



**SITE PLAN AMENDMENT
STAFF REPORT**

City Council Meeting Date:
May 10, 2011

Council District 2

Zoning Commission Recommendation:

Denied by a vote of 6-1

Opposition: one person spoke

Continued	Yes <u>X</u>	No <u> </u>
Case Manager	<u>Stephen Murray</u>	
Surplus	Yes <u> </u>	No <u>X</u>
Council Initiated	Yes <u> </u>	No <u>X</u>

Owner / Applicant: **Champions Auto Sales Co.**

Site Location: 2004-2024 Jacksboro Highway Mapsco: 61M

Proposed Use: **Additional Parking for Vehicle Sales**

Companion Cases: ZC-07-168, PD 821

Background:

The site is located on Jacksboro Highway near the corner of Ohio Garden Road. The applicant is requesting to amend their site plan to include 130 total parking spaces for vehicle sales, an increase of 101 spaces from the previously approved 29 spaces. In 2008, the property was rezoned for auto sales and a banquet hall. A site plan was required and subsequently approved.

In October 2010, staff received complaints and applicant was cited by Building officials and Code Compliance for illegally constructing a paved parking lot for auto sales. The new parking lot was not approved on their site plan and constituted an increase of more than 5%, and therefore could not be administratively approved. Numerous trees were removed and trees approved on the site plan were not planted due to the new concrete surface. The applicant has also paved approximately 10 ft. into the TxDOT right-of-way, up to the pavement surface of Jacksboro Hwy.

The applicant was required to remove the vehicles on the parking area, and is required to obtain Council approval for the revised site plan. If it is not approved, the parking area must be removed. In addition, the applicant is likely to receive a notice of penalties from Urban Forestry for the removed trees. The site will be required to meet Urban Forestry and Landscaping requirements.

The table below describes the existing and proposed conditions for the Site Plan.

Existing Site Plan	New Site Plan
Planting of: 3- new small ornamental trees installed 30' center to center (see previous site plan) 9- Red Yucca or smaller shrub installed at 10' center to center	Failed to plant due to addition of parking area: 3 new small ornamental trees installed 30' center to center (see previous site plan) 9 Red Yucca or smaller shrub installed at 10' center to center
Open space consisting of a grass field	Addition of 101 new parking spaces
Maintain 11 existing trees	Removed 11 trees (required to apply for Urban Forestry permit)
	Addition of 7 landscape islands with trees
	Addition of 8 nondescript trees east of parking area
	Addition of 6 nondescript trees west of parking area
	Addition of 19, 5 gallon shrubs north of the parking area
	Addition of 7 (less than 1 caliper) trees south of new parking lot & ornamental iron fence
	Additional of new ornamental iron fence south new parking lot located near property line

Site Information:

Owner: Martimiano Aguayo
1820 Jacksboro Highway
Fort Worth, TX 76114

Agent: Miguel A. Temazas/Diana Rodriguez
Acreage: 5.11 ac
Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

North "CF/DD" Community Facilities/Demolition Delay / Northside High School
East "A-5" One-Family / single-family
South "F" General Commercial; "A-5" One-Family / auto sales, Rockwood Golf Course
West "FR" General Commercial Restricted; "A-5" One-Family / auto sales, single-family

Site Plan Comments:

The site plan as submitted is in general compliance with the Zoning Ordinance regulations.

Recent Relevant Zoning and Platting History:

Zoning History: ZC-07-168, "PD/E" for all uses in "E" plus banquet hall and auto sales, approved; September 2008.

Platting History: NA

Public Notification:

The following Neighborhood Associations were notified:

Northside NA
Near Northside Partners Council

Fort Worth ISD

Attachments:

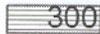
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site plan
- Minutes of the Zoning Commission meeting
- Minutes of the City Council meeting

