



Zoning Staff Report

Date: October 12, 2021

Case Number: ZC-21-147

Council District: 6

Zoning Map Amendment

Case Manager: [Sarah Bergman](#)

Owner / Applicant: Gabriel Southwest, LLC / John Ainsworth, Kimley-Horn

Site Location: 9500 – 9700 blocks Brewer Boulevard **Acreage:** 19.53 acres

Request

Proposed Use: Detached Multifamily (single-family units for rent)

Request: From: “C” Medium-Density Multifamily

To: “PD/D” Planned Development for all uses in “D” High-Density Multifamily with development standards for building orientation, fencing, setbacks, open space, and a waiver to the MFD submittal; site plan included.

Recommendation

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

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

Staff Recommendation: **Approval**

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

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Project Description and Background

The subject property is located along the southeast side of Brewer Boulevard, just south of its intersection with McPherson Boulevard. The site is currently vacant and is zoned “C” Medium Density Multifamily. The applicant is proposing to change the zoning of this site to “PD/D” Planned Development for all uses in “D” High Density Multifamily with specific development standards and waivers to allow for detached multifamily development.

The proposed site plan for this development is attached and depicts 225 detached multifamily units, with a range of one (1) to three (3) bedrooms floorplans, for a total of 391 bedrooms. Approximately 3,500 square feet of amenity space as well as a 1,110 square foot leasing office are also proposed. Parking will be provided at a ratio of one space per bedroom plus additional spaces for the amenity areas and leasing office, and will include a mix of surface parking, carports, and garage spaces.

A similar detached multifamily development with “PD/D” zoning was recently approved for the property immediately to the east of this site (case no. ZC-21-013). The site plan for this development, as well as the current request, show a proposed 50-foot wide right-of-way dedication for a new public street at the south end of the properties. The applicant has submitted a preliminary plat for review and a waiver to the maximum 1,000-foot block length is required for this new public street. The City Plan Commission is expected to consider this preliminary plat and block length waiver request on September 8, 2021 (case no. PP-21-057). If the waiver is denied, the applicant will likely request to withdraw or continue this zoning change request as a result.

Detached multifamily developments are designed to look and feel like traditional single-family neighborhoods while encompassing some elements of multifamily development and being located on a single platted lot. Most of these projects are intended for rental use but some may be rent-to-own or condominium style. Like other multifamily developments, they are professionally-managed and include amenities. According to the National Association of Home Builders, 37,000 of these units were built in 2017 and 43,000 were built in 2018 nationwide. The national trend has slowed recently but an increase detached multifamily requests has been seen in Fort Worth.

Units in these developments have similar square footage to cottage court and cluster home developments with an average unit size of just over 1,000 square feet. As such, the name “Cottage Development” has been used to describe this product even though they do not resemble the overall form, layout, ownership model, and size of cottage court and cluster developments.

This form of development often does not comply with any of the City’s standard zoning districts, and therefore Planned Development (PD) zoning with specific development regulations is utilized for these projects. The applicant for this project is proposing development regulation standards for building orientation, fencing, front yard setbacks, and open space, as well as a waiver to the Multi-Family Development (MFD) site plan submittal.

The table below illustrates the differences in zoning requirements for the existing “C” Medium Density Multifamily zoning on the property, the proposed base zoning of “D” High Density Multifamily, and the actual “PD/D” Planned Development District zoning proposed for this project. All requested development standards and waivers are also listed in this table.

