



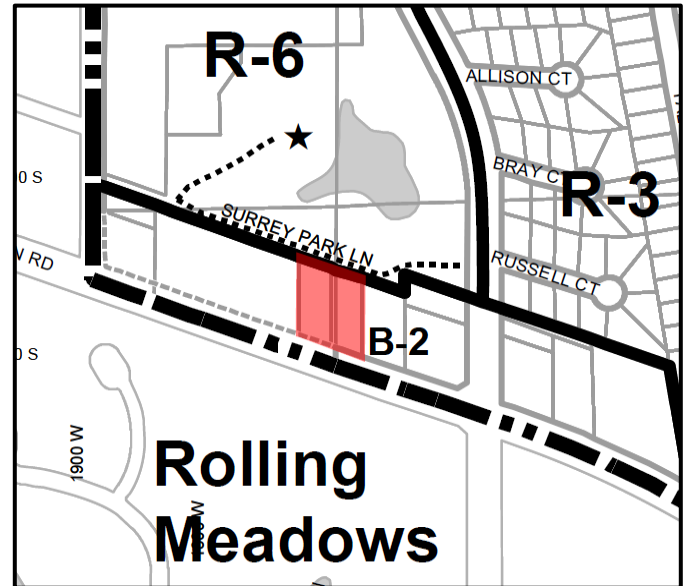
VILLAGE OF ARLINGTON HEIGHTS
STAFF DEVELOPMENT
COMMITTEE REPORT

Project Number: PC 18-003
Project Title: Toy Shop & Motolounge
Address: 1728 W. Algonquin Road
PIN: 08-08-401-042, 08-08-401-043

To: Plan Commission
Prepared By: Sam Hubbard, Development Planner
Meeting Date: April 11, 2018
Date Prepared: April 6, 2018

Petitioner: Mike Taylor & Victor Baranovici
Address: 1728 W. Algonquin Rd.
 Arlington Height, IL 60005

Existing Zoning: B-2: General Business District



SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-6, Multi-Family Dwelling District	Multi-Family Residential (Surrey Park Condominiums)	Moderate Density Multi-Family
South	City of Rolling Meadows		
East	B-2, General Business District	Restaurant (Penang Malaysian Cuisine)	Commercial
West	B-2, General Business District	Multi-Tenant Shopping Center (Plaza Del Grato)	Commercial

Requested Action:

1. Special Use Permit to allow “Motor Vehicle Sales, including auxiliary service”.

Variations Required:

1. Variation to Section 11.4, Schedule of Parking Requirements, to reduce the required amount of off-site parking from 71 spaces to 52 spaces.
2. Variation to Section 6.13-3(b), Side and Rear Yards, to allow an 8-foot tall solid fence in the rear yard where a 6-foot tall solid fence is allowed.
3. Variation to Section 6.12-1, to waive the requirement for a traffic study and parking analysis prepared by a qualified professional engineer

Project Background:

The subject property is located along West Algonquin Road approximately 300 feet west of the intersection of Algonquin Road and New Wilke Road. The site is currently occupied by a multi-tenant office building of approximately 18,250 square feet, with current tenants being a medical office, the Toy Shop & Motolounge (which opened in April 2017), and vacant units accounting for around 7,800 square feet. The Toy Shop & Motolounge is a retail business specializing in motorcycles and motorcycle accessories. Currently, the business only sells motorcycle accessories, gear, and parts, and type of retail sales is a permitted use within the B-2 District where the property is located. However, the applicant would like to expand the scope of the business to include motorcycle sales and repair. Hours of operation for the business change with the riding season, but are generally 11:00am to 8:00pm Tuesday, Wednesday, and Friday, 11:00am to 9:00pm on Thursday, 11:00am to 6:00pm on Saturday, and noon to 5:00pm on Sunday. The business is closed on Mondays. The petitioner estimates a total of five employees if approved for the requested special use permit; three within the sales portion of the business and two within the repair portion of the business.

Immediately abutting the subject property to the north is the Surrey Park “Octominiums”, a multiple-family residential condo development. To the west of the subject, property is the Plaza Del Grato shopping center, and to the east is the Penang Restaurant. The land directly south of the subject property and across Algonquin Road is within the City of Rolling Meadows, and land uses to the south include the Saratoga multi-family condominiums and a small commercial building. There is an existing overhead door located on the east side of the subject unit towards the rear (north) of the building, which faces out towards the Penang Restaurant but is also within close proximity to the multi-family residential area to the north. Another overhead door is located on the north side of the building, however, this door is for another unit within the building that is currently vacant.

