



Zoning Staff Report

Date: September 14, 2021

Case Number: ZC-21-087

Council District: 2

Zoning Map Amendment

Case Manager: [Monica Lafitte](#)

Owner / Applicant: MCP18, LLC/ Justin S. Light-Pope

Site Location: 6000 block Old Decatur Road

Acres: 27.5 acres

Request

Proposed Use: Detached Multifamily Development

Request: From: "J" Medium Industrial

To: PD/C Planned Development for all uses in "C" Medium Density Multifamily with development standards for yard setbacks, fencing, open space, building orientation, and a waiver to the MFD submittal; site plan included

Recommendation

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

Comprehensive Plan Consistency: Requested change is **consistent (technical inconsistency)**.

Staff Recommendation: **Approval**

Zoning Commission Recommendation: **Approved as amended based on the new site plan presented by the applicant during the public hearing**

Correspondence: Support: None Opposition: 3 people spoke; 4 letters

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Project Description and Background

The site is located between Marine Creek Parkway to the west, Old Decatur Road to the east, and Longhorn Road to the north. It is just over a mile north of Northwest Loop 820 Freeway. The location is currently vacant. The tract is zoned “J” Medium Industrial and is requesting a Planned Development “PD/C” with development standards and waivers in order to create a detached multifamily development.

This case was continued at the July Zoning Commission hearing in order to allow the applicant more time to address site plan comments received from staff and community members. The case then was represented at the August Zoning Commission hearing.

At the August Zoning Commission hearing, the applicant presented a new site plan that staff was unaware of and therefore had not reviewed prior to the Zoning Commission hearing. The Commissioners voted to recommend approval of the newly presented site plan, rather than the site plan that staff had reviewed. After Zoning Commission, staff has worked with the applicant to review the new site plan presented at Zoning Commission in order to prepare the site plan as much as possible before the City Council meeting. Staff has revised the staff report analysis to reflect the new site plan presented during the August Zoning Commission hearing.

The applicant is proposing a zoning change to create a detached multifamily development. These types of developments are entire communities and neighborhoods that look and feel more like a traditional single family neighborhood. Although most are rental, some may be rent-to-own or condominium. Like other multifamily developments, they are professionally managed and include amenities. According to the National Association of Home Builders, 37,000 of these units were built in 2017 and 43,000 in 2018 nationwide. Although the national trend has slowed recently, an increase has been seen in Fort Worth.

Units in these developments have similar square footage to cottage court and cluster home developments with an average unit size of just over 1,000 square feet. As such, the name “Cottage Development” has been used to describe this product even though they do not resemble the overall form, layout, ownership model, and size of cottage court and cluster developments.

As none of the city’s districts can accommodate this form by right, a Planned Development (PD) with new development regulations is necessary to allow this form. Because the more single family neighborhood form does not readily comply with the base multifamily districts, staff recommends that the development standard requirements often include open space, landscaping, setbacks, and parking, along with a waiver to the MFD submittal. This PD site plan is requesting development standards for yard setbacks, fencing, open space, and building orientation, with a waiver to the MFD submittal.

Below is a table that illustrates the differences between the existing “J” zoning, the base “C” regulations, and the proposed PD.

Requirement	J standards	C Standards	Proposed PD/C (Provided per site plan)
Density	N/A	Maximum 24 units per acre	Complies (Provided 9.7 units per acre)
Height	12 stories or 120 feet maximum	Maximum height 36'	Complies (Max provided 26' 10")
Required Yards	<p><u>Front Yard:</u> None required if entire block frontage is zoned "FR" through "K;" if the block frontage contains a residential district or the "ER" or "E" district, the most restrictive district standards apply</p> <p><u>Rear Yard:</u> 10 feet minimum adjacent to residentially zoned lot, none otherwise</p> <p><u>Interior Side Yard:</u> 5 feet minimum adjacent to residentially zoned lot, none otherwise; if provided, side yard must be 3 feet minimum.</p> <p><u>Corner lot side yard:</u> None required unless through lot, then 10 feet minimum required</p>	<p><u>Front Yard:</u> 20' minimum</p> <p><u>Rear Yard:</u> 5' minimum</p> <p><u>Interior Side Yard:</u> 5' minimum</p> <p><u>Corner lot side yard:</u> 20' minimum adjacent to side street</p>	<p><u>Front Yard</u> (along Old Decatur): buildings comply (along Longhorn Drive): buildings comply</p> <p><u>Side Yard</u> (southern property line): complies (western property line): complies</p> <p>Fence allowed in the front yard setback</p> <p><i>(requires Development Regulation Standard for fence in required front yard)</i></p>
Bufferyard	<p>Supplemental Building Setback: 50' plus 5' for each additional story above 3 stories in height</p> <p>Bufferyard: 5'</p> <p>Refer to Section 6.300(k) for additional requirements when adjacent to one- or two-family zoning districts.</p>	<p>Where adjacent to one- or two-family district, a five-foot bufferyard and minimum six-foot screen fence shall be placed on the property line and should be landscaped per point system</p>	<p>Adjacent to A-5 zoning district along southern property line</p> <p>Provided 30'+ grass bufferyard, which meets point system requirement without providing for screening fence or irrigation system</p>

