



Zoning Staff Report

Date: December 13, 2022

Case Number: ZC-22-097

Council District: 8

Zoning Map Amendment

Case Manager: [Alondra Salas-Beltre](#)

Owner / Applicant: Jose Rojero

Site Location: 3506 E. Lancaster Ave.

Acreage: 0.65 acre

Request

Proposed Use: Car lot

Request: From: “E” General Commercial

To: “FR” General Commercial Restricted

Recommendation

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

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

Staff Recommendation: **Denial**

Zoning Commission Recommendation: **Denial by a vote of 8-0**

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Project Description and Background

The applicant proposes to zone the subject site “FR” General Commercial Restricted. This site was previously used as a car lot, and before February 2010, it was zoned “F” General Commercial. The zone was changed to “E” Neighborhood Commercial as part of a City initiated rezoning effort. We show records that, as of December 2019, the property was a legal non-conforming car lot. By the time the applicant purchased the property in 2021, intending to use it as a car lot, it had lost its legal non-conforming status. According to the applicant, the previous owner refuses to cooperate with them to obtain proof.

The applicant intends to start a new development; they would like to continue to use the space as a car lot; since they purchased the property with that intention, the applicant also owns the vacant lot to the west of the site.

The following is an excerpt of an email communication from the applicant offering more context for the zoning change request.

~~Attachments unless you recognize the sender and know the content is safe.~~

We bought this building back in 2021 there’s two retail suites and a car lot. When we originally bought the building we got a grandfather letter stating the suites and car lot where grandfather to the zoning for a car lot. We later found out after purchasing that the property didn’t have utilities for more then 2 years so the zoning was change. Unfortunately when I tried to get with the previous owner to see if he had any bills to his name or the business he didn’t want to provide me with any information and told me I had to buy out (his current car lot buisness) I’m guessing he has his car lot license attached to that address and he just selling cars online. Building 3506 is design for a car lot it has everything for a car lot and there’s more car lots around it as well I’ve had a lot of offers to rent out the building as a car lot unfortunately I’m not able to do so and I’m currently paying maintenance on all the building it’s been over a year and I would really like to change the zoning and have it as a car lot like I originally had bought it.

Surrounding Zoning and Land Uses

North “E” Across Lancaster Ave. / tire place
East “E” Neighborhood Commercial /commercial building
South “A-5” One Family Residential / residential
West “E” Neighborhood Commercial / vacant

Recent Zoning History

- None

Public Notification

300-foot Legal Notifications were mailed on October 27, 2022.
 The following organizations were emailed on October 27, 2022:

| 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 Association |
| East Fort Worth Business Association | |

Development Impact Analysis

Land Use Compatibility

The properties north, east, and west of the subject site are zoned neighborhood commercial. Many surrounding properties, especially those across Lancaster, include tire places, car lots, and more intense uses than those permitted in neighborhood commercial zones and seem to be non-conforming properties existing before the City initiated the rezoning of the area. As such, the proposed zoning **is compatible** with surrounding land uses. However, reversing the site's current zoning would go against the vision for the Lancaster area established during the City initiated rezoning.

Comprehensive Plan Consistency – Eastside

The 2022 Comprehensive Plan currently designates the subject property as future Neighborhood Commercial, FR zoning would not be a consistent zoning classification according to the following table.

| FUTURE LAND USE | DEFINITION | ZONING |
|-------------------------|--|--------------------------------------|
| COMMERCIAL | | |
| Neighborhood Commercial | Retail, services, offices and mixed uses serving daily needs for a local market area | Multifamily Residential, ER, E, MU-1 |

