



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
March 4, 2014

Council District 6

Zoning Commission Recommendation:
Approval by a vote of 7-0-1

Opposition: none

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

Owner / Applicant: Chesapeake Land Development Company, LLC

Site Location: 5159 Granbury Rd Mapsco: 89PQ

Proposed Use: QuikTrip Gas Station and Convenience Store

Request: From: "PD/MU-1" Planned Development Low Intensity Mixed-Use with a height transitional plane beginning at 2 stories or 35 feet, no "freeway" signs per 6.409D, and to remove the parking reduction allowed when in proximity to a rail station; site plan waived. Site Plan required for any multifamily development

To: "PD/MU-1" Planned Development Low Intensity Mixed-Use with a height transitional plane beginning at 2 stories or 35 feet, no "freeway" signs per 6.409D, and to remove the parking reduction allowed when in proximity to a rail station; site plan included.

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

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

Background:

The proposed site is located on Granbury Road near the corner of Wonder Drive. The applicant is requesting a zoning change to PD/MU-1, site plan required for a QuikTrip gas station and convenience store. The area surrounding the station consists of multifamily, commercial uses, and vacant land.

A large area, including this site was recently rezoned (June 2013) to PD/MU-1 in order to prepare the site for the Tex Rail station proposed for on the north side of the railroad tracks. This station has since been deferred until funding is available. Despite the deferment, the area still has the potential for mixed-use redevelopment, due to the age of existing multifamily and retail and its location along the key transportation intersection of IH 20 and Granbury Road.

The proposed site has numerous constraints due to large underground utilities and their related easements. Structures are prohibited within these easements and cannot be waived through the site plan process. The current site plan shows bollards, signs, light polls and structures within the various easements on the property. The applicant will have to modify the site plan in order to remove these structures or request waivers from the easement holders.

The proposed gas station and convenience store is allowed by right in the current MU-1 zoning designation, however, the applicant is not meeting several of the MU-1 development standards. The table below describes the development standards within the existing and proposed zoning classifications.

Requirement	"MU-1" Low Intensity Mixed-Use	Proposed Development
Front Yard	20 ft maximum	Greater than 20 ft. to Granbury Rd.
Minimum Height	18 ft.	NA
Primary Street Frontage	50 percent	Proposed zoning does not meet this requirement
Enhanced Landscaping	Point system (plaza, street trees, programmed seating)	Applicant will comply
Fenestration	60 percent	Proposed zoning does not meet this requirement
Entrances	Principal building must have its main entrance from a public sidewalk or plaza	The main entrance is through a parking lot
Drive thru	Driveways are not located within the front yard setback between the building front and the street	Driveways and pumps are located between the building and front street
Parking	100 percent maximum	Site is over parked by 23 spaces

The applicant is also expected to construct a low brick wall as a gateway edge around the property. A similar wall was built for the QuikTrip on North Main St. at Northside Dr. Support has been received from the Wedgwood Square Neighborhood Association and Overton South Neighborhood Association.

Site Information:

Applicant: Chesapeake Land Development Company, LLC
 6100 N Western Ave
 Oklahoma City, OK 73118

Agent: Truitt Priddy with QuikTrip Corp

Acreage: 1.7 ac.

Comprehensive Plan Sector: Wedgwood

Surrounding Zoning and Land Uses:

North "PD/MU-1" with height and parking standards, site plan required for multifamily development / auto parts, vacant retail

East "PD/MU-1" with height and parking standards, site plan required for multifamily development / retail

South "PD/MU-1" with height and parking standards, site plan required for multifamily development / vacant, office

West "PD/MU-1" with height and parking standards, site plan required for multifamily development / rail ROW, multifamily

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Granbury Road	Major Arterial	Major Arterial	No

Public Notification:

The following organizations were notified:

Organizations Notified	
South Hills NA	District 6 Alliance

Overton South NA	Neighbors Working Together
Foster Park NA	FWISD
Wedgwood Square	

Recent Relevant Zoning and Platting History:

Zoning History: ZC-13-045 from E and PD/ E plus retail auto parts, auto supplies and tire repair and sales; site plan waived to PD/MU-1; approved June 2013 (within subject case boundary)
 ZC-12-117 centered within zoning case, from PD 175 to PD for E uses with auto repair; denied. (northwest of the subject property)

Platting History: None

Site Plan Comments:

The site plan as submitted is not in general compliance with the zoning regulations:

1. Primary Street: building facades shall be located within the area between the property line and the maximum setback for a minimum of 50 percent of the primary street frontage of the parcel.
2. **Front yard:** 20 feet maximum setback
3. Provide parking table showing the required and proposed parking (max. parking 100 percent)
4. Surface parking shall not be permitted between a building front and the street
 - o Several parking areas are located in front of the building
5. Provide note stating that the site “will comply with enhanced landscaping requirements”
6. Landscape islands, linear landing strips, bio-swales, or rain gardens shall be required in parking lots with 12 or more parking spaces. All landscape islands and strips shall have at least one tree.
7. Applicant is requesting a waiver on the sign requirements
8. Required parking is cannot be counted within easements
 - o Site is over parked by roughly 23 spaces
9. **Entrances.** In order to create a pedestrian-oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a principle building must have its main entrance from a public sidewalk or plaza, or from a private sidewalk or plaza that is publicly accessible through a public use easement. The main entrance shall not be from a public parking lot.
10. Provide note stating that the site “will comply with façade design standards”, including:
 - o Façade variation
 - o Fenestration
 - o Building Materials
11. In the MU-1 and MU-2 districts, the following requirements shall apply:
 - o Drive-through windows and stacking lanes are not located along facades of buildings that face a street, and where possible are located to the rear of buildings;
 - o Driveways are not located within the front yard setback between the building front and the street;
 - o The design and location of the facility does not impede vehicular traffic flow and does not impede pedestrian movement and safety. To minimize conflicts with vehicular and pedestrian circulation, shared driveways and/or driveways located off of non-arterial streets should be used, where possible;
 - o Architectural elements, landscaping, and/or other screening elements minimize the visual impacts of the drive-through facility; and
 - o The design and location of the facility are consistent with any design standards or guidelines that may be applicable to the pertinent district.”
12. Remove civil information other than easements (water lines, electric)
13. Structures prohibited in easements (bollards, buildings, light poles, signs)
 - o Zoning Commission and Council cannot waive these requirements

Zoning Commission recommended waivers to all items noted above, excluding comment 13.

TPW Comments:

1. Drainage easements appear to be existing; proposed and acceptable drainage easements should be used to determine proposed building and structure locations. Per city criteria, a

- minimum 30' drainage easement should be provided for the 78" pipe and a minimum 25' drainage easement provided for the 66" pipe.
2. Site improvements within drainage easements, other than normal pavement, would require an executed encroachment agreement. Bollards, mounted lights and other permanent structures located with drainage easements may be denied upon review. Additional information, including footing/foundation/connection details, would be requested as part of the encroachment review.

TPW comments cannot be waived through the zoning process. Please contact TPW for additional questions related to this project.

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to "PD/MU-1" Planned Development Low Intensity Mixed-Use with a height transitional plane beginning at 2 stories or 35 feet, no "freeway" signs per 6.409D, and to remove the parking reduction allowed when in proximity to a rail station; site plan included. Surrounding land uses consist primarily of commercial, office, and retail uses. The applicant intends to construct a QuikTrip gas station and convenience store. The proposed use is allowed within the current zoning district, however; the applicant is not meeting several design requirements within the MU-1 district.

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

2. **Comprehensive Plan Consistency**

The 2013 Comprehensive Plan designates the subject property as Mixed-Use. The requested zoning change is not consistent with the following Comprehensive Plan policies.

- Encourage mixed-use projects in mixed-use growth centers, transit-oriented developments, and urban villages. (pg 38)
- Identify and designate on future land use maps mixed-use neighborhood centers and/or new mixed-use growth centers in rapidly developing areas, based on proximity to future rail transit and key transportation intersections. (pg 39)

