



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 1, 2014

Council District 7

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

Opposition: None submitted
Support: None submitted

Continued Yes ___ No X
Case Manager Jocelyn Murphy
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: **City Of Fort Worth Water, Parks and Community Services Departments**

Site Location: 7300-7400 Blocks SH 199 Mapsco: 45QRUV

Proposed Use: **Entertainment Complex and Public Park**

Request: To: Amend "PD-962" site plan for "PD/G" Planned Development for all uses in "G" Intensive Commercial for retail and entertainment complex with mobile food vendors and excluding assisted living and hotels; site plan included, and "PD-963" site plan for "PD/CF" Planned Development for "CF" Community Facilities including public park and indoor and outdoor recreational and entertainment uses and events only with mobile food vendors, and with alcohol sales in the Event Center and adjacent outdoor space and at the Pavilion and adjacent lawn area to:

- Move the road 220' to be adjacent to Tract 1;
- Move restaurant/retail buildings closer to the waterfront;
- Increase the building square footage for buildings 1 and 2 to total 80,000 sq ft;
- Increase number of boat slips by 3 for total of 11 covered boat slips;
- Increase parking to 877 spaces;
- Adjust the road roundabout;
- Decrease the size of the boardwalk; and
- Clarify the proposed zoning for Tracts 1 and 2

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

Comprehensive Plan Consistency: Requested change **is consistent.**

Background:

On February 5, 2013 the City Council approved the rezoning and site plan of the property. The development is subject to an economic development agreement to reinvigorate economic redevelopment on Lake Worth. The site plan was approved in February 2013 identified a proposed layout of the number of buildings; the activity areas and a proposed road configuration. The City, on behalf of the developer, Casino Beach Partners LLC, is requesting to amend the site plan because of financial adjustments necessitating the change of the layout of the site.

Casino Beach Partners LLC, proposes to develop restaurants, shops, an event center, a boardwalk, beach area, boat slips, and possibly a Ferris wheel. The entertainment complex will include property that

will be owned by a private entity and city dedicated parkland. The developer will operate and maintain the park land portion of this development through a license agreement with a maximum term of 45 years. The non-park property is currently city owned and will be sold to the developer in fee simple. The project is designed so that the parking, drainage, and other functions of the private property can operate independently at the time of expiration of the park license, in the case that the license is not renewed or expires.

The project is being developed through a 380 Economic Development Agreement with a value of \$12 million. The city funds are expected to primarily assist in the funding of the road and utility construction. The expenditure of the funds will occur in two phases, corresponding with the build out of the development.

Below is a summary of the differences between the site plans, according to the developer. All other previously approved waivers granted by the City Council will remain.

	Approved Site Plan	Proposed Amendments
Location of Watercress Drive	North of event center. Road did not divide pedestrian activity from event center to plaza and shopping area.	Moved south approximately 220' adjacent to Tract 1. Separates event center from lakefront activities with pedestrian access through parking lot.
Layout	Central plaza/courtyard area with lawn area and windmill tower surrounded by retail buildings and activities. Event center to anchor the north end and the lake and boardwalk to anchor the south. Parking areas east and west of the central area.	Two primary buildings restaurant/retail buildings closer to the waterfront. Parking lot located north of the buildings and waterfront activity area.
Buildings	Five buildings at 52,000 s.f. (2 restaurants @ 18,000 s.f. each, store at 5,000 s.f., 2 retail @ 6,000 s.f. each) One event center at 30,000 s.f.	Two buildings at 80,000 s.f. (One restaurant @ 20,000 s.f., one flexible commercial buildings at 60,000 s.f.) One event center at 30,000 s.f.
Covered boat slips	Eight (8)	Eleven (11). The boat slips have been moved closer to shore in agreement with the Water Department.
Parking Spaces	Required 832 Provided 704 84.6% of required	Required 890 Provided 877 98.5% of required
Intersection	Roundabout provided south of the road intersection	Roundabout deleted for a basic intersection.
Pedestrian outdoor space	Central courtyard/lawn area with windmill and tower. Courtyard at lakefront, boardwalk with Ferris wheel with future extension into water, pea stone beach, beach volleyball area	Lakefront plaza with attractions, pavilion between buildings, pea stone beach, reduced size of boardwalk, future pier/boardwalk extension. Removed, the Ferris wheel from boardwalk. The future boardwalk extension shown dashed extends out into the water farther.

