



Village of Morton Grove

Department of Community Development

To: Chairperson Farkas and Members of the Plan Commission

From: Nancy Radzevich, AICP, Community and Economic Development Director
Dominick A. Argumedo, AICP, Zoning Administrator/Land-Use Planner

Date: September 8, 2014

Re: Plan Commission Case PC14-15: Virtuoso Performing Arts LLC, request for a Special Use Permit for "*Entertainment Uses*" in accordance with Sections 12-4-4-E of the Village of Morton Grove Unified Development Code (Ordinance 07-07) at 8120 Lehigh Avenue, Morton Grove, IL

STAFF REPORT

Public Notice

The Village provided public notice of PC 14-15 for the September 15, 2014 Plan Commission public hearing in accordance with the Unified Development Code. The *Pioneer Press* published the public notice on August 28, 2014, and the Village mailed letters notifying surrounding property owners and a public notice sign was placed on the subject property on September 5, 2014.

Background

Ms. Andrea M Conway, Co-Owner of Virtuoso Performing Arts LLC (VPA), is seeking a special use permit for "Entertainment Uses" to operate a Performing Arts Studio at 8120 Lehigh Road in the M2 General Manufacturing District. In conjunction with this application, the applicant filed a request for a proposed Text Amendment (PC 14-14) to the Plan Commission, which would amend the definition of "*Entertainment Uses*" (Section 12-17-1) to specifically allow for performing arts studios with student instruction as an accessory use.

Virtuoso Performing Arts (VPA) was founded in 2004 and is currently at a temporary location at 8700 Waukegan Road. VPA provides four (4) distinct shows per year, with each show having multiple performances for a total of up to 20 performances per year depending on demand. Toward these performances, VPA offers dance, acting, voice and music instruction to children and teens aged from pre-school through 12th grade. In addition, VPA also has their own dance company. The center employs eleven (11) faculty members and two (2) office staff and serves 200-250 participants each season.

The subject property that VPA proposes to move to is at 8120 Lehigh Avenue. The 8,635 sq. ft. commercial space is located in the North Grove Corporate Park Building II. Per their proposed lease agreement, VPA is guaranteed access to thirty-five (35) dedicated parking spaces. The overall office complex of the proposed location has a total of 475 parking spaces. As most other uses in the office complex are daytime uses, VPA should have access to numerous additional spaces, if needed, given their schedule for performance training and shows.

Summary of Application

Overview of the Proposed Project

VPA currently operates a performing arts studio in Morton Grove at 8700 Waukegan Road in Morton Grove. VPA holds the following performances throughout the year: School of Music Recital (in the fall and sometimes spring with 2 performances each), VPA Dance Company Performance (in the winter with 2 performances), Musical Theater Performance (in the summer with 7 performances), Acting/Voice Showcase (in the spring with 7 performances). VPA also holds a June Dance Production (with 2 performances) at Niles West High School Auditorium to provide VPA with a larger venue to accommodate their dancers. VPA's Dance Company also competes and performs around the community (i.e. non-profit benefits, nursing homes, festivals, etc.). All performances at their 8120 Lehigh location would occur on Friday evenings, Saturdays, and/or Sunday. The area of the facility dedicated for performances can accommodate up to 65 attendees. The performance area hosts performances only for VPA performers and members of their dance company. The applicant has advised staff that performances are not catered.

In addition to the actual performances and shows, VPA would provide performance instruction for 200-250 children and teens (aged from pre-school through 12th grade). While VPA would employ a total of (11) faculty members and two (2) office staff members, the facility would operate with a maximum of one office staff member and a maximum seven (7) teachers, at any given time; staffing is staggered due to the nature of the courses and schedule for training. VPA's administrative hours of operation would be 3:30 PM to 9:30 PM Monday through Friday and from 9:00 AM through 4:00 PM on Saturday. While the center would open at 3:30 PM for administrative operations, the Fall-Winter 2014 schedule for instructional courses shows that no course would begin before 4:00 PM. While VPA's instruction varies in capacity, no training session has occupancy greater than 12.

The interior space would be divided into four (4) private lesson music rooms that allow for an instructor and student and three (3) dance studios, the largest being 1,736 sq. ft. that would also serve as a performance space, and separate areas for general operation such as a teacher lounge, storage and reception area.

