To: Paul Luke, Chairman, Skokie Plan Commission
From: Paul Reise, AICP, Planning Manager
Re: **2023-04P: Special Use Permit**
3301 Howard Street

Related Cases - 2023-03P: Site Plan Approval
2023-05P: Special Use Permit

### General Information

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th>3301 Howard Street</th>
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<tr>
<td><strong>Purpose</strong></td>
<td>A request to amend an existing special use permit for an automotive fuel station in M3 Industrial zoning district to modify the existing site plan and landscape plan, and any other relief that may be discovered during the review of this case.</td>
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<tr>
<td><strong>Petitioner</strong></td>
<td>ZAZ Holdings, LLC</td>
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<td><strong>Size of Site</strong></td>
<td>25,168 square feet (0.58 acres) with frontage on Howard Street and McCormick Boulevard.</td>
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<td><strong>Existing Zoning &amp; Land Use</strong></td>
<td>M3 Industrial – automotive fuel station, car wash</td>
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| **Adjacent Zoning & Land Use** | North M3 Industrial – sewage treatment plant
South M3 Industrial – self-service storage facility
East M3 Industrial – public park
West M3 Industrial – vacant automotive fuel station, vacant convenience store, vacant office |
| **Comprehensive Plan** | The site is designated as manufacturing/service employment. |

### SITE INFORMATION

- The site consists of two separate properties that are currently not internally connected to each other. The property at 3300 Howard Street contains a Shell gas station, convenience store, and car wash. The property at 3325-3327 Howard Street contains a vacant gas station, vacant convenience store, and vacant office space.
• Overhead utilities run along a portion of the west side of the 3301 Howard Street property and also run in a north-south direction to the west of the 3325-3327 Howard Street property.

• Two driveways on Howard Street and 2 driveways on McCormick Boulevard provide access to the existing property at 3301 Howard Street.

• One driveway on Howard Street provides access to the existing property at 3325-3327 Howard Street.

Complete Streets

- Public sidewalks run along Howard Street and McCormick Boulevard.
- The nearest formal bicycle facility is the North Shore Channel Trail, which runs along the east side of McCormick Boulevard.
- The site is directly served by the Pace 215 Crawford-Howard bus. The CTA 11 Lincoln bus route terminates at the southeast corner of Howard Street and McCormick Boulevard.
- Access to the buildings is available from Howard Street and McCormick Boulevard.

PETITIONER’S SUBMITTAL

The petitioner is requesting to amend an existing special use permit for an automotive fuel station an in M3 Industrial zoning district to modify the existing site plan and landscape plan, and any other relief that may be discovered during the review of this case. In companion cases 2023-03P and 2023-05P, the petitioner intends to combine the existing gas station properties at 3301 Howard Street and 3325-3327 Howard Street into a single site plan that will contain the existing Shell gas station and a new, larger tunnel car wash with vacuums. The existing car wash at the Shell gas station will be removed and the space will be repurposed as storage/hallways for the existing convenience store.

The petitioner states in their submittal that:

[They] will abandon the car wash, remove the unroofed car wash extension, convert the car wash area to hallway and equipment areas, consolidate two access driveways on Howard Street, relocate tire inflation service, relocate parking spaces and install a bike rack...3301 Howard Street will host a centralized waste enclosure as well as one vacuum pump for the benefit of the use at [3321] Howard Street.

The Shell gasoline service station will continue to have twelve (12) pump locations. [The petitioner] is not remodeling the Shell convenience store. The car wash area within the 2,579 [square]-foot building footprint will be a hallway
area and equipment room. [The petitioner] will convert the parking spaces south of the Shell convenience store so that it can host a second loading area and centralized waste enclosure (eliminating current unscreened waste containers) as well as a bike rack. Applicant will eliminate the unstriped tire inflation area and relocate the tire inflation machine to the northwest parking space. The area immediately north of the building will be converted to a drive aisle. A sidewalk will surround the Shell building.

**STAFF ANALYSIS**

All pertinent departments and divisions were offered an opportunity to comment on this case. The Engineering, Forestry, Fire Prevention, and Planning Divisions provided comments on the subject case.

**Engineering Division**

The written statement provided contains information regarding square footage of the proposed developments, parking provided, number of employees per facility, employee peak shift, vehicle stacking and other traffic-related items. These statements must be consistent with the provided traffic report by KLOA. All parking evaluations, vehicle stacking, and other traffic information must be centralized in the report by KLOA. The report must determine if the car wash drive-through will provide enough capacity for a peak queue, sufficient parking for the 2 sites, and any other impacts to traffic circulation. It is important to note that 10 parking spaces are mentioned in the written statement but only 9 are shown in the plans. As it stands, 10 parking spaces are required for the Automotive Fuel Station and Convenience Store. Parking must also be provided for employees of the car wash and should be determined in the traffic report by KLOA.

