



Zoning Staff Report

Date: October 11, 2022

Case Number: ZC-22-138

Council District: 2

Conditional Use Permit

Case Manager: [Alondra Salas-Beltré](#)

Owner / Applicant: Krista Blanton-Gursky / Ryan Blanton

Site Location: 3700 North Grove St.

Acreage: 8 acres

Request

Proposed Use: Truck /trailer parking & Community gardens

Request: To: Add Conditional Use Permit (CUP) to allow semi-truck and trailer parking in "I" Light Industrial; site plan included with development waiver for hard surface parking requirement, 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 with three-year time frame 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](#)
 - d. [Site Plan Comments](#)
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 subject property is located at 3700 N. Grove St. It was zoned K before the City filed for rezoning and offered it for sale as surplus property. The current owners purchased the property at a tax auction, and the City completed a cleanup/ remediation of the property shortly after the applicant purchased the property.

The applicants first applied to add the Conditional Use Permit to allow semi-truck and trailer parking back in 2019 but withdrew the application to address some of the neighborhood concerns, including the request to fence the property's perimeter adjacent to the residential areas.

After raising the necessary funds for the fencing, they are now applying to add a conditional use permit to allow truck and trailer parking on a portion of the property and use the rest for community gardens, with the goal of having the entire block full of community gardens, fruit orchards, and edible landscaping.

Here's an excerpt of an email from the applicant:

The ultimate goal for the approximately ~7.9 acres block is to have the entire block be full of community gardens, fruit orchards, and edible landscaping. Converting the entire acreage from raw land to fully landscaped land will take many years and a substantial amount of funds to develop its full potential.

To help provide funds for the project, we are seeking a conditional use permit to allow truck and trailer parking on a portion of the property. The property currently has a pole barn and two brick building shells. Neither of the buildings have water, electricity, or sewage. The buildings currently are only shells. They do not have windows or doors. The entire lot has been vacant and used for miscellaneous storage for many years.

We have recently added a 6-foot metal fence around the entire perimeter, and we have demolished a building that was on the south side of the property. We are in the process of cleaning up the trash and refuse that has accumulated over the years from the property being vacant and vandalized on many occasions.

We would also like to have permission to gravel the parking area rather than concrete it. This is because the ultimate goal is to convert the entire ~7.9 acres into gardens and orchards. When it comes time to enlarge the growing areas, it will be more difficult and cost prohibitive to remove acres of concrete from the property rather than simply removing gravel.

We feel that this project will fit into the city's comprehensive plan in several ways. For instance, It will improve the aesthetics of the property. It also fits with the blue zone project that encourages healthy eating, gardening, community involvement and outdoor aerobic activity.

Prior to Covid -19 we met with Councilman Flores to discuss the project and he was excited to have this project in his community and in our city. We also met with the Diamond Hill Neighborhood association on multiple occasions. While we had many constituents in favor of our project, the board ultimately voted against the project primarily because we were requesting to not fence the entire ~7.9 acres. Since that time, we were able to raise the funds to fence the entire perimeter of the property.

In summary, we are requesting a conditional use permit for parking trucks and trailers because we do not have an operational building, nor do we have the need for one at this time. In addition, we are requesting to gravel the parking area rather than concrete it to fit with our long-term goal for the property.

Community gardens are allowed in "I" light industrial zonings, while outdoor storage, such as semi-truck parking, is allowed in the industrial districts with a primary building and only permitted vacant lots with a CUP approval.

Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but require individual review of their proposed location, design and configuration, and the imposition of conditions to ensure the appropriateness of the use at a particular location.

While semi-truck and trailer is not permitted on a vacant lot in the “I” zoning district by right, allowing one by CUP with a site plan may help mitigate any neighborhood concerns and give options for the CUP to be revoked in the event of code violation convictions.

The Conditional Use Permit proposal includes a development waiver to allow gravel in the parking instead of concrete.

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:

- 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 “K” Heavy Industrial / Warehouses
East “A-5” One-Family / Single-family residential
South “B” Two-family / Single-family residential
West “K” Heavy Industrial / Warehouse

Recent Zoning History

- ZC-07-039: rezoned to "I" Ordinance 17649 adopted on July 10, 2007 City-initiated rezoning

Public Notification

300-foot Legal Notifications were mailed on September 1, 2022.
The following organizations were notified: (emailed August 26, 2022)

| Organizations Notified | |
|------------------------------|-------------------------------------|
| Diamond Hill Jarvis NAC* | Far Greater Northside Historical NA |
| Inter-District 2 Alliance | Streams and Valleys Inc |
| Trinity Habitat for Humanity | Fort Worth ISD |

* *This property is located within this registered Neighborhood Organization.*

Development Impact Analysis

Land Use Compatibility

The applicant is proposing to change the zoning of this site from “I” Light Industrial to add a Conditional Use Permit for semi-truck and trailer parking, site plan included with development waiver for the concrete parking requirement.