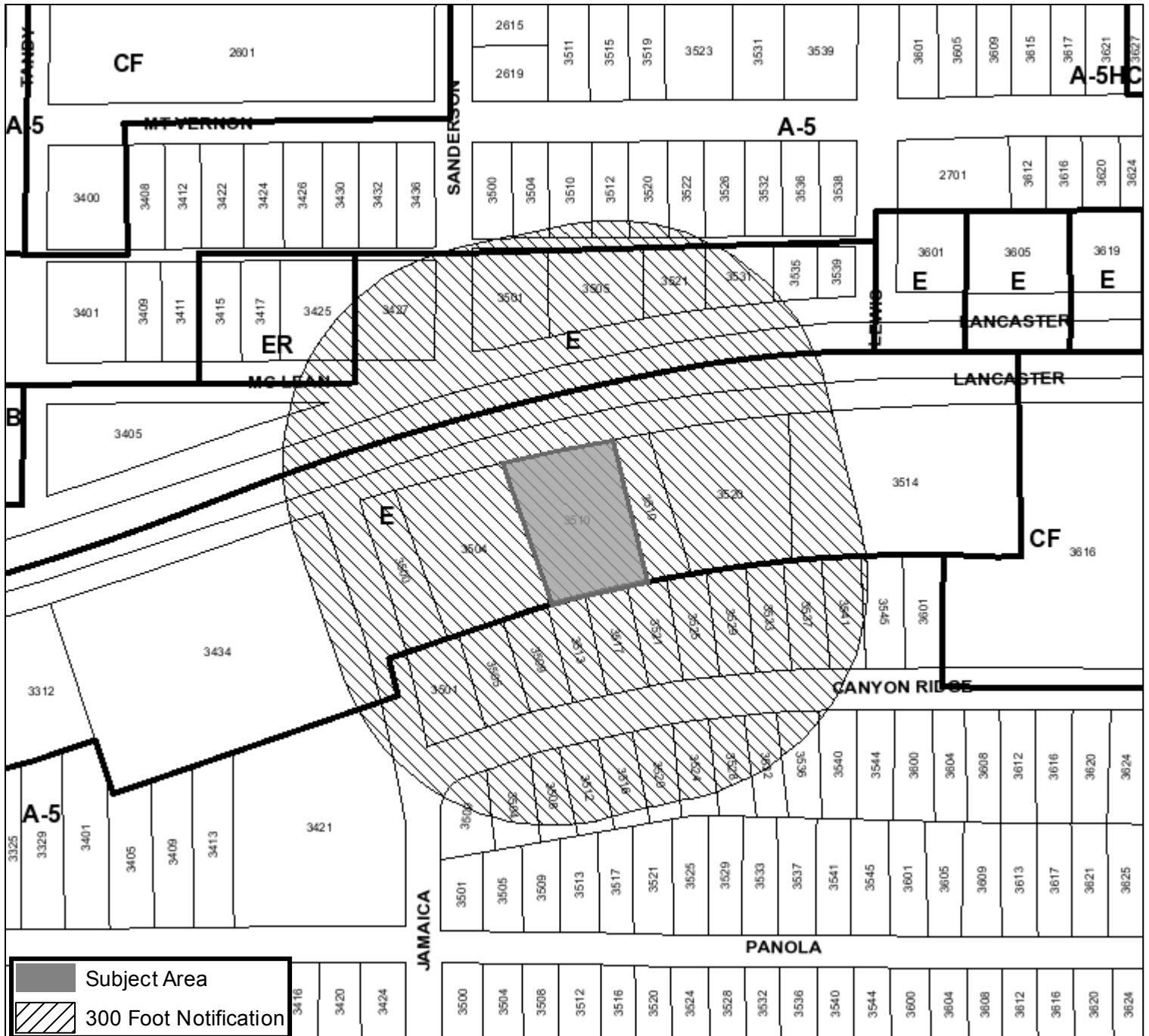
The proposed zoning **is not consistent** with the Comprehensive Plan.



Economic Development Plan

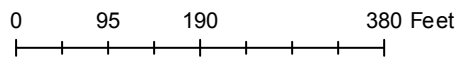
The site is not directly addressed in the 2017 Economic Development Strategic Plan; however, one of the desired outcomes of the plan is a more sustainable tax base driven less by residential property valuation and more by commercial and industrial investment. Additionally, the City has adopted the goal of supporting the growth of independent, locally-owned small businesses, including minority-owned firms. Rezoning to allow more intense commercial development would not make a significant difference since this property is already commercial.

