



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
March 1, 2016

**Council District** 2

**Zoning Commission Recommendation:**  
Approval by a vote of 6-3  
  
**Opposition:** None submitted  
**Support:** None submitted

Continued Yes \_\_\_ No X  
Case Manager Jocelyn Murphy  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** Tarun Oberoi

**Site Location:** 614 NW 22<sup>nd</sup> St. Mapsco: 62K

**Proposed Use:** Multi Family/Triplex

**Request:** From: "A-5" One-Family  
To: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus triplex; site plan included

**Land Use Compatibility:** Requested change is not compatible.

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

**Background:**

The proposed site is located on the northeast corner of Prospect and NW 22<sup>nd</sup> St. The owner is requesting a zoning change from "A-5" One-Family to "PD/A-5" to allow for the continued use of a three unit property.

The property was zoned B Two Family until 2011 when it was rezoned through a Council Initiated zoning change to A-5. The current property owner recently purchased the property in October 2015. The B zoning only allowed two units but at some point the building had been converted to three units, therefore the three units was not legal at any time and could not be considered legal nonconforming. Water records also indicated only two units.

At the Zoning Commission hearing, the applicant explained that each of the three units has its own electric meter but the gas meter has not been operating. He indicated that two doors enter onto NW 22<sup>nd</sup> St. and the third onto Prospect St. All of the units are currently occupied. Proper parking spaces would be required to accommodate the two or three units as allowed.

**Site Information:**

Owner: Tarun Oberoi  
3366 Scotch Creek Rd.  
Coppell, TX 75019  
Acreage: 0.18 ac  
Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

- North "A-5" One-Family / single-family
- East "A-5" One-Family / single-family
- South "A-5" One-Family, "CF" Community Facilities / single-family, public school
- West "A-5" One-Family / single-family

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-11-006 Council-initiated rezoning of various parcels to various zoning districts, approved by City Council 2/2011.

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. The structure encroaches into the 20 ft. front yard setback. (waiver required)
2. The structure encroaches into the 5 ft. side yard setback. (waiver required)

**Zoning Commission recommended waivers to the items noted above.**

**TPW Comments:**

No comments have been made at this time.

**Platting Comments:**

No comments have been made at this time.

**Parks Comments:**

PARD/PDP: 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 PDP 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. No City permits will be issued until the PDP fees have been paid. Call Joe Janucik at 817-392-5706 for additional information.

**(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Parks and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)**

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
NW 22 <sup>nd</sup> St	Collector	Collector	No
Prospect St.	Residential	Residential	No

**Public Notification:**

The following organizations were notified:

Organizations Notified	
Northside NA	Streams And Valleys Inc
Inter District 2 Alliance*	Trinity Habitat for Humanity
	Fort Worth ISD

\*Located within this neighborhood association.

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing a zoning change to "PD/A-5" Planned Development for all uses in "A-5" One-Family plus triplex for multifamily uses. Surrounding land uses are predominantly single-

family to the south, north and west with a public school to the southwest. The proposed site is located on the corner of NW 22<sup>nd</sup> St, which is a collector due to the proximity to the school.

The proposed **is not compatible** with surrounding land uses.

**2. Comprehensive Plan Consistency**

The 2015 Comprehensive Plan designates the subject property as Single-Family. The requested zoning change for a triplex is not consistent with the following Comprehensive Plan policies.

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)

