



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
February 18, 2020

Council District **2**

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

Opposition: Three persons spoke, one letter submitted
Support: One person spoke

Continued Yes X No
Case Manager Lynn Jordan
Surplus Yes No X
Council Initiated Yes No X

Owner / Applicant: **Jerry Mitchell**

Site Location: 4001 Ohio Gardens Drive Acreage: 7.11

Proposed Use: **Temporary Vehicle Storage**

Request: To: Amend PD 69 to remove the hours of operation for loading and unloading for the temporary vehicle storage facility; site plan included

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

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

Staff Recommendation: **Approval**

Background:

The subject property is located south of Ohio Garden and just west of Jacksboro Highway. The applicant is requesting to remove a development standard on the hours of operation for loading and unloading from PD 69 for the temporary vehicle storage facility; site plan included.

The original PD request is from 1988 where the applicant requested a PD/SU for temporary storage of motor vehicles. City Council approved the zoning case with the following development standards:

- The yard be limited to loading and unloading of automobiles between the hours of 8:00 am and 5:00 pm with no semi-trailer transporters permitted.
- Site development shall restrict the flow of water so as not to create any drainage onto the adjacent property.
- Provide an 8 ft. solid metal fence along the east property line, to be maintained in good repair and finish.
- Lighting will be designed in a manner which is not obtrusive to the adjacent mobile home park; waiver to the site plan.

The site is entirely located within the 100 year flood plain. According to recent aerials the property appeared to be used as a storage facility for vehicles, trailers, equipment, etc., up until 2012.

The applicant has submitted a site plan which indicates a new office trailer and a 6 ft. corrugated metal panel screening fence along the street frontage.

At the January 14th Council meeting the case was continued to allow more time for the applicant to reach out to the adjoining property owner. Additional opposition has been received since the Council meeting the opposition is now at 38% requiring a super majority vote from Council.

The applicant has meet with one of the persons in opposition in the adjacent mobile home park and are trying to address some of the concerns. At the time of this report no additional information has been received.

Site Information:

Surrounding Zoning and Land Uses:

- North PD 519 Planned Development / recreational vehicle park
- East "B" Two-Family / mobile home park
- South "B" Two-Family / vacant
- West "I" Light Industrial / Anderson Campbell Park

Zoning History: None

Site Plan Comments:

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

1. Indicate on the site plan if there is a 5 ft. buffer yard on the eastern property line. **(Waiver recommended)**
2. The proposed 6 ft. metal fence would not be permitted along the street frontage. **(Waiver recommended)**

The site plan comments noted above shall be addressed on the site plan or waivers are required.

(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.)

Public Notification:

300 foot Legal Notifications were mailed on (November 25, 2019)

The following organizations were notified: (emailed November 19, 2019)

Organizations Notified	
Inter-District 2 Alliance	Westside Alliance
Far Greater Northside Historical	Crestwood NA
Northside NA	Tarrant Regional Water District
Streams and Valleys Inc.	Trinity Habitat for Humanity
Fort Worth ISD	Lake Worth ISD
Castleberry ISD	

Not located within a registered Neighborhood Organization

Recent Relevant Zoning and Platting History:

Zoning History: PD 69 Planned Development for temporary vehicle storage with loading and unloading limited from 8 am to 5 pm; site plan waived, subject property; PD 519 Planned Development for "I" Light Industrial plus RV park; site plan approved, subject area to the north; PD 731 Planned Development/Specific use for auto repair; site plan waived, subject area just to the east

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is requesting to amend PD 69 to remove a development standard related to hours of operation for loading and unloading for a temporary storage facility. Surrounding land uses consist of a mobile home park to the east, an RV park to the north, vacant land to the south and a City park to the west.

Due to the location and approved use for the PD, the proposed zoning request **is compatible** at this location.

2. Comprehensive Plan Consistency -Northside Sector

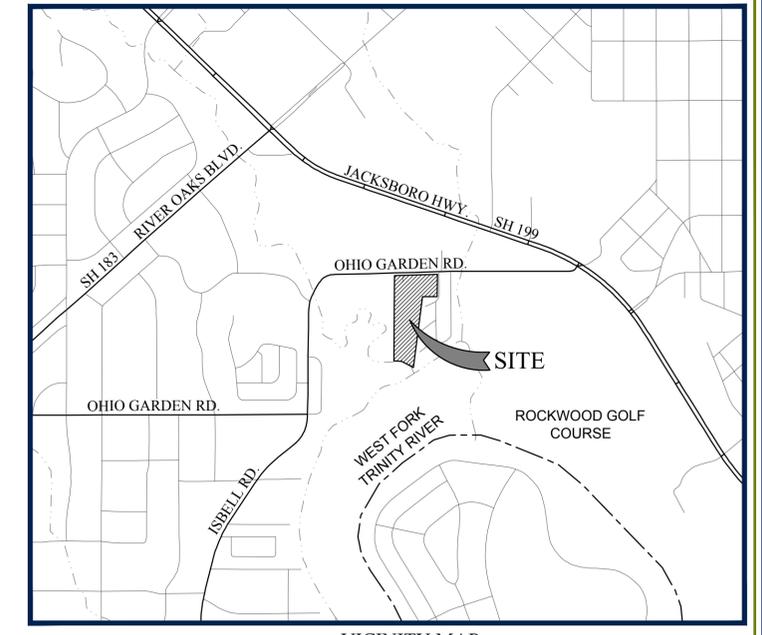
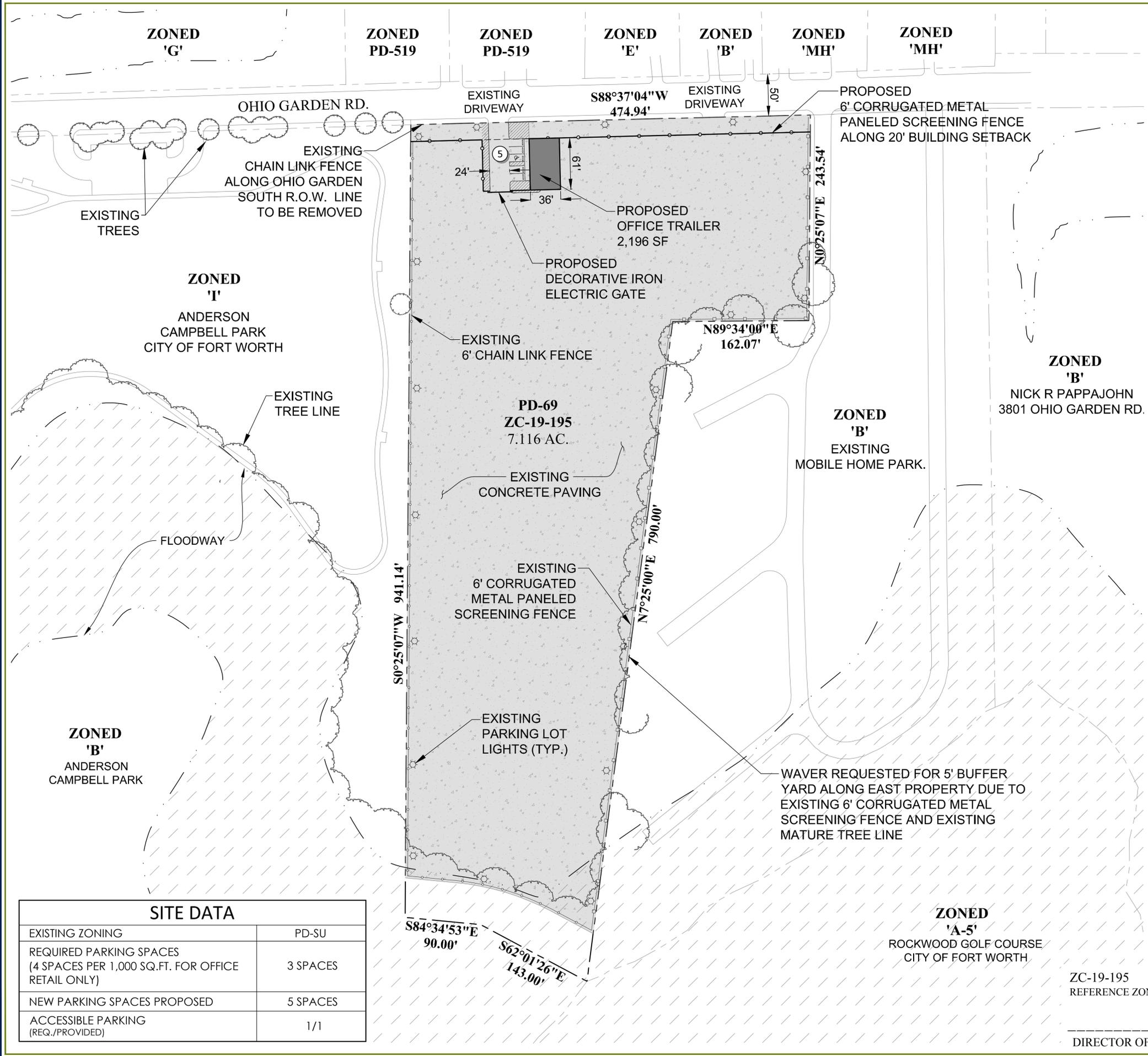
The 2019 Comprehensive Plan designates the subject property as Open Space. Since the area is identified as Open Space, the requested zoning district **is not consistent (Significant Deviation)** with the following Comprehensive Plan policies.

- Separate incompatible land uses with buffers or 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.
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods.

Although this is labeled as a significant deviation, the request is for a consideration of removal of hours or operation and a continuance of the existing approved use of the site and does not require significant change to the site as it exists today.

Attachments:

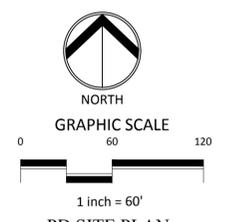
- Area Zoning Map with 300 ft. Notification Area
- Site Plan
- Area Map
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting



- NOTES**
1. WAVER REQUESTED FOR 5' BUFFER YARD ALONG EAST PROPERTY DUE TO EXISTING 6' CORRUGATED METAL SCREENING FENCE AND EXISTING MATURE TREE LINE.
 2. THIS SITE PLAN WILL COMPLY WITH LANDSCAPING REGULATIONS, 6.301.
 3. THIS SITE PLAN WILL COMPLY WITH URBAN FORESTRY, 6.302.
 4. THIS SITE PLAN WILL COMPLY WITH SIGNAGE REGULATIONS, 6.409.
 5. ALL PROVIDED LIGHTING WILL CONFORM TO THE LIGHTING CODE. EXISTING LIGHTING IS DIRECTED AWAY FROM THE "B" ZONED AREAS.
 6. ALL AREAS PAVED.
 7. PD-69 (ZC-88/076) RESTRICTED THE HOURS OF OPERATION FOR THE USE AND DID NOT PROVIDE SCREENING ALONG OHIO GARDEN, WITH THIS REVISED PD ZONING AND SITE PLAN THE APPLICANT IS REQUESTING REMOVAL OF THE RESTRICTION ON THE HOURS OF OPERATION AND ALSO PROVIDING SCREENING ALONG THE OHIO GARDEN FRONTAGE.

OWNER:
 Jerry Mitchell
 1402 S. Cage Blvd.,
 Unit 258
 Pharr, TX 78577

OPERATION:
 LS TRE, LLC
 Troy Porras
 13202 E. Adam Aircraft Circle
 Englewood, CO 80112
 (303) 953-6777



SITE DATA	
EXISTING ZONING	PD-SU
REQUIRED PARKING SPACES (4 SPACES PER 1,000 SQ.FT. FOR OFFICE RETAIL ONLY)	3 SPACES
NEW PARKING SPACES PROPOSED	5 SPACES
ACCESSIBLE PARKING (REQ./PROVIDED)	1/1

