



Zoning Staff Report

Date: January 23, 2024

Case Number: ZC-23-164

Council District: 8

Zoning Map Amendment

Case Manager: [Shad Rhoten](#)

Owner / Applicant: Perance, LLC / Gunner Chi, Teague Nall and Perkins, Inc

Site Location: 2000 Block of Greybull Trail, Old Glory Trail; Otter Court; Cut Bank Trail;
9000 Block of Beaver Trail; 2101 and 2193 Cunningham Road **Acreage:** 26.03

Request

Proposed Use: Single Family Residential

Request: To: Amend “PD 411” Planned Development/Specific Use for all uses in “A-5” One-Family with 50-foot buffer along eastern property line to remove the requirement for a 50-foot buffer along the eastern property line; site plan waiver requested

Recommendation

Land Use Compatibility:	Requested change is compatible
Comprehensive Plan Map Consistency:	Requested change is consistent
Comprehensive Plan Policy Consistency:	Requested change is not consistent
Staff Recommendation:	Approval
Zoning Commission Recommendation:	Approval by a vote of 9-0

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Project Description and Background

The subject property is approximately 26 acres situated southwest of the intersection of Crowley and Cunningham Road within Council District 8. The property is a developing residential subdivision containing 115 single family residential lots. The property was rezoned Planned Development for “A-5” One Family uses in 2001 (Ordinance 14714). The purpose of the Planned Development was to establish a 50-foot buffer on the east side of this residential development.

At the time of zoning, the area was primarily industrial in nature. There were concerns raised the residential uses would encroach into existing industrial uses located along Crowley Rd. In response, the City Council required the 50-foot buffer as part of the zoning approval through the Planned Development. The development is now continuing to build out and the applicant seeks to remove the 50-buffer requirement. The applicant’s comments are provided below:

This property South Fork currently has PD411 zoning. In the zoning document verbiage page 5 it states "From "AG" Agricultural & "J" Medium Industrial to "PD/A-5" Planned Development/Specific Use for all uses in "A-5" district **with a 50' buffer along east property line.**"

We would like to request to remove the "50' buffer along east property line" verbiage from the PD411 zoning document. We do not think the 50' buffer applies any longer since the east neighbor is a church and floor retailer. In addition, this 50' buffer prevents us from building a normal size house pad with a lot depth of 110' and a 20' build line. That only leaves us a 40' pad depth which would not be ideal. Therefore, we would like to request this change in the PD411 zoning.

The area that adjoins this property to the east is currently zoned “J” Medium Industrial. There are two developed parcels within this area that contain a church and floor retailer. The remaining tracts are undeveloped north to Cunningham Road. Since the properties are zoned “J” and adjacent to “A-5”, they would have a supplemental building setback of 50 feet with bufferyard as a development standard. This would be applicable to ne development and/or change in use for the existing church and floor retailer.

No further amendments are proposed under this application. The applicant solely seeks to remove the 50-foot buffer requirement from the east side of the development. The use will remain single-family residential and develop according to the “A-5” standards found in Zoning Ordinance, Section 4.705. The applicant is requesting a site plan waiver as no change in use is occurring and the plat of record was filed for the development in 2006 (see attached). The removal of the 50-foot setback from PD 411 appears to be reasonable and staff is supportive of the request.

Surrounding Zoning and Land Uses

North: “A-5” One-Family, “AG” Agricultural, “E” Neighborhood Commercial / single family residential, undeveloped

East: “J” Medium Industrial / church, floor retailer

South: “J” Medium Industrial / manufacturing

West: “J” Medium Industrial / undeveloped

Recent Zoning History

- ZC-01-047 – From: “AG” and “J” to “PD/A-5” Planned Development/Specific Use for all uses in “A-5” One-Family with 50-foot buffer along eastern property line; Ordinance 14714. *Approved*

Public Notification

300-foot Legal Notifications were mailed on November 30, 2023.
The following organizations were emailed on November 30, 2023:

Organizations Notified	
Meadowcreek South HOA	Lincolnshire NA *
Willow Creek NA	District 6 Alliance
Streams and Valleys Inc	Trinity Habitat for Humanity
Crowley ISD	

**Located within this registered Neighborhood Organization*

Development Impact Analysis

Land Use Compatibility

The site is bounded by “J” Medium Industrial to the east, south and west. Property to the north across from Cunningham Road are currently zoned “A-5”, “AG” Agricultural and “E” Neighborhood Commercial. The subject property adjoins a manufacturing/fabrication company to the south and a flor retailer and church to east. The northern portion of the subject property is inundated by the FEMA special flood hazard area and is platted as a HOA lot (see attached recorded plat). There are existing residences within the subject property although the entire development is not built out completely.

