



Zoning Staff Report

Date: December 14, 2021

Case Number: ZC-21-144

Council District: 9

Zoning Map Amendment

Case Manager: [Brett Mangum](#)

Owner / Applicant: Tommy Hicks / Nationwide Construction, Gina McLean

Site Location: 3005 & 3011 Stanley Avenue

Acreage: 0.281 acres

Request

Proposed Use: Restaurant

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

To: “E” Neighborhood Commercial

Recommendation

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

Comprehensive Plan Consistency: Requested change **is not consistent (Minor Boundary Adjustment)**

Staff Recommendation: **Approval**

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

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Project Description and Background

The applicant is intending to construct a new Wingstop restaurant on this undeveloped brownfield tract. The site is composed three (3) existing lots (intended to be re-platted) with the northernmost lot already being zoned “E” Neighborhood Commercial. The southern two (2) lots are being requested for rezoning from “A-5” One Family to “E” Neighborhood Commercial so that the entire building site is zoned uniformly to accommodate a restaurant in “E” Neighborhood Commercial.

Surrounding Zoning and Land Uses

North “E” Neighborhood Commercial / vacant
East “A-5” One-Family / residential
South “A-5” One-Family / residential
West “BU-CX-4” Berry University Commercial Mixed Use / undeveloped

Recent Zoning History

- ZC-17-087 From "A-5" One-Family to "PD/E" Neighborhood Commercial Planned Development
Recommended Denial by Zoning Commission by a vote of 7-2 Sept. 12th, 2017. Not heard by City Council.

Public Notification

300-foot Legal Notifications were mailed on October 22, 2021.

The following organizations were emailed October 24, 2021:

Organizations Notified	
Ryan Place Improvement Assoc*	Shaw Clarke NA
Paschal NA	Streams and Valleys Inc
Las Familias de Rosemont NA	Trinity Habitat for Humanity
Frisco Heights NA	Berry Street Initiative
South Hemphill Heights NA	Fort Worth ISD

* Located within this registered Neighborhood Association

Development Impact Analysis

Land Use Compatibility

Surrounding properties to the north and west are zoned for commercial purposes. Properties to the south and east are zoned “A-5” and developed with single-family homes. City staff is comfortable with the overall compatibility of this development, in conjunction with the screening measures mandated by the Zoning Ordinance for new commercial construction. A combination of fencing and landscaping must equal 25 points from the enhanced landscape table found in Section 6.300.c.3.g of the City of Fort Worth Zoning Ordinance. Applicants are encouraged to exceed the minimum 25 point requirement when possible. In addition, there is a required minimum

5' buffer yard composed of landscaped area off of the southern and eastern property lines. A supplemental building setback of 20' prohibits any buildings and structures within 20' of the southern and eastern property lines. Parking can be in this area, exclusive of the 5' landscaped buffer yard.

Because any new commercial construction would be subject to the current supplemental buffer yards and setbacks, the lots face other commercial uses on two sides, and the encroachment into the neighborhood is not as far as on similarly situated blocks along the Cleburne Rd. corridor, the proposed zoning **is compatible** with surrounding land uses.

Comprehensive Plan Consistency – Southside

The 2021 Comprehensive Plan currently designates the subject property with two designations. The northern 1/3 of the site is indicated as future Neighborhood Commercial. The southern 2/3 of the site is indicated as future single family residential. The rezoning request only pertains to the southern 2/3 of the site, as the northern 1/3 is already zoned appropriately for the proposed use.

The Comprehensive Plan designations reflect the history of the three (3) lots proposed for development. The northernmost lot previously held a small commercial building, and the two (2) southern lots each had one (1) single family residence each. All three (3) buildings were all demolished between 1990 and 2000, leaving the site in its current undeveloped brownfield state.

