



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
July 28, 2015

**Council District** 5

**Zoning Commission Recommendation:**  
Approval by a vote of 8-1

**Opposition:** 3 letters submitted; 1 spoke in opposition  
Petition submitted with approx. 45%  
opposition within 200 ft.

**Support:** Handley NA; Historic Handley Development

Continued Yes X No \_\_\_  
Case Manager Lynn Jordan  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** Handley Church of Christ

**Site Location:** 3029 Handley Drive, 3000 & 3012 Halbert Street Mapsco: 80J

**Proposed Use:** Community Event Center with Alcohol  
Sales/Restaurant/Coffee Shop

**Request:** From: "A-5" One-Family  
To: "PD/SU" Planned Development/Specific Use for community event center with alcohol sales, restaurant and coffee shop; site plan waiver recommended

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

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

**Background:**

The proposed site is located south of Routt, east of Handley Rd., north of Church St.. The applicant would like to rezone the site from "A-5" One-Family to "PD/SU" Planned Development/Specific Use for a community event center with alcohol sales, restaurant and coffee shop. A waiver to the site plan has been requested because the applicant intends to use the existing buildings and parking areas.

The property is for sale and the church will no longer be in operation. The applicant is proposing to use the existing church hall for the event center functions, including concerts, and the church office area for restaurant and or coffee shop. The property would have to accommodate all the parking required for both the event center and restaurant/coffee shop. Approximately five lots have been assembled and paved to provide parking for the church use. At a minimum, the parking for the restaurant will be additional required parking above what has been provided for the church.

At the Zoning Commission, the applicant explained the intended use of the building, and that he wanted to create a community center for the Historic Handley area. He named a list of possible uses that could occur on the property, and hoped that they would be able to revive a festival that was operated in the area in the past. Questions were asked by the Commissioners about the number of parking spaces and the amount of people the building could hold. He explained that the main sanctuary holds around 300

seats and that there are about 200 parking spaces. A complete count of the required and provided spaces will be necessary if and when the restaurant and coffee shop are added to ensure adequate parking. The applicant explained that he would have to work with area business on agreements for larger events that require more parking.

Letters of opposition have been received from neighbors to the east of the subject property including concerns about traffic, parking, and the use of their narrow road. Letters of support were received from the Handley Neighborhood Association and Historic Handley Development Corporation.

The case was continued from the June 16 City Council meeting with instructions to the applicant to directly contact persons in opposition and to ensure that all neighbors have information and input. A meeting was held in early July, however surrounding neighbors continued to have questions concerning fire service and traffic. A petition has been submitted indicating that approximately 50% of the property owners per the Tarrant Appraisal District within 200 feet of the case are opposed. 20% opposition requires a supermajority of votes for approval, per state law.

**Site Information:**

Owner: Handley Church of Christ  
 3029 Handley Drive  
 Fort Worth, Texas 76112

Applicant: Jim Austin

Acreage: 2.23 acres

Comprehensive Plan Sector: Eastside

**Surrounding Zoning and Land Uses:**

North "A-5" One-Family / single-family  
 East "A-5" One-Family and "B" Two-Family / single-family  
 South "B" Two-Family and "MU-1" Low Intensity Mixed-Use / single-family  
 West "A-5" One-Family / single-family

**Recent Relevant Zoning and Platting History:**

Zoning History: NA  
Platting History: NA

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Routt	Residential	Residential	No
Handley	Minor Arterial	Minor Arterial	No
Church	Residential	Residential	No
Halbert	Residential	Residential	No

**Public Notification:**

The following Organizations were notified:

Organizations Notified	
Carver Heights East NA	Historic Handley Development Corporation
Handley NA*	East Fort Worth, Inc.
Neighborhoods of East Fort Worth	Eastside Sector Alliance
East Fort Worth Business Assoc.	Trinity Habitat for Humanity
Streams & Valleys Inc.	Fort Worth ISD

\*Site not located within the confines of a registered Neighborhood Association

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing to rezone the property to "PD/SU" Planned Development/Specific Use for a community event center with alcohol sales, restaurant and coffee shop. Surrounding land

uses are predominantly single-family. The proposed uses with alcohol sales, hours of operation, and traffic generated early morning or late night could pose a concern for the neighborhood.

