

Memorandum

To: Chairman Wolfe and Members of the Plan Commission
From: Bill Enright, Deputy Director Planning and Community Development 
Date: 1/17/13
Re: 108 to 112 E. Central Road:
Amendment to the Comprehensive Plan: PC #12-024

During public discussion for the Japan Auto Services project, a nearby resident raised an issue with respect to property located to the west of the auto dealership. The property in question is located at 108 to 112 E. Central Road and was developed for a retail produce store. The current use includes one office tenant. In 1982 the Village rezoned the property from B-1 (Business District Limited Retail) to OT (Office Transitional), which was consistent with the Comprehensive Plan designation as Offices. The property owner at the time filed a law suit against the Village as the rezoning prohibited a retail produce store, which was allowed in B-1. A Court Order was issued which allowed the produce store but it also upheld the OT zoning. Then in 1984 the Comprehensive Plan designation was changed from Offices to Commercial. The record is not clear as to why the Village changed the Comprehensive Plan.

The surrounding properties are zoned as follows:

East: B-2 (Japan Auto);
West: R-3 (single family residential);
North: R-3 (single family residential);
South: B-1 (commercial).

Attached to this memo is a letter from the property owner of the subject site. Also attached is a letter from an adjacent property owner. I have included a copy of the Permitted Use Table from the Village's Zoning Ordinance, which indicates permitted uses by zoning district.

Options to Consider

1) One option is to amend the Comprehensive Plan from Commercial to Offices Only to reflect the OT zoning, which has been in place since 1982. If the Village would like to see the property used for office uses only, then the Comprehensive Plan should be amended to Offices Only. It should be noted that the zoning code was recently amended to allow several additional uses as permitted in the OT district.

2) The other option is to leave the property Commercial on the Comprehensive Plan. If the Village wants to leave open the option of rezoning to commercial, then the designation should remain as Commercial. According to the property owner the site suffers from vacancies as approximately 3,900 sf out of 5,200 sf are vacant. Staff has

researched the area office vacancies which indicates that the office market in the area has a high vacancy rate of 24%.

Staff is of the opinion that the site should remain Commercial on the Comprehensive Plan to leave open the option of rezoning to B-1, which is a limited business district. Rezoning would require a public hearing and legal notice to property owners within 250 feet.

Recommendation

Staff recommends maintaining the Commercial designation on the Comprehensive Plan for 108 to 112 E. Central Road.

C: Charles Witherington-Perkins



EXISTING

Legend

- Commercial
- Offices Only
- Single Family Detached
- Moderate Density Multi-Family



ALTERNATIVE

January 15, 2013

Mr. William V. Enright
Village of Arlington Heights
33 S Arlington Heights Road
Arlington Heights, Illinois 60005

Re: 110 E. Central

Dear Mr. Enright,

Per our conversation late week, we discussed the zoning of my property – 110 East Central. We are writing this letter for your assistance in helping me keep this property zoned as Commercial via the villages Comprehensive Plan.

The following is an outline of events and concerns I have in regards to this property:

- Purchased the property in 1977 and it was zoned B1.
- Received building permit in 1981 and began construction the same week the permit was issued.
- Haulted construction about 5 days later, because the building permit was revoked.
- Took the village to court and won the building permit back in 1983.
- Closed the retail produce business in 1985.
- Rented to property in 1988 to – Canopy Salon and a Flower Shop.
- During zoning of the salon and flower shop – I asked if I can continue to park my produce trucks in the dock – the village official told me to get a wholesale business license for the back (dock) of the building – we complied and have been renewing it annually.
- County or State built a concrete median on Central Road around 1995 or 1996 – prohibiting a left turn into the location going east on Central and left turn out of the location.
- Lost tenant towards the end of 1996 – both business were severally impacted by the concrete median.
- Property remained vacant until Taka Computers rented 1,300 square feet for office space in 2000.
- Rose Depot rented 2,600 square feet sometime around 2000 to 2002 – they stayed a total of about 1 ½ years.
- The property – less the space rented from Taka – has been vacant since 2002.
- Since 2002 we have had the following types of business making inquires about renting the space – Daycare center, Martial Arts Studios, Specialty Furniture Shops, Learning Center, Trophy Sales Shop, Mechanical Shop, etc. I ask the prospective tenants to go to the village for zoning approval and I typically never hear back from them except for the Daycare Center. This deal did not occur

because it would have cost too much to retrofit the building and to add sprinkler system.

- As seen by the list of prospective tenants – we have had no inquires from anyone wanting this space as an office – the building is clearly not built for office space – people visually see the docks in the back of the building and this may lead them to not envision this space for offices but some type retail business.

The financial impact from this building is as follows:

- Property tax bill for 2011 was over \$24,000 – I collected rent from Taka totaling \$18,600 – I also spend money for utilities and the upkeep of the property. My estimated loss per year totals \$10,000 to \$15,000 annually since 2002.
- When both properties were rented my Property Tax bill was around \$33,000 back in 1998 to 1999.

Please let me know if you have any questions or would like clarity on the above given information. The above information was based on my best recollection.

Sincerely,

John G Mantis

January 14, 2013

(Via Hand Delivery)
Mr. Bill Enright
Deputy Director Planning & Community Development
Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, IL 60005-1499

RECEIVED
JAN 14 2013
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Re: Your Letter January 4, 2013, Public Hearing on 110 E. Central Road on January 23, 2013

Subject: **Letter of Transmittal:** Enclosed Memorandum for Plan Commission Review

Dear Mr. Enright:

Thank you for your letter. With reference to our phone discussion on January 7, 2013, I am enclosing herewith a memorandum of information for review by Plan Commission members. You indicated you would copy and distribute this information to Plan Commission members on January 18, 2013, ahead of the January 23 Public Hearing.

