

# Itemized Allowable Uses



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## ALLOWABLE USES: COMMUNITY COMMERCIAL (CC)

**Permitted (P)** - Nursing home, Art gallery or museum, Domestic violence shelter, Government administration and civic buildings, Mortuary | crematory | funeral chapel, Philanthropic institution (other than listed), Religious assembly, Business school, Public or private school, University | college | seminary, Hospital, Medical or dental office or clinic, Cemetery, Community garden, Public park or playground, Crop production, Kennel, commercial, Veterinary clinic, Gasoline sales, Motor vehicle rental, Bank or financial institution, Catering service, Restaurant, Restaurant, take-out and delivery only, Restaurant with drive-through, Sidewalk cafe, Hotel, luxury, Hotel, upper upscale, Hotel, convention, Office, business or professional, Telemarketing call center, Day care center, General personal services (other than listed), Massage therapy clinic, Private club | lodge | fraternal organization, Recreation, indoor (other than listed), Skating rink, Teen club, Theatre, indoor, Wedding chapel, Country club, Golf course, Major tourist attraction, Building and landscaping materials and lumber sales, General retail store (other than listed), Firearm sales, Nursery, garden shop or plant sales, Pawn shop, Second-hand goods store, Swimming pool, spa and accessory sales and service, Food processing, Medical or scientific research laboratory, Custom and craft work, Electric utility substation, Radio or TV station or studio, Utility lines, towers or metering station, Telecommunication Facilities, Building-mounted antennae and towers, Telecommunication Facilities Towers  $\leq 75$  ft Stealth towers  $\leq 100$  ft, Wholesale supply business, Accessory building (not listed below), Accessory use (not listed below), Alternative energy system, Caretaker's quarter's, Customarily incidental use, Electric vehicle charging station, Garage (private), Mobile food establishment, Outside display and sales, Outside storage, Sidewalk café, and Transit passenger shelter.

**Specific Use Permit (SUP)** - Halfway House, Hospital, psychiatric, Alternative Financial Institution, Hotel, upscale, Bail bond service, Tattoo parlor or piercing studio, Banquet hall, Bingo hall, Billiard parlor, Bowling alley, Gun range (indoor), Nightclub, Recreation, general outdoor (other than listed), Marina, Specialty paraphernalia sales, Wrecker service, Gas well, Transit passenger terminal, Utility installation other than listed, Telecommunication Facilities Towers  $> 75$  ft Stealth towers  $> 100$  ft, Self-storage facility, and Recycling collection center.

**Conditions (C)** - Kennel, commercial, Veterinary clinic, Motor vehicle rental, Bank or financial institution, Alternative financial institution, Restaurant with drive-through, Sidewalk cafe, Hotel, luxury, Hotel, convention, Banquet hall, Bingo parlor, Billiard parlor, Bowling alley, Nightclub, Recreation, indoor (other than listed), skating rink, teen club, Theatre, indoor, Building and landscaping materials and lumber sales, Nursery, garden shop or plant sales, Food processing, Wrecker service, Customer and craft work, Telecommunication Facilities Building-mounted antennae and towers, Telecommunication Facilities Towers  $\leq 75$  ft Stealth towers  $\leq 100$  ft, Self-storage facility, Wholesale supply business, Accessory building (not listed below), Accessory use (not listed below), Alternative energy system, Garage (private), Mobile food establishment, and Outside display and sales, Outside storage, and Recycling collection center.

# Itemized Allowable Uses



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## ALLOWABLE USES: VILLAGE ON THE GREEN AT TIERRA VERDE (VG)

**Permitted (P)** - Dwelling, single-family detached, Assisted living facility ( $\leq 6$  residents), Community home for disabled persons, Foster family home, Foster group home, Government administration and civic buildings, Religious assembly, Public or private school, Community garden, Public park or playground, Golf course, Utility lines, towers, or metering station, Telecommunication Facilities Building-mounted antennae and towers, Telecommunication Facilities Towers  $\leq 75$  ft Stealth towers  $\leq 100$  ft, and Telecommunication Facilities Towers  $> 75$  ft Stealth towers  $> 100$  ft, Accessory building (not listed below), Accessory use (not listed below), Alternative energy system, Caretaker's quarters, Carport, Garage (private) Home-based business, Secondary living unit, and Swimming pool (private).

