



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
March 4, 2014

Council District 9

Zoning Commission Recommendation:
Approval by a vote of 8-0

Opposition: none

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

Owner / Applicant: **A1 Remodeling/Matt Speight**

Site Location: 2800, 2808, 2812 Hemphill Street Mapsco: 77W

Proposed Use: **Office**

Request: From: "A-5" One-Family Residential

To: "MU-1" Low Intensity Mixed-Use

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

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

Background:

The proposed rezoning site is located at the intersection Hemphill Street and Cantey Street. The applicant is proposing a zoning change from 'A-5' One-Family to "MU-1" Low Intensity Mixed-Use. The applicant intends to use the existing structures and convert them into offices. Access and parking will be located in the back of the site.

The Hemphill Corridor was rezoned as part of a Council Initiated rezoning and included the subject property. The case was approved January 21, 2009. The subject site was previously zoned "F" General Commercial and is now "A-5" One-Family residential. The applicant was given several options (ER, E) regarding the zoning request. However, they decided to seek the Mixed-Use designation due to proximity to the Hemphill/Berry Urban Village, and for the possibility of maintaining the residential component for the future.

A single-family neighborhood is located directly west of the proposed site and separated by a 16 ft. alley. The land uses immediately surrounding the zoning are divided between residential and commercial uses. The applicant intends to rehabilitate the existing buildings and in the future will seek a Historic and Cultural overlay. If approved, the applicant will have to bring the buildings into conformance with current building code requirements and will also have to adhere to landscaping, transitional buffers, and provide sufficient on-site parking.

Letters of support were received from the South Hemphill Heights NA and Hemphill Corridor Task Force.

Site Information:

Owner: Matt Speight
5137 Davis Blvd

Fort Worth, TX 76180

Acreage: 0.6 acres
Comprehensive Plan Sector: Southside
Surrounding Zoning and Land Uses:

North "A-5" One-Family / single-family
East "E" Neighborhood Commercial / commercial
South "A-5" One-Family; "E" Neighborhood Commercial / single-family, commercial
West "A-5" One Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-08-196, Council Initiated Rezoning, from F to A-5, approved 1/21/09
Platting History: NA

Transportation/Access

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

Public Notification:

The following organizations were notified:

Organizations Notified	
South Hemphill Heights	Hemphill Corridor Taskforce
Ryan Place Improvement Association	Berry Street Initiative
Jennings-May St. Louis	FWISD

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to "MU-1" Low Intensity Mixed-Use for office uses. The immediate neighborhood is predominantly residential with commercial uses along Hemphill Street.

The applicant intends to rehabilitate the existing buildings for commercial uses with the possibility of a mix of uses in the future. The proposed site is located in close proximity to the Hemphill/Berry Urban Village. The activation and rehabilitation of property along Hemphill is desirable and the proposed MU-1 zoning is **compatible** with the neighborhood.

2. **Comprehensive Plan Consistency**

The 2013 Comprehensive Plan designates the site as Neighborhood Commercial. The proposed "MU-1" zoning is **not consistent (Technical Inconsistency)** with the Comprehensive Plan.

