



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
November 1, 2016

Council District 8

Zoning Commission Recommendation:
Denial without Prejudice by a vote of 8-1

Opposition: One person spoke
Support: None submitted

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

Owner / Applicant: BEW Development, LLC

Site Location: 8700 South Freeway Mapsco: 105J

Proposed Use: Industrial

Request: From: "F" General Commercial and "G" Intensive Commercial

To: "PD/I" Planned Development for all uses in "I" Light Industrial excluding truck wash, truck terminal, batch plant, outdoor kennels plus outdoor storage with the following development standards:

- 30' landscape buffer with raised berm and landscaping to be provided between residential areas on west property line, to include live oak trees planted every 20' on top of 4' berm.
- Truck and trailer storage to be allowed, if visible from residential property line, an 8' masonry wall with columns shall be provided between residential and storage.
- If building is between trailer and truck storage and the residential property line, no masonry wall required.
- No outdoor storage, other than trucks and trailers.
- No direct access to Sheridan Road from the site.
- Exterior portions and/or facades shall use colors consisting of neutral earth tone; trim and building may be a different neutral earth tone color.
- Exterior entrances shall consist of storefront glass, canopies and stone articulation.
- Any outdoor lighting within 150' of a residential property line shall not create any ambient light that trespasses onto a residential property per a photocell test.
- Site plan waiver requested

Land Use Compatibility: Requested change is compatible.

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

Background:

The proposed site is located near the corner of IH-35W and Everman Parkway. The applicant would like to rezone from “F” General Commercial to “PD/I” Planned Development for all uses in “I” Light Industrial excluding truck wash, terminal, batch plant, outdoor kennels plus outdoor storage with development standards, site plan waiver requested.

The applicant intends to develop industrial office warehouse tenant spaces. They worked very closely with the Southbrook Park NA and the councilmember’s office before submitting their request. Through this process, they provided exhibits and pictures of how the development would look toward the residential area. They are requesting a PD in order to provide development standards to ensure that these items, including landscaping and building color, are specifically addressed. The PD will also remove certain uses that are not desired and have elected to request a waiver to the site plan to provide flexibility with the building layout.

The following table describes the differences between standard I Light Industrial and the proposed PD with development standards.

I Light Industrial Requirements	Proposed PD Standards
50 ft. setback, 5 ft. bufferyard, screening fence and point system <i>(Not applicable since this site has a platted but unbuilt street right of way separating the single-family zoning.)</i>	30’ landscape buffer with raised berm and landscaping to be provided between residential areas on the west of the property. Landscaping shall include live oak trees planted every 20’ on top of a 4’ high berm.
Outdoor storage allowed with primary use; Outdoor storage without a primary use requires a Special Exception through the Board of Adjustment	Truck and trailers are the only outdoor storage allowed. If truck and trailer storage is visible from the residential property line, an 8’ masonry wall with columns shall be provided between residential and storage. If a building is between the trailer and/or truck storage and the residential property line, no masonry wall is required.
No color requirements	Exterior portions and/or facades shall use colors consisting of a neutral earth tone, trim and building may be a different neutral earth tone color
No Masonry Requirements	Exterior entrances will consist of storefront glass, canopies and stone articulation.
No specific lighting regulations	Any outdoor lighting within 150’ of a residential property line shall not create any ambient light that trespasses a residential property as measured per a photocell test.
Allows light industrial uses	Will not allow transportation terminals, batch plant, truck or auto washes, or animal hospitals with outdoor kennels
Access to City streets allowed	No Direct access to Sheridan Road from the site

Neighborhood concerns included the existing and expected increase in truck activity on Everman Pkwy. and ensuring that no trucks will travel through the residential neighborhood. The street configuration of the neighborhood would make it difficult to travel through the neighborhood. However, with the existing truck stop, the proposed industrial development to the south, and this development, it is inevitable that truck traffic will increase.

