STAFF DEVELOPMENT COMMITTEE REPORT

To: Plan Commission
Prepared By: Katherine E. Lockerby, Development Planner
Meeting Date: December 18, 2013
Date Prepared: December 13, 2013
Project Title: Dunkin Donuts
Address: 1818 W. Northwest Highway

BACKGROUND INFORMATION

Petitioner: Dunkin Donuts (CLCDD, LLC)
Address: 1519 W. Madison
Chicago, IL 60607

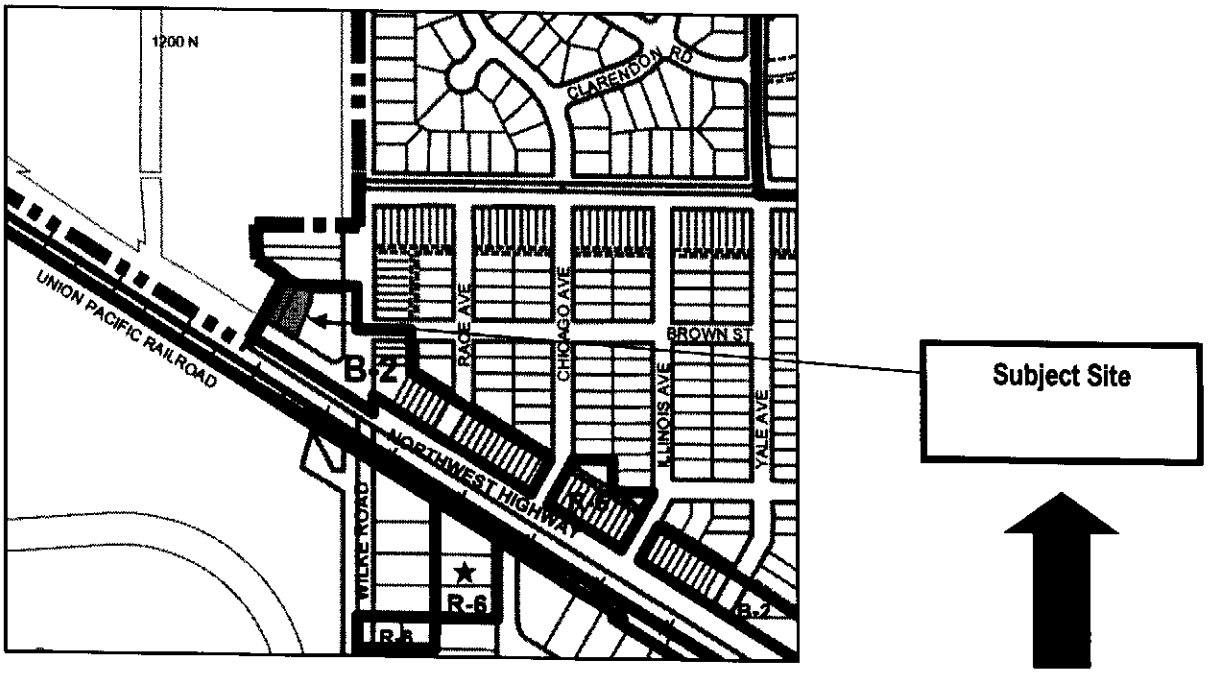
Existing Zoning: B-2, General Business District

Requested Action:

1. *Repeal Ordinances 74-119 and 04-066 (repeal of Ordinance 81-158 will remain in effect).*
2. *Special Use to allow a restaurant with a drive-through and outside eating at the property located at 122 S. Arlington Heights Road.*

Requested Variations:

1. *A Variation from Section 11.2 of the Zoning Regulations to allow a reduction to the minimum required 2-way drive aisle dimension from 24 feet to 18 feet (in the northeast corner)*



Surrounding Land Uses:

North	R-3, One Family Dwelling District	Existing Apartments	Commercial
South	B-3, General Service, Wholesale and Motor Vehicle District	Arlington International Racecourse	Mixed Use
East	B-2, General Business District	Dakota K's and Kustom Kleen (dry cleaner)	Commercial
West	Village of Palatine	McDonald's	Village of Palatine

Project Summary
The existing site is zoned B-2, General Business District, is approximately 0.44 acres (19,166 square feet) in area and is located on the north side of Northwest Highway, west of Wilke Road. At this time, the property is developed with a vacant one-story commercial building that is approximately 4,182 square feet in size and a parking lot with 22 parking stalls.

