



ORDINANCE NO. 23812-09-2019

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 21653, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS OF SUCH NUMBER, SHAPE AND AREA AS MAY BE DEEMED BEST SUITED TO CARRY OUT THESE REGULATIONS AND SHOWING SUCH DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:

SECTION 1.

ZC-19-091 6801 Lake Country Drive 4.92 acres

From: "A-5" One-Family and "E" Neighborhood Commercial

To: PD/CR Planned Development for all uses in "CR" Low Density Multifamily with a maximum number of 37 units and 50% open space; Site Plan Approved, attached as Exhibit A and on file in the Planning & Development Department

Description Talon Hill Addition, Block K, Lot 1

ZC-19-101 3211 NW 33rd Street 0.52 acres

Zoning Change:

From: "A-5" One-Family

To: Add Conditional Use Permit (CUP) to allow detached daycare facility for 60 children with waiver to the size of the outdoor play area; Site Plan Approved, attached as Exhibit B and on file in the Planning & Development Department

Description Rosen Heights Second Filing, Block 189, Lots 4, 5 and 6







September 11, 2019

Peter Slaver
1105 Glade Rd. Suite 100
Colleyville, TX 76034

Dear Applicant:

Report of City Council Action taken on case:

Sept. 10, 2019

The Fort Worth City Council has heard case ZC-19-091 and has taken action as follows:

- ☒ **Approval** of the request as heard.
☐ **Denial** of the request as heard.
☐ **Amended** zoning change to _____
☐ **Hearing** is continued until _____
☐ **Return** to Zoning Commission for rehearing on _____

Four (4) copies of the final approved Conditional Use Permit and/or Planned Development site plans must be submitted to the Zoning Section, Planning & Development Department for signature and completion of the zoning process prior to the issuance of a building permit.

If a Conditional Use Permit was approved by the City Council with an expiration date, the CUP will expire in _____ years on _____. An application for renewal of the CUP shall be submitted by the business at least 90 days prior to the expiration date to allow time for processing through the required public hearings.

A building permit will not be issued until the effective date of the zoning change ordinance.

Please contact Rebecca Hernandez in the Zoning Section at (817) 392-8028 or email zoninglanduse@fortworthtexas.gov for further information and assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl Hernandez".

Assistant Director, Planning & Development
cc: Attorney/Representative/Agent



September 11, 2019

BYD Talon Hill Development, LLC
1105 Glade Rd, Suite 100,
Colleyville, TX 76034

Dear Owner:

Report of City Council Action taken on case:

Sept. 10, 2019

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Please contact Rebecca Hernandez in the Zoning Section at (817) 392-8028 or email zoninglanduse@fortworthtexas.gov for further information and assistance.

Sincerely,

Assistant Director, Planning & Development
cc: Attorney/Representative/Agent



August 16, 2019

Peter Slover
1105 Glade Rd, Suite 100
Colleyville, TX 76034

Dear Applicant:

Report of Zoning Commission Action taken on: *August 14, 2019*

The Fort Worth Zoning Commission has acted on case ZC-19-091 and has recommended action as follows:

- ☒ Recommended **Approval** of the request as heard.
- ☐ Recommended **Denial** of the request as heard.
- ☐ Recommended **Substituting** change in classification to _____
- ☐ Hearing is continued until _____

If applicable, Planned Development site plans must be turned in 5 days after the Zoning Commission recommendation for the City Council meeting. The applicant must provide **2 full size amended copies and one 8 1/2 x 11 reduction to the Planning and Development Department** for review.

It is important to emphasize that the applicant or applicant's agent/representative must be present at and during the City Council's review of ZC-19-091 scheduled *Sept 10, 2019* at 7:00 P.M. Council Chambers, Second Floor, City Hall. Relative to the Commission's action, since the Zoning Commission actions are NOT final but are reviewed by the City Council, a zoning change becomes effective only upon passage of the necessary City Ordinance.

An excerpt of the Zoning Commission minutes pertaining to your request for zoning boundary change is being prepared for use by the Council in considering your request. If you have any questions, please contact the Applications Division, Planning and Development Department, Rebecca Hernandez, at (817) 392-8028.

Please note that speaker registration forms for the City Council meeting must be turned in by 6:45 p.m. the day of the meeting. You may also register to speak online in the agenda starting the Friday before the meeting at fortworthtexas.gov or by calling 817-392-6150.