Requirement	Existing “C” Standards	Base “D” Standards	Proposed “PD/D” Standards (per attached site plan)
Density	Maximum 24 units/acre	Maximum 32 units/acre	13 units/acre provided (complies)
Height	Maximum height 36’	Maximum height 36’ (or 48’ when setback at least 250’ from one or two-family district)	Maximum provided 30’ (complies)
Open Space	Minimum 45%	Minimum 35%	25% provided (does not comply) <i>Requires Development Standard.</i> <i>Fenced rear yards to be included in open space calculations (see site plan comments below for additional detail)</i>
Required Yards	<u>Front Yard:</u> 20’ minimum <u>Rear Yard:</u> 5’ minimum <u>Interior Side Yard:</u> 5’ minimum <u>Corner Lot Side Yard:</u> 20’ minimum adjacent to side street	<u>Front Yard:</u> 20’ minimum <u>Rear Yard:</u> 5’ minimum <u>Interior Side Yard:</u> 5’ minimum <u>Corner Lot Side Yard:</u> 10’ minimum adjacent to side street	<u>Front Yard:</u> 10’ minimum (does not comply) <u>Rear Yard:</u> 10’ minimum (complies) <u>Interior Side Yard:</u> 10’ minimum (complies) <u>Corner Lot Side Yard:</u> 10’ minimum adjacent to side street (complies) <i>Requires Development Standard for front yard setback</i>
Fences	Fences shall not be located in the area between building facades and the property line; Exterior security fences and gates that are located along public streets, along a public access easement, or along publicly accessible open space shall not extend beyond building facades.	Fences shall not be located in the area between building facades and the property line; Exterior security fences and gates that are located along public streets, along a public access easement, or along publicly accessible open space shall not extend beyond building facades.	A 6-foot privacy fence is proposed between the buildings and the property lines, as well as within the required front yard setback along Brewer Boulevard and the proposed public street at the south end of the property. (does not comply) <i>Requires Development Standard</i>

Building Orientation	Buildings located on public streets must face the street with the longest length of the building parallel / adjacent to the street.	Buildings located on public streets must face the street with the longest length of the building parallel / adjacent to the street.	Buildings facing street shall be allowed to have shortest length facing street. (does not comply) <i>Requires Development Standard</i>
Minimum Parking Requirements	1 space per bedroom; 1 space per 250 sqft of office/amenity area	1 space per bedroom; 1 space per 250 sqft of office/amenity area	Total Spaces Required: 410 Total Space Provided: 410 (complies)
Landscaping	20 points of enhanced landscaping required, including street trees	20 points of enhanced landscaping required, including street trees	Site plan indicates that enhanced landscaping requirements will be met. (complies)
Urban Forestry	Must comply with Urban Forestry ordinance requirements	Must comply with Urban Forestry ordinance requirements	Site plan states that this project will comply with Section 6.302, Urban Forestry. Trees will be spread throughout site in more of a single-family residential pattern. (complies)
Façade Variation	Must meet selection of façade variation elements	Must meet selection of façade variation elements	Will be reviewed upon building permit submittal
Multifamily Design (MFD) Standards	MFD Submittal Required prior to building plan review	MFD Submittal Required prior to building plan review	MFD Submittal not required (does not comply) <i>Requires Waiver</i>

Surrounding Zoning and Land Uses

North "E" Neighborhood Commercial / vacant

East PD 1305 for all uses in "D" High-Density Multifamily for detached multifamily with development regulations and waivers / vacant

South "C" Medium Density Multifamily / vacant

West "A-5" One-Family / vacant

Recent Zoning History

- ZC-21-013: Rezoned 18.83 acres immediately east of this site to PD/D for detached multifamily. Approved by City Council on March 2, 2021. The development standards and waivers approved with this request are similar to those proposed for the subject property.
- SP-21-010: Approved site plan for detached multifamily use on property 0.4 miles north of the subject property along Brewer Boulevard.
- ZC-19-140: Rezoned 14.2 acres immediately north of the subject property from "C" Medium Density Multifamily to "E" Neighborhood Commercial.

Public Notification

300-foot Legal Notifications were mailed on August 26, 2021.
The following organizations were notified: (emailed August 26, 2021)

Organizations Notified	
Panther Heights NA*	District 6 Alliance
Streams and Valleys Inc	Trinity Habitat for Humanity
Crowley ISD	

**This Neighborhood Association is located closest to the subject property*

Development Impact Analysis

Land Use Compatibility

The applicant is requesting to change the zoning of this property from “C” Medium Density Multifamily to “PD/D” Planned Development for all uses in “D” High Density Multifamily including detached multifamily, with specific development standards and waivers.

All surrounding properties are currently vacant, but a similar detached multifamily development was recently approved for the property immediately to the east of this site. Vacant property to the north is zoned “E” Neighborhood Commercial, to the south is “C” Medium Density Multifamily, and to the west is “A-5” One-Family.

The proposed zoning is **compatible** with surrounding land uses.

Comprehensive Plan Consistency – Far Southwest

The 2021 Comprehensive Plan currently designates the subject property as “Medium Density Residential” on the Future Land Use Map which is intended to accommodate multifamily development with density up to 36 units per acre. The “D” High Density Multifamily zoning district is appropriate in this category.

