



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
July 10, 2012

Council District 3

Zoning Commission Recommendation: Approved by a vote of 9-0 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: John M. Kelley, Jr.

Site Location: 2915 Riverglen Drive Mapsco: 75X

Proposed Use: Retail / Wine Storage Warehouse

Request: From: "F" General Commercial

To: "PD/F" Planned Development for all uses in "F" General Commercial plus wine storage; site plan waiver recommended.

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent

Background:

The applicant is requesting a zoning change from "F" General Commercial to "PD/F" Planned Development for F uses plus wine storage. The site is currently vacant and the owner would like to build a wine storage/wine tasting facility. The wine storage would be climate controlled for storing personal collections of wine. They will provide wine tasting on premise as well as retail sales to the general public.

While warehouse storage less than 50% is permitted in the commercial districts, a planned development to add the use or possibly rezone to an industrial district is required for more than 50% warehouse storage. The applicant is requesting a waiver of the site plan; they do not know who may be the retail users at this time. The primary use is for refrigerated wine storage.

Opposition was received by the business owner/tenant of the property to the south of the subject property. The applicant met with the tenant and explained the operation of the business and the minimal expected traffic. The applicant indicates that the tenant is comfortable with the proposal, however staff has not received documentation of this meeting.

Site Information:

Owner: John M. Kelley
4901 Bryant Irvin Road
Suite 300
Fort Worth, Texas 76107

Agent: Mark Nelson
Acreage: 0.60
Comprehensive Plan Sector: TCU/Westcliff

Surrounding Zoning and Land Uses:

- North "F" General Commercial & "A-5" One-Family / commercial offices & Trinity River
- East "F" General Commercial / commercial offices
- South "F" General Commercial / Daycare facility
- West "A-5" One-Family / Trinity River

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Riverglen Dr.	Residential	same	No

Public Notification:

The following Neighborhood Associations were notified:

- Hartwood Circle RA, Inc.
- Tanglewood
- Lake Como/Vickery Redevelopment Org

- Streams & Valleys Inc.
- University Neighborhood Alliance
- Fort Worth ISD

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "PD/F" Planned Development for all uses in F plus wine storage. All warehouse storage will be located inside a building. Since the property is within 250 feet of A-5 zoning (the Trinity River), parking will be provided as required by the Zoning Ordinance based on proposed uses.

Surrounding land uses consist of commercial offices to the north and east, daycare to the south, and the Trinity River to the west.

As a result, the proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2012 Comprehensive Plan designates the subject property as neighborhood commercial. Warehouse storage is first permitted by right in I, J, & K zoning districts. The requested zoning change is not consistent with the following Comprehensive Plan policies:

- 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)

