



Zoning Staff Report

Date: February 14, 2023

Case Number: ZC-22-198

District (old/new): 5 / 5

Zoning Map Amendment & Site Plan

Case Manager: [Brett Mangum](#)

Owner / Applicant: Jake Cook & Michael Cook, property owners / Neil Nicholson, Greystar Development Central & Nikki Moore, A.N. Moore Consulting, representatives

Site Location: 2500 Dottie Lynn Parkway

Acreage: 41.89 acres

Request

Proposed Use: Multifamily (Apartment & Duplex cottages)

Request: From: "E" Neighborhood Commercial & "AG" Agricultural

To: "PD/CR" Planned Development with a base of "CR" Low Density Multifamily, with development standards for supplemental building setback and screening fence, parking location, and building orientation; Site Plan included

Recommendation

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

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

Staff Recommendation: **Denial**

Zoning Commission Recommendation: **Denial by a vote of 5-2**

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Project Description and Background

This is a proposed multifamily development on an undeveloped site near Dottie Lynn Parkway and Cooks Lane in Council District 5. The total land area within the development is 41.89 acres. A total of 458 units are proposed, in two distinct formats. 420 units will be standard three story garden style apartments, and the remaining 38 units will be duplex style cottage dwellings. For additional details, see narrative provided by developer in the application below:

The Birchway Dottie Lynn planned development district is uniquely positioned on the far eastern boundary of Fort Worth on Dottie Lynn Parkway. The site plan capitalizes on the natural topography and proposed to maintain a minimum 60% of the acreage for open space and tree preservation for the purpose of screening and resident enjoyment. A collection of 420 traditional garden style multifamily homes and 38 cottage style homes meander throughout the site plan taking care to minimally impact the existing floodplain and wetland areas on the site.

The planned development is seeking variances from the base zoning district "CR" low density multifamily for site specific objectives. The developer is requesting variances to allow parking and covered parking between the building and the property line and that one or more building's shorter side may face Dottie Lynn Parkway. A significant portion of trees in the floodplain will be preserved along Dottie Lynn Parkway to provide a natural screening buffer between the parkway and residential buildings. The parking and short side of buildings should not be visible to the public realm, but keeps residential green space internal to the buildings and parking along the perimeter. In addition, a reduced building set back of 75 feet minimum for Buildings #1 and #2 is requested along the western boundary line that abuts the single family HOA lot and commercial zoning. The existing neighborhood sits on a bluff at least thirty feet above the proposed development. A screen fence waiver is requested for this reason. Not one multifamily building or one-story cottage will exceed the elevation change protecting the privacy of the existing resident backyards.

Residents will enjoy first class property management and programmed amenities such as a clubhouse, pool, fitness center, and dog parks. Sidewalk connectivity through green gathering spaces invites community within the development. The planned development will be providing enhanced landscaping in the form of street trees, pedestrian scaled lighting, pool, dog parks, and proximity to a public park. Overall, Birchway Dottie Lynn aims to provide a new, quality, and diverse housing option to East Fort Worth.

Surrounding Zoning and Land Uses

North "G" Intensive Commercial / undeveloped
East n/a – City of Arlington
South "E" Neighborhood Commercial / undeveloped
West "A-5" One Family Residential / residential

Recent Zoning History

- None

Public Notification

300-foot Legal Notifications were mailed on December 30, 2022.
The following organizations were emailed on December 30, 2022:

Organizations Notified	
The Bluffs NA*	Neighborhoods of East Fort Worth
Hollow Hills NA	Handley NA
Far East Fort Worth HOA	East Fort Worth Inc.
Streams and Valleys Inc	Trinity Habitat for Humanity
Arlington ISD	Fort Worth ISD
East Fort Worth Business Association	Historic Handley Development Corp.

**Located within this registered Neighborhood Association*

Development Impact Analysis

Land Use Compatibility

The land is currently undeveloped and is partially cleared and partially forested. There is a residential neighborhood to the west with direct adjacency to a portion of the subject site. The topography of the area proposed to be rezoned is unique in that it is set well below the elevation of the adjacent neighborhood, which sits on a bluff (The HOA covering this neighborhood is called “The Bluffs”). The steep slopes and elevation change help to naturally mitigate any impact that might occur from development of the subject site as proposed.

Ingress and egress to the property is from Dottie Lynn Parkway, a 6 lane thoroughfare that links to Green Oaks Boulevard to the south and Eastchase Parkway to the north, providing access to I-30, Highway 180 (Lancaster Avenue/Division Street), Highway 303 (Pioneer Parkway) and I-20. The development standards for the Planned Development are listed below:

1. *UNLESS OTHERWISE NOTED, ALL "CR" LOW DENSITY MULTI-FAMILY ZONING ORDINANCE SECTIONS APPLY.*
 - A. *A BUFFER YARD OF 75 FEET MINIMUM FOR BUILDINGS #1 AND #2 SHALL BE PROVIDED ALONG THE WESTERN PROPERTY LINE THAT ABUTS THE SINGLE-FAMILY NEIGHBORHOOD. A 5' LANDSCAPE BUFFER WILL BE PROVIDED.*
 - B. *A 6' SCREEN FENCE SHALL NOT BE REQUIRED ALONG THE WESTERN PROPERTY LINE AS THE DEVELOPMENT IS +/- 30 FEET BELOW THE EXISTING SINGLE FAMILY NEIGHBORHOOD.*
 - C. *PARKING AND CARPORTS SHALL BE ALLOWED BETWEEN THE BUILDINGS AND THE PROPERTY LINE.*
 - D. *THE SHORTER SIDE OF A BUILDING MAY FRONT ON DOTTIE LYNN PARKWAY.*

The proposed rezoning to “PD-CR” is **compatible** with the surrounding land uses.

