



**SITE PLAN AMENDMENT  
STAFF REPORT**

**Zoning Commission Meeting Date:**  
August 2, 2011

**Council District** 9

**Zoning Commission Recommendation:**

Approved as Amended by a vote of 7-0 for all requests for Lot 1 and the screening walls

**Opposition:** None

Continued	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Case Manager	<u>Lynn Jordan</u>	
Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Council Initiated	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

**Owner / Applicant:** Fort Worth Midtown LLC

**Site Location:** 2222 W. Rosedale Street Mapsco: 76KL

**Proposed Use:** Site Plan amendment for PD-558 to:

- Not require screening of the driveway for Lot 1;
- Not require the 40% fenestration requirement for Lots 1 and 5;
- Allow drive-thru lanes between the building and the street for Lot 1;
- Not meet the masonry requirement for Lot 5;
- Add retaining/screening walls

**Companion Cases:** ZC-04-037/SP-08-008

**Background:**

The Midtown development has been selling properties and beginning construction, which is requiring the adjustment of several development standards. The site is located at the northeast corner of Forest Park Boulevard and Rosedale Street. The applicant is submitting a site plan amendment for PD-558 to make changes to the site to meet the needs of the new property owners and developers.

At the Zoning Commission meeting, representatives were available to explain the need for the waivers for Lot 1 but not for Lot 5, therefore only the waivers for Lot 1 were recommended for approval. After the meeting, the developer explained the occurrences and provided a memorandum explaining the need for the waivers for Lot 5. The Zoning Commissioner for District 9 was involved in these discussions and has approved the requested waivers for Lot 5.

The memorandum explained that the hotel proposed for Lot 5 faces three publicly accessible streets as well as open space. It also mentioned that the topography limits the pedestrian experience of Midtown since a large retaining wall is necessary to transition grades along Forest Park Boulevard. The need for the waivers is explained below:

The waiver for fenestration:

- The slope transition along Forest Park Boulevard places the finished elevation of Lot 5 approximately 15 feet above Forest Park Boulevard at the northern end while the southern end is roughly at grade.

- The combined constraints of needing to provide privacy for guests and accommodate the slope transition make the fenestration requirement impractical on the western elevation of Lot 5.

The waiver for masonry:

- The building overall exceeds the minimum requirement at 71%. The building elevations on the east and west exceed the minimum requirements, however the north and south elevations are below the 70% masonry threshold at approximately 56% masonry.
- The masonry improvement planned for the structure provide the greatest architecture on those streets viewed from pedestrians interior to the development on the east side and from Forest Park Blvd. on the west side.

Fort Worth South has reviewed the proposed elevations for the bank and hotel and will be submitting a letter of support. Covenants also require a review of building plans by a Design Review Board for the development.

There have been several administrative revisions to the site plan since the Council approved revisions in 2008, which was a revision from the original in 2004. The minor revisions related to reduced building square footage and related parking. Below are the requested changes to the site plan; these are provided in the Site Plan deficiencies and a waiver is necessary for each.

	2008 Site Plan	New Site Plan
Total Sq. Ft.*	154,364 sq. ft./two hotels-four story & six story parking garage	83,947 sq. ft./two hotels-four story & four story parking garage
Parking Spaces*	765 parking spaces (95.9% of required)	518 parking spaces (95.5% of required)
Open Space	133,620 sq. ft.	163,215 sq. ft.
Screening	Parking areas screened from street by masonry garden walls or landscaped hedge rows	Waive screening requirement for driveway in Lot 1 (bank)
Fenestration (windows)	40% fenestration requirement first floor all buildings	Waive the 40% fenestration requirement for Lots 1 and 5
Proposed Bank Drive-thru	Located between two buildings (interior) per MU requirements for Lot `	Located between façade of building and a street for Lot 1
Masonry	70% masonry requirement comprised of masonry materials for Lot 5, a building facing publicly accessible streets and open space	Building elevations on east & west side exceed minimum requirement and the north south elevations are below approximately 56% masonry

\* Reduction previously administratively approved.

