



Zoning Staff Report

Date: April 12, 2022

Case Number: ZC-22-029

Council District: 9

Zoning Map Amendment

Case Manager: [Monica Lafitte](#)

Owner / Applicant: Westbend South LP / Chad Colley, Trademark Acquisition Limited Partnership

Site Location: 1701 S. University Drive

Acreage: 3.33 acres

Request

Proposed Use: Mix of uses including hotel, retail, restaurant, and multifamily residential

Request: From: “G” Intensive Commercial

To: “PD/G” Planned Development for all uses in “G” Intensive Commercial, plus hotel and residential, with development standards for height, setbacks, urban forestry, landscaping, and parking; site plan included

Recommendation

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

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

Staff Recommendation: **Approval**

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

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Project Description and Background

The subject site is at the northeast quadrant where University Drive crosses over the Clear Fork Trinity River. The site has over 500 feet along the riverbank trail. This location was previously occupied by Hawthorn Suites by Wyndam, but the structures were demolished more than a year ago. The applicant is requesting to rezone from “G” Intensive Commercial to “PD/G” Planned Development with base “G” zoning plus hotel and residential use, with development standards for height, setbacks, urban forestry, landscaping, and parking. A site plan has been submitted.

Per the Non-Residential Use Table, a hotel use is allowed in “G” Intensive Commercial subject to the supplemental standard 5.116.

§ 5.116 HOTEL, MOTEL OR INN.

(a) *Location adjacent to residential district.* Where a hotel, motel or inn is less than 1,000 feet from any one- or two-family district, other than “MU-2” high intensity mixed-use, a planned development district shall be created for such use. Provided however, this regulation shall not be required when the property in the one- or two-family district is used for utilities, waterways, public parks, railroads or other nonresidential public use or separated from the hotel, motel or inn by a public right-of-way of at least 300 feet.

The subject property is within 1,000 feet from one- or two-family zoning (that is not designated as park of Forest Park or the Fort Worth Zoo) across the river along the Mistletoe Heights neighborhood. The river is less than 300 feet wide. Therefore, the applicant must apply for a Planned Development for the desired hotel use. The applicant also wants to build multifamily in the development, and therefore has added this use to the Planned Development, as residential multifamily use is not allowed by right within “G” Intensive Commercial.

Prior to submitting the Zoning Change application, the applicant spoke with City staff about the intended rezoning; several different options were discussed. All of the proposed uses are allowed in “MU-1” Low Intensity Mixed-Use, however, the “MU-1” district does not allow for the proposed twelve (12) story height; “MU-1” allows for a maximum of ten (10) stories. The developer expressed in a Predevelopment Conference that in order to be financially viable, the project must be twelve stories instead of ten. The base district of this Planned Development is proposed to be “G” Intensive Commercial, which allows a maximum height of twelve (12) stories or 120 feet.

The applicant provided the following request:

From: “G” Intensive Commercial

To: “PD/G” Planned Development for all uses in “G” Intensive Commercial, plus hotel and residential uses. No electronic changeable copy sign, with the following provisions:

1. Building Height - Maximum building height shall be 12 stories.
2. Building Setbacks – Primary street min/max = 0’/30’. Side Street min/max is 0’/20’. Rear yard minimum is 0’.
3. Urban Forestry – Per Mixed Use zoning requirements.
4. Landscape – Landscaping requirements shall comply with MU-1 landscape requirements.
5. Parking - Minimum parking spaces required per MU-1 zoning.

6. Residential multifamily: Maximum of 350 units.
7. Hotel: Maximum of 205 rooms/keys.

The proposed rezoning is similar to the 2007 Planned Development adjacent to the north of the subject site, which is the following:

Recommended From: *“G” Intensive Commercial*

To: *“PD/G” Planned Development for all uses in “G” Intensive Commercial, plus hotel and residential with waivers to the off street parking and loading requirements. No electronic changeable copy sign, with the following provisions. Site plan approved. (SP-07-059)*

