



Zoning Staff Report

Date: March 8, 2022

Case Number: ZC-21-224

Council District: 6

Conditional Use Permit

Case Manager: [Beth Knight](#)

Owner / Applicant: NEC CTR & McP LP/JM Civil Engineering

Site Location: 9300 block Summer Creek Drive **Acreage:** 1.29 acres

Request

Proposed Use: Car Wash

Request: From: “G” Intensive Commercial

To: Add Conditional Use Permit to allow for a self-service car wash in “G” Intensive Commercial; site plan included

Recommendation

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

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

Staff Recommendation: **Approval**

Zoning Commission Recommendation: **Denial by a vote of 6-2**

Table of Contents

1. [Project Description and Background](#)
2. [Surrounding Zoning and Land Uses](#)
3. [Recent Zoning History](#)
4. [Public Notification](#)
5. [Development Impact Analysis](#)
 - a. [Land Use Compatibility](#)
 - b. [Comprehensive Plan Consistency](#)
 - c. [Economic Development Plan](#)
6. Area Zoning Map with 300 ft. Notification Area
7. Site Plan
8. Elevations
9. Area Map
10. Future Land Use Map
11. Aerial Photograph

Project Description and Background

The proposed site is located on the west side of Summer Creek Drive, north of McPherson Boulevard. The applicant is requesting to add a Conditional Use Permit to allow a 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 4,500 sq. ft. building. Self-service vacuum spaces are shown in a row 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 “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 nearest residential use is a multifamily complex across Summer Creek Drive to the east, with additional multifamily complexes further to the north. The closest residential building is approximately 150 feet away. While the car wash dryer faces the multifamily complex, a landscaping berm has been proposed along the eastern side between the car wash dryer and the existing multifamily uses.

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.

Surrounding Zoning and Land Uses

North “G” Intensive Commercial / Vacant land
 East “PD 971” Planned Development for D uses / Multifamily uses
 South “G” Intensive Commercial / Vacant land
 West “G” Intensive Commercial / Vacant land

Recent Zoning History

ZC-18-004, north of subject, amend PD 971 boundaries of R1 and D uses, approved 2/7/2018.
 ZC-20-110, north of subject, from R1 to PD for CR uses plus cottage community, approved 9/17/2020.

Public Notification

300-foot Legal Notifications were mailed on December 21, 2021.
 The following organizations were notified: (emailed December 22, 2021)

| Organizations Notified | |
|------------------------|------------------------------|
| Panther Heights NA* | Streams and Valleys Inc |
| Summer Creek Ranch HOA | Trinity Habitat for Humanity |
| District 6 Alliance | Crowley 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 “G” zoning district. Surrounding land uses consist of a multifamily complex to the east with vacant commercially zoned land in all other directions. The multifamily uses are directly across the street from the car wash dryer, approximately 150 feet from the site. Sound from this type of equipment is noticeable until approximately 300 feet away. The applicants have added a landscaped berm between the car wash dryer and the multifamily uses to mitigate the sound effects on the neighborhood. The development waiver request to provide 23 parking spaces is 2 spaces less than required but provides more than 90% of the required parking spaces. As the site is more than 250 feet from a one- or two-family district, this development waiver request should not negatively impact the neighboring properties.

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

1. Please note the building material of the “Painted Structure” on the west elevation.
2. The dryer is facing the residential uses that are less than 300 feet away. Please note the height of the berm in the landscaping along Summer Creek Drive.
3. 25 parking spaces are required for 5 car lengths in the car wash, instead of 23 parking spaces provided, as required in Sec. 5.108. **This item has requested a development waiver.**
4. Revise the adjacent zoning of the land to the east from PD-MU to PD 971 for D uses.

The proposed zoning request **is compatible** with surrounding land uses due the sound buffering provided along the eastern side of the project, as well as the intensive commercial zoning surrounding the 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.)

Comprehensive Plan Consistency – Far Southwest

The 2021 Comprehensive Plan currently designates the subject property as general commercial.

While the proposed zoning is consistent with the land use designations for this area, the proposed zoning aligns with the following policies of the Comprehensive Plan:

- 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.

