

STAFF REPORT

TO: ZONING BOARD OF APPEALS

PREPARED BY: Parth Joshi, AICP
Community Planner

HEARING DATE: December 14, 2022

DATE PREPARED: November 30, 2022

CASE NUMBER: Z2211-03

TITLE: Z2211-03 / SAVAGE SHOP, LLC / 979 Lunt Avenue / Site Plan Amendment – Façade & Site Modifications, Special Use for an Internet Auto Sales Facility, Landscape Variation and Parking Variations

BACKGROUND INFORMATION

Petitioner: Rostyk Kavchak

Address of Petitioner: 979 Lunt Ave,
Schaumburg, IL 60193

Status of Petitioner: Owner

Owner of Parcel: Savage Shop, LLC

Address of Owner: 979 Lunt Ave,
Schaumburg, IL 60193

Existing Zoning: M-1 Manufacturing

Existing Land Use: Office/Warehouse/Manufacturing

- Site Plan Amendment [Title 15, Chapter 154, Section 154.46]
- Special Use for an Internet Auto Sales Facility [Title 15, Chapter 154, Section 154.90.08 of the Zoning Ordinance]
- Variation to Reduce Overall Landscaping from 20% to 14.1% [Title 15, Chapter 154, Section 154.136(J)(1)]
- Parking Setback Variation to construct a driveway 0 feet from the front lot line [Title 15, Chapter 154, Section 154.188(D)(6)(a)(2)]
- Parking Variation to Reduce Parking from 24 spaces to 12 spaces [Title 15, Chapter 154, Section 154.123]

ANALYSIS

Staff Discussion:

The Petitioner is seeking approval of a Site Plan Amendment – Façade & Site Modifications, Special Use for an Internet Auto Sales Facility, Landscape Variation & Parking Variations, located at 979 Lunt Ave. Savage auto is a premier automotive company which customizes luxury and

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exotic cars. The business is currently located at 1002 Lunt Ave and is looking to expand and open a second facility at the proposed location.

The existing lot is $\pm 23,000$ sf with a standalone building which is $\pm 9,345$ sf. The property has two (2) existing driveaisles which lead to the surface parking lot in the rear. There were two (2) drive in dock doors in the front of the building along with a ± 29 feet driveway; however, the dock doors were removed by the business. The existing building is primarily constructed of brick and CMU walls. The petitioner is proposing to make the following improvements –

Site

- Remove and replace the asphalt drive aisles on the east and west sides of the property with new pavers.
- Remove and replace the rear parking lot asphalt with new pavers.
- Remove the front driveway and replace with permeable grass brick pavers

Façade



- *North*
 - Remove the two (2) drive in dock doors and loading ramp. This area will be bricked in and become a part of the building. (Please note, this work has already been completed by the petitioner without Village approval).
 - Remove all doors, windows, and façade panel bands. Install new brick veneer (as needed) with long vertical faux windows and stain the façade with dark grey color.
- Minor changes are proposed on the other east, south and west elevations, such as, removing and replacing a door and roll up doors.

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The majority of the building will be occupied by spray booths and dedicated body shop areaa for the vehicles. The proposed floor plan also shows lobby/reception area in the front along with bathrooms and offices.

Internet Auto Sales

The proposed hours of operation for the business is 8 am to 6 pm from Monday to Friday, 8 am to 2 pm on Saturdays, and the business will be closed on Sundays. As mentioned, the petitioner purchases exotic cars and performs custom work for resale. The petitioner primarily lists cars for sale on their own website (www.savageedition.com/). In addition, the cars will also be listed on other car sale websites such as Dupont registry, James edition, Cars.com, and Autotrader. Lastly, the petitioner also utilizes their own social media platforms for car sales such as Facebook and Instagram.

Per Village Code, Internet Auto Sales Facilities must store the vehicles in a location that is not visible from the roadway. Since this is a freestanding building, a maximum of 5 vehicles are permitted to be parked outside of the subject building provided the vehicles are screened from the roadway. The petitioner is proposing to store a maximum of three (3) vehicles inside the building at any given time and no outside storage at all.

