



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
June 4, 2013

Council District 9

Zoning Commission Recommendation:
Approval 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: **New Barn LLC, Jan K. Reece, Slaughter Irrevocable Children’s Trust C/O Jan K. Reece, Michael Rabbass**

Site Location: 2716, 2720, 2727, 2732, 2733, 2736, 2737 Merida Ave. Mapsco: 76T

Proposed Use: **Multifamily**

Request: From: “B” Two-Family

To: “PD/UR” Planned Development for all uses in “UR” Urban Residential; site plan included

Land Use Compatibility: Requested change is **not compatible**.

Comprehensive Plan Consistency: Requested change is **not consistent**.
(Significant Deviation)

Background:

The proposed sites are situated on Merida on the west and east side, north of Cantey. The applicant is proposing to change the zoning to “PD/UR” Planned Development for “UR” Urban Residential. The development is intended to meet UR standards of height, parking, and landscaping. The applicant is requesting a waiver to the fencing requirement listed in the site plan review.

There are 20 lots within this block of Merida, of which seven lots are proposed for three story multifamily development within this PD. The site plan indicates seven buildings, two to three stories for a total of 28 units and 67 bedrooms. The total square footage for each building is 9,864 square feet. The single building at 2727 Merida is 4,059 square feet.

The side yard setbacks of 10 ft. from new building to existing building with side windows meet the intent for UR, however; building separation requirements can only be waived through the Construction Board of Appeals due to Fire Code spacing requirements.

The proposed PD site plan is in general compliance with the “UR” standards except for necessary waivers to the fencing.

Development Standard	UR	Proposed PD
Front yard setback	20 ft. max. exempt from projected setbacks	Between 10’ and 20’ along Merida (no waiver required)

Side yard setback	Setbacks are required when abutting property with an existing building has windows facing to the side. New development or addition shall provide at least 10 ft. of separation between the existing and new buildings.	All lots meet the intent for UR
Rear yard setback	20 ft. min	na
Height	Two stories consisting of a min. of 17 ft; 35 ft. max.	2 to 3 stories; 32.6" top plate
# units/bedrooms	Density not regulated	28 units/67 bedrooms
Parking spaces	Based on # bedrooms	1 per bedroom behind front building line; 67 spaces

The applicant has had multiple meetings with the Frisco Heights Neighborhood Association. A letter of support for the updated site plan was received on April 25 that also included the similar cases ZC-13-059 and ZC-13-061.

Site Information:

Owner: New Barn LLC
208 E. Broadway Ave
Fort Worth, Tx 76104

Jan Reece & Slaughter Irrevocable Childrens Trust
PO Box 3411
South Padre Island, Tx 78597

Michael Rabbass
12 Chase Court
Fort Worth, Tx 76110

Applicant: Merida Avenue LLC/Jim Schell
Acreage: 1.00 acres
Comprehensive Plan Sector: TCU/Westcliff

Surrounding Zoning and Land Uses:
North "B" Two-Family / two-family
East "B" Two-Family / single-family
South "PD-891" Planned Development for Urban Residential with development standards / parking lot
West "B" Two-Family / single-family and duplex

Recent Relevant Zoning and Platting History:

Zoning History: ZC-12-115 PD for "UR" Urban Residential, approved by City Council 03-05-13 at the corner of Lowden & Merida; PD-762 ZC-07-010, Planned Development for MU-1 for residential uses; approved by City Council 06/05/07, subject property to the south of Cantey; PD-891 ZC-10-177 Planned Development for "UR" Urban Residential with development standards; approved by City Council 11/16/10, subject property to the south of Cantey.

Platting History: None

Site Plan Comments:

The revised site plan as submitted is in general compliance with the zoning regulations.

