



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
June 22, 2021

**Council District** 9

**Zoning Commission Recommendation:**  
Approval by a vote of 9-0, with the stipulation that solid fence buffering be installed on the northern property line, the vacuum spaces are allowed on the south and west sides, and the building be rotated to have the dryers face the freeway.  
**Opposition:** None submitted  
**Support:** None submitted

Continued Yes \_\_\_ No X  
Case Manager Beth Knight  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** ARC CafeHLD001 LLC / Jacob Petrie

**Site Location:** 4301 South Freeway Acreage: 0.79

**Proposed Use:** Carwash

**Request:** From: "E" Neighborhood Commercial  
To: Add Conditional Use Permit (CUP) to allow an automatic carwash facility; site plan included

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

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

**Staff Recommendation:** **Approval**

**Background:**

The proposed site is located in the northeast quadrant of the South Freeway (I-33W) and Seminary Drive. 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 "E" district for a drive-thru carwash facility in an approximately 4,600 sq. ft. building. Self-service vacuum spaces are shown in a row adjacent to the 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 a vacant restaurant and contains mature landscaping that can be preserved. The nearest single family subdivision is across the street to the north.

Although the site is not directly adjacent to a residential lot and the closest residential building is approximately 50 feet away, intervening sound buffering is shown between the proposed car wash and the residential areas. The building has been rotated to have the car wash dryer face the freeway, instead of the nearby homes, to minimize the impact on the neighborhood.

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.

Requirement	E Standards	Proposed CUP
Non-habitable structures	Behind front wall of building facing a street	Dumpster in front of building along the South Freeway ( <i>requires Development Regulation Waiver</i> )

**Site Information:**

Surrounding Zoning and Land Uses:

- North “A-5” One-Family and “I” Light Industrial / Single family uses and motel
- East “E” Neighborhood Commercial / Commercial uses
- South “F” General Commercial / Commercial uses
- West “E” Neighborhood Commercial / Freeway

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-10-070i, south of subject, from E to Planned Development for E uses plus pawnshop, withdrawn.

Platting History: PP-20-051, south of subject, Southland Terrace for 5 commercial lots.

**Site Plan Comments:**

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

1. Change the legend title for the different ground surfaces from Pavement Legend to Surface Legend.
2. Dumpsters are required to be behind front edge of the building that faces a street in E zoning, instead of in front of the building. No development waiver has been requested. **Move the dumpster behind the western edge/ to the south side of the building or request a waiver.**
3. Lights now face the residential uses to the northeast. Please move or reorient the lights by the handicap parking space and the island southeast of the pay stations.

***(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Parks, 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 comments.)***

**Public Notification:**

300 foot Legal Notifications were mailed on April 22, 2021.

The following organizations were notified: (emailed April 19, 2021)

<b>Organizations Notified</b>	
Worth Heights NA *	Streams and Valleys Inc.
South Wayside NA	Trinity Habitat for Humanity
Oakridge Terrace NA	Fort Worth ISD
United Communities Association of South Fort Worth	Southeast Fort Worth Inc

Closest registered neighborhood organization\*

**Development Impact Analysis:**

1. **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 a single family subdivision to the north with other commercial uses to the east and south. The single family uses are directly across the street, approximately 50 feet from the site. The site fronts a freeway to the west.

The proposed zoning request **is compatible** with surrounding land uses because sound buffering for the car wash dryer and 15 outdoor vacuum stations has been provided.

2. **Comprehensive Plan Consistency-Sycamore**

The 2021 Comprehensive Plan designates the site as being Neighborhood Commercial, where vehicular uses are generally not allowed. The proposed zoning is consistent with the following Comprehensive Plan policy:

- 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.

