



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
October 14, 2014

Council District 3

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

Opposition: 4 letters received, one within 300 ft.
Support: None

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

Owner / Applicant: John Glenn Jr. & River Ranch Building Corporation

Site Location: 4429 Bellaire Dr. S Mapsco: 75X

Proposed Use: Automotive repair and Convenience Store with alcohol sales

Request: From: "FR" General Commercial Restricted

To: "F" General Commercial

Land Use Compatibility: Requested change is compatible.

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

Background:

The proposed site is located on the corner of Hulen Street and Bellaire Dr. The applicant is proposing to change the zoning from "FR" General Commercial Restricted to "F" General Commercial, which is consistent with the current surrounding zoning districts. The applicant would like to amend the zoning in order to allow for the sale of alcohol for off-site consumption and is not proposing to change into a bar. Other establishments in the area sell alcohol as retail sales, including Tom Thumb, Specs, and Trader Joe's.

The automotive use at the subject site has been in place for numerous years and will remain. The rezoning to "F" will continue to permit it as a legal use. The applicant requests to add alcohol sales within a small convenience store. The current zoning allows auto repair and commercial sales, however; "FR" restricts the sales of alcohol. If approved, the applicant will have to meet all Texas Alcohol Beverage Commission (TABC) requirements prior to selling alcohol from the site.

A letter of opposition was received from the FWISD concerning the proximity to Tanglewood Elementary. Measured in a straight line, property line to property line, the distance is approximately 584 feet and crosses a block of multifamily residential uses.

Site Information:

Owner: River Ranch Building Corporation
4200 S. Hulen Street
Fort Worth, TX 76109

Agent: Jeff Permann
 Acreage: 0.93 acres
 Comprehensive Plan Sector: TCU/Westcliff

Surrounding Zoning and Land Uses:

North "FR" Neighborhood Commercial Restricted / bank
 East "C" Medium Density Residential / multifamily
 South "C" Medium Density Residential; "A-5" One-Family / access to the Trinity River, multifamily, single-family
 West "F" General Commercial / bank

Recent Relevant Zoning and Platting History:

Zoning History: None
Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Hulen Street	Principal Arterial	Principal Arterial	No
Bellaire Dr.	Major Arterial	Major Arterial	NO

Public Notification:

The following organizations were notified:

Organizations Notified	
Tanglewood	FWISD
Overton Woods	

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "F" General Commercial Restricted to allow for alcohol sales at an existing auto repair and convenience store. Surrounding land uses vary with bank uses to the north and west, multifamily just east, and access to the Trinity River just south of the proposed site.

The automotive use at the proposed site has been in place for numerous years. The applicant intends to sell alcohol as part of a small convenience store. The site is located on the corner of two major streets and other establishments are located in the area that provide retail alcohol sales.

The proposed zoning **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as Low-Density Residential. The proposed "F" zoning is inconsistent with the future land use map. However, a review of the Comprehensive Plan is needed for this site. It is clearly a commercial business and located at the intersection of two major thoroughfares. Additionally, the proposed "F" zoning is consistent with the following Comprehensive Plan policies:

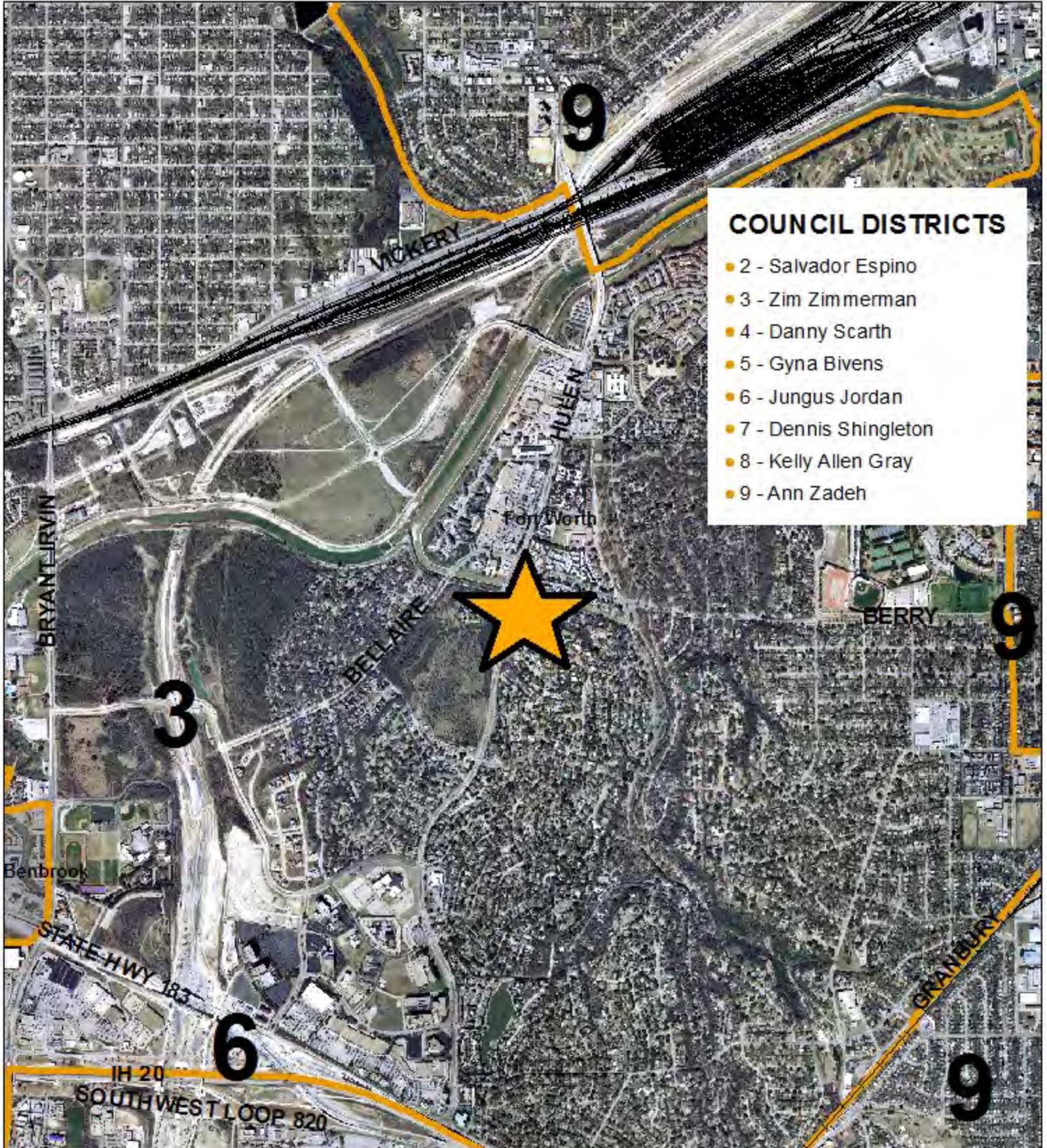
- Encourage development type and intensity appropriate to existing or planned street infrastructure by coordinating future land use map changes with the Master Thoroughfare Plan and an adopted Complete Streets policy. (pg. 39)
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)
- Locate large commercial and institutional uses adjacent to arterial streets, preferably at the intersections of other arterials and highways. (pg. 40)

Based on the lack of conformance with the future land use map, 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
- Minutes from the Zoning Commission meeting

