



Zoning Staff Report

Date: December 9, 2025

Case Number: ZC-25-088

Council District: 9

Zoning Map Amendment

Case Manager: [Beth Knight](#)

Owner: 98 Westwood & Solomons Rock LLCs
Applicant: Drew Boatma

Acreage: 0.18 acres

Site Location: 1812 & 1820 W. Lowden Street

Request

Proposed Use: Auxiliary parking lot

Request: From: “A-5” One-Family in the TCU Residential Overlay

To: Add Conditional Use Permit (CUP) to allow an auxiliary parking lot in “A-5” One-Family; plus development waivers to allow parking and fencing in the projected front yard, fencing in the front yard, metal fencing materials, no screening fence on northeastern side, landscaping buffering, parking lot canopy, commercial site landscaping, and not chained & locked at night, site plan included.

Recommendation

CUP Factors for Consideration: Requested change **is not consistent**

Comprehensive Plan Map Consistency: Not applicable.

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

Staff Recommendation: **Denial**

Zoning Commission Recommendation: **Denial by a vote of 10-0**

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Project Description and Background

The zoning case was continued from the November meeting.

The applicant is requesting a Conditional Use Permit for an auxiliary parking lot to support the bar on the eastern side of the alley; site plan included. Auxiliary parking lots are only permitted within the “A-5” One-Family Residential zoning district through the CUP process to help mitigate any neighborhood concerns, as well as give options for the CUP to be revoked in the event of code violation convictions.

The property is located approximately ¼ mile northeast of the intersection of Cleburne Road and W. Berry Street. The site is on the boundary of more intensive commercial uses to the east and the center of the single-family neighborhood to the west. The commercial uses are a remnant of industrial uses and zoning along Stanley Avenue that had backed to a rail line. The commercial uses are now located only on the western side of Stanley Avenue because the eastern side of the street was redeveloped into apartment complexes, leaving a strip of intensive commercial between residential uses.

The subject is specifically sited on the northeast corner of Lowden Street and Livingston Avenue, which are considered residential streets. Single family residences are noted to the north, south and west, with more intensive commercial uses to the east. The subject property had contained a residence until early 2019, and is now two vacant lots facing Lowden Street. 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. The landowner replatted the site into two residential lots in 2021 and changed the front yard from Livingston Avenue to Lowden Street.

The site plan shows parking spaces on the entire lot, with a driveway running the length of the lot from east to west. Because the site is adjacent to residential zoning, a solid screening fence is required along the northern side. A new metal panel fence screening fence is partially shown, but the existing residential metal panel fence is left to function as the only commercial screening fence. Additional metal panel fencing would extend along the northwestern edge to Livingston Avenue, and a pipe fence is noted to replace the existing wooden fence on the west and south sides. All fences are in either a front yard or projected front yard and are not allowed by right. The metal panel and piping materials also fail to meet the requirements for a solid screening fence of wood, masonry, or stucco that does not allow visibility of the cars behind the fence. The fences shown require numerous development waivers, and screening fences have a 6-foot minimum height.

Commercial parking lots adjacent to “A-5” One-Family residential zoning triggers the same setback and landscaping requirements as standard commercially zoned sites. The residential northern side yard setback is 5 feet, a projected 25-foot front yard on Livingston Avenue for the northern portion that transitions to a 10-foot side yard setback due to the flag-shaped lot, and a 20-foot front yard on Lowden Street. The site plan shows parking in the western projected front yard and southern front yard where parking spaces are not allowed. The parking lot paving shown requires multiple development waivers. The two existing trees on the northern property line cannot be verified to be on the subject site, and no other landscaping is provided. The lack of landscaping requires multiple development waivers.

The Zoning Ordinance requires the lot to be chained and locked overnight instead of being available to the bar patrons to the east. The bar's website lists the hours of operation until 2 am. No chaining or locks are shown, triggering an additional development waivers for parking less than 20 feet to residential uses beyond daylight hours. No lighting is shown or noted; so, any lights must be directed away from adjacent properties. No dumpster or outdoor storage would be allowed on the lot.

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.

The site plan, as presented, is not consistent with the Comprehensive Plan policies, is not compatible with the adjacent uses, does not meet all the supplement standards, does not preserve the integrity of the adjacent development, and is materially detrimental to the adjacent multifamily development.

