

Notice of a Meeting
Dalworthington Gardens Planning and Zoning Commission

January 12, 2023 at 6:00 p.m.

City Hall Council Chambers, 2600 Roosevelt Drive, Dalworthington Gardens, Texas

The Planning and Zoning Commission reserves the right to adjourn into closed session at any time during the course of this meeting as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney).

1. Call to Order
2. Citizens who wish to speak to the Planning & Zoning Commission Members will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and Planning and Zoning Commission Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.
3. Discussion and possible action regarding an application from Chris Labra with NewGen Printing for a special exception at 2529 W. Arkansas Lane for mobile food units to be on property longer than twenty-four hours in accordance with Section 14.02.321(c)(22) of City ordinances.
4. Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding agrihood regulations.
5. Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding garden home regulations.
6. Adjourn

CERTIFICATION

This is to certify that a copy of the **January 12, 2023** Planning and Zoning Commission Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofdwtg.net, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: _____ TIME OF POSTING: _____ TAKEN DOWN: _____

Lola Hazel, City Administrator

Staff Agenda Report

Agenda Item: 3.

Agenda Subject: Discussion and possible action regarding an application from Chris Labra with NewGen Printing for a special exception at 2529 W. Arkansas Lane for mobile food units to be on property longer than twenty-four hours in accordance with Section 14.02.321(c)(22) of City ordinances.

Background Information: A request has been received from Chris Labra with NewGen Printing for a special exception to allow mobile food units to stay on site longer than twenty-four hours. The Commission's recommendation will go to City Council in February for final consideration.

Recommended Action/Motion: Board options:

Recommend approval an application from Chris Labra with NewGen Printing for a special exception at 2529 W. Arkansas Lane for mobile food units to be on property longer than twenty-four hours in accordance with Section 14.02.321(c)(22) of City ordinances.

OR

Recommend denial an application from Chris Labra with NewGen Printing for a special exception at 2529 W. Arkansas Lane for mobile food units to be on property longer than twenty-four hours in accordance with Section 14.02.321(c)(22) of City ordinances.

Attachments: Agrihood Sections of Comp Plan

ZONING BOARD OF ADJUSTMENT APPLICATION
CITY OF DALWORTHINGTON GARDENS

Christopher Labra

Applicant's Name (please print)

12/1/22

Date

2409 Magic Valley Ln CH TX 75104

Address

817-201-9437

Telephone Number

2529 W Arkansas Ln Arlington TX 76016

Property Address

Carlos Labra

Property Owner

2409 Magic Valley Ln CI 817-919-0123

Address

Telephone Number

2529 W Arkansas Ln Arlington TX 76016

Legal Description of Property

I hereby apply to the Zoning Board of Adjustment for the following reason:

- An alleged **error** in an order, requirement, decision or determination was made by an administrative official in the enforcement of the ordinance.
- A **special exception** to the terms of the ordinance upon which the board is required to pass as specified by ordinance.
- A **variance** from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, the literal enforcement of the provisions of the ordinance will result in unnecessary hardship.

Additional information supporting application

Plan on front lot into a mobile food court. Want to have 4-6 contract food vendors to stay on the property M-S during set hour to cater their services to the community and its surroundings.



Applicant's Signature

12/1/22

Date

trans 161
ZBA Fee \$500.00
Amount

For Office Use Only
1/5/2023
Date

CC 234899
Receipt Number

Notification Mailed _____

Meeting Scheduled _____

PROPERTY LAYOUT



PROPERTY FENCE

MOBILE FOOD UNIT

PARKING

GRASS/GARDEN

I, Christopher Labra, along with my family and business, Labra Investments LLC, plan on turning the front part of lot 2529 W Arkansas Ln. into a community and family friendly mobile food park.

It is our desire to have up to four spaces, for tenants to cater their unique food creations to the community. Each mobile food unit will have their own designated spot, where their unit will stay on site through out their contract duration along with their own power supply. As landlords, we are insuring that each tenant has a reliable and clean source of water and can properly dispose of any waste that will not harm the property or the community.

