

## Board of Adjustment

### *Staff Report*

**CASE NUMBER:** BA16-053 (PLN2016-00647)  
**STAFF PLANNER:** Kaelee Wilson  
**LOCATION/ADDRESS:** 5245 East Southern Avenue  
**COUNCIL DISTRICT:** Council District 2  
**OWNER:** Cobblestone Classic 35, LLC  
**APPLICANT:** Richard Gabalon- PM Design

**REQUEST:** *Requesting a Special Use Permit (SUP) for the expansion of an existing carwash in the LC zoning district.*

#### **SUMMARY OF APPLICANT'S REQUEST**

The request is for a Special Use Permit to expand an existing car wash, Cobblestone Auto Spa. The proposed expansion includes construction of 8 vacuum stations with canopies at the north side of the site adjacent to Southern Avenue, the installation of an express car wash lane and a new trash enclosure. The existing carwash was approved in 2005 receiving a Special Use Permit, ZA05-018, for the car wash. The current parking canopies along Southern Avenue will be removed and replaced with 8 terracotta colored self-serve vacuum canopies.

#### **STAFF RECOMMENDATION**

Staff **recommends approval** of case BA16-053 with *the following conditions:*

1. *Compliance with the site plan, narrative and elevations submitted, except as modified by the conditions below.*
2. *Compliance with all requirements and conditions of approval for the previously approved SUP, ZA05-018.*
3. *Application for, and compliance with all requirements of, Administrative Design Review. Review shall include the site plan, landscape plan and elevations with finish materials, architectural details and colors.*
4. *Site landscaping shall be replenished to quantities shown on the approved landscape plan (DR05-034).*
5. *A solid screen wall or a combination of a screen wall and berm that is 40 inches high shall be added along Southern Avenue, in front of the vacuum canopies.*
6. *In addition to the landscaping of condition 4, a minimum of two 15-gallon large canopy trees and ten shrubs shall be added along the Southern Avenue frontage.*
7. *A roof structure shall be added to the vacuum enclosure to make the vacuum fully enclosed.*

#### **SITE CONTEXT**

**CASE SITE:** Existing carwash- zoned LC  
**NORTH:** (across Southern Ave.) Existing offices-zoned LC  
**EAST:** Existing multiple residence development- zoned RM-3  
**SOUTH:** Existing group commercial center- zoned LC  
**WEST:** Vacant PAD site in an existing shopping center- zoned LC

#### **STAFF ANALYSIS – Special Use Permit (SUP)**

This Special Use Permit is being requested to allow an expansion of the existing carwash. The expansion consists of the addition of 8 vacuum canopies adjacent to Southern Avenue, the addition of two express lanes and the relocation of the trash enclosure. The 8 covered parking spaces along Southern Avenue are being converted to the vacuum stalls. The addition of the canopies removes 8 accessible parking spaces leaving only 7 parking spaces on the site when the use requires 31 spaces. The site is part of the overall group commercial center that is over parked. Since the parking on-site will be for employees, the conversion of these parking spaces to vacuum canopies is acceptable.

Section 11-31-7, Development Standards for car wash uses require sound attenuating design and construction be utilized to absorb noise such that the sound level readings at the street and at interior property lines are no more than 55 decibels. Mechanical equipment for centralized vacuum equipment shall be housed in an enclosed room. The applicant has provided a picture that indicates the lack of a roof structure on the centralized vacuum equipment. Staff has added a condition of approval that requires the addition of a roof.

Staff is concerned about the proximity and visibility of the proposed vacuum canopies to Southern Avenue. Section 11-30-9-E requires that carwash opening be screened 40 inches from public streets by either a wall or a combination of wall and berms with landscape material. The addition of a screen wall and landscaping will soften the appearance of the canopies being located along the street frontage. Based on Google street view, it appears a slight berm exists but the height of the berm is unknown. Staff has added a condition of approval that requires full screening to a height of 40 inches, with extra landscape material (above Ordinance minimums) to soften the appearance of the vacuum canopies.

#### **FINDINGS:**

1. The proposed expansion of the car wash is allowed in the Limited Commercial (LC) zoning district with the approval of a Special Use Permit.
2. The proposed expansion of the car wash for Cobblestone Auto Spa is compatible with adjacent developments, and can be complimentary to existing surrounding uses.
3. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.
4. The proposed expansion of the car wash, with the recommended conditions of approval will not be injurious or detrimental to the adjacent or surrounding properties in the area.
5. The vacuum system is in a separate enclosure and meets the sound attenuation design requirements for less than 55 decibels of sound reading level at the property line.
6. The project site exceeds the minimum 10% landscape design standard required for car washes.
7. A "Good Neighbor" policy has been provided that is sufficient.

#### **ORDINANCE REQUIREMENTS:**

##### Zoning Ordinance, Sec 11-70-5: Special Use Permit

**E. Required Findings.** A SUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established in the record.

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;
2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;
3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

Zoning Ordinance, Sec 11-31-7: standards for specific uses and activities automobile/vehicle washing

Automobile Washing, as described in [Section 11-86-4](#), shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Location.** Automobile/Vehicle Washing, as a primary use, is only allowed on sites with at least one frontage on an arterial street.
- B. **Setbacks.** No building or structure shall be located within 20 feet of any interior lot line abutting a residential zoning district.
- C. **Drive-up Aisles and Required Queuing Area.** Drive-up aisles shall be at least 11 feet wide; if adjacent to a street, they shall be screened as specified in [Section 11-30-9\(E\)](#), Drive-through Windows and Automated Car Washes. The drive-up aisle shall provide queuing space, with no encroachment into required landscape areas or building setbacks, for at minimum:
  - 1. 4 vehicles per pull-through rack for each automatic wash bay.
  - 2. 3 vehicles per bay for self-serve, coin-operated and/or hand wash facilities.
- D. **Landscaping.** Automobile/Vehicle Washing, as a primary use, in addition to perimeter, parking lot and foundation base landscaping requirements, landscaping shall comprise a minimum of 10 percent of the site area.
- E. **Litter.** One permanent, non-combustible trash receptacle per wash bay is required.
- F. **Noise.** Sound attenuating measures shall be incorporated into the building design and construction to absorb noise such that the sound level readings at the street and at interior property lines are no more than 55 decibels. Mechanical equipment for centralized vacuum equipment shall be housed in an enclosed room.
- G. **Additional Special Use Permit Criteria.** When a [Special Use Permit](#) is required by [Article 2](#), each of the following items shall be included in the evaluation:
  - 1. The number of automobile related activities within 600-feet of an intersection of arterial streets shall not exceed 2, including automobile/vehicle washing, automobile service stations, automobile sales or rental lots, or automobile/vehicle repair.
  - 2. Proposed locations within “-U” designated areas shall be oriented with canopies and fuel dispensing equipment away from the street, either to the side or to the rear of a building.
  - 3. Compliance with all development standards for the applicable zoning district, including compliance with all requirements for automobile related services located in all mixed districts and “-U” designated districts.
  - 4. The use is found to be in compliance with the [General Plan](#), applicable Sub-area plans and other recognized development plans or policies, and will be compatible with surrounding uses;
  - 5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.
  - 6. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations.