



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
January 6, 2015

**Council District** 4

**Zoning Commission Recommendation:**  
Approval by a vote of 8-0  
  
**Opposition:** none submitted  
**Support:** none submitted

Continued Yes \_\_\_ No X  
Case Manager Stephen Murray  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** DGI Enterprises, LP

**Site Location:** 3900 Block N. Tarrant Parkway Mapsco: 22N

**Proposed Use:** Retail Plant Nursery

**Request:** From: "I" Light Industrial  
To: "E" Neighborhood Commercial

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

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

**Background:**

The proposed site is located on North Tarrant Parkway near the corner of Old Denton Road. The applicant is proposing to change the zoning from "I" Light Industrial to "E" Neighborhood Commercial for a retail plant nursery. Plant nurseries are first allowed by right "E" Neighborhood Commercial and are allowed in "I" Light Industrial, the current zoning district. The applicant is requesting to downzone the site in order to reduce the intensity of the current zoning and reduce the required supplemental setback adjacent to One-Family.

The current "I" zoning would require a 50 ft. setback with a 5 ft. bufferyard and fencing as part of a point system. Structures are prohibited within these setbacks. However, "E" zoning only requires a 20 ft. bufferyard with same fencing and point system. The proposed site is located near the corner of two principal arterials and neighborhood commercial uses are more appropriate adjacent to the planned single-family to the south.

**Site Information:**

Owner: DGI Enterprises, LP  
3000 Galvez Ave.  
Fort Worth, Texas 76111  
Applicant: Calloway's Nursery, Inc. (John Cosby)  
Acreage: 2.893 acres  
Comprehensive Plan Sector: Far North

Surrounding Zoning and Land Uses:  
North "A-5" One-Family / single-family

East "A-5" One-Family / High School  
 South "A-5" One-Family / vacant  
 West "I" Light Industrial / vacant

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-13-130; from PD 427 to A-5, approved 10/26/13

Platting History: PP-14-014, O'Donnel's Addition, approved by CPC 6/26/14

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Tarrant Pkwy	Residential	Principal Arterial	No
Old Denton Rd	County Rd.	Major Arterial	No

**Public Notification:**

The following organizations were notified:

Organizations Notified	
Arcadia Park Estates	Streams & Valleys, Inc
North Fort Worth Alliance	Keller ISD
Trinity Habitat for Humanity	

\*Not located within a registered Neighborhood Organization

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing a zoning change to "E" Neighborhood Commercial for a plant nursery. Surrounding land uses vary with vacant land to the west and south, a high school to the east and single-family to the north. The proposed site is located on a principal arterial and the proposed downzoning to "E" is appropriate due to the single-family adjacency to the south.

Based on surrounding land uses, the proposed zoning for this site **is compatible** at this location.

**2. Comprehensive Plan Consistency**

The 2014 Comprehensive Plan designates the subject property as Light Industrial. The requested zoning change is consistent with the following Comprehensive Plan policies:

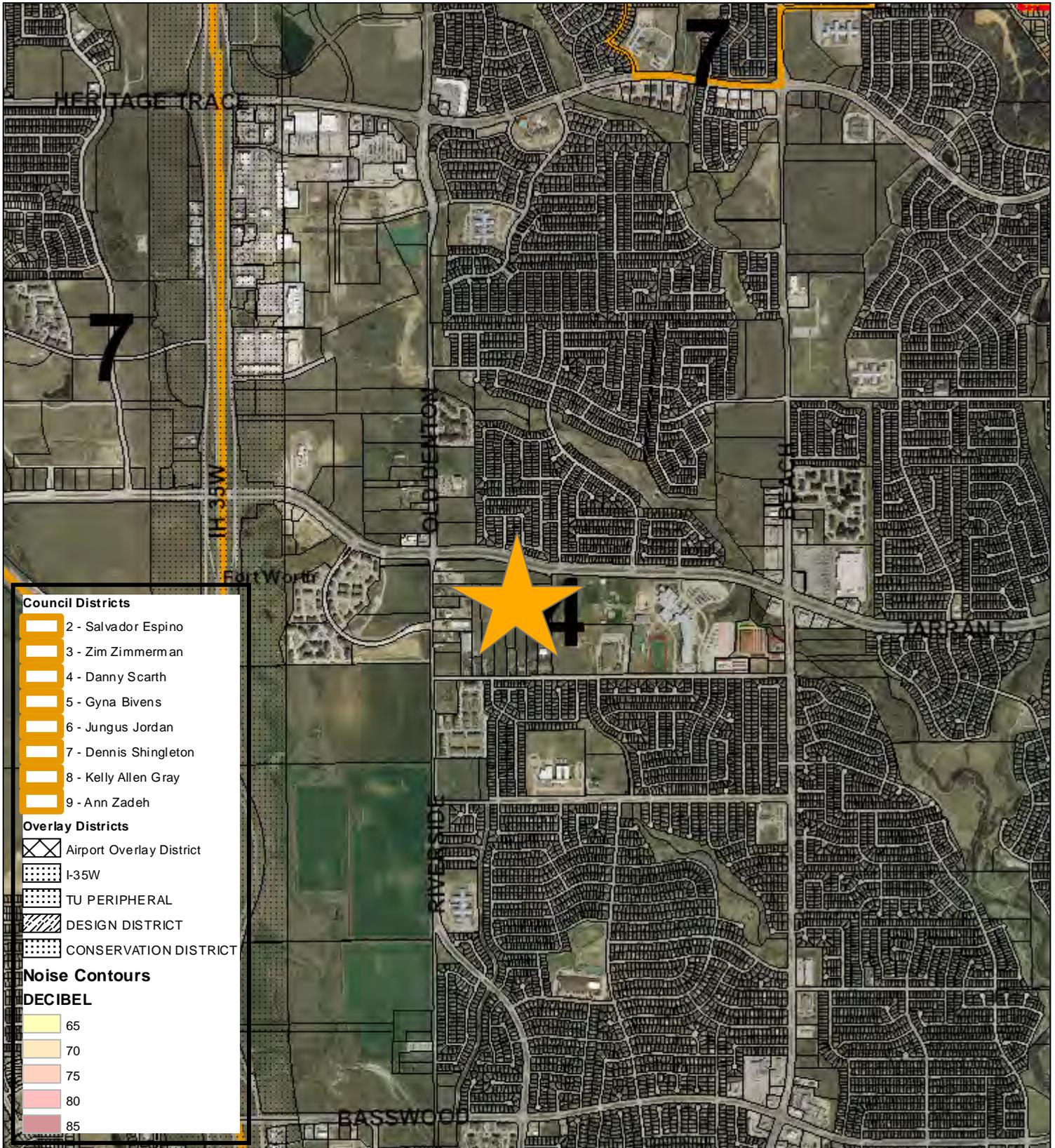
- Encourage development type and intensity appropriate to existing or planned street infrastructure by coordinating future land use map changes with the Master Thoroughfare Plan and an adopted Complete Streets policy. (pg. 38)
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)
- Separate incompatible land uses with buffers and 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. 40)

Based on nonconformance with the future land use map and the policies stated above; the proposed zoning **is consistent** with the Comprehensive Plan.

