

Project Staff Report

CU21-005 Martintown Car Wash

Prepared by: Kuleigh Baker

Hearing Date: April 29, 2021

SECTION 1: PROJECT SUMMARY

Project Name	Martintown Car Wash
Applicant	Martintown, LLC
Representative/Engineer	Brannon Graybill, Christian Wahl
Address/Location	417 E. Martintown Rd.
Parcel Number	007-12-06-032 (portion of)
Total Development Size	±1.2 ac
Existing Zoning	GC, General Commercial
Overlay	HC, Highway Corridor Overlay District
Traffic Impact Tier	Tier 1
Proposed Use	Use 5.17 Car Wash, Automobile Laundries, or Car Care Centers

SECTION 2: APPLICABLE CODES

Section 5.5 of the North Augusta Development Code (NADC) provides uniform approval procedures for conditional uses.

5.5 CONDITIONAL USE PERMITS

5.5.1 Purpose

The purpose of this section is to establish procedures and standards for the processing and approval of conditional use permits. Conditional use permits provide a form of limited discretionary approval for certain uses which are generally compatible with the land uses permitted by right in a zoning district, but which require individual review of their location, design, and configuration. Conditional uses ensure the appropriateness of the use at a particular location within a given zoning district.

5.5.2 Applicability

Only those uses that are enumerated as conditional uses in a zoning district, as set forth in the Use Matrix, Table 3-2, shall be authorized by the Director.

5.5.3 Approval Procedure

5.5.3.1 No conditional use permit shall be authorized, developed, or otherwise carried out until the applicant has secured approval of the conditional use and approval of a final site plan by the Planning Commission or Director, as applicable.

5.5.3.2 A proceeding for approval of a conditional use shall be initiated by filing an application with the Department. A pre-application meeting with the Department prior to filing is required.

5.5.3.3 Major Site Plans –

(omitted, does not apply in this case)

5.5.3.4 Minor Site Plans –

5.5.3.4.1 Minor site plan applications shall be filed concurrently with conditional use permit applications. The information shall be reviewed concurrently with the review of the minor site plan.

5.5.3.4.2 The Director shall conduct a quasi-judicial administrative hearing and shall deny the request, approve the request, or approve the request with conditions.

5.5.3.4.3 The Director may place conditions on the use as part of the approval to assure that adequate mitigation measures are associated with the use. The conditions shall become a part of the conditional use permit approval and shall be included in the final site plan approval.

5.5.3.4.4 An applicant may appeal a denial of a conditional use permit or any condition applied to the use by the Director to the Planning Commission. The Planning Commission shall conduct a quasi-judicial hearing in accordance with the requirements of §5.1.4.5 prior to making a decision on a conditional use appeal.

5.5.3.5 An application for a conditional use permit that has been denied may be resubmitted only if there has been a substantial change in circumstances, as determined by the Director, or if substantial revisions have been made to the application for development approval. A determination by the Director may be appealed to the Board of Zoning Appeals.

5.5.4 Approval Criteria

The following conditions, restrictions, and limitations shall apply to any conditional use and may be specified in detail as conditions of an approval.

5.5.4.1 The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

5.5.4.2 The use or development complies with all required regulations and standards of this Chapter, including all applicable provisions of Article 3, Zoning Districts, and with all other applicable regulations;

5.5.4.3 The use or development is located, designed, and proposed to be operated so as to maintain the value of contiguous property, or that the use or development is a public necessity; and

5.5.4.4 The use or development conforms with the provisions and policies of the Comprehensive Plan.

5.5.4.5 Conditions that may be specified as a requirement for a conditional use permit include:

- a. Relationship of allowable uses.
- b. Protective screening and/or buffering of property perimeter.
- c. Protective screening/location of dumpsters, mechanical systems and loading docks.
- d. Landscaping relative to screening, buffering and ingress/egress control and not solely for beautification purposes.
- e. Lighting.
- f. Height limitations.
- g. Required setbacks.
- h. Parking. The location of parking and in some instances reduction in the amount of parking to be allowed.
- i. Access, circulation, ingress and egress.
- j. Hours of operation for special conditional uses permitted in, or adjacent to, residential zoning districts.
- k. Signage.
- l. Performance standards relative to: air pollution, noise, glare and heat, vibration, noxious odors, toxic and liquid wastes, fire and explosion, radioactivity and electromagnetic radiation.
- m. Building design.

5.5.5 Scope of Approval

5.5.5.1 The approval of a conditional use permit shall authorize the applicant to apply for final site plan approval pursuant to §5.6. All approvals of conditional use permits require approval of the site plan. Any conditional use permit approval shall not be in effect unless a required site plan is approved. No building permit may be issued until the

final site plan and conditional use permits are approved. Approval of a conditional use permit does not authorize any development activity.

5.5.5.2 Minor field alterations or minor revisions to approved conditional uses may be approved by the Director if the conditional use still meets the intent of the standards established within the original approval. Minor alteration/revisions shall be limited to changes that do not increase the intensity, density, or character of the use. If the Director determines that the change is not minor, the applicant shall apply for a revised conditional use permit. The applicant may appeal the decision of the Director to the Board of Zoning Appeals.

5.5.5.3 Violations of any of the conditions applied to a conditional use permit shall be treated in the manner as set forth in §§5.1.6 and 5.11.

5.5.6 Recordation

The department shall certify the approved conditional use permit, and shall record it with the associated site plan in the office of the Register of Mesne Conveyance (RMC) of Aiken County. The conditional use approval is perpetually binding on the property, unless another conditional use permit request is brought and approved or the underlying zoning is changed that establishes the conditional use by right subject to no conditions.

5.5.7 Subsequent Applications

In the event that an application for a conditional use permit is denied by the Director, or the Planning Commission on appeal, or the application is withdrawn after it is advertised, the Department may not accept another application for the same amendment on the same property or any portion of the same property within one (1) year of the original hearing. However, the Department may consider such application within that time if relevant evidence that was not reasonably available at the time of the original hearing is presented.

5.5.8 Expiration and Extension of Approval

A conditional use approval, a site specific development plan for the purposes of this section, and the associated site plan shall expire two (2) years from the date of approval unless a building permit has been issued and construction has commenced or, if no construction is required, the approved conditional use has been initiated. The applicant may apply for and the Planning Commission or Director, as applicable, may grant extensions on such approval for additional periods up to one (1) year each, but not to exceed five (5) extensions. If an amendment to this Chapter is adopted by the City Council subsequent to the conditional use or associated site plan approval that would preclude the initial approval, a request for an extension may not be granted. (Adopt. 8-16-10; Ord. 2010-12)

SECTION 3: PUBLIC NOTICE

Per NADC Table 5-1, internet only public notice is required for a conditional use permit. A notice for the administrative hearing was placed on the City website, www.northaugusta.net, on April 13, 2021.

SECTION 4: SITE HISTORY

On August 5, 2016, the City approved application MP16-008 for a minor subdivision plat creating three parcels, indicated as Tract 1, 2, and 3 on the recorded plat. Tract 1 was developed as the Lidl grocery store. Tract 2 is currently vacant and the subject of this application for a special exception to allow for a self-storage facility and associated truck rental. Tract 3 is used as a stormwater detention site for the development.

Before the site was developed as a Lidl grocery store, the corner of E. Martintown Rd. and the eastern entrance of Martintown Plaza was a Bank of America location. At the termination of the bank's lease, the building was demolished and the site was repurposed as an overflow parking lot. Several abandoned houses were cleared from Tracts 2 and 3 as part of the site work for the Lidl location.

The applicants previously received a special exception for a self-storage facility and associated truck rental with case ZE20-002. The conditions placed on the property at that time were as follows:

1. The applicant agrees to a compact, multi-dimensional design with adequate landscaping.
2. The applicant shall comply with all additional requirements of Section 4.23 as verified by site plan approval.
3. The final building elevation shall maintain the same architectural finish and design standards or better as presented in the application.
4. Any outdoor vehicle, boat or other equipment storage, covered or uncovered, will be screened on the southern side to the standards of a Type C buffer with applicable visual separation and a black vinyl chain link fence with matching slats. This buffer may be planted anywhere between the screening fence and the property line. The east side shall be screened with a solid fence that is a black vinyl fence with matching slats with added shrubs and plantings as approved by the Planning & Development Director.
5. Landscaping will not be required for the internal storage area or for internal access aisles within the facility.
6. The perimeter of the building footprint shall be planted along exterior frontages (not interior to the storage buildings) of the buildings at a rate of 1 shrub per 5' of building foundation and 1 large tree per 50' of building foundation. These planting should be distributed evenly along the foundation. Buffer plantings may count as foundation plantings only for the portions of buildings abutting a buffer.

7. Parking will be restricted to no more than 10 spaces and will be landscaped as required by Article 10.
8. Truck, car, trailer and any other rental vehicles or other items will not be parked overnight or stored in the required parking spaces. These vehicles or other items shall not be visible from off site, including the right-of-way or main development internal drives. These shall be stored in the vehicle storage area.
9. All signage on site must meet the requirements of Article 13.

SECTION 5: EXISTING SITE CONDITIONS

	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Zoning</u>
Subject Parcel	Vacant	Mixed Use	GC, General Commercial
North	Commercial/Residential	Mixed Use	GC, General Commercial
South	Vacant	Mixed Use	GC, General Commercial/PD, Planned Development
East	Residential	Low Density Residential	R-10, Medium Lot, Single-Family Residential
West	Commercial	Mixed Use	GC, General Commercial/PD, Planned Development

Access – The subject parcel has access from E. Martintown Rd. and a private stub out drive in the Lidl parking lot.

