



Zoning Staff Report

Date: September 13, 2022

Case Number: ZC-22-103

Council District: 9

Zoning Map Amendment

Case Manager: [Beth Knight](#)

Owner / Applicant: Up DFW Properties LLC/ Luis Pena

Site Location: 4437 & 4441 Wayside Avenue

Acreage: 0.3 acres

Request

Proposed Use: Duplex

Request: From: "A-5" One-Family

To: "B" Two-Family

Recommendation

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

Comprehensive Plan Consistency: Requested change **is not consistent (Technical Inconsistency)**

Staff Recommendation: **Approval**

Zoning Commission Recommendation: **Approval by a vote of 6-0**

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Project Description and Background

The subject property is located at the northeast corner of Wayside Avenue and W. Gambrell Street, adjacent to a BNSF Railroad line, and is currently two vacant residential parcels. Single family homes were noted on the lots in the 1981 historical aerials, but were demolished by 1990. No issued building permits were found since 2001, reflecting a lack of development interest in the site.

The present owner is listed as the intended developer of the property on the application. The proposal to rezone this lot would change the current “A-5” zoning allowing one (1) single family dwelling unit to “B” zoning allowing one (1) duplex unit containing two (2) dwelling units. The lot are approximately 5,800 square feet and 6,800 square feet, and can be developed with two (2) attached units. Neither site is large enough to build two (2) detached units. Other “B” standards are 50% maximum building coverage on the lots, approximately 30-foot front yard setback matching setbacks north of the site, 35-foot maximum height, and 2 parking stalls per dwelling unit behind the front building line.

Surrounding Zoning and Land Uses

North “C” Medium Density Multifamily / 6 unit complex built in 1951
East “A-5” One-Family / vacant land and railroad line
South “A-5” One-Family / single-family residences
West “A-5” One-Family / single-family residences

Recent Zoning History

- ZC-17-197, subject site and surrounding area, Council-initiated from various districts to A-7.5, A-5, CF, ER, E, approved 12/6/2017.
- ZC-21-219, north and east of subject, from CF to A-5 and C, approved 2/7/2018.

Public Notification

300-foot Legal Notifications were mailed on June 24, 2022.
The following organizations were notified: (emailed June 30, 2022)

Organizations Notified	
Las Familias de Rosemont NA	Streams and Valleys Inc
South Hills NA*	Trinity Habitat for Humanity
Fort Worth ISD	

* Located within this registered Neighborhood Association

Land Use Compatibility

The applicant is requesting to change the zoning of this property from “A-5” One-Family District to “B” Two-Family, which would allow two (2) attached duplexes, based on the lots’ dimensions. Although most homes in this area are single family residential, the property is directly adjacent to an older small apartment complex with recently approved zoning to the north. To the east, west, and south are road or railroad rights-of-way that separate the subject site from the neighboring single family properties. Additionally, two (2) transit lines run within a block or two of this site (Trinity Metro bus routes 6 & 29), which supports slightly more intensive development than the current “A-5” One-Family zoning.

Based on proximity to transit, no direct adjacency to neighboring single family uses, and the ability of the duplexes to transition between the existing 6-unit apartment and other residential uses, the proposed zoning **is compatible** with surrounding land uses.

Comprehensive Plan Consistency – TCU/Westcliff

The 2022 Comprehensive Plan currently designates the subject property as Single-Family Residential. This classification is comparable to “A-10”, “A-7.5”, “A-5”, or “AR” zoning. “B” Two-Family zoning for duplexes would be classified as Low Density Residential on the Future Land Use Plan. The difference between Single Family Residential and Low Density Residential is minimal in this location as both have a residential character. Two duplexes would be slightly more intense than two single family residences, but both would be less intensive uses than the adjacent multifamily zoning.

