



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
January 14, 2020

**Council District** 8

**Zoning Commission Recommendation:**  
Approval for 15 years by a vote of 8-0  
  
**Opposition:** None submitted  
**Support:** None Submitted

Continued Yes \_\_\_ No X  
Case Manager Laura Evans  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** Cidema Three Limited Partnership

**Site Location:** 5150 Campus Drive Acreage: 5.38

**Proposed Use:** Outdoor Heavy Equipment Sales and Service.

**Request:** Zone: "G" Intensive Commercial

To: Add Conditional Use Permit (CUP) to allow construction equipment sales & service; site plan included

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

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

**Staff Recommendation:** Approval

**Background:**

The proposed site is located north of Southeast Loop 820 and west of Campus Drive. The applicant is requesting to add a Conditional Use Permit (CUP) to allow an outdoor heavy equipment sales and service; site plan included.

Outdoor storage is not permitted by right in commercial districts. The applicant has applied for the CUP to allow this use within the commercial zoning districts. The applicant has indicated there will be no changes to the site, and has also indicated that the area will be used to store additional inventory in support of the CUP to the south.

Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location.

While the outdoor storage for large equipment rentals is not permitted in the "F" and "G" zoning districts by right, allowing it by CUP with a site plan may help mitigate any concerns. The site plan limits the square footage of the building and indicates locations for equipment storage.

Through Ordinance 23609 effective March 29, 2019, the Conditional Use Permit allows for an unlimited time period for the operation of a use unless otherwise approved by the City Council. If a time limit is

established for a Conditional Use Permit, the renewal of the CUP shall be considered through the public hearing process and approved by the City Council. A CUP shall expire if no permitting action is taken within six months of approval or cease of the use for six months. A CUP may be revoked through the public hearing process if necessary after convictions of one or more code violations.

Per Section 4.407 (a), the following general rules apply to all conditional uses:

- a) Conditional use permits in residential districts shall be limited to those uses designated “CUP” in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.
- b) Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.
- c) A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.
- d) The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy shall not be issued until all or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate Of Occupancy and subdivision approval have been satisfied.

Section (d) provides the following Conditional Use Permit factors in consideration of appropriateness of a request:

- a) The proposed use is consistent with the Comprehensive Plan;
- b) The proposed use is compatible with the existing and adjacent uses;
- c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;
- d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;
- e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

**Site Information:**

Surrounding Zoning and Land Uses:

- North “G” Intensive Commercial / gas well
- West “G” Intensive Commercial / VA clinic
- East “G” Intensive Commercial / auto sales
- South “G” Intensive Commercial / CUP

Zoning History: ZC-19-127 from G to CUP; approved 10/15/19; south of site

**Site Plan Comments:**

The site plan as submitted is in general compliance with the Zoning Ordinance regulations.

***(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, 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	
Oakridge Terrace NA*	Highland Hills NA
Streams And Valleys Inc	Trinity Habitat for Humanity
Southeast Fort Worth Inc	Fort Worth ISD
Everman ISD	

\*Located within this Neighborhood Association

***Development Impact Analysis:***

1. **Land Use Compatibility**

The applicant is proposing a zoning change to add a CUP to allow outside heavy construction equipment sales and service in the "G" zoning district. Surrounding land uses consist of auto sales and inventory to the north and east, a VA clinic to the west, and SE Loop 820 to the south.

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

2. **Comprehensive Plan Consistency – Sycamore**

The 2019 Comprehensive Plan designates the site as being within the General Commercial. The proposed zoning is not consistent 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.

Based on the lack of conformance with the future land use map and policy as 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