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

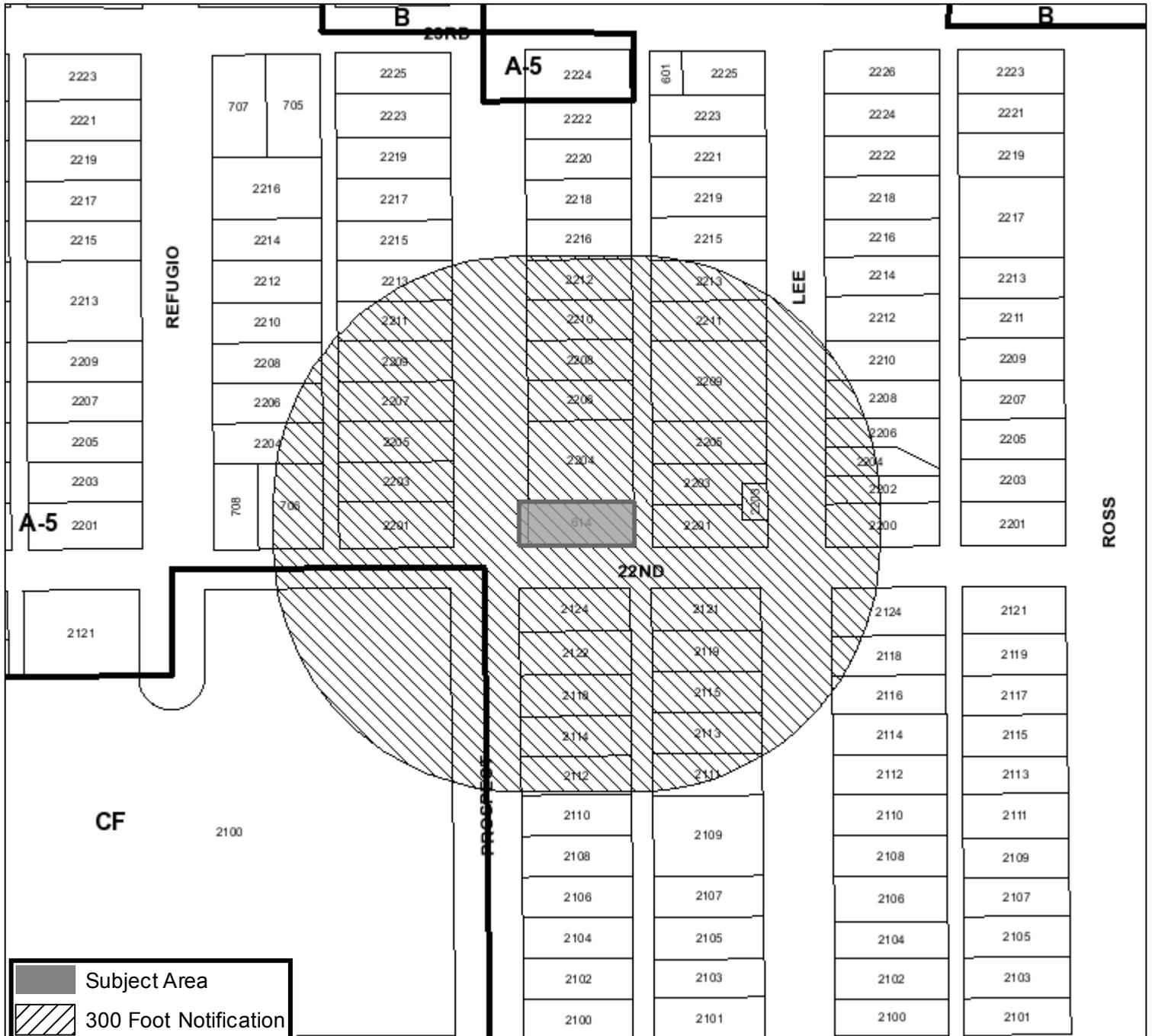
**Attachments:**

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

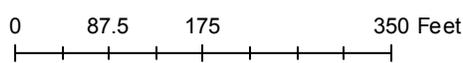


# Area Zoning Map

Applicant: Tarun Oberoi  
 Address: 614 NW 22nd St.  
 Zoning From: A-5  
 Zoning To: PD/A-5 plus triplex  
 Acres: 0.17806958  
 Mapsco: 62K  
 Sector/District: Northside  
 Commission Date: 2/10/2016  
 Contact: 817-392-6226



Subject Area  
 300 Foot Notification



SANITARY SEWER MANHOLE (SS)