Community gardens are allowed in “I” light industrial zonings, while outdoor storage, such as semi-truck parking, is allowed by right in the industrial districts with a primary building and only permitted vacant lots with a CUP approval.

The requirement for “Conditional Use Permit” zoning allows an option for revocation for code violations. The site is surrounded by high intensity industrial uses, to the north and west and by single-family uses to the east and south

The proposed zoning request is **compatible** with surrounding industrial land.

Comprehensive Plan Consistency – Northeast Sector

The 2022 Comprehensive Plan currently designates the subject property as “Light Industrial” on the Future Land Use Map. The requested land uses would be included in the list of zoning districts envisioned for this category, as detailed in the excerpt from the Comprehensive Plan below.

| INDUSTRIAL | | |
|------------------|--|----------|
| Light Industrial | Warehousing, transportation, light assembly, outside storage | MU-2, I, |

Based on conformance with the future land use map, the proposed zoning **is consistent** with the Comprehensive Plan.

Zoning and Land Use

The site plan as submitted is in general compliance with the Zoning Ordinance regulations.

Stormwater

A Stormwater Drainage Study will be required to be fully accepted prior to obtaining any grading or building permits
Commercial grading permit is required for this site
If detention is required by the drainage study, a SWFMA would be required to be fully executed and recorded before obtaining any building permits or proceeding to IPRC precon. If no building permits are required, the hold would be on the grading permit.

Fire Department

Comments

FWFD - (Lt. Donna York, donna.york@fortworthtexas.gov)

Existing buildings are subject to fire code for a Certificate of Occupancy to be issued.

Truck and trailer parking does not require a Certificate of Occupancy. No fire code applies to parking only.

N Pecan Street is not constructed.

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.

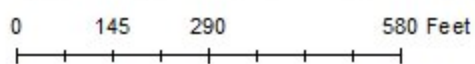
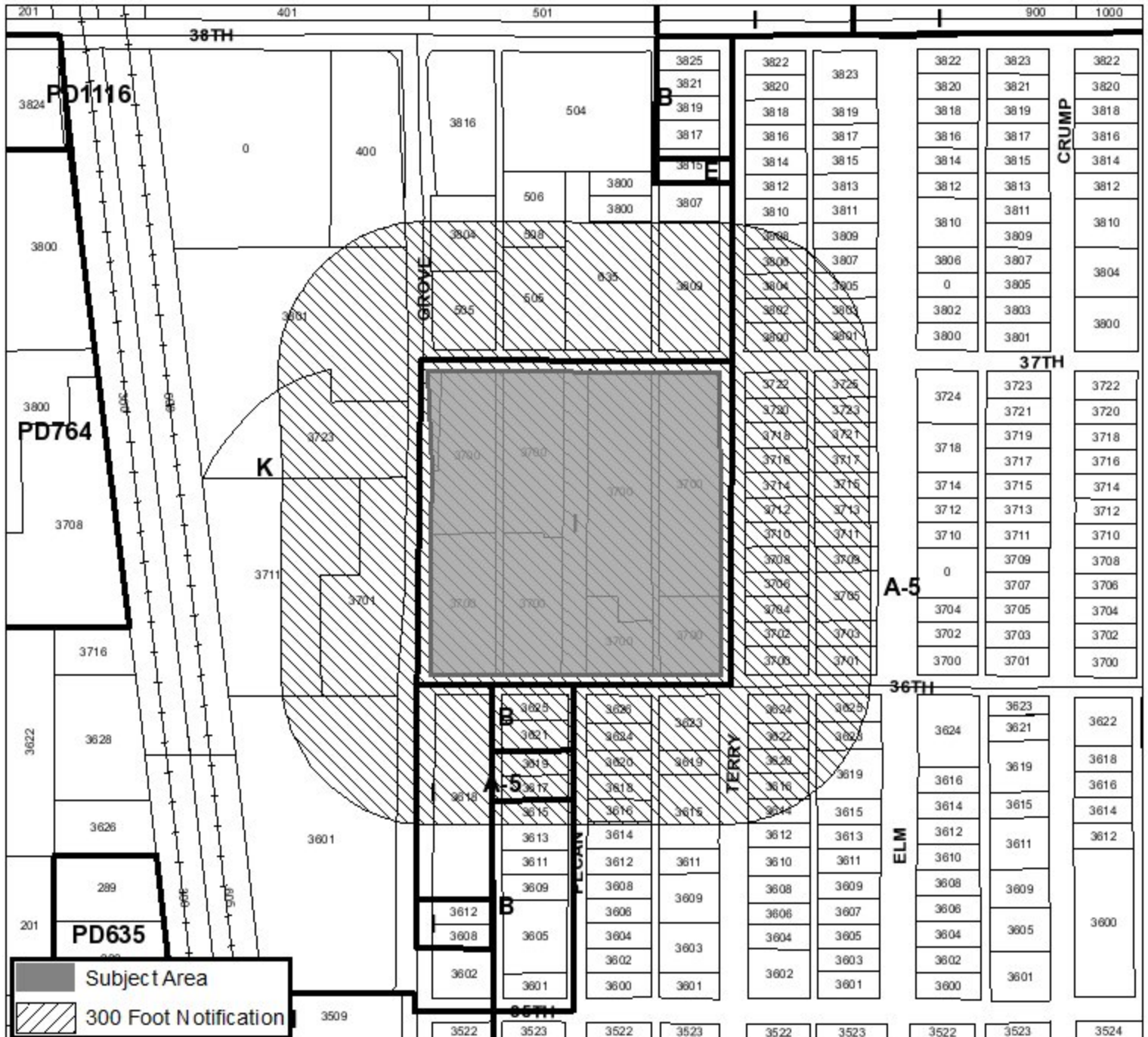
(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)



