



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 12, 2014

Council District 2

Zoning Commission Recommendation:
Approval as Amended to include waivers to the front yard fence and 9 ft. fence by a vote of 8-0

Opposition: None submitted
Support: one person spoke; Far Greater Northside Historical, 20 letters submitted

Continued Yes X No ___
Case Manager Lynn Jordan
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: **Marvin & Connie Gallaway**

Site Location: 2501 Ephriham & 2404 NW 25th Street Mapsco: 61H

Proposed Use: **Auto Sales/Repair/Tire Display**

Request: From: "A-5" One-Family and "E" Neighborhood Commercial
To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto repair, sales and outdoor tire display; site plan included

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 the corner of Ephriham and NW 25th Street. The property owner currently operates an auto repair business on the corner, 2501 Ephriham, as a legal nonconforming use with outdoor display of tires. The zoning was changed from I to E in 2010 as part of the Far Greater Northside rezoning. The last certificate of occupancy was issued for an auto repair garage and auto sales with outdoor tire display in 2000 and an addition added in 2004. The applicant is proposing to make the property once again legal and expand the use by changing the zoning to "PD/E" Planned Development for E uses plus auto sales, auto repair and outdoor tire display.

"E" restricts automotive uses as well as any outdoor display. The applicant has purchased the lot to the north and wants to expand the auto repair business with a 4,500 sq. ft. expansion with two bay doors. The total square footage of both buildings is 8,069 sq. ft. The applicant has explained that the initial intent of this building is for storage and that no electric or plumbing is intended to be installed in the building. The building will have bay doors that will face the residential structure across the street. A waiver is necessary for this item as well as other standards. A 6 ft. metal fence has been constructed on top of a 3 ft. concrete wall, exceeding the 8 ft. maximum height for a screening fence. A waiver is requested.

If approved, the proposed new building will be a standalone but adjacent and attached to the existing building. During construction it will need to be determined if a fire wall separation will be required. Per TPW comments, no tire display shall be located in the street corner clips.

The table below refers to development standards for FR, the first zoning district that permits the proposed uses by right:

Development Standards	FR	Proposed PD/E
Front yard setback	0 ft. when fronting an arterial	0 ft. setback
Projected front yard	20 ft. from residential	Fence within projected yard
Side yard setback	20 ft projected (no permanent structures or required parking, 25 th st.)	2 employee parking spaces, 2 inventory and tire display in projected front yard setback
Supplemental setback to adjacent residential	25 ft. when adjacent to A-5 or B zoning	5 ft.
Parking	32 spaces required within 250 ft. of A-5 zoning	14 spaces indicated for employee and sales
Storage of Cars for Repair	Must be screened behind a fence or hedge	Indicates no outside storage
Display of Tires outside	Legal non-conforming	Tires to be displayed during business hours, 5'9" high

Site Information:

Owner: Marvin & Connie Gallaway
 2705 Hedgeway Drive
 Arlington, Texas 76016

Acreeage: 0.46 acres

Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

North "A-5" One-Family / single-family
 East "E" Neighborhood Commercial / commercial retail
 South "E" Neighborhood Commercial / duplex and outdoor storage
 West "E" Neighborhood Commercial / commercial

Site Plan Comments:

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

1. The site plan indicates tire display along Ephriham, legal non-conforming). **(waiver required-not permitted in E)**
2. The site plan indicates four parking spaces, two for employees and two for inventory and tire display in the 20 ft. projected side yard setback. **(waiver required)**
3. Existing fence encroaches into the 20 ft. projected front yard **(waiver required)**
4. No repairs shall be conducted on premises that adjoin a residential district boundary. **(waiver required)**
5. Overnight storage of vehicles for repair shall be enclosed within the building, behind a six foot tall solid screening fence, or six foot tall solid evergreen hedge. **(waiver may be required)**
6. No automotive service shall have bay doors facing a one-or two-family district. **(waiver required)**
7. The minimum parking count for the proposed use is 32 parking spaces, site plan indicates two spaces **(waiver required)**
8. The proposed 9 ft. metal fence exceeds the minimum allowed without a variance **(waiver required)**

Zoning Commission recommended waivers to the items noted above.