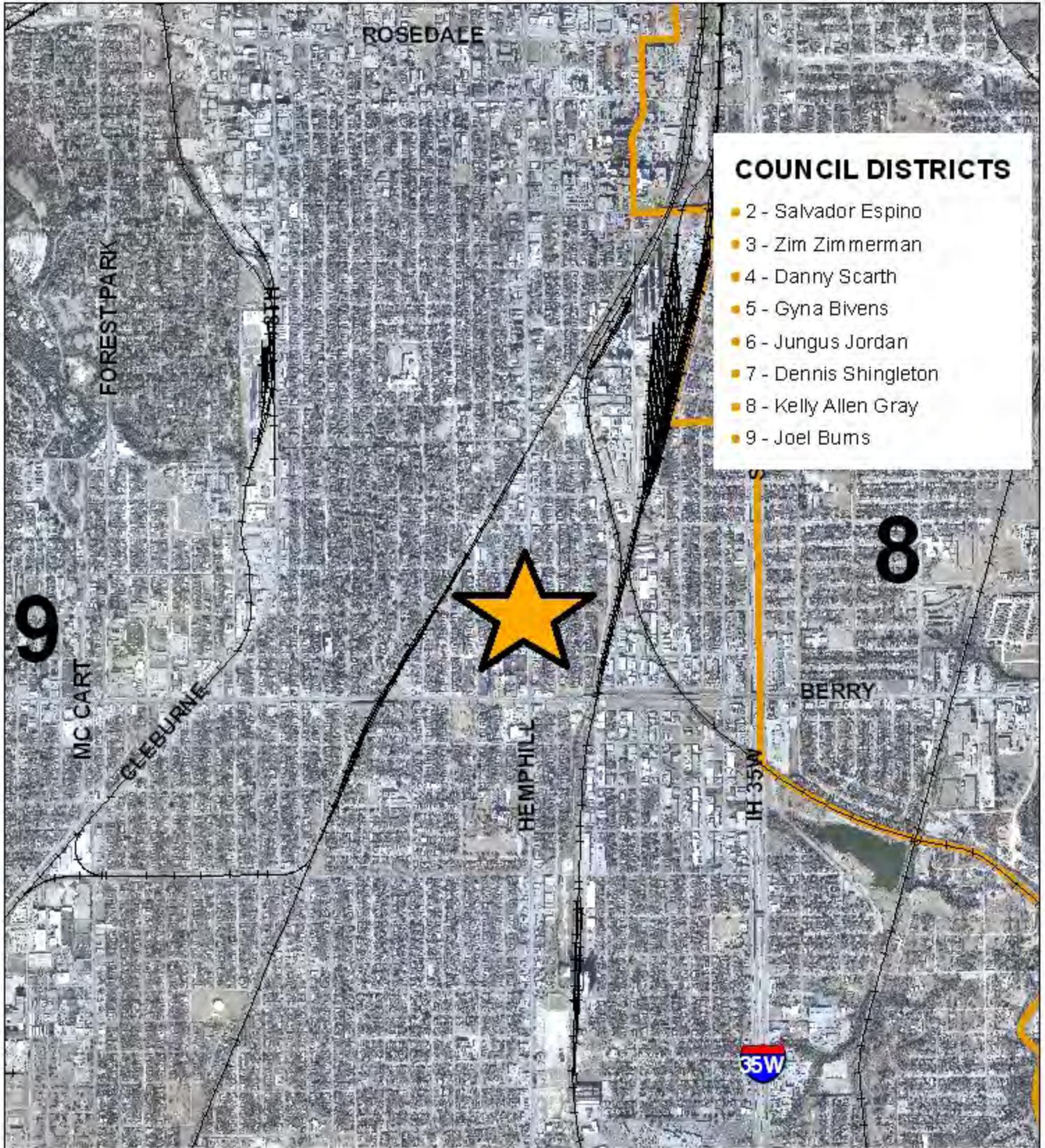
However, the site is 0.2 miles outside the focus of the Hemphill/Berry Urban Village. Additionally, the applicant intends to keep the existing buildings and apply for a Historic and Cultural overlay. The proposed MU-1 is in keeping with the following Comprehensive Plan policies.

- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, demolition, neglect, and other negative forces. (pg. 37)
- 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)

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



2,000 1,000 0 2,000 Feet





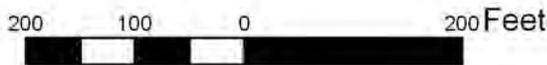
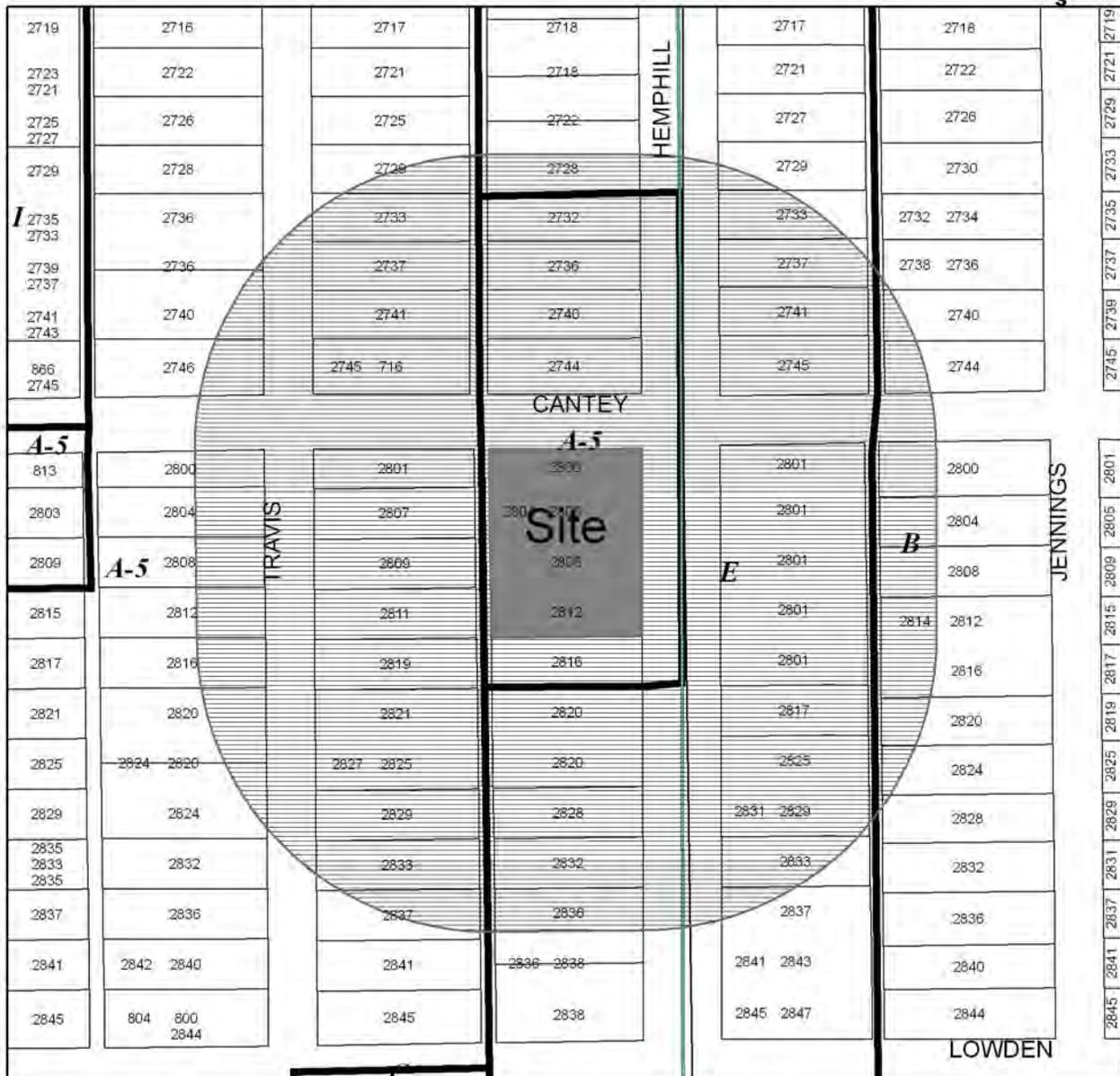
ZC-14-012

