



Zoning Staff Report

Date: November 9, 2021

Case Number: ZC-21-153

Council District: 9

Zoning Map Amendment

Case Manager: [Beth Knight](#)

Owner / Applicant: Melody Becerra & Chamberlin Heights LP/ Ray Oujesky

Site Location: 4612 Houghton & 4613 Diaz Avenues **Acres:** 0.34 acres

Request

Proposed Use: Doctor's office

Request: From: "B" Two-Family

To: "ER" Neighborhood Commercial Restricted

Recommendation

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

Comprehensive Plan Consistency: Requested change **is consistent (Minor Boundary Adjustment).**

Staff Recommendation: **Approval**

Zoning Commission Recommendation: **Approval by a vote of 6-0**

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Project Description and Background

The subject properties are located mid-block between Hulen and Kenley Streets, and spans from one side of the block to the other across an alley. Both lots are zoned “B” Two-Family District. The northern lot, addressed as 4613 Diaz Avenue, is an existing parking lot, while the southern lot at 4612 Houghton was developed as a single-family home. The applicant is currently proposing to rezone both properties to “ER” Neighborhood Commercial Restricted District.

The northern lot, developed as a parking lot, is flanked by a commercial use to the east and a single family residence to the west. The southern lot with the single family home is part of a block face that is predominantly single family uses and continues to be flanked on both sides by other single family homes. Both lots would face other commercial uses.

In discussions with staff after the request was submitted, the following concerns were identified:

- The northern lot appears to have been developed as a parking lot in the 1980s and does not maintain the residential adjacency standards in the current zoning ordinance. The parking lot paving is immediately adjacent to the neighboring house and is not separated by a screening fence or landscaping. The paving continues to the front property line, instead of maintaining a landscaping area in the projected front yard. The parking lot is currently fenced and used as a construction staging area.
- The location of the southern lot adjacent to properties zoned “B” Two-Family District imposes additional buffer yard and setback requirements upon any new commercial development. The supplemental setback on the western side of the lot would significantly impact the buildable area of this site, even if the existing residence is maintained and converted to an office. The applicant indicated they intend to remove the existing single-family home located on 4612 Houghton Avenue and is aware of the supplemental setback.

Surrounding Zoning and Land Uses

North: “PD 805” Planned Development 805 for certain E uses / convenience store and drive-thru restaurant

East: “ER” Neighborhood Commercial Restricted and “PD 1149” Planned Development 1149 for E uses / single family dwellings, office, and restaurant

South: “C” Medium Density Multifamily and “ER” Neighborhood Commercial Restricted / single-family family dwellings and office

West: “B” Two-Family / single-family dwellings

Recent Zoning History

- ZC-13-092 and ZC-14-045: southeast of subject, from B and E to PD for E uses plus car wash, denied.
- SP-13-010: north of subject, site plan for PD 805 to add new building, approved.
- ZC-15-035: subject properties and surrounding lots, from B, C, ER, and E to PD for E uses with development standard waivers, denied.
- ZC-15-047: southeast of subject, from B to E uses, denied.
- ZC-17-002: southeast of subject, from B and E to PD for E uses plus restaurant with play yard, approved.
- ZC-17-122: east of northern lot, from B and E to PD for E uses plus restaurant, approved.

Public Notification

300-foot Legal Notifications were mailed on September 21, 2021.
The following organizations were notified: (emailed September 27, 2021)

Organizations Notified	
Sunset Heights NA*	Westside Alliance
Alamo Heights NA	Streams and Valleys Inc
Como NAC	Trinity Habitat for Humanity
Arlington Heights NA	Fort Worth ISD

* Located within this registered Neighborhood Association

Development Impact Analysis

Land Use Compatibility

The applicant is requesting to change the zoning of this property from “B” Two-Family to “ER” Neighborhood Commercial Restricted. Surrounding properties to the west and southwest are zoned “B” or “C” and developed with single-family homes. Property to the east of the southern lot is also developed with two single family homes, but zoned “ER”, which eliminates the requirement of a supplemental setback on this side. To the north and east, all properties in the general vicinity with Hulen Street frontage, an arterial roadway, are commercially zoned and developed with a variety of retail uses. These commercial uses are one typically lot deep and face Hulen Street, instead of being two lots on either side of an alley that front onto a residential street.

Because any new commercial construction would be subject to the current supplemental setbacks, the lots face other commercial uses, and the northern lot is already used for a non-residential use, the proposed zoning is **compatible** with surrounding land uses.

