



Zoning Staff Report

Date: April 11, 2023

Case Number: ZC-22-214

District (old/new): 5 / 5

Zoning Map Amendment

Case Manager: [Alondra Salas-Beltré](#)

Owner / Applicant: HStrand, LLC / Jason Eggenburger

Site Location: 8950 Creek Run Road/8951 Cottonwood Village

Acreage: 2.2 acres

Request

Proposed Use: Warehouse

Request:

From: “AR” One-Family Restricted/ PD 623 “PD/SU” Planned Development/Specific Use for all uses in “E” Neighborhood Commercial; excluding the following uses: Massage Parlor, Tattoo Parlor, Pawn Shop, Liquor or Package Store, and Convenience Store, site plan waived

To: “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus Warehouse, site plan included.

Recommendation

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

Comprehensive Plan Consistency: Requested change is **not consistent (significant deviation)**

Staff Recommendation: **Approval**

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

Table of Contents

1. [Project Description and Background](#)
2. [Surrounding Zoning and Land Uses](#)
3. [Recent Zoning History](#)
4. [Public Notification](#)
5. [Development Impact Analysis](#)
 - a. [Land Use Compatibility](#)
 - b. [Comprehensive Plan Consistency](#)
 - c. [Economic Development Plan](#)



Zoning Staff Report

6. Zoning Map with 300 ft. Notification Area
7. Area Map
8. Future Land Use Map
9. Aerial Photograph

Project Description and Background

Update After the Zoning Commission hearing, our Legal Department determined that inadequate notice was given since one of the addressees encompassed by the metes and bounds was not listed. The case was re-noticed and brought to the Zoning Commission for a second time.

Update During zoning commission, the applicant changed their request to rezone to "I" Light Industrial to PD/E plus warehouse, site plan included. Staff modified their recommendation from denial to approval, and the zoning commission recommended approval by a vote of 8-0

Update Legal department determined that insufficient notice was sent to property owners within 300 ft. of the rezoning site. Therefore, any action of the Commission or the Council to rezone the AR property would be null and void. Staff re-noticed all property owners within 300' of the site.

The site is north of Cottonwood Village and south of Creek Run Road. The applicant is requesting a zoning change from "AR One-Family Restricted" and "PD 623" Planned Development to "PD-E" plus warehouse.

The property immediately west of the site is zoned "AR" residential restricted and is also owned by the applicant. It is used as a gas well site, comprised of eleven active wells, two lift compressors, ten tank batteries, several separators, and other equipment. Gas well sites are allowed in all zoning districts; producing gas wells have a 300' setback from the wellhead that applies to public buildings and protected use. A residence is a protected use. Therefore the "AR" residential restricted zoning on this site might render it unusable (see figure 1).



Figure 1- 300' Setback for Protected Uses

The applicant is looking to expand the existing warehouse to the east, within the PD 623 zoning, which has an existing 6,000 SF warehouse, by adding a new 15,300 SF building and 50 additional parking spaces. Warehouses are habitable structures, and the setback from the surface wells to a habitable structure is 200' ft. (see figure 2).

The proposed location of this warehouse is outside the 200' required buffer. There are no gas well setbacks to parking lots.

