



Zoning Staff Report

Date: October 17, 2023

Case Number: ZC-23-123

Council District: 2

Zoning Map Amendment & Site Plan

Case Manager: [Beth Knight](#)

Owner / Applicant: Jose Maldonado/Grant Engineering

Site Location: 321 E. Central Avenue

Acreage: 0.22 acres

Request

Proposed Use: Daycare

Request:

From: "PD 130 PD/SU" Planned Development / Specific Use for meeting/reception hall for social functions of members and their guests and/or private parties, including serving and selling alcoholic beverages to such persons; including bingo games, wedding receptions, dances, and other similar activities; no bar, cocktail lounge, nightclub, or tavern for the purpose of selling alcoholic beverages to the general public shall be permitted; site plan waived

To: Amend PD 130 to allow uses in "CF" Community Facilities zoning and development waivers for utilizing on-street parking, maneuvering into the right-of-way, and installing a 5-foot open-design front yard fence are requested; 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 by a vote of 8-0**

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Project Description and Background

The proposed site is a corner lot at Central Avenue and N. Jones Street, less than ¼ mile from the northeast corner of N. Main Street and Northside Drive, generally in the middle of a residential neighborhood. The rezoning area is a single lot with a non-residential building. The proposed use is to amend the Planned Development to include the base zoning district of “CF” Community Facilities allow a daycare; site plan included. Development waivers for utilizing on-street parking, maneuvering into the right-of-way, and installing a 5-foot open-design front yard fence are requested.

The site’s zoning is currently a restrictive Planned Development/Specific Use for only one use, being an event center. “PD 130” Planned Development 130 – Specific Use for an Event Center is primarily located along 14th Street, spanning from Commerce to Jones Streets. The subject site is a non-contiguous lot that was most recently used as a church, since that religious land use is allowed in any zoning district. The applicant has applied to add a base “CF” Community Facilities zoning district to this portion of “PD 130”. Daycares in “CF” Community Facilities districts are allowed by right. Given the site’s location on two residential streets and surrounded by single family uses, “CF” zoning is appropriate to be integrated into a residential setting. Other low-intensive institutional uses would be allowed by right under the revised Planned Development. The remaining portions of “PD 130” on the other end of the residential block would be unaffected by this case.

The site plan shows an approximate 4,000 square foot side yard that meets the ordinance requirements for a 40-child playground with a minimum 5-foot tall fence enclosing the yard on all sides. The new 5-foot fence in the front yard along Central Avenue requires a development waiver. The corresponding five required parking spaces for the daycare are shown to be accommodated within the parkway, which requires development waivers for parking off-site and maneuvering within the right-of-way. However, the site previously did not have any on-site parking spaces, forcing all parking to be along the front yards of the site and the adjacent neighbors. Placing the parking in the atypical 26-foot wide parkway leaves more room for the daycare’s playground. The Trinity River’s linear trails and park are approximately ¼ mile to the east that would provide additional recreation area, if desired. Although the site is exempt from the landscaping ordinance because no additions are proposed for the existing building, the applicants are proposing to add a large canopy trees to the western side of the building.

Surrounding Zoning and Land Uses

North “B” Two-Family, “PD 130” Planned Development 130 – Specific Use for an Event Center / Single family uses
East “B” Two-Family, “K” Heavy Industrial / Single family and industrial uses
South “B” Two-Family, “J” Medium Industrial / Single family and industrial uses
West “B” Two-Family / Single family uses

Recent Zoning History

ZC-19-128: south of site, from B to I, withdrawn.

Public Notification

300-foot Legal Notifications were mailed on August 29, 2023.
The following organizations were notified: (emailed August 24, 2023)

Organizations Notified	
North Side NA *	Fort Worth ISD
Historic Northside Business Association	Trinity Habitat for Humanity
North Fort Worth Historical Society	Tarrant Regional Water District
Inter-District 2 Alliance	Fort Worth Downtown Neighborhood Alliance
Streams and Valleys Inc	

