



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 4, 2015

Council District 5

Zoning Commission Recommendation: Approval by a vote of 7-0 Opposition: None submitted Support: None submitted	Continued	Yes ___	No <u>X</u>
	Case Manager	<u>Lynn Jordan</u>	
	Surplus	Yes ___	No <u>X</u>
	Council Initiated	Yes ___	No <u>X</u>

Owner / Applicant: Jose Carlos Garcia

Site Location: 4601 Mansfield Highway Mapsco: 93N

Proposed Use: Office/Warehouse for Construction Company

Request: From: "PD-865" Planned Development for E uses plus auto sales and detailing; site plan approved

To: Amend "PD-865" Planned Development for all uses in "E" Neighborhood Commercial to remove auto sales and detailing and add warehouse; site plan included

Land Use Compatibility: Requested change is compatible.

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

Background:

The proposed site is located north of Mansfield Highway, a proposed principal arterial. The applicant is proposing to amend PD-865 Planned Development for "E" Neighborhood Commercial uses to remove the auto sales and detailing and add a warehouse use for his construction business. The applicant would like to construct a single-story, 7,200 square foot building for office and warehouse to store his construction equipment and materials.

The table below describes the changes to the PD language.

Development Standards	Original PD	Amended PD
Use language	E Neighborhood Commercial uses plus auto sales and detailing; site plan approved	Remove auto sales and detailing and add warehouse; site plan included
Setbacks	20 ft. along Mansfield Highway 10 ft. rear & side yards	Same
Building Size	Approximately 2,000 sq. ft.	7,200 sq. ft.

Parking	11 spaces for employees, 28 spaces for auto sales inventory	22 spaces
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Site Information:

Owner: Jose Carlos Garcia
601 E County Rd 1413
Grandview, Texas 76050

Acreage: 0.99 acres

Comprehensive Plan Sector: Southeast

Surrounding Zoning and Land Uses:

North "I" Light Industrial / vacant
East "E" Neighborhood Commercial / vacant
South City of Forest Hill
West "E" Neighborhood Commercial / commercial

Recent Relevant Zoning and Platting History:

Zoning History: PD-865 Planned Development for E uses plus auto sales and detailing; site plan approved, approved by City Council 12/08/09; subject property.

Platting History: FS-14-117, J. C. Addition, Block 1, Lot 1

Site Plan Comments:

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

1. Indicate type and height of any proposed gate.

Items noted above shall be reflected on the site plan or waivers are required,

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.

(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Mansfield Hwy	Major Arterial	Principal Arterial	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Southeast Fort Worth, Inc.*	Streams & Valleys, Inc
Trinity Habitat for Humanity	Fort Worth ISD

*Located within Southeast Fort Worth, Inc

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zone change to Amend "PD-865" Planned Development for all uses in "E" to remove auto sales and detailing and add warehouse use, site plan included. Surrounding land uses are primarily vacant land to the north and east with commercial to the west,

City of Forest Hill to the south. Neighborhood Commercial is compatible with the surrounding land uses however warehouse use is first permitted by right in industrial districts.

As a result, the proposed zoning **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2015 Comprehensive Plan designates the majority of the subject property as Neighborhood Commercial. Warehouse uses are first permitted by right in I, J, & K zoning districts.

