



Zoning Staff Report

Date: May 10, 2022

Case Number: ZC-22-052

Council District: 3

Zoning Map Amendment & Site Plan

Case Manager: [Stephen Murray](#)

Owner / Applicant: V Bar V Real Estate Partnership, LLC

Site Location: 9750 Legacy Drive

Acreage: 2.7 acres

Request

Proposed Use: Hotel

Request: From: “PD/SU” Planned Development/Specific Use, for all uses in “E” Neighborhood Commercial; excluding the following: Massage Parlor or tattoo parlor. Site plan waived

To: “PD/F” Planned Development for all uses in “F” General Commercial plus hotel, site plan included

Recommendation

Land Use Compatibility: Requested change **is not compatible**

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

Staff Recommendation: **Denial**

Zoning Commission Recommendation: **Denial by a vote of 8-0**

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Project Description and Background

The applicant is requesting a zoning change from “PD/SU” Planned Development/Specific Use, for all uses in “E” Neighborhood Commercial; excluding the following: Massage Parlor or tattoo parlor. Site plan waived to “PD/F” Planned Development for all uses in “F” General Commercial plus hotel, site plan included. A PD is required because the property is within 1,000 feet of a residential district and the hotels are first allowed by right within “FR” General Commercial.

The applicant intends to construct a three story, 88 guest room StayApt Suites brand hotel. The site is located within close proximity to a Walmart, restaurants, and retail. However, the bulk of commercial development is centered towards White Settlement Rd. The proposed hotel would be located across the street from the entrance to an existing single-family development. The site that was purposely zoned to PD/E from “C”, in 2005, despite “G” Intensive Commercial zoning adjacent the site. Staff is concerned that the proposed use may be too intense at this location.

Surrounding Zoning and Land Uses

North “G” Intensive Commercial / Walmart, school
East “G” Intensive Commercial / grocery store, retail
South “G” Intensive Commercial; “A-5” One-Family/ vacant, commercial, single-family
West “CF” Community Facilities; “A-5” One-Family/ single-family

Recent Zoning History

- ZC-05-131 from “C” Medium Density Multifamily to “PD/SU” Planned Development/Specific Use, for all uses in “E” Neighborhood Commercial; excluding the following: Massage Parlor or tattoo parlor. Site plan waived (Subject Site)

Public Notification

300-foot Legal Notifications were mailed on April 1, 2022.

The following organizations were emailed on March 31, 2022:

Organizations Notified	
Streams and Valleys Inc	Trinity Habitat for Humanity
NAS Fort Worth JRB RCC	White Settlement ISD

** Located closest to this registered Neighborhood Association*

Development Impact Analysis

Land Use Compatibility

The applicant is proposing a zoning change to “PD/F” Planned Development for all uses in “F” General Commercial plus hotel. Surrounding land uses vary with a Walmart to the north, grocery store and retail to the east, single-family and commercial south, and single-family to the west. The majority of current commercial land uses face Clifford Street/White Settlement Rd. The proposed hotel would be located directly across the street from single-family uses. In addition, the subject property was rezoned in 2005 to reflect more neighborhood commercial friendly uses. Despite the heavier commercial within the vicinity, a proposed hotel could be problematic at this location.

The proposed zoning **is not compatible** with surrounding land uses.

Comprehensive Plan Consistency – Far West

The 2022 Comprehensive Plan designates the subject property as General Commercial. The policy below applies to this development.

- Promote appropriate infill development of vacant lots within developed areas, which will efficiently utilize existing infrastructure
- 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.

The proposed zoning change request **is consistent** with the Comprehensive Plan and the policy stated above. However, a review of the Comprehensive Plan may be needed in this area to reflect a less intense future land use due to the proximity to residential and school adjacent the site. Neighborhood commercial would be a more appropriate designation. This property faces Legacy Drive not White Settlement Rd as most of the heavier commercial in the area. Neighborhood commercial uses would also provide a better transition for students walking from nearby neighborhoods to the school.

Economic Development Plan

The City of Fort Worth published an Economic Development Strategic Plan (2018) 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”. The conversion of this property to a hotel allows for the continued diversification of the tax base.

Site Plan Comments

Zoning and Land Use

The site plan is in general compliance with the Zoning Ordinance regulations. The applicant should add the following note to the site plan.

- Project will comply with landscaping, urban forestry, and signage

(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, 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.)

