



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 2, 2011

Council District 7

Zoning Commission Recommendation:
Approved by a vote of 7-0 as amended for "I" Light Industrial

Opposition: One person spoke

Continued Yes ___ No X
Case Manager Lynn Jordan
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: LQ Development, LLC

Site Location: 3249 Buda Lane Mapsco: 46W, 60A

Proposed Use: Industrial

Request: From: "IP" Industrial Park District

To: "I" Light Industrial

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent. (Technical Inconsistency)

Background:

The applicant is requesting a zoning change from "IP" Industrial Park District an inactive district to "I" Light Industrial for industrial type uses. There is not a specific use at this time. The IP zoning district is more restrictive on development standards as indicated in the chart below.

The subject property falls within the Accident Potential Zones (APZ) I and II, and the 65, 70, and 75 decibel levels of the Naval Air Station-Joint Reserve Base. The Joint Land Use Study determined that industrial uses are appropriate within the flight area due to the reduced potential for high density of human activity (e.g. fewer persons in the area in case of an event). The case was submitted for review to the NAS JRB Regional Coordination Committee members who supported the zoning change.

"I" Light Industrial provides for a maximum building height of 45 ft. While it is not preferable that a building is built to this maximum height in the APZs, it is expected that the height would not impede flight activities due to the distance from the end of the runway, which is approximately 5,000 feet to the property line at Loop 820. The Naval Air Station recommends that the City also consider limits on steam/smoke emissions, height hazards, and sound attenuation (for sensitive uses such as office spaces, public receiving areas, etc). The future airport overlay expected in Fall 2011 is expected to control these potentially negative influences on the base.

Development Standards	J District	I District	IP District
Height	12 stories or 120 ft	45 ft. max.	35 ft max.
Front Yard	none	None	15 ft
Rear & Side Yard	none	None	20 ft
Parking & Loading Areas	Loading area screened from public row	Loading area screened from public row	Not permitted in the front, side, or rear yards and screened from public street
Noise Limit	none	none	40 decibels (nighttime)
Uses	Any use permitted in I plus brewery, cement products plant, grain elevator, more intensive manufacturing, metal work, woodworking	General manufacturing, assembling, warehousing, distribution, outdoor sales, service, and storage	Any use permitted in H, no residential, plus assaying, electroplating, limited manufacturing, warehouse, wholesale

Opposition was received from the Lake Worth ISD. The ISD owns almost six acres directly to the north of the subject property which is used as their Ag farm for their FFA program. According to city staff, the property owner constructed several lineal detention basins on this site a few years ago in this area. The City of Lake Worth is working with Fort Worth staff to improve Comanche Creek which cuts this property.

Site Information:

Owner: LQ Development, LLC
 PO Box 93898
 Southlake, Texas 76092

Agent: Winkelmann & Associates/ Mike Clark
 Acreage: 98.41 acres
 Comprehensive Plan Sector: Far West

Surrounding Zoning and Land Uses:
 North "AG" Agricultural / vacant
 East "G" Intensive Commercial / vacant
 South "F" General Commercial & "G" Intensive Commercial / NW Loop 820 W. and vacant
 West Lake Worth /single-family homes, light commercial

Recent Relevant Zoning and Platting History:

Zoning History: ZC-09-001 approved by City Council 3-24-09 for G zoning, subject property directly to the east.

Platting History: PP-05-079 Landmark Quebec Addition approved by the City Planning Commission 7/23/08

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
NW Loop 820	Tollway/Freeway	same	no
Northwest Centre	2 way residential	local	no
Buda Lane	2 way residential	local	no
Strawn Lane	2 way residential	local	no

Considerations: The site's primary access would be off the service road of NW Loop 820 onto a local two-way residential street, which is not adequate for traffic that may be generated by an industrial use.

Public Notification:

The following Neighborhood Associations were notified:
 East Lake Worth

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "J" Medium Industrial. Surrounding land uses are vacant to the north and east, NW Loop 820 to the south, and single-family homes with light commercial uses in the City of Lake Worth to the west. The property falls within the Naval Air Station's Accident Potential Zones I and II due to the runway on the south.

Based on surrounding land uses, the proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2011 Comprehensive Plan designates the subject property as general commercial. The requested zoning change is not consistent with the following Comprehensive Plan policies.

