FORT WORTH

Case Number **ZC-15-085**

ZONING MAP CHANGE
STAFF REPORT

City Council Meeting Date: October 13, 2015

Council District 6

Zoning Commission Recommendation:	Continued	Yes X No __
Approval by a vote of 6-1	Case Manager	Stephen Murray
	Surplus	Yes ___ No X
Opposition: One person spoke, several letters and petition submitted	Council Initiated	Yes ___ No X
Support: One submitted		

Owner / Applicant: **QuikTrip Corporation, etal**

Site Location: 2704 Southgate Dr; 5304, 5308, 5309, 5312, 5313, 5316 and 5317 Lubbock.Ave. Mapsco: 90T

Proposed Use: **QuikTrip Gas Station**

Request: From: "A-5" One-Family

To: "E" Neighborhood Commercial

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 corner of Southwest Loop 820 and McCart Ave. The applicant is requesting a zoning change from "A-5" One-Family to "E" Neighborhood Commercial. The applicant would like to amend the zoning in order to construct a 24 hour QuikTrip gas station and convenience store.

The proposed site is primarily single-family west of McCart Ave. with a large TxDOT facility to the west. The applicant intends to demolish the existing housing, vacate Lubbock Ave. and construct the QuikTrip in its place. The proposed site would be located along a freeway access road and principal arterial and across from the TxDOT district headquarters and yard. However; the proposed commercial would encroach and likely change the character of the established single-family neighborhood.

At the City Council meeting the case was continued so the applicant could reach out to the neighborhood.

The "E" Neighborhood Commercial district provides certain protections for commercial uses adjacent to residential districts. The following table lists these requirements:

Standards	E
Setback	20 ft. projected setback along Southgate due to "A-5" One-Family within the blockface

Supplemental setback and buffer	20 ft supplemental setback, screening fence with 5 ft. bufferyard required adjacent a "A-5" One-Family residential district (point system required: includes fencing type, shrubs, and tree planting)
Parking	4 spaces per 1000 sf
Height	45 ft.

At the Zoning Commission, the applicant explained that the development will meet the regulations of "E" Neighborhood Commercial. They provided some exhibits in a presentation and indicated several items that will be provided, though the proposal is not part of a site plan. The applicant has proposed a masonry sound wall along the property line to the west of the business adjacent to the residential properties. Additional buffer landscaping will be provided within this area. Discussions have been held to ensure that the dumpster is not located in proximity to the residential properties. Lighting is expected to be shielded downward and away from the residential area.

Opposition to the case includes the location of the second driveway to Southgate Dr. that aligns with Lubbock St. and concerns that it will encourage traffic through the residential area.

A neighborhood meeting was held on August 24th to discuss the proposal and possible amendments to the application. The applicant presented several options for the proposed store. In order to further review the proposal, a neighborhood committee was formed. Their purpose was to identify a suitable option and to take it to the newly formed neighborhood association for approval or denial. It was also decided that a traffic study was warranted, to be conducted by Transportation and Public Works in conjunction with the applicant. The committee is waiting to have results of the traffic study in order to make a recommendation which should be completed by the end of September. The majority of attendees were against the overall development but agreed to complete the process.

A follow-up meeting was held with the neighborhood committee to further discuss the proposal. The committee will be taking the updated information to their Neighborhood Organization for a vote. An update of support or opposition from the neighborhood organization has not been provided to staff.

The applicant will most likely revise the proposal at the Council Hearing to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial, site plan provided. A copy of the site plan is included in the packet and waiver request and comments are provided in the comments section below.

Site Information:

Owners:

Jose J. Garcia
5304 Lubbock Ave.
Fort Worth, Texas

Carol Cobb
5317 Lubbock Ave.
Fort Worth, Texas

Dana Williams
5308 Lubbock Ave.
Fort Worth, Texas

James White
2704 Southgate
Fort Worth, Texas

Kevin Faherty
5309 Lubbock Ave.
Fort Worth, Texas

Carolyn Hart
5312 Lubbock Ave
Fort Worth, Texas

Nora Holley
5313 Lubbock Ave.
Fort Worth, Texas

Ramon and Elia Chavez
5316 Lubbock Ave.
Fort Worth, Texas

Applicant: Quik Trip Corporation
1120 N. Industrial Blvd.
Euless, TX 76039

Acreage: 1.85 ac

Comprehensive Plan Sector: Wedgwood

Surrounding Zoning and Land Uses:
North "A-5" One-Family / IH-20
East "A-5" One-Family / TxDOT facility
South "A-5" One-Family / single-family
West "A-5" One-Family / single-family

