



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
December 3, 2013

**Council District** 9

**Zoning Commission Recommendation:**  
Denial by a vote of 8-1  
  
**Opposition:** 4 letters sent in

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

**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:**  
This case was continued a third time from the October 15, 2013 Council meeting so that the applicant could meet with the neighborhood and address concerns. The property owner informed staff on October 8 that no meetings have yet taken place.

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 car wash with waivers.

During the Zoning Commission discussion, concerns were based primarily on the noise generated from the use to the residential area and the traffic created by the business. The central vacuum unit and the dumpster are located on the east side of the lot, adjacent to the residential use. The Commission also questioned the expect 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.

Section 5.108 provides Supplemental Use Standards for car washes. Waivers are necessary for the items below. Information was not provided as requested concerning the building materials and fence type. As a result, other waivers may be necessary.

Development Standards	E District	Proposed PD/E
Permitted Uses	No car wash services permitted (by Special Exception only)	Semi automatic car wash

Front Yard	20 ft. minimum/no permanent structures	Sign and two parking spaces encroach into front yard setback
Rear Yard	15 ft. minimum adjacent to residential	Building encroaching 12 ft. into rear yard setback
Parking	Based on how many cars queue in car wash bay	Site plan meets the minimum five parking spaces for customers and employees; two encroaching into front yard

**Site Information:**

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

Agent: John Broderson  
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-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 not in general compliance with the zoning regulations, the following conditions apply:

1. The building is encroaching into the 15 ft. rear yard setback. *(A waiver is required)*
2. The sign and two parking spaces are encroaching in the 20 ft. front yard setback. *(A waiver is required for both)*
3. Indicate on the site plan what type of fence is proposed. (This should be provided on the site plan)
4. Indicate on the site plan the proposed building materials to be used. (This should be provided on the site plan)

**Compliance with the items noted above shall be reflected on the site plan or a waiver is required.**

**Transportation/Public Works (TPW)**

TPW (Pirouz Allivand 817-392-6597 [Pirouz.Allivand@fortworthtexas.gov](mailto:Pirouz.Allivand@fortworthtexas.gov))

1. Sidewalks - Sidewalks shall be required for all streets as per City of Fort Worth Standards.
2. Driveway Locations - Driveway location must not interfere with intersection function.
3. Parkway Permit - "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."

*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.
Alamo Heights	FWISD

**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 2013 Comprehensive Plan designates the subject property as Neighborhood Commercial and single-family. 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** with the Comprehensive Plan and is a **Significant Deviation**.