Below is a chart that illustrates the differences between the base regulations and the proposed CUP:

Requirement		Proposed CUP
Screening fence material & location	Solid screening fence of wood/masonry/stucco required adjacent to residential zoning.	Metal panel fence partially along northern property line. <i>(requires 2 Development Regulation Waivers)</i>
Front yard fence location	Solid fencing not allowed in front yards by right.	Solid fence over 4' in northwestern projected front yard. <i>(requires 2 Development Regulation Waivers)</i>

Screening fence material & design	Solid screening fences of wood/masonry/stucco required adjacent to residential zoning.	Open-design metal pipe fence on western & southern sides. <i>(requires 4 Development Regulation Waivers)</i>
Front yard fence location	Open design fencing over 4 feet not allowed in any front yard by right	6-foot open design fence in western & southern front yards <i>(requires 4 Development Regulation Waivers)</i>
Parking in front yard	Parking is not allowed in any projected or required front yard.	Parking is shown in the projected front yard <i>(requires Development Regulation Waiver)</i>
Landscaping in supplemental setbacks	5-foot strip required adjacent to residential zoning.	No landscaping noted or dimensioned. <i>(requires 2 Development Regulation Waivers)</i>
Parking in supplemental setbacks	Parking allowed past landscaping strip during daylight hours.	Parking until bar closes at 2am. <i>(requires Development Regulation Waiver)</i>
Landscaping area	75% of site's required landscaping to be in front yard	No landscaping shown <i>(requires Development Regulation Waiver)</i>
Parking lot canopy	40% of parking lot to be shaded by tree canopy	Minimal tree canopy over parking spaces <i>(requires Development Regulation Waiver)</i>
Auxiliary parking lot standards	Auxiliary parking lot to be chained and locked overnight.	Auxiliary lot to remain open overnight. <i>(requires Development Regulation Waiver)</i>



Surrounding Zoning and Land Uses

North "A-5" One-Family in the TCU Residential Overlay" / single family residences
 East "PD 822" Planned Development for I uses in the TCU Residential Overlay"/ bars & commercial uses
 South "A-5" One-Family in the TCU Residential Overlay" / single family residences
 West "A-5" One-Family in the TCU Residential Overlay" / single family residences

Zoning and Permitting History

- 8/12/2008 – ZC-08-107: Council-initiated rezoning from various districts to be in conformance with the Comprehensive Plan.
- 12/4/2014 – ZC-14-138: Addition of the TCU Residential Overlay.
- 2/10/2019 – BAC-19-004, Special Exception for auxiliary parking lot with variances were withdrawn due to CUP ordinance adoption.
- 10/24/2023 – Code Compliance case 23-661653 parking on the lot and building a solid fence on the south and west sides. Case remains open.

Development Impact Analysis

Land Use Compatibility

The applicant is proposing a zoning change to add a CUP to allow an auxiliary parking lot in “A-5” One-Family with the TCU Residential Overlay. Surrounding land uses consist of lower intensity single-family residential uses, with the exception of a bar building lying across the alley to the east. The site is surrounded by residential uses, which triggers buffer yards on the north, west, and southern sides. The aerial photographs since 2019 document the site with vehicles driving onto or across the lot into the residential neighborhood. The applicant had not applied for a CUP until April 2025. The applicant obtained a building permit for the fence after its construction, by inaccurately stating the fence was part of the residential backyard to the north. However, the adjacent residential yard continues to have no openings to the subject lot, and the fence was not constructed along the alley, leaving the lot readily accessible for the bar patrons’ parking.

The revised site plan appears to only meet the required standard for a paved parking surface. Numerous development waivers are associated with the proposed screening fences’ location, design, and materials. Multiple other development waivers would be required for the lack of landscaping buffers, minimum area, and tree canopy coverage. Additionally, the applicant’s site plan proposes to continue leaving the lot open to the public after daylight hours and less than 20 feet from a residential lot.

The proposed zoning request for commercial uses **is not compatible** with surrounding residential land uses due the intrusion of a commercial encroachment into a residential neighborhood and lack of screening and landscaping. The applicant is requesting a significant number of development waivers. Commercially zoned lots would be more appropriate for the use, instead of a residential district.

