



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
May 10, 2011

Council District 5

Zoning Commission Recommendation:

Approved by a vote of 7-0

Opposition: one person spoke

Continued	Yes <u>X</u>	No <u> </u>
Case Manager	<u>Beth Knight</u>	
Surplus	Yes <u> </u>	No <u>X</u>
Council Initiated	Yes <u>X</u>	No <u> </u>

Owner / Applicant: City of Fort Worth Planning & Development Department,
West Handley Neighborhood

Site Location: 1000 Canton Drive Mapsco: 79M

Proposed Use: Industrial uses

Request: From: "B" Two-Family and "K" Heavy Industrial

To: "PD/I" Planned Development for all uses in "I" Light Industrial plus machine shop with no horsepower limitation, welding shop, woodworking shop, sheet metal with no limit on gauge, metal shearing and punching with no limit on metal thickness; site plan waiver requested

Land Use Compatibility: Requested change is not compatible.

Comprehensive Plan Consistency: Requested change is not consistent.

Background:

This lot in the West Handley neighborhood consists of two industrial buildings, currently used as a towing company, and designated as light industrial in the 2011 Comprehensive Plan. The site was part of a Council-initiated rezoning that was approved for the remaining case on April 4, 2011. The property at 1000 Canton Drive was continued for further consideration.

On April 13, staff met with the property owner, who requested additional uses to the "I" Light Industrial district in order to lease the property to a wider range of potential tenants. These uses include:

- machine shop with no horsepower limitation,
- welding shop,
- woodworking shop,
- sheet metal working with no limit on gauge, and
- metal shearing and punching with no limit on metal thickness.

At Council's request the case was re-advertised in the newspaper for "PD/I" with additional uses as noted above.

Site Information:

Owner's Agent / Consultant: City of Fort Worth Planning & Development Dept.
1000 Throckmorton Street

Fort Worth, TX 76102

Acreage: 1.41 ac.
Comprehensive Plan Sector: Southeast

Surrounding Zoning and Land Uses:

North A-5 / Single family
East I / Small industrial uses
South I and K / Small light industrial uses and a large heavy industrial use
West A-5 / Single family and vacant land

Public Notification:

The following Neighborhood Associations were notified:

Central Meadowbrook NA	East FW Neighborhoods Coalition
Handley, Caville, Historic Poly NA	Neighborhoods of East Fort Worth
Stop Six/Poly Oversight NA	East Fort Worth Business Association
Historic Carver Heights NA	Southeast Fort Worth, Inc.
West Meadowbrook NA	Historic Handley Development Corp.
Eastside Sector Alliance	Fort Worth ISD

Recent Relevant Zoning and Platting History:

Zoning History: 12 surplus cases, within rezoning area, from B to A-21, A-10, or A-5, approved;
8 surplus cases, surrounding rezoning area, from B to A-5, approved
ZC-07-179, northwest of rezoning area, implementation of the Oakland Corners Urban Village, approved
ZC-08-128, south of rezoning area, Council-initiated from various districts to be in conformance with the Comprehensive Plan, approved;
ZC-09-141, northwest of rezoning area, Council-initiated from various districts to be in conformance with the Comprehensive Plan, approved; and
ZC-10-010, ZC-10-105, ZC-10-118, ZC-10-137, ZC-10-150, ZC-11-030; north and west of rezoning area Council-initiated from various districts to be in conformance with the Comprehensive Plan, approved.

Platting History: None.

Transportation/Access:

<u>Street</u>	<u>Existing Size</u>	<u>Thoroughfare Plan classification</u>	<u>Current Plans</u>
Canton Drive	2 lanes undivided	collector	none
Tension Drive	2 lanes undivided	collector	none

Other factors to access: Access to Lancaster Avenue and Loop 820 via Canton Drive first routes a trip through several blocks of residential uses.

Development Impact Analysis:

1. **Land Use Compatibility**

This council-initiated zoning change request is intended to align the existing land uses, future land use map, and zoning. While the existing zoning has been in place since the 1952 zoning map, the site has been fully developed to the north and west property lines with no buffering adjacent to the residential uses. At this time, no specific tenant is proposed that would utilize the more intensive uses requested.

Each of the five additional uses has the potential to significantly increase the noise impacts to adjacent properties, because the uses as requested are not required to be in an enclosed building with sound reduction measures. The 10,000 square foot building along the northern property line, closest to the residential, is open on three sides.

Based on access to the site through a residential area, lack of adjacent buffer to the residential uses, and potential significant increase of noise to the residential properties, the requested "PD" Planned Development for I uses plus five additional heavy industrial uses **is not compatible** with the surrounding land uses.

2. Comprehensive Plan Consistency

The 2011 Comprehensive Plan designates the subject site as light industrial. The proposed zoning is not consistent with the following Comprehensive Plan policies:

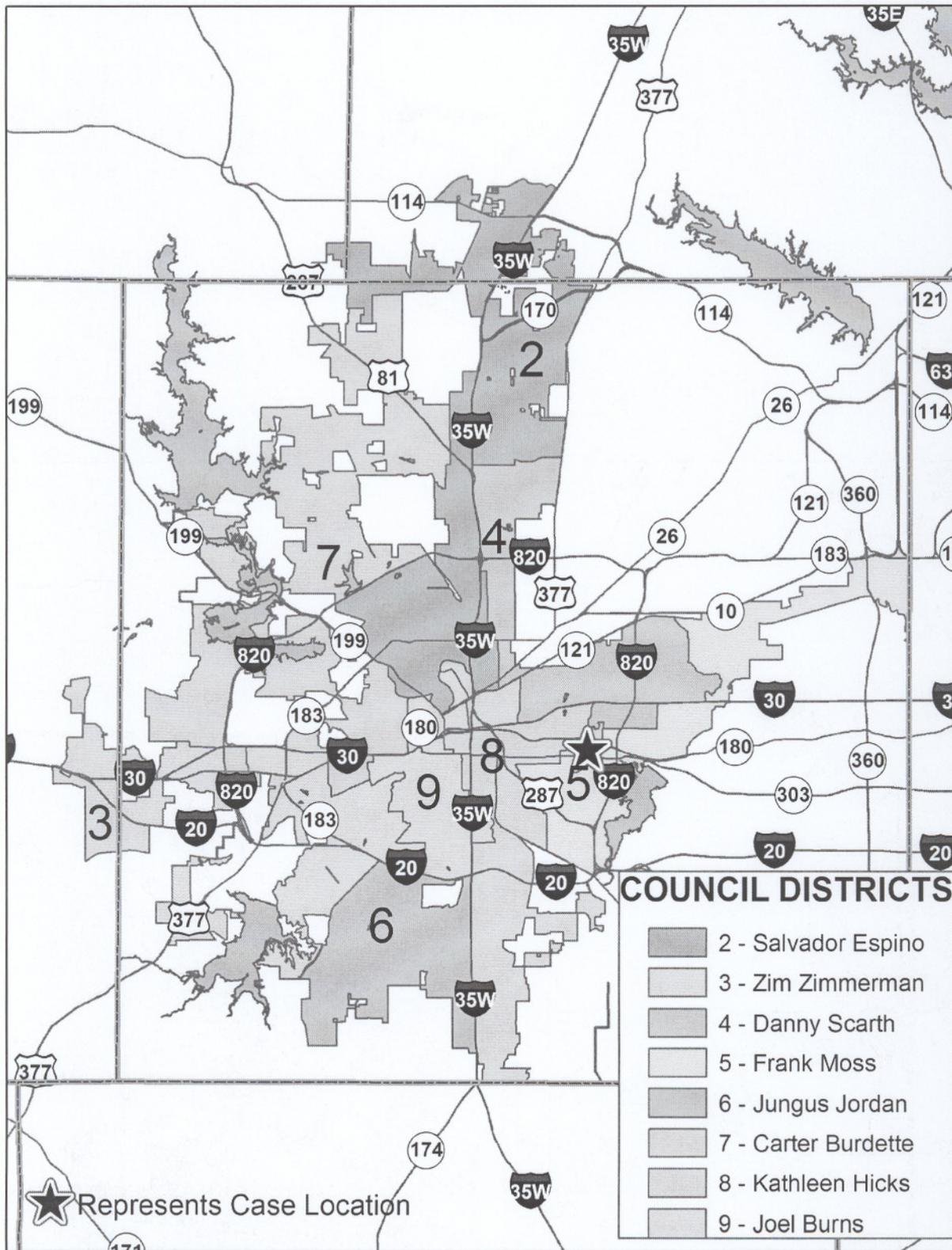
- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 37)
- Discourage the location of industrial uses adjacent to residential districts. (pg. 38)
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses. (pg. 38)
- Encourage screening, reduction, and/or redirection of objectionable characteristics of commercial uses adjacent to residential uses. These attributes may be noise, glare, signs, parking areas, loading docks, and refuse collection. (pg. 39)

Based on a lack of conformance with the future land use map and the policies noted above, the requested PD zoning for additional heavy industrial uses **is not consistent** with the Comprehensive Plan.

