



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
March 3, 2020

**Council District** 9

**Zoning Commission Recommendation:**  
Approval by a vote of 8-0  
  
**Opposition:** None submitted  
**Support:** None submitted

Continued Yes \_\_\_ No X  
Case Manager Lynn Jordan  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** **Coffman Family Limited Partnership**

**Site Location:** 2828 NE 28<sup>th</sup> Street Acreage: 0.147

**Proposed Use:** **Auto Repair and Sales**

**Request:** From: "E" Neighborhood Commercial

To: Add Conditional Use Permit (CUP) to allow for auto sales and auto repair with waivers to projected front yard and supplemental setbacks and residential proximity; site plan included

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

**Comprehensive Plan Consistency:** Requested change **is not consistent. (Significant Deviation)**

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

**Background:**

The proposed site is located at the southwest corner of NE 28<sup>th</sup> Street and N. Chandler Drive. The applicant is requesting to add a Conditional Use Permit to allow auto repair and sales with several waivers; site plan included.

Automotive uses are only permitted within commercial "FR" through "K" zoning districts or through the CUP process. The applicant has applied for the (CUP) Conditional Use Permit to allow the automotive use within the "E" district. Several waivers are being asked for from Section 5.104, Automotive Repair; Paint and Body Shop of the Fort Worth Zoning Ordinance. The waivers consist of a projected front yard and supplemental setback adjacent to residential and residential proximity.

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

While auto repair and sales uses are not permitted in the "E" zoning district by right, allowing one by CUP with a site plan, with or without a time limit may help mitigate any neighborhood concerns, as well as give options for the CUP to be revoked in the event of code violation convictions. The existing building has a

legal non-conforming status for continued auto repair use, however, the applicant is wanting to add a carport with enclosed metal fence.

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. The existing building has a legal non-conforming status for continued auto sales, however, the applicant is wanting to expand to add auto repair.

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.

Surrounding Zoning and Land Uses:

North "I" Light Industrial / Salvation Army  
East "E" Neighborhood Commercial / convenience store  
South "A-10" One-Family / single-family  
West "E" Neighborhood Commercial / auto sales

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-10-152, Council-initiated rezoning for various parcels within the subject area to various zoning districts, effective 11/23/10

**Site Plan Comments:**

The site plan as submitted does not meet the Planning and Development requirements of the CUP Ordinance.

1. No repairs shall be conducted on any premises that adjoin any residential district boundary. **(waiver recommended)**
2. All repairs must be conducted within an enclosed building. **(waiver recommended)**
3. Automotive repair, paint and body shops located on property adjacent to and or within 200 feet of a one- or two-family residential use must screen all vehicles accepted for repair from view of such residential use by parking/storing the vehicles within a building or providing a six-foot solid screening fence or six-foot solid evergreen hedge along the property line

- adjacent to or across an alley from a one or two-family residential use. **(waiver recommended)**
4. No more than two vehicles per bay door that have been accepted for repair can be stored outside during regular business hours unless they are stored in a completely enclosed building. **(waiver recommended)**
  5. The new building proposed along the rear property line encroaches into the 20 ft. supplemental setback. **(waiver recommended)**
  6. Provide the setback information for the new carport from the rear and side property line. **(waiver recommended)**
  7. Metal fences are not permitted in commercial districts. **(waiver recommended)**
  8. Provide the square footage of the office area only to determine parking counts. A minimum of 6 parking spaces may be required, 2 spaces per bay door plus office area. The site plan indicates four parking spaces. **(waiver recommended)**

**(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Parks, 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 comments.)**

**Public Notification:**

300 foot Legal Notifications were mailed on January 23, 2020.  
 The following organizations were notified: (emailed January 22, 2020)

<b>Organizations Notified</b>	
Riverside Alliance	Streams and valleys Inc.
Bonnie Brae NA	Trinity Habitat for Humanity
Friends of Riverside Park	Oakhurst Alliance of Neighbors
Oakhurst NA	Fort Worth ISD
Carter Riverside NA*	

Closest registered neighborhood organization\*

**Development Impact Analysis:**

1. **Land Use Compatibility**

The applicant is proposing a zoning change to add a CUP to allow for an auto sales and auto repair facility in the "E" zoning district. Surrounding land uses consist of commercial uses to the north, auto sales to the west, convenience store to the east, and single-family to the south.