Fences	Screening fence required between industrial use and one- or two-family use	Fences shall not be located in the area between building facades and the property line; Exterior security fences and gates that are located along public streets, along a public access easement, or along publicly accessible open space shall not extend beyond building facades.	Fencing located between building facades and property line (Providing 6' cedar wood fencing) <i>(requires Development Regulation Standard)</i>
Minimum Parking Requirements	Industrial Building: 2 spaces per 1,000 square feet gross floor area or 1 space per 3 employees, whichever is greater Warehouse Building: 1 space per 4 employees 4 spaces minimum	1 space per bedroom; 1 space per 250 square feet of office/amenity area Spaces required: 466	Complies (Provided Spaces: 479)
Open Space	N/A	Minimum 45%	Provided ___% <i>(applicant did not provide the new percentage based on the new site plan presented to ZC; the percentage of the previous site plan reviewed by staff prior to ZC was 38%)</i> <i>(requires Development Regulation Standard)</i>
Landscaping	For industrial uses, generally, 4% of net site area or a landscape area of 30-foot depth along all public rights-of-way.	Must meet 20 points of enhanced landscaping	Enhanced Landscaping points met, per table on site plan.
Urban Forestry	Must comply with Urban Forestry ordinance requirements	Must comply with Urban Forestry ordinance requirements	Per note on site plan, will comply with Section 6.302, Urban Forestry; trees will be spread throughout site in more of a SFR pattern
Building Orientation	N/A	Buildings located on public streets must face the street with the longest length of the building placed parallel/adjacent to the street.	Buildings facing street shall be allowed to have shortest length facing street <i>(requires Development Regulation Standard)</i>

Façade Variation	N/A	Must meet selection of façade variation elements	Will be reviewed upon building permit submittal
Multifamily Design Standards	N/A	Submit MFD plan to meet standards	MFD Submittal not required <i>(Waiver required)</i>

Surrounding Zoning and Land Uses

North “F” General Commercial / vacant
 East “E” Neighborhood Commercial / retail center
 “D” High Density Multifamily / apartment complex
 “R1” Zero Lot Line-Cluster / elementary school
 South “A-5” One-Family / single-family subdivision
 West “J” Medium Industrial / mini-storage facility

Recent Zoning History

- ZC-17-040 from “AG” Agricultural to “CF” Community Facilities; effective June 3, 2017

Public Notification

300-foot Legal Notifications were mailed on June 25, 2021.
 The following organizations were notified: (emailed June 24, 2021)

Organizations Notified	
Northwest Fort Worth Neighborhood Alliance	Trailwood Estates HOA
Remington Point Villas HOA, Inc.	Remington Point HOA
Marine Creek Hills NA	Terrace Landing OA*
Streams and Valleys Inc	Trinity Habitat for Humanity
Eagle Mountain-Saginaw ISD	

* Located within this registered Neighborhood Association

Development Impact Analysis

Land Use Compatibility

The applicant is proposing to change the zoning of this property from “J” Medium Industrial to PD/C Planned Development with development standards for a detached multifamily development. Surrounding land uses consist of mini-warehouse storage, retail, vacant land, school, multifamily, and single family.

Detached multifamily in this location could serve as a buffer between the existing mini-warehouse storage facility and the other residential areas. While the proposed rezoning would replace industrial zoned land with residential use, there is other vacant industrial zoned land in this area closer to the highway.

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

Comprehensive Plan Consistency – Far Northwest

The 2021 Comprehensive Plan currently designates the subject property as Single-Family Residential on the Future Land Use Map. While detached multifamily is technically a multifamily designation rather than a single family designation, the form of the detached multifamily does have a likeness to that of single family development.

The proposed zoning aligns with the following policies of the Comprehensive Plan:

- Encourage Urban Residential and Low Density Residential as transitional uses between Single-Family Residential and high density uses.
- Promote appropriate infill development of vacant lots within developed areas, which will efficiently utilize existing infrastructure.
- Support diverse housing options, including duplexes, fourplexes, townhomes, and small courtyard apartments to promote walkable communities, access to neighborhood services, and multimodal transportation options, while ensuring compatibility with the form, sale, and design of existing neighborhoods.

Based on conformance with the policies stated above, the proposed zoning **is consistent (technical inconsistency)** with the Comprehensive Plan.

Site Plan Comments

Zoning

Please refer to the table above to see all categories that will need a development regulation standard or waiver.

The buildings along the southern property line encroach into a 50' Drainage Easement, which is not typically allowed without encroachment agreements from the easement holders. However, according to the applicant these are privately held easements that allow for permanent improvements. If, during the building plan review process, the applicant discovers that the buildings are not allowed within the easement, then a site plan revision must be submitted.

