

ZONING MAP CHANGE STAFF REPORT

City Council Meeting Date:

Council District 9

Continued

Surplus

Case Manager

Council Initiated

June 22, 2021

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

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.

No X

Yes

Yes

Yes

Beth Knight

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 (requires Development Regulation Waiver)

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 <u>cannot be waived</u> 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)

Organizations Notified		
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	Southeast Fort Worth Inc	
Worth		

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

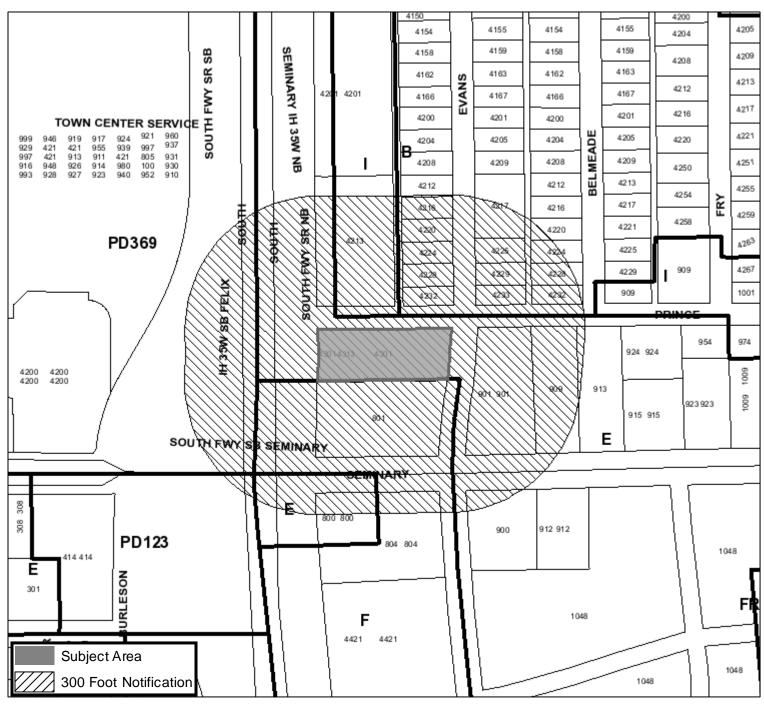
Zoning To: Add Conditional Use Permit for car wash

