



Zoning Staff Report

Date: May 10, 2022

Case Number: ZC-22-032

Council District: 5

Zoning Map Amendment

Case Manager: [Brett Mangum](#)

Owner / Applicant: Legacy Construction Solutions, Jeremis Smith

Site Location: 3904 Miller Avenue & 4100 block Baylor Street

Acres: 0.916 acres

Request

Proposed Use: Townhomes

Request: From: "A-5" One-Family Residential & "E" Neighborhood Commercial

To: "R2" Townhouse/Cluster

Recommendation

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

Comprehensive Plan Consistency: Requested change **is not consistent**

Staff Recommendation: **Approval**

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

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Project Description and Background

The property is located on the southwest corner of Miller Avenue and Baylor Street, in the Guy E Vance Subdivision, NEZ Area Six, and Council District 5 . The subject site, which is just under 40,000 square feet, or approximately 0.916 acres, is currently zoned with the western half designated as “A-5” One Family Residential and the eastern half closer to Miller Avenue (arterial) designated as “E” Neighborhood Commercial. The applicant is seeking to rezone to “R2” Townhouse/Cluster to accommodate a row townhouse development.

No site plan was provided with this application. Please note that “R2” zoning does not require a Site Plan to accompany the application, however providing a site plan on the front end can give staff and officials a better understanding of the intended layout, scope, and function of the proposed development.

The proposed “R-2” Townhouse/Cluster zoning would accommodate townhouse or rowhouse development. “R-2” zoning allows up to 24 dwelling units per acre. Other “R2” development standards are shown below:

Townhouse/Cluster (“R2”) District	
Open space	15% minimum
Units per acre	Maximum number of 24 units per acre on average, unless located in a “C” or “D” district where authorized density shall apply.
Maximum façade length	Maximum building façade length of 250 feet
Front yard*	None required
Side yard*	
Interior lot	5 feet minimum adjacent to street
Corner lot**	10 feet minimum adjacent to both streets
Height	35 feet maximum (refer to Development Standards, § 6.100, Height)
Bldg. separation	10 feet minimum
Notes:	
* May be subject to projected front yard (see Chapter 6, Development Standards, § 6.101(f), Yards).	
** May be subject to other front, side and rear yard setback requirements (see Chapter 6, Development Standards, § 6.101(d), Yards).	

(2) *Parking.* Two spaces per dwelling unit, located behind the front building line, except for limited local streets or private access easements, where four spaces shall be required, located behind the front building line or may be provided within the development. For nonresidential uses, see Chapter 6 Development Standards, Article 2 Off Street Parking and Loading, § 6.200.

(3) *Residential design standards.* A site plan for residential development is required.

a. *General.* Under this provision, townhouses, rowhouses or the clustering of residential units may be permitted where such units cluster around a common access road or feed from a loop or cul-de-sac and provided that such development shall conform to the following regulations regarding buildings and structures.

b. *Plat required.* Such properties shall be platted showing the following, if applicable:

c. *Open space.*

d. *One building per lot.* Each residential building shall be located on a separately platted lot.

Surrounding Zoning and Land Uses

North "E" Neighborhood Commercial / dollar store
East "A-5" One Family Residential / single family residence
"E" Neighborhood Commercial / convenience store
South "A-5" One Family Residential and "E" Neighborhood Commercial / vacant & undeveloped
West "A-5" One Family Residential / single family residence

Recent Zoning History

- None

Public Notification

300-foot Legal Notifications were mailed on April 1, 2022.
The following organizations were emailed on March 31, 2022:

Organizations Notified	
Eastland NA*	Fort Worth ISD
Trinity Habitat for Humanity	Streams And Valleys Inc
Glen Park NA	Village Creek NA
Fairhaven NA	Echo Heights NA
East Fort Worth, Inc	Southeast Fort Worth Inc

**Located within this registered Neighborhood Association*

Development Impact Analysis

Land Use Compatibility

The applicant is proposing to change the zoning to “R2” Townhouse/Cluster. Surrounding uses are a mixture of single family residential, neighborhood serving retail, and undeveloped properties. The property proposed to be rezoned is situated along a commercial corridor which follows Miller Avenue. This corridor does provide transit services (Trinity Metro bus route #25) and is an ideal location for providing housing with an additional degree of density as proposed. While no site plan was provided or required at this point, it would be sensible for any townhouse units built to not face directly on to Miller but rather along Baylor Street, which is less congested with traffic and can better accommodate curb cuts for drive access.

