



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
November 1, 2016

Council District 9

Zoning Commission Recommendation:
Approval as Amended to "E" by a vote of 9-0

Opposition: 2 letters submitted in opposition to initial proposal of "G" Intensive Commercial

Support: None submitted

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

Owner / Applicant: West Vickery IV Partners, LLC

Site Location: 3968 & 3978 W. Vickery Boulevard Mapsco: 75M

Proposed Use: Restaurant, Retail, Office

Request: From: "FR" General Commercial Restricted

To: "G" Intensive Commercial (applicant request), "E" Neighborhood Commercial (Zoning Commission recommendation)

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Background:

The proposed site is located on Vickery Blvd west of Montgomery Blvd. The applicant is requesting a zoning change from "FR" General Commercial Restricted to "E" Neighborhood Commercial for restaurant, retail and office uses. The current zoning allows all of these uses by right but the applicant would like to rezone in order allow for alcohol sales.

The applicant initially proposed "G" Intensive Commercial, however, "G" allows multiple uses and a height of 120 ft. that isn't suitable for the adjacent residential district. The applicant revised the proposal to "E" Neighborhood Commercial, during the Zoning Commission meeting, which is consistent with surrounding uses and is appropriate near residential uses.

The existing building is most likely legal nonconforming due to setbacks and single-family adjacency. Reconstruction/new structures or additional square footage would require that the site comply with current zoning standards which may require a variances through the Board of Adjustment. The table below describes several of the development standards below.

Development Standards	"E" Neighborhood Commercial
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

Site Information:

Owner: West Vickery IV Partners LLC
 PO Box 100104
 Fort Worth, Texas 76185

Agent: Trey Neville

Acreage: 0.48 acres

Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:

North "B" Two-Family / single-family
 East "FR" General Commercial Restricted / automotive
 South "J" Medium Industrial / automotive, office, vacant
 West PD 275 "PD/SU" for all uses in "FR" plus garden shop landscape office, outside storage and display / garden shop

Recent Relevant Zoning and Platting History:

Zoning History: None
 Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed
Vickery Blvd.	Major Arterial	Neighborhood Connector

2016 Thoroughfare Plan Street Types:

ACT Activity Street
 CMU Commercial Mixed Use
 NC Neighborhood Connector
 CMCO Commercial Connector
 SL System Link

Public Notification:

The following organizations were notified:

Organizations Notified	
Alamo Heights NA*	Streams And Valleys Inc
Trinity Habitat for Humanity	Fort Worth ISD

*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 restaurant, retail, and office. Surrounding land uses consist of single-family to the north, automotive uses to the east, automotive and office uses south of Vickery, and a garden shop to the west. The proposed site is separated from single-family by an alley. Rezoning to "E" is appropriate along Vickery Blvd., adjacent residential 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 Neighborhood Commercial. The requested zoning change is 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 conformance with the future land use map and the policies stated above; the proposed zoning **is consistent** with the Comprehensive Plan.

