

ORDINANCE NO. 18963-12-2009

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS OF SUCH NUMBER, SHAPE AND AREA AS MAY BE DEEMED BEST SUITED TO CARRY OUT THESE REGULATIONS AND SHOWING SUCH DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:

SECTION 1.

*PP 8163
Ord # 18963*
ZC-09-074 900 and 1000 blocks of Missouri Avenue, South Freeway (I-35W) and Evans Avenue 8.00 acres

Zoning Change: (Tract 1)

From: "MU-1" Low Intensity Mixed Use

To: "PD/E" Planned Development for "E" Neighborhood Commercial minus certain uses, Development standards attached as Attachment A. Site plan required.

Description: Lots 1 through 16, Block 1, Schlatters Subdivision, Lots 13 through 28, Block 3, Evans South Addition

Zoning Change: (Tract 2)

From: "MU-1" Low Intensity Mixed Use and "MU-1/HC" Low Intensity Mixed Use/Historic & Cultural Overlay

To: "PD/MU-1" Planned Development for Low Intensity Mixed Use, "PD/MU-1/HC" Planned Development for Low Intensity Mixed Use/Historic & Cultural Overlay, minus certain uses, Development standards attached as Attachment A. Site plan required.

Description: Lots 1 through 4 and Lots 11 through 12, Block 3, Evans South Addition, Lots 1 through 8, Block 1, McAnulty & Nesbitt Sub Evans

ZC-09-106 4635 Mansfield Highway 0.99 acres

Zoning Change:

From: "B" Two Family.

To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto sales and detailing; site plan approved and on file in the Planning and Development Department.

Description:

Being a tract of land out of the E. P. Paris Survey, Abstract No. 1223, Tarrant County, Texas, described by metes and bounds as follows:

Beginning at a stake 313 vrs East and 398 vrs North of the S.W. corner of the E. P. Paris Survey, said stake being the N.W. corner of a tract of land deeded to M.O. Wreay in deed recorded in Vol. 793, Page 611, Deed Records, of Tarrant County, Texas;

Thence South 274 feet, a stake in the North line of U.S. Highway No. 287;

Thence South 62-3/4 degrees East with said North line, 100 feet;

Thence 18-3/4 degrees East 337 feet, a stake in the North line of said Wreay tract;

Thence West 196 feet to the ***Place of Beginning and being the same tract conveyed to Edward Otho Wreay and wife, Georgia Ann Wreay by Warranty Deed recorded in Volume 2067, Page 153, Deed Records, Tarrant County, Texas;***

Save and Except that 0.050 acre tract conveyed by Edward Otho Wreay and wife Georgia Ann Wreay to the State of Texas by deed filed May 22, 1996 and recorded in Volume 12373, Page 746, Real property Records, Tarrant County, Texas.

ZC-09-124 715, 801 Hawthorne Street and 2100, 2104, 2110 Hemphill Street 1.07 acres

Zoning Change:

From: "B/HC" Two Family/Historic & Cultural Overlay and "ER/HC" Neighborhood Commercial Restricted/Historic & Cultural Overlay

Planned Development District Development Standards

ZC-09-074

Site Plan Required

FREEWAY BLOCKS (Tract 1)

Schlatters Subdivision: Block 1, Lots 1-16

Evans South Addition: Block 3, Lots 13-28

Uses

"PD/E" Planned Development for "E" Neighborhood Commercial uses, excluding:

- community homes
- group homes
- ambulance dispatch station
- liquor or package store
- mortuary or funeral home

Parking And Driveways

1. The number of parking spaces shall not exceed 100% of the total prescribed by Section 6.201 of the City of Fort Worth Zoning Ordinance.
2. Parking in the freeway blocks shall be located toward the I-35 service road.
 - a. Buildings, landscaping treatments, and/or walls shall screen views of parking lots from Missouri street. Height of fences shall be four-foot open design consisting of wrought-iron, tubular steel, picket or similar type material designed for fencing (excluding chain link) that does not obscure visibility and is no greater than 50 percent density.
 - b. Trash disposal areas, loading zones, and ground mechanical equipment shall be located behind buildings and screened from views from local streets and pedestrian ways. Height of walls shall be at least six feet and shall completely conceal the disposal area. The trash enclosure shall be designed with materials and colors compatible with the main structures on the site.

Architectural Standards

1. Roofs
 - a. Parapets or other screening elements of sufficient height shall conceal mechanical equipment from street-level views.
2. Facades

The following standards apply to building massing and facades facing publicly accessible or other public space (excluding alleys).

Façade variation - Buildings shall, at a minimum, incorporate:

 - a. Expression of building elements, such as;
 - Structure frame (columns and pilasters)
 - Floor/roof delineation (banding, coursing and foundation articulation)
 - Foundation
 - b. Variations in materials, material pattern or color
3. Building Materials

a. New building facades facing public areas (except alleys) shall conform to the materials listed below.

ii. Primary materials

- Brick
- Stone or stone veneer with cavity wall construction
- Stucco
- EIFS (Exterior Insulation and Finish System) above 12 feet
- Glass and Aluminum Glazing System
- Metal Panels-individual or Storefront System
- Concrete-finish should be at an architectural level.
- Wood
- Cement composite board (not simulating wood)
- Tile-terra cotta, porcelain or ceramic

iii. Limited Accent and Trim Materials

- All primary materials listed above
- Metal-galvanized, painted, or ornamental
- Pre-cast masonry (trim and cornice only)
- EIFS
- Concrete fiber simulated wood siding

iv. Inappropriate materials

- Vinyl or aluminum siding
- Mirrored glass

4. Fenestration (all buildings)

Building facades fronting on publicly accessible streets, including IH-35, or other public spaces shall have openings and transparent glazing that together constitute not less than 25 percent of the façade.

5. Multiple story transparency

For all ground floor non-residential uses located along publicly accessible streets and other public spaces, at least 40 percent of the wall area between 2 and 12 feet shall consist of doors and transparent glazing.

Facades that are oriented to publicly accessible streets or other public spaces shall include a clear delineation between the first or second floor level and upper levels with a canopy, balcony, arcade, or other architectural features.

Signs

Signs shall conform to the dimensional regulations set forth in Chapter 6, Article 4 of the Zoning Ordinance.

