



Zoning Staff Report

Date: August 9, 2022

Case Number: ZC-22-110

Council District: 7

Zoning Map Amendment

Case Manager: [Monica Lafitte](#)

Owner / Applicant: 117 Roberts Cutoff LLC / Will Rucker

Site Location: 117 Roberts Cut Off Road

Acreage: 0.94 acres

Request

Proposed Use: Distillery

Request: From: "I" Light Industrial

To: "PD/I" Planned Development for all uses in "I" Light Industrial except massage parlor and sexually oriented business, adding distillery/brewery/winery use, with a development standard to allow accessory uses in front of the primary structure; site plan required.

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 6-0**

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](#)
 - d. [Site Plan Comments](#)
6. Zoning Map with 300 ft. Notification Area
7. Site Plan
8. Area Map
9. Future Land Use Map
10. Aerial Photograph

Project Description and Background

The subject site is located in the redeveloping River District area on the west side of Roberts Cut Off Road, a few lots north of White Settlement Road. The applicant is requesting to rezone from “I” Light Industrial to “PD/I” Planned Development for all uses in “I” Light Industrial except massage parlor and sexually oriented business uses, adding distillery use, and requesting a development standard to allow the dumpster enclosure to be located in front of the building. A site plan has been provided.

As shown in the below image taken from the Non-Residential Use Table, Distillery use is not allowed by right in the “I” Light Industrial district.

§ 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
	Batch plant, concrete or asphalt (permanent)									P					
	Brewery, distillery or winery								P	P					

This applicant was previously at the May 11, 2022 Zoning Commission for case ZC-22-064 for the lot adjacent to the south, 113 Roberts Cut Off. That request was to rezone from “I” Light Industrial to “MU-2” High Intensity Mixed-Use for a proposed distillery with tasting room and patio. The form-based code district use table shows “MU-2” High Intensity Mixed-Use zoning allows for “brewery, distillery, or winery” use. However, there was a significant amount of neighborhood opposition to the request, as the neighbors did not support the Mixed-Use zoning classification because it could allow residential use; the residents who spoke felt their neighborhood has been overrun by large apartment complexes and did not want any possibility of additional multifamily units. Many of those voicing opposition stated they were in support of the distillery use at that location, but opposed the proposed “MU-2” High Intensity Mixed-Use zoning. During the Zoning Commission, it was recommended the applicant revise the application to request a “CUP” Conditional Use Permit. The applicant requested a 30 day continuance to allow time for more discussions with the neighborhood.

Before the case returned to the June Zoning Commission, the applicant withdrew the case. The applicant is now in the process of acquiring the subject lot, 117 Roberts Cut Off Road, directly north of the previous case’s lot. Therefore, the applicant is instead keeping 113 Roberts Cut Off zoned “I” Light Industrial and is now requesting the Planned Development for the northern 117 Roberts Cut Off Road lot. The applicant did not wish to pursue the “CUP” Conditional Use Permit, since it is conditional and can be revoked or have a time limit placed; the applicant, instead, revised the application to make the request eligible for a “PD” Planned Development.

The site currently has multiple industrial/warehouse buildings on it. The applicant plans to remove one of those buildings and renovate the others for the distillery equipment, barrel storage, and office use; see site plan for proposed layout.

The case was initially noticed for Zoning Commission as the following rezoning request:

To: “PD/I” Planned Development for all uses in “I” Light Industrial except massage parlor and sexually oriented business, adding brewery/distillery/winery use, with a development standard to allow the dumpster enclosure to be placed in front of the building; site plan provided

However, during the July Zoning Commission, the applicant revised the request. The revised version is shown on the cover sheet of this report. The applicant requested the submitted site plan be withdrawn; they will instead submit a new site plan at a later date. Staff also revised the wording to better reflect the language of the ordinance for which the waiver is being requested. Zoning Commission recommended approval on the motion as amended.

