

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

**SUBJECT: USE PERMIT FOR THE
ADDITION OF SELF-SERVE VACUUMS
AT SUPERSTAR CARWASH**

STAFF PRESENTER: Alex Lestinsky,
Planner I

APPLICANT: John Reddell, John Reddell
Architects

CASE NUMBER: 15-300-00001

RECOMMENDATION:

A. Conduct a public hearing to consider a request for an amendment to the Use Permit for Superstar Carwash for the addition of self-serve vacuums.

1. Open public hearing
2. Staff presentation
3. Receive public comment
4. Close public hearing

B. Approve a request for an amendment to the Use Permit to allow the addition of self-serve vacuums at the existing Superstar Carwash located at 490 N. Dysart Road subject to the following stipulations:

1. The use shall be in conformance with the narrative dated June 11, 2015;
2. The use shall be in conformance with the stipulations of the original Use Permit approval (COAC No. 03-1950, approved January 26, 2004), except as modified by this amendment;
3. The site plan provided with the Use Permit is conceptual in nature and is not approved with this Use Permit. Additional comments impacting the additional parking spaces may be identified during site plan review; and,
4. The screen wall referenced by stipulation 30 of the original Use Permit approval shall be built upon the City's verification that the owners of all three adjacent single-family residential lots to the north want the wall constructed. No site plan providing for the installation of additional self-serve vacuums shall be approved until such verification is made; and if the owners of all three adjacent single family residential lots to the north of the site want the wall constructed, no site plan providing for the installation of additional self-serve vacuums shall be approved unless the site plan provides for the installation of wall as referenced in stipulation 30 of the original Use Permit. Construction of such wall shall be completed prior to final inspection authorizing use of the self-serve vacuums.

PURPOSE:

The Use Permit is being requested to allow the addition of self-serve vacuums at the existing Superstar Carwash to satisfy Stipulation 39 of the original Use Permit for the site, (COAC No. 03-1950), “Any significant proposed changes to the Site Plan and/or operations of the car wash, including but not limited to, hours of operation, noise, landscaping, building orientation, etc. shall be reviewed through an amendment to this Use Permit.”

BACKGROUND & COMMUNITY BENEFIT:

Current Policy:

The Use Permit request is to be reviewed by the Planning and Zoning Commission and approved by the City Council. Section 1-3-2 (Use Permits) of the Zoning Ordinance provides that the Planning and Zoning Commission and City Council must determine that the proposed use meets the following two findings prior to granting a Use Permit: 1) The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare; and 2) The proposed use is reasonably compatible with uses permitted in the surrounding area.

Historical Information:

- The original Use Permit Application was applied for on June 2, 2003.
- The first Citizen Review meeting was conducted in August of 2003 at which only representatives for the applicant attended. Following that meeting, staff received a petition of approximately 250 signatures representing concern with the carwash. A second Citizen Review meeting was noticed and held and seven property owners attended. It is also noted that the applicant conducted meetings with the corner lot owner that was most directly affected by the carwash and that those owners had voiced their support of the use.
- The Planning and Zoning Commission recommended approval of the original Use Permit on November 19, 2003 with a unanimous vote of 5-0.
- The case moved on to City Council on January 12, 2004 where an in-depth discussion and evaluation of stipulations called for it to be continued and action was postponed until the January 26, 2004 meeting.
- At the January 26, 2004 meeting, staff presented the updated stipulations along with the Council discussion and addressed misconceptions to City Council and the item was ultimately approved 7-0.
- In March 2004 the City was challenged in court regarding Superstar Carwash. The City prevailed and the carwash was ultimately built.
- Stipulation 30 of approval required the carwash to “construct an eight-foot masonry wall along the north property if the owners of all three adjacent single-family residential lots to the north convey either to City staff or the applicant the need for said wall after six months of the carwash being open for business.”
- On May 23, 2007, six months after Superstar Carwash opened for business, the three residents adjacent to the site sent a letter to the Planning and Zoning Department requesting the eight foot wall which reflected stipulation 30 of approval. A letter was

then sent to Scott Elgersma, General Manager of Superstar Carwash, on June 13, 2007, regarding the wall and recommending additional action to reduce high levels of music. There was follow-up correspondence with the carwash, but to date the wall has not been built. Stipulation 4 of this amendment requires the wall be built before completing the new improvements.

- There is currently no additional wall separating the two locations and no complaints have been received since. One homeowner who acquired the adjacent property in 2012 contacted the City seeking information, but did not require any further action.

Community Benefit:

The use will offer a convenient additional service to customers.

DISCUSSION:

Background:

Land uses and existing zoning surrounding the property include the following:

- North: QuikTrip Convenience Store zoned C-2 and three single-family homes zoned R1-4
- South: Golden Corral Restaurant zoned C-2
- East: Commercial Development located in the City of Avondale
- West: An empty parcel as part of Baldrige Commons zoned C-2.

Details of the Request:

A Use Permit is being requested to facilitate the addition of self-serve vacuums at the existing Superstar Carwash at 490 N. Dysart Road. The site will remain as it and the vacuums will occupy the 10 parking spaces on the east.

Staff Analysis and Findings:

1. *Will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare:*

The placement of the vacuums avoids being a nuisance to the neighborhood to the west. It is oriented along the Dysart Road border. The original placement of the carwash building sets back 90 feet from the adjacent single-family residents and the new additional vacuums are 220 feet east of those residents.

2. *The proposed use is reasonably compatible with uses permitted in the surrounding area:*

Superstar Carwash is already an established carwash located in an area surrounding by other automobile and related commercial sites.

This request to add vacuums to the existing site meets the guidelines stated in the Zoning Ordinance and staff recommends approval.

Departmental Impacts:

As this is an amendment to the existing site, there will be no impact on existing infrastructure.

PREVIOUS ACTIONS AND DISCUSSION:

Citizen Review Meeting:

In accordance with the City's Citizen Review Process, a citizen review meeting was held on Wednesday, May 27th, 2015. Postcards were mailed to the owners of property within 500 feet of the subject property on April 23, 2015. No citizens attended this meeting and no comments or inquiries have been received by staff in response to this notification.

Planning and Zoning Commission Meeting:

The Planning and Zoning Commission unanimously voted (7-0) to forward the recommendation of approval to the City Council at their regular meeting on June 17, 2015. Notice for this public hearing before the Planning and Zoning Commission included a postcard mailed to the owners of property within 500 feet of the subject property on May 22, 2015; a legal notice published in the Arizona Republic on May 29, 2015; and a notice of public hearings sign posted on the property on May 29, 2015. To date, staff has received one phone call from a resident in the neighborhood behind the property concerned about the additional traffic and noise that the vacuums might add. In regards to this concern, staff has included the stipulation to build the eight-foot masonry wall to provide a sound barrier. There were, however, no residents in attendance at this meeting.

City Council Meeting:

Notice for this public hearing before the Planning and Zoning Commission included a postcard mailed to the owners of property within 500 feet of the subject property on May 22, 2015; a legal notice published in the Arizona Republic on May 29, 2015; and a notice of public hearings sign posted on the property on May 29, 2015.

FISCAL IMPACT:

No fiscal analysis was performed, however, it is anticipated that these business enhancements may increase sales tax revenue.

ATTACHMENTS:

1. Project Narrative dated June 11, 2015
2. Aerial Photo
3. Conceptual Site Plan
4. Vacuum Example Photo