As a result, the proposed zoning **is not compatible** with surrounding land uses.

## **2. Comprehensive Plan Consistency**

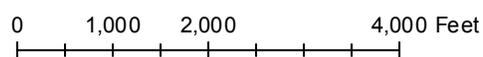
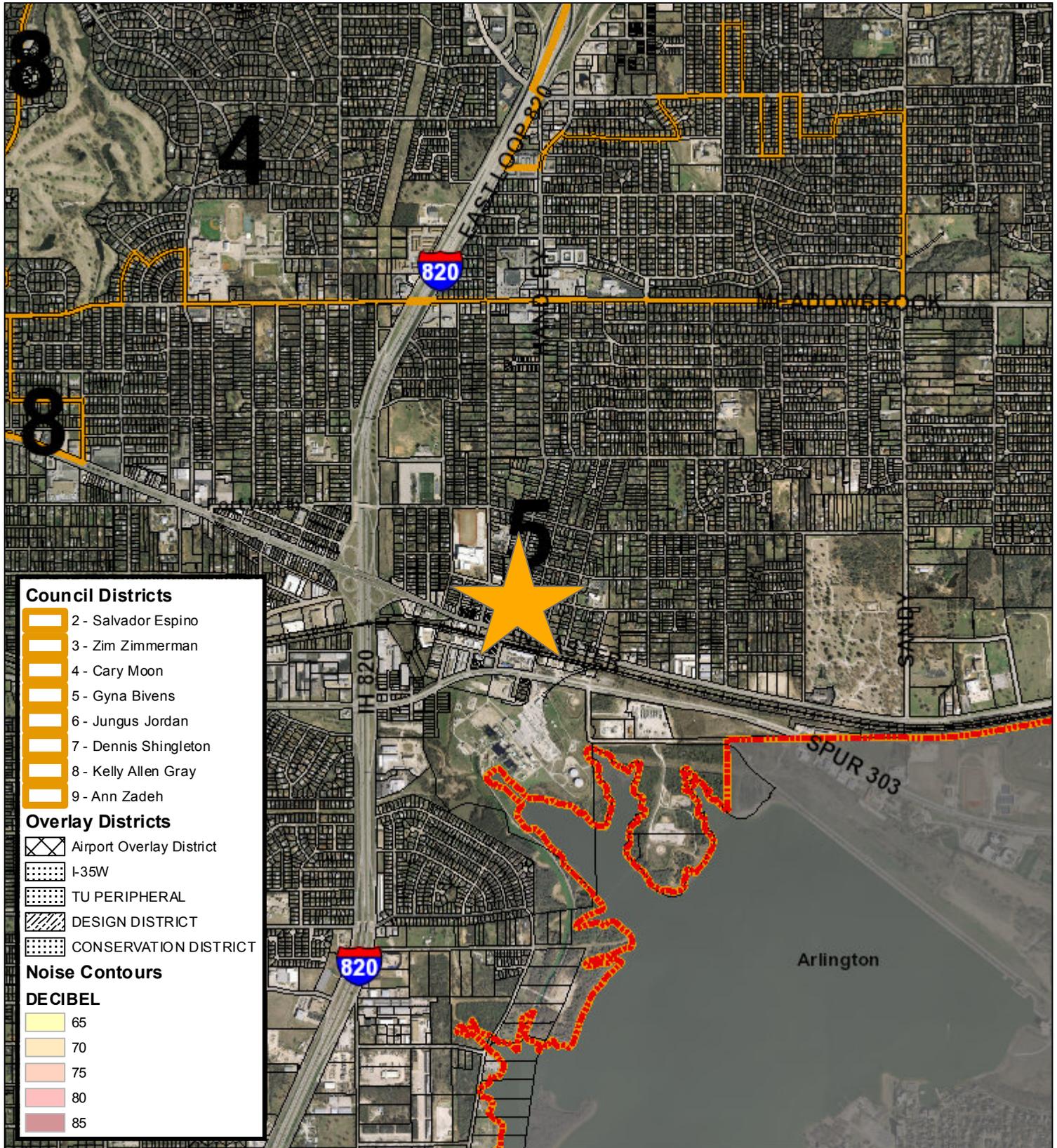
The 2015 Comprehensive Plan designates the site as Institutional. The requested zoning change for an event center with alcohol sales, restaurant and coffee shop **is not consistent (Significant Deviation)** with the Comprehensive Plan. The Institutional land use was placed on the property due to the existence of the church. The event center and restaurant are commercial uses in a residential area. The proposal is consistent with the following Comprehensive Plan policies:

- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, and other negative forces. (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)

### ***Attachments:***

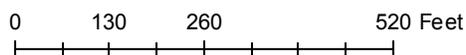
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting
- Minutes from the City Council meeting

### Area Map



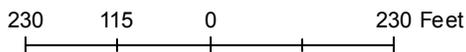
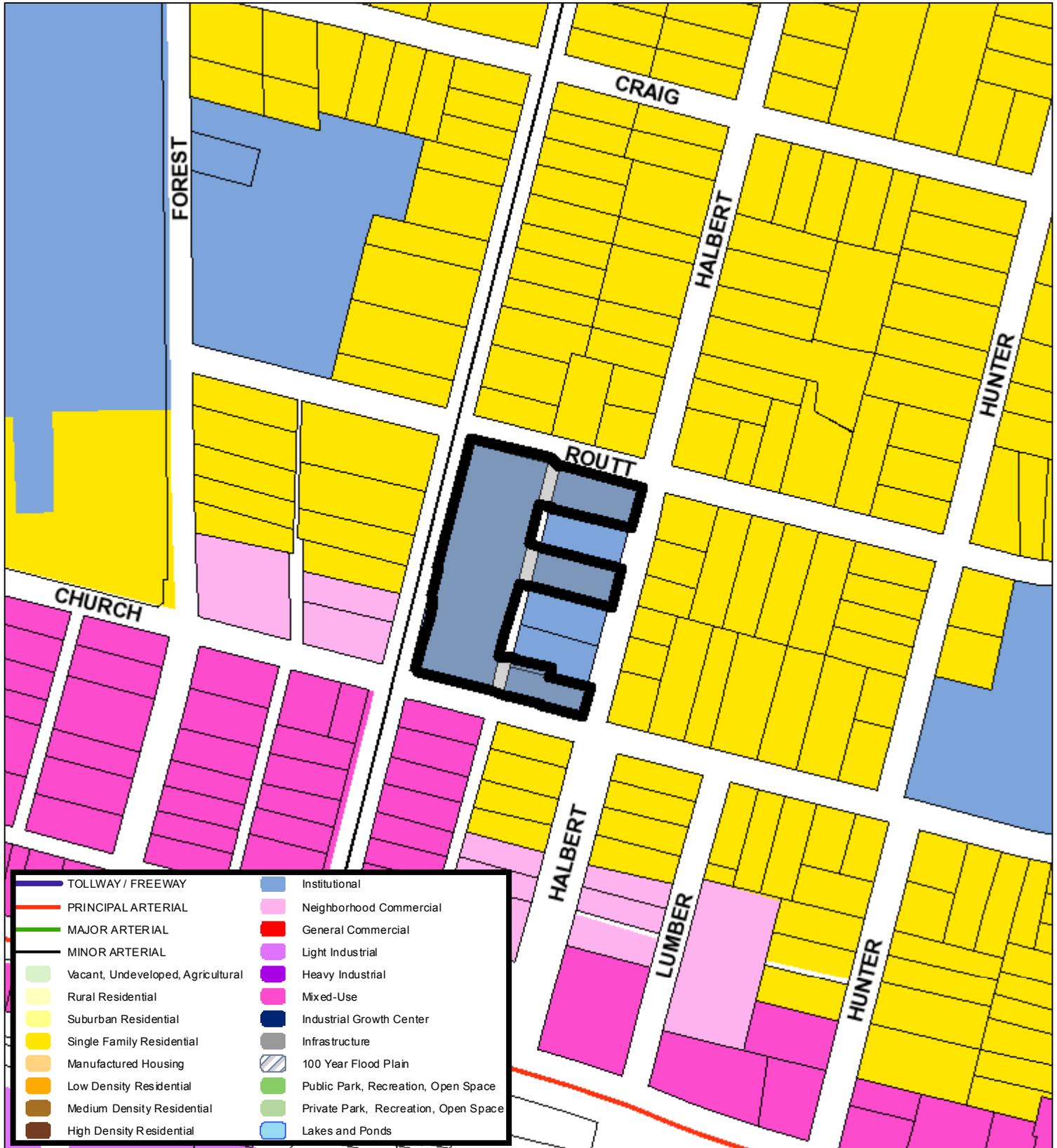
### Area Zoning Map

