

PD1222. The applicant stated the construction site does not have room to house the construction trailer and therefore 3800 Camp Bowie Boulevard is being leased in order to have the construction office trailers nearby. Because the construction office trailers will not be on the same site where the construction is taking place, the trailers are functioning as the primary use of 3800 Camp Bowie; construction office trailers are only allowed in "ER" as an accessory use, and therefore this situation necessitates the CUP.

Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, 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.

As the construction offices are located across the street from where the construction is taking place, the offices are considered the primary use of the site. Construction trailers are only allowed in "ER" as an accessory use to the construction occurring at the same site. Because the trailers are functioning as the sole use for this site, which is not permitted in the "ER" zoning district by right, allowing it by CUP with a site plan and a time limit may help mitigate any concerns, as well as give options for the CUP to be revoked in the event of code violation convictions.

Through Ordinance 23609 effective March 29, 2019, the Conditional Use Permit allows for an unlimited time period for the operation of a use unless otherwise approved by the City Council. If a time limit is established for a Conditional Use Permit, the renewal of the CUP shall be considered through the public hearing process and approved by the City Council. A CUP shall expire if no permitting action is taken within six months of approval or cease of the use for six months. A CUP may be revoked through the public hearing process if necessary after convictions of one or more code violations.

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.

Below is a table showing the "ER" district regulations and the proposed "ER/CUP" regulations.

Regulation	"ER"	"ER/CUP" Site Plan
Business Size	5,000 SF max	Provided 3025 SF
Setbacks		
Front Yard (Camp Bowie)	20'	20' Provided
Projected Front Yard (along Dorothy Lane)	20'	20' Provided
Northern Property Line (Supplemental Setback)	20'	20' Provided
Western Property Line (Supplemental Setback)	20'	20' Provided
Parking		
Type of Vehicle	4.900(d)(1)a. Limited to passenger automobiles only.	Due to the nature of this use for construction office trailers to support the construction occurring across the street, it is to be assumed that construction vehicles may park on this site; This will be allowed.
Location	4.900(d)(1)b.1. No parking in projected front yard along Dorothy Lane; Remainder of yard must be landscaped No parking allowed in the 20' setback along the North property line; shall not be graveled or paved	Meets requirements; no parking shown in front yards or setbacks
Front yard surface (along Dorothy Lane and along Camp Bowie)	4.900(d)(1)b.2. The required front yard shall not be graveled or hard-surfaced, but shall be maintained as open or landscaped green space.	Meets requirements; 20' perimeter area to be grassed
Landscaping	Not required for construction trailers per 6.301(g)(1)	Not provided
Urban Forestry	Not required for construction trailers per 6.302(c)(1)	Not provided
Bufferyard (along north and west property lines)	5' width with minimum of 25 points from table in 6.300(g) – Combination of solid wood/masonry screening fence plus plantings	Meets requirement; 8' single sided wood fence with additional distance of grassed area
Fence	5.305(b)(1) No fence in required front yard (along Dorothy and Camp Bowie)	Meets requirement; no fences will be in front yards

Site Information:

Surrounding Zoning and Land Uses:

- North "A-5" One-family / residential
- East "PD1289" PD/C for "C" Medium Density Multifamily plus boutique hotel with development standards / currently vacant, will be construction for hotel and townhomes
- South "F" General Commercial / commercial

West "A-5" One-family / residential

Zoning History: ZC-20-040 ; from "A-5" , "F", and "PD1222" to "PD/C" for medium density multifamily plus boutique hotel with development standards ; directly east of subject lot; effective 12/23/2020
ZC-19-138 ; from "ER" to "C" ; subject site ; Withdrawn
ZC-18-145 ; from "PD 1073 for PD/E for bank and office use" to "PD/C" ; directly east of subject lot ; effective 12/20/2018
ZC-15-151 ; from "A-5" and "C" to "PD/E for office and bank use only"; directly east of subject lot ; effective 12/15/15
ZC-14-058 ; from "A-5", "C", and "F" to "PD/E plus bar" ; directly east of subject lot ; Denied 6/3/14
ZC-14-006 ; from "A-5" ro "PD/MU-1" ; directly east of subject lot ; Withdrawn
ZC-09-116 ; City initiated rezoning of large area south of Camp Bowie bound by I-30 on south, Montgomery Street on east, Merrick Street on west ; from various to various ; Withdrawn
ZC-07-152 ; from "C" to "E" ; two blocks west along Camp Bowie ; Denied

Site Plan Comments:

The site plan as submitted is in general compliance with the Zoning Ordinance regulations.

(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.)

Public Notification:

300 foot Legal Notifications were mailed on March 26, 2021.

The following organizations were notified: (emailed March 15, 2021)

Organizations Notified	
Westside Alliance	North Hi Mount NA*
Arlington Heights NA	Monticello NA
Crestline Area NA	Streams And Valleys Inc
Trinity Habitat for Humanity	Cultural District Alliance
Camp Bowie District, Inc	Fort Worth ISD

*Located within this registered Neighborhood Association

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing to change the zoning to add a CUP for temporary construction offices, with a number of development standards, for a duration of 24 months. Surrounding uses are primarily residential and commercial.