Regarding the applicant's requested development standard reducing the Open Space requirement, the below exhibit shows the areas of the site that have been included in the open space calculation. These areas meet the criteria for open space as outlined in the "C" Medium-Density Multifamily, below:

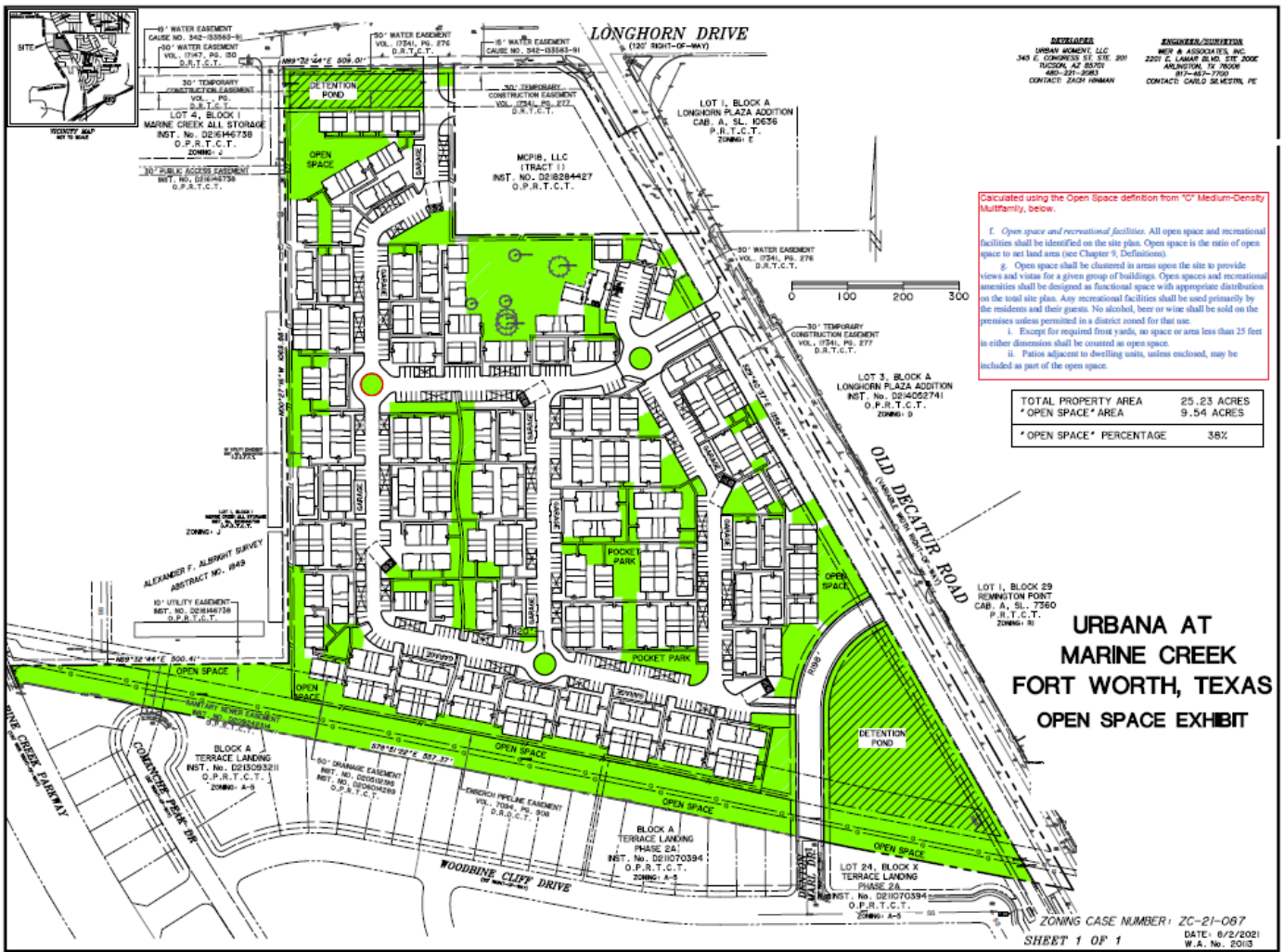
f. *Open space and recreational facilities.* All open space and recreational facilities shall be identified on the site plan. Open space is the ratio of open space to net land area (see Chapter 9, Definitions).

g. Open space shall be clustered in areas upon the site to provide views and vistas for a given group of buildings. Open spaces and recreational amenities shall be designed as functional space with appropriate distribution on the total site plan. Any recreational facilities shall be used primarily by the residents and their guests. No alcohol, beer or wine shall be sold on the premises unless permitted in a district zoned for that use.

i. Except for required front yards, no space or area less than 25 feet in either dimension shall be counted as open space.

ii. Patios adjacent to dwelling units, unless enclosed, may be included as part of the open space.

Note that this below Open Space exhibit is for the previous site plan that was reviewed by staff prior to Zoning Commission; at the Zoning Commission hearing, the applicant presented a site plan that had never been seen or reviewed by staff; the new site plan is what the Zoning Commission recommended for approval. Staff then worked with the applicant to review the new site plan in order for the staff report to be properly updated. Staff requested of the applicant a new open space exhibit and calculations that match the revised site plan, but the applicant did not provide one. Therefore, staff does not know the proposed Open Space percentage the new site plan has; staff therefore could not verify this value via the Open Space exhibit.



