



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
November 19, 2019

Council District **4**

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

Opposition: Several letters submitted
Support: None Submitted

Continued Yes X No ___
Case Manager Lynn Jordan
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: **New A Malik, Inc.**

Site Location: 6635, 6665 Randol Mill Road acreage: 4.76

Proposed Use: **Overnight Truck Parking**

Request: From: "G" Intensive Commercial
To: Add Conditional Use Permit to allow overnight truck parking; site plan included

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

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

Staff Recommendation: **Denial**

Background:

The subject property is located west of East Loop 820 and north of Randol Mill Road. The applicant is requesting a Conditional Use Permit (CUP) to allow overnight parking of large commercial trucks.

A convenience store/gas station are currently located at the site. The site appears to have been used as a staging area for 820 construction. The site plan indicates approximately 31 truck parking stalls with a six foot wrought iron fence around the subject area. There are several easements on the site that would need to be addressed in order to have permanent structures encroach over them.

Several emails in opposition have been received. One person spoke in opposition at the July Zoning Commission meeting. The main concerns were environmental impact from the truck parking. The applicant requested a continuance at the time of this report and no additional information has been received.

Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location.

While truck parking is not permitted in the "G" zoning district by right, allowing it by CUP with a site plan and a time limit may help mitigate any neighborhood concerns, as well as give options for the CUP to be revoked in the event of code violation convictions. The site is not directly adjacent to a residential district.

Through Ordinance 23609 effective March 29, 2019, the Conditional Use Permit allows for an unlimited time period for the operation of a use unless otherwise approved by the City Council. If a time limit is established for a Conditional Use Permit, the renewal of the CUP shall be considered through the public hearing process and approved by the City Council. A CUP shall expire if no permitting action is taken within six months of approval or cease of the use for six months. A CUP may be revoked through the public hearing process if necessary after convictions of one or more code violations.

Per Section 4.407 (a), the following general rules apply to all conditional uses:

- a) Conditional use permits in residential districts shall be limited to those uses designated "CUP" in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.
- b) Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.
- c) A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.
- d) The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy shall not be issued until all or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate Of Occupancy and subdivision approval have been satisfied.

Section (d) provides the following Conditional Use Permit factors in consideration of appropriateness of a request:

- a) The proposed use is consistent with the Comprehensive Plan;
- b) The proposed use is compatible with the existing and adjacent uses;
- c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;
- d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;
- e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

Several letters of opposition were received for this property prior to the July Zoning Commission meeting. The case was continued at the August Zoning Commission meeting to allow more time for the applicant to talk with the neighborhood. A representative from the Riverbend HOA spoke in opposition. At the time of this report no additional information has been received.

Site Information:

Surrounding Zoning and Land Uses:

- North "E" Neighborhood Commercial / vacant land
- East "E" Neighborhood Commercial / East Loop 820
- South "G" Intensive Commercial / commercial business, convenience store
- West "G" Intensive Commercial / vacant land

Zoning History: None

Site Plan Comments:

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations.

1. The site plan needs to indicate what type of surface is proposed for the truck parking area.
2. The parking lot seems to extend past your property line onto Lot 1R2, needs to be adjusted.
3. The proposed metal fence encroaches into a sanitary sewer easement which is not permitted per water comments.
4. The site plan is calling this a truck stop, needs to be removed if the area is a convenience store and a parking lot.
5. Any requested development standards shall be listed and clearly identified on the site plan.

The site plan comments noted above shall be addressed on the site plan per the CUP Ordinance.

(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Parks 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.)

Public Notification:

300 foot Legal Notifications were mailed on (June 19, 2019)

The following organizations were notified: (emailed June 17, 2019)

Organizations Notified	
Neighborhoods of East Fort Worth	Historic Randol's Mill Valley Alliance, Inc.
Sunset Oaks HOA, Inc.*	Riverbend of Fort Worth HOA Inc.
Woodhaven NA*	East Fort Worth Inc.
Streams and Valleys Inc.	Trinity Habitat for Humanity
Eastside Sector Alliance	Woodhaven Community Development Inc.
East Fort Worth Business Assoc.	Birdville ISD
Fort Worth ISD	

Closest registered Neighborhood Organizations*

Recent Relevant Zoning and Platting History:

Zoning History: ZC-18-115 rezoned to FR by City Council, eff. 9/11/18; subject property to the east across Loop 820

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is requesting a zoning change to add a CUP to allow an overnight truck-trailer parking. Surrounding land uses consist of a convenience store and vacant land to the west, 820 freeway to the east, convenience store to the south and vacant floodplain land to the north.

