



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
May 3, 2016

Council District 2

Zoning Commission Recommendation:
Approval by a vote of 6-3

Opposition: One person spoke, Petition, Several citizen letters

Support: Petition submitted

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

Owner / Applicant: PCI Grand Ave. LLC

Site Location: 502 Grand Ave. and 1203-1205 Lee St. Mapsco: 62Q

Proposed Use: Add Event Center to ER uses

Request: From: "ER" Neighborhood Commercial Restricted
To: "PD/ER" Planned Development for all uses in "ER" Neighborhood Commercial Restricted plus event center; site plan included

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent. (Minor Boundary Adjustment for 1205 Lee St.)

Background:

The subject property was constructed as a nonresidential use in 1949 and rezoned from A-5 to ER in 2014. The property owner maintains an office in two suites in the building and the third suite is rented to a catering business, which is a permitted use in the ER district.

The catering business is requesting to use some of the existing outdoor space as an event center to be rented for private events and parties. Initially, the southeast corner will be converted into a patio area for outdoor food service. The site plan provides that an existing warehouse building may also be converted to event space in the future. A building permit for conversion of that space will be necessary and a Certificate of Occupancy issued.

Parking on the property is limited. The property owner purchased the property to the north, 1205 Lee St, for additional parking in order for parking to not spill into the surrounding neighborhood. The rear part of this lot has already been paved. A dumpster is also planned on this lot. As part of the PD approval, the applicant is requesting that the thirteen parking spaces required for the day office uses also be counted as parking for the night event uses.

At the Zoning Commission hearing there were concerns with parking, hours of operation and noise.

| | Ratio | Required | Provided |
|-------------------------|-----------------|----------|----------|
| Office/Catering 3894 sf | 1 spaces/300 sf | 13 | 16 |

| | | | |
|--|------------------|---------------------------------|----------------------------------|
| Day use | | | |
| Event Space (outdoor) 1582 sf Event Space (future indoor) 1350 sf Night use | 5 spaces/1000 sf | 15 8 outdoor 7 indoor | 16 (double count office parking) |

Site Information:

Owner: PCI Grand LLC
502 Grand Ave.
Fort Worth, TX 76106
Applicant: Juan Rodriguez
Acreage: 0.63 acres
Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

North "A-5" One-Family / single family
East "A-5" One-Family / single family
South "A-5/DD" One-Family/Demolition Delay / cemetery
West "A-5" One-Family / single family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-14-001 from "A-5" to "ER", subject property.
Platting History: None

Site Plan Comments:

The site plan as submitted is not in general compliance with the zoning regulations.

1. There is a 20 ft. supplemental setback along the west property line in which no permanent structures are permitted, site plan indicates a dumpster within the setback. **(waiver required)**
2. Auxiliary parking lots when adjacent to A-5 or B zoning require screening fence and lot to be chained and locked at night. **(waiver required)**
3. Indicate how the dumpster will be accessed with landscaping in front of it.
4. Identify on the site plan the entire width of Lot 25; it is not clear on the site plan.

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

TPW comments:

1. Street Dimensions - Show the dimensions of all existing or recorded streets, alleys, easements, railroad ROW, or other public ROW within or adjacent to the subdivision boundaries. The distance from the centerline of the existing roadway of the boundary street to the proposed property line shall be shown.
2. Show all Sidewalks - Sidewalks and street lights are required for all public and private streets and public access easements as per City of Fort Worth Standards

Platting Comments

No comments have been made at this time.

(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) |
|---------------------|-------------|-------------|------------------------------------|
| Grand Ave. | Collector | Collector | No |
| Lee St. | Residential | Residential | No |

Public Notification:

| Organizations Notified | |
|------------------------------|-------------------------|
| Inter-District 2 Alliance | Northside NA* |
| Trinity Habitat for Humanity | Streams And Valleys Inc |

*Site located within this registered neighborhood organization**

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to “PD/E” Planned Development for “E Neighborhood Commercial uses plus event center. Surrounding land uses consist of residential to the north, west and east and a cemetery to the south.

The proposed zoning request **is compatible** at this location.

