



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
June 21, 2016

**Council District** 5

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

**Opposition:** None submitted  
**Support:** One person spoke, 8 letters submitted

Continued Yes \_\_\_ No X  
Case Manager Lynn Jordan  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** Sarkis J Kechejian and Kechejian Enterprises

**Site Location:** 4125 Hardeman Street Mapsco: 77Z

**Proposed Use:** Group Home for Youth

**Request:** From: "E" Neighborhood Commercial  
To: "CF" Community Facilities

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

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

**Background:**

The proposed rezoning site is located north of Hardeman and west of Miller. The applicant is proposing a zoning change from 'E' Neighborhood Commercial to "CF" Community Facilities for a Group Home. The applicant indicated on the application that the use is not for disabled persons.

The 4,680 sf existing structure appears to have been constructed as a church or strip retail facility. The applicant plans to operate a group home for disadvantaged youth. He has explained that up to 10 kids will be in residence full time with two adult supervisors, except during school hours. It is unclear how the remainder of the building will be used, however he explained there will be counselors on hand and training provided to include family visits, so it is expected that the remaining parts of the buildings will be used for offices and meeting rooms.

The property owner lives in the residence zoned A-5 to the west of the property. However, at some point the front yard of the residence was paved as part of the contiguous parking lot for this structure. A 2008 ordinance does not allow more than 50% front yard coverage, however this appears to have been installed before 2001. Commercial parking cannot be on a residential lot, however that is not part of this request and will have to be dealt with through Code Compliance.

At the May 11<sup>th</sup> Zoning Commission meeting, the applicant explained the proposed zoning to "CF" is for a Group Home for Youths between the ages of 12 and 17 with 24 hour care. The applicant also mentioned they also own the vacant lot to the west and about 30 ft. of the property to the north they plan to use for exercise area for the kids. Staff explained to the applicant if they intend on using the vacant lot it would need to be rezoned.

Neighborhood opposition was received. The case was continued to the June 8 ZC meeting to allow time for the applicant to meet and address any concerns from the neighborhood.

Staff did reach out to the applicant and provided contact information on the registered neighborhoods that were notified. At the time of this report the applicant mentioned he was going to reach out to the neighbors and neighborhood. No correspondence has been submitted if there was an outreach from the applicant.

At the June 8<sup>th</sup> Zoning Commission meeting the applicant handed in eight letters of support from surrounding properties. A petition of opposition has been received from the neighborhood; none of the signatures are within 200 feet of the subject property.

**Site Information:**

Owner: Kechejian Enterprises  
 421 E. Airport Frwy  
 Irving, TX 75062  
 Agent: Warden Walter  
 Acreage: 0.37 acres  
 Comprehensive Plan Sector: Southeast  
 Surrounding Zoning and Land Uses:  
 North "E" Neighborhood Commercial / vacant and commercial  
 East "E" Neighborhood Commercial / commercial  
 South "E" Neighborhood Commercial / commercial strip center  
 West "A-5" One-Family / single family and parking lot

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-09-058, Council Initiated Rezoning, various zoning districts, approved by City Council 6-12-09 (subject area)  
Platting History: NA

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Hardeman Street	Residential	Residential	No
Miller Ave	Minor Arterial	Minor Arterial	No

**Public Notification:**

The following organizations were notified:

Organizations Notified	
Echo Heights	Southeast Fort Worth, Inc.
Eastwood Pleasant Glade NA	East Fort Worth, Inc.
Village Creek NA	Trinity Habitat for Humanity
<b>Eastland NA*</b>	Streams And Valleys Inc.
Fairhaven NA	Fort Worth ISD

Located within this neighborhood organization\*

**Development Impact Analysis:**

1. **Land Use Compatibility**

The applicant is proposing a zoning change to "CF" Community Facilities for a Group Home. Surrounding land uses consist of vacant and commercial to the north, commercial to the east and south, and single family to the west

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

2. **Comprehensive Plan Consistency**

The 2016 Comprehensive Plan designates the site as Neighborhood Commercial. The requested zoning is consistent with the following Comprehensive Plan policies:

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 39)

