



Legislation Details (With Text)

**File #:** 23-0311      **Version:** 1

**Type:** Public Hearing      **Status:** Agenda Ready

**File created:** 3/10/2023      **In control:** Planning and Zoning Commission

**On agenda:** 3/15/2023      **Final action:**

**Title:** Conduct the public hearing for the property located at the northeast corner of 83rd Street and Route 59 (Jet Brite) - PZC 22-1-110

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Application for Development & Disclosure of Beneficiaries, 2. Legal Description, 3. Response to Standards, 4. Annexation Plat, 5. Prelim . Final Plat of Subdivision, 6. Preliminary PUD Plat, 7. Traffic Study, 8. Site Plan, 9. Sign Package, 10. Preliminary Landscape Plan, 11. Preliminary Engineering, 12. Photometric Plan, 13. Open Space Exhibit, 14. Noise Study, 15. Market Analysis, 16. Floor Plan, 17. Bypass lane & Snow Storage Response, 18. Building Elevations, 19. Public Comment

Date	Ver.	Action By	Action	Result
3/15/2023	1	Planning and Zoning Commission	denied	Fail

**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing for the property located at the northeast corner of 83<sup>rd</sup> Street and Route 59 (Jet Brite) - PZC 22-1-110

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly, AICP

**ENTITLEMENTS REQUESTED:**

The following entitlements are being requested by the Petitioner, JB Development, Inc., in order to develop a car wash at the property:

1. Annexation and Annexation Agreement;
2. Preliminary/Final Subdivision Plat;
3. Rezoning to B2;
4. Conditional use for a Preliminary PUD Plat; and
5. A PUD Use Deviation to permit a car wash facility

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 22-1-110 was published in the Naperville Sun on February 26, 2023.

**BACKGROUND:**

The subject property is located at the northeast corner of the 83<sup>rd</sup> Street and Route 59 intersection, located in unincorporated DuPage County. The property is approximately 2.3 acres and is currently

vacant. The subject property abuts residential properties to the east, a business and residential property to the north, a bank to the south and a church (across Route 59) to the west. The property located to the south is incorporated within the City of Naperville. Therefore, the subject property is eligible for annexation.

**DISCUSSION:**

The Petitioner, JB Development, Inc., requests approval of annexation, rezoning to B2 upon annexation, a preliminary PUD plat, and a PUD use deviation to accommodate a 6,370 square foot car wash facility and associated surface parking lot. The Petitioner's annexation request is not reviewed by the Planning & Zoning Commission, but information on the request is provided for reference. The annexation request will be heard at a subsequent public hearing by the City Council.

***Preliminary/Final Plat of Subdivision***

The subject property consists of four separate lots. The Petitioner has submitted a preliminary/final plat of subdivision to consolidate the lots. This plat is provided for information only as the it meets all technical requirements and can be administratively approved by staff.

***Rezoning Upon Annexation***

The Petitioner is requesting rezoning to the B2 (Community Shopping Center) zoning district upon annexation. The City's Land Use Master Plan (2022) identifies the future land use of the subject property to be City Corridor with the following recommended zoning districts: B1, B2, and OCI. The proposed rezoning request is consistent with the future land use recommendation.

***Preliminary PUD Plat***

The Petitioner requests approval of a conditional use in the B2 zoning district to permit a Preliminary PUD plat for Jet Brite Car Wash #12 in order to develop a car wash on the subject property. The Petitioner's responses to the Standards for Granting a Preliminary Planned Unit Development are included in the attachments.

The proposed car wash building is a one-story, 6,370 square feet building with an associated parking lot containing 43 parking spaces. Each of the parking spaces on the north and west sides of the building will have vacuum stalls (for a total of 39 vacuum stalls) covered by 13'-6" tall vacuum canopies. In order to accommodate the proposed vacuums, two vacuum turbines are needed. These vacuum turbines will be located within split faced CMU enclosures. The proposed development includes 3 stacking lanes (with 3 pay booths) to accommodate up to 42 cars. The proposed stacking lanes can be accessed via the 83<sup>rd</sup> Street entrance and the other proposed access point into the site is a right-in, right-out entrance off of Route 59. The Petitioner has indicated the business hours of operation are 7:00 am to 9:00 pm, 7 days a week.

