



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
September 10, 2019

**Council District** 9

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

**Opposition:** Linwood NA (did not support or object)  
**Support:** One person spoke

Continued Yes  No   
Case Manager Laura Evans  
Surplus Yes  No   
Council Initiated Yes  No

**Owner / Applicant:** 200 Carroll FW Investors, LLC

**Site Location:** 2708, 2709, 2712 Weisenberger Street

**Proposed Use:** Bar

**Request:** From: "MU-1" Low Intensity Mixed-Use

To: Add Conditional Use Permit to allow a bar; site plan included

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

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

**Staff Recommendation:** **Approval**

**Background:**

The subject property is located west of Carroll Street on the north side of Weisenberger Street. The applicant is requesting a Conditional Use Permit to allow a bar.

There is an existing theatre that is located in the lease space next door. The required parking is located to the west and south of the site, with a few spaces in front of the building. The site plan indicates approximately 25 parking spaces.

While the zoning is "MU-1", the current configuration of the site does not conform to "MU-1" zoning regulations, therefore waivers for the front yard setback, parking between the building and street, are necessary.

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 a bar is not permitted in the "MU-1" 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.

**Site Information:**

Owner/Applicant:	200 Carroll FW Investors LLC PO Box 471369 Fort Worth, TX 76147
Agent:	Ryan Hughes / Griffith Firm PLLC
Acreage:	0.49 ac.
Comprehensive Plan Sector:	Arlington Heights

**Surrounding Zoning and Land Uses:**

North	"J" Medium Industrial / industrial
East	"I" Light Industrial; "MU-1" Low Intensity Mixed-Use / commercial
South	"MU-1" Low Intensity Mixed-Use; "UR" Urban Residential / vacant building; multifamily
West	"MU-1" Low Intensity Mixed-Use / undeveloped

Zoning History: None

Platting History: None

**Site Plan Comments:**

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

1. Please ensure eligibility of site plan at 8.5x11 size.
2. MU-1 setback is a maximum of 20 feet. Site plan indicates a setback of 28 feet. **(waiver required)**
3. Parking is not allowed between the building and street frontage. **(waiver required)**
4. Please add dimensions of lots that are to be used for parking
5. Add a note stating the bar will be limited to 2711 sq. ft.
6. If sign will meet the ordinance regulations please remove sign information from site plan except the note that it will conform Article 4, Signs.
7. Show bay doors on the site plan.

8. Please double check required and provided parking.
9. Show dumpster at 2709 Weisenberger and add screening information including height and materials.
10. Please revise signature block with "Director of Planning and Development"
11. 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.

**Platting site plan comments:** The property is currently platted as Lot 18, Block 7, Weisenberger Addition.

**Transportation/Public Works (TPW) site plan comments:** No comment

**Transportation/Stormwater (TPW) site plan comments:** No comment at this time.

**Fire Comments:** No comment at this time.

**Park & Recreation site plan comments:** No comment at this time.

**Water site plan comments:** No comment at this time.

**(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 (July 25, 2019)

The following organizations were notified: (emailed July 15, 2019)

Organizations Notified	
West 7th Neighborhood Alliance	Westside Alliance
Riverhills HOA	Overton Park NA
Montgomery Plaza Residential Condominium Assoc.	Hartwood Circle RA Inc
Tanglewood NA	Overton Woods HA Inc
Linwood NA*	Tarrant Regional Water District
Clearfork	Streams And Valleys Inc
Trinity Habitat for Humanity	Montgomery Plaza Master Condominium Association, Inc.
Cultural District Alliance	Fort Worth ISD

\*Located within this registered neighborhood organization

**Recent Relevant Zoning and Platting History:**

Zoning History: None

Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Weisenberger	Residential	Residential	No
Carroll	Collector	Collector	No

**Development Impact Analysis:**

1. **Land Use Compatibility**

The applicant is requesting a zoning change to add a CUP to allow a bar. Surrounding land uses consist of a mixed use and commercial uses, with multifamily to the south and undeveloped land to the west.

Due to the location and being within the Cultural District Growth Center, the proposed zoning request **is compatible** at this location.

