



Zoning Staff Report

Date: August 22, 2023

Case Number: ZC-23-121

Council District: 9

Zoning Map Amendment

Case Manager: [Beth Knight](#)

Owner / Applicant: Brewer & Hale LLC / Philip Stewart

Site Location: 515 - 521 (odds) Samuels Avenue **Acreage:** 0.28 acres

Request

Proposed Use: Multifamily

Request: From: “D” High Density Multifamily, “PD 489” for “H” Central Business District uses with Downtown Urban Design District Overlay

To: “PD” Planned Development for “H” Central Business District uses with Downtown Urban Design District Overlay; site plan waiver requested.

Recommendation

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

Comprehensive Plan Consistency: Requested change **is consistent**

Staff Recommendation: **Approval**

Zoning Commission Recommendation: **Denial**

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Project Description and Background

The subject property is a 0.28-acre site, currently without any buildings. The site is flanked by an existing multifamily development to the south and west, with a public park and the Trinity River lying further to the west. Additional multifamily complexes are noted to the north and east. The property went through a rezoning case in 2021 for the same proposed use and was approved. However, as part of a current lawsuit discovery, the City of Fort Worth found not all the adjacent property owners had been notified of the 2021 zoning case, which invalidated the rezoning approval under State law. The site has reverted back to the initial zoning that is primarily “D” High Density Multifamily, with small portions of “PD 489” for “H” Central Business District uses, and completely covered by the Downtown Urban Design District Overlay. A site plan waiver has been requested, as the land is subject to the Downtown Urban Design Standards and Guidelines, and the Downtown Urban Design District will approve the site plan.

The adjacent zoning of “PD 489” Planned Development for “H” Central Business District uses surrounds the subject property in all directions. The applicant’s proposed rezoning is a request to match this base zoning district and does not request any development waivers. The notable differences between the existing multifamily zoning and the proposed downtown zoning are the density, parking requirements, and building setbacks. The height is similar as “D” High Density Multifamily allows 48 feet to the top plate, which is generally equivalent to 4 stories, since the site is more than 250 feet from a one- or two-family district. While the proposed “H” Central Business District base zoning would typically allow an unlimited height, the with Downtown Urban Design District Overlay caps buildings to a 10-story maximum. The Planned Development requested by the applicant keeps the 4-story maximum allowed by the current zoning, as a bridge between the 6-story building to the south and the 2-story building to the north, being additionally consistent with the 4-story complex to the east.

The current zoning would allow 32 dwelling units per acre, for 8 units that could be constructed on this site, due to the acreage. “H” Central Business District allows for an unlimited number of dwelling units per acre, but the applicants are proposing 27 units, as part of their rezoning request. Standard multifamily zoning has a minimum number of parking spaces required, based on the number of bedrooms constructed, as well as additional spaces for common areas, offices, and recreational amenities. Downtown zoning does not have a minimum number of parking spaces required for any use. “D” High Density Multifamily would require a 20-foot minimum front yard, with 5-foot side and rear setbacks for this site that is in the middle of the block. “H” Central Business District allows buildings to be pulled to all property lines, unless a side yard is provided, which must be a minimum of 3-foot wide. The adjacent multifamily complexes to the north and south have been developed to the front property lines, with minimal or no setbacks.

The Downtown Urban Design District Overlay standards for the Rock Island/Samuels Avenue neighborhood apply to all new construction and/or rezonings and over-ride the basic “H” Central Business District requirements. New multifamily buildings on the subject site must be consistent with the adjacent structures in terms of height, building massing, orientation, and setbacks. Specifically, the buildings should step down to provide a transition in height; the orientation of the building’s front façade and entrances must be consistent with the structures on the same block face; a 10-foot maximum front setback from the sidewalk is allowed; and buildings along Samuels Avenue must have a 3-story minimum.