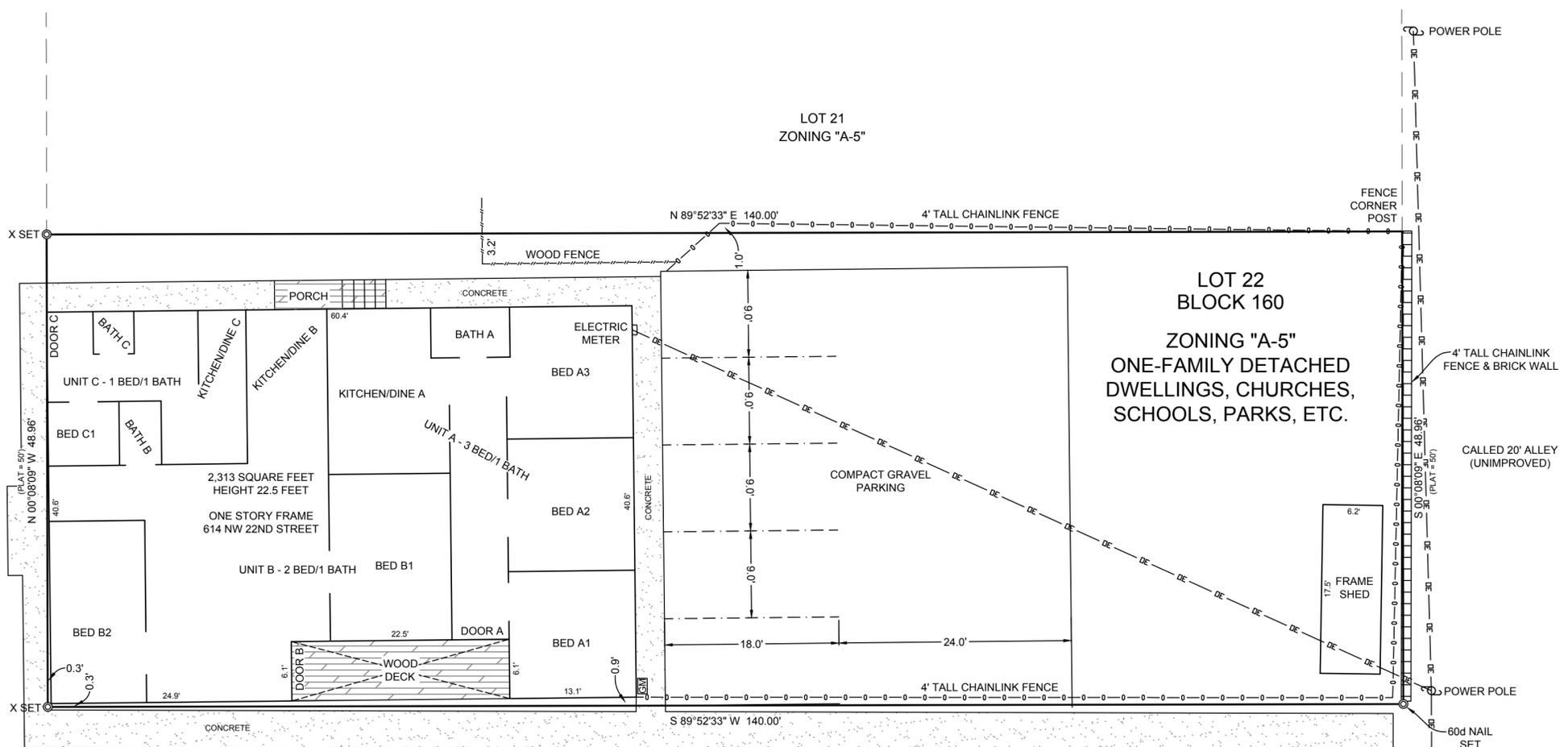
PROSPECT AVENUE (60' R.O.W.)

LOT 21 ZONING "A-5"

LOT 22 BLOCK 160 ZONING "A-5" ONE-FAMILY DETACHED DWELLINGS, CHURCHES, SCHOOLS, PARKS, ETC.

LOT 2 ZONING "A-5"

LOT 1 ZONING "A-5"



FIRE HYDRANT  
WATER VALVE

SANITARY SEWER MANHOLE (SS)

NW 22ND STREET (60' R.O.W.)