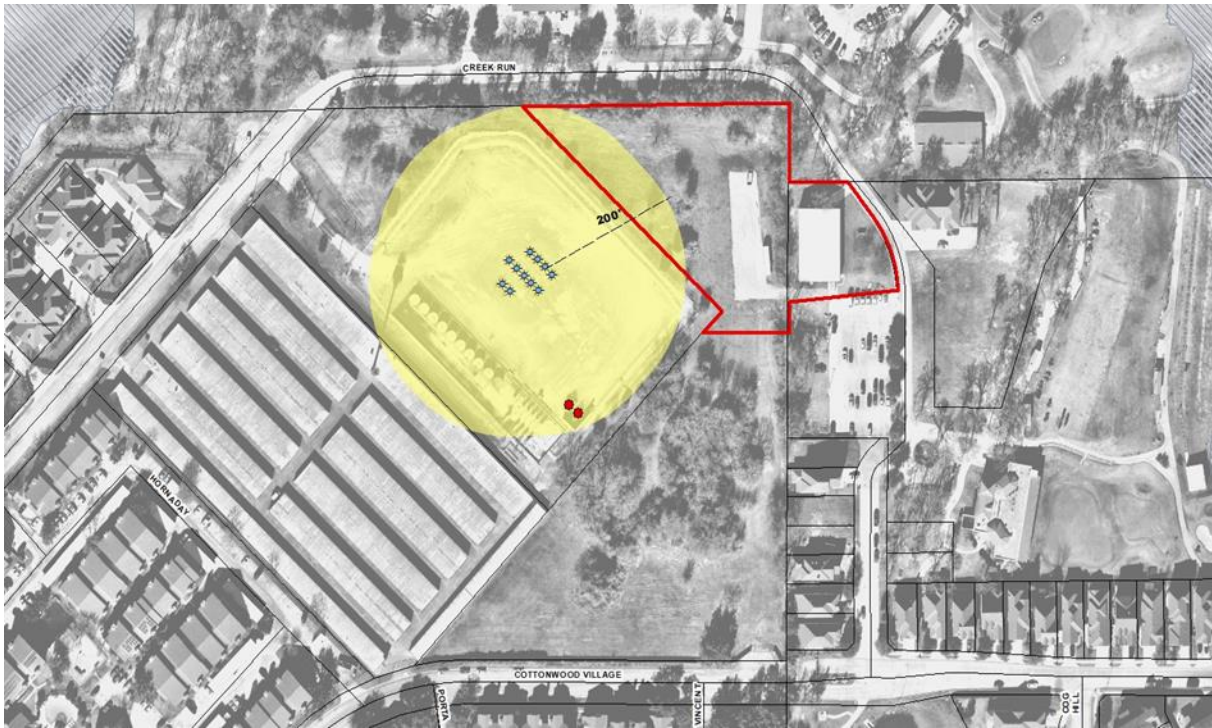


Figure 2- 200' Habitable Structure Setback

Here is an excerpt from the application providing more background information and detail about this proposal.

Rezoning of a lot for warehouse expansion

- Existing warehouse is located at LOT 2 BLOCK 1, THE ACADEMY AT WATERCHASE ADDITION and is zoned 'PD 623'. This address is 8950 Creek Run Road, Fort Worth, TX 76120
- Undeveloped land is located at LOT 2R2-1 BLOCK 2, COTTONWOODVILLAGES ADDITION and is zoned 'AR'. This address is 8951 Cottonwood Village, Fort Worth, TX 76120.
- Proposed zoning change request to change from 'PD 623' and partial 'AR' to 'PD' based on 'E' with a warehouse addition

Surrounding Zoning and Land Uses

North “PD 353” Planned Development /Privately operated golf club
East “PD 623” Planned Development/ Jim Mclean Golf Academy
South “AR” Residential Restricted / Vacant
West “AR” Residential Restricted/ Gas well site

Recent Zoning History

- PD 623 Planned Development for “E” uses with exclusions, PD 353 Planned Development for “CF” for a privately-owned golf course with club house
- PD 334 Planned Development for “E” uses excluding certain uses

Public Notification

300-foot Legal Notifications were mailed on March 10, 2023.
The following organizations were notified: (March, 10 2023)

Organizations Notified	
Historic Randol's Mill Valley Alliance, Inc.	Neighborhoods of East Fort Worth
East Fort Worth, Inc.	Streams And Valleys Inc
Trinity Habitat for Humanity	Arlington ISD
Fort Worth ISD	Hurst Euless Bedford ISD

Development Impact Analysis

Land Use Compatibility

The applicant is requesting to rezone this property from “AR” Residential Restricted and PD 623 to “PD-E” plus warehouse. All properties immediately adjacent to this site are zoned “AR” Residential Restricted or PD-E. The parcel to the west is developed with a gas well site. The property to the east, zoned PD-E is occupied with commercial office, and event center and a warehouse. Property to the north is zoned “PD 353” is developed with a golf course. Other nearby uses are mostly residential.

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

Comprehensive Plan Consistency – Eastside

The 2022 Comprehensive Plan currently earmarks the subject property “Open Space” on the Future Land Use Map. The definition of Open Space is Public or Passive land; this use is approved in all zoning districts, as stated below. The proposed “I” Light Industrial zoning land uses do not adhere to this definition.

FUTURE LAND USE	DEFINITION	ZONING
SPECIAL		
Vacant, Agricultural	Vacant, agriculture lands	AG
Rivers, Lakes, Streams, 100-Year Flood Plain	Water features, 100-year flood plain	ALL
Infrastructure	Railroads, airports, utilities	ALL
Parks, Recreation, Open Space	Public or private recreation, or passive land	ALL
Institutional	Schools, churches, government, human services, utilities, community centers, day cares	Schools and Churches: ALL Others: CF

The Future Land Use was administratively reviewed and updated in 2013 after the gas well site was established. It changed from single-family to open space. The proposed zoning is **inconsistent (significant deviation)** with the Comprehensive Plan.