## 2. **Comprehensive Plan Consistency**

The 2019 Comprehensive Plan designates the subject property as Mixed-Use. While MU-1 does not allow bars by right, the CUP will allow for additional oversight to ensure compatibility with the area. Because of this, the requested zoning district **is consistent** with the following Comprehensive Plan policies.

- 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.
- Promote commercial and urban residential development within the Cultural District and Clear Fork Mixed-Use Growth Centers.

### ***Attachments:***

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

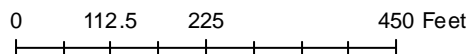


# Area Zoning Map

Applicant: 200 Carroll FW Investors LLC  
 Address: 2708, 2709, 2712 Weisenberger Street  
 Zoning From: MU-1  
 Zoning To: Add Conditional Use Permit for bar  
 Acres: 0.16219321  
 Mapsco: 62X  
 Sector/District: Arlington Heights  
 Commission Date: 8/14/2019  
 Contact: 817-392-8043

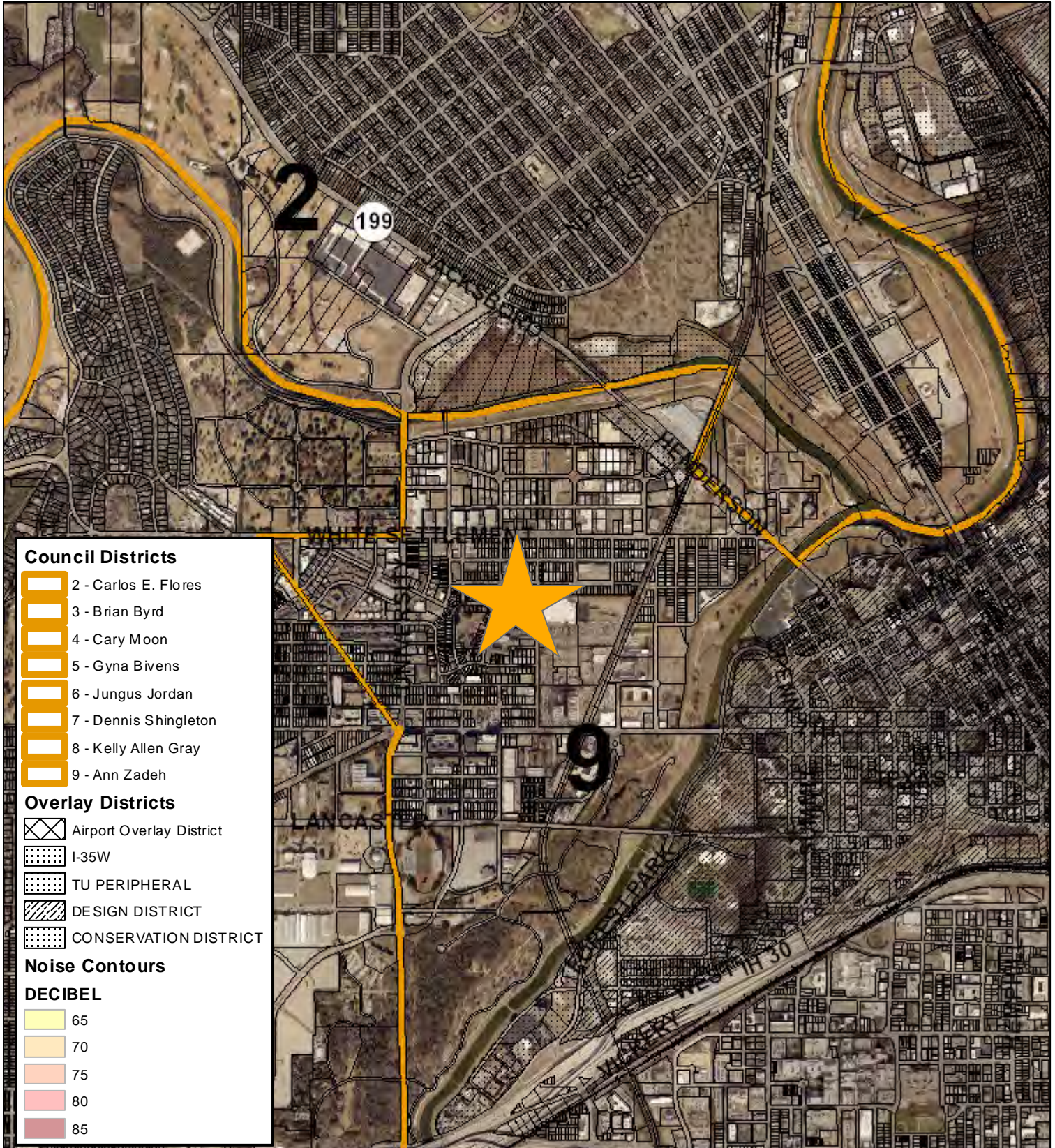


Subject Area  
 300 Foot Notification











### Area Map



**Council Districts**






-  2 - Carlos E. Flores
-  3 - Brian Byrd
-  4 - Cary Moon
-  5 - Gyna Bivens
-  6 - Jungus Jordan
-  7 - Dennis Shingleton
-  8 - Kelly Allen Gray
-  9 - Ann Zadeh

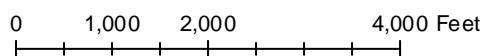
**Overlay Districts**

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

**Noise Contours**

**DECIBEL**

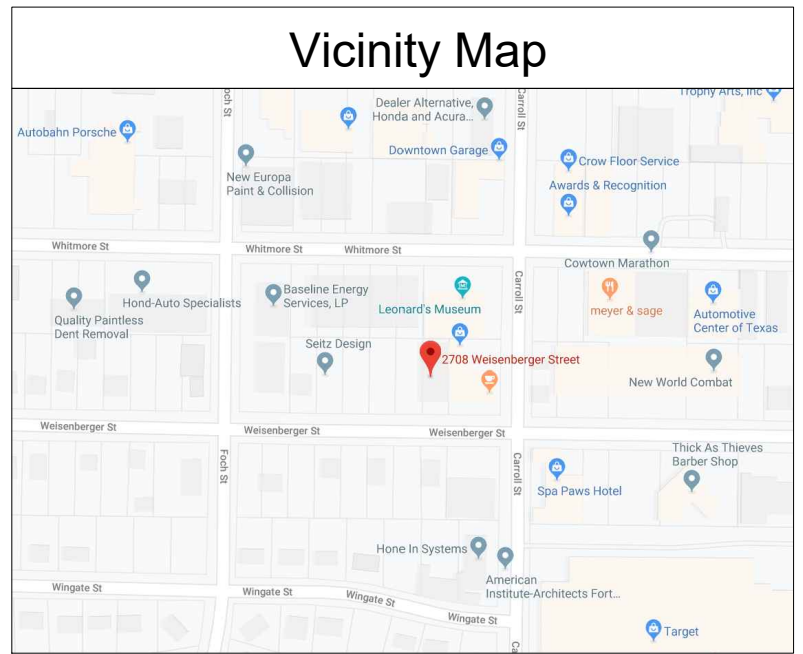
-  65
-  70
-  75
-  80
-  85





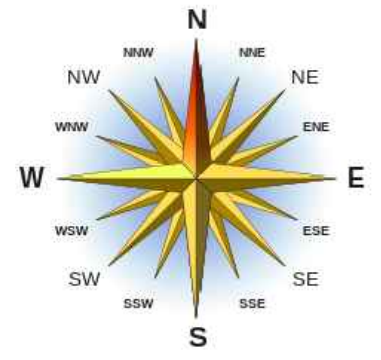
# SITE PLAN

Owner: 200 Carroll FW Investors LLC  
 Address: 2708 Weisenberger Street  
 City, State, ZIP: Fort Worth, TX, 76107  
 Country: USA  
 Scale 1":30'  
 Parcel No. (APN):45630-7-18  
**Zoning case : ZC-19-125**