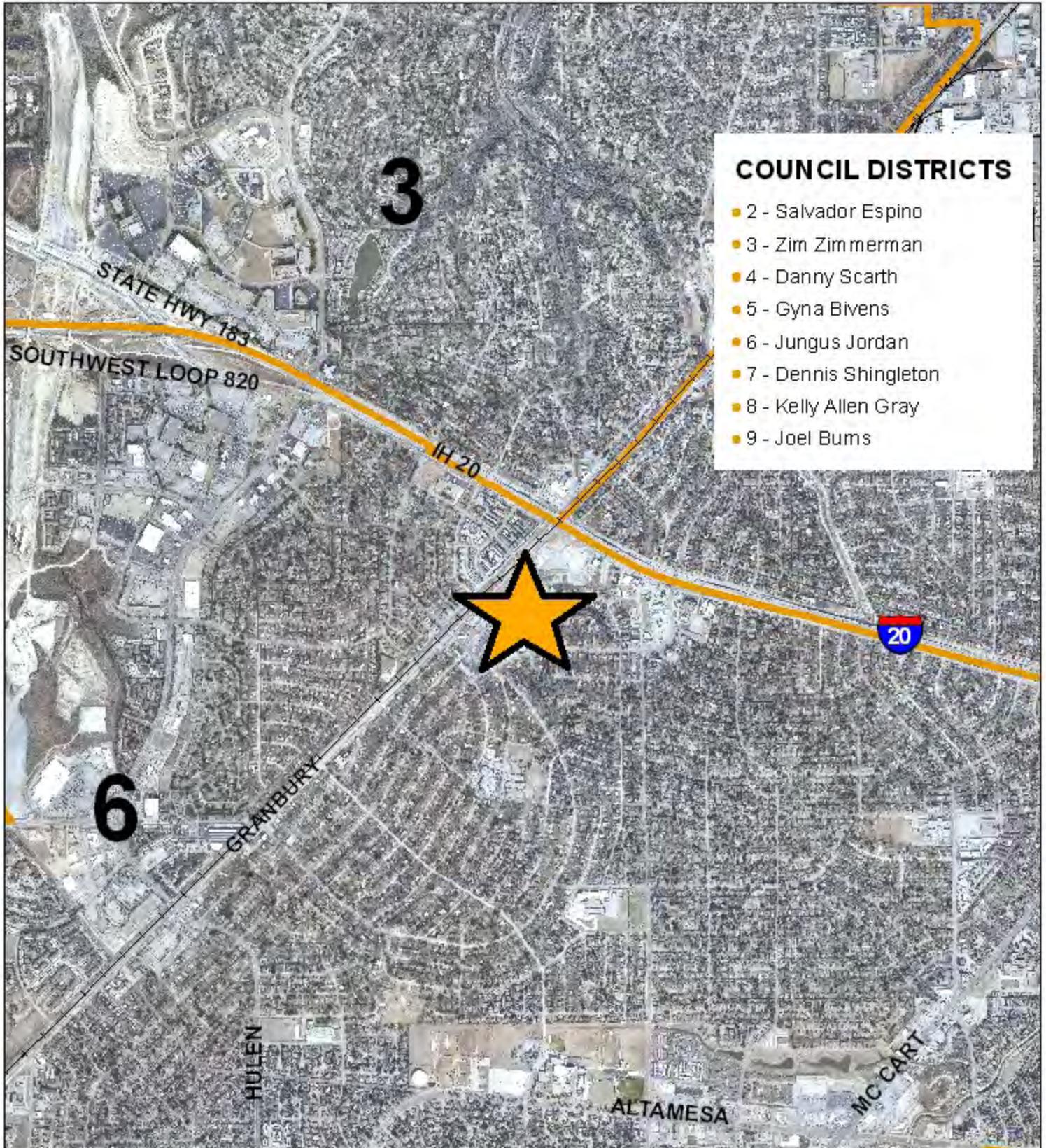
Additionally, MU-1 contains various requirements that promote pedestrian-oriented urban form, architectural diversity, and memorable urban environments. The principal difference between the current zoning and proposed is the building orientation. Buildings in the MU district are oriented towards the street, while the gas pumps would be located behind or beside the main structure.

Based on nonconformance with the future land use map and the policies stated above, the proposed zoning **is not consistent** with the Comprehensive Plan. **(Technical Inconsistency)**

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Map of Proposed Zoning Districts
- Future Land Use Map
- Aerial Photograph
- Site Plan
- 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

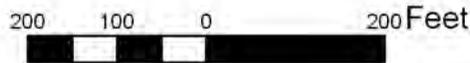


Area Zoning Map

Applicant: Chesapeake Land Development Co.
 Address: 5159 Granbury Road
 Zoning From: PD 978
 Zoning To: PD for F uses
 Acres: 1.76576091
 Mapsco: 89Q
 Sector/District: Wedgwood
 Commission Date: 2/12/2014
 Contact: 817-392-8043



300 Ft. Buffer

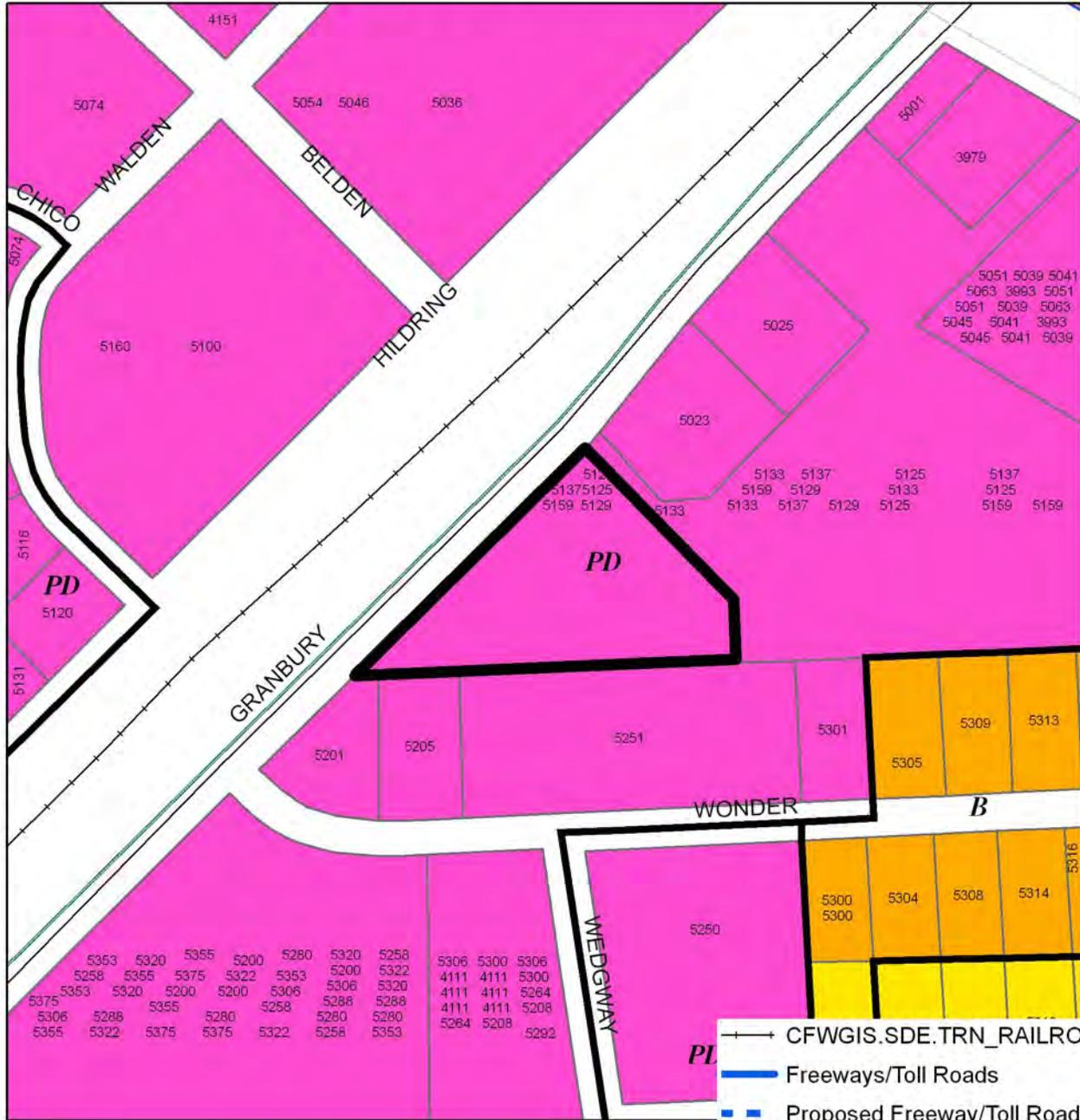




5159 Granbury Road

Future Land Use

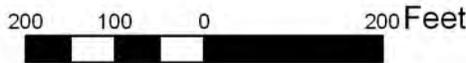
ZC-14-009



- 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

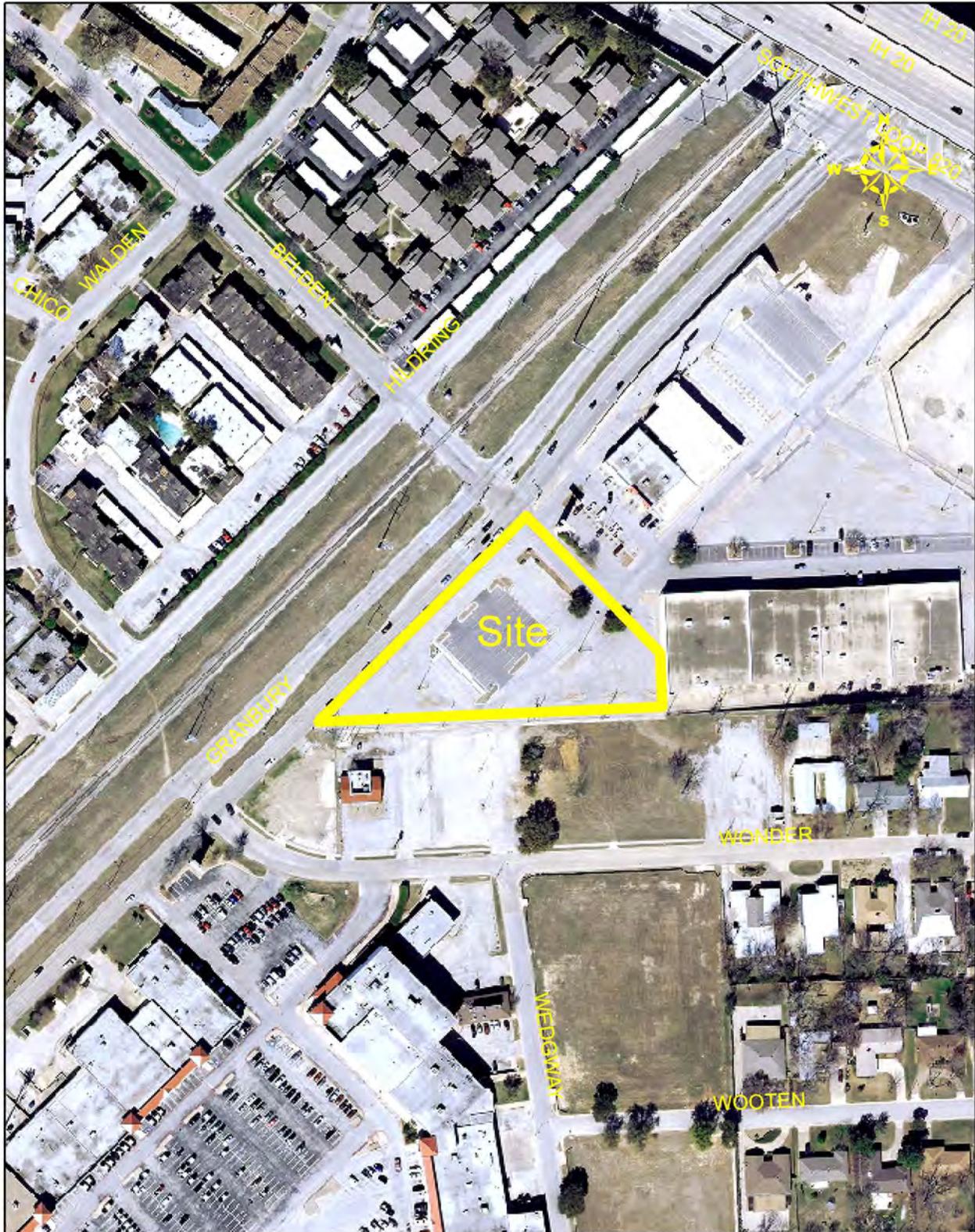


A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on March 5, 2013.





Aerial Photo Map



IV. New Cases

3. ZC-13-177 Fort Worth Living Ltd (CD 9) – 212 & 216 Adrian Drive, 3000 Wingate (Linwood Addition, Block 2, Lots 9, 10, 11, 0.46 Acres): from “B” Two-Family to “MU-1” Low Intensity Mixed-Use

Darin Norman, 2918 Wingate Street, Fort Worth, Texas representing Fort Worth Living explained to the Commissioners the surrounding zoning and current uses. Mr. Norman said they have met with the Linwood neighborhood representative and had discussions Amana Worldwide which is a non-profit missionary to help feed hungry children throughout the world. They are looking at relocating their facility. The concerns were mainly parking and how it would fit with MU zoning.

Ms. Reed asked Mr. Norman if he had a copy of the support letter from Linwood. Mr. Norman said it is a copy of the meeting agenda which he displayed on the overhead.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request, seconded by Mr. Northern. The motion carried 8-0.

<i>Document received for written correspondence</i>				ZC-13-177
Name	Address	In/Out 300 notification area ft	Position on case	Summary
Linwood NA	NA		Support	Minutes of meeting agenda submitted

4. ZC-14-009 Chesapeake Land Development Company, LLC (CD 6) – 5159 Granbury Road (WJ Morgan Survey, Abstract No. 1092, 1.76 Acres): from “PD-978” Planned Development for all uses in “MU-1” Low Intensity Mixed-Use with a height transitional plane beginning at 2 stories or 35 feet, no “freeway” signs per 6.409D, and to remove the parking reduction allowed when in proximity to a rail station; site plan waived. Site Plan required for any multifamily development to “PD/MU-1” Planned Development for all uses in “MU-1” Low Intensity Mixed-Use with a height transitional plane beginning at 2 stories or 35 feet, no “freeway” signs per 6.409D, and to remove the parking reduction allowed when in proximity to a rail station; site plan included

Jim Schell, 500 W. 7th street, Suite 600, Fort Worth, Texas representing Chesapeake Land Development LLC explained to the Commissioners they have purchased the site highlighted in pink on the overhead for a QuikTrip location. He explained this area was rezoned about a year ago for MU-1 for the train station. Ms. Schell said they have been working with Councilman Jordan and the Wedgwood Square neighborhood on this development. He explained they wanted to keep the integrity of the zoning of MU-1 and to ask for waivers that are indicated on the site plan. He asked that all waivers to the MU-1 requirements be granted as noted. There has been a monument sign approved by the neighborhood and similar to the one at Northside Drive and North Main they are proposing.

David Foster, 5116 Cordova Avenue, Fort Worth, Texas President of the Overton South neighborhood association spoke in support.

Motion: Following brief discussion, Mr. Edmonds recommended Approval of the request with waivers, seconded by Ms. Conlin. The motion carried unanimously 7-0-1 with Mr. West recussing.

<i>Document received for written correspondence</i>				<i>ZC-14-009</i>	
Name	Address	In/Out 300 notification area	ft Position on case		Summary
David Foster/ Overton South NA	5116 Cordova	Out	Support		Spoke at hearing
Wedgewood Square NA	NA	Out	Support		Sent letter in

5. ZC-14-010 McCaslin Scheilker Investments Inc. (CD 4) –3715 NE 28th Street and 3650 Kimbo Road (Harlem Gardens Addition, Block 2, Lots 1 & 2, 13.60 Acres): from “PD-631” Planned Development for all uses in “A-5” One-Family with no access to NW 28th Street except for construction and marketing; site plan waived to “A-5” One-Family

Cyrus Zadeh, 9400 North Central Expressway, Dallas, Texas representing McCaslin Scheilker Investments explained to the Commissioners they want to open up access along 28th Street so they have two points of access. They are proposing 70 single-family lots.

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

6. ZC-14-012 A1 Remodeling/Matt Speight (CD 9) – 2800, 2808, 2812 Hemphill Street (South Hemphill Heights Addition, Block 14, Lot 24 & N ½ Lt 23, 9.98 Acres): from “A-5” One-Family to “MU-1” Low Intensity Mixed-Use

Matt Speight, 1902 Hartford, Grapevine, Texas property owner explained to the Commissioners they want to rehabilitate the structures in order to allow for either office or retail uses. They are requesting MU-1 zoning so they have flexibility if they have to convert back to residential use. He mentioned the property has been vacant for about five years. He did say there will be a parking agreement between all three structures if needed. Ms. Burghdoff mentioned if the structures are historic eligible there will be no parking requirements. Mr. Speight said they are going to look into the designation.

Calvin East, 4704 Melrose Park Court, Colleyville, Texas partner mentioned they did meet with the Hemphill Heights South NA and Hemphill Corridor and do support the project.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request, seconded by Mr. Northern. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>				<i>ZC-14-012</i>	
Name	Address	In/Out 300 notification area	ft Position on case		Summary
South Hemphill Heights NA	NA		Support		Sent letter in