



Legislation Text

File #: 17-521, Version: 2

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Receive the staff report for TrueNorth Energy located at 1295 Rickert Drive, PZC 16-1-029 (Item 1 of 3).

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Kasey Evans, AICP

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered this matter on June 21, 2017 and voted to recommend approval of the request (approved 6-0). Staff concurs.

BACKGROUND:

The property is located on Lot 4 of the Town Square Planned Unit Development (PUD) which is located at the northwest corner of Rickert Drive and 75th Street, and is zoned R3 (Medium Density Multiple-family Residence District) PUD. The property is approximately 1.5 acres and is improved with a gas station and car wash.

DISCUSSION:

The petitioner, TrueNorth Energy LLC, requests approval of rezoning from R3 (Medium Density Multiple-family Residence District) to B2 (Community Shopping Center District) PUD, a major change to the Town Square PUD to grant a conditional use in the B2 district for a gas station and car wash, and a deviation to reduce the side yard setback for the proposed carwash building on the subject property. The site is currently improved with a gas station and drive-through car wash, and the petitioner intends to improve the site with a new 3,575 square foot convenience store, a new car wash building and additional gas pumps. The existing access points into the site will remain the same.

The new convenience store building will be located north of the existing gas canopy with the car wash building located along the west side of the property. The exterior building material for the convenience store and car wash buildings will be brick. Landscaping on the property will be enhanced with perimeter plantings along 75th Street and Rickert Drive, as well as new landscaping along the north and west sides of the property.

Rezoning to B2

The Town Square PUD was approved in the 1980s as a residentially zoned commercial development. The petitioner requests rezoning of the property from R3 (Medium Density Multiple-family Residence District) to [B2 \(Community Shopping Center District\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?)
[<https://library.municode.com/il/naperville/codes/code_of_ordinances?](https://library.municode.com/il/naperville/codes/code_of_ordinances?)

[nodeld=TIT6ZORE_CH7BUDI_ARTBB2COSHCEDI](#)> to align the zoning of the property with the actual use of the property. Staff finds the proposed zoning of the property is essentially a zoning “clean-up” as it is consistent with the existing land use and the City’s Northwest Sector Update to the Comprehensive Master Plan future land use designation of “Commercial”. The petitioner’s responses to the Standards for Granting Rezoning are included in the Development Petition. Staff is in general agreement with the petitioner’s Findings and recommends adoption by the City Council.

Major Change to the PUD to Grant a Conditional Use for a Gas Station

Per [Municipal Code Section 6-7B-3 \(B2: Conditional Uses\)](#)

[<https://library.municode.com/il/naperville/codes/code_of_ordinances?](#)

[nodeld=TIT6ZORE_CH7BUDI_ARTBB2COSHCEDI_6-7B-3COUS>](#), automobile service stations and associated car washes are permitted in the B2 district with approval of a conditional use. The gas station and car wash are existing on the property, and the conditional use is necessitated by the proposed rezoning of the subject property. The petitioner intends to revitalize the existing gas station by building an expanded convenience store, constructing a new car wash, and adding additional gas pumps. The petitioner’s responses to the Standards for Granting a Conditional Use are included in the Development Petition. Staff is in general agreement with the petitioner’s Findings and recommends adoption by the City Council.

Major Change to the PUD for a Side Yard Setback Deviation

The B2 district does not have a minimum side yard setback for property when it is adjacent to other commercially zoned properties; however, per [Municipal Code Section 6-7B-7 \(B2: Yard Requirements\)](#) [<https://library.municode.com/il/naperville/codes/code_of_ordinances?](#)
[nodeld=TIT6ZORE_CH7BUDI_ARTBB2COSHCEDI_6-7B-7YARE>](#), the minimum side yard setback when adjacent to R3 zoned property is 12’. The land directly west of the property is part of the Town Square PUD and is zoned R3 (Medium Density Multiple-family Residence District); however, it is improved with a fast food restaurant. The need for the setback deviation is a technical matter due to the Town Square PUD being originally zoned R3, instead of a more appropriate commercial classification. Therefore, the petitioner requests a deviation to permit the car wash building to be setback 10’ from the side (west) property line in lieu of the minimum required 12’. In addition, the location of the car wash building is limited by an existing utility easement to the west, north and east of the building and underground storage tanks to the south of the building. The petitioner’s responses to the Standards for Granting a Deviation are included in the Development Petition. Staff is in general agreement with the petitioner’s Findings and recommends adoption by the City Council.

Key Takeaways

- The petitioner requests rezoning from R3 to B2, a major change to the Town Square PUD to grant a conditional use for a gas station with car wash, and a deviation to reduce the side yard setback at 1295 Rickert Drive.
- Staff supports the proposed redevelopment as the requested entitlements are largely technical and not substantive in nature, and the redevelopment will be an improvement to the subject property.

Planning & Zoning Commission Action

The Planning and Zoning Commission considered this matter at their meeting on June 21, 2017. No members of the public testified at the hearing. The Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 16-1-029 (approved 6-0). Staff concurs with the Planning and Zoning Commission's recommendation.

Related Items

The following agenda items are related to PZC 16-1-029:

- Rezoning the subject property to B2 (Item 2 of 3); and
- Major change to the PUD to grant a conditional use and a side yard setback deviations (Item 3 of 3)