1. Garage Setback – Set back the garage levels fronting the river a minimum of 15' so that the mass and height of the structure is obscured from view of trail users approaching the north and the south.
2. Landscaping Buffer for Surface Level Parking – Plant multiple 6-8” caliper specimen trees and shrubs at ground level where appropriate to obscure the surface level parking area and the upper levels of the garage in that area.
3. Banner/Environmental Graphics Program – Install a banner/environmental Graphics program on the eastern side of the garage front (fronting the river) to visually enhance the garage’s river facing appearance, subject to collaborative design review.
4. Garage Lighting – Implement a lighting plan for the garage that mitigates the impact of the surrounding areas as much as possible.
5. Riverfront Storefronts – 50 percent of the building exterior façade areas facing the river shall be in retailer-restaurant storefront systems.
6. Trailhead – Development of the existing trail as a “destination point” for trail users through landscaping (where allowed) and creation of off-trail gathering areas with bike racks and a drinking fountain.
7. Safe Trail Entry/Exit Path – Construction of a trail entry/exit path to safely allow “through traffic” for train users gathering at the trailhead.
8. Art/Signage – The facades of Building C (parking garage) shall not be used as a projection surface for art or signage.

Surrounding Zoning and Land Uses

East “A-5” One-Family / Forest Park
 South Trinity River; across is “A-5” One-Family / Trinity River; across is Forest Park and the Fort Worth Zoo
 West “G” Intensive Commercial / restaurants
 “E” Neighborhood Commercial / parking for Trinity Trails

Recent Zoning History

- ZC-16-128 Case was withdrawn but had requested “G” to “MU-2”; subject site
- SP-13-012 to amend site plan for PD798 (after ZC-07-012 below) to change location, size, and type of buildings proposed; north-adjacent to subject site
- ZC-07-216 ; “G” to “PD/G plus residential & hotel use, with several development standards, site plan required; north-adjacent to subject site
- ZC-06-074 Case was withdrawn 2/14/07 but had requested “G” to “MU-2” ; north-adjacent to subject site

Public Notification

300-foot Legal Notifications were mailed on March 25, 2022.

The following organizations were notified: (emailed March 25, 2022)

Organizations Notified	
Colonial Hills NA	University West NA
Park Hill NA	Mistletoe Heights NA
Berkeley Place NA	Tarrant Regional Water District
Streams and Valleys Inc	Trinity Habitat for Humanity
Cultural District Alliance	Fort Worth ISD

** Not located within a registered Neighborhood Association*

Development Impact Analysis

Land Use Compatibility

The development adjacent to the north is similar to this newly proposed development, with a mix of office, commercial, retail, and restaurant. Across University Drive are retail, restaurant, and hotel uses. Across the Trinity River are residential, public parkland, and the Fort Worth Zoo.

The subject site has a bus stop along University Drive, which can be utilized by residents who live in the multifamily apartments on site, patrons wishing to shop or eat at the commercial establishments, workers getting to and from their jobs, or visitors staying at the hotel. The site also has over 500 feet along the Trinity Trail system fronting the river, which patrons and residents can utilize. The site is in close proximity to many surrounding employment, retail, and restaurant locations.

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

Comprehensive Plan Consistency – TCU/Westcliff

The 2021 Comprehensive Plan currently designates the subject property as Mixed-Use on the Future Land Use Map. As shown in the table below from Ch. 4 Land Use of the Comprehensive Plan, “G” Intensive Commercial zoning conforms to the Mixed-Use designation. The addition of the residential use to the “G” base zoning further qualifies the proposed rezoning as a Mixed-Use development.

LAND USE AND ZONING CLASSIFICATIONS

LAND USE	DEFINITION	ZONING
COMMERCIAL		
Neighborhood Commercial	Retail, services, offices and mixed uses serving daily needs for a local market area	Multifamily Residential, ER, E, MU-1
General Commercial	Retail, services, offices and mixed uses serving occasional needs for a larger market area	Multifamily Residential, ER, E, MU-1, MU-2
Mixed-Use/ Mixed-Use Growth Center	Retail, services, offices, entertainment, mixed uses, and multifamily residential; Community Growth Centers are less intensive, and Regional Growth Centers are more intensive	AR, B, R1, R2, CR, C, D, UR, all Commercial, MU-1, MU-2, Form-Based Codes

The proposed zoning is consistent with the land use designations for this area, and aligns with the following policies of the Comprehensive Plan:

- Accommodate higher density residential and mixed uses in transit-oriented developments, urban villages, and designated mixed-use growth centers.
- Locate multifamily units within walking distance of public transportation, employment, recreation, and/or shopping to increase accessibility and decrease vehicular traffic.
- Stimulate redevelopment of the Berry Street, University Drive, and 8th Avenue/Cleburne Road/McCart Avenue commercial districts.
- Encourage recreational development along the Trinity River corridor.