It appears that the approved Urban Forestry Plan (UF10-0028) was prepared for the original site plan. A revision to the approved UF will be required through Urban Forestry reflecting the new site plan.

**Site Information:**

Owner: Fort Worth Midtown, LLC  
8333 Greenway Boulevard  
Suite 200  
Middleton, WI 53562

Agent: Boydston Design/Barney Boydston; Raymond Mgmt. Co./Barry Perkel  
Acreage: 9.98 ac  
Comprehensive Plan Sector: Far Northwest

Surrounding Zoning and Land Uses:

North "J" Medium Industrial / vacant  
 East "G" Intensive Commercial / vacant  
 South "ER/HC" Neighborhood Commercial Restricted/Historic Overlay / single-family  
 West "I" Light Industrial / commercial offices

**Site Plan Comments:**

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. The key deficiencies are:

1. The site plan indicates the orientation of the drive-thru window is located along the façade of the building and the street and is not permitted per Section 5.112.1 Drive-In Business of the Zoning Ordinance. *(Requesting waiver for Lot 1)*
2. Driveways that are located and parallel to a public street shall be screened from the public right-of-way with landscaping berms, fences, or walls 36 to 42 inches in height per Section 4.1001.3.e of the Zoning Ordinance. *(Requesting waiver for Lot 1)*
3. The MU-2 fenestration requirement for all buildings fronting on publicly accessible streets or open space is 40% per Section 4.1001.F.3. of the Zoning Ordinance. *(Requesting waivers for Lots 1 & 5 on the site plan)*
4. The MU-2 masonry requirement has a minimum of 70%, north and south elevations are approximately 56%. *(Requesting waiver for Lot 5)*

**Compliance with the items noted above shall be reflected on the site plan or waivers will be required.**

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-04-037 from "G" Intensive Commercial to "PD-MU-2", site plan required, approved by Council April 13, 2004.  
 SP-08-008 site plan revision, approved by Council March 8, 2005

Platting History: PP-10-004 Mistletoe Heights approved by the City Plan Commission 9/02/08

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
W. Rosedale St.	principal arterial	same	no
Forest Park Blvd.	major arterial	same	no

Considerations: The site will have access from W. Rosedale St. and Forest Park Blvd., an arterial, which are adequate for the traffic generated by the proposed uses.

**Public Notification:**

The following Neighborhood Associations were notified:  
 Sunset Terrace Fort Worth South, Inc.  
 Mistletoe Heights Southside Preservation Assoc.  
 FW Downtown Neighborhood Alliance Fort Worth ISD

**Attachments:**

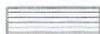
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site plan
- Minutes of the Zoning Commission meeting