Surrounding Zoning and Land Uses

North “PD 489” for “H” Central Business District uses / Multifamily complex
East “PD 489” for “H” Central Business District uses / Multifamily complex

South “PD 489” for “H” Central Business District uses / Multifamily complex

West “PD 488 and 489” for “H” Central Business District uses / Vacant land, public park, and the Trinity River

Recent Zoning History

- ZC-16-107; subject site and surrounding land to north, east, and south; staff-initiated to expand and revise Downtown Urban Design District Overlay; approved 12/7/2016.
- ZC-21-161, subject site, from “D” High Density Multifamily, “PD 489” for “H” Central Business District uses with Downtown Urban Design District Overlay to “PD” Planned Development for “H” Central Business District uses with Downtown Urban Design District Overlay, approved 11/9/2021.
- ZC-22-150; subject site and surrounding land to north, east, and south; staff-initiated; from various districts to “HP” Central Business Peripheral; withdrawn.

Public Notification

300-foot Legal Notifications were mailed on July 25, 2023.

The following organizations were notified: (emailed July 25, 2023)

Organizations Notified	
Uptown NA *	Friends of Riverside Park
FW Downtown Neighborhood Alliance	Tarrant Regional Water District
Oakhurst Alliance of Neighbors	Streams and Valleys Inc
Trinity Habitat for Humanity	Fort Worth ISD

* Located closest to this registered Neighborhood Association

Development Impact Analysis

Land Use Compatibility

The applicant is requesting to rezone the site to “PD” Planned Development for “H” Central Business District uses with Downtown Urban Design District Overlay; site plan waived. Surrounding land uses include multifamily uses to the north, east, and south that range from 2 to 6 stories tall. Vacant land sloping down to a City park and the Trinity River lies to the west. The adjacent zoning of “PD 489” Planned Development for “H” Central Business District uses surrounds the subject property in all directions and was approved in 2004. The applicant is requesting to match this base zoning district without requesting any development waivers.

The proposed zoning is **compatible** with surrounding land uses.

Comprehensive Plan Consistency – Northeast

The 2023 Comprehensive Plan currently designates the subject properties as Mixed Use on the Future Land Use Map, as part of the Downtown Regional Mixed-Use Growth Center. Mixed-Use Growth Centers are anticipated to have a high concentration of residents, employees, and tourists. The requested land uses would be included in the list of zoning districts envisioned for this land use category, as detailed in the excerpt from the Comprehensive Plan below.

COMMERCIAL		
Mixed-Use/ Mixed-Use Growth Center	Retail, services, offices, entertainment, mixed uses, and multifamily residential; Community Growth Centers are less intensive, and Regional Growth Centers are more intensive	AR, B, R1, R2, CR, C, D, UR, All Commercial, MU-1, MU-2, Form-Based Codes

