



# Zoning Staff Report

**Date:** October 11, 2022

**Case Number:** ZC-22-136

**Council District:** 5

## Zoning Map Amendment

**Case Manager:** [Brett Mangum](#)

**Owner / Applicant:** SAI E & E Enterprises, Bashu Katel

**Site Location:** 3700 Ada Avenue

**Acreage:** 0.35 acres

### Request

**Proposed Use:** Retail / General

**Request:** From: “ER” Neighborhood Commercial Restricted

To: “E” Neighborhood Commercial

### Recommendation

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

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

**Staff Recommendation:** **Denial**

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

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## Project Description and Background

The subject site is located on the corner of Ada Avenue and South Ayers Avenue in Council District 5. The property is just over 1/3 of an acre, and is situated in the middle of a residential area, six blocks from the nearest north-south commercial corridor (Miller Avenue). The applicant is proposing to rezone from “ER” Neighborhood Commercial Restricted to “E” Neighborhood Commercial. There is an existing building on the property. Within the building, a food mart occupies one end, with vacant storefronts comprising the remainder of the building.

For reference, select uses not allowed in “ER” but allowed in “E” include: Bakery, Dance studio, Furniture sales, Gasoline sales, Laundromat, Mortuary/Funeral home, Retail sales, Taxidermist shop. In addition, another major distinction between “ER” zoning and “E” zoning is the ability to have alcohol sales for off premise consumption, including Liquor/Package stores. Currently, alcohol sales would not be permitted here under the “ER” zoning.

After being contacted by City staff on two separate occasions (August 16<sup>th</sup> and August 29<sup>th</sup>), the applicant did not clarify their intentions for the site or provide an update on community outreach efforts. We have included the correspondence as an attachment to this staff report. Without additional details or community support for the rezoning, staff is not comfortable moving forward with this application as presented and is recommending denial.

At the public hearing on **September 14<sup>th</sup>**, the applicant / representative was not present in-person and did not participate virtually through WebEx to answer any questions from the Commissioners or members of the public. The Zoning Commission voted unanimously to recommend **denial** of the request to rezone the site from ER to E.

## Surrounding Zoning and Land Uses

North “A-5” One-Family Residential / residential  
East “A-5” One-Family Residential / residential  
South “A-5” One-Family Residential / residential  
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	
Stop 6/Poly Oversight*	East Fort Worth, Inc
Trinity Habitat for Humanity	Streams & Valleys Inc
Southeast Fort Worth Inc	Fort Worth ISD
Eastland NA	

*\*Located closest to this registered Neighborhood Association*

# Development Impact Analysis

## Land Use Compatibility

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The current zoning of “ER” is ideal for neighborhood supporting small commercial type enterprises. A more intensive use, such as retail would not be appropriate for such a small property that is surrounded by residential areas (and residential zoning) on all four sides. The allowance for on-premise alcohol sales that comes with “E” zoning would also not be appropriate for this specific location.

Based on the lack of dialogue and absence of supporting details, the proposed zoning **is not compatible** with surrounding land uses.

## Comprehensive Plan Consistency – Southeast

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The 2022 Comprehensive Plan currently designates the subject property as future Neighborhood Commercial.

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

Since “E” is listed under appropriate zoning districts within areas designated as neighborhood commercial by the Comprehensive Plan, the proposed zoning **is consistent** with the Comprehensive Plan. However, in the context of this situation, staff is still recommending denial based on the lack of supporting details for this proposed rezoning.