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
High Density Residential	>36 units/acre multifamily, mixed-use multifamily in growth centers	UR, MU-1, MU-2, Form-Based Codes

Based on the policies above, the proposed zoning is **consistent** with the Comprehensive Plan.

Zoning and Land Use

- Please clarify how the 25% open space percentage is being calculated. The minimum requirement for “D” zoning is 35%, so a development standard will be required. Per Ordinance Section 4.712(7)(g), no space less than 25 feet in either direction can be counted as open space.

Analysis: The applicant is requesting that the fenced rear yard areas adjacent to each unit be credited towards the proposed 25% open space requirement. Detached multifamily operates differently than traditional “D” High Density Multifamily developments. Due to the separation of individual, detached units, the public open space is often smaller than the 25’x25’ minimum dimension. For the purpose of this site plan, the enclosed yards for each dwelling unit will be acceptable as open space. The yards, while private, are open spaces that each resident can use, as a yard is provided for each unit.

- FYI – areas used towards credit for minimum open space requirements cannot also be credited towards enhanced landscaping requirements for the “D” High Density Multifamily District.

Platting

- (Zoning has agreed to let the zoning case move forward with the preliminary plat review, should the plat be denied the applicant would have to continue or withdraw the application). A preliminary plat has been submitted that includes the lot for ZC-21-147 and PD1305. A waiver is required from the City Plan Commission for the block length exceeding 1,000 feet per [SO. Section 31-106(20)(d)(3)]. The plat is expected to go before City Plan Commission on September 8, 2021. **(This waiver request was approved)**

Transportation Public Works (TPW)

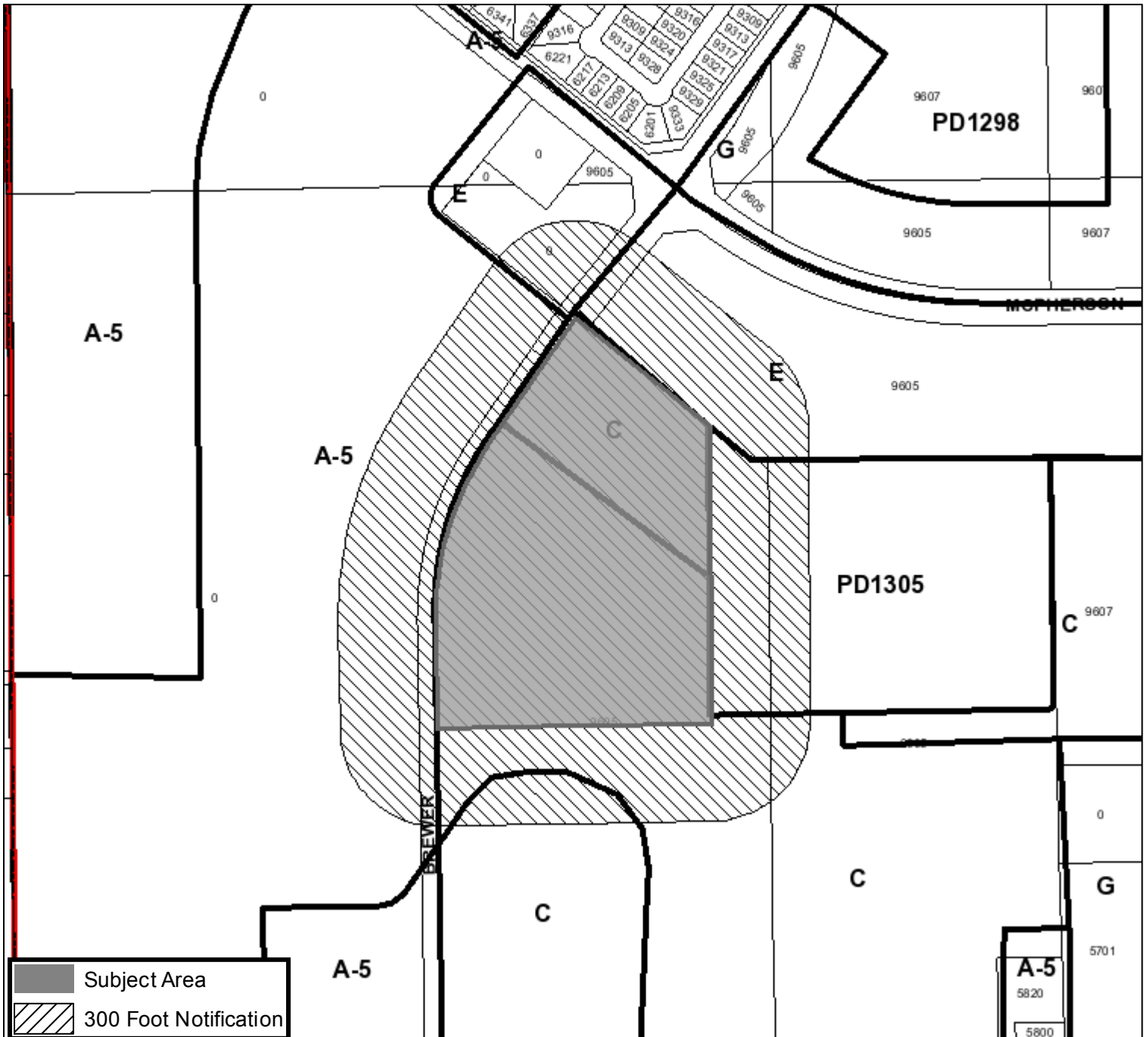
- Multi-family developments of 100 dwelling units or more shall have a platted and constructed secondary ingress and egress to a public street.
- Gated entrances into secured areas must be designed in accordance with TPW’s “Traffic Engineering Design Standards and Policy Guidelines”. Provisions for an acceptable turnaround must be made. Gates must be located 3 vehicle lengths from the ROW.