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

Economic Development Plan

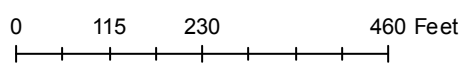
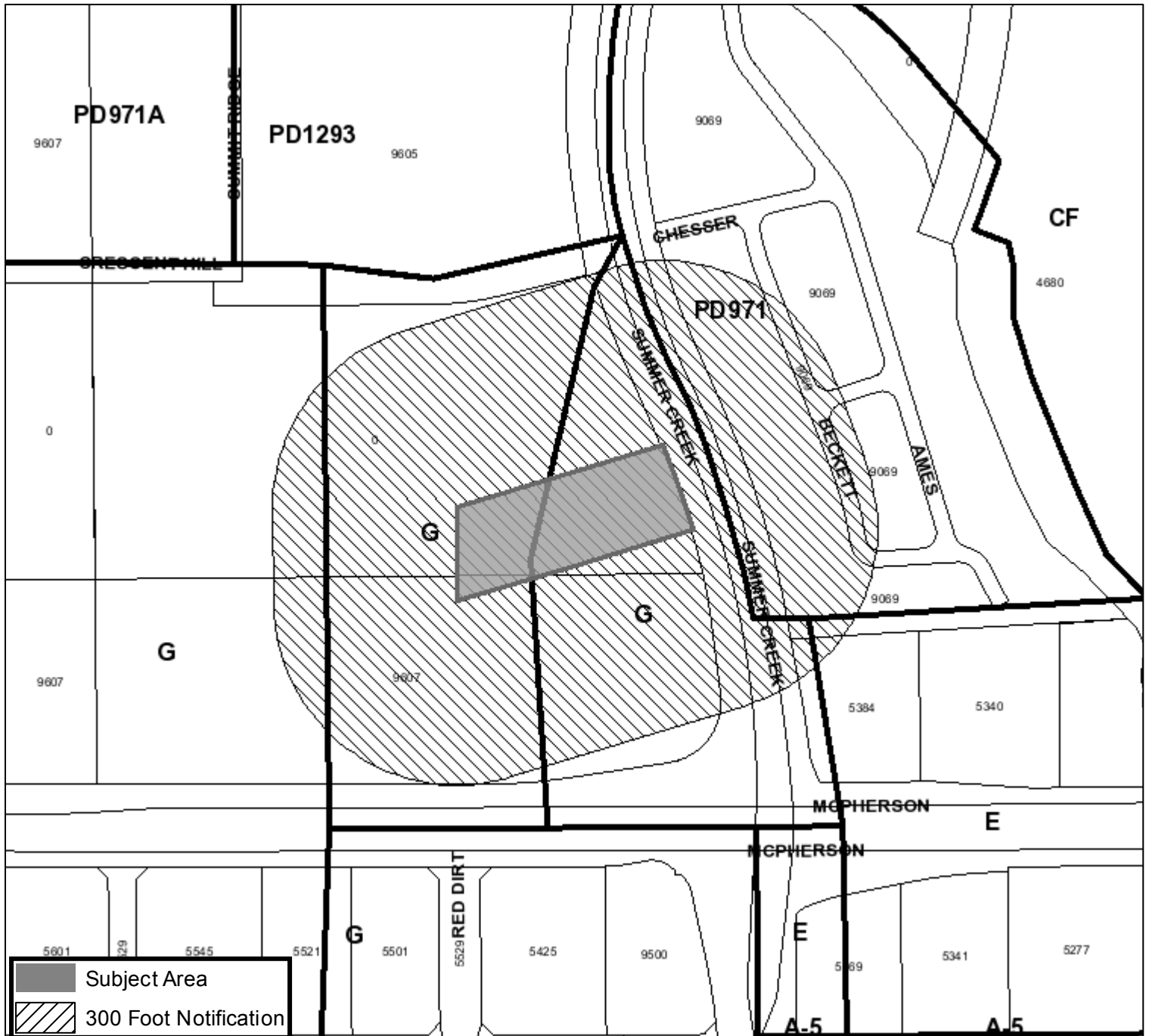
The 2021 Economic Development Strategic Plan identified four different results to facilitate the success and growth of Fort Worth:

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 the auto-oriented use does not contribute to walkable corridors.

Area Zoning Map

Applicant: NEC CTR & McP LP
 Address: 9300 block Summer Creek Drive
 Zoning From: G
 Zoning To: Add Conditional Use Permit for car wash
 Acres: 1.2858437
 Mapsco: 102Z
 Sector/District: Far Southwest
 Commission Date: 1/12/2022
 Contact: 817-392-8190



| PRELIMINARY PROJECT DATA | |
|--------------------------|-----------|
| ZONING: | G |
| SITE AREA | 1.29 AC |
| BUILDING FOOTPRINT | 4348 S.F. |
| PARKING REQUIRED | 25 SPACES |
| PARKING PROVIDED | 21 SPACES |
| H.C. PARKING PROVIDED | 2 SPACES |
| TOTAL PARKING | 23 SPACES |
| SETBACKS: | |
| FRONT: | 25 FT. |
| SIDE: | 5 FT. |
| REAR: | 10 FT. |

PARKING REQUIREMENT NOTE:

- THIS DESIGN PROVIDES 23 PARKING SPACES OF THE 25 SPACES REQUIRED PER SEC. 5.108. A DEVELOPMENT WAIVER WILL BE REQUIRED.

CITY NOTE:

- LIGHTING WILL CONFORM TO LIGHTING CODE. OTHERWISE INDICATED ON THE SITE PLAN THE LOCATION, HEIGHT, TYPE, FOOT-CANDLE LEVEL AND ORIENTATION OF ALL AREA AND SECURITY LIGHTING THAT DOES NOT MEET THE LIGHTING CODE.
- ALL SIGNAGE WILL CONFORM TO ARTICLE 4, SIGNS. OTHERWISE INDICATED ON THE SITE PLAN THE LOCATION, TYPE, HEIGHT AND ILLUMINATION OF ALL PROPOSED WALL, ROOF, MONUMENT, AND POLE SIGNS THAT DO NOT MEET THE SIGN CODE.

NOTE:

- EXISTING SITE CONSISTS OF MAINLY VEGETATION AND IT IS NOT DEVELOPED.

SITE KEY NOTES:

- CONCRETE CURB AND GUTTER. (PER LOCAL CODES)
- TAPER CURB.
- EXISTING PAVEMENT TO REMAIN.
- CONCRETE SIDEWALK, 2% MAX. CROSS SLOPE AND 5% MAX. STRAIGHT SLOPE (PER LOCAL CODES).
- SIDEWALK RAMP @ 8.33% MAX. (PER LOCAL CODES)
- DIRECTIONAL TRAFFIC ARROW. (PER LOCAL CODES)
- PARKING STALL STRIPING. (PER LOCAL CODES)
- 4" WIDE PAINTED STRIPES, 2' OFF CENTER @ 45°.
- PEDESTRIAN/ACCESSIBLE CROSSWALK STRIPING.
- ACCESSIBLE STRIPING & SYMBOL. (TYPICAL-PER ADA AND LOCAL REQUIREMENTS)
- ACCESSIBLE SIGNS. (TYPICAL-PER ADA AND LOCAL REQUIREMENTS)
- DUMPSTER ENCLOSURE, WITH SOLID SCREENING WALLS, AND GATE. (PER ARCH. PLANS)
- LANDSCAPE AREA. (PER LANDSCAPE PLAN)
- LANDSCAPE BERM