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

2. **Comprehensive Plan Consistency-Northeast**

The 2019 Comprehensive Plan designates the site as being Neighborhood Commercial. The proposed zoning is not consistent with the following Comprehensive Plan policies:

- 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.
- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city.

Based on lack of conformance with the future land use map and policy as stated above, the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

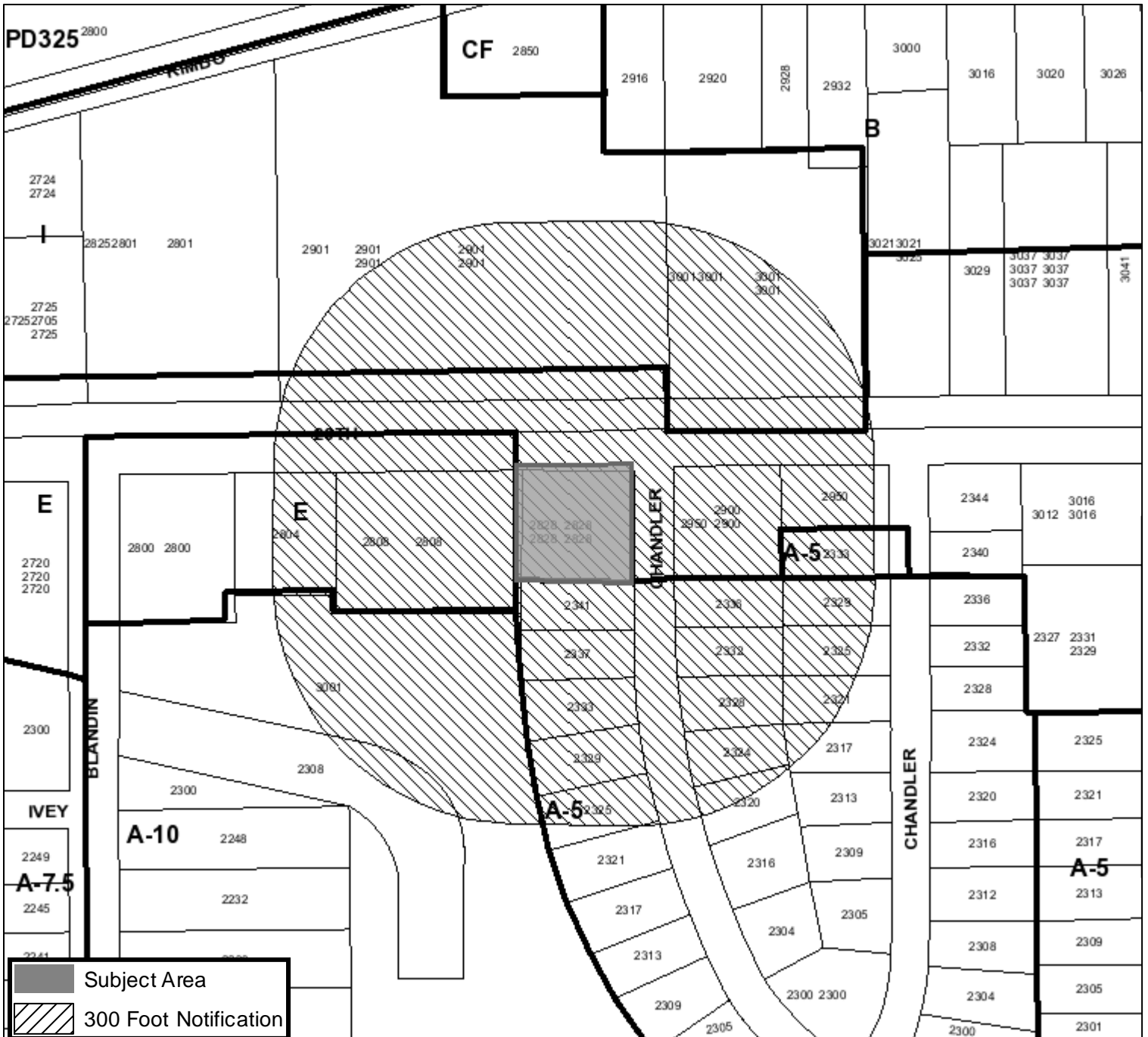
**Attachments:**



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

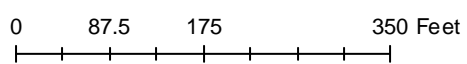


# Area Zoning Map

Applicant: Coffman Family LP  
 Address: 2828 NE 28th Street  
 Zoning From: E  
 Zoning To: E plus CUP for auto repair and auto sales  
 Acres: 0.47129274  
 Mapsco: 63H  
 Sector/District: Northeast  
 Commission Date: 2/12/2020  
 Contact: 817-392-2495

