



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
June 4, 2013

Council District **9**

Zoning Commission Recommendation:
Approval by a vote of 7-0

Opposition: Oakhurst NA

Continued Yes X No
Case Manager Lynn Jordan
Surplus Yes No X
Council Initiated Yes No X

Owner / Applicant: **Legend Bank, Tarrant County Water District**

Site Location: 1351, 1801, 1811 E. Northside Drive Mapsco: 636JK

Proposed Use: **Apartments**

Request: From: "O-1" Floodplain, "PD-399" Planned Development/Specific Use for all uses in "F" General Commercial except certain prohibited uses and allowing limited uses will be permitted: Property development standards will be the same as set forth in the "F" district except for height. A height of 5 stories or 75 feet maximum shall be permitted if approved on the required site plan, and "PD-717" Planned Development/Specific Use for all uses in "F" General Commercial plus hotel, permitting a parking area or garage as long as it is in conjunction with or auxiliary to an onsite business, a temporary residence for security purposes, a temporary trailer used for construction or storage purposes, a bar, tavern, or cocktail lounge if such use is a part of or in connection with a hotel, motel, or restaurant. Property development standards will be the same as set forth in the "F" district except for height. A height of 5 stories or 75 feet maximum shall be permitted; site plan required, and excluding certain uses

To: "PD/D" Planned Development for all uses in "D" High Density Multifamily; site plan included

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

Comprehensive Plan Consistency: Requested change **is not consistent.**
(Technical Inconsistency)

Background:

The case was continued from the May 14th meeting to allow more time for all parties to have time to review the TIA study submitted.

The proposed site is located on Northside Drive near I-35 North Freeway. The applicant is requesting a zoning change from "O-1" Floodplain; "PD-399" and "PD-717" Planned Developments to "PD/D" Planned Development for High Density Multifamily. The applicant is proposing a total of 500 units in two phases. Phase one will consist of 300 units, five stories, one level of parking below and Phase two will consist of 200 units, four stories, one level of parking below, plus surface parking.

The site plan includes 1.43 acres identified for the expansion of I 35W. The property has not been purchased by TxDOT. The site plan also indicates the orientation of the buildings towards the Trinity River in Phase 1 with the majority of the parking along Northside Drive.

This location is currently within the FEMA Floodplain, Federal Floodway Project footprint and the Corridor Development Certificate review zone and must be reviewed by USACE and TRWD. The architect and met with the Tarrant Regional Water District and Corps of Engineers staff beginning in August 2011 to work through the floodplain concerns including flood modeling, drainage studies, and changes to the grade of the site. The applicant has indicated that all the living spaces shall be 10 ft. above the 100 year floodplain elevation, (appx 3-4 ft. above the 500 year elevation) which necessitated placing the parking on the ground and all the units above. The project must also limit the impact to the water storage volume by less than 5%. Further hydrology studies and USACE permitting remain to be completed.

A Unified Residential Development Plan (URD) will also be required before permitting.

The chart below depicts the development standards being proposed and will require several waivers from the Zoning Ordinance.

Development Standards	D	PD/D
Units per Acre	24 units max./acre =333 units	Max. 36 units/acre =500 units
Open Space	35% max.	39%
Height	32 ft. max.	Phase 1 -5 stories Phase 2 -4 stories
Parking	1/bedrm+1/250 sq. ft. common area =839 spaces	840 spaces

Site Information:

Owner: Legend Bank
101 W. Tarrant St.
Bowie, Texas 76230

TRWD
PO Box 4508
Fort Worth, Texas 76164

Agent: Schaumberg Architects/Erik France
Acreage: 15.17 acres
Comprehensive Plan Sector: Northeast

Surrounding Zoning and Land Uses:
North "O-1" Floodplain / vacant
East "PD-187" Planned Development / convenience store
South "O-1" Floodplain / Trinity River and vacant
West "O-1" Floodplain / Trinity River and vacant

Site Plan Comments:

The revised site plan as submitted is not in general compliance with the Zoning Ordinance regulations for the following:

1. The maximum density per acre in the D zoning district is 24 units. (A waiver is required to increase the density to a maximum of 36 units per acre).
2. The maximum height in the D zoning district is 32 feet. (A waiver is required to increase the height to five stories).

Zoning Commission recommended waivers to the items noted above.

Transportation/Public Works (TPW) site plan comments:

1. Traffic Impact Study (TIS) for TPW approval.
2. Sidewalks shall be required on all streets per City of Fort Worth Standards
3. Intersection Sight Distances - Intersections sight distances must be adequate. Horizontal geometry, vertical geometry, and intersection angles must provide adequate sight distance.

4. Gated Entrances - Gated entrances into secured areas must be designed in accordance with TPW's "Traffic Engineering Design Standards and Policy Guidelines". Provisions for an acceptable turnaround must be made. Provide details on final plat.
5. ROW Corner Clip - A triangular right of way dedication measuring 10 feet by 10 feet, measured at the property line, is required on corner lots at the intersection of two streets or the intersection of a street and an alley, with the following exceptions in zoning districts "H" Central Business District, "MU-1" Low Intensity Mixed-Use District, and MU-2 High Intensity District: A triangular dedication measuring 5 feet by 5 feet is required at street and alley intersections in which there are no traffic signals or all-way stop signs; No dedication is required at all-way stops and signalized intersections.
6. 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.

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

Parks & Community Services comments:

1. Parks and Community Services Department/Park Dedication Policy: Area is within PPD4 and the Park Dedication Policy applies. There is a required \$500.00 per unit PACS fees that will be required and must be paid at or before the time of applying for a building permit. No permits can be issued until this fee is paid in full. For the projected 500 units, the fee will be \$250,000.00. This fee amount can change depending on the final unit count at the time of platting. Please contact Joe Janucik 817-392-5706 for additional details.

Comments made by Parks Department staff cannot be waived through the Zoning Commission.

