

Plattsburgh, NewYork

41 City Hall Place Plattsburgh, New York 12901 Ph: 518-563-7707 Fax: 518-563-6426

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SPECIAL T	SE PERMIT

Date: 04/23/20	Appeal No.: 2273
an application is hereby made to a allow the property use as here	the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variation described.
Applicant:	NUWAY Car Wash
Applicant's Address:	269 Margaret Street
	Plattsburgh, NY 12901
Telephone No.:	518-563-1850
Parcel Identification:	207.17-2-12
ocation of Request:	321 Cornelia Street, Plattsburgh, NY 12901
Property Owner:	(same as applicant)
Request Description:	Area variances for: 4' Side Yard Setback/Commercial 200' from Residential/
	Special Use Permits for: Automobile Car Wash/10' fence in side-rear yards
Zoning District:	B2
Section Appealed:	Schedule II (Schedule of Area & Bulk Controls) , 360-25B, 360-26E(1)
Previous Appeal: No.:	N/A Date:
dentify Applicant's Right to Ap	pply for Variance:
Ownership:	Long Term Lease:Contract To Purchase: X
Other (Please Explain):	
15 copies of existing	iances must be accompanied by: and proposed site plan and proposed floor plan.

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

Signature (Owner/Applicant)

LISA M. BEEBIE
Notary Public, State of New York
No. 01BE6395749
Qualified in Clinton County
Commission expires August 5, 2023



April 23, 2021

Mr. Joseph McMahon, Building Inspector City of Plattsburgh 41 City Hall Place Plattsburgh, NY 12901

Re: NUWAY Car Wash – Proposed 321 Cornelia Street Location

Mr. McMahon,

Enclosed is the application material to support requests for the following area variance and special permits for the above-mentioned project:

Area Variance Requests:

- 1. Side yard Building Setback
- 2. Commercial setback from Residential
- 3. Commercial Drive Width

Special Permit Requests:

- 1. Automobile Car Wash Use
- 2. 10' Fence in the side-rear yards

In addition, we would like to discuss with the board an extension of any potential approvals. The current project schedule is to break ground in spring 2022 and we understand that any approvals from the zoning board are good for 6-months without board special approval.

Feel free to contact me if you have any questions or require further information.

Sincerely,

James A. Abdallah, P.E.

Vice President

cc: Perry Buck, Owner/President

/President

1246 State Route 3, P.O. Box 762, Plattsburgh, NY 12901
T: 518.562.1800 F: 518.562.1702
jaa@aedapc.com www.aedapc.com

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Area or Dimensional Variances

Area variances may be granted where setback, frontage, lot size or yard requirements of this Code cannot be reasonably met. In making it's determination the ZBA shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determinations the board shall also consider the following criteria:

Please give a written response to each section.

(1) Will an undesirable change be produced to the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance?

See attached separate letter with written response to each item.

- (2) Can the benefit sought by the applicant be achieved by some method, feasible to the applicant to pursue, other than an area variance?
- (3) Is the requested area variance substantial?
- (4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?
- (5) Has the alleged difficulty been self-created? This information shall be relevant to the decision of the board but shall not necessarily preclude granting of the variance.

Area Variances Standards

The state statues define area variances as: "the authorization by the zoning board of appeals for the use of land in a manner which is not allowed by dimensional or physical requirements of the applicable zoning regulations."

General City Law, 81-b(1)

The state statues then go on to provide the zoning board with the standards for granting the area variances;

- "(b) In making it's determination, the zoning board shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:
- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
 - (3) whether the requested area variance is substantial;
- (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district; and
- (5) whether the alleged difficulty was self-created; which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

The board of appeals , in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community."

General City Law, 81-b(4)

NUWAY Car Wash Area Variance(s) & Special Use Permit Narrative 04-23-21

Project Description – The applicant, NUWAY Car Wash (Perry Buck, President), proposes to erect a new car wash (3,600 sq.ft.) on an existing commercial lot located in the City of Plattsburgh at 321 Cornelia Street. The lot currently has an existing paved parking area for used car sales.