Labra Investments is developing the green space (garden) along the sitting area to enhance the environment. This space will include interactive games, seating and queuing areas for the food units. We will also be adding commercial awnings to encourage the community to congregate in a park like setting. It is our intent to collaborate with DWG to host “Pop-Ups” and community events with live music and vendors in an effort to bring together citizens and business.



Staff Agenda Report

Agenda Item: 4.

Agenda Subject: Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding agrihood regulations.

Background Information: Council would like to begin the process of adding “agrihood” as an allowed use in city ordinances. The proposed additions to the comp plan are being provided. Bullet points are provided below on how this could be accomplished (taken directly from comp plan).

- Add a Planned Development Agrihood (PD-AH) use to the ordinances.
- Definition: An organized mixed-use community that integrates agricultural and food service commercial businesses, with residential uses, and open spaces that might be used as parks or community gardens.
- The Planned Development shall provide an orderly transition from commercial uses to the Large Lot Residential uses and incorporate suitable separation barriers with a preference to vegetated barriers in lieu of hardened barriers such as fences.
- Uses other than large lot residential uses shall be planned development.
- Two areas in PD-AH
 - Low Density Zone:
 - Includes the frontage along Roosevelt Drive and extending 200 feet to the east from the Roosevelt Drive right-of-way line
 - Shall maintain the Large Lot Residential uses
 - Agrihood Zone:
 - Includes the Bowen Road frontage and extending to the Low Density Zone.
 - May include Large Lot Residential uses but may also include a mixture of Medium Density Single Family Garden Homes, and Commercial Uses with a preference toward agricultural related businesses (vegetable and meat markets, farm and ranch supply, etc.) and restaurants.
 - Garden Home developments shall include 10 percent open space for parks and community gardens.
 - Mixed use within individual structures will be allowed provided such structures do not exceed two stories.
- Sample Use Matrix to Consider:
 - P = Permitted use
 - S = Specific use permit use

Agricultural use	P
Bed and breakfast	P
Boutique hotel	P
Brewpub	S
Dwelling units located above the ground floor	S
Farmers market	S
Fitness club, gymnasium, gymnastics, or similar use	P
Food and beverage retail sales	P
Garden home	S
Greenhouse or plant nursery	S
Grocery store	P
Hotel, full service	S

