



Zoning Staff Report

Date: June 28, 2022

Case Number: ZC-22-079

Council District: 2

Zoning Map Amendment

Case Manager: [Brett Mangum](#)

Owner / Applicant: GTZ 1234 LLC, Joel Gutierrez

Site Location: 1234 NW 28th Street

Acreage: 0.334 acres

Request

Proposed Use: Restaurant w/ drive-thru

Request: From: “ER” Neighborhood Commercial Restricted

To: “E” Neighborhood Commercial

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**

Table of Contents

- [1. Project Description and Background](#)
- [2. Surrounding Zoning and Land Uses](#)
- [3. Recent Zoning History](#)
- [4. Public Notification](#)
- [5. Development Impact Analysis](#)
 - [a. Land Use Compatibility](#)
 - [b. Comprehensive Plan Consistency](#)
 - [c. Economic Development Plan](#)
6. Zoning Map with 300 ft. Notification Area
7. Site Plan
8. Area Map
9. Future Land Use Map
10. Aerial Photograph

Project Description and Background

The applicant is proposing to zone the subject site from “ER” Neighborhood Commercial Restricted to “E” Neighborhood Commercial to accommodate a new restaurant with drive-thru. The existing building was previously used as a bar, and will be extensively remodeled and the site upgraded with modern parking, outdoor seating, and landscaping, all per the adopted City of Fort Worth Ordinance requirements. The applicant provided the following description along with their application to describe the operation of this new business.

1234 28TH ST.
FORT WORTH TX 76164

FOOD: We will be serving Mexican food as a fast quick service restaurant for pick up thru our drive thru or walk up pick up window for our street front patio.

SERVICE: we will be able to provide employment for 5 full time & 2 part time team members.
Pay \$9 - \$15 per hr.

HOURS OF OPERATION: Monday - Sunday
7am - 11pm

A Site Plan (attached to this staff report) was also provided by the applicant to give the City a thorough understanding of the proposal. Site Plans are not mandatory for a simple zoning change such as this. As such, the attached Site Plan would not be enforceable as it is not a requirement of the zoning change to “E”.

Surrounding Zoning and Land Uses

North “E” Neighborhood Commercial / undeveloped
East “E” Neighborhood Commercial / restaurant
South “E” Neighborhood Commercial / used auto sales
West “E” Neighborhood Commercial / office

Recent Zoning History

- None

Public Notification

300-foot Legal Notifications were mailed on May 27, 2022.
The following organizations were emailed on May 18, 2022:

Organizations Notified	
North Side NA	Inter-District 2 Alliance
Trinity Habitat for Humanity	Streams and Valleys Inc
Far Greater Northside Historical NA*	Fort Worth ISD

**Located within this registered Neighborhood Association*

Development Impact Analysis

Land Use Compatibility

Property on all surrounding sides of the subject site is zoned for commercial purposes. Properties to the south, west and east are used for commercial purposes. Property to the north is zoned single family but is currently undeveloped. "ER" Neighborhood Commercial Restricted is similar to "E" Neighborhood Commercial zoning but would not allow the sale of alcohol or the restaurant use. "E" zoning is the least intensive classification that allows a drive-thru restaurant use by right.

Another consideration to account for when evaluating this rezoning request would be what the community desires. As of the writing of this staff report, we have not received any returned courtesy notices, legal notices from owners within 300 feet of the subject property, or any other feedback on whether or not the neighborhood is receptive or opposed to this rezoning request. If there is a desire for more neighborhood serving commercial areas to accommodate this type of land use, then this would be a perfect case to approve.

Because the site adjoins commercial zoning and uses on all four (4) sides, the proposed zoning **is compatible** with surrounding land uses.

Comprehensive Plan Consistency – Northside

The 2022 Comprehensive Plan currently designates the subject property as future Neighborhood Commercial. This is further defined as "Retail, services, offices and mixed uses serving daily needs for a local market area".

