Zoning Board of Appeals
Tuesday, October 16, 2018
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle City Council Chambers

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. APPROVAL OF MEETING MINUTES from September 25, 2018.

3. OLD BUSINESS

A. 1919 Dempster St. 18ZMJV-0080
   James E. Olguin, attorney, applies for a special use permit for a Type 2 Restaurant, McDonalds, and a special use permit for a Drive Through Facility, at 1919 Dempster Street in the C2 Commercial District (Zoning Code Section 6-10-4-3). The applicant proposes a 91 square foot building addition for a new Drive-Through window, and a second ordering lane for a dual Drive-Through Facility. The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

4. NEW BUSINESS

5. DISCUSSION

6. ADJOURNMENT
   The next Zoning Board of Appeals meeting is scheduled for Tuesday, November 20, 2018 at 7:00pm in James C. Lytle City Council Chambers of the Lorraine H. Morton Civic Center.
MEETING MINUTES
ZONING BOARD OF APPEALS
Tuesday, September 25, 2018
7:00 PM
Civic Center, 2100 Ridge Avenue, G300

Members Present: Lisa Dziekan, Violetta Cullen, Mary Beth Berns, Myrna Arevalo, Scott Gingold, Mary McAuley, Kiril Mirintchev

Members Absent:

Staff Present: Scott Mangum, Melissa Klotz

Presiding Member: Mary Beth Berns

Declaration of Quorum
With a quorum present, Chair Berns called the meeting to order at 7:00 p.m.

Minutes
Ms. Cullen motioned to approve the meeting minutes of September 4, 2018, which were seconded by Ms. Dziekan, and approved 4-0 with 3 abstentions.

Old Business
413 Grove St. 18ZMJV-0068
Jeffrey K. & Janet H. Clements, property owners, appeal the Zoning Administrator’s decision to partially deny minor zoning relief (case number 18ZMNV-0029) to construct a one-story addition with 34.6% building lot coverage where 30% is allowed (Zoning Code Section 6-8-2-7). The appellant was granted approval for 33.1% building lot coverage to allow a smaller one-story addition. The Zoning Board of Appeals is the determining body for this case.

With a pending vote for approval of 3-1, ZBA members who were absent from the September 4, 2018 ZBA hearing acknowledged they reviewed the meeting minutes and/or video and cast their votes for a total of 4-3 to approve the proposal.

1943 Sherman Ave. 18ZMJV-0073
Angie Radman, property owner, applies for major zoning relief to convert a single family residence to a 3-unit multiple family residence in the R5 General Residential District. The applicant requests a 22’ rear yard setback for a three-story stair (yard obstruction) where 22.5’ is required (Zoning Code Section 6-4-1-9), and an increase of zero additional parking spaces where 3 additional parking spaces are required, for a total of 1 parking space on-site where 5 parking spaces are required for a 3-unit multiple family residence (Zoning Code Section 6-16-3-5 Table 16-B). The Zoning Board of Appeals is the recommending body, and the City Council is the determining body for this case.
Ms. Klotz explained the applicant requests a continuance on the case. The homeowner is not in attendance, the architect is not in attendance, and no additional information that was requested has been provided. Therefore, staff recommends the continuance not be granted and the ZBA move forward with the case.

Attorney Shawn Jones explained the property owner did not want to attend tonight’s meeting without the architect who could not attend tonight, and therefore requests the continuance.

Ms. McAuley asked how tonight will affect the court case that is scheduled for Friday, and Mr. Jones stated whatever happens at ZBA will be reported to the court on Friday.

Mr. Gingold suggested the ZBA move forward with the case and the information that has been provided thus far to ensure a resolution to the case can be made in a timely manner.

Mr. Jones stated he has no additional documents or information to present.

Deliberation:
Ms. McAuley noted she did not attend the August 28, 2018 ZBA hearing but reviewed the video. Ms. McAuley suggested the ZBA recommend denial, unless the applicant provides adequate information with a timetable for completion that is adequate to the City Council.

Mr. Gingold stated information has not been provided to show the Standards have been met, therefore the case should be recommended for denial. Mr. Mirintchev agreed.

Ms. Arevalo felt that it is not feasible to hold a certain timeframe for completion of work because permits allow for construction to be ongoing without a specific timeframe. Other ZBA Members disagreed, stating there are concerns from neighbors about when violations will be rectified and when the building aesthetics will be improved, therefore it is acceptable to condition the proposal on a certain timeframe for construction completion.

Standards:
1. No
2. No
3. Yes
4. No
5. Yes
6. No
7. No

Chair Berns noted Standards that have not been met are due to a lack of information.

Ms. McAuley motioned to recommend denial of the proposal, including conditions (should the case be granted) for submittal of architectural plans, statement of explanation of work by property owner, elevations and building materials, and timeframe
for completion of work, seconded by Ms. Cullen and unanimously recommended for denial with conditions.

**New Business**

**1919 Dempster St.**

James E. Olguin, attorney, applies for a special use permit for a Type 2 Restaurant, McDonalds, and a special use permit for a Drive Through Facility, at 1919 Dempster Street in the C2 Commercial District (Zoning Code Section 6-10-4-3). The applicant proposes a 91 square foot building addition for a new Drive-Through window, and a second ordering lane for a dual Drive-Through Facility. The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

The applicant requested a continuance to the October 16, 2018 ZBA hearing to allow time for revisions to the proposal. Ms. Cullen motioned to continue the case to October 16, 2018, which was seconded by Ms. Dziekan and unanimously approved.