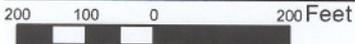
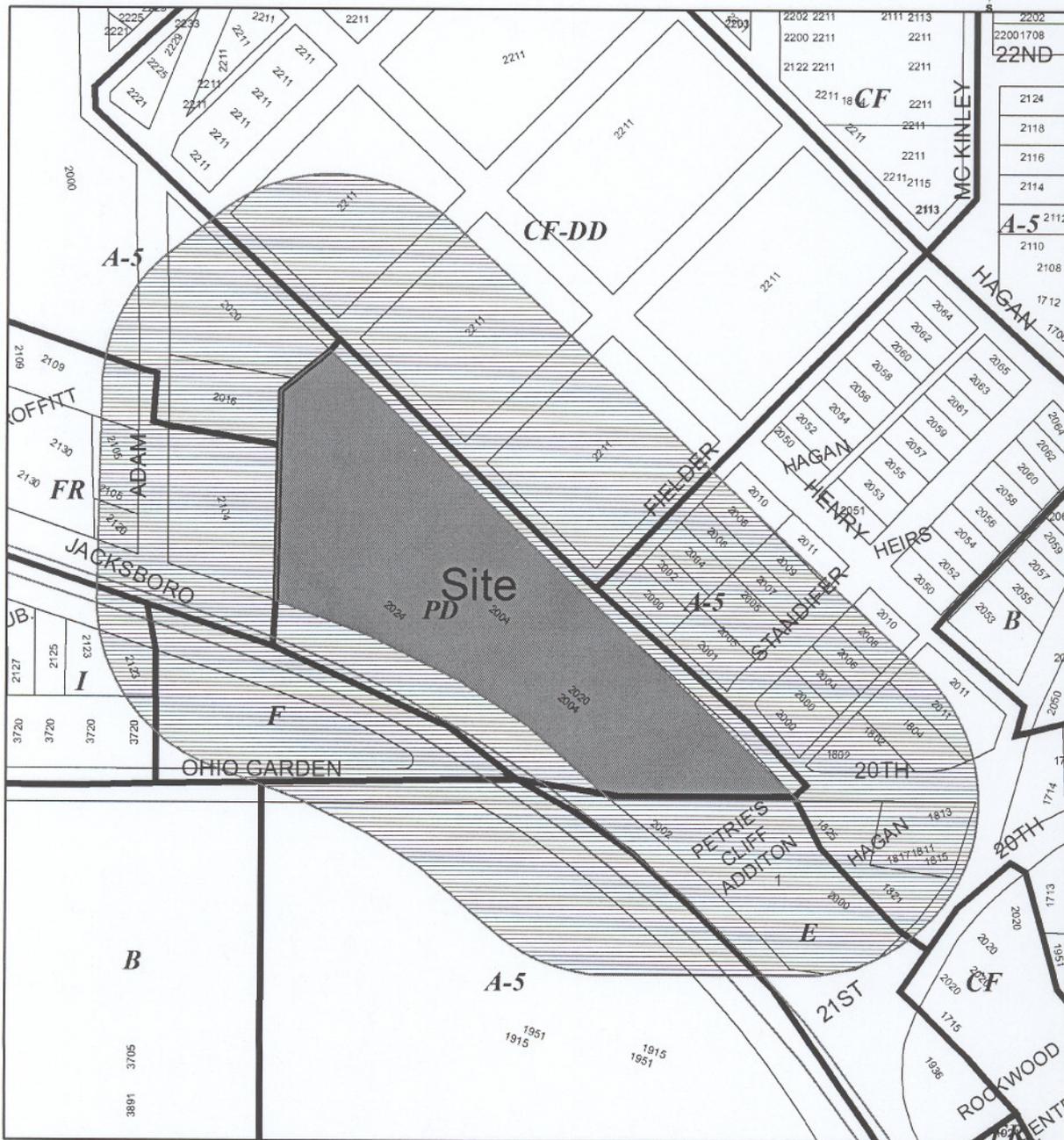