The proposed zoning **is consistent** with the Comprehensive Plan.

Economic Development Plan

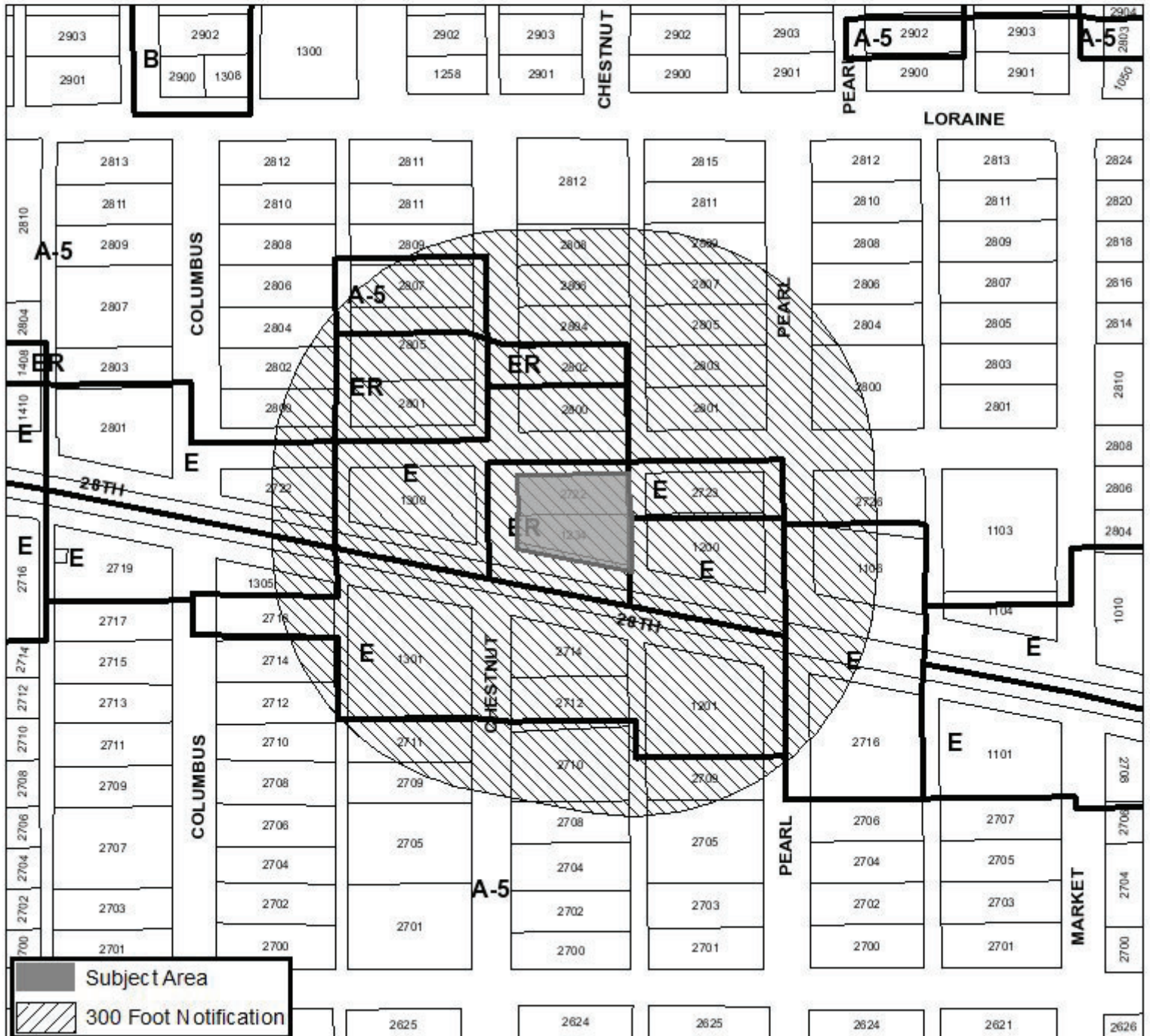
The site is not directly addressed in the 2017 Economic Development Strategic Plan, however one of the desired outcomes of the plan is a more sustainable tax base, driven less by residential property valuation and more by commercial and industrial investment. Additionally, the City has adopted the goal of supporting the growth of independent, locally-owned small businesses, including minority-owned firms. Rezoning to allow commercial development of this property could provide a site for exactly this type of desired business endeavor.