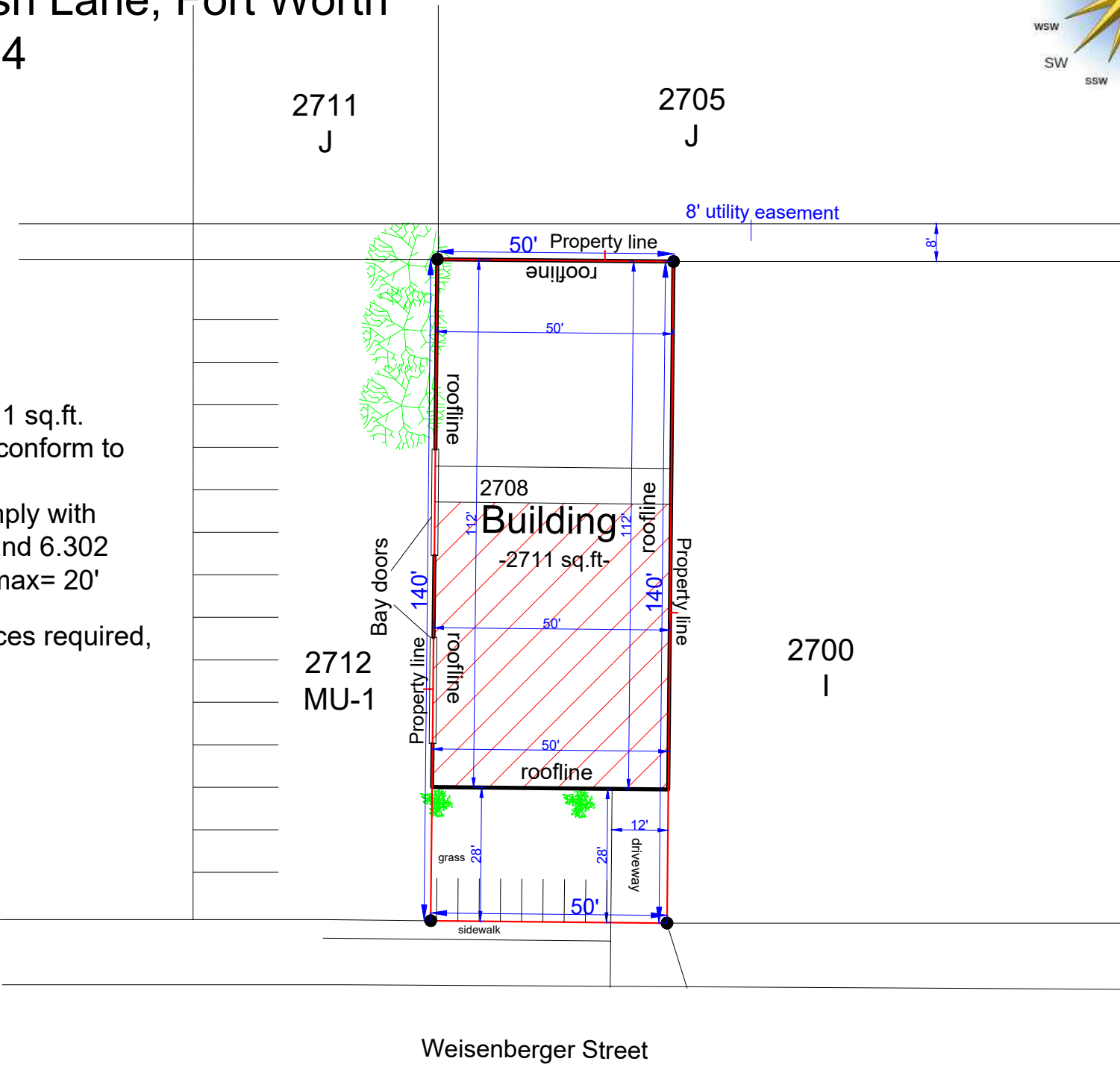


## Architect/Designer

Mark Marshall  
 Edward small designs  
 5017 Nash Lane, Fort Worth  
 TX, 76244

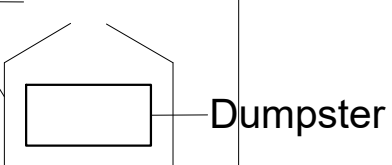


Bar will be 2,711 sq.ft.  
 All lighting will conform to lighting code  
 Project will comply with section 6.301 and 6.302  
 Front setback max= 20'  
 18 parking spaces required, 20 provided



