



**ZONING AMENDMENT
STAFF REPORT**

City Council Meeting Date:
March 6, 2012

Council District 9

Zoning Commission Recommendation:

Denial by a vote of 7-2

Opposition: Neighborhood Representatives/nine spoke

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

Owner / Applicant: Travis Avenue Baptist Church

Site Location: 717 West Berry Street Mapsco: 76Z

Proposed Use: Wal-Mart Neighborhood Market

Request: From: "MU-1" Low Intensity Mixed-Use

To: "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed Use with waivers to Development Standards for Wal-Mart building only and to remove gasoline sales as a permitted use; site plan included

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

Comprehensive Plan Consistency: Requested change **is consistent (Minor Boundary Adjustment)** for land use and **is inconsistent** with the Hemphill/Berry Urban Village Master Plan and the Urban Design Chapter of the Comprehensive Plan

Background:

The proposed site is located on the site of the Travis Avenue Baptist annex on the corner of Hemphill Street on Berry Street. The applicant is proposing a zoning change from "MU-1" Low Intensity Mixed Use to "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed-Use; site plan included. The applicant is requesting a PD, which requires a detailed site plan, because the current site configuration does not meet all of the MU standards. The applicant is proposing to demolish the Travis Avenue Baptist annex site for the construction of a new neighborhood Wal-Mart grocery store.

The proposed development has characteristics determined to be necessary for the standard functioning of a Wal-Mart grocery store with waivers necessary for parking between the building and the street and a large setback from Berry Street. The applicant indicated efforts were made but they were not able to acquire the corner property, which may have allowed the building to be built at the street frontage.

The applicant has had multiple neighborhood meetings to discuss the proposed development with hopes to come to a consensus on the site's varying issues. The table below describes the differences between the proposed MU PD site plan and MU standards. The applicant is requesting waivers to these items to be included in the Development Standards. Several neighborhood members remain opposed to the project due to these items.

Standard	MU-1	Proposed PD
Front Yard	20 ft max	Greater than 100 ft
Surface Parking	Not permitted between a building front and street	Parking located in front of the building along Berry Street
Screening loading docks	Must be screened when visible from a public street (Hemphill)	Cannot be screened due to functionality
Wall between the building and street (Devitt side)	No wall permitted unless attached to a building	8 ft. wall to screen the loading docks and compactors from public view

The current proposal maintains vestibule/door access oriented to both the Berry and Hemphill Street frontages and includes the addition of four windows at the cart storage area in the vestibule, expansion of the fenestration to include green screen (vines) below the windows on both sides, clear glass within part of the 2-12 ft. levels, glass above the 12 ft. level, and a covered outdoor seating area on Hemphill which includes 4 tables and seating for 16. The green screen and outdoor seating area provide partial credit toward the fenestration requirement.

The proposed elevation will meet the fenestration requirements at 60% for the primary side (60% required) and 41% for the secondary side (40% required). The masonry will also be met at 70% for the primary side the 74% for the secondary side. No waiver is requested for either item.

The site is located within the Hemphill/Berry Urban Village, which is one of the thirteen original villages identified by the Commercial Corridors Task Force in 2002. The urban village boundary incorporates the commercial properties on the east and west sides of Hemphill Street, and is generally bounded by Bowie Street on the north, Woodland Avenue on the south, College Avenue on the west, and the alley between Hemphill Street and Jennings Avenue on the east.

At the February 14 City Council meeting, the applicant amended the request to remove gasoline sales as a permitted use. This case was continued to March 6, 2012 in order for the applicant to continue to work through details. The applicant and neighborhood representatives met on February 21 and discussed the possibility of setting aside approximately 110 feet of the Berry St. frontage, aligning with the existing buildings, as a lease lot. No parking or Wal-Mart signage would be permitted on this lot in order to offer it for development. This proposal would provide a remainder of around 122 parking spaces, which meets the 75% minimum required in MU-1. The meeting was concluded with the intent to discuss this request with Wal-Mart management.

Site Information:

Owner: Travis Avenue Baptist Church
800 West Berry Street
Fort Worth, TX 76110

Agent: Wal-Mart Stores, Inc./Gerald Taylor

Acreage: 3.7 acres

Comprehensive Plan Sector: Southside

Surrounding Zoning and Land Uses:

North "CF" Community Facilities; "MU-1" Low Intensity Mixed-Use / Travis Avenue Baptist Church

East "MU-1" Low Intensity Mixed-Use / commercial, single-family, vacant, duplex

South "A-5" One-Family; "MU-1" Low Intensity Mixed-Use / single-family, restaurant

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

Site Plan Comments:

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. The key deficiencies are:

1. Front yard is greater than 20 ft from Berry Street
2. Surface parking is prohibited between a building front and the street
3. Screening required for loading docks from Hemphill Street
4. Exterior walls located along Devitt Street and Travis Street shall not extend beyond building facades

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

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Berry Street	Major Arterial	Major Arterial	No
Hemphill Street	Major Arterial	Major Arterial	No

Public Notification:

The following Neighborhood Associations were notified:

Shaw Clarke NA
 West Morningside NA
 Jennings-May St. Louis
 Worth Heights NA
 South Hemphill Heights NA

Berry Street Initiative
 Hemphill Corridor Task Force
 Southside Preservation Assoc.
 Fort Worth ISD

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zone change from "MU-1" to "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed-Use; site plan included. Surrounding land uses vary with Travis Avenue Baptist Church to the north, residential uses to the east, restaurant and residential uses just south, and residential to the west.

The proposed site is located within the Hemphill/Berry Urban Village, which promotes a mix of uses, dense development and a pedestrian form. The applicant fails to meet numerous tenants of the MU zoning, including the parking in the front yard and the extended setback on the primary building façade. The site plan and elevation provided by the applicant attempt to incorporate many of the aspects and intent of the mixed use/urban village development such as the adjacency to the secondary street and outdoor seating.

The proposed zoning and development is **compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2011 Comprehensive Plan designates the site as institutional due to the existing worship center on the proposed site. While the proposed commercial development is not consistent with the institutional designation, the property is located at the corner of two major arterials, which is a proper location for the 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 surrounding neighborhood commercial future land use designations, the existing MU-1 zoning, and the policies stated above; the zoning change request **is consistent (Minor Boundary Adjustment)** with the future land use in the Comprehensive Plan. Neighborhood commercial is designated as an appropriate future land use for MU-1 zoning in Chapter 4 of the Comprehensive Plan. The land uses in MU-1 are based on "E", which is Neighborhood Commercial zoning.

However, the proposal **is not consistent** with the Hemphill/Berry Urban Village Master Plan, which was adopted by reference into the Comprehensive Plan. Characteristics for this specific property within the village's master plan provided for:

- Ground floor commercial use
- Reads architecturally as one building
- Strong relationship between the building and street
- Strong pedestrian environment

The Master Plan provides that the southwest corner of Hemphill and Berry offers the most significant opportunity for mixed-use development due to the vast areas of open space and limited number of property owners. The Master Plan also recommended mixed use development on this site on either side of a new, pedestrian-oriented street that would bisect the site.

Chapter 14 of the Comprehensive Plan (Urban Design) indicates that urban design principles such as pedestrian-oriented development, strategically located and well designed public spaces and buildings, and accessible open spaces are essential elements of successful mixed-use growth centers and urban villages.

Streets and streetscape contribute to a physical environment that makes pedestrians feel secure, while successfully accommodating existing and projected traffic volumes. For example, when building facades are built close to the street, pedestrians experience the sense of being in an outdoor room.

Pedestrian environments and public spaces include aesthetic appeal but also create experiences that are components of urban social life that attract residents, businesses, and visitors. The thoughtful design of public spaces can provide these experiences and improve the vitality of the urban environment throughout Fort Worth.

A public space should be:

- Located where it is visible and easily accessible to potential users.
- Available for public use and inviting to all.
- Appealing from both the outside and the inside.
- Secure and safe.
- Accessible to children and disabled people.
- Engaging to users (e.g., through interactive sculpture and fountains).
- Designed to support special events or gatherings.
- Easily and economically maintained

Attachments:

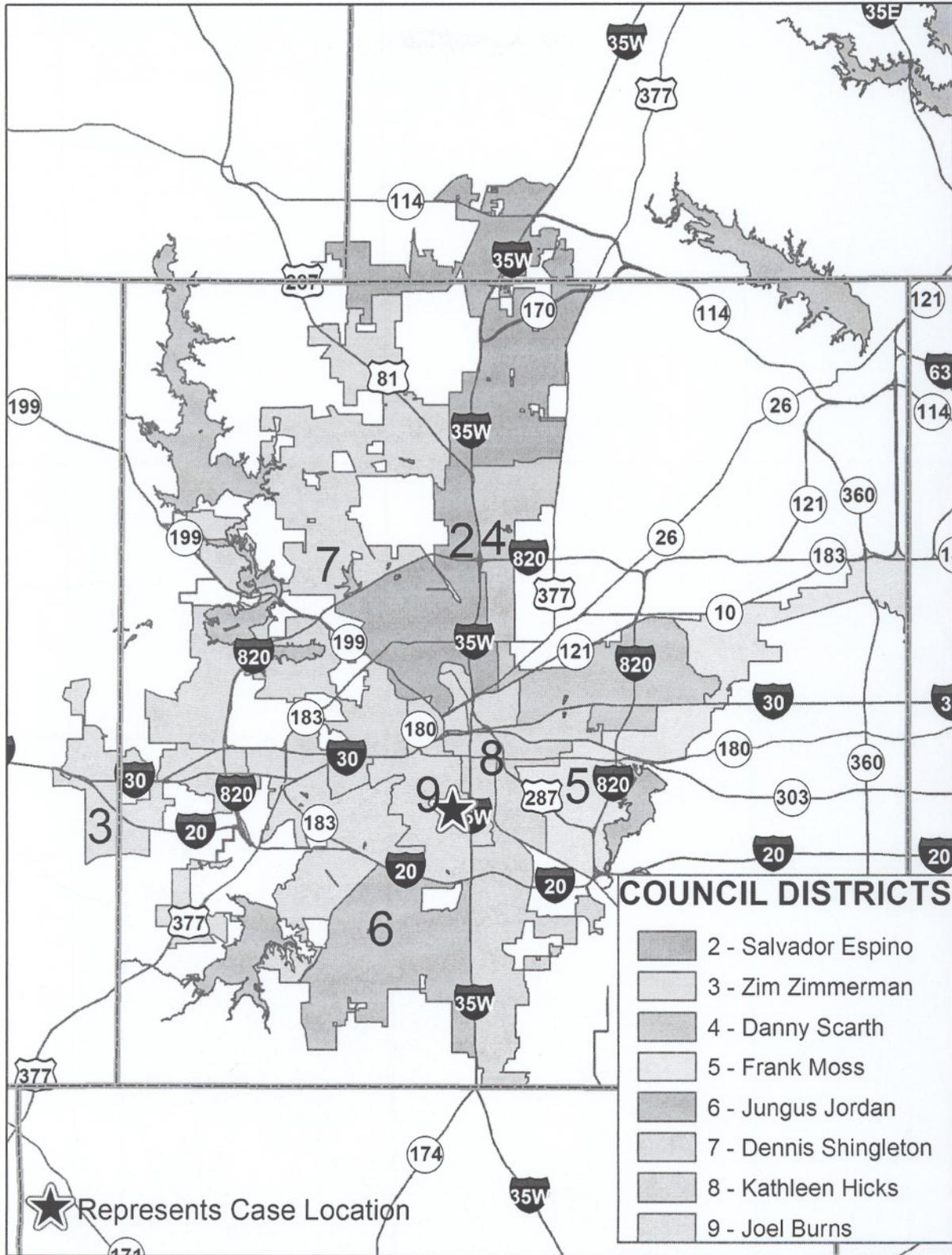
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Elevation Exhibit and Fenestration calculations
- Minutes

FORT WORTH



ZC-12-005

Location Map



Primary Elevation (North side, Berry Street)

Area of building in 2-12 feet zone: 2446 sq ft
Amount of Glass required per MU-1: 1468 sq ft
Total allowable glass alternatives: 1027 sq ft

Glass provided in 2-12 feet zone: 1090 sq ft
Glass provided outside of 2-12 feet zone: 773 sq ft
40% credit per MU-1 = 309 sq ft
Green screen provided: 173 sq ft
40% credit per MU-1 = 69 sq ft

Total glass provided with alternative credits included: 1468 sq ft

Masonry consists of 70% of façade exclusive of doors, windows, and green screen

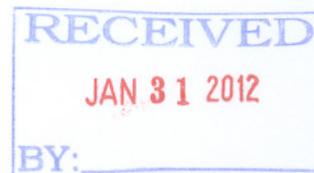
Secondary Elevation (East side, Hemphill)

Area of building in 2-12 feet zone: 1763 sq ft
Amount of Glass required per MU-1: 705 sq ft
Total allowable glass alternatives: 494 sq ft

Glass provided in 2-12 feet zone: 388 sq ft
Glass provided outside of 2-12 feet zone: 384 sq ft
40% credit per MU-1 = 153 sq ft
Green screen provided: 346 sq ft
40% credit per MU-1 = 138 sq ft
Outdoor seating provided: 4 tables ea 4'x4' = 64 sq ft
60% credit per MU-1 = 38 sq ft

Total glass provided with alternative credits included: 717 sq ft

Masonry consists of 74% of façade exclusive of doors, windows, and green screen



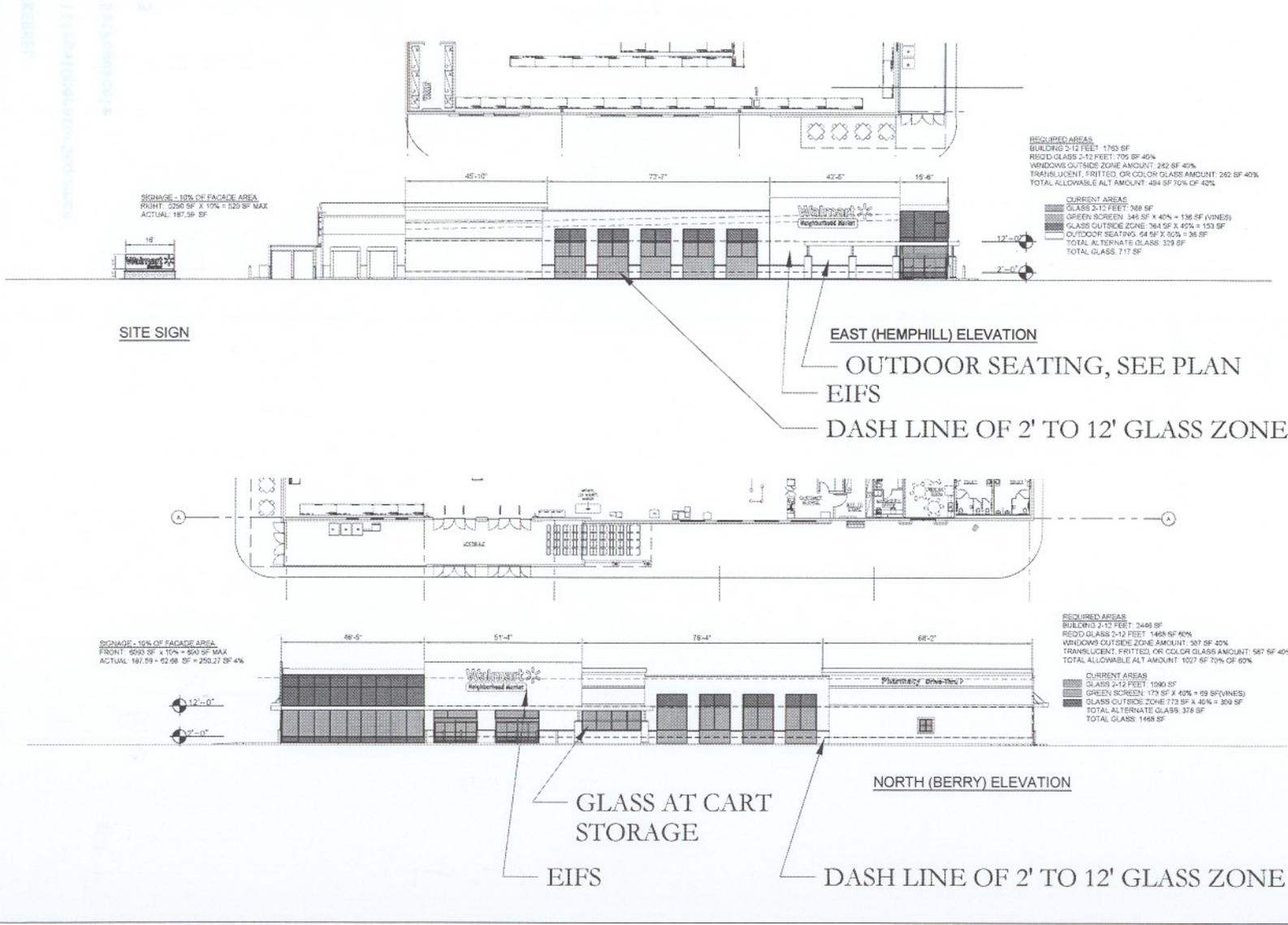
EAST AND NORTH ELEVATIONS
ARE QUICKBRICK EXCEPT FOR
BRAND WALL AND PILASTERS

31 JANUARY
2012

ELEVATION
CALCULATIONS

3135 FORT WORTH (TRAVIS), TX
SCALE: 1/32" = 1'-0"

500-81-72



Exhibit

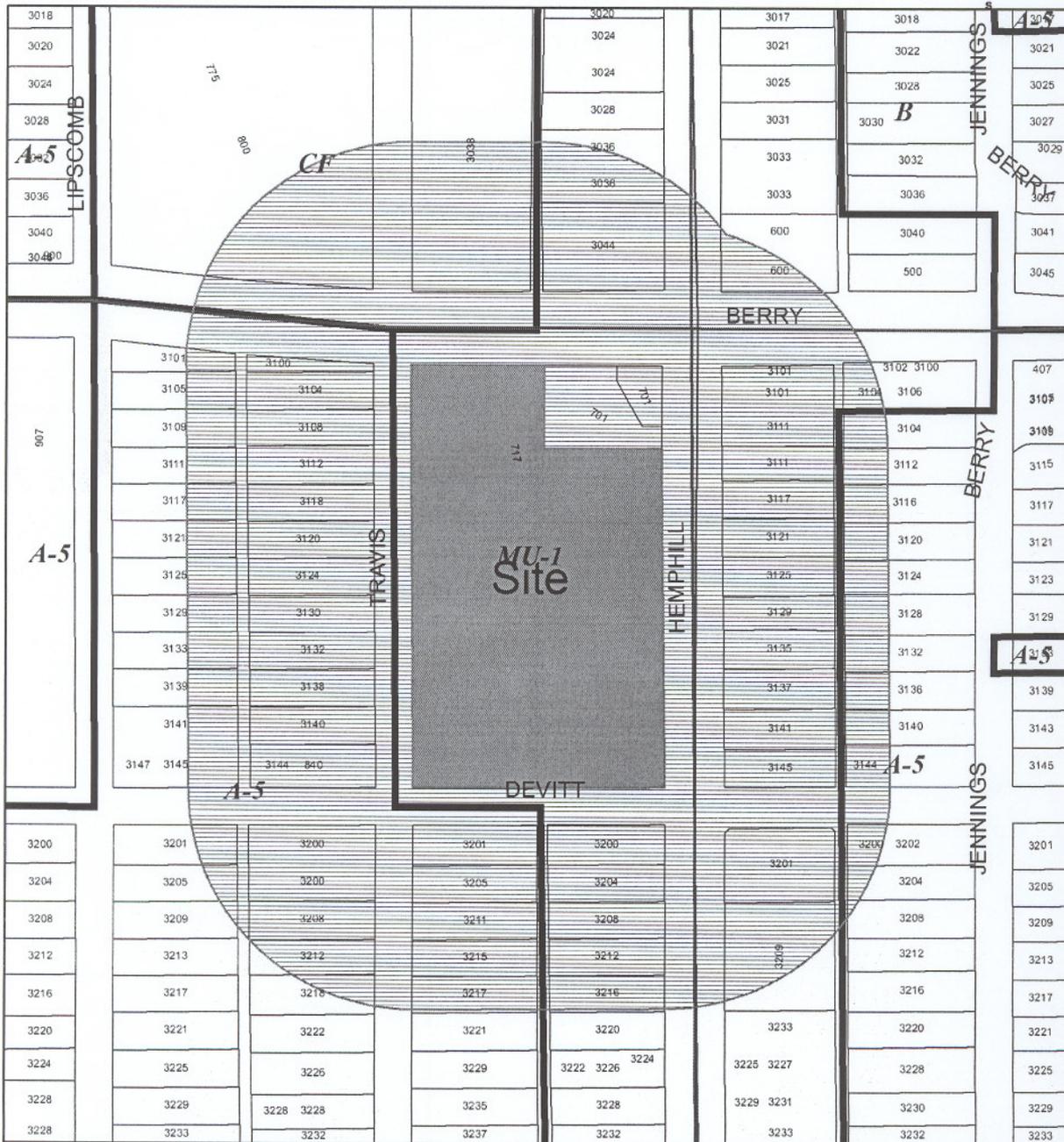


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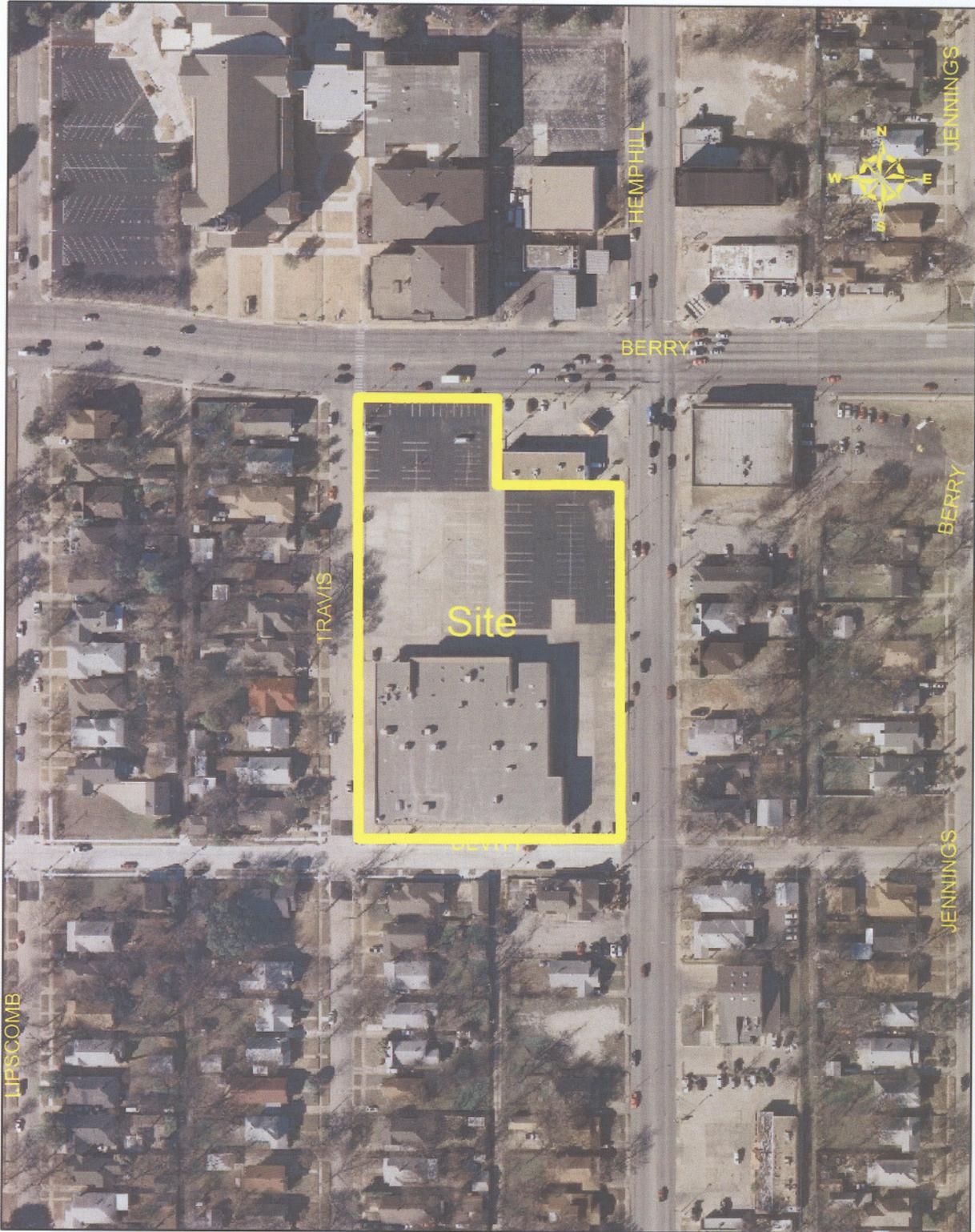
Area Zoning Map

Applicant: Travis Avenue Baptist Church
 Address: 717 W. Berry Street
 Zoning From: MU-1
 Zoning To: PD for MU-1 uses with waivers to dev. standards for WalMart building only
 Acres: 3.97166604
 Mapsco: 76Z
 Sector/District: Southside
 Commission Date: 01/11/2012
 Contact: 817-392-8043

 300 Ft. Buffer



Aerial Photo Map



City of Fort Worth, Texas
Zoning Commission
February 8, 2012 – Meeting Minutes

DRAFT

Present:

Neftali Ortiz, Chair, District 2
Ann Zadeh, Vice- Chair, District 1
Robert West, District 3
Charles Edmonds, Jr. District 4
Hugh Ferrell, District 5
Stephanie Spann, District 6
Nick Genua, District 7
Ramon Romero, District 8
Gaye Reed, District 9

Staff Members Present:

Dana Burghdoff, Deputy Director
Jocelyn Murphy, Planning Manager
Lynn Jordan, Planner
Stephen Murray, Planner
Beth Knight, Senior Planner
Melinda Ramos, Assistant City Attorney

Absent:

none

I. Public Hearing – 10:01 A. M.

Ms. Murphy explained the procedure to be followed for the Zoning Commission meeting.

II. Minutes

The Commission, on a motion by Mr. Edmonds, seconded by Mr. West, on a vote of 9-0, voted to approve the Zoning Commission minutes of the January 11, 2012 meeting.

Video on individual cases can be viewed at the following website.

http://fortworthgov.granicus.com/ViewPublisher.php?view_id=2

III. Continued Cases

1. 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 another 30 day continuance.

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

2. ZC-12-005 Travis Avenue Baptist Church (CD 9)- 717 West Berry Street (South Hemphill Heights Addition, Block 37, Lot 27, 3.97 Acres): from “MU-1” Low Intensity

Mixed Use to "PD/MU-1" Planned Development for all uses "MU-1" Low Intensity Mixed Use with waivers to development standards for Wal-Mart building only; site plan included.

Tom Galbreath, 550 Bailey Avenue, Fort Worth, Texas representing the Wal-Mart Stores, Inc., explained to the Commissioners they were continued from last month's meeting to work with the neighborhood. They've had two meetings with the stakeholders. Mr. Galbreath stated that any waiver to the MU-1 standards and guidelines does set precedence for the Urban Village. He also mentioned they have no control on what happens with the corner lot which is owned by someone else. He went on to mention property value comparables and what they can do compared to other projects that have been constructed such as the West 7th Urban Village and Hemphill and Berry. He mentioned West 7th is the spine to the Central Business District and the Cultural District where there is prime real estate and connects urban villages. Berry and Hemphill Street is a major intersection with principle arterials connecting I-35 to TCU. He talked about land sales, design standards and the distinction between MU-2 and West 7th Street Urban Village and that they are similar to the standards at this location. A power point was presented to explain the similarities. It was noted that no land transactions had taken place in the last five years, and only two within the last twelve years. Outside of the Urban Village there have been only three transactions, according to the data they received through CoStar. In the West 7th Urban Village, there have been 62 transactions in the last five years, 22 in which were the last two years. Mr. Galbreath referred to the Montgomery Plaza building and Super Target to explain orientation and fenestration to streets and the flexibility they are trying to accomplish at Berry and Hemphill with Wal-Mart.

Mr. Galbreath wanted to discuss the illustration from the power point as to what they have done to the site and mentioned they have a setback for the parking, they are asking for a waiver to screen the truck dock, and they have added an outdoor seating and eating area on the Hemphill side. They are complying with the fenestration requirement of 60% for the primary street on the front elevation and 40% for the secondary street toward Hemphill and incorporating a green wall treatment which is allowed in MU-1.

Fernando Florez, 2740 Hemphill Street, Fort Worth, Texas, chair for the Hemphill Corridor task Force spoke in opposition. Mr. Florez mentioned the meeting that was held with Wal-Mart and why they think there has been no development in this area. He talked about the urban village concept and it being based on a long term vision. The Hemphill Corridor Task Force and Berry Street Initiative want to be patient so that development is done right. Mr. Florez stated the Hemphill Corridor Task Force is not in favor of this project. He stated the front yard setback exceeds the maximum 20 feet and there is not supposed to be surface parking between the building front and the street. They are willing to work with Wal-Mart and asked if they would set aside some of the parking that fronts to Berry and save it for green space. There is also concern that Wal-Mart will purchase the corner lot, demolish the building and use it for parking, destroying the Urban Village concept.

Mr. Ortiz asked if the proposal that is before them now better than the first one submitted and is the primary concern the waivers. He responded they have made some improvements. Mr. Florez noted there is not a comparison to what is already built in the West 7th Urban Village. They know what they want in their urban village.

Sandra Dennehy, 3124 College Avenue, Fort Worth, Texas, chair of the Berry Street Initiative also spoke in opposition. She noted they have been up front with Wal-Mart from the very beginning and letting them know what they want. She mentioned if they had spent as much on resources as they have on time on creating an urban model she feels like they would not be here today. In the last 16 years there has been a lot going on and the community is stable, thanks to the Berry Street Initiative and Hemphill Corridor Task Force. Ms. Dennehy mentioned the latest version of the plan that was presented to them on Monday night is an improvement and does meet the standards of the district; however, they have done nothing to go above the requirements on the fenestration of the building. Two of the variances they are requesting go to the very heart of the Urban Village, which is a walkable, pedestrian friendly streetscape. They want to be able to protect the vision along Berry Street with more dense development. She went on to mention the long term vision.

Robert Snoke, 3526 6th Avenue, Fort Worth, Texas also spoke in opposition with opinions about Wal-Mart corporate practices.

Paul Dennehy, 3124 College Avenue, Fort Worth, Texas spoke in opposition and mentioned the neighborhood has a common vision they want to see. Mr. Ortiz asked about the supermarket and what do they want. Mr. Dennehy responded they would like to see a supermarket but they went through the process of creating an Urban Village for this area with specific guidelines. Mr. Ortiz mentioned on the site plan the building is along Hemphill Street and does this accomplish some of the urban village concept. Mr. Dennehy stated the guidelines refer to fenestration, primary elevations, parking to the rear and buildings up front. This plan does not accomplish that. Mr. Ortiz mentioned that people walk primarily from the south and not from the north since Berry Street is a very busy intersection. He noted Berry Street needs improvement.

Mr. Edmonds mentioned zoning is site specific and there is not enough room along Berry to put a significant building. He asked is there an alternative to allow them to build a grocery store of this type. Mr. Dennehy responded there are two alternatives as mentioned earlier. One is to preserve the corner for future development along Berry.

Lee Frampton, 816 East Biddison, Fort Worth, Texas President of Brentmoor neighborhood also spoke in opposition.

Paul Millender, 3121 Lipscomb Street, Fort Worth, Texas president of the South Hemphill Heights neighborhood also spoke in opposition. He stated it comes down to two things the parking and orientation of the building, the heart of the urban village. His concern is not with Wal-Mart but for the neighborhood. Mr. Millender asked that the plan be denied based on not being able to meet the urban village guidelines.

Paul Sinclair, 2829 Travis Avenue, Fort Worth, Texas spoke in opposition. He lives three blocks to the north of the subject property. He reiterated why the proposal should be denied. He noted the building has not been vacant as mentioned earlier.

Alonzo Aquilar, 3725 Stuart Drive, Fort Worth, Texas spoke in opposition. He mentioned they have nine grocery stores in their neighborhood.

In rebuttal Vicki Bargas, 301 East Drew, Fort Worth, Texas President of the Worth Heights neighborhood spoke in support. Ms. Bargas stated there has been development in the area but not what she would consider fine development. She noted there is a way to make this work. People want a grocery store; they need one because the other stores are niche stores.

Mr. West asked if she was involved in the group meetings they had about the urban village for Hemphill and Berry. Ms. Bargas stated she did attend the meetings but wasn't actively involved in the beginning. Mr. West asked if she knew when the prototypes of what buildings could look like took place, their vision. Ms. Bargas mentioned she thought it was around 2007. Mr. West also asked if they thought enough time had passed on this vision. Ms. Bargas stated yes it has and that no one has shown interest until now.

Mr. Ortiz mentioned the long term vision of being 10 to 15 years and would this be settling for something. Ms. Bargas stated she is not privy to what is supposedly coming in, and since she is not seeing anything she does not believe they are settling. She asked if they should have to wait another ten years for something to happen. Mr. Ortiz also asked if this would be setting precedence for the area. Ms. Bargas stated it does not have to set precedence; it can be looked at on a case by case basis.

Ms. Zadeh mentioned the applicant and some illustrations that were presented and that since they did not meet the requirements if it would set precedence for that area. Ms. Bargas mentioned a restaurant that wanted to rebuild and they did so with the urban village concept.

Connie Medina, 3716 South Jones Street, Fort Worth, Texas spoke in support of the request. Ms. Medina stated they made many changes trying to comply.

Laura Rios, 3736 South Jones Street, Fort Worth, Texas spoke in support of the request. She has lived in the neighborhood for over 50 years. She is speaking for the people in her neighborhood who could not attend. They are pleased Wal-Mart has shown interest in their area.

Mr. Romero asked about Wal-Mart bringing the urban village to them. Ms. Rios stated that would be ideal if they had the entire frontage along Berry Street but they do not and what they are proposing looks better than the building that sits on the corner of Berry and Hemphill. She also noted they need a grocery store in this area.

Chris Bonilla, 8540 Charleston Avenue, Fort Worth, Texas spoke in support of the request on behalf of his parents who live about two blocks from the proposed site. He noted they support the Wal-Mart as proposed and appreciate the Berry Street Initiative as well as the Hemphill Corridor Task Force in watching out for their community.

Mr. West asked if Mr. Bonilla was involved with the Urban Village concept and the long term vision. Mr. Bonilla responded no he was not but is a member of the Hemphill Corridor Task

Force and stated there are members that are in support of the request. He also stated the vision was a long term vision and Wal-Mart is taking the first step.

Tom Galbreath stated the retail demonstrated on West 7th was presented to show there is flexibility in the urban village. He noted that Travis Avenue Baptist Church is the biggest investor at this intersection. He applauds the time spend on creating the vision and agrees there should be a vision. He went on to say not everything fits and you have to make exceptions. Pictures were displayed of what the neighborhood looks like now. He said has helped Wal-Mart go into many different areas.

Mr. Edmonds asked staff to verify the neighborhood associations who spoke in support of the request. Ms. Murphy responded that Shaw Clark neighborhood sent a letter and a representative spoke for Worth Heights neighborhood.

Mr. West wanted to follow up with Mr. Galbreath with the same question asked of Ms. Bargas and Mr. Bonilla and asked if either his firm or he was involved with the Berry/Hemphill Urban Village plan or any other urban village plan. Mr. Galbreath responded by saying no but has been involved with development within the urban village of West 7th. Mr. West also asked how long of time is fair for development. Mr. Galbreath responded by saying you can't put a time frame on it. You have to look at opportunities.

Mr. Romero asked if there was any flexibility for the property on the north side fronting berry Street possibly platting or making it a green space. He responded that because of the PD they have given as much as they can and they are not proposing a gas station on the corner as mentioned earlier. Mr. Romero mentioned the neighborhood was looking for protection for future development if the corner lot becomes available. He went on to mention there are three urban villages along Berry Street.

Ms. Zadeh asked about the parking and if it is needed. Mr. Galbreath said yes it is.

Motion: Following brief discussion, Ms. Reed recommended a denial of the request, seconded by Ms. Zadeh. The motion carried 7-2 with Mr. Edmonds and Mr. Genua against.

<i>Document received for written correspondence</i>				ZC-12-005
Name	Address	In/Out 200 notification area ft	Position on case	Summary
Fernando Florez/Hemphill Corridor Task Force	2740 Hemphill		Opposition	Spoke at hearing
Sandra Dennehy, /Berry Street Initiative	3124 College Ave		Opposition	Spoke at hearing
Paul Dennehy	3124 College Ave		Opposition	Spoke at hearing
Robert Snoke/Rosemont NA	3526 6 th Ave		Opposition	Spoke at hearing

Lee Frampton/Brentmoor NA	816 E. Biddison		Opposition		Spoke at hearing
Paul Millender/South Hemphill Heights NA	3121 Lipscomb St		Opposition		Spoke at hearing
Paul Sinclair	2829 Travis Ave		Opposition		Spoke at hearing
Alonzo Aquilar	3725 Stuart Dr		Opposition		Spoke at hearing
Vickie Bargas/Worth Heights NA	301 E. Drew			Support	Spoke at hearing
Connie Medina	3716 S. Jones			Support	Spoke at hearing
Laura Rios	3736 S. Jones			Support	Spoke at hearing
Chris Bonilla	8540 Charleston			Support	Spoke at hearing
Shaw Clark NA				Support	Sent letter

IV. New Cases

3. ZC-11-108A City of Fort Worth Planning and Development (CD 3)- Text Amendment: Amendments to Camp Bowie Form Based District, Ridglea Urban Village Core South

Text Amendment amending Section 5 “Schedule of Permitted Uses” of the Camp Bowie Revitalization Code of Section 4.1204 of Chapter 4, District Regulations” to revise the table of permitted uses in the Ridglea Urban Village Core South Zone

Jocelyn Murphy, Planning Manager, City of Fort Worth, Texas explained to the Commissioners this amendment is to remove bars as a permitted use from the Ridglea Urban Village Core South zone.

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

4. ZC-12-013 Rodrigo Armendariz (CD 6)- 7108 South Freeway (Halmark Addition, Lot C, 0.46 Acres): from “E” Neighborhood Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus outdoor storage of granite slabs for sale and outdoor storage in rear; site plan included.

Justin Goddard, 7108 South Freeway, Fort Worth, Texas representing the property owner explained to the Commissioners the owner purchased this property about four years ago and has displayed granite slabs on the parking lot since then. Mr. Goddard noted the value of the property has increased since they moved in. A letter of support was submitted from the property owner to the west and has had no issues with them. It was also mentioned they would support the screening of the property as requested by the neighborhood.

Ms. Burghdoff asked for clarification on the screening fence waiver request. Mr. Stephenson mentioned they are still requesting the waiver. He mentioned they do not want to screen the University side. The cars stored there will be for warranty service or maintenance and possibly new vehicles.

Mr. Ortiz asked if there is a fence proposed along University. Mr. Stephenson said no.

Mr. West asked if they have had any contact with the neighborhood. Mr. Stephenson said the seller did contact the neighborhood and they were not opposed to the development. Mr. West asked about specific owners and residents to the east of the property. Mr. Stephenson mentioned the seller owns all the property to the east and there are a couple of single-family homes that are rentals.

Ms. Reed asked if they intend on being in this location for a long time. Mr. Stephenson responded by saying yes since this is where all the high end vehicle sales are located. Ms. Reed also asked if this use is tied to the dealership. Mr. Stephenson said they are two different parcels under the same ownership so yes it would be tied to the dealership.

Mr. Ortiz asked where the car wash will be located. Mr. Stephenson said it will be indoors.

Mr. Edmonds asked staff about the screening fence. Ms. Burghdoff mentioned the site plan indicates a wood fence on the south and east, chain link fence on the north.

Ms. Reed wanted to clarify the proposed request is tied to the dealership.

Motion: Following brief discussion, Ms. Reed recommended approval of the request for an automotive service tied to a dealership, seconded by Mr. Genua. The motion carried unanimously 9-0.

6. ZC-12-005 Travis Avenue Baptist Church (CD 9)- 717 West Berry Street (South Hemphill Heights Addition, Block 37, Lot 27, 3.97 Acres): from "MU-1" Low Intensity Mixed Use to "PD/MU-1" Planned Development for all uses "MU-1" Low Intensity Mixed Use with waivers to development standards for WalMart building only; site plan included.

Tom Galbreath, 550 Bailey Avenue, Fort Worth, Texas representing the proposed WalMart Stores, Inc., explained to the Commissioners he wanted to present the power point that will help explain what they are trying to propose. The presentation mentioned all meetings they have had so far. There were a few different scenarios presented to show the layout of the building, landscaping, trees, pedestrian lighting and side walks. The entry way is entirely glassed in on the Hemphill side. They have enhanced the features on the west side as well where the pharmacy drive-thru is located. Mr. Galbreath did mention the waivers to items three and four noted on the staff report are no longer needed with this revision. He also noted there are more doors on the Berry side than the Hemphill side. It was explained on the picture diagram in the power point why they could not move the building closer to Hemphill. They do not want to front the building

on Hemphill for traffic circulation. Tractor trailer access will be entering off the arterial on the new proposal. He also explained they do not own the retail store located to the north of them.

Vickie Bargas, 301 E. Drew, Fort Worth, Texas President of the Worth Heights neighborhood spoke in support of the request. She mentioned she does understand the concept of the Urban Village and helped with bringing it here. Ms. Bargas also mentioned you need development which is not here there has been no interest other than the theater according to a staff member. They need to have something happen in order to bring development. She said there are three other grocery stores in the area which are specialty stores.

Mr. Ortiz asked how far the closest grocery store is from this location. Ms. Bargas mentioned the closest is Kroger at Berry and University. He also asked about the Berry streetscape initiative and moving buildings closer to the street. Ms. Bargas responded yes they do understand.

Mr. West asked about the boundary of the Worth Heights neighborhood. Ms. Bargas said the west boundary is Hemphill, east is I-35, north is Berry, and south is Seminary. Mr. West asked if part of their association is across the street on Hemphill. She responded yes it is.

Sandra Dennehy, 3124 College Avenue, Fort Worth, Texas Chair for Berry Street Initiative, and a resident of the South Hemphill Heights neighborhood and lives two blocks to the west of this site. Ms. Dennehy said they are not opposed to a grocery store at this site, however; Walmart is not adhering to the Urban Village concept they have set forth. She noted we should not allow the first development to come in and ask for concessions from the Urban Village concept a walkable, pedestrian, interactive retail environment. She also mentioned the store model they are proposing is a basic suburban prototype. Ms. Dennehy went on to mention at one of their meetings they mentioned bringing the coffee bar and café establishments to the front of the building with glazing on the front, making the store an inviting place to come to for the community. It was noted they have not had time to review the proposal presented this morning and are requesting it be continued.

Ms. Reed asked if there was a possibility they could meet with the applicant before this goes to Council on January 24, 2012. Ms. Dennehy said yes they could. She noted they could ask the Church to extend their time. Ms. Reed asked if they kept the same building they would not have to comply with the exterior MU requirements.

Ms. Spann asked if she was opposed to how the structure is displayed on the overhead. She said no she wasn't and that they had made some major changes to the façade and would like time to review it to see how it addresses the MU vision. Ms. Spann asked what she would like to see. Ms. Dennehy stated she would like to see the elements of the café, deli, coffee bar brought up to the front of the building.

Mr. Ortiz asked about them moving the building up towards Berry Street. Ms. Dennehy said they would prefer that, however; they were not able to purchase the parcel in the southwest corner.

Ms. Zadeh asked her if they have shown any designs as to where the café and coffee bar will be placed. Ms. Dennehy mentioned they have shown no plans to her. Ms. Zadeh mentioned this

would be an opportunity for them to place the businesses along the front with this new site plan presented. Ms. Dennehy responded by them moving it to the front it shows an inviting atmosphere.

Robert Snoke, 3826 6th Avenue, Fort Worth, Texas representing Rosemont neighborhood spoke in opposition. Mr. Snoke mentioned they are not working with the neighborhoods. He noted some complaints he had with WalMart. He also mentioned they have several mom-and-pop shops in the neighborhood and he doesn't want WalMart in the neighborhood. Mr. Snoke mentioned all the homes along Travis Avenue will be blocked by eighteen wheelers trying to get into the store. He noted the Vickery store had trucks sitting outside for three days.

Mr. Romero asked if WalMart was the right store for this area. Mr. Snoke said not for the Urban Village. He also requested the case be continued.

Fernando Florez, 2740 Hemphill, Fort Worth, Texas President, South Hemphill Heights neighborhood and Chair of the Hemphill Corridor Taskforce spoke in opposition. Mr. Florez mentioned they spent a lot of time working on the Urban Village master plan and the vision. He has concerns with the latest site plan and the waivers they are requesting, He said they are willing to work with them on creating a store that doesn't deviate from the Urban Village concept.

Mr. Ortiz asked what the vision for that corner is. Mr. Florez stated the master plan doesn't dictate what goes there. His objection is to the fenestration the applicant is proposing.

Ms. Zadeh stated the applicant expressed in a previous comment they are no longer requesting a waiver to the fenestration. Mr. Florez mentioned they do not want to approve any revisions without first going back to the neighborhood and let them decide.

Mr. Romero also asked about the Urban Village design and noted the corner lot is not for sale at this time hindering the applicant to build to the Urban Village concept as they envisioned. Mr. Florez stated he has not seen their plan.

Ms. Reed mentioned again to Mr. Florez if they put a plan together and meet with the neighborhood before this goes to Council. Mr. Florez stated they have known how the neighborhood feels and said they can extend the contract.

Ms. Burghdoff asked staff for clarification on the revised site plan shown on the overhead if it does meet the MU requirements on fenestration on the Berry and Hemphill side. Ms. Murphy indicated it does meet the requirements and this morning was the first time staff had seen it. Mr. Florez wants to see the case continued.

Linda Clark, 3030 Willing Avenue, Fort Worth, Texas also spoke in opposition. She stated they want to see development and they are not going to compromise with developers. Ms. Clark noted they have given the applicant renderings of what they want to see on that corner.

Alonzo Aguilar, 3725 Stuart Drive, Fort Worth, Texas also spoke in opposition. He mentioned there are three large grocery stores in the area that can handle the needs of the neighborhood. Mr. Aguilar mentioned the Walmart store does not fit into the neighborhood or fits the vision. Mr. Aguilar also noted there are traffic concerns at this intersection and this development will cause more traffic problems.

Lee Frampton, 816 E. Biddison, Fort Worth, Texas spoke in opposition. Mr. Frampton is President of Brentmoore Neighborhood Association. He noted they had several meetings with the applicant and noted they do not want to change their plans.

Mr. Ortiz asked what part of the Walmart plan are they against. Mr. Frampton stated if they want to build here give the neighborhood more time to review the proposed plans. Mr. Ortiz asked if there was anything else. Mr. Frampton mentioned it doesn't come close to what they want.

Joan Kline, 1215 Elizabeth Boulevard, Fort Worth, Texas spoke in opposition. She stated she supports the neighborhood and wanting to see the Urban Village concept.

Chris Bonilla, 8540 Charleston Avenue, Fort Worth, Texas spoke in support. He mentioned he is a voting member of the Hemphill Corridor Task Force. He noted there have been no serious investors in this area for over 10 years and the proposed development would create new jobs and increase the tax base. It was also noted that Walmart is meeting the fenestration requirements and will help to revitalize this area.

Mr. Romero asked if he feels the applicant has done everything they can do. Mr. Bonilla mentioned Walmart has gone the extra steps by addressing the fenestration requirements.

Mr. West asked if the MU requirements should be revised and or possibly go back to regular zoning. Mr. Bonilla responded by saying the MU guidelines are ok and don't need to be revised.

Laura Rios, 3736 S. Jones, Fort Worth, Texas Secretary for the Worth Heights neighborhood spoke in support. She noted there have been no changes in this neighborhood for a long time.

In rebuttal Mr. Galbreath mentioned they appreciate the neighborhood concept. It has been noted a grocery store is needed here. He mentioned they have to function as a store and are trying to comply with the Urban Village concept as much as they can. Some of the concerns have been addressed with the revised site plan. Mr. Galbreath stated they have had up to 10 meeting, of which eight were with the neighborhood associations and it has been difficult to get details from them. They have addressed the fenestration, now they are down to the site constraints.

Ms. Reed asked about a continuance and the constraints. Mr. Galbreath mentioned the constraints are they have to act on this by February 6, 2012. Ms. Reed asked about extending the time. Mr. Galbreath noted he can take the latest designs back to Corporate between now and the time Council acts on it.

Mr. West asked about the Urban Village concept related to other designs for Walmart. Mr. Galbreath mentioned he could not answer to that on other design types and what they could

possibly do. Mr. West asked him about the MU requirements in this area and should they be changed. Mr. Galbreath noted they need to look at opportunities as they come and have the developers done as much as they can. This is the first step in trying to meet the Urban Village concept.

Mr. Ortiz asked if the 30 day continuance would be amenable. He noted they are out of time and cannot do a continuance.

Mr. Romero asked about the urban Walmart he is finding on their website. Mr. Galbreath was not sure what he was referring to and mentioned they look at each site. Mr. Romero mentioned the two renderings presented and if there were any more. He also asked if they could provide interior designs of the building to appease the neighborhood. Mr. Galbreath could not promise if his applicant can offer any of this at this time. He doesn't feel like they should open this up for redesign.

Motion: Following brief discussion, Ms. Reed recommended a 30 day continuance of the request, seconded by Ms. Zadeh. The motion carried 8-1 with Mr. Edmonds against.

<i>Document received for written correspondence</i>					<i>ZC-12-005</i>
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Vickie Bargas	301 E. Drew			Support	Spoke at hearing
Sandra Dennehy	3124 College Ave			Opposition	Spoke at hearing
Robert Snoko	3526 6 th Ave			Opposition	Spoke at hearing
Fernando Florez	2740 Hemphill			Opposition	Spoke at hearing
Linda Clark	3030			Opposition	Spoke at hearing
Alonzo Aquilar	3725 Stuart Drive			Opposition	Spoke at hearing
Lee Frampton	816 E. Biddison			Opposition	Spoke at hearing
Joan Kline	1215 Elizabeth Blvd			Opposition	Spoke at hearing
Lon Burnam	1067 W. Magnolia			Opposition	Sent letter
Chris Bonilla	8540 Charleston			Support	Spoke at hearing
Laura Rios	3736 S. Jones			Support	Spoke at hearing

7. ZC-12-006 City of Fort Worth Planning & Development (CD 9)- 1400 West Seminary Drive (William Wheat Survey, Abstract 1645, Tract 4, 30.00 Acres): from "A-5" One-Family to "A-5/HC" One-Family/Historic & Cultural Overlay