



# Zoning Staff Report

**Date:** Sept. 17, 2024

**Case Number:** ZC-24-050

**Council District:** 11

## Zoning Map Amendment & Site Plan

**Case Manager:** Brett Mangum

**Owner / Applicant:** Harmit Chattha / Samantha Renz, Evolving Texas

**Site Location:** 5433 Dallas Avenue & 5456 E Lancaster Avenue

**Acreage:** 0.69 acres

### Request

**Proposed Use:** Automotive repair; paint and body shop, Vehicle sales or rental, and Outdoor Storage

**Request:** From: “E” Neighborhood Commercial & “A-5” One Family Residential

To: “PD/FR” Planned Development for all uses in General Commercial Restricted plus Outdoor Storage and auto repair within 200’ of residential zoning, removing Gasoline sales, Club, Commercial or Business, and Convenience Store uses. Development standards for front yard building setback, fencing in front yard setback, landscaping, and improved hard surface (parking); Site Plan included

### Recommendation

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

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

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

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

**Zoning Commission Recommendation:** **Denial by a vote of 9-1**

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# Zoning Staff Report

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## Project Description and Background

This is a proposed automotive repair, vehicle sales, and outdoor storage development on a pre-developed site near East Lancaster Avenue and Dallas Avenue in Council District 11. The total land area within the development is 0.69 acres. A small portion, composed of the western 1/3<sup>rd</sup> of the subject property, is zoned “A-5” One family residential and was the site of a residence which has since been demolished. This portion of the lot has been paved with gravel by the property owner and is being requested for outdoor storage of vehicles. For additional details regarding the rezoning request, see narrative provided by developer in the application below:

There are 3 addresses associated with this request.

The first one is at 5456 E. Lancaster and is approximately .04527 Acres (19,720 sf). The owner has been in business with an active CO Since 11/10/2020. The CO # is T0323106. The Zoning of the property at the time was "F", and the CO States the property can be used as "Auto Sales". and the Building Use is Shop and Storage.

The owner has recently received visits and calls from Code Enforcement asking him to update his CO, and a City representative informed that the City initiated a zoning change on the property some time ago, no specific date provided, but he stated either a zoning change to bring it in compliance, or a Legal Non-conforming Use Letter would be required to avoid fines for continued use of the existing business.

Mr. Chattha recently purchased the adjoining property, 5433 Dallas Ave. This site is approximately 0.19 acres (8,280 sf). The applicant demolished the uninhabitable structure, cleaned up the property and placed a fence around the property, and wishes to use the property for parking for the existing business.

The applicant desires to rezone 5433 Dallas Ave from “A-5” and the Existing property locates at 5456 E Lancaster into one Planned Development with a base zoning of "FR" General Commercial Restricted for a auto shop with storage and sales, and additional parking.

Our project could b accomplished by a standard zoning district "FR"; however, after discussion with Councilwoman Martinez, regarding the rezoning of 5433 Dallas Ave, she indicated we should bring the entire business into compliance, and that she felt a PD would be a more favorable request. It was my understanding that as a PD, the P&Z and Council could restrict uses or make additional requirements to the base zoning. We are asking for a Base zoning of FR to allow for the current use to remian and expand it's parking area. Our draft Development Guidelines would allow only uses in the existing "E" Neighborhood zoning with the addition of "Auto Sales & Repair."

## Surrounding Zoning and Land Uses

North “E” Neighborhood Commercial / retail smoke shop & tire shop  
East “E” Neighborhood Commercial / self service car wash  
South “A-7.5” One Family Residential / residential  
West “A-5” One Family Residential / residential

## Recent Zoning History

- None

## Public Notification

300-foot Legal Notifications were mailed on August 2, 2024.  
The following organizations were emailed on August 2, 2024:

Organizations Notified	
Central Meadowbrook NA*	East Fort Worth Business Association
Handley NA	East Fort Worth Inc.
Neighborhoods of East Fort Worth Alliance	Southeast Fort Worth Inc.
Streams and Valleys Inc	Trinity Habitat for Humanity
Echo Heights Stop Six Environmental Coalition	Fort Worth ISD

\*Located closest to this registered Neighborhood Association

## Development Impact Analysis

### Land Use Compatibility

The applicant is seeking to create a new Planned Development based on “FR” General Commercial Restricted that will accomplish the following:

- 1) Add ‘Outdoor Storage’ land use in “FR” and ‘Auto repair’ land use within 200’ of a residential zone or use
- 2) Remove ‘Gasoline sales’, ‘Club, Commercial or Business’, and ‘Convenience Store’ land uses from “FR”
- 3) Add development standards (waivers) for:
  - Front yard building setback
  - Fencing in front yard setback
  - Landscaping
  - Improved hard surface (parking)
- 4) Add Site Plan

There is a residential neighborhood to the west with direct adjacency to a portion of the subject site. Additionally, residential uses abound to the south, across Dallas Avenue. It does not seem to be appropriate to expand a non-residential use in this area at the present time. Instead, the zoning should be focused on supporting mixed use and pedestrian friendly uses to compliment the intended improvements to the East Lancaster corridor, which is marked for future transit improvements.

