



# Zoning Staff Report

Date: April 11, 2023

Case Number: ZC-23-009

District (old/new): 4 / 4

## Conditional Use Permit

Case Manager: [Brett Mangum](#)

Owner / Applicant: MQ Northside Retail, LLC / DCG Engineering, David Gregory

Site Location: 4941 North Tarrant Parkway

Acres: 1.22 acres

### Request

Proposed Use: Automated car wash

Request: From: "FR" General Commercial Restricted

To: Add Conditional Use Permit (CUP) to allow an automated carwash facility in "FR" General Commercial Restricted with the screen wall being near or on the existing retaining wall; 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 5-2 (with motion included to approve with the screen wall being near or on the existing retaining wall)**

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## Project Description and Background

The proposed site is located at a midblock location on North Tarrant Parkway, between N. Beach Street and Ray White Road in Council District 4. The applicant is requesting to add a Conditional Use Permit to allow an automated carwash facility called Ultra Clean Express Car Wash.

Carwashes are only permitted within commercial zoning districts through the Conditional Use Permit [CUP] process. 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. While a carwash is not permitted in the “FR” 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.

Through Ordinance 23609 effective March 29, 2019, the Conditional Use Permit [CUP] 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 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 developments;
- 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:

<b><i>Requirement</i></b>	<b><i>Car Wash Standards</i></b>	<b><i>Proposed CUP</i></b>
<i>Screening Fence</i>	<i>Along western property line with residential zoning district</i>	<i>No fence (requires Development Regulation Waiver)</i>

The Zoning Commission recommended by a vote of 5 to 2 to approve this Conditional Use Permit [CUP] request at their public hearing on March 22. The vote was to approve the CUP, with the condition that a screening wall be added along the existing retaining wall. This would in effect recommend approval of the CUP without the development waiver included in the application. Additional detail regarding the development waiver can be found under the Land Use Compatibility section of this staff report.

## Surrounding Zoning and Land Uses

North “CF” Community Facilities / creek, floodplain  
East “FR” General Commercial Restricted / undeveloped  
South “PD-902” Planned Development-Neighborhood Commercial / retail & auto repair  
West “AR” One Family Restricted / Coventry Hills Park & floodplain

## Recent Zoning History

- None

## Public Notification

300-foot Legal Notifications were mailed on February 21, 2023.  
The following organizations were emailed on February 21, 2023:

Organizations Notified	
Streams and Valleys Inc	Trinity Habitat for Humanity
Keller ISD	Public Improvement District #6
Park Glen NA*	Heritage HOA
Heights of Park Vista HOA	Trace Ridge HOA
North Fort Worth Alliance	Coventry Hills HOA*

*\*Located closest to these registered neighborhood associations*

## Development Impact Analysis

### Land Use Compatibility

The applicant is proposing a zoning change to add a Conditional Use Permit [CUP] to allow a carwash facility in an “FR” zoning district. Surrounding land uses consist of commercial uses or zoning to the south and east, with a public park to the west, and floodplain to the north. The closest residential use does not share a property line with the subject site, but is approximately 250 feet away from the rezoning boundary. The proposed car wash dryer has been configured to be more than 300 feet away from the closest residential building. Car wash dryer noise significantly diminishes beyond 300 feet.

The site plan shows a car wash building of approximately 4,650 square feet. 17 self-service vacuum spaces are shown beside the carwash building, with all menu boards and payment kiosks behind the front building wall. A portion of the Coventry Hills Park has single family zoning which triggers the requirement for a 6-foot screening fence. This item will require a development waiver. Granting this waiver seems reasonable upon consideration that the abutting single family zoning area is dedicated as a public park, and not used for residential purposes. The park serves as a buffer between single family neighborhoods to the north and the commercial areas along North Tarrant Parkway, including the subject site.

The proposed zoning request **is compatible** with surrounding land uses.

## Comprehensive Plan Consistency – Far North

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The 2022 Comprehensive Plan currently designates the subject property as future neighborhood commercial. The proposed rezoning would not change the existing zoning on the lot, as it would remain “FR” General Commercial Restricted. The CUP will simply function as an overlay permitting the single additional land use (car wash) in this location. The development of the Site will be tied to the associated Site Plan. Any changes to the Site Plan or any other land uses not allowed by right in “FR” zones would necessitate coming back through Zoning Commission and City Council in the future.

