



Zoning Staff Report

Date: August 9, 2022

Case Number: ZC-22-099

Council District: 6

Zoning Map Amendment

Case Manager: [Beth Knight](#)

Owner / Applicant: 5235 Bryant Irvin LLC / Jake Petrie

Site Location: 5235 Bryant Irvin Road

Acreage: 1.70 acres

Request

Proposed Use: Automated car wash

Request: From: “G” Intensive Commercial

To: Add Conditional Use Permit (CUP) to allow an automated carwash facility in “G” Intensive Commercial; site plan included with development waivers for vacuum canopies placement, screening fence, and accessory structures placement.

Recommendation

Land Use Compatibility: Requested change **is not compatible**

Comprehensive Plan Consistency: Requested change **is not consistent (Significant Deviation)**

Staff Recommendation: **Denial**

Zoning Commission Recommendation: **Denial with Prejudice by a vote of 6-0**

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The proposed site is located at the southeast quadrant of Bryant Irvin Road and Trailview Drive. The applicant is requesting to add a Conditional Use Permit to allow an automated carwash facility; site plan included.

Carwashes are only permitted within commercial zoning districts through the CUP process. The applicant has applied for the (CUP) Conditional Use Permit to allow this use within the “G” district for a drive-thru carwash facility in an approximately 5,200 sq. ft. building. Self-service vacuum spaces are shown in behind the carwash building, as well as 4 additional canopies at the north end of the lot. Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location.

The subject site and the general area to the north and east are designated as Mixed Use from Oakmont Boulevard to Southwest Boulevard (SH 183). The area is serviced by a low-frequency Trinity Metro bus line that runs along Bryant Irvin Road, generally once per hour. Bryant Irvin Road is designated as a scenic corridor from the West Freeway (I-30) to Oakmont Boulevard.

While a carwash is not permitted in the “G” zoning district by right, allowing one by CUP with a site plan may help mitigate any neighborhood concerns, as well as give options for the CUP to be revoked in the event of code violation convictions. The site is currently vacant land. The site is surrounded by an electrical substation or Oncor owned property to the north, east, and south, with two apartment complexes to the west. The nearest residential district, “C” Medium Density Multifamily zoning, abuts the eastern and southern property lines. The closest residential use, being an apartment complex, lies just beyond the narrow Oncor ownership to the south, with the closest residential building being about 65 feet away. The car wash dryer faces Trailview Drive away from the closest multifamily complex, but towards another multifamily complex to the northwest. Because sound volume does not decrease noticeably until after 300 feet to approximately 60 decibels, the location of the car wash equipment and 30 vacuums are likely to have a significant detrimental impact on the neighborhood.

The site plan shows 9 vacuum stalls, menu boards, and the payment kiosks in front of the front building wall. The zoning ordinance requires these items to be behind the front building wall, so the applicants are requesting a development waiver. The site is over-parked by 25%, with 34 parking spaces where 25 spaces are required. Removal of the vacuum spaces in front of the building would eliminate both a development waiver and the over-parking issue. Because the site is covered by a scenic corridor, the detached menu boards and payment kiosks in front of the building detract from the site’s appearance.

Although the site is adjacent to Oncor properties, the majority of their parcels are zoned “C” Medium Density Multifamily zoning, which trigger the supplemental setbacks of 25 feet for vacuuming facilities and screening fencing. Only the location of vacuum canopies immediately behind the building meets the supplemental standards for car washes. Development waivers have been requested to waive the required screening fencing from the southern portion of the drainage easement to the northeasterly corner. While waiving a solid fence in a drainage easement is appropriate, a waiver to screening fence around the remainder of the eastern side increases the visual clutter created by the electrical substation. Additional development waivers are requested to place vacuum canopies approximately 5 feet from the residentially zoned properties. The 21-car queuing space in 3 lanes appears to be excessive. A reduction to one lane of queuing would allow the car wash building to be closer to the street and allow more room for the vacuum canopy setbacks.

Through Ordinance 23609 effective March 29, 2019, the Conditional Use Permit allows for an unlimited time period for the operation of a use unless otherwise approved by the City Council. If a time limit is established for a Conditional Use Permit, the renewal of the CUP shall be considered through the public hearing process and approved by the City Council. A CUP shall expire if no permitting action is taken within six months of approval

or cease of the use for six months. A CUP may be revoked through the public hearing process if necessary after convictions of one or more code violations.

Per Section 4.407 (a), the following general rules apply to all conditional uses:

- a) Conditional use permits in residential districts shall be limited to those uses designated “CUP” in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.
- b) Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.
- c) A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.
- d) The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy shall not be issued until all or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate of Occupancy and subdivision approval have been satisfied.

Section (d) provides the following Conditional Use Permit factors in consideration of appropriateness of a request:

- a) The proposed use is consistent with the Comprehensive Plan;
- b) The proposed use is compatible with the existing and adjacent uses.
- c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;
- d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;
- e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

Below is a chart that illustrates the differences between the base regulations and the proposed CUP:

Requirement	Car Wash Standards	Proposed CUP
Vacuumping Facilities	25 feet away from residential district	The northeasterly and southeasterly vacuumping canopies are less than 25 feet from a residential district <i>(requires Development Regulation Waivers)</i>
Vacuumping Facilities	Behind the front building wall	4 vacuum canopies are in front of the building <i>(requires Development Regulation Waivers)</i>
Screening Fence	Along property line with residential zoning district	None from drainage easement northward <i>(requires Development Regulation Waiver)</i>
Requirement	Front Yard Standards	Proposed CUP
Accessory Structures	Behind the front building wall	4 vacuum canopies, menu boards, and pay kiosks are in front of the building <i>(requires Development Regulation Waivers)</i>

Surrounding Zoning and Land Uses

North “G” Intensive Commercial / Electrical transmission lines
East “C” Medium Density Multifamily / Electrical substation
South “C” Medium Density Multifamily / Multifamily complex and vacant land
West “C” Medium Density Multifamily / Multifamily complexes

Recent Zoning History

ZC-17-216, southwest of subject, from R2 & C to A-43 for city parkland, approved 1/10/2018.

Public Notification

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

Organizations Notified	
District 6 Alliance	Crowley ISD
Bellaire Park North HA	Fort Worth ISD
Meadows West HA*	Trinity Habitat for Humanity
Streams and Valleys Inc	

* *This Neighborhood Association is located closest to the subject property.*

Development Impact Analysis

Land Use Compatibility

The applicant is proposing a zoning change to add a CUP to allow a carwash facility in the “G” zoning district. Surrounding land uses consist of electrical infrastructure uses to the north and east, with an apartment complex to the south, and additional apartment complexes to the west. The closest residential district shares the common eastern and southern property lines, with the closest residential building approximately 60 feet away. Other residential buildings are generally 250 feet away from the proposed car wash dryer. Car wash dryer noise significantly diminishes beyond 300 feet. Development waivers for 4 vacuum canopies placement, screening fence, and accessory structures placement have been requested. The hard surfacing of the auto-oriented site is further compounded by additional parking spaces in vacuum canopies that exceed the required number of parking spaces.

