



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
September 1, 2015

**Council District** 9

**Zoning Commission Recommendation:**  
Approval as Amended to "ER" by a vote of 7-0  
  
**Opposition:** One person spoke  
**Support:** None submitted

Continued Yes X No \_\_\_  
Case Manager Lynn Jordan  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** MF Advisory Services, Inc.

**Site Location:** 4529 & 4533 Houghton Avenue Mapsco: 75Q

**Proposed Use:** Commercial

**Request:** From: "B" Two-Family  
To: "ER" Neighborhood Commercial Restricted

**Land Use Compatibility:** Requested change is not compatible.

**Comprehensive Plan Consistency:** Requested change is not consistent (Significant Deviation).

**Background:**

The proposed site is located east of Hulen Street, south of Houghton. The applicant is proposing a zoning change from "B" Two-Family to "E" Neighborhood Commercial and incorporate them into the four lots adjacent already zoned E. The applicant has not expressed what the end use might be.

In 2013 a request for a drive-thru car wash was denied without prejudice by City Council and included the four lots to the west. Concerns were traffic coming into the neighborhood from Hulen a non-signalized intersection.

The applicant has had several conversations with Sunset Heights NA. The neighborhood doesn't want all uses that are permitted in E and prefers PD/ER plus mobile vendor food court, restaurant, café and cafeteria. The applicant wants the ability to have a variety of uses and wishes to move forward with E zoning, no site plan. There are supplemental and projected setbacks in both ER and E zoning that could restrict orientation and or size of the building, depending on the use.

At the Zoning Commission meeting there were several discussions about "E", "PD/E", "PD/ER" and "ER" zoning districts and which would be more appropriate.

The table below depicts uses permitted in both districts:

Uses	ER	E
Day care center (child or adult), kindergarten, School, elementary or secondary (public or private)	P	P

Government office facility, museum or fine art center	P	P
Ambulance dispatch station, care facility, health services facility; including doctor's office or medical clinic, hospice, hospital, community center (recreation or welfare), country club (public/private)	P	P
Place of worship and auxiliary use	P, SE for auxiliary use	P, SE for auxiliary use
Electric power substation, gas line and gas lift compressor station, stealth telecommunications tower, telecommunication tower, utility transmission or distribution line	SE, P for telecommunications antenna, gas lift compressor	SE, P for stealth and telecommunications antenna, gas lift compressor
Drive-in restaurant or business, restaurant, café, cafeteria	SE	P
Health or recreation club, museum cultural facility,	P	P
Bed and breakfast inn, bank, financial institution, offices	P, SE for bank drive-thru	P
Antique shop, appliances, sales, supply or repair, barber or beauty shop, book stationary stores or newsstand, burglar alarm sales and service, caterer or wedding service, clothing/wearing apparel sales (new/used), copy store or commercial print without offset printing, dressmaking, custom, millinery shop, duplicating services, greenhouse or plant nursery	P, SE for greenhouse or plant nursery	P
Home improvement store, interior decorating, laundry or dry cleaning collection office, leather goods shop, locksmith, medical supplies/equipment sales or rental, optician, pharmacy (drug store), photograph, portrait/camera shop or photo finishing, shoe shine shop, studio, art or photography, tailor, clothing or apparel shop	P	P
Parking area or garage, storage commercial or auxiliary	P	P
Liquor or package store, convenience store		P
There are several more intense uses permitted in "E" Neighborhood Commercial but not "ER"		

**Site Information:**

Owner: MF Advisory Services, Inc.  
6065 Sherry Lane  
Dallas, TX 75225

Acreage: 0.28 acres

Comprehensive Plan Sector: Arlington Heights

Agent: John Brodersen

Surrounding Zoning and Land Uses:

North "B" Two-Family / single-family and vacant

East "B" Two-Family / single-family

South "ER" Neighborhood Commercial Restricted / commercial office and parking

West "E" Neighborhood Commercial / vacant

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-13-092 Denied without Prejudice by City Council 10/03/2013, subject area

Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Houghton Ave	Residential	Residential	No
Hulen St	Major Arterial	Major Arterial	No

**Public Notification:**

The following organizations were notified:

<b>Organizations Notified</b>	
Sunset Heights South NA	Streams & Valleys Inc
Alamo Heights NA*	
Trinity Habitat for Humanity	Fort Worth ISD

*\*Located within the Alamo Heights NA*

***Development Impact Analysis:***

**1. Land Use Compatibility**

The applicant is proposing a zoning change from “B” Two-Family to “E” Neighborhood Commercial. Surrounding land uses are primarily single-family and vacant with commercial offices/parking to the south.

The proposed zoning would be more of an encroachment, **is not compatible** with surrounding land uses.

**2. Comprehensive Plan Consistency**

The 2015 Comprehensive Plan designates the subject property as Single-Family. The proposed “E” Neighborhood Commercial is not consistent with the following Comprehensive Plan policies:

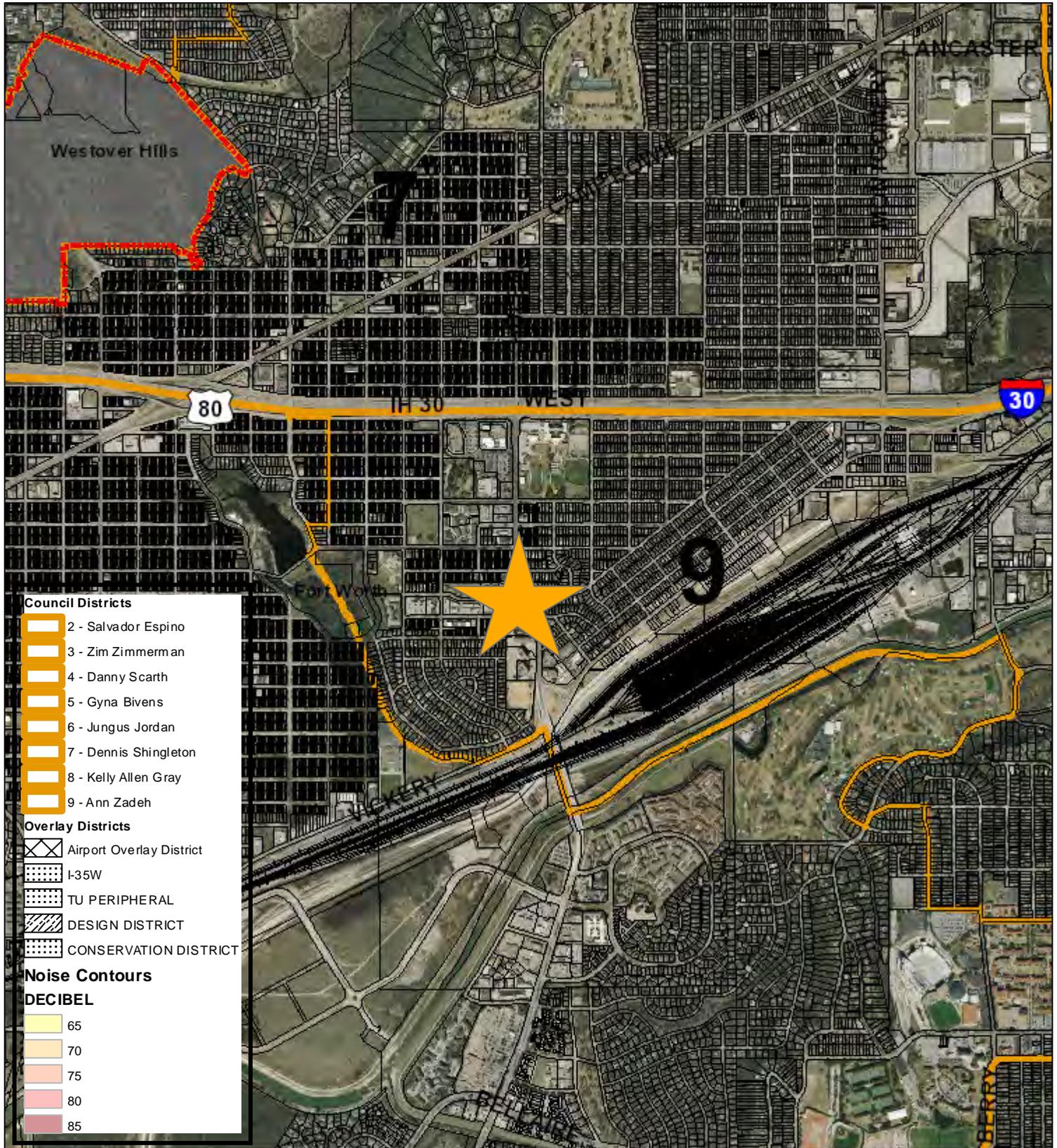
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)

Based on the lack of conformance with the future land use map and policies stated above, the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