**2626 Reese Ave.**

William James, contractor, applies for major zoning relief to construct a single family residence and detached garage in the R1 Single Family Residential District. The applicant requests 42.5% building lot coverage where a maximum 30% is allowed (Zoning Code Section 6-8-2-7), a 3’ south interior side yard setback where 5’ is required for the principal structure (Zoning Code Section 6-8-2-8-A-3), a 3.5’ street side yard setback (Hartzell Street) where 15’ is required for the principal structure (Zoning Code Section 6-8-2-8-A-2), an 8.5’ street side yard setback where 15’ is required for a deck, 10’ street side yard setback where 15’ is required for the accessory structure (detached garage) and a 1’ street side yard setback where 15’ is required for open parking (Zoning Code Section 6-8-2-8-C-2). The Zoning Board of Appeals is the recommending body, and the City Council is the determining body for this case.

Ms. Klotz read the case into the record, and noted 6 additional letters of opposition were passed out at the beginning of the hearing.

Matt Rodgers, consultant, explained the proposal:

- Proposal includes a lower building height with less massing to match the rest of the neighborhood
- Front porch is now recessed in to eliminate a variation
- Garage has been reduced to a 1-car garage to improve sight lines to the alley as requested by neighbors
- A 2 bedroom house is quite modest.
- The first floor is as small as possible, with a family room and eat-in kitchen. There is no dining room, no mudroom, etc.

Mr. Gingold noted two big concerns: drainage and water runoff onto the sidewalk with such a small street side yard setback, and construction so close to a neighboring home. Mr. Rodgers explained by constructing a home on the property, stormwater runoff can be designed to direct water to certain areas. In this case, a splash pad will be constructed under the deck to send the water towards that. Other options will be considered in conjunction with City staff. Chair Berns stated the stormwater issue will be addressed by City staff in the permit process, which is rigorous for new construction.
such as this. Ms. McAuley asked if the civil engineering information will be provided to the immediate neighbor, and Mr. Rodgers agreed it would be.

Ms. Klotz explained the current proposal is 66 square feet smaller than the previous proposal for this property, excluding garages/parking.

Mr. James stated he does not have a sale price set for this home yet, but expects approximately $360,000 based on the square footage.

Kit Newman, 2833 Hartzell, explained most properties in the area have one-story bungalows. Street parking is difficult because people from Central St. park in the neighborhood. It is better that they have 2 parking spaces on site.

Richard Horsting, 2624 Reese Ave., stated he took the photos of the rain ponding on the property some time in July, and then submitted a packet of information. Mr. Horsting explained the variations requested are up to 94% over the requirements. The structural engineer Mr. Horsting discussed the proposal with determined there would be structural damage to his house if construction is done that close to the property line. The building lot coverage proposed is far higher than the surrounding homes, and Mr. James overstated what the building lot coverage of adjacent homes are. The house would be a total of 5'9" from Mr. Horsting’s house.

Dawn Larbalestier, 2627 Lincolnwood Dr., stated drainage is a concern. There is flooding in the neighborhood. The alley visibility is a concern too. Ms. Larbalestier submitted a copy of the flyer that was distributed to neighbors, which is different than what is within the ZBA packet.

Colleen Barkley, 2622 Reese Ave. has concerns about water since her property has a wet basement. The roots of a large heritage oak that is near the property would be impacted by the garage.

Andrew Naidech, 2619 Lincolnwood Dr. has concerns about the sight line from the alley even with the 1-car garage. Just a parking pad is better. Also, there are ground contaminants at the property that become long term health issues for occupants. Ms. McAuley asked staff if a Phase 1 Environmental study is required, and Ms. Klotz responded that is typically not required for single family construction, but could not speak to whether it is a requirement for properties with known contamination. If that is a concern, the ZBA could recommend it is as a condition for approval.

Lila Kirkpatrick, 2904 Hartzell St., asked how the house is considered a 2-bedroom house when there is clearly a bedroom in the basement even though it is labeled as an office. Chair Berns clarified basement bedrooms are not considered bedrooms in real estate terms, regardless of how they are labeled on the plans.

Mark Newman, 2833 Hartzell St., stated half the block of Hartzell St. is 2-3 feet narrower than other streets and has a lot of traffic. A large SUV parked on that parking pad will make it much more dangerous for people navigating the alley.
Ms. Klotz confirmed the lot is considered a buildable lot because it is already platted, but building is subject to the requirements of the Zoning Ordinance or variation approval.

Beth Paradi, 2907 Lincolnwood Ave., stated the width of the house is too much for the lot. 3’ setbacks are not enough.

Nancy Crain stated her property would be impacted by additional stormwater runoff. All regulations should be upheld.

Kathy Miller, 2831 Hartzell St., submitted a petition of opposition signed by neighbors. Ms. Miller also noted it is disingenuous for a builder to say they don’t know how much they would market the house for. Trees, including street trees, will be severely impacted when the basement is dug and root structures are disturbed. Too many variations that are too large are requested.

Scott Kirkpatrick, 2904 Hartzell St., stated nothing has changed. The house is 3.4% smaller, which is not a significant change.

Mr. James confirmed the first floor is 925 sq. ft., which is 11 square feet smaller than the last proposal. The second floor is significantly smaller due to the gambrel roof and reduced head height.