Landscaping

1. All landscaping shall comply with Section 6.301.
2. Part of required landscaping shall be used to screen the parking area fronting Missouri Street.

Urban Forestry

All landscaping shall comply with Section 6.302.

EVANS AVENUE BLOCKS (Tract 2)

Schlaters Subdivision: Block 1, Lots 1-16

Evans South Addition: Block 3, Lots 13-28

Uses

"PD/MU-1" Planned Development for "MU-1" Low Intensity Mixed-Use", excluding:

- community homes
- group homes
- ambulance dispatch station
- liquor or package store
- mortuary or funeral home
- retail auto parts supply

Parking And Driveways

Businesses with Evans Avenue frontage shall be primarily oriented toward the street.

1. The number of parking spaces shall not exceed 100% of the total prescribed by Section 6.201 of the City of Fort Worth Zoning Ordinance.
2. Parking lots in the Evans Avenue blocks
 - a. Buildings, landscaping treatments, and/or walls shall screen views of parking lots from Missouri street.
 - b. Clearly visible pedestrian access points should be provided at regular intervals between freeway blocks.
 - c. Trash disposal areas shall be located behind buildings and screened from views from local streets and pedestrian ways. Height of walls shall be at least six feet and shall completely conceal the disposal area. The trash enclosure shall be designed with materials and colors compatible with the main structures on the site.
 - d. For any development with street frontage: A continuous sidewalk shall be constructed along property lines that are adjacent to street ROW. Street trees are required along the sidewalks every 40 feet. Pedestrian access shall be provided between sidewalk, on site parking, and building entrances. Pedestrian access points should include landscaping, walkways, and decorative pavement.
 - e. Driveway locations-Primary driveway access shall be along Missouri Street.

Architectural Standards

1. Roofs
 - a. Parapets or other screening elements of sufficient height shall conceal mechanical equipment from street-level views.
2. Facades

The following standards apply to building massing and facades facing publicly accessible or other public space (excluding alleys).

Façade variation - Buildings shall at a minimum, incorporate:

- a. Expression of building elements, such as;
 - Structure frame (columns and pilasters)
 - Floor/roof delineation (banding, coursing and foundation articulation)
 - Foundation
- b. Facade articulation through the use of recessed or projecting elements
- c. Variations in materials, material pattern or color

3. Building Materials

a. New building facades facing public areas (except alleys) shall conform to the materials listed below.

v. Primary materials

- Brick
- Stone or stone veneer with cavity wall construction
- Stucco
- EIFS (Exterior Insulation and Finish System) above 12 feet
- Glass and Aluminum Glazing System
- Metal Panels-individual or Storefront System
- Concrete-finish should be at an architectural level.
- Wood
- Cement composite board (not simulating wood)
- Tile-terra cotta, porcelain or ceramic

vi. Limited Accent and Trim Materials

- All primary materials listed above
- Metal-galvanized, painted, or ornamental
- Pre-cast masonry (trim and cornice only)
- EIFS
- Concrete fiber simulated wood siding

vii. Inappropriate materials

- Vinyl or aluminum siding
- Mirrored glass

4. Fenestration (all buildings)

Building facades fronting on publicly accessible streets or other public spaces shall have openings and transparent glazing that together constitute not less than 25 percent of the façade.

5. Ground floor transparency

For all ground floor non-residential uses located along publicly accessible streets and other public spaces, at least 40 percent of the wall area between 2 and 12 feet shall consist of doors and transparent glazing.

Facades that are oriented to publicly accessible streets or other public spaces shall include a clear delineation between the first or second floor level and upper levels with a canopy, balcony, arcade, or other architectural features.

Signs

1. Signs shall conform to the basic dimensional regulations set forth in Chapter 6, Article 4 of the Zoning Ordinance.
2. Electronic changeable copy signs are prohibited.

Landscaping and Urban Forestry

1. All landscaping shall comply with Section 6.301
2. All landscaping shall comply with Section 6.302



Case Number **ZC-09-074**

**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
December 8, 2009

Council District 8

Zoning Commission Recommendation:

Approved by a vote of 9-0

Opposition: None

Continued	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Case Manager	<u>Stephen Murray</u>	
Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Council Initiated	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Owner / Applicant: City of Fort Worth Housing and Economic Development

Site Location: 900 & 1000 Blks Missouri Avenue, South Freeway (I-35W) and Evans Avenue
Mapsco: 77K

Proposed Use: Commercial/Mixed Use

Request: From: "MU-1" Low Intensity Mixed-Use and "MU-1/HC" Low Intensity Mixed-Use Historic and Cultural Overlay

To: "PD/E" Planned Development for "E" Neighborhood Commercial minus certain uses, (Tract 1); "PD/MU-1" Planned Development for Low Intensity Mixed-Use and "PD/MU-1/HC" Planned Development for Low Intensity Mixed Use/Historic & Cultural Overlay, minus certain uses (Tract 2). Development standards provided. Site plan required.

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Background:

The proposed location is part of a larger redevelopment effort through the City's Department of Housing and Economic Development. It is in the reconstructed part of Evans Avenue and near the new Shamblee Library and new Hazel Harvey Peace Center.

Cypress Equities has been contracted with the city to help generate development activity in the area. The proposed zoning change requests reflect the differing form between the properties facing the interstate and those interior to the urban village. The lots facing IH-35W are proposed for "PD/E" Planned Development for "E" Neighborhood Commercial minus certain uses. "PD/MU-1" Planned Development for Low Intensity Mixed-Use minus certain uses is proposed for lots adjacent to Evans Avenue. The Mixed-Use Zoning Advisory Group (MUZAG) is reviewing current mixed-use standards and will most likely revise portions of the Ordinance. The proposed Development Standards shall adhere to any amendments to the mixed-use ordinance.

Development standards are intended to implement the comprehensive approach to redevelopment established in the Evans Avenue Urban Design Guidelines, in a separate plan created by Cypress Equities. The PD standards establish guidelines to maintaining appropriate scale, the relationship between buildings and streets, and visual and architectural imagery and character. These standards are

consistent with the community's vision for the urban village as an economically vibrant district for public and private investment.

