



# Zoning Staff Report

**Date:** December 12, 2023

**Case Number:** ZC-23-157

**Council District:** 11

## Zoning Map Amendment

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

**Owner / Applicant:** Philip Newburn & Dan Kilkenny

**Site Location:** 500 Oakhurst Scenic Drive

**Acreage:** 0.5177 acres

### Request

**Proposed Use:** Multi-family

**Request:** From: “CR” Multifamily Low Density

To: “MU-2” High-Intensity Mixed-Use

### 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 applicant is requesting to rezone the property from “CR” Low Density to “MU-2” High Intensity Mixed-Use. The subject property is a total of +/- 0.52 acres, the property is currently a vacant lot. The primary purpose of the rezoning is to allow for new pedestrian-oriented owner-occupied multi-family buildings, which the current zoning does not allow for this type of development. A multi-family building is permitted under the High-intensity mixed-use (MU-2) zoning.

The property is located on the corner of Oakhurst Scenic Drive and Akers Avenue. Oakhurst Scenic Drive runs alongside the eastern bank of the West Fork Trinity River. The location is within the Six Points Urban Village and Neighborhood Empowerment Zone (NEZ) Area Four. The site is surrounded by ‘MU-1’ Mixed-Use 1 on the majority of the sides with the exception of the adjacent property which is zoned ‘I’ Light Industrial.

If the site is rezoned to "MU-2" High-Intensity Mixed-Use, any new development will be required to adhere to the "MU-2" Ordinance and meet all the form-based codes. The process if the ordinances can not be met it will require going through a waiver process that will include the Urban Design Commission (UDC). In addition, specific elements such as building heights, setbacks, or bulk will require a waiver from UDC and a variance from the Board of Adjustment (BOA).

The applicant has provided a detailed description of their proposed project: “WE PURCHASED THE LOT WITH THE INTENT TO DESIGN AND BUILD A NEW APARTMENT BUILDING ON THE SITE. ONE OF US IS AN ARCHITECT WHO WILL DESIGN THE BUILDING AND THE OTHER INTENDS TO RESIDE IN THE BUILDING ONCE COMPLETE. THE CURRENT ZONING ALLOWS FOR MULTI-FAMILY DEVELOPMENT BUT WE WOULD PREFER TO USE MU-2 GUIDELINES IN ORDER TO BE MORE COMPATIBLE WITH THE SURROUNDING AREA.”

## Surrounding Zoning and Land Uses

North “MU-1” Low intensity mixed-use / Light Industrial- Manufacturing  
East “MU-1” Low intensity mixed-use / Light Industrial- Manufacturing  
South “I” Light Industrial / Vacant Lot  
West “O-1” Floodplain / Public Park

## Recent Zoning History

- None

## Public Notification

300-foot Legal Notifications were mailed on October 27, 2023.  
The following organizations were emailed on October 27, 2023:

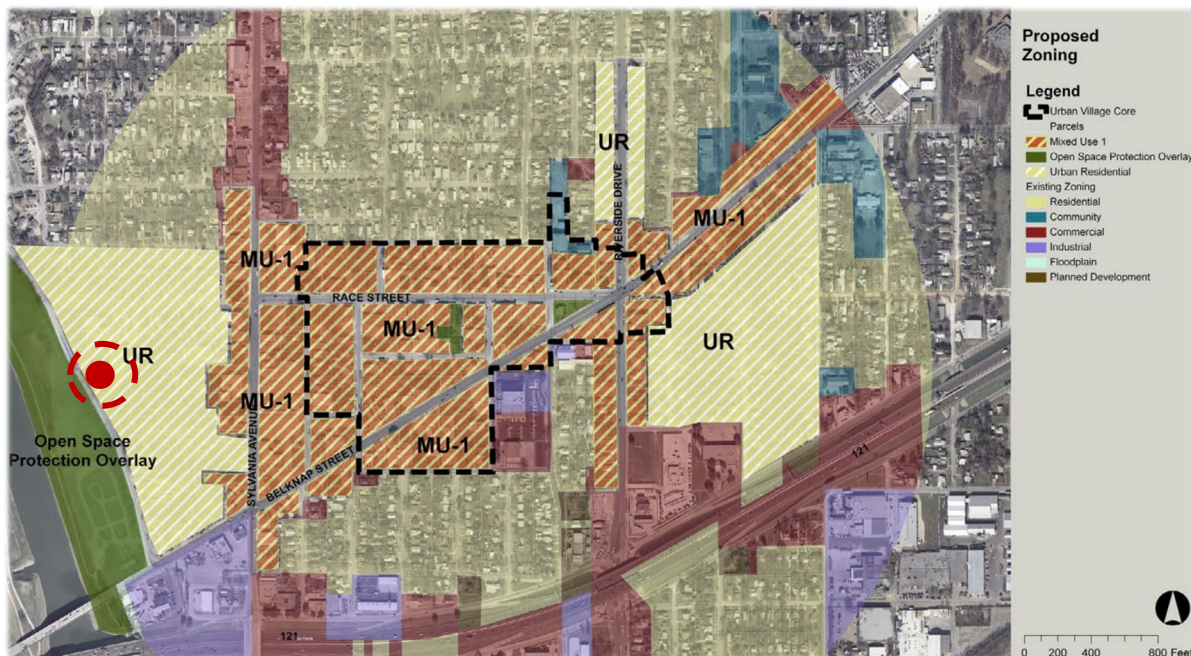
Organizations Notified	
Fort Worth Downtown Alliance	Riverside Alliance

Charleston HOA	Greenway NA
Vintage Riverside NA	United Riverside NA
Tarrant Regional Water District	Friends of Riverside Park
East Fort Worth Inc.	Streams and Valley's Inc.
Trinity Habitat for Humanity	Riverside Business Alliance
Oakhurst Scenic Drive Inc.	Oakhurst Alliance of Neighborhoods
United Riverside Rebuilding Corp	East Fort Worth Business Association

## Development Impact Analysis

### Land Use Compatibility

Surrounding land uses vary with Light Industrial- Manufacturing to the north and east, a vacant lot to the south, and public park to the west. The property is currently zoned CR-Low Density. The site has Mixed Used 1 (MU-1) to the north and east, Floodplain (O-1) to the west, and Light Industrial (I) to the south. Multiple parcels within the same vicinity on Block 1 were rezoned to Mixed Used 1 (MU-1) this year from Two-Family (B). The proposed site is located within the Six Point Urban Village. The master plan calls for Urban residential for this section of the site. The proposed MU-2 **is compatible** with surrounding land uses but is **not consistent** with the Six Point Urban Village Master Plan.



### Comprehensive Plan Consistency

The 2022 Comprehensive Plan currently designates the subject property as Mixed Use on the Future Land Use Map. The proposed zoning **is consistent** with the land use designations for this area.

MIXED-USE		Form-Based Codes
Mixed-Use	Retail, services, offices, entertainment, mixed uses, and multifamily residential (>36 units/acre multifamily, mixed-use multifamily and pedestrian-oriented development)	UR, MU-1, MU-2, Form-Based Codes, All Commercial
Mixed-Use Growth Center	Centers are less intensive, and Regional Growth Centers are more intensive	All Commercial

