

MEMORANDUM

TO: Chairman Wolfe and Members of the Plan Commission

FROM: Matthew S. Dabrowski, Development Planner

DATE: April 5, 2013

RE: Chapter 28 Text Amendment

Background

In our continuing effort to clarify and streamline the development review process, the following text amendments to Chapter 28 (Zoning Ordinance) of the Village of Arlington Heights Municipal Code are being proposed relative to; Section 5.5-1 (Permitted Use Table), and Section 6.12 (Traffic Engineering Approval). Note that code deletions are highlighted in red and struck through, while additions are in bold and highlighted in yellow.

Proposed Text Amendment #1: Permitted Use Table

The B-4, Limited Service District is only located along the west side of Arthur Avenue between Davis Street to the north and Central Road to the south. Staff is proposing an amendment to Section 5.5-1, Permitted Use Table to allow Recreation Facilities, Commercial as a permitted use within the B-4, districts. This land use category can vary in size and intensity and includes, but is not limited to tennis clubs and gymnasiums as well as yoga and cross fit studios. The intent of the B-4 district is to provide specialized services as well as to act as a buffer between existing residential and industrial areas. The B-4 district allows many of the same land uses that are permitted within the B-2 and B-3 districts. Therefore, Recreation Facilities, Commercial is appropriate and compatible with the B-4 district subject to compliance with the Village’s parking requirements.

R-E R-1	R-2	R-3	R-4	R-5	R-6	R-7	I	O-T	PERMITTED-SPECIAL USES	B-1	B-2	B-3	B-4	B-5	P-L	M-1	M-2
									RECREATION FACILITIES, COMMERCIAL INCLUDING HEALTH CLUBS		X	X	X	X		X	X

Ordinance Review Committee

On March 27, 2013, the proposed text amendment was presented to the Ordinance Review Committee for their consideration and recommendation. Pursuant to said meeting the following recommendation was made:

A motion was made by Commissioner Jensen and seconded by Commissioner Drost to recommend to the full Plan Commission approval of the amendments to Chapter 28, Section 5.5-1, Permitted Use Table, to allow Recreation Facilities, Commercial including Health Clubs as a permitted use within the B-4 district. All were in favor. Motion carried.

Proposed Text Amendment #2: Traffic Engineering Approval

In an effort to streamline the development review process and to be more flexible and responsive to the differing issues associated with the various zoning requests on a case by case basis, Staff is recommending the following text amendments to

the required traffic engineering approval. The following modifications also take into consideration comments raised by the Ordinance Review Committee, which include:

- The current language needs to clearly state the traffic and parking study requirements for both Plan Commission and non-Plan Commission projects as the current language is ambiguous.
- The ORC was supportive of a provision that would only require a parking analysis and not a traffic study unless deemed necessary for smaller projects located along a major or secondary arterial street. The proposed text amendment establishes a 5,000 square foot threshold for the following reasons:
 - Since 2007 there have been 144 Plan Commission cases, of which 47 projects (33%) involve land uses that were less than 5,000 square feet. Of those 47 cases, 40 included a variation to waive the formal traffic and parking study, subject to the Petitioner providing a parking assessment.
 - A 5,000 square foot land use typically does not require modifications to existing driveways or alterations to the existing on-site circulation patterns. Moreover, a use of this size typically generates a low volume of traffic that can be accommodated on a major or secondary arterial street, which are designed to handle larger volumes of traffic.
- A provision was also included at the suggestion of the ORC that gives the Village the right to require a traffic study on a case by case basis.

Section 6.12: Traffic Engineering Approval. No building permit or occupancy certificate shall be issued, nor shall any application for a variation, special use, amendment, or approval of a planned unit development be granted, request requiring Plan Commission be approved for those projects outlined in Sections 6.12-1 and 6.12-2, unless for any development in any of the categories hereinafter listed in this section unless the applicant shall supply with such application, at his own expense, the opinion of a qualified professional traffic engineer approving the design of the off-street parking facilities, the internal traffic circulation pattern, and the manner of ingress and egress to the proposed development. The developments for which such approval by a qualified professional traffic engineer shall be submitted are as follows: the applicant provides at their own expense, a traffic study and parking analysis that evaluates access, on-site circulation, parking, trip generation, trip distribution, impacts to public streets, and any other issue identified by the Village.

Section 6.12-1, For Projects Requiring Plan Commission Review: A traffic study and parking analysis prepared by a qualified professional engineer or prepared in a manner acceptable to the Village shall be required for the following projects:

1. All developments with a drive-through,
2. Any rezoning, special use, land use variation, Planned Unit Development, and amendments thereto that:
 - a. Is 5,000 square feet or more in floor area and located along a major or secondary arterial street as defined by the Village's Thoroughfare Plan;
 - b. Projects less than 5,000 square feet in floor area and located along a major or secondary arterial street as defined by the Village's Thoroughfare Plan, do not need to provide a traffic study, but shall be required to provide a detailed parking analysis. The Village reserves the right to require a traffic study if deemed necessary.
3. Any rezoning, special use, land use variation, Planned Unit Development, and amendments thereto that is not adjacent to a major or secondary arterial street as defined by the Village's Thoroughfare Plan.
4. The Village shall reserve the right to require a traffic study and parking analysis for projects requiring subdivision if deemed necessary.

Section 6.12-2: For Projects Not Requiring Plan Commission Review: A traffic study and parking analysis prepared by a qualified professional engineer or prepared in a manner acceptable to the Village shall be required for the following projects:

1. Residential Developments:
 - a. R-E, R-1, R-2, R-3: 100-dwelling units or more
 - b. R-4, R-5, R-6, R-7: 48-dwelling units or more

2. Commercial Developments:
 - a. B-1, B-2, B-3, B-4, B-5, **and O-T**: 20,000 sq. ft. or more
 - b. Drive-in Uses in any B district: All
 - c. ~~O T, S:~~ ~~20,000 sq. ft. or more~~

3. Industrial Developments:
 - a. M-1, M-2, ~~O-R~~: 75-cars or more parking requirements or 100 or more anticipated employees.

- ~~4. Any application for a variation, special use permit, amendment or planned unit development regardless of size, adjacent to a major or secondary arterial as defined in the Official Thoroughfare Plan shall submit a Traffic Engineering Study.~~

- 5 4. Institutional Developments ~~located on collector, sub collector, or local streets require traffic engineering approval for~~
 - a. Residential development of 100-units or more,
 - b. Non-residential development of 20,000 square feet or more. ~~As recommended by the Director of Engineering, the Plan Commission can waive or require a traffic engineering study for a project of any size.~~

5. **The traffic study and/or parking analysis requirements may be administratively waived by the administrative officer, if it is determined that requiring such study is not necessary for the successful development of a project.**

Ordinance Review Committee

On March 27, 2013, the proposed text amendment was presented to the Ordinance Review Committee for their consideration and recommendation. Pursuant to said meeting the following recommendation was made:

A motion was made by Commissioner Dawson and seconded by Commissioner Green to explore and present modifications to the traffic engineering requirements. All were in favor. Motion carried.