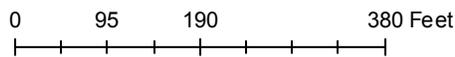
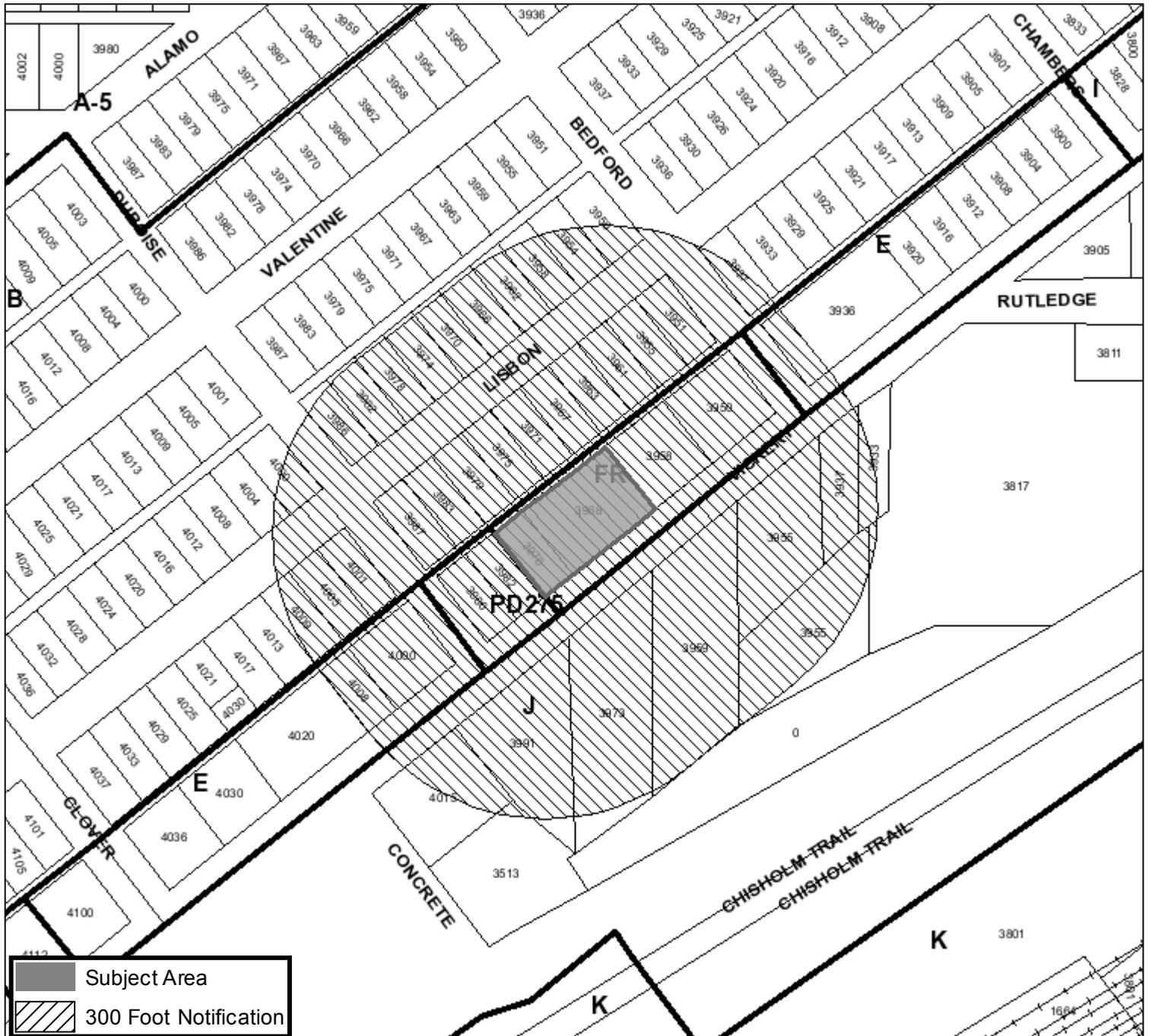
Attachments:

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

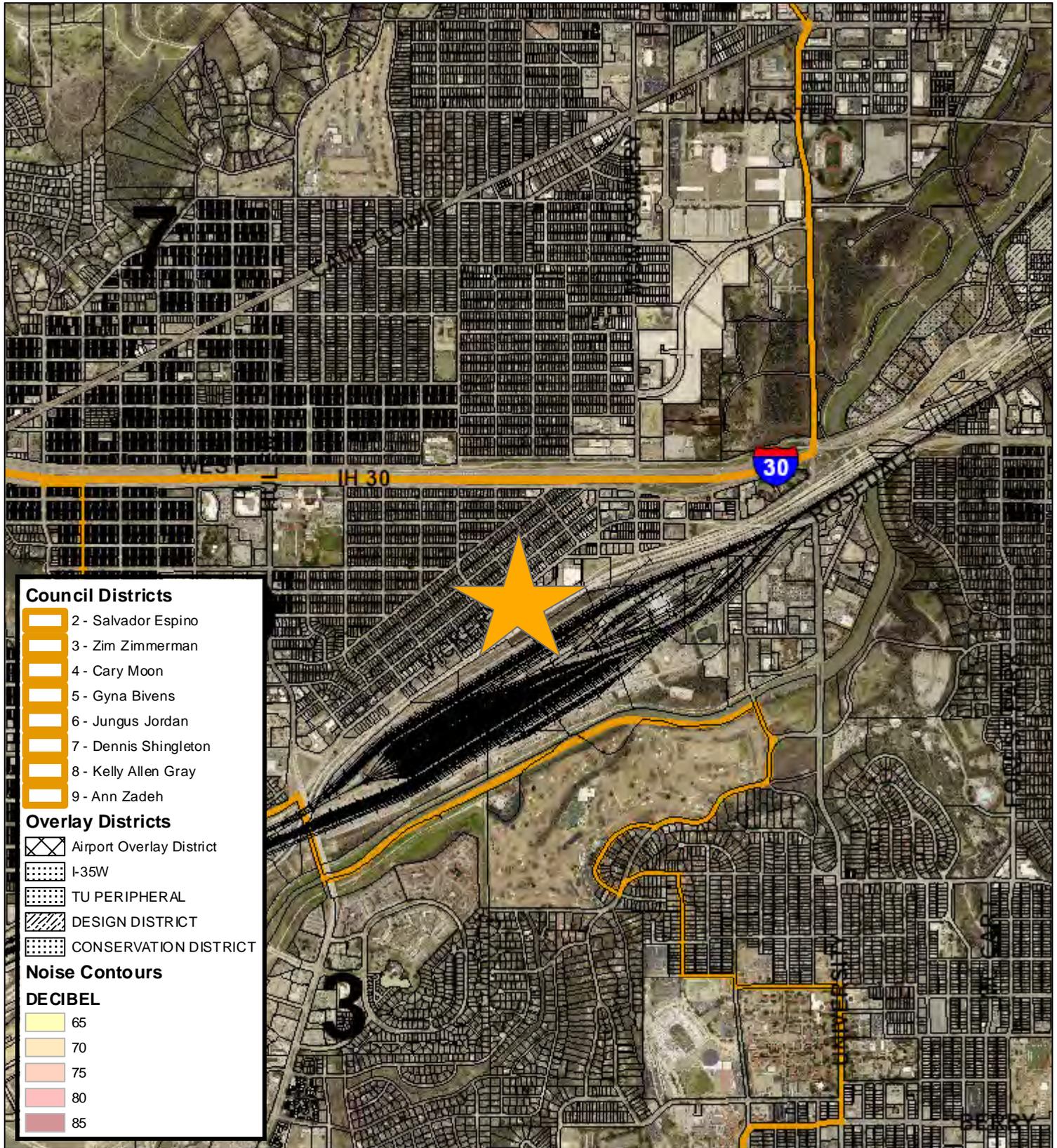


Area Zoning Map

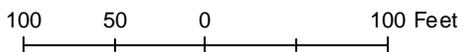
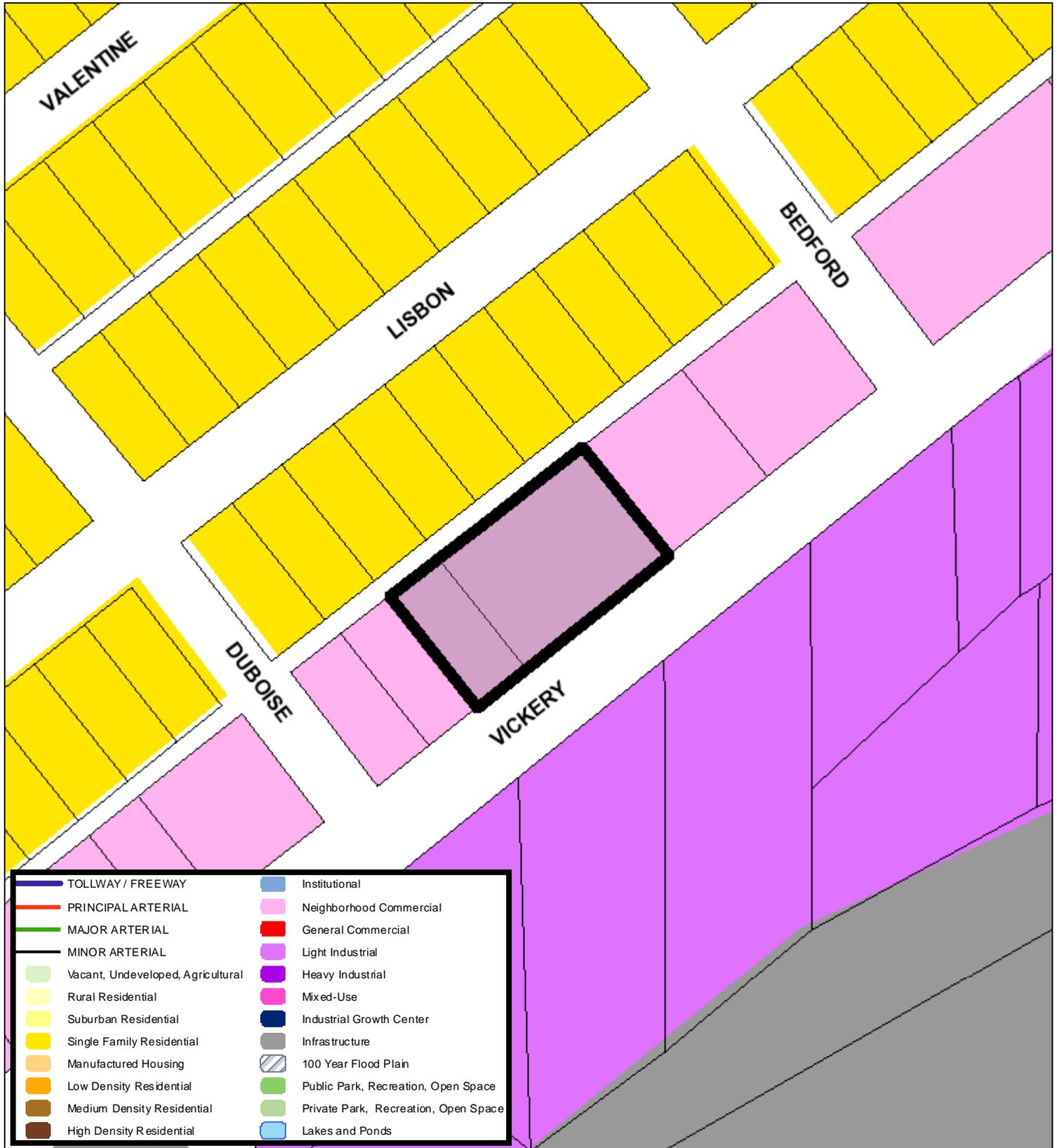
Applicant: West Vickery IV Partners, LLC
 Address: 3968 & 3978 W. Vickery Boulevard
 Zoning From: FR
 Zoning To: G
 Acres: 0.48139282
 Mapsco: 75M
 Sector/District: Arlington Heights
 Commission Date: 10/12/2016
 Contact: 817-392-8043



