



# Zoning Staff Report

**Date:** August 13, 2024

**Case Number:** ZC-24-047

**Council District:** 8

## Zoning Map Amendment & Site Plan

**Case Manager:** Brett Mangum

**Owner / Applicant:** Oncor Electric / Kyle Hall & Rob Myers, Kimley Horn

**Site Location:** 1200 McPherson Road

**Acreage:** 2.05 acres

### Request

**Proposed Use:** Electric Power Substation (Electrical Switching Station)

**Request:** To: Add Conditional Use Permit (CUP) to allow an electrical power substation in “E” Neighborhood Commercial; Site Plan included with no development standard waivers

### Recommendation

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

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

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

**Staff Recommendation:** **Approval**

**Zoning Commission Recommendation:** **Approval by a vote of 7-0**

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## Project Description and Background

The proposed site is in the southeastern part of Fort Worth, off McPherson Road within Council District 8. The applicant is requesting an electrical power substation, also known as an electrical switching station. Electrical power substations are allowed by right in the industrial districts and only permitted within commercial zoning districts with approval of a Conditional Use Permit (CUP). The Site Plan shows no development waivers requested.





Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location. While an electrical power substation is not permitted in the “E” zoning district by right, allowing one by CUP with a Site Plan may help mitigate any neighborhood concerns, as well as give options for the CUP to be revoked in the event of code violation convictions.

The site is currently vacant land that is traversed by overhead power lines. Undeveloped commercially zoned land surrounds the site to the north and east, with a ranch to the south and west. The proposed site uses McPherson Road as the primary ingress/egress point, with two driveways into the site proposed. The Site Plan shows electrical switching equipment and one equipment building, set back approximately 20 feet from the western property line. No habitable buildings are proposed, and the site is exempt from parking requirements due to being more than 250 feet from a residential district.

Through Ordinance 23609 effective March 29, 2019, the Conditional Use Permit allows for an unlimited time period for the operation of a use unless otherwise approved by the City Council. If a time limit is established for a Conditional Use Permit, the renewal of the CUP shall be considered through the public hearing process and approved by the City Council. A CUP shall expire if no permitting action is taken within six months of approval or cease of the use for six months. A CUP may be revoked through the public hearing process if necessary after convictions of one or more code violations.

Per Section 4.407 (a), the following general rules apply to all conditional uses:

- a) Conditional use permits in residential districts shall be limited to those uses designated “CUP” in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.
- b) Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.
- c) A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.
- d) The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy shall not be issued until all or

approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate of Occupancy and subdivision approval have been satisfied.

Section (d) provides the following Conditional Use Permit factors in consideration of appropriateness of a request:

- a) The proposed use is consistent with the Comprehensive Plan;
- b) The proposed use is compatible with the existing and adjacent uses.
- c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;
- d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;
- e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

## Surrounding Zoning and Land Uses

North “E” Neighborhood Commercial & “AG” Agricultural / undeveloped  
East “E” Neighborhood Commercial / gas well & pad site  
South “E” Neighborhood Commercial / ranch  
West “E” Neighborhood Commercial / ranch

## Recent Zoning History

- None

## Public Notification

300-foot Legal Notifications were mailed on June 28, 2024.  
The following organizations were emailed on June 28, 2024:

Organizations Notified	
District 6 Alliance*	Burleson ISD
Streams and Valleys Inc	Trinity Habitat for Humanity

*\*Located within this registered Neighborhood Association*

## Development Impact Analysis

### Land Use Compatibility

The applicant is proposing to construct an electrical power substation on vacant land, surrounded by mostly vacant land and a gas well pad to the east. The adjacent properties are zoned either “E” Intensive Commercial or “AG” Agricultural. The Site Plan shows no development waivers requested. The proposed zoning request for an electrical switching station **is compatible** with surrounding non-residential zoning. The proposed use and their operational characteristics would not create notable land use conflicts with the adjacent vacant land or existing infrastructure uses.

## Comprehensive Plan Consistency – Far South Sector

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The 2023 Comprehensive Plan designates the subject property as future “Infrastructure” and “Neighborhood Commercial” on the Future Land Use Map. The requested Conditional Use Permit (CUP) for electrical power substation **is consistent** with the future land use map designation.