Surrounding Zoning and Land Uses

North “I” Light Industrial / undeveloped, commercial, and residential

East “D” High Density Multifamily / apartments

“I” Light Industrial / parking lot for industrial facility

South “I” Light Industrial / unoccupied residential (proposed tasting room and patio for the distillery)

West PD724 / apartments under construction

Recent Zoning History

- ZC-22-064 from “I” Light Industrial to “MU-2” High Intensity Mixed-Use; lot south-adjacent of subject lot; withdrawn by applicant and replaced by current case
- ZC-18-202 amending development standards of PD724 and waiving site plan; effective March 14, 2019; west-adjacent to subject lot
- ZC-18-037 from E, MU-1, and I to MU-1; effective April 15, 2018; east of subject lot
- ZC-18-199 from B and FR to MU-1; effective March 14, 2019; southeast of subject lot
- ZC-18-059 from A-5 to MU-1; effective May 19, 2018; south of subject lot
- ZC-17-041 from A-5 and I to MU-1; effective June 29, 2017; southwest of subject lot

Public Notification

300-foot Legal Notifications were mailed on July 1, 2022.

The following organizations were notified: (emailed June 24, 2022)

Organizations Notified	
The Grove at the River District HOA	FW Rivercrest Bluffs HOA
FW River Heights HOA	Eastgate Neighbors
River District NA*	Tarrant Regional Water District
Streams and Valleys Inc	Trinity Habitat for Humanity
Fort Worth ISD	Castleberry ISD

* Located within this registered Neighborhood Association

Development Impact Analysis

Land Use Compatibility

The River District has been redeveloping in recent years. The surrounding lots around this site are multifamily, single family residential, commercial, industrial, and undeveloped. The proposed zoning and land use are **compatible** with surrounding land uses.

Comprehensive Plan Consistency – Northside

The 2022 Comprehensive Plan currently designates the subject property as Mixed-Use on the Future Land Use Map.

Below is a portion of a table from the Comprehensive Plan in “Ch. 4 Land Use” categorizing land use and zoning conformance.

FUTURE LAND USE AND ZONING CLASSIFICATIONS (Updated 5/26/2022)

FUTURE LAND USE	DEFINITION	ZONING
COMMERCIAL		
Neighborhood Commercial*	Retail, services, offices and mixed uses serving daily needs for a local market area	ER, E, MU-1
General Commercial*	Retail, services, offices and mixed uses serving occasional needs for a larger market area	All Commercial, 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

**Multifamily has been removed as an encouraged land use and applicable zoning districts in accordance with current Zoning policies.*

The applicant previously attempted to rezone the lot to the south to be “MU-2” High Intensity Mixed-Use, so as to align with the Future Land Use; the neighborhood was very opposed to the possibility of residential multifamily use.

The proposed “PD/I” Planned Development with a base of “I” Light Industrial zoning is **not consistent** with the land use designations for this area; However, it does align with the following policies of the Comprehensive Plan:

- Promote appropriate infill of old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city.
- Encourage renovation and reuse of existing commercial structures throughout commercial districts, where feasible.

The 2018 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.

Site Plan Comments

Zoning

- FYI: The site is not platted; the proposed new structures (trellis, boiler room addition, new fence, new porch, dumpster enclosure) will not be permitted without platting the property or receiving a platting waiver. Please reach out to Platting Staff by emailing PlatBox2@fortworthtexas.gov.
- Apply for an Urban Forestry permit, if required, before any paving work is done or building permits are needed.
- Parking Calculations are as follows:
 - Industrial: 2 per 1,000 square feet = 11 spaces
 - Warehouse: 4 for everyone 1 employee with minimum 4 spaces = 4
 - Office: $3937/1000 \times 2.5 = 10$
 - Total Needed = 25 required spaces
 - Total Provided on Site Plan= 28 spaces
- 5.302(b)(3) Refuse dumpsters and recycling collection containers shall be installed on concrete pads and be screened on all sides from view of a public street or residential area.
- Site Plan does not comply with the following section of the Zoning Ordinance:
5.302(b)(1) All non-habitable accessory uses must be located behind the front wall of the primary structure that is furthest from the street.
 - A development standard is being sought to allow the dumpster enclosure to be located in front of the front wall of the primary structure, between the building and the Right-of-Way. Refer to site plan for proposed location.
 - After discussing other possible locations and their respective limitations, staff is supportive of this development standard request.
 - The applicant provided the following narrative explaining the request for the development standard:
The buildings shown are existing, and access between them is planned to be gated and would not allow for turn around space of the truck. As such, locating the enclosure behind the front elevation of any building is not feasible. The initial locations explored (near SE corner of Bldg 2 or NE corner of Bldg 3) presented issues due to the proposed uses. This property will support a tasting room / tavern with outdoor patios located on the property to the south (113 Roberts Cutoff) and locating the enclosure anywhere along the south property line will put it in close proximity to the patron seating at 113 Roberts Cutoff. Locating the dumpster along the north property line near building 3 had a similar effect on the pedestrian entries to the office spaces located in Bldg 3. Any further east along the north property line would result in a reduction of

parking spaces. The proposed location will be built of masonry that matches or compliments the existing brick on the house (tasting room / tavern) located on 113 Roberts Cutoff, the gate will be steel frame with architectural wood infill, and the landscape around the enclosure will be lush plantings with height.