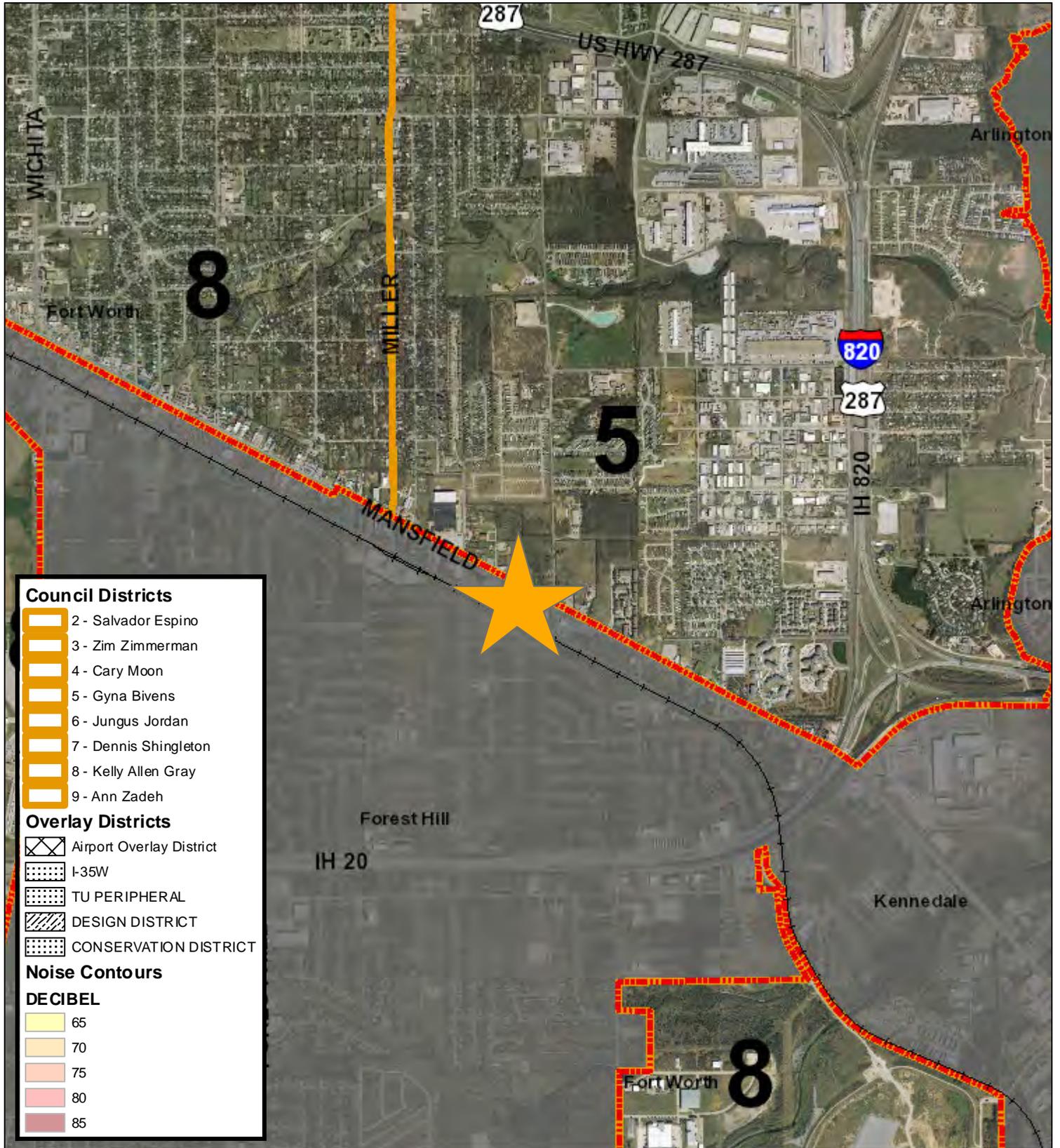
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses. (pg. 40)

The proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan. The proposed "PD/E" zoning is consistent with the following Comprehensive Plan policies; however, by limiting the warehouse use to a contractors business may mitigate any negative effects or neighborhood concerns.

Attachments:

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

Area Map

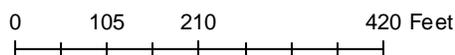




ZC-15-092

Area Zoning Map

Applicant: Jose Carlos Garcia
 Address: 4601 Mansfield Highway
 Zoning From: PD 865 for E uses plus auto sales
 Zoning To: Amend PD 865 to remove auto sales and add warehouse
 Acres: 0.99312232
 Mapsco: 93N
 Sector/District: Southeast
 Commission Date: 7/8/2015
 Contact: 817-392-2495



7C-15-092

GARCIA OFFICE BUILDING

A1

RECEIVED
JUL 07 2006

PLANNED DEVELOPMENT SPECIFIC USE FOR
RESIDENTIAL COMMERCIAL PLUR
PURPOSES AND OFFICE

LEGAL DESCRIPTION
E.P. TRACT 482
E.P. PARIS SURVEY
TARRANT COUNTY, TEXAS

OWNER / DEVELOPER
CARLOS GARCIA
2224 MANSFIELD HIGHWAY
FORT WORTH, TEXAS 76114

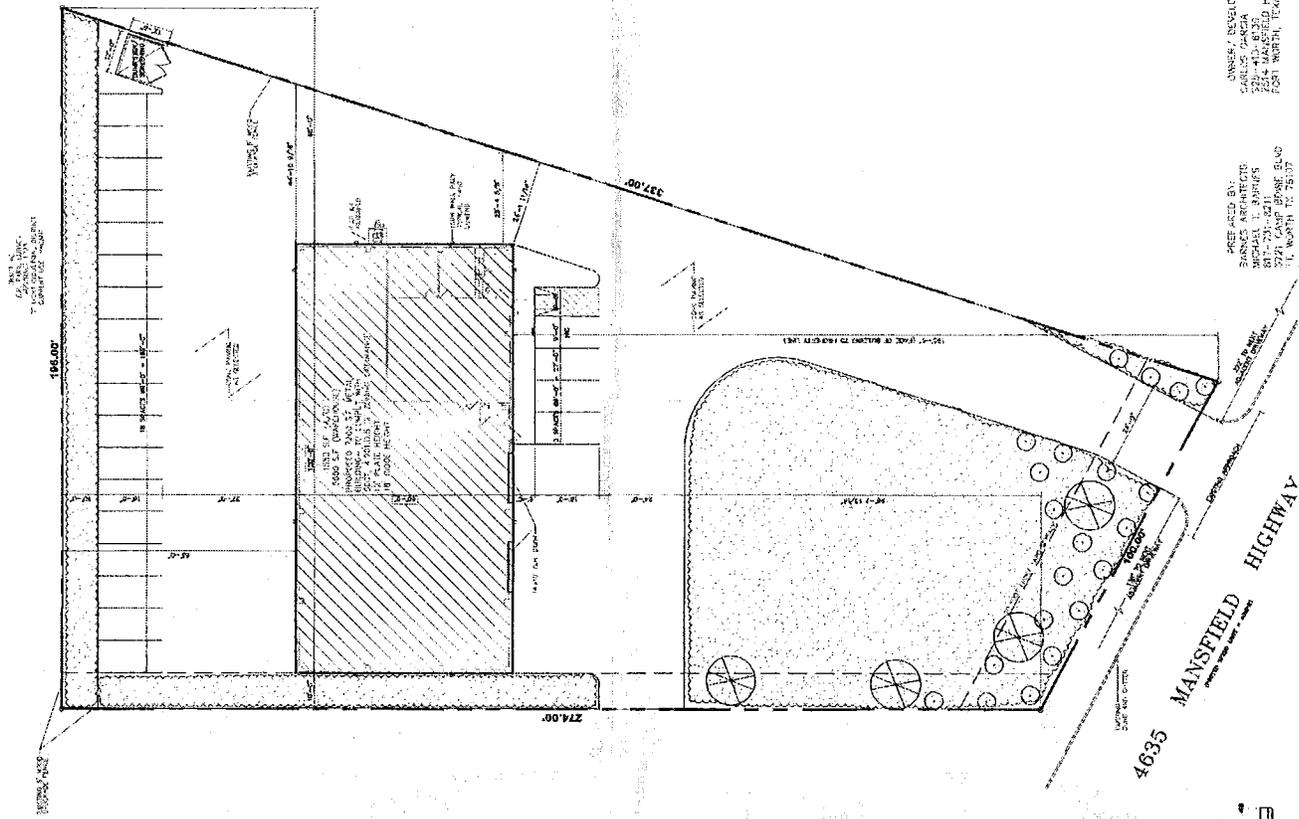
PREPARED BY
BARNES ARCHITECTS
1815 - 231 - 2211
7721 CAMP SPRING BLVD
FORT WORTH, TX 76117

- GRASS/ SOY/ GROUND COVER
- NEW LARGE CANOPY TREE
(1/4" DIA - 3" OIL W/)
- NEW 5 GALL SHRUBS

SEE DEVELOPMENT LIMITS

1. ALL EXISTING WALLS TO REMAIN & MATCH
2. FINISH LANDSCAPE WITH 1/4" DIA - 3" OIL W/ - LANDSCAPING
3. 2" DIA - 1/4" DIA - 3" OIL W/ - LANDSCAPING

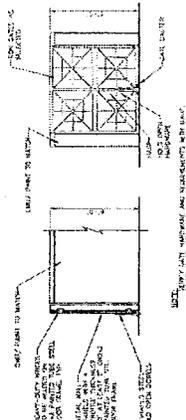
NO.	DATE	DESCRIPTION	BY
1	07/07/06	ISSUED FOR PERMIT	CA
2	07/07/06	REVISIONS	CA
3	07/07/06	REVISIONS	CA
4	07/07/06	REVISIONS	CA
5	07/07/06	REVISIONS	CA
6	07/07/06	REVISIONS	CA
7	07/07/06	REVISIONS	CA
8	07/07/06	REVISIONS	CA
9	07/07/06	REVISIONS	CA
10	07/07/06	REVISIONS	CA



RECOMMENDED FOR APPROVAL



A VICINITY MAP



A REFUSE ENCLOSURE ELEVATION

Proposed

A SITE PLAN



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

101

Tract 4R
E.P. Paris Survey
Abstract 1223
"E" Commercial District
Current Use: Vacant

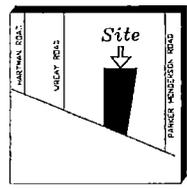
Tract 411
E.P. Paris Survey
Abstract 1223
"I" Light Industrial District
Current Use: Vacant

Tract 4C
E.P. Paris Survey
Abstract 1223
"I" Light Industrial District
Current Use: Vacant

Tract 4A4
E.P. Paris Survey
Abstract 1223
"E" Commercial District
Current Use: Residence



SCALE: 1" = 20'



Location Map

LEGEND

- PROPOSED FLOWER BED
- CHAIN LINK FENCE
- PROPOSED TREE
MIN. 3" CALIPER
- PROPOSED FOUNTAIN GRASS

REQUESTED WAIVERS

1. Waiver For Monument Sign Located In 20' Foot Front Yard Setback;

SITE DEVELOPMENT CONTROLS

1. Days of Operation: Monday thru Saturday;
2. Hours of Operation: 9am thru 6pm;
3. Advertising Flags / Banners / Ballons Prohibited;
4. Indoor or Outdoor Auto Repair And Paint & Body Work Prohibited;
5. All Signs Will Conform to "Article 4, Signs";
6. Project Landscaping Will Conform With "Section 5.301, Landscaping";
7. Site Will Conform With City of Fort Worth "Urban Forestry" Ordinance;
8. Site To Have A Minimum of 4 Trees, Minimum 3 Inch Caliper and A Minimum of 21 Small Ornamental Shrubs Consisting of Fountain Grass Species;

"E" Neighborhood Commercial Development Standards

Requires Standard	Required	Provided	Square Footage Required	Square Footage Provided	Notes
Front Yard	20' Minimum	20'			
Rear Yard	10' Min.	10'			
Side Yard: Interior Lot		10'			Interior Lot: 5' W.P. Adjacent to Residentially Zoned Lot, None Otherwise. If Provided 3' Min.
Parking	9	11			Commercial Building: 4 Spaces Per 1,000 Square Feet Prop. Building = 2350 sq. ft.
Height					3 Stories or 45 Feet Max.

Original

ZC-09-106
Planned Development / Specific Use
For
"E" Neighborhood Commercial
Plus
Auto Sales and Auto Wash / Detail

APPROVED
By: *[Signature]*
Date: Dec 8, 2009

4635 Mansfield Highway
Fort Worth, Texas ZC 09-106-
Tract 4B2 - E.P. Paris Survey - Ass. #1223
0.95 Acres of Land

RECEIVED
DEC 29 2009
BY: _____

[Signature]
Director of Planning & Development

Date: 12/3/09

Revised 09-28-09

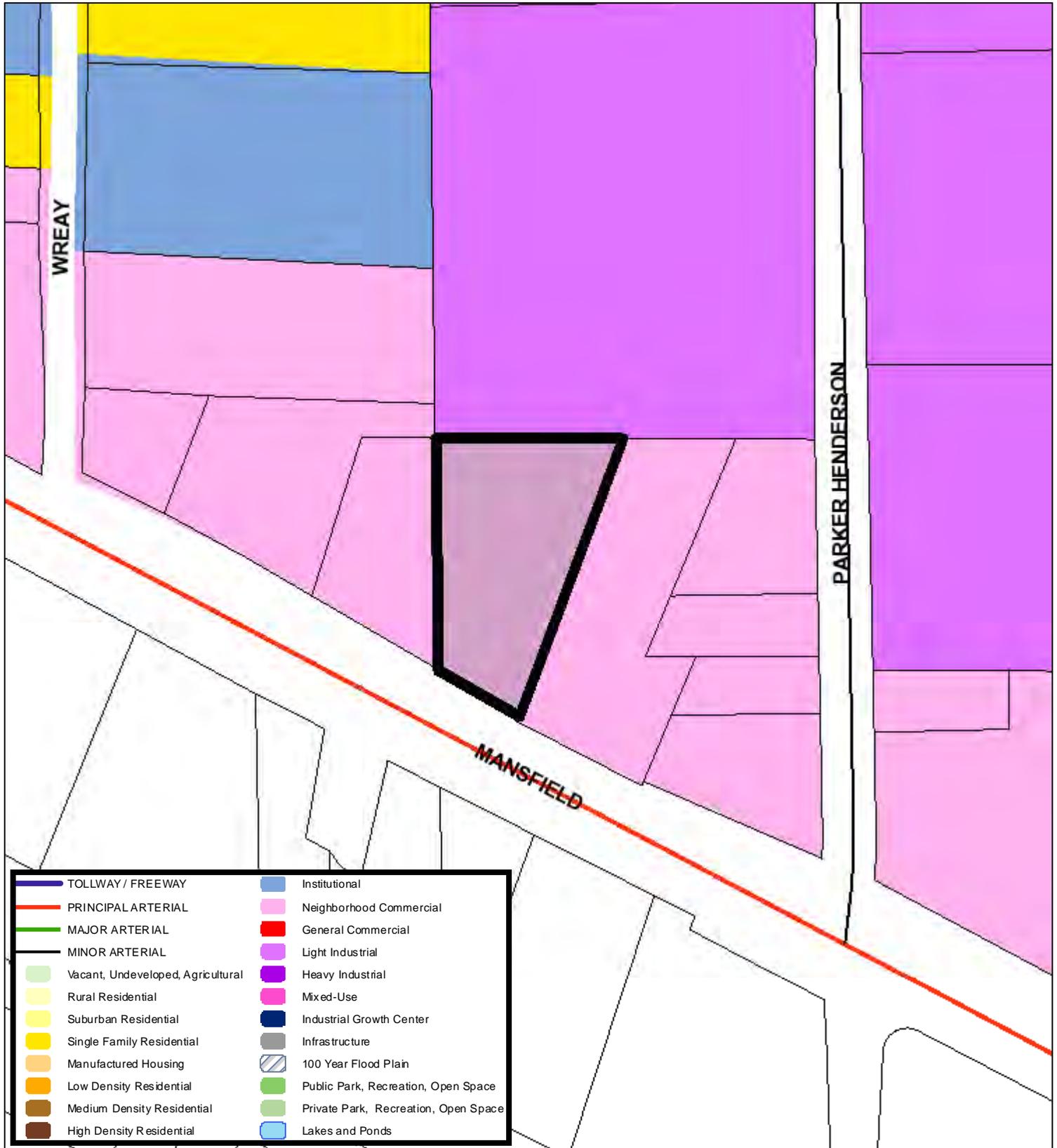
Exhibit Prepared By
Bonilla Group
Land Development Consultants
4540 Charleston Avenue
Fort Worth, Texas 76123
(817) 230-9754
BonillaGroup@gmail.com

