



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 1, 2014

Council District 3

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

Opposition: 3 spoke; 4 within 200 ft; 4-outside 20 ft.;
Petition
Support: None submitted

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

Owner / Applicant: Tsou Sheng Y & Sam Huynh Etal

Site Location: 9904 Camp Bowie West Mapsco: 72Q

Proposed Use: Bar

Request: From: "PD-591" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial plus mini-warehouse; site plan waived
To: "F" General Commercial

Land Use Compatibility: Requested change is not compatible.

Comprehensive Plan Consistency: Requested change is not consistent.
(Significant Deviation)

Background:

The proposed site is located on Camp Bowie Blvd W near the corner of Kenwood Avenue. The applicant is proposing a zoning change to "F" General Commercial for a bar. The applicant would like to lease an existing structure to sell alcoholic beverages for on-site consumption.

If approved, the proposed site would be required to become compliant with commercial code building standards. Additionally, a review of parking, landscaping, sign, and TABC requirements would be completed, prior to operating the establishment. The Board of Adjustment can approve variances to certain requirements, if warranted.

Site Information:

Owner: Tsou Sheng Y & Sam Huynh Etal
4027 Blair Ridge Dr.
Chino Hills, CA
Agent: Sherry Boyd
Acreage: 0.36 acres
Comprehensive Plan Sector: Far West

Surrounding Zoning and Land Uses:

North "PD-591" Planned Development/Specific Use for all uses in "E" Neighborhood
Commercial plus mini-warehouse; site plan waived / vacant

East "PD-591" Planned Development/Specific Use for all uses in "E" Neighborhood
Commercial plus mini-warehouse; site plan waived; "I" Light Industrial / automotive,
commercial

South "C" Medium Density Multifamily / bar, automotive, industrial

West "PD-591" Planned Development/Specific Use for all uses in "E" Neighborhood
Commercial plus mini-warehouse; site plan waived / vacant, single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-04-077, from "FR" and "E" to "PD/SU" for all uses in "E" plus mini-warehouse,
approved 5/2004 (subject property)

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Camp Bowie West Blvd	Major Arterial	Principal Arterial	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Chapin & Alameda	FWISD
Westland Texas	

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "F" General Commercial for a bar. Surrounding land uses vary with vacant land to the north, retail to the east, a bar and commercial to the south and vacant land and house just west.

Camp Bowie West is a major arterial with commercial frontage and residential lots just beyond the street. The majority of the lots facing the street are small and unable to maintain large general commercial uses without assemblage of several lots. The current zoning provides a buffer between more intense uses and residential lots to the north and northwest.

The proposed zoning **is not compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2013 Comprehensive Plan designates the subject property as neighborhood commercial. The proposed "F" zoning is not consistent with the following Comprehensive Plan policies:

- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)

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

Attachments:

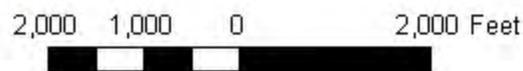
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph

Location Map



COUNCIL DISTRICTS

- 2 - Salvador Espino
- 3 - Zim Zim merman
- 4 - Danny Scarth
- 5 - Gyna Bivens
- 6 - Jungus Jordan
- 7 - Dennis Shingleton
- 8 - Kelly Allen Gray
- 9 - Joel Bums

