



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
October 14, 2014

Council District 8

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

Opposition: None submitted
Support: Neighborhoods of East Fort Worth

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

Owner / Applicant: James Jacobson

Site Location: 2735 & 2737 Purington Avenue Mapsco: 78F

Proposed Use: One (1)-2 bedroom fourplex; One (1)-3 bedroom duplex

Request: From: "B" Two-Family
To "PD/B" Planned Development for all uses in "B" Two-Family plus a fourplex; site plan included.

Land Use Compatibility: Requested change is compatible (duplex).
Requested change is not compatible (fourplex).

Comprehensive Plan Consistency: Requested change is consistent (duplex).
Requested change is not consistent (Significant Deviation) (fourplex).

Background:

The proposed site is located on the corner of Purington Avenue and Harwood Street near Lancaster Avenue. The applicant initially requested rezoning for two fourplexes on two lots. However, after speaking with the neighborhood organization, the applicant is amending the request to one (1) two bedroom fourplex and one (1) three bedroom duplex. The applicant recently purchased the properties which are in a state of disrepair. The owner found the properties were no longer legal nonconforming during the building permit process.

Both sites were constructed prior to the Zoning Ordinance, 2735 Purington Avenue was built in 1931 and 2737 Purington was built in 1921. According to zoning records the property was rezoned from "C" Medium Density Residential to "B" Two-Family in 2009, which reduced the allowable density for the overall neighborhood. Additionally, the previous "C" zoning would only have allowed three total units, due to the size of the lots. Water records showed a two-year time lapse on multiple units within the complexes and the continuation of legal nonconforming could not be verified. As such, continued operation of the multi family use required a zoning change.

The applicant is requesting several waivers due to the age and configuration of the existing buildings. The applicant is void of roughly 4 parking for 2735 Purington. The applicant intends to use both lots for parking. However, if one of the lots is sold, then they may be deficient parking for the overall site. As a result, the applicant will have to apply for a shared parking agreement in order to share parking. Also, a

waiver in necessary, due to setbacks for multifamily adjacency of single and two-family. The table below provides the differences between B, CR, and the proposed PD:

Development Standards	B	“CR” Low Density Multifamily	Proposed PD
Front Yard	20 ft	20 ft	Roughly 15 ft
Rear Yard	5 ft	5 ft	Roughly 50 ft
Side Yard	5 ft.	5 ft. minimum (The structure shall be setback 3 ft for every 1 ft of building height if adjacent Two-family district)	2737 Purington requires a 75 ft. setback, screening fence and 5 ft. bufferyard adjacent the Two-Family District on Lot 20
Open Space	n/a	60 percent min.	n/a
Units per lot	2	12	2-three bedroom apartments (2737 Purington)
			4-two bedroom apartments (2735 Purington)
Building Height	35 ft max.	32	25 ft, 2 stories
Parking	2 spaces per dwelling unit behind building line	1 space for each bedroom	4 total spaces-2 spaces per dwelling unit up to three bedrooms, plus one space per bedroom over three bedrooms (2737 Purington)
			8 total spaces-1 space per bedroom unit

Site Information:

Owner: James Jacobson
 2653 Blue Mound Road W G100
 Haslet, TX 76052

Acreage: 0.36 ac

Comprehensive Plan Sector: Eastside

Surrounding Zoning and Land Uses:
 North “B” Two-Family / single-family
 East “A-5” One-Family / Meadowbrook Park
 South “B” Two-Family / single family
 West “B” Two-Family / duplex

Recent Relevant Zoning and Platting History:

Zoning History: ZC-09-132, from “C” Medium Density Multifamily to “B” Two-Family; effective 1/8/10
 Platting History: None

Site Plan Comments:

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

1. 75 ft setback, screening fence and 5 ft bufferyard for multifamily adjacent one-two family residential
2. 5’ buffer yard and 6’ solid screening fence is required along the west and north property lines.
3. The 6’ wood fence along Purington is not permitted in the required front yard..
4. Lot 19 requires 8 parking spaces.
5. Dumpsters must be screened.

