



Zoning Staff Report

Date: August 9, 2022

Case Number: ZC-22-101

Council District: 9

Zoning Map Amendment

Case Manager: [Brett Mangum](#)

Owner / Applicant: SVP MDO, LLC / Mary Nell Poole, Townsite

Site Location: 5199 & 5201 McCart Avenue

Acreage: 8.43 acres

Request

Proposed Use: Shopping Center

Request: From: "E" Neighborhood Commercial

To: "F" General Commercial

Recommendation

Land Use Compatibility:

Requested change is **compatible**

Comprehensive Plan Consistency:

Requested change is **consistent**

Staff Recommendation:

Approval

Zoning Commission Recommendation:

Denial by a vote of 2-4

(Motion to approve 4-2 failed for lack of 5 affirmative votes)

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Project Description and Background

The applicant is proposing to zone the subject site on McCart Avenue from “E” Neighborhood Commercial to “PD-F” Planned Development – base zoning of General Commercial. There is a neighborhood shopping center on this parcel, which is just over 8 acres in total. An excerpt provided by the applicant as part of their submittal package is included below for additional context:

“The current use of the property is a shopping center which is currently zoned E Neighborhood Commercial. The continued use of the property will be a shopping center. The area had been zoned I- Industrial and includes 'grandfathered' uses of mini storage, car wash and funeral home. The Future Land Use for this property is General Commercial. Rezoning will allow us to upgrade the center and draw more national retail credit leases; thereby expanding the uses and making it truly a shopping center for the area.”

The applicant is proposing restricting the following land uses in the PD-F to satisfy concerns from nearby neighborhood associations (excerpt from application):

Bars, taverns, pool halls, package liquor stores; auto, motorcycle, boat sales; auto, motorcycle, boat repairs; tattoo parlors; head shop, vape/ tobacco (8% or more drug paraphernalia); blood banks (no cash for blood); events center; gaming rooms.

The corresponding land uses in the City of Fort Worth definitions are:

"Vehicle sales or rental; including automobiles, motorcycles, boats or trailers"; "Automotive repair; paint and body shop"; "Tattoo Parlor"; "Blood Bank"; "Event center or rental hall"; "Liquor or package store"; Bars, saloons, pool halls, taverns, alcohol sales restricted only to dining establishments; Head Shop/Vape Shop/Tobacco Sales; Gaming room

A Site Plan waiver is being requested as part of this proposed PD, based on the fact that the shopping center is already constructed and built out.

Surrounding Zoning and Land Uses

North “E” Neighborhood Commercial / self storage + mini-warehouse & retail

East “E” Neighborhood Commercial / self storage + mini-warehouse

South “E” Neighborhood Commercial / I-20 + I-820

West “E” Neighborhood Commercial / gas station + convenience store

Recent Zoning History

- ZC-17-197 - City initiated, neighborhood led rezoning of the northern and eastern portions of the South Hills neighborhood. Approved by City Council on December 5th, 2017 by a vote of 8-0. As part of this rezoning, the subject site was rezoned from “I” Light Industrial to the current “E” Neighborhood Commercial classification.

Public Notification

300-foot Legal Notifications were mailed on June 30, 2022.
The following organizations were emailed June 26, 2022:

Organizations Notified	
South Hills NA*	South Hills South NA
Trinity Habitat for Humanity	Streams & Valleys
Wedgwood East NA	District 6 Alliance
Fort Worth ISD	

**Located closest to this registered Neighborhood Association*

Development Impact Analysis

Land Use Compatibility

The site is in the midst of “E” Neighborhood Commercial zoning on three sides, with an Interstate highway directly to the south (I-20/820). There are no portions of this rezoning request that abut anything other than commercial zoning.

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

Comprehensive Plan Consistency – TCU / Westcliff

The 2022 Comprehensive Plan currently designates the subject site as future General Commercial. Properties on all four adjacent sides are all marked as future General Commercial. All commercial zoning, as well as mixed-use zoning are considered to be acceptable zoning classifications within future General Commercial areas.

The proposed rezoning is **consistent** with the Comprehensive Plan.

Economic Development Plan

The site is not directly addressed in the 2017 Economic Development Strategic Plan, however one of the desired outcomes of the plan is a more sustainable tax base, driven less by residential property valuation and more by commercial and industrial investment.

Approval of this rezoning request has the potential to fund improvements to the shopping center that might not otherwise be available. If the rezoning is approved as presented, the applicant would have the resources to renovate the storefronts and resurface the parking lot. These enhancements would add aesthetic value to the neighborhood and provide a more pleasant shopping experience. In addition, the rezoning would open up this existing commercial area to a wider variety of tenants, making the shopping center as a whole more viable.



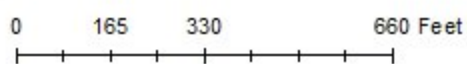
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Area Zoning Map

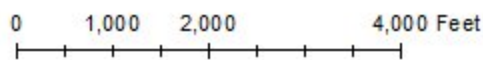
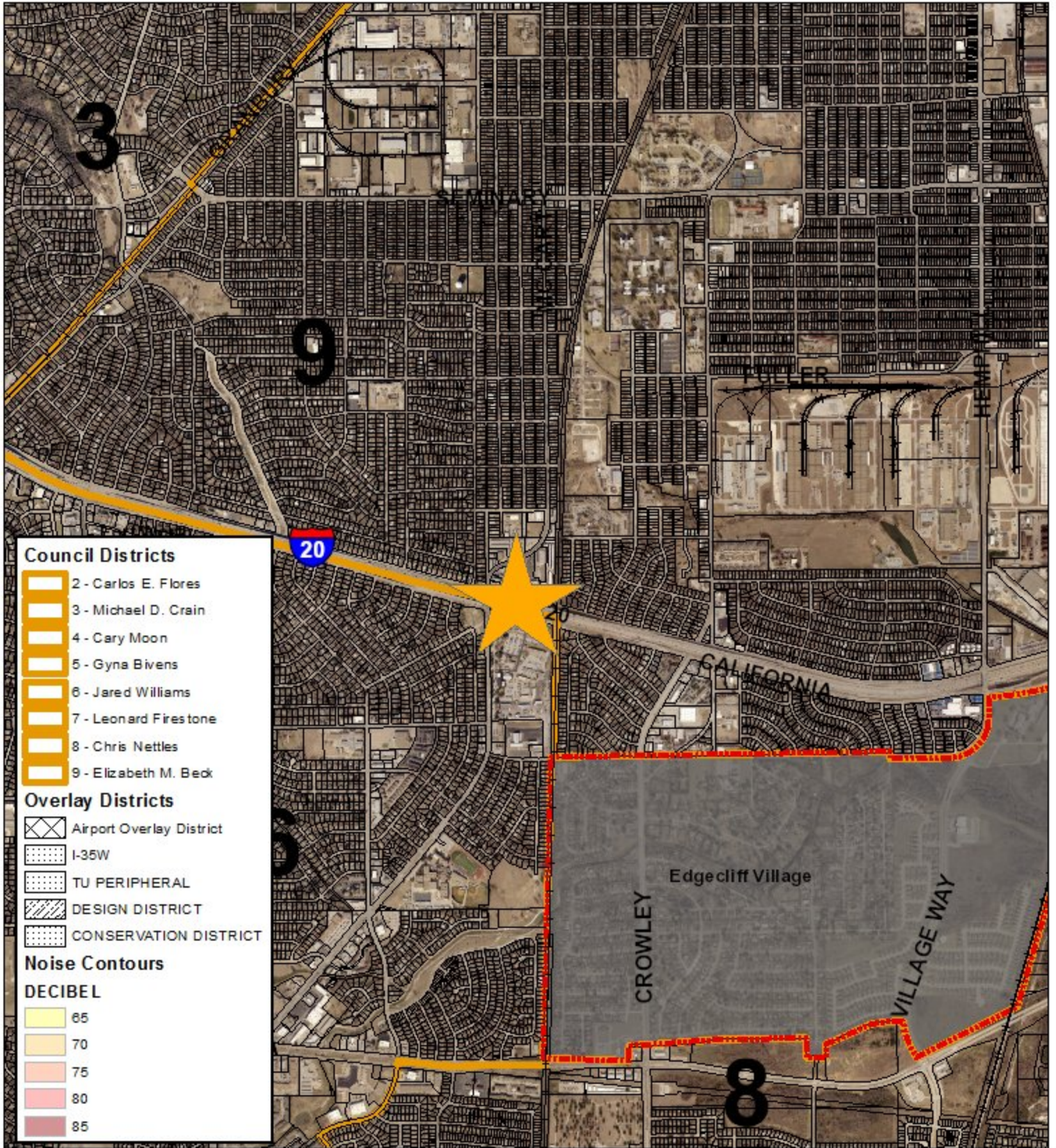
Applicant: SVP MDO, LLC
 Address: 5201 & 5199 McCart Avenue
 Zoning From: E
 Zoning To: F
 Acres: 8.42944244
 Mapsco: 90P
 Sector/District: TCU/W.cliff
 Commission Date: 7/13/2022
 Contact: 817-392-8043



