



Legislation Details (With Text)

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Title: Pass the ordinance approving a conditional use in the B3 district for an automobile service station and car wash facility at 1780 North Aurora Road (Delta Sonic)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Preliminary-Subdivision, 4. Exhibit C - Response to Standards, 5. Exhibit D - Site Plan, 6. Development Petition, 7. Building Elevations, 8. Final Landscaping, 9. PZC Minutes - March 2, 2022

Date	Ver.	Action By	Action	Result
5/3/2022	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 and car wash facility at 1780 North Aurora Road (Delta Sonic)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered the conditional use request for Delta Sonic at the March 2, 2022 meeting and recommended approval of the request (approved 8,0). Staff concurs.

BACKGROUND:

The subject property is zoned B3 (General Commercial District) and is approximately 4.7 acres. The property is located at the southeast corner of North Aurora Road and Route 59 and is improved with an automobile service station/car wash facility known as Delta Sonic. The B3 zoning district classifies automobile service stations/car wash facilities as a conditional use. The petitioner has proposed modifications at the property triggering the need for a conditional use.

In 2016, a text amendment was processed to update the municipal code in accordance with the implementation items identified in the Ogden Avenue Corridor Enhancement Initiative (2008). The text amendment included revision of the B3 zoning district to 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 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:

Delta Sonic has submitted plans to upgrade the existing car wash facility. The proposed modifications include construction of a 11,400 square foot indoor vacuum addition, replacement of the existing prep hut building, relocation of the bay booths and express lane machines, an increase to the number of cars which can be stacked in the car wash stacking lanes, and construction of a storage area and dumpster enclosure.

When the B3 zoning district regulations were revised, a provision was included in the code to accommodate existing auto service stations facilities which were established prior to the amendment. This provision permits operation of nonconforming uses in accordance with the nonconforming use regulations (Title 6 - Chapter 10). These regulations prohibit expansion of existing nonconforming uses. Given the petitioner is requesting modifications at the subject property including an addition, a conditional use was required to be processed.

Preliminary/Final Plat of Subdivision

In order to accommodate construction of the proposed indoor vacuum, the petitioner submitted a preliminary/final plat of subdivision to shift the lot lines between the subject property and the adjacent Lot 2 (504 N. Route 59). This results in an increase to the size of the subject property from 4.7 acres to 4.9 acres. Additionally, the proposed plat grants the owners of Lot 1 (Delta Sonic) and their successors, assigns, tenants, licensees and invitees, the perpetual right to use, occupy and maintain the storage building and dumpster located on the adjacent Lot 2.

No new buildable lots will be created as a result of this request. The proposed shift to the existing lot lines complies with all technical zoning requirements and does not require City Council review.

Building Elevations

The proposed indoor vacuum addition will be attached to the existing building. The building elevations depict a greenhouse with a brick kneewall. The style and color of the brick will be consistent with the style and color of the existing brick at the property. The building addition also features a building mounted solar energy system. Upon review, staff finds that the elevations reflect the building's predominant function as a car wash are appropriate for the function of the site.

Planning and Zoning Commission

The public hearing before the PZC was conducted on March 2, 2022. No members of the public spoke on the request. The Commission closed the public hearing and voted 8,0 to recommend approval of the request.

Given the property's location along the Route 59 corridor and the adjacent commercially zoned properties, staff finds the car wash to be compatible with the surrounding area and concurs with the PZC recommendation. Staff notes the proposed modifications are in compliance with the underlying zoning requirements including setbacks and bulk regulations.

Key Takeaways

- The petitioner is requesting a conditional use to allow an automobile service station in the B3

Zoning District.

- Staff and the PZC are in support of the conditional use request.

FISCAL IMPACT:

N/A