**Located closest to this registered Neighborhood Association*

Development Impact Analysis

Land Use Compatibility

The applicant is proposing to amend the most southern portion of “PD 130” Planned Development 130 – Specific Use for an Event Center by adding the base zoning of “CF” Community Facilities, which would allow a daycare by right. Surrounding land uses consist entirely of other residential uses in residential zoning. The existing building is not shown to be expanded. The side yard of approximately 4,000 square feet could accommodate playground space for 40 children. Space is being added in the parkway to provide the required parking spaces, as the location does not have any existing parking spaces on-site. Additionally, the applicants are proposing to add a large-canopy trees to the western side of the building, where the site currently contains no trees. Having daycares integrated into neighborhoods allows for child care near the child’s home. The parking development waivers are triggered by the lack of existing parking on the site, which the applicant is proposing to cure, as well as upgrading the current chain-link front yard fence to open-design material. The proposed zoning request **is compatible** with surrounding land uses due to the low intensive use the daycare or other institutional uses, as well as adding the required parking spaces, plus voluntary tree canopy area.

Comprehensive Plan Consistency–Northside Sector

The 2023 Comprehensive Plan currently designates the subject property as “Institutional” on the Future Land Use Map, where community facilities that support residential uses are encouraged. The proposed zoning is consistent with the land use designations for this area, and with the following policies of the Comprehensive Plan:

- Encourage new development adjacent and connected to previously developed or platted areas in order to utilize existing utility and road infrastructure and services, thereby optimizing public and private investments and discouraging sprawl development.
- Preserve the character of rural and suburban residential neighborhoods.

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

Site Plan Comments

Zoning and Land Use

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations.

1. Please legal description to the notes.
2. Add the zoning case number of ZC-23-123 in the lower righthand corner of the plan, below the title.
3. Revise the current zoning near the dates from PA-130 to **PD** 130.
4. Add “Existing” to the label inside the building footprint.
5. Note the existing PD 130 use of PD/SU – Specific Use for an Event Center and the proposed PD for CF uses.
6. Add the number of children to the project summary table.
7. Add the square footage of the playgrounds to either the yards or the project summary table.
8. Please add the parking calculations to the project summary table.
9. If 40 children or less are proposed, only 5 parking spaces are required, including the ADA space. Please remove the 7th eastern-most parking space.
10. Please lighten the concrete symbol for the proposed concrete areas so the labels can be more easily read.
11. Add a note that roll-off containers will be used, instead of a dumpster.
12. Note the land uses on all adjacent lots, as well as the land uses and zoning across the streets.
13. Change the fence type from “wrought iron” to “open-design” in all areas of the site plan and remove Note #5.
14. Please change the first 10 feet of the wood fence at the southwest corner by the alley to open-design to reduce the visibility issues.
15. Parking is required on-site, instead of in the parkway. **Note in bold that a waiver to the on-site parking requirements is requested.**
16. Maneuvering to and from the parking space is required on-site, instead of in the right-of-way. **Note in bold that a waiver to the on-site maneuvering requirements is requested.**
17. A 5-foot open design fence in the front yard is required to have a Special Exception approval. **Note in bold that a waiver to the Special Exception requirements is requested.**

Transportation/Public Works

1. The parking in the parkway is acceptable.
2. Remove the eastern-most space if the site is over-parked.

(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.)