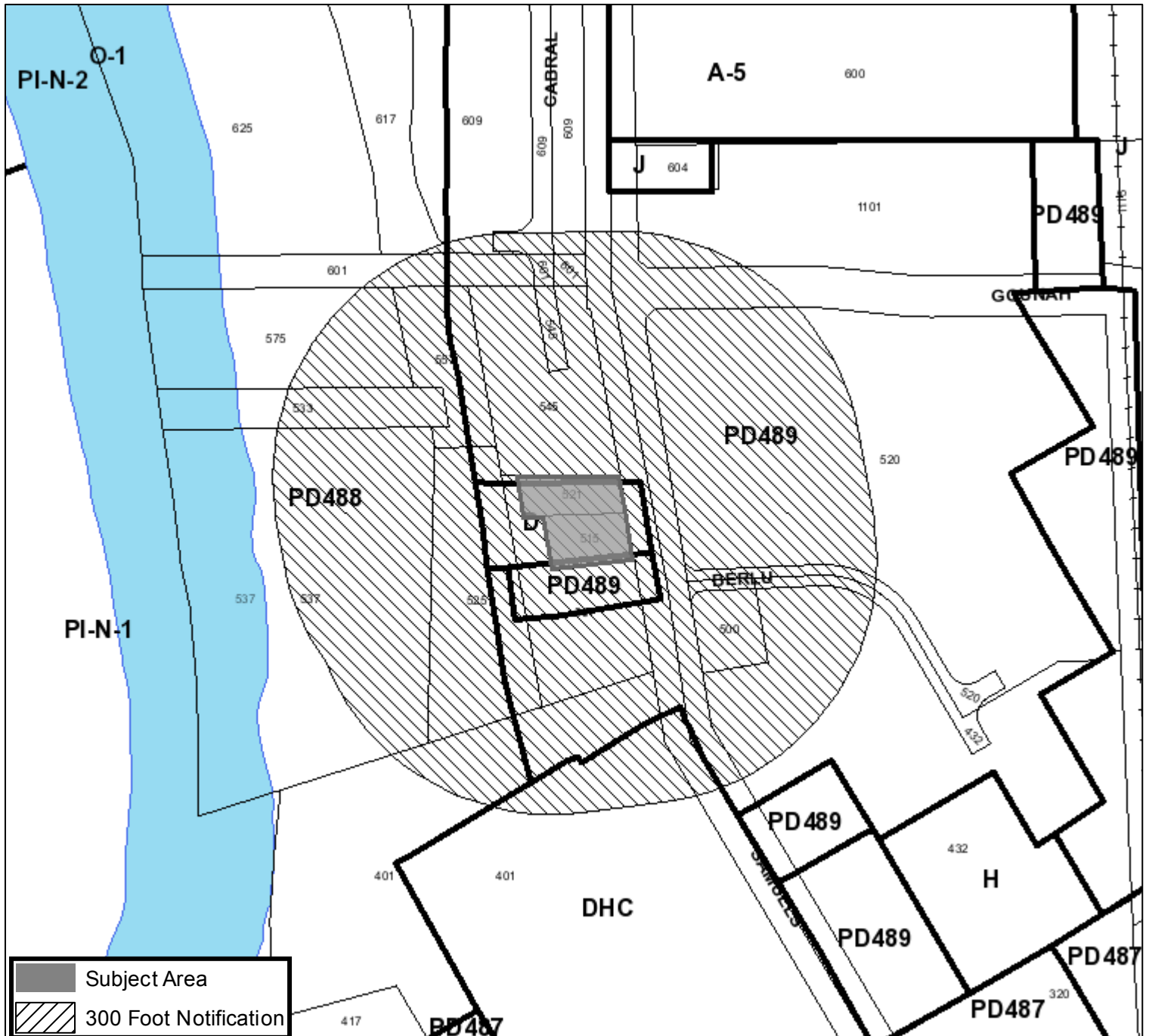
The proposed zoning is consistent with the land use designations for this area and with the following policies of the Comprehensive Plan:



- Accommodate higher density residential and mixed uses in transit-oriented developments, urban villages, and designated mixed-use growth centers.
- Locate multifamily units within walking distance of public transportation, employment, recreation, and/or shopping to increase accessibility and decrease vehicular traffic.
- Promote commercial and multifamily development within the Downtown Mixed-Use Growth Center.
- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city.
- Support zoning changes that accommodate multifamily residential development within urban villages, transit-oriented developments (TOD) and designated growth centers.
- Encourage new development in character with the existing neighborhood scale, architecture, and platting pattern, while working to improve pedestrian, bicycle, and transit access between adjacent neighborhoods and nearby destinations.
- Promote measures to ensure that all types of residential developments are compatible in scale to abutting residential developments. A dramatic difference in lot size and units per acre should be discouraged for new development immediately adjacent to existing development or platted and zoned property, unless mitigation is provided to minimize the effects of the new use.

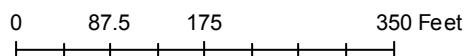
Based on conformance with the future land use map and with the policies stated above, the proposed zoning is **consistent** with the Comprehensive Plan.