Acres: 0.79405647

Mapsco: 091K Sector/District: Southside Commission Date: 5/12/2021

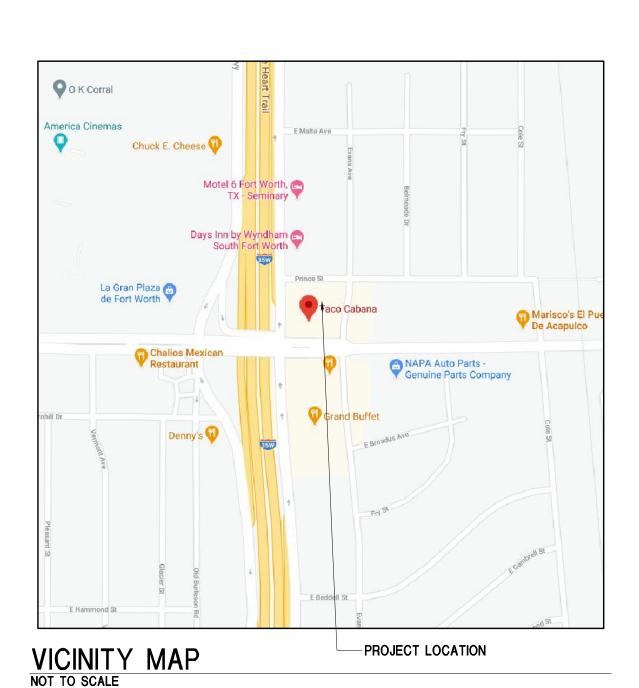
Contact: null





GENERAL NOTES

- 1. 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.
- 2. CONTRACTOR SHALL REVIEW DOCUMENTS AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES IN PROJECT PLANS AND SPECIFICATIONS, IN WRITING.
- 3. DRAWINGS SHALL NOT BE SCALED FOR BIDDING AND/OR CONSTRUCTION PURPOSES.
- 4. ALL PLAN DIMENSIONS ARE TO FINISHED FACE OF WALL UNLESS NOTED
- 5. 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.
- 6. 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 PER THE TEXAS FIRE PREVENTION CODE
- VERIFY ALL EXIT DOOR LOCKING HARDWARE COMPLIES WITH THE TEXAS FIRE PREVENTION CODE
- 8. ALL NEW CONCRETE FLOOR SLAB AREAS SHALL HAVE TERMITE TREATMENT
- 9. ALL STRUCTURES SHALL HAVE ADDRESS NUMBERS PLACED ON THE BUILDING IN ACCORDANCE WITH FORT WORTH MUNICIPAL CODE
- 10. ALL SIGNS, PERMANENT, PORTABLE, BANNERS, ETC. REQUIRE SEPARATE PERMITS IN ACCORDANCE WITH THE TEXAS FIRE PROTECTION CODE AND THE FORT WORTH MUNICIPAL CODE
- 11. ALL SIGNS, PERMANENT, PORTABLE, BANNERS, ETC. REQUIRE SEPARATE PERMITS IN ACCORDANCE WITH THE TEXAS FIRE PROTECTION CODE
- 12. HOURS OF OPERATION:
- CAR WASH 7 DAYS A WEEK, 7:00 AM TO 8:00 PM
- 13. PARKING THREE (3) EMPLOYEE PARKING STALLS, 1 HANDICAP STALL. AND 15 VACUUM STALLS - 19 TOTAL PARKING SPACES. 5 VAC STALLS REQUIRED FOR EACH CAR IN TUNNEL. 3 CARS IN TUNNEL • 5 = 15 VAC STALLS REQUIRED 15 VAC STALLS PROVIDED -- COMPLIES
- 14. BUILDING NOT TO EXCEED 22'-0" IN HEIGHT AND TOWERS NOT TO EXCEED 35'-0" IN HEIGHT.
- 15. EXTERIOR MATERIALS FOR BUILDING WILL BE SPLIT-FACED CMU BLOCK, TRANSLUCENT WINDOW PANELS AND STOREFRONT MATERIALS.
- 16. ALL DOMESTIC WATER SERVICE AND METER SHALL BE 1-1/2*
- 17. APPLICANT WILL COMPLY WITH ALL LOCAL, STATE AND NATINAL BUILDING CODES.
- 18. TOWERS ATTACHED TO CAR WASH TUNNEL SHALL HAVE SIGNAGE.
- 19. BUILDING IS A ONE STORY BUILDING WITH MECHANICAL MEZZANINES ABOVE STORAGE AREA AND OFFICE.
- 20. CAR WASH SHALL HAVE 4 TO 5 MENU SIGNS.
- 21. ALL SITE LIGHTING SHALL BE DIRECTED AWAY AND DOWNWARD SO AS TO NOT TRESPASS ONTO ADJACENT PROPERTIES.
- 22. PROJECT WILL COMPLY WITH URBAN FORESTRY REQUIREMENTS, IF APPLICABLE.
- 23. PROJECT WILL COMPLY WITH LANDSCAPING REQUIREMENTS.



01 SITE PLAN
SCALE: 1' - 20'-0"

MONUMENT SIGN WILL MEET CITY

02 MONUMENT SIGN

OF FORT WORTH'S

SIGN ORDINANCE-

BLOCK 10

PRINCE STREET

20' X 20' P.O.S.E. V.388–190, P.57, P₁R.T.C.T. V.388-190, P.57, P.R.T.C.T. POINT OF BEGINNING *(PLAT: S89°50'44" E−293.5')=* EXISTING E EXISTING 1/2" IRON RQD WATER -ACCESS ACCESS FOUND (CM) 3/8" IRON ROD FOUND (CM) EXISTING -LIGHT POLE EXISTING LIGHT POLE DIRECTIONAL SIGN-METAL CANOPY ABOVE
(3) PAY STATIONS - TO
BE PERMITTED τω
SEPARATELY -20' BUILDING LINE PER ZONING - EXISTING MENU — BOARDS SIDEWALK MONUMENT SIGN EXISTING SIDEWALK-NEW LANDSCAPING SHALL
BE PROVIDED TO MEET
CITY DESIGN STANDARDS, TO BE 35' FLAG POLE PERMITTED-LIGHT POLE W/ -TOWER FOR SEPARATELY ATTACHED SIGNAGE SECURITY CAMERA 20' BUILDING LINE-PER ZONING .90 45'-9" NO0°10'44"W HC RAMP-140'-8" SIGN TO VACUUMS -ACCESSIBLE ROUTE-Katie's Car Wash — 140' LØNG TUNNEL EXISTING LIGHT POLE CENTRAL DUMPSTER — ENCLOSURE Z TO BE PERMITTED SEPARATELY B 80'-6" TO PROPERTY LINE ENCLOSURE - TO 12 VAC STALLS; 13-0 = SIGN TO REMAIN -LIGHT POLE W/ STALL TOWER FOR SECURITY CAMERA -TYP. ATTACHED SIGNAGE EXISTING ACCESS CEL II)
CESS EASEMENT
CONTROL
CONTROL METAL CANOPY FOR
VACUUM AREA - TO
BE PERMITTED SEPARATELY N89°37'16" W 3/8" IRON ROD (PLAT: N89°37'16" W-280.34\) FIRE LANE PER CITY STANDARDS AND REQUIREMENTS 0

Zoning Case Number:

—20' X 20' P.O.S.E.

