



Case Number **ZC-18-162**

**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 15, 2019

Council District 8

Zoning Commission Recommendation:

Approval by a vote of 8-0, as amended to exclude hazardous material related uses and remove truck access points to Oak Grove Road

Opposition: Three people spoke, one letter

Continued	Yes <u>X</u>	No <u> </u>
Case Manager	<u>Laura Evans</u>	
Surplus	Yes <u> </u>	No <u>X</u>
Council Initiated	Yes <u> </u>	No <u>X</u>

Owner / Applicant: **Amon Carter Estate, et al**

Site Location: 5810 Oak Grove Rd Mapsco: 91Z

Proposed Use: **Industrial**

Request: From: "A-5" One-Family

To: "PD/I" Planned Development for all uses in "I" Light Industrial with Development Standards and excluding correction facility; amusement, outdoor; baseball/softball facility (commercial), bar, tavern, cocktail lounge, club, private or teen, dance hall; massage parlor; theater, drive-in; kennel; liquor or package store; mortuary or funeral home; tattoo parlor; veterinary clinic with outdoor kennels; crematorium; batch plant, concrete or asphalt (temporary); game room as primary use; smoke shop; site plan waiver requested (applicant request); "PD/I" Planned Development for all uses in "I" Light Industrial with Development Standards and excluding correction facility; amusement, outdoor; baseball/softball facility (commercial), bar, tavern, cocktail lounge, club, private or teen, dance hall; massage parlor; theater, drive-in; kennel; liquor or package store; mortuary or funeral home; tattoo parlor; veterinary clinic with outdoor kennels; crematorium; batch plant, concrete or asphalt (temporary); game room as primary use; smoke shop, any hazardous material uses, remove truck access points to Oak Grove Road; site plan waiver recommended (Zoning Commission recommendation)

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

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

Staff Recommendation: **Approval based on buffering and development standards**

Background:

The proposed site is located on Oak Grove Road, south of I-20. The applicant is requesting to rezone from "A-5" One-Family to a Planned Development based on "I" Light Industrial for industrial warehouse/distribution type uses. 46 Ranch is expected to be the developer of the property.

The site is located near the Carter Industrial Growth Center to the south of the property. Property to the south and east is zoned Medium Industrial. Other properties on the north and west are zoned and used for single family. Adjacency to A-5 zoning requires that the site will have a minimum 50 foot supplemental buffer where it abuts this zoning. Because “K” zoning allows the most intensive industrial uses and due to multiple utility easements, the developer is providing a 130 ft. buffer between the single family developments to the north of the site.

The developer has had several meetings with the adjacent Highland Hills neighborhood representatives. Their concerns included the protection of the residential uses and Public Park. The developer has worked to address their concerns by providing Development Standards excluding certain uses and with an extensive buffer and limitations that no activity or access will be provided on the north of the property toward the neighborhood except or any required fire lanes. No truck activity or building access will be provided in this area. The specific proposed Development Standards are provided below:

Proposed Planned Development Restrictions and Exclusions

1. Proposed Zoning and Excluded Uses

PD for all uses in "I" Light Industrial, excluding correction facility; amusement, outdoor; baseball/softball facility (commercial), bar, tavern, cocktail lounge, club, private or teen, dance hall; massage parlor; theater, drive-in; kennel; liquor or package store; mortuary or funeral home; tattoo parlor; veterinary clinic with outdoor kennels; crematorium; batch plant, concrete or asphalt (temporary); game room as primary use; smoke shop.

2. Proposed Use Restrictions

- No more than three buildings on the property.
- Maximum building height of 55 feet.
- Exterior building colors restricted to earth and gray tones.
- No building entrances or exits facing the adjacent residential district along the northern property line (except for required emergency exits) in the building(s) adjacent to the residential district.
- 130-foot building setback from the northern property line adjacent to the residential district.
- No parking areas or drive lines (except for required fire lanes) within the 130-foot setback.
- No loading/unloading areas facing the adjacent residential district along the northern property line in the building(s) adjacent to the residential district.
- No pedestrian walks, malls or open areas within the 130-foot setback.
- Screening walls, fences and landscaping for the adjacent residential district along the northern property line per city code.
- Exterior lighting and signage per city code, not to exceed one (1) foot-candle along the adjacent residential district.
- No outside storage within the 130-foot setback.
- Screening of exterior building equipment and trash containers per city code.
- Any outside truck and trailer storage shall be screened by trees on 25-foot centers with landscape shrubs in between the trees.
- Any outside storage other than truck and trailer storage must be screened by fencing authorized by city code.
- All articulated truck (18-wheel, semi-truck) traffic shall be required to enter and exit the site from Campus Drive

Below is chart of the differences between the “I” Light Industrial standards and proposed PD development standards.