(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: Gabriel Southwest LLC
 Address: 9500 - 9700 blocks Brewer Boulevard
 Zoning From: C
 Zoning To: PD for D uses
 Acres: 19.53483609
 Mapsco: 102Y
 Sector/District: Far Southwest
 Commission Date: 9/8/2021
 Contact: null



0 220 440 880 Feet

ZONING: A-5
LAND USE: UNDEVELOPED

Owner: WM SUB CTR LP
 Legal Desc: ALBIRADO, JUAN JOSE
 SURVEY Abstract 4 Tract 4B03A7
 Instrument: D214198092

ZONING: E
LAND USE: UNDEVELOPED

Owner: MCPHERSON HOLDINGS LLC
 Legal Desc: ALBIRADO, JUAN JOSE
 SURVEY Abstract 4 Tract 4B3A2, 4B3C
 & 5A2A2 .423 SPLIT OUT FOR ROW
 REF D218104997
 Instrument: D218252195

ZONING: PD1305 (PD/D)
LAND USE: UNDEVELOPED

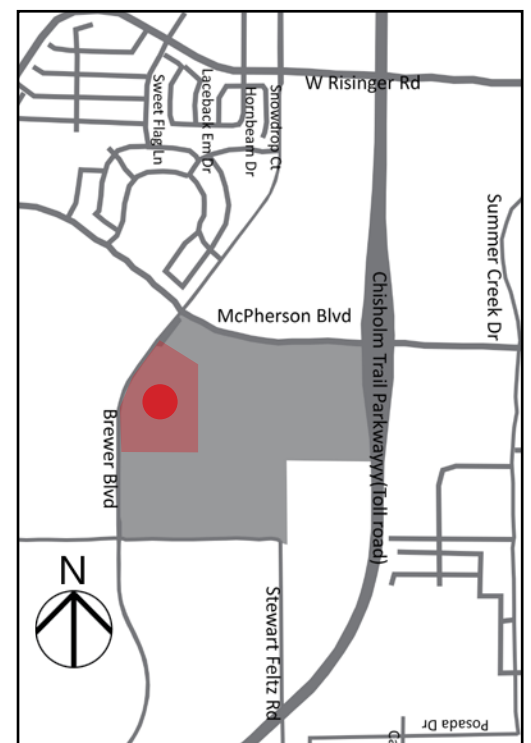
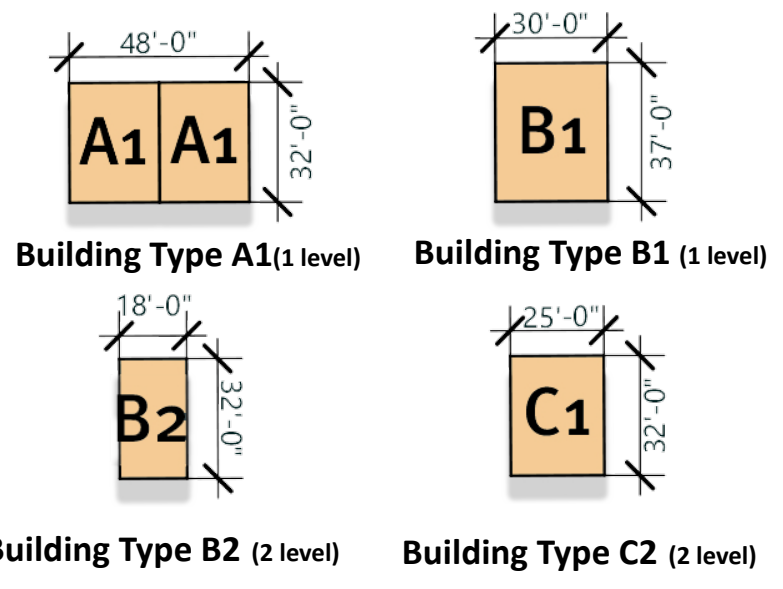
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 Legal Desc: Portion of ALBIRADO, JUAN JOSE
 SURVEY Abstract 4 Tract 4B03A
 Instrument: D217046244