OVERHEAD ELECTRIC (TYPICAL)

**Section 4.705 - One-Family ("A-5") District**  
Property Development Standards

Lot area	5,000 square feet minimum
Lot width	50 feet minimum at building line
Lot coverage	50% maximum
Front yard	20 feet minimum (local street) 15 feet minimum (limited local street)
Rear yard	5 feet minimum
Side yard	5 feet minimum
Height	35 feet maximum

**NOTES:**

- 1) The Basis of Bearing is Texas State Plane Coordinate System, NAD 83, Texas North Central Zone 4202, and all bearings, distances and coordinates are grid.
- 2) Project will comply with:  
Section 6.3, Landscaping, Buffers and Urban Forestry  
Section 6.4, Signs
- 3) There are 3 units/bedrooms in the One Story Frame housing structure (3, 2 and 1 efficiency unit).

Director of Planning and Development

Date:

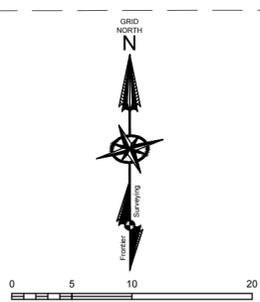
**LOT 22, BLOCK 160  
NORTH FORT WORTH**

Zoning Case No.:

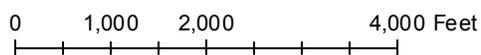
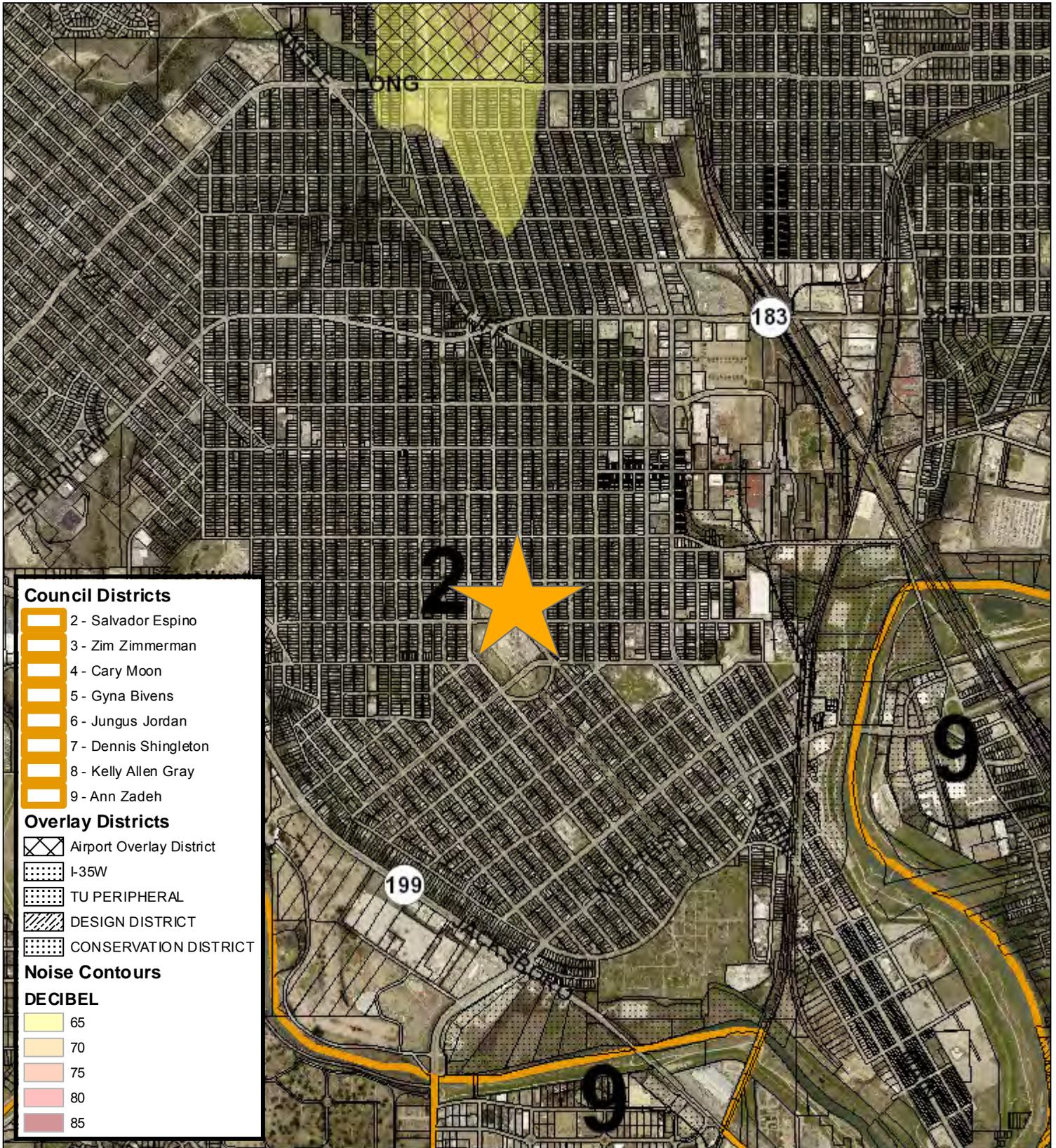
Date of preparation: December 30, 2015



