



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 2, 2016

Council District 2

Zoning Commission Recommendation:
Approval by a vote of 8-0 as amended to PD/E to exclude alcohol sales

Opposition: None submitted
Support: Petition submitted

Continued	Yes ___	No <u>X</u>
Case Manager	<u>Stephen Murray</u>	
Surplus	Yes ___	No <u>X</u>
Council Initiated	Yes ___	No <u>X</u>

Owner / Applicant: JAG Endeavors, LLC

Site Location: 1222 Clinton Avenue Mapsco: 62Q

Proposed Use: Law Office

Request: From: "A-5" One-Family
To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial excluding alcohol sales; site plan waiver recommended; ("E" Neighborhood Commercial- original Applicant request)

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

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

Background:

The proposed site is located on Clinton Avenue just south of Northside Dr. The applicant is requesting a zoning change from "A-5" One-Family to "E" Neighborhood Commercial for a commercial office. The applicant owns the lots to the north fronting Northside Dr. and intends to incorporate the proposed site into the overall development.

If approved, the project will have to adhere to development standards at the time of permitting. The table below describes several of the development standards below.

Development Standards	"E" Neighborhood Commercial
Along Clinton Street	20 ft. minimum/no parking permitted; entire front yard shall be maintained as open or landscape green space; open fence maximum 4 ft. high
Landscaping and buffers adjacent to A or B Districts	20 ft. supplemental setback, screening fence, 5 ft. bufferyard, point system; no dumpster in the supplemental setback
Parking	Parking is not permitted along Clinton due to 20 ft. projected setback, 2.5 spaces per 1000 sf (office uses)

At the June 8 Zoning Commission meeting, the adjacent owner requested that alcohol sales be prohibited. The applicant and neighbor met and the applicant proposed PD/E to retain the E development standards but to exclude alcohol sales. The property is intended to be platted as one, however this zoning district would only apply to the southern part of the lot when replatted. As this is intended to be constructed as an office building, the building is not expected to be configured for retail sales.

The neighbor requested, and the applicant confirmed, that all access would be to and from Northside Drive. The retaining wall along Clinton will have to be reconstructed in order to support the new building.

Site Information:

Owner: JAG Endeavors, LLC
 1227 W. Magnolia Ave., Suite 520
 Fort Worth, Texas 76104
 Agent: Jim Shell
 Acreage: 0.16 acres
 Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

North "E" Neighborhood Commercial / vacant
 East "E" Neighborhood Commercial / commercial, restaurant
 South "A-5" One-Family / single-family
 West "A-5" One-Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-11-016 from "FR" General Commercial Restricted to "A-5" One-Family, approved 3/18/11 (subject property).

Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Northside Dr	Major Arterial	Major Arterial	No
Clinton Ave	Residential	Residential	No

Public Notification:

The following organizations were notified:

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

*Site is located within this Neighborhood Association

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "E" Neighborhood Commercial for offices. Surrounding land uses consist of vacant land to the north, single-family to the south and west with a commercial strip center to the east. The applicant intends to develop offices on the proposed site and the vacant tracts to the north. A case can be made for adding an additional commercial lot due to the commercially developed lot directly east of the site. The building extends south adjacent the proposed site. Additionally, the entire blockface along Northside Drive contains commercially zoned property, roughly 1-4 lots deep. Neighborhood commercial is intended to be compatible within single-family uses.

As a result, the proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2016 Comprehensive Plan designates the subject property as single-family. The requested zoning change is not consistent with the following Comprehensive Plan policies.

- Encourage appropriate development and redevelopment within 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)
- 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** with the Comprehensive Plan. (***Significant Deviation***)

Attachments:

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



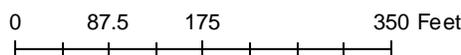
ZC-16-110

Area Zoning Map

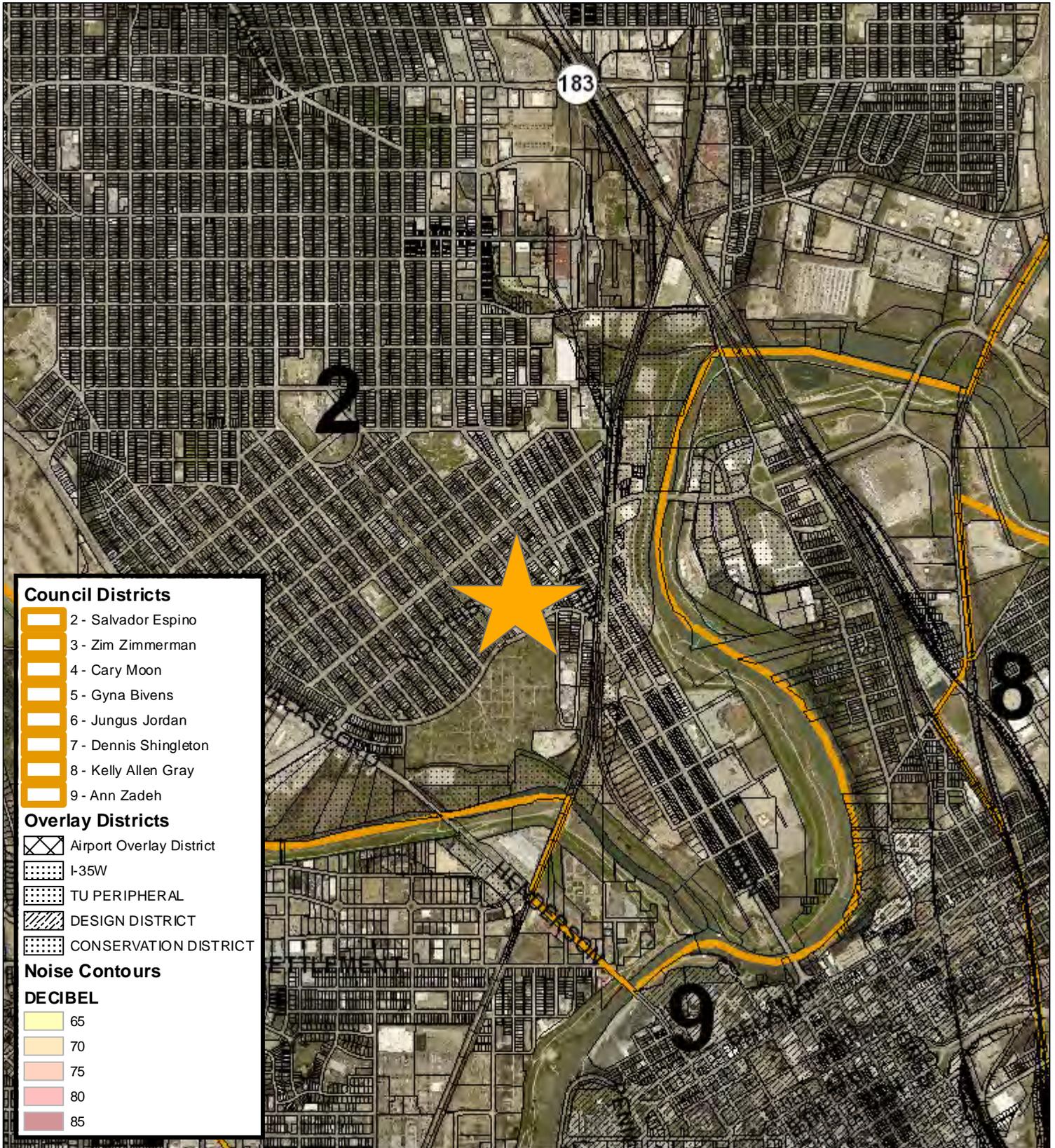
Applicant: JAG Endeavors, LLC
 Address: 1222 Clinton Avenue
 Zoning From: A-5
 Zoning To: E
 Acres: 0.16288608
 Mapsco: 62Q
 Sector/District: Northside
 Commission Date: 6/8/2016
 Contact: 817-392-8043



	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

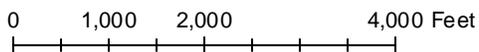
Overlay Districts

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

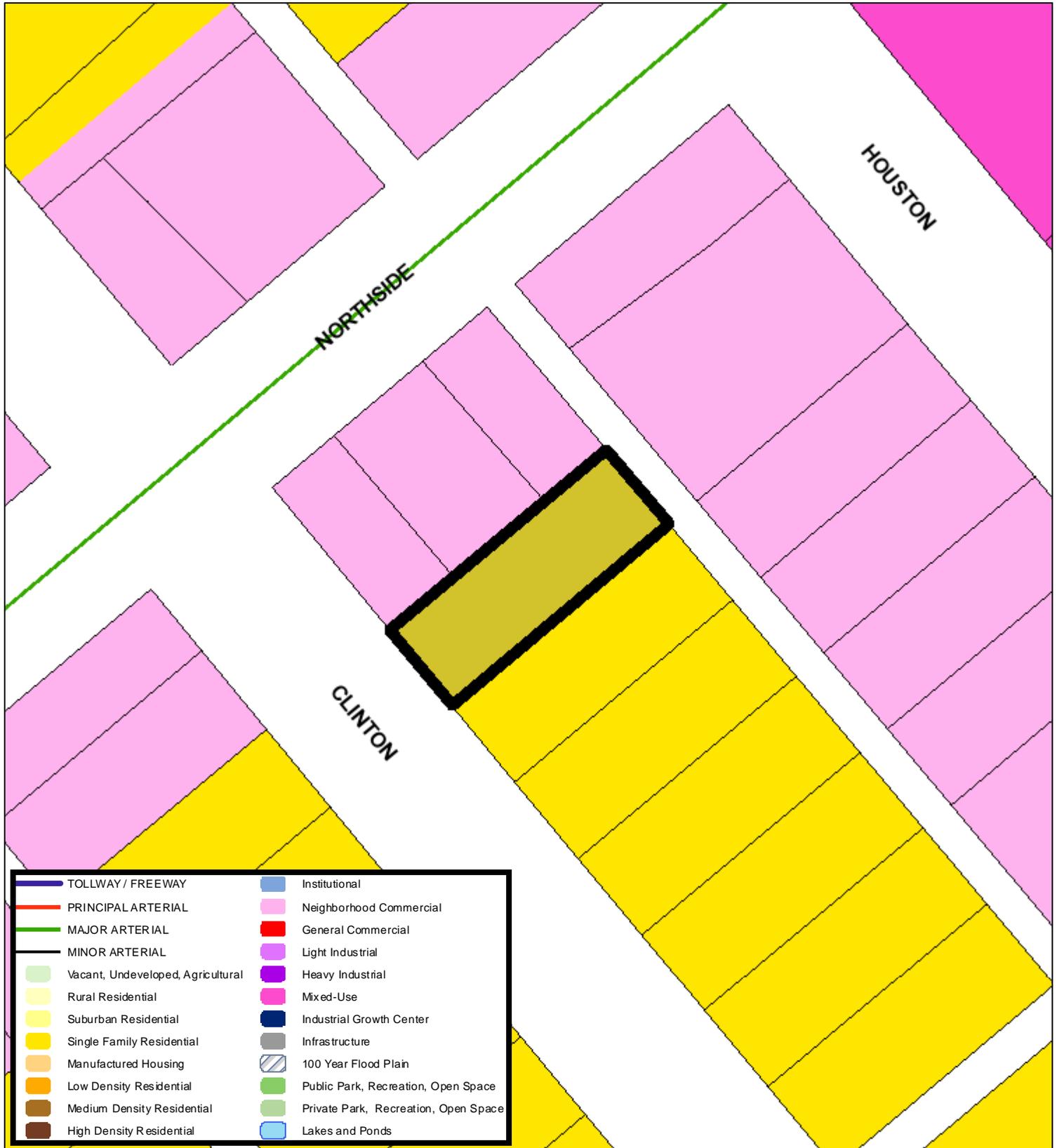
Noise Contours

DECIBEL

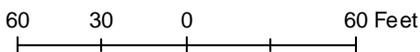
-  65
-  70
-  75
-  80
-  85



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



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 40 80 160 Feet



Motion: Following brief discussion, Mr. Flores recommended a Denial of the request, seconded by Mr. Edmonds, motion failed. On a substitute motion Mr. Flores recommended Approval of the request, seconded by Ms. Dunn. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-16-098
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Kevin & Gracie Burluson	13325 Spinning Glen	In		Support	Sent letter in

3. 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 the original proposal was for “E” zoning for a Law and CPA office and his client is requesting “PD/E” excluding alcohol sales.

Ms. Burghdoff wanted to confirm the applicant does not want “ER” zoning. Mr. Light said that is correct due to the size of the building (It would be greater than 5,000 sq. feet).

Mr. Flores asked what information was discussed with the neighbor about the retaining wall. Mr. Light replied that he did discuss the screening wall with the neighbor and that a screen fence would be put up. Mr. Flores asked staff if the zoning was approved would the property have to be replatted. Ms. Murphy explained she thinks they intend on replatting, but it doesn’t have to be.

Robert Alijandro, 1222 Clinton Avenue, Fort Worth, Texas spoke in support of the “PD/E” plan. One of their concerns is the traffic on Clinton Avenue where children reside and if that will be a problem for the kids. After speaking with Mr. Light, the entrance and exit will be along Northside Drive. He mentioned they will be working with the applicant on the retaining wall.

In rebuttal, Mr. Light wanted to mention they want the grading to remain the same but is not confirmed yet. All traffic will be entering and exiting on Northside.

Mr. Flores mentioned to Mr. Light to keep an open conversation with the neighbor on the retaining wall and neighborhood lighting so that there’s no spillover into the neighboring homes. Mr. Light said at the neighborhood meeting that was one of the concerns and will be working with them on that.

Motion: Following brief discussion, Mr. Flores recommended Approval as Amended of the request to PD/E minus alcohol sales; site plan waived, seconded by Ms. Runnels. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>					ZC-16-110
Name	Address	In/Out 300 notification	ft	Position on case	Summary

		area			
Ofelia & Jesse Berronez	1220 Clinton Ave	In		Support PD/E	Spoke at hearing
Marva & Juan Gomez	1223 Clinton Ave	In		Support PD/E	Signed petition
Jose Gutierrez	1215 Clinton Ave	In		Support PD/E	Signed petition
Jose & Maria Martinez	1210 Clinton Ave	In		Support PD/E	Signed petition
Linda Martinez	1208 Clinton	In		Support PD/E	Signed petition
Mr. Alijandro	1216 Clinton Ave	In		Support PD/E	Signed petition
Michael M.	1217 Clinton Ave	In		Support PD/E	Signed petition
Jesse & Maricella Munoz	1218 Clinton Ave	In		Support PD/E	Signed petition
Miquel & Linda Juarez	1221 Clinton Ave	In		Support PD/E	Signed petition
E. Webb	1212 Clinton Ave	In		Support PD/E	Signed petition

IV. New Cases

4. ZC-16-072 Whitehead-Smith Inv LTD. (CD 7) – 12755 Harmon Road (J. Walker Survey, Abstract No. 1603 and W. McCowan Survey, Abstract No. 999, 9.90 Acres): from Unzoned to “PD/D” Planned Development for all uses in “D” High Density Multifamily; site plan included

Ms. Murphy explained the applicant has requested a 30 day continuance to re-notice the case.

Motion: Following a brief discussion, Mr. Northern recommended a 30 day Continuance of the request, seconded by Ms. Conlin. The motion carried unanimously 8-0.

5. ZC-16-122 Frederick W Brunkenhoefer Family Trust (CD 7) – 629 N. Bailey Avenue (Crestwood Addition, Block 14, Lot 19B, 0.23 Acre): from “A-10” One-Family to “A-5” One-Family

Ms. Ramos, Sr. Assistant City Attorney explained to the Commissioners the case could not be heard as noticed during the hearing. No testimony was heard.

6. ZC-16-123 Billie Morrison (CD 9) – 400 Templeton (Linwood Addition, Block 13, Lot 1, 0.23 Acres): from “B” Two-Family to “UR” Urban Residential

Mary Nell Poole, 2918 Wingate, Fort Worth, Texas representing Billie Morrison explained to the Commissioners the request is to rezone this lot to “UR” for four townhomes with rear entry garages. Ms. Poole explained the building will be partially bricked and raised about two feet to ensure it is lifted out of the floodplain.