Ticketed and/or private events may be held in the lawn area near the Pavilion. Discussions were held with the developer and the base commander to not install any perimeter fencing in order to leave the lawn area open for public access. The developer is planning to install landscape hedges to provide screening to the parking area. A 3 ft. retaining wall is proposed on the eastern edge of the pavilion lawn area. The site plan as submitted proposes a 6 ft. double side wood fence around the volleyball area on the east side.

The development is located in the 65 and 70 dnl noise zones of the Naval Air Station Fort Worth Joint Reserve Base (NASJRB). The Base Commanding Officer has been involved in the review process for several months and discussion was held for noise concerns. On October 31, the base organized a flyover for the site in order to give attendees an idea of the possible noise that could occur on the site. The level of noise can be variable depending on the time of the day and the direction of the wind (which determines the direction of take-offs). Training activities are expected at all times of the day and week. It was determined that the site plan as proposed was consistent with the Air Installation Compatible Use Zone (AICUZ) recommendation, provided there is no permanent outdoor entertainment venue and no residential, assisted living, or hotel uses permitted in the development. Any proposed Ferris wheel or other structure should not exceed the height level that would cause concern by the base, and would be required to complete FAA review for flight safety.

Site Information:

Owner: City of Fort Worth Water Department
 City of Fort Worth Parks and Community Services Department
 1000 Throckmorton
 Fort Worth, TX 76102

Applicant: Michael Barnard/Patterson Equity Partners/Casino Beach Partners
 Acreage: 59.63 acres
 Comprehensive Plan Sector: Far West

Surrounding Zoning and Land Uses:

North "A-5" One-Family / City of Fort Worth Nature Center
 East "A-5" One-Family / Jacksboro Highway
 South "A-5" One-Family / Lake Worth
 West "A-5" One-Family; out of city limits / single family

Recent Relevant Zoning and Platting History:

Zoning History: PD 963 and PD 964 ZC-13-007 "PD/CF Planned Development for "CF" Community Facilities including public park and indoor and outdoor recreational and entertainment uses and events only with mobile food vendors, and with alcohol sales in the Event Center and adjacent outdoor space and at the Pavilion and adjacent lawn area; and "PD/G" Planned Development for all uses in "G" Intensive Commercial for retail and entertainment complex with mobile food vendors and excluding assisted living and hotels; site plan included. Approved by City Council 2/5/13.
 PD98 Z-90-017 Planned Development/Specific Use for all uses in "F" General Commercial including multiple recreational uses and the sale of alcoholic beverages for catered activity or for special facility rental situations. Multiple uses are excluded. Site plan waiver recommended Approved by City Council 2/13/90

Platting History: FP 13-009, approved February 2013

Site Plan Comments:

The site plan as submitted is in general compliance with the Zoning Ordinance regulations.

Transportation/Public Works (TPW) site plan comments

No comments have been submitted at this time.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Jacksboro Highway/SH 199	Principal Arterial (TxDOT)	Principal Arterial (TxDOT)	TxDOT maintained
Watercress St	Residential	Residential	No

Public Notification:

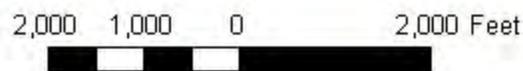
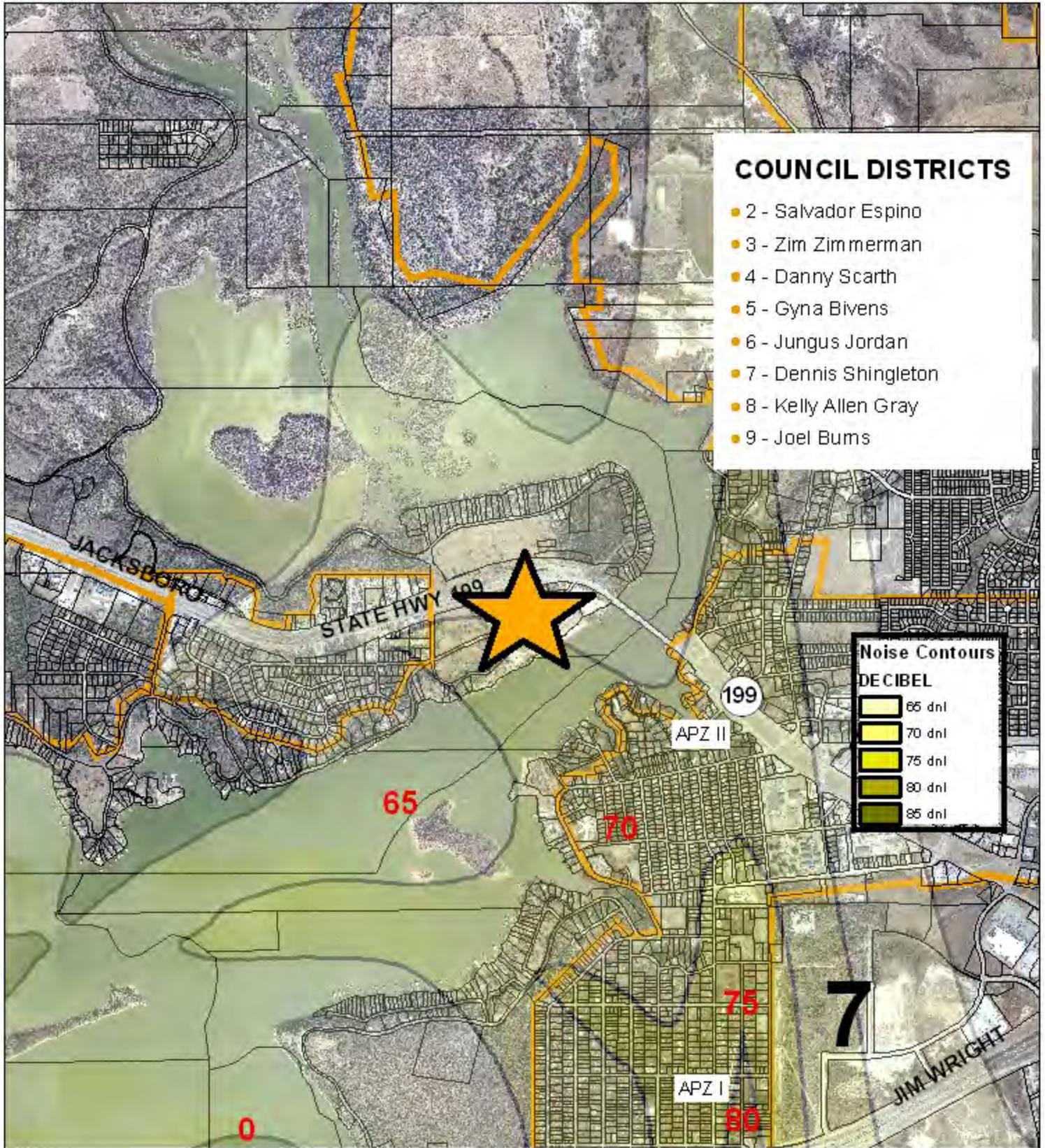
The following Neighborhood Associations were notified:

Scenic Shores	FWISD
North Lake Worth	Azle ISD
Lake Worth Alliance	Lake Worth ISD
Lake Worth Civic Club	

Attachments:

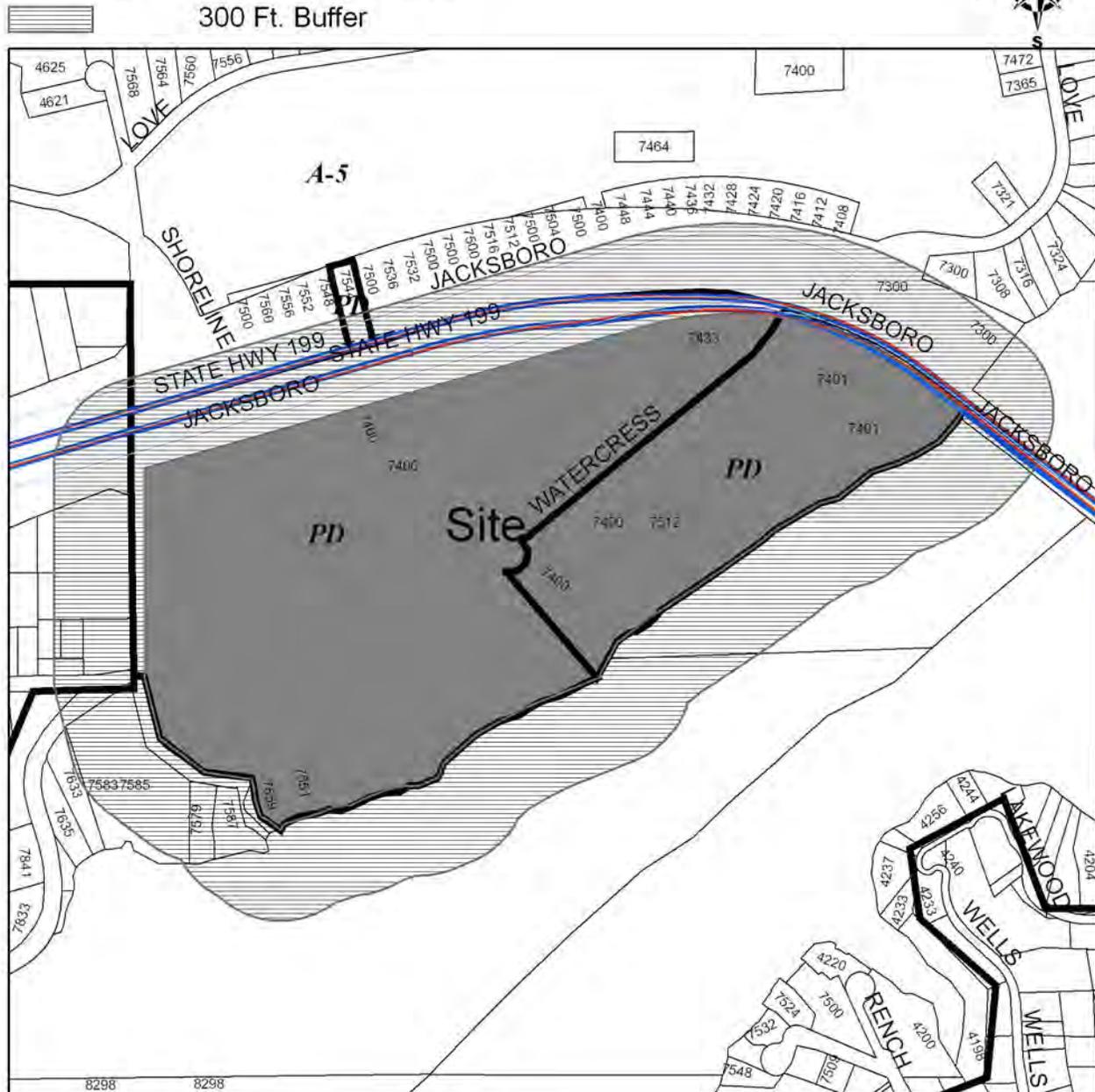
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Proposed Site Plan
- Current Site Plan

