



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
March 5, 2013

Council District 3

Zoning Commission Recommendation:
Approval as submitted by a vote of 9-0

Opposition: none

Continued Yes ___ No X
Case Manager Stephen Murray
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: Mason & Hady Enterprises, LLC

Site Location: 10013 Southview Road Mapsco: 72K

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. (Technical Inconsistency)**

Background:

The proposed site is located on Southview Drive near the access road of I-30W. The applicant is proposing a zoning change to PD/G plus mini-warehouse. Mini-warehouses are prohibited in commercial districts except through PD zoning. In 2007, Ordinance No. 17093 excluded mini-warehouses from the FR, F, G and I zoning districts.

The applicant intends to construct six warehouses at a maximum 9 ft. in height and an 810 square foot, one story office on the west side of the development at 16 ft. in height. The site plan will require waivers due to the proximity to residential and construction of structures within the 40 ft. supplemental setbacks on the south and east sides. Additionally, the applicant will need a waiver for the location of the sign within the 10 ft. projected setback.

Prior to the January meeting the applicant was asked to meet with surrounding property owners and neighborhoods. The applicant was also required to show the 5 ft. bufferyard and an 8 ft. masonry wall on the site plan, which was completed. A requested was also made for masonry buildings, and pitched roofs. During questioning the meeting, the architect explained that the pitch roof is not possible due to planned construction materials and weight. However, the front buildings facing the street will be masonry.

Two letters of opposition have been received. However, since one of the letters was from the developer who continues to own multiple adjacent lots, the percent opposition is over the 20% threshold that requires a supermajority vote of approval from the City Council.

The applicant has met with the Chapel Creek Neighborhood Association and surrounding property owners and has agreed to the following, as indicated on the site plan:

- East elevation of unit 'F' shall have 24" wide brick columns at 16'-8" on center.
- South elevation of unit 'A', 'B' and 'F' shall be masonry. (individually noted)
- Added landscaping to visually enhance street view. (along Southview Rd.)
- Prohibited flat roofs
- Continue to work with the neighborhood on color

Site Information:

Owner: Mason & Hady Enterprises, L.L.C.
 13200 Highway 287 & 81
 Haslet, TX 76052

Agent: Hady Aghili

Acreage: 3.22 acres

Comprehensive Plan Sector: Far West

Surrounding Zoning and Land Uses:

North "A-5" One-Family / vacant

East "A-5" One-Family / single-family

South "A-5" One-Family / single-family

West "G" Intensive Commercial /vacant, convenience store

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

BOA History: None

Site Plan Comments:

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

1. No structures are permitted within the 40 ft supplemental setback adjacent to A-5 districts
2. Signs and structures are prohibited within the 10 ft projected setback along Southview Road

Zoning Commission recommended waivers to both items noted above.

Transportation/Public Works (TPW) site plan comments

1. Sidewalks shall be required for all streets as per City of Fort Worth Standards.
2. Driveway location must not interfere with intersection function.

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)
Southview Dr.	Local Road	Residential	No

Public Notification:

The following Organizations were notified:

Organizations Notified	
Westland Texas NA	Westpoint Citizens on Patrol
Tiffany Gardens HOA	FWISD
Chapel creek NA	

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change from “G” Intensive Commercial to “PD/G” plus mini-warehouse. Surrounding land uses are primarily residential with vacant commercially zoned land to the east. The proposed site is in close proximity to commercial corridor near the corner of IH-30 and Southview Road. The proposed addition is intended to serve the numerous single-family residences. Mini-warehouses typically have minimal impact to surrounding areas due to their height and appearances, operational characteristics, and traffic generation.

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 policy below applies to this development.

- 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 and is considered a Technical Inconsistency.

