



Zoning Staff Report

Date: June 27, 2023

Case Number: ZC-23-081

Council District: 3

Zoning Map Amendment

Case Manager: [Shad Rhoten](#)

Owner / Applicant: Paulette Byar / Katim Endeavors, Inc.

Site Location: 3005 Merrick Street

Acres: 0.45 acres

Request

Proposed Use: Day Care Center

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

To: "CF" Community Facilities District

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 6-0**

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Project Description and Background

The applicant is proposing to zone the subject site to “CF” Community Facilities District to allow the existing building to be re-occupied for a day care center. This site was previously occupied and used as a church, and is currently zoned “A-5” One Family residential. A church (place of worship) is a permitted use in “A-5”; however, the operation of a day care center is prohibited. Therefore, the applicant seeks this zoning change to accommodate the proposed reuse of the site.

In addition to the bulk and area requirements of the CF District, a day care center must also adhere to the following supplemental standards per Zoning Ordinance, Chapter 5, Article 1, Section 5.111:

- Prior to deciding upon any application, the city council may require a report from the health department, fire department, traffic engineering department and planning and development department, and such other agencies as the city council may specify, and shall verify or require that such day care center or kindergarten shall comply with state statutes and other applicable City of Fort Worth ordinances.
- Outdoor play area of not less than 100 square feet shall be furnished for each child authorized by state license to be cared for on the premises. Such play area shall be located in the side or rear yards and shall be completely enclosed by a fence or wall that meets the requirements of § 5.305. When the city council finds that additional fencing or screening is necessary or desirable to protect the children cared for and the adjacent properties, it shall require such fencing or screening as a condition of approval.
- Off-street parking shall be furnished in the minimum amounts required in Chapter 6, Article 2.
- Hours of operation are limited to 6:00 a.m. to 8:00 p.m.

Surrounding Zoning and Land Uses

North “A-5” One Family Residential / single family
East “A-5” One Family Residential / single family
South “C” Medium Density Multi-Family / duplex
West “A-5” One Family Residential / single family

Recent Zoning History

- ZC-19-155 – City initiated rezoning encompassing multiple acres, generally bounded by the West Freeway (I-30), Neville Street, Como Drive, and Bryant Irvin Road. The subject property was zoned to “A-5”.

Public Notification

300-foot Legal Notifications were mailed on May 26, 2023.
The following organizations were emailed on May 30, 2023:

Organizations Notified	
West Side Alliance	Como NAC*
West Byers NA	Sunset Heights NA
Streams and Valleys Inc	Trinity Habitat for Humanity
Camp Bowie District, Inc	Fort Worth ISD

*Located within this registered Neighborhood Association

Development Impact Analysis

Land Use Compatibility

Although this property is situated in the middle of a primarily residential neighborhood, it has operated as a non-residential use prior. The property does directly adjoin single family to the north; however, it is separated from additional residential properties by Merrick Street to the west, Curzon Avenue to the south and by a public alley dedication to the east. The day care center is classified as an institutional use, similar to a public or private school and should be less intrusive than a commercial activity on the site. Additionally, the supplemental standards do limit the hours of operation from occurring into late evening hours which provides another level of protection to the adjoining residential properties.

The purpose of the community facilities “CF” district is to accommodate those institutional and related uses that are established in response to the health, safety, educational and welfare needs of a neighborhood, community or major sector of the city.

Zoning staff is comfortable with the overall compatibility of this proposed rezoning. Based on the factors stated above, it is staff’s opinion the proposed zoning **is compatible** with surrounding land uses.

