

STAFF REPORT

2022-20P: Special Use Permit (drive-through)
2022-21P: Special Use Permit (outdoor dining)

Community Development Department

Council Chambers, 7:30 PM, May 5, 2022

To: Paul Luke, Plan Commission Chairperson
 From: Carrie Haberstich, AICP, Planning Supervisor
 Re: **2022-20P: Special Use Permit** (limited service restaurant with drive-through)
2022-21P: Special Use Permit (outdoor dining)
 7252 McCormick Boulevard

Related Cases – 2022-15P: Zoning Map Amendment
 2022-16P: Subdivision
 2022-17P: Site Plan Approval
 2022-18P: Special Use Permit for 7250 – drive-through
 2022-19P: Special Use Permit for 7250 – outdoor dining
2022-20P: Special Use Permit for 7252 – drive-through
2022-21P: Special Use Permit for 7252 – outdoor dining

General Information	
<i>Location</i>	7252 McCormick Boulevard PIN: 10-26-402-058-0000
<i>Purpose</i>	To request a special use permit for a <i>limited service restaurant with drive-through</i> for Culver’s at 7252 McCormick, relief from §82-28(b)(1) to allow more than 1 wall sign, and any other relief discovered during the review of this case.
	To request a special use permit for <i>outdoor dining</i> for Culver’s at 7252 McCormick, and any relief discovered during the review of this case.
<i>Petitioner</i>	Federal-Mogul Motorparts LLC, on behalf of InSite Real Estate Investment Properties LLC
<i>Size of Site</i>	60,486± SF with frontage on McCormick Boulevard
<i>Existing Zoning & Land Use</i>	B2 Commercial (formerly M3 Industry) – vacant
<i>Adjacent Zoning & Land Use</i>	North M3 Industry – manufacturing
	South M3 Industry – private road B2 Commercial – grocery, services, restaurants
	East M3 Industry – park and multi-use path
	West M3 Industry – manufacturing
<i>Comprehensive Plan</i>	The site is designated as manufacturing/service employment.

SITE INFORMATION

See case 2022-17P for additional information.

PROPOSAL SUMMARY

The petitioner is requesting special use permits for Culver's at 7252 McCormick Boulevard in a B2 Commercial zoning district:

1. A limited service restaurant with drive-through
2. Outdoor dining

Culver's is proposed to be a 4,398 SF restaurant with 1 drive-through lane and a 460 SF outdoor dining area.

PETITIONER'S SUBMITTAL

See case 2022-17P for additional information.

STAFF ANALYSIS

All pertinent departments and divisions were offered an opportunity to comment on this case. Comments specific to these cases were made by Engineering, Fire Prevention, Environmental Health, and Planning, which reviewed the submitted materials and generally support the proposed special use permit requests.

Access to the subject site will use the existing curb cuts on McCormick Boulevard, private access easements to the north and south of the site, and public sidewalks. Per the Traffic Impact Analysis, a minimum of 12 drive-through stacking spaces will be provided.

On April 13, 2022, the Appearance Commission approved Culver's (2022-023A) as presented. Relief may be granted to allow more than 1 wall sign for the building.

STAFF RECOMMENDATIONS

Staff recommends that the petitioner's request for special use permits for (1) a limited service restaurant with drive-through and (2) outdoor dining be **APPROVED** based upon the Proposed Findings of Fact and subject to the recommended special use permit conditions listed below.

Staff further recommends providing relief for the following items:

1. An increase in wall signage per the Certificate of Appropriateness by the Appearance Commission. (§82-28(b)(1))

RECOMMENDED SPECIAL USE PERMIT CONDITIONS

In addition to the conditions of case 2022-17P:

1. Prior to the hearing of the subject cases before the Board of Trustees, the petitioner shall:
 - a. Add barriers, fencing, landscaping, or other features to the site and landscape plans to define the outdoor dining area. Ensure the outdoor dining area is not located within the 15' x 15' sight distance triangle at the intersecting drive aisles.
 - b. Prepare a Culver's-specific landscape plan for the area immediately surrounding the building.
2. Special Use Permit for a **Limited Service Restaurant with Drive-Through:**
 - a. 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)
 - b. A drive-through facility shall have at least one litter/refuse disposal container at its exit at a location determined by Environmental Health. (Standard)
3. Special Use Permit for **Outdoor Dining:**

Outdoor Dining §118-93(e)

