



# Zoning Staff Report

**Date:** June 27, 2023

**Case Number:** ZC-23-080

**Council District:** 9

## Zoning Map Amendment

**Case Manager:** [Sandy Michel](#)

**Owner / Applicant:** Cowtown Properties, LLC/ Mary Nell Poole - Townsite

**Site Location:** 2700 & 2704 Lipscomb Street

**Acreage:** 0.8126 acre

### Request

**Proposed Use:** Townhomes (attached)

**Request:** From: "I" Light Industrial

To: "PD-UR" Planned Development- Urban Residential

### Recommendation

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

**Comprehensive Plan Consistency:** Requested change **is not consistent**

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

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

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## Project Description and Background

The applicant requests to rezone the property from “I” Industrial to “PD-UR” Planned Development- Urban Residential. The subject properties are 0.8126 acre and are vacant. The primary purpose of the rezoning is to allow for Townhomes, which the current zoning does not allow for this type of development. Townhomes are permitted under the Urban Residential zoning but hold special restrictions. The applicant is asking for a Planned Development with Urban Residential to be able to waive some of those special restrictions.

### **2700 Lipscomb Street**

The current use of this parcel is vacant. This site is on the corner of Capps and Lipscomb Street, next to a vacant property (west of the property).

### **2704 Lipscomb Street**

The current use of this parcel is not being used. This site is between single-family homes (west of the property) and a railroad (east of the property).

The applicant has provided a detailed description of their proposed project: “THE DEVELOPER IS PROPOSING TO CONSTRUCT 15, FOR SALE TOWNHOMES AT THE EDGE OF THE RYAN PLACE NEIGHBORHOOD. THIS IS A TRIANGULAR SITE ABUTTING A RAILROAD. THE PROPERTY IS CURRENTLY ZONED INDUSTRIAL AND THE TOWNHOMES WILL CREATE A BUFFER FOR THE SINGLE FAMILY FROM LIPSCOMB STREET, THE RAILROAD AND THE INDUSTRIAL USES ACROSS THE STREET. THE ADDITION OF SIDEWALKS, PEDESTRIAN STREETLIGHTS AND STREET TREES WILL PROVIDE NEW AND EASIER ACCESS TO THE SMALL BUSINESSES THAT HAVE RECENTLY OPENED ABOVE THE SITE.

THE DEVELOPER HAS WORKED WITH THE NEIGHBORHOOD ASSOCIATION TO DESIGN A COMMUNITY THAT WOULD FIT WITHIN THE SCALE AND CHARACTER OF THE NEIGHBORHOOD.”

## Surrounding Zoning and Land Uses

### Parcel 2700

North “B” Two-Family / single family  
East Railroad tracks then “I” - Industrial / Vacant Lot  
South “I” - Industrial / Commercial  
West “B” Two-Family / single family

### Parcel 2704

North “E” Neighborhood Commercial / single family  
East Railroad tracks then “I” - Industrial / Commercial  
South “I” - Industrial / Industrial  
West “I” - Industrial / Vacant Lot

## Recent Zoning History

- ZC-22-024: Request to rezone 0.94 acres the subject property from “I” Light Industrial to “UR” Urban Residential. The case was continued and never seen after.

## Public Notification

300-foot Legal Notifications were mailed on May 26, 2023.  
The following organizations were emailed on May 30, 2023:

Organizations Notified	
Las Familias de Rosemont NA	Shaw Clarke NA
Jennings May St Louis NA	Streams And Valleys Inc
Worth Heights NA	Trinity Habitat for Humanity
South Hemphill Heights NA	Hemphill Corridor Task Force
Ryan Place Improvement Assn*	Berry Street Initiative
Fort Worth ISD	

\* Located within this registered Neighborhood Association

## Development Impact Analysis

### Land Use Compatibility

Surrounding land uses vary with single-family to the west, railroad tracks to the south, and commercial to the north and east. The property is currently zoned I Light Industrial. The site is roughly a triangle shape, formed by a railroad track cutting along the southeast of the lots; light industrial buildings are on the other side of the railroad tracks. Residential one and two-family homes are adjacent to the west of the site.

