



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
May 6, 2014

**Council District** 9

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

**Opposition:** 3 spoke; within 200 ft.; 3 letters submitted;  
1 outside 200 ft.; Petition

**Support:** None submitted

Continued Yes \_\_\_ No X  
Case Manager Lynn Jordan  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No \_\_\_

**Owner / Applicant:** **Willing Smith**

**Site Location:** 3501 Hulen Street, 4529-4545 Houghton Avenue Mapsco: 75PQ

**Proposed Use:** **Car Wash**

**Request:** From: "B" Two-Family and "E" Neighborhood Commercial  
To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus semi automatic car wash; site plan included

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

**Comprehensive Plan Consistency:** Requested change **is not consistent.  
(Significant Deviation)**

**Background:**

The proposed site is located at the corner of Hulen Street and Houghton. The applicant is proposing a zoning change to PD/E for E uses plus semi automatic car wash.

The applicant has requested that the case be withdrawn which will require an action of Denial Without Prejudice.

Some concerns were brought up when this case went before the Zoning Commission on July 10, 2013. Concerns were based primarily on the noise generated from the vacuums and blowers to the residential area and the traffic created by the business.

The Commission also questioned the expected number of cars to the business, and the response was 300 per day. Discussion was held as to the location of the site on Hulen St. and the access to the available traffic lights. A traffic study was submitted to TPW in December and tentatively approved the study with modifications to delete the mitigation of the two proposed traffic signals on Hulen at Houghton and Hulen at Wellesley as the two additional signals would cause additional delays in the level of service (LOS) along Hulen.

Section 5.108 provides Supplemental Use Standards for car washes.

<b>Development Standards</b>	<b>E District</b>	<b>Proposed PD/E</b>
Permitted Uses	No car wash services permitted (by Special Exception only)	Semi automatic car wash
Front Yard	20 ft. minimum/no permanent structures	Site plan meets the minimum 20 ft front yard/no permanent structures
Rear Yard	5 ft. minimum adjacent to residential	Site plan meets the setback requirement
Parking	Based on how many cars queue in car wash bay	Site plan meets the minimum five parking spaces for customers and employees
Signage	One detached monument sign permitted per lot; 8x16 with 96 sq. ft. of message area; ground contact 75% of structures width; not permitted in setbacks	Site plan meets the sign ordinance

Opposition is expected from surrounding property owners and neighborhood association.

**Site Information:**

Owner: Willing Smith  
P. O. Box 471807  
Fort Worth, Texas 76147

Agent: Phillip Poole/Townsite Company

Acreage: 0.89 acres

Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:

- North "B" Two-Family & "ER" Neighborhood Commercial Restricted / single-family, vacant, professional offices
- East "B" Two-Family / single-family
- South "ER" Neighborhood Commercial Restricted / medical offices
- West "ER" Neighborhood Commercial Restricted / professional offices

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-13-092 denied without prejudice by City Council 12-03-13 from "B" and "E" to "PD/E" plus carwash; ZC-05-133, approved by City Council 10-21-05 from "B" and "ER" to "E" (subject property)

Platting History: None

**Site Plan Comments:**

The site plan as submitted is in general compliance with the zoning regulations.

1. Remove all shading from the site plan.

**Compliance with the item noted above.**

**Transportation/Public Works (TPW)**

TPW (Mirian Spencer 817-392-8702 Mirian.Spencer@fortworthtexas.gov)

1. Traffic Impact Study - Submit a Traffic Impact Study (TIS) for TPW approval. The traffic study was submitted to TPW back in December of 2013. TPW has tentatively approved the study with modifications to delete the mitigation of the two proposed traffic signals on Hulen at Houghton and Hulen at Wellesley as the two additional signals would cause additional delays in the LOS along Hulen.
2. Special Needs Note – (No curb cuts on Hulen due to the limited sight visibility to the west of the site.
3. Parkway Permit - Place a note on the final plat that states: "Parkway improvements such as curb & gutter, pavement tie-in, drive approaches, sidewalks and drainage inlets may be required at time of building permit issuance via a parkway permit."

4. Sidewalks shall be required for all streets as per City of Fort Worth Standards.

**TPW Stormwater:** The proposed project will require an issued grading permit and an approved stormwater management plan prior to any plat recording or building permit issuance.