With the way the site plan has been revised to comply with the "ER" requirements, the site is **compatible** with surrounding land uses.

2. Comprehensive Plan Consistency – Arlington Heights

The 2021 Comprehensive Plan designates the subject property as Neighborhood Commercial. The Condition Use Permit is temporary and is only requested for a 24 month period. The CUP acts as an overlay; when the CUP expires, the zoning of the site returns to the standard "ER" Neighborhood Commercial Restricted. Because the use of this property is meant to support the development occurring to the east, the proposed use meets the below policy within the Comprehensive Plan:

- Stimulate the redevelopment of the Camp Bowie Boulevard, West 7th Street, White Settlement Road, and Vickery Boulevard/Lovell Avenue commercial, mixed-use, and urban residential districts.

Additionally, the Comprehensive Plan allows for commercial in this location. If there was construction occurring on site, the construction trailers would be allowed by right. Because there is no development on site, the construction office trailers need a CUP. The CUP does not go against the Comprehensive Plan.

Based on conformance with the policy stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

3. 2018 Economic Development Plan Consistency

- Use appropriate incentives to promote development of vacant land and redevelopment or reuse of deteriorated properties within designated commercial districts.

Attachments:

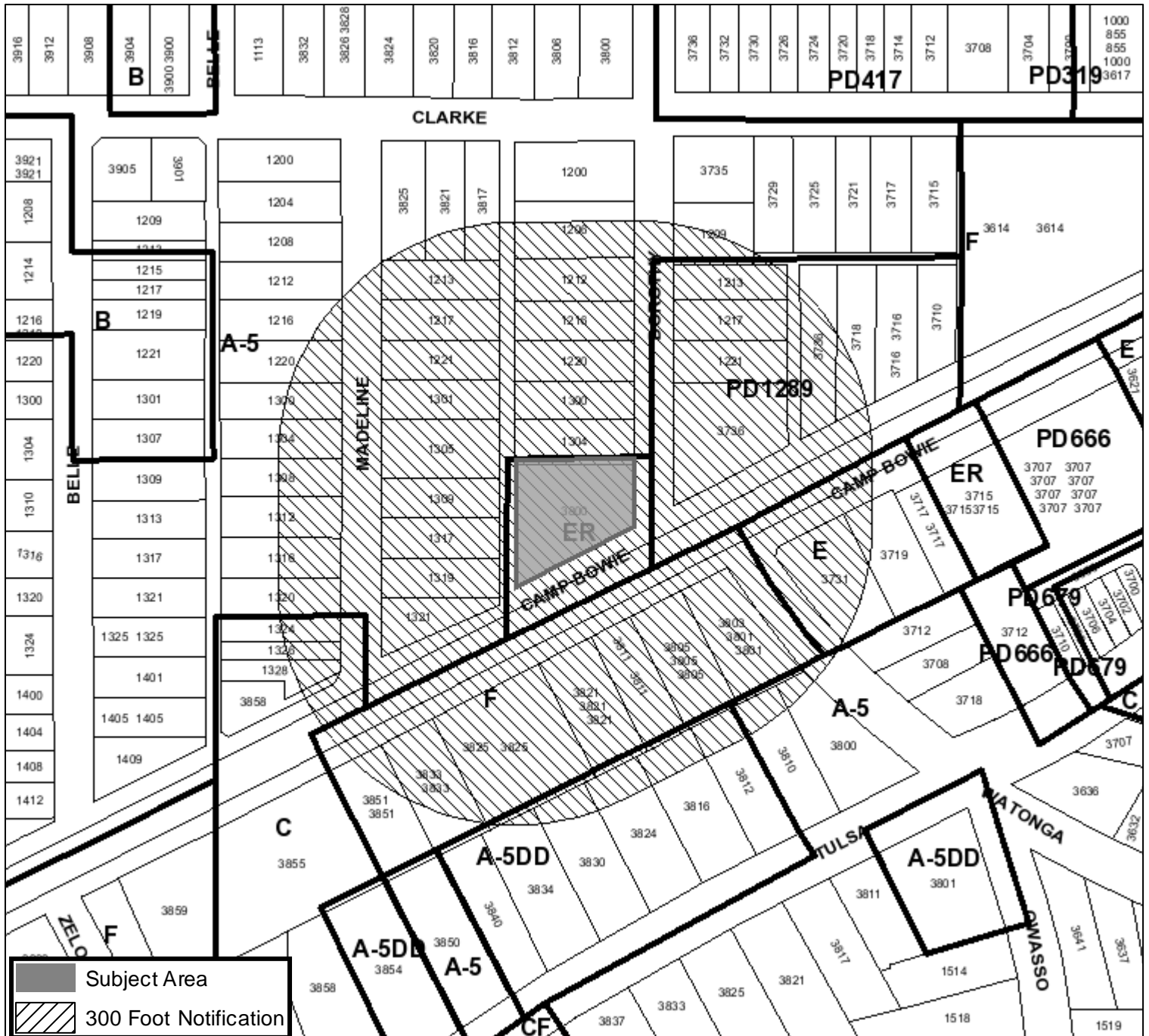
- Area Zoning Map with 300 ft. Notification Area
- Site Plan
- Area Map
- Future Land Use Map
- Aerial Photograph





