



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 7, 2015

Council District 2

Zoning Commission Recommendation:
Approved by a vote of 9-0

Opposition: None submitted
Support: None submitted

Continued	Yes <u>X</u>	No ___
Case Manager	<u>Stephen Murray</u>	
Surplus	Yes ___	No <u>X</u>
Council Initiated	Yes ___	No <u>X</u>

Owner / Applicant: Koetting Real Estate, LP

Site Location: 1002 NE Loop 820 Mapsco: 48H

Proposed Use: Convenience Store with Game Room

Request: From: "K" Heavy Industrial
To: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus game room; site plan included

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

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

Background:

The applicant is requesting a zoning change from "K" Heavy Industrial to "PD/K" Planned Development for "K" uses plus game room. The property is located on the southeast corner of Northeast Loop 820 and Blue Mound Rd. The applicant is proposing a game room in an existing convenience store with 30 gaming machines and is not within 1,000 of a residential use or district or another game room.

City Council adopted Ordinance #21499 to amend the Zoning Ordinance to regulate game rooms operating amusement redemption machines such as eight liners as PD Planned Developments in Industrial Districts only. Ordinance #21500 providing additional Code regulations for Game Rooms was also adopted to control adverse effects.

The table below depicts the site plan requirements for game rooms:

Requirement	Proposed Site Plan
Transparent glass in exterior of game room with dimension of at least 4 ft. x 4 ft.	Required but not on site plan; should be in notes
Clear unobstructed view of Manager station and all amusement redemption machines in game room	Floor Plan complies
Maximum of 30 redemption machines	30 proposed
Site plan drawn to scale, sealed by engineer	Completed by Engineer

Identify the location of all amusement redemption machines, managers station, restroom facilities, kitchen and bar area	Complies
Identify areas patrons not permitted	Complies
One designated parking space for each two amusement redemption machines plus one per each employee per shift	17 required, 23 provided (for both game room and convenience store-no required parking for store)

Site Information:

Owner: Koetting Real Estate, LP
2205 Bedford Cir.
Bedford, Texas 76021

Agent: Haitham Youssef

Acreage: 1.57 acres

Comprehensive Plan Sector: Far North

Surrounding Zoning and Land Uses:
North "K" Heavy Industrial / Northeast Loop 820
East "K" Heavy Industrial / liquor store, boat sales
South "K" Heavy Industrial / restaurant
West City of Saginaw / restaurant, industrial

Recent Relevant Zoning and Platting History:

Zoning History: None
Platting History: None

Site Plan Comments:

The site plan as submitted is in general compliance with the zoning regulations.

1. Indicate in the Notes that a minimum 4 x 4 window (transparent glass) will be provided to the exterior per Sect.4.305d.
2. Parking spaces within easements cannot be counted toward the required parking.

Compliance with the items noted above shall be reflected on the site plan.

TPW comments:

No comments have been made at the time of this report.

Platting Comments:

No comments have been made at the time of this report.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Blue Mound Rd	Minor Arterial	Minor Arterial	No
820 Access Rd	Minor Arterial	Minor Arterial	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Inter-District 2 Alliance	Streams And Valleys Inc
Trinity Habitat for Humanity	Eagle Mountain-Saginaw ISD

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change "PD/K" Planned Development for "K" uses plus game room; site plan included. Surrounding land uses vary with industrial and restaurant to the west, restaurant just south, Loop 820 to the north and boat sales to the east.