**Specific Use Permit (SUP)** - Assisted living facility ( $\geq 7$  residents), Philanthropic institution (other than listed), Stables, commercial, Bed and breakfast inn, Country club, Airport or landing field, Gas well, Telecommunication Facilities Towers  $> 75$  ft Stealth towers  $> 100$  ft, Telecommunication Facilities Towers  $> 75$  ft Stealth towers  $> 100$  ft, Private club/lodge/fraternal organization, and Community center.

**Conditions (C)** - Public or private school, Public park or playground, Stables, commercial, Bed and breakfast inn, Telecommunication Facilities Building-mounted antennae and towers, Telecommunication Facilities Towers  $\leq 75$  ft Stealth towers  $\leq 100$  ft, and Telecommunication Facilities Towers  $> 75$  ft Stealth towers  $> 100$  ft, Accessory building (not listed below), Alternative energy system, Carport, Home-based business, and Secondary living unit.

# Case Information



**Applicant:** Ard Herman

**Property Owner:** Ard Herman

**Council District:** 2

**Allowable Uses:** See attachment ii-1

**Development History:** The subject sites not platted and commonly known as 7911, 7919, 7921, and 7923 US 287 Business Highway.

**Transportation:** The site has no points of ingress/egress from Secretary Drive

Thoroughfare	Existing	Per TDP
US 287 Business Highway	60-foot ROW 2 lane, undivided Residential Street	60-foot ROW 6 lane, undivided Major Arterial

**Traffic Impact:** The proposed CC zoning will generate an increase of 1,869 vehicles per day, an increase of 202 vehicles in the AM Peak Hour, and an increase of 230 vehicles in the PM Peak Hour. The additional trips will impact the adjacent roadway system.

**Water & Sewer:** A 6-inch water line is in US BUS 287. A 12-inch water line is in a utility easement adjacent to the NE property line. A 15-inch sanitary sewer line is in a utility easement adjacent to the NE property line.

**Utilities:** A 6-inch water line is in US BUS 287. A 12-inch water line is in a utility easement adjacent to the NE property line. A 15-inch sanitary sewer line is in a utility easement adjacent to the NE property line.

**Drainage:** The site is located within the Rush Creek drainage basin. No significant drainage impacts are expected to result from development of this site as long as the site complies with relevant city ordinances.

**Fire:** Fire Station 13, located at 7100 Russell Curry Road, provides protection to this site. The estimated fire response time is less than five minutes, which is in keeping with recommended standards.

**School District:** Mansfield Independent School District (MISD)

# Case Information



Neighborhoods noticed are identified below and was posted on Nextdoor to 831 registered residents in 14 neighborhoods within 1-mile of the subject property.



Property Owners:	31
Letters of Support:	0
Letter of Opposition:	0

# Case Information



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**PLANNING AND ZONING COMMISSION SUMMARY:  
Public Hearing: September 16, 2020**