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

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 Bums



2,000 1,000 0 2,000 Feet





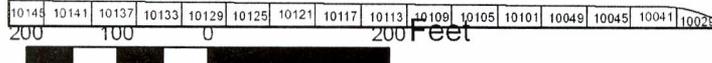
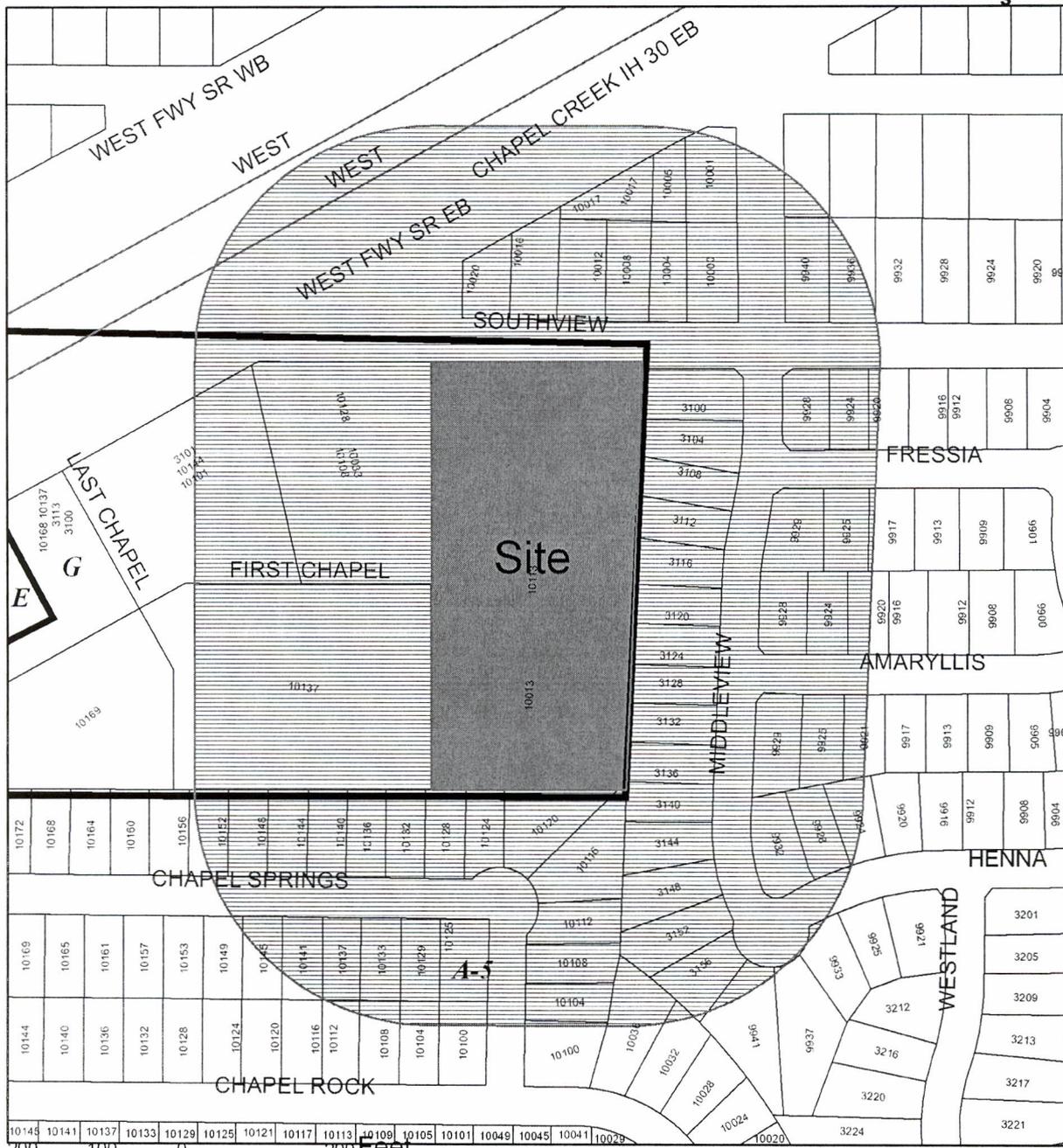
ZC-12-127

Area Zoning Map

Applicant: Mason & Hady Enterprises, LLC
 Address: 10013 Southview Road
 Zoning From: G
 Zoning To: PD for G uses plus mini-warehouses
 Acres: 3.23
 Mapsco: 72K
 Sector/District: Far West
 Commission Date: 12/12/2012
 Contact: 817-392-8043



