

MEMORANDUM



VILLAGE OF DEERFIELD

TO: Plan Commission

FROM: Jeff Ryckaert, Principal Planner and Dan Nakahara, Planner

DATE: September 16, 2022

RE: Prefiling Conference on the Request for a Text Amendment to Allow a Drive-Thru Restaurant in the C-1 Village Center District as Special Use; a Special Use to Permit the Establishment of a Drive-thru Restaurant with an Outdoor Seating Area and Approval of Proposed Menu Board at 560 Waukegan Road for a Shake Shack Restaurant (former Rosebud Restaurant)

The purpose of a prefiling conference is to provide the applicant feedback, input, and direction on their proposal prior to the public hearing.

Subject Property

The subject property consists of the former Rosebud Restaurant at 560 Waukegan Road. The subject property is zoned C-1 Village Center District and is approximately 1.09 acres in size. The property was originally developed in 1975 with a Poppin Fresh Pies Restaurant, followed by a Baker's Square Restaurant, and then Rosebud Restaurant approved in 2010. Rosebud Restaurant has relocated to 711 Deerfield Road in Deerfield Square.

Surrounding Land Use and Zoning

The property to the north (across Central Avenue) is zoned P-1 Public Lands and is the Deerfield Cemetery. The property to the south is zoned P-1 Public Lands and is developed with a fire station. Waukegan Road is to the east of the property, and across Waukegan Road is Briarwood County Club in residential zoning. The property to the west is zoned C-1 Village Center and is developed with the Renu Day Spa.

Proposed Plan

The petitioners are seeking a Special Use in order to establish a Shake Shack restaurant with drive-thru at 560 Waukegan Road (former Rosebud restaurant property). The existing 4,265 square foot Rosebud building will be razed and new restaurant constructed. The proposed Shake Shack restaurant will have a total area of 3,460 square feet with a 1,128 square foot outdoor seating area. The proposed drive-thru operation has a single lane entry which splits into dual lanes each with a digital pre-menu board and digital menu/ordering board with a drive-thru canopy. The dual drive-thru lanes converge into a single lane prior to getting to the pickup window. The drive-thru operation will provide stacking for 23 cars that will wrap around the west and south sides of the subject property. The petitioner's site plan illustrates that the drive-thru lane(s) will have directional arrows and pavement text (Drive Thru, Stop, Merge) at traffic sensitive areas along the drive-thru along lanes with additional pavement text, "Almost There" and "Exit & Enjoy".

The main parking lot will be on the north side of the building and a row of parking will be provided on the east side of the property. The existing parking lot in its current configuration has 65 parking spaces and the proposed site plan lists 49 parking spaces on site. The main entrance to the restaurant will be on the east side of the building, facing a row of parking and Waukegan Road. The petitioner's site plan shows that the only north-south drive aisle in the parking lot is adjacent to the main restaurant entrance in an area. A trash enclosure is proposed at the west end of the site near the drive-thru lanes.

Typical hours of operation will be from 11:00 a.m. to 11:00 p.m. daily with peak hours of operation between noon to 2:00 p.m. and 5:30 p.m. to 7:30 p.m. Shake Shack averages 40 guest transactions an hour and 140 guest transactions during peak hours. Weekday guest transactions are estimated at 480 per weekday and on the weekends. The petitioner anticipates 50% of daily transactions to through the drive-thru operation and 50% to be onsite dining and delivery.

The petitioners are proposing to add new landscaping to the property around the southern half of the building and canopy trees on east side the parking lot facing

Waukegan Road. The landscape plan also proposes a landscape screen on the south and east sides of the trash enclosure and landscaping along the drive-thru lane(s).

The proposed Shake Shack building, consisting of 3,460 square feet is to be constructed with a fiber cement panel exterior. Ivory colored ribbed fiber cement panels will be on the west and south elevations and portions of the north and east elevations. Black, v-grooved fiber cement panels will cover a portion of the north and east elevations to break up the façade and add texture to the building. Green, white and pastel yellow fiber cement panels accent a portion of the south and west building exterior that will mostly be visible by guests in the drive-thru lanes. Black metal canopies hang over the main entrance and outdoor eating area of the east exterior elevation as well as a portion of the north exterior elevation. A black metal canopy also shields vehicles from the elements at the pick-up window in the drive-thru lane and at the digital order menu boards. String lights illuminate the under area of the canopies. The storefront will also include a glass glazing window system.

