



# Zoning Staff Report

**Date:** November 9, 2021

**Case Number:** ZC-21-140

**Council District:** 9

## Conditional Use Permit

**Case Manager:** [Beth Knight](#)

**Owner / Applicant:** DD White Settlement Property, LLC/ Jacob Petrie

**Site Location:** 3201 White Settlement Road

**Acreage:** 0.50 acres

### Request

**Proposed Use:** Car Wash

**Request:** From: "E" Neighborhood Commercial

To: Add Conditional Use Permit (CUP) to allow a self-serve carwash facility; site plan included

### 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:** **Approval by a vote of 9-0**

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## Project Description and Background

The proposed site is located at the southwest corner of White Settlement Road and Blanch Circle, west of University Drive. The applicant is requesting to add a Conditional Use Permit to allow a self-serve 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 “E” district for a drive-thru carwash facility in an approximately 4,300 sq. ft. building. Self-service vacuum spaces are shown in two rows south of the carwash building. 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 “E” 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 nearest residential “C” district lies along the southern property line, with additional multifamily complexes to the south and southwest. Because the site is directly adjacent to a multifamily residential use, the closest residential building is approximately 20 feet away. The car wash dryer faces other commercial uses to the east. Because sound volume does not decrease noticeably until after 300 feet to approximately 60 decibels, the location of the car wash equipment and 14 vacuums are likely to have a detrimental impact on the neighborhood. No noise mitigation measures are shown. The site plan shows less than 2 feet of landscaping area along the southern property line, which does not allow space to add buffering landscaping or a larger setback as a sound mitigation measure.

The general area and the subject site are designated as Mixed Use in the Cultural District Growth Center. Supporting denser mixed-uses is a Trinity Metro bus line that runs immediately to the east along Blanch Circle. Two additional bus routes run approximately ½ mile to the south along W. 7<sup>th</sup> Street. White Settlement is covered by a Scenic Corridor overlay.

The ½-acre lot size does not have sufficient room to place the car wash building or the vacuum stalls the minimum distance required from a residential use. The small size of the lot does not support an auto-oriented use, as cars are shown to use Blanch Circle, a public street, for maneuvering between the vacuum stalls and the car wash entrance or exit on the private commercial use. Additionally, the dumpster pick-up appears to use Blanch Circle its maneuvering space. The 10-foot setback shown along the eastern side does not allow one car length after the car wash exit, leaving a vehicle partially in the street and approximately 20 feet from the intersection with White Settlement, an arterial street.

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 E regulation and the proposed CUP.

<b>Requirement</b>	<b>E Standards</b>	<b>Proposed CUP</b>
Building placement	Car wash building required to be 100 feet from a residential district. Vacuums required to be 25 feet from a residential district.	Car wash is less than 75 feet and vacuums are less than 20 feet from a residential district <i>(requires Development Regulation Waivers)</i>
Street setbacks	20-foot front setbacks are required on all non-arterial street sides in E zoning.	Car wash building, vacuum canopies, central vacuum, and dumpster are in eastern setback <i>(requires Development Regulation Waiver)</i>
Solid screening fence	6-ft minimum solid screening fence is required along the southern property line, which abuts a residential district	No screening fence is shown <i>(requires Development Regulation Waiver)</i>
Parking spaces	5 parking spaces are required for each car length in car wash	Less than 4 parking spaces are shown for 4 lengths in carwash <i>(requires Development Regulation Waiver)</i>
Maneuvering space	All vehicular maneuvering is to take place on-site	A public right-of-way is used for maneuvering between car wash uses <i>(requires Development Regulation Waiver)</i>
Rear setback	15-foot rear setbacks are required adjacent to a residential district in E zoning	Dumpster enclosure is less than 15 feet to a residential district <i>(requires Development Regulation Waiver)</i>

## Surrounding Zoning and Land Uses

North “E” Neighborhood Commercial / Cemetery

East “F” General Commercial and “PD 174” Planned Development for “E” uses plus automobile sales and rental / Automobile sales

South “C” Medium Density Multifamily / Multifamily uses

West “E” Neighborhood Commercial / Photography studio and vacant land

## Recent Zoning History

ZC-17-170, subject, from E to PD for E uses to add auto storage, approved 10/19/2017.

ZC-18-154, subject, from PD for E uses with auto storage to E, approved 11/14/2018.