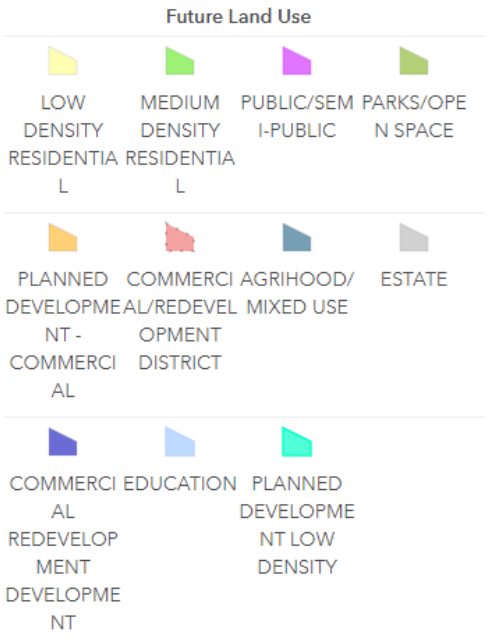
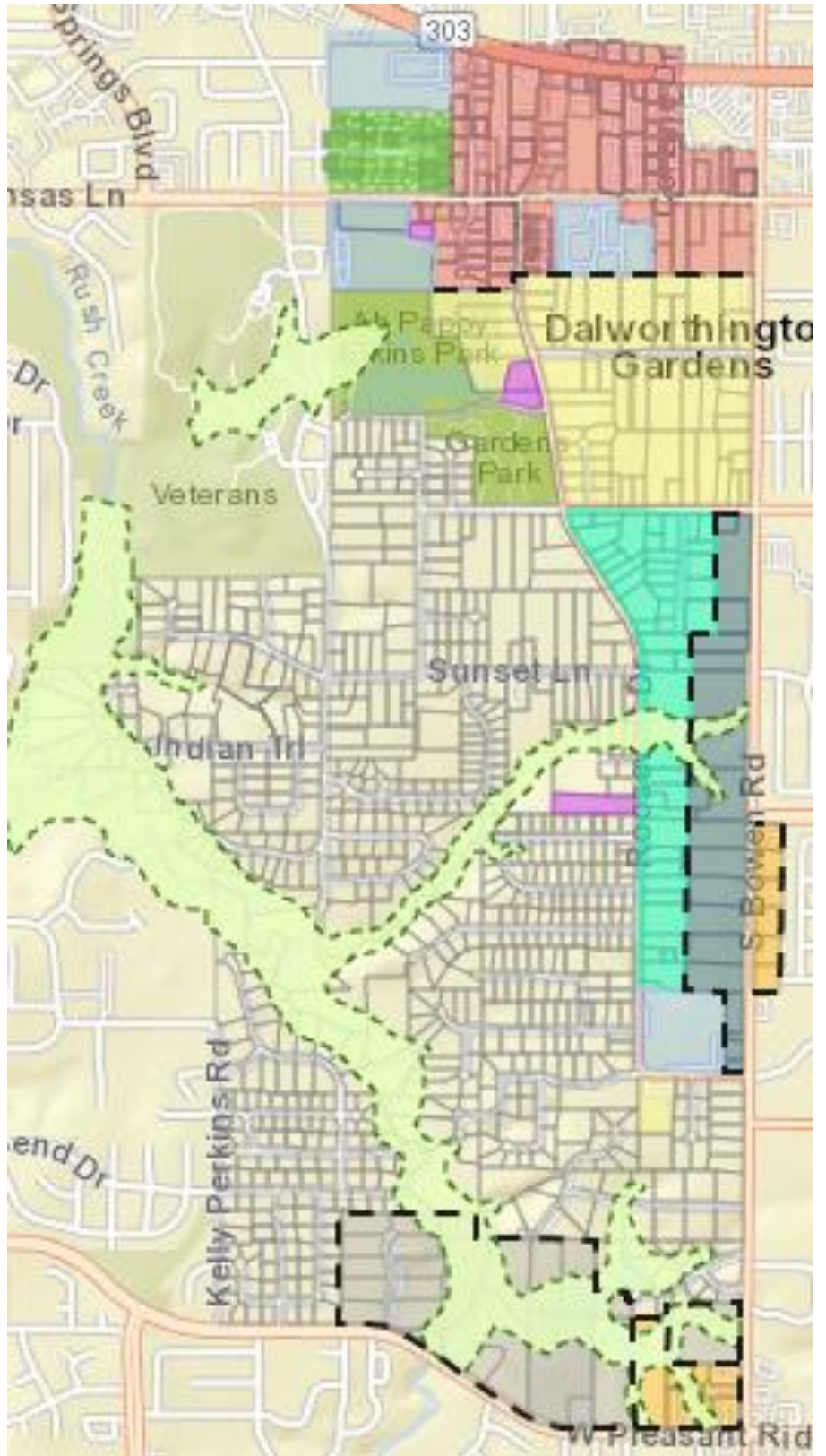
Office/retail	S
Pet store, kennel, animal boarding (no outside runs)	S
Private club	S
Restaurant or cafeteria (carry-out only) (no drive-through window or drive-in service)	P
Restaurant or cafeteria (indoor service) (no drive-through window or drive-in service)	P
Restaurant or cafeteria (with drive-through window or drive-in service)	S
Retail store (no drive-through service)	P
Retail store (with drive-through service)	S
Studios, photo, music, art, dance, dojo, health, etc.	P
Tavern/Bar	S
Winery	S

Recommended Action/Motion: Approve changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding agrihood regulations.

OR

Suggest additional or different changes.

Attachments: Agrihood Sections of Comp Plan



Draft - Last updated 05.23.2022

Agrihood Section from Comp Plan

Bowen Road Corridor Area (Agrihood Community)

The Bowen Road corridor will have a multi-use purpose. Its future development will focus on commercial as well as residential development. Existing large residential lots that have both Bowen and Roosevelt access may be subdivided to allow commercial development on Bowen Corridor only. These said lots shall remain residential on the Roosevelt side with no vehicular traffic connection between them.

