



# Zoning Staff Report

**Date:** February 8, 2022

**Case Number:** ZC-21-227

**Council District:** 6

## Zoning Map Amendment

**Case Manager:** [Sarah Bergman](#)

**Owner / Applicant:** Gabriel Southwest, LLC / Kimley-Horn

**Site Location:** 9500 – 9700 blocks Brewer Boulevard

**Acreage:** 19.53 acres

### Request

**Proposed Use:** Multifamily (mix of attached and detached units)

**Request:** From: “C” Medium Density Multifamily

To: "PD/C" Planned Development for all uses in "C" Medium Density Multifamily including detached multifamily with specific development standards for open space, building orientation, fencing within front yard setback, and MFD submittal; site plan included

### Recommendation

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

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

**Staff Recommendation:** **Approval**

**Zoning Commission Recommendation:** **Approval by a vote of 9-0**

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## Project Description and Background

The subject property is located along the southeast side of Brewer Boulevard, just south of its intersection with McPherson Boulevard. The site is currently vacant and is zoned “C” Medium Density Multifamily. The applicant is requesting rezoning to “PD/C” Planned Development for all uses in “C” Medium Density Multifamily with specific development standard regulations. The attached site plan shows a mix of multifamily uses including attached apartment buildings, detached multifamily units, and townhome-style units, for a total of 311 units.

Specifically, the site plan depicts 120 apartment units, 100 attached townhome-style units, and 91 detached multifamily units as well as approximately 2,500 square feet of amenity space and a 1,000 square foot leasing office. Floorplans range from one to three-bedrooms for a total of 515 bedrooms. Parking will be provided at a ratio of one space per bedroom plus additional spaces for the common areas, and will include a mix of surface parking, carports, and garage spaces.

A similar request for rezoning of this property was recently reviewed by the Zoning Commission and City Council (case no. ZC-21-147). This request was for “PD/D” zoning and the site plan depicted only detached multifamily units. The City Council voted to deny this request without prejudice on October 12, 2021. The applicant has since revised their request to include the mix of multifamily land uses currently proposed, and to change the base zoning district requested for the PD from “D” High Density Multifamily to “C” Medium Density Multifamily.

Detached multifamily developments are designed to look and feel like traditional single-family neighborhoods while encompassing some elements of multifamily development and being located on a single platted lot. Most of these projects are intended for rental use but some may be rent-to-own or condominium style. Like other multifamily developments, they are professionally-managed and include amenities.

This form of development often does not comply with any of the City’s standard zoning districts, and therefore Planned Development (PD) zoning is typically requested. The table below illustrates the differences between standard “C” Medium Density Multifamily requirements and the specific development standards that are proposed with this PD. These include deviations for building orientation, fencing, front yard setbacks, open space, and a waiver to the Multi-Family Development (MFD) site plan submittal.

Requirement	Existing “C” Standards	Proposed “PD/C” Standards (per attached site plan)
Density	Maximum 24 units/acre	Complies (17.9 units/acre provided)
Height	Maximum height 36’	Complies
Required Yards	<u>Front Yard</u> : 20’ minimum <u>Rear Yard</u> : 5’ minimum <u>Interior Side Yard</u> : 5’ minimum <u>Corner Lot Side Yard</u> : 20’ minimum adjacent to side street	Complies
Minimum Parking Requirements	1 space per bedroom; 1 space per 250 square feet of office/amenity area	Total Spaces Required: 529 Total Space Provided: 530 (complies)

