



**ZONING MAP CHANGE
STAFF REPORT**

Zoning Commission Meeting Date:
September 12, 2012

Council District 2

Zoning Commission Recommendation:
Approved as Amended to PD/ER plus general retail store; site plan waiver 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: Saeed Iqbal

Site Location: 1513 Homan Avenue Mapsco: 62P

Proposed Use: Neighborhood Commercial uses

Request: From: "ER" Neighborhood Commercial Restricted
To: "E" Neighborhood Commercial

Land Use Compatibility: Requested change is not compatible.

Comprehensive Plan Consistency: Requested change is not consistent.

Background:

The proposed rezoning site is located at the intersection of NW 15th Street and Homan Avenue. The applicant is proposing to increase the intensity of commercial uses on his site. The site was rezoned as part of Northside Neighborhood, Phase 1 which surrounds and includes the subject, and was approved December 7, 2010.

The subject site was previously zoned "PD 233" Planned Development for E uses excluding items such as several outdoor uses, large assembly uses, or a liquor store; and is now "ER" Neighborhood Commercial Restricted. The land use identified on the site at the time of rezoning was a laundromat and other neighborhood services. A single family neighborhood surrounds this site, with the closest commercial areas being a ¼-mile or more away. The existing building covers the entire lot, which excludes area for landscaping, transitional buffers, and on-site parking.

"ER" Neighborhood Commercial Restricted zoning is intended to be a transitional district between residential uses and commercial areas for limited commercial, institutional and office uses serving the immediate neighborhood. Alcoholic beverage sales are prohibited. The property owner had noted the laundromat has moved out and that the adjoining tenant would like to sell general retail merchandise. The adjacent tenant to the laundromat is a convenience store with legal nonconforming alcohol sales.

Site Information:

Owner: Saeed Iqbal
6609 Autumnwood Drive
Arlington, TX 76016

Acreage: 0.16 acres

Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

- North "A-5" One-Family / single family residences
- East "A-5" One-Family / single family residences
- South "A-5" One-Family / single family residences
- West "A-5" One Family / single family residences

Recent Relevant Zoning and Platting History:

Zoning History: ZC-06-093, subject site, amend PD 233 for grocery store, laundromat, or barbershop to PD for most E uses, approved;

ZC-09-068, surplus property west of site, from B to A-5, approved; and

ZC-10-181, 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)
NW 15th Street	Residential	Residential	No
Homan Avenue	Residential	Residential	No

Additional consideration: Jacksboro Highway is the closest arterial roadway and is approximately ¼-mile from the site.

Public Notification:

The following Neighborhood Associations were notified:

Northside NA

Fort Worth ISD

Near Northside Partners Council

Development Impact Analysis:

1. **Land Use Compatibility**

The site's most recent tenants have included a hair salon, convenience store, and laundromat. Single family residential uses are found surrounding the proposed rezoning site. In 2010, "ER" Neighborhood Commercial Restricted zoning was approved to support stabilization of the existing neighborhood, in accordance with the Comprehensive Plan. The entire area is part of the recently adopted Northside Economic Development Strategy plan.

The site currently contains a multi-tenant commercial building covering the entire lot, with no additional landscaping and no on-site parking. No additional buffers are proposed. The building is approximately 5,500 square feet, which would require 22 on-site parking spaces. Eleven parking spaces are found on the eastern side of the building in the city right-of-way, instead of on-site parking required by the Zoning Ordinance. The parking spaces are approximately 15-foot deep, which is less than the 18-foot minimum requirement, causing parked vehicles to encroach into the drive lanes of Homan Avenue.

Additional commercial uses are first allowed by right in the "E" Neighborhood Commercial district, accommodating the intensity of uses, hours of use, and influx of traffic. The current access to the subject is from residential streets. To reinforce the residential traffic speed on Homan, speed bumps have been installed on the same block as the rezoning site. The site has poor access to any arterial, requiring at least a ½-mile drive through the residential neighborhood.

Based on the impact of increased commercial uses in a residential neighborhood, lack of transitions or buffers with the adjacent residential properties, and lack of compliance with the minimum parking requirements, the proposed E zoning for increased commercial uses is **not compatible** with the neighborhood.

2. **Comprehensive Plan Consistency**

The 2012 Comprehensive Plan designates the site as single family. Residential uses or limited commercial uses to serve the immediate neighborhood is appropriate, instead of commercial uses which may serve the general community and is appropriate in developed commercial areas. The site lies outside any designated commercial area in the Northside Economic Development Strategy plan.

The proposed E zoning is not consistent with the following Comprehensive Plan policies or with the Northside Economic Development Strategy plan.

- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, demolition, neglect, and other negative forces. (pg. 37)
- 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)
- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)
- Promote the maintenance of residential uses in neighborhoods adjacent to North Main Street, 25th Street, Azle Avenue, and Jacksboro Highway.

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

Attachments:

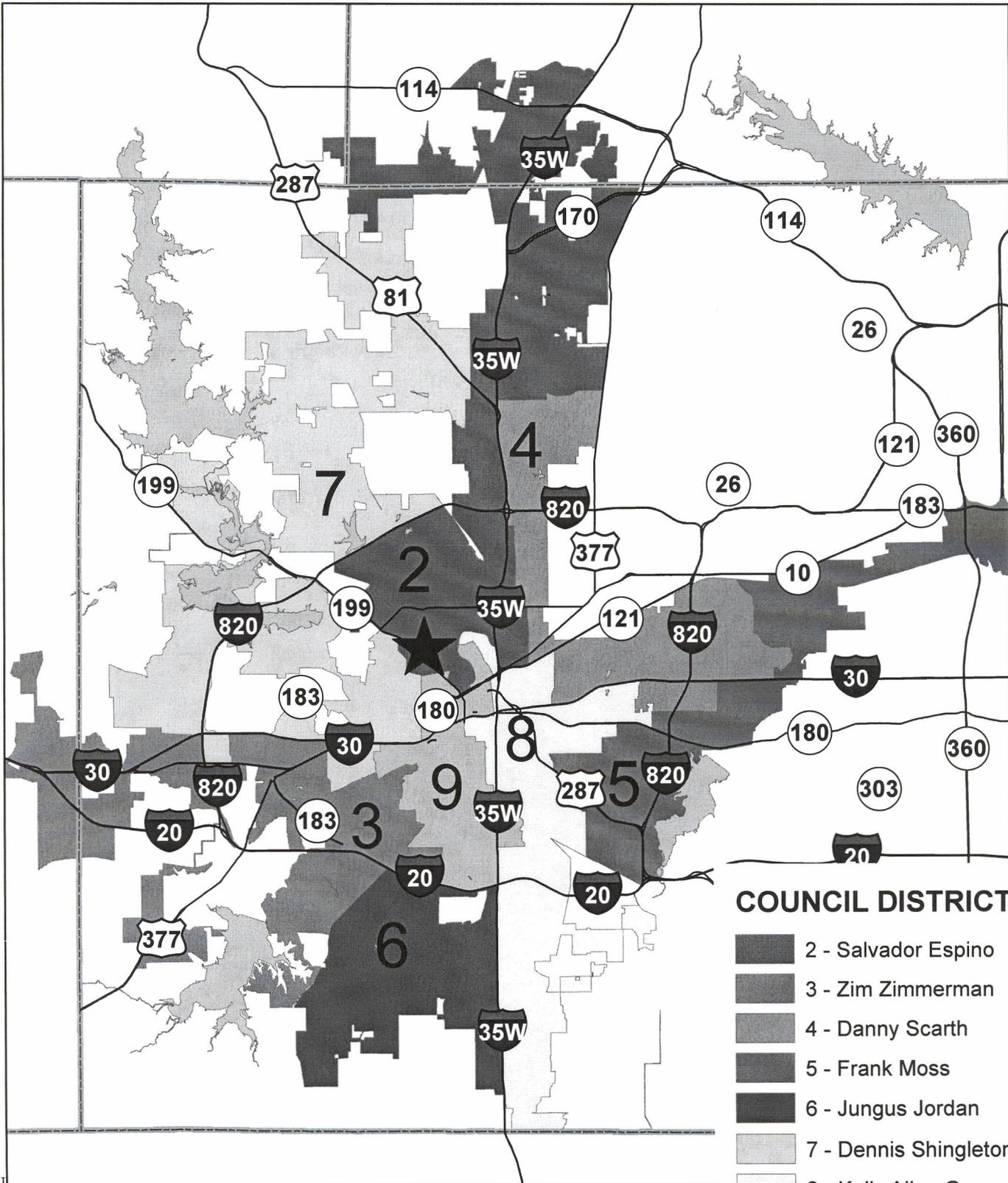
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes of the Zoning Commission meeting

