



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
March 3, 2015

**Council District** 8

**Zoning Commission Recommendation:**  
Approval by a vote of 9-0  
  
**Opposition:** None submitted  
**Support:** None submitted

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

**Owner / Applicant:** Renaissance Square, LLC

**Site Location:** 2932 E. Berry St. Mapsco: 78T

**Proposed Use:** Auto Parts

**Request:** From: "PD-720" Planned Development for "E" Neighborhood Commercial uses excluding stealth communications tower, communications tower, taxidermist shop, liquor package store with development standards  
  
To: Amend "PD 720" to add auto parts sales and to provide signage visible from all areas of the property disallowing any type of work on vehicles in the parking lot; site plan waiver requested

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

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

**Background:**

The applicant is requesting a zoning change from "PD-720" Planned Development for E uses with exclusions with development standards to Amend "PD 720" to add auto parts sales. The proposed site is included within the old Masonic Children's Home property that is part of a major economic development effort on the southeast side known as Renaissance Square. The applicant would like to construct an Auto Zone auto parts store at this location.

The zoning district is based on the "E" Neighborhood Commercial district which does not include auto uses and removes certain unwanted uses. The surrounding area includes neighborhood commercial uses, restaurants and retail along Berry Street with a large scale retail (WalMart and other national stores) further south within the development.

The PD provides specific development standards including orientation of buildings to Berry Street and installation of street trees and wider sidewalks for a pedestrian environment. The table below describes the design guidelines for properties along Berry Street:

PD 720 Design Guidelines for Properties Oriented To Berry Street	
<b>Orientation to Berry Street</b>	All building with frontage on Berry Street shall be oriented such that the main entry faces Berry Street or is on the side of the building perpendicular to Berry
<b>Landscape Buffer</b>	10 ft
<b>Trees</b>	3" caliper trees at 40 ft. on center
<b>Shrubs</b>	5 gallon shrubs screening head-in parking
<b>Sidewalk</b>	6' wide sidewalk located in the right of way or landscape buffer
<b>Pedestrian access</b>	Pedestrian access shall be provided from Berry Street to the driveway and shopping center to the south

If approved, the auto parts store would be required to post signage visible from all areas of the property disallowing any type of work on vehicles in the parking lot. If this sign is not provided or enforced by the business, it would be considered a zoning violation.

**Site Information:**

Owner: Renaissance Square, LLC  
 PO Box 5562  
 Midland, Texas 79704

Agent: Autozone, Inc. Attn. Jeff Kauerz

Acreage: 1.04 acres

Comprehensive Plan Sector: Southeast

**Surrounding Zoning and Land Uses:**

North "A-5" One-Family; "E" Neighborhood Commercial / single-family  
 East PD-720" Planned Development for E uses with exclusions and to include development standards / restaurant  
 South "PD-720" Planned Development for E uses with exclusions and to include development standards / Walmart and other large retail  
 West PD-720" Planned Development for E uses with exclusions and to include development standards / commercial

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-09-110, amend PD 720 and PD 721 to PD/E excluding certain uses, approved 11/24/09 (subject property)  
 ZC-11-061 Renaissance Square, City Council approved 09/13/11 for commercial Planned Development, subject area to the southeast. (subject property)

Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Berry St	Major Arterial	Major Arterial	No

**Public Notification:**

The following organizations were notified:

Organizations Notified	
Mitchell Boulevard*	Streams & Valleys Inc
Eastland	Trinity Habitat for Humanity
United Communities Association	East Fort Worth, Inc
Southeast Fort Worth Inc	Fort Worth ISD

Within this neighborhood organization\*

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing a zoning change to "Amend "PD 720" to add auto parts sales on one lot within the development. Surrounding land uses are single family to the north, commercial to the east and west, and large retail to the south. Renaissance Square has several design guidelines for properties oriented toward Berry Street to encourage a pedestrian environment.

Auto uses are not allowed by right in Neighborhood Commercial zoning. Sales of auto parts functions as a retail use but is classified as an auto use due to the pattern of working on vehicles in the parking lot. Additionally, Berry Street is considered a major arterial, which is appropriate for more intense commercial uses. Due to the large retail to the south and surrounding commercial uses, the proposed zoning for this site **is compatible** at this location.

