



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
November 11, 2014

Council District 9

Zoning Commission Recommendation:
Approval by a vote of 9-0 as Amended to include Building Elevations

Opposition: 2 people spoke, 1 letter submitted
Support: Fort Worth South, Cooks Children's, 1 letter submitted

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

Owner / Applicant: **Oleander Properties**

Site Location: 1100 blocks Hurley, 7th, and Fairmount Avenue Mapsco: 76L

Proposed Use: **Multifamily**

Request: From: "NS-T4" Near Southside/General Urban
To: "PD/NS-T4N" Planned Development for all uses in "NS-T4N" Near Southside/General Urban Neighborhood with a building height up to five stories; site plan included

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

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

Background:

The proposed site is located south of Rosedale between Hurley and Fairmount within the Near Southside form-based district. The applicant is proposing to change the zoning from "NS-T4" Near Southside/General Urban to "PD/NS-T4N" Planned Development for "NS-T4N" Near Southside/General Urban Neighborhood zone to allow for a five story building including residential units and a parking garage. A waiver is being requested to allow the garage to front the right-of-way as shown on the site plan. The development is planned to include 327 units, 413 bedrooms, and 432 parking spaces – one parking space per bedroom plus an additional 19 spaces.

This case was heard before the Urban Design Commission on July 17, 2014 with a favorable recommendation 5-1 to send to the Board of Adjustment. The Board of Adjustment heard the case (BAC-14-053) on August 20, 2014 and recommended a Denial Without Prejudice, noting it should go through the zoning process.

Site Information:

Owner: Oleander Investments, LLC
1501 Dragon Street
Suite 102
Dallas, TX 75207

Agent: Jim Schell
Acreage: 2.98 acres
Comprehensive Plan Sector: Southside

Surrounding Zoning and Land Uses:

- North "G" Intensive Commercial / commercial
- East "NS-T4 & NS-T4N" Near Southside General Urban Neighborhood / office and parking lot
- South "NS-T4N" Near Southside General Urban Neighborhood / single-family
- West "NS-T4" Near Southside General Urban / commercial

Recent Relevant Zoning and Platting History:

- Zoning History: None
- Platting History: None
- BOA History: BAC-14-053 Denial without Prejudice 8/20/14

Site Plan Comments:

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. The deficiencies are:

1. Parking garage fronts the public right-of-way. (waiver required)
2. Maximum heights for NS-T4N are three stories unless shared with a common property line of a one or two-family house in which any portion of the building within 20 ft. shall not exceed two stories. (waiver is required)
3. Trash receptacle locations may need to be relocated so that truck traffic maneuvers on private property not public row.

Zoning Commission recommended waivers to items 1 & 2 above.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
W. Rosedale	Major Arterial	Major Arterial	No
Fairmount	Residential	Residential	No
Hurley	Residential	Residential	No
Oleander	Residential	Residential	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Fairmount	NUP- Neighborhood Unification Project
Fort Worth South, Inc.	Streams and Valleys, Inc.
Trinity Habitat for Humanity	Fort Worth ISD

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "PD/NS-T4N" Planned Development for Near Southside General Urban Neighborhood uses to allow for a height up to five stories. Surrounding land uses are commercial, office and parking to the north, west and east with single-family to the south.

Due to the existing surrounding office facility uses, and intensity of development, the proposed zoning is **compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as Mixed Use Growth Center. The proposed zoning is consistent with the following Comprehensive Plan policies:

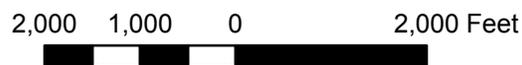
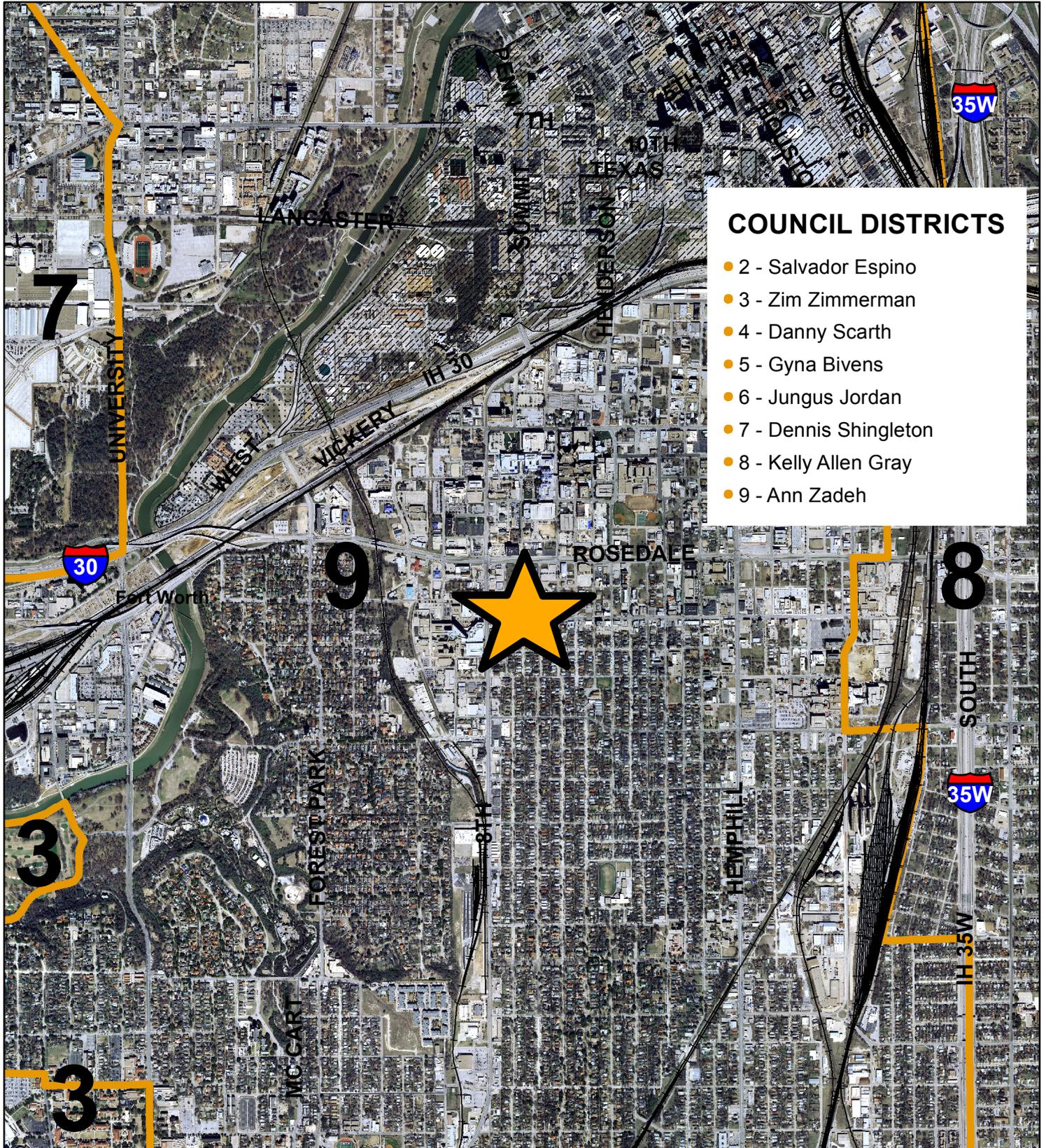
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)

Based on the conformance with the future land use map and policies stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