***Condition of Approval for Emergency Exit***

The stacking lanes feature a snow storage area and two exit points to allow for vehicles to exit the drive-thru in the instance of an emergency. One of the proposed exit points will be closed off and can only be opened by onsite staff in the instance of an emergency. If the Petitioner's request is approved, staff recommends a condition be included to ensure onsite staff are present and available at all times during business hours of operation so the exit point can be opened in the instance of an emergency.

***Open Space Improvements & Landscape Plan***

The proposed Jet Brite development provides 20.8% of common open space, exceeding the 20%

minimum area required by City code for commercial development in a PUD. The open space includes plantings along all property lines and around the building foundation. The proposed plantings consist of shade trees, ornamental trees, and shrubs to reduce the visibility of the proposed development from adjacent properties. The proposed landscaping plan also includes a seating area, a bike rack, a 6' vinyl fence along the eastern and northern property lines, and two butterfly and pollinator gardens.

### ***Building Elevations***

The proposed building elevations consist mainly of CMU veneer over precast and precast formliner panels (utility brick) in earth tones and a standing seam metal roof. The building design reflects the function as a car wash and is consistent with the Jet Brite corporate branding.

### ***Traffic Impact Study (TIS)***

As part of the submittal, the Petitioner has provided a Traffic Impact Study conducted by Knight Engineers & Architects, Inc. to analyze the projected impacts the proposed development will have on existing traffic operations. The submitted TIS can be found in the attachments.

### ***Noise Study***

The Petitioner has provided a Noise Study conducted by Veenstra & Kimm, Inc. to evaluate potential noise impacts from the proposed development on adjacent properties. The submitted Noise Study can be found in the attachments.

### ***PUD Use Deviation***

The Petitioner is seeking a deviation to permit a car wash facility on the subject property. A use deviation is required because car wash facilities without an automobile service station are not permitted in the B2 zoning district. The Petitioner's responses to the standards for PUD Use Deviations are included in the attachments.

Staff has concerns with the overall intensity of the use and site design. The proposal calls for a car wash which has a significant number of stacked cars (3 stacking lanes with 42 cars), vacuum turbines (which have been identified in the sound study to account for the largest source of noise from the vacuuming systems) and many vacuum stalls, all of which are located in close proximity to residential properties. The subject property is currently vacant/undeveloped land, and the proposed use is a major change from the current vacancy.

In recent years, the City has had other auto-oriented type developments come before the Planning and Zoning Commission and City Council. One of the more recent developments was approved with restrictive conditions which required the applicant to make modifications to the site to mitigate the impact of light and noise generated. Even with these restrictive conditions, staff has continued to receive complaints regarding noise levels of the development.

Staff has raised the above concerns to the Petitioner. In response, the Petitioner worked to reduce the noise and light levels generated by the development, increased the proposed amount of landscaping, enclosed the vacuum turbines within split faced CMU block enclosures, and provided a 6' tall vinyl fence. Staff appreciates that the Petitioner made these changes in an effort to reduce the overall impact of the development on surrounding properties; however, staff continues to be concerned with the underlying intensity of a car wash use at this location.

Staff recommends that the Planning and Zoning Commission conduct the public hearing to receive

input from the Petitioner and the public on PZC 22-1-110.

**Key Takeaways**

- The Petitioner is requesting approval of PZC 22-1-110, seeking approval of annexation, rezoning upon annexation to the B2 zoning district, a preliminary/final plat of subdivision to consolidate the lots, a preliminary PUD, and a PUD use deviation to allow a car wash for the property located at the northeast corner of 83<sup>rd</sup> Street and Route 59. Staff recommends the public hearing be conducted.