



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date**  
December 2, 2014

**Council District** 8

**Zoning Commission Recommendation:**  
Denial by a vote of 9-0

**Opposition:** 2 people spoke, representative Glencrest  
Civic League

**Support:** None submitted

Continued Yes \_\_\_ No X  
Case Manager Stephen Murray  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** **Anthony & Melissa Fernandez**

**Site Location:** 3106-3124 Alcannon Street, 5117 & 5119 Trueland Drive, 3131 E. Seminary Dr  
Mapsc0: 92F, K

**Proposed Use:** **Furniture sales and warehouse**

**Request:** From: "R2" Townhouse/Cluster and "E" Neighborhood Commercial  
To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus  
warehouse; 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 fronts East Seminary Drive to the south and Alcannon Ave to the north, near the intersection of Trueland Drive and Mansfield Hwy. The applicant is proposing a zoning change from "E" Neighborhood Commercial and "R2" Townhouse/Cluster to "PD/E" Planned Development for all uses in E plus warehouse, site plan included.

The applicant will continue to operate the furniture store along East Seminary Drive but would like to construct a 29,400 sf warehouse for furniture storage and pick-up on the vacant property on Alcannon. The applicant was storing trailers with furniture on this vacant lot and was cited by Code Compliance. The trailers have been moved and the applicant is requesting to construct this facility in order to be fully compliant with zoning code.

The proposed warehouse will be set back 50 ft. from the property line along Alcannon Ave with no access to this residential street allowed. The applicant plans to use the remaining space for landscaping, grass berms, trees and shrubs to enhance the area. The entire property will be screened by an 8 ft. fence. There will be no view to the internal truck loading area and all truck access will occur from E. Seminary Dr. and west to Trueland Dr.

There are several residences located adjacent this proposal. Warehouse uses are first allowed by right in "I" Light Industrial. This building would encroach into an established residential neighborhood. The bulk

of the commercial is located appropriately along E Seminary and Mansfield Hwy. This area also went through the Council Initiated rezoning process in order to match existing uses to current zoning districts and to reflect the neighborhoods vision of the area. The proposed warehouse would increase noise and traffic due to trucks entering and exiting on Trueland Ave.

Properties adjacent one or two-family districts will be required to provide a minimum 5 ft. landscape buffer, screening, and meet a point system through enhanced landscaping. The applicant also plans on enhancing the streetscape for the existing T-Mart along East Seminary Drive by providing additional trees along the frontage and in the parking areas.

**Site Information:**

Owner: Anthony and Melissa Fernandez  
 3137 E Seminary Dr.  
 Fort Worth, TX 76119

Acreage: 4.86 acres

Comprehensive Plan Sector: Southeast

Surrounding Zoning and Land Uses:

North "A-10" One-Family; "E" Neighborhood Commercial / single-family  
 East "A-10" One-Family; "E" Neighborhood Commercial / single-family, commercial  
 South "E" Neighborhood Commercial / commercial  
 West "B" Two-Family; "E" Neighborhood Commercial / single-family; commercial

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-10-117, from C, B, FR, to R2 and E; effective 10/1/10  
 Platting History: NA

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Trueland Ave.	Minor Arterial	Minor Arterial	No
Alcannon Ave	Minor Arterial	Minor Arterial	No
E Seminary	Major Arterial	Major Arterial	No

**Public Notification:**

The following organizations were notified:

Organizations Notified	
*Glencrest Civic League	Trinity Habitat for Humanity
United Communities Association	Streams & Valleys, Inc
Southeast Fort Worth Inc	Fort Worth ISD

\*within this neighborhood organization

**Site Plan Comments:**

The site plan as submitted is in general compliance with the zoning regulations. The applicant is requesting a waiver for the following items:

1. Parking waiver requested; site is deficient 18 parking spaces

Transportation/Public Works (TPW) site plan comments:  
 None Provided

*Comments made by TPW staff cannot be waived through the Zoning Commission. Approval of the site plan does not constitute TPW acceptance of conditions; traffic code will be applied to the project.*

**Development Impact Analysis:**

1. **Land Use Compatibility**

The applicant is proposing a zoning change to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus warehouse; site plan included Surrounding land uses are single-family and commercial to the east and west, single-family to the north, and commercial to the

south. The proposed warehouse would encroach into an existing single-family neighborhood with clear demarcation of commercial uses along E Seminary and Mansfield Hwy.

