



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
July 9, 2013

Council District 6

| | | | |
|---|-------------------|--------------------|-------------|
| Zoning Commission Recommendation: Approval by a vote of 8-0 | 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> |
| Opposition: none | | | |

Owner / Applicant: Larry Martin

Site Location: 7833 Summer Creek Drive Mapsco: 102M

Proposed Use: Professional Office/Retail

Request: From: "PD-246A" PD/E Planned Development for all uses in "E" Neighborhood Commercial with conditions and limited to day care use during the day only; site plan waived

To: "PD-246" PD/E Planned Development for all uses in "E" Neighborhood Commercial excluding tattoo parlor and massage parlor; site plan included

Land Use Compatibility: Requested change **is compatible.**

Comprehensive Plan Consistency: Requested change **is consistent.**

Background:

The proposed site is located at the northeast corner of Summer Creek Drive & Columbus Trail. The applicant is requesting to amend the PD language that would remove the limitation to day care only and include the property in PD 246, which is the zoning district for the larger property to the north.

In 1997, the property was rezoned to PD/E with an agreement with the neighborhood that the southern 220 feet (known as PD246A) would be limited to a day care use or commercial use with development standards including a wall and planter, exterior materials, and additional trees. In 2002, the site was limited to the day care use only and the wall and planter requirement was removed for visibility of children and the road. Limitations were added to the larger northern property (PD246) in 2002 to restrict tattoo parlors and massage parlors.

The day care as constructed did not use all of the property that was restricted to the use. The remainder of the property is now proposed for a professional office, with an insurance office being discussed.

Site Information:

Owner: Larry Martin
8552 South Hulen Street
Fort Worth, Texas 76123

Agent: Dunaway & Associates/Bo Trainer

Acreage: 0.61 acres

Comprehensive Plan Sector: Wedgewood

Surrounding Zoning and Land Uses:

North "PD-246" Planned Development / vacant
 East "PD-246A" Planned Development / child day care
 South "A-5" One-Family / single-family
 West "PD-471" Planned Development / vacant

Recent Relevant Zoning and Platting History:

Zoning History: "PD246A" PD/E Planned Development for "E" Neighborhood Commercial limited to day care with development standards
 "PD246" PD/E Planned Development for all uses in "E" Neighborhood Commercial except tattoo parlor and massage parlor; site plan waiver requested; subject property to the north
 "PD471" Planned Development for F uses excluding tattoo parlor, sexually oriented business, shooting ranges (indoor), gambling facilities and pawn shops, approved by City Council 02/06/07; subject property to the west

Platting History: None

Site Plan Comments:

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

Transportation/Access

| Street/Thoroughfare | Existing | Proposed | In Capital Improvements Plan (CIP) |
|---------------------|----------------|----------------|------------------------------------|
| Summer Creek Dr | Major Arterial | Major Arterial | No |

Public Notification:

The following organizations were notified:

| Organizations Notified | |
|--------------------------|------------------------|
| Summer Creek Meadows | Meadows of Candleridge |
| Villages of Sunset Point | |
| Summer Creek | |

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to amend the PD language to allow for additional commercial uses, including professional offices. Surrounding land uses are vacant to the north and west, day care to the east and single-family to the south.

Based on surrounding land uses, the proposed zoning for this site **is compatible** at this location.

2. **Comprehensive Plan Consistency**

The 2013 Comprehensive Plan designates the subject property as Neighborhood Commercial. The requested zoning change is consistent with the following Comprehensive Plan policies.

