



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
September 13, 2016

**Council District** 8

**Zoning Commission Recommendation:**  
Denial without Prejudice by a vote of 9-0

**Opposition:** Two people spoke, one letter submitted  
**Support:** One letter submitted

Continued Yes \_\_\_ No X  
Case Manager Stephen Murray  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** SDG-121 FW, LLC

**Site Location:** 109 N. Chandler Drive Mapsco: 63V

**Proposed Use:** Production of Cast Stone and Outdoor Storage

**Request:** From: "G" Intensive Commercial and PD 99 Planned Development for all uses in "G" Commercial District and an office warehouse (for package delivery service subject to the site plan submitted) and include warehousing for equipment, supplies and other inert materials and the outdoor storage of landscape trees, plant life, soil/rocks used in landscaping, and other inert landscape materials, to add an 8 ft. red cedar fence on the west and south side property lines; site plan approved

To: Amend PD 99 Planned Development to add property and add production of cast stone and outside storage; site plan waiver requested.

**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 Chandler Drive near SH-121. The current PD is based on the "G" Intensive Commercial district with certain industrial uses added with a site plan. The initial application had requested "PD/I" to allow for all uses in "I" Light Industrial and to add the production of cast stone and outside storage and to request that the site plan be waived. However, the case was notified as an amendment to the existing PD 99 and not to change it to allow all Light Industrial uses.

The previous PD only allowed uses in the G district with the landscaping and Fed Ex businesses that were tied to the site plan. The applicant proposed to produce cast stone within the existing building and store the finished product outside. The production of cast stone may have ancillary effects, such as noise and dust that were not part of previous operations.

The applicant is requesting a waiver of the site plan because there will be no changes to the existing building.

The applicant requested a continuance at the previous Zoning Commission Hearing, in order to discuss the project with the United Riverside Alliance. At the time of this report, the applicant was in the process of confirming a meeting time. Information concerning this meeting should be forthcoming.

At the Zoning Commission meeting August 10, 2016 the applicant requested a withdrawal of the application, since the proposed buyer is no longer pursuing a zoning change.

**Site Information:**

Owner: SGD-121 FW, LLC  
 6336 John J. Pershing Dr.  
 Omaha, NE 68110

Agent: Justin Light

Acreage: 2.83 acres

Comprehensive Plan Sector: Northeast

Surrounding Zoning and Land Uses:

North "G" Intensive Commercial / industrial, office  
 East "E" Neighborhood Commercial; "I" Light Industrial / industrial, office, Louella Bales Barker Park  
 South "G" Intensive Commercial; "B" Two-Family / single-family, vacant  
 West "B" Two-Family / single-family

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-12-131 from "G" and "PD-99" Planned Development for all uses in the "G" Commercial District and an office warehouse (for package delivery service subject to the site plan submitted), site plan required to Amend "PD-99" Planned Development to include warehousing for equipment, supplies and other inert materials and the outdoor storage of landscape trees, plant life, soil/rocks used in landscaping, and other inert landscape materials; site plan included (Approved January 2013)

Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Chandler Drive	Residential	Residential	No
Nies Street	Residential	Residential	No

**Public Notification:**

The following Organizations were notified:

Organizations Notified	
Neighborhoods of East Fort Worth	United Riverside Rebuilding Corporation, Inc.
Riverside Alliance	Eastside Sector Alliance
<b>United Riverside NA*</b>	Trinity Habitat for Humanity
Carter Riverside NA	Streams And Valleys Inc.
Scenic Bluff NA	East Fort Worth, Inc.
East Fort Worth Business Assn	Fort Worth ISD

Located within the neighborhood organization\*

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing to Amend PD 99 Planned Development to add property and add production of cast stone and outside storage; site plan waiver requested. Surrounding land uses vary with office and industrial to the north, residential just west, vacant and residential to the south, and office, industrial and park uses to the east.

The site is located in close proximity to SH-121 and Riverside Drive, which is industrial in nature. However, the proposed use allows for more intense uses than what was previously allowed. The

applicant intends to produce cast stone with outdoor storage. The production of cast stone may have ancillary effects, such as noise and dust that were not part of previous operations. The proposed new use is dissimilar to current uses.

As a result, the proposed zoning **is not compatible** with surrounding land uses.

## 2. **Comprehensive Plan Consistency**

The 2016 Comprehensive Plan designates the subject property as General Commercial. The proposed production of cast stone and outside storage and other industrial uses is more intensive than uses found in General Commercial and the current approved uses, and therefore is not consistent with the following Comprehensive Plan policies.

- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (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)

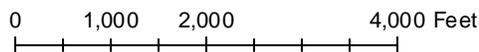
Based on the lack of conformance with the future land use map and the policies stated above, the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

### ***Attachments:***

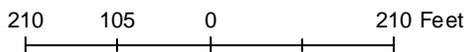
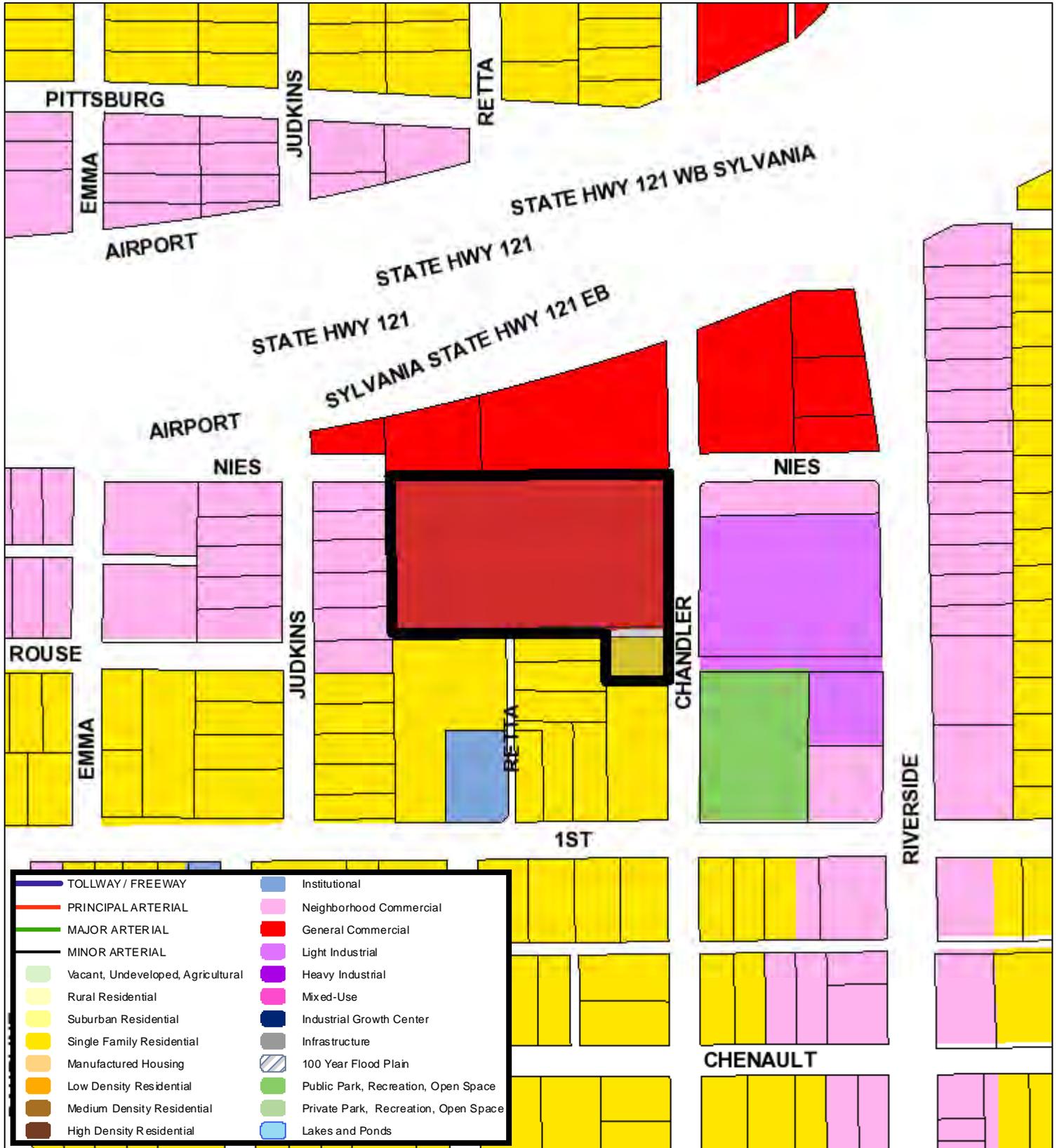
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting



### Area Map



### Future Land Use



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



0 137.5 275 550 Feet



Mr. Paniagua stated there will be 160 units with 127 one bedroom units and 33 two bedroom units, and marketed to ages 55 and older. Ten percent of the units will be at market rate. The site is close to the Alliance Corridor Center.

Mr. Northern asked Mr. Paniagua to discuss the parking count. Mr. Paniagua stated they are parking at a ratio of one to one to include common area for a total of 213 parking spaces.

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

<i>Document received for written correspondence</i>					ZC-16-072
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Dave Fancher/ Tehama Ridge HOA	NA	Out		Support	Sent letter in

**2. ZC-16-125 SGD-121 FW LLC (CD 8) – 109 N. Chandler Drive (Blandford Addition, Block 7, Lots 22RA & 22RB, 2.83 Acres): from “G” Intensive Commercial and PD 99 “PD/SU” Planned Development/Specific Use for all uses in the "G" Commercial District and office warehouse (for package delivery service subject to the site plan submitted) and include warehousing for equipment, supplies and other inert materials and the outdoor storage of landscape trees, plant life, soil/rocks used in landscaping, and other inert landscape materials, to add an 8 ft. red cedar fence on the west and south side property lines; site plan approved  
To Amend PD 99 to add property and add production of cast stone and outside storage; site plan waiver requested**

Justin Light, 500 W. 7<sup>th</sup> Street, Fort Worth, Texas representing SGD-121 FW LLC explained to the Commissioners the proposed buyer has terminated the contract therefore they are requesting the case be withdrawn/denied without prejudice.

Motion: Following brief discussion, Ms. Conlin recommended a Denial without Prejudice of the request, seconded by Ms. McDougall. The motion carried unanimously 9-0.

**3. ZC-16-127 Silver Bay Group LLC (CD 4) – 5801 N. Beach Street (Portion of Lot A, Block 2, The Fairways at Fossil Creek, 1.57 Acres): from “G” Intensive Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial excluding off premise alcohol sales/package store; site plan waiver requested**

Osama Nashed, 5,000 Thompson Terrace, Colleyville, Texas with ANA Consultants explained to the Commissioners they are changing their request to rezone to PD/E excluding alcohol uses based on information received from the neighborhood.

Ms. Dunn asked Ms. Poole to show where the townhomes will be within the platted area. Ms. Poole displayed it on the overhead. Ms. Poole said the front doors will face Mr. Alvarez' home and the roof top terrace will be at the back of the lot, 15 ft. from the property line, with rear entry garages.

Mr. Flores asked Ms. Poole if any construction has been done yet with the "UR" product. Ms. Poole said there are some under construction at this time with more within the next 60-90 days.

Mr. Flores asked staff what are some of the urban design principles that have been tested outside the city. Katy Omelia, City of Fort Worth, responded on the design principles and noted they can be applied everywhere and tested.

Motion: Following brief discussion, Ms. Dunn recommended Approval of the request, seconded by Mr. Northern. The motion carried 7-1 with Mr. Flores against.

