

# STAFF REPORT

# 2021-17P: Special Use Permit

Community Development Department

Council Chambers, 7:30 PM, May 6, 2021

To: Paul Luke, Plan Commission Chairperson

From: Steve Marciani, AICP, Planning Supervisor

Related Cases – 2021-15P: Map Amendment

2021-16P: Alley Vacation

2001-39P: Special Use Permit – Drive-through facility

General Information		
<i>Location</i>	7800 Lincoln Avenue	
<i>Purpose</i>	To request a special use permit to modify an existing special use permit to expand the parking facilities at 7800 Lincoln Avenue in an NX Neighborhood Mixed-Use and any other relief discovered during the review of this case.	
<i>Petitioner</i>	Wintrust Bank N.A./North Shore Community Bank & Trust	
<i>Size of Site</i>	32,588 ft <sup>2</sup> (0.91 acres) with frontage on Lincoln and LeClaire Avenues and Mulford Street	
<i>Existing Zoning &amp; Land Use</i>	NX Neighborhood Mixed-Use – bank with a drive-through facility, vacated alley (2021-16P), and vacant lot	
<i>Adjacent Zoning &amp; Land Use</i>	<b>North</b>	TX Transit Mixed-Use – school NX Neighborhood Mixed-Use – office building
	<b>South</b>	R2 Single-Family – detached residences
	<b>East</b>	TX Transit Mixed-Use – school
	<b>West</b>	R2 Single-Family – detached residences R4 Multifamily Housing – multifamily residences
<i>Comprehensive Plan</i>	The site is designated as neighborhood mixed-use and single-family housing in Sector A.	

## SITE INFORMATION

- A bank with a drive-through facility currently exists on most of the site, developed in accordance with a special use permit in case 2001-39P
- The corner of Mulford and LeClaire had contained a detached residence, which was recently razed.
- Driveways to the site exist on Mulford and LeClaire
- Residual overhead utilities exist in the alley to be vacated but move underground at the existing property to serve the site.

## COMPLETE STREETS



- Public sidewalks are available around the perimeter of the block – Lincoln, LeClaire, and Mulford. ADA ramps with contrasting color tactile warning indicators are not yet provided at the Lincoln/LeClaire and Lincoln/Mulford intersections. Direct pedestrian access from Lincoln Avenue to the front door is available.
- Nearby formal bicycle accommodations include a bike lane on Howard Street, and active bike routes on Niles and Babb Avenues, and Niles Center Road. A future bike lane is planned for Lincoln Avenue.
- The subject site is 0.65 miles from the Oakton-Skokie CTA Yellow Line Station. Nearby bus lines include the CTA Bus Route 97 and Pace Bus Routes 210 and 226.
- Subject property is within walking distance of residential neighborhoods, services, shopping, and schools, including Downtown Skokie.
- Emergency and business delivery access is available from Lincoln and LeClaire Avenues.

## PETITIONER'S SUBMITTAL

The petitioner is requesting a special use permit to modify an existing special use permit for a drive-through bank in conjunction with a full-service bank to expand the site plan to accommodate additional parking facilities at 7800 Lincoln Avenue in an NX Neighborhood Mixed-Use and any other relief discovered during the review of this case.

The petitioner submitted the following statement:

The following addresses the effects of the proposed parking lot addition to the neighborhood:

1. Character of the Neighborhood: The character of the neighborhood is a well-established residential area with an existing alley and banking facility at the north end of this area. The property in question was an abandoned home in disrepair that detracted from the overall quality of the neighborhood. Further, the property is a triangular shape that is bordered on all three sides by Village right-of-way. The proposed parking lot will be located where the existing alley is and the remainder of the lot will be landscaped with trees, bushes and lawn. This will provide a more aesthetic look to the north end of the neighborhood as well as provide a landscaped buffer from the residents to the bank operations.

2. Surrounding Property Values: By removing an abandoned home in need of major repairs and replacing it with a small parking lot with a park like setting buffer to the bank. It is our opinion that property values will increase in the immediate area adjacent to this property.

3. Traffic Conditions: Currently there is a public alley that connects LeClaire Avenue to Mulford Street. Traffic can use this as a cut through to avoid Lincoln Avenue. The proposed project cuts off the through traffic by reducing the entrances into this new parking lot to one. The new parking lot will also be used for employees only. Employee parking greatly reduces the number of trips generated from a facility to typically one in-and-out movement per day or a second one possibly for lunch.

4. Public Utilities: There is a combined storm sewer currently in the alley that drains the alley. We are proposing to continue using this to drain the new parking lot. There is no watermain in the alley.

5. Stormwater Detention: The existing Wintrust Bank has underground detention in the parking lot. With the removal of the house and alley, the new parking lot has less impervious area than the existing site. The stormwater will also discharge to the existing parking lot or the existing sewer in the alley.

6. Public Health, Safety, Morals & General Welfare: This project will be an improvement to the overall welfare of the neighborhood. An old residence in need of repair has been removed and a small parking with a park like setting will be built in its place. Further, the new landscaping on the property will provide a much more robust screening of the bank for the residents.

## **STAFF ANALYSIS**

Staff Comment and Review requests were sent to all pertinent departments and were received from Engineering, Forestry, and Planning. All other departments returned the requests with no comments regarding the subject case.

### Engineering

The Engineering Division's only comments are that compact car parking is not permitted and that parking lot lighting must be provided in accordance with IES and §118-212(k) of the Village Code.

### Forestry

The Village Forester notes that tree protection fencing is required for site trees in a construction project and that tree protection must be installed for the course of the project for the existing parkway trees and landscape areas that are to remain. A tree removal permit is required for the parkway tree that is to be removed.

### Planning

Planning is supportive of the request. The additional parking will allow greater flexibility in using the bank building. Staff has incorporated the relevant conditions of the existing special use ordinance or replaced standard conditions with the most current language into the recommended conditions below. However, the condition restricting the use of the premises only for financial purposes by North Shore Community Bank & Trust – Skokie and that no portion of the premises shall be rented to any tenant has been removed; this restriction was in place solely because of the lack of additional parking on the site. Conditions that were already completed or are covered in other parts of the Village Code were also removed.

There were 2 items of relief that were in the existing special use permit that will also be carried over in to the new ordinance.

No other relief was discovered during the review of this case.

## **APPEARANCE COMMISSION**

Appearance Commission review is not necessary for the site.

## **STAFF RECOMMENDATIONS**

Staff recommends that the petitioner's request for a special use permit for a drive-through facility in conjunction with a bank at 7800 Lincoln Avenue in an NX Neighborhood Mixed-Use district be **APPROVED**, based upon the Proposed Positive Findings of Fact and subject to the recommended conditions below.

Staff further recommends that V.O. 02-2-Z-3066 be repealed and replaced by this special use ordinance, expect that relief from the following items continue:

1. §118-220(5)a. to provide for the elimination of the required loading space.
2. §118-212(i) to allow curbing 3 feet from the property line rather than the required 6 feet from that portion of the site plan that has already been developed on the time of this ordinance.

## **RECOMMENDED SPECIAL USE PERMIT CONDITIONS**

1. Prior to the hearing of this case before the Board of Trustees, the petitioner must update the site and landscaping plans to:
  - a. Include the full extent of the site.
  - b. Increase the curbing setback to a minimum of 6' from the property lines for the new parking lot proposed by this amendment and provide adequate landscaping screening on the LeClaire Avenue side of the lot.
  - c. Reduce the aisle width on the new parking lot to 24'.
  - d. Remove compact car parking sign.
2. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved site plan dated <insert date of final approved plan>, landscape plan dated <insert date of final approved plan>, and building elevations dated November 21, 2001 and December 3, 2001. (Standard)
3. The petitioner shall develop and use the Subject Property in accordance with the site plan approval for this site.
4. The facility shall be restricted to two drive-in teller windows and an ATM. Any increase in the number of drive-in windows shall require an amendment to the special use.
5. The hours of operation of the drive-in teller windows shall be restricted to 7:00 a.m. to 7:00 p.m. Monday through Friday, 7:00 a.m. to 2:00 p.m. Saturday.

6. That North Shore Community Bank & Trust shall sign a hold harmless agreement and include the Village as an insured on its property insurance policy for the use of the Village parkway on Lincoln Avenue as part of the site landscaping.
7. 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)
8. 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 10-28-212-006-0000 and 10-28-212-009-0000 into a single tax parcel or provide evidence that the petition was submitted to Cook County. (Standard)
9. 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)
10. New parking lot and exterior lighting shall meet Illuminating Engineering Society of North America (IES) standards, be full cut-off design, and be directed away from adjacent properties, subject to the approval of the Engineering Division. (Standard)
11. Any outdoor sound systems shall at all times maintain audio levels that are compliant with the Skokie Village Code. (Standard)
12. All existing damaged public sidewalks or public sidewalks damaged due to the implementation of this plan shall be replaced. (Standard)
13. 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)
14. 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)
15. All private and public sidewalks shall be maintained free of snow, ice, sleet, or other objects that may impede travel. (Standard)
16. 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)
17. All off-street parking spaces shall be legibly striped and maintained. (Standard)
18. Any plan to modify parking lot striping must be approved by the Director of Engineering. (Standard)
19. 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)

20. 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)
21. The owner of the Subject Property shall ensure that employees park on the Subject Property. (Standard)
22. No required parking space on the site may be for the exclusive use of any tenant. (Standard)
23. All overhead utilities on the Subject Property or in adjacent right-of-way shall be placed or relocated underground. The petitioner shall bear the full cost of any utility relocation and/or conflicts. (Standard)
24. 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)
25. The petitioner shall obtain all required permits and approvals for improvements to County, State, or Federal rights-of-way from the governing jurisdiction. (Standard)
26. 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)
27. All signage shall conform to the Skokie Village Code. (Standard)
28. All modifications to building elevations, signage, and landscaping shall be subject to the review and approval of the Skokie Appearance Commission. (Standard)
29. The petitioner shall submit to the Planning Division electronic files of the site plan and landscape plan in their approved and finalized form. (Standard)
30. 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)
31. 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)

32. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations. (Standard)
33. 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)

