



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
December 10, 2013

Council District 3

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

Opposition: None

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

Owner / Applicant: Lockheed Martin Recreation Assoc. & others

Site Location: 5750 & 5780 Bellaire Drive S, 3400 Bryant Irvin Road
Mapsco: 78W, X

Proposed Use: Mixed-use with multifamily, retail, restaurant, and office uses

Request: From: "A-5" One-Family, "OM" Office Midrise, "C" Medium Density Multifamily, "E" Neighborhood Commercial and "G" Intensive Commercial

To: "G" Intensive Commercial and "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use with a waiver for minimum height and to exclude uses; site plan waiver recommended

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent (Technical Inconsistency).

Background:

The proposed site is located on Bryant Irvin Road at the newly constructed Arborlawn Dr. The applicant is requesting a zoning change from various zoning categories to "G" Intensive Commercial and "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use with a waiver for minimum height and to exclude uses. A waiver to the site plan is requested because final plans and design have not been set and the waiver will allow for flexibility.

The case was continued by the City Council meeting for further meetings with concerned neighborhoods and evaluation of the traffic study for the development. As a result of the new, expanded traffic study and continued discussions with the neighbors, the applicant is proposing to:

- 1) reduce the height of the buildings in both the MU-2 and G districts to a maximum of five stories,
- 2) limit the number of multi family units from 1,450 to 950 units to reduce traffic counts, and
- 3) exclude certain unwanted uses from both the MU-2 and G districts.

The applicant is requesting a waiver to the minimum two story height requirement in MU-2 to allow one story development for proposed restaurant uses along the creek. They will exclude the following uses from both the MU-2 and G districts: massage parlor, tattoo parlor, automotive repair/paint and body, and gas line compressor stations. The table below describes the differences in the PDs:

Height Requirement	MU-2	Proposed PD/MU-2	G	Proposed PD/G
Minimum Height	Two (2) Stories consisting of a minimum of 18 feet	One (1) Story	None	N/A
Maximum Height	60 feet, or 5 stories whichever is less for single use, or 120 feet or 10 stories if mixed use	5 stories for any uses	120 ft.; approx 10 stories	5 stories

The proposed site was formerly part of Lockheed Recreational Facility property and is part of a redevelopment effort along the Trinity River in southwest Fort Worth. Within the overall development, the applicant intends to construct a mix of uses with multifamily, retail, restaurant and office. The uses will not be mixed in the same building, but will provide a variety within the development, and within walking distances. A shopping center with an anchor is planned along Bryant Irvin Rd., while multi family, small restaurants and retail, and a possible hotel are planned near the river.

The site has an Oncor transmission line that bisects the property. Because it is owned by Oncor who is not part of this zoning case, the transmission line will remain zoned A-5. Gas wells sites are located along Bryant Irvin but will pose minimal constraints to the development. Structures are prohibited within 250 ft. from gas wells which will result in the development being primarily oriented closer to the river and providing parking for the commercial uses along Bryant Irvin.

The proposed development is located in a densely developed area at the intersection of two major roadways: Bryant Irvin and SH 183. Residents will benefit from access to the new Chisholm Trail tollway, the T bus service (located on Route 32), and the Trinity River and associated trail uses. Existing and future area residents will have access to a variety of new commercial development along Bryant Irvin.

Site Information:

Owner: Lockheed Martin Recreation Association Inc., Etal
3400 Bryant Irvin Road
Fort Worth, TX 76109

Agent: Trademark Company/Michael Bennett

Acreage: 62.79 ac.

Comprehensive Plan Sector: TCU/Westcliff

Surrounding Zoning and Land Uses:

North "G" Intensive Commercial / Lockheed Recreational Facility
East {PD 577} PD for all uses in "E" plus hotel, service station, retail stores over 60,000 sf; "A-5" One-Family / single-family, vacant
South "F" General Commercial; "D" High Density Multifamily; City of Benbrook / multifamily, retail, gas station
West "AG" Agricultural / Trinity River

Recent Relevant Zoning and Platting History:

Zoning History: None
Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Bryant Irvin Road	Principal Arterial	Principal Arterial	No
Arborlawn Dr	Major Arterial	Major Arterial	No

A traffic study has been completed and reviewed/approved by T/PW for this project.

