



Zoning Staff Report

Date: June 27, 2023

Case Number: ZC-23-064

Council District: 2

Zoning Map Amendment

Case Manager: [Shad Rhoten](#)

Owner / Applicant: Ivan Rodriguez / Elia Estrada

Site Location: 2302 N Houston Street

Acreage: 0.1033

Request

Proposed Use: Short Term Rental

Request: From: "UR" Urban Residential

To: "PD-UR" Planned Development Urban Residential for all uses in UR plus short-term rental; site plan included.

Recommendation

Land Use Compatibility: Requested change is **not compatible**

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

Staff Recommendation: **Denial**

Zoning Commission Recommendation: **Approval by a vote of 6-1**

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Project Description and Background

The property is within the MG Ellis Addition and NEZ Area One. The property contains a single-family residence. This application seeks to change the zoning on the property from the current “UR” zoning to “PD/UR” zoning, to allow the existing residence to be utilized as a short-term rental (STR). The property is situated in an area consisting of a mix of single family and two-family residences. The primary use of surrounding property is residential. There is existing “A-5”, “B” and “UR” zoned lots located in all directions of the site and within a multiple block range (*refer to attached zoning map*).

The current zoning district of “UR” Urban Residential is intended to provide for a residential density transition zone between low density single-family neighborhoods and higher density commercial areas. An additional purpose of the UR Districts is to encourage a range of housing choices within walking distance of rail transit stations and mixed-use urban villages. The goal is to ensure compatibility between one-and-two family districts and more intense mixed-use districts and related uses. UR neighborhoods are characterized by higher density residential structures in a highly walkable urban environment. A mixture of housing types is present to provide architectural diversity, while shallow setbacks frame the pedestrian environment with engaging building facades, improve visibility and safety of building entrances, and increase neighborhood vitality.

STRs are properties available for rent for guest lodging for a period ranging from 1 to 30 days. They are prohibited from operating by-right in all residential districts nor can they be considered in a residential district under a Conditional Use Permit. STRs are permitted, though, by right within commercial, industrial and mixed-use districts. The Planned Development request, if approved, would allow the STR use only in addition to permitted urban residential uses but eliminating all other uses permitted within a base commercial zoning district where a STR would be permitted.

Surrounding Zoning and Land Uses

North “UR” Urban Residential / Multi-Family Residential
East “UR” Urban Residential / Single Family Residential
South “A-5” One-Family / Single Family Residential
West “UR” Urban Residential / Single Family Residential

Recent Zoning History

- ZC-11-006 – This rezoning encompassed an area generally bounded by NW 28th St, N. Main St, NW 20th St, and Lincoln Ave including multiple blocks. The subject property and surrounding properties were rezoned to UR.

Public Notification

300-foot Legal Notifications were mailed on May 26, 2023.
The following organizations were emailed on May 30, 2023:

Organizations Notified	
Inter-District 2 Alliance	Trinity Habitat for Humanity
Historic Northside Business Association	North Fort Worth Historical Society
North Side NA*	Fort Worth ISD
Streams and Valleys Inc	

*Located within this registered Neighborhood Association

Development Impact Analysis

Land Use Compatibility

The predominant use in this vicinity are single family residential and duplex, contained within the boundaries of 24th Street to the north, Ellis Avenue to the east and 20th Street/Prospect Avenue to the south and west respectively. The use intends to operate within the existing single-family residence. Short Term Rentals are considered commercial uses. As required with an application for a PD – Planned Development, a site plan has been submitted in the event new construction occurs, it is done consistent with the current dimensions allowing any new building to remain in the existing context of the neighborhood (*refer to attached site plan*).

The proposed site is located within a residential area and not located in close proximity to other commercial uses. As a result, the requested change is **not compatible** in this area

Comprehensive Plan Consistency – Northside

The 2022 Comprehensive Plan currently designates the subject property as future Medium-Density Residential. This land use designation includes zoning districts “CR”, “C” and “D” for multi-family uses.