Primary access to the site comes from two driveway entrances along Algonquin Road. The eastern entrance provides access solely to the subject property and the western entrance is a shared driveway entrance with the neighboring Plaza Del Grato shopping center. This shared driveway is not a primary entrance point to the shopping center and only provides access to the non-public entrances at the rear of the shopping center. The eastern and western drive aisles on the subject property are connected through the rear to provide for circulation throughout the site. Access onto Algonquin Road is not restricted, meaning that cars can leave the subject site to travel both eastbound and westbound on Algonquin Road. Additionally, there is a shared left turn lane in the center of Algonquin Road. The subject property contains a total of 48 parking spaces (52 total when counting the interior service bay spots within the subject unit). The petitioner is not proposing any exterior alterations to the site.

Neighborhood Meetings

The petitioner held a neighborhood meeting on March 22, 2018. A record of the comments received at this meeting, as prepared by the petitioner, has been included in the packet for the Plan Commission.

Conceptual Plan Review Committee

On May 10, 2017, the Conceptual Plan Review Committee (CPRC) met to discuss the proposed special use permit. The discussion was generally positive, with questions about outdoor storage, the type of the repair services that would be offered, and the previous Toy Shop location in Schaumburg. Minutes from this meeting are attached.

Zoning and Comprehensive Plan

Motor vehicle sales are classified as a special use within the B-2 Zoning District and therefore a special use permit is required. The motor vehicle sales use classification permits “auxiliary service” of motor vehicles in

conjunction with any approved motor vehicle sales use. Therefore, approval of a special use permit for motor vehicle sales will also allow the service and repair of automobiles. The petitioner has clarified that the services they intend to offer will be minor motor vehicle repairs, such as oil changes, tire rotations with balancing, fluid flushes, and various lighting, speaker, and electrical add-ons. Furthermore, they have stated that they will not perform any major motor vehicle repairs, such as body work, frame or fender straightening/repair, collision service, and vehicle painting. The type of services that the petitioner has proposed are “auxiliary” and therefore compliant with the motor vehicle sales use classification. The incorporation of any major motor vehicle repair functions would require a land use variation and appearance before the Plan Commission and Village Board for approval.

The petitioner has provided their written justification to the criteria for special use permit approval, which has been included in the packet for the Plan Commission. This criteria is summarized below:

- **That said special use is deemed necessary for the public convenience at this location.**
- **That such case will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity.**
- **That the proposed use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.**

The Staff Development Committee does not support the proposed repair portion of the special use at this location as this land use is not compatible with the surrounding multi-family homes to the north of the subject property. The Comprehensive Plan states: **Land Use Goal #4 “Incompatible zoning should be avoided”** and **Land Use Goal #1: “To ensure that the general land use pattern and relationships of all land uses remain or become acceptable to the present and future community.”** Staff does not believe the petitioner meets these goals relative to the proposed land use.

Relative to the special use permit, staff does not concur with the petitioner that the necessary standards for approval have been met for the following reasons:

- The Village has already received a formal complaint about noise generated on the subject property and is aware of additional concerns from the residents within the Surrey Park residential development abutting the property to the north. To allow repair functions, which commonly generate loud noises, will exacerbate the potential for noise complaints.
- The petitioner will be offering speaker add ons as one of the services they perform on motorcycles. This specific type of service is generally associated with loud noises and the Staff Development Committee is concerned that this type of work will disturb the adjacent residential area to the north.
- The petitioner has stated that the service garage is not air conditioned and there will be times when the door will be open while repair functions are conducted (although they state that the door will be closed when loud noises will be generated). The Staff Development Committee is not fully convinced that, given the proximity of this use to the residential area to the north and the likelihood that the garage door will be open during the warmer month, that the repair use will not disturb adjacent residential areas to the north.

The Plan Commission has three primary options to consider:

1. Deny the application. Retail sales of motorcycle parts and accessories will still be allowed on the site, as currently exists.

2. Approve the variations and motorcycle sales special use permit but prohibit the motorcycle service/repair function of the business. Approval can be subject to certain conditions.
3. Approve the variations and special use permit as proposed (allowing both motorcycle sales and repair/service), subject to certain conditions.