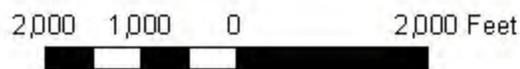
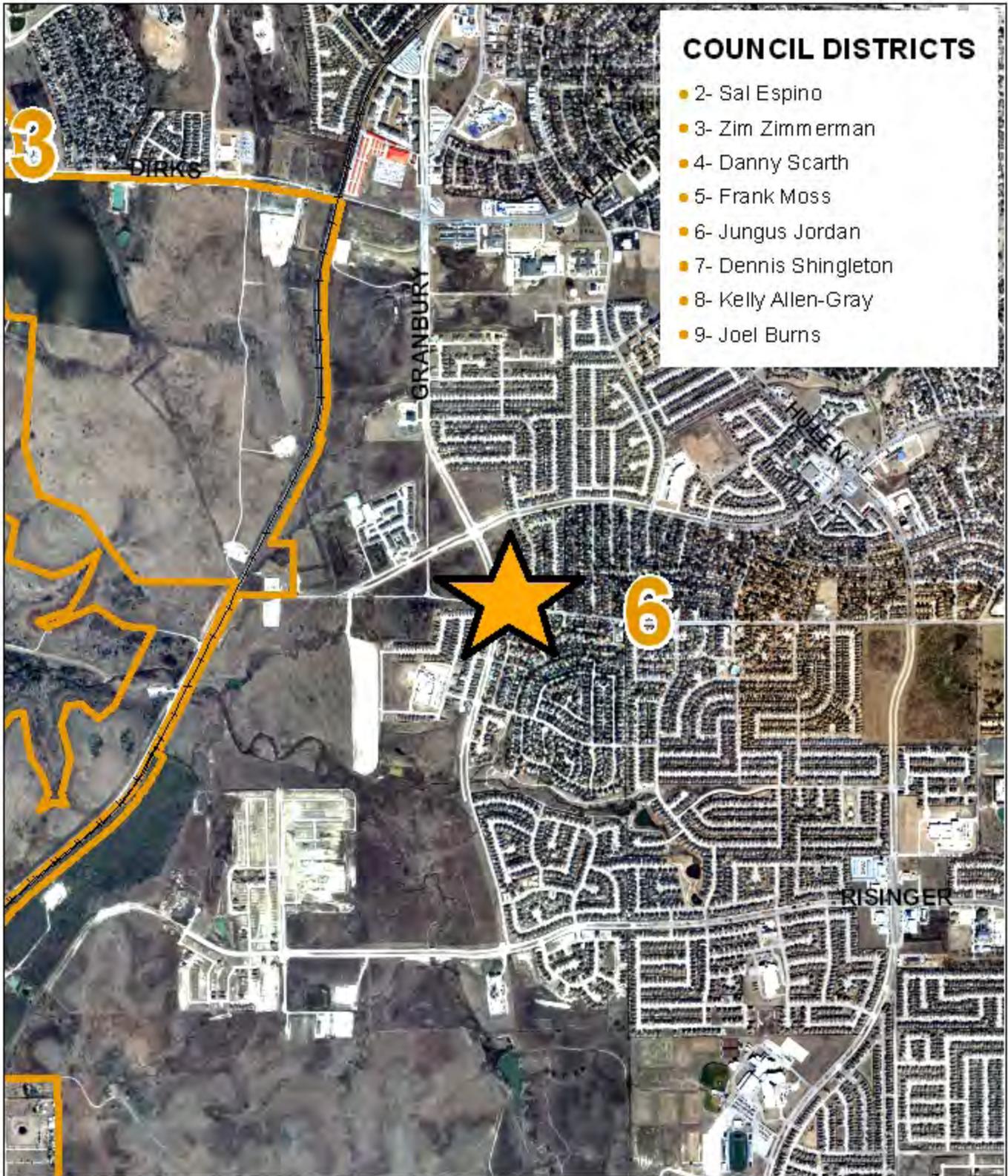
- Encourage new development in character with the existing neighborhood scale, architecture, and platting pattern (pg. 39)

Based on conformance with the future land use map and the policies stated above; 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
- Site Plan
- Minutes from the Zoning Commission meeting

Location Map





ZC-13-080

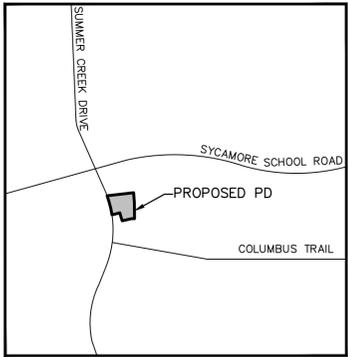
Area Zoning Map

Applicant: Larry Martin
 Address: 7833 Summer Creek Drive
 Zoning From: PD 246A for day care w/dev. standards
 Zoning To: PD 246 for all uses in E except tattoo parlor and massage parlor
 Acres: 0.62
 Mapsco: 102M
 Sector/District: Wedgwood
 Commission Date: 06/12/2013
 Contact: 817-392-2495

