

# Request For Board Action

**REFERRED TO BOARD:** March 11, 2019

**AGENDA ITEM NO:** 7

**ORIGINATING DEPARTMENT:** Community Development

**SUBJECT:** Consideration of a request for a Variance and Site Plan Review for an outdoor recreational vehicle storage facility located at 0 Drom Court.

## **SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

The applicant is seeking a Site Plan Review and a Variance for their proposal to construct an outdoor recreational vehicle storage facility at dead end of Drom Court. Currently, the applicant owns approximately 4.0 acres which is located to the west of the Anita Self Storage facility located on Anita Avenue. As proposed, the Site Plan would contain a 0.75-acre parking lot that would be enclosed by a metal cyclone fence with no screening. The basis of applicant's request for a Variance is a concern about safety and the potential for crime at the subject site.

The Village's Zoning Ordinance and Site Plan Review Ordinance both require outdoor storage to be screened. The proposed recreational vehicles would be parked at this site for storage when they are not being used. The applicant has submitted a landscape plan and a photometric plan. It appears that the photometric plan does comply with the Village's ordinance, however the last landscape plan that Staff had an opportunity to review does not comply with the Village's Site Plan Review Ordinance.

After extensive discussion, the PZB at their February 21, 2019 meeting recommended denial of the Site Plan and Variance by a vote of 5-0.

**FINANCIAL IMPACT:** None

## **DOCUMENTS ATTACHED:**

1. Village Board Staff Report

## **RECOMMENDED MOTION:**

Staff and the PZB recommend denial of the Variance for waiver of the Village's outdoor screening requirements.

Staff and the PZB recommend denial of the Site Plan for the recreational storage facility of the Anita Self Storage facility.



**REPORT TO:** VILLAGE PRESIDENT and BOARD OF TRUSTEES  
**FROM:** MICHAEL S. GARRIGAN, AICP, CNU-A, Community Development Director  
**DATE:** March 5, 2019  
**SUBJECT:** REPORT TO VILLAGE BOARD

**CASE:** Anita Self Storage  
18-12 and 19-02

**REQUEST:** Variance  
Site Plan Review

**LOCATION:** Drom Court

**APPLICANT:** L & W Real Estate Management, LLC

**ZONING:** M-1 (Manufacturing Limited)

### **Background**

The applicant operates an existing storage facility on Drom Court and is seeking to construct an outdoor storage area for recreational vehicles. The subject site is located on Drom Court and is zoned M-1 (Manufacturing- Limited). Currently, the property is a four (4) acre site. To the east of the site is the Anita Self Storage facility which is owned by the applicant. The applicant is proposing to construct a parking lot that would be approximately three-quarters of an acre of impervious surface.

The applicant has been before the PZB on two occasions related to the Site Plan and the issue of whether they are required to screen the fencing around the proposed recreational storage area. The applicant has filed a Variance from the Village's screening requirements and has requested that any screening of the outdoor storage area be waived.

### **Variance**

The applicant is seeking a variance from Section 10-3-6 (A) which requires outdoor storage be screened from view of adjacent properties. Specifically, the applicant is proposing to construct a six-foot chain link security fence with no screening. In addition, the applicant is seeking relief from the Village's Site Plan Review Ordinance which also requires 100% opacity or screening for outdoor storage.

Before the PZB can support a requested variance, certain finds of fact must be met by the applicant. Below is a summary of the required finding of facts that are outlined by Village code:

1. *The proposed variation will not:*

- a) *Impair adequate supply of light and air to adjacent property.*
- b) *Unreasonably increase the congestion in public streets.*
- c) *Increase the danger of fire or endanger public safety.*
- d) *Unreasonably diminish or impair established property values within the surrounded area; and*
- e) *Merely serve as a convenience to the applicant; there is a demonstrated practical design difficulty involved in this project.*
- f) *The requested variation does not permit a use otherwise excluded from the zoning district in which the property is located.*

The sole basis of the applicants request is for her convenience and claim related to safety and security. Staff continues to believe that screening is necessary in view of the number of residential units to the north of the subject site. Allowing the applicant to vary from the Village's screening requirements will have a negative impact on the residential areas along Drom Court and establish a dangerous precedent in the Village.