Comprehensive Plan Consistency – Arlington Heights

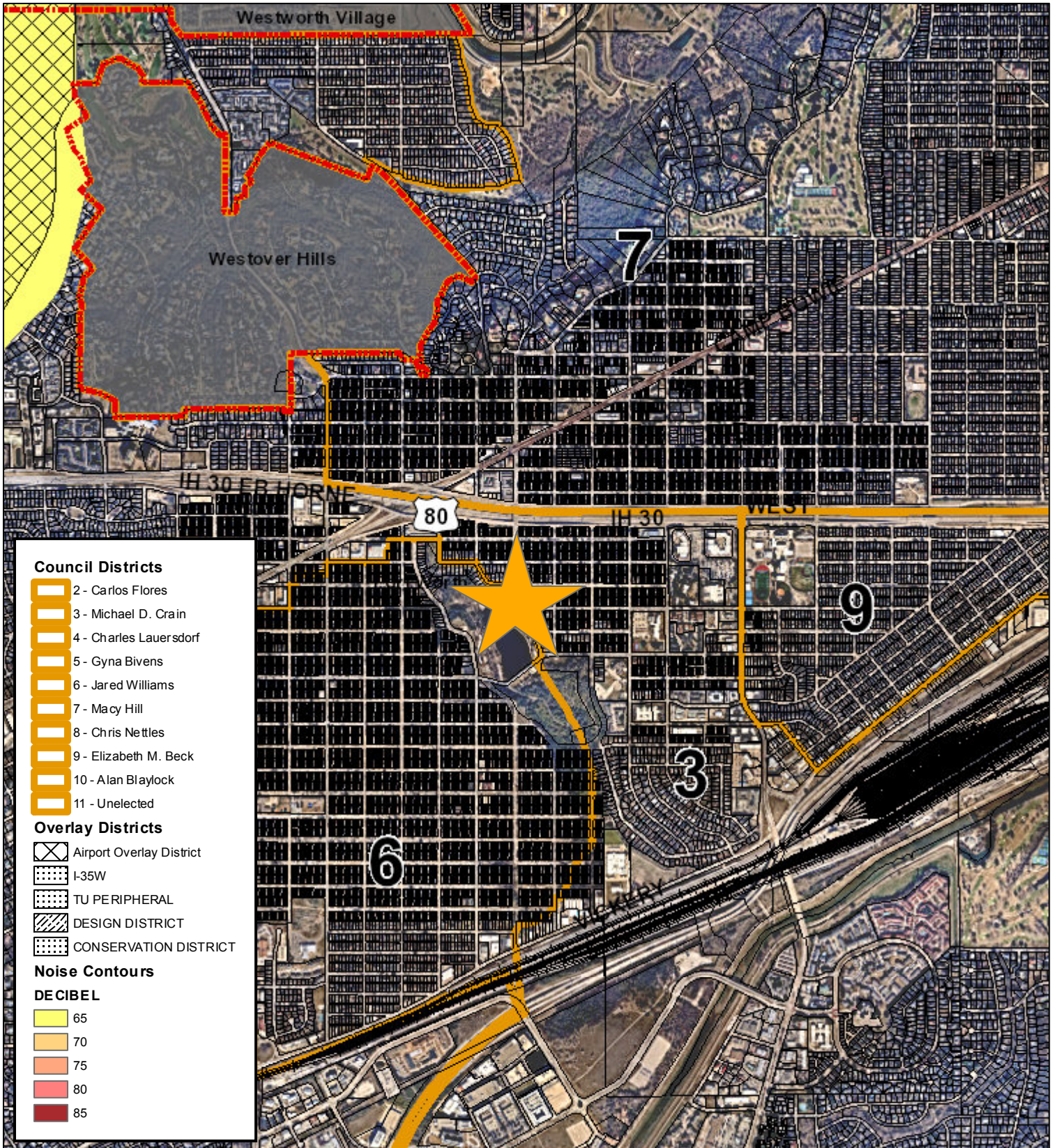
The 2022 Comprehensive Plan currently designates the subject property as future Institutional uses. Institutional uses include schools, churches, government, human services, utilities, community centers and day cares. “CF” is specified as an acceptable zoning classification within future Institutional designated areas.

FUTURE LAND USE AND ZONING CLASSIFICATIONS

FUTURE LAND USE	DEFINITION	ZONING
SPECIAL		
Vacant, Agricultural	Vacant, agriculture lands	AG
Rivers, Lakes, Streams, 100-Year Flood Plain	Water features, 100-year flood plain	ALL
Infrastructure	Railroads, airports, utilities	ALL
Parks, Recreation, Open Space	Public or private recreation, or passive land	ALL
Institutional	Schools, churches, government, human services, utilities, community centers, day cares	Schools and Churches: ALL Others: CF

The proposed zoning of “CF” Community Facilities **is consistent** with the Comprehensive Plan.