Attachments:

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

Location Map



FORT WORTH



ZC-11-030A

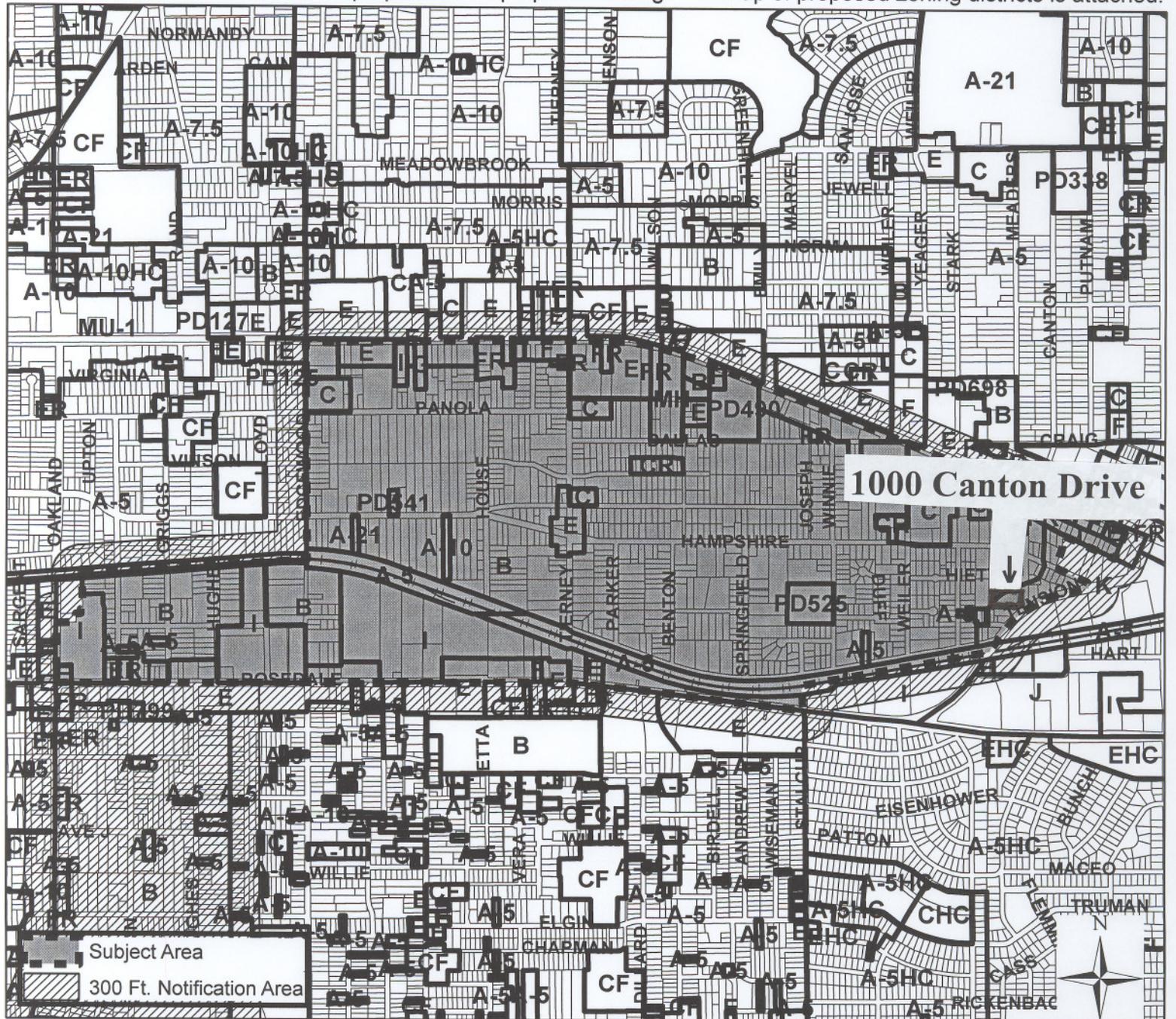
Area Zoning Map

Applicant: City of Fort Worth Planning and Development
Address: Generally bounded by E. Lancaster Ave, East Loop 820, E. Rosedale Street, Miller Avenue
Zoning From: A-21, B, CR, C, MH, ER, E, FR, F, G, I, J, K, and PDs 525 & 541
Zoning To: A-10, A-7.5, A-5, B, C, CF, ER, E, FR, and I
Acres: 590.117665 Mapsco: 78M,79E-MP
Commission Date: 03/09/2011 Sector/District: SE&Eastside
Contact: 817-392-8190

