

# STAFF REPORT

# 2022-03P: Special Use Permit

Community Development Department

Council Chambers, 7:30 PM, February 3, 2022

To: Paul Luke, Plan Commission Chairperson  
From: Matt Brandmeyer, AICP, Community Development Director  
Re: **2022-03P: Special Use Permit – Outdoor Dining**  
3720 Touhy Avenue  
Related Cases – 2022-01P: Site Plan Amendment  
2022-02P: Special Use Permit – Drive-Through

General Information		
<i>Location</i>	3720 Touhy Avenue	
<i>Purpose</i>	To request a special use permit for a 4,447 square foot limited-service restaurant with outdoor dining at 3720 Touhy Avenue in a B2 Commercial zoning district.	
<i>Petitioner</i>	Skokie Development, LLC – Chick-Fil-A	
<i>Size of Site</i>	39,126 ft <sup>2</sup> with frontage on Touhy Avenue	
<i>Existing Zoning &amp; Land Use</i>	B2 Commercial – limited-service restaurant	
<i>Adjacent Zoning &amp; Land Use</i>	<b>North</b>	B2 Commercial – Lurie Children’s Primary Care
	<b>South</b>	Village of Lincolnwood – North Shore Surgical Center
	<b>East</b>	B2 Commercial – Wendy’s
	<b>West</b>	M3 Industrial – Graham’s BP Amoco
<i>Comprehensive Plan</i>	The site is designated as manufacturing/service employment.	

## SITE INFORMATION

- A 10,500 square foot multi-tenant commercial building was originally approved for the site through Ordinance 19-5-Z-4459.
- The site is accessible from Touhy through existing access drive on the west and east sides of the property.
- Utilities are all underground.

## PETITIONER’S SUBMITTAL

The petitioner is requesting a special use permit for a limited-service restaurant with outdoor dining at 3720 Touhy Avenue in a B2 Commercial zoning. The proposal includes 20 outdoor dining seats at the back of the building.

Please find attached the Petitioner’s full statement.

## **STAFF RECOMMENDATIONS**

Staff recommends that the petitioner's request for a special use permit for a limited-service restaurant with outdoor dining at 3720 Touhy Avenue in a B2 Commercial district be **APPROVED**, based upon the Proposed Positive Findings of Fact and subject to the recommended conditions below.

## **RECOMMENDED SPECIAL USE PERMIT CONDITIONS**

1. The petitioner shall operate and maintain the Subject Property in substantial conformance with the outdoor dining plan in this report. (Standard)
2. The petitioner shall comply with all applicable conditions in the special use permit and site plan approval ordinances for this site.
3. Any outdoor sound systems shall at all times maintain audio levels that are compliant with the Skokie Village Code. (Standard)
4. Waste receptacles shall be placed on the Subject Property for the use of customers, and that the Health and Human Services Department shall determine the size, type, and location of these units, including 1 waste receptacle in the outdoor dining area and 1 waste receptacle at the restaurant entrance. (Standard)
5. The use will comply with all standard conditions in Section 118-93(e) of the Skokie Village Code for outdoor dining.
6. At least once during every 4 hours of operation and before opening and closing of the business, employees shall patrol the Subject Property and clear it of debris.

## **ATTACHMENTS**

1. Proposed Positive Findings of Fact
2. Petitioner's Statement
3. Site Plan

## **Proposed Positive Findings of Fact 2021-11P: Special Use Permit**

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<i>Consideration</i>	<i>Finding</i>
The request is consistent with the intent of the Comprehensive Plan.	The proposed use is not consistent with the <i>manufacturing/service employment</i> land use designation in the Comprehensive Plan; however, it is consistent with the existing zoning and changes to commercial developments along Touhy Avenue.
The request will not adversely affect adjacent properties.	The request is not expected to adversely affect adjacent properties
The request is compatible with the existing or allowable uses of adjacent properties.	The request is compatible with the existing or allowable uses of adjacent properties.
The request demonstrates that adequate public facilities, including roads, drainage, utilities, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.	Adequate public facilities, including roads, drainage, utilities, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.
The request demonstrates adequate provision for maintenance and use of the associated structures.	The request demonstrates adequate provision for maintenance and use of the associated structures.
The request has considered and, to the degree possible, addressed the adverse effects on the natural environment.	The request has considered and is expected to address any adverse effects on the natural environment.
The request will not create undue traffic congestion.	Per the traffic impact analysis, the use is not expected to create undue traffic congestion, including the availability of ample drive-through queuing on-site.
The request will not adversely affect public health, safety, and welfare.	The request will not adversely affect public health, safety, and welfare.
The request conforms to all applicable provisions of this code, except where relief is granted with the request.	The request conforms to all applicable provisions of this code, except where relief is granted with the request.

