



Zoning Staff Report

Date: January 13, 2026

Case Number: ZC-25-187

Council District: 9

Zoning Map Amendment

Case Manager: [Beth Knight](#)

Owner: BDV Southway LLC

Applicant: Josh Oerke

Site Location: 800 & 804 Southway Circle

Acreage: 1.90 ac

Request

Proposed Use: Outdoor storage without a primary use

Request: From: “K” Heavy Industrial

To: Add Conditional Use Permit (CUP) to allow outdoor storage, in “K” Heavy Industrial for a maximum of 5 years; site plan included

Recommendation

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

Comprehensive Plan Map Consistency: Requested change N/A

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

Staff Recommendation: **Approval of the CUP with no development waivers**

Zoning Commission Recommendation: **Approval by a vote of 6-2**

Table of Contents

1. [Project Description and Background](#)
2. [Surrounding Zoning and Land Uses](#)
3. [Recent Zoning History](#)
4. [Development Impact Analysis](#)
 - a. [Land Use Compatibility](#)
 - b. [Comprehensive Plan Consistency](#)
5. [Public Notification](#)
6. Zoning Map with 300 ft. Notification Area
7. Area Map
8. Future Land Use Map
9. Aerial Photograph

Project Description and Background

The proposed zoning site is a vacant lot, located at the intersection of Southway Circle, classified as a residential street, and the South Freeway (I-35W) service road. The subject property appears to have never been developed. The site has functioned as the parking lot for an entertainment venue at 813 Southway Circle, which appears to have closed by March 2022, according to Google Street View photos. The remainder of the block to the north and east contains a variety of large warehouses and interspersed outdoor storage. Sycamore Creek runs along the south property lines of this block and curves to the north. This creek generally separates the industrial uses at the northeast quadrant of the South Freeway (I-35W) and Interstate 20 from residential uses further north and east. Code Compliance complaints in 2024 centered around unsheltered people camping on the site.

The applicants are requesting a Conditional Use Permit (CUP) for outdoor storage in the “K” Heavy Industrial District. The items to be stored outside are unknown. Outdoor storage is allowed by right in the industrial districts with a primary building and is only permitted on vacant lots with CUP approval. Conditional uses are uses which are generally compatible with the permitted land uses in a given zoning district, but require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location.

The Zoning Ordinance provides both general and supplemental, use-specific regulations for the consideration of a Conditional Use Permit request.

GENERAL CUP STANDARDS:

Per Section 4.407 (a), the following general rules apply to all conditional uses:

- a) Conditional use permits in residential districts shall be limited to those uses designated “CUP” in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.
- b) Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.
- c) A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.
- d) The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy shall not be issued until all or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate of Occupancy and subdivision approval have been satisfied.

Section (d) provides the following Conditional Use Permit factors in consideration of appropriateness of a request:

- a) The proposed use is consistent with the Comprehensive Plan;
- b) The proposed use is compatible with the existing and adjacent uses.
- c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;
- d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;
- e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

SUPPLEMENTAL STANDARDS RELATED TO OUTDOOR STORAGE:

Section 5.133 provides the supplemental use Conditional Use Permit standards applicable to Outdoor Storage:

- (a) Storage of articles, material or merchandise not customarily incidental to the primary or main use or activity of the property may be kept or stored outside the primary building in accordance with the use tables in Chapter 4, Article 8, subject to the following.

- (b) The city council may grant a conditional use permit for no more than five years for non-accessory outside storage in accordance with the requirements set forth for conditional use permits in Chapter 4, Article 4, provided however, that in granting any such conditional use permit the city council shall require the following.
- (1) The storage must be secured from vandalism, theft or other mischievous acts.
 - (2) The storage must be surrounded by a screen fence a minimum of six feet in order to screen the storage from public view. No material may be visible above the required screen fence.
 - (3) The storage may not be placed in any area which will interfere with the natural flow of stormwater damage.
 - (4) No storage of unregistered motor vehicles wrecked or dismantled vehicles or vehicles being retained for the purpose of removing or using parts thereof shall be permitted.