Due to the location, close proximity to 820 and the area of the lot proposed for truck parking, the proposed zoning request **is compatible** at this location.

2. **Comprehensive Plan Consistency-Eastside Sector**

The 2019 Comprehensive Plan designates the subject property as Neighborhood Commercial. Since the area is identified as Neighborhood Commercial, the requested zoning district **is not consistent (Significant Deviation)** 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.
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods.

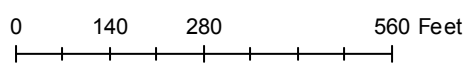
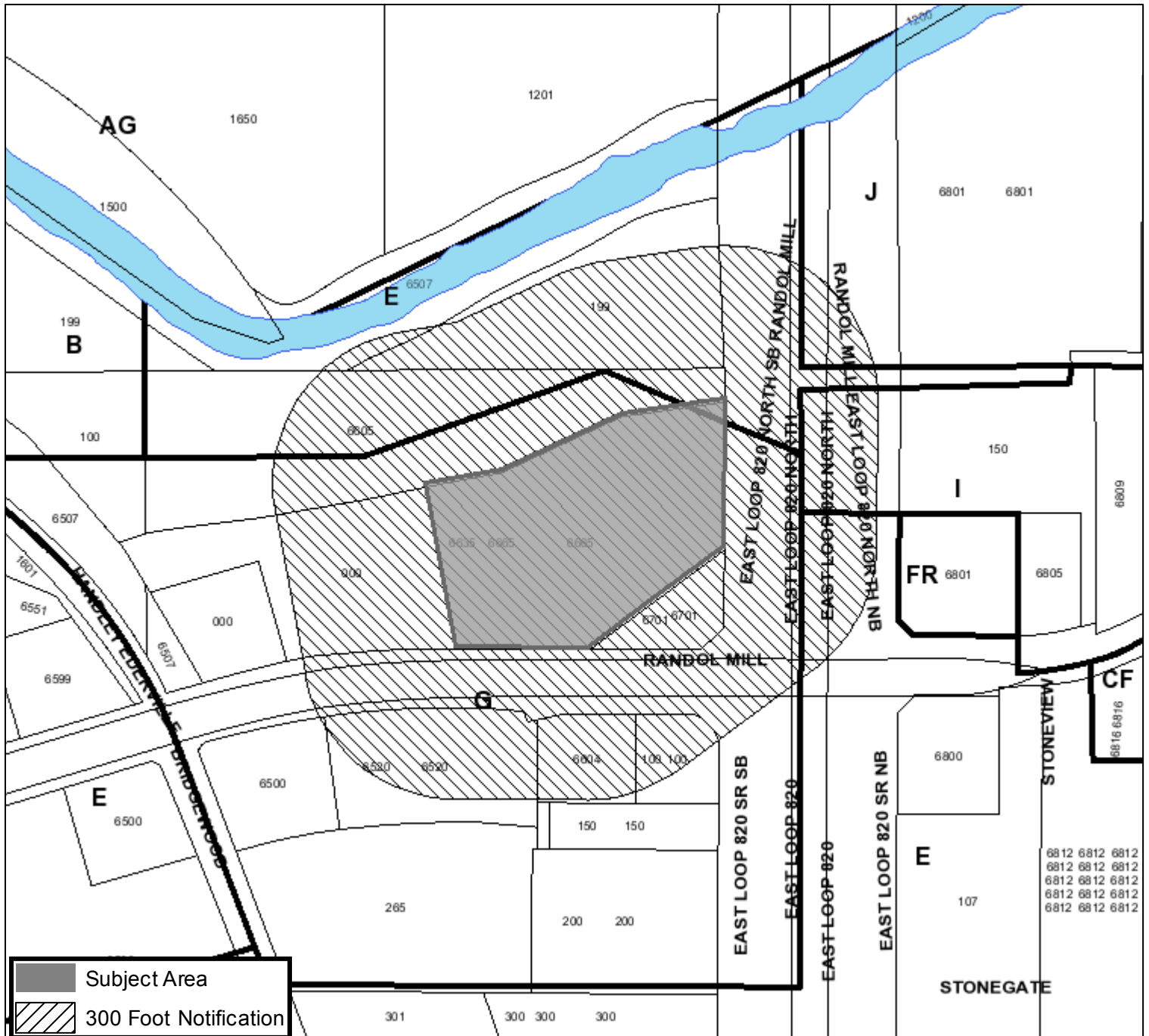
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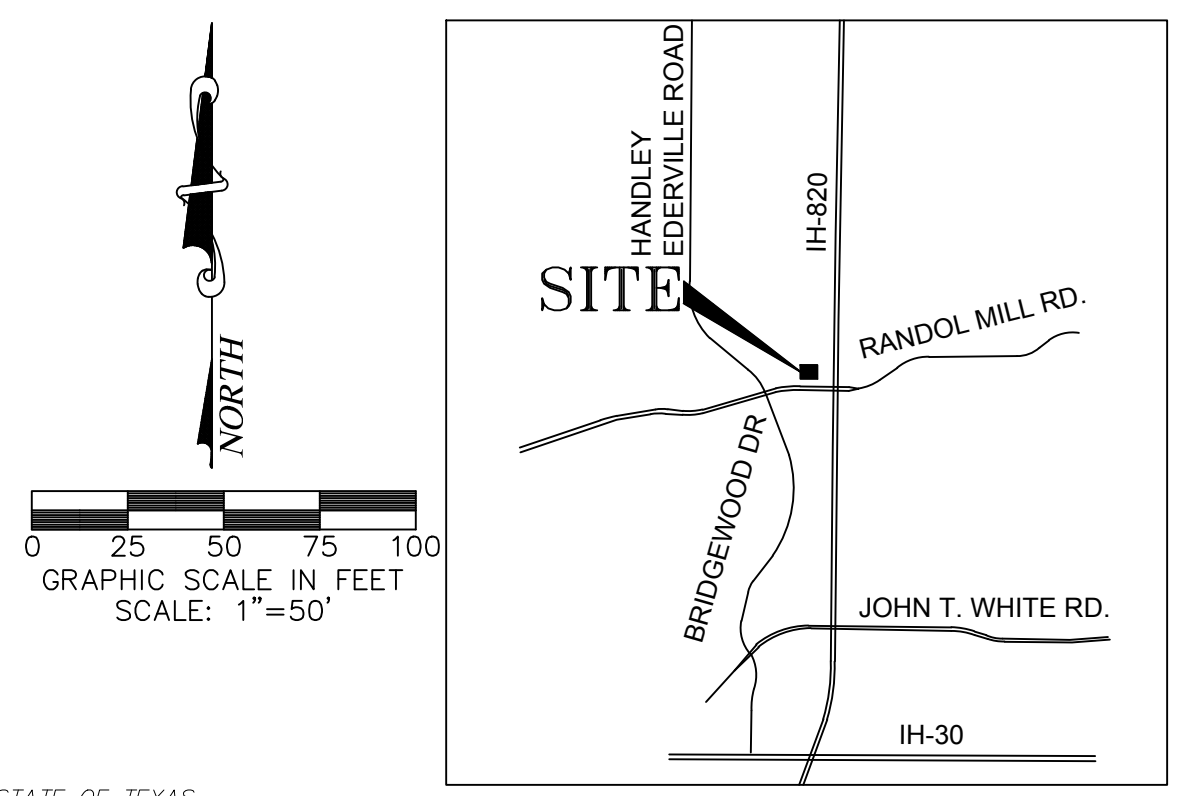
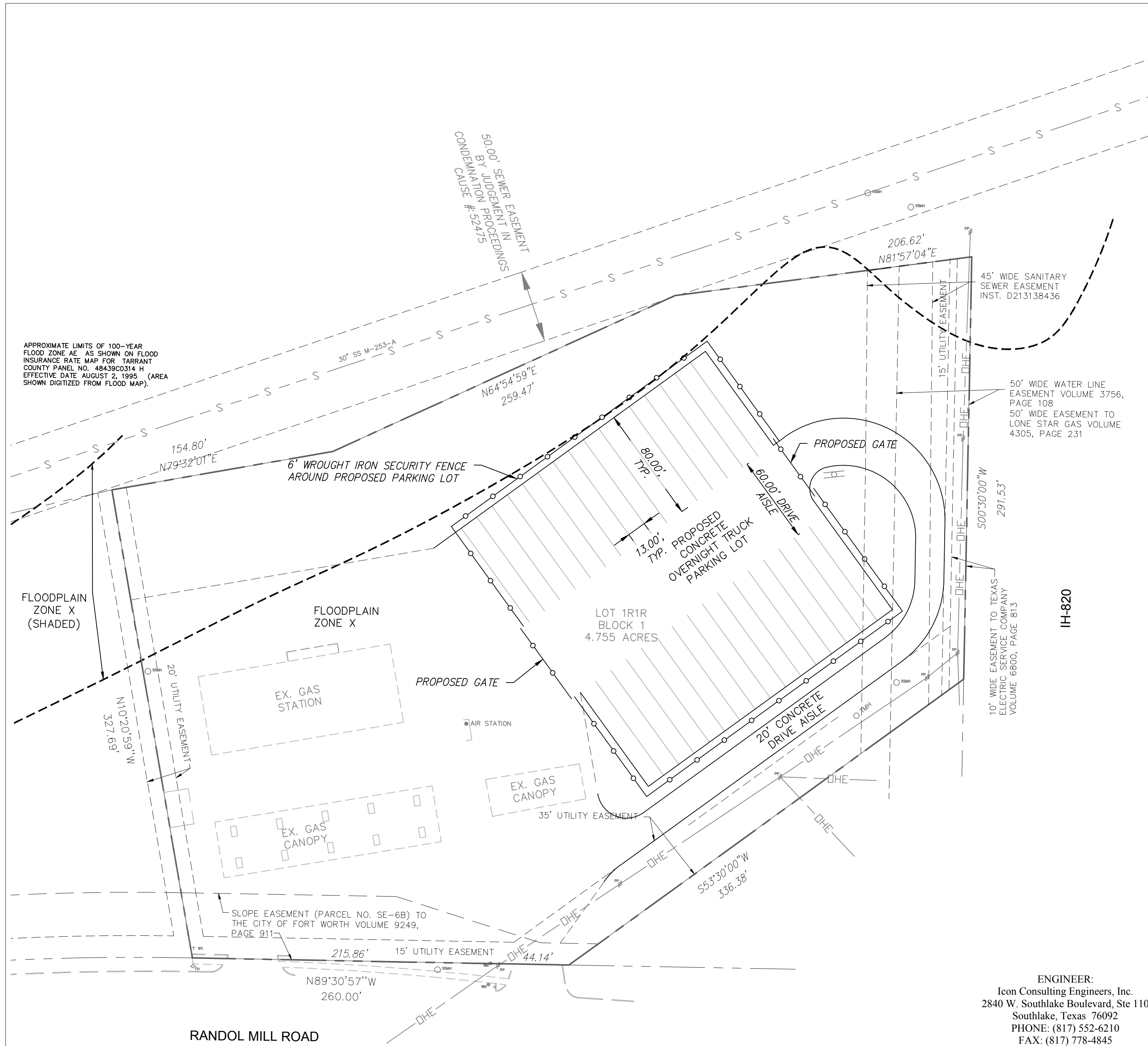
- Area Zoning Map with 300 ft. Notification Area
- Site Plan
- Future Land Use Map
- Aerial Photograph