## **2. Comprehensive Plan Consistency**

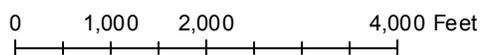
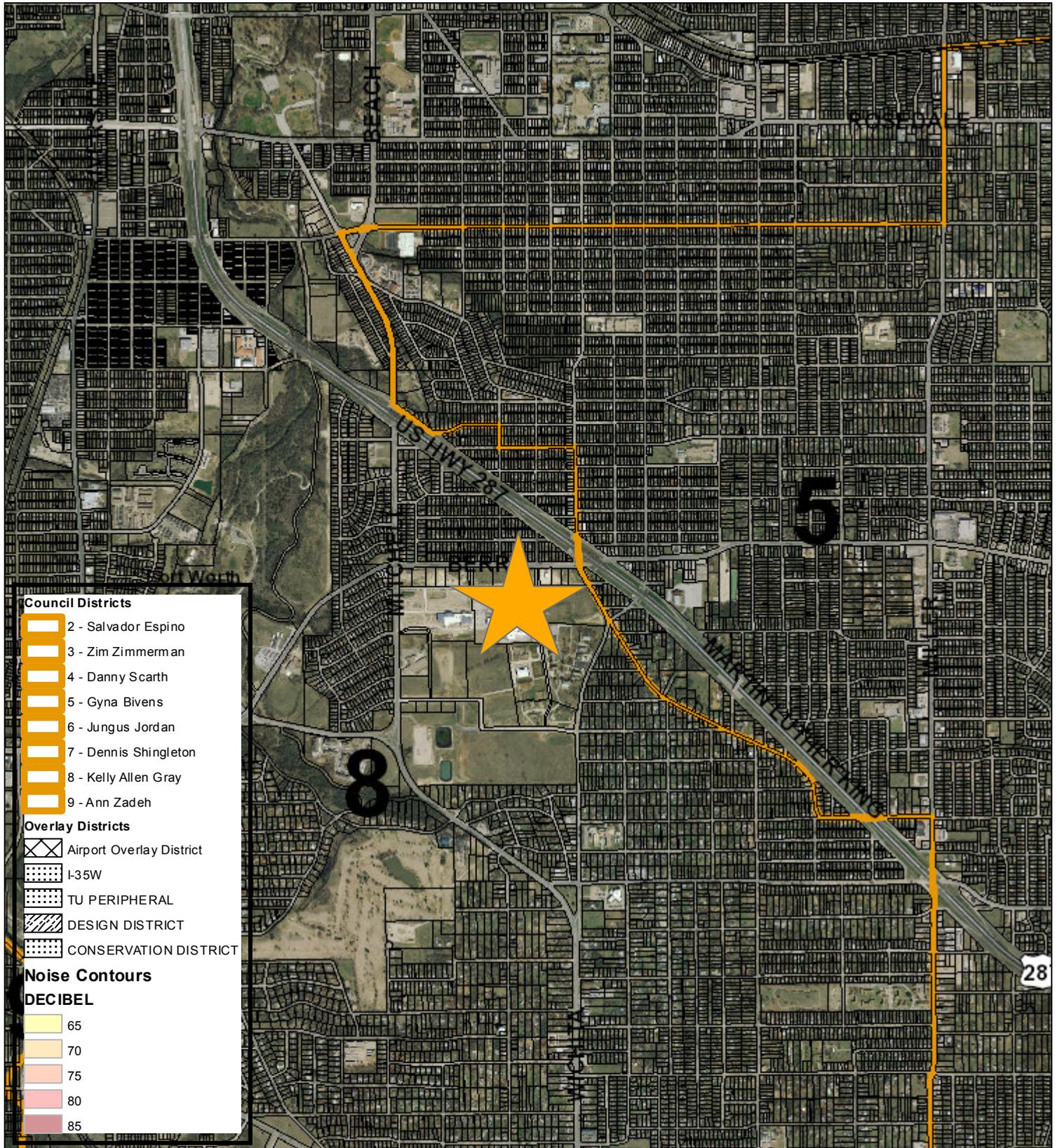
The 2014 Comprehensive Plan designates the subject property as Neighborhood Commercial. The requested zoning change **is not consistent (Technical Inconsistency)** with the Comprehensive Plan. The site is located in Renaissance Square, which contains several large commercial retail sites and is located along a major arterial. The proposed site 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. 38)
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)
- 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. 40)