Required Area Variances – 4' Sideyard Building Setback (Schedule II – Area & Bulk Controls); 200' setback from Residential (360-25B); Driveway width of 40ft (360-26E(1)).

Special Use Permit – Automobile Car. Wash Use; 10' fence in side-rear yards.

To demonstrate the reasoning for the variance requests the applicant has prepared the following information in response to the "Five" standard variance request review points:

1. Undesirable change or detriment to nearby properties

- The 4' side yard setback will not be a detriment as the commercial building on the adjacent property is set back ±22' from the property line.
- The property has been operating commercially as a used car lot within the 200' setback of residential property. An automobile car wash will not create and expanded detriment to nearby properties from its current use.
- A 40ft driveway width will provide for controlled access to and from the site and remove potential undesired stacking as exiting the site. This condition will not change or be a detriment to nearby properties.

2. Achieve goal by some other method

The site can be developed in a different layout but the detriment to the design changes can be outlined as follows:

- Less space between the new building and neighboring building will be available
- The site is too small to develop commercially outside the 200' setback and again currently operates within the setback.
- Reducing the driveway width would create potential stacking as exiting the site.

3. How substantial is the Variance

The variances are not substantial and will foster design conditions that improve the operations and existing conditions of the site.

4. Adverse effects on physical and environmental neighborhood conditions

The proposed development will improve the physical and environmental neighborhood conditions. The addition of a new commercial building, utilities, green space, appurtenances, etc. will improve property:

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- Function/operation
- Assessed Value

5. Is the difficulty self-created?

Although our proposal could be considered self-created we would ask that the board consider the benefit to area if the variances are granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. As established by the state courts and legislature a self-created hardship is only one factor to be taken into account in considering this application.

By the plan and evidence presented we do not believe this proposal will be a detriment to the health, safety and welfare of the neighborhood or community but will strengthen community and business along the Cornelia Street corridor.

To demonstrate the reasoning for special use requests the applicant offers the following comments/information:

- 1. An automobile car wash is an allowed use within the Cornelia Street B1 zoning corridor and this site will provide a second community alternative to the lone car wash located within the same corridor. The site offers ample space for on-site car stacking along with sufficient ingress and egress to the public right-of-way.
- 2. The proposed 10' fence in the side/rear yards will provide for added buffer from the residential neighbors.

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Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information		
Name of Action or Project:		
NUWAY Car Wash - Cornelia Street		
Project Location (describe, and attach a location map):		
321 Cornelia Street, Plattsburgh, NY		
Brief Description of Proposed Action:		
Construction of a proposed 3,600 sq.ft. tunnel car wash building with associated office space	and site improvements (See "	'Site Sketch Plan" C100)
Name of Applicant or Sponsor:	Telephone: 518-563-1850	0
NUWAY Car Wash (Attn: Perry Buck)	E-Mail: perry@nuwaycar	wash.com
Address:		
269 Margaret Street		
City/PO: Plattsburgh	State:	Zip Code:
		12901
 Does the proposed action only involve the legislative adoption of a plan, loca administrative rule, or regulation? 	ii iaw, ordinance,	NO YES
If Yes, attach a narrative description of the intent of the proposed action and the emay be affected in the municipality and proceed to Part 2. If no, continue to ques	environmental resources thation 2.	nat 🗸 🗌
2. Does the proposed action require a permit, approval or funding from any other		NO YES
If Yes, list agency(s) name and permit or approval: Planning Board, Zoning Board, Bu	uilding Permit	
a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	.38 acres .38 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:		
5. Urban Rural (non-agriculture) Industrial V Commerci	al 🔲 Residential (subu	rban)
Forest Agriculture Aquatic Other(Spe	cify):	
Parkland		

