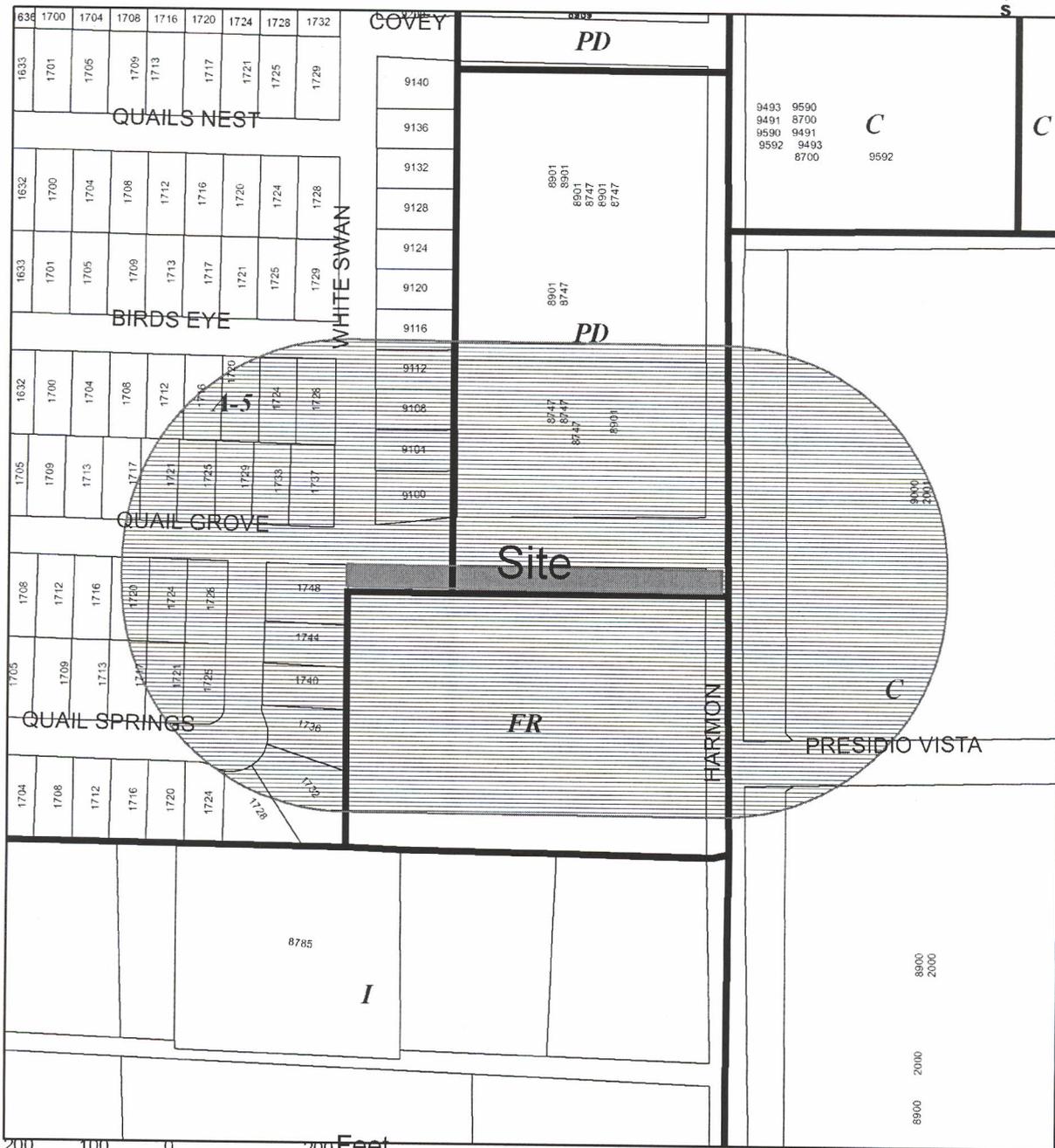
ZC-13-056

Area Zoning Map

Applicant: HV Harmon Road, LP
 Address: 8741 Harmon Road
 Zoning From: A-5, PD 556
 Zoning To: FR
 Acres: 0.35
 Mapsco: 35A
 Sector/District: Far North
 Commission Date: 04/10/2013
 Contact: 817-392-2028



 300 Ft. Notification Buffer





Future Land Use

ZC-13-056



- 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 5, 2013.





