



Zoning Staff Report

Date: September 12, 2023

Case Number: ZC-23-113

Council District: 8

Zoning Map Amendment

Case Manager: [Brett Mangum](#)

Owner / Applicant: CPIV – 1833 Stella LLC / Crescent Partners, Mitchell Cook

Site Location: 1832 & 1833 Stella Street

Acreage: 0.468 acres

Request

Proposed Use: Manufacturing

Request: From: “A-5” One Family Residential

To: “I” Light Industrial

Recommendation

Land Use Compatibility:

Requested change **is not compatible**

Comprehensive Plan Consistency:

Requested change **is not consistent**

Staff Recommendation:

Denial

Zoning Commission Recommendation:

X

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Project Description and Background

The subject site is a 20,369 square foot tract located east of the intersection of South Riverside Drive and Highway 287 in Council District 8. This rezoning request would change the zoning from the current “A-5” One-Family residential to “I” Light Industrial. The following description was provided in the application packet:

DETAILED PROJECT DESCRIPTION

Please provide a detailed summary of your proposal below. This should include a detailed description of the proposed use and reason for rezoning, how this use is compatible with surrounding land uses and the City’s Comprehensive Plan, and any other details relevant to your request. Feel free to attach additional pages, concept plans, etc. as needed.

For PD or CUP requests, please explain why your proposal cannot be accommodated by standard zoning districts, clarify if any waivers are being requested and why, and detail any changes from previously approved site plans or development standards.

The request is to have the property of 1832 and 1833 Stella St. rezoned from A-5 to I for purposes of being able to continue to conduct a commercial business associated with light industrial industries.

Staff reached out to the applicant on July 18th to get additional clarification on the proposed land use, as the narrative provided (“commercial business associated with light industrial industries”) was not clear. The applicant responded on July 20th that the proposed use would be *“Manufacture of artificial flowers, ornaments, awnings, tents, bags, cleaning/polishing preparations, boats under 28 ft. in length, brooms or brushes, buttons and novelties, canvas products, clothing, suits, coats or dresses for wholesale trade.”*, as defined in the City of Fort Worth Zoning Ordinance. This land use requires industrial zoning (“I”, “J”, or “K”) in order to be permitted by right.

§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.



Note: To view 4.803 Uses Table in PDF, click 4.803 [TABLE](#)

4.803 Uses		4.803 Nonresidential District Use Table													
Nonresidential Uses		Commercial						Industrial			Special Districts				
		ER	E	FR	F	G	H	I	J	K	AG	Cf	O-1	O-2	PD/CUP
Light Industrial Services	Manufacture of artificial flowers, ornaments, awnings, tents, bags, cleaning/polishing preparations, boats under 28 ft. in length, brooms or brushes, buttons and novelties, canvas products, clothing, suits, coats or dresses for wholesale trade							P*	P	P					

Surrounding Zoning and Land Uses

North “A-5” One Family Residential / undeveloped
East “A-5” One Family Residential / Public Park land (former Sycamore Creek Golf Course)
South “A-5” One Family Residential / undeveloped
West “A-5” One Family Residential / US Highway 287 – MLK freeway

Recent Zoning History

- None

Public Notification

300-foot Legal Notifications were mailed on July 25, 2023.
The following organizations were emailed on July 25, 2023:

Organizations Notified	
Neighborhoods of East Fort Worth	United Communities Association of S. Fort Worth
Glenwood Triangle NA	Parker Essex Boaz NA*
Near East Side NA	West Meadowbrook NA
United Riverside NA	East Fort Worth, Inc.*

**Located within these registered Neighborhood Associations*

Development Impact Analysis

Land Use Compatibility

The areas surrounding the subject site are mostly undeveloped at the present. Just to the northwest is a single family residence. To the east is the former Sycamore Creek 9-hole Golf Course, that is currently defunct but remains under City ownership and is functionally parkland. The MLK Freeway (US 287) frontage road is located to the southwest. There is a platted but unimproved alley between the houses along Stella Street (including the subject property) and the block to the north (East Broadway Avenue). All surrounding properties are zoned “A-5” One Family residential. The owner of the land is requesting the zoning change from “A-5” to “I”, in order to occupy the existing warehouse building on the site. The applicant did provide a narrative with additional information as a part of the submittal packet, see below:

The request is to have the property of 1832 and 1833 Stella St. rezoned from A-5 to I for purposes of being able to continue to conduct a commercial business associated with light industrial industries.

