To: Paul Luke, Plan Commission Chairperson
From: Carrie Haberstich, AICP, Planner/CDBG Administrator
Re: **2019-05P: Special Use Permit**
3754 Touhy Avenue

Related Cases –
- 2019-02P: Zoning Map Amendment
- 2019-03P: Subdivision
- 2019-04P: Site Plan Approval
- 2019-05P: Special Use Permit – limited service restaurant with drive-through
- 2019-06P: Special Use Permit – outdoor dining

### General Information

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th>3754 Touhy Avenue</th>
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<td><strong>Purpose</strong></td>
<td>To request a special use permit for a limited service restaurant with a 2-lane drive-through in a B2 Commercial zoning district, relief from §82-22(b)(1) to allow sign lettering to project above the physical dimensions of a canopy, and any relief that may be discovered during the review of this case.</td>
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<td><strong>Petitioner</strong></td>
<td>Skokie Development, LLC, on behalf of 3720 Property Owner, LLC, 7227 Property Owner, LLC, and 3721 Property Owner, LLC</td>
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<tr>
<td><strong>Size of Site</strong></td>
<td>33,358 square feet (0.766 acres) with frontage on Hamlin Avenue</td>
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<td><strong>Existing Zoning &amp; Land Use</strong></td>
<td>B2 Commercial – vacant industrial building</td>
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| **Adjacent Zoning & Land Use** | **North** M3 Industry – office and administrative service, emergency response  
**South** M3 Industry – automotive fuel station, car wash  
**East** B2 Commercial – vacant lot, sports and recreation education, vacant commercial space  
**West** R3 Residential (Village of Lincolnwood) – detached residences |
| **Comprehensive Plan** | The site is designated as manufacturing/service employment. |
SITE INFORMATION

See case 2019-04P for site and Complete Streets information.

PETITIONER’S SUBMITTAL

Propose Use: Skokie Development, LLC is proposing to redevelop three (3) contiguous properties located at 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721 Chase Avenue. All existing improvements at 3720 Touhy and 7227 Hamlin will be demolished. The existing building at 3721 Chase will be renovated. The proposed redevelopment will include three (3) building structures: a new 4,700 square foot restaurant building with a drive-through for Buona Restaurants; a new 10,500 square foot ... multi-tenant retail/restaurant building; and the renovated 31,860 square foot 3721 Chase Avenue building. The proposed development will be served with street access from Touhy Avenue, Hamlin Avenue and Chase Avenue, and include cross-access with the adjacent Walmart/Touhy Marketplace development to the east. The proposed development will include on-site parking for 261 parking spaces.

The proposed Buona Restaurant incorporates a drive-through with a one-way counter-clockwise circulation. Wayfinding signage will direct drive-through customers to the entrance to the drive-through system. Vehicles will enter the drive-through queue from the main north-south drive aisle to the east of the building, stack and order along the north side of the building, pick up the order from the north side of the building, and exit into the main east-west drive aisle at Hamlin Avenue. The drive aisle on the west side of the building will provide two lanes so that vehicles can bypass the pick-up window, if needed. This layout provides maximum drive-through storage without impeding internal site circulation. The drive-through layout provides stacking for approximately 22 vehicles in the drive-through system. Based upon Buona Restaurants’ operating history, the proposed drive-through stacking will be adequate.

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 25, 800 vehicles as reported by IDOT in 2014, 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 1,800 vehicles. Parking on Hamlin Avenue is prohibited on the west side of the road and permitted on the east side, except on weekdays between 7 AM and 6 PM, 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.

Access to the development will continue to be provided from the existing full-movement driveways on Touhy Avenue, Hamlin Avenue and Chase Avenue. On Touhy Avenue, the driveway is opposite Ridgeway Avenue. On Hamlin Avenue, the two former Bosworth Company driveways will be consolidated into a single driveway. On Chase Avenue, the driveway serving the existing commercial at the north end of the site will remain. Further, a cross-access connection will be provided between the proposed development and the existing Walmart/Touhy Marketplace development to the east.

Kenig, Lindgren, O’Hara, Aboona, Inc. (KLOA) prepared a Traffic Impact Study of the proposed redevelopment project. KLOA has suggested the following recommendations:

- Hamlin Avenue be widened at its approach to Touhy Avenue to provide a shared through/right-turn lane and a left-turn lane. A high-visibility crosswalk should be provided across the north and south legs of the intersection.

- Further improvements should be considered to the intersection of Hamlin Avenue and Touhy Avenue, including:
  - Via restriping of existing pavement and removal of on-street parking on Touhy Avenue, provide a westbound left-turn lane and an eastbound left-turn lane at Hamlin Avenue.
  - Widen the southbound approach on Hamlin Avenue to provide a southbound left-turn lane and a shared through/right-turn lane.