The proposed CUP **is consistent** with the following policies of the Comprehensive Plan:

- Promote fiscally sustainable growth on the periphery of the city by encouraging development adjacent to existing adequate infrastructure and discouraging leapfrog development.
- 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.

## Site Plan Comments

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### Zoning and Land Use

All zoning comments have been addressed as of 6/20:

- Add case number "ZC-24-047" in the title block.
- Add signature block with line for signature of "Director of Development Services" and line for "Date" near the project title.
- Add missing general notes:
  - This project will comply with Section 6.301, Landscaping.
  - This project will comply with Section 6.302, Urban Forestry.
  - All signage will conform to Article 4, Signs.
  - All provided lighting will conform to the Lighting Code.
- Portion of improvements appears to be within proposed right of way dedication. May need to shift wall and gates south to avoid improvements in City roadway/r-o-w.
- Add missing screening shrubs around the eight foot masonry wall along McPherson Road side. All screening shrubs shall be a minimum of three feet in height at planting, have the potential to grow to a mature height of a minimum of six feet in three years and must have a permanently installed irrigation system that provides total water coverage to all plant materials. The vegetation shall be kept in an attractive state and in good condition at all times.
- Add missing land use/zoning classifications on the site area and immediately adjacent properties abutting the site.
- Add missing setback, gross floor area, and number of stories for proposed control center building.

### Platting

No response provided

### Water

No response provided

### Park and Recreation

Workflow cleared by Lori Gordon, but no comments provided

### Fire Department

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



FYI: Gas well pad site and lift compressor located Southeast of this location could affect obtaining permits. Current setbacks provided below.

Gas Well Setbacks for Non-Permitted gas well pad site:

- o 300' Building Setback radii from each gas well bore for Protected Use and Public Building Structures.
- o 200' Building Setback radii from each gas well bore for Habitable Structures"

Setbacks will need to be shown on your plat if the setback encroaches the plat lines regardless of building locations/type.

Lift Compressor on the gas well pad site:

200' Building Setback radii from the Lift Compressor for Protected Use, Public Building, or Habitable Structures  
IFC 2015/CFW Adopted Amendments Jan 1, 2017 Section 5706.3.1.3.4.2 Existing Lift Compressor

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.

### **Building Plan Review**

No response provided

### **Transportation/Public Works Stormwater**

Contact: [sds@fortworthtexas.gov](mailto:sds@fortworthtexas.gov)

No FEMA Floodplain, City Flood Risk Area, Potential High Water, or Storm Infrastructure noted on or adjacent to the site.

An accepted drainage study is required prior to commercial grading issuance and building permit issuance.

