



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
October 15, 2019

Council District 8

Zoning Commission Recommendation:
Approval by a vote of 5-3

Opposition: None submitted
Support: The New Mitchell Boulevard NA

Continued Yes No
Case Manager Laura Evans
Surplus Yes No
Council Initiated Yes No

Owner / Applicant: Arriaga, Smoth, Subialdea, et al

Site Location: 2900 blocks of E. Berry Street and Burton Avenue Acreage: 1.89

Proposed Use: Restaurant

Request: From: "A-5" One Family
To: "E" Neighborhood Commercial

Land Use Compatibility: Requested change is not compatible.

Comprehensive Plan Consistency: Requested change is not consistent (Significant Deviation).

Staff Recommendation: Denial

Background:

The proposed site is located at the northwest corner of East Berry Street and Binkley. The applicant is proposing to rezone seven residential lots from "A-5" One Family to "E" Neighborhood Commercial for a restaurant. The block is mostly developed with single family homes with a few undeveloped lots in the middle of the block. There is a gas station convenience store across the from the site at the northeast corner or East Berry and Binkley, however most of the commercial uses in the area are on the southern side of East Berry where there are not any residential uses.

Site Information:

Surrounding Zoning and Land Uses:

- North "A-5" One Family / single family
- East "E" Neighborhood Commercial / commercial & undeveloped
- South "PD 720" / commercial
- West "A-5" One Family / single family

Zoning History: ZC-11-074 from various to various (council initiated rezoning); effective 10/31/11 (site and surrounding)

Public Notification:

300 foot Legal Notifications were mailed on August 22, 2019.
The following organizations were notified: (emailed August 20, 2019)

Organizations Notified	
United Communities Association of South FW	Eastland NA
The New Mitchell Boulevard NA*	East Fort Worth, Inc.
Streams And Valleys Inc	Trinity Habitat for Humanity
Southeast Fort Worth Inc	Fort Worth ISD

**Located in this registered Neighborhood Association*

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to “E” Neighborhood Commercial for a restaurant. Surrounding land uses are residential to the north and west with commercial to the east and south.

The proposed zoning **is not compatible** at this site.

2. Comprehensive Plan Consistency – Southeast

The 2019 Comprehensive Plan designates the subject property as Single Family. The requested zoning change is not consistent with the following Comprehensive Plan policies:

- Promote a balance of residential, commercial, and industrial uses in the Southeast sector.
- Protect residential areas from commercial encroachment adjacent to Mansfield Highway, Wilbarger Street, East Berry Street, and East Rosedale Street.
- 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.

Based on the conformance with the future land use map and the policies stated above; the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

Attachments:



- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph

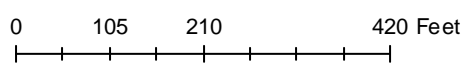


Area Zoning Map

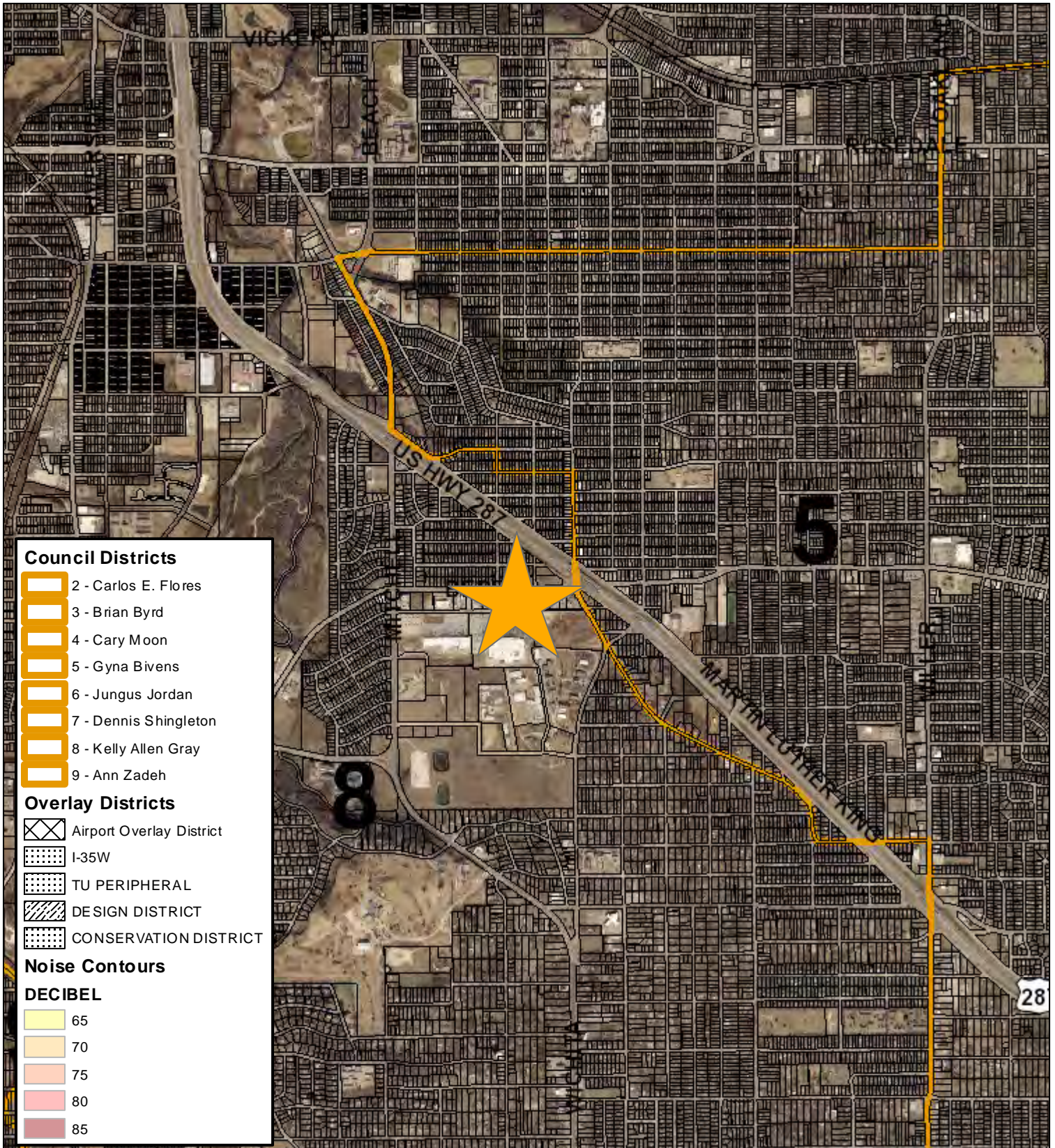
Applicant: Arriaga, Smoth, Subialdea, et al
 Address: 2900 blocks of E. Berry Street and Burton Avenue
 Zoning From: A-5
 Zoning To: E
 Acres: 1.18709451
 Mapsco: 78T
 Sector/District: Southeast
 Commission Date: 9/11/2019
 Contact: 817-392-8043



 Subject Area
 300 Foot Notification








Area Map



Council Districts






-  2 - Carlos E. Flores
-  3 - Brian Byrd
-  4 - Cary Moon
-  5 - Gyna Bivens
-  6 - Jungus Jordan
-  7 - Dennis Shingleton
-  8 - Kelly Allen Gray
-  9 - Ann Zadeh