ZONING: C
LAND USE: UNDEVELOPED

Owner: GABRIEL SOUTHWEST LLC
 Legal Desc: Portion of ALBIRADO, JUAN JOSE
 SURVEY Abstract 4 Tract 4B03A
 Instrument: D217046244



- General Notes**
- This project will comply with Section 4.712(c) (6) for "D" High-Density Multifamily, including enhanced landscaping.
 - This project will comply with section 6.302 urban forestry. Due to the form of detached multifamily, the trees will be spread throughout the development in fashion similar to single family, with trees in front yards.
 - This project will comply with section 6.204 bicycle parking.
 - This project will comply with facade variations of the MFD.
 - All provided lighting shall conform to city of fort worth lighting code.
 - All signs shall conform to article 4, signs.
 - Trash receptacles will be screened with a masonry wall on 3 sides and contain a gate.
 - Exterior building Materials: cementitious cladding as a primary façade material with masonry (such as brick, stone or synthetic stone) accents at select locations.
 - Development will adhere to requirements for "D" High Density Multifamily with the following exceptions:
 - Fencing shall be allowed along the public right-of-way within required front yard setbacks.
 - Units shall be allowed to front, side, or back a public right-of-way.
 - The minimum front yard setback requirement will be 10-feet.
 - The minimum open space requirement will be 25% . Enclosed rear yards for each unit will be included in the calculation of open space.
 - A MFD site plan will not be submitted for this project (waiver requested).



PROJECT DATA		
Residential	One bedroom: 86 units (38%) Two Bedroom: 112 units (50%) Three Bedroom: 27 units (12%)	225 units
Amenity		3,500 s.f.
Total Gross Floor Area		230,000 s.f.
Parking Required	Residential: 1.73 sps/unit; Common Area: 1sps/250 s.f.;	391 sps 14 sps Total: 405 sps
Parking Provided	Residential: 1.84 sps/unit; Common Area: 1sps/250 s.f.;	391 sps (Include 50 garages, 120 carports & 221 surface spaces) 14 sps Total: 405 sps
Height		2 levels/30'
Site Area		17.37 acres
Density Provided		13 units/acre
Open Space Provided		4.4 acres(25%)

SITE CONDITIONS	
	Current zoning: C Proposed zoning: PD (see below) Base zoning: D
Zoning District	
	Height
	Max. 36'
	Setbacks
	Front yard: 10' Side yard: 10' Rear yard: 10' Corner yard: 10'
	Required Parking
	-1 space per bedroom; -1 space per 250 s.f. of common area
	Detention Pond
	Detention Provided Off-site
	Open Space Req.
	Min. 25%
	Density
	13 units/acre
	Topography
	+/- 20 topo change