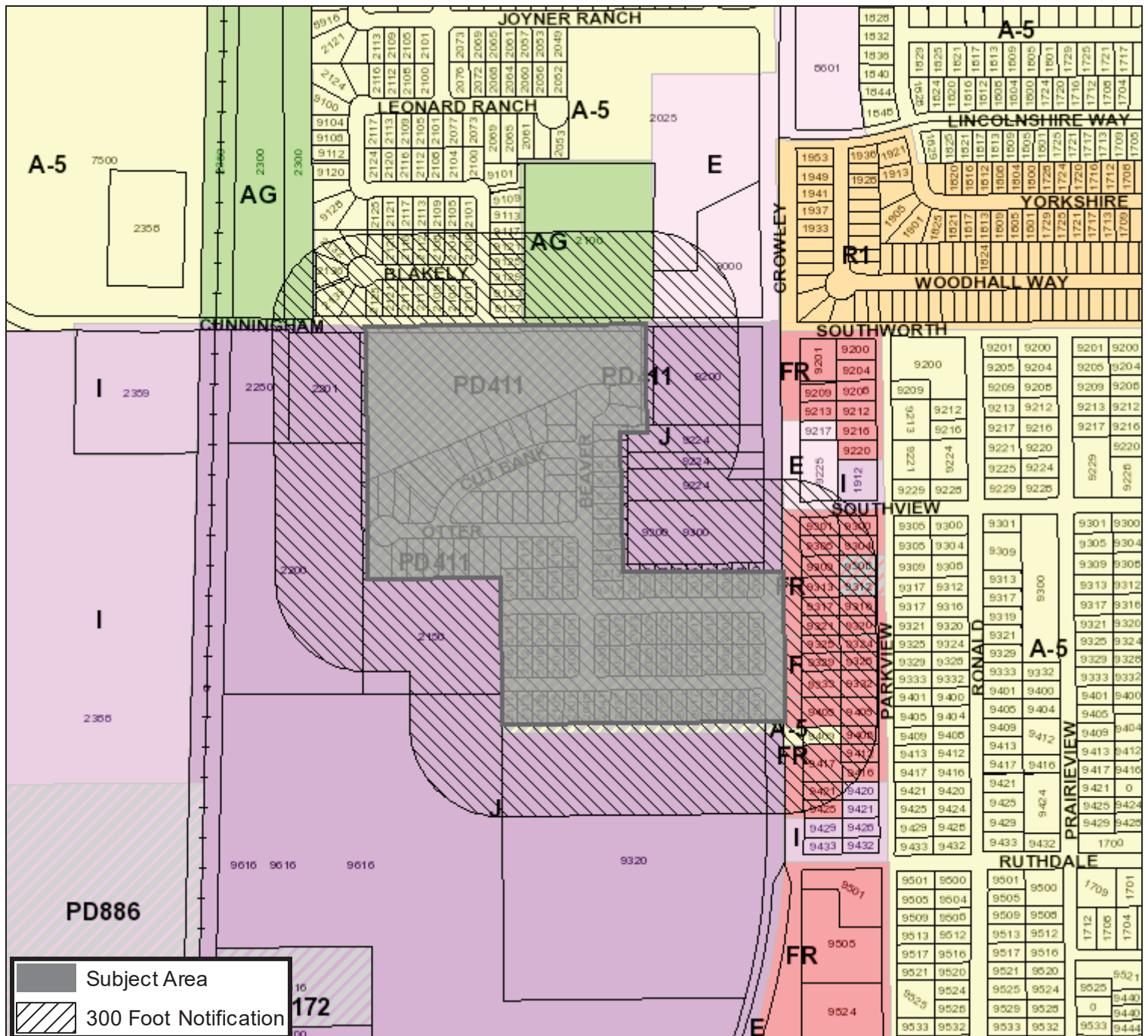

There is no change of use proposed with this application and the zoning has been in place for over two decades. The use **is compatible**.

