



Legislation Details (With Text)

File #: 23-0158B **Version:** 1
Type: Ordinance **Status:** Passed
File created: 2/6/2023 **In control:** City Council
On agenda: 3/7/2023 **Final action:** 3/7/2023
Title: Pass the ordinance approving a major change to a conditional use for an automobile service station located at 1290 S Route 59 (Casey's) - PZC 21-1-079

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Site Plan, 4. Exhibit C - Response to Standards, 5. Exhibit D - Final Landscape, 6. Exhibit E - Building Elevations, 7. Exhibit F - Photometric Plan, 8. Petition For Development Approval, 9. Disclosure of Beneficiaries, 10. Sign Packet, 11. Trip Generation Comparison Memo, 12. PZC Meeting Minutes 2-15-23 DRAFT

Date	Ver.	Action By	Action	Result
3/7/2023	1	City Council	passed	

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance approving a major change to a conditional use for an automobile service station located at 1290 S Route 59 (Casey's) - PZC 21-1-079

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, AICP

BOARD/COMMISSION REVIEW:

On February 15, 2023, the Planning and Zoning Commission (PZC) conducted the public hearing regarding PZC 21-1-079. There were no public speakers at this meeting. After brief discussion, the PZC made a motion to approve PZC 21-1-079 (approved, 9-0). Staff concurs.

BACKGROUND:

The subject property is approximately 1.26 acres and is located at the northeast corner of the Route 59 and 75th Street intersection. The property is zoned B2 (Community Shopping Center District) and is improved with a Bucky's Mobil automobile service station and car wash. Per Section 6-7B-3:2 (B2 District: Conditional Uses) of the B2 zoning regulations, automobile service stations are classified as a conditional use. A conditional use was processed and approved in 1996 (Ord. 96-49) to allow for the property to be improved with a gas station and car wash.

DISCUSSION:

Major Change to a Conditional Use

The Owner and Petitioner, Casey's Retail Company, is requesting approval of a major change to the conditional use in order to demolish the existing automobile service station building and car wash and

redevelop the property with a new 1-story, 4,202 sf convenience store (the site will no longer have a car wash). The Petitioner intends to maintain the existing gas pumps under the canopy. Per Section 6-3-8 (Conditional Uses), the demolition and construction of the new convenience store triggers the requirement for the Petitioner to seek and obtain approval of a major change to the conditional use for construction of the new automobile service station.

The Land Use Master Plan (2022) identifies the future place type of the property as “Urban Center”. Gas stations are identified as an example of a primary use in Urban Centers. Therefore, staff finds the petitioner’s proposal to be consistent with this designation.

Staff’s analysis of an automobile service station on the subject property considers zoning classifications and land uses in the surrounding area, the existing land use of the subject property, and consistency with the Land Use Master Plan. Given the property’s location at a major intersection and surrounding commercial properties, the Land Use Master Plan future place type designation, and the existing land use of the subject property, staff finds the proposed automobile service station to be compatible with the surrounding area and an improvement to the existing conditions of the site.

Findings of Fact

The petitioner’s responses to the Standards for Amending a Conditional Use are attached to the ordinance. Upon review, staff agrees with the petitioner’s Findings and recommends their adoption by the City Council.

Building Elevations

The proposed single-story building is comprised primarily of antique red colored brick with buff colored soldier course details and a stone knee wall. Staff finds that the proposed building elevations utilize four-sided architecture and high-quality materials and are consistent with the City’s Building Design Guidelines.

Landscape Plan

The Casey’s proposed landscaping plan provides landscaping around the perimeter of the property, foundation plantings where possible around the base of the building, and preservation of plantings throughout the property. The landscape plan also includes plantings around the base of the two monument signs. The proposed landscaping plan meets the intent of the City’s Landscaping requirements.

FISCAL IMPACT:

N/A