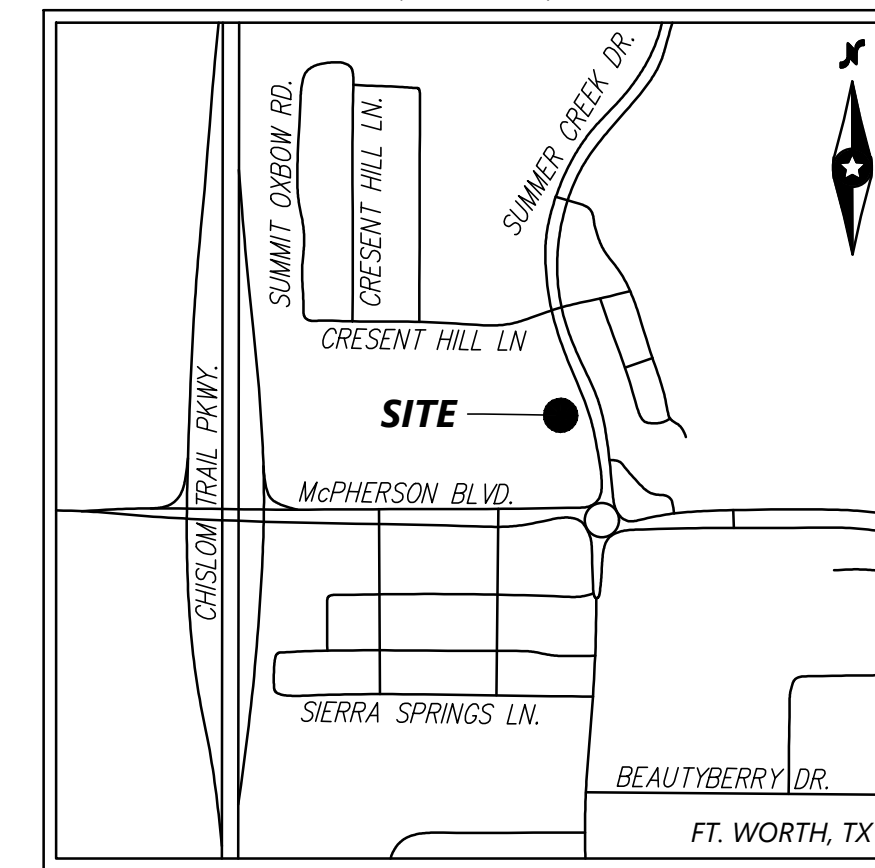
LEGEND:

- PROPERTY LINE
- PROPOSED CURB & GUTTER
- LIMITS OF FULL DEPTH SAWCUT
- PARKING SPACES
- ACCESSIBLE SPACES

PROPOSED PAVING LEGEND:

- CONCRETE SIDEWALK, 5' MINIMUM WIDTH WITH FIBER REINFORCEMENT, 5"x5" TOOLED JOINTS, AN FULL CONSTRUCTION JOINTS EVERY 50'.
- 5" LIGHT DUTY CONCRETE PAVEMENT. AT A MINIMUM 3,000 PSI AT 28 DAYS. #3 BARS @ 18" ON CENTER EACH WAY. REFER TO GEOTECH FOR SUBGRADE PREPARATION.
- 6" MEDIUM DUTY CONCRETE PAVEMENT. AT A MINIMUM 3,600 PSI AT 28 DAYS. #3 BARS @ 18" ON CENTER EACH WAY. REFER TO GEOTECH FOR SUBGRADE PREPARATION.
- 7" HEAVY DUTY CONCRETE PAVEMENT. AT A MINIMUM 3,600 PSI AT 28 DAYS. #3 BARS @ 18" ON CENTER EACH WAY. REFER TO GEOTECH FOR SUBGRADE PREPARATION.
- PROPOSED CONCRETE PAVEMENT BY OTHERS
- CONSTRUCTION JOINT
- EXPANSION JOINT
- SAWED JOINT

VICINITY MAP



CONTACT INFO:

ENGINEER:
 JOHN MEASELS
 1101 CENTRAL EXPRESSWAY S, SUITE 215, ALLEN, TX 75013
 214-491-1830

ARCHITECT:
 N/A

SURVEYOR:
 SCOTT BERCHERR
 1101 CENTRAL EXPRESSWAY S, SUITE 215, ALLEN, TX 75013
 214-705-3174

DEVELOPER/OWNER:
 MATTHEW A. GILBERT
 440 SOUTH CHURCH ST, SUITE 700, CHARLOTTE, NC 28202
 980-259-0701

DIRECTOR OF PLANNING AND DEVELOPMENT: _____

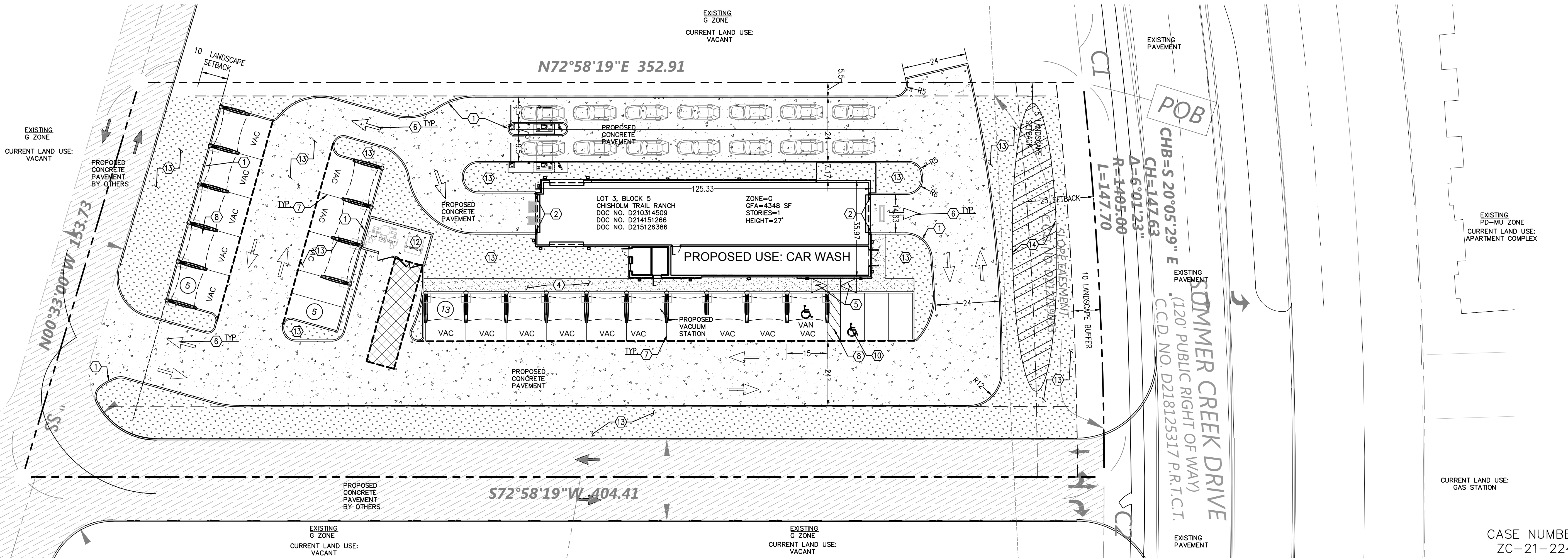
DATE: _____

METES AND BOUNDS DESCRIPTION OF 1.29 ACRE TRACT

BEING A 1.29 ACRE TRACT OF LAND SITUATED IN THE JUAN ALBIRADO SURVEY, ABSTRACT NO. 4, CITY OF FORT WORTH, TARRANT COUNTY, TEXAS AND BEING A PART OF THAT CERTAIN TRACT OF LAND RECORDED IN COUNTY CLERK'S DOCUMENT NO. D219006987 DEED RECORDS, TARRANT COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT A FOUND 5/8" IRON ROD WITH CAP MARKED "DUNWAY ASSOC. LP "ON THE WEST RIGHT-OF-WAY LINE OF SUMMER CREEK DRIVE (A 120' DUNWAY ASSOC. LP "ON THE WEST RIGHT-OF-WAY LINE OF SUMMER CREEK DRIVE (A 120' ON THE WEST RIGHT-OF-WAY LINE OF SUMMER CREEK DRIVE (A 120' WIDTH PUBLIC RIGHT-OF-WAY), MARKING THE SOUTH POINT OF A CURVE THAT IS CONCAVE TO THE EAST, HAS A LENGTH OF 1221.15 FEET, A CENTRAL ANGLE OF 66 DEGREES 05 MINUTES 01 SECONDS, A CHORD BEARING AND DISTANCE OF NORTH 09 DEGREES 24 MINUTES 42 SECONDS EAST, 1,154.58 FEET AND A RADIUS OF 1,058.76 FEET, AS SHOWN ON THE PLAT RECORDED IN COUNTY CLERK'S DOCUMENT NUMBER D213105897, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE SOUTH 23 DEGREES 37 MINUTES 48 SECONDS EAST, ON SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 138.81 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 08 DEGREES 00 MINUTES 13 SECONDS, A RADIUS OF 1,405.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 19 DEGREES 37 MINUTES 41 SECONDS EAST, 196.11 FEET; THENCE SOUTHEASTERLY ON SAID CURVE, A DISTANCE OF 12.93 FEET TO A SET 5/8" IRON ROD WITH AN ORANGE CAP MARKED "JM CIVIL ENGINEERING "FOR THE JM CIVIL ENGINEERING "FOR THE FOR THE NORTHEAST CORNER OF SAID 1.29 ACRE TRACT AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY WITH SAID CURVE, A DISTANCE OF 147.70 FEET TO A SET 5/8" IRON ROD WITH AN ORANGE CAP MARKED "JM CIVIL JM CIVIL ENGINEERING "FOR THE SOUTHEAST CORNER; FOR THE SOUTHEAST CORNER; THENCE SOUTH 72 DEGREES 58 MINUTES 19 SECONDS WEST, LEAVING SAID WEST RIGHT-OF-WAY LINE OF SUMMER CREEK DRIVE, A DISTANCE OF 404.41 FEET TO A SET 5/8" IRON ROD WITH AN ORANGE CAP MARKED "JM CIVIL ENGINEERING "FOR THE SOUTHWEST CORNER; JM CIVIL ENGINEERING "FOR THE SOUTHWEST CORNER; FOR THE SOUTHWEST CORNER; THENCE NORTH 00 DEGREES 33 MINUTES 00 SECONDS WEST, A DISTANCE OF 153.73 FEET TO A SET 5/8" IRON ROD WITH AN ORANGE CAP MARKED "JM CIVIL JM CIVIL ENGINEERING "FOR THE NORTHWEST CORNER; FOR THE NORTHWEST CORNER; THENCE NORTH 72 DEGREES 58 MINUTES 19 SECONDS EAST, A DISTANCE OF 352.91 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 1.29 ACRES OR 56,012 SQUARE FEET OF LAND.

TAKE 5 WASH

ZONING #:



1101 Central Expressway South
 Suite 215
 Allen, TX 75013
 Ph. 214-491-1830
 John Measels, PE
 CIVIL ENGINEER



TAKE 5 CAR WASH
 SUMMER CREEK DR & MCPHERSON BLVD,
 FORT WORTH, TX 76123
 CONDITIONAL USE PERMIT

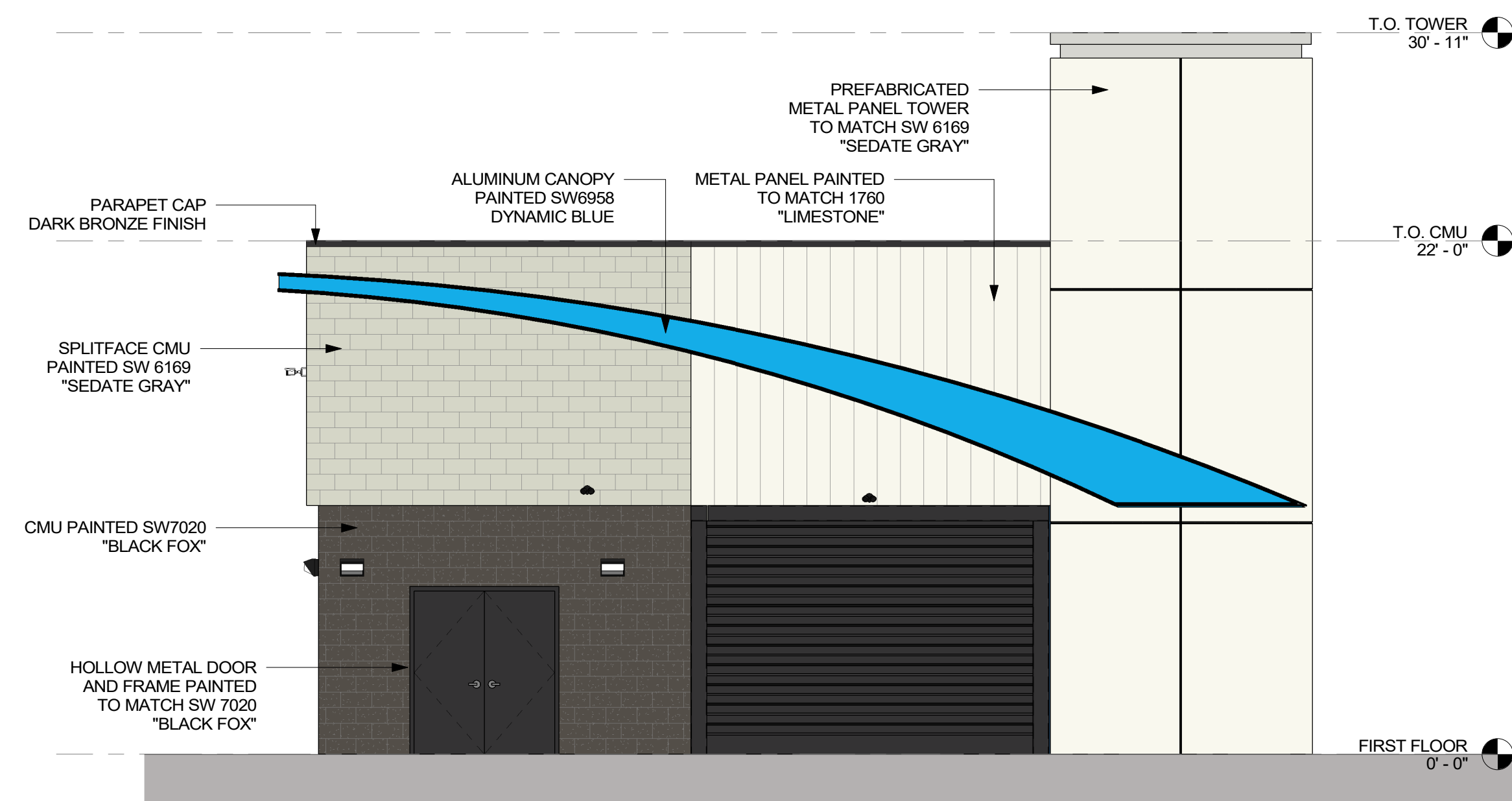
| REV | DATE | DESCRIPTION |
|-----|----------|-----------------------|
| 1 | 12/03/21 | INITIAL CIP SUBMITTAL |

| | |
|-------------|-------------|
| PROJECT NO: | JM-17021005 |
| DRAWN BY: | PP |
| CHECKED BY: | JMCE |
| ISSUE DATE: | 1/06/22 |