Mr. Rodgers stated drainage concerns will be addressed in the permit process. There is no building by right on this property, but the City has stated it is a buildable lot with variations. Lifestyles have changed in the last 100 years since the other homes in the neighborhood were built, and people expect certain things in new construction today. The lot is legally nonconforming and substandard, which is a clear hardship. The gambrel roof reduced the bulk so the house fits appropriately with the neighborhood. The roofline starts stepping back at a height of 13’. It is understandable that the neighborhood enjoys the property as open space, but the highest and best use of the property is this appropriate single family residence.

Mr. Horsting noted it is disturbing that a house extending 12’ further back than his own house would not impact his yard when people are in that house on the second floor looking into his backyard.

Deliberation:
Ms. Dziekan asked staff to elaborate on the concerns, comments, and recommendations raised by staff and DAPR with this proposal. Ms. Klotz stated she worked with Mr. James on multiple site plans and re-stated neighbor concerns until the proposal was scaled back to the extent possible to address the concerns. Mr. Mangum added the DAPR minutes are included in the packet and DAPR agreed the variations were minimized to the extent possible given the 25’ lot width and the need for variations for the construction of any house.
Mr. Gingold agreed, and commended the applicant for listening to previous concerns and addressing those, but also noted the first floor footprint is only 11 square feet smaller. The lot is buildable, but the house could be smaller and the side yard setbacks are extremely small. The spirit of the open parking space increasing the sight line is there, but if there is an SUV there then the sight line is disrupted. Ms. Cullen agreed.

Ms. Dziekan asked ZBA Members who are architects to explain if they think the variations proposed are the minimum change necessary.

Mr. Mirintchev stated this proposal is significant progress that reduced the bulk of the structure, but there is still room for improvement. The lot is difficult. The biggest problems are the side yard setback to the neighbor and the overall building footprint. The other variations are reasonable. A significant portion of the footprint is the staircase, which is luxurious. The design should shrink the width of the staircase to reduce the footprint and width of the house. Those two variations are issues that could be further minimized.

Ms. Arevalo stated the lot only has a 5’ buildable area with the setbacks taken into account. That is obviously not feasible. The staircase is 3’ wide or maybe 3’2” on the interior, which is not luxurious. The alley sight triangle is 10’ and is conforming by City standards and any traffic engineer. As long as that is met, she supports the project.

Mr. Gingold noted the aerial view of the neighborhood provided in the ZBA packet shows that the other houses in the area are more modest. The length of the house is overreaching. The side yard setbacks would be more appropriate if the length of the house was shortened to be similar to other existing homes.

Ms. Cullen stated something should be built on the lot, but this may not quite be the right proposal.

Chair Berns stated she is less concerned about the side yard setback to the neighbor because that is typical throughout the city, and is oftentimes less distance between two houses. The larger issue is the street side yard setback and distance to the sidewalk, which affects the entire neighborhood. The staircase is a bit more generous than it must be. Overall, the applicant did a nice job of working through the issues as best possible given the lot, but a few more adjustments are needed.

Ms. Dziekan stated that between staff, DAPR, neighbors, and the ZBA, there is no clear path provided to the builder. Mr. Gingold agreed, noting the applicant did listen to the concerns and addressed them as best he could given the myriad of concerns raised by everyone.

Standards:
1. No, because of the closeness of the house to the sidewalk. (Gingold - and the groundwater issue if it is not properly addressed).
2. Yes
3. Yes
4. Yes
5. No
6. Yes
7. No, there is a little more that can be reduced with the side yard setbacks and building lot coverage.

Ms. McAuley motioned the ZBA recommend denial to City Council, which was seconded by Ms. Cullen and unanimously recommended for denial.

The meeting adjourned at 9:10 pm.
1919 Dempster St.
18ZMJV-0080

ZBA Recommending Body
Memorandum

To: Members of the Zoning Board of Appeals

From: Johanna Leonard, Director of Community Development
Scott Mangum, Planning and Zoning Administrator
Melissa Klotz, Zoning Planner

Subject: 1919 Dempster Street - ZBA 18ZMJV-0080
ZBA Recommending Body
City Council Determining Body

Date: October 11, 2018

Notice- Published in the September 6, 2018 Evanston Review:
James E. Olguin, attorney, applies for a special use permit for a Type 2 Restaurant, McDonald’s, and a special use permit for a Drive Through Facility, at 1919 Dempster Street in the C2 Commercial District (Zoning Code Section 6-10-4-3). The applicant proposes a 91 square foot building addition for a new Drive-Through window, and a second ordering lane for a dual Drive-Through Facility. The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

On October 10, 2018, the applicant submitted a revised plan that removes a previously proposed vehicular pass-through lane in front of the building.

Recommendation
Planning staff recommends the Zoning Board of Appeals recommend approval of the proposed special uses for a Type 2 Restaurant and Drive-Through for the expansion of McDonald’s Restaurant at 1919 Dempster St. in the C2 Commercial District, based on the revised site plan submitted October 10, 2018. The DAPR Committee considered the original proposal that included the vehicular pass-through lane in front of the building and therefore recommended denial due to concern for pedestrian safety. The revised plan complies with all zoning requirements, and meets all of the standards of a special use for this district.

Site Background
1919 Dempster Street is located on the north side of Dempster St., midblock between Dodge Ave. and Hartrey Ave., and is surrounded by the following:

North: I2 General Industrial District
East: C2 Commercial District
South: C1 Commercial District
The property features an existing Type 2 Restaurant, McDonald’s, with a single lane drive-through facility.