Area Zoning Map

Applicant: New A Malik Inc
 Address: 6635, 6665 Randol Mill Rd
 Zoning From: G
 Zoning To: Add Conditional use Permit for Overnight Truck Parking
 Acres: 4.75497012
 Mapsco: 66N J
 Sector/District: Eastside
 Commission Date: 7/10/2019
 Contact: 817-392-2495





STATE OF TEXAS
COUNTY OF TARRANT

All of Lots 1R1 and 1R2 in Block 1 of JERRY SPENCER ADDITION, an Addition to the City of Fort Worth, TARRANT County, Texas according to the plat thereof recorded in Cabinet A, Slide 6523 of the Plat Record of TARRANT County, Texas;

BEGINNING at a 1/2" iron rod found for the southwest of said Lot 1R2, and the southeast corner of Lot 2R in Block 1 of Said JERRY SPENCER ADDITION, and in the north right-of-way of Randol Mill Road;

THENCE north 10 degrees-20 minutes-59 seconds west, along the west line of said Lot 1R2 and the east line of said Lot 2R, 327.69 feet to a 5/8" iron rod recovered for the northwest corner of said Lot 1R2;

THENCE northeasterly, along the north line of said Lot 1R2, the following:

north 79 degrees-32 minutes-01 seconds east 154.80 feet to a 5/8" iron rod recovered;

north 64 degrees-54 minutes-59 seconds east 259.47 feet to a 5/8" iron rod recovered;

north 81 degrees-57 minutes-04 seconds east 206.62 feet to a 5/8" iron rod recovered for the northeast corner of said Lot 1R2 in the west right-of-way of East Loop 820 North;

THENCE south 00 degrees-30 minutes-00 seconds west, along the east line of said Lot 1R2 and the west right-of-way of said East Loop 820 North, 291.53 feet to a 1" iron rod recovered for the most easterly southeast corner of said Lot 1R2, and for the northeast corner of Lot 1 Block 1 MAJESTIC ADDITION, an Addition to the City of Fort Worth, according to the plat thereof recorded in Cabinet A, Slide 364 of the said Plat Records;

THENCE south 53 degrees-30 minutes-00 seconds west, along the southeasterly line of said Lot 1R2 and the northwesterly line of said MAJESTIC ADDITION, to and along the southeasterly line of said Lot 1R1, a distance of 336.38 feet to a 5/8" iron rod recovered for a southerly corner of said Lot 1r1, and for the southwesterly corner of said MAJESTIC ADDITION, in the north right-of-way of said Randol Mill Road;

THENCE north 89 degrees-30 minutes-57 seconds west, along the south line of said Lot 1r1 and the north right-of-way of said Randol Mill Road, to and along the south line of said Lot 1R2, a distance of 260 feet to the POINT OF BEGINNING and containing 207,128 square feet or 4.76 acres of computed land.

BEARINGS AND DISTANCES PROVIDED BY DON W. HICKEY, RPLS WITH BROOKES BAKER SURVEYORS

SITE DATA

LOT AREA	207,128 SF; 4.76 AC
EX. BUILDING AREA	14,951 SF
PR. BUILDING AREA	0 SF
EX. LANDSCAPED AREA	126,726 SF (61.2% COVERAGE)
PR. LANDSCAPED AREA	70,878 SF (34.2% COVERAGE)
EX. USE	GAS STATION
PROPOSED USAGE	SERVICE STATION W/ TRUCK PARKING
EX. ZONING	G
PR. ZONING	CUP

- NOTES:
- 1) LIGHTS - SITE LIGHTS WILL BE PLACED IN ACCORDANCE TO CITY ORDINANCE. LIGHTING WILL BE FULLY SHIELDED TO MITIGATE AND NOT HAVE LIGHT TRESSPASS ONTO RESIDENTIAL PROPERTIES.
 - 2) THE SITE PLAN WILL COMPLY WITH THE URBAN FORESTRY AND LANDSCAPE PLAN REGULATIONS AND ORDINANCES.
 - 3) SITE AND BUILDING SIGNAGE WILL CONFORM TO THE CITY OF FORT WORTH SIGNAGE ORDINANCE.