Based on surrounding land uses, the proposed zoning for this site **is not compatible** at this location.

2. **Comprehensive Plan Consistency**

The 2014 Comprehensive Plan designates the site as Single-Family. The requested zoning change is not consistent with the following Comprehensive Plan policies:

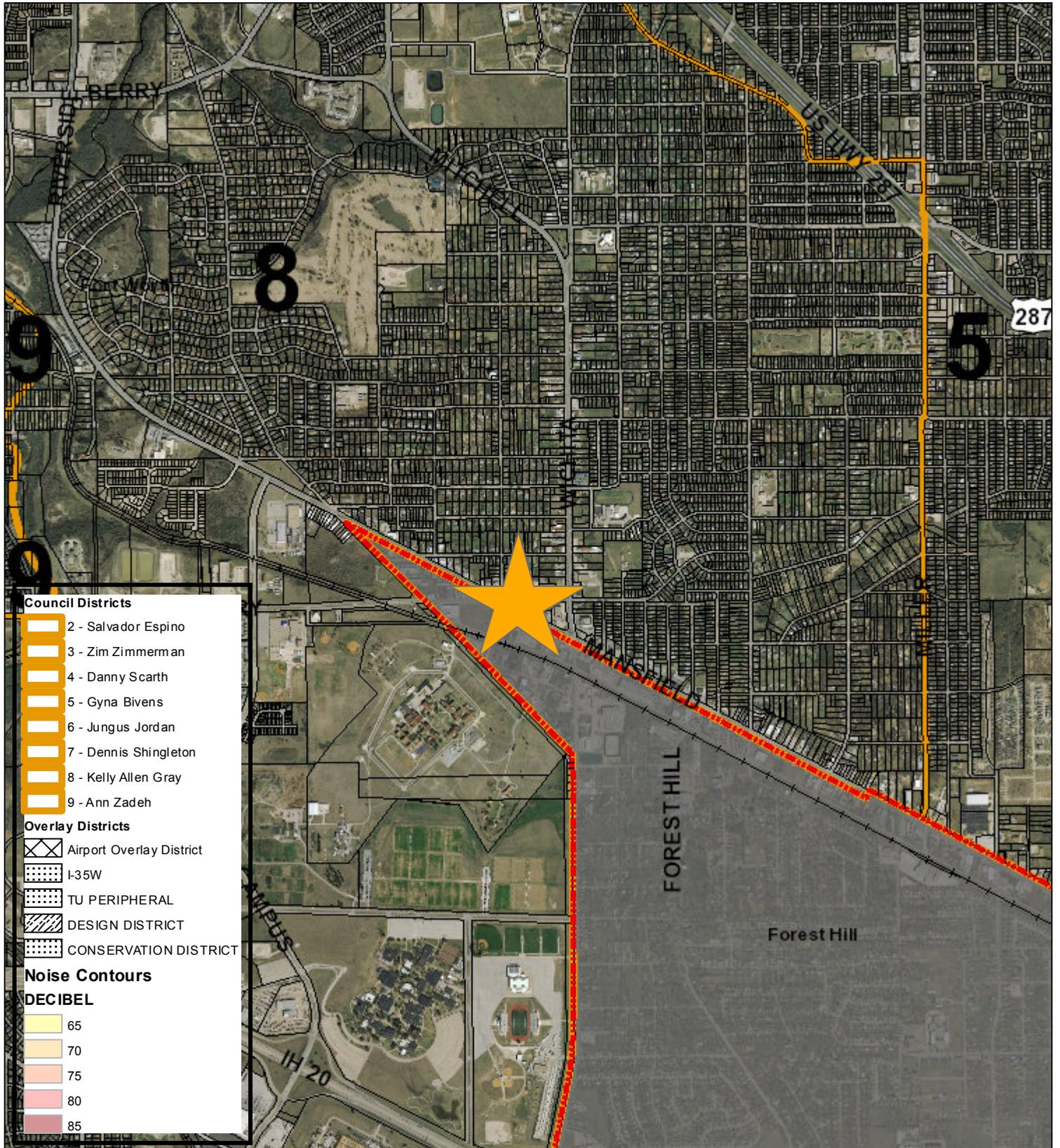
- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, demolition, neglect, and other negative forces. (pg. 37)
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational 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

