



Commission/Board/Committee Name: ZONING BOARD OF APPEALS

Date of Meeting: Monday, July 20, 2020

Time of meeting: 7 PM

Location of Meeting: **Lower Level of Village Hall, 517 Desplaines Avenue, Forest Park, IL 60130**

AGENDA:

Roll Call

Approval of minutes from the meeting of June 11th 2020

Unfinished Business:

1. _____
2. _____
3. _____
4. _____

New Business:

1. ZBA2020-02 Conditional use for a drive through Taco Bell 161 Harlem
2. _____
3. _____
4. _____
5. _____
6. _____

Public Comment

Adjournment

Meeting Minutes
Special Meeting of the Zoning Board of Appeals
11 June 2020

1. Call to Order
2. Establishment of a Quorum
 - a. Present: Kanzia, Hibbits, McBride, Chan, Lyons, Teets
 - b. Absent: Paulin
3. Appointment of interim chair

Teets motioned to appoint McBride, Hibbits second. 5-0 approved

4. Approval of Minutes – Teets motion, Lyons second. 5-0 approved

5. Public Comment

Action: McBride swore in those who wished to testify. One member of the public was present and identified herself as general counsel for Currie Motors who posed questions about proximity to two properties and setback requirements.

6. ZBA 2020-01 8601 Roosevelt rd. PMSA Amendment to a Special Use agreement.

Motion to enter case into the record. Teets, second by Lyons 5-0 approved

Petitioner called for presentation followed by brief discussion with staff and ZBA members.

Action: Michael Dolter representing PMSA made a brief presentation and described scope of project and anticipated programming.

Dolter addressed concerns raised by Currie Motors representative. Dir. Glinke to reach out to Currie ownership to clarify in advance any potential conflicts.

Motion to approve ready by McBride and seconded by Kanzia. Approved 6-0. Note Board member Jeff Chan was present remotely and participated in this vote.

Motion to close ZBA 2020-01 Teets, second by Hibbits 6-0. Approved

7. Adjournment:

Motion Teets, Second Hibbits. 6-0 approved.

Submitted 12 June 2020 Glinke

Village of Forest Park

Memorandum

TO: Zoning Board of Appeals

FROM: Nina Idemudia, AICP, Planning Consultant

RE: ZBA 2020-02: 161 South Harlem Avenue
Petitioner: Ampler Development

DATE OF REPORT: June 15, 2020
DATE OF ZONING BOARD OF APPEALS MEETING: June 20, 2020

PROJECT OVERVIEW: The petitioner is requesting approval for a Site Plan and Conditional Use for drive through facilities per Sections 9-7 and 9-4A-2 of the Village Zoning Code in the B-2 (Community Shopping District) on the following described property:

GENERAL PROPERTY INFORMATION

| | |
|--|---|
| Applicant's Name: | Ampler Development |
| Property Owner's Name: | Barbara Shimkus |
| Common Property Address: | 161 South Harlem Avenue |
| Common Location: | NW side of Harlem Avenue and Randolph Street |
| Neighboring Property Land Use(s): | North – B-2 (Community Shopping District) South – B-2 (Community Shopping District) West – R-2 Medium density/R-3 High Density East – Oak Park |
| Existing Use of Property: | Vacant Carwash |
| Proposed Use of Property: | Restaurant with Drive Through |
| Existing Property Zoning: | B-2 (Community Shopping District) |
| Property Size: | 125' x 135' (16,875 square feet) |

PROJECT DOCUMENTS:

1. Project narrative MRV Architects submitted 6/25/20 dated 6/23/20
2. Site plan final, MRV Architects submitted 6/24/20 and dated June 2020
3. Site elevations, MRV Architects submitted 6/24/20 and dated June 2020
4. Site colored elevations, MRV Architects submitted 6/24/20 and February June 2020
5. Photometric Plans, MRV Architects submitted 6/24/20 and dated June 2020
6. Petitioner application and zoning questionnaire submitted 6/24/20
7. Sign and Striping Plan, MRV Architects submitted 6/24/20 and dated June 2020
8. Landscape plan, MRV Architects submitted 6/24/20 and dated June 2020

9. Traffic Planning Study prepared by Gewalt Hamilton Associates, Inc. submitted 6/25/20 and dated June 22, 2020.



PROJECT DESCRIPTION:

The applicant, Ampler Development, intend to build a new freestanding Taco Bell franchise building with an accessory drive-thru at the above noted location. The applicant states that the franchise group own and operate many drive-thru locations throughout the United States.

The construction site consists of one lot of record that is approximately 123 feet wide by 135 feet deep and 16,447 S.F. in total. The one-story building is proposed to be 1,727 S.F. square feet with 14 parking spaces. The building is expected to be in operation 7 days a week. The dining room will remain open from 7 A.M. daily and close at 10 P.M. daily. On weekdays, the drive-thru shall remain operational until midnight. During the weekend, this would be extended to 2 A.M.