Comprehensive Plan Consistency – Far North Sector

The 2023 Comprehensive Plan currently designates the subject property as “Single Family” on the Future Land Use Map. The Comprehensive Plan Future Land Use Map does not designate locations for auxiliary parking lots. The conditional use permit provides the opportunity to consider this request based upon its location to surrounding property, site layout, and mitigating measures.

RESIDENTIAL		
Single-Family Residential	3,500+ sq. ft. lot single-family	A-10, A-7.5, A-5, AR

The proposed conditional use permit is not consistent with the following policies of the Comprehensive Plan:

- Coordinate future land uses and development types and intensity with the Complete Streets policy, Master Thoroughfare Plan, Active Transportation Plan, and Transit-Oriented Development (TOD) Plans.
- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city.
- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, demolition, neglect, and other negative forces.
- 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.
- Maximize area of permeable surfaces in developments to reduce stormwater run-off.

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

Public Notification

Written Notice

Written notice of the Zoning Commission public hearing was mailed to the owners of real property lying within 300 feet were mailed on **September 26, 2025**.

Posted Notice

A sign was erected on the property not less than 10 days before the Zoning Commission public hearing date **September 28, 2025**.

Published Notice

A notice of the public hearing before the City Council will be published in the Fort Worth Star Telegram at least 15 days before the hearing.

The following organizations were notified: (emailed September 26, 2025)

Organizations Notified	
Pascal NA*	Berkeley Place NA
Frisco Heights NA	Rosemont NA
Ryan Place Improvement Assn	Berry Street Initiative
Streams And Valleys Inc,	Fort Worth ISD
Trinity Habitat for Humanity	

* Located in this registered Neighborhood Association



9/28/25 photo taken

Site Plan Comments

Zoning and Land Use

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. If approved, these comments would need to be addressed prior to ordinance adoption.

1. Add the Site Addresses and full legal descriptions (Subdivision/Block/Lots).
2. Add the title of project or development (in bold letters) in the lower righthand corner of the plan.
3. Add the date of preparation or revision.
4. Add the name, address, and telephone number of person drawing the plan and developer/owner.
5. Add a vicinity map, north arrow, and scale in a reasonable measurement.
6. Label the zoning case number in the lower righthand corner of the plan, below the title.
7. Provide a signature line labeled: "Director of Development Services" with a "Date" line above the project title.
8. The location and label of all existing structures on the site, including those proposed to be removed.
9. Add the label for Note #2 to the drawing.
10. Add the existing wood fence, metal panel, and metal pipe fence symbols to the fencing legend.
11. Solid 6-foot screening fences of wood/masonry/stucco are required on the northern, western, and southern sides. The metal panel and pipe fences are not allowed. Change the fence materials and note both the material proposed and height.

12. Fences are not allowed in front of the house to the north. Pull both the metal panel and pipe fences back to be behind the house's front edge.
13. Paving is not allowed in front of the house to the north. Pull the paving back to be behind the house's front edge.
14. Label the alley Right-of-Way width.
15. Dimension the driveway/aisle width.
16. Label the type(s) of the proposed parking lot surface material in the legend (concrete or asphalt).
17. Add the landscaping areas and sidewalks to the legend.
18. How will the western-most parking spaces turn-around without a bump-out turn-around?
19. Dimension the width and length of parking spaces.
20. Label or note the total number of parking spaces.
21. At least one ADA space will be required, based on the maximum number of parking spaces provided.
22. Show the access ramps and wheel stops/curbing.
23. Show and label all the required setbacks, including the 20-foot supplemental setback on the northern side. Some development waivers may not be needed if the southern front yard meets the required setback.
24. Parking is not allowed in this supplemental setback beyond daylight hours. A development waiver will be required to allow parking for a bar that closes at 2am. Add the note in bold **"This item is requesting a development waiver."**
25. A 5-foot landscaping buffer is required next to the northern property line. Show and label this required landscaping.
26. The majority of the site's landscaping is required to be in the front yard with the widest pavement width. Measure the adjacent street widths and add these pavement widths, then add the required landscaping areas to the appropriate front yard.
27. Add the tree diameter size 4.5 feet from the ground and their species.
28. Note no dumpster or storage will be allowed on-site.
29. Note if lighting will be on-site or not. If lighting is provided, show and label it.
30. If lighting is added, add the note that all lighting will be directed away from residential areas.
31. Auxiliary parking lots are required to be chained and locked over-night. Add the note in bold **"This item is requesting a development waiver."**
32. Show and label all the platted easements.
33. Label the land use and zoning classifications of the surrounding properties in all directions, as well as the subject site.
34. Add the note "This project will comply with [Section 6.301, Landscaping.](#)"
35. Add the note "This project will comply with [Section 6.302, Urban Forestry.](#)"
36. Add the note "All signage will conform to [Article 4, Signs.](#)"
37. Add the note "All provided lighting will conform to the Lighting Code."
38. Informational comment: Signage is not allowed on fencing or gates.