**Comments made by TPW staff cannot be waived through the Zoning Commission. Approval of the site plan does not constitute TPW acceptance of conditions; traffic code will be applied to the project.**

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Hulen Street	Major Arterial	Major Arterial	No
Houghton	Two-Way Residential	Local	No

**Public Notification:**

The following organizations were notified:

Organizations Notified	
Sunset Heights South	Lake Como/Vickery Redevelopment Org.
<b>Alamo Heights*</b>	FWISD

Within this neighborhood association\*

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing a zoning change to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus car wash; site plan included. Surrounding land uses consist of professional offices to the north and west with some vacant and single-family uses to the north, single-family to the east and a medical office to the south.

Due to the proximity to residential, surrounding land uses, and the noise associated with the use proposed, the proposed zoning **is not compatible** with surrounding land uses.

**2. Comprehensive Plan Consistency**

The 2014 Comprehensive Plan designates the subject property as Neighborhood Commercial and single-family. As most auto related uses are considered appropriate in general commercial and more intensive areas, the proposed “PD/E” plus semi automatic car wash zoning is not consistent with the following Comprehensive Plan policies:

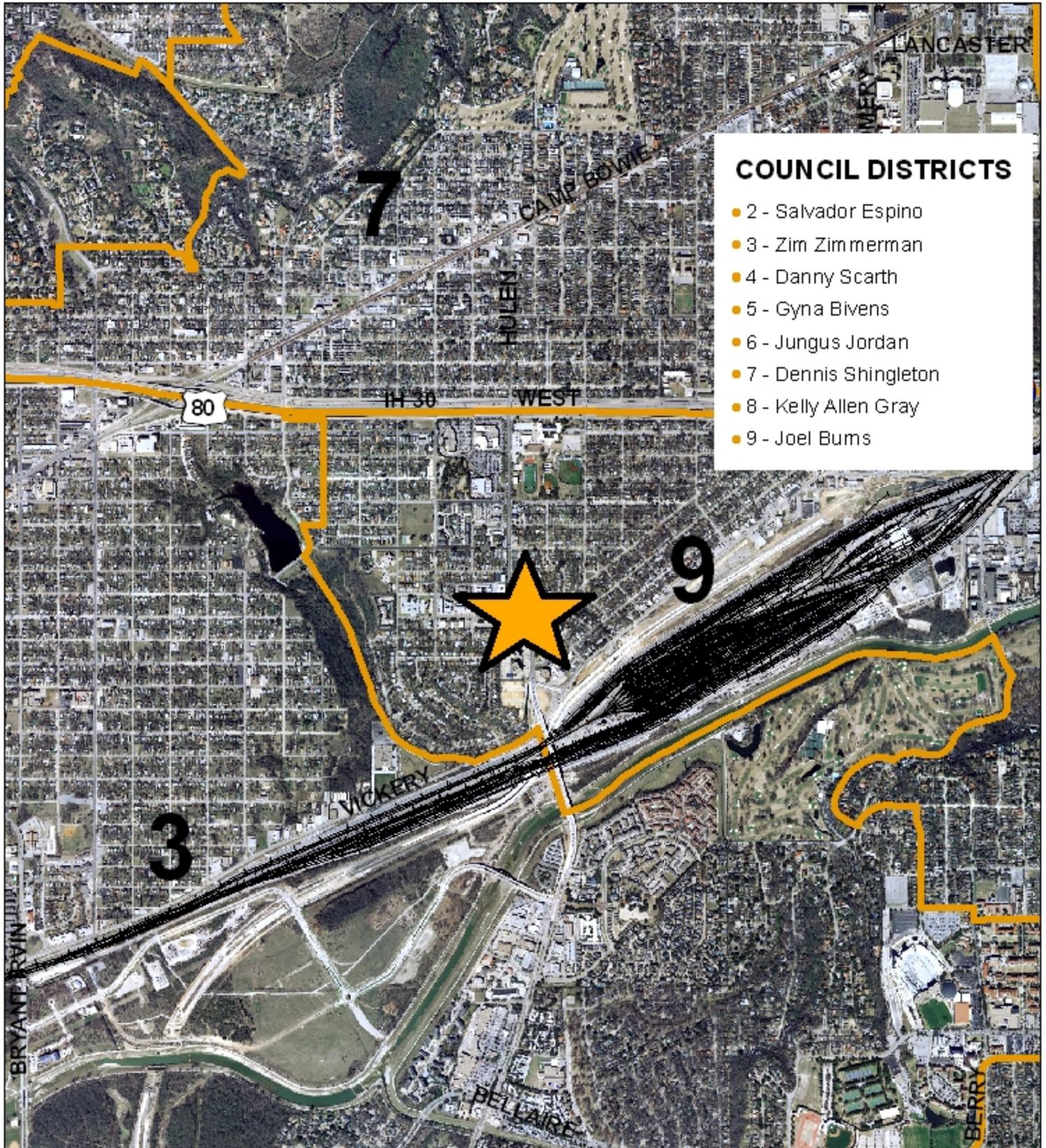
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses. (pg. 38)
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 38)