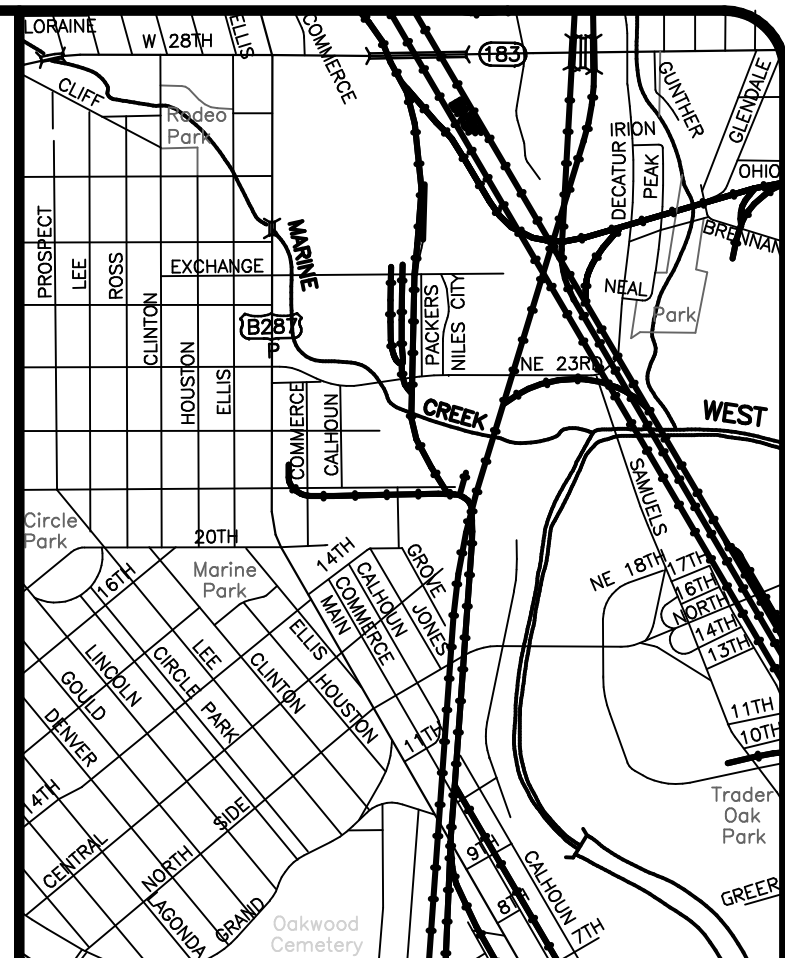
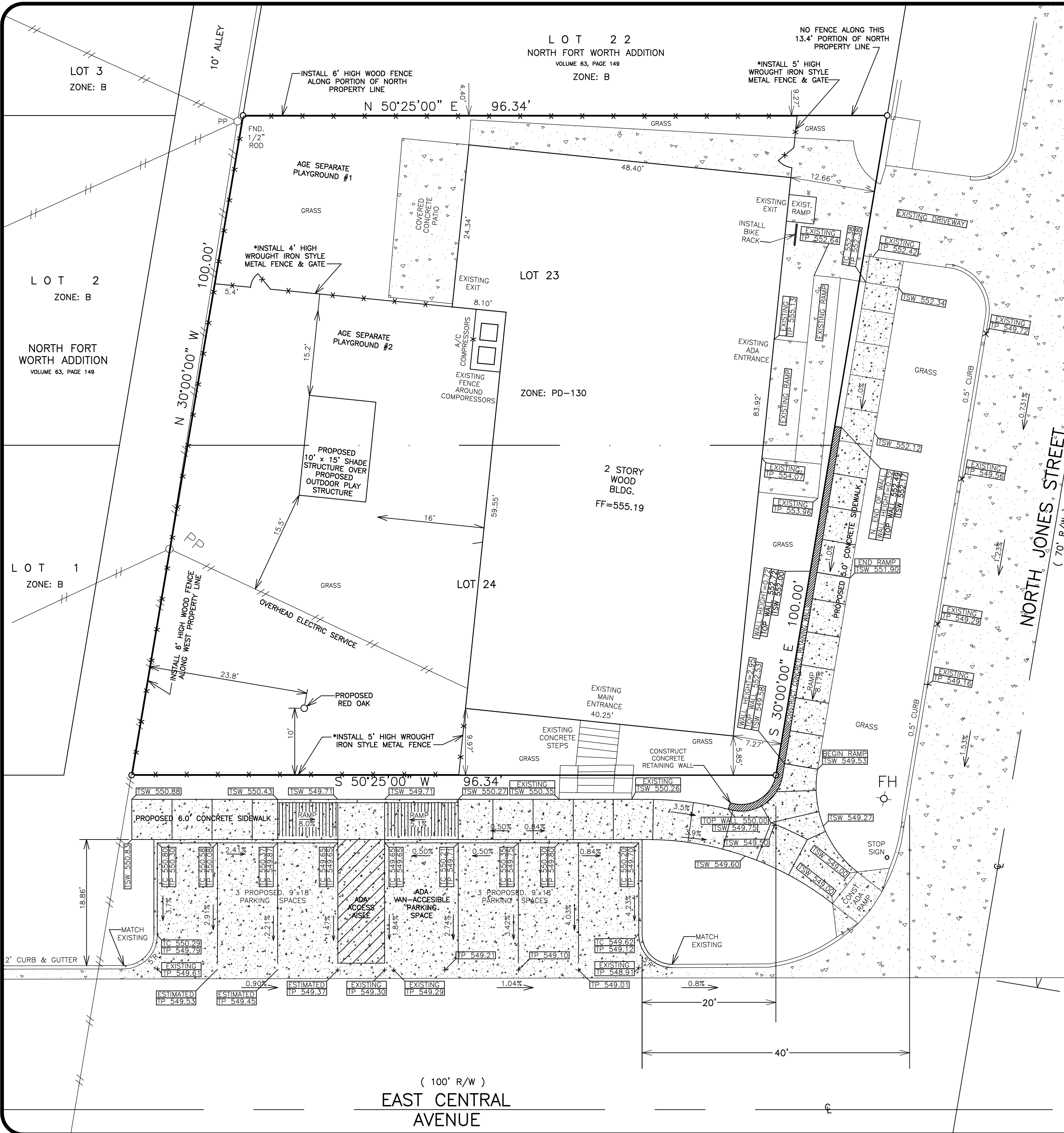


