

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: April 25, 2024

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 24-06: Special Use Permit for Motor Vehicle Rental and Service

APPLICATION INFORMATION

APPLICANT	Lakeisha Williams
ACTION	Special Use Permit for Motor Vehicle
REQUESTED	Rental
ADDRESS	17803 Bretz Drive
PIN	29-33-100-067-1001



ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
SURROUNDING N:	M-1 Limited Manufacturing	Vacant
E:	M-1 Limited Manufacturing	Vacant
S:	B-4 Shopping Center	Telecommunications
W:	B-4 Shopping Center	Commercial/Retail

LEGAL NOTICE

Legal notice was published in *Daily Southtown* on April 11, 2024; letters were sent to property owners and residents within 250'.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application – Non-Residential Zoning	2	Lakeisha Williams, Applicant	12/28/2023
Response to Standards for “Special Use”	2	Lakeisha Williams, Applicant	12/28/2023
Staff Exhibits	2	Noah Schumerth, Asst. Director Econ./Comm Dev.	01/05/2024

BACKGROUND/PROJECT SUMMARY

The applicant, Lakeisha Williams of 119 Tranzit, is proposing to open a motor vehicle rental facility at 17803 Bretz Drive. The applicant's business will include motor vehicle rental and minor auto service, including paintless dent repair other light automotive repair services. The business is proposed to be located in a tenant space within an existing *multi-tenant commercial center* in the M-1 Limited Manufacturing zoning district. The gross floor area of the tenant space is 1,850 square feet.

A Special Use Permit is required for any motor vehicle rental facility located within the M-1 Limited Manufacturing zoning district.

HISTORY

The subject property is a unit within a *multi-tenant commercial center* within the M-1 zoning district. The center has several current tenants, including a brewery, a motorcycle repair facility, and an automotive parts store.

The commercial center consists of three distinct buildings with fifteen total commercial spaces which can be combined as necessary for business operation. Each tenant space includes commercial/office flex space with large windows in the front of the unit, with additional workshop space with vehicle garage access located in the rear of the structure. The building is designed to provide flexible arrangements for businesses with hybrid commercial and industrial operations.

DISCUSSION

The applicant has proposed a new motor vehicle rental facility to be located in a vacant tenant space located at 17803 Bretz Drive. The facility, which is to be called 119 Tranzit, will include 1,850 square feet of total floor area. The space will include a commercial/office area open to customers of the business and a rear service space which can hold a single vehicle for light automotive repair and provide storage for business supplies. The office space will include areas dedicated for rental vehicle transactions, while the rear bay will be used for light automotive repair, dent removal and storage for vehicle service uses.

The building is serviced by a parking area with 145 parking spaces, arranged in a single aisle along the front of each of the three buildings on the site. The service bays in the rear of each building are accessed by a service drive routed around the rear of each of the buildings on the property. The site has three access drives connected to Bretz Drive.

Use-Specific Regulations

This Special Use Permit application must be evaluated against use-specific regulations outlined in Section 44-04-09 of the Village Zoning Ordinance, which provides regulations unique to motor vehicle rental facilities located in the Village of Homewood. An analysis of each applicable use-specific standard is provided below:

1. Operations shall not cause obstructions to traffic circulation on public streets

The use is not proposed to cause disruptions to public streets. All vehicle storage and other use operations will occur on private property in designated areas. Village staff does not have concerns regarding potential obstructions of public right-of-way caused by this use.

2. A "Type B" transition area, as detailed in subsection 44-05-06(h) shall be required along lot lines adjacent to any parcel in a non-residential district.

A 10' transition zone compliant with Section 44-05-06(h) is already present along the rear of this structure, which is adjacent to another non-residential parcel zoned M-1 Limited Manufacturing. No further action is needed by the property owner or the tenant operator.

3. Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

The site has been designed to fully manage on-site stormwater runoff, with drainage running to central storm drains located in the centerlines of the drive aisles on the site. There are no new outdoor storage or activity areas being created for vehicle sales or service which will require additional improvements.

Special Use Standards Analysis

The Special Use Permit application must also be considered against standards for Special Uses identified in Section 44-07-06 of the Village Zoning Ordinance. These standards are applied to all Special Use Permit applications. The applicant has provided a set of responses to each of the standards for Special Uses, which is attached as an appendix to this memo. A summary of the staff review of the Special Use Standards is included below in **Table A**.