Weisenberger addition  
 Block 7, lot 8  
 Block 7, lot 17  
 Block 12, lot 8  
 Date prepared :  
 8-27-19

Dumpster enclosure  
 6'3 1/2" high  
 -burnished block  
 -galvanized steel

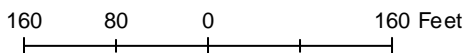
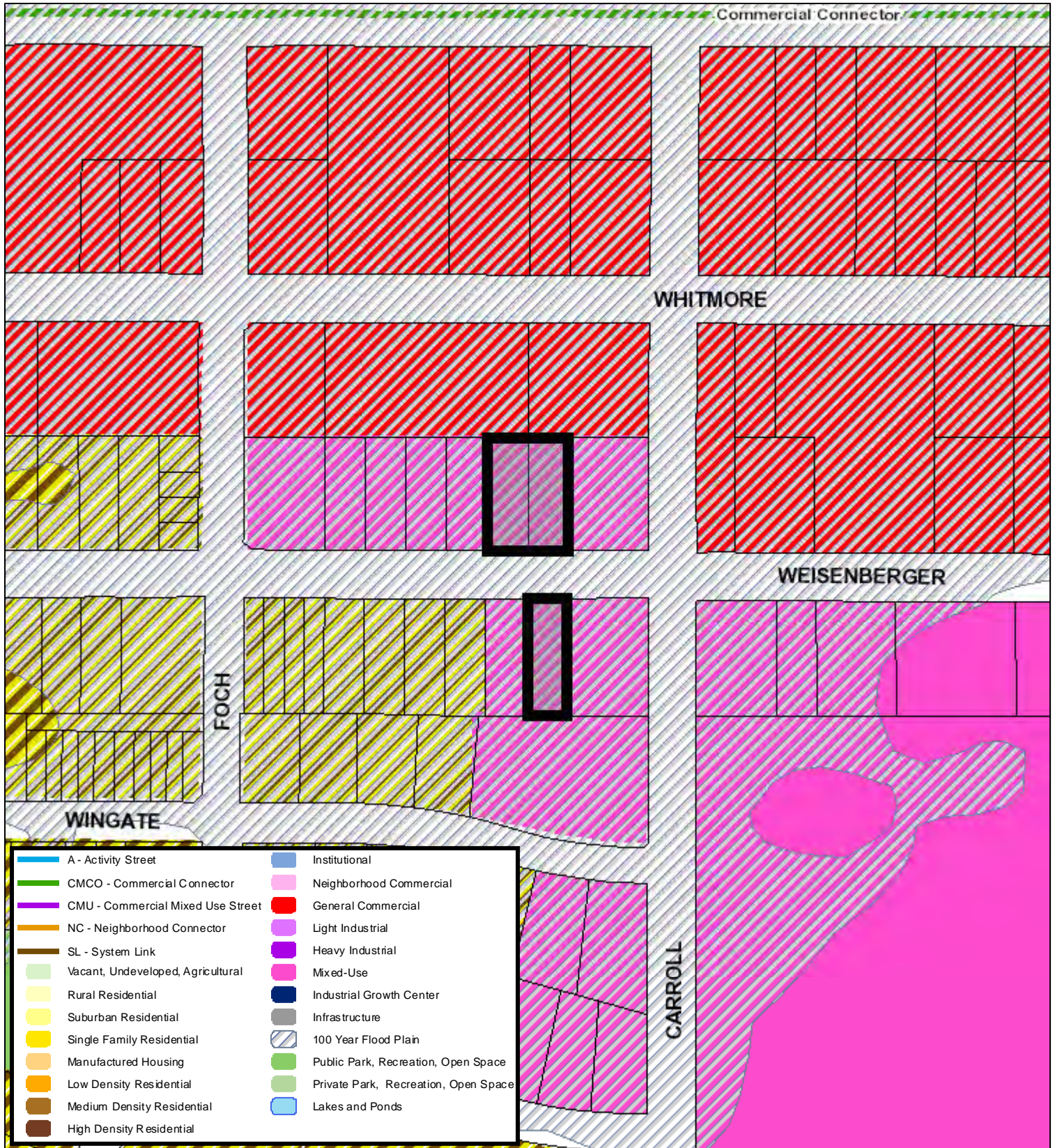