Based on the lack of conformance with the future land use map and policies stated above, the proposed zoning **is not consistent (Significant Deviation)** with the Comprehensive Plan.

**Attachments:**

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site plan
- Minutes from the Zoning Commission meeting

## Location Map

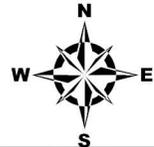


2,000 1,000 0 2,000 Feet

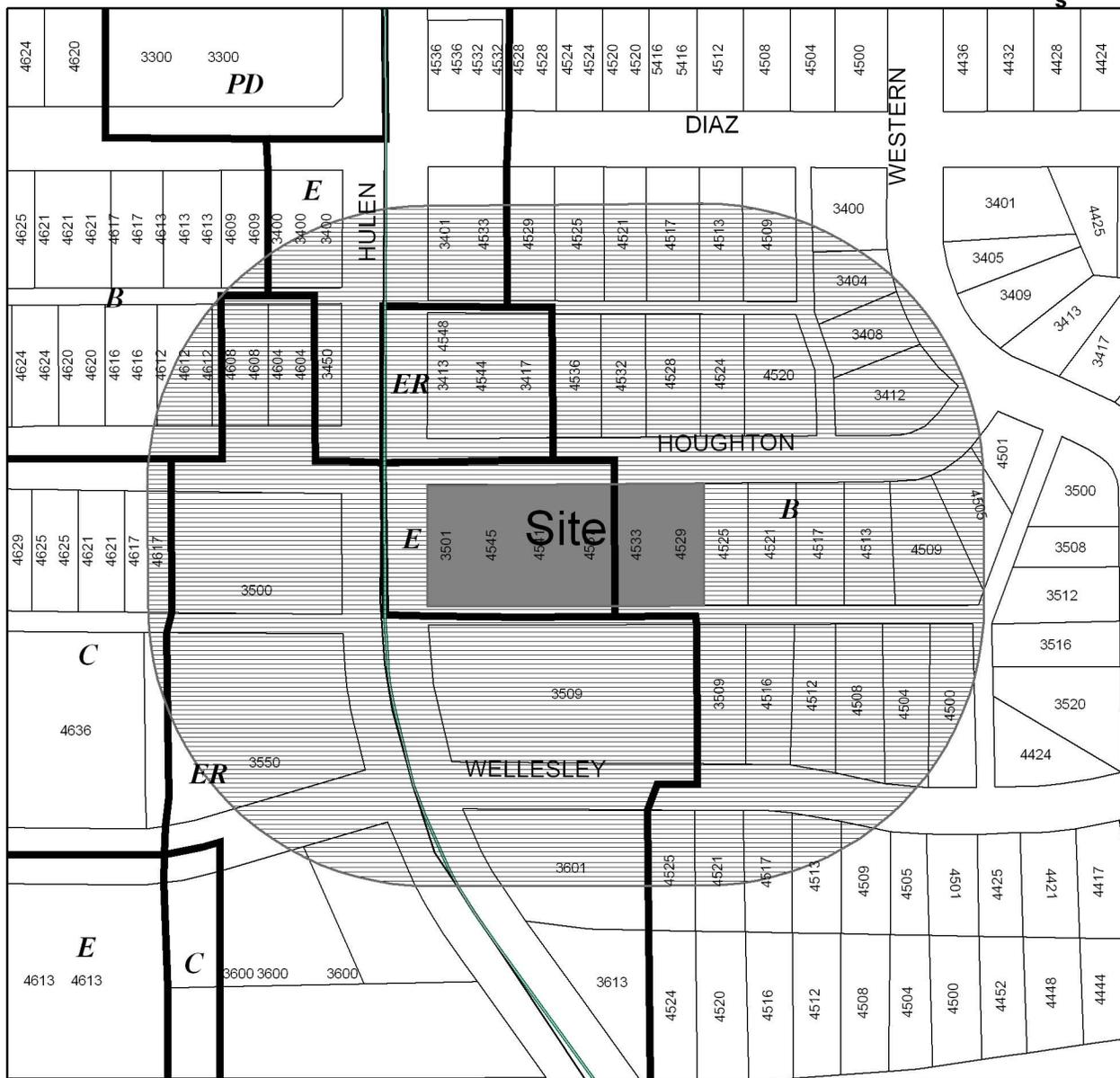


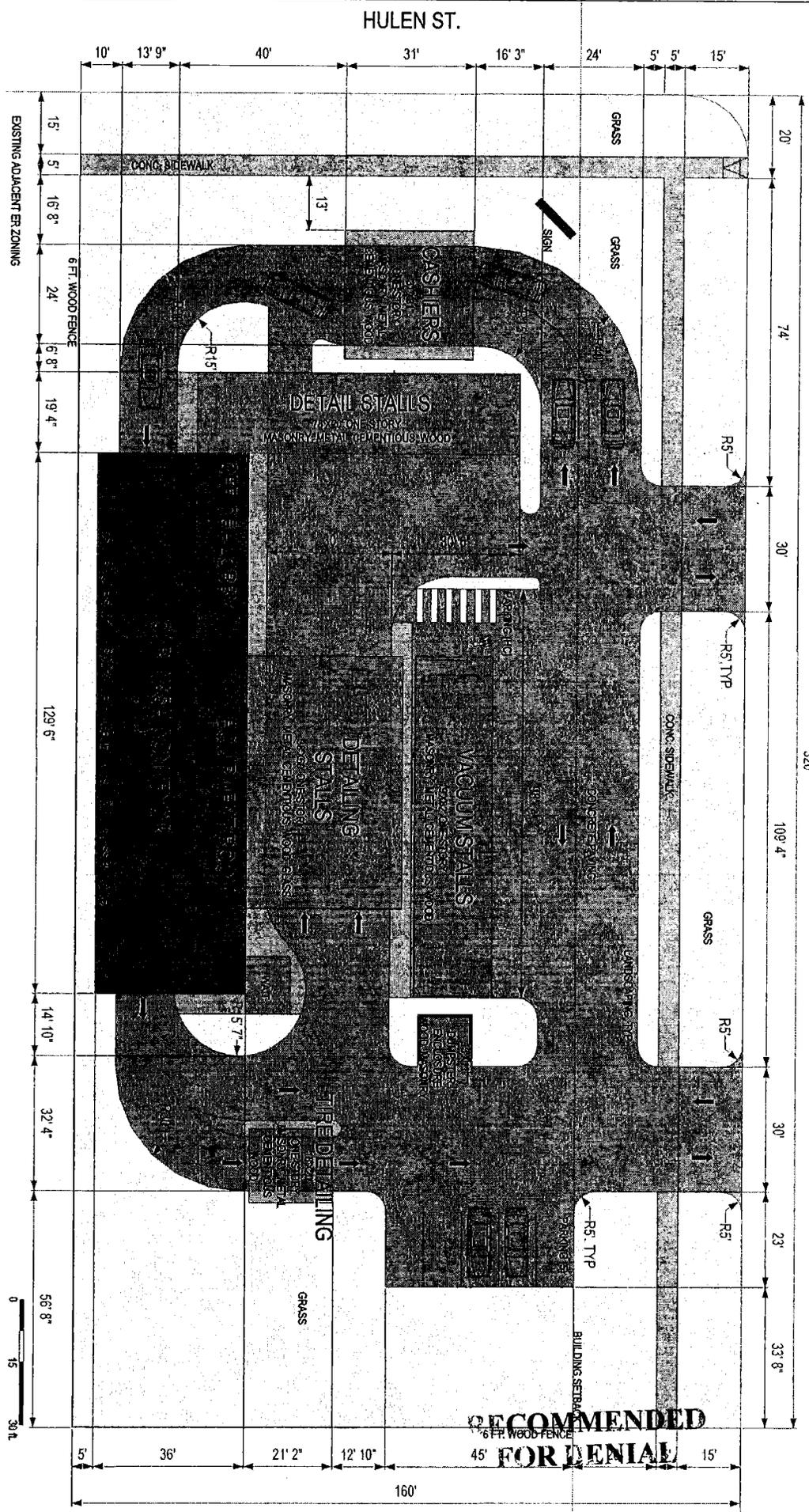
## Area Zoning Map

Applicant: Willing Smith  
 Address: 3501 Hulen Avenue, 4529-4545 (odds) Houghton Avenue  
 Zoning From: B, E  
 Zoning To: PD for E uses plus car wash  
 Acres: 0.89045325  
 Mapsco: 75PQ  
 Sector/District: Arlington Heights  
 Commission Date: 4/9/2014  
 Contact: 817-392-2495



300 Ft. Buffer





HUGHTON AVE. 320'

HULLEN ST.