The proposed zoning is not consistent with the land use designations for this area, but aligns with the following policies of the Comprehensive Plan for the Southside:

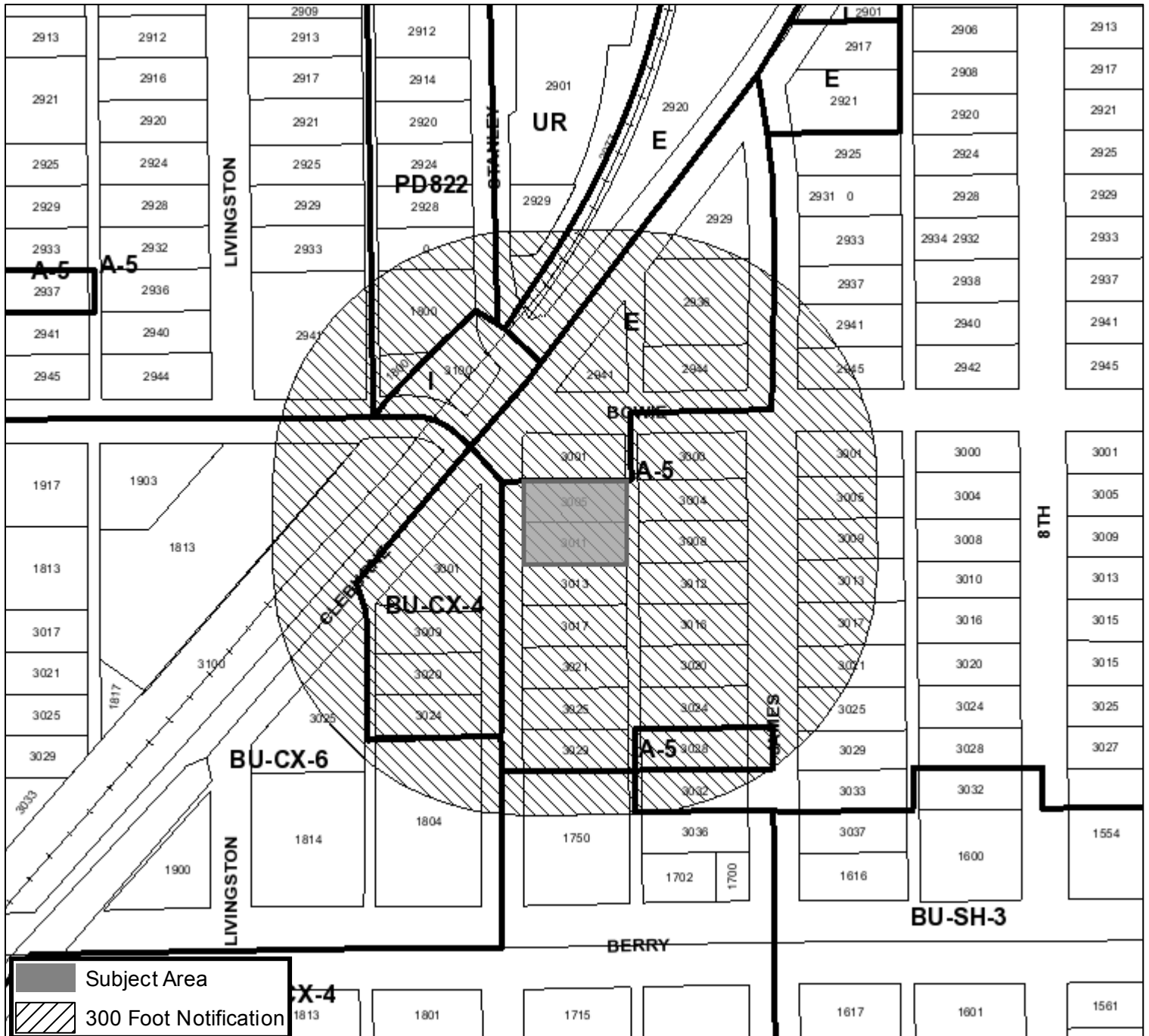
13. Stimulate the redevelopment of the Hemphill Street, Berry Street, Evans Avenue, 8th Avenue/Cleburne Road/McCart Avenue, Pennsylvania Avenue, Magnolia Avenue, Rosedale Street, Seminary Drive, and South Riverside Drive commercial districts.

The area requested to be rezoned to “E” Neighborhood Commercial is envisioned as future single family residential, however since the area borders an existing tract of future neighborhood commercial, it is reasonable to envision the boundary being extended to the south by 100' to accommodate the entirety of the proposed restaurant site. Technically, the proposed zoning **is not consistent (minor boundary adjustment)** with the Comprehensive Plan. If the rezoning request is approved, City staff recommends that the Comprehensive Plan be updated to reflect this change.



