



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 2, 2013

Council District 6

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

Opposition: Meadow Creek NA

Continued Yes ___ No X
Case Manager Stephen Murray
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: **Barket Corporation**

Site Location: 7630 McCart Avenue Mapsco: 103M

Proposed Use: **Pawn Shop**

Request: From: "FR" General Commercial Restricted and "PD-482" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial except liquor or package store and to include fitness center as a use; site plan waived

To: Amend "PD-482" to add pawn shop as a use; site plan waiver requested

Land Use Compatibility: Requested change **is not compatible.**

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

Background:

The proposed site is located on McCart Avenue near the corner of Sycamore School Road. The applicant is proposing a zoning change to add pawn shop uses to an existing "PD/E" Planned Development for all uses in "E" Neighborhood Commercial except liquor or package store; site plan waiver requested.

The applicant would like to lease a portion of the retail center for a pawn shop. Pawn shops are first allowed by right within the "FR" zoning district. The retail center currently has several vacancies and contains a bank, neighborhood police station, several retail stores, and two small restaurants.

The below section applies to pawn shops. This pawn shop is not within 500 feet of another pawn shop. However, it is within 500 feet of a one-family district (across the street). The Special Exception is necessary when the pawn shop is in the correct zoning (FR through K) and would otherwise be permitted except for not meeting the distance requirements. Approval of the PD rezoning would allow for the location of this pawn shop, with the shorter distance.

5.125 Pawnshop

A. Distance Restrictions Regardless of the zoning district in which it is located, a pawnshop shall be subject to the following distance restrictions:

- 1. No pawnshop shall be located within 500 feet of any one- or two-family district.
- 2. No pawnshop shall be located within 500 feet of any other pawnshop.

B. Special Exception by Board of Adjustment The Board of Adjustment may grant a special exception to the above distance restrictions in accordance with the requirements set forth for special exceptions in Chapter 3, Article 3 provided, however, that in granting any such special exception the Board of Adjustment

shall place such reasonable conditions on the location, use and operation of the pawnshop as are necessary to protect and maintain nearby one- and two-family residential districts. (Ord. No. 13896, Eff. 10/12/99; Ord. No. 17093, Eff. 08/21/06 removed from E and MU-1 districts)

Site Information:

Owner: Barket Corporation
 841 Trumpeter Way
 Rockwall TX, Texas 75032

Acreage: 3.2 acres

Comprehensive Plan Sector: Wedgwood

Surrounding Zoning and Land Uses:
 North "FR" General Commercial Restricted / mini-warehouse
 East "A-5" One-Family / single-family
 South "C" Medium Density Multifamily / church
 West FR" General Commercial Restricted; "C" Medium Density Multifamily / church; mini-warehouse

Recent Relevant Zoning and Platting History:

Zoning History: ZC-03-023, from "C" Medium Density Multifamily to "PD/SU" for all uses in "E" except liquor or package stores, approved 2/11/03 (subject property)

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
McCart Avenue	Major Arterial	Major Arterial	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Meadow Creek NA	Crowley ISD
Far Southwest	FWISD

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial except liquor or package store plus pawn shop; site plan waiver requested. Surrounding land uses vary with a mini-warehouse to the north, single-family to the east, a church just south, and mini-warehouse and church parking to the west.

Due to the proximity to residential and surrounding land uses, the proposed zoning is **not compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2013 Comprehensive Plan designates the subject property as neighborhood commercial. The proposed "PD/E" plus pawn shop zoning is not consistent with the following Comprehensive Plan policies:

- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 38)