Comprehensive Plan Consistency – Eastside

The 2022 Comprehensive Plan designates a small portion at the southern end of the rezoning area as future neighborhood commercial, analogous to the portion currently zoned “E” Neighborhood Commercial. The remainder of the site is zoned “AG” Agricultural, and has held this zoning designation since being annexed into the City in 2008. The “AG” zoned portion composes a majority of the 41.89 acre site, and is designated as future single family residential in the Comprehensive Plan.

Applications to rezone for multifamily development (including Planned Developments based on multifamily standards) are analyzed based on the land use table contained within the Comprehensive Plan, attached below for reference:

FUTURE LAND USE	DEFINITION	ZONING
RESIDENTIAL		
Single-Family Residential	3,500+ sq. ft. lot single-family	A-10, A-7.5, A-5, AR
COMMERCIAL		
Neighborhood Commercial*	Retail, services, offices and mixed uses serving daily needs for a local market area	ER, E, MU-1

In this instance, the zoning does not allow multifamily by right, and the Comprehensive Plan suggests that the area be zoned and developed for neighborhood commercial and single family uses. No additional factors of greater public purpose are found, and thus the current proposal to rezone to “PD-CR” is **not consistent** with the adopted Comprehensive Plan.

In addition, the proposed rezoning is at odds with a specific land use policy for the Eastside sector, number 4, shown below. The site is not located within a growth center, urban village, or transit-oriented development area.

EASTSIDE SECTOR FUTURE LAND USE

Sector Land Use Policies

4. Reduce the amount of undeveloped 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.

Economic Development Plan

The 2017 Economic Development Strategic Plan identified a vision, goals, and strategies to facilitate the success and growth of the City of Fort Worth. The site is not within any of the six target areas that were studied in depth for their redevelopment potential. The Economic Development Plan does not address housing specifically, and is tailored towards addressing the growth strategies for commercial and industrial properties. There are no economic development strategies that directly support or contradict this rezoning request.

Site Plan Comments

Zoning and Land Use

(All comments addressed as of 12/27)

- Application (Page 3 of 7) please add waiver for perimeter fencing (if needed)
- Add fencing waiver to list on Site Plan (if needed)
- Areas directly abutting single family zoning along the west require a supplemental setback of 3:1 based on height [minimum 30 feet], plus 1:1 for garages carports, as well as a 5 foot landscaped buffer and 6 foot high solid screening fence. Update waiver request accordingly (not providing landscaped bufferyard, screening fence, and requesting reduction of supplemental setback to 30'). This will need to be updated on the waiver list on the Site Plan as well as on Page 3 of 7 on the application.
- Add case reference ZC-22-198

- Discrepancies on acreage and unit count. Update Site Data Table on Site Plan to reflect 40.58 acres instead of 41.89 and 458 units instead of 462.
- Add Site Address or legal description in bottom right under “Elan Dottie Lynn”
- Refine Site Data Table to include 3 columns – one with Site Data, second with “CR” base requirements, and third with proposed “PD-CR” requirements. Any areas that do not meet the minimum will need to be marked with “Waiver Requested”
- Current waiver list would include – development standards for supplemental screening, landscaped buffer, and screening requirement, parking location, building orientation, and perimeter fencing* (*only if you decide to include it)
- Confirm you can meet the [Urban Forestry](#) requirements before going through Zoning Commission & City Council. If you can't meet their requirements then a waiver for Urban Forestry would need to be added to the PD submittal on the front end.
- Initiate discussions with Lori Gordon, Park and Recreation Department to determine whether the Tree Preservation Area will remain as part of your lot or will be split off and dedicated as public park land. This determination should be made on the front end, otherwise if the land is split off later, you may need to go back through Zoning Commission & City Council since it will affect your site parameters (density, open space, setbacks, etc.).
- Some parking near the north end of the site is shaded green indicating open space, please revise
- Label second dumpster enclosure on the northern portion of the site
- Label plugged gas wells
- Remove two 10' setback (garages) labels [redundant due to 30' setback]
- Strike General note 2 (references commercial standards)
- General note 3 should refer to Section 4.7.11.d.6.a
- Will require sidewalks along Dottie Lynn frontages within the City limits, please add to Site Plan
- Add height and screening material for two dumpster enclosures shown on plans
- Staff directive to recommend denial for any multifamily proposals in areas designated on the Comprehensive Plan/Future Land Use designation as commercial. This directive would not apply if your rezoning request avoided the “E” zoned / commercial future land use areas on the south and just covered the “AG” zoned / single family residential future land use areas.
- Focus on obtaining support letters from closest registered neighborhood organizations (Hollow Hills, The Bluffs, & Neighborhoods of East Fort Worth Alliance) and property owners directly adjacent to the site or within 300 feet (see attachment)
- Keep Councilmember Bivens office updated on any changes to your development plans
- On Planned Development Standards for Elan Dottie Lynn page, make the following modifications:
 - Add address or legal description next to or below Elan Dottie Lynn and Fort Worth, TX
 - Add case reference ZC-22-198
 - Add any waivers needed (modify a-5 adjacency waiver, potentially add perimeter fencing waiver)
- Application (Page 3 of 7) please modify Proposed Zoning District(s): “PD-CR”. Not corrected on Application.
- Discrepancies on acreage and unit count. Update Site Data Table on Site Plan to reflect 40.58 acres instead of 41.89 and 458 units instead of 462. Application still lists 40.58 acres / 458 units, Site Plan still shows 41.89 acres / 462 units, please revise.
- Add Site Address or legal description in bottom right under “Elan Dottie Lynn”. Be sure the acreage matches the Application AND Site Plan acreage – currently two are listed within the submittal package (40.58 and 41.89).
- Current waiver list would include – development standards for supplemental screening, landscaped buffer, and screening requirement, parking location, building orientation) Waiver description covers supplemental setback and screening fence, but does not address provision (or non-provision) of required 5' landscape buffer. Would need to be reflected on application as well as Planned Development Standards listing.
- Some parking near the north end of the site is shaded green indicating open space, please revise. Still not corrected, please revise.
- Three buildings missing entrance/exit markings:
- “D” height can be 3 stories or 36' max (not 35'), should not necessitate waiver, please revise both:
- General note 3 should refer to Section 4.7.10.d.6.a instead of 4.7.11.d.6.a (Low Density MF vs Medium Density MF). This note should not list Section 6.301 at all, strike reference.
- Please add Supplemental setback, landscape buffer, and screening requirements to Site Data Table on Site Plan, with the following standards under the “CR” column (from table in Section 4.710 of the Zoning Ordinance).
- On Planned Development Standards for Elan Dottie Lynn page, make the following modifications: No updated version of the Planned Development Standards was submitted.