Comprehensive Plan Consistency – Arlington Heights

The 2021 Comprehensive Plan currently designates the northern property as “Neighborhood Commercial” and the southern lot as “Single-Family Residential”, reflecting their current land uses. The proposed “ER” zoning is not consistent with the following policies of the Comprehensive Plan:

- Coordinate future land uses and development types and intensity with the Complete Streets policy, Master Thoroughfare Plan, Active Transportation Plan, and Transit-Oriented Development (TOD) Plans.
- 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.

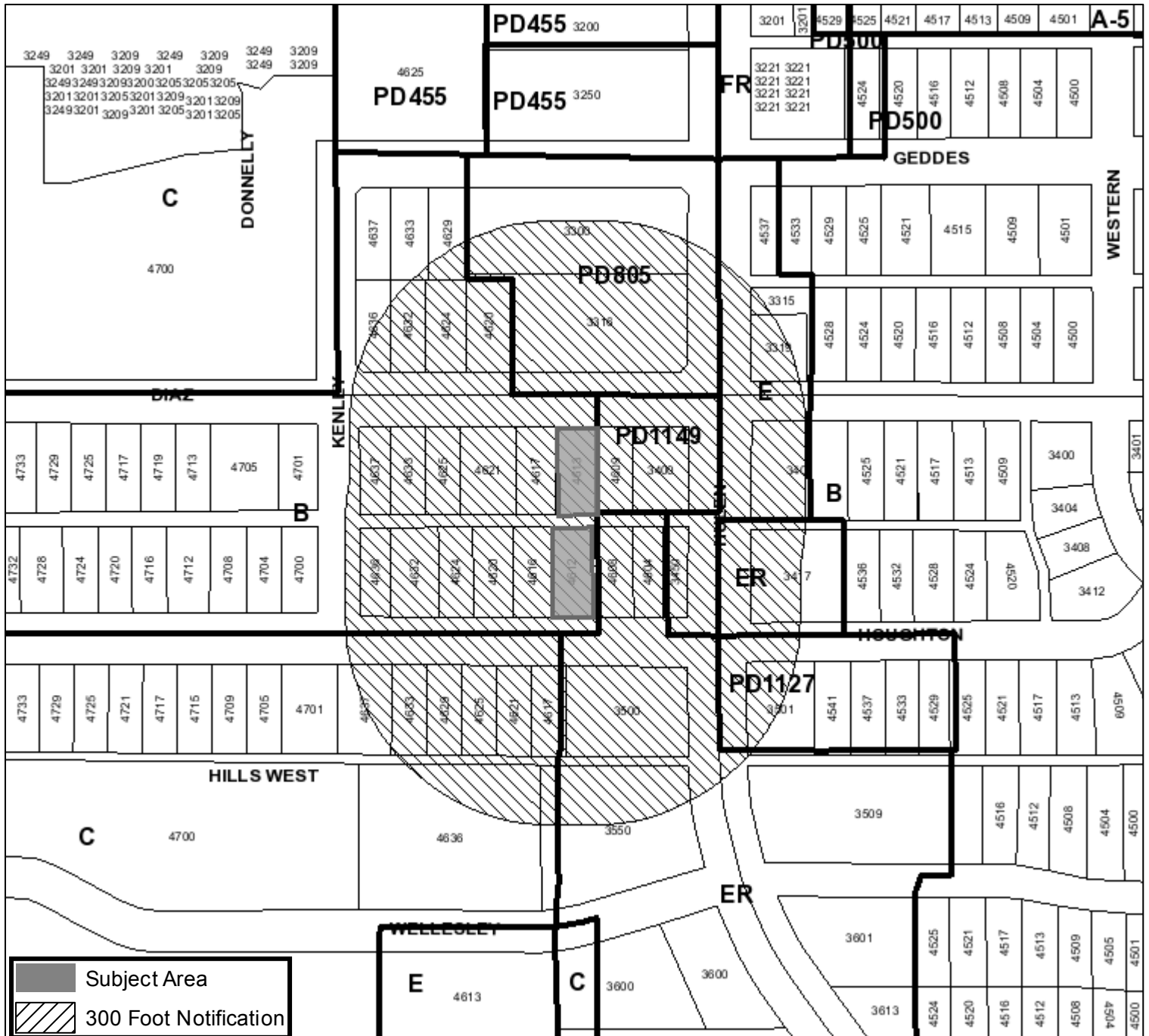
Neither Houghton or Diaz Avenues are designated as an arterial roadway on the City’s Master Thoroughfare Plan (MTP).