Page 1 of 3

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5.	Is the proposed action,	NO	YES	N/A
	a. A permitted use under the zoning regulations?		V	
	b. Consistent with the adopted comprehensive plan?		V	
6.	Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
				V
7.	Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Y	Yes, identify:		V	
			NO	YES
8.	a. Will the proposed action result in a substantial increase in traffic above present levels?			
	b. Are public transportation services available at or near the site of the proposed action?		同	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			V
9.	Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If t	he proposed action will exceed requirements, describe design features and technologies:			
				~
10.	Will the proposed action connect to an existing public/private water supply?		NO	YES
	If No, describe method for providing potable water:			V
11.	Will the proposed action connect to existing wastewater utilities?		NO	YES
	If No, describe method for providing wastewater treatment:			
12.	a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district	ct	NO	YES
wh	ich is listed on the National or State Register of Historic Places, or that has been determined by the mmissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the		V	
	te Register of Historic Places?	-		
arc	b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for haeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		~	
13.	a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
	Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:e Identified.		17,51	
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14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
Shoreline Forest Agricultural/grasslands Early mid-successional		
☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?	~	
16. Is the project site located in the 100-year flood plan?	NO	YES
	~	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,		~
a. Will storm water discharges flow to adjacent properties?	V	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		V
		2
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
		ш
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		_
	~	Ш
20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste?	110	TLS
If Yes, describe:	V	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BY MY KNOWLEDGE	EST OF	7
Applicant/sponsor/name: Mr. Perry Buck Date: 04/23/2021		
Signature:		

PRINT FORM

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EAF Mapper Summary Report

Thursday, April 22, 2021 4:32 PM

287/17-1-7	7.17-1-13 207.	17-1-14	207.17-1-15.2-1	Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF
			Cometta St	question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.
207.17-2-10	20/.17-2-12	17-2-13	207.17-2-14 207.17-2-14 207.17-2-21.2 207.17-2-2	Detroit Bless Roctioner Albariy Boston Cleveland Providence New York Columbus Pittsburgh Philipdelphia
Part 1 / Question 7 [Crit	(Ö OpénStreetMap cöntiil			EMENTP NRCan: Esti Japan, MEII, Esti China (Hong Kong), Est stonoperisti eeti liap contributors, and the GIS User Communit
Part 1 / Question 7 [Cri	tical Environmental	butőrs, and		
Part 1 / Question 7 [Crit Area] Part 1 / Question 12a [Register of Historic Plac Sites]	tical Environmental National or State ces or State Eligible	No		
Part 1 / Question 7 [CritArea] Part 1 / Question 12a [Nation 12a [Nation 12a [Nation 12a [Nation 12b [Nation 12b [Nation 12b [Nation 12b [Nation 13a [tical Environmental National or State ces or State Eligible Archeological Sites] Vetlands or Other	No No No Yes - D	the GIS ปรูยุ Congrupty Digital mapping infor	
Part 1 / Question 7 [CritArea] Part 1 / Question 72a [Facilities] Part 1 / Question 12a [Facilities] Part 1 / Question 12b [Facilities] Part 1 / Question 13a [Facilities] Part 1 / Question 15 [The Par	tical Environmental National or State ces or State Eligible Archeological Sites] Vetlands or Other	No No No Yes - D	the GIS ปรูยุ Congrupty Digital mapping infor	etenoperstreethlap contributors and the GIS User Community of the GIS
Part 1 / Question 7 [Crit Area] Part 1 / Question 12a [N Register of Historic Place	tical Environmental National or State ces or State Eligible Archeological Sites] Vetlands or Other Interpretation	No No No Yes - D waterb	the GIS ปรูยุ Congrupty Digital mapping infor	etenoperstreethap contributors and the GIS User Community and the GIS User

Short Environmental Assessment Form - EAF Mapper Summary Report



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Ag	ency Use Only [II applicable]	
Project:		
Date:		
Date:		

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

		No, or small impact may occur	Moderate to large impact may occur
1.	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2.	Will the proposed action result in a change in the use or intensity of use of land?		
3.	Will the proposed action impair the character or quality of the existing community?		
4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5.	Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6.	Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7.	Will the proposed action impact existing: a. public / private water supplies?		
	b. public / private wastewater treatment utilities?		
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9.	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10.	Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11.	Will the proposed action create a hazard to environmental resources or human health?		