Due to the form of detached multifamily, the units provide a much lower density than the maximum allowed in the district, but spreading the units out horizontally to be detached, rather than stacked vertically into traditional apartment buildings, decreases the open space provided. The private backyards and spaces less than 25'x25' between the homes cannot be included in the open space calculations, per the "C" requirements.

If the applicant were instead to use the definition of open space from Chapter 9 of the Zoning Ordinance, below, then the percentage of open space provided would total 57.9%

OPEN SPACE. For the purposes of calculating open space for unified residential developments in accordance with § 6.506, the net land area minus all building footprints, parking areas, access drives and fenced patios. **OPEN SPACE** must be open to the sky and cannot be paved, except for necessary sidewalks, active recreation areas and patios that are adjacent to dwelling units and not enclosed by a fence.

Staff was supportive of the development standard to reduce the required open space, based on the previous site plan. However, as explained above, staff has not been provided the current site plan's provided open space percentage and therefore cannot comment to recommend approval or denial of the request.

Fire

FWFD - (Lt. Donna York, donna.york@fortworthtexas.gov)

The following are FYI comments but will be reviewed for compliance during platting/permitting. They are not inclusive of all Fire Code requirements.

1. The shared driveway from Longhorn Drive will have to be named and platted.

Named fire lanes will be required. This can be shown on a final plat, if platting or recorded by separate instrument.

2. Where fire lanes are divided, the minimum width on either side of the median is 20'

The minimum width for fire lanes is 26' and is compliant, as shown.

Minimum turn radii for fire lanes is 25' inside and 51' outside.

IFC 2015/CFW Adopted Amendments Jan 1, 2017 Section 503 Fire Lane Specifications

3. Vehicle gates must be a minimum of 20' wide when fully opened and equipped with Knox Locks.

IFC 2015/CFW Adopted Amendments Jan 1, 2017 Section 503.6 Security Gates

4. Hose lay to all structures, measured from the edge of the fire lanes, is a minimum of 150' and is compliant, as shown.

IFC 2015/CFW Adopted Amendments Jan 1, 2017 Section 503.1.1 Buildings and Facilities

5. Two required points of access are shown. "Emergency access Only" entry/exit points count as an access point for Fire Code.

IFC 2015/CFW Adopted Amendments Jan 1, 2017 Section 503.1.2 Secondary Access

6. Additional hydrants will be required.

IFC 2015/CFW Adopted Amendments Jan 1, 2017 Section Reference Sections 507.5.1, 507.5.4, 5, and 6 Fire Hydrants

FYI COMMENTS:

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 2015 International Fire Code as its current fire code at the time of this review. The City of Fort Worth also has adopted amendments (January 1, 2017 version) to this code. The Fort Worth Fire Code Amendments can be found online at www.fortworthtexas.gov/Fire/ (click on Bureau of Fire Prevention)

