



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
February 7, 2012

Council District 8

Zoning Commission Recommendation:

Approved by a vote of 9-0

Opposition: none

Continued	Yes ___	No <u>X</u>
Case Manager	<u>Stephen Murray</u>	
Surplus	Yes ___	No <u>X</u>
Council Initiated	Yes ___	No <u>X</u>

Owner / Applicant: **Juan Martinez**

Site Location: 1001 Oak Grove Road Mapsco: 91P

Proposed Use: **Restaurant**

Request: From: "A-5" One-Family
To: "E" Neighborhood Commercial

Land Use Compatibility: Requested change **is compatible.**

Comprehensive Plan Consistency: Requested change **is not consistent.**

Background:

The proposed site is located on Oak Grove Road near the intersection of Felix Street. The applicant is proposing a zoning change from "A-5" One-Family to "E" Neighborhood Commercial for the construction of a restaurant.

Approximately half of the site is located within the 100 year floodplain. If the applicant intends to construct on any of this area, he will be required to work with the city's floodplain manager to mitigate any fill or structures in the floodplain. The land is further constrained by a utility easement bisecting the southern portion of the property. In addition, the site has numerous trees and must meet Urban Forestry standards.

The site has single-family adjacency to the north which requires a 20 foot supplemental buffer and screening. Oak Grove Road is proposed to be a minor arterial, which supports neighborhood commercial and restaurant uses.

Site Information:

Owner: Juan Martinez
1009 Boyce Street
Fort Worth, TX 76115

Agent: Grant Engineering Inc./ John A. Grant III

Acreage: 4.8 acres

Comprehensive Plan Sector: Sycamore

Surrounding Zoning and Land Uses:

North "A-5" One-Family / single-family
East "C" Medium Density Multifamily / Capital Park

South "C" Medium Density Multifamily / rodeo and horse arena
 West "C" Medium Density Multifamily / arena concession stand, mini-storage

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: Not filed

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Oak Grove Road	2 way, Residential	Minor Arterial	No

Public Notification:

The following Neighborhood Associations were notified:

Southland Terrace Neighborhood Improvement Assn
 Oakridge Terrace
 Oakridge Terrace Crime Watch

Streams & Valley
 Southeast Fort Worth, Inc.
 Fort Worth ISD

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zone change from "A-5" One-Family and "E" Neighborhood Commercial. Surrounding land uses vary; with residential just north, vacant parkland to the east, mini-storage and concession stand to the west, and rodeo arena to the south.

Oak Grove Road is currently a residential road but is proposed to be a minor arterial on the MTP, which supports neighborhood commercial. Single-family uses would not be compatible facing Oak Grove Road due to the current intensity of the street and surrounding land uses. Additionally, Neighborhood Commercial is designed to meet the need of nearby residences and is an appropriate zoning category adjacent of residential uses.

Due to the varied uses and future intensity of Oak Grove Road, the proposed zoning is **compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2011 Comprehensive Plan designates the site as medium density multifamily. While the commercial development is not consistent with the multifamily designation, the properties are located at the corner of a future minor arterial, which is a proper location for a neighborhood commercial use. The policies below apply to this development:

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (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.

Due to the multifamily designation, the zoning change request is **not consistent** with the Comprehensive Plan.

Attachments:

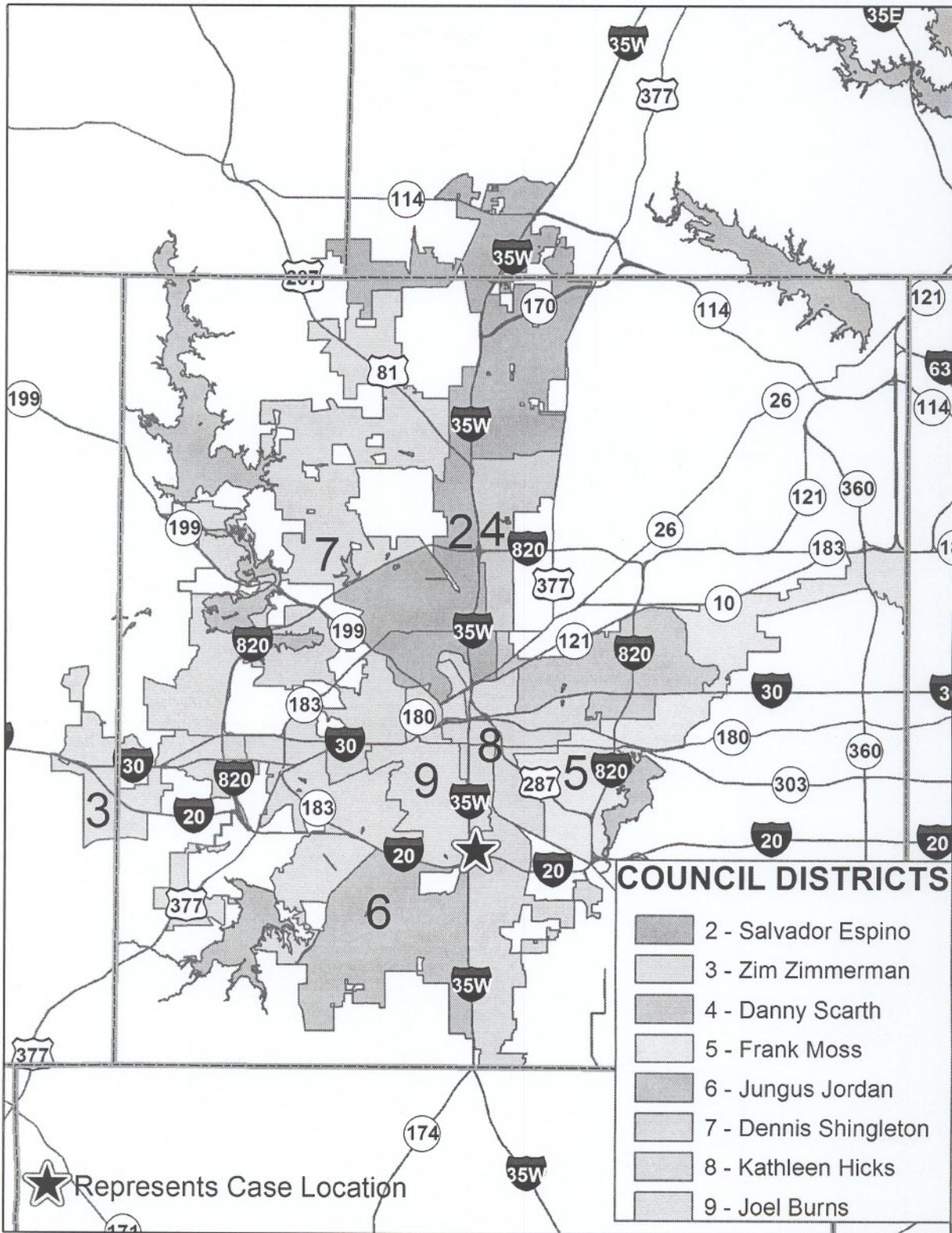
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph

FORT WORTH



ZC-12-002

Location Map



★ Represents Case Location





ZC-12-002

Area Zoning Map

Applicant: Juan Martinez
Address: 1001 Oak Grove Road
Zoning From: A-5
Zoning To: E
Acres: 4.80457103
Mapsc0: 91P
Sector/District: Sycamore
Commission Date: 01/11/2012
Contact: 817-392-8043

 300 Ft. Buffer





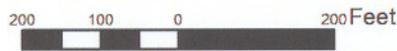
1001 Oak Grove Road

Future Land Use

ZC-12-002



- | | | |
|-----------------------------------|--------------------------|-----------------------------|
| Vacant, Undeveloped, Agricultural | Neighborhood Commercial | CFWGIS.SDE.TRN_RAILROADS |
| Rural Residential | General Commercial | CFWGIS.SDE.CAD_addresses |
| Suburban Residential | Light Industrial | Freeways/Toll Roads |
| Single Family Residential | Heavy Industrial | Proposed Freeway/Toll Road |
| Manufactured Housing | Mixed-Use Growth Center | Principal Arterial |
| Low Density Residential | Industrial Growth Center | Proposed Principal Arterial |
| Medium Density Residential | Infrastructure | Major Arterial |
| High Density Residential | Lakes and Ponds | Proposed Major Arterial |
| Institutional | Public Park, Open Space | Minor Arterial |
| | Private Park, Open Space | Proposed Minor Arterial |
| | | Flood Plain |



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 01, 2011



Aerial Photo Map



Motion: Following brief discussion, Mr. Edmonds recommended approval of the request, seconded by Mr. Romero. The motion carried unanimously 9-0.

