



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
June 14, 2016

Council District 9

Zoning Commission Recommendation:
Approval by a vote of 9-0

Opposition: One letter submitted
Support: Letters submitted, Jennie Mae St. Louis, Ryan Place Improvement, Hemphill Corridor Taskforce, South Hemphill Heights

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

Owner / Applicant: Terri West/Westway Hamilton, LCC

Site Location: 2837 Hemphill Street Mapsco: 77W

Proposed Use: Multifamily

Request: From: "E" Neighborhood Commercial
To: "MU-1" Low Intensity Mixed-Use

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Background:

The proposed rezoning site is located at the intersection Hemphill Street and Lowden Street. The applicant is proposing a zoning change from 'E' Neighborhood Commercial to "MU-1" Low Intensity Mixed-Use. The applicant intends to use the existing structure and convert it into multifamily, which is its historic use.

The Hemphill Corridor was rezoned as part of a Council Initiated rezoning and included the subject property. The case was approved January 21, 2009. The subject site was previously zoned "F" General Commercial and is now "E" Neighborhood Commercial. The proposed designation is in close proximity to the Hemphill/Berry Urban Village, and the proposed zoning is consistent with similar rezoning northwest of the site.

A single-family neighborhood is located directly east of the proposed site and separated by a 16 ft. alley. The land uses immediately surrounding the zoning are divided between residential and commercial uses. The applicant intends to rehabilitate the existing multifamily building. If approved, the applicant will have to bring the buildings into conformance with current building code requirements and will also have to adhere to setbacks, landscaping, transitional buffers, and provide sufficient on-site parking.

Site Information:

Owner: Terri West/Westway Hamilton, LCC
2530 5th Avenue
Fort Worth, TX 76110

Agent: Jim Johnson
 Acreage: 0.5 acres
 Comprehensive Plan Sector: Southside
 Surrounding Zoning and Land Uses:
 North "E" Neighborhood Commercial / commercial
 East "B" Two-Family / residential
 South "E" Neighborhood Commercial / single-family
 West "E" Neighborhood Commercial / commercial

Recent Relevant Zoning and Platting History:

Zoning History: ZC-08-196, Council Initiated Rezoning, from F to E, approved 1/21/09 (subject property)
 ZC-14-012, from A-5 to MU-1; effective 3/29/14; (northwest of subject property)
Platting History: NA

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Hemphill Street	Major Arterial	Major Arterial	No
Lowden St	Residential	Residential	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Near Southside Neighborhood Alliance	Berry Street Initiative
Ryan Place Improvement Assn	Hemphill Corridor Task Force
South Hemphill Heights NA	Trinity Habitat for Humanity
West Morningside NA	Streams And Valleys Inc.
Jennings May St Louis NA	Fort Worth ISD

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to "MU-1" Low Intensity Mixed-Use for multifamily. The immediate neighborhood is predominantly residential with commercial uses along Hemphill Street.

The applicant intends to rehabilitate the existing buildings back to multifamily use. The proposed site is located in close proximity to the Hemphill/ Berry Urban Village. The activation and rehabilitation of property along Hemphill is desirable and the proposed MU-1 zoning **is compatible** with the neighborhood.

2. **Comprehensive Plan Consistency**

The 2016 Comprehensive Plan designates the site as Neighborhood Commercial. The proposed "MU-1" zoning **is consistent** with the Comprehensive Plan. The site is in close proximity to the focus of the Hemphill/Berry Urban Village and is in keeping with the following Comprehensive Plan policies.

- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, demolition, neglect, and other negative forces. (pg. 37)
- 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)

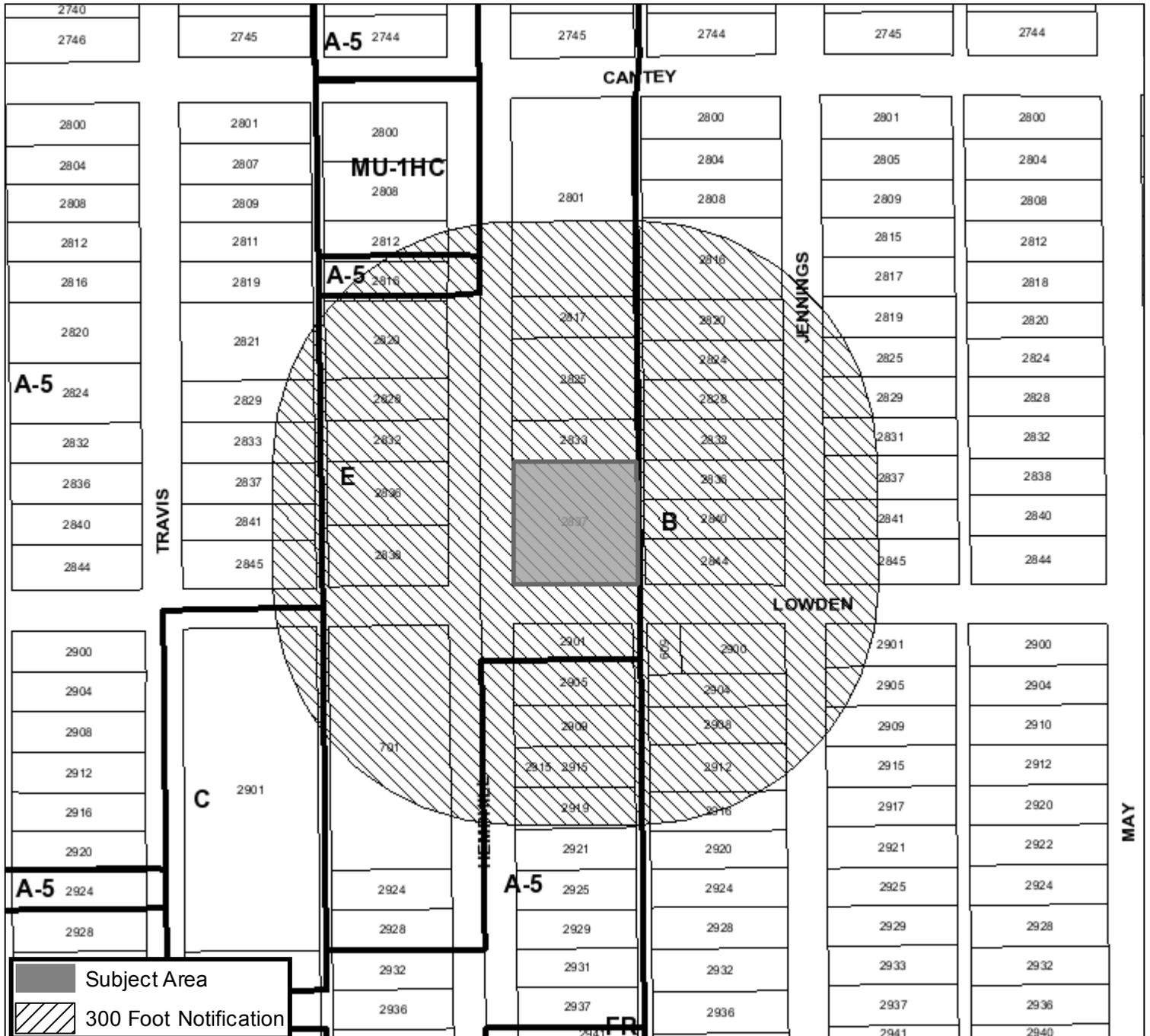
Attachments:

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

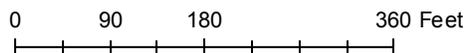


Area Zoning Map

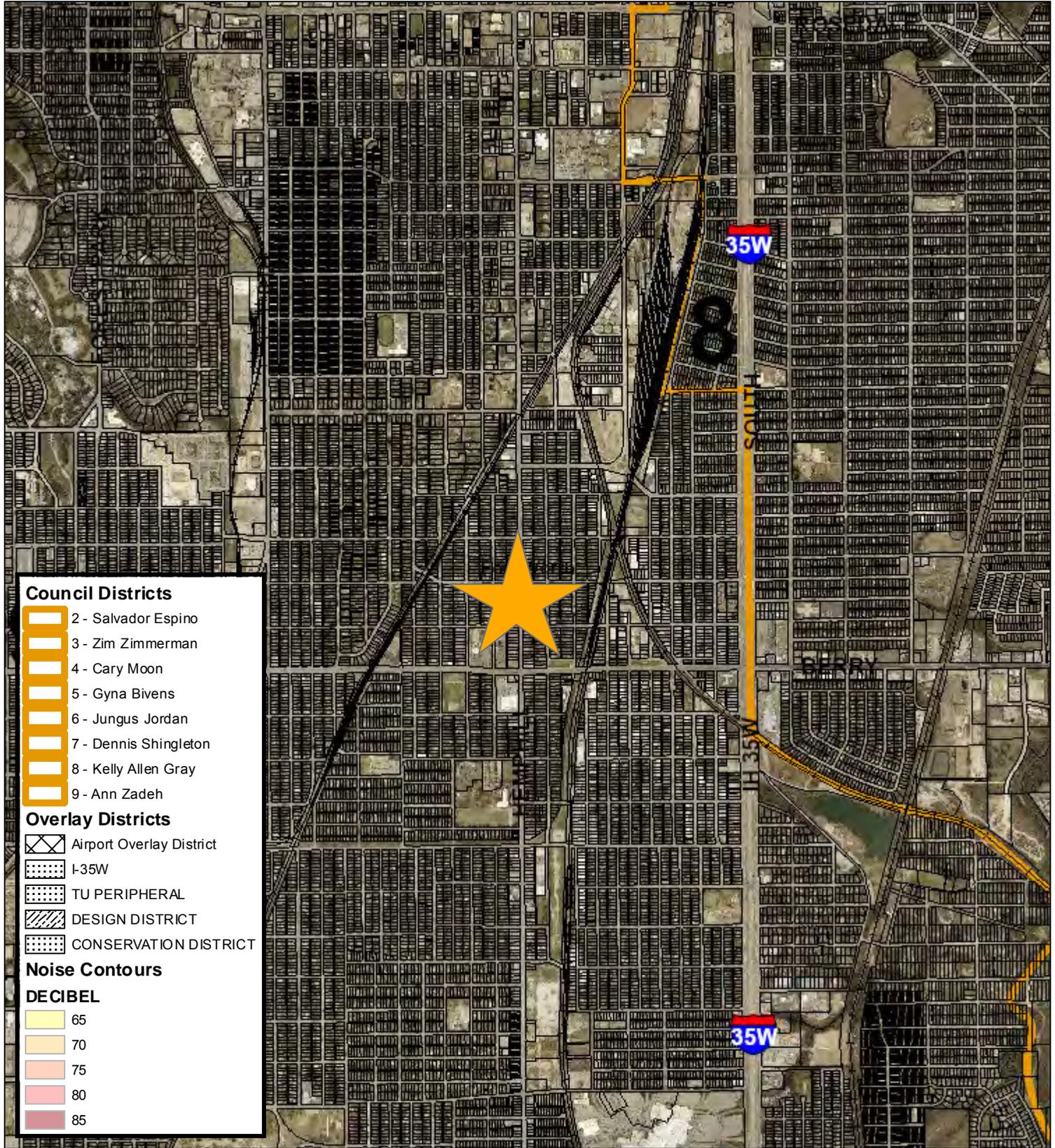
Applicant: Terri West/Westway Hamilton, LCC
 Address: 2837 Hemphill Street
 Zoning From: E
 Zoning To: MU-1
 Acres: 0.54889852
 Mapsco: 77W
 Sector/District: Southside
 Commission Date: 5/11/2016
 Contact: 817-392-8043



Subject Area
 300 Foot Notification



Area Map



Council Districts

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

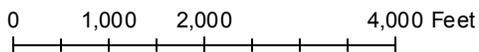
Overlay Districts

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

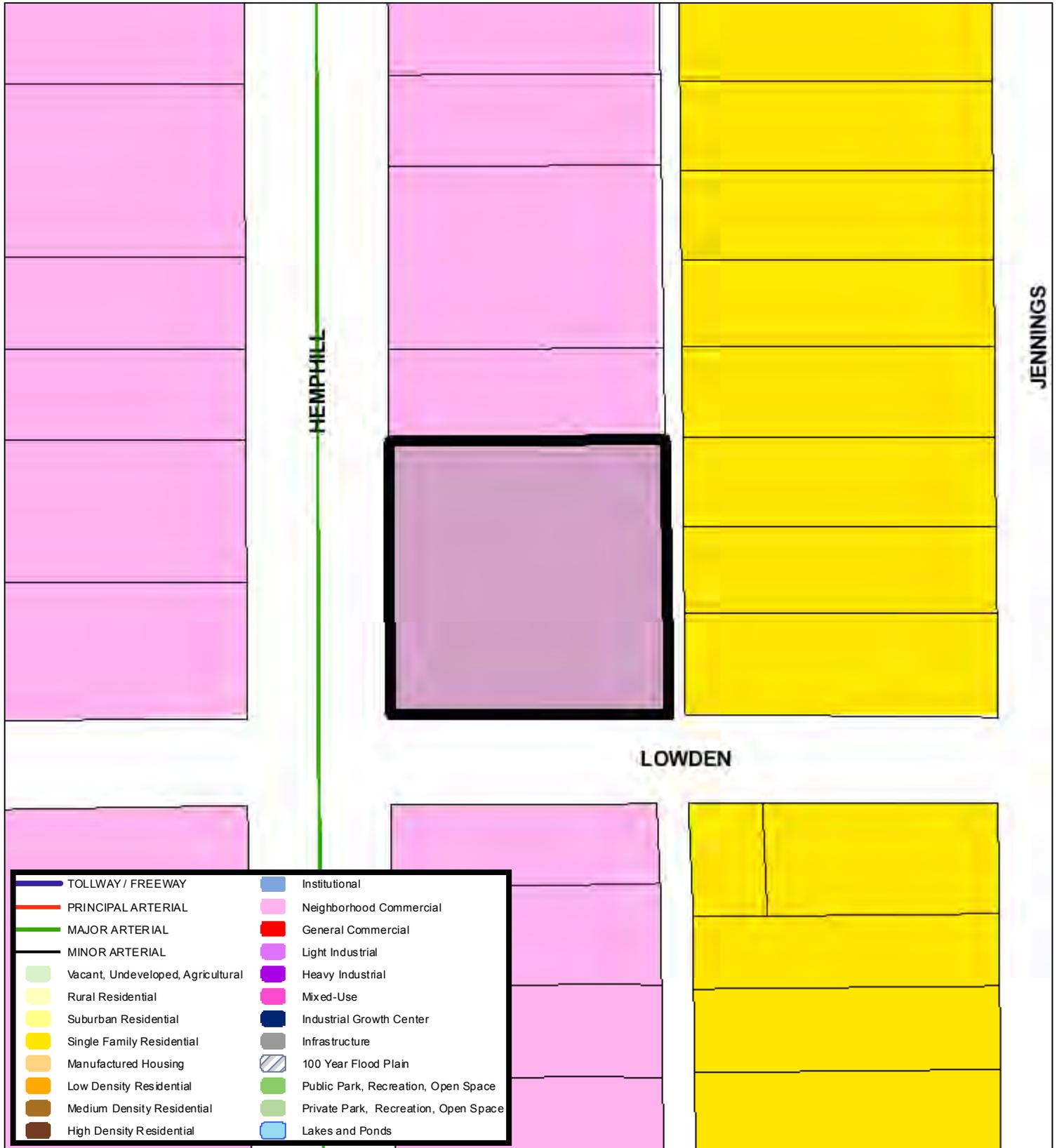
Noise Contours

DECIBEL

-  65
-  70
-  75
-  80
-  85



Future Land Use



75 37.5 0 75 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 45 90 180 Feet



Mr. Flores asked about the equipment storage. Tim Kander, 4412 Old Mabry Place, Roswell, Georgia with Ritchie Brothers said probably about 300 pieces at a time. The equipment starts to arrive about 4-6 weeks prior to the auction and stays about two weeks after the auction and that they hold about five sales a year.