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

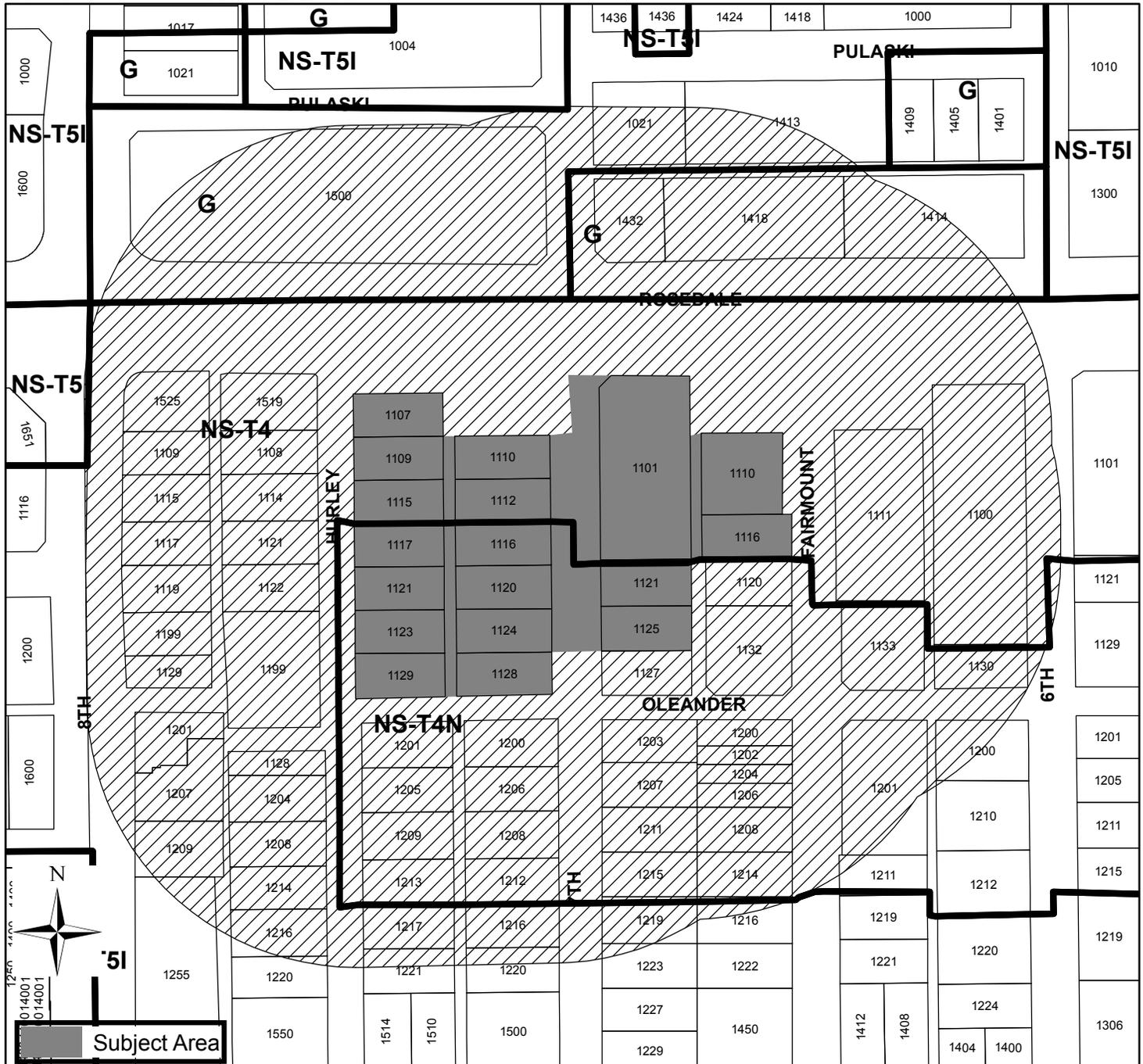




ZC-14-130

Area Zoning Map

Applicant: Oleander Properties
 Address: 1100 blocks Hurley, 7th, and Fairmount Aves.
 Zoning From: NS-T4N, NS-T4
 Zoning To: PD/NS-T4 for 5 story structure
 Acres: 2.989038
 Mapsco: 76L
 Sector/District: Southside
 Commission Date: 10/08/2014
 Contact: 817-392-2495