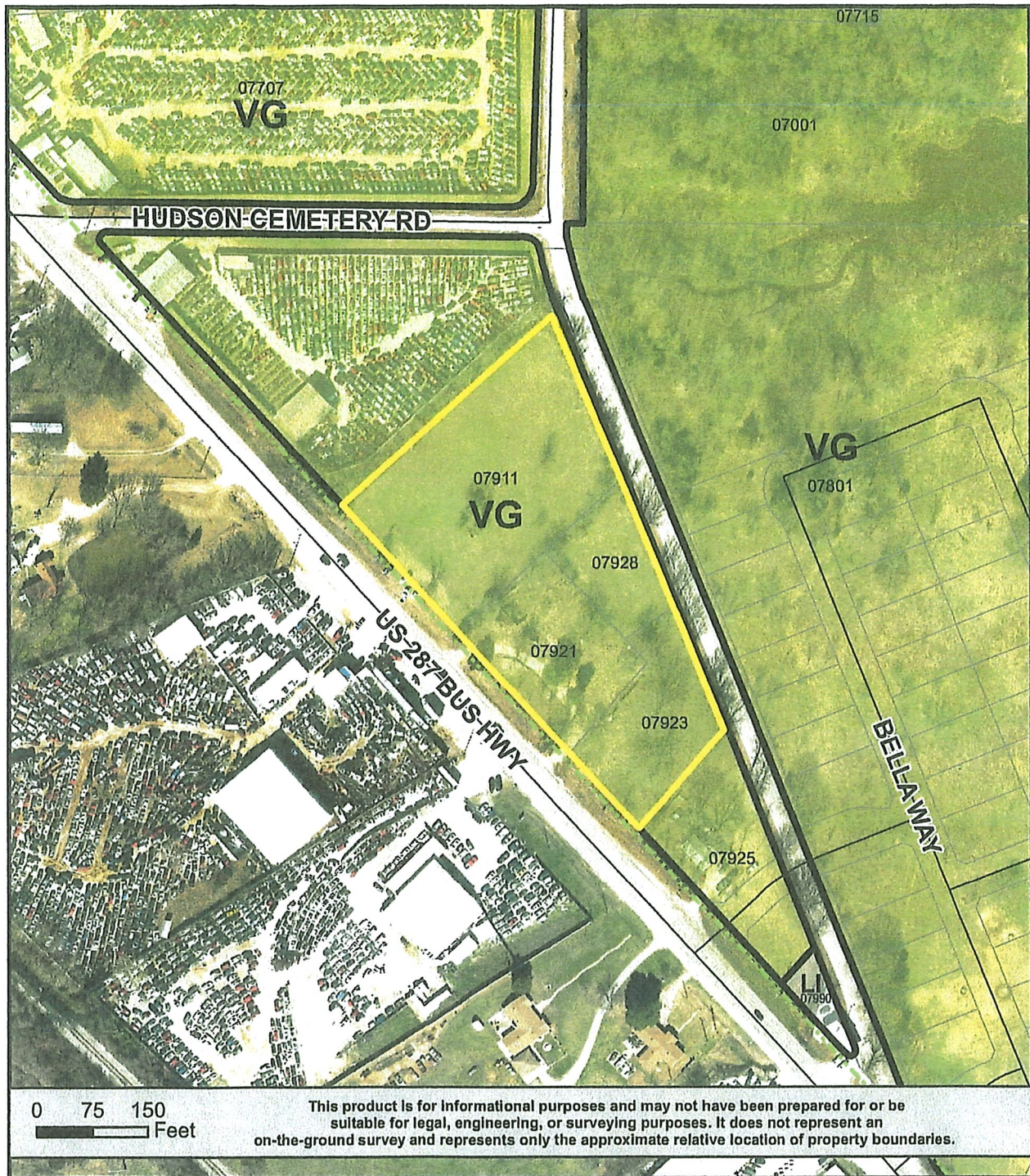
**Zoning Case ZA20-3 (7911-7923 US 287 Business Highway)**

Application to change the zoning on approximately 3.79 acres from General Commercial (GC) to Light Industrial (LI); generally located east of Mansfield Cardinal Road and west of US 287 Business Highway.

Present through videoconferencing in support of this case was Herman Ard, 1804 East Bankhead Drive, Weatherford, Texas, 76086. Also, present through videoconference in support of this case was Tammy House.

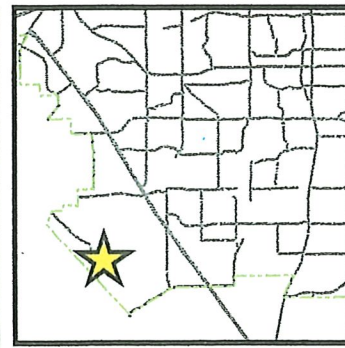
Commissioner Atkins moved to approve Zoning Case ZA20-3 - 7911, 7919, 7921, and 7923 US 287 Business Highway. Seconded by Commissioner Cotter, the motion was approved by a vote of 9-0-0.

**APPROVED**



**LOCATION MAP**  
**ZA20-3**

**ZONING CHANGE FROM VG TO CC**  
**3.79 ACRES**



**ZA20-3**

East of US 287 Business Highway and West of Mansfield Cardinal Road



View east, subject site



View north



View south



View west

Ordinance No. 20-\_\_\_\_\_

**An ordinance changing the zoning classification on certain property known as 7911, 7919, 7921 and 7923 US 287 Business Highway to Community Commercial (CC); amending the Zoning District Map accordingly; authorizing the building official to issue permits upon the effective date; providing for a fine of up to \$2,000.00 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date**

WHEREAS, after notice and public hearing the Planning and Zoning Commission heard and recommended approval of Zoning Case ZA20-3 on September 16, 2020; and

WHEREAS, after notice and public hearing, and upon consideration of the recommendation of the Commission and of all testimony and information submitted during the public hearing, the City Council has determined that it is in the best interest of the public and in support of the health, safety, morals and general welfare of the citizens that the zoning amendment be approved. Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

THAT the zoning classification of certain property known as 7911, 7919, 7921 and 7923 US 287 Business Highway, described in Exhibit A, is hereby changed to Community Commercial (CC) by the approval of Zoning Case ZA20-3, and the Zoning District Map shall be amended to reflect the zoning change made by this ordinance:

2.