Zoning Commission recommended waivers to items 1-4; screening of dumpster shall comply.

TPW Comments

1. Head-in parking must comply with ordinance #17517.

Water

1. PRV's, pressure reducing valve due to high pressure
2. Sub-meter may be required if more than 3 meters

Parks

1. This development is within the boundaries of Park Planning District 4 and the Neighborhood and Community Park Dedication Policy applies. There is a required \$500.00 PACSD fee due for each new residential unit to be constructed. All fees must be paid in full, at or before the time of applying for a building permit.

Comments made by TPW, Water, Park staff cannot be waived through the Zoning process.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Harwood Street	Residential	Residential	No
Purington Ave.	Residential	Residential	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Parker Essex Boaz	Eastside Sector Alliance
Polytechnic Heights	Southeast Fort Worth Inc
West Meadowbrook*	East Fort Worth Business Assn
Neighborhoods of East Fort Worth	Fort Worth ISD

*Located within this neighborhood organization

Development Impact Analysis:

1. Land Use Compatibility

The applicant is requesting a rezoning to “PD/B” Planned Development for all uses in “B” Two-Family plus a fourplex; site plan included. Surrounding land uses include duplex to the west, single family to the north and south, and Meadowbrook Park to the east.

The site was rezoned in 2009 as part of a Council Initiated Rezoning to “B” Two-Family. 2735 Purington Ave. will need eight parking spaces and will need a waiver to the parking standards due to site constraints.

The proposed duplex **is compatible** other surrounding single and two family uses. Due to the proposed density of the fourplex, the proposed zoning **is not compatible**.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as Low Density Residential. The proposed duplex is consistent but the fourplex is inconsistent with the following Comprehensive Plan policies.

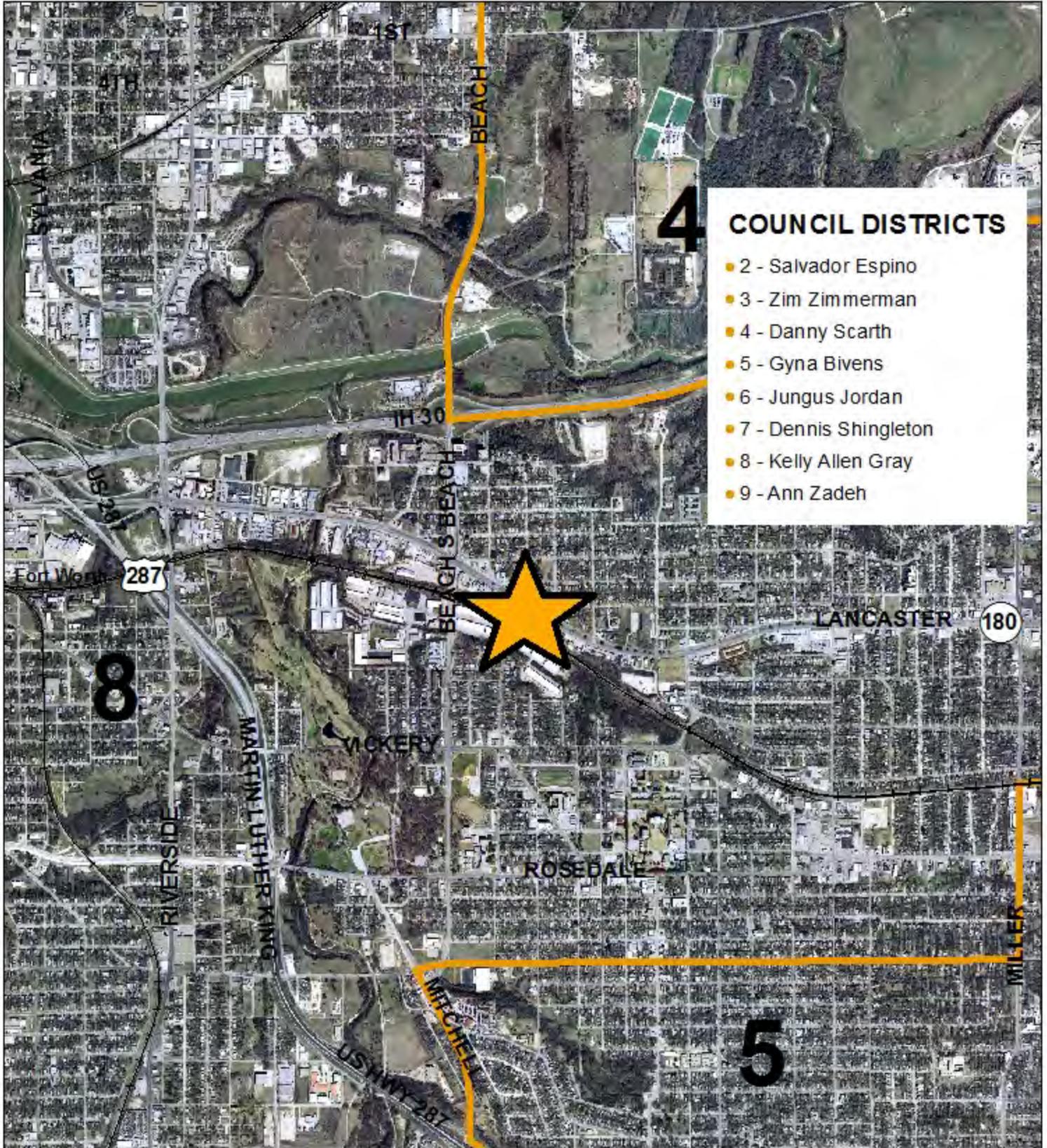
- Encourage Urban Residential and Low Density Residential as a transitional use between single-family residential and high density uses. (pg. 38)
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)