FUTURE LAND USE AND ZONING CLASSIFICATIONS

FUTURE LAND USE	DEFINITION	ZONING
RESIDENTIAL		
Rural Residential	1+ acre single-family	A-2.5A, A-43
Suburban Residential	1/2+ acre single-family	A-21
Single-Family Residential	3,500+ sq. ft. lot single-family	A-10, A-7.5, A-5, AR
Manufactured Housing	Manufactured home parks and subdivisions	MH
Low Density Residential	2,500+ sq. ft. lot single-family, two-family, patio homes, townhouses, cluster housing	B, R1, R2
Medium Density Residential	Up to 36 units/acre multifamily	CR, C, D
Urban Residential	Medium to high density, residential only, pedestrian-oriented development for use between higher and lower intensity uses	UR
High Density Residential	>36 units/acre multifamily, mixed-use multifamily and pedestrian-oriented development in growth centers	UR, MU-1, MU-2, Form-Based Codes

The proposed zoning to a Planned Development with a base district of “UR” – Urban Residential is **not consistent** with the land use designation for this area. Short term rentals are considered commercial uses and would require a neighborhood commercial land use designation for consistency. This proposal is also not in alignment with the following policies of the Comprehensive Plan:

- Encourage urban residential development in appropriate locations to create more walkable, pedestrian-oriented neighborhoods.
- Encourage Urban Residential and Low Density Residential as transitional uses between Single-Family Residential and high density uses.
- Preserve the character of rural and suburban residential neighborhoods.

Site Plan Comments

Fire

FWFD - (Fire Inspector David Hood, FirePlatting@fortworthtexas.gov)

Fire has no comments

General Information:

Addresses will be assigned by CFW Fire Department after the plat is recorded. DO NOT SELF ADDRESS. Plats are worked within 10 days in the order received.

General Information:

Failure to recognize violations of the fire code by the fire code official does not waive the requirement of meeting minimum requirements of the fire code in the future. It is the applicant's and the owner's responsibility to meet all minimum fire code requirements at all times.

The City of Fort Worth has adopted the 2021 International Fire Code as its current fire code at the time of this review. The City of Fort Worth has also adopted Amendments that are available by searching the City Secretary's site for Ordinance #25388-03-2022.

General information:

- Failure to recognize violations of the fire code by the fire code official does not waive the requirement of meeting minimum requirements of the fire code in the future.
- It is the applicant's and the owner's responsibility to meet all minimum fire code requirements at all times.
- The City of Fort Worth has adopted the 2021 International Fire Code as its current fire code at the time of this review. The City of Fort Worth has also adopted Amendments #25388-03-2022.
- <https://www.fortworthtexas.gov/departments/fire/services/bureau>

