



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
June 4, 2013

**Council District** 5

**Zoning Commission Recommendation:**  
Denial by a vote of 9-0  
  
**Opposition:** West and Central Meadowbrook NAs

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

**Owner / Applicant:** Duong Thuan

**Site Location:** 5570 Meadowbrook Drive Mapsco: 79C, G

**Proposed Use:** Commercial

**Request:** From: "ER" Neighborhood Commercial Restricted  
To: "E" Neighborhood Commercial

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

**Comprehensive Plan Consistency:** Requested change is consistent.

**Background:**

The proposed site is located on the corner Meadowbrook Drive and Weiler Blvd. The change of zoning from "ER" Neighborhood Commercial Restricted to "E" Neighborhood Commercial will allow for additional commercial development for an existing shopping center. The exact types of commercial have not been determined; they are expected to be restaurants, retail, donut shop/bakery, etc. that might serve existing residents.

The shopping center has two different owners and is located on two lots. The applicant owns four tenant spaces, three of which are occupied. The subject site is located on Lot J, Block 4 of the Forty Oaks Addition. The other half of the block (Lot K), will keep the ER designation.

The zoning for the site was changed in 2010, as part of a Council Initiated rezoning and was changed from E to its current designation of ER. The main difference between the two is that ER restricts alcohol sales, minimizes the allowed uses, and reduces the allowed building sizes. The proposed E would also allow additional uses not permitted within the existing district, such as; restaurants, gasoline sales, bakeries, and general merchandise stores. The structure is existing and does not exceed the building size standard.

The development differences between ER and E are as follows:

Standard	ER	E
<b>Business/Tenant size</b>	5,000 sf	NA
<b>Building size</b>	10,000 sf (SE required for building in excess)	60,000

<b>Lot coverage</b>	30 percent	NA
<b>Height</b>	35 ft	3 stories, 45 ft
<b>Parking restrictions</b>	Parking prohibited in front yard	20 ft front yard setback, however; parking is allowed (unless projected setback due to A-5 or B adjacency)
<b>Landscape and buffers</b>	Screening trees spaced 25 feet apart must be placed along the property line in addition to fencing requirements 20 ft buffer	Point system, 20 ft buffer (parking allowed)
<b>Signs</b>	No freestanding signs	Monument sign allowed by right
<b>Typical Uses</b>	Professional offices, medical clinic	Retail, restaurants

The applicant met with the neighborhood on May 7<sup>th</sup> to discuss the zoning change. The neighborhood was not supportive of the change to "E" and spoke in opposition at the Zoning Commission meeting.

**Site Information:**

Owner: Duong Thuan  
5570 Meadowbrook Dr.  
Fort Worth, TX 76112

Acreage: 0.57 acres

Comprehensive Plan Sector: Eastside

**Surrounding Zoning and Land Uses:**

North "A-5" One-Family / single-family  
East "E" Neighborhood Commercial / veterinary clinic  
South "A-5" One-Family / single-family  
West "ER" Neighborhood Commercial Restricted / church

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-10-150 approved by City Council 11/10 from E to ER (subject area)  
Platting History: NA

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Meadowbrook Drive	Collector	Collector	No
Weiler Blvd	Residential	Residential	No

**Public Notification:**

The following Neighborhood Associations were notified:

Organizations Notified	
Handley NA	Southeast Fort Worth, Inc.
Eastern Hills HOA	Historic Handley Development Corp.
Central Meadowbrook	Eastside Sector Redevelopment Org
Neighborhoods of East Fort Worth	FWISD
East Fort Worth Business	

**Development Impact Analysis:**

1. Land Use Compatibility

The applicant is proposing a zone change from "ER" Neighborhood Commercial Restricted to "E" Neighborhood Commercial. Surrounding land uses vary with single-family to the north, south and east, and commercial to the west and east.

The proposed change is compatible with the single-family near the proposed site and will continue to provide a buffer and services to the surrounding single-family development. The uses allowed in "E" neighborhood commercial are intended to be compatible with single-family.

As a result, the proposed zoning **is compatible** with surrounding land uses.

## **2. Comprehensive Plan Consistency**

The 2013 Comprehensive Plan designates the subject property as neighborhood commercial. The proposed "E" zoning is consistent with the following Comprehensive Plan policies.

