



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
June 14th, 2016

**Council District** 3

**Zoning Commission Recommendation:**  
Denied by a vote of 9-0

**Opposition:** Several persons spoke, Petition, numerous correspondence

**Support:** One letter submitted

Continued Yes \_\_\_ No X  
Case Manager Stephen Murray  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** FW Waterside Land, LLC

**Site Location:** 4000 block Bryant Irvin Road Mapsco: 88D

**Proposed Use:** New auto sales dealership and associated uses

**Request:** From: PD 999 "PD/G" Planned Development for all uses in "G" Intensive Commercial plus brewpub, a maximum height of five stories, excluding massage parlors, tattoo parlors and auto uses; site plan approved.

To: Amend PD 999 "PD/G" Planned Development to add new auto sales dealership and associated uses; site plan included

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

**Comprehensive Plan Consistency:** Requested change is consistent

**Background:**

The proposed site is located on Bryant Irvin Road south of the newly constructed Arborlawn Dr. The applicant is request a zoning change from various zoning categories to Amend PD 999 "PD/G" Planned Development for all uses in "G" Intensive Commercial plus brewpub, a maximum height of five stories, excluding massage parlors, tattoo parlors and auto uses to allow a new auto sales dealership and associated uses that will include a parking garage, repair bays, and car wash; site plan included.

The previous PD prohibited automotive uses that includes all sales, repair, oil changes, tires, etc. The applicant is requesting to allow the use of a new auto dealership for this tract. The applicant intends to construct a 64,000 sf dealership with sales and office, a 44,000 sf shop, and a 2,350 sf car wash. The site plan provides that the delivery truck will service the dealership in the rear of the property with no activity occurring on Bryant Irvin. Minimal nighttime lighting will be provided on the property in order to minimize the effects on the nearby residential properties. Since the property is located on an oxbow that feeds directly into the Trinity River a short distance away, further studies will have to be done to accommodate any drainage requirements.

PD 999 includes the Waterside Development between Bryant Irvin and the Trinity River. The site was formerly part of the Lockheed Recreational Facility. A mix of uses with multifamily, retail, restaurant and office are planned within the overall development. A shopping center developed by Trademark with

Whole Foods as the anchor has been constructed along Bryant Irvin Rd., while multi family, small restaurants and retail, and a possible hotel are planned or under construction near the river.

There is a gas well site adjacent the site to the north. Structures are prohibited within 250 ft. from gas wells. The applicant has worked through the details of the location of the structure.

Numerous letters and a petition was received in opposition of the proposed zoning.

**Site Information:**

Owner: FW Waterside Land, LLC  
 1701 River Run, Ste 300  
 Fort Worth, TX 76107  
 Agent: **Baillargeon Realty, Inc./Sloan Harris**  
 Acreage: 4.3 ac.  
 Comprehensive Plan Sector: TCU/Westcliff

**Surrounding Zoning and Land Uses:**

North "E" Neighborhood Commercial / gas well  
 East "A-5" One-Family / single-family  
 South "F" General Commercial / retail, gas station  
 West PD 999 "PD/MU-2" Planned Development for all uses in "MU-2" High Intensity Mixed-Use plus brewpub, excluding certain uses, site plan approved / vacant

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-13-143; PD 999 "PD/G" Planned Development for all uses in "G" Intensive Commercial plus brewpub, a maximum height of five stories, excluding massage parlors, tattoo parlors and auto uses; site plan approved. Effective 3/11/14 (subject site).  
Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Bryant Irvin Road	Principal Arterial	Principal Arterial	No
Bellaire Dr	Collector	Collector	No

**Public Notification:**

The following Organizations were notified:

Organizations Notified	
Riverhills HOA	Streams And Valleys Inc.
Trinity Habitat for Humanity	FWISD

*\*Site not located within the confines of a registered Neighborhood Association; Riverhills HOA is located across the street*

**Site Plan Comments:**

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. The deficiencies are:

1. Signs are prohibited within easements. They must be moved or gain permission from the easement holder before permitting.

Compliance with the items noted above shall be reflected on the site plan.