FORT WORTH



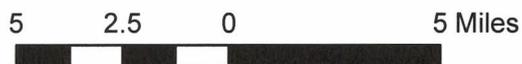
ZC-12-099

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

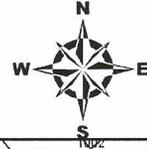


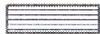


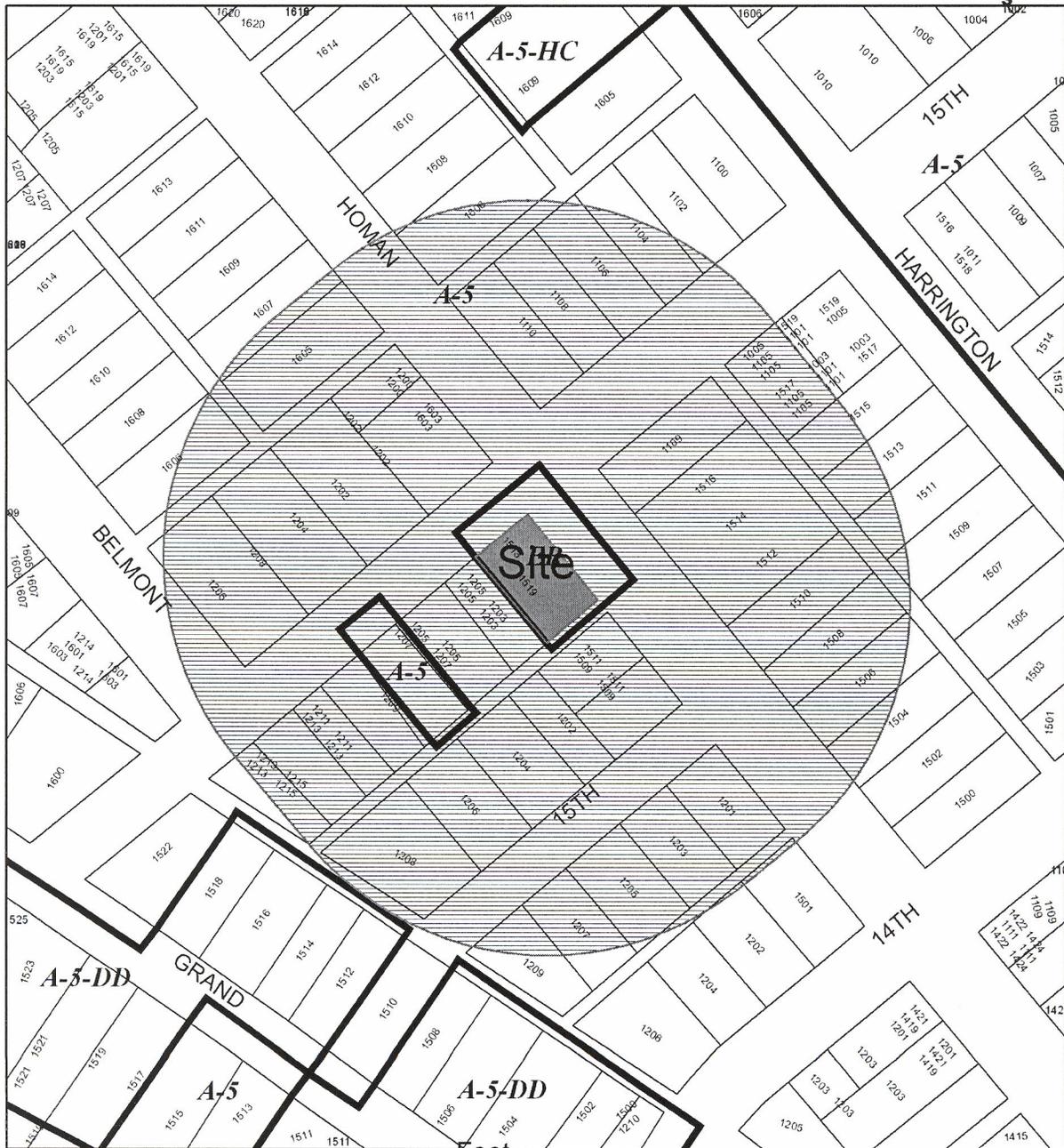
ZC-12-099

Area Zoning Map

Applicant: Saeed Iqbal
 Address: 1513 Homan Avenue
 Zoning From: ER
 Zoning To: E
 Acres: 0.15860189
 Mapsco: 62P
 Sector/District: Northside
 Commission Date: 9/12/2012
 Contact: 817-392-8190



 300 Ft. Notification Buffer





1513 Homan Avenue

Future Land Use

ZC-12-099



- 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

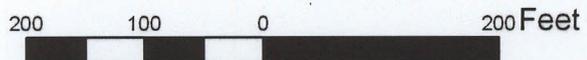


A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Sect. 219.005) Land use designations were approved by the City Council on March 6, 2012.