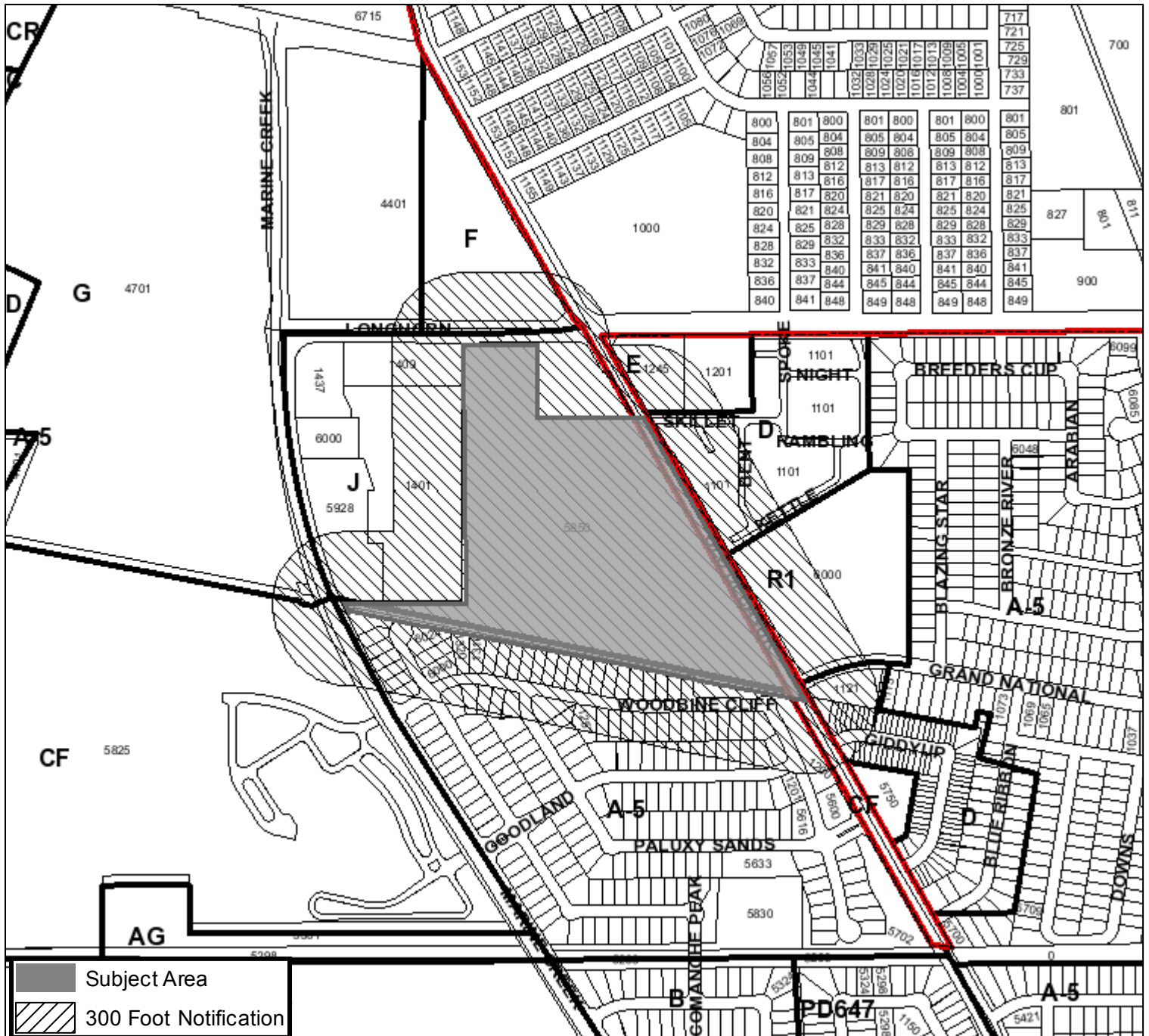
Platting

The site plan as drawn would require a waiver from City Plan Commission. The site plan is required to have two points of ingress and egress to a public street. Ingress and egress as defined by the Subdivision Ordinance requires full access. You have to provide the required stacking, turnaround, escape lanes and call box as shown at the other access point.

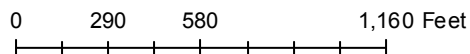
(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)

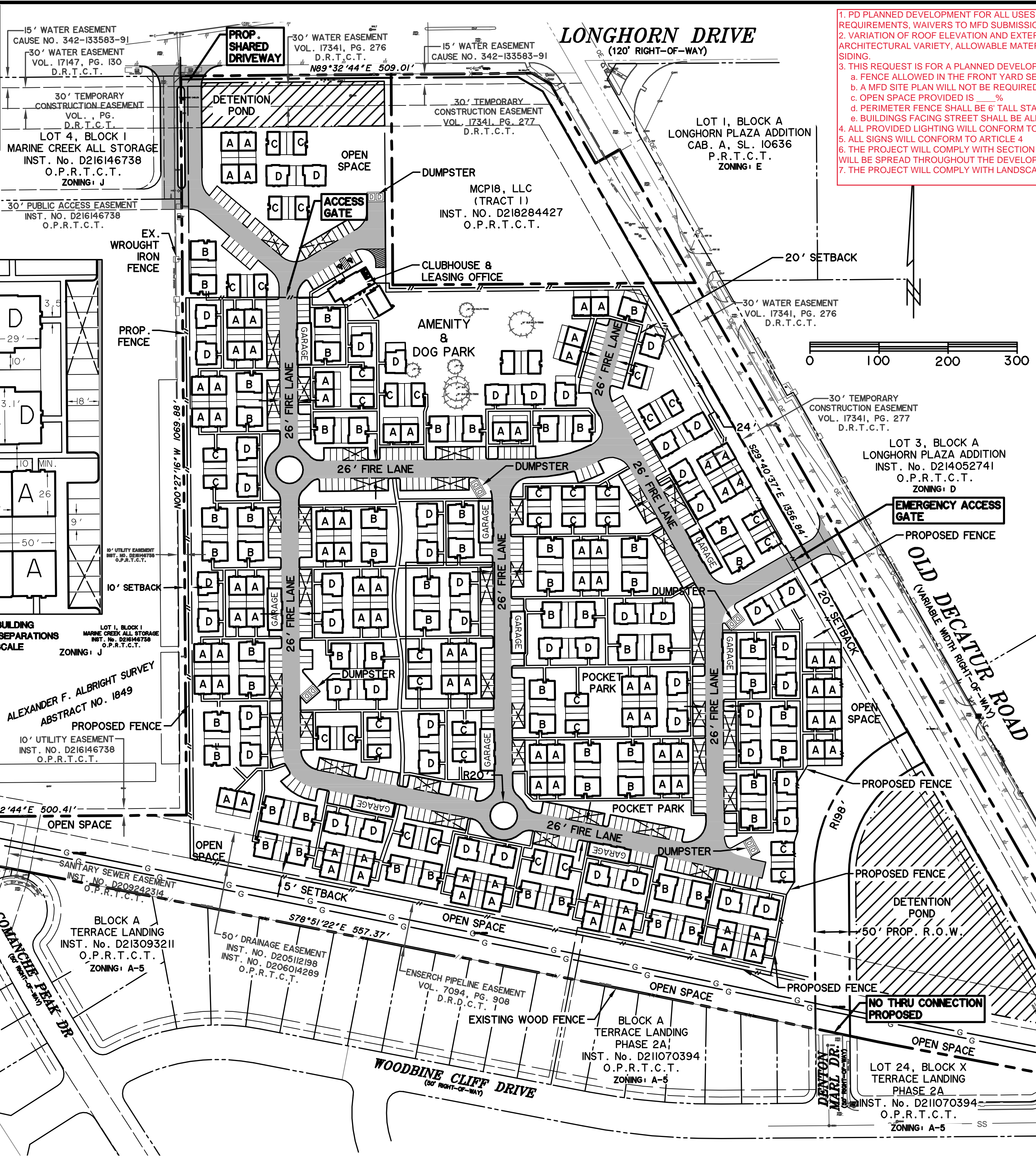
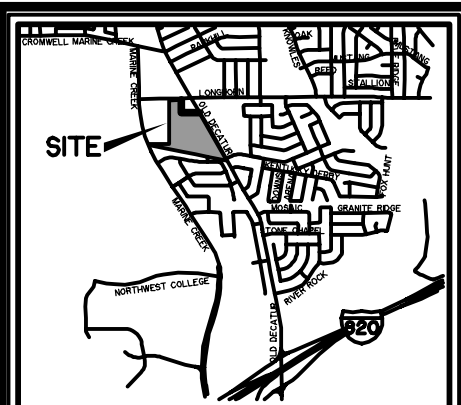
Area Zoning Map