**TPW Comments:**

1. Median openings will be reviewed by TPW at construction plans submittal. Median openings must be coordinated with surrounding developments. The location of Zone 1A is downhill from the existing signalized intersection of Arborlawn and Bryant Irvin Road. The traffic volumes, traffic speed, and sight visibility at this location do not lend

- themselves for a median break at this location. The proposed use as an auto dealership and automobile repair shop have high trip generation for right-in/right-out access.
2. Submit a Traffic Impact Study (TIS) for TPW approval. Include bicycle and pedestrian movements in accordance with the street design guidelines as the proposed development is located adjacent to a school site. The traffic volumes and sight visibility issues will require further analysis from TPW.
  3. Intersections sight distances must be adequate. Horizontal geometry, vertical geometry, and intersection angles must provide adequate sight distance. The location of the project and the proposed driveway locations are downhill from the Arborlawn intersection. A sight visibility analysis will need to be included in the traffic study.
  4. Sidewalks and street lights are required for all public and private streets and public access easements as per City of Fort Worth Standards.

**Platting Comments:** NA

**Fire Comments:** NA

***(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Parks and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)***

***Development Impact Analysis:***

**1. Land Use Compatibility**

The applicant is proposing a zoning change to Amend PD 999 "PD/G" Planned Development for all uses in "G" Intensive Commercial plus brewpub, a maximum height of five stories, excluding massage parlors, tattoo parlors and auto use to allow a new auto sales dealership. The surrounding land uses vary with a gas well to the north, single-family to the east, a gas station and retail to the south, and vacant land to the west.

Several automotive uses are located south of I-20 several miles away along Bryant Irvin Rd. Intensive Commercial uses, including automotive uses are appropriate along major arterials. The proposed zoning change **is compatible** with surrounding land uses.

**2. Comprehensive Plan Consistency**

The 2016 Comprehensive Plan designates the subject property as General Commercial. The zoning change request for auto sales **is consistent** with the Comprehensive Plan.

The policies below apply to this development.

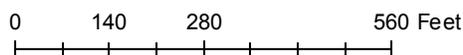
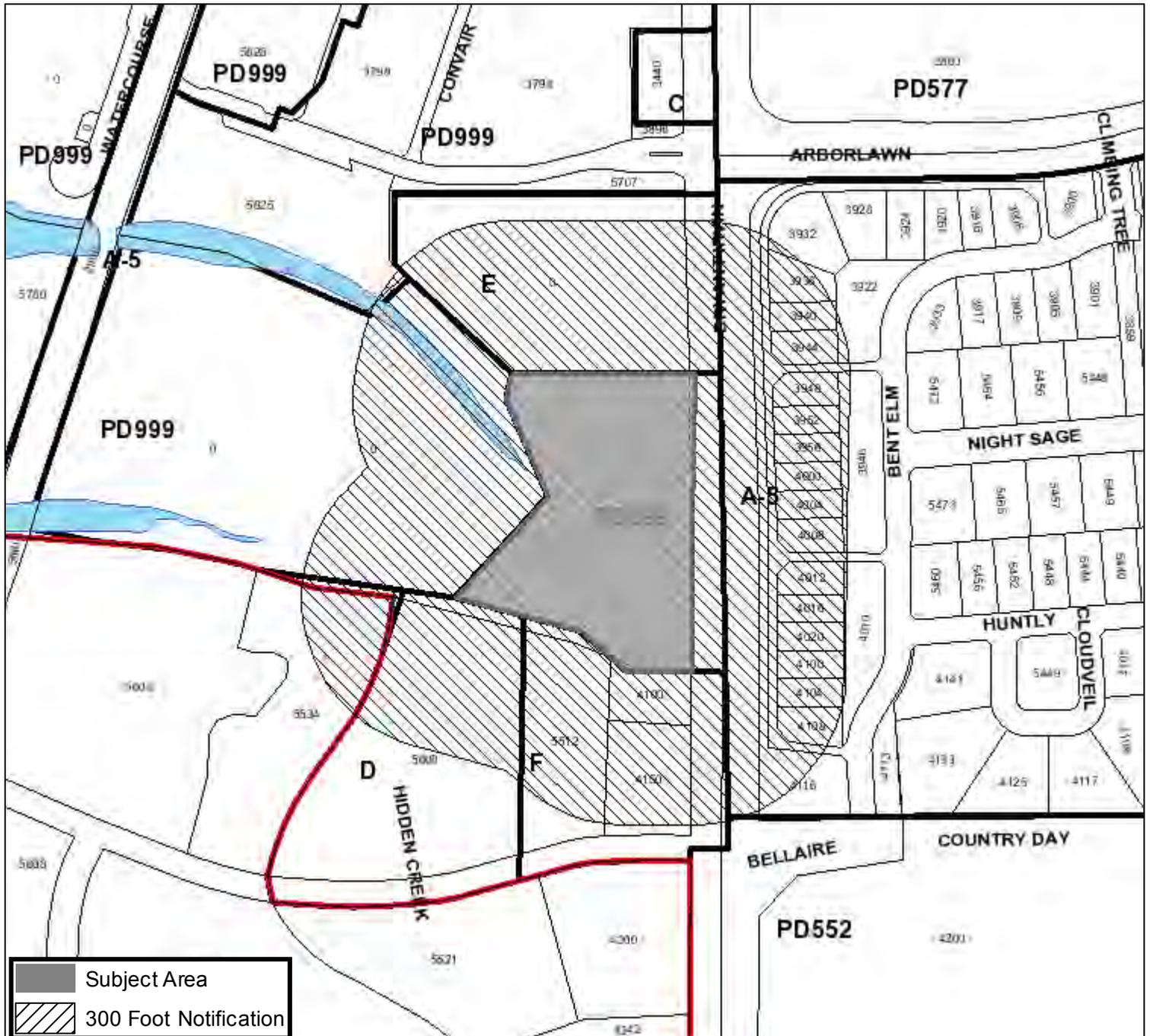
- Encourage appropriate development and redevelopment within the central city commercial districts and neighborhoods. (pg. 39)
- Encourage new development adjacent and connected to previously developed or platted areas in order to utilize existing utility and road infrastructure and services, thereby optimizing public and private investments and discouraging sprawl development (pg. 39)
- Locate large commercial and institutional uses adjacent to arterial streets, preferably at the intersections of other arterials and highways (pg. 40)