The proposed rezoning to “PD-FR” **is not compatible** with the surrounding land uses.

### Comprehensive Plan Consistency – Eastside

The 2023 Comprehensive Plan designates the eastern portion of the site as *future neighborhood commercial*, matching the current zoning designation of “E” Neighborhood Commercial. The western portion, which is currently zoned “A-5” One Family residential is designated as *future single family residential*.

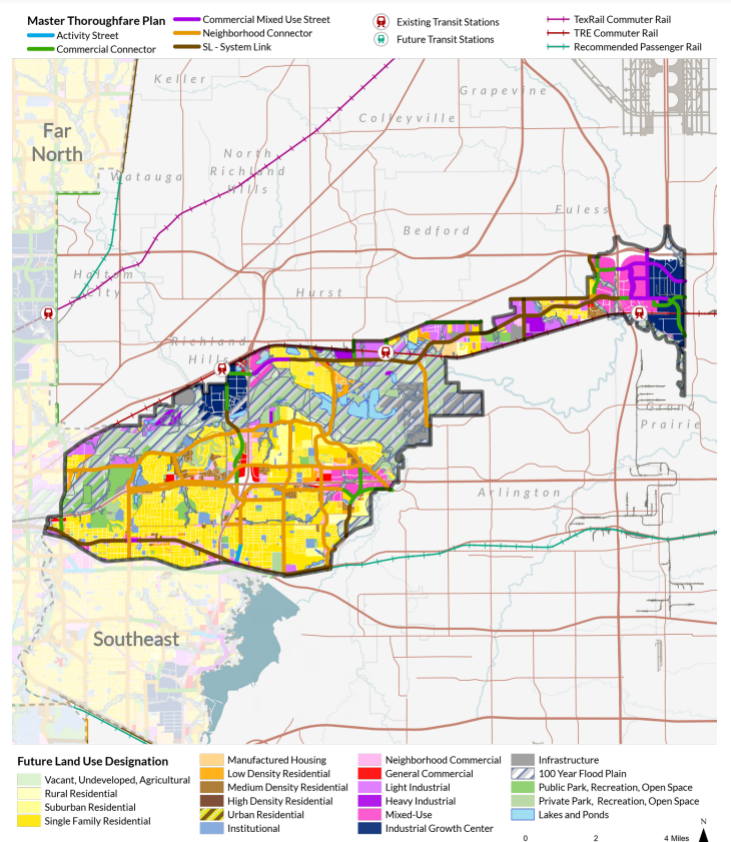
FUTURE LAND USE	DESCRIPTION	IMPLEMENTING ZONING
<b>COMMERCIAL</b>		
Neighborhood Commercial	Retail, services, offices and mixed uses serving daily needs for a local market area	ER, E, MU-1, Applicable Form-Based Codes
General Commercial	Retail, services, offices and mixed uses serving occasional needs for a larger market area	All Commercial, MU-1, MU-2, Applicable Form-Based Codes

The current proposal to rezone to “PD-FR” is **not consistent** with the adopted Comprehensive Plan map designation, as *future neighborhood commercial* designated zones are intended to be zoned “ER”, “E”, or “MU-1”, or the lowest intensity commercial/non-residential zones. “FR” zoning would require a designation of *future general commercial* in order to be judged as consistent with the Comprehensive Plan map.

In addition, the proposed rezoning is not supported by any of the policies listed below which apply to the Eastside sector. The site is located within the proposed East Lancaster corridor, which is set to become a major transit-oriented development area, meaning that auto-related uses should be discouraged in favor of mixed use and pedestrian friendly uses.

**Sector Land Use Policies**

- Promote commercial, mixed-use, and urban residential development within the CentrePort and Eastchase Mixed-Use Growth Centers, ensuring that uses and building heights are compatible with the Airport Overlay District.
- Promote a desirable combination of compatible residential, office, retail, and commercial uses in the mixed-use zoning districts of the Oakland Corners Urban Village, Historic Handley Urban Village, and the Trinity Lakes form-based code district.
- Encourage redevelopment of the Oakland Corners Urban Village consistent with its urban village and neighborhood empowerment zone plans.
- Facilitate redevelopment of the East Lancaster Avenue corridor in accordance with Transit-Oriented Development principles and plans.
- Reduce the amount of undeveloped suburban multifamily zoning outside of mixed-use growth centers, urban villages, and transit-oriented development (TOD) areas. Use urban residential and mixed-use zoning to accommodate walkable multifamily development in these areas.
- Expand and enhance the public hike & bike trail system between Downtown Fort Worth and Downtown Dallas. Connect neighborhoods to the expanded Trinity Trails system.
- Encourage the use of floodplains for agricultural or recreational uses, including hike & bike trails.
- Encourage the protection of mature woodlands, riparian corridors, and other sensitive natural areas, while incorporating protected woodland areas as amenities in new developments.
- Promote the restoration of historic homes and buildings.
- Encourage the reuse of vacant buildings.
- Encourage demolition of buildings that cannot be economically rehabilitated.
- Stimulate the redevelopment of the East Lancaster Avenue and Brentwood Stair commercial districts.
- Promote industrial development within the Riverbend and CentrePort Industrial Growth Centers.



The proposed rezoning is **not consistent** with the Comprehensive Plan policies.

**Site Plan Comments**

**Zoning and Land Use**

(All zoning comments have been addressed as of 7/26/2024)

- Add case reference ZC-24-050.
- Strike general note #1 & add as development standard/waiver (site does not appear to meet minimum landscape requirement 10%).
- Contact Urban Forestry Section if you have not already done so, to see if you can meet their standards.

- If you aren't able to meet their standards, then a waiver to urban forestry requirements will need to be added to the PD as a development standard.
- Will need to add development standard for front yard setback, as the plat shows the existing building encroaching into the 25' build line shown on the plat along Dallas Avenue.
- Will need to add development standard for fencing in front yard, as the existing fencing is encroaching into the 25' build line shown on the plat along Dallas Avenue.
- Will need to add development standard if paving is not hard
- List all development standards (waivers) to the "FR" requirements that you are requesting clearly on the Site Plan document.
- So far the list would possibly include the following: front yard setback, fencing, landscaping, urban forestry, improved hard surface.
- Label 8' residential driveway on Dallas Avenue as 'access point/driveway' if you are intending to use this location for ingress and egress to the western portion of the property.

## **Fire Department**

FWFD - (Lt. Adam Thornton, FirePlatting@fortworthtexas.gov)

Hydrant requirements:

? 600 ft. (300 ft. radius) of space between hydrants along a direct horizontal line.

? 500 ft. hose lay distance to all points of building.

FDC's for sprinkler and standpipe systems shall be located within 50 ft. of a dedicated street or fire apparatus access road and shall be within 150 ft. hose lay distance of the nearest fire hydrant. Each building shall be equipped with its own FDC, unless otherwise approved by the fire code official.

Minimum fire lane width is 20' and must provide hose lay to all exterior portions the building within 150', measured along a 5' wide unobstructed path. That distance MAY be increased to 300' if the building is equipped with a fire sprinkler system. The increased distance is not allowed in High Piled Storage uses (Chapter 32) or Hazardous Materials (Group H-Chapter 52). Hose lay may be measured from the edge of a marked fire lane or public street.

Vehicle gates must be a minimum of 20' wide when fully opened and be equipped with Knox Locks. Access Control Permits are required for electric gates.

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.

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.

