



**ZONING MAP CHANGE  
STAFF REPORT**

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

**Council District** 7

**Zoning Commission Recommendation:**  
Approval by a vote of 8-1

**Opposition:** One person spoke; Two letters submitted  
**Support:** None submitted

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

**Owner / Applicant:** **BNM Properties**

**Site Location:** 8701 Old Decatur Road Mapsco: 33K

**Proposed Use:** **Grocery Store**

**Request:** From: "C" Medium Density Multifamily, "E" Neighborhood Commercial and PD 544 "PD/SU" Planned Development/Specific Use for one family residential development with 40 ft. lots and 5 ft. side yards; site plan required.

To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial with grocery store greater than 60,000 square feet; site plan included

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

**Comprehensive Plan Consistency:** Requested change is **consistent (Minor Boundary Adjustment)**.

**Background:**

The proposed site is located on Bailey Boswell near the corner of Old Decatur Rd. The applicant is proposing a zoning change from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial to allow a grocery store greater than 60,000 square feet; site plan included. The applicant would like to construct a single-tenant grocery store over 123,000 sf. The proposed site is located on two arterials which will support large scale retail development.

The proposed development will be required to meet the standards of Section 5.134 for a Large Retail Store including building materials and color, landscaping, architectural features, signs and setbacks.

Multifamily residential zoning is located directly to the north, which will provide a buffer for nearby single-family uses. The table below describes the Large Retail Standard and the waivers being requested. The applicant is required to construct a masonry/screening fence and provide a supplemental buffer adjacent to single-family districts. Parking areas will contain landscape islands and trees, as required. The applicant will request waivers for the following items:

<b>"E" district standards</b>	<b>Provided</b>
60,000 sf maximum building size	Proposed 123,494 sf building
1 space per 250 sf = 494 spaces	528 spaces (additional trees, landscape islands are required as mitigation)
Structures prohibited within 100 ft. of a One/Two Family district (100 ft. min. setback)	Structure located within 60 ft of a One or Two-Family district (60 ft. setback provided)
Minimum 20-foot irrigated and landscaped bufferyard shall be provided along all street frontages to screen the view of the property from the public rights-of-way	Parking located within 20 feet of public ROW

**Site Information:**

Owner: BNM Properties, L.P.  
6815 Manhattan Blvd. # 105  
Fort Worth, Texas 76120

Agent: Michael Clark  
Acreage: 14.57 acres  
Comprehensive Plan Sector: Far Northwest

**Surrounding Zoning and Land Uses:**

North "C" Medium Density Multifamily; "PD 544" "PD/SU" Planned Development/Specific Use for one family residential development with 40 ft. lots and 5 ft. side yards. Site plan required / single-family, vacant

East "E" Neighborhood Commercial; "C" Medium Density Multifamily; City of Saginaw / vacant, gas well

South "PD 503" "PD/SU" Planned Development/Specific Use for all uses in "A-5" One Family and a 20 foot wide landscape buffer along the eastern boundary. Survey containing twelve (12) flowering pear trees and a 6 ft. brick wall. Structures constructed on lots adjacent to landscape buffer shall be limited to one story in height. Waiver of site plan recommended; "E" Neighborhood Commercial / single-family vacant

West "B" Two-Family / single-family

**Recent Relevant Zoning and Platting History:**

Zoning History: None  
Platting History: Not filed

**Transportation/Access**

<b>Street/Thoroughfare</b>	<b>Existing</b>	<b>Proposed</b>	<b>In Capital Improvements Plan (CIP)</b>
Bailey Boswell Rd	County Road	Major Arterial	No
Old Decatur Rd	County Road	Major Arterial	No

**Public Notification:**

The following organizations were notified:

<b>Organizations Notified</b>	
Northwest Fort Worth Community Alliance	Streams & Valleys, Inc
Trinity Habitat for Humanity	Eagle Mt-Saginaw ISD

**Site Plan Comments:**

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

1. A minimum 20-foot irrigated and landscaped bufferyard shall be provided along all street frontages to screen the view of the property from the public rights-of-way.
  - a. Parking spaces are located within the within the 20 ft. setback. *A waiver is necessary.*

2. All structures shall be set back three feet from all one- or two-family residential districts or the property line of all property used for one- or two-family residential purposes for each one foot in overall vertical building height. *A waiver is necessary.*