The proposed “PD-UR” Planned Development- Urban Residential **is compatible** with surrounding land uses.

### Comprehensive Plan Consistency

The 2022 Comprehensive Plan currently designates the subject property as Single-Family Residential on the Future Land Use Map. The proposed zoning is inconsistent with the land use designations for this area and does not align with the following policy of the Comprehensive Plan:

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

Figure 1: Draft Comprehensive Plan 2023- Ch. 4, page 5

Based on conformance with the policies stated above, the proposed zoning is **not consistent** with the Comprehensive Plan.

## Zoning

- The site plan is not in general compliance with the Zoning Ordinance regulations for UR- Urban Residential. **The applicant is requesting a PD to waive the following:**
  - Allow one parking space in the front yard setback along W Capps, as shown on the site plan.
  - 5' Landscaped buffer yard along the railroad (A5) is not required.
- Staff has reviewed the site plan that was submitted at the application; here are the notes:
  - **Parking Requirements**
    - **Per Ord. 4.1300.e.1-** Townhouses require 2 spaces per dwelling unit or 1 space per dwelling unit if the development is within 1,320 feet of a rail station. This project is not within a rail station so the requirement for this project is two parking spaces per dwelling unit. This project has 15 units so the minimum requirement is 30 parking spaces.
    - **Per Ord. 4.1300.f.3-** UR district is intended to create a public environment in which pedestrian safety, comfort, and interest are paramount. Therefore, parking areas that front public streets and pedestrian pathways must be screened to minimize pedestrians' view of parked vehicles and the impact of vehicle headlights. Also, **Per Ord. 4.1300.f.3.a** Parking lots and driveways that are located adjacent and parallel to a public street must be screened from the public right-of-way with landscaping, fences, or walls a minimum of 3 feet in height measured from parking lot grade to a maximum of 4 feet in height.
  - **Residential Entries**
    - **Per Ord. 4.1300.g.4.e.3-** Townhouse must have individual street-oriented entries for each unit space. The site plan provided does not comply with this ordinance, all of the residential entries are in the back
  - **Setback Requirements**
    - **Per Ord. 4.1300.d.2 -** Townhouse must comply with the setback requirements. Currently, building 4 is greater than 20' and is not in compliance with the rear setback, the maximum allowance is 20'
  - **Enhanced Landscaping and Pedestrian Lighting Requirements**
    - **Per Ord. 4.1300.f.2-** The site plan is not in compliance with this ordinance when it comes to all ROW. The created access drive and the alley are considered ROW in the UR district. Those ROW must include enhanced landscape and pedestrian lighting. The current site plan will need a waiver or to be updated to comply with the Ordinance.
  - **Facade Variation Requirements**
    - **Per Ord. 4.1300.g.2.a-** Each new building facade that is greater than 50 feet in width and is oriented to a publicly accessible street or open space must incorporate each of the following scaling elements. For building facades less than 50 feet in width, a minimum of two elements are required. The site plan did not include elevations to show the façade variations. Staff can not determine if a waiver will be needed, but staff will need to review it before any approved site plan.
    - **Per Ord. 4.1300.g.2.b-** New building facades oriented to a publicly accessible street or open space must include differentiation between the first and the upper levels with a canopy, balcony, arcade, or other architectural features.
    - **Per Ord. 4.1300.g.2.c-** The project consists of more than one block face, each sequential block of new construction must contain a different building facade to encourage architectural variety within large projects, using the required architectural elements listed in Section (g)(2)a above and/or other architectural features.