Table A – Special Use Standards Assessment

Special Use Standards	Applicant Comments	Staff Comments
Is the use necessary for public convenience at this location?	<i>"We feel Homewood would serve as a great area for us to provide rental cars for people in need of a way to get local and reliable transportation, while we offer pdr and light automotive repairs."</i>	Staff has no concerns about the public convenience of the use. The use allows for the addition of a service required for some visitors to the Village.
Is the special use detrimental to the economic welfare of the community?	<i>"Yes, as the for rental car remand had increased and there is a shortage in rental cars we can provide a service where there is a need."</i>	Staff has no concerns about potential harm to economic welfare caused by the proposed use.

Is the use consistent with the goals and policies of the Comprehensive Plan?	<i>"Yes as we will be able to keep people in getting to work to make a living to provide for their family."</i>	The proposed use is a commercial/semi-industrial use which is in alignment with the goals for the M-1 zoning district and the Commercial land use category of the 1999 Comprehensive Plan.
Is the use designed, located, and proposed in a manner which protects public health, safety, and welfare?	<i>"Yes as we will offer a clean sanitized vehicle to our customers and the pdr and automotive service will leave little to no waste."</i>	Staff does not find that the motor vehicle rental facility will have any adverse impacts on the public. The automotive repair services proposed by the applicant will not cause adverse impacts on surrounding properties when subscribing to conditions proposed by Village staff.
Is the use a suitable use of the property, and will the property be diminished in value without the special use?	<i>"The location is great and we operate a clean shop and offer vehicle rentals. There is no damage that will be done to the property and the surrounding area."</i>	Staff has no concerns about the location of the proposed use. Similar uses are located in the same commercial center, and the existing condition of the tenant space is suitable for the use without outdoor storage, undue noise impacts, or other potential externalities.
Will the use cause substantial injury to the value of the property in the neighborhood?	<i>"No, it will not."</i>	Staff does not have concerns about potential injury to surrounding properties. Outdoor storage is restricted and all uses will be contained within the existing structure. Limited injury will be caused to nearby tenants, and no sensitive uses are located nearby which will be adversely impacted by a motor vehicle rental facility.
Will the use be consistent with the uses and community character surrounding the property?	<i>"Yes as we can provide transportation and there are not any PDR specialists in the area."</i>	Staff finds that the use will be complimentary to the existing use mix of the area, and is consistent with similar uses in the center within which the motor vehicle rental and auto repair use is proposed.

Will the use hinder the use and enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?	<i>"No as we are quiet and respectful of everyone's personal space."</i>	Staff finds that with the requirements of the Village zoning ordinance and additional conditions recommended for this use, the property will not hinder the use of other businesses located nearby within the M-1 Limited Manufacturing zoning district.
Will the use impede normal and orderly development of surrounding property?	<i>"No as there is no one near us that offers the services that we offer."</i>	Staff finds that the only potential impact on future development will be the use of parking on the site. The site has a large vacant area with a parking area and drive aisle north of the proposed business, designed to provide space for a fourth building in the commercial center. Parking must be organized to avoid causing impacts on future development on the site.
Does the use provide adequate ingress and egress in a manner which minimizes congestion in the public street?	<i>"Yes we operate by appointment, so there is less foot traffic into the building."</i>	Based on the description of the business, there will be minimal congestion created by the use. The operation of the use must ensure there are no impacts to public street circulation, as required by the Special Use Standards applicable to this site.
Is the use adequately served by utilities, access, and other facilities?	<i>"Yes the building has adequate utilities, drainage, and road access."</i>	The building has the required utility connections necessary to support the use. The site has adequate drainage installed, and there are no additional outdoor areas proposed which will require unique drainage treatments. There is suitable road access to manage the anticipated traffic generated by this use.

Is the use substantially affecting one or more historical, cultural, natural or archeological resources located nearby?	"No."	Staff has no concerns about impacts on unique resources from the proposed use.
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The primary impact on the site and surrounding area will be the addition of parking demand on the site with expanded activities taking place in the tenant space at 17803 Bretz Drive. The site currently has 145 parking spaces available for use by 15 commercial spaces. Ample parking is currently available at peak hours at the site (morning peak hour, mid-afternoon, evening peak hours on weekdays), but there are a number of vacant tenant spaces which cause additional availability of parking on the site.