Our family, as well as some other neighbors, are looking forward to what we hope will be a Plan Commission recommendation to the Village Board of Trustees for an "offices only" comprehensive plan change for 110 E. Central Road. The property is already appropriately zoned office transitional, but a change to the comprehensive plan will assure neighbors of protection on future area development.

I greatly appreciate your help in this matter and also look forward to meeting you personally at some point in the future. As we briefly discussed, there are some other issues with the 110 E. Central property that have needed to be addressed.

Sincerely,



Richard J. Cozak
931 S. Evergreen Avenue
Arlington Heights, IL 60005
Home Phone: 847-392-3196

Enclosure: Memorandum of Information to Plan Commission Members (2 Pages)

**RICHARD J. COZAK
931 S. EVERGREEN AVE.
ARLINGTON HEIGHTS, IL 60005
HOME PHONE: 847-392-3196**

January 14, 2013

To: Members of the Arlington Heights Plan Commission
(Via Hand Delivery to Mr. Bill Enright's Office on January 14 2013)

Re: Public Hearing on 110 E. Central Road on January 23, 2013

Subject: Memorandum of Information to Support "Offices Only" Designation on Comprehensive Plan

Dear Plan Commission Members:

My wife and I (and our children) have been Arlington Heights residents at 931 S. Evergreen Ave. for over 50 years - since 1962. Our property abuts to the northwest corner of 110 E. Central Rd. I strongly believe that the only appropriate and current and future use for this property is "office only." In my opinion, this is upheld by over 30 years of usage history.

Due to a recent family member death and serious health issues of our daughter and upcoming hospitalizations, attendance at the public hearing may not be possible. It is hoped that this submission will adequately support our family's position, and your review hereof is respectfully and gratefully appreciated.. All information contained herein represent my beliefs and to the best of my knowledge is an accurate representation thereof.

1. **"Residential" Neighborhood Character :** The perimeter of 110 E. Central is abutted by (4) single - family residences and a multi-family two-or-three flat residence. The need for a buffer from the busy Arlington Heights/Central Roads intersection and eliminating objectionable commercial development of 110 E. Central itself, is critical. This has been understood over the past 30 years by succeeding village administrations and upheld by an office-transitional zoning of the property. It has never been different. Nothing has changed over 30 years to indicate otherwise. The comprehensive plan should be amended to appropriately show "offices only" and not "commercial". In my opinion, this should have been amended long ago.

2. **Intersection/Neighborhood Comparisons Support "Office Only" Designation for 110 E. Central:** The Arlington Heights Road/Central Road intersection consists of essentially four quadrant areas, which differ in character.

The southeast and southwest quadrants both have significant commercial development extending along Arlington Heights Road to the south for one -two blocks. Further, these quadrants contain commercial businesses along Central Road for an entire block or more east and west of the intersection.

The other quadrants are different. The "northwest quadrant" of which our residential neighborhood and 110 E. Central Rd. is a part), and the "northeast quadrant" (containing Scarsdale residential community), are both **solely of a residential character**. No further commercial development exists (or seems to be planned) further along Arlington Heights Road to the north or along Central/Kirchoff in both east and west directions, that would affect either of these residential quadrant areas.

Most recently, the "residential nature" of the homes and areas surrounding 110 E. Central Road was recognized by Mayor Mulder and similar comments voiced by Trustee Farwell. This was at the Village Board Meeting on March 19, 2012 where the topic involved approval of Japan Auto Services facility at 934 S. Arlington Heights Road. Paraphrasing, in that meeting, Mayor Mulder stated something to the effect that this is a **residential area**, and that **careful consideration** would be given to any **future development plans** for 110 E. Central.

It is difficult for me to understand why the "comprehensive plan" for the northwest quadrant containing 110 E. Central Road, with the "solely residential nature" of the many homes in that quadrant, are designated differently than the northeast quadrant with the Scarsdale residents. The comprehensive plan needs to be amended to designate 110 E. Central as "offices only."

3. **Zoning History/Final Court Order Supports "Office Only" Designation for 110 E. Central:**

- A. 110 E. Central was involved in a lawsuit between the village and the property owner in 1982, in which we neighbors also intervened. This was during Jim Ryan's term as mayor and Mr. Siegel was the village attorney. The village had inadvertently issued a building permit for a "retail" produce/grocery store in error, which had needed Village Board approval prior to such issuance. This error was caught by neighbors as construction started. Neighbors advised the village of the error and the village issued a stop work order.
- B. In a subsequent meeting, the Village Board sided with the neighbors and rejected the "retail" grocery store operation. The village was sued. Unfortunately, the court approved the grocery store which was built but failed many years ago and has been out of business to this day.
- C. The final court order settlement of 1983 is still valid today and has stringent restrictions on 110 E. Central property. These restrictions include a provision negotiated by Mr. Siegel that, for other than the "retail" grocery use, the property be O-T zoned, which it has been to the present time.

Further, and highly pertinent, were other restrictions related to property use prohibiting, to name a few, no outdoor truck parking; no building storage of produce used in connection with any "wholesale" produce operation is allowed, etc.
- D. In summation, the above comments on zoning history/court order settlement strongly support the critical nature of 110 E. Central Road in affecting nearby and abutting residential neighbors. Also, this history over 30 years shows the concern of all village administrations to date in maintaining the properties "offices only" use suitability. The comprehensive plan needs to be amended accordingly.