ENGINEER:
Icon Consulting Engineers, Inc.
2840 W. Southlake Boulevard, Ste 110
Southlake, Texas 76092
PHONE: (817) 552-6210
FAX: (817) 778-4845
CONTACT: David C. Gregory, P.E.
ENFN F-9007

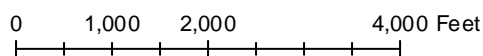
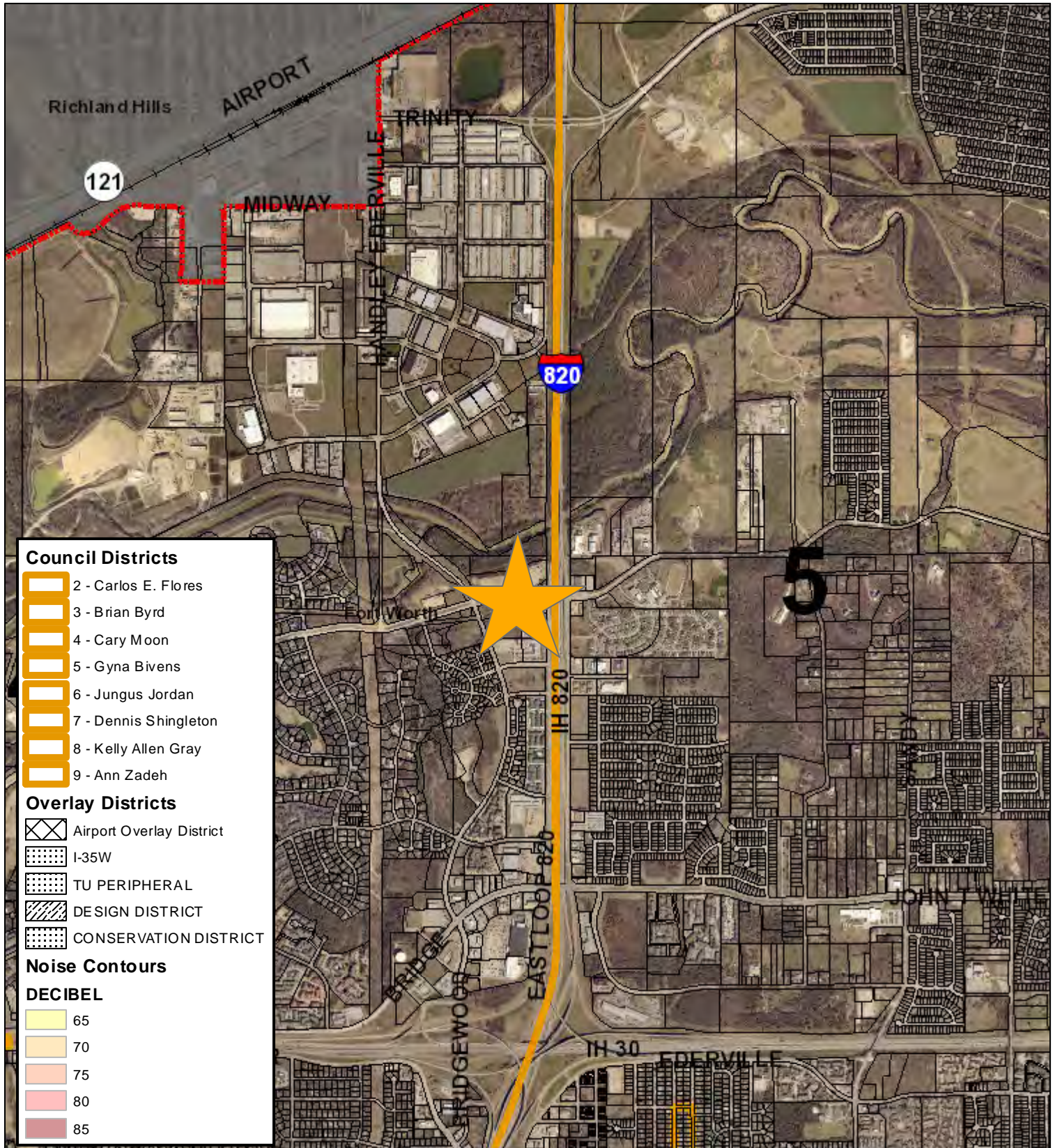
APPLICANT / OWNER:
NEW A MALIK, INC.
6753 LANCASTER AVE.
FORT WORTH TX 76112
(817) 713-2745

