

**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 7, 2012

Council District 2

Zoning Commission Recommendation:

Approval by a vote of 9-0

Opposition: none

Continued	Yes ___	No <u>X</u>
Case Manager	<u>Lynn Jordan</u>	
Surplus	Yes ___	No <u>X</u>
Council Initiated	Yes ___	No <u>X</u>

Owner / Applicant: Bear Creek Plaza, Ltd

Site Location: 11011 Old Denton Road Mapsco: 66X

Proposed Use: Mini-warehouse

Request: From: "G" Intensive Commercial

To: "PD-G" Planned Development for all uses in "G" Intensive Commercial plus mini-warehouse; site plan included

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent.

Background:

The proposed site is located in the northwest corner of Old Denton and Golden Triangle. The current zoning is G; mini-warehouses are not permitted in commercial district except through the PD process. The applicant is proposing to expand and build more storage units, carports and parking for boats and/or rv's.

In 2007 Ordinance No. 17093 excluded mini-warehouses from the G and I zoning districts, making the existing mini-warehouses to the north legal non-conforming and are under different ownership.

Site Information:

Owner:	Bear Creek Plaza, Ltd 82 Armstrong Drive Mustang, Ok
Acreage:	6.48 acres
Comprehensive Plan Sector:	Far North

Surrounding Zoning and Land Uses:

- North "G" Intensive Commercial / existing mini-warehouses
- East "E" Neighborhood Commercial / vacant
- South "G" Intensive Commercial / new hospital
- West "G" Intensive Commercial / vacant

Recent Relevant Zoning and Platting History:

Zoning History: ZC-09-097, G Intensive Commercial; approved by City Council October 2009, subject property to the south

Platting History: FS-12-071, All Storage Old Denton, Lot 1, Block 1, submitted for administrative review; PP-06-044 All Storage Old Denton; approved by the Planning Commission September 2006; PP-10-023 THR Tarrant; approved by the Planning Commission October 2010 subject property to the south of Golden Triangle

Site Plan Comments:

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

Transportation/Public Works (TPW) site plan comments

1. Sidewalks - Sidewalks shall be required for all streets as per City of Fort Worth Standards.
2. Free Right Turn Lane - Intersection of two major/principal arterials requires additional right-of-way dedication for a free right turn lane, including a 90 foot radius at the intersection.
3. ROW Dedication: Partial - Dedicate ½ of {110}' ROW for {OLD DENTON}
4. ROW Dedication: Partial - Dedicate ½ of {130}' ROW for {GOLDEN TRIANGLE}
5. CFA - Community Facilities Agreement required for streets (to include border streets, alleys and access easements), lights, signs, sidewalks, and drainage improvements.
6. Parkway Permit - "Parkway improvements such as curb & gutter, pavement tie-in, drive approaches, sidewalks and drainage inlets may be required at time of building permit issuance via a parkway permit."

Comments made by TPW staff cannot be waived through the Zoning Commission. Approval of the site plan does not constitute TPW acceptance of conditions; traffic code will be applied to the project.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Golden Triangle Blvd	One-way	Principal Arterial	Under Construction
Old Denton Road	Two-way	Minor Arterial	Design stage- 05/2013

Public Notification:

The following Neighborhood Associations were notified:
North Fort Worth Alliance
Keller ISD

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing to add additional mini-warehouse units, carports, and boat /RV parking to an existing All Storage complex to the north. Surrounding land uses are primarily vacant with a church to the north and a new hospital to the south.

The proposed zoning is **compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2012 Comprehensive Plan designates the subject property as general commercial. The policies below apply to this development. Mini-warehouses are first permitted by right in the J, K and PD districts.

- 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)

The proposed zoning change request **is not consistent** with the Comprehensive Plan and the policy stated above.

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

Attachments:

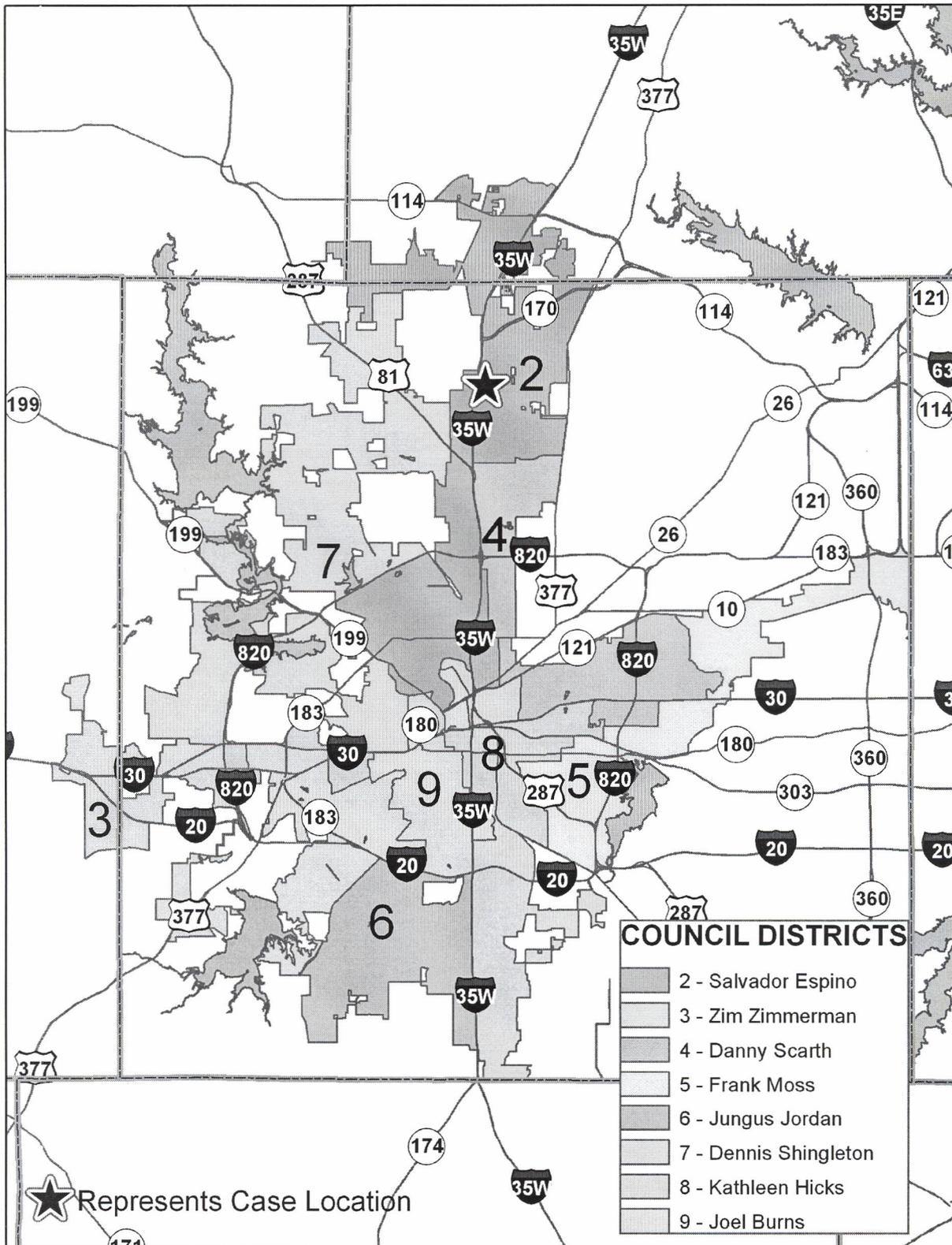
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site plan
- Minutes of the Zoning Commission meeting