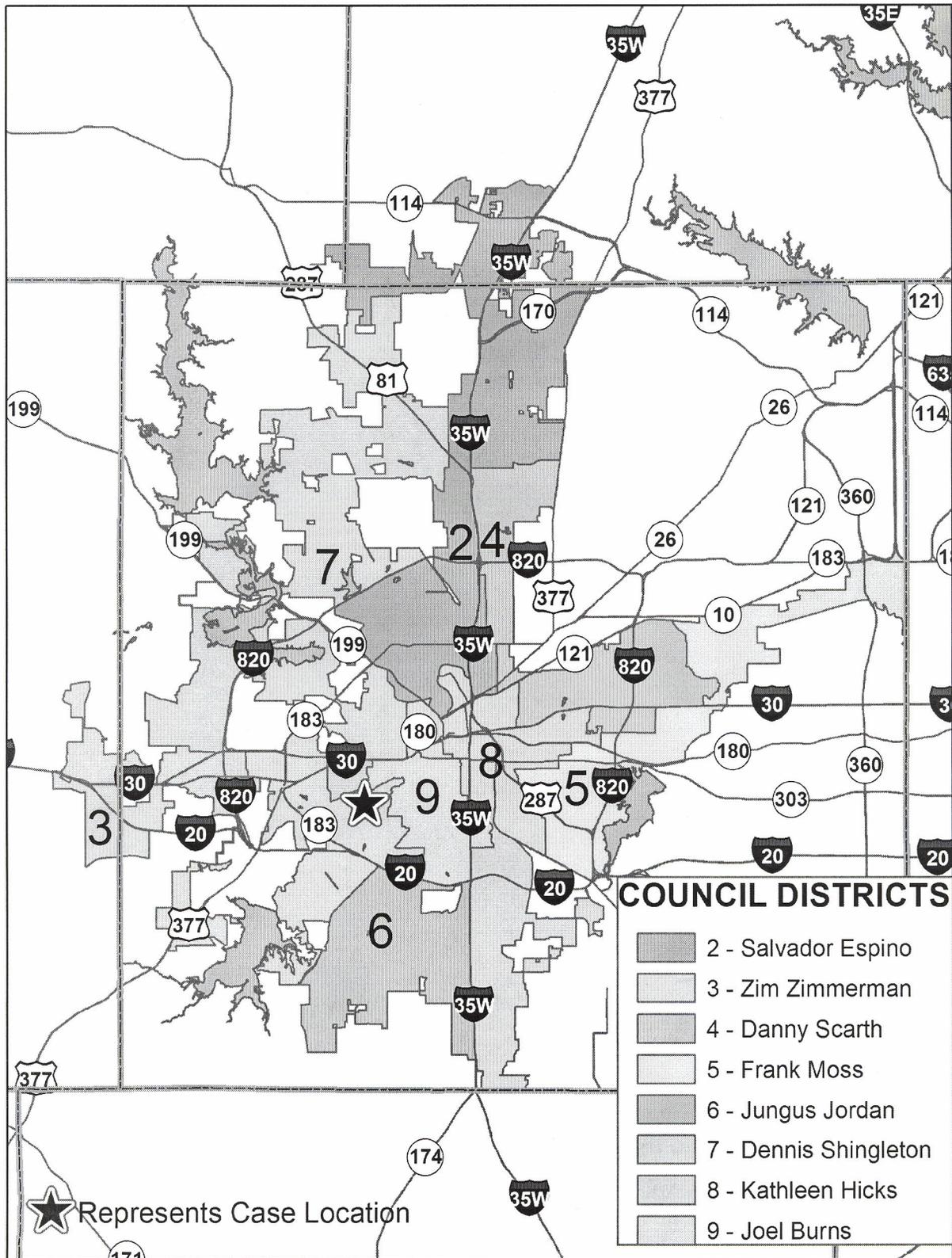
Based on conformance with the future land use map and the policies stated above; the proposed zoning **is not consistent** with the Comprehensive Plan.

To view the Comprehensive Plan: <http://www.fortworthgov.org/planninganddevelopment/misc.aspx?id=81678>

Attachments:

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

Location Map



★ Represents Case Location



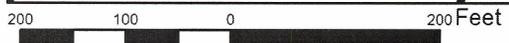


ZC-12-033

Area Zoning Map

Applicant: John Kelley, Jr.
Address: 2915 Riverglen Drive
Zoning From: F
Zoning To: PD for F uses plus warehouse
Acres: 0.60007158
Mapsc0: 75X
Sector/District: TCU/Westcliff
Commission Date: 04/11/2012
Contact: 817-392-2495

