



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
November 12, 2013

Council District 9

Zoning Commission Recommendation:
Approval 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: Jose L. Portillo

Site Location: 4217-4221 (odds) Hemphill Street Mapsco: 91E

Proposed Use: Neighborhood Commercial

Request: From: "FR" General Commercial Restricted
To: "E" Neighborhood Commercial

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent

Background:

The proposed site is located on Hemphill Street just one block north of Seminary Blvd. The applicant would like to change the zoning from "FR" Neighborhood Commercial Restricted to "E" Neighborhood Commercial in order to sell alcohol at the existing restaurant. "E" zoning is more restrictive than the current zoning, which will lessen the potential for unwanted uses along Hemphill Street; bars, auto uses, and tattoo parlor are not permitted in the "E" district. The proposed zoning is also a good buffer to more intense uses along Hemphill Street for the residential uses east of the site.

Site Information:

Owner: Jose L. Portillo
11217 Brownfield Dr.
Burleson, TX 76028

Acreage: 0.41 acres
Comprehensive Plan Sector: Southside

Surrounding Zoning and Land Uses:

- North "FR" General Commercial Restricted / pawn shop
- East "A-5" One-Family / single-family
- South "E" Neighborhood Commercial / car wash
- West "E" Neighborhood Commercial / restaurant

Recent Relevant Zoning and Platting History:

Zoning History: ZC-09-057A from "E" and "F" to "FR", approved 7/14/09 (subject property)
Platting History: None

BOA History: None

Transportation/Access

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

Public Notification:

The following Organizations were notified:

Organizations Notified	
Worth Heights*	Hemphill Corridor Task Force
Rosemont	FWISD
Neighbors Working Together	

*within neighborhood association

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to “E” Neighborhood Commercial. Surrounding land uses vary with a pawn shop to the north, single-family to the east, a car wash just south, and restaurant uses to the west. The site is located along Hemphill Blvd, which is considered a major arterial and appropriate for neighborhood commercial development. In addition, “E” zoning is more restrictive than the current zoning, which will lessen the potential for unwanted uses along Hemphill Street.

The proposed zoning **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

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

- Locate large commercial and institutional uses adjacent to arterial streets, preferably at the intersections of other arterials and highways (pg. 37)
- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)
- 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)

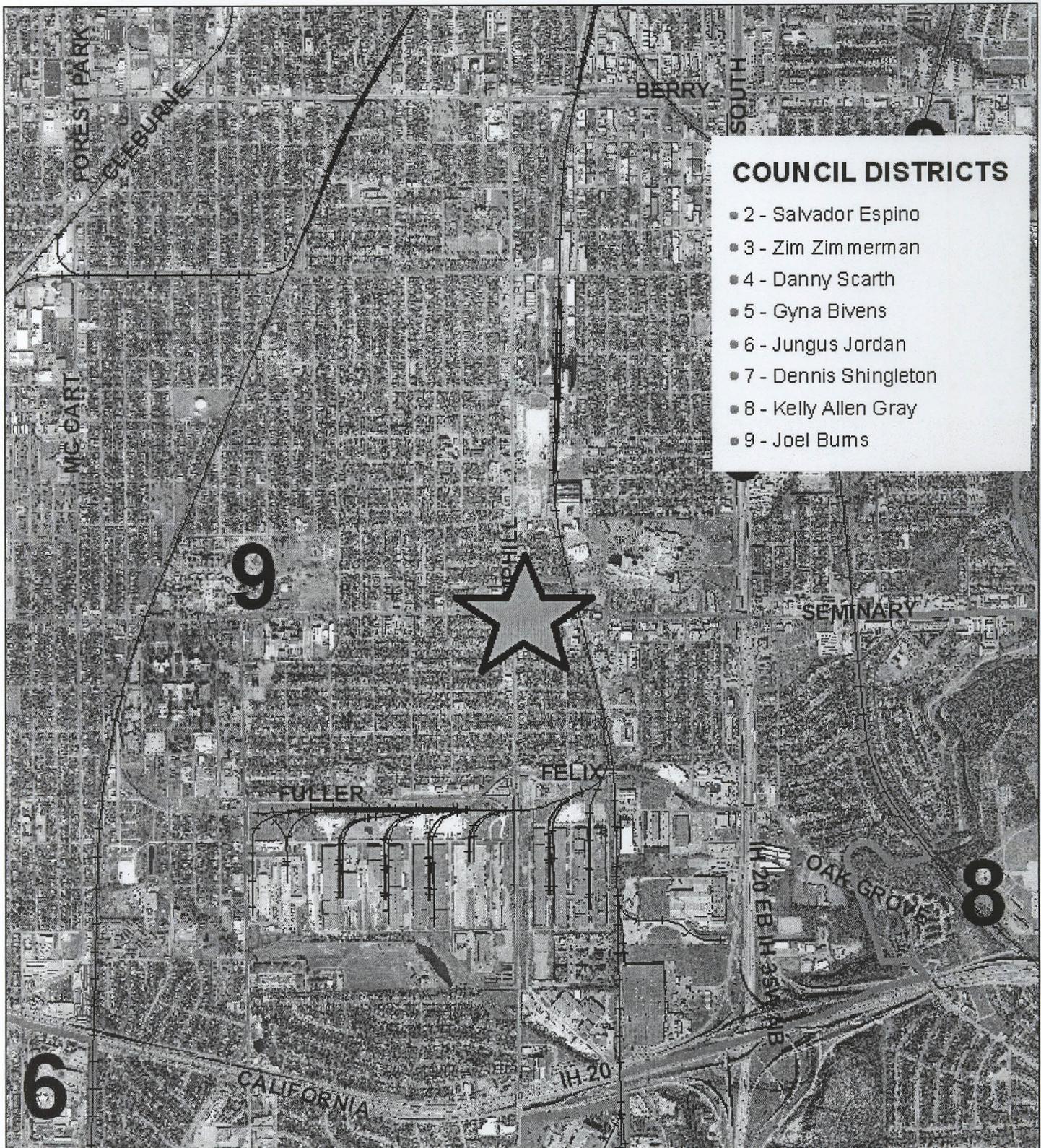
Based on the conformance with the future land use map and policies stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