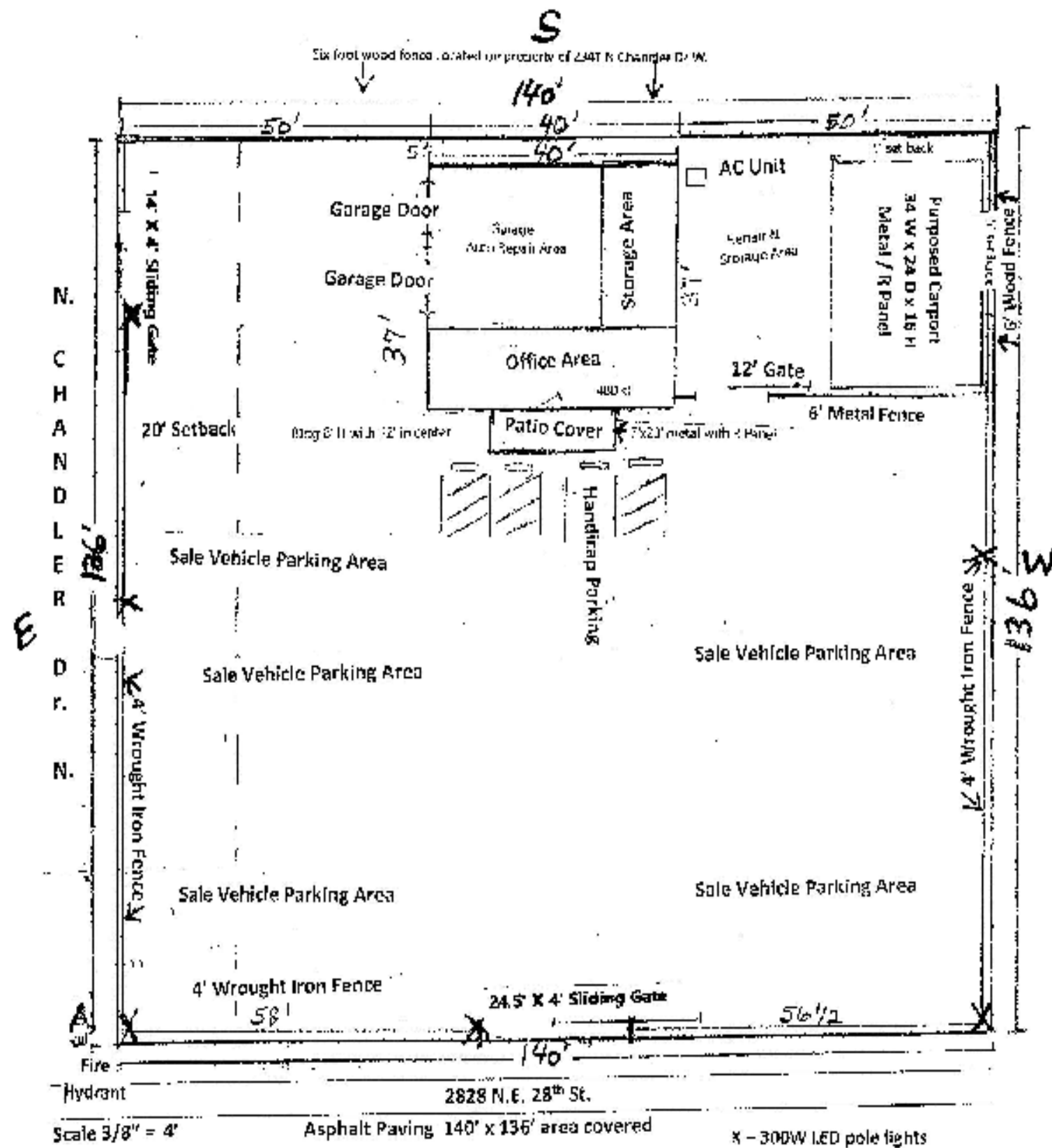


 Subject Area  
 300 Foot Notification



# Site Plan

Coffman Family Limited Partnership  
 Conditional Use Permit for Auto Sales and Auto Repairs  
 2828 NE 28th Street, Fort Worth, Tx 76111  
 Springdale Addition Block 3 Lot 1 & 2



1. No automotive repair or service facility bay doors face a one-or-two family district.
2. Will comply with Landscaping Ordinance Section 6.301.
3. Will Comply with Urban Forestry Ordinance Section 6.302.
4. All Lighting will conform to the lighting code.
5. Will Comply with Sign Ordinance.
6. Any parking lot or building lighting will be directed away and downward of any residential district so as not to trespass off property.
7. Purposed Carport will be used for repairs and storage. A lift maybe installed at a later date.

This is an existing site that has been used for auto sales and auto repairs since 1971.

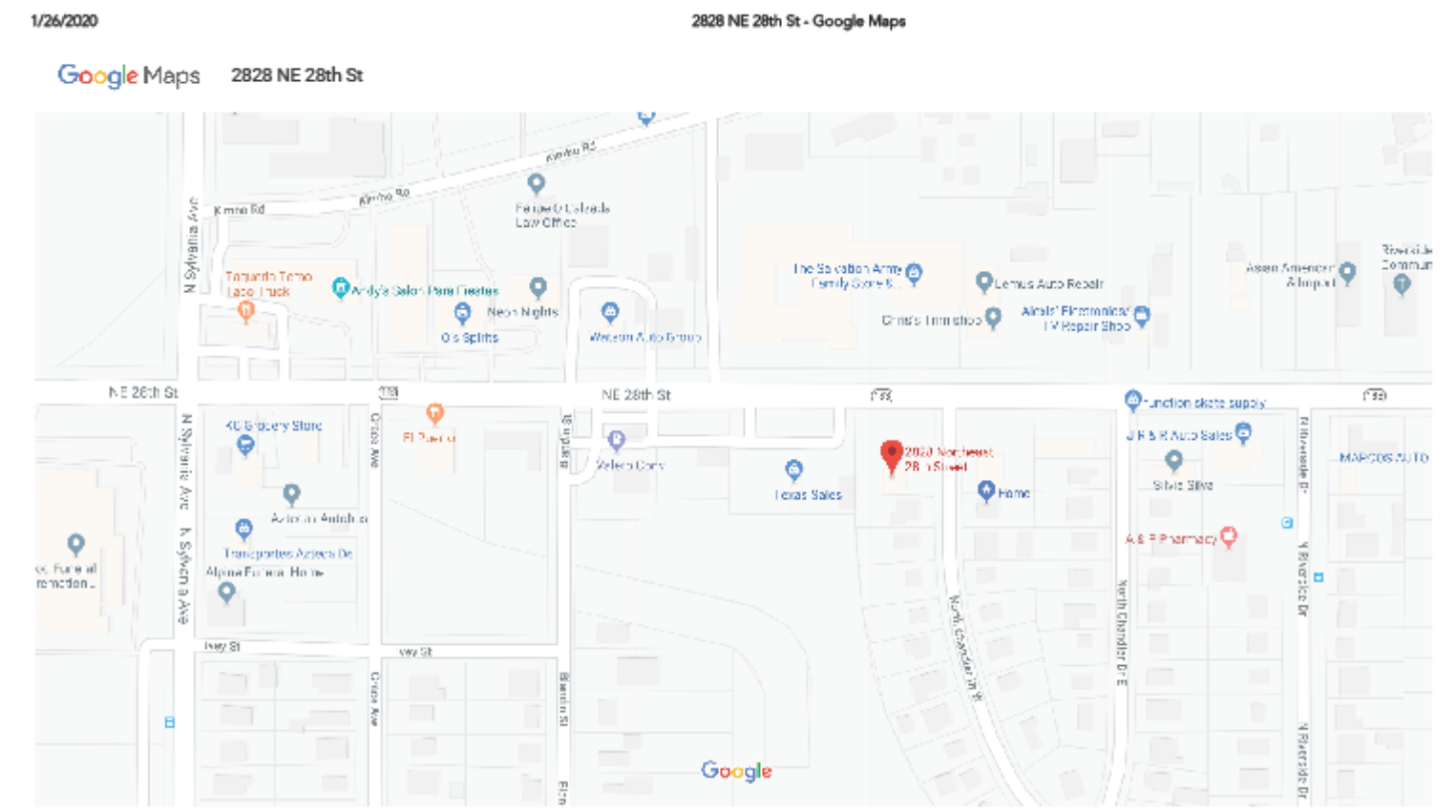
Repairs will be made on vehicles being sold by the dealer. Repairs will not be open to the public.