Proposal
The applicant proposes to expand the operation of McDonald’s, a Type 2 Restaurant, with a 91 square foot addition to the northwest portion of the building for an additional drive-through window. The Zoning Ordinance defines a Type 2 Restaurant as:

An establishment in which the principal use is the service of prepared food and/or beverages for consumption on and/or off the premises and that is not a "restaurant, type 1" as defined herein. This definition shall not include establishments where incidental prepared food and beverage service is accessory to a bakery, food establishment, convenience store, food store establishment, meat market, or similar principal use nor shall it include cafeterias that are accessory to hospitals, colleges, universities, schools or other similar principal uses. (Ord. 9-O-10)

The restaurant expansion is proposed in conjunction with a dual drive-through facility where a single drive-through facility currently exists. The Zoning Ordinance defines a Drive-Through Facility as:

A facility, establishment or portion thereof that is designed, intended or used for transacting business with customers located in motor vehicles. "Drive-through facility" shall only be permitted in connection with a listed permitted or special use. (Ord. 39-O-95)

McDonald’s was originally approved to operate when it took over special use Ordinance 44-O-65 that was in effect for Burger Chef (adopted in 1965) at 1919 Dempster Street. In 1995, McDonald’s obtained a new special use via Ordinance 99-O-95 that allowed for an expansion to the building for an indoor play area. The current special use ordinance (attached) does not feature any conditions for hours of operation, parking, or litter control. The restaurant is currently open to the public from 5am – 11pm, seven days a week, with the drive-through open 24-hours a day, seven days a week. Other Type 2 Restaurants in the area, such as Starbucks Coffee, are prohibited from operating between midnight and 5am. The restaurant now requires special use approval for a 91 square foot addition to the building to improve the functionality of the drive-through, as well as special use approval to expand the drive-through from its current single-lane ordering system to a dual-lane ordering system.

Originally Proposed Site Plan (Recommended for Denial by DAPR & staff):
The applicant originally proposed a vehicular pass-through lane in front of the building to aid the on-site vehicular site circulation. The pass-through lane would allow vehicles that enter the property from Dodge Ave. to cut through the front of the property to get to
the drive-through queue without navigating onto Dempster St. as was observed by the applicant’s traffic consultant. Although this originally proposed site plan improved vehicular site circulation, it created more conflict points with vehicles and pedestrians trying to get to the restaurant’s main entrance. DAPR and staff felt the pass-through lane was detrimental to the safety of pedestrians and therefore recommended denial of the proposal.

The pass-through lane was proposed where an outdoor eating area currently exists at the front of the building. Following a unanimous negative recommendation from DAPR and staff, the applicant submitted a revised plan that removes the pass-through lane and reconfigures the drive-through to include access from Dodge Ave.

*Revised Site Plan Submitted October 10, 2018 (no pass-through lane):* The drive-through will be improved with a dual-lane ordering system similar to the McDonald’s drive-through at 1117 Howard St. The facility will feature two lanes, the outermost which can be accessed from either Dempster St. or Dodge Ave., which will each have a menu board and speaker system. With the new drive-through configuration, the vehicle queue can stack towards both Dempster St. and Dodge Ave. and the drive-through ordering points are pushed further north so that queuing vehicles
are less likely to back up onto the public streets. After ordering, vehicles converge back into one lane as they approach the payment and pickup windows.

The applicant proposes to decrease the amount of on-site parking from 62 existing spaces to 47 spaces to improve the traffic flow within the site and maintain the parking lot’s travel aisle around the back of the drive-through.

The Zoning Ordinance requires seven parking spaces (as well as drive-through stacking) for the use. However, McDonald’s feels 47 spaces are the minimum necessary for employees and customers at this location. Increased landscaping islands are proposed at the Dodge Ave. ingress/egress and at portions of the Dempster St. ingress/egress. The parking lot will feature striped pedestrian walks to increase safety for customers.

The applicant conducted a traffic study in early 2016 to quantify the vehicular issues with the existing drive-through. The traffic study was requested by staff when the original request with the pass-through lane was proposed. The traffic study found the following summary:
The traffic study found the current drive-through queue backed up onto Dempster Street on ten occasions during the study time (one day, from 7am-5pm). The applicant feels the proposed dual-lane drive-through, building addition that will reconfigure the pay window, and provide additional access to the drive-through from Dodge Ave., will increase the drive-through stacking, decrease order time, and improve vehicular access to reduce the occasions of vehicular backup onto Dempster Street.

A full façade renovation is also proposed to modernize the building, including new signage. City staff has not received any objections to the proposed modifications from neighboring property owners.

Ordinances Identified for Requested Relief
6-10-4 C2 Commercial District
6-10-4-3: SPECIAL USES: The following uses may be allowed in the C2 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:
Type 2 Restaurant
Drive Through (among others listed)

Comprehensive Plan
The Evanston Comprehensive General Plan encourages the redevelopment of properties that promote pedestrian safety and do not actively encourage conflicts between vehicles and pedestrians.

Objective: Encourage new developments to complement existing street and sidewalk patterns.
Objective: Minimize the adverse effects of such circumstances as traffic and parking congestion…

The proposed McDonald’s expansion is designed to reconfigure the drive-through access to address concerns with vehicular backups onto Dempster St. The revised proposal submitted October 10, 2018 addresses those concerns and improves functionality of the site.