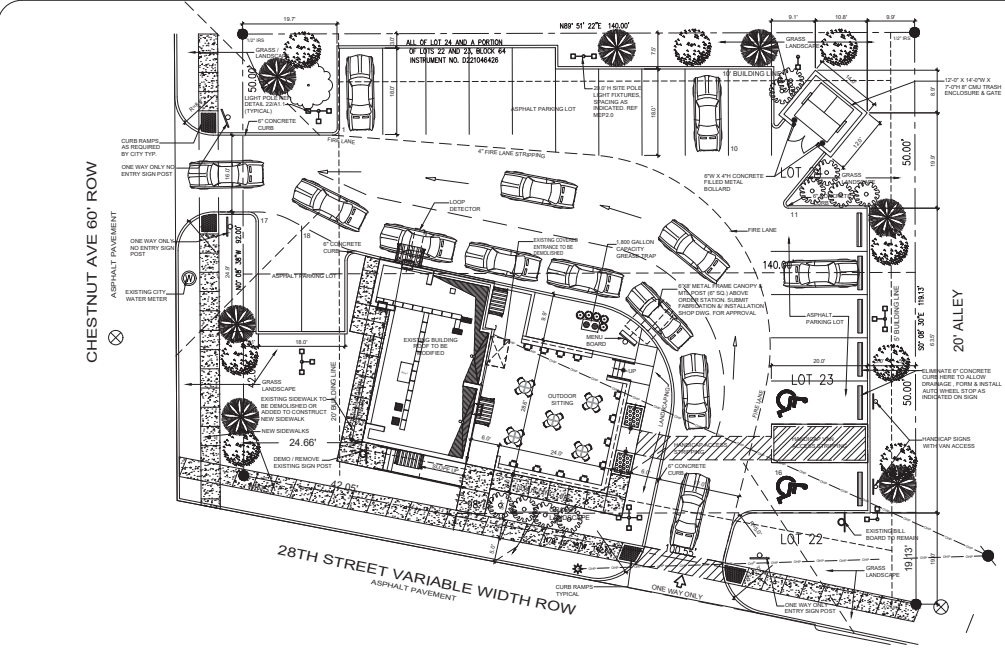
ZC-22-079

Area Zoning Map

Applicant: Joel Gutierrez
 Address: 1234 NW 28th Street, 2722 Chestnut Avenue
 Zoning From: ER
 Zoning To: E
 Acres: 0.3343512
 Mapsco: 62E
 Sector/District: Northside
 Commission Date: 6/8/2022
 Contact: null



0 87.5 175 350 Feet



CHESTNUT AVE 60' ROW
ASPHALT PAVEMENT

28TH STREET VARIABLE WIDTH ROW
ASPHALT PAVEMENT

01 SITE PLAN
SCALE: 1" = 10'-0"

LOT 1
BLOCK 64

LOT 2

LOT 3

ALL OF LOT 2 AND PART OF LOT 3, BLOCK 64
INSTRUMENT NO. D206235773

GENERAL NOTES

1. SCRAPER AND REMOVE EXISTING AREA AS REQUIRED. FILL AND GRADE/PREPARE AREA FOR NEW 4" REINFORCED CONCRETE SLAB ON GRADE FOR OUTDOOR SEATING AS INDICATED.
2. SCRAPER AND REMOVE EXISTING ASPHALT TOPS AND SHRUBS. FILL AND REGRADE EXISTING AREA AS INDICATED FOR PARKING. PREPARE AREA AS REQUIRED AND PLACE NEW ASPHALTIC PARKING.
3. DETAILS NOTED AS TYPICAL SHALL APPLY IN ALL LIKE CONDITIONS. ALL OTHER CONDITIONS THAT ARE NOT TYPICAL WILL HAVE SPECIFIC DETAIL CALL OUT.
4. FRAMING CONTRACTOR SHALL PROVIDE ALL REQUIRED BLOCKING, BRACING, FRAMING, HANGERS, OR OTHER SUPPORT AS NECESSARY FOR ALL FEATURES, EQUIPMENT, CABINETS, FURNISHINGS, AND ALL OTHER ITEMS REQUIRING THE SAME. IT IS THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE WITH FURNITURE MANUFACTURER AND INSTALLER AND REVIEW SHOP DRAWINGS FOR BRACING, UTILITIES, CONNECTION, ETC.
5. GLASS: ALL GLASS TO CONFORM TO CONSUMER SAFETY COMMISSION PRODUCT SAFETY ACT 16 CFR 1201.
6. CAST IN PLACE CONCRETE STEPS WITH METAL NON-SLIP EDGE WITH NC. ACCESSIBLE HANDRAILS.
7. 4" WIDE (TYP) CONCRETE SIDE.

KEY NOTES 'O'

- SCRAPER AND REMOVE EXISTING AREA AS REQUIRED. FILL AND GRADE/PREPARE AREA FOR NEW 4" REINFORCED CONCRETE SLAB ON GRADE WITH REBARS @ 12" O.C. EACH WAY WITH #3 BOWTIE INTO ADJACENT SLAB FOR OUTDOOR SEATING AS INDICATED.
- SCRAPER AND REMOVE EXISTING ASPHALT TOPS AND SHRUBS. FILL AND REGRADE EXISTING AREA AS INDICATED FOR PARKING. PREPARE AREA AS REQUIRED AND PLACE NEW ASPHALTIC PARKING.
- 18" X 12" X 18" (TYP) DUMPSTER ENCLOSURE & GATE.
- 6" x 6" x 4" CONCRETE FILLED METAL BOLLARD.
- 6" x 8" METAL FRAME CANOPY & MTL POST (8') ORDER STATION.
- CAST IN PLACE CONCRETE STEPS WITH METAL NON-SLIP EDGE WITH NC. ACCESSIBLE HANDRAILS.
- 2" WIDE (TYP) CONCRETE SIDEWALK WITH #3 REBARS @ 12" O.C. EACH WAY.
- 1000 GALLON CAPACITY GREASE TRAP LOOP DETECTOR.