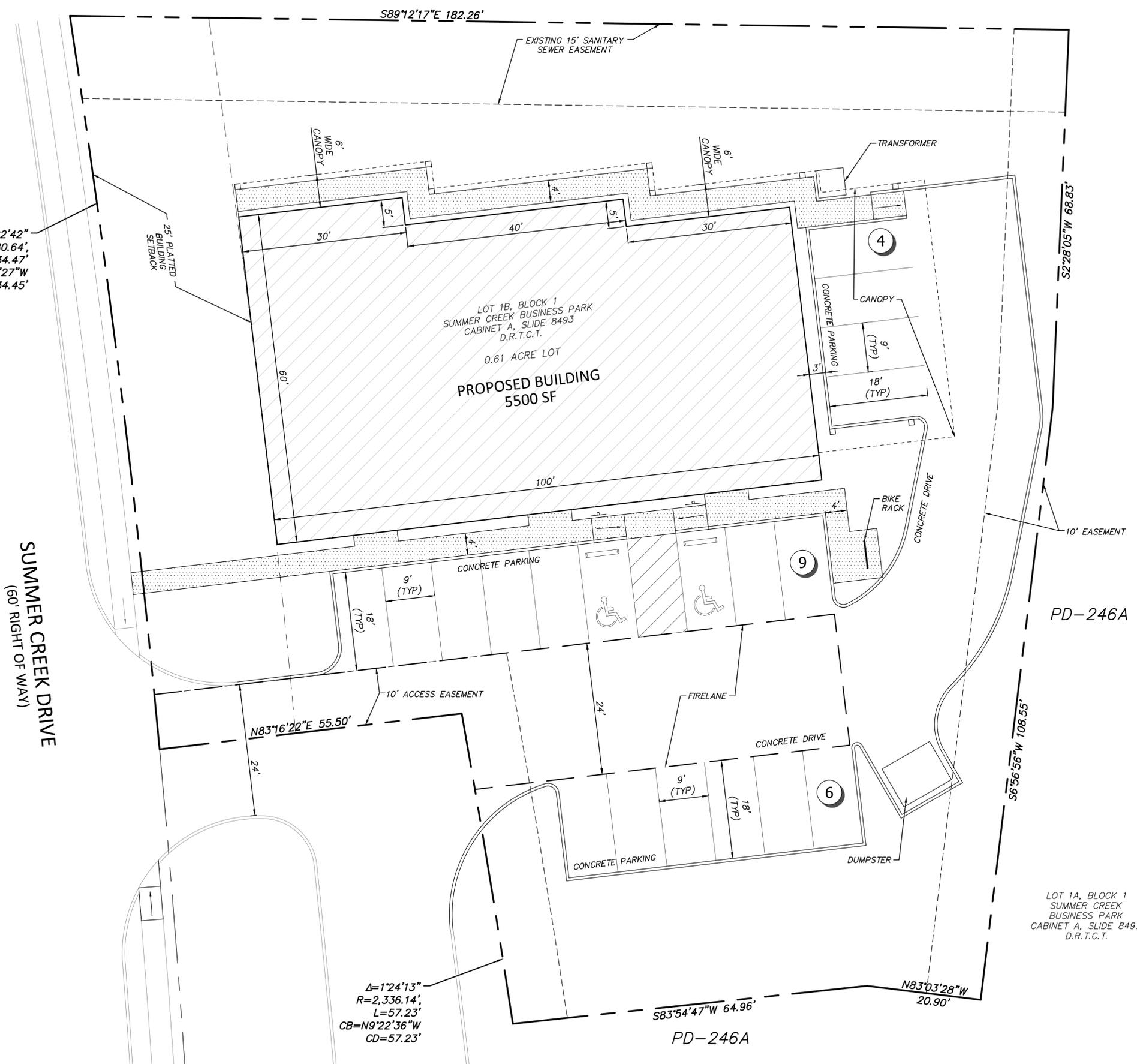
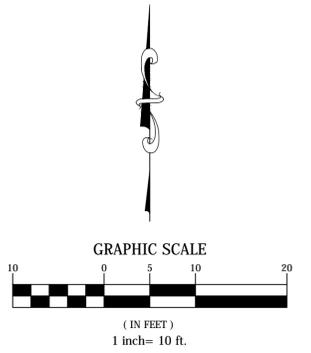