### ***Attachments:***

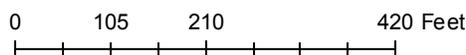
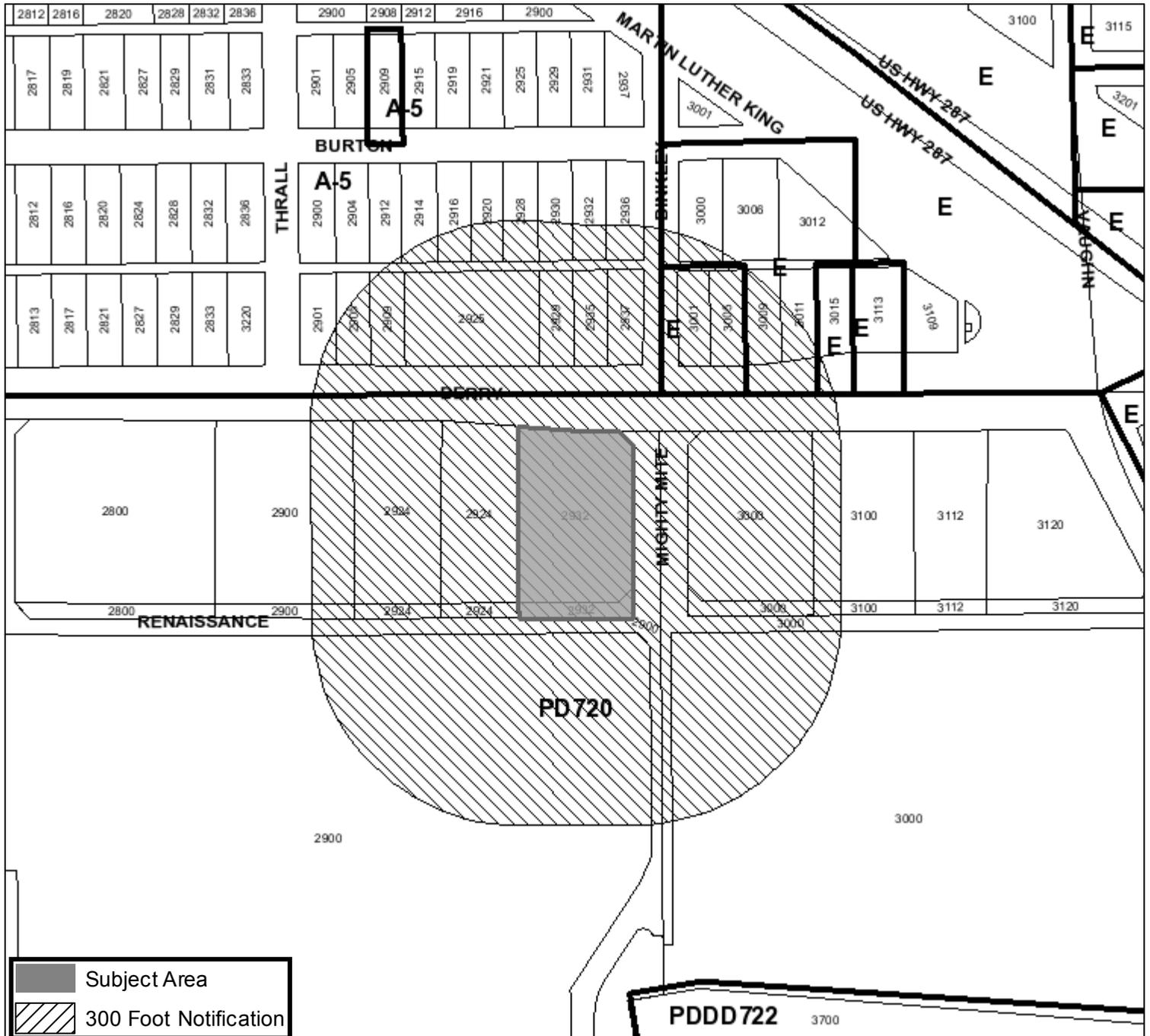
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