2. **Comprehensive Plan Consistency**

The 2016 Comprehensive Plan designates the subject property as Neighborhood Commercial and Single Family (1205 Lee St.). Serving as a parking lot and open space, the Lee St. property will serve as a buffer between the commercial use and surrounding residential uses. The requested zoning change **is consistent (Minor Boundary Adjustment)** with the following Comprehensive Plan policies:

- 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. 38)

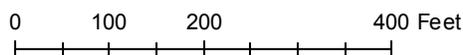
Attachments:

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

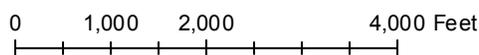
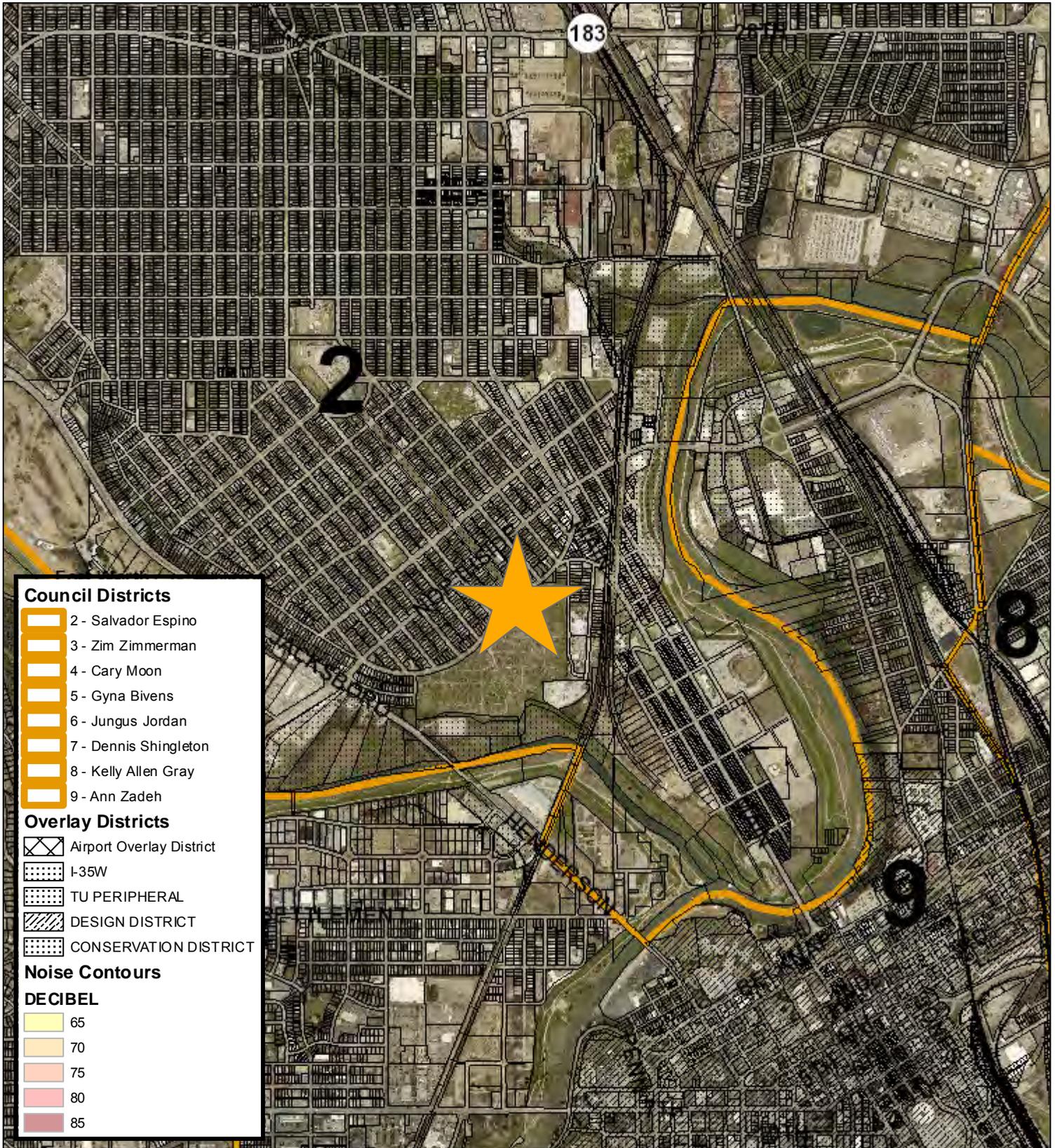