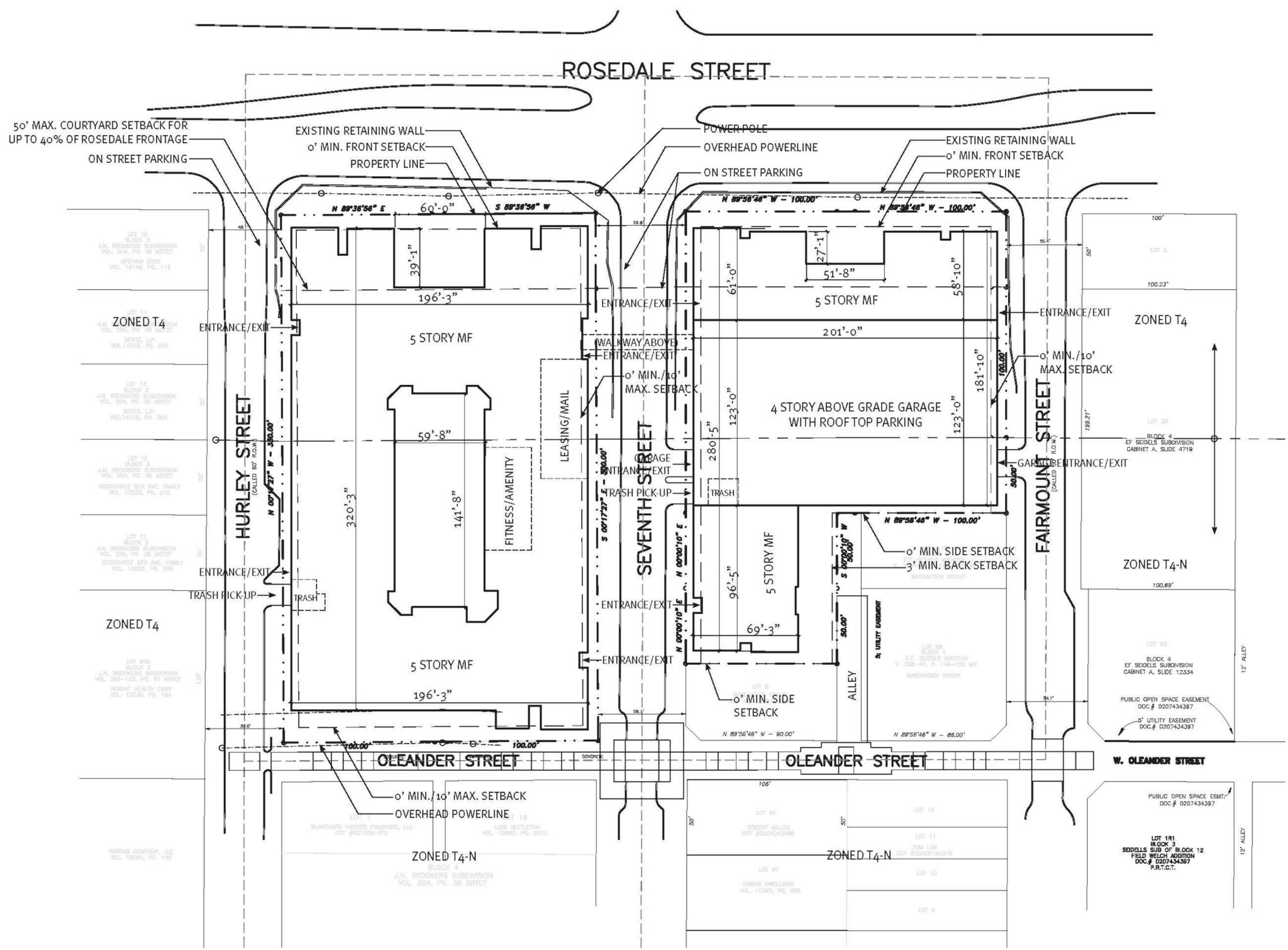
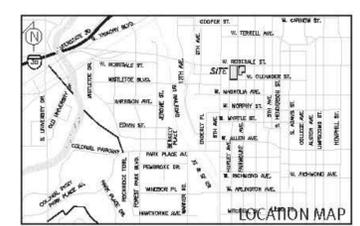


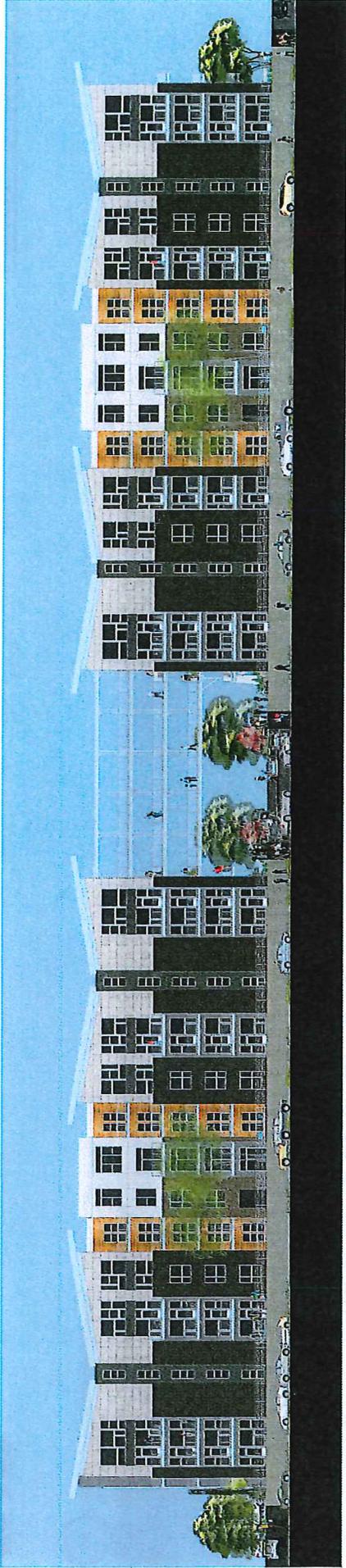
ZONING INFORMATION	
Proposed Zoning:	PD
Parking:	1 sp/bdrm + 1 sp/250 sf common area
Bike Parking:	1 rack/35 parking sp