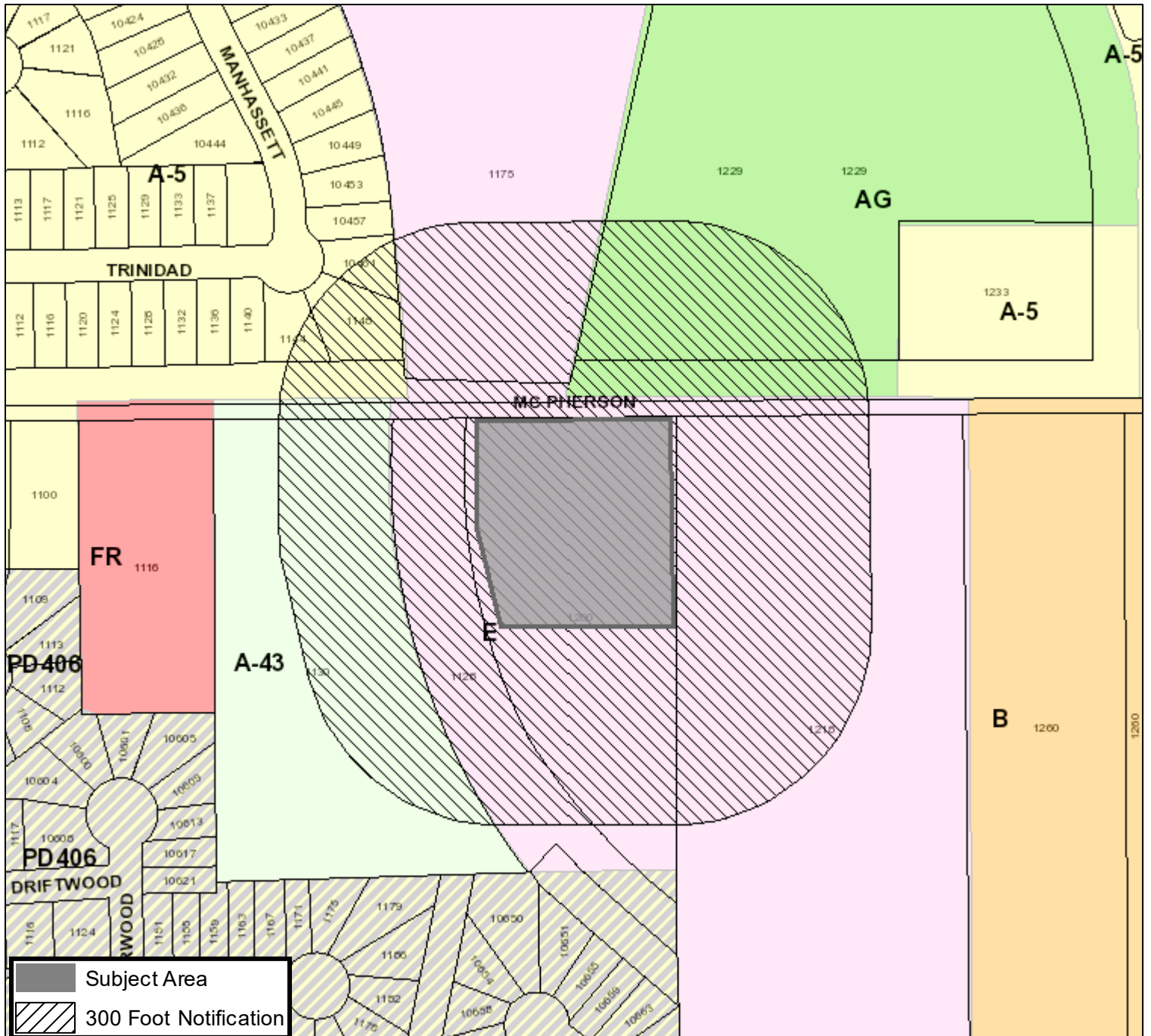
### **Transportation/Public Works Engineering**



No response provided

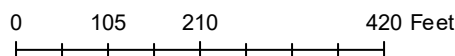
***(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, Water, and Building Plan Review Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)***