***Attachments:***

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

### Area Zoning Map

Applicant: FW Waterside Land, LLC  
 Address: 4000 block Bryant Irvin Road  
 Zoning From: PD 999  
 Zoning To: Amend PD 999 to add new auto sales dealership and associated uses  
 Acres: 4.35361827  
 Mapsco: 88D  
 Sector/District: TCU/W.cliff  
 Commission Date: 5/11/2016  
 Contact: 817-392-2495



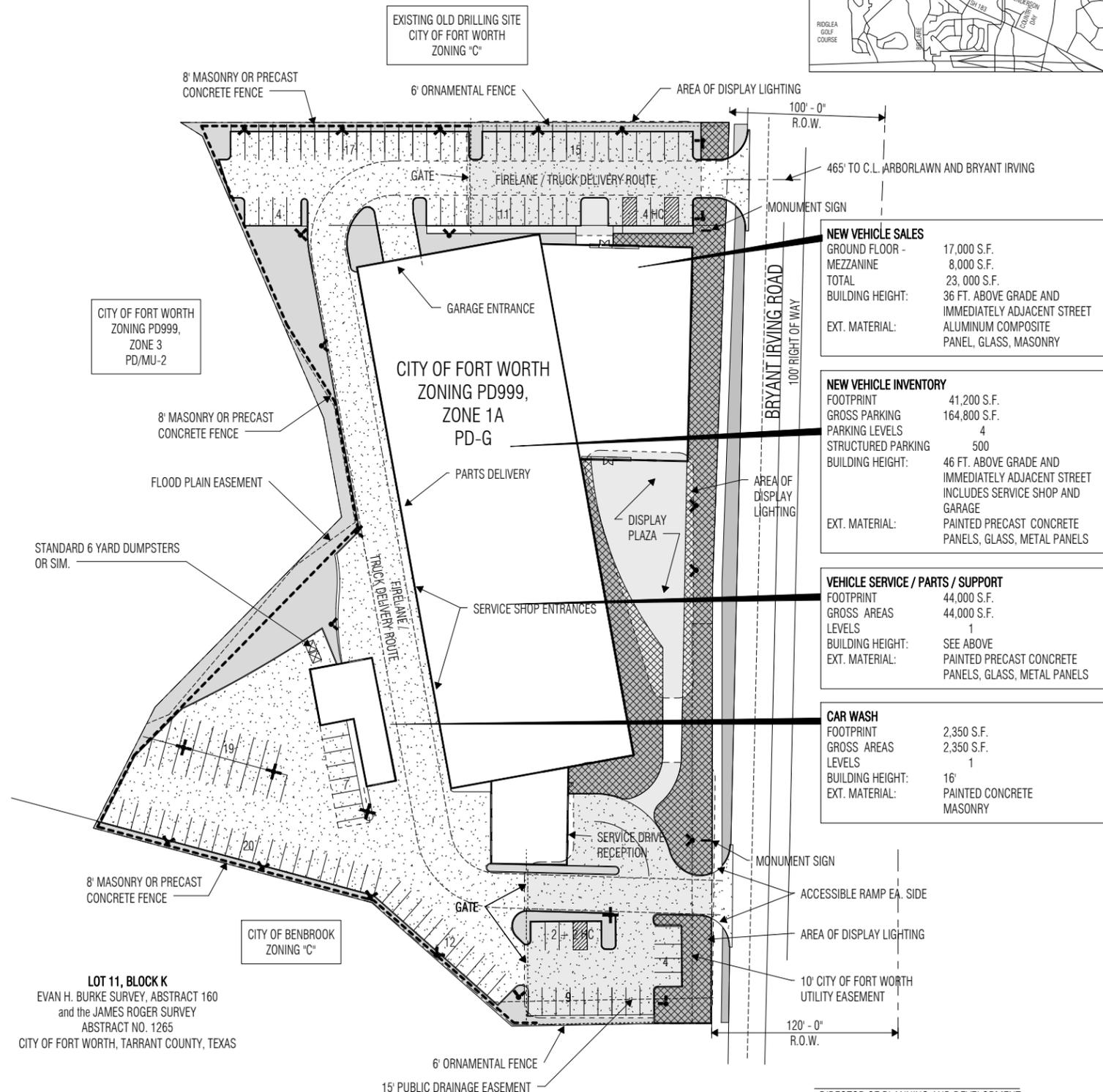
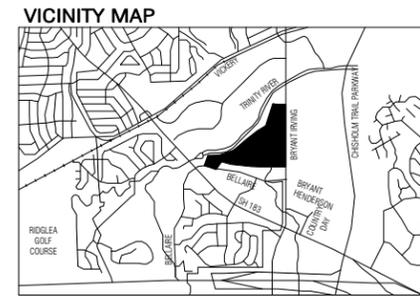
PARKING TABULATION			
RETAIL	4/1000	X 17,000	68
OFFICE	2.5/1000	X 8,000	20
SERVICE	2/1000	X 30,000	60
PARTS WAREHOUSE	1/1000	X 14,000	14
TOTAL REQUIRED			152 (INCL. 6 H.C.)
PLANNED SURFACE PARKING			126
PLANNED STRUCTURED PARKING			500
TOTAL PLANNED PARKING			626 (INCL. 6 H.C.)

LANDSCAPING		
GROSS SITE	3.9305 ACRES	171,212 S.F.
NET SITE		107,814 S.F.
LANDSCAPE REQUIRED @10% NET SITE		10,781 S.F.
FRONT YARD LANDSCAPE @ 75% OF TOTAL		8,086 S.F.
PLANNED LANDSCAPE AREA		16,102 S.F.
PLANNED LANDSCAPE AREA IN 20' ALONG PROPERTY FRONTAGE		11,640 S.F.