Access to the site would be provided via a full access drive on Harlem Avenue and a right-in/right-out access drive on Randolph Street. To ensure that sound at the drive-thru is directed away from neighbors, the building has been oriented such that the speakers at the menu board face toward the north. The site's current design allows for a 7 car stack. According to the traffic study prepared by Gewalt Hamilton Associates, Inc. the proposed drive-thru stacking should adequately accommodate the peak demand.

ANALYSIS:

As proposed, the existing building and parking lot would be demolished, and a Taco Bell with indoor seating and a drive-thru would be constructed. The site previously served as a carwash which is currently vacant. The new restaurant would serve as a new active use of the parcel in question and its construction would allow several new site improvements. After reviewing the applicants required submission materials, including a traffic study prepared by Gewalt Hamilton Associates, Inc, the request for a site plan approval and conditional use for a drive through is reasonable. As conditioned, the project's impact to the surrounding neighborhood would be less than significant and the proposal complies with all applicable development standards in the zoning code.

STAFF REVIEW AND RECOMMENDATION:

Staff recommends approval of the Site Plan and Conditional Use for drive through facilities per Section 9-4A-2 of the Village Zoning Code in the B-2 (Community Shopping District). If the Zoning Board of Appeals wishes to support the request, the following sample motion is provided:

Based on the submitted petition and testimony provided, I move that the Zoning Board of Appeals recommend to the Village Council approval of the Site Plan and Conditional Use for drive through facilities per Section 9-4A-2 of the Village Zoning Code in the B-2 (Community Shopping District) subject to the following conditions:

- 1. The site shall be constructed in substantial compliance with the "Project Documents" identified in this report and available in the Department of Community Development.***
- 2. All construction shall comply with the Building Code of the Village of Forest Park, with final plans subject to review and approval by the Village Engineer and Director of Public Health and Safety.***
- 3. Trash facilities must be screened and rodent bait stations maintained on site.***
- 4. Any violation of the above conditions will result in a violation of the Municipal Code of the Village of Forest Park and the owner may be subject to fines, as determined by the Village Council from time to time, for each day said violation exists, as well as a revocation of the conditional use permit.***

MRV ARCHITECTS, INC.

5105 Tollview Dr., Suite 197, Rolling Meadows, IL 60008

Ph. (224) 318-2140 – Email: alfredt@mrvarch.com

June 23, 2020

Statement of Intent

The applicant, Ampler Development, intend to build a new freestanding Taco Bell franchise building with an accessory drive-thru at the above noted location. As required, the project will require site plan approval and zoning relief for the drive-thru.

The franchise group own and operate many drive-thru locations throughout the United States. Many of which are Taco Bells, along with other well-established quick service restaurants.

We understand the sensitivity to create a building with an architecturally pleasing exterior appearance and comfortable, while functional, interior experience. The introduction of more modern elements to the exterior work are complemented by the more natural tones found in the interior. In general, the use of quality construction materials sets these buildings apart from other brands and represents a much more customer-minded approach to building and interior design.

With the design of any site layout, it is important to remain cognizant of the drive-thru's proximity to neighboring residential properties. To ensure that sound at the drive-thru is directed away from neighbors, the building has been oriented such that the speakers at the menuboard face toward the north.

Having access a major arterial such as Harlem Ave. presents the challenge of designing a well-functioning drive-thru able to withstand the higher volumes of traffic. With this in mind, the site's current design allows for a 7 car stack and 14 parking spaces.

Regarding the business' hours of operation – the building is expected to be in operation 7 days a week. The dining room will remain open from 7 A.M. daily and close at 10 P.M. daily. On weekdays, the drive-thru shall remain operational until midnight. During the weekend, this would be extended to 2 A.M.

Overall, the addition of this building and drive-thru will prove beneficial to the community by providing a valuable service. Taco Bell will be able to accommodate the customers as needed without posing as a disruption to the surrounding area. We look forward to presenting this project to you and hearing your feedback.

Please feel free to contact me with any further questions regarding the request for review.

Sincerely,
Alfred Teleron
Project Architect
MRV Architects, Inc.



BIG CITY ACCESS

SMALL TOWN CHARM

Village of Forest Park Standards for Zoning Variation(s) Questionnaire

Applications that include variations must complete this form:
In reviewing an application, the Village of Forest Park considers applicable standards for variations outlined in Section 9-10-6F of the Zoning Code to be certain that the petition application is properly reviewed and deserving of the recommendation that will be put forward. Please answer the questions below to aid us in understanding your position on this request. These answers will be incorporated into the report we prepare for your case.

Anthony T. Calderone
MAYOR

517 DESPLAINES AVENUE
FOREST PARK, ILLINOIS 60130
708-366-2323
FAX 708-771-0177
www.forestpark.net

Mark S. Hosty
COMMISSIONER
ACCOUNTS & FINANCE

Rory E. Hoskins
COMMISSIONER
PUBLIC HEALTH & SAFETY

Tom Mannix
COMMISSIONER
STREETS & PUBLIC IMPROVEMENTS

Chris Harris
COMMISSIONER
PUBLIC PROPERTY

Timothy E. Gillian
VILLAGE ADMINISTRATOR

Vanessa Moritz
VILLAGE CLERK

Was this a self-created hardship or condition?