## **Water**

No response provided

## **Stormwater**

No response provided

## **Transportation/Public Works**

No response provided

## **Platting**

No response provided

## **Park & Recreation**

PARD-PDP: no comment

## **Building Plan Review**

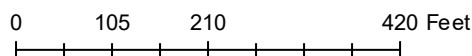
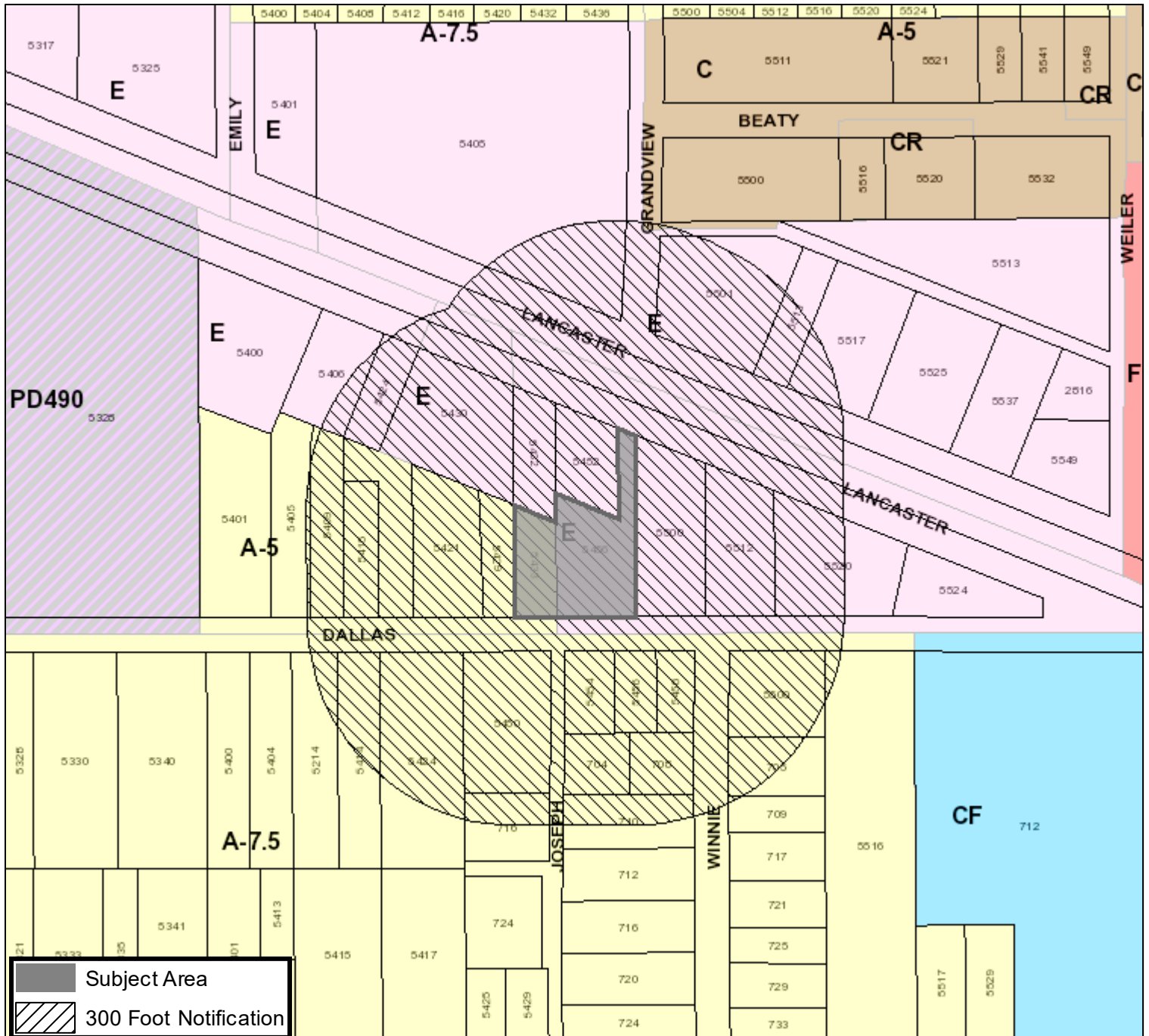
No response provided

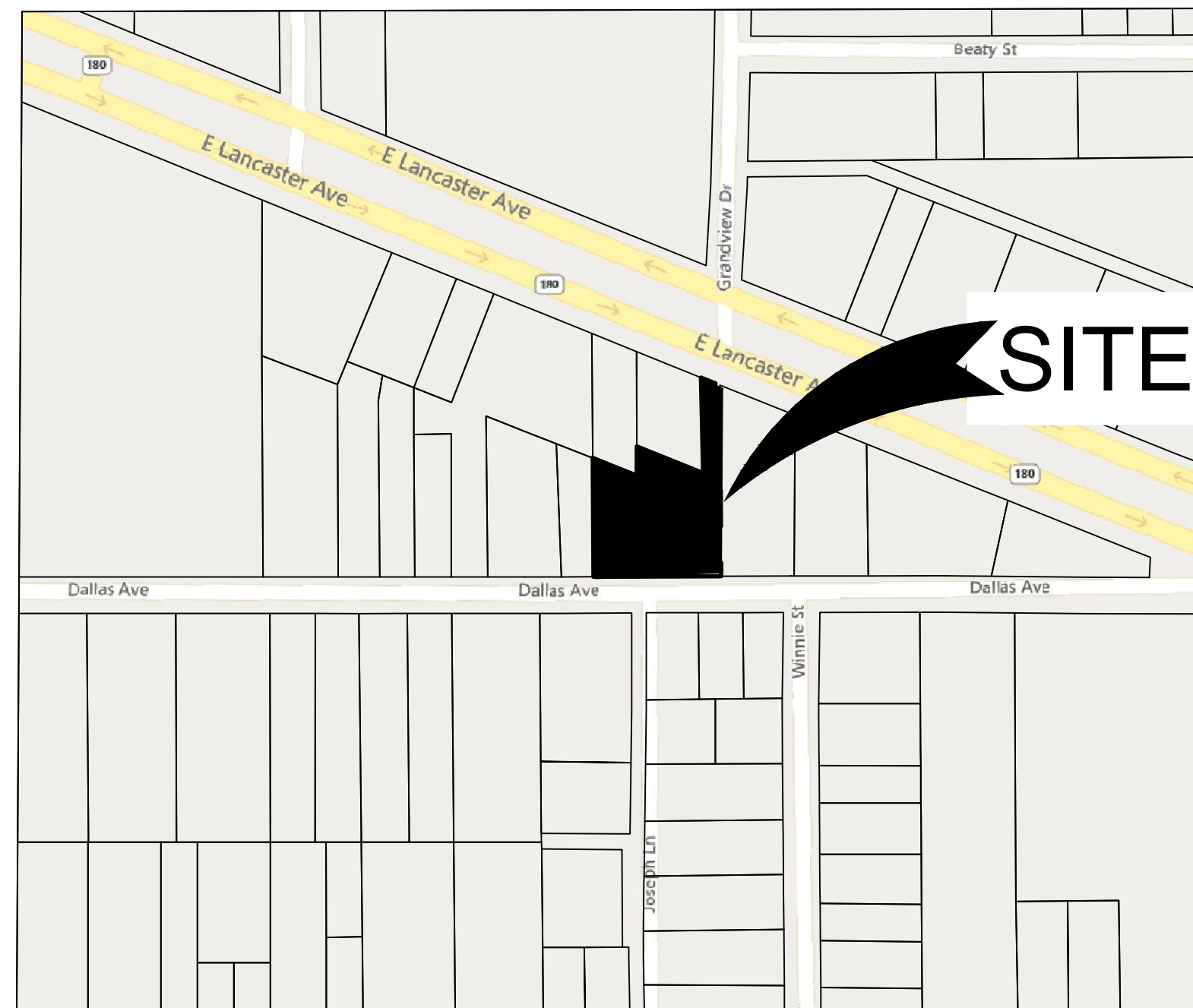
***(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)***



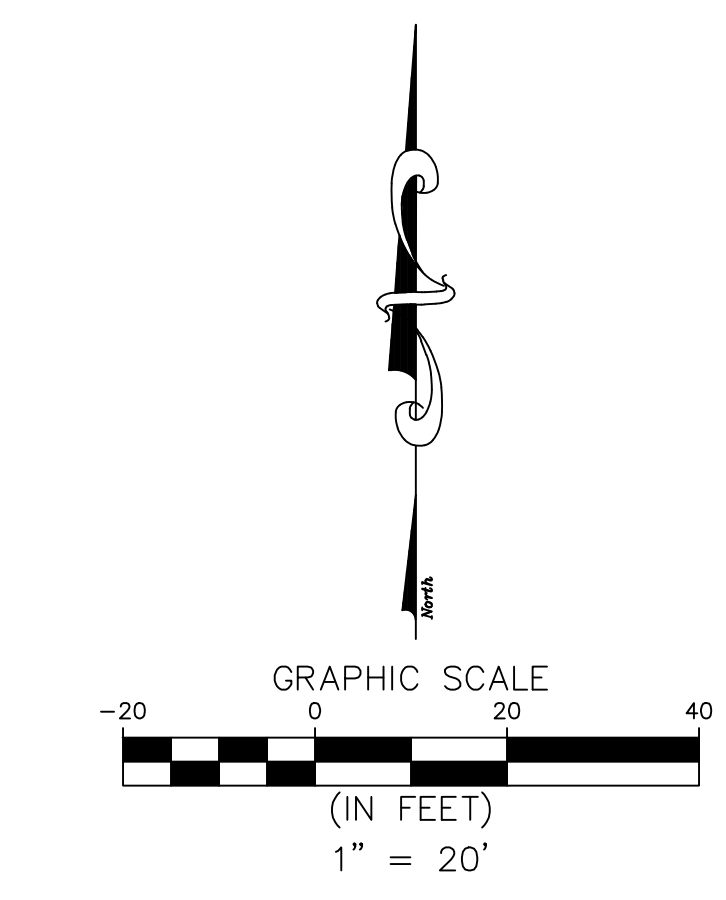
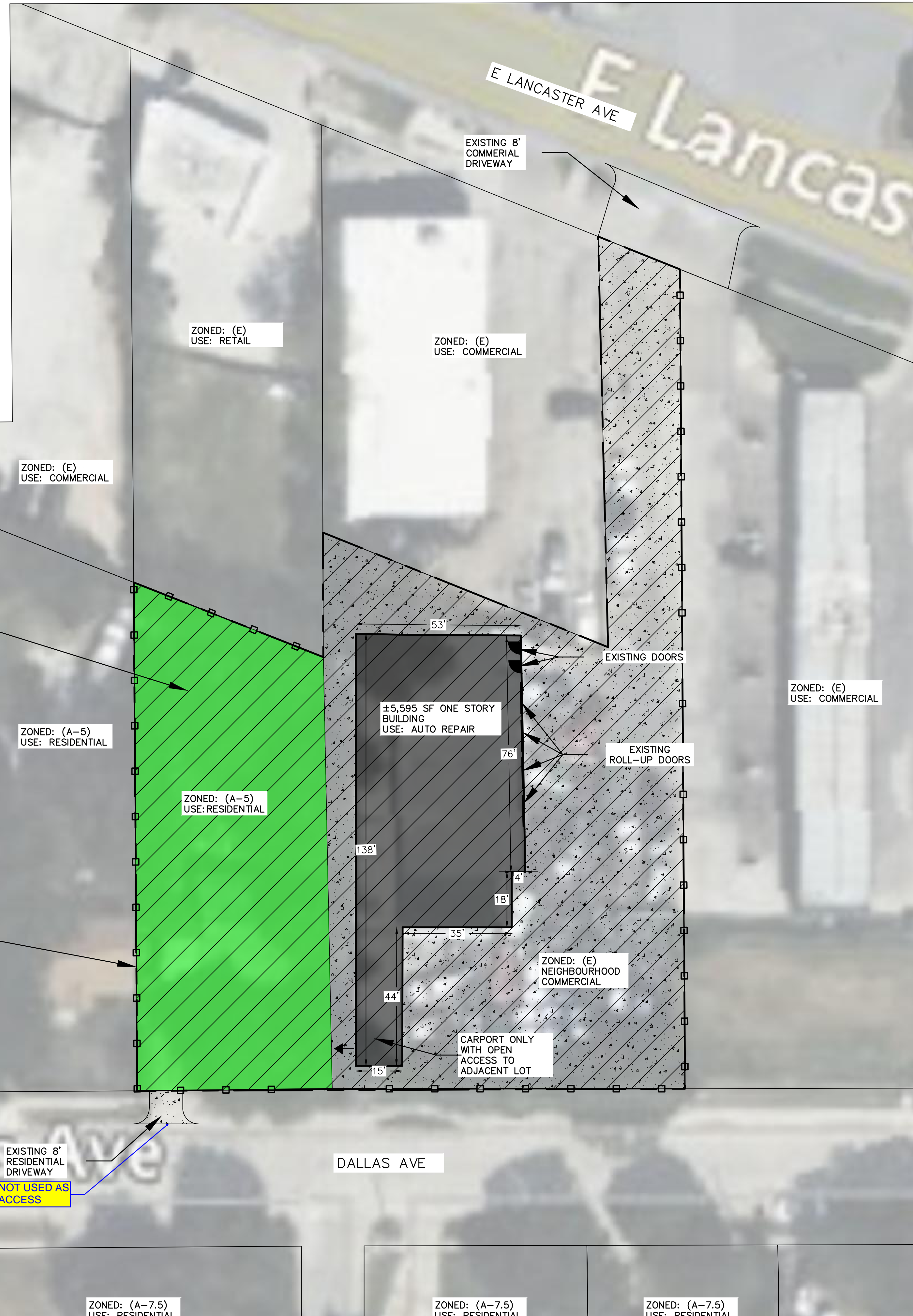
# Area Zoning Map