(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.)

Stormwater

1. None.


Fire

1. None.

DSD Transportation

1. Access/use of the alley is subject to review by TDS. If alley is used, it must be paved to City standards, which will require engineered plans approved by the Infrastructure Plan Review Center and a Community Facilities Agreement. The Small-scale infrastructure program may be another route.
2. Driveway on Livingston will not be allowed - does not meet driveway spacing policy (75 feet from intersection minimum). This is especially true if using the alley for access on other side..
3. Access to lot using Alley-only is required. Driveway on Lowden would likely not meet intersection AND driveway spacing requirements.
4. Minimum aisle spacing for 90 degree head in parking is 24 feet. Dimensions not given for parking stalls. May be able to squeeze additional spots into the lot. Chapter 8.4 of the Transportation Engineering Manual for additional guidance.
5. Applicant may be able to pave alley with parkway permit instead of IPRC/CFA or SSIP.
6. Site plan will need to show curbing that will separate parking stalls from alley ROW. A standard driveway from the alley to the parking lot is required.

DSD Water Engineering

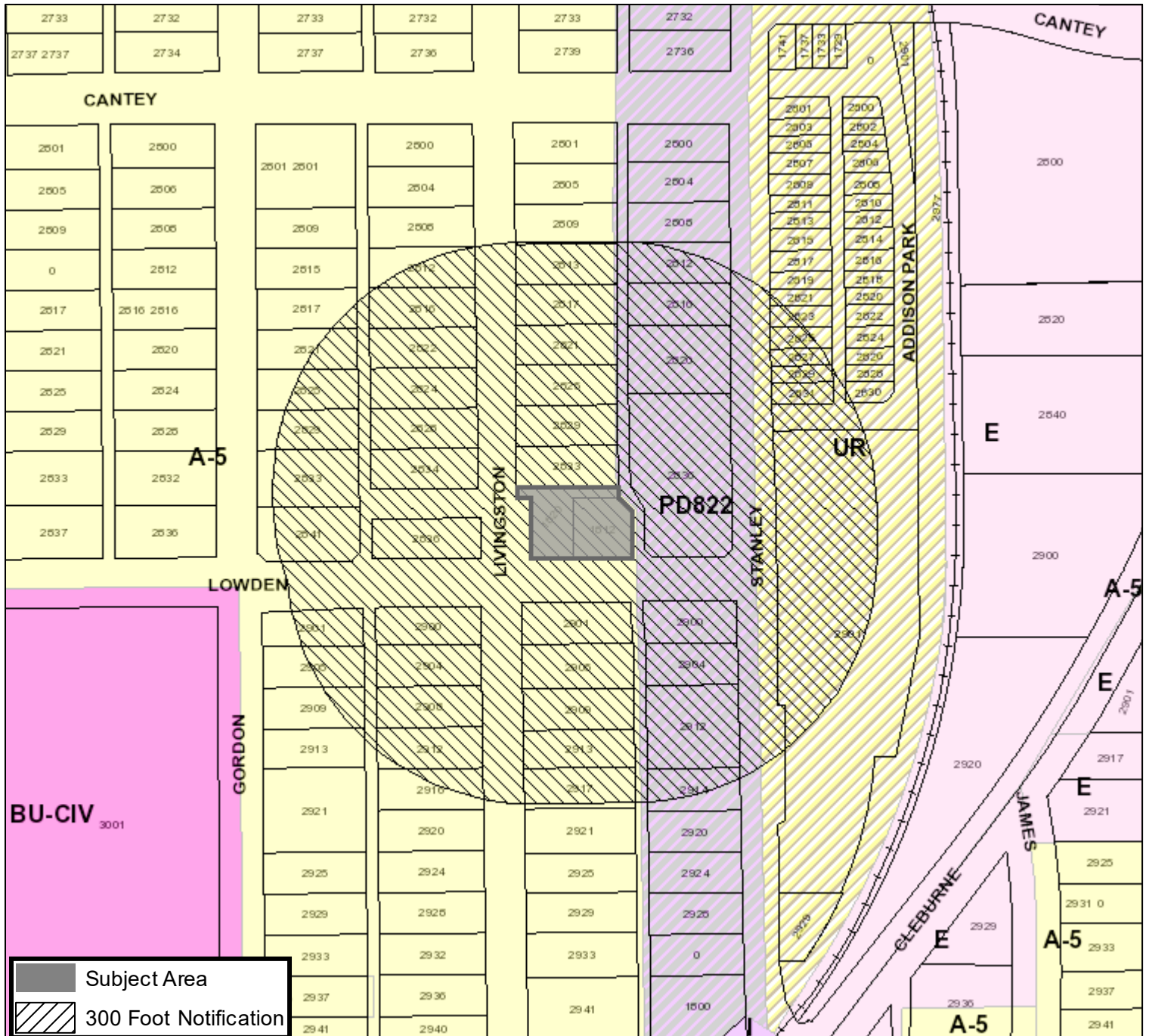
1. Please refrain from emailing DSWS separately to clear holds; Early permit review requests by email or in person will not be accepted. All revisions need to be submitted through Accela permitting system so that they are recorded and tracked appropriately.
 2. Do not know scope to review.
- 