Applicant: Handley Church of Christ  
 Address: 3029 Handley Drive, 3000 & 3012 Halbert Street  
 Zoning From: A-5  
 Zoning To: PD/SU for event center with alcohol sales & restaurant  
 Acres: 2.23217787  
 Mapsco: 80J  
 Sector/District: Eastside  
 Commission Date: 6/10/2015  
 Contact: null





### Future Land Use



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 17, 2015.



## Aerial Photo Map



0 150 300 600 Feet



business since 1957. He said they have a behavioral out-patient site of 44 staff with funding from various donations. They are located at 2700 Airport Freeway and have been there since 2007. Mr. Niedermayer said the house they want to rezone is for an existing counseling office for a veteran’s program. They would be relocating staff at their existing facility and be able to utilize the additional space for their play therapy program.

Manuel Mohammad, 2717 E. 1<sup>st</sup> Street, Fort Worth, Texas representing United Riverside NA spoke in opposition. He has concerns of all the uses that have been coming into the neighborhood. Mr. Edmonds asked about the uses along that portion of the highway being offices and some residential. Mr. Mohammad said yes they are and there is someone living in the house next to the lawyer’s office.

In “rebuttal”, Mr. Niedermayer said the people being served in this facility are the same people they have across the street, they need to expand for more office space. They own several lots back behind them and thought they were being good neighbors.

Ms. Conlin asked if they have large groups of people coming in at one time and have there been any police calls out there. Mr. Niedermayer said they do have education classes and training sessions in the evening time. He said occasionally they have people show up either intoxicated or have an illness that may make them dangerous to others. If they can’t get help for them they have to call for assistance. Ms. Conlin said she does have a problem since the neighborhood is in opposition. He did say they do have parking that overflows to the street when they have big events and have used the lots behind the facility they own to park on.

Mr. Edmonds asked if it was paved parking. He said they have paved parking on both sides of the building.

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

<i>Document received for written correspondence</i>				<i>ZC-15-071</i>	
<b>Name</b>	<b>Address</b>	<b>In/Out 300 ft notification area</b>	<b>Position on case</b>		<b>Summary</b>
Manuel Muhammad/ United Riverside NA	2717 E. 1st	Out	Opposition		Spoke at hearing
Melinda Buggs	3009 E. 12th	Out	Opposition		Sent letter in

**11. ZC-15-072 Handley Church of Christ (CD 5) 3029 Handley Drive and 3000 & 3012 Halbert Street (AP Moore Subdivision, Block 6, Lots 1 – 9, pt. 10, 13 and 16, 2.23 Acres): from “A-5” One-Family to “PD/SU” Planned Development/Specific Use for community event center with alcohol sales, restaurant, and coffee shop; site plan waiver requested**

Jim Austin, 2017 Teakwood Trace, Fort Worth, Texas representing Handley Church of Christ explained to the Commissioners they are requesting “PD/SU” to change the facility into a

community conference center and will be named Handley Community Conference Center. Mr. Austin said he has met with Handley HOA and Handley Development Corporation and has received support. They would like to provide a service to the community such as movie nights, car shows, festivals, weddings, banquets, guest speaking, music events, etc. He went on to mention they have received 100% support for the zoning change request from the community groups. There is a sanctuary as well as a banquet hall that can seat about 300 guests and 12 meeting rooms.

Ms. McDougall asked about the number of people attending the events, hours of operation and where would they park. Mr. Austin said they have talked to a number of businesses in the area and if the zoning is approved, he will attempt to acquire additional property to support the parking requirement. Another church is located across the street and the school parking lot will help with overflow parking. There are two lots directly behind the church, one vacant and one with a house on it, that they are attempting to purchase. There could possibly be two to three hundred people attending depending on the event. Mr. Austin said if they have a concert it would not last longer than 11:00 p.m. and have everyone cleared out by midnight.