### Area Map



**Council Districts**

- 2 - Salvador Espino
- 3 - Zim Zimmerman
- 4 - Danny Scarth
- 5 - Gyna Bivens
- 6 - Jungus Jordan
- 7 - Dennis Singleton
- 8 - Kelly Allen Gray
- 9 - Ann Zadeh

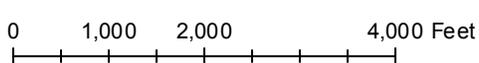
**Overlay Districts**

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

**Noise Contours**

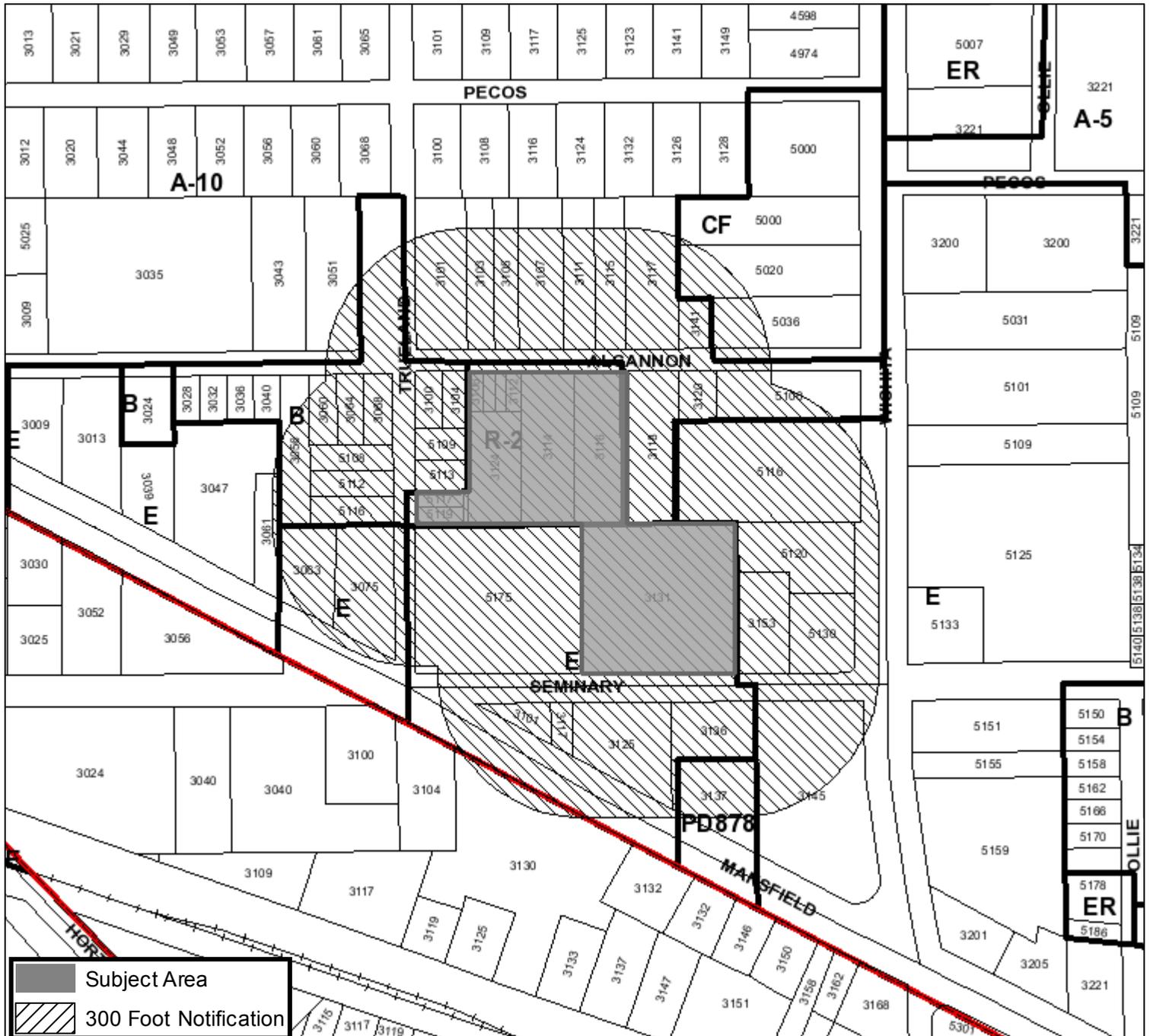
**DECIBEL**

- 65
- 70
- 75
- 80
- 85