Fire Department

FYI COMMENTS

Two approved points of access must be provided and streets/EAE must be constructed to city street standards above the 100 yr flood plain.

IFC 2021/CFW Adopted Amendments Ordinance #25388-03-2022 Section 503.4 Obstruction of Fire Apparatus Roads

IFC 2021/CFW Adopted Amendments Ordinance #25388-03-2022 Section 503.1.6 Secondary Access One and Two Family Residential

Developments

Fire lanes will likely need to be named for final platting.

Enclosed garages could pose obstructions in fire lane/building hose lay. Hose lays are measured along a 5' unobstructed path.
IFC 2021/CFW Adopted Amendments Ordinance #25388-03-2022 Section 503.1.1 Buildings and Facilities

Hydrant requirements:

Less than or equal 600 ft. (300 ft. radius) of space between hydrants along a direct horizontal line.

Less than or equal 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.

IFC 2021/CFW Adopted Amendments Ordinance #25388-03-2022 Sections 507.5.1, 507.5.4, 5, and 6 Fire Hydrants

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.

Water

Comprehensive water study with models and sewer loading required. Submit to WPD@fortworthtexas.gov.

Each lot must have access to public water and public sewer lines

Stormwater

Contact: sds@fortworthtexas.gov

FYI: Site will require an accepted Drainage Study prior to Platting, IPRC Review, Grading Permit Issuance, and Building Permit Issuance.

Site has a significant area covered by the FEMA SFHA; Flood Study acceptance is required prior to Floodplain Development Permit Issuance for Commercial Grading and IPRC Construction Activities.

A LOMR study must be accepted by the City and under review at FEMA prior to individual FDP issuance to support building permits.

Transportation/Public Works

Workflow in Accela cleared by Armond Bryant, but no comments provided

Platting

No response provided

Park & Recreation

No response provided

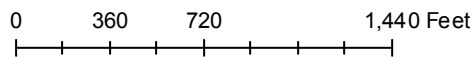
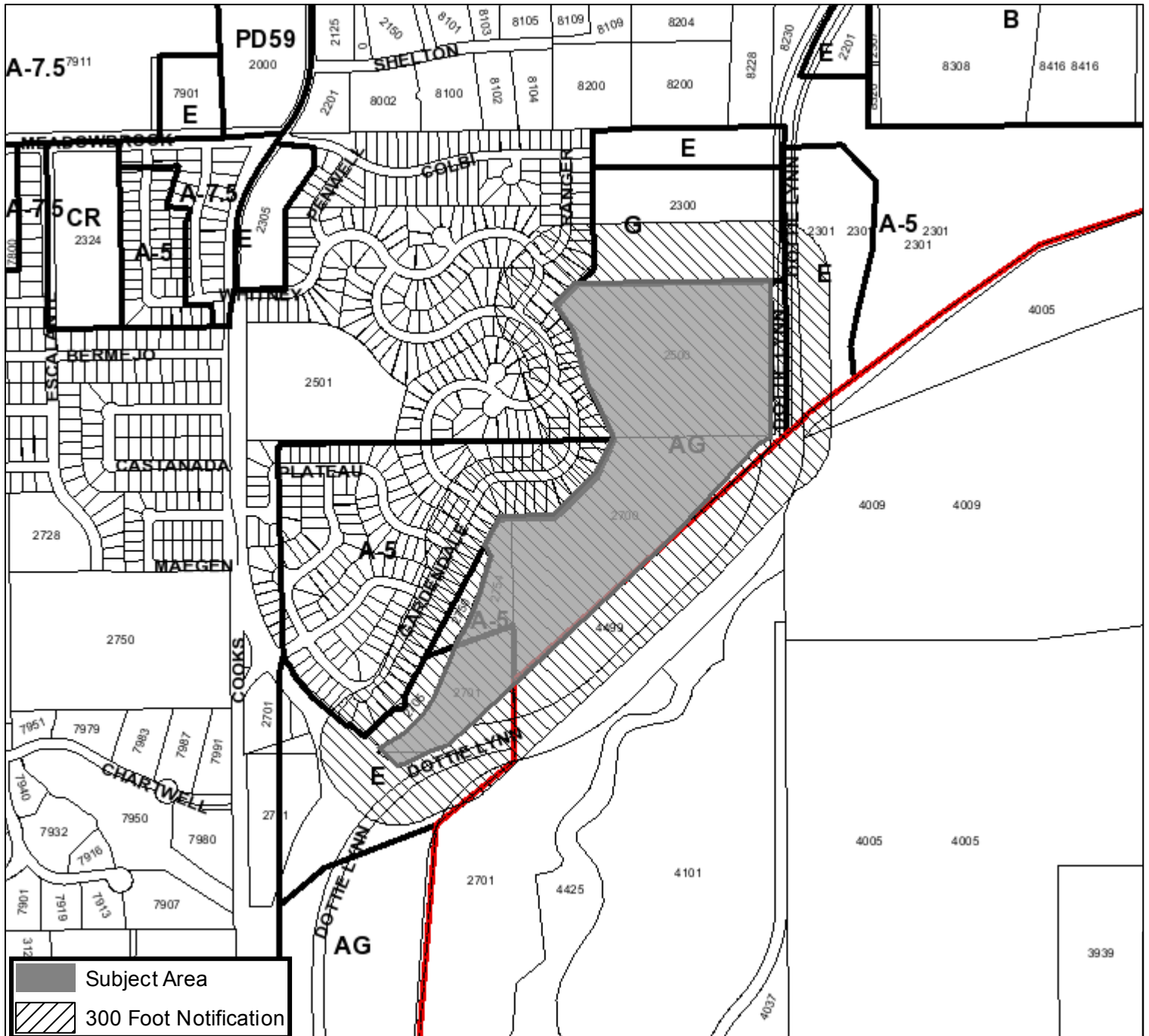
Building Plan Review