Director of Planning and Development _____ Date _____

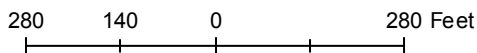
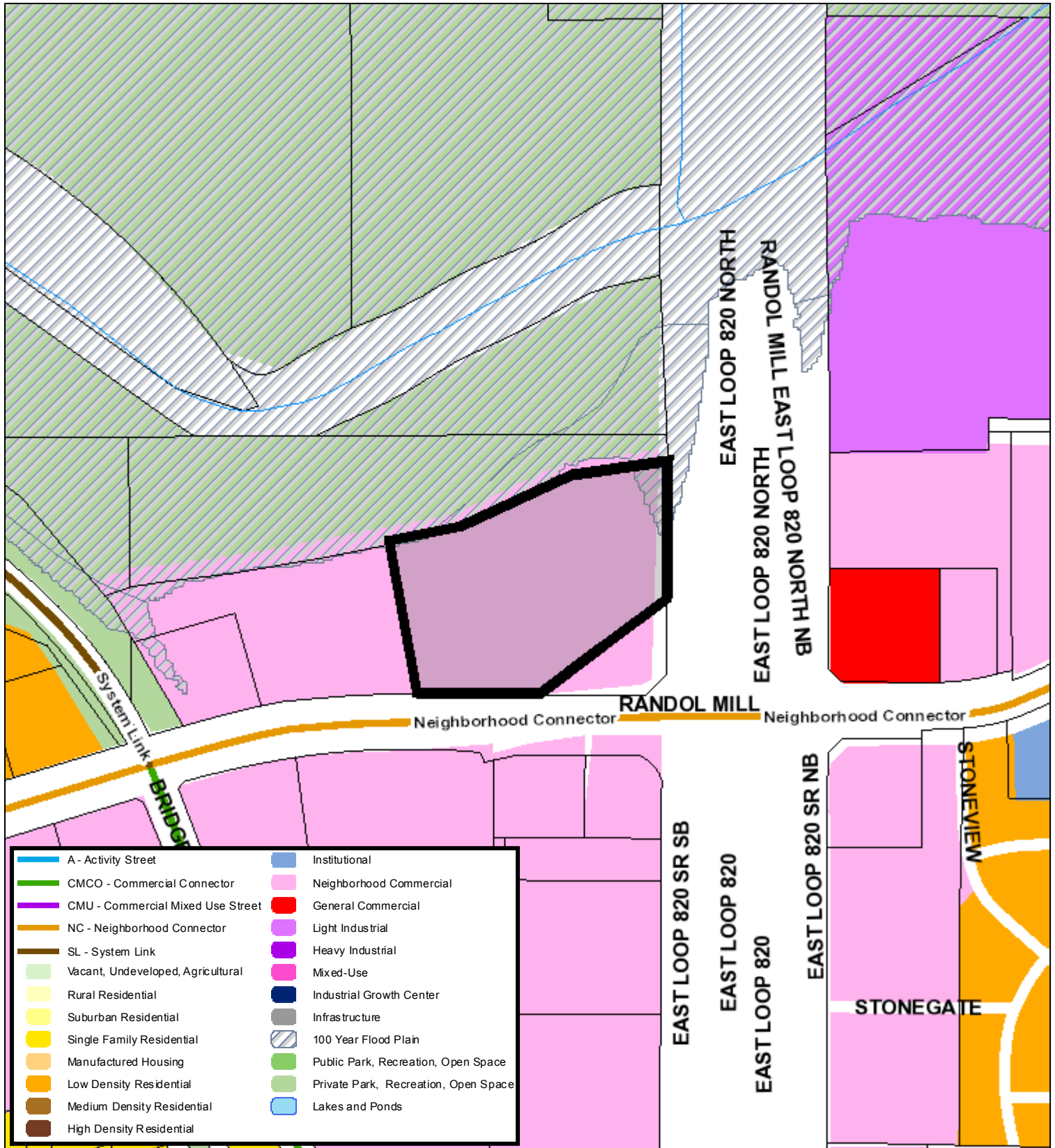
**SITE PLAN FOR
RANDOL MILL TRUCK STOP
LOT 1R1R, BLOCK 1
JERRY SPENCER ADDITION
BEING 4.76 ACRES
LOCATED IN THE
W. N. RAY SURVEY
IN THE
CITY OF FORT WORTH
TARRANT COUNTY, TEXAS**

Zoning Case # ZC-19-090 Prepared: 6/27/19

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 5, 2019.



Aerial Photo Map



0 180 360 720 Feet