Public Notification:

The following Organizations were notified:

Organizations Notified	
Ridglea Country Club Estates	FWISD
Streams & Valleys, Inc (Clear Fork Trinity River)	

No registered associations were directly affected

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to “G” and “PD”. The surrounding land uses vary with Lockheed Recreational Center to the north, vacant land to the east, the City of Benbrook and multifamily to the south, and the Trinity River and multifamily to the west.

Intensive Commercial is appropriate along major arterials and the proposed mix of uses is compatible with the existing multifamily uses within the area. In addition, proximity to the Trinity River will allow residents to use a variety of forms of transportation (walking, bike) when accessing the site. As a result, the proposed zoning change **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2013 Comprehensive Plan designates the subject property as Open Space. The zoning change request **is not consistent** with the Comprehensive Plan (Technical Inconsistency). This classification was likely placed because it was previously a private recreation area.

Since, the proposed development is located in a densely developed area at the intersection of two major arterials and the site will have access to the Trinity River and associated trail uses, then a designation of Mixed Use is likely more appropriate. As a result, the review of the existing future land use map will be required.

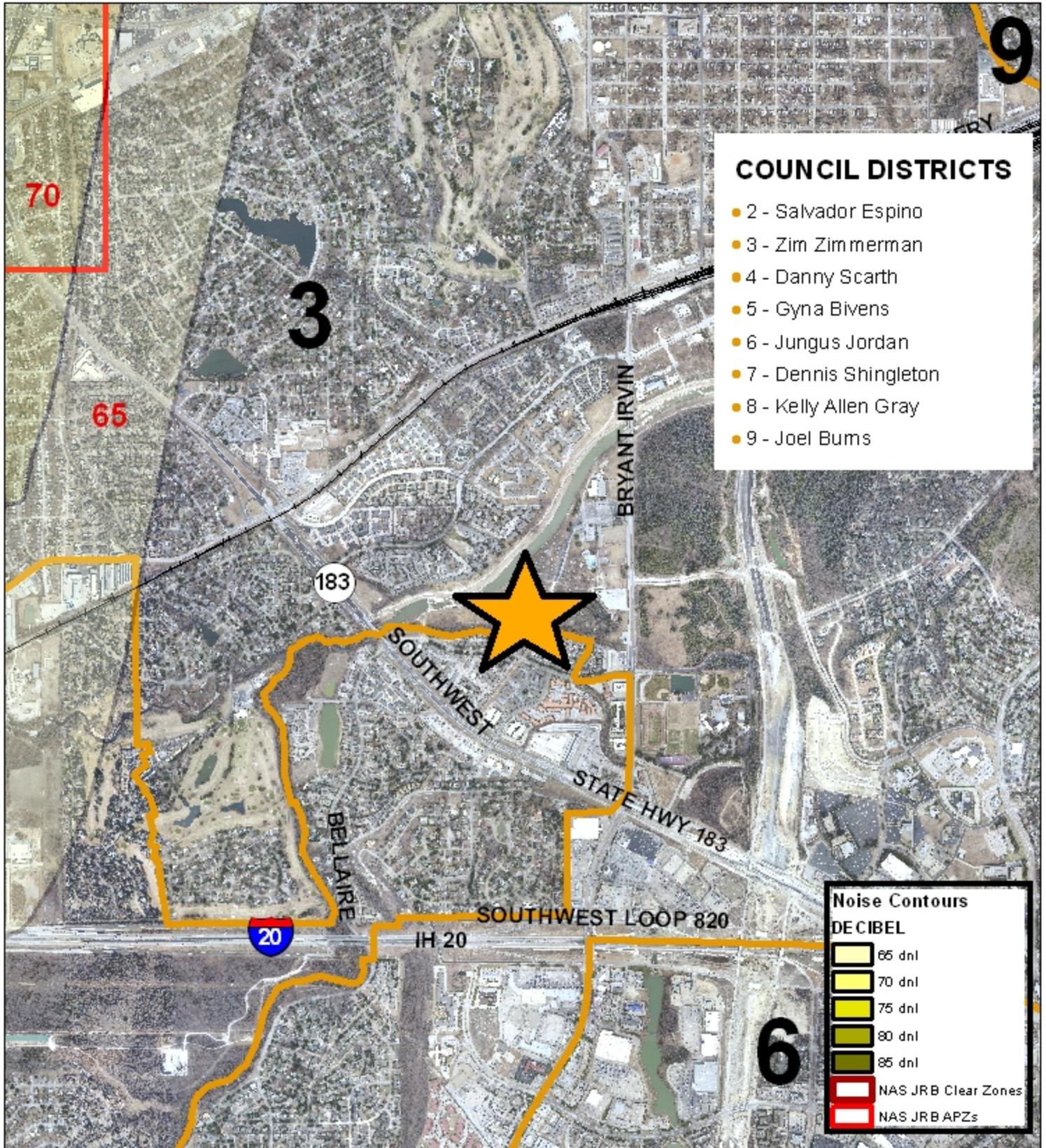
The policies below apply to this development.