While the applicants had originally requested a waiver to the screening fence, Council must require a solid screening fence with any outdoor storage CUP.

Surrounding Zoning and Land Uses

North “K” / industrial uses
East “K” / industrial uses
South “E” / creek and I-20 Freeway
West “K” / South Freeway (I-35W)

Recent Zoning History

None.

Development Impact Analysis

Land Use Compatibility

While the proposed outdoor storage use is compatible with the adjacent uses and is not materially detrimental to the adjacent development, the request is not consistent with the Comprehensive Plan policies, does not meet all the supplement standards, and does not preserve the integrity of the adjacent development.

The Supplemental Standards provide that in order to approve a CUP for outdoor storage, the City Council must require:

- (1) The storage must be secured from vandalism, theft or other mischievous acts.
- (2) The storage must be surrounded by a screen fence a minimum of six feet in order to screen the storage from public view. No material may be visible above the required screen fence.
- (3) The storage may not be placed in any area which will interfere with the natural flow of stormwater drainage.
- (4) No storage of unregistered motor vehicles wrecked or dismantled vehicles or vehicles being retained for the purpose of removing or using parts thereof shall be permitted.

Solid screening fences are required to improve the aesthetic considerations of industrial areas from unsightly activities on the vacant lot, provide more robust security, and increase the investment quality. Given the vulnerabilities of chain link fences to standard bolt cutters and the easy access to a high-speed roadway, theft of objects and inability to screen storage from the public view should be a concern with this request. Additionally, the outdoor storage for the other industrial uses is typically behind the building or behind a solid screening fence. While the majority of the traffic on the adjacent freeways may be able to see over any solid fencing, over a dozen businesses are solely or primarily accessible only from the frontage road between I-20 and Felix Street.

The applicant has not specified the types of items that will be stored on the property. Thus, without additional information, Staff cannot determine whether the storage of items would interfere with stormwater drainage or not consist of wrecked or dismantled vehicles.

CUP Supplemental Standard	Proposed	Meets/Does Not Meet Standard/Undetermined
Secured from vandalism, theft, or other mischievous acts	Fencing	Meets
Surrounded by a minimum 6-foot screen fence to screen storage from public view	6-foot chain link fencing	Does Not Meet
Storage may not be placed in area which will interfere with the natural flow of stormwater drainage	Undetermined	Undetermined
No storage of unregistered motor vehicles wrecked or dismantled vehicles or vehicles retained for parts.	Undetermined	Undetermined

Comprehensive Plan Consistency – Sycamore Planning Sector

The 2023 Comprehensive Plan currently designates the subject site as Light Industrial on the Future Land Use Map. The base zoning of the property and surrounding properties is “K” Heavy Industrial, which is not consistent with the Future Land Use Map. Nevertheless, the Conditional Use Permit provides the opportunity to consider this request based upon its location to surrounding property, site layout, and mitigating measures.

With the solid screening fencing, the proposed zoning is consistent with the following policies of the Comprehensive Plan:

- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city.
- Encourage new development in character with the existing neighborhood scale, architecture, and platting pattern, while working to improve pedestrian, bicycle, and transit access between adjacent neighborhoods and nearby destinations.
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses.
- Attract freeway commercial uses that portray a positive image and lasting investment.

The use of a vacant lot to store items of an unknown industrial nature is appropriate infill development within a developed area. Based conformance with the policies stated above, the proposed zoning proposal **is consistent** with the Comprehensive Plan.

Site Plan Comments

Zoning and Land Use

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. If approved, these comments would need to be addressed prior to ordinance adoption.