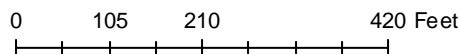
Based on conformance with the future land use map and with the policy as stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

**Attachments:**

- Area Zoning Map with 300 ft. Notification Area
- Site Plan
- Area Map
- Future Land Use Map
- Aerial Photograph

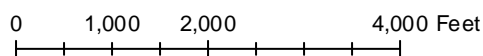
### Area Zoning Map

Applicant: ARC CafeHLD001 LLC  
 Address: 4301 South Freeway  
 Zoning From: E  
 Zoning To: Add Conditional Use Permit for car wash  
 Acres: 0.79405647  
 Mapsco: 091K  
 Sector/District: Southside  
 Commission Date: 5/12/2021  
 Contact: null

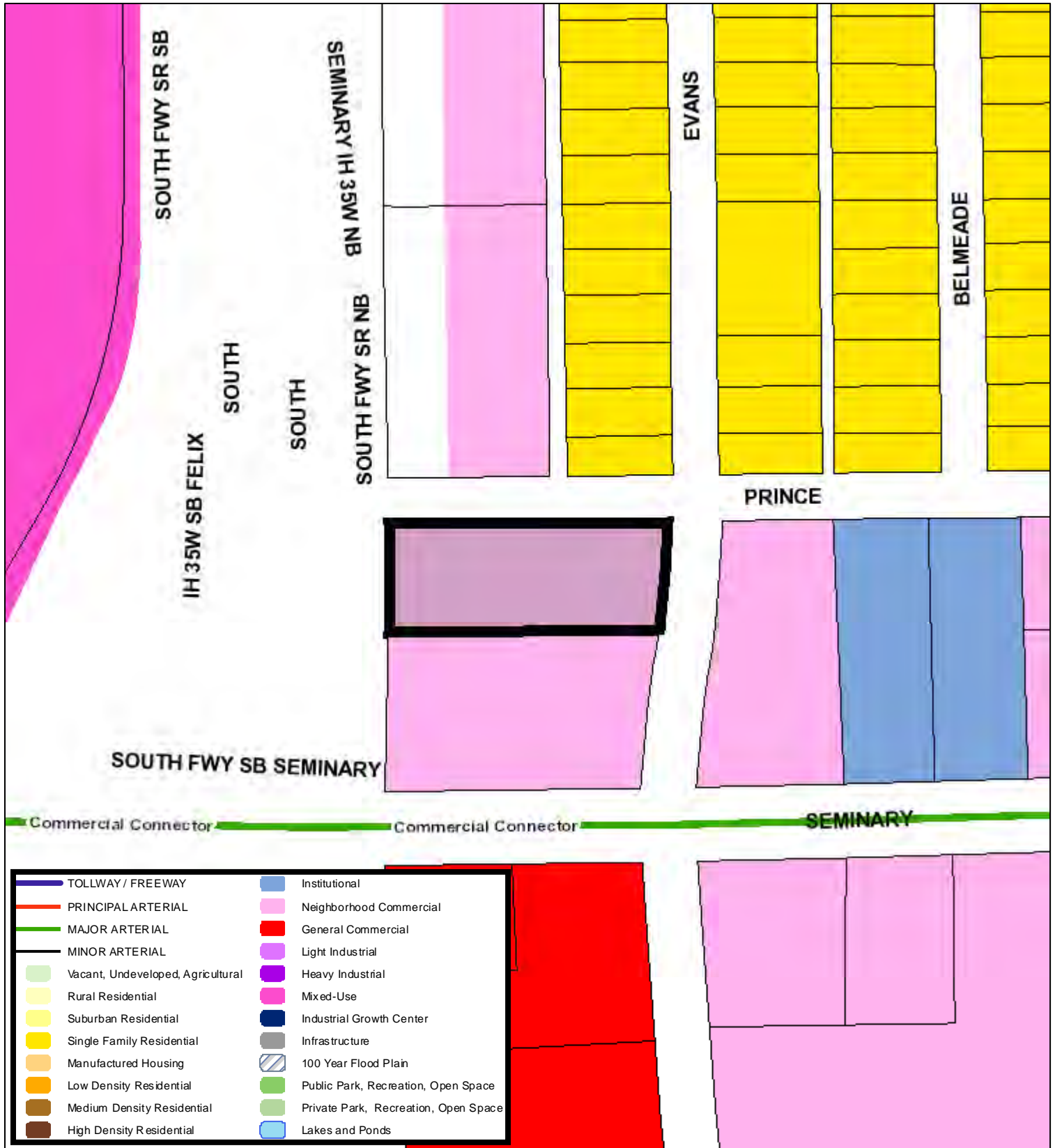




### Area Map



### Future Land Use



140 70 0 140 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 90 180 360 Feet

