



# Zoning Staff Report

**Date:** August 13, 2024

**Case Number:** ZC-23-165

**Council District:** 11

## Zoning Map Amendment & Site Plan

**Case Manager:** [Beth Knight](#)

**Owner / Applicant:** 4900 Carey LLC / Mike Bell

**Site Location:** 4900 Carey Street

**Acreage:** 4.0 acres

### Request

**Proposed Use:** Semi truck and trailer parking; existing gas wells

**Request:** From: "J" Medium Industrial

To: Add Conditional Use Permit (CUP) to allow parking of semi-trucks and trailers, in "J" Medium Industrial for a maximum of 5 years with no development standard waivers, site plan included

### Recommendation

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

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

**Staff Recommendation:** **Approval for semi truck and trailer parking; for 5 years with no development waivers**

**Zoning Commission Recommendation:** **Denial by a vote of 7-0**

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## Project Description and Background

The subject property is located along the west side of Carey Street, on the southwest corner of its intersection with US Highway 287 (MLK Freeway). The gas well pad site with extra vacant land started being used for outdoor storage of semi trucks and trailers between 2015 and 2017, according to historical aerials. This land use begun without proper zoning approvals resulted in a Code Compliance violation that has been ongoing since August 2023. In order to remedy this situation, the applicant is requesting a Conditional Use Permit added to their “J” Medium Industrial District. Outdoor storage, such as semi-truck parking, is allowed by right in the industrial districts with a primary building and only permitted on vacant lots with a CUP approval. The site plan shows no development waivers and meets the requirements for screening fencing and landscaping along the street frontage on the 4 acre lot.

Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which 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 semi-truck and trailer parking, as well as outdoor storage, is not permitted on a vacant lot in the “K” zoning district by right, allowing one by CUP with a site plan may help mitigate any neighborhood concerns, as well as give options for the CUP to be revoked in the event of new code violation convictions. The site is already being used for semi-truck and trailer parking with some existing landscaping, surrounded by chain link fencing. Standard industrial uses surround the site in all directions.

North of the site, US Highway 287 (MLK Freeway) is a 6-lane divided freeway with service road, which is suitable for semi-truck traffic. Carey Street is striped as a 2-lane undivided roadway, approximately 24 feet wide, but has paving approximately 50 feet wide. The roadway is not listed on the Master Thoroughfare Plan, but was previously classified as a minor arterial street.

The site plan shows 34 semi-truck and trailer parking spaces behind a 6-foot wooden fence on the eastern portion of the lot. No buildings are proposed to be constructed as part of this project. No notable tree cover or floodplains are noted on the lot. The western half of the site has a gas well pad site that is restricted from having structures or other uses built on it. The parking spaces for semi-trucks and trailers appear to be 72 feet deep, to accommodate the typical 53-foot trailer with a semi truck. Landscaping in a 30-foot wide strip is shown on the eastern street frontage and the southern property line. However, a portion of the landscaping is between the screening fence and the semi truck parking where trailers could extend past the concrete wheel stop.

Through Ordinance 23609 effective March 29, 2019, the Conditional Use Permit allows for a 5-year time period for the operation of outdoor storage. 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.

## Surrounding Zoning and Land Uses

North “PD 566” Planned Development – Specific Use for Southside Service Center / Collection site for large household waste, outdoor storage

East “I” Light Industrial with CUP 58 for outdoor storage of construction materials / Equipment rental with outdoor storage

South “J” Medium Industrial / Government office

West “I” Light Industrial / Industrial warehouse with outdoor storage

## Recent Zoning History

ZC-16-152: north of site, City staff-initiated to amend PD 566 to add hazardous household waste drop-off, approved, 10/13/2016.

ZC-17-112: east of site, Council-initiated from various districts to be in conformance with the Comprehensive Plan, approved, 10/12/2017.

ZC-22-168 and ZC-22-169: southeast of site, add CUPs for outdoor storage of freeway construction materials, approved, 1/10/2023.

## Public Notification

300-foot Legal Notifications were mailed on April 26, 2024.

The following organizations were notified: (emailed April 25, 2024)

Organizations Notified	
Village Creek NA*	Fort Worth ISD
Echo Heights Stop Six Environmental Coalition	Streams and Valleys Inc
East Fort Worth, Inc.	Trinity Habitat for Humanity

*\*Nearest registered Neighborhood Association*

## Land Use Compatibility

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The applicant is proposing to add a Conditional Use Permit for semi-truck and trailer parking. A site plan is included that shows no development waivers and upgrading the existing chain link fence with a solid screening fence and consistent landscaping. The Conditional Use Permit has been requested due to code violations for outdoor storage and parking without formal approvals. The requested land use for 34 semi-truck parking spots is generally the same land use intensity as the surrounding sites. The proposed zoning request **is compatible** with surrounding industrial land uses, due to the solid screening added to surround the site, as well as restoring the landscaping to a consistent depth on the eastern and southern sides.