Area Zoning Map

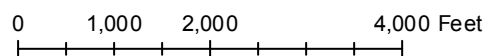
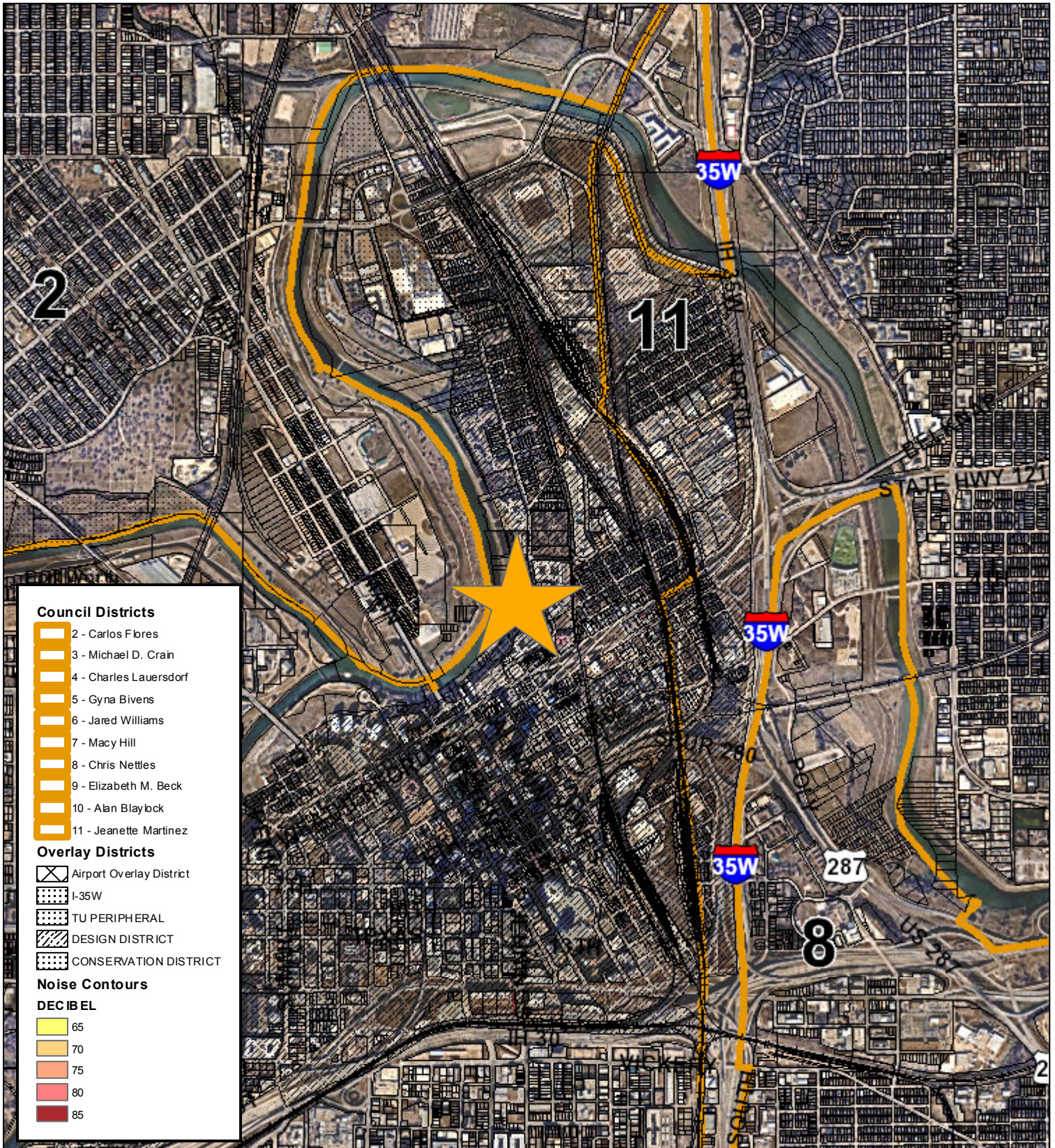
Applicant: Brewer & Hale LLC
 Address: 515 - 521 (odds) Samuels Avenue
 Zoning From: D, PD 489 for certain H uses
 Zoning To: PD for H uses
 Acres: 0.27861967
 Mapsco: 63S
 Sector/District: Northeast
 Commission Date: 10/13/2021
 Contact: 817-392-8012