- **Building Materials Requirements**
  - **Per Ord. 4.1300.g.3-** Each new building facade that is greater than 50 feet in width and is oriented to a publicly accessible street or open space must incorporate each of the following scaling elements. For building facades less than 50 feet in width, a minimum of two elements are required. The site plan did not include elevations to show the façade variations. Staff cannot determine if a waiver will be needed, but staff will need to review it before any approved site plan.
- **Service Areas Screening Requirements**
  - **Per Ord. 4.1300.h.3-** Trash and recycling collection, and other similar service areas, must be located to the side or rear of buildings and behind the primary structures on street frontages.
  - **Per Ord. 4.1300.h.4-** Wall, roof or ground mounting requires screening.
  - **Per Ord. 4.1300.h.5-** Private streets and drives with public access easements shall be considered public streets or right-of-way for the purpose of review for compliance with setbacks, pocket parks, parking, screening, enhanced landscaping, facade variations, fenestration, and other UR design requirements normally based on streets.

*(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: Cowtown Properties  
 Address: 2700 & 2704 Lipscomb Street  
 Zoning From: I  
 Zoning To: PD-UR  
 Acres: 0.95596601  
 Mapsco: Text  
 Sector/District: Southside  
 Commission Date: 6/14/2023  
 Contact: null

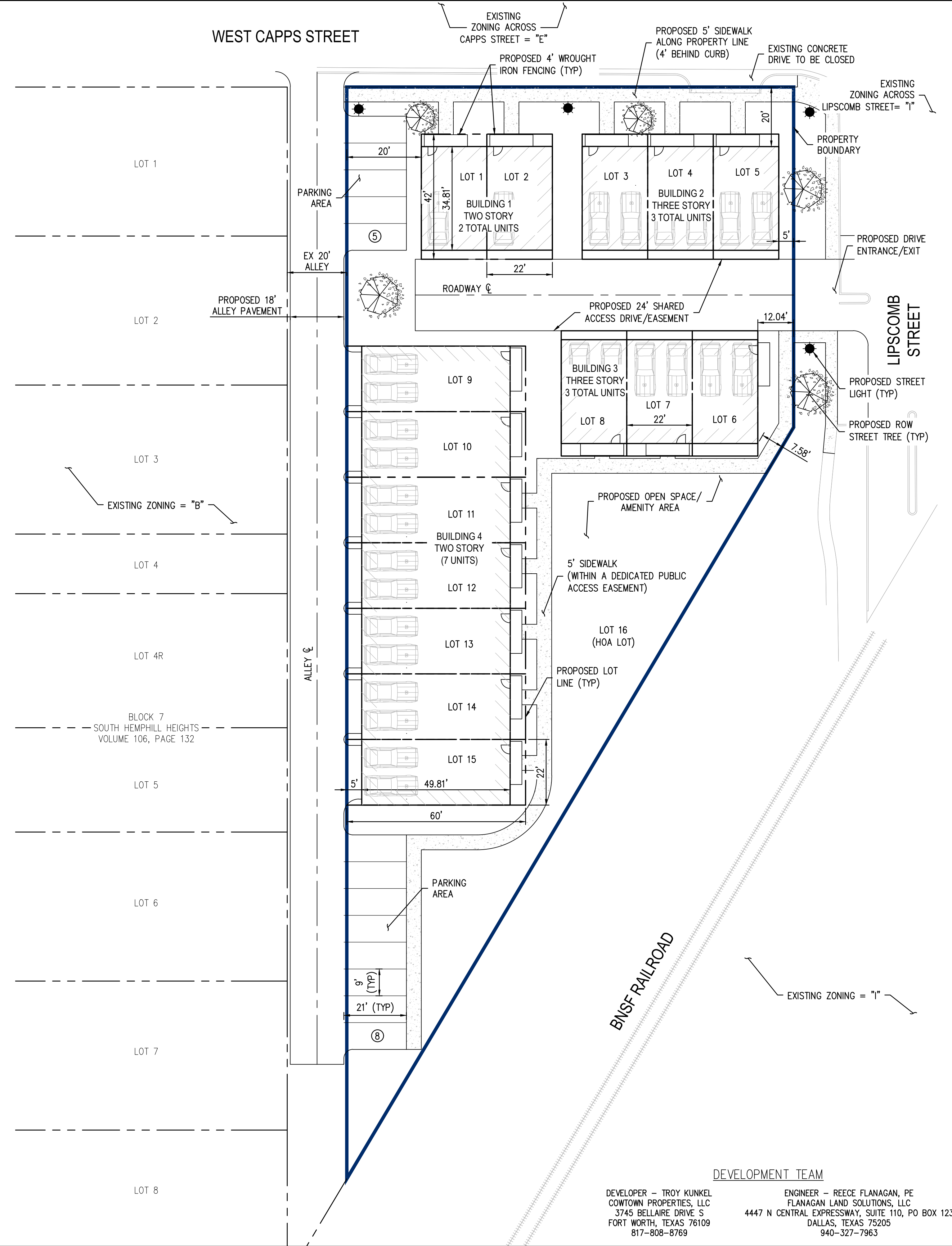


 Subject Area  
 300 Foot Notification

0 115 230 460 Feet



NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF FLANAGAN LAND SOLUTIONS



REVISIONS		
NO.	DESCRIPTION	DATE

- GENERAL NOTES:**
