



Zoning Staff Report

Date: October 11, 2022

Case Number: ZC-22-134

Council District: 8

Zoning Map Amendment

Case Manager: [Brett Mangum](#)

Owner / Applicant: Vaquero Binkley Partners, LP (applicant) / Jack Keffler (representative)

Site Location: 2925 E. Berry Street; 2914-2928 Burton Avenue **Acreage:** 1.17 acres

Request

Proposed Use: Commercial

Request: From: “A-5” One Family Residential

To: “E” Neighborhood Commercial

Recommendation

Land Use Compatibility: Requested change **is not 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 subject property is located in Council District 8, situated on the East Berry Street corridor, opposite Berry Street from the Renaissance Square shopping center. The site is just over an acre and is comprised of several undeveloped single-family residential lots. The applicant is requesting to rezone from “A-5” One Family Residential to “E” Neighborhood Commercial. The application lists “new commercial development”, and does not identify a specific business or land use that would occupy the site. As a result, the application is more speculative in nature since no end-user is contemplated at this point.

At the public hearing on **September 14th**, the Zoning Commission voted unanimously to recommend **denial** of the rezoning request from “A-5” to “E”.

Surrounding Zoning and Land Uses

North “A-5” One Family Residential / residential

East “E” Neighborhood Commercial / drive-thru restaurant

South “PD-720” Planned Development–Neighborhood Commercial / drive thru-restaurants & auto parts retailer

West “A-5” One Family Residential / residential

Recent Zoning History

- None

Public Notification

300-foot Legal Notifications were mailed on September 1, 2022.

The following organizations were emailed on August 26, 2022:

Organizations Notified	
The New Mitchell Boulevard NA*	East Fort Worth, Inc
Trinity Habitat for Humanity	Streams and Valleys Inc
Southeast Fort Worth Inc	Fort Worth ISD
United Communities Assn. of S. Fort Worth	Eastland NA

**Located within this registered Neighborhood Association*

Development Impact Analysis

Land Use Compatibility

Property to the north and west of the subject site is an established single family zoned residential neighborhood. Property to the east is commercially zoned and features a fast food restaurant with a drive-thru. Note that this

commercial property is on a corner lot, whereas the subject property is not on a corner. Property to the south is zoned PD-E and is home to the Renaissance Square shopping center, featuring a mix of national and local tenants.

If the community desires adding space for new commercial opportunities within this neighborhood, then the request could potentially be considered for approval. However, if the community is opposed to commercial activity in this specific location within a residential neighborhood, then that should be weighed accordingly in any decision. Based primarily on the encroachment into the existing residential neighborhood, the proposed zoning **is not compatible** with surrounding land uses.

Comprehensive Plan Consistency – Southeast

The 2022 Comprehensive Plan currently designates the subject property as future Single Family Residential. Appropriate zoning classifications for this area include “A-10”, “A-7.5”, “A-5”, or “AR” single family residential zones. The proposed rezoning conflicts with two of the stated sector land use policies that are specifically applied to the Southeast planning area.

SOUTHEAST SECTOR FUTURE LAND USE

Sector Land Use Policies

10. Protect residential areas from commercial encroachment adjacent to Mansfield Highway, Wilbarger Street, East Berry Street, and East Rosedale Street.
13. Stimulate the redevelopment of the East Rosedale, East Berry Street, Miller Avenue, and Mansfield Highway commercial districts.

Per policy number 10 cited above, the City should endeavor to protect residential areas from commercial encroachment. If this zoning change is approved, it has the potential to create a ‘domino effect’, allowing more commercial development to intrude further into an established residential area. Additionally, according to policy number 13, the Comprehensive Plan encourages redevelopment of existing commercial districts, including along East Berry Street. Focus should be placed on directing commercial ventures to areas along the East Berry corridor that are already zoned and/or developed for commercial uses, rather than converting residential land to commercial.

The current zoning of “A-5” is consistent with the Comprehensive Plan’s future land use designation. The proposed zoning of “E” **is not consistent** with the Comprehensive Plan. If the rezoning request is approved, City staff recommends that the Comprehensive Plan be updated to reflect this change.

Economic Development Plan

The 2017 Economic Development Strategic Plan identified a vision, goals, and strategies to facilitate the success and growth of the City of Fort Worth. The site is not within any of the six target areas that were studied in depth for their redevelopment potential. The most recent update to the plan was approved by the City Council in January 2022. Two of the economic development strategies included in this update would support denial of the rezoning

request. These strategies, listed below, suggest that commercial activity should be directed towards adaptive reuse of existing commercial structures where feasible, and also that commercial development should first occur in existing designated commercial districts, before converting existing residential zones into commercial zones.