The proposed zoning request is **not compatible** with surrounding land uses due the noise impacts on the surrounding residential uses less than 300 feet away, the 9 development waivers that diminish the appearance of the neighborhood, and the additional parking spaces above the required amount.

Comprehensive Plan Consistency – Wedgwood

The 2022 Comprehensive Plan currently designates the subject property as mixed use, where vehicular uses are not encouraged. The proposed zoning is inconsistent with the land use designations for this area, and with the following policies of the Comprehensive Plan:

- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city.
- Coordinate future land uses and development types and intensity with the Complete Streets policy, Master Thoroughfare Plan, Active Transportation Plan, and Transit-Oriented Development (TOD) Plans.
- Accommodate higher density residential and mixed uses in transit-oriented developments, urban villages, and designated mixed-use growth centers.

Based on a lack of conformance with the future land use map and the policies stated above, the proposed zoning **is not consistent** with the Comprehensive Plan. (Significant Deviation)

Economic Development Plan

The 2021 Economic Development Strategic Plan identified four different results to facilitate the success and growth of Fort Worth:

1. High-wage job growth.
2. A more sustainable tax base, driven less by residential property valuation and more by commercial and industrial investment.
3. An economy that capitalizes on high-growth businesses and the creative individuals who fuel them, targeting specific industry classifications.
4. A commitment to “quality of place” throughout the community, including rising home values, new business startups, reduction of blighted areas, and the emergence of walkable corridors with a mixture of residential and commercial developments and related amenities.

This zoning request does not assist in high-wage job growth, is not a targeted high-growth industry, and does not contribute to the quality of place.

Site Plan Comments

Zoning and Land Use

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

1. Label the materials of the pay kiosk canopy and the tunnel doors.
2. Update the label for the “Architectural wall panel with rainscreen” to more common language like cement fiberboard, galvanized metal, stucco, etc.
3. Include the phone number for all the design professionals.
4. Add the project name to the lower right corner of the site plan.

5. Please revise the signature line to “Director of Development Services” above the project title.
6. Please revise the land use to “automated service car wash” in the proposed use row in the data table.
7. Landscaping and proposed sidewalk symbology are not shown in the Pavement Legend. Please copy these patterns from the site plan.
8. Please review the current land uses on the adjacent lots and update the land uses’ labels.
9. **Development waivers are being requested to:** place the southeastern vacuum canopies less than 25 feet from the southern property line and the northeastern canopy labeled 26-30 less than 25 feet from the eastern property line. Drying and vacuuming structures are required to be at least 25 feet from residential districts.
10. **Development waivers are being requested to:** not place the fence in the drainage easement or northward to the most northerly corner, and to place the fence along the vacuum canopy instead of the property line. The screening fence is required to be along the property line from the back edge of the projected front yard on the southern property line to the most northerly east corner.
11. **Development waivers are being requested to:** place vacuum canopies, menu boards, and pay kiosks in the front yard. Accessory uses are required to be behind the building’s front wall.
12. The site is more than 25% over-parked with 34 spaces versus the required 25 spaces. This figure does not include the 24 queueing spaces. Additional trees will be required to be planted on-site.

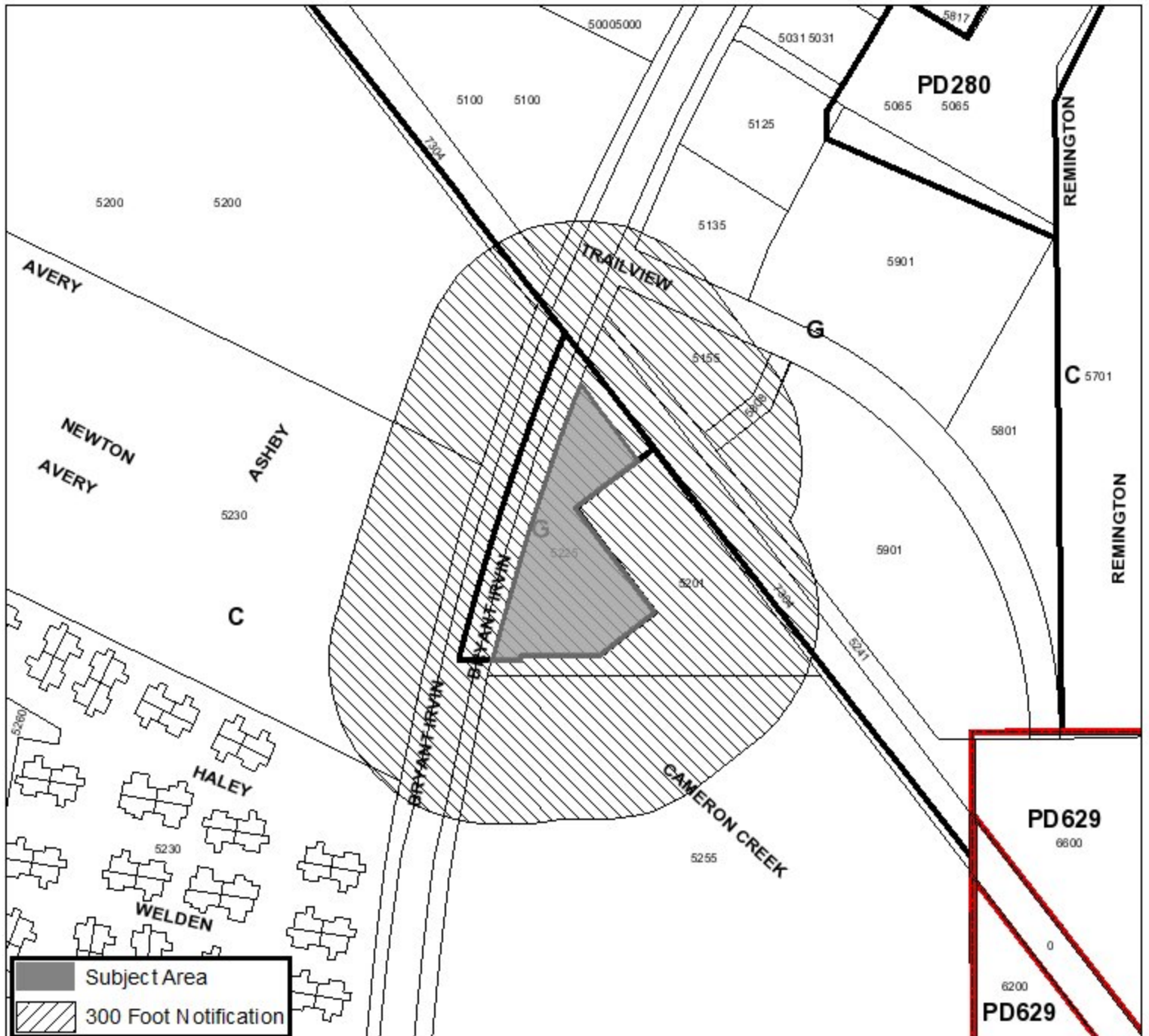
(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)



