



Case Number **ZC-16-099**

**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
June 28, 2016

Council District 2

Zoning Commission Recommendation:

Approval as Amended for four units on one lot by a vote of 5-4

Opposition: None submitted

Support: Northside NA letter submitted for 3 units

Continued	Yes <u>X</u>	No <u> </u>
Case Manager	<u>Lynn Jordan</u>	
Surplus	Yes <u> </u>	No <u>X</u>
Council Initiated	Yes <u> </u>	No <u>X</u>

Owner / Applicant: 25th and Ross Manifest Abundance LLC

Site Location: 504 NW 25th Street Mapsco: 62F

Proposed Use: Four residential units on one lot

Request: From: "A-5" One-Family

To: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus four residential units on one lot; site plan included

Land Use Compatibility: Requested change is not compatible.

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

Background:

The proposed site is located on the northwest corner of Ross and NW 25th St. The owner is requesting a zoning change from "A-5" One-Family to "PD/A-5" Planned Development for all uses in "A-5 one-Family plus the continued use of four residential units on one lot.

The property was zoned "F" General Commercial until 2011 when it was rezoned through a Council Initiated zoning change to A-5. The current property owner recently purchased the property in October 2015.

The "F" zoning was cumulative for commercial and residential up until the mid 1980's. At some point the buildings had been converted to six residential units, and while multifamily was permitted in F, the number of units exceeded the allowed density and parking was not provided. Staff was not able to find any record of the six units and could not consider the property legal nonconforming. Water records also indicated only two units.

One of the units is under a Building Standards Commission order for repair after a fire and five units have received sub-standard status by Code Compliance. The fifth structure was removed due to the fire damage. The rezoning is necessary for the issuance of a permit for the repairs. If the zoning for the multifamily use is not granted, the property owner will have to remove all but one primary one-family residential structure to meet the A-5 regulations. Other structures could be converted to accessory

buildings if the kitchens are removed, they are not used for separate rentals, and any remaining units do not exceed 50% lot coverage.

The applicant submitted a revised site plan to reflect four residential units on one lot, with plans to convert the two duplexes to single family structures with eight total parking spaces. The applicant met with the Northside neighborhood who provided a letter of support for three units and the removal of the garage apartment unit.

If the site plan is approved, the applicant will have to obtain a building permit for each duplex structure to remove the second kitchen component to convert to a single-family unit as well as permits to repair damage to other structures.

The case was continued from the June 21 council meeting upon request of the applicant.

Site Information:

Owner: 25th and Ross Manifest Abundance LLC
11660 Chenault St.
Los Angeles, CA 90049
Acreage: 0.322 ac
Comprehensive Plan Sector: Northside
Surrounding Zoning and Land Uses:
North "A-5" One-Family / single-family
East "A-5" One-Family / single-family
South "E" Neighborhood Commercial / commercial
West "A-5" One-Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-11-006 Council-initiated rezoning of various parcels to various zoning districts, approved by City Council 2/2011.

Platting History: None

Site Plan Comments:

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

1. The structure encroaches into the 20 ft. front yard setback. (**waiver required**)
2. The structure encroaches into the 5 ft. side yard setback. (**waiver required**)
3. Indicate on the site plan what type of gate is proposed. The gate previously proposed has been removed from the site plan.

Zoning Commission recommended waivers to items one and two noted above.

TPW Comments:

1. Dumpster Pickup - Dumpster pickup must be located internal to the site.
2. On-street Parking – On street parking may be permitted within city right-of-way with approval of design and location by TPW. On-street parking is not guaranteed nor can it be reserved for a specific site. TPW recommends that on-street parking provided not be counted towards minimum parking requirements because it is available for the public in general.
3. Sidewalks - 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:

No comments have been made at this time.

Fire Comments:

All portions of this site must meet all CFW Fire Code requirements.

Parks Comments:

No comments have been made at this time.

(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.)

