



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
October 09, 2012

Council District 9

Zoning Commission Recommendation:
Approved by a vote of 9-0

Opposition: none

Continued Yes ___ No X
Case Manager Beth Knight
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: Steve Lipsett

Site Location: 1925 Hemphill Street Mapsco: 77N

Proposed Use: Single family residential

Request: From: "E" Neighborhood Commercial
To: "A-5" One-Family

Land Use Compatibility: Requested change is not compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Background:

The proposed rezoning site is located in a mid-block location on Hemphill Street. The applicant is proposing to re-establish the single-family use on the site. The site was rezoned on November 11, 2008, as part of the first phase of the Hemphill Corridor rezoning. The subject site was previously zoned "C" Medium Density Multifamily and is now "E" Neighborhood Commercial. At the time of rezoning, the land uses identified on this block face were four non-residential sites, two single family uses, and two group homes.

The dwelling had been vacant for several years and lost its non-conforming status after rezoning to a commercial district. The owner has been rehabilitating the building and proposes to rent the site as a single family house. The house was built as a duplex with a garage apartment, which meets the definition of a triplex.

Site Information:

Owner: Steve Lipsett
715 Page Street
Fort Worth, TX 76110
Acreage: 0.12 acres
Comprehensive Plan Sector: Southside

Surrounding Zoning and Land Uses:

- North "E" Neighborhood Commercial / single family home and retail uses
- East "A-5" One-Family / single family residences
- South "E" Neighborhood Commercial / group homes
- West "E" Neighborhood Commercial, "PD 446" Planned Development / car wash, restaurant, bar

Recent Relevant Zoning and Platting History:

Zoning History: ZC-08-168, surrounding and including site, Council-initiated from various districts to be in conformance to the Comprehensive Plan, approved.

Platting History: None.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Hemphill Street	Major Arterial	Major Arterial	No

Additional consideration: TPW would only allow a new house to front an arterial if the lot width was greater than 150 feet and had an approved circular driveway.

Public Notification:

The following Neighborhood Associations were notified:

Fairmount NA

Fort Worth South, Inc.

Hemphill Corridor Task Force

NUP – Neighborhood Unification Project

Southside Preservation Task Force

Fort Worth ISD

Development Impact Analysis:

1. **Land Use Compatibility**

The site’s location is in the middle of the block, facing Hemphill Street, which is a major arterial. The building faces commercial uses, and commercial uses are the dominant land uses on this block face. Single family dwellings are noted only one lot to the north and directly behind the rezoning proposal. In 2008, “E” Neighborhood Commercial zoning was approved to reduce the amount of multifamily zoning along Hemphill Street. The Hemphill Corridor Task Force has noted most of the multifamily along Hemphill has contributed negatively to the appearance and safety of the community.

Based on surrounding commercial uses, the two additional dwelling units existing on the site, and frontage on a major arterial, the proposed “A-5” One-Family zoning for a single dwelling unit **is not compatible** with the neighborhood.

2. **Comprehensive Plan Consistency**

The 2012 Comprehensive Plan designates the site as neighborhood commercial. Both residential uses and commercial uses to serve the neighborhood are appropriate.

However, the proposed A-5 zoning is not consistent with the following Comprehensive Plan policies.