ZC-22-099

Area Zoning Map

Applicant: 5235 Bryant Irvin LLC
 Address: 5235 Bryant Irvin Road
 Zoning From: G
 Zoning To: Add Conditional Use Permit for automated carwash
 Acres: 1.7011706
 Mapsco: 088Q
 Sector/District: Wedgwood
 Commission Date: 7/13/2022
 Contact: 817-392-8190



GENERAL NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING SITE AND BUILDING CONDITIONS IN THE FIELD PRIOR TO START OF ANY WORK. A REGISTERED SURVEYOR SHALL BE ENGAGED TO LAY OUT ALL SITE WORK.
- CONTRACTOR SHALL REVIEW DOCUMENTS AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES IN PROJECT PLANS AND SPECIFICATIONS, IN WRITING.
- DRAWINGS SHALL NOT BE SCALED FOR BIDDING AND/OR CONSTRUCTION PURPOSES.
- ALL PLAN DIMENSIONS ARE TO FINISHED FACE OF WALL UNLESS NOTED OTHERWISE.
- ALL CONSTRUCTION WORK SHALL MEET OR EXCEED ALL LOCAL, STATE AND NATIONAL BUILDING CODES, AND COMPLY WITH THE CITY OF FORT WORTH BUILDING ORDINANCES. A BUILDING PERMIT SHALL BE OBTAINED FROM THE CITY OF FORT WORTH.
- A LANDING MUST BE PROVIDED AT EACH EXIT DOOR. THE FLOOR SURFACE ON BOTH SIDES OF THE DOOR SHALL BE AT THE SAME ELEVATION AS PER THE TEXAS FIRE PREVENTION CODE.
- VERIFY ALL EXIT DOOR LOCKING HARDWARE COMPLIES WITH THE TEXAS FIRE PREVENTION CODE.
- ALL NEW CONCRETE FLOOR SLAB AREAS SHALL HAVE TERMITES TREATMENT.
- ALL STRUCTURES SHALL HAVE ADDRESS NUMBERS PLACED ON THE BUILDING IN ACCORDANCE WITH FORT WORTH MUNICIPAL CODE.
- ALL SIGNAGE, PERMANENT, PORTABLE, BANNERS, ETC. TO FOLLOW THE FORT WORTH SIGN ORDINANCE (CHAPTER 6).
- HOURS OF OPERATION:
CAR WASH - 7 DAYS A WEEK, 8:00 AM TO 8:00 PM.
- BUILDING NOT TO EXCEED 25'-0" IN HEIGHT AND TOWERS NOT TO EXCEED 35'-0" IN HEIGHT.
- EXTERIOR MATERIALS FOR BUILDING WILL BE SPLIT FACE CMU BLOCK, ARCHITECTURAL WALL PANELS AND STOREFRONT WINDOW PANELS.
- ALL DOMESTIC WATER SERVICE AND METER SHALL BE 1-1/2".
- VACUUM CANOPY IS 11'-0" IN HEIGHT (MAX). PAY STATION CANOPY IS 15'-0" IN HEIGHT (MAX). VACUUM CANOPIES AND PAY STATION CANOPY SHALL BE STEEL FRAMED WITH MASONRY WRAPS ON COLUMNS.
- APPLICANT WILL COMPLY WITH ALL LOCAL, STATE AND NATIONAL BUILDING CODES.
- ALL LIGHTING WILL CONFORM TO LIGHTING CODE.
- LANDSCAPING WILL COMPLY WITH SEC. 6.301 LANDSCAPING.
- SITE WILL COMPLY WITH SEC. 6.302 URBAN FORESTRY.
- 2 (TWO) EMPLOYEES PER SHIFT.
- A DEVELOPMENT WAIVER WILL BE REQUESTED FOR THE DRYING AND VACUUMING STRUCTURES REQUIRED TO BE AT LEAST 25 FEET FROM RESIDENTIAL DISTRICTS, THE SOUTHEASTERN VACUUM CANOPIES THAT ARE LESS THAN 25 FEET FROM THE SOUTHERN PROPERTY LINE AND THE NORTHEASTERN CANOPY THAT IS LESS THAN 25 FEET FROM THE EASTERN PROPERTY LINE.
- A DEVELOPMENT WAIVER WILL BE REQUESTED TO NOT PLACE THE FENCE IN THE DRAINAGE EASEMENT OR NORTHWARD TO THE MOST NORTHERLY CORNER.
- A DEVELOPMENT WAIVER WILL BE REQUESTED FOR THE VACUUM CANOPIES, MENU BOARDS, AND PAY KIOSKS IN THE FRONT YARD.

LEGAL DESCRIPTION

1.703 acres situated in the JOHN F. HEATH SURVEY, Abst. No 641, City of Fort Worth, Tarrant County, Texas, being the tract described in deeds to 5235 Bryant Irvin, LLC by deed recorded in Document Number D217161139 County Clerk's Records, Tarrant County, Texas and being more particularly described, as follows:

Beginning at a 1/2" iron rod capped MIZELL 6165 found, the northernmost corner of said 5235 Bryant Irvin, LLC tract, in the east line of BRYANT IRVIN ROAD (a 120' Right-of-Way), for the most northerly westernmost corner of tract described in deed as Tract B to TESCO by deed recorded in Volume 7701, Page 1609, Deed Records, Tarrant County, Texas, from which a Y cut in concrete, for the northwest corner of Lot 1A, Block 7, CITYVIEW, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat thereof recorded in Volume 388-217, Page 92, Plat Records, Tarrant County, Texas, bears N 22°03'49" E, 191.66 feet:

THENCE S 37°10'56" E, along the common line of said SJ Bryant Irvin Commercial Development, LP tract and TESCO Tract B, 177.76 feet to a 1/2" iron rod capped MIZELL 6165 found, the most northerly northeast corner of said 5235 Bryant Irvin, LLC tract;

THENCE S 53°01'02" W, along the common line of said SJ Bryant Irvin Commercial Development, LP tract and TESCO Tract B, 145.66 feet to a 1/2" iron rod capped MIZELL 6165 found, an ell corner of said 5235 Bryant Irvin, LLC tract;

THENCE S 37°05'01" E, along the common line of said SJ Bryant Irvin Commercial Development, LP tract and TESCO Tract B, 241.02 feet to a 1/2" iron rod found, the most easterly southeast corner of said 5235 Bryant Irvin, LLC tract;