The Village Board approved an amendment to the Municipal Code to create regulations for Internet Auto Sales Facilities, on April 25, 2017 (Case No. Z1703-04, Ord. No. 17-036). At that time, business owners were experiencing parking shortages when several internet auto sales facilities were located in a multi-tenant building. The intent of the regulations was to provide limitations on the number and locations of vehicles stored outdoors and to restrict advertising, such as window signage, on these vehicles

Since the code amendment was approved in 2017, twelve (12) Internet Auto Sales Facilities have been approved by the Village Board. There are also other internet auto facilities that operate within the Village that pre-date the requirement for special use. Below is a summary of the internet auto sales facilities that have received special use approval in the Village:

Business Name	Case No.	Address	Interior Square Footage	Total Cars
Oxide Auto	Z1708-02	649 Morse Ave	1,080 sq ft NFA	5
Drive Now	Z1711-02	509 Estes Ave	4,050 sq ft NFA	10-15
CRS Auto Group	Z1802-08	1449 Payne Rd	3,726 sq ft NFA	15-20
Lux Motorsport	Z1809-02	980 Remington Road	12,931 sq ft NFA	30-50
Ohare Auto	Z1912-01	655 Lunt Ave	9,994 sq ft NFA	30-50
Prestige Motors	Z2002-03	707 Remington Rd, Unit 2	3,150 sq ft NFA	15-20
Finner's Motors	Z2007-08	618 Morse Ave	400 sq ft (Office Only)	2 (Exterior)

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B&G Internet Auto Sales	Z2008-03	1803 W. Wise Rd	333 sq ft Office 5 Service Bays	2
Strada Motorsports	Z2009-01	641 Estes Ave.	9,036 sq ft NFA	29-34
Ideal Auto	Z2012-04	555 Estes	3,964 sq ft NFA	8-12
Schaumburg Motor Cars	Z2102-04	975 Lunt Ave.	4,500 sq ft NFA	14-16
Palatine Auto Group	Z2105-01	720 Lunt Ave.	3,150 sq ft NFA	10-12
My Cars	Z2205-03	1010 Morse Ave, Unit D	1,800 sq ft NFA	2-3

While the code does not specify a limit for the number of vehicles stored inside the building, the business owner anticipates 2-3 cars will be stored inside. The Petitioner will work with the Fire Department and Building Division of the Community Development Department to ensure that the business is complying with exiting requirements. The Fire Department has additional restrictions for the storage of vehicles inside the building:

1. Batteries must be disconnected.
2. Fuel in fuel tanks cannot exceed one-quarter tank or 5 gallons (19 L); whichever is less.
3. Fuel tanks and fill openings must be closed and sealed to prevent tampering.
4. Vehicles, boats or other motorcraft equipment cannot be fueled or defueled within the building.

Variations

Parking Setback Variation

The petitioner is proposing to keep the existing driveway in the front to be zero (0) feet away from the front property line versus the required twenty-five (25) feet. The petitioner is proposing to remove the existing concrete driveway and replace it with permeable grass brick pavers. The petitioner has indicated the need for this request is due to conflicts in the rear of the parking lot between their deliveries with the cars they customize. In addition, the petitioner would like to keep the driveway for their own deliveries which come in box trucks, and as a result, would like to separate their delivery traffic from maneuvering to the rear of the property for shipments.

Staff has reviewed the petitioners request and is not supportive of the parking setback variation for couple of reasons. Staff is aware that this is an existing condition on the site, however the previous driveway was used to access the ramp and delivery dock doors, which is permitted in the M-1 zoning district. The proposed site and façade improvements do not include a delivery dock door anymore Secondly, staff has concerns that the front driveway could be used for display of vehicles for sale which is not compliant with code. Lastly, reducing the width of the driveway in the front

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yard would also help in achieving more greenspace and reduce the requested minimum greenspace variation further discussed below.