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

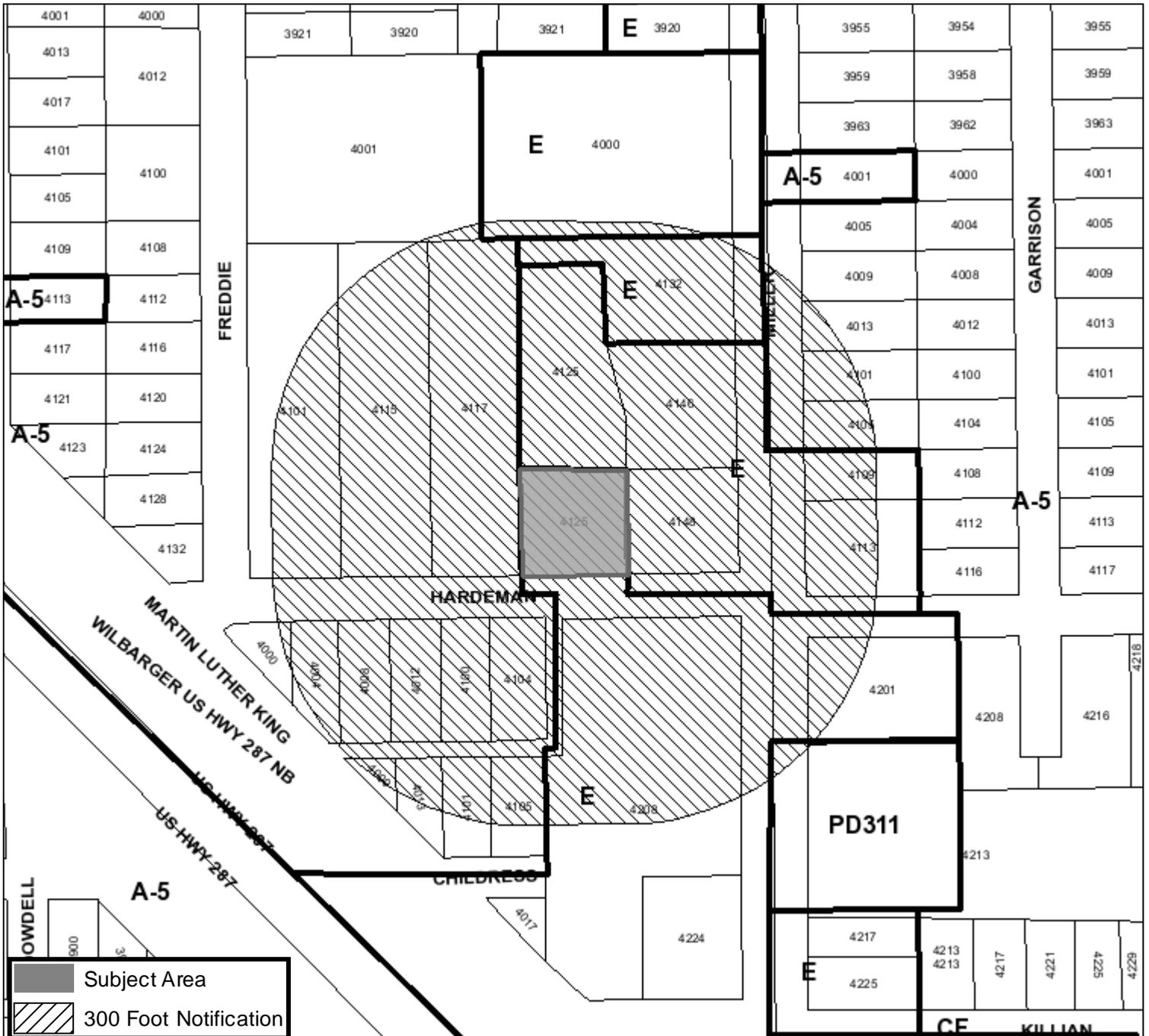
***Attachments:***

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

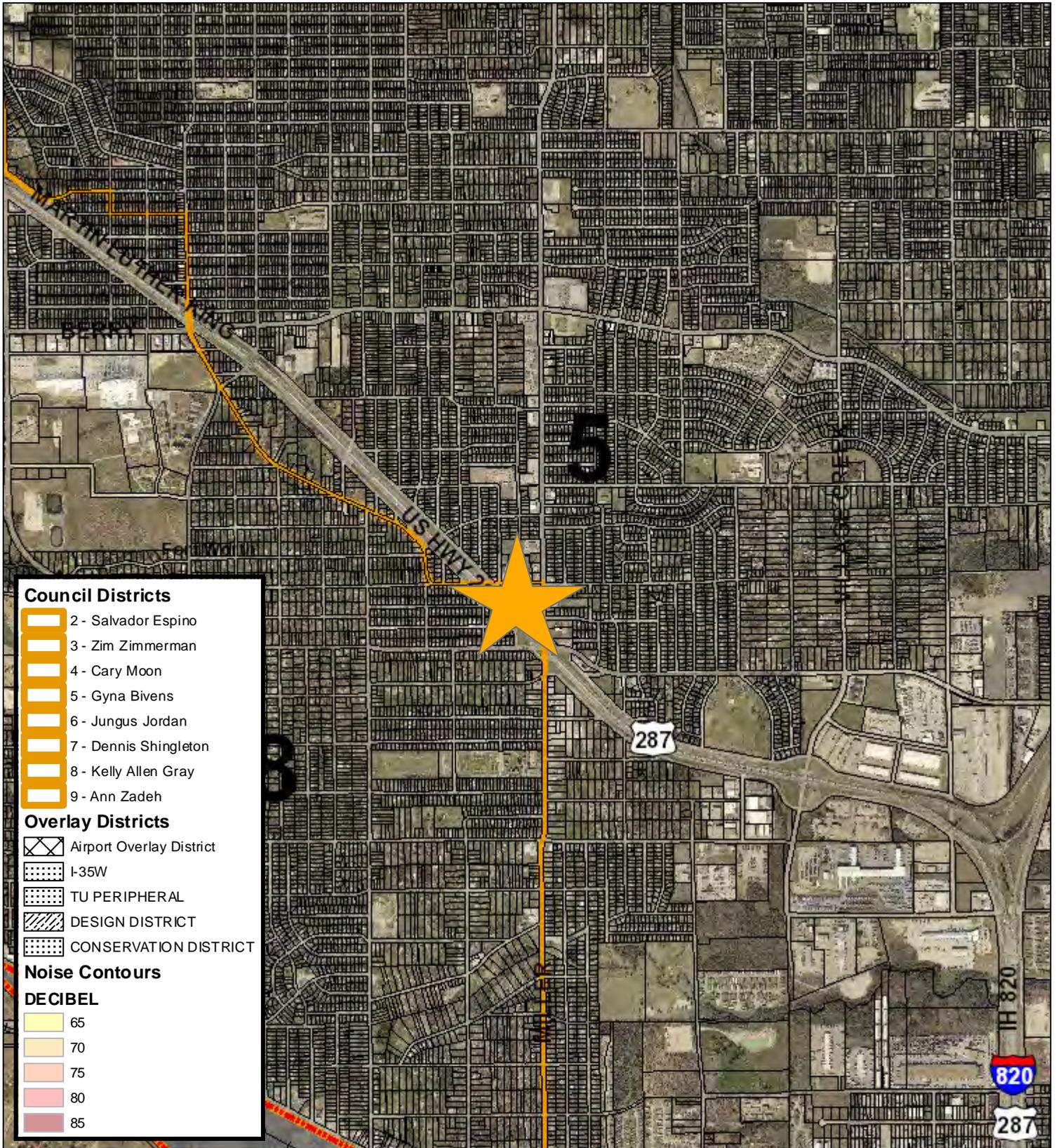


# Area Zoning Map

Applicant: Kechejian Enterprises  
 Address: 4125 Hardeman Street  
 Zoning From: E  
 Zoning To: CF  
 Acres: 0.37603659  
 Mapsco: 78Z  
 Sector/District: Southeast  
 Commission Date: 5/11/2016  
 Contact: 817-392-2495



### Area Map



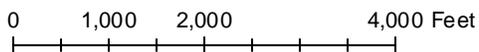
Council Districts	
	2 - Salvador Espino
	3 - Zim Zimmerman
	4 - Cary Moon
	5 - Gyna Bivens
	6 - Jungus Jordan
	7 - Dennis Shingleton
	8 - Kelly Allen Gray
	9 - Ann Zadeh

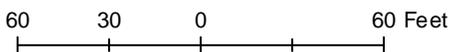
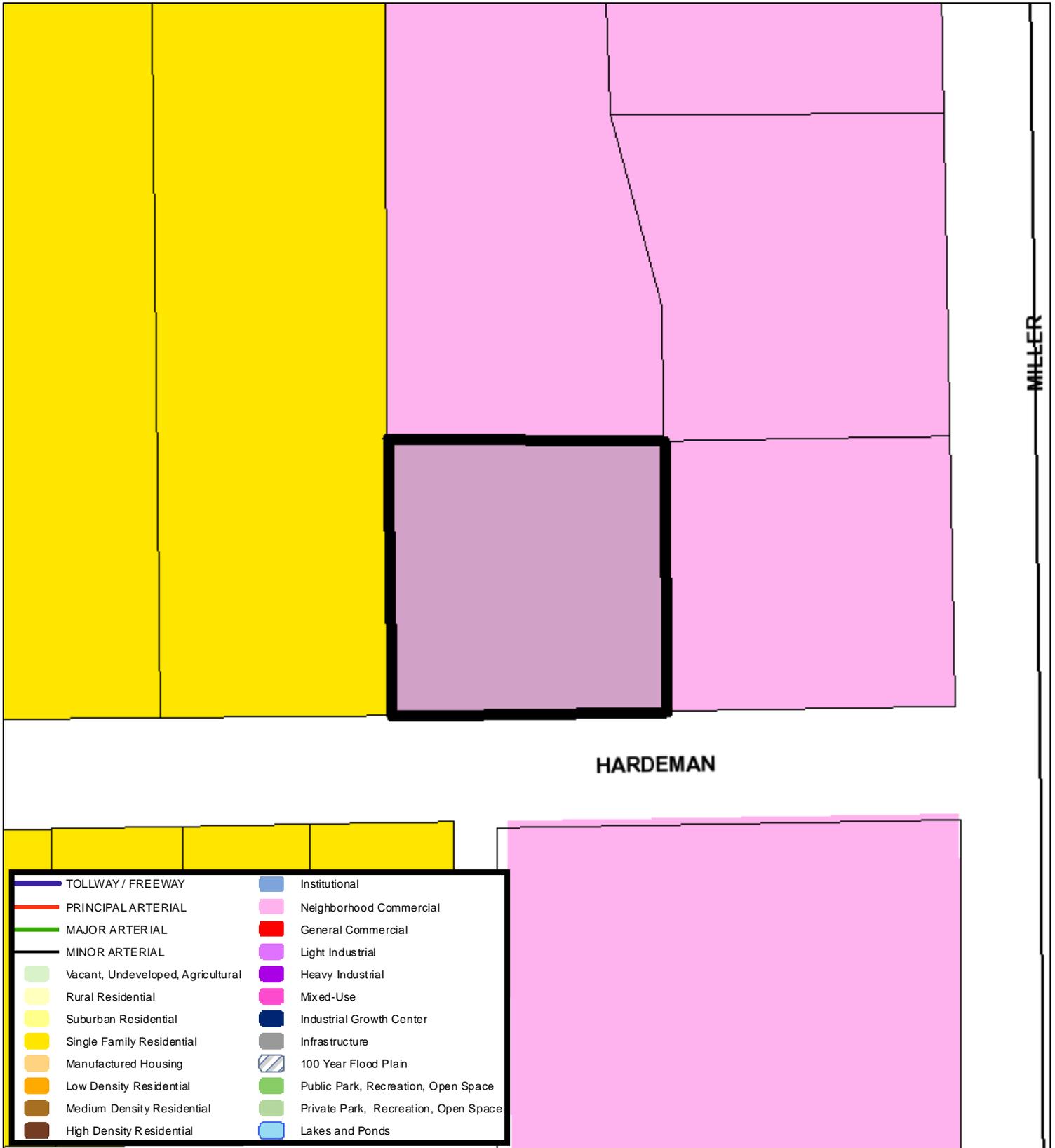
Overlay Districts	
	Airport Overlay District
	I-35W
	TU PERIPHERAL
	DESIGN DISTRICT
	CONSERVATION DISTRICT

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 29, 2016.



Aerial Photo Map



0 37.5 75 150 Feet



**2. ZC-16-093 Sarkis J Kechejian MD and Kechejian Enterprises (CD 5) - 4125 Hardeman Street (Marler Subdivision, Lot 2, 0.37 Acres): from “E” Neighborhood Commercial to “CF” Community Facilities**

Warden Walter, 7412 Ashcroft Circle, Fort Worth, Texas representing Sarkis J Kechejian explained to Commissioners he acknowledges at the previous Zoning Commission meeting he had opposition from neighbors about the project. Mr. Walter commented he has since reached out to those neighbors surrounding the development site. Mr. Walter explained he has received letters of support for the project.

Ms. Conlin commented she has concerns about to age group of boys that would be living at the facility, twelve years old and seventeen years old is a big difference. Ms. Conlin asked Mr. Walter about the number of supervisors required to work at the facility. Mr. Walter explained that he would need three licensed caregivers on the property while the children were awake and two licensed caregivers on the property while the children were asleep.

Ms. Conlin asked what schools the children would be attending. Mr. Walter explained the project site is zoned for the children to attend Dunbar Middle School and Dunbar High School. Ms. Conlin asked if Mr. Walter knew what the children’s scholastic ratings are. Mr. Walter explained he did not know, but the results would come from CPS.

Ms. McDougall commented that she had not seen a site plan for the project. Ms. McDougall also acknowledged that the letters of support were from individuals instead of neighborhood groups.

Ms. McDougall asked Mr. Walter to explain his project in total once more. Mr. Walter explained that his project is a group home for young boys ages 12-17 and that he would need licensed caregivers to be on the property 24 hours a day. Ms. McDougall asked how many boys would be on the property and is it being used as a daycare facility. Mr. Walter mentioned that, by state law, he is allowed to house a total of 16 boys. He has to have the license before he can open up the group home. Ms. McDougall asked what risk level the children were under. Mr. Walter explained that the children are under moderate risk.

Carla Sanders spoke in support of the project. Ms. McDougall asked her about what is going on out there and why the need for security. Ms. Sanders said areas that are condemned invites loitering, having a business there would be better than it being vacant.

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

<i>Document received for written correspondence</i>					ZC-16-093
Name	Address	In/Out 300 notification area	Position on case		Summary
Carla Sanders	440 Pate	Out		Support	Spoke at hearing
Aaron/Mechell Green	5940 McKaskle	Out		Support	Sent letter in

Joella Sample	4529 E. Kellis	Out		Support	Sent letter in
Rev. Whitney	3904 Freddie	Out		Support	Sent letter in
Louise Williams	4459 Moorview	Out		Support	Sent letter in
Gregory Lee	3905 Freddie	Out		Support	Sent letter in
Joe Johnson	3901 Dowdell	Out		Support	Sent letter in
Andrew Bradley	4117 Hardeman	In		Support	Sent letter in
A petition was submitted after the Zoning Commission meeting and can be found in the case file.					

**3. ZC-16-096 Jane White 2011 Irrevocable Trust, West Fork Partners LP (CD 4) – 5300-5600 Blocks E. 1<sup>st</sup> Street (see legal descriptions in case file, 363.48 Acres): from “AG” Agricultural, “C” Medium Density Multifamily, “E” Neighborhood Commercial, “G” Intensive Commercial and D-HR1 Multifamily Highrise to “O-1” Floodplain, “PD/E” Planned Development for neighborhood commercial with a tree planting requirement; site plan waiver requested and “PD/SU” Planned Development/Specific Use for concrete recycling plant and storage with “K” Heavy Industrial development standards; site plan included**

Jeff Davis, Dunaway Associates, 550 Bailey Avenue, Suite 400 Fort Worth, Texas representing Jane White 2011 Irrevocable Trust and West Fort Partners LP explained to the Commissioners he is requesting for a withdrawal of the case. Mr. Davis mentions that the applicant respectfully request the Zoning Commission to deny without prejudice.

Mr. Edmonds asked if after denial with prejudice on the case if the applicant/owner would re-apply for the same zoning a year later. Mr. Davis replied no, not to his understanding.

Roger Diseker, Nolan Catholic School Board, spoke in opposition. His concerns include a decrease in public safety for Nolan Catholic student drivers to and from school grounds, destruction of public streets surrounding the project site, and dangerous health impacts that can affect the community. He asks the Zoning Commission to deny with prejudice.

Fred Fernandez, President of White Lake Hills Neighborhood Association, spoke in opposition. He commented on the high civic duty his fellow neighbors partake in for the betterment of the community. He acknowledged that development helps grow a community, however, they are against heavy industrial developments being brought in. He respectfully requests the Zoning Commission to deny with prejudice. Several people were present in opposition.

Jim Ashford, spoke in opposition. He commented on the zoning process, specifically mentioning PD/SU zoning changes and how they are usually “wrong” for certain development sites.

Judy Taylor, President of Handley Neighborhood Association mentioned she stands in support of the Zoning Commission and all they do for the City of Fort Worth.

“MU-1” for residential uses and have meet with several of the registered neighborhood organizations whom are in support.

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

<i>Document received for written correspondence</i>					ZC-16-092
Name	Address	In/Out 300 notification area	Position on case		Summary
Juanita Jimenez/JMSL NA	NA	Out		Support	Sent letter in
Ryan Place Improvement	NA	Out		Support	Sent letter in
David Cantu-Crouch/Hemphill Corridor task Force	1820 S Henderson	Out		Support	Sent letter in
Paul Millender/South Hemphill Heights NA	NA	Out		Support	Sent letter in
Redstone Commercial	2801 Hemphill	In	Oppose		Sent letter in
John Lee	2858 Hemphill	In		Support	Sent letter in

**8. ZC-16-093 Sarkis J Kechejian MD and Kechejian Enterprises (CD 5) - 4125 Hardeman Street (Marler Subdivision, Lot 2, 0.37 Acres): from “E” Neighborhood Commercial to “CF” Community Facilities**

Warden Walter, 7412 Ashcroft Circle, Fort Worth, Texas representing Sarkis J Kechejian explained to the Commissioners the facility was previously being used as an adult day care. They are changing the zoning for a 24 hour group home facility for youths.

Ms. McDougall asked about uses in the remainder of the building. Mr. Walter explained it will be a 24 hour care facility for victims of domestic violence preferably children from the ages 12-17. The floor plan is set up for the use, there will be supervisors and parking. Ms. McDougall asked staff about the parking lot and whether it was grandfathered. Ms. Murphy explained the parking lot is with the adjacent property under the same ownership. Mr. Walter said he was going to ask for a waiver to the parking since there will be only two employees.

Ms. Conlin asked where the children would be coming from. Mr. Walter said they would come from CPS and the Department of Family Protective Services it would be for boys only.

James Shankle, 4100 Hardeman Street, Fort Worth, Texas spoke in opposition. Mr. Shankle said no one reached out to them and they are concerned with what is being proposed, there is a lot of crime in the area.

Ms. McDougall asked if he could elaborate on his comments, if he was against the use and would he be willing to meet with the applicant. Mr. Shankle said they heard the use was going to

be for adults and the applicant is saying it will be for kids. He is concerned about more crime coming to the area, he would be willing to meet with the applicant.

Nell Cass, 4128 Freddie, Fort Worth, Texas President of the Eastland NA spoke in opposition. She mentioned the same concerns they have about crime in this area. Ms. Cass also said the applicant did not reach out to them.

In rebuttal Mr. Walter said he is familiar with the neighborhood and the program will be for kids ages 12-17, no adults. He did provide a handout and read into the record an email sent out to the neighborhood organizations he reached out to.

Mr. Edmonds mentioned there are ten organizations that were noticed, and asked about exercise or playground areas for the kids. Mr. Walter mention they also have the vacant lot to the west and about 30 ft. to the rear of the property, they plan to use. He also mentioned the building is about 4,100 sq. ft. and the State requires 60 sq. ft. of living space per child, if he has 16 kids that equals to 960 sq. ft. with the remainder of the building being used for living quarters, day hab, etc. Mr. Edmonds asked if he intends on using the vacant lot to the west. Mr. Walter drew on the map the area to be used for the facility. Ms. Murphy explained if he wants to use this property it will need to be noticed.

Ms. McDougall asked if he would reach out to the neighborhoods. Mr. Walter said yes he would.

Ms. Conlin asked staff about “CF” zoning and if that was appropriate zoning for a group home. Ms. Murphy said the use is permitted in “CF” “C”, “D”, and “UR districts.

Ms. Dunn asked if he was under contract. Mr. Walter said the time frame is 21 days from when the zoning is approved or denied.

Motion: Following brief discussion, Ms. McDougall recommended a 30 day Continuance of the request, seconded by Ms. Dunn. The motion carried unanimously 9-0. Ms. McDougall wants the applicant to meet with the neighborhood, discuss safety, expectations, security, lighting, etc., and to provide a site plan to the neighborhood detailing what this will look like.

<i>Document received for written correspondence</i>					<b>ZC-16-093</b>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>ft</b>	<b>Position on case</b>	<b>Summary</b>
James Shankle	4100 Hardeman	In		Opposition	Spoke at hearing
Nell Cass/Eastland NA	4128 Freddie	Out		Opposition	Spoke at hearing