PROJECT DATA	
Units:	327 Units
Average Unit Size:	848 sf/unit
Bldg. Height:	5 stories
Amenity:	4,500 sf
Density:	2.87 acres 114 units/acre
Approx. Gross Floor Area:	Residential: 345,000 SF Garage: 144,000 SF Total: 489,000 SF

NOTES	
ALL SIGNAGE WILL CONFORM TO LIGHTING CODE.	
ALL SIGNAGE WILL CONFORM TO ARTICLE 4, SIGNS.	
PROJECT WILL COMPLY WITH SECTION 6.301, LANDSCAPING.	
PROJECT WILL COMPLY WITH SECTION 6.302, URBAN FORESTRY.	
EXTERIOR CONSTRUCTION MATERIALS TO BE PRIMARILY BRICK, STUCCO, HARDIE PANEL & CEMENTITIOUS PANEL WITH STOREFRONT & VINYL WINDOWS.	

LEGAL DESCRIPTION	
Lots 2-14, Block 1: J.N. Brooker's Subdivision to the City of Fort Worth	
Lots 1, R1, 4R, 6, 7, 12 and 13R, Block 1: F.F. Seidells Subdivision to the City of Fort Worth	
LAND OWNER: Oleander Investments, LLC 1501 Dragon Street, Suite 102 Dallas Texas 75207 214-628-7822	