- Encourage development type and intensity appropriate to existing or planned street infrastructure. (pg. 38)
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 38)

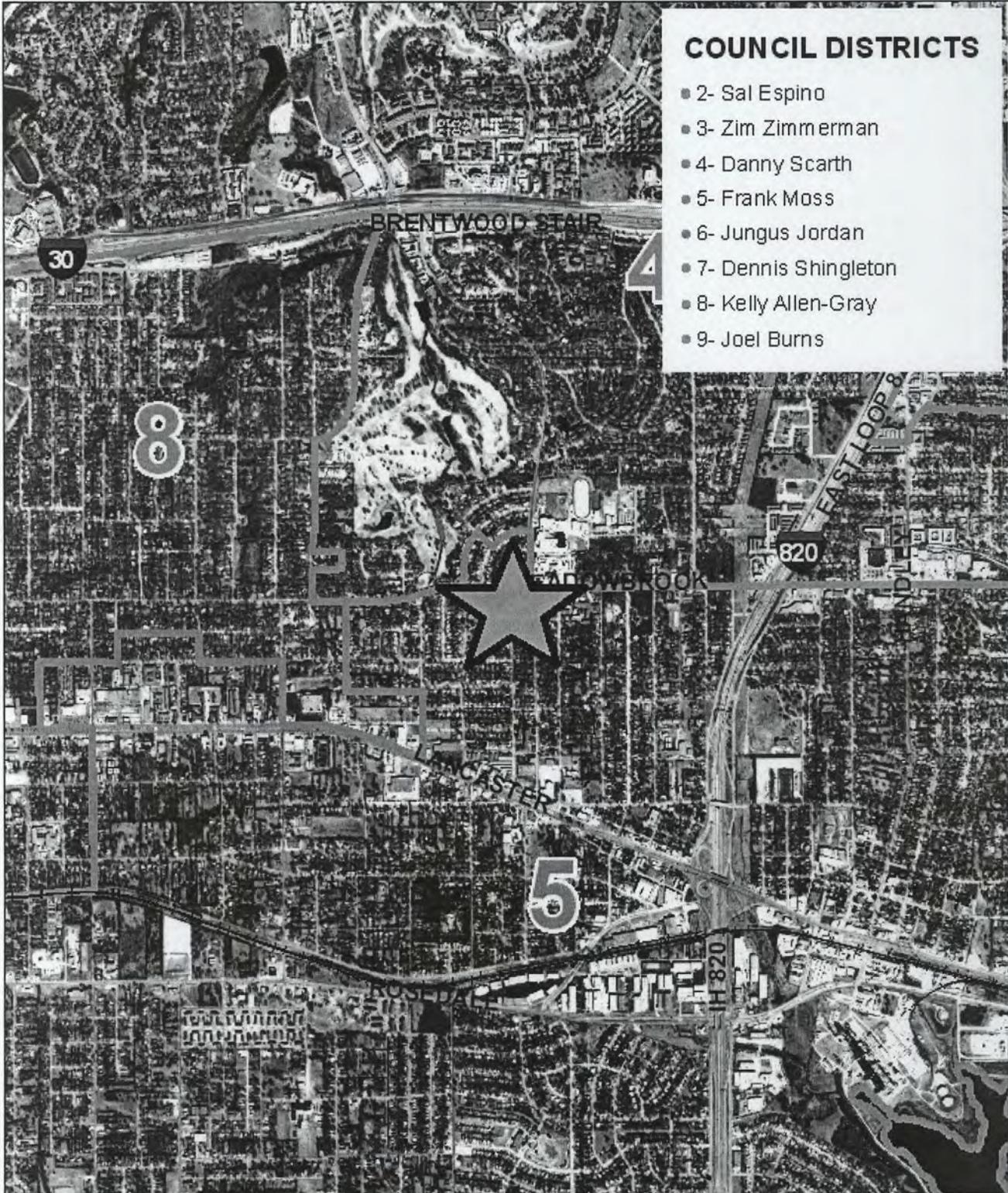
Based on the conformance with the future land use map and policies stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

To view the Comprehensive Plan: <http://www.fortworthgov.org/planninganddevelopment/misc.aspx?id=81678>

### ***Attachments:***

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

## Location Map



2,000 1,000 0 2,000 Feet





ZC-13-051

# Area Zoning Map

Applicant: Duong Thuan  
 Address: 5570 Meadowbrook Drive  
 Zoning From: ER  
 Zoning To: E  
 Acres: 0.57  
 Mapsco: 79CG  
 Sector/District: Eastside  
 Commission Date: 04/10/2013  
 Contact: 817-392-8043