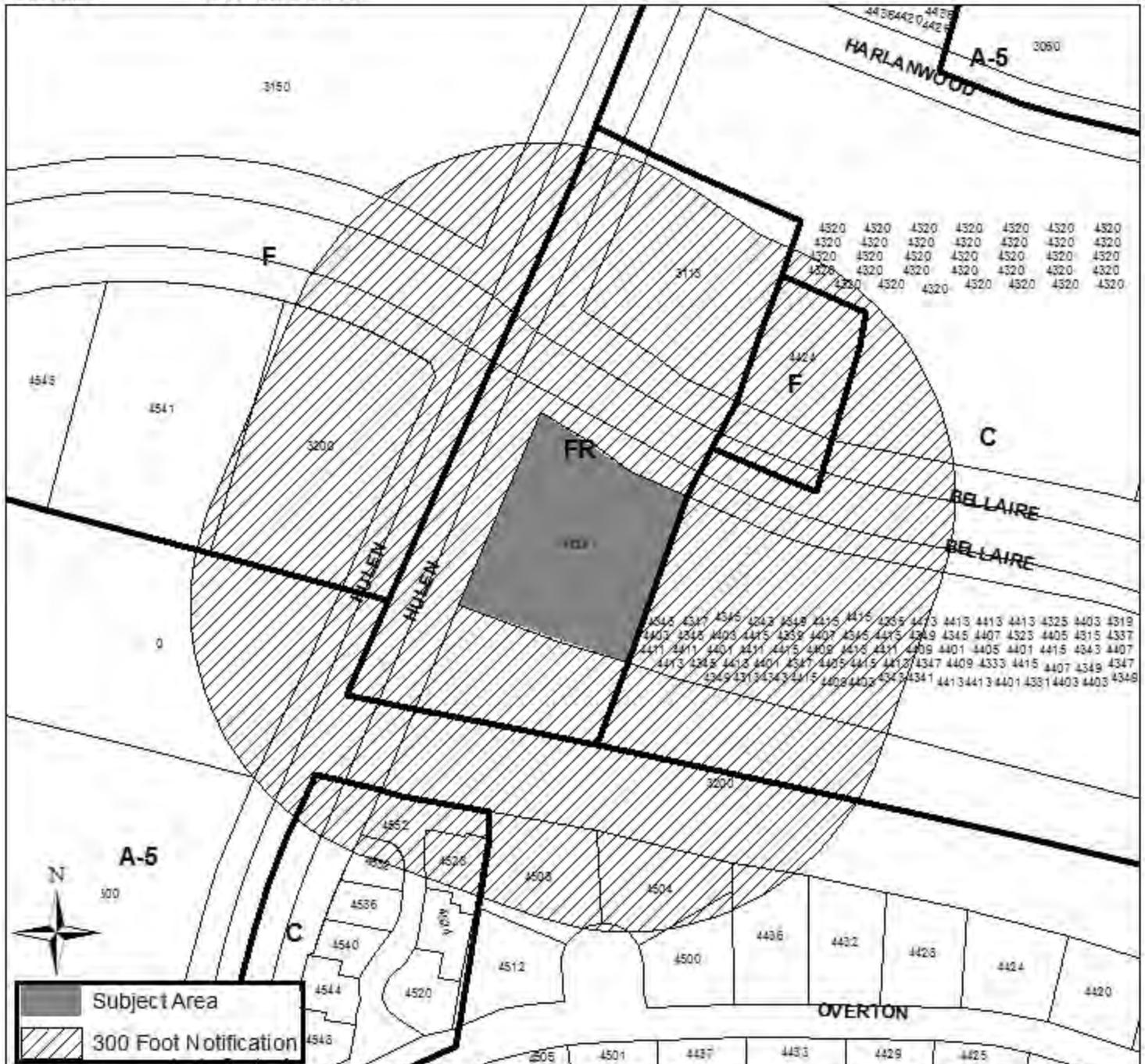
Location Map



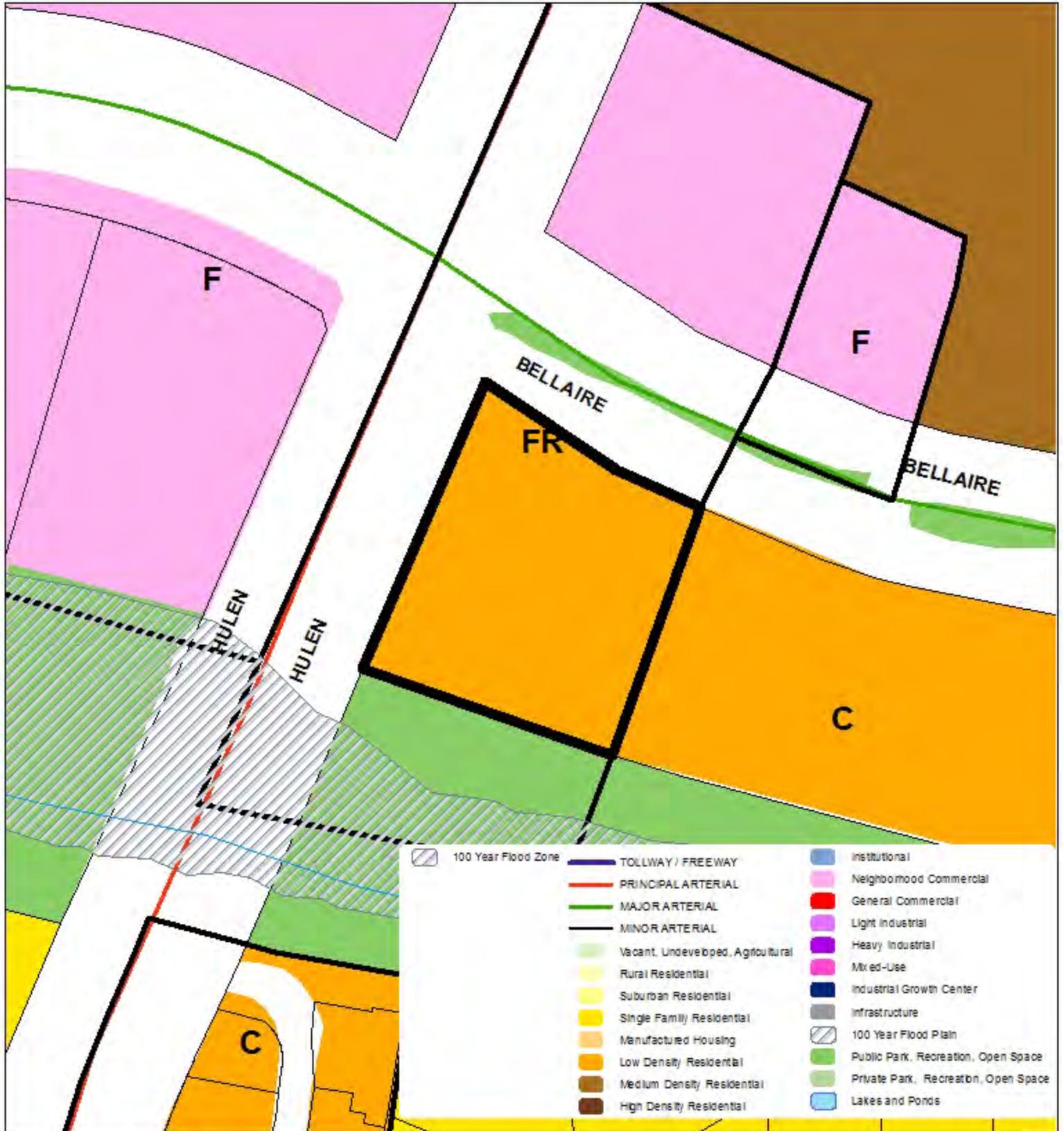


Area Zoning Map

Applicant: John Glenn Jr. & River Ranch Building Corp.
Address: 4429 Bellaire Drive South
Zoning From: FR
Zoning To: F
Acres: 0.937941
Mapsc0: 75X
Sector/District: TCU/W.cliff
Commission Date: 09/10/2014
Contact: 817-392-8043



Future Land Use



100 50 0 100 Feet

A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 219.002.) Land use designations were approved by City Council on March 18, 2014.



Aerial Photograph



100 50 0 100 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 18, 2014.



East Fort Worth Business Assoc	NA	Out	Opposition	Support	Sent letter in
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5. ZC-14-105 Gary and Deborra Baker (CD 7) – 7000 block Eagle Ranch Boulevard (D. C. Pace Survey, Abstract No. 1245, 2.33 Acres): from “A-5” One Family and “E” Neighborhood Commercial to “A-5” One Family

Bryan Holland, 1203 S. White Chapel Blvd, Suite 250, Southlake, Texas representing Gary & Deborra Baker explained to the commissioners the request to take the subject property to residential to accommodate the residential development that already exists. He stated that the site would be better suited for an amenity center for the residential development.

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