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

Comprehensive Plan Consistency – Southeast

The 2022 Comprehensive Plan designates the eastern “E” zoned portion of the property as future Neighborhood Commercial. Compatible zoning would be: small scale retail/office, mixed use, or apartment developments.

FUTURE LAND USE AND ZONING CLASSIFICATIONS

FUTURE LAND USE	DEFINITION	ZONING
RESIDENTIAL		
Rural Residential	1+ acre single-family	A-2.5A, A-43
Suburban Residential	1/2+ acre single-family	A-21
Single-Family Residential	3,500+ sq. ft. lot single-family	A-10, A-7.5, A-5, AR
Manufactured Housing	Manufactured home parks and subdivisions	MH
Low Density Residential	2,500+ sq. ft. lot single-family, two-family, patio homes, townhouses, cluster housing	B, R1, R2
Medium Density Residential	Up to 36 units/acre multifamily	CR, C, D
Urban Residential	Medium to high density, residential only, pedestrian-oriented development for use between higher and lower intensity uses	UR
High Density Residential	>36 units/acre multifamily, mixed-use multifamily and pedestrian-oriented development in growth centers	UR, MU-1, MU-2, Form-Based Codes
COMMERCIAL		
Neighborhood Commercial	Retail, services, offices and mixed uses serving daily needs for a local market area	Multifamily Residential, ER, E, MU-1

The western “A-5” zoned portion of the property is designated as future Single Family Residential. This would be analogous to, but not the same as “A-10”, “A-7.5”, “A-5”, and “AR” zoning. The “R2” zoning proposed would require Low Density Residential future designation in order to be in alignment with the Comprehensive Plan. However, the distinctions between Single Family Residential and Low Density Residential are minimal at best, and are both considered to be of similar nature, the latter is just slightly more dense than the former.

The proposed zoning **is not consistent** with the Comprehensive Plan. If the zoning designation is changed for this property, staff would recommend that the Comprehensive Plan be changed to “Low Density Residential” to reflect this change.

Economic Development Plan

The 2017 Economic Development Strategic Plan identified a vision, goals, and strategies in order to facilitate the success and growth of the City of Fort Worth. The below strategies apply to this project:

INITIATIVE 3.2. NEIGHBORHOOD ALIGNMENT

Align neighborhood assets (people, businesses, and real estate) to benefit from and support citywide economic growth.



3.2.2.1. Provide developer incentives for the creation of new high-quality housing stock on vacant properties. These should include a range of housing types and price points such as single-family homes, townhomes, high-quality multi-family properties, and mixed-use developments with residential units on upper floors and retail/office space on ground floors.