The motor vehicle rental use with a total of 1,850 square feet requires 6 parking spaces (1 space per 300 square feet). The site is also in a *multi-tenant commercial center* with the same parking requirement as the proposed use, which requires a total of 78 parking spaces. There is an appropriate number of parking spaces near the tenant space to support the use proposed. The types of automotive repair and vehicle rental uses proposed often require temporary parking of vehicles for service or future rental use, and these parking uses must be controlled to ensure the elimination of adverse impacts on neighboring properties. Based on the allotment of parking spaces for tenants in the building, approximately 10 parking spaces are allotted for the tenant space which is planned to become the proposed motor vehicle rental facility. A condition has been provided limiting the total number of vehicle storage spaces for rental vehicles or serviced vehicles to 4 spaces, ensuring that the total parking demand for the site does not exceed the allotment of parking for this tenant space on the site.

Conditions have also been provided to restrict the following potential adverse effects caused by the proposed vehicle service and rental use:

- Restrictions on outdoor storage (aside from vehicles awaiting pick-up or completion of service)
- Restrictions on vehicle storage duration

STAFF COMMENTS

The following additional comments are provided:

1. The *multi-tenant commercial center* is held under common ownership on a single parcel. Therefore, no consolidation of parcels or adjustments to the subject property boundaries is required prior to the approval of a Special Use Permit.
2. No additional square footage, nor additional parking or site landscaping, is to be provided in conjunction with this project. Therefore, no additional Site Plan Review or Planned Development Review is required concurrent with this Special Use Permit application.
3. No exterior building alterations are required to support the proposed use. Therefore, no Appearance Review or Appearance Board action is required concurrent with this Special Use Permit application.
4. With the approval of this Special Use Permit, the use classification in this tenant space will be *motor vehicle rental*.

5. If approved, the Special Use Permit shall expire if the proposed use is not occupied within one year of the Village Board approval date, per Section 44-07-11.F of the Village Zoning Ordinance.

FINDINGS OF FACT

The staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-11 of the Village Zoning Ordinance. The findings of fact, as proposed or as amended, may be entered into the record.

1. The subject property is located at 17803 Bretz Drive, and is within the M-1 Limited Manufacturing zoning district.
2. The applicant, Lakeisha Williams, is the proprietor of the proposed motor vehicle rental facility, 119 Tranzit. The property owner is Gentral Brooks.
3. The proposed use, cited by the applicant as a "motor vehicle repair and rental facility," is classified as a *motor vehicle rental* use, per definitions set forth in Section 44-09 of the Village Zoning Ordinance.
4. The applicant, Lakeisha Williams, has requested a Special Use Permit in the M-1 zoning district to operate the *motor vehicle rental* use, as required per Table 44-03-04 of the Village Zoning Ordinance.
5. The proposed use will use a tenant space totaling 1,850 square feet of total floor area.
6. The applicant has not proposed additions to the gross floor area, nor modifications to the site layout or exterior of the existing building.
7. The applicant meets the required use-specific standards for the proposed use, per Section 44-04-09.D of the Village Zoning Ordinance, which requires *motor vehicle rental* to meet specific standards through the duration of the operation of the use.
8. The proposed use is located within a *multi-tenant shopping center*; 78 spaces are required for the 23,400 sq. ft. shopping center. The subject tenant space requires a minimum of 6 parking spaces dedicated to the proposed use.
9. The subject site has 145 parking spaces. The use complies with off-street parking requirements per Section 44-05-01 of the Village Zoning Ordinance.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

If the Commission finds that the request meets the standards for special use, the Planning and Zoning Commission may consider the following motion:

Recommend **approval** of Case 24-06 to the Village Board of Trustees, to grant a Special Use Permit for a *motor vehicle rental facility* in the M-1 Limited Manufacturing zone for "119 Tranzit" at 17803 Bretz Drive, subject to the following conditions of approval:

1. No more than 4 parking spaces shall be utilized for overnight vehicle storage, including vehicles available for rent or serviced vehicles.
2. All vehicle storage shall be located within marked off-street parking spaces. No vehicles shall be stored in a manner which impedes building access or access to the rear drive aisle of the site.
3. Any vehicle receiving service shall not be stored on the site for greater than 30 days, as required for uses providing automotive repair service.

4. No materials used for the service or rental vehicles or private vehicles shall be stored in outdoor areas.

5. No vehicle storage shall occur in a location which creates obstructions to traffic circulation on public streets.

6. No vehicle repair services offered with the proposed use shall include the services classified as *autobody repair* in the Village of Homewood Zoning Ordinance, including but not limited to major painting and undercoating services, engine rebuilding, reconditioning of motor vehicles, collision repair services, such as body, frame, or fender straightening and repair, overall painting or undercoating.

and

Incorporate findings of fact into the record.