Topography – Having been previously graded, subject parcel is relatively flat.

Utilities – The site has access to water and sewer lines from Martintown Road.

Floodplain and Environmental Conditions - The site is not within federally designated floodplain or wetlands. There are no environmentally sensitive areas currently identified within this project site in need of protection.

Drainage Basin – This project is located within the Waterworks Basin. Overall sampling results indicate that the water quality at the outfall of the basin is good; however, locations further up the channel indicate high level of pollutants. During storm events, increased level of pollutants reach the Savannah River. The City continues to monitor the basin and implement improvements to stabilize the area to reduce pollutant loads during storm events.

SECTION 6: STAFF EVALUATION AND ANALYSIS

This Conditional Use is for Use 5.17 Car Wash, Automobile Laundries, or Car Care Centers. Following is a review of the above outlined Approval Criteria. Commentary is provided in italics.

5.5.4.1 The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

Staff finds that use is located, designed, and proposed to be operated to maintain the public health, safety, and general welfare. Any fluids or other hazardous materials will be regulated by the state. Noise and other negative effects are regulated by the hours of operation prescribed by the Municipal Code and enforceable by Public Safety.

5.5.4.2 The use or development complies with all required regulations and standards of this Chapter, including all applicable provisions of Article 3, Zoning Districts, and with all other applicable regulations;

The allowance of a car wash is generally compliant with the required regulations and standards of the NADC but any site plan submittal that requires waivers or variances shall appeal to the Planning Commission or Board of Zoning appeals, as applicable. Any additional requirements will be verified prior to site plan approval.

5.5.4.3 The use or development is located, designed, and proposed to be operated so as to maintain the value of contiguous property, or that the use or development is a public necessity; and

The use should have limited effects on contiguous property. The car wash will be opened in an established commercial corridor with various other commercial uses nearby.

5.5.4.4 The use or development conforms to the provisions and policies of the Comprehensive Plan.

The project is an infill project in an existing commercial development and generally conforms to encouragement of commercial infill development.

5.5.4.5 Conditions that may be specified as a requirement for a conditional use permit:

Staff specifies the following conditions:

- 1) *A site plan must be submitted and approved by City and SCDOT. Site plans that meet the criteria for a Major Site Plan must receive Planning Commission approval. Additional review by the Board of Zoning Appeals will be required. This Conditional Use does not provide any waiver or variance for any other development code requirements at this time.*
- 2) *Accessory uses including but not limited to air pumps, vacuums, and payment kiosks shall be screened from view along the Martintown Road frontage.*
- 3) *The development must meet all other requirements of the Highway Corridor Overlay.*
- 4) *An approved Certificate of Zoning Compliance will be required prior to C.O.*
- 5) *A sign zoning review and approval installation of any signage on the property.*
- 6) *The Conditional Use granted apply only to the indicated parcel, which is a subdivision of the full parcel noted in the submittal, and the conditional use will not apply to any future development on the site should this plan not be developed.*

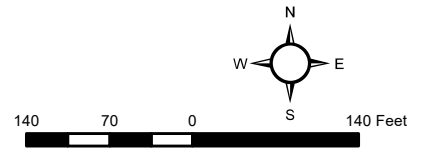
SECTION 7: ATTACHMENTS

- 1) Aerial Map
- 2) Topography Map
- 3) Zoning Map
- 4) Future Land Use Map
- 5) Public Notice
- 7) Application Documents