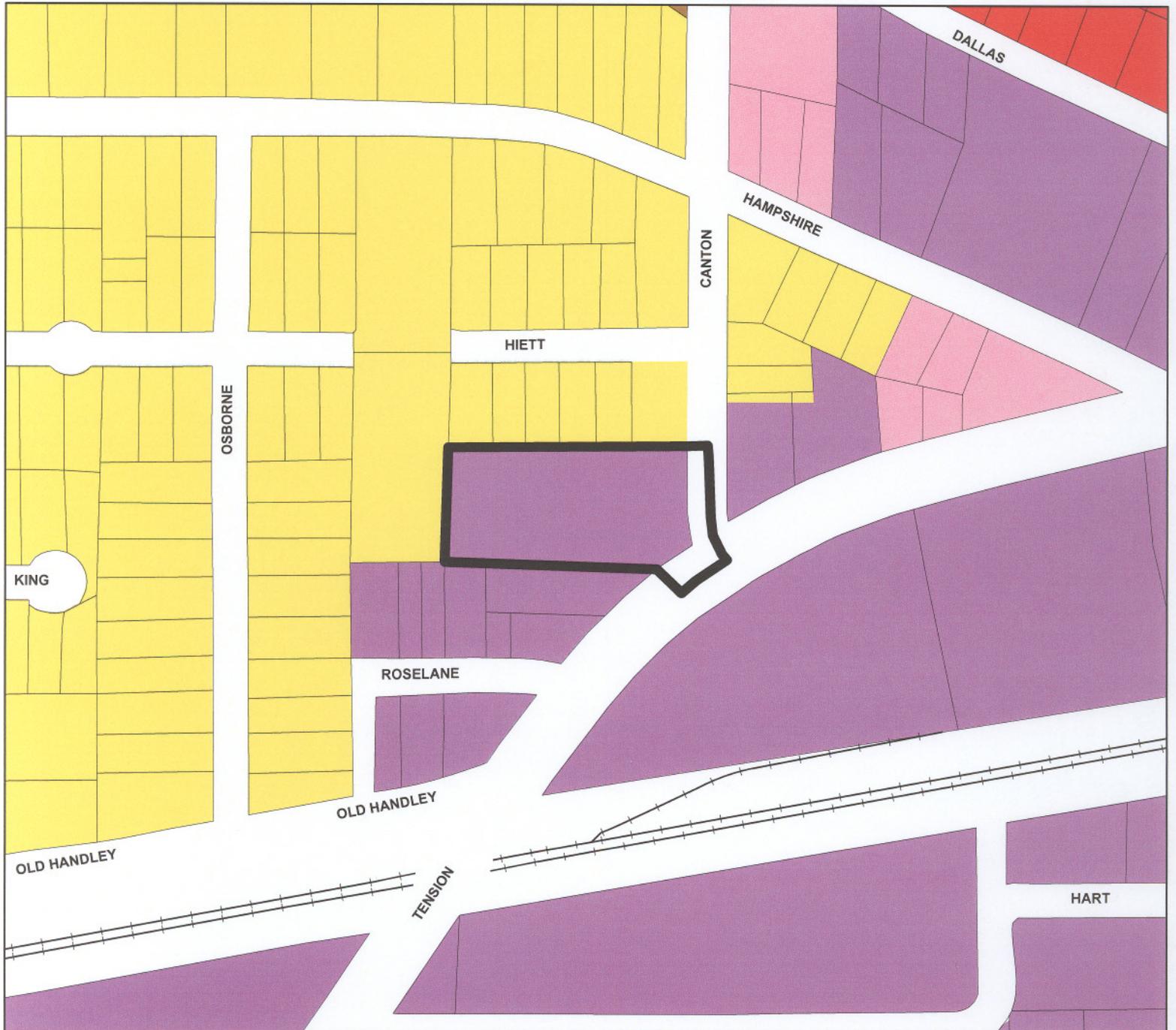
You may find a list of included properties at:

<http://www.fortworthgov.org/planninganddevelopment/zoningcommission.aspx>

Click on the case name for a list of properties and proposed zoning. A map of proposed zoning districts is attached.



