

Plan Commission Draft Summary Meeting Minutes
Date: April 20, 2023

The Chairman called the roll recognizing that there was a quorum present with 2 commissioners absent. He introduced and welcomed Vijai Gupta to the dais as the commission's newest member.

A motion to approve the minutes of the Plan Commission meeting of March 16, 2023 was made by Commissioner J. Burman and seconded by Commissioner S. Berman. Motion passed by voice vote.

Case Description:

2023-02P: Special Use Permit: 5252 Dempster Street

Dempster Lockwood, LLC, requests a special use permit for a drive-through for a Dunkin' - Baskin Robbins limited service restaurant in a B3 Business zoning district, relief from §118-218 to provide 17 parking spaces rather than the required 19 parking spaces, relief from §118-212(i)(1) to allow continuous curbing less than 6' from and parallel to any property line adjacent to a street frontage, and any other relief that may be discovered during the review of this case.

PIN: 10-16-332-053-0000

Discussion and Interested Parties

Legal notice was advertised, posted, and delivered to property owners in the area as prescribed by the Zoning Chapter. Corporation Counsel determined that notice was proper and correct.

Ms. Reena Panjwani Khowaja, a Dunkin' - Baskin franchisee, spoke of her family's association with Skokie and the Dunkin' brand. They have been members of the community since 1981 and owners since 1986. In fact, the Panjwani family owns all the Dunkin' - Baskin businesses in Skokie and surrounding areas. They are very involved in the daily operation of all their stores. Currently, the Touhy Avenue location is undergoing renovations adding a drive-through component. Ms. Khowaja announced that her father passed away last month. Commissioners offered their condolences for her loss.

The existing Dunkin' location in the strip mall at Dempster and Gross Point Road does not have a drive-through and, even pre-COVID, has suffered quite a bit with its absence. It is a challenging site to try to add one. The new location at the northeast corner of Dempster and Lockwood was a Byline Bank with a drive-through facility closed 5 years ago. They plan on retro-fitting into the building and shave down the site plan to utilize the existing drive-through. They do not propose a 24-hour operation but will consider it if the area dictates the need. Ms. Khowaja mentioned the parking relief needed as they are providing 16 parking spaces rather than the 19 spaces required. Ingress and egress will be from Dempster Street and the public alley to the north. The curb cut on Lockwood will be removed. The alley will be widened to accommodate the increase in activity. Dry goods deliveries will take place once a week during non-peak hours; usually between 10 AM and early afternoon. There will not be an outdoor patio at this location.

Ms. Khowaja offered details of the drive-through operation stating that it is all about speed and their goal is to be as efficient as possible getting customers in and out with 9 stacking spaces. Vehicles will exit on site and not onto a public way. They will encourage phone orders and orders to go with a designated parking area for pick-up in store.

The commissioners discussed the parking layout noting the 6 spaces adjacent to the alley near the transformer. Staff stated that in older commercial areas such as this, many of the parking spaces are oriented off the alley and most likely used for employee parking. The commissioners also inquired about the litter in the parking lot of the current location and suggested additional trash receptacles and clearing the area every 4 hours of debris. The applicant agreed that it is an issue and has made it a priority especially the alley area.

Staff requested the report be entered into the record as presented and is in support of the project including the 2 items of relief. The Appearance Commission approved the case at its February 8, 2023 meeting.

Neighbors stated that the bank was a very light use and a quiet neighbor. They have reservations about living across the alley from a Dunkin' Donuts with a drive-through. They voiced concerns about the poor condition of the alley and the increase in activity for parking access; damage to property when cars back up into the alley; the potential for interruptions or outages of internet or electricity if damage occurs to the utility boxes being among parked cars; water run-off from the commercial property; loitering; littering; lights shining into residential properties; difficulty driving out of the alley during peak times (7:30 AM) and noise from speeding cars or music. They mentioned a meeting they had with Reena before this hearing and found her to be very understanding and open to discussion.

Commissioners suggested the use of guardrails or bollards in the alley to protect residential property as well as allowing the neighbors to have a higher alley fence to block light and noise. They also made inquiries of staff about snow removal. Staff answered that there is space on the site for snow storage. Ms. Khowaja added that she donated a portion of the alley back to the Village and therefore, it is the Village's responsibility to snow plow the alley but seeing that it is an access point for her business she has arranged to have the alley plowed to Lockwood Avenue after a 2" snowfall.

In closing, Ms. Khowaja added that she is aware of the loitering at their current location which affected her decision against an outdoor patio.