OWNER / DEVELOPER

stayAPT Suites
LG AS FRANCHISOR LLC
10801 MONROE RD., SUITE C
MATTHEWS, NC 28015
(781) 439-8843
CONTACT: DON KEUM

SURVEYOR

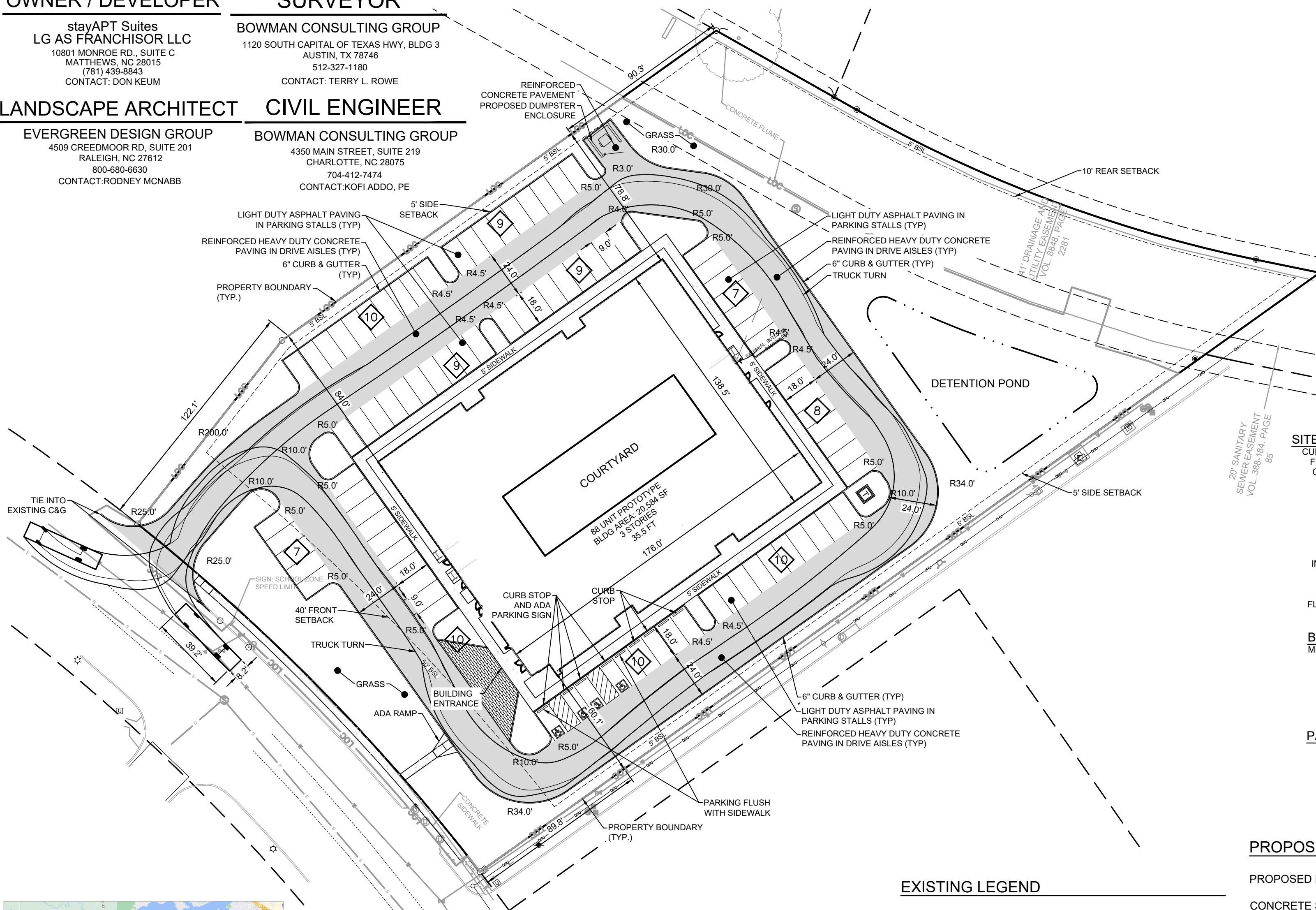
BOWMAN CONSULTING GROUP
1120 SOUTH CAPITAL OF TEXAS HWY, BLDG 3
AUSTIN, TX 78746
512-327-1180
CONTACT: TERRY L. ROWE