Applicant: MCP 18, LLC
 Address: 6000 block Old Decatur Road
 Zoning From: J
 Zoning To: PD for C uses, including multifamily cottages
 Acres: 27.50088911
 Mapsco: 47G
 Sector/District: Far Northwest
 Commission Date: 7/14/2021
 Contact: 817-392-2806



Subject Area
 300 Foot Notification





1. PD PLANNED DEVELOPMENT FOR ALL USES IN 'C' BASE ZONING MULTI-FAMILY PLUS DETACHED MULTIFAMILY, SITE PLAN REQUIREMENTS, WAIVERS TO MFD SUBMISSION, AND DEVELOPMENT STANDARDS APPLY TO DETACHED MULTIFAMILY ONLY.
2. VARIATION OF ROOF ELEVATION AND EXTERIOR WALL MATERIALS AND COLORS SHALL BE INCORPORATED TO PROVIDE ARCHITECTURAL VARIETY, ALLOWABLE MATERIALS TO INCLUDE BRICK, STONE, SYNTHETIC STONE, STUCCO AND FIBER CEMENT SIDING.
3. THIS REQUEST IS FOR A PLANNED DEVELOPMENT IN ACCORDANCE WITH 'C' BASE ZONING WITH THE FOLLOWING EXCEPTIONS:
 - a. FENCE ALLOWED IN THE FRONT YARD SETBACK
 - b. A MFD SITE PLAN WILL NOT BE REQUIRED FOR A DETACHED MULTIFAMILY DEVELOPMENT
 - c. OPEN SPACE PROVIDED IS _____%
 - d. PERIMETER FENCE SHALL BE 6' TALL STAINED WOOD CEDAR FENCE
 - e. BUILDINGS FACING STREET SHALL BE ALLOWED TO HAVE SHORTEST LENGTH FACING STREET
4. ALL PROVIDED LIGHTING WILL CONFORM TO LIGHTING CODE
5. ALL SIGNS WILL CONFORM TO ARTICLE 4
6. THE PROJECT WILL COMPLY WITH SECTION 6.302, URBAN FORESTRY. DUE TO THE FORM OF DETACHED MULTIFAMILY, THE TREES WILL BE SPREAD THROUGHOUT THE DEVELOPMENT IN A FASHION SIMILAR TO SINGLE FAMILY, WITH TREES IN FRONT YARDS.
7. THE PROJECT WILL COMPLY WITH LANDSCAPING REQUIREMENTS FOR 'C' PER 4.711(d)(6), INCLUDING ENHANCED LANDSCAPING

DEVELOPER
 URBAN MOMENT, LLC
 345 E. CONGRESS ST. STE. 201
 TUCSON, AZ 85701
 480-221-2083
 CONTACT: ZACH HINMAN

ENGINEER/SURVEYOR
 WIER & ASSOCIATES, INC.
 2201 E. LAMAR BLVD. STE 200E
 ARLINGTON, TX 76006
 817-467-7700
 CONTACT: CARLO SILVESTRI, PE

UNIT COUNT SUMMARY							
UNIT TYPE*	FLOOR AREA	BUILDING HEIGHT	UNIT DIMENSIONS	# OF STORIES	# OF UNITS	% OF UNITS	
A	1x1(1)	655	18'-6"	25'x27'	1	88	36%
B	2x2(1)	982	17'-6"	36'-7"x29'-4"	1	63	26%
C	2x2(2)	608	26'-6"	33'x18'	2	41	17%
D	3x2(2)	915	26'-10"	28'-8"x33'-1"	2	52	21%
*# OF BEDROOMS/# OF BATHROOMS(# OF STORIES)							
CLUBHOUSE	3397	19'-7"	80'-2"x67'	1			
					244	100%	