ZC-19-195
 REFERENCE ZONING CASE #: ZC 88 - 076

DIRECTOR OF PLANNING AND DEVELOPMENT _____ DATE _____

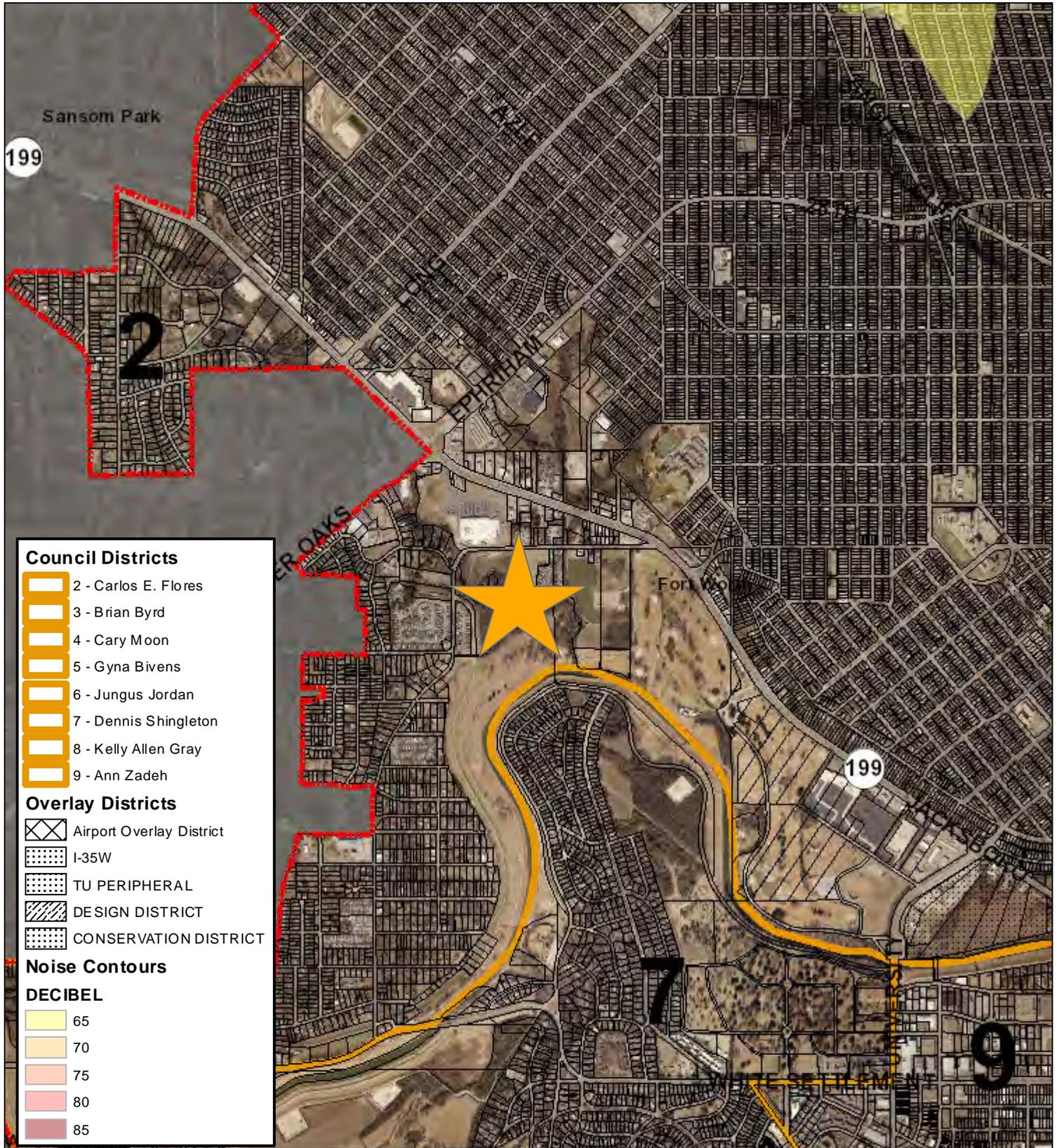
PD SITE PLAN
 7.116 ACRES
 WYATTS TOWING
 IMPOUNDMENT FACILITY
 November 11, 2019
 Revised November 26, 2019

DUNAWAY
 550 Bailey Avenue • Suite 402 • Fort Worth, Texas 76107
 Tel: 817.355.1172
 Fax: 817.355.1174