- *Encourage renovation and reuse of existing commercial structures throughout commercial districts, where feasible.*
- *Use appropriate incentives to promote development of vacant land and redevelopment or reuse of deteriorated properties within designated commercial districts.*





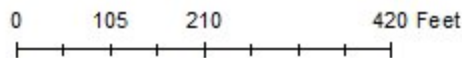


Area Zoning Map

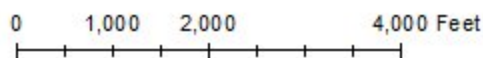
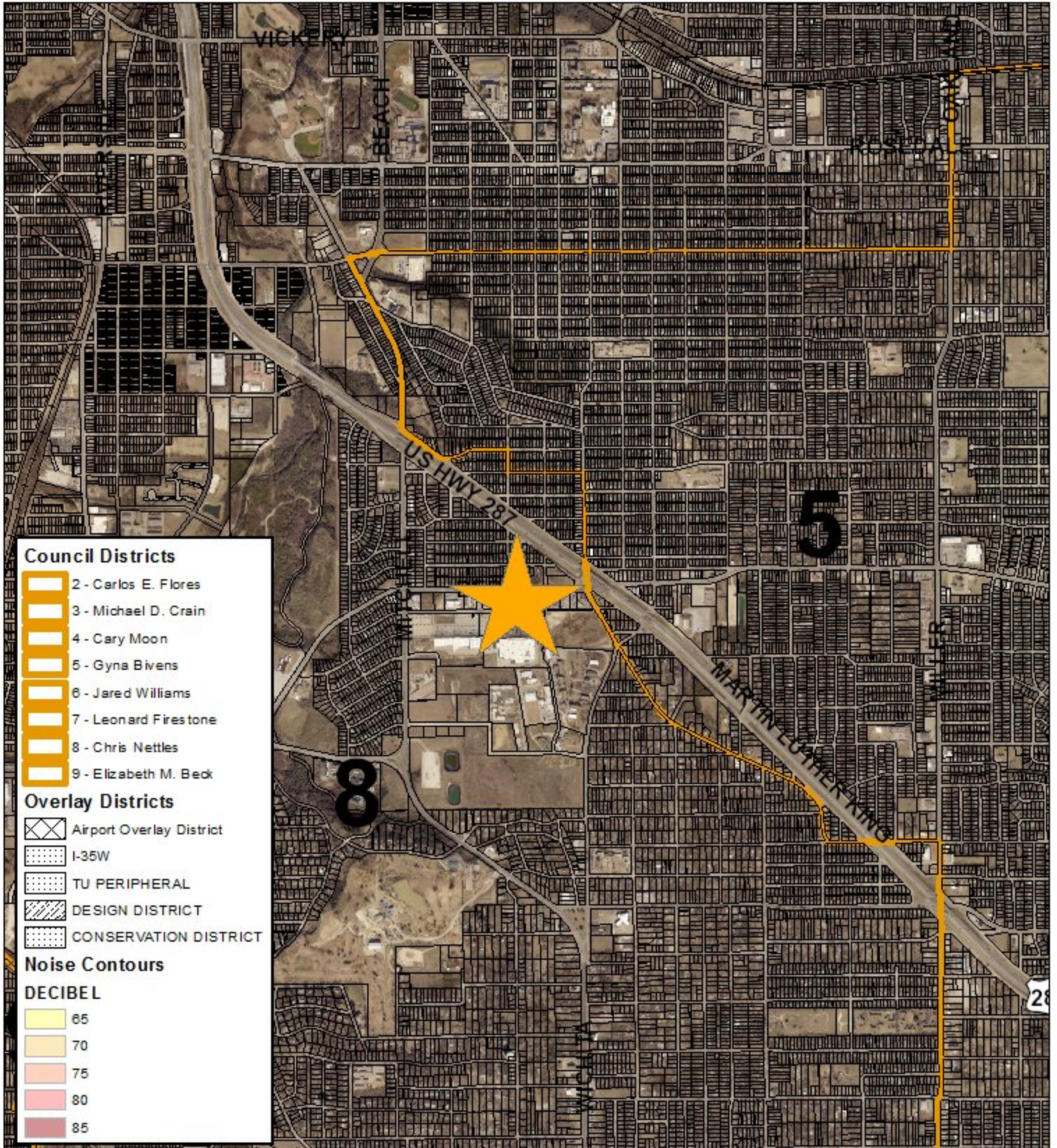
Applicant: Vaquero Binkley Partners, LP
 Address: 2925 E. Berry St.; 2914-2928 Burton Avenue
 Zoning From: A-5
 Zoning To: "E" Neighborhood Commercial
 Acres: 1.16396119
 Mapsco: 78T
 Sector/District: Southwest
 Commission Date: 9/14/2022
 Contact: 817-392-8043