Based on a lack of conformance with the policies stated above but a conformance to future land use designations on or adjacent to the site, the proposed zoning is **consistent** with the Comprehensive Plan (**minor boundary adjustment**). If this zoning change request is approved, staff recommends that the Future Land Use Map also be updated to reflect this change.

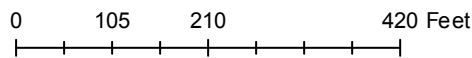


Area Zoning Map

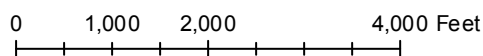
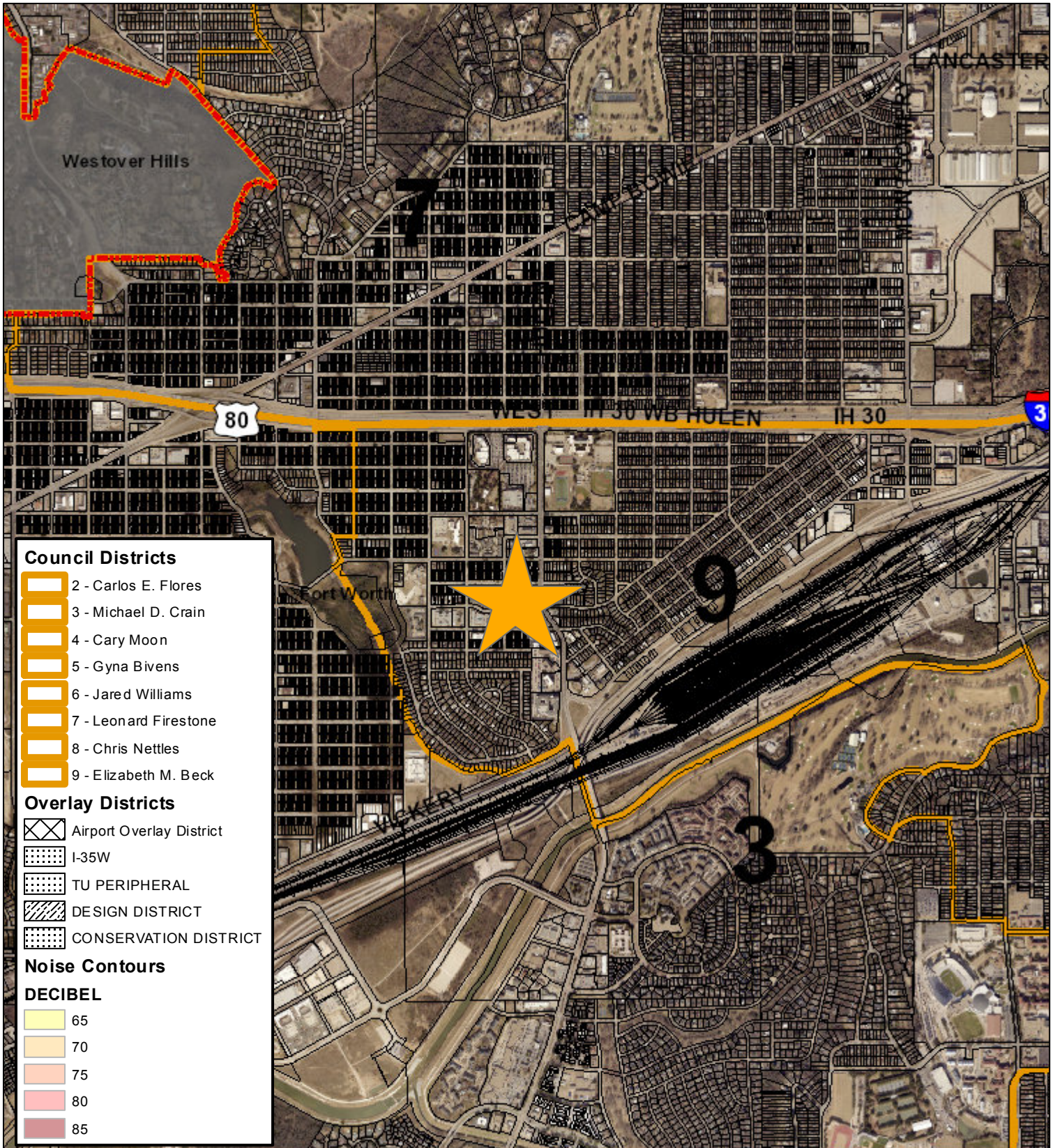
Applicant: Melody Becerra & Chamberlin Heights LP
 Address: 4612 Houghton & 4613 Diaz Avenues
 Zoning From: B
 Zoning To: ER
 Acres: 0.34141394
 Mapsco: 75P
 Sector/District: Arlington Heights
 Commission Date: 10/13/2021
 Contact: 817-392-8190