One Planned Development Area of higher intensity use is designated along Bowen Road. The area on the east side of Bowen Road, south of Mayfield where property on both sides of Bowen Road is in the city limits of Dalworthington Gardens, would be an ideal location for an office or retail development, and an agrihood community.

The West Side of the Bowen Road corridor between Roosevelt Drive and Bowen Road from the Roosevelt Drive intersection to the California Lane intersection shall be designated as a Planned Development Agrihood Community.

Such a community shall be defined as an organized mixed-use community that integrates agricultural and food service commercial businesses, with residential uses, and open spaces that might be used as parks or community gardens.

Planned Developments shall recognize two distinct zones; the Low Density Zone which shall include the frontage along Roosevelt Drive and extending 200 feet to the east from the Roosevelt Drive right-of-way line, and the Agrihood Zone which shall include the Bowen Road frontage and extending to the Low Density Zone.

The Low-Density Zone shall maintain the Large Lot Residential uses. The Agrihood Zone may include Large Lot Residential uses but may also include a mixture of Medium Density Single Family Garden Homes, and Commercial Uses with a preference toward agricultural related businesses (vegetable and meat markets, farm and ranch supply, etc.) and restaurants. Garden Home developments shall include 10 percent open space for parks and community gardens. Mixed use within individual structures will be allowed provided such structures do not exceed two stories. The Planned Development shall provide an orderly transition from commercial uses to the Large lot Residential uses and incorporate suitable separation barriers with a preference to vegetated barriers in lieu of hardened barriers such as fences. Uses other than large lot residential uses shall be planned development.

The decisions made now by the City as to the type of uses permitted along Bowen Road as it passes the core of the City are surely critical to the future of Dalworthington Gardens. Although it may be possible to attract some limited retail uses to this corridor, it is believed that such development would likely not be of a character clearly compatible with the residential development along Roosevelt Drive and would almost certainly tend toward the sort of intermittent strip development seen along Pioneer Parkway. The most promising area is at the intersection of Mayfield/Bowen between the Rush Creek tributaries. The light there affords good traffic flow in all directions. It is also highly probable that indecisiveness in the land use designation for Bowen Road will inhibit the build-out of the area between Bowen and Roosevelt south of California Lane as large lot residential developments. Dalworthington Gardens is a very small city surrounded by a very large one. Build-out of the area within Bowen Road, Roosevelt Drive, and California Lane as large lot residential properties is highly desirable in order to maintain a critical mass of large lot residential properties and identity of DWG as having such attractive land use. This is the surest path to maintaining the property values of the residential property in the City.

Staff Agenda Report

Agenda Item: 5.

Agenda Subject: Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding garden home regulations.

Background Information: Council would like to begin the process of changing the garden home ordinance to match the Comp Plan. Below are thoughts provided by council and staff's comments on what current ordinance or Comp Plan notes.

* Possible garage entry orientation restrictions

- The council would like a rear garage orientation requirement considered with an alleyway for guest parking. Preferably no parking in front of structure or on street.

* Consider reducing somewhat the current minimum house size

- Current size requirement is 2,000 SF, and comp plan revision calls for 1,800 SF size requirement for each dwelling unit with density limited to a maximum of 5 units per acre.

* Should garden homes be limited to two stories and if so, what is a reasonable maximum height?

- Fire truck access should be considered when max height is set.

* Should the roof pitch requirement change to accommodate fire truck access for maximum height of structure?

- Current roof pitch requirement for garden homes is 8/12 roof pitch and not less than a 40-year quality architectural profile shingle.

* Should the minimum yard setback that adjoins another zoning district need to match that of the other district if the other district's set back is larger?

- Current garden home setback is smaller than other residential which means garden homes could be closer to an adjoining property.

YARDS (n-3) (min. in ft.)	
Front	15
Side - interior lot	5
Side - corner lot	15
Rear (n-4)	15
Rear - double frontage	5

* Is there a safety reason for ensuring more than one entrance/exit when there are more than X number of garden homes?

- The comp plan currently says this, "A secondary private access drive or private street should be provided to minimize the access points to the public street."

* Are any additional ordinances needed to ensure storm water is handled properly?

