I, RUTH A. SCOTT, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

I do hereby certify that the attached hereto is a true and correct copy of:

ORDINANCE 2020-021

APPROVING A SPECIAL USE PERMIT FOR A DRIVE-THROUGH RESTAURANT WITH AN OUTDOOR SEATING AREA, AND APPROVING A FINAL PLAN FOR 2411 SYCAMORE ROAD, DEKALB, ILLINOIS (RAISING CANE’S CHICKEN FINGERS).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 23rd day of March 2020.

WITNESS my hand and the official seal of said City this 20th day of April 2020.

RUTH A. SCOTT, Executive Assistant

Prepared by and return to:

City of DeKalb
City Manager’s Office
Attention: Ruth A. Scott
200 S. Fourth Street
DeKalb, Illinois 60115
ORDINANCE 2020-021  

APPROVING A SPECIAL USE PERMIT FOR A DRIVE-THROUGH RESTAURANT WITH AN OUTDOOR SEATING AREA, AND APPROVING A FINAL PLAN FOR 2411 SYCAMORE ROAD, DEKALB, ILLINOIS (RAISING CANE’S CHICKEN FINGERS).

WHEREAS, the City of DeKalb (the “City”) is a home rule municipality with the power and authority conferred upon it by the Illinois Constitution; and,

WHEREAS, 2411 Sycamore LLC (herein referred to as “Petitioner”), has petitioned the City for approval of a special use permit, final plan and parking waiver to allow a drive-through and outdoor eating area to be located at 2411 Sycamore Road, DeKalb, Illinois (herein referred to as “Subject Property”),

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the City’s Planning and Zoning Commission on March 4, 2020; and

WHEREAS, the City and Petitioner have conducted all required public hearings before the City’s Planning and Zoning Commission for the special use permit, final plan and parking waiver for the Subject Property, and have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and

WHEREAS, the City Council has reviewed and adopts the following findings of fact of the Planning and Zoning Commission of the City of DeKalb, finds that the proposed special use permit is in conformance with the applicable factors contained therein, and finds that approval of the special use permit, final plan and parking waiver for the Subject Property is in the public interest and promotes the public health, safety and welfare;

STANDARDS OF A SPECIAL USE – ARTICLE 14.03.05 (2) OF THE UNIFIED DEVELOPMENT ORDINANCE

1. The proposed special use complies with all provisions of the applicable district regulations.

The proposed drive-through and outdoor eating area will comply with all regulations of the Planned Development Ordinance governing the site and the Unified Development Ordinance (UDO). Adequate vehicle stacking is provided for the drive-through and a waiver on the parking is justified based upon the parking analysis provided by the applicant and the parking ratio of other existing Raising Cane’s Restaurants.

2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.

The proposed special use will not have a detrimental effect on the adjacent properties or land uses. The site has been zoned commercial since 1993. The proposed drive-through and outdoor eating area will operate in a manner that is not detrimental to the surrounding neighborhood. The subject site is in proximity to a variety of other commercial retail uses including restaurants, department stores, clothing stores and other services uses.
3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

The granting of the special use will not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already developed with a variety of commercial uses. The proposed drive-through and outdoor eating area will operate in a manner that is not detrimental to the surrounding neighborhood.

4. Adequate utility, drainage and other such necessary facilities have been or will be provided.

Adequate public services are already provided to the subject site. A Final Plan has been submitted that meets the requirements of the UDO regarding utilities and drainage. The proposed drive-through will accommodate five stacking spaces without interfering with the non-drive through traffic of the restaurant.

5. The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.

The proposed special use will not be detrimental to the permitted developments and uses on the site or to the surrounding area. The existing building previously contained a restaurant. The proposed special use will redevelop a lot that has not had a user since 2018 and will be an economic benefit to the Sycamore Road corridor. Development on this property would increase the City’s real estate tax base, employment and retail sales taxes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois as follows:

SECTION 1: The recitals set forth in the preamble are hereby incorporated herein by reference and made a part of this Ordinance.

