



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
December 15, 2020

Council District 8

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

Opposition: One submitted
Support: None submitted

Continued Yes ___ No X
Case Manager Monica Lafitte
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: Jesus Romero & Fernando Romero

Site Location: 500 Ben Avenue Acreage: .62 acre

Proposed Use: **Outdoor Vehicle Storage**

Request: From: "I" Light Industrial

To: Add Conditional Use Permit (CUP) for outdoor vehicle storage without a primary use; site plan included

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

Comprehensive Plan Consistency: Requested change **is consistent (Technical Inconsistency).**

Staff Recommendation: **Approval**

Background:

The subject property is located off of Ben Avenue, which is south of Lancaster Avenue and west of Collard Street. It is about a mile east of the intersection of Beach Street and Lancaster Avenue. The subject lot is located within Neighborhood Empowerment Zone (NEZ) Area Six and Oakland Corners NEZ. The applicant is requesting a Conditional Use Permit (CUP) to allow for outdoor vehicle storage without a primary use.

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.

While an accessory use without a primary use is not permitted in the "I" 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.

Site Information:

Surrounding Zoning and Land Uses:

- North “I” Light Industrial / industrial
- East “I” Light Industrial / industrial
- South “MU-1” Low intensity mixed use / railroad
- West “CF” Community Facilities / gas well site

Zoning History: None

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 October 26, 2020.
The following organizations were notified: (emailed October 29, 2020)

Organizations Notified	
Neighborhoods of East Fort Worth	Polytechnic Heights NA
West Meadowbrook NA*	East Fort Worth, Inc.
Streams And Valleys Inc	Trinity Habitat for Humanity
Southeast Fort Worth Inc	East Fort Worth Business A
Fort Worth ISD	

*Located within this Neighborhood Association

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing to change the zoning to add a CUP for outdoor vehicle storage. Surrounding uses are primarily industrial with a gas compressor site to the west and railroad tracks to the south.

The proposed parking **is compatible** with surrounding uses.

2. Comprehensive Plan Consistency – Eastside

The 2020 Comprehensive Plan designates the subject property as Mixed Use. The proposed parking meets the below policies within the following Comprehensive Plan:

- Locate large industrial uses along freight rail lines, highways, or airports within industrial growth centers and other appropriate locations
- 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.

“MU-2” High Intensity Mixed Use allows for selected light industrial uses.

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

Attachments:

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

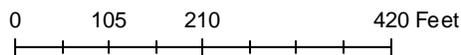


Area Zoning Map

Applicant: Jesis & Fernando Romero
 Address: 500 Ben Avenue
 Zoning From: I
 Zoning To: Add Conditional Use Permit for outdoor vehicle storage
 Acres: 0.62844703
 Mapsco: 78F
 Sector/District: Eastside
 Commission Date: 11/11/2020
 Contact: null