4. **Additional Recommendations for Comprehensive Plan Changes:** I would like to offer a suggestion for this busy intersection. I feel that changing the comprehensive plan to "offices only" designation for both 934 S. Arlington Heights Road property and 110 E. Central Road might be worthwhile. Both properties are now under the same ownership. This might prove of interest to a future developer of office - type projects. Further, it would protect and buffer the abutting residential properties in our "northwest quadrant" of the Arlington Heights Road/Central Road intersection. In addition, it might reduce overall traffic congestion at this busy corner. I am **not** suggesting any rezoning of these properties now, since the comprehensive plan is admittedly a long range guess at best. It is a suggestion for long range planning that I believe of some merit for consideration.

My wife, Joyce, and I are hoping that this letter and information representing our opinions proves helpful. We sincerely believe a comprehensive plan change to "offices only" designation for 110 E. Central is proper, consistent, and appropriate for the reasons outlined herein.

Thank you for your understanding and time taken to fully review this submission. We trust we will have your support.

Sincerely,



Richard J. Cozak

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| <u>R-E</u> <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>R-6</u> | <u>R-7</u> | <u>I</u> | <u>O-T</u> | PERMITTED-SPECIAL USES | <u>B-1</u> | <u>B-2</u> | <u>B-3</u> | <u>B-4</u> | <u>B-5</u> | <u>O-R</u> | <u>P-L</u> | <u>M-1</u> | <u>M-2</u> |
|--------------------------|------------|------------|------------|------------|------------|------------|----------|------------|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | | | | | | | S | X | ACCESSORY USES INCIDENTAL TO PERMITTED PRINCIPAL USES (Ord. #06-064) | X | X | X | X | X | X | X | X | X |
| | | | | | | | | | ADULT BUSINESS | | | S | | | | | | |
| | | | | | | | | | AGRICULTURAL IMPLEMENT SALES AND SERVICE WHEN CONDUCTED WHOLLY WITHIN AN ENCLOSED BUILDING | | | X | | | | | | |
| | | | | | | | X | | AMBULATORY CARE FACILITY | | | | | | | | | |
| | | | | | | | | | ANIMAL HOSPITALS | | X | X | | | | | | |
| | | | | | | | S | S | ANTENNA-RADIO-TELEPHONE, AND TELEVISION RECEIVING OR TRANSMITTING ANTENNA COMMERCIAL STRUCTURE AND OTHER ELECTRONIC EQUIPMENT REQUIRING OUTDOOR STRUCTURES AS DEFINED AND RESTRICTED IN CHAPTER 23 | S | S | S | S | S | S | S | S | S |
| X | X | X | X | X | X | | | | ANTENNA, NON-COMMERCIAL, AND RELATED STRUCTURES SUBJECT TO THE REGULATIONS IN CHAPTER 23, ARTICLE XIII | | | | | | | | | |
| | | | | | | | | | ANTIQUES SHOPS | X | X | X | X | X | | | | |
| | | | | | | | | | APPLIANCE SALES | | X | X | X | X | | | | |
| | | | | | | | | | ARCADE, AMUSEMENT/INTERNET COMPUTER, LARGE (See Additional Requirements for Use Districts) | | S | S | | | | | | |
| | | | | | | | | | ARCADE, AMUSEMENT/INTERNET COMPUTER, SMALL | | X | X | | | | | | |
| | | | | | | | | | ART GALLERIES (Ord. #12-055) | X | X | X | X | X | | | | |
| | | | | | | | | | ARTS & CRAFT STUDIOS | | X | X | X | X | | | | |
| | | | | | | | | | ARTS, CRAFTS, & SCHOOL SUPPLY STORES | X | X | X | X | X | | | | |
| | | | | | | | | | AUCTION ROOMS | | X | X | X | X | | | | |

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| <u>R-E</u> <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>R-6</u> | <u>R-7</u> | <u>I</u> | <u>O-T</u> | PERMITTED-SPECIAL USES | <u>B-1</u> | <u>B-2</u> | <u>B-3</u> | <u>B-4</u> | <u>B-5</u> | <u>O-R</u> | <u>P-L</u> | <u>M-1</u> | <u>M-2</u> |
|--------------------------|------------|------------|------------|------------|------------|------------|----------|------------|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | | | | | | | | | AUDITORIUM, STADIUM, ARENA, MEETING HALL, GYMNASIUM & OTHER SIMILAR PLACES FOR PUBLIC EVENTS (Ord. #12-055) | | S | S | | S | | | | |
| | | | | | | | | | AUTOMOBILE CAR WASH | | | S | | | | | | |
| | | | | | | | | | AUTOMOBILE DRIVING SCHOOL (Ord. #12-055) | | | X | X | | | | | |
| | | | | | | | | | AUTO PARTS & SUPPLY STORES (Ord. #03-055, #12-055) | | X | X | X | X | | | | |
| | | | | | | | | | AUTOMOBILE SERVICE STATIONS, WITH OR WITHOUT CONVENIENCE MARKS | | S | S | | | | | | |
| | | | | | | | | | BAKERY | X | X | X | | X | | | | |
| | | | | | | | | | BANKS & FINANCIAL INSTITUTIONS, ALSO SEE DRIVE-INS | X | X | X | X | X | | | | |
| | | | | | | | | | BANQUET HALLS | | S | S | | S | | | | |
| | | | | | | | | | BARBER SHOPS | X | X | X | X | X | | | | |
| | | | | | | | | | BEAUTY SHOPS | X | X | X | X | X | | | | |
| | | | | | | | | | BICYCLE SALES, REPAIR & RENTAL | X | X | X | X | X | | | | |
| | | | | | | | | | BOOK OR STATIONERY STORES | X | X | X | X | X | | | | |
| | | | | | | | | | BROADCASTING STATION-RADIO & TELEVISION | X | X | X | X | X | | | X | |
| | | | | | | | | | (Ord. #12-055) BOWING ALLEYS | | X | X | | S | | | | |
| | | | | | | | | | (Ord. #12-055) BUILDING MATERIALS, RETAIL SALES | | X | X | | | | | | |
| | | | | | | | | | BUILDING MATERIALS, WHOLESALE | | | | | | | | | |
| | | | | | | | | | CAMERA & PHOTOGRAPHIC SUPPLY STORES | X | X | X | X | X | | | | X |