Comprehensive Plan Consistency – Sycamore

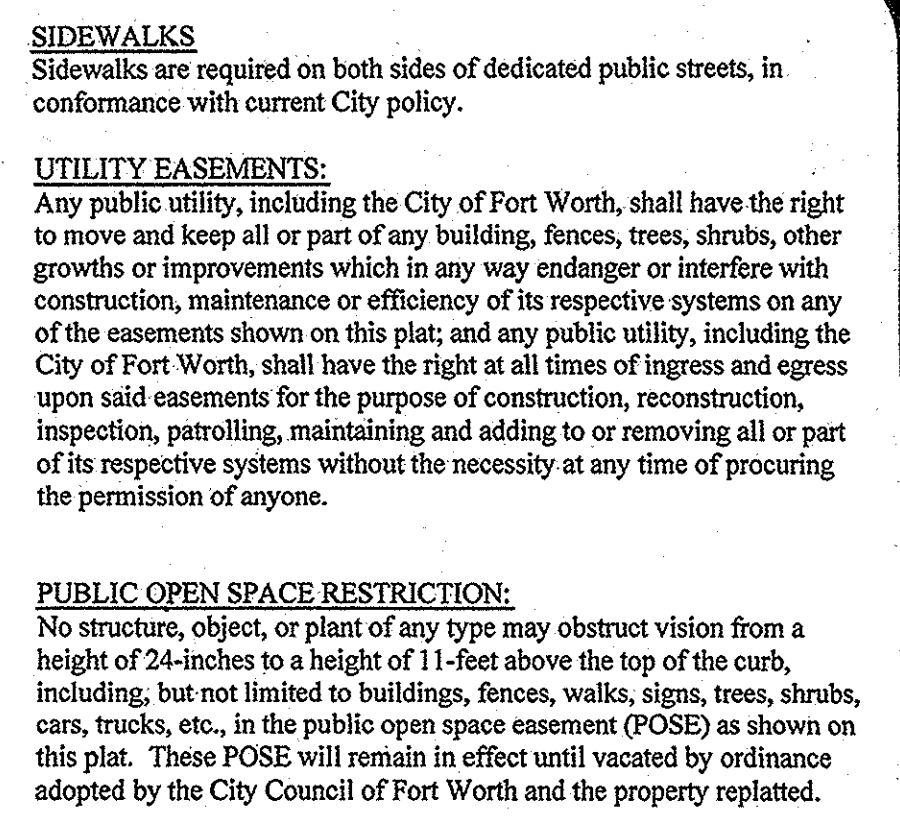
The 2023 Comprehensive Plan currently designates the subject property as Single Family Residential on the Future Land Use Map. Furthermore, this application does not seek to change allowable uses previously established under ZC-01-047. The purpose of this PD amendment is to remove the requirement for 50-buffer along the east property line only. The proposed zoning is consistent with the land use designations for this area.

This request **is consistent** with the Comprehensive Plan future land use map designation but does not address any land use policy specific to the Sycamore sector.

Applicant: Perance LLC
 Address: 2000 Block of Greybull Trail, Old Glory Trail, Otter Court; Cut Bank Trail; 9000 Block of Bear
 Zoning From: PD/A-5
 Zoning To: to amend existing PD to remove 50' buffer requirement
 Acres: 26.27596551
 Mapsco: Text
 Sector/District: Sycamore
 Commission Date: 12/13/2023
 Contact: null



0 235 470 940 Feet



FLOODPLAIN RESTRICTION:

No construction shall be allowed within the floodplain easement, without the written approval of the Director of Transportation and Public Works. In order to secure approval, detailed engineering plans and/or studies for the improvements, satisfactory to the Director, shall be prepared and submitted by the party(ies) wishing to construct within in the floodplain. Where construction is permitted, all finished floor elevations shall be a minimum of one (1) foot above the 100-year flood elevation.

FLOODPLAIN/DRAINAGEWAY MAINTENANCE:

The existing creek, stream, river, or drainage channel traversing along or across portions of this addition, will remain unobstructed at all times and will be maintained by the individual lot owners whose lots traversed by, or adjacent to, the drainage ways. The City of Fort Worth will not be responsible for the maintenance, erosion control, and/or operation of said drainage ways. Property owners shall keep the adjacent drainage ways traversing their property clean and free of debris, silt or other substances which would result in unsanitary conditions, and the City shall have the right of entry for the purpose of inspecting the maintenance work by the property owners. The drainage ways are occasionally subject to storm water overflow and/or bank erosion that cannot be defined. The City of Fort Worth shall not be liable for any damages resulting from the occurrence of these phenomena, nor the failure of any structure(s) within the drainage ways. The drainage way crossing each plot is contained within the floodplain easement line as shown on this lot.