TPW Comments:

1. Intersections sight distances must be adequate. Horizontal geometry, vertical geometry, and intersection angles must provide adequate sight distance. Intersection sight distance shall not be impeded by structures on the site.
2. ROW Dedication: Partial - Dedicate ½ of {110} ‘ ROW for {Ephriham}. Ephriham is designated as a major arterial street on the MTP. If dedication is not desired, a waiver from the City Plan Commission is required.
3. ROW Corner Clip - A triangular right of way dedication measuring 10 feet by 10 feet, measured at the property line, is required on corner lots at the intersection of two streets, the intersection of a street and an alley shall require a 15 foot by 15 foot triangle right-of-way dedication, with the following exceptions in zoning districts “H” Central Business District, “MU-1” Low Intensity Mixed-Use District, and MU-2 High Intensity District: A triangular dedication measuring 5 feet by 5 feet is required at street, access easement, and alley intersections in which there are no traffic signals or all-way stop signs; No dedication is required at all-way stops and signalized intersections.
4. Special Needs Note – {The existing driveway located at the intersection of 25th and Ephriham shall be relocated to no closer than 75 ft. from the intersection.}
5. Parkway Permit - Place a note on the final plat that states: “Parkway improvements such as curb & gutter, pavement tie-in, drive approaches, sidewalks and drainage inlets may be required at time of building permit issuance via a parkway permit.”
6. Sidewalks - Sidewalks shall be required for all streets as per City of Fort Worth Standards.

Comments made by TPW staff cannot be waived by the Zoning Commission.

Recent Relevant Zoning and Platting History:

- Zoning History: ZC-10-089 Council-initiated rezoning of various districts, approved by City Council 07/08/10 subject area
- Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Ephriham Ave	Major Arterial	Major Arterial	No
N W 25 th St.	Residential	Residential	No

Public Notification:

The following organizations were notified:

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

*Within this neighborhood organization

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to “PD/E” for E uses plus auto repair, auto sales and outdoor tire display. Surrounding land uses consist of single-family to the north, commercial retail to the east and west, and duplex to the south. The proposed site is located on the corner of a principal arterial and a residential street with several waivers being requested because of the residential adjacency.

Based on surrounding land uses including the residential use across the street and facing the proposed structure, the proposed zoning for this site **is not compatible** at this location.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as Neighborhood Commercial and Single-Family. Auto repair, sales and tire display are first permitted by right in the FR thru K

zoning districts The requested zoning change is not consistent with the following Comprehensive Plan policies:

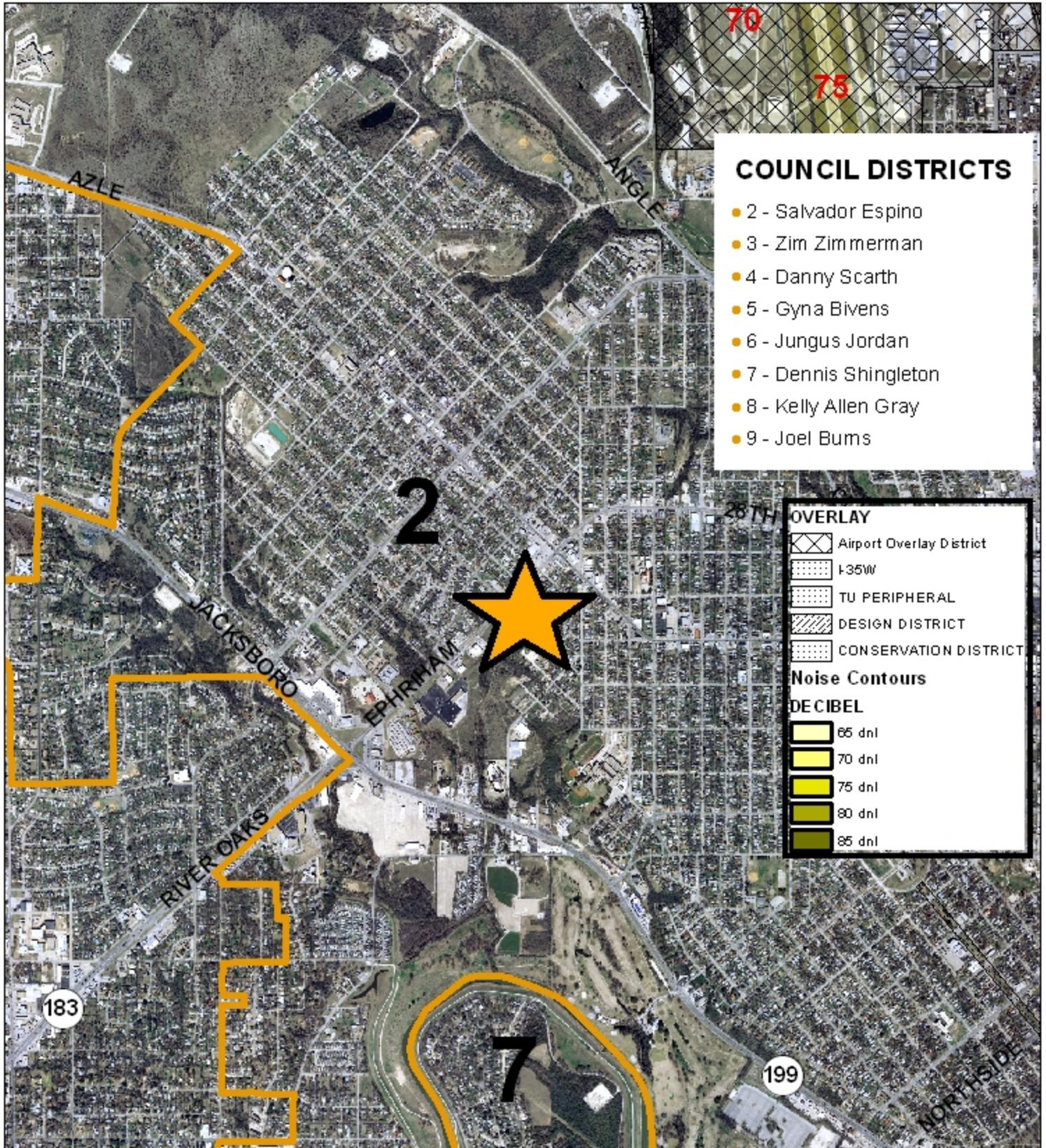
- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 37)
- Separate incompatible land uses with buffers and transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses. (pg. 38)

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

Attachments:

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

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

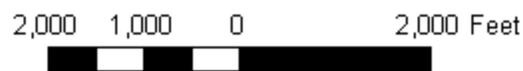
OVERLAY

- Airport Overlay District
- I-35W
- TU PERIPHERAL
- DESIGN DISTRICT
- CONSERVATION DISTRICT

Noise Contours

DECIBEL

- 65 dnl
- 70 dnl
- 75 dnl
- 80 dnl
- 85 dnl





ZC-14-084

Area Zoning Map

Applicant: Marvin & Connie Gallaway
Address: 2501 Ephriham Aveune, 2404 NW 25th Street
Zoning From: A-5, E
Zoning To: PD for E uses plus auto repair, auto sales and outdoor display of tires
Acres: 0.46358
Mapsc0: 61H
Sector/District: Northside
Commission Date: 07/09/2014
Contact: 817-392-2495

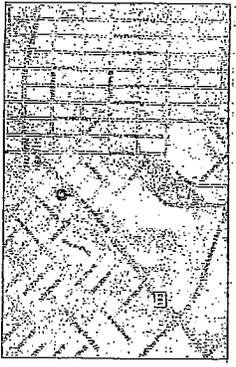


RECOMMENDED FOR APPROVAL

OWNER:
Marvin and Connie Galloway
2705 Hedgeway Drive
Arlington, TX 76016
817-313-1426

PROPOSED SITES:
2404 NW 25th Street
ROSEN HEIGHTS SECOND FILING
BLK 38 LOT 22

2501 Ephraim Avenue
ROSEN HEIGHTS SECOND FILING
BLK 38 LOTS 23 AND 24
Less 10' Str SE Side 24



APPROX.
Scale 1"=10'

SITE DATA	AS LACK
TOTAL SITE AREA (COMBINED)	45 ACRE
USE CATEGORY	PDE PLUS AUTO REPAIR
GROSS FLOOR AREA	6069 SQFT (1 BUILDING)
NUMBER OF STORES	1
BUILDING HEIGHT	11'-0"
TOTAL PARKING PROVIDED	74
BUILDING MATERIALS (EXISTING)	60% MASONRY, 30% METAL
BUILDING MATERIALS (PROPOSED)	60% MASONRY, 20% METAL, 20% ASPHALT/CONCRETE

