STAFF REPORT

2020-12P: Special Use Permit

Community Development Department

To: Paul Luke, Chairman, Skokie Plan Commission
From: Steve Marciani, AICP, Planning Supervisor
Re: 2020-12P: Special Use Permit

General Information

<table>
<thead>
<tr>
<th>Location</th>
<th>5550 Howard</th>
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<tbody>
<tr>
<td>Purpose</td>
<td>To obtain a special use permit for outdoor storage in conjunction with BCLS Landscaping in an M2 Light Industry zoning district and any relief that may be discovered during the review of this case. PINs: 10-28-215-034-0000 and 10-28-215-035-0000</td>
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<td>Petitioner</td>
<td>Chicago Title Land Trust Company, a corporation of Illinois as trustee under the provisions of a certain trust agreement dated November 6, 2018, and known as Trust Number 8002379462</td>
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<td>Size of Site</td>
<td>141,110 square feet (2.74 acres) with 302.4’ of frontage on Howard Street and 86.01’ of frontage on Parkside Avenue.</td>
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<td>Existing Zoning &amp; Land Use</td>
<td>M2 Light Industry – landscaping services</td>
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<td>Adjacent Zoning &amp; Land Use</td>
<td>North: M1 Office Assembly Industry (R2 Single-Family) – vacant office building (proposed Arie Crown Day School)</td>
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<td>South: M1 Office Assembly Industry – light industrial and office uses M Limited Manufacturing (Village of Niles) – multitenant industrial building</td>
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<td>East: M1 Office Assembly Industry – newly renovated office building</td>
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<td></td>
<td>West: M1 Office Assembly Industry – primary metal manufacturing, landscaping service, special trades contractors</td>
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<td>Comprehensive Plan</td>
<td>The site is designated as manufacturing/service employment.</td>
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SITE INFORMATION

- Overhead utilities are present in the Howard Street parkway adjacent to the site.
- Public sidewalks are present along Howard Street and Parkside Avenue.
- The site is served by the Pace 225 Central-Howard bus.
STAFF ANALYSIS

Petitioner’s Submittal

The petitioner is requesting approval for a special use permit for outdoor storage for BCLS, Inc. and any relief discovered during the review of this case.

The President of BCLS, Inc. submitted the following statement:

Thank you for reviewing BCLS's application for special use outdoor storage at 5550 Howard St.

Since BCLS purchased the property 18 months ago, we immediately started the clean up process. The property was previously vacant for some time. We removed over 70 semi loads of debris and waste resulting from the property being used for illegal dumping. BCLS informed all adjacent property owners that their abandoned vehicles and unsightly materials needed to be cleared from the property.

BCLS removed all dead, diseased, and compromised trees (qty=215) and posted $9500.00 tree bond with the Village of Skokie. BCLS also cleared weeds and unwanted incidental vegetation from the property.

We installed a planting area aligning Howard St. frontage with over twenty premium specimen 3 ½” trees. BCLS applied for and was granted a fence permit for the property. We have installed 300' of wrought iron fence on the Howard frontage and are continuing to completely fence in the property. (We are running behind with all the disruptions due to the current pandemic situation.)

BCLS does occupy the on-site 5,500 sq. ft building. It is used primarily for storage of off-season equipment. We do have an office where our computer system and surveillance/security hardware are located. It is used for on-site tracking of equipment and material, monitoring of surveillance footage as well as other paperwork tasks. The parking lot for the building has been restriped and is utilized for those working in the office as it has from the previous owners for 56 years.

BCLS will use said site to orderly store equipment, plants, and materials. The property is maintained on a weekly basis. BCLS patrols the property regularly and has preventatively treated area for mosquitos and rodents.

BCLS is in no way negatively affected any business or esthetics of the area. In fact, we have been complimented regularly on how clean, neat, and aesthetically pleasing the area looks, especially compared to its prior condition. We will continue to plant trees and material to further improve the site. We take pride in the property and will adorn it in seasonal displays and lighting to make it an attractive addition to the Howard frontage of the Village of Skokie.

Thank you for your consideration.

Comments

Staff review requests were sent to all pertinent departments. Staff comments on the subject case were received from the Forestry, Engineering, and Planning Divisions. All other departments had no comments.
Forestry Division

The Forestry Division notes that tree number 703 on the tree survey is dead in the field and needs to be removed. The other trees look good. Forestry would also like to thank the petitioner for saving as many trees as they did.

Engineering Division

As was stated in the petitioner’s preliminary plan reviews, at least 2 of the existing parking spaces at south of the building are now in the public right-of-way following the dedication of land from the previous subdivision (2015-10P) and site plan approval (2015-12P). This portion of the existing parking area needs to be removed and restored to approved parkway landscaping. Also, one of the Howard street curb cuts should be removed. The access driveway to the storage area, parking, and future building should be realigned so that is in line with the centerline of Central Avenue.

With respect to the stormwater control required by the proposed development, the project will likely require an MWRD permit. You may first obtain a permit determination if you choose. Depending on what is required from MWRD, Village Code Section 118-64 could apply.

All areas for required parking must be paved, drained, curbed, and landscaped to Village standards.

Properly dimensioned and scaled civil site plans must be provided during the next submittal that, at a minimum, show current conditions, the proposed grading plan, a utility plan, and legal vehicle and bicycle parking spaces on approved surfaces for all required parking for the site. Non-required parking spaces may be on gravel within the storage area.