Area Zoning Map

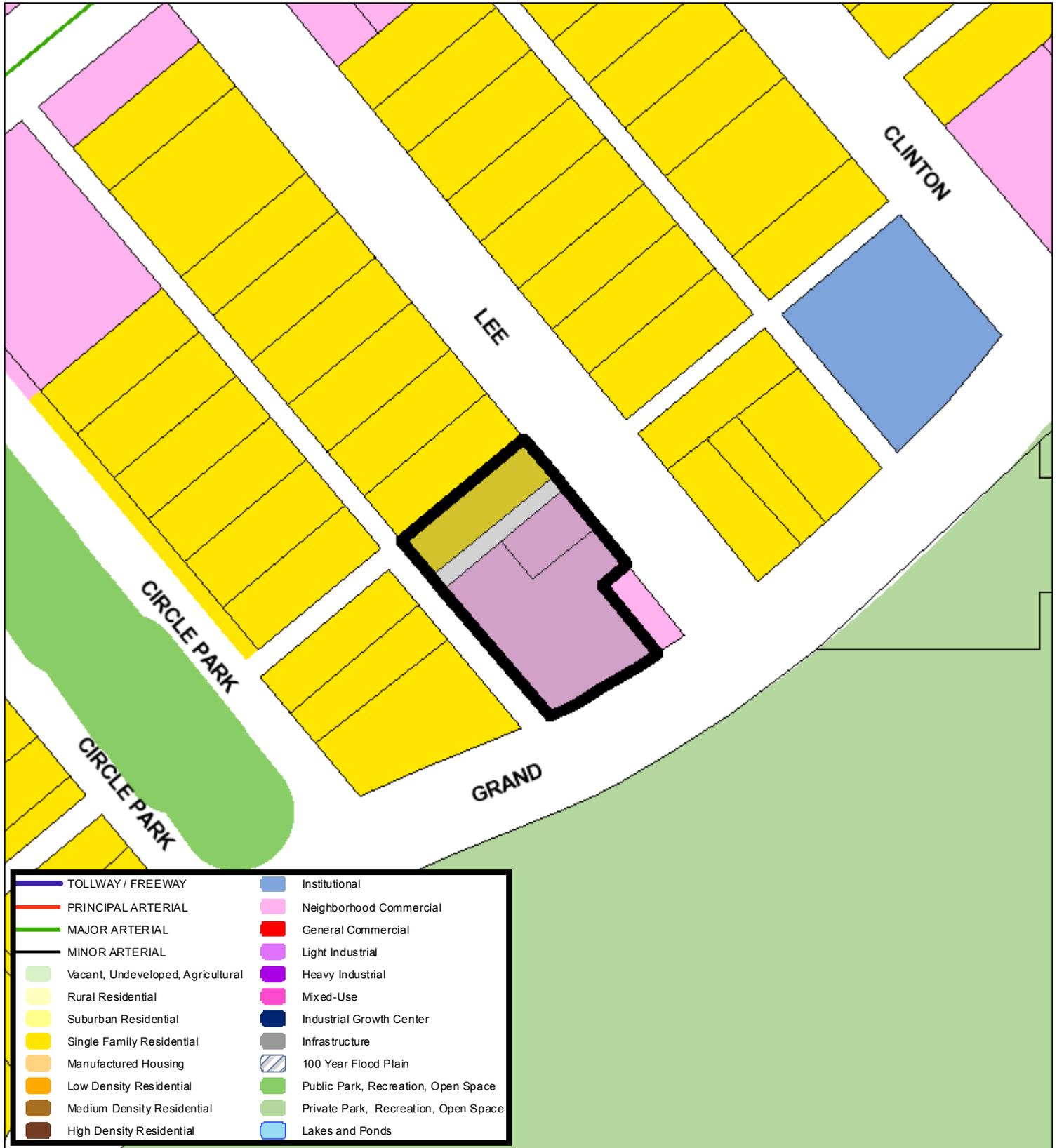
Applicant: PCI Grand Avenue, LLC
 Address: 502 Grand Avenue, 1203 and 1205 Lee Avenue
 Zoning From: ER
 Zoning To: PD for ER uses plus event space
 Acres: 0.63589317
 Mapsco: 62Q
 Sector/District: Northside
 Commission Date: 4/13/2016
 Contact: 817-392-6226



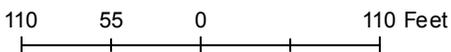
Area Map



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 |



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 75 150 300 Feet



Scott Willingham, 737 Newport Road, Fort Worth, Texas President of Bentley Village HOA spoke in opposition. He did mention the meeting they had and he did not recall the board supporting or not supporting the project. Mr. Willingham has the same concerns.