## Economic Development Plan

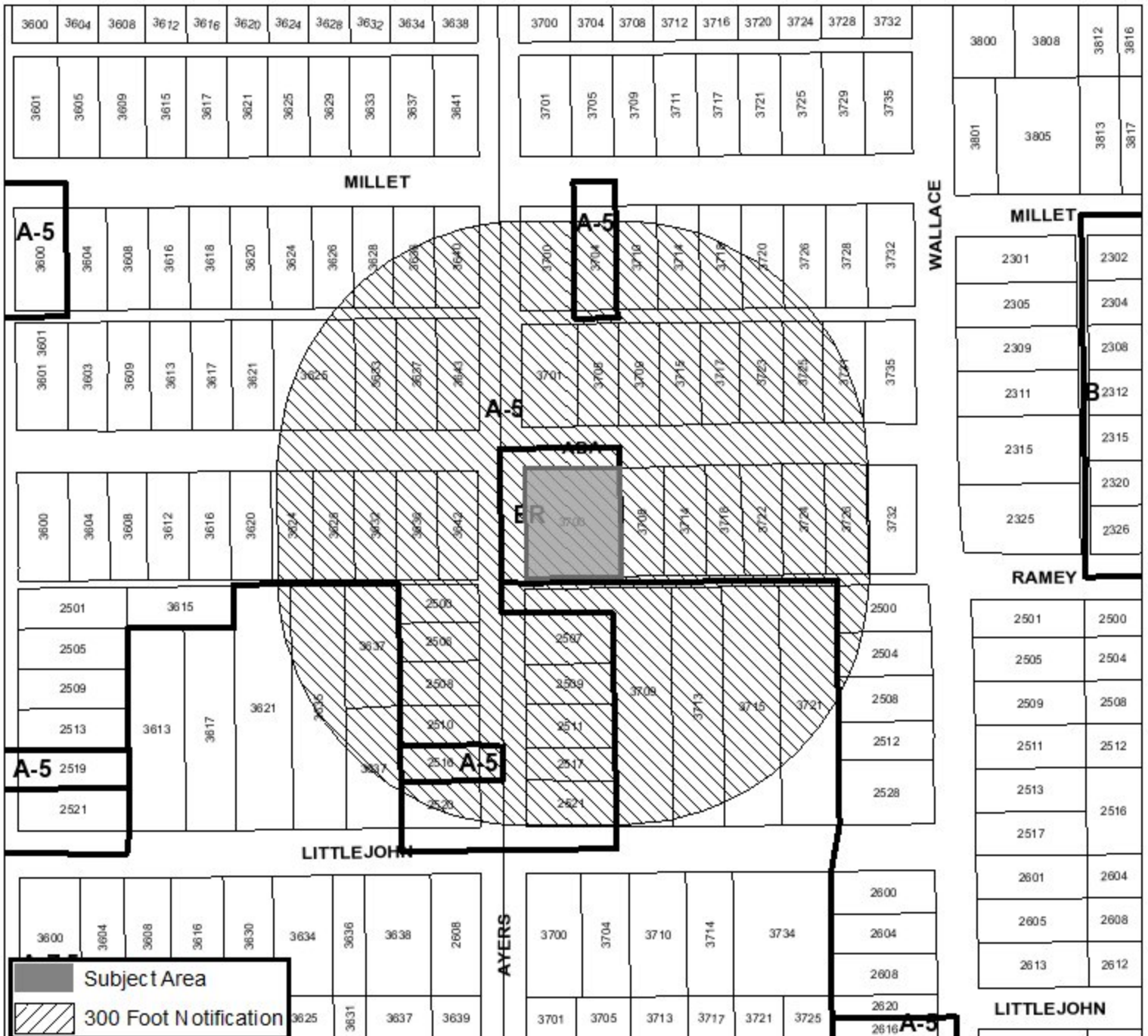
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The site is not directly addressed in the 2017 Economic Development Strategic Plan, and none of the stated economic development strategies support rezoning of this property to “E” from “ER”. Both zoning designations are commercial.

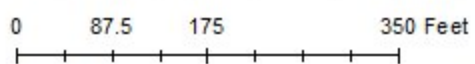


# Area Zoning Map

Applicant: SAI E & E Properties Inc.  
 Address: 3700 Ada Avenue  
 Zoning From: ER  
 Zoning To: E  
 Acres: 0.35151745  
 Mapsco: 78Q  
 Sector/District: Southeast  
 Commission Date: 9/14/2022  
 Contact: 817-392-8043