## Public Notification

300-foot Legal Notifications were mailed on August 23, 2021.

The following organizations were notified: (emailed August 23, 2021)

Organizations Notified	
West 7th Neighborhood Alliance	Westside Alliance
Casa Blanca HOA	Sixth & Arch Adams HA
Monticello NA	Crestwood NA
Linwood NA*	Tarrant Regional Water District
Streams and Valleys Inc	Trinity Habitat for Humanity
Cultural District Alliance	Fort Worth ISD

\* *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 “E” zoning district. Surrounding land uses consist of multifamily complexes to the south with other commercial uses or commercially zoned vacant land in all other directions. The multifamily uses are immediately adjacent to the southern property line.

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

1. The car wash building is closer than 100 feet to a residential district, as required in Sec. 5.108. **This item needs a development waiver as shown.** Either add this note in bold or revise the site plan.

2. Vacuum stalls are closer than 25 feet to a residential district, as required in Sec. 5.108. **This item needs a development waiver as shown.** Either add this note in bold or revise the site plan.
3. 20 parking spaces are required for 4 car lengths in the car wash, instead of 14 parking spaces provided, as required in Sec. 5.108. **This item needs a development waiver as shown.** Either add this note in bold or revise the site plan.
4. A 6-ft minimum solid screening fence is required along the southern property line, which abuts a residential district, as required in Sec. 5.108. **This item needs a development waiver as shown,** or add a fence with label and fencing detail provided.
5. All non-arterial street setbacks are required to be 20 feet, as per Sec. 4.901. The car wash building, the vacuum canopies, central vacuum, and dumpster enclosure encroach into the eastern setback. **These items need development waivers as shown.** Either add this note in bold or revise the site plan.
6. Since adjacent to a residential district, rear yard is required to be 15 feet, as per Sec. 4.901. The dumpster enclosure encroaches into the rear setback. **This item needs a development waiver as shown.** Either add this note in bold or revise the site plan.
7. All maneuvering is to be within the property lines, instead of driving on a public street between the vacuum spaces and the car wash entrance/exit, as per Sec. 6.202D. **This item needs a development waiver as shown.** Either add this note in bold or revise the site plan.
8. Car wash building length or placement should allow for 1 car length between end of building and eastern property line, so car does not have to stop partially in the street.
9. All stacking spaces must be entirely within the property lines, instead of encroaching onto Blanch Circle.
10. Garbage truck maneuvering space is to be within the property lines, instead of encroaching onto Blanch Circle.
11. How many employees will the facility have and where will they park? All parking spaces are shown under a vacuum canopy.
12. Bicycle parking is required, as per Sec. 6.204. **This item needs a development waiver as shown,** or add bicycle parking with label.
13. The central vacuum location impedes visibility to cars existing to Blanch Circle.
14. Show all easements and setback lines from recorded plat.
15. Note the site's land use and zoning, as well as the land use and zoning of the surrounding properties.
16. Notes 10 & 16 duplicate each other. Remove note #10.
17. Lighting north and south of pay stations needs to be rotated to not face or shine on the adjacent residential property.
18. Note that all lighting will conform to Lighting Code.
19. Dumpster enclosure solid walls and gate needs to be noted.
20. Note project will comply with Sec. 6.301 Landscaping.
21. Note project will comply with Sec. 6.302 Urban Forestry.
22. Move the project title to be in lower right-hand corner.
23. Add the platted legal description to the site plan, instead of the informally subdivided description.
24. Update the zoning case number to ZC-21-140.
25. Building elevations drawings with heights and materials need to be submitted. Label specific window material, instead of "translucent". Car washes should have durable exterior surfaces, as per Sec. 5.108.
26. Include drawings with heights and materials of vacuum canopies and pay station canopy.
27. Remove signage from building renderings, and exclude signage on building elevations.

The proposed zoning request is **not compatible** with surrounding land uses due the lack of sound buffering, as well as the small lot size that does not provide sufficient space to implement minimum zoning requirements,

requiring numerous development waivers. The lack of building elevations and materials prevents portions of the car wash supplemental standards to be reviewed.