Water Engineering Services

No Comments

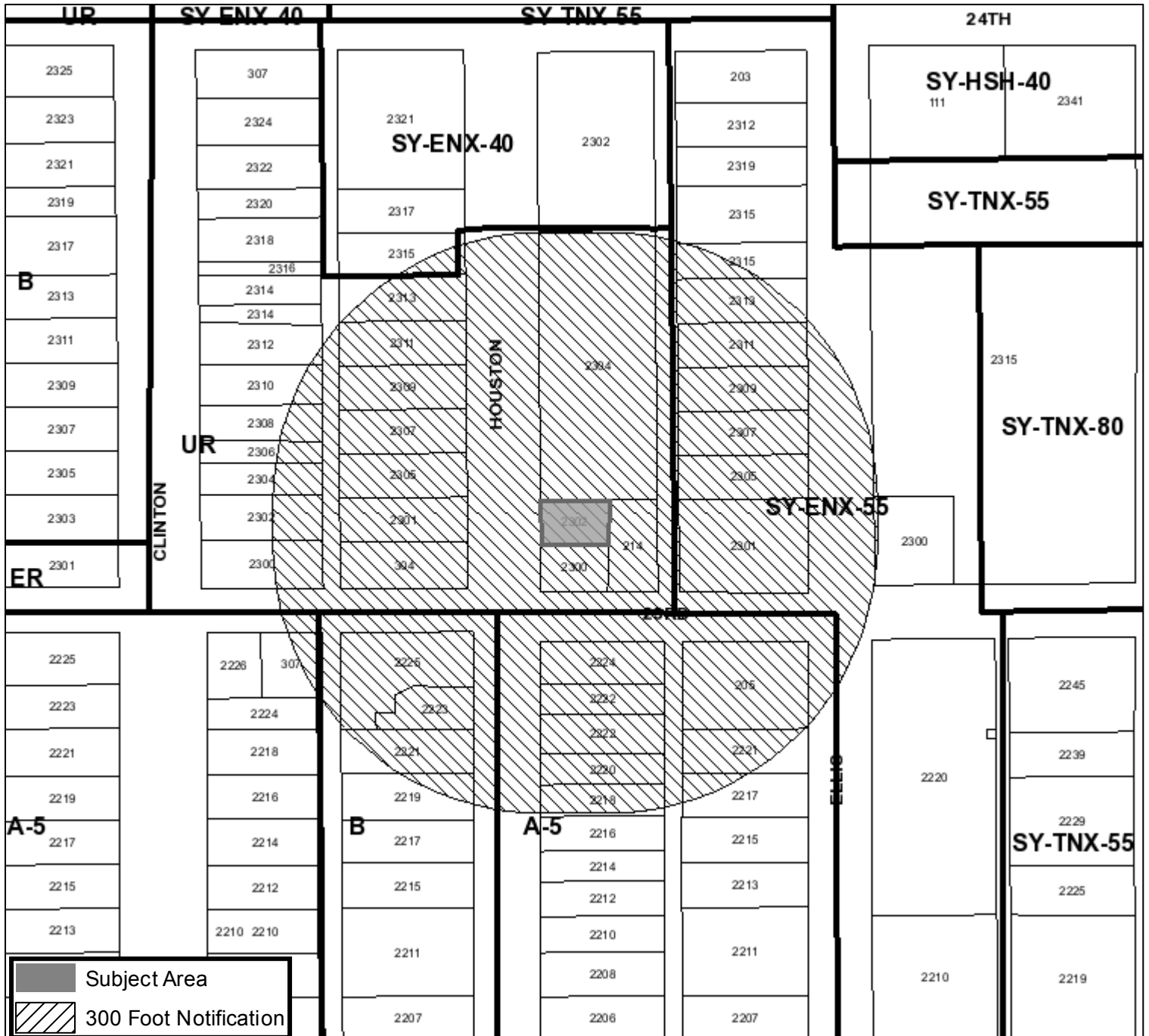
(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)





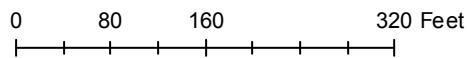
ZC-23-064

Area Zoning Map

Applicant: Elia Estrada/Ivan Rodríguez
 Address: 2302 North Houston Street
 Zoning From: UR
 Zoning To: PD plus Short Term Rentals
 Acres: 0.08559468
 Mapsco: Text
 Sector/District: Northside
 Commission Date: 6/14/2023
 Contact: null



 Subject Area
 300 Foot Notification





SITE PLAN:

Land Area include within site: 0.1033 Acres; 4500 Sq. Ft.
 Zoning Classification of North Adjacent Site: UR
 Zoning Classification of East Adjacent Site: UR
 Zoning Classification of South Adjacent Site: UR
 Width of gated entrance driving Lane: 10'
 Minimum Width of Parking/Loading Area: 13.67'
 Maximum Width of Parking/Loading Area: 18.58'
 Amount of Parking Spaces Available in Driving Lane: 3
 Width of Curb Cut: 11'
 Dimensions of Parking/Loading Area: 696 Sq. Ft.
 Capacities Parking/Loading Area: 3 Vehicles

Site Address: 2302 N Houston St. Fort Worth, TX 76164

Current Zoning Classification: UR
 Proposed Zoning Classification: PD

METES & BOUNDS DESCRIPTION

2302 N. HOUSTON STREET BEING A 0.103 ACRE TRACT OF LAND SITUATED IN THE ISAAC THOMAS SURVEY, ABST. NO. 1526, IN THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, AND BEING THE WEST 90 FEET OF LOT 23, BLOCK 2, M. G. ELLIS ADDITION, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, PLAT NO. 63, PAGE 19, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND BEING THAT CERTAIN TRACT OF LAND DESCRIBED BY DEED TO ELA ESTRAIDA, AS RECORDED UNDER INSTRUMENT NUMBER D20927268, TARRANT COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METERS AND BOUNDS AS FOLLOWS:

BEGINNING AT 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE HEREN DESCRIBED TRACT, BEING THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED BY DEED TO YOLANDA CHAVEZ AS RECORDED UNDER INSTRUMENT NUMBER D20927268, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS (O.P.R.T.C.T.), SAME BEING THE COMMON CORNER OF SAID LOT 23 AND LOT 24 OF SAID BLOCK 2, AND LIVING IN THE EAST RIGHT-OF-WAY LINE OF N. HOUSTON ROAD (PLAT: LAKE AVENUE), HAVING A 80 FOOT WIDE RIGHT-OF-WAY LINE ON THE EAST SIDE OF SAID BLOCK 2, BEARS S89°49'58"E; A DISTANCE OF 50.00 FEET; BEING THE SOUTHWEST CORNER OF SAID BLOCK 2, BEARS S89°49'58"E; A DISTANCE OF 90.00 FEET;

THENCE NORTH 90 DEGREES 10 MINUTES 02 SECONDS WEST, WITH THE WEST LINE OF THE HEREN DESCRIBED TRACT, BEING THE EAST RIGHT-OF-WAY LINE OF SAID N. HOUSTON STREET, A DISTANCE OF 50.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE HEREN DESCRIBED TRACT AND THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED BY DEED TO KELLY T. MAYO AND LORI W. ZÖELLICK-MAYO, HUSBAND AND WIFE, AS RECORDED UNDER INSTRUMENT NUMBER D20920420, O.P.R.T.C.T., BEING THE NORTHWEST CORNER OF SAID BLOCK 2, BEARS N00°10'02"W; A DISTANCE OF 500.00 FEET; BEING THE NORTHWEST CORNER OF SAID BLOCK 2, BEARS N00°10'02"W; A DISTANCE OF 500.00 FEET;

THENCE DEPARTING THE EAST RIGHT-OF-WAY LINE OF SAID N. HOUSTON STREET, NORTH 89 DEGREES 49 MINUTES 58 SECONDS EAST, WITH THE NORTH LINE OF THE HEREN DESCRIBED TRACT, SAME BEING THE COMMON LINE OF SAID LOT 22 AND SAID LOT 23, A DISTANCE OF 90.00 FEET TO A 1/2 INCH IRON ROD WITH A RED CAP STAMPED 'B&D SURVEYING' SET FOR THE NORTHEAST CORNER OF THE HEREN DESCRIBED TRACT, BEING NORTHEAST CORNER OF SAID CHAVEZ TRACT, AND LYING IN THE WEST LINE OF SAID BALCON TRACT, SAID CORNER ALSO LYING IN THE COMMON LINE OF SAID LOT 23 AND SAID LOT 24;

THENCE DEPARTING THE WEST LINE OF SAID BALCON TRACT, SOUTH 89 DEGREES 49 MINUTES 58 SECONDS WEST, WITH THE SOUTH LINE OF THE HEREN DESCRIBED TRACT AND THE NORTH LINE OF SAID CHAVEZ TRACT, SAME BEING THE COMMON LINE OF SAID LOT 23 AND SAID LOT 24, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.103 ACRES OR 4,500 SQUARE FEET OF LAND, PLUS OR MINUS.

LEGEND

COVERED AREA	CM = CONTROLLING MONUMENT
ASPHALT	FD = FOUND MON. (AS DESCRIBED)
BRICK	IRF(S) = IRON ROD FOUND (SET)
GRAVEL	B&D = RED CAP STAMPED
CONCRETE	EMH = ELECTRIC METER
STONE	EM = ELECTRIC METER
WOOD	GA = GUY ANCHOR
WATER	LP = LIGHT POLE
WIRE FENCE	PP = POWER POLE
CHAINLINK FENCE	GM = GAS METER
BRICK WALL	STONE WALL
CHAINLINK WALL	GV = GAS VALVE
WOOD FENCE	SWMH = STORM DRAIN MANHOLE
WROUGHT IRON FENCE	SSMH = SANITARY SEWER CLEANOUT
OVERHEAD TELEPHONE LINE	PH = FIRE HYDRANT
OVERHEAD ELECTRIC LINE	FW = FIRE ALARMS
PROPERTY LINE	WMH = WATER MANHOLE
ADJOINER LINE	WV = WATER VALVE
BUILDING LINE (BL)	VHH = VERIZON HANDHOLE
EASEMENT LINE (UE)	D.R.T.C.T. = DEED RECORDS,
CENTER LINE / SURVEY LINE	P.R.T.C.T. = PLAT RECORDS,
	O.P.R.T.C.T. = OFFICIAL PUBLIC
	RECORDS, TARRANT
	COUNTY, TEXAS

NOTE: THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF TITLE COMMITMENT. THEREFORE, NO SEARCH OF RECORDED EASEMENTS WAS PERFORMED.