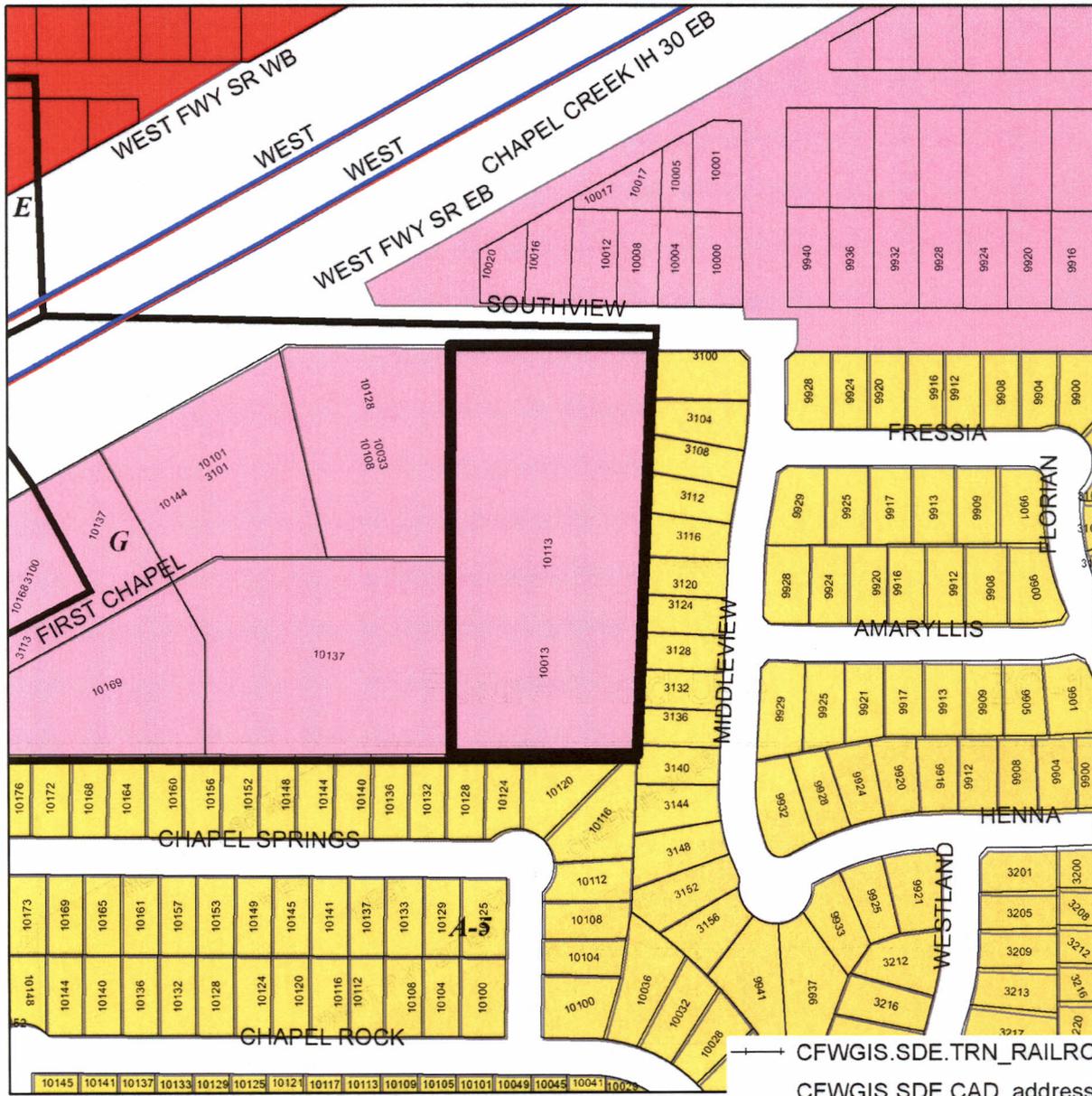
300 Ft. Notification Buffer





Future Land Use

ZC-12-127



- 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



City of Fort Worth, Texas
Zoning Commission
February 13, 2013 – Meeting Minutes

Present:

Ann Zadeh, Chair, District 1
Carlos Flores, District 2
Robert West, District 3
Charles Edmonds, Jr., Vice-Chair, District 4
Hugh Ferrell, District 5
Namon Hollis, District 6
Nick Genua, District 7
Wanda Conlin, District 8
Gaye Reed, District 9

Staff Members Present:

Dana Burghdoff, Deputy Director
Jocelyn Murphy, Planning Manager
Lynn Jordan, Planner
Stephen Murray, Planner
Beth Knight, Senior Planner
Melinda Ramos, Sr. Assistant City Attorney

Absent:

none

I. Public Hearing – 10:03 A. M.

Ms. Murphy explained the procedure to be followed for the Zoning Commission meeting.