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| 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 | O-R | P-L | M-1 | M-2 |
|------------|-----|-----|-----|-----|-----|-----|---|-----|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | | | | | | X | | (Ord. #12-055) CARE FACILITIES, AMBULATORY | | | | | | | | | |
| | | | | | | | X | | CARE FACILITIES, LONG, INTERMEDIATE AND EXTENDED | | | | | | | | | |
| | | | | | | | | | CARPET CLEANING AND SERVICE, CLEANING TO BE DONE OFF THE PREMISES OF ESTABLISHMENT | | | | X | | | | | |
| | | | | | | | | | CARPET, RUG AND LINOLEUM STORES | | X | X | X | X | | | | |
| | | | | | | | | | CATERING ESTABLISHMENTS | S | X | X | X | | | | | |
| S | S | S | | | | | | | CEMETERIES, CREMATORIES OR MAUSOLEUMS | | | | | | | | | |
| X | X | X | X | X | X | X | X | | CHURCHES, SYNAGOGUES AND OTHER PLACES OF WORSHIP (INCLUDING LODGING) | | | | | | | | | |
| | | | | | | | | | (Ord. #12-055) CLOTHING & CLOTHING ACCESSORY AND COSTUME RENTAL STORES | X | X | X | X | X | | | | |
| | | | | | | | | | CLUBS & LODGES, PRIVATE | | S | S | | S | | | | |
| | | | | | | | | | COMMUNITY CENTER, RECREATION BUILDING, MUNICIPAL OR NON-PROFIT | | S | S | | S | S | S | S | |
| X | X | X | X | X | X | X | X | | COMMUNITY RESIDENCE, LARGE (See Additional Requirements in Use District) | | | | | | | | | |
| X | X | X | X | X | X | X | X | | COMMUNITY RESIDENCE, SMALL (Ord. #12-055) | | | | | | | | | |
| | | | | | | | | | CONSTRUCTION YARD (Ord. #12-055) | | | | | | | | | X |
| | | | | | | | | | CONTRACTOR OFFICE AND DESIGN SHOWROOM - NO VEHICLE STORAGE | X | X | X | X | X | | | X | X |
| | | | | | | | | | CONTRACTOR SHOPS | | | | X | | | | X | X |

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| 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 | O-R | P-L | M-1 | M-2 |
|------------|-----|-----|-----|-----|-----|-----|---|-----|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | | | | | | | | (Ord. #12-055) CONVENIENT MART AND FOOD STORES | X | X | X | X | X | | | | |
| | | | | | | | | | CURRENCY EXCHANGES | X | X | X | X | X | | | X | |
| | | | | | | | | | DANCE HALLS | | S | S | | | | | | |
| S | S | S | S | S | S | S | S | S | (Ord. #12-055) DAY CARE CENTERS | S | S | S | S | S | | | S | |
| X | X | X | X | X | X | X | X | | DAY CARE HOMES LICENSED BY THE VILLAGE IN SINGLE-FAMILY HOMES | | | | | | | | | |
| | | | | | | | | | DEPARTMENT STORES | | X | X | X | X | | | | |
| | | | | | | | S | | DORMITORY | | | | | | | | | |
| | | | | | | | | | DRIVE-THROUGH FACILITIES WHEN USED IN CONJUNCTION WITH USES OTHERWISE PERMITTED | | S | S | | S | | | | |
| | | | | | | | | | DRUG STORE AND PHARMACY | X | X | X | | X | | | | |
| X | X | X | X | X | X | X | X | X | EARTH STATIONS, COMMERCIAL AND NON-COMMERCIAL, REQUIRING OUTDOOR STRUCTURES AS REGULATED IN CH. 23 AND SEC. 6.15 | X | X | X | X | X | X | X | X | X |
| | | | | | | | | | ELECTRICAL EQUIPMENT SALES SUCH AS MOTORS, TRANSFORMERS | | X | X | | | | | | |
| | | | | | | | | | ELECTRONIC PRODUCT SALES | X | X | X | X | X | | | | |
| | | | | | | | S | S | (Ord. #12-055) EMPLOYMENT AGENCIES | X | X | X | X | X | | | | |
| | | | | | | | | | EQUIPMENT RENTAL & LEASING FOR HOME, OFFICE & BUSINESS | | X | X | X | X | | | X | X |
| | | | | | | | | | EQUIPMENT RENTAL, INDUSTRIAL | | | | | | | | X | X |
| | | | | | | | | | EXTERMINATING SHOPS | | | X | X | X | | | | X |