 300 Ft. Buffer

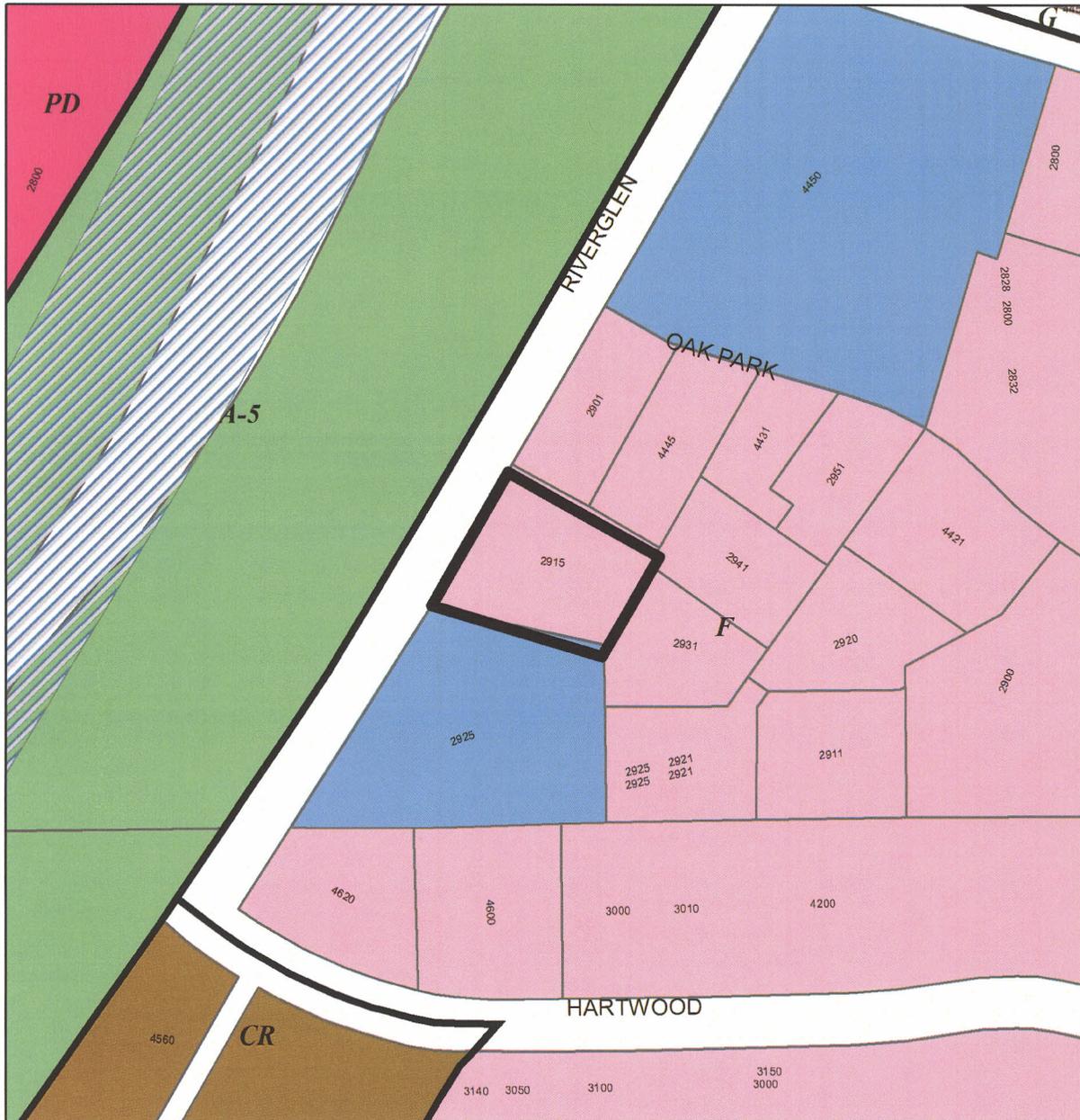




2915 Riverglen Drive

Future Land Use

ZC-12-033



- | | | |
|-----------------------------------|--------------------------|-----------------------------|
| Vacant, Undeveloped, Agricultural | Neighborhood Commercial | CFWGIS.SDE.TRN_RAILROADS |
| Rural Residential | General Commercial | CFWGIS.SDE.CAD_addresses |
| Suburban Residential | Light Industrial | Freeways/Toll Roads |
| Single Family Residential | Heavy Industrial | Proposed Freeway/Toll Road |
| Manufactured Housing | Mixed-Use Growth Center | Principal Arterial |
| Low Density Residential | Industrial Growth Center | Proposed Principal Arterial |
| Medium Density Residential | Infrastructure | Major Arterial |
| High Density Residential | Lakes and Ponds | Proposed Major Arterial |
| Institutional | Public Park, Open Space | Minor Arterial |
| | Private Park, Open Space | Proposed Minor Arterial |
| | | Flood Plain |