ZC-19-193

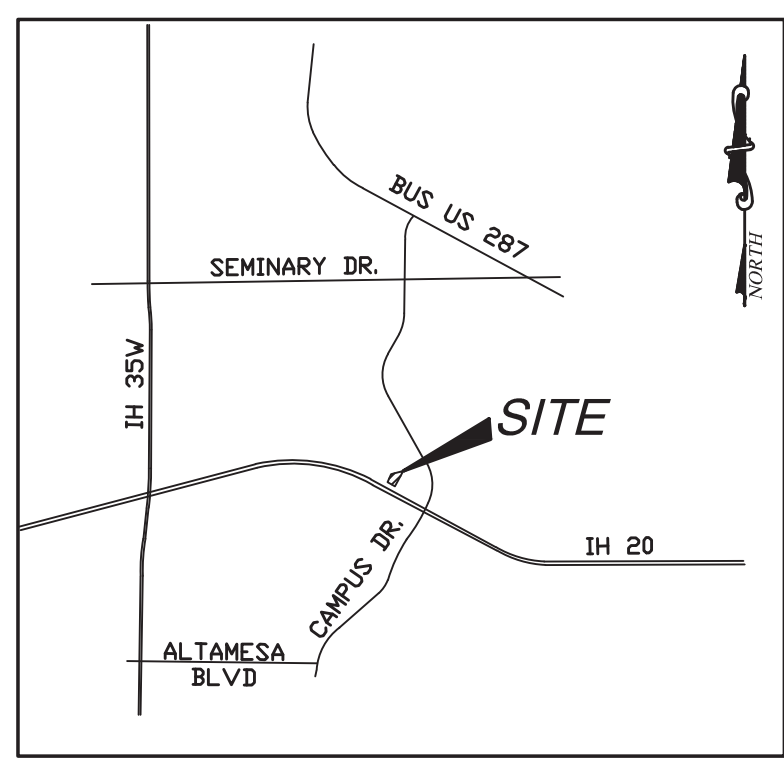
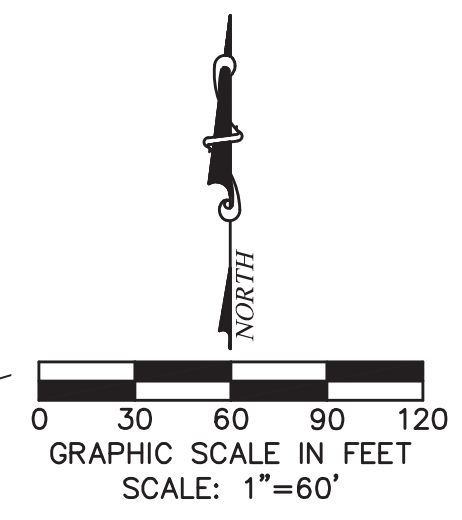
# Area Zoning Map

Applicant: Cidema Three Limited Partnership  
Address: 5150 Campus Drive  
Zoning From: G  
Zoning To: Add Conditional Use Permit for construction equipment sales & service  
Acres: 5.37680797  
Mapsc0: 91V  
Sector/District: Sycamore  
Commission Date: 12/11/2019  
Contact: 817-392-8043



0 155 310 620 Feet

CHESAPEAKE LAND  
DEVELOPMENT COMPANY, L.L.C.  
D213125070  
O.P.R.T.C.T.  
EXISTING USE: GAS WELL  
EXISTING ZONING: G



FOSSIL CREEK REALTY, INC.  
VOL. 13874, PG. 472  
O.P.R.T.C.T.  
EXISTING USE: PARKING LOT  
EXISTING ZONING: G

TRACT 2  
EXISTING USE: PARKING LOT  
EXISTING ZONING: G  
PROPOSED ZONING: G WITH CUP

LOT 1, BLOCK 1  
FORT WORTH VA ADDITION  
D209031825  
O.P.R.T.C.T.  
EXISTING USE: VA HOSPITAL  
EXISTING ZONING: G

LOT 1A, BLOCK 1  
SHAW ADDITION  
D192068165  
O.P.R.T.C.T.  
EXISTING USE: CAR DEALERSHIP  
EXISTING ZONING: G

LOT 1B, BLOCK 1  
SHAW ADDITION  
D192068165  
O.P.R.T.C.T.  
EXISTING USE:  
EQUIPMENT RENTAL,  
LEASE, SALES,  
STORAGE, AND  
SERVICE  
EX Zoning: G with  
CUP (ZC-19-127)

NOTES:

- 1) EXISTING PAVED AREA WILL BE UTILIZED TO STORE ADDITIONAL INVENTORY WAITING TO BE SOLD AND/OR LEASED IN SUPPORT OF THE USES AND OPERATIONS ALLOWED FOR LOT 1B.
- 2) ALL BUILDINGS, SITE LIGHTING, AND PAVEMENT ARE EXISTING. NO NEW BUILDINGS, PAVEMENT, SITE LIGHTING, DUMPSTERS, AND AIR CONDITIONERS ARE PROPOSED.
- 3) PROJECT WILL CONFORM TO LIGHTING CODE.
- 4) PROJECT SIGNAGE WILL CONFORM TO ATRICLE 4, SIGNS
- 5) PROJECT WILL COMPLY WITH SECTION 6.301, LANDSCAPING
- 6) PROJECT WILL COMPLY WITH SECTION 6.302, URBAN FORESTRY