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
NW 2 ^{5th} St	Collector	Collector	No
Ross Ave	Residential	Residential	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Northside NA*	Streams And Valleys Inc
Inter District 2 Alliance*	Trinity Habitat for Humanity
North Fort Worth Historical	Fort Worth ISD

*Located within this neighborhood association.

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "PD/A-5" Planned Development for all uses in "A-5" One-Family plus four residential units on one lot. Surrounding land uses are predominantly single-family with commercial to the south.

The proposed use **is not compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2016 Comprehensive Plan designates the subject property as Single-Family. The requested zoning change for four units is not consistent with the following Comprehensive Plan policies.

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)

Based on the lack of conformance with the future land use map and the policies stated above; the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

Attachments:

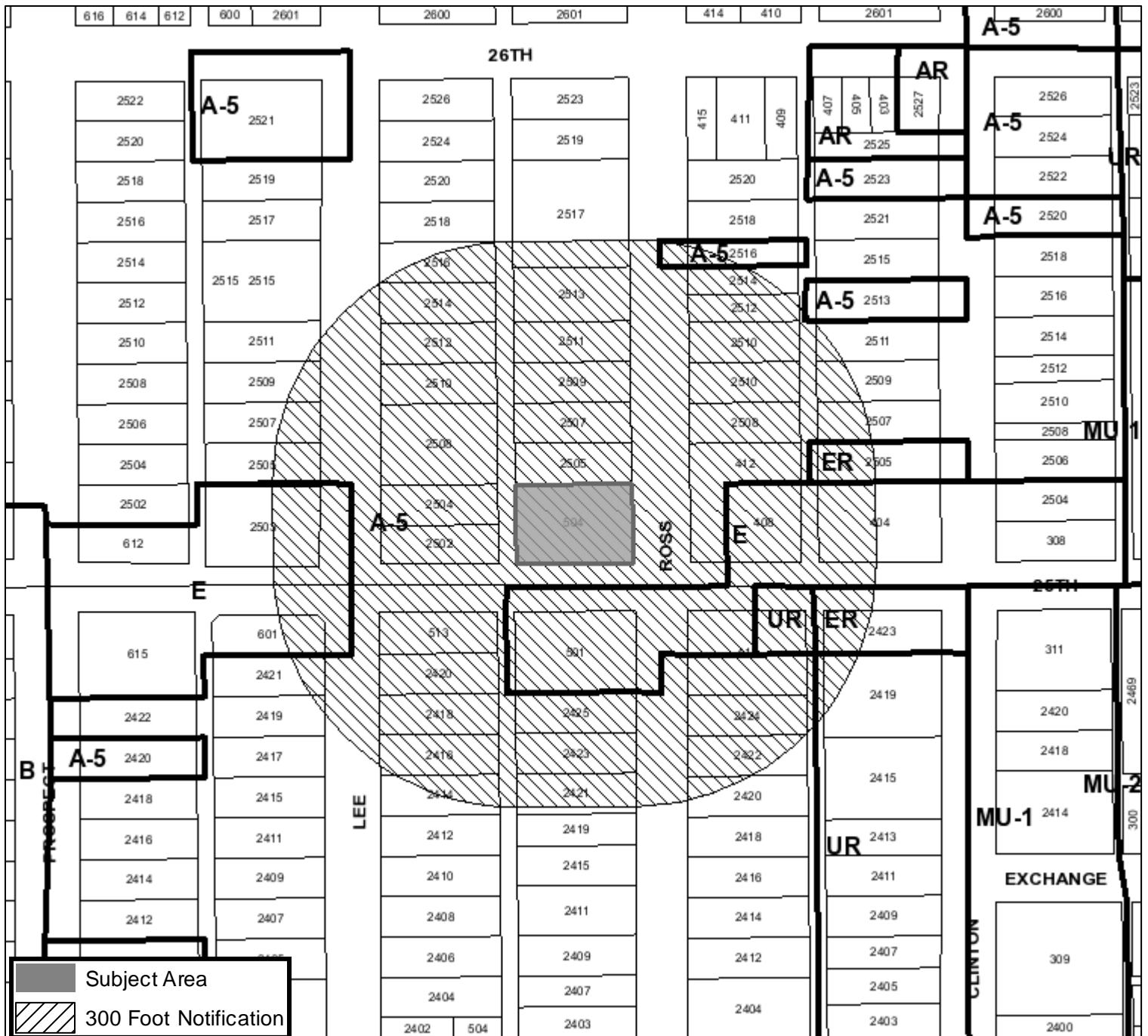
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Minutes from the Zoning Commission meeting