Parking

The Traffic Safety Commission reviewed Gewalt Hamilton Associates, Inc., Traffic Study, dated August 14, 2014, at their September 4, 2014 meeting. The Commission asked for clarification on the location of the 35 parking spaces designated to VPA, the number of performances, and hours of operation. VPA has provided written response to these questions attached. The clarification of number of performances and hours of operation are discussed in the previous section. VPA provided a written overview of the specific parking spaces which is attached.

A Special Use Permit also allows the Village to set the required number of parking spaces as part of the special use permit, if the number of required spaces is less than what is available.

In the determination of required parking spaces, the Village often considers the required parking spaces for a specified use in the Unified Development Code's parking regulations, if

identified. The Unified Development Code parking regulations (Section 12-7-3-1) do not specify the required parking spaces for "*Entertainment Uses*". Staff used parking requirements closest to VPA's mission of a performing arts studio to gain a base of parking needs such as parking requirements for a theater and accessory school.

Parking Requirements During Performances

Use	Number of required per area (sq. ft.) or number of occupants	Area (sq. ft.) or Max Number of occupants	Parking required by use type
Theatre	1 space / 3 seats	65	22
Faculty/Staff	13	13	13
TOTAL REQUIRED			35

Parking Requirements During Training Sessions

Use	Number of required per area (sq. ft.) or number of occupants	Area (sq. ft.) or Max Number of occupants	Parking required by use type
Instruction rooms	1 space / 4 students	44	11
Faculty/office staff	1 space / instructor	8	8
TOTAL REQUIRED			19

Per the Unified Development Code a theater is required to provide 1 space for every 3 seats. As VPA will provide up to 65 sets for each performance, the parking requirement for such a sized theater would be 22 parking spaces; if all the faculty and staff show up for the performances, then the total required would be 35 spaces. For the instructional component, the Unified Development Code requires 1 parking space for each faculty and 1 space for every 4 students. The maximum capacity, based on instructional space, would be seven (7) teachers and 44 participants. As a result, the required parking requirement for the instructional component of this use is 19 parking spaces (7 for faculty and 11 for students).

The 35 parking spaces dedicated for VPA would provide would meet the parking requirements, per the Unified Development Code, for both performances and for the instructional component of this proposed use. Per the submitted traffic study, even the expected actual demand for VPA's instructional courses during weekdays would be 30 parking spaces. Even though this exceeds the 19 spaces that would be required by Code, it still is under the 35 spaces that will be designated for VPA.

With respect to the performances, given that other uses in the North Grove Corporate Park complex are predominantly daytime office uses, and given that VPA performances will be held on Friday evenings or weekends (Saturdays and/or Sundays), there is plenty of extra parking available should the demand exceed the 35 designated spaces. As mentioned by the Traffic Consultants, Gewalt Hamilton Associates, Inc. at the Traffic Safety committee meeting on 9/4, VPA may use any available spaces, beyond the 35 that are designated for their use.

Discussion on Application

Although this use is within the M2 District, staff believes this location is generally well-suited for the proposed performing arts center with accessory instructional use because the space is part of larger office complex, in an area with lower intensity daytime offices uses versus within an area with more predominantly industrial uses. Due to the hours of operation and available parking, the use will not adversely impact the surrounding neighborhood, adjacent office uses, or traffic flows along the adjacent roadways. As noted above, performances are scheduled for Friday evenings or weekends, which will not conflict with the office uses in the complex, and their hours of operation during the week for instructional courses running from 4:00 PM to 9:30 PM, there will be no expected overlap of peaking parking demands between this use the adjacent uses within this complex.

Entertainment Uses are designated special uses in the M2 zoning district to not only provide additional scrutiny of the particular uses and the potential parking, traffic, or operational impacts on adjacent uses, but also to ensure the appropriate balance of allowing such uses within an area that includes both lower intensity office uses as well as more intensive industrial and manufacturing uses, and to ensure the overall purpose of the M2 district, "to provide land for development by most types of light industrial firms" is not adversely impacted.

The draft Morton Grove Industrial Areas Plan, which the Village has been working on with support from the Chicago Metropolitan Area for Planning, includes an overall vision for the Village's manufacturing district, which is that "...Morton Grove's industrial areas will continue to be primarily used for manufacturing, wholesale trade, and other industrial and office uses. These areas will be active, competitive, and contribute to the economic strength of the community and region."