Site and Landscaping

As outlined above, the petitioner is not proposing any changes to the site. As part of the Plan Commission review process, staff conducted a site visit to determine the condition of the on-site landscaping. During this site visit, it was noted that several required landscaping elements were missing or have died. Specifically, when the property was originally developed, Ash trees were installed as the required shade trees within the parking lot landscape islands. These shade trees are now just stumps and were likely killed by the Emerald Ash Borer; however, they must be replaced as part of the Plan Commission approval process. Additionally, a small row of shrubs required to screen the parking lot in the southwest corner of the site has either been removed or has died and must be replaced. A condition of approval requiring the petitioner to replace the required landscaping has been included.

Planning Department staff have been to the site multiple times over the last year and observed items being stored outside (chairs, trailers, pallets, motorcycle). Outdoor storage is prohibited in the B-2 District, and the storage of trailers is not allowed unless within a designated loading space. The petitioner shall remove all items that are storing on the exterior of the building. Staff has also observed several motorcycles within the building that are on display, and it is unclear if they are being offered for sale (staff had previously received a complaint that motorcycle sales were being offered on the site but this complaint could not be substantiated). Additionally, there is an existing ground sign in front of the site that does not have a sign face; the inside of the sign cabinet is therefore exposed and is unsightly. Per Section 30-109 of the Sign Code, all signage and support structures which advertise a business no longer being conducted on the premises must be removed within 30 days of the discontinuance of that business. Therefore, the ground sign must be removed. A new code compliant sign can be constructed here should the property owner apply for and be approved for a sign permit. There is also a temporary sign in the front yard (“Motorcycle Shop Now Open”) that must be removed. Conditions of approval requiring the removal of outdoor materials and non-conforming signage has been included within the recommendation below.

During the Conceptual Plan Review process, staff made the petitioner aware that the dumpsters were not stored within an enclosure as required by code. Based on this, the petitioner has installed a dumpster enclosure in the northeast corner of the site. However, the petitioner did not get a permit for said enclosure, and constructed the enclosure out of slatted chain like material, which is prohibited by code. A condition of approval has been recommended that would require the petitioner to replace the slatted chain link enclosure with a code complaint wood enclosure.

Finally, the subject property has an existing 8-foot tall slatted chain link fence along the rear property line abutting the Surrey Park residential area to the north. The zoning code requires that all commercial properties that abut residentially zoned properties must provide a 6’ tall solid screen along their shared property line. The existing fence is non-compliant in that it is 8 feet tall; the material of the fence is also non-compliant as slatted fences are prohibited. There is no record of a variation having been approved for this fence. In order to provide a suitable buffer from the residential property to the north, staff recommends the 8-foot tall fence be replaced with a solid 8-foot tall wooden fence. Since maximum fence heights are restricted to 6 feet in height, the following variation is required:

- **Variation to Section 6.13-3(b), Side and Rear Yards, to allow a 8' fence in the rear yard where code limits fence heights to 6'.**

Staff is supportive of this variation as it is necessary to provide an adequate buffer to the residential properties to the north. A condition of approval has been included that would require the removal of the existing fence and the installation of the 8-foot tall solid wood fence.

Building

Since no exterior modifications to the building are proposed, a Design Commission application was not required. However, during the Plan Commission review process, the Engineering and Public Works Departments have identified the need for a triple catch basin/grease trap, which is required for the proposed motor vehicle repair use. If this triple catch basin can be accommodate within the building, then only a plumbing permit is required. However, if exterior sanitary sewer work is necessary to install the triple catch basin/grease trap, then an MWRD permit will likely be required. Additionally, the Public Works Department has noted that the existing 6-inch fire single check valve on the building is obsolete and must be replaced with an approved RPZ backflow preventer. Conditions of approval have been included to require both the triple catch basin and RPZ.

Parking

Per section 6.12-1 of the Zoning Code, any development that requires a special use permit and is over 5,000 square feet in floor area must provide a traffic and parking study from a qualified professional engineer. Since the subject unit is 5,082 square feet, the traffic and parking study is a code requirement. Therefore, the petitioner has requested the following variation:

- **A variation to Section 6.12-1, to waive the requirement for a traffic study and parking analysis prepared by a qualified professional engineer.**

The petitioner has surveyed the on-site parking during four days in September/October of 2017. Given that the subject property is located on a major arterial, the fact that the use is not a high traffic generating use, and the provision of the parking survey by the petitioner, staff is supportive of the variation to waive the traffic and parking study requirement.

Relative to parking, the following variation is required:

- **Variation to Section 11.4, Schedule of Parking Requirements, to reduce the required amount of off-site parking from 71 spaces to 52 spaces.**

The detailed parking calculations are provided at the end of this report within **Exhibit I**.

