



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 7, 2015

Council District 9

Zoning Commission Recommendation:
Approval as Amended to PD/FR with site plan by a vote of 8-0

Opposition: None submitted
Support: One letter submitted

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

Owner / Applicant: Jose Armando Valverde

Site Location: 4012 South Freeway and 601 E. Mason Mapsco: 91F

Proposed Use: Auto Sales

Request: From: "E" Neighborhood Commercial
To: "PD/FR" Planned Development for all uses in "FR" General Commercial Restricted, with site plan

Land Use Compatibility: Requested change is not compatible.

Comprehensive Plan Consistency: Requested change is not consistent (Significant Deviation).

Background:

The proposed site is located on the northwest corner of Mason Street and the South Freeway access road. The applicant is proposing to change the zoning from "A-5" One-Family to "PD/FR" Planned Development for all uses in "FR" General Commercial Restricted, with site plan for auto sales. The site abuts the South Freeway access road and quickly transitions into a single-family neighborhood. Neighborhood Commercial uses are appropriate buffers to the single-family residents and the proposed zoning may bring more intense uses to the site in the future if the zoning is changed.

At the initial Zoning Commission meeting, the applicant explained that they own and operate an auto sales lot across the street and want to expand to this site to sell and store cars. They plan to remove the existing building, construct an office, and remodel their other site to match. The case was continued in order to meet with the neighborhood association. The applicant met with the Worth Heights Neighborhood Association and was opposed to the proposal.

At the second meeting, the applicant stated that the lease will run out in a couple of years on the existing auto sales lot, and the proposed site will act as the primary site. They plan to remove the existing building and construct a new office for auto sales. The case was again continued in order for staff to go over the site constraints of the proposed zoning.

At the final Zoning Commission hearing, the applicant provided a site plan as an exhibit; however the neighborhood did not support the proposal because they wanted an official site plan tied to their proposal.

As a result, the zoning was approved for a PD with an “FR” base district, site plan required. The proposed FR base district may bring additional unwanted uses adjacent single-family. Although a site plan is required, neighborhood commercial zoning and uses are a more appropriate buffer for nearby residents to the freeway and surrounding commercial development.

Site Information:

Owner: Jose Armando Valverde
 4050 South Freeway
 Fort Worth, TX 76110
 Acreage: 0.422 acres
 Comprehensive Plan Sector: Southside

Surrounding Zoning and Land Uses:

North “E” Neighborhood Commercial; “A-5” One-Family / commercial, single-family
 East “E” Neighborhood Commercial / I-35 South Freeway
 South “E” Neighborhood Commercial; “FR” General Commercial Restricted / single-family, commercial
 West “A-5” One-Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: None
Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
South Fwy	Interstate Access Rd	Interstate Access Rd	No
Mason St.	Minor Arterial	Minor Arterial	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Worth Heights	Southeast Fort Worth Inc
Brentmoor	Trinity Habitat for Humanity
United Communities Association	Streams & Valleys, Inc
Neighbors Working Together	Fort Worth ISD

Site Plan Comments:

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. The key deficiencies are:

1. Provide note stating site will comply with landscaping, forestry, and sign requirements
 - a. Current note states the site does comply (staff will not review landscaping until permitting)
2. Provide signature line for Director of Planning and Development (see site plan checklist provided at meeting)

Compliance with items noted above shall be reflected on the site plan or waivers are required.

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to “PD/FR” Planned Development for all uses in “FR” General Commercial Restricted, with site plan for auto sales. Surrounding land uses vary with commercial to the north and south, single-family just west, and the South Freeway just east. Freeways generally allow for heavier commercial uses, however, this site three single-family lots

deep and quickly transitions to residential. Neighborhood commercial uses are a more appropriate buffer to the freeway and surrounding commercial development.

As a result, the proposed zoning **is not compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as Neighborhood Commercial. The proposed "PD/FR" zoning is inconsistent with the following Comprehensive Plan policy:

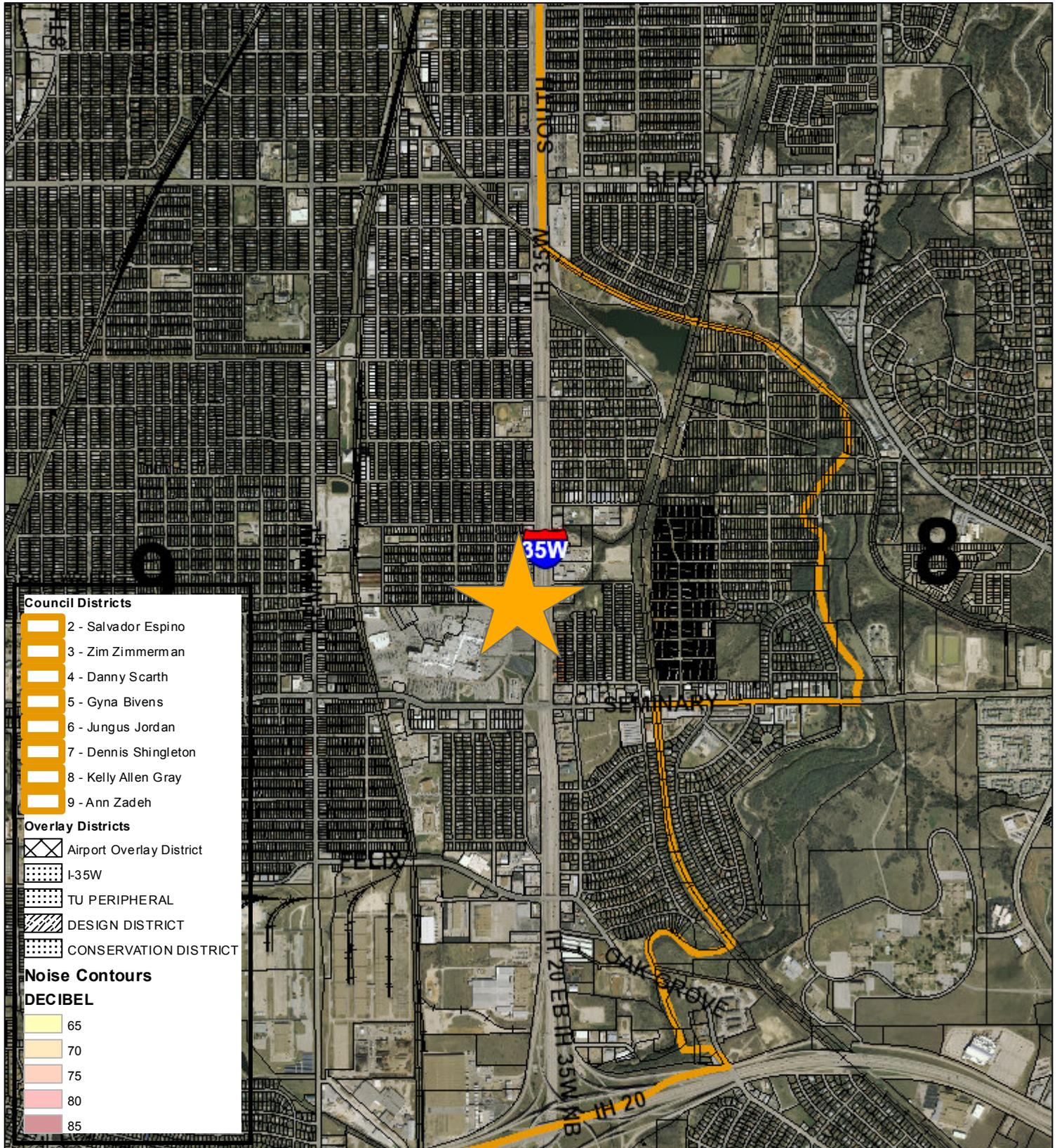
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg 39)
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)

Based on the conformance with the future land use map and policy stated above, the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

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



Council Districts

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

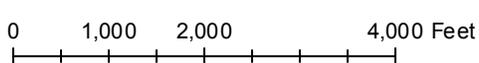
Overlay Districts

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

Noise Contours

DECIBEL

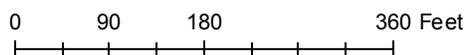
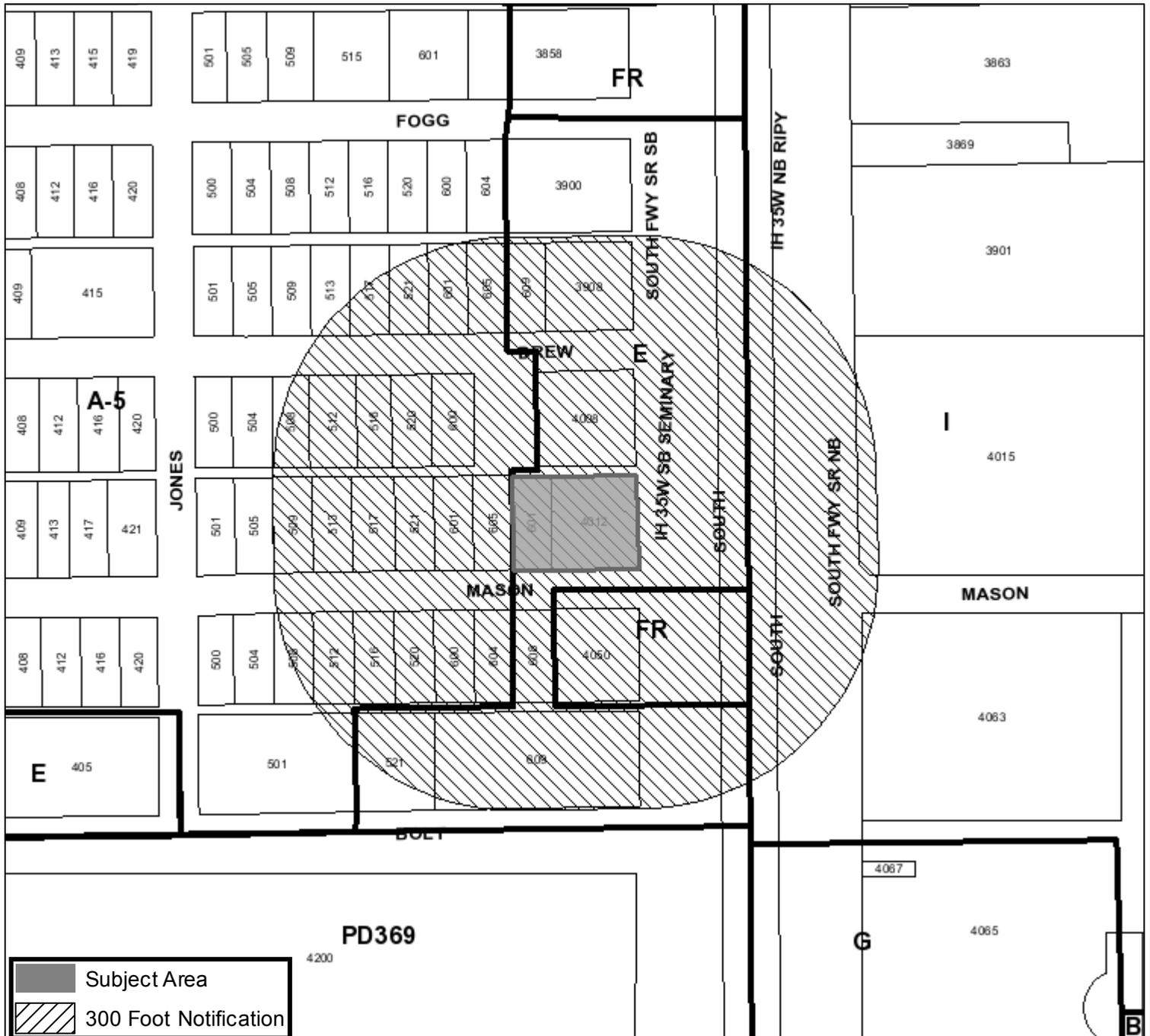
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-  85