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| <u>R-E</u> <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>R-6</u> | <u>R-7</u> | <u>I</u> | <u>O-T</u> | <u>B-1</u> | <u>B-2</u> | <u>B-3</u> | <u>B-4</u> | <u>B-5</u> | <u>O-R</u> | <u>P-L</u> | <u>M-1</u> | <u>M-2</u> |
|--------------------------|------------|------------|------------|------------|------------|------------|----------|------------|---|------------|------------|------------|------------|------------|------------|------------|------------|
| | | | | | | | | | PERMITTED-SPECIAL USES | | | | | | | | |
| | | | | | | | | | FACILITIES OWNED AND OPERATED BY THE VILLAGE OF ARLINGTON HTS., A.H. MEMORIAL LIBRARY & BRANCHES THEREOF AND THE A.H. PARK DISTRICT | | | | | | X | | |
| | | | | | | | | | FAIRGROUNDS, KIDDIE PARKS OR OTHER SIMILAR AMUSEMENT CENTERS, PRIVATELY OWNED | | S | | | | | | |
| | | | | | | | | | FLORIST SHOPS | X | X | X | X | X | | | |
| | | | | | | | | | FOOD STORES | X | X | X | X | X | | | |
| | | | | | | | | | FREIGHT TERMINAL, MOTOR OR CARGO | | | | | | | | |
| | | | | | | | | | FUNERAL PARLOR, MORTUARY | | X | X | | | | | X |
| | | | | | | | | | FURNITURE CLEANING, REFINISHING AND UPHOLSTERING | | | X | | | | | X |
| | | | | | | | | | FURNITURE & HOME FURNISHING STORES | X | X | X | X | X | | | |
| | | | | | | | | | FURRIER SHOPS | X | X | X | X | X | | | |
| | | | | | | | | | GARDEN CENTER | | X | X | | | | | |
| | | | | | | | | | (Ord. #12-055) GENERAL MERCHANDISE STORES | X | X | X | X | X | | | |
| | | | | | | | | | GIFT SHOPS | X | X | X | X | X | | | |
| | | | | | | | | | GLASS CUTTING, GLAZING & SALES | | | | | | | | |
| S | S | S | S | S | | | | | GOLF COURSE, PUBLIC & PRIVATE | | | | | | | | S |
| | | | | | | | | | HARDWARE STORES | X | X | X | X | X | | | |
| | | | | | | | | | (Ord. #07-009) HEALTH & MEDICAL INSTITUTIONS INCLUDING HOSPITALS OR SANITARIUMS | | | | | | | | |
| | | | | | | | X | | HEALTH CLUBS | | X | X | X | X | | | S |

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| <u>R-E</u> <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>R-6</u> | <u>R-7</u> | <u>I</u> | <u>O-T</u> | PERMITTED-SPECIAL USES | <u>B-1</u> | <u>B-2</u> | <u>B-3</u> | <u>B-4</u> | <u>B-5</u> | <u>O-R</u> | <u>P-L</u> | <u>M-1</u> | <u>M-2</u> |
|--------------------------|------------|------------|------------|------------|------------|------------|----------|------------|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | | | | | | | | | | | | | | | | | | |
| | | | | | | | S | | HELIPORT SUBJECT TO FEDERAL AVIATION ADMINISTRATION. | S | S | S | S | S | S | S | S | S |
| | | | | | | | | | HOBBY, TOY AND GAME SHOPS | X | X | X | X | X | | | | |
| X | X | X | X | X | X | X | X | | HOME OCCUPATIONS AS REGULATED BY SECTION 6.17 | | | | | | | | | |
| | | | | | | | | | HOTEL | | S | S | | S | | | | |
| | | | | | | | | | HOTEL, APARTMENT | | | | | S | | | | |
| | | | S | S | S | S | X | | INSTITUTION, RESIDENTIAL | | | | | | | | | |
| | | | | | | | | | INTERIOR DECORATING SHOPS | X | X | X | X | X | | | | |
| | | | | | | | | | JANITORIAL & CLEANING SERVICES | | | | | | | | X | X |
| | | | | | | | | | JEWELRY STORES | X | X | X | X | X | | | | |
| | | | | | | | | | KENNEL, COMMERCIAL (Ord. #12-055) | | | S | | | | | | |
| | | | | | | | S | | LABORATORIES, MEDICAL AND DENTAL (Ord. #12-055) | | X | X | X | X | | | S | |
| | | | | | | | | | LAUNDROMAT AUTOMATIC SELF-SERVICE TYPE OR HAND | X | X | X | X | X | | | | |
| | | | | | | | | | LAUNDRIES & DRYCLEANING, INDUSTRIAL | | | | | | | | X | X |
| | | | | | | | | | LAUNDRY & DRYCLEANING ESTABLISHMENTS LIMITED TO 5,000-S.F. OF GROSS FLOOR AREA PER ESTABLISHMENT | X | X | X | X | X | | | | |

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| <u>R-E</u> <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>R-6</u> | <u>R-7</u> | <u>I</u> | <u>O-T</u> | PERMITTED-SPECIAL USES | <u>B-1</u> | <u>B-2</u> | <u>B-3</u> | <u>B-4</u> | <u>B-5</u> | <u>O-R</u> | <u>P-L</u> | <u>M-1</u> | <u>M-2</u> |
|--------------------------|------------|------------|------------|------------|------------|------------|----------|------------|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | | | | | | | | | LEATHER GOODS AND LUGGAGE STORES | X | X | X | X | X | | | | |
| | | | | | | | | | LIQUOR STORES, PACKAGE GOODS ONLY | X | X | X | | X | | | | |
| | | | | | | | X | | (Ord. #12-055) LOAN OFFICES | X | X | X | | X | | | X | |
| | | | | | | | | | LOCKSMITH SHOPS | X | X | X | X | | | | | |
| | | | | | | | | | MACHINERY SALES & SERVICE | | | X | X | | | | | |
| | | | | | | | | | MEDICAL, DENTAL & ORTHOPEDIC APPLIANCE & INSTRUMENT SERVICE | | | | X | | | | X | |
| | | | | | | | | | MEDICAL, DENTAL & ORTHOPEDIC APPLIANCE & INSTRUMENT SUPPLY SALES | | X | X | X | | | | | |
| | | | | | | | | | MONUMENT SALES | | | X | | | | | | |
| | | | | | | | | | (Ord. #12-055) MOTOR VEHICLE RENTAL INCLUDING AUTOMOBILES, MOTORCYCLES, TRUCKS, TRAILERS | | S | X | | | | | X | |
| | | | | | | | | | MOTOR VEHICLE REPAIR, MAJOR | | | X | | | | | | X |
| | | | | | | | | | MOTOR VEHICLE REPAIR, MINOR | | S | X | | | | | | |
| | | | | | | | | | MOTOR VEHICLES SALES AND INCIDENTAL RENTAL OF MOTOR VEHICLES, INCLUDING AUTOMOBILES, MOTORCYCLES, TRUCKS & TRAILERS, INCLUDING AUXILIARY SERVICE & REPAIRS IN CONJUNCTION THEREIN IF CONDUCTED WHOLLY WITHIN A COMPLETELY ENCLOSED BUILDING | | S | X | | | | | | |
| | | | | | | | | | MOTOR VEHICLE SALES LOTS WHEN CONTIGUOUS TO & ADJOINING AUTOMOBILE SALES ROOM FOR THE SALE OF AUTOMOBILES UNDER THE SAME OWNERSHIP | | S | X | | | | | | |