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SEAF 2019

Agen	cy Use Only [If applicable]
Project:	
Date:	
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Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.								
Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.								
Name of Lead Agency	Date							
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer							
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)							

PRINT FORM

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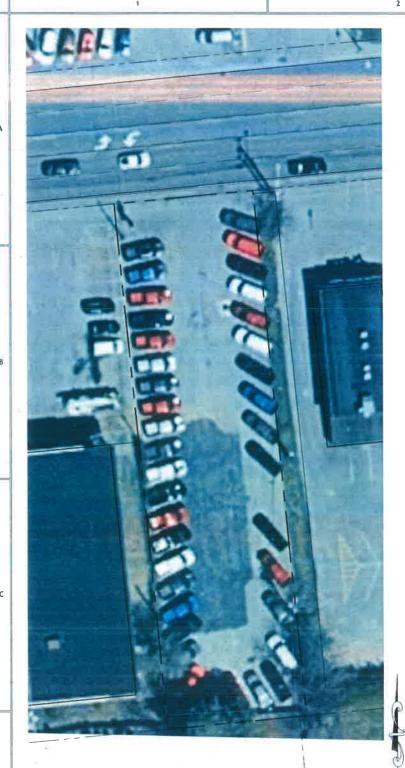
AFFIDAVIT

TO BE COMPLETED BY OWNER OF TITLE OF THE FOLLOWING PROPERTY:

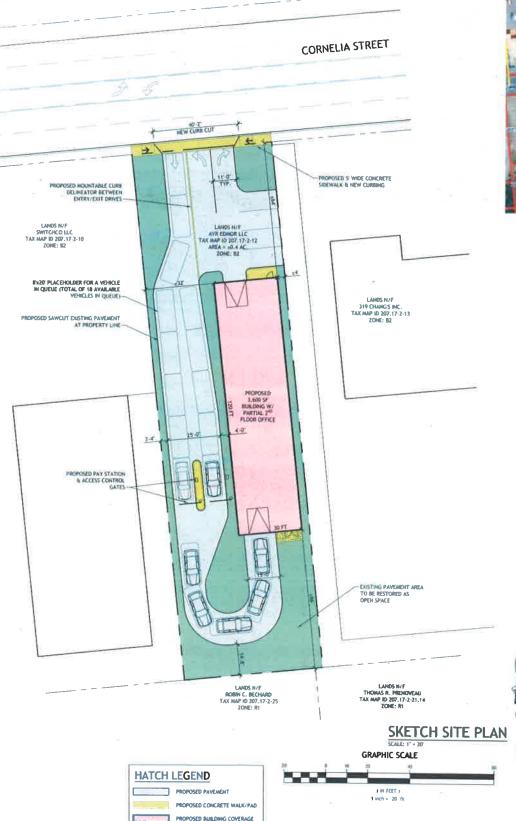
Property Address: 321 Cornelia Street	
City of Plattsburgh, Clinton County, New York	
Tax Map Parcel(s): 207.17-2-12	Zoning District(s):
Application: Subdivision X Site Plan X Special Use	Permit Use Variance X Area Variance
In The State of New York, Co	ounty of Clinton:
That Perry Buck	the undersigned, being duly sworn deposes and says:
1 That Who shorosides at 3 Reales 1, 10 M	to.
1. That the she resides at 3 kgh. Way the county of Charles and the State of New York	That he/she is the owner of the within Property
Address as described hereinabove and referenced in the foregoing applica	Diameira 9 Zania Danad
approval(s) and that the statements contained therein are true to the best	of his/her knowledge and belief.
2. That we hereby outhorize AEDA, P.C.	
2. That we hereby authorize representative in all matters regarding the application that may come bef	to act as our
4. That he/she understands that the City of Plattsburgh Planning / Zonia making a determination to issue the requested applications and approvals has examined this affidavit and that it is true and correct.	
5. In the matter of pending application before the City Planning / Zoning	Board for a car wash facility
owner swears that the proposed use will be constructed and operated in set forth in the Zoning Code of the C ity of Plattsburgh; except as set forth	TIANTI STORY
6. The undersigned, owner of the subject premises, further certify that the from covenants, agreements or other restrictions running with the subject	0 0 0
7. That he/she understands that the approval or disapproval of this subd	ivision / site plan/ special use permit by the Planning Board
does not constitute express or implied support for any required expansion	of any special (highway, sewer, water, fire or other) district.
Pa 2 BK	
6wner Signature	Owner Signature
Sworn to before me this day of 20	21
Joan Beebie USAM. BEE	ale.
Notary Public Signature Notary Public, State e No. 01BE6395	f New York