- Encourage appropriate development and redevelopment within the central city commercial districts and neighborhoods. (pg. 39)
- Identify and designate on future land use maps mixed-use neighborhood centers and/or new mixed-use growth centers in rapidly developing areas, based proximity to future rail transit and key transportation intersections (pg. 39)
- Encourage new development adjacent and connected to previously developed or platted areas in order to utilize existing utility and road infrastructure and services, thereby optimizing public and private investments and discouraging sprawl development (pg. 39)
- Locate large commercial and institutional uses adjacent to arterial streets, preferably at the intersections of other arterials and highways (pg. 40)

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Proposed Zoning Exhibit
- Minutes from the City Council meeting
- 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

Noise Contours

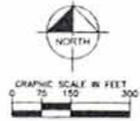
DECIBEL

	65 dnl
	70 dnl
	75 dnl
	80 dnl
	85 dnl
	NAS JRB Clear Zones
	NAS JRB APZs



W. VICKERY BLVD.

RIVERPARK DR.



RIVERPARK DR.

CLEAR FORK
TRINITY RIVER

BRYAN IRVIN ROAD

ARBORLAWN DR.

HIGHWAY 183

BELLAIRE DR.

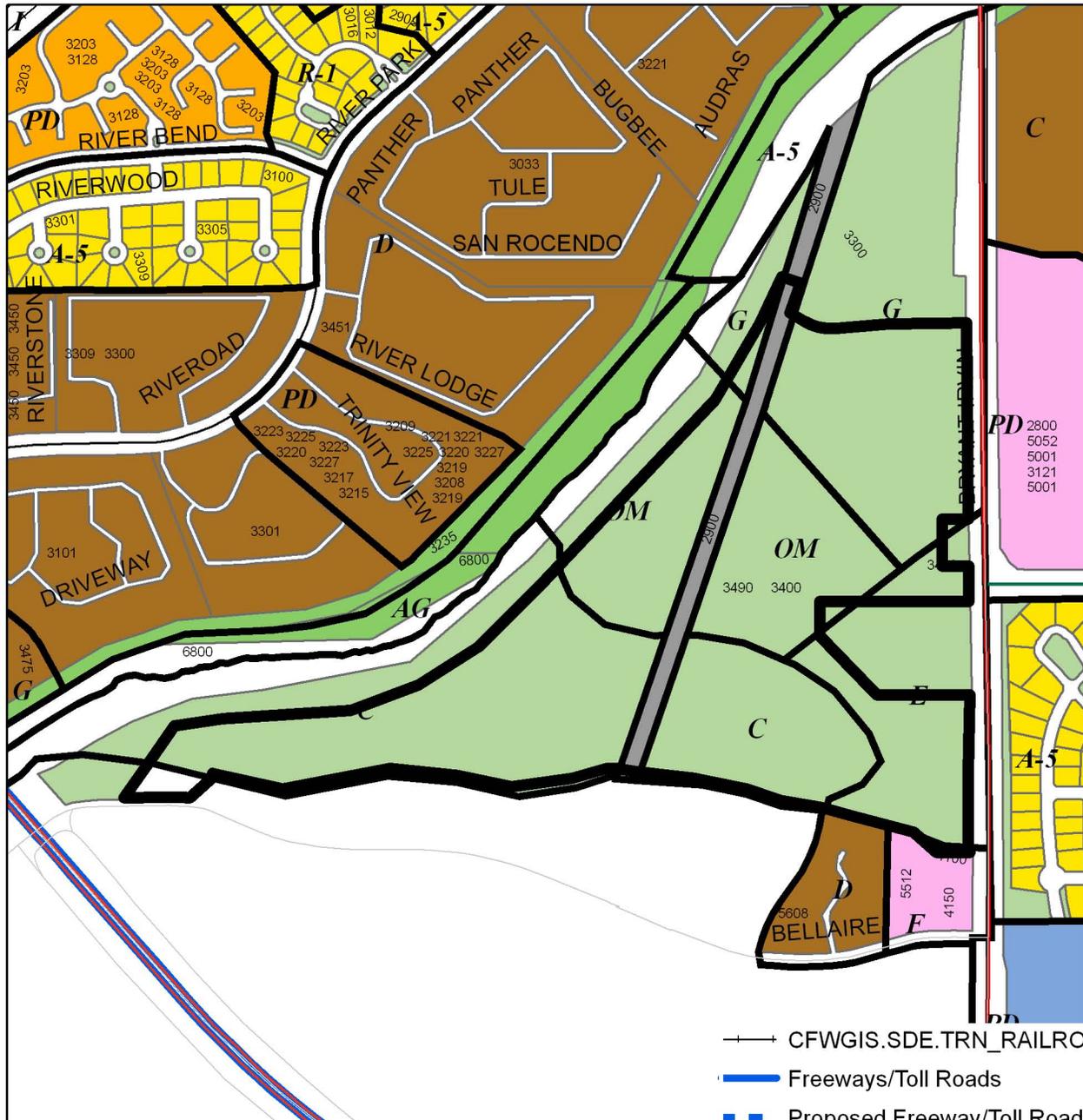
BRYAN IRVIN ROAD

LEGEND

	RE-ZONING BOUNDARY
	G
	PD-MU-2

Kimley-Horn
and Associates, Inc.

12911 NORTH DRIVE, SUITE 1000 DALLAS, TEXAS 75241
PHONE: 972-761-4300 FAX: 972-761-5000
TEXAS REGISTERED ENGINEERING FIRM # 628



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

- 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

200|00 0 200 Feet

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



5. SP-13-005 - (CD 6) - 2010 Old Hickory, LLC, 3407 Sycamore School Road; Amend site plan for "PD-245" to expand the building and remove a specific use. (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Sylvester Iwotor, 9357 Forest Lane, completed a speaker card in support of Site Plan SP-13-005 and was recognized by Mayor Price but did not address Council.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Site Plan SP-13-005 be approved as amended to remove automotive lubrication facility from the PD as an allowed use. The motion carried unanimously 7 ayes to 0 nays with Mayor Pro tem Zimmerman and Council Member Espino absent.

6. ZC-13-143 - (CD 3) - Lockheed Martin Recreation Association Inc., Etal. 5750 & 5780 Bellaire Drive South and 3400 Bryant Irvin Road; from: "A-5" One-Family, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "G" Intensive Commercial, and "OM" Office Midrise to: "G" Intensive Commercial and "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use with a waiver for height and to exclude uses; site plan waiver recommended. (Recommended for Approval by the Zoning Commission)

Mr. Ray Oujesky, 201 Main Street, Suite 2500, completed a speaker card in support of Zoning Docket ZC-13-143 and was recognized by Mayor Price but did not address Council.

Motion: Council Member Jordan made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-13-143 be continued to the October 29, 2013, Council meeting. The motion carried unanimously 7 ayes to 0 nays with Mayor Pro tem Zimmerman and Council Member Espino absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 13896 for the above listed cases, Council Member Jordan made a motion, seconded by Council Member Bivens, that the hearing be closed and that Ordinance No. 21005-10-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

XIV. REPORT OF THE CITY MANAGER

B. General

1. M&C G-18039 - Adopt Ordinance Establishing Maximum Permitted Rates and Charges that Atmos Energy Corporation d/b/a Atmos Energy Corporation, Mid-Tex Division, may Assess Customers in the City of Fort Worth Effective November 1, 2013 (ALL COUNCIL DISTRICTS)

F. Award of Contract

1. M&C C-26544 - Authorize Execution of a Contract with the Whitney Smith Company, Inc., for Executive Search Consultant Services for a City Manager for Twenty-Five Percent of the Starting Base Salary for Professional Services and Up to \$3,000.00 for Related Expenses (ALL COUNCIL DISTRICTS)

It was recommended that the City Council authorize the City Manager to execute a contract with Whitney Smith Company, Inc., for executive search consultant services for the recruitment and selection of a City Manager for 25 percent of the starting base salary for professional services and up to \$3,000.00 for related expenses.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Mayor and Council C-26544 be approved. The motion carried unanimously 9 ayes to 0 nays.

XV. ZONING HEARING

The City Council, at its meeting of October 15, 2013, continued Zoning Docket ZC-13-143.

1. ZC-13-143 - (CD 3) - Lockheed Martin Recreation Association Inc., Etal. 5750 & 5780 Bellaire Drive South and 3400 Bryant Irvin Road; from: "A-5" One-Family, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "G" Intensive Commercial, and "OM" Office Midrise to: "G" Intensive Commercial and "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use with a waiver for height and to exclude uses; site plan waiver recommended. (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Robert Rearden, 3455 Lantern Hollow Street, completed an undecided speaker card relative to Zoning Docket ZC-13-143 and was recognized by Mayor Price but did not wish to address Council.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Jordan, that Zoning Docket ZC-13-143 be continued to the December 3, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

XVI. CITIZEN PRESENTATIONS

Mr. Leroy Comley, 2604 Market Avenue, appeared before Council relative to his concerns about the treatment and experiences he has had with local cab companies and other items.

John VanVranken	7557 Juliet Ln	In	Opposition	Sent letter in
-----------------	----------------	----	------------	----------------

10. ZC-13-143 Lockheed Martin Recreation Association Inc., Etal. (CD 3) – 5750 & 5780 Bellaire Drive South and 3400 Bryant Irvin Road (Evan H. Burke Survey, Abstract No. 160, James Rogers Survey, Abstract No. 1265, 62.79 Acres): from “A-5” One-Family, “C” Medium Density Multifamily, “E” Neighborhood Commercial, “G” Intensive Commercial, and “OM” Office Midrise to “G” Intensive Commercial and “PD/MU-2” Planned Development for all uses in ‘MU-2’ High Intensity Mixed Use with a waiver for height and to exclude uses; site plan waiver recommended

Michael Bennett, 2429 Rogers Avenue, Fort Worth, Texas representing Trademark Properties explained to the Commissioners the powerpoint. They are proposing a high quality mixed-use project along the river. Mr. Bennett mentioned they are planning commercial, multifamily, hotel and a future phase of townhomes with multifamily and some restaurants along the river. There is a 75 ft. wide Oncor Transmission line that runs through the middle of their property that is not part of the zoning request. He did mention they spoke with Councilman Zimmerman as well as several different neighborhood groups who were in support of the request.

Mr. Genua asked about Arborlawn Drive and if it is the main entrance. Mr. Bennett said there is an existing entry along Bryant Irvin Road.