Design and Project Review (DAPR) Discussion and Recommendation: September 12, 2018 - DAPR members reviewed the original proposal that included the vehicular pass-through lane in front of the building, and found the pass-through would be unsafe for pedestrians and therefore recommended denial of the proposed special use expansion. (The revised site plan without the pass-through lane was not considered by DAPR but was reviewed by staff).
Recommendation: Unanimous Denial (of original proposal)

Special Use Standards:
For the ZBA to recommend that City Council grant a special use, the ZBA must find that the proposed special use:

1. Is one of the listed special uses for the zoning district in which the property lies; Yes, Type 2 Restaurants and Drive-Through Facilities are eligible special uses in the C2 District.
2. Complies with the purposes and the policies of the Comprehensive General Plan and the Zoning Ordinance; Yes, the proposed site modifications improve functionality and vehicular access while maintaining pedestrian safety.
3. Does not cause a negative cumulative effect in combination with existing special uses or as a category of land use; Although there are other Type 2 Restaurants and Drive-Through facilities in the vicinity, the area is a busy commercial corridor and the proposed changes should improve circulation; therefore there is no negative cumulative effect.
4. Does not interfere with or diminish the value of property in the neighborhood; The property is surrounded by similar commercial and light industrial uses that will not see diminished property value due to the proposed modifications.
5. Is adequately served by public facilities and services; The existing property is adequately served by public facilities and services.
6. Does not cause undue traffic congestion; The reconfigured drive-through and dual-lane ordering system are designed to rectify the current traffic issues that occur due to poor site circulation and back up of the drive-through queue.
7. Preserves significant historical and architectural resources; NA
8. Preserves significant natural and environmental resources; NA
9. Complies with all other applicable regulations. Yes.

Attachments
Special Use Application – August 28, 2018
Plat of Survey
Project Summary
Site Plan – Revised October 10, 2018
Elevations
Signage Plan
Traffic Circulation Memorandum
Drive Through Comparison Letter
Previously Approved Special Use Ord. 99-O-95
Image of Property
Aerial View of Property
Zoning Map of property
DAPR Draft Meeting Minutes Excerpt - September 12, 2018
SPECIAL USE
APPLICATION

CASE #:________________________

1. PROPERTY

Address: 1919 W. Dempster

Permanent Identification Number(s):

PIN 1: [10-13-322-043-0000]
PIN 2: __________________________

(Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.)

2. APPLICANT

Name: James E. Olguin

Organization: McDonald’s Corporation

Address: 15 Salt Creek Lane, Suite 103

City, State, Zip: Hinsdale, Illinois 60521

Phone: Work: 630-537-0943   Home: __________________________

Cell/Other: 630-537-0943

Fax: Work: 630-214-5440   Home: __________________________

E-mail: jim@buillemalaw.com

What is the relationship of the applicant to the property owner?

☒ same     ☐ builder/contractor    ☐ potential purchaser    ☐ potential lessee

☐ architect     ☐ attorney    ☐ lessee    ☐ real estate agent

☐ officer of board of directors     ☐ other:

3. PROPERTY OWNER    (Required if different than applicant. All property owners must be listed and must sign below.)

Name(s) or Organization:

Address: __________________________

City, State, Zip: __________________________

Phone: Work: __________________________   Home: __________________________

Cell/Other: __________________________

Fax: Work: __________________________   Home: __________________________

E-mail: __________________________

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Property Owner(s) Signature(s) -- REQUIRED          Date

4. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

By: __________________________    Attorney and Authorized Agent

Applicant Signature -- REQUIRED          Date

8-20-18
The following are required to be submitted with this application:

- [x] Completed and Signed Application Form
- [x] Plat of Survey Date of Survey: July 9, 2015
- [x] Project Site Plan Date of Drawings: August 15, 2018
- [x] Plan or Graphic Drawings of Proposal (if needed, see notes)
- [ ] Non-Compliant Zoning Analysis
- [x] Proof of Ownership Document Submitted: Trustee's Deed (Document No. 88190553)
- [x] Application Fee Amount $1,320.00

Notes: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

**Plat of Survey**
(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

**Site Plan**
(1) One copy of site plan or floor plans, drawn to scale, showing all dimensions.

**Plan or Graphic Drawings of Proposal**
A Special Use application requires graphic representations for any elevated proposal—garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

**Proof of Ownership**
Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).
- Tax bill will not be accepted as Proof of Ownership.

**Non-Compliant Zoning Analysis**
This document informed you that the proposed change of use is non-compliant with the Zoning Code and requires a variance.

**Application Fee**
The application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.
6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:

The requested special uses are requested in order to allow for the remodeling of the existing McDonald's Restaurant and associated site improvements.


APPLICANT QUESTIONS

a) Is the requested special use one of the special uses specifically listed in the Zoning Ordinance? What section of the Zoning Ordinance lists your proposed use as an allowed special use in the zoning district in which the subject property lies? (See Zoning Analysis Review Sheet)

Yes, the requested special use for a Type @ restaurant and for a drive through facility are both specifically listed in the Zoning Ordinance (See Section 6-10-4-3).


b) Will the requested special use interfere with or diminish the value of property in the neighborhood? Will it cause a negative cumulative effect on the neighborhood?

There will be no negative impact on the value of the property in the neighborhood nor otherwise cause a negative cumulative effect. This is an existing McDonald's site so the use is already present and has been for many years. The requested special uses will allow the enhancement of the site which will benefit the neighborhood.


c) Will the requested special use be adequately served by public facilities and services?

This is an existing McDonald's site and is already served by all necessary public facilities and services.


Page 3 of 6
d) Will the requested special use cause undue traffic congestion?

This is an existing use at the site. The requested approvals will improve traffic flow.

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e) Will the requested special use preserve significant historical and architectural resources?

There are no significant historical or architectural resources on the site.

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f) Will the requested special use preserve significant natural and environmental features?

There are no significant natural or environmental features on the site. However, the proposed improvements included an enhanced landscaping plan.