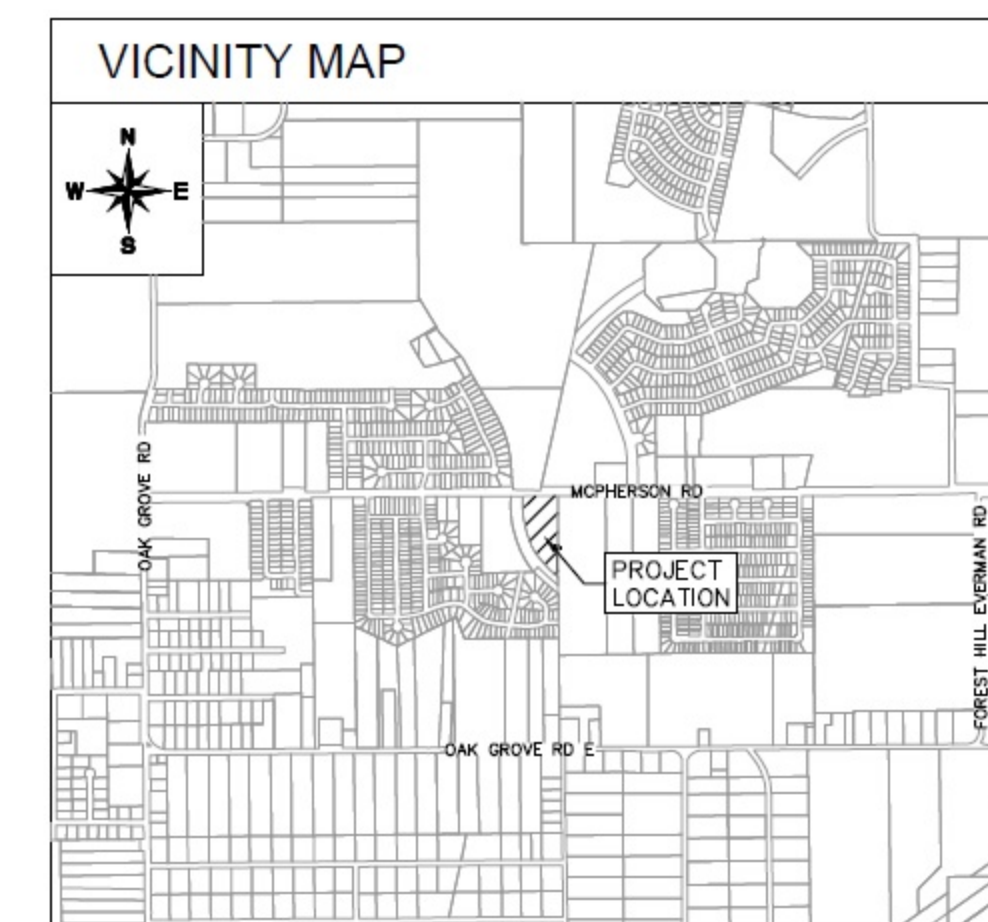
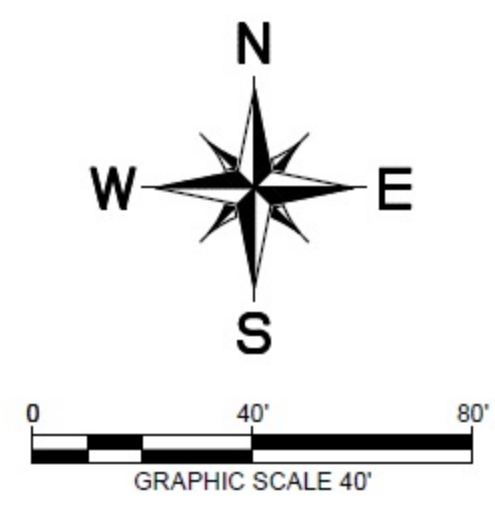
### Area Zoning Map

Applicant: Oncor Electric/Kyle Hall  
 Address: 1200 McPherson Road  
 Zoning From: E  
 Zoning To: To add a CUP for an electric substation  
 Acres: 2.05136674  
 Mapsco: Text  
 Sector/District: Far\_South  
 Commission Date: 7/10/2024  
 Contact: 817-392-8043