***Attachments:***

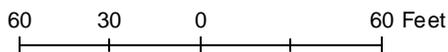
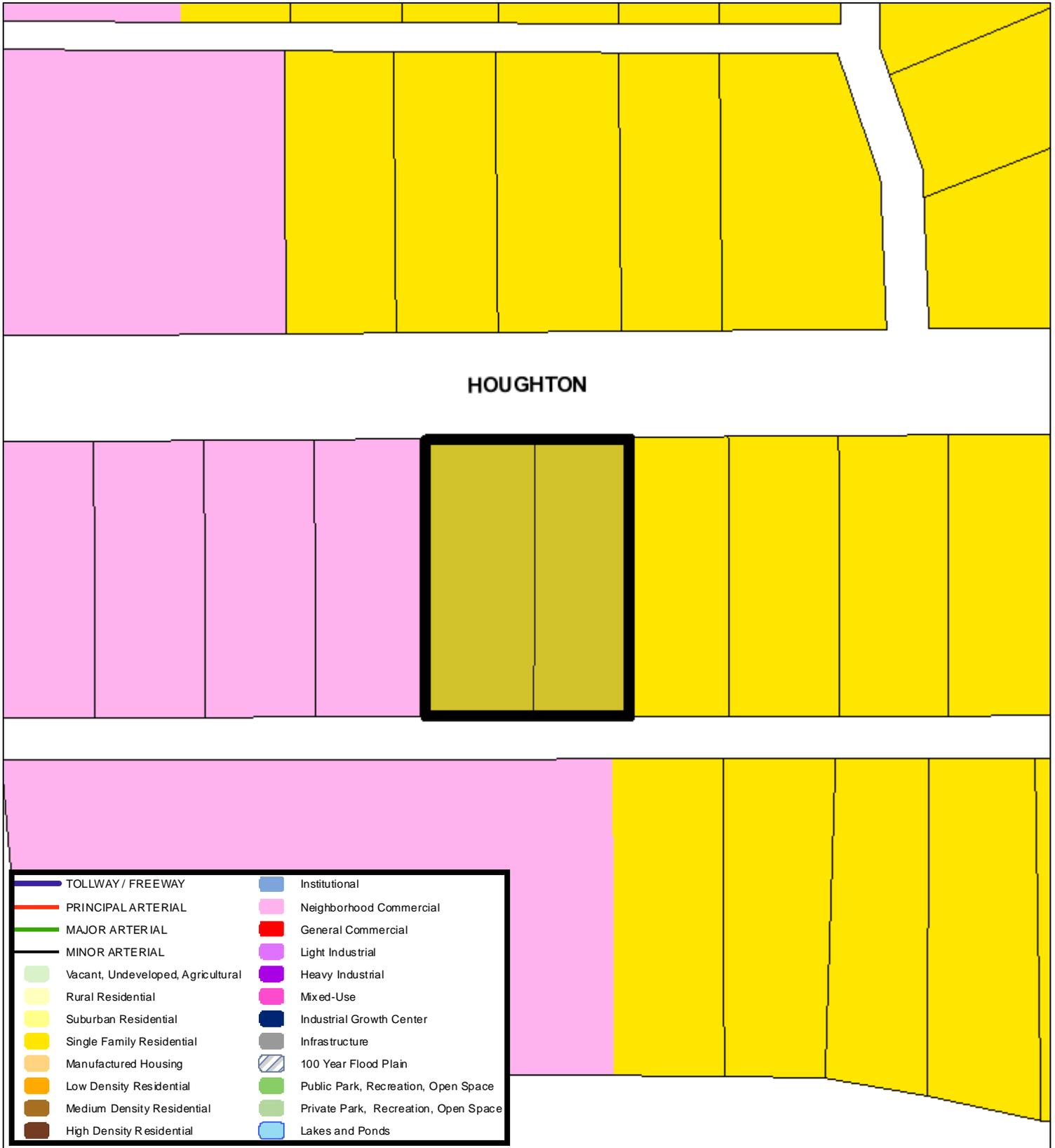
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting
- Minutes from the Council meeting

### Area Map





### Future Land Use



**Aerial Photo Map**



0 37.5 75 150 Feet



**XIV. ZONING HEARING**

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth, on July 19, 2015.

Mayor Price opened the public hearing.

- 1. ZC-15-047 - (CD 9) - MF Advisory Services, Inc., 4529 & 4533 Houghton Avenue; from: "B" Two-Family to: "ER" Neighborhood Commercial Restricted (Recommended for Approval as Amended by the Zoning Commission to "ER" Neighborhood Commercial Restricted)**

Mr. Brian O'Boyle, 6140 Mockingbird Lane, Dallas, Texas, appeared before Council in support of Zoning Docket ZC-15-047.

Motion: Council Member Zadeh made a motion, seconded by Council Member Jordan, that Zoning Docket ZC-15-047 be continued to the September 1, 2015, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

- 2. ZC-15-057 - (CD 8) - City of Fort Worth Planning & Development, 2800 St. Louis Avenue; from: "J" Medium Industrial to: "I" Light Industrial (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Zadeh made a motion, seconded by Mayor Pro tem Espino, that Zoning Docket ZC-15-057 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

- 3. ZC-15-081 - (CD 2) - Ema Garcia, 106 W. Long Avenue; from: "A-5" One-Family to: "ER" Neighborhood Commercial Restricted (Recommended for Approval as Amended by the Zoning Commission to "ER" Neighborhood Commercial Restricted)**

Ms. Ema Garcia, 1513 Northeast 37<sup>th</sup> Street, appeared before Council in support of Zoning Docket ZC-15-081.

Motion: Mayor Pro tem Espino made a motion, seconded by Council Member Zimmerman, that Zoning Docket ZC-15-081 be continued to the August 18, 2015, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

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