The garage bay doors do not face any one-or-two-family district.

Drive ways are 24.5 foot and 14 foot wide.



Sign is above Patio Cover. The sign conforms to Article 4 Building is 40 ft by 8 ft with 12 ft center. There are no other signs. Size area is 19' x 3'.



Director of Planning and Development \_\_\_\_\_

Date \_\_\_\_\_

Coffman Family Limited Partnership Conditional Use Permit  
 Zoning Case Number ZC-20-015

Springdale Addition, Block 3, Lot 1 & 2

January 10, 2020

Scale 3/8" = 4'

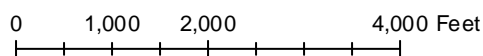
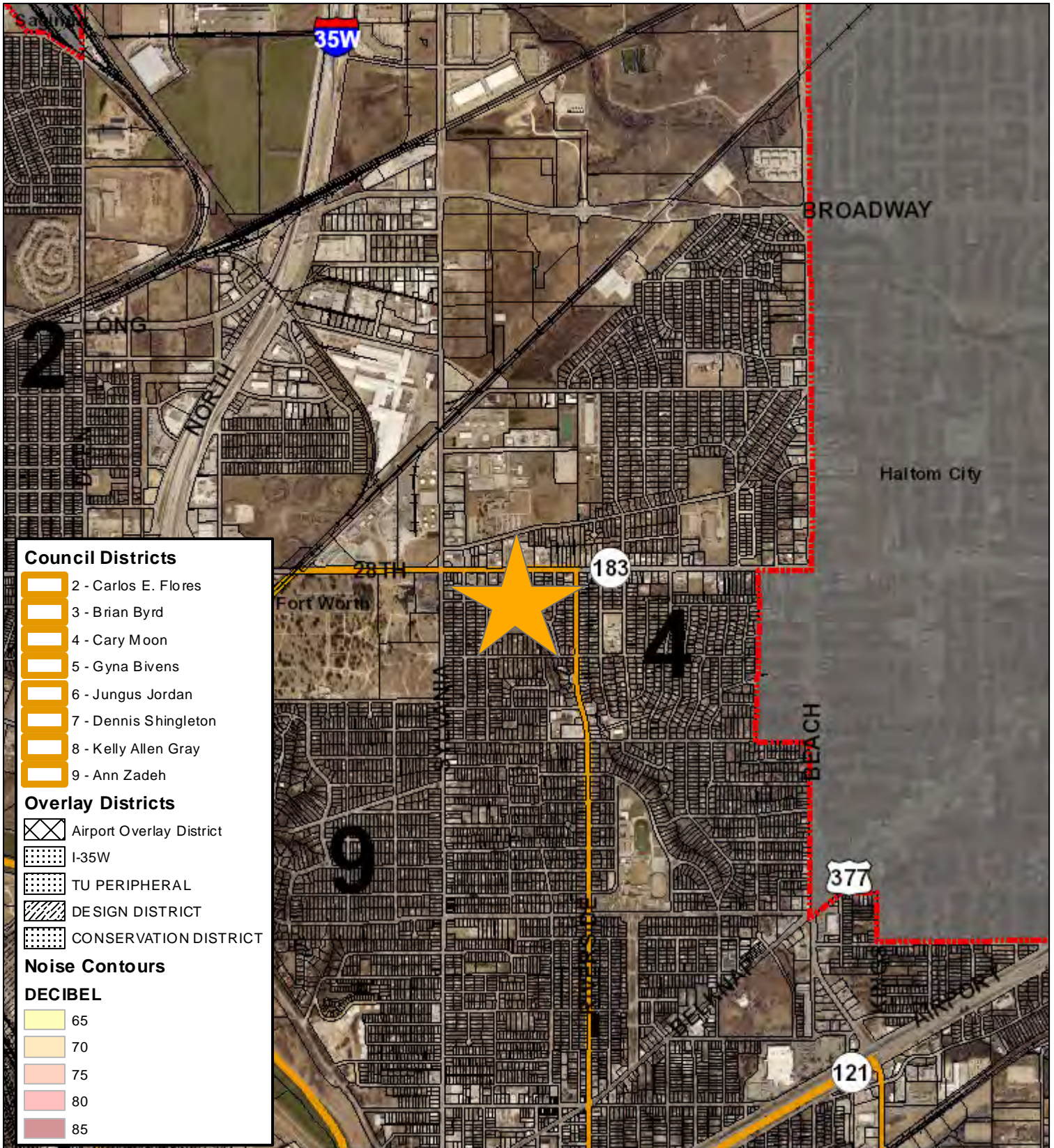
Coffman Family Limited Partnership  
 5720 Diamond Oaks Dr N.  
 Haltom City, Tx 76117  
 Diane Coffman, Member  
 817-637-5896



