



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
June 21, 2016

Council District 8

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

Opposition: None submitted
Support: East Fort Worth Business Association

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

Owner / Applicant: Jose M. Gonzales

Site Location: 4115 & 4163 E. Rosedale Street Mapsco: 78M

Proposed Use: Warehouse and Outdoor Storage of Roofing Material

Request: From: "E" Neighborhood Commercial

To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus tile roofing business with warehouse and outdoor storage; 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 corner of Miller Ave. and E. Rosedale St. The applicant is requesting a zoning change from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus warehouse and outdoor storage; site plan included.

The applicant is currently using the site to store roofing materials outside and was cited by code for outdoor storage in a commercial area. Outdoor storage is considered industrial and is not appropriate in a predominantly residential and neighborhood commercial area.

At the Zoning Commission hearing, the applicant mentioned that piles of materials will be from 12 to 18 ft. high and 3 ft. from the fence line. Additionally, the applicant intends to store his fleet of trucks for the roofing business. There was discussion about the applicant's intent to serve as a home improvement store and provide building materials for the neighborhood while operating as a roofing supply and installation company.

Address	Date Certificate of Occupancy Issued	Certificate of Occupancy	Current Use
4115 E Rosedale	2013	Retail	Roofing material sales and storage
4163 E Rosedale	2015	Sales and Service/Convenience Store	Convenience store and roofing material sales and storage

Site Information:

Applicant: Jose Gonzales
 4115 E Rosedale
 Fort Worth, TX 76105

Acreage: 0.83 ac

Comprehensive Plan Sector: Southeast

Surrounding Zoning and Land Uses:

North "A-5" One-Family; "E" Neighborhood Commercial / office, storage
 East "E" Neighborhood Commercial / convenience store
 South "E" Neighborhood Commercial; "CF" Community Facilities / restaurant, church
 West "E" Neighborhood Commercial / feed store, storage

Recent Relevant Zoning and Platting History:

Zoning History: ZC-10-118, from "FR" General Commercial to "E" Neighborhood Commercial; effective 10/1/10 (4136 E Rosedale portion of property)

Platting History: none

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
E Rosedale St.	Minor Arterial	Minor Arterial	No
Miller Ave	Minor Arterial	Minor Arterial	No

Public Notification:

The following organizations were notified:

Organizations Notified	
West Meadowbrook NA (Stop 6/Poly Oversight*)	Trinity Habitat for Humanity
East Fort Worth Business Assn	Streams And Valleys Inc.
Southeast Fort Worth Inc.	East Fort Worth, Inc.
Eastside Sector Alliance	Fort Worth ISD

Not located within a registered Neighborhood Association. (Closest neighborhood organization*)

Site Plan Comments:

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

1. Identify existing pole structures and height

Compliance with the items noted above shall be reflected on the site plan or a waiver may be required.

TPW Comments:

1. Median openings will be reviewed by TPW at construction plans submittal. Median openings must be coordinated with surrounding developments. Median locations were established with the Rosedale Street improvement project.
2. Rosedale adjacent to the site is being reconstructed to a four-lane divided roadway from Miller to Stalcup. Construction began 4/5/16 and is scheduled to be completed in May of 2017. No pavement cuts for utility connections will be permitted for two years after acceptance of the improvements due to contractor warranty}.
3. Sidewalks and street lights are required for all public and private streets and public access easements as per City of Fort Worth Standards. Sidewalk standards require a five-foot minimum for streets.
4. Provide dimensions of the existing driveways on the site.
5. Driveway location must not interfere with intersection function. Driveways at the intersection of divided arterials are to be 110ft. from back of curb from the intersection of Miller and Rosedale

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 "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus warehouse and outdoor storage; site plan included. Surrounding land uses consist of offices and storage to the north, a convenience store to the east, a restaurant and church just south, and a feed store and storage immediately west.

Based on the encroachment of industrial storage into a commercial neighborhood and the expected increase of land use intensity, the proposed zone change **is not compatible** at this location.