Applicant: Harmit Chattha  
 Address: 5433 Dallas & 5456 E. Lancaster  
 Zoning From: A5/E  
 Zoning To: PD/FR  
 Acres: 0.69020217  
 Mapsco: Text  
 Sector/District: Eastside  
 Commission Date: 8/14/2024  
 Contact: 817-392-6226





VICINITY MAP  
1" = 200'



**LEGEND**

- CURRENT OPEN SURFACE/  
PROPOSED APPROVED  
PARKING SURFACE
- BUILDING
- CONCRETE PAVEMENT
- PROPOSED ZONING PD WITH BASE "FR"

**DEVELOPMENT STANDARD WAIVERS:**

1. WAIVE COMPLIANCE OF SECTION 6.301 LANDSCAPING REQUIREMENT OF 10%
2. WAIVE BUILDING SETBACK FOR EXISTING STRUCTURE THAT ENCSOACHES INTO REAR SETBACK ALONG DALLAS AVE
3. WAIVE FRONT YEARD SETBACK ON 5433 FOR FENCE ENCSOACHING INTO SETBACK
4. ALLOW CRUSHED CONCRETE PARKING AREA FOR OUTDOOR VEHICLE STORAGE
5. AUTO REPAIR WITHIN 200' OF RESIDENTIAL

**GENERAL NOTES**

1. THIS PROJECT WILL COMPLY WITH SECTION 6.302, URBAN FORESTRY.
2. ALL SIGNAGE WILL CONFIRM TO ARTICLE 4, SIGNS.
3. ALL PROVIDED LIGHTING WILL CONFIRM TO THE LIGHTING CODE.