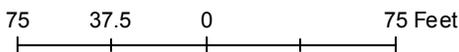
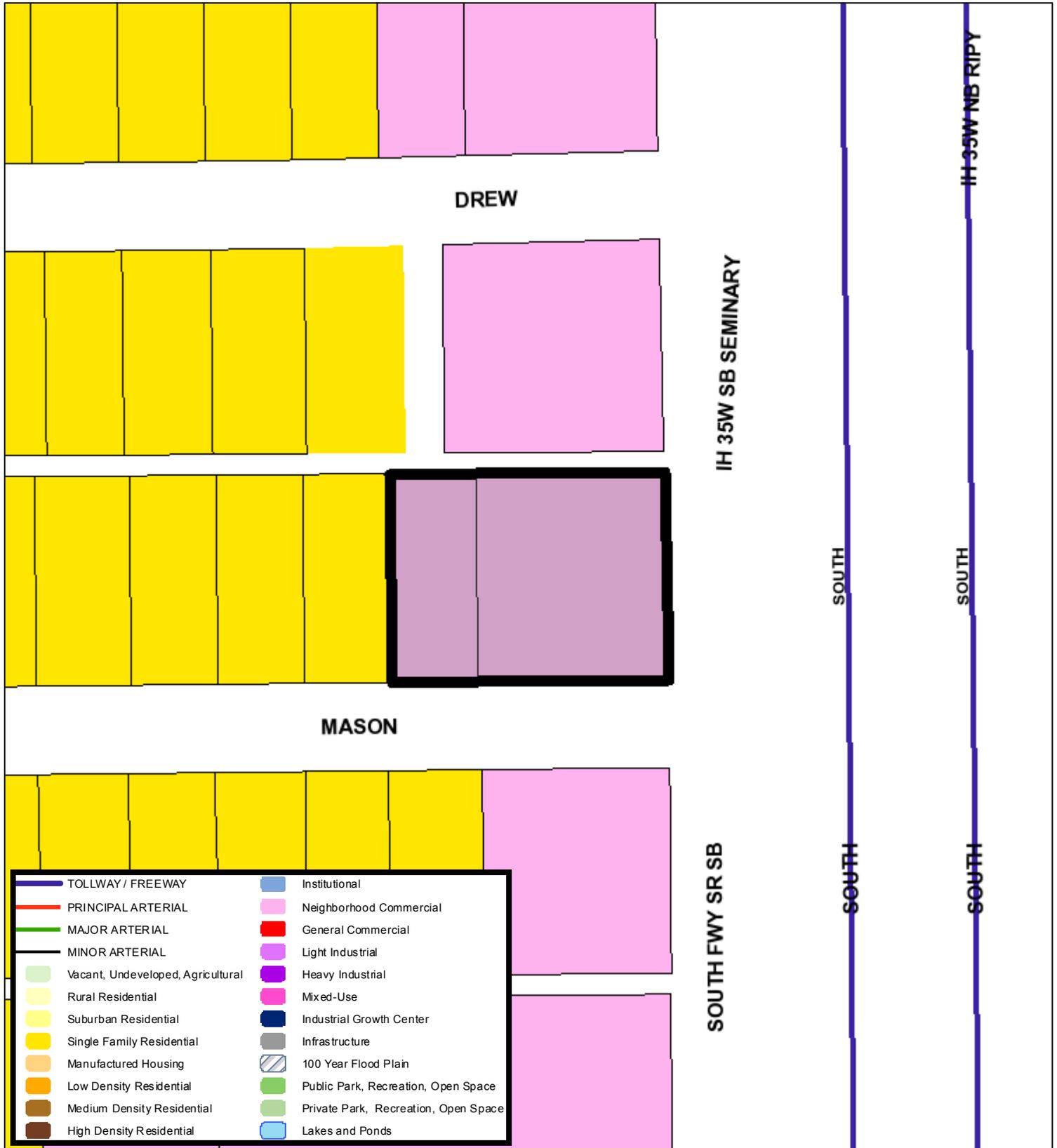


Area Zoning Map

Applicant: Jose Armando Valverde
 Address: 4012 South Freeway, 601 E. Mason Street
 Zoning From: E
 Zoning To: FR
 Acres: 0.42246758
 Mapsco: 91F
 Sector/District: Southside
 Commission Date: 1/14/2015
 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 45 90 180 Feet



**City of Fort Worth, Texas
Zoning Commission
March 11, 2015 – Meeting Minutes**

Present:

Nick Genua, Chair, District 7
Will Northern, District 1
Carlos Flores, District 2
Justin Reeves, District 3
Charles Edmonds, Jr., Vice Chair, District 4
Melissa McDougall, District 5
Wanda Conlin, District 8
Gaye Reed, District 9

Staff Members Present:

Dana Burghdoff, Deputy Director
Jocelyn Murphy, Planning Manager
Lynn Jordan, Planner
Stephen Murray, Planner
Melinda Ramos, Sr. Assistant City Attorney

Absent:

Natalie Moore, District 6

I. Public Hearing – 10:03 A. M.

Ms. Murphy explained the procedure to be followed for the Zoning Commission meeting.

II. Minutes

The Zoning Commission minutes for February 11, were moved to the April 8, 2015 meeting.

Video on individual cases can be viewed at the following website.

http://fortworthgov.granicus.com/ViewPublisher.php?view_id=2

III. Continued Cases

1. 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

Jose Valverde, 702 Glendale Drive, Keller, Texas property owner explained to the Commissioners the case was continued from last month to meet with the neighborhood association. Mr. Valverde said he did meet with the neighborhood and showed them the site plan displayed in which they did approve it. A letter from the Worth Heights NA was received stating they were in support for PD/FR as long as there is a site plan. Mr. Valverde is ok with the PD/FR with the site plan.

Ms. Reed asked Mr. Valverde if he was submitting this as a site plan and not an exhibit. Mr. Valverde said yes he was.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request as Amended for PD/FR with site plan, seconded by Mr. Northern. The motion carried unanimously 8-0.

