



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
March 4, 2014

Council District 9

Zoning Commission Recommendation:
Approval by a vote of 6-1

Opposition: none

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

Owner / Applicant: Cullen & Shotts, LLC

Site Location: 2901 Cullen Street Mapsco: 62X

Proposed Use: Indoor Firing Range

Request: From: "J" Medium Industrial

To: "PD/J" Planned Development for all uses in "J" Medium Industrial plus indoor shooting range; site plan waiver recommended

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Background:

The proposed site is located on the corner of Shotts Street and Wimberly Street near University Drive. The applicant intends to remodel an existing building for an indoor shooting range. The site is currently zoned "J" Medium Industrial, however; a PD is required for this type of facility according to the use chart. Surrounding land uses are primarily industrial with Fort Worth ISD administrative offices and parking located directly south of the site. The applicant has met with the superintendent of the ISD and did not receive any negative feedback or opposition. After the Zoning Commission meeting a letter was received from the Fort Worth Independent School District seeking more time to review the request. A Board meeting is scheduled for February 25.

The applicant is requesting a waiver of the site plan because they will use the existing building and parking. The applicant intends to use a portion of the overall building for the firing range and the remainder will be used for industrial purposes. Minimum parking standards are not required due to the site being located more than 250 ft from a one or two family district. The applicant believes they will have ample parking on the north site of the building.

Site Information:

Owner: Cullen & Shotts, LLC
1000 Throckmorton Street, Suite 700
Fort Worth, TX 76102
Agent: Kyle Poulson
Acreage: 1.1 ac
Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:
 North "J" Medium Industrial / Industrial
 East "J" Medium Industrial / Industrial
 South "J" Medium Industrial / FWISD Headquarters
 West "J" Medium Industrial / Industrial

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Wimberly Street	Residential	Residential	No
Shotts Street	Residential	Residential	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Linwood	Streams & Valleys, Inc
Cultural District Alliance	FWISD

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change from "J" Medium Industrial to "PD/J" Planned Development for all uses in "J" Medium Industrial plus indoor shooting range; site plan waiver requested. Surrounding land uses are primarily industrial with FWISD administrative offices and parking located directly south of the site.

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

2. Comprehensive Plan Consistency

The 2013 Comprehensive Plan designates the site as Light Industrial. The proposed "PD/J" zoning is consistent with the following Comprehensive Plan policies.

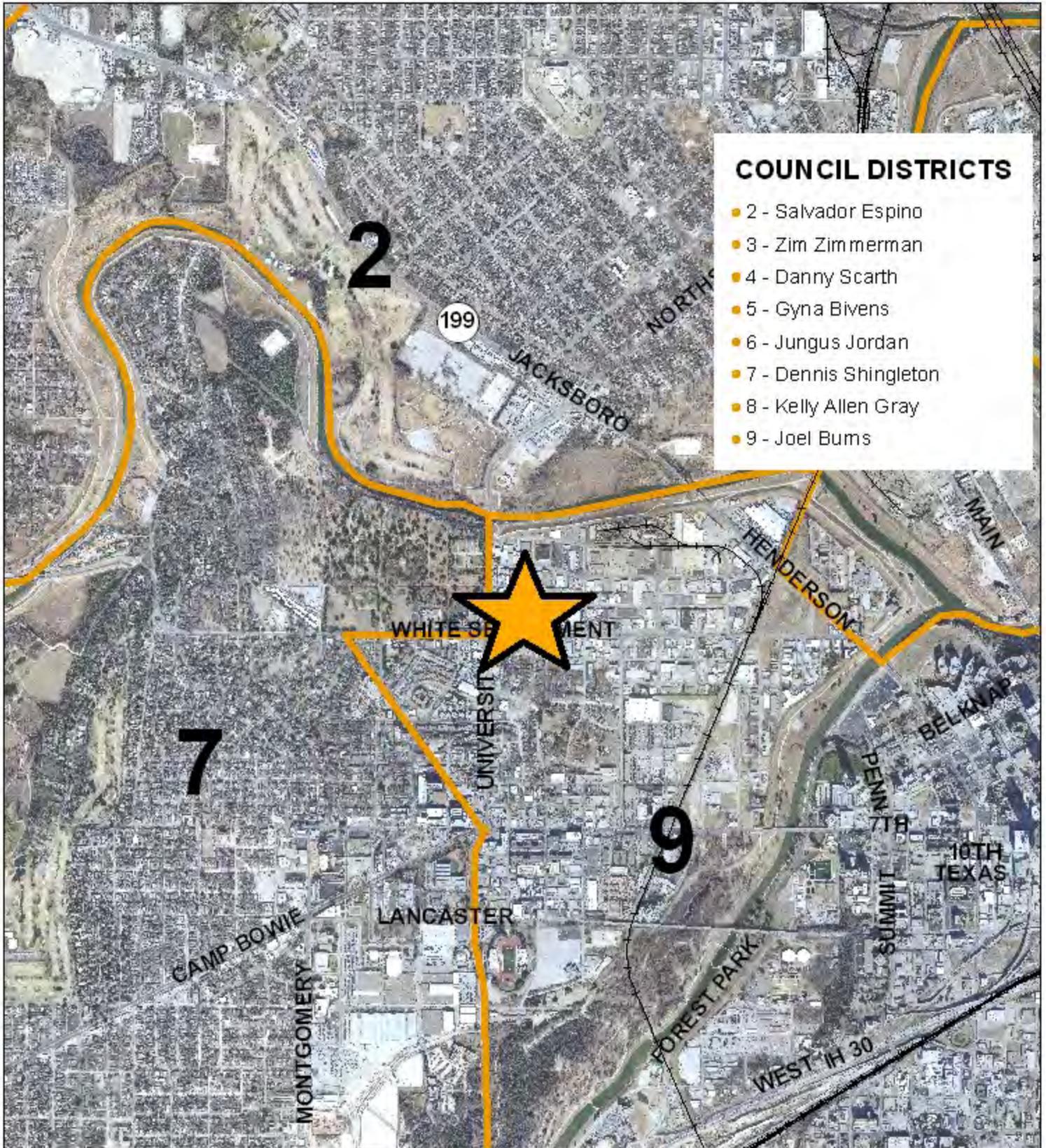
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods (pg. 39).
- Proposed uses that may be detrimental to health, safety, and welfare (such as hazardous materials, airports, mining, landfills, gun ranges, and manufacturing of certain materials) should continue to be evaluated on a case by case basis before approval.

As a result, based on the conformance with the future land use map and policies stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

Attachments:

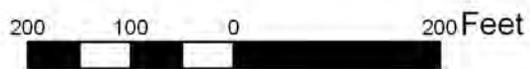
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

Location Map



Area Zoning Map

Applicant: Cullen & Schotts, LLC
 Address: 2901 Cullen Street
 Zoning From: J
 Zoning To: PD for J uses plus private indoor gun range
 Acres: 1.17454499
 Mapsco: 62X
 Sector/District: Arlington Heights
 Commission Date: 2/12/2014
 Contact: 817-392-8043





2901 Cullen Street

Future Land Use

ZC-14-013



- 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
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

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

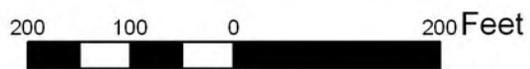
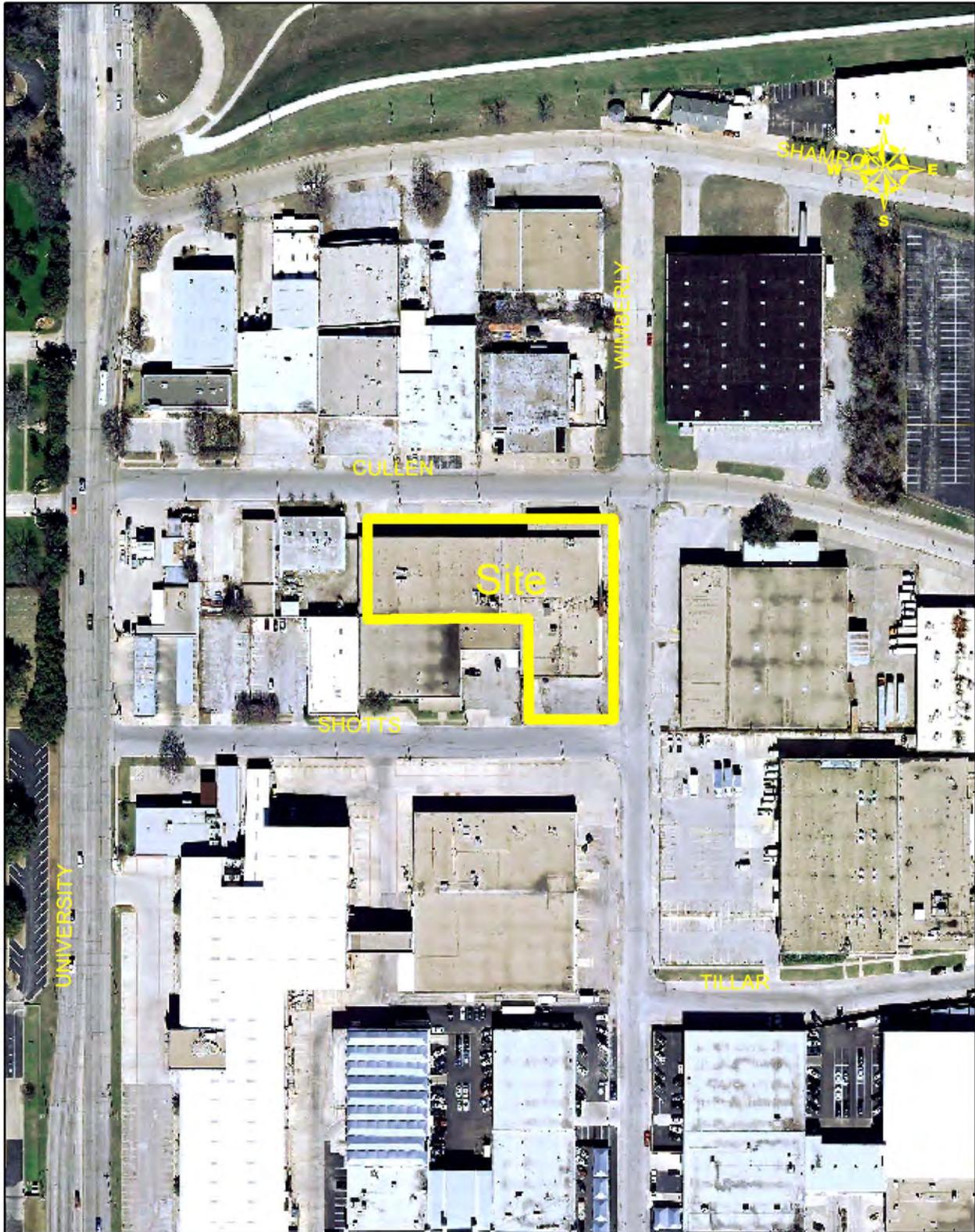
- FLD_ZONE**
- Floodplain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on March 5, 2013.