Aerial Photo Map



11. ZC-12-099 Saeed Iqbal (CD 2)- 1513 Homan Avenue (Belmont Terrace Addition, Block 91, Lot 15, 0.16 Acres): from “ER” Neighborhood Commercial Restricted to “E” Neighborhood Commercial

Saeed Iqbal, 6609 Autumnwood Drive, Arlington, Texas explained to the Commissioners his family has owned the building since 1990. He explained the building was zoned E Neighborhood Commercial in 2006 and rezoned to ER Neighborhood Commercial Restricted in 2010. He mentioned in today’s economy it is hard to rent out vacant spaces with the current zoning. Such uses are dollar stores, beauty shops, gift shops, party supply store, shoe stores, jewelry stores, and food stores. Mr. Iqbal is requesting to take the zoning back to E so as to have more options to lease the vacant spaces and generate more tax revenue. Mr. Iqbal said he did meet with Councilman Espino and the late Betty Ward and Carlos Florez from the Northside Neighborhood. He turned in a petition of support signatures from the neighborhood.

Mr. Ortiz mentioned there was a letter from the Northside Neighborhood requesting a PD for ER uses plus general merchandise store. Mr. Iqbal said he was aware of their request and was ok with it.

Motion: Following brief discussion, Mr. Genua recommended approval of the request as amended for “PD/ER” plus general retail sales; site plan waiver, seconded by Ms. Spann. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				<i>ZC-12-099</i>	
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Carlos Florez/Northside NA				Support for PD/ER	Sent letter in for PD/ER + general merchandise store
Orlando Torres	1521 Grand			Support for PD/ER	Signed petition
Alga	1509 Homan			Support for PD/ER	Signed petition
Juan Gutierrez	2411 Lincoln			Support for PD/ER	Signed petition
Ruben Maldonado	1812 Homa			Support for PD/ER	Signed petition
Jesus Nuvez	2006 Long			Support for PD/ER	Signed petition
Palnecea Brana	1605 Harrington			Support for PD/ER	Signed petition
O. Rodriquez	1711 Grand			Support for PD/ER	Signed petition
Jorge	1405 Harrington			Support for PD/ER	Signed petition
John Morion	1516 Homan			Support for PD/ER	Signed petition
Aguire	1714 Harrington			Support for PD/ER	Signed petition
Olivia Munoz	1605 Homan			Support for PD/ER	Signed petition
Raul Ligas	1511 Homan			Support for PD/ER	Signed petition
Angel Zarate	1611 Grand			Support for PD/ER	Signed petition

Jose Celestino	2121 Columbus	Support for PD/ER	Signed petition
Alex Billot	1610 Homan	Support for PD/ER	Signed petition
	1608 Beaumont	Support for PD/ER	Signed petition
Jose Gattica	1506 Homan	Support for PD/ER	Signed petition
Johnny Garcia	1415 Harrington	Support for PD/ER	Signed petition
Ricky Molino	1515 Harrington	Support for PD/ER	Signed petition
Rijo Delgado	1701 Homan	Support for PD/ER	Signed petition
Tony Perez	1516 Homan	Support for PD/ER	Signed petition
Luis Mejia	3221 Prairie	Support for PD/ER	Signed petition
Rosario Mena Jr	1416 Grand	Support for PD/ER	Signed petition

12. ZC-12-100 All Storage G. B. LP (CD 6)- 6900 & 7000 Granbury Road (Granbury Station Addition, Block 3, Lots 2R1 & 2R2-3, 14.26 Acres): from “F” General Commercial to “PD/F” Planned Development for all uses in “F” General Commercial plus mini-warehouse; site plan included

Coy Quine, 301 S. Sherman Street, Richardson, Texas representing All Storage G. B. LP explained to the Commissioners the mini-warehouses were built when the use was permitted in F zoning. Mr. Quine said they want to be able to finance the property under legal conforming status by rezoning for a PD with site plan.

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

13. ZC-12-101 Ben Fer Inc., Tarrant Acquisition, CFW Water Department (CD 5)- 9200 – 9900 blocks of Trammel Davis Road (William P. Burns Survey, Abstract 121, Washington Bradshaw Survey, Abstract 136, Soloman Davis Survey, Abstract 416 151.92 Acres): from “O-1” Flood Plain District, “PD-910” Planned Development/Specific Use for wastewater treatment and Police firing range to “PD/SU” Planned Development/Specific Use for heliport training facility and vehicle storage; site plan included

Brian Chase, 600 E. Hurst Boulevard, Fort Worth, Texas representing Bell Helicopter requested a 30 day continuance. He mentioned they are working with a nearby landowner and would like to continue to work on this.

Thad Brundrett, 316 Bailey Avenue, Fort Worth, Texas representing Wet Fork Partners, spoke in opposition. Mr. Brundrett stated he is unclear why they are coming before the Zoning Commission for a heliport and felt that the Zoning Ordinance requires a Special Exception through the Board of Adjustment per the land use chart.