The proposed action, if approved, would allow the Petitioner to demolish the existing building and build a 1,498 square foot Dunkin Donuts restaurant with a drive through at the rear (north) and side (west) of the site and an outdoor dining area along the south elevation. This restaurant would have a total interior seating area of 192 square feet and a total of 10 seats. In addition, an outdoor eating area will be approximately 260 square feet in size and would have a total of 12 seats. When combined, the new Dunkin Donuts would have a total seating area of 452 square feet and a total capacity of 22 seats.

In addition, the proposed building would be serviced by an ancillary parking lot that is located along the east side of the building and has a total of 12 parking spaces. These spaces would be accessible via an unrestricted driveway at the southeast corner of the site to Northwest Highway. Further, there is an existing access easement that has serviced this property for a number of years, which the proposed plans will utilize. The drive-thru wraps around the building and has the capacity to accommodate seven stacked vehicles.

According to the Petitioner, the proposed Dunkin Donuts would have a total of fifteen employees, with a maximum of five on site at any one time. In addition, the proposed hours of operation are 4:00 AM – Midnight. Deliveries are anticipated to be once a week and will be during normal business hours, and trash collection will be three times per week. The Petitioner is aware that the Zoning Regulations restricts all delivery and loading related activities to between the hours of 7:00 AM and 10:00 PM. Furthermore, an exterior refuse area is proposed toward the northeast corner of the site. This refuse area would be enclosed by a masonry wall painted to match the building and would be further screened by landscape material.

Zoning and Comprehensive Plan
In 1974, a Special Use was granted to allow the construction of a new McDonald's restaurant on the site. In 1981, a subsequent special use for a drive through granted. McDonald's eventually built a new building on the property immediately to the west in Palatine. In 2004, a special use was approved for the Four Seasons Café to occupy the building and a repeal of the 1981 ordinance. At this time, it is recommended that Ordinances 74-119 and 04-066 (repeal of Ordinance 81-158 will remain in effect) be repealed, since the proposal involves the redevelopment of the entire site.

The site is zoned B-2, General Business District, and the proposal is consistent with this designation but requires a Special Use. As part of the Special Use review, the Petitioner was required to demonstrate that the proposal meets the following Special Use criteria:

A. ***That said special use is deemed necessary for the public convenience at this location.***
B. ***That such case will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity.***
C. ***That the proposed use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.***

The Petitioner's response to said criteria is attached to this report as Attachment #1. The Staff Development Committee has reviewed the criteria and offers the following:

- **That said special use is deemed necessary for the public convenience at this location.**

The proposed Dunkin Donuts store is almost 1.5 miles away from any other Dunkin Donuts locations in town. (see Market Assessment Section)

- **That such case will not, under the circumstances of the particular case, be detrimental to the health, safety, morals and general welfare of persons residing or working in the vicinity.**

The site has been vacant for approximately 8 years, during which time, the Village has had to maintain the site. The redevelopment of the site into a viable business would be beneficial to the persons residing or working in the vicinity. Furthermore, the provision of a quick service restaurant on the west side of town on a road that interchanges with a major State Route (Route 53) will provide prove to be a convenience for commuters and other customers.

During the formal review process the Staff Development Committee expressed concern with the proposed drive-through, the hours of operation, and the close proximity to the residential dwelling units to the north. In order to mitigate the potential noise impacts associated with the menu board, the Staff Development Committee recommends that the pick-up operations be restricted to face-to-face ordering during the hours of 10 PM and 7 AM. This restriction would be communicated to the patrons via signage at the menu board and coincides with the Village's restriction relative to deliveries and trash pick up. Moreover, the menu board for the drive-through would be approximately 23 feet to the property line and approximately 75 feet to the nearest residential dwelling unit to the west. In addition, a six-foot high wood fence exists along the north property line, buffering the subject property from the residential property to the north.

- **That the proposed use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board.**

The Plan will meet all Codes and regulations as imposed upon them.

The proposed restaurant use is consistent with the Village's Comprehensive Plan, which designates the subject property as Commercial.

Site Related Issues

Site Layout

The Staff Development Committee has worked with the Petitioner toward developing a site that meets the needs of the Petitioner and the requirements of the Village. However, at this time, the site still has some issues that need to be addressed:

- Initially, there was concern about the use of the easement from the subject property to Wilke Road as two way, due to the approximate width of 18 feet for driving. Therefore, Staff suggested that the access be utilized as one way. However, it has come to our attention that the access easement that services the site provides for two-way access on the site and the property on which the easement is located utilizes the driveway to exit the site. Therefore, it is suggested that the plan be revised to provide two-way access to/from the site/Wilke Road. This will result in a variation on the subject property to allow for a reduced drive aisle from 24 feet to 18 feet.
- There is continued concern that the driveway on the south side of the building is too narrow to provide for efficient exiting of both the site and the drive-thru. Therefore, it is suggested that the building be shifted north approximately 2.5 feet to allow for the drive aisle to be increased to 20 feet.
- Staff has asked that information regarding the drive-thru operations at the 122 S. Arlington Heights Road Dunkin Donuts be provided since the site is similarly laid-out and the stacking at said restaurant backs onto Arlington Heights Road and disrupts traffic. The information requested has not yet been provided.
- The parking stalls on site, when utilizing the 1.5 overhang and are 60 degree stalls, must be 18.5 feet in depth. Not all of the parking stalls meet that requirement at this time.
- The drive aisles adjacent to 60 degree parking stalls must be adjacent to a drive aisle that is 18 feet in width. The drive aisle is 16.5 to 17.5 feet in areas. The site must be revised or a variation is necessary.

- As a result of concern with noise from the menu board and speaker, the Petitioner moved the menu board and speaker to service car #7 in the queue from car #5. There is concern that the menu board and speaker in this location may add to a longer queue length on site and should be relocated to car #5.
- There are concerns that the stacking may impact the ability to enter the site from Northwest Highway. As such, a condition on the site will be that a median or similar barrier may be required to be provided on site so patrons will need to fully circle the building to enter the drive thru.

The plans shall be revised to address the aforementioned concerns.

On Site Utilities
On-site detention is provided for 76% of the required capacity of the site via an underground storage chamber in the drive-thru. The remaining 24% will be provided via a fee-in-lieu of detention in the amount of $1,483.00. The stormwater detention will connect to a storm sewer in Northwest Highway. A grease trap is proposed on the north side of the building, and will eventually connect to the sanitary waste line, which will connect to an existing sanitary sewer in Northwest Highway. The site is currently serviced by a water line that bisects the adjacent drycleaner site and ties in to an existing 6" water main located in Wilke Road. It should be noted that the off-site private water line is not currently within an easement. Further, based on fire suppression requirements, the water line may need to be replaced. The proposed location is within the existing access easement to Wilke Road. A condition of the project is that the Petitioner shall obtain an easement from the adjacent property owner prior to the issuance of a building permit.

Off-site Modifications
Northwest Highway is under the jurisdiction of the Illinois Department of Transportation (IDOT). Wilke Road is under the jurisdiction of the Cook County Department of Highways. As a result, the Petitioner will need to obtain IDOT/CCDH approval for the proposed driveways and off-site utility prior to the issuance of a building permit.

Site Lighting
The Petitioner provided a photometric plan on December 9, 2013 for review. As proposed, the proposed light spillage at the property line to the north is at one point 2.1 foot candles where the maximum allowable level is 0.1 foot candles. Therefore, a condition of the recommendation is that a code compliant site lighting plan shall be reviewed and approved as part of the building permit submittal.

Outside Eating Cafe
The proposed outdoor eating café is conceptual at this point. Prior to the use of the area as an outdoor eating café, the Petitioner shall provide all of the required information as set forth in Section 5.1-11.1f of the Arlington Heights Zoning Regulations for review and approval.