Aerial Photo Map



OFFICE OF LEGAL SERVICES
100 N. University Dr., Ste. 172
Fort Worth, Texas 76107
OFFICE: 817.814.1980 FAX: 817.814.1985
www.fwisd.org



Fort Worth
INDEPENDENT SCHOOL DISTRICT

February 12, 2014

Sent via email to: zoninganduse@fortworthtexas.gov and via
regular mail and facsimile to: 817-392-7526

Chair of the Zoning Commission (Mr. Nick Genua)
c/o Planning & Development Department
City Hall
1000 Throckmorton St.
Fort Worth, Texas 76102

Re: ZC-14-013; Proposed Zone Change for use as a Private Indoor Gun Range

Dear Mr. Genua:

Please be advised that the Fort Worth Independent School District ("District") is seeking additional time to conduct research into the zone change request by Applicant, Cullen & Schotts, LLC as it relates to a zone change from "PD" to "J" for the use of the property as a private indoor gun range to be built at 2901 Cullen Street, Fort Worth, Texas. The school board ("Board") will consider this matter at its next school board meeting, which will be held on February 25, 2014. If the Board decides it is in the best interest of the District to oppose the requested zone change, it will timely notify the City Council prior to the City Council meeting on March 4, 2014.

Just this week, several local citizens notified district staff of their concerns related to the proposed indoor gun range being built in close proximity to the District's administration building, which is located in part across the street from the proposed site. In addition, other concerns were raised because the district has a school called Metro Opportunity located at 2720 Cullen Street, which is on the same street as the proposed indoor gun range site. Finally, the Board holds its regular board meetings at a building located at 2903 Shotts Street, which is immediately across the street from the proposed indoor gun range site. These District facilities have children, parents, staff, and other visitors that are on-site on a daily basis.

In conclusion, the District respectfully requests a postponement on the Zoning Commission's recommendation to submit this matter to City Council for approval. If the Zoning Commission is unable to postpone its recommendation to City Council, please be advised that the District may oppose this matter before the City Council at the council meeting currently scheduled for March 4, 2014. Please feel free to contact me should you have any additional questions or concerns at this time. Thank you.



Fort Worth
INDEPENDENT SCHOOL DISTRICT

Sincerely,

Valerie A. Carrillo

Chief Legal Counsel

cc: Walter Dansby, Superintendent (via email)

Hank Johnson, Deputy Superintendent of Business & Finance (via email)

Christene Moss, Board President, Board of Education (via email)

D. Todd Parrish, Attorney for FWISD, Beirne, Maynard & Parsons, LLP (via email)

File

Hemphill Corridor Force	Task	NA		Support		Sent letter in
-------------------------------	------	----	--	---------	--	----------------

7. ZC-14-013 Cullen & Shotts, LLC (CD 9) – 2901 Cullen Street (Bailey’s Industrial Addition, Block 2, Lot 2, described by metes and bounds, 1.17 Acres): from “J” Medium Industrial to “PD/J” Planned Development for all uses in “J” Medium Industrial plus indoor shooting range; site plan waiver requested

Jim Schell, 500 W 7th Street, Suite 600, Fort Worth, Texas representing Cullen & Shotts, LLC explained to the Commissioners they are requesting a PD to allow for a shooting gallery. The building is about 40,000 sq. ft., of which 10,000 sq. ft. would be used for retail for shooting sports, tactical gear, guns, and ammo, anything associated with a shooting range. Mr. Schell said the remaining 30,000 sq. ft. will be for a live fire and training facility. It will consist of a 100 yard long, five bays, and rifle lane bay. A 25 x 75 ft. tactical training bay which allows for training activities for law enforcement agencies and civilians under supervision, 20 pistol bays, and a virtual reality marksman smith simulator for reality based training, ammunition free. There will also be a small archery range, snack bar, gunsmiths and classrooms for training.

Mr. Schell said this will be a member’s only facility and will be a screening process in a secure area before going into the firing range. Action Target will be helping them construct the facility. They will be investing a lot of money into the HVAC system. Because of the gun powder and lead, you need to have high pressure that pushes any particles in the air down range. There will be noise abatement, lead extraction, and removal processes. The building has been vacant for some time. Mr. Schell said as part of their due diligence they sent a letter out to everyone within the yellow boundary area as depicted in the overhead. They do have letters of support from surrounding property owners.

Mr. Flores asked Mr. Schell to describe the noise abatement. Mr. Schell said they have not invested the money yet. Will James, 5417 El Dorado Drive, Fort Worth Texas with Defender Outdoors explained to Mr. Flores the existing building is a reinforced structure and within the facility each lane is reinforced concrete, filled masonry with steel reinforcement, a pep board which is a noise absorbing cork board with baffling. Mr. Flores asked about the lane setup. Mr. James said there is no governing body over gun ranges there are only guiding principles based on the NRA rules. He mentioned within the pod or firing lane no one will go beyond a point that is a restricted area. There is steel baffling all the way from the firing line to the target line, which does not allow for any round to leave the building or firing pod it will go into a deceleration chamber where the round becomes not dangerous and is dropped into an auger, then the lead is dropped into a barrel and a third party OSHA Company approved will pick it up.

Mr. Flores asked about any noise. Mr. James mentioned if you are on the south side of the building which is the furthest part away from any firing about 25 ft. it would sound like someone using a hammer, further than that you can’t hear gun fire. Mr. Flores asked if anyone has spoken to Fort Worth ISD. Mr. James said yes on multiple occasions. He said there was a formal meeting with Mr. Dansby and Mr. Mathew Albala probably a week ago. At that time there was no voiced opposition.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request, seconded by Mr. West. The motion carried 6-1 with Mr. Flores being against. Mr. Edmonds was absent for the remainder of the meeting.

<i>Document received for written correspondence</i>				ZC-14-013
Name	Address	In/Out 300 notification area ft	Position on case	Summary
Glen Brooks	2900 Cullen	In	Support	Sent letter in
Joseph Gearheart	3001 Cullen	In	Support	Sent letter in
Tom Ramsey	2908 Cullen	In	Support	Sent letter in
Jim McKinney	2901 Shamrock	In	Support	Sent letter in
Valerie Carrillo/ Fort Worth ISD	100 N. University Dr	In		Sent letter in; Reserved ability to comment pending board meeting

8. ZC-14-014 Eduardo, Isidro and Virginia Maldonado (CD 2) – 2700, 2704, and 2706 Market Avenue (Rosen Heights First Filing, Block 70, Lots 5-8, 0.63 Acres): from “A-5” One-Family to “PD/SU” Planned Development/Specific Use for pallet repair, storage, and resale; site plan waiver requested

Eduardo Maldonada, 3104 Roosevelt Avenue, Fort Worth, Texas property owner explained to the Commissioners he is aware of the issues they have had in the past regarding permits, etc. He said he did talk to his neighbors and they were ok with the use.

Mr. Flores asked Mr. Maldonado when his father stopped running the business. Mr. Maldonado said he didn’t stop but that he has taken over to try to do the right thing. Mr. Flores asked why his father was not more responsive when Code Compliance got involved. He said they never got together to fix the problem. Mr. Flores asked about the neighbors in support. Mr. Maldonado said they are on Market Avenue and he indicated on the screen. He did not have any letters from them. Mr. Flores also asked about the expansion of structures without a permit. Mr. Maldonando said they only sell to businesses and there are three employees. Mr. Flores mentioned some of the pallets are stored up to 20 ft. high. Mr. Maldonando said the fire department measured them at 40 ft. and that they were ok with it. The business hours are 9-6 Monday thru Friday, sometimes on Saturdays if needed.

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

<i>Document received for written correspondence</i>				ZC-14-014
Name	Address	In/Out 300 notification area ft	Position on case	Summary
Ron Shearer/ District 2 Alliance	NA		Opposition	Sent letter in