	Subject Area
	300 Foot Notification

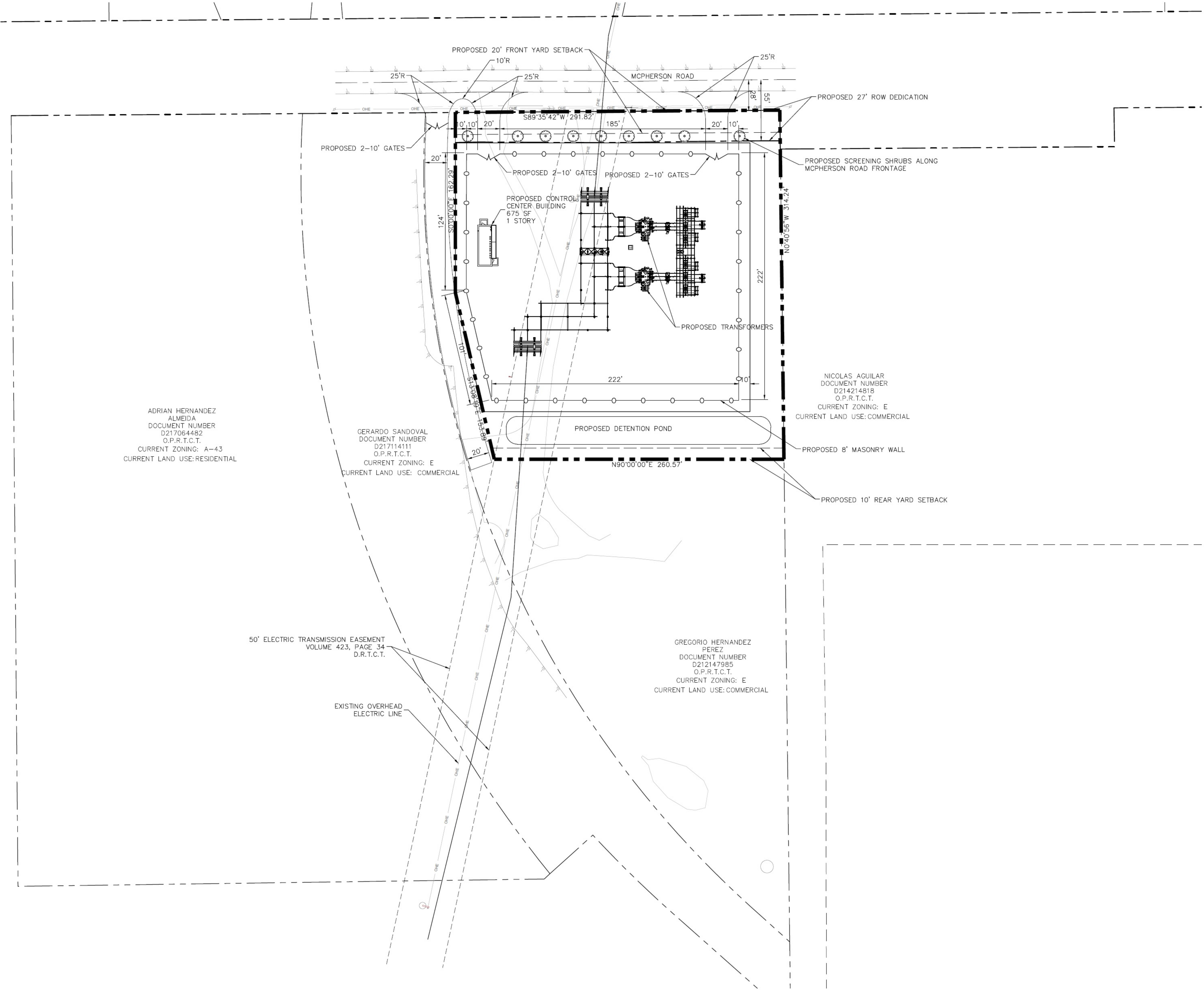




**LEGEND**

	PROPERTY LINE
	ADJACENT PROPERTY LINE
	8' HEIGHT MASONRY WALL
	SUBSTATION PAD PAVEMENT: CRUSHED ROCK FLEX BASE PAVEMENT.

- SITE NOTES**
1. THIS PROJECT WILL COMPLY WITH SECTION 6.301, LANDSCAPING.
  2. THIS PROJECT WILL COMPLY WITH SECTION 6.302, URBAN FORESTRY.
  3. ALL SIGNAGE WILL CONFORM TO ARTICLE 4, SIGNS.
  4. ALL PROVIDED LIGHTING WILL CONFORM TO THE LIGHTING CODE.



ADRIAN HERNANDEZ  
ALMEIDA  
DOCUMENT NUMBER  
D217064482  
O.P.R.T.C.T.  
CURRENT ZONING: A-43  
CURRENT LAND USE: RESIDENTIAL

GERARDO SANDOVAL  
DOCUMENT NUMBER  
D217114111  
O.P.R.T.C.T.  
CURRENT ZONING: E  
CURRENT LAND USE: COMMERCIAL

NICOLAS AGUILAR  
DOCUMENT NUMBER  
D214214818  
O.P.R.T.C.T.  
CURRENT ZONING: E  
CURRENT LAND USE: COMMERCIAL

GREGORIO HERNANDEZ  
PEREZ  
DOCUMENT NUMBER  
D212147985  
O.P.R.T.C.T.  
CURRENT ZONING: E  
CURRENT LAND USE: COMMERCIAL

50' ELECTRIC TRANSMISSION EASEMENT  
VOLUME 423, PAGE 34  
D.R.T.C.T.

EXISTING OVERHEAD  
ELECTRIC LINE

SIGNATURE

DIRECTOR OF DEVELOPMENT SERVICES \_\_\_\_\_ DATE \_\_\_\_\_

CITY CASE NUMBER: ZC-24-047

**SITE PLAN**  
FOR  
**ONCOR SPARTAN SUBSTATION**  
LITTLE, HIRAM SURVEY ABSTRACT 930 TRACT 9A04C  
CITY OF FORT WORTH, TARRANT COUNTY, TX 76028  
BEING 2.05 ACRES  
OUT OF  
HIRAM LITTLE SURVEY, ABSTRACT NO. 930  
IN  
TARRANT COUNTY, TEXAS