The property located at 924 Evans has an HC designation with the stipulation of a written plan to commemorate the site of Lucille Bishop Smith's home and be approved by the Historic and Cultural Landmarks Commission (HCLC) from September 2003. In August 2005 Economic & Community Development held a meeting with the HCLC to discuss demolition of the structure at 924 Evans which had been vacant for many years. HCLC voted to approve the Certificate of Appropriateness with the stipulation that a written plan to commemorate Mrs. Smith be approved by Planning Department staff. Therefore the HC designation for 924 Evans remains even though the lot is vacant. An application to remove this designation along with the stipulation would need to go before the HCLC for approval.

Site Information:

Owner:	City of Fort Worth, Department of Housing and Economic Development 1000 Throckmorton Fort Worth, TX 76102
Acreage:	8.0 ac
Comprehensive Plan Sector:	Southside

Surrounding Zoning and Land Uses:

North	"MU-1" Low Intensity Mixed-Use / Hazel Harvey Peace Center for Neighborhoods (<i>grand opening Dec. 5</i>)
East	"MU-1/HC/DD" Low Intensity Mixed-Use; Historic & Cultural Overlay; Demolition Delay; "A-5/HC" One-Family/Historic and Cultural Overlay / vacant, Ella Mae Shamblee Branch Library
South	"MU-1/HC/DD" Low Intensity Mixed-Use Historic & Cultural Overlay/ Demolition Delay / vacant
West	"C" Medium Density Multifamily; "NS-T4" Near Southside T-4 (General Urban Zone) / IH-35W ROW

Public Notification:

The following Neighborhood Associations were notified:

Historic Southside NA	NUP-Neighborhood Unification Project
Hillside Morningside	Southeast Fort Worth, Inc.
Fort Worth South, Inc.	United Communities Association
Near Southeast CDC	Fort Worth ISD
East Fort Worth Business Association	

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Development Impact Analysis:

1. **Land Use Compatibility**

Surrounding uses are primarily vacant with existing development located to the east on Evans Avenue, which is the core of the Urban Village. The PD standards are intended to conform to the comprehensive approach established in the Evans Avenue Urban Design Guidelines.

The proposed zoning **is compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2009 Comprehensive Plan designates the site as Mixed-Use Growth Center. The proposed zoning change conforms to the following Comprehensive Plan policies:

- Encourage development type and intensity appropriate to existing planned street infrastructure (pg. 38).
- Locate commercial and institutional uses adjacent to arterial streets, preferably at intersection of other arterials and highways

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

Attachments:

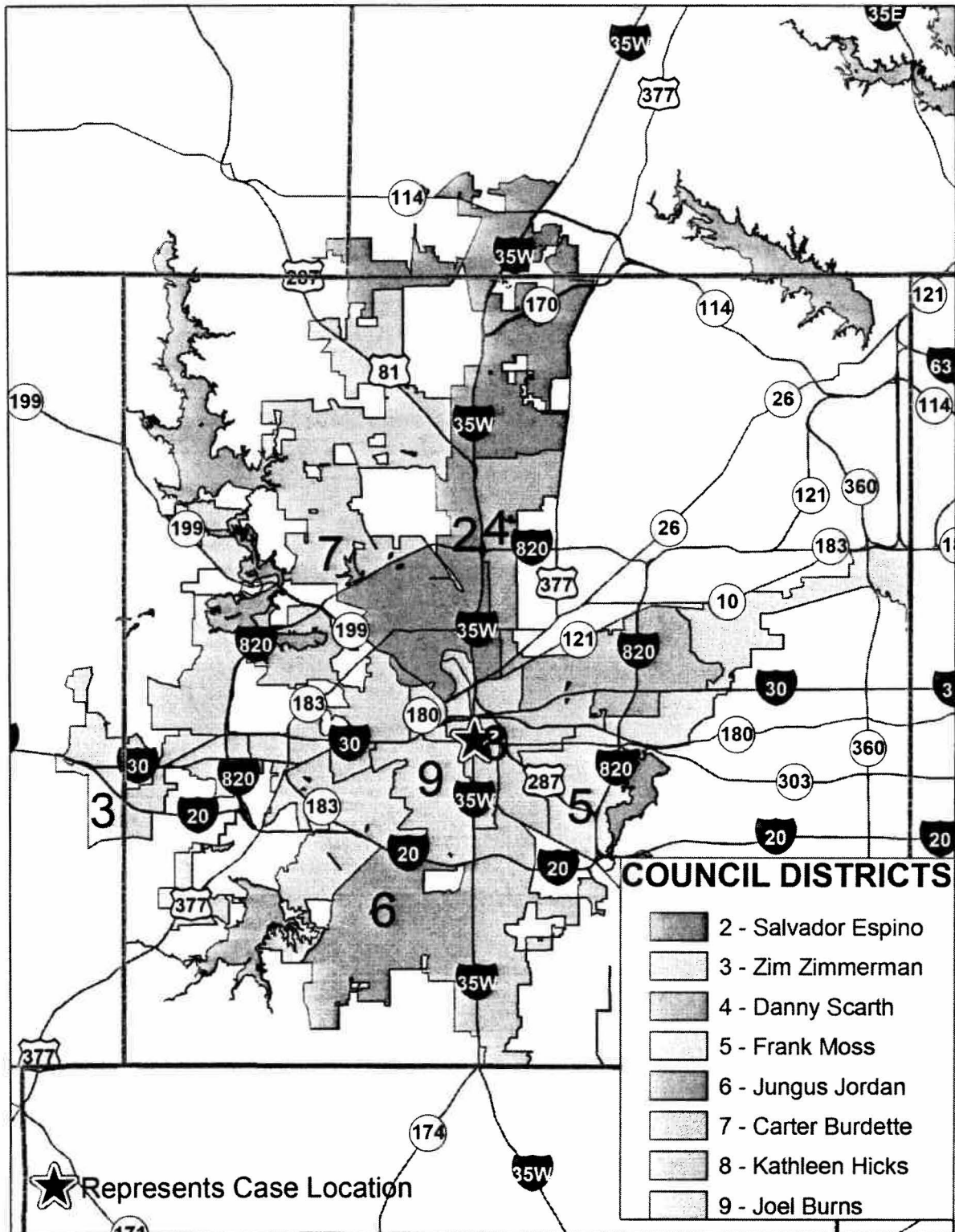
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Development Standards
- Minutes from the Zoning Commission meeting of November 11, 2009

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ZC-09-074

Location Map



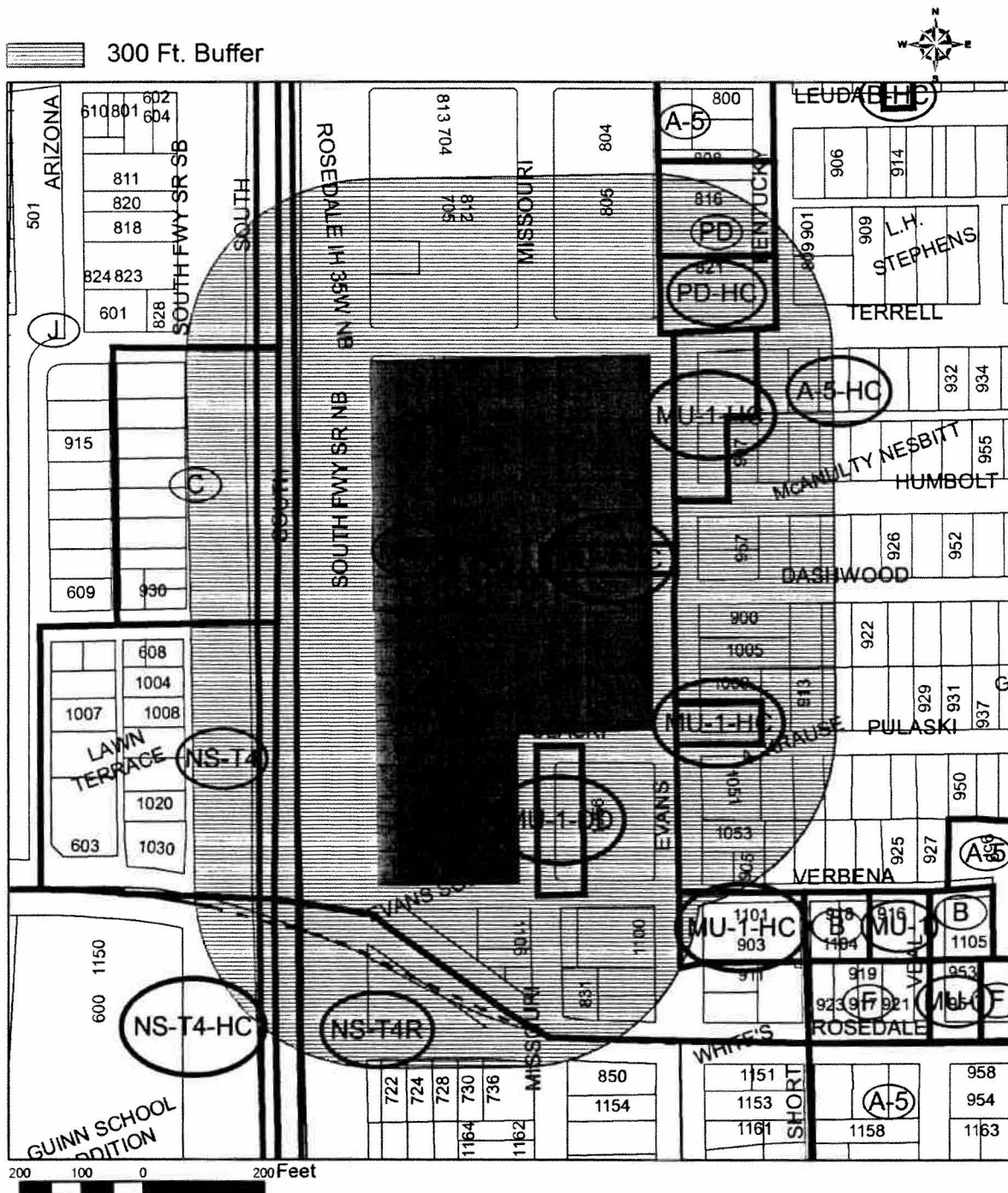
5 2.5 0 5 Miles



ZC-09-074

Area Zoning Map

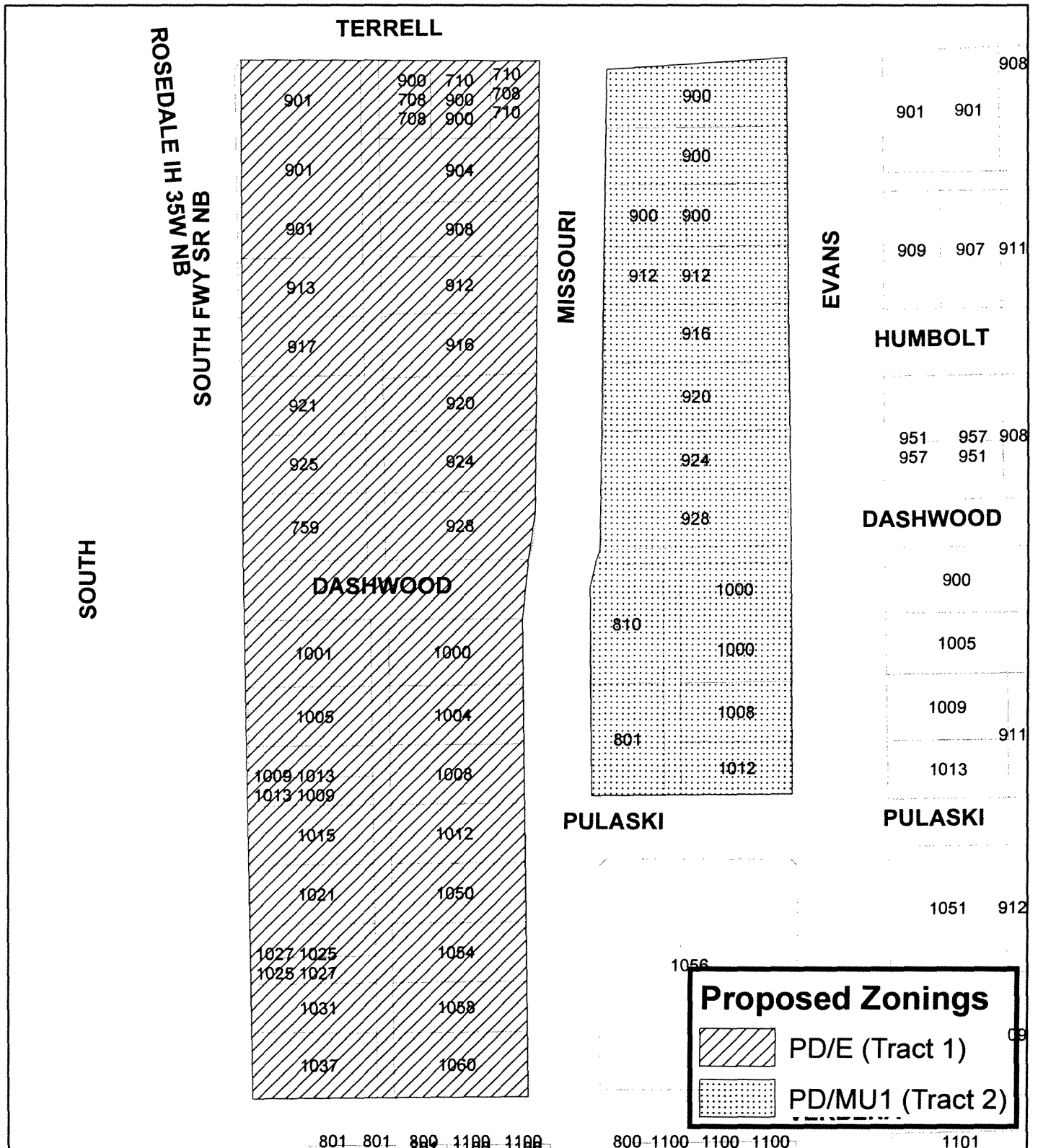
Applicant: City of Fort Worth Housing & Economic Development
Address: 900&1000 blks Missouri Ave, S Freeway (I-35W) & Evans Ave, w side
Zoning From: MU-1 MU-1/HC
Zoning To: PD/E and PD/MU-1, excluding uses and with Dev. Standards
Mapsc0: 77 K
Sector/District: Southside
Commission Date: 11/11/2009
Contact: 817-392-8043





ZC-09-074

Proposed Zoning Districts





ZC-09-074

Aerial Photo Map



200 100 0 200 Feet

Motion: Following a brief discussion, Ms. Miller recommended a 60 day continuance of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

IV. New Cases

→ 4. **ZC-09-074 City of Fort Worth Housing & Economic Development (CD 8)- 900-1000 blocks of Missouri Avenue, IH-35W and West Evans (Schatlers Subdivision, Block 1, Lots 1 through 16 and Evans South Addition, Block 3, Lots 13 through 28 8.0 Acres): from “MU-1” Low Intensity Mixed Use and “MU-1/HC” Low Intensity Mixed Use/Historic & Cultural Overlay to “PD/E” Planned Development for “E” Neighborhood Commercial minus certain uses, (Tract 1), “PD/MU-1” Planned Development for Low Intensity Mixed Use, “PD/MU-1/HC” Planned Development for Low Intensity Mixed Use/Historic & Cultural Overlay, minus certain uses, (Tract 2). Development standards provided. Site plan required.** ←

Jocelyn Murphy Planning Manager City of Fort Worth explained to the Commissioners this is a property located in the Evans Rosedale Urban Village. There is a plan created for this area with development standards for future development. Properties fronting the freeway are proposed to be rezoned to PD/E and properties facing Evans Avenue are proposed to be rezoned to PD/MU-1. A site plan will be required when the property is to be developed.

Andre’ McEwing 1150 South Freeway, representing Southeast Fort Worth, Inc., spoke in support of the project. He mentioned they have attended two public meetings with the stakeholders and have reached out to business owners in the area. There are plans to expand Rosedale to six lanes in the future.

Mr. Kemp asked if they thought this was the best use for the area. Mr. McEwing explained it is the best zoning for the area. The merits of the proposed type of uses are a concern, but they need the economic development and want this to move forward. The zoning will support the development for the area.

Mr. Ortiz asked about the proximity to the freeway and architectural designs. Ms. Burghdoff explained there are no residential uses proposed for the block closest to the freeway.