- NOTE:**
1. Parking spaces denoted as "P-#". All spaces will conform to dimensions required by City Parking Layout Plan Ch. 6, Art. 2 of Fort Worth Zoning Ordinance. Handicap parking (1 space) to be placed in P-7 or P-8. "Employee Parking" and "Inventory" spaces are marked as such.
 2. Existing fence along alley is 6ft. metal fencing. Existing fencing between Lot 21 and Lot 22 compliant with a 3 foot concrete footing with a 6 ft. metal screen on top (6-ft metal fencing).
 3. The Display along Ephraim Avenue and alley is legal, non-conforming (height 5'9", not permanent - on display during business hours only).
 4. Requesting waiver for Auto Repair on premises adjoining residential district boundary.
 5. Requesting waiver to permit bay doors to face one or two family district.
 6. Site landscaping will conform to the Fort Worth Zoning Ordinance, Section 6.301, Landscaping.
 7. Site furniture will conform to Fort Worth Zoning Ordinance, Section 6.302, Urban Furniture.
 8. Signage will conform to Fort Worth Zoning Ordinance, Article 4, Signs.

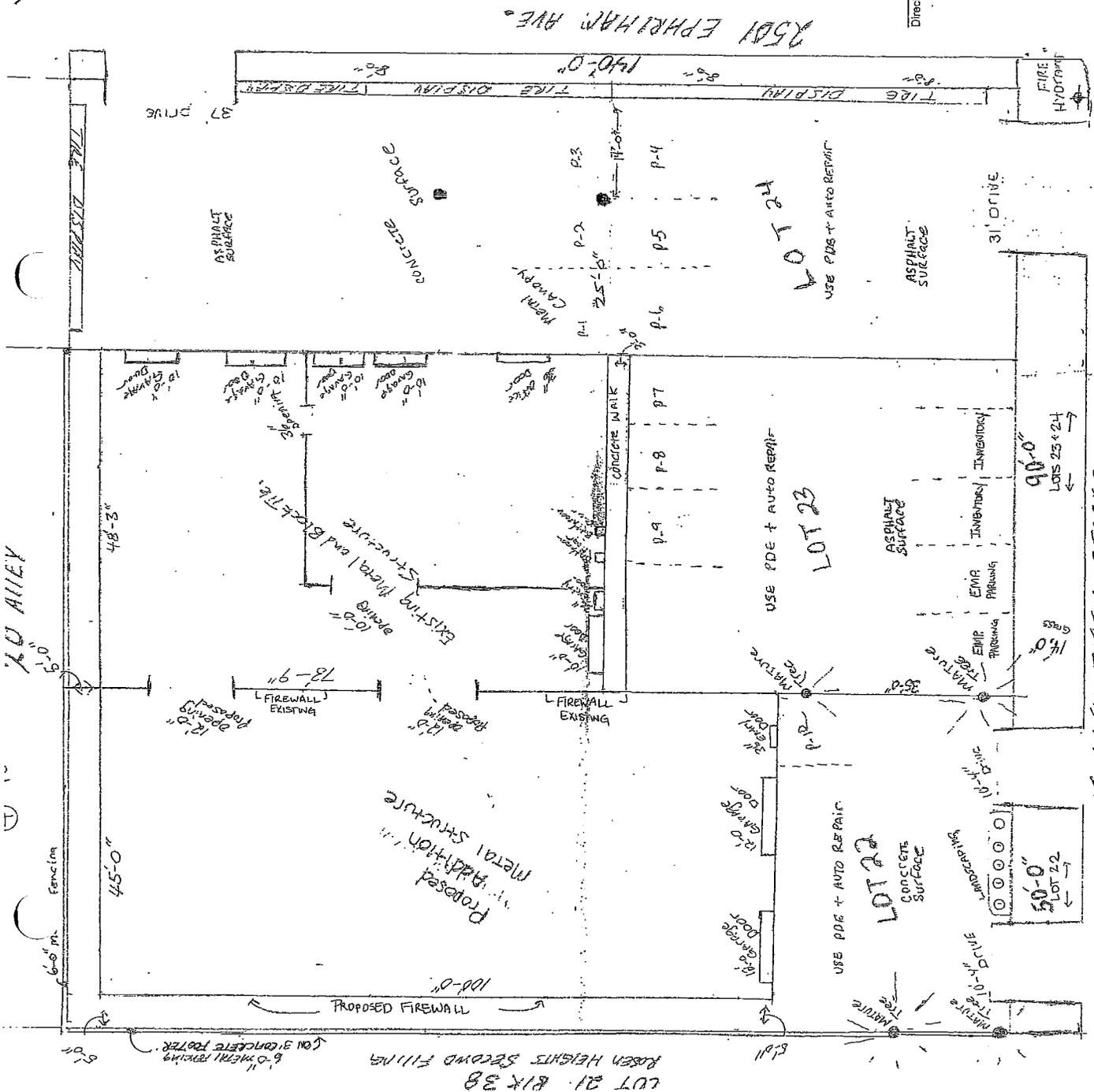
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JUL 15, 2014
BY: [Signature]