The proposed zoning **is consistent** with the Comprehensive Plan for the duplex, but based on the lack of conformance with the future land use map and policy stated above, it **is not consistent (Significant Deviation)** for the higher density fourplex.

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

Location Map

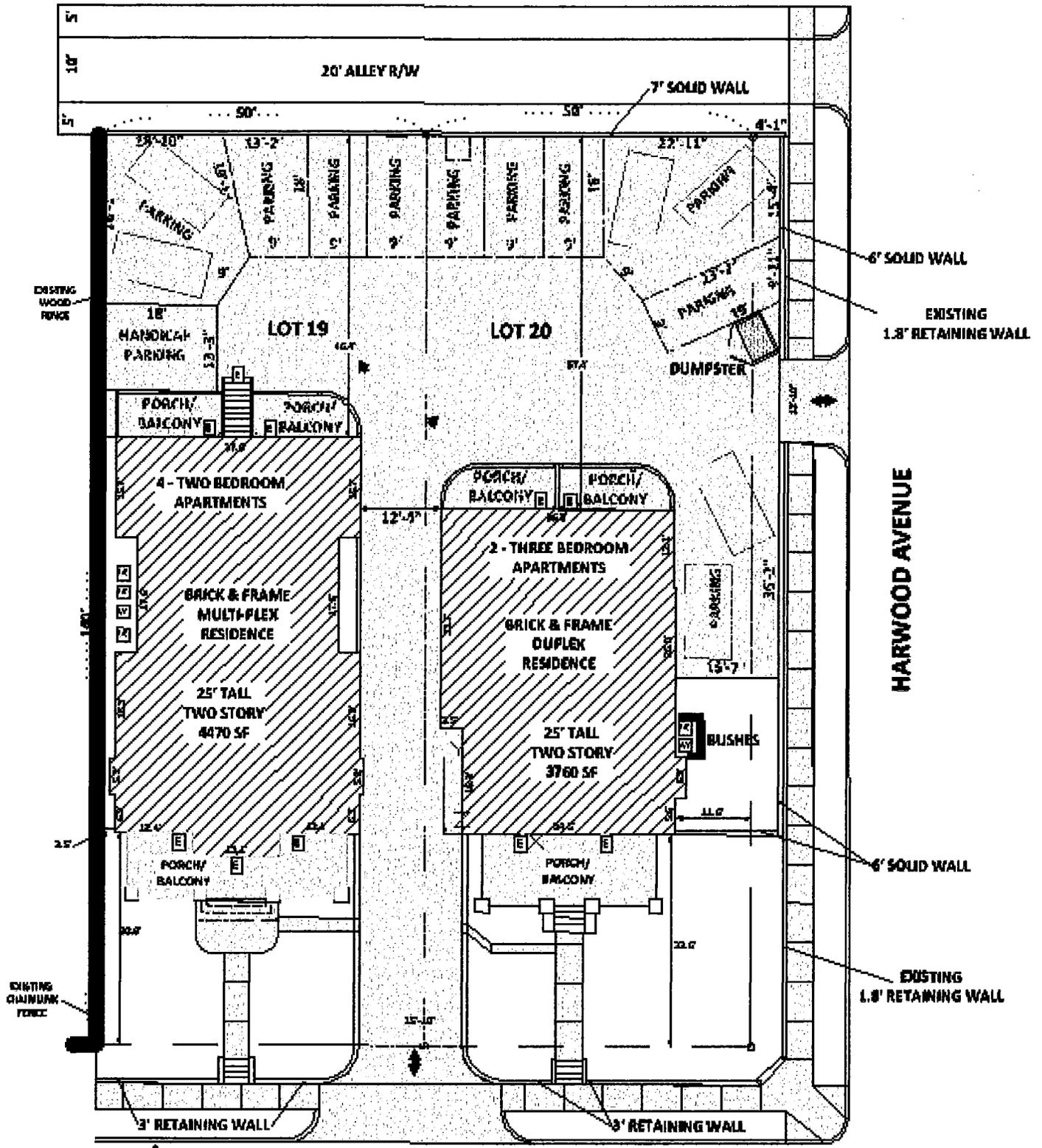




Area Zoning Map

Applicant: James Jacobson
Address: 2735 & 2737 Purington Avenue
Zoning From: B
Zoning To: PD/SU for two fourplexes.
Acres: 0.369016
Mapsc0: 78F
Sector/District: Eastside
Commission Date: 09/10/2014
Contact: 817-392-8043





