



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
March 3, 2015

Council District 2

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

Opposition: Two letters submitted
Support: One person spoke, two letters submitted

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

Owner / Applicant: **Baldemar Martinez**

Site Location: 2405 & 2409 NW 20th Street Mapsco: 61G

Proposed Use: **Neighborhood Commercial**

Request: From: "A-5" One-Family
To: "E" Neighborhood Commercial

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

Comprehensive Plan Consistency: Requested change **is not consistent.**
(Technical Inconsistency)

Background:

The proposed site is located on the corner of Ephriham and NW 25th Street. The property is currently vacant and the applicant would like to change the zoning from "A-5" One-Family to "E" Neighborhood Commercial for undetermined commercial uses. Development will be required to meet all applicable requirements including setbacks, bufferyards, screening, landscaping and parking. The proposed site is located on a major arterial and will provide a commercial buffer to more intense uses along Ephriham.

The case was continued from the February 3, 2015 City Council meeting in order to allow for the neighborhood to meet with the applicant.

Site Information:

Owner: Baldemar Martinez
1220 Gould St
Fort Worth, Texas 76164
Acreage: 0.38 acres
Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

- North "A-5" One-Family; "CF" Community Facilities / single-family, vacant
- East "CF" Community Facilities; "E" Neighborhood Commercial / retail, vacant
- South "E" Neighborhood Commercial / commercial
- West "A-5" One-Family / vacant

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Ephriham Ave	Major Arterial	Major Arterial	No
NW 20 th St.	Residential	Residential	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Far Greater Northside Historical *	Castleberry ISD
Inter-District 2 Alliance	Lake Worth ISD
Trinity Habitat for Humanity	Fort Worth ISD
Streams & Valleys, Inc	

*Within this neighborhood organization

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to “E” Neighborhood Commercial. Surrounding land uses consist of single-family and vacant to the north, commercial retail to the east and south, and vacant land to the west. The proposed site is located on a major arterial and will provide a commercial buffer to more intense uses along Ephriham.

Based on surrounding land uses, the proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as single-family. The requested zoning change is not consistent the Comprehensive Plan. However, a case can be made to change the future land use along this portion of Ephriham to neighborhood commercial due to its proximity to the major arterial and to provide a buffer to future single-family within the neighborhood. The proposed zoning is consistent with the following Comprehensive Plan policies:

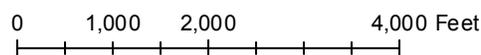
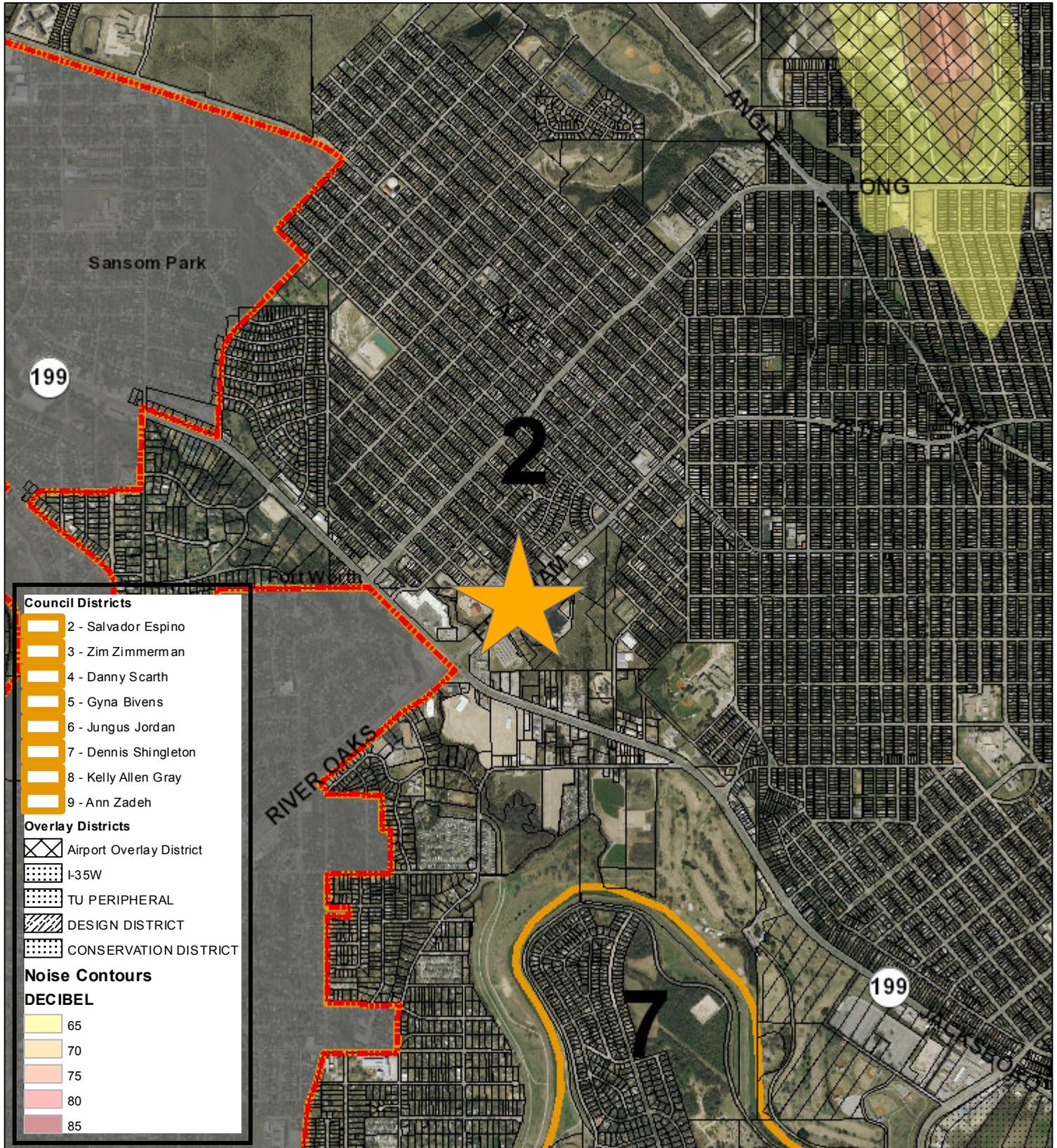
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)
- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city. (pg. 39)

Based on nonconformance with the future land use map the proposed zoning **is not consistent** with the Comprehensive Plan. (**Technical Inconsistency**)

Attachments:

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

Area Map



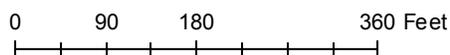


Area Zoning Map

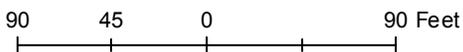
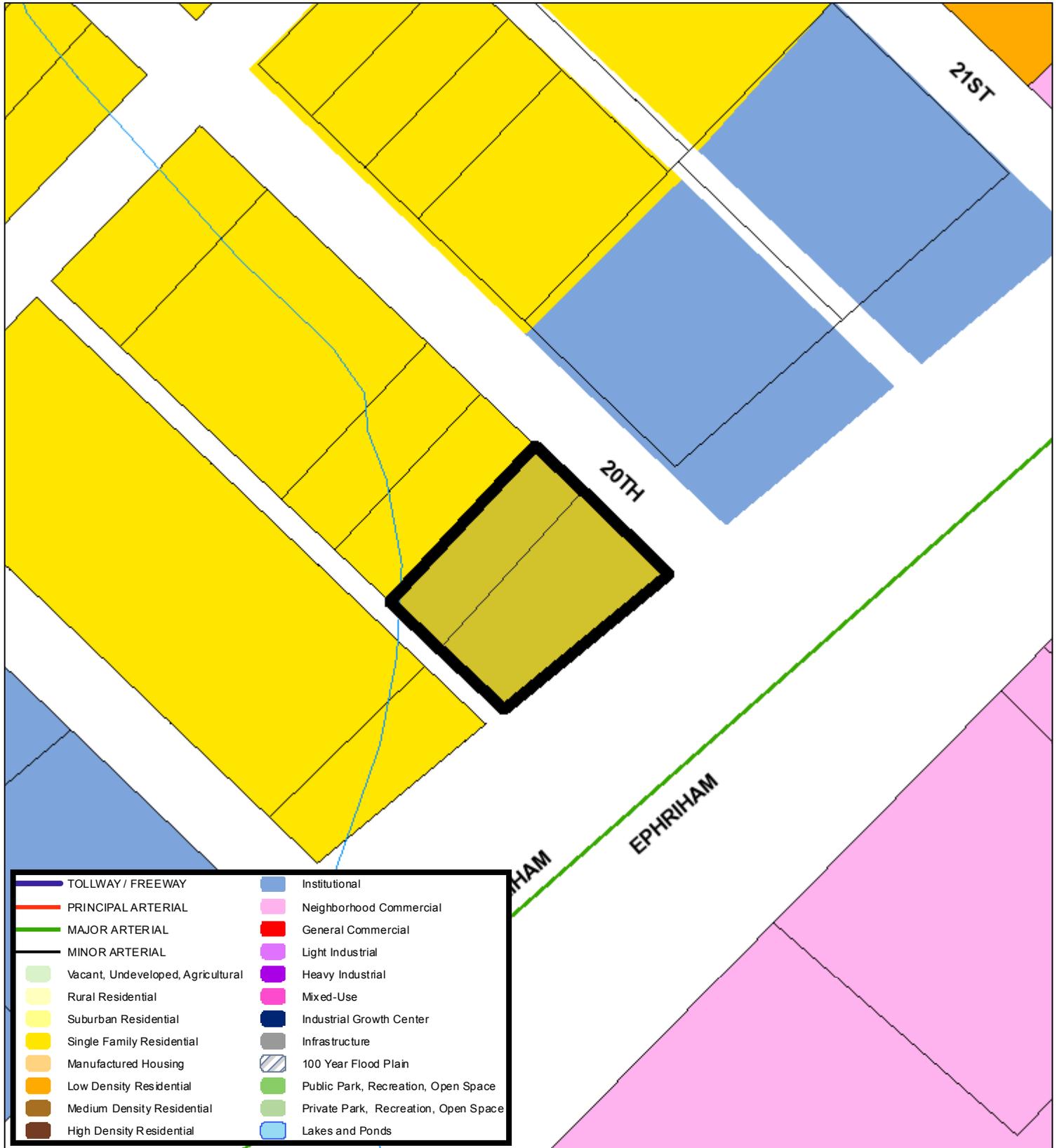
Applicant: Baldemar Martinez
 Address: 2405 & 2409 NW 20th Street
 Zoning From: A-5
 Zoning To: E
 Acres: 0.38516669
 Mapsco: 61G
 Sector/District: Northside
 Commission Date: 1/14/2015
 Contact: 817-392-8043



	Subject Area
	300 Foot Notification



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 55 110 220 Feet



4. ZC-14-160 - (CD 6) - Speedclean Car Wash, LLC, 6201 McCart Avenue; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus car wash; site plan included. (Recommended for Approval by the Zoning Commission)

Mr. Peter Adossi, 5036 Cedar Brush Drive (provided handouts), appeared before Council in support of Zoning Docket ZC-14-160.

Ms. Nikky Adossi, completed an undecided speaker card relative to Zoning Docket ZC-14-160 and was recognized by Mayor Pro tem Espino but did not wish to address Council

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-14-160 be approved with the following conditions: 1) No onsite repair or maintenance and 2) Eliminate the smaller of the two pole signs from the property. The motion carried unanimously 8 ayes to 0 nays, with Mayor Price absent.