Traffic & Parking Issues
Trip Generation
As required the Petitioner provided a traffic study that evaluated all applicable traffic and parking related issues. According to Sam Schwartz Engineering, the estimated number of trips coming to and leaving site is 151 trips (77-in/74-out) during each hour of the morning peak (6AM – 9 AM) and 64 trips (32-in/32-out) during each hour of the evening peak (4 PM – 6 PM). It is important to note that the use of the site as is, a fast food restaurant, without a drive-thru, would be expected to generate 83 trips during the morning peak and 49 trips during the evening peak hours. As a result, the proposed facility would have a net increase of 68 trips during the morning peak hour and 15 trips during the evening peak hour.

It is also important to note that Sam Schwartz Engineering has indicated that 50% of the volume generated by the proposed use is typically from pass-by traffic that is already driving on Northwest Highway during the weekday commute. However, to use a conservative analysis, that percentage was reduced by 20%. The Village has evaluated this increase and concurs with the findings that the redevelopment of the site will not cause a significant amount of additional traffic to the existing roadways.

Drive-Thru Operations

The Traffic Study indicates that the average queue length at other similar facilities is 5 vehicles with a maximum of 7. They attest that they proposed queue length of 7 vehicles is adequate. However, due to experiences with other Dunkin Donuts facilities, namely the location at 122 S. Arlington Heights Road and the impacts stacking can have on adjacent rights of ways, additional information was requested to adequately address concerns about stacking backing onto Northwest Highway. However, said information was not provided and must be prior to Staff providing a formal recommendation on the project.

As mentioned above, the location of the speaker and menu board shall be shifted back to the original location, roughly at car #5.

Parking

The following table outlines the parking requirements for the site. As shown, the proposed development complies with code.

Table 1: Parking Requirements

	Square Area for Seating	Number of Seats	Required # of Stalls
Seating area – inside	192 square feet	10 seats	4 spaces
Seating area – outside	260 square feet	12 seats	6 spaces
Carryout area	152 square feet	-	1 spaces
TOTAL			11 spaces
TOTAL PROVIDED			12 spaces
SURPLUS (DEFICIT)			1 space surplus

There are two parking stalls proposed on the west side of the drive aisle which may be blocked by vehicles in the drive through lane. The Petitioner has agreed to label said parking stalls as "Employee Parking Only" so they are not utilized as rapid turn-over spaces. Furthermore, Staff would suggest that the southern-most parking stall along the east property line also be labeled as employee parking. The remaining 9 parking stalls along the east property line will be utilized by customers.

Access

With respect to access, the existing site is served by an access onto Northwest Highway and an access onto Wilke Road from the site via an access easement. The access onto Northwest Highway will service as a one-lane in-bound and one lane out-bound. Further, the access onto Wilke Road is shown on the plans as being one way in-bound. However, due to the reasons previously listed, it is suggested that the plan be revised to provide two-way access to/from the site/Wilke Road. According to Sam Schwartz Engineering, all approaches for the Northwest Highway and Wilke Road accesses should operate at a Level of Service (LOS) of C or better during the morning and evening peak hours.

Cross-Access with Dakota K's

When the adjacent property, Dakota K's (who is also the owner of the subject property), was developed, there were certain stipulations that were required to be implemented once the subject property is developed (Ordinance 11-049). Said stipulations included:

- the removal of the driveway accessing the Dakota K's property from Northwest Highway,
- the installation of a shared drive aisle between Dakota K's and the subject property, and
- a reciprocal and mutually beneficial cross-access easement agreement shall be provided along the west side of the Dakota K's property when the subject property is developed.

The Staff Development Committee has reviewed the proposed plans and agrees that the required cross connection is not necessary at this time. However, Staff is not recommending the amendment of Ordinance 11-049 at this time. Further, a condition of the staff recommendation is that if the use changes, cross access may be required as set forth in Ordinance 11-049.

Building, Signage & Landscape Issues
The proposed building follows a new prototype being introduced into the area – the "Fresh Brew" prototype. Staff did not support the building design as initially proposed. Instead, staff recommended a number of modifications that the Petitioner made to the plans which were presented at the Design Commission meeting on November 26, 2013. The Design Commission was supportive of the plans as presented. However, said recommendation did not include signage, which must meet Village Code. The Petitioner has been informed that the signage presented does not meet the Village's Code requirements and must be revised to comply or a variation must be sought through the Design Commission process.