 Subject Area  
 300 Foot Notification



**From:** [Mangum, Brett](#)  
**To:** ["Bashu kate!"](#)  
**Cc:** [dcompanygmt@gmail.com](mailto:dcompanygmt@gmail.com)  
**Subject:** RE: COFW ZC-22-136, 3700 Ada Avenue  
**Date:** Monday, August 29, 2022 8:15:00 AM  
**Attachments:** [ZC-22-136.pdf](#)

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Hello,

Your upcoming case ZC-22-136 will be going before the Fort Worth Zoning Commission on Wednesday, September 14<sup>th</sup>. We are planning to hold a hybrid meeting with the option to participate in-person at City Hall, or remotely via WebEx. You can register as a speaker using the following [link](#). We are asking everyone to register via the WebEx link regardless if you are participating in-person at City Hall or remotely through WebEx. Please be sure to register by 5:00 p.m. on Tuesday, September 13<sup>th</sup>. Late registrations will not be accepted. If you wish to speak on multiple cases, please put the information for all of those cases in the registration form as you cannot submit multiple registration forms. All cases you wish to speak on should be listed when you register. The public hearing portion of the meeting begins at 1:00 p.m. on Wednesday, September 14<sup>th</sup> in the City Council chambers on the second floor of 200 Texas Street.

The courtesy notice (attached) was sent to registered neighborhood organizations and alliances within ½-mile of your site on August 26<sup>th</sup>. Notices will also be mailed to property owners within 300 feet of your site.

If you have a short presentation to give during the meeting send it to me no later than Tuesday, September 13<sup>th</sup>. Presentations are not required but if you choose to speak, keep in mind there is a time limit of 3 minutes. In any case, please have a representative with knowledge of your case available at the Zoning Commission meeting to answer any questions that may arise. There is a possibility that the Zoning Commission could recommend denial on an item for failure to appear.

Also, I did want to point out that we did not receive any input from you regarding the two questions listed on the initial email. I have [highlighted the questions below in green](#), and want to give you another opportunity to provide that information.

Thank you,

**Brett Mangum, AICP**  
Senior Planner, City of Fort Worth  
Development Services – Zoning  
200 Texas St. Fort Worth, TX 76102

***City of Fort Worth – Working together to build a strong community***



**From:** Bashu katel <katelbashu@gmail.com>  
**Sent:** Thursday, August 18, 2022 2:20 PM  
**To:** Mangum, Brett <Brett.Mangum@fortworthtexas.gov>  
**Cc:** dcompanymgmt@gmail.com  
**Subject:** Re: COFW ZC-22-136, 3700 Ada Avenue

**CAUTION:** This email originated from outside of the City of Fort Worth email system. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

Thank you for the information. Waiting for the email  
Thanks

On Tue, Aug 16, 2022 at 4:36 PM Mangum, Brett <[Brett.Mangum@fortworthtexas.gov](mailto:Brett.Mangum@fortworthtexas.gov)> wrote:

Hello,

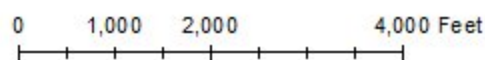
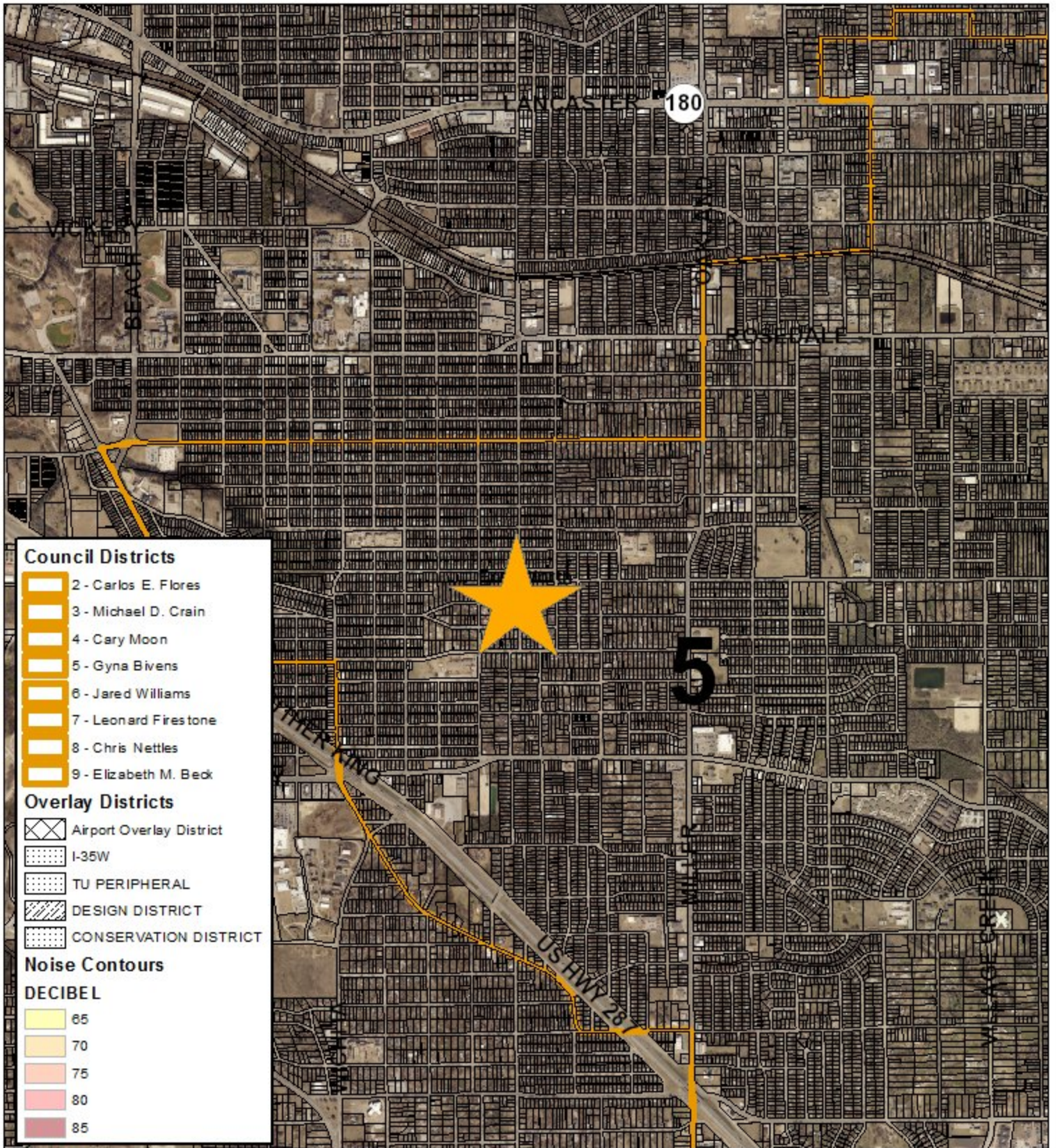
I am the case manager for your upcoming rezoning request ZC-22-136 going before the Fort Worth Zoning Commission on Wednesday, September 14<sup>th</sup>, 2022. After reviewing the application documents, I did have a few points that you could help clarify.

- **What is the proposed land use/intended business associated with this rezoning request? The phrase "retail/general" cited on the application is vague.**
- **I also wanted to see if you've done any outreach yet, and to see if you have received any feedback in regards to your development proposal?** We encourage those seeking a zoning change to meet with the following groups as early as possible to present your plans, have a back and forth dialogue, and try and build support for your rezoning request:
  1. *City Council member – [District 5, Gyna Bivens](#)*
  2. *Any Neighborhood Organizations within ½ mile of your site, the closest are [Stop Six / Poly Oversight](#) and [Eastland NA](#).*
  3. *Property owners directly adjacent to your site within 300 feet.*

I will send a separate email soon with details on how to sign up to speak at the Zoning Commission meeting, as well as sharing the courtesy notices that are sent to all neighborhood organizations within ½ mile of your site. In the meantime, please let me know the answers to these questions by the end of this week as we are starting work on staff reports for the Zoning Commission. Please provide any additional supporting information or details that may not have been included in your application. Also, if you have any letters of support at this point, please forward those to me as community input and feedback are going to be essential to advancing this rezoning request.