Area Zoning Map

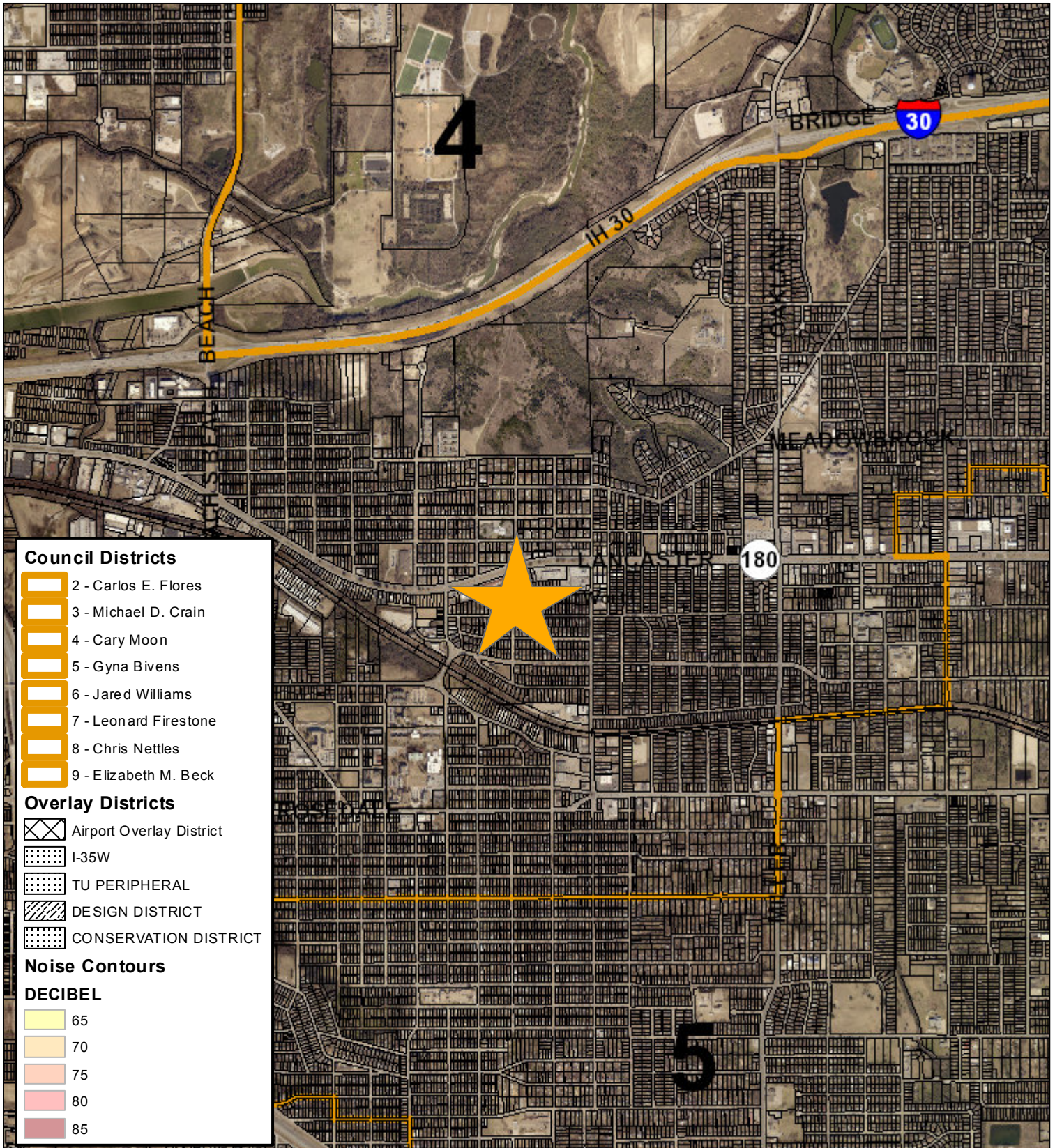
Applicant: Jose Rojero
 Address: 3506 E. Lancaster
 Zoning From: E
 Zoning To: FR
 Acres: 0.65955796
 Mapsco: 078G
 Sector/District: Eastside
 Commission Date: 11/9/2022
 Contact: null




| | |
|--|-----------------------|
|  | Subject Area |
|  | 300 Foot Notification |








Area Map



Council Districts






-  2 - Carlos E. Flores
-  3 - Michael D. Crain
-  4 - Cary Moon
-  5 - Gyna Bivens
-  6 - Jared Williams
-  7 - Leonard Firestone
-  8 - Chris Nettles
-  9 - Elizabeth M. Beck