**Zoning Commission recommended waivers to items 1 & 2 noted above.**

**Transportation/Public Works (TPW) site plan comments:**

1. Traffic Impact Study - Submit a Traffic Impact Study (TIS) for TPW approval. Include bicycle and pedestrian movements in accordance with the street design guidelines as the proposed development is located adjacent to a school site.
2. Free Right Turn Lane - Intersection of two major/principal arterials requires additional right-of-way dedication for a free right turn lane, including a 90 foot radius at the intersection.
3. Median Openings - Median openings will be reviewed by TPW at construction plans submittal. Median openings must be coordinated with surrounding developments.
4. Public Access Easement - Show the cross-section for the proposed Public access easement(s) and provide a letter of justification to the Director of TPW and the City Plan Commission for the proposed public access easements in lieu of public street right-of-way for access easements that do not meet the requirements of Section 31-106 (Street Standards) I (Access Easement Design Standards (Public Access Easements, Reciprocal access Easements, Private Drives or Ways) of the Subdivision Ordinance. Access easements are privately maintained but constructed to city street standards that is open to unrestricted and irrevocable public access and serve two or more lots each having a minimum of 100 feet of frontage as their primary means of access.
5. ROW Dedication: Partial - Dedicate ½ of 80' ROW for Old Decatur Rd. (Minor Arterial)
6. ROW Dedication: Partial - Dedicate ½ of 110' ROW for Bailey Boswell Rd. (Major Arterial)
7. Special Needs Note – {30 ft. public access easements shall be required adjacent to 90 degree angled on-street parking.}
8. Special Needs Note – {Provide 100ft. of throat between the driveway entrances and proposed public/shared access easement to improve vehicle stacking at the driveway intersections}
9. CFA - Community Facilities Agreement required for streets (to include border streets, alleys and access easements), lights, signs, sidewalks, and drainage improvements
10. Sidewalks - Sidewalks and street lights are required for all public and private streets and public access easements as per City of Fort Worth Standards.

*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.*

**Platting site plan comments**

1. FYI--A preliminary plat for the overall development and final plats for the individual properties would be required for the phased development as shown on the site plan

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

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing a zone change to "PD/E" Planned Development for all uses in "E" with a grocery store greater than 60,000 square feet, site plan included. Surrounding land uses are primarily single-family with vacant land and a gas well west. Neighborhood Commercial is compatible with the single-family near the proposed site. While the building will be a greater size than what is permitted in an "E" district, the commercial uses in the district will service the surrounding neighborhoods.

Additionally, the proposed site is located on the corner of two significant roadways. As a result, the proposed zoning **is compatible** with surrounding land uses.

**2. Comprehensive Plan Consistency**

The 2014 Comprehensive Plan designates the majority of the subject property as Neighborhood Commercial and Medium Density Multifamily. The proposed zoning **is consistent** with the Comprehensive Plan with a Minor Boundary Adjustment necessary for the multifamily area. However, a review of the Comprehensive Plan is necessary. The proposed "PD/E" zoning is

