

Surrounding Zoning and Land Use:

North: B4A Roosevelt Road Corridor District; developed as a fast-food restaurant (Popeye's) and an automobile service center (Midas).

South: Unincorporated property; developed as single family residences.

East: B4A Roosevelt Road Corridor District; undeveloped parcel of land.

West: B4A Roosevelt Road Corridor District; developed as a commercial retail business (Century Tile).

ANALYSIS

SUBMITTALS

This report is based on the following documents filed with the Department of Community Development on February 1, 2008:

1. Petition for Public Hearing with a response to standards.
2. Certificate of Survey, prepared by Town & Country Land Surveyors & Company, dated July 9, 1986
3. Site Plan, prepared by Dan Development Ltd., dated June, 2006.

DESCRIPTION

The petitioner is proposing a staging area for the rental of motor vehicles to be located behind an existing commercial building within the B4A zoning district. As the sales and/or rental of motor vehicles are listed in the Zoning Ordinance as a conditional use within the B4A zoning district, Village Board approval is required.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

The Utilities Division of the Department of Public Works has no comments on this project. If site improvements are made to this location, the Public Works Department would like to review them. Public Works Engineering has no comments at this time.

PRIVATE ENGINEERING

Private Engineering Services has no comments at this time.

FIRE AND BUILDING

Upon review of the above referenced request for conditional use for motor vehicle sales/rental, the Fire Department/Bureau of Inspectional Services has no comments at this time.

PLANNING

Compliance with the Zoning Ordinance

The strip center where the business is located consists of one courier service establishment (subject tenant), five restaurants, two beauty shops, one grocery store, and two vacant tenant spaces. In this case, the office element is intended to be a subordinate activity to the principal use being proposed, which is the rental of motor vehicles. Similar to other businesses that have come forward to utilize a portion of their property for a contractor's yard use, staff has required full Code compliance.

Through a Code Enforcement inspection effort, staff found that a number of U-Haul trucks were being parked on the subject property behind the retail strip center. Further investigation of this activity found that the petitioner had leased a portion of an existing tenant space within the retail strip center and were using the rear of the subject property as an area to stage/store rental trucks and trailers. The sales and/or rental of motor vehicles are listed as conditional uses within the B4A Roosevelt Road Corridor District. Since there were no prior Village approvals that could legally tie the desired business use to any legal rights afforded to the property, the subject property was found to be in violation. Therefore, the petitioner is seeking conditional use approval to allow for the aforementioned use on the subject property.

Automobile-oriented uses, including vehicle sales and rentals, are listed as conditional uses in the commercial districts because they can potentially have an adverse impact on surrounding properties and therefore merit a more critical review. The subject property previously received approval of a conditional use to allow for the rental of vehicles (Enterprise Rent-a-car; PC 99-18). However, as that use has not occupied the premises for over a one-year period of time and given that the petitioner's use differs in nature to the previous use, a new conditional use is required.

Two (2) parking lots exist on the site – one in front of the building and one behind the building. The parking lot in front of the building, which contains forty-eight (48) parking spaces, provides adequate customer parking for the center (the required number of spaces for the entire center is sixty (60)). The lot behind the building is actually larger than the lot in front of the building and has spaces for seventy-four (74) cars, plus ample room by the building for loading and

unloading. With a total of (122) parking spaces provided on-site and only sixty (60) required, there is a surplus of sixty-two (62) parking spaces.

The proposed area for the rental of motor vehicles would occupy the southern portion of the subject property and would be used as a staging area for the trucks and trailers as they are rented on an as-needed basis. To access the southern portion of the property, the proposed use will utilize the only existing drive aisle accessible to the southern portion of the property. That drive aisle is nineteen (19) feet wide and is located on the eastern portion of the subject property between the principal structure and the eastern property line.

The specific concern with vehicle sales and rentals is that the sites associated with those sales or rentals are typically devoted primarily to the outdoor storage of motor vehicles. If not adequately screened or if packed too tightly on the site, this vehicle storage can have a negative aesthetic impact. A second concern in the case of vehicle sales or rentals within a shopping center is that the storage of vehicles can take spaces away from employees and customers.

The current plan designates six (6) parking spaces for the staging of the U-Haul vehicles. The spaces will abut one another in the center portion of the parking lot to create possible through spaces to accommodate any larger vehicles. The types of vehicles that U-Haul plans to stage on the subject property will all use gasoline engines and vary in size. Cargo vans, pick up trucks, and smaller moving vans represent the types of vehicles that will be staged. The moving vans will range in size from ten (10) feet to twenty-six (26) feet in length. There will also be a variety of trailers that could be staged which include van trailers, open trailers, and vehicle trailers.