DEVELOPER/ OWNER

PERCH

Name: Perch GW GP, LLC

Address: 1515 West 6th Street, Austin TX 78704

Phone Number: 917-744-6238

ARCHITECT & PLANNING

JHP
Architecture/Urban Design

Name: JHP Architecture/Urban Design

Address: 8340 Meadow Rd #150, Dallas, TX 75231

Phone Number: 214-363-5687

ENGINEER & SURVEYOR

Kimley»Horn

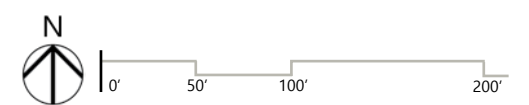
Name: Kimley-Horn

Address: 801 Cherry Street, Unit 11, Suite 1300 Fort Worth, TX 76102

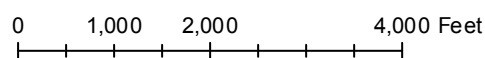
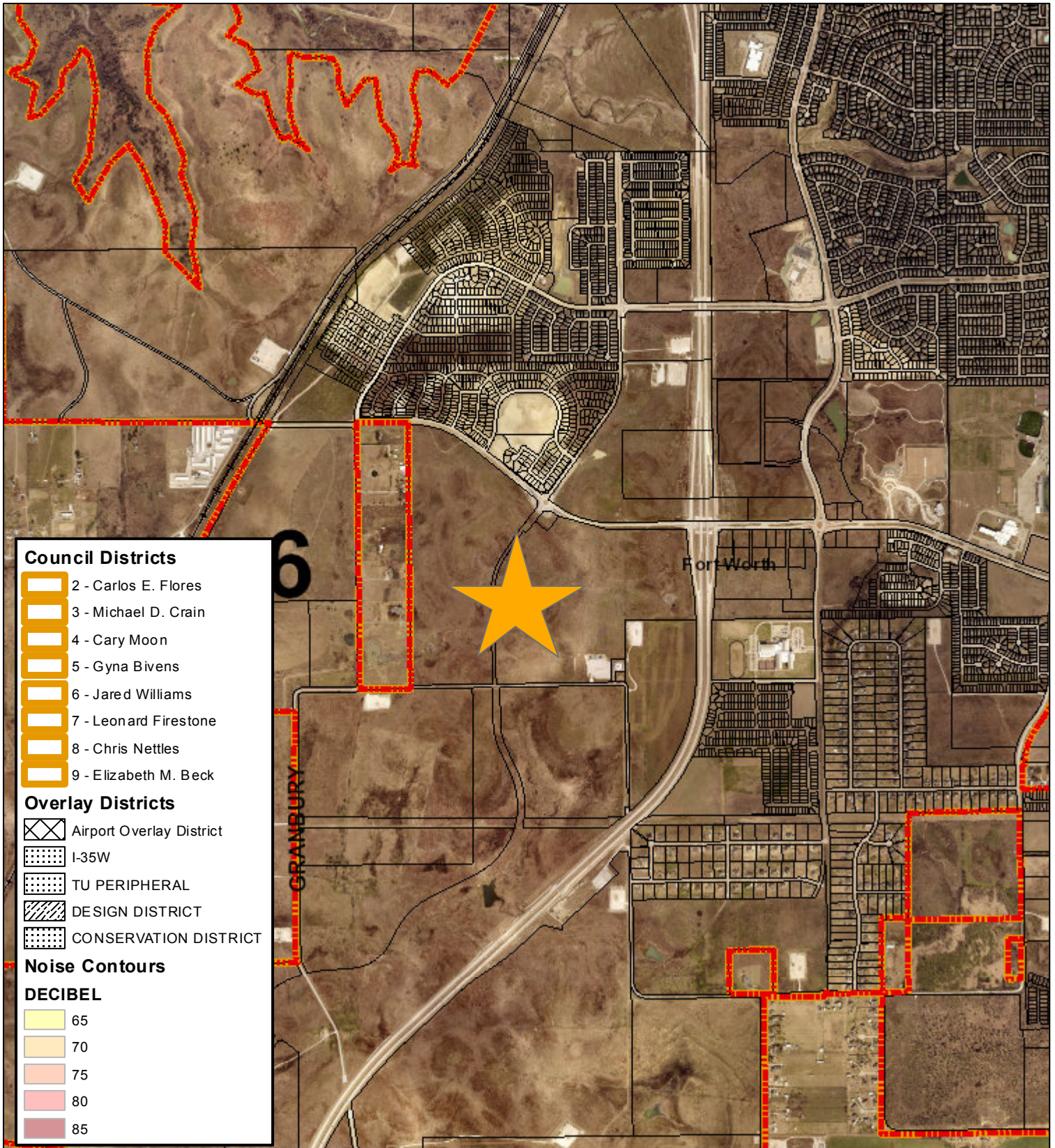
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DIRECTOR OF DEVELOPMENT SERVICES 10/01/2021
DATE