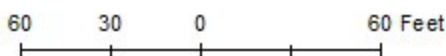
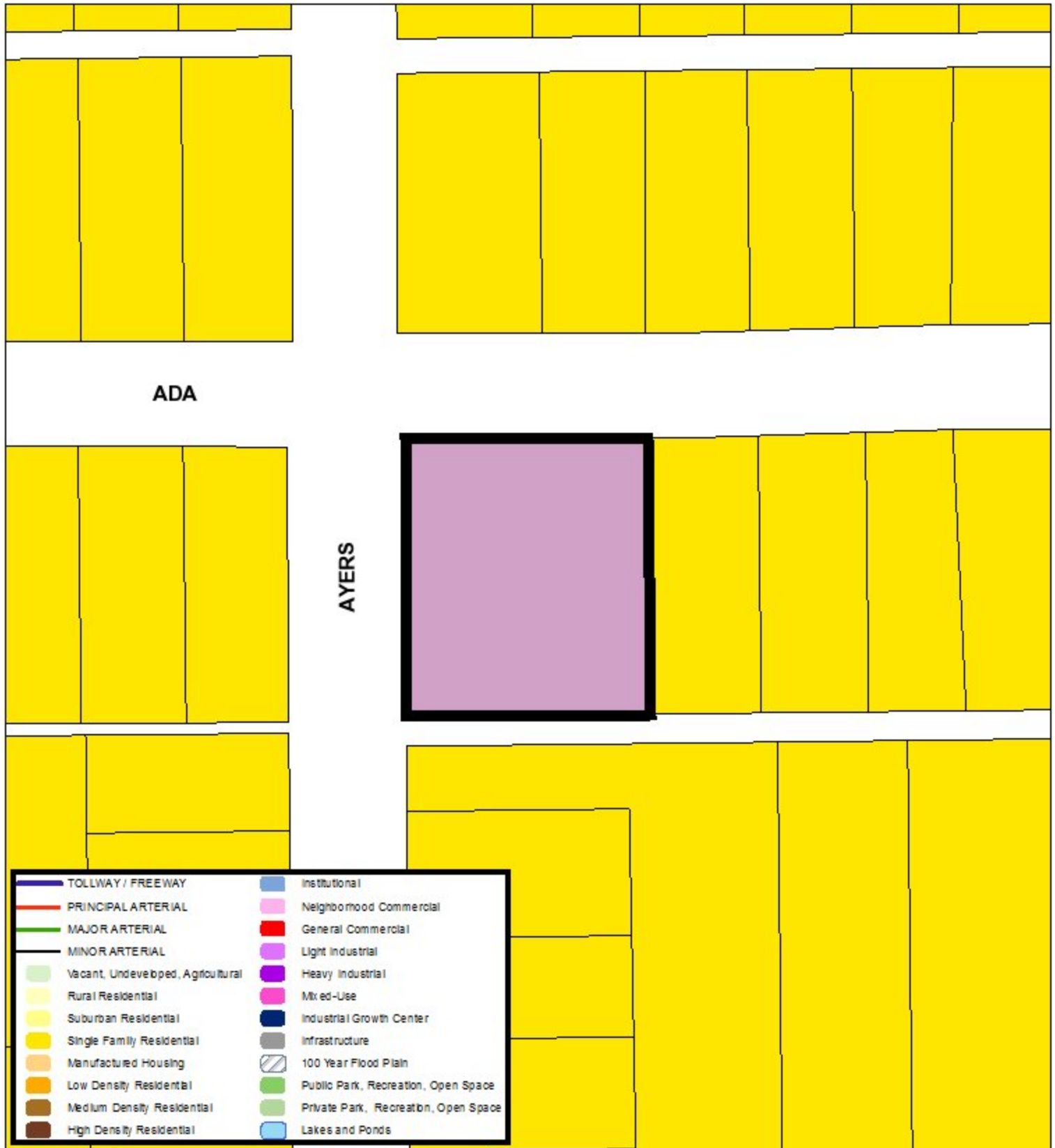


## Area Map





### 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