Economic Development Plan

The 2018 Economic Development Strategic Plan identified four different a vision, goals, and strategies to facilitate the success and growth of the City of Fort Worth. The below applies to this project:

PERFORMANCE METRICS

2. A more sustainable tax base, driven less by residential property valuation and more by commercial and industrial investment.

Site Plan Comments

Zoning / Land Use

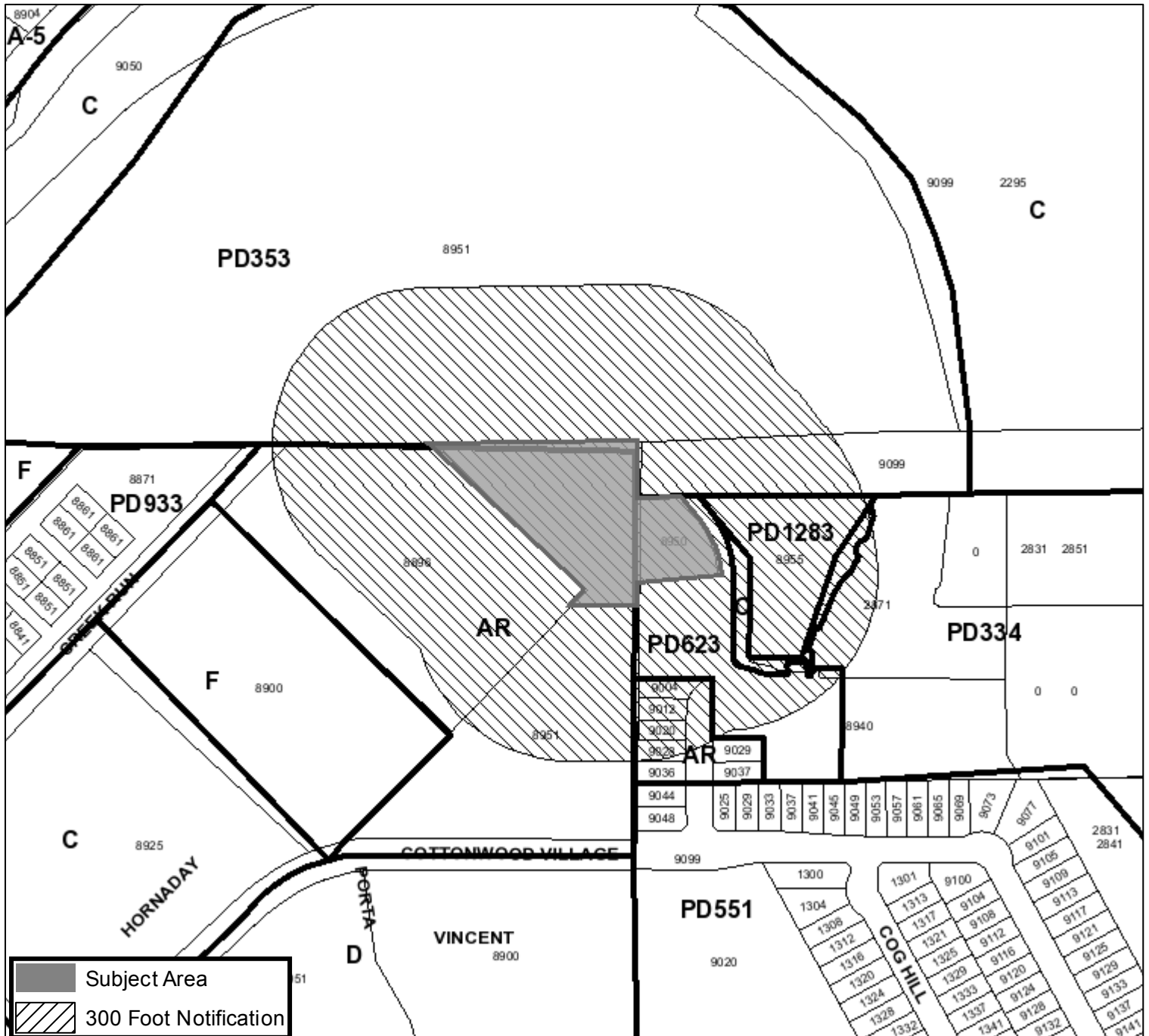
- Add 8951 Cottonwood Village Dr. address
- Label the zoning case number in the lower righthand corner of the plan, below the title
- Show all setbacks as appropriate to “E” Neighborhood Commercial zoning district
- Label the land use and zoning classifications of both the site area and the immediately adjacent properties abutting the site.
- Add general note: “This project will comply with Section 6.302, Urban Forestry”
- Add general note: “All provided lighting will conform to the Lighting Code”



(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, Water, and Building Plan Review 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.)