Area Map



Council Districts






-  2 - Carlos Flores
-  3 - Michael D. Crain
-  4 - Charles Lauerdorf
-  5 - Gyna Bivens
-  6 - Jared Williams
-  7 - Macy Hill
-  8 - Chris Nettles
-  9 - Elizabeth M. Beck
-  10 - Alan Blaylock
-  11 - Unelected

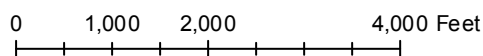
Overlay Districts

-  Airport Overlay District
-  I-35W
-  TU PERIPHERAL
-  DESIGN DISTRICT
-  CONSERVATION DISTRICT

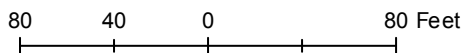
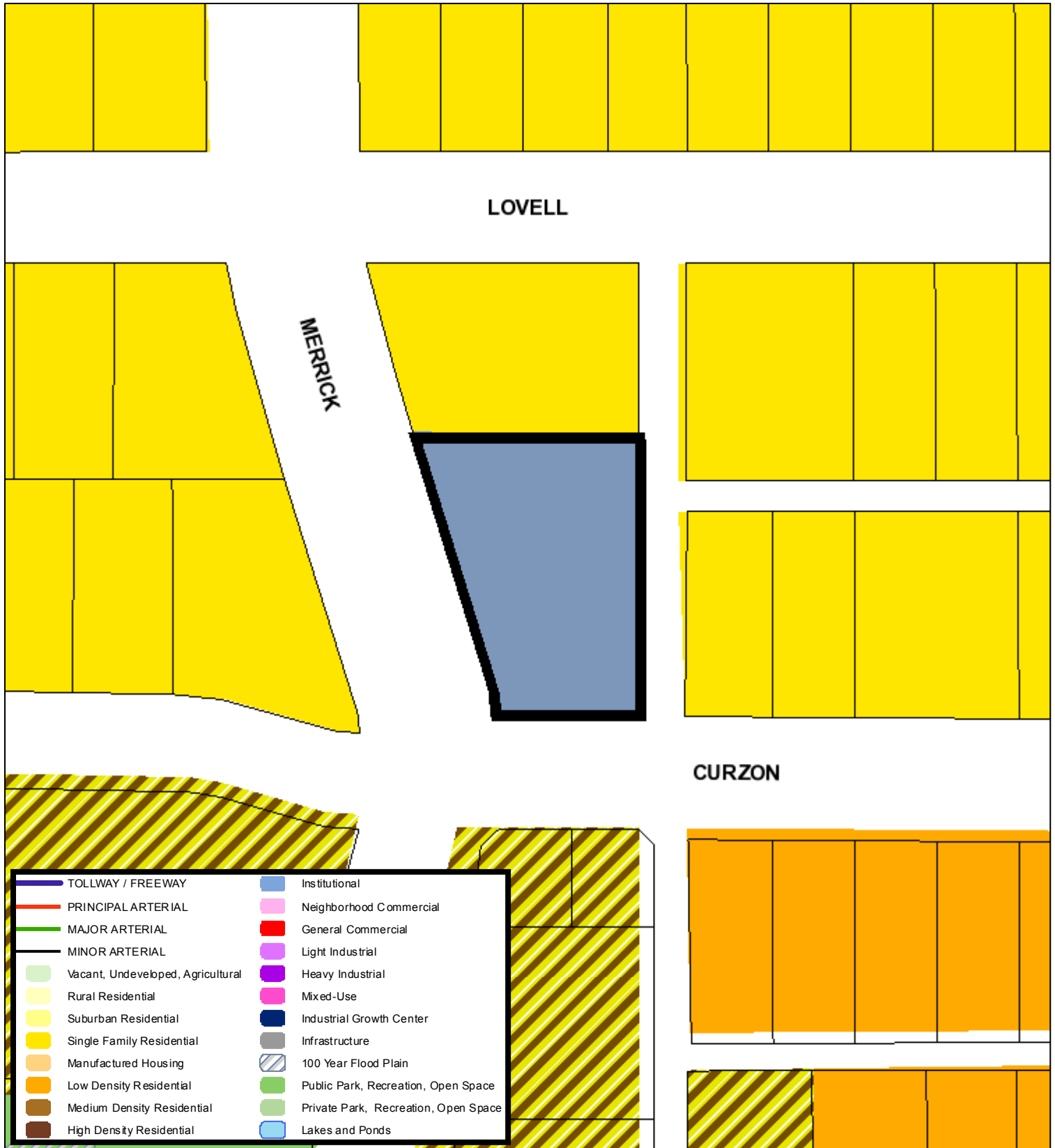
Noise Contours