*(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.)*

## Comprehensive Plan Consistency – Arlington Heights

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The 2021 Comprehensive Plan currently designates the subject property as mixed use in the Cultural District Growth Center, where vehicular uses are generally not allowed. The proposed zoning is inconsistent with the land use designations for this area, and conflicts with the following policies of the Comprehensive Plan:

- Accommodate higher density residential and mixed uses in transit-oriented developments, urban villages, and designated mixed-use growth centers.
- Locate multifamily units within walking distance of public transportation, employment, recreation, and/or shopping to increase accessibility and decrease vehicular traffic.
- Promote appropriate infill development of vacant lots, old commercial centers (greyfields), and contaminated sites (brownfields) within developed areas, particularly in the central city.
- Support zoning changes that accommodate multifamily residential development within urban villages, transit-oriented developments (TOD) and designated growth centers.
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses.
- Promote commercial and urban residential development within the Cultural District and Clear Fork Mixed-Use Growth Centers.
- Encourage urban residential development in appropriate locations to create more walkable, pedestrian-oriented neighborhoods.

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

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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.

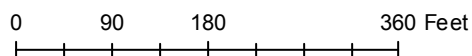
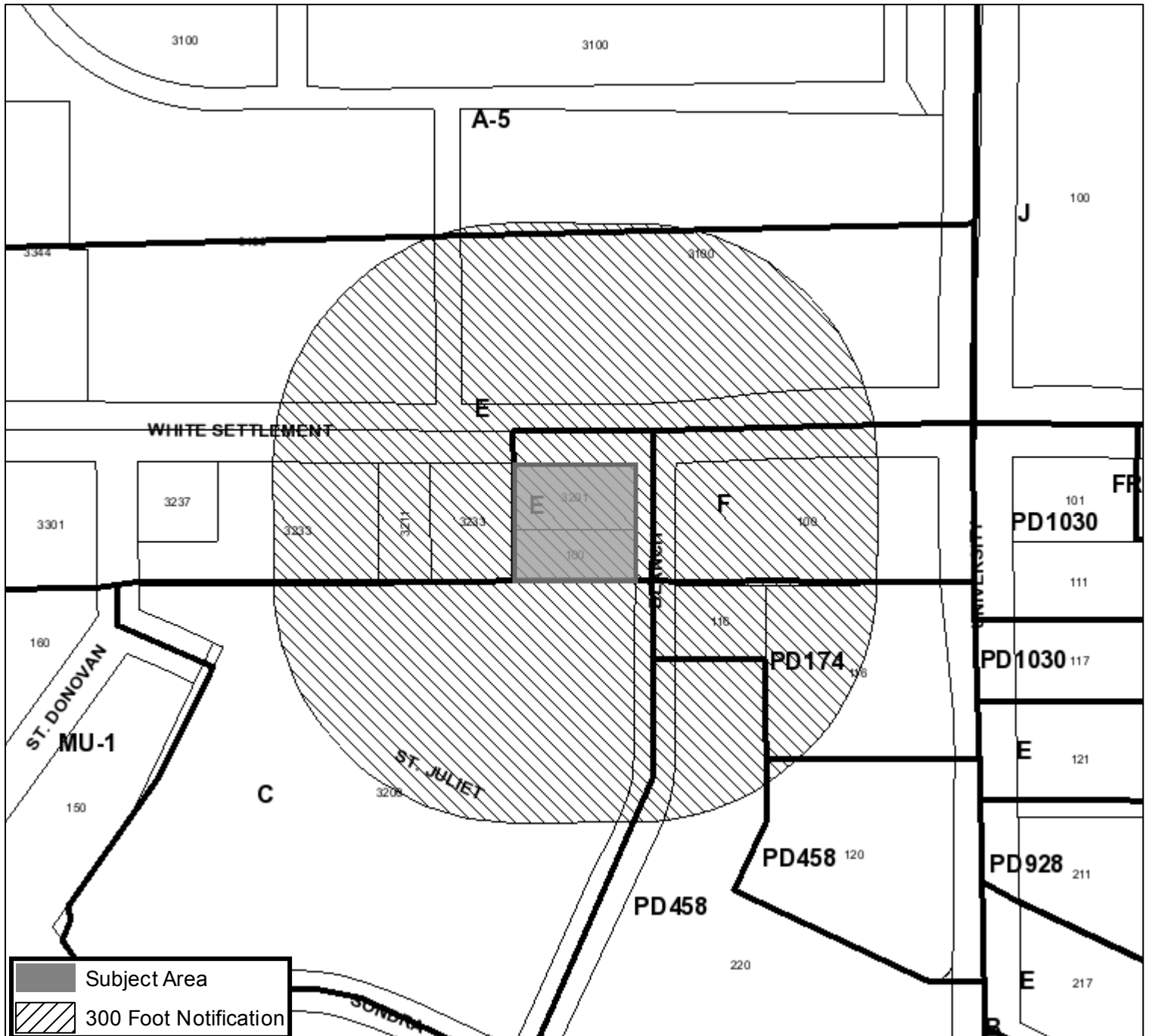
This zoning request does not assist in high-wage job growth, is not a targeted high-growth industry, and does not contribute to walkable corridors.