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO COMMENCING ANY CONSTRUCTION. NOTIFY ENGINEER OF ANY CONFLICTS OR DISCREPANCIES.
  - REFER TO ARCHITECTURAL PLANS FOR ACTUAL BUILDING DIMENSIONS.
  - FIRE LANES SHALL BE PROPERLY MARKED WITH A SIX INCH RED STRIPE WITH FOUR INCH WHITE LETTERS STATING " FIRE LANE NO PARKING " EVERY TWENTY-FIVE FEET ALONG THE ENTIRE LENGTH OF THE FIRE LANE. FIRE LANE MARKINGS SHALL BE ON THE VERTICAL SURFACE OF THE CURB WHEN A CURB IS PRESENT.
  - PARKING STALL LINE SHALL BE A 4" SOLID WHITE STRIPE.
  - ALL UTILITIES, INCLUDING BUT NOT LIMITED TO ELECTRICAL, GAS, AND TELEPHONE SHALL BE PLACED UNDERGROUND.
  - REFER TO ARCHITECTURE PLANS FOR ALL FENCING AND GATE SPECIFICATIONS.

- DIMENSION CONTROL NOTES:**
- ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
  - ALL WORK SHALL CONFORM TO THESE PLANS AND CONTRACT DOCUMENTS AND THE INTERNATIONAL BUILDING CODE.
  - CONTRACTOR SHALL REFER TO BUILDING PLANS FOR ACTUAL BUILDING DIMENSIONS. DIMENSIONS SHOWN ARE TO OUTSIDE FACE OF BUILDING.
  - THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT CURB RAMPS ARE INSTALLED IN CONFORMANCE WITH ALL APPLICABLE LOCAL, STATE AND/OR FEDERAL REGULATIONS AND STANDARDS INCLUDING BUT NOT LIMITED TO, THE AMERICANS WITH DISABILITIES ACT (ADA), THE FAIR HOUSING ACT (FHA) AND THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI).
  - EXISTING UTILITY DATA IS PROVIDED FOR INFORMATION ONLY. ALTHOUGH DATA IS SHOWN AS ACCURATELY AS POSSIBLE, THE CONTRACTOR IS CAUTIONED THAT THE DEVELOPER AND THE ENGINEER NEITHER ASSUMES NOR IMPLIES ANY RESPONSIBILITY FOR THE ACCURACY OF THIS DATA.
  - CONTRACTOR IS TO VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION, SHALL ASSUME RESPONSIBILITY FOR REPAIRS TO EXISTING FACILITIES DAMAGED BY CONTRACTOR'S ACTIVITIES.