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: Michael Cook/Niel Nicholson
 Address: 2500 Dottie Lynn Parkway
 Zoning From: AG, E
 Zoning To: PD for CR Low Density Multifamily uses
 Acres: 39.80767215
 Mapsco: 81E
 Sector/District: Eastside
 Commission Date: 1/11/2023
 Contact: 817-392-8043



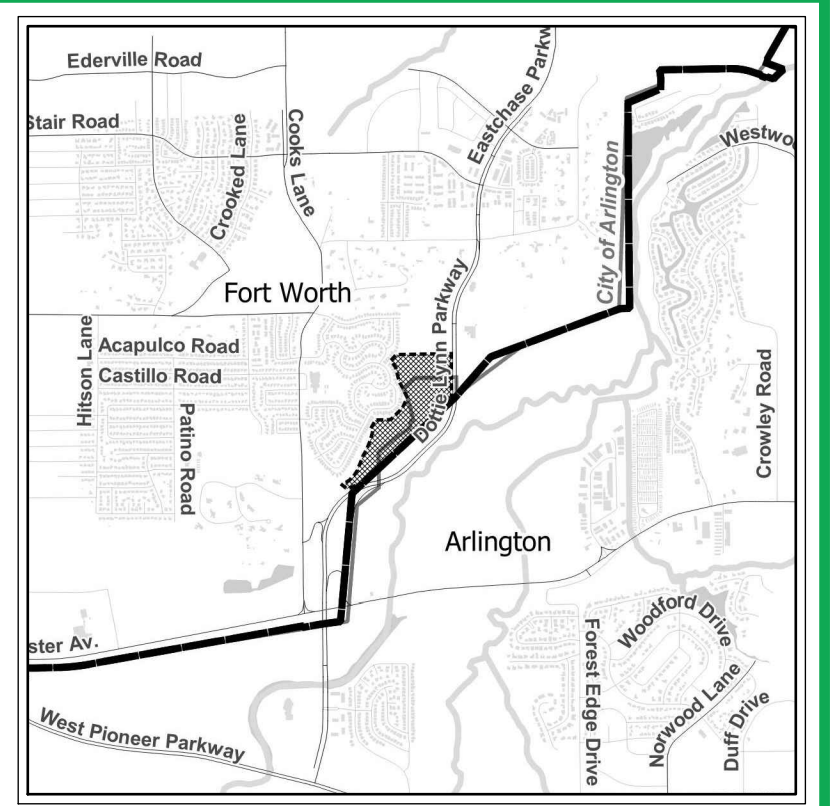
SITE DATA TABLE		
SITE DATA		
BASE ZONING	CR	PD-CR
SITE AREA	-	41.89 AC
UNITS	-	458
BUILDING COVERAGE	-	232,306 SF (12.7%)
DENSITY	MAX. 16 DU/AC	10.93 DU/AC
LAND DATA		
OPEN SPACE (MIN. 25' WIDE)	1,060,591 SF (60%)	1,119,880 SF 61.37% +
BUILDING DATA		
NUMBER OF STORES	3 STORES; 36' MAX.	3 STORES; 36' MAX.
AREA (GROSS)	-	513,656 SF
BUILDING SETBACKS		
FRONT YARD	20' MIN.	20' MIN. +
REAR YARD	5' MIN.	5' MIN. +
SIDE YARD (INTERIOR)	5' MIN.	5' MIN. +
SIDE YARD (CORNER)	20' MIN. TO SIDE STREET	20' MIN. TO SIDE STREET +
SUPPLEMENTAL BUILDING SETBACKS	THREE FEET FOR EVERY ONE FOOT (3:1) AS MEASURED FROM SLAB TO TOP OF SILL PLATE, OR TWO FEET FOR EVERY ONE FOOT (2:1) IN OVERALL HEIGHT WHEN MEASURED FROM LOWEST FINISHED GRADE TO THE PEAK OF THE ROOF, WHICHEVER IS GREATER; 30 FEET MINIMUM.	30' MIN. +
	ONE FOOT FOR EVERY ONE FOOT (1:1) SETBACK WITH A MINIMUM 10 FOOT SETBACK FOR ONE STORY GARAGES AND CARPORTS.	10' MIN.
	20 FOOT MINIMUM SETBACK FOR DUMPSTER ENCLOSURES AND ONE-STORY ACCESSORY STRUCTURES.	20' MIN.
LANDSCAPE BUFFER YARD	5' MIN.	5' MIN.
UNIT TYPE	NUMBER	SIZE (SF)
1 BEDROOM	240	788 SF
2 BEDROOM	180	1,064 SF
3 BEDROOM	38	1,690 SF
REQUIRED PARKING		
MULTI-FAMILY RESIDENTIAL		
1 PARKING SPACES PER BEDROOM	714 SPACES	-
1 PARKING SPACES PER 250 SF OF COMMON AREA, OFFICES	24 SPACES	-
TOTAL PARKING	738 SPACES	-
PROVIDED PARKING		
SURFACE PARKING	-	473 SPACES
COVERED PARKING	-	144 SPACES
GARAGES	-	178 SPACES
TOTAL PARKING	-	795 SPACES +
+ EXCEEDS STANDARDS OF BASE ZONING		
* WAIVER REQUESTED		