# Area Zoning Map

Applicant: DD White Settlement Property, LLC  
 Address: 3201 White Settlement Road  
 Zoning From: E  
 Zoning To: Add Conditional Use Permit for car wash  
 Acres: 0.50270355  
 Mapsco: 62W  
 Sector/District: Arlington Heights  
 Commission Date: 9/8/2021  
 Contact: 817-392-8190

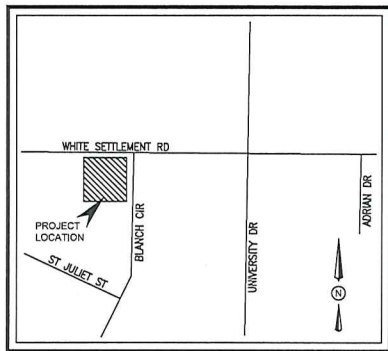


**GENERAL NOTES**

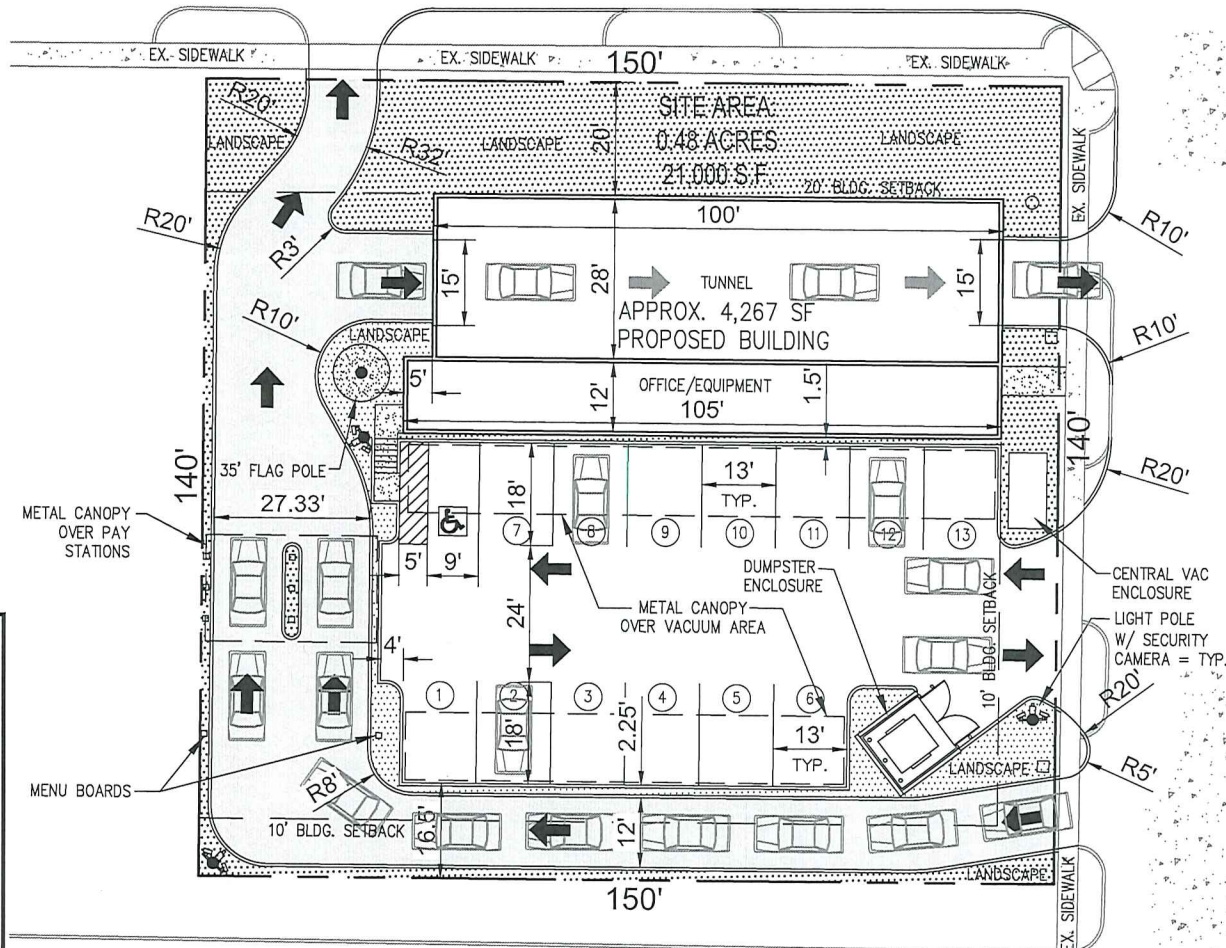
- CONTRACTOR SHALL VERIFY ALL EXISTING SITE AND BUILDING CONDITIONS IN THE FIELD PRIOR TO START OF ANY WORK. A REGISTERED SURVEYOR SHALL BE ENGAGED TO LAY OUT ALL SITE WORK.
- CONTRACTOR SHALL REVIEW DOCUMENTS AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES IN PROJECT PLANS AND SPECIFICATIONS, IN WRITING. 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 FOR THE TEXAS FIRE PREVENTION CODE.
- VERIFY ALL EXIT DOOR LOOKING HARDWARE COMPLIES WITH THE TEXAS FIRE PREVENTION CODE.
- ALL NEW CONCRETE FLOOR SLAB AREAS SHALL HAVE TERMITIC 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, 7:00 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-FACED CMU BLOCK, TRANSLUCENT WINDOW PANELS AND STOREFRONT MATERIALS.
- ALL DOMESTIC WATER SERVICE AND METER SHALL BE 1-1/2" JZ.
- APPLICANT WILL COMPLY WITH ALL LOCAL, STATE AND NATIONAL BUILDING CODES.
- APPLICANT WILL COMPLY WITH THE SIGN ORDINANCE (CHAPTER 6).