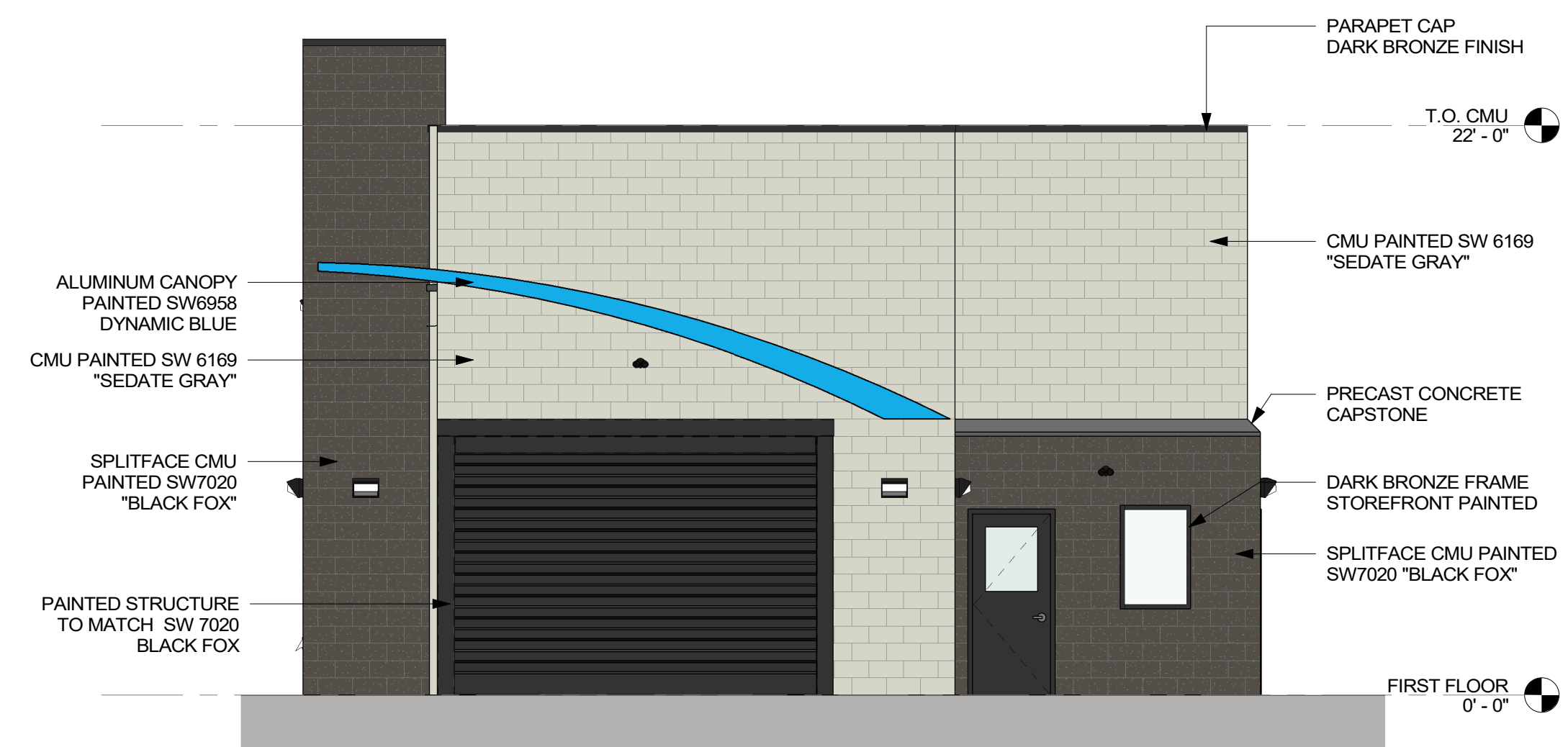
CASE NUMBER:
 ZC-21-224

C 110

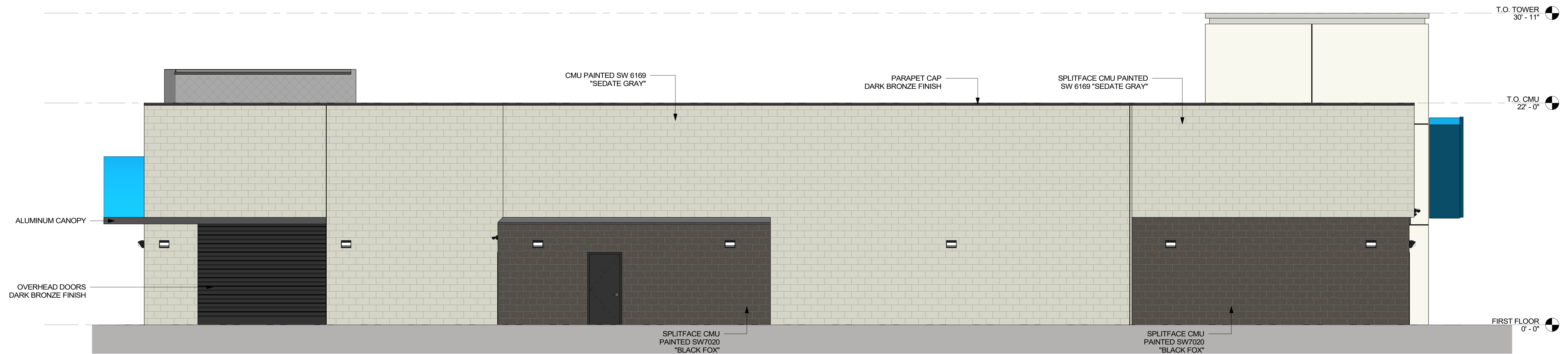
I:\TAKE FIVE OIL\JM-17021005 - FT WORTH, TX\CURRENT DRAWINGS\JM-17021005 SUMMER CREEK FT WORTH.DWG 1/6/2022 11:40 AM PHIL WINTON