SP-10-008

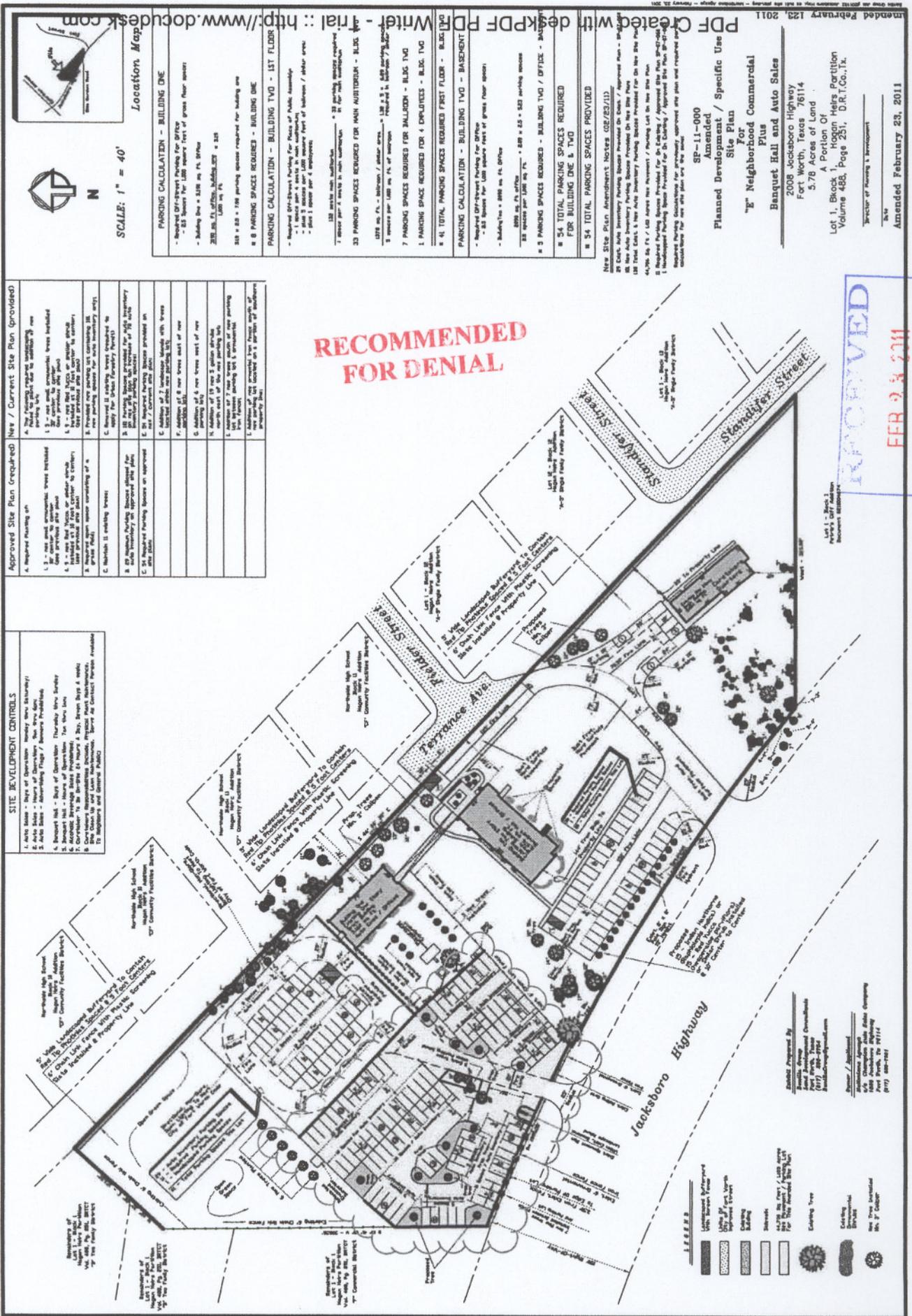
Area Zoning Map

Applicant: Champions Auto Sales Co.
 Address: 2024 Jacksboro Hwy.
 Zoning From: PD 821
 Zoning To: Amend Site Plan for PD 821 to expand auto sales
 Acres: 5.81
 Mapsco: 61M
 Sector/District: Northside
 Commission Date: 02/23/2011
 Contact: 817-392-8043

 300 Ft. Notification Buffer



SP-1U-U08



Approved Site Plan Required:

1. All required parking spaces must be provided for the proposed use.
2. All required parking spaces must be provided for the proposed use.
3. All required parking spaces must be provided for the proposed use.
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SITE DEVELOPMENT CONTROLS:

1. All site development controls must be provided for the proposed use.
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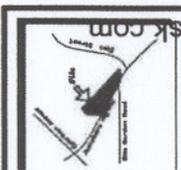
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RECOMMENDED FOR DENIAL