ZC-22-138

Area Zoning Map

Applicant: 3700 N. Grove LLC.
 Address: 3700 N. Grove Street
 Zoning From: I
 Zoning To: Add Conditional Use Permit for truck parking and urban agriculture with development waiver
 Acres: 8.08465258
 Mapsco: 48Y
 Sector/District: Northeast
 Commission Date: 9/14/2022
 Contact: 817-392-2495





TRUCK & TRAILER PARKING
98 - 15' X 72' GRAVEL PARKING SPACES

EXISTING 2 STORY BRICK, CONCRETE AND SINGLE STORY
7,890 SQUARE FEET
263' x 30'

VISITOR PARKING
16 - 9' x 18' GRAVEL PARKING SPACES

EXISTING POLE BARN ON RAISED CONCRETE SLAB
9,300 SQ. FT.
60' x 155'

NORTH LOT LINE - 620.60'
K HEAVY INDUSTRIAL

EXISTING CONCRETE EXIT

NE 37TH STREET

DUMPSTER

GRAVEL DRIVEWAY

FRUIT & NUT TREES

16

PECAN STREET (SEE NOTE BELOW)

RAISED BEDS - VEGETABLES HERBS & FLOWERS

FRUIT & NUT TREES
7,150 SQ. FT.
110' x 65'

NORTH GROVE STREET

GRAVEL DRIVEWAY

GRAVEL DRIVEWAY

NORTH TERRY STREET

WEST LOT LINE - 633.33' - K HEAVY INDUSTRIAL

EAST LOT LINE - 639.70' - RESIDENTIAL

23

22

21

EXISTING SINGLE STORY BRICK STORAGE BUILDING
3,000 SQ. FT.
60' x 50'

EXISTING CONCRETE ENTRANCE

GRAVEL DRIVEWAY

EXISTING SINGLE STORY BRICK STORAGE BUILDING
3,000 SQ. FT.
60' x 50'

FRUIT & VEGETABLE VINES

FRUIT & NUT TREES

15

NE 36TH STREET

6' FT SOLID METAL PERIMETER FENCE WITH SOLID METAL GATES AT THE ENTRANCE AND EXITS.

SOUTH LOT LINE - 620.59' - RESIDENTIAL

NOTE: Pecan Street and alley (including all easements along block 17 and block 18) closed by County Commissioner Court order dated July 8th 1917, Vol 35, page 38, and City of Fort Worth Ordinance #3489

3700 N. GROVE LLC.
PO BOX 4247 FT WORTH TX 76164 • 817.247.4740

PROJECT: 3700 N GROVE ST
ZONING: I - LIGHT INDUSTRIAL

DATE OF PREPARATION: 07/25/2022
SURVEYOR: RUDY RANGEL, 214-325-8026 C.
1012 TIMBERLINE LINE HEATH, TEXAS 75032

3700 NORTH GROVE ST FORT WORTH TX 76106
TRACTS 1 AND 2, BLOCK 17 AND 18 OF FOSTEPCO HEIGHTS ADDITION
CITY OF FORT WORTH, TARRANT COUNTY, TEXAS