2. Comprehensive Plan Consistency

The 2016 Comprehensive Plan designates the subject property as Single-Family and Neighborhood Commercial. The proposal is inconsistent with the Comprehensive Plan and the policies stated below:

- Encourage development type and intensity appropriate to existing or planned street infrastructure by coordinating future land use map changes with the Master Thoroughfare Plan and an adopted Complete Streets policy. (pg. 38)
- 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)

The requested zoning change **is not consistent (Significant Deviation)** with the Comprehensive Plan.

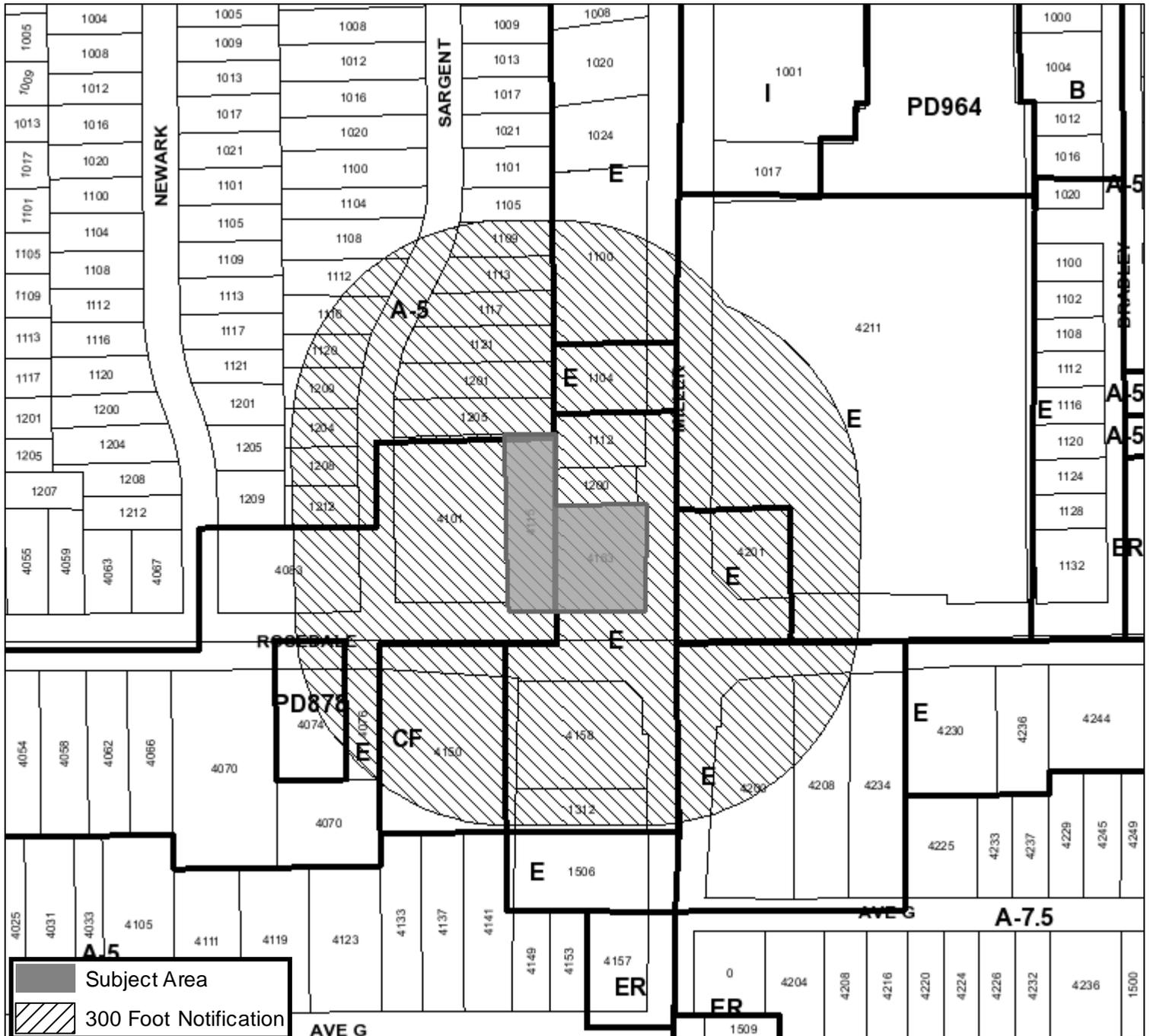
Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan

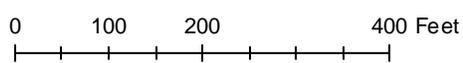


Area Zoning Map

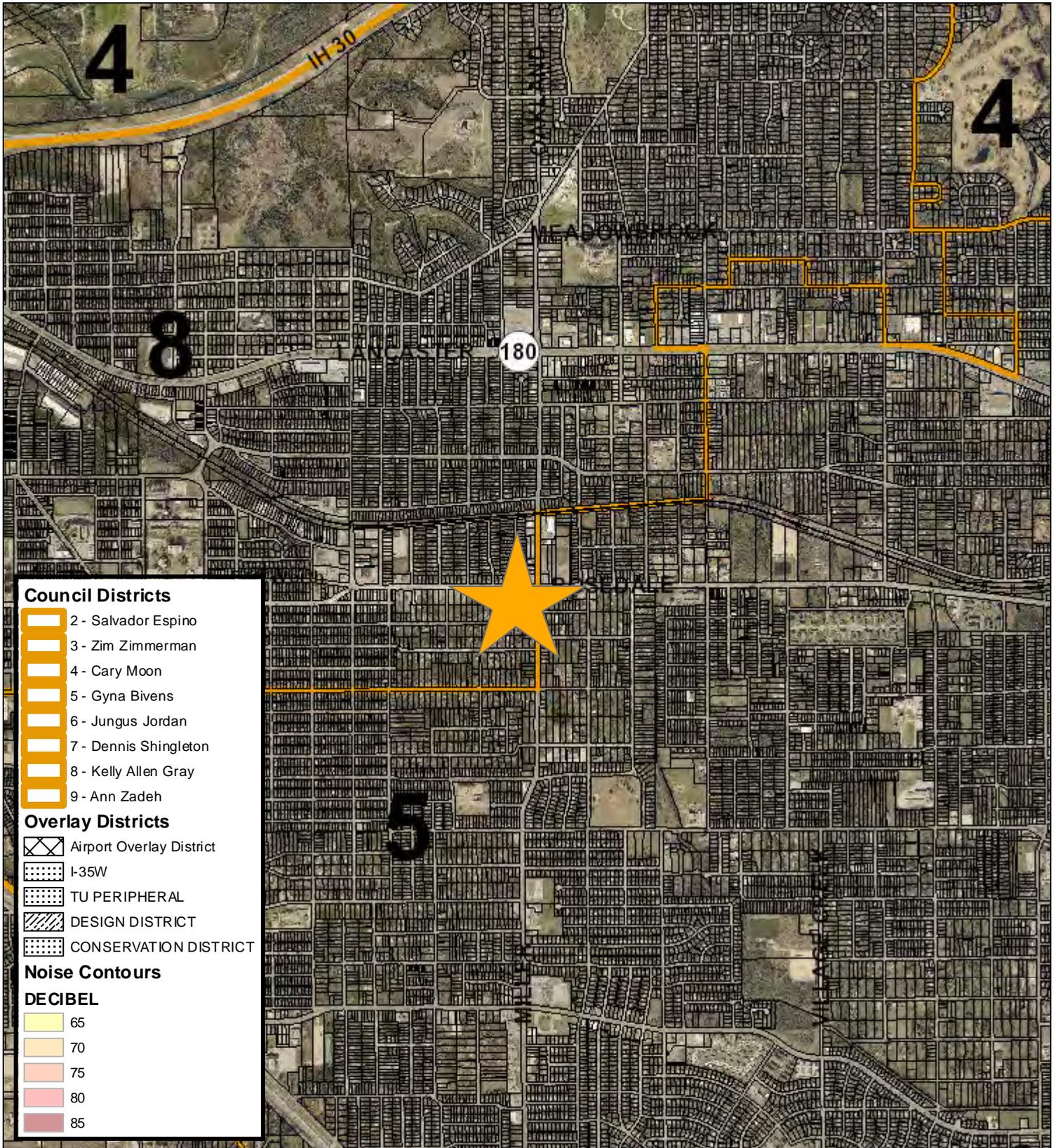
Applicant: Jose Gonzales
 Address: 4115 & 4163 E. Rosedale Street
 Zoning From: E
 Zoning To: PD for E uses plus tile roofing business with outdoor and warehouse storage
 Acres: 0.83199556
 Mapsco: 78M
 Sector/District: Southeast
 Commission Date: 6/8/2016
 Contact: 817-392-8043