SURVEYORS CERTIFICATION

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, IS CORRECT AND TO THE BEST OF MY KNOWLEDGE THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS AND EASEMENTS OF RIGHT-OF-WAY THAT I HAVE BEEN ADVISED OF EXCEPT AS SHOWN HEREON, SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

FLOOD STATEMENT

THE PROPERTY DESCRIBED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 4849399I, PRESENT EFFECTIVE DATE OF MAY/MARCH 21, 2019, HEREN PROPERTY SITUATED WITHIN ZONE X (UNSHADED).

GENERAL NOTES

1) THE BASIS OF BEARING FOR THIS SURVEY BEING STATE PLANE GRID - TEXAS NORTH CENTRAL ZONE (AZ02) AS ESTABLISHED USING GPS TECHNOLOGY IN CONJUNCTION WITH RTK, COOPERATIVE NETWORK, REFERENCE FRAME IS NAD83 CONRS96 EPOCH 2002.000.

2) THERE ARE NO VISIBLE CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN.

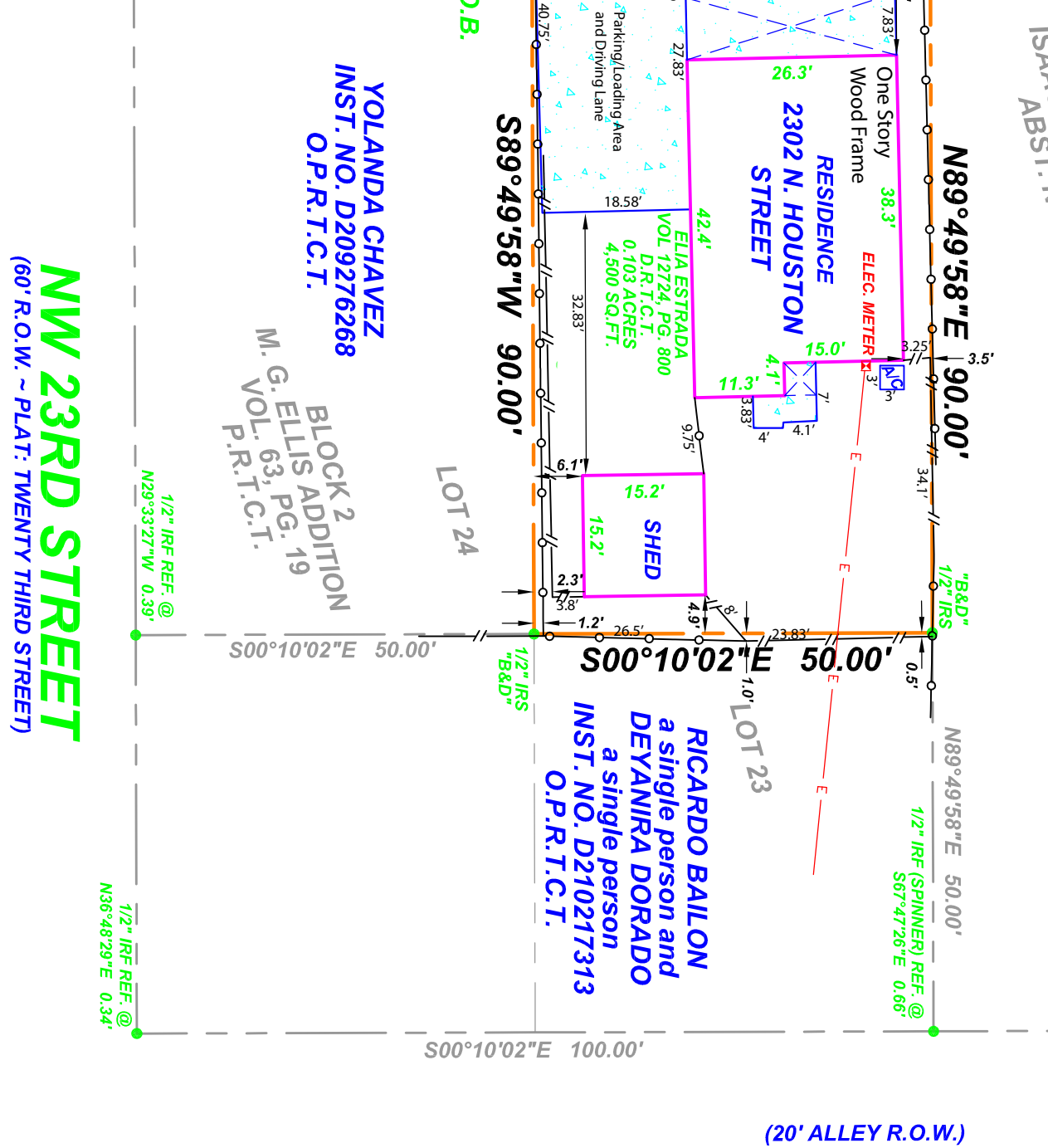
3) ALL UTILITY LOCATIONS WERE DETERMINED BY GROUND PENETRATING RADAR (GPR) OF THE COMPANY, AND IS MADE PURSUANT TO THAT ONE CERTAIN TITLE COMMITMENT UNDER THE G.F. NUMBER, IF ANY, LISTED HEREON.

4) AS OF THIS DATE, ALL EASEMENTS, RIGHTS-OF-WAY OR OTHER LOCATABLE MATTERS OF RECORD SHOWN OR NOTED HEREON WERE DERIVED FROM THE RECORDED PLAT, OR THE TITLE DEED, OR THE TITLE REPORT AND SUPPORTING DOCUMENTS. ALL SUCH ITEMS WERE OBTAINED DURING THE RESEARCH PHASE OF THIS SURVEY, OR DURING THE FIELD SURVEY, AND ANY DISCREPANCIES WERE ATTEMPTED TO BE RESOLVED TO THE BEST OF MY ABILITY.

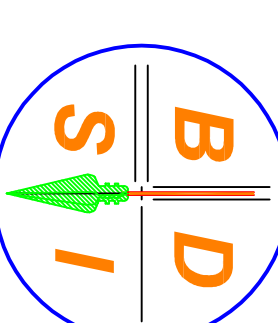
5) BEFORE STARTING ANY CONSTRUCTION, CALL DIGGESS TO LOCATE ANY POSSIBLE UNDERGROUND LINES.

6) CALL 811 BEFORE YOU DIG. IT'S THE LAW.

7) THE SURVEY WAS CONDUCTED BASED ON FIELD LOCATION OF VISIBLE ABOVE GROUND SURVEY POINTS AND OTHER MARKERS. ANY OTHER MARKERS OR IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY. B & D SURVEYING, INC. IS NOT RESPONSIBLE FOR THE EXACT LOCATION OF SUBSURFACE UTILITIES, NOR FOR ANY DAMAGES BY ANY CONSTRUCTION OR EXCAVATION ON OR NEAR SAID UTILITIES.



B & D SURVEYING, INC.
 FIRM NO. 101247-00



P.O. BOX 293204
 LEWISVILLE, TEXAS 75029
 PHONE: 972-221-2838
 bd@bandsurveying.com



DATE: 04/28/2023
 TECH: JAV
 CHECKED BY: PBM
 E & D #: 2304031
 GFF#: N/A
 IVAN RODRIGUEZ
 2302 N HOUSTON STREET
 FORT WOTH, TX 76164

BOUNDARY SURVEY
 PART OF LOT 23, BLOCK 2
 M. G. ELLIS ADDITION
 0.103 ACRES / 4,500 SQUARE FEET
 ISAAC THOMAS SURVEY, ABST. NO. 1526
 CITY OF FORT WORTH
 TARRANT COUNTY, TEXAS