**OWNER:**

HARMIT CHATTHA  
9513 COURTRIGHT DR  
KELLER, TX 76244

**ENGINEER:**

SAMANTHA RENZ, P.E.  
EVOLVING TEXAS  
2750 RIVER PARK PLAZA, SUITE 100  
FORT WORTH, TX 76116  
PHONE: (817) 529-2700  
EMAIL: SAMANTHA@EVOLVINGTEXAS.COM

DIRECTOR OF DEVELOPMENT SERVICES      DATE

**FIVE STAR AUTOPLEX**  
ZONING CASE: ZC-24-050

NO.	DATE:	REVISIONS	COMMENTS

TRPE NO. F-12452

evolving  
civil engineering + planning  
420 Throckmorton, Ste 620, Fort Worth, TX 76102  
817-327-2700    evolvingtx.com

THIS DOCUMENT IS RELEASED FOR INTERIM REVIEW ONLY UNDER THE AUTHORITY OF SAMANTHA D. RENZ, P.E., CFM LIC # 114504 ON 11/28/2023  
IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

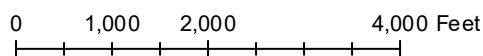
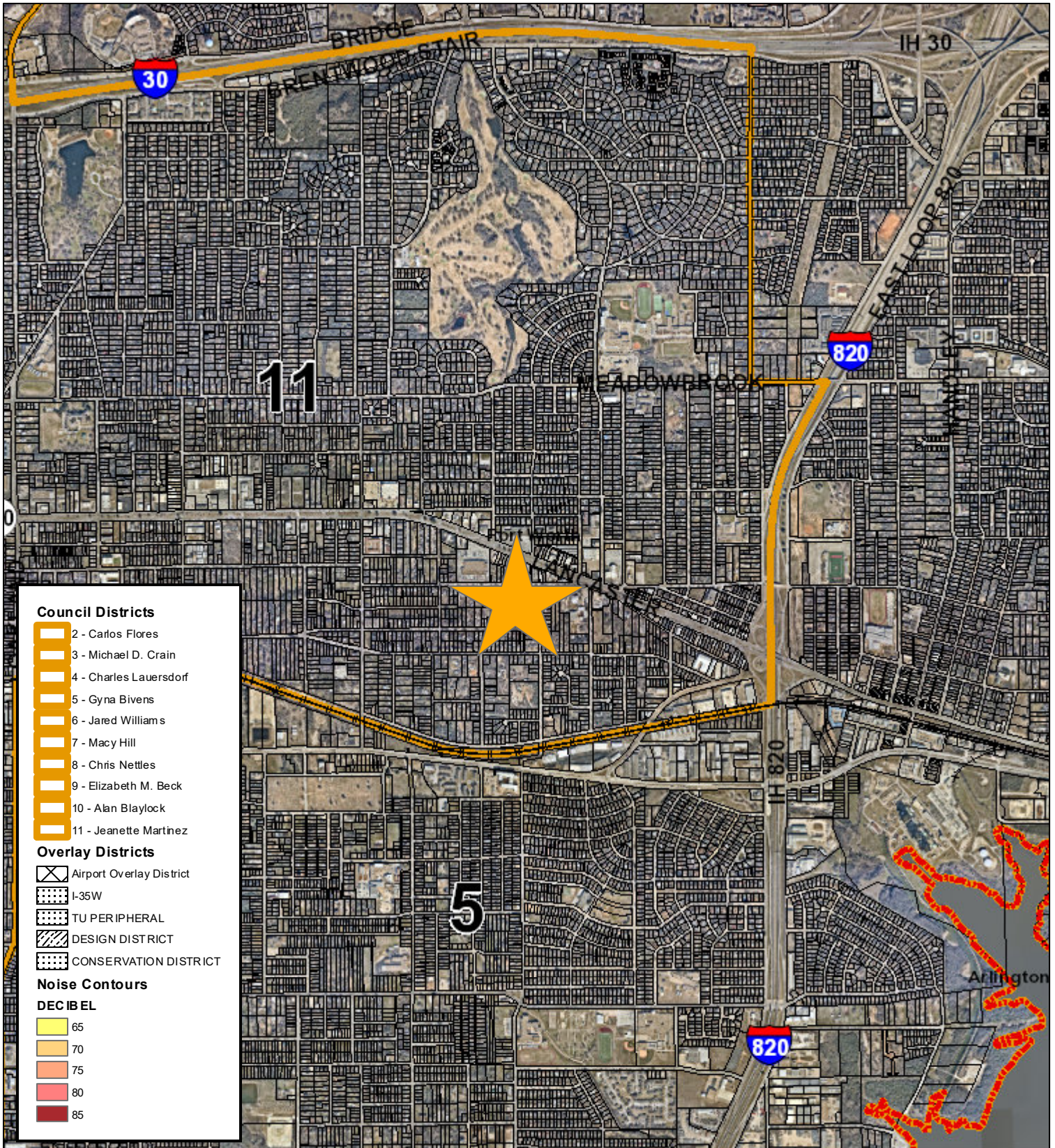
5433 DALLAS AVE, FORT WORTH, TX 76112  
HAYNES PLACE ADDITION, BLOCK 5  
LOT 10 AND BLOCK 6 LOT 2R1

