



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
December 2, 2014

Council District 2

Zoning Commission Recommendation:
Approval by a vote of 9-0 as Amended to PD/C including a site plan

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: HS Churchill Trust

Site Location: 816 Churchill Road Mapsco: 61P

Proposed Use: Multifamily

Request: From: "B" Two-Family and "E" Neighborhood Commercial
To: "PD/C" Planned Development for all uses in "C" Medium Density Multifamily; site plan included

Land Use Compatibility: Requested change is not compatible.

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

Background:

The proposed site is located east of the City of River Oaks on Churchill Road, a collector, and north of White Oak a residential street. The applicant is requesting a zoning change from "B" Two-Family and "E" Neighborhood Commercial to "C" Medium Density Multifamily. The applicant intends on removing the mobile home structures for redevelopment of multifamily structures

An existing mobile home park was established in 1942, making it a legal non-conforming use today. A zoning change was requested for PD/SU for a mobile home park in December 2013 (ZC-13-174) which was denied without prejudice by City Council on April 1, 2014 after being withdrawn by the applicant.

At the Zoning Commission hearing, the Commissioners recommended the approval of the request to include a site plan based on an exhibit provided by the applicant at the hearing. The applicant is proposing three two-story building containing 34 units. 17 units are one-bedroom, 17 units will be two-bedroom, housing approximately 94 residents. The applicant also mentioned they did a traffic survey, not a traffic study. The development will follow all standards of Sect. 6.506 Unified Residential Development unless items are waived on the site plan.

Platting and Transportation/Public Works staff provided comments based on a review of the proposal. These items cannot be waived through approval of the site plan. Any Transportation requirements that may alter the layout of the development but within the limits of City Council approval can be approved administratively.

The following table refers to the development standards for C zoning. Waivers will be necessary for development standards that cannot be met.

Development Standard	C	PD/C
Front Yard	20 ft. min. (no permanent structures permitted)	20 ft. min. monument sign requested in front setback as listed below Waiver required for sign
Rear/side yard	When adjacent to residential: 3 ft per every 1 ft building height; a total of 96 ft is required for the buildings to be set back with a 32 ft. building	5 ft., with closest building 10 ft. from property line. Waiver required
Units per acre	18 units max.	18 units max. Complies
Lot coverage/open space	45% minimum	45% minimum Complies
Height	32 ft. maximum	Two stories – 32 ft. maximum Complies
Parking	1 space per bedroom plus 1 space per 250 square feet of common areas, offices and recreation. Two spaces may be tandem if assigned to the same unit and restricted from use for storage; 51 spaces required	52 spaces provided Complies
Bufferyard to residential	5 ft. landscaped (no parking permitted in bufferyard)	Parking and driveways provided within 5 ft. bufferyard on south side Waiver required
Bike Parking	2 racks required	2 racks provided Complies
Signage	Maximum 1 ft. for each 10 feet of frontage; may be illuminated; not more than 50% of the sign may be in front yard area	Illuminated monument sign fully within the front yard. Will meet size regulations. Waiver required for location in front yard

Site Information:

Owner: HS Churchill Trust
P. O. Box 121811
Arlington, TX 76012

Agent: Dennis Hopkins

Acreage: 1.92 ac

Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

- North "B" Two-Family / single-family
- East "B" Two-Family / single-family
- South "B" Two-Family and "E" Neighborhood Commercial / single-family
- West City of River Oaks / single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-13-174 denied without prejudice by City Council 04/01/14

Platting History: None

Site Plan Comments:

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

1. Monument sign is located in the 20' Front Yard Setback.(waiver required)

2. Buildings are located very close to the property lines and will not meet the setback requirements (3' for every 1' of building height). (waiver required)
3. Paved parking is not permitted within the bufferyard, south side of the plan. (waiver required)

Compliance with the items noted above shall be reflected on the site plan or waivers are required.

Platting comments:

1. The property must be platted prior to issuance of a building permit.
2. Dimension of cul-de-sac as shown on the site plan not provided; a minimum of 100' diameter required

Comments made by Platting staff cannot be waived through the Site Plan. Approval of the site plan does not constitute Platting acceptance of conditions; subdivision rules will be applied to the project.

TPW comments:

1. Collector Streets ROW - Revise the 50' ROW to 60' on those residential streets that function as collector streets. Churchill Rd. is shown as a collector street not a residential street. The dedication of five feet will be required during platting.
2. ROW Dedication: Partial - Dedicate ½ of {10}' ROW for {Churchill Rd (Collector)}
3. Emergency Access Easements - Emergency access easements shall not be less than 26' in width. Show the full 26' width on the plat. Where emergency access easements intersect, the dedication of a 10' by 10' public open space easement (POSE) shall be dedicated for sight visibility shall be required. The emergency access easements shall remain unobstructed at all times.
4. Cul-de-sac Length - Streets ending permanently in a cul-de-sac shall not exceed 800' for developments with lot sizes less than one acre. For developments with lot sizes of one acre or more, cul-de-sac length shall not exceed 1000'. At approximately 2 acres, the cul-de-sac in this development is approximately 400 feet in length.
5. Public Open Space Easement - A triangular 10'x10' POSE (Public Open Space Easement), shall be provided at the intersection of an alley and a driveway or an access easement and a street.
6. Head-in Parking - Head-in parking must comply with ordinance #17517. For the 90 degree angled parking adjacent to the access easement/street, the drive lane shall be widened to 30 ft.
7. Sidewalks - Sidewalks and street lights are required for all public and private streets and public access easements as per City of Fort Worth Standards. Sidewalks shall continue across the driveway in lieu of the proposed ramps at either side of the driveway. The sidewalk shall continue to the end of the property.

Comments made by TPW staff cannot be waived through the Site Plan. Approval of the site plan does not constitute TPW acceptance of conditions; traffic code will be applied to the project.

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Churchill Rd	Two-way collector	Two-way collector	No

Public Notification:

The following Organizations were notified:

Organizations Notified	
Brookside NA*	Trinity Habitat for Humanity
Streams & Valleys, Inc.	Castleberry ISD

Closest neighborhood association*

Development Impact Analysis:

1. Land Use Compatibility

Uses surrounding the proposed site are primarily single-family. The traffic generated from a multifamily development and the density of residents is not consistent with that of a single family neighborhood. The proposed zoning is **not compatible** at this location.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as Single-Family. The requested zoning change is not consistent with the following Comprehensive Plan policies.

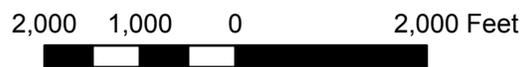
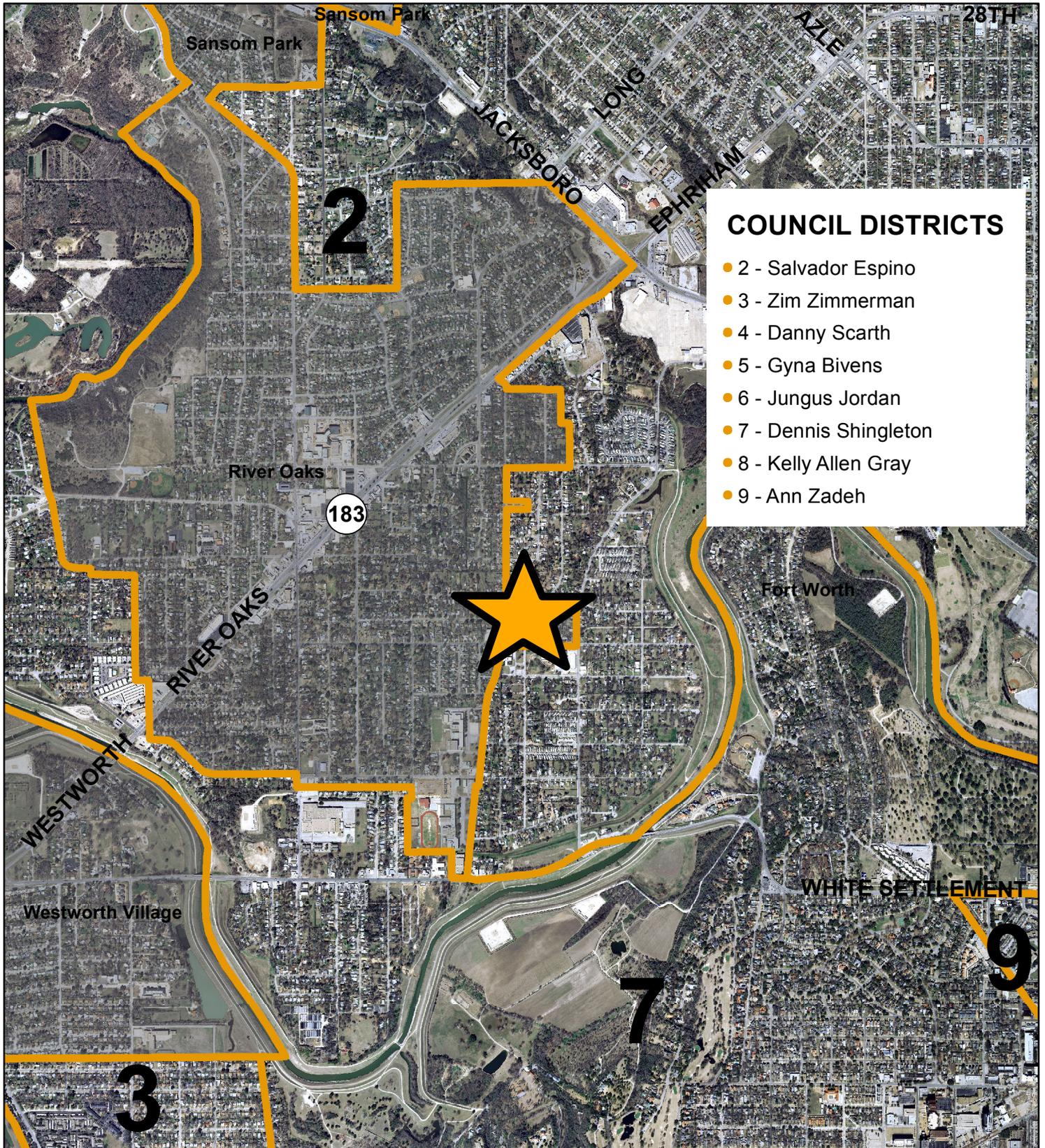
- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 37)