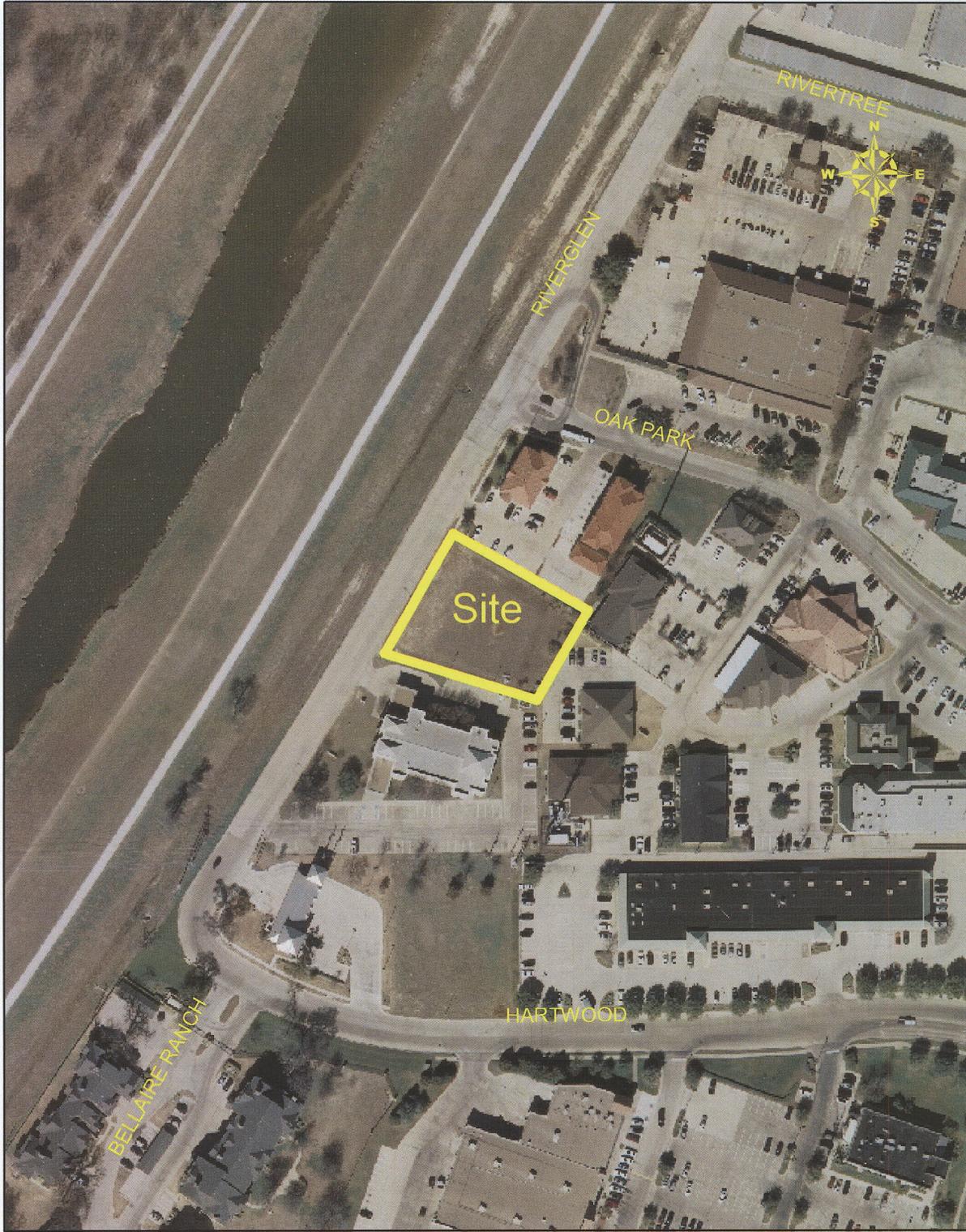


A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on March 06, 2012





Aerial Photo Map



Jim Hodges	2940 S Jennings	Out	Opposition		Spoke at hearing
Paul Millender/South Hemphill Heights	3121 Lipscomb St	Out	Opposition		Spoke at hearing

3. ZC-12-033 John M Kelley, Jr/BSFC LLC (CD 3)- 2915 Riverglen Drive (Stonegate Addition, Block 1, Lot 4J2A, 0.60 Acres): from “F” General Commercial to “PD/F” Planned Development for all uses in “F” General Commercial plus wine storage; site plan waiver requested

Terry Perkins, 314 Crossing Court, Keller, Texas owner of Classic Wine Storage, explained to the Commissioners the case was continued from the April meeting in order for the applicant to meet with the person in opposition. Mr. Perkins said they did meet and explained the operation of the business and the minimal traffic generation at this site and he was ok with the request.

Motion: Following brief discussion Mr. West recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

IV. New Cases

4. ZC-12-048 Tomas Aguirre (CD 8)- 1128 McPherson (Hiram Little Survey, Abstract 930, Tracts 9A04 & 9A04B, 5.36 Acres): from “ER” Neighborhood Commercial Restricted and “E” Neighborhood Commercial to “A-43” One-Family

Tomas Aguirre, 1128 McPherson, Fort Worth, Texas, property owner explained the request to the Commissioners with Roy Salinas, City of Fort Worth Zoning Plans Examiner interpreting. Mr. Salinas mentioned he would like to rezone his property to A-43 for single-family.

Ms. Murphy, Planning Manager, City of Fort Worth explained that staff met with Mr. Aguirre to ensure that he understood about the right of way dedication that will be required at the time of platting.

James Harrison, 1116 McPherson, Fort Worth, Texas wanted to request that the existing 65 year old barn be torn down before a house is built on the property. He said the barn is substandard and a safety concern.

Ms. Conlin explained he needed to call Code Compliance for substandard buildings.

Mr. Harrison asked staff if it would be permitted for them to have livestock on the property. Ms. Burghdoff explained the property owner would have to live on the property in order to have large animals.

Mr. West mention there was a letter of opposition in their packet from Wesley and Diana Holzhey concerned about families being too close to a gas well.