6. ZC-14-106 John Glenn Jr. and River Ranch Building Corporation (CD 3) – 4429 Bellaire Drive South (Tanglewood Addition, Block D, Lot 1, 0.94 Acres): from “FR” General Commercial Restricted to “F” General Commercial

Jeff Permann, 4429 Bellaire Drive South, Fort Worth, Texas representing River Ranch Building Corporation explained to the commissioners his request to rezone the subject property to “F” General Commercial to allow the sale of alcohol at the existing convenience store.

Mr. Reeves asked for the identification of surrounding businesses that presently sale alcohol. Mr. Permann stated that there was a Tom Thumb food store as well as two other establishments down the street from the site which included a Spec’s Liquor store.

Mr. Flores asked for clarification on the distance of a school in the vicinity. Ms. Burghdoff explained that the school was approximately 500 feet away from the site and was beyond the 300 feet required for alcohol sales.

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

<i>Document received for written correspondence</i>				ZC-14-106	
Name	Address	In/Out 300 notification area	Position on case		Summary
Brackett & Ellis/ FWISD	NA	Out	Opposition		Sent letter in
Harold & Marcia Maloesky	4500 Overton Terr	In	Opposition		Sent letter in
D S Billingsley	4403 Bellaire Dr	In	Opposition		Sent letter in
Jim & Linda Westbrook	4320 Bellaire Dr	In	Opposition		Sent letter in
Mary Lou Lyerla	4349 Bellaire Dr	In	Opposition		Sent letter in