- Garden homes currently have a higher allowance of impervious surface coverage. **Other residential districts allow 40% max coverage.**

LOT	
Width (min. in ft.)	50
Coverage, building (max. % of lot area)	50
Coverage, impervious surface (max. % of lot area)	70

* Are parking requirements adequate and/or is there a need to state something about the minimum size for a two car garage in a note to the table or that on street parking does not count if guest spaces are also required?

- Current parking is 2 for garage, 2 guest spaces

* There is already a lot size minimum in the current ordinance. Are there further density or offsetting greenspace requirements that need to be added to align the GH zoning with the language in the working draft of the comp plan?

- Current lot area minimum size per dwelling unit is 6,000 square feet. Again, the comp plan calls for max density of 5 units per acre. One acre equals 43,560 square feet. If the dwelling unit is 1,800, account for greenspace and other requirements for the remaining square footage. A percentage could be added for green space. An example is the City’s mixed-use overlay district which requires 20% “landscaped open space”.

* Does there need to be a different road width minimum than is currently listed in the subdivision ordinances?

- Current road width per City Subdivision Ordinance:

Sec. 10.02.222 Streets, right-of-way

(a) The subdivider shall provide for or cause the dedication of right-of-way within the subdivision, as follows:

Major Streets	Right-of-Way Width as Approved by City Council
Collector	60 feet
Minor or local street	50 feet
Alley	20 feet

(b) The right-of-way, in any event, shall be of such width that side slopes, if required, would not be steeper than three (3) horizontal to one (1) vertical within the limits of the dedicated right-of-way.

Recommended Action/Motion: Approve changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding garden home regulations.

OR

Suggest additional or different changes.

**Attachments: Garden Home Ordinance Sections
Garden Home Section from Comp Plan**

Garden Home Ordinance

Sec. 14.02.042 Purposes of districts

(b) “GH” residential district (single-family). This district is designed to accommodate detached single-family dwellings in a medium density setting allowing for innovation in development designed to encourage individual home ownership either on platted conventional lots or in a clustered site-plan configuration.

Division 5. Residential District Regulations

Sec. 14.02.171 General provisions

(a) Table of standards. The standards contained in the following table shall govern the height, area, yard and parking requirements of residential and permitted nonresidential uses in the residential districts.

TABLE 14.02.171

	Districts				
	SF		MF		GH
Regulations	Residential	Nonresidential	Residential	Nonresidential	
HEIGHT (max. in ft.)	35 (n-1)	45 (n-1)	35 (n-1)	45 (n-1)	35
AREA (n-2)					
Lot area (min. per dwelling unit in sq. ft.)		None		None	6000
Single-family	21780		21780		
Multifamily			7200		
Living area (min. per dwelling unit in sq. ft.)					
	1250		800		2000
LOT					
Width (min. in ft.)	80	None	60	None	50
Coverage, building (max. % of lot area)	25	25	40	40	50
Coverage, impervious surface (max. % of lot area)	40	40	40	40	70
YARDS (n-3) (min. in ft.)					
Front	50	50	25	25	15
Side - interior lot	25	25	5	—	5
Side - corner lot	35	35	15	15	15
Rear (n-4)	25	25	10	10	15
Rear - double frontage	35	35	20	20	—

PARKING (min. spaces per dwelling unit)	2	n-5	2.25	n-5	Garage-2 Guests-2
SPACE - Landscaped open space (min. % of lot area)	–	20	–	20	

Notes to table 14.02.171:

1. In addition to the minimum yard requirements contained herein, each side and rear yard shall be increased an additional foot for each foot (or fraction thereof) the structure exceeds 35 feet in height; provided, that in no event shall the height of a building exceed by ten (10) feet the maximum height prescribed for such structure and district in table 14.02.171.
2. Lot area shall be exclusive of the means of vehicular access thereto, whether by public or private street or other access easement or way. Lots of 14,500 square feet or more but less than 21,780 square feet created by plat or deed and recorded in the office of the county clerk of Tarrant County before April 13, 1981, the effective date of this amendment, shall not be deemed nonconforming as to lot area.
3. Any single-family residential lot which on February 18, 1991, was classified “SF-2,” shall not be deemed nonconforming as to front and side yards if the lot has a front yard of not less than 35 feet and side yards of not less than 15 feet each (25 feet, if a corner lot). Lots platted and zoned for residential use which are “panhandle” lots, as herein defined, shall comply with the provisions of this table or [section 14.02.171\(d\)](#), whichever is more restrictive.
4. Any single-family residence constructed on a lot which was created by plat or replat recorded in the office of the county clerk of Tarrant County before March 1, 2002, shall not be deemed nonconforming as to minimum rear yard if such yard is not less than 15 feet.
5. Nonresidential parking is regulated by [division 9](#) of this article.