Sincerely,

Deputy Director, Planning & Development



August 16, 2019

BYD Talon Hill Development, LLC
1105 Glade Rd. Suite 100
Colleyville, TX 76034

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Sincerely,

Deputy Director, Planning & Development



**ZONING MAP CHANGE
STAFF REPORT**

Case Number

ZC-19-091

Zoning Commission Meeting Date:

August 14, 2019

Council District

7

| | | |
|-------------------|--------------------|-------------|
| Continued | Yes <u>X</u> | No <u>—</u> |
| Case Manager | <u>Laura Evans</u> | |
| Surplus | Yes <u>—</u> | No <u>X</u> |
| Council Initiated | Yes <u>—</u> | No <u>X</u> |

Owner / Applicant:

BYD Talon Hill Development LLC

Site Location:

6801 Lake Country Dr

Proposed Use:

Multifamily

Request:

From: "A-5" One Family and "E" Neighborhood Commercial

To:

PD/CR Planned Development for all uses in "CR" Low Density Multifamily with a maximum number of 37 units and 50% open space, site plan included.

Land Use Compatibility:

Requested change is compatible.

Comprehensive Plan Consistency:

Requested change is consistent (Technical Inconsistency).

Staff Recommendation:

Approval

Background:

The applicant is requesting a zoning change to allow for low density multifamily apartments. The property is located at the northwest corner of Robertson Road and Lake Country Drive. The applicant has indicated they will be developing the site in townhouse form with 37 units.

During the June Zoning Commission hearing, there was some concern regarding the multifamily zoning, and the applicant offered a planned development with a site plan in order to limit the number of units as well and the layout of the site. They are requesting a waiver to the required open space. "CR" zoning requires a minimum of 60% open space. The site plan provided indicates 50% open space.

The case was continued at the July Zoning Commission hearing to allow the applicant to meet with any opposition. There have not been any additional updates at the time of this report.

Site Information:

Owner:

BYD Talon Hill Development LLC
1105 Glade Rd Suite 100
Colleyville, TX 76034

Agent:

Joseph Reue/Burgess & Nipple

Acreage:

4.92 ac

Comprehensive Plan Sector:

Far Northwest

Surrounding Zoning and Land Uses:

North "A-5" One Family / single family
East "A-5" One Family / undeveloped
South "E" Neighborhood Commercial / undeveloped
West "CF" Community Facilities / church

Site Plan Comments:

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

1. "CR" zoning requires a minimum of 60% open space. The site plan indicates 50% (*waiver required*).

Compliance with the item noted above shall be reflected on the site plan or waivers are required.

Stormwater Comments: No comments at this time.

Water Comments: No comments at this time.

PARD Comments: No comments at this time.

TPW Comments: No comments at this time.

Fire Comments: No comments at this time.

(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) |
|---------------------|------------------------|------------------------|------------------------------------|
| Robertson Rd | Neighborhood Connector | Neighborhood Connector | No |
| Lake County Dr | Neighborhood Connector | Neighborhood Connector | No |

Bus route: There is not a bus route in the vicinity of the site.

Public Notification:

300 foot Legal Notifications were mailed on June 20, 2019.

The following organizations were notified: (June 17, 2019)

| Organizations Notified | | |
|------------------------------|----------------------------|--|
| Eagle Ranch POA* | Streams And Valleys Inc | |
| Trinity Habitat for Humanity | Eagle Mountain-Saginaw ISD | |

*Located in this registered neighborhood organization

Recent Relevant Zoning and Platting History:

Zoning History: None
Platting History: None

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change from "E" and "A-5" to "CR" which is presented as a townhouse form. Surrounding land uses include single family and undeveloped land with a church to the west.

Due to the location on two arterials, the proposed zoning request **is compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2019 Comprehensive Plan designates the site as Single Family. While the proposed use does not conform to the future land use designation, it conforms to with the Comprehensive Plan policy below:

- Encourage Urban Residential and Low Density Residential as transitional uses between Single-Family Residential and high density uses.

Based on conformance with the future land use map, and policies stated above, the proposed zoning **is consistent (Technical Inconsistency)** with the Comprehensive Plan.