D DUMP/DRY
 1/2" PLUM DETECTIVE PARKING SPACES

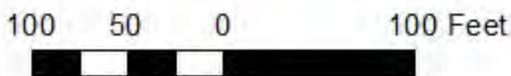
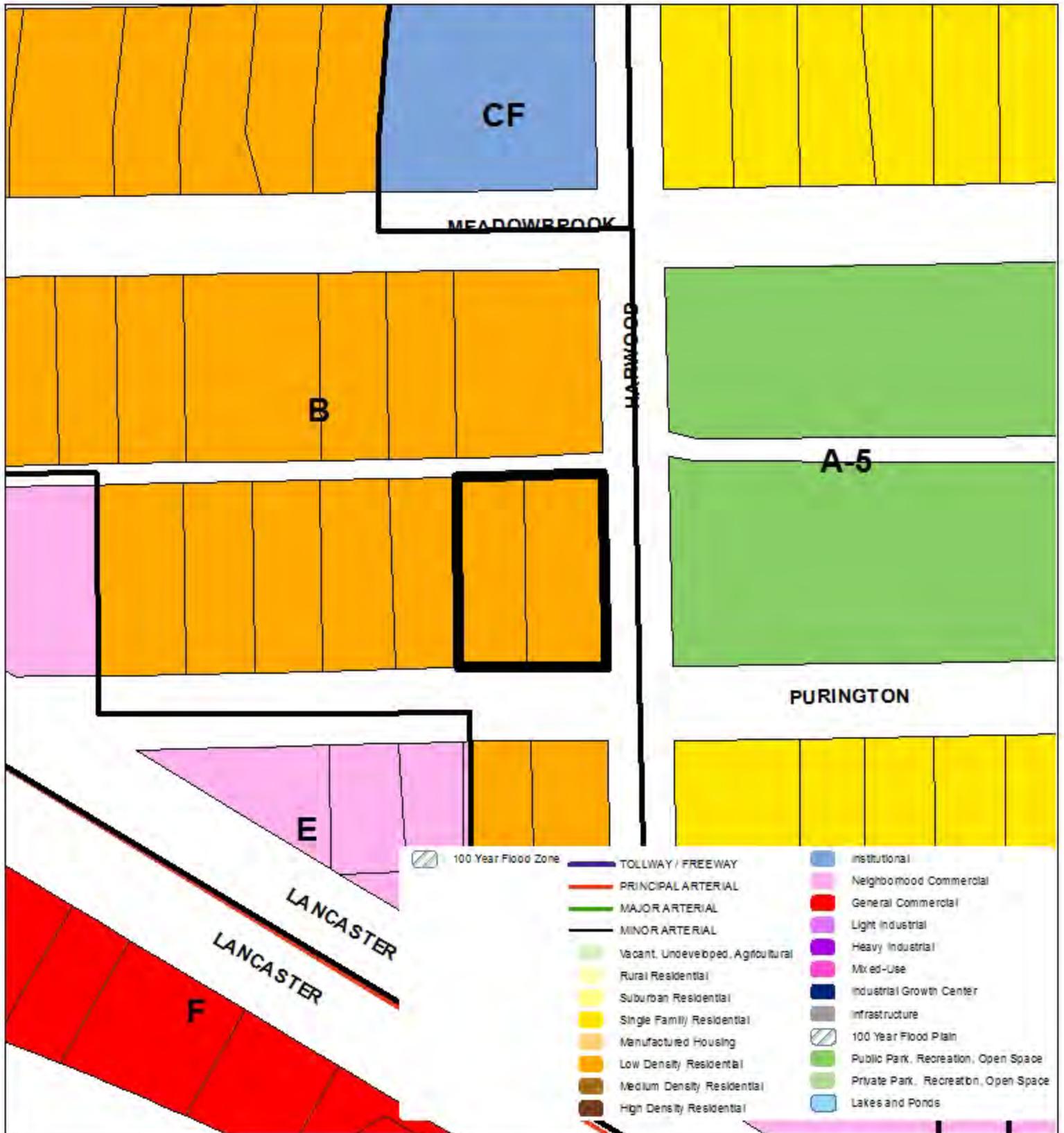
REQUEST WAIVER FOR 5' BUFFER ON WEST SIDE

RECOMMENDED FOR APPROVAL
PURINGTON AVENUE

PURINGTON AVENUE SITE PLAN
 SEPTEMBER 1, 2004
 JAMES JACOBSON PO BOX 150601 FORT WORTH, TX 76108
 817-777-3997
 SYCAMORE HEIGHTS ADDITION
 BLOCK 47 LOTS 19 & 20
 FORT WORTH, TX 76108

1" = 10' (SEE PLAN FOR DETAILS) 1" = 1"

Future Land Use



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 18, 2014.



Aerial Photograph



100 50 0 100 Feet

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 18, 2014.



would accommodate the concerns of Mr. Ashford. Mr. Hopkins states they are limited to gas wells in the area due to floodplain issues.

Kenneth Newell, 5101 Cliffrose Lane, Fort Worth, Texas property owner spoke to clarify that the gas well sites could potentially be enlarged if they desired but they are trying to keep it designated to the site plan so they could only be limited to that specific area. The agreement with Chesapeake is very specific as to where they locate the gas wells.

Ms. McDougall mentioned for the record that she was invited to attend the meeting but did not go. She asked Ms. Sanders her thoughts on taking the tour of the site and why she was in support of the request. Ms. Sanders explained that she was familiar with the site as it has been there for many years. She was in support of the way the applicant has performed their business practices and the way they have been mindful of the neighborhoods in doing things the right way.