Director of Planning and Development \_\_\_\_\_ Date \_\_\_\_\_

Zoning Case # ZC-19-193 Prepared: November 11, 2019

**PRELIMINARY  
FOR REVIEW ONLY**  
Not for Construction or Permit Purposes

Engineer DAVID GREGORY  
P.E. No. 89296 Date 11/22/19

SCALE: 1"=60'  
DRAWN: DCG  
DATE: 11/22/19  
SHEET NO. 1  
OF 1

**ZONING CHANGE EXHIBIT  
G TO CUP/G**

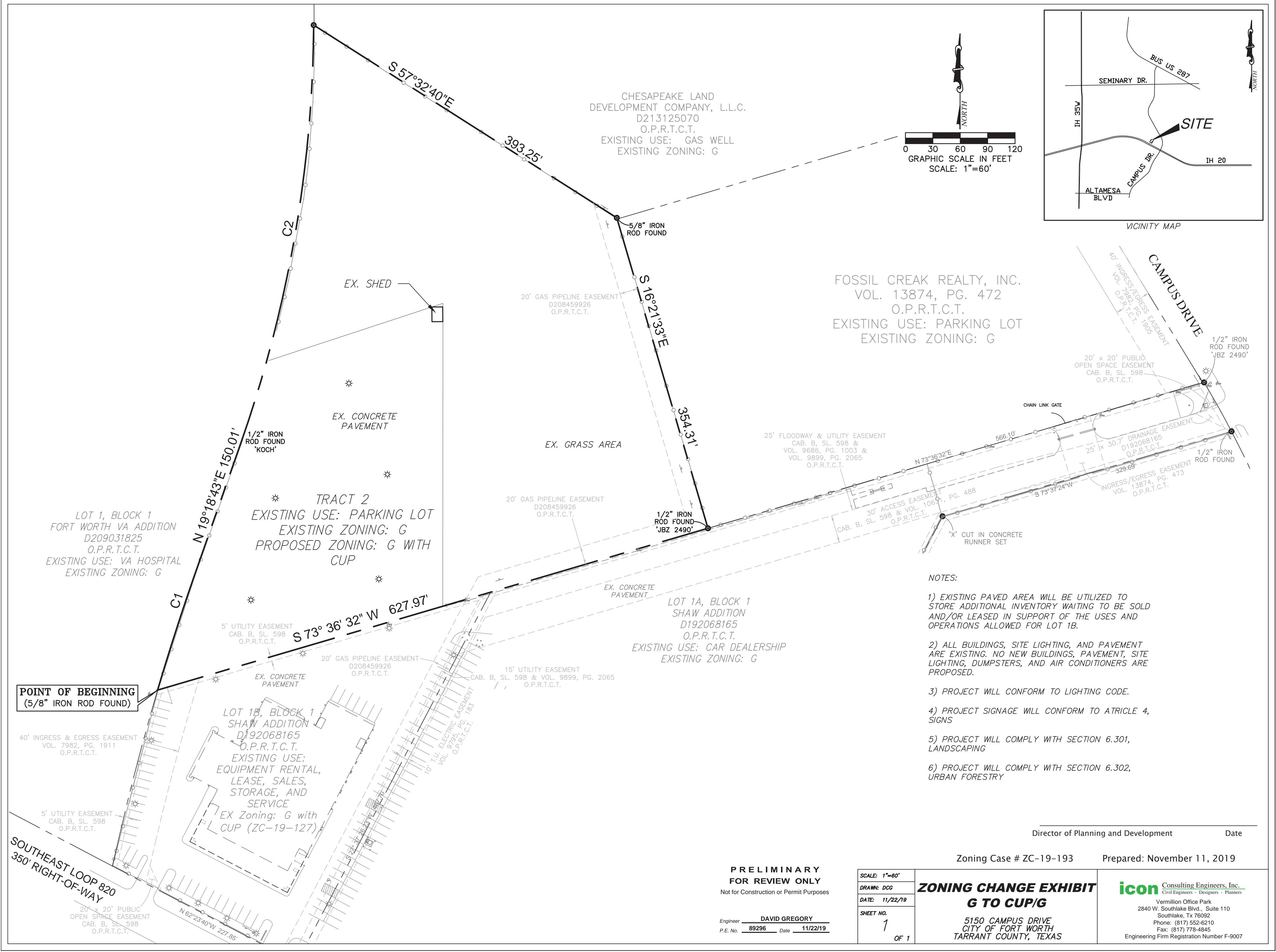
5150 CAMPUS DRIVE  
CITY OF FORT WORTH  
TARRANT COUNTY, TEXAS

**icon** Consulting Engineers, Inc.  
Civil Engineers - Designers - Planners  
Vermillion Office Park  
2840 W. Southlake Blvd., Suite 110  
Southlake, TX 76092  
Phone: (817) 552-6210  
Fax: (817) 778-4845  
Engineering Firm Registration Number F-9007

**POINT OF BEGINNING**  
(5/8" IRON ROD FOUND)

SOUTHEAST LOOP 820  
350' RIGHT-OF-WAY

20' x 20' PUBLIC  
OPEN SPACE EASEMENT  
CAB. B, SL. 598  
O.P.R.T.C.T.