**Attachments:**

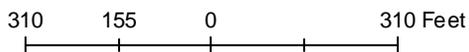
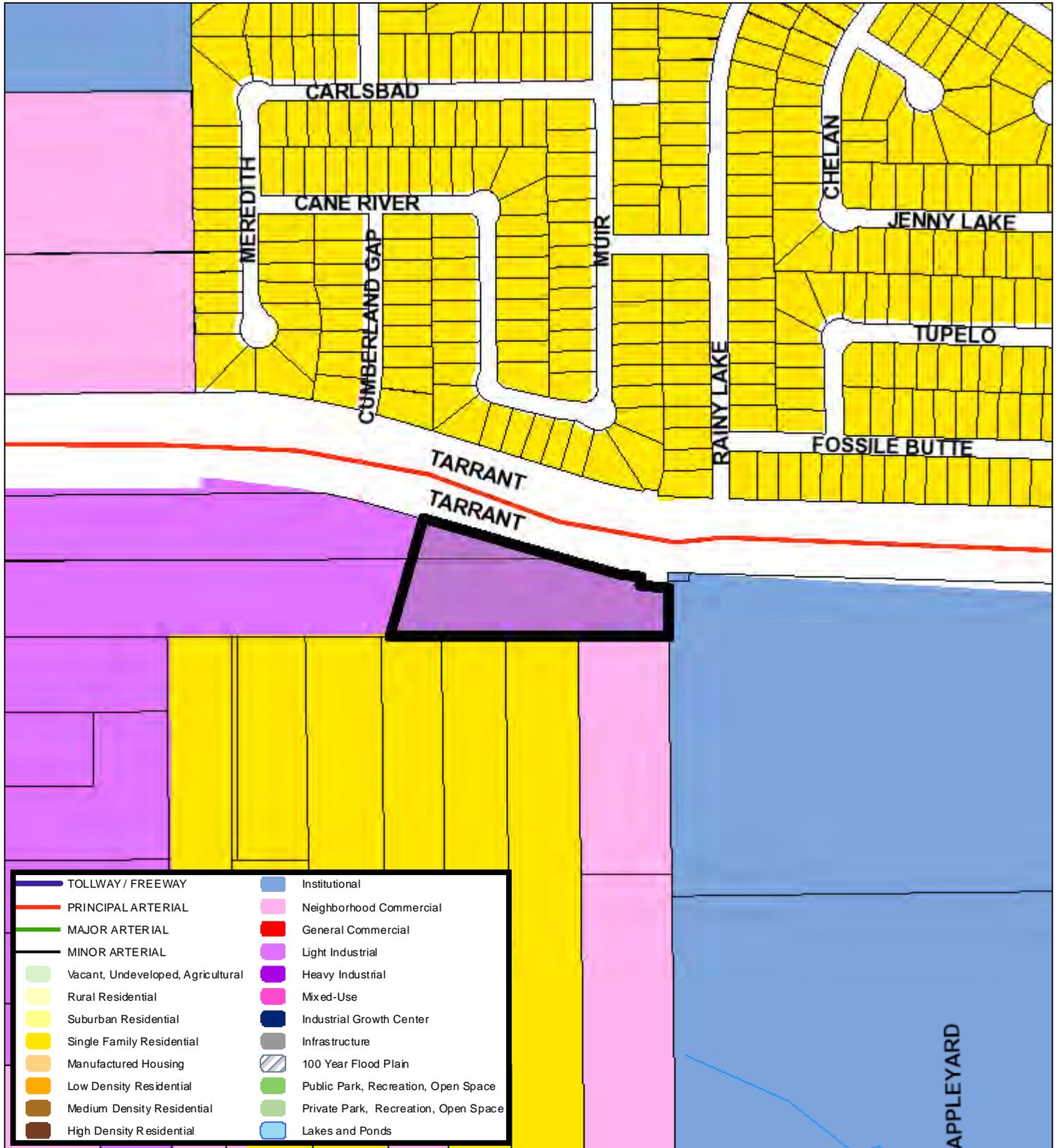
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