EXISTING ADJACENT E7 ZONING

EXISTING ADJACENT B ZONING

RECOMMENDED FOR DENIAL

- General Notes:**
1. All signage will conform to Article 4, Signs.
  2. Project will comply with Section 6.301, Landscaping.
  3. Parkway improvements such as curb & gutter, pavement tie-in, drive approaches, sidewalks, and drainage inlets may be required at time of building permit issuance via a parkway permit.
  4. Sidewalks shall be required for all streets as per City of Fort Worth Standards.

**Permitted Uses:**

All uses within "E7" Zoning District plus the following:

- Car Wash

**Legal Description:**

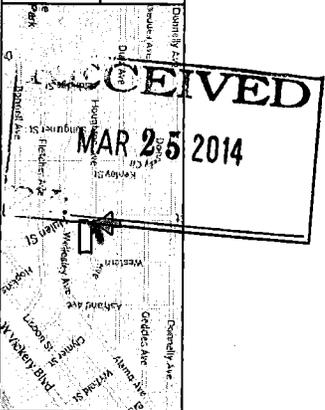
Lots 1-6, Block 3 of the Sunset Heights Addition, an addition to the City of Fort Worth, Tarrant County, Texas.

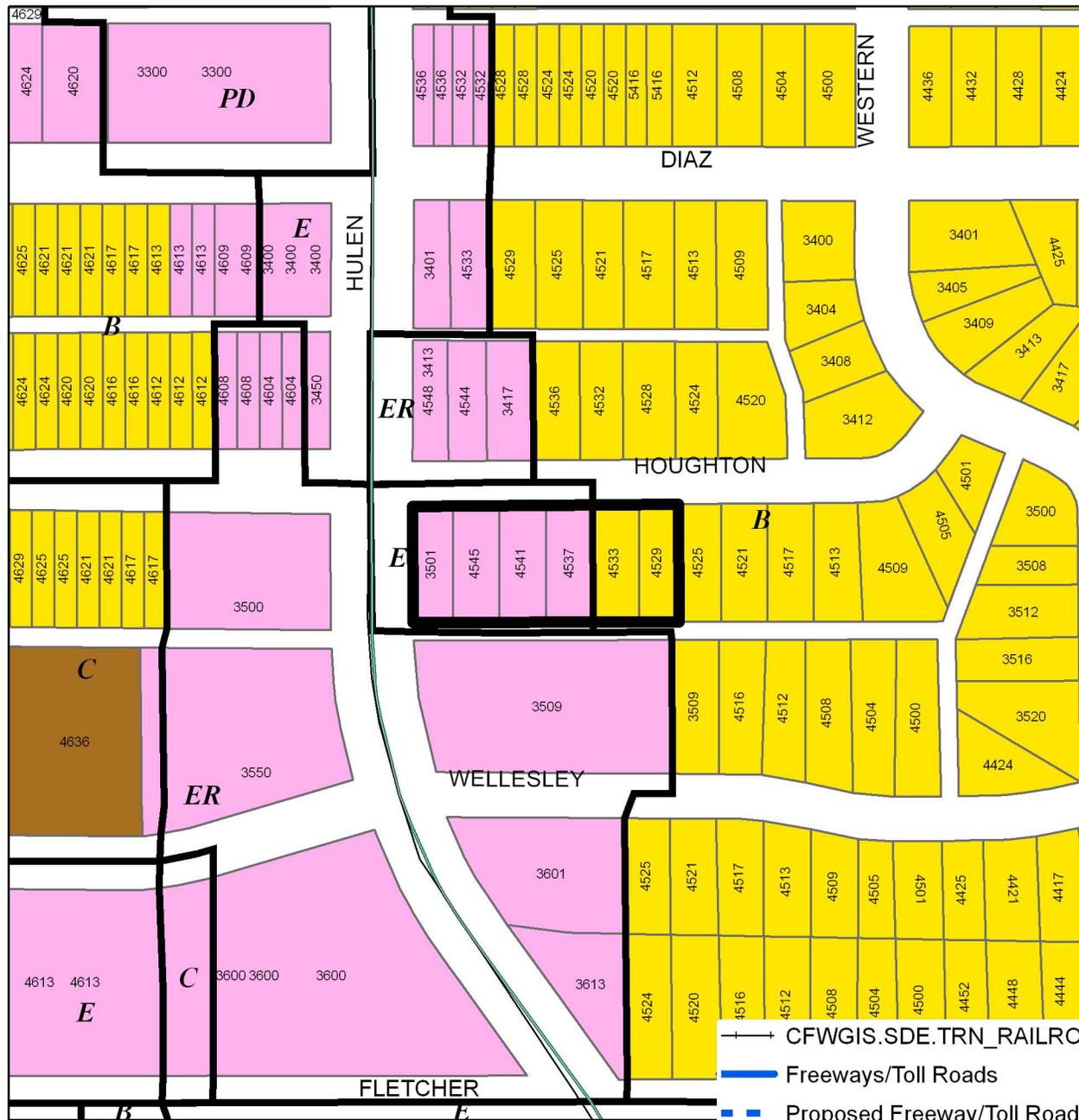
Director of Planning and Development: \_\_\_\_\_  
Date: \_\_\_\_\_

