



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 2, 2016

Council District 6

Zoning Commission Recommendation: Denial by a vote of 5-3 for site plan which included a hotel Opposition: 2 people spoke against a hotel Support: One letter submitted	Continued	Yes ___	No <u>X</u>
	Case Manager	<u>Lynn Jordan</u>	
	Surplus	Yes ___	No <u>X</u>
	Council Initiated	Yes ___	No <u>X</u>

Owner / Applicant: Summer Creek Station/Wilson Stonaker, LLC

Site Location: 5400-5600 blocks Columbus Trail and Sycamore School Road
Mapsco: 102M

Proposed Use: Commercial/Retail/Office

Request: From: PD 471A Planned Development/Specific Use for all uses in "F" General Commercial District except sexually oriented businesses, tattoo parlor, shooting ranges (indoor) and gambling facilities; site plan required

To: Amend PD 471A to provide required site plan, and add frontage properties only to PD 471 Planned Development for "F" General Commercial District excluding sexually oriented businesses, tattoo parlor, shooting ranges (indoor) and gambling facilities; site plan waiver requested

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Background:

The subject area is located east of Chisholm Trail Parkway and south of Sycamore School Road, falls within the Summer Creek Mixed Use Growth Center. The development includes a new Wal Mart grocery store. The applicant is proposing to provide the site plan for PD 471A Planned Development/Specific Use for "F" General Commercial District; site plan included. The following uses are currently excluded: sexually oriented business, tattoo parlor, shooting ranges (indoor) and gambling facilities.

The applicant is also proposing to move certain frontage properties to PD 471 Planned Development/Specific Use for "F" General Commercial District in order to remove the site plan requirement.

A Unified Sign Agreement has been developed for the property to reduce the overall signage and provide street sign exposure to non-frontage properties.

The chart below indicates the parking requirements for the buildings marked restaurant/retail with outside patios. No ratio was given by the applicant so parking was estimated at 50% for each use within each building. When building permits are requested for shell buildings, the developer will provide the intended uses at the time and parking will be calculated on those uses. Additional demand, e.g. a change of use

from retail to restaurant, is based on the best guess that may be proposed at the time. The parking in the PD is intended to accommodate those changes of use.

The applicant has stated that joint use parking agreements will be established for the development. Joint use parking agreements are encouraged to ensure that tenants can use all available spaces. However, a waiver is still necessary since the total amount of spaces provided is deficient. Consideration should be made as to whether any of the lots for the hotel or offices may be subdivided in the future.

Proposed Use/Sq. Ft.	Parking required	Parking provided	Waiver required
Restaurant/Retail w patios 12,760 sq. ft. 13,325 sq. ft. 26,085 sf total	Est. 50% Restaurant = 131 spaces Est. 50% Retail = 53 spaces Total 184 spaces	37 spaces 57 spaces 94 total	Waiver required
Office 1/ 31,026 sq. ft. Office 2/ 31,026 sq. ft.	124 spaces per office building – 248 total	140 spaces 134 spaces 274 total	Complies
Office 3/23,933 sq. ft. Office 4/23,933 sq. ft.	96 spaces 96 spaces 192 total	111 spaces 114 spaces 225 total	Complies

The case was recommended for Denial by the Zoning Commission. After the hearing, which included opposition specifically for the hotel, the applicant worked with Councilmember Jordan and agreed to remove the hotel use from the site plan. The site plan was revised and instead includes another garden office and parking in this location, called Lot 8.

The applicant is requesting approval of the revised site plan to move forward with the retail/restaurant buildings in PD 471A and to remove the site plan requirement from the frontage properties as part of PD 471. A revised Site Plan case will be submitted in the future for PD 471A as needed if the uses or configuration of Lot 8 is adjusted.

Site Information:

Owner: Wilson & Stonaker, LLC
P O Box 93898
Southlake, TX 76092

Applicant: Dunaway Associates/Chris Biggers

Acreage: 25.27 acres

Comprehensive Plan Sector: Wedgwood

Surrounding Zoning and Land Uses:

- North "G" Intensive Commercial & "C" Medium Density Multifamily / vacant
- East "A-5" One-Family & PD471 Planned Development / single-family, vacant & Wal Mart grocery
- South "A-5" One-Family / single-family
- West "G" Intensive Commercial / Chisholm Trail Pkwy

Recent Relevant Zoning and Platting History:

Zoning History: PD471 from C, F and G to PD/F with exclusions; site plan waived and PD471A; site plan required; effective 1/28/03; subject area and PD823 from A-5 and C to PD/MU-1, site plan required; effective 9/10/08 (north of the subject property). Several site plans have been submitted and approved for various uses.

Platting History: FP-15-125 Summer Creek Station subject area. FP-14-028 Summer Creek Station, subject property just to the east.

Site Plan Comments:

The revised site plan as submitted is not in general compliance with the zoning regulations.

1. The parking counts for the retail/restaurant use buildings at an estimated 50%/50% of future used space do not comply with the required ratios. **(Waivers required)**

Items noted above shall be reflected on the site plan or waivers are required.