The proposed zoning is not strictly consistent with the land use designation for this area, however the proposed zoning would be in alignment with the following policies of the Comprehensive Plan:

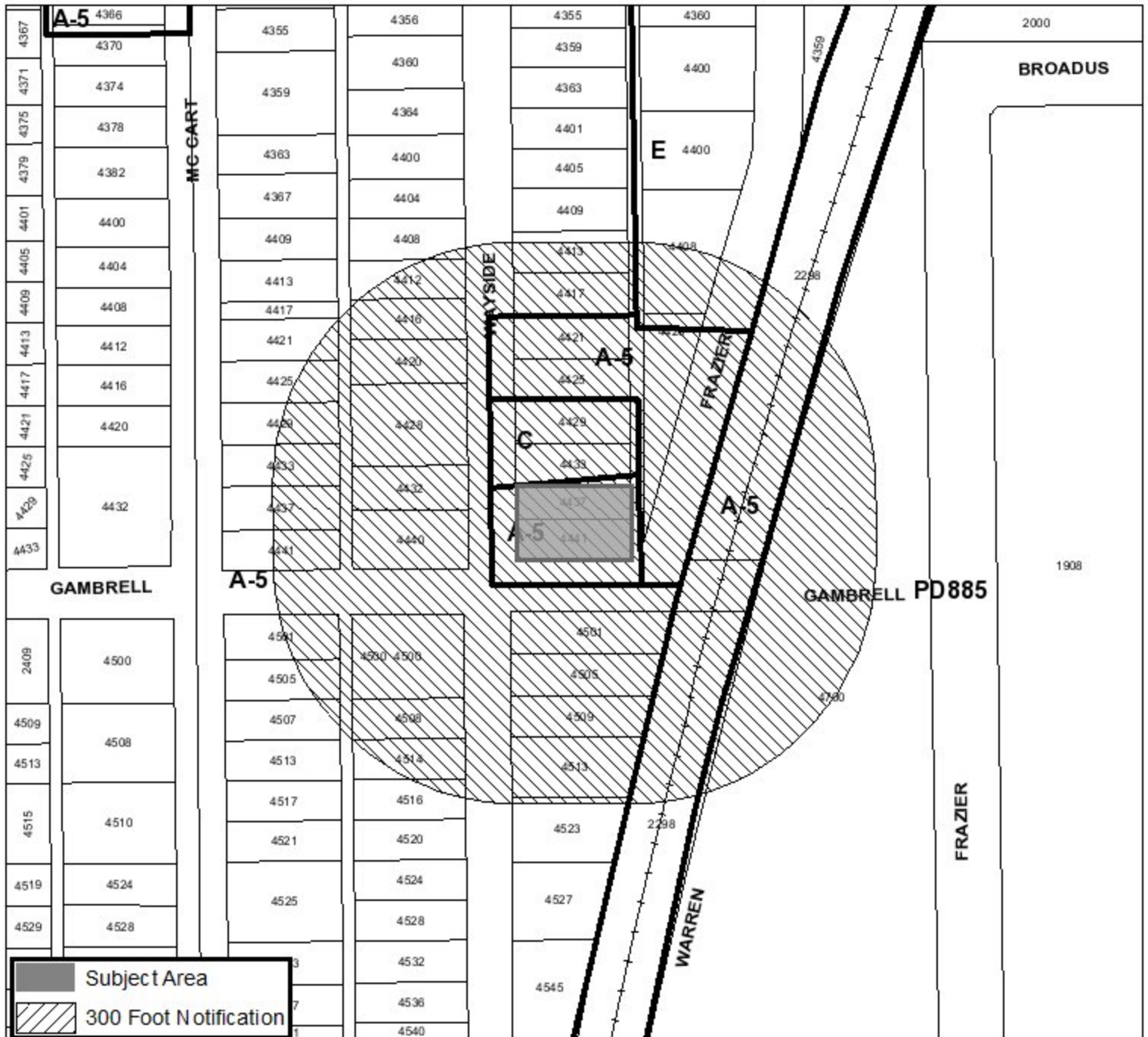
- Encourage Urban Residential and Low Density Residential as transitional uses between Single-Family Residential and high density uses.
- Promote appropriate infill development of vacant lots within developed areas, which will efficiently utilize existing infrastructure, particularly in the central city.
- Encourage locating multiple-unit residential structures on corner lots.
- Support diverse housing options, including duplexes, fourplexes, townhomes, and small courtyard apartments to promote walkable communities, access to neighborhood services, and multimodal transportation options, while ensuring compatibility with the form, scale, and design of existing neighborhoods.

While the proposed use is in conformance with the policies stated above, the proposed zoning **is not consistent** with the Comprehensive Plan Future Land Use designation. If this zoning change request is approved, staff recommends that the Future Land Use Map also be updated to reflect this change.