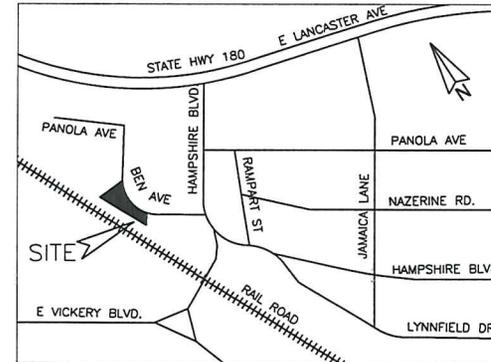
	Subject Area
	300 Foot Notification



SITE PLAN

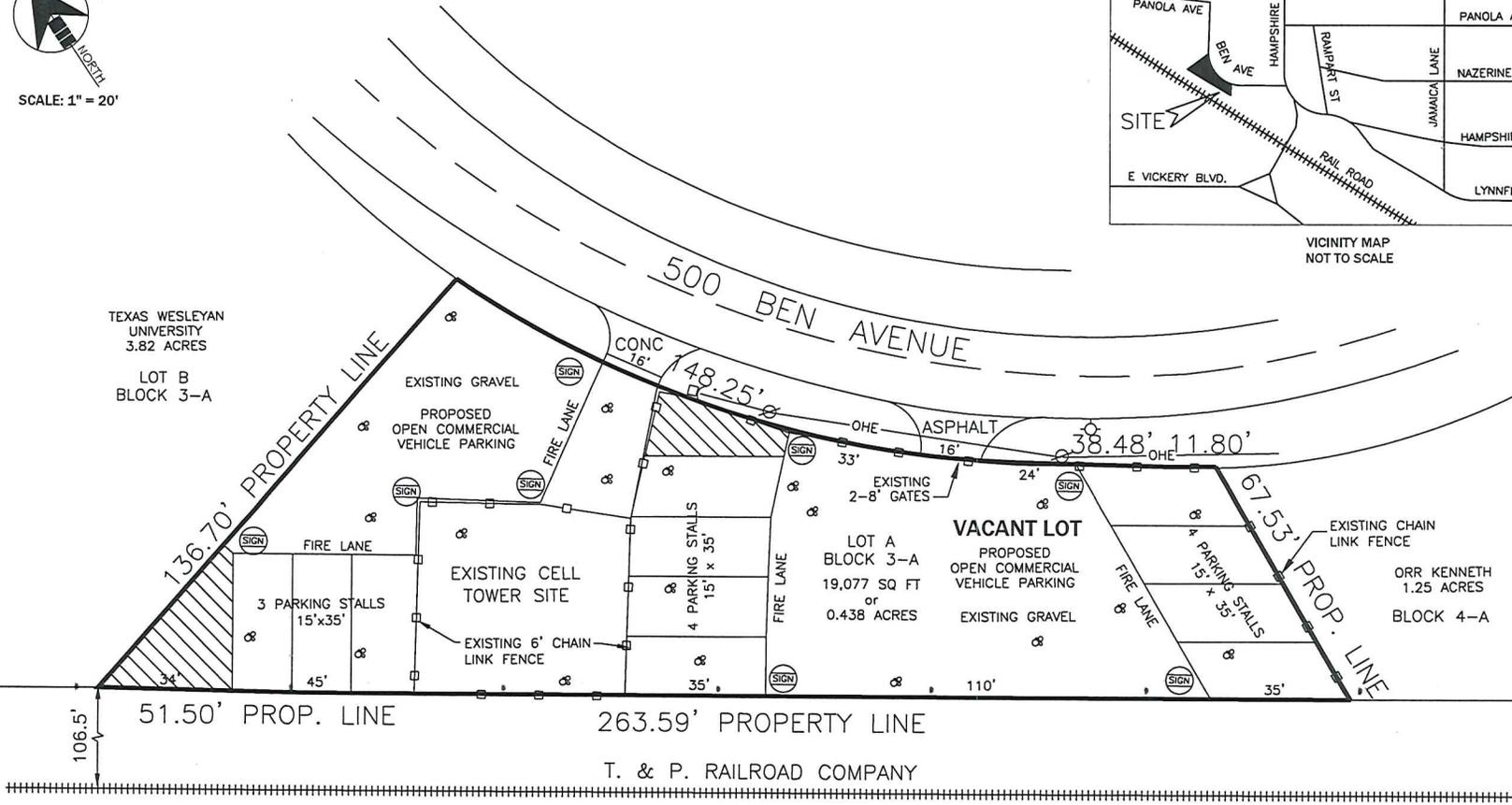


SCALE: 1" = 20'



VICINITY MAP
NOT TO SCALE

TEXAS WESLEYAN
UNIVERSITY
3.82 ACRES
LOT B
BLOCK 3-A



PROJECT NAME AND ADDRESS:
COMMERCIAL VEHICLE
PARKING (PROPOSED)
500 BEN AVENUE
FORT WORTH, TX 76103

PROJECT SITE PLAN FOR:
JESUS ROMEO
FERNANDO ROMEO

LEGAL DESCRIPTION:
LOT A, BLOCK 3-A,
KUYKENDALL'S
CONSOLIDATED SUB.
VOL. 388-11, PG. 204
P.R.T.C.T.

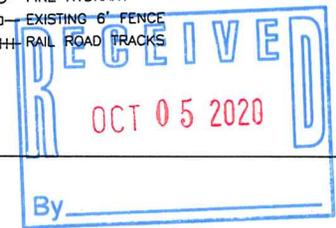
No.	DATE	SUBMISSION
1	08-11-20	ISSUE FOR C.U.P.
1	10-01-20	REVISED SITE PLAN

COMMERCIAL VEHICLE PARKING NOTES

- 500 BEN AVE. IS A VACANT LOT.
- A CELL SITE LIES ON THE SUBJECT TRACT AS SHOWN.
- NO EXISTING BUILDING(S) OR STRUCTURE(S) OBSERVED ON THE PROPOSED PARKING AREAS.
- SUBJECT TRACT IS ZONED "COMMERCIAL LIGHT USE".
- 12 COMMERCIAL VEHICLE PARKING STALLS PROPOSED.
- PARKING STALLS TO BE A MINIMUM OF 15' X 35' EA.
- EXISTING COMPACTED GRAVEL ON SUBJECT TRACT.
- NO STRUCTURE OR BUILDING TO BE CONSTRUCTED.
- EMERGENCY VEHICLE/FIRST RESPONDERS WILL HAVE 24 HOUR GATE ACCESS TO THE PROPERTY.
- FIRE LANES WILL BE IDENTIFIED BY POSTED SIGNS INDICATING "FIRE LANE/NO PARKING" AREAS.
- A MINIMUM OF 24- FEET IN WIDTH BETWEEN FIRE LANES FOR EMERGENCY VEHICLE ACCESS.