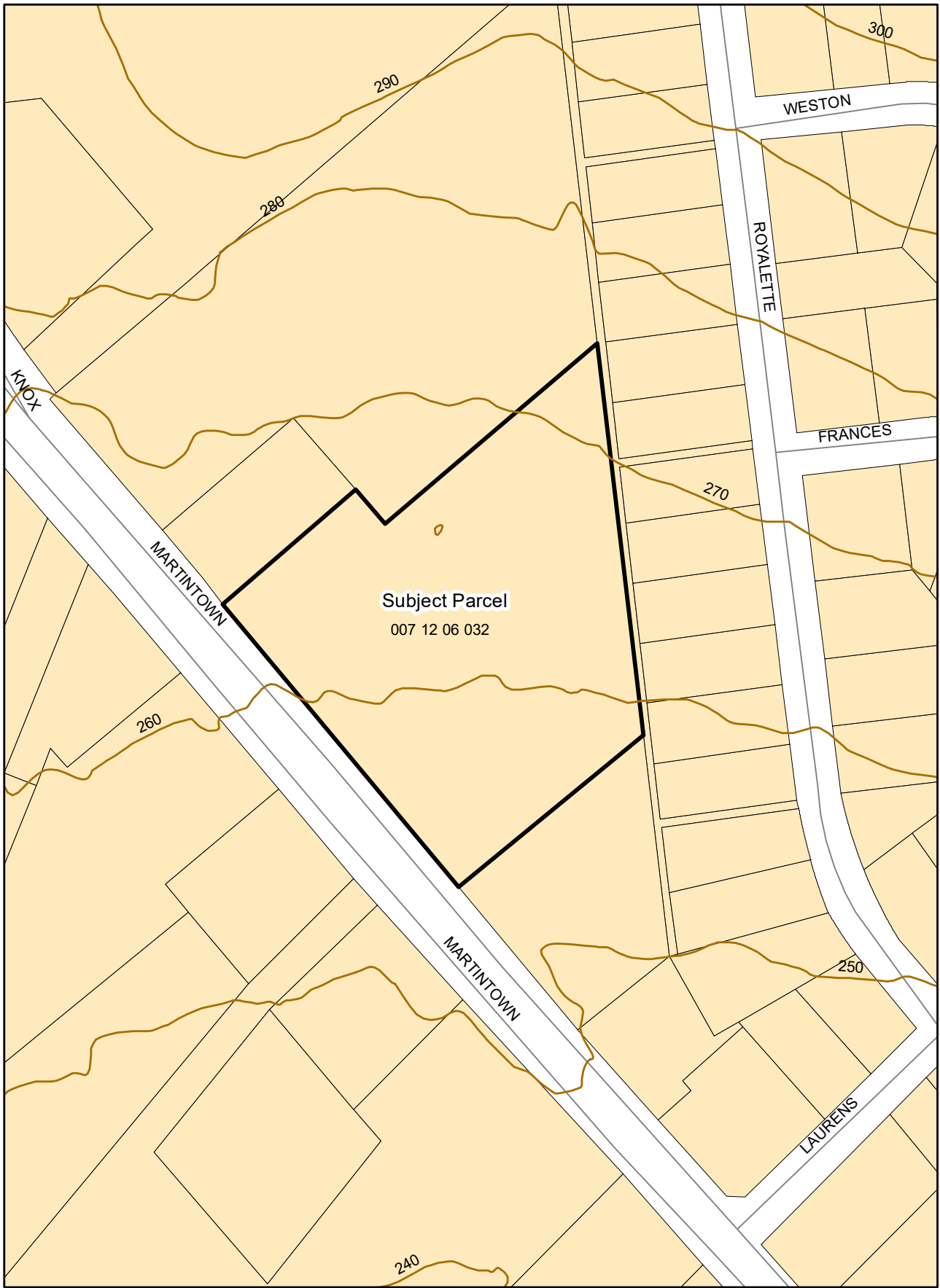
Cc: Brannon Graybill, Martintown, LLC, via email
Christian Wahl, Martintown, LLC, via email



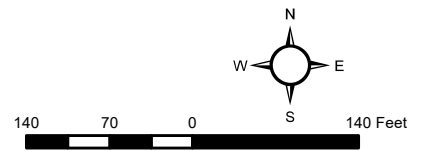
Aerial Map
Application Number CU21-005
Tax Parcel Number
007-12-06-032