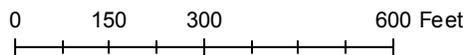


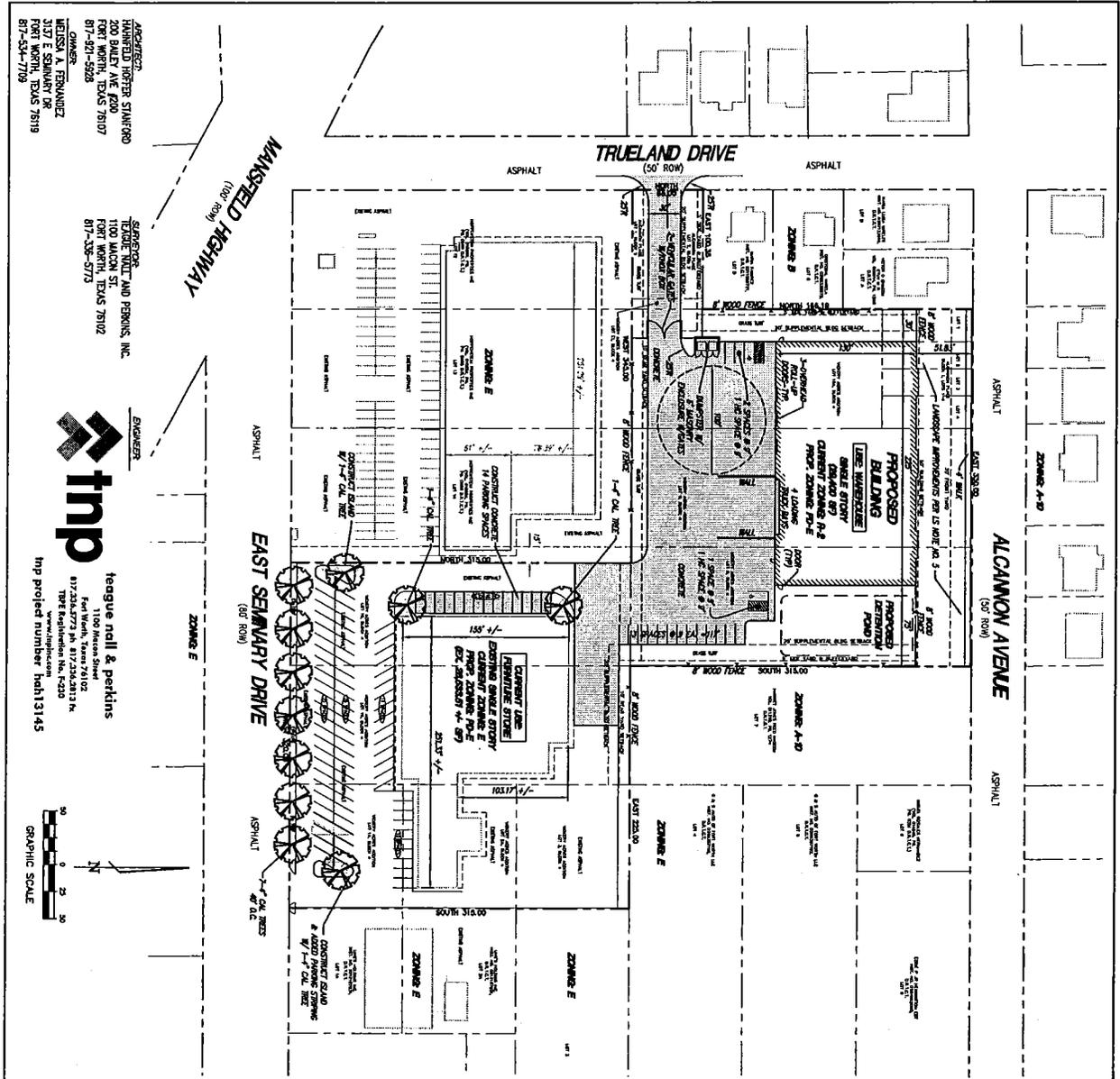
### Area Zoning Map

Applicant: Anthony & Melissa Fernandez  
 Address: 3106-3124 Alcantonn St, 5117 & 5119 Trueland Dr, 3131 E. Seminary Dr  
 Zoning From: R2, E  
 Zoning To: PD for E uses plus warehouse  
 Acres: 4.86457474  
 Mapsco: 92FK  
 Sector/District: Southeast  
 Commission Date: 11/12/2014  
 Contact: 817-392-8043