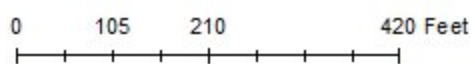


Area Zoning Map

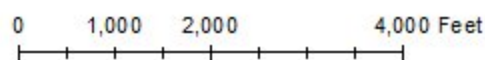
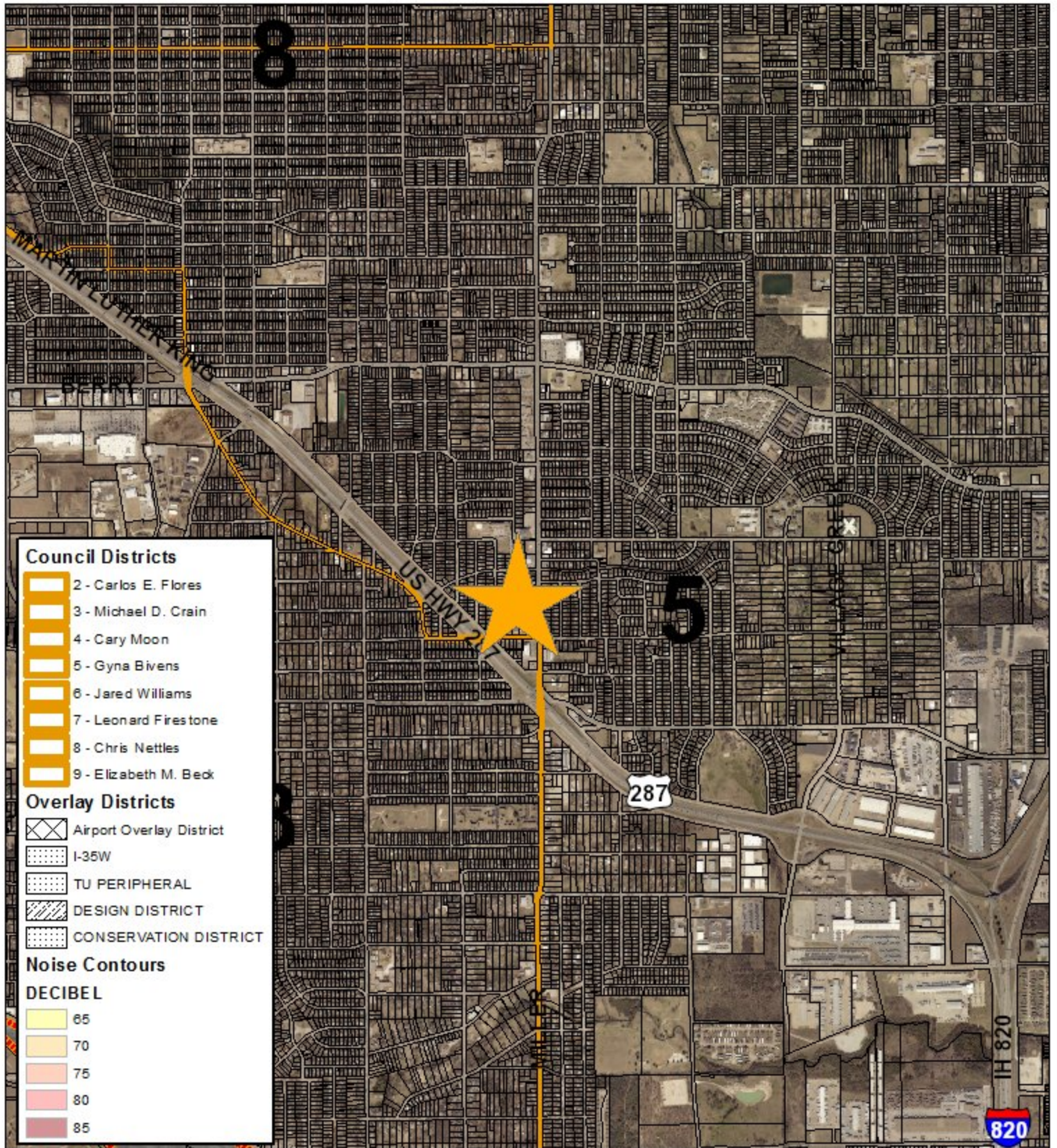
Applicant: Legacy Construction Solutions
 Address: 3904 Miller Avenue, 4100 block Baylor Street
 Zoning From: A-5, E
 Zoning To: R2
 Acres: 0.91604337
 Mapsco: 78Z
 Sector/District: Southeast
 Commission Date: 4/13/2022
 Contact: 817-392-8043



 Subject Area
 300 Foot Notification



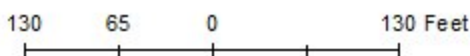
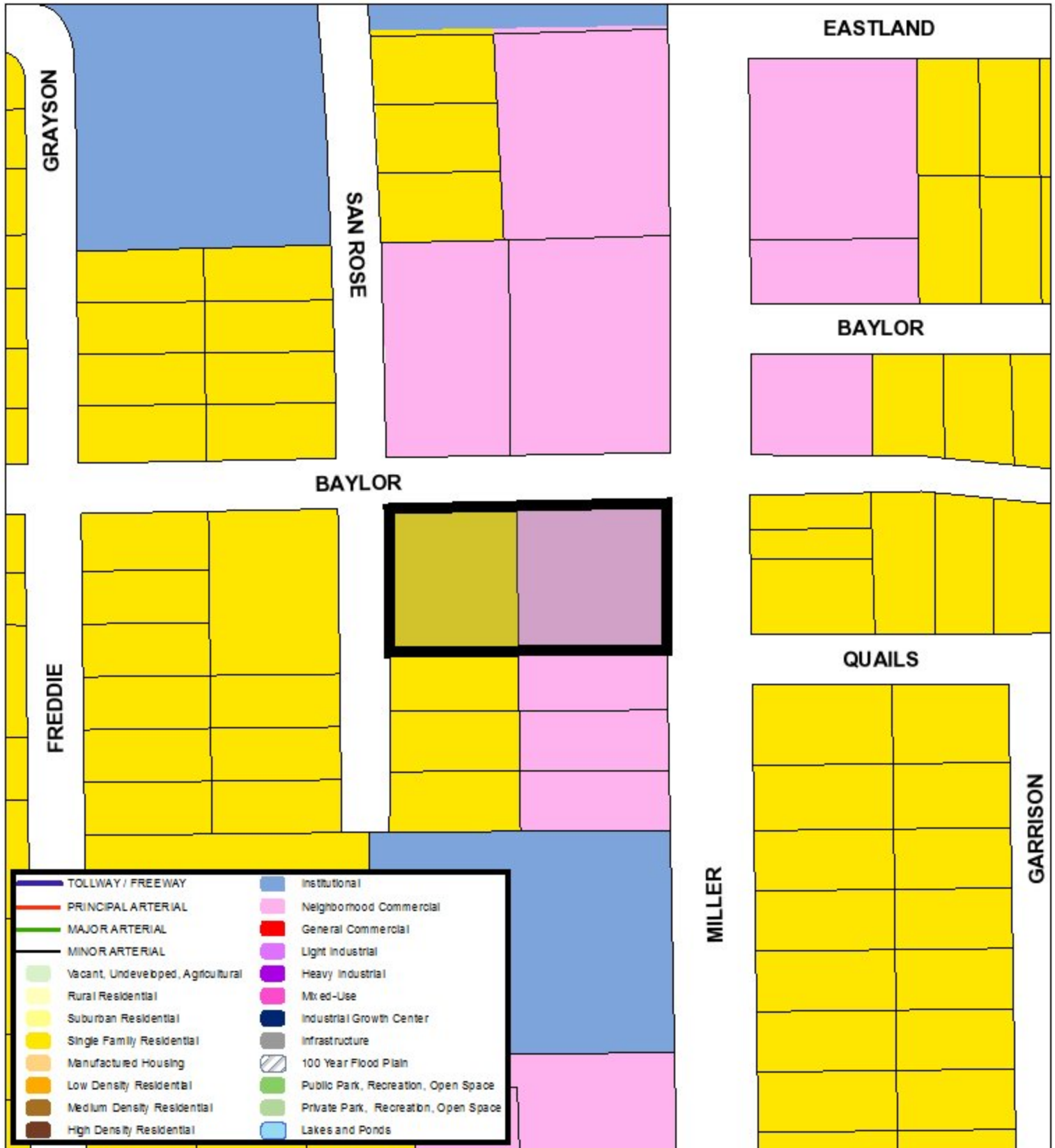
Area Map