- The full access on Touhy Avenue opposite Ridgeway will be narrowed to provide one lane inbound and one lane outbound with the outbound lane to be under stop sign control. Consideration should be given to restriping Touhy Avenue to provide an eastbound left-turn lane to separate left-turning traffic from the eastbound through traffic flow on Touhy Avenue.

- The recommended improvements to providing turn lanes on Touhy Avenue at its intersections with Hamlin Avenue and with Ridgeway/Proposed Access will result in the total loss of approximately 18 to [20] on-street parking spaces on both sides of Touhy Avenue.

**Public Utilities:** The existing public utilities are adequately sized to service the proposed development project. The utility services provided to the new construction buildings will be entirely constructed to be located underground. The removal of the existing overhead utilities which extend east from Hamlin Avenue, will require providing a new electrical service feed to the existing BP gas station located to the south and west of the subject site.

**Storm Water Detention:** As part of a comprehensive redevelopment of the site, the new site improvements will include a storm water detention system design to code, which includes a storm water detention vault to be located under the parking lot, with restricted outflow to the existing Village of Skokie sewer main located under Chase Avenue.

**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.
STAFF ANALYSIS

Staff Comment and Review requests were sent to all pertinent departments and were received from Environmental Health, Traffic Engineering, and Planning. All other departments returned the requests with no comments regarding the subject case, and/or comments were provided in related cases. Comments related to the overall development are included in site plan approval case 2019-04P, and comments that specifically impact this special use permit case include:

Environmental Health

A drive-through facility shall have at least one litter/refuse disposal container at its exit location.

Traffic Engineering

Drive through exit should be under stop sign control. "Do not enter" signs should also be provided at drive-through exit to deter vehicles from driving with opposing traffic.

Wayfinding signs should be provided on-site to help drivers get to the drive-through.

Planning

A limited service restaurant with a drive-through is allowed with a special use permit in the B2 Commercial district. Site plan approval-related items were addressed in case 2019-04P.

The Buona restaurant property is across the street from residentially-zoned, single-family properties in Lincolnwood.

Staff appreciates the inclusion of pedestrians and bicyclists in the Traffic Impact Study. Per the site plan and the study, the drive-through queue has the capacity to accommodate 18-20 vehicles, which is deemed adequate based on KLOA's experience with fast casual restaurants. It is anticipated that this design will not have the drive-through queue impede into internal on-site circulation.

The landscape plan must be modified to ensure plants do not block the exit doors from Building A.

Sign Package

The Signage Criteria for Retail Development – NEC Touhy & Hamlin describes sign principles to ensure a uniform sign package is provided that is compatible and harmonious with the architectural scheme of the development, and a mutual benefit to all tenants on the site. The signage criteria will comply with Skokie's Sign Code, subject to some items of relief. Although many of the criteria come from §82-27 (which pertains to smaller developments), §82-28 will provide the
primary regulations pertaining to sign sizes, quantities, etc., since the overall development is greater than 1 acre in area:

- Buona’s only street frontage faces residential properties, so a wall sign is allowed on the west elevation.
- Wall signs for the entire center to be internally illuminated letters or logos, or backlit letters.
- Directional signs will not exceed 30” in height or 4 square feet in area. If the signs are to be oversized, Appearance Commission, Plan Commission, and Village Board review and approval will be required.
- Points of clarification for the development's signage criteria as they may potentially affect Buona:
  - Blade signs are not allowed in the B2 Commercial district without relief from the Village Code.
  - Banners require sign permits from the Village.
  - Window graphics cannot exceed 25% of any window pane.
- Items of relief from the Sign Code:
  - Relief from §82-22(b)(1) to allow sign lettering to project above the physical dimensions of a canopy.
  - Relief from §82-28(b)(1)b. to allow wall signs facing a parking lot in addition to the wall signs allowed for occupancies with street frontage.

**APPEARANCE COMMISSION**

At its June 13, 2018, meeting, the Appearance Commission approved the proposed development as presented, subject to conditions (case 2018-016A). The condition of adding a masonry tower on the east elevation to add more interest, with a wall sign on the tower, has been addressed and is included in the development exhibits.

**STAFF RECOMMENDATIONS**

Staff recommends that the petitioner’s request for a special use permit for a limited service restaurant with a drive-through at 3754 Touhy Avenue in a B2 Commercial district be **APPROVED**, based upon the Proposed Positive Findings of Fact and subject to the recommended conditions in subdivision case 2019-03P, site plan approval case 2019-04P, and the conditions below.