Open Space	Minimum 45%	25% provided ( <b>does not comply</b> )  <i>Requires Development Standard.</i>  (For reference: When enclosed rear yards for the detached multifamily units are included in open space calculations, the provided percentage increases to 30%. However, staff was not supportive of a request to include enclosed yards in open space calculations as they are not accessible to all residents)
Fences	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.	4-foot wrought iron fencing is proposed between the buildings and adjacent streets, which is permitted.  However, the fencing is proposed within the 20-ft front yard setback along the western and southern property lines. ( <b>does not comply</b> )  <i>Requires Development Standard</i>
Building Orientation	Buildings located on public streets must face the street with the longest length of the building parallel / adjacent to the street.	Buildings facing street shall be allowed to have shortest length facing street. ( <b>does not comply</b> )  <i>Requires Development Standard</i>
Landscaping	20 points of enhanced landscaping required, including street trees	Site plan indicates that enhanced landscaping requirements will be met. (complies)  FYI: Areas uses for minimum open space requirements cannot be credited towards enhanced landscaping.
Urban Forestry	Must comply with Urban Forestry ordinance requirements	Site plan states that this project will comply with Section 6.302, Urban Forestry. Trees will be spread throughout site in more of a single-family residential pattern. (complies)
Façade Variation	Must meet selection of façade variation elements	Will be reviewed upon building permit submittal
Multifamily Design (MFD) Standards	MFD Submittal Required prior to building plan review	MFD Submittal not required ( <b>does not comply</b> )  <i>Requires Waiver</i>

## Surrounding Zoning and Land Uses

North “E” Neighborhood Commercial / vacant

East PD 1305 for all uses in “D” High-Density Multifamily for detached multifamily with development regulations and waivers / vacant

South “C” Medium Density Multifamily / vacant

West “A-5” One-Family / vacant

## Recent Zoning History

- ZC-21-147: Request to rezone the subject property to PD/D for detached multifamily development. Denied without prejudice by City Council on October 12, 2021.
- ZC-21-013: Rezoned 18.83 acres immediately east of this site to PD/D for detached multifamily. Approved by City Council on March 2, 2021. The development standards and waivers approved with this request are similar to those proposed for the subject property.
- SP-21-010: Approved site plan for detached multifamily use on property 0.4 miles north of the subject property along Brewer Boulevard.
- ZC-19-140: Rezoned 14.2 acres immediately north of the subject property from “C” Medium Density Multifamily to “E” Neighborhood Commercial.

## Public Notification

300-foot Legal Notifications were mailed on December 30, 2021.

The following organizations were notified: (emailed December 28, 2021)

Organizations Notified	
Panther Heights NA*	District 6 Alliance
Streams and Valleys Inc	Trinity Habitat for Humanity
Crowley ISD	

*\*This Neighborhood Association is located closest to the subject property*

## Development Impact Analysis

### Land Use Compatibility

The applicant is requesting to change the zoning of this property from “C” Medium Density Multifamily to “PD/C” Planned Development for all uses in “C” High Density Multifamily including detached multifamily, with specific development standards and waivers.

All surrounding properties are currently vacant, but a similar detached multifamily development was recently approved for the property immediately to the east. Vacant property to the north is zoned “E” Neighborhood Commercial, to the south is zoned “C” Medium Density Multifamily, and to the west is zoned “A-5” One-Family.

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

## Comprehensive Plan Consistency – Far Southwest

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The 2021 Comprehensive Plan currently designates the subject property as “Medium Density Residential” on the Future Land Use Map which is intended to accommodate multifamily development with density up to 36 units per acre. The “C” Medium Density Multifamily zoning district is appropriate in this category.

RESIDENTIAL		
Rural Residential	1+ acre single-family	A-2.5A, A-43
Suburban Residential	1/2+ acre single-family	A-21
Single-Family Residential	3,500+ sq. ft. lot single-family	A-10, A-7.5, A-5, AR
Manufactured Housing	Manufactured home parks and subdivisions	MH
Low Density Residential	2,500+ sq. ft. lot single-family, two-family, patio homes, townhouses, cluster housing	B, R1, R2
Medium Density Residential	Up to 36 units/acre multifamily	CR, C, D
High Density Residential	>36 units/acre multifamily, mixed-use multifamily in growth centers	UR, MU-1, MU-2, Form-Based Codes

Based on the policies above, the proposed zoning is **consistent** with the Comprehensive Plan.

### Site Plan Comments

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#### Zoning and Land Use

- All zoning comments have been addressed with the current site plan.

#### TPW – Stormwater

- FYI, accepted drainage study required prior to platting, infrastructure review, grading permit issuance, and building permit issuance.

#### Transportation

- In discussion with developer about required improvements to Brewer Blvd and McPherson over concerns mentioned in TIA.

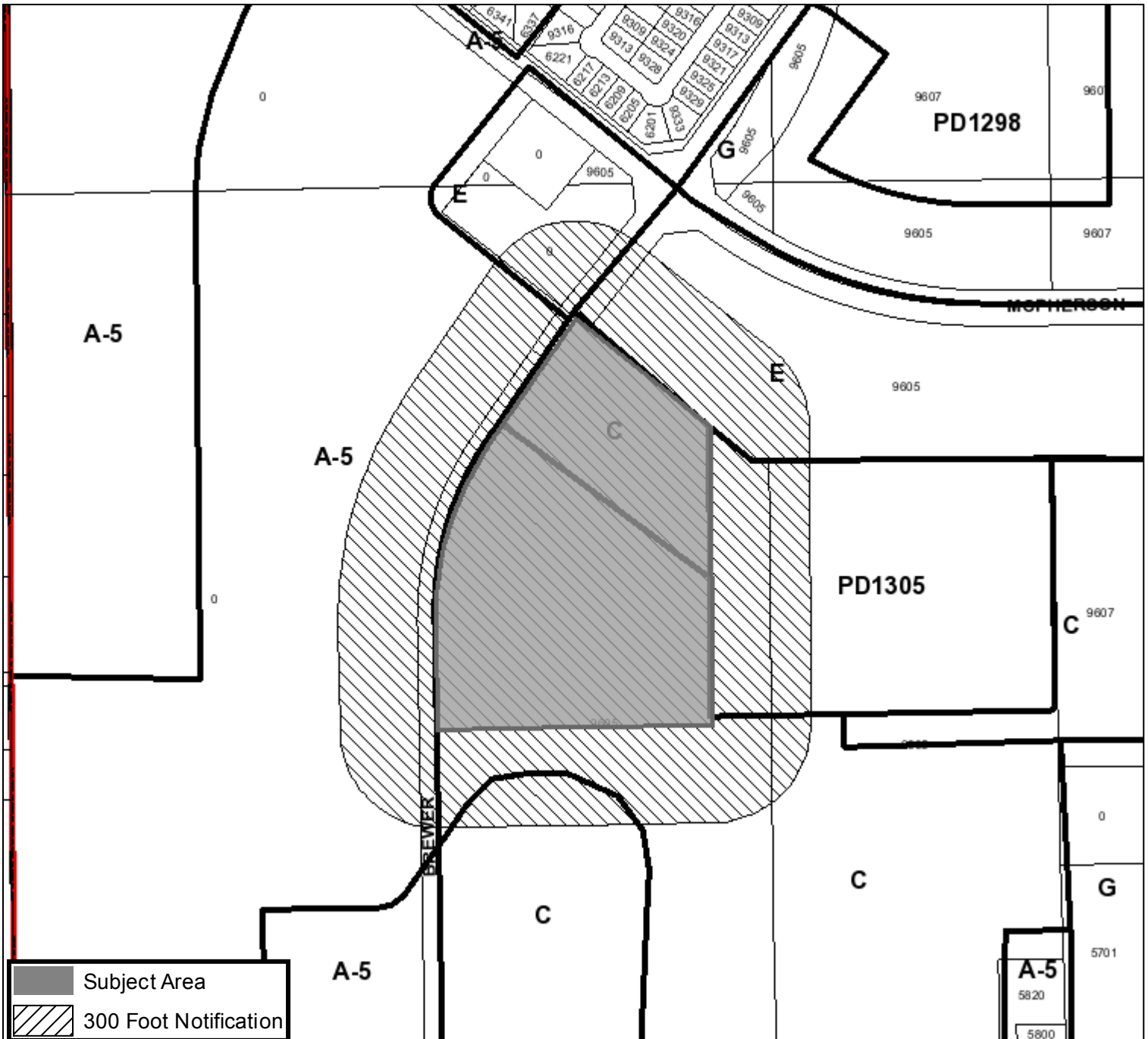
#### Fire Department

- Addressing/access to Townhomes cannot be provided along alleys. Buildings must have direct access to a marked fire lane or named easement.
- 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 has also adopted amendments (January 1, 2017 version) to this code. The Fort Worth Fire Code Amendments can be found online at [www.fortworthtexas.gov/Fire/](http://www.fortworthtexas.gov/Fire/) (click on Bureau of Fire Prevention)

*(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: Gabriel Southwest LLC  