	Subject Area
	300 Foot Notification





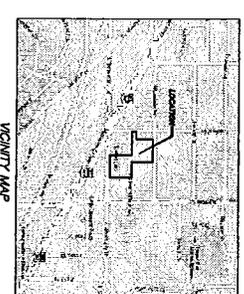
APPLICANT:  
 TERRY W. FRISBIE  
 2001 BALT WOODS  
 FORT WORTH, TEXAS 76107  
 817-501-5928

OWNER:  
 MELISSA A. FERNANDEZ  
 FORT WORTH, TEXAS 76119  
 817-504-7709

AGENT:  
 STANLEY J. AND PERKINS, INC.  
 1100 W. MARKET ST.  
 FORT WORTH, TEXAS 76102  
 817-338-5773

ENGINEER

teague nail & perkins  
 1000 PINE STREET, SUITE 102  
 FORT WORTH, TEXAS 76104  
 817-234-2773 FAX 817-234-2113  
 TYPED REGISTRATION NO. 6330  
 www.tnperkins.com  
 tnp project number hdn13145



DIRECTOR OF PLANNING AND DEVELOPMENT  
 DATE \_\_\_\_\_

ZONING CASE NUMBER: ZC-14-144  
 SITE PLAN NUMBER: SP-XX-XXX  
 SITE PLAN FOR  
 T-MART  
 WAREHOUSE  
 ALCAÑON PLACE  
 LOT 14, BLOCK 1  
 LOT 13, BLOCK 2  
 VICINITY MAP AS SHOWN  
 LOT 14, BLOCK 1 OF LOT 3  
 AND LOT 13, BLOCK 2 OF LOT 3  
 CITY OF FORT WORTH, TEXAS  
 TOTAL ACREAGE: 4.86 AC.  
 OCTOBER 13, 2014

- SITE PLAN NOTES**
1. E ZONING RESTRICTIONS SHALL APPLY TO PROPOSED WAREHOUSE ONLY.
  2. PROPOSED WAREHOUSE IS RESTRICTED TO FURNISHING PRODUCTS ONLY.
  3. CHANGES TO THIS PLAN SHALL BE MADE BY THE APPLICANT.
  4. CURRENT FURNITURE STORE USE ON EAST SEMINARY DRIVE SHALL REMAIN THE SAME.
  5. LANDSCAPING FOR THE NORTHERN PORTION OF THE LOT SHALL COMPLY WITH SECTION 6.301, LANDSCAPING AND SECTION 6.302, URBAN FORESTRY REQUIREMENTS.
  6. LANDSCAPING (INCLUDING URBAN FORESTRY) FOR THE SOUTHERN PORTION OF THE LOT WILL BE AS SHOWN ON THIS PLAN.
  7. ALL TURNING AND EXTERIOR BUILDING MATERIALS FOR NEW BUILDINGS WILL CONFORM TO THE E ZONING AND THE URBAN CODE.
  8. ALL TURNING AND EXTERIOR BUILDING MATERIALS FOR EXISTING BUILDINGS SHALL CONFORM TO THE URBAN CODE.
  9. NO TRAILER STORAGE OR OVERHEAD STORAGE SHALL BE PERMITTED.
  10. NO VEHICLE ACCESS TO ALCAÑON AVE IS ALLOWED.

**BUILDING/PARKING DATA**

TOTAL BUILDING AREA	55,633.51 SF		
EXISTING (RETAIL USE)	26,333.51 SF		
PROPOSED (WAREHOUSE USE)	29,300 SF		
EXISTING RETAIL (26,333.51 SF)	REQUIRED	EXISTING	PROPOSED
(1 SPACE/290 SF)	108 SPACES	77 SPACES	88 SPACES
PROPOSED WAREHOUSE (29,300 SF)	18 SPACES		18 SPACES
(1 SPACE PER 4 EMPLOYEES + 1 SPACE MIN.)			
TOTAL PARKING REQUIRED	124 SPACES		
TOTAL PARKING PROVIDED	108 SPACES		