II. Minutes

The Commission, on a motion by Mr. Hollis, seconded by Ms. Reed, on a vote of 9-0, voted to approve the Zoning Commission minutes of the January 9, 2013 meeting.

Video on individual cases can be viewed at the following website.

http://fortworthgov.granicus.com/ViewPublisher.php?view_id=2

III. Continued Cases

1. ZC-12-127 Mason & Hady Enterprises LLC (CD 3)- 10013 Southview Road (Chapel Creek Plaza, Block 1, Lot 4, 3.22 Acres): from “G” Intensive Commercial to “PD/G” Planned Development for all uses in “G” Intensive Commercial plus mini-warehouse; site plan included.

Hady Aghili, 514 Fox Glen, Southlake, Texas representing Mason & Hady Enterprises explained to the Commissioners this case was continued so he can work with the neighborhood. Since the last meeting he has met with the Chapel Creek NA and according to their desires he has made the following changes: the building portion facing Southview Road will have a masonry facade, enhance the landscaping on the Southview side as well as add brick columns approximately 16 ft apart to break up the industrial look of the building. Mr. Aghili has also agreed to not have a flat roof and the exterior colors not to be of a red or orange color. They will let the neighborhood choose the color.

Mr. West thanked him for meeting with the neighbors. Mr. West asked if all the items requested from the neighborhood included on the site plan. He said the buildings may shift a bit based on comments from staff but the site plan addresses everything. The slanted roof will be shown on the elevation plan.

Ms. Burghdoff mentioned there are two waivers requested in the staff report.

Marcy Galle, 2708 Brea Canyon Road, Fort Worth, Texas representing the Chapel Creek NA spoke in support. Ms. Galle mentioned Ms. Rotondo the property owner most directly affected by this is in support.

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

<i>Document received for written correspondence</i>					ZC-12-127
Name	Address	In/Out 200 notification area	Position on case		Summary
Chapel Creek NA/Marcy Galle	NA	No	Support		Spoke at hearing
Nathan Davis/Roberta Rotondo	3124 Middleview Rd	Yes	Support		Sent letter in

2. ZC-12-130 Trinidad Ministries Foundation, Inc. (CD 2)- 3005 Oscar Avenue (J M Moody Addition, Block 18, Lots 3, 4, & 5, 0.46 Acres): from “A-5” One-Family to “PD/A-5” Planned Development for all uses in “A-5” One-Family plus two independent accessory living units within existing church building for church related uses only; site plan waiver requested

Deric Salser, 10847 Sandin Drive, Dallas, Texas with Evergreen Architectural Group representing Trinidad Ministries Foundation explained to the Commissioners since the last meeting the Diamond Hill Jarvis neighborhood has given their support on this on one condition that the client draft up a template lease agreement between Trinidad Ministries Foundation and the proposed residents of the living units. This lease is in the works and they are requesting a 30 day continuance.

Mr. Flores mentioned he had heard something different from the Diamond Hill Jarvis neighborhood. Mr. Flores asked when the lease agreement was discussed. Mr. Salser said he was not at the meeting but was informed via email by Tim Lennard the project leader for Trinidad Ministries. Mr. Flores asked if he was on the Board of Directors with Trinidad Ministries. Mr. Salser said no he is not. Mr. Flores asked if he had heard from anyone on the board. Mr. Salser said only Reverend Florez who said there is a lease agreement in the works that has to be approved by all parties. Mr. Flores mentioned at the last meeting it was noted that the board that Reverend Florez is a part of is not in agreement with this because of the parsonage issue if they were to default on the agreement. Mr. Salser said his understanding is the lease agreement will have the necessary language in it to solve that problem. Mr. Flores also mentioned that Reverend Florez had some doubts about proceeding and that his board was against it. Mr. Salser said he had no knowledge of that. Mr. Flores asked who was at the Diamond Hill Jarvis meeting. Mr. Salser said he did not know the attendees of this last meeting other than Reverend Florez. He asked if Mr. Florez was here today. Mr. Salser said know he is not. Is there a representative of the board present? Mr. Salser said not to his knowledge.