The Building Official is hereby authorized and directed to issue permits in compliance with this ordinance immediately after the effective date of this ordinance.

3.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

4.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington; and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

5.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

6.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

7.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

8.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, Texas, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

9.

This ordinance shall become effective upon second publication.

PRESENTED AND GIVEN FIRST READING on the 27th day of October, 2020, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays at a regular meeting of the City Council of the City of Arlington, Texas.

\_\_\_\_\_  
W. JEFF WILLIAMS, Mayor

ATTEST:

\_\_\_\_\_  
ALEX BUSKEN, City Secretary

APPROVED AS TO FORM:  
TERIS SOLIS, City Attorney

BY \_\_\_\_\_

**ZA20-3**  
**EXHIBIT "A"**

**BEING** approximately 3.99-acres of land out of the Louisa Bower Survey, Abstract 159, and more specifically identified as the land conveyed in the following deeds of record:

D216110888, recorded May 25, 2016 in the Tarrant County Deed Records, and conveying 1.98-acres of land addressed at 7911 US 287 Business Hwy; and

D217065576, recorded March 24, 2017 in the Tarrant County Deed Records, and conveying 1.282-acres of land addressed at 7919 and 7921 US 287 Business Hwy; and

D220018079, recorded January 24, 2020 in the Tarrant County Deed Records, and conveying 0.731-acres of land addressed at 7923 US 287 Business Hwy;

**AND** being generally located east of US 287 Business Highway and west of an abandoned portion of Mansfield Cardinal Road;

# Staff Report



## Zoning Case ZA20-3 (7911, 7919, 7921, and 7923 US 287 Business Highway)

City Council Meeting Date: 10-27-2020

Document Being Considered: Ordinance

### **RECOMMENDATION**

Following the public hearing, consider Zoning Case ZA20-3 to change the zoning from Village on the Green at Tierra Verde (VG) to Community Commercial (CC).

### **PRIOR BOARD OR COUNCIL ACTION**

On September 16, 2020, the Planning and Zoning Commission recommended approval of ZA20-3, by a vote of 9-0-0.

### **ANALYSIS**

#### **Request**

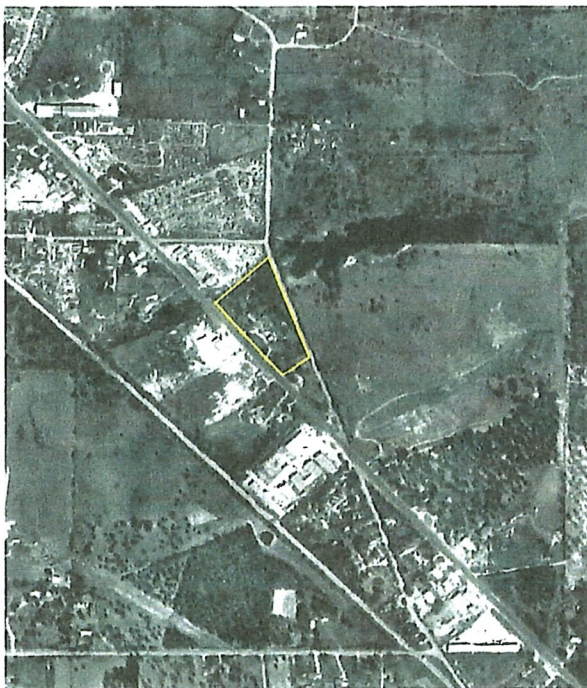
The applicant requests to change the zoning on approximately 3.79 acres addressed as 7911, 7919, 7921, and 7923 US 287 Business Highway; generally located east of Mansfield Cardinal Road and west of US 287 Business Highway.