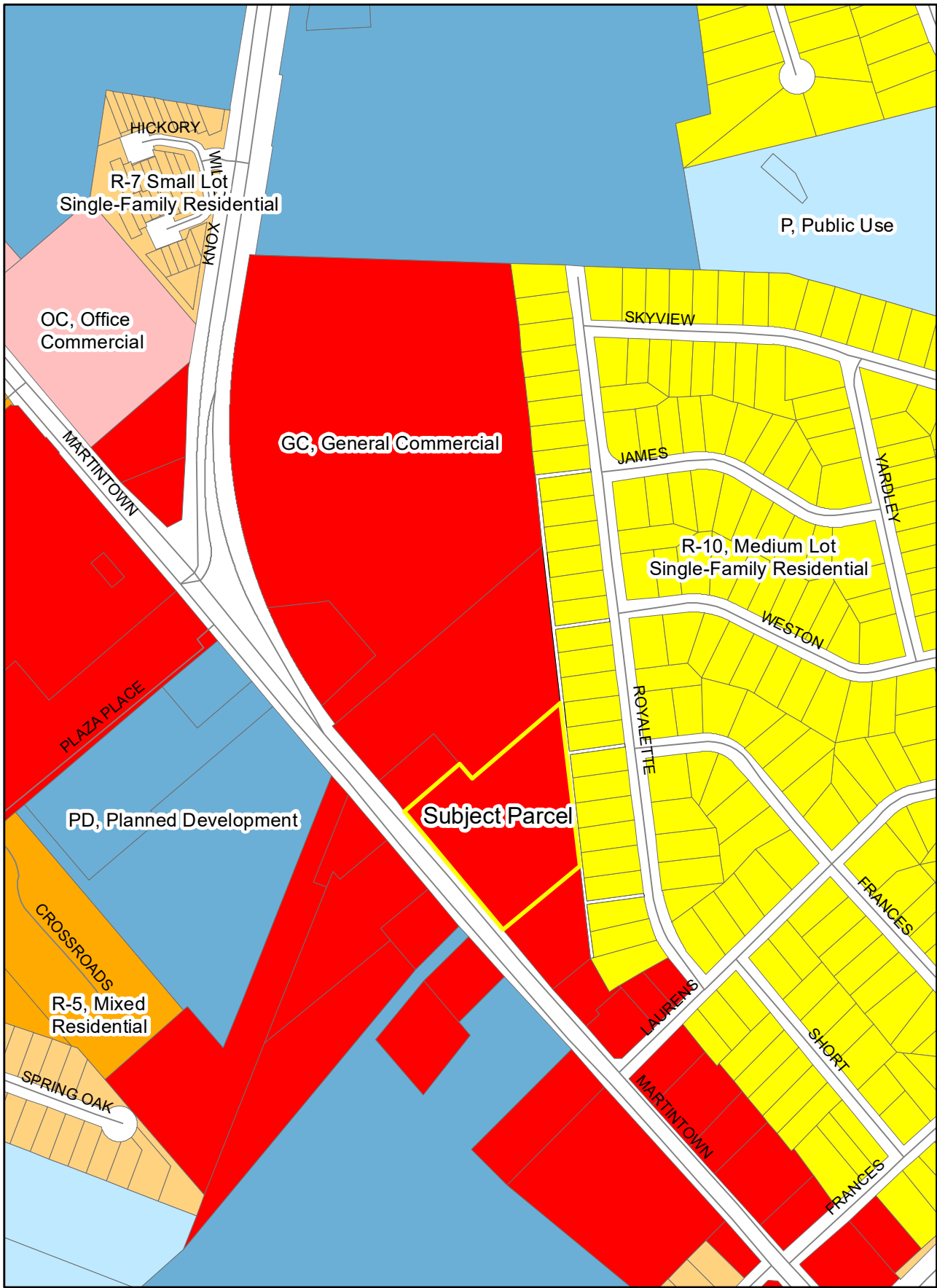
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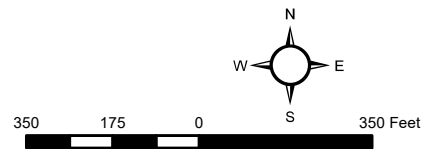
Topo Map
Application Number CU21-005
Tax Parcel Number
007-12-06-032