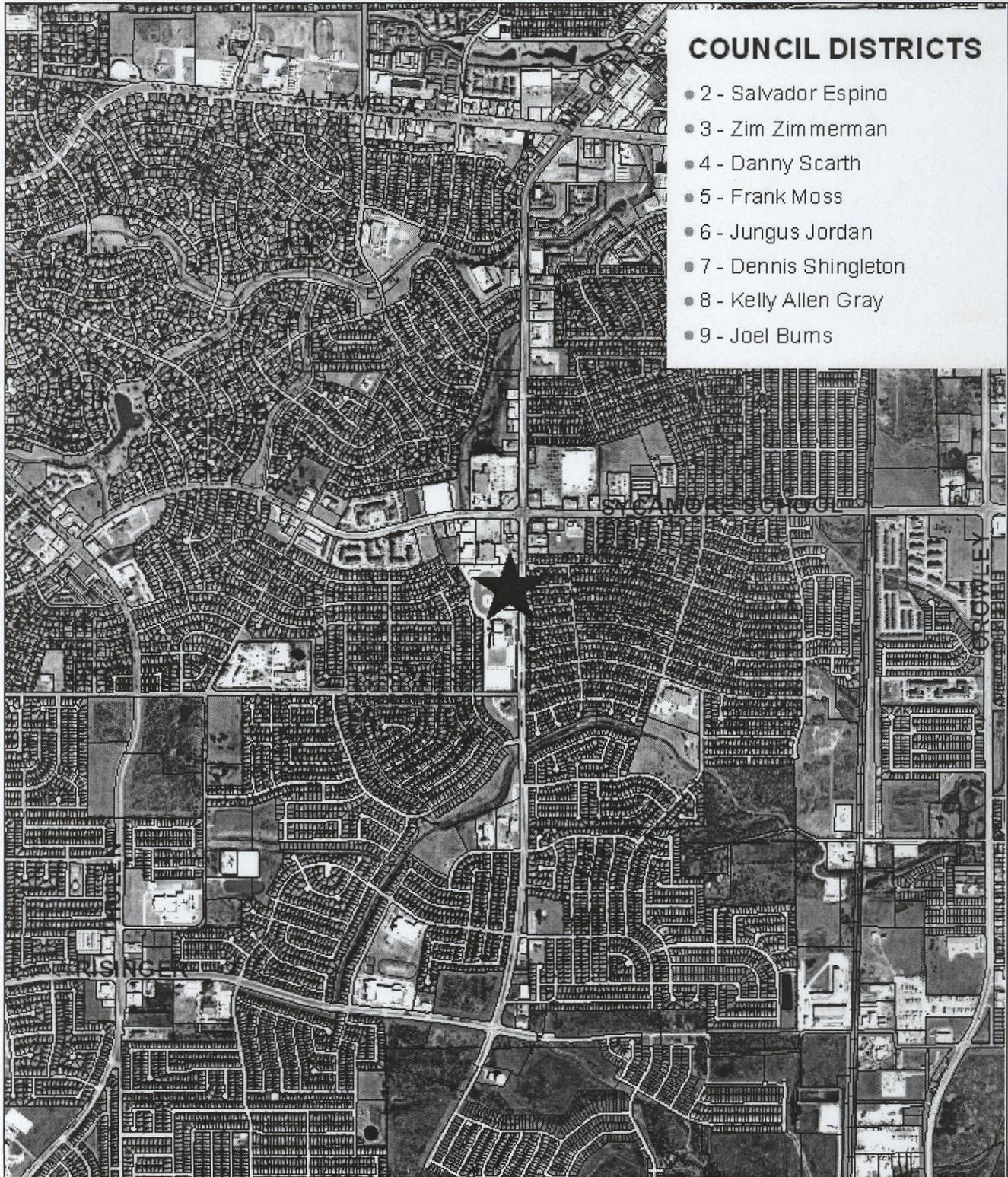
Based on the conformance with the future land use map and policies stated above, the proposed zoning is **not consistent** with the Comprehensive Plan and is a **Significant Deviation**.

To view the Comprehensive Plan: <http://www.fortworthgov.org/planninganddevelopment/misc.aspx?id=81678>

Attachments:

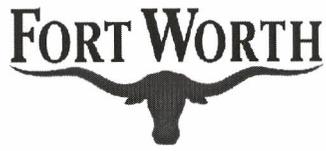
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes of the Zoning Commission meeting

Location Map



2,000 1,000 0 2,000 Feet





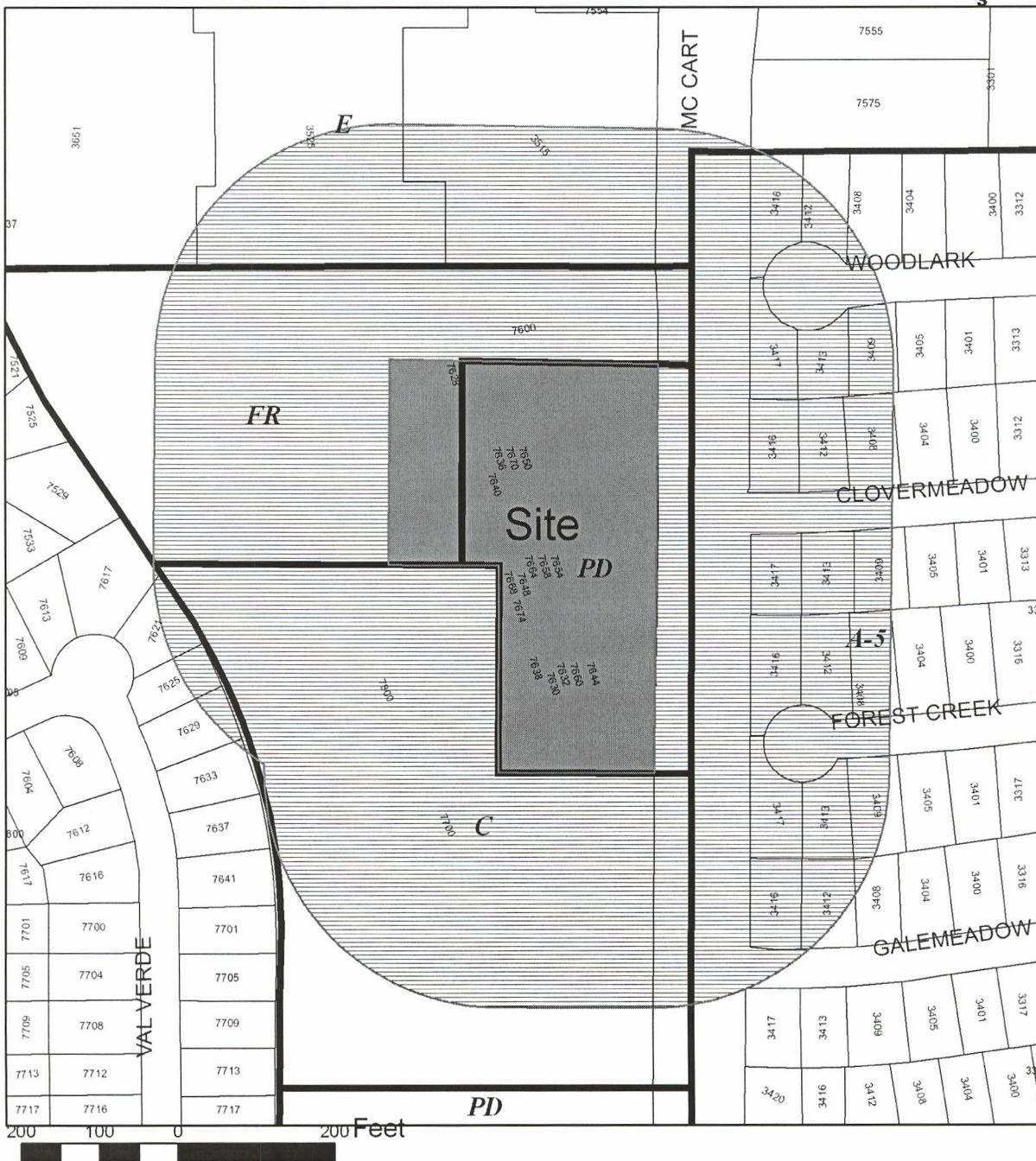
ZC-13-040

Area Zoning Map

Applicant: Barket Corp.
 Address: 7630 McCart Avenue
 Zoning From: FR, PD 482
 Zoning To: PD482 and to add pawn shop as a use
 Acres: 3.28
 Mapsco: 103M
 Sector/District: Wedgwood
 Commission Date: 03/13/2013
 Contact: 817-392-8043



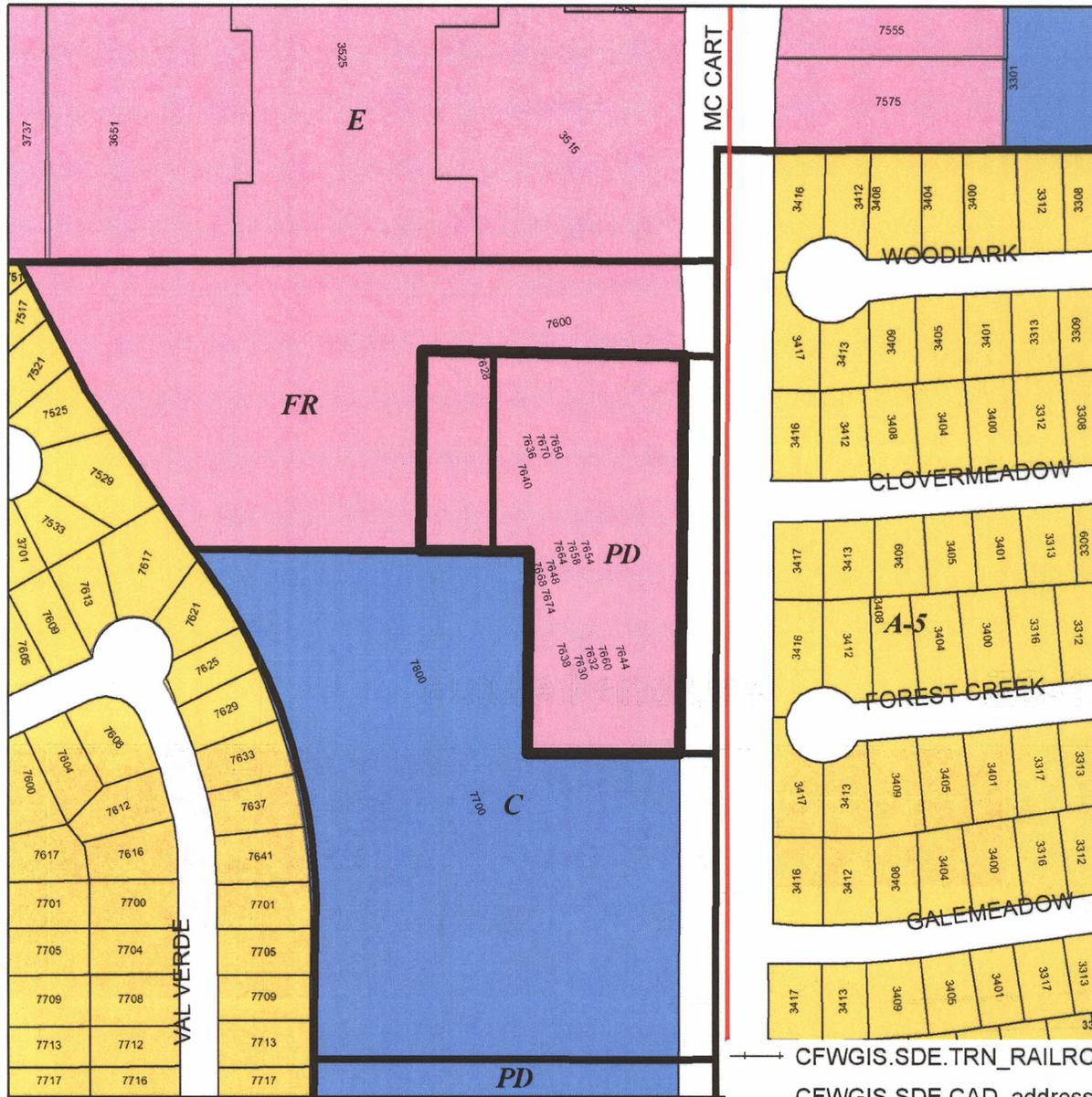
 300 Ft. Notification Buffer





Future Land Use

ZC-13-040



CFWGIS.SDE.TRN_RAILROADS
CFWGIS.SDE.CAD_addresses

- Vacant, Undeveloped, Agricultural
- Neighborhood Commercial
- Rural Residential
- General Commercial
- Suburban Residential
- Light Industrial
- Single Family Residential
- Heavy Industrial
- Manufactured Housing
- Mixed-Use Growth Center
- Low Density Residential
- Industrial Growth Center
- Medium Density Residential
- Infrastructure
- High Density Residential
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- 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 5, 2013.



Aerial Photo Map



200 100 0 200 Feet

		area			
Roscoe Mickens Jr.	5501 Locke Ave	In	Support		Sent letter in

11. ZC-13-040 Barket Corporation (CD 6)- 7630 McCart Avenue (Dabney Addition, Block 3, Lot 2, 3.28 Acres): from “FR” General Commercial Restricted and “PD-482” Planned Development/Specific use for all uses in “E” Neighborhood Commercial except liquor or package stores and to include a fitness center as a use; site plan waived to Amend “PD-482” to add pawn shop as a use; site plan waiver requested

Sami Sharif, 841 Trumpeter Way, Rockwall, Texas representing Barket Corporation, explained to the Commissioners they are new owners and want to add additional uses.

Ivanna Wiesepape, 2648 Country Creek Lane, Fort Worth, Texas representing Meadow Creek NA spoke in opposition. Their neighborhood is east of the site. She mentioned the Church Association’s in the immediate area. Residents are concerned about the negative element this will bring to the neighborhood. Ms. Wiesepape also handed in a list of property owners who were also opposed. She identified the uses in the area.

Mr. Genua asked where the Green Ridge neighborhood is located. Ms. Wiesepape said they are north of the Wal Mart store.

In rebuttal Mr. Sharif mentioned they have the Fort Worth Police Department next door to them. Mr. West asked who he contacted in the neighborhood. Mr. Sharif said he talked to the people in the building.

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

<i>Document received for written correspondence</i>					ZC-13-040
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Ivanna Wiesepape/Meadow Creek NA	2648 Country Creek Ln.	Out		Opposition	Spoke at hearing
Sandra Runnels	3423 Green Ridge St.	Out		Opposition	Sent letter in
Patrick Carson	2705 Sagehill Dr.	Out		Opposition	Sent letter in
Cherilyn Graham	3417 Clovermeadow	In		Opposition	Sent letter in
Cheryl Koirtyyohann/FR Southwest NA	NA			Opposition	Sent letter in
Jacquelyn Blair	3404 Forest Creek	Out		Opposition	Sent letter in