## **ATTACHMENTS**

1. Proposed Positive Findings of Fact
2. Site plan, January 21, 2021
3. Landscaping plan, January 22, 2021
4. Aerial Map

## **Proposed Positive Findings of Fact 2021-17P: Special Use Permit**

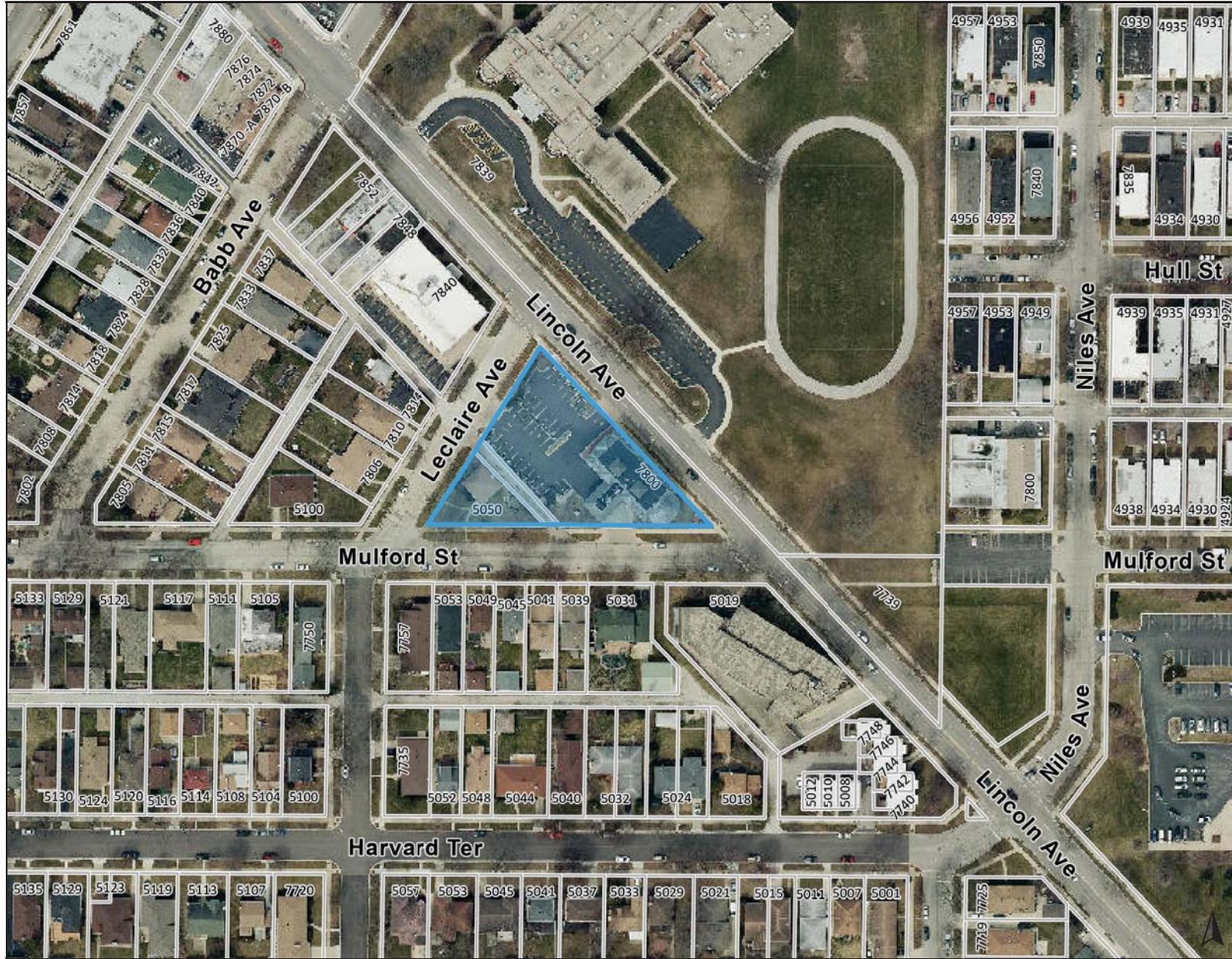
Community Development Department

Council Chambers, 7:30 PM, May 6, 2021

<i>Consideration</i>	<i>Finding</i>
The request is consistent with the intent of the Comprehensive Plan.	The proposed zoning map amendment is not consistent with the Comprehensive Plan's single-family designation for the subject site. However, with the development of the adjacent bank in 2002, the site is more suited as part of that development.
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. There is a combined storm sewer currently in the alley that drains the alley that will be used to drain the new parking lot. There is no watermain in the alley.
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 is expected to address any adverse effects on the natural environment. The amount of impermeable surface is being reduced from the previous use.
The request will not create undue traffic congestion.	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.
The request will not adversely affect public health, safety, and welfare.	The request will not adversely affect public health, safety, and welfare.  This project will be an improvement to the overall welfare of the neighborhood. An old residence in need of repair has been removed and replaced with a small parking with a park like setting New landscaping on the property will provide a much more robust screening of the bank for the residents.
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.







Legend



Print Date: 4/8/2021

Notes

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.