



Planning Division

MINUTES

Planning Commission Meeting: April 12, 2021

Application:	<u>RZ21-0006:</u> Request approval for a zoning amendment to an existing CP-2 (Planned General Business) District and revised preliminary site development plan for Charlie's Car Wash on approximately 2.135 acres; located at 13512 S. Black Bob Road.
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Zachary Moore, Planner II presented RZ21-0006, a request for a rezoning amendment to an existing CP-2 (Planned General Business) District and revised preliminary site development plan for Charlie's Car Wash on approximately 2.1 acres, located at 13512 S. Black Bob Road, to allow for the addition of outdoor vacuum stations. The site has been developed as a car wash facility since 2007. In 2006, the subject property was rezoned from C-2 District to CP-3 District to allow for development of the car wash facility. At the time the property was rezoned to the CP-3 District, some specific stipulations were included which restricted the use of outdoor vacuum stations.

Mr. Moore stated the request is to allow the vacuum stations to be located in the parking lot. Staff is supportive of the request for as there have been increases in quality throughout the car wash industry over the past several years regarding the design and noise mitigation for the vacuum stations. An existing employee parking lot will be redeveloped in addition to the installation of the outdoor vacuums. There will be 12 outdoor vacuums along with a 20-stall employee parking lot. A small accessory structure is proposed to be located south of the vacuum stations where the motor for the vacuums will be housed, which will be clad in masonry materials to help with noise mitigation.

Mr. Moore noted the vacuum stations will have a centralized motor and stand approximately 10 feet in height. The stations will be constructed of steel. The applicant provided a landscape plan that meets all UDO requirements. He also noted that the grade of the parking lot where the vacuums will be installed sits about 10 feet lower than the grade of the adjacent 135th Street and Black Bob Road. A retaining wall be provided along the eastern portion of the new employee parking lot which will curl around to the north to assist with some of the grading. A row of shrubs is being provided by the applicant to further help screen the property, and new landscaping installed along the western property line as well. All the existing landscaping that has

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been on the site since 2007 along the 135th Street right-of-way will remain with the proposed redevelopment.

Mr. Moore stated staff is supportive of removing this restriction and the other existing stipulations from Ordinance No. 06-54 would still be applicable. The Future Land Use Map designates the subject property and surrounding areas as Commercial Corridor on the Future Land Use map. The amendment is consistent with the Commercial Corridor designation of the Future Land Use Map and also aligns with Comprehensive Plan goals for land use, community character, and economic sustainability. Staff recommended approval of RZ21-0006 as stipulated and the revised preliminary site development plan as stipulated. He noted that this request will be considered at the May 4, 2020, City Council meeting.

Mr. Fry asked about restricting the exact type of vacuum system.

Mr. Moore stated the same vacuums exist at other locations without such a restriction and no issues have been reported.

Aimee Nassif, Chief Planning and Development Officer advised that the proposal includes a restriction already so the motors are not outdoors. Other carwash facilities were reviewed, and there have been no complaints on record of any noise or issues because of these kinds of stations and they are not restricted.

Mr. Fry felt some thought had been given to this concept around 15 years ago that forbid it for it being such an integral intersection of the City, such as noise and aesthetics. If they make the change, the question is knowing what they will get, as it is an important visual part of the City.

Mr. Nelson asked if there were concerns from adjacent businesses and what the future of the vacant lot adjacent is.

Mr. Moore stated the proposed structure will be located about 145 feet from the Popeyes building and away from the order boxes as well. From a visibility standpoint, driving eastbound on 135th Street, drivers will be sitting about 10 feet higher on that road. The structure will be 10 feet, 4 inches in height and only the top of the roof structure will be seen.

Mr. Moore referred to Commissioner Nelson' question regarding the vacant lot to the west, stating the shopping center has covenants and restrictions that have been in place that prevent any future development of that parcel.

Mr. Janner asked about the flow of internal traffic and customers leaving the facility.

Mr. Moore Responded and provided additional information prior to the applicant responding.

Mr. Janner pointed out as vehicles come down, they came back south into the middle section, which is a covered area where the wipe down and clean is done, then cars exit out to the south. He asked if cars would be exiting the bays to the opposite end of the property where the vacuums are located.

Chair Vakas declared the public hearing open.

Mr. Donald Boos, director of real estate for Blue Beacon International and Charlie's Car Wash, 500 Graves Boulevard, Salina, Kansas, appeared on behalf of the applicant. He noted he had appeared before in this process 15 years ago. He referred to Mr. Janner's question, noting there are two completely different customers that come to the car wash. The customer that pays them to clean their car's interior typically do not use the vacuums because they do not have the intention of doing that in that process. The customer that chooses to do their own vacuuming of their vehicle, comes through car wash tunnel, vacuums and leaves. He explained that one thing that differentiates Charlie's Car Wash from some of their other industry competitors is they are a true full-service provider, which is a much larger business operation than the typical car wash facility. They have approximately 70 employees, which is unheard of in the industry. He felt their facility was a large economic engine for the community at all of their locations around the country. He noted the car wash was a small portion of their overall business, as they are the world's largest truck-washing company that operates in 39 states.

Mr. Boos stated the vacuums were so successful since 2013, they have only added one location where they did not, because there was no physical room. They are now in the process of adding to their existing locations, because it is the industry standard now. He felt it was rare that someone at the full-service operation with vacuums would pay them and also use the vacuums. He felt about 95 percent of customers vacuum after they exit the tunnel and exit to the north.

Mr. Boos referred to the noise issue, noting they have operated these types of tunnel car washes since 2002 and never had a noise violation in any community they have been in. The noise that tends to come from vacuums comes from poor equipment or equipment that is not housed or surrounded with walls but not a roof, or it is poorly maintained. The building that has the vacuum system entirely consists of masonry like many of their other buildings. He worked with staff regarding their concerns after their initial filing, and they had relocated a vacuum building. They also added to the landscaping and re-selected some of the varieties staff suggested. He noted they have received their highest volume of interior service car washes of all their locations in Olathe. He also felt a competitive issue was involved, as there is a huge demand for the car wash services.

Chair Vakas entertained a motion to close the public hearing.

Commissioner Nelson moved to close the public hearing. **Commissioner Breen** seconded the motion, which carried by a roll-call vote of 7 to 0.

MOTION

A motion was made to approve RZ21-0006 as stipulated by Commissioner Janner and seconded by Commissioner Essex, which carried by a roll-call vote of 7 to 0 with the following stipulations:

A. Staff recommends approval of the zoning amendment to Ordinance 06-54, with the following stipulations to be included in the Ordinance:

1. All car wash and detail services must be conducted inside the building, with the exception of the self-service vacuum stations.
2. All overhead doors must remain closed when not in use or vehicles not in queue for the car wash or detail bays. The doors may not be opened for the purposes of ventilation.
3. All overhead doors must be designed with an appearance of storefront windows with mullions and must use dark tinted glass.
4. The primary building material for the car wash and kiosk must remain as burnished block.

B. Staff recommends approval of the preliminary site development plan with the following stipulations:

1. A final site development plan is required prior to the issuance of a parking lot permit or a building permit.