ZC-25-088

Area Zoning Map

Applicant: 98 Westwood & Solomons Rock LLCs/Drew Boatman
Address: 1812 & 1820 W. Lowden Street
Zoning From: A-5/TCU Overlay
Zoning To: Add Conditional Use Permit for auxiliary parking lot
Acres: 0.25
Mapsc0: Text
Sector/District: TCU/Westcliff
Commission Date: 10/8/2025
Contact: 817-392-8190



0 87.5 175 350 Feet

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Prepared By:



2301 Higgins Ln.
Unit 900
Haltom City, TX 76111

Issue History

Issue	Issue for Approval	Date
1	Issue for Approval	8/27/25

1812 and 1820 W. Lowden St.
Frisco Heights Addition
Block 22, Lots 10R-2 & 10R-3

Case #:

ZC-25-088

Site
Plan

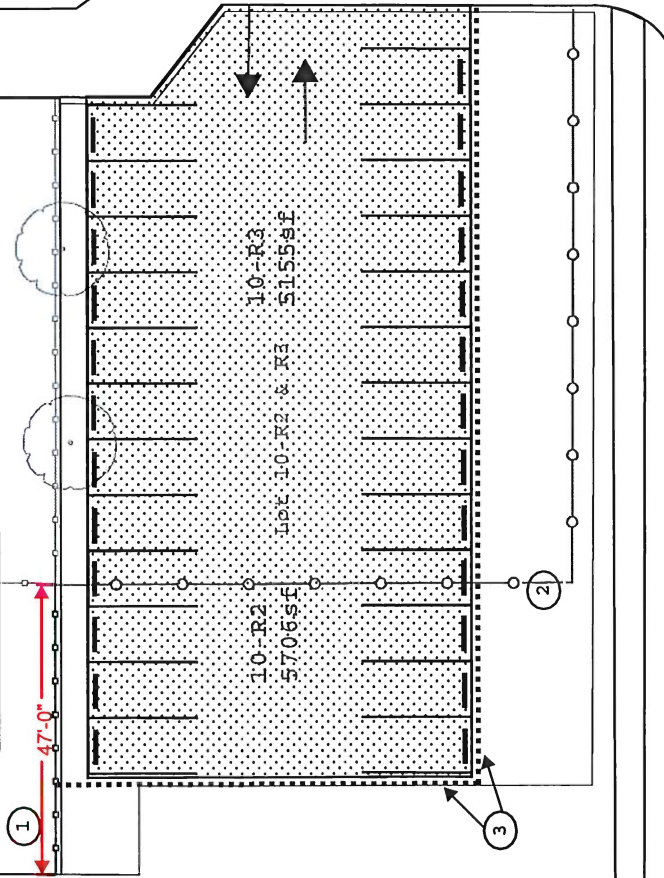
Rusty Nickel Ice House

Detached
Garage

Lot 10-R1

2833
Livingston Ave.

Lot 6-R1 and 6-R2,
Block 22



W-Lowden St.