**Willing R. Smith Project**

Site Plan Rev.: 3/11/14  
Prepared by: Darin Norman - TownSite Company  
2918 Wingale Street / Fort Worth, Tx 76107  
817-850-9500

ZC: \_\_\_\_\_  
SP: \_\_\_\_\_

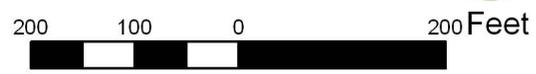




- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed Use
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

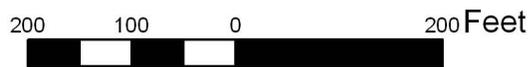
- CFWGIS.SDE.TRN\_RAILROADS
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- FLD\_ZONE**
- Floodplain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on March 18, 2014.



## Aerial Photo Map



Laura Adams/ Cobblestone NA	NA	Out	Opposition		Sent letter in
Jean/Tom Bryan	1013 Fox River Ln	Out	Opposition		Signed petition
Lela Craddock	1008 Fox River Ln	Out	Opposition		Signed petition
Carol Alexander	1005 Fox River Ln	Out	Opposition		Signed petition
Doug Pierce	1004 Fox River Ln	Out	Opposition		Signed petition
Robert Brewer	1000 Fox River Ln	Out	Opposition		Signed petition
Christine Lee	1025 Fox River Ln	Out	Opposition		Signed petition
Sonya Milton	1032 Fox River Ln	Out	Opposition		Signed petition
Sanora Williams	1036 Fox River Ln	Out	Opposition		Signed petition
Gary/Tykisha Allridge	1132 Fox River Ln	In	Opposition		Signed petition
David/Roslyn Burch	1136 Fox River Ln	In	Opposition		Signed petition
Trimeka Brittle	1140 Fox River Ln	In	Opposition		Signed petition
85 additional signatures on petition within Cobblestone NA					

**12. ZC-14-045 Willing Smith (CD 9) – 3501 Hulen Street, 4529-4545 Houghton Avenue (Sunset Heights Addition, Block 3, Lots 1-6, 0.89 Acres): from “B” Two-Family & “E” Neighborhood Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus semi automatic carwash; site plan included**

Phillip Poole, 2918 Wingate, Fort Worth, Texas representing Willing Smith explained to the commissioners they have been involved since the case was heard by Council. Three lots are currently zoned for E Neighborhood Commercial and the two to the east are zoned B Two-Family. He did mention to his client that E uses could go on the site. Mr. Poole said the area along Hulen is predominantly neighborhood commercial.

Mr. Poole said they are proposing the use that was originally opposed and reworked the site plan to deal with some of the objections from neighborhood and nearby businesses. Mr. Poole did say that carwashes are allowed by Special Exception. He said this is not your typical carwash with no gas being dispensed, no tires being changed and no inspection services. It is a modern tunnel approach where people stay in their vehicles and drive through the tunnel. He noted the blower motors are now sound attenuated and the amount of noise created by the blowers is about equal to the traffic noise on Hulen Street. They are proposing a single story grouping of buildings, masonry construction and the use of pavilions to provide additional services for customers such as vacuums, tire dressing, etc. there is a streetscape with a tree row planted at a rhythm. The eastern lot has a landscape buffer adjacent to the residential lot.