JOEL GUTIERREZ
8100 Brahmin Court
Fort Worth, Texas 76131

EVANS ASSOCIATES, INC.
1110 W. STATE ST. SUITE 100
FORT WORTH, TEXAS 76102
TEL: 817.335.1111
WWW.EVANSASSOCIATES.COM

DATE: 09/23/21

Revisions Issues

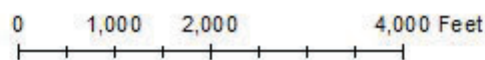
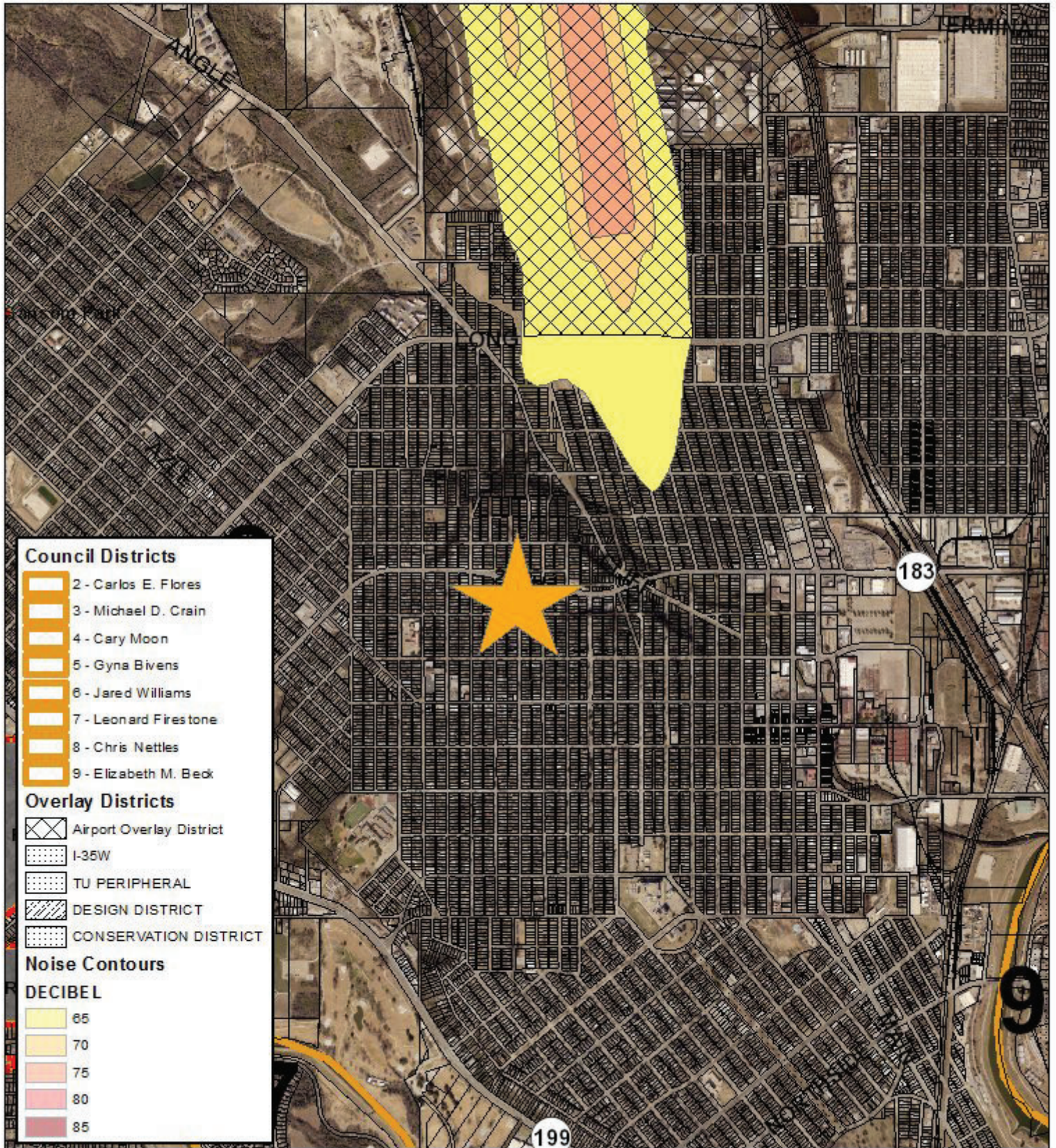
CARNE ASADA'S MEXICAN FOOD
1234 N.W. 28TH STREET
FORT WORTH, TEXAS 76164