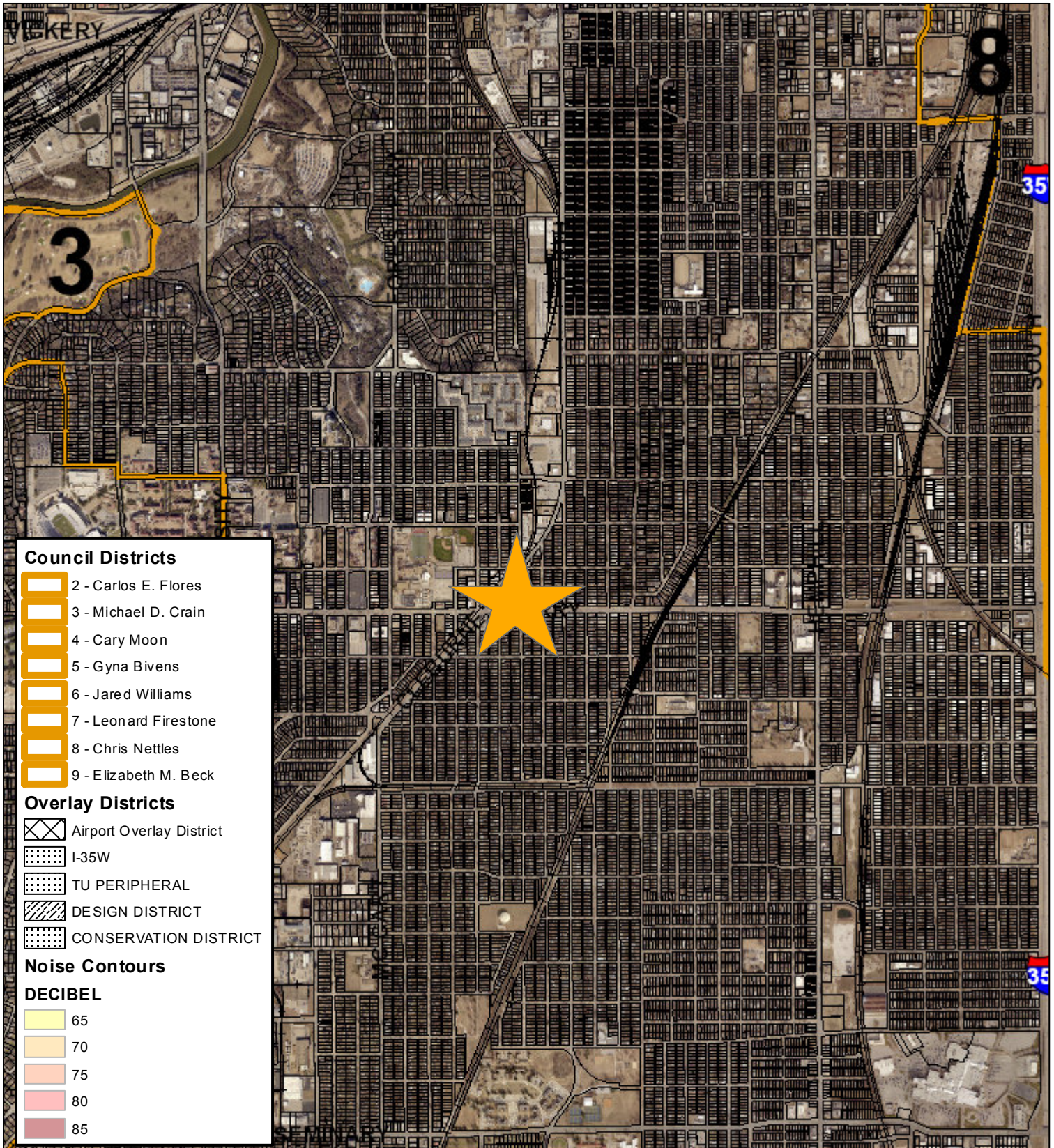
Area Zoning Map

Applicant: Tommy Hicks
 Address: 3005 & 3011 Stanley Avenue
 Zoning From: A-5
 Zoning To: E
 Acres: 0.28131512
 Mapsco: 76Y
 Sector/District: Southside
 Commission Date: 11/10/2021
 Contact: 817-392-8043



0 85 170 340 Feet






Area Map








Council Districts

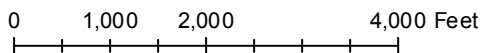
-  2 - Carlos E. Flores
-  3 - Michael D. Crain
-  4 - Cary Moon
-  5 - Gyna Bivens
-  6 - Jared Williams
-  7 - Leonard Firestone
-  8 - Chris Nettles
-  9 - Elizabeth M. Beck