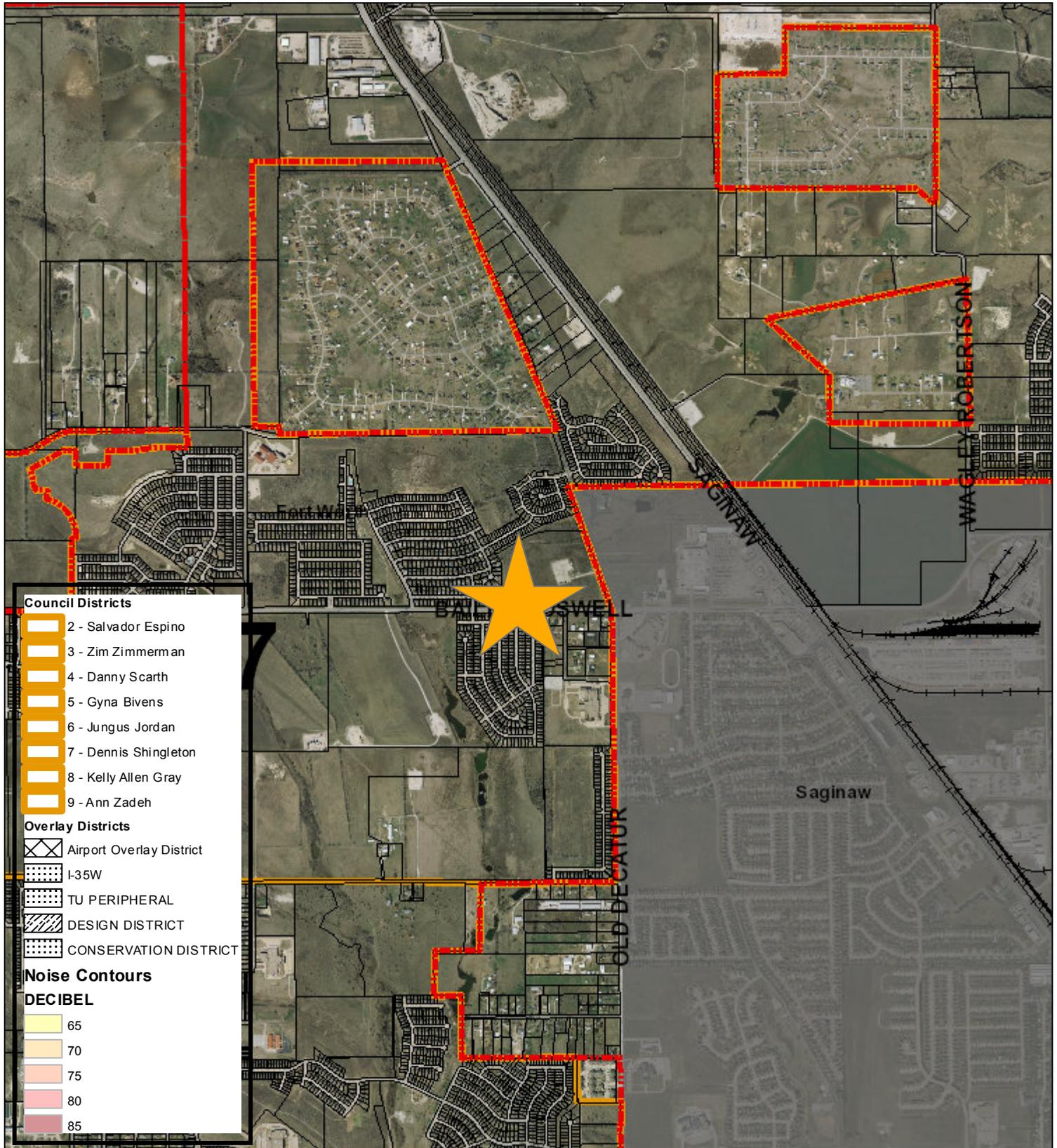
consistent with the following Comprehensive Plan policies, despite the primary anchor tenant exceeding the maximum square footage.

- Locate large commercial and institutional uses adjacent to arterial streets, preferably at the intersections of other arterials and highways (pg. 37)
- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)