The case was continued from the May 8, 2024 Zoning Commission meeting because the applicant failed to appear at the public hearing. However, three people from neighborhood associations in the general spoke in opposition to the case. In order to allow the applicant time to meet with these groups, the case was continued to the July 10, 2024 meeting.

## Comprehensive Plan Consistency – Southeast Sector

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The 2023 Comprehensive Plan currently designates the subject property as “Industrial Growth Center” on the Future Land Use Map and does not propose expanding this growth center. The requested land uses are included in the description envisioned for this category, as detailed in the excerpt from the Comprehensive Plan below.

INDUSTRIAL		
Industrial Growth Center	Industrial and commercial uses serving a large region	MU-2, All Commercial & Industrial

The proposed zoning is consistent with the following policies of the Comprehensive Plan:

- Coordinate future land uses and development types and intensity with the Complete Streets policy, Master Thoroughfare Plan, Active Transportation Plan, and Transit-Oriented Development (TOD) Plans.
- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city.
- Locate large industrial uses along freight rail lines, highways, or airports within industrial growth centers and other appropriate locations.
- 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.

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

**Zoning and Land Use**

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

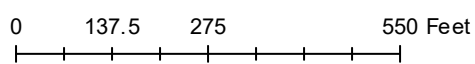
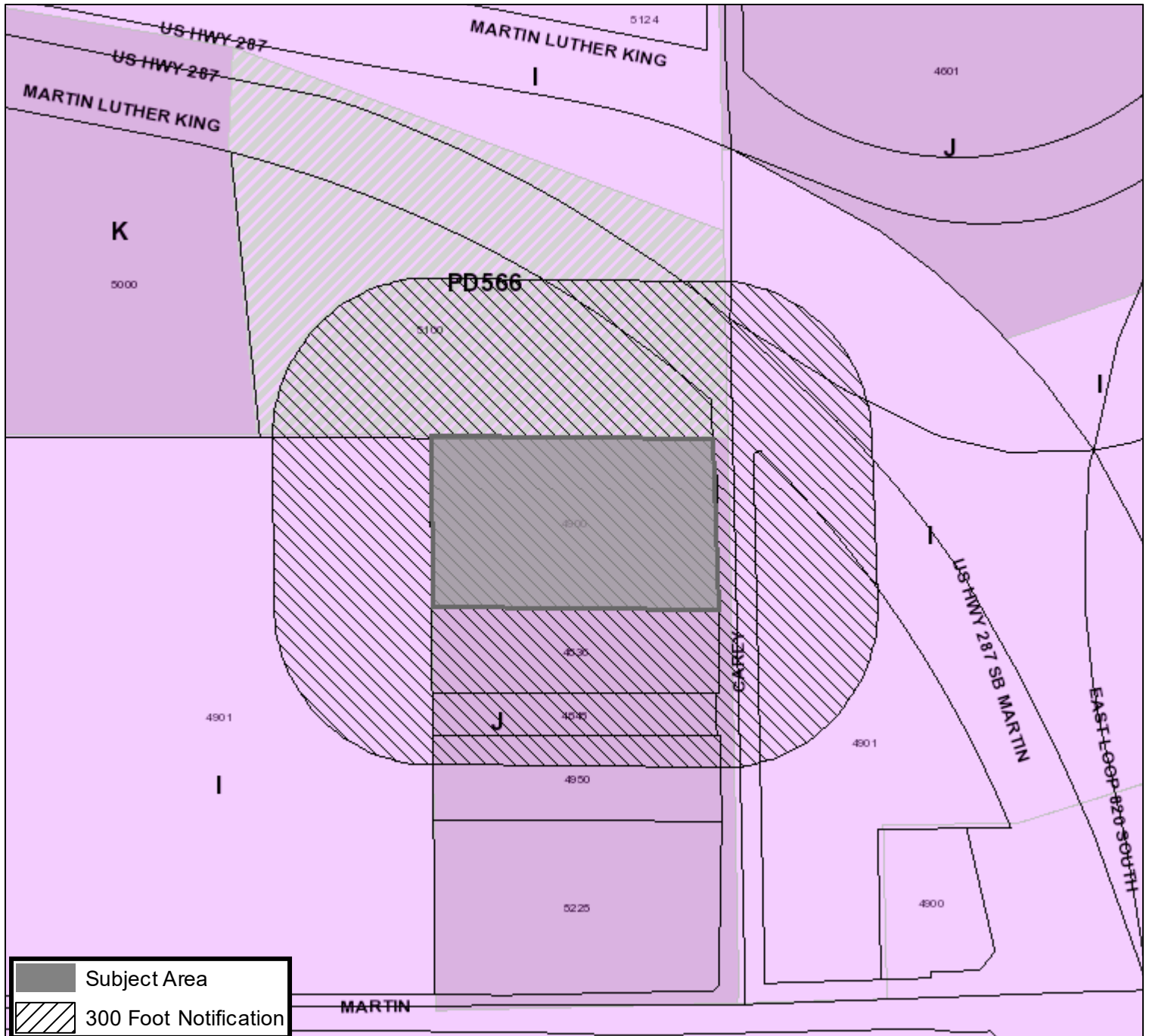
1. Amend the project's specific CUP request in the lower right corner to just Truck Parking.
2. Informational comment: The existing signage is not allowed on the fence. A monument sign more than 20-feet from a driveway is allowed by right.
3. Label the land use of the immediately adjacent properties abutting the site, instead of the legal descriptions.