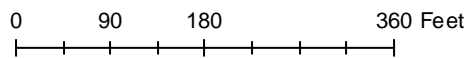
ZC-21-038

Area Zoning Map

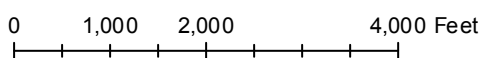
Applicant: MJBW RD LLC
 Address: 3800 Camp Bowie Boulevard
 Zoning From: ER
 Zoning To: ER plus CUP for temporary construction office
 Acres: 0.42586462
 Mapsco: 75D
 Sector/District: Arlington Heights
 Commission Date: 4/14/2021
 Contact: 817-392-2806



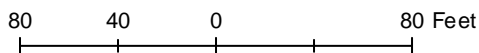
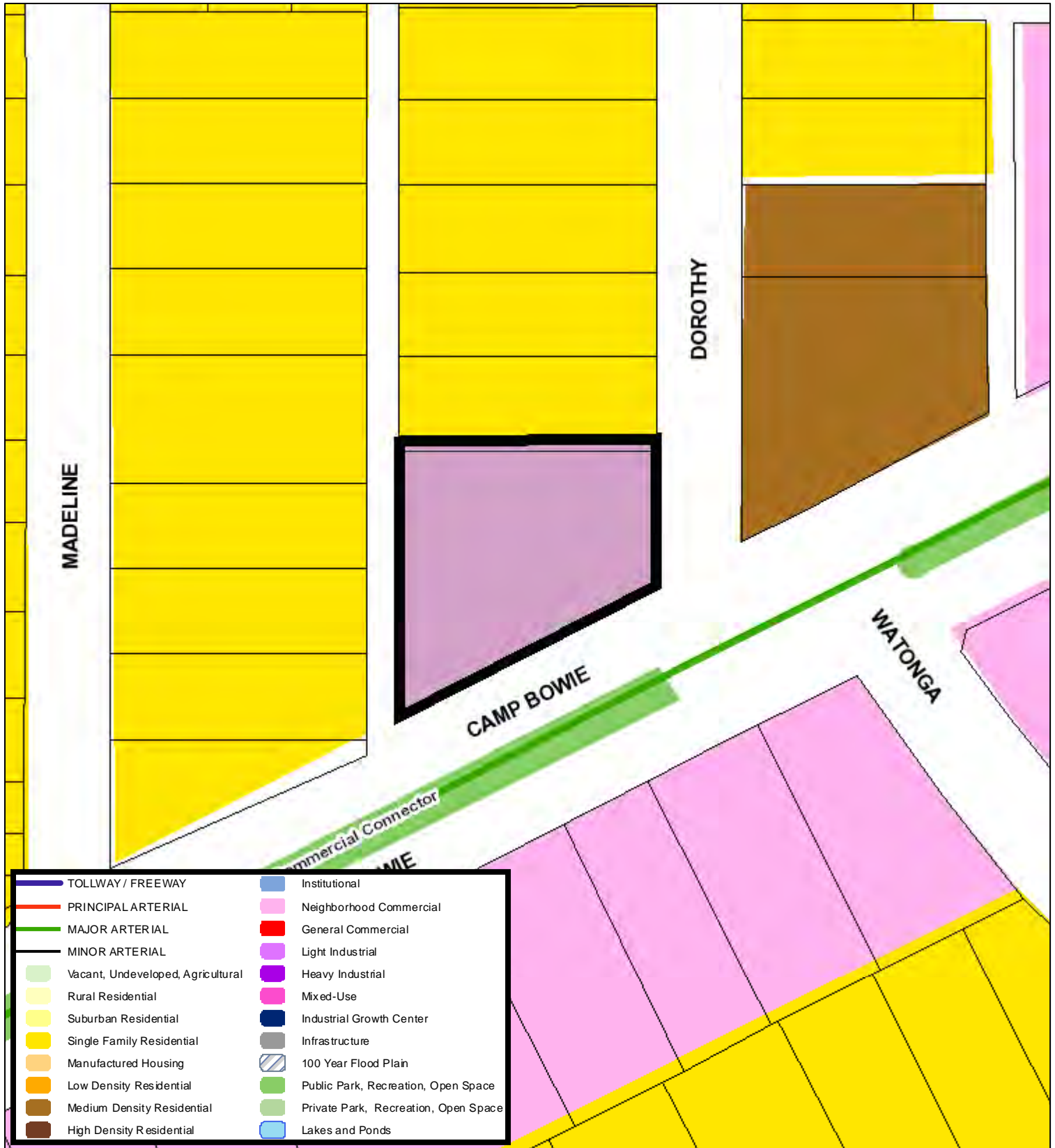
 Subject Area
 300 Foot Notification



Area Map



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 50 100 200 Feet