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

2. Comprehensive Plan Consistency

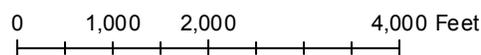
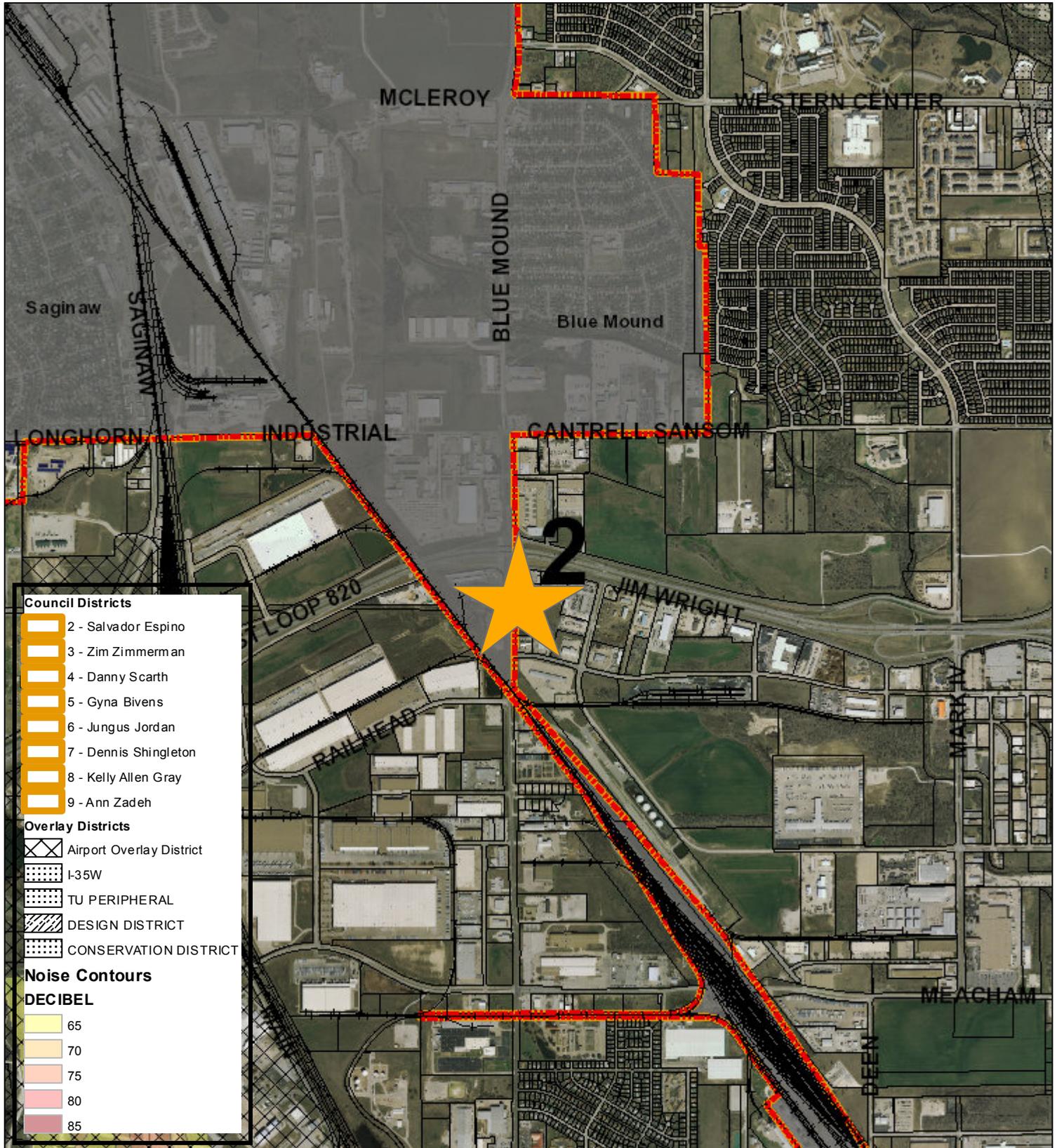
The 2014 Comprehensive Plan designates the subject property as Industrial Growth Center. The requested zoning change is consistent with the industrial future land use, as Game Rooms are only allowed for consideration in industrial districts.

