



Zoning Staff Report

Date: Sept. 17, 2024

Case Number: ZC-24-077

Council District: 9

Zoning Map Amendment & Site Plan

Case Manager: Brett Mangum

Owner / Applicant: Baytex Energy USA Inc. / Jake Petrie, Cascade Venture Partners LLC

Site Location: 3339 White Settlement Road

Acreage: 1.07 acres

Request

Proposed Use: Automated Car Wash

Request:

From: "PD/SU" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial, except ambulance dispatch station, outdoor amusement, telecommunication tower, recreational vehicle park, liquor store, pawn shop and tattoo parlor, plus automotive repair & tire store. Three existing signs permitted. No outside furniture on site, no flags banners or temporary signs, no 18 wheelers stored on Boland; Site plan required

To: "PD/E" Planned Development for all uses "E" Neighborhood Commercial with automated carwash and development standards for the following: front yard setback, drying and vacuuming facilities in the front yard and within 25' of a residential district, and for car wash dryer to face a residential district or use; site plan included

Request

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

Comprehensive Plan Map Consistency: Requested change **is not consistent**

Comprehensive Plan Policy Consistency: Requested change **is not consistent**

Staff Recommendation: **Denial**

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

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Project Description and Background

The proposed site is located at the southeast corner of White Settlement Road and Boland Street, west of University Drive in Council District 9. The applicant is requesting to amend the existing Planned Development (PD-412) to allow a self-serve carwash facility; Site Plan included.

While a carwash is not permitted in the “E” zoning district by right, allowing one by PD with a site plan may help mitigate any neighborhood concerns. The site is currently vacant land. The nearest residential “D” district lies opposite Boland Street along the western property line, with additional multifamily complexes to the south and southeast, although they are not directly adjacent to the subject site. The closest residential building is approximately 300 feet away. The car wash dryer faces this residential use, and is partially buffered by the street right of way. Because sound volume does not decrease noticeably until after 300 feet to approximately 60 decibels, the location of the car wash equipment and 17 vacuums are likely to have a detrimental impact on the neighborhood.

Car wash supplemental standards are included below for reference:

§ 5.108 CAR WASH.

Car wash facilities shall be limited to the districts designated "CUP" or "P" in the use tables in Chapter 4, Articles 8 and 12, subject to the following conditions:

- (a) All washing facilities shall occur under a roofed area with at least two walls.
- (b) All drying and vacuuming facilities may be outside the building but shall not be in the front yard and shall not be closer than 25 feet from any residential district. No car wash dryer shall face a residential district or use.
- (c) The building surfaces shall be faced with masonry, porcelainized steel, baked enamel steel or other material equal in durability and appearance.
- (d) Setback requirements for full-service and automated-service car washes:
 - (1) Full-service car washes are allowed by right in "F" and "G" when the distance from a residential district or use is greater than 200 feet. A conditional use permit is required if the distance from a residential district or use is 200 feet or less.
 - (2) Automated-service car washes in " G" are allowed by right when the distance from a residential district or use is greater than 200 feet. A conditional use permit is required when the distance from a residential district or use is 200 feet or less.
 - (3) The measurement of the distance between the car wash and the residential use shall be along the nearest property line of the residential use to the nearest property line of the car wash, along street lines and a direct line across intersections.
- (e) The building shall set back not less than 25 feet from the front property line.
- (f) Off-street parking shall be provided on the property in the ratio of not less than three parking spaces for each washing stall, or five parking spaces for each automobile that may be accommodated on the washing line within a facility.
- (g) All off-street parking areas shall be hard-surfaced and dust-free.
- (h) Any lights used to illuminate the area shall be directed downward and away from adjacent residential properties.
- (i) A permanent screening fence or wall not less than six feet in height shall be constructed along any site property line which abuts a residential district or use.

(Ord. 13896, passed 10-12-1999; Ord. 25514-05-2022, § 1, passed 5-10-2022, eff. 5-18-2022)

Below is a chart that itemizes the waivers being requested as part of this PD amendment.