Mr. Barnes mentioned he believes this is the best use for the area but question the merits of the development. Mr. McEwing mentioned the merits are based on what you want.

Cleveland Harris 1037 Colvin, representing Morningside NA, spoke in support of the proposal and that they are bringing jobs to the community.

Monnie Gilliam 1100 Vickie Lane, representing the Vickie Lane NA, does not support the proposed request. He mentioned the City Council approved a master plan for this area in 2004. The neighborhood was concerned about the original request that was sent out in June 2009 for a restaurant and the latest request for PD/E and PD/MU-1. He mentioned a meeting was held in

October with the neighborhood in which few residents attended. They would like the meeting to be continued so they could sit down and understand the proposal. He does not believe a quick service restaurant is the best use for this property.

Mr. Kemp mentioned the proposal is consistent with the Comprehensive Plan.

Mr. Wilson asked if there were any residential houses on the property and do they want to delay the request. He also mentions they are here to make a recommendation to City Council.

Johnny Lewis 953 Terrell mentioned they are not in opposition they just want to understand the request before them. He also mentioned they have been working on this since 2004 and that a delay would not be an issue.

Mark Folden, Program Manager of Housing and Economic Development for the City of Fort Worth, mentioned that a delay on this would push schedules past contract commitments.

Motion: Following a brief discussion, Mr. Kemp recommended approval of the request, seconded by Mr. Barnes. The motion carried unanimously 9-0.

5. ZC-09-124 Richard and Chandra Riccetti (CD 9)- 715, 800 Hawthorne Street and 2100, 2104, 2110 Hemphill Street (Powell's Subdivision, Block F6, Lot A AKA E50'N100', and Block E5, Lots A, B, C, D 1.07 Acres): from "B/HC" Two Family/Historic & Cultural Overlay and "ER/HC" Neighborhood Commercial Restricted/Historic & Cultural Overlay to "PD/SU/HC" Planned Development/Specific Use for restaurant, café, catering facility, cafeteria, cooking school, wedding service, bakery, bed & breakfast inn, offices, medical services, including doctor's office, art, apparel, clothing or tailor, books, medical supplies, antique, leather goods, daycare/kindergarten (child), place of worship/worship auxiliary use, studio (art & photography), museum/cultural facility, library, fine arts, bank, financial institution (no drive-thru), community center, recreation center (private or non-profit), health or recreation club (not open 24 hours), interior decorating, auxiliary parking and a maximum of 8 residential units per site /Historical & Cultural Overlay; site plan included.

Richard Riccetti 2204 Lipscomb Street explained to the Commissioners the reason for the PD/SU zoning is to allow for certain uses with limited residential and is based on the MU-1 criteria. 2110 will be the site of the Bastion as well as a proposed courtyard for herb gardens to support the business. 801 Hawthorne will be a green auxiliary parking lot with permeable pavers. There are 27 parking spaces proposed with additional spaces in the future. They hope to open the restaurant in the summer of 2011. They have received letters of support from the Hemphill Corridor, Fairmont and Fort Worth South, Inc.

Harry Walker 6320 Halifax Road spoke in support of the proposal.

Motion: Following a brief discussion, Ms. Reed recommended approval with waivers to items 1 thru 8 of the request, seconded by Mr. Wilson. The motion carried unanimously 9-0.



Case Number **ZC-09-074**

**ZONING MAP CHANGE
STAFF REPORT**

Zoning Commission Meeting Date:
November 11, 2009

Council District 8

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: City of Fort Worth Planning & Development

Site Location: 900 & 1000 Blks Missouri Avenue, South Freeway (I-35W) and Evans Avenue
Mapsc0: 77K

Proposed Use: Commercial

Request: From: "MU-1" Low Intensity Mixed-Use and "MU-1/HC" Low Intensity Mixed-Use Historic and Cultural Overlay

To: "PD/E" Planned Development for "E" Neighborhood Commercial minus certain uses, (Tract 1), "PD/MU-1" Planned Development for Low Intensity Mixed-Use, "PD/MU-1/HC" Planned Development for Low Intensity Mixed Use/Historic & Cultural Overlay, minus certain uses (Tract 2). Development standards provided. Site plan required.

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

Comprehensive Plan Consistency: Requested change is **consistent**.

Background:

The proposed location is part of a larger redevelopment effort through the City's Department of Housing and Economic Development. It is one block away from the reconstructed part of Evans Avenue and near the new Shamblee Library and new Public Health Building.

Cypress Equities has been contracted with the city to help generate development activity in the area. The proposed zoning change requests reflect the differing form between the properties facing the interstate and those interior to the urban village. The lots facing IH-35W are proposed for "PD/E" Planned Development for "E" Neighborhood Commercial minus certain uses. "PD/MU-1" Planned Development for Low Intensity Mixed-Use minus certain uses is proposed for lots adjacent to Evans Avenue. Mixed-Use Zoning Advisory Group (MUZAG) is reviewing current mixed-use standards and will most likely revise portions of the Ordinance. The proposed Development Standards are intended to adhere to any amendments to the mixed-use ordinance.

Development standards are intended to implement the comprehensive approach to redevelopment established in the Evans Avenue Urban Design Guidelines, created by Cypress Equities. The PD standards establish guidelines to maintaining appropriate scale, the relationship between buildings and streets, and visual and architectural imagery and character. These standards are consistent with the community's vision for the urban village as an economically vibrant district for public and private investment.

The property located at 924 Evans has an HC designation with the stipulation of a written plan to commemorate the site of Lucille Bishop Smith's home and be approved by the Historic and Cultural Landmarks Commission (HCLC) from September 2003. In August 2005 Economic & Community Development held a meeting with the HCLC to discuss demolition of the structure at 924 Evans which had been vacant for many years. HCLC voted to approve the Certificate of Appropriateness with the stipulation that a written plan to commemorate Mrs. Smith be approved by Planning Department staff. Therefore the HC designation for 924 Evans remains even though the lot is vacant. An application to remove this designation along with the stipulation would need to go before the HCLC for approval.

Site Information:

Owner: City of Fort Worth, Department of Housing and Economic Development
1000 Throckmorton
Fort Worth, TX 76102

Acreage: 8.0 ac
Comprehensive Plan Sector: Southside

Surrounding Zoning and Land Uses:

North "MU-1" Low Intensity Mixed-Use / Hazel Harvey Peace Center for Neighborhoods
(estimated completion 2009)
East "MU-1/HC/DD" Low Intensity Mixed-Use; Historic & Cultural Overlay; Demolition Delay;
"A-5/HC" One-Family/Historic and Cultural Overlay / vacant, Ella Mae Shamblee Branch
Library
South "MU-1/HC/DD" Low Intensity Mixed-Use Historic & Cultural Overlay/ Demolition Delay /
vacant
West "C" Medium Density Multifamily; "NS-T4" Near Southside T-4 (General Urban Zone) / IH-
35W ROW

Public Notification:

The following Neighborhood Associations were notified:

Historic Southside NA	NUP-Neighborhood Unification Project
Hillside Morningside	Southeast Fort Worth, Inc.
Fort Worth South, Inc.	United Communities Association
Near Southeast CDC	Fort Worth ISD
East Fort Worth Business Association	

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Development Impact Analysis:

1. **Land Use Compatibility**

Surrounding uses are primarily vacant with existing development located to the east on Evans Avenue, which is the core of the Urban Village. The PD standards are intended to conform to the comprehensive approach established in the Evans Avenue Urban Design Guidelines.

The proposed zoning **is compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2009 Comprehensive Plan designates the site as Mixed-Use Growth Center. The proposed zoning change conforms to the following Comprehensive Plan policies:

- Encourage development type and intensity appropriate to existing planned street infrastructure (pg. 38).
- Locate commercial and institutional uses adjacent to arterial streets, preferably at intersection of other arterials and highways

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
- Development Standards

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APPLICATION TO AMEND THE ZONING ORDINANCE (Cont'd.)