	“I” Light Industrial	Proposed PD/I
Maximum Height	3 stories or 45 feet	Maximum building height of 55 feet.

Front Yard Setback	0 required if entire block frontage is zoned "FR" through "K"	Will comply
Interior Side Yard Setback	5 feet minimum adjacent to residentially zoned lot, none otherwise. If provided, side yard must be 3 feet minimum	Will comply
Corner Side Yard Setback	0 required unless through lot, then 10 feet minimum required	Will comply
Rear Yard Setback	10 feet minimum adjacent to residentially zoned lot, none otherwise	130-foot building setback from the northern property line adjacent to the residential district.
Summary of Allowed Uses	All uses permitted in "G", <u>plus</u> food processing, animal hospitals and outdoor kennels, transportation terminals, batch plant, warehousing, outside sales & storage, printing and light manufacturing	All uses in "I" Light Industrial, excluding correction facility; amusement, outdoor; baseball/softball facility (commercial), bar, tavern, cocktail lounge, club, private or teen, dance hall; massage parlor; theater, drive-in; kennel; liquor or package store; mortuary or funeral home; tattoo parlor; veterinary clinic with outdoor kennels; crematorium; batch plant, concrete or asphalt (temporary); game room as primary use; smoke shop.
Screening adjacent to A or B zoning		Screening walls, fences and landscaping for the adjacent residential district along the northern property line per city code
Lighting	All lighting must face down and away from any residential district	Per city code, not to exceed one (1) foot-candle along the adjacent residential district.
Signage		Will comply
Screening of exterior building equipment and trash containers		Will comply
Outside storage other than truck and trailer storage		Will comply

An industrial development will be required to plat and install infrastructure to meet the industrial standards, including streets, water, and sewer lines. Drainage needs will be studied and mitigation determined during the platting process.

The City of Fort Worth recently published an Economic Development Strategic Plan which stated four specific outcomes, one of which is “A more sustainable tax base, driven less by residential property valuation and more by commercial and industrial investment”. This property is at the boundary of industrial and residential uses which are typically two conflicting intensities. If approved, adequate buffering through setbacks, landscaping, building orientation including loading docks and truck circulation, and general industrial operations should be considered as they affect the existing residential uses.

The people that spoke in opposition stated concerns with the proximity of industrial uses to their neighborhood, increased truck traffic on Oak Grove Road, and noise and air pollution.

The applicant reached out to those that signed the petition in opposition, spoke in opposition, or whose property abuts the site. The applicant also invited them on a bus tour of its industrial property in Irving on November 10 for those that want to see an example of the proposed development. A town hall meeting at the Highland Hills community center was held on November 8th in order for the applicant to provide the community more information regarding the development.

Site Information:

Owner:	Amon G. Cater III Trust 640 Taylor St Fort Worth, TX 76102	Nenetta Brown Carter Trust 600 W 6 th St Suite 300 Fort Worth, TX 76102	George Ann Carter Bahan 4915 Crestline Dr Fort Worth, Texas 76107
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Agent:	Ray Oujesky
Acreage:	142.5 ac
Comprehensive Plan Sector:	Sycamore

Surrounding Zoning and Land Uses:

North	“A-5” One Family / undeveloped
East	“J” Medium Industrial / undeveloped
South	“J” Medium Industrial / undeveloped
West	“A-5” One-Family; “J” Medium Industrial / undeveloped

Recent Relevant Zoning and Platting History:

Zoning History: ZC-18-101 from A-5 to J; effective 7/15/18 (south of subject site)
Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed
Oak Grove Rd	Neighborhood & Commercial Connector	Neighborhood & Commercial Connector
Campus Drive	Neighborhood Connector	Neighborhood Connector
Altamesa	Commercial Connector	Commercial Connector

Public Notification:

300 foot Legal Notifications were mailed on September 21, 2018.
The following organizations were notified: (emailed September 17, 2018)

Organizations Notified	
Highland Hills NA*	Streams And Valleys Inc
Trinity Habitat for Humanity	Southeast Fort Worth Inc
Fort Worth ISD	Everman ISD

*Closest registered Neighborhood Association

Development Impact Analysis:

1. Land Use Compatibility

The applicant is requesting to rezone from “A-5” One-Family to “PD/I” Light Industrial for industrial uses. Surrounding land uses include a single family residential development to the north and west and mostly vacant and an industrial growth center and industrial uses to the east and south.

Due to the required buffers between industrial and residential uses and the Carter Industrial Growth Center to the south, the proposed rezoning is compatible at this location.

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

2. Comprehensive Plan Consistency

The 2018 Comprehensive Plan designates the subject property as Single-Family. Due to the proximity to “A-5” zoning, it is not consistent with the following Comprehensive Plan policies.

- 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)
- Encourage infill development of compatible, single-family homes in existing neighborhoods to preserve and protect residential neighborhoods.
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces.

Economic Development Strategic Plan

INITIATIVE 1.3. BUSINESS RETENTION & EXPANSION (BRE)

1.3.3.2. Ensure protection for other significant industrial districts with concentrations of manufacturing, transportation, and warehousing businesses that generate heavy truck traffic.

Based on the lack of conformance with the future land use map and policies stated above, the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan however the development standards are intended to alleviate some concerns with the residential adjacency.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the City Council meeting
- Minutes from November 14, 2018 Zoning Commission hearing

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Proposed Planned Development Restrictions and Exclusions Site Plan Waiver Requested

1. Proposed Zoning and Excluded Uses

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2. Proposed Use Restrictions

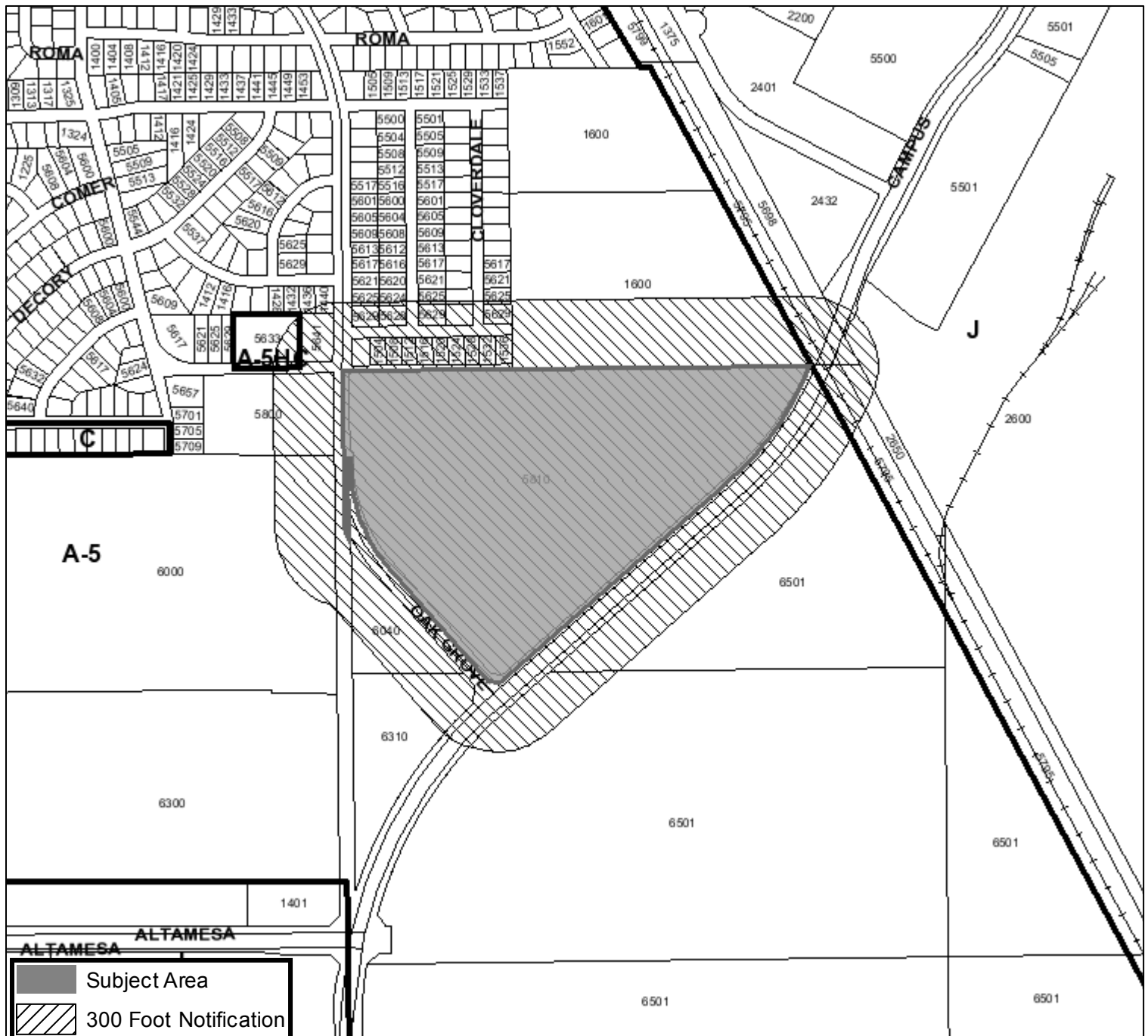
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Area Zoning Map

