



Legislation Details (With Text)

File #: 21-0163 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/24/2021 **In control:** City Council

On agenda: 2/2/2021 **Final action:** 2/2/2021

Title: Pass the ordinance approving a conditional use in the B3 District for an automobile service station located at 780 and 850 E. Ogden Avenue (Jet Brite) - PZC 20-1-102

Sponsors:

Indexes:

Code sections:

Attachments: 1. Conditional Use Ordinance, 2. Exhibit A - Legal, 3. Exhibit B - Plat, 4. Exhibit C - Standards, 5. Exhibit D - Site Plan, 6. Exhibit E - Elevations, 7. Exhibit F - Landscape Plan, 8. Exhibit G - Noise Study, 9. Draft PZC Minutes, 10. Development Petition, 11. Disclosure of Beneficiaries, 12. Traffic Study, 13. Tree Preservation Plan, 14. Autoturn Exhibit, 15. Photometric Plan

Date	Ver.	Action By	Action	Result
2/2/2021	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 780 and 850 E. Ogden Avenue (Jet Brite) - PZC 20-1-102

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Sara Kopinski, AICP

ENTITLEMENTS REQUESTED:

A conditional use for an automobile service station in the B3 zoning district is requested.

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered this matter on January 6, 2021 and voted to recommend approval of the request (Approved 6-0). Staff concurs.

BACKGROUND:

The subject property consists of 2.2 acres in the central area (defined as Sleight Street to Burlington Avenue in the Ogden Avenue Corridor Enhancement Initiative) of the Ogden Avenue corridor. The property is zoned B3 (General Commercial District) and was previously occupied by a restaurant. The petitioner plans to demolish the existing, vacant building and redevelop the property with a Jet Brite car wash facility. In order to do so, the petitioner requests approval of a conditional use for an automobile service station in the B3 zoning district.

The East Sector Update (1998) identifies the future land use of the property as "Commercial." Staff finds the petitioner's proposal to be consistent with this designation.

DISCUSSION:

The B3 zoning district classifies automobile service stations as a conditional use. Staff's analysis of an automobile service station on the subject property considers zoning classifications and land uses in the surrounding area, as well as consistency with the Ogden Plan.

Given the property's location along the Ogden Avenue corridor and the adjacent commercially zoned properties, staff finds the proposed car wash to be compatible with the surrounding area. Staff notes that the site maintains one access point on Ogden Avenue and complies with all underlying zoning requirements including setbacks, height and bulk, and parking. Additionally, staff notes that there are no other automobile service stations along the central area of the corridor, and that the entitlements that were previously granted for a Wash-U car wash facility at 1150 E. Ogden have expired. Any proposals to construct a car wash facility at that site in the future will be required to return to the PZC with a new conditional use request.

The Ogden Plan establishes the central part of Ogden Avenue as the segment of the roadway where service uses are most appropriate due to existing lot configurations and the auto-oriented nature of the corridor. The Ogden Plan encourages lot consolidation, buffering between differing uses, and improved vehicular circulation. The Jet Brite proposal achieves many of these items by consolidating two lots, providing landscaping and fencing to separate the car wash from neighboring residential and park sites, and providing for adequate circulation on-site.

The petitioner has provided a noise study identifying that the loudest part of the development will be at the car wash exit, which is oriented towards Ogden Avenue and away from nearby residential properties. Additionally, the vacuums on the site will be enclosed by masonry walls, which ensures that these components will not account for significant source of noise. Subject to noise levels remaining compliant with the Code along property lines shared with residential uses, staff finds that the establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property.

Findings of Fact

The petitioner's responses to the Standards for Granting a Conditional Use can be found in the attachments. Upon review, the PZC and staff agree with the petitioner's Findings and recommend their adoption by the City Council.

Building Elevations

The proposed building elevations reflect the user's corporate branding and the building's predominant function as a car wash. The elevations consist mainly of precast panels with brick formliner, and accent materials in earthtone colors. Upon review, staff finds that the elevations are appropriate for the function of the site.

Planning and Zoning Commission Action

The PZC considered this matter on January 6, 2021. No members of the public provided testimony. The Commission closed the public hearing and moved to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-102 (approved 6-0). Staff concurs with the recommendation

Key Takeaways

- The petitioner is requesting a conditional use to allow an automobile service station in the B3 Zoning District. The Commission and staff are in support of the request due to the commercial

nature of the corridor, quality building design, and site improvements proposed.

Related Files

N/A

FISCAL IMPACT:

N/A