**Attachments:**

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

## Location Map



2,000 1,000 0 2,000 Feet





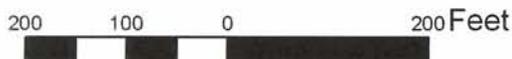
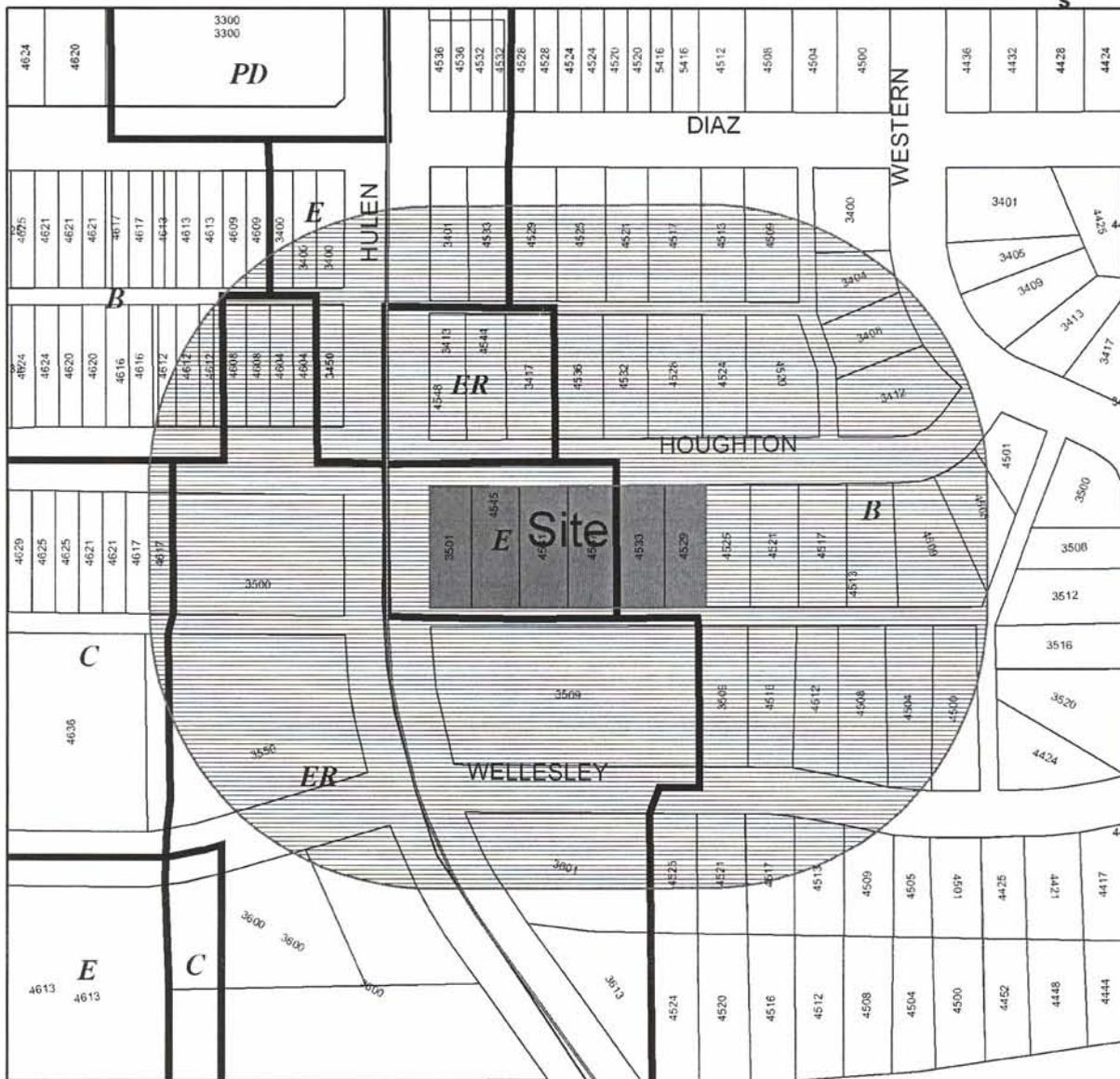
ZC-13-092

# 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: 7/10/2013  
 Contact: 817-392-2495



300 Ft. Buffer



RECOMMENDED FOR DENIAL

AREAS	
SITE	42,000 S.F.
BUILDING	5,220 S.F.
CANOPY A	980 S.F.
CANOPY B	3,325 S.F.
CANOPY C	2,137 S.F.
VACUUM ENCLOSURE	286 S.F.
PAVED	19,802 S.F.
LANDSCAPE	10,470 S.F.

NOTE:  
DEVELOPMENT WILL COMPLY WITH CITY OF FT. WORTH  
SIGNAGE, LANDSCAPE, URBAN FORESTRY AND LIGHTING  
ORDINANCES.



RECEIVED  
JUL 03 2013  
BY:

ZC 13-092-

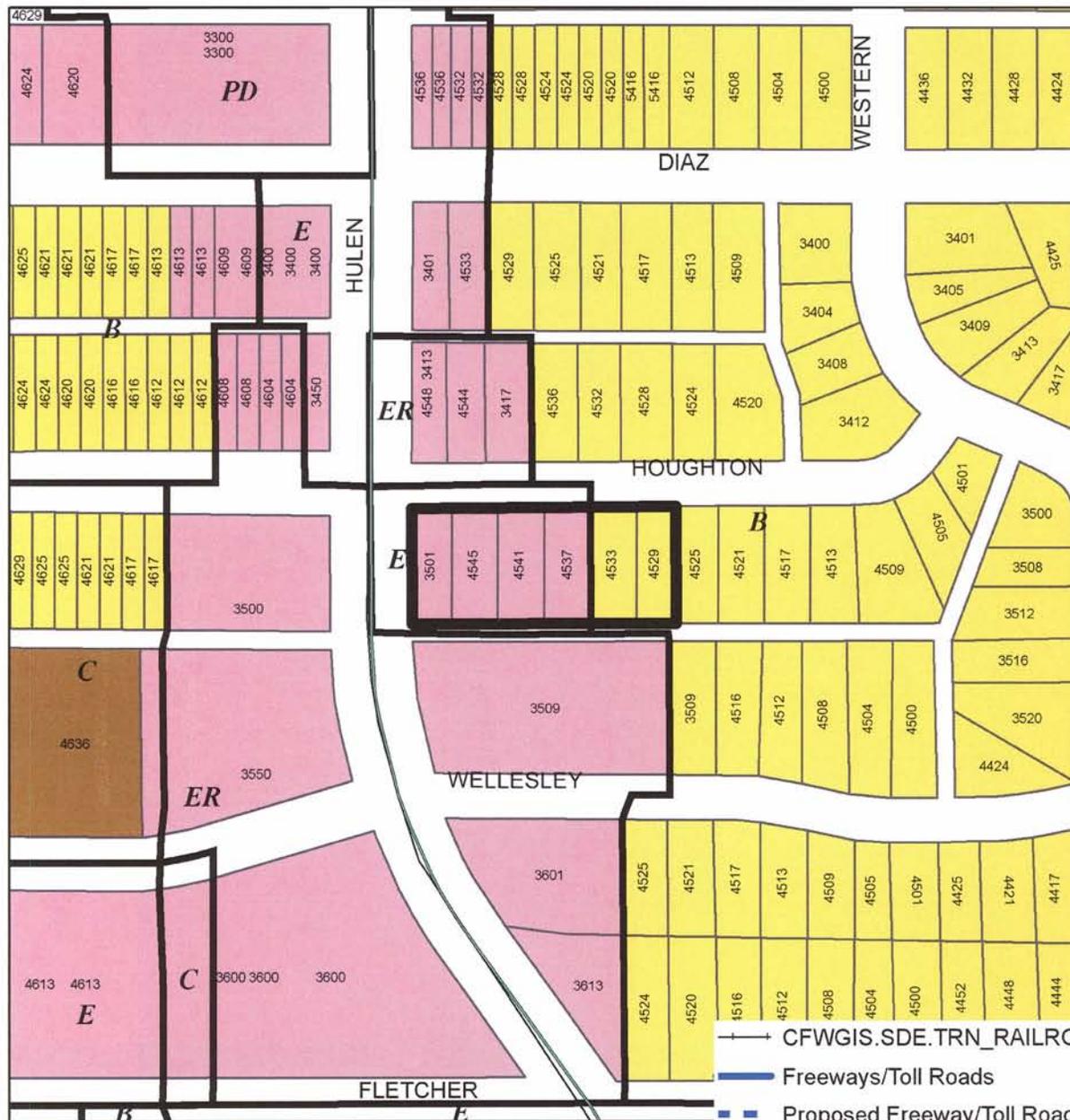
**CARMEL CAR WASH**  
HULEN STREET - Ft. WORTH TX



07-01-2013

A PLUS DESIGN GROUP

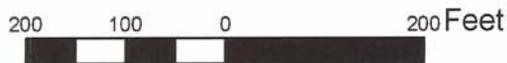
Trent W. Clark, Architect  
TX Registration # 17084  
PRELIMINARY-NOT  
FOR CONSTRUCTION  
These Drawings are  
incomplete and may not  
be used for regulatory  
approval, permit, or  
construction



- 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

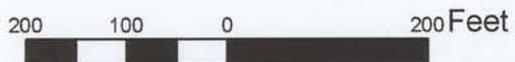
- CFWGIS.SDE.TRN\_RAILROADS
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- FLD\_ZONE**
- Floodplain



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 5, 2013.