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g) Will the requested special use comply with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation?

Yes, the requested special use will comply with all other regulations in the district except to the extent modified through the development process or the grant of a variation.
The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made: Does not apply.

2. If a person or organization owns or controls the proposed land user, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number _____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.) Not Applicable.

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number _____ above, or indicated below. In addition to the address listed on Page 1 of this Application, additional contact information is as follows:
   - McDonald’s Corporation
   - Attn: Mary Meyer (630-926-6537)
   - 711 Jorie Boulevard, 3rd Floor
   - Oak Brook, Illinois 60523

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number _____ above, or indicated below. Not Applicable.
If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

a. Names and addresses of all officers and directors. McDonald's Corporation is a publicly Traded Company. It is required to submit substantially information to the SEC. The full 2018 FORM 10-K Annual report is viewable and downloadable at https://corporate.mcdonalds.com/corpinfo/investors-relations/financial-information/sec-filings.html

b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.
SOUTH ELEVATION

ELEV. = 0'-0"
T/ SLAB
ELEV. = + 2'-0"
T/ WINDOW SILL
ELEV. = + 19'-4"
T/ ARCADE
ELEV. = + 8'-7"
T/ WINDOW
ELEV. = + 15'-9 1/4"
B/ METAL PANEL
ELEV. = + 18'-0"
T/ PARAPET
ELEV. = + 10'-8"
B/ TRELLIS
ELEV. = + 10'-11"

EAST ELEVATION

ELEV. = 0'-0"
T/ SLAB
ELEV. = + 15'-9 1/4"
B/ METAL PANEL
ELEV. = + 18'-0"
T/ PARAPET
ELEV. = + 9'-4"
B/ TRELLIS
MEMORANDUM TO: Jeffery Miller
Watermark Engineering Resources, Ltd.

FROM: Michael K. Scavo
Consultant
Luay R. Aboona, PE
Principal

DATE: April 5, 2016

SUBJECT: Traffic Count Summary
McDonald’s Restaurant
Evanston, Illinois

This memorandum summarizes the results of a traffic count conducted by Kenig, Lindgren, O’Hara, Aboona, Inc. (KLOA, Inc.) for the existing McDonald’s restaurant located at 1919 Dempster Street in Evanston, Illinois. The site is located on Dempster Street between the signalized intersections of Dempster Street with Dodge Avenue and the Evanston Plaza access drive (See Figure 1).

The restaurant is located on the north side of Dempster Street and provides a single drive-through lane with double drive-through windows and 60 off-street parking spaces. The site currently provides three access drives: one inbound-only access drive on Dempster Street, one outbound-only access drive on Dempster Street, and one full access drive on Dodge Avenue. On-site circulation around the building is restricted to one-way counter-clockwise travel with the auxiliary parking lot off Dodge Avenue allowing for two-way traffic.

The purpose of this memorandum was to summarize the results of the traffic counts conducted at the outbound-only access drive on Dempster Street to determine the direction of travel as well as whether any traffic re-entered the site at the inbound-only access drive.
McDonald’s Site Observations

Observations were conducted from 7:00 A.M. to 6:00 P.M. on Friday, February 16, 2016 of the two access drives on Dempster Street and the drive-through operation. The results of the traffic counts are summarized in Table 1.

Table 1
EVANSTON MCDONALD’S OUTBOUND ACCESS DRIVE COUNTS

<table>
<thead>
<tr>
<th>Time</th>
<th>Right-Turn Out</th>
<th>Left-Turn Out</th>
<th>U-Turn into Site Using Westbound Left-Turn Lane</th>
<th>U-Turn into Site Using Westbound Through Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 A.M.</td>
<td>62</td>
<td>36</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8:00 A.M.</td>
<td>76</td>
<td>52</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>9:00 A.M.</td>
<td>69</td>
<td>47</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>10:00 A.M.</td>
<td>45</td>
<td>34</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>11:00 A.M.</td>
<td>50</td>
<td>34</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>12:00 P.M.</td>
<td>68</td>
<td>49</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>1:00 P.M.</td>
<td>48</td>
<td>50</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>2:00 P.M.</td>
<td>44</td>
<td>33</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>3:00 P.M.</td>
<td>43</td>
<td>22</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>4:00 P.M.</td>
<td>46</td>
<td>24</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>5:00 P.M.</td>
<td>48</td>
<td>28</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>599</td>
<td>409</td>
<td>11</td>
<td>6</td>
</tr>
</tbody>
</table>

The following is a summary of the counts and observations:

- The outbound access drive on Dempster Avenue was observed to carry 128 trips during the morning peak hour, 119 trips during the midday peak hour, and 76 trips during the evening peak hour.
- The majority of the exiting traffic utilized the drive-through lane. 78 vehicles (61%) during the morning peak hour, 82 vehicles (69%) during the midday peak hour, and 52 vehicles (68%) during the evening peak hour were observed to utilize the drive-through.
- The maximum drive-through lane queue was observed to be nine vehicles in the morning peak hour, eight vehicles during the midday peak hour, and eight vehicles during the evening peak hour. The maximum storage available from the ordering board to Dempster Street was observed to be approximately eight vehicles in length.
- The drive-through queue was observed to extend back onto Dempster Avenue on five occasions during the morning peak period, three times during the midday peak period, and twice during the evening peak period.
• Vehicles were observed to cut through the McDonald’s site during all three peak hours. This cut-through maneuver involved vehicles entering on the Dodge Avenue access drive, traveling around the site, and turning right onto Dempster Street at the outbound access drive, bypassing the signalized intersection at Dempster Street and Dodge Avenue. This was observed to occur five times during the morning peak hour, three times during the midday peak hour, and two times during the evening peak hour.

