



## Legislation Text

**File #:** PZ 18--034, **Version:** 1

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**APPLICATION:** Special Use, Jerrod Johnson Hand Carwash

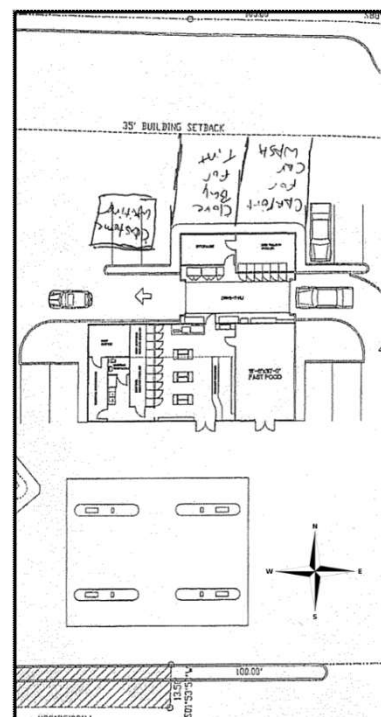
**PETITION:** The applicant, Jerrod Johnson, is initiating a Special Use approval to allow a Hand Carwash and tinting service to the rear of the principal building (gas station convenience store).

**PURPOSE OF THE REQUEST:** Permitted and Special Use Table (Table 2-3) requires a Special Use approval for a carwash in the Community Retail Commercial (CRC) zoning district.

**LOCATION:** Land Lots 873, 19<sup>th</sup> Districts, Powder Springs, Georgia.

**ACRES:** 0.9 acres, Parcel ID #: 1908730014     **Zoning:** Community Retail Commercial (CRC)

**Prepared By:** Community Development



**Background Information:**

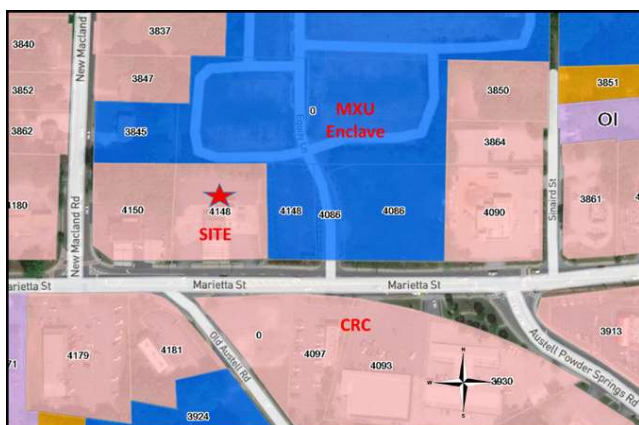
The applicant is proposing a hand carwash with tinting services behind the existing gas station located along Marietta Street. Based on the site plan provided the carwash will consist of an open carport, closed carport for providing tinting services and a covered area for the customer waiting area. The proposed carwash will have one employee and the proposed hours of operation are from 9:00 am to 9:00 pm.

Based on the zoning records the subject site was approved for a Hand Carwash via a Special Use that was effective between the periods November 7, 2005 to February 1 2014. City records have indicated no renewal for this use after the last expiration in 2014. The table below shows the timeline of approval for a Hand Carwash at this location. Staff notes that the town house development was stagnant at the time of the previous approvals.