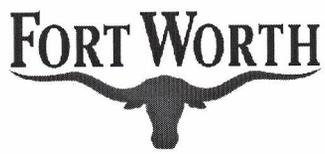
FORT WORTH



ZC-12-068

Location Map





ZC-12-068

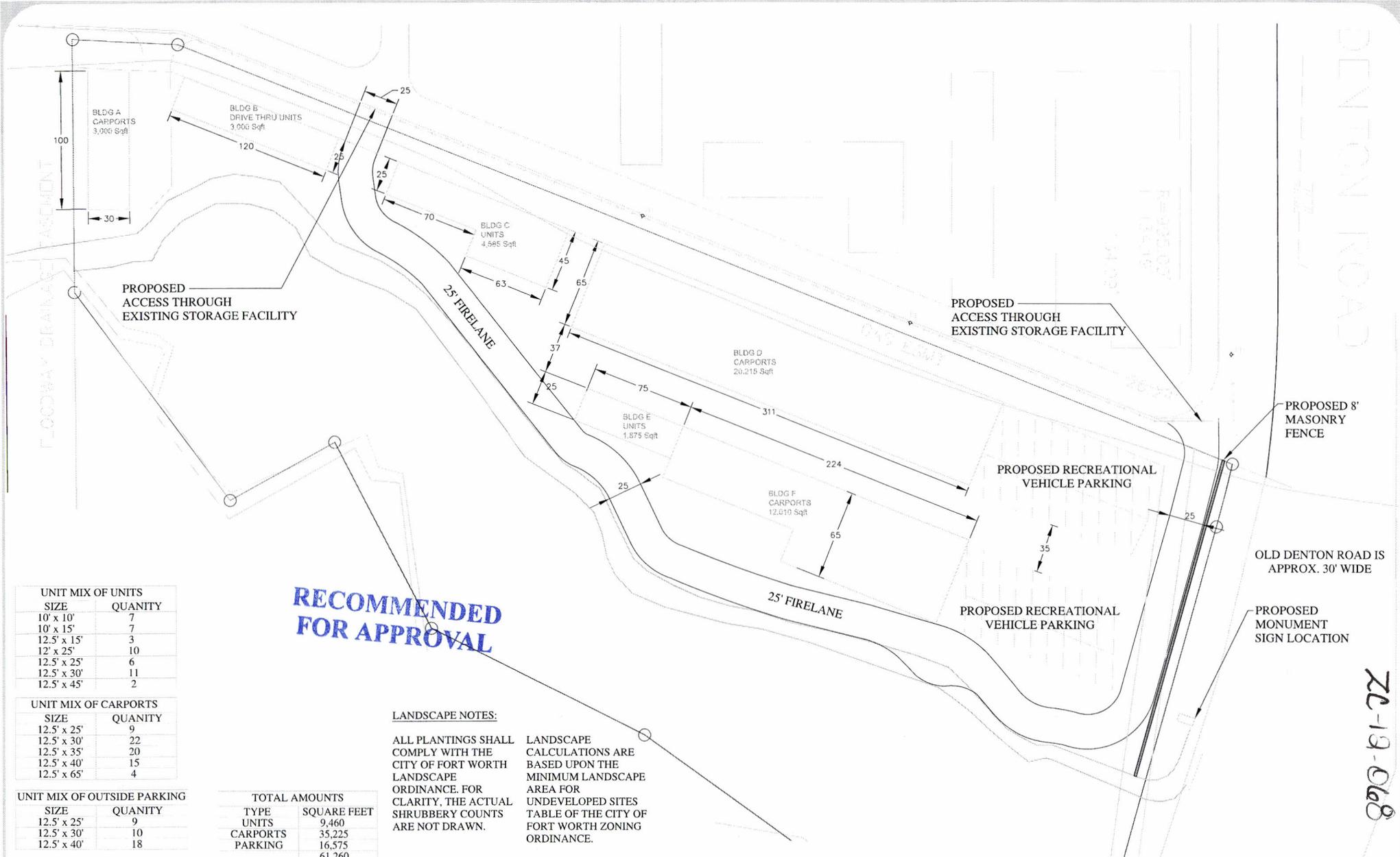
Area Zoning Map

Applicant: Bear Creek Plaza Ltd.
 Address: 11011 Old Denton Road
 Zoning From: G
 Zoning To: PD for G uses plus mini-warehouses
 Acres: 6.4658457
 Mapsco: 21L
 Sector/District: Far North
 Commission Date: 7/11/2012
 Contact: 817-392-2495



 300 Ft. Notification Buffer





RECOMMENDED FOR APPROVAL

UNIT MIX OF UNITS

SIZE	QUANTITY
10' x 10'	7
10' x 15'	7
12.5' x 15'	3
12' x 25'	10
12.5' x 25'	6
12.5' x 30'	11
12.5' x 45'	2

UNIT MIX OF CARPORTS

SIZE	QUANTITY
12.5' x 25'	9
12.5' x 30'	22
12.5' x 35'	20
12.5' x 40'	15
12.5' x 65'	4

UNIT MIX OF OUTSIDE PARKING

SIZE	QUANTITY
12.5' x 25'	9
12.5' x 30'	10
12.5' x 40'	18

TOTAL AMOUNTS

TYPE	SQUARE FEET
UNITS	9,460
CARPORTS	35,225
PARKING	16,575
	61,260

LANDSCAPE NOTES:

ALL PLANTINGS SHALL COMPLY WITH THE CITY OF FORT WORTH LANDSCAPE ORDINANCE. FOR CLARITY, THE ACTUAL SHRUBBERY COUNTS ARE NOT DRAWN.