2) *The conditions or circumstances upon which the request is based apply to land for which the variation is sought and is not generally applicable in the zoning district.*

There is nothing unique about this property that would justify a variance. There is no inherent hardship of the applicant which justifies the variance requested. Specifically, the applicant has not provided Staff with any valid land use justifications that would provide them relief from the Village's screening requirements. As outlined above, there are a number of residences and apartments to the north that could be negatively impacted by the applicant's proposed outdoor storage if no efforts are made to screen the property.

3) *The condition or circumstance is not the result of any action on the part of the applicant.*

The applicant's proposed variance relates to no hardship or unique aspect of the property that would justify a variance. The applicant has not provided any valid land use facts that would justify a variance and granting a variance would potentially have a negative impact on the residences to the north of the site. There is an existing single-family home and apartment between 150 to 200 feet north of the applicants proposed outdoor storage facility.

4) *The variation requested is the minimum adjustment needed for the reasonable use of the land.*

The applicant is objecting to the Village's screening requirement which is required for new businesses that contain outside storage. Specifically, the Village recently required a user in the Anita Business Park to screen their outdoor storage facility. Obviously, existing businesses and storage facilities that predate this

section of the ordinance are legally nonconforming. However, this provision would not apply to the applicant due to the fact that the applicant is proposing a new outdoor storage facility.

- 5) *The granting of the requested variation is in harmony with the general purposes and intent of the zoning ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the village's comprehensive plan.*

The propose variance and waiver of the Village's screening requirement would be detrimental to the quality of place along Drom Court and is not in harmony with the Village's Zoning Ordinance . In addition, the applicant's proposed variance is inconsistent with the Village's new adopted Comprehensive Plan which highlights the importance of quality development, landscaping, and screening in the commercial guidelines incorporated within that document.

### **Site Plan Review**

The applicant has submitted a Site Plan for this proposed outdoor storage facility. The site would be graded and an asphalt parking lot would be constructed. Around the parking lot would be a six- foot security fence with no screening. The applicant has identified security reasons for requesting no screening around the perimeter fence.

The site plan shows that the access point into this storage area would be located on the eastern perimeter of the outdoor parking lot. The subject improvements would be approximately three quarters of an acre of asphalt. The applicant would locate two lighting standards in the middle of the proposed storage area for lighting.

### *Landscaping*

The applicant has submitted a landscape plan that incorporates low plantings including 30 shrubs along the northern perimeter of the fence. The eastern perimeter around the fence would include various grasses and perennials. No shade, ornamental or conifers are being proposed for the subject site.

The Village's Landscape Ordinance would require a 10-foot landscape buffer adjacent to access drives and along side and rear property lines. Based on this section, every 30 feet of frontage would require 1 shade or ornamental tree and 15 shrubs. Based on this section, the front of the applicant's site would require a total of 12 shade trees and 175 shrubs or shrub equivalents.

### Photometrics

The applicant has submitted a photometric plan for the subject site and it complies with the Village's ordinance of limiting foot candle illumination to a 0.50 at the property line. However, the applicant has not submitted any lighting standard specifications.

### Stormwater

The applicant's improvement area is below 1.0 acre and therefor would be exempt from the Village's stormwater requirements. The applicants plan is that any stormwater would sheet flow from the parking

lot into the existing open areas of the subject site. The site is adjacent to wetlands to the south and efforts would have to be made to mitigate any drainage of hazardous liquids into the wetlands.

**RECOMMENDATION**

Staff has taken the opportunity to highlight a number of serious concerns related to the applicants request for a variance along with their proposed Site Plan for the outdoor storage facility. As highlighted above, we believe that the proposed storage area without the required screening and landscaping would have a negative impact on the residential properties to the north and general character of the area.

Based on the foregoing analysis, Staff would make the following recommendations:

***Staff and the PZB recommend denial of the proposed variance from the Village's screening requirements for outdoor storage.***

***Staff and the PZB recommend denial of the Site Plan for the proposed recreational vehicle storage facility on Drom Court.***