Owner / Applicant
Rued R.K. Khuder
3700 Venice Drive
North Richland Hills, TX 76180
(817) 919-6119

Mansfield Highway

BONILLA GROUP Job No. 090705 Planning = Kaden Auto Sales = 09-12-09

Future Land Use



	TOLLWAY / FREEWAY		Institutional
	PRINCIPAL ARTERIAL		Neighborhood Commercial
	MAJOR ARTERIAL		General Commercial
	MINOR ARTERIAL		Light Industrial
	Vacant, Undeveloped, Agricultural		Heavy Industrial
	Rural Residential		Mixed-Use
	Suburban Residential		Industrial Growth Center
	Single Family Residential		Infrastructure
	Manufactured Housing		100 Year Flood Plain
	Low Density Residential		Public Park, Recreation, Open Space
	Medium Density Residential		Private Park, Recreation, Open Space
	High Density Residential		Lakes and Ponds

140 70 0 140 Feet

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.



Aerial Photo Map



0 90 180 360 Feet



Lillian & Ty Copeland	900 W Anthony	Out	Opposition		Signed petition
Hipolita & Luz Peralta	817 W Anthony	In	Opposition		Signed petition
Cruz Ramos	819 Flint	Out	Opposition		Signed petition
Jesus Rivera	813 Flint	In	Opposition		Signed petition
Manuel Jiminez	805 W Anthony	In	Opposition		Signed petition
Ofelia Hernandez	734 W Flint	Out	Opposition		Signed petition
Gisela Rios	731 W Flint	In	Opposition		Signed petition
Armando Delgadillo	808 Flint	Out	Opposition		Signed petition
More than 24 additional signatures are on the petition on file in Planning & Development Department					

13. ZC-15-091 Moises Esquivel (CD 7) – 8801 Magnolia Blossom Trail (Duvall Estates, Block 1, Lot 1HS, 5.57 Acres): from “AG” Agricultural to “A-2.5” One-Family

No one was present for the case.

Motion: Following brief discussion, Ms. Moore recommended a Denial without Prejudice of the request, seconded by Mr. Reeves. The motion carried unanimously 7-0.

14. ZC-15-092 Jose Carlos Garcia (CD 5) 4601 Mansfield Highway (J. C. Addition, Block 1, Lot 1, 0.99 Acres): from PD865 Planned Development for all uses in “E” Neighborhood Commercial plus auto sales and detailing; site plan approved to Amend PD865 to remove auto sales and detail and to add warehouse use; site plan included

Jose Carlos Garcia, 609 E. County Road 1413, Grandview, Texas property owner explained to the Commissioners he wants to rezone in order to build an office/warehouse building for his construction company. He did mention he spoke with surrounding neighbors and they support it.

Motion: Following brief discussion, Mr. Edmonds recommended Approval of the request, seconded by Mr. Northern. The motion carried unanimously 7-0.

<i>Document received for written correspondence</i>					ZC-15-092
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Southeast Fort Worth, Inc	NA	Out		Support	Sent letter in