PLAT NOTES:

1. Bearings based on deed call bearing along west property line.
2. Refer to Sheet 2 of 2 this Plat for Metes and Bounds descriptions for entire property to be platted, Block 7, Lots 11 & 16.
3. All lot and property corners shall be set with 1/2-inch iron rods with cap stamped "SPOONER RPLS 4183" unless otherwise noted.
4. All streets including R.O.W. are dedicated to the public.
5. A portion of the property is located within a FEMA designated 100-year floodplain. The approximate limits of the 100-year floodplain as shown on this plat is based on elevations shown on the FEMA Map Panel No. 48439C0530H dated August 2, 1995.
6. Water and Sanitary sewer to be served by City of Fort Worth.
7. Direct access from single family/duplex residential drives onto arterial roadways are prohibited.
8. No permanent structures shall be constructed over an existing water, sanitary sewer or utility easement.
9. The City of Fort Worth has an ordinance implementing the assessment and collection of water and wastewater impact fees. The total amount assessed is established on the filing date of this plat application, based upon schedule I of the current impact fee ordinance. The amount to be collected is determined under schedule II of said ordinance, and becomes effective on the date a building permit is issued, or the connection date to the municipal water and/or wastewater system.
10. All lots have a 10' utility easement along and parallel to public street right-of-ways and are not shown on plat for clarity.
11. No construction shall be allowed within the floodplain easement, without the written approval of the Director of Transportation and Public Works. In order to secure approval, detailed engineering plans and/or studies for the improvements, satisfactory to the Director, shall be prepared and submitted by the party (ies) wishing to construct within the floodplain. Where construction is permitted, all finished floor elevations shall be a minimum of two feet above the 100-year flood elevation.
12. All lots have a 5' side building set back unless otherwise noted on the plat.
13. All lots have a 20' front building set back unless otherwise noted on the plat.

FINAL PLAT
SOUTH FORK ADDITION
CONTAINING 116 LOTS
TOTALING 26.0325 ACRES
AN ADDITION TO THE CITY OF
FORT WORTH, TARRANT COUNTY
SITUATED IN THE
S.A. & M.G. RR CO. SURVEY
ABSTRACT NO. 1462

ENGINEER:
Arthur and Wallendorf Consultants, Inc.
376 West Main, Suite E
Lewisville, Texas 75057
972-353-8863
Craig A. Wallendorf, P.E. #88677

REVISED: 4-26-06
CASE NO. FP-004-138

UTILITY EASEMENTS:

Any public utility, including the City of Fort Worth, shall have the right to move and keep all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat; and any public utility, including the City of Fort Worth, shall have the right at all times of ingress and egress upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

FLOODPLAIN RESTRICTION:

No construction shall be allowed within the floodplain easement, without the written approval of the Director of Transportation and Public Works. In order to secure approval, detailed engineering plans and /or studies for the improvements, satisfactory to the Director, shall be prepared and submitted by the party(ies) wishing to construct within in the floodplain. Where construction is permitted, all finished floor elevations shall be a minimum of one (1) foot above the 100-year flood elevation.

FLOODPLAIN/DRAINAGEWAY MAINTENANCE:

The existing creek, stream, river, or drainage channel traversing along or across portions of this addition, will remain unobstructed at all times and will be maintained by the individual-lot owners whose lots traversed by, or adjacent to, the drainage ways. The City of Fort Worth will not be responsible for the maintenance, erosion control, and/or operation of said drainage ways. Property owners shall keep the adjacent drainage ways traversing their property clean and free of debris, silt or other substances which would result in unsanitary conditions, and the City shall have the right of entry for the purpose of inspecting the maintenance work by the property owners. The drainage ways are occasionally subject to storm water overflow and/or bank erosion that cannot be defined. The City of Fort Worth shall not be liable for any damages resulting from the occurrence of these phenomena, nor the failure of any structure(s) within the drainage ways. The drainage way crossing each lot is contained within the floodplain easement line as shown on this plat.

ENTIRE PROPERTY (POBI)

SITUATED in the City of Fort Worth, Tarrant County, Texas and being a tract of land out of the S. A. & M. G. RR. CO. Survey, Abstract No. 1462 and being a portion of that parcel of land conveyed to N. L. Franklin by deed as recorded in Volume 14251, Page 205 of the Deed Records of Tarrant County, Texas (D.R.T.C.T.), said tract being herein more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found at the southeast property corner of the said N. L. Franklin parcel, said point also being the northeast property corner of Lot 1, Block 1 of Clardy Addition, being an addition to the City of Fort Worth according to the plat as recorded in Volume 388-24, Page 38 of the Plat Records of Tarrant County, Texas (P.R.T.C.T.), said point also being on the existing westerly right-of-way line of Crowley Road (FM 731);

THENCE, South 89 degrees 23 minutes 39 seconds West, along the southerly property line of the said Franklin parcel and along the northerly property line of the said Lot 1, 855.88 feet to a 3/8" iron rod found on an easterly property line of a tract of land conveyed to Robert L. Thomas by deed recorded in Volume 11020, Page 507 of the D.R.T.C.T.;

THENCE, North 00 degrees 26 minutes 08 seconds West, along the westerly property line of the said Franklin parcel and along the said easterly property line of the Thomas tract, 472.53 feet to a 1/2" iron rod found at the most southerly northeast property corner of the said Thomas tract;

THENCE, South 89 degrees 23 minutes 41 seconds West, along a southerly property line of the said Franklin parcel and along a northerly property line of Thomas tract, 444.41 feet to a 60 D nail found for corner;

THENCE, North 00 degrees 47 minutes 40 seconds West, along a westerly property line of the said Franklin parcel and along an easterly property line of the said Thomas tract, 818.17 feet to a 60D nail found at the northwest property corner of the said Franklin parcel, said point also being the northeast property corner of a tract of land conveyed to Burl C. Hansen by deed recorded in Volume 14072, Page 116 of the D.R.T.C.T., said point also being on the existing southerly right-of-way line of Cunningham Road;

THENCE, North 89 degrees 41 minutes 13 seconds East, along the northerly property line of the said Franklin parcel and along the said right-of-way line, 901.53 feet to a 1/2" iron rod set for corner;

THENCE, South 00 degrees 17 minutes 29 seconds East 333.85 feet to a 1/2" iron rod set on the northerly property line of a tract of land conveyed to the Trustees of Trinity Baptist Church by deed recorded in Volume 9686, Page 1220 of the D.R.T.C.T.;

THENCE, South 89 degrees 26 minutes 45 seconds West, along the southerly property line of the said Franklin tract and along the said northerly property line of the Church tract, 40.09 feet to a 1/2" iron rod set for corner;

THENCE, South 00 degrees 32 minutes 02 seconds East 246.21 feet to a 1/2" iron rod found at the northwest corner of Lot 4, Block 1 of Kinnard Addition, being an addition to the City of Fort Worth, according to the plat recorded in Volume 388-161, Page 8 of the P.R.T.C.T.;

THENCE, South 00 degrees 39 minutes 23 seconds East, along an easterly property line of the said Franklin parcel and along the westerly property line of the said Lot 4, 196.83 feet to a 5/8" iron rod found for corner;

THENCE, North 89 degrees 25 minutes 05 seconds East, along a northerly property line of the said Franklin parcel and along the southerly property line of the said Lot 4, 442.00 feet to a 1/2" iron rod set at the northeast property corner of the said "Tract 3" of the Franklin parcel, said point also being on the said westerly right-of-way line of Crowley Road;

THENCE, South 00 degrees 37 minutes 08 seconds East, along the easterly property line of the said Franklin parcel and along the said right-of-way line, 509.06 feet to the POINT OF BEGINNING.

The tract of land being herein described contains 26.0325 acres (1,133,976 square feet) of land.

SURVEYORS CERTIFICATE §

THAT I, Shaun Spooner, do hereby certify that I prepared this plat from an actual and accurate survey on the ground of property and that all block monuments and corners were placed under my personal supervision.

Shaun Spooner

SHAUN SPOONER, Registered Professional Land Surveyor NO. 4183

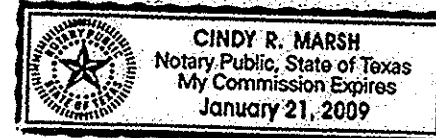
STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned authority, on this day personally appeared *Shaun Spooner* known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and considerations therein expressed, in the capacity therein stated and as the act and deed of said association.

Given under my hand and seal of office on this the 1st day of May, 2006.

Cindy R. Marsh
Notary Public in and for the State of Texas

My Commission expires: 1/21/09



STATE OF TEXAS
COUNTY OF TARRANT

THAT, *Trae Fowler* does hereby adopt this plat designating the above described three (3) tracts of land as Tract 1, Tract 2, and Tract 3, SOUTH FORK ADDITION, an Addition to City of Fort Worth, Tarrant County, Texas and do hereby dedicate the public's use the streets and easements as shown.

Witness under my hand this the 1st day of May, 2006.

Trae Fowler
Trae Fowler, President
North Texas Land Development

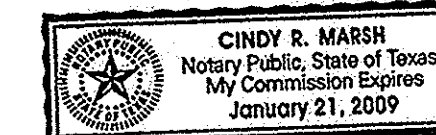
STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned authority, on this day personally appeared *Trae Fowler* known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and considerations therein expressed, in the capacity therein stated and as the act and deed of said association.

Given under my hand and seal of office on this the 1st day of May, 2006.