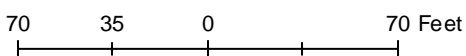
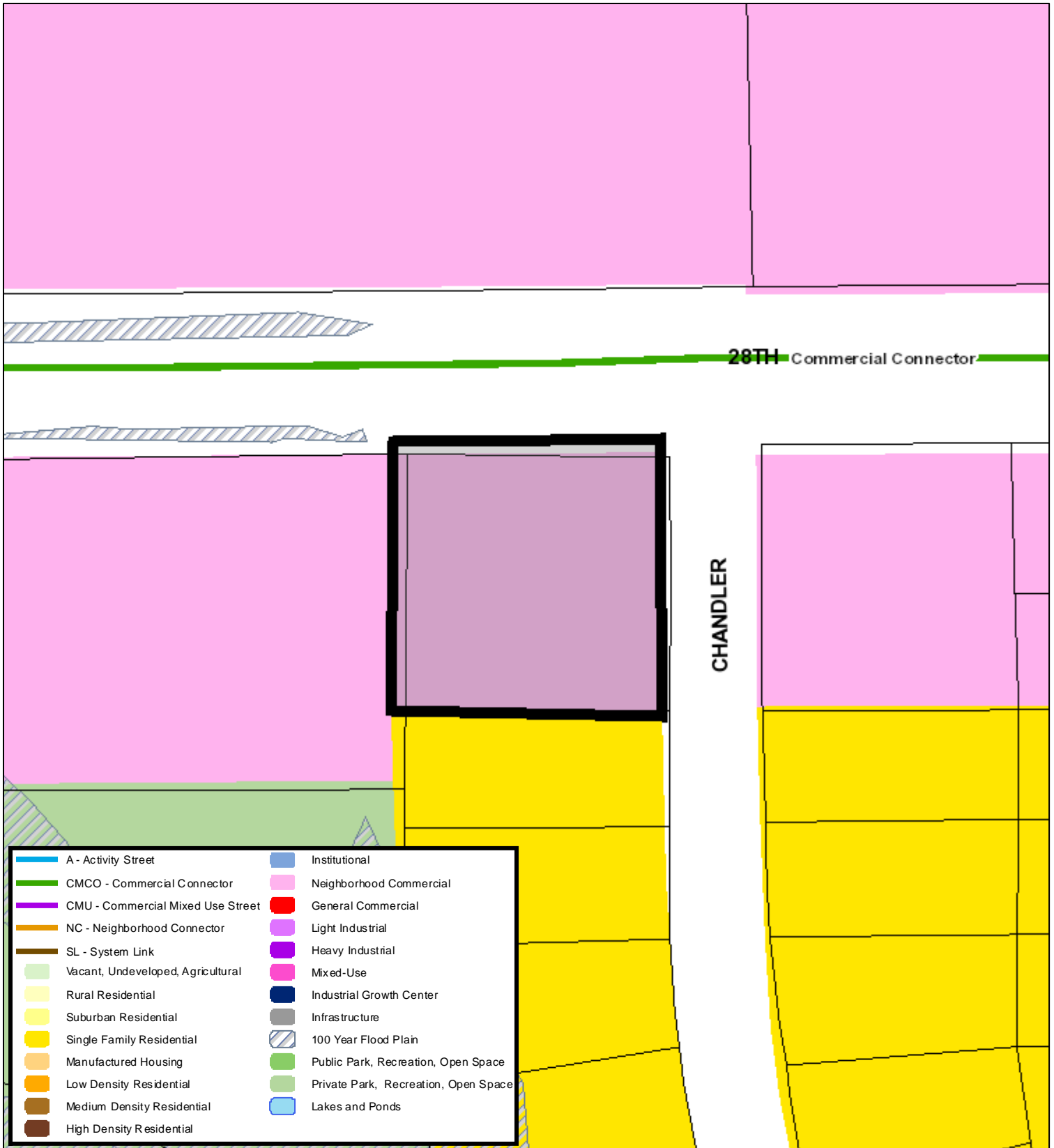
Signature: \_\_\_\_\_