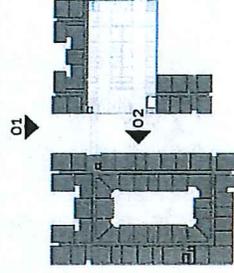
Rosedale Street

01



7th Ave - West

02



JHP

Oleander MF
Fort Worth, Texas



LANG PARTNERS

Conceptual Building
Elevations

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7th Ave - East

01



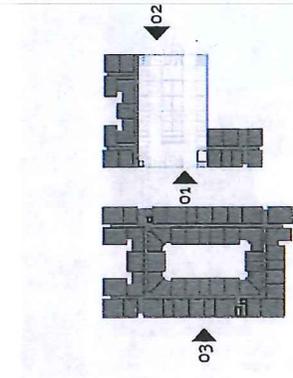
Fairmount Ave

02



Hurley Street

03



JHP

Oleander MF
Fort Worth, Texas

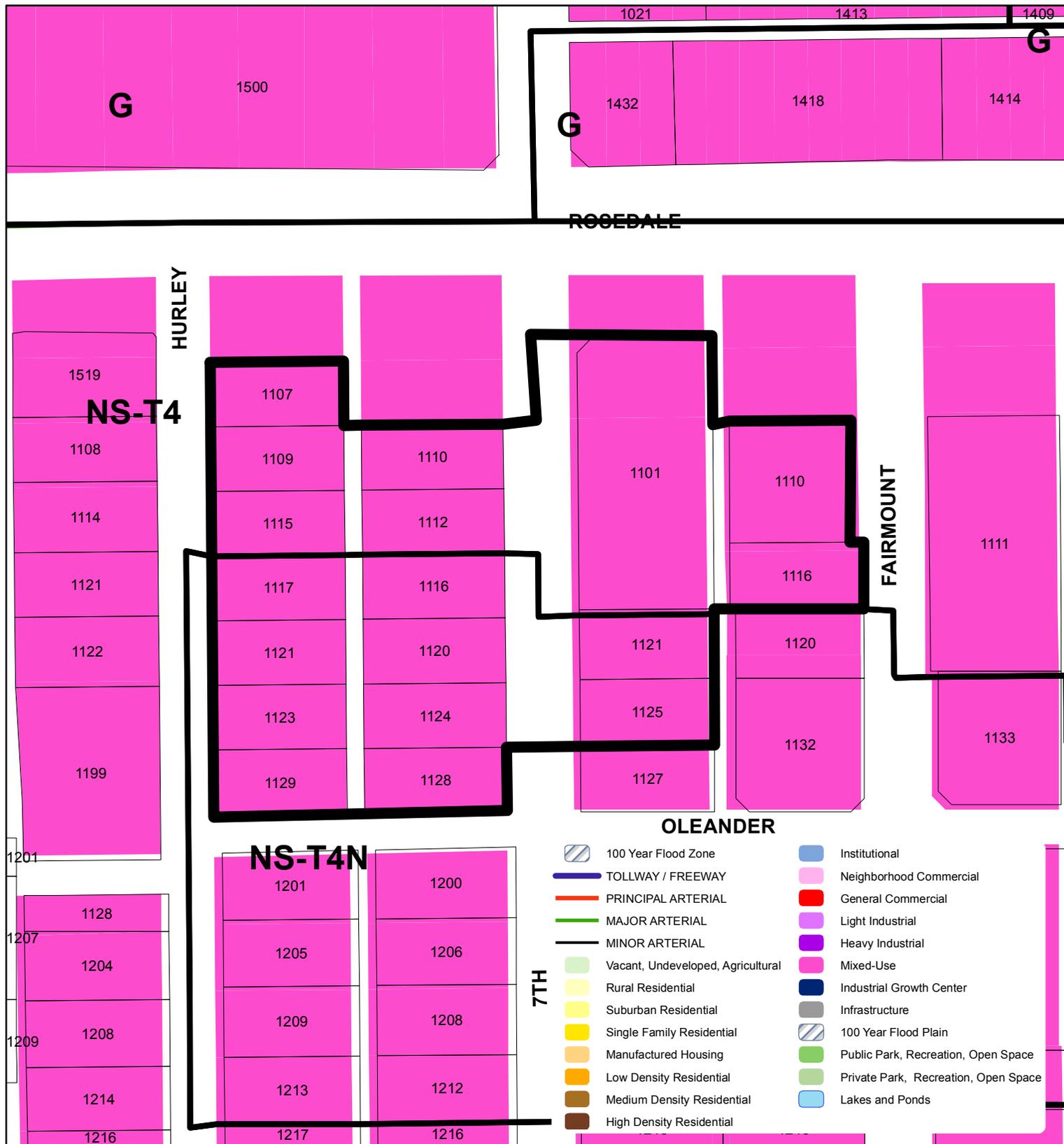


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Elevations

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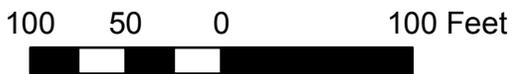
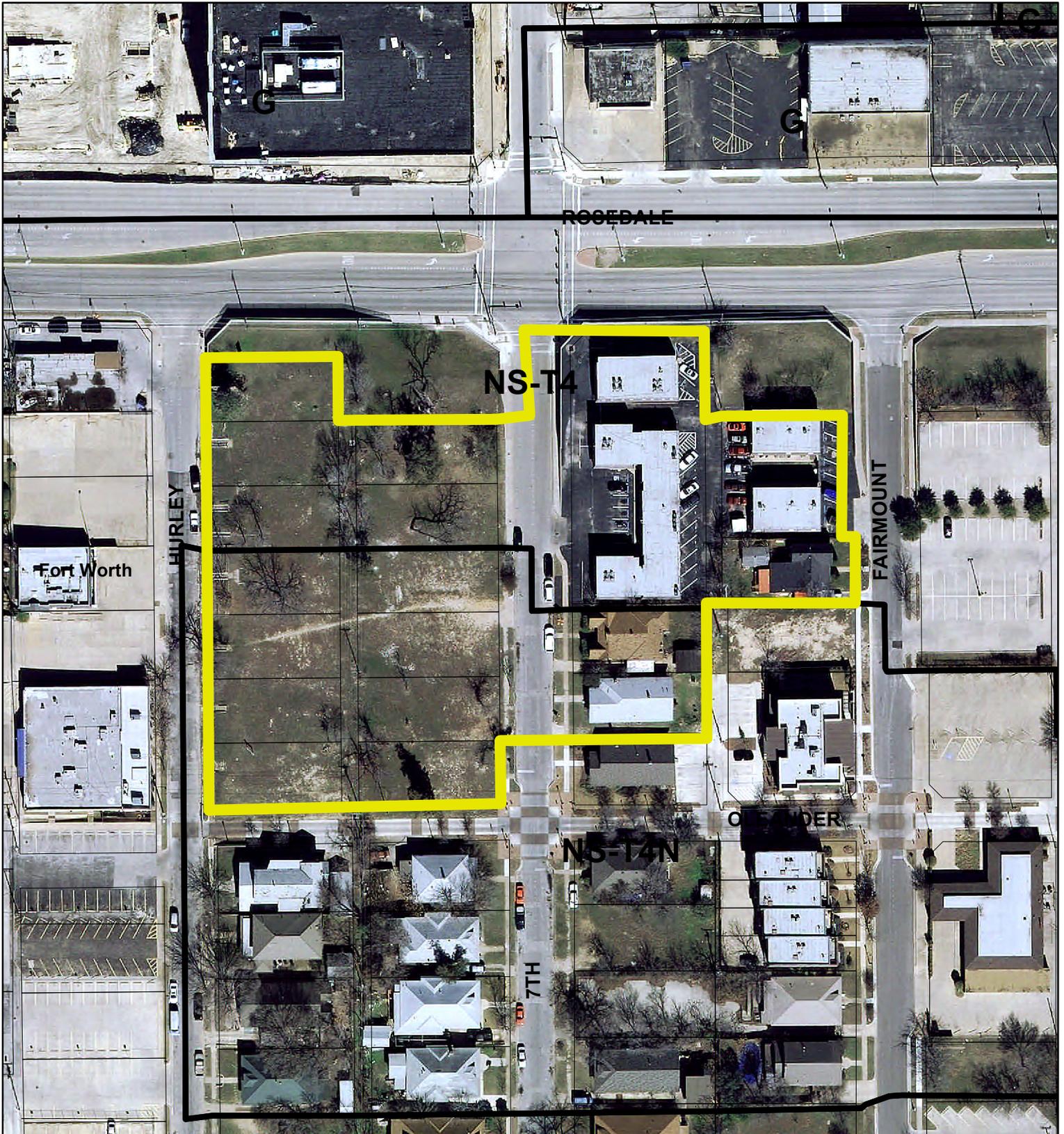
Future Land Use



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



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		300 ft notification area			
Mike Bosson/ Brookside NA	NA	Out		Support	Sent letter in

3. ZC-14-129 Rana Development Company, LLC (CD 9) – 2409 McPherson Avenue (Frisco Heights Addition, Block 7, Lots 19 & 20, 0.27 Acres): from “B” Two-Family to “PD/SU” Planned Development/Specific Use for duplexes; site plan included

Jake Proctor, 2236 Huntington, Fort Worth, Texas representing the property owner Rana Development Company, explained to the Commissioners they are requesting a 30 day continuance.

Paula Traynham, 2624 Lubbock, Fort Worth, Texas representing Frisco Heights NA spoke in support of the continuance.

Motion: Following brief discussion, Ms. Reed recommended a 30 day Continuance of the request, seconded by Ms. McDougall. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-14-129
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Paula Traynham/ Frisco Heights NA	2624 Lubbock	Out		Support/Continuance	Spoke at hearing
Annabel Ross	2628 Forest Park	In	Opposition		Sent letter in

4. ZC-14-130 Oleander Properties (CD 9) –1100 Block of Hurley, 7th, and Fairmount Avenue (J. N. Brookers Subdivision, Block 1, Lots 2-14 and E. F. Seidells Subdivision, Block 1, Lots 1R1, 4R, 6, 7, 12 and 13R, 2.98 Acres): from “NS-T4” Near Southside/General Urban to “PD/NS-T4N” Planned Development for all uses in “NS-T4N” Near Southside/General Urban Neighborhood with a building height up to five stories; site plan included

Jim Schell, 500 W. 7th Street, Suite 600, Fort Worth, Texas, representing Oleander Properties explained to the Commissioners the request is to construct a five story apartment complex. They will be tearing down an existing apartment complex. Mr. Schell presented a handout to the Commissioners. He said there will be 327 units, 413 bedrooms and 432 parking spaces, one space for every unit plus an additional 19 spaces. He submitted letters of support from various entities.

Mike Brennan, 1606 Mistletoe Drive, Fort Worth, Texas represented Fort Worth South and several of its entities and spoke in support. He explained that the neighborhood dialogue has

been going on since April and where the design has evolved. This will provide critical housing for the neighborhood. Mr. Brennan mentioned the letter of opposition that may raise questions and tactics involved in delaying the project. Questions rose at a neighborhood meeting last week about the traffic impact. He noted there are five major hospitals in the area that have done major expansions. These have created thousands of new car trips that are being accommodated through the street grid, and most of them are two lanes with no room to expand.

Ms. Reed asked if the handouts they were given was that what was agreed upon. Mr. Brennan said yes they are.

David Mellina, 3624 Westcliff Road, Fort Worth, Texas spoke in opposition, mentioned they own property adjacent to this site. Mr. Mellina said he has seen many renderings of the design elevations and would like to see the one that was handed in. He mentioned at the neighborhood meeting parking did come up and he asked why they can't comply as part of the PD and submit a traffic impact study. He had several concerns with height, setbacks, and parking. He went on to mention they built their building a few years ago and had to comply with the development standards.

Meda Bourland, 1206 Fairmount Avenue, Fort Worth, Texas spoke in opposition. She would support the project if they were to scale it back because too much traffic will come with this project. Oleander St. is a feature of the Near Southside District to facilitate walkability within the district. Ms. Bourland also mentioned the support letters were from businesses, not the neighborhood and people who live there. She would like to see them start at three stories then gradually step up to four or five stories.

In rebuttal, Mr. Schell noted the parking count is in compliance with the Zoning Ordinance. They have to build five stories in order to make it a high quality project.

Laura Voltman, City of Fort Worth responded to comments made by Mr. Mellina. She mentioned the Near Southside standards will apply and includes building materials. The PD requirements mentioned in Section 4.305 apply and enable staff to request information as needed. The PD request for this property indicates there is a need for an increase in height. The Near Southside development standards have guidelines in place for height, setback and architectural standards. Ms. Voltman stated that if a project is not within 250 feet of a one or two-family district, parking does not have to be provided whether it is commercial or residential. If dedication of an alley for a turnaround is required then it will be required at the platting stage. Ms. Voltman stated that a variance request was made with the Board of Adjustment to increase the height and was denied to be sent through the process for Zoning Commission and Council action.

Ms. Reed asked about the parking requirement. Ms. Voltman said in the Near Southside standards it states no off-street parking and loading is required unless adjacent to a one or two-family district.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request as Amended to include building elevations, seconded by Mr. Northern. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-14-130
Name	Address	In/Out 300 notification area	Position on case		Summary
Mike Brennan/ Fort Worth South	1606 Mistletoe	Out		Support	Spoke at hearing
David Motheral	3950 Summercrest	Out		Support	Spoke at hearing
Cook Children's Hospital	801 Seventh	Out		Support	Sent letter in
Jean Freeman/ NUP	NA	Out		Support	Sent letter in
Blanchard Harder Properties	1201 Hurley	In		Support	Sent letter in
David Mellina	3624 Westcliff Rd	In	Opposition		Spoke at hearing
Meda Bourland	1206 Fairmount	In	Opposition		Spoke at hearing

5. SP-14-009 Jaiambe Maa Investments, LLC (CD 3) – 2600 South Cherry Lane (Pt Lot B-1R, Block 2, West Plaza Addition, see metes and bounds, 2.10 Acres); Amended site plan for “PD-984” Planned Development to increase the hotel building height

Chetan Patel, 5544 Greenriver Court, North Richland Hills, Texas representing the property owner explained to the Commissioners they are requesting to increase the height of the hotel to four stories.

Mr. Reeves asked if the reason he is increasing the height to four stories is because of an easement he cannot construct in. Mr. Patel said that is one of the reasons; the other is Holiday Inn Express’s prototype is four stories.

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

<i>Document received for written correspondence</i>					SP-14-009
Name	Address	In/Out 300 notification area	Position on case		Summary
Barry Hudson/ Western Hills North NA	NA	Out		Support	Sent letter in
Exotic Landscapes LLC	2700 S Cherry Ln	In	Opposition		Sent letter in
Rachel Wiggins/ NAS	NAS/JRB	Out		Support with sound attenuation	Sent letter in
Stayfield	2730 S Cherry Ln	In	Opposition		Sent letter in