 Subject Area
 300 Foot Notification



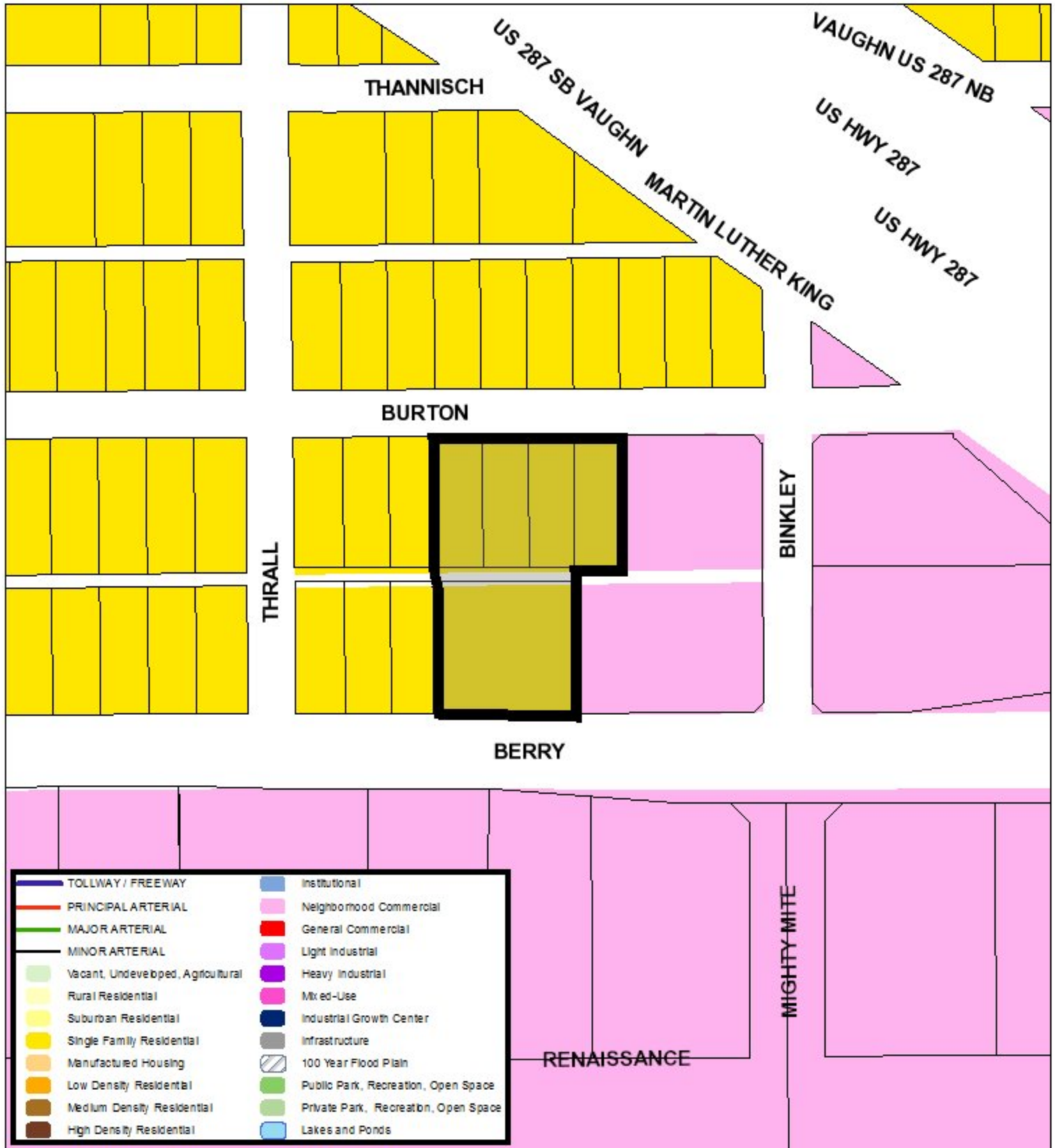
Area Map



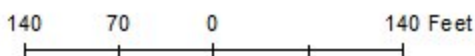


ZC-22-134

Future Land Use



	TOLLWAY / FREEWAY		Institutional
	PRINCIPAL ARTERIAL		Neighborhood Commercial
	MAJOR ARTERIAL		General Commercial
	MINOR ARTERIAL		Light Industrial
	Vacant, Undeveloped, Agricultural		Heavy Industrial
	Rural Residential		Mixed-Use
	Suburban Residential		Industrial Growth Center
	Single Family Residential		Infrastructure
	Manufactured Housing		100 Year Flood Plain
	Low Density Residential		Public Park, Recreation, Open Space
	Medium Density Residential		Private Park, Recreation, Open Space
	High Density Residential		Lakes and Ponds



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 90 180 360 Feet