 Address: 9500 - 9700 blocks Brewer Boulevard  
 Zoning From: C  
 Zoning To: PD for C uses  
 Acres: 19.53483609  
 Mapsco: 102Y  
 Sector/District: Far Southwest  
 Commission Date: 1/12/2022  
 Contact: 817-392-2495



0 220 440 880 Feet

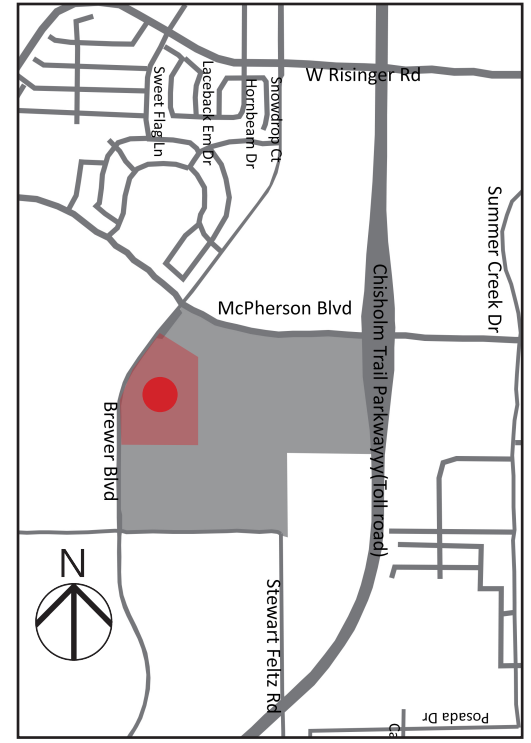
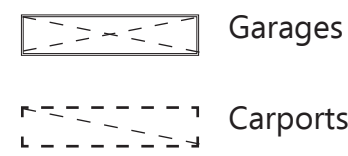
**ZONING: A-5**  
**LAND USE: UNDEVELOPED**  
 Owner: WM SUB CTR LP  
 Legal Desc: ALBIRADO, JUAN JOSE  
 SURVEY Abstract 4 Tract 4B03A7  
 Instrument: D214198092

**ZONING: E**  
**LAND USE: UNDEVELOPED**  
 Owner: MCPHERSON HOLDINGS LLC  
 Legal Desc: ALBIRADO, JUAN JOSE  
 SURVEY Abstract 4 Tract 4B3A2, 4B3C  
 & 5A2A2 .423 SPLIT OUT FOR ROW  
 REF D218104997  
 Instrument: D218252195

**ZONING: PD1305 (PD/D)**  
**LAND USE: UNDEVELOPED**  
 Owner: GABRIEL SOUTHWEST LLC  
 Legal Desc: Portion of ALBIRADO, JUAN JOSE  
 SURVEY Abstract 4 Tract 4B03A Instrument:  
 D217046244

**ZONING: C**  
**LAND USE: UNDEVELOPED**  
 Owner: GABRIEL SOUTHWEST LLC  
 Legal Desc: Portion of ALBIRADO, JUAN JOSE  
 SURVEY Abstract 4 Tract 4B03A  
 Instrument: D217046244