Cindy R. Marsh
Notary Public in and for the State of Texas

My Commission expires: 1/21/09



CITY OF FORT WORTH, TEXAS
CITY PLAN COMMISSION

NOTE:
THIS PLAT IS VALID ONLY IF RECORDED WITHIN SIX (6)
MONTHS AFTER DATE OF APPROVAL

PLAT APPROVED DATE _____

BY: _____ CHAIRMAN

BY: _____ SECRETARY



AUTHORIZED BY THE ORDER OF
COMMISSIONERS COURT OF TARRANT
COUNTY, TEXAS

THIS THE _____ DAY OF _____, 2006

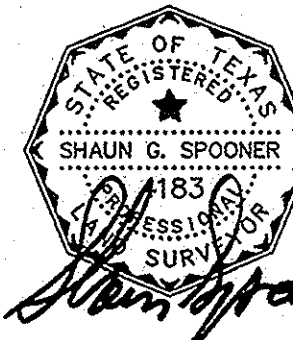
BY: _____ COUNTY CLERK

BY: _____ DEPUTY

DEVELOPER/OWNER:
Spooer & Assoc., Inc.
North Texas Land Development
3220 Jane Lane
Haltom City, Texas 76117
817-925-6111
Trae Fowler, President

SURVEYOR:
Spooer & Assoc., Inc.
7417 Continental Tr.
N. Richland Hills, Texas 76180
817-281-2355
Fax 817-281-1389
Shaun Spooner, R.P.L.S. No. 4183

ENGINEER:
Arthur and Wallendorf Consultants, Inc.
376 West Main, Suite E
Lewisville, Texas 75057
972-353-8863
Craig A. Wallendorf, P.E. No. 88677



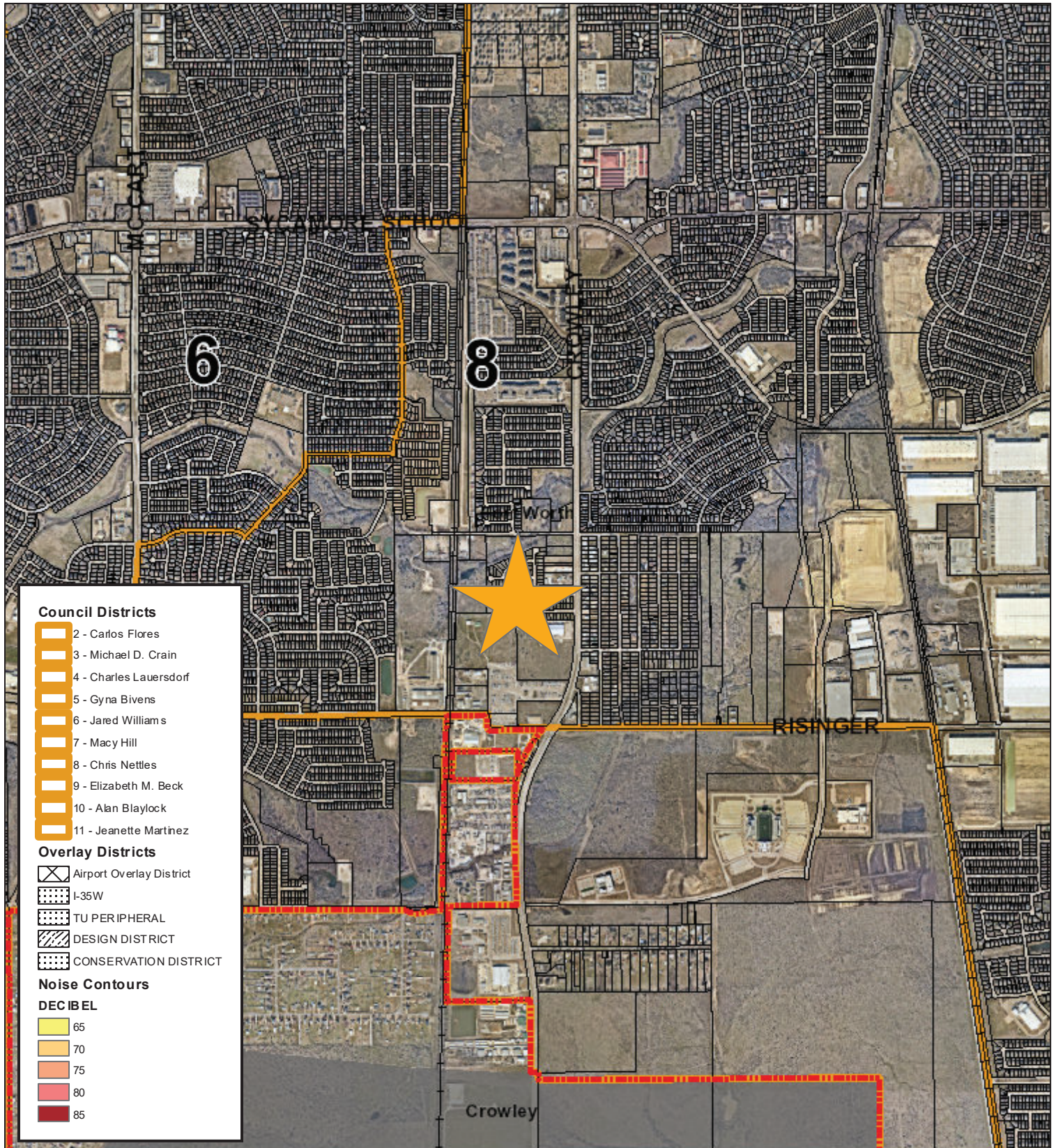
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REVISED: 4-26-06
CASE No. FP-004-138