1. Add 804 to the Southway Circle address.
2. Dimension the driveway into the lot.
3. The location of the fence does not leave room for the required landscaping. Move the fence back to allow for the appropriate 4% site landscaping.
4. Show a 20' by 20' visibility triangle at both the northeastern and northwestern lot corners and move the fence out of these areas to allow visibility for the turning traffic onto the street and out of the adjacent lot's driveway.
5. Add the landscaping areas and concrete driveway patterns to the surface material legend.
6. Storage and fencing are shown in the driveway easement bisecting the lot. Either move the storage and fencing or abandon the easement.
7. Storage and fencing are shown in the utility easement bisecting the lot. Either move the storage and fencing or obtain an easement encroachment agreement.
8. Note the site will not contain a dumpster.
9. Solid screening fences are required on all sides of the site. No development waiver is allowed.
10. Landscaping is required along the I-35W service road, instead of Southway Circle.
11. Label the land use and zoning classifications of both the site area and the immediately adjacent properties abutting the site.

(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.)

Stormwater

1. None.

Fire

1. No fire lanes or hydrants are required if no buildings are present.
Section 503.1.1 Buildings and Facilities
Section 503.2.1 Fire Lane Dimensions
Sections 507.5.1 (2) and (3) Hydrants.
2. General information: 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 2021 International Fire Code as its current fire code at the time of this review. The City of Fort Worth has also adopted Amendments #25388-03-2022.
<https://www.fortworthtexas.gov/departments/fire/services/bureau>

DSD Transportation

1. 5' sidewalks required along Southway Circle frontage without an approved waiver from TDS.
2. Gate will need to be at least 60 feet from travel lane/curb line.

DSD Water Engineering

The property must stay as a parking lot with no food trucks or any event parking. NO additional comments.

Public Notification

Written Notice

Written notice of the Zoning Commission public hearing was mailed to the owners of real property within 300 feet on **October 30, 2025**.

Posted Notice

A sign was erected on the property on **October 28, 2025**.

Published Notice

A notice of the public hearing before the City Council will be published in the Fort Worth Star Telegram at least 15 days before the hearing.

Courtesy Notice

The following organizations were emailed on **October 30, 2025**:

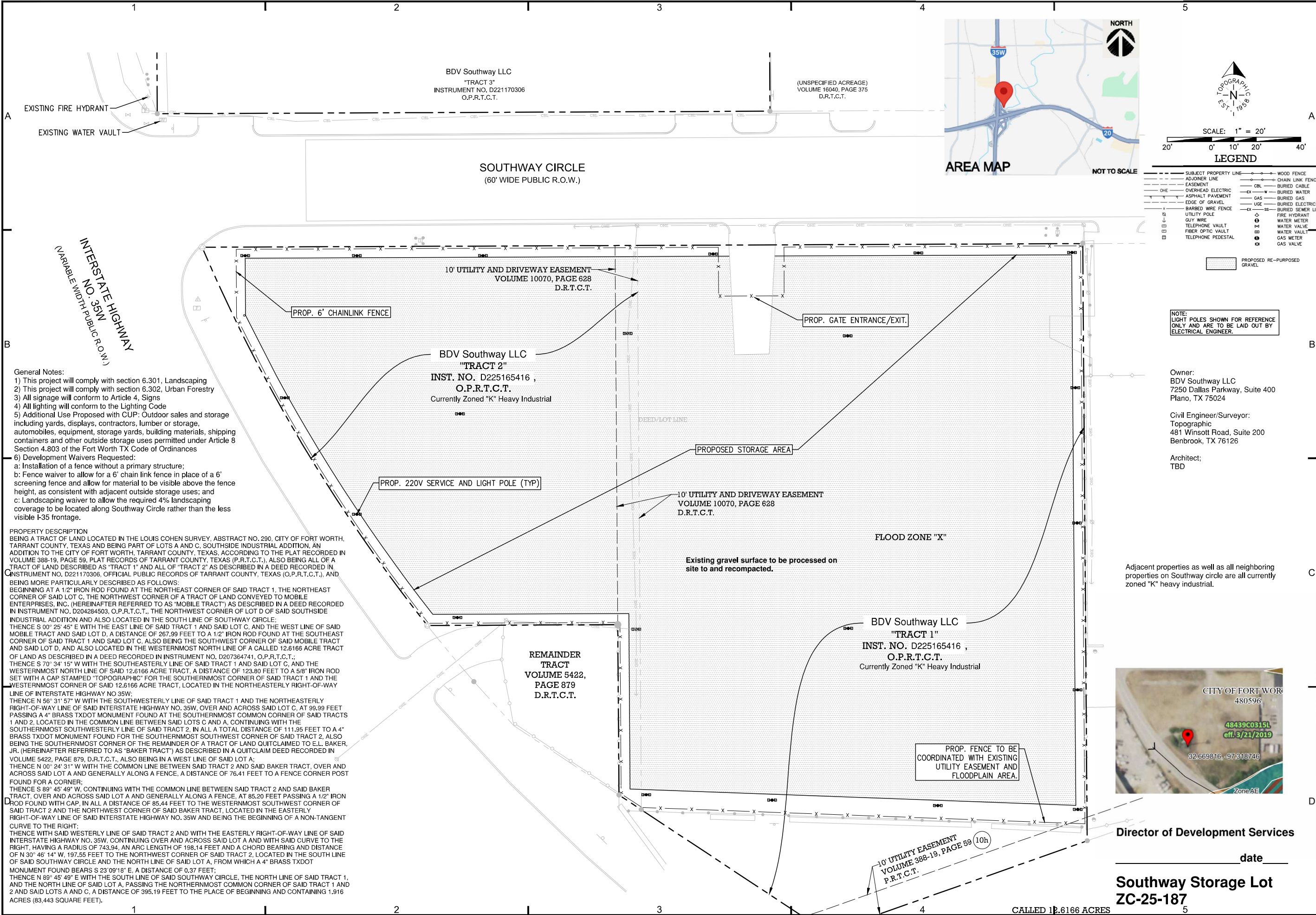
Organizations Notified	
Carter Park NA*	Highland Hills NA
Southeast Fort Worth Inc	Fort Worth ISD
Streams And Valleys Inc	Trinity Habitat for Humanity

**Located in this registered Neighborhood Association*





S:\CIVIL\BIDDING\RE-VENTURES_LL\813_SOUTHWAY_CIRCLE\CI\PLAN_SHEETS\813-SITE PLAN.DWG 8/12/2025 11:28 AM robert.foster



TOPOGRAPHIC
LOYALTY INNOVATION LEGACY

481 WINSOTT RD., STE. 200 • BENBROOK, TEXAS 76126
TELEPHONE: (817) 744-7512 • FAX (817) 744-7554
TX REG. ENGINEERING FIRM NO. F-18409
TX REG. SURVEYING FIRM NO. LS-10042504
WWW.TOPOGRAPHIC.COM