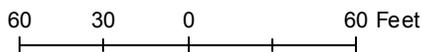
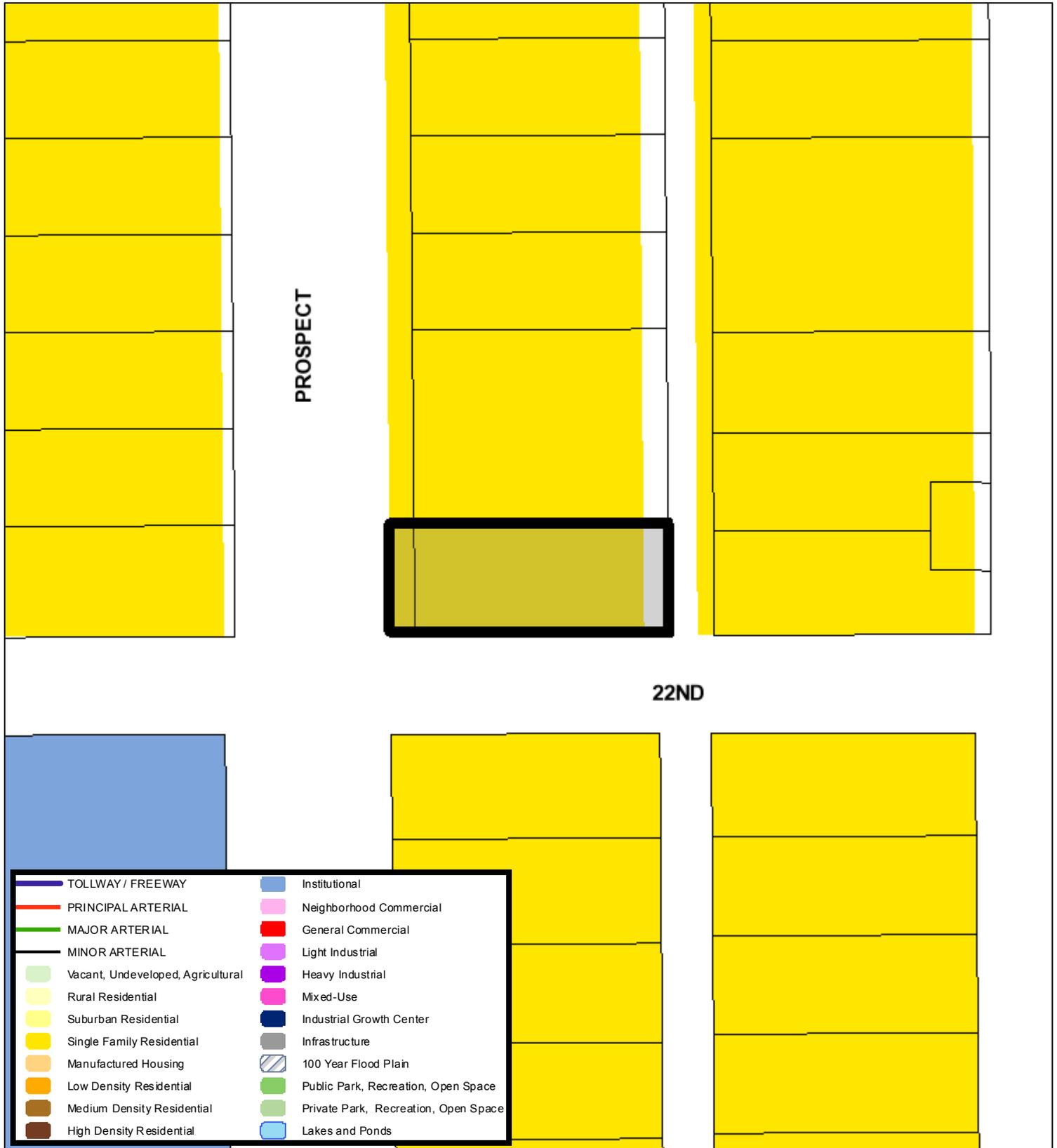
VICINITY MAP (NOT TO SCALE)