Attachments:

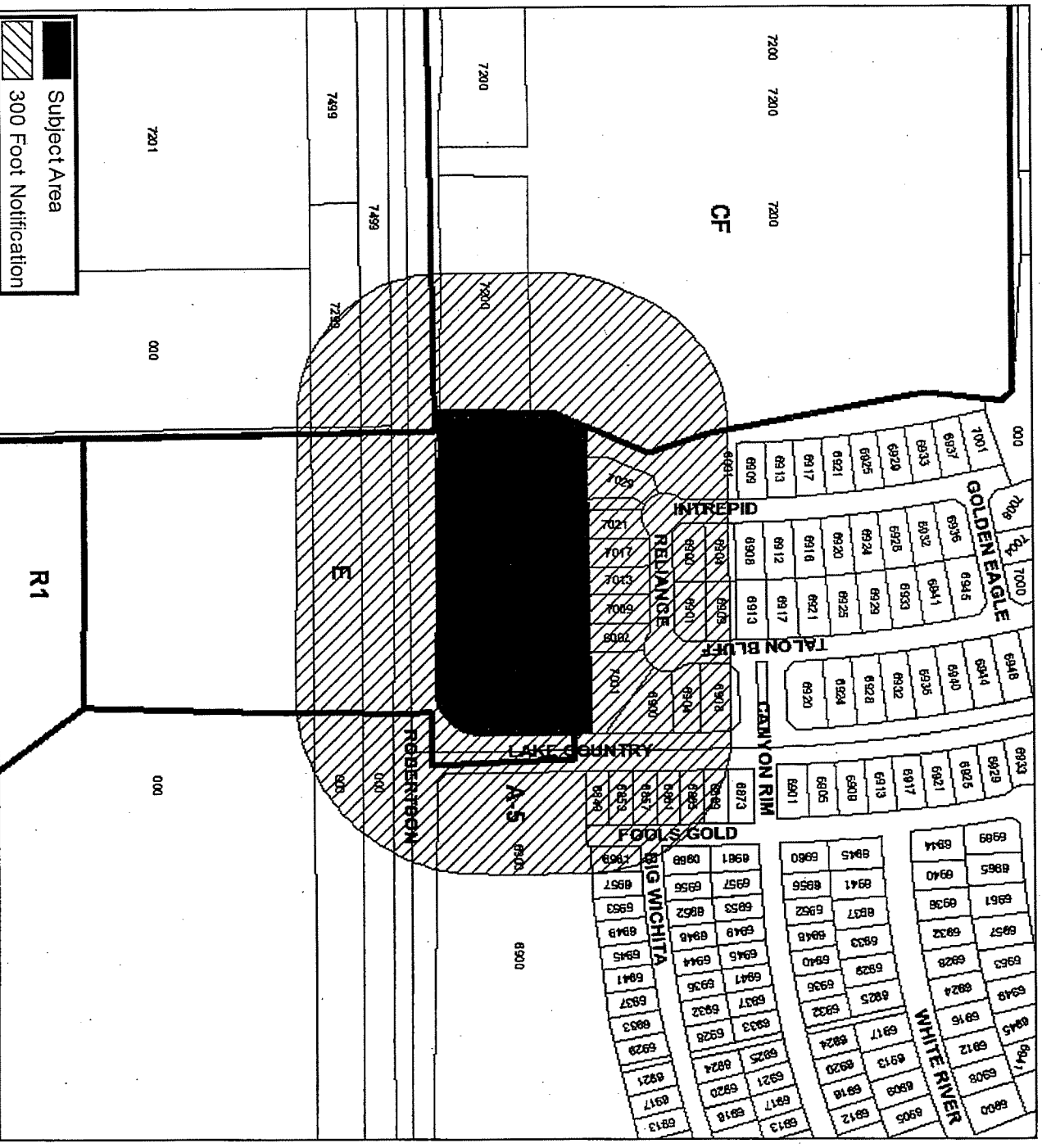
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Minutes from the Zoning Commission meeting



ZC-19-091

Area Zoning Map

Applicant: BYD Talon Hill Development LLC
Address: 6801 Lake Country Dr
Zoning From: A-5, E
Zoning To: PD/CR with a max. of 37 units and 50% open space, site plan incl.
Acres: 4.92048852
Mapsc0: 32S
Sector/District: Far Northwest
Commission Date: 7/10/2019
Contact: 817-392-8043