Landscape Variation

The petitioner is requesting a variation to reduce the overall landscaping on the property from 20% to 14.1%. Please note, with the addition of the proposed grass brick pavers in the front, the overall greenspace on the property would be increased to 14.9%. The existing property does not comply with the 20% greenspace requirement as the current greenspace of the property is 13.3%. The proposed site upgrades add more greenspace to the property, thereby bringing the property closer into compliance with code. Therefore, staff is supportive of the greenspace variation.

Parking Variation

The parking variation is discussed later in the report following the parking analysis.

Zoning History:

Zoning history for the subject property does not exist. Building permit records indicate that the building was constructed in 1982.

Surrounding Zoning and Land Uses:

North: M-1 / Manufacturing (Lucero Pool Plaster)

South: M-1 / Manufacturing (Precision Auto Services – 1000 Morse Ave, and 1004 Elk Grove Mechanical – 1004 Morse Ave)

East: M-1 / Manufacturing (Multi-Tenant Building – 975-977 Lunt Ave)

West: M-1 / Manufacturing (BNC Quality Auto Body – 1007 Lunt Ave)

Compatibility with Surrounding Land Uses:

The proposed internet auto sales facility and custom auto body land use is compatible with industrial uses in the area and will not have a negative impact on adjacent uses.

Comprehensive Plan Designation:

The Village's Comprehensive Plan designates the subject property as Industrial. Internet auto facilities have unique qualities which differentiate them from retail motor vehicle sales facilities. These unique qualities make the use suitable for the industrial district. Additionally, the majority of the users within the vicinity are auto related. The customization of exotic cars land use is also suitable for the industrial district.

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Parking:

Parking for the subject property is as follows:

Use	Parking Rate	Required Parking
Proposed Motor Vehicle Body Shop 7,352 sq ft GFA 6,717 sq ft NFA	2.5 spaces/1,000 sq ft NFA	17 spaces
Proposed Internet Auto Sales 1,440 sq ft GFA 1,296 sq ft NFA	2 spaces/1,000 sq ft NFA	3 spaces
Office 917 sq ft GFA 825 sq ft NFA	5 spaces/1,000 sq ft NFA	4 spaces
Required Parking		24 spaces
Provided Parking		12 spaces
Parking Deficit		12 spaces

As indicated above, there is a 50 space (50%) parking deficit. The existing parking lot has 12 spaces. In its existing condition, the subject property does not meet the amount of parking required per code.

Although the requested parking variation is large, staff is supportive of the variation for multiple reasons. As mentioned before, Savage shop only customizes high end exotic cars. Per the submitted business narrative, the petitioner mainly focuses on customizing vehicles such as Lamborghini Huracan, Aventador and Urus, Mercedes-Benz G63, Rolls Royce Cullinan and other similar cars. These vehicles are expensive as the average car sale at Savage is ±\$500,000, which makes this a unique business. Compared to other auto uses in the area, the proposed auto body shop is not expected to have any significant influx of cars for custom body work. Secondly, the petitioner is not proposing to store any vehicles in the parking lot as the cars at the proposed shop are on the higher end than a typical internet car sale business. Additionally, parking or storing the premium cars in the parking lot poses a security risk for the petitioner as well. As such, Staff is supportive of the requested variation.

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Ordinance Standards and Regulations:
§154.90.08 - INTERNET AUTO SALES.

All activities, including vehicle storage, shall occur completely within the enclosed building or rear of the property, except for the arrival and departure of automobiles. Multi-tenant buildings can store up to two (2) vehicles if they are screened from the roadway.

Since this is a free-standing building, the petitioner would be allowed to store up to 5 vehicles in a portion of the parking lot that is screened from the roadway. The petitioner does not anticipate any storage of vehicles for sale inside the building but may have a maximum of three (3) cars stored inside; however, the petitioner would be allowed to display up to 5 vehicles at the rear of the building if needed.

The use shall be limited to the display of vehicles to customers by appointment only and related office use.

The petitioner will only sell the cars online. A condition of approval is added to this report that customer visitation is allowed via appointments only.

No more than one (1) such use shall be permitted in a multi-tenant building.