TPW/Transportation and Public Works site plan comments:

- 0505 – Special Needs Note – {Show public pedestrian access easements for sidewalks within the development area.}
- 0573 – Property Location - Show distance(s) from property corner(s) to nearest identifiable street, railroad or other intersection.
- 0151 – TXDOT Permit - TXDOT permit is required for work in and along State ROW. Street connections to TXDOT ROW is contingent upon TXDOT approval. TXDOT approval required for any proposed interchanges and/or driveway access to TXDOT facilities. A driveway permit is required to show Lot 7 has access to Chisholm Trail Parkway. This lot does not have access to a public street or a public access easement as shown.
- 0571 – Private Maintenance Note - Revise the note on the Final Plat stating: “The City of Fort Worth shall not be responsible for maintenance of private streets, drives, emergency access easements, public access easements, public pedestrian access easements, recreation areas, open spaces and drainage facilities, and said owners agree to indemnify and save harmless the City of Fort Worth, Texas, from claims, damages and losses arising out of or from performance of the obligations of said owners set forth in this paragraph.”
- 0575 – Label Final Plat - Show Case Number on final plat. (But not as part of title block).TPW (Mirian Spencer, 817-392-8702, Mirian.Spencer@fortworthtexas.gov)
- 0200 – Street Names - All streets shall be named to provide continuity with existing streets. Acceptable names shall be provided for both public and private streets, as approved by the City of Fort Worth Fire Department. Street names are to be approved by fire prior to the approval of the CFA in order for the street name signs to be installed. Provide names for the public access easements if the properties will be addressed from them.
- 0220 – Median Openings - Median openings will be reviewed by TPW at construction plans submittal. Median openings must be coordinated with surrounding developments. The existing medians on Sycamore School Rd. and Summer Creek have been set by the previous developments. No additional median cuts will be permitted for this project.
- 0271 – Public Access Easement - Access easements shall comply with the requirements of Section 31-106 (Street Standards) I (Access Easement Design Standards (Public Access Easements, Reciprocal access Easements, Private Drives or Ways) of the Subdivision Ordinance. Access easements are privately maintained but constructed to city street standards that are open to unrestricted and irrevocable public access and serve two or more lots each having a minimum of 100 feet of frontage as their primary means of access. Provide the widths of the public access easements shown on the plat Remove the variable width and provide the widths as the easements transition.
- 0505 – Special Needs Note – {The easternmost north/south public access easement east of Lot 6, Block 13 does not connect to right-of-way or public access easements. The east/west public access easement south of Lot 6, Block 13 does not tie into right-of-way or a public access easement. The existing public access easement along Lot 11 and Lot 12 does not tie into right-of-way or a public access easement.
Verify the limits of the public access easement and connect the easements to either the existing public access easements or the new proposed adjacent public access easements.}
- 0313 – Freeway ROW - Call out all freeway ROW. Show distance from property line to centerline of freeway. For a freeway having a variable ROW, call out the ROW as “Variable” and give the “Range” of the ROW.
- 0319 – Interstate Access - Place a note on the final plat that states: “Direct access to the Chisholm Trail Parkway is restricted to those locations that have been reviewed and approved by TXDOT and/or the NTTA.”
- 0402 – Public Open Space Easement - A triangular 10’x10’ POSE (Public Open Space Easement), shall be provided at the intersection.

Traffic Circle design to be reviewed with construction plans. As shown does not comply with standards.

Provide drive aisle widths

0555 – Vacation Ordinance - Show City Ordinance Number for the proposed vacated portions of Columbus Trail and Old Granbury (VA-12-005, VA-12-006 and VA-12-007) to be vacated or show the right-of-way dedicated for Columbus Trail and Old Granbury within this plat.

0221 – Street Centerline Offsets - Street centerlines offset(s) as shown are unacceptable. Centerline offsets shall be at least 135' between local streets. Greater centerline offsets may be required by the City Traffic Engineer. The intersection of the public access easements and the driveway location northeast of Lot 8 creates a substandard offset. Align the southern stub with the proposed public access easement or locate the driveway a minimum of 75ft. (edge to edge) from the intersection of the public access easements.

Platting Comments: Staff worked through several items of concern and have been accepted by platting staff.

Fire Comments:

It is the responsibility of all applicants and owners to meet all minimum fire code requirements at all times.

Fire lanes shall be properly marked per FW Fire Code section 503 and shall meet CFW Fire Code requirements if applicable. Any NAMED fire lane, private, or public easement must be platted.

Existing gas well setbacks for sites and equipment MUST be shown on all final plats if any parts of those setbacks fall within the plat's boundary. All structures and site plans relative to this review will be subjected to another review during permitting to ensure that the appropriate setbacks to gas wells, gas compressors, or gas well pad site equipment are adhered to. All applicants, owners, and project managers should do their own due diligence to ensure that their projects do not violate any gas well or gas compressor setbacks as required by the Fire Code or the Gas Well Drilling Ordinance.

All new streets within the city limits and ETJ of the City of Fort Worth must be approved by the Fire Addressing Division of the Fort Worth Fire Department. Email all street name requests to FWFDStreets@fortworthtexas.gov prior to FINAL PLATTING and include the Addition name and your city case # in the subject line. A copy of the Street Naming guidelines can be exchanged if needed once email contact has been established.

Any new address, suite address, or any other permanent address must be approved by the Addressing Division of the Bureau of Fire Prevention. Any changes to existing addresses must be approved as well.

Addresses must be posted in a manner that complies with the current City of Fort Worth Fire Code. DO NOT SELF ADDRESS A PLAT or property. All plats within the city limits of Fort Worth will be addressed by the FWFD Fire Addressing Division AFTER recording of the plat at the county courthouse. Plats will be addressed once we receive a copy of the plat after recording. All plats will be addressed in the order in which we receive them. Most plats will be addressed and posted to the City of Fort Worth Plat Directory within 10 business days of being recorded. Plats located within the City's ETJ will be addressed by the county in which the plat exists in.