Mr. Poole mentioned a traffic impact analysis was provided to the city. It provided that the city’s count on Hulen is 35,000 cars within a 24 hour period and they counted about 30,000, which is

consistent. He said the traffic along Hulen is more than what would be generated by the car wash. They predict this facility at about 300 cars at its peak, one percent of the 30,000 cars there. The TIA also warranted a traffic signal to be added at Wellesley, however TPW determined that was not an appropriate location for a traffic signal.

Mr. Poole said they have reached out to the neighborhood repeatedly and sent a copy of the email to the city listing these meetings and attempts. Mr. Smith has not had an opportunity to visit with the business owners. Mr. Poole said he has not been able to speak with Mr. Smith on how the meeting may have gone with the neighbors. They would be willing to put in a traffic signal via a community facilities agreement if the city would support that. Mr. Poole displayed some visuals on the overhead as to what the car wash would look like.

Mr. Flores asked Mr. Poole about car washes in close proximity to residential and how many vacuum stalls are proposed. Mr. Poole said they are aligned along the building marked vacuum stalls about six to eight of them. Mr. Flores said Hulen is a busy street and that the car wash would be equally busy. He said he is concerned about the decibel levels generated by the stalls and asked Mr. Poole if he knew what the decibel rating is on a modern vacuum blower motor. Mr. Poole said the main blower in the tunnel, by the time it reaches the edge of Hulen is about 40 decibels which is equal to the background traffic noise. Mr. Flores said he is asking about the vacuum stalls. Mr. Poole said the vacuum stalls are buffered by a hedge row which would emanate the sound.

Mr. Poole said the site plan indicates a buffer wall that will run down against the existing office building. They have given consideration to where the noises are going to move. Mr. Poole said they have buffered it by placing the majority of any kind of sound generation to where it is the furthest distance from any other neighbor. They are proposing a six foot high fence along the face where it abuts the neighborhood. People will be able to go right in and right out and if they were able to put in a traffic signal it would make it easier to get in south bound. They have provided the longest amount of queueing so there is no impact along Houghton. Mr. Flores said staff did share with them the results of that study which basically says that it is not impeding traffic flow.

Mr. Flores said back to his original question on the decibel level of the blower motor. The vacuum motor for a modern car wash, the top range is 77 decibels at 20 feet. The Purdue University study cites it at between 80 and 89 decibels. Mr. Poole said he had a study as well they could compare. Mr. Flores said he would like to get some more information on that, but his concern is some landscaping may not be adequate to efficiently mitigate the noise going into a residential area. Mr. Poole said the residential area doesn't begin until you go further east; across the street is an empty lot, office building and surface parking to the front. He said by the time anything emanating in that direction hits the street level and hits a habitable building, it's a pretty good distance and the sound drops. The business is sitting about 100 feet back from Hulen Street where the bigger blower motor is as the tunnel operates. Mr. Poole said they are trying mitigate this by all the modern technology and the way they prepared the site plan.

Ms. McDougall said she visits these types of car washes frequently; her concern is the traffic and the flow. She is concerned that the first access to the facility along Houghton will create a backup on Hulen and around the corner. Ms. McDougall asked Mr. Poole how he planned to

address the traffic flow. Mr. Poöls said by having double entries, the cars will cue in two lanes. He said the cars move through pretty quickly; there is 15 minute duration through the tunnel from the time you pay the cashier until you exit the tunnel. Mr. Poole said there is an opportunity to stack all the way back to the other entry point. He said once you pass the first entry, you will move past the second entry in order to come into the queue. He said this is equal to the Altamesa and Bryant Irvin car washes; they have accomplished that and maintained the tree buffering. Ms. McDougall said he might have been able to accomplish that if the setup was in reverse it wouldn't be such an issue.

Mr. West asked Mr. Poole if the subject property was empty. Mr. Poole said it is and there is a rental house in that same row. Mr. West asked what used to be there. Mr. Poole said it was residential all the way to Hulen.. Mr. West said there has been some new construction in the area and asked why the properties that are zoned neighborhood commercial haven't developed. Mr. Poole said he can't speak to that. The offers and interest for the lots have been office, fast food and this approach.