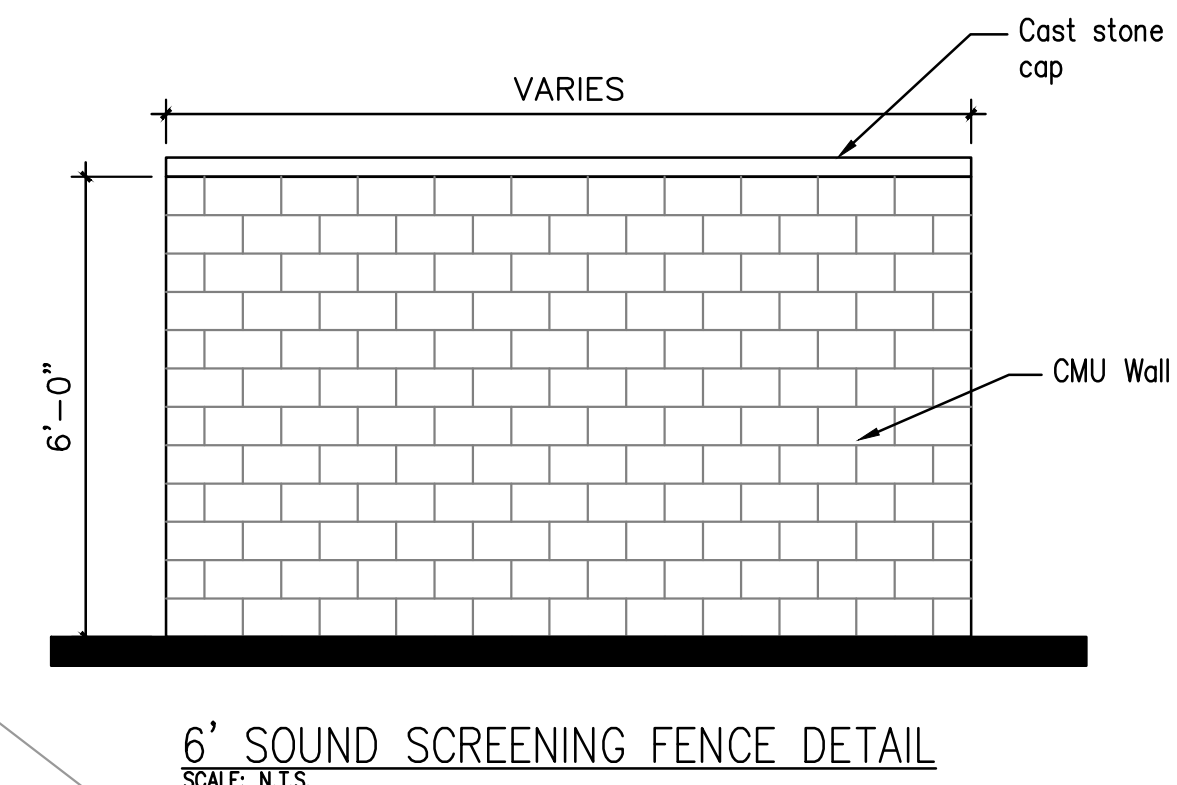
THENCE S 51°51'01" W, along the common line of said SJ Bryant Irvin Commercial Development, LP tract and TESCO Tract B, 129.41 feet to a 1/2" iron rod found

THENCE N 89°36'24" W, along the common line of said SJ Bryant Irvin Commercial Development, LP tract and TESCO Tract B, 143.16 feet to a 1/2" iron rod capped MIZELL 6165 found in the most southerly north line of said TESCO Tract B, at the beginning of a curve to the left whose radius is 4690.00 feet and whose long chord bears S 14°40'21" W, 9.70 feet;

THENCE along said curve, along the common line of said 5235 Bryant Irvin, LLC tract and TESCO Tract B, in a southerly direction, through a central angle of 00°07'07", a distance of 9.70 feet to a 1/2" iron rod found at the end-of said curve;

THENCE N 89°30'26" W, along the common line of said SJ Bryant Irvin Commercial Development, LP tract and TESCO Tract B, 51.52 feet to a "Y" cut in concrete, the southwest corner of said 5235 Bryant Irvin, LLC tract, in the east line of said BRYANT IRVIN ROAD, for the most northerly southwest corner of said TESCO Tract B, at the beginning of a curve to the right whose radius is 4740.00 feet and whose long chord bears N 17°41'31" E, 534.72 feet;

THENCE along the common line of said 5235 Bryant Irvin, LLC tract and BRYANT IRVIN ROAD, along said curve, in a northerly direction, through a central angle of 06°28'01", a distance of 535.01 feet to the POINT OF BEGINNING and containing 1.703 acres of land.