Transportation/Public Works (TPW) site plan comments

TPW (Pirouz Allivand 817-392-6597 Pirouz.Allivand@fortworthtexas.gov)

1. Driveway location must not interfere with intersection function. SHOW DIMENSION AND DISTANCES FROM EXISTING DRIVEWAYS AND STREETS
2. Public Open Space Easement - A triangular 10'x10' POSE (Public Open Space Easement), shall be provided at the intersection of an alley and a driveway.
3. CFA - Community Facilities Agreement required for streets (to include border streets, alleys and access easements), lights, signs, sidewalks, and drainage improvements

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

Parks Department site plan comments

Platted area is within PPD4 and the Park Dedication Policy applies. Site Plan indicates 11 residential units to be constructed. There is a required \$500.00 fee for each residential unit to be constructed. Fees MUST be paid in full at or before the time of applying for a building permit.

Comments made by Parks Department staff cannot be waived through the Zoning Commission. Approval of the site plan does not constitute Parks acceptance of conditions; park fees will be applied to the project.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Merida Ave	Two-way/Residential	Two-way/Residential	No
Cantey St.	Two-way/Residential	Two-way/Residential	No

Public Notification:

The following Organizations were notified:

Organizations Notified	
University Place NA	Berry Street Initiative
Paschal Heights	Southside Preservation Assoc.
Frisco Heights	South University
