

Attachment A

October 11, 2023

Village President and Board of Trustees  
Village of Oak Park  
123 Madison Street  
Oak Park, Illinois 60302

**Re: Application of Driven Car Wash, LLC for a Special Use Permit to operate an express car wash facility with an accessory drive-through to be located at 6000-6020 Roosevelt Road, Oak Park, Illinois (Calendar No. 12-23-Z)**

Dear Village President and Board of Trustees:

On June 30, 2023, Driven Car Wash, LLC (the "Applicant") filed an application (Calendar No. 10-23-Z) pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Village of Oak Park Zoning Ordinance ("Zoning Ordinance") requesting the issuance of a special use permit to operate an express car wash facility with an accessory drive-through in the RR – Roosevelt Road Form-Based Overlay Zoning District at the property located at 6000-6020 Roosevelt Road, Oak Park, Illinois, 60304 ("Subject Property").

A public hearing was held on the application by the Village of Oak Park's ("Village") Zoning Board of Appeals ("ZBA") in the Council Chambers of the Oak Park Village Hall, 123 Madison Street, Oak Park, Illinois on October 11, 2023 at 7:00 p.m. The notice and time and place of the public hearing was duly published on September 20, 2023, in the *Wednesday Journal*, a newspaper of general circulation in the Village. Notice was also posted at the Subject Property and notices were mailed by the Applicant to owners of record within 300 feet of the Subject Property, advising them of the application and the public hearing to be held.

**FINDINGS OF FACT**

The ZBA, having fully heard and considered the testimony of all those present at the

hearing who wished to testify and being fully advised in the premises, makes the following findings pursuant to Section 14.2(C)(2), 14.2(D)(1) and 14.2(E) of the Village Zoning Ordinance:

1. The Applicant seeks a special use permit pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Oak park Zoning Ordinance to operate an express car wash facility with an accessory drive-through named Driven Car Wash in the Village's RR – Roosevelt Road Form-Based Overlay Zoning District.

The Subject Property.

2. The Subject Property is located at 6000-6020 Roosevelt Road, Oak Park, Illinois, 60304. The owner of the Subject Property is Lemonade MM Oak Park, LLC and it has consented to this filing of the Application.

3. The Subject Property is a zoning lot approximately 125' x 261.80' located at the northwest corner of Austin Boulevard and Roosevelt Road. The lot is currently improved with a vacant bank building and a drive-through facility and is located in the RR Roosevelt Road Zoning District. The Applicant proposes to demolish the existing bank building and drive through facility.

4. The Applicant proposes to operate an express car wash facility with an accessory drive-through at the Subject Property ("Proposal"). A car wash is "a business for the washing and cleaning of passenger vehicles, recreational vehicle or other light duty equipment, whether automatic, by hand, or self-service" as defined in Section 2.3 of the Village's Zoning Ordinance.

5. The Subject Property is located within the RR – Roosevelt Road Form-Based Overlay Zoning District. A special use permit is necessary to operate an express car wash facility with an accessory drive-through in the RR – Roosevelt Road Form-Based Overlay Zoning District.

6. The new facility will be accessed from Roosevelt Road using an existing curb-cut. Traffic would circulate in a counter-clockwise direction through the site. Washed vehicles would exit the enclosed facility heading south and would exit back onto Roosevelt Road. As proposed, there are 24 stacking spaces in the three (3) drive-through lanes with the ability to bail-out using an existing curb-cut on Austin Blvd.

The Applicant.

7. The Applicant is the contract purchaser of the Subject Property.
8. The Applicant submitted evidence that an express car wash facility with an accessory drive-through would allow the successful development of the Subject Property.
9. The Applicant presented evidence that it is ready to move forward with the development of the Subject Property immediately upon the Village's approval of the special use permit.
10. The ZBA considered the following documents which were submitted into evidence at the time of the Public Hearing, and made part of the record:

1. Application for Special Use;
2. Project Summary;
3. Responses to the standards for receiving a special use, as conveyed in Section 2.2.3(d);
4. Elevations;
5. Survey;
6. Site Plan;
7. Landscape Plan;
8. Signage Plan;
9. Photometric Plan;
10. Traffic Study; and
11. Sound Study.

Compatibility with Surrounding Uses.

11. The character of the neighborhood is retail, office and service uses.

12. An express car wash facility with an accessory drive-through is compatible with other types of uses that exist in the area and the lot is physically suitable for the type, density and intensity of the proposed use.

Project Review Team.

13. The Village's Project Review Team ("Team") met to review the Applicant's Proposal. The team consists of staff members from various Village departments.

14. The Team supports the Applicant's special use application for an express car wash facility with an accessory drive-through in the RR – Roosevelt Road Form-Based Overlay Zoning District subject to the condition that the Applicant shall begin daily operations at the Subject Property at 8:00 a.m. or later.

The Need for Zoning Relief.

15. An applicant cannot operate an express car wash facility with an accessory drive-through in the RR – Roosevelt Road Form-Based Overlay Zoning District without a special use permit. *Zoning Ordinance*, Section 8.3 (Table 8-1: Use Matrix).

The Special Use Standards.

16. A special use permit may be granted only if each of the following factors are met pursuant to Section 14.2 (E) of the Zoning Ordinance:

1. The establishment, maintenance, and operation of the proposed special use will not have a substantial or unduly adverse impact on the neighborhood or endanger the public health, safety, or welfare;
2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity;
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance, adopted land use policies and the Comprehensive Plan; and

4. The special use meets the requirement for such classification in this [the Zoning] Ordinance.

17. The evidence shows that the proposed car wash facility is suitable within the RR – Roosevelt Road Form-Based Overlay Zoning District and is compatible with the surrounding neighborhood.

18. The evidence shows that the proposed car wash facility will provide a service that is in the interest of public convenience and will contribute to the general welfare of the community.

19. Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance requires a special use permit to operate a car wash facility in the RR – Roosevelt Road Form-Based Overlay Zoning District.

20. The Applicant has provided reasonable assurances that its Proposal will be completed in a timely manner and shall comply with Village building code requirements.

21. The evidence shows that the issuance of a special use permit for the Subject Property is in the best interest of the Village and the Applicant has met the standards pursuant to Section 14.2 (E) of the Zoning Ordinance for the permit.

### **RECOMMENDATION**

Pursuant to the authority vested in it by the statutes of the State of Illinois and the ordinances of the Village of Oak Park, the Zoning Board of Appeals, hereby recommends to the President and Board of Trustees pursuant to a vote of 5 - 0 , that the special use permit be granted pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance to operate an express car wash facility with an accessory drive-through to be located at 6000-6020 Roosevelt Road, Oak Park, Illinois by the Applicant subject to the following conditions and restrictions:

1. The special use permit shall be limited to the Applicant and the use set forth herein, and any expansion in the use or change in the tenant, operator or use of the Subject Property will terminate the special use permit;
2. The Applicant shall begin daily operations at the Subject Property at 8:00 a.m. or later; and
3. In the event that any of the conditions set forth herein shall not be fulfilled at any time in the future, said event shall be deemed a violation(s) of the Zoning Ordinance and the Zoning Administrator shall take appropriate action.

This report adopted by a 5 to 0 vote of this Zoning Board of Appeals, this 11<sup>th</sup> day of October, 2023.