Document received for written correspondence					ZC-14-174
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Vickie Bargas/ Worth Heights NA	NA	Out		Support with site plan	Sent letter in

2. ZC-15-006 Crestmont Management Co. LLC (CD 7) 1600 Montgomery and 3609-3613 Crestline Road (Queensborough Heights Addition, Block 1, Lots 1-4, 0.56 Acres): from “PD-770” Planned Development/Specific Use for offices; site plan approved to “MU-1” Low Intensity Mixed-Use

Mary Nell Poole, 2918 Wingate Street, Fort Worth, Texas representing Fort Worth Camera explained to the Commissioners they want to expand their business in a new building on Montgomery as displayed on the overhead. They want to build an 11,000 to 12,000 square foot building along Montgomery with parking at the back. Ms. Poole mentioned they do have grade differences on the site as much as 10 to 12 ft. They propose to pave the alley and use it for another egress to keep traffic off of Crestline.

Ms. Poole went on to mention after filing the application they did reach out to Arlington Heights neighborhood to discuss the request. The conclusion of the meeting was they wanted to keep the site as a PD and change it to PD/ER. She did say they were accepting of their request as long as they were able to have development standards for the site. There was another request from the neighborhood to have it zoned PD/SU for office and camera shop only. Ms. Poole that was not economically sound in today’s lending environment and wanted to be able to have the same uses as the PD they are adjacent to. They would like to request PD/ER with development standards that can address the neighborhood concerns and a waiver to the site plan. The development standards would limit some of the uses, limit it to two stories, the maximum square footage envelope and ensure that parking will be on lots 3 and 4 only which provides more buffering for the residential neighborhood.

Beth Kaufmann, 1600 Frederick, Fort Worth, Texas with Arlington Heights NA, spoke in opposition. She handed in a letter of opposition from the Arlington Heights neighborhood association.

Layne McConnell, 3614 Crestline Road, Fort Worth, Texas spoke in opposition. Mr. McConnell is immediately adjacent and is speaking on behalf of the neighbors most directly affected; they do not want offices or retail encroaching into the neighborhood. He explained his presentation and mentioned the issues they encountered with the last PD proposal directly across the street. Mr. McConnell said the neighborhood is not in transition and plan on being there a long time. They want the zoning to be PD/SU for camera shop and office only with a site plan.

Mr. Northern asked Mr. McConnell if the concerns were for the uses, parking and how the building is going to be used. He said they are concerned about the uses and what may go there in the future as well as increased traffic in the neighborhood.

David Fulson	8101 John T White	Out	Opposition		Sent letter in
G. J. Martinez	505 Watson Ct	Out	Opposition		Sent letter in
NA	7512 Fresh Springs Rd	Out	Opposition		Sent letter in
Clara Moore	NA	Out	Opposition		Sent letter in
Shelley Mayo	7202 Randol Mill Rd	Out	Opposition		Sent letter in
Frank & Nancy Kipp	825 Sylvan Dr	Out	Opposition		Sent letter in
Ben Davis	NA	Out	Opposition		Sent letter in
Olivia Duke	NA	Out	Opposition		Sent letter in
Vennessa & Scott Carpenter	NA	Out	Opposition		Sent letter in
Jay Owen	821 Sylvan Dr	Out	Opposition		Sent letter in
Otho W Parker	1712 Rock View Ct	Out	Opposition		Sent letter in

4. 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

Jose Valverde, 702 Glendale Drive, Keller, Texas property owner explained to the Commissioners his presentation and mentioned they want to tear down the vacant building and build a new structure. He said they own the business next door and want to expand. The biggest challenge they have is parking for cars for sale and customers. They will use the lot for overflow and will be adding about 12 parking spaces. They do have an agreement with LeGran Plaza for some employee parking. Mr. Valverde said they have another location in Dallas and displayed how the new building would look. They are proposing about 35 cars to be on the lot.

Ms. Reed asked if he met with the neighborhood association and that they have received a letter in opposition from Worth Heights. Mr. Valverde said he did meet with Ms. Bargas and she had concerns about parking in the street. He said he did not get a chance to present his conceptual site plan and presentation to her.

Ms. McDougall asked on which property the lease was about to expire. Mr. Valverde said 4050 South Freeway and that he will not renew the lease.

Mr. Flores mentioned his 10 employees and asked how many parking spaces he is providing. Mr. Valverde said in his proposal he has nine spaces for customers and the employees will park at LeGran Plaza.

Ms. Burghdoff mentioned his parking being in the projected front yard and the building not being setback 35 ft. from the property line. Ms. Murphy stated the site plan is not part of a PD request.

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.