University Neighborhood Alliance	FWISD

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "PD/UR" for Urban Residential multifamily development for a total of 28 units on seven lots. Surrounding land uses predominantly consist of duplex and single-family uses. Two Planned Developments for multifamily uses are located to the southeast for student housing and one to the south that was developed into a parking lot. However, these developments are located south of Cantey. The predominant use north of Cantey remains single-family.

The proposed zoning is **not compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2013 Comprehensive Plan designates the subject property as single-family which reflects the current land uses. Changes to the Future Land Use map to reflect another use would be initiated by the neighborhood and/or the Council member. While the single-family use is permitted in UR Urban Residential, UR is primarily for multifamily development. The following Comprehensive Plan policies would apply:

- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces.
- Preserve the character of rural and suburban residential neighborhoods.

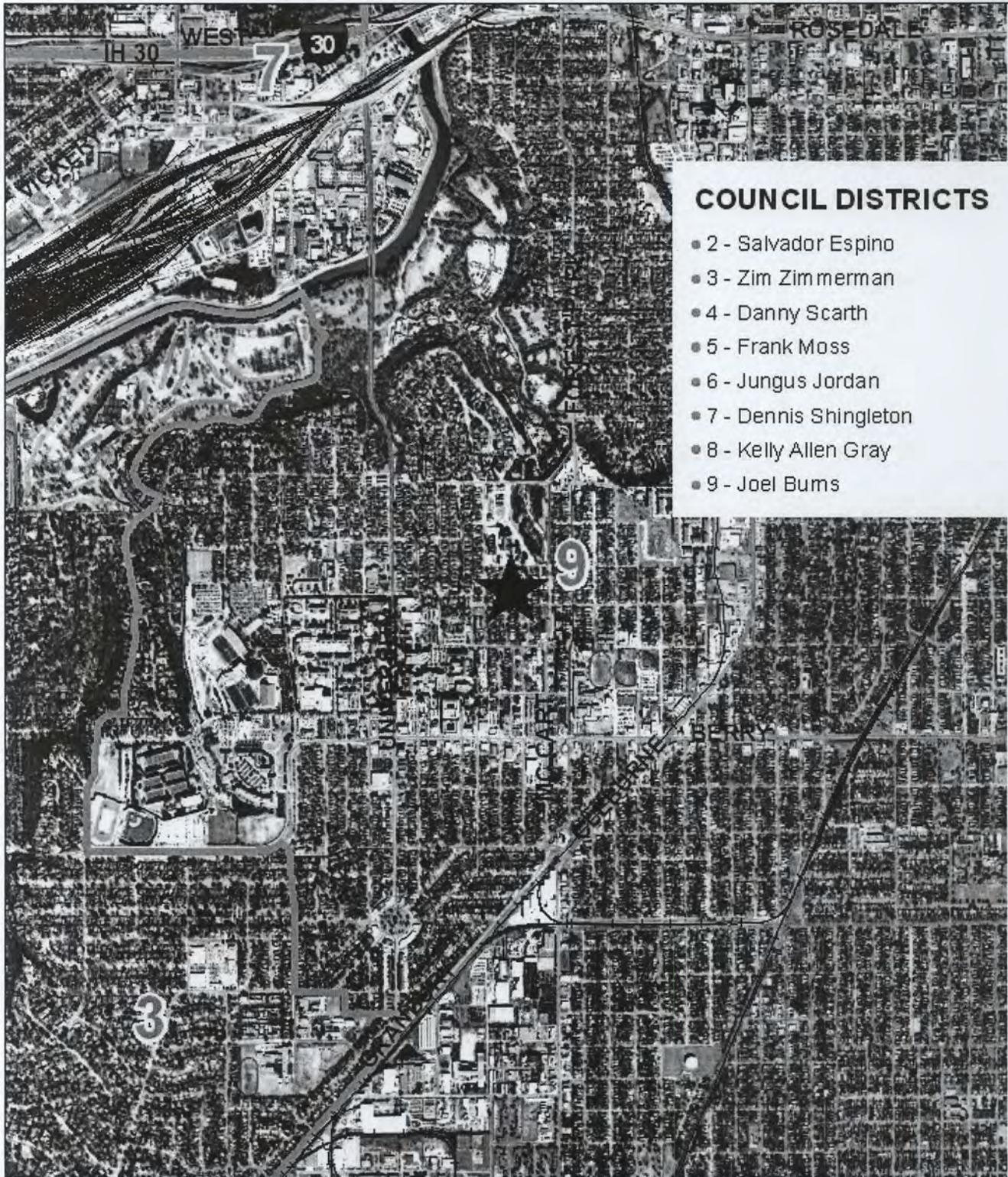
Based on the conformance with the future land use map and policies stated above, the proposed zoning **is not consistent** with the Comprehensive Plan, making this a Significant Deviation. The general area has been in transition with several developments constructed for multifamily units for TCU students, however these have occurred south of Cantey to this time.