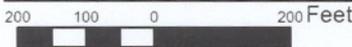
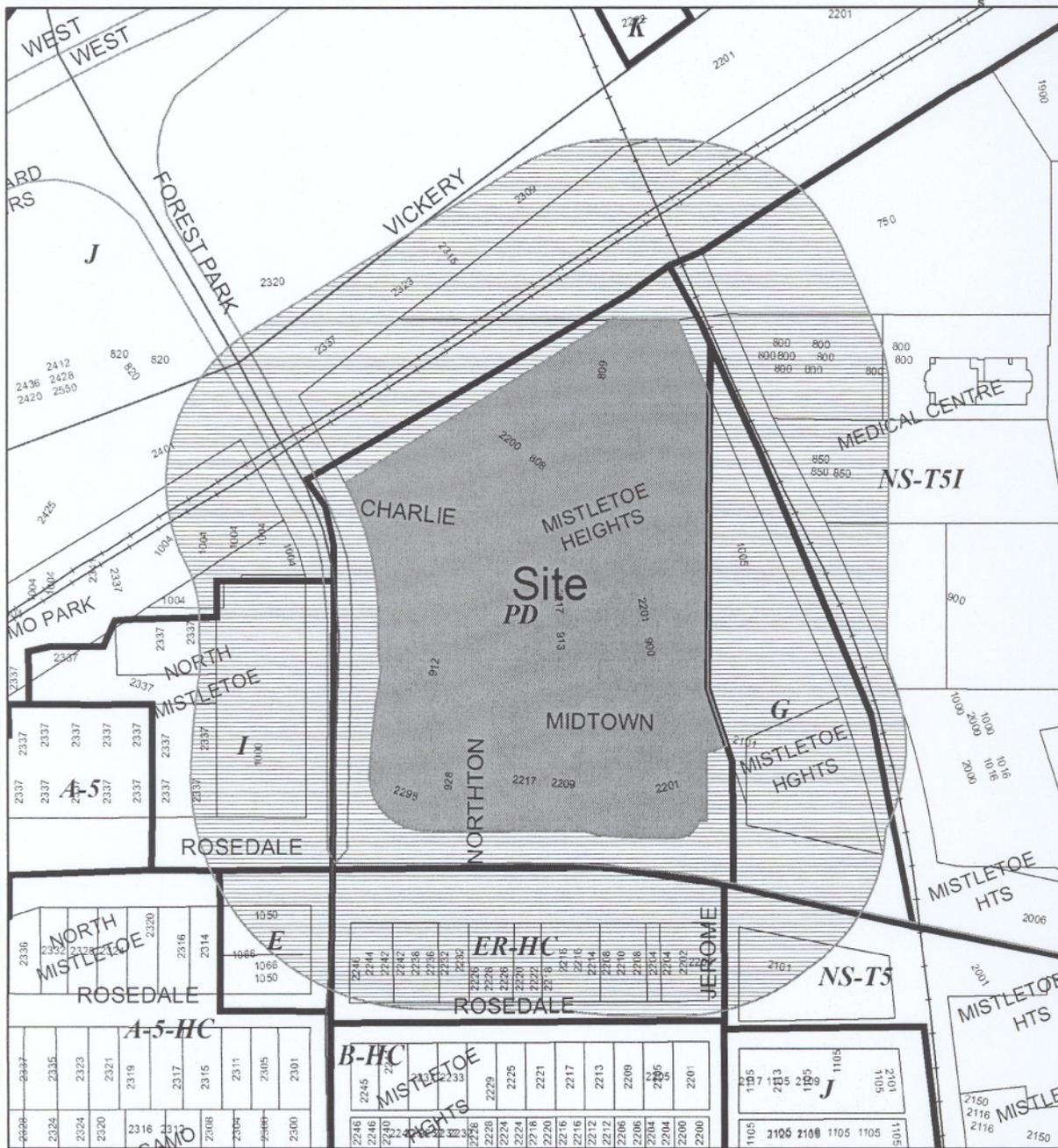




## Area Zoning Map

Applicant: Boydston Designs  
 Address: 2222 W. Rosedale Avenue  
 Zoning From: PD 558  
 Zoning To: revised site plan for PD 558  
 Acres: 9.98  
 Mapsco: 76KL  
 Sector/District: Southside  
 Commission Date: 07/13/2011  
 Contact: 817-392-2495