- Locate large industrial uses along rail lines, highways, or airports within industrial growth centers and other appropriate locations. (pg. 38)
- Separate incompatible uses 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)

Based on the lack of conformance with the future land use map and the policy stated above, the proposed zoning **is not consistent** with the Comprehensive Plan. However, the 2008 Joint Land Use Study indicates that industrial uses are more compatible with the flight operations of the NASJRB.

The property is also included in the City's recently adopted Lake Worth Vision Plan. The concept provides a Town Center to the east of the subject property, but expresses that a light industrial park or similar low density employment area is appropriate in this area. (Section 2.3 (c) of the Lake Worth Vision Plan)

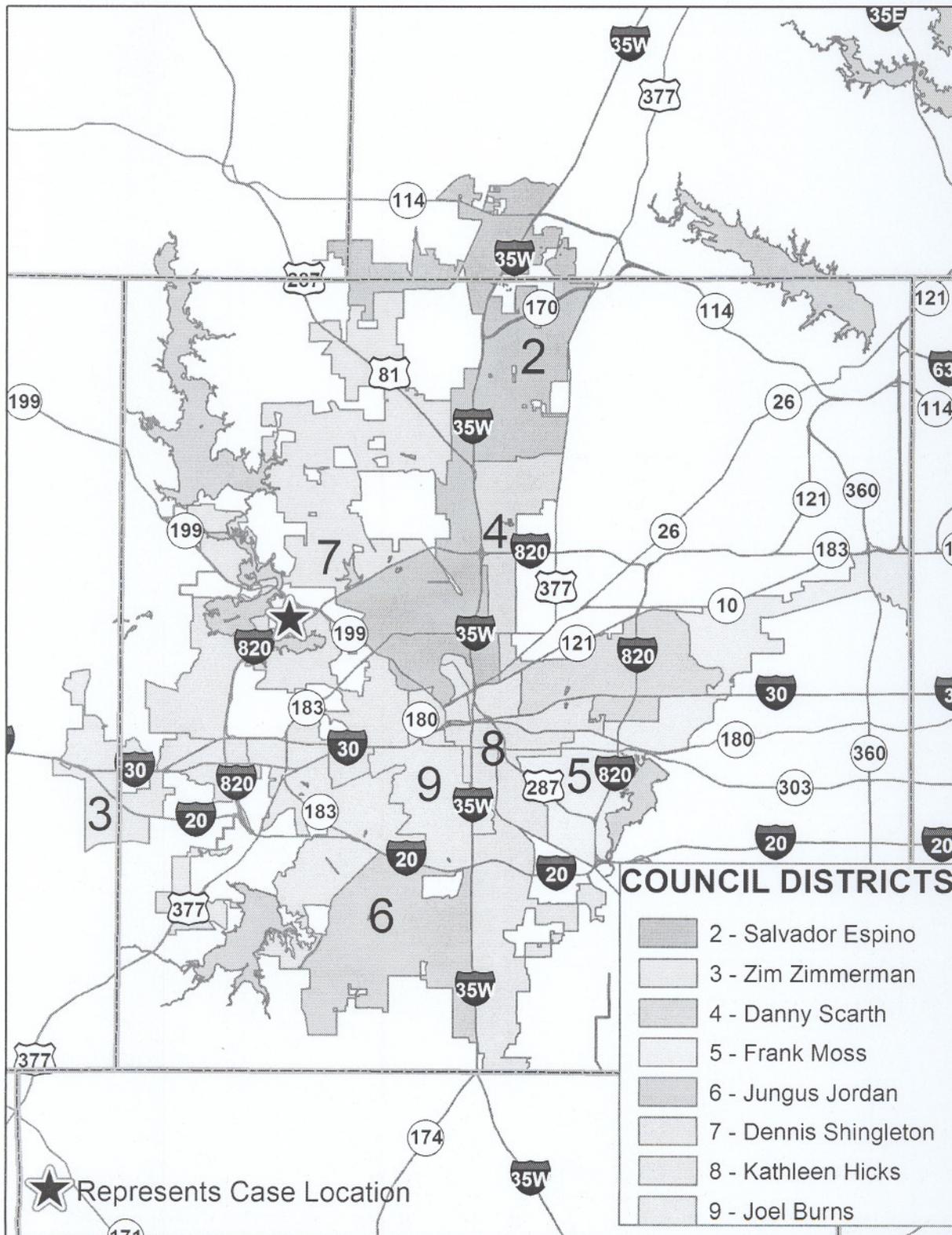
Attachments:

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

FORT WORTH

ZC-11-046

Location Map

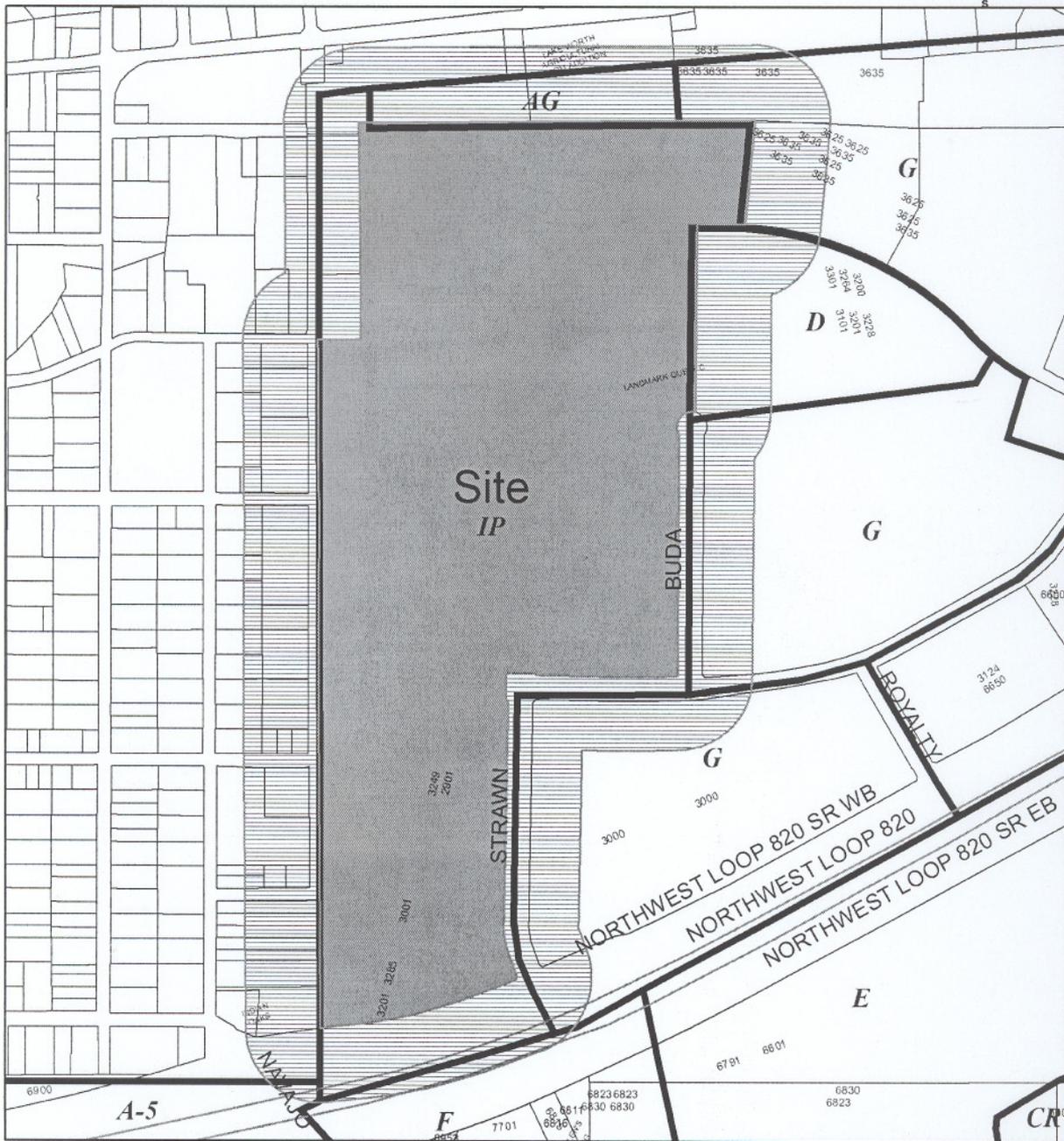




Area Zoning Map

Applicant: LQ Development, LLC
Address: 3249 Buda Lane
Zoning From: IP
Zoning To: J
Acres: 98.41
Mapsc0: 46W, 60A
Sector/District: Far West
Commission Date: 07/13/2011
Contact: 817-392-2495