Current zoning: Village on the Green at Tierra Verde (VG)

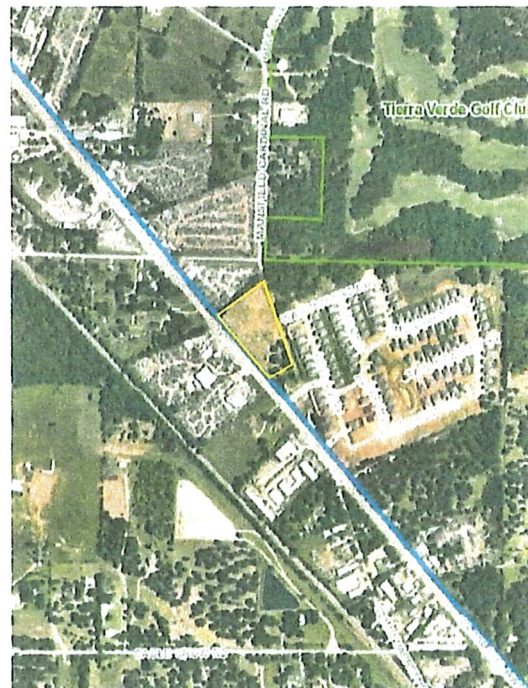
Requested zoning: Community Commercial (CC)

#### **Existing Site Conditions**

All four sites are undeveloped and are not platted. The properties in the surrounding area have had little change in the past 23 years. The most significant change near this portion of US 287 Business Highway has been the current development of the Highcroft Estates single-family subdivision just to the east of the subject site. Below are aerial images of the surrounding area from the past 23 years.



1997



2020

## Adjacent Land Uses

### Property to the northwest

Zoned VG and is currently a salvage yard

### Property to the east

Zoned VG and is currently being developed with single-family homes (Highcroft Estates). With the Highcroft Estates development, there was an amendment to the Thoroughfare Development Plan, removing the future Mansfield Cardinal Road connection, behind these properties, and replaced by a private/public drainage easement. Per the TDP, "the Golf Club Drive extension will be better served with an improved connection to Business 287 near Hudson Cemetery Road. With this connection, the segment of Mansfield Cardinal Road south of Hudson Cemetery will not be needed."



### Property to the south

Zoned VG and is developed with a single-family home

### Property to the west

The property is located in Kennedale City Limits and is developed with a salvage yard

## **COORDINATION WITH OTHER PLANS**

**Comprehensive Plan (2015).** Land use goals for this area are defined as "Rural Residential." This area is adjacent to Kennedale City Limits. Appropriate land uses for these areas include residential uses, neighborhood convenience uses, small-scale office uses, parks, recreation centers, and trails.

The request promotes the following "Develop Our Land" goal and strategy, as it would introduce new development and commercial/retail uses in an area currently devoid of those uses:

- **1. Promote land use patterns that reflect a mix of integrated community uses.**
  - **1.2. Evaluate development proposals in context with existing infrastructure, connectivity, and surrounding uses.**

**Economic Development Strategic Plan (2014).** Even though the Economic Development Strategic Plan does not identify the 287 corridor as a study area, it does identify one of its opportunities as being to "engage the business community around economic development and redevelopment opportunities," which could be a possibility for the area around US 287 Business Highway. The proposed development partially aligns with the following policy within the Economic Development Strategic Plan.

*Given the limited number of greenfield sites, maximizing the potential of infill and redevelopment projects should be emphasized. This means ensuring city policies are in place to encourage development that furthers economic development goals, such as creating employment centers, enhancing the tax base, and providing opportunities for higher wage jobs.*

**"Focus 287" US287 Corridor Strategic Plan (2016).** The "Focus 287" US 287 Corridor Strategic Plan was adopted by the City Council and outlines what the residents in that area would like to see developed in the undeveloped pieces of land that still remain in the corridor.

The plan also addresses how existing developed properties should be redeveloped or improved.

The US287 Corridor Strategic Plan identifies the following Land Use goal:

*Provide non-residential uses that support residential needs such as local services, restaurants, retail and employment.*

The Plan identifies the subject properties as most likely positioned for new development or redevelopment. The future land use map identifies the area as "Low Intensity Mixed Use" that may contain residential, retail, public parks and entertainment components. In addition, the inclusion of office and flex office products are appropriate, especially along Business US 287.

The Plan identifies the subject site having a potential zoning conflict based on Future Land Use recommendations, such as the area having residentially zoned properties adjacent to developable land that is adjacent to industrial land uses.