LANDSCAPE ARCHITECT

EVERGREEN DESIGN GROUP
4509 CREEDMOOR RD, SUITE 201
RALEIGH, NC 27612
800-680-6630
CONTACT: RODNEY MCNABB

CIVIL ENGINEER

BOWMAN CONSULTING GROUP
4350 MAIN STREET, SUITE 219
CHARLOTTE, NC 28075
704-412-7474
CONTACT: KOFI ADDO, PE



GENERAL SITE NOTES

- ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB, PROPERTY LINE OR CENTERLINE OF STRIPING UNLESS OTHERWISE NOTED.
- ALL EXISTING EASEMENTS, RIGHTS-OF-WAY, AND LOT LINES MAY NOT BE SHOWN. REFER TO THE ALTA/NSPS LAND TITLE SURVEY PREPARED BY BOWMAN, DATED 11/23/2021, FOR COMPLETE BOUNDARY INFORMATION AND ASSOCIATED ENCUMBRANCES.
- A PRE-CONSTRUCTION MEETING WITH CITY ENGINEER SHALL BE HELD PRIOR TO CONSTRUCTION COMMENCEMENT.
- THE CITY OF FORT WORTH SHALL BE GIVEN AT LEAST 48 HOURS NOTICE PRIOR TO PERFORMING ANY INSPECTIONS.
- TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE PROJECT PLANS, THE CURRENT EDITION OF THE TxDOT DESIGN STANDARDS AND THE LATEST MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
- ALL MECHANICAL EQUIPMENT TO BE ROOF MOUNTED AND SCREENED FROM THE STREET.
- CONTRACTOR TO PROVIDE AS-BUILTS OF ALL IMPROVEMENTS TO THE SITE. AS-BUILTS TO INCLUDE HORIZONTAL AND VERTICAL LOCATIONS OF ALL UNDERGROUND UTILITIES INCLUDING, BUT NOT LIMITED TO, PIPES, FITTINGS, STRUCTURES, AND OTHER APPURTENANCES. ELEVATIONS OF PIPES AT CROSSING POINTS MUST BE SUFFICIENT TO IDENTIFY MINIMUM SEPARATION OF UTILITIES. IN ADDITION TO THE AFOREMENTIONED CRITERIA AS-BUILTS MUST MEET ALL LOCAL AND JURISDICTIONAL REQUIREMENTS FOR CERTIFICATION OF CONSTRUCTION.
- ALL AFFECTED SIDEWALKS, RAMPS AND CROSSWALKS, WILL BE BUILT AND INSPECTED TO MEET CURRENT ADA REQUIREMENTS.
- BUILDING SETBACK DIMENSIONS MEASURED TO OUTERMOST ARCHITECTURAL FEATURE. CONTRACTOR TO REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS.
- ALL CURB RADI ARE 3' UNLESS SHOWN OTHERWISE.
- PRIOR TO INSTALLATION, CONTRACTOR MUST VERIFY LOCATIONS OF LIGHT POLES, LANDSCAPING AND UTILITIES.
- REFER TO GEOTECHNICAL ENGINEERING REPORT BY ATLAS TECHNICAL CONSULTANTS DATED 12/16/2021 FOR PAVEMENT RECOMMENDATIONS.

SITE DATA & AREA CALCULATIONS

CURRENT LAND USE CLASSIFICATION:	VACANT LOT
FUTURE LAND USE CLASSIFICATION:	COMMERCIAL
CURRENT ZONING CLASSIFICATION:	PD
CURRENT LOCAL JURISDICTION:	CITY OF FORT WORTH
FLOOD ZONE CLASSIFICATION:	ZONE 'X'
FEMA PANEL:	48439C0165K
DATE:	09/25/2009
SITE AREA TOTAL:	(2.75 AC)
IMPERVIOUS AREA TOTAL:	(1.60 AC)
PERVIOUS AREA OPEN SPACE:	(1.15 AC)
FLOOR AREA RATIO BLDG/SITE:	----

BUILDING DATA

MINIMUM BUILDING SETBACK REQUIREMENTS

BOUNDARY	DIRECTION	SETBACK
FRONT	SW	40'
BACK	NE	10'
SIDE	SE	5'
SIDE	NW	5'