Staff further recommends that relief be granted from §82-22(b)(1) of the Village Code to allow sign lettering to project above the physical dimensions of a canopy, and from §82-28(b)(1)b. of the Village Code to allow wall signs facing a parking lot in addition to the wall signs allowed to face a street, respectively.
RECOMMENDED SPECIAL USE PERMIT CONDITIONS

In addition to the conditions of cases 2019-02P, 2019-03P, and 2019-04P, the following conditions shall apply to a limited service restaurant with a drive-through:

Site and Use

1. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved site plans dated <insert date of final approved plan>, engineering plans dated <insert date of final approved plan>, landscape plans dated <insert date of final approved plan>, sign plans dated <insert date of final approved plan>, and building elevations dated <insert date of final approved plan>. (Standard)

2. Any outdoor sound systems shall at all times maintain audio levels that are compliant with the Skokie Village Code. (Standard)

3. No objects are allowed within a 15' sight distance triangle between 30" and 84" in height from grade except traffic control devices listed in the Manual on Uniform Traffic Control Devices. (Standard)

4. Provide a “Stop” sign for users exiting the drive-through, and “Do Not Enter” signs at the drive-through exit to deter drivers from entering the exit.

5. Provide on-site wayfinding signs to guide drivers to the drive-through entrance.

Maintenance

6. Trash shall only be allowed within a designated trash enclosure and shall be screened from public view in an enclosure approved by the Appearance Commission. All trash shall be contained in such a way as to remain out of sight at all times, except for waste receptacles referenced in Condition Number <insert condition number> below. (Standard)

7. Waste receptacles shall be placed on the Subject Property for the use of customers, and that the Health Department shall determine the size, type, and location of these units, including 1 waste receptacle near the drive-through exit and 1 waste receptacle at the restaurant entrance.

8. 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. (Standard)

Governance

9. All signage shall conform to the Skokie Village Code, except as provided in this ordinance. Any sign on the Subject Property that is in violation of that Code must be removed or modified to conform with the Village Code prior to the issuance of an occupancy permit. (Standard)

10. All modifications to building elevations, signage, and landscaping shall be subject to the review and approval of the Skokie Appearance Commission. (Standard)
11. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations. (Standard)

12. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing. (Standard)

Drive-through

13. The petitioner shall implement any necessary operational improvements to ensure that stacking of vehicles within the drive-through lane will be contained on-site and not impede or obstruct pedestrian or vehicular movements. (Standard)

14. A drive-through facility shall have at least one litter/refuse disposal container at its exit at a location determined by the Health Department. (Standard)

ATTACHMENTS

1. Proposed Positive Findings of Fact
2. Retail Development Site Plan, dated February 12, 2019
3. Renderings, Elevations (including signs), Materials & Fixtures, Floor Plan & Interior Images, and Site Plan, dated February 11, 2019
4. Land Use and Zoning Map
**Proposed Positive Findings of Fact**  **2019-05P: Special Use Permit**

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<th>Consideration</th>
<th>Finding</th>
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<td>The request is consistent with the intent of the Comprehensive Plan.</td>
<td>The proposed use is not consistent with the <em>manufacturing/service employment</em> land use designation in the Comprehensive Plan; however, it is consistent with the trend of zoning changes and commercial developments along Touhy Avenue between Hamlin and Kedzie Avenues over the past 30 years.</td>
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<td>The request will not adversely affect adjacent properties.</td>
<td>The request is not expected to adversely affect adjacent properties, as it is part of a larger overall development.</td>
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<td>The request is compatible with the existing or allowable uses of adjacent properties.</td>
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<td>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.</td>
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<td>The request will not create undue traffic congestion.</td>
<td>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.</td>
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<td>The request will not adversely affect public health, safety, and welfare.</td>
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EXTerior wood panel:
PArKLEX or NEWTECHWOOD
GREY OAK - GRAPHITE / MARBAY
ALT - SAVAGED WOOD SIDING

BrICK:
BORAL BRICK - ALAMO
MODULAR - RUNNING BOND

Metal CORNICE:
PAC CLAD
WEATHERED ZINC

STOREFRONT:
VISTA WALL OR EQUAL
CLEAR ALUMINUM

BrICK:
BORAL BRICK - ALAMO
MODULAR - RUNNING BOND

Building scONCee:
SLV
ENOLA UP DOWN

Parking lot LIGHTING:
MCGRAW EDISON
GLEON

BUILDING SCONE:
WALL PACK
BUONA RESTAURANT
4,700 SF

109 PARKING SPACES