Recent Relevant Zoning and Platting History:

Zoning History: "PD-868" Planned Development for E uses plus hotel approved by City Council 01-12-10, subject property to the north; "PD-399" Planned Development for F uses with exclusions approved by City Council 05-08-01; "PD-717" Planned Development same uses plus hotel approved by City Council 09-05-06 (subject property); "PD-527" Planned Development/Specific Use for private school approved by City Council 08-10-04; "PD-187" Planned Development for a convenience store and retail facility approved by City Council 08-09-95, subject properties to the east

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Northside Dr	Major Arterial	Major Arterial	No
I-35 W/North Frwy	Tollway/Freeway	Tollway/Freeway	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Scenic Bluff	Fort Worth Downtown Neighborhood Alliance
Oakhurst NA	Streams & Valleys
Oakhurst Alliance of Neighbors	Near Northside Partners Council
Riverside Alliance	FWISD

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to "PD/D" Planned Development for high density multifamily. Surrounding land uses are vacant to the north, Church, convenience store and I-35 to the east, Trinity River and vacant to the south and west.

Based on surrounding land uses, the proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2013 Comprehensive Plan designates the subject property as general commercial. The requested zoning change is not consistent with the following Comprehensive Plan policies.

- Accommodate higher density residential and mixed uses in areas designated as mixed use growth center on the City's future land use maps (pg. 37)
- Promote location of multifamily units within walking distance of public transportation, employment, recreation, and/or shopping to increase accessibility and decrease vehicular traffic generation (pg. 37)

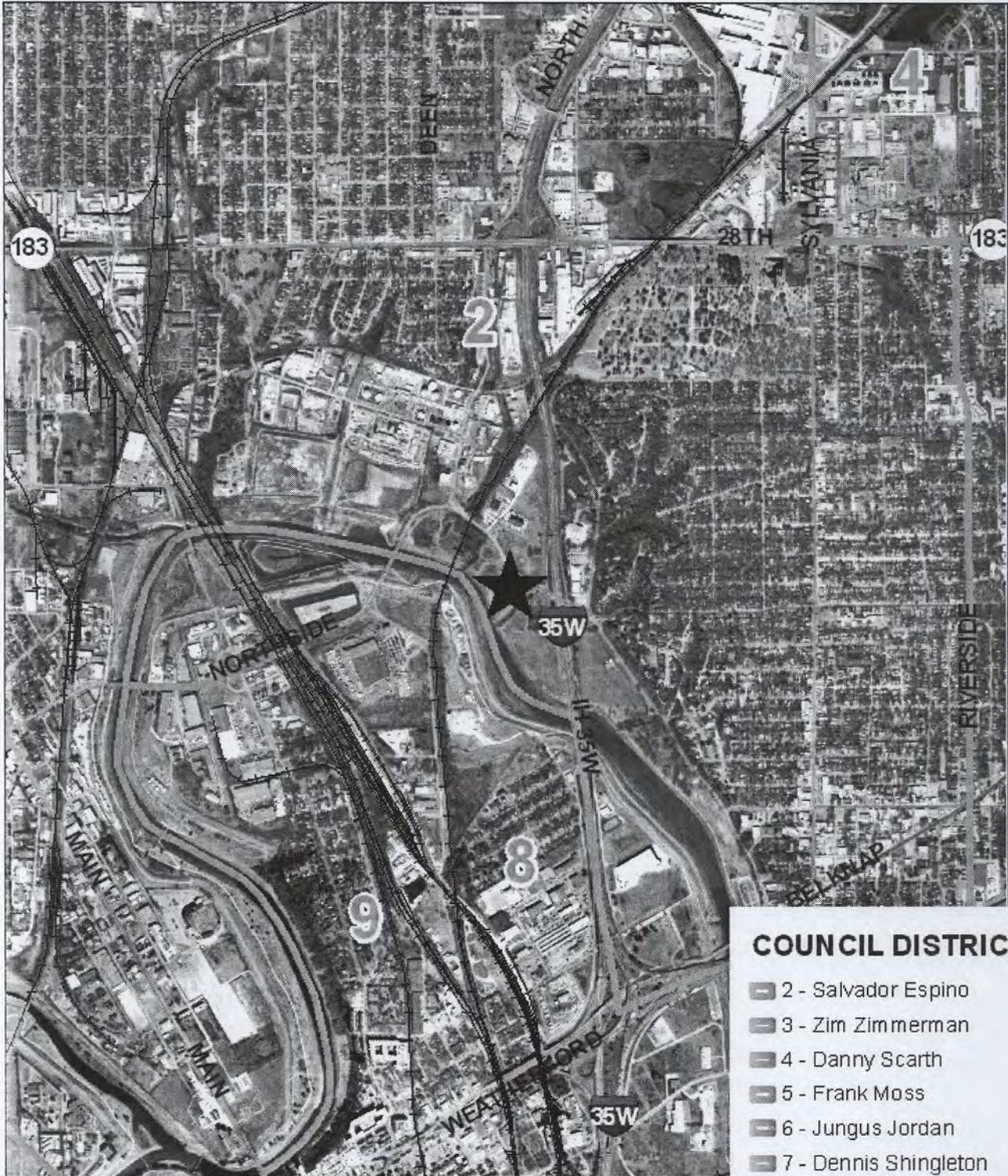
Based on the lack of conformance with the future land use map and the policies stated above; the proposed zoning **is not consistent** with the Comprehensive Plan. (*Technical Inconsistency*)

However a section in the Comprehensive Plan (pg. 38) designates all residential and commercial as being an appropriate zoning classification.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Letter from Tarrant Regional Water District
- Minutes of the City Council meeting
- Minutes of the Zoning Commission meeting

Location Map



COUNCIL DISTRICTS

- 2 - Salvador Espino
- 3 - Zim Zimmerman
- 4 - Danny Scarth
- 5 - Frank Moss
- 6 - Jungus Jordan
- 7 - Dennis Shingleton
- 8 - Kelly Allen Gray
- 9 - Joel Burns



2,000 1,000 0 2,000 Feet





ZC-13-009

Area Zoning Map

Applicant: Legend Bank, Tarrant Co. Water District
 Address: 1351, 1801, 1811 E. Northside Drive
 Zoning From: O-1, PD 399, PD 717
 Zoning To: PD for D uses with waivers
 Acres: 15.26
 Mapsco: 636JK
 Sector/District: Northeast
 Commission Date: 01/09/2013
 Contact: 817-392-2495