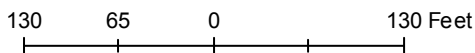
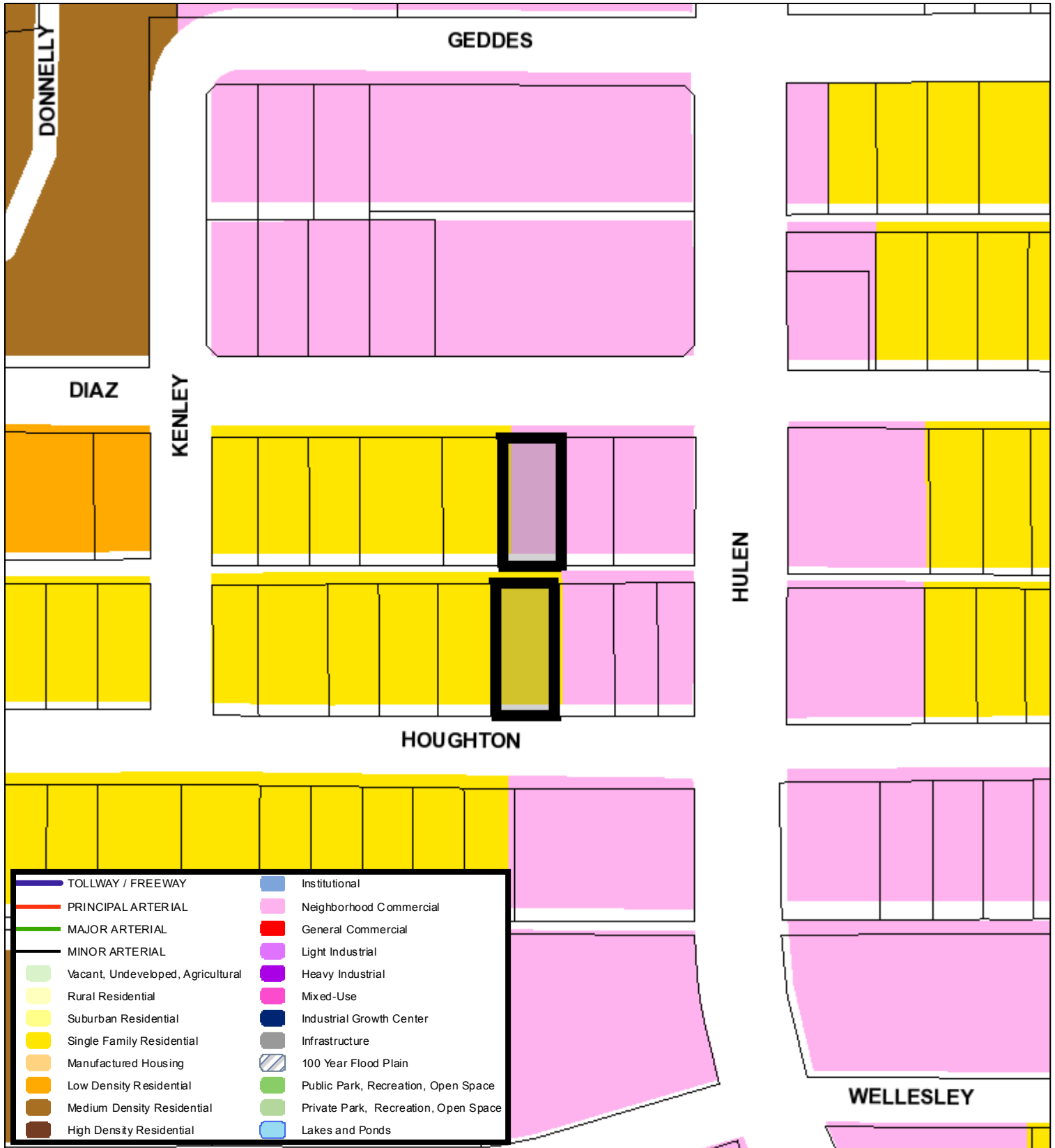
Subject Area
 300 Foot Notification



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 80 160 320 Feet