Director of Development Services

DATE: 02.18.2021 JOB NO: 21013 DRAWN: STAFF CHECKED: AG

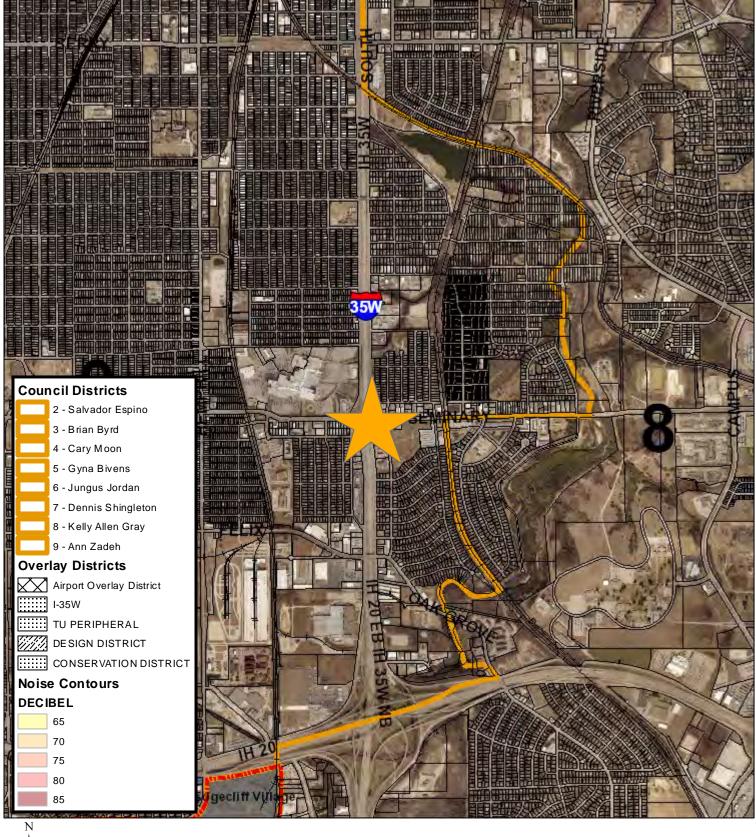


SITE PLAN

REVISIONS

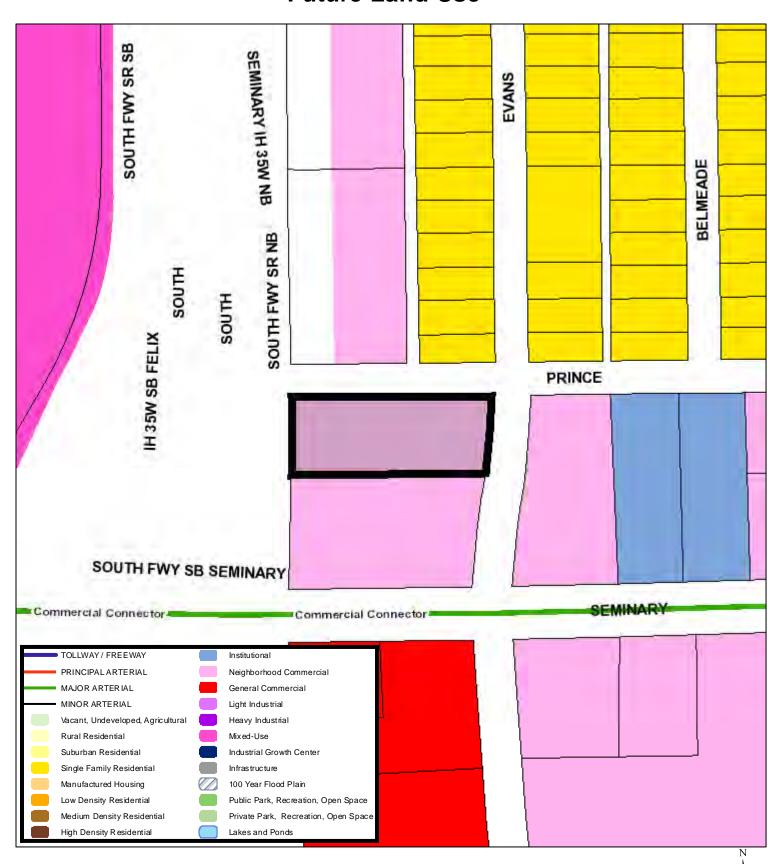
SHEET NUMBER







Future Land Use





Aerial Photo Map