**800 SOUTHWAY CIR
FORT WORTH, TARRANT
COUNTY, TX**

NO.	DATE	REVISION DESCRIPTION
1	10/1/25	Preliminary Site Plan

SHEET TITLE:
SITE PLAN

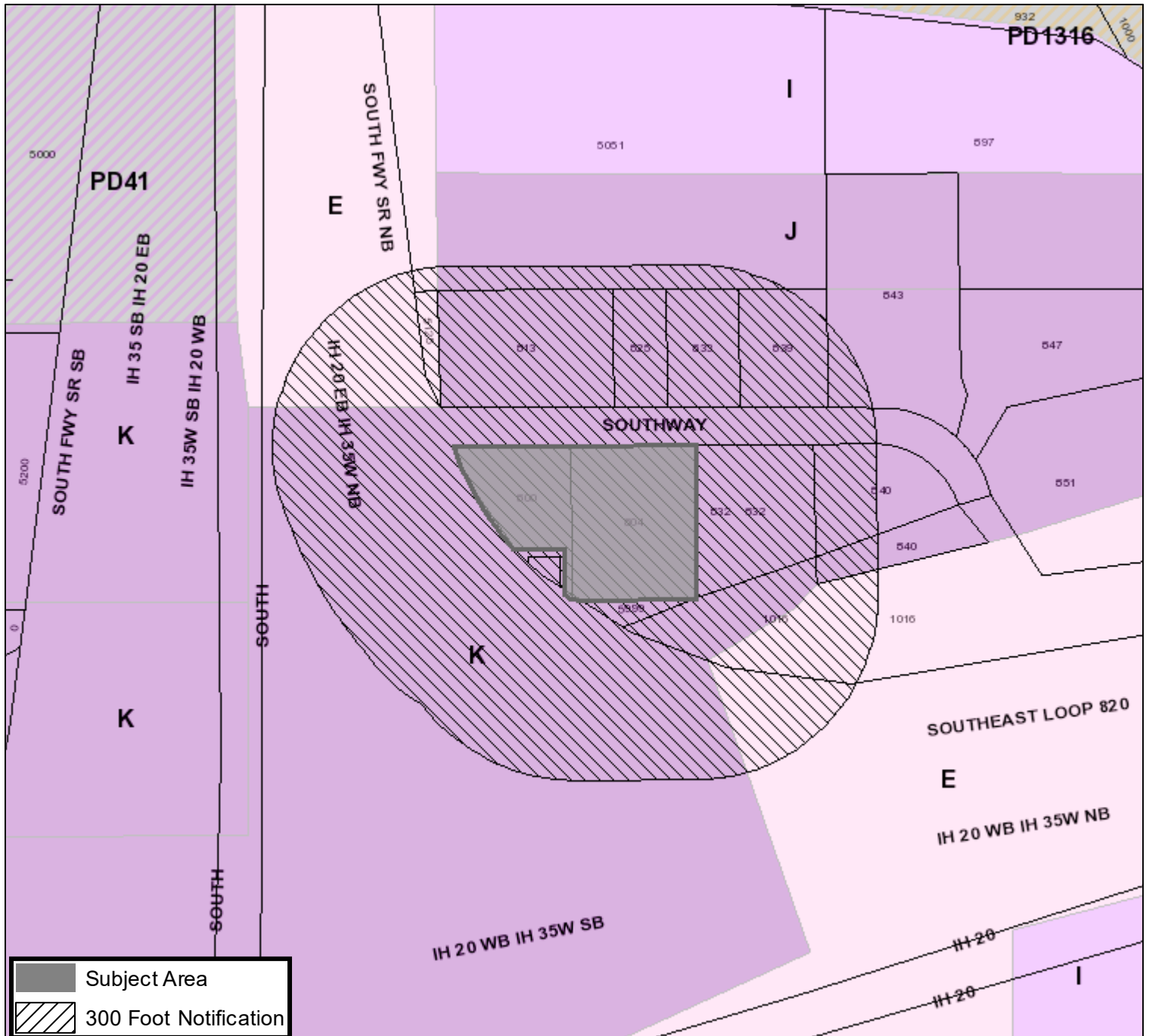
DATE: 8/12/2025
DRAWN BY: MKC
SHEET NO.:
EXHB