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| 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 | O-R | P-L | M-1 | M-2 |
|------------|-----|-----|-----|-----|-----|-----|---|-----|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | | | | | | | | MUSIC CONSERVATORIES OR MUSIC INSTRUCTION | X | X | X | X | X | | | | |
| | | | | | | | | | MUSICAL INSTRUMENT STORE | X | X | X | X | X | | | | |
| | | | | | | | | | NEWSPAPER DISTRIBUTION AGENCY | | | | | | | | X | X |
| | | | | | | | | | OFFICE SUPPLY STORE | X | X | X | X | X | | | | |
| | | | | | | | X | X | OFFICES: BUSINESS AND PROFESSIONAL | X | X | X | X | X | X | X | X | X |
| | | | | | | | X | X | OFFICES: MEDICAL & DENTAL CLINICS, INCLUDING LABORATORIES | X | X | X | X | X | | | | |
| | | | | | | | | | PAINT & WALLPAPER STORE | X | X | X | X | X | | | | |
| | | | | | | | | | PARCEL DELIVERY & PICK-UP SERVICE | X | X | X | X | X | | | X | X |
| | | | | | | | | | (Ord. #06-058) PARKING GARAGES, MUNICIPAL | | | | | X | | X | | |
| | | | | | | | S | S | (Ord. #06-058) PARKING GARAGE, PRIVATE CUSTOMER AND EMPLOYEE | S | S | S | S | S | S | S | S | S |
| | | | | | | | | | (Ord. #06-058) PARKING LOTS & GARAGES PRIVATE/GENERAL PUBLIC | | | | | | | | | |
| | | | | | | | | | PAWN SHOP/CASH CONVERTER | | X | X | | | | | | |
| | | | | | | | | | (Ord. #11-024) PERSONAL TRAINER | X | X | X | X | X | | | X | X |
| | | | | | | | | | PET GROOMING ESTABLISHMENTS | X | X | X | X | X | | | | |
| | | | | | | | | | PET SHOPS & SUPPLY STORE | | X | X | | X | | | | |
| | | | | | | | X | X | (Ord. #12-055) PHOTOGRAPHERS | X | X | X | X | X | | | | |
| | | | | | | | | | PHOTOGRAPHIC DEVELOPING & PROCESSING | | X | X | X | X | | | | |
| | | | | | | | X | X | (Ord. #07-009, #12-055) PHYSICAL REHABILITATION CENTER | X | X | X | X | X | | | | |

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| 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 | O-R | P-L | M-1 | M-2 |
|------------|-----|-----|-----|-----|-----|-----|---|-----|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | | | | | | | | PICTURE FRAMING, RETAIL ESTABLISHMENTS | X | X | X | X | X | | | | |
| | | | | | | | | | POST OFFICE NOT INCLUDING BULK DISTRIBUTION | | X | X | | | | | X | X |
| | | | | | | | | | POST OFFICE BULK MAIL DISTRIBUTION (Ord. #12-055) | | | | | | | | X | X |
| | | | | | | | | | PRINTING SERVICES, RETAIL | X | X | X | X | X | | | | |
| S | S | S | S | S | S | S | S | S | PRIVATE & PUBLIC UTILITY FACILITIES | S | S | S | S | S | S | S | S | S |
| | | | | | | | | | PROCESS & MANUFACTURING OF THE FOLLOWING (See Section 5.5-2) (Ord. #12-055) | | | | | | | | | |
| | | | | | | | | | PRIVATE BUILDINGS SUCH AS ART GALLERY, LIBRARY, MUSEUM OR OTHER SIMILAR STRUCTURES | S | S | S | | S | | | | |
| | | | | | | | | | RAILROAD PASSENGER STATION | | | S | | S | | | | |
| | | | | | | | | | RECREATION FACILITIES COMMERCIAL INCLUDING HEALTH CLUBS | | X | X | | X | | | X | X |
| | | | | | | | | | RECREATIONAL VEHICLES & BOATS, SALES & SUPPLIES | | | X | | | | | | |
| | | | | | | | | | REPAIR, MAJOR | | | | X | | | | | X |
| | | | | | | | | | REPAIR, MINOR | X | X | X | X | | | | | |
| | | | | | | | | | RESEARCH AND DEVELOPMENT ESTABLISHMENTS (Ord. #12-055) | | | | | | | | X | X |
| | | | | | | | | | RESTAURANT | S | S | S | | S | | | | |
| | | | | | | | | | RESTAURANT, AMUSEMENT DEVICE ARCADE (See Additional Requirements in Use District) (Ord. #12-055) | | S | S | | | | | | |
| | | | | | | | | | SCHOOLS, COMMERCIAL | X | X | X | X | X | | | X | X |
| S | S | S | S | S | S | S | S | S | SCHOOLS, ELEMENTARY, HIGH AND COLLEGE (PUBLIC & PRIVATE) (See Additional Requirements in Use District) | | | | | | | | | |