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-13-060

Area Zoning Map

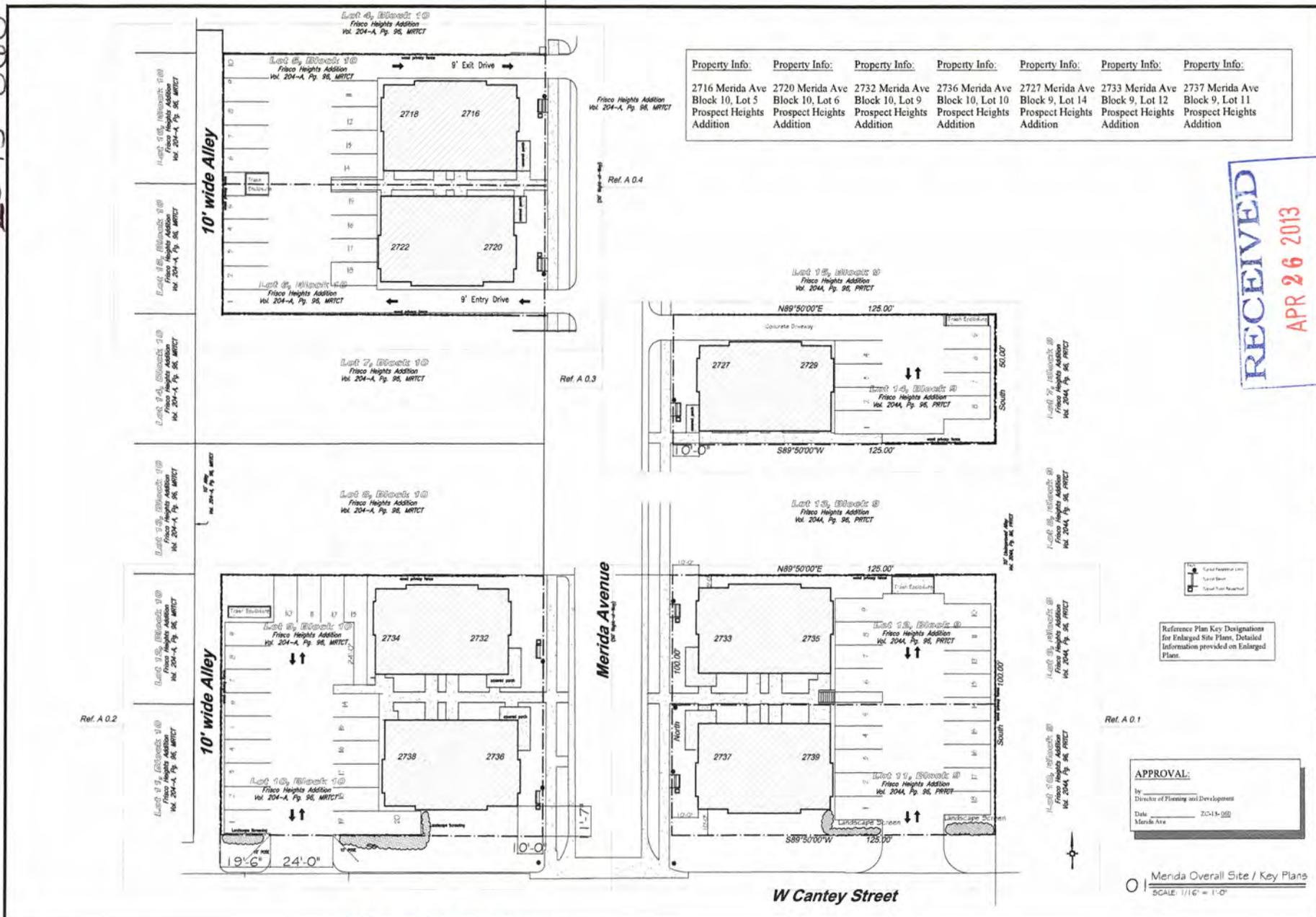
Applicant: New Barn, J. Reece, Slaughter Trust, M. Rabbass
 Address: 2700 blocks Merida Avenue
 Zoning From: B
 Zoning To: PD/UR with site plan
 Acres: 1
 Mapsco: 76T
 Sector/District: TCU/W.cliff
 Commission Date: 04/10/2013
 Contact: 817-392-2495



300 Ft. Notification Buffer



ZC-13-060



Property Info:	Property Info:	Property Info:	Property Info:	Property Info:	Property Info:	Property Info:
2716 Merida Ave Block 10, Lot 5 Prospect Heights Addition	2720 Merida Ave Block 10, Lot 6 Prospect Heights Addition	2732 Merida Ave Block 10, Lot 9 Prospect Heights Addition	2736 Merida Ave Block 10, Lot 10 Prospect Heights Addition	2727 Merida Ave Block 9, Lot 14 Prospect Heights Addition	2733 Merida Ave Block 9, Lot 12 Prospect Heights Addition	2737 Merida Ave Block 9, Lot 11 Prospect Heights Addition

