



# **Autowash - 3924 Pony Tracks Appeal**

CITY COUNCIL - November 14, 2023

**APPL-23-0006**





# APPL-23-0006

## CONTEXT



### QUICK FACTS

#### Address:

3924 Pony Tracks Drive

#### Zoning and Overlays

Current: MX-M (Mixed-Use Medium Scale) [formerly zoned PBC (Planned Business Center) ]

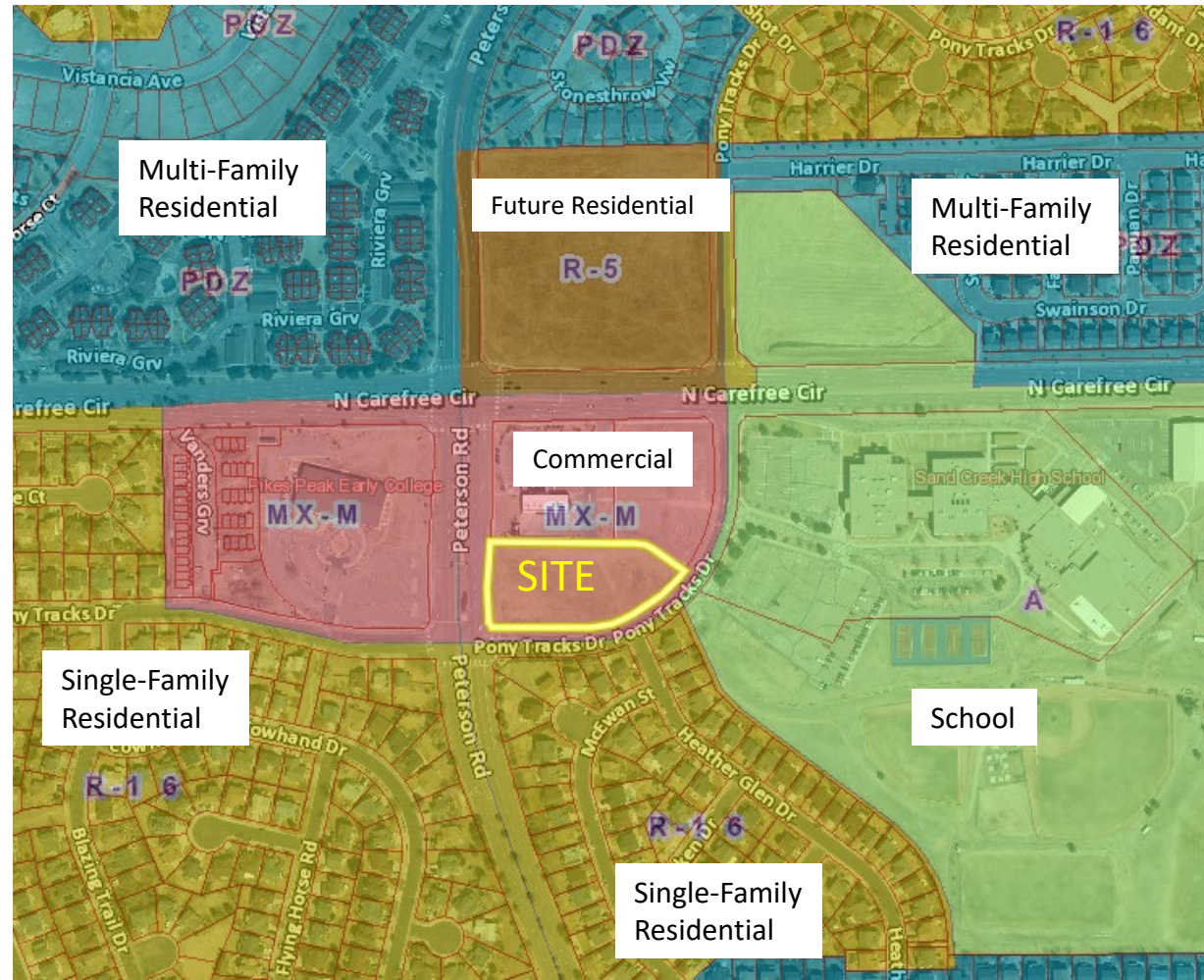
#### Site Area

1.91 acres

#### Proposed Land Use

Automobile and Light Vehicle Wash

### VICINITY MAP



# PROJECT DESCRIPTION

## PROJECT SUMMARY

File #(s): CUDP-23-0014

Applications:

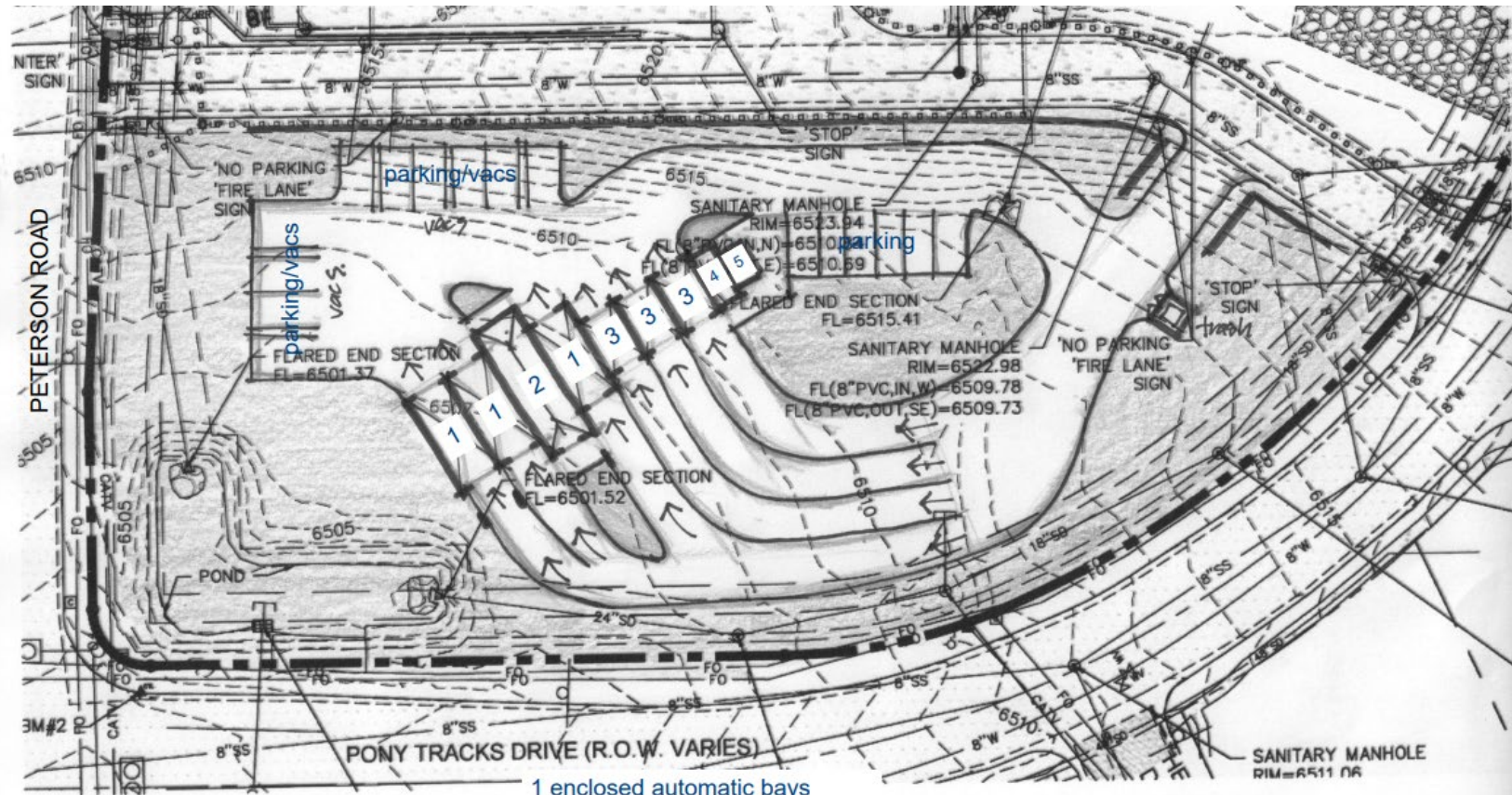
Conditional Use with a Land Use Statement

Project Proposal:

Car wash facility to include:

- Three in-bay automatic wash bays, air dryers with overhead doors
- Two dedicated enclosed dog wash stations
- Enclosed equipment room
- Enclosed office/vending room
- Vacuum islands
- Associated parking spaces

## CONCEPTUAL SITE LAYOUT



- 1 enclosed automatic bays
- 2 enclosed equipment room
- 3 open self-serve bays
- 4 enclosed office/vending room
- 5 enclosed dog wash rooms

PROPOSED CAR WASH

*Carefree concept*  
5.10.23

1:50



## APPROVAL CRITERIA



### CONDITIONAL USE CRITERIA (UDC SEC. 7.5.601)

1. The application complies with any use-specific standards for the use in Part 7.3.3 (Use-Specific Standards),
2. The size, scale, height, density, multimodal traffic impacts, and other impacts of the use are compatible with existing and planned uses in the surrounding area, and any potential adverse impacts are mitigated to the extent feasible; and
3. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development and any burdens on those systems have been mitigated to the maximum extent feasible