*(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.)*



# Area Zoning Map

Applicant: 4900 Carey LLC by Mike Bell  
 Address: 4900 Carey Street  
 Zoning From: J  
 Zoning To: Add Conditional Use Permit for semi truck and trailer parking  
 Acres: 3.982042  
 Mapsco: Text  
 Sector/District: Southeast  
 Commission Date: 7/10/2024  
 Contact: 817-392-8190



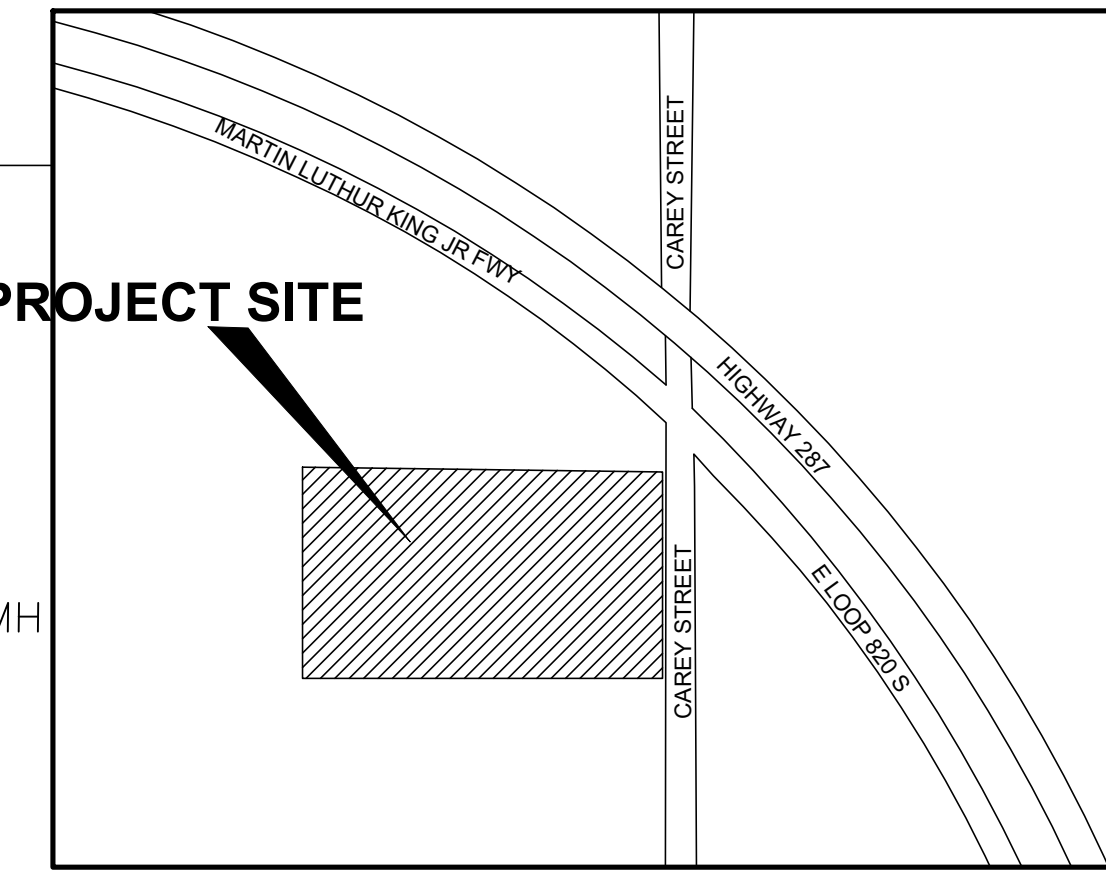
SOUTHEAST SERVICE CENTER

CABINET A, SLIDE 3343

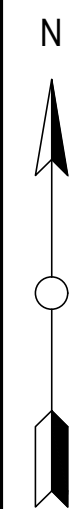
LOT 2R BLOCK 2

NORTH LOT LINE - 533.93' PD, PLANNED DEVELOPMENT

PROJECT SITE



VICINITY MAP  
NTS



No.	Revision/Issue	Date
1	ISSUED FOR PERMIT	04/04/24
2	ISSUED FOR PERMIT	04/24/24
3	ISSUED FOR PERMIT	06/07/24
4	ISSUED FOR PERMIT	06/17/24

CLIENT ADDRESS  
 FF REAL ESTATE  
 4900 CAREY STREET  
 FORT WORTH, TX 76062  
 CONTACT: MICHAEL BELL  
 PH: 817-818-8000  
 FAX: MBEL@FFREALESTATE.NET

FIRM NAME AND ADDRESS  
**D H R**  
**ENGINEERING, INC.**  
 Civil Engineers  
 511 E JOHN CARPENTER Fwy, SUITE 500  
 IRVING, TEXAS 76062  
 TEL: (972) 717-0000 FAX: (972) 717-0111  
 TBPE No. : F-9184