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
- Minutes from the Zoning Commission Meeting

Location Map



COUNCIL DISTRICTS

- 2 - Salvador Espino
- 3 - Zim Zimmerman
- 4 - Danny Scarth
- 5 - Gyna Bivens
- 6 - Jungus Jordan
- 7 - Dennis Shingleton
- 8 - Kelly Allen Gray
- 9 - Joel Bums



2,000 1,000 0 2,000 Feet

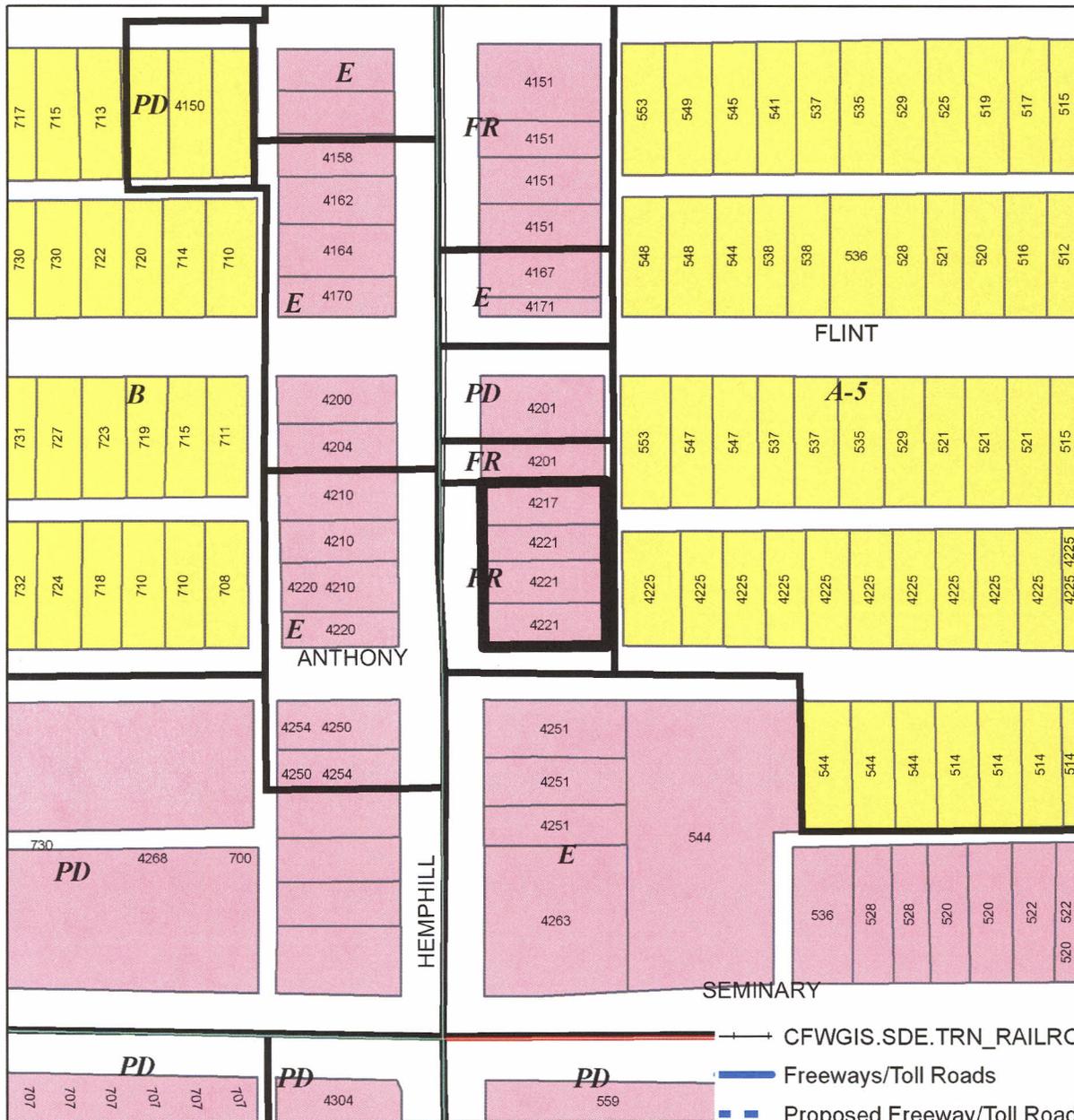




4217-4221 (odds) Hemphill Street

Future Land Use

ZC-13-140



- 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
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- CFWGIS.SDE.TRN_RAILROADS
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial

FLD_ZONE
 Floodplain



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



		300 notification area	ft		
Aaron Barth/ Airport Manager	Spinks Airport	In		Support	Spoke at hearing
John Wandel/ Phoenix Industrial Park	1120 E Rendon Crowley Rd	In		Opposition	Sent letter in

5. ZC-13-138 City of Fort Worth Planning & Development (CD 6) – Map Amendment Airport Overlay District and Runway Protection Zones for Spinks Airport (See addresses in case file, 0.00 Acres): from “AG” Agricultural, “A-21” One-Family, “A-5” One-Family, “E” Neighborhood Commercial, “I” Light Industrial, and “K” Heavy Industrial to add Airport Overlay/Runway Protection Zone Overlay Districts

Jocelyn Murphy, Planning Manager, City of Fort Worth explained to the Commissioners the change to the map amendment.

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

IV. New Cases

6. ZC-13-139 Varrichio Properties LLC (CD 6) – 12415 Oak Grove Road S. (Hiram Little Survey, Abstract 930, 64.16 Acres): from Unzoned to “A-5” One-Family

Bill Boomer, 6610 Bryant Irvin Road, Fort Worth, Texas representing Varrichio Properties LLC explained to the Commissioners they are proposing single-family development.

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

<i>Document received for written correspondence</i>				ZC-13-139	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Martin & Kay Rechnitzer	12424 Oak Grove Rd S	Out		Opposition	Sent letter in