**Forestry Division**

Forestry staff requires that the petitioner install protection fencing around all existing trees at the subject site. The fencing must remain in place for the duration of the construction project.

A tree removal permit is required for the 4 trees requiring removal prior to commencement of demolition and construction at the subject site. Forestry staff will accept a reduced permit fee of $1,200 total for the 2 hawthorn trees and the Austrian pine. No fee will be charged for the removal of the flowering crabapple tree.

Forestry staff also requests that the landscape plan be revised to show the following:

- The planting of a hackberry or other Village-approved shade tree within the landscaped area adjacent to the public sidewalk on Howard Street and located directly north of the proposed parking space for the air machine.
The planting of a hackberry or other Village-approved shade tree centered midway in the landscaped area between the driveways on McCormick Boulevard and located adjacent to the public sidewalk.

Planning Division
The Planning Division has reviewed the submitted materials and supports the proposed special use permit. The proposed use is consistent with the land use designation in the Comprehensive Plan. Access to the subject site will use the existing curb cuts on Howard and as well as McCormick. An existing curb cut along Howard will be removed.

APPEARANCE COMMISSION
The petitioner received approval for the proposal at the June 8, 2022 Appearance Commission meeting. The commissioners noted that the north and east elevations of the existing Shell building must be re-cladded.

STAFF RECOMMENDATIONS
Staff recommends that the petitioner’s request to amend an existing special use permit for an automotive fuel station an in M3 Industrial zoning district to modify the existing site plan and landscape plan be APPROVED, based upon the Proposed Positive Findings of Fact and subject to the recommended and standard special use permit conditions listed below, and that the current special use permit V.O. #89-10-Z-2089 and V.O. #00-4-Z-2889 be repealed.

RECOMMENDED SPECIAL USE CONDITIONS
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. Prior to the issuance of building permits, the petitioner shall submit for approval a lighting photometrics plan, fully developed civil engineering plans that comply with the county WMO requirements and Village’s stormwater control provisions, and redevelopment engineering plans to address all aspects of private and public utility services. Any reconfigurations within state ROW will require an IDOT highway/utility permit. (Standard)

3. Any outdoor sound systems shall at all times maintain audio levels that are compliant with the Skokie Village Code. (Standard)
4. All existing damaged public sidewalks or public sidewalks damaged due to the implementation of this plan shall be replaced. (Standard)

5. No objects are allowed within a 10' sight distance triangle in R1, R2, R3, and R4 districts, or within a 15' sight distance triangle in all other districts, between 30" and 84" in height from grade except traffic control devices listed in the Manual on Uniform Traffic Control Devices. (Standard)

Maintenance

6. All fencing, walls, sidewalks, driveways, curbs, wheel stops, parking areas, signage, landscaping, structures, and any other facilities or infrastructure on the Subject Property shall be maintained in a good state of repair, and when needed, be repaired or replaced in a timely manner. (Standard)

7. All private and public sidewalks shall be maintained free of snow, ice, sleet, or other objects that may impede travel. (Standard)

8. 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. (Standard)

Parking

9. All off-street parking spaces shall be legibly striped and maintained. (Standard)

10. Any plan to modify parking lot striping must be approved by the Director of Engineering. (Standard)

11. The handicapped parking spaces shall be installed and maintained in compliance with State of Illinois Accessibility Standards and the Skokie Village Code, including required signage. (Standard)

12. Vehicles shall not be allowed to be parked in or otherwise block common driveways, sidewalks, aisles, or other points of access at any time, shall only be parked in designated parking spaces, and shall not overlap the striped lines of designated parking spaces. (Standard)

13. No required parking space on the site may be for the exclusive use of any tenant. (Standard)

14. All parking areas must be paved, drained, curbed, and landscaped to Village standards. (Standard)

Utilities

15. Prior to issuance of building permits, the petitioner shall submit evidence of issuance of permits for the construction and operation of the water main and associated equipment by the Illinois Environmental Protection Agency (IEPA) or provide a determination by IEPA that such permits are not required. Water mains that feed multiple building structures and/or create a "looped" system that require an IEPA permit will also require an easement and custodial agreement with the Village.
16. The petitioner shall sign an "Agreement for Installation and Maintenance of Landscaping" to assure that the Subject Property and parkway landscaping is completed and maintained, including trimming, watering, and replacing of dead plant materials in a timely manner in accordance with the final approved landscape plan. A copy of said Agreement is attached hereto, marked Exhibit “A” and hereby made part of this Ordinance. This “Agreement for Installation and Maintenance of Landscaping” shall be recorded at the petitioner’s expense. (Standard)