***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

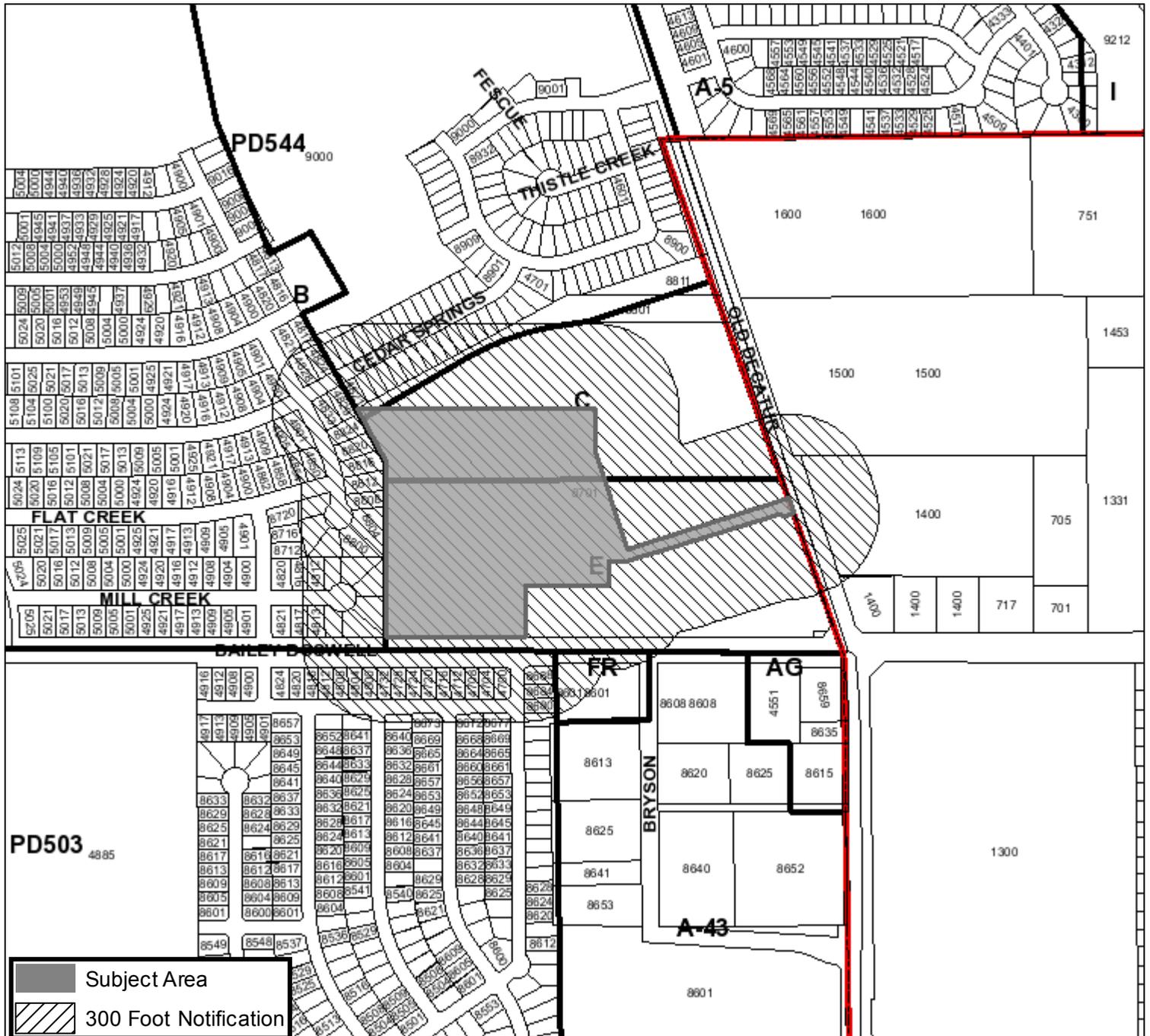
### Area Map



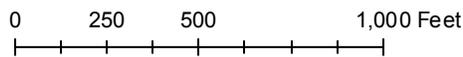
0 1,000 2,000 4,000 Feet

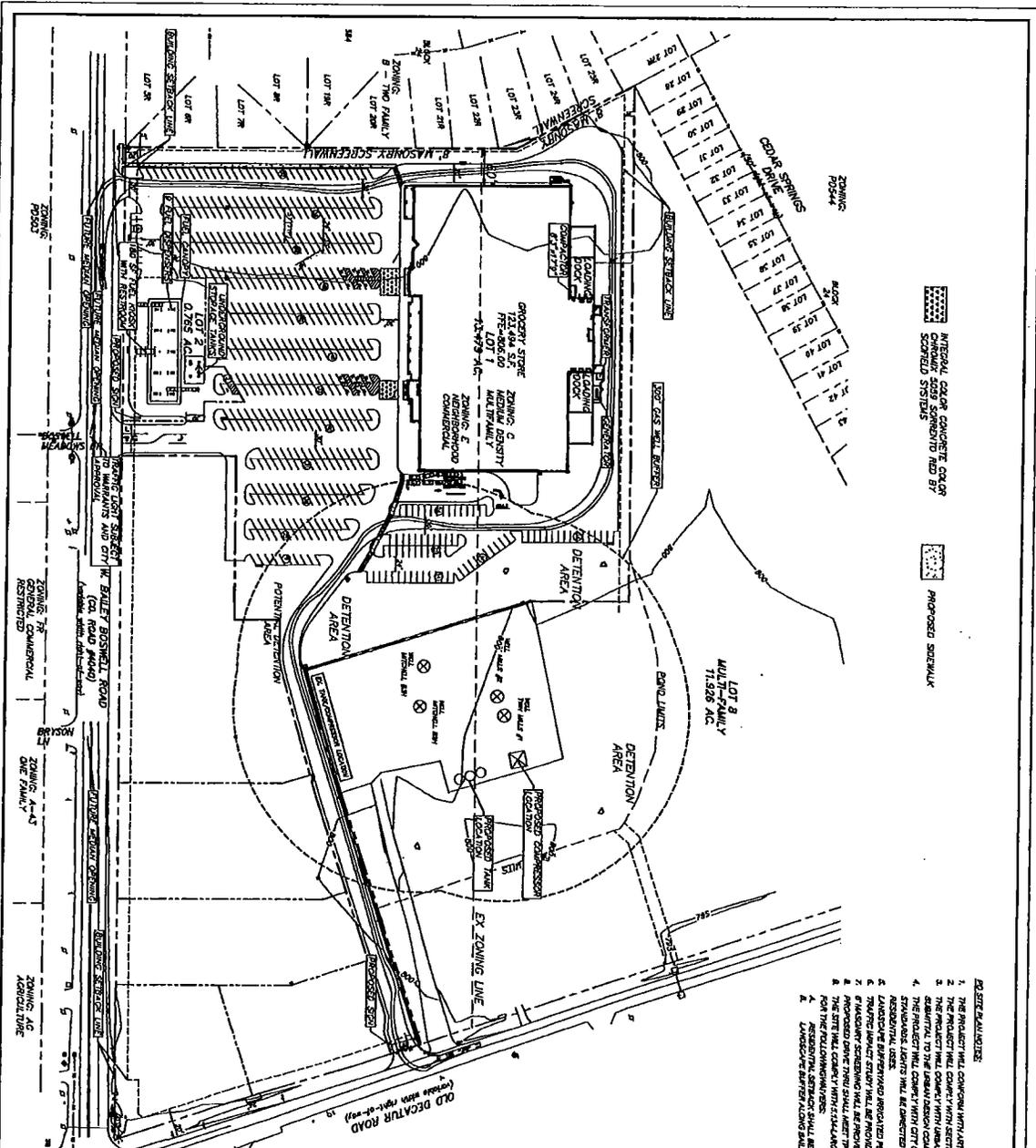
### Area Zoning Map

Applicant: BNM Properties  
 Address: 8701 Old Decatur Road  
 Zoning From: C, E, PD 544  
 Zoning To: PD for E uses plus grocery store over 60,000 square feet  
 Acres: 14.57383304  
 Mapsco: 33K  
 Sector/District: Far Northwest  
 Commission Date: 11/12/2014  
 Contact: 817-392-8043



 Subject Area  
 300 Foot Notification





- DE SITE EVALUATES:**
1. THE PROJECT WILL COMPLY WITH ALL APPLICABLE ZONING AND ORDINANCE REQUIREMENTS.
  2. THE PROJECT WILL COMPLY WITH ALL APPLICABLE ENVIRONMENTAL REQUIREMENTS.
  3. THE PROJECT WILL COMPLY WITH ALL APPLICABLE UTILITY REQUIREMENTS.
  4. THE PROJECT WILL COMPLY WITH ALL APPLICABLE TRAFFIC AND TRANSPORTATION REQUIREMENTS.