The subject property is a freestanding building.

No advertising inviting the general public to the showroom shall be permitted.

The petitioner is not proposing any advertising and is aware that advertising inviting the general public to the location is not allowed.

The business must be in compliance with applicable regulations of the Illinois Secretary of State's office with respect to licensing and obtain a state dealers license.

The petitioner understands and will abide by all applicable regulations of the Illinois Secretary of State's office for obtaining a state dealers license. The proposed internet auto sales facility meets the criteria of Section 154.90.08 of the Zoning Code as listed above. Staff believes that the proposed use will not negatively impact the surrounding uses or district in general. Therefore, staff is supportive of the request for a Special Use for an Internet Auto Sales Facility.

Recommendation:

Staff has reviewed the petitioner's request and recommends **approval** of a Site Plan Amendment - Facade & Site Modifications, Special Use for an Internet Auto Sales Facility, Landscape Variation and Parking Variation to reduce the required on-site parking for Savage Shop, Case No. Z2211-03 and **denial** of Parking Setback Variation, subject to the following conditions:

1. All activities shall occur completely within the enclosed building, except the arrival and departure of automobiles. The petitioner can store up to 5 vehicles in the parking at the rear of the building provided the vehicles are not visible from the roadway.

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2. Indoor vehicle storage is limited to no more than the number of vehicles that the Fire Department and Building Division of Community Development determine to be safe.
3. Customer viewing shall be by appointment only during the hours of operation. The proposed hours of operation are Monday through Friday from 8 am to 6 pm and Saturdays from 8 am to 2 pm.
4. The business must remain in compliance with applicable regulations of the State of Illinois Secretary of State with respect to licensing, and the owner must maintain a dealer's license throughout the tenure for the business and its operations.
5. No signage on the premises which invites the general public to view cars for sale shall be permitted.
6. The following plans shall be adopted as part of the governing ordinance:
 - a. Cover Sheet, Site Plan, Life Safety and Code Matrix, Sheet T1, prepared by Variation Design, LLC, dated May 5, 2022, with latest revised date of August 29, 2022, and received by the Community Development Department on November 14, 2022.
 - b. Existing Site and Landscape Plan, Sheet T2, prepared by Variation Design, LLC, dated May 5, 2022, with latest revised date of August 29, 2022, and received by the Community Development Department on November 14, 2022.
 - c. Proposed Site and Landscape Plan, Sheet T2, prepared by Variation Design, LLC, dated May 5, 2022, with latest revised date of August 29, 2022, and received by the Community Development Department on November 14, 2022.
 - d. Demo Floor and Ceiling Plans and Notes, Sheet D1, prepared by Variation Design, LLC, dated May 5, 2022, with latest revised date of August 29, 2022, and received by the Community Development Department on November 14, 2022.
 - e. Demo Elevations, Sheet D2, prepared by Variation Design, LLC, dated May 5, 2022, with latest revised date of August 29, 2022, and received by the Community Development Department on November 14, 2022.
 - f. Demo and Proposed East Elevations, Sheet D3, prepared by Variation Design, LLC, dated May 5, 2022, with latest revised date of August 29, 2022, and received by the Community Development Department on November 14, 2022.
 - g. Proposed Floor and Ceiling Plans and Notes, Sheet A1, prepared by Variation Design, LLC, dated May 5, 2022, with latest revised date of August 29, 2022, and received by the Community Development Department on November 14, 2022.
 - h. Proposed Elevations, Sheet A3, prepared by Variation Design, LLC, dated May 5, 2022, with latest revised date of August 29, 2022, and received by the Community Development Department on November 14, 2022.
 - i. Plat of Survey, prepared by Jens K. Doe Professional Land Surveyors, dated August 2, 2016, and received by the Community Development Department on November 14, 2022.
 - j. Proposed Renderings, prepared by Savage Shop, LLC, and received by the Community Development Department on November 14, 2022.
 - k. Project Narrative, prepared by Savage Shop, LLC, and received by the Community Development Department on November 14, 2022.