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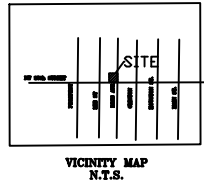
Area Zoning Map

Applicant: 25th & Ross Manifest Abundance, LLC
Address: 504 NW 25th Street
Zoning From: A-5
Zoning To: PD/A-5 for 6 residential units on one lot
Acres: 0.32223855
Mapsc0: 62F
Sector/District: Northside
Commission Date: 5/11/2016
Contact: 817-392-2495



0 87.5 175 350 Feet

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LOT 3
140.0'

6' WOOD FENCE
ALONG NORTH
PROPERTY LINE

20' ALLEY
CONCRETE PAVING

CONCRETE
PAVING

BLDG.
4
FRAME
450
SF
1-BEDROOM

CONCRETE
PAVING

BLDG.
3
FRAME
905
SF
2
BEDROOMS

BLDG.
2
FRAME
1470
SF
2
BEDROOMS

BLDG.
1
FRAME
1173
SF
3-BEDROOM

100.0'

10'X10'
CORNER CLIP

140.0'

10'X10'
CORNER CLIP

ROSS AVE.
50' R.O.W.

NOTES:

1. BUILDING NO. 1 SINGLE FAMILY 1173 SF
2. BUILDING NO. 2 SINGLE FAMILY 1470 SF
3. BUILDING NO. 3 SINGLE FAMILY 905 SF
4. BUILDING NO. 4 SINGLE FAMILY 450 SF
5. ALL BEDROOMS ARE AFTER REMODELING

AREA: 0.32 ACRES

PARKING:
8 SPACES

LEGEND:

FENCE _____

WAIVER FOR 5' BUFFER ALONG WEST
PROPERTY LINE.

WAIVER FOR BUILDING LINE SET BACK
ALONG
25th STREET & ROSS AVE.

ZONING REQUEST-A-5 W/SITE PLAN
25th & ROSS AVE.
LOTS 1& 2 BLOCK 25
M.G. ELLIS ADDITION TO CITY OF FORT
WORTH, TARRANT COUNTY, TEXAS

NW 25th STREET
50' R.O.W.

OWNER:

25th & ROSS MANIFEST ABUNDANCE
1850 9th ST.
SANTA MONICA CA 90404-4502
310-497-3495

DIR. PLANNING/DEVELOPMENT

CASE NO. ZC-16-099

DATE: JUNE 20, 2016

ERNEST HEDGCOTH ENGINEER & SURVEYOR

FIRM NO. F-626

5701-C MIDWAY ROAD
HALTOM CITY, TEXAS 76117

TEL: (817) 831-7711

FAX: (817) 831-6366

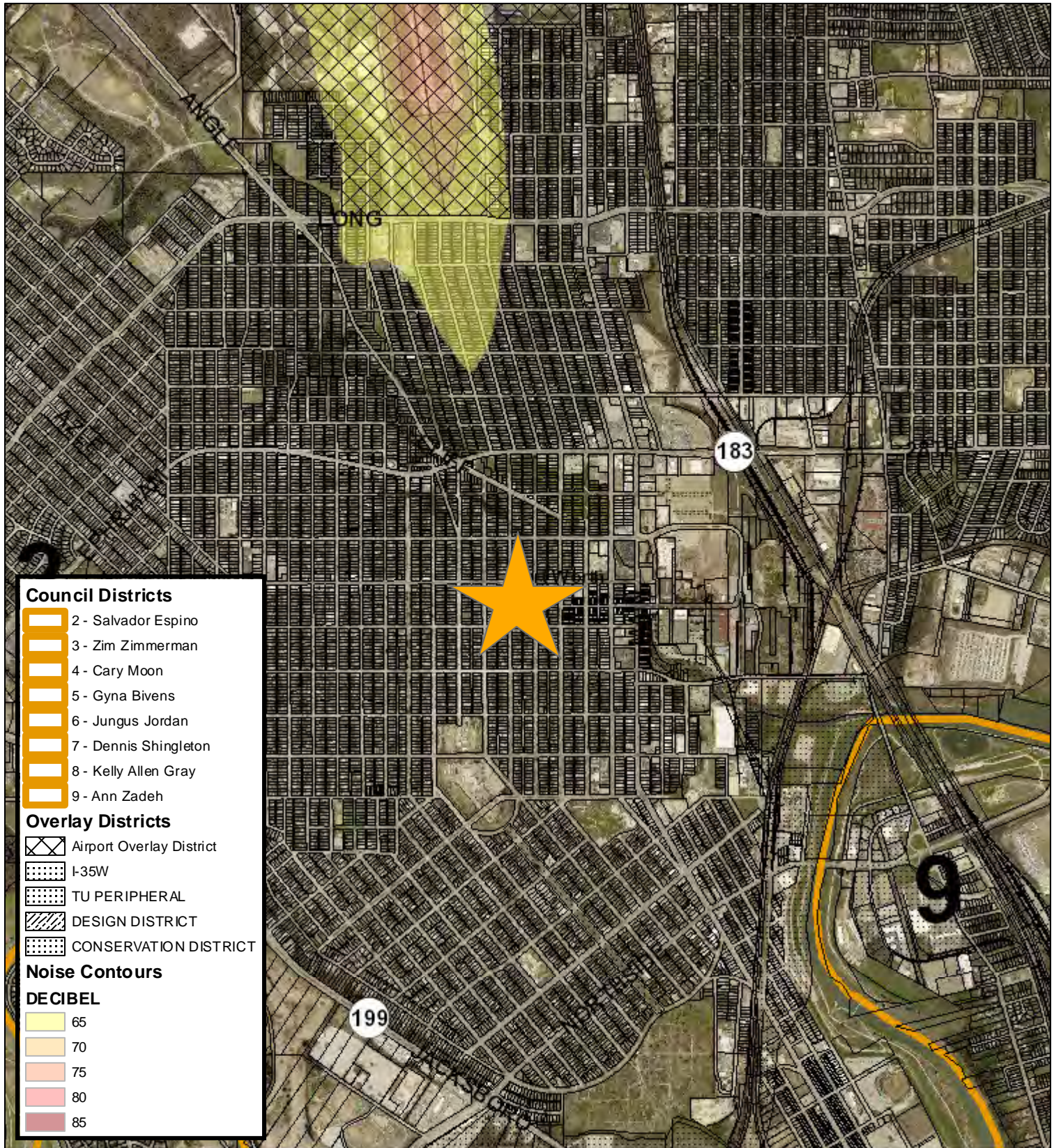
DATE: 06/27/16

JOB No. 2015-102



ZC-16-099

Area Map

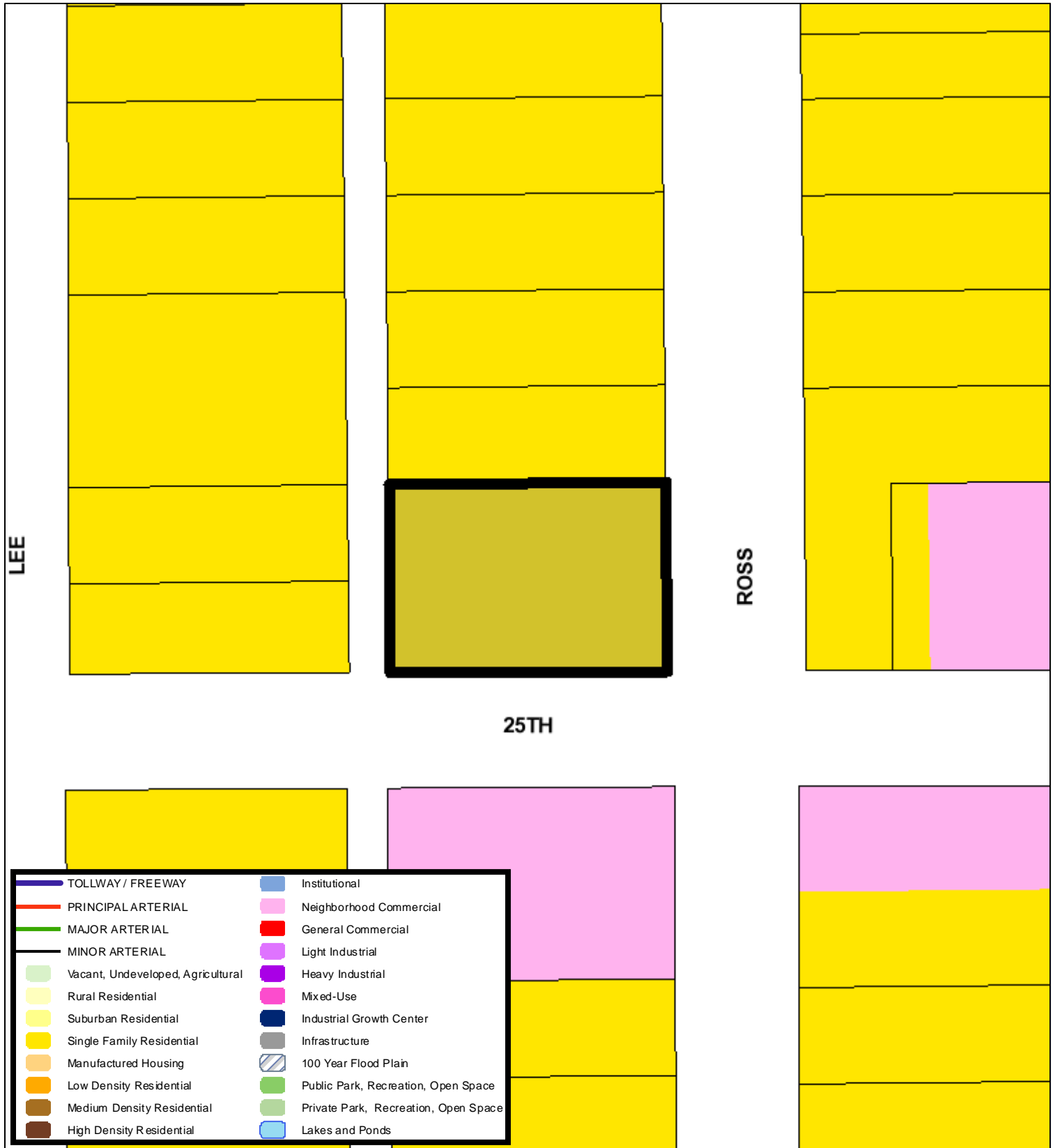


0 1,000 2,000 4,000 Feet



ZC-16-099

Future Land Use



70 35 0 70 Feet

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 29, 2016.



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Aerial Photo Map



0 40 80 160 Feet



Ms. McDougall asked if they could move the entrance to their business further away. Mr. Givens said no they would have to tear down some buildings.

Ms. Conlin made a comment that they are already heading east past the residential.