Overlay Districts

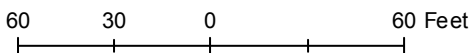
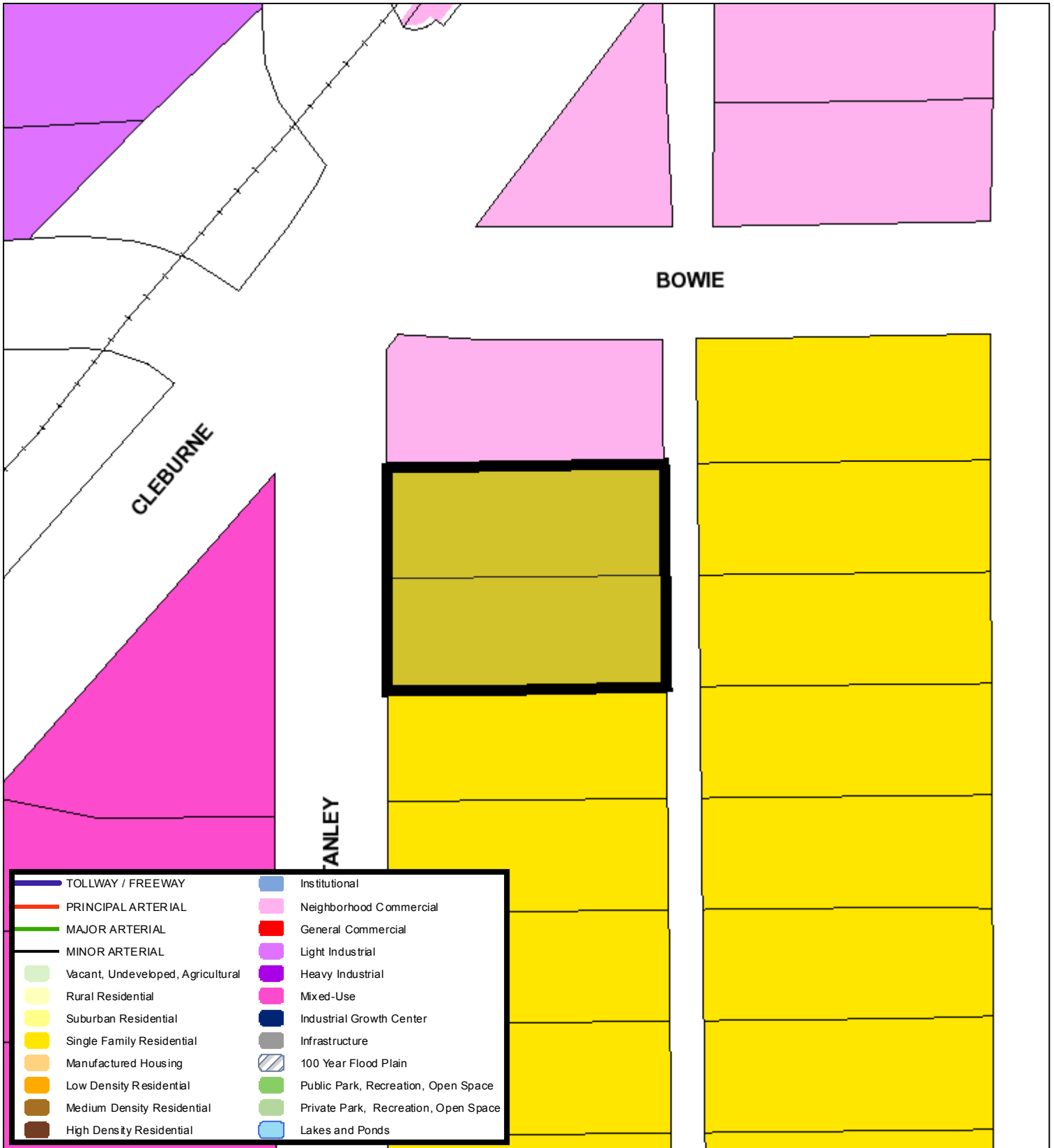
-  Airport Overlay District
-  I-35W
-  TU PERIPHERAL
-  DESIGN DISTRICT
-  CONSERVATION DISTRICT

Noise Contours

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



Future Land Use



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 37.5 75 150 Feet