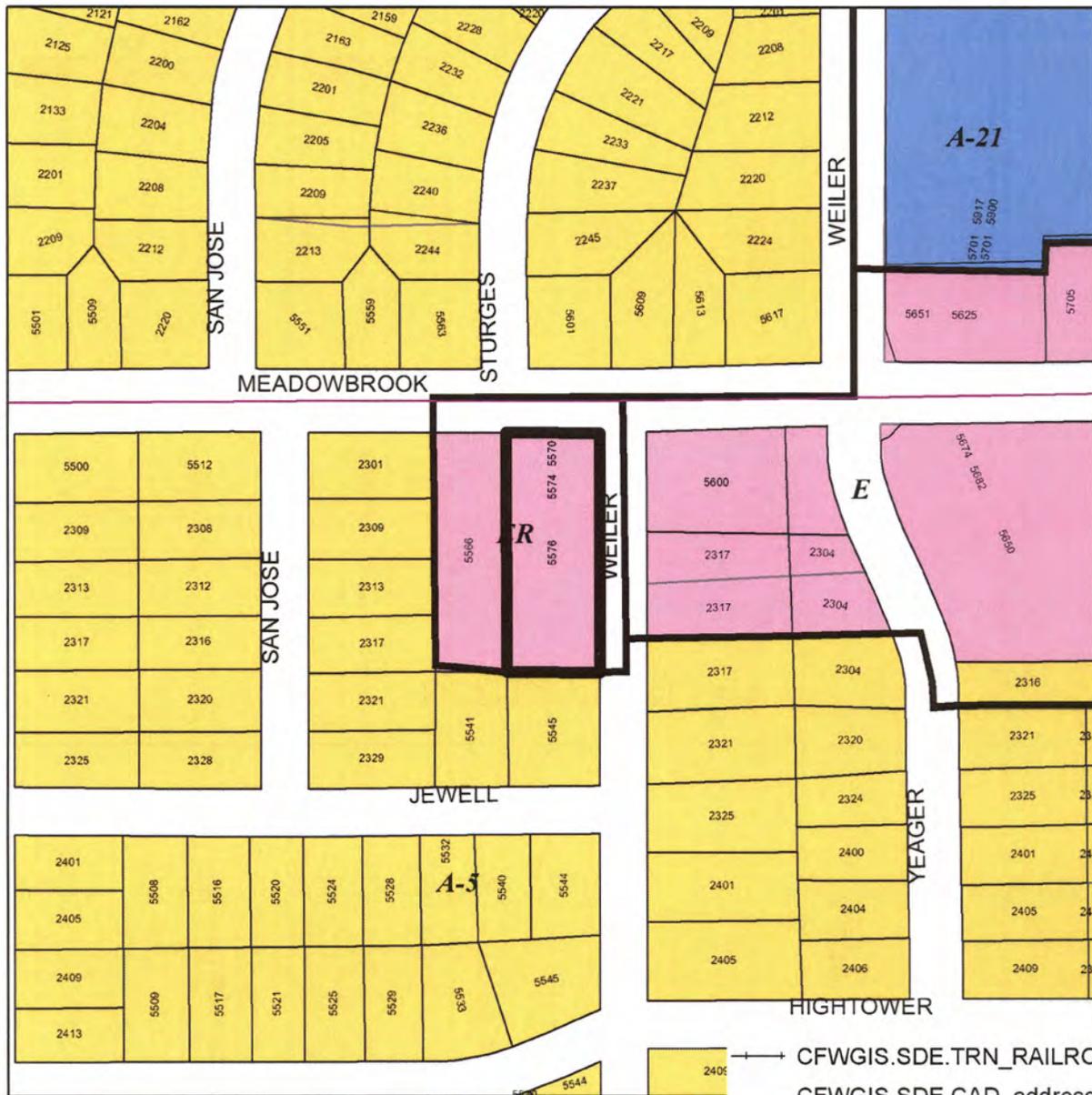
 300 Ft. Notification Buffer



# FORT WORTH

## Future Land Use

ZC-13-051



CFWGIS.SDE.TRN\_RAILROADS  
CFWGIS.SDE.CAD\_addresses

- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- ▬ Freeways/Toll Roads
- ▬ Proposed Freeway/Toll Road
- ▬ Principal Arterial
- ▬ Proposed Principal Arterial
- ▬ Major Arterial
- ▬ Proposed Major Arterial
- ▬ Minor Arterial
- ▬ Proposed Minor Arterial
- ▨ Flood Plain

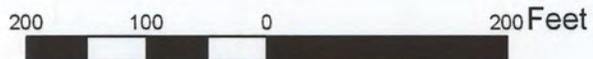


A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Sect. 219.005) Land use designations were approved by the City Council on March 5, 2013.