Area Zoning Map

Applicant: Jose Maldonado/Grant Engineering
 Address: 321 E. Central Avenue
 Zoning From: PD 130
 Zoning To: Amend PD to base zoning E to include Daycare use
 Acres: 0.22012603
 Mapsco: Text
 Sector/District: Northside
 Commission Date: 9/13/2023
 Contact: 817-392-8190



0 87.5 175 350 Feet

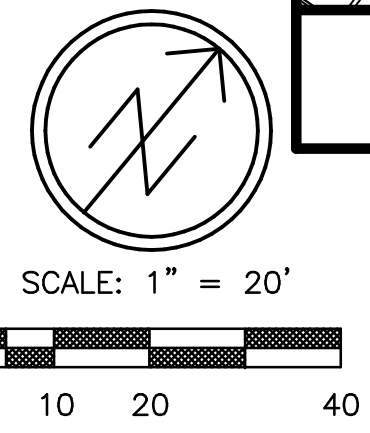


SITE MAP

SCALE: NONE

SURVEYOR/ENGINEER:
 JOHN A. GRANT, III, P.E., R.P.L.S.
 GRANT ENGINEERING, INC.
 2751 PARK HILL DRIVE
 FORT WORTH, TX 76109
 817-923-3131
 jagrant3@aol.com

OWNER: JOSE CARMEN MALDONADO
 2020 TAM O'SHANTER DRIVE
 FORT WORTH, TX 76111
 817-495-8426



GENERAL NOTES:

1. THIS PROJECT WILL COMPLY WITH SECTION 6.301, LANDSCAPING.
2. THIS PROJECT WILL COMPLY WITH SECTION 6.302, URBAN FORESTRY.
3. ALL SIGNAGE WILL CONFORM TO ARTICLE 4, SIGNS.
4. ALL PROVIDED LIGHTING WILL CONFORM TO THE LIGHTING CODE.
5. **"WROUGHT IRON" REFERS TO THE STYLE OF FENCE. ALUMINUM OR STEEL MAY BE USED.

LAND USE, EXISTING	CHURCH
LAND USE, PROPOSED	CHILD CARE CENTER
GROSS FLOOR AREA:	3,576 s.f.
NUMBER OF STORIES:	2
BUILDING HEIGHT:	24 FEET
EXTERIOR CONSTRUCTION MATERIALS:	5% BRICK; 95% WOOD SIDING