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL

X=PERMITTED USE

S=SPECIAL USE

| <u>R-E</u> <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>R-6</u> | <u>R-7</u> | <u>I</u> | <u>O-I</u> | PERMITTED-SPECIAL USES | <u>B-1</u> | <u>B-2</u> | <u>B-3</u> | <u>B-4</u> | <u>B-5</u> | <u>O-R</u> | <u>P-L</u> | <u>M-1</u> | <u>M-2</u> |
|--------------------------|------------|------------|------------|------------|------------|------------|----------|------------|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | | | | | | | | | SECONDHAND STORE | | X | X | X | X | | | | |
| | | | | | | | | | SECURITY & GUARD FIRMS | | | | X | X | | | X | X |
| | | | | | | | | | SEWING SUPPLIES & FABRIC | | X | X | | X | | | | |
| S | S | S | S | S | S | S | S | | SHELTER CARE HOMES | | | | | | | | | |
| | | | | | | | | | SHOE STORE AND REPAIR | X | X | X | X | X | | | | |
| | | | | | | | | | SIGN PAINTING SHOP, IF CONDUCTED WHOLY WITHIN A COMPLETELY ENCLOSED BUILDING | | | X | X | | | | | |
| | | | | | | | | | SPORTING GOODS STORE (Ord. #12-055) | X | X | X | X | X | | | | |
| | | | | | | | | | STORAGE FACILITIES NOT LOCATED ALONG MAJOR OR SECONDARY ARTERIAL STREETS | | | | | | | | X | X |
| | | | | | | | | | STUDIOS, RECORDING | | X | X | X | | | | X | X |
| | | | | | | | | | TAILOR & DRESSMAKING SHOP (Ord. #12-055) | X | X | X | X | X | | | | |
| | | | | | | | | | TAXICAB DISPATCHING OFFICE | | | X | X | X | | | | X |
| | | | | | | | | | TAXIDERMIST SHOP | | | | | X | | | | |
| | | | | | | | | | THEATERS, EXCLUDING DRIVE-IN THEATERS | | X | X | | | | | | |
| | | | | | | | | | TICKET AGENCIES, AMUSEMENT | X | X | X | X | X | | | | |
| | | | | | | | | | TOBACCO SHOP | X | X | X | X | X | | | | |
| | | | | | | | | | TOOL & DIE SHOP | | | X | X | | | | X | X |
| | | | | | | | | | TRAVEL BUREAU AND TRANSPORTATION TICKET OFFICES | | | | | | | | | |
| | | | | | | | | X | (Ord. #12-055) WHOLESALE, AND WAREHOUSE FACILITY | X | X | X | X | X | | | X | X |
| | | | | | | | | | WHOLESALE OFFICES INCLUDING WAREHOUSES AND STOREROOMS | | | | | | | | X | X |

5.5-2 PERMITTED USE TABLE: PROCESSING AND MANUFACTURING

X = PERMITTED USE

S = SPECIAL USE

| 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 | O-R | P-L | M-1 | M-2 |
|-----|-----|-----|-----|-----|-----|-----|---|-----|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| R-E | | | | | | | | | APPAREL & OTHER FINISHED PRODUCTS MADE FROM FABRICS AND SIMILAR MATERIALS AND TEXTILE MILL PRODUCTS | | | | | | | | | X |
| | | | | | | | | | BAKERY PRODUCTS, WHOLESALE AND PRODUCTION | | | | | | | | | X |
| | | | | | | | | | BEVERAGES BOTTLING AND DISTRIBUTING | | | | | | | | X | X |
| | | | | | | | | | BEVERAGES, NON-ALCOHOLIC | | | | | | | | | X |
| | | | | | | | | | BROOMS AND BRUSHES | | | | | | | | | X |
| | | | | | | | | | CARPET & RUG CLEANING: ON-PREMISES | | | | | | | | | X |
| | | | | | | | | | CANNED & PRESERVED FRUITS AND VEGETABLES | | | | | | | | | X |
| | | | | | | | | | CERAMIC PRODUCTS | | | | | | | | X | X |
| | | | | | | | | | CONCRETE, GYPSUM & PLASTER PRODUCTS | | | | | | | | X | X |
| | | | | | | | | | CONTAINERS, PALLETS, AND SIMILAR USES | | | | | | | | | X |
| | | | | | | | | | COSMETICS, PERFUMES & OTHER TOILET PREPARATIONS | | | | | | | | | X |
| | | | | | | | | | COSTUME JEWELRY, COSTUME NOVELTIES, BUTTONS, AND MISCELLANEOUS | | | | | | | | X | X |
| | | | | | | | | | DAIRY PRODUCTS | | | | | | | | X | X |
| | | | | | | | | | DRUGS | | | | | | | | X | X |
| | | | | | | | | | ELECTRIC LIGHTING AND WIRING EQUIPMENT | | | | | | | | X | X |
| | | | | | | | | | ELECTRONIC COMPONENTS & ACCESSORIES | | | | | | | | X | X |
| | | | | | | | | | FURNITURE & FIXTURES | | | | | | | | | X |
| | | | | | | | | | GLASS PRODUCTS MADE OF PURCHASED GLASS | | | | | | | | | X |
| | | | | | | | | | HOUSEHOLD APPLIANCES | | | | | | | | | X |
| | | | | | | | | | INSTRUMENTS & ASSOCIATED EQUIPMENT, ENGINEERING, LABORATORY, SCIENTIFIC & RESEARCH | | | | | | | | X | X |