LANDSCAPE CALCULATIONS ARE BASED UPON THE MINIMUM LANDSCAPE AREA FOR UNDEVELOPED SITES TABLE OF THE CITY OF FORT WORTH ZONING ORDINANCE.

DENTON ROAD

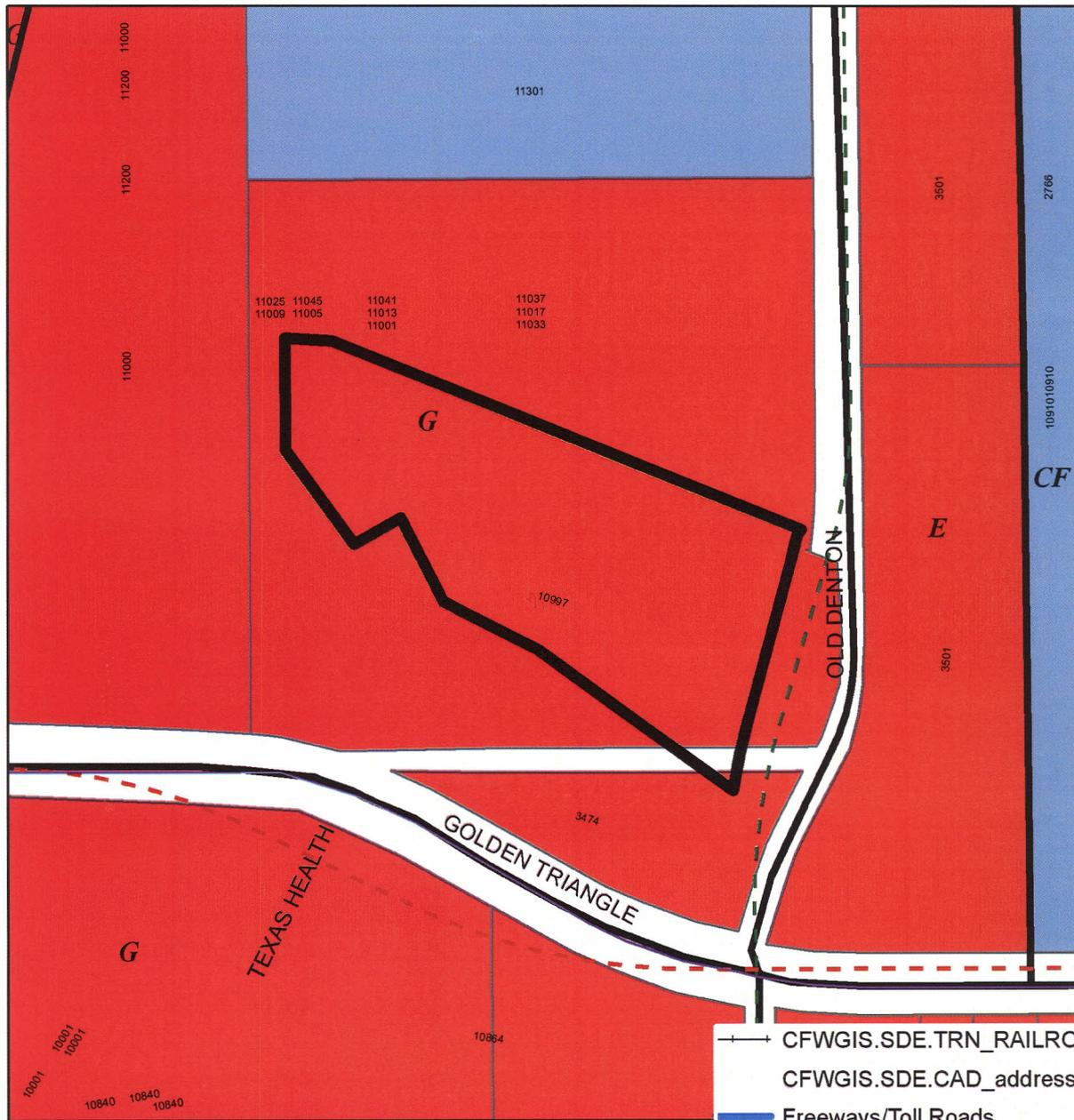
22-19-068



11011 Old Denton Road

Future Land Use

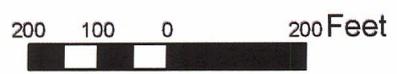
ZC-12-068



- 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 06, 2012



Aerial Photograph



Mr. Ortiz said the concern they have is the additional uses. Mr. Ferrell asked why she did not apply for a Board of Adjustment case. Ms. Strather said she did not want to have to go before the board again for any change as explained to her by staff.