Recent Relevant Zoning and Platting History:
Zoning History: none
Platting History: none

Site Plan Comments:
The site plan as submitted is in not general compliance with the zoning regulations. The key deficiency is:

1. 5 ft. bufferyard , and point system required adjacent A-5 zoning
2. 4 ft wall prohibited in projected setback along Southgate (4 ft. is allowed but must be open design) (waiver requested)
3. Provide note stating the site will comply with: Forestry, landscaping, signage, and lights will face down
    a. If you are not complying please provide the differences between what you are providing and the requirement
4. Portion of monument sign appears to be within projected setback (waiver requested)
5. Freeway sign 25 ft on property line (waiver requested for 50 ft.)
6. Discussed the possibility of moving dumpster

Compliance with the items noted above shall be reflected on the site plan or a waiver is required.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Southgate Dr	Residential	Residential	No
Lubbock Ave.	Residential	Residential	No
Southwest Loop 820 Service Road	Freeway	Freeway	No
McCart Ave.	Principal Arterial	Principal Arterial	No

Public Notification:
The following organizations were notified:

Organizations Notified	
District 6 Alliance	Trinity Habitat for Humanity
Neighbors Working Together	Streams And Valleys Inc
South Hills NA	Fort Worth ISD
Seminary Hill NA	

Not located within a registered neighborhood association

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 to the south and west with a TxDOT facility to the east and freeway access road to the north.

Gasoline sales and convenience store operations would result in additional traffic, lighting and encroachment concerns.

Based on the encroachment of commercial into a residential neighborhood and the expected increase of land use intensity, the proposed zone change **is not compatible** with existing land uses.

2. **Comprehensive Plan Consistency**
The 2015 Comprehensive Plan designates the subject property as Single-Family. The requested zoning change **is not consistent (Significant Deviation)** with the Comprehensive Plan.

The overall proposal is inconsistent with the following Comprehensive Plan and the policies below:

- 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 City Council meeting
- Minutes from the Zoning Commission meeting

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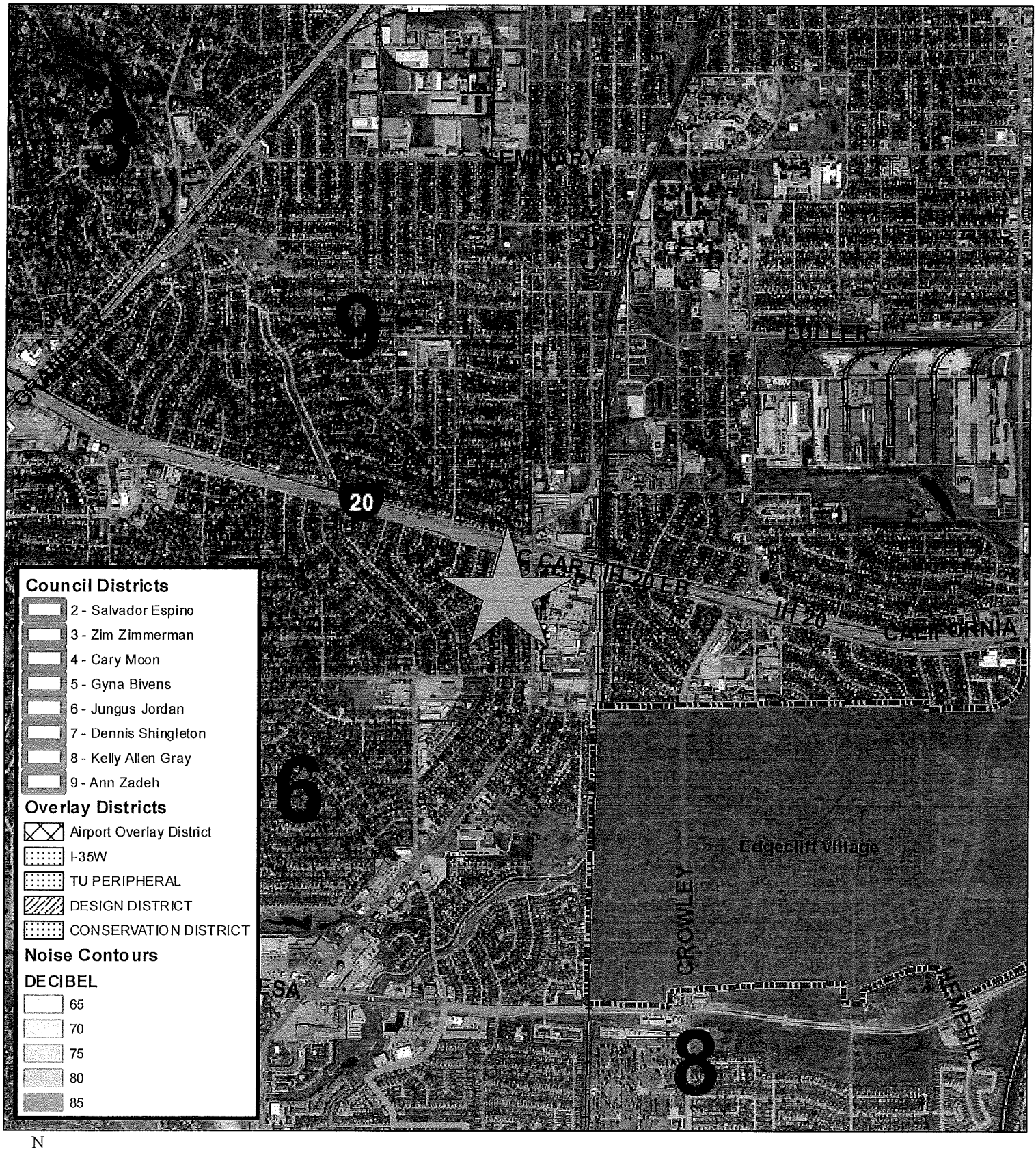
ZC-15-085