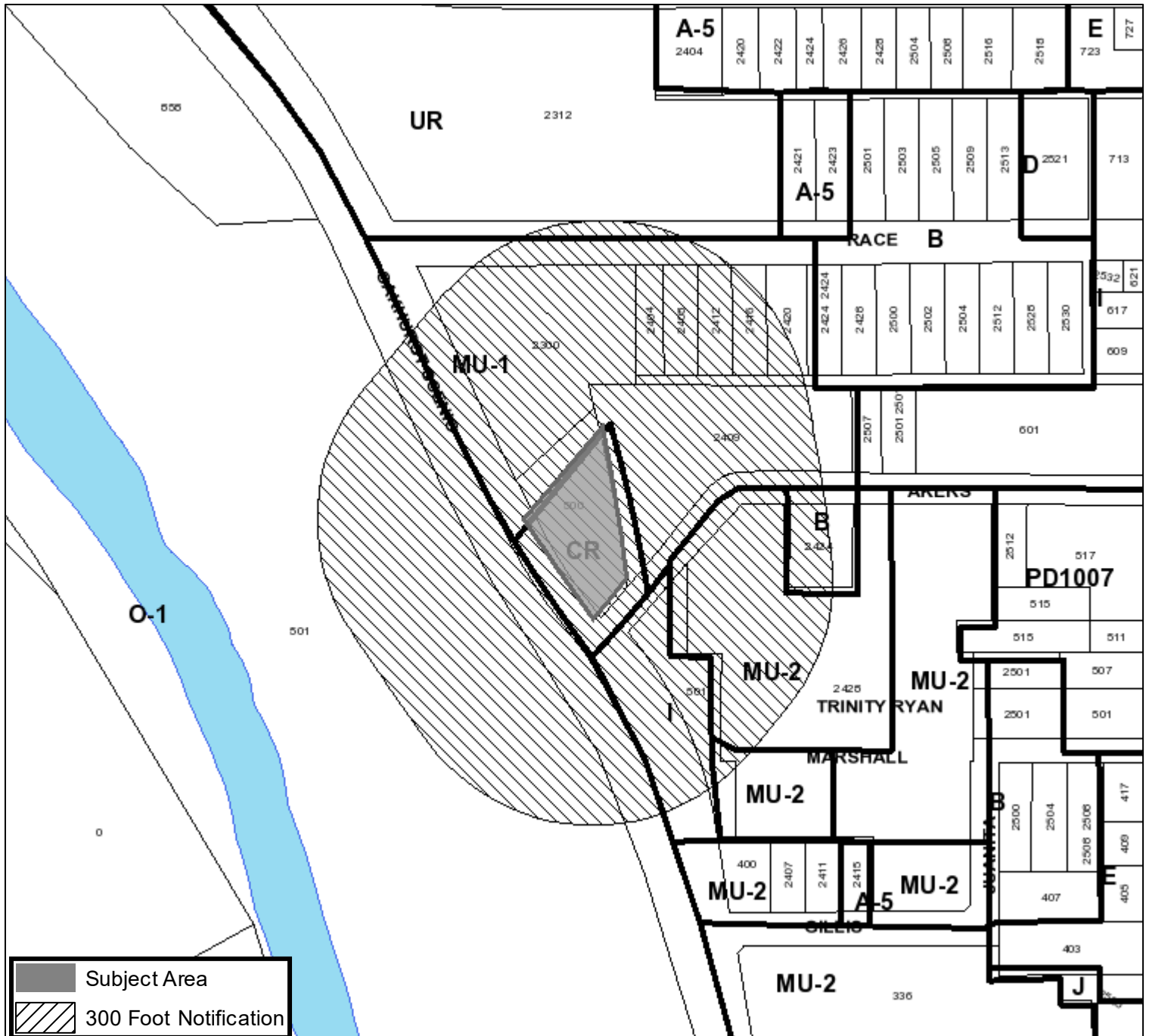
Figure 1: Draft Comprehensive Plan 2023- Ch. 4, page 5