(2005 Code, sec. 17.5.01)

(b) Parking.

- (1) On any lot used for single-family residential purposes, there shall be provided two (2) covered vehicle parking spaces of not less than 180 square feet each, per dwelling unit.
- (2) On any lot used for multifamily residential purposes, there shall be provided 2.25 covered vehicle parking spaces per dwelling unit, complying with the standards prescribed in [division 9](#) of this article.
- (3) On any lot used for nonresidential purposes, parking and loading areas shall be provided complying with the standards of division 9 of this article.
- (4) All nonresidential parking and loading areas shall be screened from adjacent residential property. Parking or loading in a required yard is prohibited.

(c) Special standards. Panhandle lots shall conform to the following minimum requirements:

- (1) In calculating the lot area for the purpose of determining compliance with this section, including maximum building coverage and maximum impervious surface coverage, the area of the panhandle shall not be deemed a part of the lot.
- (2) All minimum yards shall be thirty (30) feet.
- (3) Maximum building coverage shall be 20%.
- (4) Maximum impervious surface shall be 30%.
- (5) No building, either primary or accessory, shall be located in either the panhandle or any required yard.

(Ordinance 2020-02, sec. 3, adopted 2/20/20)

Sec. 14.02.174 “GH” residential district

A building or premises in this district shall be used only for the following purposes under the standards herein contained:

- (1) In this district there shall be only garden homes and accessory buildings as elsewhere herein regulated.
- (2) Any building in this district shall meet the following design standards:
 - (A) The building shall be not less than 85% masonry. As used in this subsection, “masonry” includes: brick, stone or tile, hand-laid unit by unit; veneer simulations of the materials having the appearance of hand-laid units, when approved by the city; and, stucco when applied in accordance with building code standards therefor.
 - (B) The building shall have a minimum 8/12 roof pitch and not less than a 40-year quality architectural profile shingle.
- (3) Any development in the GH district shall be developed in accordance with a site plan meeting the requirements of developments having a PD overlay.
- (4) Uses allowed in GH and in other zoning classifications may be developed under a common PD plan meeting the procedural requirements of [division 7](#) of this article.

(2005 Code, sec. 17.5.04)

- (5) Mobile food units are permitted upon the following conditions:
 - (A) The property owner has requested the services of the mobile food unit;
 - (B) The mobile food unit may only provide goods and services to the property owner or the property owner's guests at the property owner's expense. No sales will be made to the general public.

(C) Mobile food units may not obstruct traffic movement, or impair visibility or safety to the site.

(D) Mobile food units must have valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

(Ordinance 2018-01, sec. 4, adopted 2/15/18)

Garden Homes section from Comp Plan

Medium Density Single Family Garden Homes

Medium density single family garden homes can be a component of the “Agrihood/Mixed District”. Garden home development is intended to refer to high-quality residential units on smaller individually platted lots that provide common area open space or other amenities for the residents. These common areas should be designed to buffer the garden homes from the adjacent thoroughfare and even higher intensity uses and also to buffer any large lot residential lots near the development. A secondary private access drive or private street should be provided to minimize the access points to the public street. Such residential units should be clustered to facilitate buffering and to allow common area open space within the garden home development.

To assure appropriate high-quality developments, garden home developments must be subject to appropriate standards and an approved development plan. It is believed that density should be limited to a maximum of 5 units per acre with dwelling units each containing a minimum of 1800 square feet of living space. Additional stringent design standards should be adopted covering both building standards (such as approved masonry exteriors, garage layouts, and similar requirements) and development layout.