In rebuttal Mr. Nana said they talked with Handley NA and Silver Leaf Villas whom expressed support for the project. He thinks this is a good project for this area. Mr. Nana said the closest car wash is within about five miles other than a hand car wash.

Ms. McDougall asked if he brought any support letters and stated that one of the closest car washes is closing down.

Motion: Following brief discussion, Ms. McDougall recommended Denial of the request, seconded by Ms. Conlin. The motion carried unanimously 9-0.

| <i>Document received for written correspondence</i> | | | | | ZC-16-075 |
|---|-----------------------|---------------------------------------|------------------|---------|------------------|
| Name | Address | In/Out 300 notification area | Position on case | | Summary |
| Lonnie Folsom | 6053 Walnut Drive | Out | | Support | Spoke at hearing |
| Roman/Mary Palomares | 8904 Hunters Glen Trl | Out | Opposition | | Spoke at hearing |
| Ana Rothschild/Bentley Village HOA | 740 Newport Rd | Out | Opposition | | Spoke at hearing |
| Jacquelyn Barnd/Mallard Cove | 7249 Specklebelly | Out | Opposition | | Sent letter in |
| Ron Norman | 820 Newport Rd | Out | Opposition | | Spoke at hearing |
| Scott Willingham | 737 Newport Rd | Out | Opposition | | Spoke at hearing |
| Judy Taylor | NA | Out | Opposition | | Sent letter in |
| Jim Maness | 832 Tennis View | Out | Opposition | | Sent letter in |
| Charles Robbins | 5816 Heitt Ct | Out | Opposition | | Sent letter in |
| Ted Legatski/Neighborhoods of East Ft. Worth | NA | Out | Opposition | | Sent letter in |

12. ZC-16-076 PCI Grand Avenue, LLC (CD 2) – 502 Grand Avenue and 1203-1205 Lee Street (North Fort Worth Addition, Block 62, Lot 25 and Block 62, Lot 2R , and Lot 1 N 40’, 0.63 Acres): from “ER” neighborhood Commercial Restricted to “PD/ER” Planned Development for all uses in “ER” Neighborhood Commercial Restricted plus event center; site plan included

Juan Rodriquez, 3504 Creston Avenue, Fort Worth, Texas property owner explained to the Commissioners he is requesting “PD/ER” zoning in order to have an event center. Mr. Rodriquez

said he attended the neighborhood meeting and thought it went well. There was opposition to the noise and he could address that. He said he found leases for overflow parking.

Mr. Flores asked Mr. Rodriguez where 216 Grand Avenue is and are the lots improved. Mr. Flores also asked what was presented to the Northside Neighborhood Association. Mr. Rodriguez identified it on the overhead map and said the lots were not improved but one is gated and that they would use it to valet cars. Mr. Rodriguez said they met on March 15 and he presented the affidavit from the seven neighbors and provided a picture and the original site plan of the event space. Mr. Flores mentioned several letters of opposition they received. He asked how many guests he plans to accommodate at this facility and how many employees there are for the other two suites. Mr. Rodriguez said 25-30 guests for private events and there are two employees only in the other suites. There are no day events planned at this time, only nighttime events. Mr. Flores mentioned neighborhood concerns about parking, the location of the dumpster and why there are so many parking places. Mr. Rodriguez said he has two employees and once a month the realty office has a meeting. Mr. Flores asked staff if the PD were granted would the use add more parking. Ms. Murphy said the parking was based on all uses proposed.