Area Map



N

0 1,000 2,000 4,000 Feet

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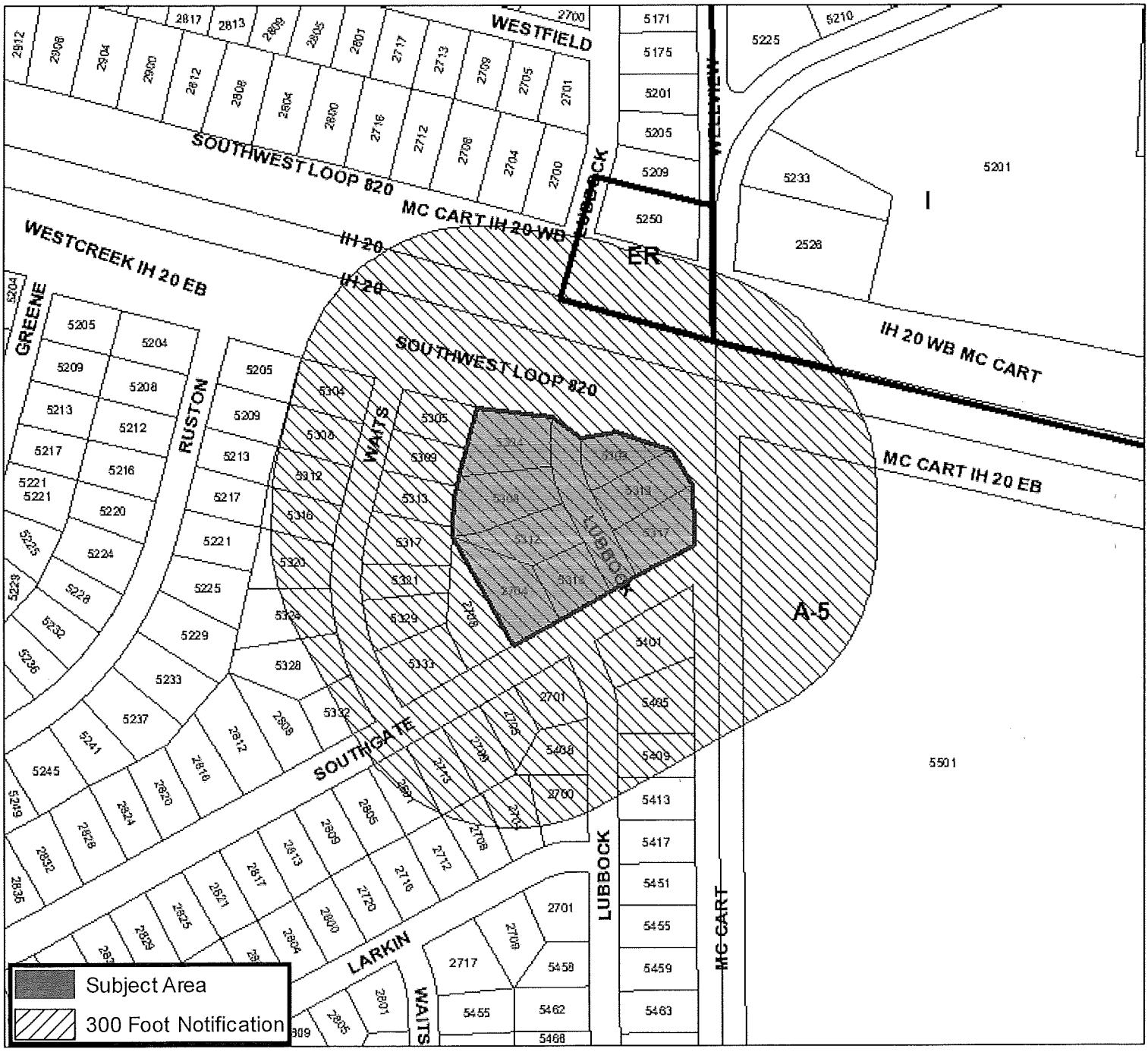
Area Zoning Map