RECEIVED
APR 26 2013

Richard L. Metersky
Architect
R.L.M.2013



Site Location:
 Plat 10, Block 10
 Plat 10, Block 10
 Merida Ave
 Fort Worth, TX

A Proposed Residential Project for
 Merida Ave LLC
 Richardson, TX

REVISIONS	
09.26.12	
04.09.13	
04.22.13	
04.23.13	

ISSUES	
PERMIT	

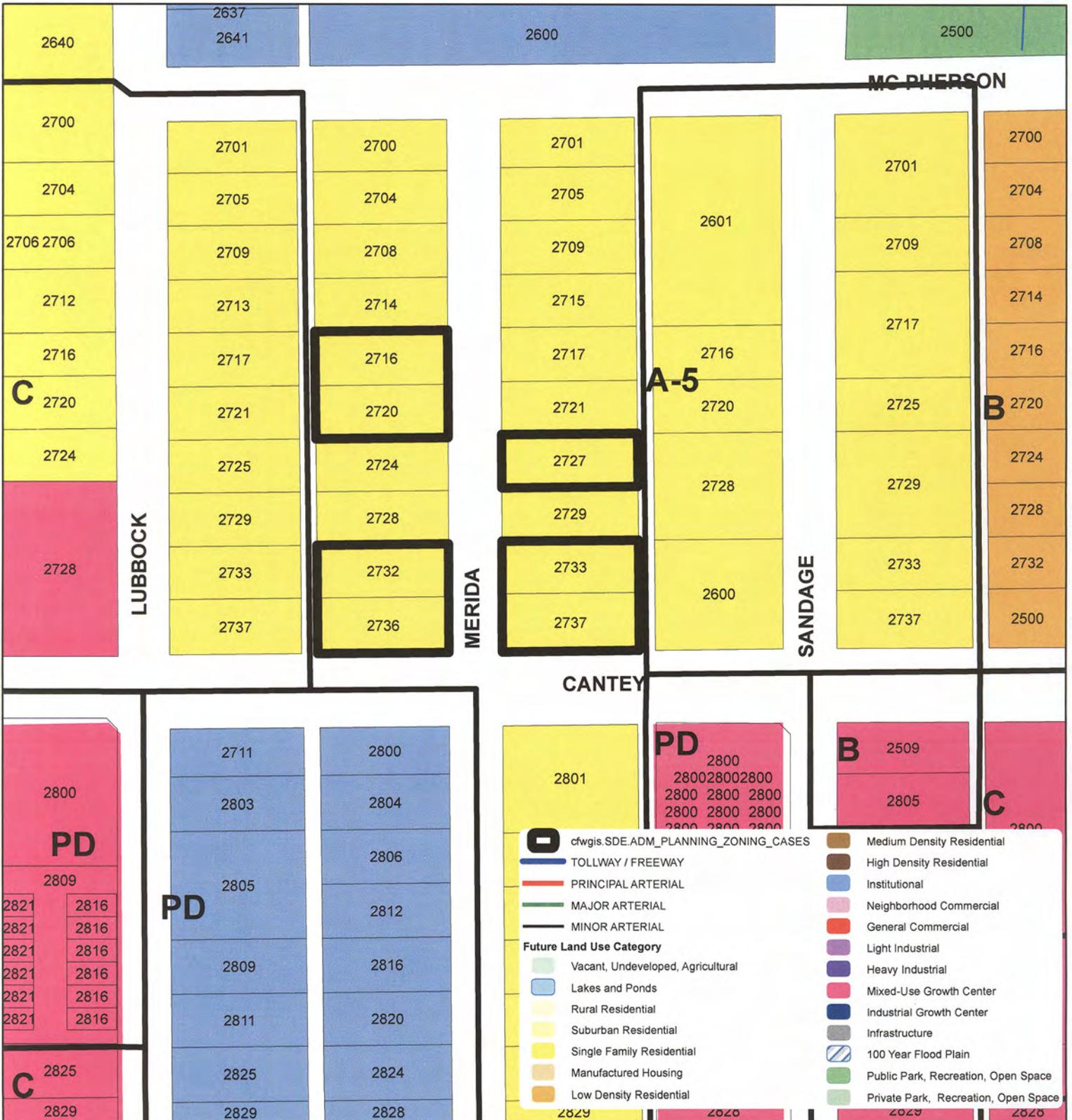
DATE: 04.11.13
 SHEET NO. **AO.0**
 OF SHEETS

APPROVAL:
 by: _____
 Director of Planning and Development
 Date: 2013-04-26
 Merida Ave