Ms. McDougall asked if he has a contract with both owners. Mr. Rodriguez said he has an email from them on the agreements for the overflow parking. Mr. Flores asked about the agreements, if both lots were paved, how many cars can be parked on the lots, and the hours of operation for both businesses. Mr. Rodriguez said only one of them is paved and gated, roughly five or six cars can park on each lot, hours of operation are from 5:00 pm to 9:30 pm, Friday and Saturday. The real estate office is open from 9:00 am to 5:00 pm.

John Rodriguez, 2220 N. Houston, Fort Worth, Texas spoke in opposition. Mr. Rodriguez submitted a petition and stated their main concerns are additional traffic in the neighborhood.

Mr. Flores asked about the signatures. Mr. Rodriguez said most of the signatures are senior citizens. He also stated the business is in a neighborhood.

In rebuttal Mr. Rodriguez said speeding along Grand Ave. has slowed down and that they do not sell alcohol. His business isn't causing the concern, it is another restaurant in the area.

Motion: Following brief discussion, Mr. Flores recommended a Denial of the request, seconded by Ms. Runnels. The motion failed 3-6 with Mr. Northern, Ms. Dunn, Mr. Cockrell, Mr. Edmonds, Ms. Conlin and Mr. Genua against. On a substitute motion Mr. Cockrell recommended Approval of the request, seconded by Mr. Northern. The motion carried 6-3 with Mr. Flores, Ms. McDougall and Ms. Runnels against.

| <i>Document received for written correspondence</i> | | | | | ZC-16-076 |
|---|------------------|---------------------------------------|------------------|---------|------------------|
| Name | Address | In/Out 300 notification area | Position on case | | Summary |
| John Rodriguez | 2220 N. Houston | Out | Opposition | | Spoke at hearing |
| Sara Bermejo | 1206 Circle Park | In | | Support | Signed petition |
| Mark Diaz | 1210 Circle Park | In | | Support | Signed petition |

| | | | | | |
|-----------------------------|------------------|-----|------------|---------|-----------------|
| Martin Quintanilla | 1208 Lee Ave | In | | Support | Signed petition |
| Valerie Coronado | 1206 Lee Ave | In | | Support | Signed petition |
| Anthony Marrujo | 500 Grand Ave | In | | Support | Signed petition |
| | 1201 Circle Park | Out | | Support | Signed petition |
| Lizett Fonseca | 506 Grand Ave | In | | Support | Signed petition |
| Tressa Hilburn/Northside NA | NA | Out | Opposition | | Sent letter in |
| Deborah Gallardo | 1209 Lee Ave | In | Opposition | | Sent letter in |
| Arauli Sotelo | 1204 Circle Park | In | Opposition | | Signed petition |
| George Hilton | 1209 Circle Park | Out | Opposition | | Signed petition |
| Roberto Garcia | 1213 Circle Park | Out | Opposition | | Signed petition |
| Joel Hill | 1321 Circle Park | Out | Opposition | | Signed petition |

13. ZC-16-077 Ashen Inv., Inc. (CD 3) – 200 Academy Boulevard (J W Haynes Survey, Abstract No. 795, 4.00 Acres): from “E” Neighborhood Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus mini warehouses; site plan included

Michael McCarty, 325 Bent Oak Road, Weatherford, Texas representing Ashen Inv. Inc. explained to the Commissioners the request to rezone to “PD/E” and to allow for mini warehouse use, the total square footage will be approximately 64,000 sq. ft., a masonry wall around the perimeter.

Mr. Cockrell asked if he reached out to the neighborhood associations and if it will be manned 24/7, and lighting requirements especially on the north side and access hours. Mr. McCarty said they did send letters out to the adjacent property owners and the neighborhood association. He stated he just received the letter of opposition that was submitted this morning. The facility will have 24 hour security management on-site, the lighting will be directed away and downward from the residential area. Currently, they plan to have 24 hour access.

Mr. Flores made a motion to table the case, seconded by Mr. Cockrell. The motion carried unanimously 9-0.

Railey Fallis, 9845 Rock Ledge, Fort Worth, Texas spoke in opposition. Mr. Fallis read into the record his concerns about the zoning case. The major concerns are the height of the screening wall, lighting, hours of operation and property values. He mentioned he has about a 15-18 ft. drop on his rear property line and the 6 ft. screening wall would not shield his property.

In rebuttal Mr. McCarty said this would be a desired use in this area based on their studies. They would be willing to restrict hours of operation and increase the height of the screening fence on