The standard operation of all new Taco Bell restaurants includes a drive-thru. Especially for this site, it is imperative to the lasting success of this store.

If you were not allowed the relief being requested, how would it deny you substantial rights that are commonly enjoyed by other owners in similar circumstances that request similar zoning relief?

Other similar quick-service restaurants have been given the right to operate with drive-thru's. To deny Taco Bell would put them at a clear disadvantage.

Do you believe that the zoning relief you are requesting is comparable to the type of zoning relief others have sought and obtained under like conditions, as opposed to being granted a special privilege?

The zoning relief requested is comparable to other similar businesses within the Village under-like conditions.

If the zoning relief is granted, will the use of the property remain the same as its current use?

As proposed, the use of the property will be a Quick-Service Restaurant.

**Village of Forest Park
Standards for Zoning Variations**

Explain how the granting of the relief has a negative impact on the value of the property in the vicinity.

The granting of the drive-thru would only increase the value of properties in the vicinity. To list one such reason, most transactions occur at the drive-thru historically. So without it, the business would suffer.

Explain how the granting of the variation impairs an adequate supply of light and air to properties in the vicinity.

With an abundance of new landscaping, the quality of air onsite would be a marked improvement to the current condition of the site. In regards to site lighting, lighting levels will be controlled to avoid spillage onto surrounding properties.

Explain how the granting of this variation increases congestion in the public streets due to traffic or parking.

Per the submitted traffic analysis, the parking spaces and car stacking proposed should adequately accomodate peak demands.

Explain how the granting of this variation unduly increases the danger of flood or fire.

The development of the site will be an improvement to its present state which has little, if any, stormwater control. Currently, there is zero landscaping and appears to direct all water out on to the street. In regards to fire prevention, the restaurant's hood will be equipped with an Ansul system.

Explain how the granting of this variation unduly taxes public utilities and facilities in the area.

The granting of the drive-thru has no bearing on the restaurant's use of utilities.

Explain how the granting of the variation endangers the public health or safety?

By decreasing the amount of driveway to Randolph and Harlem, entering and exiting the site will be safer and more controlled. Per the traffic analysis, there will be minimal impacts to existig traffic counts.

**Village of Forest Park
Application for Zoning Action**

Application For (check all that apply):

Site Plan Approval Preliminary Planned Development _____ Reasoning _____
 Variation _____ Conditional Use Zoning Relief _____
 Text Amendment _____ Final Planned Development _____ Administrative Appeal _____

Subject Property Information:

Street Address: 161 S. HARLEM AVE.
 PIN(s): 15-12-421-011, 15-12-421-012
 Current Zoning District (circle): R-1 R-2 R-3 B-1 **(B-2)** DBD I-1 I-2

Legal Description (attached separate sheet if necessary): LOT 4 (EXCEPT THE NORTH 9 FEET THEREOF) AND LOT 5 (EXCEPT THAT PART OF LOT 5 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOTS IN BLOCK 13 IN RAILROAD ADDITION TO HARLEM; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID LOTS, A DISTANCE OF 4.50 FEET TO A POINT, THENCE NORTH 89 DEGREES 39 MINUTES 56 SECONDS WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 3.00 FEET TO A POINT; THENCE SOUTH 91 DEGREES 46 MINUTES 53 SECONDS WEST 6.0 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 5; THENCE SOUTH 89 DEGREES 39

Applicant Information:

Name: Ampler Development
 Address: 212 Vista Village Cv
 City, State, Zip: Austin, TX, 78738
 Phone: 512-468-7088
 Fax: _____

Owner Information (if different from applicant)

Name: Barbara Shimkus
 Address: 1509 Darien Club Dr
 City, State, Zip: Darien, IL 60561
 Phone: 630-670-5569
 Fax: _____

Applicant Relationship to Property (is Owner, Architect, Attorney): _____

Description of Request for Approval (use additional sheet if necessary): AMPLER DEVELOPMENT INTEND TO BUILD A NEW FREESTANDING TACO BELL BUILDING WITH AN ACCESSORY DRIVE-THRU.

If Application Involves Reasoning/Variation/Appeal, List all Section of Zoning Ordinance from which relief is requested (use additional sheets if necessary): PER 9-4A-2: CONDITIONAL USE REGULATIONS, DRIVE-THROUGH FACILITIES ARE TO BE APPLIED FOR AS A CONDITIONAL USE TO THE ZONING BOARD OF APPEALS.

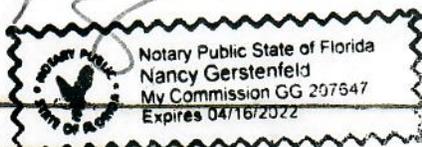
THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

With the submission of this application, I hereby request that the Mayor and Village Council of the Village of Forest Park grant approval of those relief identified in the Application for Zoning Action for the proposed site development as described in the attached documents and specifications, and do hereby certify that all information contained in this application and accompanying documents is true and correct to the best of my knowledge. Proof of ownership must be attached to your application and may include a current title policy report or a deed and a current title search. I also permit entrance on the Subject Property by Village officials for the purpose of inspections related to this request.

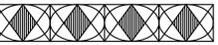
[Signature] 6/22/20 [Signature] 6-9-20
 Signature of Applicant Date Signature of Owner Date

June 22, 2020

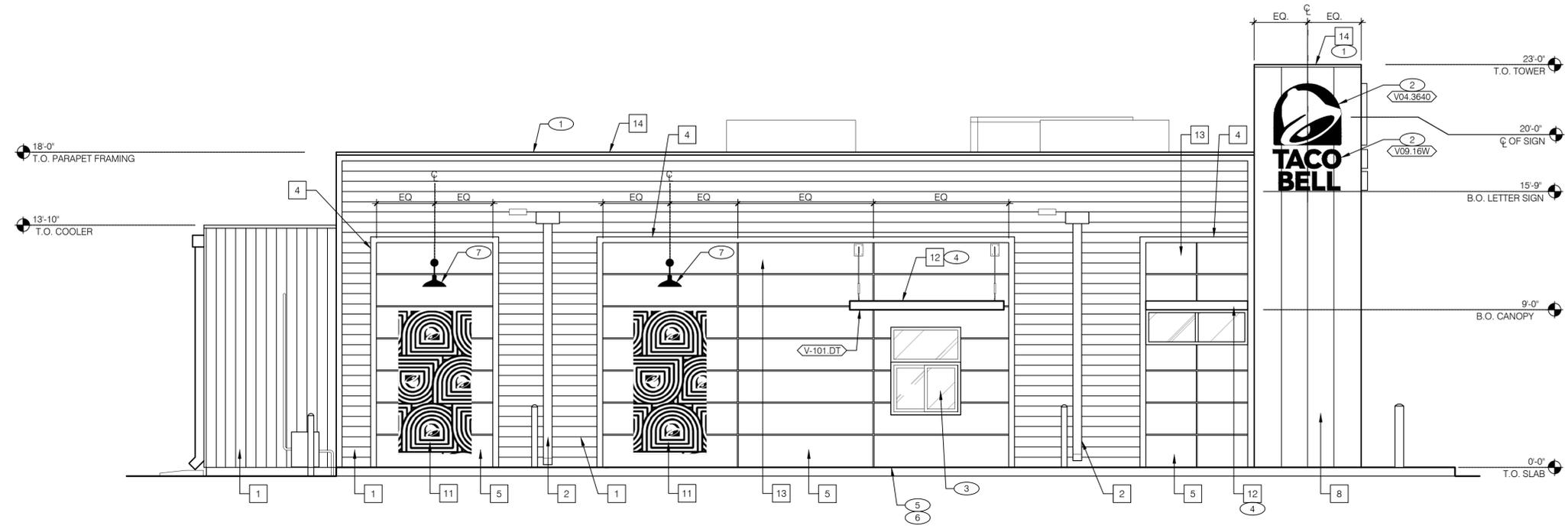
Subscribed and sworn to before me this 9th day of June 2020
[Signature]
 Notary Public



For each copy: Filing Fee _____ Paid Date: _____ Public Hearing Date: _____



- 1 METAL PARAPET CAP
- 2 BUILDING SIGN BY VENDOR. REQUIRES ELECTRICAL. SEE ELECTRICAL PLANS.
- 3 DRIVE THRU WINDOW. SEE SHEET A1.0 AND A1.1.
- 4 METAL CANOPIES BY SIGNAGE VENDOR. SEE SCHEDULE FOR FINISH.
- 5 ASSUME D/T LANE SURFACE IS 6" BELOW THE FINISH FLOOR. REFER TO GRADING & SITE PLAN.
- 6 CONCRETE CURB.
- 7 EXTERIOR LIGHT FIXTURE. COORDINATE WITH ELECTRICAL DRAWINGS.