• Vehicles entering from Dodge Avenue were observed multiple times during all three peak hours to go the wrong way down the inbound access drive aisle in order to enter the drive-through lane.

• Vehicles were observed entering the McDonald’s outbound-only access drive a total of seven times during the observations.

• The site does not provide an efficient way to circulate around the site without traffic re-entering Dempster Street. Vehicles were observed exiting the site and turning left to re-enter the site 17 times during the observations. Of these, 11 vehicles entered the westbound left-turn lane for the Evanston Plaza access drive to wait to re-enter the McDonald’s site. The 6 remaining vehicles were observed driving the wrong way on Dempster Street to re-enter the McDonald’s site.

• The current drive-through orientation makes it difficult for vehicles entering from Dodge Avenue to enter the drive-through queue, resulting in these vehicles circulating the site unnecessarily, going the wrong way down the inbound drive, or cutting into the drive-through queue and blocking non-drive-through traffic inbound from Dempster Street in the process.

Circulation

The results of the counts and observations clearly indicate that the current access and circulation system is not adequate in accommodating traffic that desires to recirculate on-site. In order to alleviate this condition and mitigate the unsafe conditions resulting from site traffic recirculating via Dempster Street, the proposed site plan calls for the provision of a drive aisle on the south side of the building to allow for traffic to recirculate on-site. This will make the site more efficient and safe for the customers of the restaurant as well as the traffic on Dempster Street.
August 20, 2018

Melissa Klotz  
Planning and Zoning Division  
Community Development Department  
City of Evanston  
2100 Ridge Avenue  
Evanston, IL 60201

RE: McDonald’s – 1919 Dempster Street  
Evanston, Illinois

Dear Melissa:

Enclosed along with this letter are the plans for the major remodel and reconfiguration of the drive-thru at the existing McDonald’s located at 1919 Dempster Street. The plans show the addition of a side by side (dual) drive-thru in place of the current single lane drive-thru. This letter is meant to provide a better understanding of the benefits of the proposed drive-thru layout.

When considering the differences in drive-thru configurations (layouts) we look at the capacity of the configuration and its throughput (what we can consistently put through the drive-thru). There are multiple factors that contribute to this determination, but the location of the order point (where the customer places their order) and the number of orders (two versus one) that we can place at one time are the primary factors. We have been able to validate these numbers through a significant amount of experience and a large number of restaurants with each configuration. Consider each of these factors individually:

**Location of the order point** – Generally the further back we can place the order point the greater the capacity of the drive-thru and the better it functions. We measure this distance as the distance from the order point to the presenter’s window (where we present the food to the customer). The reason that this distance is important is that the sooner we can take the order the sooner the kitchen team can begin to make the food. Our simple goal is to have the order ready before the car gets to the presenter’s window. The sooner we can get the order taken the more likely this is to happen. The speed of the drive-thru and ultimately the throughput of the drive-thru is directly related to the speed of the kitchen. Giving the kitchen team a head start on the order helps to increase capacity as we can keep the wheels moving in the drive-thru.

**Two at a time order taking** – The single most time-consuming function in the drive-thru is taking the order. The complexity of the order (number of items/sandwiches in an order or the number of people the customer is ordering for) vary greatly and impact the time it takes to place an order. Having the ability to simultaneously take a second order reduces total order taking time and increases the capacity of the drive-thru. Consequently, the proposed plans provide for two order points to increase efficiency.
**Drive-thru capacity by configuration** – the table below summarizes the hourly capacity of the different configurations. The 80% number is where the majority of restaurants actually perform and is a representation of throughput.

<table>
<thead>
<tr>
<th>Configuration</th>
<th>Capacity</th>
<th>80% Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Side by Side DT (two order points two DT lanes)</td>
<td>150 – 180</td>
<td>120 – 144</td>
</tr>
<tr>
<td>Single Speaker (one lane one order point - speaker)</td>
<td>100 – 120</td>
<td>80 – 96</td>
</tr>
</tbody>
</table>

**Side by Side DT** provides us with the greatest capacity and the greatest ability to put cars through the drive-thru (throughput). Two orders are taken simultaneously in two separate drive-thru lanes. The reasons for the increased capacity are that we can take multiple orders at one time as well as this configuration allows one lane to continue to move if a customer is taking a long time to order in the other lane. This configuration also helps with overall traffic flow on the lot as cars commit to one of the two lanes earlier which reduces the back up of a single lane.

**Single Speaker** – standard drive-thru configuration based on a sequential movement of cars. This is the drive-thru from the old days and we have been moving towards the dual order point configurations to increase throughput and handle customer demand. Today approximately 70% of the restaurants in the Chicago Region have either dual order point configurations.

In conclusion a Side by Side drive-thru proposed is clearly the best configuration for throughput and lot flow. In terms of throughput and traffic flow, it is far superior to any single lane by allowing cars to move through the site in a faster and more efficient manner. Based upon prior experience, we expect approximately a 50% increase in drive-thru capacity by making the proposed drive-thru changes.

Should you have any questions or need any additional information, please do not hesitate to call.