SCALE: 1" = 40'

PARKING CALCULATION - BUILDING ONE

- Required Off-Street Parking for Office: 25 spaces per 1,000 square feet of gross floor area
- Building One = 3,200 sq ft. office
- 25E.26.17.1 OFFICE, MULTI-USE = 25
- 50 + 25 = 75 parking spaces required for building one
- 50 + 25 = 75 parking spaces required for building one

PARKING CALCULATION - BUILDING TWO - 1ST FLOOR

- Required Off-Street Parking for Office: 25 spaces per 1,000 square feet of gross floor area
- Building Two = 3,200 sq ft. office
- 25E.26.17.1 OFFICE, MULTI-USE = 25
- 50 + 25 = 75 parking spaces required for building two
- 50 + 25 = 75 parking spaces required for building two

PARKING CALCULATION - BUILDING TWO - BASEMENT

- Required Off-Street Parking for Office: 25 spaces per 1,000 square feet of gross floor area
- Building Two = 3,200 sq ft. office
- 25E.26.17.1 OFFICE, MULTI-USE = 25
- 50 + 25 = 75 parking spaces required for building two
- 50 + 25 = 75 parking spaces required for building two

54 TOTAL PARKING SPACES PROVIDED FOR BUILDING ONE & TWO

New Site Plan Amendment Notes 02/23/12

1. All required parking spaces must be provided for the proposed use.
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Planned Development / Specific Use

Amended Site Plan

"E" Neighborhood Commercial Plus

Banquet Hall and Auto Sales

2008 Jacksonville Highway
Fort Worth, Texas 76114
5.78 Acres of Land
A Portion Of
Lot 1, Block 1, Hogan Heights Partition
Volume 488, Page 231, D.R. (G.O.), L.C.

Amended February 23, 2011

Director of Planning & Development

BY:

RECEIVED
FEB 23 2011

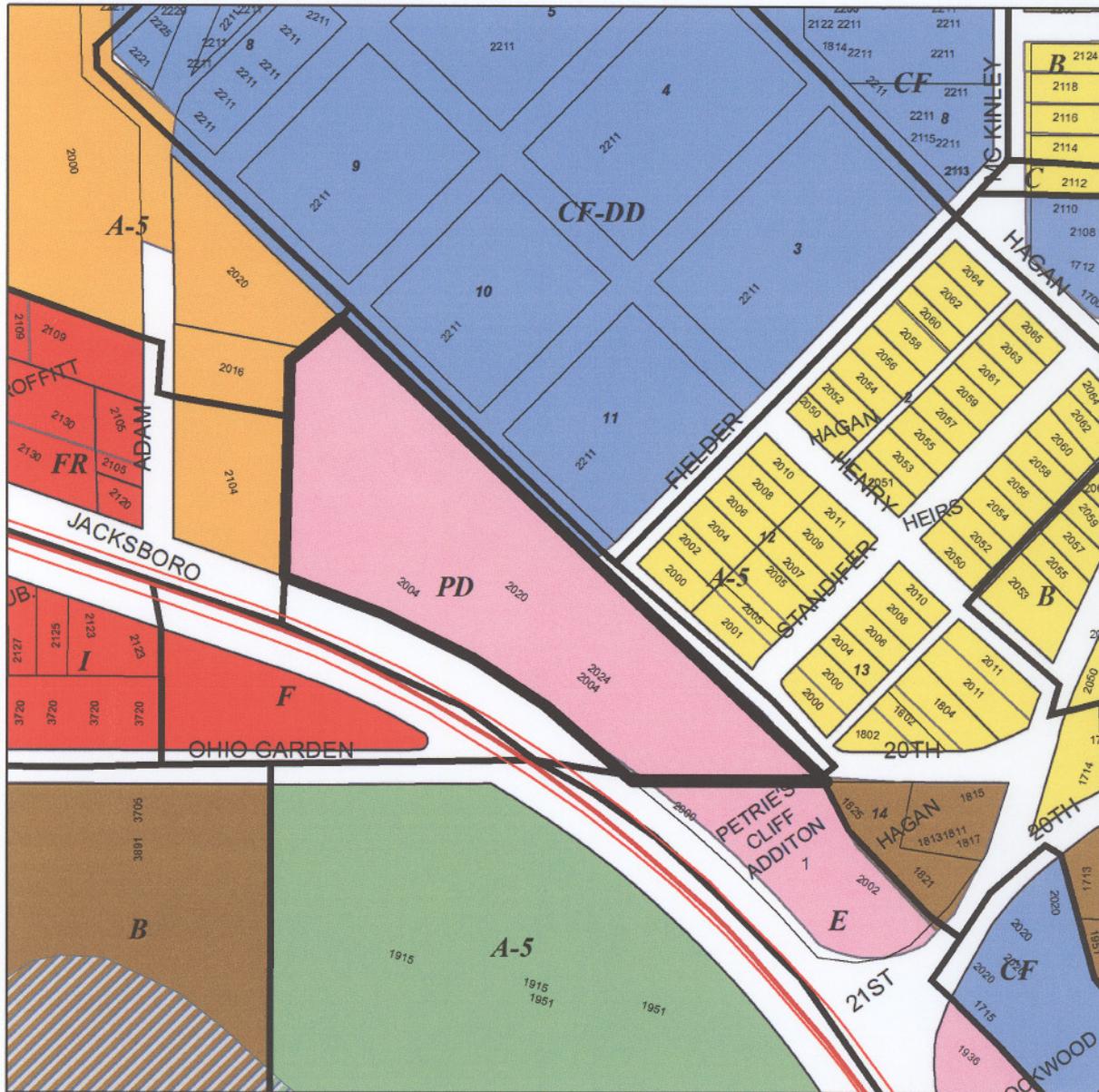
SP-1U-U08

Approved Site Plan Required



Future Land Use

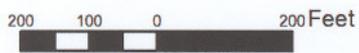
SP-10-008



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on February 23, 2011



Aerial Photo Map



5. Zoning Docket No. SP-10-008 - Champions Auto Sales Co. 2004-2024 Jacksboro Highway; Site plan amendment to PD-821 to add additional parking for vehicle sales. (Recommended for Denial)

Motion: Council Member Espino made a motion, seconded by Council Member Hicks, that Zoning Docket No. SP-10-008 be continued until the May 10, 2011, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

6. Zoning Docket No. ZC-11-027 - Matthew Hicks, 5338 Boat Club Road; from: "A-5" One-Family to: "ER" Neighborhood Commercial Restricted. (Recommended for Approval)

Council Member Burdette stated some of the residents in the area were concerned about allowing any other uses in the area besides "A-5" One-Family. He stated that Boat Club Road had grown significantly over the years from the small country road that it once was and should not be considered only a single-family residential area. He stated that changes and rezoning would continue in this area and he would support this zoning request.

Mr. Matthew Hicks, Applicant, 4300 Boat Club Road, appeared before Council in support of Zoning Docket No. ZC-11-027 and stated he had spoken with all of the residents in the area and they were in support of his business.

Motion: Council Member Burdette made a motion, seconded by Council Member Hicks, that Zoning Docket No. ZC-11-027 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

7. Zoning Docket No. ZC-11-028 - Triple "T" Farms, LTD, a Texas Limited Partnership, 6051 W. Bailey Boswell Road; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial with no maximum building size; site plan included. (Recommended for Approval)

Council Member Burdette advised that this zoning change allowed for commercial development in the area which included a Kroger Grocery Store and advised the zoning change would be positive for the area.

Mr. Michael Clark, representing the applicant, completed a speaker card in support of Zoning Docket No. ZC-11-028, but did not wish to address the City Council.

Motion: Council Member Burdette made a motion, seconded by Council Member Zimmerman, that Zoning Docket No. ZC-11-028 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

City of Fort Worth, Texas
Zoning Commission
March 09, 2011 – Meeting Minutes

DRAFT

Present:

Nick Genua, District 7
Ann Zadeh, Vice Chair, District 1
Jackson Wilson, District 3
Ramon Romero, District 8
Charles Edmonds, Jr., District 4
Maurice Barnes, District 5
Stephanie Spann, District 6

Staff Members Present:

Dana Burghdoff, Deputy Director
Jocelyn Murphy, Planning Manager
Lynn Jordan, Planner
Stephen Murray, Planner
Beth Knight, Senior Planner
Melinda Ramos, Legal

Absent:

Neftali Ortiz, District 2
Gaye Reed, District 9

I. Public Hearing – 10:08 A. M.

Ms. Murphy explained the procedure to be followed for the Zoning Commission meeting.