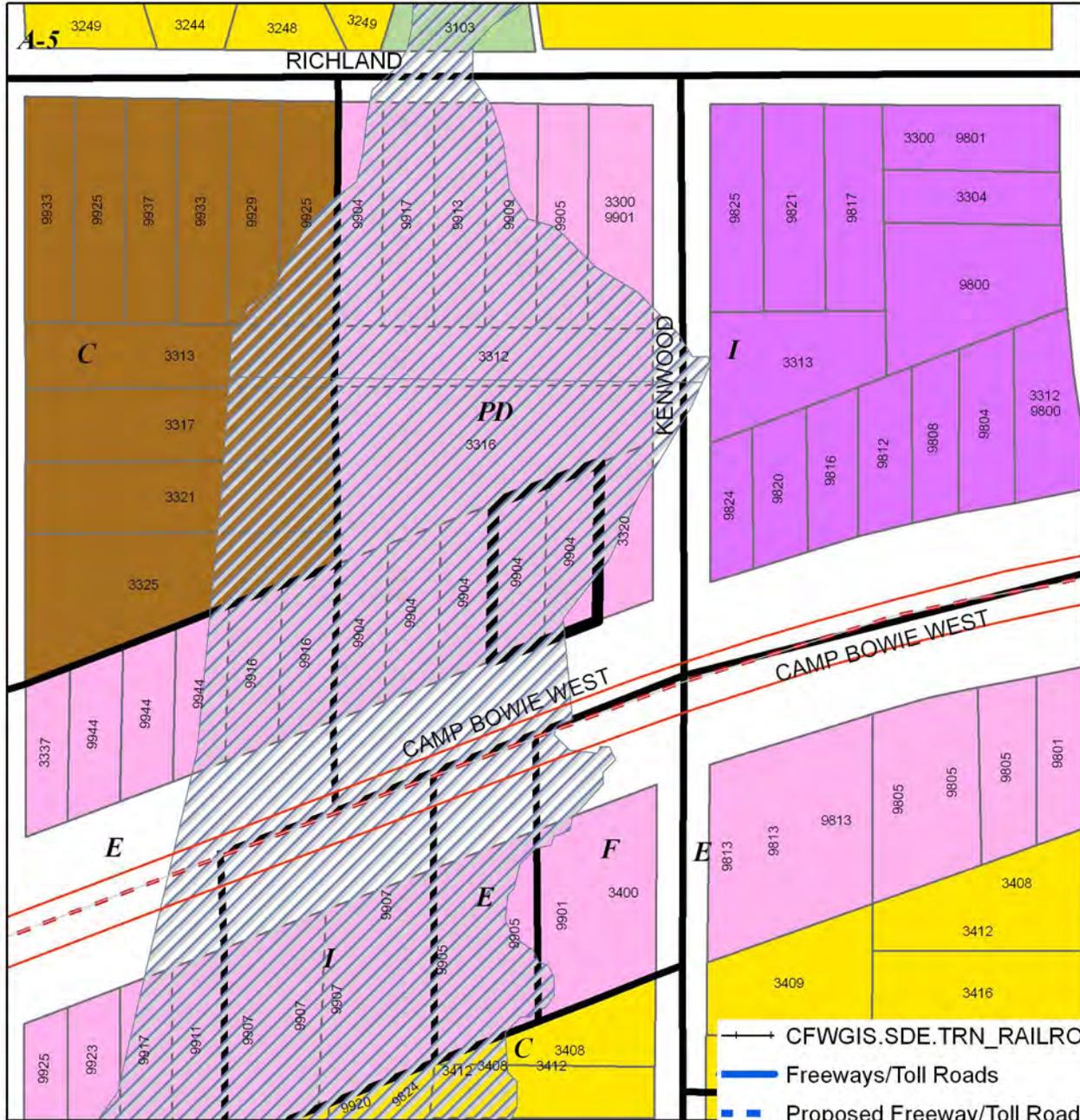




9904 Camp Bowie Boulevard West

Future Land Use

ZC-14-033



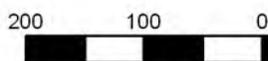
- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- 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