**4900 CAREY STREET**  
**FW CAREY ST. PARKWAY PERMIT**  
 CITY OF FORT WORTH, TARRANT COUNTY, TX

**SITE PLAN**

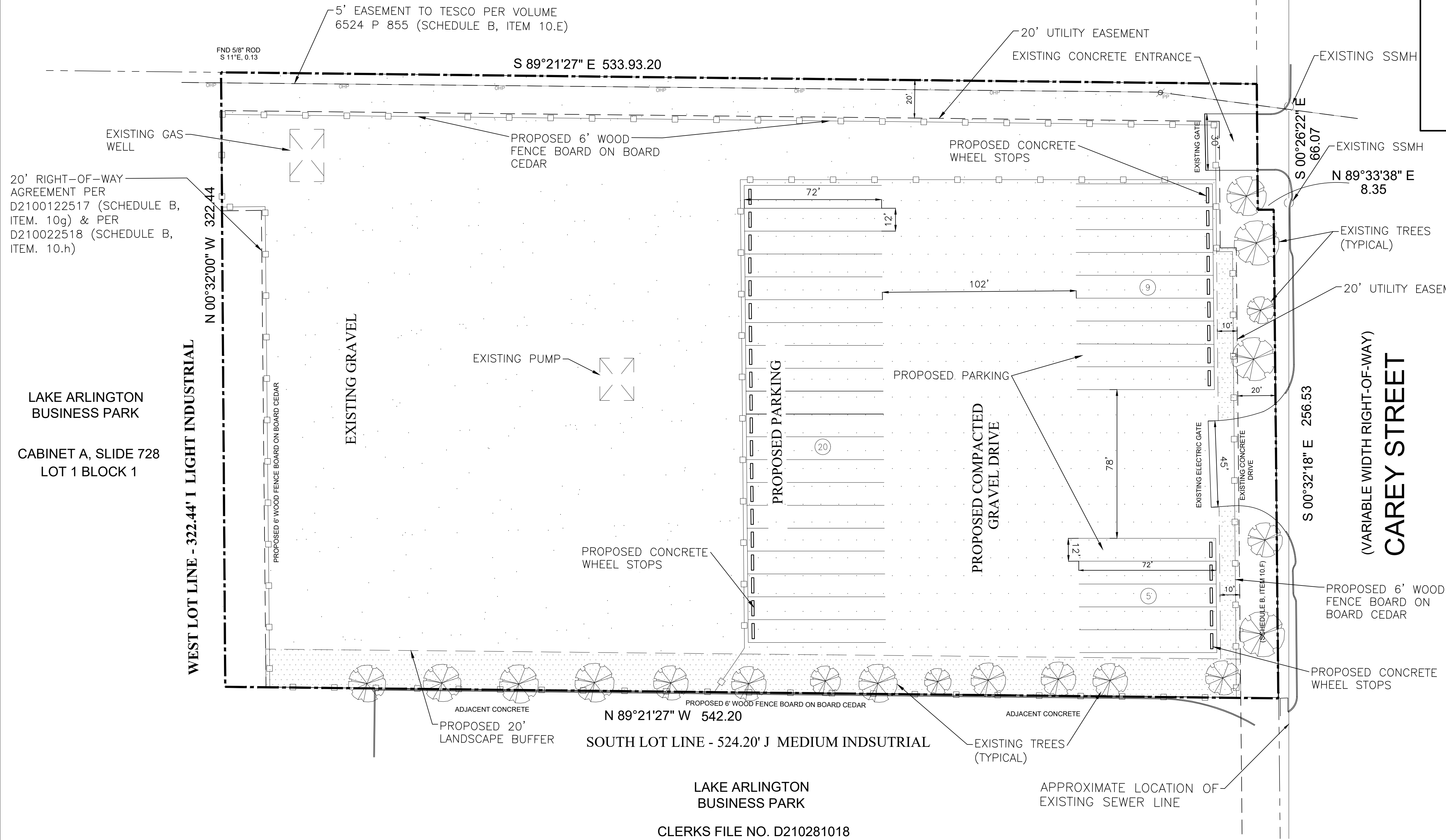
STATE OF TEXAS  
 DAVID H. RECHT  
 91962  
 LICENSED PROFESSIONAL ENGINEER

June 17, 2024  
*David H. Recht*

CHECKED BY  
 DR  
 DHR JOB No.  
 23405

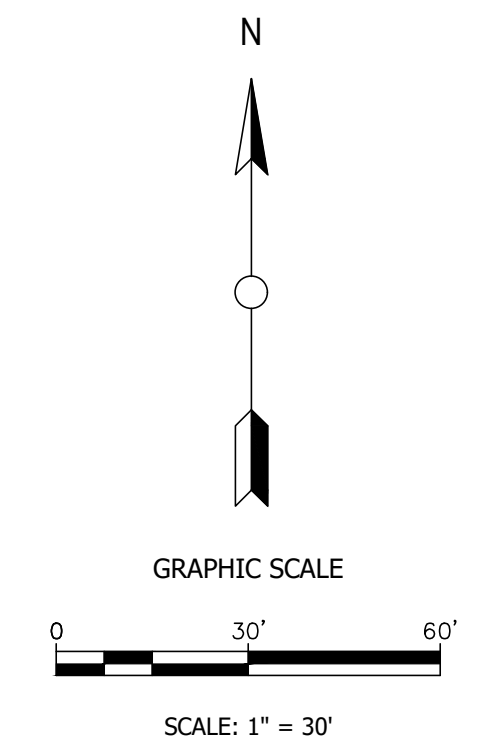
ISSUE DATE: 6/17/2024

SHEET  
**C-1.0**



EAST LOT LINE - 256.53' LIGHT INDUSTRIAL

(VARIABLE WIDTH RIGHT-OF-WAY)  
**CAREY STREET**



**LEGEND**

	EXISTING GRAVEL DRIVE
	PROPERTY BOUNDARY
	PROPOSED LANDSCAPE
	PROPOSED GRAVEL DRIVE

**TRUCK AND TRAILER PARKING**  
 34- 72' X12' GRAVEL PARKING SPACES

4900 CAREY ST, FORT WORTH 76106 HYNES, JOHN  
 W SURVEY ABSTRACT 767 TRACT 1B02 CITY OF  
 FORT WORTH TARRANT COUNTY, TEXAS  
 4.00 ACRES (174,040 S.F.)

**ZONING CASE# = ZC-23-165**

NO IN-OPERABLE OR UN-REGISTERED VEHICLES,  
 PERSONAL RECREATIONAL VEHICLES, OR CAMPERS  
 ARE ALLOWED.

4900 CAREY STREET SITE SUMMARY TABLE

GENERAL SITE DATA	
LOT AREA	174,045 S.F. (4.00 Ac.)
ZONING	CUP
USE	MEDIUM INDUSTRIAL
4% LANDSCAPE AREA	6,962 S.F.

PROJECT: 4900 CAREY ST  
 ZONING : J-MEDIUM INDUSTRIAL  
 DATE OF PREPARATION: 02/02/2024  
 ENGINEER: DAVID.H RECHT, P.E

**OWNER INFORMATION**  
 4900 CAREY LLC  
 C/O RON ROHDE  
 619-818-8000  
 4900 CAREY STREET  
 FORT WORTH, TEXAS 75062

SIGNATURE - DIRECTOR OF DEVELOPMENT SERVICES \_\_\_\_\_ DATES \_\_\_\_\_

THIS PROJECT WILL COMPLY AND CONFORM TO THE FOLLOWING: SECTION 6.301 LANDSCAPING, SECTION 6.302 URBAN FORESTRY, ARTICLE 4 SIGNS AND ALL PROVIDED LIGHTING WILL CONFORM TO THE LIGHTING CODE.

**LEGAL DESCRIPTION**

A 3.9999 acre tract out of the J. W. HAYNES SURVEY, Abstract No. 767, Tarrant County, Texas, being a portion of that tract conveyed to Charles W. Lawhon by General Warranty Deed recorded under Clerk's File No. D216203723, Real Property Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of Lot 2R, Block 2, Southeast Service Center, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 3343, Plat Records, Tarrant County, Texas, in the west right-of-way line of Carey Street, a public street with a variable width, from which a found 5/8 inch steel rod bears South 52 degrees West, 0.12 feet;

THENCE South 00 degrees 26 minutes 22 seconds East along the east line of said Lawhon Tract and the west right-of-way line of said Carey Street, 66.07 feet to a found 5/8 inch steel rod;

THENCE North 89 degrees 33 minutes 38 seconds East along the east line of said Lawhon Tract and the west right-of-way line of said Carey Street, 8.35 feet to a found 5/8 inch steel rod;

THENCE South 00 degrees 32 minutes 18 seconds East along the east line of said Lawhon Tract and the west right-of-way line of said Carey Street, 256.53 feet to a set 1/2 inch steel rod at the northeast corner of Lot 5, Block 1, Lake Arlington Business Park, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the amended plat recorded under Clerk's File No. D210281018, of said Real Property Records;

THENCE North 89 degrees 21 minutes 27 seconds West along the north line of said Lot 5, Block 1, 542.20 feet to a found 1/2 inch steel rod at the northwest corner thereof, and in the east line of Lot 1, Block 1, Lake Arlington Business Park, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 728, of said Plat Records;

THENCE North 00 degrees 32 minutes 00 seconds West along the east line of said Lot 1, Block 1, 322.44 feet to the northeast corner thereof, and in the south line of said Lot 2R, Block 2, Southeast Service Center, from which a found 5/8 inch steel rod bears South 11 degrees East, 0.13 feet;

THENCE South 89 degrees 21 minutes 27 seconds East along the south line of said Lot 2R, Block 2, 533.93 feet to the Point of Beginning, and containing 3.9999 acres (174,236 square feet) of land, more or less.

Street Address: 4900 Carey Street Fort Worth, Texas 76119

4900 CAREY ST, FORT WORTH 76106 HYNES, JOHN W SURVEY ABSTRACT 767 TRACT 1B02 CITY OF FORT WORTH TARRANT COUNTY, TEXAS  
4.00 ACRES (174,040 S.F)

PROJECT: 4900 CAREY ST

ZONING : J-MEDIUM INDUSTRIAL

DATE OF PREPARATION: 02/02/2024

ENGINEER: DAVID.H RECHT, P.E

ZONING CASE# = ZC-23-165

SIGNATURE - DIRECTOR OF DEVELOPMENT SERVICES \_\_\_\_\_

DATES \_\_\_\_\_

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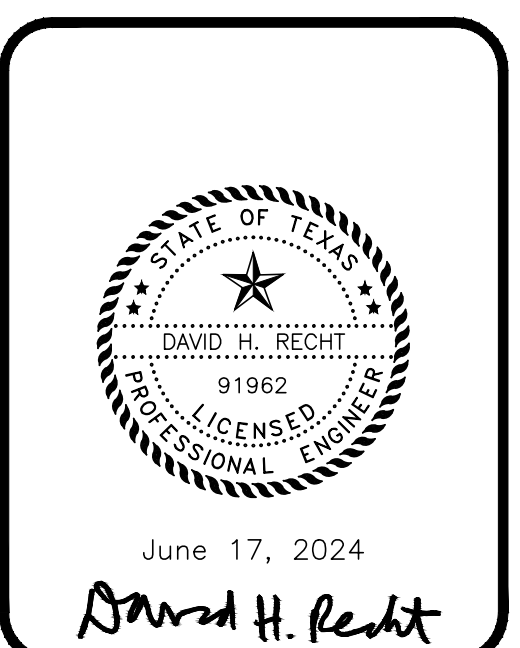
4900 CAREY STREET SITE SUMMARY TABLE	
GENERAL SITE DATA	
LOT AREA	174,045 S.F. (4.00 Ac.)
ZONING	CUP
USE	MEDIUM INDUSTRIAL

No.	Revision/Issue	Date
1	ISSUED FOR PERMIT	02/23/24

CLIENT ADDRESS  
FF REAL ESTATE  
4900 CAREY STREET  
FORT WORTH, TX 76162  
CONTACT: MICHAEL BELL  
PH: 817.818.8000  
FAX: MMB@FFREALESTATE.NET