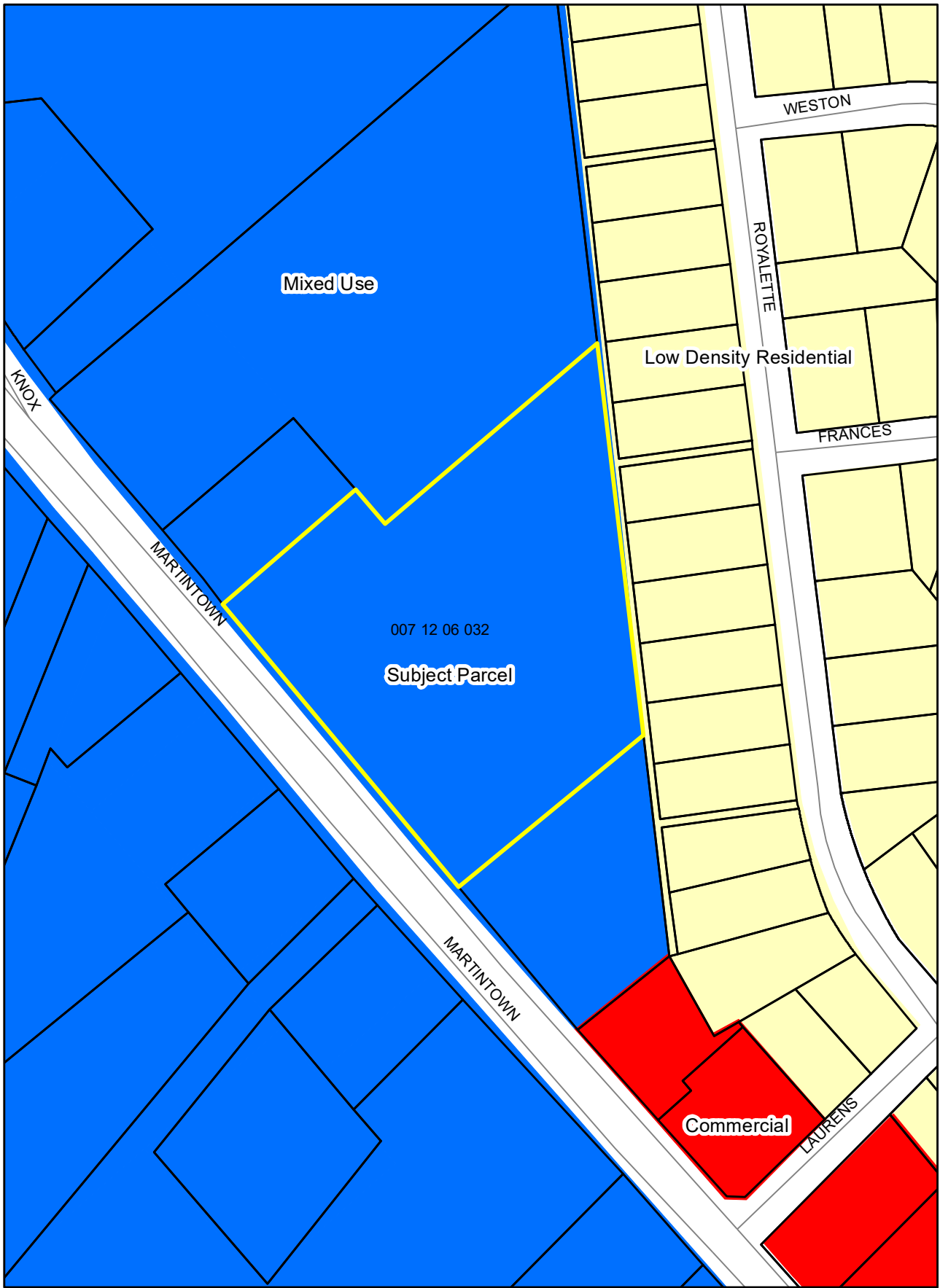
Date: 4/15/2021



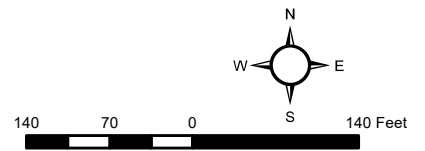
Zoning Map
 Application Number SP21-005
 Tax Parcel Number
 007-12-06-032



Date: 4/15/2021



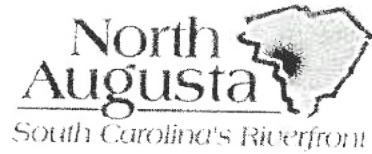
Future Land Use Map
Application Number CU21-005
Tax Parcel Number
007-12-06-032



Date: 4/15/2021

Application for Development Approval

Please type or print all information



Staff Use

Application Number CU21-005

Date Received 4/6/21

Review Fee \$50.00

Date Paid 4/6/21

1. Project Name MARTINTOWN CAR WASH

Project Address/Location 417 E MARTINTOWN ROAD

Total Project Acreage 3.73 Current Zoning GC

Tax Parcel Number(s) 007 12 06 032

2. Applicant/Owner Name MARTINTOWN, LLC Applicant Phone [REDACTED]

Mailing Address 307 Commerce Drive Ste. E

City Augusta ST GA Zip 30907 Email [REDACTED]

3. Is there a Designated Agent for this project? Yes No
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)

4. Engineer/Architect/Surveyor Jeff Drake License No. 24437

Firm Name Drake Engineering Group Firm Phone 706 495 0893

Firm Mailing Address 500 Norwich Road #39

City Augusta ST GA Zip 30909 Email [REDACTED]

Signature [Signature] Date 3/23/2021

5. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?
(Check one.) yes no

6. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all required documents must be correct and complete to initiate the compliance review process.

7. [Signature]
Applicant or Designated Agent Signature

3/23/2021
Date

Christian Wahl
Print Applicant or Agent Name

Certificate of Zoning Compliance

1. This form is required for any new business, home occupation, business relocation, or business owner change.
2. Some projects may require additional approvals before a business license can be issued. This may include Site Plan Approval, Conditional Use Permit, Building Permit and/or Certificate of Occupancy.
3. A Certificate of Zoning Compliance is not an approval for occupancy. Building modifications, including electrical, mechanical, plumbing, new walls, demolition, etc., will require a separate building permit. Please contact Building Standards for additional information.
4. Home Occupations applications must comply with the City's Home Occupation Regulations.
5. Food Truck applications must provide additional information to comply with the City's Food Truck Regulations.
6. All signage is permitted separately. Please contact Planning and Development for additional information.
7. After approval, this document must be presented to the Finance Department in order to be issued a City of North Augusta Business License.
8. Additional resources are available in the City of North Augusta New Business Guide.

PLEASE CHECK WITH THE APPROPRIATE DEPARTMENT BEFORE BEGINNING ANY SITE, BUILDING OR SIGN WORK.

