



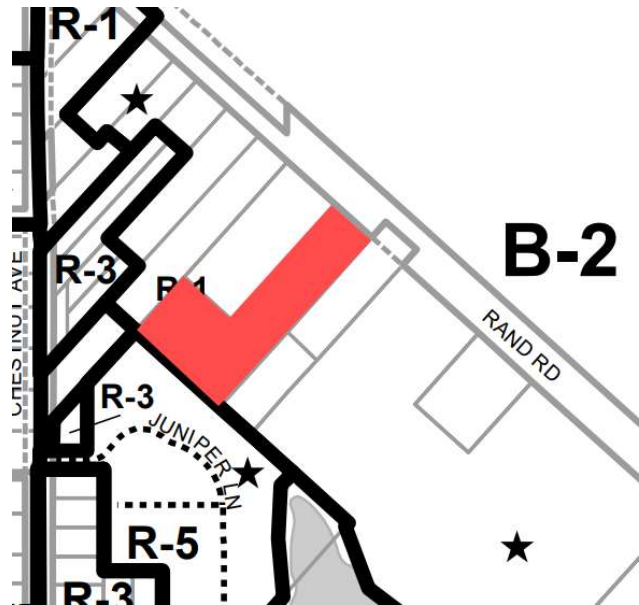
# VILLAGE OF ARLINGTON HEIGHTS STAFF DEVELOPMENT COMMITTEE REPORT

**Temp File Number:** PC 22-014  
**Project Title:** Seasons Office Center LUV  
Amendment  
**Address:** 129-151 W. Rand Rd.  
**PIN:** 03-18-401-167-0000

**To:** Plan Commission  
**Prepared By:** Jake Schmidt, Development Planner  
**Meeting Date:** January 11, 2023  
**Date Prepared:** January 6, 2023

**Petitioner:** Impressive Smiles  
**Represented by:** Jim Platt  
CAM Services  
**Address:** Arlington Heights, IL 60005

**Existing Zoning:** B-2, General Business District  
**Comprehensive Plan:** Commercial



## SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	B-2, General Business District	Arlington Plaza Shopping Center	Commercial
South	R-5, Multiple Family Dwelling District	Arlington Grove Townhomes	Single Family Attached
East	B-2, General Business District	Helena Plaza; Annex of Arlington Shopping Center	Commercial
West	B-2, General Business District	Sun Shui Restaurant, America's Carpet & Flooring Store	Commercial

## Requested Action:

1. Amendment to LUV Ordinance 13-005 (Regarding a parking variation).

## Variations Requested:

1. A 51-space variation from Chapter 28, Section 10.4 (Schedule of Parking Requirements) to allow the provision of 88 parking spaces where 139 spaces are request by code.

**Project Background:**

The subject site is 1.83 acres (79,715 square feet) and zoned B-2, General Business District. The property is developed with a multi-tenant office building that is one story tall (except for the northernmost unit, which is two stories) and has a total floor area of 31,210 square feet. The subject site has a total of 88 parking stalls that are accessible via two driveways along Rand Road.

The petitioner represents Impressive Smiles, a dentist office currently located in the office center. Impressive Smiles is expanding, resulting in an increase in required parking. However, the required parking for the center with the expanded dentist office exceeds what was allowed under a previously granted parking variation. As the previously granted parking variation is tied to a Land Use Variation ordinance, this ordinance must be amended in order to permit an expansion of Impressive Smiles.

Hours of operation for Impressive Smiles is as follows:

- Monday 9am-4pm
- Tuesday 8am-5pm
- Wednesday 10am-7pm
- Thursday 8am-5pm
- Friday 8am-2pm

Impressive Smiles has 9 full-time employees and 2 part-time doctors, with no more than 10 total employees on-site at any given time. There are no more than 5 patients on-site at any given time, and the owner of Impressive Smiles has stated they stagger appointments to allow for room turnover. Impressive Smiles believes the total number of cars on-site for the dentist office are usually between 10 and 15 at any time.

**Zoning and Comprehensive Plan**

The subject property is located within the B-2 Zoning District, and the proposed use is classified as "Offices, Medical and Dental". This use is permitted within the B-2 Zoning District. However, as previously mentioned since a parking variation would be required to allow expansion of the dental office in excess of that allowed by the previously granted Land Use Variation, an amendment to this Land Use Variation is requested.