 300 Ft. Buffer



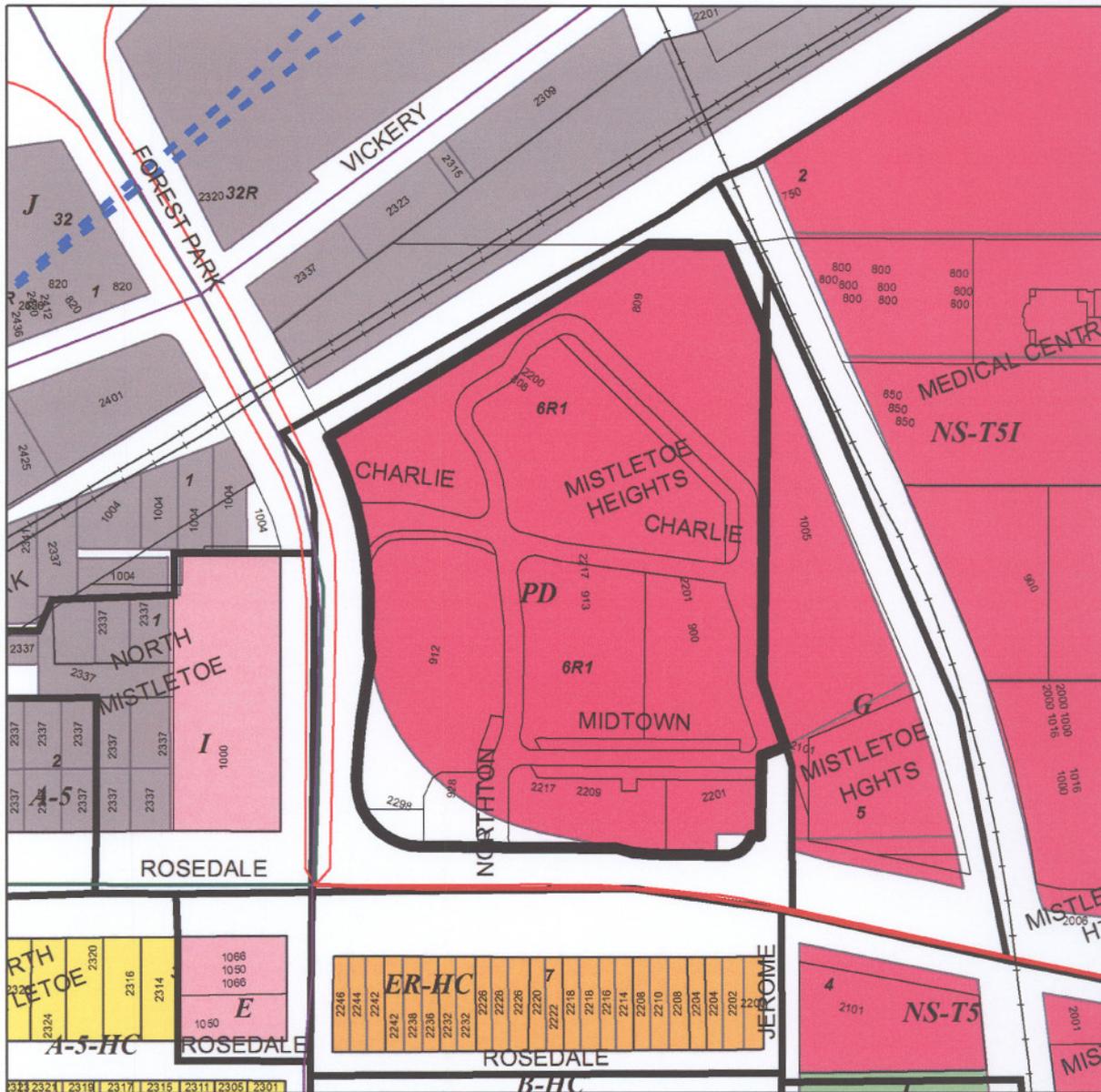


# FORT WORTH



## Future Land Use

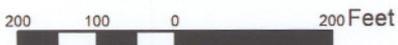
SP-11-004



- 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 March 1, 2011.



## Aerial Photo Map



Mr. Ortiz explained the reasoning behind the zoning change. Mr. McDowell understands the dangers of aircraft flying overhead but thinks he is in more danger driving down the freeway.

Dr. Barnes asked how many people live in the neighborhood. Mr. McDowell mentioned most of the people are husband and wife. He also mentioned they live in a place they can afford to live.

<i>Document received for written correspondence</i>				<i>ZC-11-056</i>	
Name	Address	In/Out 200 ft notification area	Position on case		Summary
Rachel Wiggins/NASJRB	1510 Chennault Dr*	Out		Support	Spoke at hearing
George McDowell	3133 Marquita Dr	In	Opposition		Spoke at hearing/Spoke for property owners at 3112, 3126 Joyce; 3137 Marquita & 3137 Ramona

Motion: Following brief discussion, Mr. Wilson recommended a 60 day continuance of the request, seconded by Dr. Barnes. The motion carried unanimously 7-0.

