

STAFF DEVELOPMENT COMMITTEE REPORT

To: Plan Commission
Prepared By: Latika Bhide, Development Planner
Meeting Date: February 11, 2015
Date Prepared: February 4, 2015
Project Title: Johler Demolition
Address: 125 W. Boeger Drive

BACKGROUND INFORMATION

Petitioner: Robby Johler
Address: 200 Industrial Drive
 Lincolnshire, IL 60069

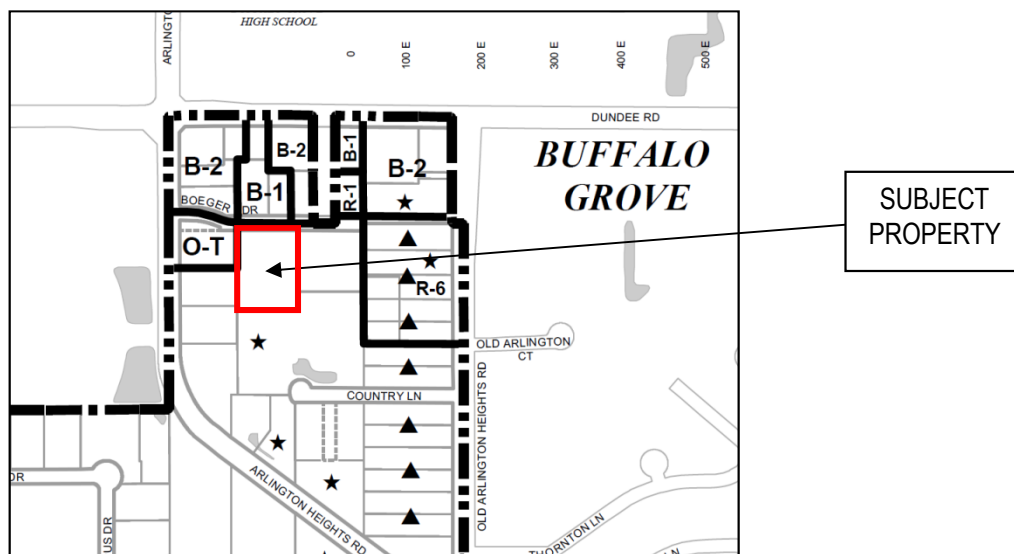
Existing Zoning: M-1, Research, Development and Light Manufacturing

Requested Action:

- A Land Use Variation to allow a Construction Yard in the M-1 district.

Variations Identified:

- Chapter 28, Section 6.12-1(3) Traffic Engineering Approval, to waive the requirement for a traffic study and parking analysis from a Certified Traffic Engineer.
- Chapter 28, Section 11.4, Schedule of Parking Requirements, to allow 37 parking spaces instead of the required 39 parking spaces.

**Surrounding Properties**

Direction	Zoning	Existing Use	Comprehensive Plan
North	B-1, Business District Limited Retail and B-2, General Business District	Daycare	Commercial
South	M-1, Research, Development and Light Manufacturing	Arlington Executive Plaza - Offices	R&D, Mfg., Warehouse
East	M-1, Research, Development and Light Manufacturing	Univision Radio	R&D, Mfg., Warehouse
West	O-T, Office Transitional	Riverside Medical	R&D, Mfg., Warehouse

Summary

The subject property is approximately 95,648 square feet (2.2 acres) in area with an existing 2-story building. Johler Demolition intends to purchase the property at 125 W. Boeger Drive to locate its headquarters. Johler Demolition, Inc. is a full-service demolition contractor that specializes in commercial, industrial and residential demolition. Their services include total building demolition, building separation, interior/selective demolition, asbestos abatement, concrete crushing and recycling, heavy concrete removal and on-site concrete recycling.

The use is classified as a "Construction Yard", which is only permitted in the M-2 district. **A Construction Yard is defined as, "An establishment with an enclosed and/or unenclosed space used for bulk storage of landscape and building material, heavy construction equipment and machinery, and, may include the provision of services, the fabrication of building related products the operating of machinery, and the construction yard's business office."** Therefore, a land use variation is required.

The petitioner has indicated that they employ 25 to 40 people at any given time. However, only between 4 and 7 employees work at the corporate office at any given time, while the rest of the employees work in the field. The employees working in the field travel directly to the job site and return home from the job site. They do not come to the office and would not be at this location.

Johler Demolition owns and maintains its own fleet of heavy equipment, including hydraulic excavators, track loaders and wheel loaders. They have indicated that most of the heavy equipment is maintained in the field and would remain out on job sites as no demolition-related work would occur at the subject property. Minor repairs for equipment are completed in the field and the equipment is transported to the shop only if it requires major repairs or due to lack of work. The company also has two dump trucks that typically leave the shop at 6:00 a.m. and return between 3:00 p.m. and 6:00 p.m. on weekdays. The company also owns an additional 4 company pickup trucks and 2 service trucks that are out in the field for most of the day. The applicant has indicated that when the 2 service trucks are not out in the field, they will reside inside the building. Johler Demolition also owns 2 stake bed delivery trucks; these trucks are typically be used daily for job site deliveries. The delivery vehicle typically leaves at 6:00 a.m. and can make several stops at the shop throughout the day in order to fill job site orders.