Check all of the following that apply:

- | | |
|--|---|
| <input checked="" type="checkbox"/> New Business | <input type="checkbox"/> Existing Business Name Change |
| <input type="checkbox"/> Existing Business Relocations | <input type="checkbox"/> Existing Business Ownership Change |
| <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Food Truck |

Business Name

Martintown Car Wash

Date

4-2-2021

Business Address

307 Commerce Drive Ste E Augusta, GA 30907

Applicant Name:

Martintown, LLC

Applicant Address:

307 Commerce Drive Ste E. Augusta, GA 30907

Phone:

[Redacted]

E-mail

[Redacted]

Business Owner Information (if different than applicant):

[Redacted]

Describe the business, including products or services provided:

Tunnel CAR WASH with vacuum stations and pay stations
car wash services

Number of Employees (including yourself):

6

Number of off-street parking spaces on site:

6 (does not include parks for customers)
total parks = 31

Applicant Certifications -- Please Read

1. I hereby certify that all information provided is true and correct to the best of my knowledge.
2. I certify that I am the person listed below and am authorized to make this application.
3. I understand that providing false or fraudulent information may result in penalties, business license revocation and/or prosecution to the fullest extent possible.
4. I am aware of and understand the jurisdiction's requirements and codes, and the issuance of a business license is contingent upon strict and consistent compliance with all of the jurisdiction's requirements.
5. I understand that failure to comply with these requirements may result in business license revocation as well as other compliance or legal efforts.
6. I hereby certify that there are no restrictive covenant or other private agreement that is contrary to, conflicts with, or prohibits the use or activity on the property that is the subject of this application.
7. I also understand and authorize the jurisdiction and its agents to utilize all information on this application to ensure compliance with all other federal, state and local laws.

I agree

Applicant Signature (type name or print and sign to indicate acceptance):

C. Warren

Owner Signature (if different than applicant):

The complete application with all required documentation may be submitted:

- Via email to planning@northaugusta.net
- Via mail:
Planning and Development Department, City of North Augusta, PO Box 6400, North Augusta, SC 29861
- In person:
Planning and Development Department, 2nd Floor, 100 Georgia Avenue, North Augusta, SC 29841

Submit Form Via Email

THIS SECTION FOR OFFICE USE ONLY

Parcel Number

007-12-06-032

Case Number

02021-050

Use Matrix Reference

NAICS Reference

Additional Reviews Required:

- Site Plan Approval
- Building Permit
- Certificate of Occupancy
- Business License
- Other

Zoning

GC

Approved By:

Date:

Other notes or conditions:

City of North Augusta, South Carolina
PUBLIC NOTICE
Virtual Conditional Use Administrative Hearing

In accordance with §5.5 of the North Augusta Development Code, the Director of Planning and Development will hold a virtual administrative hearing for a Conditional Use Permit at **10 a.m. on Thursday, April 29, 2021** via teleconference to consider the following application:

CU21-005– A request by Martintown, LLC for a Conditional Use Permit to allow for a car wash on ±3.73 acres located at 417 E. Martintown Rd., Tax Parcel Number 007-12-06-032, zoned GC, General Commercial and within the HC, Highway Corridor Overlay District.

Those interested in expressing a view on the request are encouraged to submit comments. Comments will be collected via email at planning@northaugusta.net or voicemail at 803-441-4221 until 5 p.m. on Wednesday, April 28, 2021. Documents related to the application will be available at the Planning and Development Department, 2nd floor, 100 Georgia Avenue, after Thursday, April 22, 2021 or online at <https://www.northaugusta.net/government/city-departments/planning-development>.

April 2, 2021

**Parcel Number 007 12 06 032
417 E Martintown Road**

Property Size: Approximately 1.2 Acre portion of 3.7 Acres

Current Zoning: GC (General Commercial)

Request for Conditional Use approval and/or permit to allow for construction and operation of a car wash.

**Owner: Martintown, LLC
307 Commerce Drive Suite E
Augusta, GA 30907**

Contact: Christian Wahl 

I. Background and General Information

Martintown, LLC (Property Owner) is respectfully requesting a Conditional Use permit pursuant to article 4.23 of the North Augusta Development Code, to allow for the development of a new tunnel carwash development. The proposed 1.2 acre outparcel is a portion of a 3.7 Acre subject property and is currently vacant. Martintown, LLC is requesting the Conditional Use permit with the intention of constructing a modern tunnel car wash along with vacuum stations on the subject property.

We believe our site meets these criteria and offers a convenient service for the nearby residents of North Augusta.

Our project shall meet or exceed development standards and will be built combining various construction materials including masonry and efis (stucco) with neutral colors to be harmonious with other developments in the Martintown Road and Knox Avenue corridors.

The rear of the 3.7 acre property is currently buffered by dense vegetation and mature trees.