DIRECTOR OF DEVELOPMENT SERVICES _____ DATE _____

FIRM REGISTRATION F-4313

CITY OF FORT WORTH
CUDDLES & CRAYONS
 321 E. CENTRAL AVENUE

SITE PLAN / GRADING PLAN

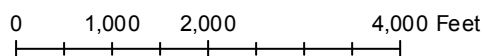
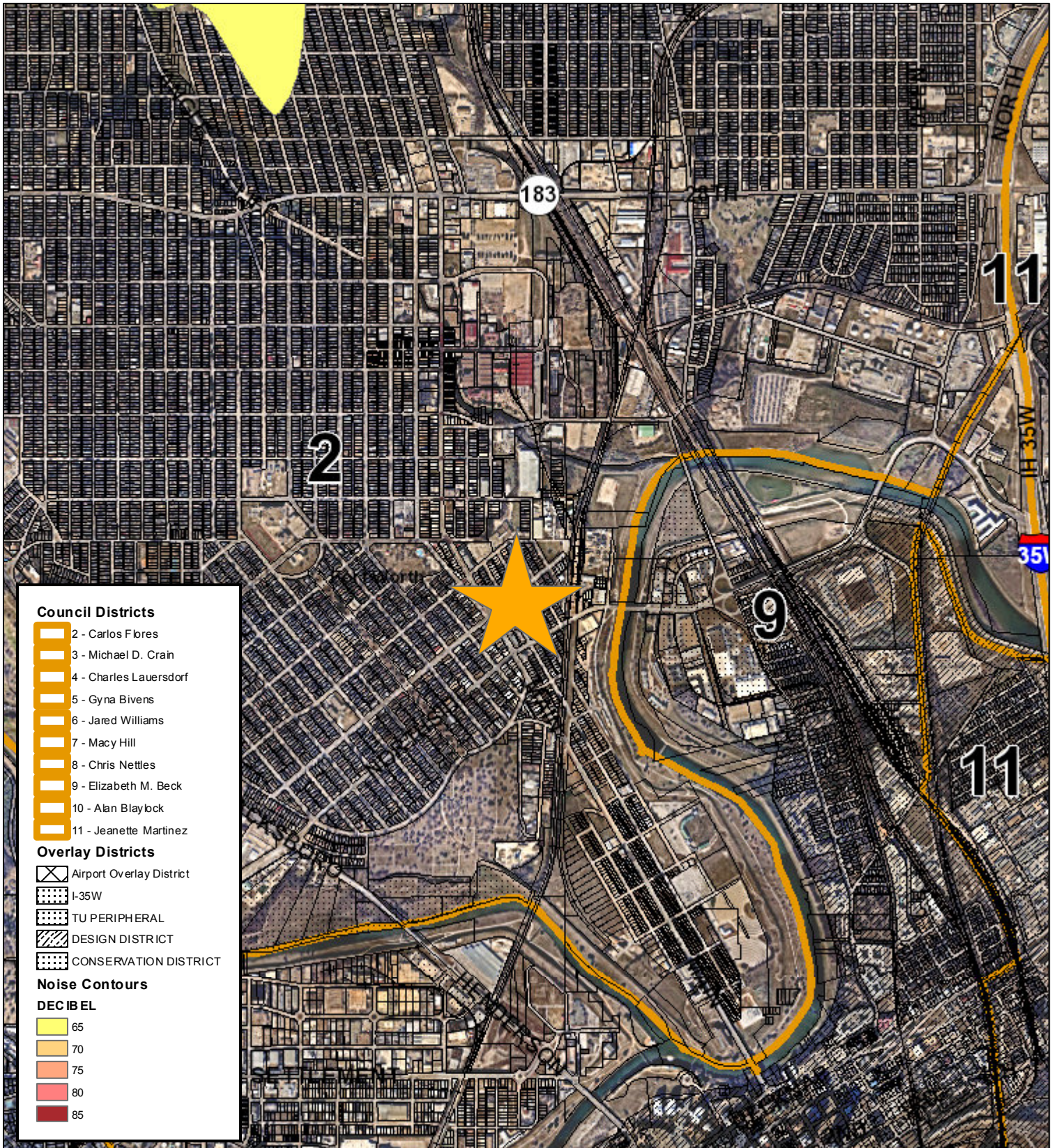
GRANT ENGINEERING, INC.