- General Notes**
- This project will comply with Section 4.711 for "C" Medium-Density Multifamily, including enhanced landscaping.
  - This 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 fashion similar to detached multifamily, with trees in front yards.
  - This project will comply with section 6.204 bicycle parking.
  - This project will comply with facade variations of the MFD.
  - All provided lighting shall conform to city of fort worth lighting code.
  - Development will adhere to requirements for article 4, signs.
  - Trash receptacles will be screened with a masonry wall on 3 sides and contain a gate.
  - Exterior building Materials: cementitious cladding as a primary façade material with masonry (such as brick, stone or synthetic stone) accents at select locations.
  - Development will adhere to requirements for "C" Medium Density Multifamily with the following exceptions:
    - Fencing shall be allowed along the public right-of-way within required front yard setbacks.
    - Units shall be allowed to front, side, or back a public right-of-way.
    - The minimum open space requirement will be 25% . Enclosed rear yards for each detached multifamily unit will not be included in the calculation of open space.
    - A MFD site plan will not be submitted for this project (waiver requested).



PROJECT DATA	
<b>Residential</b>	<b>311 units</b> Multifamily: 120 units Townhouses: 100 units Detached multifamily: 91 units
<b>Leasing/Amenity</b>	S.F Leasing (+/- 1,000) S.F Amenity (+/- 2,500)
<b>Parking Required</b>	<b>Residential: 515 sps</b> <small>Assume: One bedroom (149 units/48%); 149x1=149 sps            Two bedrooms (120 units/39%); 120x2=240 sps            Three bedrooms (42 units/13%); 42x3=126 sps</small> <b>Common Area: 14 sps</b> <b>Total: 529 sps</b>
<b>Parking Provided</b>	<b>530 sps</b> <small>Includes 20 Garages &amp; 60 Carports</small>
<b>Height</b>	3 levels/36'
<b>Site Area</b>	17.37 acres
<b>Density Provided</b>	17.9 units/acre
<b>Open Space Provided</b>	4.34 acres (25%) <small>(not include backyards)</small>

SITE CONDITIONS	
<b>Zoning District</b>	<b>Current zoning:</b> C <b>Proposed zoning:</b> PD <small>(see below)</small> <b>Base zoning:</b> C
<b>Height</b>	Max. 36' <small>(slab to top plate)</small>
<b>Setbacks</b>	Front yard: Min. 20' Rear yard: Min. 5' Side yard: Min. 5' Interior lot: Min. 5' Corner lot: Min. 20'
<b>Required Parking</b>	-1 space per bedroom; -1 space per 250 s.f. of common area
<b>Detention Pond</b>	Detention Provided Off-site
<b>Open Space Req.</b>	Min. 25%
<b>Density</b>	Max. 24 units/acre
<b>Topography</b>	+/- 20 topo change