FRM NAME AND ADDRESS  
**D H R**  
**ENGINEERING, INC.**  
Civil Engineers  
511 E JOHN CARPENTER FWY, SUITE 500  
IRVING, TEXAS 75062  
TEL: (972) 717-0000 FAX: (972) 717-0111  
TBPE No. : F-9184

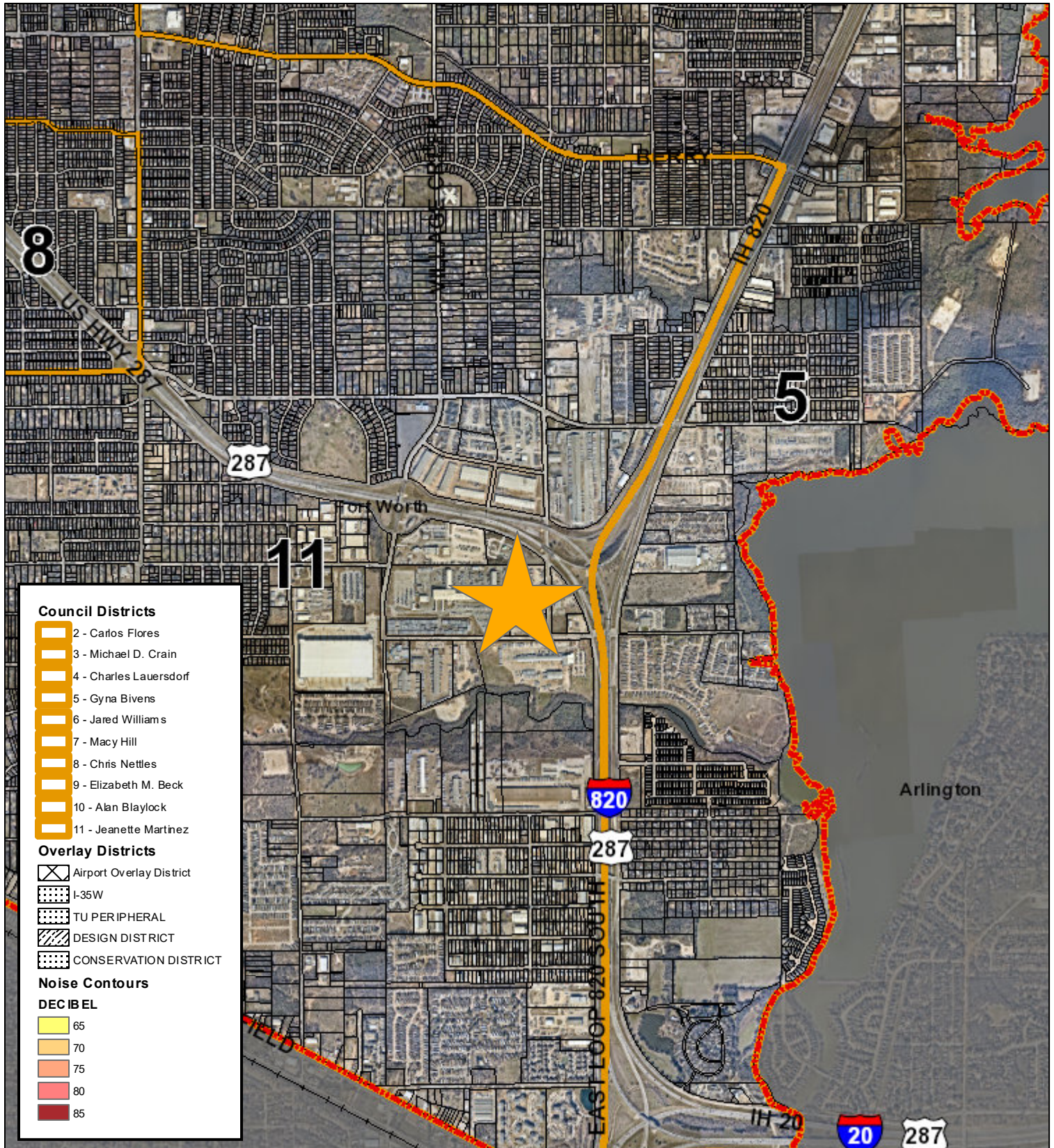
4900 CAREY STREET  
FW CAREY ST. PARKWAY PERMIT  
CITY OF FORT WORTH, TARRANT COUNTY, TX  
**LEGAL DESCRIPTION**