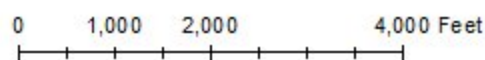
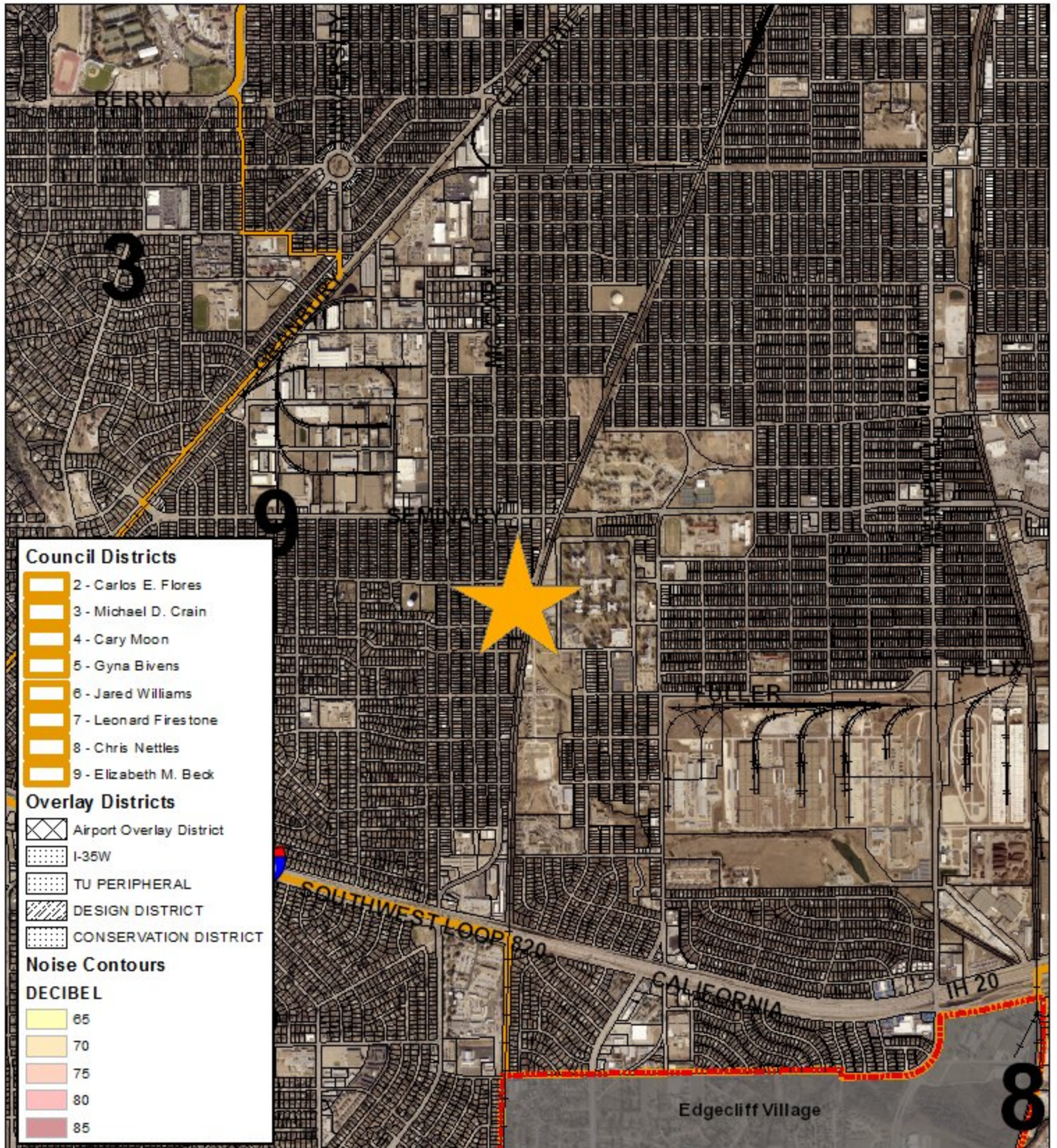
Area Zoning Map

Applicant: Up DFW Properties LLC
 Address: 4437 & 4441 Wayside Avenue
 Zoning From: A-5
 Zoning To: B
 Acres: 0.29203766
 Mapsco: 90K
 Sector/District: TCU/W.cliff
 Commission Date: 7/13/2022
 Contact: 817-392-8190