**PERCH** **DEVELOPER/OWNER**

**Name:** Perch MSP JV, LLC

**Address:** 508 Powell Street, Austin TX 78703

**Phone Number:** 917-744-6238

**JHP** **ARCHITECT & PLANNING**

**Name:** JHP Architecture/Urban Design

**Address:** 8340 Meadow Rd #150, Dallas, TX 75231

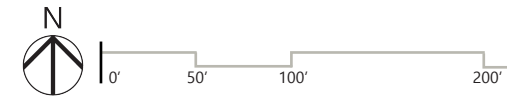
**Phone Number:** 214-363-5687

**Kimley»Horn** **ENGINEER & SURVEYOR**

**Name:** Kimley-Horn

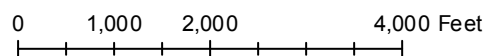
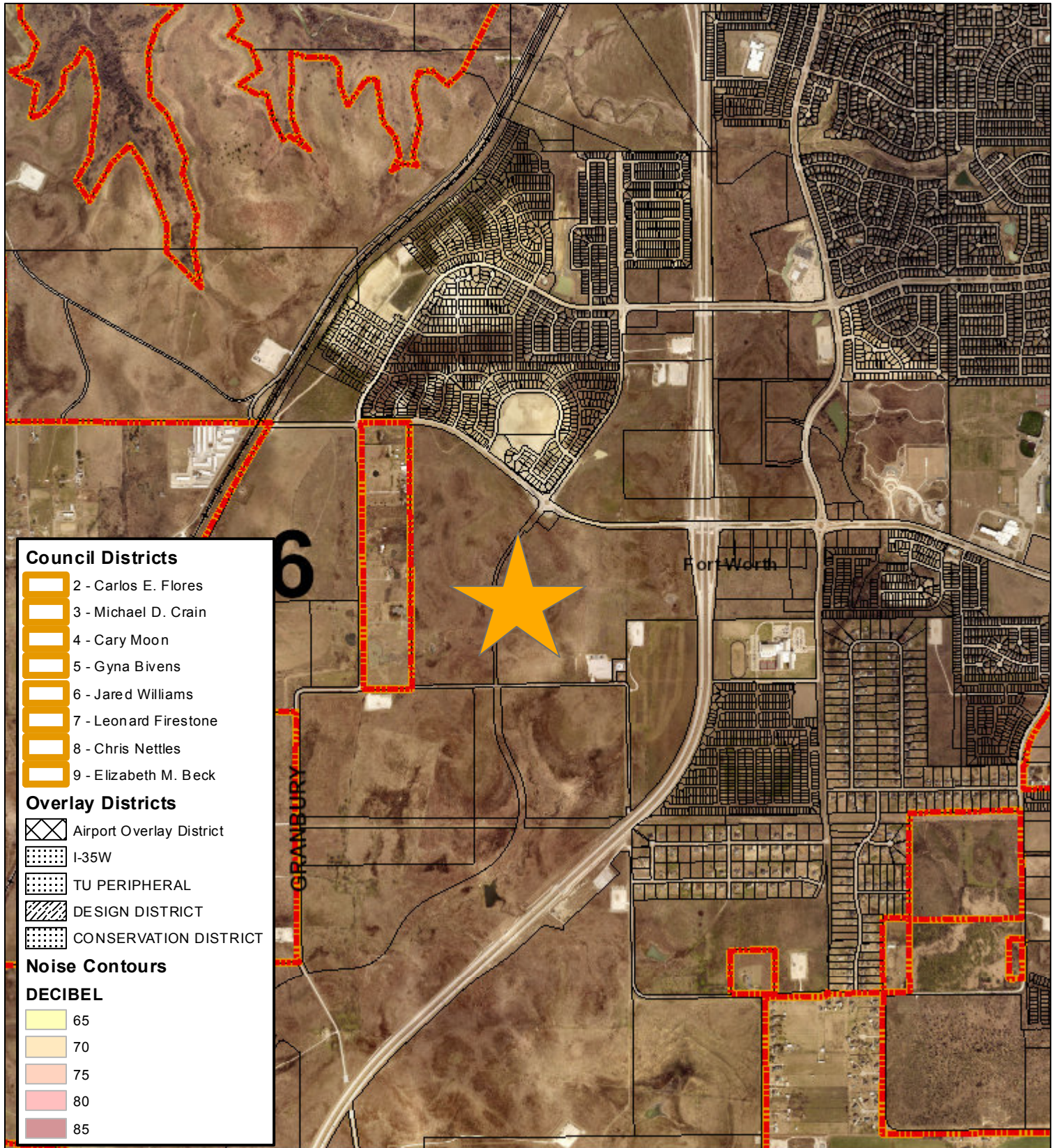
**Address:** 801 Cherry Street, Unit 11, Suite 1300 Fort Worth, TX 76102