The proposed zoning **is consistent** with the Comprehensive Plan.

## Economic Development Plan

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The 2022 Economic Development Strategic Plan update 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

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### Zoning and Land Use

(grayed out - all comments addressed as of 2/24)

- On **Elevations**, remove signage, provide materials, decide yes or no on optional glass panels.
  - On **Site Plan**, add note: "Any lights used to illuminate the area shall be directed downward and away from adjacent residential properties".
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- On **Site Plan**, retitle from "Zoning Change Exhibit" to "Site Plan".
- On **Site Plan**, add case reference "ZC-23-009" and provide additional space for signatures.
- On **Site Plan**, strike floodplain area & impervious area lines from site data box if not being used
- A permanent screening fence shall be constructed along any site property line which abuts a residential district or use (fence required along western property line-handle as necessary)
- FYI: CUP's can accommodate variances (such as for fencing), needs to be listed on **application**.
- On **Site Plan**, provide a figure for how many cars may be accommodated on the washing line within the facility (how many cars max can be in the wash building at once). This figure is needed to calculate parking requirements.
- FYI: Be sure to accommodate some dedicated parking for employees.
- Provide diagram/elevations of vacuum canopies if you have them available, on the **elevations** page, or as a second page.
- Need response to continuance request email by Thursday (1/26) which is when notices are scheduled to be sent.

## **Fire**

FWFD - (Fire Marshal David Hood, FirePlatting@fortworthtexas.gov)

Based on site plan provided additional hydrants will be required.

Hydrant requirements:

Less than or equal 600 ft. (300 ft. radius) of space between hydrants along a direct horizontal line.

Less than or equal 500 ft. hose lay distance to all points of building.

FDC's for sprinkler and standpipe systems shall be located within 50 ft. of a dedicated street or fire apparatus access road and shall be within 150 ft. hose lay distance of the nearest fire hydrant. Each building shall be equipped with its own FDC, unless otherwise approved by the fire code official.

IFC 2021/CFW Adopted Amendments Ordinance #25388-03-2022 Sections 507.5.1, 507.5.4, 5, and 6 Fire Hydrants

FYI: Any new building permits will be required to meet current fire code including, but not limited to fire lanes, hydrants, fire sprinklers.

General Information:

Failure to recognize violations of the fire code by the fire code official does not waive the requirement of meeting minimum requirements of the fire code in the future. It is the applicant's and the owner's responsibility to meet all minimum fire code requirements at all times.

The City of Fort Worth has adopted the 2021 International Fire Code as its current fire code at the time of this review. The City of Fort Worth has also adopted Amendments that are available by searching the City Secretary's site for Ordinance #25388-03-2022.

## **Platting**

No response provided

## **Water**

Per Melissa Harris - No comments

## **Park & Recreation**

Workflow cleared by Lori Gordon, but no comments provided

## **Building Plans Exam**

No response provided

## **Stormwater**

Contact: sds@fortworthtexas.gov

This site lies within the FEMA Effective Floodplain, has existing infrastructure S-1337, TxDOT 902-48-575, and Retaining Wall Maintenance Agreement & Stormwater Facility Maintenance Agreement for the Retaining Walls and Driveway Culvert Systems (SWFMA-20-0037).

Please note the proposed work exists in the FEMA Effective Floodplain per the FEMA NFHL Map. In order to remove the building from the FEMA Floodplain, a LOMR must be accepted by the City and Accepted and Effective per FEMA.

Currently, the LOMR has not been submitted to the City for review.

The proposed work requires a separate issued Floodplain Development Permit for each building within the FEMA Floodplain prior to Building Permit issuance and can be applied for in Accela after the LOMR has been accepted by the City and is under review at FEMA.

A preconstruction elevation certificate must be submitted along with a separate FDP application for each individual building permit in order to confirm the completed final grading matches the plans and that the correct finished floor elevation will be met. This preconstruction elevation certificate will be for the constructed pad. The FDP must be issued prior to the PB issuance and a follow up "Finished Construction" Elevation Certificate will be required within 180 days of completion of construction after the PB is issued.

{Ordinance 25350-03-2022 (fortworthtexas.gov)  
CHAPTER 7, ARTICLE VIII, ORDINANCE NO. 25350-03-2022  
DIVISION 3: ADMINISTRATION  
Sec. 7-333 (a)(3) PERMIT PROCEDURES & Sec. 7-347 (a) SPECIFIC STANDARDS}

Contact SDS@fortworthtexas.gov for more information and assistance with the Floodplain Development Permit process.

### **Transportation & Public Works**

**Workflow cleared by Armond Bryant, but no comments provided**



*(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, Water, and Building Plan Review 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.)*

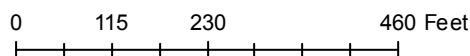


## Area Zoning Map

Applicant: MQ Northside Retail  
 Address: 4941 North Tarrant Parkway  
 Zoning From: FR/CF  
 Zoning To: Add Conditional Use Permit for automated carwash  
 Acres: 1.22161627  
 Mapsco: Text  
 Sector/District: Far North  
 Commission Date: 3/8/2023  
 Contact: 817-392-8043




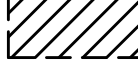


	Subject Area
	300 Foot Notification



**NOTES:**

- 1) EXISTING USE OF PROPERTY IS VACANT. PROPOSED CONDITIONAL USE PERMIT WILL ALLOW FOR A CAR WASH PER SITE PLAN
- 2) PROPOSED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW
- 3) PROJECT WILL CONFORM TO LIGHTING CODE. ANY LIGHTS USED TO ILLUMINATE THE AREA WILL BE DIRECTED DOWN AND AWAY FROM ADJACENT RESIDENTIAL PROPERTIES.
- 4) PROJECT SIGNAGE WILL CONFORM TO ARTICLE 4, SIGNS
- 5) PROJECT WILL COMPLY WITH SECTION 6.301, LANDSCAPING
- 6) PROJECT WILL COMPLY WITH SECTION 6.302, URBAN FORESTRY
- 7) SHADE TREES WILL BE CONCENTRATED ALONG THE NORTHWEST SIDE OF THE PROPOSED IMPROVEMENTS TO PROVIDE ADDITIONAL SCREENING TO THE EXISTING SINGLE FAMILY RESIDENTIAL PROPERTIES.
- 8) EXISTING RETAINING WALL MAINTENANCE EASEMENT WILL BE RELEASED AND REDEDICATED TO LINE UP ON EXISTING RETAINING WALL.
- 9) FLOODPLAIN SHOWN PER FEMA MAP. FLOODPLAIN TO BE FORMALLY REVISED WITH LOMR IN ACCORDANCE WITH CITY OF FORT WORTH ORDINANCES.
- 10) RECLAMATION WORK HAS ALREADY BEEN COMPLETED AND PROPOSED IMPROVEMENTS ARE WITHIN BOUNDARIES OF SAID WORK.

**LEGEND**

-  LANDSCAPE AREA
-  CROSS ACCESS DRIVE
-  VACUUM STATION
-  PROPOSED FENCE

LOT 1, BLOCK 11  
CONVENTRY HILLS ADDITION  
CAR. A, SLIDE 8780  
P.R.T.C.T.  
EX. USE: PARK, EX. ZONING: AR

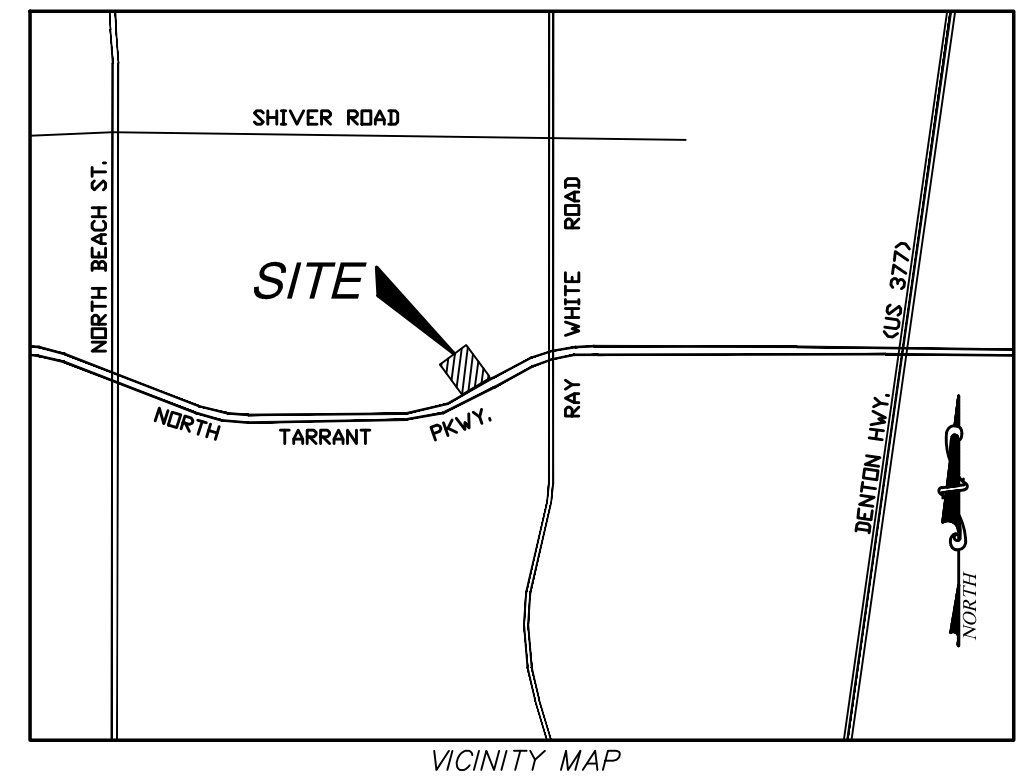
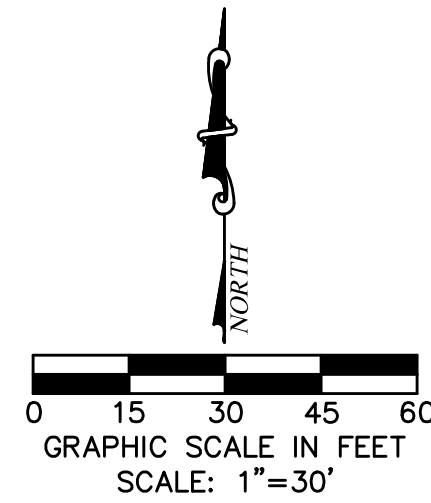
PROPOSED CAR WASH  
LOT 1, BLOCK A  
NORTHSIDE ADDITION  
D221224262 D.R.T.C.T.  
EX. USE: VACANT, EX. ZONING: FR

LOT 1, BLOCK A  
NORTHSIDE ADDITION  
D221224262 D.R.T.C.T.  
EX. USE: VACANT, EX. ZONING: FR

Δ=8°01'24"  
R=1900.00  
L=266.06  
LC=S 63°41'27" W  
265.84

**WAIVER REQUESTS**

1. WAIVER REQUEST TO INSTALL THE REQUIRED FENCE ALONG THE TOP OF THE EXISTING RETAINING WALL IN LIEU OF THE PROPERTY LINE AS REQUIRED BY CODE AS THE PROPERTY LINE IS LOCATED WITH THE FLOODPLAIN AND THE FENCE WILL ADVERSELY IMPACT THE HYDRAULICS OF THE CREEK



**LEGAL DESCRIPTION:**

PORTION OF LOT 1, BLOCK A, NORTHSIDE ADDITION, AN ADDITION IN THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS RECORDED IN CLERKS FILE NO D221224262. BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD SET FOR CORNER, SAID CORNER BEING AT THE COMMON LOT LINE OF LOT 1 AND LOT 2 AND IN THE ROW OF NORTH TARRANT PARKWAY;  
 THENCE ALONG SAID NORTH TARRANT PARKWAY SOUTH 59 DEGREES 40 MINUTES 39 SECONDS WEST, A DISTANCE OF 119.09 FEET TO A POINT, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT;  
 THENCE ALONG SAID CURVE WHOSE CHORD BEARS SOUTH 62 DEGREES 16 MINUTES 51 SECONDS WEST, A DISTANCE OF 172.11 FEET AND A RADIUS 1900 FEET, A DISTANCE OF 172.11 FEET TO A 1/2 IRON ROD SET;  
 THENCE DEPARTING FROM THE NORTH TARRANT PARKWAY RIGHT-OF-WAY ON A BEARING NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 73.55 FEET ALONG THE COMMON LOT LINE OF LOT 1, BLOCK 11 CONVENTRY HILLS ADDITION TO A POINT FOR CORNER, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT;  
 THENCE ALONG SAID CURVE WHOSE CHORD BEARS NORTH 12 DEGREES 55 MINUTES 47 SECONDS EAST, A DISTANCE OF 178.88 FEET AND A RADIUS 398.89 FEET, A DISTANCE OF 180.41 FEET TO A POINT FOR CORNER;  
 THENCE SOUTH 59 DEGREES 26 MINUTES 40 SECONDS WEST, A DISTANCE OF 43.34 FEET TO POINT FOR CORNER;  
 THENCE NORTH 30 DEGREES 19 MINUTES 41 SECONDS WEST, A DISTANCE OF 33.02 FEET TO A POINT FOR CORNER;  
 THENCE NORTH 52 DEGREES 06 MINUTES 21 SECONDS EAST, A DISTANCE OF 176.29 FEET TO A POINT FOR CORNER;  
 THENCE SOUTH 30 DEGREES 18 MINUTES 16 SECONDS EAST, A DISTANCE OF 257.67 FEET TO THE POINT OF BEGINNING CONTAINING 53,214 SQUARE FEET OR 1.22 ACRES OF LAND

**LOT 1 SITE DATA**

LOT AREA	93,551 SF; 2.148 AC
EX. BUILDING AREA	0 SF
PR. BUILDING AREA	+/-4,650 SF
EX. USE	UNDEVELOPED
PROPOSED USAGE	CAR WASH FACILITY
REQUIRED PARKING	5 PARKING SPACES PER AUTOMOBILE THAT MAY BE ACCOMMODATED ON THE WASH LINE (15 PARKING SPACES)
TUNNEL CAPACITY	3 CARS
PROVIDED PARKING	18 SPACES
BUILDING STORIES	1 STORY
LANDSCAPE AREA	+/-5,045 SF

**PRELIMINARY FOR REVIEW ONLY**

Not for Construction or Permit Purposes

Engineer **DAVID GREGORY**  
P.E. No. **89296** Date **01/03/2023**

**OWNER:**  
MQ NORTHSIDE RETAIL, LLC  
DON SILVERMAN  
4622 MAPLE AVENUE, SUITE 200  
DALLAS, TEXAS 75219  
(214) 393-3983

**APPLICANT:**  
ULTRA CLEAN CAR WASH, LLC  
DON HORNER  
840 NORTH ESTRELLA PKWY.  
GOODYEAR, ARIZONA 85338  
(972) 740-5725

Director of Development Services \_\_\_\_\_ Date \_\_\_\_\_

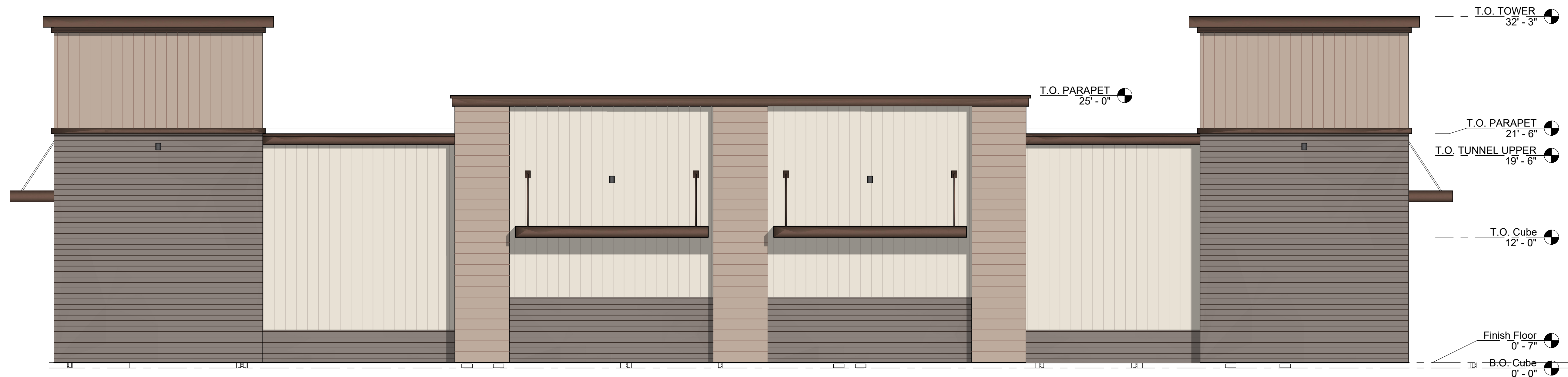
Zoning Case # ZC-23-009 Prepared: JANUARY 3, 2023

SCALE: 1"=60'  
DRAWN: DCG  
DATE: 3/24/23  
SHEET NO. **1**  
OF 1

**SITE PLAN**  
**CONDITIONAL USE PERMIT**  
**ULTRA CLEAN EXPRESS CAR WASH**  
4941 NORTH TARRANT PARKWAY  
CITY OF FORT WORTH  
TARRANT COUNTY, TEXAS

**DCG ENGINEERING**  
DCG Engineering, Inc.  
1668 Keller Parkway, Suite 100  
Keller, TX 76248  
Phone: (817) 874-2941 or (817) 201-4477  
Engineering Firm Registration Number F-21947





STREET FACING


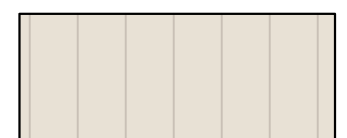
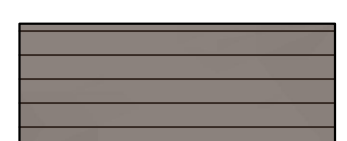




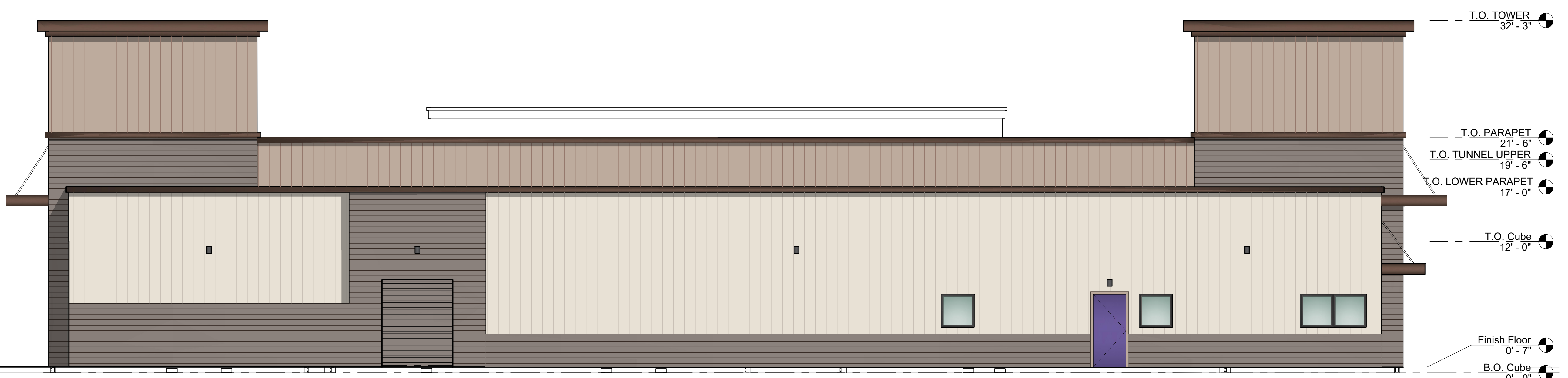
ENTRANCE



EXIT

**MATERIAL LEGEND**

MTL. SIDING: PAC-CLAD - FLUSH		MATCH: CHELSEA MAUVE SW0002
FLUSH PANEL		STONE WHITE
MTL. SIDING: PAC-CLAD - EXPOSED FASEN, 7.2 PANEL		MATCH: MINK SW6004
METAL AWNINGS & TRIM		DARK BRONZE
ACCENT		BENJAMIN MOORE 1407 MAUVE BAUHAUS



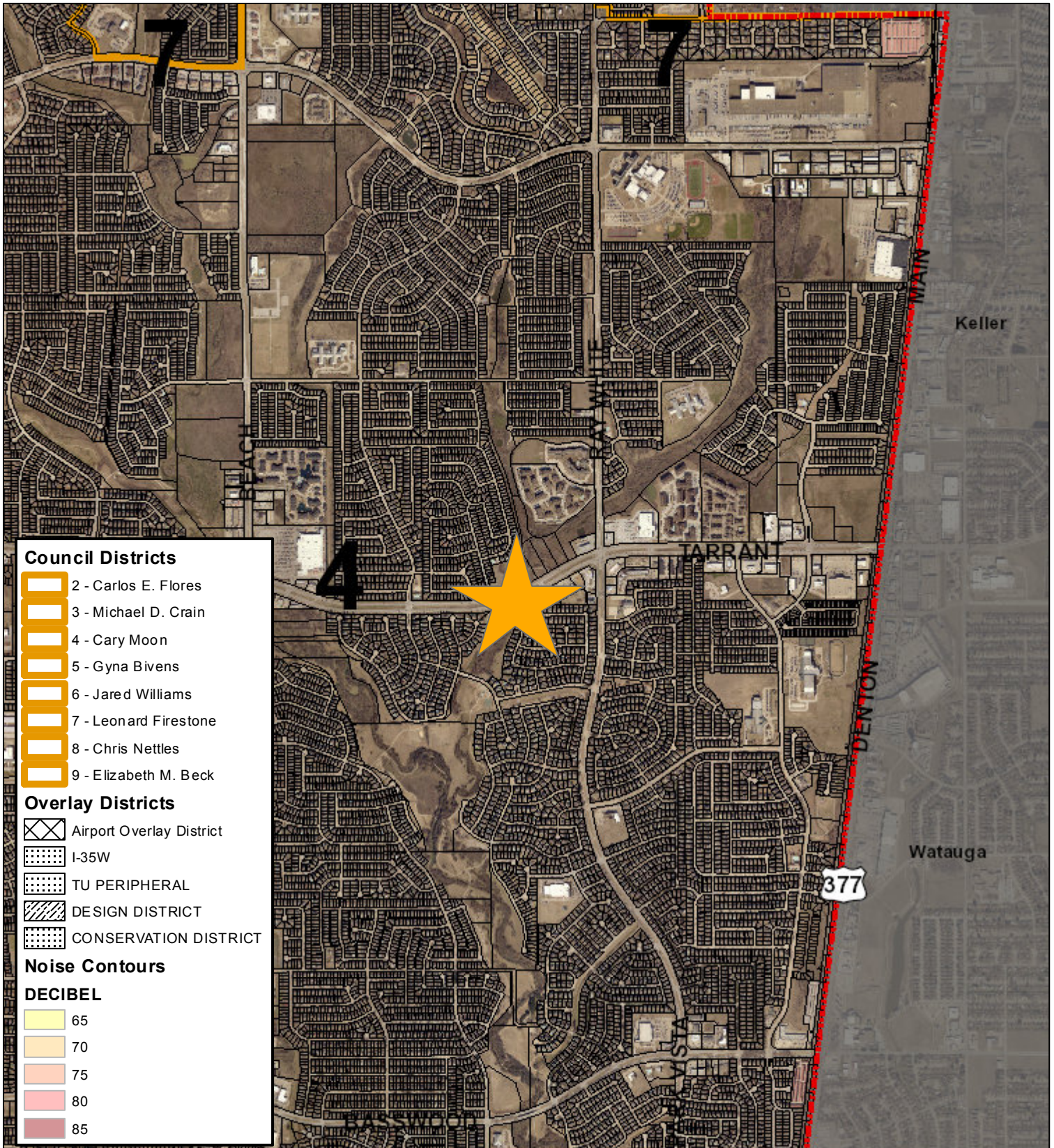
VACUUM/PARKING FACING

# ELEVATIONS


SCALE: 3/16" = 1'-0" DATE: 11/21/22

FOR:  
ULTRA CLEAN EXPRESS CAR WASH  
4941 N. TARRANT PKWY.  
TARRANT CITY., TEXAS






## Area Map



**Council Districts**






-  2 - Carlos E. Flores
-  3 - Michael D. Crain
-  4 - Cary Moon
-  5 - Gyna Bivens
-  6 - Jared Williams
-  7 - Leonard Firestone
-  8 - Chris Nettles
-  9 - Elizabeth M. Beck

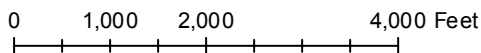
**Overlay Districts**

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

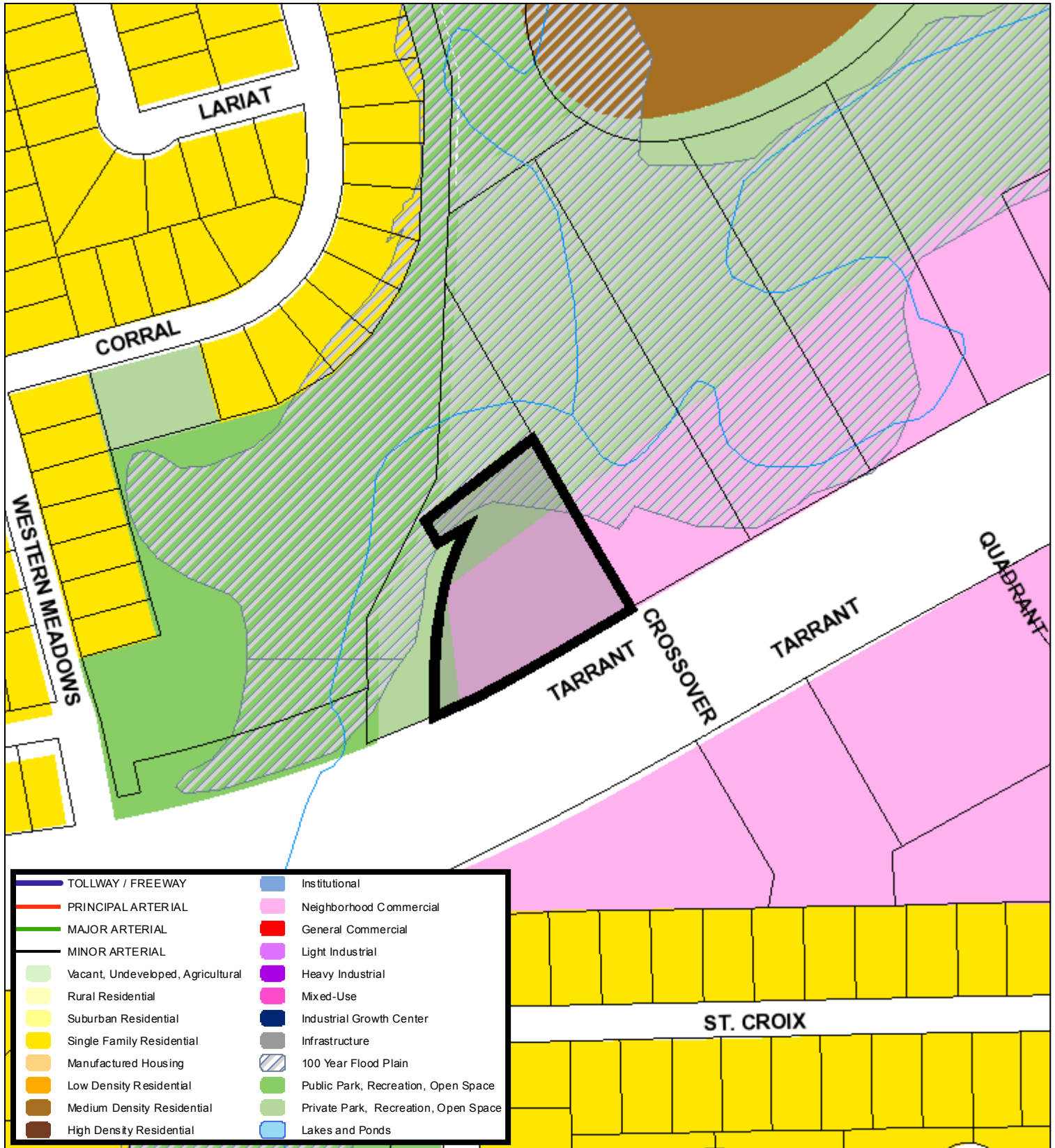
**Noise Contours**

**DECIBEL**

-  65
-  70
-  75
-  80
-  85



### Future Land Use



170 85 0 170 Feet

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



0 110 220 440 Feet