<i>Document received for written correspondence</i>					ZC-16-124
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Eva Bonilla/Linwood NA	362 Foch St	Out	Opposition		Spoke at hearing

**8. ZC-16-125 SGD-121 FW LLC (CD 8) – 109 N. Chandler Drive (Blandford Addition, Block 7, Lots 22RA & 22RB, 2.83 Acres): from "G" Intensive Commercial and PD 99 "PD/SU" Planned Development/Specific Use for all uses in the "G" Commercial District and office warehouse (for package delivery service subject to the site plan submitted) and include warehousing for equipment, supplies and other inert materials and the outdoor storage of landscape trees, plant life, soil/rocks used in landscaping, and other inert landscape materials, to add an 8 ft. red cedar fence on the west and south side property lines; site plan approved  
To Amend PD 99 to add property and add production of cast stone and outside storage; site plan waiver requested**

Justin Light, 500 W. 7<sup>th</sup> Street, Fort Worth, Texas representing SGD-121 FW LLC explained to the Commissioners they are requesting a 30 day continuance. Mr. Light explained they met with the neighborhood association on two occasions with the last meeting having a mix of opposition. They would like to discuss this request in more detail with the neighborhood.

Ms. Conlin asked if he is prepared to discuss the project and how is the cement mixture delivered. Mr. Light said the cast stone is a mixture of sand and water into a cement mixture then put into a bin. Once mixed, it is put into a mold, cured and wrapped awaiting pickup. There is very little noise, less than 80 dbl. The only dust created would be from a saw cutting the wood to size to create the molds. The cement is wrapped in individual bags and delivered on pallets. The use is not an intensive process and would be the only use on the property.

Manuel Muhammad, spoke in opposition. They are concerned about the residents in the neighborhood and would like to continue the case so they can see what the operation is about.

Cynthia McGee, spoke in opposition. She is concerned about the traffic and trucks being in the neighborhood.

In rebuttal Mr. Light said they would appreciate a continuance in order to talk with the neighborhood.

Motion: Following brief discussion, Ms. Conlin recommended a 30 day Continuance of the request, seconded by Mr. Edmonds. The motion carried 7-0 with Mr. Genua stepping away from the Dias.

<i>Document received for written correspondence</i>					ZC-16-125
Name	Address	In/Out 300 notification area	ft. Position on case		Summary
Cynthia McGee	3013 East 1st	In	Opposition		Spoke at hearing
Manuel Muhammad/ United Riverside NA	2717 Eat 1st	Out	Opposition		Spoke at hearing
Randy Bishop	NA			Support	Sent letter in
Pamela Holman	109 North Judkins	In	Opposition		Sent letter in

**9. ZC-16-126 Global Signal Acquisitions IV LLC (CD 6) – 3863 SW Loop 820 (William J Morgan Survey, Abstract No. 1072, 3.31 Acres): from PD 978 “PD/MU-1” Planned Development for all uses in "MU-I" Low Intensity Mixed Use with a height transitional plane beginning at 2 stories or 35 feet, no "freeway" signs per 6.409D, and to remove the parking reduction allowed when in proximity to a rail station; site plan waived; site plan required for any multifamily development to Amend PD 978 Planned Development to add mini warehouse use and with a maximum 58 ft. existing stealth tower; site plan included**

Michael Sawilowsky, 3533 Wooten Drive, Fort Worth, Texas representing Global Signal Acquisitions explained to the Commissioners they are wanting to amend the current PD to add a self-storage facility. It will consist of approximately 169,000 sq. ft. building, climate controlled, and three story with an additional 7,700 sq. ft. of non-climate controlled. Mr. Sawilowsky mentioned they will team up with a lighting company to make sure they address the neighborhood concern about lighting so as to be directed down and away from residential. The traffic for the facility will be contained via the access road. Screening will be as required by the City.

Ms. Runnels asked about the proximity to the residential homes and raising the fence. Mr. Sawilowsky said there is multifamily to the south with a veterinary clinic next door. He stated there is an elevation change on the property that will help with screening and they will be providing a fence along the back property line with buffer and screening. They have reached out to the rental properties along the back side.