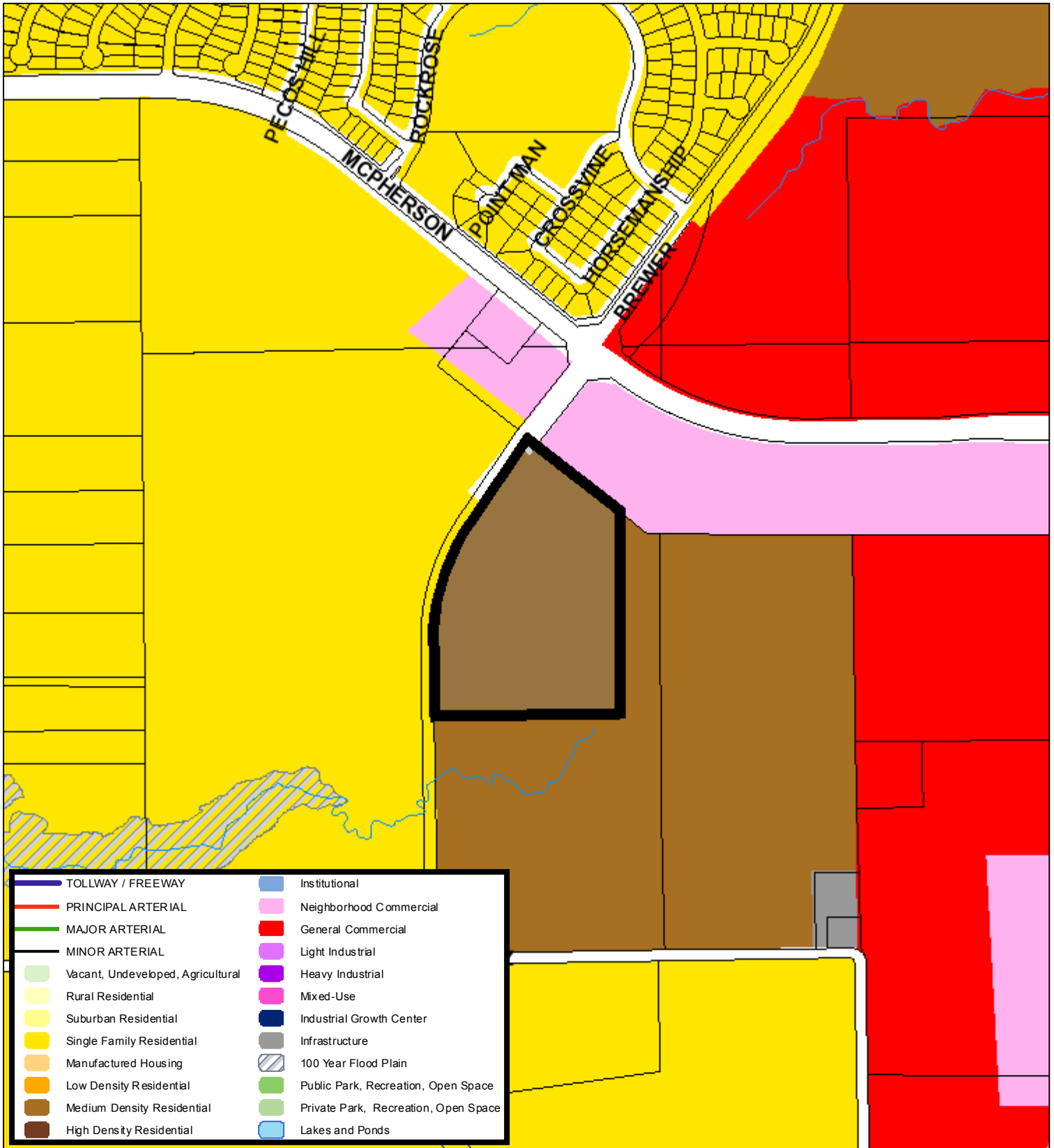
PERCH CHISHOLM TRAIL PH 1
 Fort Worth, TX
 Zoning Case Number: Case ZC-21-147