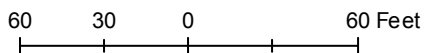
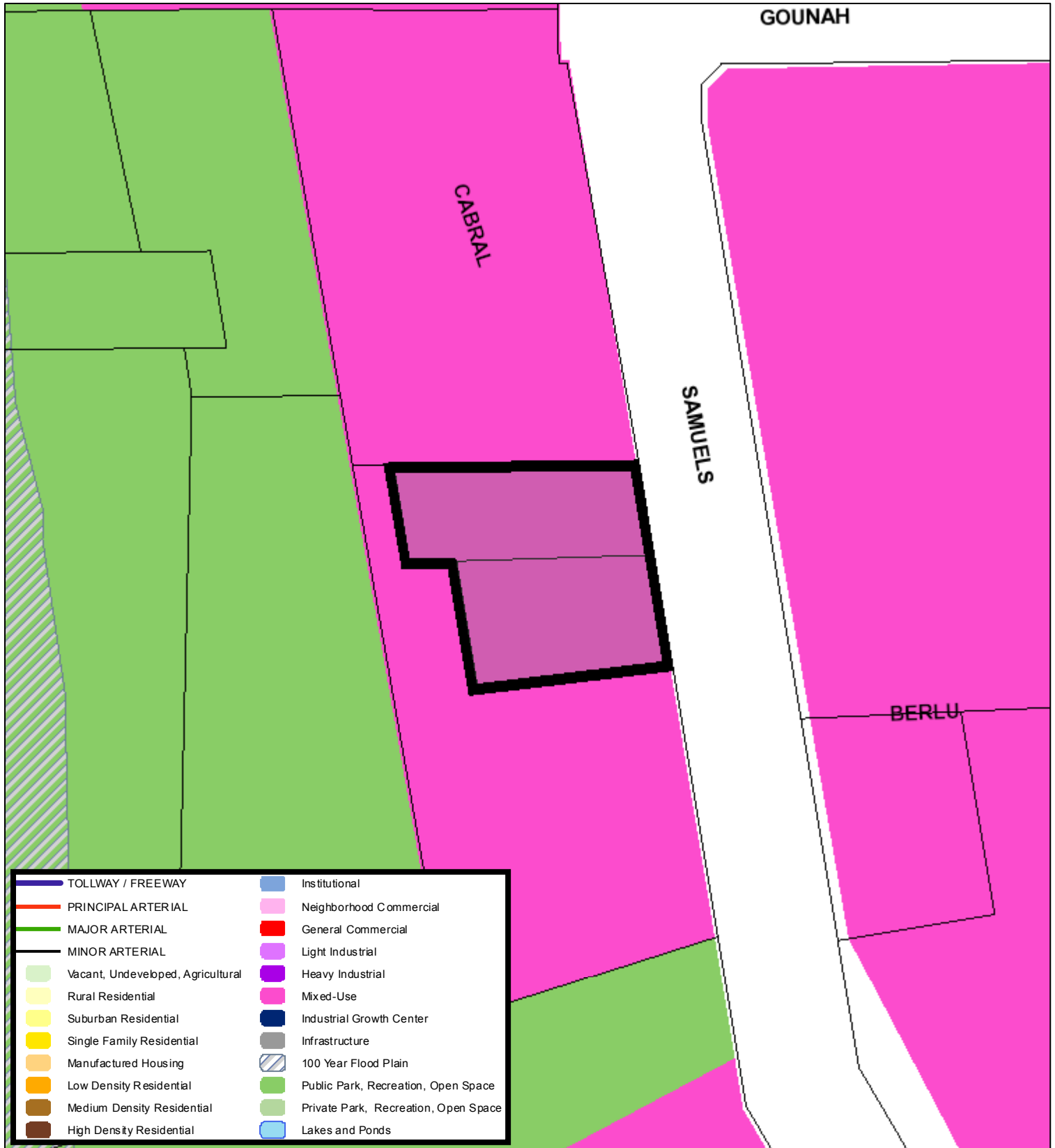
	Subject Area
	300 Foot Notification