 - a. Barriers, fencing, landscaping, and other features shall be utilized to define the outdoor dining area.
 - b. Hours of operation for the outdoor dining shall be limited to between 8:00 AM and 10:00 PM, but not longer than the posted operational hours of the associated food service facility, if the facility opens later and/or closes earlier than these hours.
 - c. Dates of operation shall be limited to between April 1 and October 31 in a calendar year.
 - d. The outdoor dining area shall be exempt from the parking regulations if used or set up less than 7 months in a calendar year.
 - e. All food preparation must take place inside the associated food service establishment.
 - f. Adequate refuse disposal shall exist as determined by the Health Department.
 - g. Advertising or promotional features shall be limited to umbrellas or canopies.
 - h. All applicable village and state health requirements shall be met.
 - i. Dining areas will be reviewed each year during the annual restaurant inspection. The outdoor dining permit may be revoked by the Village Manager at any time on 14 days' notice for failure to comply with the

regulations set forth in this subsection.

- j. The outdoor dining area shall not be enclosed on more than two sides with walls if roofed over.
- k. The outdoor dining area must be located on a surface approved by the Village Manager or designee.
- l. The outdoor dining area shall not be located in a required parking space or block a public sidewalk.

Additional Requirements for Outdoor Dining on Private Property §118-93(e)(2)

- m. The outdoor dining shall be on the same lot or within a development that received site plan approval as its associated food service establishment.
- n. An outdoor dining area shall not be located within a 15-foot sight distance triangle or within 3' from any public alley.

ATTACHMENTS

- 1. Proposed Findings of Fact for 2022-20P and 2022-21P
- 2. Fire Prevention Bureau's Report for 2022-20P

PROPOSED 2022-20P: Special Use Permit (drive-through)
FINDINGS OF FACT 2022-21P: Special Use Permit (outdoor dining)

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<i>Consideration</i>	<i>Finding</i>
The request is consistent with the intent of the Comprehensive Plan.	The request is not consistent with the intent of the Comprehensive Plan, but is consistent with the development pattern of the area.
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, to the degree possible, addressed the adverse effects on the natural environment.
The request will not create undue traffic congestion.	The request will not create undue traffic congestion.
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.



Village of Skokie Fire Department – Fire Prevention Bureau



Occupancy Name	7252 McCormick	DATE received	4-12-22
Address	7252 McCormick	Report Date	4-13-22
Responsible Party	InSight	PERMIT#	P2022-20P
Email		PPRU#	
Phone		PROPERTY ID	
Type of Project	New Building – drive through request	ACTIVITY CODE	301

The Skokie Fire Prevention Bureau has completed a review of the Plans submitted for compliance with International Fire Code 2012 (IFC), International Building Code 2012 (IBC), Life Safety Code 2012 (LS 101), Fire Alarm NFPA 72 2010 (72), and Fire Sprinkler NFPA 13, 13R, 13D 2012, Illinois Accessibility Codes 2018 and amended ordinances of the Village of Skokie.

The Fire Prevention Bureau review commentary listed below; The plan review has been **APPROVED** with the following conditions based on the plans submitted, with limited information provided and require further details.

1. **All demolition work to comply with Chapter 33 of the International Fire Code (2012 ed.)**
2. **All demolition work to comply with National Fire Protection Association 241**
3. **Approved drawings and comment letter to be on site at all times.**
4. **New equipment rooms and storage to comply with the following;**

General Comments;

1. The queue cannot impede fire department access to the site.
2. Extinguishers should be provided to the exterior booths, that are remote from the main building in the drive through, provided the booths are staffed.
3. Fire department access needs to be re-drawn for the turning radius provided for Tower Ladder 16. Overall length – 560 inches, Wheel base – 254 inches, Height – 138 inches, Overall width – 8 feet, Outrigger requirements – 20 feet total, Turning radius – wall to wall – 48 feet, Height of vehicle to turn table (where ladder is mounted) – 7 feet, Length of ladder – 93 feet

All comments shall be addressed prior to and for condition of final occupancy. Upon completion of the above project and Certificate of Occupancy issued, owner shall comply with all fire protection systems and suppression systems required Testing, Inspection, and Maintenance. Documentation shall be available upon inspection and sent to Skokie Fire Prevention Bureau offices

The testing and inspection of all systems must be completed and compliant with IFC, IBC, NFPA 72, NFPA 13, and any amended code of the Village of Skokie. As-built drawings shall be submitted for final approval. All field changes shall be shown on the as-built drawings.

If you have any questions regarding the plan review call Inspector Friedman 847.982.5342.

Captain Christopher Vrshek
Fire Prevention Bureau
Skokie Fire Department