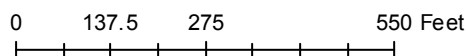


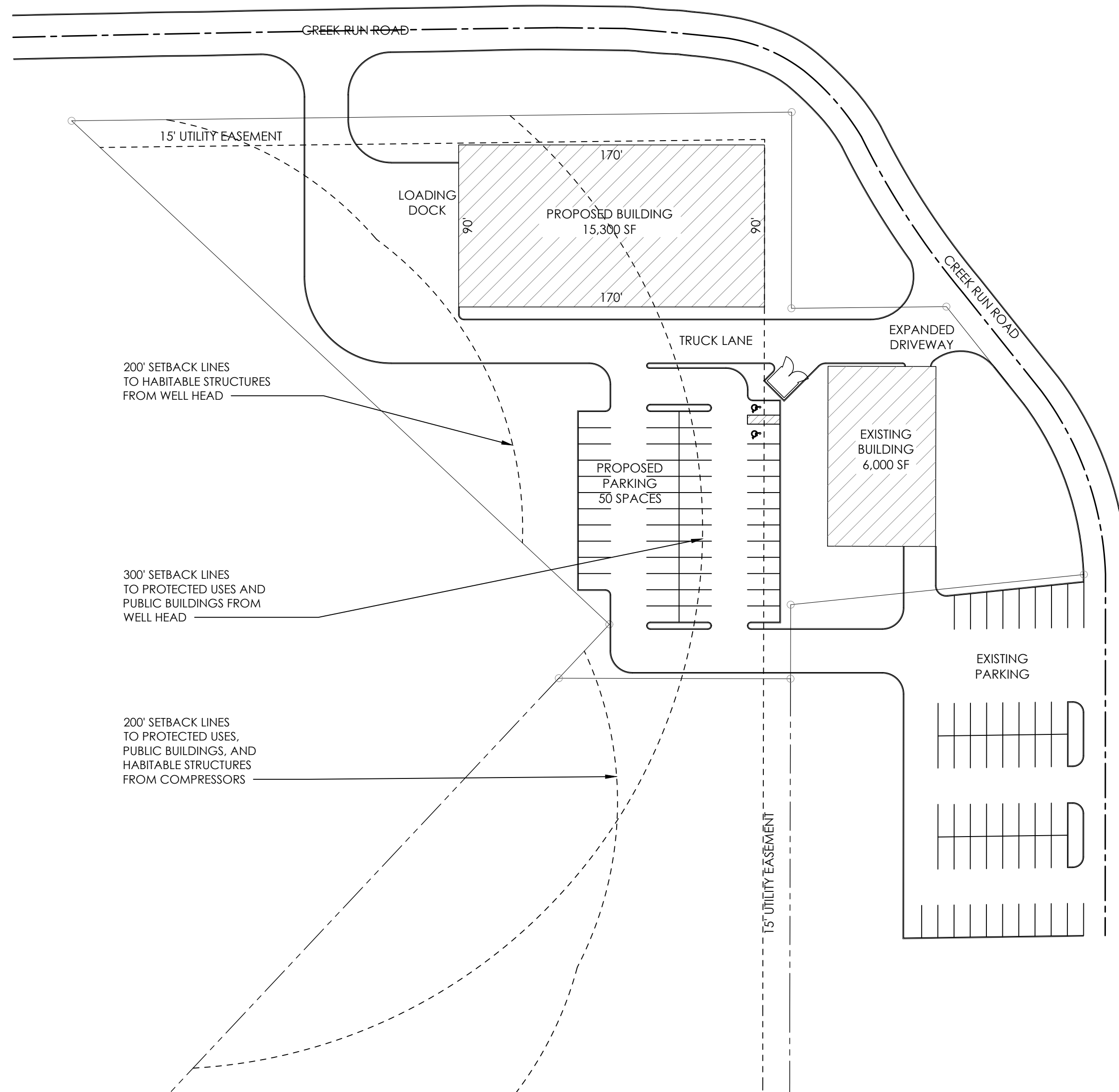
Area Zoning Map

Applicant: HStrand, LLC/Jason Eggenburger
 Address: 8950 Creek Run Road and 8951 Cottonwood Village
 Zoning From: AR & PD 623
 Zoning To: PD-E plus warehouse
 Acres: 96215.24136466
 Mapsco: Text
 Sector/District: Eastside
 Commission Date: 3/22/2023
 Contact: 817-392-2495