Signature  
 Director of planning  
 development





### Future Land Use

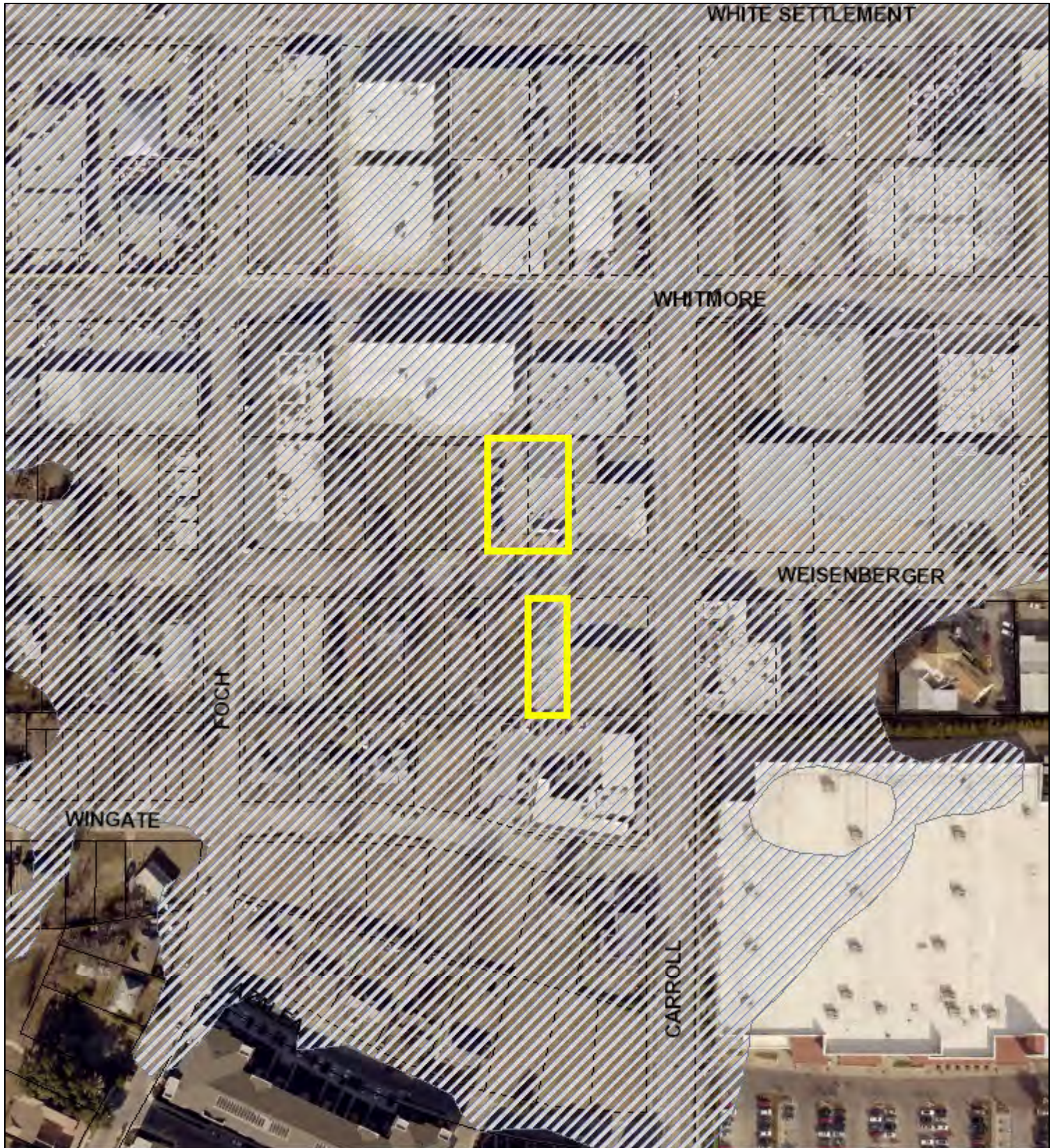


A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 5, 2019.





**Aerial Photo Map**



0 105 210 420 Feet