Based on conformance with the policies stated above, the proposed zoning is **consistent** with the Comprehensive Plan.

Economic Development Plan

The 2021 Economic Development Strategic Plan identified four different results to facilitate the success and growth of Fort Worth:

1. High-wage job growth.
2. A more sustainable tax base, driven less by residential property valuation and more by commercial and industrial investment.
3. An economy that capitalizes on high-growth businesses and the creative individuals who fuel them, targeting specific industry classifications.
4. A commitment to “quality of place” throughout the community, including rising home values, new business startups, reduction of blighted areas, and the emergence of walkable corridors with a mixture of residential and commercial developments and related amenities.

Zoning and Land Use

- On October 12, 2021, City Council voted to approve updates to the “MU-1” Low Intensity Mixed-Use Ordinance. Several of the requested development standards for the proposed PD state they will be designed to the “MU-1” standards; they must be designed to the current (most updated) “MU-1” standards.
- Any encroachment into easements must provide approval letters from all easement holders.
- Landscaping and tree placements as shown on the site plan are allowed to be relocated in updated versions of site plan; the locations of plantings were not reviewed as part of this zoning case. Per development standard, the required landscaping will be per MU-1 requirements (street trees and pedestrian scaled lighting).
- Per the requested development standard, the site will comply with MU-1 parking requirements. Commercial parking is as follows:

(e) Off-Street Parking and Loading

(1) Commercial and Mixed-Use Parking

LOCATION	REQUIREMENT AS A PERCENTAGE OF PARKING REQUIREMENT LISTED IN SECTION 6.201(B)	
	MINIMUM	MAXIMUM**
Project not located within 250 feet of a one- or two family zoned property	None*	100 percent (%)
Project located within 250 feet of a one-or- two family zoned property	75 percent (%)	100 percent (%)
Project located within 1,320 feet of an existing or approved passenger rail station or stop	50 percent (%)	100 percent (%)
*Residential uses as part of a mixed-use building shall provide required parking as listed in the residential parking table		
** For mixed-use buildings and projects, the maximum parking requirement shall be the sum of the individual requirements for all uses.		

It should be noted that the Trinity River, as well as the park and zoo across the river, are all zoned “A-5” One-Family. However, this will not necessitate minimum parking requirements for the commercial component of the site, as stated in (b)(1) of the 6.201(B) referenced section:

(b) Required off-street parking.

(1) Minimum parking requirements. The following table establishes the minimum parking requirements for uses located in residential zoned property or within 250 feet of one- or two-family zoned property. This regulation shall not include properties adjacent to one- or two-family districts that are used as utilities, waterways, railroad right-of-way or other nonresidential public use. When a property zoned and used for one- or two-family residential purposes is located within 250 feet but is separated by one of the above uses, parking is not required only if access is not possible to the residential area. For all other uses, no minimum parking spaces shall be required.

TPW-Stormwater

- FYI, an accepted drainage study is required prior to platting, infrastructure review, grading permit issuance, and building permit issuance.

Transportation

Transportation (Armond Bryant, 817-392-8702, Armond.Bryant@fortworthtexas.gov)

- Developers to contribute their portion of funding for traffic signal at Collinsworth and S. University based upon their rough proportionality.

Fire Department

FWFD - (Lt. Donna York, donna.york@fortworthtexas.gov)