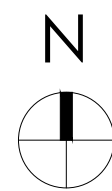
 Subject Area
 300 Foot Notification





SITE PLAN

SCALE: 1/50" = 1'-0"

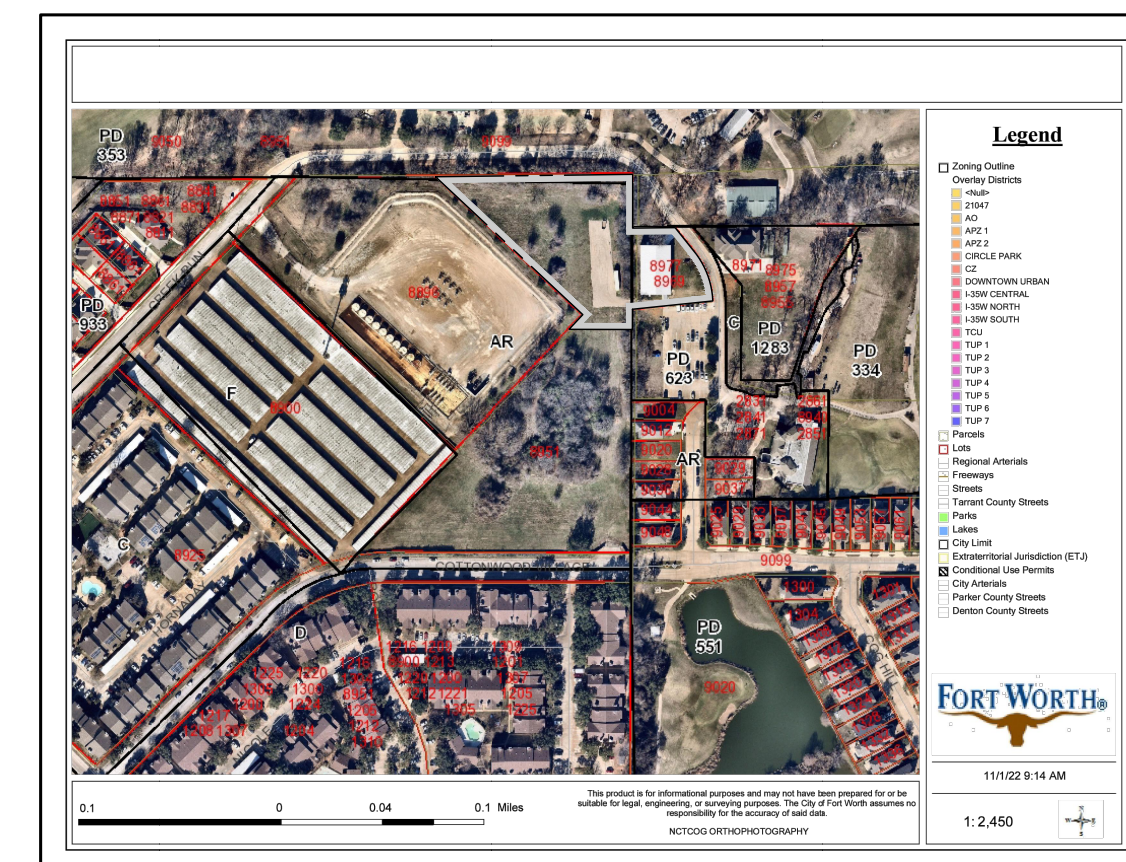


BUILDINGS AND STRUCTURES
LAND / OCCUPANCY USE CURRENT - PD 623 AND AR
LAND / OCCUPANCY USE PROPOSED - I 'LIGHT INDUSTRIAL'
GROSS FLOOR AREA - 21,300 SQUARE FEET (6,000 SF EXISTING, 15,300 SF PROPOSED)
NUMBER OF STORIES - 1
LAND DENSITY - 21,300 SQUARE FEET ON 2.11 ACRE LOT
BUILDING HEIGHT - 24 FEET
EXTERIOR CONSTRUCTION MATERIALS - METAL BUILDING