300 Ft. Notification Buffer





VICINITY MAP
NTS



$\Delta=3^{\circ}22'42''$
 $R=2,280.64'$
 $L=134.47'$
 $CB=N6^{\circ}59'27''W$
 $CD=134.45'$

$\Delta=1^{\circ}24'13''$
 $R=2,336.14'$
 $L=57.23'$
 $CB=N9^{\circ}22'36''W$
 $CD=57.23'$

GENERAL NOTES

1. ALL USES IN "E" EXCEPT TATTOO PARLOR AND MASSAGE PARLOR.**
2. LANDSCAPING WILL BE PER THE ZONING ORDINANCE.
3. SIGNAGE WILL COMPLY WITH THE CURRENT ZONING ORDINANCE.
4. THE LEGAL DESCRIPTION IS LOT 1B, BLOCK 10F THE SUMMER CREEK BUSINESS PARK.
5. THE BUILDING WILL BE MULTI-TENANT WITH ALL USES FITTING WITHIN THE PROPOSED ZONING DISTRICT. THE PRIMARY TENANT WILL BE AN INSURANCE OFFICE. THE REQUIRED 21 SPACES IS BASED ON THE COMMERCIAL USES (MOST RESTRICTIVE). 19 SPACES ARE BEING PROVIDED.*

| | EXISTING | PROPOSED |
|--------------|------------------------------|--------------------------|
| SITE ACREAGE | 0.6 | 0.6 |
| LAND USE | UNDEVELOPED | "E" (MINUS CERTAIN USES) |
| PARKING | 21 (BASED ON TOTAL COMM USE) | 19* |
| BIKE PARKING | 1 | 1 |
| ZONING | PD-246A | PD-246 |

PD-246A

LOT 1A, BLOCK 1
 SUMMER CREEK
 BUSINESS PARK
 CABINET A, SLIDE 8493
 D.R.T.C.T.

ENGINEER/SURVEYOR:
 DUNAWAY ASSOCIATES L.P.
 550 BAILEY AVE., SUITE 400
 FORT WORTH, TEXAS 76107
 (817) 335-1121

OWNER / DEVELOPER:
 LARRY MARTIN
 8552 SOUTH HULEN
 FORT WORTH, TX 76123

DUNAWAY
 550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
 Tel: 817.335.1121 • Fax: 817.335.7437
 (TX REG. F-1114)

PD SITE PLAN

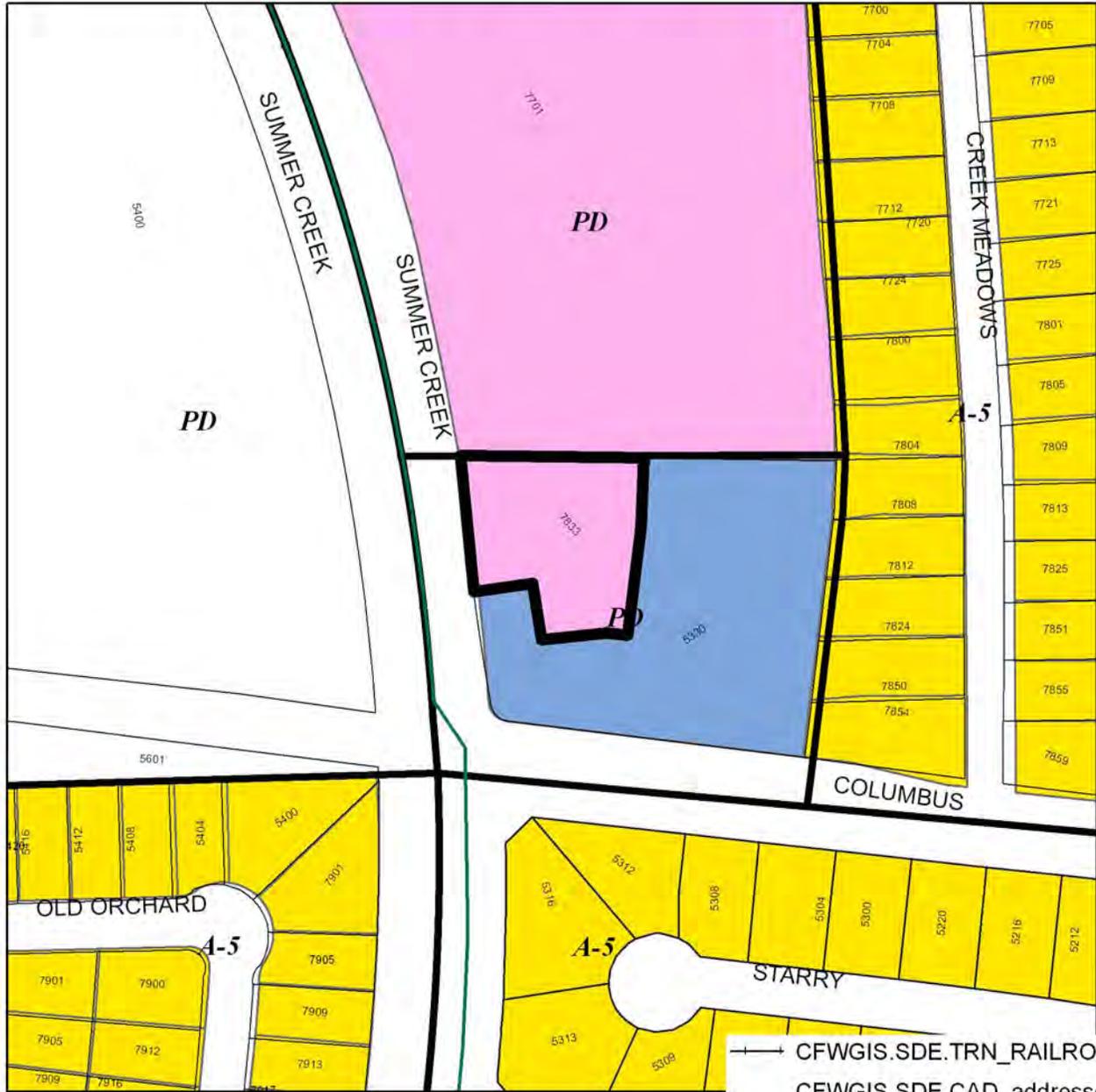
DIRECTOR OF PLANNING AND DEVELOPMENT

DATE (APPROVED)



Future Land Use

ZC-13-080

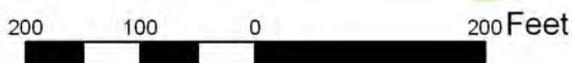


CFWGIS.SDE.TRN_RAILROADS
CFWGIS.SDE.CAD_addresses

- 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

- 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 1, 2011



Aerial Photo Map



9. ZC-13-079 Conti Ridgmar (CD 3)- 2600 Cherry Lane (West Plaza Addition, Block 2, Lot B-1R, 02.10 Acres): from “PD-930” Planned Development for all uses in “E” Neighborhood Commercial plus furniture upholstery, refinishing or resale, mini-warehouses, assembly of pre-manufactured parts, except for vehicles, trailers, airplanes, or mobile homes; carpet and rug cleaning, food processing (no slaughtering), furniture or cabinet repair or construction, manufacture of artificial flowers, ornaments, awnings, tents, bags, brooms or brushes, button and novelties canvass products, clothing, suits, coats or dresses for wholesale trade, plastics, monument/marble works, finishing or carving only and stone monument works, paper box manufacture, pattern shop, rubber stamping, shearing/punching, rubber stamp manufacture, sheet metal shop, warehouse or bulk storage, wholesale bakery, produce market or wholesale house, wholesale office or sample room, production, manufacture and wholesale retail sales of candy and other confections, multi-tenant warehouse distribution facility, and sewing, embroidery, screen printing, and all uses to be located inside the building, and to include specialty crafting, forming, laminating and repair of acrylic sheets for aircraft windows; site plan waived to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus motel; site plan included

Kevin Patel, 1503 Astoria Drive, Allen, Texas representing Conti Ridgmar explained to the Commissioners they are requesting a zoning change to PD/E plus a motel.