The City of Fort Worth has adopted the 2009 International Fire Code as its current fire code. The Fort Worth Fire Department supports this zoning change as long as by doing so, there are no violations of the CFW Fire Code in the present or future.

(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, 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)
Chisholm Trail Pkwy	Toll Road	Toll Road	Constructed
Sycamore School	Commercial Connector	Commercial Connector	Constructed

Public Notification:

Organizations Notified	
Summer Creek	Villages of Sunset Pointe*
Summer Creek Meadows*	Streams & Valleys, Inc.
District 6 Alliance	
Trinity Habitat for Humanity	Crowley ISD

*Closest registered neighborhood organizations**

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to amend PD471A to add a hotel use and to amend PD471 for frontage properties and request a waiver to the site plan requirement.

Surrounding land uses consist of vacant land to the north, Chisholm Trail Parkway to the west, single-family to the south and Wal-Mart superstore and vacant land to the east. Several commercial uses are proposed within this development.

The proposed zoning request **is compatible** at this location.

2. **Comprehensive Plan Consistency**

The 2016 Comprehensive Plan designates the subject property as Mixed-Use Growth Center. The requested zoning change is consistent for the neighborhood commercial uses based on the following Comprehensive Plan policies:

- Accommodate higher density residential and mixed uses in areas designated as a mixed-use growth center on the City's future land use maps. (pg. 38)

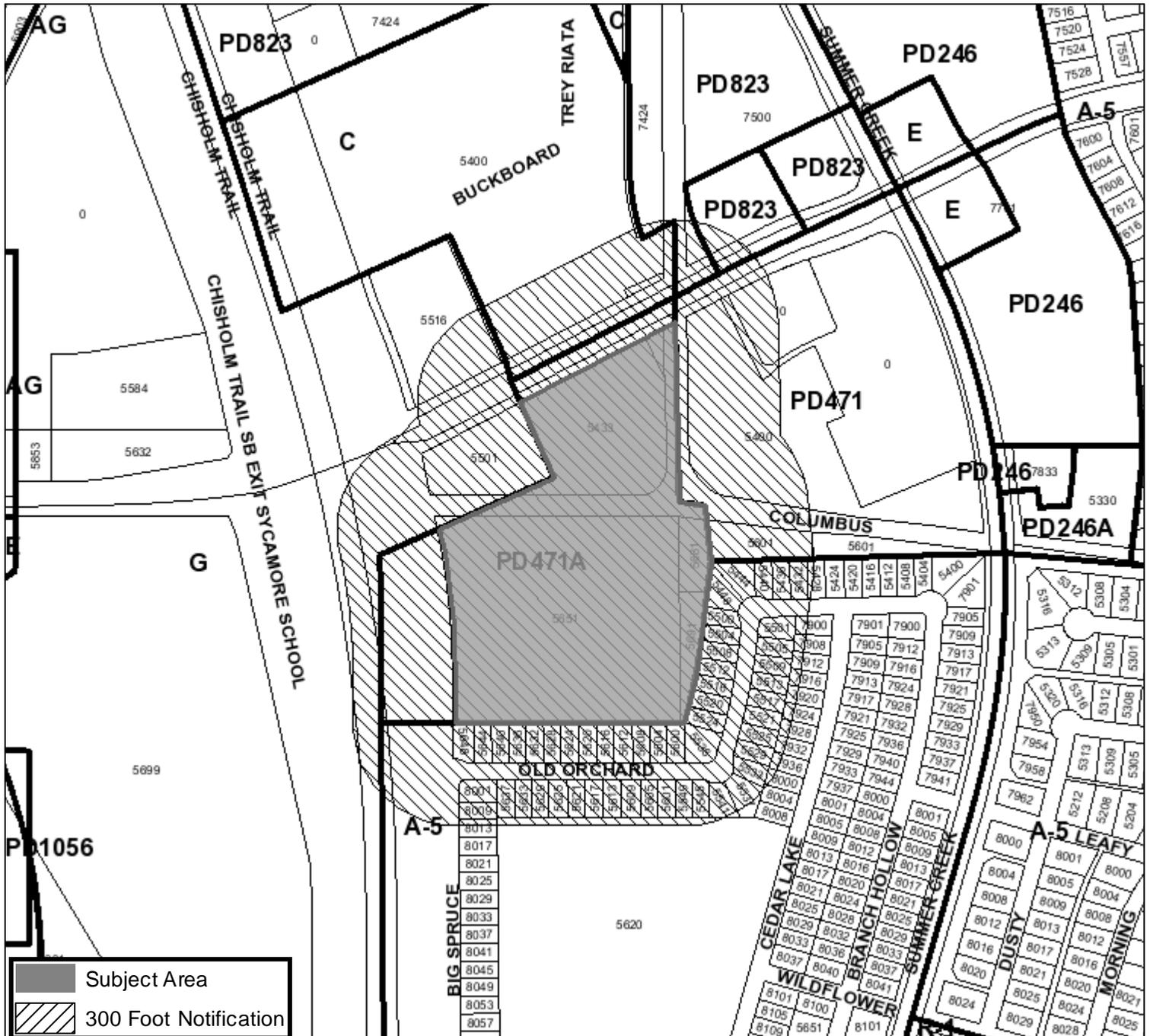
Based on conformance with the future land use map and policy stated above the proposed zoning **is consistent** with the Comprehensive Plan.

Attachments:

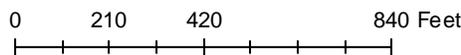
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Minutes from the Zoning Commission meeting

Area Zoning Map

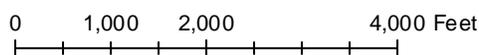
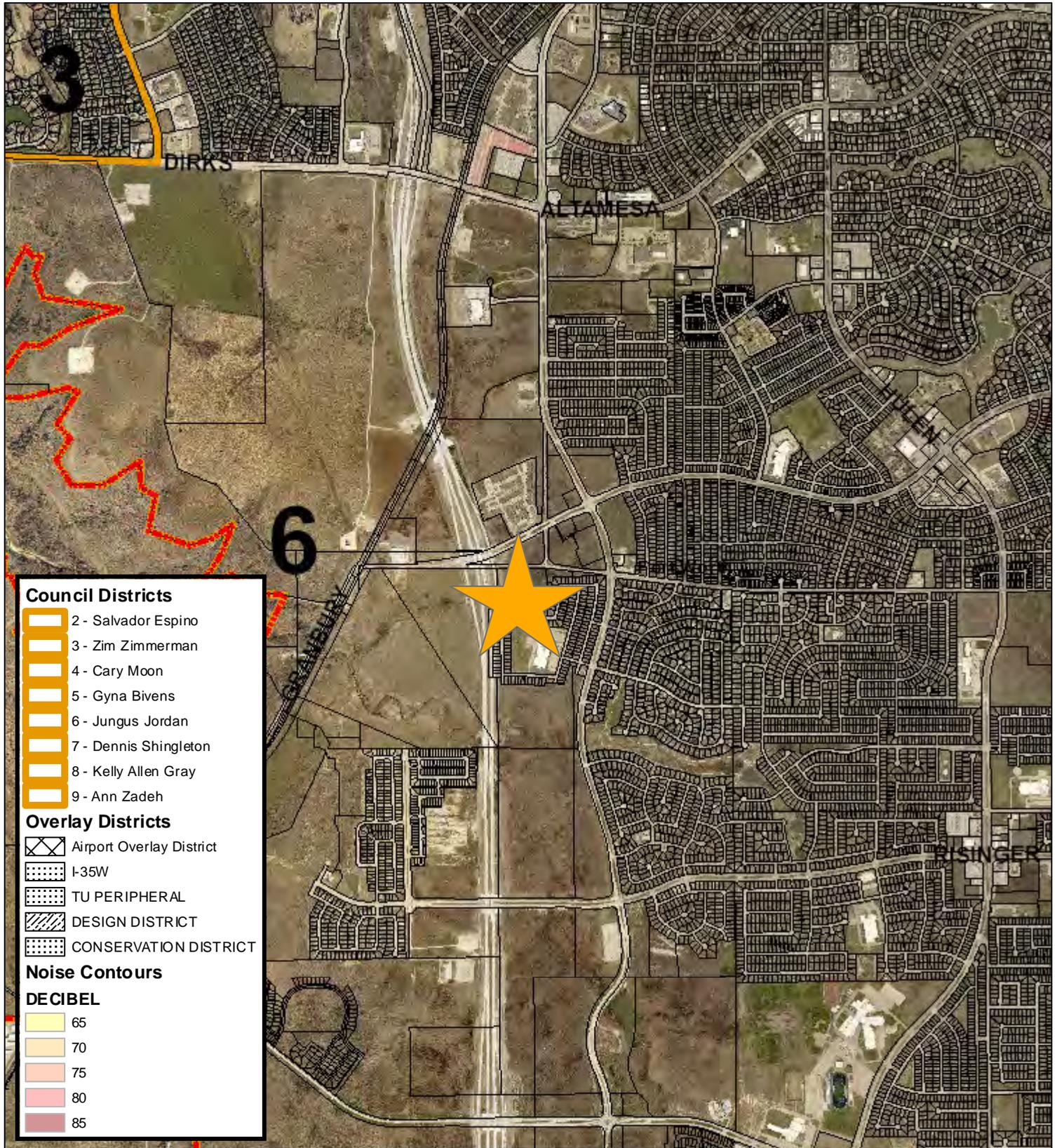
Applicant: Summer Creek Station/Wilson & Stonaker, LLC
 Address: 5400 - 5600 blocks Columbus Trail and Sycamore School Road
 Zoning From: PD 471A
 Zoning To: PD471 for frontage properties and Amend PD471A to allow 4 story hotel and provide site plan
 Acres: 25.27094855
 Mapsco: 102M
 Sector/District: Wedgwood
 Commission Date: 7/13/2016
 Contact: 817-392-2495



 Subject Area
 300 Foot Notification

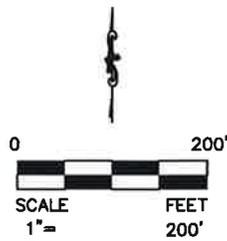


Area Map



JOHN F. HEATH SURVEY
ABSTRACT NO. 641

SYCAMORE SCHOOL ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)



SUMMER CREEK STATION
C.C.D. NO D215206008
D.R.T.C.T.

**PARCEL 2
4.536 ACRES**

JOHN VAN LENT SURVEY
ABSTRACT NO. 1871

SUMMER CREEK STATION
C.C.D. NO D215206008
D.R.T.C.T.

SUMMER CREEK STATION
C.C.D. NO D215206008
D.R.T.C.T.

APPROXIMATE LOCATION
OF SURVEY LINE

STATE HIGHWAY 121
CHISHOLM TRAIL PARKWAY
(VARIABLE WIDTH RIGHT-OF-WAY)

SUMMER CREEK STATION
C.C.D. NO D215206008
D.R.T.C.T.

**PARCEL 1
10.591 ACRES**

APPROXIMATE LOCATION
OF SURVEY LINE

NORTH TEXAS
TOLLWAY
AUTHORITY
C.C.D. NO.
D212091729
D.R.T.C.T.

J. ASBURY SURVEY
ABSTRACT NO. 52

PUERTA TIERRA
IRRIGATION CO. SURVEY
ABSTRACT NO. 1831

VILLAGES OF SUNSET POINTE
C.C.D. NO. D204171775
P.R.T.C.T.

BLOCK J

PROPOSED ZONING

SUMMER CREEK STATION/WILSON & STONAKER

Situated in the John F. Heath Survey, Abstract No. 641, John Van Lent Survey, Abstract No. 1871, Puerta Tierra Irrigation Co. Survey Abstract No. 1831, and the J. Asbury Survey, Abstract No. 52 City of Fort Worth, Tarrant County, Texas.



Stephen R. Glosup
6/23/16



550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
FIRM REGISTRATION 10098100

DATE: June 23, 2016

DUNAWAY JOB NO. B001866.001



VICINITY MAP
NOT TO SCALE

- NOTE:**
1. PD-471A PLANNED DEVELOPMENT FOR USES IN THE "F" GENERAL COMMERCIAL DISTRICT EXCLUDING TATTOO PARLOR, SEXUALLY ORIENTED BUSINESS, SHOOTING RANGE (INDOOR), GAMBLING FACILITIES AND PAWN SHOPS; SITE PLAN REQUIRED.
 2. PD-471 PLANNED DEVELOPMENT FOR USES IN THE "F" GENERAL COMMERCIAL DISTRICT EXCLUDING TATTOO PARLOR, SEXUALLY ORIENTED BUSINESS, SHOOTING RANGE (INDOOR), GAMBLING FACILITIES AND PAWN SHOPS; SITE PLAN WAIVER REQUESTED.
 3. LANDSCAPING SHALL COMPLY WITH SECTION 6.301, LANDSCAPING * AREAS WHICH AREN'T PAVED OR WITH A SIDEWALK ARE TO BE LANDSCAPED.
 4. PAVEMENT TO BE ASPHALT OR CONCRETE.
 5. SITE PLAN SIGNAGE SHALL COMPLY WITH SECTION 6.400.
 6. ALL PROPOSED BUILDINGS SHALL HAVE A MINIMUM OF 50% MASONRY FACADE, PER CITY ORDINANCE, INCLUDING TEXTURED CONCRETE TILT WALL PANELS.
 7. ANY PARKING LOT LIGHTING OR BUILDING LIGHTING SHALL BE DIRECTED AWAY AND DOWNWARD FROM THE RESIDENTIAL DISTRICT.
 8. PARKING REQUIREMENTS FOR LOT 9 ARE BASED ON ASSUMED 50% RESTAURANT AND 50% RETAIL.
 9. A CROSS PARKING AGREEMENT WILL BE PROVIDED FOR THE DEVELOPMENT.

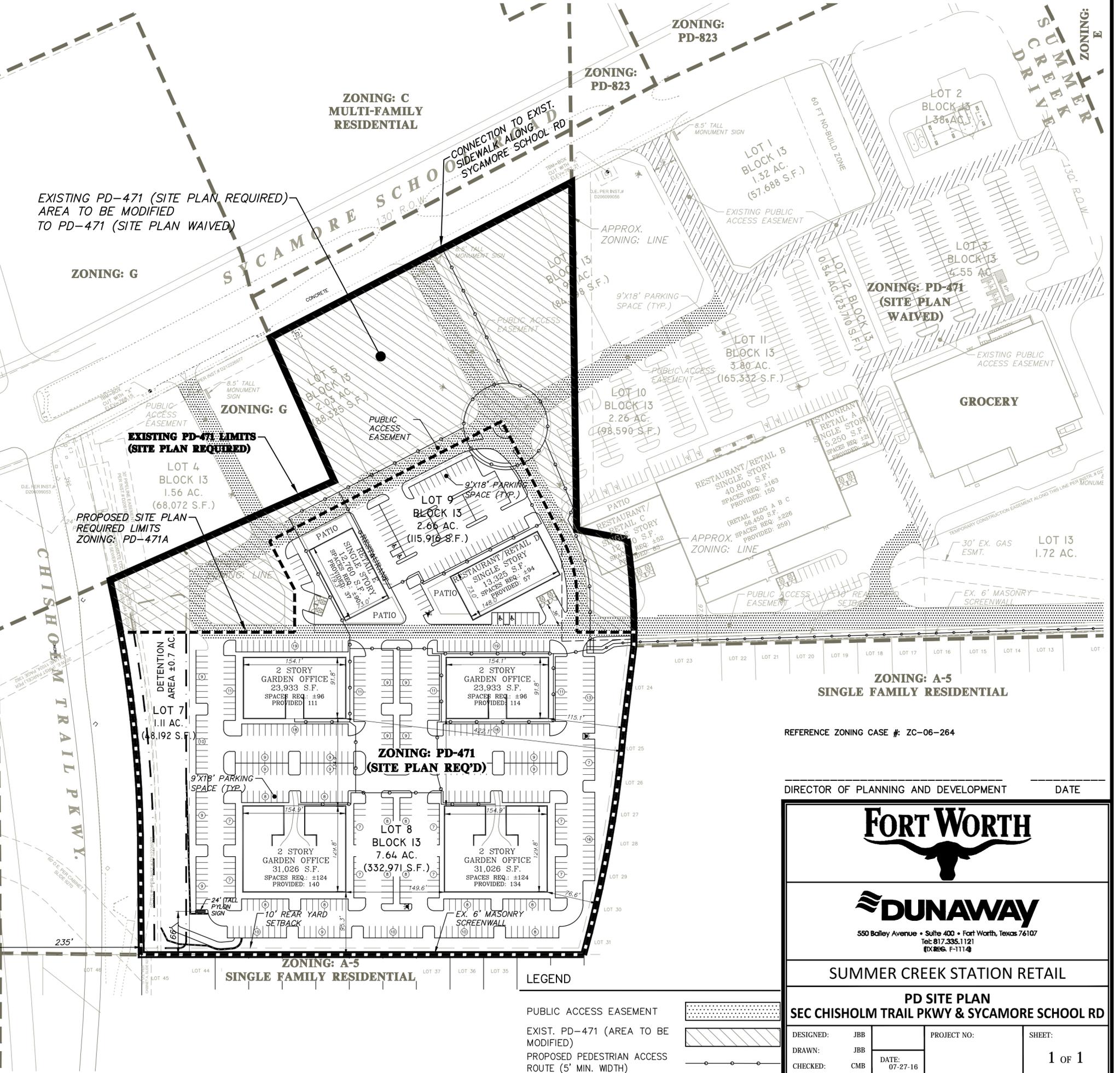
DEVELOPER:

 Contact: William E Stonaker, CCIM, SEC
 Phone: 817-791-7301
 Email: wes@wilson-stonaker.com

ENGINEER:

 Contact: Chris Biggers, P.E.
 Phone: 817-335-1121
 Email: cbiggers@dunaway-assoc.com

ARCHITECT:
 ROBERT W. KELLY, ARCHITECT, INC.
 Contact: Bob Kelly
 Phone: 817-332-5014
 Email: bob@rwk-architecture.com



REFERENCE ZONING CASE #: ZC-06-264
 DIRECTOR OF PLANNING AND DEVELOPMENT _____ DATE _____

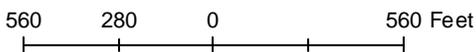
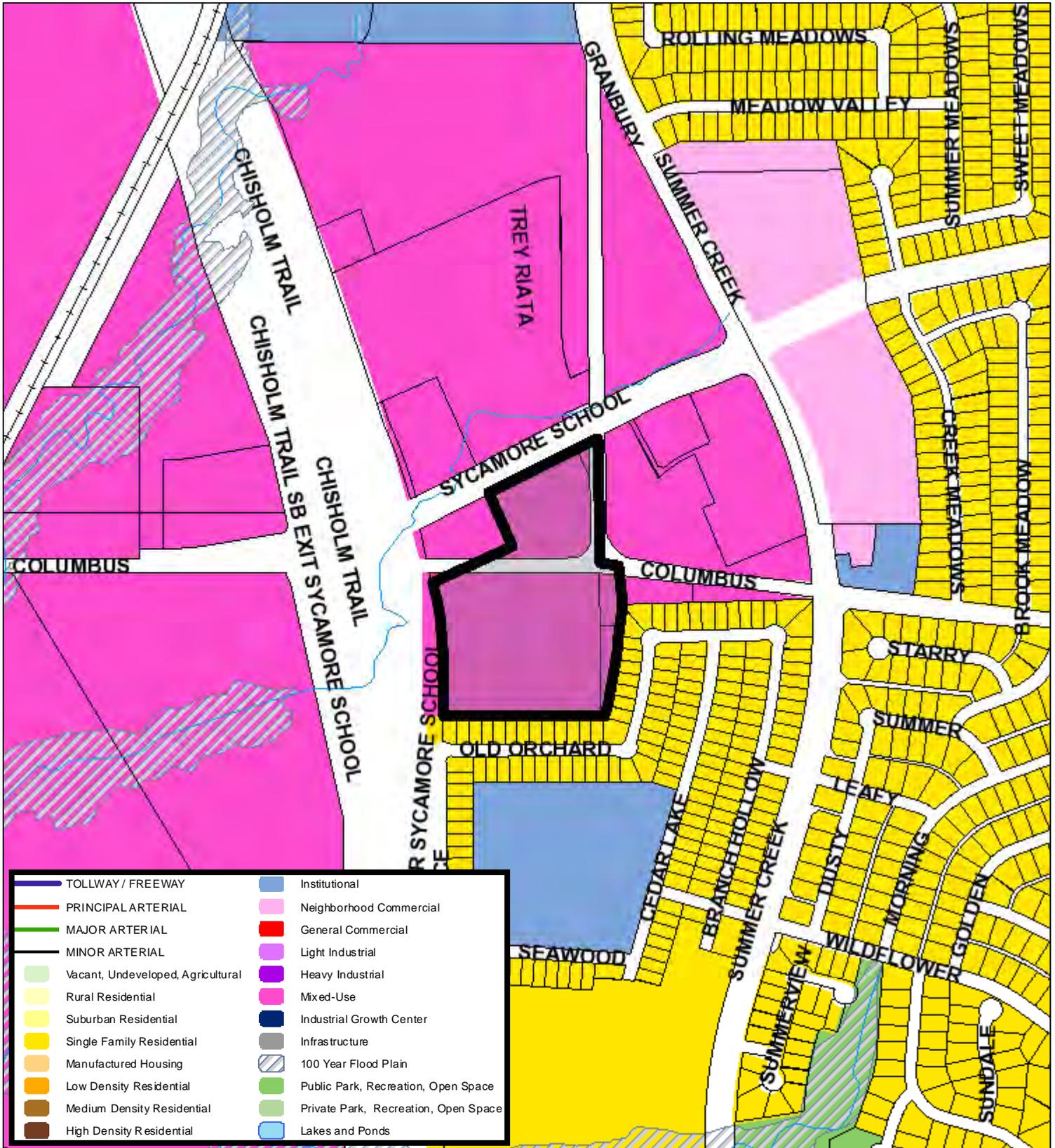
FORT WORTH

DUNAWAY
 550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
 Tel: 817-335-1121
 FAX: 817-335-1114

SUMMER CREEK STATION RETAIL			
PD SITE PLAN			
SEC CHISHOLM TRAIL PKWY & SYCAMORE SCHOOL RD			
DESIGNED:	JBB	PROJECT NO:	SHEET:
DRAWN:	JBB	DATE:	1 OF 1
CHECKED:	CMB	07-27-16	

FULL PATH: C:\Products\500\001\800\1860\Design\001\Drawings\Exhibit\Products\500\001\800\1860\Design\001\Drawings\Exhibit\2016\0726_C09V_Schmitt.dwg
 JTTED BY: Barron, Cesar
 JTTED ON: Wednesday, July 27, 2016
 JTTED WITH: DWG TO PDF.pc3

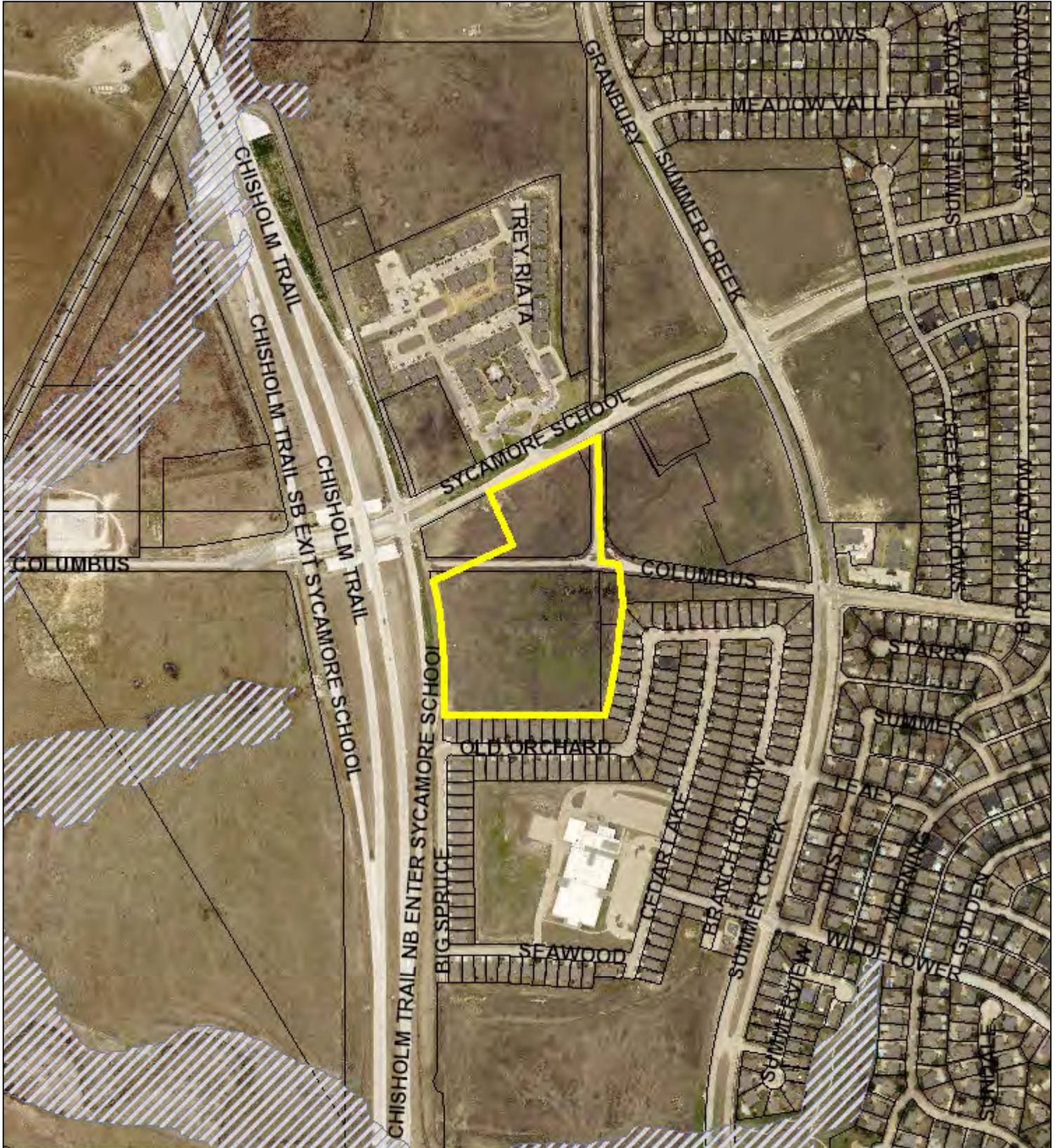
Future Land Use



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



0 350 700 1,400 Feet



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 (2015), by;

- **Amending the Schedule of Uses Table of the Camp Bowie Revitalization Code as provided by Section 4.1306.D., “Other Development Standards” of Chapter 4, “District Regulations” of Article 13, “Form Based Districts”, of Section 4.1306 Camp Bowie (“CB”) District and;**
- **Amending the Use Table in Article 12, “Form-Based Code District Use Table” of Section 4.1202 “Unlisted Uses”, to add Mini Warehouse as a permitted use in certain Camp Bowie Sub districts; and;**
- **Remove Warehouse and Storage Services as a Permitted use in certain Sub districts and;**
- **Amending the Camp Bowie Revitalization Code to provide Development Standards for Mini Warehouses in the Camp Bowie Form-Based District**

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

Ms. Murphy called the text amendment.

Jennifer Reiner representing Camp Bowie District, Inc., spoke in support.

Barry Hudson also spoke in support.

Motion: Following brief discussion, Mr. Cockrell recommended Approval of the request, seconded by Ms. Runnels. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>					ZC-16-132
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Jennifer Reiner	4731 Camp Bowie	Out		Support	Spoke at hearing
Barry Hudson	550 Bailey Ave.	Out		Support	Spoke at hearing

15. ZC-16-132 Wilson and Stonaker LLC Summer Creek Station/Wilson Stonaker, LLC (CD 6) – 5400-5600 blocks Columbus Trail and Sycamore School Road (J. F. Heath Survey, Abstract No. 641, 25.27 acres): from PD 471A Planned Development for uses in the "F" General Commercial District, and excluding: Tattoo Parlor, Sexually Oriented Business, Shooting ranges (Indoor), Gambling Facilities; site plan required to Amend PD 471A to add four story hotel use and provide required site plan, and add frontage properties only to PD 471 Planned Development for “F” General Commercial District excluding sexually oriented businesses, tattoo parlor, shooting ranges (indoor) and gambling facilities; site plan waiver requested

Chis Biggers, 550 Bailey Avenue, Fort Worth, Texas representing Wilson and Stonaker LLC Summer Creek Station explained to the Commissioners they are amending PD471 to allow for a

four story hotel and then to amend the site plan requirement for the out parcels along the street frontage. Mr. Biggers said his client has had several meetings with the neighborhood over the past year.

Ms. Runnels asked Mr. Biggers the proximity of the hotel to the residents and the general consensus of the neighborhood meeting. Mr. Biggers said roughly 375 feet +/- to the east and south. He stated he was not present but Mr. Stonaker was and his understanding was there was no general opposition to the hotel. His client has reached to some of the opposition that was submitted. A rendering was displayed for the Commissioners.

Ms. Conlin asked staff about the minimum distance from a residential unit. Ms. Burghdoff said the requirement for a PD request is within 1,000 ft. of residential zoning.

Mr. Edmonds asked about the two streets that run across the property. Mr. Biggers said they have been approved for vacation but not formally vacated just yet. Mr. Edmonds asked staff about sight lines to residential districts. Ms. Burghdoff said there are supplemental setbacks for commercial property adjacent to residential. Ms. Burghdoff said the requirement in the F district is a 35 ft. supplemental setback.

Ms. Dunn mentioned the applicant stated the closest residential structure is roughly 375 ft. away.

Stephen Supina, property owner, spoke in opposition. Mr. Supina is opposed to anything four stories or higher. He explained the 7-11 that was recently built looks like it belongs in the neighborhood. Mr. Flores asked where his property is located on the screen.

Elizabeth Sahs, property owner, spoke in opposition. Ms. Sahs is also opposed to a four story structure.

Geoffrey Sahs, spoke in opposition. His concerns are the height, noise and parking lot lighting for the hotel.

In rebuttal, Mr. Biggers mentioned he appreciated their concerns and noted the noise and lighting would be there if there wasn't a hotel. The lighting will be controlled and directed away and downward from the residents.

Mr. Edmonds asked about the distance to the residents. Mr. Biggers stated about 375 ft. Mr. Edmonds asked about the waivers requested. Mr. Biggers explained assuming they have a 50/50 split with different uses then they may be ok and they will have a cross joint use parking agreement in place for all the businesses. Ms. Murphy said there is a revised staff report in the correspondence with the parking counts. Mr. Biggers went on to explain it is unknown at this time what type of tenant will go into the different spaces and a waiver to some of the parking would be required.

Motion: Following brief discussion, Ms. Runnels recommended a Denial of the request, seconded by Ms. Conlin. The motion carried 5-3 with Mr. Northern, Ms. Dunn and Mr. Flores being against.

<i>Document received for written correspondence</i>					ZC-16-132
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Stephen Supina	5448 Old Orchard	In	Opposition to 4 story hotel		Spoke at hearing
Elizabeth/Geoffrey Sahs	5536 Old Orchard	In	Opposition to 4 story hotel, lighting		Spoke at hearing
Kara Lamphere	5537 Old Orchard	In		Support	Sent letter in

**Meeting adjourned: 4:10 p.m.
7/13/16**

Dana Burghdoff, Executive Secretary and Assistant Director, Planning and Development Department

Nick Genua, Chair