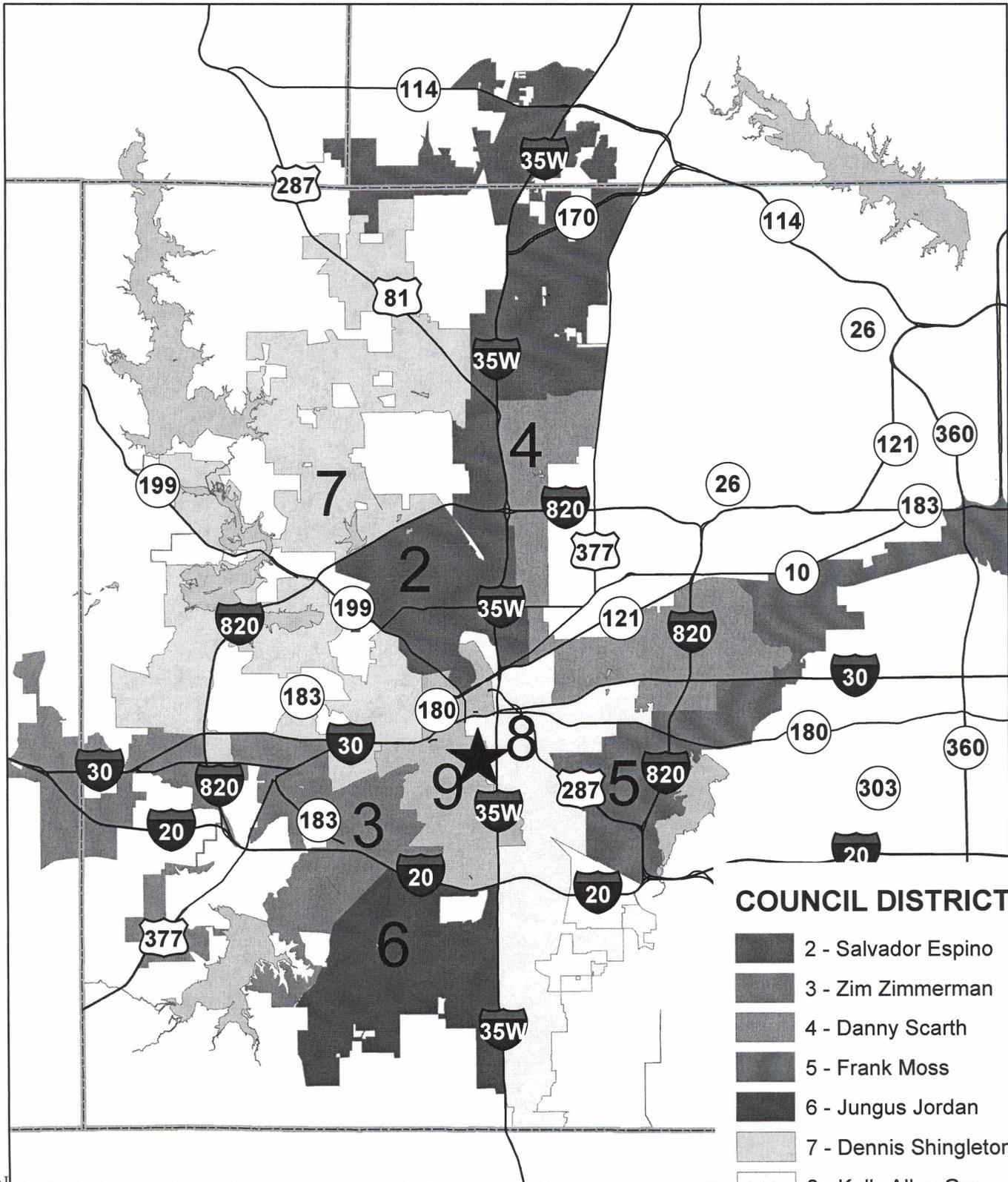
- Locate single-family homes adjacent to local or collector streets. (pg. 37)
- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)
- Encourage infill development of compatible, single-family homes in existing neighborhoods to preserve and protect residential neighborhoods. (pg. 39)

Based on conformance with the future land use map, the proposed zoning **is consistent** with the Comprehensive Plan.

Attachments:

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

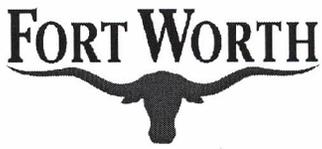
Location Map



COUNCIL DISTRICTS

- 2 - Salvador Espino
- 3 - Zim Zimmerman
- 4 - Danny Scarth
- 5 - Frank Moss
- 6 - Jungus Jordan
- 7 - Dennis Shingleton
- 8 - Kelly Allen Gray
- 9 - Joel Burns





