



## Legislation Text

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**File #:** 21-4027, **Version:** 2

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Ordinance - Public Hearing Continuation and Second and Final Reading of an Ordinance Approving a Change of Zoning from PR Pre-Development District to PD Planned Development for Retail Plant Nursery, Wholesale Plant Nursery, and Single-Family Residential Uses on Approximately 5.15 Acres out of the Margaret Rockerfellow Survey, Abstract No. 1267, Tarrant County, TX, Located at 1573 Newt Patterson Rd.; Michael Wilson of Bannister Engineering (Landscape Architect) on Behalf of Magdaleno I. Pacheco of Leno's Plant Farm (Owner/Developer) (ZC#21-001)

To consider the subject zoning change request.

The Planning & Zoning Commission held a public hearing on March 15, 2021 and voted 6-0 (Gilmore absent) to recommend approval with the condition that the front swing gate and fence along Newt Patterson Rd. be removed. One neighboring resident spoke in support of the request. Several commissioners also expressed positive support for the request. There were questions about lighting and the time of day business operations would be conducted, to which the applicant responded that appropriate lighting would be provided to ensure security and safety, but that business operations would mostly be conducted during the daytime hours. There were also questions about overall timing of the development, to which the applicant responded that the new improvements would be initiated and completed as soon as possible. As far as the timing of installation of the new monument sign, the applicant hasn't decided yet. Lastly, a commissioner asked what type of trucks would be used for wholesale operations and deliveries, to which the applicant responded that box trucks would generally be used. The applicant has made changes to the plans to remove the existing fence along Newt Patterson. The swing gate has also been changed to a decorative aluminum vehicular entry gate and relocated further into the development to still provide for security of the retail area while improving aesthetics and preventing vehicle stacking onto Newt Patterson and allowing for vehicles to turn around and safely exit.

*Existing Use:* Wholesale plant nursery and single-family residential

*Existing Zoning:* PR, Pre-Development District

*Surrounding Land Use & Zoning:*

North - Newt Patterson Rd.; Vacant land (PR) across the street

South - Union Pacific railroad tracks; Vacant land (PR) across the tracks

East - Single-family residential/agricultural, A

West - Vacant land, PR

### **Comments and Considerations**

The subject property consists of 5.15 acres improved with two single-family homes, greenhouses, and other storage buildings, as well as a gravel drive and parking lot. The property is currently used as a wholesale plant nursery with two on-site single-family homes. The applicant is seeking to add a retail nursery component and bring the nonconforming wholesale plant nursery operation into compliance. As such, they are requesting to rezone the property from PR Pre-Development District

to PD Planned Development District for retail plant nursery, wholesale plant nursery, and single-family residential uses.

### Development Plan

The development plan shows the following existing buildings, generally located on the eastern half of the property and comprising the wholesale nursery operation and the single-family homes of the property owners:

- 1,912 sq. ft. one-story single-family home
- 1,440 sq. ft. one-story single-family home
- 13 greenhouses, ranging in size from 2,200 - 4,500 sq. ft.
- 4 metal buildings (three used for storage; one used as an office for the wholesale nursery), ranging in size from 1,040 - 1,680 sq. ft.

On the west side of the property, the applicant plans to add a retail nursery component with a 1,340 sq. ft. retail/office building, 4,200 sq. ft. retail restocking & sales greenhouse, an outdoor retail display area in front of the retail building, and a concrete parking lot and drive aisle for the retail and wholesale customers. The wholesale portion will be fenced and gated to separate it from the retail section and the retail portion will include a vehicle gate to restrict access and provide security of the outdoor display area during non-business hours.

The existing single-family homes will be used as live-work dwellings for the on-site managers or caretakers of the property.

The applicant has noted that potted trees, shrubs, groundcovers, and seasonal color may be stored in the areas labeled as gravel/geosynthetic weed fabric, which are generally located in the south-central portion of the property adjacent to the existing and new greenhouses. In addition, an outdoor retail display area will be allowed in front of the retail building. Otherwise, no other outside storage of materials or retail operations will be allowed. All service areas and mechanical equipment will be required to be screened in accordance with the Zoning Ordinance. A trash enclosure with 8'-tall wood fence will be provided on the west side of the property near the retail greenhouse.

The development will maintain 30' building setbacks on the east and west sides of the property, a 25' building setback along Newt Patterson Road, and no setback along the railroad right-of-way. Due to existing conditions, there will be setbacks of only 10' and 3' adjacent to the single-family property that is not part of the development (the Moreno property).