The subject property is designated as appropriate for Commercial uses per the Comprehensive Plan of the Village of Arlington Heights. The proposed use, is compatible with this designation.

**Traffic and Parking**

The total parking requirement for the proposed facility is based off of the respective uses within the building, broken down by the gross square footage or unit count of each use. The petitioner has provided a current tenant list as part of this project, which Staff has reviewed. A table of code-required parking is shown in **Table I** on the next page.

**Table I: Required Parking**

<b>Seasons Center 129-151 W. Rand Rd.</b>				
<b>Address</b>	<b>SF</b>	<b>Tenant</b>	<b>Parking Ratio</b>	<b>Parking Required</b>
129	7,622	Surgical Center	1/ 200	38
131-133	4,230	Impressive Smiles	1/ 200	21
135	1,573	Floral Design Studio	1/ 300	5
137	1,583	Vitaity Health	1/ 200	8
139	1,583	Home Helathcare	1/ 300	5
141	1,601	Seasons Dental	1/ 200	8
143	4,900	Vacant	1/ 300	16
145-147	3,500	Elevate Physical Therapy	1/ 250	14
149-151	4,618	Foot First Podiatry	1/ 200	23
<b>Total</b>	<b>31,210</b>		<b>Parking Required</b>	<b>139</b>
			<b>Parking Provided</b>	<b>88</b>
			<b>Surplus/Deficit</b>	<b>-51</b>
<b>Updated 12/22/22</b>				

Per the Staff analysis, a total of 139 spaces would be required by the zoning code for the site. The subject site is currently improved with 88 spaces, resulting in a code-required parking deficit of 51 parking spaces.

In 2013, a Land Use Variation was granted for Chicago Surgical Center, an Ambulatory Care Facility within the shopping center. As part of this Land Use Variation, a parking variation was granted to allow the provision of 107 parking spaces where 132 were required, allowing a code-required parking deficit of 25 parking spaces. At the time, the 88 on-site spaces were supplemented by an additional 19 parking stalls on the property of Sun Shui, a restaurant sharing cross access, via a parking agreement.

In the years since approval of the Land Use Variation, issues have arisen with this Sun Shui parking agreement, specifically that Sun Shui was towing vehicles parked on the restaurant property that were accessing the office property. The petitioner for the current project assert that this was due to office property visitors parking in areas not covered by the parking agreement.

As such, a new variation is requested to allow the provision of 88 parking spaces where 139 are required via an amendment to the previously granted Land Use Variation for the site. The petitioner has provided a written justification to the standards of variation approval for this parking variation, which was included in the agenda packet.

Management for Seasons Office Center has re-engaged with Sun Shui, for the benefit of all tenants within the office center, to lease 33 parking spaces from Sun Shui. This agreement is not in perpetuity, and can be terminated with 30 day written notice. This agreement was also included within the agenda packet. Staff believes this is an excellent shared parking approach given the different peak hours of the restaurant and office users, however staff has concerns with this agreement, due to the ability to terminate the agreement with 30 day notice, and the historic issues with parking agreements between these two properties.

As Sun Shui requires 68 spaces per code for their restaurant, and provides 87 parking spaces on their site, only 19 spaces can be leased to Seasons Office Center to meet the office’s parking needs. Therefore, combined with the 88 on-site parking spaces, a total of 107 parking spaces would be available for use by Seasons Office Center patrons without triggering the need for a variation on the restaurant site. A 19-space agreement in perpetuity along with an agreement to utilize an additional 14 spaces at off-peak times (for a total of 33 off-site spaces) would be beneficial in addressing the parking needs.

Given concerns regarding the long-term viability of the parking agreement, Staff believes any recommendation of approval for this petition shall include a condition that if the parking agreement with Sun Shui to lease a minimum of 19 parking spaces is discontinued, and the petitioner does not secure substantially similar parking agreements as determined by Village at its sole discretion, spaces within the office center shall only be re-tenanted with general office uses.

At the request of Staff, the petitioner has provided a parking survey as part of this petition, encompassing both the restaurant property as well as the subject property. The survey was conducted over a two-week period, at hourly intervals four days each week on Monday, Wednesday, Friday, and Saturday during the hours Impressive Smiles operates. The study took place between September 23<sup>rd</sup> and October 5<sup>th</sup> of 2022.

