



Legislation Text

File #: 23-1240B, Version: 1

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Receive the staff report for 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061 (Item 1 of 3)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Adam Beaver, AICP Candidate, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered PZC 23-1-061 on November 15, 2023 and recommended approval (approved 9-0). Staff does not recommend approval of the sign deviations but does recommend approval of the remainder of the requests as presented.

BACKGROUND:

The subject property is located at the southeast corner of S IL Route 59 and Beebe Drive. It is a 1.46-acre property zoned B2 PUD (Community Shopping Center Planned Unit Development District) and improved as a surface parking lot. The petitioner, Wash Holdings 23, LLC, is proposing the construction of a Tommy's Express Car Wash on the subject property.

The petitioner requests, 1) approval of a major change to the PUD, 2) a deviation to allow a car wash as a principal use, 3) a deviation to reduce the required number of parking spaces for the Lowe's store, 4) a deviation to reduce the required number of parking spaces for the proposed car wash, 5) a deviation to allow a reduction in parking lot perimeter landscaping, 6) a deviation to permit two ground signs on a property with less than 500 feet of frontage, and 7) to reduce the required distance between ground signs.

DISCUSSION:

Preliminary Subdivision Plat

The petitioner is proposing to subdivide the original Lot 8 of the Brach/Brodie Property in order to construct and operate a 5,243 square foot car wash facility. The proposal includes subdividing 1.46 acres from the original Lot 8 which will result in a newly created Lot 2 (1.46 acres) to be utilized by Tommy's Car Wash and Lot 1 (12.44 acres) which will be utilized by Lowe's. The petitioner states this is in line with previous subdivisions on the property that allowed for the expansion of commercial uses in the PUD. Staff will ensure that the plats meet the technical requirements for approval.

Major Change/Preliminary PUD Plat

Pursuant to Section 6-4-6 of the Naperville Municipal Code, the petitioner requests approval of a major change to the Brach/ Brodie PUD to create a new lot and establish controlling plans for the proposed car wash facility, including a revised PUD Plat for the underlying Lot 8 of the Brach/Brodie

Property. A major change is also required for the requested use deviation, as well as deviations to required parking, landscaping and signage as outlined below.

Findings of Fact

The petitioner's responses to the Standards for Amending a PUD can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the City Council.

Land Use Deviation

The subject property is currently zoned B2 (Community Shopping Center) District, with a conditional use for a PUD. The B2 District does not classify a car wash as either a permitted or conditional use. In 2021, the City Council approved a text amendment that enabled a petitioner to request a land use deviation in a PUD if specific criteria have been met, including: the presence of unique and unusual circumstances in the PUD; the proposed use will not have an adverse impact on other users in the PUD; and, the proposed use will be incidental to the principal use of the PUD.

The petitioner is requesting a land use deviation in order to permit a car wash in the B2 PUD district. The subject property is currently used as a parking lot for a Lowe's home improvement store, and the petitioner states that the large parking lot for Lowe's is no longer needed as commercial shopping trends have changed since the original approval of the PUD in 2002. The petitioner also states that the proposed development would not have an adverse impact on the adjacent properties and would instead operate as a beneficial incidental use to the overall development.

Staff finds that the proposed use is appropriate for the subject property due to the direct proximity of other commercial uses to the North, East, and South and its location as part of a larger commercial center. Staff finds that the proposed car wash is incidental to the overall PUD which provides retail uses which are permitted within the B2 zoning district.

Findings of Fact

The petitioner's responses to the Standards for Approving a PUD Land Use Deviation can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the City Council.

PUD Deviations

Parking Deviation for Lowe's

Section 6-9-3 of the Naperville Municipal Code requires that four parking spaces per 1,000 square feet of gross floor area must be provided. The Code requires Lowe's to provide 538 parking spaces. The existing parking lot has 619 parking spaces. The proposed car wash facility would remove 112 parking spaces from the Lowe's parking lot, leaving them with a total of 507 parking spaces. Lowe's also regularly occupies approximately 219 parking spaces with seasonal outdoor sales.

The petitioner performed a parking study to identify the peak parking demand at the property. It was found that at peak business hours, the maximum number of parking spaces occupied was approximately 152 spaces, or approximately 38% of the available parking spaces. Staff finds that even with the reduction of parking spaces provided due to the development of the proposed car wash, as well as the seasonal outdoor sales area, sufficient parking remains available for Lowe's customers.

Findings of Fact

The petitioner's responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the City Council.

Parking Deviation for the Proposed Car Wash

Section 6-9-3 of the Naperville Municipal Code requires 4.5 parking spaces per 1,000 square feet of gross floor area for this use. The Code requires 24 for a building this size and the petitioner is proposing to provide 21 parking spaces, a deficit of three spaces. The petitioner is proposing 15 vacuum stalls and six standard parking spaces for use by customers and employees.