### Area Map

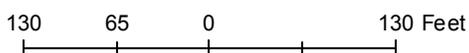
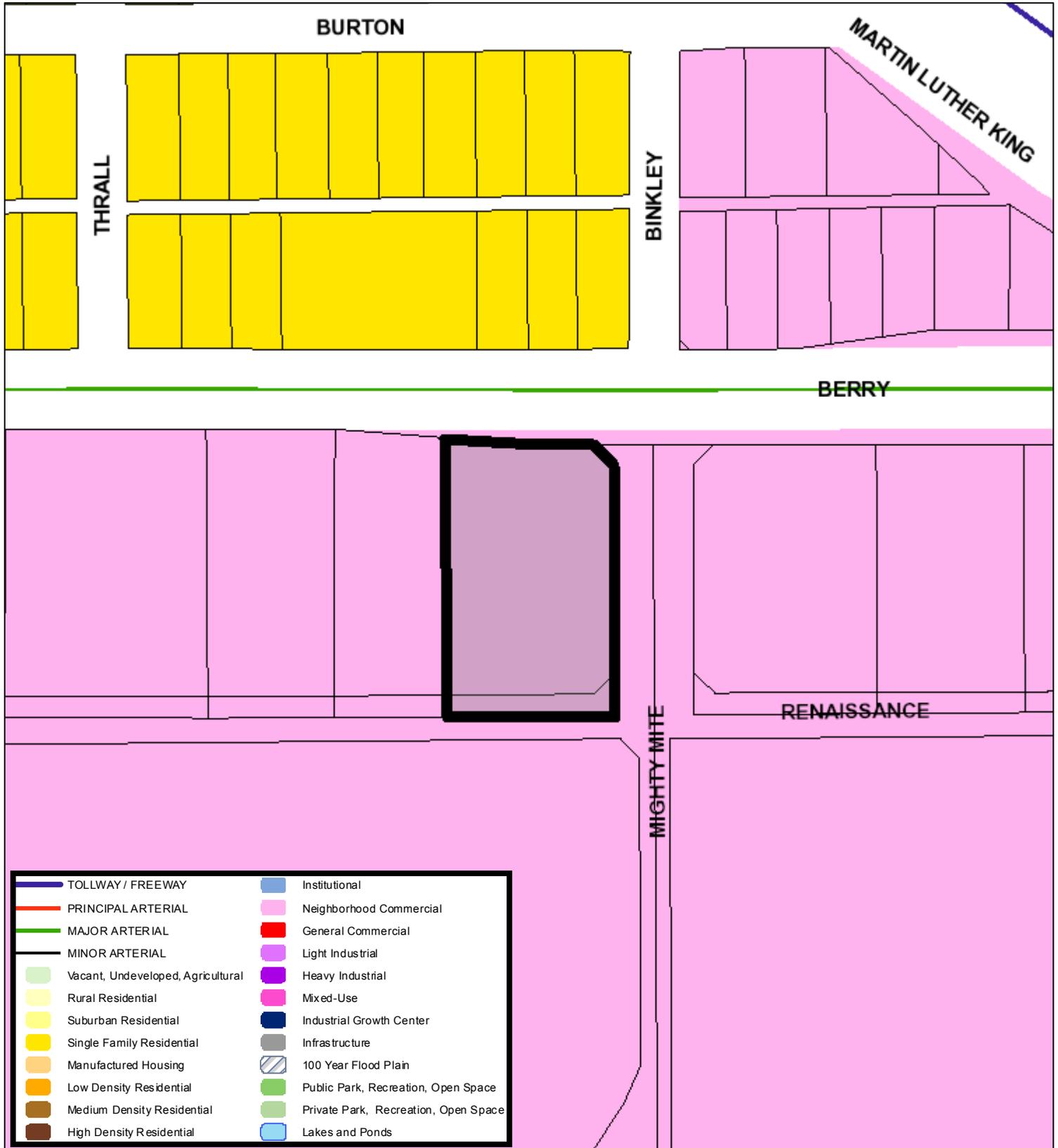


## Area Zoning Map

Applicant: Renaissance Square, LLC  
 Address: 2932 E. Berry Street  
 Zoning From: PD 720  
 Zoning To: Amend PD 720 to add auto parts sales  
 Acres: 1.04550558  
 Mapsco: 78T  
 Sector/District: Southeast  
 Commission Date: 2/11/2015  
 Contact: 817-392-8043



### 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 85 170 340 Feet



Motion: Following brief discussion, Ms. Reed recommended a Denial without Prejudice of the request, seconded by Mr. Northern. Upon further discussion Ms. Reed made a substitute motion to Continue the request for 30 days, seconded by Mr. Northern. The motion carried unanimously 9-0. Mr. Genua said to the applicant he needs to meet with staff and discuss the site plan and to also meet with the neighborhood.

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

#### **IV. New Cases**

**5. ZC-15-002 Renaissance Square LLC (CD 8) – 2932 E. Berry Street (The Shoppes at Renaissance Square, Block 1, Lot 10, 1.04 Acres): from “PD-720” Planned Development for all uses in “E” Neighborhood Commercial excluding stealth telecommunications tower, telecommunications tower, taxidermist shop, liquor package store with development standards; site plan waived to Amend “PD-720” to add auto parts sales and to provide signage visible from all areas of the property disallowing any type of work on vehicles in the parking lot; site plan waiver requested**

Justin Light, 500 W 7<sup>th</sup> Street, Suite 600, Fort Worth, Texas representing AutoZone explained to the Commissioners the request to amend the existing PD language to add an auto parts store use and to add the requirement that no work will be permitted in the parking lot.

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

**6. ZC-15-003 Koetting Real Estate LP (CD 2) – 1002 NE Loop 820 (GSTD Industrial Park-Mark IV, Block 7, Lot 1RBR1, 1.57 Acres): from “K” Heavy Industrial to “PD/K” Planned Development for all uses in “K” Heavy Industrial plus Game Room; site plan included**

Fahm Khan, 400 Fishing Place, Plano, Texas representing Koetting Real Estate LP explained to the Commissioners the request to rezone to PD/K for a Game Room.

Mr. Flores asked if he had submitted a revised site plan addressing the comment about providing the area where patrons are not permitted. Mr. Khan said this is the latest site plan and addresses that comment. Mr. Flores also mentioned for the record a letter they received from a business owner citing concerns about inadequate restroom facilities and clarified that any deficiencies would be addressed by building code.

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