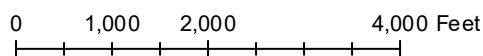
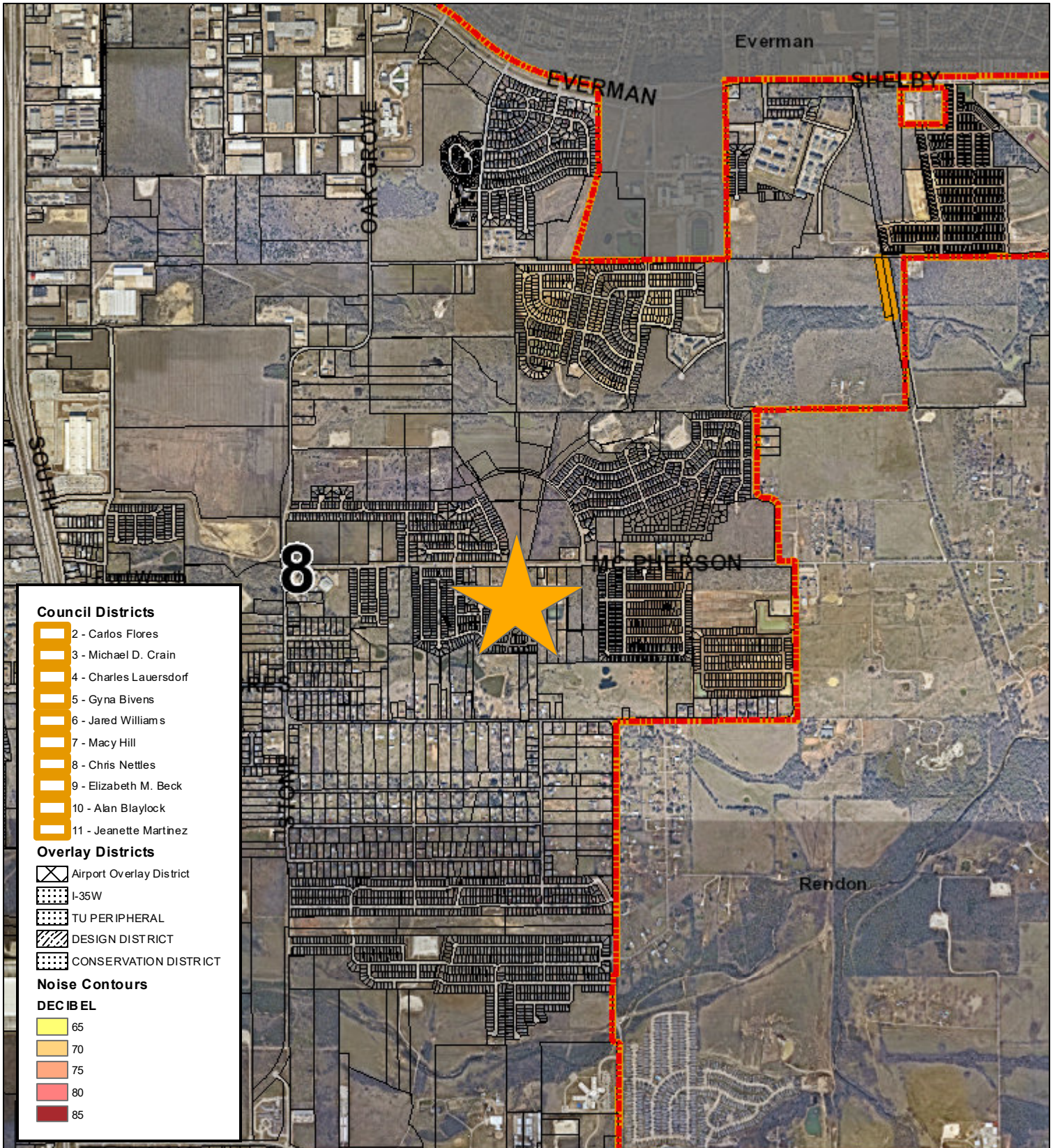
<b>OWNER/DEVELOPER:</b> Oncor 777 Main St. Suite 707 Fort Worth, TX 76102 Tel: (817) 215-6807 Contact: Seth Sampson	<b>ENGINEER/SURVEYOR:</b> <b>Kimley-Horn</b> 6160 Warren Parkway, Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: Rob Myers, P.E.
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DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.
RJM	KPH	RJM	AS SHOWN	06/20/2024	064424976