- DEVELOPMENT STANDARDS & GENERAL NOTES:**
- PD/UR PLANNED DEVELOPMENT WITH THE FOLLOWING USES EXCLUDED: TWO FAMILY ATTACHED (DUPLEX), MANOR HOUSE, GARDEN APARTMENTS, APARTMENTS.
  - NO ROOF ACCESS OTHER THAN MAINTENANCE ON UNITS ABUTTING THE ALLEY.
  - BUILDING 1 & 4 CAPPED AT 2-STORIES.
  - ALLOW ONE PARKING SPACE IN FRONT YARD SETBACK ALONG W. CAPPS.
  - ALL UNITS MAY HAVE 4" WROUGHT IRON FENCING IN FRONT YARD.
  - 5' LANDSCAPE BUFFER YARD ALONG THE RAILROAD NOT REQUIRED.
  - TRASH AND RECYCLING WILL BE HANDLED BY PRIVATE SERVICE.
  - THIS PROJECT COMPLY WITH ENHANCED LANDSCAPING REQUIREMENTS FOR SECTION 4.713 (F).
  - THIS PROJECT WILL COMPLY WITH SECTION 6.302 URBAN FORESTRY.
  - ALL SIGNAGE WILL CONFORM TO ARTICLE 4. SIGNS.
  - ALL PROVIDED LIGHTING WILL CONFORM TO THE LIGHTING CODE.

LIPSCOMB TOWNHOMES

ZC-23-024      SP-23-

DIRECTOR OF DEVELOPMENT SERVICES

DATE

THESE PLANS ARE ISSUED FOR THE PURPOSE OF PRELIMINARY REVIEW AND ARE NOT INTENDED FOR CONSTRUCTION. WHEN ISSUED IN FINAL FORM, THEY WILL BE SIGNED, SEALED, AND DATED BY:

M. REECE FLANAGAN, P.E.  
TEXAS REGISTRATION NO. 129781

SCALE: 1" = 20'

**FLANAGAN**  
land solutions

Dallas, Texas | P: 940.327.7963 | flanagan-ls.com | TBPE Firm No. F-22910

LIPSCOMB TOWNHOMES  
FORT WORTH, TEXAS

SITE PLAN

**DEVELOPMENT TEAM**

DEVELOPER - TROY KUNKEL  
COWTOWN PROPERTIES, LLC  
3745 BELLAIRE DRIVE S  
FORT WORTH, TEXAS 76109  
817-808-8769

ENGINEER - REECE FLANAGAN, PE  
FLANAGAN LAND SOLUTIONS, LLC  
4447 N CENTRAL EXPRESSWAY, SUITE 110, PO BOX 123  
DALLAS, TEXAS 75205  
940-327-7963