5.5-2 PERMITTED USE TABLE: PROCESSING AND MANUFACTURING

X=PERMITTED USE

S=SPECIAL USE

| 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 | O-R | P-L | M-1 | M-2 |
|-----|-----|-----|-----|-----|-----|-----|---|-----|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| R-E | | | | | | | | | INSTRUMENTS & SUPPLIES, SURGICAL, MEDICAL AND DENTAL | | | | | | | | X | X |
| | | | | | | | | | JEWELRY, SILVERWARE, AND PLATED WARE | | | | | | | | X | X |
| | | | | | | | | | LEATHER (NOT TANNING) AND VINYL PRODUCTS | | | | | | | | | X |
| | | | | | | | | | MEASURING AND CONTROLLING INSTRUMENTS | | | | | | | | X | X |
| | | | | | | | | | METAL PRODUCTS, FABRICATED, EXCEPT MACHINERY AND TRANSPORTATION EQUIPMENT | | | | | | | | | X |
| | | | | | | | | | MUSICAL INSTRUMENTS | | | | | | | | X | X |
| | | | | | | | | | OFFICE COMPUTING AND ACCOUNTING MACHINES | | | | | | | | X | X |
| | | | | | | | | | OPTICAL INSTRUMENTS AND LENSES | | | | | | | | X | X |
| | | | | | | | | | PAPER PRODUCTS FROM CONVERTED PAPER AND PAPERBOARD | | | | | | | | | X |
| | | | | | | | | | PENS, PENCILS, AND OTHER OFFICE AND ARTISTS MATERIALS | | | | | | | | | X |
| | | | | | | | | | PHOTOGRAPHIC DEVELOPING AND PROCESS | | | | | | | | X | X |
| | | | | | | | | | PHOTOGRAPHIC EQUIPMENT AND SUPPLIES | | | | | | | | X | X |
| | | | | | | | | | PLASTIC PRODUCTS, FABRICATED | | | | | | | | X | X |
| | | | | | | | | | POTTERY AND RELATED PRODUCTS | | | | | | | | X | X |
| | | | | | | | | | PRINTING INK | | | | | | | | | X |
| | | | | | | | | | PRINTING, PUBLISHING | | | | | | | | X | X |
| | | | | | | | | | RADIO & TELEVISION EQUIPMENT AND COMMUNICATION EQUIPMENT | | | | | | | | X | X |
| | | | | | | | | | RUBBER PRODUCTS, FABRICATED | | | | | | | | | X |
| | | | | | | | | | SIGNS AND ADVERTISING DISPLAYS | | | | | | | | | X |
| | | | | | | | | | SILVER PLATING & REPAIRING | | | | | | | | X | X |

5.5-2 PERMITTED USE TABLE: PROCESSING AND MANUFACTURING

X = PERMITTED USE

S = SPECIAL USE

| <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>R-6</u> | <u>R-7</u> | <u>I</u> | <u>O-T</u> | <u>PERMITTED - SPECIAL USES</u> | <u>B-1</u> | <u>B-2</u> | <u>B-3</u> | <u>B-4</u> | <u>B-5</u> | <u>O-R</u> | <u>P-L</u> | <u>M-1</u> | <u>M-2</u> |
|------------|------------|------------|------------|------------|------------|------------|----------|------------|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | | | | | | | | | STRUCTURAL CLAY PRODUCTS, CUT STONE AND STONE PRODUCTS | | | | | | | | | X |
| | | | | | | | | | SUGAR AND CONFECTIONERY PRODUCTS | | | | | | | | | X |
| | | | | | | | | | TOOL & DIE SHOPS | | | | | | | | X | X |
| | | | | | | | | | TOYS AND AMUSEMENTS, SPORTING AND ATHLETIC GOODS | | | | | | | X | | X |
| | | | | | | | | | WATCHES, CLOCKS, CLOCKWORK OPERATED DEVICES AND PARTS | | | | | | | | X | X |

5.5-3 PERMITTED USE TABLE: RESIDENTIAL

X= PERMITTED USE

S=SPECIAL USE

| R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | I | O-T | PERMITTED - SPECIAL USES (Ord. #12-055) | B-1 | B-2 | B-3 | B-4 | B-5 | O-R | P-L | M-1 | M-2 |
|-----|-----|-----|-----|-----|-----|-----|---|-----|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | | | X | X | X | S | | APARTMENT BUILDING OR MULTIPLE FAMILY DWELLINGS | | | | | | | | | |
| | | | | | | | | | DWELLING UNITS & LODGING ROOMS, IF BUSINESS USES OR PREMISES DESIGNED FOR SUCH USES OCCUPY THE GROUND FLOOR | X | X | X | | X | | | | |
| | | | | | | | | | DWELLING UNITS FOR WATCHMEN & CARETAKERS LOCATED ON THE PREMISES WHERE THEY ARE EMPLOYED IN SUCH CAPACITY | | | | | | | | X | X |
| | | | | | | | | | (Ord. #12-055) ONE-FAMILY ATTACHED DWELLINGS | | | | | | | | | |
| X | X | X | X | X | X | X | | | ONE-FAMILY DETACHED DWELLINGS | | | | | | | | | |
| | | | | | | | S | | SINGLE-FAMILY & ATTACHED DWELLINGS NOT EXCEEDING FOUR DWELLING UNITS IN A ROW IF SUCH USE IS RELATED TO ADJOINING INSTITUTIONAL FACILITIES AND IF THEIR USE, SITE LOCATIONS ARE FIRST APPROVED AS PROVIDED FOR IN SECTION 8 | | | | | | | | | |
| | | | | X | X | | | | TWO-FAMILY DWELLINGS (BUILT AFTER ADOPTION OF THIS CODE) WITH A MAXIMUM OF TWO DWELLING UNITS PER ATTACHED BUILDING | | | | | | | | | |