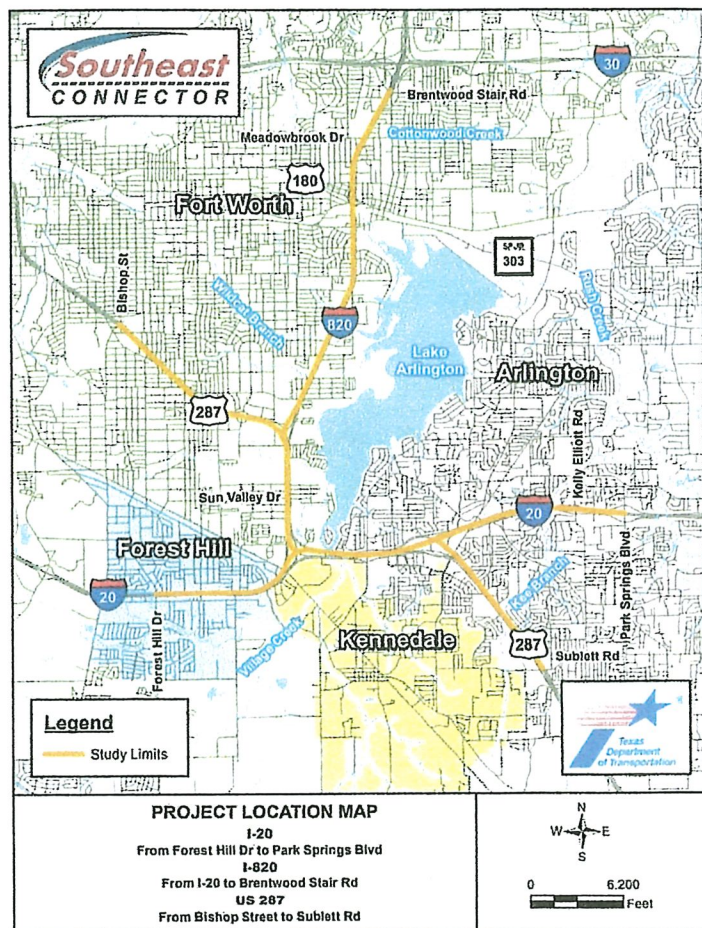
**The Southeast Connector Project.**

This project intends to alleviate congestion, improve operation and safety, provide transportation options, and develop implementable solution to the I-20, I-820, and US 287 Highway intersection. The number of lanes will increase to about 1-2 more lanes in each direction on these highways. Frontage roads will be improved and will also provide for bicycle and pedestrian accommodations, which would include paths and sidewalks for both bicyclists and pedestrians to share.

**Hike and Bike System Master Plan (2011).** There are no planned facilities adjacent to the subject property.

**Thoroughfare Development Plan (2017).** There is not a planned improvement for US 287 Business Highway.

**Historic Structures/Historic Resources Survey (2007)** – There are no structures impacted on the subject site.



**Zoning and Use Analysis**

The applicant wants to change the zoning of the properties from VG to CC to plat all four sites together and develop it with a retail/office center. If rezoned to CC, any use permitted in the CC district, as reflected in the Use Standards of the UDC, would be allowed on the subject property. The uses that the applicant intends for the center are medical office, bank or financial institution, restaurant, restaurant with take-out and delivery only, restaurant with drive-through, sidewalk café, offices, telemarketing call center, massage therapy clinic, and

firearm sales, which are all allowed by right in CC zoning. The site will be subject to all applicable UDC development standards, including but not limited to landscaping, building design, screening and parking.

The existing zoning on US 287 Business Highway is primarily VG with half of those lots developed with an auto-related use and the remainder are large properties developed with single-family homes or are undeveloped. The remaining parcels along US 287 Business Highway are zoned Industrial Manufacturing (IM) or Planned Development (PD) and developed with auto-related or warehouse uses.

The Village on the Green at Tierra Verde ("VG") District was established to provide an area which will be a financially and environmentally sustainable community memorable for its rural character, village-like atmosphere, mix of high-quality housing options and complementary commercial activity. Only residential uses are allowed by right in the VG District. The existing commercial properties are legal non-conforming and as previously mentioned are primarily industrial or auto-related uses. Introducing CC in this area could provide goods and services for the residents in the nearby single-family development, Highcroft Estates, currently under construction. The nearest retail or office area for these residents is outside of the city limits.