Subject Area
 300 Foot Notification



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

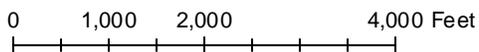
Overlay Districts

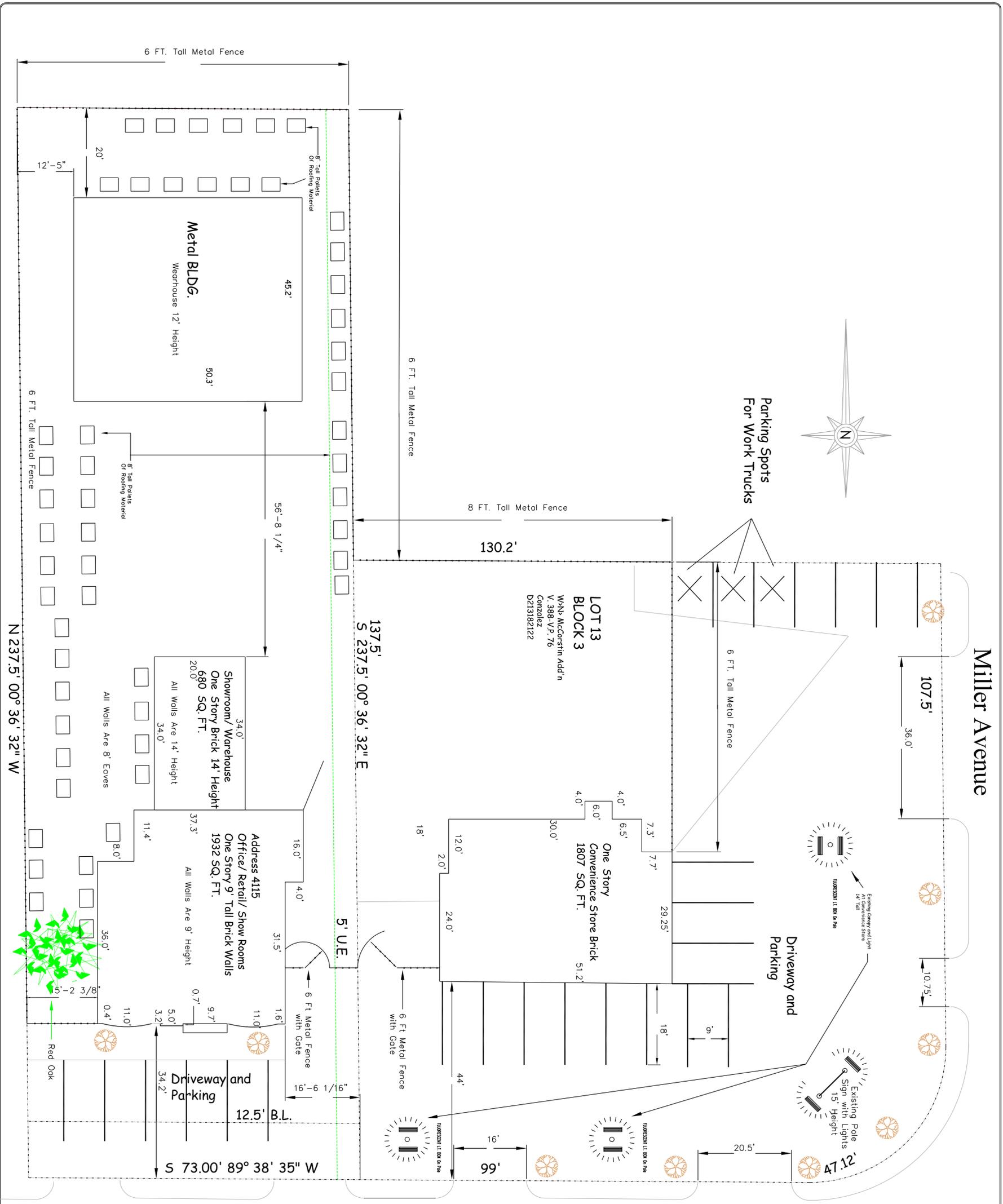
-  Airport Overlay District
-  I-35W
-  TU PERIPHERAL
-  DESIGN DISTRICT
-  CONSERVATION DISTRICT

Noise Contours

DECIBEL

-  65
-  70
-  75
-  80
-  85





Miller Avenue

E. Rosedale Street

- Legend:
- Fence
 - Lot Lines
 - Building Line
 - Existing
 - Drives/Walk/Patio
 - Retaining Wall
 - 1" Poly
 - 1" Poly

Note: Will Comply With Lighting, Urban Forestry, Landscaping, and Signage.

"Director of Planning and Development"

Scale : 3/32" = 1'

SHEET No.
Site 1

File Number
147-16

PLAN NUMBER
147-16

DATE:	05/10/16
REVI:	05/24/16
	05/25/16



New Site Plan
4115 & 4163 E. Rosedale Street
Fort Worth, Texas 76105

New Site Plan
Richard K. O'Dell 817-291-5926
EWPRKO@AOL.com

LOT 13
BLOCK 3
WNN's McConstin Add'n
V. 388-V.P. 76
Gonzalez
D213182122

One Story
Convenience Store Brick
1807 SQ. FT.

Showroom/Warehouse
One Story Brick 14' Height
680 SQ. FT.

Address 4115
Office/ Retail/ Show Rooms
One Story 9' Tall Brick Walls
1932 SQ. FT.

Driveway and
Parking
12.5' B.L.

Metal BLDG.
Warehouse 12' Height
45.2' x 50.3'

Parking Spots
For Work Trucks

6 FT. Tall Metal Fence

6 FT. Tall Metal Fence

8 FT. Tall Metal Fence

6 FT. Tall Metal Fence

5' U.E.

6 Ft Metal Fence
with Gate

6 Ft Metal Fence
with Gate

Existing canopy and light
pole with 14' tall
1" Poly

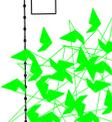
Existing Pole
Sign with Lights
15' Height

All Walls Are 14' Height
34.0'

All Walls Are 9' Height
37.3'

All Walls Are 8' Eaves
20.0'

Red Oak



N 237.5' 00° 36' 32" W

S 237.5' 00° 36' 32" E

S 73.00' 89° 38' 35" W

107.5'

36.0'

10.75'

18'

12.0'

2.0'

24.0'

4.0'

16'

99'

44'

18'

7.3'

6.5'

4.0'

30.0'

51.2'

29.25'

7.7'

7.3'

4.0'

6.0'

4.0'

18'

9'

18'

20.5'

47.12'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

16'

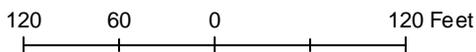
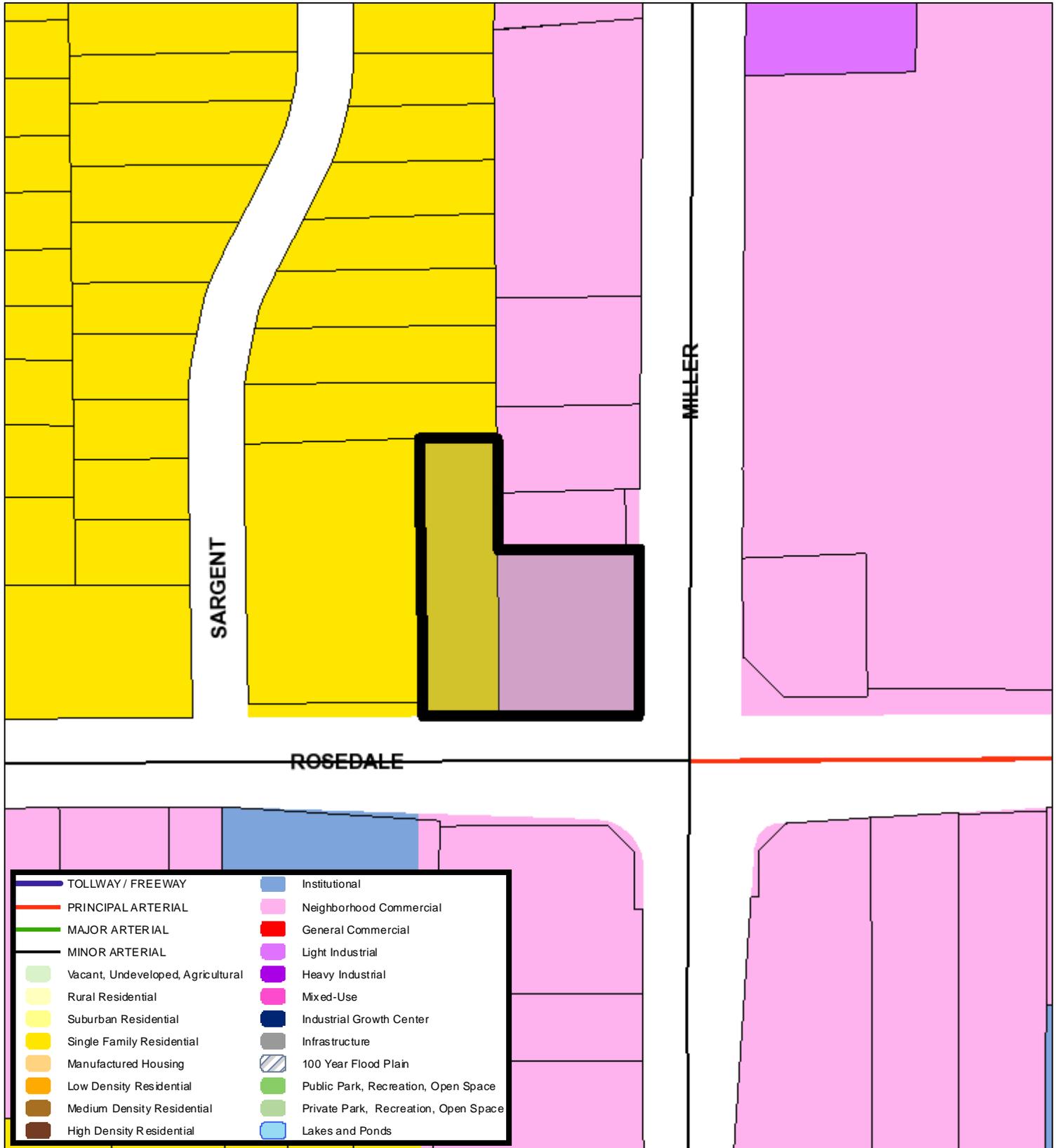
16'

16'

16'

16'

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 29, 2016.



Aerial Photo Map



0 75 150 300 Feet



7. ZC-16-109 Jose M. Gonzales (CD 8) - 4115 and 4163 E. Rosedale (Being a Portion of Block 1, East Gate Center): from “E” Neighborhood Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus tile roofing business with warehouse and outdoor storage; site plan included

Jose Gonzales, 5424 Bonnell Avenue, Fort Worth, Texas explained to the Commissioners his zoning change request for his roofing business development.

Roy Salinas, Planning and Development Department, translating for Mr. Gonzales.

Ms. Conlin asked if his roofing materials were new or used and Mr. Gonzales responded his materials were new. Ms. Conlin mentioned this was a code compliance case and if there were any other code problems besides the outdoor storage mentioned. Mr. Gonzales said the code compliance case also includes vehicles and delivery trucks being parked on the property along with the outdoor roofing material.

Ms. McDougall asked how long the company had been in existence and Mr. Gonzales replied three years. Ms. McDougall asked if in recent years Mr. Gonzales was aware he had not been in compliance. Mr. Gonzales said he did not know he could not store materials outside. Ms. McDougall asked when Mr. Gonzales found out he could not store those roofing materials outside. Mr. Gonzales said when code compliance visited him two months ago.

Ms. Conlin mentioned Mr. Gonzales wanted to grow his business, but questioned if he could grow his business any more than it is now on his lot. Mr. Gonzales explained his intentions are to have a community business that would benefit the nearby community construction abilities. Ms. Conlin asked if he would add any other construction materials to his roofing business and Mr. Gonzales said he would have general construction materials.

Ms. Conlin mentioned that if this application were to pass, Mr. Gonzales would need to go through many other processes due to his code compliance issue and Mr. Gonzales said he would be willing to comply if the approval is granted.

Ms. Burghdoff asked Ms. Murphy on behalf of one of the Commissioners if the zoning was to be approved for the warehouse and outdoor storage, would the property owner need to do anything to the property to bring it into code compliance. Ms. Murphy explained if the outdoor storage was allowed, the operation would need to be more commercial than industrial and the CO would have to be amended. Mr. Gonzales explained he would be willing to accommodate any conditions that come with approval.

Ms. McDougall asked if Mr. Gonzales would be able to bring down the stacks of materials to make them less visible to the public and Mr. Gonzales said he does have the space to lessen the height of the stacks to eight feet.

Mr. Flores asked what percentage of materials are outside on the property and not under any covered storage. Mr. Gonzales responded fifty percent of his materials are outside in the open and not under any storage so that his customers could see the materials in person. Mr. Flores asked how close the racks of materials are to the fence surrounding his property. Mr. Gonzales

responded the racks are about three feet from the south property line. Mr. Flores asked city staff if Mr. Gonzales would have to move the racks back from the property line and Ms. Burghdoff responded that Mr. Gonzales would not have to because there is no setback requirement for the front yard.

Sandra Gonzalez, 1201 S Sargent Street, Fort Worth, Texas spoke in support.

Ms. McDougal asked if she knew what the issues were. Ms. Gonzalez said it was for the delivery trucks being in the parking lot.

Mr. Flores asked the applicant to come back to the podium. Mr. Flores asked if there were any combustible materials on the property and Mr. Gonzales responded no. Mr. Flores also asked City staff if there would need to be any inspection from the fire department. Ms. Murphy responded there would need to be a commercial inspection, but no special inspection.

Motion: Following brief discussion, Ms. Conlin recommended a Denial of the request, seconded by Ms. Runnels. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>					ZC-16-109
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Sandra Gonzalez	1201 S Sargent	In		Support	Spoke at hearing
Dan Cooper/East Fort Worth Business Assoc	NA	Out	Opposition		Sent letter in

8. ZC-16-110 Jag Endeavors LLC (CD 2) - 1222 Clinton Ave. (North Fort Worth Addition, Block 60, Lot 13, 0.16 Acres): from “A-5” One-Family to “E” Neighborhood Commercial

Justin Light, 500 W 7th Street, Fort Worth, Texas on behalf of Jag Endeavors LLC explained to the Commissioners plans for office development. Mr. Light mentioned all along Clinton there is commercial zoning. Mr. Light explained he had a tentative site plan for illustrational purposes only. Mr. Light explained the President of the company met with the Northside Neighborhood Association and received positive feedback from the association with no opposition. Mr. Light included pictures of the property during his presentation and said the property will be platted as one lot.

Mr. Flores commented he had not seen a site plan for the proposed development until this meeting. Mr. Flores asked how many stories the building would be as well as ingress and egress. Mr. Light said the building would be two stories tall approximately 30 ft., ingress and egress would be on Clinton. Mr. Flores asked if there would be any other uses for the building besides law offices and Mr. Light said no, the building would be used strictly for office purposes, with approximately twelve offices with twenty three spaces.