ENGINEERS SURVEYORS PLANNERS
 3244 HEMPHILL FORT WORTH, TEXAS 76110 817-923-3131

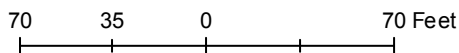
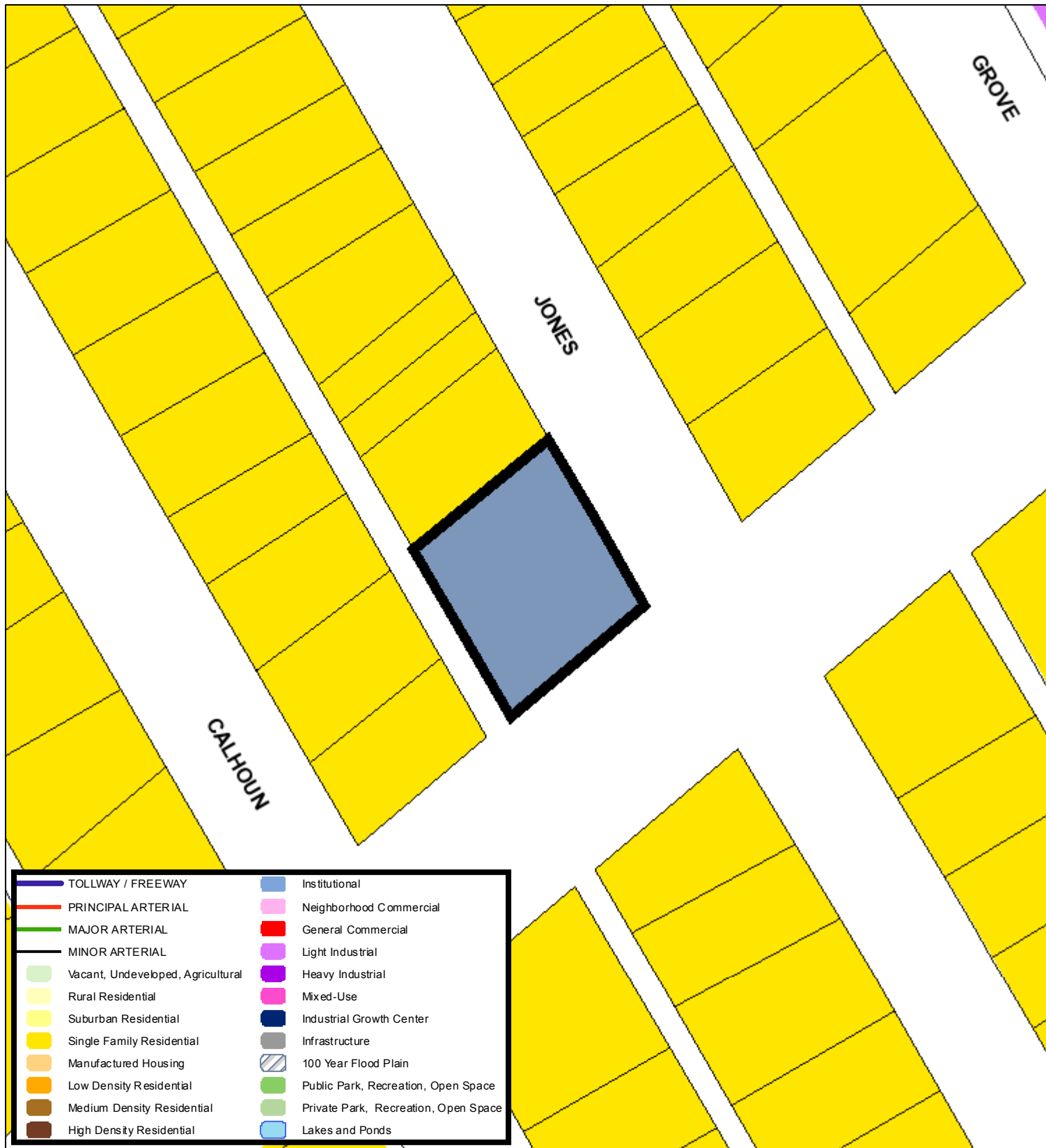
DESIGNED	DBR	SCALE	1" = 20'	JOB NO.	12341	SHEET	OF
DRAWN	DBR	DATE	1-24-23				
CHECKED	JAG						