FILED
2006 MAY -6 PM 2:47
SOUTHERN SURVEYING & MAPPING
CITY OF FORT WORTH, TEXAS

PLAT FILED IN CABINET A, SLIDE 11101, DATED: 5/5/06

Area Map

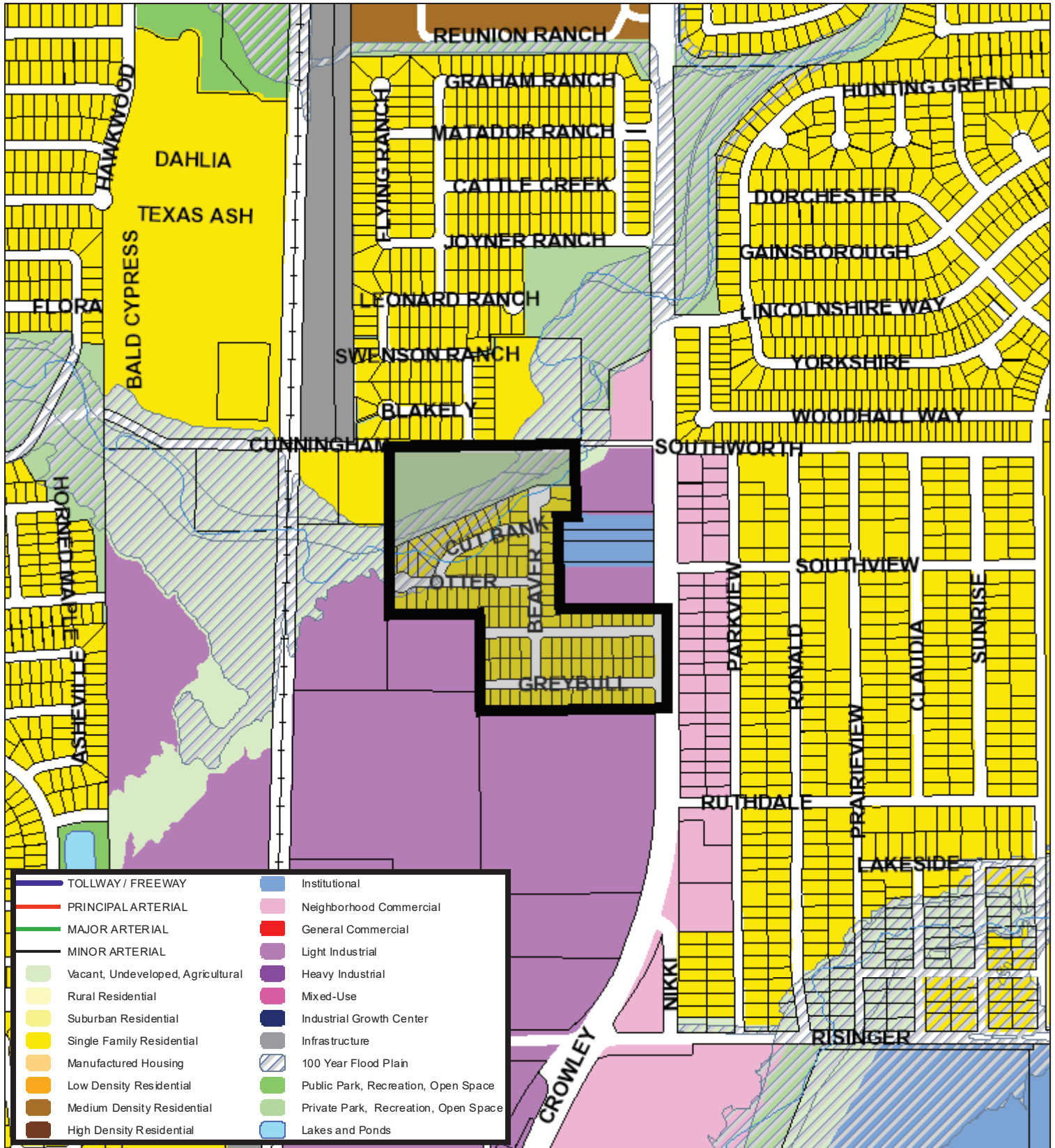


0 1,000 2,000 4,000 Feet