2. ZC-12-001 SK Highland Meadows (CD 7)- 321 East Bonds Ranch Road (Henry Robertson Survey, Abstract No. 1259, 20.00 Acres): from "I" Light Industrial to "PD/I" Planned Development for all uses in "I" Light Industrial plus drop-off station for non-hazardous household waste, recycling and animal control; site plan included.

Tim Welch, 1308 Norwood Drive, Suite 200, Bedford, Texas representing SK Highland Meadows the property owner explained to the Commissioners the request is to rezone this 20 acre tract to PD/I for a household waste and recycling center and animal control facility.

Mr. Ortiz asked about the facility

Mark Rauscher, Program Management Office, 1000 Throckmorton Street, City of Fort Worth, Texas explained to the Commissioners the facility will allow for homeowners to drop off their recycling materials paper, plastic, etc. The animal shelter will be a temporary location for pet owners to drop off unwanted animals until they can be transferred to the City's animal shelter.

Mr. West asked about access to the site. Mr. Rauscher explained the site plan displayed is similar to the Hemphill site. Some of the bins have to be worked out as far as location. Mr. West asked about street access. Mr. Rauscher said there are two roadway connections to the south from the south and one from the east. There will also be internal access. Mr. West asked if there will be access from Highway 287. Mr. Rauscher mentioned there are no continuous frontage roads in this area.

Ms. Zadeh asked about them adding non-hazardous waste to the description. Mr. Rauscher mentioned that is correct they are adding it to the language.

Ed Davis, 300 E. Bonds Ranch Road, Fort Worth, Texas with Alderwood Properties, owner of the adjacent parcel, spoke in support.

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

3. ZC-12-002 Juan Martinez (CD 8)- 1001 Oak Grove Road (Louis Cohen Survey, Abstract 290, Tracts 3H & 5C, 4.80 Acres): from "A-5" One-Family to "E" Neighborhood Commercial

John Grant, 3244 Hemphill Street, Fort Worth, Texas representing Juan Martinez explained to the Commissioners the request to rezone the property to E to allow for a restaurant. Mr. Grant mentioned it will be about 5,000 square feet and be located towards the front of the property along Oak Grove Road. There are floodplain issues at the rear of the property. He did mention they have buffering from the neighborhood.

Mr. Romero asked if the applicant owns any other restaurants. Mr. Grant mentioned he did and sold to his sister in the last couple of years. He said it was successful and had owned it for 10 years.

Motion: Following brief discussion Mr. Romero recommended approval of the request, seconded by Mr. Edmonds. The motion carried unanimously 9-0.

Document received for written correspondence				ZC-12-002	
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
S. O. Doggett	933 Brown Drive	Yes		Support	Sent letter

4. ZC-12-003 Edwards Geren LTD (CD 3)- Southeast corner of Vickery Boulevard and Bryant Irvin Road (L. J. Edwards Survey, Abstract No.464 and the F. G. Beasley Survey, Abstract 135, 12.18 Acres): from "PD-630" Planned Development for all uses in MU-2" High Intensity Mixed Use as outlined in the September 30, 2003 Comprehensive Zoning Ordinance with a minimum and maximum block length with 20% allowed to be between 200 and 500 feet; site plan waived to "G" Intensive Commercial

Travis Pierce, 777 Main Street, Fort Worth, Texas representing Edward Geren Ltd., explained to the Commissioners they are requesting a 30 day continuance.

Mr. West asked what the time table is for construction. Mr. Pierce mentioned possibly in March.

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

5. ZC-12-004 Fort Worth Living, LTD (CD 9)- 211 University Drive (Linwood Addition, Block 1, Lots 18 thru 21, 0.75 Acres): from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus automotive services and car wash for auto dealership; site plan included.

Jim Stephenson, 2938 Crockett Street, Suite 439, Fort Worth, Texas representing Fort Worth Living, Ltd., explained to the Commissioners he is present to answer any questions.

Ms. Zadeh asked if he could explain the inconsistency with the Comprehensive Plan and how he is addressing this through the site plan. Mr. Stephenson mentioned they are meeting the requirements by screening the back property adjacent to residential. To the north of them is Fire Station 6 and south is Jack in the Box. He also mentioned their office is across the street and they have outgrown the building. Ms. Zadeh asked if they were conducting this use at their main facility. Mr. Stephenson said yes they were.