SITE PLAN for GALLOWAY 2014

ZC-14-084

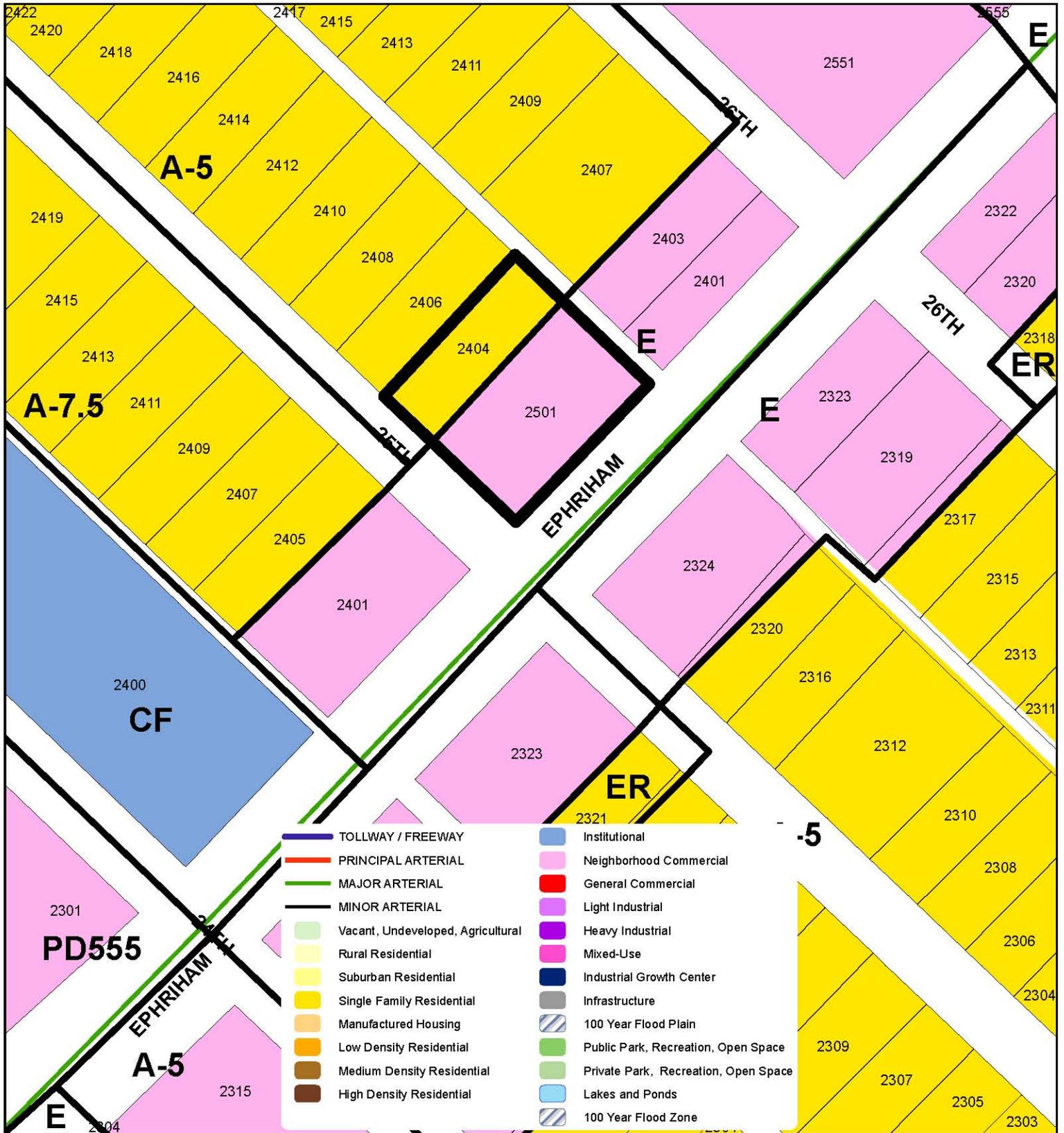
Zoning: PD-E plus AUTO REPAIR
Zoning Case Number: ZC-14-084