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.

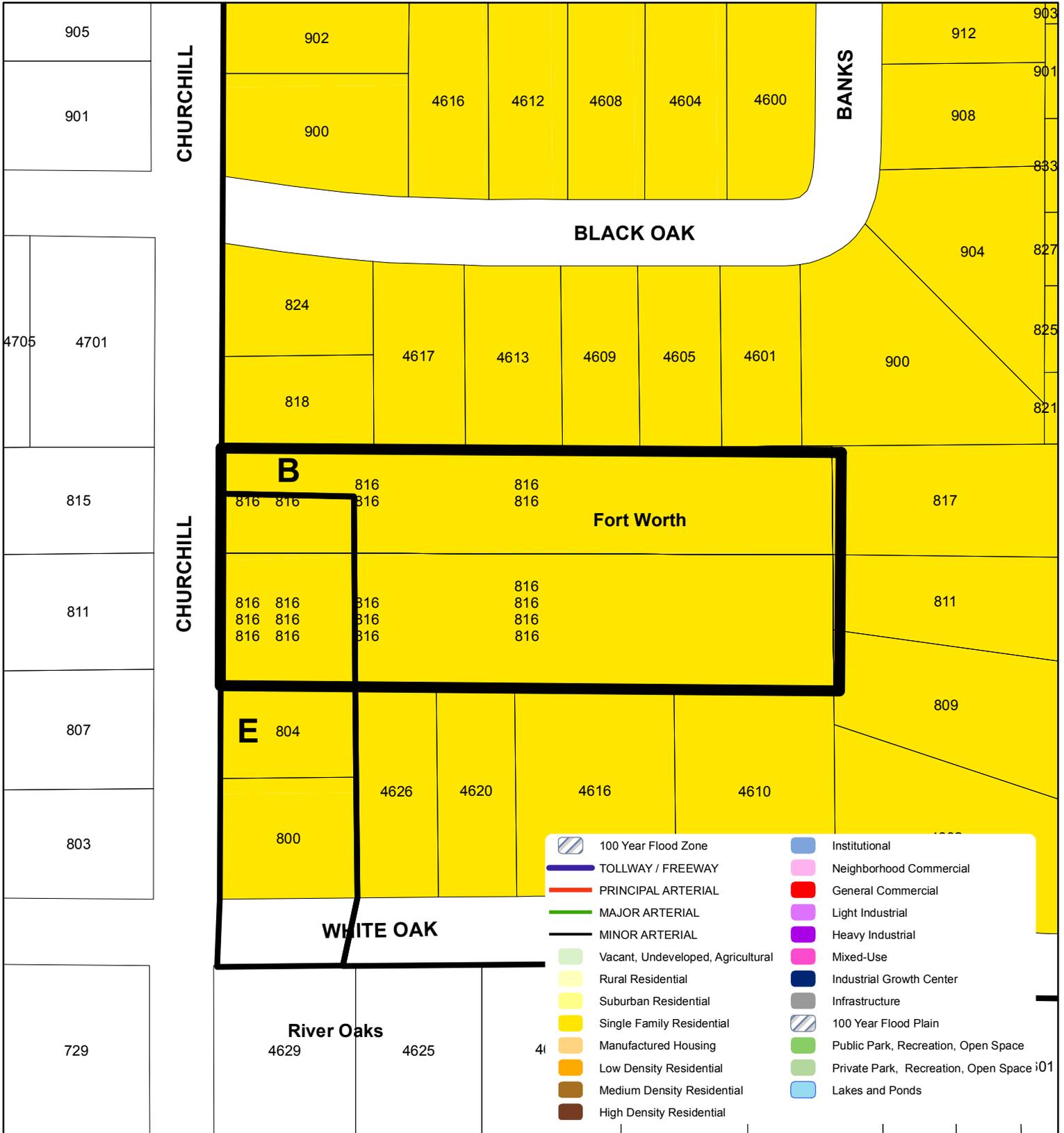
Attachments:

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

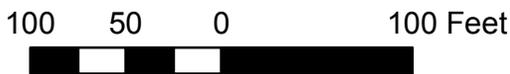
Location Map



Future Land Use



Aerial Photograph



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 219.005.) Land use designations were approved by City Council on March 18, 2014.



David Cantu-Crouch, 1820 S. Henderson, Fort Worth, Texas representing the Hemphill Corridor Task Force spoke in support. He said they worked closely with the Rosemont neighborhood to make this a good development.

Robert Snoke, 3826 6th Avenue, Fort Worth, Texas with Rosemont NA spoke in support.

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

<i>Document received for written correspondence</i>					ZC-14-110
Name	Address	In/Out 300 notification area	Position on case		Summary
David Cantu-Crouch/ Hemphill Corridor Task Force	1820 S. Henderson	Out		Support	Spoke at hearing
Robert Snoke/ Rosemont NA	3826 6 th Ave	Out		Support	Spoke at hearing
Cathy Villagran	4009 Travis Ave	In	Opposition		Sent letter in
Jesse Villigin	716 W. Drew	In	Opposition		Sent letter in

2. ZC-14-127 HS Churchill Trust (CD 2) – 816 Churchill Road (Edward S, Ellis Survey, Abstract No. 462, Tracts 8J and 8J1, 1.92 Acres): from “B” Two-Family and “E” Neighborhood Commercial to “C” Medium Density Multifamily

Dennis Hopkins, 2131 N. Collins, Arlington, Texas, representing HS Churchill Trust explained to the Commissioners the subject property has been used as a mobile home park since 1942 making it legal non-conforming. Mr. Hopkins explained the zoning case from this past March when they were requesting to rezone the property to PD/MH but they could not meet the requirements. They are now requesting a multifamily use with 34 units, 17 one-bedroom and 17 two-bedroom units, about 94 residents. Mr. Hopkins mentioned approximately 155 vehicle trips per 24 hour period. He said he sent out letters to 19 property owners as well as the City of River Oaks.

Mr. Flores referenced the exhibit shown and asked about a site plan and, how many stories proposed and was the traffic survey shared with TPW staff. Mr. Hopkins said it will be two stories and they have not provided information to TPW. The property is not platted and they will address those issues when it is platted.

Motion: Following brief discussion, Mr. Flores recommended Approval of the request as Amended to PD/C to include a site plan based on the exhibit shown, seconded by Ms. Reed. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				ZC-14-127
Name	Address	In/Out	Position on case	Summary

		300 ft notification area			
Mike Bosson/ Brookside NA	NA	Out		Support	Sent letter in

3. ZC-14-129 Rana Development Company, LLC (CD 9) – 2409 McPherson Avenue (Frisco Heights Addition, Block 7, Lots 19 & 20, 0.27 Acres): from “B” Two-Family to “PD/SU” Planned Development/Specific Use for duplexes; site plan included

Jake Proctor, 2236 Huntington, Fort Worth, Texas representing the property owner Rana Development Company, explained to the Commissioners they are requesting a 30 day continuance.

Paula Traynham, 2624 Lubbock, Fort Worth, Texas representing Frisco Heights NA spoke in support of the continuance.

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

<i>Document received for written correspondence</i>					ZC-14-129
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Paula Traynham/ Frisco Heights NA	2624 Lubbock	Out		Support/Continuance	Spoke at hearing
Annabel Ross	2628 Forest Park	In	Opposition		Sent letter in

4. ZC-14-130 Oleander Properties (CD 9) –1100 Block of Hurley, 7th, and Fairmount Avenue (J. N. Brookers Subdivision, Block 1, Lots 2-14 and E. F. Seidells Subdivision, Block 1, Lots 1R1, 4R, 6, 7, 12 and 13R, 2.98 Acres): from “NS-T4” Near Southside/General Urban to “PD/NS-T4N” Planned Development for all uses in “NS-T4N” Near Southside/General Urban Neighborhood with a building height up to five stories; site plan included

Jim Schell, 500 W. 7th Street, Suite 600, Fort Worth, Texas, representing Oleander Properties explained to the Commissioners the request is to construct a five story apartment complex. They will be tearing down an existing apartment complex. Mr. Schell presented a handout to the Commissioners. He said there will be 327 units, 413 bedrooms and 432 parking spaces, one space for every unit plus an additional 19 spaces. He submitted letters of support from various entities.

Mike Brennan, 1606 Mistletoe Drive, Fort Worth, Texas represented Fort Worth South and several of its entities and spoke in support. He explained that the neighborhood dialogue has