## Aerial Photo Map



**XVI. ZONING HEARING**

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth, on August 30, 2013.

**1. ZC-13-088 - (CD 7) - Frances Clark and Philip Sotel, 3295 Keller Haslet Road; from: Unzoned to: "C" Medium Density Multifamily (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-13-088 be approved. The motion carried unanimously 8 ayes to 0 nays with Council Member Burns absent.

Mr. H. Dennis Hopkins, P.O. Box 637, 2131 North Collins Street, Arlington, completed a speaker card in support of Zoning Docket ZC-13-088 but did not address the Council.

Mr. Darren Meier, 13300 Dove Ranch Road, completed a comment card in opposition of Zoning Docket ZC-13-088.

The City Council, at its meeting of August 20, 2013, continued Zoning Docket ZC-13-092.

**2. ZC-13-092 - (CD 9) - Willing Smith, 3501 Hulen Street, 4529-4545 Houghton Avenue; 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. (Recommended for Denial by the Zoning Commission) (Continued from a Previous Meeting)**

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Zoning Docket 13-092 be continued to the October 15, 2013, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

**3. ZC-13-128 - (CD 5) - IBR Investments, 2200 Miller Avenue; from: "PD-751" Planned Development/Specific Use for museums, library, fine arts center, restaurants, cafes, cafeterias, bakeries, barber & beauty shops, laundries, dry cleaning or washateria, and leather goods shop, masonry wall required along the back of the property line; site plan approved to: Amend "PD-751" Planned Development to include all "E" retail uses; site plan included (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-13-128 be approved. The motion carried unanimously 9 ayes to 0 nays.

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
AUGUST 20, 2013  
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Motion: Council Member Shingleton made a motion, seconded by Council Member Espino, that Zoning Case ZC-13-050 be continued to the September 10, 2013, Council meeting. The motion carried unanimously 8 ayes to 0 nays with Mayor Pro tem Zimmerman absent.

The City Council at its regular meeting of July 16, 2013, continued ZC-13-092.

**3. ZC-13-092 - (CD 9) - Willing Smith, 3501 Hulen Street, 4529-4545 Houghton Avenue; 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. (Recommended for Denial by the Zoning Commission (Continued from a Previous Meeting))**

Motion: Council Member Burns made a motion, seconded by Council Member Bivens that Zoning Case ZC-13-092 be continued to the September 17, 2013, Council meeting. The motion carried unanimously 8 ayes to 0 nays with Mayor Pro tem Zimmerman absent.

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Fort Worth Star-Telegram, the official newspaper of the City of Fort Worth, on July 19, 2013. Mayor Price opened the public hearing.

**4. ZC-13-095 - (CD 6) - City of Fort Worth Planning & Development Department, Road, rail, and electric ROW Dirks Road to FM 1902, 5700 & 5780 Columbus Trail; from: Unzoned to: "A-5" One-Family and "E" Neighborhood Commercial (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Zoning Case ZC-13-095 be approved. The motion carried unanimously 8 ayes to 0 nays with Mayor Pro tem Zimmerman absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 13896 for the above listed cases, Council Member Jordan made a motion, seconded by Council Member Shingleton, that the hearing be closed and that Ordinance No. 20885-08-2013 be adopted. The motion carried unanimously 8 ayes to 0 nays, with Mayor Pro tem Zimmerman absent.

5. ZC-13-092 - (CD 9) - Willing Smith, 3501 Hulen Street, 4529-4545 Houghton Avenue; 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. (Recommended for Denial by the Zoning Commission)

Mr. John Brodersen, 4165 Mockingbird Road, Dallas, Texas 75214, completed a speaker card in support of Zoning Docket ZC-13-092, but did not wish to address the Council.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket ZC-13-092 be continued to the August 20, 2013, Council meeting be continued. The motion carried unanimously 9 ayes to 0 nays.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 13896 for the above listed case, Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that the hearing be closed and that Ordinance No. 20813-07-2013 be adopted. The motion carried 9 ayes to 0 nays.