PARKING DATA

REQUIRED SPACES:	1 PER ROOM	
	88	
SPACES PROVIDED:	86	REGULAR
	4	ADA
	90	TOTAL
TYPICAL DIMENSIONS:	9'	WIDTH
	18'	DEPTH

PROPOSED LEGEND

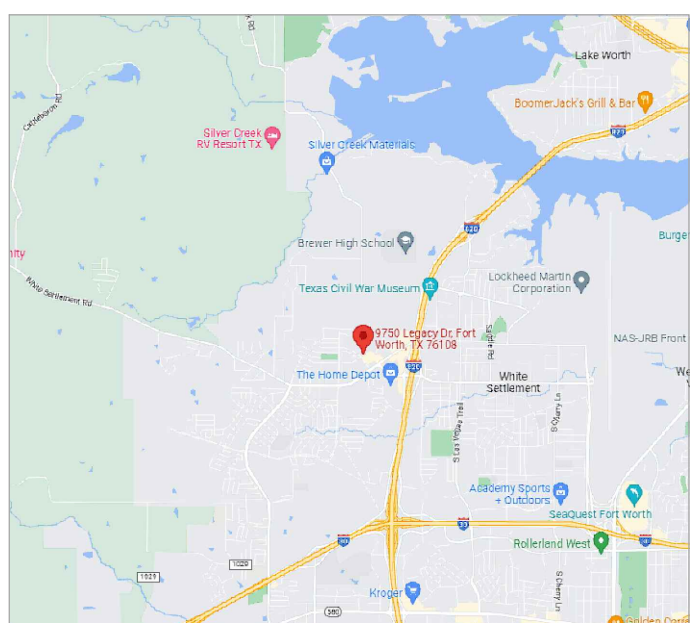
- PROPOSED BUILDING
- CONCRETE SIDEWALK
- LOADING ZONE
- PROPERTY LINE
- STD. 6" CONCRETE CURB
- PARKING SPACE COUNT
- FIRE LANE STRIPING
- HEAVY DUTY CONCRETE
- FIRE HYDRANT

DIRECTOR OF PLANNING AND DEVELOPMENT

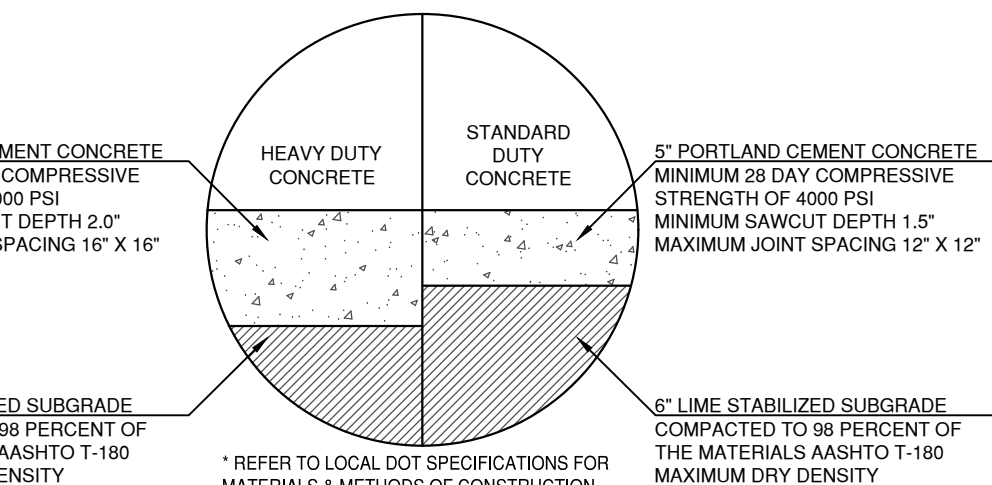
DATE

EXISTING LEGEND

- SANITARY SEWER
- WATER LINE
- OVERHEAD POWER
- BURIED TELECOM
- IRON FENCE
- CONCRETE
- WATER VALVE
- FIRE HYDRANT
- POWER POLE
- SIGN
- GUY WIRE
- STORM MANHOLE
- SANITARY SEWER MANHOLE



LOCATION MAP



CONCRETE (RIGID) PAVEMENT SECTION

SCALE: NONE

ALL SIGNAGE WILL CONFORM TO ARTICLE 4, SIGNS
THIS PROJECT WILL COMPLY WITH SECTION 6.301, LANDSCAPING
PROJECT WILL COMPLY WITH SECTION 6.302, URBAN FORESTRY
ALL PROVIDED LIGHTING WILL CONFORM TO THE LIGHTING CODE
CONTRACTOR MUST REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF ALL OUTSIDE DOORS AND BUILDING UTILITIES

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

ZONING CASE NO: 22TMP-022068
CIRCLE K - 9750 LEGACY DRIVE



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TBPE Firm Registration No. F-14309