LEGEND

- FIRE LANE NO PARKING SIGN
- EXISTING GRAVEL
- UTILITY POLE
- FIRE HYDRANT
- EXISTING 6' FENCE
- RAIL ROAD TRACKS



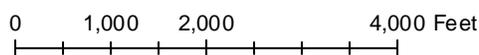
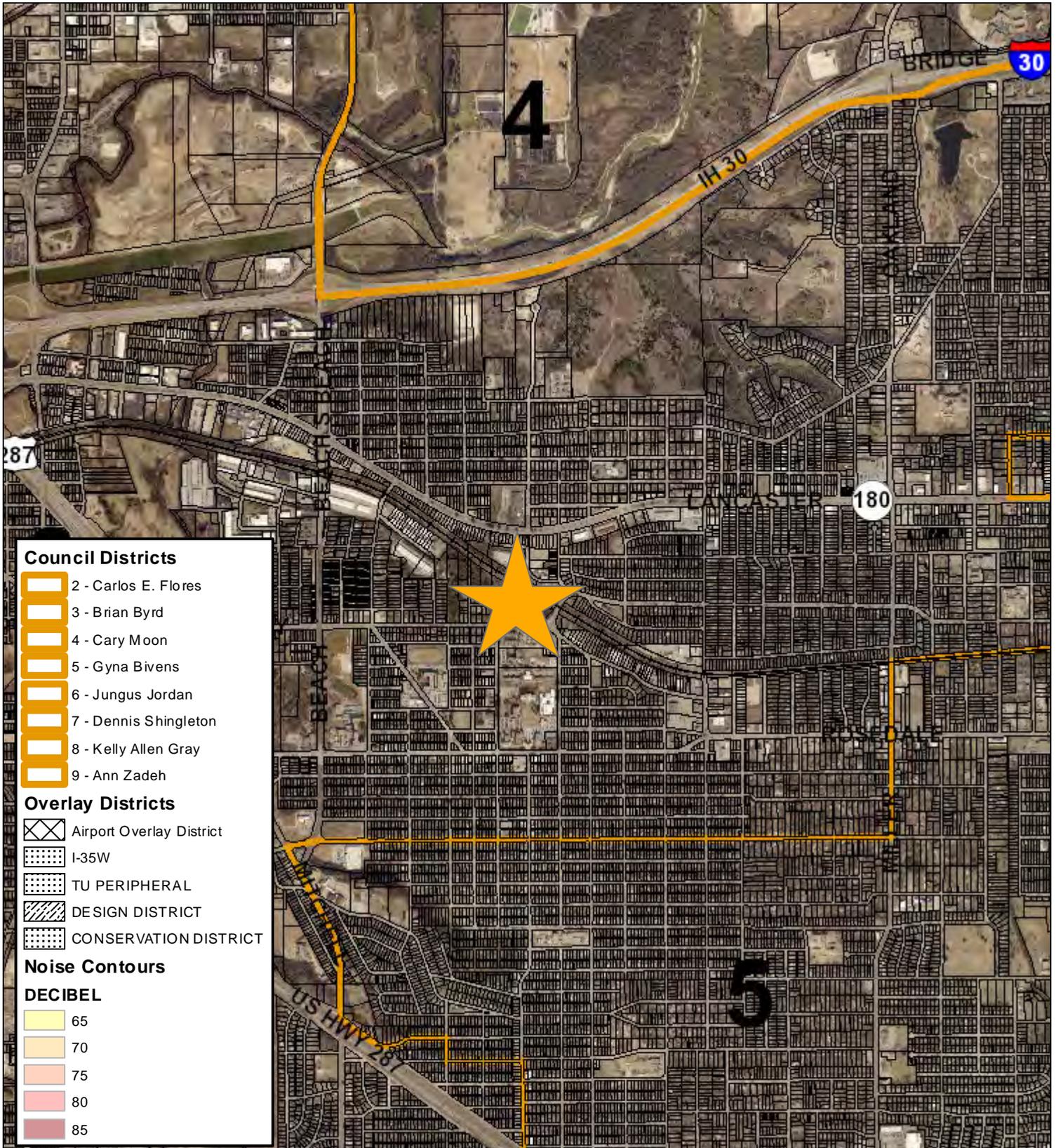
TRUE NORTH DATA
3168 SPYGLASS DRIVE
GRAND PRAIRIE, TX 75052
PHONE: 972-679-2744