Park and Recreation Department

- No residential component, Park Dedication Policy will not apply.

TPW Engineering

- No comment

TPW Storm Water

- No comment

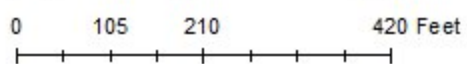
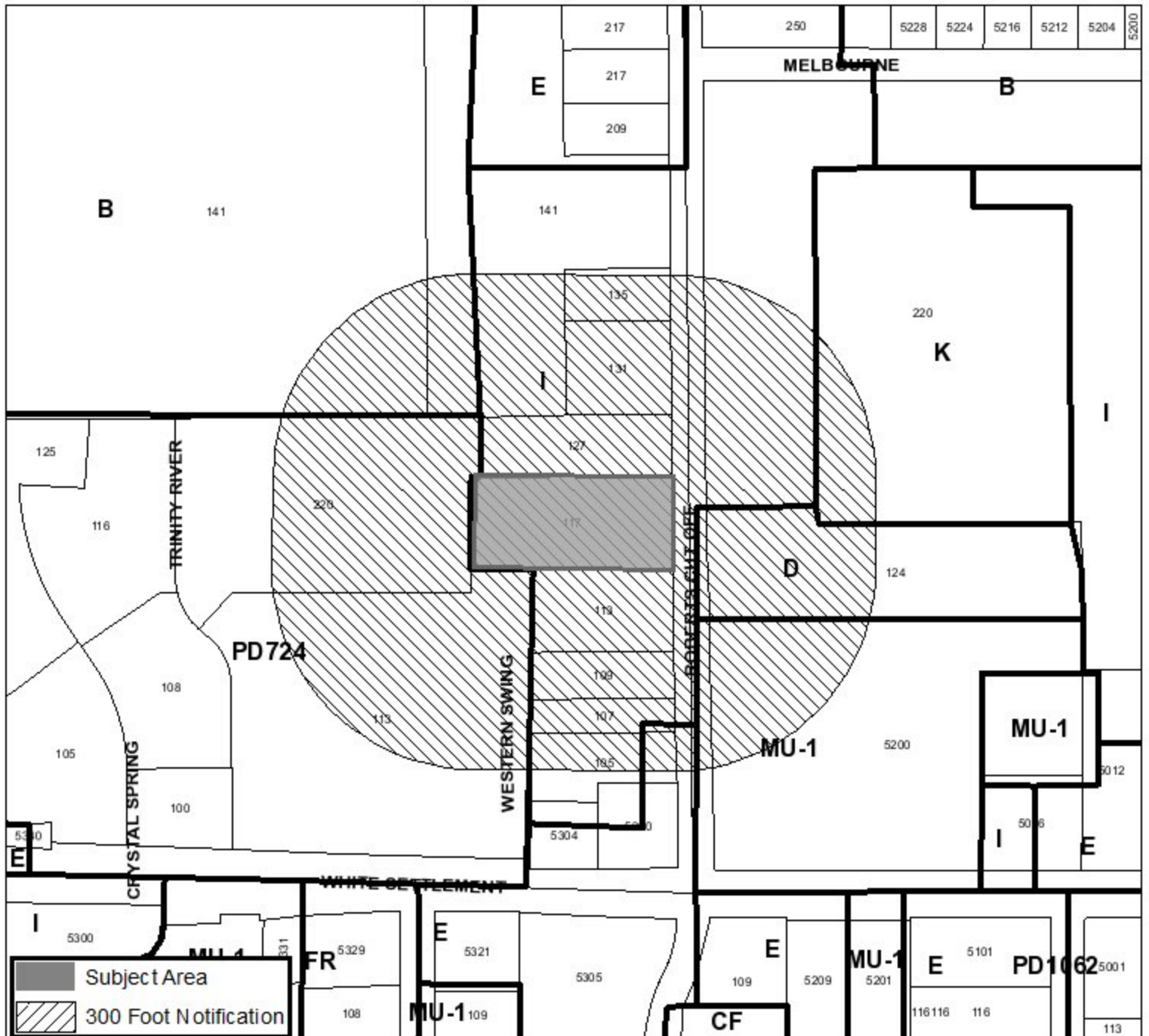
(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)