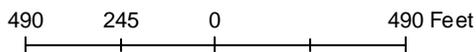
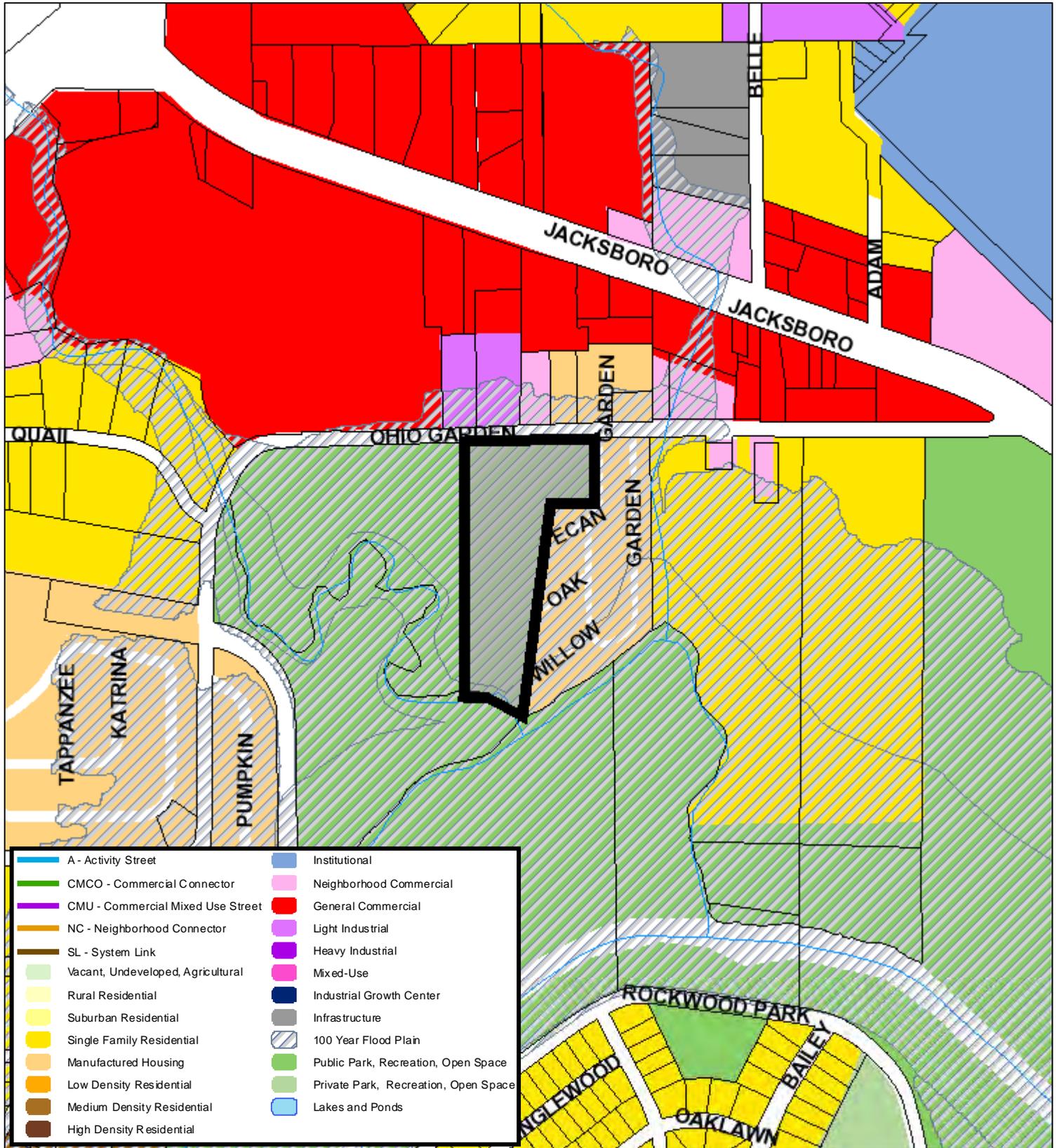
DA B005977.001

PLOTTED BY: Chance LeBlanc ON: Wednesday, November 27, 2019 AT: 9:37 AM FILEPATH: G:\Production\0600000000\057770001\PL\APP Site Plan PD Site Plan.dwg