**12. SP-11-004 Fort Worth Midtown Village (CD 9)- 2222 West Rosedale Street (see addresses in case file, 9.99 Acres): Site Plan amendment to PD-558 to include drive through lanes between the building and the street, add a retaining wall and to not meet the 40% fenestration requirement**

Tom Purvis, 5301 Byers, Fort Worth, Texas representing Southwest Bank one of the property owners. Mr. Purvis explained to the Commissioners the request to move the bank drive-thru lanes from the original configuration and to waive the screening requirement for the driveway.

Ms. Reed asked about the screening of the driveway. Mr. Purvis explained the ATM will be located back there and they do not want to have it screened for safety reasons. Ms. Reed also asked for clarification on the fenestration requirement. Mr. Purvis said he didn't know but there are different developers for the site.

Dana Burghdoff, Deputy Director, City of Fort Worth, referred to staff and asked if they have received an elevation drawing. Mr. Purvis mentioned they have not submitted one for staff to review.

Lynn Jordan, Planner, City of Fort Worth explained the reason the request was made to waive the fenestration requirement. Ms. Jordan mentioned a building permit is in process for the hotel that exceeds the 30% requirement.

Ms. Burghdoff explained if the fenestration and EFIS is not a concern then those requests can be denied. Ms. Burghdoff was referring to the list not necessarily the staff report. Mr. Purvis mentioned they do need to waive the requirement for fenestration on their building.

Mr. Edmonds asked for clarification on the request.

Ms. Burghdoff asked if there was a letter received from Fort Worth South. Mr. Purvis said there was a discussion between Mr. Perkel and Paul Paine and that Fort Worth South approved the project but did not provide a letter.

Mr. Edmonds mentioned they usually receive some type of support or opposition from Fort Worth South and was surprised no one was present.

Motion: Following brief discussion, Ms. Reed recommended approval of the request as amended, to not require screening for the drive-thru for Lot One, not require the 40% fenestration requirement for the bank Lot One, to allow the drive thru between the building and the street Lot One, and deny the EFIS requirement for Lot Five and the fenestration requirement for the remainder of the lots, seconded by Mr. Edmonds. The motion carried 6-0-1 with Mr. Wilson recusing.

**13. ZC-11-057 Elvia and Alfred McBride (CD 8)- 1115 E. Terrell Avenue (Moore, Lewis Survey, Abstract 1093, Tract 35, 0.19 Acres): from "A-5/HC" One-Family/Historic & Cultural Overlay to "A-5/HSE" One-Family/Highly Significant Endangered**

Jocelyn Murphy, Planning Manager, City of Fort Worth explained to the Commissioners the request is to change the historic designation.

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

**14. ZC-11-055 Jack & Racquel Morehead (CD 7)- 516 West Bonds Ranch Road (Henry Robertson Survey, Abstract 1259, Tracts 6E2B & 6F2B, 3.86 Acres): from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus single-family residential and farmers' market; site plan waiver requested.**

Racquel Morehead, 516 West Bonds Ranch Road, Fort Worth, Texas the property owner, explained to the Commissioners the request is so they can farm the land and sell the products. She mentioned when they bought the house they thought they were able to do that since it was commercial property. They also do business with the Grapevine Farmers Market and said we should have received a letter of support from them. (Staff indicated no letter had been received.)

Mr. Ortiz mentioned he liked the idea, however; he would prefer a site plan for the property to see what will be on the land. Ms. Morehead mentioned she thought what she submitted was a site plan but it was a survey of the property. She indicated on the aerial displayed where the parking and tables would be located. She also informed the Commissioners her business would be the only one selling at the location. Ms. Morehead indicated she didn't mind providing a site plan