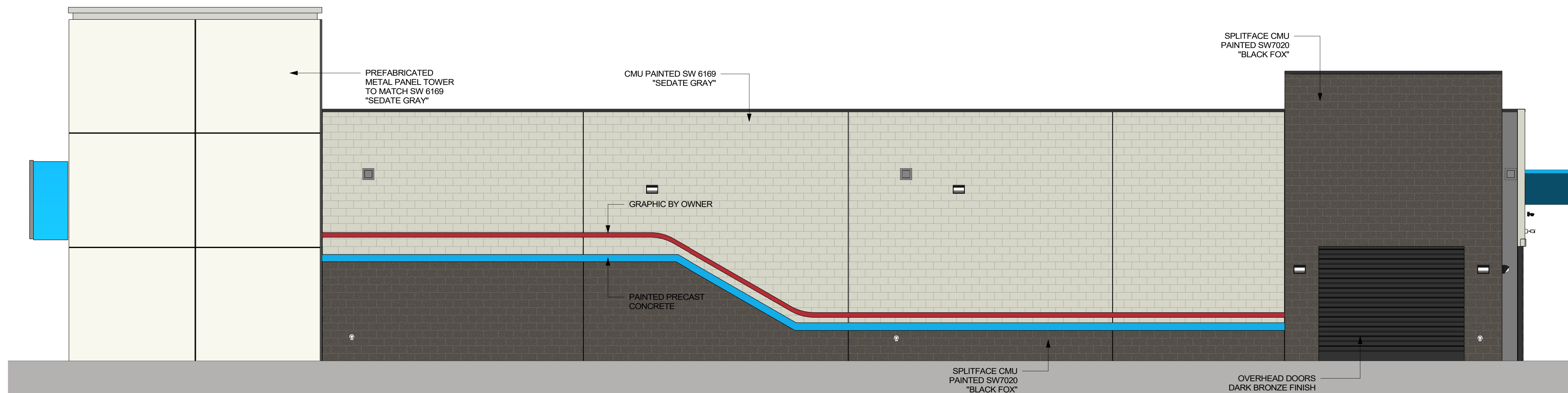
EAST ELEVATION
3/16" = 1'-0" 4



WEST ELEVATION
3/16" = 1'-0" 3

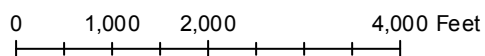
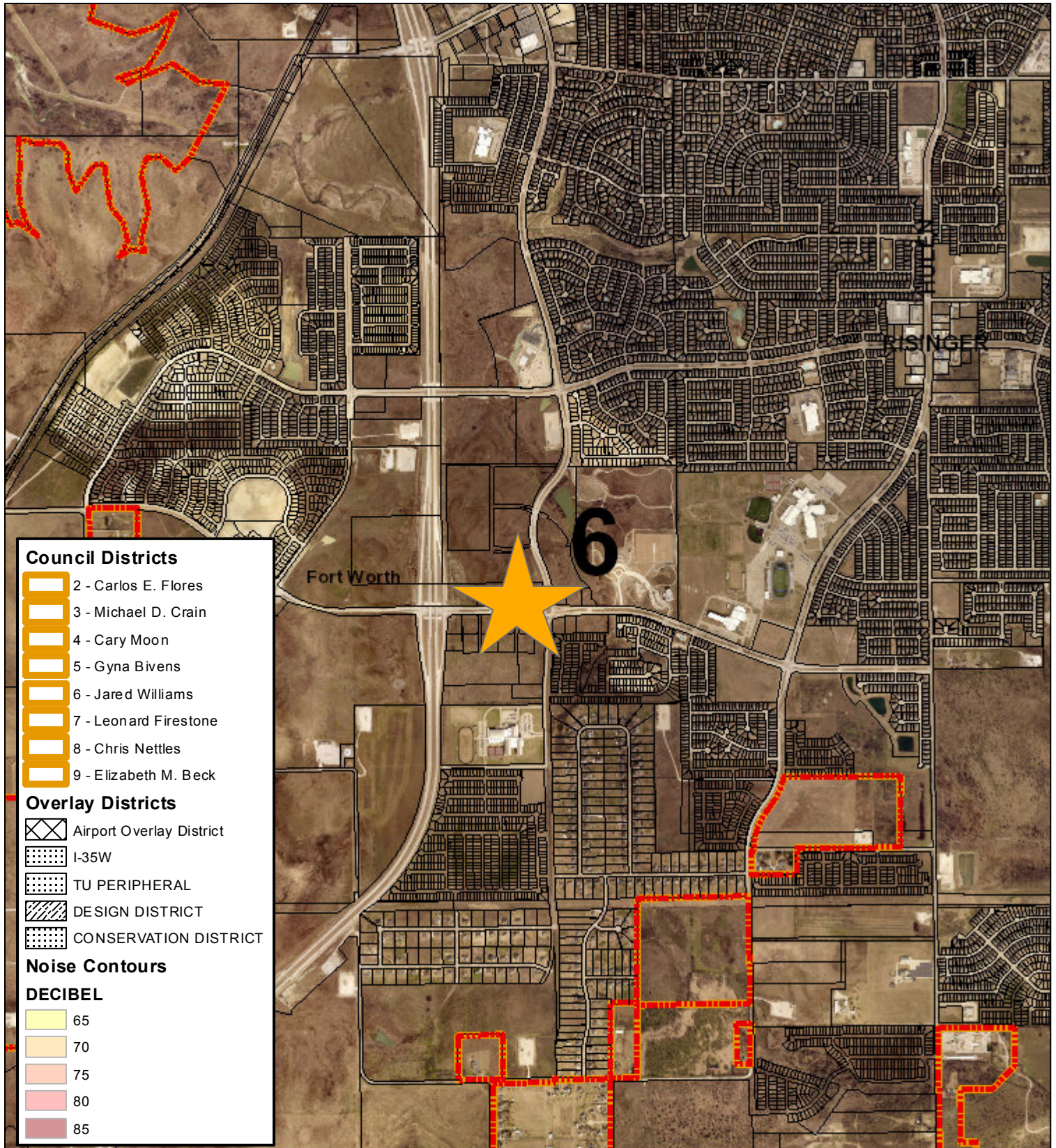


SOUTH ELEVATION
3/16" = 1'-0" 2

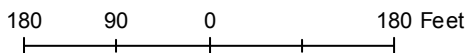
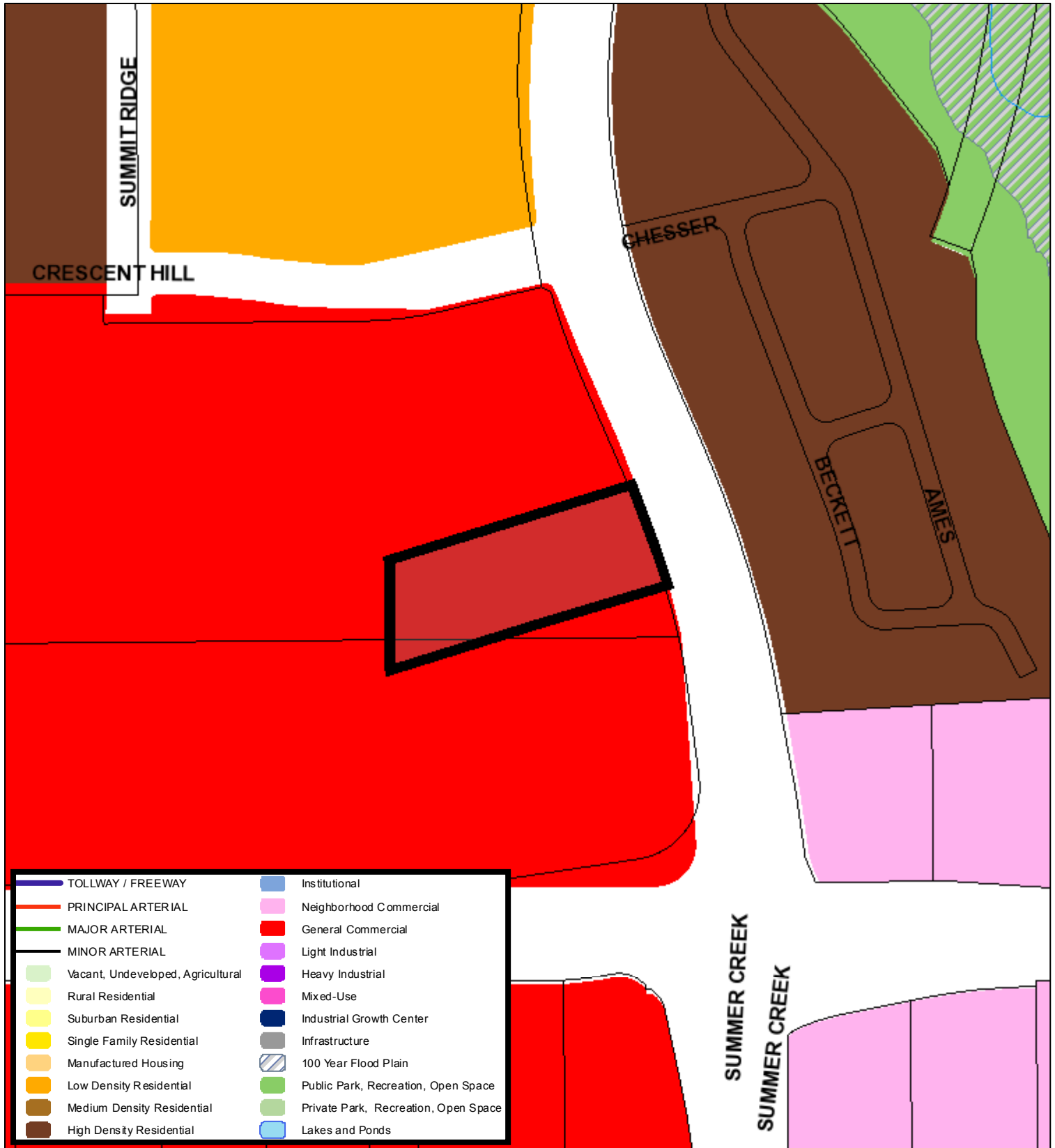


