



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 1, 2014

Council District 3

Zoning Commission Recommendation:
Denial by a vote of 8-0

Opposition: Ridglea North NA; Ridglea Hills NA;
Ridgmar NA; 1 outside 200 ft. buffer

Support: None submitted

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

Owner / Applicant: University Plaza Inc.

Site Location: 3001 Lackland Rd Mapsco: 74J

Proposed Use: Convenience Store with Drive-thru Window

Request: From: "FR" General Commercial Restricted

To: "E" Neighborhood Commercial

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent

Background:

The proposed site is located on the corner of Locke Avenue and Lackland Road. The applicant would like to change the zoning from "FR" Neighborhood Commercial Restricted to "E" Neighborhood Commercial in order to sell alcohol at a convenience store and create a drive-thru window. "E" zoning is more restrictive than the current zoning, which will lessen the potential for typically unwanted uses such as auto sales, pawn shops and tattoo parlors along Lackland Road.

The applicant will have to meet Transportation and Public Works drive-thru stacking requirements prior to obtaining a permit. In addition, parking requirements will be reviewed if spaces are removed to create the drive-thru window. The Board of Adjustment can approve variances for parking and setbacks.

Site Information:

Owner: University Plaza Inc.
6323 Camp Bowie, Suite 101
Fort Worth, TX 76116

Agent: Sohail Dharani

Acreage: 0.28 acres

Comprehensive Plan Sector: Western Hills/Ridglea

Surrounding Zoning and Land Uses:

North "ER" Neighborhood Commercial Restricted / office
East "B" Two-Family / parking lot

South "E" Neighborhood Commercial / retail
 West "A-5" One-Family / North Z Boaz Community Park

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Lackland Rd	Major Arterial	Major Arterial	No
Locke Ave	Residential	Residential	No

Public Notification:

The following Organizations were notified:

Organizations Notified	
Ridglea North Association Inc*	FWISD
NAS Fort Worth JRB RCC	

*within neighborhood association

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "E" Neighborhood Commercial to construct a drive thru window to sell various products, including alcohol for off-premise consumption. The current zoning does not allow the sale of alcohol.

Surrounding land uses vary with an office to the north, retail to the south, a parking lot just east, and Z Boaz Park to the west. The site is located along Lackland Road, which is considered a minor arterial and appropriate for neighborhood commercial development. In addition, "E" zoning is more restrictive than the current zoning, which will lessen the potential for unwanted uses.

As a result, the proposed zoning **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2013 Comprehensive Plan designates the subject property as Neighborhood Commercial. The proposed zoning is consistent with the following Comprehensive Plan policies.

- Encourage development type and intensity appropriate to existing or planned street infrastructure. (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. (pg. 38)

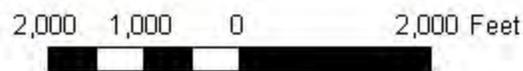
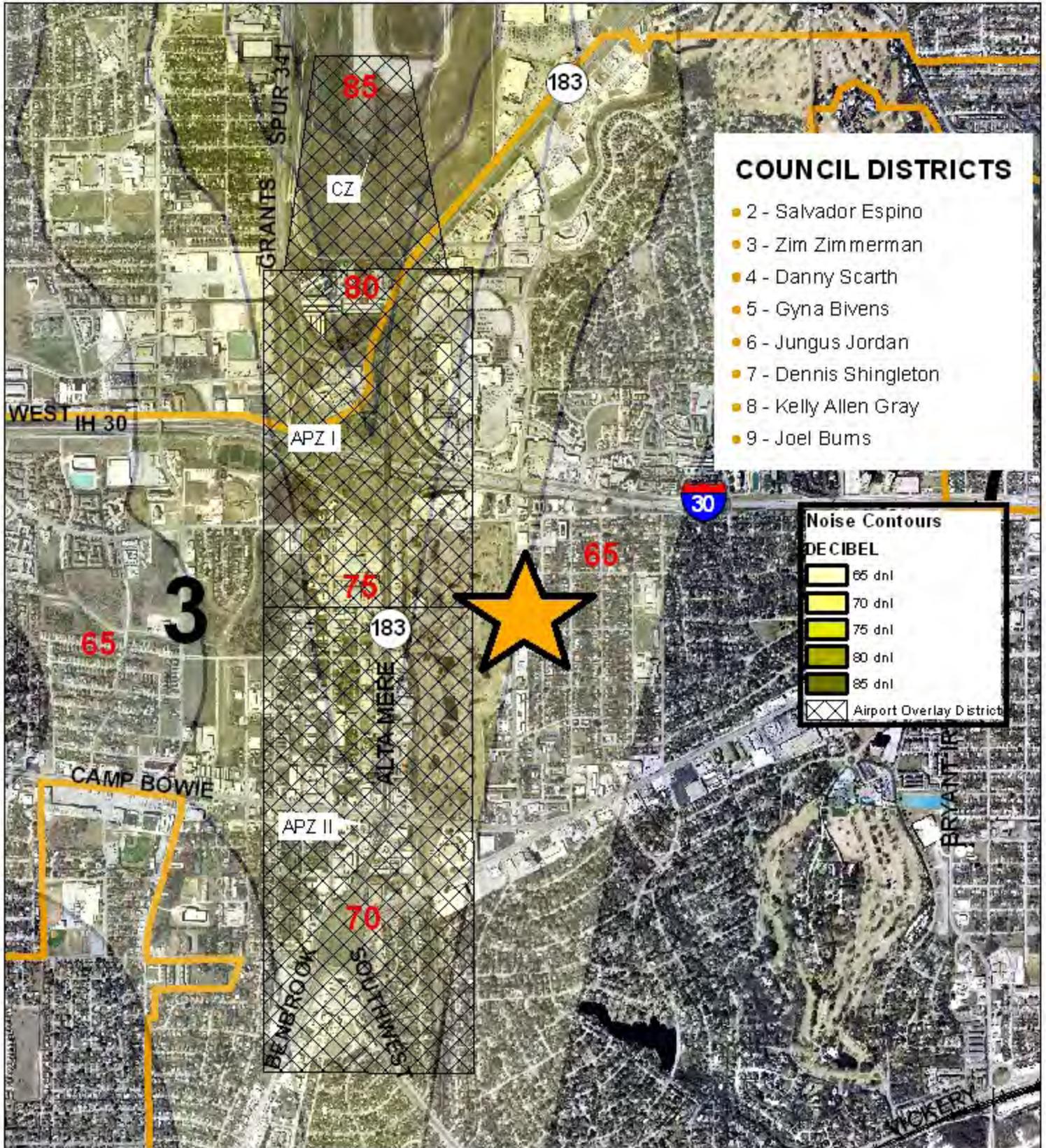
Based on the conformance with the future land use map and policies stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

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

Location Map





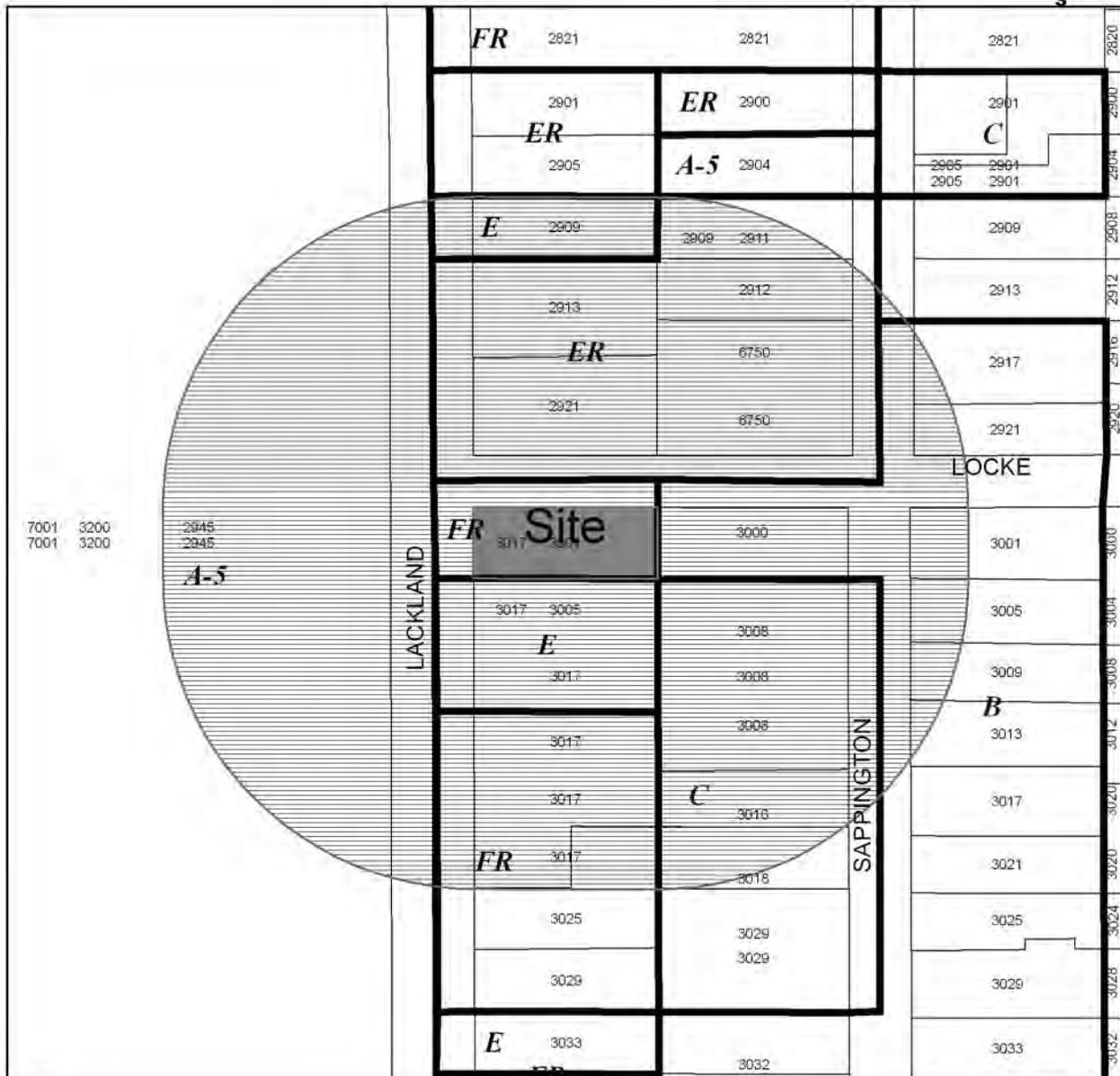
ZC-14-031

Area Zoning Map

Applicant: University Plaza Inc.
 Address: 3001 Lackland Avenue
 Zoning From: FR
 Zoning To: E
 Acres: 0.28033464
 Mapsco: 74J
 Sector/District: W.hills/Ridglea
 Commission Date: 3/12/2014
 Contact: 817-392-8043



300 Ft. Buffer

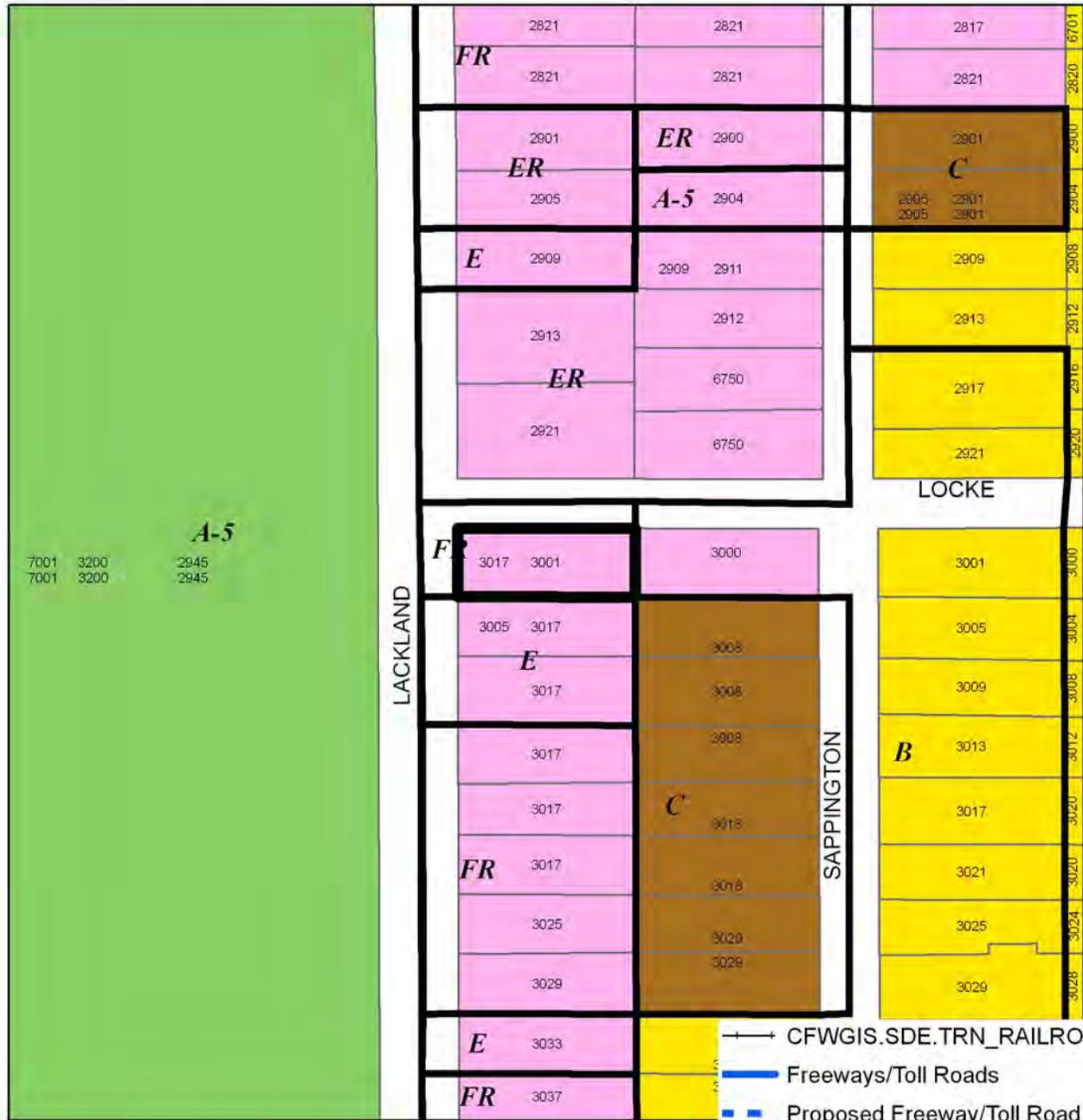




3001 Lackland Avenue

Future Land Use

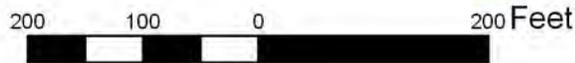
ZC-14-031



- 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



(see addresses in case file, 99.57 Acres): from “B” Two-Family, “C” Medium Density Multifamily, “E” Neighborhood Commercial, “F” General Commercial, “I” Light Industrial, “J” Medium Industrial and “PD-413” Planned Development for I uses with restrictions to “A-5” One-Family, “UR” Urban Residential, “ER” Neighborhood Commercial Restricted, “MU-1” Low Intensity Mixed-Use, “I” Light Industrial and “PD-437” Planned Development/Specific Use for apartments for transitional housing for women and children

Janice Laredo, 711 Conner Avenue, Fort Worth, Texas representing Polytechnic Heights NA spoke is support. She mentioned they have a lot of renovations going on in the area. She wanted to mention the area depicted in the overhead is a commercial area and one particular building has been painted fuscia and black and will be a bar. There is no buffering between the single-family homes and the commercial uses.

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

<i>Document received for written correspondence</i>				ZC-14-030	
Name	Address	In/Out 300 notification area	Position on case		Summary
Janice Laredo/ Polytechnic Heights NA	711 Conner Ave	In	Support		Spoke at hearing
East Fort Worth Business Assoc.	NA	Out	Support		Sent letter in
A petition was submitted with more than 75 names from the Polytechnic Heights neighborhood in support					

16. ZC-14-031 University Plaza Inc (CD 3) – 3001 Lackland Road (Golf Hills Addition, Block 4, Lot 1, 0.28 Acres): from “FR” General Commercial Restricted to “E” Neighborhood Commercial

Sohail Dhavani, 3001 Lackland Road, Fort Worth, Texas property owner explained to the Commissioners they are requesting E zoning in order to open up a drive-thru for the existing convenience store.

Mr. West wanted to clarify that they did sell alcoholic beverages in their store. Mr. Dhavani said yes they do. He said they do have walk-in customers but most of them drive. Mr. West asked Mr. Dhavani what the uses that surround his property are. Mr. Dhavani said across the street is a park, in the shopping center there is a Chinese restaurant, gift shop and barber shop, on the corner is a church, and to the north are offices and an apartment complex directly behind them. Mr. West asked where the school is located. Mr. Dhavani said he is not sure where the school is located. Mr. West asked why they need the drive-thru. Mr. Dhavani said it will increase their business.

Mr. Flores asked if they had spoken to any of the neighborhood associations or business owners. Mr. Dhavani said they did speak to the business owners and talked to their customers that come

in. Mr. Flores asked if he had met with any registered neighborhood associations. Mr. Dhavani said no he hasn't. Mr. Flores asked how many convenience stores of this type did he own. Mr. Dhavani said this one and one in Arlington.

Winn Schultz, 2912 Sappington Place, Fort Worth, Texas spoke in opposition. Mr. Schultz said they own the building to the north and right as indicated on the aerial. He is also speaking on behalf of the neighborhood. He is concerned about the traffic problems at that intersection. Mr. West asked Mr. Schultz what type of office he has in his building. Mr. Schultz said a general office; he is a real estate broker. Mr. West asked what is on the north side of his building. Mr. Schultz said another office and a photography studio called Smiley's.

Beverly Branham, 6487 Woodstock Road, Fort Worth, Texas spoke in opposition. She mentioned she used to be on the executive committee for the Ridglea Hills NA and asked if the container is closed will there be a traffic light at that intersection. Mr. Genua said they have no control over whether the container is closed or not. She asked if there will be a traffic light there. Mr. Genua said unlikely no.

Mr. West wanted to note for the record they did receive communications from the Ridglea North Assoc, Ridglea Hills NA, Ridgmar NA, and Margaret Brodeur all in opposition.

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

<i>Document received for written correspondence</i>					<i>ZC-14-031</i>
Name	Address	In/Out 300 notification area	Position on case		Summary
Winn Schultz	2912 Sappington	In		Opposition	Spoke at hearing
Beverly Branham	6487 Woodstock	Out		Opposition	Spoke at hearing
Una Bailey/ Ridglea North Assoc	NA	Out		Opposition	Sent letter in
B. Bashein/ Ridglea Hills NA	NA	Out		Opposition	Sent letter in
David Patterson/ Ridgmar NA	NA	Out		Opposition	Sent letter in
Margie Brodeur	2917 Sappington	In		Opposition	Sent letter in

17. ZC-14-033 TSou Sheng Y & Sam Huynh Etal (CD 3) – 9904 Camp Bowie West (Westland Addition, Block 2, Lots 16 & 17, 0.36 Acres): from “PD-591” Planned Development for all uses in “E” Neighborhood Commercial plus mini-warehouse to “F” General Commercial

Sherry Boyd, 3916 Williams Road, Fort Worth, Texas representing Tsou Sheng Y & Sam Huynh explained to the Commissioners she has been looking at this property for about two years and that there have been several different businesses in there that could not make it. She would like to move her alcohol mixed beverage license to this property for a restaurant and grill with