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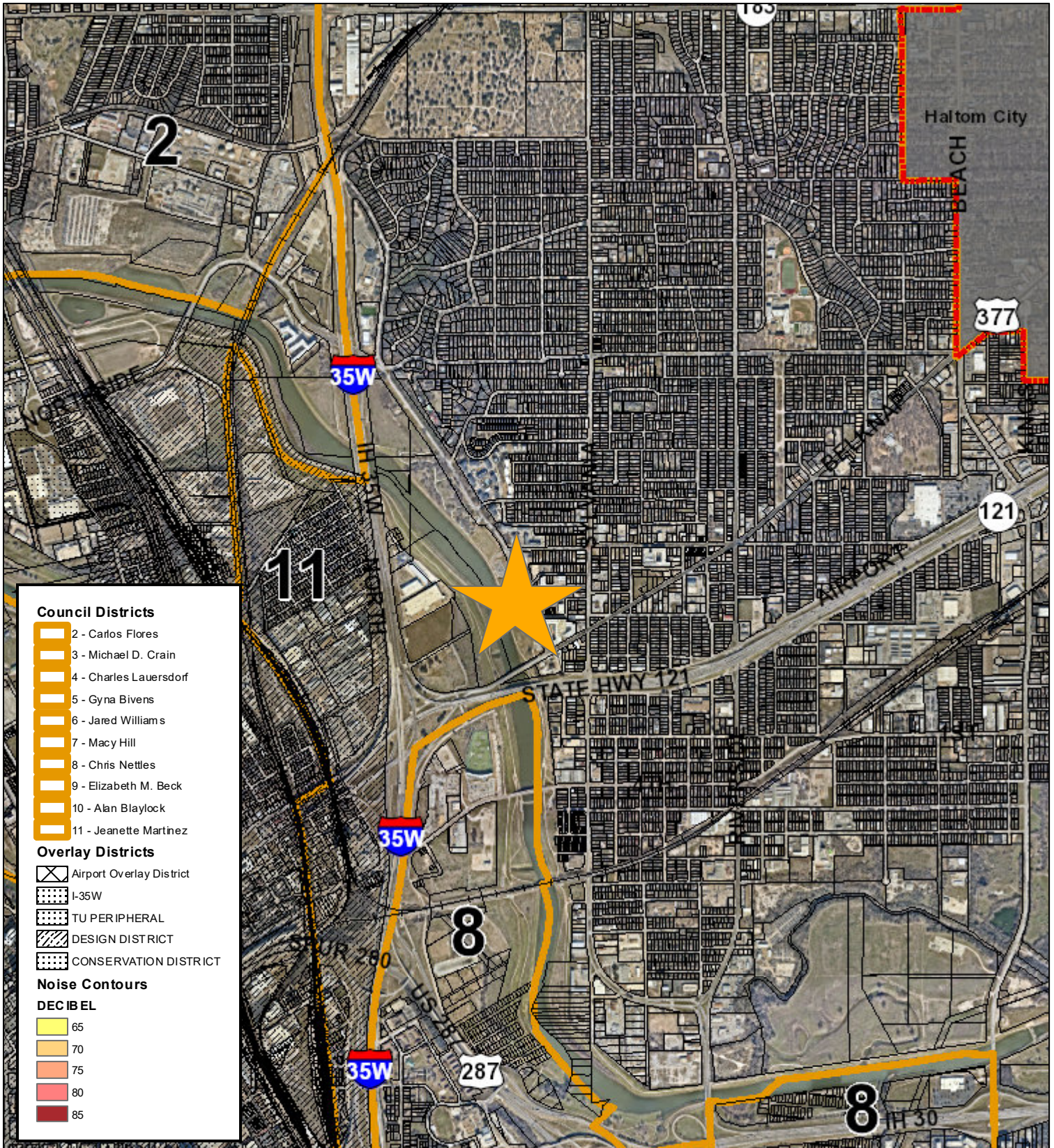
# Area Zoning Map

Applicant: Philip Newburn  
 Address: 500 Scenic Drive  
 Zoning From: CR  
 Zoning To: MU-2  
 Acres: 0.50656678  
 Mapsco: Text  
 Sector/District: Northeast  
 Commission Date: 11/8/2023  
 Contact: 817-392-2806



0 105 210 420 Feet

### Area Map



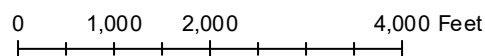
Council Districts	
	2 - Carlos Flores
	3 - Michael D. Crain
	4 - Charles Lauersdorf
	5 - Gyna Bivens
	6 - Jared Williams
	7 - Macy Hill
	8 - Chris Nettles
	9 - Elizabeth M. Beck
	10 - Alan Blaylock
	11 - Jeanette Martinez