CHECKED BY  
DR  
DHR JOB No.  
23405  
ISSUE DATE: 6/7/2024  
SHEET  
**C-1.1**



### Area Map



**Council Districts**

- 2 - Carlos Flores
- 3 - Michael D. Crain
- 4 - Charles Lauersdorf
- 5 - Gyna Bivens
- 6 - Jared Williams
- 7 - Macy Hill
- 8 - Chris Nettles
- 9 - Elizabeth M. Beck
- 10 - Alan Blaylock
- 11 - Jeanette Martinez

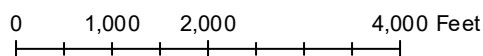
**Overlay Districts**

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

**Noise Contours**

**DECIBEL**

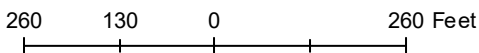
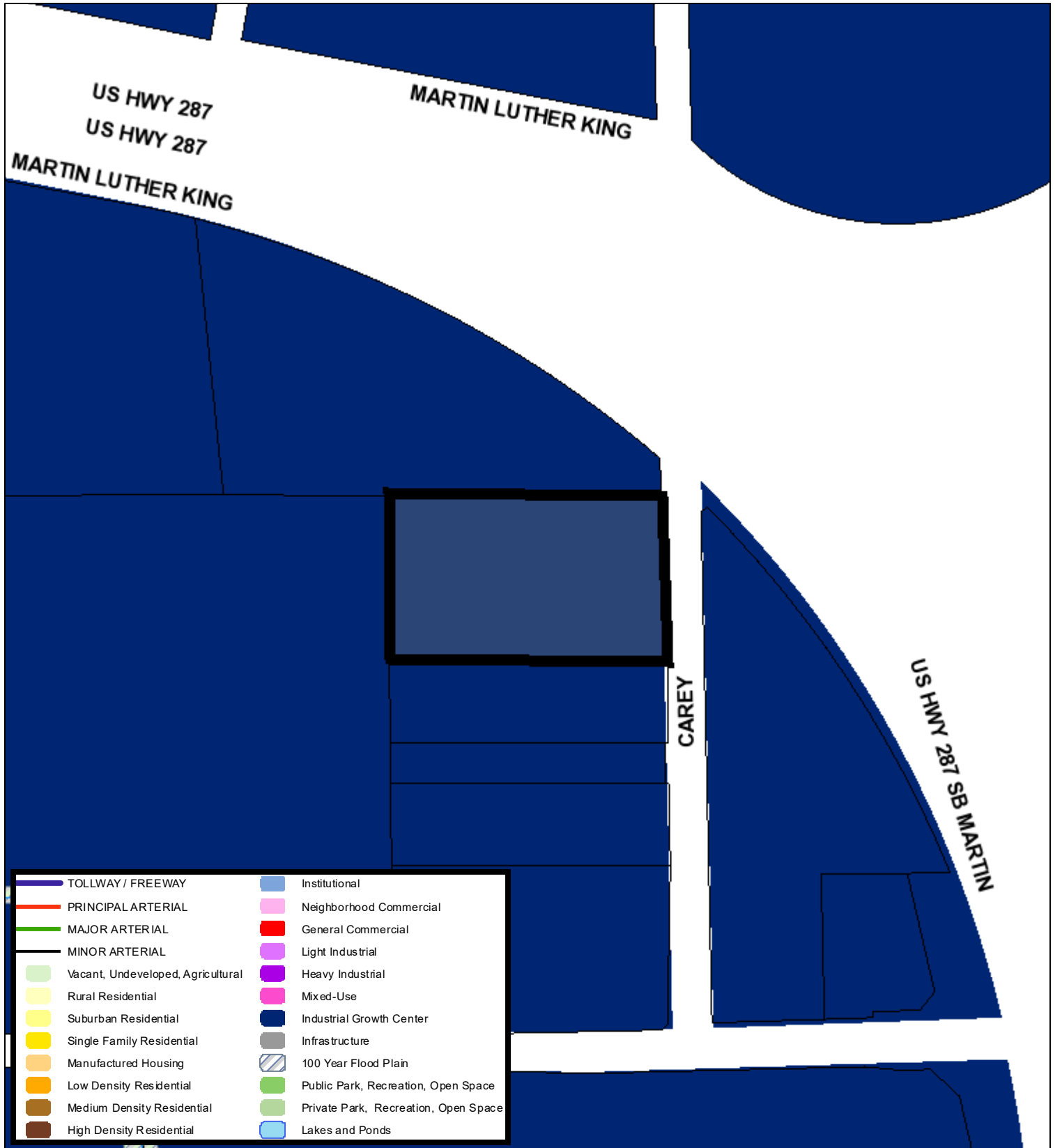
- 65
- 70
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ZC-23-165

# 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 6, 2018.



## Aerial Photo Map



0 165 330 660 Feet