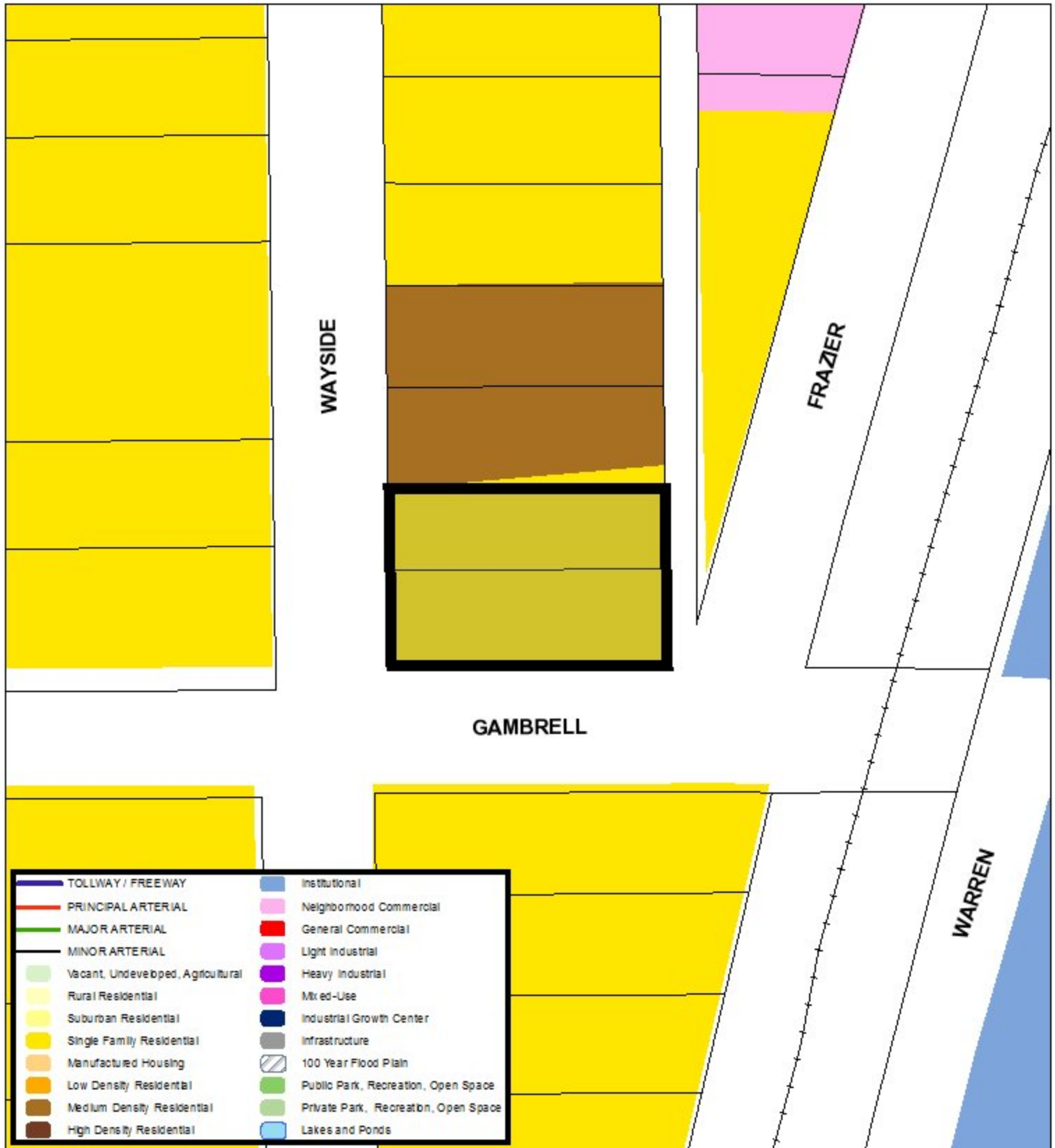


0 87.5 175 350 Feet

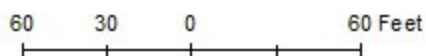
Area Map



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.



Aerial Photo Map



0 40 80 160 Feet