**LEGAL DESCRIPTION**

2700 & 2704 LIPSCOMB  
FORT WORTH, TEXAS 76104  
SOUTH HEMPHILL HEIGHTS ADDITION  
BLOCK 7, LOTS 18-24

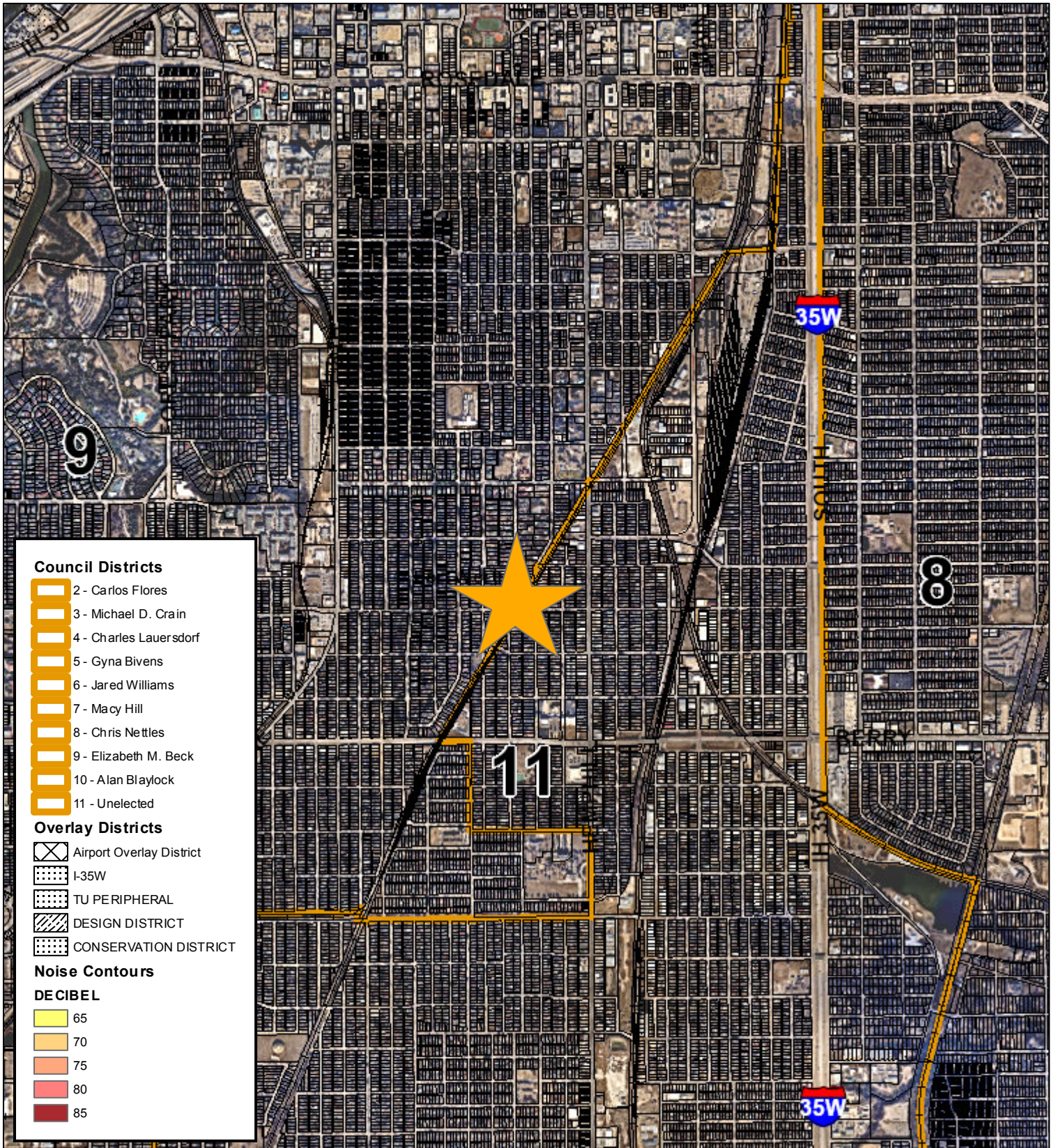
**811** Know what's below.  
Call before you dig.

CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

DESIGNED: MRF	PROJECT #: 2021-03-06	ISSUE DATE: 06.13.2023	SHEET 1 OF 1
CHECKED: FLS			
DRAWN: MRF			








### Area Map



**Council Districts**






-  2 - Carlos Flores
-  3 - Michael D. Crain
-  4 - Charles Lauerendorf
-  5 - Gyna Bivens
-  6 - Jared Williams
-  7 - Macy Hill
-  8 - Chris Nettles
-  9 - Elizabeth M. Beck
-  10 - Alan Blaylock
-  11 - Unelected

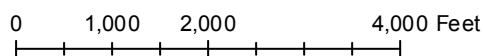
**Overlay Districts**

-  Airport Overlay District
-  I-35W
-  TU PERIPHERAL
-  DESIGN DISTRICT
-  CONSERVATION DISTRICT

