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**MEETING DATE:** April 12, 2022

**STAFF:** Stuart Borders, Senior Planner

**PROJECT NAME:** Tidal Wave Auto Spa

**CASE NUMBER/REQUEST:** Case 22-200-04 – 17612 E. 39<sup>th</sup> Street – Tidal Wave Auto Spa seeks a Special Use Permit for a tunnel carwash

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**APPLICANT:** Tidal Wave Auto Spa

**OWNER:** J & J Wesley Chapel, LLC

**PROPERTY ADDRESS:** 17612 E. 39<sup>th</sup> Street

**SURROUNDING ZONING/LAND USE:**

**North:** C-2 (General Commercial); Commercial strip center

**South:** C-2; Dunkin Donuts

**East:** C-2; CareNow Urgent Care

**West:** C-2; Convenience store

**PUBLIC NOTICE:**

- Letters to adjoining property owners – March 22, 2022
- Public notice published in the Independence Examiner – March 26, 2022
- Sign posted on property – March 25, 2022

**FURTHER ACTION:**

This Special Use Permit request is scheduled for first reading by the City Council at its May 2<sup>nd</sup> meeting with the public hearing/second reading at its May 16<sup>th</sup> meeting.

### RECOMMENDATION

Staff recommends **APPROVAL** of this case with the following conditions:

1. Stormwater detention will be required as the Bolger Square development detention system reports indicate that the existing detention excludes the out-lots.
2. Distance from driveways to intersections shall be 100-ft when possible. The pavement width at the pay kiosk is very narrow and should be widened where possible.
3. Final plans need to show electrical, total panel load and demand. Current electrical facilities are not adequate for this new installation, the existing transformer is undersized and will need a new transformer pad poured. IPL can provide specifications as needed to the developer design team.
4. The landscaping plan must be updated to current City Code standards such as the island at the south end of the center vacuum canopy must be a landscape end island with the necessary tree and bushes.

## PROJECT DESCRIPTION & BACKGROUND INFORMATION

### PROJECT DESCRIPTION:

Tidal Wave Auto Spa seeks a Special Use Permit for a tunnel carwash at 17620 E. 39<sup>th</sup> Street.

**Current Zoning:** C-2 (General Commercial)

**Current Use:** Vacant commercial building

**Acreage:** 1.08 acres +/-

**Proposed Use:** Tunnel carwash

**Building Square Foot:** 5,220 square feet  
(tunnel building)

### BACKGROUND:

Tidal Wave Auto Spa (Tidal Wave) seeks to construct a tunnel carwash on this 1.08-acre tract at 17612 E. 39<sup>th</sup> Street. The 5,220-square foot tunnel building will be situated along the east property line with a north/south orientation. Customers would que from the private drive at the northwest corner of the site then, in a clockwise direction, pay at the attendant booth before proceeding through the tunnel. After exiting the tunnel from the south, customers will drive to a parking area west of the building for the vacuums or exit the site to the northwest. The vacuum stalls are under either a single canopy next to the tunnel building or under a double canopy in the middle of the site. A feature of this company's operations is that vacuum system equipment is located inside buildings with only the hoses being outdoors, which greatly reduces sounds emitted from the site.

As Tidal Wave is a national company, this location will follow the corporate standards for site design and business operations. The main tunnel building consists of concrete block construction with either tan split-faced block or rustic stone veneer under a blue metal roof. Insulated glass is used extensively on the building's side elevations. Other structures on the site (trash enclosure, vacuum building, pay booth, vacuum canopies) will feature the same materials and colors as the tunnel building. General business hours run from 8:00 am to 8:00 pm, seven days a week with only three employees on duty.

When a site plan application and building permit are submitted, more detailed civil and landscaping plans will be required, including the location of proposed on-site storm water detention.

## ANALYSIS

**Consistency with *Independence for All*, Strategic Plan:** The proposal is consistent with the Goal "Increase economic prosperity of community" and also meets the strategy to "recruit business."

**Comprehensive Plan Guiding Land Use Principles:** The proposal is consistent with the Guiding Principle, "Foster redevelopment opportunities within the City to revitalize used or underused property". It meets the policies to, "Encourage redevelopment or adaptive reuse of vacant or underutilized buildings and sites," and, "Encourage reinvestment in our existing neighborhoods."

**Historic and Archeological Sites:** There are no apparent historic/archeological issues with this property.

**Public Utilities:** As this is a long developed commercial site, all utilities are present.

**Stormwater management:** The site will have to provide its own on-site detention system as the detention system for the Bolger Square property excludes the out-lots. The site doesn't lie within a City defined Stream Buffer zone or FEMA delineated floodplain.

## REVIEW CRITERIA

Recommendations and decisions on Special Use Permit applications must be based on consideration of all the following criteria:

- 1. Compatibility of the proposed use with the character of the neighborhood.**  
*This commercial corridor already contains an assortment of small to large businesses including restaurants, a convenience store, offices, small retail stores, and auto services.*
- 2. The extent to which the proposed use is compatible with the adjacent zoning and uses.**  
*As mentioned previously, there is an assortment of businesses in this area and this proposed use should have minimal impact. A carwash facility will be consistent with other existing businesses here.*
- 3. The impact of the proposed use on public facilities.**  
*As this property was developed years ago for commercial uses, all public utilities are available to the site.*
- 4. The suitability of the property for the permitted uses to which it has been restricted under the applicable zoning district regulations.**  
*This special use permit would allow one additional land use not already permitted by right this a C-2 district.*
- 5. The extent to which the proposed use may injure or detrimentally affect the use of enjoyment of property in the area.**  
*The proposed project should not injure or have detrimental affect on the use of or the enjoyment of the propertles in the area along 39<sup>th</sup> Street.*
- 6. The extent to which the proposed use will create excessive storm water runoff, air pollution, noise pollution or other environmental harm.**  
*Any waste water from this business will be directed to the sanitary sewer system; the project must provide its own stormwater management system; and the noise from the vacuum systems will be largely confined within enclosed buildings.*
- 7. The extent to which there is a need for the use in the community.**  
*This segment of 39<sup>th</sup> Street currently doesn't have a car wash but there does seem to be a demand for this type of business in the City.*
- 8. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to this article.**  
*The applicant is a national company and should be able to satisfy all requirements of the City Code.*
- 9. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.**  
*Other than modifications to the electrical system due to the the type of use, public services and infrastructure are there to support the development.*
- 10. Conformance of the proposed use to the Comprehensive Plan and other adopted plans and polices.**  
*The Comprehensive Plan envisions Regional Commercial uses for this site.*

**11. The extent to which the use will impact sustainability or revitalization of a given area.**

*The addition of a carwash will add a new element to this corridor's commercial mix.*

**EXHIBITS**

1. Application
2. Applicants Letter
3. Notification Letter
4. Mailing affidavit
5. Notification mailing list
6. Plans
7. Comp Plan Map
8. Zoning Map