TREE COVERAGE		
PARKING AREA		68,360 S.F.
REQUIRED TREE COVERAGE @40%		27,344 S.F.
APPROXIMATE TREE COVERAGE FROM EXISTING TREES TO REMAIN (TO BE CONFIRMED BY SURVEY) 20'@2,000 S.F.=		40,000 S.F.
PLANNED NEW TREE PLANTING		AS REQUIRED

SITE LIGHTING	
1. DISPLAY LIGHTING (AREAS INDICATED ON PLAN):	25-30 fc DUSK TO 11 P.M. 7 fc 11 PM TO DAWN
2. REMAINING SITE - 5 fc OVERNIGHT	
3. ALL SITE LIGHTING TO BE LED, 30' POLES	
4. LIGHT SPILL ON ADJACENT PROPERTY NOT TO EXCEED .5 fc	
5. BUILDING SHOWROOM AND OFFICES DURING BUSINESS HOURS, INTERIOR ACCENT LIGHTING AFTER HOURS	
6. NO BUILDING MOUNTED SITE LIGHTING	

LEGEND	
	30' POLE WITH DUAL HEAD LED FIXTURES EXCEPT AS SHOWN
	6' ORNAMENTAL FENCE
	8' MASONRY OR PRECAST CONCRETE FENCE
	PERMEABLE AREA, NOT COUNTED AS LANDSCAPED
	LANDSCAPED AREA
	SITE PAVING
	AREA OF DISPLAY LIGHTING

STIPULATIONS	
1.	THE SITE PLAN WILL CONFORM TO SECTION 6.301 LANDSCAPING.
2.	THE SITE PLAN WILL CONFORM TO SECTION 6.302 URBAN FORESTRY.
3.	THE SITE PLAN WILL CONFORM TO ARTICLE 4, SIGNS.