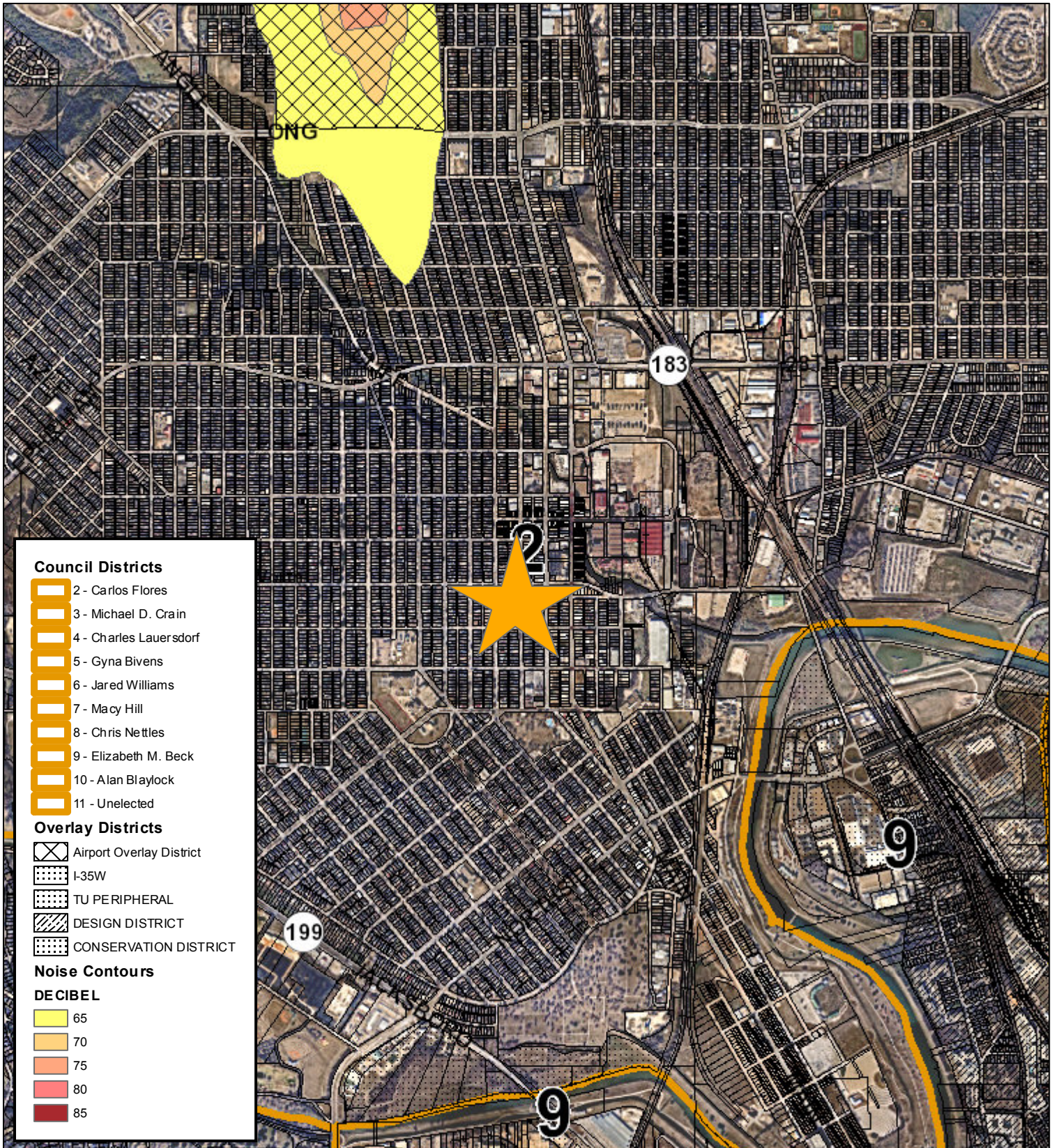
Project Name:
 Zoning Change Application
 ZC-23-064

NO.	REVISION	BY	DATE

Director of Development Services _____ Date _____

Date: 05/22/2023
 Notes:
 This Project will comply with section 6.301, Landscaping
 This project will comply with Section 3.302, Urban Forestry
 All Signage will conform to the Lighting Code






Area Map








Council Districts

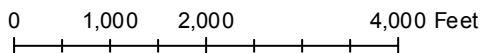
- 2 - Carlos Flores
- 3 - Michael D. Crain
- 4 - Charles Lauerdorf
- 5 - Gyna Bivens
- 6 - Jared Williams
- 7 - Macy Hill
- 8 - Chris Nettles
- 9 - Elizabeth M. Beck
- 10 - Alan Blaylock
- 11 - Unelected