The outdoor eating area will be partially enclosed by bollards and contain outdoor furniture for dining. Two accessible parking spaces are located across the drive aisle of the main entrance. Parking specifically for food pick-up and loading and delivery areas are not called out on the site plan.

Vehicular Access Points to the Property

There are currently two (2) vehicular access points serving the subject property – one driveway is on Waukegan Road, and one driveway is on Central Avenue. The new vehicular access point on Waukegan Road will be moved further to the south. Waukegan Road is under the jurisdiction of IDOT and the petitioners have to obtain approval from IDOT for this access point. The Central Avenue vehicular access point will stay in the same location.

Zoning Conformance

The petitioners will be seeking a Text Amendment to the C-1 Village Center District to allow a drive-thru restaurant; a Class B Special Use to permit the establishment of a Shake Shack drive-thru restaurant at 560 Waukegan Road and approval of proposed menu board pursuant to Article 9.02-B.,14 (a) of the Deerfield Zoning Ordinance. The Special Use standards to evaluate the proposal are attached.

Note: The petitioner is also seeking the following variations* that would need to be approved by the Board of Zoning Appeals:

1. Variation to allow the proposed directional signs to be illuminated.
2. Variation to allow a roof sign located above the main entrance canopy.

*The subject property is not a planned unit development so any deviations from the zoning ordinance will require a public hearing with and approval by the Board of Zoning Appeals (BZA).

Bulk Regulations in the C-1 Village Center District

The proposed building meets the setback requirements in the C-1 Village Center District and the parking lot and spaces have to be setback a minimum of 5 feet from the lot lines and that requirement is met.

Parking

Sit-down restaurants require one (1) parking space for each 60 square feet of gross floor area and carry-out restaurants require one (1) parking space for each 120 square feet of gross floor area. Staff has asked the petitioner to provide a breakdown of the dine-in customers and take-out customers to calculate parking for the use. Staff anticipates to send out a supplemental memo for the parking calculation prior to the Prefiling Conference meeting.

The parking requirements for a restaurant can be increased or decreased up to 25% by the Board of Trustees upon the recommendation of the Plan Commission according to the Zoning Ordinance.

Note: If the parking calculation results in the parking requirement exceeding the provided on-site parking, the Board of Zoning Appeals (BZA) would have to consider the variation.

Parking for Outdoor Seating Area:

The Zoning Ordinance indicates that outdoor seating is counted toward required parking for a restaurant unless the Village believes the outdoor seating area will not have an adverse impact on parking, then the area of the outdoor seating area would not be counted in the required number of parking spaces for the restaurant. If the Plan Commission and Board of Trustees wish to count the proposed outdoor seating areas in the required parking, the outdoor parking areas would require 19 parking spaces (1,128 s.f. / 60 s.f. = 18.8 spaces for the outdoor dining area. The Village has generally not included the outdoor seating area in the required parking for restaurant over the years because outdoor seating is available only during the warmer months of the year.

Article 8.02-E,2,1,(3) of the Zoning Ordinance reads: Parking shall be provided for accessory outdoor dining areas except in those instances wherein the Board of Trustees has determined, following a public hearing by the Plan Commission and receipt and review of a recommendation by that body, that the outdoor food service areas will not adversely impact parking for the nearby area. The gross floor area of such outdoor dining areas shall be included in the determination of the gross floor area of the restaurant to which it is accessory.

Central Avenue Parking

There are 22 on-street public parking spaces on the south side of Central Avenue located to the west of the South Commons driveway. On the south side of Central Avenue, east of Renu Day Spa's driveway, Central Avenue is signed "No

Parking Here to Corner.” Parking is not allowed on the north side of Central Avenue anytime.

Parking Stall Size

Ninety degree parking spaces are required to be 9 feet wide by 19 feet long with a 24 foot wide aisle. 19 feet deep space are provided with a 24 foot wide parking aisle. If 9 foot wide space are not provided, a variation will be needed.