SITE PLAN

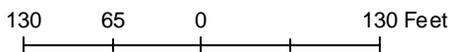
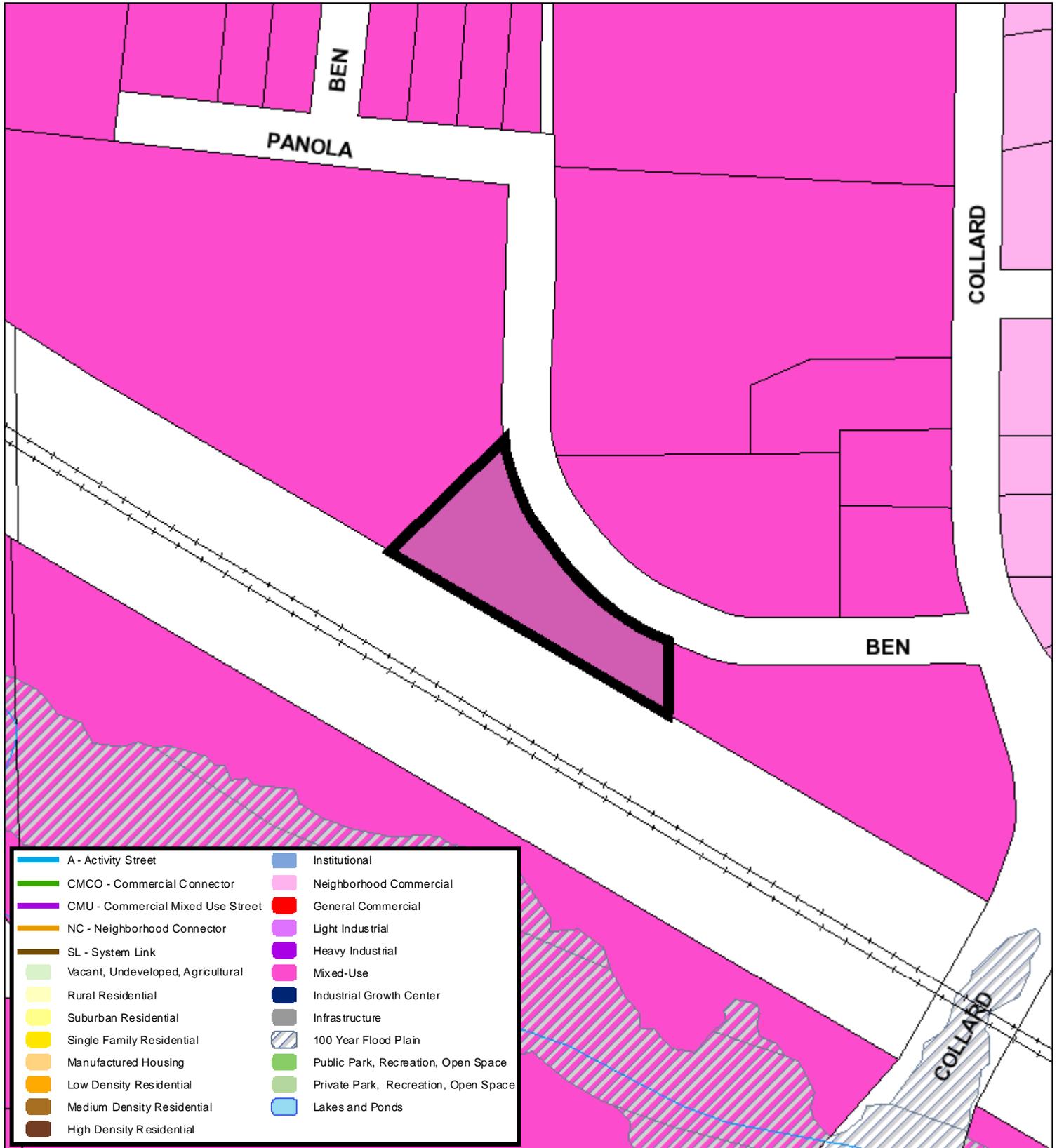
A-1
SHEET NO.

ZC-20-115-

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 87.5 175 350 Feet

