



**SITE PLAN AMENDMENT
STAFF REPORT**

City Council Meeting Date:
March 3, 2015

Council District 2

Zoning Commission Recommendation: Approval as Amended to update site plan by a vote of 8-0 to include armature radius Opposition: None submitted Support: None submitted	Continued	Yes <u>X</u>	No ___
	Case Manager	<u>Lynn Jordan</u>	
	Surplus	Yes ___	No <u>X</u>
	Council Initiated	Yes ___	No <u>X</u>

Owner / Applicant: August Stanislawski III/TX Industrial Scrap

Site Location: 3800 N. Commerce Street Mapsco: 48UY

Proposed Use: Amend PD-764 site plan to add permanent office for shredder

Companion Cases: ZC-07-026/PD-764/SP-07-014

Background:

The case was continued from multiple City Council meetings to provide time to consider future redevelopment of the Meacham area and preferred land uses.

On June 5, 2007, the zoning and site plan were approved for "PD/SU" Planned Development for all uses in "K" plus recycling and related uses, shredder and outside storage. The shredder was allowed through this site plan, but an office was later needed to operate the shredder. Staff allowed a temporary office to be placed on the site, with the note that the site plan had to be amended if the office became permanent. The applicant is proposing to amend the site plan for this reason.

At the Zoning Commission meeting, Mr. Broadie with Tex Air, the lot immediately to the north of the subject site, described concerns with the operation of the recycling business. He had concerned about pile heights and explained that the fence is on the property line, and double thick concrete blocks to add as security against fire hazard. There is a screen barrier installed which will clean up any dust that goes over onto his property. He said his building is at least 45 ft. from where the debris is. These concerns and his contact information were provided to the applicant's representative and staff is encouraging the two parties to work together to ensure that no materials exit the applicant's property.

The following table describes the differences in the most recently approved and proposed site plan:

Changes	SP-07-014	SP-14-004
6/05/07	Add Shredder	
Amended 6/10/12 (administrative)	Decrease footprint of shredder area	

Amended 6/10/13 (administrative)	Temporary office allowed for operation of shredder	
5/14/14 (current case)		Add permanent office

Site Information:

Owner: August Stanislawski III/TX Industrial Scrap
3800 N. Commerce Street
Fort Worth, TX 76107

Agent: Dunaway & Associates/Bo Trainor

Acreage: 6.19

Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:
North "K" Heavy Industrial / commercial
East "K" Heavy Industrial / BNSF Railway
South "PD-764" Planned Development / recycling facility
West "K" Heavy Industrial & "PD-787" "PD/E" Planned Development for "K" plus metal recycling

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 comment.

Recent Relevant Zoning and Platting History:

Zoning History: ZC-07-026, approved by City Council 6/05/07 for "PD/SU" for all uses in K Heavy Industrial plus recycling and related uses, shredder and outside storage, scrap materials to have maximum pile height of 12 feet within 30 ft of Commerce Street; site plan approved; subject area. (SP-07-014)

Platting History: none

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
N. Commerce Street	2 way, Residential Road	Residential	No
38 th Street	Collector	Collector	No

Public Notification:

The following Neighborhood Associations were notified:

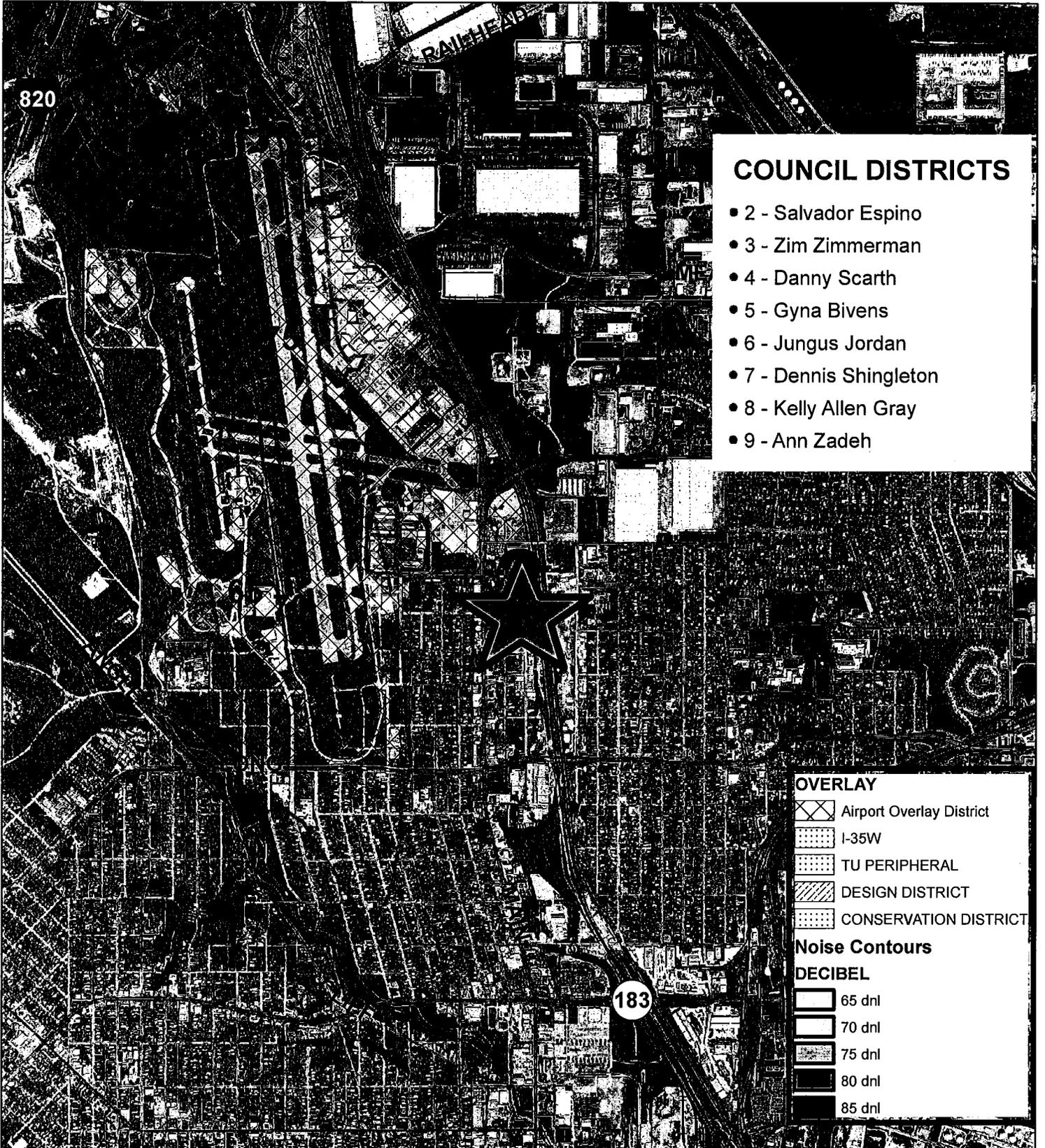
Organizations Notified	
Diamond Hill-Jarvis*	Far Greater Northside Historical
Inter-District 2 Alliance	Fort Worth ISD

Within this NA*

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Minutes from the City Council meeting
- Minutes from the Zoning Commission meeting

Location Map



2,000 1,000 0 2,000 Feet

Area Zoning Map

Applicant: August Stanislawski III/TX Ind Scrap
 Address: 3800 N. Commerce Street
 Zoning From: PD 764
 Zoning To: Amend Site Plan for PD 764 for permanent shredder
 Acres: 6.19045817
 Mapsco: 48UY
 Sector/District: Northside
 Commission Date: 5/14/2014
 Contact: 817-392-2495