Qualified in Clinton County
Commission expires August 5, 2023

3 Table



EXISTING CONDITIONS



PROPOSED OPEN SPACE

PROPOSED GRAVEL



LOCATION PLAN

DESCRIPTION	REQUIRED	EDISTING	PROVIDED
MIN, LOT SIZE	10,000 SF	±16,500 SF	±16,500 SI
MIN, LOT WIOTH	50 FT	166 SF	266 SF
MIN. DEPTH	100 FT	+250 SF	+250 SF
MIN. FRONT YO SETBACK	40FT	N/A	264 FT
MIN. SIDE YO SETBACK	N/A	H/A	N/A
MIN. REAR YD. SETBACK	N/A	N/A	+64 FT
MAX. BLDG. HEIGHT / # STORES	30 FT OR 2.5 ST	747.A	-30 FT
MAX, BLDG, COVERAGE	50%	CS.	+27%
INN. OPEN SPACE	158	+1 E	+325

PARCEL NOTES:

1. EUSTING USE: AUTOMOBILE AGENCIES

2. PROPOSED USE: MUTUROBLE WARH EQUIVALENT TO AUTOMOBILE SERVICE WHICH IS AN ALLOWED USE REQUERING SPECIAL PERMIT FREI SCHEDULE!

2. (*) DENOTES PRE-EUSTING, NON-CONFORMING ATTRIBUTES OF THE EXISTING SITE.

ABBINION INGTES:

FARRING REQUIRED HER ZONING CHAPTER 220-25: TOTAL - 4 SPACES

FARRING REQUIREDRENT BASED ON UP TO 1,000 SF OFFICE AREA ASSOCIATED WITH THE AUTOMOBILE WASH USE (1 SPACE PER 250 SF FOR ALL OFFICE USES)

PARCING PROVIDED: TOTAL - 4 SPACES

2. PARIOSE PROVINCE: TOTAL - 4 SPACES

AUTOMOBILE WASHING ESTABLISHMENTS:
PER ZORING CHAPTER ZPO; 2:
1. SUCH ISTABLISHMENTS SHALL NOT BE CLOSED THAM 200 FEET TO AM R DISTRUCT - THE
PROJECT WILL APPLY FOR AM AREA VARIANCE WITH THE ZORING BDARB OF APPLAS
FOR ABULTING THE R-Z DISTRUCT
S. SUCH ISTABLISHMENTS SHALL BE LOCATED ON A PUBLIC STREET HAVING PAYEMENT
WITH NOT LESS THAM 36 FEET AND PROVIDE INGRESS AND ECRISS - ACHIEVED

I. HA ADDITION TO MEETING PARIOSE REQUIREMENTS OF CHAPTER ZPO-25, PROVIDE AT
LEAST 15 OFF-STREET AUTOMOBILE WAITING SPACES - ACHIEVED

APPLICANT: PERRY BUCK 269 MARGARET STREET PLATTSBURGH, NY 12901

PROJECT PARCEL: TAX MAP ID 207, 17 2-12

PARCEL OWNER:
A'R EDMOR LLC
33 A SMITHFIELD BLVD STE 200
PLATTSBURGH, NY 12901

ADDL IS ANTH-FEED BLVD STE 201
PLATTSBURGH, NY 12901

ADDL IS ANTH-FEED BLVD STE 201
PEURANCE RATE MAP 936019C06050.
EFFECTIVE 9/28/2007

PROPOSED PROJECT:
CONSTRUCTION OF A 3,600 SF₁ CAR WASH
FACILITY WITH ASSOCIATED ENVE LAWES.
LANDSCAPING, SITE LIGHTING AND
ASSOCIATED SITE IMPROVEMENTS.

CAR WASH PROPOSED NUWAY

SCHEMATIC DESIGN PHASE SERVICES 30%



REVISIONS						
#	BY	DATE				
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SITE SKETCH PLAN

PROJECT NO. DATE 04-13-21 DRAWN BY CHECKED BY

C100

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