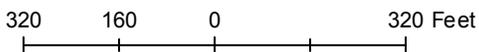
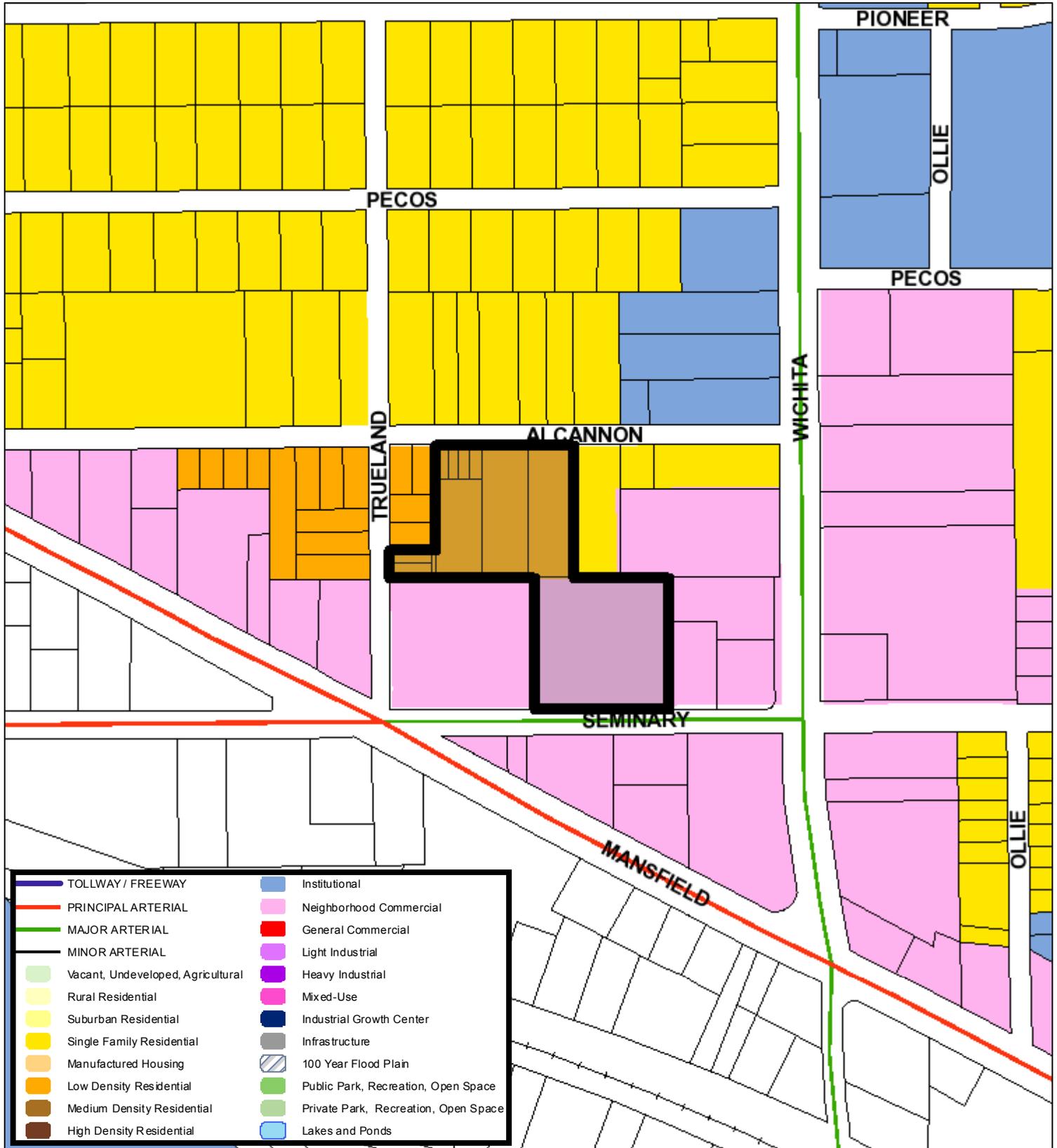
\*PARKING SPACES REQUESTED FOR EXISTING FURNITURE STORE