A landscape plan has been provided that includes foundation planting beds and material, perimeter landscaping along the south, east and west property lines curbed islands with four inch caliper shade trees, a three foot high row of shrubs to screen the parking lot from Northwest Highway. There is an existing 6 foot tall fence that runs the length of the north property line/cross access. It should be noted that, prior to Village Board consideration, the proposed yews along the south property line shall be modified to a more salt-tolerant species.

Ventilation and Odors
The Petitioner will be required to comply with the code requirements for ventilation, which provides for fire suppression and grease extraction. However, unless the Village is going to impose additional requirements on restaurants to provide additional odor mitigation systems, there are always going to be the potential for odors, based on a number of factors such as wind direction, etc. As stated previously, said odor mitigation systems are not guaranteed to remove all odors from restaurants and could be cost-prohibitive for many small business owners.

Market Assessment
The Petitioner has provide information regarding the proposed use to ensure that it will serve a public convenience and will not over saturate the market. The aforementioned study included demographic information as well as an analysis of the new development in the general vicinity, and the types of existing restaurants in the general market area.

According to the corporate demographics requirements for Dunkin Donuts/Baskin Robbins, this site exceeds the minimum requirements. The Petitioner has also provided information that identified other Dunkin Donuts locations within a 1 and 2-mile radius. There are no Dunkin Donuts restaurants within a 1 mile radius; however there are four within a 2 mile radius, 1 in Rolling Meadows, 2 in Arlington Heights (122 S. Arlington Heights Road and 1010 E. Rand Road). Staff has reviewed the market information provided and concurs that the proposed restaurant will not over saturate the market.

RECOMMENDATION
The Staff Development Committee has reviewed the Petitioner's request and recommends the following:

- Repeal Ordinances 74-119 and 04-066 (repeal of Ordinance 81-158 will remain in effect), which approved a Special Use for a restaurant and a Special Use for a drive-thru and drive through, and
- A Special Use to allow a restaurant with a drive-through and outside eating at the property located at 1818 W. Northwest Highway.

Conditions of this recommendation shall include:
Prior to Village Board Consideration

1. The site layout shall be revised to address all of the site-related concerns outlined in this report.
2. Information regarding the drive-thru operations for 122 S. Arlington Heights Road shall be provided to the Village for analysis.

Prior to the Issuance of a Building Permit

1. Prior to the issuance of a building permit, the Petitioner shall pay a fee in lieu of on-site detention in the amount of $1,638.00.
2. IDOT/CCDH approval for the proposed driveway and/or off-site utilities shall be required prior to the issuance of a building permit.

3. Prior to the issuance of a building permit, the Petitioner shall provide an easement for the proposed water line.

Other Conditions

4. The interior seating area shall be limited to 192 square feet, with a maximum of 10 seats.
5. The exterior seating area shall be limited to 260 square feet, with a maximum of 12 seats.
6. Drive-through operations shall be restricted to a face-to-face ordering system that would occur at the pick up window between 10:00 PM and 7:00 AM. This restriction would be communicated to the patrons via signage at the menu board.
7. If the use of the subject property changes, cross access may be required as set forth in Ordinance 11-049.
8. If the drive-thru stacking becomes a traffic issue onto adjacent roadways, as determined by the Village, a median or similar barrier may be required to be provided on site so patrons will need to fully circle the building to enter the drive thru.
9. The Petitioner shall comply with the November 26, 2013 Design Commission motion unless modified by the Plan Commission and/or Village Board.
10. Prior to the use of the area as an outdoor eating café, the Petitioner shall provide all of the required information as set forth in Section 5.1-11.1f of the Arlington Heights Zoning Regulations for review and approval.
11. The Petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

_____ December 13, 2013
Bill Enright, Deputy Director of Planning and Community Development

C: William C. Dixon, Village Manager
All Department Heads
Steve Hautzinger, Design Planner