300 Ft. Notification Buffer



Phase 1 Unit Type	Required	Unit Sq ft
1 Bed / 1 Bath	71	775
1 Bed / 1 Bath	146	895
2 Bed / 2 Bath	65	1100
2 Bed / 2 Bath	130	1255
3 Bed / 2 Bath	24	1400
		300

Phase 1 Building area	Building area	Total Area
Building 1	Covered Parking 39068	
5 Stories	Apartments 144272	
Building 2	Covered Parking 59424	
5 Stories	Apartments 237696	
		477460

PH1-Bedrooms 478

Phase 2 Unit Type	Required	Unit Sq ft
1 Bed / 1 Bath	50	775
1 Bed / 1 Bath	96	895
2 Bed / 2 Bath	42	1100
2 Bed / 2 Bath	86	1255
3 Bed / 2 Bath	18	1400
		200

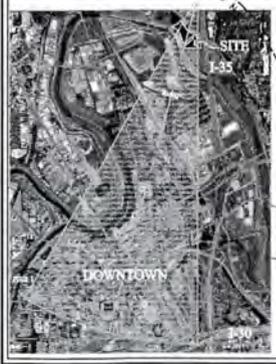
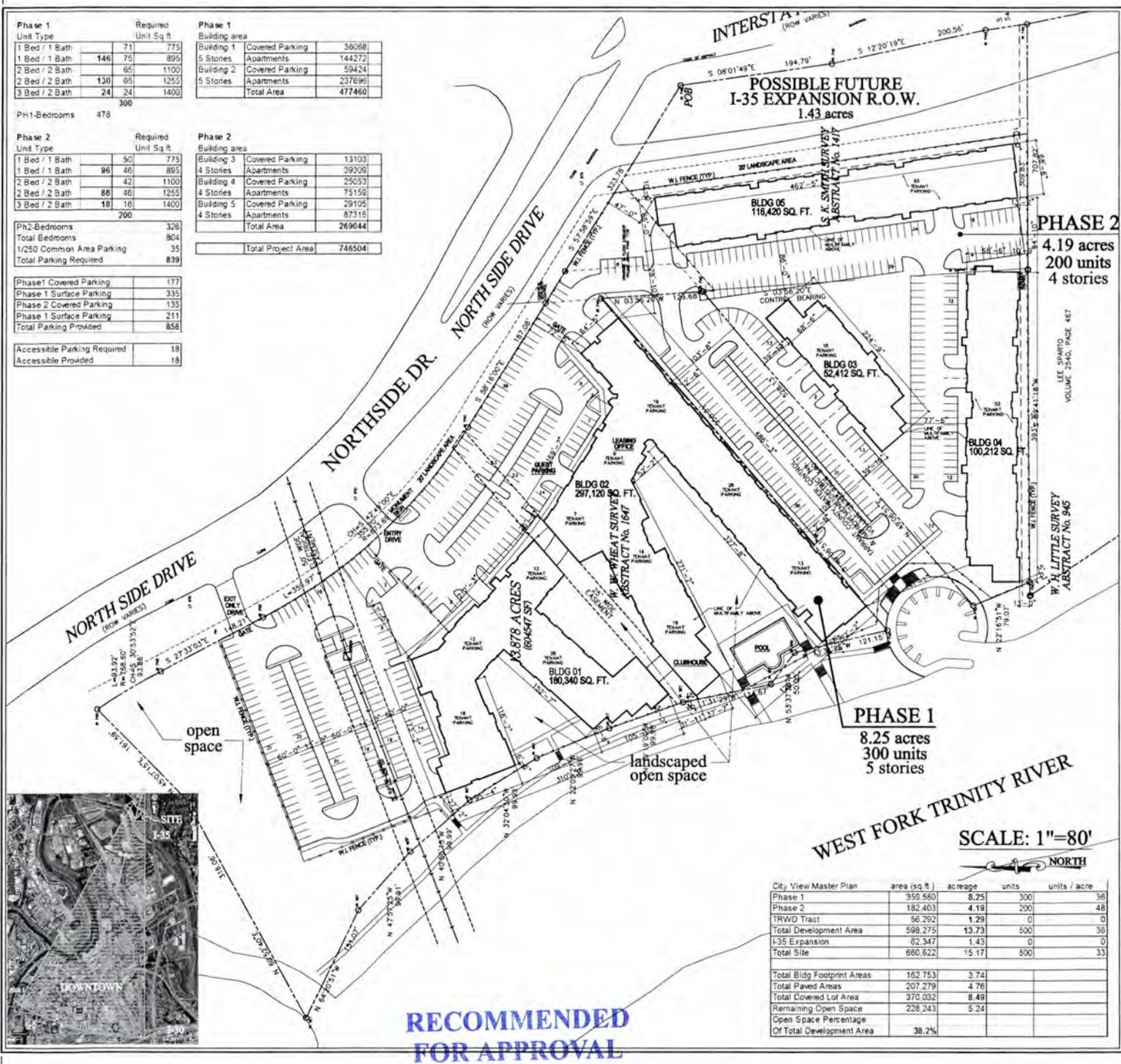
Phase 2 Building area	Building area	Total Area
Building 3	Covered Parking 13103	
4 Stories	Apartments 39209	
Building 4	Covered Parking 25053	
4 Stories	Apartments 75159	
Building 5	Covered Parking 29105	
4 Stories	Apartments 87315	
		269044

PH2-Bedrooms 326
Total Bedrooms 804
1/250 Common Area Parking 35
Total Parking Required 839

Phase1 Covered Parking	177
Phase 1 Surface Parking	335
Phase 2 Covered Parking	135
Phase 1 Surface Parking	211
Total Parking Provided	858

Accessible Parking Required 18
Accessible Provided 18

Total Project Area 748504



RECOMMENDED FOR APPROVAL

NOTE: THESE ARCHITECTURAL DRAWINGS HAVE BEEN PREPARED FOR ARCHITECTURAL, DESIGN ONLY, CIVIL, STRUCTURAL, MECHANICAL, AND OTHER RELATED ENGINEERING DESIGN AND ARE NOT TO BE USED IN WHOLE OR PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE ARCHITECT. THESE DRAWINGS WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. ALL MEASUREMENTS SHALL BE VERIFIED BY THE CONTRACTORS DOING THE RESPECTIVE WORK.

Copyright © 2012
THESE DRAWINGS, AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF THE ARCHITECT AND ARE NOT TO BE USED IN WHOLE OR PART WITHOUT HIS EXPRESS WRITTEN PERMISSION. UNAUTHORIZED USE OF THESE DRAWINGS WILL SUBJECT THE USER TO LEGAL RECOVERY BEING SOUGHT BY THE ARCHITECT.

INFORMATIONAL NOTES
All Signage shall conform to Article 4, Signs of the Fort Worth Zoning Code
All Landscaping shall conform with Section 6.301, Landscaping of the Fort Worth Zoning Code
All Surface parking aisles are 24' wide minimum.
Buildings shall be stucco & stone exterior finish. All buildings will have parking on the ground floors. Phase 1 buildings will have 4 stories of apartments above, and the Phase 2 buildings will have 3 stories of apartments.

LEGAL:
13.878 Acres being a portion of the W.W. Wheat Survey Abstract No. 1647 and the K. Smith Survey Abstract No. 1417 Tarrant County, Texas.

ADDRESS:
NORTHSIDE DRIVE AND I35
FORT WORTH TEXAS

OWNER:
Legend Bank
101 W Tarrant St.
Bowie, TX 76230

940-872-2221

Director of Planning and Development Date

Development Plan
for
City View Apartments
At Northside
ZC 13-009

SCHAUMBURG ARCHITECTS
817 W DAKOTT AVENUE, FORT WORTH, TX 76104
TEL: (817) 336-7077 FAX (817) 336-7776

REVISION NO.	REVISION	REV. DATE

DRAWN BY: ERIK RYAN
ISSUE: ZONING 2
ISSUE DATE: 1/4/12
SHEET NO.: A1.0
CHECKED BY: PROJECT NO. 0717

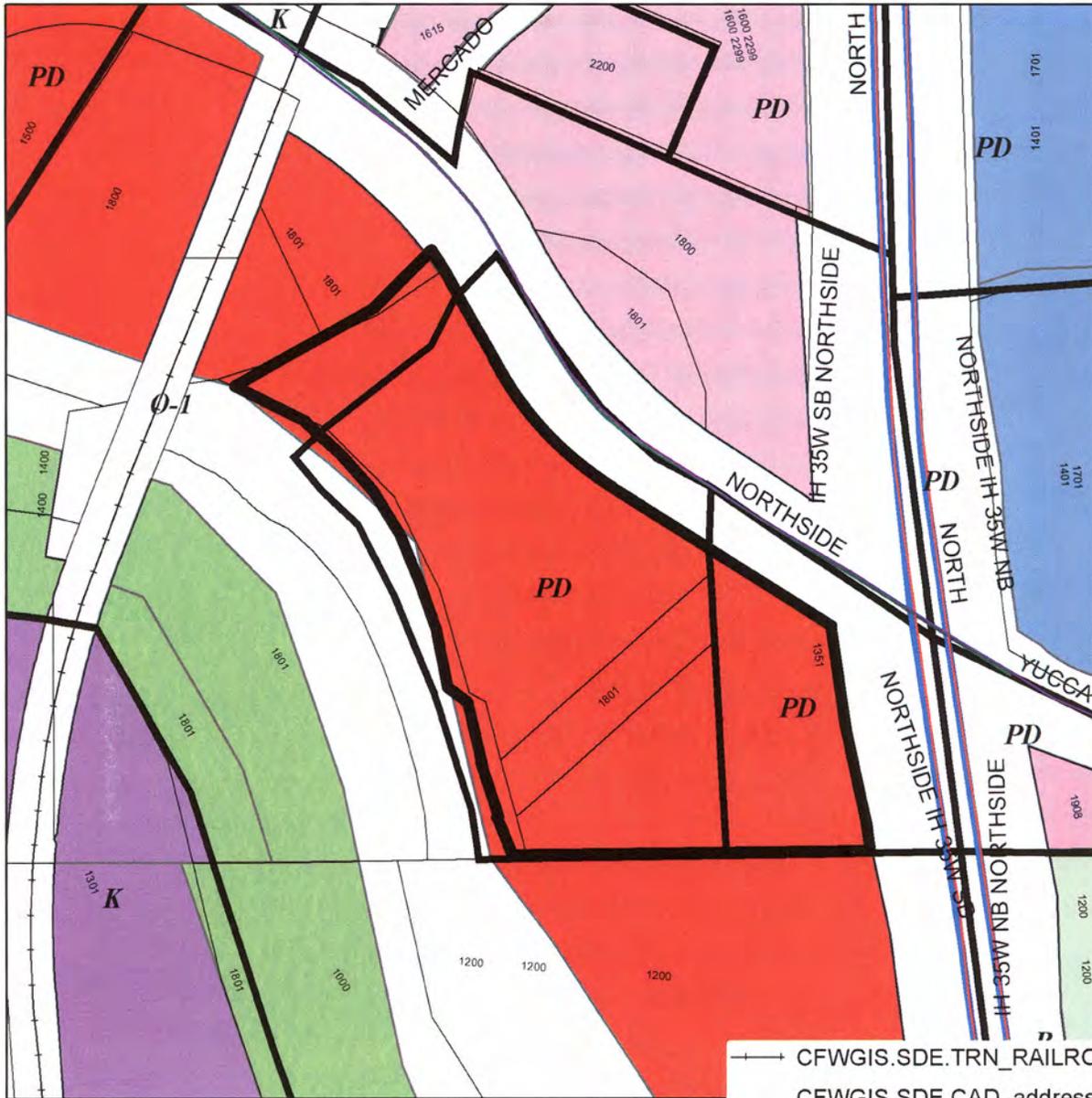
City View Master Plan	area (sq ft)	acreage	units	units / acre
Phase 1	350,580	8.25	300	36
Phase 2	182,403	4.19	200	48
TRWD Tract	56,292	1.29	0	0
Total Development Area	598,275	13.73	500	36
I-35 Expansion	62,347	1.43	0	0
Total Site	660,622	15.17	500	33
Total Bldg Footprint Areas	162,763	3.74		
Total Paved Areas	207,279	4.76		
Total Covered Lot Area	370,032	8.49		
Remaining Open Space	228,243	5.24		
Open Space Percentage Of Total Development Area		38.2%		

Rev. 1-27-13
ZC-13-009



Future Land Use

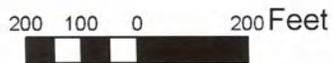
ZC-13-009



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Sect. 219.005) Land use designations were approved by the City Council on March 6, 2012.



ZC-13-009

Aerial Photo Map



200 100 0 200 Feet

XV. ZONING HEARING

Mayor Price opened the public hearing.

1. ZC-12-130 - (CD 2) - Trinidad Ministries Foundation, Inc., 3005 Oscar Avenue; from: "A-5" One-Family to: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus two independent accessory living units within existing church building for church related uses; site plan waiver recommended. (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

The City Council at its regular meeting of April 2, 2013, continued ZC-12-130.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-12-130 be continued to May 7, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

2. ZC-13-009 - (CD 2) - Legend Bank, Tarrant County Water District, 1351, 1801, 1811 E. Northside Drive; from: "O-1" Floodplain, "PD-399" Planned Development/Specific Use for all uses in "F" General Commercial except certain prohibited uses and allowing limited uses will be permitted: Property development standards will be the same as set forth in the "F" district except for height. A height of 5 stories or 75 feet maximum shall be permitted if approved on the required site plan, and "PD-717" Planned Development/Specific Use for all uses in "F" General Commercial plus hotel, permitting a parking area or garage as long as it is in conjunction with or auxiliary to an onsite business, a temporary residence for security purposes, a temporary trailer used for construction or storage purposes, a bar, tavern, or cocktail lounge if such use is a part of or in connection with a hotel, motel, or restaurant. Property development standards will be the same as set forth in the "F" district except for height. A height of 5 stories or 75 feet maximum shall be permitted; site plan required, and excluding certain uses to: "PD/D" Planned Development for all uses in "D" High Density Multifamily; site plan included. (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

The City Council at its regular meeting of April 2, 2013, continued ZC-13-009.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-13-009 be continued to May 14, 2013 Council meeting. The motion carried unanimously 9 ayes to 0 nays.

Rev. Daniel Flores, 1300 Gould Avenue, Fort Worth, Texas Pastor for Trinidad United Methodist Church spoke in support. On January of 2012 they took possession of the property and began worship services. The Diamond Hill NA asked them to provide some documentation that they are indeed a Church and to explain the geographic boundaries of the ministry. Rev. Flores said they reach out to the community, points east of Decatur Avenue, west of 35W, south of East Long, and north of Brennan Avenue.

Rev. Bret Wells, 1855 White Chapel Boulevard, Southlake, Texas spoke in support. Rev. Wells is with Mission Wisdom Foundation and mentioned they work with surrounding communities all over North Texas. He mentioned this type of worship focuses on connecting neighborhoods, working with developing communities and strengthening families.

Mr. Flores asked Rev. Flores about the Mission Wisdom Foundation and the agreement they have come up with. Rev. Flores handed in a copy of the agreement with Mission Wisdom Foundation. He stated they have agreed to participate in the daily life ministry and use the community hours as part of their covenant of being residents with the Mission Wisdom Foundation and outreaching to the neighborhood. Mr. Flores asked how many board members are there. Rev. Flores said there are six members. Mr. Flores asked when the last meeting was held with the neighborhood representatives. Rev. Flores said they had phone meetings but did not recall the last meeting. He did mention most of the communication with Mr. Sherer is through email or phone conversations.

Ben Danila, 3005 Oscar Avenue, Fort Worth, Texas spoke in support. Mr. Danila is the Vice President for Trinidad Ministries Foundation. He noted they were pleased when Mission Wisdom Foundation agreed to partner with them.

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

<i>Document received for written correspondence</i>					<i>ZC-12-130</i>
Name	Address	In/Out 200 notification area	Position on case		Summary
Rev. Flores	1300 Gould	Out	Support		Spoke at hearing
Rev. Wells	1855 White Chapel Blvd	Out	Support		Spoke at hearing
Ben Danila	3005 Oscar	Out	Support		Spoke at hearing
Rev Larry Duggins	NA	Out	Support		Sent letter in

3. ZC-13-009 Legend Bank, Tarrant County Water District (CD 2)- 1351, 1801, and 1811 E. Northside Drive (W. W. Wheat Survey, Abstract No. 1647 and S. K. Smith Survey, Abstract No. 1417, 15.26 Acres): from "O-1" Floodplain, "PD-399" Planned Development for all uses in "F" General Commercial excluding the following: probation or parole, blood bank, electric power sub-station, water supply, treatment or storage facility, ambulance dispatch station, hospital, utility transmission or distribution line, bowling alley, club, commercial or business, massage therapy, swimming pool commercial, rv park, clothing

3. ZC-13-009 Legend Bank, Tarrant County Water District (CD 2)- 1351, 1801, and 1811 E. Northside Drive (W. W. Wheat Survey, Abstract No. 1647 and S. K. Smith Survey, Abstract No. 1417, 15.26 Acres): from "O-1" Floodplain, "PD-399" Planned Development for all uses in "F" General Commercial excluding the following: probation or parole, blood bank, electric power sub-station, water supply, treatment or storage facility, ambulance dispatch station, hospital, utility transmission or distribution line, bowling alley, club, commercial or business, massage therapy, swimming pool commercial, rv park, clothing wearing apparel sales, used, convenience store, furniture sales used (in a building), gunsmithing, repairs or sales, liquor or package store, newspaper distribution center, print center, commercial with offset printing, car wash full or self service, gasoline sales, service station, amusement, outdoor, bar, tavern, cocktail lounge, private or teen, drive-in restaurant or business, sexually oriented business, theater, drive-in, business college or commercial school, cold storage plant or ice plant, express office, firewood sales, furniture upholstery, refinishing or resale, laundry, dry cleaning or washateria, mini-warehouses, pawnshop, tattoo parlor, automotive repair, paint and body shop, garage, storage only, parking area, aviation field, heli-stop or landing area, passenger station, recycling collection facility. The following limited uses will be permitted: a parking area or garage, so long as such use is in conjunction with or auxiliary to an on-site business, a temporary residence for security purposes, a temporary trailer (portable) used for construction or storage purposes, a bar, tavern, or cocktail lounge if such use is part of, or in connection with a hotel, motel, or restaurant. Property development standards will be set forth in the "F" General Commercial District, except for height. A height of 5 stories or 75' maximum shall be permitted if approved on required site plan; and "PD-717" Planned Development for same uses and exclusions plus adding a hotel use; to "PD/D" Planned Development for all uses in "D" High Density Multifamily, with waivers to the site plan.

Janice Michel, 2115 Primrose Avenue, Fort Worth, Texas spoke in support representing Oakhurst Alliance of Neighbors. She mentioned the location for this complex is sitting on the widest part of the river. Ms. Michel mentioned the Northside Economic Development Strategy Study in which it expresses places for people to live especially multifamily. Multifamily represents about 2% in this area. She also noted the traffic on Northside Drive is not that heavily traveled and the traffic issue will be addressed through TPW. Ms. Michel noted this development is compatible in this area.

Libby Willis, 2300 Primrose Avenue, Fort Worth, Texas spoke in opposition representing Oakhurst Neighborhood Association. She noted they are still against the proposal because of some environmental concerns that were mentioned at the last meeting and a trip generation study. Ms. Willis noted they hired their own group to look at the traffic study prepared by the Savant Group and mentioned a full traffic study is warranted in order to effectively address the impact on Northside Drive and the expansion of I35. Ms. Willis said they hired their own group Freese and Nichols to look at the traffic study the Savant Group provided. She provided a letter from the Riverside Alliance representing at least seven neighborhood associations who are opposed to the project. They are requesting to deny the case because there is not enough information in the traffic study according to the report from Freese and Nichols.

Mr. Edmonds asked Ms. Willis about the traffic study. He gave her the numbers and asked how that differed with Freese and Nichols report. Ms. Willis mentioned from their report it states that

this study did not follow the recommended practice of the Institute for Traffic Engineers for transportation impact analysis therefore the conclusions reached are not accurate.

In rebuttal, Erik France, 6008 Wormar Avenue, Fort Worth, Texas with Schaumberg Architects mentioned to the Commissioners the drainage channel is 100 x 500 ft. long man-made drainage channel and that it is not a natural tributary. He did confirm they know the traffic study by the Savant Group was not a full traffic study and one will be done.

Jennifer Burcher, 3808 Arborlawn Drive, Fort Worth, Texas with the Savant Group prepared the traffic study and noted Freese and Nichols agrees on their peak hour studies calculated. She did say they are on contract to do the TIA study for the next phase of the development.

Mr. Flores mentioned the highway capacity manual model used for this study vs the Traffic Engineer study, one takes a more conservative approach. Mr. Flores asked how their study accurately portrays the traffic picture. Ms. Burcher said the model they used and the ITE model used both agree on how many cars are expected to come from the apartments. The second part is how much capacity is going to be on the roadway. They both used versions of the highway capacity manual. Ms. Burcher said they used the version from the Florida Department of Transportation which is a more simplified version. Mr. Flores asked why the Florida version was used. Ms. Burcher said Florida is recognized nationwide because they use quick, easy ways to analyze things. She said Freese and Nichols went more into detail than they did; her study was very general and open. She also mentioned the intersections are the choke points on the roadways and that is what you analyze for the traffic impact study. She also said most people will take Northside Drive to come into downtown and I-35 to get to their final destination.

Mr. Flores asked if she or anyone from her group had communications with the Traffic and Public Works Department with the City of Fort Worth. Ms. Burcher said yes she spoke with David Jodray last week. Ms. Burcher explained Mr. Jodray asked if they had submitted a TIA. She said no they have not. Mr. Flores asked what additional items they were requesting. Ms. Burcher said he gave her the basic outline for the traffic study, including what intersections they want studied. They may have to take into consideration the trucks on the roadway.

Mr. Genua asked about the trip generation and did they use the same type methodology that Freese and Nichols used for multifamily, retail and hotel. Ms. Burcher said yes and agreed with Mr. Genua that anything other than multifamily is significantly considered more trips.

Mr. France mentioned he spoke with the City Attorney and was told a Traffic Impact Study is not required for the Zoning Commission. Mr. Flores duly noted it was not required but due to the scope of the project and discussions it seemed reasonable. Mr. France mentioned the additional letter submitted from the Savant Group was to generalize the traffic that could be generated based on the existing zoning. Mr. Flores asked if there had been any communication with the Corps Engineers. Mr. France said he was not at those meetings. Mr. Schaumberg said they've had several meetings with the Corps Engineers, TRV and Tarrant Regional Water District and noted he is an expert at dealing with flood reclamation; their concept illustrates the plan and was reviewed and approved by them. All living units have to be built above the levee which is the top of the standard project flood which is about 12 feet. Parking is allowed above the 100 year floodplain. Mr. Flores asked if there had been conversations with TxDot. Mr. Schaumberg said TxDot is asking them to reserve 1.43 acres for the expansion of I-35W.

Mr. Flores asked if staff received a letter from TRWD for the letter of authorization. Ms. Murphy said yes it was received. Mr. Flores also asked staff about the traffic study and the project going forward. Ms. Burghdoff, Deputy Director mentioned this is usually done at the platting phase of the development in which a full traffic study would be required. A final plat has to be approved prior to pulling a building permit. Ms. Burghdoff noted an email received from TPW staff David Jodray. His comment was that staff may require a traffic study ahead of a zoning change request if the change in zoning creates an increase in density of daily trips generated; the proposed memo from the Savant Group indicates a decrease in the amount of trips generated for the multifamily development and would not warrant a traffic study.

Motion: Following brief discussion, Mr. Flores recommended approval of the request, seconded by Mr. Genua. The motion carried unanimously 7-0.

<i>Document received for written correspondence</i>					ZC-13-009
Name	Address	In/Out 200 ft notification area	Position on case		Summary
Janice Michel/Oakhurst Alliance of Neighbors	2115 Primrose Ave	Out	Support		Spoke at hearing
Libby Willis/Oakhurst NA	2300 Primrose Ave	Out		Opposition	Spoke at hearing
Erik France	817 W Daggett	Out	Support		Spoke at hearing
Jennifer Burcher	1700 Pacific Ave	Out	Support		Spoke at hearing
Trinity River Group	1500 E. Northside Dr	In	Support		Sent letter in
Riverside Alliance	NA	Out		Opposition	Sent letter in

4. ZC-13-018 Electro-Tech Services Inc. (CD 2)- 5116 Northeast Parkway (The Great Southwest Industrial Park, Mark IV, Block 2, Lot 2, 2.38 Acres): from “K” Heavy Industrial to “PD/K” Planned Development for all uses in “K” Heavy Industrial plus halfway house; site plan included.

Jim Schell, 500 7th Street, Fort Worth, Texas representing Electro-Tech Services Inc. explained to the Commissioners this location is being proposed because of the relocation for the existing halfway house on Henderson Street because of the Trinity River Vision project. This case was continued from the last meeting in order for the applicant to meet with nearby property owners. They did have a two hour meeting on February 28 in their office and has provided a list of who was in attendance. Mr. Schell said unfortunately no progress has been made with the industrial property owners. It was mentioned by one of the owners to possibly fence the waiting area for the people waiting to be picked up by their bus so there is no chance of them running off. Mr. Schell said they would have full time security and putting a fence in the front yard would be detrimental to the facility.

Mr. Flores made a motion to deny with prejudice, seconded by Mr. Genua for purposes of discussion. Mr. Flores withdrew his motion.

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

3. ZC-13-002 City of Fort Worth (CD 9)- Tract 1: 1001 W. Fuller Avenue, Tract 2: 4900 – 5000 Hemphill (J. Thornhill Survey, Abstract No. 1519, 11.81 Acres): (Tract 1): from “I” Light Industrial to “PD/I” Planned Development for all uses in “I” Light Industrial plus indoor firing range for public safety training; site plan waiver requested; (Tract 2): from “I” Light Industrial to “PD/I” Planned Development for all uses in “I” Light Industrial for outdoor fire training center with 100 ft. tall burn tower; site plan waiver requested

John Blacker with Hart Gagler representing the project said he was present to answer any questions the Commission may have.

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

4. ZC-13-009 Legend Bank, Tarrant County Water District (CD 2)- 1351, 1801, and 1811 E. Northside Drive (W. W. Wheat Survey, Abstract No. 1647 and S. K. Smith Survey, Abstract No. 1417, 15.26 Acres): from “O-1” Floodplain, “PD-399” Planned Development for all uses in “F” General Commercial excluding the following: probation or parole, blood bank, electric power sub-station, water supply, treatment or storage facility, ambulance dispatch station, hospital, utility transmission or distribution line, bowling alley, club, commercial or business, massage therapy, swimming pool commercial, rv park, clothing wearing apparel sales, used, convenience store, furniture sales used (in a building), gunsmithing, repairs or sales, liquor or package store, newspaper distribution center, print center, commercial with offset printing, car wash full or self service, gasoline sales, service station, amusement, outdoor, bar, tavern, cocktail lounge, private or teen, drive-in restaurant or business, sexually oriented business, theater, drive-in, business college or commercial school, cold storage plant or ice plant, express office, firewood sales, furniture upholstery, refinishing or resale, laundry, dry cleaning or washateria, mini-warehouses, pawnshop, tattoo parlor, automotive repair, paint and body shop, garage, storage only, parking area, aviation field, heli-stop or landing area, passenger station, recycling collection facility. The following limited uses will be permitted: a parking area or garage, so long as such use is in conjunction with or auxiliary to an on-site business, a temporary residence for security purposes, a temporary trailer (portable) used for construction or storage purposes, a bar, tavern, or cocktail lounge if such use is part of, or in connection with a hotel, motel, or restaurant. Property development standards will be set forth in the “F” General Commercial District, except for height. A height of 5 stories or 75’ maximum shall be permitted if approved on required site plan; and “PD-717” Planned Development for same uses and exclusions plus adding a hotel use; to “PD/D” Planned Development for all uses in “D” High Density Multifamily, with waivers to the site plan.

Ken Schaumberg, 817 W. Daggett Avenue, Fort Worth, Texas speaking on behalf of Legend Bank and the Tarrant County Water District, mentioned to the Commissioners they now have letters of support from Tarrant Regional Water District, Trinity River Vision, and the Corps of Engineers. He mentioned over the last month he has obtained letters of support from all nine of the adjacent property owners, as well as one of the two homeowners associations. Mr. Schaumberg mentioned one of the issues was traffic and they commissioned a trip generation study by the Savant Group and they found that on Northside Drive there are 14,000 cars per day and that a four lane road can handle 28,000 cars per day. They estimate their project will generate 131 cars per hour or about 2 cars per minute. The peak hour will generate about 3 cars per minute.

Mr. Flores asked about the letters of support from the TRV and TRWD and asked if they were a co-applicant. Mr. Schaumberg said the TRWD owns a drainage easement that goes through their property and they are allowing them to rezone their property. Mr. Schaumberg confirmed that acreage would remain in their ownership and that they were leasing the TRWD property. They are going to engineer a drainage pipe and a filtration system as it flows into the river and then put concrete over it for parking. Mr. Flores asked about engineering plans. Mr. Schaumberg said once it gets approved they will be under contract to start the engineering drawings. He said the Savant Group who prepared the trip generation information will have to do a full traffic study at such time as part of the permitting process. Mr. Flores asked if any of the traffic information was shared with any of the neighborhood groups. He said yes they have had two meetings; he was at the first meeting and Eric France was at the second meeting. The traffic was figured on the density proposed, both phases.