  5. LANDSCAPE IMPROVEMENTS RECOMMENDED BY THE ARCHITECT AND LANDSCAPE ARCHITECT.
  6. TRAFFIC IMPACT STUDY WILL BE PROVIDED FOR THE PROJECT.
  7. PROPOSED SIDEWALKS WILL BE PROVIDED FOR THE PROJECT.
  8. THE SITE WILL COMPLY WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REQUIREMENTS FOR THE FOLLOWING:
    - A. ACCESSIBLE SIDEWALKS SHALL BE AT LEAST 4 FEET WIDE.
    - B. SIDEWALKS SHALL BE AT LEAST 4 FEET WIDE.

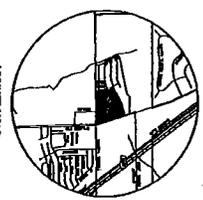
**SITE DATA TABLE**

CURRENT ZONING: C-AND E	FLUOR LOT
BUILDING AREA: 132,964 SF	430 SF
PARKING REQUIRED: 494 SPACES	2 SPACES
REQUIRED PARKING RATIO: 1/220 SF (MIN) 1/220 SF (MAX)	
PARKING PROVIDED: 577 SPACES	2 SPACES
LAND AREA: 13.479 ACRES	0.785 ACRES
HANDICAP PROVIDED: 11 SPACES	1 SPACES
USE: GROCERY	FUEL CENTER
COVERAGE: 21%	21%
BUILDING HEIGHT: 30 FEET	25 FEET