**Noise Contours**

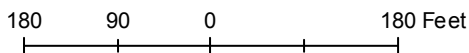
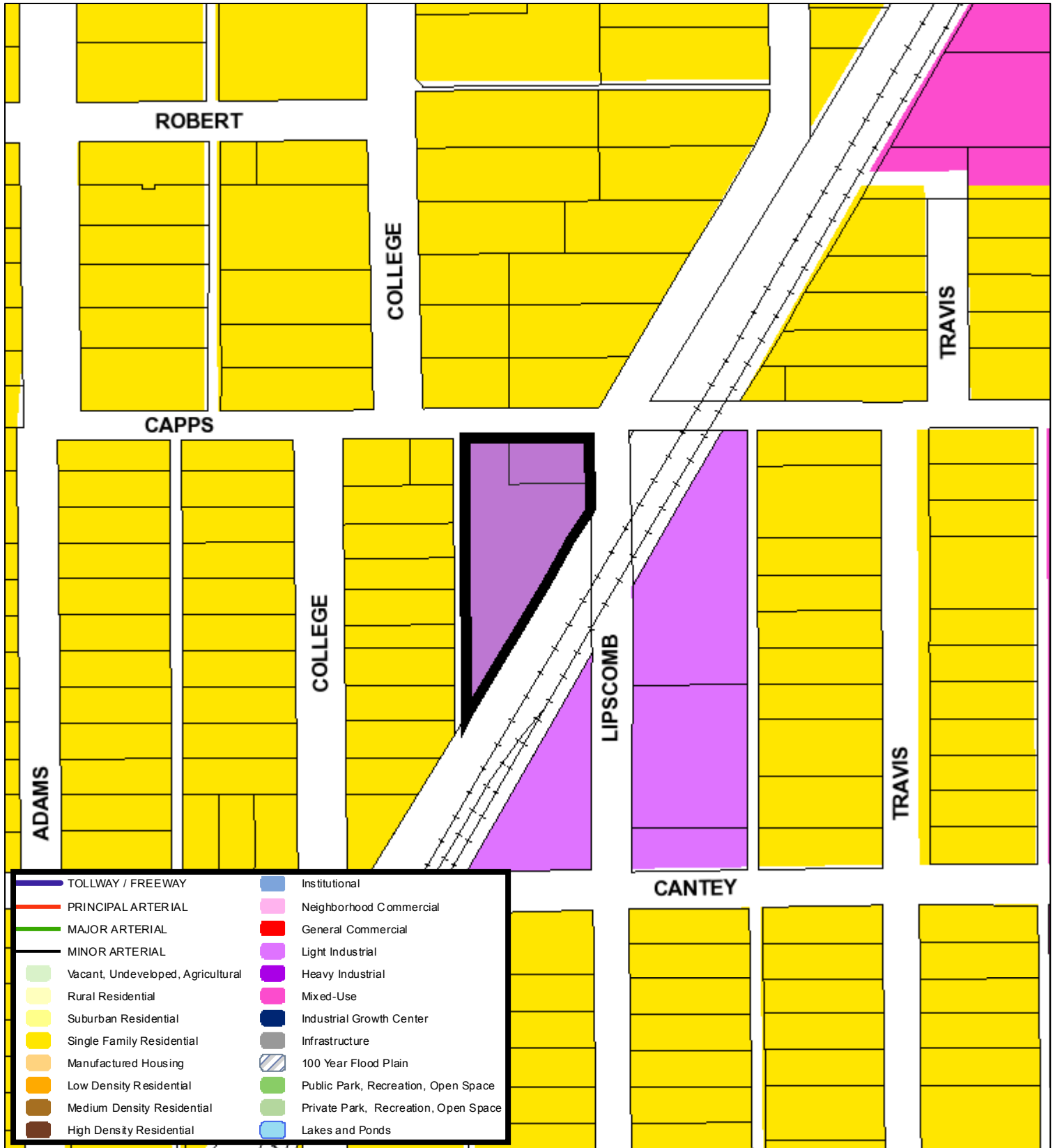
**DECIBEL**

-  65
-  70
-  75
-  80
-  85





### 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



0 115 230 460 Feet