**Phone Number:** 817-339-2253



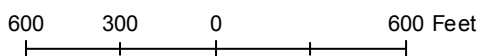
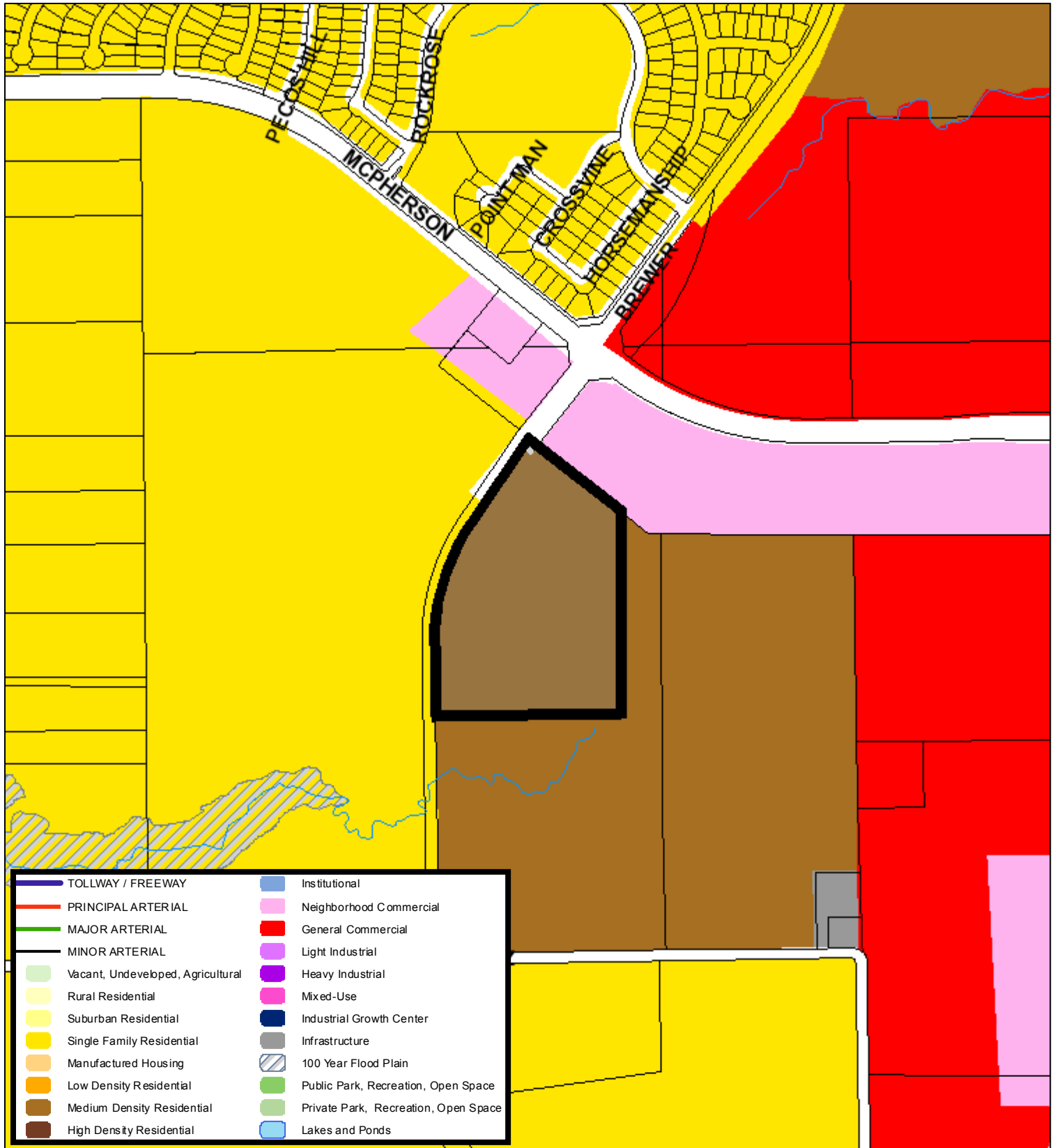
DIRECTOR OF DEVELOPMENT SERVICES DATE