To observe parking lot occupancy, Staff visited the sites on November 18<sup>th</sup>, 2022 at 3:00 PM and on December 7<sup>th</sup>, 2022 at 1:00 PM. Staff also reviewed historic aerial imagery across 10 dates between October of 2016 and October of 2022.

The detailed parking lot occupancy counts conducted by the petitioner and by Staff are included in **Appendix I** at the end of this report. A summary chart of peak and observed parking counts is detailed in **Table II** below. To account for potential future demand if the currently vacant space was reoccupied, Staff added 16 vehicles to the observed counts, which would be the anticipated parking generation for a general office user, as this is the required parking for a general office user within the vacant space per Village code.

**Table II: Staff and Petitioner Observed Parking Counts Summary**

	<i><b>Peak Demand Observed</b></i>	<i><b>Adjustment for Unoccupied Tenant Spaces</b></i>	<i><b>Total Peak Demand</b></i>	<i><b>Average Demand Observed</b></i>	<i><b>Adjustment for Unoccupied Tenant Spaces</b></i>	<i><b>Total Average Demand</b></i>
<b>Petitioner</b>	97	16	<b>113</b>	61	16	<b>77</b>
<b>Staff</b>	86	16	<b>102</b>	60	16	<b>76</b>

To illustrate the impact of the potential variation, on the following page **Table III** details potential available parking during peak and average demand cycles under three scenarios. The first is a scenario where a variation is granted allowing provision of 88 on-site parking spaces to meet parking needs. The second scenario details parking availability if a variation is granted per the petitioner’s request, allowing 33 additional off-site parking spaces on the Sun Shui property. However, as previously noted Sun Shui only has a code-required surplus of 19 parking spaces to lease for off-site uses. The third scenario, which is consistent with the previous 2013 variation approval and recommended by Staff, shows parking availability where on-site parking spaces is supplemented by 19 off-site parking spaces on the Sun Shui property. Information on the previously granted 2013 variation is also included for reference.

**Table III: Anticipated Parking Demand**

	<i><b>Approved 2013 Variation</b></i>	<i><b>Current Request with On-Site Spaces Only</b></i>	<i><b>Current Request with 33 Off-site Spaces</b></i>	<i><b>Recommended Variation with minimum 19 Off-Site Spaces**</b></i>
Spaces Required	132	139	139	139
On-Site Spaces Provided	88	88	88	88
Off-Site Spaces Provided	19	0	33	19
Total Spaces Provided	107	88	121	107
Surplus/Deficit	-25	-51	-18	-32
Percent of Available Spaces Occupied per Peak Observed Adjusted Count*	106%	128%	93%	106%
Number of Available Spaces per Peak Observed Adjusted Count*	-6	-25	8	-6
*Peak Observed Adjusted Count includes the peak observed space count (97 Spaces) and the potential 16 additional vehicles that would be generated if currently vacant spaces were to be tenanted with general office users, for a total anticipated parking demand of 113 spaces.				
** Recommended variation to increase from 25 spaces to 32 space parking variation subject to requiring minimum 19 spaces per original 2013 approval.				

### **Summary**

Based on parking counts provided by the petitioner, observed by Staff in the field and via aerial imagery, and expected should currently vacant space be re-tenanted a general office user, Staff does not support the requested variation. However, Staff does recommend approval of a variation allowing 107 parking spaces (88 on-site parking spaces, with 19 off-site parking spaces) where 139 parking spaces are required, a variation of 32 parking spaces, provided the parking agreement remain in place and the remaining vacant spaces are only occupied for general office uses. This would be consistent with the prior approval in 2013. As the agreement signed between Seasons management and Sun Shui is for 33 off-site spaces, this will allow additional parking to be accommodated during off-peak restaurant times.

With this variation, currently vacant tenant spaces could only be occupied by general office users, as uses with higher code-required parking ratios would result in required parking exceeding this allowance.

Section 6.12-1 of the Zoning Code states that projects requiring a Plan Commission review do not need to provide a full traffic study if the project:

1. Comprises less than 5,000 square feet in floor area, and;
2. Is located along a major or secondary arterial street as defined by the Village's Thoroughfare Plan.

As the property is located along Rand Road (designated a major arterial in the Village's Thoroughfare Plan), and the petitioner is proposing no changes to the site or building, the scope of this project falls under the 5,000 square foot threshold outlined in the Zoning Code, and a traffic and parking study is not required.