Discussion was held concerning the extension of Everman Pkwy to the west to connect to where Everman has been stubbed past Hemphill St. and provide another outlet for the area. However, this expansion would require another crossing of the railroad track and no plans or funding have been providing for this approximately 1/3 mile connection.

Other zoning in the area to the south is currently I Light Industrial which allows the office/warehouse by right. A Predevelopment Conference has been held for this adjacent property and it appears to be in the moving toward development.

At the Zoning Commission meeting, several Commissioners expresses concern about the lack of a site plan. The applicant explained that they needed to retain flexibility on the site as they worked through Stormwater and TxDOT access issues. As a result, the case was denied without prejudice. The applicants followed up with the councilmember and added standards to limit the outdoor storage to trucks and trailers and to confirm that there will be no direct access to Sheridan Road from the site.

Site Information:

Owner: BEW Development, LLC
 5914 Desco Dr.
 Dallas, TX 75225

Agent: Frontier Equity

Acreage: 32.24 ac

Comprehensive Plan Sector: Sycamore

Surrounding Zoning and Land Uses:

North "F" General Commercial; "G" Intensive Commercial; PD 737 "PD-SU" for all uses in "G" plus equipment leasing with outside storage and display along the IH35 frontage rode with provisions listed in case file / rental company for construction vehicles and trailers

East "F" General Commercial; "J" Medium Industrial / vacant, gas station; I-35

South "F" General Commercial / gas station and truck stop

West "A-5" One-Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: None
 Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed
IH-35W	Interstate Hwy	Interstate Hwy
Everman Pkwy	Major Arterial	Neighborhood Connector

Public Notification:

Organizations Notified	
District 6 Alliance	Streams And Valleys Inc.
Southbrook Park NA*	Everman ISD
Trinity Habitat for Humanity	Fort Worth ISD

**Site located within the confines of a registered neighborhood association*

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to "PD/I" Planned Development for all uses in "I" Light Industrial excluding truck wash, terminal, batch plant, outdoor kennels plus outdoor storage with development standards, site plan waiver requested. Surrounding land uses consist of a equipment rental company for construction vehicles and trailers to the north, gas station and truck stop to the south, vacant land, retail and I-35 to the east, and a single-family residential subdivision to the west.

The majority of industrial uses in the general area are currently located across the freeway in the Carter Industrial Growth Center. However the property is adjacent to an equipment rental

company with outdoor storage, across the street from a truck stop and future industrial development to the south.

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

2. Comprehensive Plan Consistency

The 2016 Comprehensive Plan designates the site as General Commercial. The proposed zoning is not consistent with the following Comprehensive Plan policies:

- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)
- 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.

