



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 11, 2015

Council District 7

Zoning Commission Recommendation: Approved as Amended to A-7.5 by a vote of 7-0 Opposition: One letter was submitted by the Fort Worth Water Department Support: None submitted	Continued	Yes <u>X</u>	No <u> </u>
	Case Manager	<u>Stephen Murray</u>	
	Surplus	Yes <u> </u>	No <u>X</u>
	Council Initiated	Yes <u> </u>	No <u>X</u>

Owner / Applicant: Mark McCauley

Site Location: 8464 Heron Drive Mapsco: 59G

Proposed Use: Single Family Residential

Request: From: "A-10" One-Family; "A-5" One-Family

To: "A-7.5" One-Family

Land Use Compatibility: Requested change is compatible.

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

Background:

The applicant is requesting a zoning change from "A-10" One-Family and "A-5" One-Family to "A-5" One-Family for 5,000 square foot lots. The property is on Lake Worth just northwest of Loop 820 and Heron Dr. The applicant is proposing to redevelop one lot into three separate lots for single-family homes.

The proposed lots were rezoned in 2005 to A-10 for 10,000 sf single-family lots. Currently, the A-5 zoning line bisects the property due to an error of the metes and bounds description. The whole of the proposed site was intended to have A-10 zoning.

The site is located within NAS JRB Overlay and within the 65 dnl noise contour. Use is not controlled, but the Building Code requires sound attenuation for residential structures.

Being located along Lake Worth, the Lake Worth Supervisor of the Water Department has expressed concern that the rezoning to A-5 would allow smaller lots and therefore additional homes, lot coverage, and potential increased water pollution. The location directly on the lake would not allow adequate space to construct storm water filtration capabilities for runoff from the homes. While the construction of existing cabins and homes did not consider water quality, recent studies have shown the effect of chemicals and reduced filtration caused by development. Therefore Water staff opposes against any zone change that would allow subdividing large water front lots into smaller lots.

At the Zoning Commission, the applicant provided an exhibit that showed a proposed plat of the one acre property into three lots under the A-10 zoning. However he explained he requested the A-5 zoning in order to be able to draw three new lot lines and save trees on the site. The redrawn lines have a 50 ft. lot frontage. In order to ensure that the lots were divided as indicated on the plots and not into smaller lots, the Zoning Commission recommended the rezoning of A-7.5 which would allow no less than 7,500 s.f. lots instead of 5,000 s.f. lots in A-5 with a 55 ft. minimum frontage.

Site Information:

Owner: Mark A. McCauley
 8464 Heron Dr.
 Ft. Worth, Texas 76108
 Acreage: 1.002 acres
 Comprehensive Plan Sector: Far West

Surrounding Zoning and Land Uses:

North "A-5" One-Family; "A-10" One-Family / Lake Worth
 East "A-5" One-Family / IH 820
 South "A-5" One-Family; "A-10" One-Family / IH 820
 West "A-10" One-Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-05-227, from "A-5" to "A-10", effective December 2005 (subject property).
Platting History: FS-15-061, divide one lot into three, pending zoning approval (subject property)

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Heron Dr	Residential	Residential	No
N Jim Wright Frwy	Collector	Collector	No

Public Notification:

The following organizations were notified:

Organizations Notified	
NA on South Lake Worth*	Streams And Valleys Inc
NAS Fort Worth JRB RCC	Fort Worth ISD
Trinity Habitat for Humanity	

*Located within this Neighborhood Organization

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "A-5" One-Family for three single-family homes. Surrounding land uses vary with Lake Worth to the north, single-family to the south and west, and West Loop 820 to the east. The overall area was rezoned in 2005 for larger lot single-family. However, several lots appear to be smaller within the area. Rezoning to allow more density is inconsistent with protecting the water quality of Lake Worth.

However, the proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2015 Comprehensive Plan designates the subject property as Single-Family. The proposed zoning is consistent with the Future Land Use Map. However, the proposal to reduce the allowed lot size to 5,000 sf. is inconsistent with the following Comprehensive Plan policies:

- To protect water quality and provide for connected green spaces, encourage parks, bike trails, and open space within floodplains and adjacent water bodies. (pg. 38)
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)

- Encourage the development of Airport Overlay Districts to ensure land use compatibility while providing additional protections to airport operations. (pg. 40)

The site is also located within the confines of the Lake Worth Vision Plan The City Council adopted the plan on May 10, 2011. The Lake Worth Vision Plan describes and depicts the most appropriate future land use, development patterns and forms, recreational use, and facilities on and around Lake Worth. The Plan is based on the following four principles to guide future decision-making for Lake Worth.