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	121.70'	N 50°18'28" W
L2	153.13'	N 61°09'19" E
L3	145.78'	N 42°43'19" E
L4	75.99'	N 33°33'36" E
L5	97.71'	N 31°03'14" E
L6	110.75'	N 22°39'22" E
L7	103.30'	N 20°20'37" E
L8	158.96'	N 15°23'09" E
L9	33.78'	N 21°18'00" W
L10	30.51'	N 40°43'37" W
L11	130.00'	N 29°08'32" W
L12	151.63'	N 34°51'57" W
L13	144.77'	N 42°41'41" E
L14	125.41'	S 49°47'40" W

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	59.96'	940.00'	3° 39' 16"	S 01°28'15" W	59.95'
C2	4.03'	945.00'	0° 14' 40"	S 87°50'09" W	4.03'

- UNLESS OTHERWISE NOTED, ALL "OR" LOW DENSITY MULTI-FAMILY ZONING ORDINANCE SECTIONS APPLY.
 - A BUFFER YARD OF 75 FEET MINIMUM FOR BUILDINGS #1 AND #2 SHALL BE PROVIDED ALONG THE WESTERN PROPERTY LINE THAT ABUTS THE SINGLE-FAMILY NEIGHBORHOOD. A 5' LANDSCAPE BUFFER WILL BE PROVIDED.
 - A 6' SCREEN FENCE SHALL NOT BE REQUIRED ALONG THE WESTERN PROPERTY LINE AS THE DEVELOPMENT IS +/- 30 FEET BELOW THE EXISTING SINGLE FAMILY NEIGHBORHOOD.
 - PARKING AND CARPORTS SHALL BE ALLOWED BETWEEN THE BUILDINGS AND THE PROPERTY LINE.
 - THE SHORTER SIDE OF A BUILDING MAY FRONT ON DOTTIE LYNN PARKWAY.

- NOTES:
- UNLESS OTHERWISE NOTED IN THE PD DEVELOPMENT STANDARDS, THE PROJECT WILL COMPLY WITH THE MULTIFAMILY DEVELOPMENT STANDARDS (MFD) AND AN MFD SITE PLAN SHALL BE SUBMITTED.
 - UNLESS OTHERWISE NOTED IN THE PD DEVELOPMENT STANDARDS, THE PROJECT WILL COMPLY WITH SECTION 4.7.10.d.e.g. ENHANCED LANDSCAPING.
 - UNLESS OTHERWISE NOTED IN THE PD DEVELOPMENT STANDARDS, THE PROJECT WILL COMPLY WITH SECTION 6.302. URBAN FORESTRY.
 - UNLESS OTHERWISE NOTED IN THE PD DEVELOPMENT STANDARDS, THE PROJECT WILL COMPLY WITH ARTICLE 4, SIGNS.
 - ALL PROVIDED LIGHTING WILL CONFORM TO THE LIGHTING CODE.



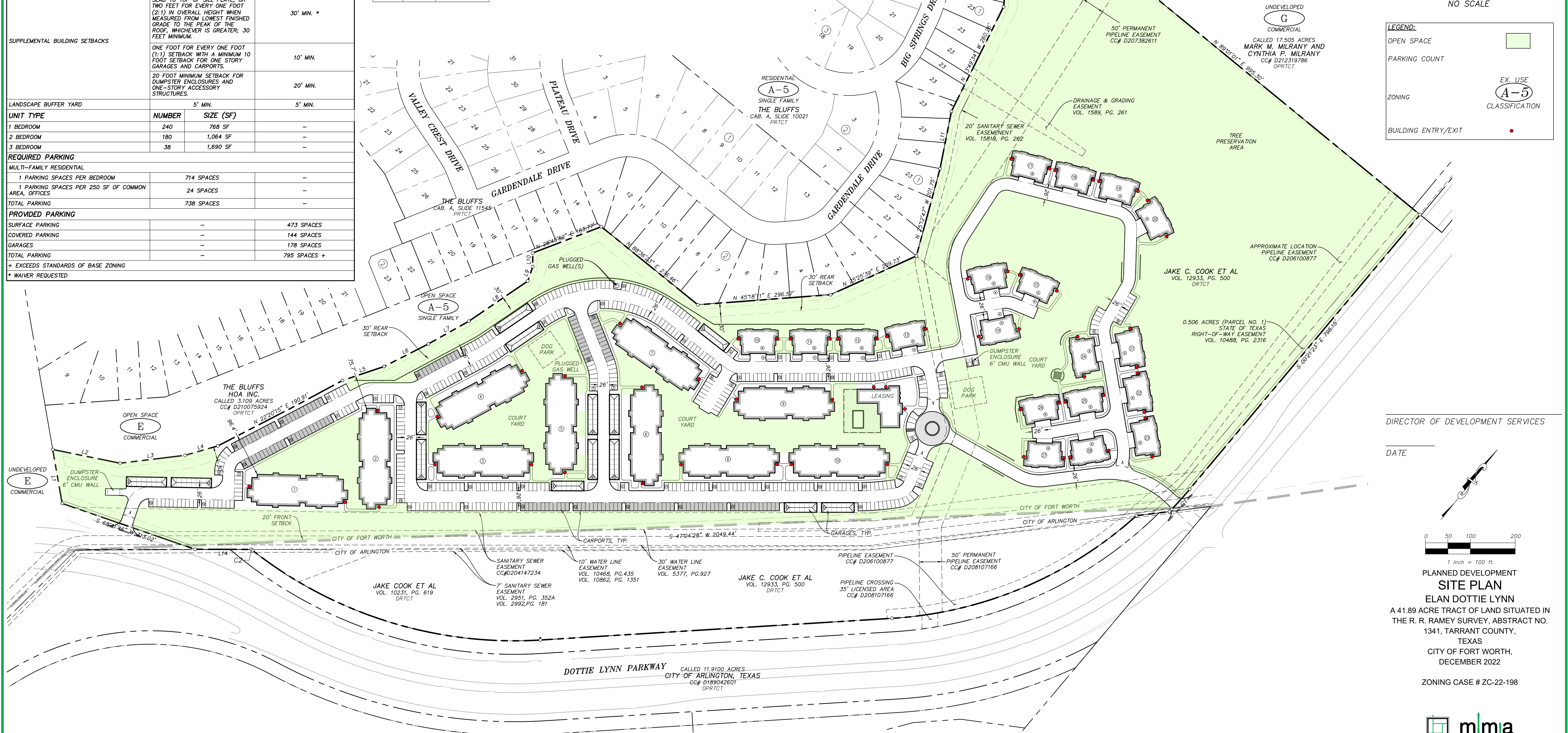
VICINITY MAP
NO SCALE

LEGEND:

- OPEN SPACE
- PARKING COUNT
- ZONING
- BUILDING ENTRY/EXIT

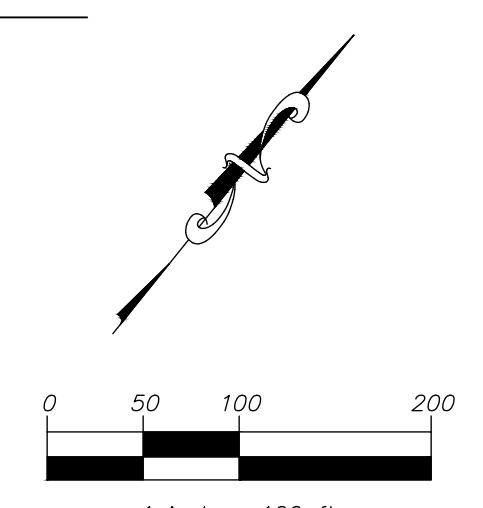
UNDEVELOPED
G
COMMERCIAL
CALLED 17.505 ACRES
MARK M. MILRANY AND
CYNTHIA P. MILRANY
CC# D212319786
OFRCT

EX. USE
A-5
CLASSIFICATION



DIRECTOR OF DEVELOPMENT SERVICES

DATE



PLANNED DEVELOPMENT
SITE PLAN
ELAN DOTTIE LYNN
A 41.89 ACRE TRACT OF LAND SITUATED IN
THE R. R. RAMEY SURVEY, ABSTRACT NO.
1341, TARRANT COUNTY,
TEXAS
CITY OF FORT WORTH,
DECEMBER 2022
ZONING CASE # ZC-22-198

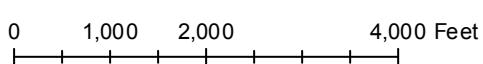
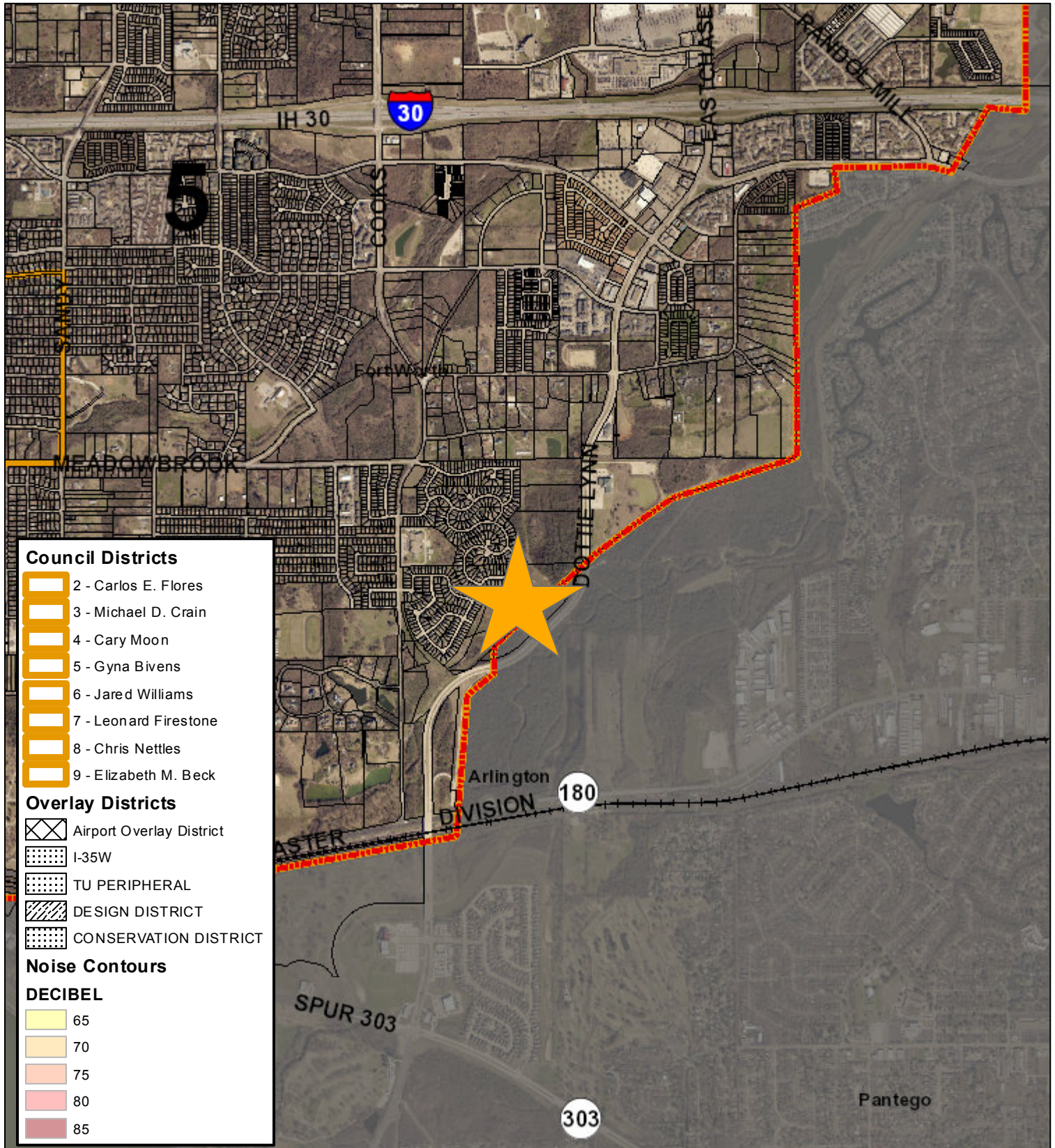
DEVELOPER:
GREYSTAR DEVELOPMENT
CENTRAL, LLC
600 E. LAS COLINAS BLVD., SUITE 2100
IRVING, TEXAS 75039
CONTACT: NEIL NICHOLSON
PHONE: (972) 556-8972

OWNER:
JAKE COOK ET AL
MICHAEL DAVID COOK
6741 E. PARK DRIVE
FORT WORTH, TX 76132

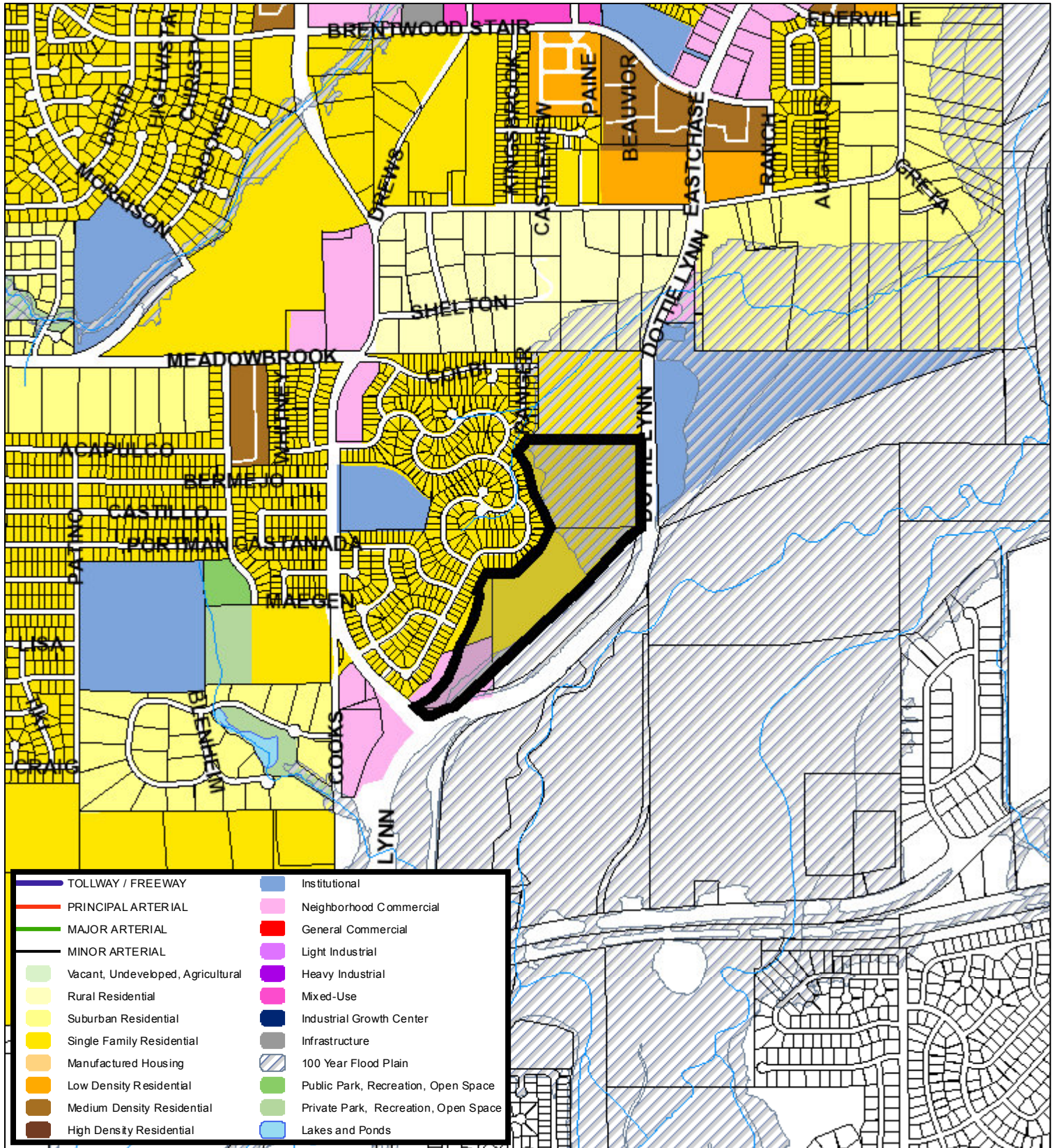
mima
civil engineering surveying landscape architecture planning
texas registration number: 1 - 2759
texas registration/license number: 10088000
519 east border
arlington, texas 76010
817-469-1671
fax: 817-274-8757
www.mmatexas.com
12/22/2022 SHEET 1 OF 1