\* PARKING PROVIDED TOTAL INCLUDES HC PARKING

**RECEIVED**  
 OCT 30 2014  
 BY: \_\_\_\_\_

**ZONING SITE PLAN**  
 BOSEWELL MARKET PLACE  
 FORT WORTH, TEXAS SW376  
 PREPARED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_



ZC 14-148-

**ZONING SITE PLAN**  
**BOSEWELL MARKET PLACE**  
**FORT WORTH, TEXAS SW376**

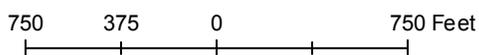
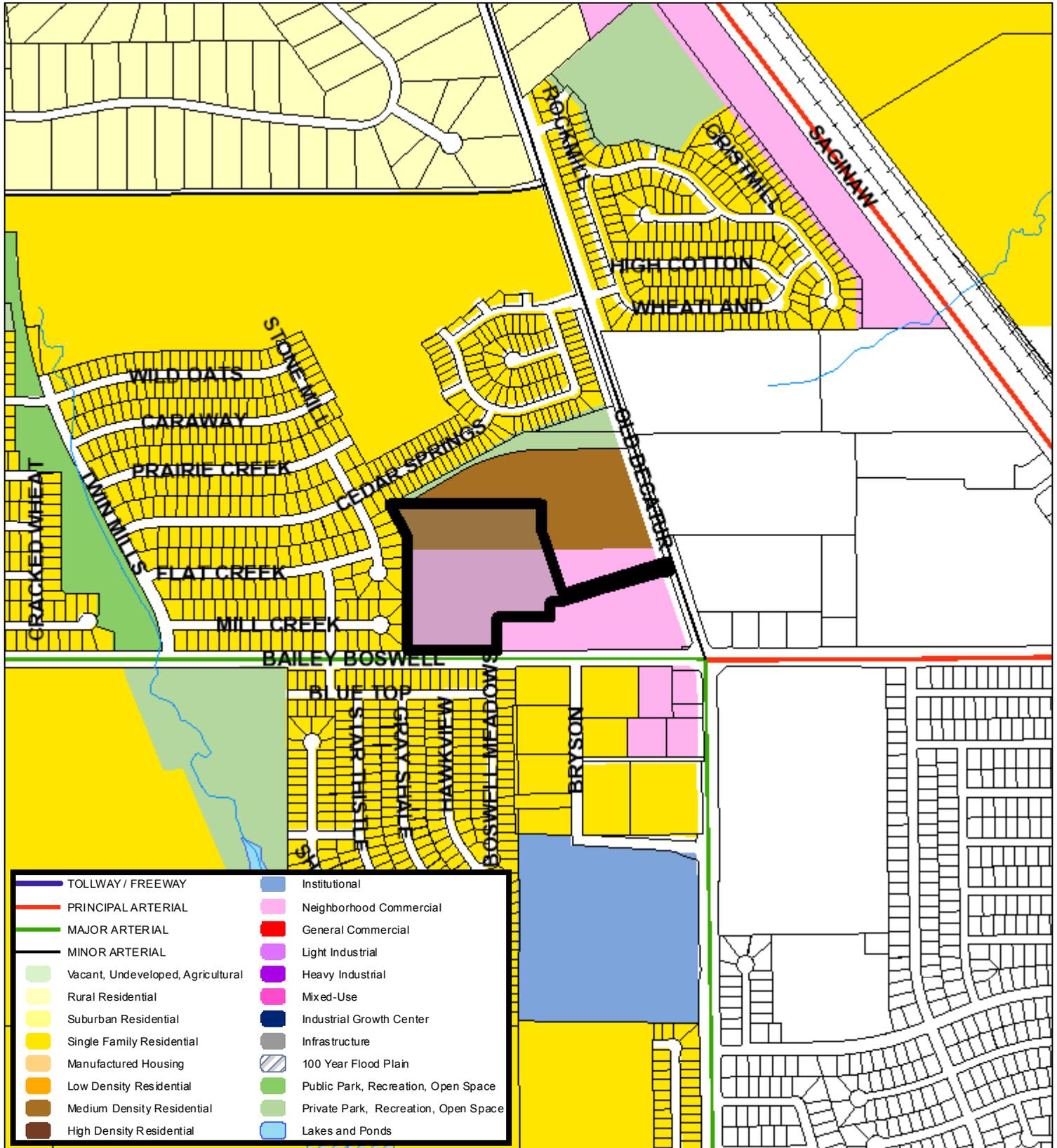
**RECOMMENDED FOR APPROVAL**