Applicant: Amon G Carter Estate, et al
Address: 5810 Oak Grove Road
Zoning From: A-5
Zoning To: PD/I excl uses, w dev standards incl 130 ft. north buffer, no activity within buffer
Acres: 39.95287485
Mapsc0: 91YZ
Sector/District: Sycamore
Commission Date: 10/10/2018
Contact: 817-392-8043



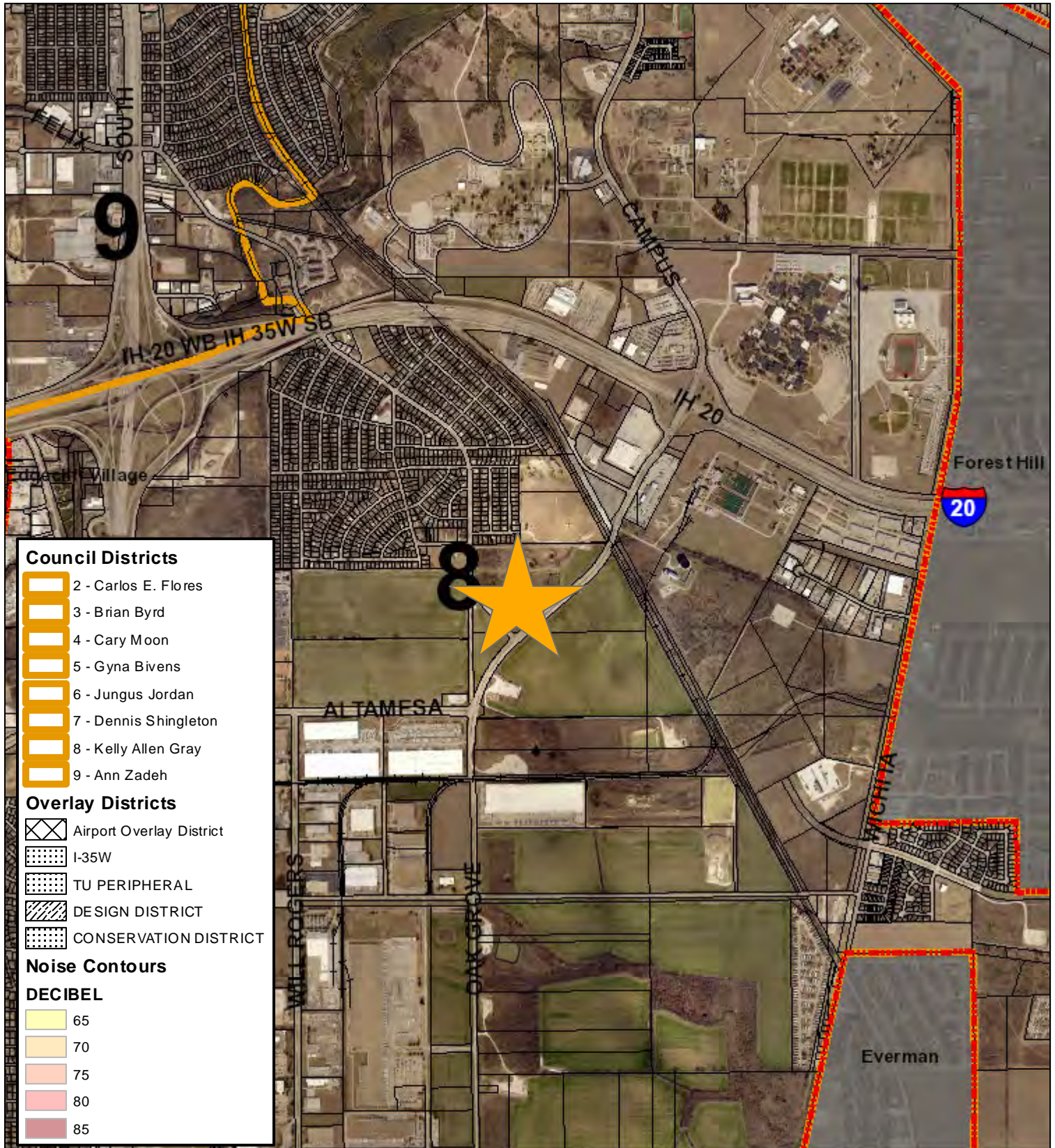
0 310 620 1,240 Feet

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Area Map

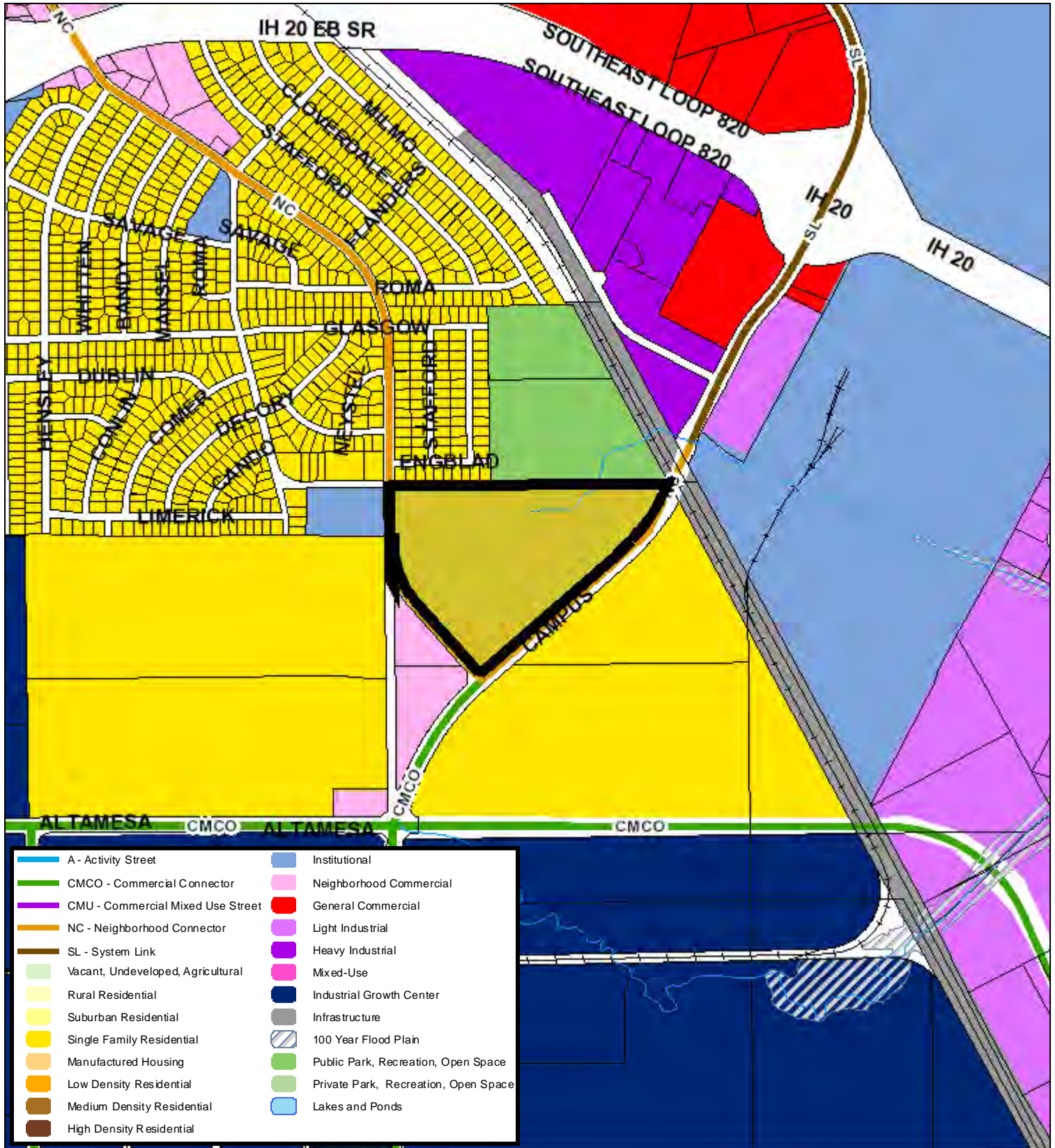


0 1,000 2,000 4,000 Feet



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Future Land Use



975 487.5 0 975 Feet

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 6, 2018.



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Aerial Photo Map



0 600 1,200 2,400 Feet



The City Council, at its meeting of November 13, 2018, continued Zoning Docket ZC-18-161:

2. **ZC-18-161 - (CD 8) - Amon G Carter Estate, et al, 6501 Oak Grove Road; From: "A-5" One-Family To: "K" Heavy Industrial 142.52 acres (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)**