JoAnn Moreman, 4525 Houghton Street, Fort Worth, Texas spoke in opposition. Ms. Moreman said she owns a house next door to where this is being proposed. She said this request will greatly reduce the quality of life for the residents of this neighborhood. Ms. Moreman said they have several concerns with the proposed car wash including traffic congestion, safety, noise, health, property values and criminal activity. The car wash entrance and exit are both located on Houghton which is two lanes. Additional traffic from the proposed car wash will amplify the congestion on this narrow street. There are several children that reside on this block and play outside and walk to and from school. The increased noise from the car wash will be detrimental to the families who enjoy the residential neighborhood. The sounds of high water pressure, loud vacuums, idle motors, horns, alarms and music coming from the cars waiting to go through the car wash is not acceptable to the residents. Contaminants from the vehicles including oil, grease and hazardous materials will run off from the car wash onto their properties. Ms. Moremon also stated crime is a concern; the car wash attracts those who loiter and engage in other things. The alley behind the car wash can become a breeding ground for criminal activity. No one in the neighborhood wants to live next to a car wash and request the proposal be denied.

Sergio DeLeon, 4521 Diaz Avenue, Fort Worth, Texas spoke in opposition. Mr. DeLeon reiterated what Ms. Moreman said and the concern they have is traffic and Hulen is backed up. They do have a light at Donnelly and another at McDonalds. They do not want additional traffic lights. The neighborhood is not opposed to any development, but they do not think a car wash would be compatible for this neighborhood.

Mr. Edmonds asked Mr. DeLeon to point out where he lives. Mr. DeLeon pointed it out where he lives on the overhead. Mr. Flores wanted to acknowledge Mr. DeLeon as being the Justice of the Peace for Precinct 5 and wanted thank him for his services.

Ray Oujesky, 201 Main Street, Suite 2500, Fort Worth, Texas representing Hulen Medical Center JV, located at 3600 Hulen Street spoke in opposition. Mr. Oujesky said his client did speak with the property owner about his concerns on traffic and would not be opposed if a traffic light went in, but since TPW has recommended against the traffic signal he opposes this.

Mr. Poole in rebuttal mentioned he understands the objection. They have tried to figure out a compatibility and predictability issue for this project. Mr. Poole mentioned the adjacency issue and the intrusion with surface parking and runoff as well as other issues stated earlier.

Motion: Following brief discussion, Ms. Reed recommended Denial of the request, seconded by Ms. McDougall. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					<i>ZC-14-045</i>
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>Position on case</b>		<b>Summary</b>
JoAnn Moreman	4525 Houghton	In	Opposition		Spoke at hearing
Sergio DeLeon	4521 Diaz Ave	In	Opposition		Spoke at hearing
Ray Oujesky/ Hulen Medical Center	201 Main Street	In	Opposition		Spoke at hearing
Kosel Investments	3550 Hulen St	In	Opposition		Sent letter in
Allen Schuster	3600 Hulen St	In	Opposition		Sent letter in
Jeanette Fitzpatrick	4513 Diaz Ave	In	Opposition		Sent letter in
Charles Robertson	4504 Diaz Ave	Out	Opposition		Signed petition
Suzanne Starphill	4512 Diaz Ave	Out	Opposition		Signed petition
John Harmon	4524 Houghton	In	Opposition		Signed petition
Ramon Cavazos	4505 Houghton	In	Opposition		Signed petition
Ricardo Rosas	3517 Western Ave	Out	Opposition		Signed petition
Maria Martinez	4513 Wellesley	In	Opposition		Signed petition
Abel Magana	3505 Western Ave	Out	Opposition		Signed petition
Evy Santana	3421 Western Ave	Out	Opposition		Signed petition
Carolyn Smithwick	4613 Wellesley	Out	Opposition		Signed petition
Scottie Clark	3412 Western Ave	In	Opposition		Signed petition

**13. ZC-14-046 Golden Triangle Retail Partners Ltd. (CD 7) – 10851 N. Beach Street (William McCowan Survey, Abstract No. 999, 0.77 Acres): from, “E” Neighborhood Commercial to “FR” General Commercial Restricted**

Mike Chapman, 1425 Holly Ridge Drive, Keller, Texas representing Golden Triangle Retail Partners explained to the Commissioners they want to build an O’Reilly Auto Parts Store at this location. Jared Wood, 2001 Carleton Avenue, Fort Worth, Texas was present to answer any questions.