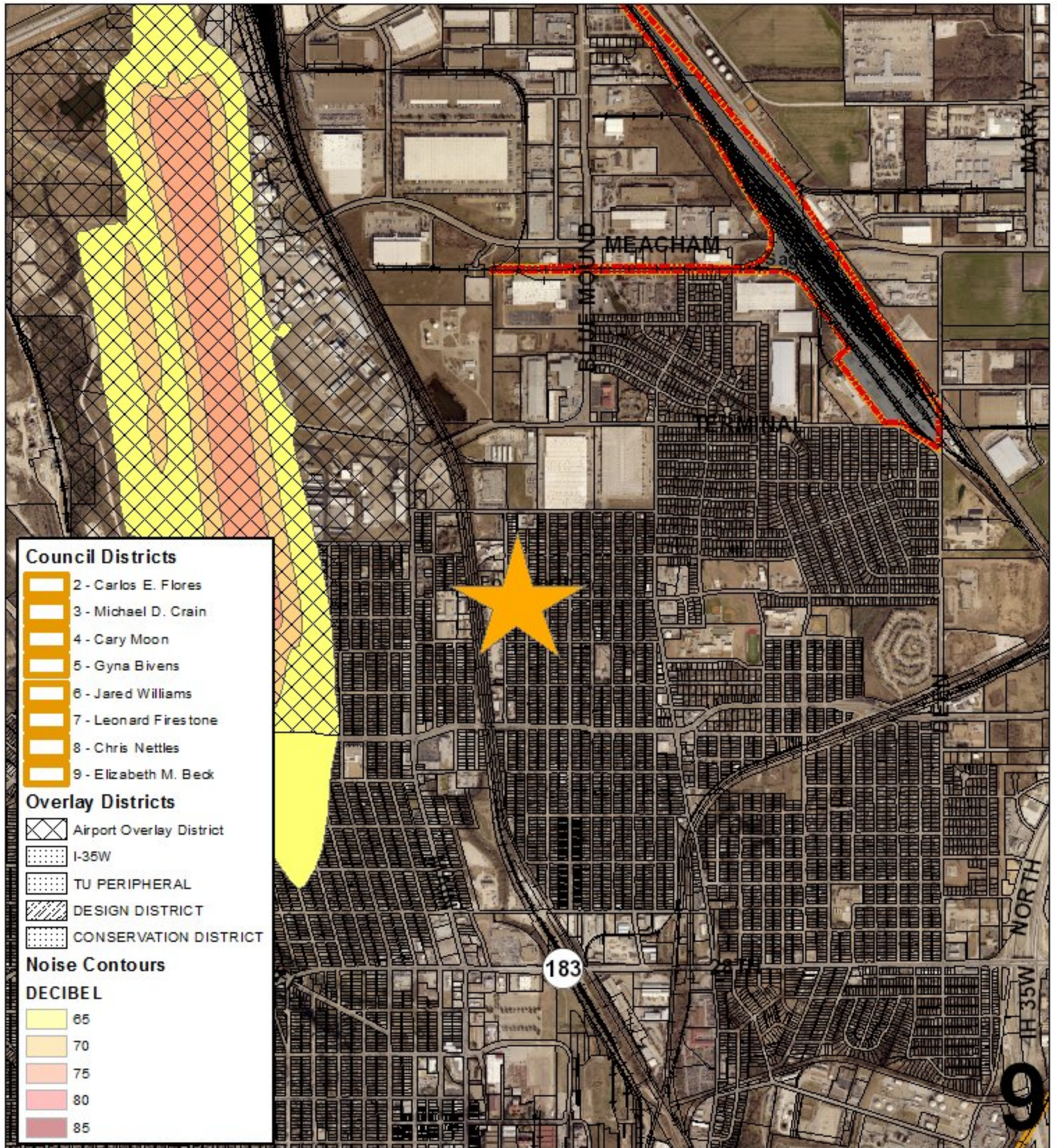
7.989 ACRES (348,000 SQUARE FEET)

SIGNATURE - Director of Development Services

DATE

This project will comply and conform to the following: Section 6.301. landscaping, section 6.302. urban forestry., Article 4, signs, and all provided lighting will conform to the lighting code.