With respect to bicycle parking, the provision of bicycle parking spaces is required when the use of a space changes to a more intense use. For the entirety of the 31,210 square-foot building, 7 bicycle parking spaces are required. The petitioner is developing a plan to accommodate these bicycle parking spaces on the subject site. At a minimum, the petitioner shall install the 2 required bicycle parking spaces associated with their use no later than May 30, 2023.

#### **Building, Site Plan, and Landscaping**

The applicant has not identified any site alterations as part of the proposed project. During the formal Plan Commission review process, Staff evaluated existing site landscaping to ensure that it conforms to all code requirements where necessary and feasible. It was found that three 4" caliper shade trees were missing from islands within the parking lot. These trees shall be installed no later than June 30, 2023.

#### **RECOMMENDATION**

The Staff Development Committee reviewed the requested parking variation (by amending the Land Use Variation) which would allow expansion of a dental office the subject property, and recommends **denial** of the request for a 51-space variation from Chapter 28, Section 10.4 (Schedule of Parking Requirements) to allow the provision of 88 parking spaces where 139 spaces are request by code.

However, Staff recommends **approval** of a variation from Chapter 28, Section 10.4 (Schedule of Parking Requirements) to allow the provision of 107 parking spaces (88 on-site spaces, with 19 off-site spaces) where 139 spaces are request by code, increasing the previously approved parking variation from 25 spaces to 32 spaces, subject to the following conditions:

1. A parking agreement to lease a minimum of 19 parking spaces from Sun Shui shall be maintained in perpetuity. An additional 14 spaces to be utilized during off peak restaurant times should be provided.
2. If the parking agreement with Sun Shui to lease a minimum of 19 parking spaces is discontinued, and the petitioner does not secure substantially similar parking agreements as determined by Village at its sole discretion, spaces within the office center shall only be re-tenanted with general office uses.
3. The petitioner shall install the 2 required bicycle parking spaces associated with their use no later than May 30, 2023, and the Village shall work with the property owner to install the remaining 5 required bicycle parking spaces.
4. Three 4" caliper shade trees were missing from islands within the parking lot. These trees shall be installed no later than June 30, 2023.

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January 6, 2023  
Charles Witherington-Perkins, Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager  
All Department Heads  
PC File 20-014

## Appendix I: Petitioner and Staff Observed Parking Counts

### Petitioner Observed Counts

Impressive Smiles - Seasons Office Park				Parking Study September 23 - October 5 2022				
Date	Sept. 23	Sept. 24	Sept. 26	Sept. 28	Sept. 30	Oct. 1	Oct. 3	Oct. 5
Day	Friday	Saturday	Monday	Wednesday	Friday	Saturday	Monday	Wednesday
Time								
8am	60	22	59	56	51	23	65	57
9am	73	28	71	69	65	31	88	72
10am	79	37	78	77	64	35	97	86
11am	73	36	88	97	73	32	94	94
Noon	71	33	78	94	63	25	80	91
1pm	73	21	74	88	65	21	93	92
2pm	72	18	79	96	66	16	91	94
3pm	63		91	88	58		83	82
4pm	51		82	85	36		76	77
5pm	34		76	78	33		64	70
6pm				21				18
Total Readings	76							
Readings less than 88	64	84%						
Readings over 88	12	16%						
Readings max: 97	2	3%						

**Appendix I: Petitioner and Staff Observed Parking Counts****Staff Observed Counts**

<i><b>Day</b></i>	<i><b>Date</b></i>	<i><b>Time</b></i>	<i><b>Occupied Spaces</b></i>
Wednesday	12/7/2022	1:00 PM	65
Friday	11/18/2022	3:00 PM	53
Tuesday	10/4/2022	1:30 PM	74
Tuesday	7/19/2022	10:00 AM	86
Tuesday	4/12/2022	11:20 AM	81
Saturday	3/13/2021	12:00 PM	42
Friday	10/9/2020	12:00 PM	67
Monday	7/20/2020	9:00 AM	77
Friday	10/18/2019	3:00 PM	46
Wednesday	7/11/2018	3:00 PM	52
Monday	2/27/2018	10:30 AM	33
Thursday	10/13/2016	12:30 PM	47

<i><b>Peak</b></i>	86
<i><b>Average</b></i>	60