☐ Total net land area 8.0 Acres (acres /or square feet)

☐ Sketch Drawing of Area to be Re-Zoned, including Location Map (8 1/2" x 11")

DEVELOPMENT INFORMATION

Related Cases: PP: _____ FP: _____ FS: _____ B/A: _____ ZC: _____ AX: _____

Mapscos Ref. No. _____; ETJ (indicate county) _____

Developer of property will be: ☐ Present Owner ☐ Purchaser ☐ Unknown

Present use of this property is: Vacant

Proposed new use(s) is: Commercial

ACKNOWLEDGEMENTS

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the above proposal before the Zoning Commission and City Council public hearings. I further certify that I have read and understand the information provided, concerning the policies and procedures regarding consideration of my zoning request.

I understand that all recommendations of the Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the first Tuesday of the following month. I further understand that any actions of the Zoning Commission are considered recommendations to the City Council and that I may be heard **by the City Council** at the prescribed Council hearing date where a final decision will be made.

I further understand that if I am not present nor duly represented at the Commission's public hearing, the Zoning Commission may dismiss my request, which constitutes a recommendation that the request be denied. I further understand that if I am not present, or duly represented, at the City Council public hearing, the City Council may deny my request.

I reserve the right to **withdraw** this proposal at any time, within 14 days of the deadline filing date, upon written request filed with the Executive Secretary of the Commission. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal, filed any time after the 14 days following the filing deadline, shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. I / We respectfully request approval and adoption of the proposed zoning / land use of property, within the City of Fort Worth, as identified in this application.

SIGN INSTALLATION AUTHORIZATION

Authority is hereby granted to the City of Fort Worth, or its agent, to install upon the above described property, sign or signs in a conspicuous place, or places, at a point, or points nearest any right-of-way, street, roadway or historic designation, or, special exception or public thoroughfare abutting said property. Such sign or signs indicate that a zoning amendment is proposed and that further information can be acquired by telephoning the number indicated.

Signature of Owner/ Agent*  Date 11-6-09
(circle one)

Printed name DOLORES GARZA Phone No. 817 392-2639

*Note: An Agent must furnish a signed 'Letter of Authorization' from the owner, when submitting this application.

Fee \$	Receipt No.	Application Received By :	Date filed :	Case No. :



ZC 09-074-

APPLICATION TO AMEND THE ZONING ORDINANCE

City of Fort Worth, Texas.....Planning & Development Department.....Zoning Applications Section

(Must be a complete application for acceptance)

Rev. 01.14.09

PROPERTY OWNER CITY OF FORT WORTH attn: DOLORES GARZA
Mailing Address 1000 THROCKMORTON Telephone (817) 392-2639
City FORT WORTH State TX Zip 76102 Email / Fax DOLORES.GARZA@fortworth.org
APPLICANT / AGENT CITY OF FORT WORTH
Mailing Address _____ Telephone () _____ Cell () _____
City _____ State _____ Zip _____ Email / Fax _____
OTHER CONTACT Name _____ Phone _____

PURPOSE OF PROPOSAL☒ Amend the ZONING MAP to change the zoning district boundaries on the following parcel(s):

Lot / Tract No. _____	Lot / Tract No. _____	Lot / Tract No. _____	Lot / Tract No. _____
From _____	From _____	From _____	From _____
To _____	To _____	To _____	To _____

☒ If establishing a Planned Development District (PD):Name of Proposed Project JACK IN THE BOX at EVANS-ROSEDALE Village☐ Site Plan Included☐ Site Plan Waiver Requested Reason Site Plan not provided: _____

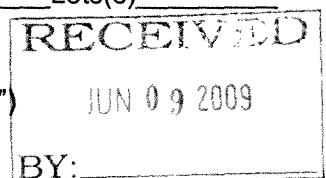
(Note: Site plans submitted as part of new PD zoning change requests will be processed under one zoning case number.)

PROPERTY DESCRIPTION

LOTS 1 & 2 BLOCK 1
EVANS-ROSEDALE ECONOMIC DEVELOPMENT PROGRAM
☒ Location address (if applicable): BEING A REPLAT OF W.J. BOAZ'S SUBDIVISION
OF EVANS SOUTH ADDITION BEING LOTS 13-17 & 24-28, BLOCK 3 -

☐ **Certified Legal Description:** A Registered Texas Surveyor's certified metes and bounds legal description is required. If the area to be rezoned is entirely encompassed by a recorded deed, a copy of the deed description is acceptable. If it is within a recorded subdivision, provide a **copy of the plat** with the subdivision name and recording information. The boundary description of each parcel to be re-zoned shall be furnished on 8 1/2" x 11" paper, bearing the surveyor's name, seal and date. Any partial or non-surveyed parcel or tract, extracted from a recorded deed, will require a certified legal description as noted above.

☐ **CD:** containing a certified Metes & Bounds Legal Description, of that noted above, including case exhibit drawings, shall be formatted with Microsoft Windows 2000.

☒ **Property to be re-zoned is currently subdivided**, and described below: (provide copy of plat)Subdivision Name _____
Block _____ Lot(s) _____; Block _____ Lot(s) _____; Block _____ Lot(s) _____☐ Total net land area 1.07 (acres /or square feet)☐ Sketch Drawing of Area to be Re-Zoned, including Location Map (8 1/2" x 11")

ZC 09-074-

APPLICATION TO AMEND THE ZONING ORDINANCE (Cont'd.)

Rev. 09.10.08

DEVELOPMENT INFORMATION

Related Cases: PP: _____ FP: _____ FS: _____ B/A: _____ ZC: _____ AX: _____

Mapscot Ref. No. _____; ETJ (indicate county) _____

Developer of property will be: ☐ Present Owner ☒ Purchaser ☐ UnknownPresent use of this property is: VACANTProposed new use(s) is: QUICK SERVICE RESTAURANT

ACKNOWLEDGEMENTS

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the above proposal before the Zoning Commission and City Council public hearings. I further certify that I have read and understand the information provided, concerning the policies and procedures regarding consideration of my zoning request.

I understand that all recommendations of the Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the first Tuesday of the following month. I further understand that any actions of the Zoning Commission are considered recommendations to the City Council and that I may be heard by the City Council at the prescribed Council hearing date where a final decision will be made.

I further understand that if I am not present nor duly represented at the Commission's public hearing, the Zoning Commission may dismiss my request, which constitutes a recommendation that the request be denied. I further understand that if I am not present, or duly represented, at the City Council public hearing, the City Council may deny my request.