The approval of this special use is not in contrast to this vision as this performing arts center would be located within an office complex, which currently has some vacancies. While the Village supports VPA's decision to move to Morton Grove and is optimistic that it will be a successful business, it's worth noting that should this business decide to relocate, in the future, the space could be easily converted back to office use. Staff further notes that this location is one of the few locations within the M2 District that is far enough removed from heavier industrial and manufacturing uses, such that there should be no adverse impact on the continued and successful operations of the nearby industrial and manufacturing business operations and similarly, similarly, the young participants at this center are not immediately adjacent to the heavier industrial uses.

Standards for Special Use

The following Standards for Special Use (Section 12-16-4-C-5, from the Unified Development Code) are provided to assist the Commission's consideration of this request.

- *Preservation of Health, Safety, Morals and Welfare – The establishment, maintenance and operation of the Special Use will not be detrimental to or endanger the public health, safety, morals or general welfare.* The proposed performance studio/center currently operates in Morton Grove and provides entertainment and much needed arts training programs to the community. Given its location with an office complex, with significant parking and off-peak demands, staff believes there will no issues with parking or traffic circulation.
- *Adjacent Properties – The Special Use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses permitted in the zoning district.* VPA's is locating within an existing office complex. Given its location and hours of operation this use should have no impact on the adjacent office uses nor on the nearby manufacturing or industrial uses. The modification of the space, if approved, would provide adequate soundproofing to not impact neighboring suites.
- *Orderly Development – The proposed entertainment use will not impact orderly development of the area.* The proposed use is within a complex historically dedicated and built for office space. The approval of the special use permit for an entertainment use in the M2 general Manufacturing District will not diminish The Village's goal to preserve this area for industrial, manufacturing, warehouse and office space and the location is in area and space which is more suited for office type uses, and will be filling a space that has been vacant for some time. This use, in this particular location, should not have any impacts on the continued operations and success of the adjacent office uses and nearby manufacturing and related industrial uses.
- *Adequate Facilities – Adequate utilities, access roads, drainage and other necessary facilities are in existence or are being provided.* Based on the traffic and parking report submitted by Gewalt Hamilton Associates, Inc. this site and location within the complex provides for adequate parking and circulation for this use. Further, given the hours of operation, this use should have no adverse impact on adjacent office uses or nearby manufacturing businesses.
- *Traffic Control – Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the public streets. The proposed use of the subject site should not draw substantial amounts of traffic on local residential streets.* Per the traffic report submitted by Gewalt Hamilton Associates, Inc. "Traffic generated by Virtuoso Performing Arts will operate efficiently on the surrounding streets having minimal impact to operations as indicated by our analyses".
- *Adequate Buffering – Adequate fencing and/or screening shall be provided to ensure the right of enjoyment of surrounding properties to provide for the public safety or to screen parking areas and other visually incompatible uses.* The proposed performing arts studio will provide adequate buffering to neighboring entities through soundproofing to ensure no adverse impact on surrounding entities within the office park complex.

- *Conformance to Other Regulations* – If granted the special use and associated building permits, the proposed use will meet all applicable regulations, including health and building, before being allowed to commence operations.

The applicant provided responses to these standards in their submitted Special Use application.

Recommendation on Application

After review or as a result of the testimony provided at the public hearing, staff may suggest and/or the Plan Commission may opt to make modifications to, add and/or remove conditions, if Commission moves to recommend approval of this request.

Should the Commission recommend approval of the request to grant a Special Use permit to Virtuoso Performing Arts to operate an Entertainment use at 8120 Lehigh Road, Staff suggests the following conditions:

1. The site shall be developed and operated in accordance with the plans and supporting documents in the application, including:
 - a. Proposed Space Plan, submitted by inter:work architects, dated 8/14/2014
 - b. Proposed Site Plan, submitted by inter:work architects, dated 8/14/2014
 - c. Traffic Impact Study, submitted by Gewalt Hamilton Associates, Inc., dated 8/14/2014
2. The applicant shall comply with all recommendations suggested by the Traffic Safety Commission, in accordance with their recommendation dated September 4, 2014.
3. Performances shall be held after 6:00 PM weekdays (Monday through Friday) or on weekends (Saturday or Sunday).
4. Performance instruction schedules and class sizes shall be in substantial compliance with schedules, submitted with the application dated August 27, 2014, and all such instructional courses shall be held after 3:30 PM weekdays (Monday through Friday), with the majority of courses held after 5:00 PM, or at any time on weekends (Saturdays and Sunday).

Attachments:

- Special Use Application and supporting documents (submitted by applicants)

Context Map:

