



## Legislation Details (With Text)

**File #:** 22-1404B **Version:** 1  
**Type:** Ordinance **Status:** Agenda Ready  
**File created:** 11/17/2022 **In control:** City Council  
**On agenda:** 12/6/2022 **Final action:**  
**Title:** Pass the ordinance approving a conditional use in the B3 District for an automobile service station located at 1304 Plainfield/Naperville Road (Casey's) - PZC 22-1-051

**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 - Building Elevations, 6. Exhibit E - Landscape Plan, 7. Petition For Development Approval, 8. Plat of Subdivision, 9. Final Engineering, 10. Stormwater Memo, 11. Photometric Plan, 12. Sign Packet, 13. PZC Meeting Minutes 11-16-22 DRAFT

Date	Ver.	Action By	Action	Result
12/6/2022	1	City Council	passed	Pass

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Pass the ordinance approving a conditional use in the B3 District for an automobile service station located at 1304 Plainfield/Naperville Road (Casey's) - PZC 22-1-051

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly, AICP

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) conducted a public hearing on PZC 22-1-051 on November 16, 2022 and provided a positive recommendation on the request (approved 7,0). Staff concurs.

**BACKGROUND:**

The 0.87-acre subject property is located at the southeast intersection of 75<sup>th</sup> Street and Plainfield/Naperville Road and is improved with an automobile service station and a car wash. The subject property is zoned B3 (General Commercial District) and the B3 zoning district classifies automobile service stations as a conditional use.

In 2016, a text amendment was processed to revise the B3 zoning district and require conditional uses for automobile service stations/car wash facilities. Automobile service stations/car wash facilities were identified as a type of use that serves customers and in part requires commercial visibility to be successful, however, these uses have the potential to adversely impact the intended retail nature of commercial corridors as well as adjacent properties. Accordingly, the code was revised to require conditional use approval to provide an additional level of review by the PZC and the City Council in

order to determine if the potential use is appropriate for the proposed location based on the specifics of the case presented.

## **DISCUSSION:**

### ***Conditional Use***

The Owner and Petitioner, Casey's Retail Company, is requesting approval of a conditional use in order to demolish the existing automobile service station building and car wash and redevelop the property with a new convenience store and improve the existing fueling station. The demolition triggers the requirement for the petitioner to seek and obtain conditional use approval for construction of the new automobile service station. The car wash will not be replaced.

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.

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.

Given the property's location at a major intersection, 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 Granting a Conditional Use can be found in the attachments. Upon review, staff and the Planning and Zoning Commission agree 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. 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***

Due to likely intense activity within an Urban Center, the Land Use Master Plan encourages appropriate screening and buffering to mitigate any negative impacts on adjacent properties. The Casey's proposal achieves this by providing landscaping where possible around the perimeter of the property, foundation plantings where possible around the base of the building, and a detention pond on the south end of the property. The landscape plan includes preservation of plantings throughout the property and the required landscaping around the base of the proposed monument sign. The proposed landscaping plan meets the intent of the City's Landscaping requirements.

### ***Planning and Zoning Commission***

The public hearing before the PZC was conducted on November 16, 2022. No members of the public provided testimony on the request and no questions or concerns were raised by the Commission. The Commission closed the public hearing and voted 7-0 to recommend approval of the conditional use. Staff concurs with the recommendation provided by the PZC.

***Key Takeaways***

- The petitioner is requesting approval of a conditional use to allow an automobile service station in the B3 Zoning District. Staff is in support of the requests due to the commercial nature of the corridor, the existing land use of the site, quality building design, and site improvements proposed.

**FISCAL IMPACT:**

N/A