**XVII. CITIZEN PRESENTATIONS**

There were no citizen presentations.

**XVIII. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER) - SEE ATTACHMENT B**

**XIX. ADJOURNMENT**

There being no further business, Mayor Price adjourned the Regular Meeting at 10:48 a.m.

These minutes approved by the Fort Worth City Council on the 23<sup>rd</sup> day of July, 2013.

Attest:

Approved:

\_\_\_\_\_  
Mary J. Kayser  
City Secretary

\_\_\_\_\_  
Betsy Price  
Mayor

Linda Cameron, 2004 Missouri Avenue, Fort Worth, Texas spoke in opposition. She lives about 175 feet from this property. She also mentioned the other site that he may own. They do not want anymore auto repair garages.

In rebuttal, Mr. Bonilla noted his client does not own the property down the street and they have done nothing to the site. It is a vacant 8000 square foot brick building. He mentioned he does have a letter of support from the President of one of the neighborhood associations. Mr. Bonilla said there will be no car sales on site; they have excluded uses they felt would protect the neighborhood. All automotive activities will be conducted within 4000 square feet of the building, and the other 4000 square feet will be used for other neighborhood commercial uses. He would like to have the opportunity to speak with the neighborhood.

Mr. Flores asked about the letter of support he mentioned. Mr. Bonilla said he had a letter of support from the neighborhood association, South East Fort Worth, Inc., and the Metropolitan Black Chamber of Commerce. Mr. Flores asked if he had copies of those letters. Mr. Bonilla said no because he did not plan on making a full presentation today.

Ms. Conlin asked Mr. Gillam if they grant the continuance will he meet with Mr. Bonilla. Mr. Gillam said he met with Mr. Bonilla a year ago about this same project and at the end of the meeting he expressed they were not interested in any type of auto repair for that area. They still feel the same way.

Mr. West asked which neighborhood association he had the letter from. Mr. Bonilla said it is Al Piper. Mr. West asked if this was the same owner as was presented to them a year ago. Mr. Bonilla said yes it is and that he was not accurately represented.

Mr. Hollis asked if over the next thirty days can he make a substantial difference in what the neighborhood wants. Mr. Bonilla said yes he can because they have a substantially different plan.

Motion: Following brief discussion, Ms. Conlin recommended a 30 day continuance of the request, seconded by Mr. West. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				<i>ZC-13-091</i>	
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>ft</b>	<b>Position on case</b>	<b>Summary</b>
Monnie Gillam/Vicki Lane Bowie St NA	1100 Vicki Ln	Out		Opposition	Spoke at hearing
Johnny Lewis/Historic Southside NA	953 Terrell Ave	Out		Opposition	Spoke at hearing
Linda Cameron	2004 Missouri	In		Opposition	Spoke at hearing

**7. ZC-13-092 Willing Smith (CD 9)- 3501 Hulen Street, 4529-4545 Houghton Avenue (Sunset Heights Addition, Block 3, Lots 1 thru 6, 0.89 Acres): 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**

John Broderson, 3808 Greenbriar, Dallas, Texas representing Willing Smith explained to the Commissioners he is proposing a semi automatic car wash.

Mr. Flores asked about the nine vacuum stalls shown in the right hand corner of the site plan and the proximity to the residential homes. He asked about the decibel level of the vacuums. Mr. Broderson said he isn't for sure what that is but vacuums have improved since he first started this business 20 years ago. Mr. Flores mentioned he has received feedback from residents on recent developments whose property adjoins a car wash and noted there is a lot of noise when they are being used. Mr. Flores asked if he had considered another design for them. Mr. Broderson said he could flip the layout but all the noise is contained at the exit point of the car wash, He said the vacuums are now located in one central area. Mr. Flores asked what he has planned for noise mitigation. Mr. Broderson said there will be a block wall and landscaping and the hours of operation are during daylight hours only. Mr. Flores asked how late it will be open. He stated 7:30 to 8:00 pm during the summer, Sunday 6:00 pm, and during the winter 6:00 pm.