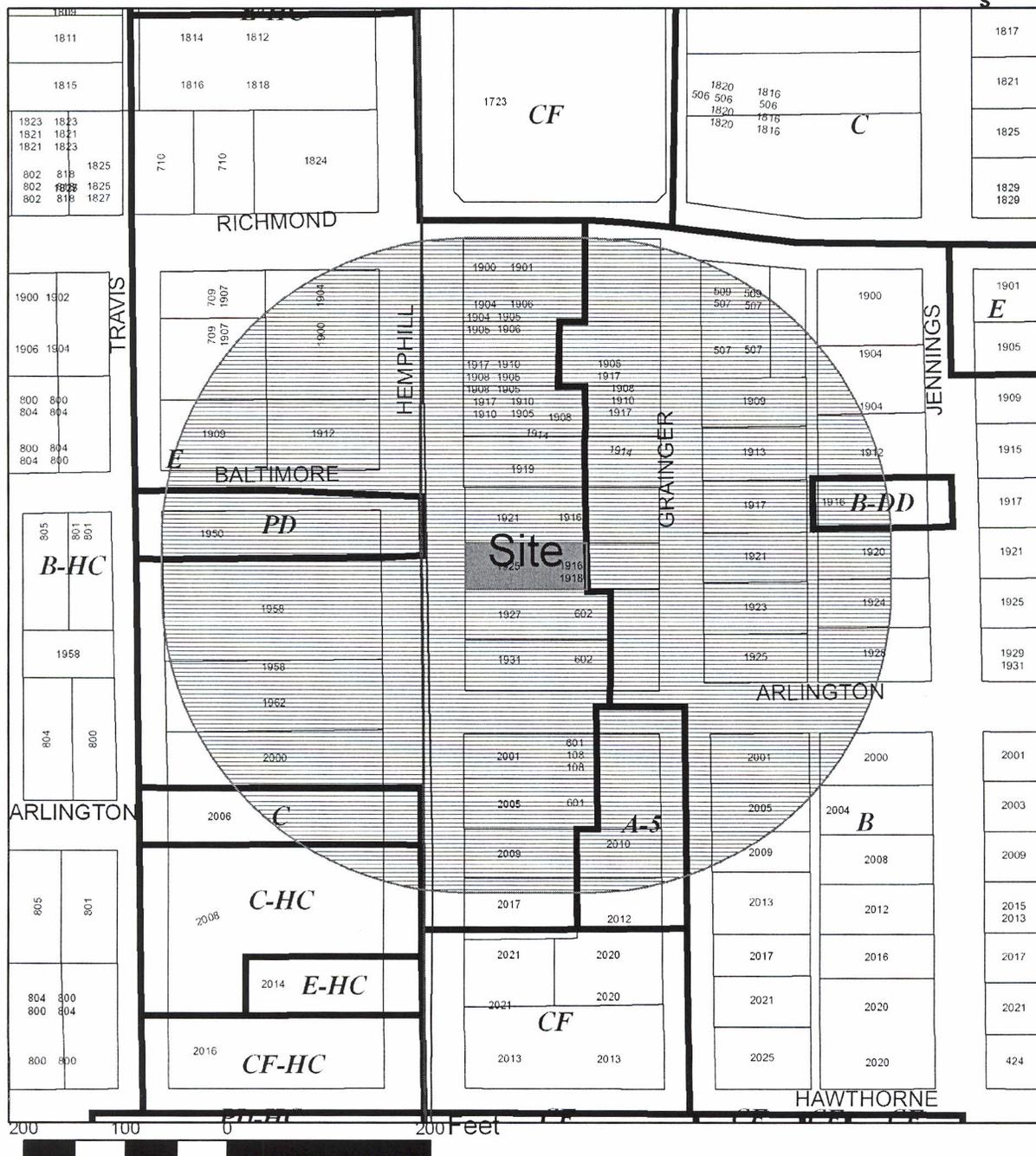
ZC-12-095

Area Zoning Map

Applicant: Steve Lipsett
 Address: 1925 Hemphill Street
 Zoning From: E
 Zoning To: A-5
 Acres: 0.12396678
 Mapsco: 77N
 Sector/District: Southside
 Commission Date: 9/12/2012
 Contact: 817-392-8190



 300 Ft. Notification Buffer





1925 Hemphill Street

Future Land Use

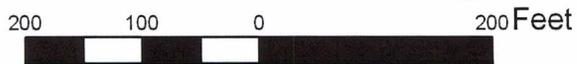
ZC-12-095



- 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

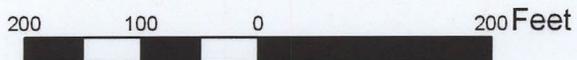


A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Sect. 219.005) Land use designations were approved by the City Council on March 6, 2012.





Aerial Photo Map



Christopher Goulet	5216 Winterberry Ct	Yes		Opposition	Sent letter in
Frederick Acuma	5201 Winterberry Ct	Yes		Opposition	Sent letter in
Chris Hamilton	5209 Winterberry Ct	Yes		Opposition	Sent letter in
Lewis Sykalski	5217 Winterberry Ct	Yes		Opposition	Sent letter in
Ken Orban	5233 Winterberry Ct	Yes		Opposition	Sent letter in

6. ZC-12-095 Steve Lipsett (CD 9)- 1925 Hemphill Street (Emory College Subdivision, Block 13, South 45' Lot 2 & SW portion Lot 23, 0.12 Acres): from "E" Neighborhood Commercial to "A-5" One-Family

David Cantu, 1800 South Henderson, Fort Worth, Texas representing Steve Lipsett explained to the Commissioners the PowerPoint presentation and the reason for the request to A-5 zoning. The property has been vacant for a while and Mr. Lipsett wants to convert it back to a single-family residence since it lost the legal non-conforming status. This site is surrounded by rental properties. Mr. Cantu said they spoke with the Hemphill Corridor Task Force and received a letter of support. They addressed some of the concerns that were brought up in the staff report and noted in the handout.

Ms. Reed asked if this is being used for a single family and what about the garage. Mr. Cantu said it will be for a single family use; the garage will be converted back to a garage use and there is parking in the rear.

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

7. ZC-12-096 RM Real Estate LTD. (CD 9) 3716 Lisbon Street (Factory Place Addition, Block 27, Lots 8 & 9, 0.27 Acres): from "C" Medium Density Multifamily to "FR" General Commercial Restricted

Barry Hudson, 555 Bailey Avenue, Suite 400, Fort Worth, Texas represented Southern Multi Foods and explained to the Commissioners the request to rezone the property to FR for a fast food restaurant. The southern portion of the overall site is zoned C and currently has a paved parking lot on it. They want to make the zoning consistent with the northern property for a Taco Bell Restaurant. The plan is to construct a new Taco Bell restaurant on the east side of the northern lot and the southern portion would be providing more green space, 13 parking spaces and an entry to the drive thru which would allow for a 10 car stacking lane.

The primary access will be from an existing driveway for Whataburger off the I-35 access road which will be a shared access easement. Two driveways off Valentine Street will be closed and a new right-in-right-out driveway will be constructed. A third access point will be off of Lisbon. There are currently two drives now; one will be closed and the other one shifted to the west. He noted the school to the west is a secondary school with 200 students. They will be constructing a wooden fence along the entire western boundary with a five foot buffer.