SECTION 2: This Ordinance is limited and restricted to the Subject Property described as follows:

LOT 1 IN OAKLAND PLACE RESUBDIVISION, BEING PART OF A RESUBDIVISION OF LOTS 7 AND 11 OF OAKLAND PLACE IN SECTION 12, TOWNSHIP 40 NORTH,
RANGE 4 EAST OF THE THIRD PRINCIPLE MERIDIAN IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

The property is commonly known as 2411 Sycamore Road, DeKalb, Illinois 60115, and has a Parcel Identification Number (“PIN”) of 08-12-326-013.

SECTION 3: The City's corporate authorities grant a special use permit for the Subject Property for a drive-through and outdoor eating area, approval of a Final Plan per the plans dated 3-13-20 prepared by ADA Architects Inc, attached as Exhibit A and approval of a parking waiver to the UDO to reduce the number of required parking spaces from 76 to 46 per the Final Plan, attached as Exhibit A.

SECTION 4: All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.

SECTION 5: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

SECTION 6: That all provisions of the UDO shall remain in full force and effect and this Ordinance shall take effect upon its passage and approval according to Law.

SECTION 7: The City Clerk and/or Executive Assistant of the City of DeKalb, Illinois shall be authorized and directed to attest the Mayor's signature and record a copy of this Ordinance after its execution.

ADOPTED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 23rd day of March 2020 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None.

ATTEST:

RUTH A. SCOTT, Executive Assistant

JERRY SMITH, Mayor
LANDSCAPE NOTES

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING MATERIALS AND PLANTS SHOWN ON THE LANDSCAPE PLAN. THE CONTRACTOR IS RESPONSIBLE FOR THE COST TO REMOVE UTILITIES, ALTER LANDSCAPE, PUBLIC AND PRIVATE PROPERTY THAT IS IN THE PATH OF INSTALLATION OR DURING THE SPECIFIED MAINTENANCE PERIOD. CALL FOR UTILITY LOCATIONS PRIOR TO ANY EXCAVATIONS.

2. THE CONTRACTOR SHALL REPORT ANY DISCREPANCIES IN PLANTING FIELD CONDITIONS IMMEDIATELY TO THE LANDSCAPE ARCHITECT PRIOR TO CONTINUING WITH ANY INSTALLATION.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY OF THEIR EXCAVATIONS OR UTILITIES THAT HAD BEEN PERFORMED.

4. ALL MATURE TREE STANDS WILL BE WELL-BRANCHED, HEALTHY, TALL, FULL, WELL-BRANCHED AND FERTILIZED. EXISTING TREES SHALL BE PROTECTED FROM TRASH Reader: WRAPPING WILL BE WRAPPED IF REQUIRED. ALL MATURE TREES MUST BE PROTECTED FROM TRASH Reader: WRAPPING. TREES SHALL BE PROTECTED FROM TRASH AND BRUSH AT THE BASE.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE INSTALLATION DURING THE SPECIFIED MAINTENANCE PERIOD. CALL FOR UTILITY LOCATIONS PRIOR TO ANY EXCAVATIONS.

6. ALL MATURE TREE STANDS WILL BE PROTECTED FROM TRASH AND BRUSH AT THE BASE.

7. PLANTED AREAS OF ALL VARIOUS MATERIALS AND LANDSCAPING WIRING, ENCLOSURES, AND EXISTING CONCRETE AREAS WILL BE MAINTAINED AT THE CONTRACTOR’S EXPENSE.

8. ALL EXISTING CONCRETE AREAS WILL BE PROTECTED FROM TRASH AND BRUSH AT THE BASE DURING THE NEW INSTALLATION PERIOD.

9. CONTRACTOR SHALL INSTALL 6" X 6" HARDWOOD SLACK, AT 4" DEPTH TO ALL TREES, SHRUBS, PERENNIALS, AND GROUND COVER AREAS. TREES PLANTED IN AREA DOCKED BY TURF III REEVE A 10" PERIMETER TURF STRIP WITH 4" DEPTH (5" X 5" HARDWOOD SLACK) WILL BE PLANTED ON A 10" DEPTH IN AREA DOCKED BY TURF. TURF SHALL NOT BE PLANTED IN AREA DOCKED BY TURF. TURF SHALL NOT BE PLANTED IN AREA DOCKED BY TURF. TURF SHALL NOT BE PLANTED IN AREA DOCKED BY TURF. TURF SHALL NOT BE PLANTED IN AREA DOCKED BY TURF. TURF SHALL NOT BE PLANTED IN AREA DOCKED BY TURF. TURF SHALL NOT BE PLANTED IN AREA DOCKED BY TURF. TURF SHALL NOT BE PLANTED IN AREA DOCKED BY TURF.