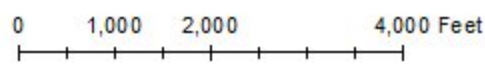
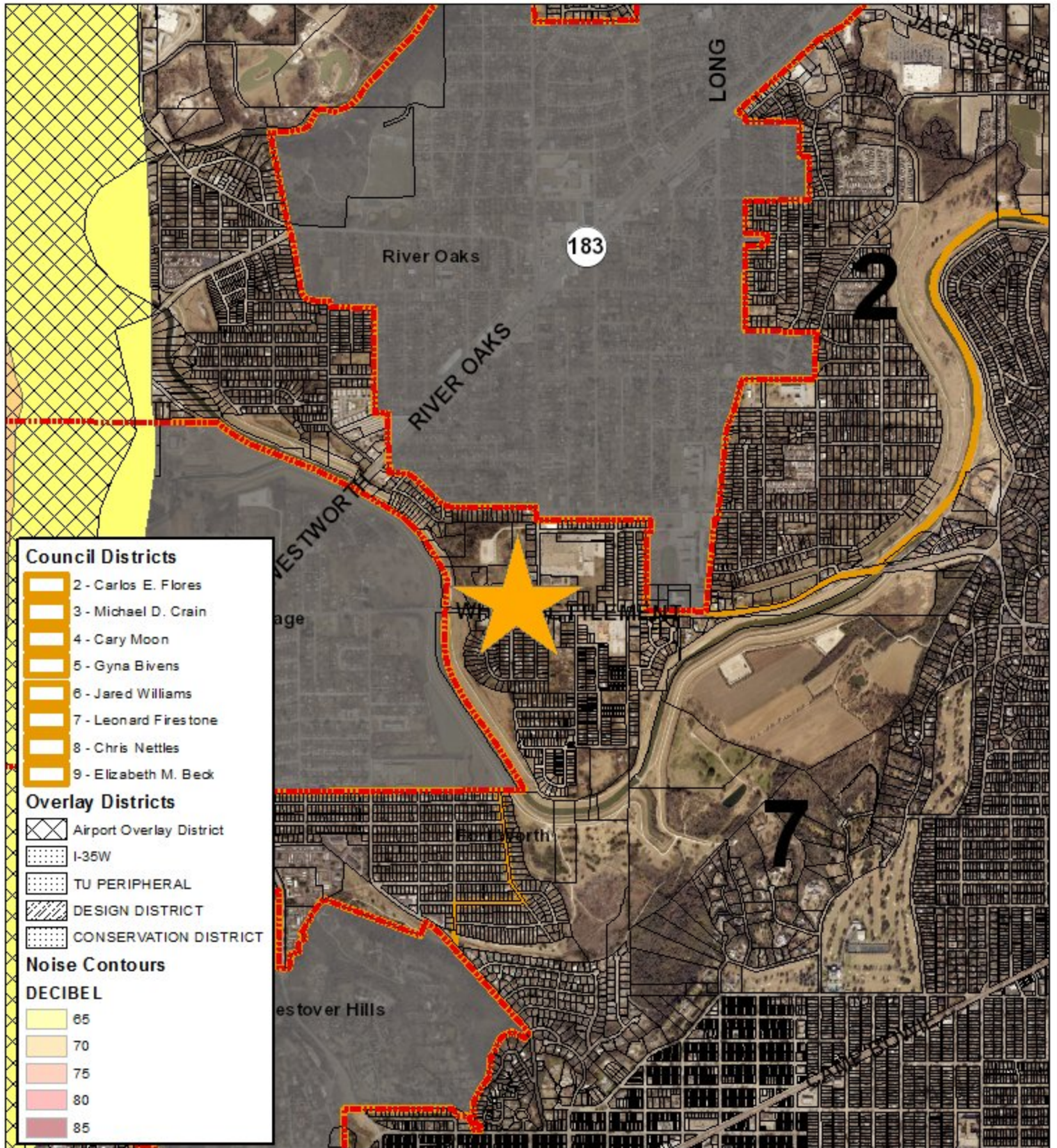