Motion: Following brief discussion, Ms. McDougall recommended a 30 day Continuance of the request, seconded by Ms. Dunn. The motion carried unanimously 9-0. Ms. McDougall wants the applicant to reach out to the neighborhood to the west and to the north to get letter of support and to reach out to TPW.

Document received for written correspondence					ZC-16-098
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Gregory McLane	4751 Holly Tree	Out		Support	Spoke at hearing
Austin Givens	4000 Tarrant Main	In		Support	Spoke at hearing

14. SP-16-002 FW Mason Heights LP (CD 8) – 3801 W. G. Daniels Drive (Mason Heights, Block 1, Lots 1 & 2, 7.88 Acres): from PD 916 Planned Development for “D” High Density Multifamily and amend development standards; site plan required to Provide required site plan for PD 916 multifamily development

Kimberly Cole, 500 W. 7th Street, Suite 300, Fort Worth, Texas representing Colombia Residential on behalf of FW Mason Heights explained to the Commissioners the multifamily development will consist of five three story buildings with 140 apartment units.

Ms. Conlin mentioned they need to know about the fencing materials and to verify the school will allow them access. Ms. Cole said they have been in contact with the school and want to see the pedestrian access and the material fencing will be wrought iron.

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

15. ZC-16-099 25th and Ross Manifest Abundance LLC (CD 2) – 504 NW 25th Street (M. G. Ellis Addition, Block 25, Lots 1 & 2, 0.32 Acres): from “A-5” One-Family to “PD/A-5” Planned Development for all uses in “A-5” One-Family plus six residential units on one lot; site plan included

John Corbin, 1020 Macon Street, Suite 12, Fort Worth, Texas representing 25th and Ross Manifest Abundance explained to the Commissioners there are four residential structures, two of them are duplexes and the other two are single-family. He mentioned over the last 60 days the owner of the property has obtained permits to make improvements to the two duplexes in order to meet City code standards. Mr. Corbin said if the zoning is approved the plan is to convert the

two duplexes to single-family housing. He stated he would be happy to meet with the Northside neighborhood association and asked that if it is continued to be less than 90 days.

Mr. Flores has specific questions to the site plan for the engineer related to the fifth structure, identify the duplex buildings, what is building 4, and are there 6 habitable structures. Mr. Flores asked staff if they had enough parking. Ms. Murphy said we did not have enough information to determine the number of spaces required. Based on the information proved they would need 12 parking spaces.

Ernest Hedgcoth, 5701 C Midway Road, Haltom City, Texas explained the fifth structure was torn down due to a fire. Buildings 1 and 2 are duplexes and building 4 is a garage apartment with the bottom part being used for storage the other buildings are single-family, a total of 6 habitable structures.

Mr. Edmonds mentioned it doesn't look like they have enough parking.

Mr. Flores asked if they could use the alley as an approach. Ms. Murphy said they would have to meet City standards to use the alley.

Mr. Corbin asked for clarification on whether he needs to change the duplexes to single-family or allow them. Ms. Murphy explained the zoning request is for the six residential units on one lot, if you are amending the request then it would be for four units on one lot. Mr. Corbin asked if they were required to meet with the neighborhoods. Mr. Flores said it's not a requirement but since the applicant did not reach out to them they can choose to support or deny the request. The neighborhood is keeping an open mind and would like to be approached.

Mr. Hedgcoth asked if the duplexes were converted to single-family what would the parking requirement be. Ms. Murphy said you would be required to have two spaces per unit, so a total of eight spaces.

Motion: Following brief discussion, Mr. Flores recommended a 30 day Continuance of the request, seconded by Ms. Runnels. The motion carried unanimously 9-0. Mr. Flores wants to see a revised site plan and the applicant to reach out to the neighborhood.

Document received for written correspondence					ZC-16-099
Name	Address	In/Out 300 notification area	Position on case		Summary
Tressa Hilburn/Northside NA	NA	Out	Opposition		Sent letter in