



Legislation Text

File #: 18-0468, Version: 1

AM 2018-03, Discussion and possible action to consider adding **manual car wash / detailing** use as an **accessory use to regional mall development**. (Joseph)

Dwayne Dickerson, at the request of his client PW Pembroke, LLC, requests consideration of a text amendment to City Code Section 155.149 - *General Business (B-3) Districts*. The applicant requests that the City consider adding manual car wash / detailing use as an accessory use to regional mall development. Further, the applicant requests the following additional restrictions for accessory manual car wash use in a regional mall:

- Manual car wash / detailing facilities located within regional malls shall use a waterless cleaning process and all utilized products shall be 100% biodegradable.
- Engine cleaning and undercarriage shall be prohibited within Regional Malls.

Specifically, the applicant requested the following text change to Section 155.149 of the City Code of Ordinances in strikethrough and underline format:

Sec. 155.149. - General Business (B-3) Districts.

* * *

(B) Uses permitted. No building, structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than one or more of the following specified uses, provided, however, that no more than one of the specified uses will be permitted on a single parcel of property except as permitted by subsection (I) "Out Parcels":

* * *

(10) Car washes. All car washes shall be reviewed by the Planning & Zoning Board through the city's site plan review procedures.

* * *

(e) Manual car wash/detailing. Permitted only as an accessory use to Service Stations, automobile dealerships, Regional Malls and golf courses.

1. General design standards.

a. Manual car wash/ detailing shall be conducted under a permanently installed canopy aesthetically compatible with the primary structure and shall meet all applicable building code regulations.

b. The operation of such manual car wash shall not create any standing water and shall

not drain directly into drainage system. Manual car wash/detailing facilities located within Regional Malls shall use a waterless cleaning process and all utilized cleaning products shall be 100% biodegradable.

c. Engine cleaning and undercarriage cleaning shall be prohibited within Regional Malls.

ed. Required parking and site circulation for existing use(s) shall be maintained.

de. Sign(s) for car washes are restricted to car wash canopies only and are counted as part of the total allowed building signage of 36 square feet.

2. *Parking. Two parking spaces are required per work station for storage, stacking, pick-up, or drop-off.*

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Analysis of Request:

The applicant provides staff with a justification statement below for the proposed change. Staff then provides comments in response to points raised by the applicant.

Applicant Comment: With the busy and hectic lifestyles of individuals today, there is a demand of such car wash and detail servicing that can be completed while the customer is working or completing other errands. As such, Regional Malls are perfect locations for such uses where customers may be working at the retail center or shopping. Upon completion of their errands, they can leave the regional mall with a clean and fully detailed car. This eliminates the hour (or more) of wait time that can occur at other stand-alone car wash and detail facilities.

City Staff Comment: Manual car washes are currently permitted as accessory uses to service stations, automobile dealerships, and golf courses. Manual car washes are currently not permitted as accessory to shopping centers or malls within the City.

The Planning and Zoning Board in the past has expressed concern about the proliferation of accessory manual car washes throughout the City. Board members reported loud music and poor aesthetic conditions at many of these accessory car wash locations.

The applicant in their justification fails to explain a reason as to why this use should specifically be permitted as accessory to regional malls over other existing retail uses. Furthermore, there is no prohibition of car washes as primary outparcel uses within the mall property. The City Commission at its March 7, 2018 meeting approved Ordinance 1897 allowing for the development of up to 3 new outparcels for the City's only regional mall site (Pembroke Lakes Mall) which could be used for freestanding car washes.

Staff also has concerns with the location of these accessory car washes on a regional mall site. It is expected that these accessory car washes would be placed in parking areas of convenience to regional mall patrons. Therefore, it is highly likely that these accessory car wash locations would be placed near the mall building and ultimately could inhibit access to desirable parking or restrict vehicle circulation throughout these already complicated mall traffic circulation systems.

Applicant Comment: The proposed text amendment further adds more protections for such uses at regional malls. More specifically, the proposed Code amendment would require the manual car wash/detailing facility at a regional mall to use a waterless cleaning process and 100% biodegradable cleaning products. This requirement will prevent the creation of any standing water or drainage into the drainage system for the mall. In addition, Petitioner is proposing a restriction on engine and undercarriage cleaning. These added protections ensure that the manual car wash/detailing facility does not have negative impacts on the retail center or to the environment.

City Staff Comment: The applicant adds specific operational restrictions for accessory car washes at regional malls which are more restrictive than current Code requirements. These additional requirements may significantly limit future car wash / detailing competition to the regional mall property. If the Board wishes to accept this type of operational limitation for accessory manual car washes then it should consider requiring all manual car washes to operate in similar manner. Should the Board consider such restrictions for all accessory manual car wash uses within the City then the result of such all-encompassing amendment will result in creation of existing non-conforming car wash businesses within the City.

Based on review of the above applicant justification for the Code amendment, staff finds no compelling information provided to support of this change.