300 Ft. Buffer

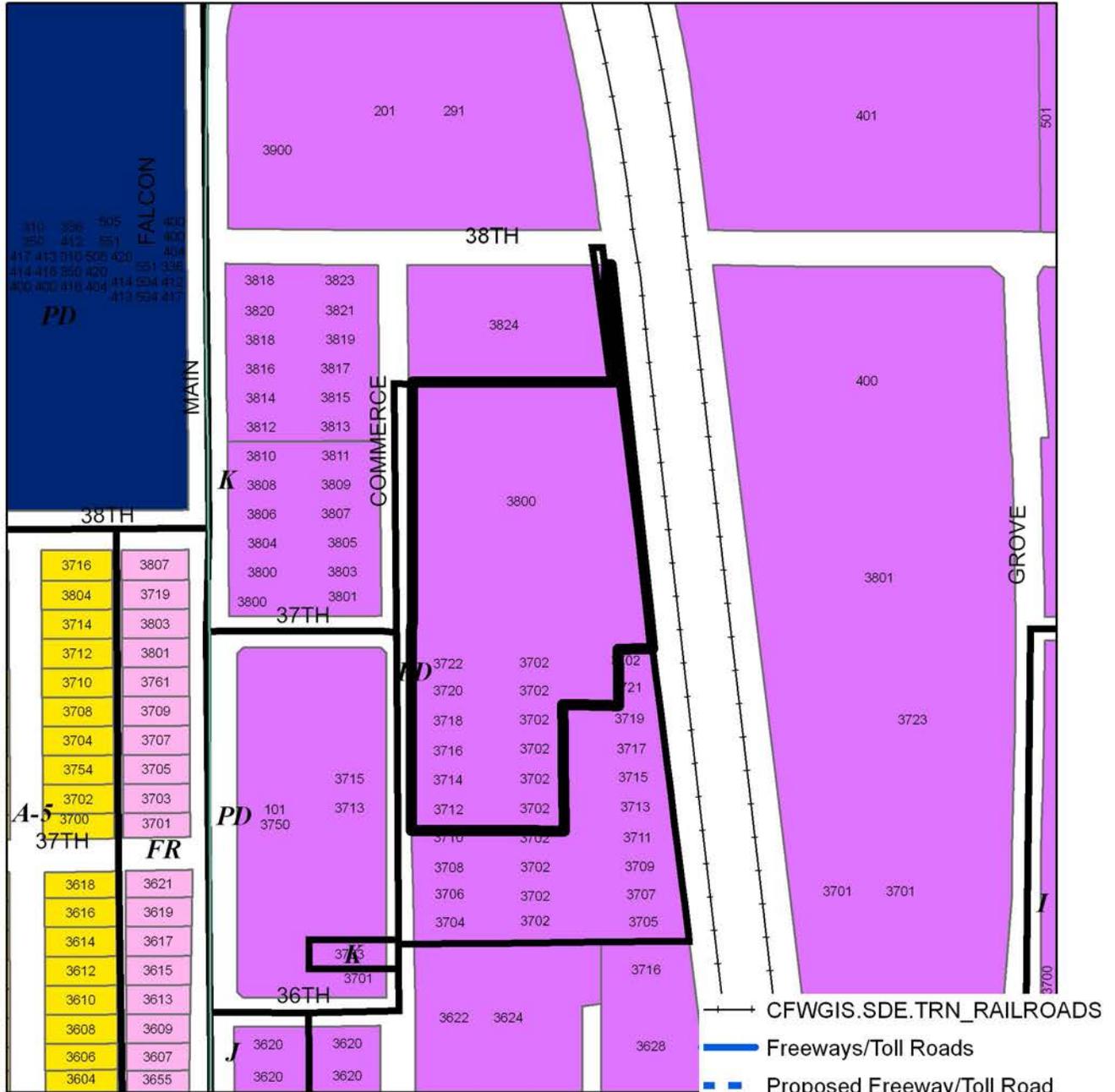




3800 N. Commerce Street

Future Land Use

SP-14-004



- 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

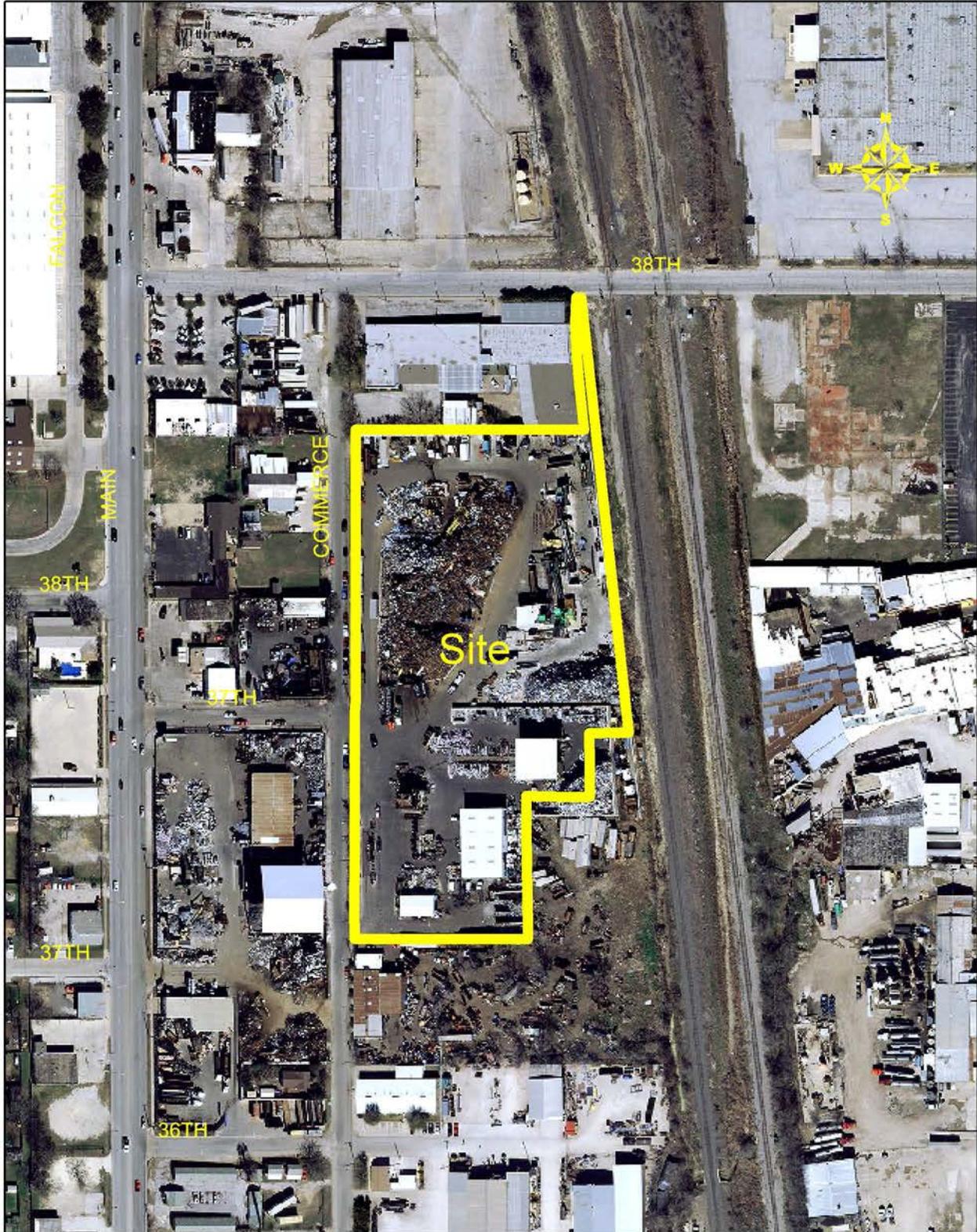
- CFWGIS.SDE.TRN_RAILROADS
- Freeways/Toll Roads
 - Proposed Freeway/Toll Road
 - Principal Arterial
 - Proposed Principal Arterial
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
- FLD_ZONE**
- Floodplain



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 18, 2014.



Aerial Photo Map



XIV. ZONING HEARING

The City Council at its meeting of November 11, 2014, continued Zoning Docket SP-14-004:

- 1. SP-14-004 - (CD 2) - August Stanislawski/TX Industrial Scrap, 3800 N. Commerce Street; Amend "PD-764" site plan to add permanent office for shredder. (Recommended for Approval as Amended by the Zoning Commission to update site plan to include armature radius) (Continued from a Previous Meeting)**

Mr. Ray Oujesky, 201 Main Street, Suite 2500, completed a speaker card in support of Zoning Docket SP-14-004 and was recognized by Mayor Pro tem Espino but was not present in the Council Chamber.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Zoning Docket SP-14-004 be continued to the March 3, 2015, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Mayor Price absent.

The City Council at its meeting of December 9, 2014, continued Zoning Docket ZC-14-103:

- 2. ZC-14-103 - (CD-ALL) - City of Fort Worth Planning & Development: Text Amendment: Urban Forestry; 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 6, "Development Standards" of Article 3, "Landscaping, Buffers, and Urban Forestry" to revise Section 6.302 "Urban Forestry" Regulations Relating to Tree Coverage, Preservation, Planting and Maintenance; and Amend Chapter 9, "Definitions," Section 9.101, "Defined Terms" to Revise and add Definitions related to Urban Forestry**

Ms. Dana Burghdoff, Deputy Department Director, Planning and Development, appeared before Council and provided a staff report.