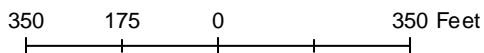
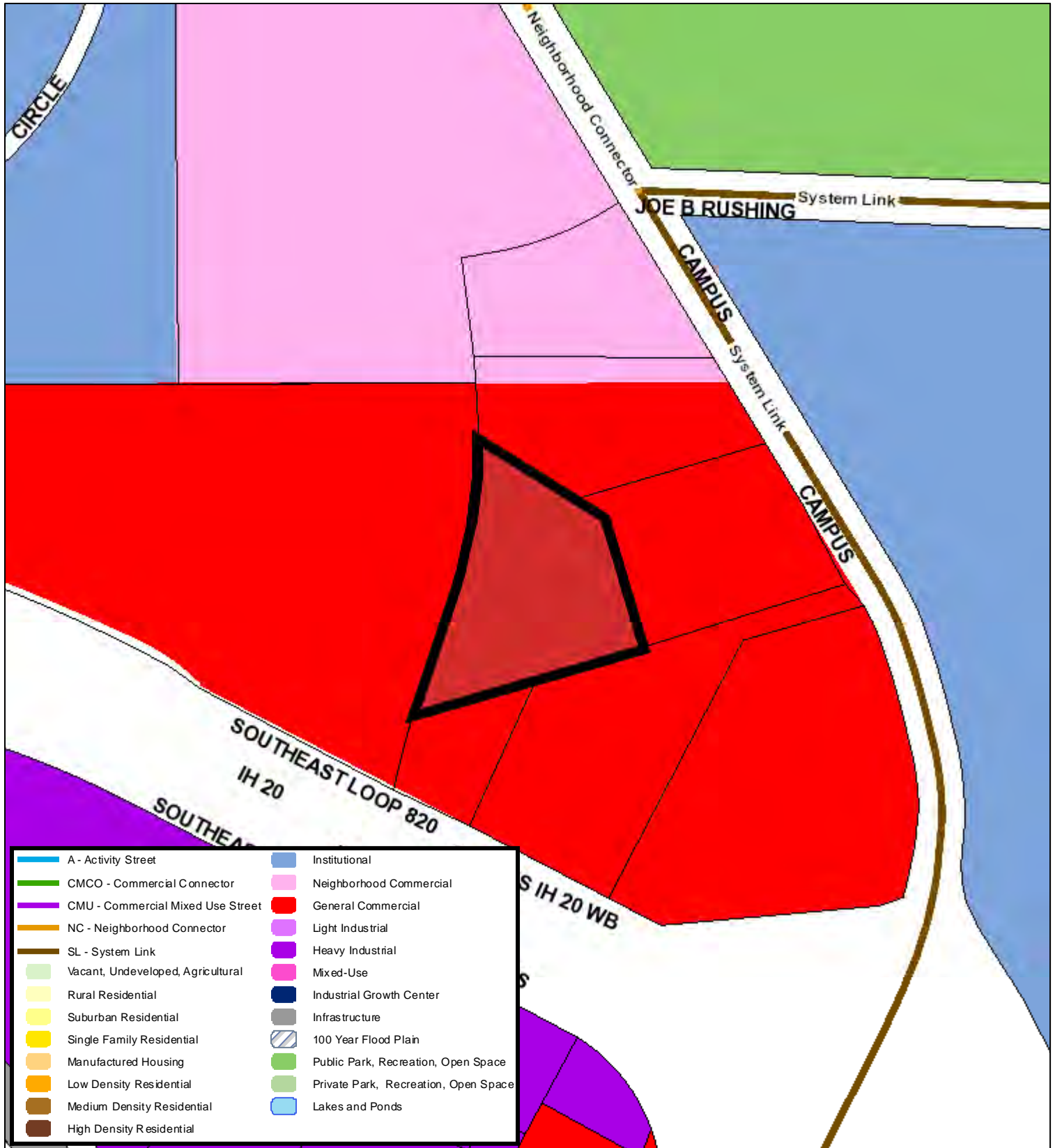


### Area Map





### 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**



0 220 440 880 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.