17. All new construction, alterations, and remodeling shall meet current International Building and NFPA Life Safety Codes as amended. (Standard)

18. The petitioner shall obtain all required permits and approvals for improvements to County, State, or Federal rights-of-way from the governing jurisdiction. (Standard)

19. Prior to the issuance of building permits, the petitioner shall submit to the Village of Skokie Community Development Department a Cook County Assessor’s Office Petition for Consolidation of Property with associated fees to consolidate property identification numbers XXX, XXX, and XXX into a single tax parcel or provide evidence that the petition was submitted to Cook County. (Standard)

20. The Subject Property must conform to the Village’s storm water control requirements as contained in the Skokie Village Code, including the disconnection of any downspouts. (Standard)

21. All signage shall conform to the Skokie Village Code. 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)

22. All modifications to building elevations, signage, and landscaping shall be subject to the review and approval of the Skokie Appearance Commission. (Standard)

23. The petitioner shall submit to the Planning Division electronic files of the site plan and landscape plan in their approved and finalized form. (Standard)

24. Prior to the issuance of building permits, the petitioner shall submit to the Planning Division of the Community Development Department the name, property address, email address, and telephone number of the company and contact person responsible for site maintenance in compliance with this special use permit. (Standard)

25. If work is to be performed on public property or if public property is utilized or impacted during construction and/or development, the owner shall provide, or shall cause the developer and/or contractor to provide, the Village of Skokie with a certificate of insurance naming the Village of Skokie as additionally insured for any and all claims related to any and all work. The owner shall hold, and shall cause the developer and/or contractor to hold, the Village of Skokie harmless and indemnify the Village for any and all claims for property damage or personal injury related to
work on or use of public property. (Standard)

26. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations. (Standard)

27. 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)

Automotive fuel stations §118-92(b)

28. At least 1 employee must be at the fuel control console at all times that self-serve fuel is being dispensed. At least 2 employees shall be on the premises from 7:00 a.m. to 9:00 p.m. when a convenience store or any other use over 1,000 ft2 is collocated with the automotive fuel station.

29. The attendant must always have a clear view of the fuel dispensing area.

30. A system that allows communication between persons at each dispensing area and the employee at the fuel control console must be provided.

31. During the hours of operation, air and use of equipment for tire inflation, use of a tire pressure gauge, fluid and equipment for washing vehicle windows, water and use of a water container for filling radiators, and rest room facilities must be provided free of charge. Charging a fee for these services is prohibited.

32. A canopy must be provided over all fuel dispensing areas.

33. The pump islands and fuel tanks shall be removed upon closing of the automotive fuel station in accordance with the requirements of the State Fire Marshal.

34. A minimum lot size of 30,000 ft2 is required when a car wash or hand car wash is collocated with the automotive fuel station.

ATTACHMENTS

1. Proposed Positive Findings of Fact for Special Use Permit for 2023-04P
2. Site Plan, dated February 3, 2022
3. Landscape & Tree Preservation Plan, dated February 3, 2023
4. 3301 and 3321 Howard Street Renderings, submitted February 21, 2023
5. ALTA/NSPS Land Title Survey, dated July 11, 2019
6. Land Use and Zoning Map
<table>
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<tr>
<th>Consideration</th>
<th>Finding</th>
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<tr>
<td>The request is consistent with the intent of the Comprehensive Plan.</td>
<td>The drive-through portion of the existing use does not meet the intent of the pedestrian oriented mix designation for the subject site Comprehensive Plan; however, the use predates that designation.</td>
</tr>
<tr>
<td>The request will not adversely affect adjacent properties.</td>
<td>The proposed modifications to the site plan will not adversely affect adjacent properties.</td>
</tr>
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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>
<td>Adequate public facilities, roads, drainage, utilities, and police and fire protection exist at this time.</td>
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<td>The request demonstrates adequate provision for maintenance and use of the associated structures.</td>
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<td>The request has considered and, to the degree possible, addressed the adverse effects on the natural environment.</td>
<td>There should be no adverse effects on the natural environment from the request.</td>
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<td>The request will not create undue traffic congestion.</td>
<td>The proposed modifications to the site plan are not expected to create undue traffic congestion.</td>
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<tr>
<td>The request will not adversely affect public health, safety, and welfare.</td>
<td>The request will not adversely affect the public health, safety, or general welfare.</td>
</tr>
<tr>
<td>The request conforms to all applicable provisions of this code, except where relief is granted with the request.</td>
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Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

Notes
2023-03P - Site Plan Approval: 3301 & 3321 Howard Street, 2023-04P - Special Use Permit: 3301 Howard Street, 2023-05P - Special Use Permit: 3321 Howard Street