Mr. West asked if he had any contact with the neighborhood association. Mr. Patel said he sent a copy of the site plan to Barry Hudson with Western Hills NA and they had concerns with the number of trees proposed. Mr. Patel said they added additional trees and the neighborhood is in support. Mr. West read into the record a letter received from the Western Hills North NA in support with a minimum of 10 large canopy trees and one medium canopy tree to be planted in front of the hotel. Mr. West asked if that was on the revised site plan they received in their packet. Mr. Patel said yes they did make the changes.

Mr. West also asked to display the map indicating the flight path for NASJRB and noted concerns about certain uses such as a motel within the flight path. He asked Mr. Patel if he was aware of the additional requirements for sound proofing since he is in the noise area and that he is not directly in the flight path. Mr. Patel said he was aware.

Motion: Following brief discussion, Mr. West recommended approval of the request, seconded by Mr. Genua. The motion carried unanimously 8-0.

10. ZC-13-080 Larry Martin (CD 6)- 7833 Summer Creek Drive (Summer Creek Business Park Addition, Block 1, Lot 1B, 0.60 Acres): from “PD-246A” Planned Development for all uses in “E” Neighborhood Commercial with conditions and limited to day care use during the day only; site plan waived to “PD-246” Planned Development for all uses in “E” Neighborhood Commercial excluding tattoo parlor and massage parlor; site plan included

Jeff Davis, 550 Bailey Avenue, Suite 400, Fort Worth, Texas, Fort Worth, representing Larry Martin explained to the Commissioners their current site is limited to a day care use only. He explained the property was subdivided in 2010 and Mr. Martin wants to rezone to PD246 Planned Development for E uses excluding tattoo and massage parlor in order to construct a one

story, 5500 square foot professional office building. Mr. Davis said they did reach out to neighborhood leaders and Councilman Jordan.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Mr. West. The motion carried unanimously 8-0.

| <i>Document received for written correspondence</i> | | | | <i>ZC-13-080</i> | |
|---|---------------------|---|-----------|-------------------------|----------------|
| Name | Address | In/Out 300 notification area | ft | Position on case | |
| Rusty Smith | 5330 Columbus Trail | In | | Opposition | Sent letter in |

11. ZC-13-081 Service Plus Automotive Repair and Maintenance, LLC (CD 4)- 3300 Block North Tarrant Parkway/8509 Old Denton Road (E A Shultz Survey, Abstract 1439, Tract 1 and 1A, 1.75 Acres): from “AG” Agricultural to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus minor auto repair, oil change, and emissions testing with no outside storage; site plan included

Gerald Chunn, 4017 Deepwood Street, Colleyville, Texas explained to the Commissioners this is their second zoning request; the first one was in the Heritage area which was going to take too long to get the infrastructure in place. Mr. Chunn mentioned they spoke with Hillwood and the Heritage HOA and have not received any opposition.

Mr. Edmonds asked about the waiver to the placement of the monument sign. Mr. Chunn said yes they will be asking for a waiver. Mr. Edmonds asked to identify the proposed sign on the site plan and Mr. Chunn displayed it on the overhead. Mr. Edmonds asked about the size of the signs and Mr. Chunn responded it will be no taller than 8 feet and 6 feet wide.

Mr. West asked about the proposed development to the west. Mr. Chunn said to the west and north is Alliance Emergency Care, a 150,000 sq. ft. hospital expected to begin construction this summer. Mr. West asked if he has had any contact with the multifamily complex to the south. Mr. Chunn said Hillwood owns the property and did visit with them last week.

Motion: Following brief discussion, Mr. Edmonds recommended approval of the request, seconded by Ms. Conlin. The motion carried unanimously 8-0.

12. ZC-13-083 City of Fort Worth Planning & Development (CD 4&7) – Generally bounded by Ray White Road, Chatsworth Lane, Corral Drive, Wall price Keller & Broiles Lane (see addresses in case file, 78.31 Acres): from Unzoned to “A-5” One-Family

Beth Knight, Senior Planner, City of Fort Worth explained to the Commissioners the three subdivisions have been under discussion for annexation since 2007. This was pulled from the annexation plan in 2009, waited a year and put back on in 2010 and 2011.

Motion: Following brief discussion, Mr. Edmonds recommended approval of the request, seconded by Mr. Genua. The motion carried unanimously 8-0.