



**ZONING MAP CHANGE  
STAFF REPORT**

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

**Council District** 9

**Zoning Commission Recommendation:**  
Approval by a vote of 9-0

**Opposition:** None submitted  
**Support:** None submitted

Continued Yes \_\_\_ No X  
Case Manager Stephen Murray  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** Oscar Zamaguey

**Site Location:** 2322 Bird Street Mapsco: 63Q

**Proposed Use:** Multifamily

**Request:** From: "A-5" One-Family  
To: PD 1041 "PD/UR" with development standards, site plan waiver recommended

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

**Comprehensive Plan Consistency:** Requested change **is not consistent. (Minor Boundary Adjustment)**

**Background:**

The applicant is proposing to rezone one lot roughly 0.12 acres from "A-5" One-Family to "PD/UR" Urban Residential with development standards; site plan waiver requested. The area to the west was rezoned in May 2015 and the applicant has purchased and needs to add this one property along Bird Street.

The PD development standards included multiple waiver requests for the number and location of access points to a publicly accessible street, setbacks, and similar development standards. The table below provides the approved PD/UR standards.

Standard	PD/UR PD 1041
Front Yard	Front Yards along Dalford Street and the Bird/Embrey connection may exceed 20 ft. Front yards on private driveways or parking lots are not regulated
Maximum building height	35 ft.; Buildings constructed within 150 ft. south of the southern ROW line of Dalford up to the intersection of Scott's way shall be no more than 2 stories
Maximum units per acre	Shall not exceed 400 total units divided into the north and south tracts

Minimum lot area	None
Signage	Detached monument signs at primary entrances with no specified size
Parking	No required off-street parking will be allowed within parking garages. 11 spaces will be allowed in front of the leasing office.
Landscaping	Will apply to any public or private street and the public Bird/Embrey connection. Otherwise will not apply to other properties.
Fencing	Provides for 6 ft iron fences; Fences may be between the building and property line on the south side of the Bird/Embrey connection;
Architectural standards including Masonry requirement	Will apply to any public or private street and the public Bird/Embrey connection. Otherwise will not apply to other properties. Stucco will be an allowed masonry material

Urban Residential is designed to:

- Promote a pedestrian-oriented urban form. Mixed-use development standards and guidelines focus on promoting a walkable, urban form of development, consistent with the surrounding areas historic urban character. The focus on form promotes buildings that conform to tested urban design principles.
- Require excellence in the design of the public realm and of buildings that front public spaces. Encourage creativity, architectural diversity, and exceptional design. Mixed-use is intended to promote high quality design, and the development review process for mixed-use projects is intended to promote flexibility.
- Promote sustainable development that minimizes negative impacts on natural resources. Creating a walkable, higher density residential district surrounding mixed-use districts supports sustainable development by providing an alternative to low density development in peripheral areas.

The development is located west of the Six Points Urban Village, which contains a Master Plan document that sets out short and long-term visions for the area. The document also mentions the surrounding area within the document. The Master Plan calls for Urban Residential along Oakhurst Scenic Drive to act as a buffer to more intense commercial and mix of uses. The following excerpt from the Master Plan describes the intent for the proposed site and surrounding area.

“While the policy tool of mixed-use zoning is ideal for the creation of dynamic urban villages, closer attention needs to be paid to surrounding zoning and uses, especially the transition to adjoining neighborhoods. Another concern regarding mixed-use zoning in urban village core areas is the overabundance of retail and office within the greater urban village boundary, thus diluting the strength and viability of the core urban village mixed-use district. A new classification (urban residential-UR) should be designated to accomplish the goals of higher residential densities while limiting the amount of nonresidential uses to only the core areas of the urban village” (pg. 13 Six Points Urban Village Master Plan).

**Site Information:**

Owner: Oscar D. Zamaguey  
2322 Bird Street  
Fort Worth, TX 76111

Acreage: 0.12 acres  
 Agent: Pretlow Riddick  
 Comprehensive Plan Sector: Northeast  
 Surrounding Zoning and Land Uses:  
   North "A-5" One-Family / single-family  
   East "A-5" One-Family / single-family  
   South "PD 1041 "PD/UR" with development standards, site plan waived / single-family  
   West "PD 1041 "PD/UR" with development standards, site plan waived / single-family

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-15-027, from various to "PD 1041 "PD/UR" with development standards, site plan waived, effective 5/22/15 (directly west of the subject property)

Platting History: None

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Bird St	Residential	Residential	No

**Public Notification:**

The following Organizations were notified:

Organizations Notified	
Riverside Alliance	Oakhurst Alliance of Neighbors
Oakhurst NA	Eastside Sector Alliance
Scenic Bluff NA	Oakhurst Scenic Drive Inc.
Charleston Homeowners Association	

\*Located within this organization's boundary

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing to rezone the property to PD/UR" Urban Residential with development standards; site plan waiver requested. The surrounding land uses are currently single-family. The applicant intends to develop roughly 18 acres of multifamily, duplex, and single-family to Urban Residential.

Several sites on the eastern boundary of the proposed site abut single-family residential zoning. However, Urban Residential is designed to buffer single-family zoning from more intense uses.

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

**2. Comprehensive Plan Consistency**

The 2015 Comprehensive Plan designates the subject property as single-family. The proposed zoning **is not consistent (Minor Boundary Adjustment)** with the future land use designations.

The proposed zoning is consistent with the following Comprehensive Plan policies:

- Identify and designate on future land use maps mixed-use neighborhood centers and/or new mixed-use growth centers in rapidly developing areas, based on proximity to future rail transit and key transportation intersections. (pg. 39)
- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city. (pg. 39)
- Protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 39)

***Attachments:***

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

**Development Standards**  
**PD-UR**

ZC-15-027

PD1041

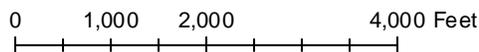
Site Plan waiver requested

Tracts 1, 2, 3, 4, 5, 6, 7, 8, 9, 2310 Lillian, 2309 Lillian, and 2307 Embry Place

For all uses in the Urban Residential ("UR") District and subject to all development standards except as modified below:

1. The number of residential units on the property shall not exceed 400 units. No more than 56 residential units shall be constructed on the parcel of land north of Bird Street (Tracts 2, 3 and the portion of tracts 1 and 4 north of Bird Street, the "North Tract" as depicted on the attached Exhibit). For clarity, the remaining land or the "South Tract" will have no more than 344 units.
2. Front yards along Dalford Street and the public connection between Bird and Embrey may exceed 20 feet.
3. Buildings constructed within 150 feet south of the southern right of way line of Dalford up to its intersection with Scotts Way shall be no more than two (2) stories in height as depicted on the attached Exhibit (the "2 story restriction area"). Buildings constructed within this area will be limited to no more than 8 units per building.
4. Bird Street does not currently connect to the east of the subject property. If any connection is made through the subject property to Bird Street, vehicular access will be one way only in an eastward direction, subject to review and approval by the city.
5. Building entrances for buildings that front on private streets, green spaces, or on Oakhurst Scenic Drive will not be required to be accessed via a public use easement. No access to Oakhurst Scenic Drive other than the existing right of ways.
6. No residential buildings will be constructed on the portion of the tract of land north of Bird Street at the intersection of Dalford and Bluebonnet as more accurately depicted on the attached Exhibit (the "no residential building restriction area").
7. No required off street parking will be allowed within multi story parking garages.
8. In addition to the signage allowed within UR, monument signage not attached to buildings will be allowed at primary entrances to the development.
9. Stucco will be an allowed masonry material. Architecture and landscape standards will apply for all buildings that front on all public and private streets and the public connection between Bird and Embrey.
10. Access to Dalford will be limited to no more than the existing 4 driveways.
11. Any retaining walls over 4' high that are visible from Dalford will have landscape screening.
12. The primary entrance to the development will be off of Embry with the placement of a management office. Parking of no more than 11 spaces will be allowed in front of the building at the management office.
13. The development will include at least two of the allowed building styles: single family, townhouse, manor house and multifamily.
14. Except along Bird, Dalford and Embrey Place, pedestrian, vehicular, and/or security fences may be located between building facades and the property lines. Such fences may be up to six-foot wrought iron, tubular steel or fences of similar type construction (excluding chain link) that do not obscure visibility. Such fences design may include masonry columns to a maximum height of six feet, six inches (6'6").
15. A public connection will be provided between Bird and Embrey.