PLOTTED BY: JACOB BAUMPTER DATE: 12/22/2022 1:28 PM PATH: P:\0665-00-002028-Planning & Design\01 Zoning Representation\mmd\PHU-Shimada\DWG SITE PLAN.dwg

Area Map



Future Land Use

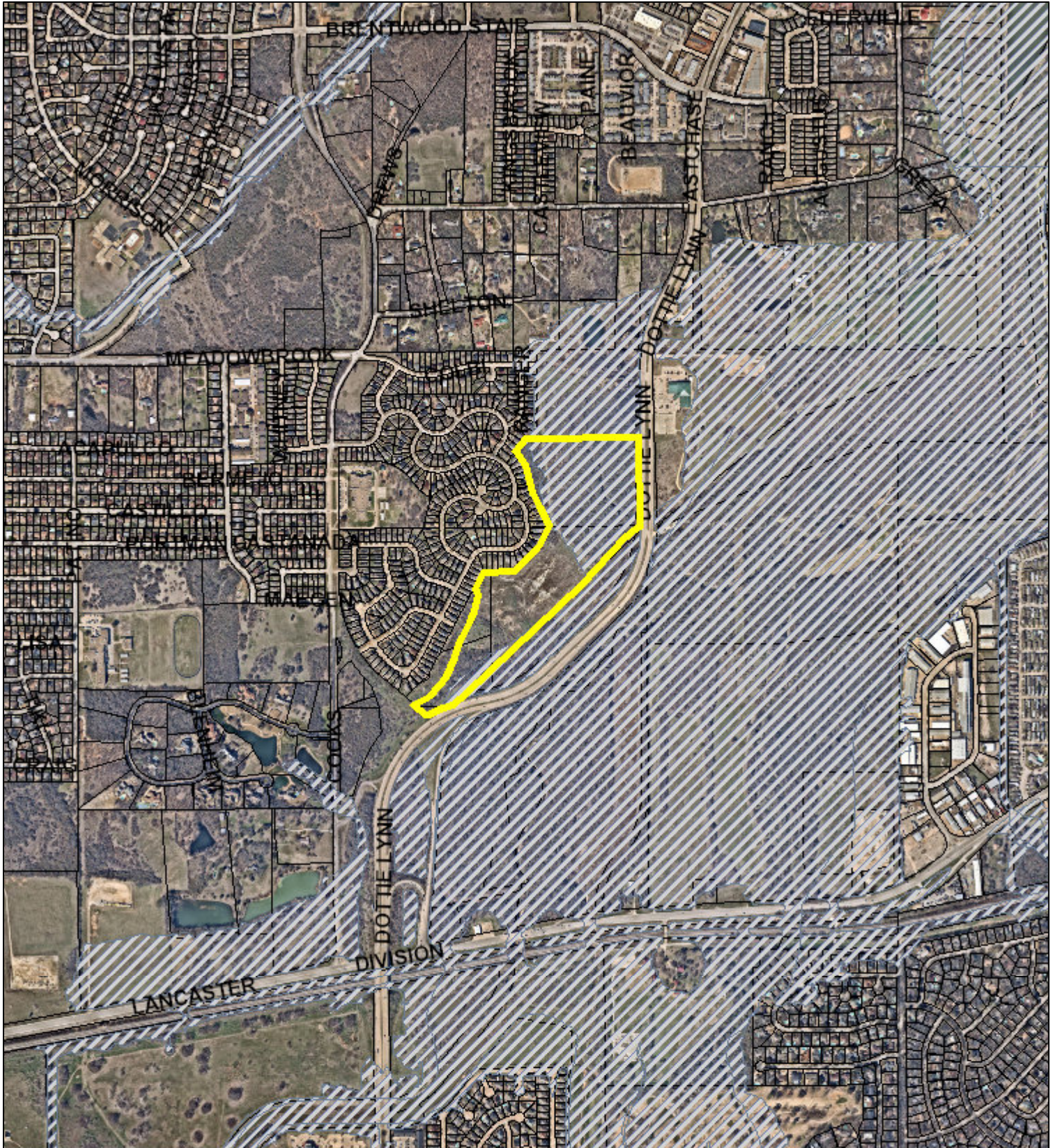


1,100 550 0 1,100 Feet

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



0 700 1,400 2,800 Feet