Mr. Flores asked if there had been any requests for a traffic study. Mr. Bennett said they did prepare a traffic study. Mr. Flores asked if that had been shared with any neighbors. Mr. Bennett said he doesn't know if it had been requested.

Mr. West mentioned there were some letters in there packets this morning requesting a continuance. Mr. West also asked about the neighborhood representation at the meetings they held. Mr. Bennett said there were two different meetings held and the attendance was in the hundreds; one was held at Fort Worth Country Day School and the other was at LMRA.

Ray Oujesky, 201 Main Street, Suite 2500, Fort Worth, Texas spoke in support. Mr. West asked if they were aware of the opposition received this morning requesting a postponement. Mr. Oujesky mentioned they are aware that the letters came in the day before after business hours, one from a developer and a property owner in the area referencing a neighborhood association. He mentioned that Ridglea Country Club Estates was the only NA notified and they were part of the outreach meeting they conducted at LMRA on September 17th. They received no objection at that time. The request that came in from River Park may be the single-family housing on the north side of the river along River Road. Mr. Oujesky said they were invited to participate in the neighborhood outreach. He did mention they have contractual obligations on this property which is why they requested it to be quick turned and request the project move forward.

Edward Manuel, 1701 River Run, Fort Worth, Texas spoke in support. Mr. Manuel mentioned he did not have the traffic study on him but would be happy to answer any questions. He said the predominant amount of traffic would come from Chisholm Trail Parkway onto Arborlawn Drive and that was location for a traffic light. They had asked to put in a traffic light at the north entrance but the traffic study did not warrant one. Mr. Manuel said they are discussing with the City of Benbrook to place a curb cut and plat the property within the city limit boundary.

Mr. Flores asked if he was referring to TPW staff. Mr. Manuel said yes. He said they have finished the study and only one traffic light needs to be added. Mr. Flores asked if this information had been shared with any neighborhood groups. Mr. Manuel said they did not hand anything out but it was summarized in the neighborhood outreach meeting. They did receive a lot of good feedback on it.

Mr. Genua wanted to clarify if there is a right in and out only. Mr. Manuel said there will be an additional right in and right out and traffic will be able to cross Bryant Irvin.

Mr. West asked if he had talked with any of the opposition. Mr. Manuel said no.

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

<i>Document received for written correspondence</i>					<i>ZC-13-143</i>
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
JD Granger/ TRWD	NA	In		Support	Sent letter in
Eleanor Fernandez	3820 Oak Street	Out		Support	Sent letter in
River Park Consolidated HOA (unregistered)	River Park	In		Opposition	Sent letter in
Ray Oujesky	201 Main St	Out		Support	Spoke at hearing
Edward Manuel	1701 River Run	Out		Support	Spoke at hearing
Steve Thomas	7008 Golden Gate Drive E	Out		Support	Sent letter in
Wes Myers	12 Lombardy Terrace, Benbrook	Out		Support	Sent letter in
Tyler Arbogast	5212 Wharton Dr	Out		Support	Sent letter in
Beverly Belew	2821 River Forest Dr.	Out		Support	Sent letter in
Taylor Gandy	Lockheed Martin Recreation Association	In		Support	Sent letter in
George P. Walker	Lockheed Martin	Out		Support	Sent letter in
Jeff Davis	2325 Mistetoe Dr.	Out		Support	Sent letter in
Fred Disney	3517 Overton View Ct.	Out		Support	Sent letter in
Kenneth Wimberly	2911 San Rocendo	Out		Support	Sent letter in
Early Davis	201 Main Street Suite 1414	Out		Support	Sent letter in
Karen Wiseman	2424 Colonial Pkw	Out		Support	Sent letter in

11. ZC-13-144 J. C. Lindsey Family LTD. Partnership (CD 7) – 1714 Avondale Haslet Road (Pt. of R. B. Bishop Subdivision, 11.15 Acres): from “PD-712” Planned Development/Specific Use for all uses in “E” Neighborhood Commercial; site plan required to “A-5” One-Family