Staff has analyzed the parking survey submitted by the petitioner to determine if the proposed variation will result in a parking shortage relative to peak demand. One of the days surveyed included the Thursday night "Bike Night" event held by the petitioner, which likely represents the peak parking demand generated by the use. It should be noted that this type of event is not permitted and the petitioner has stated they will no longer hold these events. During the Thursday evening event, 56 bikes where observed (occupying 16 parking spaces) and 8 automobiles were observed. Peak usage in this instance occupied 24 out of the 48 on-site parking spaces. Staff believes the proposed parking variation is justified for the following reasons:

- Motorcycle sales and repair is a niche market and therefore the use is not generally correlated with a high parking demand.
- The other spaces within the building are built out primarily of office uses, which typically see peak demand during the standard workday hours with little activity on weekends. Per the parking survey, the peak demand generated by the Toy Shop generally occurs after 4pm and on weekends, which doesn't coincide with the peak use for offices.
- Traffic generated by The Toy Shop and Motolounge typically comes in the form of a motorcycle and multiple motorcycles can occupy more than one space.

Since the one of the justifications for the parking variation is that multiple motorcycles can occupy one parking space, the ability of the site to provide adequate parking is predicated on the fact that motorcycles will be the only motor vehicle sold on the subject property. If the petitioner (or future tenant) wanted to use the motor vehicle sales special use permit to allow the sale of automobiles, the on-site parking situation would change. Therefore, staff is recommending a condition of approval that limits the special use to the sale of motorcycles only.

Finally, staff notes that the extent of the parking variation would reduce if only motor vehicle sales is approved, since the Zoning Code has a higher parking requirement for motor vehicle repair uses than for retail sales uses. **Exhibit II** outlines the parking calculations under this scenario.

RECOMMENDATION

The Staff Development Committee has identified three primary options for the Plan Commission to consider:

1. Denial of the application. Retail sales of motorcycle parts and accessories will still be allowed on the site, as currently exists.
2. Approval of the variations and motor vehicle sales special use permit but prohibit the motorcycle service/repair function of the business. Approval can be subject to certain conditions as outlined below.
3. Approval of the variations and special use permit as proposed (allowing both motor vehicle sales and repair/service), subject to certain conditions.

Upon consideration of the facts and details of the proposed use, the Staff Development Committee recommends **Option #2**: Approval of application PC #18-003, a special use permit to allow motor vehicles sales, but a prohibition of the auxiliary service and repair of motor vehicles on the subject property, and the following variations:

1. Variation to Section 11.4, Schedule of Parking Requirements, to reduce the required amount of off-site parking from 64 spaces to 48 spaces.
2. Variation to Section 6.13-3(b), Side and Rear Yards, to allow an 8-foot tall solid fence in the rear yard where a 6-foot tall solid fence is allowed.
3. Variation to Section 6.12-1, to waive the requirement for a traffic study and parking analysis prepared by a qualified professional engineer

Staff cannot support the service and repair of motor vehicles at this location for the following reasons:

- The petitioner has not met the three required special use permit approval standards necessary to grant a special use permit allowing auxiliary motor vehicle repair/service.
- Incompatibility of the motor vehicle repair use with the abutting residential areas to the north.

- Inconsistency of the motor vehicle repair use with the Village Comprehensive Plan, specifically, **Land Use Goal #4 “Incompatible zoning should be avoided”** and **Land Use Goal #1: “To ensure that the general land use pattern and relationships of all land uses remain or become acceptable to the present and future community.”**
- Concerns that the introduction of motor vehicle service/repair will further exacerbate the noise complaints that have been received relative to the petitioners use of the property.
- Concerns that the speaker add on operations offered by the petitioner will generate noise that will disturb the residential neighbors to the north of the subject property.
- Concerns that, given the proximity of this use to the residential area to the north and the likelihood that the garage door will be open during the warmer month, the use will disturb adjacent residential areas to the north.

Approval shall be subject to the following conditions:

1. Approval of the Special Use Permit for motor vehicle sales shall apply only to motor vehicle sales, and auxiliary service and repair of motor vehicles is prohibited.
2. The special use permit for motor vehicle sales shall allow only the sale of motorcycles.
3. The petitioner shall remove all materials that they are storing outdoors (pallets, chairs, trailers, motorcycle, etc.). Outdoor storage of motor vehicles and materials by the petitioner shall be prohibited.
4. The existing ground sign located in the front yard and shall be removed, as well as the temporary ground sign that advertises for The Toy Shop.
5. The petitioner shall be prohibited from conducting outdoor events on the subject property.
6. The existing 6” fire single check valve shall be removed and replaced with an approved RPZ.
7. The 8’ tall slatted chain link fence along the rear property line shall be replaced with an 8’ tall solid wood fence. Additionally, the slatted chain link dumpster enclosure shall be replaced with a wood enclosure of suitable height to screen the dumpsters.
8. Two new shade trees shall be installed in the two parking lot landscape islands located at the terminus of the parking rows at the south of the site. Additionally, a code complaint parking lot landscape screen along the right-of-way at the southeast corner of the site shall be installed.
9. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