II. Minutes

The Commission, on a motion by Mr. Edmonds, seconded by Ms. Spann, on a vote of 7-0, voted to approve the Zoning Commission minutes of the February 23, 2011 meeting.

Video on individual cases can be viewed at the following website.
http://fortworthgov.granicus.com/ViewPublisher.php?view_id=2

III. Continued Cases

1. SP-10-008 Champions Auto Sales Co. (CD 2)- 2004-2024 Jacksboro Highway (Hagan Heirs Subdivision, Block, Lot 1A, 5.11 Acres): Amend site plan for PD-821 to add parking spaces to expand auto sales storage lot and amend required landscaping; site plan included.

Chris Bonilla, 8540 Charleston, Fort Worth, Texas, representing Champions Auto Sales Co., explained to the Commissioners that the original site plan case was approved by Council in 2007. The site plan at that time indicated development controls and included 29 parking spaces for inventory. Mr. Bonilla mentioned the revised site plan as submitted will incorporate all previously approved language for development controls, 29 parking spaces with an additional 101 parking spaces for auto inventory, for a total of 130 spaces. The majority of the added parking spaces are already in place without updating the site plan.

Mr. Bonilla explained how this happened. He mentioned the contractor that was hired ensured them they would pull all necessary permits and update the site plan for approval. The contractor was paid for the construction and walked away from the job without doing this. The Bonilla group was hired to provide an amended site plan. He also added the revised site plan will

incorporate 34 new shrubs and 33 trees. Eleven trees were removed during the construction of the parking lot.

Carlos Flores, 1415 Circle Park Boulevard, a member of the Northside Neighborhood Association was curious as to why the owner deviated from the approved site plan back in 2008. He understands what Mr. Bonilla said about the contractor walking away and they were trying to mitigate some of the parking by adding additional landscape islands. He mentioned as an owner he would have followed up to make sure this additional parking could be done because it was tied to a site plan.

Michael Grooms, 2004 Sandifer Street, mentioned there is no green space area out by the fence as indicated on the site plan it is all concrete.

Mr. Bonilla, in rebuttal explained to the Commissioners this is a hard case to explain as to how they got to this point since the contractor walked away from the site plan. Mr. Bonilla followed up on Mr. Green's comment about there being no green area by the fence line. The revised site plan needs to be revised to indicate the green area as paved surface. Mr. Bonilla submitted a petition of support letters from the neighborhood.

Ms. Spann asked about the paved area where the green is indicated. Mr. Bonilla explained there is a graphic error on the site plan. Ms. Murphy asked and Mr. Bonilla confirmed that the paved area is within the TxDOT right-of-way for Jacksboro Hwy.

Mr. Edmonds asked about the site plan showing plantings along Jacksboro Highway. In response Mr. Bonilla mentioned there are seven trees planted inside of the fence along Jacksboro. There is about 3 ½ feet of paving between fence and trees.

Ms. Zadeh mentioned the case history and if it is the same owner as in 2008 they should have followed the site plan as approved back then. She also asked if the applicant had asked the contractor to pave this area. Mr. Bonilla said yes they did.

Motion: Following brief discussion Mr. Genua recommended denial of the request, seconded by Ms. Spann. The motion carried 6-1 with Mr. Edmonds against.

IV. ~~New Cases~~

2. ZC-10-185 Jack 2199, Inc. (CD 2)- 2000 Jacksboro Highway (Petrie's Cliff Addition, Block 1, Lot 1, 1.50 Acres): from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus car wash & auto repair; site plan included.

Jim Schell, 901 Fort Worth Club Building, representing Jack 2199, Inc. explained to the Commissioners the request is to rezone to PD/E plus car wash and auto repair for this site. The owner has met with the Northside Neighborhood and trying to develop a site plan for this property. Mr. Schell mentioned the neighborhood was in support, however; they questioned the