

STAFF DEVELOPMENT COMMITTEE REPORT

To: Plan Commission
 Prepared By: Matthew S. Dabrowski, Development Planner
 Meeting Date: June 12, 2013
 Date Prepared: June 6, 2013
 Project Title: Arlington Square Shopping Center
 Address: 1816 through 1860 S. Arlington Heights Road

BACKGROUND INFORMATION

Petitioner #1: Peter Troost
 Address: 9853 Gross Point Road
 Skokie, Illinois 60076

Petitioner #2: Village of Arlington Heights
 Address: 33 S. Arlington Heights Road
 Arlington Heights, Illinois 60005

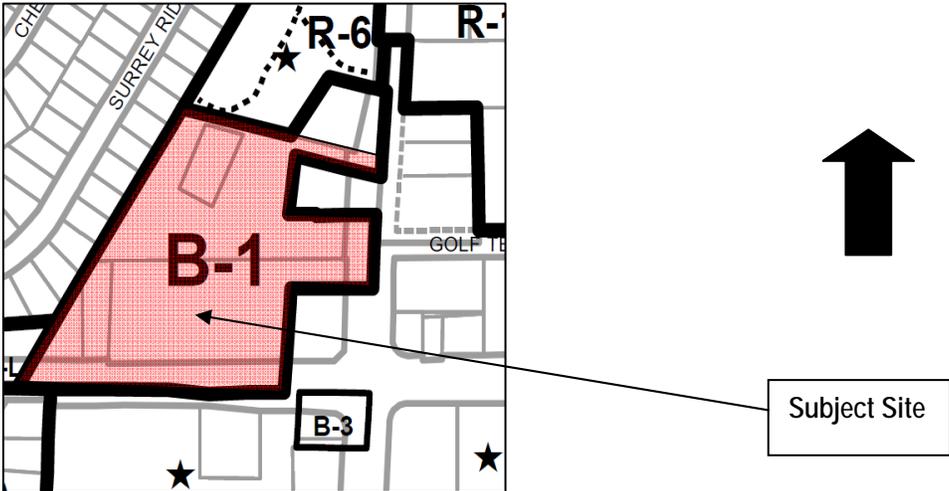
Existing Zoning: B-1, Business District Limited Service

Requested Action:

- A rezoning from B-1, Business District Limited Retail to B-2, General Business District of the property located at 1816 through 1860 S. Arlington Heights Road.

Variations Identified

- A variation from Chapter 28, Section 6.12, to waive the required a traffic and parking study from a Certified Traffic Engineer.



Surrounding Zoning

	Zoning	Use	Comprehensive Plan
North	R-6, Multi-Family Dwelling	Park Place Condominiums	Moderate Density Multi Family
South	B-2, General Business District	Arlington Towne Square	Commercial
East	B-2, General Business District	Various office and commercial uses	Commercial
West	R-3, One Family Dwelling	Surrey Ridge	Single Family Detached

Summary:

The Arlington Square Shopping Center is situated on 7.2-acres and is zoned B-1, Business District Limited Retail. The existing shopping center has a 56,000 square foot Jewel/Osco and a 12,260 square foot multi-tenant commercial building. Both

buildings are on separate lots that are owned by separate entities. The existing parking lot, which is controlled by Jewel, has 341 spaces and serves both buildings via a shared parking and access easement agreement. Access to the site is via four driveways along Arlington Heights Road and Golf Road.

The owner of the multi-tenant retail center is requesting approval of a rezoning from B-1 to B-2 in order to make that property, which is currently 39% vacant, more marketable. According to the Permitted Use Table outlined in the Village's Zoning Ordinance, the B-2 district permits more uses than the B-1 district (see attachment for full list). According to the Petitioner, many of the prospective tenants interested in the site do not want to go through a zoning process.

The Petitioner also sent notice letters with a complete list of the B-1 and B-2 uses to the surrounding residential property owners prior to a neighborhood meeting held on January 31, 2013. This meeting was held at the Village hall and none of the surrounding owners attended.

Plat and Subdivision Committee Meeting Summary

The Petitioner's request was presented to the Plat and Subdivision Committee of the Plan Commission on December 12, 2012. Since the Jewel property was not part of said request, a variation from Chapter 28, Section 5.1-11.3, Minimum Area for Zoning District was required to allow a reduction to the minimum zoning district size from 4.0 to 0.28 acres. Although contiguous to commercial zoning, Chapter 28, Section 5.2, Minimum Areas for Zoning Districts states that surrounding zoning may be included in the calculations to meet the minimum requirement only if it is of the same or a less restrictive classification. Since the Jewel site is zoned B-1, which is more restrictive than the proposed B-2, it could not be factored into the Petitioner's calculation to meet the minimum acreage requirement. Both the Plat and Subdivision Committee and Staff took issue with the Petitioner's request given the extent of the variation as well as the creation of an isolated pocket of B-2 zoning surrounded by the more restrictive B-1 zoning. The Plat and Subdivision Committee indicated that they would support a rezoning to B-2, only if the Jewel site was included.

In response to these comments, Jewel was contacted and has provided a letter (see attached) indicating that they "...would very much like to cooperate fully with this rezoning effort" with reservations on some possible future special uses. Therefore, the proposed request has been modified to include a Village as a co-petitioner to rezone the remaining portion of the shopping center that is owned by Jewel from B-1 to B-2. These combined actions would maintain a unified and cohesive zoning block as well as negate the need for the above mentioned variation.

The letter from Jewel also conveyed concerns with certain special uses in the B-2 district, such as; motor vehicle sales, rental, and repairs (minor), automobile service stations, private clubs and lodges, hotels, drive-through facilities, and amusement arcades. With the exception of amusement arcades, all of the other uses listed by Jewel are special uses, which are subject to a public hearing of the Plan Commission and Village Board approval. As far as the amusement arcade, Village code states that no amusement arcade can be established within 200 lineal feet of any church, Public Park, hospital, building operated exclusively as an elementary or high school or residential zoning district as measured from the public entrance of the arcade to the lot line of the aforementioned uses and zoning district. The front elevation of the multi-tenant commercial building is 165 to 192 feet from the abutting residential district to the west and 40 feet to the abutting residential zoning district to the north. Therefore, an amusement arcade would need a variation that requires a public hearing process.

Zoning and Comprehensive Plan

The existing Jewel store and multi-tenant commercial building were rezoned to B-1 in 1962 via Ordinance 62-70 as surrounding residents conveyed concern with the types of uses and level of development intensity allowed within the B-2 district. In 1997 Jewel expanded its operation and the Village Board adopted Ordinance 97-083, which rezoned the parking lot along the south elevation of the Jewel building from B-2 to B-1. The aforementioned rezoning created a unified zoning block, and the developer at the time was amenable to the change as it still allowed for a grocery store, while minimizing potential concerns of the adjoining residential neighborhood to the west.

According to the Village's Zoning Ordinance the B-1 district is considered a neighborhood oriented commercial node intended to: "... provide for the convenience shopping of persons residing in adjacent residential areas. Limited service and office establishments are permitted in this district provided that such establishments will be conducted without noise, odor, or any other condition, which might be disturbing to adjacent residential areas". The B-2 district is intended to "...provide sites to be

used primarily as community shopping centers which serve a large trade area and to include the grouping of more compatible business uses which promote public convenience and business prosperity". This center, anchored by the Jewel food store, serves a larger trade area that provides public conveniences to both the nearby neighborhood as well as the community as a whole.

Staff supports the proposed rezoning for the following reasons.

- i. Consistent with the Village's Comprehensive Plan, which designates the subject site as Commercial.
- ii. Consistent with the Village's Zoning Ordinance, which requires a minimum of 4 acres for B-2 zoning.
- iii. Consistent with the other three commercial centers and properties at the corners of Arlington Height Road and Golf Road.
- iv. The zoning change will not affect how the shopping center functions and the type of uses allowed within the B-2 district are compatible with the surrounding properties.
- v. Most of the larger commercial centers within the Village are zoned B-2 and are adjacent to residential. Moreover, Ordinance 97-083, which will remain in effect after the zoning change, mandates several conditions relative to delivery and loading operations, screening and buffering of mechanical equipment, and the type of landscaping and fencing (8 foot high) that must be maintained along the west property line.

Traffic and Parking

According to code, any rezoning request that is adjacent to a major arterial street such as Arlington Heights Road and Golf Road must provide a traffic and parking study from a Certified Traffic Engineer. Therefore the Petitioner is requesting the following action:

- **A variation from Chapter 28, Section 6.12, to waive the required a traffic and parking study from a Certified Traffic Engineer.**

Staff supports the above mentioned request as the change in zoning will not impact existing access drives, on site circulation patterns or parking.

RECOMMENDATION #1

The Staff Development Committee recommends **approval** of a rezoning from B-1, Business District Limited Retail to B-2, General Business District of the property located at 1816 through 1860 S. Arlington Heights Road, and a variation from Chapter 28, Section 6.12, to waive the required a traffic and parking study from a Certified Traffic Engineer. This approval shall be subject to the following conditions:

1. Compliance with all applicable Federal, State, and Village codes, regulations, and policies.

_____, June 6, 2013

Bill Enright, AICP
Deputy Director of Planning and Community Development

Cc: William C. Dixon, Village Manager
All Department Heads



Arlington Square Shopping Center

 Multi-Tenant Commercial Building

Location: 1816-1844 S. AH Road
Land Area: 18,322 SF (0.42 acres)
Building: 12,260 SF
Existing Zoning: B-1
Comp Plan: Commercial

 Jewel/Osco

Location: 1860 S. AH Road
Land Area: 295,310 SF (6.8 acres)
Building: 56,000 SF
Parking: 341 spaces (shared agreement)
Existing Zoning: B-1
Comp Plan: Commercial

Proposed Request
Rezone both the Multi-Tenant and Jewel/Osco lots from B-1 to B-2