(Council Member Allen Gray left her place at the dais.)

5. ZC-14-169 - (CD 5) - Prosper Bank, 15239 FAA Boulevard; from: "J" Medium Industrial to: "PD/J" Planned Development for all uses in "J" Medium Industrial plus game room; site plan included. (Recommended for Approval by the Zoning Commission)

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-14-169 be continued to the February 17, 2015, Council meeting. The motion carried unanimously 7 ayes to 0 nays, with Mayor Price and Council Member Allen Gray absent.

6. ZC-14-170 - (CD 3) - Terry & Sarah Alexander, 9617 Santa Monica Drive; from: "A-5" One-Family to: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus Group Home I; site plan waiver requested. (Recommended for Denial without Prejudice by the Zoning Commission)

Motion: Council Member Zimmerman made a motion, seconded by Council Member Scarth, that Zoning Docket ZC-14-170 be denied without prejudice. The motion carried unanimously 7 ayes to 0 nays, with Mayor Price and Council Member Allen Gray absent.

7. ZC-14-172 - (CD 2) - Baldemar Martinez, 2405 & 2409 NW 20th Street; from: "A-5" One-Family to: "E" Neighborhood Commercial (Recommended for Approval by the Zoning Commission)

Motion: Council Member Scarth made a motion, seconded by Council Member Zimmerman, that Zoning Docket ZC-14-172 be continued to the March 3, 2015, Council meeting. The motion carried unanimously 7 ayes to 0 nays, with Mayor Price and Council Member Allen Gray absent.

(Council Member Allen Gray returned to her place at the dais.)

8. ZC-14-173 - (CD 7) - 4905 White Settlement, LLC, 4921 White Settlement Road & 5000 Sunset Lane; from: "B" Two-Family & "E" Neighborhood Commercial to: "MU-1" Low intensity Mixed-Use (Recommended for Approval by the Zoning Commission)

Mr. Phillip Poole, 2918 Wingate, Suite 100, completed a speaker card in support of Zoning Docket ZC-14-173 and was recognized by Mayor Pro tem Espino but did not wish to address Council.

Mr. Chris Powers, 4854 White Settlement, completed a comment card in support of Zoning Docket ZC-14-173.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Zoning Docket ZC-14-173 be approved. The motion carried unanimously 8 ayes to 0 nays, with Mayor Price absent.

9. ZC-14-175 - (CD 9) - Elizabeth and G. Paredes, Jr., 354 Foch Street; from: "A-5" One-Family to: "B" Two-Family (Recommended for Denial by the Zoning Commission)

Ms. Eva Bonilla, 3700 West 6th Street, completed a speaker card in opposition to Zoning Docket ZC-14-175 and was recognized by Mayor Pro Tem Espino but did not wish to address Council.

Motion: Council Member Zadeh made a motion, seconded by Council Member Zimmerman, that Zoning Docket ZC-14-175 be denied without prejudice. The motion carried unanimously 8 ayes to 0 nays, with Mayor Price absent.

10. ZC-14-176 - (CD 4) - PCB Properties, LLC, 5801 N. Beach Street; from: "G" Intensive Commercial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-14-176 be approved. The motion carried unanimously 8 ayes to 0 nays, with Mayor Price absent.

11. ZC-14-177 - (CD 6) - Hulen Street Retail, 5701 S. Hulen Street; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto parts store; site plan included. (Recommended for Approval by the Zoning Commission)

Hugo Monsanto, 200 South Rogers Street, Waxahachie, Texas representing the property owner explained to the Commissioners they would like to build a Scottish Inn hotel.

