

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** September 10, 2018
SUBJECT: ZC 2018-10, Ordinance No. 3535, Public hearing and consideration of a request from Hamilton Duffy, P.C., for a zoning change from AG Agricultural to R-2 Single-Family Residential at 7125 Douglas Lane, being 5.942 acres described as Tracts 2Z, 2Z1, 2J, and 2J1, John Condra Survey, Abstract 311.
PRESENTER: Clayton Comstock, Planning Manager

SUMMARY:

On behalf of Chester and Marcia Christopher, Hamilton Duffy is requesting a zoning change from AG Agricultural to R-2 Single-Family Residential on 5.942 acres located on the west side of Douglas Lane between Starnes Road and Hightower Drive.

GENERAL DESCRIPTION:

The site is located on the west side of Douglas Lane across from the North Ridge Middle School property. The character of the development on Douglas Lane is low density single-family residences on estate style lots. These properties are zoned R-1-S Special Single Family and AG Agricultural. The Windcrest neighborhood is located north and west of the site and is zoned R-2 Single Family Residential.

The applicant is requesting a zoning change to R-2 Single Family Residential. The site is unplatted and currently developed with a single-family residence. The property has 325 feet of frontage on Douglas Lane and is approximately 809 feet deep. Based on the proposed zoning, it is estimated that the property could be developed as one single lot or up to twenty residential lots.

Estate Lots

In 2014, the City Council and Planning and Zoning Commission held work sessions to discuss the applicability of estate lots and the R-1-S zoning district in certain areas of the city. Estate lots were viewed as a desired market niche for North Richland Hills as land and house values are typically higher than average. The direction from those discussions was to review zoning cases with the following general policy guidance:

- Encourage R-1-S zoning in the Little Ranch Road/Meadow Creek Road and Continental Trail/Valley Drive areas
- Discourage R-2 zoning within the estate areas
- Discourage R-1-S zoning outside the estate areas
- Incorporate these policies into a future Comprehensive Plan update

The map to the right shows the Little Ranch Road and Meadow Creek Road estate lot area. The property under consideration is located in the northwest portion of the Core Hightower Area. While it is on the perimeter of the area, the property is located within the boundary where the R-1-S zoning district and estate lot development would be considered appropriate.



DRC recommendation

The Development Review Committee recommendation to the Planning and Zoning Commission was for denial of the zoning change. The recommendation was based on the development policy that discourages R-2 Single-Family Residential zoning within the estate lot areas. The policy encourages the R-1-S Special Single Family district in this area. The properties on the west side of Douglas Lane south of this site to Hightower Drive are currently zoned R-1-S and developed as residential estate lots.

PUBLIC INPUT: Following posting of the public hearing signs on the subject property, the Planning & Zoning Department received written opposition to the request. The Texas Local Government Code states in part that if a written petition of opposition is signed by the owners of at least 20% of the area of the lots or land included in the 200-foot notification area surrounding the property, the affirmative vote of at least three-fourths of all members of the governing body is required to approve the request.

The analysis of the written petition indicates that the owners of 46% of the land area signed a petition in opposition to the request. Consequently, approval of the application would require at least six (6) affirmative votes by City Council. A copy of the petition and a map showing the opposition area are attached.

COMPREHENSIVE PLAN: This area is designated on the Comprehensive Land Use Plan as “Low Density Residential.” This designation provides areas for traditional low-density single-family detached dwelling units.

The Strategic Plan Committee reviewed the residential estate lot areas during its discussions on the future land use plan. While the future land use plan recommendations have not yet been ratified by the Committee or adopted by City Council, it is anticipated that this area would be recommended for residential estate development. Final recommendations are planned for consideration by City Council at the end of this year.



CURRENT ZONING: The property is currently zoned AG Agricultural. This district is intended to preserve lands best suited for agricultural use from encroachment of incompatible uses, and to preserve in agricultural use, land suited to eventual development into other uses pending proper timing for practical economical provisions of utilities, major streets, schools, and other facilities so that reasonable development will occur.

PROPOSED ZONING: The proposed zoning is R-2 Single-Family Residential. The R-2 zoning district is intended to provide areas for low-density development of single-family detached dwelling units that are constructed at an approximate density of 4.0 units per acre.

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	R-2 Single-Family Residential	Low Density Residential	Single family residences
WEST	R-2 Single-Family Residential	Low Density Residential	Single family residences
SOUTH	R-1-S Special Single Family	Low Density Residential	Single family residences
EAST	U School, Church and Institutional	Public / Semi-Public	North Ridge Middle School

PLAT STATUS: The property is currently unplatted. Before any new development may occur on the property, a plat will be required to be approved by City Council.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission held a public hearing and considered this item at their August 16, 2018, meeting. After a 2-2 tie vote, the Commission voted to table the item to September 6, 2018. At the September 6 meeting, the item was removed from the table and the public hearing was conducted again. The Commission voted 4-3 to recommend denial of the request.

RECOMMENDATION:

Deny Ordinance No. 3535.