II. Site Plan Design

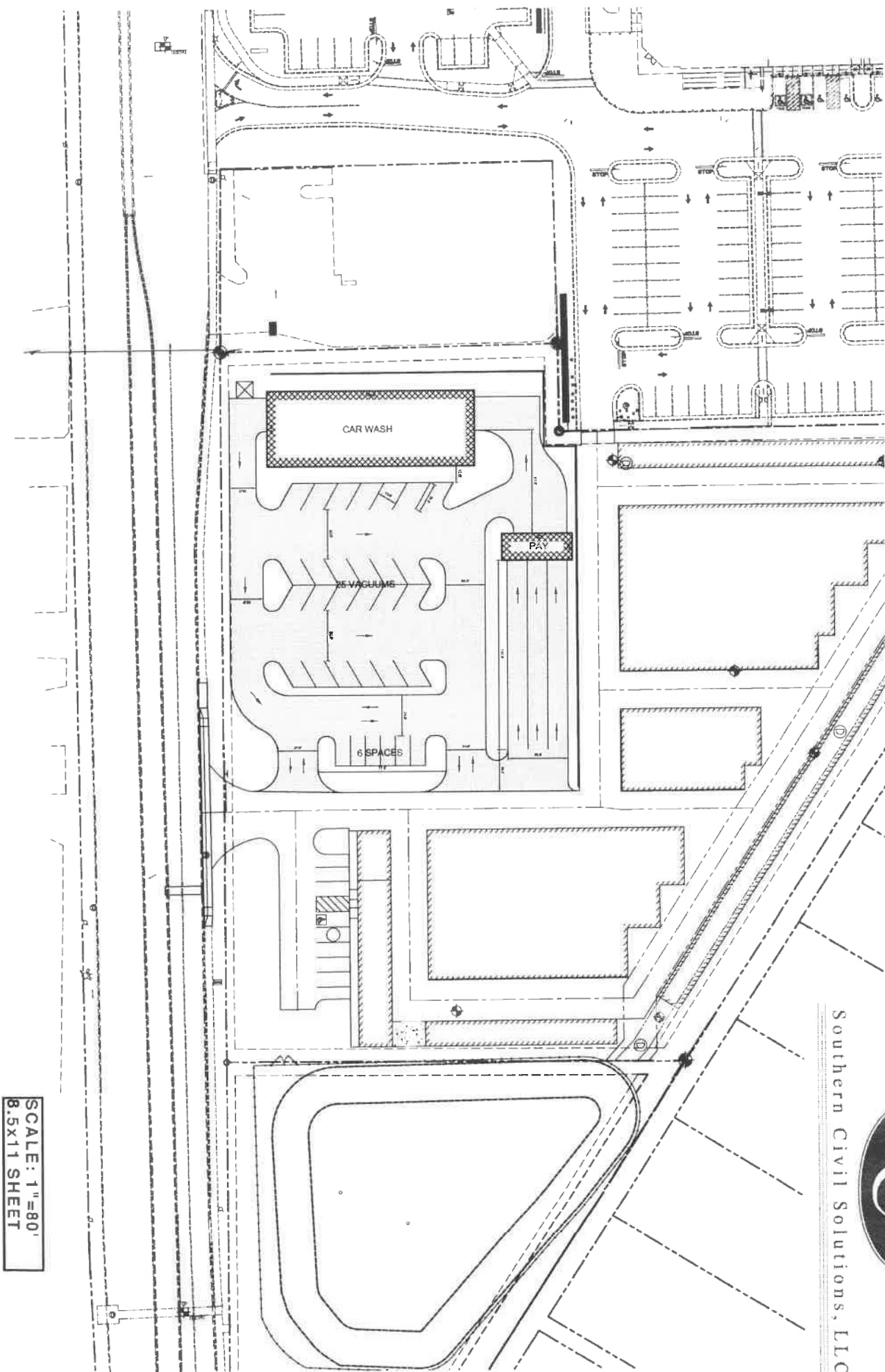
We have designed our site (as show on the attached site plan) to allow for proper ingress/egress and our proposed site plan contemplates one access from Martintown Road and also has an access adjacent to the Lidl to provide customers access to the existing traffic light.

III. Adjacent Properties

We do not feel any of the adjacent properties will be adversely affected by our project or negate any use of the surrounding properties. Our project will be compatible to the market and provide adequate buffers to adjacent properties. The rear of the overall property is bordered by residential homes and there is already an existing buffer that we plan to leave undisturbed. One side of the property is bordered by a proposed driveway from Martintown Road and the other is bordered by an existing Lidl Grocery store and Sherwin Williams Paint store. The front of the property is bordered by Martintown Road. The building will most likely be constructed of masonry, efis, and glass to blend with the adjacent properties

IV. Summary

Martintown, LLC owns 3.7 Acres and would like to develop a modern tunnel car wash on a portion (1.2 acres) of the 3.7 Acres. Our overall plan will include the proper landscaping and/or greens space and our goal is to provide an aesthetically pleasing project that is harmonious with surrounding properties in the area. Typical operating hours are 7:30 AM to 9:00 PM.



SCALE: 1"=80'
8.5x11 SHEET

Southern Civil Solutions, LLC