**FINANCIAL IMPACT**

None

**ADDITIONAL INFORMATION**

Attached:

- i. Ordinance with Exhibit A
- ii. Case Information
- iii. Applicant Narrative

Under separate cover:

None

Available in the City Secretary's office:

None

**STAFF CONTACTS**

Chasidy Benson, AICP  
Planning Manager  
Planning and Development Services  
817-459-6138  
[Chasidy.Benson@arlingtontx.gov](mailto:Chasidy.Benson@arlingtontx.gov)

Amy Lopez  
Planner  
Planning and Development Services  
817-459-6655  
[Amy.Lopez@arlingtontx.gov](mailto:Amy.Lopez@arlingtontx.gov)

From: "House" <purpleroy@sbcglobal.net>  
To: thouse@ibewlu220.com  
Subject: Fwd: 10.27.20 Evening Virtual Council Meeting  
Date: 10/27/2020 2:56:21 PM

**Meeting Request**

Required: "Jacob Sumpter" <jsumpter@mmatexas.com>, "Michael Martin" <mmartin@mmatexas.com>, "Billie Jean Ard" <jean34@charter.net>, "purpleroy@sbcglobal.net" <purpleroy@sbcglobal.net>, "Braswell, Trey" <trey.braswell@kimley-horn.com>, "Charles Clawson" <clawson6219@hotmail.com>,

Subject: 10.27.20 Evening Virtual Council Meeting

Location: <https://us02web.zoom.us/j/83422833500?pwd=S2NVR3NnWFQ2U1FpbHJ4VEdYcVpGZz09>

Organizer: Mike Secrest

Start: 10/27/2020 6:00:00 PM -05:00

End: 10/27/2020 10:00:00 PM -05:00

Join Zoom Meeting

<https://us02web.zoom.us/j/83422833500?pwd=S2NVR3NnWFQ2U1FpbHJ4VEdYcVpGZz09>

Meeting ID: 834 2283 3500

Passcode: 857228

Dial by your location

+1 346 248 7799 US (Houston)

Meeting ID: 834 2283 3500

Passcode: 857228

Find your local number: <https://us02web.zoom.us/u/kbA2zLujCU>

Sent from my iPhone

Begin forwarded message:

**From:** Mike Secrest <Mike.Secrest@arlingtontx.gov>

**Date:** October 26, 2020 at 3:00:17 PM CDT

**To:** Jacob Sumpter <jsumpter@mmatexas.com>, Michael Martin <mmartin@mmatexas.com>, Billie Jean Ard <jean34@charter.net>, "purpleroy@sbcglobal.net" <purpleroy@sbcglobal.net>, "Braswell, Trey" <trey.braswell@kimley-horn.com>, Charles Clawson <clawson6219@hotmail.com>

**Subject:** 10.27.20 Evening Virtual Council Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/83422833500?pwd=S2NVR3NnWFQ2U1FpbHJ4VEdYcVpGZz09>