Area Map



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 65 130 260 Feet



8. ZC-16-182 West Vickery IV Partners LLC (CD 9) – 3968 & 3978 W. Vickery Boulevard (Prestige Factory Place Addition, Block 15, Lots 3, 4, 5, 6, 0.48 Acre): from “FR” General Commercial Restricted to “G” Intensive Commercial

Trey Neville, 3708 Lindon Avenue, Fort Worth, Texas representing West Vickery IV Partners explained to the Commissioners the request to rezone the property to allow for more uses on the property. Mr. Neville did say he reached out to the neighborhood groups and they did support new development.

Ms. Dunn asked about the height proposed and why “G” zoning. Mr. Neville said “G” is the most intensive and allows for more uses for the property.

Barbara Heptig spoke in opposition. A petition was submitted to the Commissioners. Ms. Heptig mentioned those present in opposition and is opposed to “G” zoning which would allow pool halls, bars, taverns, etc., including the height permitted in the “F” and “G” district.

Mr. Edmonds asked about Vickery being a busy street and what would they like to see for this property. Ms. Heptig stated they do not want more traffic, a business that has late night hours, etc.

In rebuttal Mr. Neville mentioned he can’t control lighting on a commercial site, they are proposing offices, boutiques, retail and or restaurant.

Mr. Flores asked if he has a tenant in mind. Mr. Neville said they have a few, one for restaurant with alcohol sales and some boutique stores.

Mr. Aughinbaugh asked what his vision is for this area. Mr. Neville stated he sees Vickery like South Congress Street with small businesses.

Ms. Dunn said the opposition is against alcohol and height. Ms. Murphy mentioned “E” allows for alcohol sales related to a restaurant, no bars are permitted. Ms. Burghdoff explained to Mr. Neville his options based on the uses proposed.

Mr. Northern asked about the consistency with the Comprehensive Plan. Ms. Burghdoff said it would be consistent.

Motion: Following brief discussion, Ms. Dunn recommended Approval of the request as Amended to “E”, seconded by Ms. McDougall. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-16-182
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Barbara Heptig	3962 Lisbon St.	In	Opposition		Spoke at hearing
Leslie Garcia	3958 W. Vickery	In	Opposition		Sent letter in
South Cole/Alamo Heights NA	NA	Out		Support	Sent letter in