DECIBEL

-  65
-  70
-  75
-  80
-  85



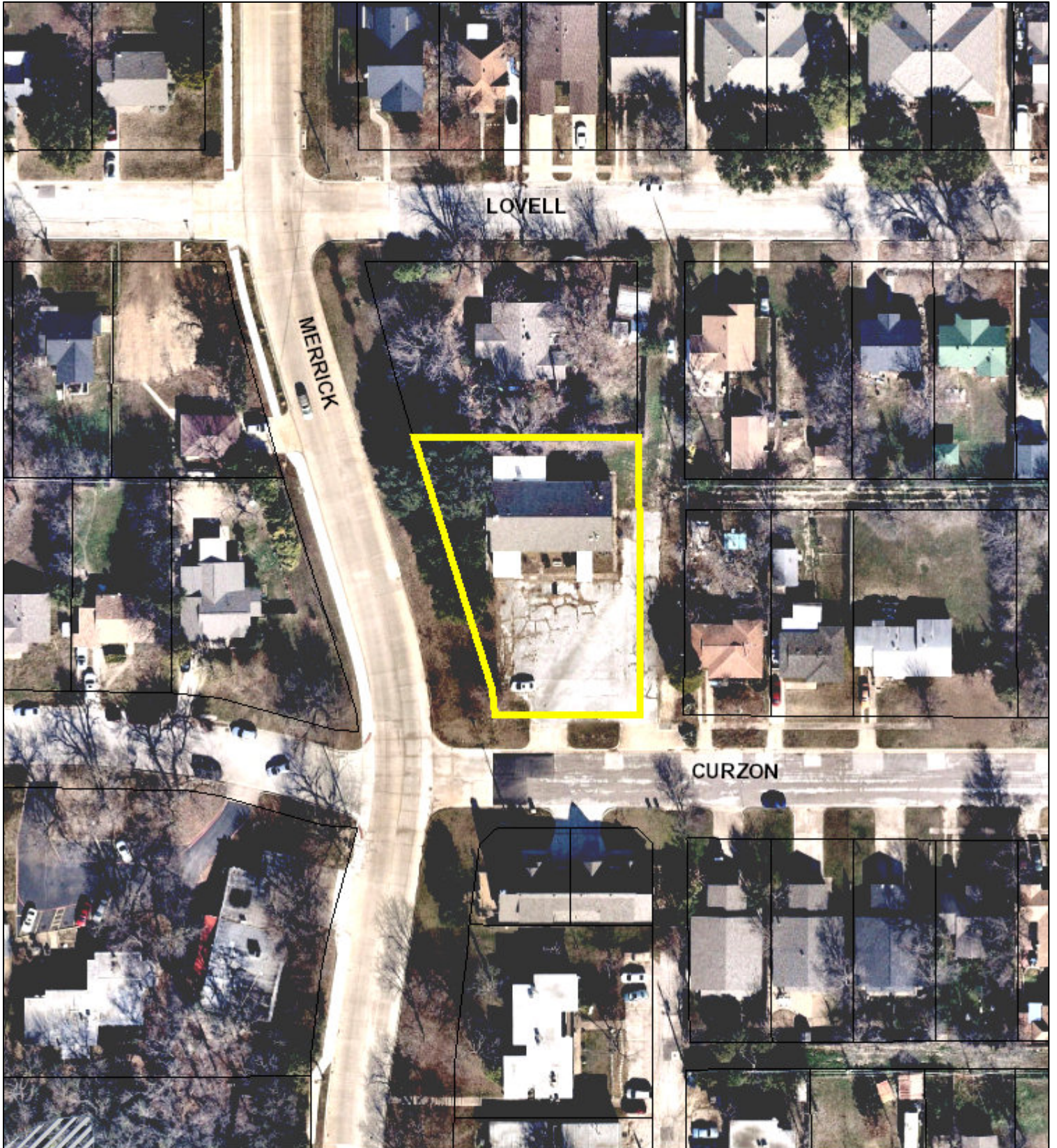
Future Land Use



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 50 100 200 Feet