The petitioner states that the proposed use is not one that encourages customers to park their vehicles and enter the facility as no merchandise will be offered for sale and the customers remain in their vehicles for the duration of the carwash. Additionally, the petitioner anticipates a rapid pace turnover of the vacuum stalls as they are not intended to be occupied for long periods of time. Staff finds the proposed reduction in parking spaces provided to be acceptable due to the proposed car wash not offering the sale of merchandise and the brief nature of customer parking needs and supports the request.

Findings of Fact

The petitioner's responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the City Council.

Landscaping Deviation

Section 5-10-3:5.2.1 of the Naperville Municipal Code requires that five feet of landscaping be provided around the perimeter of the parking lot in order to provide screening for adjacent properties. The petitioner is proposing to provide three feet of landscaping along the South property line instead of the required five feet. The petitioner states that in order to accommodate the required parking spaces and to provide service access to the vacuums, it is not possible to provide the required five feet of landscaping.

Staff acknowledges that the petitioner including three feet of landscaping along the property line provides a beneficial level of screening even as it does not meet the code requirement. Additionally, as the portion of the property directly adjacent to the south consists of a parking lot as well, it is a use of similar intensity. Staff is supportive of the request given the inclusion of the landscaping amid site constraints.

Findings of Fact

The petitioner's responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the City Council.

Sign Deviations

Section 6-16-5:2.2.1 of the Naperville Municipal Code requires that in order for a property to have two ground signs, it must have at least 500 feet of frontage and that the ground signs must be at least 200 feet apart. The newly created subject property has approximately 200 feet of frontage along Route 59 and there is an existing ground sign along the property's frontage advertising the existing

commercial development including Lowe's store. With the proposed subdivision, the existing sign occupies the one ground sign permitted by code for the subject property.

The petitioner is proposing to install an additional ground sign on the Route 59 frontage advertising the proposed car wash. As the Code only permits one ground sign for the subject property due to its size, a deviation is required for the petitioner to locate two ground signs on their property with less than 500 feet of frontage. Additionally, the petitioner is requesting the proposed ground sign to be located approximately 130 feet from the existing ground sign, requiring an additional deviation.

Due to the close proximity of the two signs and the size of the property as well as the signage provided on the proposed building, staff does not support the signage deviation requests. Rather than supporting the deviation, staff would suggest that the petitioner pursue a shared sign with Lowe's, as multi-tenant signs are frequently utilized in multi-tenant shopping centers.

Findings of Fact

The petitioner's responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, staff does not agree with the petitioner's Findings and recommends their denial by the City Council.

Planning and Zoning Commission Action

The PZC conducted the public hearing for PZC 23-1-061 on November 15, 2023. John Wrycza provided public testimony and asked the Commissioners if approving this project would set a precedent that would allow the approval of a Jet Brite Car Wash. Commissioner Losurdo and Commissioner Van Someren responded that the PZC does not operate on precedent and looks at each case individually. Adam Lepack of the neighboring Costco Wholesale store asked the petitioner if a traffic study had been completed. The attorney for the petitioner responded that a traffic study had been completed and shared the data. After limited discussion, the PZC voted to recommend approval of the petitioner's request in total (approved 9-0).

Staff disagrees with the PZC's recommendation to approve the sign deviation, but is otherwise supportive of the project.

Key Takeaways

- The petitioner requests approval of a land use deviation to allow a car wash as a in a B2 PUD. The PZC and staff are supportive of the request.
- The petitioner requests approval of a major change to the Brach/ Brodie PUD to subdivide the property and to approve associated deviations. The PZC and staff are supportive of the request.
- The petitioner requests approval of parking deviations for both the existing Lowe's store as well as for the proposed car wash facility. The PZC and staff are supportive of the request.
- The petitioner requests approval of a landscaping deviation to provide three feet of parking lot perimeter landscaping rather than the five feet required by Code. The PZC and staff are supportive of the request.
- The petitioner requests approval of signage deviations to allow two ground signs that are less than 200 feet apart on a property with less than 500 feet of frontage. The PZC supported the request; however, staff does not support these requests.

Related Files

1. Pass the ordinance approving a preliminary plat of subdivision for the Resubdivision of Lot 8 of the Brach Brodie Property Unit - 1 for the property at 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061 (Item 2 of 3)
2. **Option A:** Concur with the Planning and Zoning Commission and the petitioner and pass the ordinance approving a major change to the Brach/Brodie Lot 8 PUD, a preliminary PUD plat for the Brach/Brodie Lot 8 PUD, a land use deviation, two parking deviations, a landscaping deviation, and a sign deviation for 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061; or

Option B: Concur with staff and pass the ordinance approving a major change to the Brach/Brodie Lot 8 PUD, a preliminary PUD plat for the Brach/Brodie Lot 8 PUD, a land use deviation, two parking deviations, and a landscaping deviation and denying the requested sign deviations for 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061 (Item 3 of 3)

FISCAL IMPACT:

N/A