<b>Zoning Request</b>	<b>Status</b>	<b>Renewal</b>
Special Use and Variance Request for a Hand Carwash at the Rear of the Chevron Gas Station	<b>November 7, 2005</b> Mayor and Council approved with conditions Approval renewal required in 2 years	Yes
Renewal of Hand Carwash	<b>January 7, 2008</b> Mayor and Council approved with conditions Approval renewal required in 2 years	Yes
Renewal of Hand Carwash	<b>February 1, 2010</b> Mayor and Council approved with conditions Approval renewal required in 4 years	No

The subject site is located in the Community Retail Commercial (CRC) zoning district. Based on Table 2-3 of the Unified Development Code (UDC) Carwash in the CRC zoning district requires a Special Use Approval. The CRC zoning district is intended to implement the “community activity center” future development established by the Comprehensive Plan. The main intent of the CRC zoning district is to accommodate commercial uses serving a citywide or regional market. The CRC zoning districts are designated on properties with access to major arterial streets and at intersections or arterial streets with other major street, where development nodes can be supported by the regional transportation network. The proposed request meets the intent of the CRC zoning district as the site is located along an arterial roadway. In addition, the car wash will provide services to the surrounding residential and commercial uses.

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**Surrounding Area:** The subject site is surrounded by various zoning districts and Land Use activities. Located to the east and north of the subject site is the Enclave Townhome development that is zoned Mixed Use district. The west of the subject site is currently zoned CRC and consists of a gas station. Located to the south of the site is a vacant lot and a gas station. This gas station also has a special use approval since June 1, 2016 for a hand carwash that is currently in operation.

#### **Analysis:**

Special Use approval requests are reviewed by criteria set forth in Section 11-3 of the Unified Development Code. Based on the analysis in this staff recommendation, this application meets the requirements of Special Use Approval, subject to the stipulations provided.

Table 2-3 of the Unified Development Code (UDC) indicates that a Special Use approval by the Mayor and City Council must be granted prior to establishment of a “Carwash” in the CRC zoning district.

#### **The application should be reviewed against the following standards:**

- a. Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?**

The CRC district is to provide for commercial uses that serves a citywide and regional market. Based on the information provided in the application, the proposed carwash will be located within a commercial district surrounded by residential and commercial activity and is uniquely positioned to provide services which can be supported by the city.

- b. Will the establishment of the special use not impede the normal and orderly development of the surrounding property for uses predominate in the area?**

The subject site is located along Marietta Street surrounded by commercial uses. There will be no expansion or construction activities. The hand car wash and tinting service will be located to the rear of the gas station and will not be visible from Marietta Street. The Enclave residential development located to the rear of the property is separated by a landscape strip that should aid in reducing off site impacts. The proposed carwash should not

impede the normal and orderly development of the surrounding area.

**c. Is the location and character of the proposed special use consistent with a desirable pattern of development in general?**

The subject site is located in the CRC zoning district which encourages commercial uses that will serve the city. The subject site is surrounded by two (2) gas stations, restaurants, convenience stores, offices and residential activity. The proposed hand carwash will support the surrounding uses and is consistent with the desirable pattern of the surrounding area. Though a special use permit is required for the establishment of a carwash, development of the site will be consistent with the requirement of the Unified Development Code.

**d. Is or will the type of street providing access to the use be adequate to serve the proposed special use?**

The subject site is located along Marietta Street an arterial roadway. Based on the ITE code a self-service carwash with wash stall generate approximately 5.54 PM Peak hour trips. The proposed hand carwash is a less intense use and is anticipated to generate less PM Peak hour trips. It is staff's professional opinion that there will be no negative traffic or safety concerns with the establishment of the proposed hand carwash.

**e. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?**

The hand carwash and the customer waiting area will be located to the rear of the primary building. Typically for these services the consumer waits for the vehicle. Therefore, pedestrian activity should not significantly increase. Though pedestrian activity should be minimal the site has sidewalk and crosswalk to accommodate safe pedestrian activity.

**f. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?**

The proposed use will not have any impact on school capacity. The applicant will have access to water connection via a hose. Impact of water capacity is anticipated to be minimal. All waste water shall be discharged into the sewer system. No discharge into the storm system shall be permitted. No other public utilities should be negatively affected.