Applicant:	J.Garcia,D.Williams,L.Spearing,R.Chavez etal
Address:	5300 block Lubbock Avenue, 2704 Southgate Drive
Zoning From:	A-5
Zoning To:	E
Acres:	2.42209509
Mapsco:	90T
Sector/District:	Wedgwood
Commission Date:	7/8/2015
Contact:	817-392-8043



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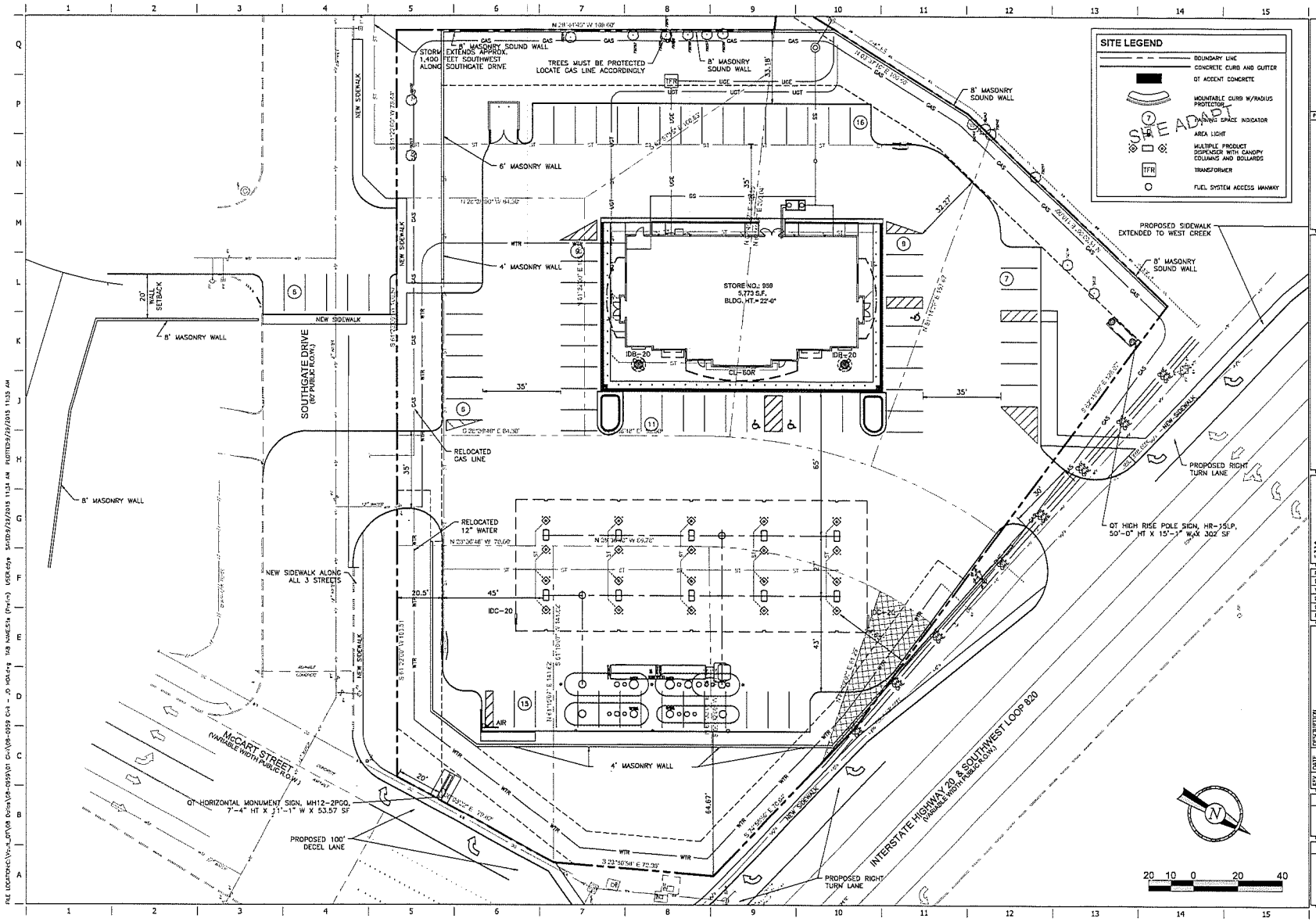

PROJECT NO.: ######

QuikTrip No. 959

McCART & I-20
FORT WORTH, TX

QT

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PROTOTYPE: PMB (05/01/15)
DIVISION:
VERSION: 001
DESIGNED BY: TSM
DRAWN BY: TSM
REVIEWED BY:

REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE:

SHEET TITLE:
CDP PLAN
PRELIMINARY SITE PLAN

SHEET NUMBER:
1

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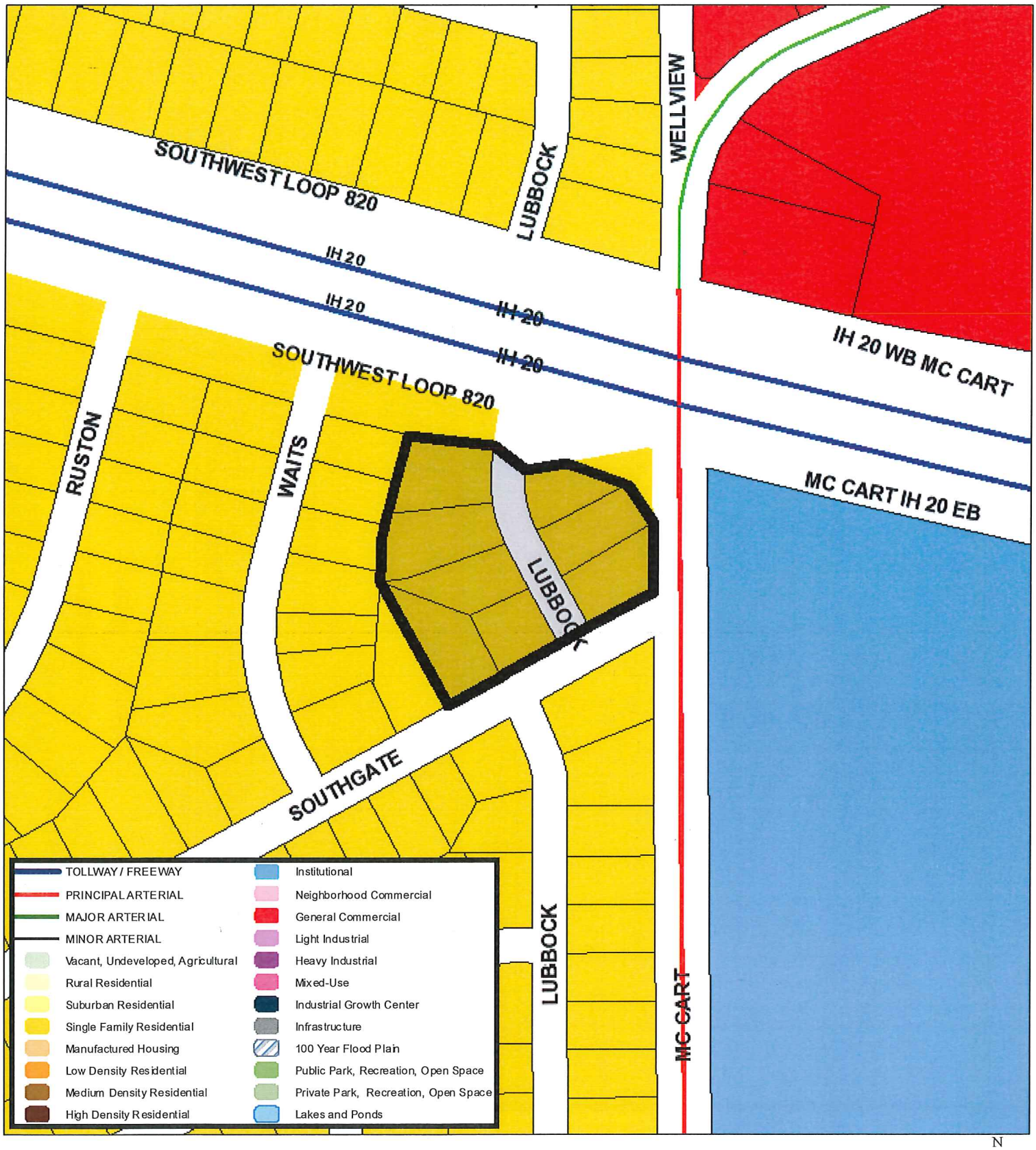
Future Land Use