PAVEMENT LEGEND	
EXISTING CONCRETE	
PROPOSED CONCRETE	
PROPOSED LANDSCAPE	
PROPOSED SIDEWALK	

SITE DATA SUMMARY TABLE	
SITE ACREAGE:	0.48 ACRES (21,000 SQ. FT.)
ZONING:	E - NEIGHBORHOOD COMMERCIAL
PROPOSED USE:	CARWASH
BUILDING AREA:	4,267 S.F.
NUMBER OF STORES:	1
BUILDING COVERAGE:	20%
FLOOR AREA RATIO:	0.20
IMPERVIOUS AREA:	16,138 S.F. (0.77 ACRES)
PERVIOUS/LANDSCAPE AREA:	4,862 S.F. (0.23 ACRES)
REGULAR PARKING PROVIDED:	9 SPACES
HANDICAP PARKING REQUIRED:	1 SPACE
HANDICAP PARKING PROVIDED:	1 SPACE
TOTAL PARKING PROVIDED:	10 SPACES
VACUUM STALLS PROVIDED:	13



# WHITE SETTLEMENT RD



BLANCH CIR

DATE: 08.02.2021  
JOB NO: 2000X  
DRAWING: STAFF  
CHECKED: AG



AG DESIGN GROUP  
PO BOX 383023  
DUNCANVILLE, TX 75138



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

WHITE SETTLEMENT  
CAR WASH  
&  
WHITE SETTLEMENT RD. &  
BLANCH CIR.  
FORT WORTH, TX. 76107

REVISIONS

NO.	DATE	DESCRIPTION

SITE PLAN

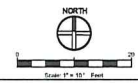
SHEET NUMBER

A1.00

Zoning Case Number: ZC-XX-XXX

Developer/Owner: Jake Petrie  
Address: 780 W. Kennedda Parkway  
City/State: Kennedda, Texas 75064  
Telephone Number: 82.583.4962  
E-mail Address: jake@cascodeventures.com

Director of Planning and Development  
Date: \_\_\_\_\_



01 SITE PLAN  
SCALE 1" = 15'-0"

ZC-21-140-

02 VICINITY MAP  
NOT TO SCALE  
RECEIVED AUG 02 2021








## 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

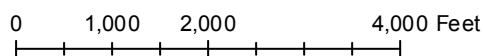
**Overlay Districts**

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

**Noise Contours**

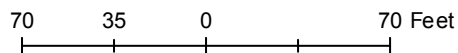
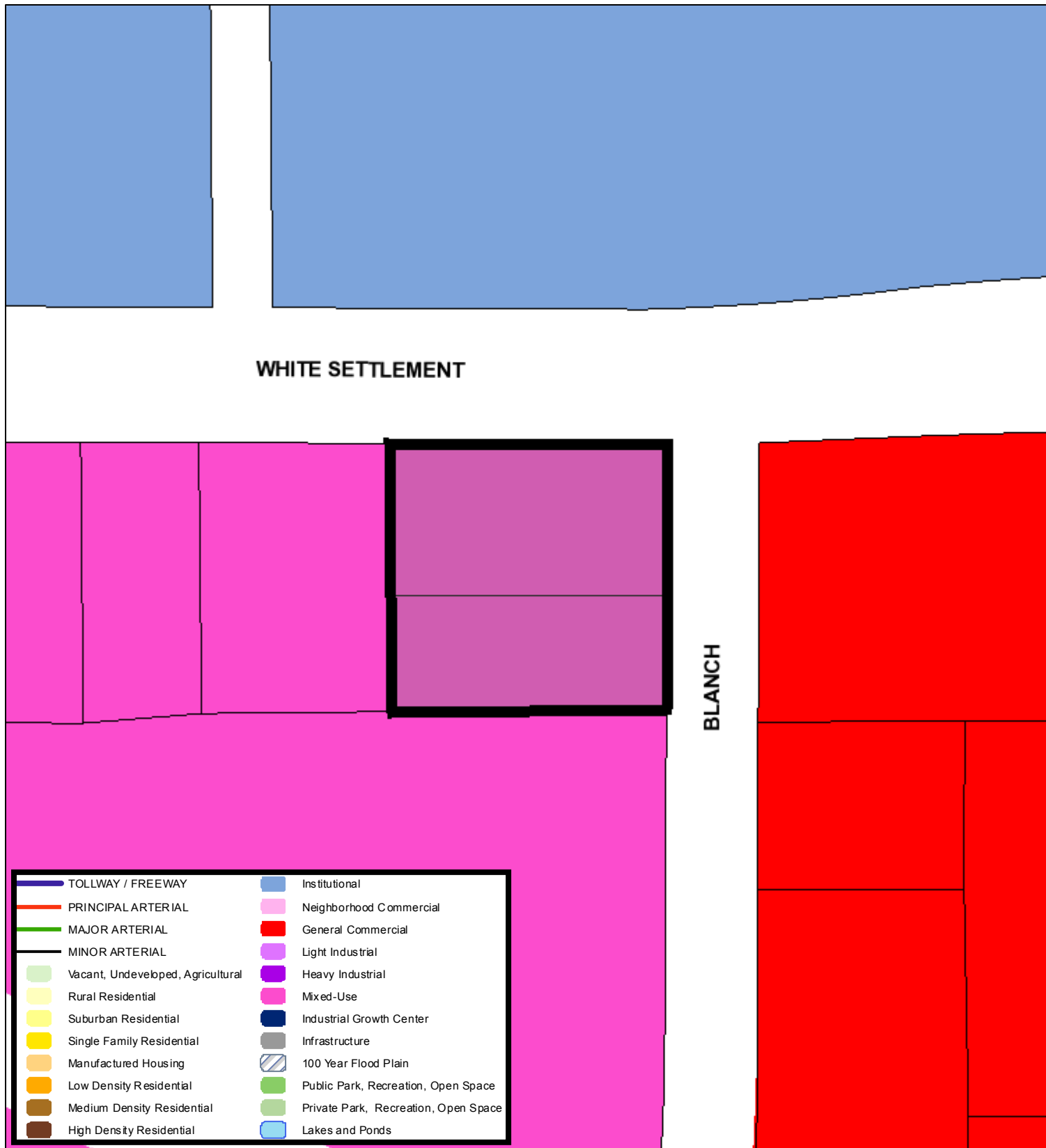
**DECIBEL**

-  65
-  70
-  75
-  80
-  85





### Future Land Use



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