1. Protect and enhance Lake Worth's water quality, natural beauty, and recreational character.
2. Develop Model Sustainable Communities in the Lake Worth area that create desirable places to live and work while enhancing livability of existing communities.
3. Create Lake Worth Regional Park, a linear park that encompasses the lake and provides high-quality recreational amenities and cultural hubs.
4. Connect communities, resources, and amenities with parkways, greenways, and trails.

Creating more density is incompatible with the Lake Worth Vision Plan and its principals. Based on the lack of conformance with the policies and strategies stated above the proposed zoning **is not consistent (Significant Deviation)** 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



Council Districts

- 2 - Salvador Espino
- 3 - Zim Zimmerman
- 4 - Cary Moon
- 5 - Gyna Bivens
- 6 - Jungus Jordan
- 7 - Dennis Shingleton
- 8 - Kelly Allen Gray
- 9 - Ann Zadeh

Overlay Districts

- ✕ Airport Overlay District
- ▨ I-35W
- ▨ TU PERIPHERAL
- ▨ DESIGN DISTRICT
- ▨ CONSERVATION DISTRICT

Noise Contours

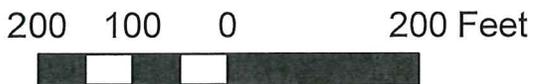
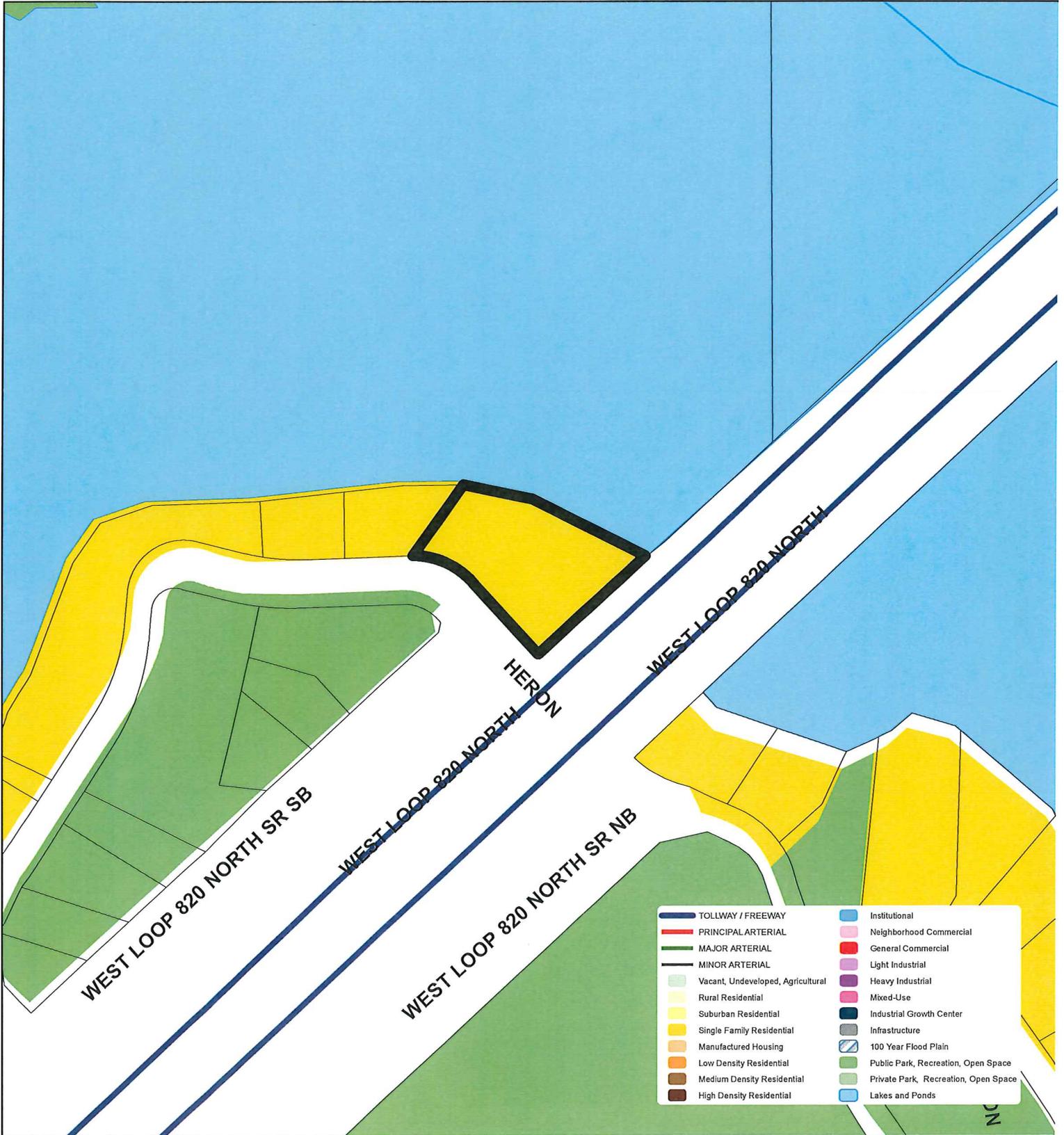
DECIBEL

- 65
- 70
- 75
- 80
- 85



0 1,000 2,000 4,000 Feet

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 3, 2015.