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 City Council meeting
- Minutes from the Zoning Commission meeting

Area Map



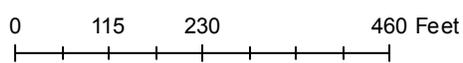


Area Zoning Map

Applicant: Koetting Real Estate, LP
 Address: 1002 NE Loop 820
 Zoning From: K
 Zoning To: PD for all K uses plus game room
 Acres: 1.57509886
 Mapsco: 48H
 Sector/District: Far North
 Commission Date: 2/11/2015
 Contact: 817-392-8043

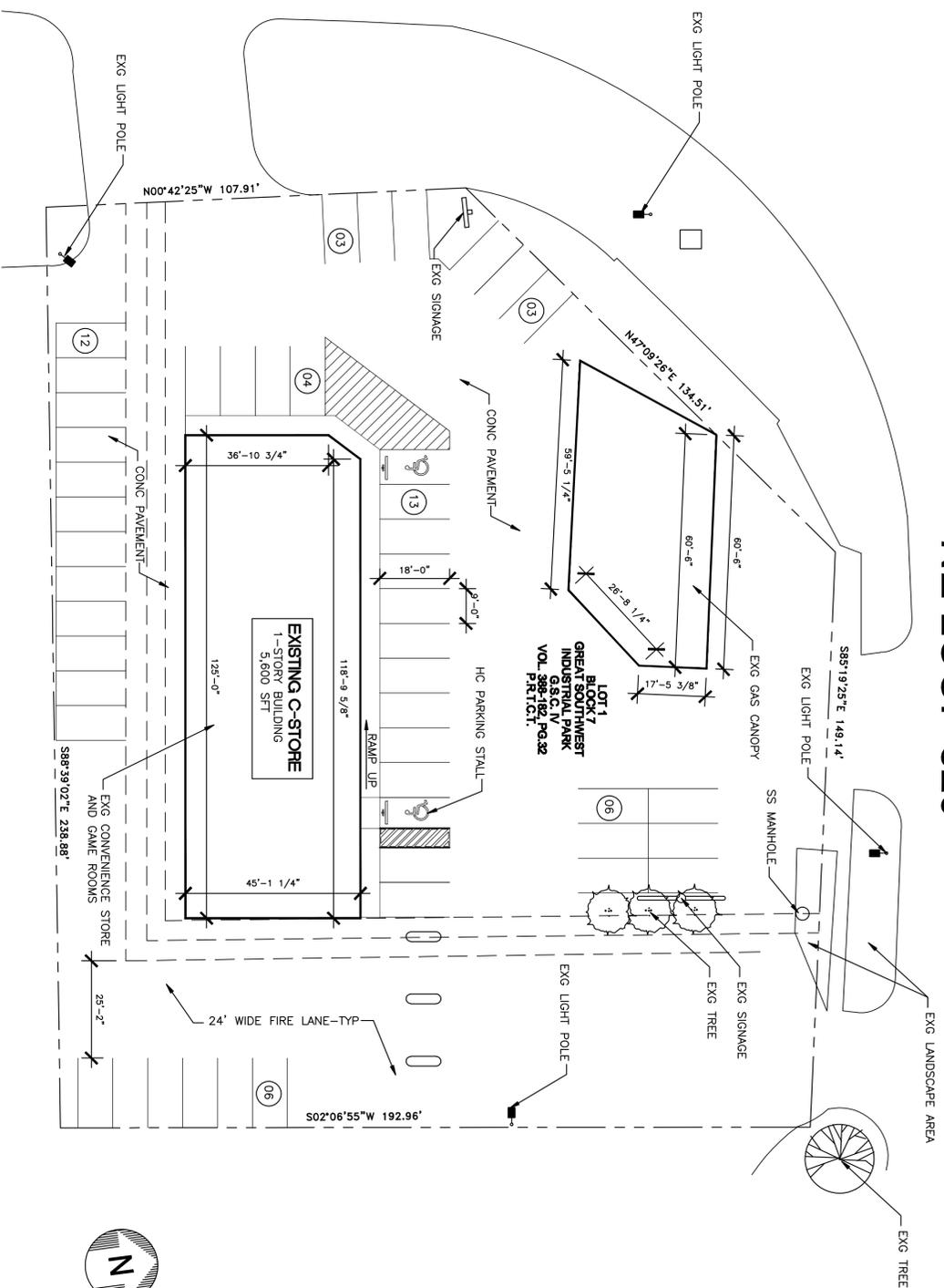


 Subject Area
 300 Foot Notification



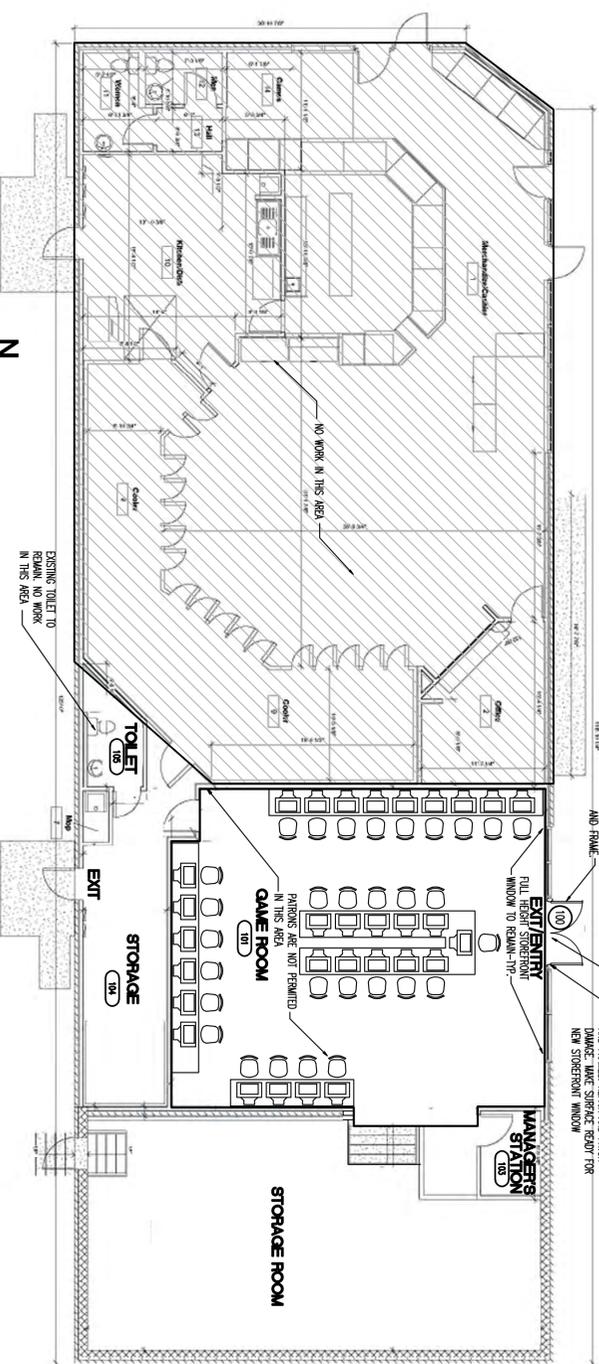
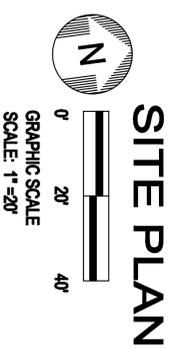
NE LOOP 820