Site Plan

Scale 1' = 30"

① Install approx. 47' of new metal fence to property line (to match existing)

② Delete existing wood fence

③ Install new metal pipe fence

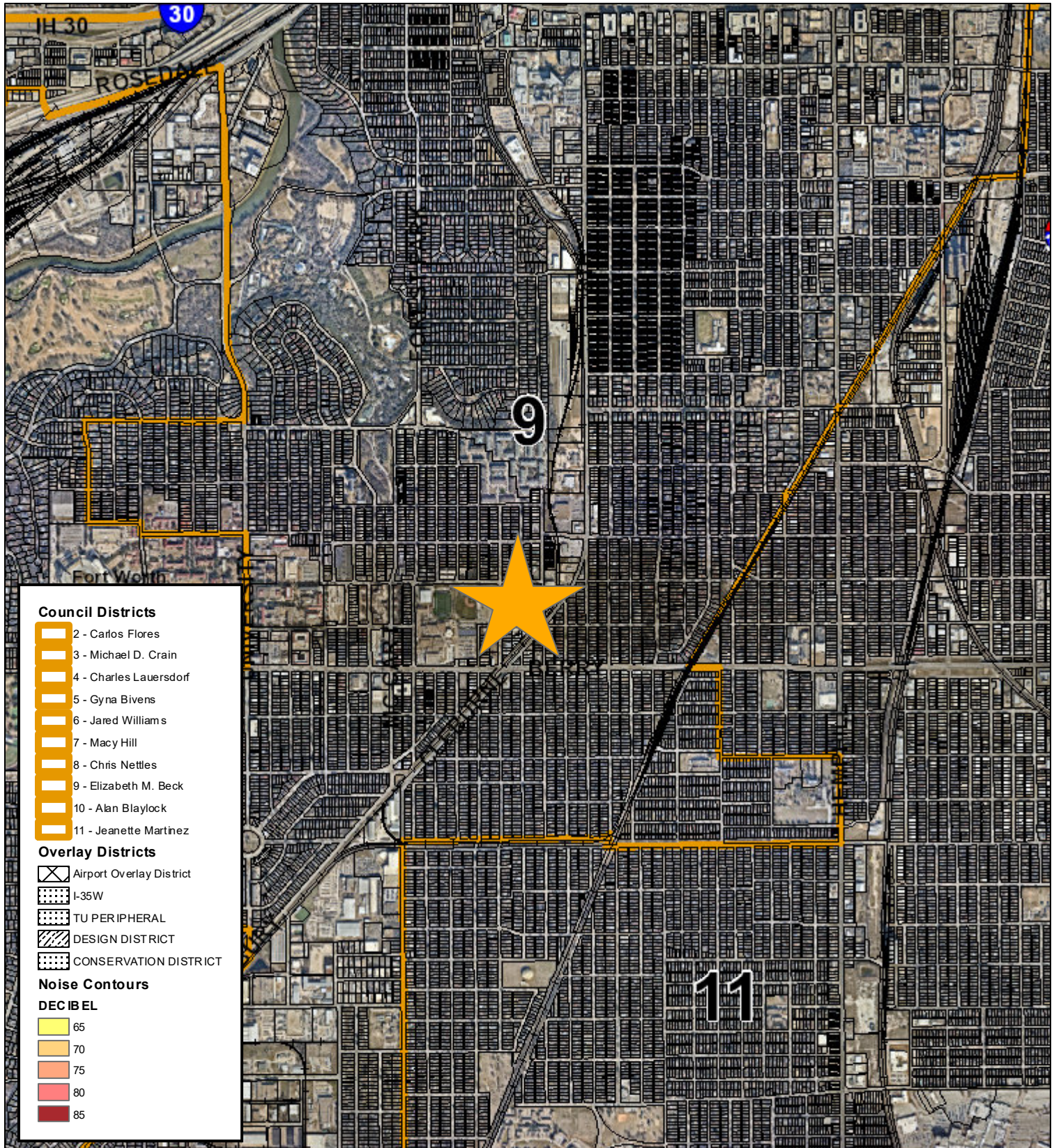


Existing Tree



New pavement for parking

Area Map

