



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 1, 2014

Council District 9

Zoning Commission Recommendation:
Approval as Amended by a vote of 9-0 to exclude the restaurant use

Opposition: None submitted
Support: None submitted

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

Owner / Applicant: **KMF Properties**

Site Location: 1329 College Avenue Mapsco: 76M

Proposed Use: **Mixed-Use**

Request: From: "CF/HC" Community Facilities/Historic & Cultural Overlay
To: "PD/MU-1/HC" Planned Development for all uses in "MU-1" Low Intensity Mixed-Use/Historic & Cultural Overlay; site plan included

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

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

Background:

The proposed rezoning site is located at the northeast corner of College Avenue and Morphy Street. The applicant is proposing a zoning change from 'CF/HC' Community Facilities with historic overlay to "PD/MU-1/HC" Planned Development for Low Intensity Mixed-Use and retain the historic overlay. The applicant intends to use the existing structure and convert them into residential lofts with light commercial uses and parking on the ground floor. Access and parking will be located off Morphy Street.

The land uses immediately surrounding the zoning are divided between residential, apartments, churches and the FWISD Administration building. The applicant intends to rehabilitate the existing building for the mixed-use development and retain the Historic and Cultural overlay. If approved, the applicant will have to bring the buildings into conformance with current building code requirements and will also have to adhere to landscaping, transitional buffers, and provide sufficient on-site parking.

The building located at 1329 College Avenue is considered a contributing structure in the local Fairmount Historic District as well as the National Register Historic District. It was designed by Architect Clyde H. Woodruff and constructed circa 1924-1925. The structure was designed and built for the College Avenue Baptist Church as their Sunday school building. The church sold the structure in 1979 after it built new facilities nearby. The case is expected to be heard by the Historic and Cultural Landmarks Commission on March 10, 2014.

Requirement	"MU-1" Low Intensity Mixed-Use	Proposed Development
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Front Yard	20 ft maximum	Within the max. requirement
Maximum Height	60 ft. or 5 stories	4 stories
Primary Street Frontage	50 percent	NA
Enhanced Landscaping	Point system (plaza, street trees, programmed seating)	Applicant will comply
Fenestration	primary street/60 percent; side street/40 percent	NA
Entrances	Principal building must have its main entrance from a public sidewalk or plaza	Applicant will comply
Parking	100 percent maximum	Historic properties are exempt
Parking Structure Facade	Buildings shall not have exposed structural parking at the ground floor level	Proposed in/out no door

Site Information:

Owner: KMF Properties
621 North Main Street
Suite 445
Grapevine, TX 76051

Agent: Steven Halliday/97W, LLC

Acreage: 0.10 acres

Comprehensive Plan Sector: Southside

Surrounding Zoning and Land Uses:
North "C/HC" Medium Density Multifamily with Historic Overlay / single-family
East "C/HC" Medium Density Multifamily with Historic Overlay / single-family
South "C/HC" Medium Density Multifamily with Historic Overlay / FWISD Admin building
West "C/HC" Medium Density Multifamily with Historic Overlay / single-family

Site Plan Comments:

The site plan as submitted is not in general compliance with the zoning regulations:

1. The parking structure façade shall not have exposed structural parking at the ground floor level. Site plan indicates an in/out entry with no door. *(waiver required)*

Compliance with the item noted above shall be reflected on the site plan or a waiver is required

Recent Relevant Zoning and Platting History:

Zoning History: NA
Platting History: NA

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
College Avenue	Residential	Residential	No
Morphy St	Residential	Residential	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Fairmount*	Hemphill Corridor Taskforce
Fort Worth South Inc	NUP-Neighborhood Unification Project

within this neighborhood organization*

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to “MU-1” Low Intensity Mixed-Use for office uses. The immediate neighborhood is predominantly residential with commercial uses along Hemphill Street.

The applicant intends to rehabilitate the existing buildings for commercial uses with the possibility of a mix of uses in the future. The proposed site is located in close proximity to the Hemphill/Berry Urban Village. The activation and rehabilitation of property along Hemphill is desirable and the proposed MU-1 zoning **is compatible** with the neighborhood.

2. **Comprehensive Plan Consistency**

The 2013 Comprehensive Plan designates the site as Institutional, as it was used as a church. The proposed “PD/MU-1/HC” zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

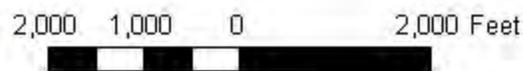
However, the site is three lots outside the Near Southside Mixed-Use area. Additionally, the applicant intends to keep the existing structure and retain the Historic and Cultural overlay. The proposed MU-1 is in keeping with the following Comprehensive Plan policies.

- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, demolition, neglect, and other negative forces. (pg. 37)
- 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. (pg. 38)

Attachments:

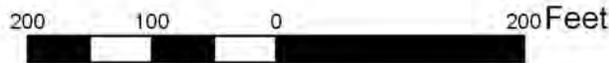
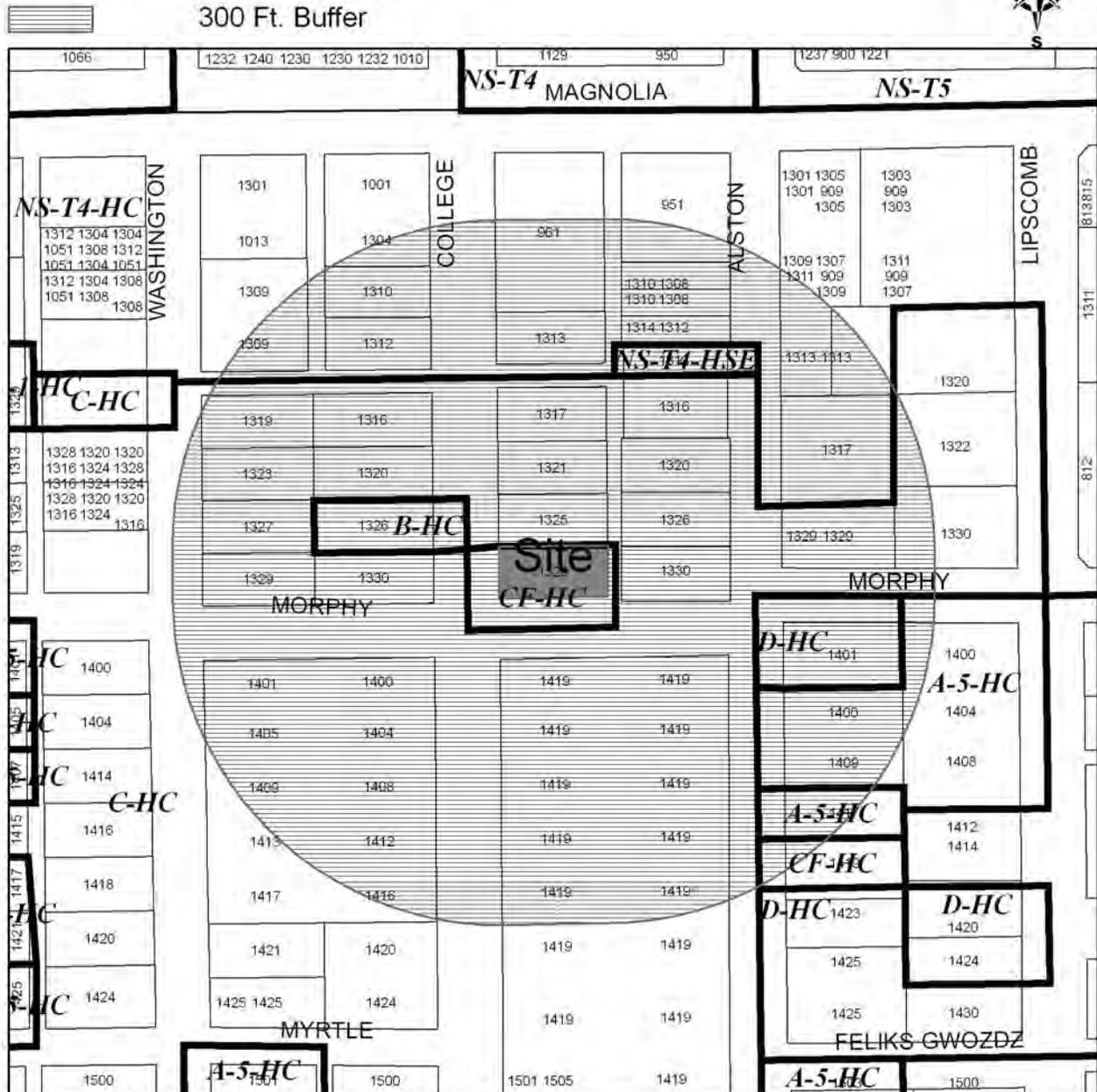
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph

Location Map



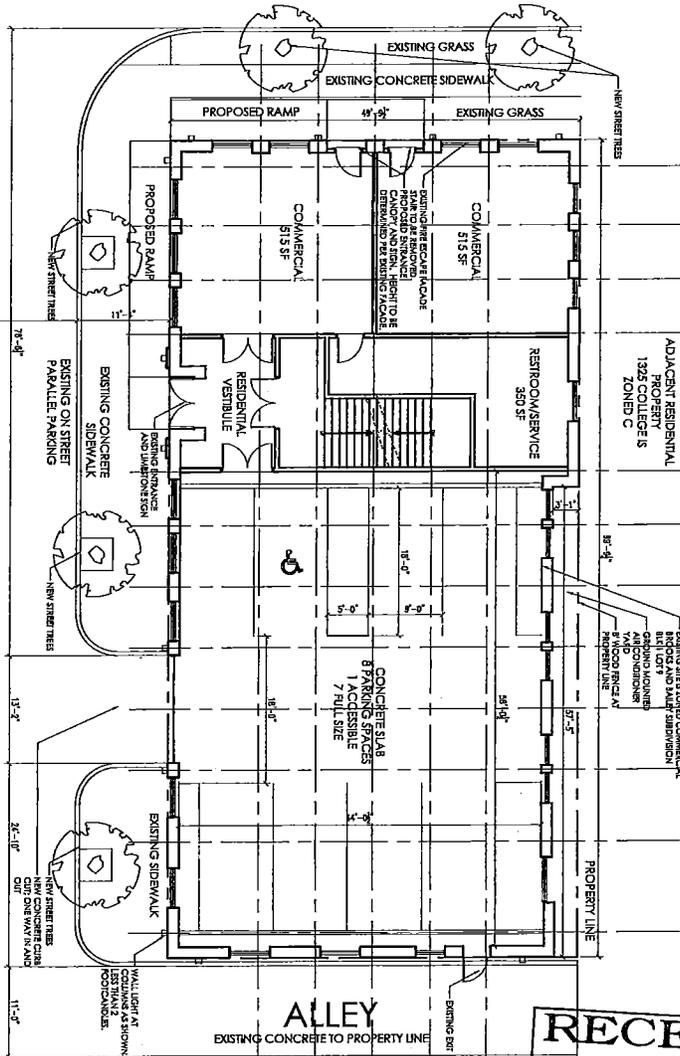
Area Zoning Map

Applicant: KMF Properties
 Address: 1329 College Avenue
 Zoning From: CF/HC
 Zoning To: MU-1/HC
 Acres: 0.10896928
 Mapsco: 76M
 Sector/District: Southside
 Commission Date: 3/12/2014
 Contact: 817-392-2495



COLLEGE AVENUE

MORPHY STREET



RECEIVED
 FEB 10 2014
 BY: ZC 14-028

BUILDINGS AND STRUCTURES
 LAND / OCCUPANCY USE CURRENT - CF
 LAND / OCCUPANCY USE PROPOSED - MU WITH COMMERCIAL AND RESIDENTIAL
 GROSS FLOOR AREA - 15,000 SQUARE FEET
 NUMBER OF STORIES - 4 EXISTING
 LAND DENSITY - 16,595 SQUARE FEET ON 0.11 ACRE LOT
 BUILDING HEIGHT - 60 FEET
 EXTERIOR CONSTRUCTION MATERIALS - MASONRY AND GLAZING
 STREETS, PARKING AND DRIVES
 ON-SITE PARKING CURRENT - 0 SPACES
 ON-SITE PARKING PROPOSED - 7 SPACES W/ 1 ACCESSIBLE SPACE
 OFF-SITE PARKING PROPOSED - 6 SPACES
 SIGNAGE
 ALL SIGNAGE WILL CONFORM TO ARTICLE 4, SIGNS, OF THE CITY OF FORT WORTH DEVELOPMENT CODE
 LANDSCAPING
 ALL LANDSCAPING WILL COMPLY WITH SECTION 6.301, LANDSCAPING, OF THE CITY OF FORT WORTH DEVELOPMENT CODE



LAND USE AND ZONING / LOCATION MAP

DIRECTOR OF PLANNING AND DEVELOPMENT

COLLEGE AVENUE BAPTIST ATHLETIC BUILDING
 LEGAL DESCRIPTION - BROOKS AND BAILEY SUBDIVISION B.L.K. 1 LOT
 1829 COLLEGE AVENUE
 FORT WORTH, TX 76104

ZONING CASE NUMBER -
 PREPARED BY 97W, LLC ON FEBRUARY 10, 2014
 TEXAS REGISTRATION # 23759
 P.O. BOX 1771
 FORT WORTH, TX 76101

SITE PLAN

SCALE: 3/32" = 1'-0"





1329 College Avenue

Future Land Use

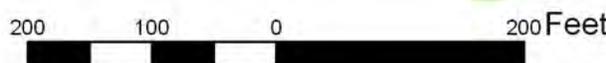
ZC-14-028



- 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

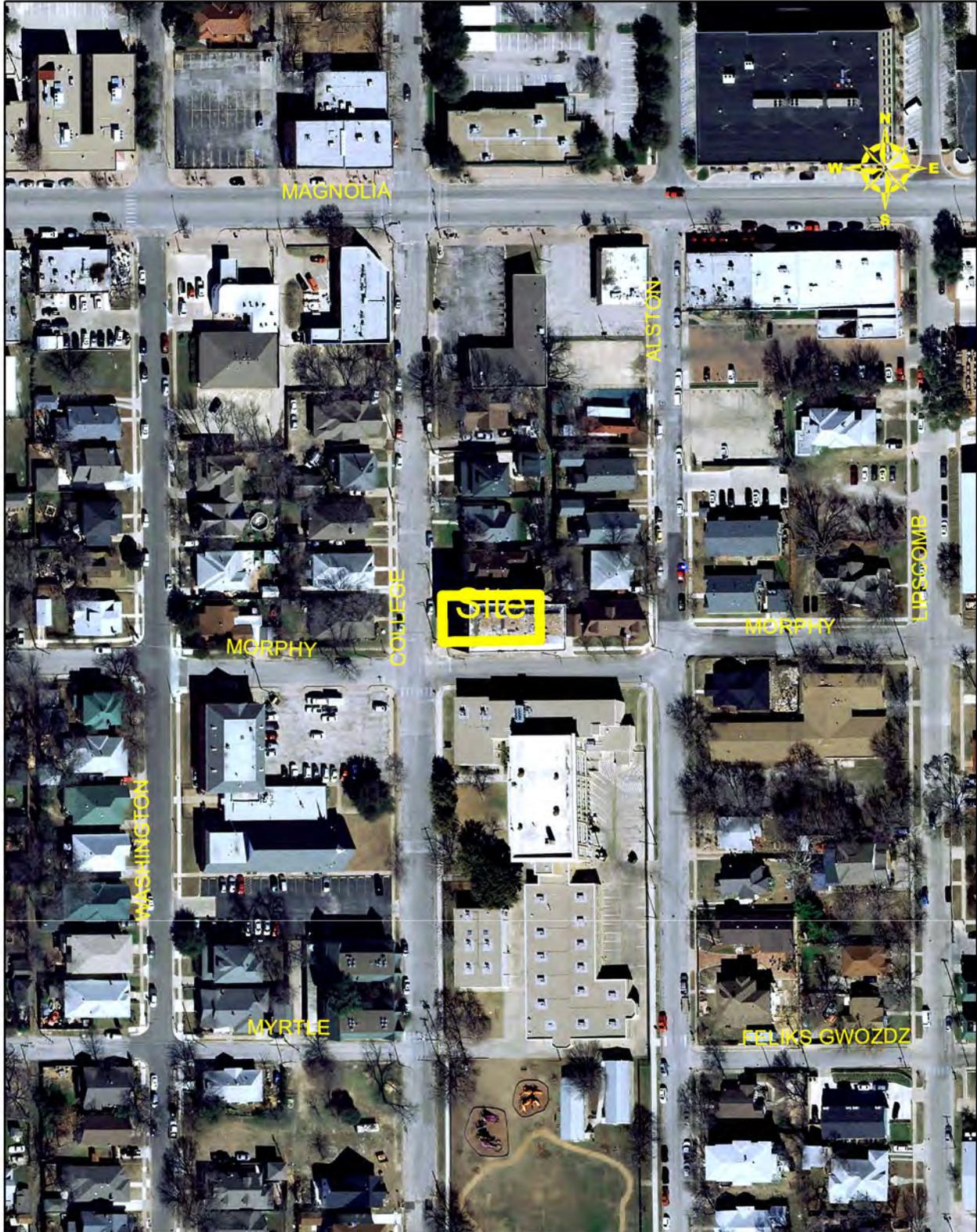
- CFWGIS.SDE.TRN_RAILROADS
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- FLD_ZONE**
- Floodplain



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



Ron Shearer/ District 2 Alliance	NA	Out		Opposition	Sent letter in
Phillip Norris	NA	Out	Support		Sent letter in

13. ZC-14-028 KMF Properties (CD 9) – 1329 College Avenue (Brook & Bailey Subdivision, Block 1, Lot 9, 0.11 Acres): from “CF/HC” Community Facilities/Historic & Cultural Overlay to “PD/MU-1/HC” Planned Development for all uses in “MU-1” Low Intensity Mixed-Use/Historic & Cultural Overlay; site plan included

Jason Eggenburger, 2104 Fairmount Avenue, Fort Worth, Texas representing KMF Properties, explained to the Commissioners he is a resident and a member and his business is located in the Fairmount neighborhood. Mr. Eggenburger explained the historic building was built in 1925 and originally part of College Avenue Baptist Church. It was used for their Sunday school building; they had a community facilities, swimming pool, basketball court, etc. It is a three story brick building. The last use was a dance studio and has been vacant for about ten years.

They are requesting to change the zoning mainly for residential use and along College Avenue some light commercial uses including office space or architectural office. The developer is going to live in the facility as well as have an office space there. Mr. Eggenburger said they attended their neighborhood meeting and have a letter of support from the Fairmount neighborhood. The also spoke with Fort Worth South and they were in support. He mentioned they have a letter of support from the elementary school across the street. He did mention when he met with the surrounding neighbors their main concern was the commercial space and restaurant and bar uses. The owner agreed to restrict some uses and have only light commercial. Mr. Eggenburger said they do have a parking agreement with the church across the street to use 6 of their parking spaces if needed.

Ms. Reed said the main concern she has is alcohol sales and being in close proximity to the school where bars would not be allowed but a restaurant could have alcohol sales. This creates a parking problem. Mr. Eggenburger said he could restrict that use in the PD language or have a deed restriction to excluding the use. Ms. Murphy said you can limit it to office use or exclude restaurant use which would allow for other commercial retail uses that are permitted in MU-1.

Mr. Northern asked Mr. Eggenburger how many residential units they are proposing. Mr. Eggenburger said they can fit seven to eight parking spots which would allow for seven to eight units.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request as Amended to exclude restaurant use, seconded by Mr. Flores. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				ZC-14-028	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary

Fairmount NA	NA		Support		Sent letter in
Joan & David McRay	1325 College Ave	In	Support		Sent letter in
Matthew & Laura Beard	1321 College Ave	In		Opposition	Sent letter in
Jeremy Raines	1320 Alston	Out		Opposition	Sent letter in
Taylor White	1330 Alston	Out		Opposition	Sent letter in
College Avenue Baptist Church	1400 College	In	Support		Sent letter in
David Trammell	1326 College	In	Support		Sent letter in
Cory Malone	1317 Alston	Out		Opposition	Sent letter in
Anita Quirk	NA			Opposition	Sent letter in

14. ZC-14-029 Clark & McKelvey Family Partnerships (CD 7) – 14400-17000 Block of SH 114 (L. A. Butler Survey, Abstract No. 64, John F. Day Survey, Abstract No 384, A. M. King Survey, Abstract No. 710, C. Perry Survey, Abstract No. 1031, Charles Tydings Survey, Abstract No. 1276, 563.54 Acres): from Unzoned to “A-5” One-Family, “D” High Density Multifamily and “G” Intensive Commercial

Marcella Olson, 500 Main Street, Suite 800, Fort Worth, Texas representing Greenway Investment Company explained to the Commissioners the annexation will be going to Council in May and are seeking zoning of the property. Ms. Olson mentioned a portion of this property is in the proposed Alliance Airport Overlay and have worked closely with staff, Councilman Shingleton and Hillwood to make sure to proposed zoning they are seeking is consistent with the proposed overlay. On the exhibit, she notes the 14.6 acre retail tract is the portion in the proposed overlay which prohibits residential uses. On the Future Land Use Plan this area is designated as institutional because the NWISD Campus is immediately adjacent. The property to the west they are seeking D zoning of 18 acres as a buffer to the A-5 zoning proposed. Ms. Olson said she has letters of support from the NWISD School District and Alliance Air Services.

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

<i>Document received for written correspondence</i>				ZC-14-029	
Name	Address	In/Out 300 ft notification area	Position on case		Summary
NWISD	NA	Out	Support		Sent letter in
Thomas Harris/ Alliance Air Services	NA	In	Support		Sent letter in

15. ZC-14-030 City of Fort Worth Planning & Development Polytechnic Heights (CD 8) – Generally bounded by the Union Pacific Railroad, Wesleyan, Vickery, and S. Beach Street