Overlay Districts

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

Noise Contours

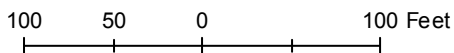
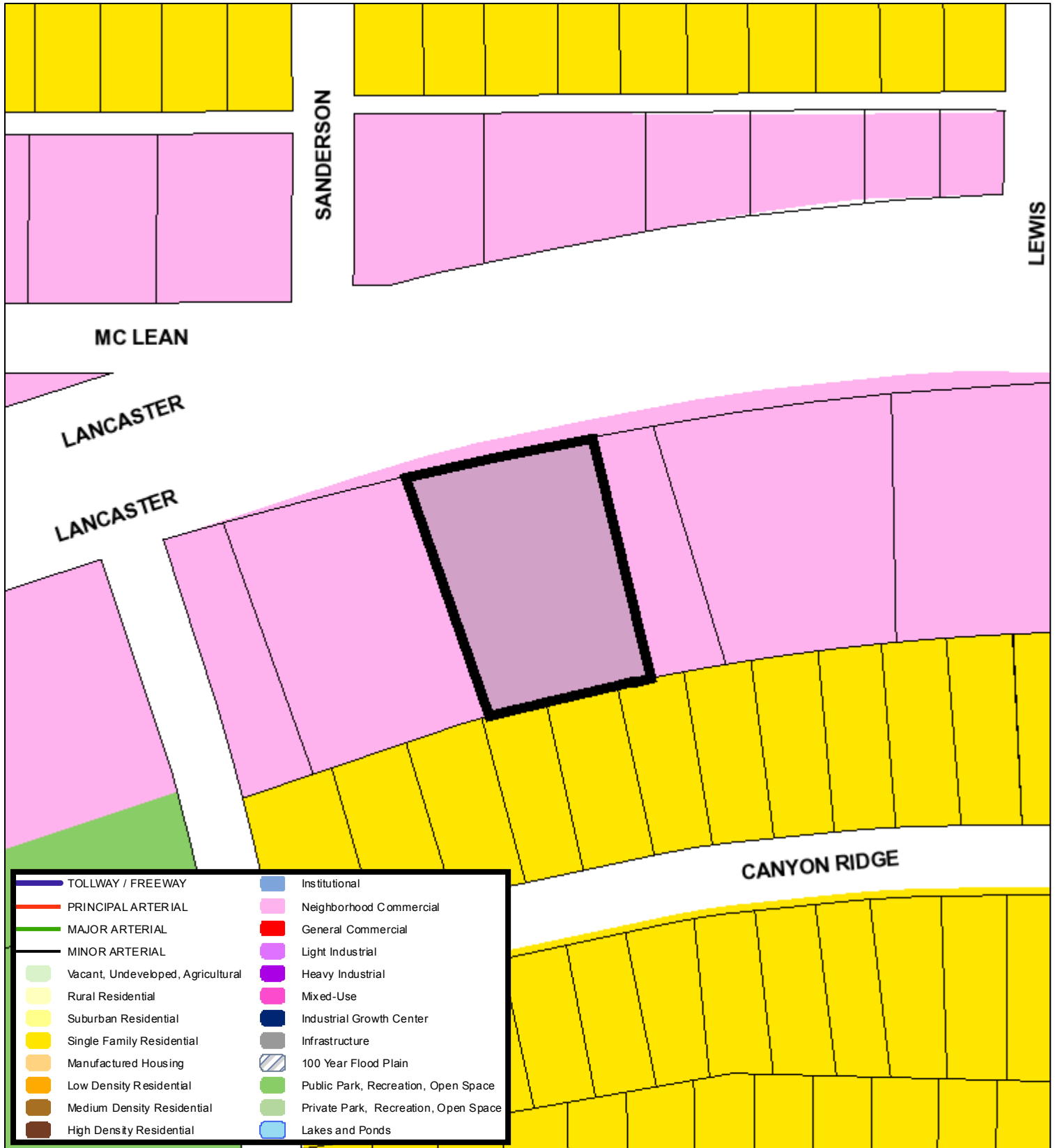
DECIBEL

-  65
-  70
-  75
-  80
-  85



0 1,000 2,000 4,000 Feet

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 65 130 260 Feet