REVISED: 3-30-23; 6-5-23; 7-10-23; 8-24-23 PA-130 (AMENDED)

Area Map



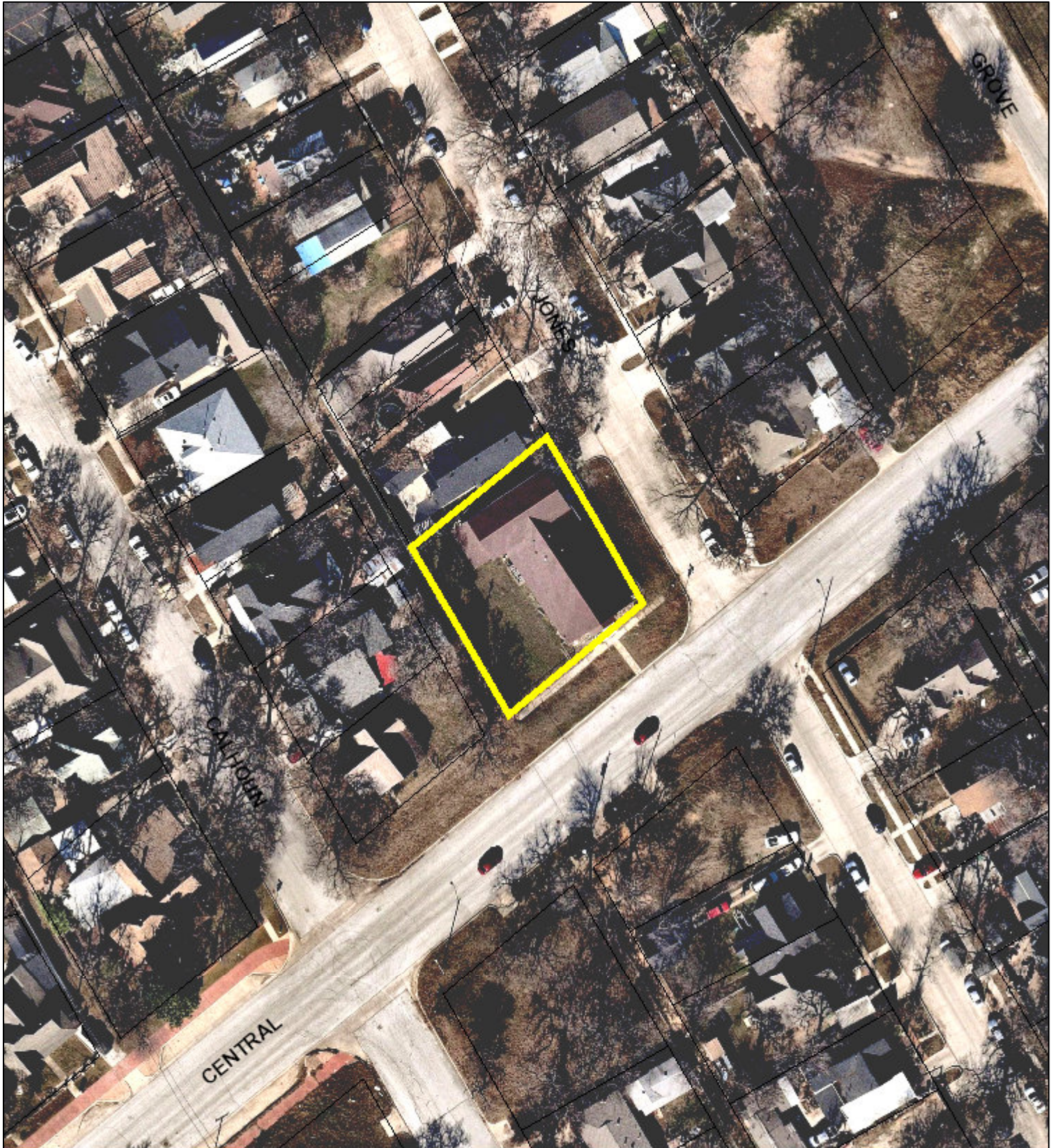
Future Land Use



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 6, 2018.



Aerial Photo Map



0 45 90 180 Feet

