



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 7, 2014

Council District ALL

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>Jocelyn Murphy</u>	
Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Council Initiated	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Owner / Applicant: City of Fort Worth Planning and Development Department

Site Location: Citywide Mapsco: N/A

Proposed Use: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend:

- Chapter 4 "Zoning Districts" Article 4 "Overlay Districts", Section 4.401, "Historic Preservation Overlay Districts ("HSE," "HC," "DD")" to revise in its entirety the design guidelines for the Fairmount Southside Historic District

To review the proposed amendments:

<http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

Request: TEXT AMENDMENT: FAIRMOUNT SOUTHSIDE HISTORIC DISTRICT STANDARDS

Background:

The Fairmount Neighborhood Association has requested revisions to the historic district standards and guidelines for the Fairmount Southside Historic District. The City Council approved the resolution authorizing staff to proceed with the ordinance amendment on October 29th and the Historic and Cultural Landmarks Commission recommended approval on Nov 11th.

The City Council established the Fairmount Southside Historic District in 1990, and the design guidelines have been in place since that time. In 2009, the neighborhood began meeting to update the design guidelines to add standards and incorporate changes made to the historic preservation ordinance. Since then, City staff and the neighborhood have used electronic interactions, online media, and community meetings to engage the residents, resulting in 479 participants providing feedback and over 300 detailed comments that were used to create the final draft of the Fairmount Southside Historic district standards and guidelines. Specifically, the revisions would do the following:

- Change most of the subjective guidelines to objective standards;
- Add an educational and illustrative component to provide clarity to the standards and enable staff and HCLC decisions to be more objective; and
- Add new standards to address alternative building materials and sustainability.

Attachments: Proposed Ordinance; Minutes from the Zoning Commission meeting

FAIRMOUNT SOUTHSIDE HISTORIC DISTRICT AMENDMENT

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, TO AMEND CHAPTER 4 "ZONING DISTRICTS" ARTICLE 4 "OVERLAY DISTRICTS", SECTION 4.401, "HISTORIC PRESERVATION OVERLAY DISTRICTS ("HSE", "HC", "DD") TO REVISE IN ITS ENTIRETY THE DESIGN GUIDELINES FOR THE FAIRMOUNT SOUTHSIDE HISTORIC DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, October 1990, the City Council established the Fairmount Southside Historic District; and

WHEREAS, Fairmount Southside Historic District design guidelines were adopted by the City Council in 1992 to establish the acceptable physical characteristics of each building or structure or site in the historic district, and any modifications thereto, including layout an location of site, size, shape, materials, fenestrations; and

WHEREAS, the guidelines for the Fairmount Southside Historic District have not had a comprehensive review since 1991; and

WHEREAS, the Fairmount Southside Historic Neighborhood Association with City staff recommends revising the design guidelines to change subjective guidelines to standards; add an educational and illustrative component to provide clarity to the standards and aid staff and the Historic and Cultural Landmarks Commission review of certificates of appropriateness; add new standards to address alternative building materials and

sustainability and lastly to incorporate changes made to the Historic Preservation Ordinance; and

WHEREAS, the Historic and Cultural Landmarks Commission and Zoning Commission recommends approval and adoption of the revised design standards and guidelines;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS AS FOLLOWS:

SECTION 1.

Section 4.401 “Historic preservation overlay district (“HSE”, “HC”, “DD”) of Chapter 4, “Zoning Districts”, Article 4 “Overlay District, of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, is amended to revise in its entirety the design guidelines for the Fairmount Southside Historic District as referenced in Exhibit “A”. The Fairmount Southside Historic District Design Standards and Guidelines are hereby approved by the City Council and are included in the zoning ordinance by reference.

SECTION 2.

That this ordinance shall be cumulative of all other ordinances of the City of Fort Worth affecting zoning and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 3.

That all rights or remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of Ordinance Nos. 3011, 13896, or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 4.

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

That any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

That the City Secretary of the City of Fort Worth, Texas is hereby directed to publish this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

SECTION 7.

This ordinance shall take effect after adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

By: _____
Assistant City Attorney

Adopted: _____

Effective: _____

Exhibit A

The Fairmount Southside Historic District Standards and Guidelines are on file in the Planning and Development Department and can be viewed online at: <http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

Gwen Brandholder	2308 Carleton Ave	In	Opposition		Sent letter in
James Walker	4528 Pershing Ave	Out	Opposition		Sent letter in

13. SP-13-012 FW River Plaza LP/West Bend (CD 9) – 1701 River Run (River Plaza Complex, Block 1, Lot 3R, 6.79 Acres): to Amend “PD-798” site plan to change the location, size and type of buildings proposed

Michael Bennett, 2429 Rogers Avenue, Fort Worth, Texas representing FW River Plaza/West Bend explained to the Commissioners the parking garage south of the existing office building is planned for a high end grocery store about 20,000 square feet with three levels of office above. Mr. Bennett mentioned the fire lane that runs along the back property adjacent to the river will be eliminated to allow more area for restaurants. They have an agreement with Streams and Valleys that there has to be a certain percentage of transparency along the river. Mr. Bennett mentioned they reached out to Mistletoe Heights neighborhood.

Mr. West asked about the parking situation. Mr. Bennett mentioned the building houses about 750 parking spaces which is a parking deck above the retail. When the grocer is built there will be an additional 80 parking spaces.

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

14. ZC-13-181 City of Fort Worth Planning & Development (CD All) –Text Amendment: Fairmount Southside Historic District Standards (CD All) An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of The City of Fort Worth (1986), by amending:

- Chapter 4 “Zoning Districts” Article 4 “Overlay Districts”, Section 4.401, “Historic Preservation Overlay Districts (“HSE”, “HC”, “DD”) to revise in its entirety the design guidelines for the Fairmount Southside Historic District

Sevanne Steiner, Senior Planner, City of Fort Worth explained to the Commissioners the changes to the text amendment for the proposed Fairmount Southside Historic District.

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

**Meeting adjourned: 12:58 p.m.
12/11/13**

Dana Burghdoff, Executive Secretary and Deputy Director, Planning and Development Department

Nick Genua, Chair