Ms. McDougall asked if there was any insight of future development for this site. Mr. Newell stated that the use afterwards would be a stormwater valley storage facility, which he said is very important to the city for future development.

Motion: Following brief discussion, Mr. Edmonds recommended Approval of the request, seconded by Ms. Conlin. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>					<i>ZC-14-107</i>
Name	Address	In/Out 300 notification area	Position on case		Summary
Trina Sanders/ Garden of Eden NA	1408 Carson	Out		Support	Spoke at hearing
Jim Ashford	6209 Riverbend Cr	Out	Opposition		Spoke at hearing
Michael Perry/ Board member Riverbend HOA	NA	Out		Support	Sent letter in
Rita Vinson/ Neighborhoods of East Fort Worth	6216 Dovenshire Terr	Out	Opposition		Sent letter in
Riverbend Estates	NA	Out	Opposition		Sent letter in
Andy Lowe	401 Forest River Cir	Out	Opposition		Sent letter in

8. ZC-14-108 James Jacobson (CD 8) – 2735-2737 Purington Avenue (Sycamore Heights Addition, Block 47, Lots 19 & 20, 0.37 Acres): from “B” Two-Family to “PD/B” Planned Development for all uses in “B” Two-Family plus a fourplex; site plan included

Jim Jacobson, 2653 Blue Mound Road, Haslet, Texas, the property owner, explained to the Commissioners the request is to rezone the property to allow for a PD to allow for four units. Mr. Jacobson said the property is in bad shape and he purchased it as an investment property. While applying for the NEZ he found out the zoning did not allow for two fourplex units. The site plan

indicates 12 parking spaces and has converted one of the fourplexes into a duplex to allow for the additional parking.

Ms. Conlin thanked him for taking on this project. She said the property has been a Code Compliance problem for a long time. Ms. Conlin asked if he planned on managing the units and asked that the landscaping be maintained. Mr. Jacobson said he planned on managing the units. Mr. Jacobson said he would be requesting a waiver to the parking requirement. Ms. Conlin mentioned it was not a request in the staff report. Ms. Murphy explained it was not needed based on the change of one lot going back to a duplex.

Ms. Burghdoff mentioned the change for the one lot back to a duplex would be consistent with the Comprehensive Plan.

Motion: Following brief discussion, Ms. Conlin recommended Approval of the request, seconded by Ms. Reed. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>				<i>ZC-14-108</i>		
Name	Address	In/Out 300 notification area	ft	Position on case		Summary
Rita Vinson/ Neighborhoods of East Fort Worth	6216 Dovenshire Terr	Out		Support		Sent letter in

9. ZC-14-109 HDMM Investments, LLC (CD 7) – 2310 Avondale Haslet Road (B. R. Lacey Survey, Abstract No. 990, 2.49 Acres): from “Unzoned” to “E” Neighborhood Commercial

Gene Capps, 4550 SH 360, Suite 180, Grapevine, Texas representing HDMM Investments explained to the Commissioners they are requesting to annex the property into the City for a medical use and office facility.

Motion: Following discussion, Mr. Edmonds recommended Approval of the request, seconded by Mr. Northern. The motion carried unanimously 8-0.

10. SP-14-008 Brandon Baudin (CD 7) – 516 W Bonds Ranch Road (Henry Robertson Survey, Abstract No. 1259, Tracts 6E2B & 6F2B, 3.83 Acres): Amended site plan for “PD-911” Planned Development for “E” Neighborhood Commercial uses plus one-family residential to allow products consistent with a farmers market to be conducted by the resident only on tables in certain locations, parking provided on improved surfaces to add an animal medical clinic

John Wigginton, 5328 Alta Loma Drive, Keller, Texas property owner explained to the Commissioners they are requesting to amend the zoning to add a small animal clinic. Mr. Wigginton said they contacted the Dorado Ranch HOA and Fossil Hill Estates, the only question