**SITE PLAN**

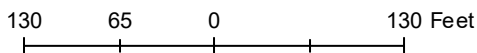
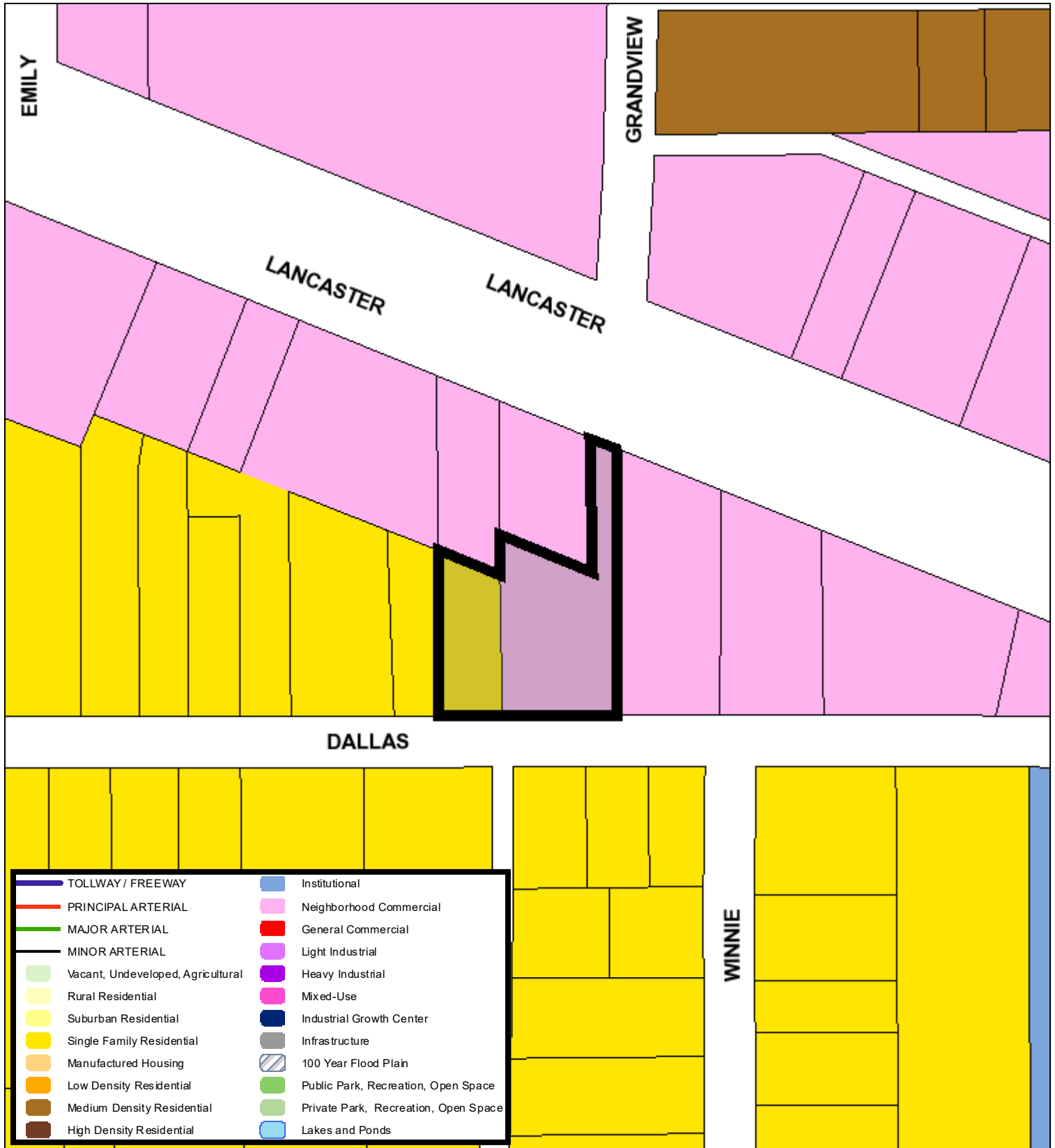
DRAWN BY:	RK
DESIGNED BY:	RK
CHECKED BY:	SR
PROJECT NO.	2023132
DATE:	5/3/2024
SHEET:	1 of 3



### 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 80 160 320 Feet