10. PLANTED AREAS OF ALL VARIOUS MATERIALS AND LANDSCAPING WIRING, ENCLOSURES, AND EXISTING CONCRETE AREAS WILL BE MAINTAINED AT THE CONTRACTOR’S EXPENSE.

11. INSTALLATION OF TREES WITHIN PARKWAYS IS TO BE COORDINATED WITH THE CONTRACTOR.

12. PLANTED AREAS OF ALL VARIOUS MATERIALS AND LANDSCAPING WIRING, ENCLOSURES, AND EXISTING CONCRETE AREAS WILL BE MAINTAINED AT THE CONTRACTOR’S EXPENSE.

13. PLANT QUANTITIES SHOWN ARE FOR A CONSIDERATION OF THE WHETHER AND LAYOUT OF ALL PLANTS QUANTITIES AS SHOWN.

14. THE CONTRACTOR WANTS TO MANUFACTURED MATERIALS THAT ARE DECOMPOSE, DEFERRED, OR OTHERWISE NOT EXHIBITING SUPPLEMENT QUANTITY.

15. THE CONTRACTOR IS RESPONSIBLE TO INSTALL ALL REUSABLE MATERIALS AS SHOWN ON THE LANDSCAPE PLAN. MATERIALS TO BE REPLACED OR REPLACED IF REQUIRED. ALL EXISTING CONCRETE AREAS WILL BE PROTECTED FROM TRASH AND BRUSH AT THE BASE. ALL EXISTING CONCRETE AREAS WILL BE PROTECTED FROM TRASH AND BRUSH AT THE BASE. ALL EXISTING CONCRETE AREAS WILL BE PROTECTED FROM TRASH AND BRUSH AT THE BASE. ALL EXISTING CONCRETE AREAS WILL BE PROTECTED FROM TRASH AND BRUSH AT THE BASE. ALL EXISTING CONCRETE AREAS WILL BE PROTECTED FROM TRASH AND BRUSH AT THE BASE.

16. ALL EXISTING CONCRETE AREAS WILL BE PROTECTED FROM TRASH AND BRUSH AT THE BASE.
March 20, 2020

The Honorable Jerry Smith
Mayor, City of Dekalb
City Council 200
S. 4th street
Dekalb, IL 60115

REGARDING:
Raising Cane’s Chicken Fingers
2411 Sycamore Road
DeKalb, IL

Dear Mayor Smith and City Council:

The Dekalb Planning and Zoning Commission unanimously approved on March 4, 2020, the Raising Cane’s Chicken Fingers request for a Special Use Permit for Raising Cane’s Chicken Fingers located at 2411 Sycamore Road, Dekalb, IL 60115. The Raising Cane’s Chicken Fingers respectfully requests the City Council waive the second reading requirements and approve the Special Use Permit at the March 23, 2020 City Council Meeting.

We appreciate your consideration of this request. If you have any questions or comments, please do not hesitate to contact me.

Respectfully Submitted,

Jeff Gould

Jeff Gould
ADA Architects, Inc.
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
February 28, 2020

TO:         DeKalb Planning and Zoning Commission
FROM:       Dan Olson, Principal Planner
RE:         Approval of a special use permit for a drive-through, outdoor eating area and Final Plan - 2411 Sycamore Road (Raising Cane’s Chicken Fingers Restaurant)

I. GENERAL INFORMATION

A. Purpose
   Approval of a special use permit to allow for construction of new Raising Cane’s Chicken Fingers restaurant with a drive-through and outdoor eating area.