 300 Ft. Buffer



200 100 0 200 Feet

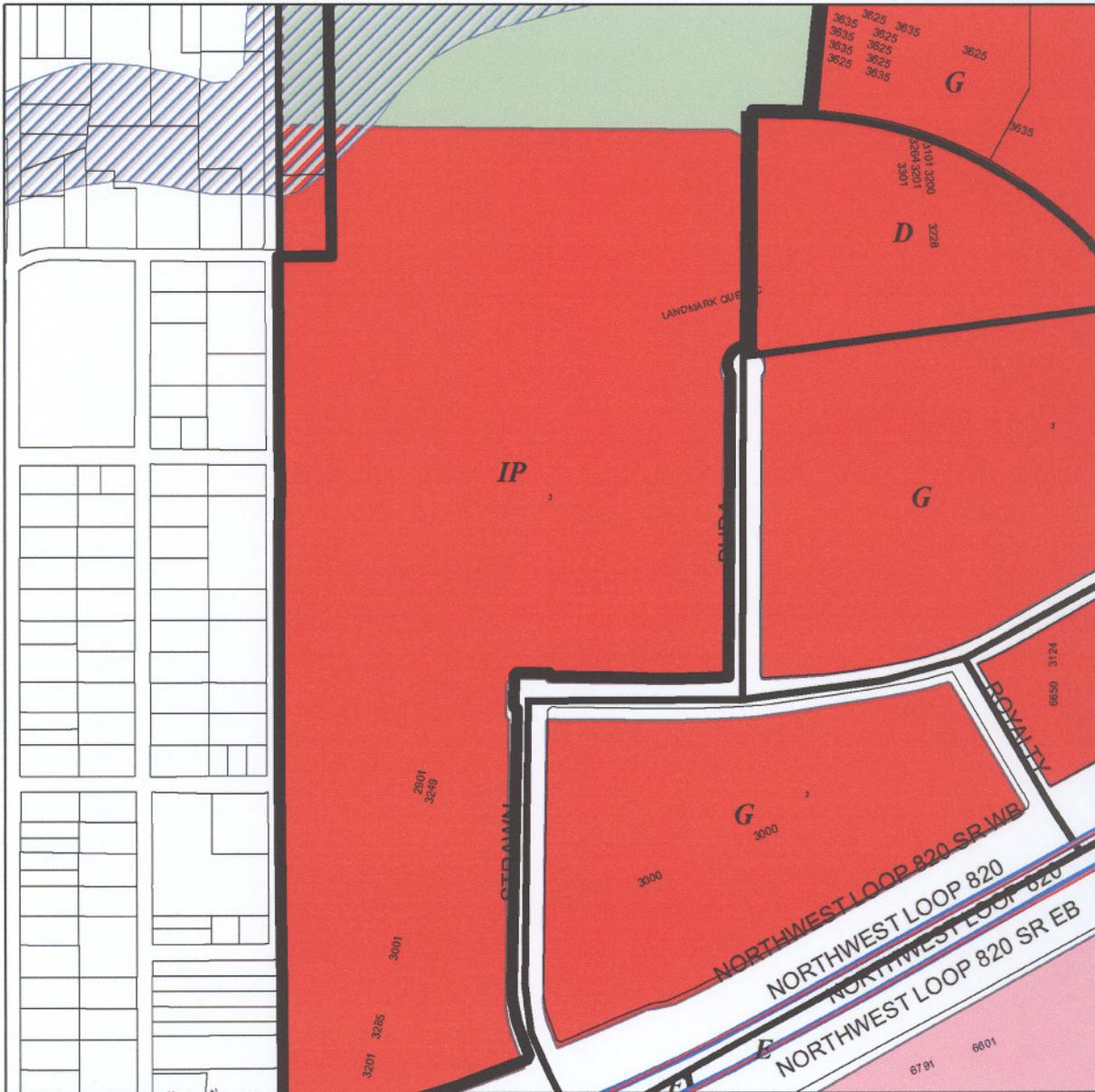


FORT WORTH



Future Land Use

ZC-11-046



- 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

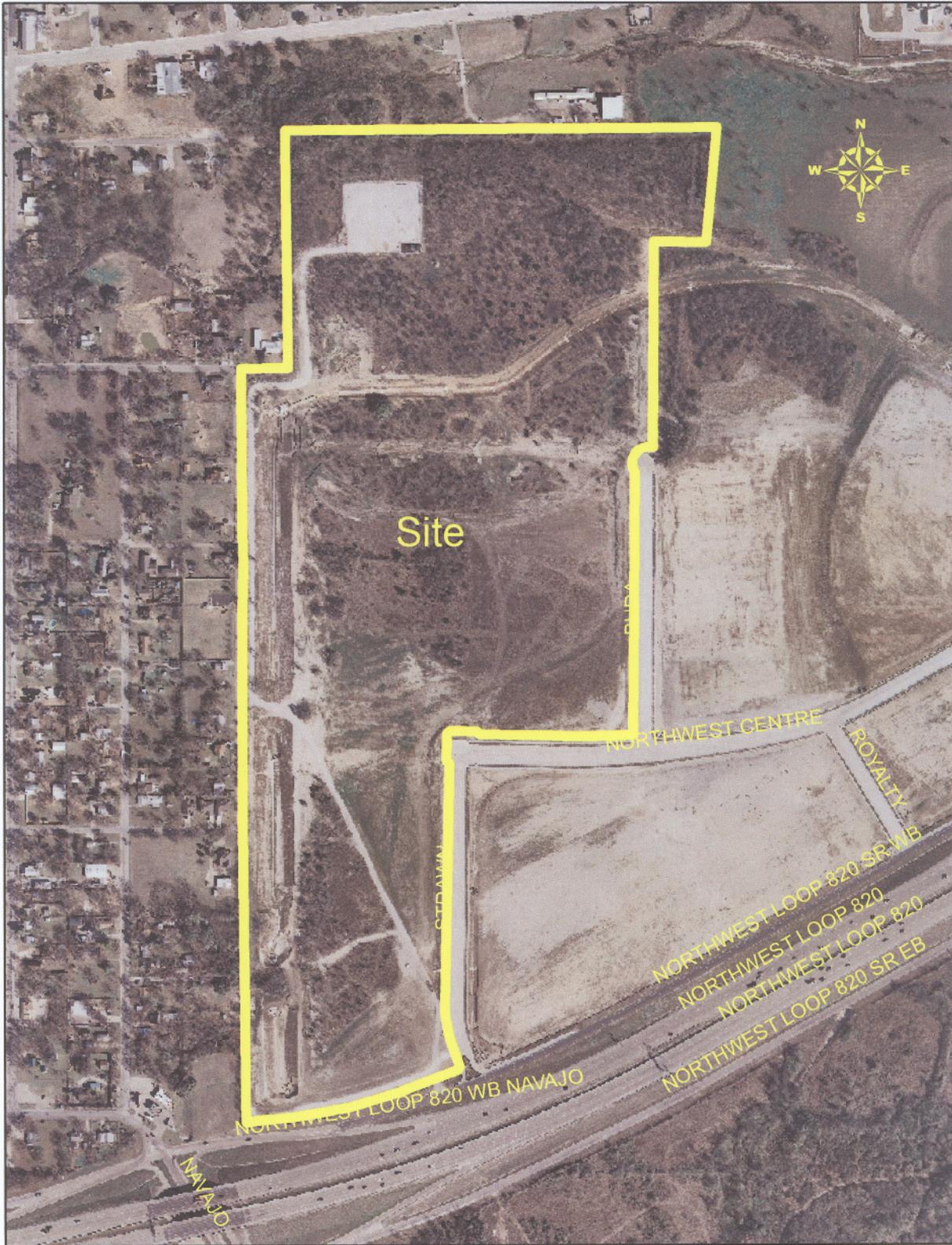
200 100 0 200 Feet

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 Map



2. ZC-11-046 LQ Development LLC (CD 7)- 3249 Buda Lane (Landmark Quebec Addition, Block 3, Lot 2, 98.41 Acres): from "IP" Industrial Park, to "J" Medium Industrial

Mike Clark, 6750 Hillcrest Plaza, Dallas, Texas, representing LQ Development, LLC explained to the Commissioners the IP zoning is an inactive district. They are requesting J Medium Industrial to allow for the additional height for potential users, but likely will not need 120 feet but probably around 40 ft. The area is adjacent to Lake Worth which buffered from the site by a floodplain. They are in the direct landing path of the Joint Reserve Base.