I reserve the right to **withdraw** this proposal at any time, within 14 days of the deadline filing date, upon written request filed with the Executive Secretary of the Commission. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal, filed any time after the 14 days following the filing deadline, shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. I / We respectfully request approval and adoption of the proposed zoning / land use of property, within the City of Fort Worth, as identified in this application.

SIGN INSTALLATION AUTHORIZATION

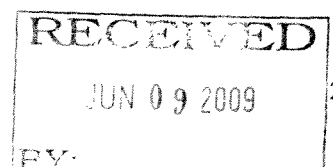
Authority is hereby granted to the City of Fort Worth, or its agent, to install upon the above described property, sign or signs in a conspicuous place, or places, at a point, or points nearest any right-of-way, street, roadway or historic designation, or, special exception or public thoroughfare abutting said property. Such sign or signs indicate that a zoning amendment is proposed and that further information can be acquired by telephoning the number indicated.

Signature of Owner/ Agent* _____ Date _____
(circle one)

Printed name _____ Phone No. _____

*Note: An Agent must furnish a signed 'Letter of Authorization' from the owner, when submitting this application.

Fee \$	Receipt No.	Application Received By :	Date filed :	Case No. :
NA	NA	Crystal Castoreno	6-8-09	ZC-09-074





Rev. 09.10.08

LETTER OF AUTHORIZATION FOR ZONING CASE REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO (NAME) CITY OF FORT WORTH
HOUSING & ECONOMIC DEVELOPMENT DEPT.
ACTING ON MY BEHALF AS THE OWNER OF THIS PROPERTY AS INDICATED AT THE APPRAISAL DISTRICT, TO
FILE AND PRESENT AN APPLICATION TO THE CITY OF FORT WORTH, TEXAS, TO REQUEST A CHANGE IN
ZONING CLASSIFICATION FOR THE FOLLOWING PROPERTY:

(CERTIFIED LEGAL DESCRIPTION)

ACKNOWLEDGEMENTS:

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the above proposal at the Zoning Commission and City Council hearings. I further certify that I have read and understand the information provided concerning the procedure for consideration of my zoning request.

I understand that all recommendations of the Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the first Tuesday of the following month. I further understand that any actions of the Zoning Commission are considered recommendations to the City Council and that I may be heard by the City Council at the prescribed Council hearing date where a final decision will be made.

I understand that if I am not present or represented at the public hearings, the Zoning Commission may dismiss the request, which constitutes a recommendation that the request be denied. I further understand that if I am not present or represented at the City Council hearing, the City Council may deny the request.

I reserve the right to withdraw this proposal at any time within 14 days from the deadline filing date, upon written request filed with the Executive Secretary to the Commission, and such withdrawal shall immediately stop all proceedings thereon; provided, however, a withdrawal filed any time after said 14 days shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal after public notice nor upon denial of my case by the Commission or Council.

THIS AUTHORIZATION WILL REMAIN IN FORCE UNLESS REVOKED BY WRITTEN NOTICE.

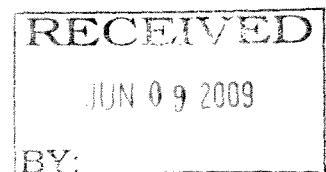
OWNER'S SIGNATURE of the above described property: _____

OWNER'S NAME (printed) CITY OF FORT WORTH

ADDRESS and ZIP 1000 THROCKMORTON, FORT WORTH, TX 76102

TELEPHONE: 817-392-2639 EMAIL: DOLORES.GARZA@fortworthgov.org

RELATED CASE NO., if applicable: _____





APPLICATION TO AMEND THE ZONING ORDINANCE

City of Fort Worth, Texas.....Planning & Development Department.....Zoning Applications Section

(Print And Complete All Applicable Information to Ensure Acceptance)

Form Rev. 09.10.08

PROPERTY OWNER City of Fort Worth -Attn. Dolores Garza

Mailing Address 1000 Throckmorton Telephone (817) 392-2639

City Fort Worth State TX Zip 76102 Email / Fax _____

APPLICANT / AGENT

Mailing Address _____ Telephone () _____

City _____ State _____ Zip _____ Email / Fax _____

PURPOSE OF PROPOSAL

- ☒ Amend the ZONING MAP to change the zoning district boundaries on the following parcel(s):

Lot / Tract No. _____ Lot / Tract No. _____ Lot / Tract No. _____ Lot / Tract No. _____

From MU-1 From MU-1/HC From _____ From _____

To PD/E for Neighborhood Commercial minus certain uses (Tract 1) PD/MU-1; PD/MU-1/HC minus certain uses (Tract 2) Development Standards Provided. Site Plan required

- ☐ If establishing a Planned Development District (PD):

Name of Proposed Project: Development Standards for Evans/Rosedale Urban Village (site plan required)

- ☐ Site Plan Included

- ☐ Site Plan Waiver Requested Reason Site Plan not provided: _____

(Note: Site plans submitted as part of new PD zoning change requests will be processed under one zoning case number.)

PROPERTY DESCRIPTION

- ☒ Location address (if applicable): 900 & 1000 Blks of Missouri Avenue, South Freeway (1-35W) and Evans Avenue

☐ **Certified Legal Description:** A Registered Texas Surveyor's **certified metes and bounds** legal description is required. If the area to be rezoned is entirely encompassed by a recorded deed, a copy of the deed description is acceptable. If it is within a recorded subdivision, provide a **copy of the plat** with the subdivision name and recording information. The boundary description of each parcel to be re-zoned shall be furnished on 8 1/2" x 11" paper, bearing the surveyor's name, seal and date. Any partial or non-surveyed parcel or tract, extracted from a recorded deed, will require a certified legal description as noted above.

- ☐ **CD: containing a certified Metes & Bounds Legal Description, of that noted above, including case exhibit drawings, shall be formatted with Microsoft Windows 2000.**

- ☒ **Property to be re-zoned is currently subdivided**, and described below: (provide copy of plat)
Schlatters Subdivision Block 1, Lots 1-16; Evans South Addition Block 3 Lots 1-4, 11-28; Mc Anulty & Nesbitt Sub Evans Block 1; Lots 1-8