ZC-25-187

Area Zoning Map

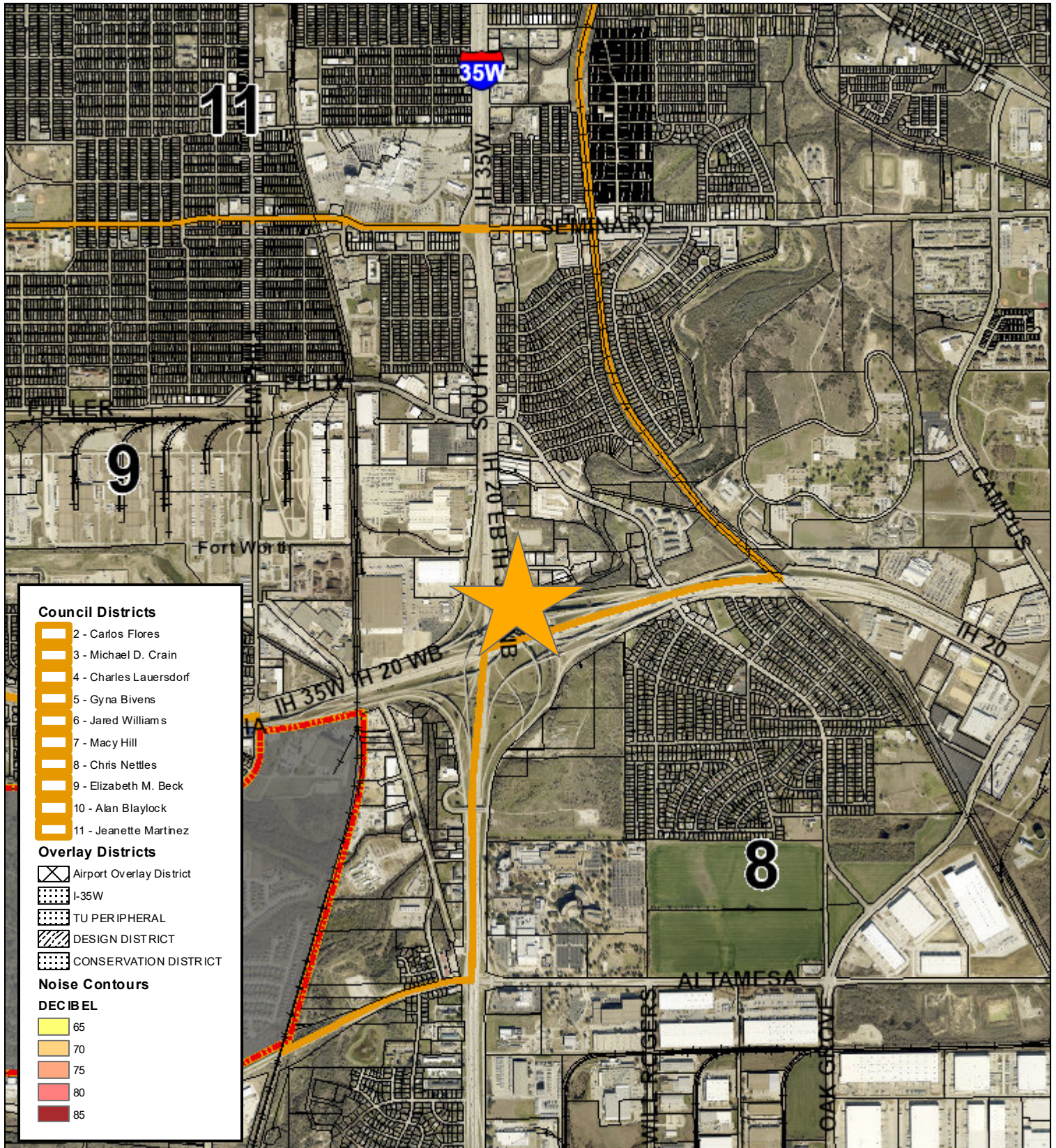
Applicant: BDV Southway LLC/Josh Oerke
Address: 800 & 804 Southway Circle
Zoning From: K
Zoning To: Add Conditional Use Permit for outdoor storage with waivers to screening fence, landscaping
Acres: 1.9
Mapsc0: Text
Sector/District: Sycamore
Commission Date: 11/12/2025
Contact: 817-392-8190