Mr. Genua asked about the height and why not request I zoning. Mr. Clark mentioned there are other uses needed that are not permitted in that zoning district and they wanted flexibility for future tenants.

Rachel Wiggins, 1510 Chennault Avenue, NAS Fort Worth JRB, representing the Joint Reserve Base spoke in support of the request but had concerns about height hazards, sound attenuation and smoke and steam emissions. The subject property is about a mile from the end of the runway. Based on the topography Ms. Wiggins mentioned the height in the southwest corner could only be about 100 ft., as an example. The request for J zoning with a maximum height of 120 feet presents problems with the flight installation. Ms. Wiggins also wanted to inform the Commissioners the any construction will require a notification with the FAA due to the proximity of the airport. She also mentioned this process is required however the FAA cannot stop construction if it is considered a hazard. They rely on cities to help regulate height near airfields.

Mr. Genua mentioned he was comfortable with I zoning but wanted to know how they handled the other issues. Ms. Wiggins mentioned after speaking with Ms. Murphy concerning the allowed uses she didn't think there would be an issue with smoke and steam emissions. She also mentioned she didn't know if the property fell under the 2007 noise attenuation building ordinance.

Mr. Romero asked if the applicant was to go before the Board of Adjustment for a height variance would they be in opposition. Ms. Wiggins mentioned 100 ft was based on the southwest corner of the property; it would depend on where the buildings are placed as well as the topography.

Mr. Edmonds asked for clarification on the height issue. Ms. Wiggins mentioned the southwest corner is closest to the runway the maximum height would be 100 ft the remainder of the property would vary.

Ray Stringer, 6805 Telephone Road, Lake Worth, Texas, representing Lake Worth ISD spoke in opposition. Mr. Stringer mentioned J zoning has uses such as power plants, cement plants, poultry slaughter are too broad. He also mentioned their AG farm is adjacent to this property to the north and that they prefer to keep the existing zoning.

In rebuttal, Mr. Clark mentioned he understands the concerns and noted there is floodplain at the back of the property by the school property and nothing would be built back there. As far as the height issue, he is aware of it based on a previous case for the hospital. Mr. Clark mentioned if they change the zoning to I, they would come back at a later time to request for J for a specific user or go before the Board of Adjustment for a height variance.

Motion: Following brief discussion, Mr. Genua recommended approval of the request as amended for I Light Industrial, seconded by Mr. Edmonds. The motion carried unanimously 7-0.

<i>Document received for written correspondence</i>				<i>ZC-11-046</i>	
Name	Address	In/Out 200 ft notification area	Position on case		Summary
Ray Stringer/Lake Worth ISD	6805 Telephone Rd	In	Opposition		Spoke at hearing

3. ZC-11-048 McKinney Memorial Bible Church. (CD 3)- 4805 Arborlawn Drive (Overton West School Site, Block A, Lot 1R, 19.71 Acres): from “A-5” One-Family to “CF” Community Facilities.

Robert Stroup, 4805 Arborlawn Drive Avenue, Fort Worth, Texas representing the Church and the Board of Elders, explained to the Commissioners that they are requesting to zone the property to CF Community Facilities for future expansions and to be consistent with the Comprehensive Plan. Mr. Stroup mentioned their Community Master Plan calls for CF.

Motion: Following brief discussion Mr. Wilson recommended approval of the request, seconded by Mr. Edmonds. The motion carried unanimously 7-0.

4. ZC-11-049 Vertex Asset Partners LP (CD 8)- 2942 S. Riverside Drive (SP Loving Survey, Abstract 943, 8.87 Acres): from “PD-852” Planned Development for E uses with exclusions to “UR” Urban Residential

Brandy O’Quinn, 2801 Willing Avenue, Fort Worth, Texas representing Vertex Asset Partners explained to the Commissioners the request to rezone the property to UR. Ms. O’Quinn explained this area has been designated an Urban Village. Mr. Mallick owns several properties around this area. He developed Sierra Vista, the single-family development to the west of the subject property. She explained there is a real demand for senior housing. The UR zoning district is fitting for the Urban Village. It encourages housing next to transit and a future transit station is proposed across the street. Ms. O’Quinn also mentioned they have a letter of support from the United Communities neighborhood. Fort Worth Southeast Inc. has not had their board meeting yet to give input on the development.

Cleveland Harris, 1037 Colvin Street, Fort Worth, Texas represented the Morningside Neighborhood and spoke in support of the request.