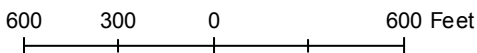
Area Map



Future Land Use



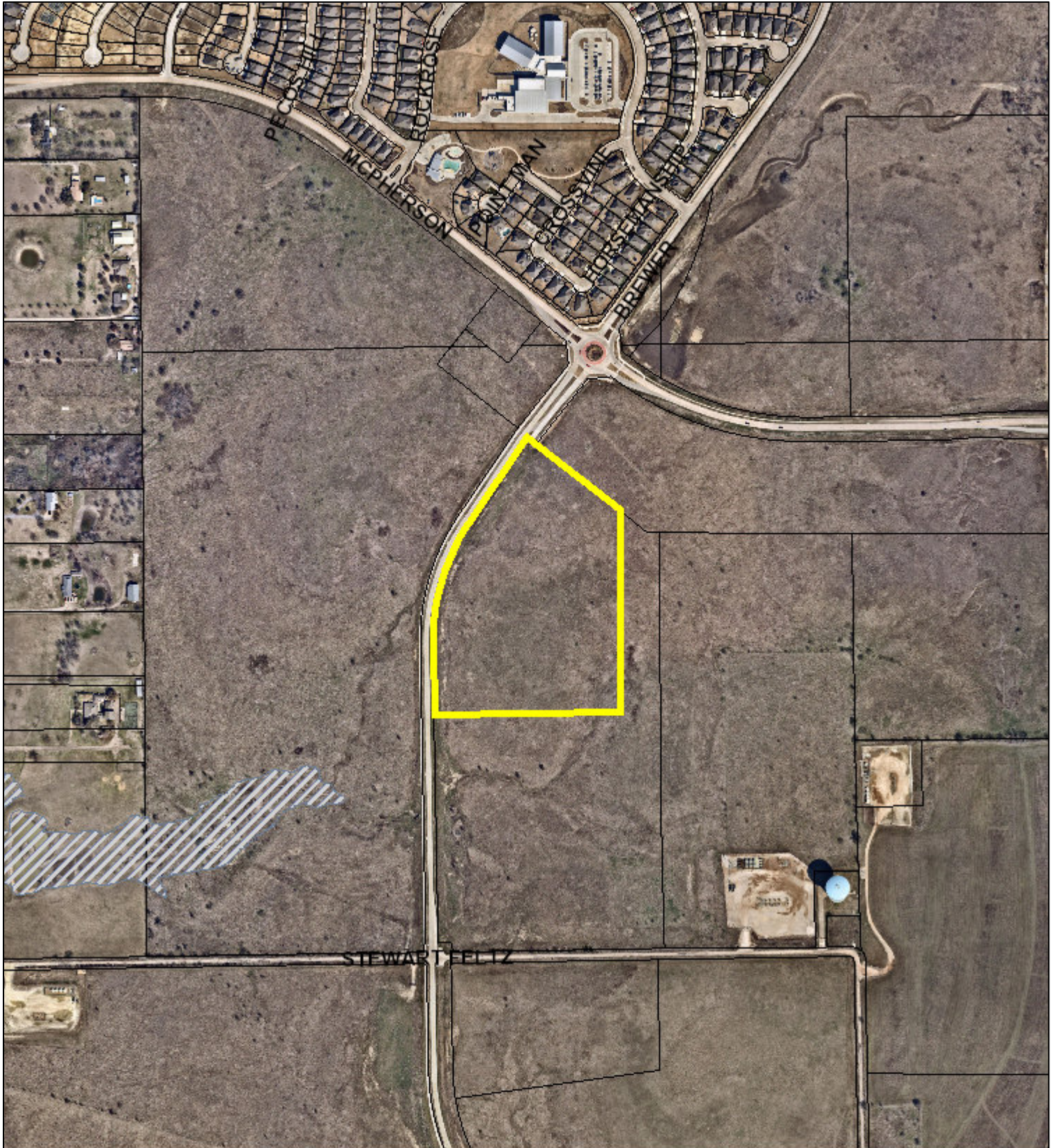
 TOLLWAY / FREEWAY	 Institutional
 PRINCIPAL ARTERIAL	 Neighborhood Commercial
 MAJOR ARTERIAL	 General Commercial
 MINOR ARTERIAL	 Light Industrial
 Vacant, Undeveloped, Agricultural	 Heavy Industrial
 Rural Residential	 Mixed-Use
 Suburban Residential	 Industrial Growth Center
 Single Family Residential	 Infrastructure
 Manufactured Housing	 100 Year Flood Plain
 Low Density Residential	 Public Park, Recreation, Open Space
 Medium Density Residential	 Private Park, Recreation, Open Space
 High Density Residential	 Lakes and Ponds



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



0 375 750 1,500 Feet