### PLANNING COMMISSION DETERMINATION

The City Planning Commission found the application to be consistent with all applicable review criteria for a Conditional Use and supported staff's recommendations to add the following conditions of approval:

- Limit hours of operation between 6:00 am to 11:00 pm
- Illuminated signage shall not be visible to the residential development along Pony Tracks Drive.
- Year-around landscape screening, such as evergreens a minimum of 8 feet in height, shall be provided along Pony Tracks Drive. If site utilities along Pony Tracks limit tree plantings, other screening methods will be required, such as a screen wall and robust shrub planting. This shall be determined at the time of the development plan review.
- Permissible noise levels between residential and commercial zones shall not exceed City Code Section 9.8.104.
- Exterior structure and site lighting shall be directed inward to the site and away from the resident development along the south of Pony Tracks Drive.
- A development plan application is necessary to be submitted for the future car wash which will be reviewed administratively.

## APPEAL CRITERIA



### APPEALS (UDC SECTION 7.5.415)

1. Which of the following criteria for reversal or modification of the decision is applicable to the appeal:
  - (a) The decision is contrary to the express language of this UDC;
  - (b) The decision is erroneous; or
  - (c) The decision is clearly contrary to law;

#### Proposed Motions:

1. Deny the appeal, thereby upholding the action of the City Planning Commission;
1. Uphold the appeal, and modify the action of the City Planning Commission;
2. Deny the appeal, overturning the action of the City Planning Commission; or
3. Refer the matter back to the City Planning Commission for further consideration.

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## PROPOSED MOTIONS



Should the City Council wish to deny the Appeal, the following motion is suggested:

Deny the appeal, thereby upholding the action of the City Planning Commission to approve the Autowash at 3924 Pony Tracks Drive Conditional Use, based on the findings that the application complies with the review criteria set forth in City Code Section 7.5.601, with the following conditions of approval, and that the appeal criteria found in City Code Section 7.5.416 are not met:

- Limit hours of operation between 6:00 am to 11:00 pm
- Illuminated signage shall not be visible to the residential development along Pony Tracks Drive.
- Year-around landscape screening, such as evergreens a minimum of 8 feet in height, shall be provided along Pony Tracks Drive. If site utilities along Pony Tracks limit tree plantings, other screening methods will be required, such as a screen wall and robust shrub planting. This shall be determined at the time of the development plan review.
- Permissible noise levels between residential and commercial zones shall not exceed City Code Section 9.8.104.
- Exterior structure and site lighting shall be directed inward to the site and away from the resident development along the south of Pony Tracks Drive.
- A development plan application is necessary to be submitted for the future car wash which will be reviewed administratively.

## PROPOSED MOTIONS



Should the City Council wish to uphold the Appeal and modify Planning Commission's decision, the following motion is suggested:

Uphold the appeal, and modify the action of the City Planning Commission to approve the Autowash at 3924 Pony Tracks Drive Conditional Use, based on the findings that the application complies with the review criteria set forth in City Code Section 7.5.601, modifying the conditions of approval to remove restrictions on hours of operation; and that the decision to limit the hours of operation was erroneous as set forth in City Code Section 7.5.416.a(2)(b). The following conditions of approval shall remain as approved by City Planning Commission:

- Illuminated signage shall not be visible to the residential development along Pony Tracks Drive.
- Year-around landscape screening, such as evergreens a minimum of 8 feet in height, shall be provided along Pony Tracks Drive. If site utilities along Pony Tracks limit tree plantings, other screening methods will be required, such as a screen wall and robust shrub planting. This shall be determined at the time of the development plan review.
- Permissible noise levels between residential and commercial zones shall not exceed City Code Section 9.8.104.
- Exterior structure and site lighting shall be directed inward to the site and away from the resident development along the south of Pony Tracks Drive.
- A development plan application is necessary to be submitted for the future car wash which will be reviewed administratively.

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# **PROPOSED MOTIONS**



Should the City Council wish to deny the Appeal, the following motion is suggested.

Deny the appeal and overturn the action of the City Planning Commission decision based upon the findings that the appeal criteria found in City Code Section 7.5.416.a(2)(b) has not been met, and the application does not comply with the review criteria for granting a Conditional Use as set forth in City Code Section 7.5.601.

Should the City Council wish to refer the matter back to the City Planning Commission for further consideration, the following motion is suggested.

Refer the matter back to the City Planning Commission for further consideration of the conditions of approval and the limitation of the hours of operation.