SITE PLAN
STAYAPT SUITES
9750 LEGACY DRIVE
FORT WORTH, TEXAS 76108

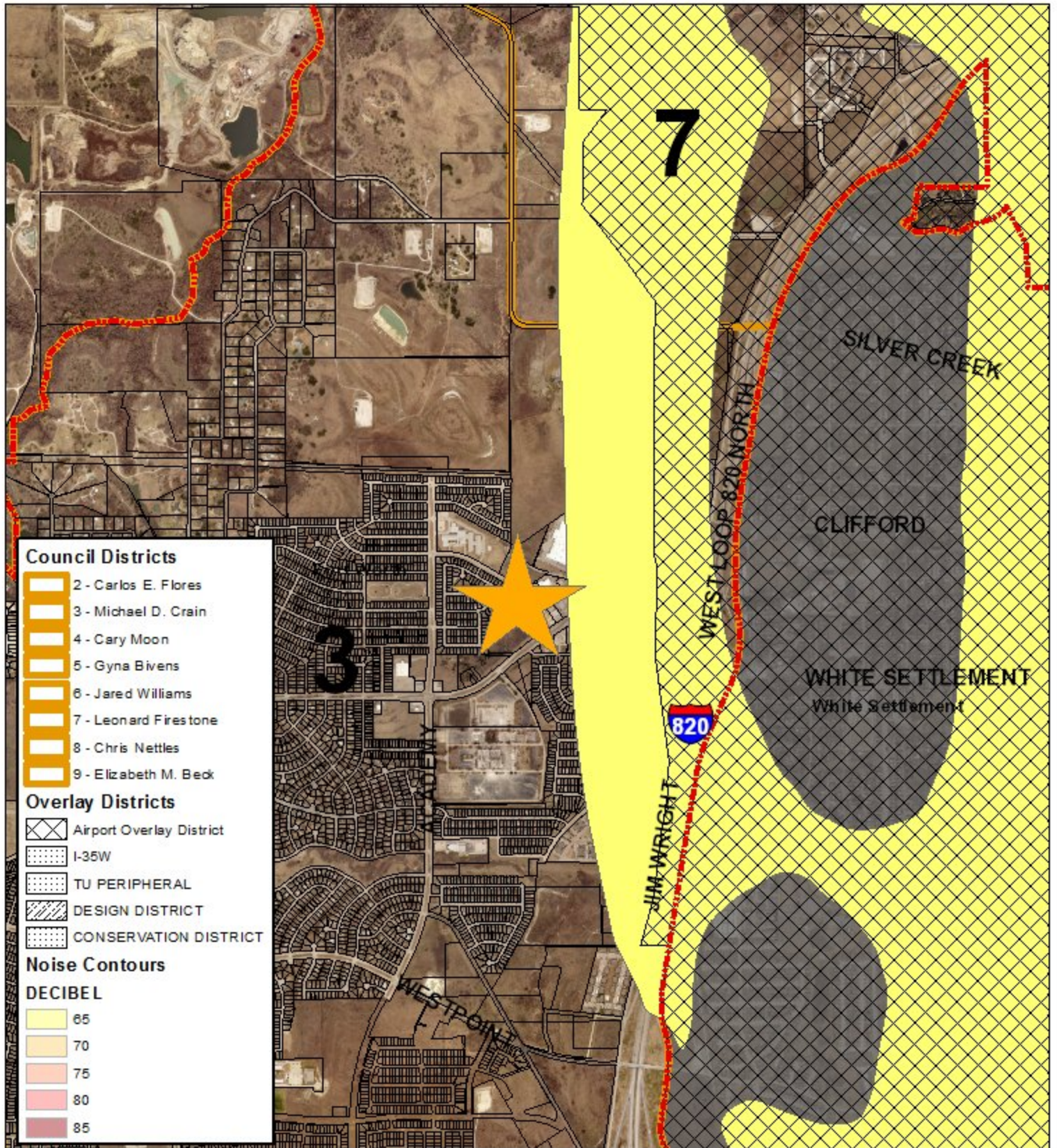
150032-01-025

PLAN STATUS	
03/07/22	REZONING SUBMITTAL

DATE	DESCRIPTION
CK	CK KA/BS
DESIGN	DRAWN CHKD
SCALE	H: 1" = XXX' V: 1" = XXX'
JOB No:	150032-01-025
DATE :	MAR 07, 2022
FILE No.	
SHEET	C3.0



Area Map



Council Districts

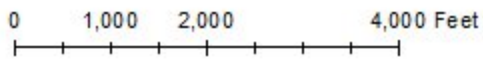
- 2 - Carlos E. Flores
- 3 - Michael D. Crain
- 4 - Cary Moon
- 5 - Gyna Bivens
- 6 - Jared Williams
- 7 - Leonard Firestone
- 8 - Chris Nettles
- 9 - Elizabeth M. Beck