NORTH ELEVATION
3/16" = 1'-0" 1

Area Map



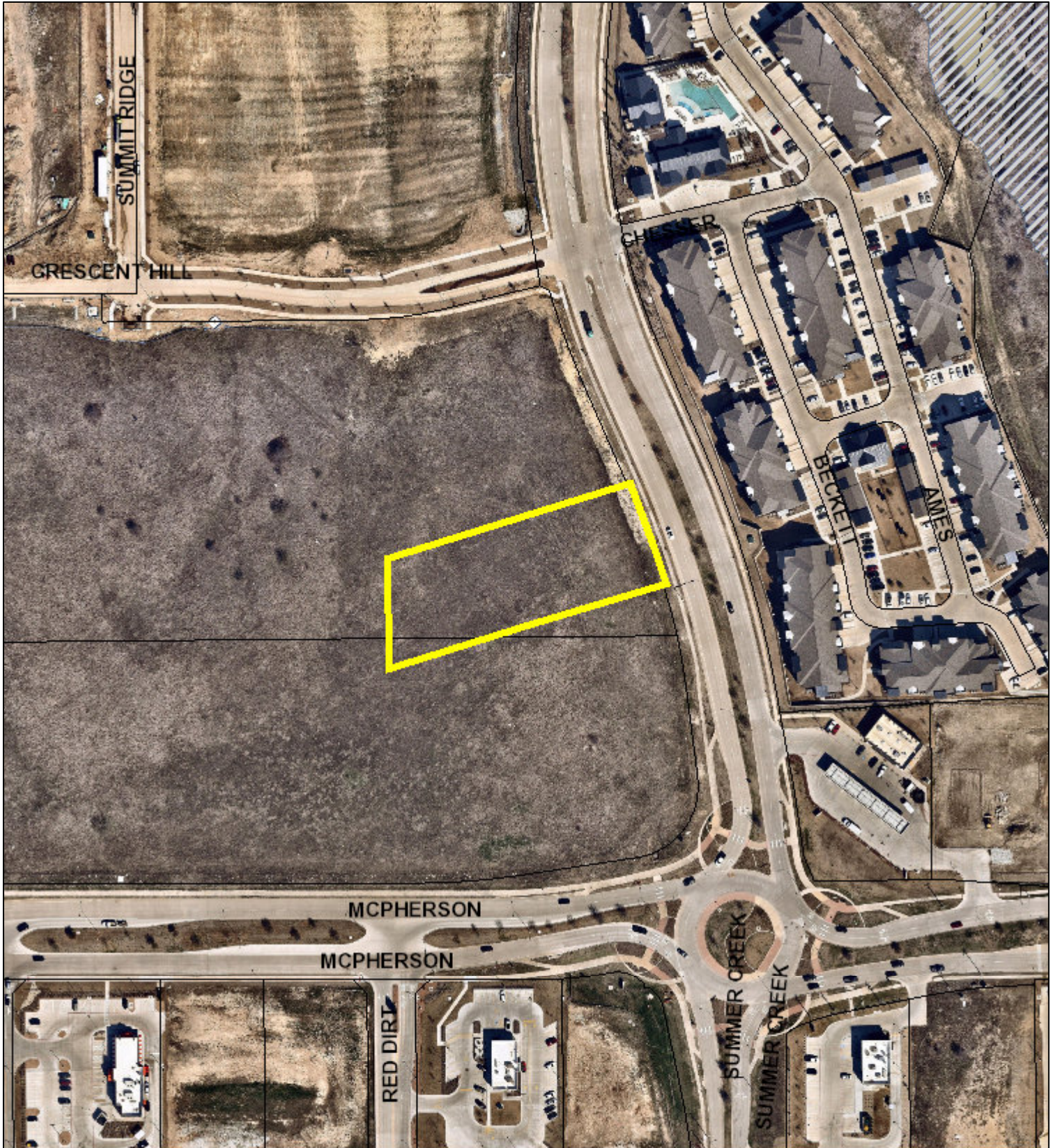
Future Land Use



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



0 115 230 460 Feet