Aerial Photograph



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.



Robert Gossett, 1201 N. Bowser Road, Richardson, Texas representing Recovery Resource Council explained to the Commissioners this case straddles Grand Prairie city limit line. They are working on a land swap with the City of Grand Prairie for an industrial building that will be located within the city limits of Grand Prairie.

Mr. Flores asked Mr. Gossett if there was time sensitivity to this case based on the boundary adjustment. Mr. Gossett said as of two days ago the Council person was on board and so they are moving forward with the zoning change. He said they would like to start moving dirt in September.

Mr. Edmonds was concerned about moving the case forward and making a decision on something that may or may not be in the City of Fort Worth.

Ms. Burghdoff mentioned there could be more land exchanged with Grand Prairie and the rezoning may become moot if that happens.

Motion: Following brief discussion, Mr. Edmonds recommended Approval of the request, seconded by Mr. Flores. The motion carried unanimously 7-0.

16. ZC-15-094 Mark McCauley (CD 7) 8464 Heron Drive (Lake Worth Leases, Block 40, Lot 29, 1.00 Acres): from "A-5" One-Family and "A-10" One-Family to "A-5" One-Family

Mark McCauley, 8464 Heron Drive, Fort Worth, Texas property owner explained to the Commissioners the request to rezone to "A-5" One-Family in order to subdivide and build two single-family homes. He said there are a significant amount of trees he is trying to protect so he is tightening up the lot lines and needs "A-5" zoning because the lots are 50 ft. wide approximately.

Mr. Genua asked Mr. McCauley if there had been any discussions with the Water Department. Mr. McCauley said no and that there is a letter from Paul Bounds in opposition.

He said he could still subdivide the property under A-10 and would lose those trees he is trying to protect. Ms. Moore wanted to state for the record he could subdivide into three lots based on current zoning. Mr. McCauley said yes and showed a possible plat. Mr. Edmonds mentioned if he redrew the lines he could get the three lots. Mr. McCauley said yes but would lose some of those trees.

Commissioner Genua asked if there was another district that would limit the size of the lots to the three that the applicant proposed. Ms. Murphy indicated that A-7.5 would give the lot sizes that are needed but not allow any lot smaller than 7,500 s.f.

Motion: Following brief discussion, Mr. Reeves recommended Approval as Amended of the request to "A-7.5", seconded by Ms. Reed. The motion carried unanimously 7-0.

<i>Document received for written correspondence</i>					ZC-15-094
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Paul Bounds	City of Ft Worth Water Dept.		Opposition		Sent letter in

17. ZC-15-095 City of Fort Worth Planning & Development (CD 3 & 7) 5800-6100 Blocks of El Campo Avenue and 2405 & 2409 Winthrop (see addresses in case file, 16.68 Acres): from "A-5" One-Family to "A-10" One-Family

Kelly McLean, 5913 El Campo, Fort Worth, Texas representing the neighborhood explained to the Commissioners the request to rezone this area to "A-10" is to eliminate builders from coming in and subdividing into smaller lots. Ms. McLean mentioned the two lots that were already being subdivided would become legal non-conforming. Mr. Flores mentioned the option of taking those lots out of the request.

Cole Bryan, 300 Burnette, Suite 160, Fort Worth, Texas representing the trust for 2409 Winthrop mentioned to the Commissioners his clients are in support of any changes to A-10.

Pam McAlister, 6020 El Campo, Fort Worth, Texas spoke in support.

John & Ann Wright, 6013 El Campo, Fort Worth, Texas spoke in opposition. He did mention they replatted this property and intend to build some nice homes. He is requesting his lot to be excluded.

In rebuttal Charles Royer, 5905 El Campo, Fort Worth, Texas spoke in support

Motion: Following brief discussion, Mr. Northern recommended Approval as Amended of the request and Deny without Prejudice 6013 El Campo and 2405 & 2409 Winthrop, seconded by Mr. Reeves. The motion carried unanimously 7-0.

<i>Document received for written correspondence</i>					ZC-15-095
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Kelly McLean	5913 El Campo	In		Support	Spoke at hearing
Cole Bryan representing property owner	2409 Winthrop	In		Support	Spoke at hearing
Pam McAlister	6020 El Campo	In		Support	Spoke at hearing
John & Ann Wright	6013 El Campo	In	Opposition		Spoke at hearing
Charles Royer	5909 El Campo	In		Support	Spoke at hearing
Richard McCado	2512 Earl Ln	In		Support	Sent letter in