When this property was rezoned in 2008 and the commercial businesses 2 blocks north on E.Dagget St. (JDog Junk Removal and Hauling, The perfect Plan Events, and Webb Air Heating and Cooling) were kept in the light industrial zoning district, we feel this property should also have been kept in this zoning district, due to the nature of the warehouse structure present. It is within 450' of these businesses and is in conformity with this area. We feel it would not be viewed as an anomaly, or an eyesore being in such close proximity to these other businesses.

A residential property owner would have to incur the cost to remove this warehouse structure prior to building on it, putting the property at a disadvantageous investment status. Furthermore, having a business occupy this property will bring positive tax revenue into the city and therefore advantageous to the community.

We have also included a traffic flow map. Since Martin Luther King is a one way street, there is only 1 way to enter the property. As shown on the map, there will be very little to no disturbance to the residences surrounding the property due to the ease of access and egress to the property.

It should be noted that the two businesses the applicant refers to above are located in the South Riverside Drive corridor and are contiguous to existing industrial zoned areas. The subject site proposed for rezoning is isolated from any existing industrial zoning and is surrounded on all sides by residential zones. This rezoning request has the potential to be considered as “spot zoning” which is illegal by state law. Per the Texas City Attorney’s Association, spot zoning is the practice of zoning a single tract of land in a manner that is incompatible with the surrounding tracts and in a manner that is incompatible with the city’s zoning ordinance and comprehensive plan.


Directly to the west and north are residentially zoned areas that are not developed at the present time. If “I” zoning is approved, adjacency rules will come into force for the subject site, requiring a building setback of 50 feet off the property lines, a 5 foot landscaped buffer, and a 6 foot height solid screening fence. The required building setback substantially reduces the buildable envelope, since the lot is relatively small.

The proximity between the residential areas and the subject site raises concern with the potential for nuisances to arise based on the adjacency between residential and industrial uses. “I” zoning would allow all uses permitted in Light Industrial, including but not limited to: food processing, outdoor kennels, transportation terminals, temporary batch plants, warehousing, outside sales/storage, printing and light manufacturing, etc. These uses would be allowed in “I” by right with no zoning review, and are not appropriate in such close proximity to residential areas.

The proposed “I” Light Industrial zoning **is not compatible** in this location. The existing residential zoning should remain in place in order to promote the creation of additional housing units in the vicinity. Converting this site to industrial would have a chilling effect on further residential growth in this area, which is located directly across the street from public park land.

Comprehensive Plan Consistency – Southside

The 2022 Comprehensive Plan designates the subject site as future single family residential. Appropriate zoning classifications for this location would be the “A-5”, “A-7.5”, or “A-10” One-Family Residential zoning. The current “A-5” zoning is in alignment with the Comprehensive Plan designation.



Looking at the land use policies specific to the Southside sector of Fort Worth, there are no policies in place that would support the rezoning to “I” Light Industrial. Retaining the existing “A-5” zoning on the site would meet policy #7, to ‘Encourage infill of compatible housing’. Rezoning to “I” would not be in harmony with the City Council’s vision for the neighborhood as expressed through the Comprehensive Plan.



The proposed rezoning to “I” **is not consistent** with the Comprehensive Plan. If the zoning change is approved as presented, staff suggests that the Comprehensive Plan be updated to reflect this change.

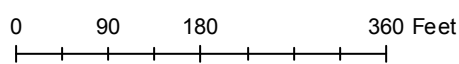


Area Zoning Map

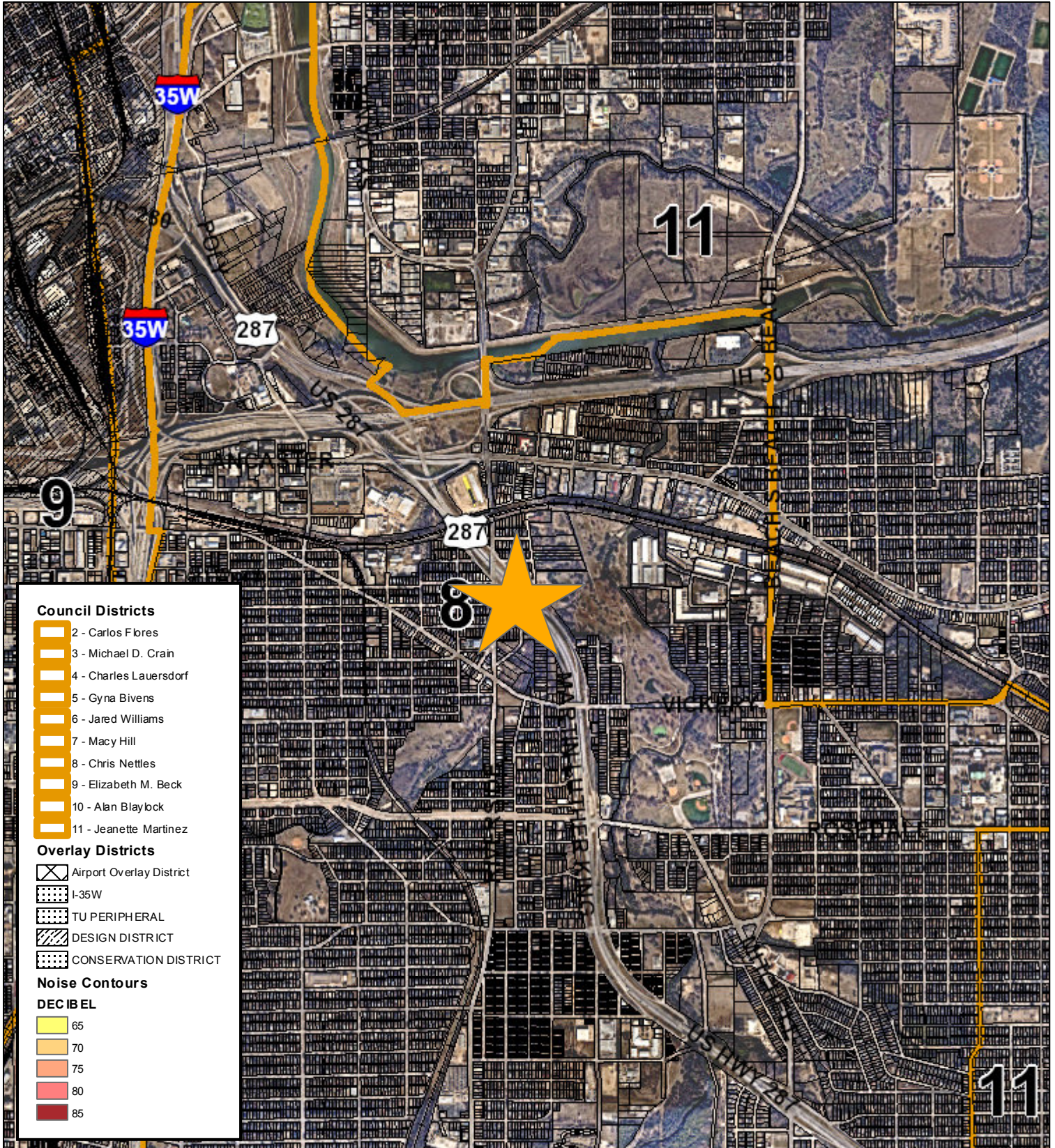
Applicant: CPIV - 1833 Stella LLC
 Address: 1832 & 1833 Stella Street
 Zoning From: A-5
 Zoning To: I
 Acres: 0.47313827
 Mapsco: Text
 Sector/District: Southside
 Commission Date: 8/9/2023
 Contact: 817-392-8043



 Subject Area
 300 Foot Notification



Area Map



Council Districts

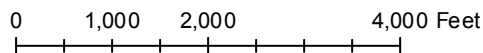
- 2 - Carlos Flores
- 3 - Michael D. Crain
- 4 - Charles Lauerdorf
- 5 - Gyna Bivens
- 6 - Jared Williams
- 7 - Macy Hill
- 8 - Chris Nettles
- 9 - Elizabeth M. Beck
- 10 - Alan Blaylock
- 11 - Jeanette Martinez

Overlay Districts

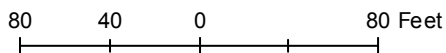
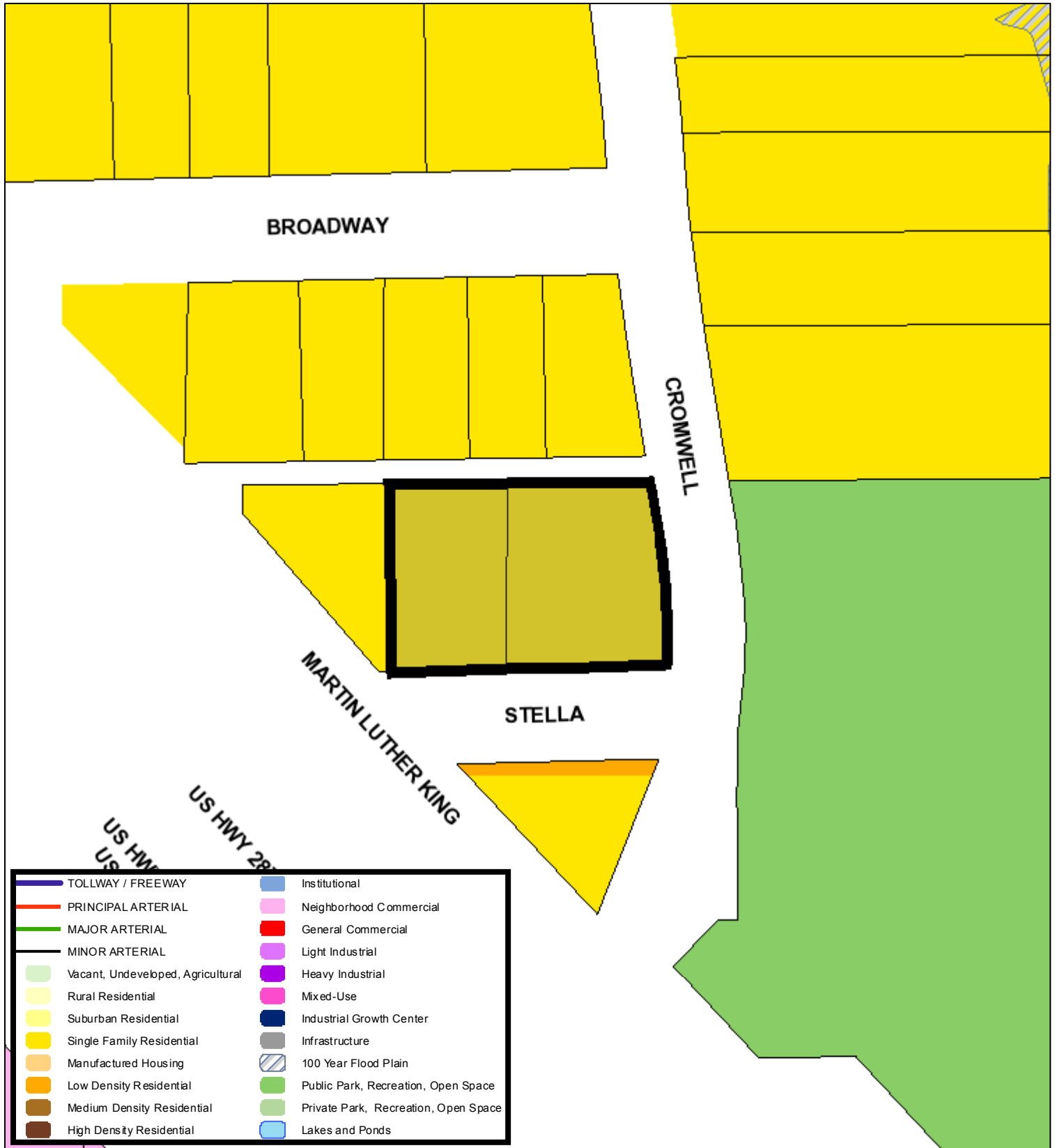
- Airport Overlay District
- I-35W
- TU PERIPHERAL
- DESIGN DISTRICT
- CONSERVATION DISTRICT

Noise Contours

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



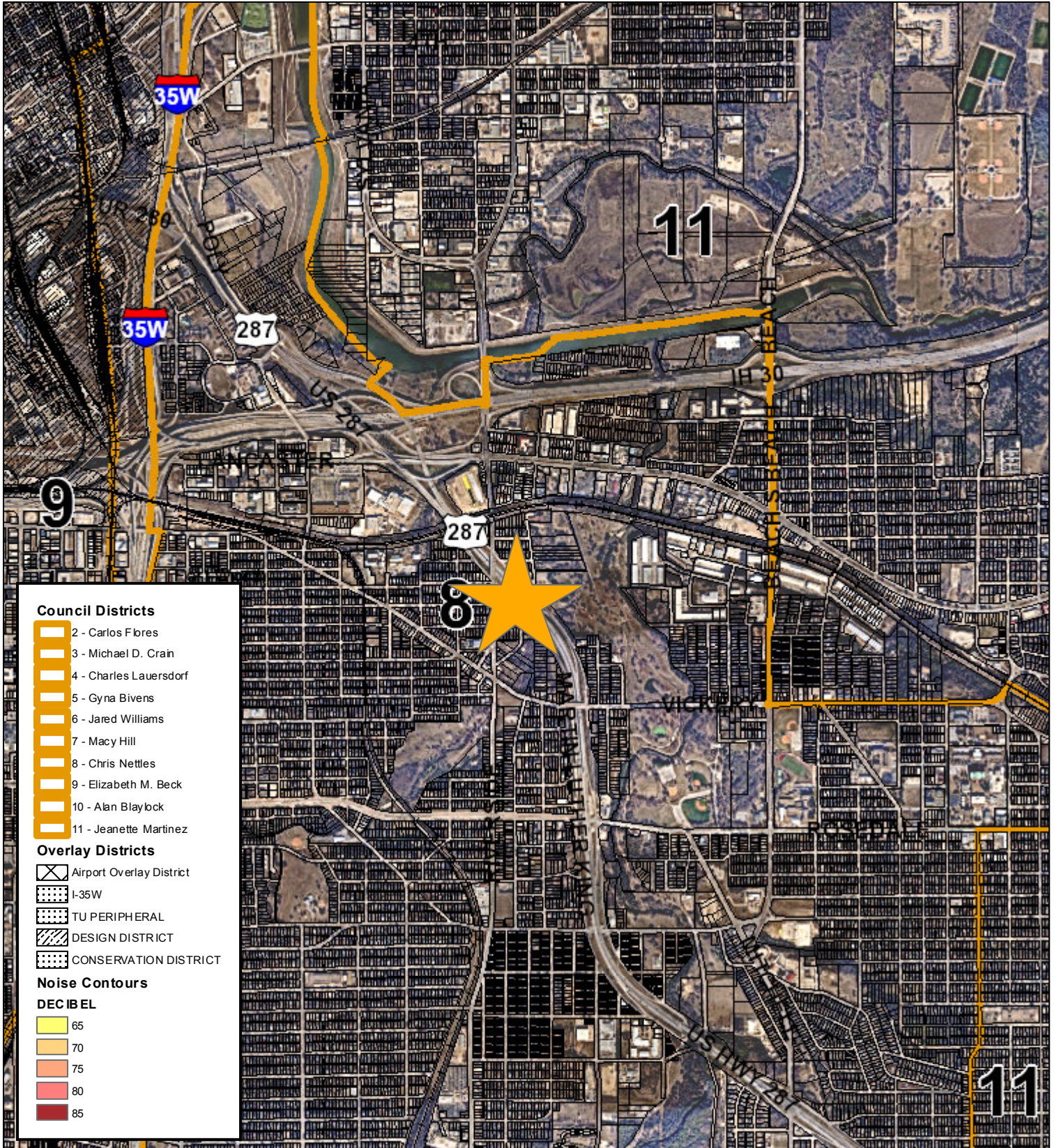
Future Land Use



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.



Area Map



Council Districts

- 2 - Carlos Flores
- 3 - Michael D. Crain
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