

VILLAGE OF HOMEWOOD



BOARD AGENDA MEMORANDUM

DATE OF MEETING: February 13, 2024

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Parking Variance for Restaurant at 810 Maple Avenue

PURPOSE

The applicants, Emad Abed (building owner) and Mohammad Majid (restaurant owner), are requesting a variance to modify parking requirements for the operation of a carry-out restaurant, Fill-a-Pita, at 810 Maple Avenue. The building is currently fitted for two commercial retail spaces, and the applicants are proposing the creation of a third tenant space for a “fast casual carry-out restaurant.” Table 44-05-01(C) of the zoning ordinance, *Parking Requirements*, requires one space per 300 square feet of gross floor area for all *multi-tenant shopping centers*. The footprint of the building is 11,940 square feet of gross floor area (GFA). Based on this standard, the subject site requires 39 parking spaces, which is a reduction from the 48 spaces required under the previous zoning ordinance but remains greater than the 28 spaces currently available on the site. Mr. Abed and Mr. Majid have requested a variance from the parking requirements.

PROCESS

The building was previously occupied by a tire retail and vehicle service facility (Discount Tire) and was vacant for many years. In 2022, the applicant purchased the property and divided it into two retail tenant spaces which currently houses the Smoke Shop Superstore and DNA Beauty Supply store. The Village Board approved a parking variance for the two tenants in September 2022. The applicant has not proposed changes to this footprint. However, since the approval of the initial parking variance for this site, the Village has adopted a new zoning ordinance with significant changes to parking requirements.

Parking Study

Upon initial review of the variance application, staff requested additional parking data for the 810 Maple Avenue site to document existing on-site parking utilization. Data from the study indicated that the two existing businesses cause minimal strain on the existing parking lot. Based on photo captures taken at one-hour time increments over two weeks, parking utilization never exceeded 57% on-site, and demand rarely exceeded 40% of parking available. Staff found that based on maximum parking usage documented in data from the site, the proposed carry-out restaurant use would not cause spillover effects onto neighboring properties.

VILLAGE OF HOMEWOOD



Planning & Zoning Board

At a public hearing on January 11, 2024, the Planning and Zoning Commission considered the request for a variance from parking requirements and approval of the site plan. At the hearing, five commission members were present and voted unanimously (5-0) to recommend approval of the requested variance to operate the restaurant with 28 parking spaces.

OUTCOME

The Planning and Zoning Commission reviewed the application, heard testimony by the applicant, and considered the applicant's response to the standards for a parking variance. The following Findings of Fact by the standards outlined in Section 44-82 of the zoning ordinance may be entered into the record:

1. The subject property is located at 810 Maple Avenue and owned by the applicant, Mohammad Majid.
2. The subject property is located in the B-4 Shopping Center Zoning District.
3. Carry-out restaurant facilities, as proposed by the applicant, are permitted in the B-4 Shopping Center Zoning District.
4. The existing development on the site, including an 11,940-square-foot building and 28 surface parking spaces, was formerly built for vehicle repair and service.
5. The subject property received approval in 2022 to support the renovation of the building to support two new commercial and retail tenants and received a parking variance to allow for reduced parking requirements for these proposed uses.
6. The building on the subject property was designed to accommodate three tenants, with a third tenant space not considered in 2022 remaining vacant. This vacant tenant space is the subject of this planning case. This space is 1,827 square feet in area.
7. The building on the site is now designed to support multiple tenants and has been classified as a *multi-tenant shopping center* in the Village Zoning Ordinance.
8. The proposed use in the third tenant space is a carryout food service business.
9. The Village Zoning Ordinance requires 1 off-street parking space per 300 square feet of gross square footage (GFA) within a multi-tenant shopping center, and the building requires a total of 39 parking spaces for the 11,490 square feet of retail and commercial space.
10. The applicant proposed to provide 28 parking spaces on the subject property to support the uses within the multi-tenant shopping center on the site.
11. The proposal from the applicant includes four additional parking spaces and spaces with signage indicating that additional spaces are reserved for carryout/pickup customers.
12. The tenant space is proposed to be modified to provide additional egress to the north to provide access to parking currently unutilized by existing businesses.
13. The proposed variance is for relief from the provision of 11 total parking spaces.

VILLAGE OF HOMEWOOD



FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance granting a variance from Table 44-05-01(C) in Section 44-05-01(A) *General Off-Street Parking Requirements* to allow the operation of a carryout food service establishment with 28 parking spaces at 810 Maple Avenue.

ATTACHMENT(S)

- Site Plan by Harold Beron, last revised August 11, 2023
- Ordinance granting a variance