The parking requirement for landscaping services is 1 space for each 1,500 ft² of net building floor area, plus 1 parking space for each employee, plus 1 parking space for each vehicle owned, rented, or leased by the business. The number of required parking spaces for this plan will be determined when adequate information is provided by the petitioner.

Planning Division

Planning is supportive of the petitioner’s request and acknowledges that much of the site is an aesthetic improvement from the previously undeveloped site. However, the property is already being used for outdoor storage and has been since well before this petition and the current health crisis. Some of the existing site improvements were made without prior review by the Village. The completion of the fencing and the improvements required by the Engineering Division to the parking and driveway need to be made immediately. Staff is recommending enforceable timelines for required improvements be included in the conditions of the Special Use Permit ordinance.
APPEARANCE COMMISSION
This petition does not need to be reviewed by the Appearance Commission.

STAFF RECOMMENDATIONS
Staff recommends that the petitioner’s request for a special use permit for outdoor storage at 5550 Howard Street be CONTINUED based upon the Proposed Negative Findings of Fact and subject to the recommended and standard special use permit conditions, including the submission of items in Condition 1.

RECOMMENDED SPECIAL USE CONDITIONS
1. Prior to a next hearing of the subject case before the Plan Commission, the petitioner must submit to the Planning Division:
   b. A written statement stating the number of employees and the number of vehicles owned, rented, or leased by the business associated with occupancy of 5550 Howard Street.
   c. A dimensioned and scaled civil site plan showing the current conditions, the proposed grading plan, the removal of parking spaces in the Howard Street right-of-way, the driveway alignment with Central Avenue, a utility plan, and legal vehicle and bicycle parking spaces on approved surfaces for all required parking for the site, meeting all Village Codes
   d. Details of the type of screening proposed on the 8-foot chain link fence and a dated more detailed landscaping plan, including other shrubs, grasses, evergreens, and other screening material for the Howard Street side of the property.
2. Within 60 days of the approval of this petition by the Village Board, the petitioner must:
   a. Resolve all outstanding citations issued for the property.
   b. Complete construction of the fencing and screening approved by this special use permit.
3. No landscaping materials shall be permitted to be stored within any driveway or required parking space at the subject site.

STANDARD SPECIAL USE CONDITIONS
4. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved site plan, dated <insert date of final approved plan, and
landscape plan, dated <insert date of final approved plan>.

5. 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 to Consolidation of Property to consolidate property identification numbers 10-28-215-034-0000 and 10-28-215-035-0000 into a single tax parcel. (Planning)

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. Parking lot and exterior lighting shall meet IES standards, be full cut-off design, and directed away from adjacent properties, and subject to the approval of the Engineering Division. (Standard)

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

9. The Subject Property must conform to the Village's Storm Water Control Ordinance as contained in the Skokie Village Code, including the disconnection of any downspouts. (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 handicapped parking spaces shall be installed and maintained in compliance with State of Illinois Accessibility Standards and the Skokie Village Code. All handicapped parking spaces shall be included in the Village Handicapped Parking Space Maintenance Program. (Standard)

12. Vehicles shall not be allowed to be parked in or otherwise block driveways, sidewalks, aisles, or other points of access the lead to required parking at any time, shall always be parked in designated parking spaces, and shall not overlap the striped lines of designated parking spaces. All employees shall park on the Subject Property. (Standard)

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

14. All landscaping shall be maintained to a maximum height of 30 inches for a distance of 15 feet from any vehicular access point or intersection in order to maintain adequate sight distance. (Standard)

15. 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 and watering, 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. All dead landscaping shall be replaced in a timely manner. (Standard)

16. The petitioner shall submit to the Planning Division electronic files of the Plat of Survey, Site Plan, and Landscape Plan in approved and finalized form. The files
shall be scaled CADD 2D drawing files on non-compressed, non-read only, IBM formatted, CD-ROM .DWG AutoCAD format (version 2004). The drawings shall be formatted to SPCS, NAD83, HARN1997, with SPCS north being straight up, and the primary units in U.S. Survey Feet. All elements shall be contained within a single file, no XREF or PDF attachment files shall be used. (Standard)

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

18. 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)

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

20. 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. (Standard)

21. 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)

ATTACHMENTS

1. Proposed Negative Findings of Fact for 2020-12P
2. Landscaping/site plan drawn on plat of survey dated May 17, 2018
3. Tree survey drawn on plat of survey dated May 17, 2018
4. Land Use and Zoning Map for 2020-12P
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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 site is designated as manufacturing/service employment in the Comprehensive Plan, of which the outdoor storage for landscaping materials is an appropriate use for such designation.</td>
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<td>The request will not adversely affect adjacent properties.</td>
<td>The proposed use will not adversely affect adjacent properties if the outdoor storage is properly screened from view.</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>
<td>The proposed use has not demonstrated that adequate drainage exists from improvements made to the property without Village or MWRD permits.</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>It is unclear at this time whether there will be adverse impact to the natural environment until site drainage can be evaluated. The petitioner has reserved many of the large trees on the site with work completed so far.</td>
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<td>The request will not create undue traffic congestion.</td>
<td>The proposed use is not expected to create undue traffic congestion, but there is some concern about the alignment of the access driveway with Central Avenue.</td>
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<td>The request will not adversely affect public health, safety, and welfare.</td>
<td>The proposed use will not adversely affect the public health, safety, or general welfare if drainage issued are clarified and resolved, if necessary.</td>
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<td>The request conforms to all applicable provisions of this code, except where relief is granted with the request.</td>
<td>There are outstanding Code compliance issues on this site, including existing outdoor storage and lack of issuance of a Certificate of Occupancy.</td>
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