Requirement	Standards	Proposed PD Amendment
Front yard setback	25' front setbacks are required on all non-arterial street sides, per supplemental standard 5.108.e	Vacuum canopies are encroach approximately 21' into the 25' western setback along Boland Street <i>(requires Development Standard/Waiver)</i>
Drying/Vacuumping Facilities Location/Siting	Per Section 5.108.b, drying or vacuumping facilities can be within the front yard, AND cannot be closer than 25' from any residential district or use	Vacuumping facilities are in front yard along Boland Street and are within less than 25' of "D" High Density Multifamily residential zoning across Boland <i>(requires Development Standard/Waiver)</i>
Dryer Location/Siting	Per Section 5.108.b, no car wash dryer shall face a residential district or use	Tunnel exit portal and dryers face west towards "D" High Density Multifamily residential zoning across Boland Street from subject site <i>(requires Development Standard/Waiver)</i>

Surrounding Zoning and Land Uses

North "PD-1195" Planned Development / Cemetery
 East "E" Neighborhood Commercial / Gas Station & Convenience Store
 South "E" Neighborhood Commercial / Offices
 West "D" High Density Multifamily / Apartments

Recent Zoning History

- None

Public Notification

300-foot Legal Notifications were mailed on August 2, 2024.
 The following organizations were emailed on August 2, 2024:

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

**Located closest to this registered neighborhood organization*

Development Impact Analysis

Land Use Compatibility

The applicant is proposing a zoning change to modify the existing “PD/E” to do the following:

- 1) Add automated car wash use within 200' of a residential zone or use
- 2) Add development standards for:
 - Front yard setback
 - Drying and vacuuming facilities in the front yard and within 25' of a residential district
 - Car wash dryer to face a residential district or use
- 3) Update Site Plan

Surrounding land uses consist of multifamily complexes to the west, a cemetery to the north, and other commercial uses in all other directions. The multifamily uses are approximately 300' from the tunnel exit and dryers, which is the place where a majority of the noise generation emanates from. Vacuums are located in between the tunnel exit and the multifamily site, adding an additional noise source. While the applicant is proposing ‘dense landscaping, shrubs, plants, trees, and screening berm’ for noise reduction, it remains to be seen whether these measures would be adequate in blocking noise, and whether or not they remain in place (landscaping has the potential to die and then be removed, but not necessarily replaced).

The proposed zoning change **is not consistent** with the surrounding land uses.

Comprehensive Plan Consistency – Arlington Heights Sector

The 2023 Comprehensive Plan currently designates the subject property as *future 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.

- This zoning request does not assist in the Economic Development Plan’s goals. A car wash does not create high-wage job growth, is not a targeted high-growth industry, and the auto-oriented use does not contribute to walkable corridors.

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 map or policies.

Site Plan Comments

Zoning and Land Use

(All zoning comments addressed as of 7/26/2024)

- Add case reference ZC-24-077.
- Refine General notes #10, 17, 18, 19 to read verbatim from the requirements on Page 7 of the zoning change application.
- Contact Urban Forestry Section if you have not already done so, to see if you can meet their standards.
- If you aren't able to meet their standards, then a waiver to urban forestry requirements will need to be added to the PD as a development standard.
- Will need to add development standard (aka waiver) for front yard setback, as the site plan shows the proposed canopies over the vacuum area encroaching into the 25' front build line shown on the plat along Boland Street.
- Add development standard for drying and vacuuming facilities in the front yard and within 25 feet from any residential district.
- Add development standard for car wash dryer to face a residential district or use.
- List all development standards (waivers) to the “E” requirements that you are requesting clearly on the Site Plan document and on the revised application document.
- Remove all signage from Site Plan and elevations.
- Signature block should read “Director of Development Services”.
- Provide additional space in signature block.
- Correct building setback along Boland from 5' to 25'.
- Dumpster enclosure is missing dimensions, screening material and height.
- No fencing or screening information shown on plans.
- Label secondary exterior building material not listed on applications (between split face CMU & R panel roof).
- Add note that “Any lights used to illuminate the area shall be directed downward and away from adjacent residential properties”.

Platting

No response provided

Water

No response provided

Park and Recreation

Workflow cleared by Lori Gordon, but no comments provided

Fire Department

FWFD - (Lt. Adam Thornton, FirePlatting@fortworthtexas.gov) Fire has no comments

Addresses will be assigned by CFW Fire Department after the plat is recorded. DO NOT SELF ADDRESS. Plats are worked within 10 days in the order received.

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.

Building Plan Review

No response provided

Transportation/Public Works Stormwater

No response provided

Transportation/Public Works Engineering

No response 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.)