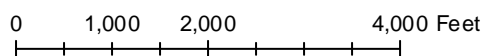
Overlay Districts

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

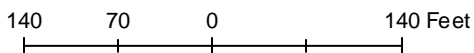
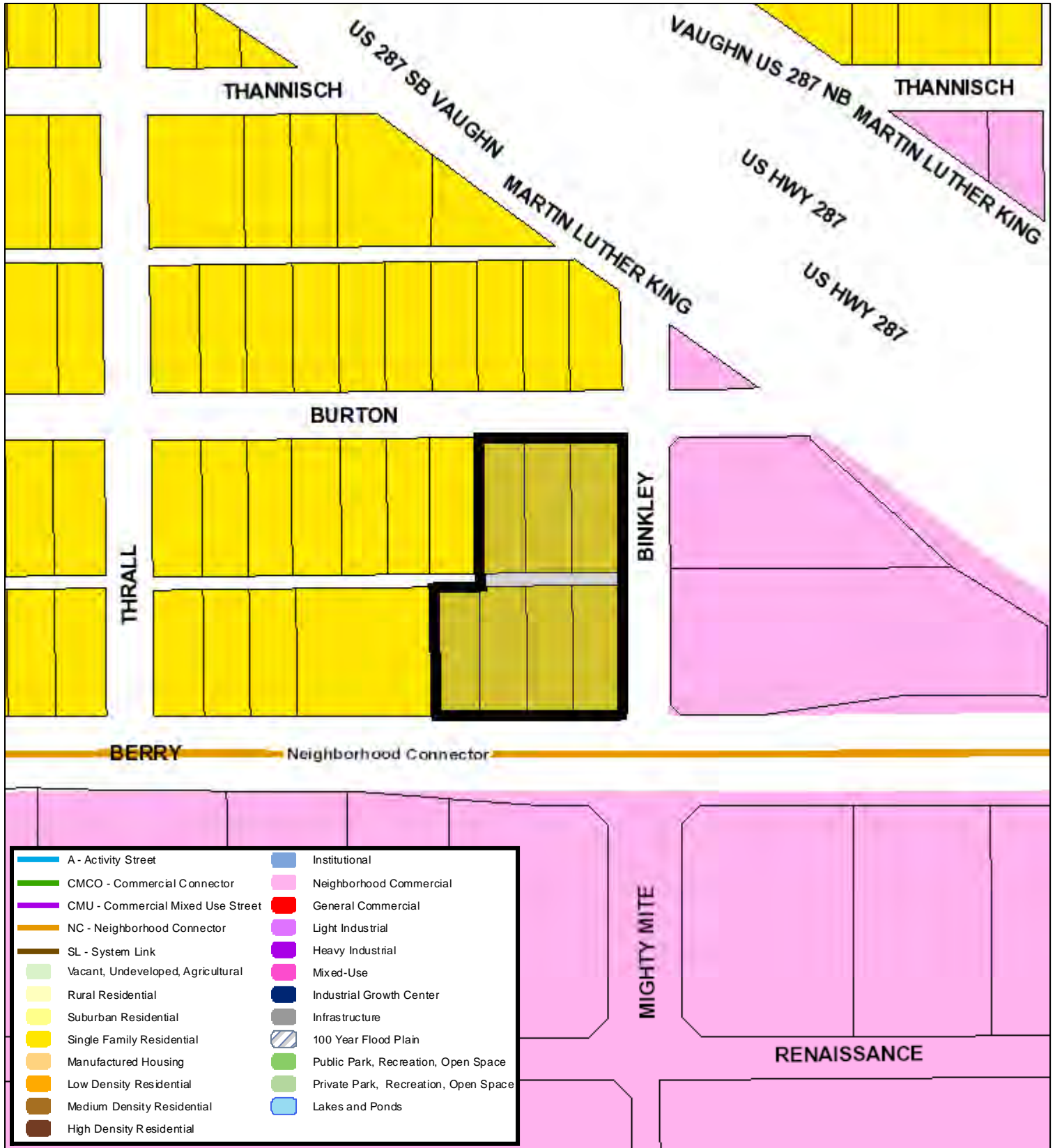
Noise Contours

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 5, 2019.





ZC-19-133

Aerial Photo Map



0 90 180 360 Feet