DATE: 05.26.2022
 JOB NO: xxxxx
 DRAWN: STAFF
 CHECKED: AG

AG DESIGN GROUP
 PO BOX 383023
 DUNCANVILLE, TX 75138

CORTLAND MORGAN ARCHITECT

711 N. FIELDER RD.
 ARLINGTON, TX 76012
 PH: (817) 635-5696
 FAX: (817) 635-5699

CASCADE
 5225 BRYANT IRVIN RD.
 FT. WORTH, TX. 76132

REVISIONS

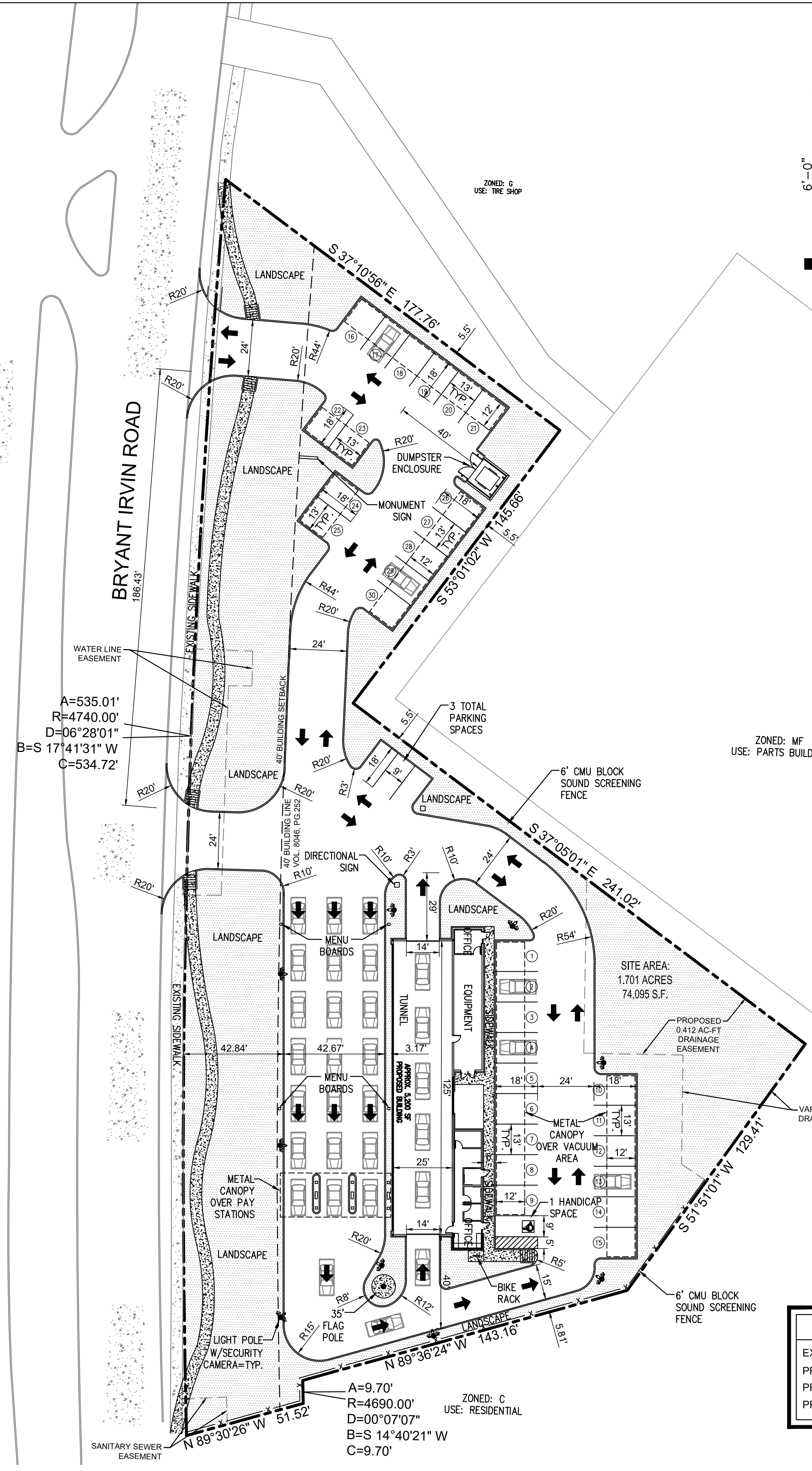
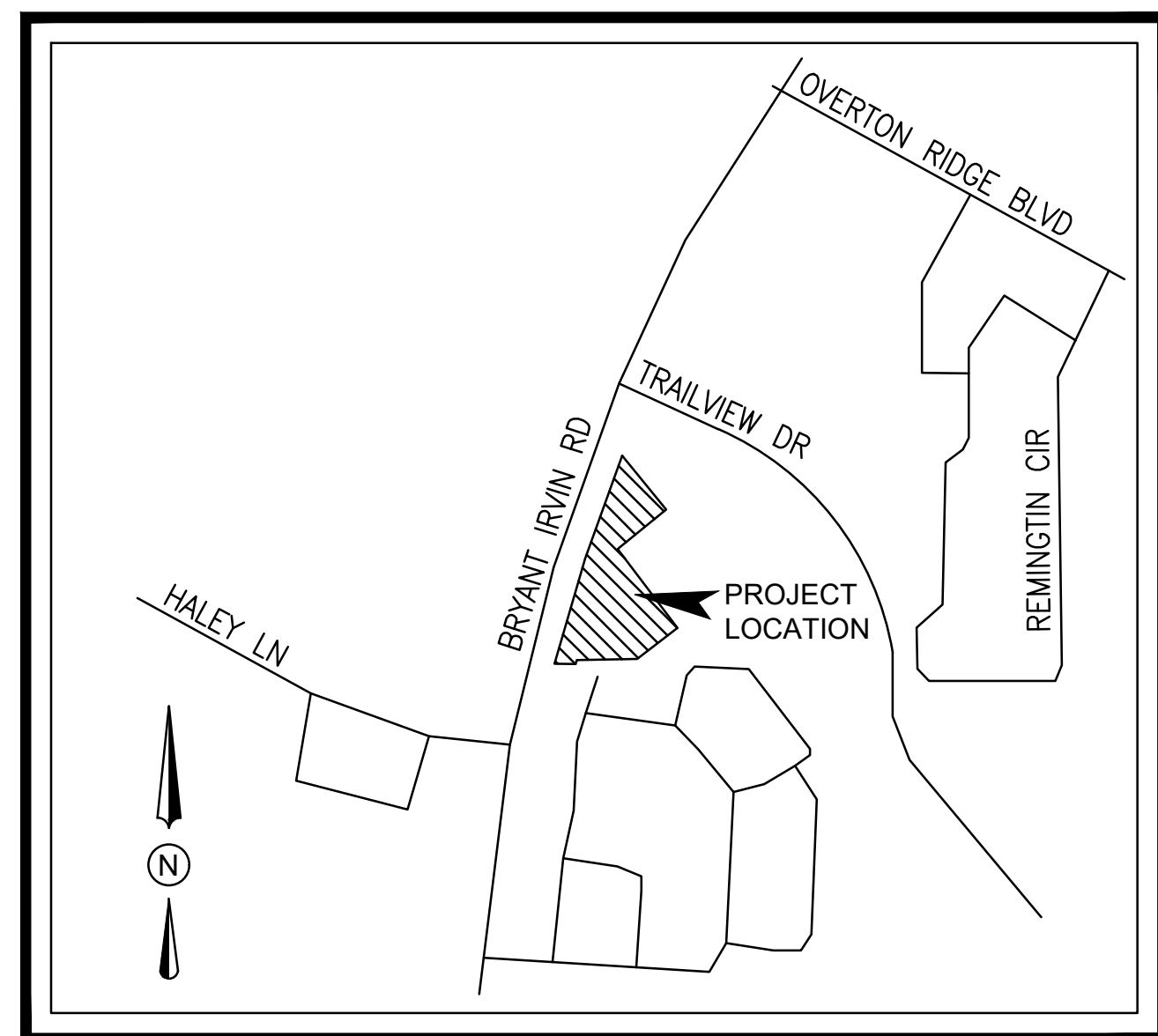
SITE PLAN

SHEET NUMBER

A1.00

SITE DATA SUMMARY TABLE

SITE ACREAGE:	1.703 ACRES (74,183 SQ. FT.)
ZONING:	G-INTENSIVE COMMERCIAL
PROPOSED USE:	AUTOMATED SERVICE
BUILDING AREA:	5,200 S.F.
NUMBER OF STORIES:	1
BUILDING COVERAGE:	7%
FLOOR AREA RATIO:	0.07
IMPERVIOUS AREA:	40,393 S.F. (0.93 ACRES)
PERVIOUS/LANDSCAPE AREA:	33,790 S.F. (0.77 ACRES)
REGULAR PARKING REQUIRED:	5 SPACES FOR 1 SPACE ON WASHLINE (25)
REGULAR PARKING PROVIDED:	33 SPACES
HANDICAP PARKING REQUIRED:	1 SPACE
HANDICAP PARKING PROVIDED:	1 SPACE
TOTAL PARKING PROVIDED:	34 SPACES
VACUUM STALLS PROVIDED:	30

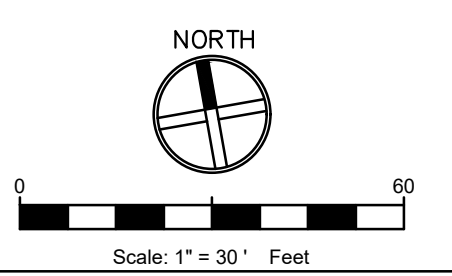


PAVEMENT LEGEND

EXISTING CONCRETE	[Symbol]
PROPOSED CONCRETE	[Symbol]
PROPOSED LANDSCAPE	[Symbol]
PROPOSED SIDEWALK	[Symbol]