Area Map



Council Districts

- 2 - Carlos E. Flores
- 3 - Michael D. Crain
- 4 - Cary Moon
- 5 - Gyna Bivens
- 6 - Jared Williams
- 7 - Leonard Firestone
- 8 - Chris Nettles
- 9 - Elizabeth M. Beck

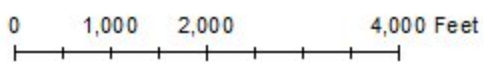
Overlay Districts

- Airport Overlay District
- I-35W
- TU PERIPHERAL
- DESIGN DISTRICT
- CONSERVATION DISTRICT

Noise Contours

DECIBEL

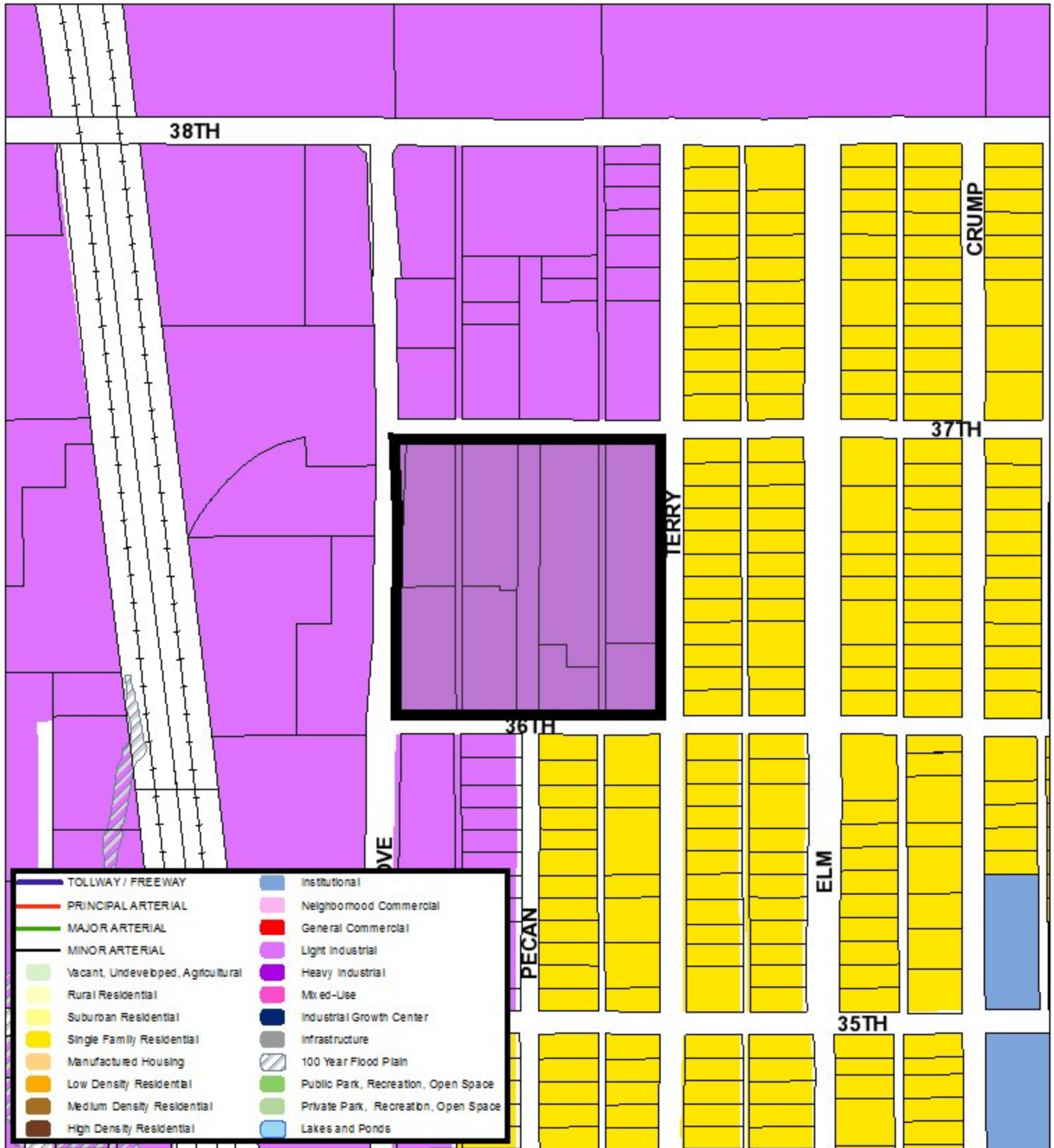
- 65
- 70
- 75
- 80
- 85



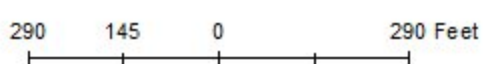


ZC-22-138

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.





ZC-22-138

Aerial Photo Map



0 185 370 740 Feet