PARKING SUMMARY			
PARKING TYPE	FLOOR AREA	DIMENSIONS	# OF SPACES
UNCOVERED		9'x18'	247
CARPORTS		9'x18'	178
ENCLOSED GARAGE	188.5 sf	9'-8.5"x19'-5"	54
TOTAL			479

PARKING REQUIRED (per base C Zoning District)	1 stall/bedroom + 1/250 sf for common area	466
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TOTAL ACRES (BEFORE R.O.W. DEDICATION)	27.501
TOTAL ACRES (AFTER R.O.W. DEDICATION)	25.23
LAND DENSITY (AFTER R.O.W. DEDICATION)	9.7
BUILDING SEPARATION	10' min.

ENHANCED LANDSCAPING SYSTEM = 20 POINTS REQUIRED.

STREET TREES	10 POINTS
PRIVATE PARK/DOG PARK	5 POINTS
SUSTAINABLE LANDSCAPING OR SWIMMING POOL (5% OF NET LAND AREA W/ MINIMUM AREA NOT LESS THAN 1,000 SF)	5 POINTS
TOTAL	20 POINTS

LOT 1, BLOCK 29
 REMINGTON POINT
 CAB. A, SL. 7360
 P.R.T.C.T.
 ZONING: RI

URBANA AT MARINE CREEK FORT WORTH, TEXAS

OPTIONAL SITE PLAN

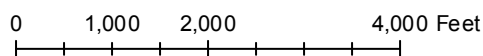
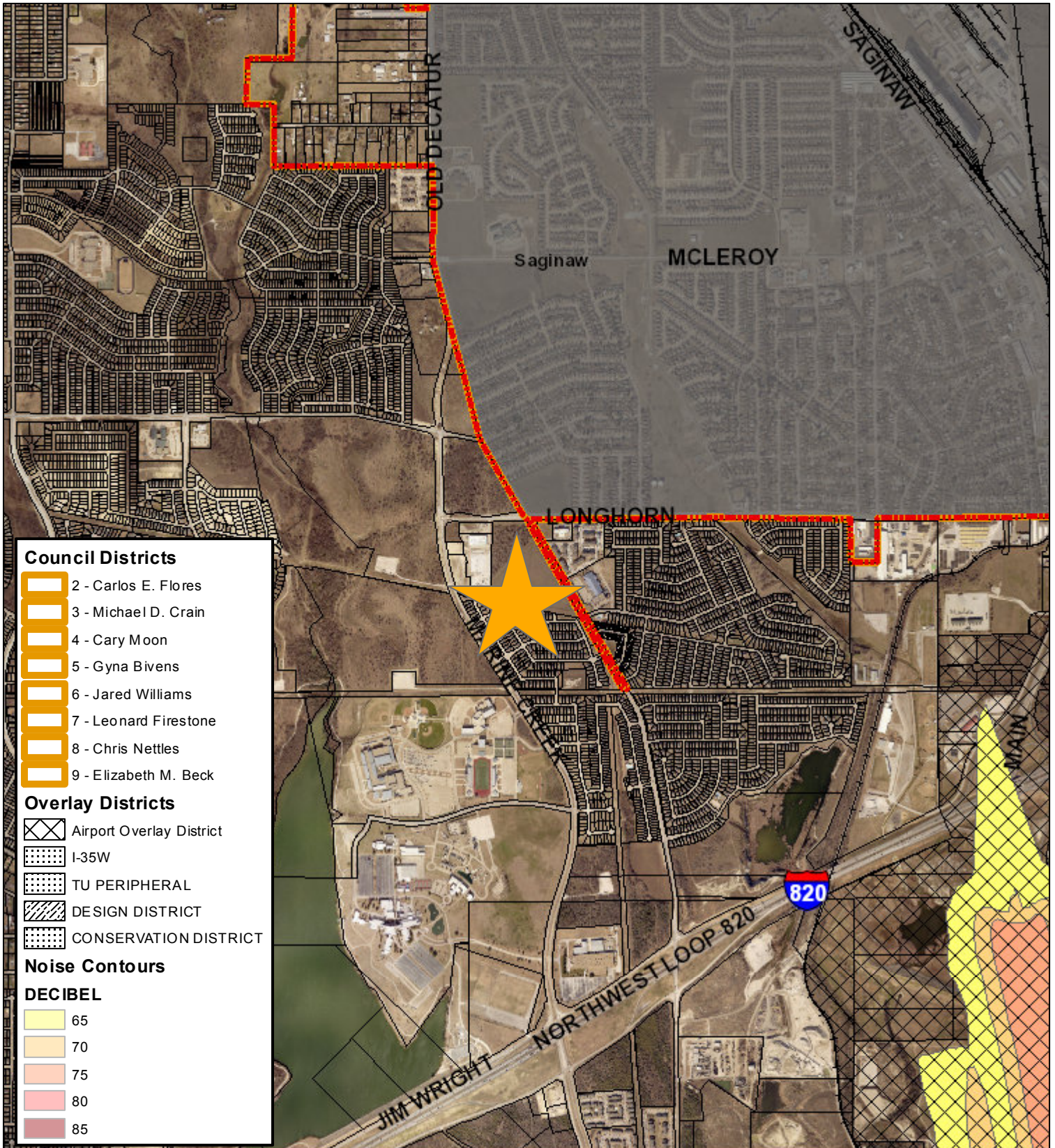
PREPARED: August 9, 2021