Regardless of the type of vehicle, U-Haul should be limited to the six (6) parking spaces. The Village will require that these spaces be striped and/or painted to reserve them specifically for U-Haul. Designating these spots will allow Village staff to easily monitor the U-Haul equipment so the area does not become a de facto storage yard.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Community Commercial uses at this location. The proposed use complies with the recommendation of the Comprehensive Plan, provided that the uses does not negatively impact adjacent properties and is operated in a manner that makes it compatible with the adjacent residential properties. Compatibility with adjacent residential properties was also identified as a primary concern within the recently adopted Roosevelt Road Corridor Report, adopted in 2007 as a supplement to the Comprehensive Plan. Staff is suggesting certain site improvements are being required as an adjunct to the motor vehicle sales/rental area conditional use to ensure neighborhood compatibility.

Compatibility with Surrounding Land Uses

As was also mentioned above, the area in which the rental vehicles will be parked should be well screened from adjacent residents. The parking lot is not visible from Roosevelt Road due to the lot's location behind the building. The lot is visible from the property to the east, but that property is presently vacant. The adjacent property is covered with a thick growth of trees and

has a small creek running along its west property line (adjacent to the subject property). While the property could ultimately be developed and the trees removed, the creek would most likely have to be protected and that protection would ensure the preservation of a buffer of trees between the two properties.

There is no screening of the parking lot from the property to the west (a chain link fence with no slats runs along the west property line), but screening along that side is not as critical. Two properties abut the parking lot on the west side – Century Tile, which does not have any windows facing the rear parking lot, and a lot which houses infrastructure for the Hinsdale Sanitary District. There is also a significant grade change (+/- 3 feet) between the properties.

The only side which is of primary concern is the rear (south) side, which abuts single-family residences. There is an eight-foot (8') wood fence in place along the southern property line, which was required as part of PC 99-18. The eight-foot (8') wood fence is actually a six (6) foot solid wood fence with a two (2) foot lattice on top, which is in a state of disrepair. One neighboring property to the south has also erected a wooden fence, which due to grading issues actually stands taller than the subject eight (8) foot fence. As part of this petition, the Village will require an eight (8) foot solid wood fence to be erected and maintained along the entire southern property line of the subject property. The existing six (6) foot fence can be utilized; however, solid panels will need to be added.

Located on the northern portion of the neighboring residential property, a row of large mature Evergreen Trees (some greater than twenty (20) feet in height) provides additional screening. The installed eight foot fence, mature trees and existing grade changes should provide substantial screening of the vehicles proposed to be stored on the property.

The dumpster which is located on the southwest corner of the site is not enclosed and has generated complaints from adjacent properties owners due to the foul odors that it produces. In order to bring the site into closer compliance with Code standards as part of conditional use approval, staff is recommending that this dumpster be relocated to the existing dumpster enclosure located on the southwest portion of the subject building. Code Enforcement is currently working with the property owner on the dumpster and fence maintenance issues.

FINDINGS AND RECOMMENDATIONS

Staff has reviewed the petition and finds that petition does meet the standards set forth in the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion to **approve** PC 08-04:

Based on the above findings, the Inter-Departmental Review Committee recommends that the petition as presented does meet the standards set forth in the Zoning Ordinance and recommends that Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission and therefore the Plan

Commission and recommend to the Corporate Authorities **approval** of PC 08-04, subject to the following conditions:

1. The subject property shall be operated under the following provisions:
 - a. The use shall be limited to the storage of no more than six (6) trailers and/or vans and trucks on the premises at a given time.
 - b. The vehicles shall be parked in the designated parking spaces as depicted on the submitted site plan prepared by the petition and made a part of the public hearing request. The designated parking spaces shall be clearly identified by means of striping and signage.
 - c. The largest vehicle that can be parked on the subject property for rental purposes shall be a 26-foot long truck.
 - d. Excluding items used for moving purposes or the operation of the vehicles or trailers, storage of any items within the trucks and trailers on the premises shall be prohibited.
 - e. Maintenance or repair of any rental vehicles shall not take place on the subject property.
2. An eight-foot (8') tall wood fence shall be installed and maintained along the full length of the south property line. The petitioner shall secure a building permit from the Village for the fence improvements.
3. The existing dumpster located on the southwest portion of the subject property shall be removed or relocated so that it is a least forty feet (40') north of the south property line. All dumpsters located on the subject property shall be screened pursuant to Section 155.710 of the Zoning Ordinance.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

DAH:MT