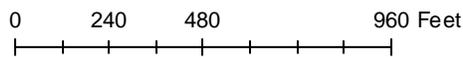
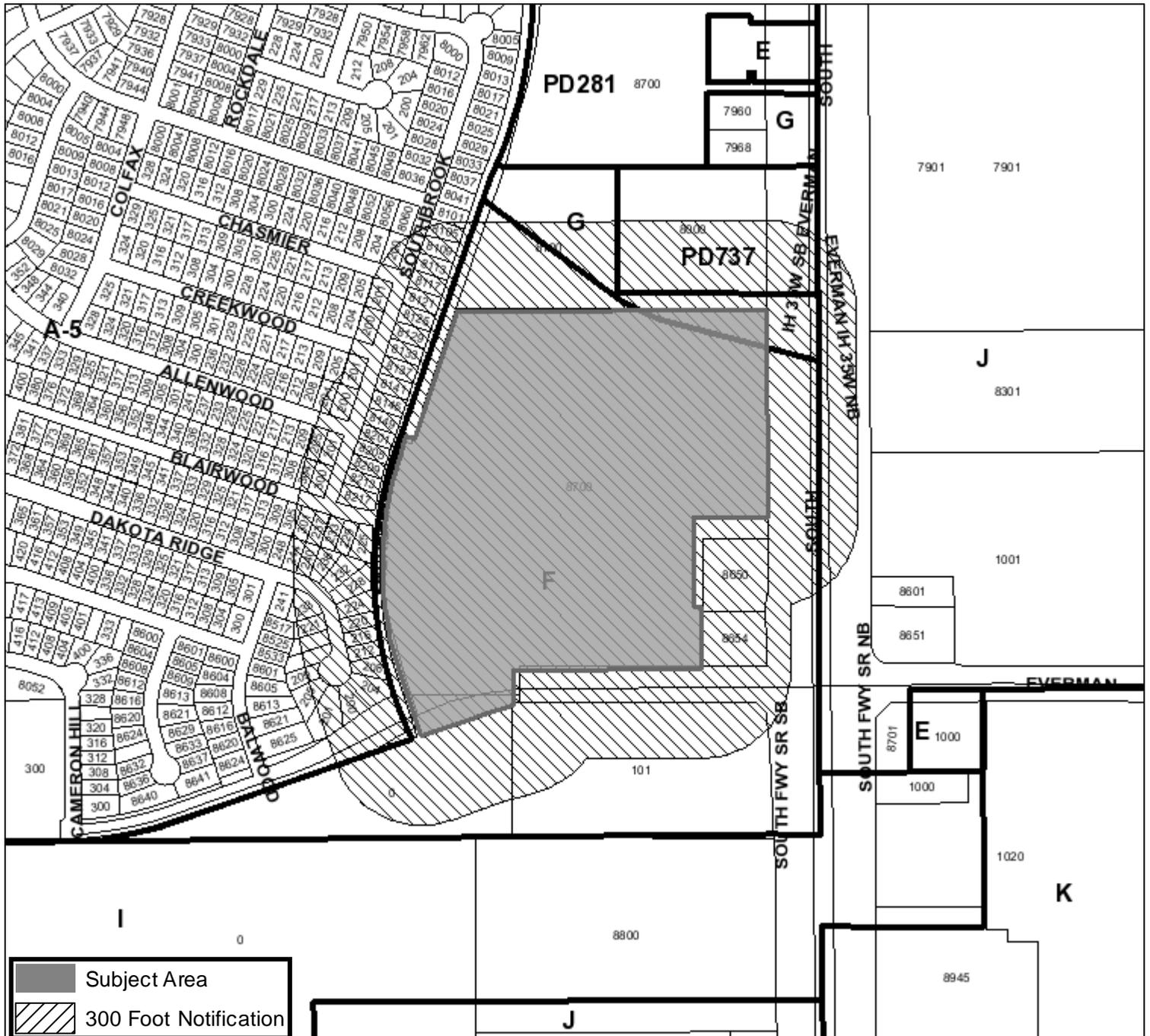
Based on the lack of conformance with the future land use map and policy stated above, the proposed zoning **is not consistent (*Significant Deviation*)** with the Comprehensive Plan.

Attachments:

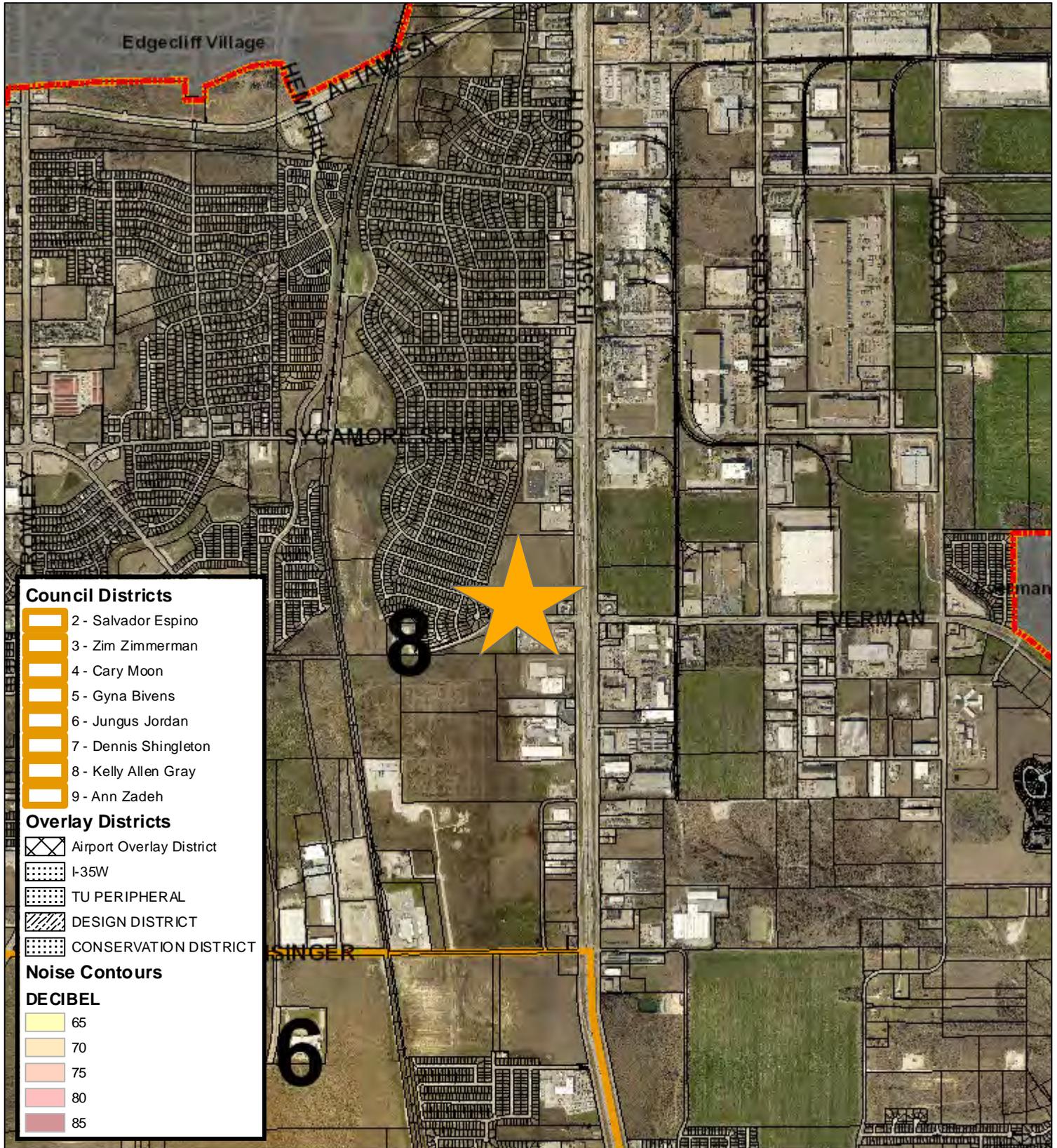
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Minutes from the Zoning Commission

Area Zoning Map

Applicant: BEW Development, LLC
 Address: 8700 South Freeway
 Zoning From: F, G
 Zoning To: PD for I uses excluding truck wash, terminal, batch plant, outdoor kennels plus outdoor storage
 Acres: 32.24621971
 Mapsco: 105J
 Sector/District: Sycamore
 Commission Date: 10/12/2016
 Contact: 817-392-8043



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

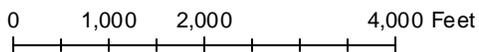
Overlay Districts

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

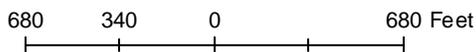
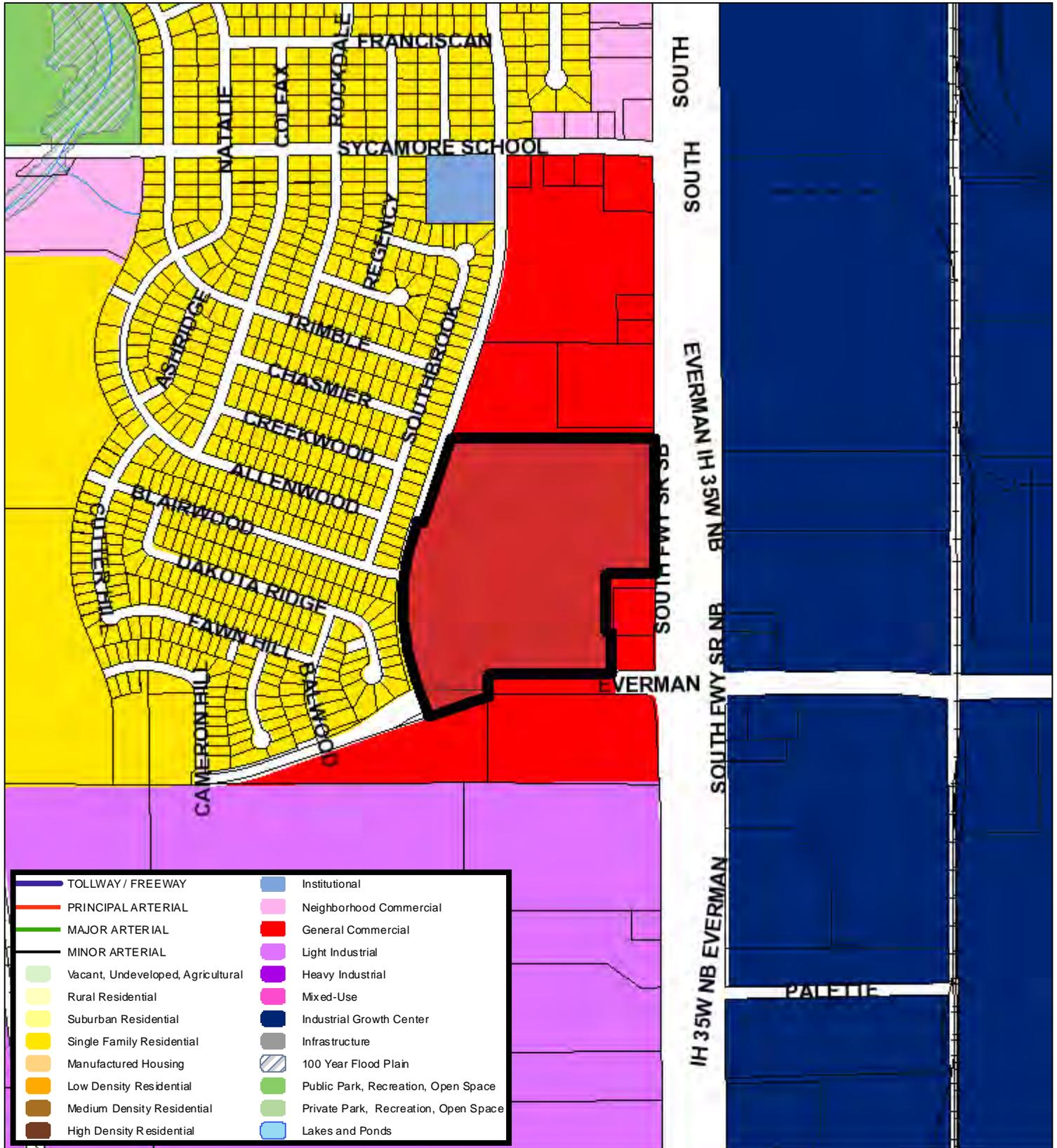
Noise Contours

DECIBEL

-  65
-  70
-  75
-  80
-  85



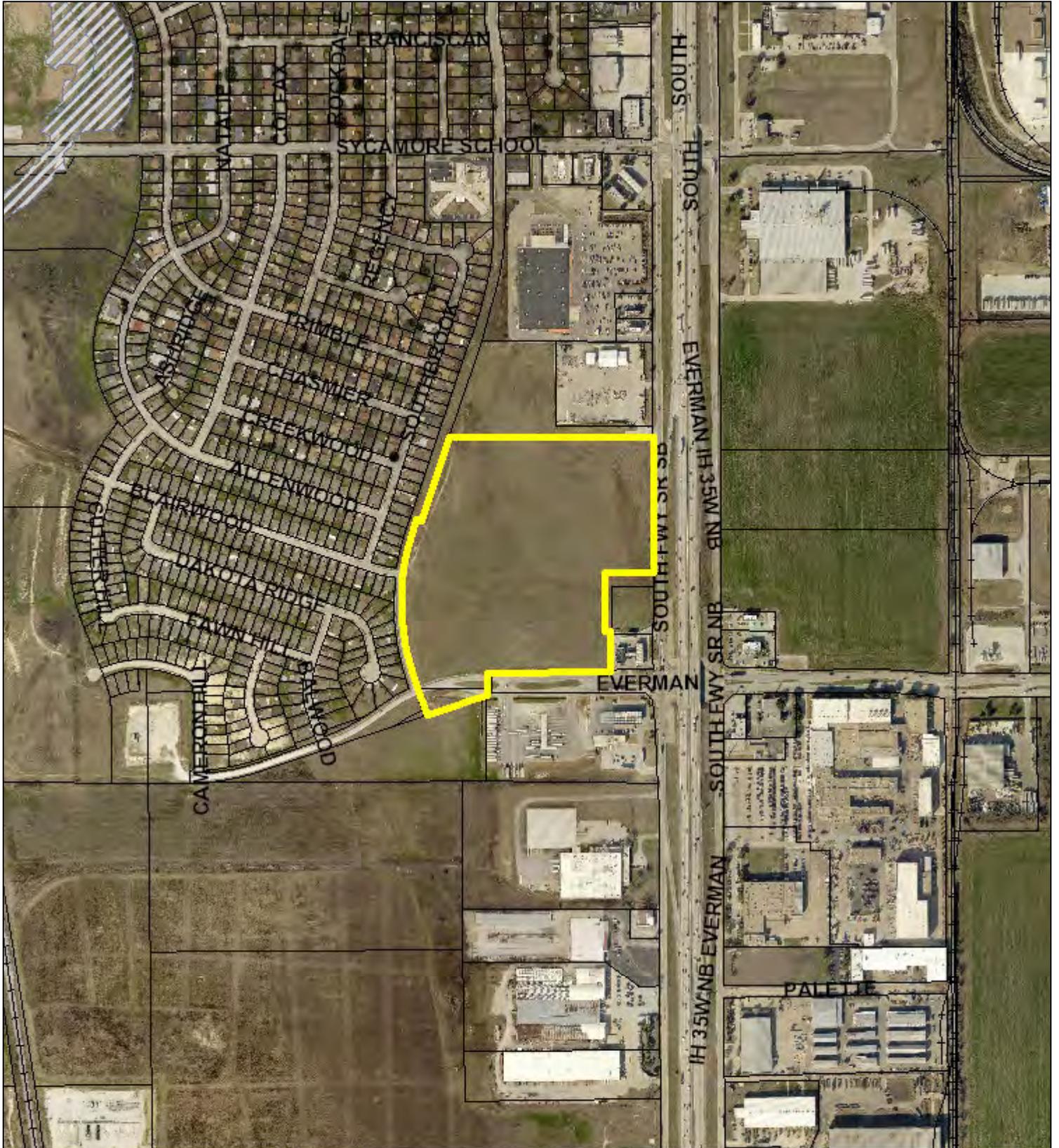
Future Land Use



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



0 425 850 1,700 Feet



9. ZC-16-183 BEW Development LLC (CD 8) – 8700 S. Freeway (Portion of Highland Meadows Addition, Block 1, Lot 1 and Henry Robertson Survey, Abstract 1259, 32.24 Acre): from “F” General Commercial and “G” Intensive Commercial to “PD/I” Planned Development for all uses “I” Light Industrial excluding truck washes, truck terminals, batch plants and outdoor kennel with development standards to landscape requirement, no outdoor storage except for truck/trailer storage, no direct access to Sheridan Road, façade requirement, entrances and outdoor lighting; site plan waiver requested

Geoffrey Wescott, 5055 Keller Springs Road, Dallas, Texas representing BEW Development LLC explained to the Commissioners they originally requested “I” zoning and after meeting with the HOA, adjacent neighborhood and Council member they decided to go to “PD/I” with development standards to and to exclude truck washes, transportation terminals and batch plants.

Ms. Conlin mentioned buffering the industrial uses from the residential, a few uses taken out of “I” and she would like to see a site plan. Mr. Wescott said the main use the neighborhood was concerned about was the truck/auto wash.

Mr. Edmonds asked about a site plan. Mr. Wescott explained the power point presentation to the Commissioners. They will be providing a landscape buffer separating the residents from the building. The reason they are requesting the waiver of the site plan is because of the detention requirement. Mr. Wescott displayed a speculative site plan and stated the need to be able to move buildings around based on storm water requirements.

Ms. Conlin said if this was the site plan they were submitting they would be more amenable to passing the request. The site plan can always be amended. Mr. Wescott is concerned with time constraints if the site plan had to come back for approval.

Mr. Edmonds asked about a divided road and the current use on the southwest corner of I-35. Mr. Wescott said there is a QuikTrip with truck trailer storage area. Mr. Wescott said there is a 30 ft. wide buffer between the road and their building with a 4 ft. berm.

Ms. Conlin mentioned she is concerned about outside storage.

Priscilla Thomas spoke in opposition. She is concerned there would be more traffic and there is only two streets they use to access their property.

In rebuttal Mr. Wescott said the same comment was expressed when they met with the neighborhood. They are trying to get an additional curb cut from TX Dot to keep traffic away from the neighborhood street. He stated what they are proposing is shallow bay industrial which is not a distribution facility, it is a service oriented building.

Ms. McDougall asked if this facility would be similar to River Bend Business Park. Chance Owen, leasing agent for the property in response to Ms. McDougall’s question said yes it is similar as far as tenants they are seeking with a different building concept, no 18 wheelers. Each tenant will have their own bay door.

Mr. Northern mentioned there are no letters of support or opposition. Mr. Wescott said they've had several meetings with the neighborhood and Council member.

Motion: Following brief discussion, Ms. Conlin recommended a Denial without Prejudice of the request, seconded by Mr. Edmonds. The motion carried 8-1 with Mr. Northern against.

<i>Document received for written correspondence</i>					ZC-16-183
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Priscilla Thomas	8209 Southbrook Cir	In	Opposition		Spoke at hearing

10. ZC-16-184 Bobbie Jo Hampton Etal (CD 7) – 11545, 11555, 11565, 11575 and 11585 Alta Vista Road (Francisco Cuella Survey, Abstract No. 266, 10.41 Acre): from “A-10” One-Family to “A-5” One-Family

Case withdrawn, no action taken

11. ZC-16-185 CADG WS44 LLC (CD 7) – 4621 Keller Hicks Road (William Huff Survey, Abstract No. 649, 44.13 Acre): from “A-5” One-Family and “I” Light Industrial to “A-5” One-Family

Travis Clegg, 5751 Kroger Drive, Keller, Texas representing CADG WS44 LLC explained to the Commissioners they are seeking a thirty day continuance in order to reach out to the City of Keller on road improvements.

Motion: Following brief discussion, Mr. Aughinbaugh recommended a 30 day Continuance of the request, seconded by Ms. Conlin. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-16-185
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Tri-County Electric	4900 Keller Hicks	In		Support	Sent letter in
Brent Pennington/Charley's Concrete	11801 Katy Rd.	In	Opposition		Sent letter in
Russell Fuller/North Fort Worth Alliance	NA	Out	Opposition		Sent letter in