STREETS, PARKING AND DRIVES
OFF-SITE PARKING CURRENT - 51 SPACES W/ 1 ACCESSIBLE SPACE
OFF-STREET PARKING PROPOSED - 50 SPACES W/ 2 ACCESSIBLE SPACES

SIGNAGE
 ALL SIGNAGE WILL CONFORM TO ARTICLE 4, SIGNS, OF THE CITY OF FORT WORTH DEVELOPMENT CODE

LANDSCAPING
 ALL LANDSCAPING WILL COMPLY WITH SECTION 6.301, LANDSCAPING, OF THE CITY OF FORT WORTH DEVELOPMENT CODE



LAND USE AND ZONING / LOCATION MAP

DIRECTOR OF PLANNING AND DEVELOPMENT

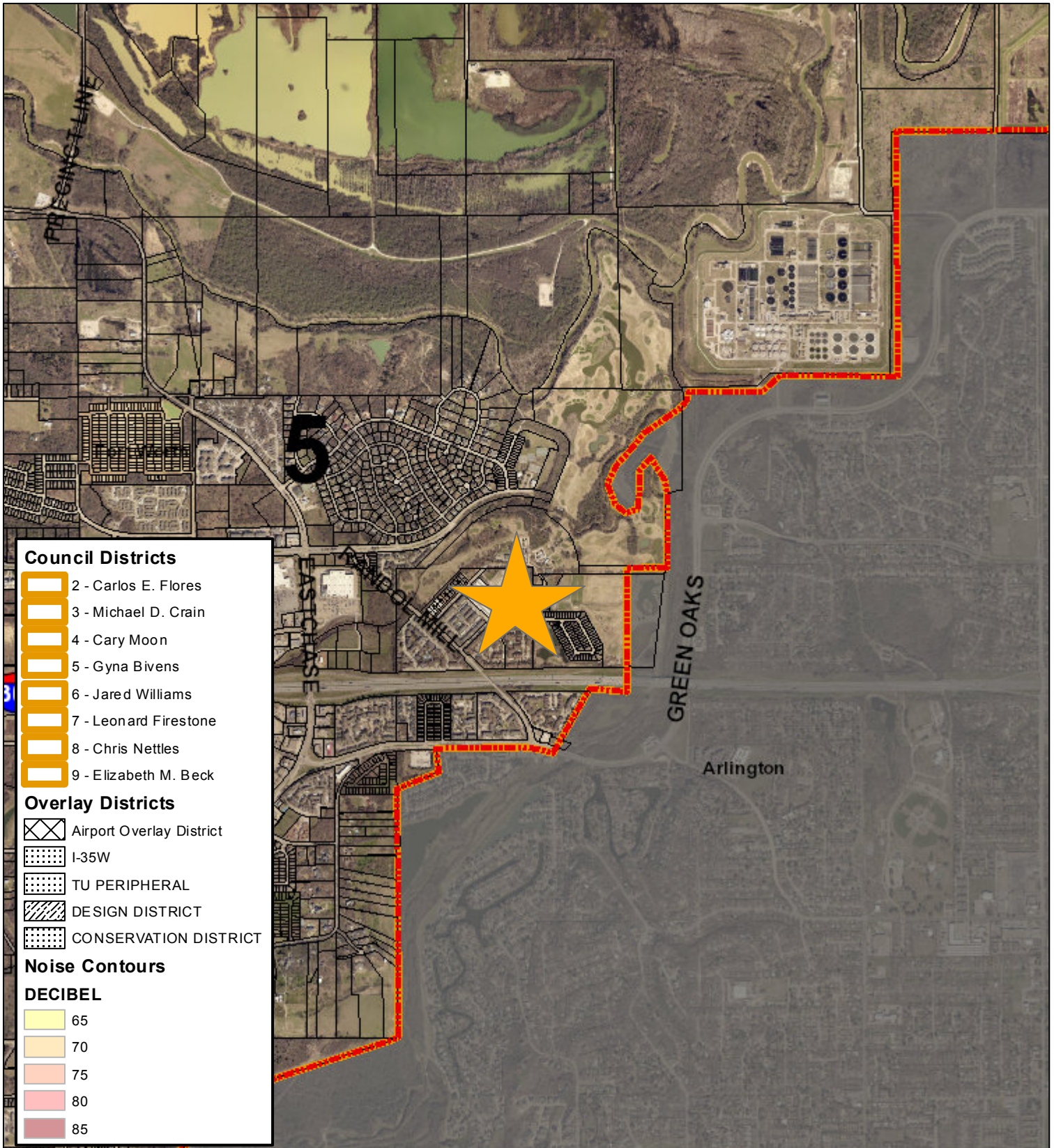
DATE

TEAM ENOCH

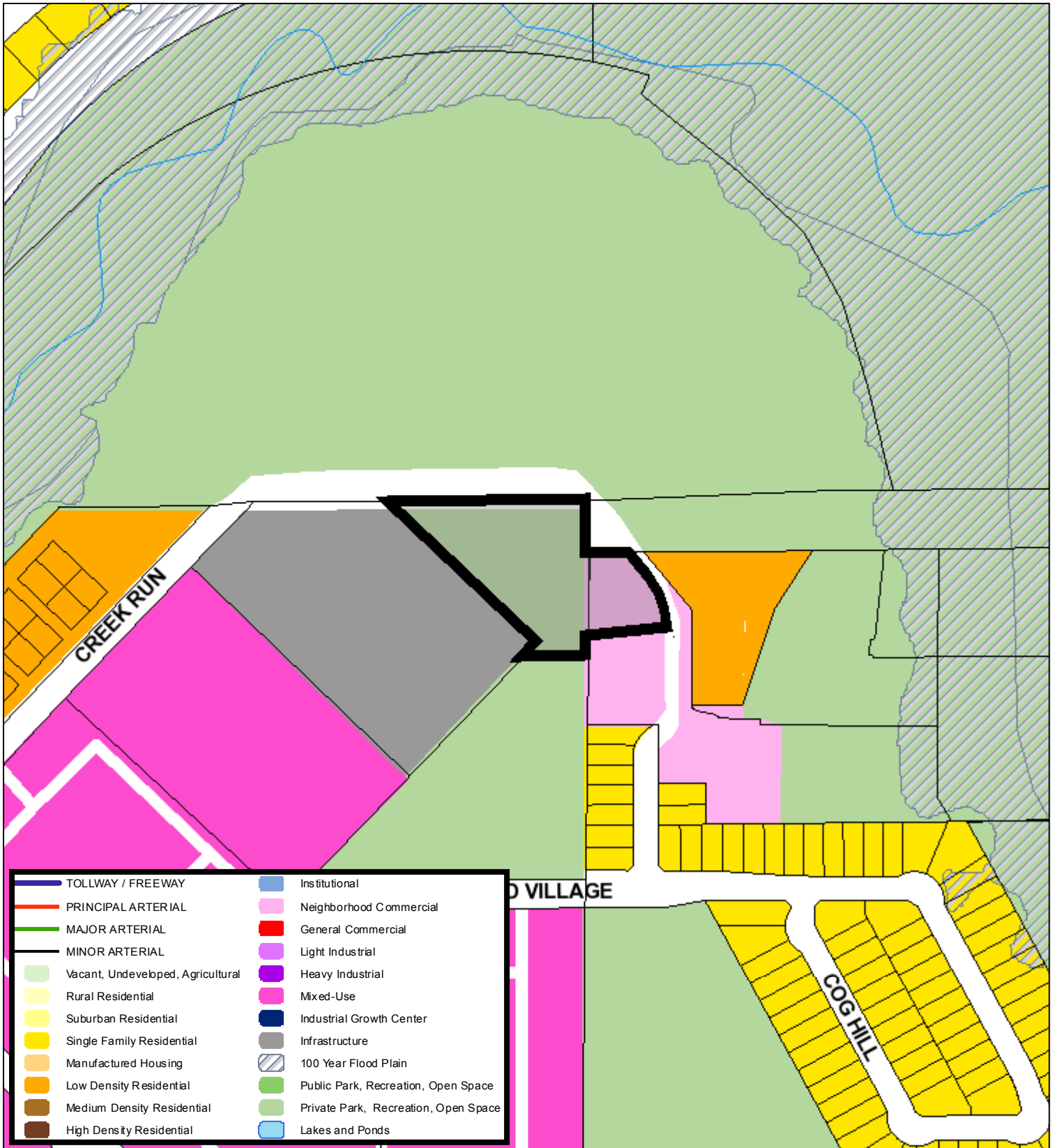
LEGAL DESCRIPTION - BLOCK 1 LOT 2, THE ACADEMY AT WATERCHASE ADD
 8950 CREEK RUN ROAD FORT WORTH, TX 76120
 ZONING CASE NUMBER -