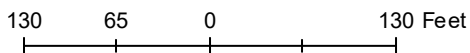
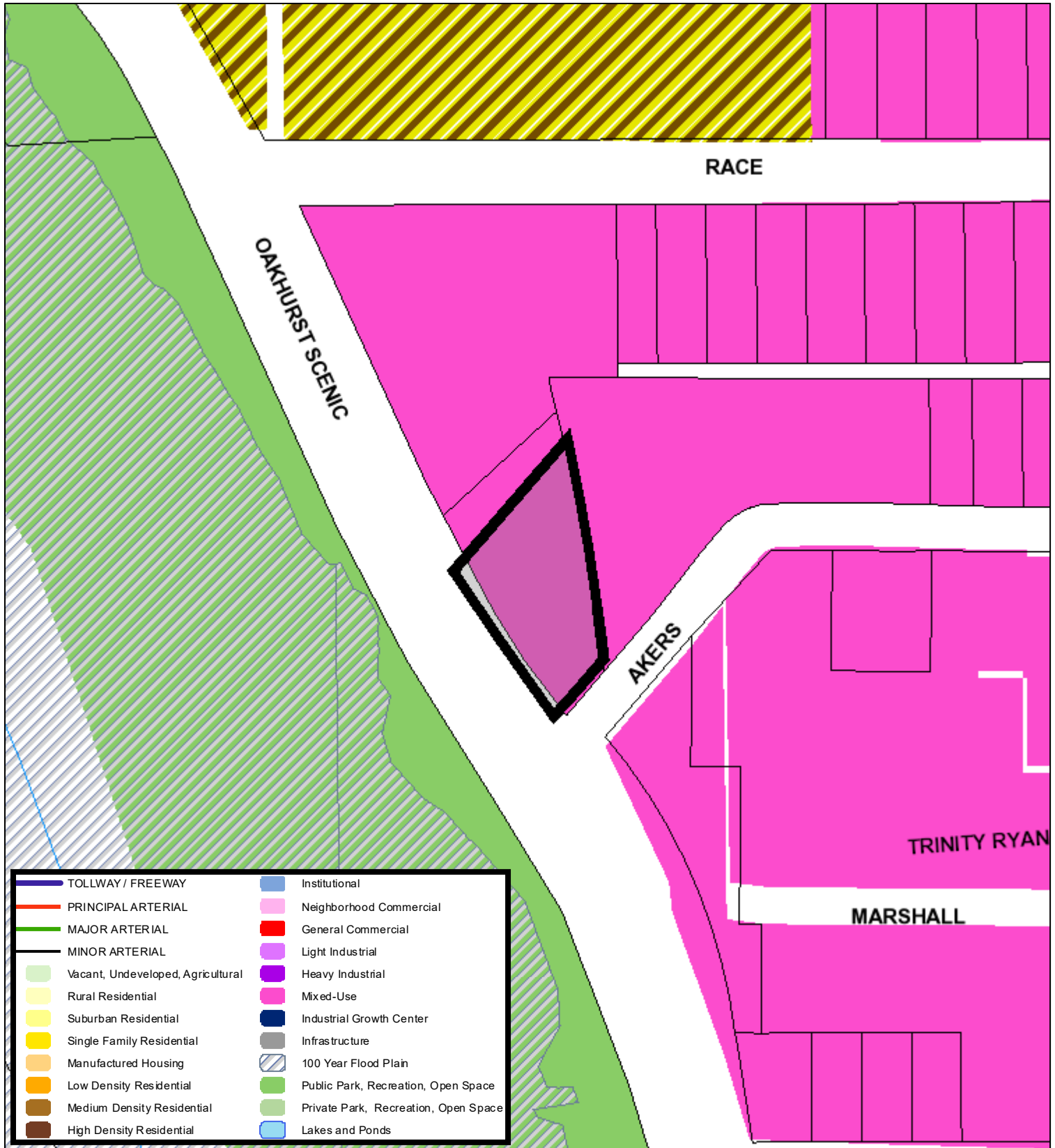
Overlay Districts	
	Airport Overlay District
	I-35W
	TU PERIPHERAL
	DESIGN DISTRICT
	CONSERVATION DISTRICT

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 85 170 340 Feet