**PD ZONING SUMMARY**  
 SITE INFORMATION

AREA	4.86 AC.
ZONING TYPE	PD-E
EXISTING LAND USE	RETAIL/WAREHOUSE
ADDRESS	3135 E SEMINARY DRIVE FORT WORTH, TEXAS 76104

**RECOMMENDED FOR DENIAL**

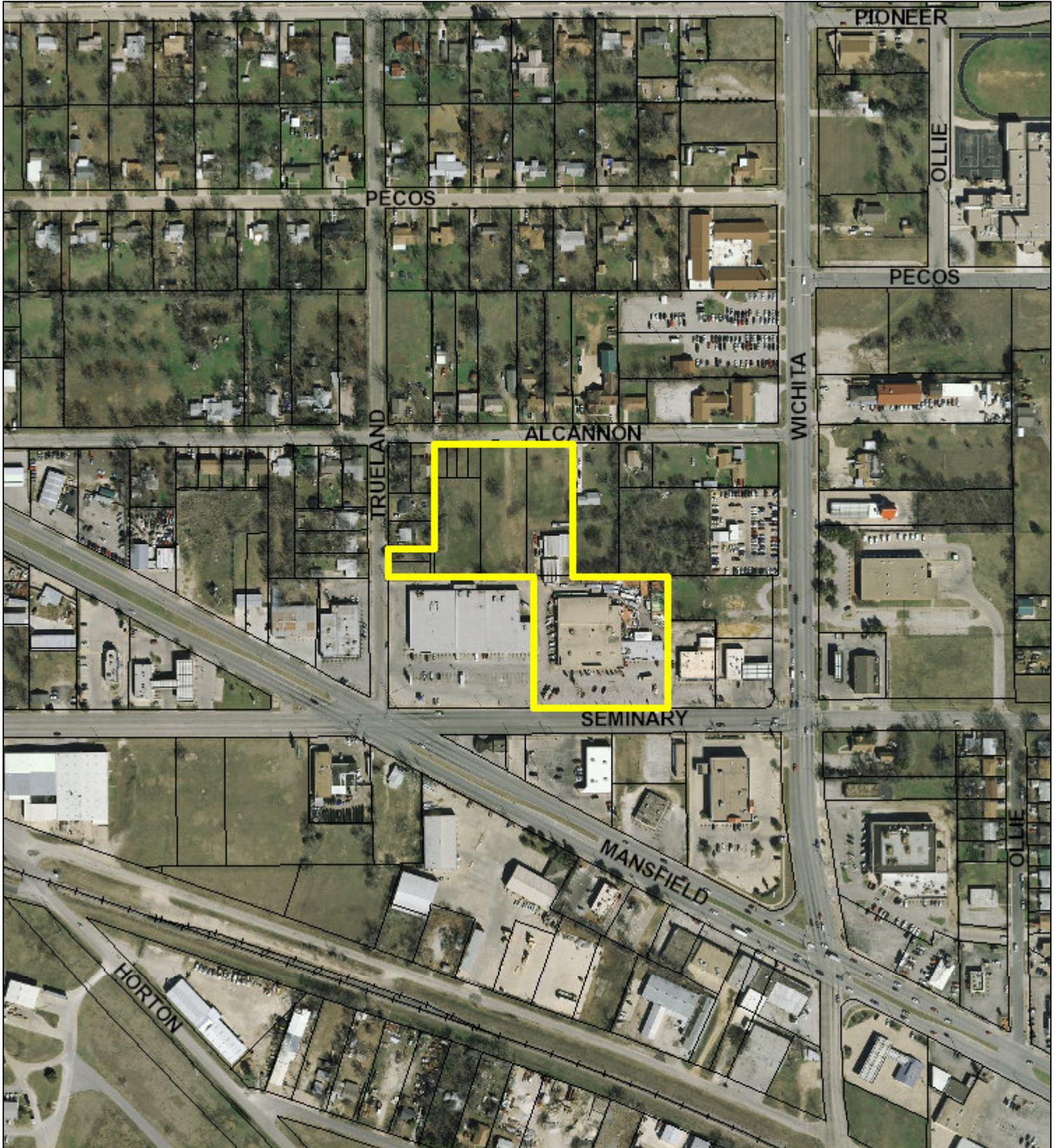
### Future Land Use



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 Photo Map



0 200 400 800 Feet



**6. ZC-14-144 Anthony & Melissa Fernandez (CD 8) – 3106-3124 Alcantonn Street, 5117-5119 Trueland Drive and 3131 East Seminary Drive (Vickery Acres, Block 4, Lots 1-3, 8-10, 15 & 16 and Alcantonn Place, Block 1, Lots 1-4, Block 2, Lots 1 & 2, 4.86 Acres): from “R2” Townhouse/Cluster and “E” Neighborhood Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus warehouse; site plan included**

Tom Rutledge, 1100 Macon Street, Fort Worth, Texas representing Melissa Fernandez explained to the Commissioners they are requesting a 30 day continuance. Mr. Rutledge explained they would like to talk to the neighborhood.