NEW VEHICLE SALES	
GROUND FLOOR SALES	17,000 S.F.
MEZZANINE	8,000 S.F.
TOTAL	23,000 S.F.
BUILDING HEIGHT:	36 FT. ABOVE GRADE AND IMMEDIATELY ADJACENT STREET
EXT. MATERIAL:	ALUMINUM COMPOSITE PANEL, GLASS, MASONRY

NEW VEHICLE INVENTORY	
FOOTPRINT	41,200 S.F.
GROSS PARKING	164,800 S.F.
PARKING LEVELS	4
STRUCTURED PARKING	500
BUILDING HEIGHT:	46 FT. ABOVE GRADE AND IMMEDIATELY ADJACENT STREET INCLUDES SERVICE SHOP AND GARAGE
EXT. MATERIAL:	PAINTED PRECAST CONCRETE PANELS, GLASS, METAL PANELS

VEHICLE SERVICE / PARTS / SUPPORT	
FOOTPRINT	44,000 S.F.
GROSS AREAS	44,000 S.F.
LEVELS	1
BUILDING HEIGHT:	SEE ABOVE
EXT. MATERIAL:	PAINTED PRECAST CONCRETE PANELS, GLASS, METAL PANELS

CAR WASH	
FOOTPRINT	2,350 S.F.
GROSS AREAS	2,350 S.F.
LEVELS	1
BUILDING HEIGHT:	16'
EXT. MATERIAL:	PAINTED CONCRETE MASONRY

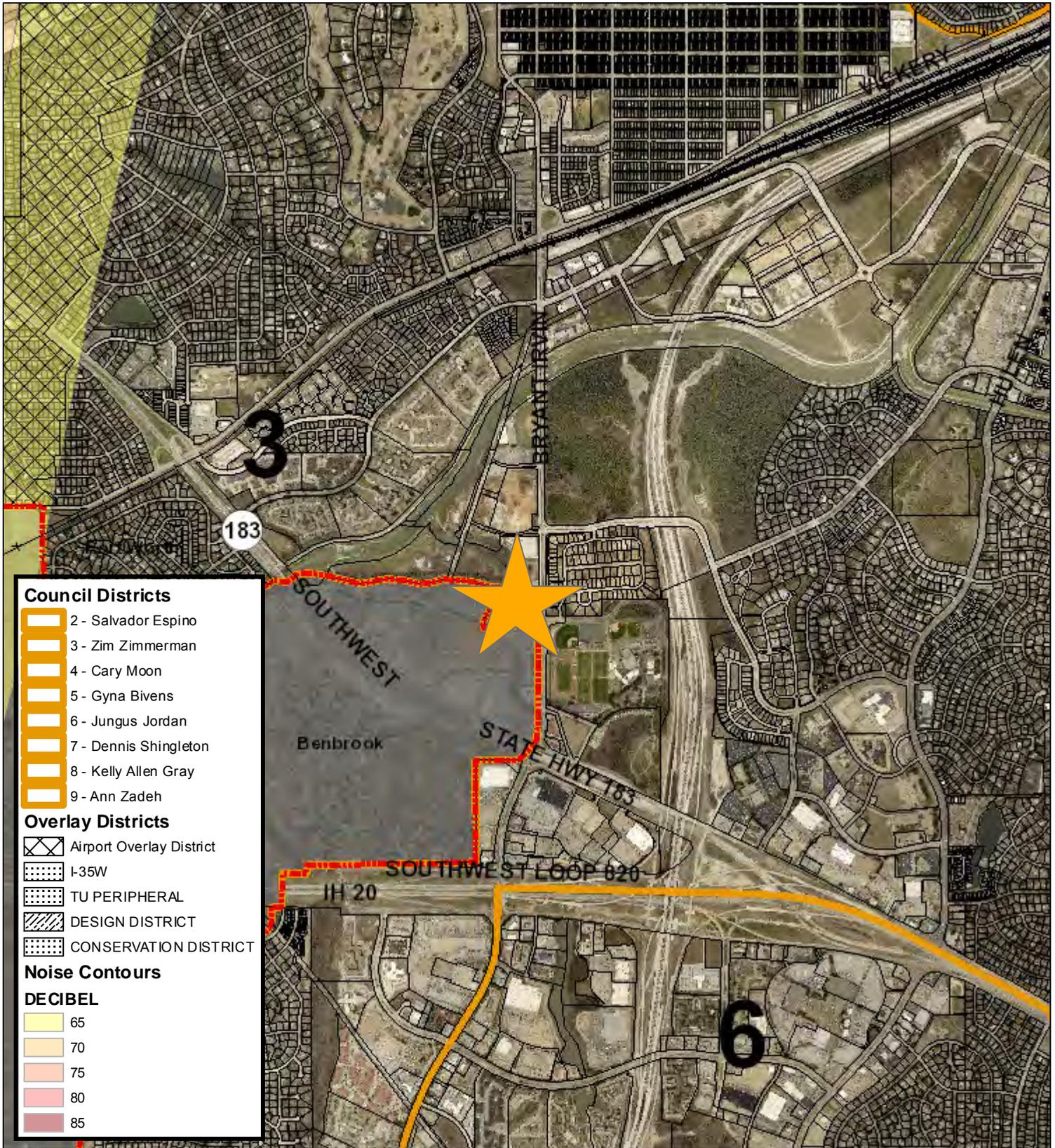
**LOT 11, BLOCK K**  
 EVAN H. BURKE SURVEY, ABSTRACT 160  
 and the JAMES ROGER SURVEY  
 ABSTRACT NO. 1265  
 CITY OF FORT WORTH, TARRANT COUNTY, TEXAS

**SITE PLAN**  
 SCALE: 1" = 50'-0"

DIRECTOR OF PLANNING AND DEVELOPMENT  
 DATE

APRIL 28, 2016

### Area Map



**Council Districts**

-  2 - Salvador Espino
-  3 - Zim Zimmerman
-  4 - Cary Moon
-  5 - Gyna Bivens
-  6 - Jungus Jordan
-  7 - Dennis Shingleton
-  8 - Kelly Allen Gray
-  9 - Ann Zadeh

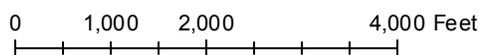
**Overlay Districts**

-  Airport Overlay District
-  I-35W
-  TU PERIPHERAL
-  DESIGN DISTRICT
-  CONSERVATION DISTRICT

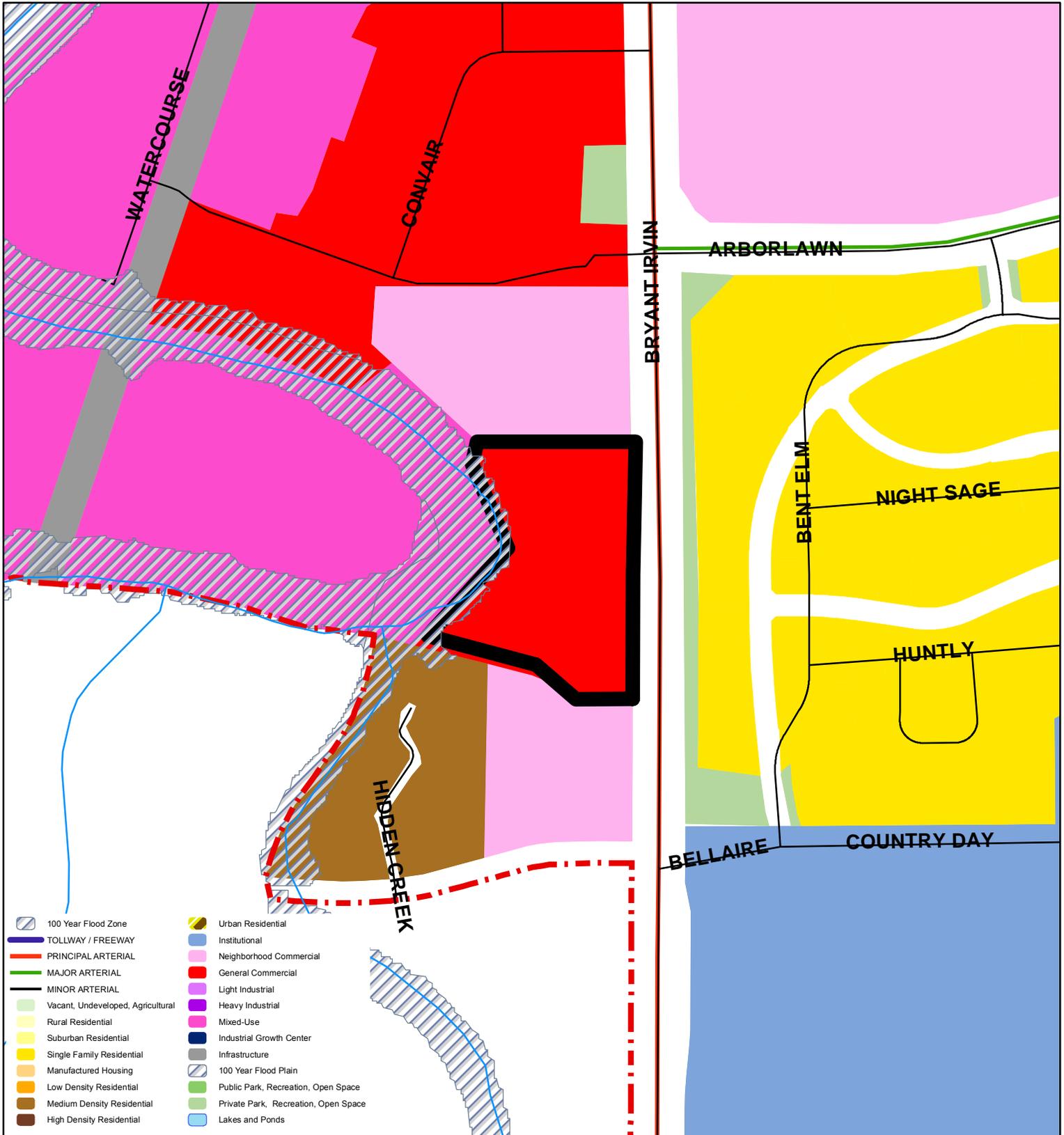
**Noise Contours**

**DECIBEL**

-  65
-  70
-  75
-  80
-  85



## Future Land Use



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 29, 2016.



## Aerial Photo Map



0 175 350 700 Feet



Reeder Ratliff	7289 S. Hulen	In	Opposition		Sent letter in
Henry Berry	7213 Fuller Cir	In	Opposition to his property being zoned		Sent letter in

**19. ZC-16-103 FW Waterside Land LLC (CD 3) – 4000 block Bryant Irvin Road (Evan H Burke Survey, Abstract No. 160, 4.36 Acres): from PD 999 “PD/G” Planned Development for all uses in “G” Intensive Commercial plus brewpub, a maximum height of five stories, excluding massage parlors, tattoo parlors and auto uses; site plan approved to Amend PD 999 “PD/G” Planned Development to add new auto sales dealership and associated uses; site plan included**

Edward Manuel, 3713 Monticello Drive, Fort Worth, Texas representing FW Waterside Land LLC explained to the Commissioners the Waterside Development. He presented a site plan of how the parcels are currently laid out. Mr. Manuel mentioned they are requesting to add into the PD language a new auto dealership use.

Robert Ballargeon, 116 University Drive, Fort Worth, Texas spoke in support and gave a brief history on his family. He explained they have an Audi brand high end car dealership in Fort Worth and would like to relocate to expand their business. Mr. Ballargeon said they did meet with the neighborhood and he brought someone that lived next door to their dealership to speak.

Sloan Harris, 2821 W. 7<sup>th</sup> Street Suite 300, Fort Worth, Texas and a representative of the applicant spoke in support.

Mr. Flores asked about the car wash operation. Mr. Harris said the car wash is fully automatic, with centralized vacuum stalls located behind the main building and surrounded by an architectural wall/ornamental fence with automatic gates, screening the entry into the service area. They are proposing a closed structured parking garage for the auto inventory.

Mr. Edmonds asked about the parking garage, service bays, noise and lighting. Mr. Harris said everything is enclosed within a building. The lighting consists of pole lights and will change the lighting foot candles at 7 pm and again at 11 pm. Hours of operation are 8:30 to 7 pm, closed on Sundays.