Recommendations and Voting

Case 2023-02P

A motion was made to approve, as modified, a special use permit for a drive-through Dunkin'-Baskin Robbins limited service restaurant at 5252 Dempster Street in a B3 Business district. Modifications added were:

- placement of additional trash receptacles as advised by the Health Department
- require snow to be removed from the property line and alley to Lockwood Avenue
- allow neighboring residents to install higher fences along the alley to block out light

Motion: J. Burman

Second: S. Berman

Absent: T. Gevaryahu &
P. Ousley

Ayes: 7

Nays: 0

A motion was made to accept the items of relief as presented:

- provide 16 parking spaces rather than the 19 required
- allow continuous curbing less than 6' from and parallel to any property line adjacent to a street frontage

Motion: S. Berman

Second: J. Burman

Absent: T. Gevaryahu &
P. Ousley

Ayes: 7

Nays: 0

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Case Description:

2023-06P: Zoning Chapter Amendment: Solar Panel Changes

The Village of Skokie is requesting an amendment to Section 118-72 of the Skokie Village Code to modify height provisions for solar energy systems.

Discussion and Interested Parties

Legal notice was advertised as prescribed by the Zoning Chapter. Personal notice was not required for this case. Corporation Counsel announced that notice was proper and correct.

Staff requested the report be entered into the record as presented. SolSmart is a national program that helps communities follow best practices to expand solar energy use. Skokie is presently at the bronze level striving for gold designation; the highest level for local government.

According to a SolSmart representative, Skokie's zoning ordinance currently has barriers to solar on flat-roofed buildings. Typically, a solar panel is installed 5 and 6 feet above a flat roof. It was recommended that new language be added to remove these hindrances which will allow solar panels up to 10 feet above the existing roof.

A commissioner spoke of his concern that building roofs are not designed to carry the extra load of the solar panels especially when the weight of snow is added on. He strongly suggested, to make sure that a building is safe, that load calculations are prepared and reviewed by a structural engineer before any installation.

Staff offered that plans are thoroughly examined prior to permits being issued.

Other commissioners questioned how these changes in elevation would affect the decisions made by the Appearance Commission.

Another commission wanted confirmation that this change is the only thing holding Skokie from attaining gold designation.

Recommendations and Voting

A motion was made to approve a chapter amendment to Section 118-72 of the Skokie Village Code to modify height provisions for solar energy systems.

Motion: S. Berman

Second: J. Burman

Absent: T. Gevanyahu &
P. Ousley

Ayes: 6

Nays: 1 (Gupta)

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Case Descriptions:

2023-07P: Zoning Map Amendment: 8000 East Prairie Road

GreenAssociates Architects, on behalf of Skokie School District 73.5, is requesting to rezone the northern section of 8000 East Prairie Road from R2 Single-Family to B2 Commercial.

2023-08P: Subdivision/Dedication: 8000 East Prairie Road

GreenAssociates Architects, on behalf of Skokie School District 73.5, is requesting a 1-lot subdivision/dedication of 8000 East Prairie Road, and any relief discovered during the review of this case.

2023-09P: Site Plan Approval: 8000 East Prairie Road

GreenAssociates Architects, on behalf of Skokie School District 73.5, is requesting site plan approval to construct a one-story building for equipment storage and offices, and any relief discovered during the review of this case.

PINs: 10-23-327-051-0000, 10-23-326-044-0000, 10-23-327-016-0000, and 10-23-327-025-0000

Discussion and Interested Parties

Legal notice was advertised, posted, and delivered to property owners in the area as prescribed by the Zoning Chapter. Corporation Counsel determined that notice was proper and correct.

Mr. Aaron Woesnner, architect from GreenAssociates Architects, presented the cases. Additional testimony was added by Samantha Peterson, Assistant Superintendent of Business & Operations for School District 73.5.

As all 3 cases were related, they were discussed together but voted on separately.

Mr. Woesnner gave an overview of the school district's requests. The subject site is home to the Oliver McCracken Middle School, but the project is at the far south end. Currently there are 2 residential style garages that are in deteriorating shape. The applicant wishes to replace them with a masonry accessory structure for ground equipment storage with 2 offices + a lounge and bathrooms. There will be no changes to grade as utilities are underground. Some landscaping will be added.

Ms. Peterson explained that the school has an extremely serious problem of space issues. The shortage affects student instruction and their social, emotional learning. In fact, there are 2 faculty members who work out of a closet and an outdoor shed. They desperately need more space.

The 4-lot site is split-zoned between R2 and B2 and are in multiple subdivisions. Both districts allow the use *junior and middle high school*, however B2 offers greater flexibility for future development with higher building heights and no front yard setback requirement. Staff advised the petitioner to re-zone the site and consolidate the parcels into 1 new lot as Cook County does not allow tax parcels in separate subdivisions. The subdivision will include a 2-ft wide right-of-way dedication along the south side of the east-west alley to bring the alley into compliance as well as a 15x15 ft. wide dedication at the northeast corner of Oakton and Crawford to place the public sidewalk entirely within the public right-of-way.

