



## Legislation Text

File #: PZ 20--027, Version: 1

### File # PZ 20-026

**APPLICATION:** Special Use Hand Car Wash, Joel Soto-Diaz

**PETITION:** The applicant, Joel Soto-Diaz, is initiating a Special Use approval to allow a Hand Car wash within an existing automated car wash.

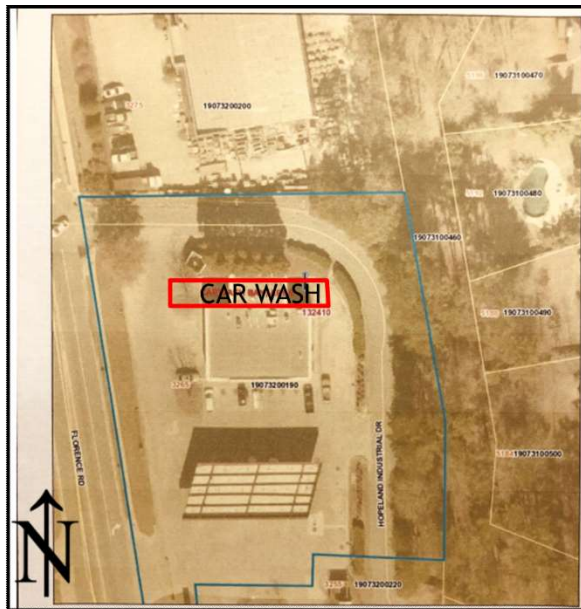
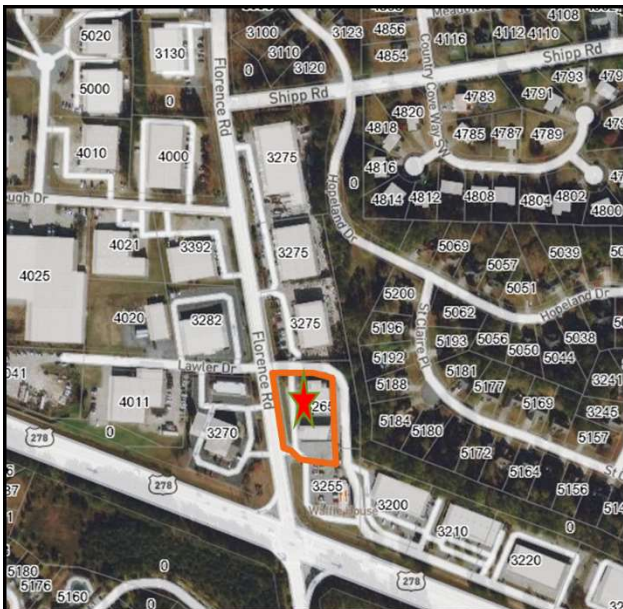
**PURPOSE OF THE REQUEST:** Permitted and Special Use Table (Table 2-3) requires a Special Use approval for a car wash in the Community Retail Commercial (CRC) zoning district.