Developer/Owner: Jake Petrie
 Address: 780 W. Kennedale Pkwy.
 City/State: Kennedale, Texas 76060
 Telephone Number: 682.583.4962
 E-mail Address: jake@cascadventures.com

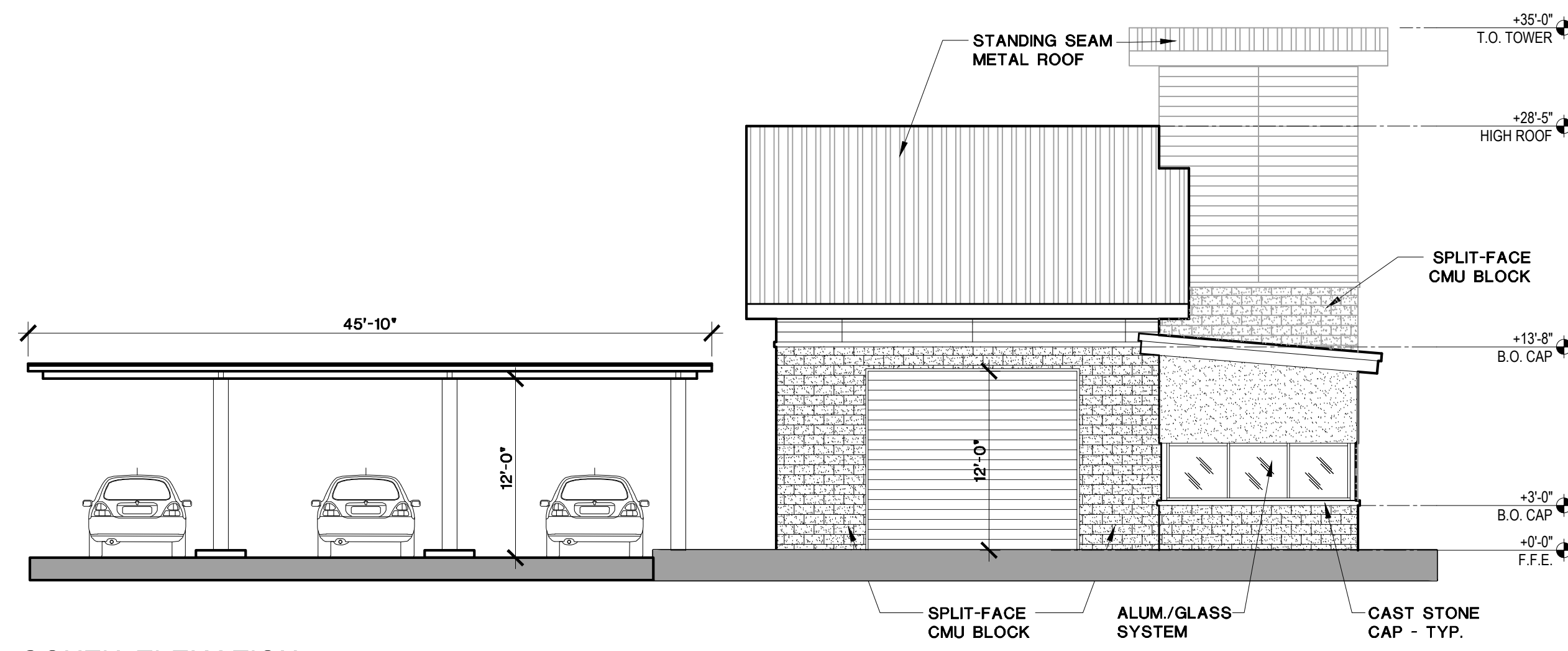
Director of Planning and Development
 Date: _____



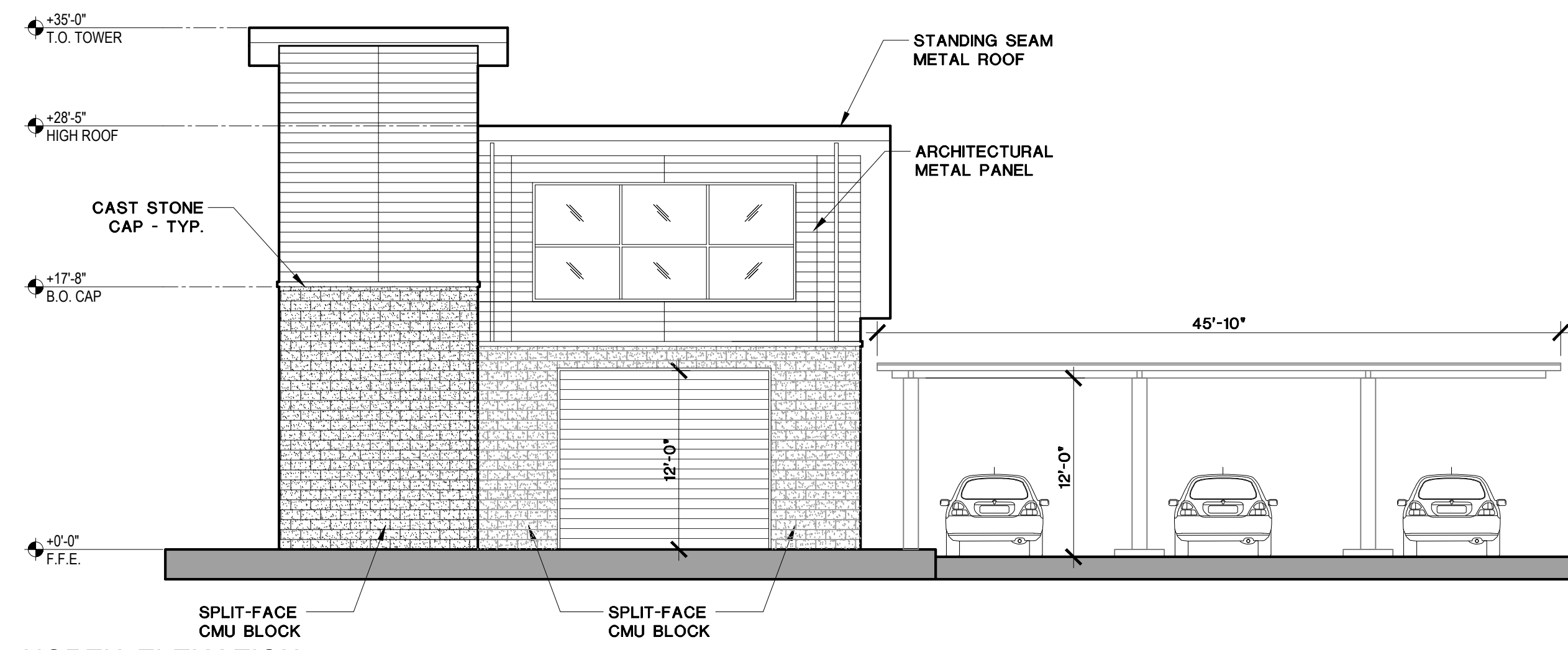
02 VICINITY MAP
 NOT TO SCALE

01 SITE PLAN
 SCALE: 1" = 30'-0"

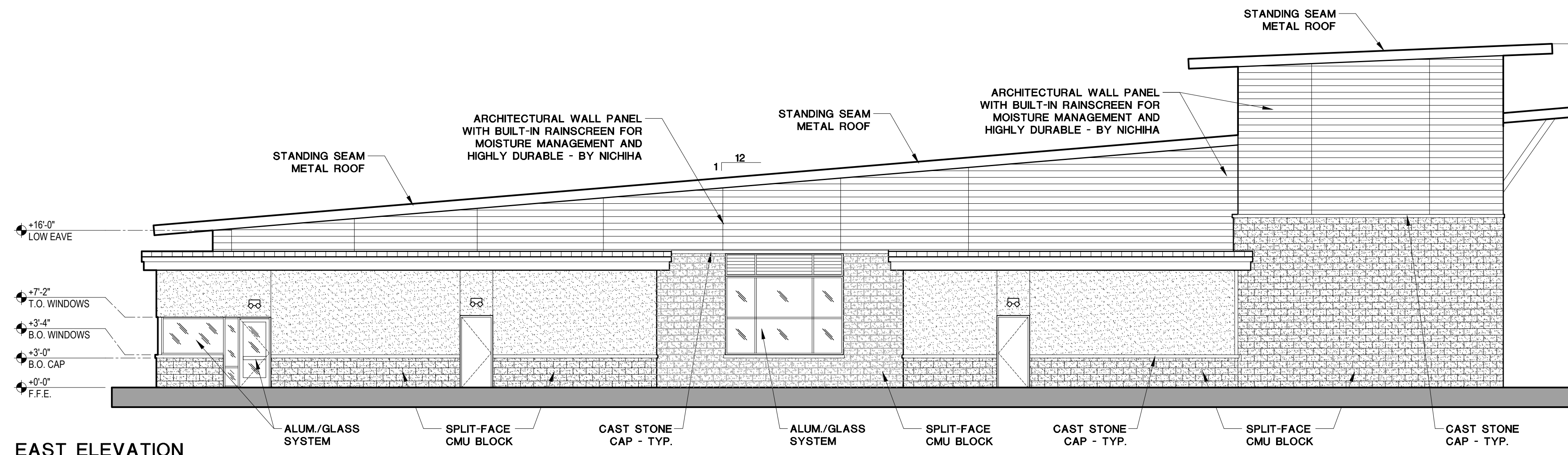
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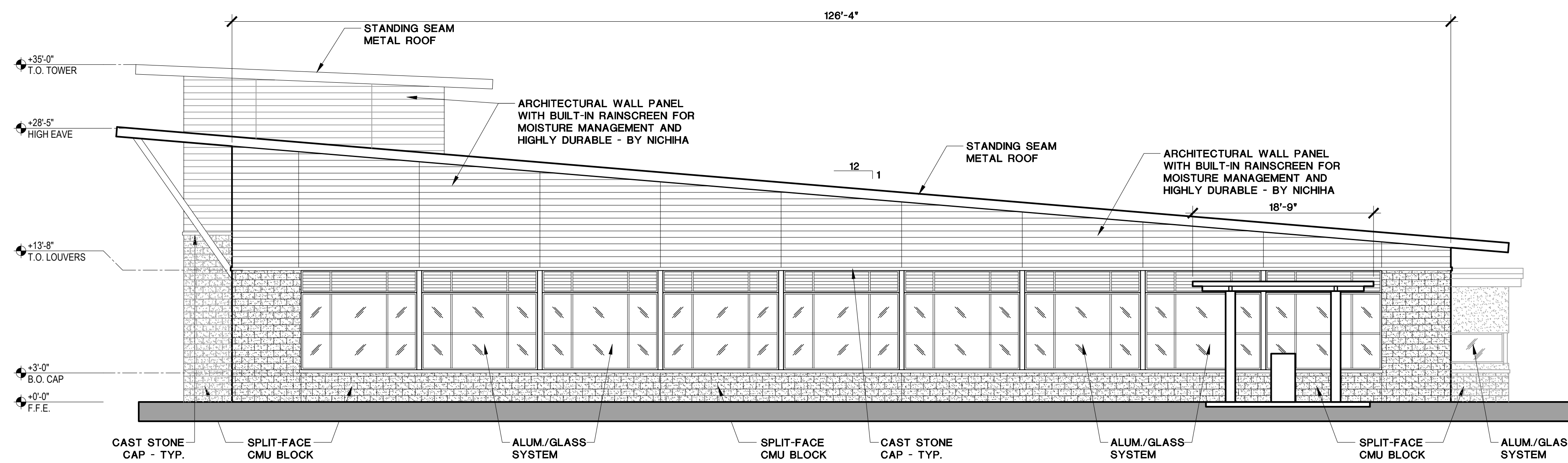
SOUTH ELEVATION
 SCALE: 1/8"=1'-0"



NORTH ELEVATION
 SCALE: 1/8"=1'-0"



EAST ELEVATION
 SCALE: 1/8"=1'-0"



WEST ELEVATION
 SCALE: 1/8"=1'-0"

Developer/Owner : CASCADE VENTURES
 Address: 780 W KENNEDALY PKWY.
 City/State: KENNEDALE, TX 76060
 Telephone Number: 682.583.4962
 E-mail Address: jake@cascadeadventures.com