Ms. McDougall also asked about security and lighting. Mr. Austin said he will have security on-site at all times, one officer per 100 individuals. For lighting, the church has put a lot of money into the parking lot lighting. The neighborhood had asked about having a coffee shop.

Mr. Flores asked how many parking spaces are at the church now and if he has spoken with the property owner that is directly adjacent. Mr. Austin said probably 200 spaces and he has not spoken to the property owner.

Ms. Reed asked about the restaurant and coffee shop proposed she has concerns about the hours of operation and parking. Mr. Austin said he put that in the request because that might possibly go on in the event center. He has no plans at this time for a restaurant. If they have a coffee shop it will be only in the morning hours.

Mr. Edmonds mentioned an antique store that has a restaurant that serves primarily breakfast and lunch with adequate parking next door. Mr. Austin agreed it would be for the neighborhood and mentioned he also spoke with the Eastside Business Association.

Mr. Northern asked about the neighborhood and what route would people take to get there. Mr. Austin said possibly come down 30 to 820, and then go to Division to the light on Handley. There is commercial to the south that is encroaching a little bit into the neighborhood.

Ms. Conlin gave the Commissioners a brief history on the Handley area and mentioned it used to be a city.

Mr. Flores asked if there were any screening fences on the property. Mr. Austin said no there are not.

Catherine Gagen, 3009 Halbert Street, Fort Worth, Texas spoke in opposition. Ms. Gagen said there are five property owners across the street from the church that are in opposition to the alcohol sales and discussed concerns about possible increased traffic. Ms. McDougall asked Ms.

Gagen to show on the overhead the properties that are in opposition. Ms. Gagen identified five properties on the eastside of the church. Ms. McDougall also asked why they did not submit their opposition. Ms. Gagmen said they were not aware of the proposal. She did mention she received a notice.

Paul Kerpoe, 6717 Craig Street, Fort Worth, Texas spoke in support and mentioned alcohol is not the primary use.

Motion: Following brief discussion, Ms. McDougall recommended Approval of the request, seconded by Ms. Conlin. The motion carried 8-1 with Mr. Flores against.

<i>Document received for written correspondence</i>					<i>ZC-15-072</i>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 ft notification area</b>	<b>Position on case</b>		<b>Summary</b>
Catherine Gagen	3009 Halbert St	In	Opposition		Spoke at hearing
Paul Kerpoe	6717 Craig St			Support	Spoke at hearing
Mary Moss	3001 Halbert St	In	Opposition		Sent letter in
Christopher Powell	6712 Routt St	In	Opposition		Sent letter in
James Isham	3017 Halbert St	In	Opposition		Sent letter in
Ken Roberts	3010 Halbert St	In	Opposition		Sent letter in
Judy Taylor/ Handley NA	NA	Out		Support	Sent letter in
Jean McClung/ Historic Handley	3024 Forest Ave	Out		Support	Sent letter in
Doug Martin/ Handley Church of Christ	3029 Handley	In		Support	Sent letter in

**12. ZC-15-073 Tarrant Regional Water District (CD 6) 5699 and 6001 Columbus Trail (Abner H Hodge Survey, Abstract 1789 and John W Asbury Survey, Abstract 52, 7.43 Acres): from “C” Medium Density Multifamily, “E” Neighborhood Commercial and “G” Intensive Commercial to “PD/SU” Planned Development/Specific Use for a 325 ft. communications tower and equipment for water transmission line; site plan included**

Jim Schell, 500 W. 7<sup>th</sup> Street, Suite 600, Fort Worth, Texas representing Tarrant Regional Water District explained to the Commissioners the request for “PD/SU” for a communications tower not to exceed 325 ft. and associated structures to include a raw water pipeline monitoring facility, about 45 ft. deep, which would include monitors, valves, pumps and other facilities for their SCADA system. SCADA is the acronym for Supervisory Control and Data Acquisitions. Mr. Schell said allowing this tower will allow for the construction of an integrated pipeline project known as the IPL which will pull large amounts of water from Richland Chambers and Cedar Creek a backup for this area. The existing pipelines do not have the capacity to meet the increasing demand for this area of growth. It will increase the pumping capacity from 350