Overlay Districts

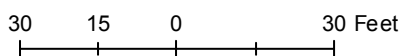
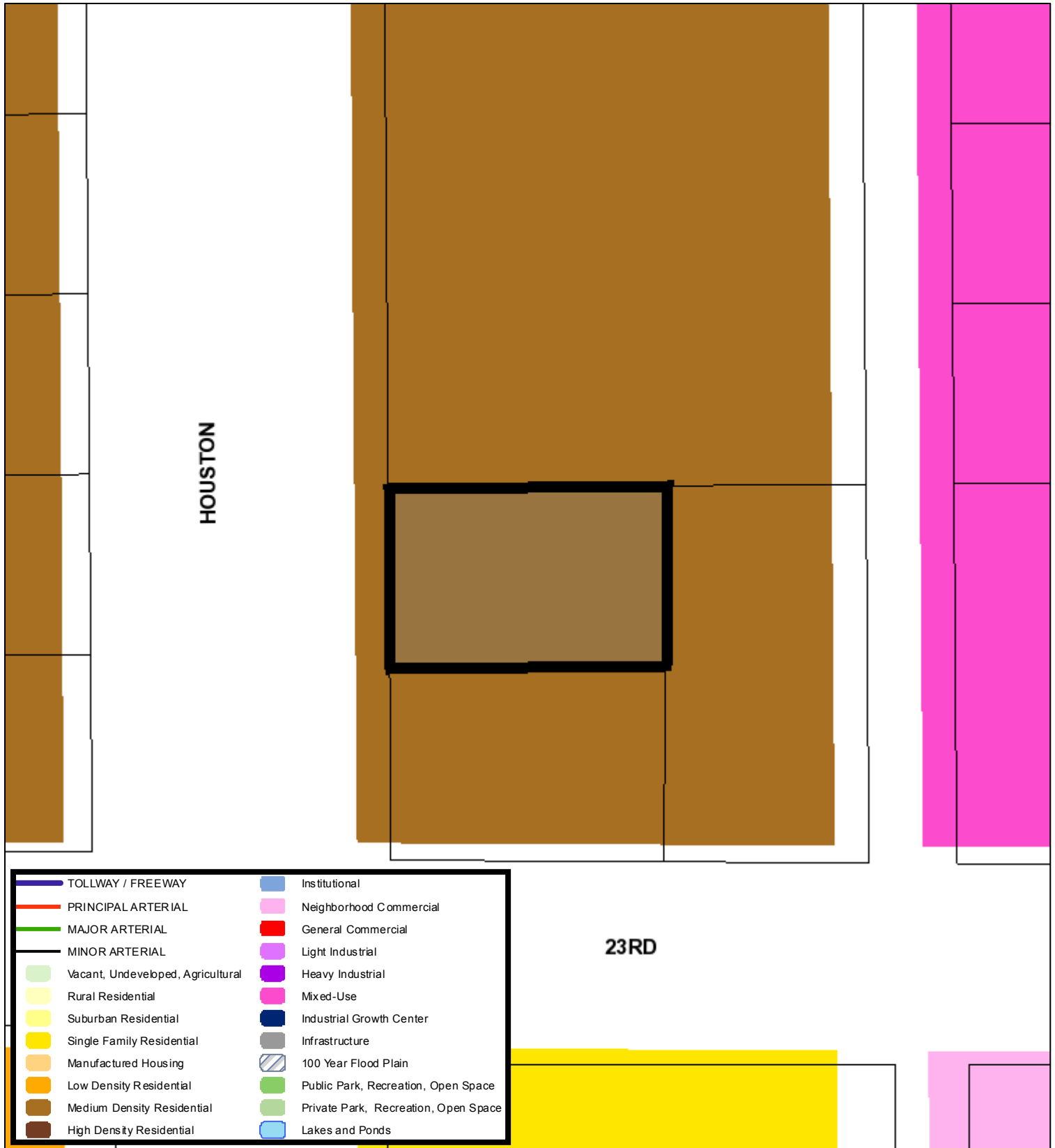
-  Airport Overlay District
-  I-35W
-  TU PERIPHERAL
-  DESIGN DISTRICT
-  CONSERVATION DISTRICT

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 20 40 80 Feet