**Winkelmann & Associates, Inc.**  
 1100 W. CAMP STREET, SUITE 200  
 FORT WORTH, TEXAS 76102  
 TEL: 817.335.1100  
 FAX: 817.335.1101  
 WWW.WINKELMANN-AND-ASSOCIATES.COM

DATE: 10/20/2014  
 SHEET NO.: 1 OF 1  
 REVISION: \_\_\_\_\_

PSP-1.1

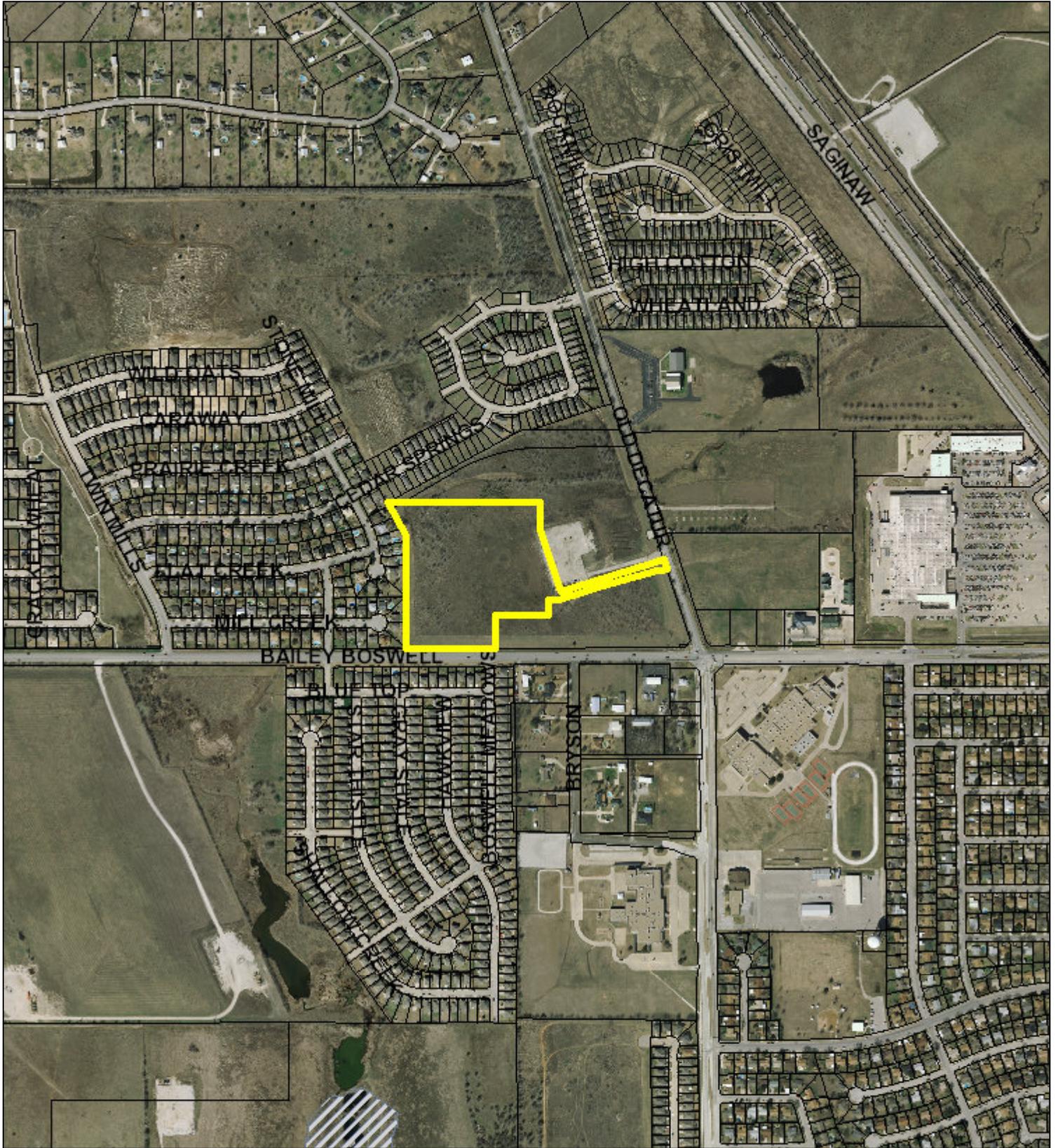
### Future Land Use



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



0 462.5 925 1,850 Feet



		area			
Wanda Chang	NA	Out	Opposition		Sent letter in

**8. ZC-14-147 A. M. Pate Jr. etal (CD 6) – 6500-6800 Block Dirks Road/Altamesa Boulevard (W. Redfield Survey, Abstract No. 1348, 471.95 Acres): from Unzoned to “A-5” One-Family, “PD/G” Planned Development for all uses in “G” Intensive Commercial and “PD/MU-2” Planned Development for all uses in “MU-2” High Intensity Mixed-Use with exclusions and development standards; site plan waiver requested**

Tom Galbreath, 550 Bailey Avenue, Suite 400, Fort Worth, Texas representing A. M. Pate Jr., etal explained to the Commissioners the request and presented a power point presentation. Mr. Galbreath said they held a meeting with the neighborhood on November 5, 2014 to hear the concerns from about possible uses, lighting and height. They have amended their request based on that meeting to change two areas to PD for G and PD for MU-2, excluding uses with development standards. The slide indicated future land uses for the project with the lifestyle center at the northern boundary, apartments with parking garages below, then residential detached two story homes. There will be mixed use along the eastern side adjacent to the Tollway.

Ms. Reed asked about the lifestyle center. Mr. Galbreath said it is the idea where you can live, work and play; a true mixed-use.

Mark Brister, 7905 Vista Ridge Drive North, Fort Worth, Texas spoke in support as long as the changes were made to a PD.

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

<i>Document received for written correspondence</i>					ZC-14-147
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Terry Jobe/ Quail Ridge HOA	7162 White Tail Ct	In		Support	Sent letter in
Mark Brister	7905 Vista Ridge	In		Support	Spoke at hearing