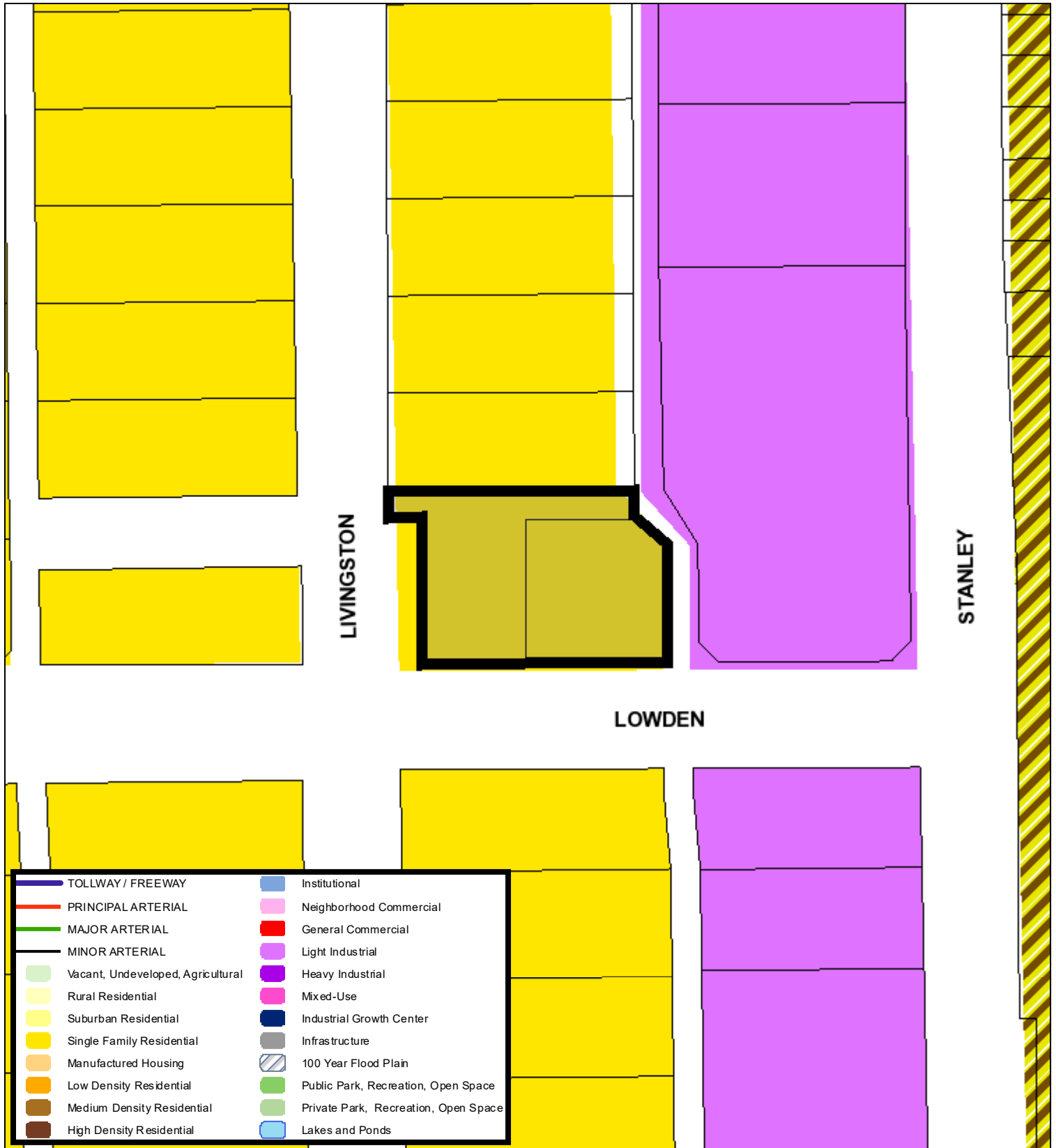


0 1,000 2,000 4,000 Feet



ZC-25-088

Future Land Use



60 30 0 60 Feet

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.



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ZC-25-088

Aerial Photo Map



0 40 80 160 Feet