Motion: Following brief discussion, Mr. Flores recommended Approval of the request, seconded by Mr. Northern. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-16-090
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Tim Kander	4412 Old Mabry	Out		Support	Spoke at hearing
Kevin Monahan/Marine Creek Estates HOA	5632 Ainsdale	Out		Support	Correspondence handed in at the meeting

6. ZC-16-091 FW Rivercrest Bluffs LLC (CD 7) – 221, 223 and 239 Nursery Lane (Rivercrest Addition, Block 13, Lots 13I, 13J, 13K, 13L, 1.47 Acres): from “B” Two-Family and PD 990 “PD/A-5” Planned Development for “A-5” One-Family with Development Standards for 15 ft. front yard setbacks, 60% lot coverage; site plan waived to Amend PD 990 to add property and waive the projected front yard setback and allow a masonry screening wall; site plan waiver requested

Mary Nell Poole, 2918 Wingate, Fort Worth, Texas representing FW Rivercrest Bluffs LLC explained to the Commissioners they are requesting an amendment to the PD to add additional property and to waive the front yard setback to allow for a screening wall fence to be shielded by trees and ground cover. Ms. Poole said they will be installing a four foot sidewalk for connectivity. Ms. Poole stated she visited with the neighborhood association as well as affected property owners who were in support.

Mr. Northern asked about the screening wall. Ms. Poole said the wall will only extend along the four lots and noted the future development for this area will probably be “UR”.

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

7. ZC-16-092 Terri E. West/Westway Hamilton LLC (CD 9) – 2837 Hemphill Street (South Hemphill heights Addition, Block 15, Lots 10, 11, 12, 0.55 Acres): from “E” Neighborhood Commercial to “MU-1” Low Intensity Mixed-Use

Jim Johnson, 3224 Rogers Avenue, Fort Worth, Texas representing Terri West/Westway Hamilton LLC explained to the Commissioners the Historic Hamilton apartments were built in 1927 and have been vacant for more than 20 years. Mr. West explained they are requesting

“MU-1” for residential uses and have meet with several of the registered neighborhood organizations whom are in support.

Motion: Following brief discussion, Ms. Dunn recommended Approval of the request, seconded by Ms. Runnels. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-16-092
Name	Address	In/Out 300 notification area	Position on case		Summary
Juanita Jimenez/ JMSL NA	NA	Out		Support	Sent letter in
Ryan Place Improvement	NA	Out		Support	Sent letter in
David Cantu- Crouch/Hemphill Corridor task Force	1820 S Henderson	Out		Support	Sent letter in
Paul Millender/South Hemphill Heights NA	NA	Out		Support	Sent letter in
Redstone Commercial	2801 Hemphill	In	Oppose		Sent letter in
John Lee	2858 Hemphill	In		Support	Sent letter in

8. ZC-16-093 Sarkis J Kechejian MD and Kechejian Enterprises (CD 5) - 4125 Hardeman Street (Marler Subdivision, Lot 2, 0.37 Acres): from “E” Neighborhood Commercial to “CF” Community Facilities

Warden Walter, 7412 Ashcroft Circle, Fort Worth, Texas representing Sarkis J Kechejian explained to the Commissioners the facility was previously being used as an adult day care. They are changing the zoning for a 24 hour residential group home facility for youths.

Ms. McDougall asked about uses in the remainder of the building. Mr. Walter explained it will be a 24 hour care facility for victims of domestic violence, likely children from the ages 12-17. The floor plan is set up for the use. There will be supervisors and parking. Ms. McDougall asked staff about the parking lot and whether it was grandfathered. Ms. Murphy explained the parking lot is with the adjacent property under the same ownership. Mr. Walter said he was going to ask for a waiver to the parking since there will be only two employees.

Ms. Conlin asked where the children would be coming from. Mr. Walter said they would come from CPS and the Department of Family Protective Services and would be for boys only.

James Shankle, 4100 Hardeman Street, Fort Worth, Texas spoke in opposition. Mr. Shankle said no one reached out to them and they are concerned with what is being proposed because there is a lot of crime in the area.

Ms. McDougall asked if he could elaborate on his comments, if he was against the use and would he be willing to meet with the applicant. Mr. Shankle said they heard the use was going to