190 95 0 190 Feet

N

A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 17, 2015.

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Aerial Photo Map

0 120 240 480 Feet

N

4. ZC-15-085 - (CD 6) - Quik Trip Corporation, et. al, 2704 Southgate Drive, 5304, 5308, 5309, 5312, 5313, 5316 and 5317 Lubbock Avenue; from: "A-5" One-Family to: "E" Neighborhood Commercial (Recommended for Approval by the Zoning Commission)

Mr. Jamie Bierschbach, 1120 North Industrial Boulevard, Euless, Texas, completed a speaker card in support of Zoning Docket ZC-15-085 and was recognized by Mayor Price but did not wish to address Council.

The following individuals appeared before Council in opposition to Zoning Docket ZC-15-085:

Mr. Gary Moates, 801 Cherry Street
Ms. Marianna Alfaro, 5216 Cockrell (provided handouts)
Mr. Doug Jones, 5233 Ruston Avenue
Ms. Laura Bradford, 5233 Ruston Avenue
Ms. Barbara Fife, 2704 Larkin Avenue
Ms. Catherine Adkinson, 2828 Larkin Avenue
Mr. David Moorman, 4836 Belladonna Drive
Ms. Sonja Vaughn, 5312 Waits Avenue
Mr. Robert Beaupre, 5332 Wales Avenue
Mr. Scott O'Toole, 5409 Lubbock Avenue
Mr. David Letbetter, 5908 Kimberly Kay Drive
Mr. John Copeland, 2705 Southgate Drive

Mr. Micah Taft, 5212 Cockrell Avenue, completed a speaker card in opposition to Zoning Docket ZC-15-085 and was recognized by Mayor Price but did not wish to address Council.

Mr. Keith Adkinson, 2828 Larkin Avenue, completed a speaker card in opposition to Zoning Docket ZC-15-085 and was recognized by Mayor Price but was not present in the Council Chamber.

The following individuals completed comment cards in opposition to Zoning Docket ZC-15-085:

Ms. Laura Espinoza, 2701 Trinity Valley Court
Ms. Dyan Knapp, 3508 Park Lake Drive
Mr. James West, 5216 Cockrell Avenue

Motion: Council Member Jordan made a motion, seconded by Council Member Moon, that Zoning Docket ZC-15-085 be continued to the October 13, 2015, and that the applicant be required to conduct a traffic review study plan that entails the major intersection of IH-20 and McCart Avenue, as well as Southgate and the surrounding area, and that the applicant revise the application to be a "PD/E" Planned Development use, with site plan required to include transportation solutions if there were any.

6. ZC-15-085 Quik Trip Corporation, etal (CD 6) 5304, 5313, 5308, 5309, 5312, 5316, 5317 Lubbock Avenue, 2704 Southgate Drive (Pt of John Jennings Survey, Abstract 891, etal, 2.42 Acres): from "A-5" One-Family to "E" Neighborhood Commercial

Jamie Bierschbach, 1120 N. Industrial Boulevard, Euless, Texas representing Quik Trip explained to the Commissioners they are requesting "E" zoning to build a Quik Trip. There are eight existing houses that have been there since the 1950's and 60's. They will be complying with all setbacks along Southgate. There will be a 20 ft. landscape buffer behind the site, and they will keep as many trees as possible and provide a solid masonry screening wall.