BLUE MOUND ROAD



BUILDING	
TYPE	MAIERCANTILE
STORY	1
MAX HEIGHT	EXISTING APPROX 18'-0"
FLOOR AREA	C-STORE 3,710SF + 1,890SF = 5,600SF
TOTAL FLOOR AREA:	
PARKING	
PARKING RATIO (FOR C-STORE)	4 PARKING SPACE PER 1000 SF
PARKING RATIO (FOR GAME ROOM)	1 PARKING SPACE PER 2 MACHINES
REQUIRED PARKING (# SPACES)	FOR 3,710/1000X4 = 13 SPACES
C-STORE	FOR 30 MACHINES = 15 SPACES
GAME ROOM	28 SPACES
TOTAL PARKING SPACE REQUIRED	34 SPACES
PROVIDED PARKING (# SPACES)	34 SPACES

NOTE:
 01. THIS FACILITY COMPLES WITH URBAN FORESTRY
 02. THIS FACILITY COMPLES WITH CITY LANDSCAPE REQUIREMENTS
 03. THIS FACILITY COMPLES WITH CITY SIGNAGE ORDINANCE

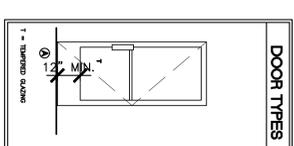


01 FLOOR PLAN

SCALE: 1/8" = 1'-0"

DOOR SCHEDULE							
DR. NO./ROOM	ROOM NO.	TYPE	SIZE	MATERIALS	FINISH	FRAME	HWR GROUP
100	ENTRY	100	A	PR 3'-0" x 7'-0"	ALUM	ALUM. BRNZE	1
							EXIT AND HEAVY DUTY

DOOR HARDWARE
SET 1 ALUMINUM STOREFRONT DOORS
 PIVOTS: CAST ALUMINUM ALLOY WITH STEEL PINS
 OFFSET PIVOTS AT DOORS OVER 7'-6"
 CLOSER: LCN #2036 FLIP UP TYPE WITH RUBBER SHOE
 ADAMS RITE MS 185/S 3 PT LATCH WITH BEST
 STOPS: BDDI ASIMK/STRBEE/W/DUSL/CONGR WIDTH ALL
 PARTS: HARDWARES OR PUSH BARS: 506 ALUM 1024, 1088, 1192, 1178 & 1113. RECOMMENDATION
 PULL HANDLES: FULL DOOR WIDTH, EXTERIOR OF "OUT" DOORS
 THRESHOLD: EXTENDED ALUM IN MILL FINISH, OVERALL HT OF 1/2"
 FINISH: FINISH EQUAL OR MANUF. RECOMMENDATION
 WEATHERSTRIPPING: ALL SIDES, MANUFACTURER'S RECOMMENDATION