01 Merida Overall Site / Key Plans
 SCALE: 1/16" = 1'-0"

**RECOMMENDED
 FOR APPROVAL**

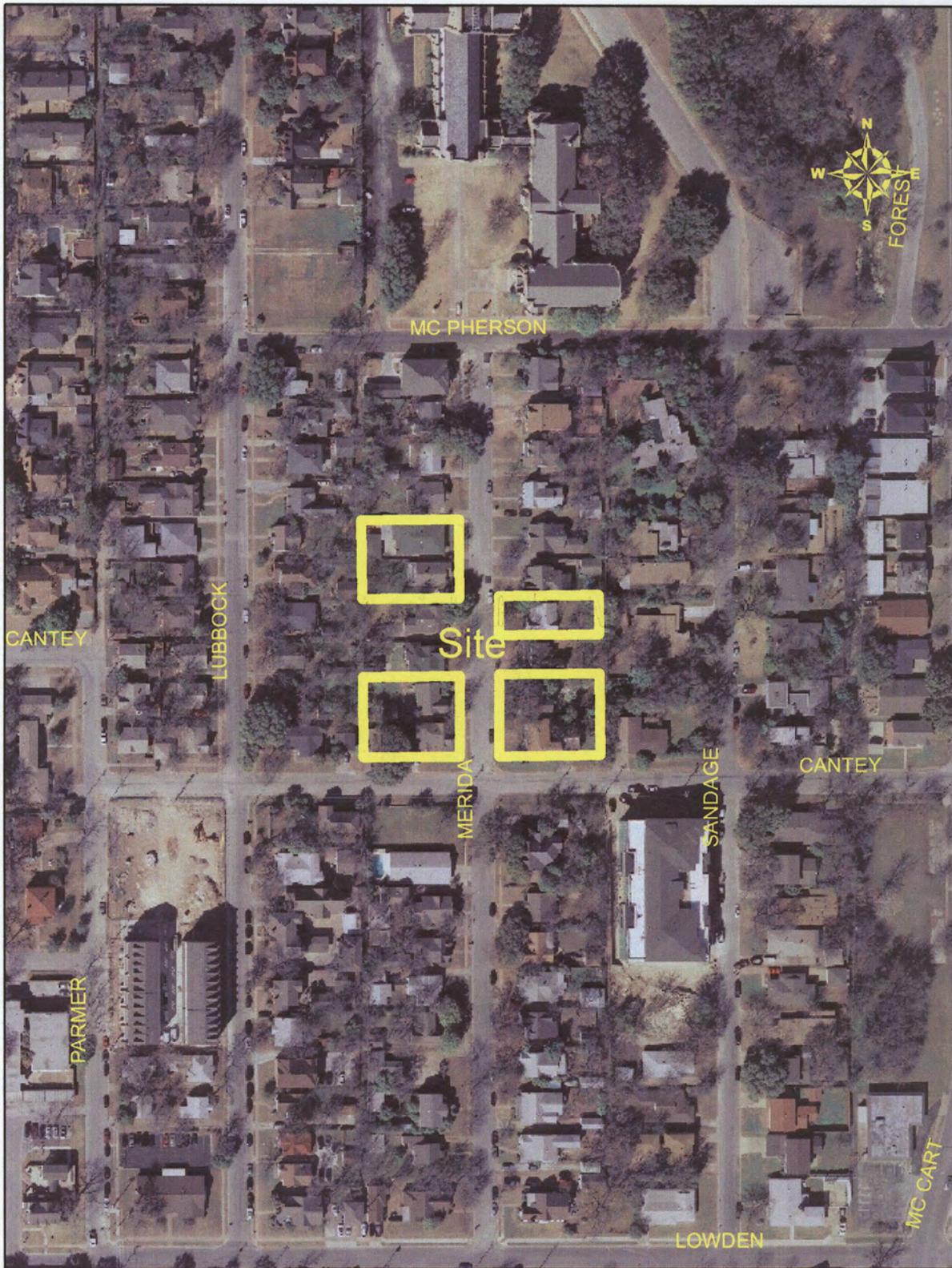
Future Land Use



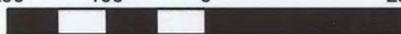
A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 219.005.) Land use designations were approved by City Council on March 5, 2013.



Aerial Photo Map



200 100 0 200 Feet



associations. Mr. Schell mentioned the neighborhood supports the zoning case as per the latest site plan. He mentioned TCU is planning on expanding their student housing with about 5300 campus beds. Most of the on campus housing is for students out of state. There is a demand for off campus housing. Mr. Schell had a color exhibit indicating the investor owned properties in the area.

Mr. West asked about the lots in white. Ms. Burghdoff mentioned they are non-residential homes. Ms. Burghdoff asked if one of the lots for this case is still owner occupied. Mr. Schell said yes it has been purchased.

Bill Newsome, 601 N. Iowa Street, Lowrence Kansas City with Merida Avenue LLC one of the investors spoke in support. Mr. Newsome depicted on the overhead for the Commissioners all the properties they own. Mr. Newsome mentioned the way they have designed the units there is one bathroom per bedroom.

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

<i>Document received for written correspondence</i>					<i>ZC-13-059</i>
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Alex Clark/Frisco Heights NA	2724 Merida	Out		Support	Sent letter in
Keith Ashcraft/University Place NA	2556 Waits Ave	Out		Support	Sent letter in
Frank Ostrowski	2505 Cockrell	Out		Support	Sent letter in
Tim Kuchta	2801 Merida	Out		Support	Sent letter in
Michael Stein	2721 Merida	Out		Support	Sent letter in
Lloyd Newton	2725 Lubbock	In		Support	Sent letter in
Brandon Tyler	2724 Lubbock	In		Support	Sent letter in
Jake Proctor	2709 Merida	Out		Support	Sent letter in
Ann Lesok	NA			Support	Sent letter in
Chris Trigger	2528 Shirley	Out		Support	Sent letter in
Zac Thompson	2023 Glenco Terrace	Out		Support	Sent letter in

5. ZC-13-060 New Barn LLC, Jan K. Reece, Slaughter Irrevocable Children’s Trust C/O Jan K Reece, Michael Rabbass (CD 9) – 2716, 2720, 2727, 2732, 2733, 2736 & 2737 Merida Avenue (Frisco Heights Addition, Block 9, Lots 11, 12, 14, and Block 10, Lots 5, 6, 9, 10, 0.46 Acres): from “B” Two-Family to “PD/UR” Planned Development for Urban Residential

Jim Schell, 500 W. 7th Street, Suite 600, Fort Worth, Texas representing Merida Avenue LLC explained to the Commissioners they have been working with the local neighborhood associations. Mr. Schell mentioned the neighborhood supports the zoning case as per the latest site plan. He mentioned TCU is planning on expanding their student housing with about 5300 campus beds. Most of the on campus housing is for students out of state. There is a demand for off campus housing. Mr. Schell had a color exhibit indicating the investor owned properties in the area.

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

Document received for written correspondence				ZC-13-060	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Alex Clark/Frisco Heights	2724 Merida	In		Support	Sent letter in
Keith Ashcraft/University Place NA	2556 Waits Ave	Out		Support	Sent letter in
Frank Ostrowski	2505 Cockrell	Out		Support	Sent letter in
Tim Kuchta	2801 Merida	In		Support	Sent letter in
Michael Stein	2721 Merida	In		Support	Sent letter in
Lloyd Newton	2725 Lubbock	In		Support	Sent letter in
Brandon Tyler	2724 Lubbock	In		Support	Sent letter in
Jake Proctor	2709 Merida	In		Support	Sent letter in
Ann Lesok	NA			Support	Sent letter in
Chris Trigger	2528 Shirley	Out		Support	Sent letter in
Zac Thompson	2023 Glenco Terrace	Out		Support	Sent letter in

6. ZC-13-061 Jack A Knight, Fincher E Withers Estate, Tersok Properties LLC, and Jam Development (CD 9) – 2721-2733 McCart Avenue and 2408-2409 W. Cantey (Frisco Heights Addition, Block 7, Lots 11, 12, 13, 14, 15 and Block 16, Lots 17, 18 1.20 Acres): from “B” Two-Family to “PD/UR” Planned Development for Urban Residential; site plan included

Jim Schell, 500 W. 7th Street, Suite 600, Fort Worth, Texas representing Merida Avenue LLC explained to the Commissioners they have been working with the local neighborhood associations. Mr. Schell mentioned the neighborhood supports the zoning case as per the latest site plan. He mentioned TCU is planning on expanding their student housing with about 5300 campus beds. Most of the on campus housing is for students out of state. There is a demand for off campus housing. Mr. Schell had a color exhibit indicating the investor owned properties in the area.