SITE PLAN

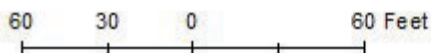
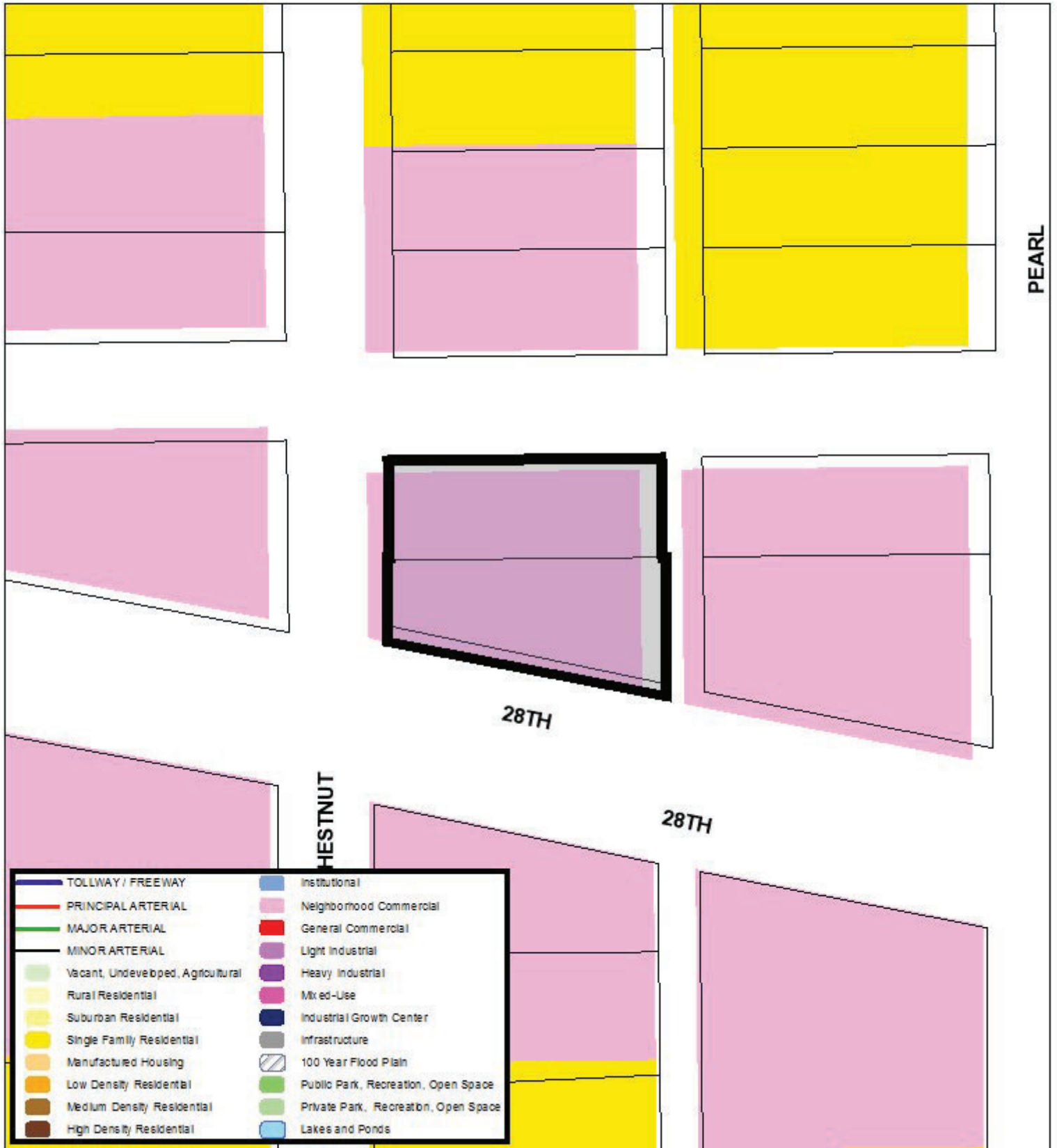
Job: 07012021-1
Date: 09-08-2021
Drawn: de
Check: EE
PRP

Sheet: A1.0
4 of Sheets

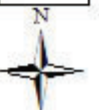
Area Map



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.





ZC-22-079

Aerial Photo Map