SHELL GAS STATION AND CONVENIENCE STORE

AT 1000 NE LOOP 820
 FORT WORTH, TEXAS 76106

Sheet Number:
A100
 Project Number:
 14-064

ISSUED FOR PERMIT 12/28/2014
 ISSUED FOR CONSTRUCTION 12/28/2014
 CMT COMMENTS 01/22/2015
 CMT COMMENTS 01/29/2015

DRAWN BY: _____ CHECKED BY: _____
 COPYRIGHT

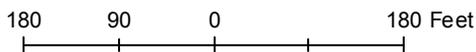
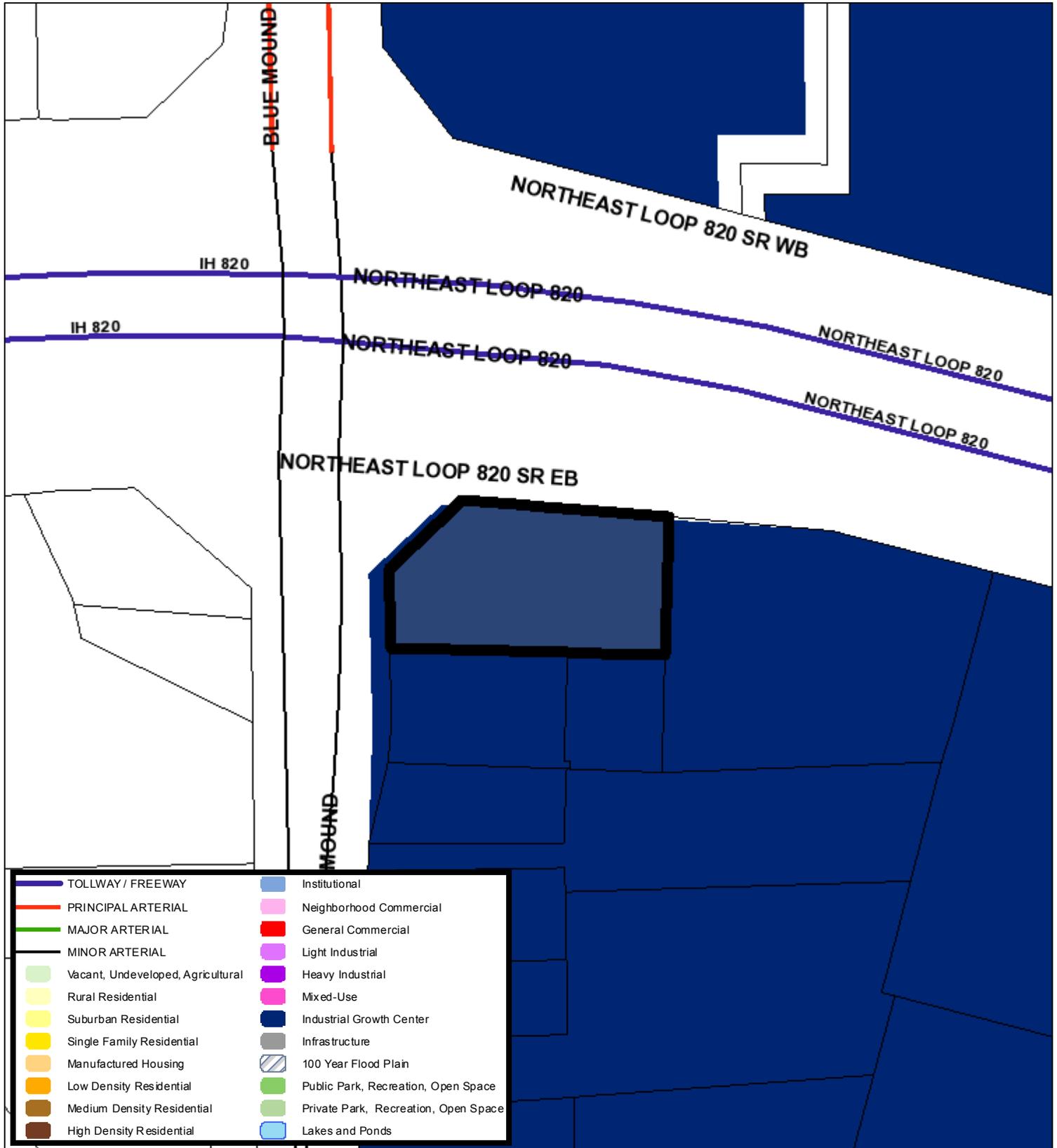
Original Date: DECEMBER 02, 2014
 Issue Log

REGISTERED ARCHITECT
 STATE OF TEXAS
 21790

400 chisholm place
 suite 106
 plano, texas 75075
 972-534 2304 (w)
 469-258-9322 (c)
 web: fk-architect.com

01/24/2015

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



0 115 230 460 Feet



10. ZC-15-003 - (CD 2) - Koetting Real Estate, LP, 1002 NE Loop 820; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus Game Room; site plan included. (Recommended for Approval by the Zoning Commission)

Mr. Fahim Khan, 1002 NE Loop 820, appeared before Council in support of Zoning Docket ZC-15-003.

Mr. Gordon Spreberry, 1002 NE Loop 820, completed a speaker card in support of Zoning Docket ZC-15-003 and was recognized by Mayor Price but did not wish to address Council.

Motion: Mayor Pro tem Espino made a motion, seconded by Council Member Jordan, that Zoning Docket ZC-15-003 be continued to the April 7, 2015, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

11. ZC-15-004 - (CD 8) - Elhamad Investments, LP, 1137 E. Hattie Street; from: "ER/HC" Neighborhood Commercial Restricted/Historic & Cultural to: "E/HC" Neighborhood Commercial/Historic & Cultural (Recommended for Denial by the Zoning Commission)

Mr. Monnie Gilliam, 1100 Vicki Lane, appeared before Council in opposition to Zoning Docket ZC-15-004.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Zimmerman, that Zoning Docket ZC-15-004 be denied. The motion carried unanimously 9 ayes to 0 nays.

12. ZC-15-005 - (CD 9) - Islamic Association of Tarrant County, 4801-4809 Fletcher Avenue; from: "B" Two-Family to: "ER" Neighborhood Commercial Restricted (Recommended for Approval as Amended by the Zoning Commission to ER)

Mr. Zarmina Giotis, 124 Alta Mere Drive, appeared before Council in support of Zoning Docket ZC-15-005.

Mr. Kiz Stevenson, 5000 Ridge View Court, completed a speaker card in support of Zoning Docket ZC-15-005 and was recognized by Mayor Price but did not wish to address Council.

Ms. Kathy Hayek, 4824 Bonnell Avenue, completed a comment card in opposition to Zoning Docket ZC-15-005.

Motion: Council Member Zadeh made a motion, seconded by Council Member Zimmerman, that Zoning Docket ZC-15-005 be continued to the March 17, 2015, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

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>
Name	Address	In/Out 300 ft notification area	Position on case		Summary
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 7th 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.

<i>Document received for written correspondence</i>				ZC-15-003
Name	Address	In/Out 300 ft notification area	Position on case	Summary
Shawn Boedecker/ Dickey's BBQ	NA	Out	Opposition to adequate restroom facility	Sent letter in
Ron McFarland	NA	Out	Opposition to adequate restroom facility	Sent letter in

7. ZC-15-004 Elhamed Investments (CD 8) – 1137 E. Hattie Street (Union Depot Addition, Block 24, Lot 11 & 12, 0.20 Acres): from “ER/HC” Neighborhood Commercial Restricted/Historic & Cultural to “E/HC” Neighborhood Commercial/Historic & Cultural

Omar Elhamed Jr., 1343 E Seminary Drive, Fort Worth, Texas representing property owner explained to the Commissioners the request to rezone to E/HC to allow alcohol sales.

Ms. Conlin asked if he has spoken with the neighborhood. Mr. Elhamed said he did speak to the President of the neighborhood association and attended their meeting last month. He said they do not want alcohol sales at this location even though half a mile down the street they are allowed to sell alcohol.

Johnny Lewis, 953 E. Terrell, Fort Worth, Texas spoke in opposition. Mr. Lewis said this location has been an issue with the neighborhood. There have been several violations with Code and the Police Department. He did mention they were in opposition when the 7-11 came in. There are several issues they have with the store that need to be addressed and never has been such as the parking and signage. They want to see restaurants and shops in the neighborhood.

Wallace Bridges, 915 E. Cannon Street spoke in opposition. Mr. Bridges does an outreach program for kids in the neighborhood and this store is a popular hangout for them.

Ms. McDougall asked about the school bus stop on the corner. Mr. Bridges said it is across the street from the convenience store and that he may work with the ISD to move it.

In rebuttal Mr. Elhamed said he inherited the store and is trying to makes changes to the property but is hard to rent out because he cannot sell alcohol. He understands the concerns of the neighborhood.

Ms. McDougall asked how long the tenant has leased the building. Mr. Elhamed said about four months and the previous owner had problems making it work as well. She mentioned people hanging out makes it hard to sell goods.