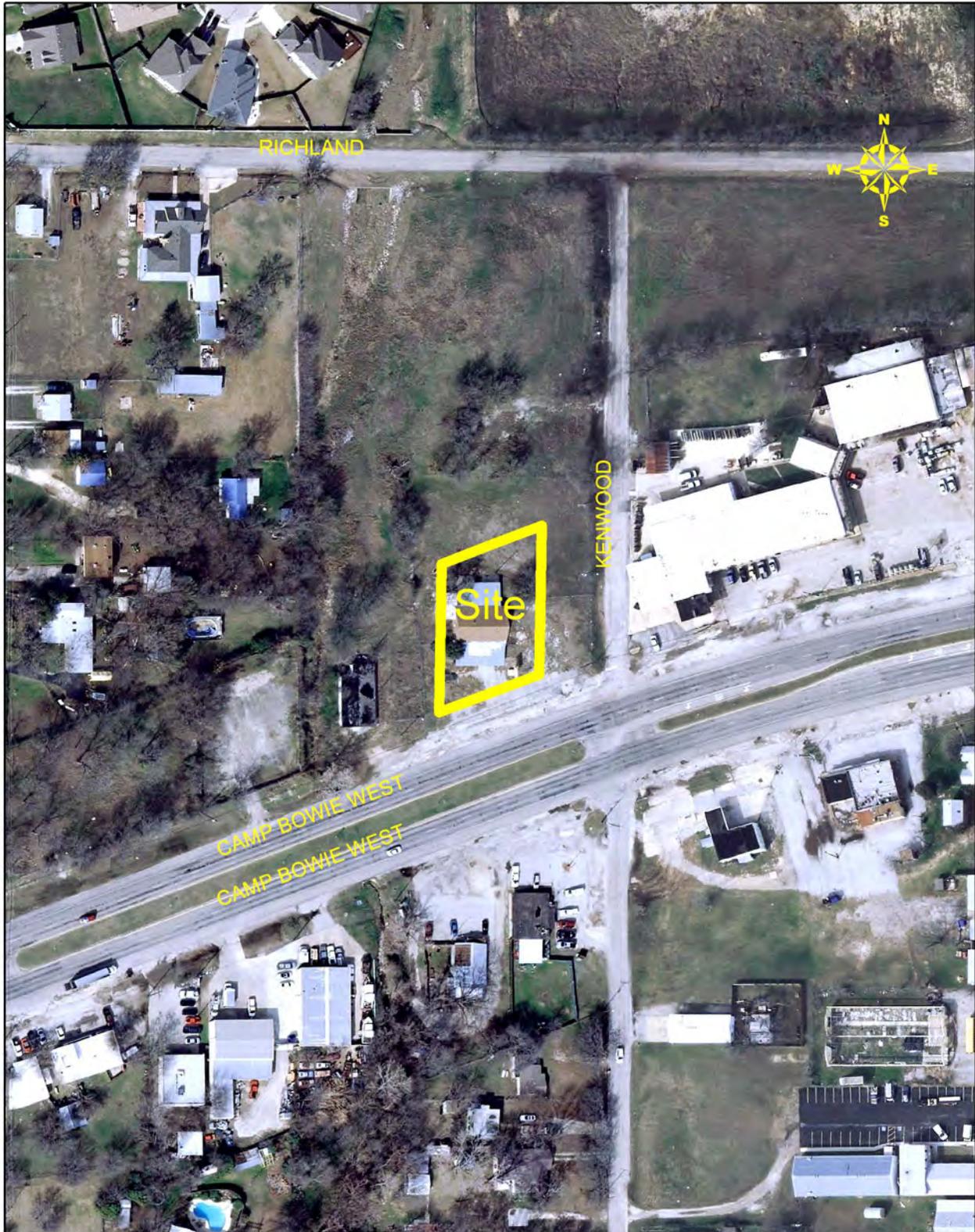


200 Feet

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



in. Mr. Flores asked if he had met with any registered neighborhood associations. Mr. Dhavani said no he hasn't. Mr. Flores asked how many convenience stores of this type did he own. Mr. Dhavani said this one and one in Arlington.

Winn Schultz, 2912 Sappington Place, Fort Worth, Texas spoke in opposition. Mr. Schultz said they own the building to the north and right as indicated on the aerial. He is also speaking on behalf of the neighborhood. He is concerned about the traffic problems at that intersection. Mr. West asked Mr. Schultz what type of office he has in his building. Mr. Schultz said a general office; he is a real estate broker. Mr. West asked what is on the north side of his building. Mr. Schultz said another office and a photography studio called Smiley's.

Beverly Branham, 6487 Woodstock Road, Fort Worth, Texas spoke in opposition. She mentioned she used to be on the executive committee for the Ridglea Hills NA and asked if the container is closed will there be a traffic light at that intersection. Mr. Genua said they have no control over whether the container is closed or not. She asked if there will be a traffic light there. Mr. Genua said unlikely no.

Mr. West wanted to note for the record they did receive communications from the Ridglea North Assoc, Ridglea Hills NA, Ridgmar NA, and Margaret Brodeur all in opposition.

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

<i>Document received for written correspondence</i>					<i>ZC-14-031</i>
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Winn Schultz	2912 Sappington	In		Opposition	Spoke at hearing
Beverly Branham	6487 Woodstock	Out		Opposition	Spoke at hearing
Una Bailey/ Ridglea North Assoc	NA	Out		Opposition	Sent letter in
B. Bashein/ Ridglea Hills NA	NA	Out		Opposition	Sent letter in
David Patterson/ Ridgmar NA	NA	Out		Opposition	Sent letter in
Margie Brodeur	2917 Sappington	In		Opposition	Sent letter in

17. ZC-14-033 TSou Sheng Y & Sam Huynh Etal (CD 3) – 9904 Camp Bowie West (Westland Addition, Block 2, Lots 16 & 17, 0.36 Acres): from “PD-591” Planned Development for all uses in “E” Neighborhood Commercial plus mini-warehouse to “F” General Commercial

Sherry Boyd, 3916 Williams Road, Fort Worth, Texas representing Tsou Sheng Y & Sam Huynh explained to the Commissioners she has been looking at this property for about two years and that there have been several different businesses in there that could not make it. She would like to move her alcohol mixed beverage license to this property for a restaurant and grill with

alcohol sales. Ms. Boyd said in the beginning they only wanted a mixed beverage bar and have since changed their mind. She said she did contact three neighborhood associations and would continue the case if need to speak to the opposition.

Mr. West asked Ms. Boyd about the meetings she had and what was the outcome. Ms. Boyd said she emailed the neighborhood associations and received signatures from renters, not actual property owners, and that most of her opposition is from Chapel Hill. She also said she received opposition from the Church with 62 signatures, some of which don't live in the area.

Ms. Boyd said the property hasn't been used since 2002. Mr. West asked if she knew what the last use was for the building. Ms. Boyd she believes it was a grocery store and before that it was a restaurant. Mr. West asked if it had ever been a bar. Ms. Boyd said she doesn't believe so. Mr. West mentioned a letter they received in opposition from All Saints School and Ms. Boyd said she did not know where the school was located. Mr. West if she had spoken to the neighborhoods that sent letters in. Ms. Boyd said she has not sat down with them. Mr. West asked if she held a liquor license and where her properties are located. Ms. Boyd said she has a beer only and a mixed beverage license. The beer only is across the street at 9901 Camp Bowie and the mixed beverage is at 7501 Camp Bowie West.

Mr. Genua asked if she was asking for a continuance. Ms. Boyd said if she needs to so she can talk to the neighborhood. Mr. West mentioned she had originally applied for a club and now she is asking for a restaurant and grill. Ms. Boyd said she received a letter from Chapel Hill saying they would be more in favor of a restaurant. Ms. Murphy said that she could do a restaurant in E and have the alcohol sales as long as there is more than 50% food served.

Cindi Cresswell, 3663 Brookland Avenue, Fort Worth, Texas President for Westland NA spoke in opposition. Ms. Cresswell was not able to speak to everyone in the association but those she did speak with are opposed to any bar within their vicinity. She said they would like to see a restaurant something the whole community could use. They are requesting the case be denied with prejudice. Mr. West wanted to be clear as to where their neighborhood is located. Ms. Cresswell said to the south as she indicated on the overhead map. They would like to see their area upgraded and they don't need a bar. Mr. West asked about the neighborhood to the northeast. Ms. Cresswell said it is Linda Vista and Chapel Creek is to the north, Tiffany Gardens to the south.

Bo Jameson, 9925 Richland Street, Fort Worth, Texas spoke in opposition. Mr. Jameson mentioned there are two bars across the street and two more bars within a mile. Mr. Jameson said with the development to the west they feel like the area needs to be upgraded and not another bar.

Steve Murrin, 200 RM 2871, Fort Worth, Texas spoke in opposition. Mr. Murrin said they own the property to the east out to Longview St. He mentioned the Westland community was platted in the 30's with about 50 families. He gave a brief history of the area to the Commissioners. He proposes the case be denied with prejudice so they have time to work on a better solution for the area.

Mr. Flores asked Mr. Murrin if he has had a conversation with the applicant about the development. Mr. Murrin said none. He noted that when you assemble a group of bars in the right area it becomes an entertainment district, Stockyards being a good example.

In rebuttal, Ms. Boyd said she would like the opportunity to show the neighborhood they can do something good with this building given the chance.

Motion: Following brief discussion, Mr. West recommended Denial of the request, seconded by Ms. Conlin. The motion carried unanimously 8-0. Mr. Hollis was absent for the remainder of the meeting.

<i>Document received for written correspondence</i>				ZC-14-033	
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Cindi Cresswell/ Westland NA	3663 Brookland Ave	Out		Opposition	Spoke at hearing
Bo Jameson	9925 Richland St	In		Opposition	Spoke at hearing
Steve Murrin	9800 Camp Bowie West	In		Opposition	Spoke at hearing
Tad Bird/ All Saints' Episcopal School	NA	Out		Opposition	Sent letter in
Matt Johnson/ Team Ranch	NA	Out		Opposition	Sent letter in
Patrick Grissom	9524 Camp Bowie West	Out		Opposition	Sent letter in
Julie Grissom	3501 Westland	Out		Opposition	Sent letter in
Bill Welge	3248 Florian	Out		Opposition	Sent letter in
Dorothy Lee	3237 Florian	Out		Opposition	Sent letter in
Chris Brooks	9011 Highway 80 West	Out		Opposition	Sent letter in
A petition was submitted with more than 60 names in opposition					

18. ZC-14-034 (CD 7) – 1700 E. Bonds Ranch Road (Josiah Walker Survey, Abstract 1600, 30.0 Acres): from “I” Light Industrial to “D” High Density Multifamily

Ben Gregory, 1700 E. Bonds Ranch Road, Fort Worth, Texas property owner explained to the Commissioners he owns the tree farm and construction company on the property now. When he purchased the property, there were no single-family homes. He mentioned the property was annexed in 2004 and it was always the intent to develop some commercial and multifamily on the property. Mr. Gregory said they have some developers interested in the property.

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

<i>Document received for written correspondence</i>	ZC-14-034
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