ZC-13-056

Aerial Photo Map



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

<i>Document received for written correspondence</i>					ZC-13-054	
Name	Address	In/Out 300 notification area	ft		Position on case	Summary
Bertha Brena	2544 Sargent St.	In			Opposition	Spoke at hearing
Victor Lopez	4066 Mt. Vernon	In			Opposition	Spoke at hearing
Martin Romero	2532 Sargent St	In			Opposition	Sent letter in

10. ZC-13-055 Centurion Acquisitions, LP (CD 2)- 14151 Willow Springs Road (Matthew Ashton Survey, Abstract No. 8, 17.70 Acres): from “E” Neighborhood Commercial to “A-5” One-Family

Travis Clegg, 5751 Kroger Drive, Keller, Texas representing Centurion Acquisitions, LP explained to the Commissioners they are requesting A-5 zoning for single-family. Mr. Clegg mentioned he did have a letter of support from Sendera Ranch HOA.

Mr. Flores asked if he spoke with any other organizations in the area. Mr. Clegg said no.

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

<i>Document received for written correspondence</i>					ZC-13-055	
Name	Address	In/Out 300 notification area	ft		Position on case	Summary
Terrie Simms-Ramirez/Sendera HOA	1036 Diamondback Ln	Out			Support	Sent letter in

11. ZC-13-056 HV Harmon Road L. P. (CD 7)- 8741 Harmon Road (Josiah Walker Survey, Abstract 1600, 0.35 Acres): from “A-5” One-Family and “PD-556” Planned Development/Specific for “E” Neighborhood Commercial uses with 20 ft. landscape buffer along the southern property line, adjacent to the proposed ROW; site plan waived to “FR” General Commercial Restricted

Bill Boomer, 6610 Bryant Irvin Road, Fort Worth, Texas representing HV Harmon Road, explained to the Commissioners they are cleaning up the zoning for future development.

Mr. West mentioned the letter of opposition and clarified that it is only a strip of land; the majority of the property is already zoned FR.

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

<i>Document received for written correspondence</i>				ZC-13-056	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Judy Lacker	1744 Quail Springs	In		Opposition	Sent letter in
Gilbert Guerra	1929 Quail Grove	Out		Support	Sent letter in

12. ZC-13-057 Maria Standerfer (CD 2)- 2908 Plumwood (Ruiz Addition, Block 1, Lot 2, 0.24 Acres); from “MU-1” Low Intensity Mixed Use to “PD-806” Planned Development for “MU-1” Low Intensity Mixed Use plus auto sales and repair; site plan included

Chris Bonilla, 8540 Charleston Avenue, Fort Worth, Texas representing Maria Standerfer explained to the Commissioners this case is extremely challenging. Mr. Bonilla noted the applicant approached him hoping he could help with some questionable choices made on the property, including conducting uses on the site that are not permitted in the MU-1 zoning, the construction of a structure without City review or permits and not meeting design guidelines within an Urban Village. Mr. Bonilla said the staff report has many issues that need to be dealt with and is requesting a 60 day continuance. They would like to have an open dialogue with interested parties before a decision is made. Mr. Bonilla explained there are several sites within the area that have the same zoning they are requesting.

Mr. Hollis asked about the other land uses within the area who have done the zoning the right way. Mr. Bonilla said he agrees and that he was trying to help the applicant and did not know of the issues at that time. He understands the vision of the Urban Village and this development has gone against it.

Mr. Flores said there is a lot wrong with this project and asked why he didn't consult with anyone from the City or the neighborhood. Mr. Bonilla said Mr. Ruiz owns the property that fronts onto Belknap as well. He had the two properties platted into one lot. The intent was to use the lot for his automotive repairs and sales business. The property fronting on to Belknap has one of those zonings for PD/MU-1 plus vehicles sales and repair. He hired a contractor to construct his building and did not know until after about two years that a permit was not pulled for the building. Mr. Flores asked about the stakeholders when the building was being built. Mr. Bonilla said he was not aware of that. Mr. Flores asked about access from Plumwood. Mr. Bonilla said the only access will be off of Belknap. Mr. Flores asked what type of business it is. Mr. Bonilla said it is only automotive repair and sales. Mr. Flores asked if the structure is an open structure. Mr. Bonilla said it has four walls and is a closed structure with door openings for the vehicles to enter. Mr. Flores asked about the deficiencies in plumbing. Mr. Bonilla said there is no plumbing in the building.

Mr. Flores asked if they have had direct contact with the neighborhood. Mr. Bonilla said he has had contact with Suzanne Huff but not sure what neighborhood she is representing. She did bring a copy of the Urban Village Master Plan and what mentioned what the expectations are. He did