**LOCATION:** 3265 Florence Road, Land Lots 732, 19<sup>th</sup> Districts, Powder Springs, Georgia.

**ACRES:** 1.43 acres, Parcel ID #: 19073200190      **Zoning:** Community Retail Commercial (CRC)

**Staff Recommendation:** Approval

**Prepared By:** Community Development



## Location Map

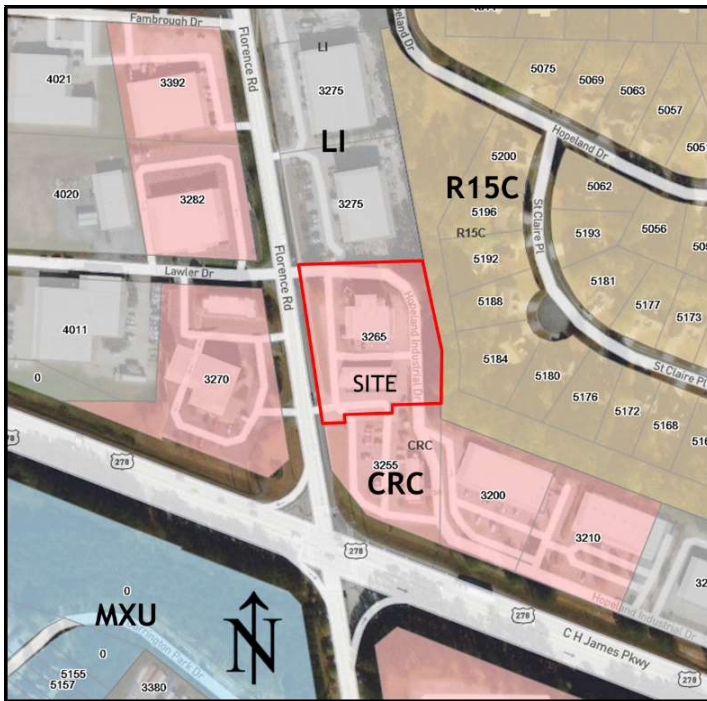
### **Background Information:**

The applicant is proposing a hand car wash within an existing automated car wash facility located at 3265 Florence Road. The subject site falls within the Community Retail Commercial (CRC) zoning district which consists of a gas station, convenience store and an existing automated car wash. This facility was built in 2000 which at the time allowed for car washes within the CRC zoning district. The current code that has been updated in 2015 does not allow for car washes within the CRC zoning district thus making the car wash a legal non-conforming use. Per Section 1-64 of the Unified Development Code “a *legal non-conforming use shall not be re-established after discontinuance or abandonment for 6 months*’ The owner of the car wash has indicated that the automated car wash has seized operation for more than two (2) year. Therefore, for the carwash to reopen a Special Use approval will be required per Table 2-3 (Permitted and Special Uses in Mixed-Use and Non-residential Zoning Districts).

Staff is recommending approval as 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 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.

**Surrounding Area:** The subject site is surrounded by various zoning districts and land use activities. Located to the east is the Hopeland Park single-family subdivision which is zoned R15C (Residential). The CRC zoning district is located to the south and west consisting of a restaurant and a bank that fronts unto CH James Parkway. The north of the subject site is zoned Light Industrial (LI) consisting of an industrial building. The diagram below shows surrounding uses in relation to the subject site.

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## Surrounding Land Use

### Analysis:

Special Use approval requests are reviewed by criteria set forth in Article 13 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 “Car wash” 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 hand car wash 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**

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

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

**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?**

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 that is already located within the automated facility. Impact of water capacity is anticipated to be minimal. 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 hand car wash will be located to the rear of the convenience store that is adequately buffered from the residential use located to the east of the facility. There is also a road (Hopeland Industrial Drive) that also separates the commercial from the residential uses. These features should aid in reducing off site impacts such as noise, light, glare and dust. In addition, this car wash has been in existence from 2000 that has not caused any concerns while in operation. The proposed hand car wash should not generate large amount of refuse, however there is a screened dumpster located closer to Florence Road further away from the residential subdivision that will be utilized.

**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 car wash is from 8:00 am to 9:00 pm during the summer months and 8:00 am to 6:00 pm during the winter months. The proposed hours of operation will be mostly day light hours and should not have an adverse effect on neighboring properties.

**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?**

This is an existing automated car wash that was built in 2000 and has been in operation for more than 18 years. The only difference is that the automated hand car wash will be now used as a hand car wash. There will be no additional structures that will be added or constructed. The cars utilizing the car wash will enter from the rear nearest to the residential subdivision and exit to the side facing Florence road. The orientation and traffic flow appear to be compatible with surrounding uses.



### Location of Car Wash

**Fiscal Impact:** There are currently existing services and infrastructure to support the proposed request. The hand car wash will be utilizing the existing water and drainage system. 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 20-026 with the following conditions:**

1. This Special Use approval is for a hand car wash located at 3265 Florence Road. This special use approval is only valid for 3 (three) year.
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 6:00 pm during winter periods and from 9:00 am to 9:00 pm during summer periods.
4. Signage must be consistent with the Powder Springs Unified Development Code (UDC).
5. Maximum of five (5) vehicles to be stored on site. No overnight storage of vehicles is permitted.
6. There shall be no music or loud noise being emitted from vehicles or this operation.
7. Car wash waste water must discharge into the sanitary sewer system, subject to CCWS approval. No discharge into the stormwater system is permitted.