According to the floor plan provided by the applicant, there will be an approximately 10,000 square feet indoor shop area for maintenance and repair and a 4,500 square feet (indoor) job site tools, equipment storage and maintenance area along the rear of the building. Diamond and Huels, a certified public accounting firm (current occupant), will occupy approximately 4,305 square feet and remain in Suite 101. Johler Demolition will occupy a 4,305 square feet office area on the second floor. Any other tenants currently occupying the property will vacate the premises once Johler Demolition completes the purchase of the property. There is an existing truck dock on the west side of the building along the front of the building that will be utilized by the applicant. Heavy equipment and other company vehicles and trailers are proposed to be stored within an approximately 12,000 square feet area along the rear of the property. There is an existing concrete canopy and brick structure on the east side of the property at the rear of the building that will be used to store supplies. Since the canopy and brick structure do not meet the required 25 feet setback for an accessory structure, they are considered non-conforming. Since no change is proposed at this time, they shall remain as existing non-conforming structures.

Zoning and Comprehensive Plan

The site is currently zoned M-1, Research, Development and Light Manufacturing. Because the use is not permitted in the M-1 district; therefore the petitioner must submit a written justification based on the following hardship criteria:

- **The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and**
- **The plight of the owner is due to unique circumstances; and**
- **The variation, if granted, will not alter the essential character of the locality.**

The Village's Comprehensive Plan designates this property as 'R&D, Mfg., Warehouse.' The proposed use is not consistent with the Comprehensive Plan. Due to the fact that other uses with outdoor storage such as King Koncrete (previous tenant),

Rooney Landscape and Emerald Lawn Care (current tenants) have occupied this site, the Staff Development Committee is generally supportive of this Land Use Variation at this location.

Plat and Subdivision Committee

On December 10, 2014, the Plat and Sub Committee met to discuss the project. The subcommittee was overall supportive of the use.

Building and Site Related Issues

The petitioner is not proposing any exterior modifications to the building. If exterior modifications are proposed, then a Design review may be required. With respect to the interior improvements, the Petitioner must comply with all applicable accessibility, building, and life safety code requirements.

Per Chapter 28, Section 5.1-17.1, Conditions of Use, the yard must be enclosed by solid walls or fences. In the M-1 district, slatted fences are permitted between properties. There is an existing 8-foot tall chain link fence with privacy slats around the entire perimeter of the yard. However, it appears that there are portions of the fence that are missing the privacy slats and therefore do not meet the requirements of the Ordinance. As part of this land use variation request, the fence must be brought up to code.

Per Chapter 28, Section 6.15, the ends of all parking rows must include a landscape island equal in area to one parking space and contain a 4" caliper shade tree. One landscape island is deficient along the south end of the west parking row. Since no change is proposed, therefore the lack of a landscape island is considered an existing non-conformity.

Traffic & Parking Related Issues

Parking is provided on the east and west side of the building. There are a total of 37 parking spaces provided on-site, 12 spaces are on the west side of the building and 25 spaces are on the east side of the building, of which 2 spaces are designated accessible spaces.

Per the Zoning Code, the parking requirements for this use are calculated as follows:

Use	CODE USE	SF/ Employees/Bays	PARKING CALC (SF)	PARKING RATIO (1:X)	PARKING REQUIRED
Diamond & Huels (Accounting Firm)	Office	4,305 SF	4,305	1:300	14
Johler Demolition - Office	Office	4,305 SF	4,305	1:300	14
Johler Demolition – Shop Area	Warehouse	10,000 SF 7 employees 8 vehicles		1/two employees + 1/each vehicle used in the conduct of the enterprise	11
Johler Demolition – Job Site Tools	Warehouse	4500 SF	4,500	1/two employees + 1/each vehicle used in the conduct of the enterprise	0*
Total					39
<i>Total Provided</i>					37
Surplus / (Deficit)					(2)

* Johler has indicated that there will be a total of 7 employees on site, including the office, shop, and tools area. There are no additional employees or vehicles beyond those listed that are used in the conduct of the business.

Therefore, the following variation is needed:

- Chapter 28, Section 11.4, Schedule of Parking Requirements, to allow 37 parking spaces instead of the required 39 parking spaces.

The applicant has indicated that no more than 7 employees for Johler Demolition will be present at this location, while Diamond and Huels employs 5 people at this location. They have indicated that the existing 37 parking spaces will meet their requirements.

Per the Zoning Ordinance, a Traffic study and Parking analysis prepared by a qualified professional engineer is required for any project seeking a Land Use Variation that is not adjacent to a major or secondary arterial street as defined by the Village's Thoroughfare Plan. The applicant has indicated that while they own heavy equipment, it is maintained and utilized at various job sites and typically brought back to the shop area of the building only if the equipment needs major repair that cannot be completed at the job site. The applicant has indicated that transporting heavy equipment is very costly and so it is financially beneficial to move the equipment as little as possible, and when moved, to move it from one job site to another. The applicant has estimated that heavy equipment is transported to and from the site approximately 15 times per year. Based on the information provided and the limited number of times the equipment is moved, staff supports not requiring a traffic study and parking analysis. The petitioner has also indicated that transportation of heavy equipment typically occurs one half hour before sunrise. The petitioner must comply with the requirements of the Village Code relative to noise.

The following variation is needed:

- Chapter 28, Section 6.12-1(3) Traffic Engineering Approval, to waive the requirement for a traffic study and parking analysis from a Certified Traffic Engineer.

Recommendation

The Staff Development Committee reviewed the petitioner's request and recommends approval of the Land Use Variation to allow a Construction Yard in the M-1 district. This approval shall be subject to the following conditions:

1. The land use variation shall apply only to Johler Demolition.
2. As part of this request, the portion of the fence that does not meet the requirements of Village Code will be brought up to Code.
3. The Petitioner shall comply with all Federal, State, and Village codes, regulations, and policies.

February 4, 2015

Bill Enright, Deputy Director of Planning and Community Development

C: Randy Recklaus, Village Manager
All Department Heads