Robert Joplin, 11123 Inwood Road, Dallas, Texas his business address is 952 Oakhurst Scenic Drive spoke in support. He owns 161 apartments in this area. Mr. Joplin said they need to create jobs in this area. This is proposed to be a recreational area, people can walk, hike, and or boat at this facility.

Ginger Bason, P O Box 7430, Fort Worth, Texas representing Oakhurst NA spoke in opposition. She said they had two good meetings with the applicant but still have some concerns. Oakhurst NA represents 587 members and the Alliance represents eight neighborhood associations. Ms. Bason said they are not against development in this area but they want to see appropriate development. She went on to mention this is not consistent with the Comprehensive Plan or the Northside Economic Development Plan. They are requesting an independent traffic study to be done, not a marketing study. Ms. Bason also mentioned the issue they have with the drainage ditch that supplies the entire water shed for this area.

Mr. Flores asked per her testimony if this was the first time she had heard the traffic numbers. Ms. Bason said she may heard those numbers but specifically not the two cars per minute. Mr. Flores said he is asking specifically about the traffic flow. Ms. Bason said he just got those numbers a couple of days ago. Mr. Flores asked Mr. Schaumberg if he had shared this information with the neighborhood. Ms. Bason said she did not receive any information on this from him. Mr. Flores also asked about the environmental impact of the drainage area that is supposed to be improved if this moves forward. Ms. Bason said it is much better now flowing into the river rather than putting a big tube in there it being paved over. Mr. Flores asked about the future plans for I-35 and the neighborhood's position relative to this project. Ms. Bason said the developer has had talks with TXDOT but they have been meeting and talking with TXDOT

for over 10 years, she doesn't know what they have discussed. She mentioned they may want to look in the decibel level of the noise for this area it seems to be higher than is acceptable.

Ms. Zadeh explained to the Commissioners that Ms. Burghdoff has had communications with TPW staff and noted that they have not seen a trip generation study that was referenced by the applicant this morning. TPW would like to see a traffic study on this and would request a 30 day continuance to accommodate this.

Libby Willis, 2300 Primrose, Fort Worth, Texas Vice President of the Oakhurst NA also spoke in opposition. Ms. Willis responded to Mr. Flores question about the first neighborhood meeting, they did invite representatives from TPW, City, Tarrant Regional Water District, TRV and TXDOT. She mentioned TXDOT was not able to send representatives but they did talk about ultimate build out of the freeway. She mentioned the developer has set aside 1.43 acres for TXDOT but they have not purchased it yet.

In rebuttal, Mr. Schaumberg said he disagreed with the Environmental Impact that was mentioned earlier on the drainage area. Erik France, 6008 Palmer Avenue, Fort Worth, Texas stated when the application came in they were only asking for rezoning of their property and staff noted since they are parking on the tract owned by TRWD that also need to be included in the rezoning. Mr. Hollis asked if they had a letter from TRWD to include their property in the rezoning. Mr. Schaumberg said yes they do. Melinda Ramos, Sr. Assistant City Attorney informed the Commissioners she has asked staff to go back to TRWD to get explicit approval for the rezoning change.

Mr. Schaumberg said they are asking for four stories. They are planning a marina at the end of the drainage way.

Ms. Conlin asked about the four stories vs. five stories as noted on the staff report and is he still asking for a waiver. Mr. Schaumberg said yes. She also asked about the statement made on 40 units excluding TRWD property vs. 36 units including the TRWD property. Mr. France explained the difference to Ms. Conlin.

Mr. Genua asked who was financing the project. Mr. Schaumberg said it was an Italian group.

Mr. Flores asked about the study with the Corps of Engineers. Mr. Schaumberg said this is a unique project and one of the first being built between two levees. He said their solution was to meet the Corps' criteria. Mr. Flores asked if he had anything in writing that summarizes the discussion points. Mr. Schaumberg said yes he does.

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

<i>Document received for written correspondence</i>				<i>ZC-13-009</i>	
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Erik France	817 W. Daggett	No		Support	Present but did not speak

Libby Willis	2300 Primrose Ave	No			Spoke at hearing
Jon & Vicki Conrad	2000 Tam O'Shanter Dr	No		Opposition	Sent letter in
Ginger Bason/Oakhurst NA	PO Box 7430	No		Opposition	Sent letter in
Debra Brown	2221 Goldenrod	No		Opposition	Sent letter in
Thomas Boulton	2117 Cardinal Ln	No		Opposition	Sent letter in
Kendahl Brown	1100 Scotts Way	No		Opposition	Sent letter in
Rita Wilson	2133 Morning Glory	No		Opposition	Sent letter in

IV. New Cases

5. ZC-12-124 City of Fort Worth Planning & Development (All) Text Amendment: Farmers Markets

An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth, by Amending

- Section 4.800 "Nonresidential District Use Table" and Section 4.1200 "Uses" to add Farmers' Market as a permitted use in certain zoning districts;
- Section 6.201 Off Street Parking to add required parking ratios for farmers' markets;
- Article 1 "Standards For Selected Uses", of Chapter 5, "Supplemental Use Standards," to add Section 5.145, Farmers' Markets, to provide a maximum square footage in certain districts;

To review the proposed amendments:

<http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

Jocelyn Murphy, Planning Manager, City of Fort Worth explained to the Commissioners the purpose of the text amendment is to expand the ability for Farmers Markets to open in commercial districts. Currently they are treated as outdoor sales which is an industrial use whereas Farmers Markets are intended to be near homes which are typically neighborhood areas. This will allow them in commercial areas with some additional restrictions for the E Neighborhood Commercial districts that are typically near residential districts to protect them from being too large or too much parking, etc.

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

6. ZC-13-013 Palisade Custom Homes LP (CD 5) 3741 Elm Street (Town of Tarrant, Block A, Lot 11, 0.17 Acres): from "AG" Agricultural to "R1" Zero Lot Line/Cluster

Crystal Arnold, 732 Lonesome Dove, Hurst, Texas explained to the Commissioners she originally submitted an application for R1 based on surrounding requests after meeting with staff she is amending the application for A-5 for a single-family home.