Loading

The proposed restaurant building is below the square footage threshold where the Zoning Ordinance has specifications for required loading areas. According to Article 8.03-G of the Zoning Ordinance, where buildings are less than the minimum square footage required for off-street loading facilities, such facilities shall be provided with adequate receiving facilities with vehicular access to the property. A specific loading area is not shown on the site plan.

Traffic and Parking Study

The petitioners have submitted a Traffic Impact Statement prepared by KLOA, Inc. dated September 1, 2022, for a proposed Shake Shack drive-thru restaurant at 560 Waukegan Road. The purpose of the traffic statement was to estimate the traffic to be generated by the restaurant and review the access, circulation, and drive-through systems proposed to serve the restaurant. The traffic statement estimated the number of peak hour vehicle trips for the proposed Shake Shack drive-thru restaurant based on the “Fast-Food Restaurant with Drive Through” (Land Use Code 934) trip rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. The statement notes that surveys conducted by ITE have shown that approximately 50 percent of trips made to drive-through restaurants are diverted from the existing traffic on the roadway system. Such diverted trips are referred to as pass-by traffic.

Table 1 on page 3 summarizes the trip generation estimates. Based on the estimated trips shown in Table 1, the traffic that will be generated will amount to less than two percent of the existing peak hour traffic at the intersection of Waukegan Road with Central Avenue. When the trip generation estimate compared to the daily traffic on Waukegan Road, the proposed restaurant will add less than two percent. The statement concludes that the low increase in traffic indicates that the traffic the proposed restaurant will generate can be accommodated and that it will not have a significant impact on traffic conditions in the area.

Below are the other traffic statement conclusions:

- The proposed restaurant will replace a sit-down restaurant that previously occupied the site and, as such, not all trips will be new or additional to the roadway system.
- The access drive off Waukegan Road will be relocated farther south, providing additional separation from Central Avenue thus reducing traffic conflicts.
- The outbound movements from both access drives onto Waukegan Road and Central Avenue should be under stop sign control.
- The proposed site layout will provide on-site stacking for approximately 23 vehicles, which will be adequate in accommodating the peak demand.
- The proposed 49 parking spaces will be adequate in accommodating the parking needs of the proposed restaurant.

Municipal Code

If liquor is served, the Village's Liquor Control Ordinance (which is part of the Municipal Code) allows liquor to be served in an outdoor seating area of licensed restaurants provided that the service of alcohol be incidental and complementary to the sale of a meal, and outdoor service hours must coincide with restaurant hours of a complete meal, and access to outdoor seating areas being gained from the interior of the restaurant. If the alcohol is to be served on-site incidental and complementary to the sale of a meal, the Village Manager's Office and Police Department will have to approve a liquor license and the proposed layout of the

outdoor dining areas. The petitioners' plans indicate beer and wine are part of their menu items.

Signage

Wall signs

Wall signs for Shake Shack are proposed on all building elevations, including a roof sign above the main entrance canopy on the west building elevation. Article 9.01-B,2. does not allow roof sign, and reads: Signs shall not be erected on the roof of any building or structure. The petitioner will be providing more information on the detail of the signage for the Public Hearing. Below are the permitted sign requirements for the proposed Shake Shack restaurant.

Number: Permitted: For each use occupying a ground floor, one (1) sign facing a public street, public right-of-way, or parking area.

Area: The Zoning Ordinance allows 8% of the area of the wall or 80 square feet for a front wall sign whichever is greater, and 4% of the area of the wall or 40 square feet for a side wall sign, whichever is greater.

Location: Walls signs may be located on the outermost wall of the principal building fronting a public street, public right-way, easement for access or parking area.

Height: Wall signs may not project higher than the parapet line of the roof or more than 30 feet above curb level, whichever is lower. Note: any sign that is located above the roof deck of the new building will require a variation to be approved by the Board of Zoning Appeals.

Illumination: The signs may be illuminated provided that any illuminated sign located within 120 feet of a residential district shall be extinguished at the close of business or 11:00 p.m. whichever is later.

Ground Sign: One ground sign, a maximum of 32 square feet per face, 64 square feet total, and cannot extend over the property line.