### Area Map





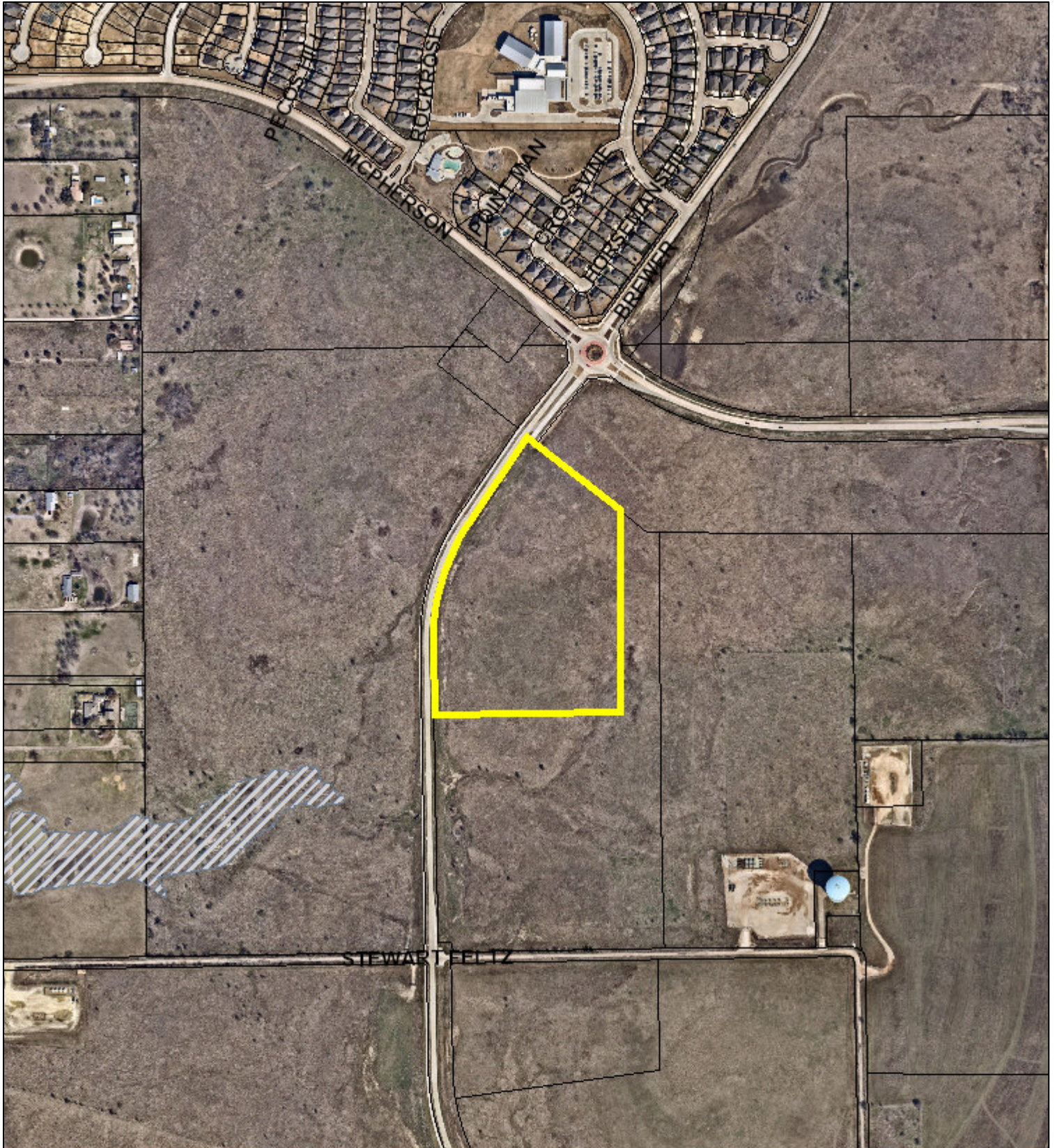
### Future Land Use



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



0 375 750 1,500 Feet