Site plan approval is required because modifications are being made to the site which is an acre or larger in size. They will be making other improvements as well; adding a 2nd handicapped parking space to the parking lot; installing sod in a now gravel covered area at the north end of the parking lot behind the residences on Keeney Street; constructing a garden shed; and relocating a planter to the southeast corner of the school building.

Staff is in support of the project and requested the reports to be entered into the record as presented except for removing Condition 1e. from the recommended conditions for Case 2023-09P. After talking with the applicant, it was learned that the area in question is the place where they store snow after plowing and would like to keep it free of curbing.

A public comment was dropped off in the drop box and read into the record regarding the negative impact of increased traffic and shortage of parking on the residential street. The email suggested that plans should include additional parking for teachers and parents to take the pressure from street parking availability. Another solution would be to restrict parking like other areas in the village.

Recommendations and Voting

Case 2023-07P

A motion was made to approve a map amendment to rezone the northern section of 8000 East Prairie Road from R2 to B2 per staff recommendations.

Motion: J. Burman

Second: S. Berman

Absent: T. Gevaryahu &
P. Ousley

Ayes: 7

Nays: 0

Case 2023-08P

A motion was made to approve a 1-lot subdivision/dedication of 8000 East Prairie Road per staff recommendations.

Motion: J. Burman

Second: R. Mathee

Absent: T. Gevaryahu &
P. Ousley

Ayes: 7
Nays: 0

Case 2023-09P

A motion was made to approve site plan approval to construct a 1-story building for equipment storage and offices and removing Condition 1.e from the recommended site plan approval conditions.

Motion: J. Burman

Second: C. Franklin

Absent: T. Gevaryahu &
P. Ousley

Ayes: 7
Nays: 0

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Case Description:

Discussion on Drive-Through Policy

Discussion and considerations of draft recommendations of drive-through policy for presentation to the Board of Trustees.

Discussion and Interested Parties

Using the March 16, 2023 Plan Commission meeting discussion as a starting point regarding drive-through policy changes, staff has further refined the recommendations to be presented to the Village Board at a future meeting.

Comments from the commissioners:

Recommendation 1: Modify allowed locations of drive-throughs in Skokie

Drive-throughs restaurants are already prohibited in mixed-use districts. The commissioners discussed the meaning of "visible from the street". A large site and more than just landscaping are needed to screen a drive-through. The language needs to be defined better – it is too vague. If this was the current requirement, the new Dunkin' limited service restaurant could never have gotten approved. Banks with drive-throughs would not be allowed. How does this recommendation affect businesses? It is too restrictive and appears to be anti-business. The commissioners suggested an overlay zone enabling additional regulations on top of the existing ones.

The shareable driveway serves multiple uses and is better than a single stand-alone drive-through. All the facilities can share costs for garbage and snow removal and it lessens the number of curb cuts.

Recommendation 2: Reduce parking requirement at drive-through establishments

Commissioners were agreeable with this recommendation. As this is a code issue, changes initially are presented to the Plan Commission before final disposition by the Board of Trustees.

Recommendation 3: Include an operations plan to reduce a long queuing line of cars and how to mitigate it. Prohibit deliveries during peak times. Require mobile ordering or ordering ahead as part of the business model.

Commissioners were compliant with this recommendation noting that ordering apps are very expensive systems that only national chains can afford to use. Local small independent restaurants rely on Door Dash and Uber Eats, etc.

Recommendation 4: Manage emissions impact by requiring additional trees on site or a fee-in-lieu based on the number of cars that are generated by the drive-through use.

Commissioners noted that the fee in lieu feature would bolster the Forestry budget to plant trees and shrubs throughout the Village. They did acknowledge that SEAC was not in favor of managing emissions through additional tree planting.

Recommendation 5: Require drive-through restaurants to offer composting and recycling for both kitchen waste and dining area waste.

Staff stated that many national restaurant chains on the west coast are already doing this. Commissioners thought it too onerous for large local restaurants but did agree with staff that it wouldn't be too hard to institute at least with kitchen waste. It is hard to direct customers how to dispose of their garbage and just as hard to have restaurant staff sort garbage into multiple bins multiple times a day.

Another suggestion was to change the language to read "require drive-through restaurants to offer composting and recycling in addition to current waste methods".

Recommendation 6: Develop drive-through language for Skokie zoning code to add clarity. Establish a best practice definition such as the example given from the Minneapolis, MN zoning code.

Recommendations and Voting

The commissioners decided that Recommendations 1, 2, and 6 needed to be improved upon by the Plan Commission before a review by the Village Board.

The commissioners acknowledged and accepted Recommendations 3, 4, and 5 to proceed for Village Board presentation.

Motion: J. Burman

Second: C. Franklin

Absent: T. Gevaryahu &
P. Ousley

Ayes: 7

Nays: 0