**g. Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?**

The subject site is located along Marietta Street that is surrounded by commercial uses. There will be no expansion or construction activities. The hand carwash and tinting service will be located to the rear of the gas station and will not be visible from Marietta Street. The Enclave residential development located to the rear of the property is separated by a landscape strip that should aid in reducing off site impacts such as noise, light, glare and dust. The proposed carwash should not generate large amount of refuse, however there is a screened dumpster located on site that the use will be utilizing.

**h. Will the hours and manner of operation of the special use have no adverse effects on other properties**

**in the area?**

The proposed opening hours for the carwash is from 9:00 am to 9:00 pm. The proposed hours of operation will be mostly day light hours and should not have an adverse effect on neighboring properties. Due to the residential development to the rear, staff recommends limiting the carwash to the hours of 9:00 am - 8:00 pm Monday - Saturday and 11:00 am to 6:00 pm on a Sunday.

**i. Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?**

The applicant will be using the following accessory structures: open carport for washing of vehicles, a closed carport for providing tinting services, and a cover customer waiting area. The structures that will be used will not go beyond the height of the existing structures. However, development of the site must conform to the dimensional regulations outlined in Table 2-4 of the UDC. This requirement must be adhered to and will be assessed during the development review process. The diagram below gives an example of the proposed structures that will be used for the hand carwash. Accessory structures shall be located so they are not visible from Marietta Street and should not impede vehicular movement. Approval from the Fire Marshal's office shall be required.



Placement of the accessory structures must comply with the following provisions outlined in Article 4-05 of the Unified Development Code (UDC). The site plan provided meets all the provisions set forth.

**Division I. Uses.**

**Sec. 4-05. Accessory Use, Building or Structure.**

- (a) **Relationship to principal use.** No accessory use, building or structure shall be allowed on any lot until there exists a principal use on the lot.
- (b) **Area.** An individual accessory use or building shall not occupy more floor area than the floor area occupied by the principal use. The area of any individual accessory building's or structure's floor area shall not exceed 50 percent of the principal building's floor area.
- (c) **Height.** The maximum height of any accessory building shall be 2 stories or 24 feet in height.
- (d) **Location on lot.** All accessory uses, buildings, and structures shall be located in the side or rear yard of the lot.
- (e) **Separation.** Accessory buildings shall be separated from principal buildings and any other permitted accessory buildings by at least ten feet.
- (f) **Setbacks.** Accessory buildings having a floor area greater than 144 square feet shall comply with the same setbacks as required for principal buildings for the zoning district in which it is located. If an accessory building is attached to a principal building by a breezeway, passageway, or similar means, such accessory building shall comply with minimum building setback requirements for the principal building.
- (g) **Design review.** Accessory buildings having a floor area greater than 144 square feet shall be administratively reviewed and are subject to the approval of the community development director with regard to appearance, materials, and design in relation to the principal structure.

**Fiscal Impact:** There are currently existing services and infrastructure to support the proposed request. The proposed request should not have any negative economic impact on the City of Powder Springs as infrastructure and services are already in place to serve the proposed request.

**Summary and Recommendation:**

**Staff recommend approval of PZ 18-34 with the following conditions:**

1. This Special Use approval is for a carwash and tinting services. This special use approval is only valid for two (2) years.
2. Violation of the conditions of approval will render the approval null and void.
3. The hours of operation will be from 9:00 am to 8:00 pm Monday to Friday, and 11:00 am to 6:00 pm on Sundays.
4. All structures must be located to the rear of the principal building and must be setback at the required distance from the property line as indicated in the Unified Development Code. Structures shall not be

visible from Marietta Street, subject to staff review.

5. Prior to placing structures on site please provide a detail site plan for review, approval will also be required from the Fire Marshall's office.
  
6. Signage must be consistent with the Powder Springs Unified Development Code (UDC).
  
7. Maximum of 5 vehicles to be stored on site. No overnight storage of vehicles is permitted.
  
8. There shall be no music or loud noise being emitted from vehicles or this operation.
  
9. There shall be no washing of trucks or heavy equipment at this location.