PREPARED BY 97w, LLC ON DECEMBER 5, 2022
 TEXAS REGISTRATION # 23759
 901 SOUTH MAIN STREET
 FORT WORTH, TX 76104


Area Map



Future Land Use



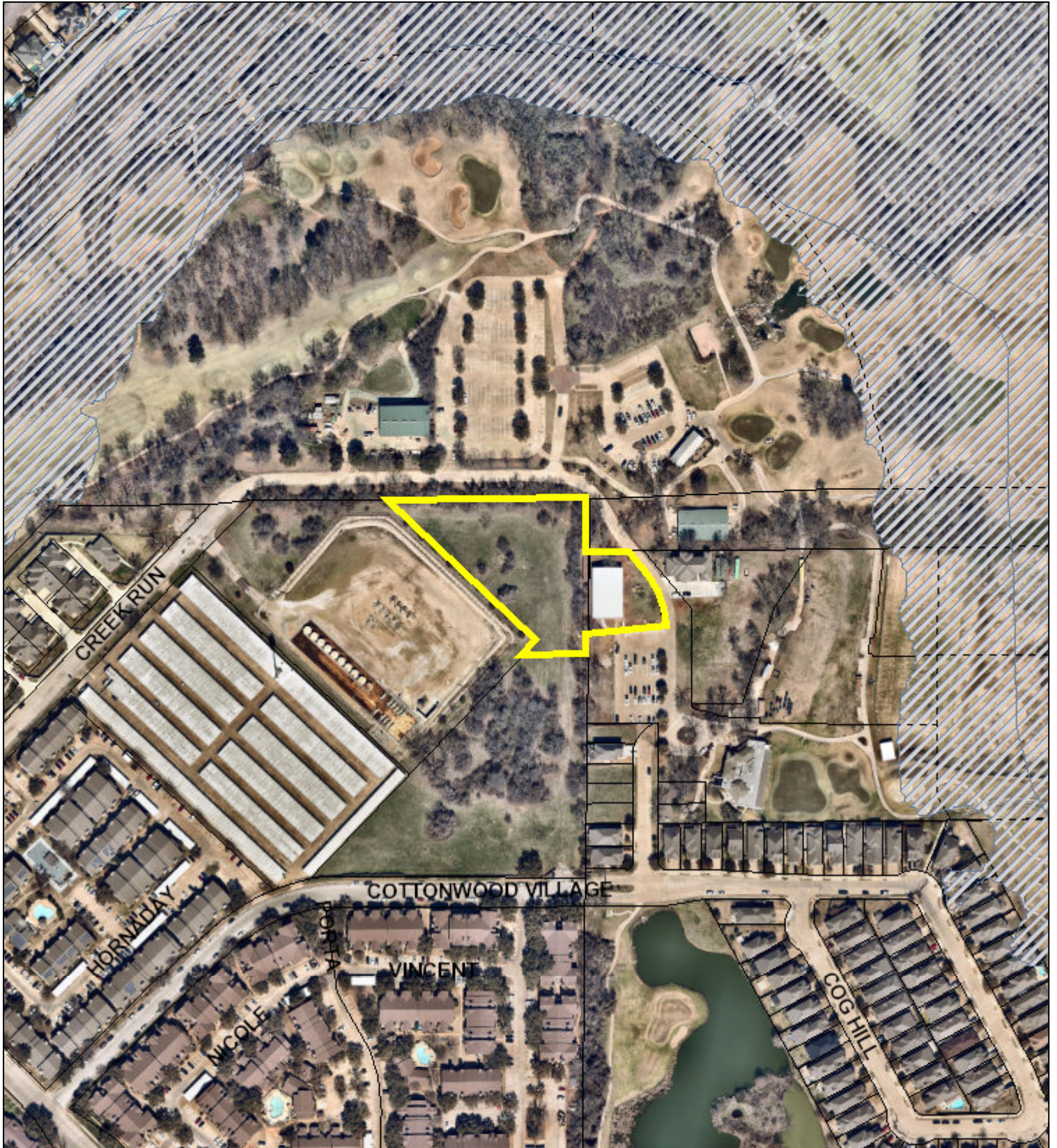
270 135 0 270 Feet



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.



Aerial Photo Map



0 170 340 680 Feet

