ZONING MAP CHANGE
STAFF REPORT

City Council Meeting Date:     Council District 8
June 25, 2019

Zoning Commission Recommendation: Approval with 5 year renewal, keep existing tree by a vote of 8-0

Opposition: None submitted
Support: None Submitted

Owner / Applicant: Blue Lighting Holdings, Inc.

Site Location: 9325 - 9333 (odds) Crowley Road, 9324 – 9332 (evens) Parkview Drive
Mapsco: 104Q

Proposed Use: Industrial Parking associated with business

Request: From: “FR” General Commercial Restricted
To: Add Conditional Use Permit to allow truck parking with setback waivers; site plan included

Land Use Compatibility: Requested change is not compatible.

Comprehensive Plan Consistency: Requested change is not consistent.

Staff Recommendation: Approval with 5 year renewal contingent on retaining existing tree

Background:
The subject property is located east of Crowley Rd. and west of Parkview St. near the southern city limits of Fort Worth. The applicant is requesting a Conditional Use Permit to allow storage of large commercial trucks for their transportation brokerage company. They will maintain their main office in the existing building. The additional lots will be used for overnight parking when clients come through and need to stay overnight. It is expected to last about five years.

The subject block face is primarily auto related and industrial outdoor storage. The blocks to the east are platted for residential uses with rural-type streets but are vacant. To the west is a subdivision with the construction of a few single-family houses and a light industrial manufacturing business. A larger trucking company is located to the south near Risinger Rd.

Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location.

While truck parking is not permitted in the “FR” zoning district by right, allowing it by CUP with a site plan and a time limit may help mitigate any neighborhood concerns, as well as give options for the CUP to be
revoked in the event of code violation convictions. Although the site is not directly adjacent to a residential district it is across the street the location of any truck parking areas, orientation of parking lot lighting will likely have a negative impact to the neighborhood just to the east should it be built out in the future.

Through Ordinance 23609 effective March 29, 2019, the Conditional Use Permit allows for an unlimited time period for the operation of a use unless otherwise approved by the City Council. If a time limit is established for a Conditional Use Permit, the renewal of the CUP shall be considered through the public hearing process and approved by the City Council. A CUP shall expire if no permitting action is taken within six months of approval or cease of the use for six months. A CUP may be revoked through the public hearing process if necessary after convictions of one or more code violations.

Per Section 4.407 (a), the following general rules apply to all conditional uses:

a) Conditional use permits in residential districts shall be limited to those uses designated “CUP” in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.

b) Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.

c) A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.

d) The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy shall not be issued until all or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate Of Occupancy and subdivision approval have been satisfied.

Section (d) provides the following Conditional Use Permit factors in consideration of appropriateness of a request:

a) The proposed use is consistent with the Comprehensive Plan;

b) The proposed use is compatible with the existing and adjacent uses.

c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;

d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;

e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

The case was continued at the May Zoning Commission meeting, applicant was not present.

**Site Information:**

Owner/Applicant: Blue Lighting Holdings, Inc.
9333 Crowley Road
Fort Worth, TX 76134

Agent: Bryan Hull

Acreage: 1.14 ac.

Comprehensive Plan Sector: Sycamore

Surrounding Zoning and Land Uses:

- North “FR” General Commercial Restricted / auto repair
- East “A-5” One-Family / vacant lots
- South “FR” General Commercial Restricted / office building and church
- West PD 411 Planned Development / single-family

**Zoning History:**

PD 411 Planned Development for “A-5” One-Family with a 50’ buffer along east property line, 6.5 acres to be dedicated as park land; site plan required for park only, eff. 7/17/01; subject property just to the west,

PD 650 Planned Development/Specific Use for all uses in “FR” General Commercial Restricted plus outside storage of commercial vehicles with lawn trailers; site plan approved, eff. 8/09/05; subject property just to the north

**Platting History:** None
Site Plan Comments:
The site plan as submitted is not in general compliance with the Zoning Ordinance regulations.
1. There is a project 20 ft. setback across from residential zoning along Parkview in which no permanent structures permitted. A new 8 ft. tall wood fence is proposed. (waiver recommended)
2. The site plan indicates crushed gravel surface where a compacted gravel base is required. (waiver recommended)
3. Any lights used to illuminate the area shall be directed away and downward so as to not trespass onto adjacent properties.
4. Provide a note on the site plan indicating the development will comply with the following development standards of Chapter 6 unless otherwise provided on the site plan:
   a. Lighting, including shielding and ambient light level not to exceed one (1) foot candle when adjacent to one-or two-family residential zoning districts or uses
5. Any requested development standards shall be listed and clearly identified on the site plan:
   a. A waiver required to the projected setback requirement.
   b. A waiver required for the paving surface material proposed.

The site plan comments noted above shall be addressed on the site plan per the CUP Ordinance.

Transportation site plan comments: No comment

Transportation/Public Works (TPW) site plan comments:
1. Driveway Locations - Driveway location must not interfere with intersection function and are subject to the Fort Worth Access Management Policy. The proposed driveway on Crowley Road exceeds the maximum driveway width for Fort Worth and extends past the boundary of the development.
2. TXDOT Permit - TXDOT permit is required for work in and along State ROW. Street connections to TXDOT ROW is contingent upon TXDOT approval. TXDOT approval required for any proposed interchanges and/or driveway access to TXDOT facilities. The proposed driveway on Crowley (FM 731) will require approval from TXDOT.
3. Sidewalk Note - A 5ft. sidewalk is required along Crowley (FM 731) and Parkview.

Transportation/Stormwater (TPW) site plan comments:
FYI, this project may require a parkway permit. Please contact Ricky Harding, Rickey.Harding@fortworthtexas.gov; or Larry Henderson, Larry.Henderson@fortworthtexas.gov; to determine if a parkway permit is needed.
This project doesn't trigger stormwater requirements based on the project description provided. However, if the project's on & offsite land disturbance exceeds the 1 acre threshold, you will be required to submit a stormwater management plan to SDS, and apply for a commercial grading permit.

Fire Comments: No comments at this time
Park & Recreation site plan comments: No comments at this time
Water site plan comments: No comment

(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Parks 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.)

Public Notification:
300 foot Legal Notifications were mailed on (April 19, 2019)
The following organizations were notified: (emailed April 15, 2019)

<table>
<thead>
<tr>
<th>Organizations Notified</th>
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</thead>
<tbody>
<tr>
<td>Lincolnshire NA</td>
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<tr>
<td>Trinity Habitat for Humanity</td>
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<td>Streams and Valleys Inc.</td>
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<tr>
<td>District 6 Alliance</td>
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<tr>
<td>Crowley ISD</td>
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</tbody>
</table>

Not within a registered Neighborhood Organization

Recent Relevant Zoning and Platting History:
Zoning History: ZC-19-010 withdrawn by applicant to submit a CUP for the use; subject property
Platting History: None

Transportation/Access

<table>
<thead>
<tr>
<th>Street/Thoroughfare</th>
<th>Existing</th>
<th>Proposed</th>
<th>In Capital Improvements Plan (CIP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crowley Rd</td>
<td>Commercial Connector</td>
<td>Commercial Connector</td>
<td>No</td>
</tr>
<tr>
<td>Parkview Ln</td>
<td>Two-Way Residential</td>
<td>Two-Way Residential</td>
<td>No</td>
</tr>
</tbody>
</table>

**Development Impact Analysis:**

1. **Land Use Compatibility**
   The applicant is requesting a zoning change to add a CUP to allow an overnight truck-trailer parking for employees. Surrounding land uses consist primarily of auto repair, vacant land, and light industrial uses with some vacant single family lots to the east.

   Due to the location of single family lots and zoning east of the site, the area of the lot for truck parking, the proposed zoning request is **not compatible** at this location.

2. **Comprehensive Plan Consistency**
   The 2019 Comprehensive Plan designates the subject property as Neighborhood Commercial. Since the area is identified as Neighborhood Commercial for the entire block face, the requested zoning district is **not consistent** 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.
   - Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods.

**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
Applicant: Blue Lightning Holdings, Inc.
Address: 9325, 9329, 9333 Crowley Rd, 9324, 9328, 9332 Parkview Dr
Zoning From: FR
Zoning To: Add Conditional Use Permit for truck parking with waivers to setbacks
Acres: 1.14794247
Mapsco: 104Q
Sector/District: Sycamore
Commission Date: 5/8/2019
Contact: 817-392-2495
Area Map

Overlay Districts
- Airport Overlay District
- I-35W
- TU Peripheral
- Design District
- Conservation District

Council Districts
- 2 - Carlos E. Flores
- 3 - Brian Byrd
- 4 - Cary Moon
- 5 - Gyna Bivens
- 6 - Jungus Jordan
- 7 - Dennis Singleton
- 8 - Kelly Allen Gray
- 9 - Ann Zadeh

Noise Contours
DECIBEL
- 65
- 70
- 75
- 80
- 85

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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 5, 2019.