Mr. Ray Oujesky, 201 Main Street, Suite 2500, completed a speaker card in support of Zoning Docket ZC-18-161 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Byrd, that Zoning Docket ZC-18-161 be continued to the January 15, 2019, Council meeting. Motion passed 9-0.

3. **ZC-18-162 - (CD 8) - Amon Carter Estate, et al, 5810 Oak Grove Road; From: "A-5" One-Family To: PD/I Planned Development for all uses in "I" Light Industrial with development standards and excluding correction facility, amusement, outdoor baseball/softball facility (commercial), bar , tavern, cocktail lounge, club, private or teen, dance hall; massage parlor, theater, drive-in; kennel liquor or package store, mortuary or funeral home; tattoo parlor, veterinary clinic with outdoor kennels; crematorium, batch plant, concrete or asphalt (temporary); game room as primary use; smoke shop; site plan waiver requested (Applicant request); PD/I Planned Development for all uses in "I" Light Industrial with development standards and excluding correction facility, amusement, outdoor baseball/softball facility (commercial, bar, tavern, cocktail lounge, club, private or teen, dance hall; massage parlor, theater, drive-in; kennel liquor or package store, mortuary or funeral home; tattoo parlor, veterinary clinic with outdoor kennels; crematorium, batch plant, concrete or asphalt (temporary); game room as primary use; smoke shop, any hazardous material uses, remove truck access points to Oak Grove Road; site plan waiver recommended 142.50 acres (Zoning Commission recommendation) (Recommended for Approval as Amended by the Zoning Commission to also include any hazardous material uses and to remove truck access points along Oak Grove Road)**

Mr. Ray Oujesky, 201 Main Street, Suite 2500, completed a speaker card in support of Zoning Docket ZC-18-162 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Allen Gray made a motion, seconded by Mayor Pro tem Shingleton, that Zoning Docket ZC-18-162 be continued to the January 15, 2019, Council meeting Motion passed 9-0.