Future Land Use



- | | | |
|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
|  TOLLWAY / FREEWAY | Future Land Use Category |  Neighborhood Commercial |
|  PRINCIPAL ARTERIAL |  Vacant, Undeveloped, Agricultural |  General Commercial |
|  MAJOR ARTERIAL |  Lakes and Ponds |  Light Industrial |
|  MINOR ARTERIAL |  Rural Residential |  Heavy Industrial |
| |  Suburban Residential |  Mixed-Use Growth Center |
| |  Single Family Residential |  Industrial Growth Center |
| |  Manufactured Housing |  Infrastructure |
| |  Low Density Residential |  100 Year Flood Plain |
| |  Medium Density Residential |  Public Park, Recreation, Open Space |
| |  High Density Residential |  Private Park, Recreation, Open Space |
| |  Institutional | |



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 March 1, 2011.



Aerial Photo



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 March 1, 2011.



8. Zoning Docket No. ZC-11-029 - Azleway Inc., 2504 Oakland Boulevard; from: "A-10" One-Family to: "CF" Community Facilities. (Recommended for Approval)

The following individuals completed speaker cards in support of Zoning Docket No. ZC-11-029, but did not wish to address the City Council.

Ms. Wanda Conlin, 1755 Martel Avenue
Mr. Joe Vitek, 4132 Benmar Street

Motion: Council Member Hicks made a motion, seconded by Council Member Zimmerman, that Zoning Docket No. ZC-11-029 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

9. Zoning Docket No. ZC-11-030 - City of Fort Worth Planning & Development, West Handley Neighborhood, Generally bounded by E. Lancaster Avenue, East Loop 820, E. Rosedale Street, and Miller Avenue; from: "A-21" One-Family, "B" Two-Family, "CR" Low Density Multifamily, "C" Medium Density Multifamily, "MH" Manufactured Housing, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "F" General Commercial, "G" Intensive Commercial, "I" Light Industrial, "J" Medium Industrial, "K" Heavy Industrial, and "PD" Planned Developments 525 and 541 to: "A-10" One-Family, "A-7.5" One-Family, "A-5" One-Family, "B" Two-Family, "C" Medium Density Multifamily, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted, and "I" Light Industrial. (Recommended for Approval)

Ms. Wanda Conlin, 1755 Martel Avenue, appeared before Council in support of Zoning Docket No. ZC-11-030 and relative to the strong support of this item by both the West Meadowbrook Neighborhood and the East Fort Worth Business Association. She stated that this item cleared up the poor zoning in the area and requested Council approve this item.

The following individuals appeared before Council in opposition to Zoning Docket No. ZC-11-030 and advised that they wished to retain the property located at 1000 Canton Street at the current zoning. They advised that they wished to have a tenant on this property with a small welding/fabrication business and pointed out that this use was allowed in the current "K" Heavy Industrial but was not allowed in the proposed "I" Light Industrial. They also requested this item be remanded back to the City Zoning Commission since they felt that the Commission did not have all of the facts at the time of their decision.

Mr. Bill Sanders, P.O. Box 50067 (displayed a spread sheet of zoning uses)
Kenneth Moore, P.O. Box 50067

(ZC-11-030 Continued)

Council Member Moss advised that this was a very critical item on the agenda since many of the zoning uses in this area were unacceptable. He stated that he understood the concerns of the property owners and would make a motion to continue the property located at 1000 Canton Street until the May 10, 2011, Council meeting and would support approval of the rest of the item.

Motion: Council Member Moss made a motion, seconded by Council Member Hicks, that Zoning Docket No. ZC-11-030 be approved but action be delayed for 1000 Canton until the May 10, 2011, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Moss made a motion, seconded by Council Member Hicks, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 19647-04-2011

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously nine (9) ayes to zero (0) nays.

XVI. CITIZEN PRESENTATIONS

1. Mr. Joe Don Brandon, P. O. Box 1155, "Fort Worth YouTube TV Another Cable TV/Internet Public Partnership"