ZC-23-164

Future Land Use



650 325 0 650 Feet

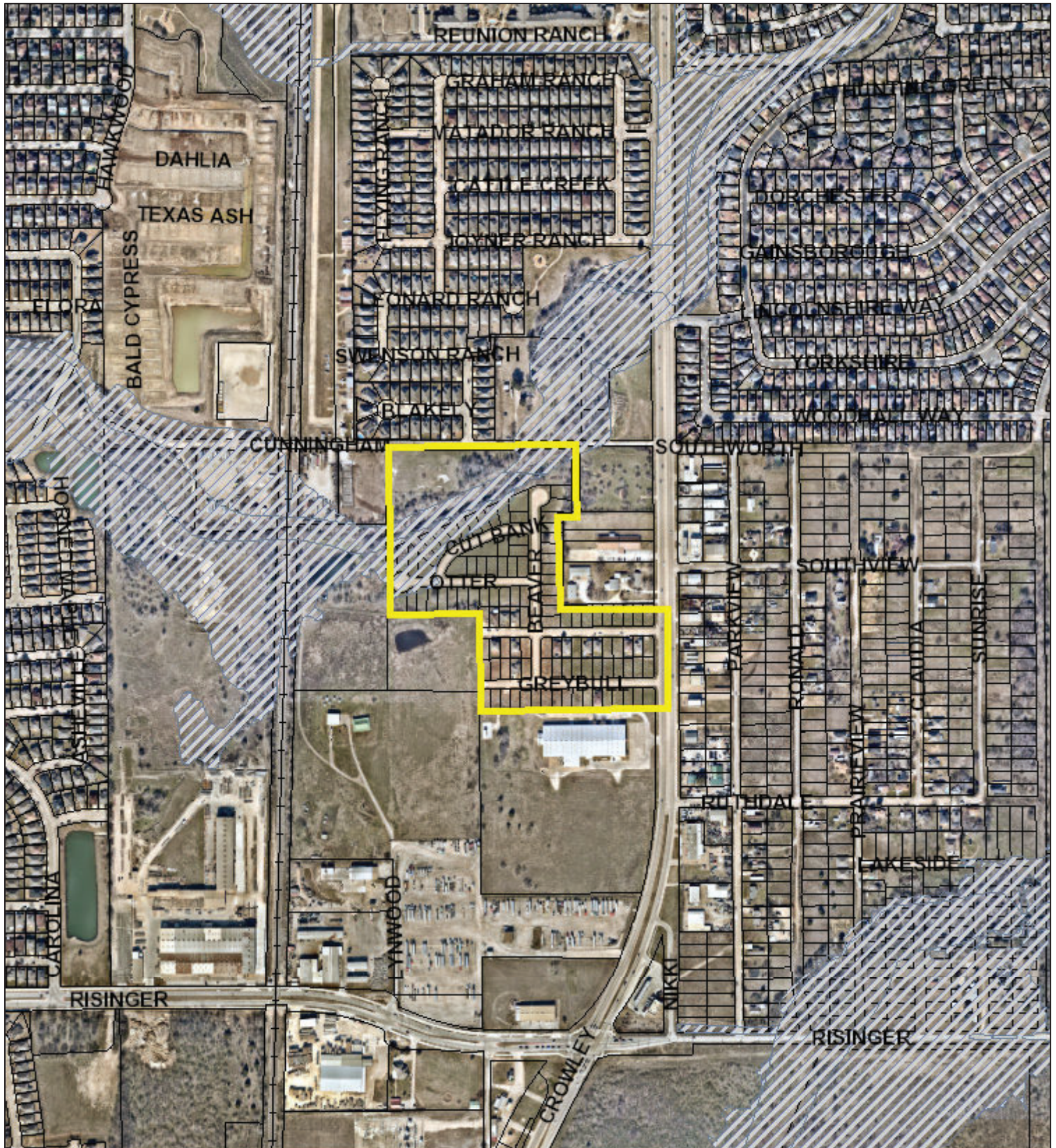
A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 6, 2018.





ZC-23-164

Aerial Photo Map



0 405 810 1,620 Feet