Should the Plan Commission believe approval of the special use permit to allow both motor vehicle sales **and** auxiliary service is warranted, staff recommends the following conditions:

1. The special use permit for motor vehicle sales shall allow only the sale of motorcycles and auxiliary repair of motorcycles.
2. The petitioner shall remove all materials that they are storing outdoors (pallets, chairs, trailers, motorcycle, etc.). Outdoor storage of motor vehicles and materials by the petitioner shall be prohibited.
3. The existing ground sign located in the front yard and shall be removed, as well as the temporary ground sign that advertises for The Toy Shop.
4. The petitioner shall be prohibited from conducting outdoor events on the subject property.
5. The existing 6” fire single check valve shall be removed and replaced with an approved RPZ.
6. The 8’ tall slatted chain link fence along the rear property line shall be replaced with an 8’ tall solid wood fence. Additionally, the slatted chain link dumpster enclosure shall be replaced with a wood enclosure of suitable height to screen the dumpsters.
7. Two new shade trees shall be installed in the two parking lot landscape islands located at the terminus of the parking rows at the south of the site. Additionally, a code complaint parking lot landscape screen along the right-of-way at the southeast corner of the site shall be installed.

8. The overhead door shall remain closed during any motor vehicle repairs and/or service.
9. All motor vehicle repairs shall cease after 6:00pm on every day and shall not be permitted on Sunday.
10. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

April 6, 2018

Bill Enright, Deputy Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Heads

Exhibit I: Parking Calculations

Calculations if both motor vehicle sales and repair/service are approved

Tenant	Address	Use	Square Feet	Employees	# of Bays	Parking Ratio	Parking Required
Molecular Imaging of Arlington Heights	1732 W. Algonquin Rd.	Medical Office	2,300	N/A	N/A	1 per 200 SF	12
Vacant Office/Warehouse	1734 W. Algonquin Rd.	Office	8,800	N/A	N/A	1 per 300 SF	29
Vacant Office/Retail	1730 W. Algonquin Rd.	Office/Retail	2,050	N/A	N/A	1 per 300 SF	7
Toy Shop & Motolounge - Service	1728 W. Algonquin Rd.	Auto Service Station	2,075	2	4	1 per emp; 3 per bay	14
Toy Shop & Motolounge - Parts/Accessories		Retail	2,507	N/A	N/A	1 per 300 SF	8
Toy Shop & Motolounge - Motorcycle Sales		Motor Vehicle Sales	500	N/A	N/A	1 per 600 SF	1
TOTAL SQUARE FOOTAGE			18,232	PARKING REQUIRED			71
						<i>PARKING PROVIDED *</i>	52
						<i>SURPLUS / (DEFICIT)</i>	(19)

* Includes 4 interior service bay parking spots within Toy Shop unit.

Exhibit II: Parking Calculations

Calculations if both only motor vehicle sales is approved

Tenant	Address	Use	Square Feet	Employees	# of Bays	Parking Ratio	Parking Required
Molecular Imaging of Arlington Heights	1732 W. Algonquin Rd.	Medical Office	2,300	N/A	N/A	1 per 200 SF	12
Vacant Office/Warehouse	1734 W. Algonquin Rd.	Office	8,800	N/A	N/A	1 per 300 SF	29
Vacant Office/Retail	1730 W. Algonquin Rd.	Office/Retail	2,050	N/A	N/A	1 per 300 SF	7
Toy Shop & Motolounge - Retail	1728 W. Algonquin Rd.	Retail	2,075	N/A	N/A	1 per 300 SF	7
Toy Shop & Motolounge - Parts/Accessories		Retail	2,507	N/A	N/A	1 per 300 SF	8
Toy Shop & Motolounge - Motorcycle Sales		Motor Vehicle Sales	500	N/A	N/A	1 per 600 SF	1
TOTAL SQUARE FOOTAGE			18,232			PARKING REQUIRED	64
						<i>PARKING PROVIDED *</i>	48
						SURPLUS / (DEFICIT)	(16)

* Does not include 4 interior bay parking spots within Toy Shop unit.