- A building where the topmost occupied floor level is more than 55' in height above the lowest level of fire department vehicle access shall be accessible by a public street or fire apparatus access road that is not less than 15' nor more than 25' from the inside curb to the building face along at least 1/2 of the length of 2 sides of the building. The measurement does not need to be contiguous.
Such buildings shall also be provided with 2 separate and approved fire apparatus access roads. IFC 2015/CFW Adopted Amendments Jan 1, 2017 Section 503.1.4 Buildings Taller Than 55'
- Buildings greater than 55 ft. in height and Group E and H occupancies: the two access roads shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
IFC 2015/CFW Adopted Amendments Jan 1, 2017 Section 503.1.2
IFC 2015/CFW Adopted Amendments Jan 1, 2017 Section 503.1.7 Secondary Access-Multiple-family Residential
- Emergency Access/Fire Lane requirements IFC 2015/CFW Adopted Amendments Jan 1, 2017:
Minimum turn radius: 25' inside and 51' outside (Section 503.2.4)
Where divided by a median, the minimum width on either side of the median is 20' (Section 503.2.1)
Minimum of 26' wide for multi-family or for buildings over 55' in height (Section 503.2.1)
Minimum overhead clearance is 14' (Section 503.2.1)
- Existing hydrants may need to be relocated to meet requirements for hose lay to FDC:
Maximum distance from Fire Department Connection (FDC):
? 150 ft. for a standpipe system, and
? 300 ft. for a sprinkler and/or combined system.
The FDC shall be located within 50 ft. of a dedicated street or fire apparatus access road and shall be within 300 ft. hose lay distance of the nearest fire hydrant. For all standpipe systems, the FDC shall be within 150 ft. of the fire hydrant. Each building shall be equipped with its own FDC, unless otherwise approved by the fire code official.
IFC 2015/CFW Adopted Amendments Jan 1, 2017 Reference Sections 507.5.1, 507.5.4, 5, and 6 Fire Hydrants
- FYI COMMENTS:
Failure to recognize violations of the fire code by the fire code official does not waive the requirement of meeting minimum requirements of the fire code in the future.
It is the applicant's and the owner's responsibility to meet all minimum fire code requirements at all times. The City of Fort Worth has adopted the 2015 International Fire Code as its current fire code at the time of this review. The City of Fort Worth has also adopted amendments (January 1, 2017 version) to this code.

The Fort Worth Fire Code Amendments can be found online at www.fortworthtexas.gov/Fire/ (click on Bureau of Fire Prevention)

(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.)

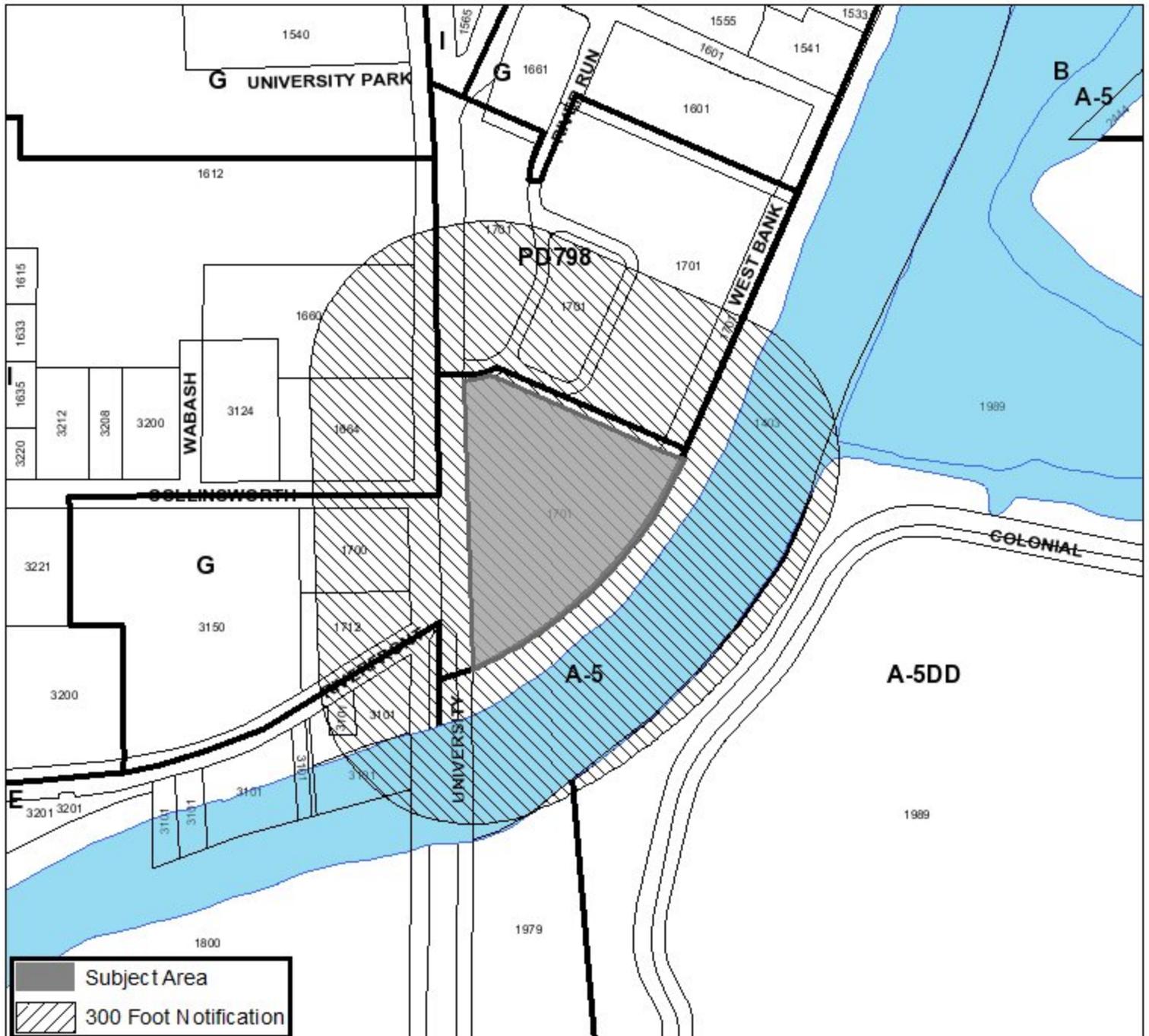




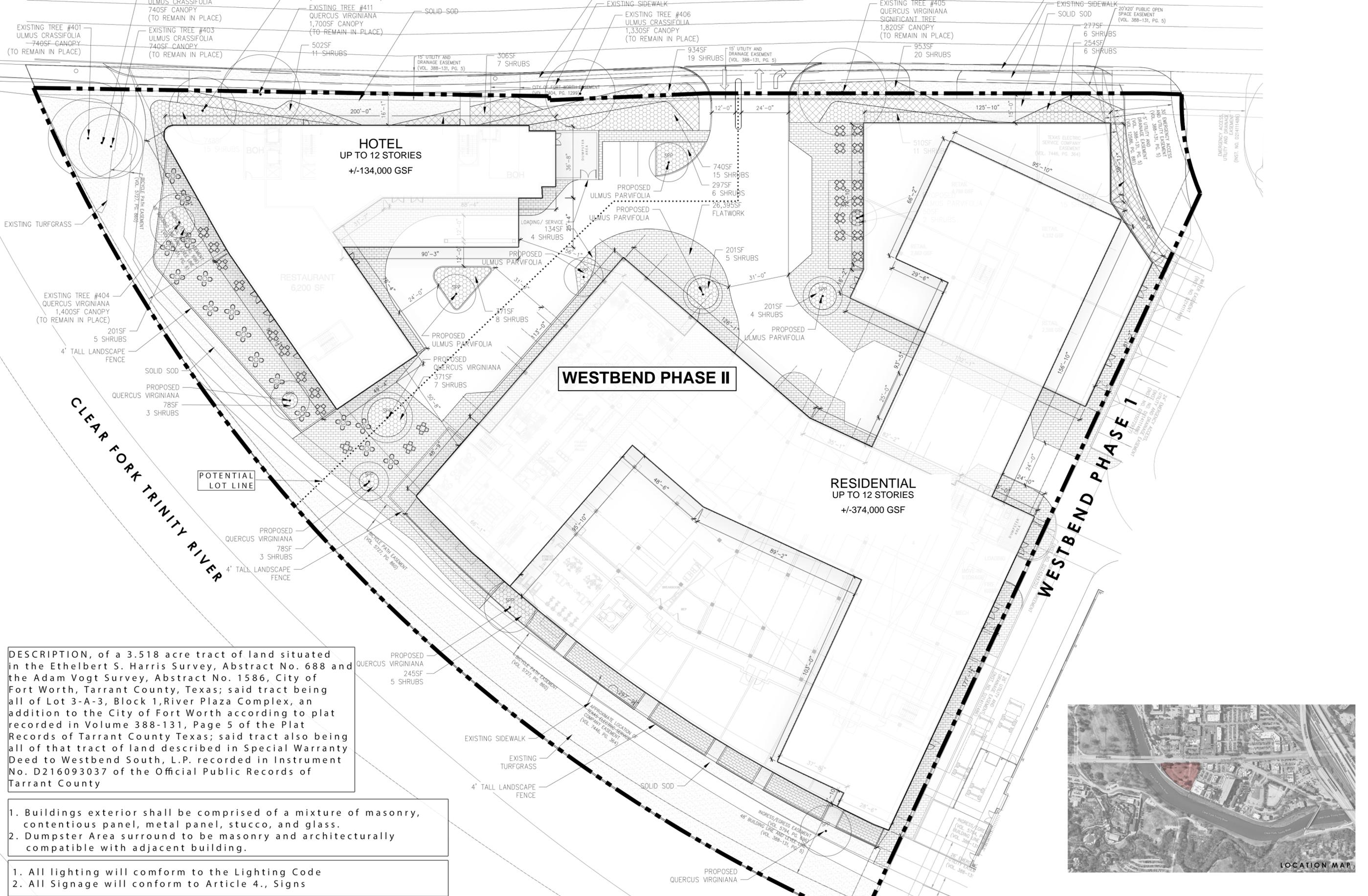
ZC-22-029

Area Zoning Map

Applicant: Westbend South LP
 Address: 1701 S. University Drive
 Zoning From: G
 Zoning To: PD for G uses plus multifamily and hotel
 Acres: 3.33914528
 Mapsco: 76N
 Sector/District: TCU/W.cliff
 Commission Date: 3/9/2022
 Contact: 817-392-8012



0 140 280 560 Feet



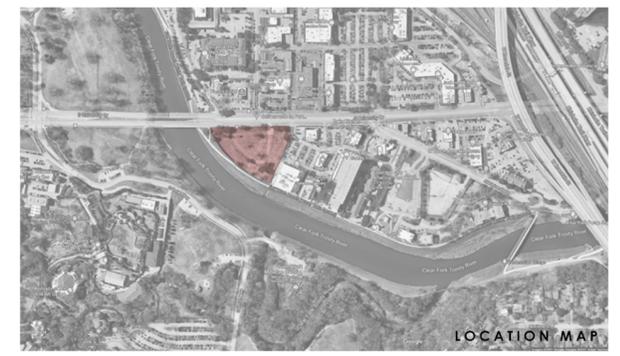
WESTBEND PHASE II

DESCRIPTION, of a 3.518 acre tract of land situated in the Ethelbert S. Harris Survey, Abstract No. 688 and the Adam Vogt Survey, Abstract No. 1586, City of Fort Worth, Tarrant County, Texas; said tract being all of Lot 3-A-3, Block 1, River Plaza Complex, an addition to the City of Fort Worth according to plat recorded in Volume 388-131, Page 5 of the Plat Records of Tarrant County Texas; said tract also being all of that tract of land described in Special Warranty Deed to Westbend South, L.P. recorded in Instrument No. D216093037 of the Official Public Records of Tarrant County

1. Buildings exterior shall be comprised of a mixture of masonry, contentious panel, metal panel, stucco, and glass.
2. Dumpster Area surround to be masonry and architecturally compatible with adjacent building.

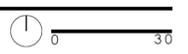
1. All lighting will conform to the Lighting Code