### Access, Circulation, and Parking

The development will utilize the two existing access points off Newt Patterson Road. The main public access for the commercial components of the development will be on the west side of the development. The access point on the east side of the development will be used for access to the live-work dwellings; this access drive will retain the existing asphalt pavement and will have space for at least two vehicles per dwelling. The access point on the west side of the development will be reconfigured to include concrete paving; all parking areas for the retail and wholesale portions will include concrete paving as well. A fire lane loop will be provided around the retail building and outdoor display area. On the west side of this drive, 17 parking spaces will be provided for the retail customers, one of which will be a dedicated ADA space. The retail portion will include a gate to restrict access and provide security for the outdoor display area when the business is closed. The

east side of the loop will also be gated and restricted to access by wholesale customers; 6 parking spaces will be provided for the wholesale customers. A section of gravel between the concrete and asphalt drives will remain to allow overflow space for loading and maneuverability by the wholesale customers, as well as to provide cross-access to all portions of the property by the owners. The retail portion of the business would typically require 6 spaces, but 17 spaces are provided to accommodate overflow during peak times. In addition, the wholesale portion would typically require 4 spaces, but 6 are provided.

#### Elevations, Floor Plans, and Photos

The applicant has provided a floor plan and building elevations for the new single-story retail building. The building will include a small sales floor and counter in the front portion and a small office, break room, and restroom in the back. A large covered porch with 12" columns will wrap around the front and sides of the building. All exterior cladding will be Hardie cementitious siding or an approved equal. The building features a pitched roof (predominantly 8:12, with 3:12 for the porch) with asphalt shingles. Windows, doors, and a gable vent will help break up the façade. A conceptual rendering and floor plan have also been provided for the new retail greenhouse building. In addition, photos have been provided showing the existing greenhouses, storage buildings, and dwellings, as well as other areas of the property.

#### Landscaping and Screening

Fourteen existing trees in the front half of the property are to be preserved, about half of which are located along Newt Patterson Road and the others located near the existing homes and new retail area. The entire tree line along the railroad tracks is also to be preserved. Three existing trees near the primary entrance are to be removed due to visibility concerns. Some of the preserved trees along Newt Patterson are located in the right-of-way and could potentially be removed to accommodate any roadway or utility improvements in the future. Four additional trees will be planted in the landscape buffer along Newt Patterson which will provide additional plantings to help mitigate any tree removal. Four new canopy trees and two ornamental trees will be planted in the parking lot areas and the parking lot will be screened with shrubs. The new trees will include a mix of live oak, cedar elm, and crape myrtle trees. The trash enclosure will also be screened by shrubs and some groundcovers and grasses will be planted in select areas. The west and east property lines will include an 8'-tall board-on-board cedar-stained wood fence with cap. An 8' wood fence will also be provided in the central section of the property to divide the retail area from the wholesale area, as well as screen the wholesale area from the Moreno property. Three decorative aluminum vehicle entry gates will be provided, one of which will restrict access to the retail area during non-business hours and the other two of which will restrict access to the wholesale area. Details have been provided for all fences and gates.

#### Signage

A monument sign has been proposed near the main entrance to the retail area. While a sign plan has not been provided, it is noted that all signage will adhere to the standards applicable to C-2 zoning.

#### Summary

The proposed development will provide for the continued use of the property for single-family residential and wholesale nursery uses and bring any nonconforming conditions into compliance. It will provide for a retail nursery to allow nearby residents access to the property to purchase plants, trees, and other gardening items. A new retail building, new retail restocking & sales greenhouse,

dedicated outdoor display area, and concrete parking lot with a reconfigured approach will allow for an orderly and efficient retail area on a limited footprint that is properly screened. A concrete drive with dedicated parking spaces and gates will allow for a more orderly and dedicated space for the wholesale portion of the business that does not conflict with the retail portion and provide for security of the outdoor display area during non-business hours. Furthermore, most of the existing trees will be preserved except where removal is necessary to ensure safe visibility or to accommodate future infrastructure improvements. Additional landscaping and fencing upgrades will help improve the aesthetics of the property and provide for the necessary screening from surrounding properties. The architecture of the new retail building is consistent with the country aesthetic of the surrounding area. The Land Use Plan recommends low-density single-family residential uses in this sub-area but also calls for preservation of heavily wooded areas, which this development helps achieve. The wholesale nursery has existed for several decades and the new development plan provides for a more efficient and compliant wholesale area while adding a retail component that is rather limited in scale. The existing trees and new landscaping and fencing will help to ensure adequate screening is provided to protect the residential character of the area.

The development provides for the improvements necessary to support the new retail component, while making additional improvements to better support the wholesale component, enhance aesthetics, and provide proper screening between uses and from adjacent properties.

### **2nd Reading:**

The City Council held a public hearing and first reading on April 12, 2021 and voted 7-0 to approve. There was discussion about how this development could potentially impact the future development of property to the east and south and staff responded that the railroad, gas well access road, and natural vegetation are likely to provide adequate buffers and do not foresee any negative impacts. There was also discussion regarding timing of the development improvements and the applicant stated that they would start as soon as possible. No further changes have been made to the plans.

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### **Attachments:**

Maps and Supporting Information  
Ordinance  
Exhibit A  
Exhibits B - D