Menu Board Signs

In 2014, The Board of Trustees passed Ordinance O-14-13 regarding drive-thru menu boards. The ordinance allowed the Village to review menu boards of all types in the C-2 Outlying Commercial District on a case-by-case basis. The menu boards would be evaluated by their number, area, location, height and lighting. Below is the Text Amendment added to the Signage section of the Zoning Ordinance (which was recommended by the Plan Commission):

Restaurant Drive-Thru Menu Board Signage in the C-2 Outlying Commercial District.

a. **Number, Area, Location, Height and Lighting.**

The number, area, location, height and lighting of a restaurant drive-thru menu board sign shall be determined by the Corporate Authorities following review and consideration of a recommendation from the Village Plan Commission.

Previously Approved Starbucks and McDonalds Digital Menu Boards

In the past, the Village reviewed and approved new menu boards for the McDonald's drive-thru on Waukegan Road in 2019 and Starbucks in Deerbrook in 2022. The ARC recommended that the brightness of menu boards for Deerfield should be limited to 500-1500 nits (a unit of measurement equal to one candela per square meter and used to measure brightness emitted from a screen). McDonald's uses a manual override on the screens to maintain the parameters set by the Village. The Plan Commission also reviewed and approved the McDonald's menu Board and agreed with the ARC on the brightness limit. The recently approved Starbuck menu board digital confirmation screen in the drive-thru was also restricted to the same brightness limit.

Stormwater Management

No detention area is shown on the site plan. The redevelopment of this site could require more storm water detention on the property and the petitioners have to provide their preliminary engineering plans to the Village Engineers for their review prior to the Public Hearing.

Bicycle Facilities

The Bicycle Facilities section of the Zoning Ordinance indicates that where appropriate, all developments in the C-1 Village Center District shall provide for facilities for the storage of bicycles as appropriate for the development. Development is defined as construction, conversion, substantial structural alteration of any building(s) housing the primary use of the building.

Appearance Review Commission

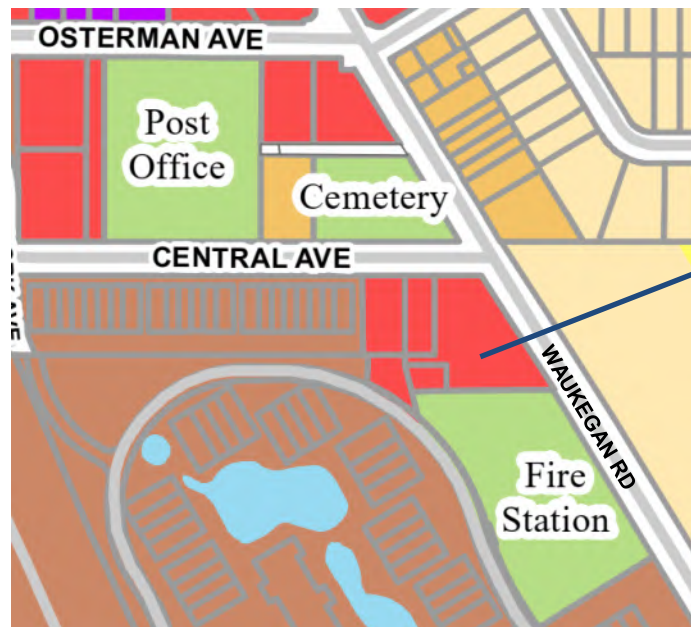
The Appearance Review Commission (ARC) will have to approve the exterior wall signs and any other exterior changes to the building. The petitioner has been in touch the staff liaison to the ARC and is scheduled to meet with the ARC on October 24, 2022

Plan Review Comments












Staff has provided the petitioner plan review comments on the Prefiling Conference plans. The petitioner is in the process of providing revised plans based on Staff comments.