Director of Planning and Development _____ Date _____



June 11, 2014
Revised: June 30, 2014

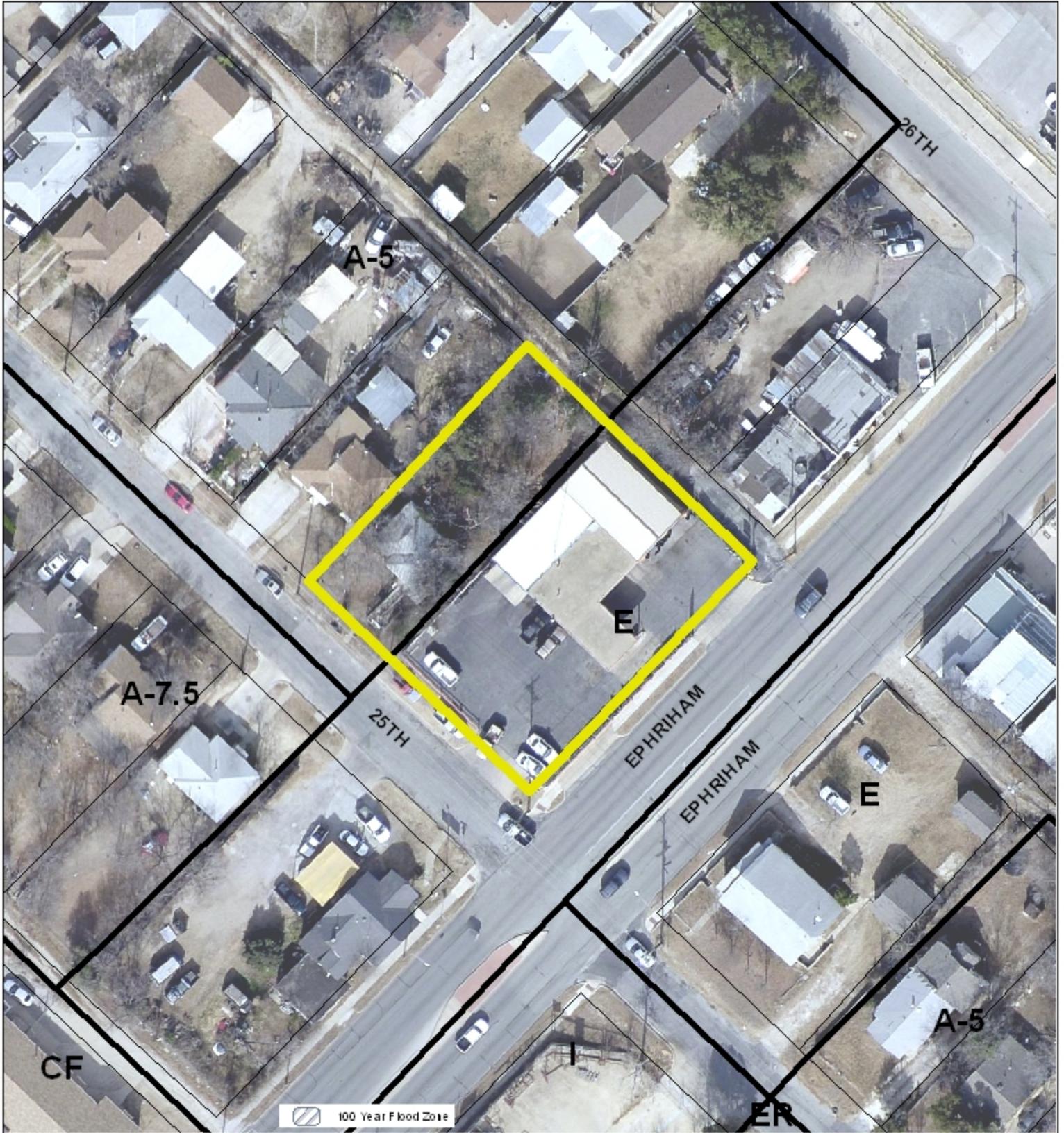
Future Land Use



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 Photograph



60 30 0 60 Feet

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