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Future Land Use



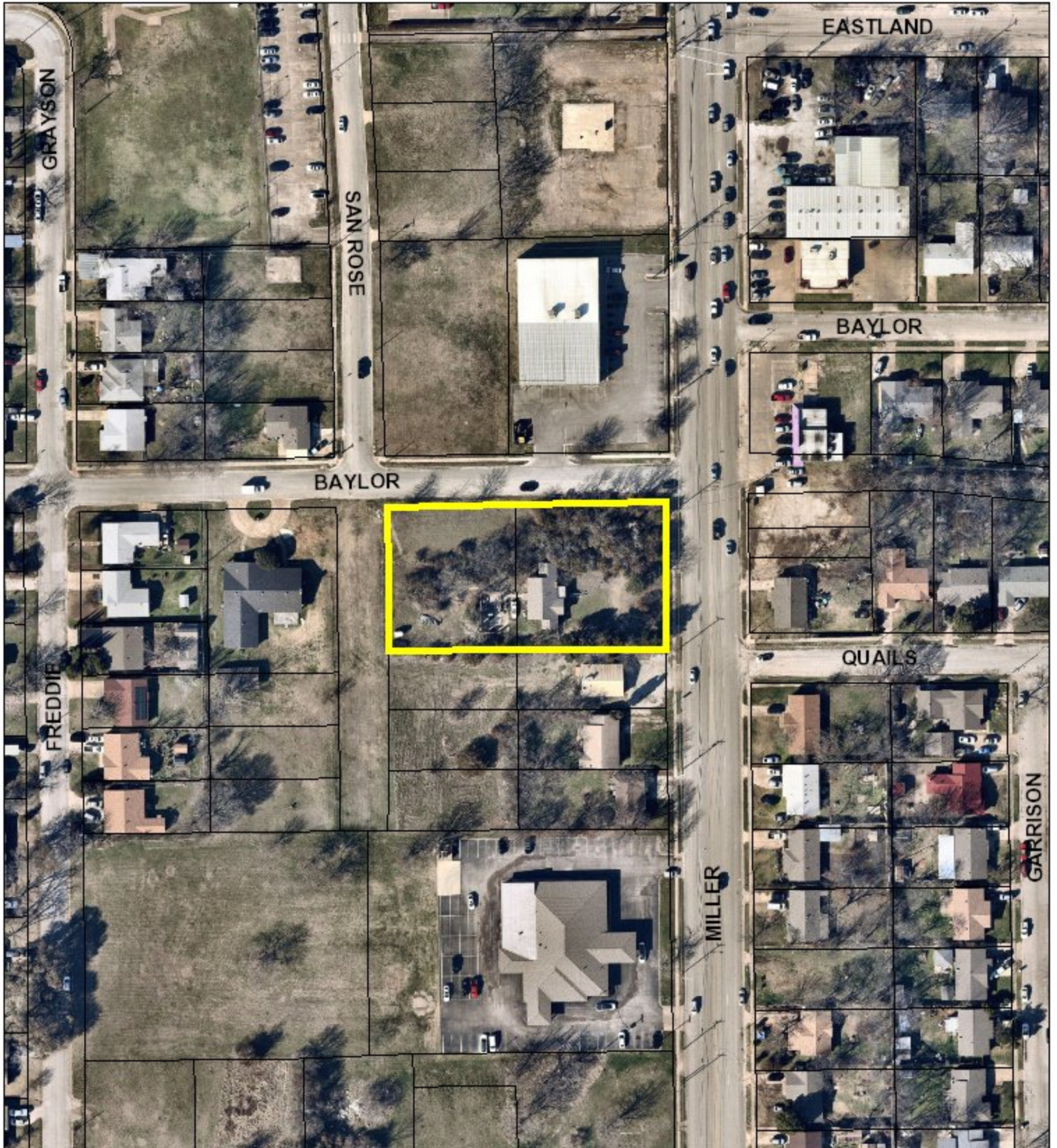
A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 6, 2018.





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Aerial Photo Map



0 80 160 320 Feet