Mr. Genua asked about the ingress and egress to the site. Mr. Bierschbach said the main entrance will be off of the service road with two points of access along Southgate. He also mentioned there are a lot of commercial businesses along McCart and Altamesa. He said they have reached out to the neighborhood and they will be a quality user for the property.

Mr. Flores asked Mr. Bierschbach about the bufferyard fence and will it rap around the property. He also asked if he could point out where the pole lighting will be located and any provisions to shielding the lights. Mr. Bierschbach said the fence will wrap around the property and that there will be wall pack lighting in the back and pole lighting in the front. He did say there will be some pole lighting in the rear pointing toward the employee parking, away from the residential district.

Scott O'Toole, 5409 Lubbock Avenue, Fort Worth, Texas spoke in opposition. Mr.O'Toole is concerned about the two entrances off of Southgate. There is a lot of cut-through traffic along this street and will increase traffic through the neighborhood.

In rebuttal Mr. Bierschbach said when talking to the neighborhood the biggest concern was traffic. He stated the traffic is already occurring at this site. They talked to the most directly affected property owner along Southgate and they were ok with it. They were looking at an entrance along McCart but it would be too close to the traffic light.

Mr. Genua asked why he is proposing two drives along Southgate. Mr. Bierschbach said they wanted to provide an entrance for the residents along Southgate.

Mr. Flores asked about the staking survey. Mr. Bierschbach said traffic doesn't back up past the second entrance which is where you could enter Lubbock street now.

Mr. Edmonds mentioned another Quik Trip location along Main Street. He said they have been good neighbors and the traffic could be limited to the perimeter.

John Copeland, 2705 Southgate, Fort Worth, Texas spoke in opposition. He is concerned about the neighborhood, traffic and increased crime.

Motion: Following brief discussion, Ms. Moore recommended Approval of the request, seconded by Mr. Reeves. The motion carried 6-1 with Mr. Flores being against.

Document received for written correspondence				*ZC-15-085*
Name	**Address**	**In/Out 300 ft**	**Position on case**	**Summary**

		notification area			
Scott O'Toole	5409 Lubbock	In	Opposition		Spoke at hearing
John Copeland	2705 Southgate	In	Opposition		Spoke at hearing
Cynthia Davis	5417 Lubbock	Out	Opposition		Sent letter in
Danielle DeHoyos	NA	Out	Opposition		Sent letter in
Leo & Nelda Wilkerson	2832 Larkin	Out	Opposition		Sent letter in
Marcia Bolton	2808 Larkin	In	Opposition		Sent letter in
James York	5401 Lubbock	In	Opposition		Sent letter in
Robert Beaupre	5322 Waits	In	Opposition		Sent letter in
Suzanne Wilson	5329 Waits	In	Opposition		Sent letter in
Sonja & Lee Vaughn	5312 Waits	In	Opposition		Signed petition
Richard Reeves	5308 Waits	In	Opposition		Signed petition
Maria Pulido	5305 Waits	In	Opposition		Signed petition
Leopoldo Magana	5313 Waits	In	Opposition		Signed petition
James & Theda Baker	5333 Waits	In	Opposition		Signed petition
Ariel Cortes	2701 Southgate	In	Opposition		Signed petition
Olga & Miquel Chavez	5321 Waits	In	Opposition		Signed petition
Ryan Jordan	5324 Waits	In	Opposition		Signed petition
Jose Manriquez	5320 Waits	In	Opposition		Signed petition
Luis Manriquez	5304 Waits	In	Opposition		Signed petition
Juan Ramirez	2713 Southgate	In	Opposition		Signed petition
Mary Papai & Kenneth Klein	2709 Southgate	In	Opposition		Signed petition
Beverly Jackson	5405 Lubbock	In	Opposition		Signed petition
Barbara Fife	2704 Larkin	Out	Opposition		Signed petition
Asnier Hernandez	2701 Larkin	Out	Opposition		Signed petition
Socorro Castillo	5328 Waits	In	Opposition		Signed petition
Glenda Gutierrez	5316 Waits	In	Opposition		Signed petition