7. ZC-13-140 Jose L. Portillo (CD 9) 4217-4221 Hemphill Street (Southside Addition, Blocks 5, Lots 16, 17, 18, 19, 0.42 Acres): from “FR” General Commercial Restricted to “E” Neighborhood Commercial

Jose Portillo, Jr., 4221 Hemphill Street, Fort Worth, Texas property owner explained to the Commissioners they are trying to obtain a beer license for his restaurant.

Mr. Genua asked if a restaurant is there currently. Mr. Portillo said yes there is but the zoning is FR.

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>					ZC-13-140
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Hemphill Corridor Task Force	NA	Out	Support		Sent letter in

8. SP-13-006 Bear Creek Plaza Ltd. (CD 7) – 10997 Old Denton Road (William McCowen Survey, Abstract 999, 6.48 Acres): site plan to convert parking areas to storage units

Coy Quine, 301 Sherman Street, Richardson, Texas explained to the Commissioners the request is to change the open parking areas to storage units. Mr. Quine said there has been more demand for enclosed units.

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

<i>Document received for written correspondence</i>					SP-13-006
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Russell Fuller/ North Fort Worth Alliance	NA	Out	Support		Sent letter in

9. ZC-13-142 Blue Maple Group (CD 4) - 8463 Old Denton Road (Thomas Peck Survey, Abstract No. 1209, 20.25 Acres): from “A-5” One-Family to “PD/SU” Planned Development/Specific Use for electronic data storage center; site plan required

Jim Schell, 500 W. 7th Street, Fort Worth, Texas representing Blue Maple Group explained to the Commissioners they are requesting a 30 day continuance.

Motion: Following brief discussion, Mr. Edmonds recommended a 30 day continuance of the request, seconded by Ms. Conlin. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-13-142
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Lance Griggs/ Summerfield's NA	NA	Out	Opposition		Sent letter in
Pam Speed	7576 Juliet Ln	In	Opposition		Sent letter in
Steve Christiana	7541 Juliet Ln	In	Opposition		Sent letter in