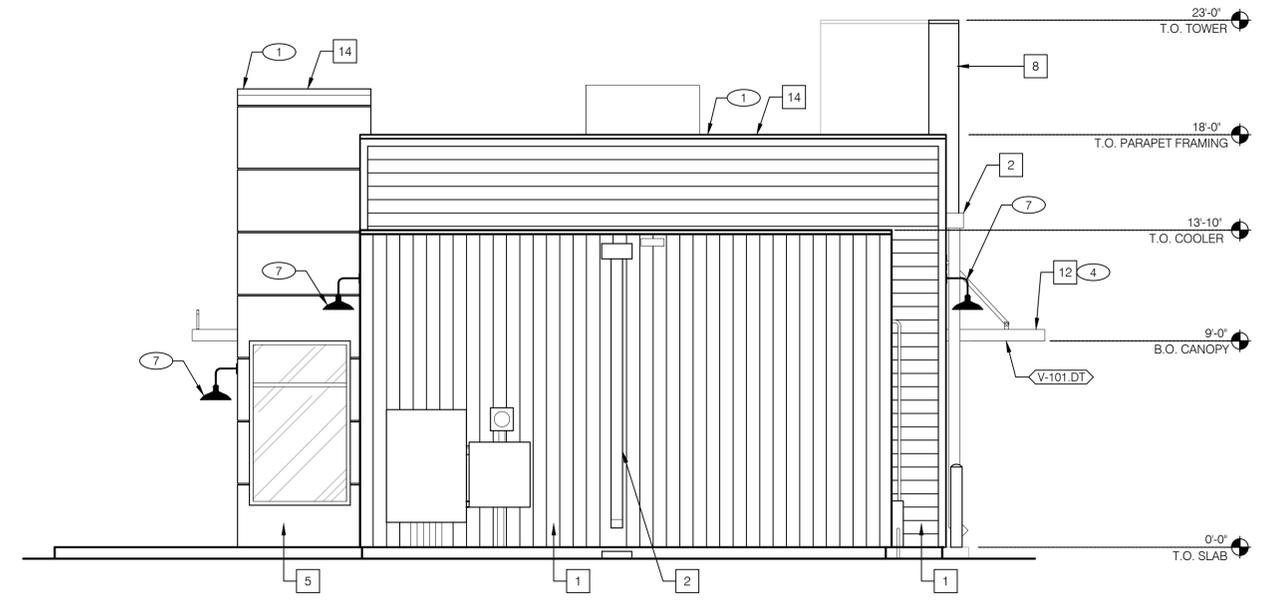
EAST ELEVATION 1/4" = 1'-0" **1**

KEY NOTES

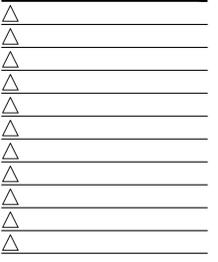
A



NORTH ELEVATION 1/4" = 1'-0" **3**



SOUTH ELEVATION 1/4" = 1'-0" **2**



CONTRACT DATE:
BUILDING TYPE: EXPLORER
PLAN VERSION: JUNE 2020
SITE NUMBER:
STORE NUMBER:

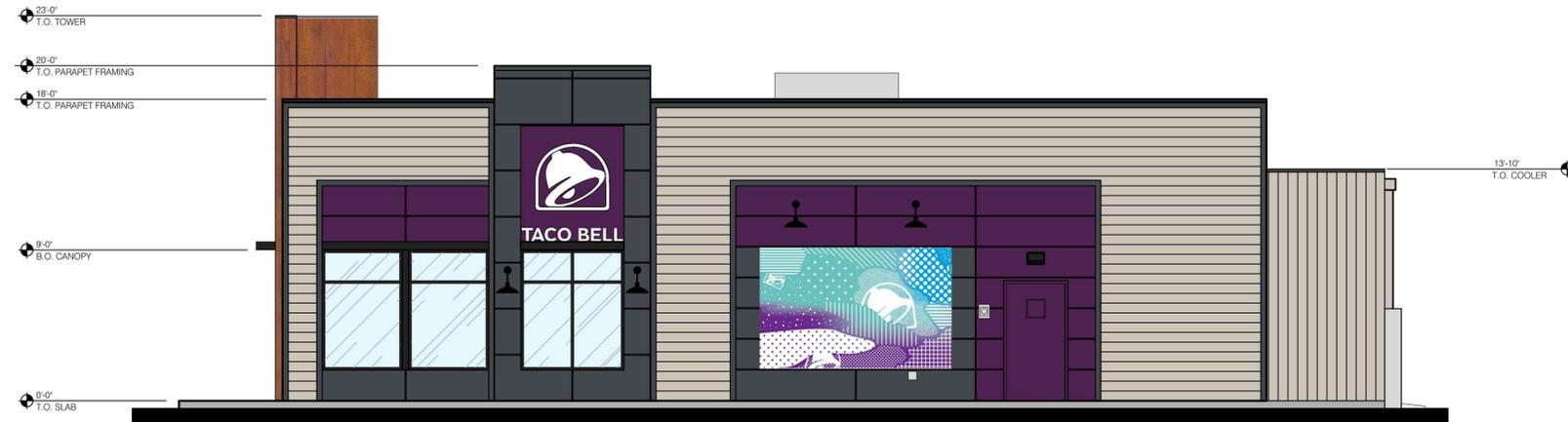
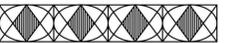
TACO BELL
161 S HARLEM AVE
FOREST PARK, IL 60130



EXTERIOR ELEVATIONS

A4.1

PLOT DATE:



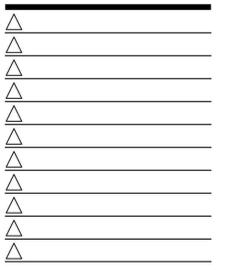
WEST ELEVATION 3/16" = 1'-0" **A**



SOUTH ELEVATION 3/16" = 1'-0" **C**



NORTH ELEVATION 3/16" = 1'-0" **B**



EAST ELEVATION 3/16" = 1'-0" **D**

CONTRACT DATE:
BUILDING TYPE: EXPLORER
PLAN VERSION: FEBRUARY 2020
SITE NUMBER:
STORE NUMBER:

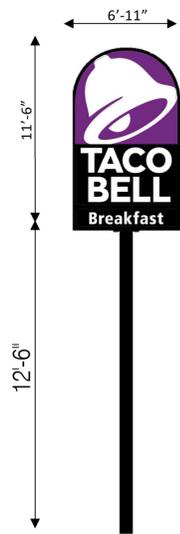
TACO BELL
161 S HARLEM AVE
FOREST PARK, IL 60130



COLORED ELEVATIONS

A4.2

PLOT DATE:



V-01.75

DESCRIPTION:
Pylon Sign 75 SF
with Breakfast

Area: 75 SF

Optional messaging:
We Deliver

PYLON SIGN DETAIL

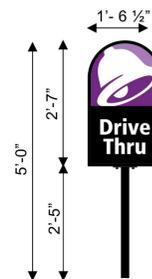
C

V-03

DESCRIPTION:
Directional Sign 3.98 SF

Area: 3.98 SF

OPTIONS:



DIRECTIONAL SIGN DETAIL

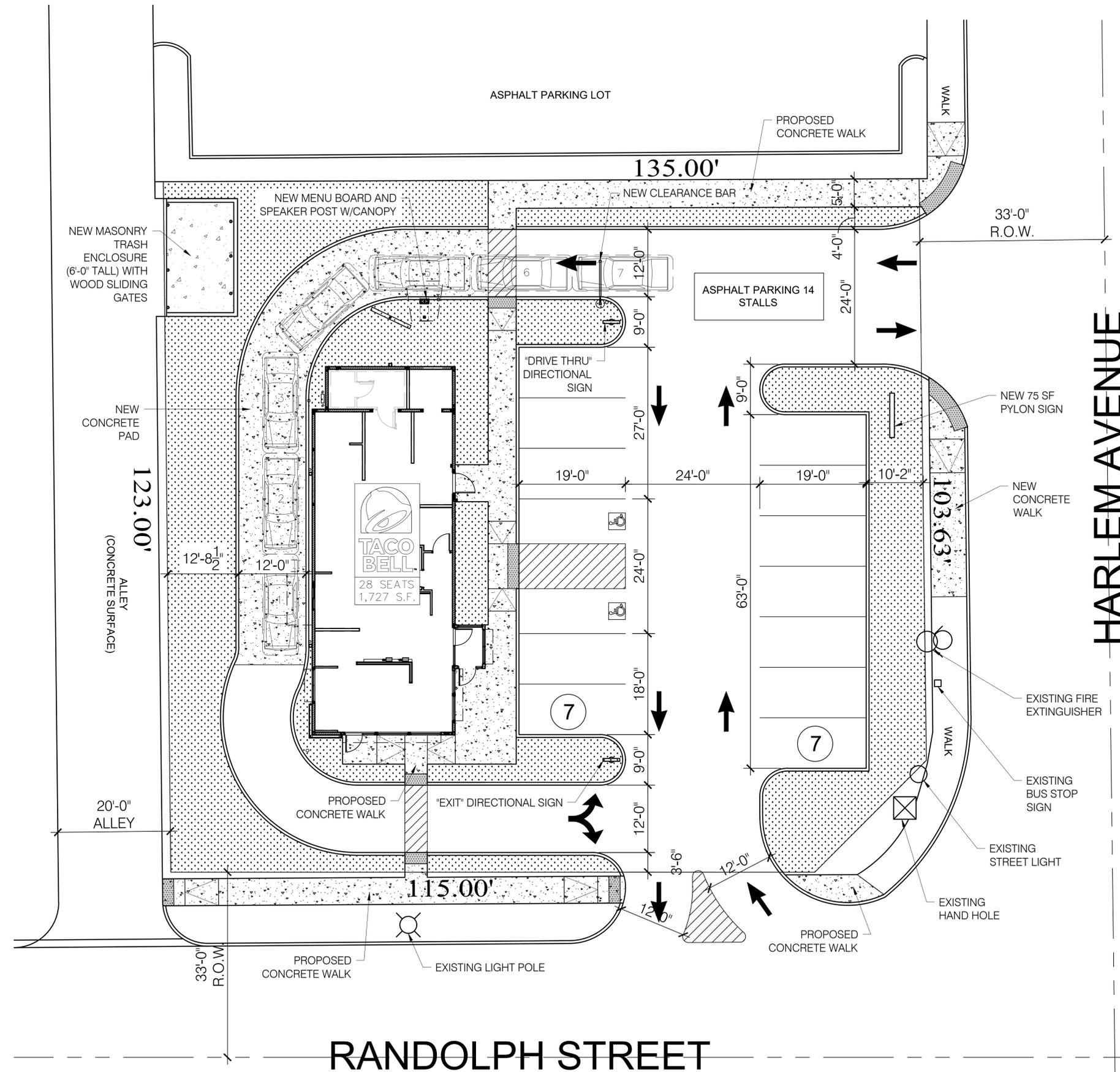
B

ZONING INFORMATION

| | |
|--|---|
| ZONING: | B-2 COMMUNITY SHOPPING DISTRICT |
| SITE AREA: | 16,447 S.F. / 0.378 ACRES |
| BUILDING AREA: | 1,727 S.F. |
| DRIVE-THRU STACKING: | 7 CARS |
| PARKING CALCULATION: | REQUIRED: 1 SPACE / 50 SQFT (EXCLUSIVE OF KITCHEN, RESTROOM AND STORAGE AREA) 622 SF / 50 = 13 SPACES PROPOSED: 14 SPACES (2 ACCESSIBLE SPACES) |
| IMPERVIOUS SURFACE AREA/PERCENTAGE OF SITE AREA: | PROPOSED: 4,445 SF (PERVIOUS) + 12,002 SF (IMPERVIOUS) = 16,447 SF (TOTAL) 27% IMPERVIOUS SURFACE. |
| LEGAL DESCRIPTION: | LOT 4 (EXCEPT THE NORTH 9 FEET THEREOF) AND LOT 5 (EXCEPT THAT PART OF LOT 5 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 5 IN BLOCK 13 IN RAILROAD ADDITION TO HARLEM: THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 4.50 FEET TO A POINT, THENCE NORTH 89 DEGREES 39 MINUTES 56 SECONDS WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 3.00 FEET TO A POINT; THENCE SOUTH 41 DEGREES 46 MINUTES 53 SECONDS WEST 6.00 TO A POINT ON THE SOUTH LINE OF SAID LOT 5; THENCE SOUTH 89 DEGREES 39 MINUTES 56 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 7.00 FEET TO THE POINT OF BEGINNING) IN BLOCK 13 AND EXCEPT THAT PART CONDEMNED FOR STREET IN CASE NUMBER 96'50690 IN RAILROAD ADDITION TO HARLEM IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS. |

SITE INFORMATION

A



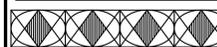
RANDOLPH STREET



SITE PLAN 1" = 10' **1**

MRV

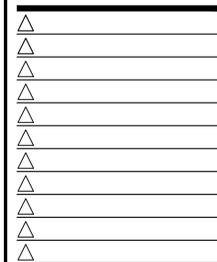
ARCHITECTS, INC.



5105 TOLLVIEW DR., SUITE 197
ROLLING MEADOWS, IL 60008
TEL: 224-318-2140

MRV ARCHITECTS, INC. 2020

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CONTRACT DATE:
BUILDING TYPE: EXPLORER
PLAN VERSION: JUNE 2020
SITE NUMBER:
STORE NUMBER:

TACO BELL
161 S HARLEM AVE
FOREST PARK, IL 60130



SITE DETAILS
SP1.0

PLOT DATE:

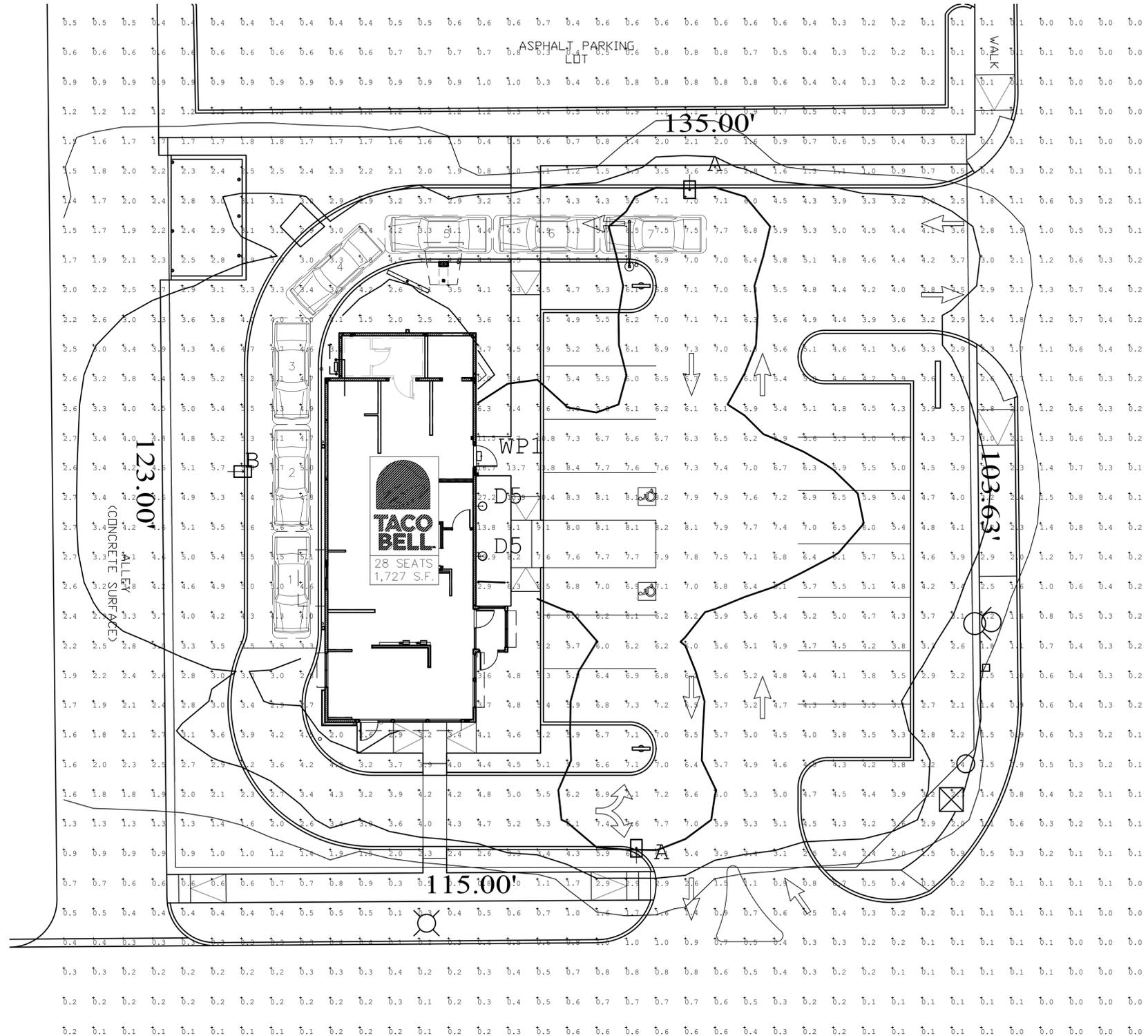
TACO BELL
 161 S. HARLEM AVE.
 FOREST PARK, IL
 PREPARED BY: JOHN BUJAKE
 ACCUSERV LIGHTING & EQUIPMENT
 877-707-7378
 jbujake@accu-serv.com
 MAY 20, 2020

| Calculation Summary | | | | | |
|----------------------------------|------|------|-----|---------|---------|
| Label | Avg | Max | Min | Avg/Min | Max/Min |
| EXTENDED | 2.85 | 89.9 | 0.0 | N.A. | N.A. |
| PARKING LOT & DRIVE-THRU SURFACE | 5.40 | 8.4 | 2.5 | 2.16 | 3.36 |

LIGHT LEVELS ARE MAINTAINED FOOT-CANDLES, INITIAL LEVELS ARE SLIGHTLY HIGHER

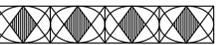
| Luminaire Schedule | | | | | | | |
|--------------------|-----|-------|-------------|-------------|-------|------------|--|
| Symbol | Qty | Label | Arrangement | Lum. Lumens | LLF | Lum. Watts | Description |
| ⊠ | 2 | A | SINGLE | 39921 | 0.900 | 395 | VPL-96L-395-4K7-4-UNV-A-DB / SES-25-40-01-A-B3-DB |
| ⊠ | 1 | B | SINGLE | 41205 | 0.900 | 395 | VPL-96L-395-4K7-5R-UNV-A-DB / SES-25-40-01-A-B3-DB |
| ⊠ | 2 | D5 | SINGLE | 1219 | 0.900 | 26 | P5642-20 @ 9' A.F.G. |
| ⊠ | 1 | WP1 | SINGLE | 3270 | 0.900 | 27 | LDWP-GL-3B-ED-7040 @ 8.5' A.F.G. |

SITE FIXTURES ARE 395W 4000K LED
 POLES ARE 25'-0" FOR AN OVERALL FIXTURE HEIGHT OF 27'-6" A.F.G.



MRV

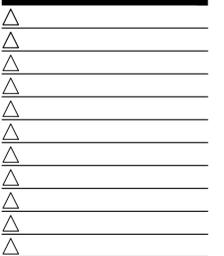
ARCHITECTS, INC.



5105 TOLLVIEW DR., SUITE 197
 ROLLING MEADOWS, IL 60008
 TEL: 224-318-2140

MRV ARCHITECTS, INC. 2020

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CONTRACT DATE:
 BUILDING TYPE: EXPLORER
 PLAN VERSION: JUNE 2020
 SITE NUMBER:
 STORE NUMBER:

TACO BELL

161 S HARLEM AVE
 FOREST PARK, IL 60130



PHOTOMETRIC PLAN

SP2.0

PLOT DATE: