



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
May 5, 2015

Council District 7

Zoning Commission Recommendation:
Approval by a vote of 7-1

Opposition: 2 spoke to original request; 8 letters submitted
Support: None submitted

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

Owner / Applicant: Crestmont Management Co., LLC

Site Location: 1600 Montgomery St and 3609-3613 Crestline Rd. Mapsco: 75H

Proposed Use: Retail

Request: From: PD 770 "PD/SU" Planned Development/Specific Use for offices; site plan approved
To: Amend PD 770 "PD/SU" Planned Development/Specific Use for camera shop, photography studio, art studio, office, museum; site plan required

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Background:

The site is located on the corner of Crestline Rd. and Montgomery Street. The applicant is proposing to Amend PD 770 to "PD/SU" Planned Development/Specific Use for camera shop, photography studio, art studio, office, museum; site plan required.

The original PD 770 included a two story, 6672 s.f. building in the center of the lot. The applicant intends to develop a larger building with more uses, which requires a zoning change.

The proposed site is located across the street from the Museum District and will be near the proposed new arena. The development will provide a buffer to the single-family residences further west of Montgomery but also provide commercial uses on Montgomery, a major arterial. Parking is required for the site since the property is within 250 feet of an "A-5" One Family district to the north.

The table below describes requirements for the existing site plan:

Requirement	Existing Site Plan
Front Yard	54 ft.
Height	28 ft. 8 inches
Building Size	6,572
Parking	14 spaces
Signage	Monument sign in front of the building

Initially, the applicant requested MU-1 zoning but requested a continuance after meeting with the neighborhood. During the March Zoning Commission meeting, several residents came out in opposition to the revised request of PD/ER. The applicant listed several uses that are allowed in PD 393 to the north, and asked the Zoning Commission if those uses could be included into this PD.

During the continuance time, the applicant was directed by the Zoning Commission to work with the neighborhood to determine agreed upon uses and to provide a site plan. The applicant is not prepared to provide the site plan with this request, and has asked that the case be approved as site plan required and they will complete the SP process with notification when they are ready. The applicant did not provide any update on whether there is any agreement on the list of uses. The neighborhood indicated that no communication or meetings were held concerning the uses and is not satisfied with the site plan being required separately from the zoning case.

Site Information:

Owner: Crestmont Management Co, LLC
 3100 West 7th, Ste. 400
 Fort Worth, TX 76107
 Agent: Townsite Company-Phillip Poole
 Acreage: 0.55 acres
 Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:

North PD 393 "PD-SU" for following uses: museum or cultural facility, professional offices, antique shop, book/stationery store, clothing/wearing apparel store, furniture sales, photograph/portrait or camera shop, retail sales/jewelry or art, studio/art/photography; approval subject to conditions listed in case; "C" Medium Density Multifamily / single-family, office
 East PD 897 "PD/CF" Planned Development for all uses in "CF" Community Facilities plus alcohol sales with development standards on file in the Planning & Development Department; site plan waived (museum area) / Museum
 South "C" Medium Density Multifamily / single-family
 West "C" Medium Density Multifamily / single-family

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Montgomery Street	Major Arterial	Major Arterial	No
Crestline Rd	Minor Arterial	Minor Arterial	No

Public Notification:

The following organizations were notified:

Organizations Notified	
North Hi Mount	Cultural District Alliance
Arlington Heights*	Trinity Habitat for Humanity
Westside Alliance	Streams & Valleys, Inc.
Camp Bowie District Inc	FWISD

*Located within this Neighborhood this Neighborhood Association

Recent Relevant Zoning and Platting History:

Zoning History: From "C" Medium Density Multifamily to PD 770, "PD/SU" Planned Development/Specific Use for offices. Site plan approved; Effective 7/10/07
Platting History: NA

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "Amend PD 770 to "PD/SU" Planned Development/Specific Use for camera shop, photography studio, art studio, office, museum,

jewelry store, furniture store, clothing store, bookstore, antique store; site plan required. Surrounding land uses consist primarily of residential to the north, west, and south with an office directly north and the Museum of Science east of the subject property. The applicant intends to construct a retail building.

The proposed zoning **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2015 Comprehensive Plan designates the site as Neighborhood Commercial. The proposed zoning is consistent with the following Comprehensive Plan policies.

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)
- 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. 40)

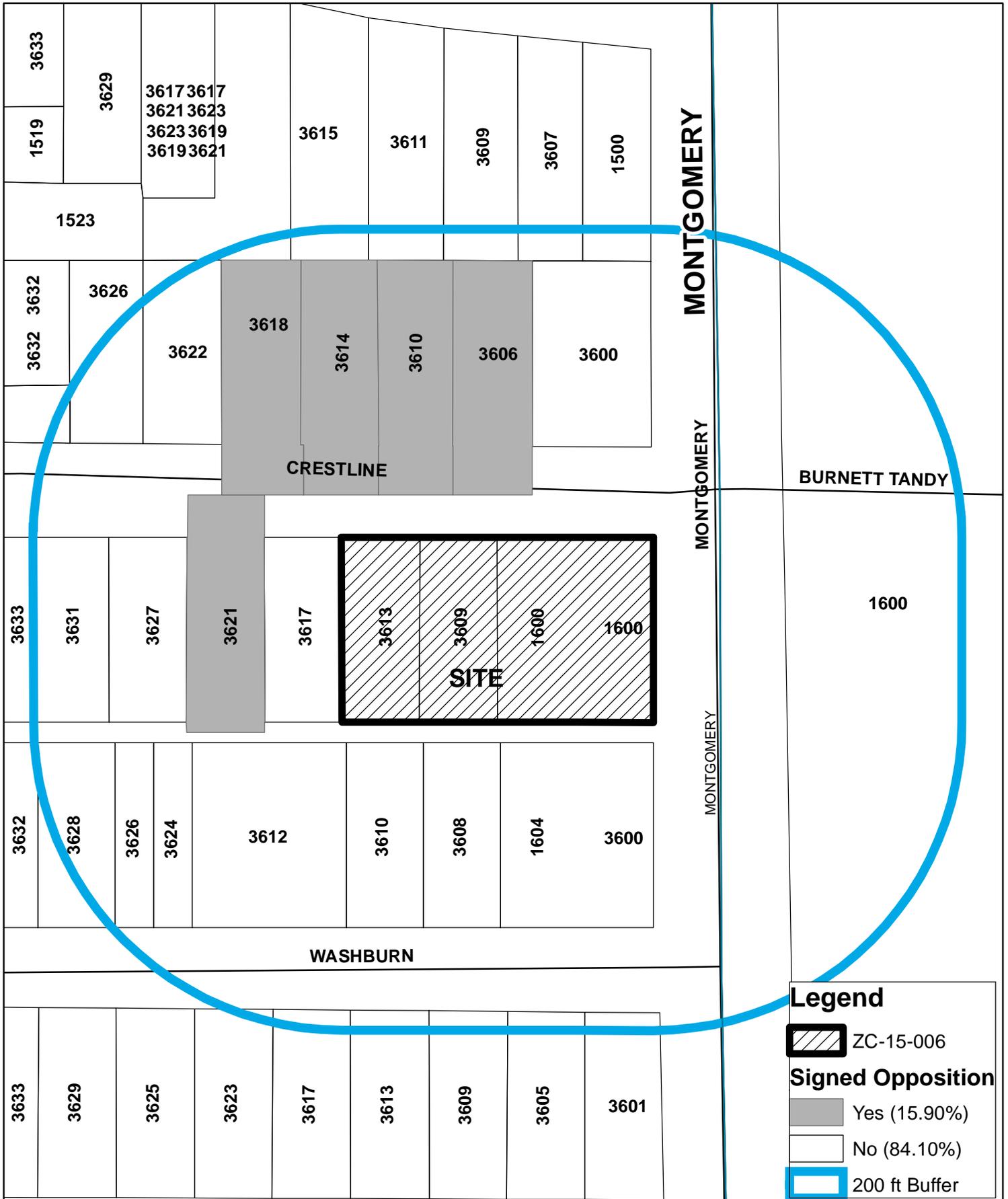
As a result, the proposed zoning **is consistent** with the Comprehensive Plan.

Attachments:

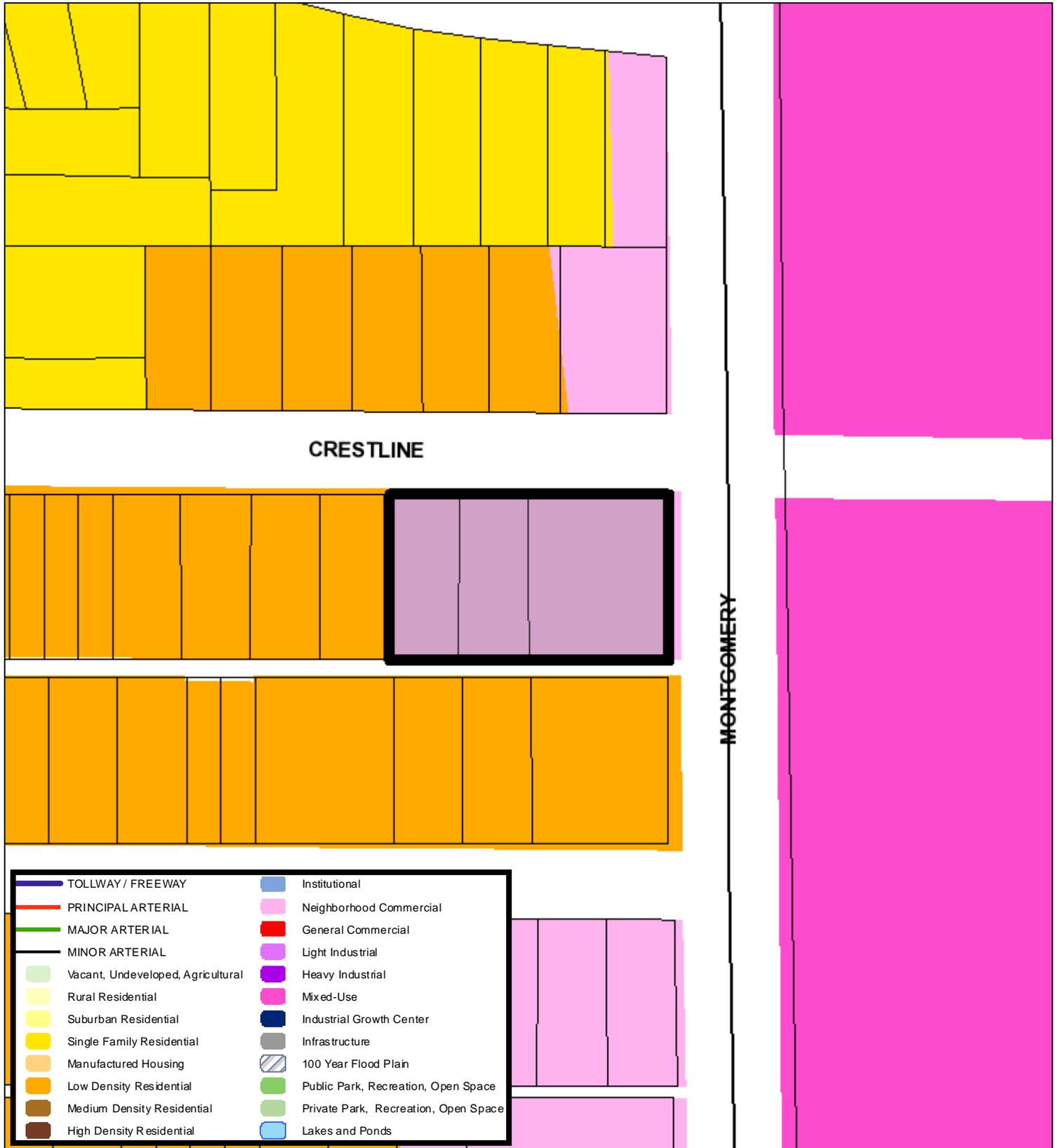
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission hearing

Area Map



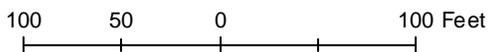


Future Land Use



TOLLWAY / FREEWAY	Institutional
PRINCIPAL ARTERIAL	Neighborhood Commercial
MAJOR ARTERIAL	General Commercial
MINOR ARTERIAL	Light Industrial
Vacant, Undeveloped, Agricultural	Heavy Industrial
Rural Residential	Mixed-Use
Suburban Residential	Industrial Growth Center
Single Family Residential	Infrastructure
Manufactured Housing	100 Year Flood Plain
Low Density Residential	Public Park, Recreation, Open Space
Medium Density Residential	Private Park, Recreation, Open Space
High Density Residential	Lakes and Ponds

100 50 0 100 Feet



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 18, 2014.



Aerial Photo Map



0 60 120 240 Feet



Motion: Following brief discussion, Mr. Flores recommended Approval of the request as Amended for PD/ER with site plan to specify lighting, and waive landscaping in rear bufferyard, outside of fence, seconded by Ms. Reed. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>					ZC-15-016
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Gloria Molina	1610 Grand Ave	Out	Opposition		Spoke at hearing
Ray Oujesky	201 Main St	Out	Opposition		Spoke at hearing
Ron Shearer/Inter-District 2 Alliance	NA	Out		Support/PD/ER	Sent letter in
Tressa Hilburn/Northside NA	NA	Out		Support/PD/ER	Sent letter in

2. ZC-15-006 Crestmont Management Co. LLC (CD 7) 1600 Montgomery and 3609-3613 Crestline Road (Queensborough Heights Addition, Block 1, Lots 1-4, 0.56 Acres): from “PD-770” Planned Development/Specific Use for offices; site plan approved to Amend PD-770 “PD/SU” for camera shop, photography studio, art studio, office, museum, jewelry store, furniture store, clothing store, bookstore, and antique store; site plan required

Mary Nell Poole, 2918 Wingate Street, Fort Worth, Texas representing Fort Worth Camera explained to the Commissioners since the last meeting they decided to go to PD/SU with specific uses and after talking with the lender they wanted to add some more uses. The uses were sent to the neighborhood in which the answer was no. Ms. Poole said they wanted to add computer electronics technology in order to keep up with technology as it changes. They are in agreement to provide a site plan but have not had enough time to design the project and would like to come back to the Commission when the site plan is ready.

Mr. Northern asked about the additional uses that were sent to the neighborhood and the time frame of a site plan to be submitted to them. Ms. Poole said after receiving their response of no she asked for further clarification. She said they did take away jewelry store, furniture store, clothing store, bookstore and antique store. They are hoping to file the site plan in May.

Beth Kaufman, 1600 Fredrick, Fort Worth, Texas spoke in opposition. She read into the record a statement made by Arlington Heights NA, they are still opposed and want to see a site plan.

Layne McConnell, 3614 Crestline, Fort Worth, Texas spoke in opposition. A list was provided of those in opposition. Mr. McConnell stated there was no communication with the applicant until last week nor has a site plan been submitted to them for review. When they did speak to them they had additional uses to be requested. He explained his handouts to the Commissioners and noted a conceptual site plan was submitted to them that was totally changed from the previous one sent to them. They have agreed to PD/SU with site plan for camera store, art gallery, professional office and museum.

In rebuttal Ms. Poole said the property is supposed to close on May 8th and that they wanted clarification on whether electronics would be permitted with a photography studio. She mentioned they didn't have enough time to prepare a site plan based on some of the comments received from staff about drive entrances and lights shining into the neighbors yards that is why the configuration changed. Ms. Poole said they would like to move forward with the request and come back with a detailed site plan and allow the neighborhood time to review.

Motion: Following brief discussion, Mr. Northern recommended Approval for PD/SU for camera shop, photography studio, art studio, office, museum with a site plan required, seconded by Ms. Moore. The motion carried 7-1 with Mr. Reeves being against. Mr. Genua wanted to state for the record if the applicant comes back with a site plan for the next hearing he wants them to sit down with the neighborhood and give them enough time to review it.