Several persons spoke in opposition to the case. Ms. Conlin mentioned she wants to move forward on the case today. The neighborhood does not want industrial zoning. Ms. Conlin made a motion to Deny the Continuance, seconded by Ms. McDougall.

Upon request of the applicant and with approval by the commissioners, Mr. Genua reopened the case to hear the presentation

Mr. Rutledge explained to the Commissioners his client has owned the business for several years and have had tractor trailers parked in the back of the property. In order for them to stay up with business they have purchased the property behind them to expand. They have committed to provide landscaping in the front with improvements to be made to the parking lot.

Ms. Moore mentioned the rendering displayed and asked if they could make the existing building look the same. He responded that the applicant will clean up the existing storefront. She asked what the new building will be used for. Mr. Rutledge said it will be used for storage of furniture for customers to pick up.

Mr. Flores asked about the furniture deliveries. Mr. Rutledge said he does not know that information.

Mr. Northern asked about plans to improve the existing structure. Mr. Rutledge said that was not part of the plan, the building in the back will be set back 50 feet of the property line to provide landscaping with no parking in front of the new building. Mr. Rutledge said the structure will be 35 ft.

Mr. Edmonds asked where the trucks are stored now and noted the residential houses along Trueland. Mr. Rutledge said they are on the shaded part of the site plan and indicated on the overhead. There will be no access off of Trueland; all of the access will be on Seminary and will provide screening from the residences.

Marie Love, 4832 Glen Eden Drive, Fort Worth, Texas President for Glencrest Civic League NA spoke in opposition. Ms. Love said she contacted the applicant. Ms. Love explained they have not been a good neighbor and there are residential lots on Alcantonn. Ms. Conlin asked if this was turned into Code Compliance. Ms. Love said no. They took pictures of the site and were not aware of the expansion. Ms. McDougall asked if they were willing to speak to him about the site. Ms. Love said not necessarily; they would like this to be voted on today. She said this is a

consignment place and they have not been good neighbors. Ms. Love said they have collected about 80 names in opposition.

Clifford Martin, 2405 Hillview Drive, Fort Worth, Texas spoke in opposition. They want to keep it residential.

Mary Ann Jones, 2538 Glencrest Drive, Fort Worth, Texas spoke in opposition. She originally said she would like to talk with the applicant and not address anything today but later spoke again and does not want to see industrial in the neighborhood.

Annie Jewel Day, 2900 Hunting Drive, Fort Worth, Texas spoke in opposition.

In rebuttal Mr. Rutledge explained some of the comments made are valid and would like the case to be continued so he can to speak to the opposition.

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

<i>Document received for written correspondence</i>					<b>ZC-14-144</b>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>ft</b>	<b>Position on case</b>	<b>Summary</b>
Clifford Martin	2405 Hillview	Out		Opposition	Spoke at hearing
Marie Love/ Glencrest Civic League	4832 Glen Eden	Out		Opposition	Spoke at hearing
Mary Ann Jones	2538 Glencrest	Out		Opposition	Spoke at hearing
Annie Jewel Day	2900 Hunting	Out		Opposition	Spoke at hearing

**7. ZC-14-145 156 Holdings LLC, and Kenneth, Mary and Samuel Laporis (CD 7) – 10365 Blue Mound Road and 600 Bonds Ranch Road (W. Redfield Survey, Abstract No. 1348, 13.29 Acres): from “I” Light Industrial to “PD/I” Planned Development for all uses in “I” Light Industrial plus mini warehouse; site plan included**

Coy Quine, 301 South Sherman Street, Suite 100, Richardson, Texas representing 156 Holdings LLC and the Laporis family explained to the Commissioners the request is to rezone three parcels to allow for a mini storage facility.

Motion: Following brief discussion, Mr. Northern recommended Approval of the request, seconded by Ms. McDougall. The motion carried unanimously 8-0 with Ms. Moore stepping away from the dias.

<i>Document received for written correspondence</i>					<b>ZC-14-145</b>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification</b>	<b>ft</b>	<b>Position on case</b>	<b>Summary</b>