# SKOKIE DEVELOPMENT, LLC

## Skokie Redevelopment Proposal for Chick-fil-A – 3720 Touhy Avenue, Skokie, Illinois

### Petition for Special Use – Chick-fil-A Outdoor Dining Statement of Effects

**Propose Use:** As part of Skokie Development, LLC's redevelopment of the three (3) contiguous properties located at 3720 Touhy Avenue, 7272 Hamlin Avenue and 3721 Chase Avenue, we are proposing a free-standing Chick-fil-A restaurant with drive-through service for Lot 4 of the Buona Skokie Subdivision. Previously, Lot 1 has been redeveloped with Buona Restaurants, Lot 2 as a common parking lot for the benefit of Lot 1, Lot 3 and Lot4, and Lot 3 has been redeveloped with Lurie Children's Primary Care – Town & Country Pediatrics. Lot 4 is proposed to be developed as a 4,447 SF restaurant building with drive-through service and an outdoor patio dining area for Chick-fil-A.

The proposed Chick-fil-A restaurant incorporates an outdoor dining area for the utilization of its customers during weather permitting seasons. The proposed Chick-fil-A outdoor dining area is located along the north building elevation.

**Proposed Use upon the Character of the Neighborhood:** Recently several properties located between Touhy Avenue and Chase Avenue have been redeveloped from industrial uses to new retail/service employment uses. These projects include adjacent Walmart/Touhy Marketplace development, XSport Fitness, and the Mariano's shopping center development. Skokie Development, LLC is proposing to redevelop older industrial properties with new retail, restaurant and service uses, similar to the trend and referenced development projects.

**Surrounding Property Values:** As the older industrial properties located between Touhy Avenue and Chase Avenue have continued to be redeveloped to their highest and best use with new retail, restaurants, and service uses, these properties have experienced increased property values. The proposed redevelopment will continue this trend, and the new retail, restaurant and service uses introduced will provide new goods and services to the neighborhood, having a positive effect upon surrounding property values.

**Traffic Conditions:** The development site is located in the northeast quadrant of the intersection of Touhy Avenue and Hamlin Avenue. It is bounded by Chase Avenue on the north, the Walmart/Touhy Marketplace shopping center on the east, Touhy Avenue on the south, and Hamlin Avenue on the west. Touhy Avenue is an east-west minor arterial roadway with two through lanes in each direction in the vicinity of the site. Touhy Avenue is under the jurisdiction of Illinois Department of Transportation (IDOT) and carries an annual average daily traffic volume (AADT) of 30,700 vehicles as reported by IDOT in 2019, and has posted speed limit of 35 miles per hour. A parking lane is provided on the north and south side of Touhy Avenue, west of Hamlin Avenue. Parking is not permitted on either side of Touhy Avenue east of Hamlin Avenue. Hamlin Avenue is a north-south collector road with one lane in each direction. Hamlin Avenue is under the jurisdiction of the Village of Skokie to the north of Touhy Avenue and the Village of Lincolnwood to the south of Touhy Avenue. North of Touhy Avenue, Hamlin Avenue is classified as a minor collector road by IDOT, and carries an AADT of 2,150 vehicles. Parking on Hamlin Avenue is prohibited on the west side of the road and permitted on the east side, except on weekdays between 7AM and 6PM, to the north of Touhy Avenue. Chase Avenue is an east-west local roadway,

under the jurisdiction of the Village of Skokie. Parking is permitted on the north side of Chase Avenue but prohibited on the south side.

The previously approved access to the development will continue to be provided from the existing right-in/left-in/right-out movement at the driveway on Touhy Avenue, the existing full movement driveways on Hamlin Avenue and Chase Avenue. Further, a cross-access connection has been established between the subject development and the existing Walmart/Touhy Marketplace development to the east.

The proposed Chick-fil-A site plan has been reviewed and approved by OI DT within the context of the existing access points.

**Public Utilities:** The existing public utilities are adequately sized to service the proposed development project. The utility services to Lot 4 were previously established and completed as part of the initial construction.

**Storm Water Detention:** As part of a comprehensive redevelopment of the site, the storm water detention facilities were designed to include the capacities associated with Lot 4 and were previously constructed as part of the initial project construction.

**Other Matters Pertaining to the Public Health, Safety, Morals and General Welfare of the Community:** Skokie Development, LLC has designed the proposed redevelopment project to be an upscale shopping center development. The proposed project will not endanger public health, safety, morals or general welfare of the community. The new businesses will contribute to the municipal tax base, provide new employment opportunities for the surrounding area, and provide new goods and services to the community, and the proposed Chick-fil-A restaurant will further these goals and attributes.

