



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 19, 2016

Council District 8

Zoning Commission Recommendation:

Approval as Amended to move the dumpster, move the fence to the 25 ft. projected setback, and allow a maximum of 28 parking spaces by a vote of 9-0

Opposition: None submitted

Support: None submitted

Continued Yes ___ No X
Case Manager Lynn Jordan
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: David Terry

Site Location: 305 Chicago Avenue Mapsco: 78H

Proposed Use: Parking lot

Request: From: "ER" Neighborhood Commercial Restricted

To: "PD/SU" Planned Development/Specific Use for a parking lot only with "MU-1" development standards and with posted signage visible from all areas of the property disallowing any type of work on vehicles in the parking lot; site plan included

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

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

Urban Design Principles: Requested change **is not compatible.**

Background:

The proposed site is located just off East Lancaster, a principal arterial, and Chicago Avenue a residential street. The applicant is proposing an Advance Auto Parts supply store at 4054 East Lancaster and needs to use this rear lot for required parking spaces. All property used by a business including adjacent lots is considered a premises which must have the correct zoning for the business. As the lot is currently zoned "ER" auto parts sales are not allowed on this lot. A Certificate of Occupancy would be provided for the entire site including the building and parking lot.

A building permit has been submitted for the auto parts store. The existing structure will be removed and a new 6,584 square foot building constructed.

The applicant originally requested MU-1 to be consistent with the zoning of the front lot. MU-1 allows the auto parts sales use. However, the location next to a residential use triggers multiple additional requirements for the parking lot that are not provided in the building permit site plan. Staff recommended the PD/SU with MU-1 development standards and to request the needed waivers but also to limit the use

of this lot to parking only for protection of the residential use. The applicant supports the PD since the permit is currently on hold and to save time in lieu of variances from the Board of Adjustment.

The established front yard from the adjacent residential zoning district does not project into the MU district, therefore the front yard fence and parking would be permitted in this area.

Below are the MU-1 requirements that are not being met in the building permit submission.

	<u>Required</u>	<u>Provided / Waiver Required</u>
Parking spaces	Min. 20 spaces (75%) Max. 27 spaces (100%)	28 spaces (Zoning Commission recommended waiver to 1 parking space)
Screening of parking lot to street	Min. 36" to 40" berm or fence	Have to provide screening
Dumpster and screening located in front of building	Accessory structures must be behind the building wall	Dumpster to be relocated to the interior per Zoning Commission recommendation

Urban Design Principles:

Design Staff Findings and Recommendations

It is design staff's professional opinion that the requested waivers are not in keeping with the general intent and develop principles of the mixed use ordinance. In addition, **simple design solutions can easily eliminate the need for the requested waivers, therefore staff recommends denial of all three waivers and request the applicant work with staff to revise the site plan in order to comply with the zoning regulations.**

REVIEW OF PROPOSED MU-1 WAIVERS

When waivers from the mixed-use zoning ordinance are being sought, design staff looks to the development principles established in the zoning ordinance for guidance when evaluating these waivers. Design staff's evaluations of the waivers being sought for the Chrystal Springs project are as follows:

4.1300 D.1 Commercial and Mixed-Use Parking Table (Complies after Zoning Commission recommendation, 1 space over)

Chapter 6 of the zoning code allows commercial uses up to 125% parking when extra trees are provided. The mixed-use ordinance caps your parking at 100% of the Chapter 6 requirement in order to reduce the amount of surface parking lots and to encourage other forms of mobility rather than driving. The Autoparts project is providing 32 spaces (121%) where 27 spaces maximum (100%) is allowed.

MU-1 development principle 4 promotes sustainable development that minimizes negative impacts on air and water quality and promotes innovation in environmental design. Mixed-use districts should limit parking in order to promote the use of transit, cycling, and walking. When a project devotes more space than needed to parking, it makes driving a more convenient option thus reducing the incentive to walk or bike to your destination.

4.1300 E.3.d&e. Landscaping in Parking and Driveway Areas (Has to comply with screening of parking lot to row with berm or fence)

The mixed-use ordinance requires that all parking lots visible from the public right-of-way as well as driveways that are adjacent or parallel to public streets be screened with landscaping, berms, or walls no taller than 42 inches in height. The applicant is providing no landscape screening off East Lancaster nor Chicago Ave. where landscape screening is required from both public right-of-ways.

MU-1 development principles 1 and 2 place a primary emphasis on creating a walkable, pedestrian friendly form of development and requires excellence in design of the public realm.

Utilizing screening elements such as landscaping, berms, or low walls helps to mitigate the negative visual effects of large surface parking lots. The screening regulation also works hand in hand with required enhanced landscaping to ensure that the public streetscape is attractive, inviting, and a comfortable pedestrian walking environment.

5.302 B.1&3 Accessory Uses on Non-Residential Lots (Complies after Zoning Commission recommendation)

The mixed-use ordinance refers to Chapter 5 Supplemental Use Standards when regulating accessory uses such as dumpsters. Chapter 5 requires all non-habitable accessory uses, including dumpsters, be located behind the front wall of the primary structure. The applicant is proposing to locate the dumpster in front of the Chicago Street building façade and directly adjacent to the public right-of-way.

MU-1 development principles 1 and 2 place a primary emphasis on creating a walkable, pedestrian friendly form of development and requires excellence in design of the public realm. Similar to the regulation that requires screening of parking lots and driveways, dumpsters should be located in a manner that minimizes their visibility and placed at a distance that helps to mitigate unpleasant smells for pedestrians walking along the public sidewalk.

OVERALL PROJECT ANALYSIS

Urban design staff has reviewed the site plan waivers and suggests the applicant remove 5 parking spaces, which will allow the applicant to comply with the maximum parking regulation, provide space for landscape screening and the ability to relocate the dumpster behind the front building.

Site Information:

Owner: David Terry
 6216 Glen Gary Court
 N. Richland Hills, TX 76180
 Agent: Melissa Huffman
 Acreage: 0.275
 Comprehensive Plan Sector: Eastside

Surrounding Zoning and Land Uses:

North "MU-1" Low Intensity Mixed-Use / vacant gas station
 East "A-5" One-Family / vacant
 South "A-5" One-Family / single-family
 West "PD878" Planned Development for all uses in "E" plus pawn shop; site plan required for application of new construction or modification of building footprint / pawn shop

Recent Relevant Zoning and Platting History:

Zoning History: ZC-10-010 Council-initiated for various zoning districts to "A-5" One-Family, Eff. 02/23/10, subject area
 ZC-10-070D PD878 Planned Development for "E" uses plus pawn shop with a site plan required for new construction or modification of building footprint. Eff. 09/22/10, subject property to the west.
Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
E. Lancaster Ave	Principal Arterial	Principal Arterial	No
Chicago Ave	Residential	Residential	No

Public Notification:

The following Organizations were notified:

Organizations Notified	
West Meadowbrook*	Trinity Habitat for Humanity

East Fort Worth Business Assoc.	Streams & Valleys, Inc
Southeast Fort Worth Inc.	Fort Worth ISD
Eastside Sector Alliance	

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change from “ER” Neighborhood Commercial Restricted to “PD/SU” Planned Development/Specific Use for parking lot only for an auto parts supply store. Surrounding land uses are a vacant structure to the north, commercial and vacant to the east, single-family to the south and an existing pawn shop to the west.

The proposed zoning **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2016 Comprehensive Plan designates the subject property as Neighborhood Commercial. MU-1 was developed in 2001 based on the “E” Neighborhood Commercial uses. Auto uses are typically not consistent with the Neighborhood Commercial category. However, in 2006, auto parts sales was added as a use in MU-1.

Therefore, the proposed “PD/SU” for parking lot only with MU-1 development standards **is consistent** with the following Comprehensive Plan policies.

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)

Attachments:

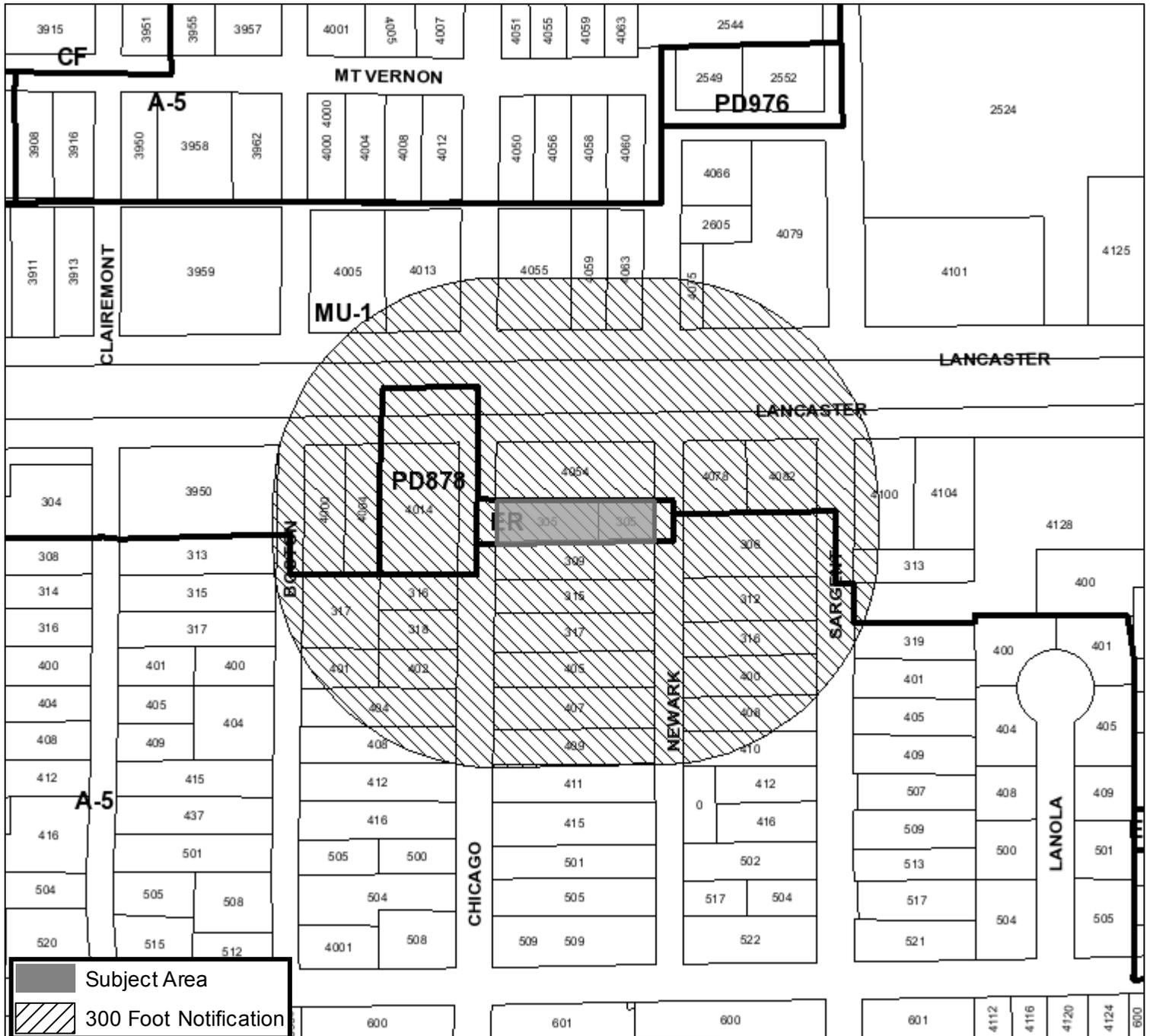
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Design Review report



ZC-16-071

Area Zoning Map

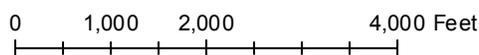
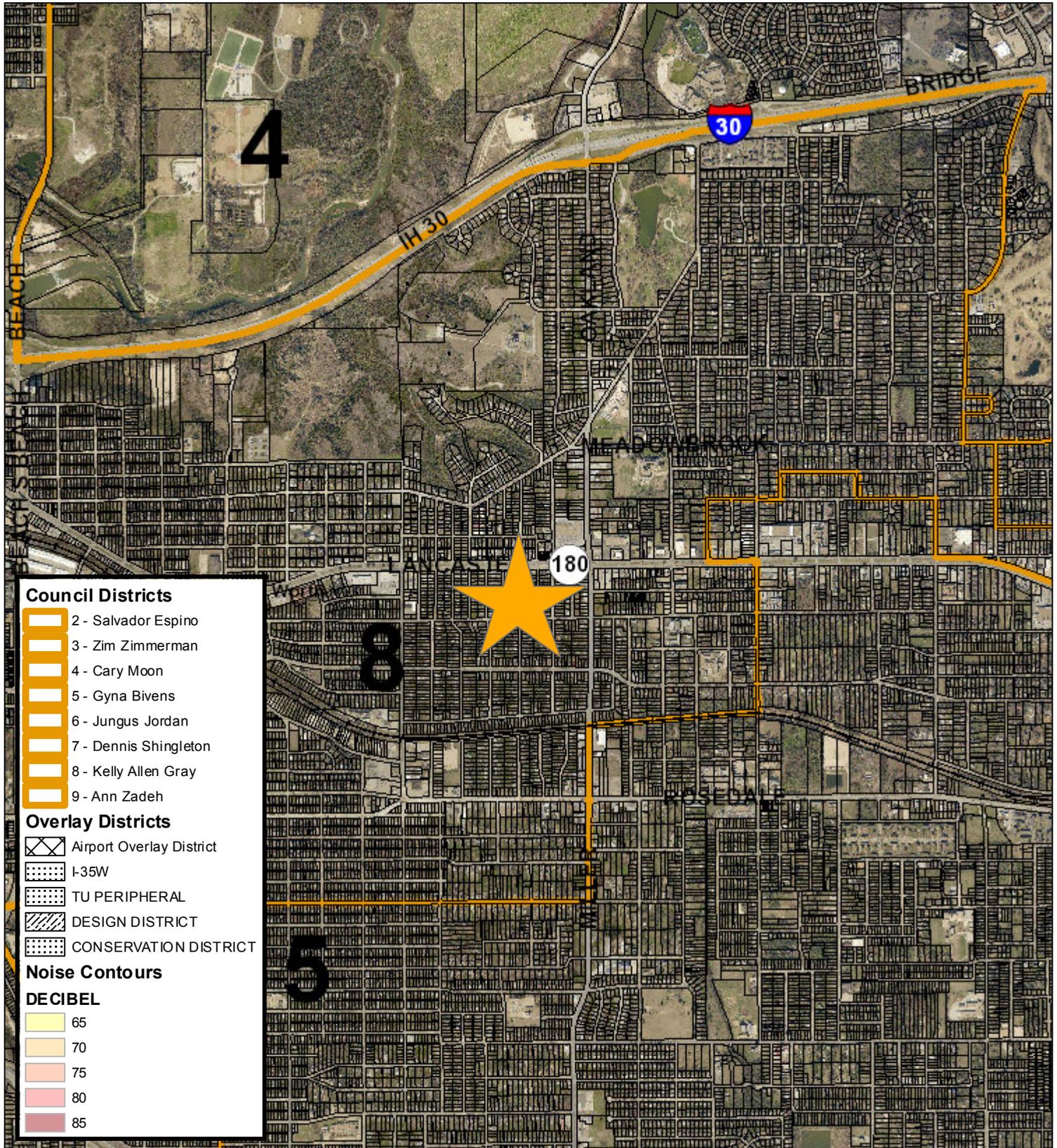
Applicant: David Terry
 Address: 305 Chicago Avenue
 Zoning From: ER
 Zoning To: MU-1
 Acres: 0.27589344
 Mapsco: 78H
 Sector/District: Eastside
 Commission Date: 4/13/2016
 Contact: 817-392-2495



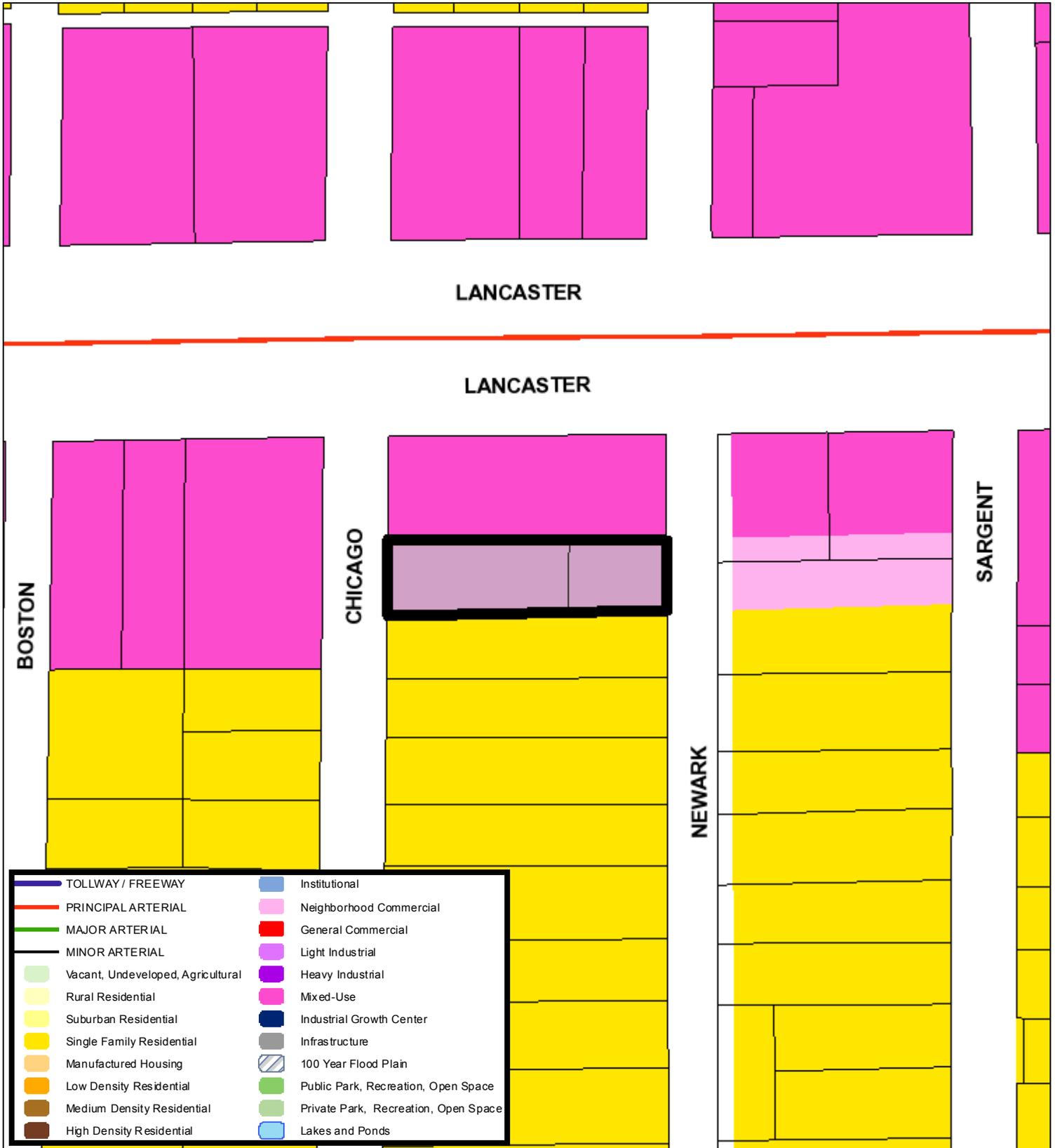
 Subject Area
 300 Foot Notification

0 95 190 380 Feet

Area Map



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

100 50 0 100 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 29, 2016.



Aerial Photo Map



0 65 130 260 Feet