Overlay Districts

- Airport Overlay District
- I-35W
- TU PERIPHERAL
- DESIGN DISTRICT
- CONSERVATION DISTRICT

Noise Contours

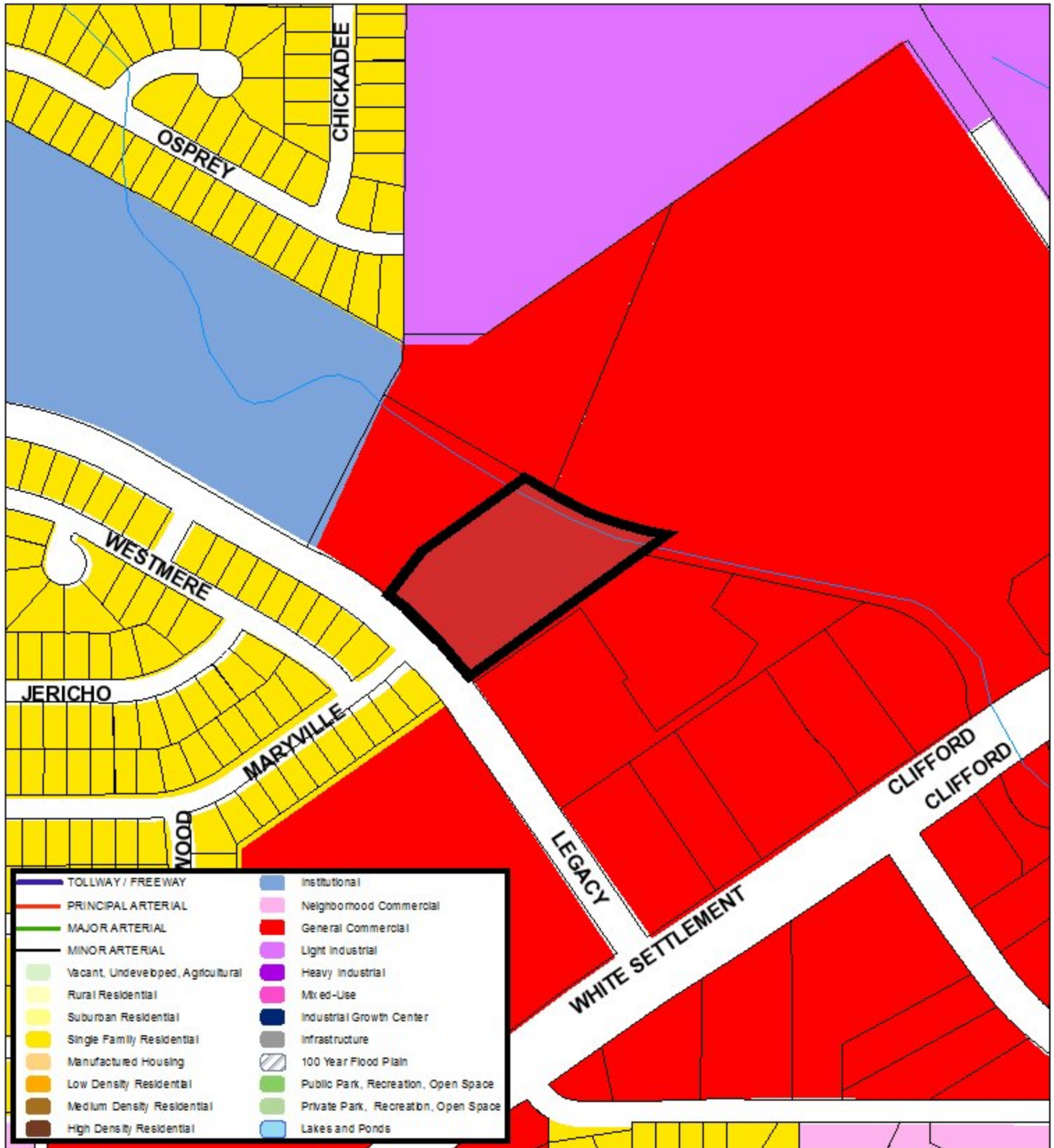
- DECIBEL**
- 65
 - 70
 - 75
 - 80
 - 85





ZC-22-052

Future Land Use



280 140 0 280 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.





ZC-22-052

Aerial Photo Map