Zoning Case Number: ZC-22-099

Director of Development Services

Date: _____

CASCADE CARWASH
 5225 BRYANT IRVING RD.
 FORT WORTH, TX. 76132

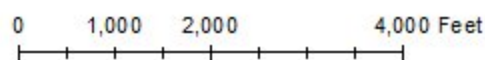
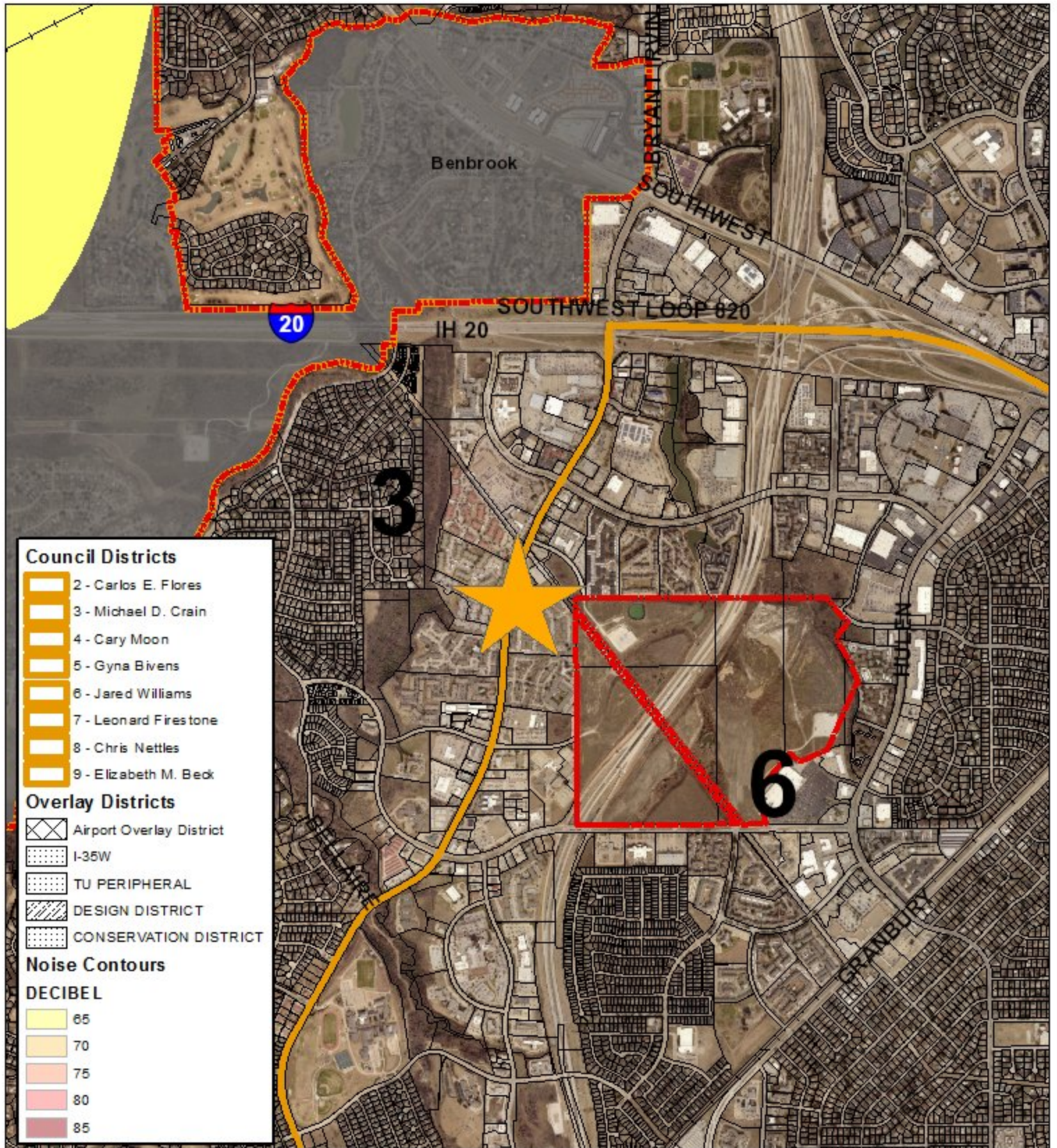
REVISIONS

EXTERIOR ELEVATIONS

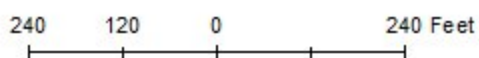
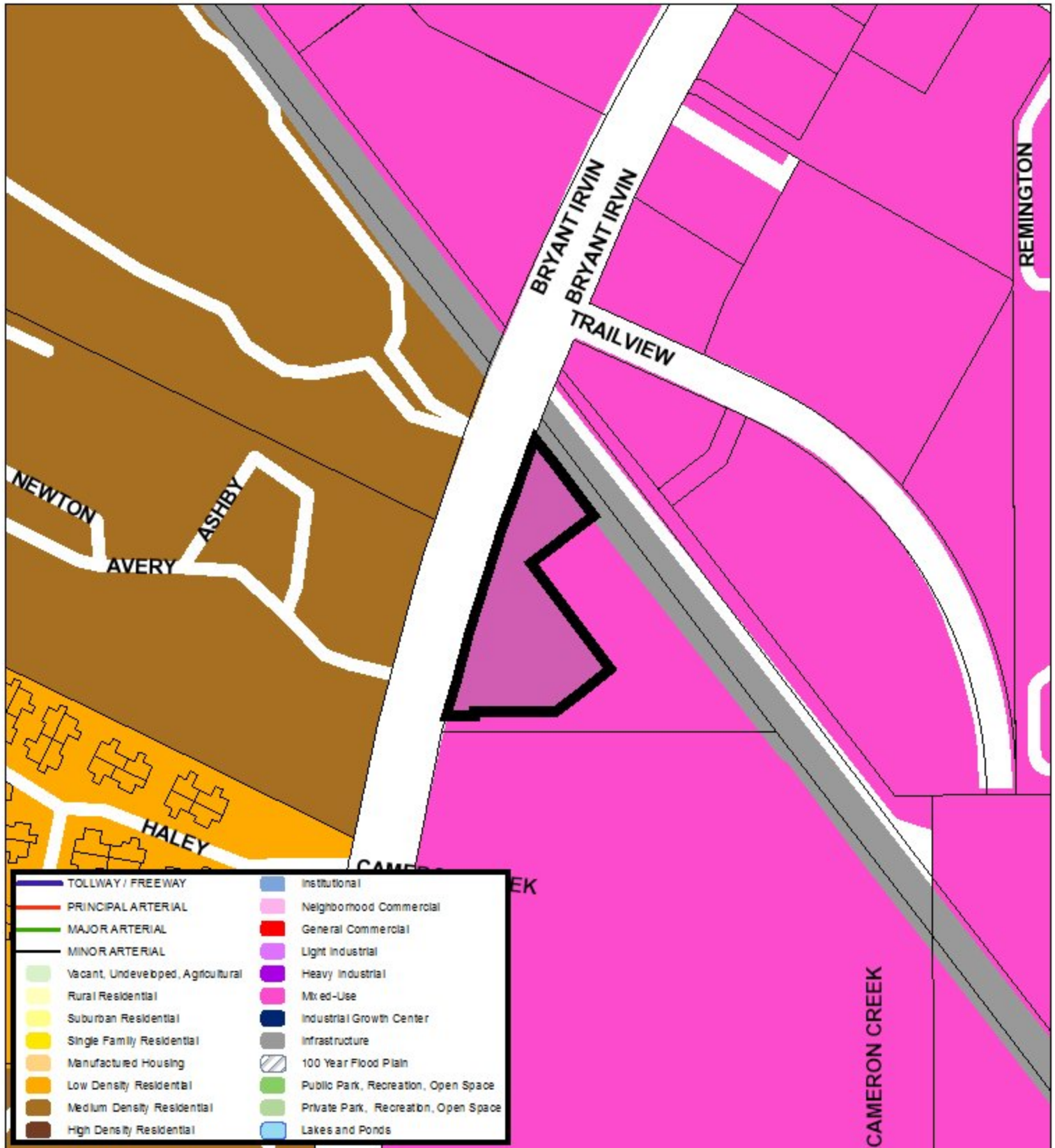
SHEET NUMBER

A5.01

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