Area Map



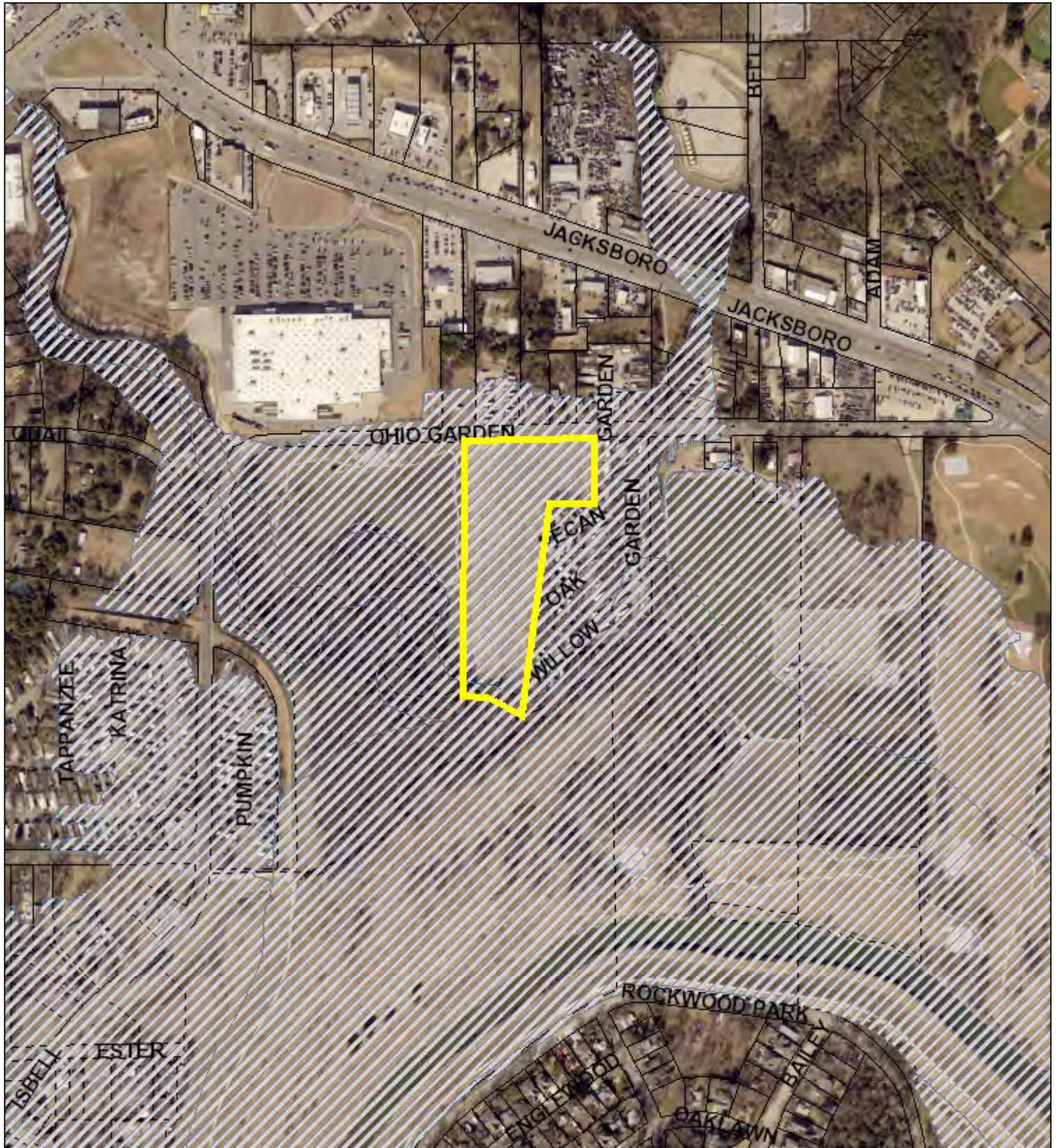
Future Land Use



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 5, 2019.



Aerial Photo Map



0 305 610 1,220 Feet



Felipe Castillo, 4514 Cole Ave

The following correspondence was submitted in opposition of ZC-19-192:
Tehama Ridge HOA (continuance request)
North Fort Worth Alliance (continuance request)

Motion: Commissioner Aughinbaugh made a motion, seconded by Commissioner Gober, that ZC-19-192 be continued for 60 days. Motion passed 8-0.

18. ZC-19-193 Cidema Three Limited Partnership (CD 8) – 5150 Campus Dr. (5.38 ac.) Request: Add Conditional Use Permit (CUP) to allow construction equipment sales & service; site plan included

Dennis Hopkins, 2131 N Collins St Arlington, TX, appeared before the Commission in support of ZC-19-193.

Motion: Commissioner Conlin made a motion, seconded by Commissioner Aughinbaugh, that ZC-19-193 be Approved for 15 years. Motion passed 8-0.

19. ZC-19-195 Jerry Mitchell (CD 2) – 4001 Ohio Gardens Dr. (7.11 ac.) Request: Amend PD 69 to remove hours of operation for loading and unloading for the temporary vehicle storage facility; site plan included

Barry Hudson, 3012 Gunnison Trail, appeared before the Commission in support of ZC-19-195.

The following individuals appeared in support of ZC-19-195:
Troy Porras, 5606 Sawdust Loop

The following individuals appeared in opposition of ZC-19-195:
Scott Weatherford, 3909 Ohio Garden Rd
Nick Pappajohn, 3801 Ohio Garden Rd
Heather Marinello, 3909 Ohio Garden Rd

The following correspondence was submitted in opposition of ZC-19-195:
1 letter

Motion: Commissioner Trevino made a motion, seconded by Commissioner Aughinbaugh, that ZC-19-195 be Approved. Motion passed 8-0.

20. SP-19-018 Speed Racer, LLC (CD 9) – 3111 Race St., 3020 Murphy St. (2.88 ac.) Request: Approval of site plan for PD 1250

Alice Cruz, 1925 Forth Worth Hwy Weatherford, TX, appeared before the Commission in support of SP-19-018.

Motion: Commissioner Miller made a motion, seconded by Commissioner McDonnell, that SP-19-018 be Approved... Motion passed 8-0.