Meeting ID: 834 2283 3500

Passcode: 857228

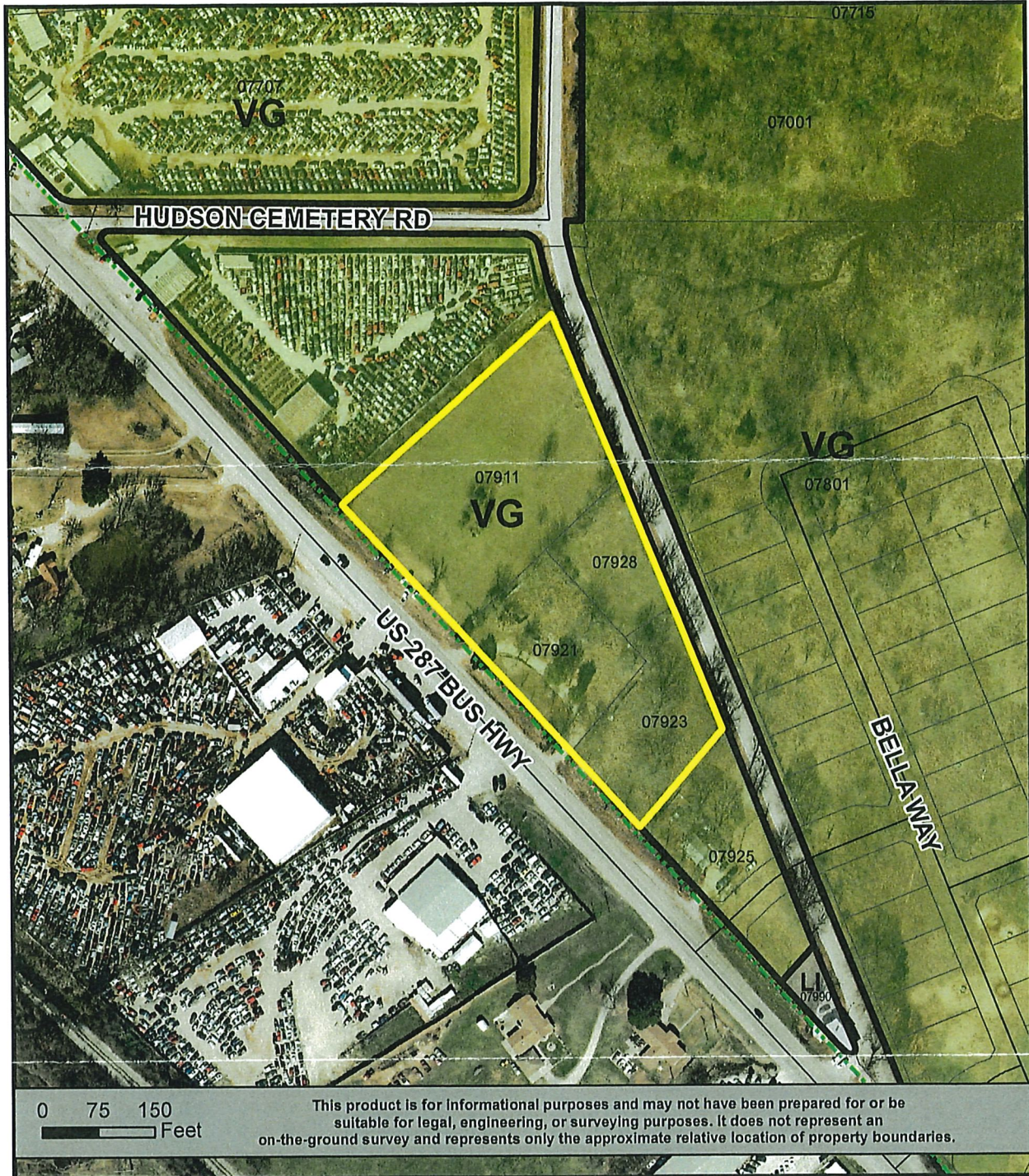
Dial by your location

+1 346 248 7799 US (Houston)

Meeting ID: 834 2283 3500

Passcode: 857228

Find your local number: <https://us02web.zoom.us/j/83422833500>



### LOCATION MAP ZA20-3

**ZONING CHANGE FROM VG TO CC  
3.79 ACRES**



Date : Tue Sep 15 12:56:55 CDT 2020  
From : Chasidy Benson(Chasidy.Benson@arlingtontx.gov);  
To : Billie Jean Ard(jean34@charter.net);  
CC : Mike Secrest(Mike.Secrest@arlingtontx.gov); Karla Rodriguez(Karla.Rodriguez@arlingtontx.gov); Estela Bush(Estela.Bush@arlingtontx.gov); Amy Lopez(Amy.Lopez@arlingtontx.gov);  
Subject : 9/16 P&Z Applicant Instructions  
Attachments : image001.png; image002.png; image003.png; image004.png;

Good afternoon,

Wednesday's Planning & Zoning meeting will be held via video/telephone conferencing through Zoom. You will join the meeting with the link that will be provided from an Outlook meeting invite from Mike Secrest. Please provide the names, email addresses and phone numbers below of those presenting on your case. **Please plan to join the meeting at 5pm** and follow the instructions below:

- Once you connect to the meeting, staff will conduct an audio and video check with you to make sure that you can be heard and seen. Staff will also mute your audio, and test that you are able to unmute when it is time for your item to be presented.
- Members of the applicant team that do not intend to present but would like to speak in support may join the meeting using the same Zoom meeting link or over the phone with the Zoom Conference Number.
- For your presentation, Staff will control the slides, so please say "next slide" when you are ready to move forward in the presentation. You will be able to view the presentation.
- Should any technical issues arise with your video feed, or if you do not have a webcam/microphone on your computer to participate, you will dial into the Zoom Conference Number that is also provided with the meeting invite.
- If we should have to switch to the conference line, you will not be able to see your presentation, so please have a copy in front of you while presenting.

NAME	EMAIL ADDRESS	PHONE NUMBER
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Thanks,