**9. ZC-14-148 B.N.M. Properties (CD 7) – 8701 Old Decatur Road (Heirs of Benjamin Thomas Survey, Abstract No. 1497, 14.57 Acres): from “C” Medium Density Multifamily, “E” Neighborhood Commercial, and “PD-544” Planned Development for one-family residential with forty foot lots and five foot side yards to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus grocery store over 60,000 square feet; site plan included**

Mike Clark, 6750 Hillcrest Plaza, Suite 325, Dallas, Texas representing BNM Properties explained to the Commissioners the request to build a large grocery store greater than 60,000 square feet.

Mr. Northern mentioned letters received in opposition. Ms. Clark said they have not reached out to anyone.

Ms. Moore asked what hardship there will be if they move the building back further. Mr. Clark said they are constrained by the buffers from the gas wells as on the east, and it is difficult to change the size and or manipulate a store prototype because of the interior layout.

Ms. Reed asked about the traffic adjacent to the residential. Mr. Clark said the trucks will drive through but there is no other activity on the west side of the building.

Mr. Northern asked how tall the retaining wall is. Mr. Clark said it is an 8 ft masonry screening wall.

Mr. Flores asked if they could move the building further to the east. Mr. Clark said they are close to the setback created from the gas well.

Pamela Smallwood, 4805 Mill Creek Trail, Fort Worth, Texas spoke in opposition and was not sure of what is being proposed.

Michael Franklin, 8601 Bryson Lane, Fort Worth, Texas spoke in opposition.

In rebuttal Mr. Clark said they are in the process of preparing a traffic study which will be submitted with the preliminary plat.

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

<i>Document received for written correspondence</i>					<b>ZC-14-148</b>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>Position on case</b>		<b>Summary</b>
Pamela & Kevin Smallwood	4805 Mill Creek	In	Opposition		Spoke at hearing
Michael Franklin	8601 Bryson Ln	In	Opposition		Spoke at hearing
Tim & Jill Keyrouze	8816 Crestbrook Dr	In	Opposition		Sent letter in
Werner & Carolyn Eisen	8820 Crestbrook	In	Opposition		Sent letter in

**10. ZC-14-149 City of Fort Worth Planning & Development (CD 4) AX-11-009 – 5200 – 5900 Block of Wall Price Keller Road (See addresses in case file, 76.72 Acres): from “AG” Agricultural to “A-10” One-Family and “PD/SU” Planned Development for all uses in “E” Neighborhood Commercial plus mini-warehouse; site plan waiver recommended**