Ms. McDougall asked the name of the hotel, were there any in the area, the amenities, access into the hotel, and air conditioning setup, location and any meeting rooms. Ronald Lohnes, 1726 Montreal Circle, Tucker, Georgia architect for the hotel said they do have one in Cresson and one of the South Freeway that has been open for about two years and another in White Settlement that has been open for a few months. Mr. Lohnes said it is an economy hotel, the basics are continental breakfast, hair dryers and flat screen TV's. Access will be interior; there will be ac window units in each room. The average room price is \$60.00 to \$70.00 a night. They have scaled back on how many rooms they build, 45 rooms are manageable for them. Mr. Lohnes said he is not familiar with the site. There will be a fitness room and lobby/breakfast area.

Gretchen Schwab, 2045 Castleview Drive, Fort Worth, Texas spoke in opposition. Ms. Schwab representing Hollow Hills NA is concerned about the G uses associated with the hotel and traffic. Ms. Burghdoff explained the area is already zoned for G Intensive Commercial uses, this zoning change is adding a hotel use. She is requesting the case be continued so they can meet with the neighborhood.

In rebuttal Mr. Monsanto said they would have to get an extension on the contract if continued. Ms. McDougall asked if they reached out to the neighborhood. Mr. Monsanto said he did give the information to Mr. Patel but is not for sure if he reached out to them.

Ms. Conlin mentioned the close proximity to the Freeway however with a two story building it would be hard to see from the interstate. She asked what type of signage they are proposing. Mr. Monsanto said they are proposing a tower to extend up with their signage on it. They will also have a DOT sign on the Freeway.

Ms. Moore asked how far the residential zoning is. Ms. Murphy said approximately 600 ft. to the southwest and another residential subdivision to the southeast.

Motion: Following brief discussion, Ms. McDougall recommended a 30 day Continuance of the request, seconded by Ms. Conlin. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>				<i>ZC-14-171</i>	
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Gretchen Schwab	2045 Castleview Dr	Out	Opposition		Spoke at hearing

9. ZC-14-172 Baldemar Martinez (CD 2) 2405-2409 NW 20th Street (Belmont Park Addition, Block 44, Lots 5 & 6, 0.38 Acres): from “A-5” One-Family to “E” Neighborhood Commercial

Hestor Martinez, 2405 NW 20th Street, Fort Worth, Texas representing the Baldemar Martinez explained to the Commissioners they are requesting to rezone to E for commercial type business for his father. Mr. Martinez said they did speak to the Far Greater Northside Historical NA and were in favor.

Mr. Edmonds mentioned the property and proximity to Ephriham. Mr. Martinez said they have that setback for extension of Ephriham or a sidewalk possibly. He said they have been cleaning up the property.

Ms. Burghdoff said the aerial displayed shows the property boundaries and appears to be a wide row and is a state highway.

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

10. ZC-14-173 4905 White Settlement LLC (CD 7) 4921 White Settlement Road & 5000 Sunset Lane (Britton D. Alford Survey, Abstract 37 and Sunset Ridge Addition, Lots 6-7, 3.48 Acres): from “B” Two-Family and “E” Neighborhood Commercial to “MU-1” Low Intensity Mixed-Use

Phillip Poole, 2918 Wingate, Fort Worth, Texas representing 4905 White Settlement LLC explained to the Commissioners the request to rezone to MU-1 to unify the frontage along White Settlement Road.

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

11. ZC-14-174 Jose Armando Valverde (CD 9) 601 E. Mason and 4012 South Freeway (J S Smith Addition, Block 12, Lots 12-14, 0.42 Acres): from “E” Neighborhood Commercial to “FR” General Commercial Restricted

Gonzalo Barajas, 4050 South Freeway, Fort Worth, Texas representing Jose Armando Valverde explained to the Commissioners the request to rezone to FR to expand their existing auto sales business.

Motion: Following brief discussion, Ms. Reed recommended a 30 day Continuance of the request, seconded by Ms. Moore. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>				ZC-14-174	
Name	Address	In/Out 300 notification area	ft	Position on case	
Vickie Bargas/Worth Heights NA	NA	Out		Opposition	Sent letter in