2. All Signage will conform to Article 4., Signs

1. Building Height - Maximum building height shall be 12 stories
2. Building Setbacks - Primary street min/max = 0'/30'. Side Street min/max is 0'/20'. Rear yard minimum is 0'.
3. Urban Forestry - Per Mixed Use zoning requirements.
4. Landscape - Landscaping requirements shall comply with MU-1 landscape requirements.
5. Parking - Minimum parking spaces required per MU-1.
6. Residential: Maximum 350 units.
7. Hotel: Maximum 205 rooms/keys.



DIRECTOR OF PLANNING AND DEVELOPMENT DATE
WESTBEND SOUTH PD/G
 ZONING CASE # ZC-22-029

Prepared: March 2, 2022



Planning and Development Department
Zoning Applications Section
200 Texas Street
Fort Worth, TX 76102

ZC-22-029

RE: Zoning Change of 1701 S. University Dr. from "G" Intensive Commercial to "PD" Planned Development

To Whom It May Concern,

This application is being made on behalf of the property owner, WestBend South LP, by the applicant Trademark Acquisition, Limited Partnership, C/O Chad A. Colley, P.E.

Parcel: RIVER PLAZA COMPLEX ADDITION Block 1 Lot 3A3

Proposed zoning change:

From: "G" Intensive Commercial

To: "PD/G" Planned Development for all uses in "G" Intensive Commercial, plus hotel and residential uses. No electronic changeable copy sign, with the following provisions:

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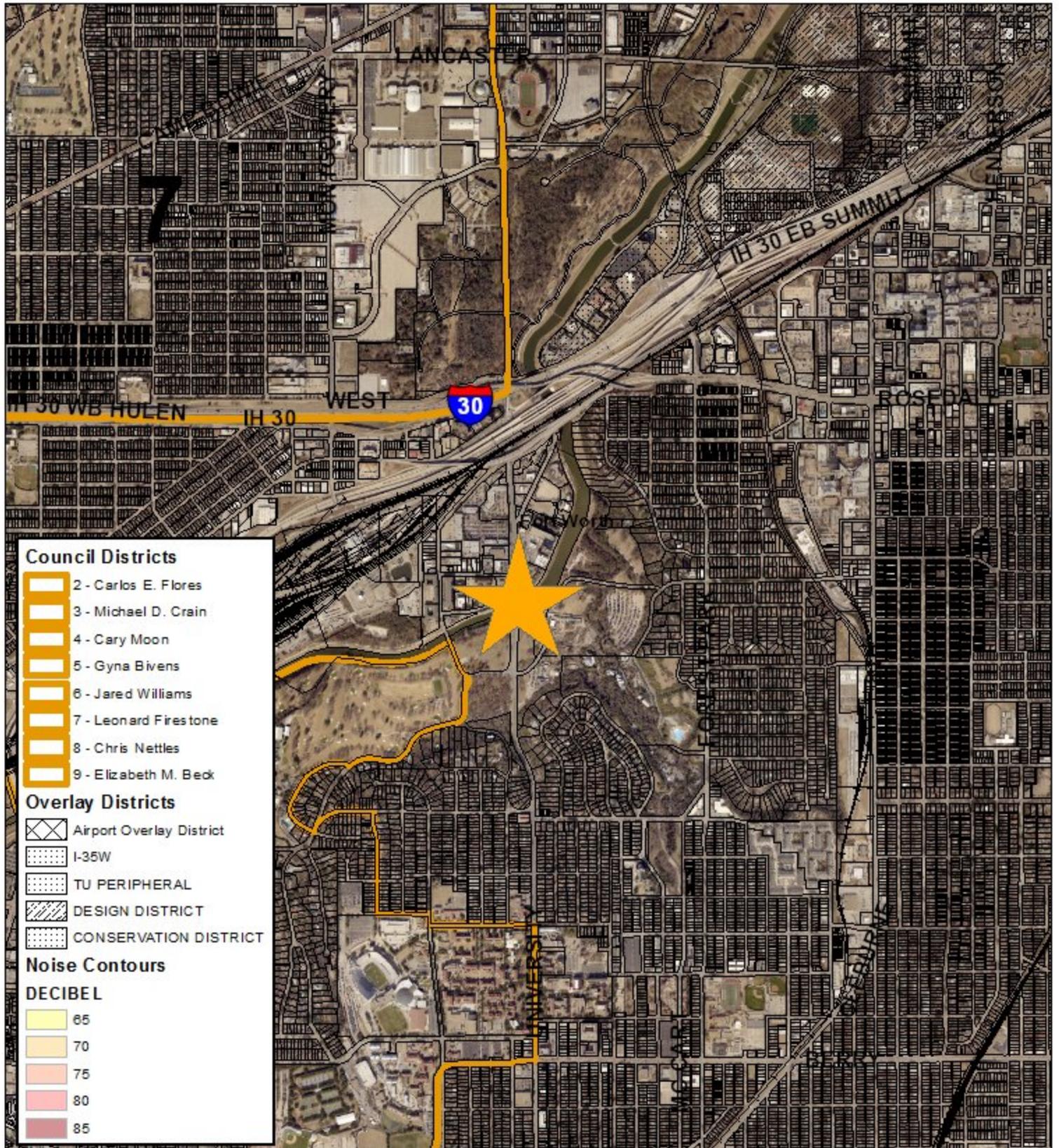
- What is the disadvantage of the present zoning classification?
 - o Answer: The current zoning classification does not allow multifamily uses and thus limits the highest and best use for the property.
- What is the advantage of the proposed zoning classification, if approved?
 - o Answer: The proposed PD would allow the mix of uses, density and height necessary to achieve the highest and best use for the property and will not impose unnecessary limitations of other standard zoning classifications that might be proposed. The proposed PD (Phase II) is very similar to our existing Phase I development of WestBend PD, directly north of this subject property.

Sincerely,



Chad A. Colley, P.E.