Area Map



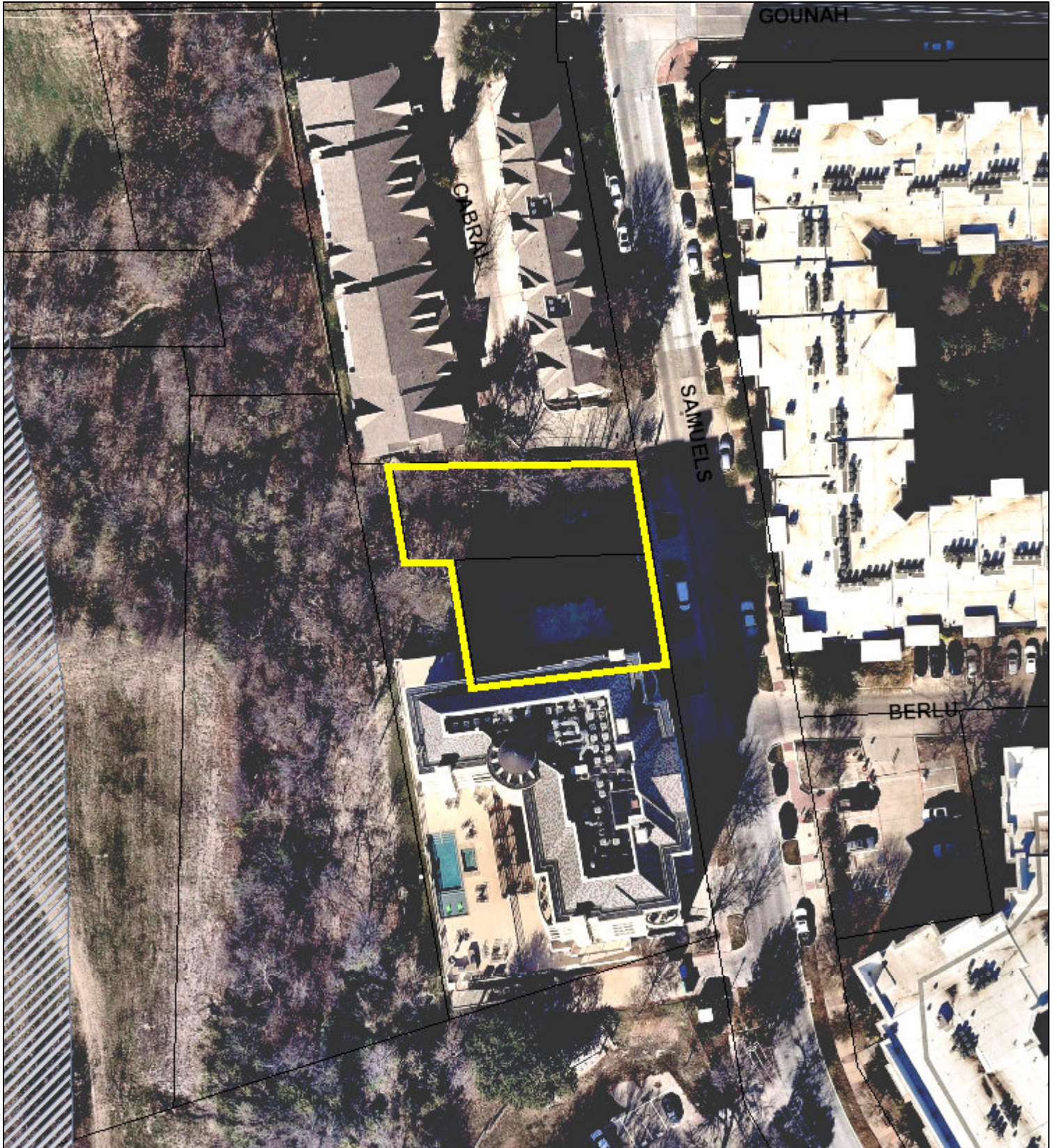
Future Land Use



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 40 80 160 Feet