Ms. Reed mentioned she also has a concern about the noise as well as traffic. She asked how the traffic will flow. Mr. Broderson said the way this is designed is to pull the traffic off of Hulen onto Houghton and exit back out closest to Hulen side. He referenced there may be as many as 300 cars a day using the facility. He did mention the fast food restaurant across the street generates many more trips than this. Ms. Reed asked when you leave the facility which way to turn to go south. Mr. Broderson said you would have to turn left onto Hulen Street. Ms. Reed mentioned the curve of the road and that customers likely would go through the neighborhood to get to the light.

Mr. Genua asked him to explain how traffic will enter the property. Mr. Borderson said Monday thru Thursday the first entrance will be very busy. On the weekend he wants to bring the traffic down to the second entrance to get them off of Hulen Street. Mr. Genua asked what the distance is from the second drive to the cashier. Mr. Broderson said about 100 plus feet. He noted having cashiers because they can move four cars faster than one pay station.

Mr. Hollis mentioned a car wash off of Bryant Irvin that stacks up six or seven cars deep.

Mr. West asked if he had talked to any of the property owners. Mr. Broderson said he was only aware of one in opposition. Ms. Zadeh mentioned there were four letters of opposition in their packets.

Motion: Following brief discussion, Ms. Reed recommended a denial of the request, seconded by Mr. Flores. The motion carried 8-1 with Mr. Hollis against.

<i>Document received for written correspondence</i>				<i>ZC-13-092</i>	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Charles Newman	3500 Hulen St	In		Opposition	Sent letter in

Kosel Investments	3550 Hulen St	In	Opposition		Sent letter in
Kenneth Jones	3601 Hulen St	In	Opposition		Sent letter in
Ballard Price	4525 Wellesley	Out	Opposition		Sent letter in
Fred Spradley	4763 Barwick Dr	Out		Support	Sent letter in
Myles Kelley	4625 Donnelly	Out		Support	Sent letter in
Willing Smith	Property owner	In		Support	Sent letter in
Blaine Scheidman	NA	NA		Support	Sent letter in

**8. ZC-13-093 Belle Hav/Tex. LP (CD 3)- 3215 West Loop 820 South (Western Hills Addition Section 3-8, Block 86, Lot 7Ra, 6.78 Acres): from "F" General Commercial to "PD/F" Planned Development for all uses in "F" General Commercial plus production of gaskets, sealants, tapes and other products used in aviation communication; site plan waiver requested**

Jim Schell, 500 W. 7<sup>th</sup> Street, Suite 600, Fort Worth, Texas representing Belle Hav/Tex. LP explained to the Commissioners the company wanting to purchase this facility is called AVDEC. They are a Fort Worth Firm founded in the late 1990's they are currently located at 1810 Mony Street and want to relocate and consolidate their business. Mr. Schell mentioned their current location has about 25,000 square feet and this building has 32,000 square feet. Mr. Schell mentioned they have large tables where they lay out cloth and make fancy communication equipment. It is a very quiet operation; there is really no machinery involved. They have a machine that tests the parts to see if they can withstand the pressure and moisture.

Mr. West asked what the current use of the subject property was. Mr. Schell said it had previously been an insurance office with a couple of dock doors on the end. Mr. West asked if he had contacted any nearby neighborhoods. Mr. Schell said no since it fronted a highway and in a commercial area. Mr. West asked about expansion of new employees. Mr. Schell said they currently have 60 employees and did not know if they would be expanding.

Mr. Flores asked about production and what they might be testing in the future. Mr. Schell said they have a specialty niche in the airline industry and the PD is tied specifically to what they are doing.

Motion: Following brief discussion, Mr. West recommended approval of the request, seconded by Mr. Edmonds. The motion carried unanimously 9-0.

**9. ZC-13-094 AIL Investment, LP (CD 7)- 5101-5103 Ray White Road, 5000-5302 Golden Triangle Boulevard (J. Billingsley Survey, Abstract No. 70, 132.81 Acres): from "CR" Low Density Multifamily, "C" Medium Density Multifamily, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted and "Pd-68" Planned Development to "A-5" One-Family and "G" Intensive Commercial**