Judy Taylor, 2604 Stark Street, Fort Worth, Texas spoke in opposition of the request and does not want to see commercial uses there. She spoke of the house as being recognizable when referring to the native stone rock, with a pond, bridge and doll house. Stark is the main street between Lancaster and Meadowbrook Drive. Rezoning creates a burden for the elderly people and concerns of disabled people living next to a home where people roam the street making improper gestures.

Mr. Genua asked about her concern of this being an adult day care. Ms. Taylor is concerned with parking, traffic and possible uses.

Ms. Conlin commented on the neighborhood association directly affected, which is Handley not Meadowbrook.

Mr. Ferrell asked what concerns she actually has. She mentioned the change from single-family to commercial; she doesn't object to the adult day care as a single-use.

Ms. Zadeh wanted clarification on the special exception process and explained it to the opposition.

William Stevens 2605 Stark Street also spoke in opposition with the same concerns.

In rebuttal, Ashley Strather one of the agents on the case mentioned they do understand the concerns and are ok with submitting a site plan to the BOA for a Special Exception. She mentioned their home care office is just south of there and need a place for their patients to stay during the day.

Motion: Following brief discussion, Mr. Ferrell recommended denial without prejudice of the request, seconded by Mr. Genua. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-12-067
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Judy Taylor	2604 Stark Street	No		Opposition	Spoke at hearing
William Stevens	2605 Stark Street	No		Opposition	Spoke at hearing

4. ZC-12-68 Bear Creek Plaza, LTD (CD 2)- 11011 Old Denton Road (William McGowen Survey, Abstract No. 999, 6.46 Acres): from "G" Intensive Commercial to "PD/G" Planned Development for all uses in "G" Intensive Commercial plus mini storage; site plan included.

Coy Quine, 301 S. Sherman, Suite 100, Richardson, Texas representing the property owner wants to rezone to PD/G plus mini warehouse. This piece of land is hard to develop because of the configuration of the lot which backs up to a large pond. There is a large demand for covered parking in the area. They are proposing a few mini storages and the majority of the property will be carports for large RVs. A screening wall is provided along Old Denton Road. Mr. Quine mentioned this is under separate ownership but there will be no office on site; it will be managed out of the main office.

Mr. Ortiz asked about additional access off of Old Denton. Mr. Quine said there would be no additional access and that it will come through the existing facility. Mr. Ortiz asked about this not being consistent with the Comprehensive Plan. Mr. Quine mentioned all the development going on in the area but there is only about four acres of usable area here. Old Denton is going to be expanded and they're hoping Golden Triangle will be done soon.

Mr. West asked about the ownership of the property due south of Golden Triangle. Mr. Quine said it is under the same ownership. There has been a lot of demand for medical facilities. He also noted there is no access from the south property to Golden Triangle. It would be too costly to build a bridge.

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

5. ZC-12-069 Fort Worth Housing Authority (CD 9) 601 W. First Street (Fort Worth Original Town Addition, Block 64, Lots 1-4, 0.50 Acres): from "J" Medium Industrial to "H" Central Business District

Ramon Guajardo, 3414 North Main Street, Fort Worth, Texas is representing the owner and Hunter Plaza. Mr. Guajardo mentioned the property has been vacant for the last couple of years. The Housing Authority is proposing to renovate this into a mixed income residential development with 164 units.

Mr. West asked about the timeline for the project. Mr. Guajardo said they are still seeking HUD approval which possibly could be in two or three months, maybe September or October, and a 14 month process to totally renovate it.

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

6. ZC-12-70 Seminary Hemphill Investments (CD 9)- 551 & 559 W. Seminary Drive (Southside Addition, Block 9, Lots 14B, 15B. & 16R, 0.67 Acres): from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus tire sales/service and automotive repair; site plan included.

Chris Bonilla, 8540 Charleston Avenue, Fort Worth, Texas represented Seminary Hemphill Investments and Tire City. Tire City has occupied this site for the past 23 years. The site is currently zoned E Neighborhood Commercial with auto related type uses. They were deemed legal-nonconforming in 1989. The proposed improvements to the site include a 4,300 square