The following individuals completed speaker cards in support of Zoning Docket ZC-14-103 and were recognized by Mayor Pro tem Espino but were not present in the Council Chamber:

Mr. Todd Hawpe, 100 Throckmorton, Suite 700
Ms. Judy Harman, 2222 Winton Terrace East

The following individuals completed speaker cards in opposition to Zoning Docket ZC-14-103 and were recognized by Mayor Pro tem Espino but were not present in the Council Chamber:

Mr. Tom Reynolds, 1605 Sunset Terrace
Mr. Barney Holland, 3647 Encanto Drive
Mr. Gary Havener, 2501 Museum Way
Mr. Harold Muckleroy, 3455 Ranch View Court

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It was recommended that the City Council authorize the execution of an amendment to the South Tract Development Agreement, City Secretary Contract No. 31707, with Southwest Pasture Ltd., an affiliate of Edwards Geren Limited, to extend the term of the agreement five years and delay the date at which the City may initiate full-purpose annexation until on or after December 31, 2019.

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Espino, that Mayor and Council Communication C-27076 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Allen Gray absent.

XIV. ZONING HEARING

The City Council, at its meeting of October 14, 2014, continued Site-Plan SP-14-004:

- 1. SP-14-004 - (CD 2) - August Stanislawski/TX Industrial Scrap, 3800 N. Commerce Street; Amend "PD-764" site plan to add permanent office for shredder. (Recommended for Approval as Amended by the Zoning Commission to update site plan to include armature radius) (Continued from a Previous Meeting)**

Motion: Mayor Pro tem Espino made a motion, seconded by Council Member Shingleton, that Site Plan SP-14-004 be continued to the February 3, 2015, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Allen Gray absent.

The City Council, at its meeting of October 14, 2014, continued Zoning Docket ZC-14-089:

- 2. ZC-14-089 - (CD 2) - Mohammed Ali Hussain, 3404 N. Elm Street; from: "A-5" One-Family to: "ER" Neighborhood Commercial Restricted (Recommended for Approval as Amended by the Zoning Commission to "ER" Neighborhood Commercial Restricted) (Continued from a Previous Meeting)**

Motion: Mayor Pro tem Espino made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-14-089 be denied. The motion carried unanimously 8 ayes to 0 nays, with Council Member Allen Gray absent.

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth, on October 22, 2014.

		area			
Paul Delaney	409 Carson St	Out		Support	Spoke at hearing
Jennifer Knittel	5800 Elliott Reeder	Out		Support	Spoke at hearing
Trina Sanders/ Garden of Eden NA	1412 Carson St	In	Opposition		Spoke at hearing

3. SP-14-004 August Stanislawski III/TX Industrial Scrap (CD 2) – 3800 N. Commerce Street (Fostepco Heights Addition, Block 10, Lot 5R, 6.19 Acres): to Amend PD-764 site plan to add permanent shredder

Jeff Taylor, Dunaway Associates, 550 Bailey Ave, Suite 400, Fort Worth, Texas representing August Stanislawski explained to the Commissioners they are amending the PD site plan for a permanent office.

Mr. Flores asked Mr. Taylor if their client met with the business owner that was in opposition at the May hearing. Mr. Taylor said they have had correspondence via email. Mr. Flores asked if he could summarize the correspondence. He said Susan Smith the owner of the shredder said there was an understanding that the fluff for the insulation would be kept down by erecting a 15 ft high fence already existing, a screen barrier, and the dust to be cleaned up as the piles occur. Mr. Flores also asked if they have met with any of the community stake holders. Mr. Taylor said he believes so, but did not have the contact in his notes. Mr. Flores urged him to have his client communicate with the property owner in order to keep code compliance issues down.

Ms. Burghdoff mentioned the shredder appears to be about 250 ft from the north property and could Mr. Taylor confirm that. Mr. Taylor said the foundation is all that you see on the site plan; the shredder armature (wing span) is outside the foundation on a larger foot print. She said the existing wall needs to be indicated on the site plan; it says future on the site plan.

Motion: Following brief discussion, Mr. Flores recommended Approval as Amended of the request to update the site plan for the existing wall and include the armature area of the shredder, seconded by Mr. Edmonds. The motion carried unanimously 8-0.

4. SP-14-0005 Albortz LLC (CD 3) – 10013 Southview Road (Chapel Creek Plaza, Block 1, Lot 4, 3.22 Acres): to Amend PD-965 site plan to increase the height of the office and storage units

Mason Sahihi, 880 S. Carroll Avenue, Southlake, Texas and the property owner explained to the Commissioners they are requesting an amendment to the site plan for the height of the metal building and a two-story office building. He mentioned at the last meeting there was opposition from a neighbor and the Tiffany Gardens developer. They did meet with them and explained their project and resolved their issues. Mr. Sahihi handed in copies of support letters from them.

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