Date : \_\_\_\_\_

### Area Map



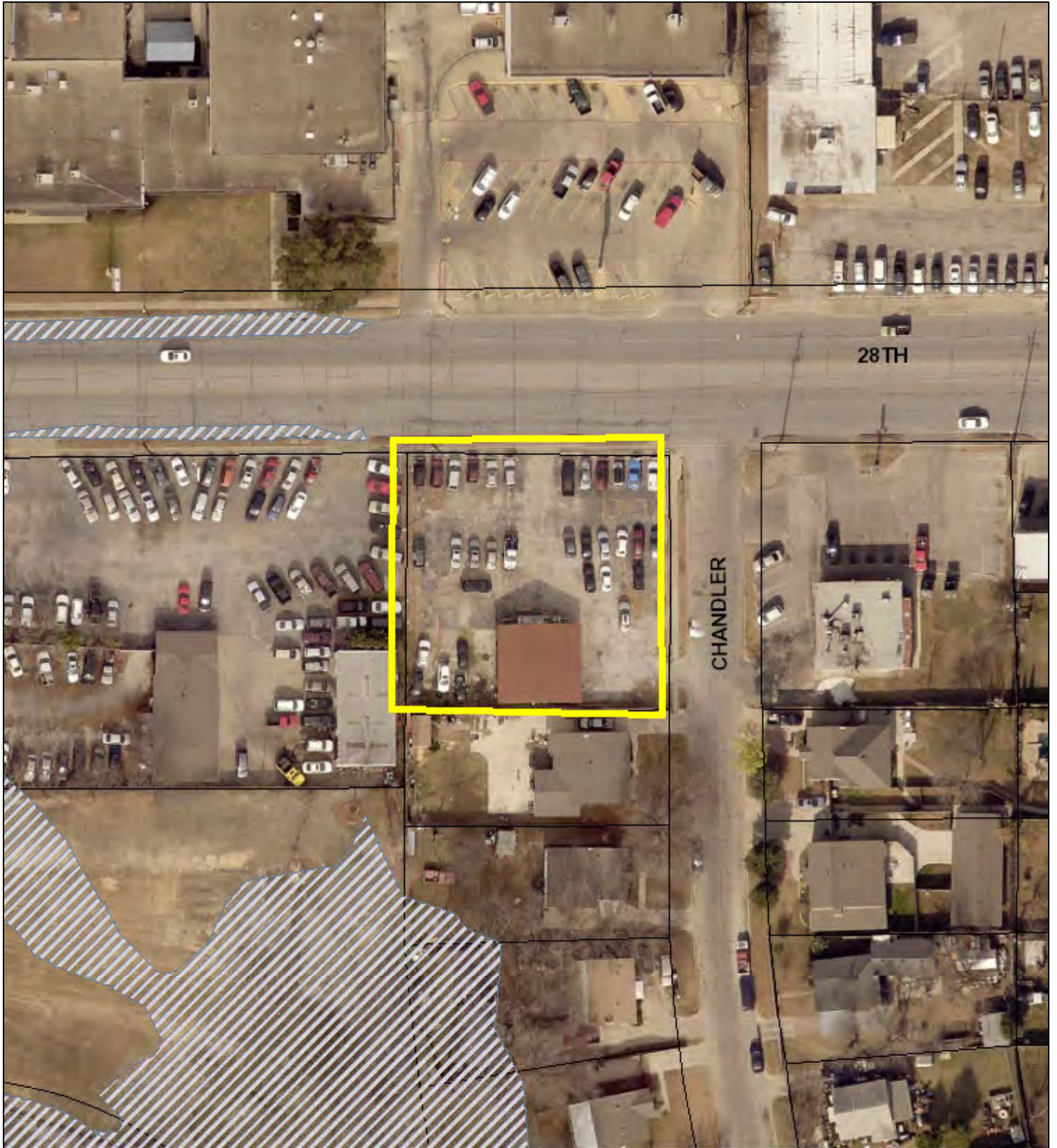
### Future Land Use



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 5, 2019.



Aerial Photo Map



0 40 80 160 Feet