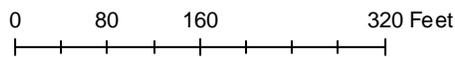
### Area Map



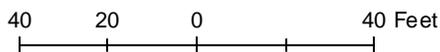
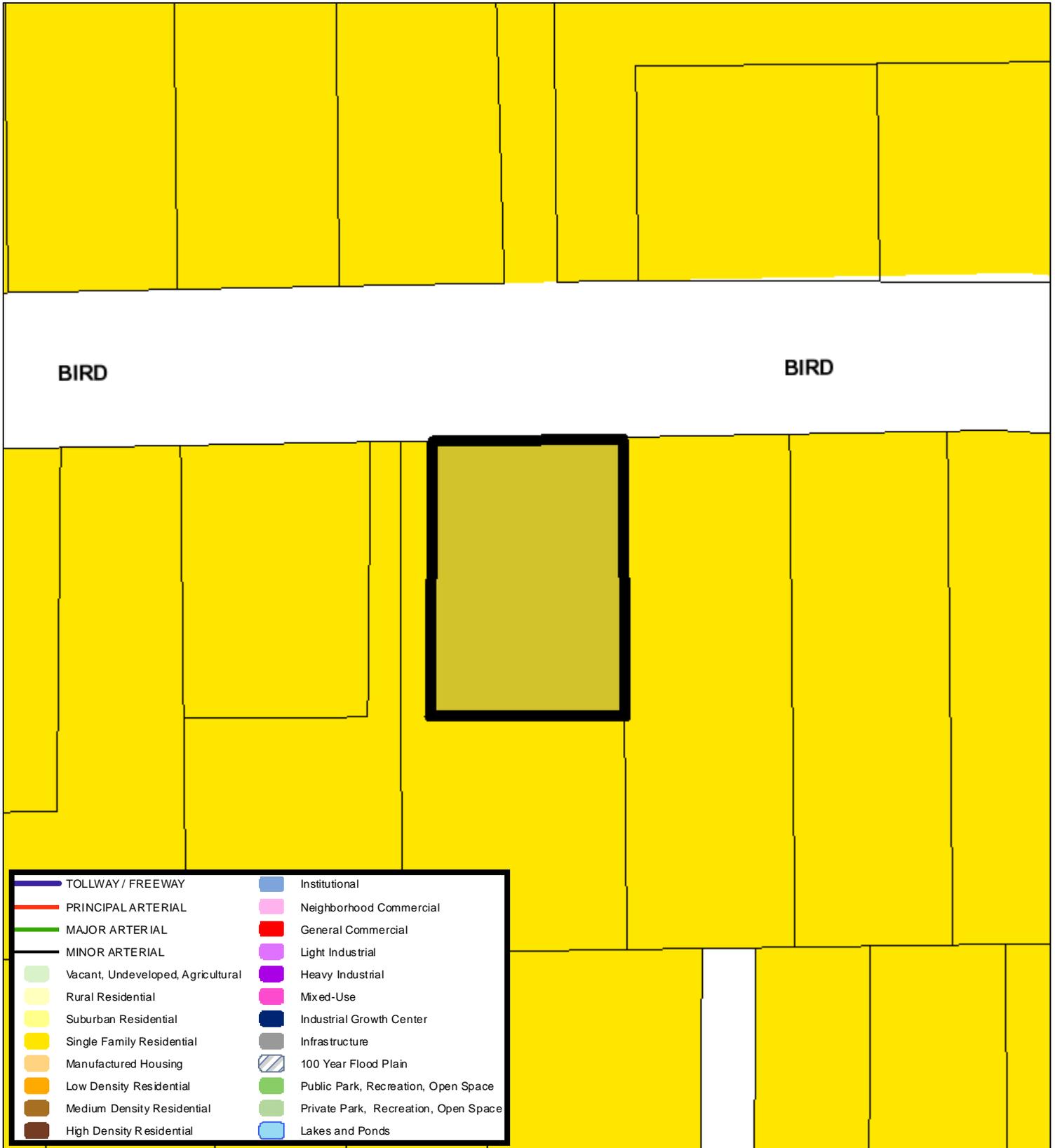


# Area Zoning Map

Applicant: Oscar Zamaguey  
 Address: 2322 Bird Street  
 Zoning From: A-5  
 Zoning To: PD 1041 PD/UR with development standards  
 Acres: 0.12571895  
 Mapsco: 63Q  
 Sector/District: Northeast  
 Commission Date: 11/11/2015  
 Contact: 817-392-8043



### 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 17, 2015.



**Aerial Photo Map**



0 25 50 100 Feet



Curtis said no only one for the existing building encroaching into the setback. Ms. McDougall asked about the scrap storage bins stored outside. Mr. Curtis said the fabrication is done inside and the need for scrap bins, the architect may not be aware that they are stored outside. Ms. McDougall asked why the fencing is not indicated along the entire property line. Mr. Curtis said the adjacent property is an industrial type use and a solid fence is not required. Ms. McDougall said the reason the neighborhood asked about fencing is because they did not want this to become an industrial area. Mr. Curtis said he reached out to the Harmony Hills NA and received no response.

Motion: Following brief discussion, Ms. McDougall recommended Denial without Prejudice of the request, seconded by Ms. Dunn. The motion carried 6-3 with Mr. Edmonds, Ms. Conlin, and Mr. Northern against.

<i>Document received for written correspondence</i>					<i>ZC-15-131</i>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>Position on case</b>		<b>Summary</b>
Becky Haskin/ Woodhaven Community Development	NA	Out	Opposition		Sent letter in
Reeder Distributors	821 E. Loop 820	In		Support	Sent letter in

#### **IV. New Cases**

**2. ZC-15-139 Oscar Zamaguey (CD 9) – 2322 Bird Street (Court House View Addition, Block 3, Lot 4, 0.12 Acres): from “A-5” One-Family to PD1041 “PD/UR” Planned Development for all uses in “UR” Urban Residential with development standards; site plan waiver requested**

Brandon Hancock, 14160 N. Dallas Parkway, Burleson, Suite 950, Dallas, Tx representing FW Bluff Land L. P. explained to the Commissioners they have purchased another parcel to add to their existing PD.

Motion: Following brief discussion, Ms. Dunn recommended Approval of the request, seconded by Mr. Flores. The motion carried unanimously 9-0.

**3. ZC-15-140 Mercantile Partners LP (CD 4) – 3451 Northern Cross Boulevard (David Odum Survey, Abstract # 1184, 9.04 Acres): from “J” Medium Industrial to PD/D Planned Development for all uses in “D” High Density Multifamily with a maximum height of 36 ft. and reduce the minimum parking requirement; site plan included**

Joe Paniagua, 8125 Mount Shasta Circle, Fort Worth, Tx representing Mercantile Partners LP explained to the Commissioners the request