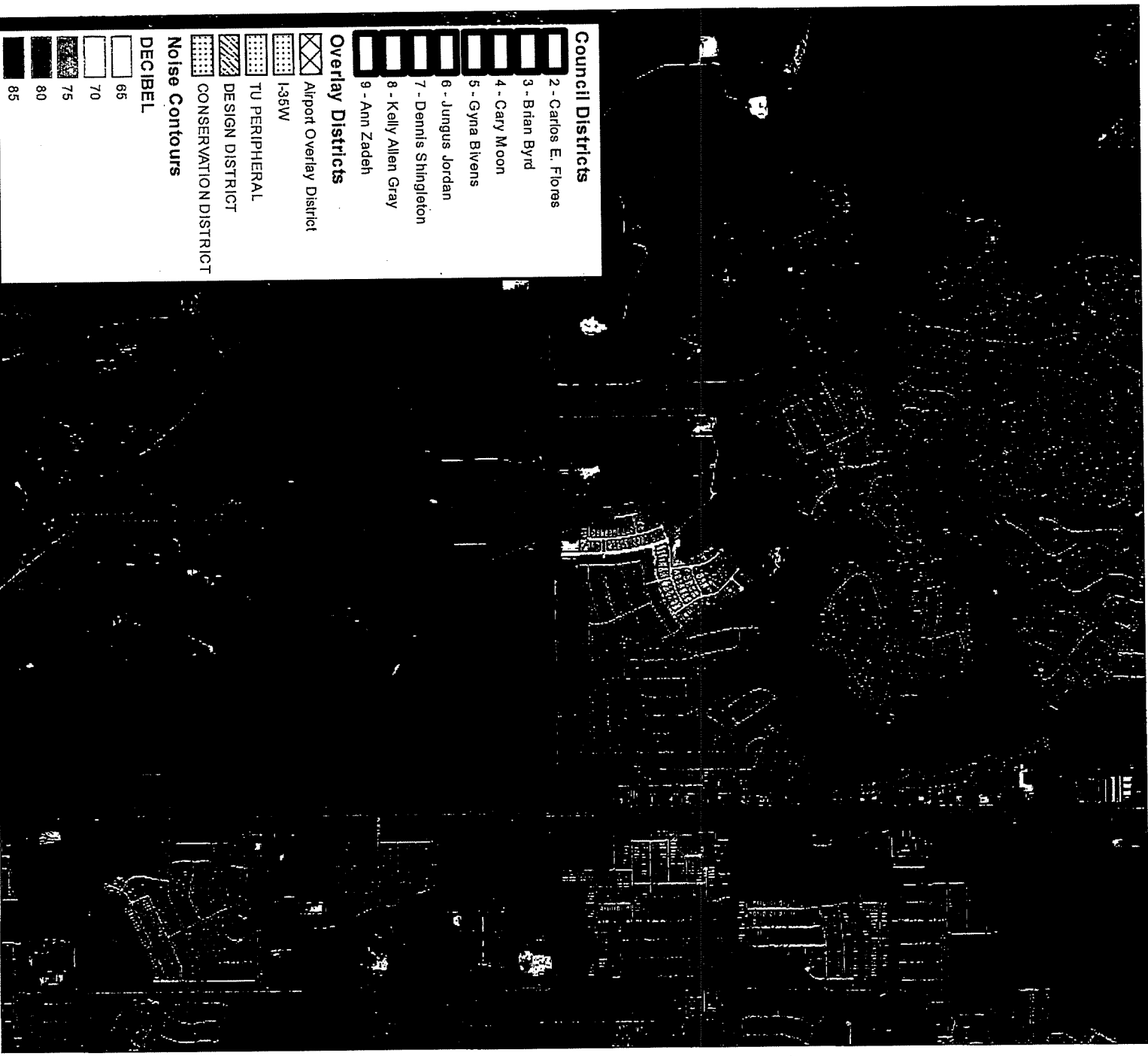


0 150 300 600 Feet

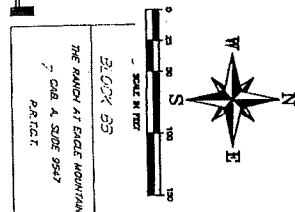


ZC-19-091

Area Map



0 1,000 2,000 4,000 Feet





ZC-19-091

Future Land Use



325 162.5 0 325 Feet

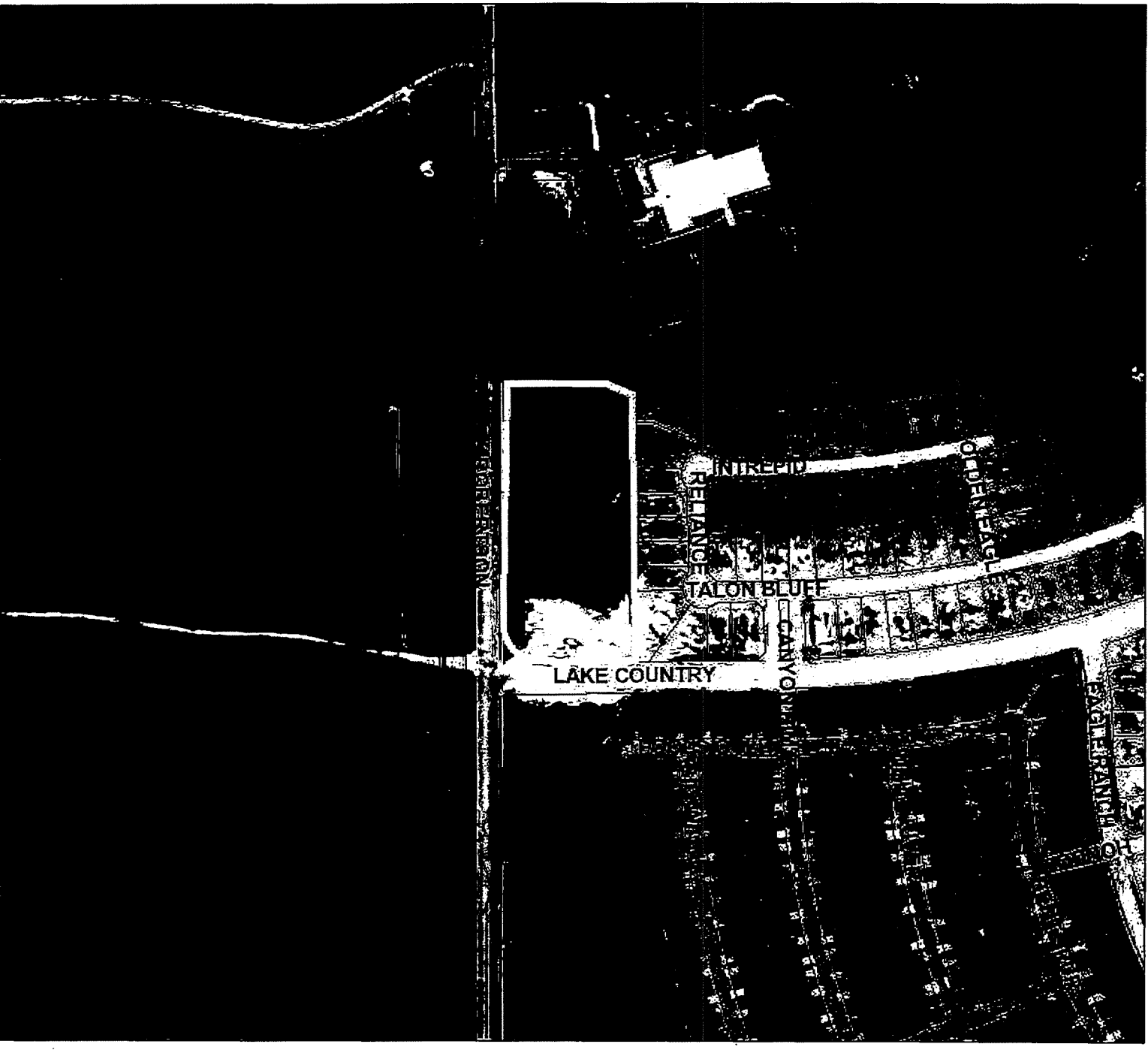
A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 5, 2019.

Created: 5/21/2019 12:08:30 PM



ZC-19-091

Aerial Photo Map



0 205 410 820 Feet





ZC-19-091

Council District 7

Approval by a vote of 9-0

| | | | |
|-------------------|--------------------|----|---|
| Continued | Yes | No | X |
| Case Manager | <u>Laura Evans</u> | | |
| Surplus | Yes | No | X |
| Council Initiated | Yes | No | X |

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