Few Additional Items Regarding the Plans for a Public Hearing: The trash area must be fully screened from view on all sides and be of sufficient size to accommodate any recycling container ; roof top HVAC has to be screened from view; any new parking lighting can't spill over the lot line; the fire department has to approve the site plan for emergency vehicle accessibility;

Village of Deerfield 2022 Zoning Ordinance Map



Subject Property

	R-1	SINGLE FAMILY DISTRICT ONE FAMILY DWELLINGS AND ACCESSORY USES
	R-2	SINGLE FAMILY DISTRICT SAME AS R1
	R-3	SINGLE FAMILY DISTRICT SAME AS R1
	R-4	SINGLE & TWO FAMILY ONE FAMILY & TWO FAMILY DWELLINGS & ACCESSORY USES
	R-5	GENERAL RESIDENCE ONE FAMILY & TWO FAMILY DWELLINGS & ACCESSORY USES
	C-1	VILLAGE CENTER
	C-2	OUTLYING COMMERCIAL
	C-3	LIMITED COMMERCIAL OFFICE
	I-1	OFFICE, RESEARCH, RESTRICTED INDUSTRY
	I-2	LIMITED INDUSTRIAL
	P-1	PUBLIC LANDS SCHOOLS, PARKS, PUBLIC BUILDINGS & CEMETERIES



Legend

Notes

Print Date: 9/15/2022

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.

SPECIAL USE CRITERIA

Does it meet the standards for a Special Use? A Special Use shall be authorized only when the Plan Commission finds all of the following:

1. Compatible with Existing Development
The nature and intensity of the activities involved and the size, placement and design of any structures proposed will be so planned that the Special Use will be compatible with the existing development and will not impede the normal and orderly development and improvement of surrounding property.
2. Lot of Sufficient Size
The size of the lot will be sufficient for the use proposed.
3. Traffic
The location of the Special Use within the Village will be such that adverse effects on surrounding properties will be minimal, particularly regarding the traffic generated by the Special Use.
4. Parking and Access
Parking areas will be of adequate size for the particular use and properly located, and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
5. Effect on Neighborhood
In all respects the Special Use will not be significantly or materially detrimental to the health, safety and welfare of the public or injurious to the other property or improvements in the neighborhood, nor will it diminish or impair property values in the surrounding area.
6. Adequate Facilities
That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.
7. Adequate Buffering
Adequate fencing and/or screening shall be provided to ensure the enjoyment of surrounding properties, to provide for the public safety or to screen parking areas and other visually incompatible uses.
8. If in C-1 Village Center District: That the establishment of the Special Use will not be injurious to the character of the C-1 Village Center District as a retail center for the Village.

Plan Review



VILLAGE OF DEERFIELD

TO: Mitch Goltz

FROM: Planning Staff

DATE: September 12, 2022

RE: 560 Waukegan Road – Plan Review for Prefiling Conference Meeting

Project Description

- Staff has to calculate the required parking for the restaurant and that is based on the estimated percentage of the sit-down and carry-out (for those customers that will be use a parking space in the lot and coming into the restaurant).
- According to the Zoning Ordinance, the outdoor dining areas are counted toward the required parking except in those instances where the it has been determined that the outdoor food service areas will not adversely impact parking.
- On the site plan, designate the parking spots to be used for online order pick up.
- Are there delivery vehicles used in conjunction with the restaurant? If so, how many and will they have designated parking spaces? If so, show on the site plan.

Plan Sheets

Sheet A01 – Site Plan

- Include the Central Avenue ROW to the north of the subject property on the site plan. Show the Central Avenue curb line as the site plan shows the Waukegan Road curb line.
- Mark the parking space width on the site plan
- Directional Signage is proposed to be illuminated (directional signage cannot be illuminated unless a variation from the Board of Zoning Appeals is granted)

- Bike rack will be required
- Please check with our Engineering Department (Tyler Dickinson, P.E., Assistant Director of Public Works and Engineering, 847-719-7463) on the storm water detention requirement for a new building on this property. There is no detention area shown on the site plan.

Sheet A02 – General Arrangement Plan

- Need north arrow

Sheets A03 and A04 – Exterior Elevations

- Label building elevations, north, south, east, west.
- Not clear which roof heights are for which building on elevation drawings, is the roof deck the same height for the entire building?
- Regarding the green and white fiber cement panels used on 2 of the building elevations please explain the rationale to the Plan Commission for the color and design. PC may have questions.

Traffic Impact Statement

- What is the queuing time for vehicles exiting the south drive way and want to proceed north on Waukegan Road?
- How many cars can stack between the south drive-way exit and the end of the drive-thru lane?
- Should a no left turn out of the Waukegan Road driveway during the evening peak traffic hours be considered?

The Alta commitment for title insurance is not needed in the packet.