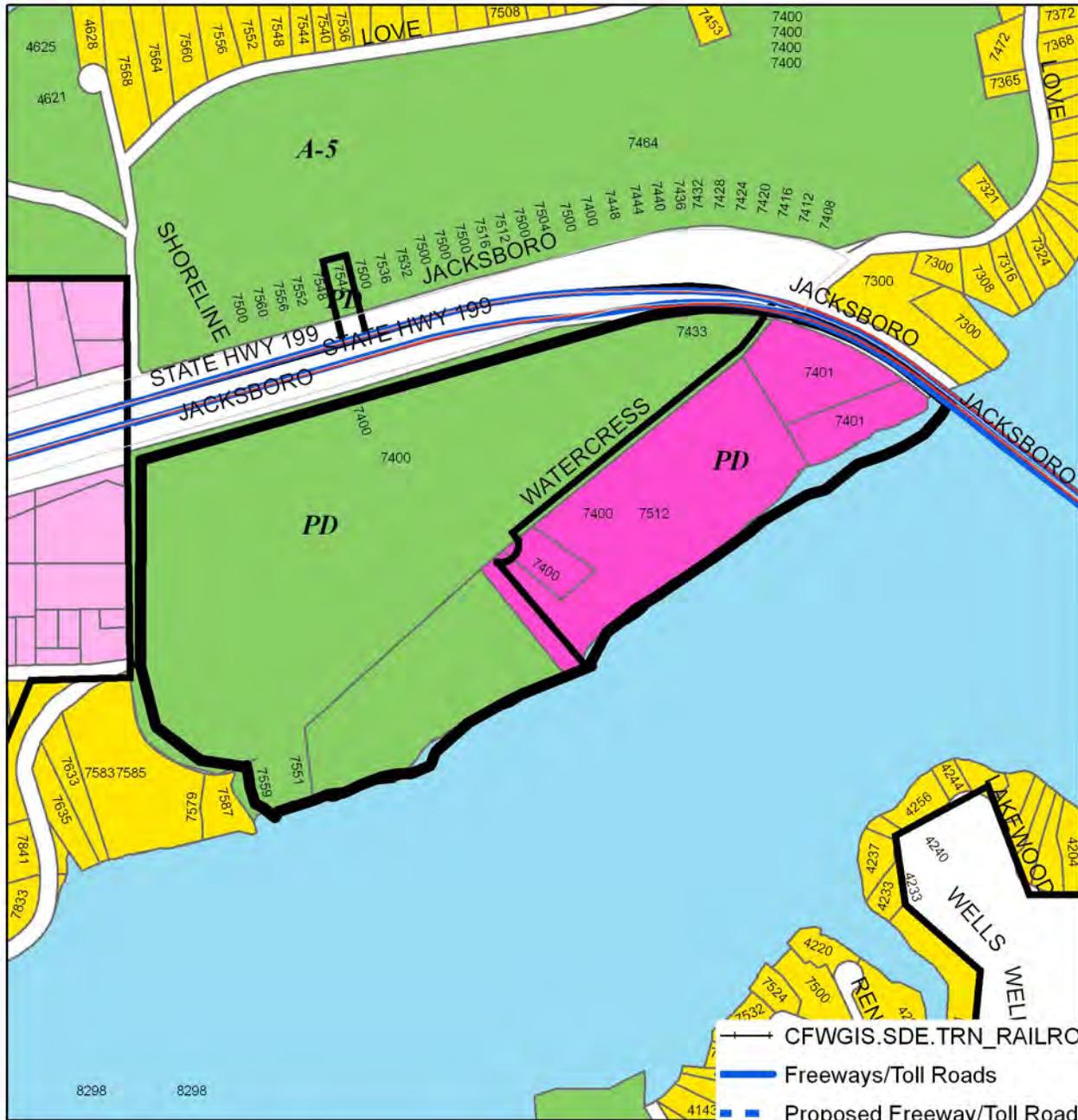
Location Map



Area Zoning Map

Applicant: City of Fort Worth Water and Parks Departments
 Address: 7300 - 7400 blocks of Jacksboro Highway
 Zoning From: PDs 963 and 964
 Zoning To: Amend site plan for PDs to move the street and buldings
 Acres: 59.39715091
 Mapsco: 45QRUV
 Sector/District: Far West
 Commission Date: 3/12/2014
 Contact: 817-392-6226



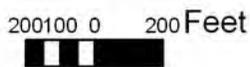


- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- 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

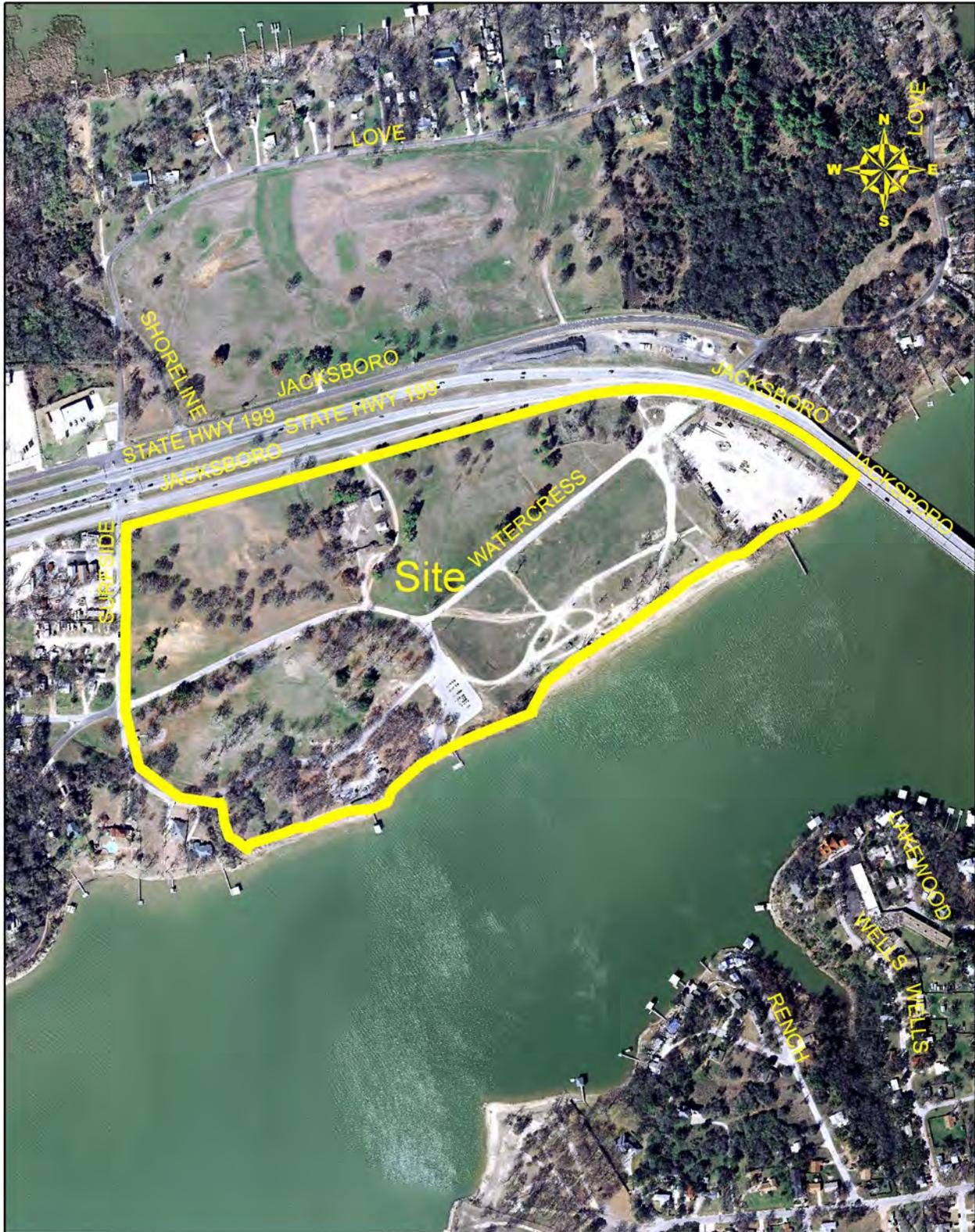


A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on March 5, 2013.





Aerial Photo Map



Bianca Alonzo	3433 St Louis St	Out		Opposition	Present did not speak
Ruby Valles	3251 Polo Club Dr N	Out		Opposition	Present did not speak
Heydi Lopez	3253 Polo Club Dr N	Out		Opposition	Present did not speak
Noel Rios	3951 Busch Gardens St	Out		Opposition	Present did not speak
Alexa Flores	1016 Orange Street	Out		Opposition	Present did not speak
David Vela/ Seminary Hills NA	5013 Gordon Ave	Out		Opposition	Present did not speak
Angelina Rios	3950 Busch Gardens St	Out		Opposition	Present did not speak
Lizeth Flores	1016 Orange Ave	Out		Opposition	Present did not speak
Marbella Flores	3950 Busch Garden St	Out		Opposition	Present did not speak
Guadalupe Rios	3950 Busch Garden St	Out		Opposition	Present did not speak
Alyssa Martinez	3951 Busch Garden St	Out		Opposition	Present did not speak
Zuniel Flores	1016 Orange St	Out		Opposition	Present did not speak
Ranl Rios	3951 Busch Garden St	Out		Opposition	Present did not speak
Felix Alvarado	10125 ??	Out		Opposition	Present did not speak
Sergio Rodriguez	3632 S Main St	Out		Opposition	Present did not speak
Arturo Rios	3950 Busch Garden St	Out		Opposition	Present did not speak
Meluche Plascencia	NA			Opposition	Sent letter in
Betsy & Charles Morris	923 W. Fogg	Out		Opposition	Sent letter in
A petition with more than 128 signatures was turned in					

6. SP-14-003 City of Fort Worth Water, Parks and Community Services Department (CD 7) – 7300-7400 blocks SH 199 (Jacob Wilcox Survey No. 33, Abstract No. 1716, 59.64 Acres): to: Amend “PD-962” site plan for “PD/G” Planned Development for all uses in “G” Intensive Commercial for retail and entertainment complex with mobile food vendors and excluding assisted living and hotels; site plan included, and “PD-963” site plan for “PD/CF” Planned Development for “CF” Community Facilities including public park and indoor and outdoor recreational and entertainment uses and events only with mobile food vendors, and with alcohol sales in the Event Center and adjacent outdoor space and at the Pavilion and adjacent lawn area to move the road 220’ to be adjacent to Tract 1; move restaurant/retail buildings closer to the waterfront; increase the building square footage for buildings 1 and 2 to total 80,000 sq ft; increase number of boat slips by 3 for total of 11 covered boat slips; increase parking to 877 spaces; adjust the road roundabout; decrease the size of the boardwalk; and clarify the proposed zoning for Tracts 1 and 2.

Michael Barnard, 4237 Wells Drive, Fort Worth, Texas representing the developer explained to the Commissioners they heard this case on January 9, 2013 which involves a public private

partnership between the City of Fort Worth and Casino Beach properties. He said they met with all four of the neighborhood associations around the lake and presented to the Lake Worth Regional Coordinating Committee chaired by Councilman Shingleton. Mr. Barnard said the project is consistent with the Lake Worth Vision Plan adopted by Council in 2009. He said they also have support from the NAS/JRB. There was one concern by the Scenic Shores Neighborhood Association about traffic in the area. They did hold separate meetings with the NA and city staff and they worked things out.

Mr. West mentioned his concern about this area being in the flight path and quoted the base is in support of the change. Mr. Barnard said at the last meeting in January they came in support of the changes as reflected in the site plan. Ms. Murphy, Planning Manager, said when they did the original site plan there was discussion about a lawn area and making sure there was nothing permanent there or that they did not barricade off a more amphitheater type area, and that this did carry over into the new amendment. Mr. West said he did remember representatives from the JRB present and spoke at that meeting when we considered the original plan. Mr. Barnard said the issue was the developer wanted fencing and the base didn't want fencing and it was removed from the plan.

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

7. ZC-14-023 Handley Oaks Apartments, LLC (CD 4) – 2120 Handley Drive (J. E. Brandon Survey, Abstract 209, Tract 4C, 4.47 Acres): from “C” High Density Multifamily to “PD/D” Planned Development for all uses in “D” High Density Multifamily at 26 units per acre; site plan included

Melvo Ashdown, 2120 Handley Drive, #118, Fort Worth, Texas property owner explained to the Commissioners the zoning change application is primarily concerned for the safety of the residents and any nuisance issues of this particular area. Handley Oaks is a 106 apartment unit complex built in the 1960's. There are 51 one bedroom units, 40 two bedroom units, and 15 three bedroom units built in the Historic Handley District.

They have security devices, cameras and institute a courtesy patrol from 9 pm to 3 am. Mr. Ashdown said they have managed to reduce crime in this area by 90%. He mentioned the rental for a three bedroom unit is about the same as buying a house. Most of his tenants are stable and reliable and are low income. Most of his three bedroom apartments are rented by grandmothers and or families with several children and or fathers, or those shared by many families to reduce costs. He is requesting to change three bedroom units into one bedroom units, increasing the density from about 24 to 26 units per acre. He said in reality there will be less people living there. They have 171 parking spaces and about 50 to 60 residents who actually have cars, parking is not an issue. There will be no external changes made everything will be internal.

Mr. West asked Mr. Ashdown how many three bedroom units are being converted. Mr. Ashdown said of the 15 three bedroom units, eight of them will be converted and the remaining seven will remain as three bedroom units. Mr. West asked when the units were built did they have their own separate bathrooms. Mr. Ashdown said there will be no bathrooms added. They were three