### Area Map





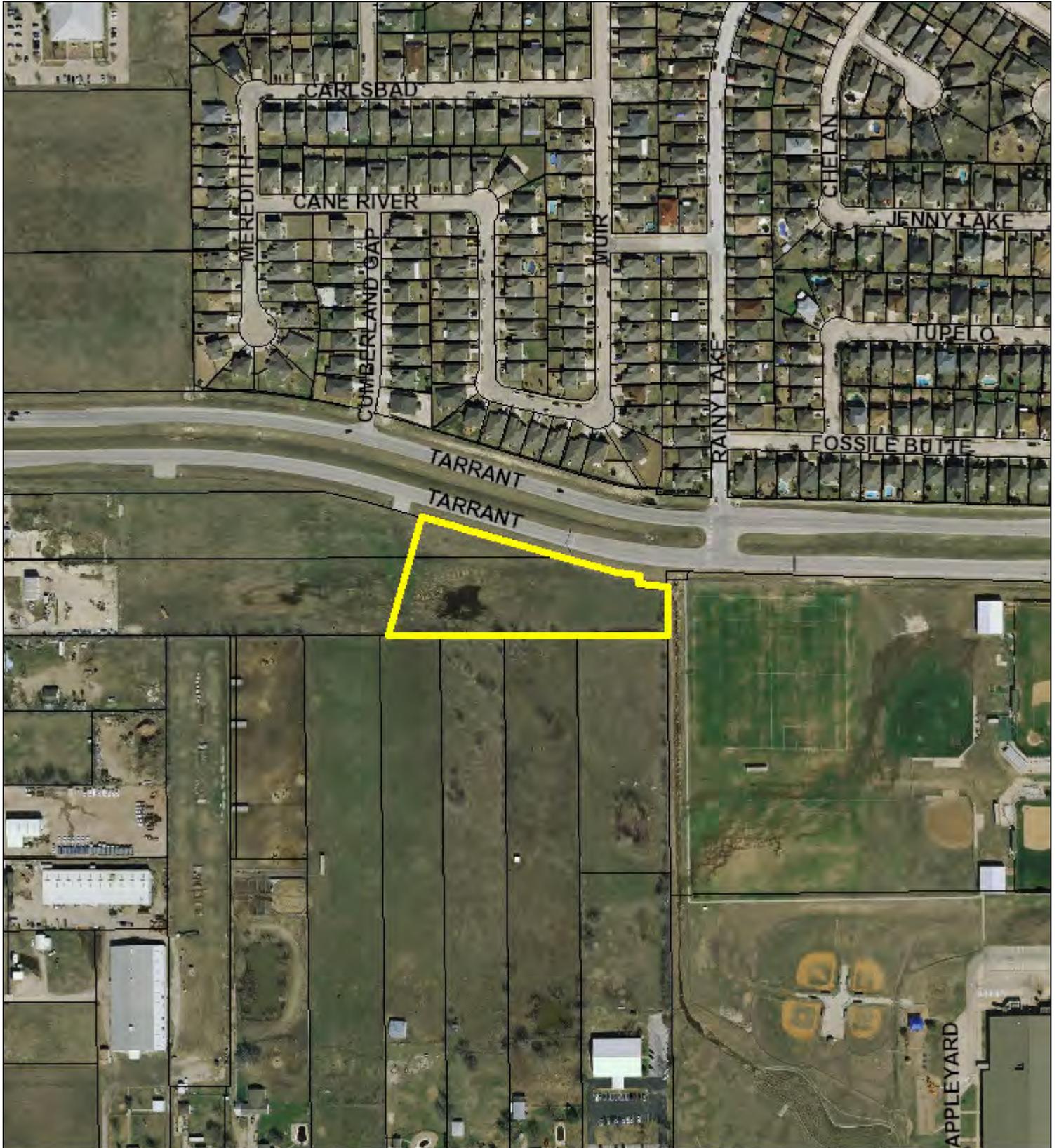
### Future Land Use



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 Photo Map



0 200 400 800 Feet



Mr. Flores mentioned the memorandum of agreement and was all the concerns addressed. Mr. Moates mentioned he feels all concerns have been addressed, based on the agreement.

Nick Panzera, 2523 Loving Avenue, Fort Worth, Texas with Victory Temple Ministries spoke in support.

Mr. Flores asked if he could explain to the Commissioners what Victory Temple Ministries does and will do at this location. Mr. Panzera mentioned they are a non-profit organization; the vision is for them to help people in need and provide a residential home for men to come into and help them change their lives. No sex offenders are allowed and those with mental help are refereed.

Mr. Flores asked the number of supervisory personnel, and what happens to the existing facility at 2526 Loving Avenue. Mr. Panzera said there will be six supervisors and the existing facility will be used for office and storage.

Linda Claytor, 2803 Black Oak, Arlington, Texas spoke in support.

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

<i>Document received for written correspondence</i>					<b>ZC-14-153</b>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 ft notification area</b>	<b>Position on case</b>		<b>Summary</b>
Nick Panzera	2523 Loving	Out		Support	Spoke at hearing
Linda Claytor	2803 Black Oak	Out		Support	Spoke at hearing
PGM Eagle	1524 NW 25th	In	Opposition		Sent letter in
Kazmor Group LLC	1500 NW 25th	In	Opposition		Sent letter in
A petition was submitted in support with 104 signatures in case fil					

**4. ZC-14-156 DGI Enterprises, LP (CD 4) – 3900 Block N. Tarrant Parkway (Charles C. Whyte Survey, Abstract No. 1611, 2.89 Acres): from “I” Light Industrial to “E” Neighborhood Commercial**

Bill Boomer, 6610 Bryant Irvin Road, Fort Worth, Texas representing DGI Enterprises, LP explained to the Commissioners the request to propose a Calloway’s retail nursery for the site.

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