Subject Area
 300 Foot Notification



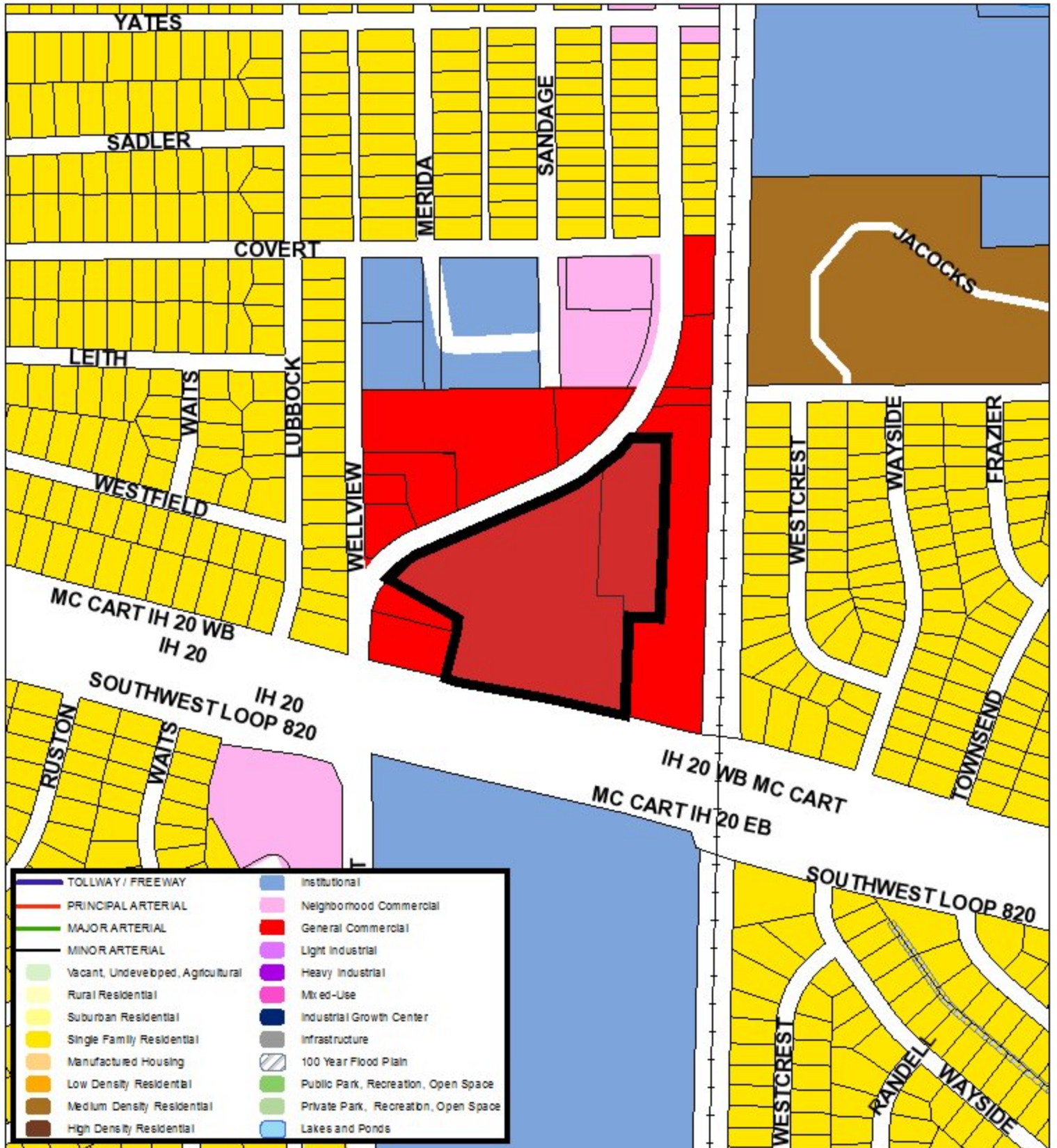
Area Map





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Future Land Use



TOLLWAY / FREEWAY	Institutional
PRINCIPAL ARTERIAL	Neighborhood Commercial
MAJOR ARTERIAL	General Commercial
MINOR ARTERIAL	Light Industrial
Vacant, Undeveloped, Agricultural	Heavy Industrial
Rural Residential	Mixed-Use
Suburban Residential	Industrial Growth Center
Single Family Residential	Infrastructure
Manufactured Housing	100 Year Flood Plain
Low Density Residential	Public Park, Recreation, Open Space
Medium Density Residential	Private Park, Recreation, Open Space
High Density Residential	Lakes and Ponds

380 190 0 380 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.