## Area Map



### Future Land Use



**Aerial Photo Map**



0 40 80 160 Feet



#### **IV. New Cases**

##### **4. ZC-16-012 Tarun Oberoi (CD 2) 614 NW 22<sup>nd</sup> Street (North Fort Worth, Block 160, Lot 22, 0.18 Acres): from “A-5” One-Family to PD/A-5 Planned Development for all uses in “A-5” One-Family plus three residential units; site plan included**

Tarun Oberoi, 3366 Scotch Creek Road, Coppell, Texas property owner explained to the Commissioners he purchased the property in October 2015 and it was brought to his attention the third unit was not legal. He did meet with the neighborhood organization back in December and they were grateful he was making improvements to the property. Mr. Edmonds asked if he had a letter from the neighborhood organization. Mr. Oberoi said no.

Mr. Flores asked Mr. Oberoi if he would summarize the position the neighborhood took at their meeting following his presentation and what concerns were raised. Mr. Oberoi said they voted all in favor and there were no concerns. Mr. Flores asked him when the issue of non-conformance came to his attention before or after the purchase. Mr. Oberoi said after the purchase it came from the realtor and that is when he started working with staff. He did not know how long the realtor was aware of this.

Mr. Flores asked specific questions relating to water meters, electric meters, gas meters, any work on the property. Mr. Oberoi said there are two water meters, three electric meters, one gas meter that is turned off. He replaced a front door, some windows and the flooring inside the third unit. Mr. Flores asked him to indicate on the site plan where the front doors are located, any improved surface parking, and how many bedrooms and noted these are items needed on the site plan. Mr. Oberoi said all units are occupied and the tenants have been there for more than seven years.

Ms. McDougall asked about the legal non-conforming. Mr. Oberoi said it was brought to his attention after the purchase via email from the realtor.

Ms. Dunn also asked the same question and asked if he will he be tearing anything down. Mr. Oberoi said no he just wants to make the units legal conforming.

Motion: Following brief discussion, Mr. Flores recommended Approval of the request, seconded by Ms. McDougall. The motion carried 6-3 with Mr. Edmonds, Ms. Conlin and Mr. Cockrell against.

##### **5. ZC-16-020 Walsh Ranch Limited Partnership (CD 3) Generally bounded by Patterson Branch Creek, Walsh Ranch Parkway and Old Weatherford Road (metes and bounds provided in case file, 108.93 Acres): from PD522 Planned Development for “PD/LDR” Low Density Residential, for all single-family uses in “A-43 One-Family through “R2” Townhouse/Cluster districts listed in the Walsh Planned Development Residential Use Table. A maximum of 14,785 dwelling units in permitted. Development standards shall be in accordance with each applicable single-family district as recorded in Ordinance #13896; site plan waived, and PD569 Planned Development for “PD/CC” Community Center for uses listed in the Walsh Planned Development District Use Table. Development standards shall be in accordance with “F” General Commercial district standards; site plan waived**