<i>Document received for written correspondence</i>					ZC-15-006
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Beth Kaufmann/ Arlington Heights NA	1600 Frederick	Out	Opposition		Spoke at hearing
Layne McConnell	3614 Crestline	In	Opposition		Spoke at hearing
Richard Chowning	NA	Out	Opposition		Sent letter in
John & Michelle McCullough	3606 Crestline	In	Opposition		Sent letter in
T. C. Albright	3610 Crestline	In	Opposition		Sent letter in
Donnie & Ginger Stribble	3617 Crestline	In	Opposition		Sent letter in
David Miley	3811 Tulsa Way	In	Opposition		Sent letter in
Joel & Stephanie Voyles	3618 Crestline	In	Opposition		Sent letter in
Ben & Jen Cole	3623 Crestline	In	Opposition		Sent letter in
Gina Smith	1529 Owasso St	In	Opposition		Sent letter in
Melissa Hunter	3923 Lafayette	Out	Opposition		Sent letter in

3. SP-15-001 Summer Sycamore I LTD (CD 6) 7500 Summer Creek Drive & 7424 Granbury Road (John F. Heath Survey, Abstract 641, 34.35 Acres): from "PD-823" "PD/MU-1" for all uses in "MU-1" Low Intensity Mixed-Use; site plan required to Site Plan for PD-823 for multifamily, townhouse and commercial uses

Richard Myers, 909 Lake Carolyn, Suite 150, Irving, Texas representing Summer Sycamore I LTD explained to the Commissioners the power point presentation. He did mention when they met with the neighborhood one of the things they wanted was a gathering place, some neighborhood restaurants. Mr. Myers said they are proposing a mixture of some retail, a restaurant with a plaza area to include a hike and bike trail through the development. They did

Document received for written correspondence					ZC-14-174
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Vickie Bargas/ Worth Heights NA	NA	Out		Support with site plan	Sent letter in

2. ZC-15-006 Crestmont Management Co. LLC (CD 7) 1600 Montgomery and 3609-3613 Crestline Road (Queensborough Heights Addition, Block 1, Lots 1-4, 0.56 Acres): from “PD-770” Planned Development/Specific Use for offices; site plan approved to “MU-1” Low Intensity Mixed-Use

Mary Nell Poole, 2918 Wingate Street, Fort Worth, Texas representing Fort Worth Camera explained to the Commissioners they want to expand their business in a new building on Montgomery. They want to build an 11,000 to 12,000 square foot building along Montgomery with parking at the back. Ms. Poole mentioned they do have grade differences on the site as much as 10 to 12 ft. They propose to pave the alley and use it for another egress to keep traffic off of Crestline.

Ms. Poole said after filing the application they did reach out to Arlington Heights neighborhood to discuss the request. The conclusion of the meeting was they wanted to keep the site as a PD and change it to PD/ER. She said they were accepting of their request as long as they were able to have development standards for the site. The neighborhood also requested to have it zoned PD/SU for office and camera shop only. Ms. Poole that was not economically sound in today’s lending environment and wanted to be able to have the same uses as the PD to the north.

They would like to request PD/ER with development standards that can address the neighborhood concerns and a waiver to the site plan. The development standards would limit some of the uses, limit to two stories, provide a maximum square footage envelope and ensure that parking will be on lots 3 and 4 only which provides more buffering for the residential neighborhood.

Beth Kaufmann, 1600 Frederick, Fort Worth, Texas with Arlington Heights NA, spoke in opposition. She handed in a letter of opposition from the Arlington Heights neighborhood association.

Layne McConnell, 3614 Crestline Road, Fort Worth, Texas spoke in opposition. Mr. McConnell is immediately adjacent to the site and is speaking on behalf of the neighbors most directly affected. They do not want offices or retail encroaching into the neighborhood. He explained his presentation and mentioned the issues they encountered with the last PD proposal directly across the street. Mr. McConnell said the neighborhood is not in transition and plan on being there a long time. They want the zoning to be PD/SU for camera shop and office only with a site plan.

Mr. Northern asked Mr. McConnell if the concerns were for the uses and parking and how the building is going to be used. He said they are concerned about the uses and what may go there in the future as well as increased traffic in the neighborhood. Mr. Genua asked if the applicant

comes back with PD/SU for offices and camera shop with a site plan would they be ok with it. Mr. McConnell said yes. Mr. Northern asked if they would be agreeable to PD/ER with a site plan. Mr. McConnell said no, they want to be specific with the uses.

Mr. Flores asked staff about the PD/SU request and the number of uses that can be added to it. Ms. Burghdoff said it is unlimited.

In rebuttal Ms. Poole said they have tried very hard to express to the neighbors that building a building and it only being allowed one use is hard to retrofit for an office use. The PD next store allows for a museum or cultural facility, professional offices, antique shop, book stationary store, clothing/wearing apparel, furniture sales, photograph, portrait or camera shop, retail sales, jewelry, art studio or art photography studio. She said that any of these uses would benefit in expanding the uses allowed. Ms. Poole said the reason for the waiver to the site plan is they are including development standards that show how the property is to be developed. She also said they may be able to reduce the building by 700 to 1,000 square feet doing merchandise and inventory changes.

Ms. McDougall asked Ms. Poole if she would be willing to go back to the neighborhood with a list of specific uses to the PD. Ms. Poole said yes she would.

Mr. Northern asked Mr. McConnell if they would be open to some other uses that are currently allowed across the street on Montgomery. Mr. McConnell said the biggest concern is the site plan; they want to know what is going to be there. He said they would be willing to look at other uses with a site plan. Ms. McDougall asked what other types of uses they would like to have there. Ms. Poole said she just named off those uses and would be ok with any or all of them.

Mr. Flores stated he understands her concerns but given the location of this development he thinks a site plan would be desirable for their planning purposes. Ms. Poole said they built the animal hospital, zoned ER and there were no restrictions or a site plan. She is not sure what a site plan will show them that they aren't seeing now. Mr. Flores said the plan presented is missing lighting and by submitting a site plan it would help with some of the issues the neighborhood may have.

Mr. Northern asked about the use and site plan issues, if they are under any time constraints and asked if she could repeat the uses mentioned earlier again. Ms. Poole said yes they have to close on this by May but not sure they have an extra 30 days if continued. She also listed the uses the property next door has on their PD.

Mr. Northern asked Mr. McConnell for sake of time constraints if he would be acceptable of any of the uses mentioned to include in the PD language. Mr. McConnell said yes to photography studio, art studio, professional office, and museum. Mr. McConnell also said he is sensitive to their timing issue but the financing is their issue. They want specific guidelines.

Motion: Following brief discussion, Mr. Northern recommended a PD/SU for photography studio, art studio, professional office, museum with a site plan, seconded by Ms. Reed, no vote taken. Mr. Northern amended his motion and recommended a 30 day Continuance of the request to provide a site plan, seconded by Mr. Reeves. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>					ZC-15-006
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Beth Kaufmann/ Arlington Heights NA	1600 Frederick	Out	Opposition		Spoke at hearing
Layne McConnell	3614 Crestline	In	Opposition		Spoke at hearing
John & Michelle McCullough	3606 Crestline	In	Opposition		Petition
T. C. Albright	3610 Crestline	In	Opposition		Petition
Donnie & Ginger Stribble	3617 Crestline	In	Opposition		Petition
David & Karen Berning	3612 E. Washburn	In	Opposition		Petition
Joel & Stephanie Voyles	3618 Crestline	In	Opposition		Petition
Ben & Jen Cole	3623 Crestline	In	Opposition		Petition
Gina Smith	1529 Owasso	In	Opposition		Petition

IV. New Cases

3. ZC-15-021 Vernell K Barber Estates (CD 7) – 11625 Alta Vista (Francisco Cuella Survey, Abstract No. 266, 9.71 Acres): from “A-10” One-Family to “A-7.5” One-Family

Phil Chaffins, 925 Glenhurst Road, Keller, Texas representing Vernell K. Barber Estate explained to the Commissioners the request is more about marketing rather than trying to obtain more lots. The clientele they are looking for is more age restricted, over 50 and said that these people want smaller lots with expanded green space and walking trails. Mr. Chaffins said they have done this type of development in Keller and it averages out to about 1.5 people and 1.3 cars per household. It will be a gated community with a HOA. The homes will be 5,000 square foot lots, built as a cottage or bungalow style home.

Mr. Genua asked about the open space lot and what it is intended to be. Mr. Chaffins said it will be a green space with a water feature

Motion: Following brief discussion, Mr. Northern recommended Approval of the request, seconded by Mr. Flores. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>					ZC-15-021
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Villages of Woodland Springs	NA	Out		Support	Sent letter in

Mr. Genua asked Mr. Jiminez if they would be ok with ER zoning. Mr. Jiminez said they would.

Stella Jiminez, 4636 Bonnell Avenue, Fort Worth, Texas spoke in opposition. She said they are opposed to any commercial zoning. Mr. Flores asked if she understood the proposal to change the zoning to ER. Ms. Jiminez said yes but she doesn't like it want it to remain residential. If they have no choice then ER would be ok.

Scott Foster, 3908 Kenley, Fort Worth, Texas spoke in opposition. He prefers the area stay residential.

In rebuttal Kiz Stevenson, 5000 Ridgeview Court, Fort Worth, Texas, realtor for the property owner said she is ok with ER zoning because there are no plans to enlarge the building.

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

<i>Document received for written correspondence</i>					ZC-15-005
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Ruben Jiminez Jr.	4636 Bonnell Ave			Opposition to E	Spoke at hearing
Elaine Khan	6252 Klamath Rd			Opposition to E	Spoke at hearing
Stella Jiminez	4636 Bonnell Ave			Opposition	Spoke at hearing
Scott Foster	3908 Kenley			Opposition	Spoke at hearing
Kiz Stevenson	5000 Ridgeview Ct			Support	Spoke at hearing
Amana Lmtd	4829, 4831, 4833, Fletcher	In		Support	Sent letter in
Sergio Quinton	4704 Bonnell			Support	Sent letter in
Norma Anderson	4637 Bonnell			Opposition	Sent letter in
Melissa Mahan	4700 Bonnell			Opposition	Sent letter in
Ms. Robert Willimas	4900/4902 Bonnell			Opposition	Sent letter in
Gary Shank	4801 Bonnell			Opposition	Sent letter in
Karen Hart	4732 Bonnell			Opposition	Sent letter in
There are more than 50 letters of opposition in the case file.					

9. ZC-15-006 Crestmont Management Co. LLC (CD 7) 1600 Montgomery and 3609-3613 Crestline Road (Queensborough Heights Addition, Block 1, Lots 1-4, 0.56 Acres): from "PD-770" Planned Development/Specific Use for offices; site plan approved to "MU-1" Low Intensity Mixed-Use

Mary Nell Poole, 2918 Wingate Street, Fort Worth, Texas representing Crestmont Management Co., LLC explained to the Commissioners they are requesting a 30 day continuance to work with the neighborhood. Nine letters of opposition were received.

Motion: Following brief discussion, Mr. Northern recommended a 30 day Continuance of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-15-006
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Joel & Stephanie Voyles	3618 Crestline	In	Opposition		Sent letter in
Richard Chowning	NA	Out	Opposition		Sent letter in
John & Michelle McCullough	3606 Crestline	In	Opposition		Sent letter in
Layne & Susan McConnell	3614 Crestline	In	Opposition		Sent letter in
Thomas Albright	3610 Crestline	In	Opposition		Sent letter in
Gina Smith	1529 Owasso	In	Opposition		Sent letter in
David & Karen Berning	3612 Washburn	In	Opposition		Sent letter in
Jennifer & Benjamin Cole	3621 Crestline	In	Opposition		Sent letter in
Donnie & Ginger Stribble	3617 Crestline	In	Opposition		Sent letter in
Bob & Debbie Taylor	3626 Crestline	In	Opposition		Sent letter in

10. ZC-15-007 Melvin & Linda Parker (CD 5) 11550 S. Pipeline Road (Kitty House Survey, Abstract #678, 0.43 Acres): from “AR” One-Family Restricted to “I” Light Industrial

Kenny Martin, 2849 Sagebrush, Flower Mound, Texas representing Melvin & Linda Parker explained to the Commissioners the request to rezone to I to relocate his existing business. No office is proposed on the site. Mr. Martin said he did try to reach out to the west and got no response.

Ms. McDougall asked about the type of storage he is proposing. Mr. Martin said he is an HVAC contractor and would be storing air conditioning items.

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

11. ZC-15-008 Bou-Hamdan LLC (CD 7) 9861 N. Saginaw Boulevard (D & R Leasing Addition, Block 1, Lot 1 metes and bounds, 0.35 Acres): from “I” Light Industrial to