PREPARED BY:
VIA WIER & ASSOCIATES, INC.
 ENGINEERS SURVEYORS LAND PLANNERS
 2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817) 467-7700
 Texas Firm Registration No. F-2776 www.WierAssociates.com
 Texas Board of Professional Land Surveying Registration No. 10033900

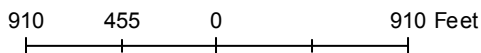
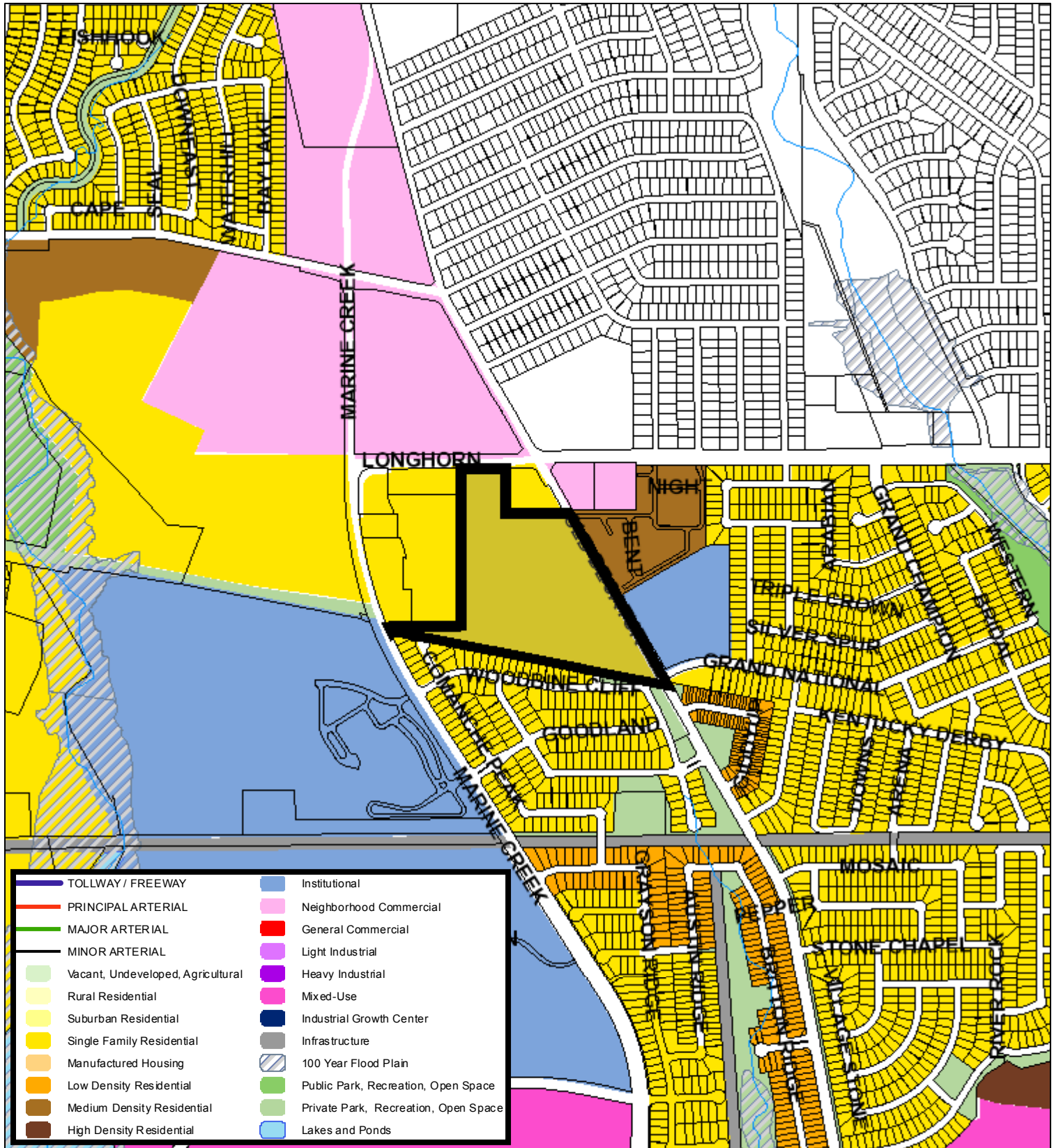
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 SHEET 1 OF 1
 DATE: 8/9/2021
 W.A. No. 20113

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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



0 550 1,100 2,200 Feet