0 120 240 480 Feet

Created: 10/29/2025 1:31:50 PM

Area Map

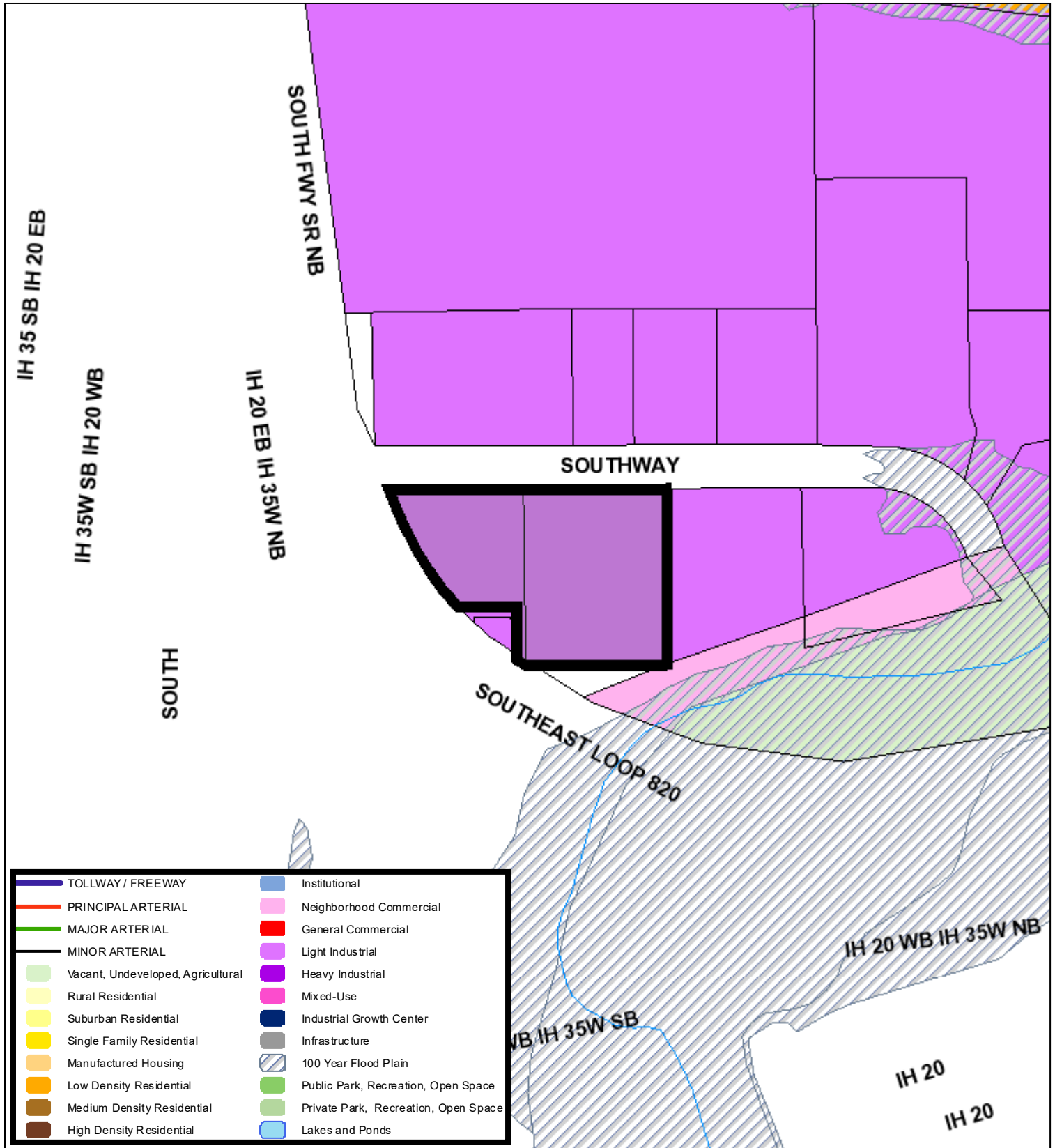


0 1,000 2,000 4,000 Feet



ZC-25-187

Future Land Use



190 95 0 190 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