Sincerely,

James E. Olguin
99-0-93

AN ORDINANCE

Granting a Special Use for
Expansion of a Type 2 Restaurant
at 1919-1925 Dempster Street

WHEREAS, the Zoning Board of Appeals ("ZBA") held public hearings on
September 19, 1995 and October 17, 1995 pursuant to proper notice in case no. ZBA 95-
18-SUR(R), wherein the applicant, McDonald's Corporation, sought a special use for
expansion of its Type 2 Restaurant at 1919-1925 Dempster Street by adding an indoor play
area, on property located in a C2 Commercial Zoning District; and

WHEREAS, based upon the testimony, plans, and other evidence presented, the ZBA
made written findings of fact, determining that the proposed special use met each of the
standards for special uses set forth in section 6-3-5-10 of the Zoning Ordinance, and

WHEREAS, the ZBA voted to recommend that the City Council grant the application;
and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That based upon the testimony, plans, and other evidence presented
to the ZBA, the City Council hereby adopts the findings and recommendation of the ZBA
and grants the aforesaid application of McDonald's Corporation for a special use to permit
the addition of an indoor play area to the Type 2 Restaurant at 1919-1925 Dempster Street,
on property legally described as:
LOT 1 IN MCDONALD'S CONSOLIDATION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 29, 1988 AS DOCUMENT NUMBER 86-285076 IN COOK COUNTY, ILLINOIS.

SECTION 2: Pursuant to section 6-3-5-12 of the Zoning Ordinance, which provides that the City Council may impose conditions and limitations on the grant of a special use, these conditions and limitations are hereby imposed.

a. The special use granted hereby shall be subject to compliance with all applicable provisions of the Zoning Ordinance and all other applicable laws, and shall be in substantial compliance with the testimony and documents placed on file in this case.

b. This grant authorizes only the filing and processing of applications for such permits or other approvals as may be required by the regulations of the City, including, but not limited to, a building permit and a certificate of occupancy.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: 1995

Adopted: 1995

Approved: 1995

Mayor
My Map

Zoning Boundaries & Labels
Tax Parcels

September 23, 2015

This map is not a plat of survey. This map is provided "as is" without warranties of any kind. See www.cityofevanston.org/mapdisclaimers.html for more information.

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DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES EXCERPT
September 12, 2018


Staff Present: E. Golden

Others Present:

Presiding Member: J. Leonard

A quorum being present, Ms. Leonard called the meeting to order at 2:33pm.

Approval of Minutes

August 29, 2018, DAPR committee meeting minutes.

L. Biggs made a motion to approve the August 29, 2018, meeting minutes, seconded by S. Mangum.

The Committee voted, 10-0, to approve the August 29, 2018, meeting minutes.

New Business

2. 1919 Dempster Street  Recommendation to ZBA
James Olguin, attorney, submits for a special use permit for the expansion of a Type 2 Restaurant, McDonald’s Restaurant, and a special use permit for the expansion of a Drive-Through Facility in the C2 Commercial District.

APPLICATION PRESENTED BY: James Olguin, attorney
Joe Coconato, construction manager

DISCUSSION:

● J. Olguin stated McDonald’s plans a major exterior and interior remodel to the restaurant, going from one to two drive-through lanes. He stated the dual drive-through will provide a 50% increase to the drive-through capacity and reduce the back up. He stated the plan includes additional landscaping. He stated the plan includes a cut through lane at the front of the restaurant to improve traffic circulation.

● L. Biggs stated the plan looks the same as what had been considered previously, asked if any changes had been made.

● J. Olguin stated the plan is basically the same.

● L. Biggs stated the cut through lane at the front is a concern, there is a lot of pedestrian and vehicle activity at this location, including vehicles backing up.
J. Olguin stated not having a cut through lane also creates a traffic problem. He stated vehicles exit onto Dempster and attempt to quickly re-enter the site for the drive-through, creating safety concerns for pedestrians and vehicles. He stated their traffic study recommended the cut through lane.

S. Mangum stated the May 9, 2018, DAPR minutes noted the vehicles exiting and re-entering the site to get to the drive-through are coming from Dodge. He asked if the drive-through lanes could be configured differently to allow access to the drive-through for vehicles entering the site from Dodge.

J. Olguin stated the distance between the pick-up window and the order point is critical to the drive-through operation as it gives time for the order to be prepared. He stated also the lane geometry is designed to prevent vehicles from getting to the merge point at the same time.

J. Leonard stated the cut through lane is not desirable, not pedestrian friendly. She noted the plan creates an additional location where vehicles and pedestrians cross paths. She noted high school students frequently walk to this McDonalds.

S. Mangum stated the site is unique in that it is not a corner site, but has access from two sites and noted that the parking area off of Dodge is underutilized, a creative alternative plan could be possible to address the unique site.

L. Biggs stated the plan favors vehicles over pedestrians.

S. Mangum stated bike parking is needed, as noted at the previous DAPR meeting.

J. Olguin stated bike parking could be included.

S. Mangum made a motion to recommend approval to ZBA subject to the following conditions: 1. Removal of the cut through lane, 2. Provide bike parking. There was not a second.

L. Biggs asked if the cut through lane is key to the dual drive-through.

J. Olguin stated the project can move forward without the cut through, they can still do the dual drive-through.

J. Coconato stated the proposed site plan is the most efficient, but the cut through lane is not critical to the dual drive-through.

M. Jones asked if alternative plans could be provided that show the proposed plan is the best option.

L. Biggs stated the plan needs to be tweaked. She stated pedestrians do not always follow striped paths the same way they do for raised walks. She expressed frustration the cut through lane is not critical but is still shown even after staff has raised concerns.

L. Biggs made a motion to recommend denial to ZBA, seconded by G. Gerdes.

The Committee voted, 10-0, to recommend denial to ZBA.