Area Zoning Map

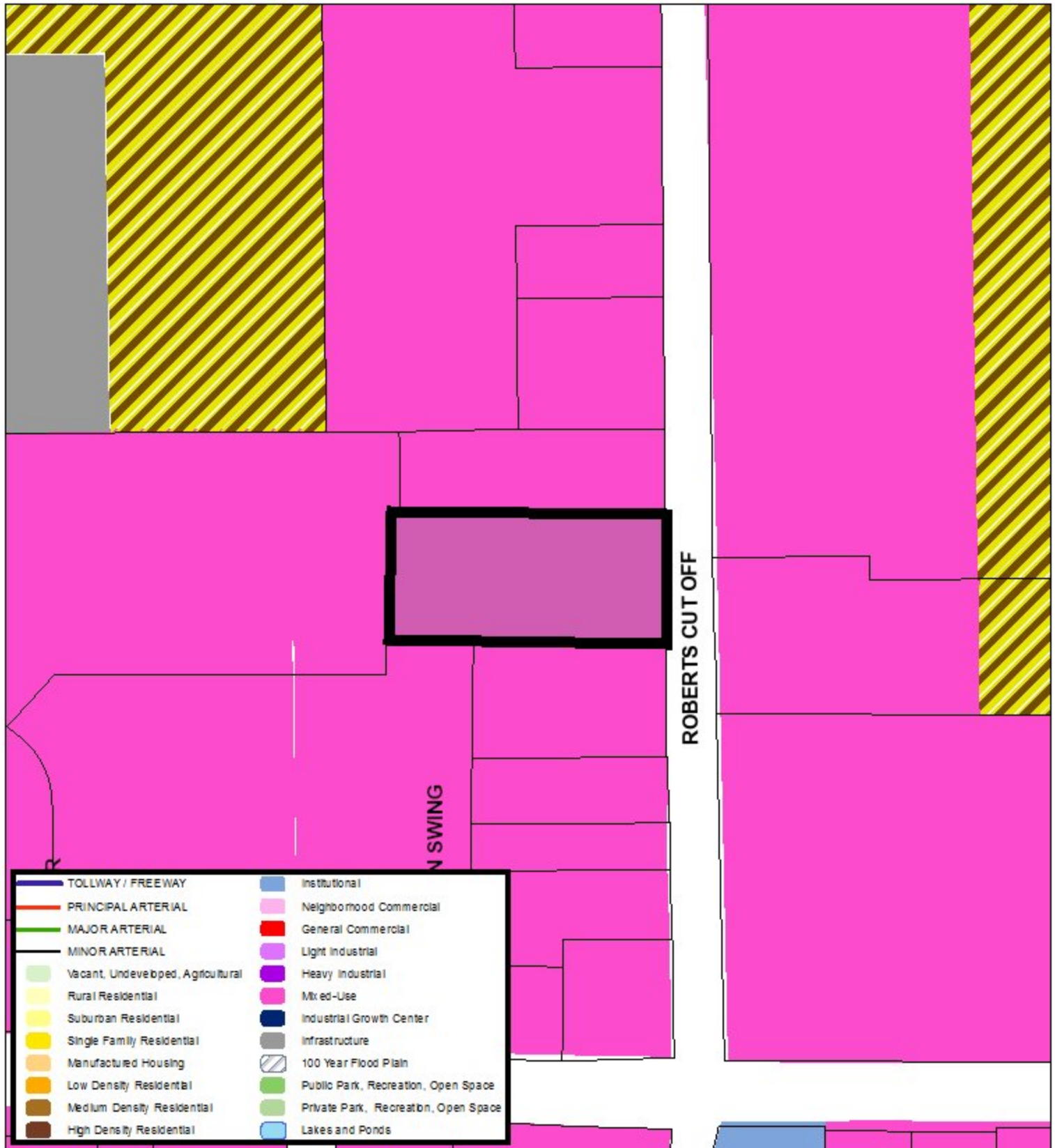
Applicant: 117 Roberts Cutoff LLC
 Address: 117 Roberts Cutoff Road
 Zoning From: I
 Zoning To: PD for certain I uses plus distillery with development waiver
 Acres: 0.94236935
 Mapsco: 61W
 Sector/District: Northside
 Commission Date: 7/13/2022
 Contact: 817-392-2806



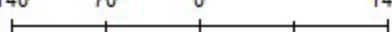
Area Map



Future Land Use



140 70 0 140 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 90 180 360 Feet