## Aerial Photo Map



- Chapter 4 “Zoning Districts” to amend Article 4, “Overlay Districts”, Sections 4.401.H. “Designation as Highly Significant Endangered” (“HSE”);
- Section 4.401.I. “Designation as Historic and Cultural Overlay Landmark” (“HC”);
- Section 4.401.J. “Designation of Demolition Delay” (“DD”) to clarify the process for removal of the Historic Designation

*To review the proposed amendments:*

<http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

Dana Burghdoff, Deputy Director explained the Historic text amendment to the Commissioners. Ms. Burghdoff mentioned the HCLC has had their public hearing on this and voted to approve.

Motion: Following brief discussion, Mr. Hollis recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

**7. ZC-13-051 Duong Thuan (CD 8) 5570 Meadowbrook Drive (Forty Oaks Addition, Block 4, Lots J & K , 0.57 Acres): from “ER” Neighborhood Commercial Restricted to “E” Neighborhood Commercial**

Duong Thuan, 2808 Fossil Run, Fort Worth, Texas explained to the Commissioners he would like to rezone the property to E to allow for more types of businesses.

Ms. Conlin asked what use he is proposing in E that can’t be done in ER. Mr. Thuan said he has had several customers request him to change it to E for retail merchandise sales.

Mr. Hollis said if he understands correctly, his tenants want him to change it to E. Mr. Thuan said yes but he does not know what the use is.

Mr. Flores asked if they were to grant the zoning what he would do differently. A gentleman in the audience tried to help with the language interpretation. He noted the business wanted is general retail. Ms. Murphy explained a general merchandise store is not allowed in ER. Ms. Burghdoff asked how they are listed in the use table. Ms. Murphy said retail sales and service is a general category and general merchandise store is a specific use in that category and is not permitted in ER.

James Bews, 1709 Watson Street, Fort Worth, Texas representing the Central Meadowbrook NA spoke in opposition. Mr. Bews said they have not talked to the neighborhood about what they are proposing. There is an existing church and nail salon in the strip center. He believes they want E zoning for alcohol sales. They do not want alcohol sales close to the Eastern Hills High School or in the neighborhood.

Mr. Flores mentioned for clarification if he is wanting them to deny the E and not the ER zoning request. Mr. Bews said yes.

Mr. Edmonds noted the applicant might not have known the process of working with the neighborhood prior to him bringing in a zoning application and asked if the neighborhood would

be willing to meet with the applicant. Mr. Bews said yes as long as he could come to one of the neighborhood meetings and that the next meeting is Tuesday May 7, 2013.

Ms. Conlin asked if he was willing to meet with the neighborhood. Mr. Thuan said yes he would.

Motion: Following a brief discussion, Mr. Conlin recommended a 30 day continuance of the request, seconded by Mr. Edmonds. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-13-051
Name	Address	In/Out 300 notification area	ft Position on case		Summary
James Bews/Central Meadowbrook NA	1709 Watson St.	Out	Opposition		Spoke at hearing
Janet Kennedy	5024 Norma St.		Opposition		Present but did not speak
Dale Brock	5520 Jewell Ave.	In		Support	Sent letter in

**8. ZC-13-053 LTT Investment Corp (CD 4)- 3820 Marigold (D W Dixon Addition, Block, Lot 2, 0.12 Acres): from "A-7.5" One-Family to "ER" Neighborhood Commercial Restricted**

Trinh Le, 1504 N. Riverside, Fort Worth, Texas with LTT Investment Corporation explained to the Commissioners he is requesting ER to turn the house into an investment office. He did mention he met with the Carter Riverside NA and they were in support.

Mr. West wanted to note for the record a letter of opposition was submitted.

Motion: Following brief discussion, Mr. Edmonds recommended approval of the request, seconded by Ms. Conlin. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-13-053
Name	Address	In/Out 300 notification area	ft Position on case		Summary
Terri McIlraith/Carter Riverside	1801 Bolton St.	Out		Support	Sent letter in
SR Davidson FLP	3817 Marigold	In	Opposition		Sent letter in

**9. ZC-13-054 Octapharma Plasma Inc. (CD 8)- 2549 Newark Avenue and 2552 Sargent Street (Weavers Subdivision, Block, Lots L & K, 0.40 Acres): from "A-5" One-Family to "PD/MU-1" Planned Development for Low Intensity Mixed Use plus parking lot; site plan included**