Area Zoning Map

Applicant: A1 Remodeling/Matt Speight
 Address: 2800, 2808, 2812 Hemphill Street
 Zoning From: A-5
 Zoning To: MU-1
 Acres: 0.68286116
 Mapsco: 77W
 Sector/District: Southside
 Commission Date: 2/12/2014
 Contact: 817-392-8043



300 Ft. Buffer

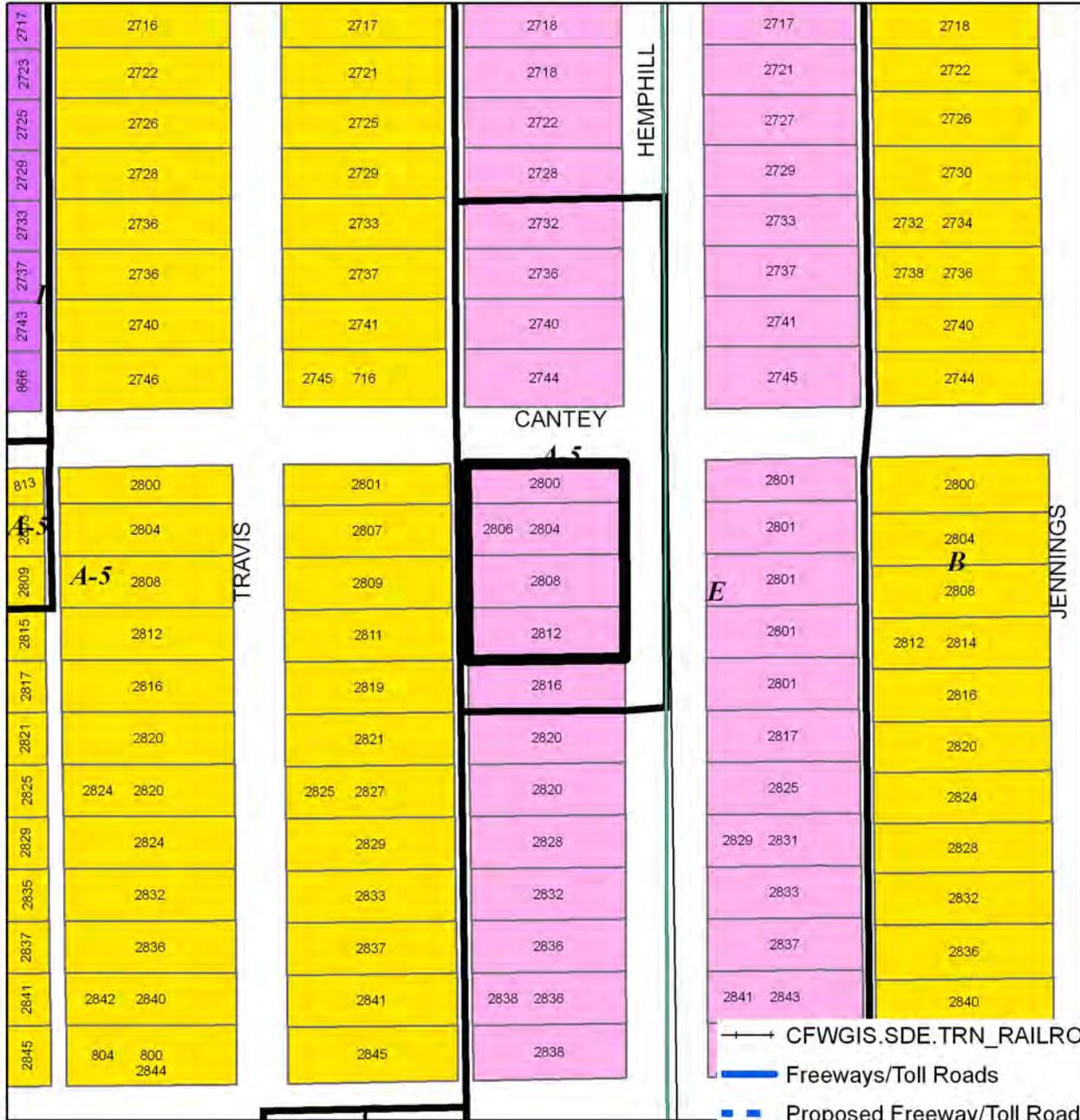




2800, 2808, 2812 Hemphill Street

Future Land Use

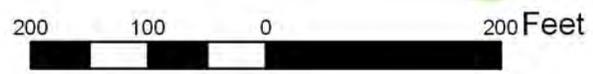
ZC-14-012



- 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



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

Hemphill Corridor Force	Task	NA		Support		Sent letter in
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7. ZC-14-013 Cullen & Shotts, LLC (CD 9) – 2901 Cullen Street (Bailey’s Industrial Addition, Block 2, Lot 2, described by metes and bounds, 1.17 Acres): from “J” Medium Industrial to “PD/J” Planned Development for all uses in “J” Medium Industrial plus indoor shooting range; site plan waiver requested

Jim Schell, 500 W 7th Street, Suite 600, Fort Worth, Texas representing Cullen & Shotts, LLC explained to the Commissioners they are requesting a PD to allow for a shooting gallery. The building is about 40,000 sq. ft., of which 10,000 sq. ft. would be used for retail for shooting sports, tactical gear, guns, and ammo, anything associated with a shooting range. Mr. Schell said the remaining 30,000 sq. ft. will be for a live fire and training facility. It will consist of a 100 yard long, five bays, and rifle lane bay. A 25 x 75 ft. tactical training bay which allows for training activities for law enforcement agencies and civilians under supervision, 20 pistol bays, and a virtual reality marksman smith simulator for reality based training, ammunition free. There will also be a small archery range, snack bar, gunsmiths and classrooms for training.

Mr. Schell said this will be a member’s only facility and will be a screening process in a secure area before going into the firing range. Action Target will be helping them construct the facility. They will be investing a lot of money into the HVAC system. Because of the gun powder and lead, you need to have high pressure that pushes any particles in the air down range. There will be noise abatement, lead extraction, and removal processes. The building has been vacant for some time. Mr. Schell said as part of their due diligence they sent a letter out to everyone within the yellow boundary area as depicted in the overhead. They do have letters of support from surrounding property owners.

Mr. Flores asked Mr. Schell to describe the noise abatement. Mr. Schell said they have not invested the money yet. Will James, 5417 El Dorado Drive, Fort Worth Texas with Defender Outdoors explained to Mr. Flores the existing building is a reinforced structure and within the facility each lane is reinforced concrete, filled masonry with steel reinforcement, a pep board which is a noise absorbing cork board with baffling. Mr. Flores asked about the lane setup. Mr. James said there is no governing body over gun ranges there are only guiding principles based on the NRA rules. He mentioned within the pod or firing lane no one will go beyond a point that is a restricted area. There is steel baffling all the way from the firing line to the target line, which does not allow for any round to leave the building or firing pod it will go into a deceleration chamber where the round becomes not dangerous and is dropped into an auger, then the lead is dropped into a barrel and a third party OSHA Company approved will pick it up.

Mr. Flores asked about any noise. Mr. James mentioned if you are on the south side of the building which is the furthest part away from any firing about 25 ft. it would sound like someone using a hammer, further than that you can’t hear gun fire. Mr. Flores asked if anyone has spoken to Fort Worth ISD. Mr. James said yes on multiple occasions. He said there was a formal meeting with Mr. Dansby and Mr. Mathew Albala probably a week ago. At that time there was no voiced opposition.