Mr. Cockrell asked how the cars will arrive. Mr. Harris said the tractor trailers will offload the vehicles behind the dealership approximately three to five times a week. The parking behind the building consists of some vehicle inventory and employee parking.

Mr. Northern asked about the heights of the building. Mr. Harris said the front part of the building showroom area is two story and the back part is two story with offices. The service garage is four levels of parking, 46 ft. in height at grade. The service building will be equal to the height of the showroom. Images were displayed of what the dealership could look like.

Ms. Dunn asked about the surrounding land uses for clarity.

Mr. Flores asked about the size of the inventory new vs used. Mr. Ballargeon said they keep about a 45 day supply, 2 new cars for every 1 used car received.

Marty McCutchen spoke in opposition, mentioned a petition submitted and asked those in opposition to stand. Several people present from the neighborhood.

Herman Kao spoke in opposition and mentioned the uses taken out when this was originally zoned.

Whitney Brown spoke in opposition. Ms. Brown talked about the Waterside website showed and what Riverhills would envision for their neighborhood.

Ben Tiblets spoke in opposition. Mr. Tiblets talked about the site plan, other auto dealerships and the Comprehensive Plan.

Coye Morgenweck spoke in opposition. A handout was provided to the Commissioners about Waterside and the uses that were represented. Ms. Morgenweck talked about the land uses proposed, access to the river and site lighting.

Melissa Lindelow representing the Riverhills HOA spoke in opposition. Ms. Lindelow mentioned the uses excluded from the PD language, the site plan, staff report and the Comprehensive Plan.

Ms. Burghdoff confirmed the site plan that was originally submitted and that any changes come back before the Zoning Commission for review with changes to the site plan.

Marty McCutchen mentioned five other people who were present in opposition, they had to leave.

In rebuttal Mr. Manuel let the audience know he wanted to be a good neighbor. They did reach out to the Riverhills neighborhood as well as Cassco about 20-30 days ago. Mr. Manuel touched on the various issues raised by the opposition related to uses, the river and connectivity.

Mr. Ballargeon touched on the setback, height, lighting and Urban Forestry questions raised by the opposition.

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

<i>Document received for written correspondence</i>					ZC-16-103
Name	Address	In/Out 300 notification area	Position on case		Summary
Robert Ballargeon	116 University	Out		Support	Spoke at hearing
Sloan Harris	2821 W. 7 <sup>th</sup> Street	Out		Support	Spoke at hearing
Marty McCutchen	5452 Huntly Dr	Out	Opposition		Spoke at hearing

Herman Kao	5465 Night Sage Ln	Out	Opposition		Spoke at hearing
Whitney Brown	4200 S Hulen	Out	Opposition		Spoke at hearing
Ben Tiblets	3901 Bent Elm	Out	Opposition		Spoke at hearing
Coye Morgenweck	3944 Bent Elm	In	Opposition		Spoke at hearing
Melissa Lindelow	500 Main St.	Out	Opposition		Spoke at hearing
Kelly Kipperman	NA		Opposition		Had to leave
Ashley Morning	NA		Opposition		Had to leave
Lee Thomas	NA		Opposition		Had to leave
Dave Peters	NA		Opposition		Had to leave
Aaron Silva	NA		Opposition		Had to leave
More than 64 letters in opposition and a petition was submitted and can be found in the case file.					

**20. ZC-16-104 City of Fort Worth Planning & Development (CD All) – Text Amendment: School Parking Requirement; An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 21653, as amended, codified as Appendix “A” of the Code of The City of Fort Worth, amending Article 2 “Off Street Parking and Loading”, of Chapter 6, “Development Standards,” Section 6.201 “Off Street Parking Requirements” to:**

- **Amend the ratio of parking spaces required for public and private elementary, middle, and high schools**

To review the proposed amendments: <http://fortworthtexas.gov/zoning/cases/>

Ms. Murphy explained the text amendment.

Motion: Following brief discussion, Mr. Cockrell recommended Approval of the request, seconded by Ms. Conlin. The motion carried unanimously 9-0. Mr. Flores and Ms. McDougal were concerned about the low numbers.

<i>Document received for written correspondence</i>					ZC-16-104
Name	Address	In/Out 300 notification area	Position on case		Summary
Art Cavazos/FWISD	NA	Out		Support	Sent letter in

**21. ZC-16-106 City of Fort Worth Planning & Development (CD All) – Text Amendment: Downtown Urban Design District Overlay; An Ordinance amending the Zoning Ordinance**