Area Map



Council Districts

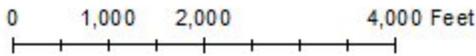
- 2 - Carlos E. Flores
- 3 - Michael D. Crain
- 4 - Cary Moon
- 5 - Gyna Bivens
- 6 - Jared Williams
- 7 - Leonard Firestone
- 8 - Chris Nettles
- 9 - Elizabeth M. Beck

Overlay Districts

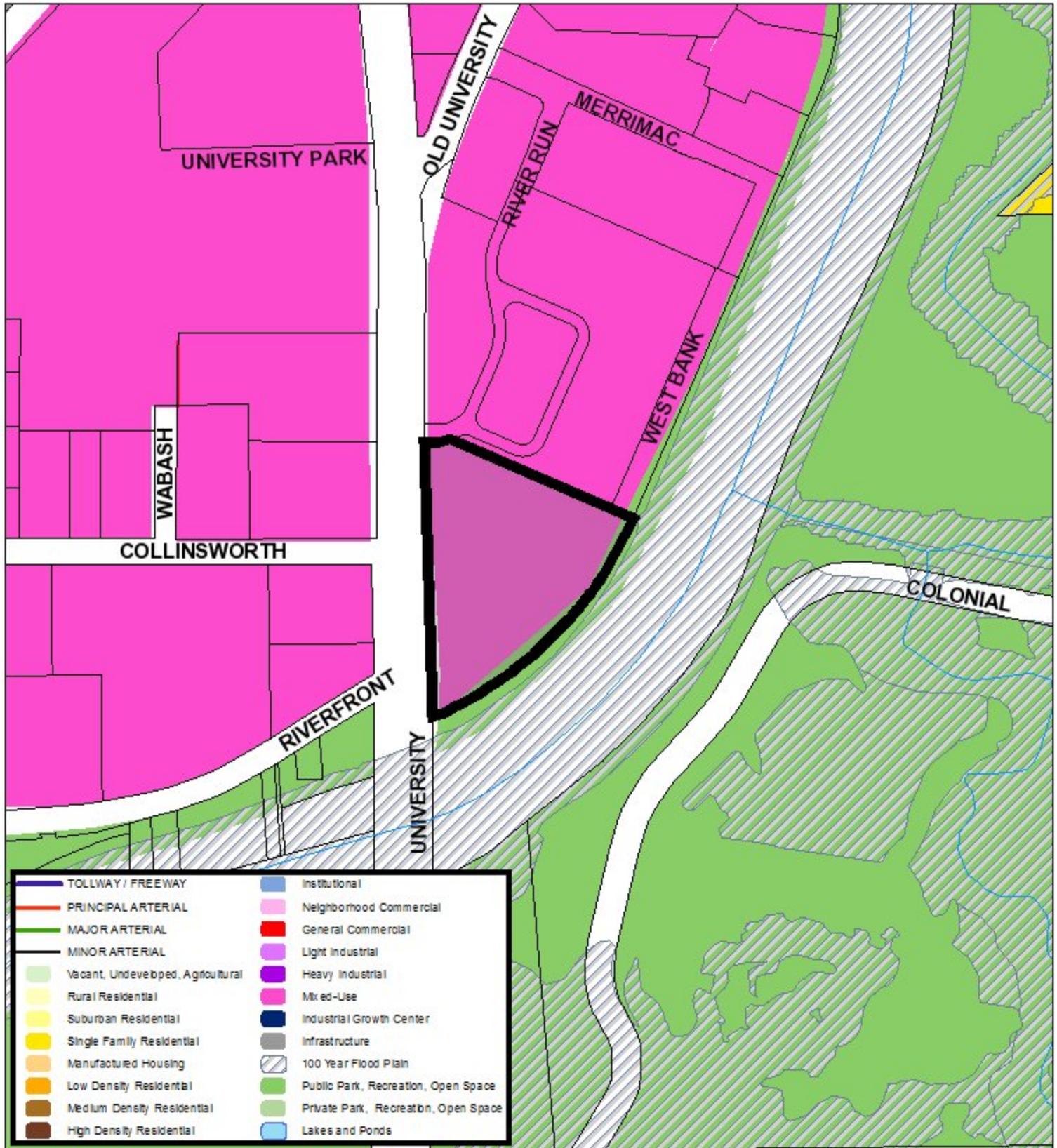
- Airport Overlay District
- I-35W
- TU PERIPHERAL
- DESIGN DISTRICT
- CONSERVATION DISTRICT

Noise Contours

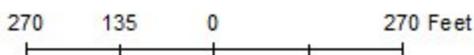
- DECIBEL**
- 65
 - 70
 - 75
 - 80
 - 85



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