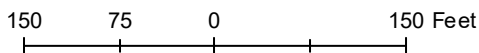
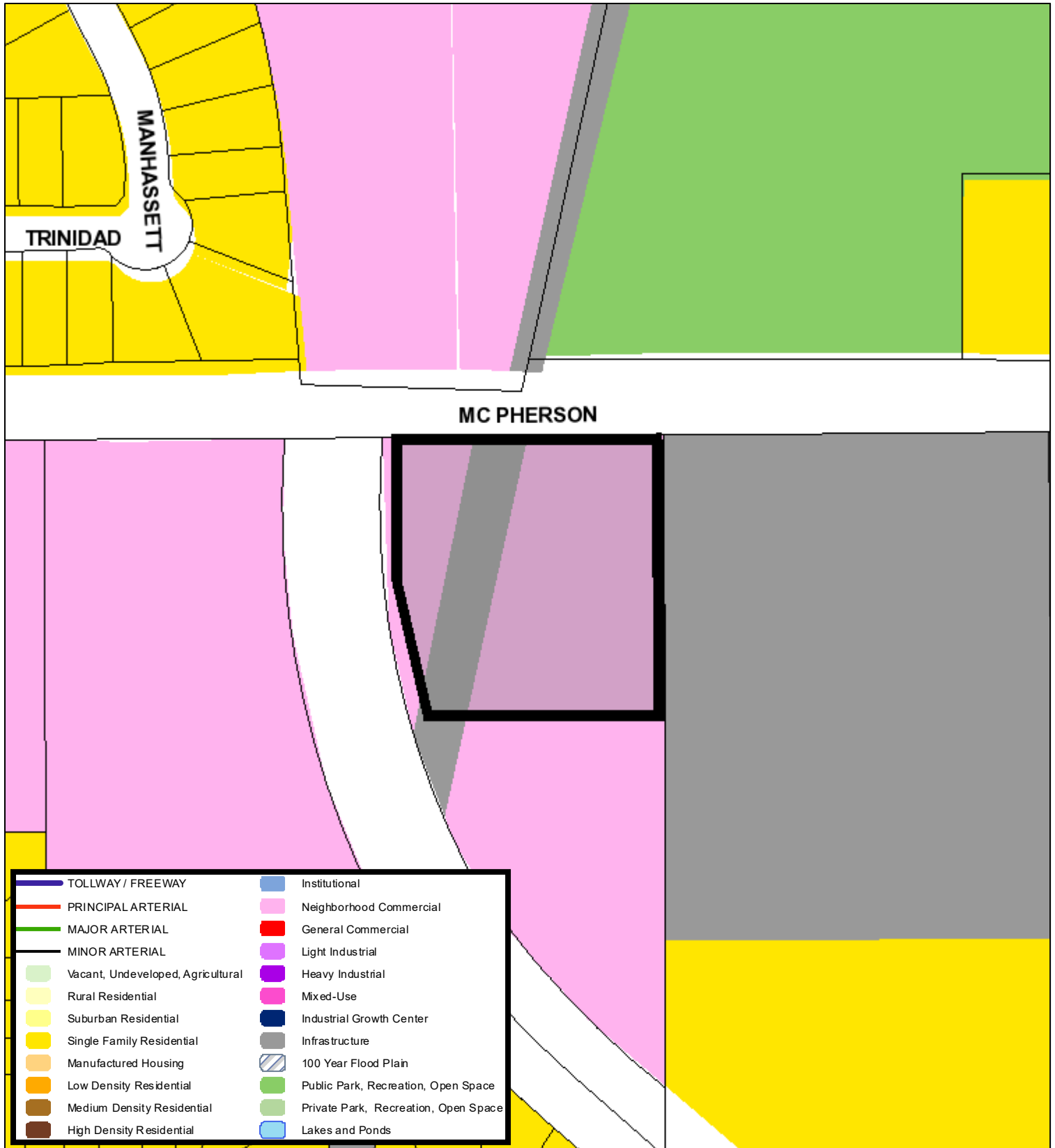
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### Area Map



### 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 95 190 380 Feet

