



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
September 13, 2016

Council District 9

Zoning Commission Recommendation:
Approval by a vote of 9-0

Opposition: None submitted
Support: Riverside arts District

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

Owner / Applicant: Lynn Johnson & Nancy Sommerman

Site Location: 605 N. Riverside Drive Mapsco: 63R

Proposed Use: Mixed-Use

Request: From: "E" Neighborhood Commercial

To: "MU-1" Low Intensity Mixed-Use

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent (Minor Boundary Adjustment).

Background:

The proposed site is located on the corner of Riverside Dr. and Plumwood St. The applicant is proposing to change the zoning from "E" Neighborhood Commercial to "MU-1" Low Intensity Mixed-Use.

The property appears to have been constructed in 1924 as a duplex. It is a legal nonconforming use in the "E" Neighborhood Commercial district. At some point, the home was converted to multi family units and an additional two story expansion was built for commercial uses. Both the multi family and commercial uses are permitted in the E district, with three units of multi family as a legal nonconforming use, however not on the same lot and parking would have been required.

The applicant recently purchased the property and began to use the rear unit as an event center. As there is no Certificate of Occupancy for the use, Code Compliance was asked to review the property and instructed the owner to cap the gas lines. The applicant has explained the intention is to use the home as a duplex using the two parking spaces, with part rented as a residential unit and the other side as a commercial office. The rear attached structure would be used as offices and an event/meeting center. There appears to be a maximum of two possible parking spaces on the property with the majority of the parking on the street or adjacent private parking lots.

In order to bring the site into conformity with current zoning laws and allow greater flexibility for the site, the applicant is requesting MU-1, Low Intensity Mixed Use. The applicant may need to obtain waivers in order fully develop the current site with parking being a primary issue. The lot is almost completely covered with structures. A Certificate of Occupancy would be required in order to operate any residential use 3 units or more and any commercial uses. Parking, setbacks, landscaping, urban forestry would be

required to occupy the site. The table below describes the typical parking requirements for commercial and multifamily use.

	Required	Provided
Parking spaces	Residential Duplex: 2 spaces up to 3 bedrooms Multifamily: 1 space per bedroom, located behind the front building line	2 spaces total behind both buildings
	Commercial Typically 4 spaces per 1,000 sf (depends on the use)	None

Currently, the blockface along Riverside in the area of the subject property is commercial/nonresidential and toward the south is primarily vacant or single-family. The current delineation of MU-1 ends north of Plumwood, facing Belknap Street.

The 2007 Six Points Urban Village Master Plan identified that the Riverside Drive corridor would be zoned MU-1. When the urban village program was established, the core of the urban villages was delineated and rezoned MU-1 to start the redevelopment process. This area along Riverside Drive was not part of the original core and therefore not rezoned, but the intention appears to be an expansion of the mixed use form down to SH 121. It is part of the Six Points Neighborhood Empowerment Zone.

At the Zoning Commission hearing, the recommendation was made for approval for the MU-1 district. However there was discussion concerning the changes that are required for the property in order for it to operate legally how the owner intend, including parking and building permits and meeting building code. Meetings and discussion continues with the applicant and staff since the Zoning Commission concerning these items. TPW staff is working with the applicant on possible on street parking; head in spaces are not possible on Riverside due to the street width and speeds.

Opposition from several neighbors and neighborhoods was received after the Zoning Commission hearing and is expected for the council hearing. The applicant was expected to attend the September 8 meeting of the Carter Riverside Neighborhood Association, after the time of this report.

Site Information:

Owner: Lynn Johnson & Nancy Sommerman
 1968 Lipscomb St.
 Ft. Worth, TX 76110

Acreage: 0.136

Comprehensive Plan Sector: Northeast

Surrounding Zoning and Land Uses:

- North "MU-1" Low Intensity Mixed-Use / parking lot for business along Belknap
- East "E" Neighborhood Commercial / food store
- South "E" Neighborhood Commercial / single-family
- West "E" Neighborhood Commercial / commercial

Recent Relevant Zoning and Platting History:

Zoning History: None
 Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed
Plumwood St.	Residential	Residential
Riverside Dr.	Major Arterial	Major Arterial

Public Notification:

The following Organizations were notified:

Organizations Notified	
Riverside Alliance	Eastside Sector Alliance
Carter Riverside NA	Trinity Habitat for Humanity
Scenic Bluff NA*	Streams And Valleys Inc.
East Fort Worth Business Assn	East Fort Worth, Inc.
United Riverside Rebuilding Corporation, Inc.	FWISD

**Within this neighborhood association*

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change from “E” Neighborhood Commercial to “MU-1” Low Intensity Mixed-Use. Surrounding land uses vary with a parking lot to the north, food store to the east, single-family south, and commercial to the west.

“E” and “MU-1” have similar allowed commercial uses, however, “MU-1” allows multifamily. While the blockface to the south along Riverside is primarily vacant or single-family, the area surrounding the subject property is currently more intensive commercial uses on three sides.

As a result, the proposed zoning **is compatible** with surrounding land uses.

2. Comprehensive Plan Consistency

The 2016 Comprehensive Plan designates the subject property as Single-Family and is south of the Six Points Urban Village. 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)
- 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 (Minor Boundary Adjustment)** with the Comprehensive Plan.

However, the request for MU-1 is consistent with the 2007 Six Points Urban Village Master Plan and conforms with the below policies:

- Encourage mixed-use projects in mixed-use growth centers, transit-oriented developments, and urban villages.
- Encourage Urban Residential and Low Density Residential as transitional uses between Single-Family Residential and high density uses.

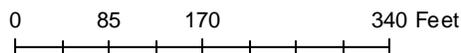
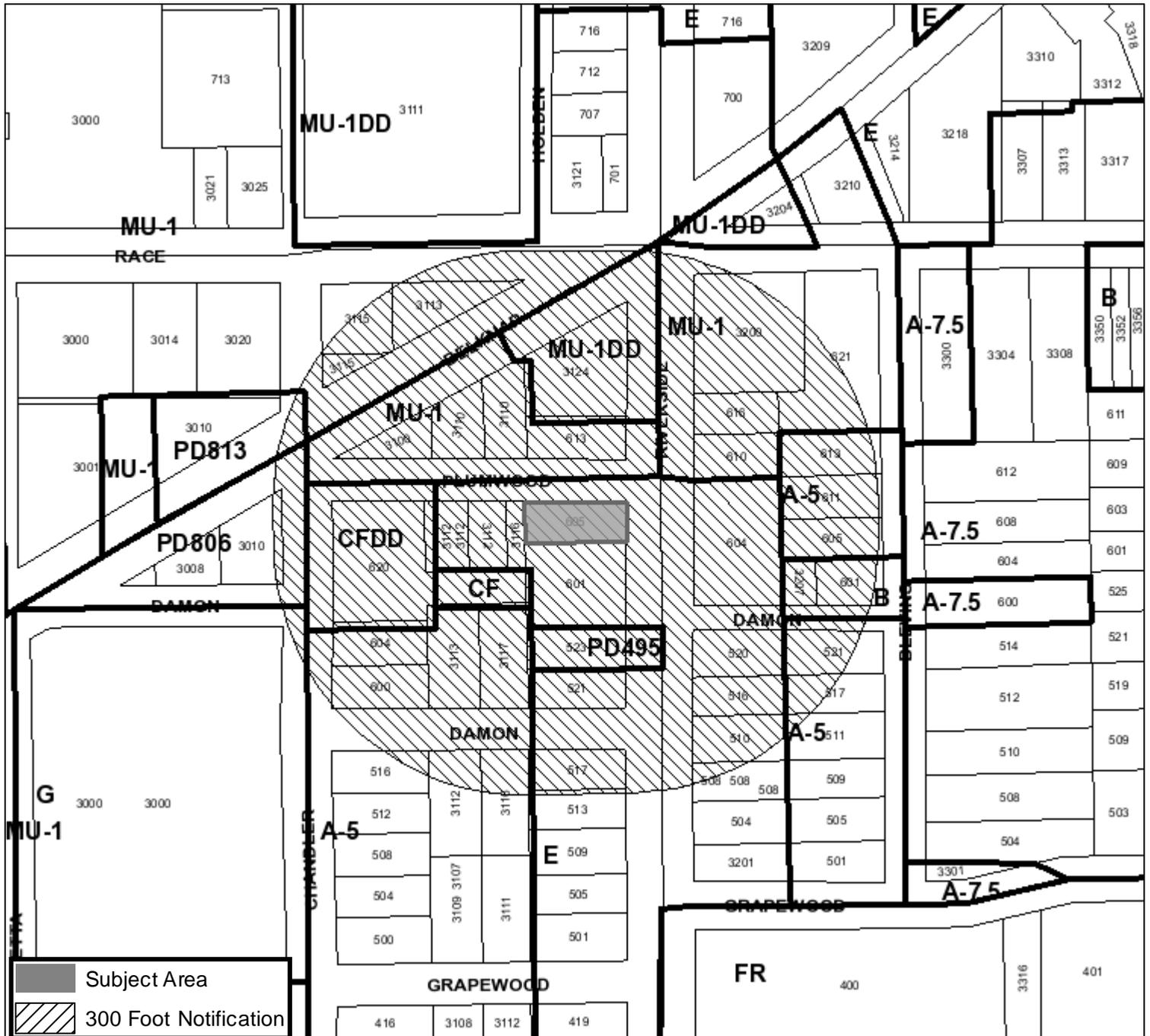
Attachments:

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

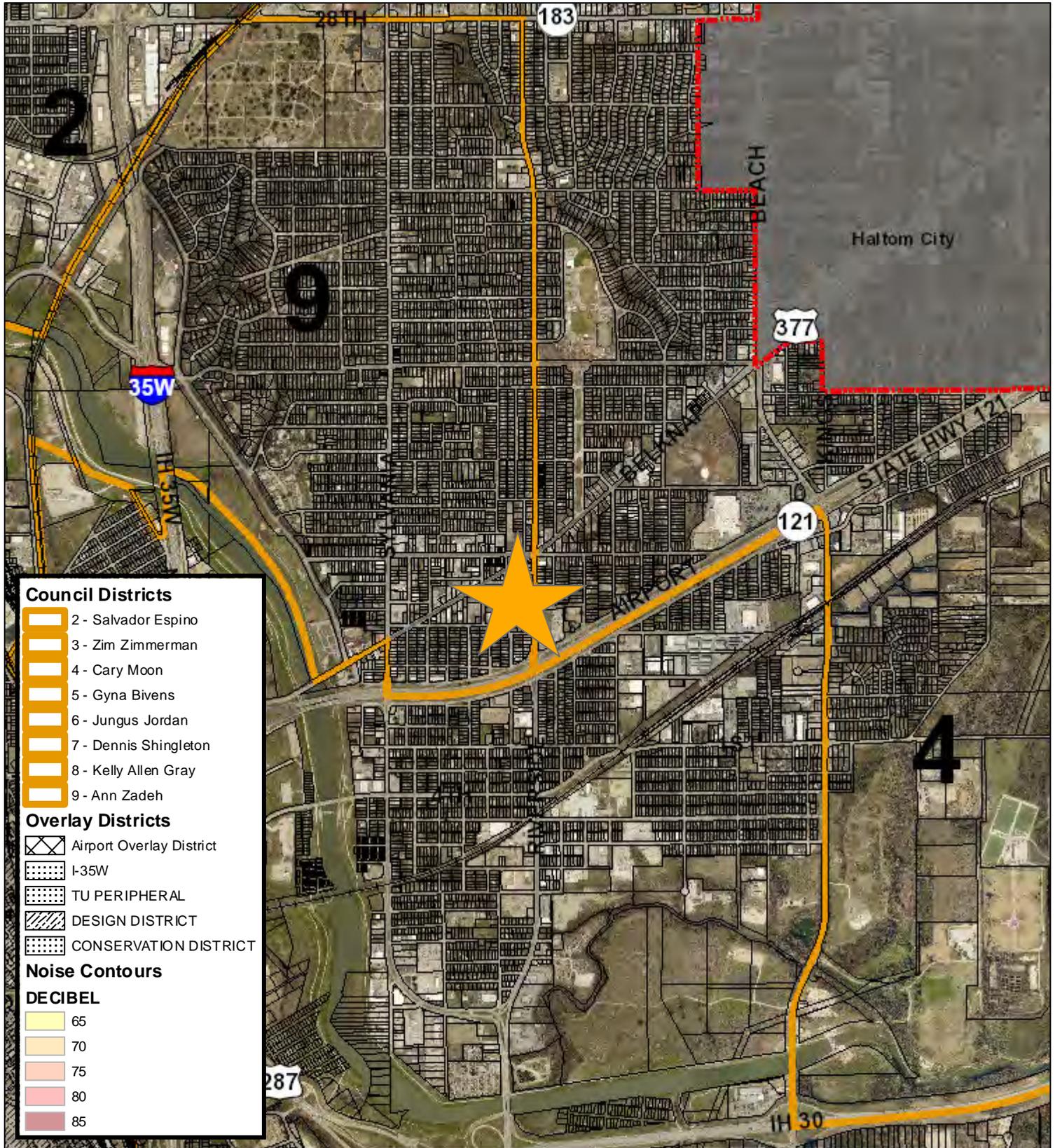


Area Zoning Map

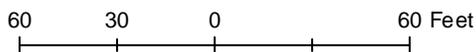
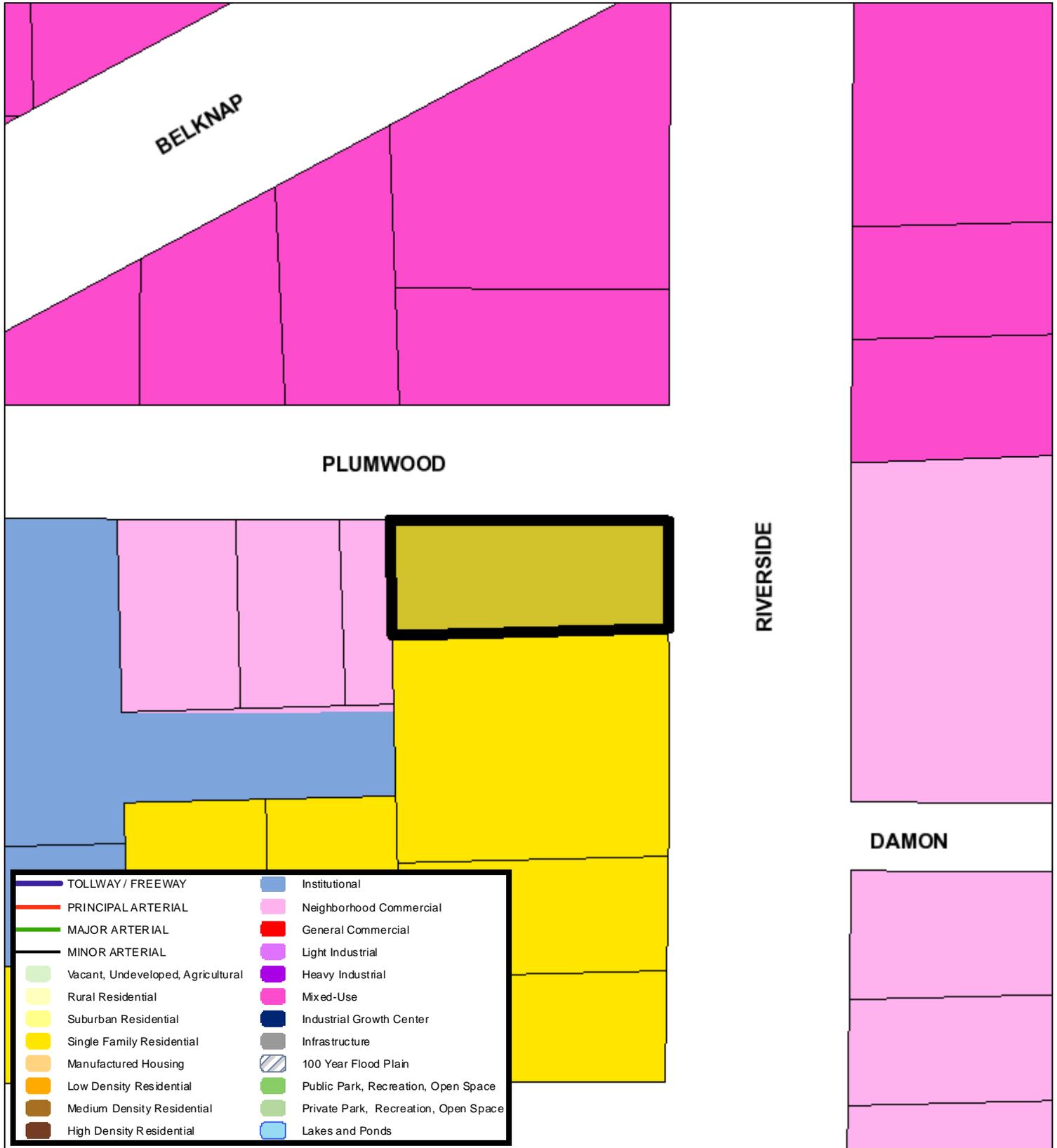
Applicant: Lynn Johnson & Nancy Sommerman
 Address: 605 N. Riverside Drive
 Zoning From: E
 Zoning To: MU-1
 Acres: 0.13618692
 Mapsco: 63R
 Sector/District: Northeast
 Commission Date: 8/10/2016
 Contact: 817-392-8043



Area Map



Future Land Use



Aerial Photo Map



0 35 70 140 Feet



applicant to reach out to the Northside neighborhood, identify what is in each unit and to contact Mr. Leon who was in opposition.

<i>Document received for written correspondence</i>					ZC-16-134
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Catarino Vasquez	2322 Lee	In		Support	Signed petition
Jose Talavera	2300 Lee	In		Support	Signed petition
Manuel Gomez	2308 Lee	In		Support	Signed petition
Jose Cecenas	2309 Lee	In		Support	Signed petition
Maria Quintano	2304 Ross	In		Support	Signed petition
Jose Leon	2323 Ross	In		Opposition	Support
John Villanueva	2302 Ross	In		Support	Signed petition
Juan Cruz	2325 Ross	In		Support	Signed petition
Lucy Aguilera	2313 Ross	In		Support	Signed petition
Maria Villanueva	2316 Ross	In		Support	Signed petition
Salvador Chavez	2326 Ross	In		Support	Signed petition
Charles Napeir	2225 Lee	In		Support	Signed petition
Albino Marmolejo	2321 Ross	In		Support	Signed petition

7. ZC-16-135 Lynn Johnson and Nancy Sommerman (CD 9) – 605 N. Riverside Drive (McAdams Addition, Second Filing, Block 2, Lot 1, 0.14 Acres): from “E” Neighborhood Commercial to “MU-1” Low Intensity Mixed-Use

Nancy Sommerman, 1968 Lipscomb Street, Fort Worth, Texas property owner explained to the Commissioners they are requesting “MU-1” zoning to use the structure for multifamily and event center. She indicated on the floor plan how many units are in the front structure and what is located in rear unit including proposed meeting space/event area with the second floor to be used as offices or apartments. Ms. Sommerman stated this is how the building is laid out and all they are doing is refurbishing the building. She provided a letter of support from the Riverside Arts District.

Ms. Dunn asked staff about the parking requirement. Ms. Murphy said each unit would require two parking spaces each.

Lynn Johnson, 1968 Lipscomb Street, Fort Worth, Texas mentioned she was told they would only be required to have one space per bedroom and one space per 500 ft. of open space. Ms.

Murphy explained the different parking count ratios is based on whether it is a duplex or multifamily.

Ms. Sommerman said there is street parking along Plumwood and are meeting with the property owner across the street to see if they have any spaces that could be used. Ms. Murphy explained the shared parking agreement to obtain parking spaces.

Ms. McDougall asked why Code Compliance went out to the property. Ms. Johnson said it was from the previous owner and is still a pending issue. They were told they needed to cap off all the gas lines which has been done.

Ms. Dunn asked staff if the case moves forward what they will be required to do. Ms. Burghdoff said it depends on how they treat the front structure and whether or not they have residential on the second floor making it a multifamily unit. For the commercial component, there will be a Certificate of Occupancy required. Ms. Murphy said a variance may be required for the parking.

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

<i>Document received for written correspondence</i>					ZC-16-135
Name	Address	In/Out 300 notification area	Position on case		Summary
Debby Stein/ Riverside Arts District	NA	Out		Support	Sent letter in

~~**8. ZC-16-136 Angelica and J Carri Valdez and Guillermo Ortegon (CD 9) – 400 and 404 Wimberly (Linwood Addition, Block 11, Lots 18 and 19 , 0.35 Acre): from “B” Two-Family to “UR” Urban Residential**~~

Mary Nell Poole, 2918 Wingate, Fort Worth, Texas representing Village Homes on behalf of Angelica, J Carri Valdez and Guillermo Ortegon explained to the Commissioners they are rezoning to build more townhomes with parking in the rear. Ms. Poole said she did not speak with the neighborhood about these particular properties and didn't think there would be a problem.

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

9. ZC-16-137 Prime Rail Interests (CD 2) – 4210 N Main, 800 Meacham Boulevard (W. B. Tucker Survey, Abstract 1605, 18.19 Acre): from “K” Heavy Industrial to “PD/K” Planned Development for all uses in “K” Heavy Industrial plus biodiesel processing and storage; site plan included