B. Location/Size
   2411 Sycamore Road/1.13 acres

C. Petitioner
   Jeff Gould with ADA Architects on behalf of Raising Cane’s Chicken Fingers

D. Existing Zoning
   “PD-C” Planned Development - Commercial

E. Existing Land Use
   Vacant former restaurant (Applebee’s)

F. Proposed Land Use
   Raising Cane’s Chicken Fingers Restaurant with drive-through and outdoor eating area

G. Surrounding Zoning and Land Use
   North: PD-C; various commercial uses
          South: PD-C; various commercial uses
          East:  PD-C; various commercial uses
          West:  PD-C; various commercial uses

H. Comprehensive Plan Designation
   Commercial
II. BACKGROUND AND ANALYSIS

The applicant is proposing to demolish the former Applebee's Restaurant building at 2411 Sycamore Road and construct a new 3,357 sq. ft. Raising Cane's Chicken Fingers Restaurant with a drive-through and outdoor eating area. Raising Cane's is a fast-food restaurant chain specializing in chicken fingers that is based out of Baton Rouge, Louisiana. The company has about 450 restaurants in 27 states. They have approximately 10 locations in the Chicago area with the closest ones along Randall Road in Batavia and Rt. 59 in Naperville.

The subject property is 1.13 acres and is Lot 1 in the Oakland Place Resubdivision, which is part of the Oakland Place Planned Development that was approved initially in 1993. The Planned Development Ordinance governing the site required a Final Plan be approved through the Planning and Zoning Commission and City Council prior to issuance of any building permit for the various lots in the subdivision. Applebee's closed in June 2018 and has remained vacant since that time.

The proposed restaurant will be 3,357 sq. f.t and will contain 95 seats inside and 26 outdoor seats. Access points to the site will be at the same locations as what the former Applebee's had. Access will be provided at the northeast, northwest and southwest portions of the site but will include additional restrictions for circulation due to the drive-through. The drive-through will have two lanes for ordering and will narrow down to one lane as customers enter the pick-up window. Cross access agreements exist the shopping center to the west to allow access to the parking along the west side of the site and for the proposed garbage dumpster pick-up area. The existing landscaping will be removed along Sycamore Road and the north side of the site and will be replaced with new plantings that meet the requirements of the UDO. The few plantings along the west side of the site will be removed and the existing vegetation/berm along the south end of the property will be maintained. The UDO requires five stacking spaces for drive-throughs and the proposed layout will accommodate the required stacking spaces without interfering with the non-drive through traffic of the restaurant. The proposed building will include brick veneer and dryvit in earth tone colors, with some wall art similar to their other locations. Roof-top mechanical equipment will be screened per the UDO requirements. The Final Plan has been reviewed by staff and comments are included in Exhibit B. None of the comments are major and once addressed would not alter the layout of the site. It is recommended the comment be addressed prior to final City Council action.

The applicant is requesting a waiver to the parking requirements. The site plan shows 46 parking spaces and two handicap accessible spaces. Per the UDO regulations for fast food restaurants, 76 parking spaces are required based up the formula of one parking space for every two seats (121 total seats) plus one space for every employee on the maximum shift (15 employees on max. shift). The applicant has provided a traffic and parking analysis, which indicates the parking demand at another Raising Cane's location in Oak Lawn (3,575 sq. ft.) showed a peak demand of 26 parking spaces although the restaurant had 41 spaces.
The applicant also provided the parking information for their restaurants in Batavia and Naperville.

- **Batavia – Randall Road**
  - Gross Building Area: 3,343
  - Parking Required per Code: 33
  - Parking Provided/Approved by City: 28
  - Parking Ratio: 8.38 / 1,000 SF

- **Naperville – Rt. 59**
  - Gross Building Area: 3,745 SF
  - Parking Required per Code: 63
  - Parking Provided/Approved by City: 36
  - Parking Ratio: 9.61 / 1,000 SF

- **DeKalb – Proposed**
  - Gross Building Area: 3,357 SF
  - Parking Required per Code: 76
  - Parking Provided: 46 (plus 2 handicap spaces)
  - Parking Ratio: 14.29 / 1,000 SF

The number of parking spaces provided at the Batavia and Naperville locations are less than what is proposed for the DeKalb location. For almost the same size restaurant the number of parking spaces provided at the Batavia location is 18 fewer spaces than DeKalb. The number of spaces provided at the Naperville location is 12 spaces less than DeKalb although the restaurant is about 390 sq. ft. larger. Basing the parking formula for fast food restaurants on the number of employees and the number of seats is probably not the most accurate way to judge the demand for parking, particularly for restaurants that rely heavily on their drive-through traffic. Raising Cane’s estimates that 80% of their business is generated by their drive-through traffic. Based on the parking demand data from Raising Cane’s locations in Oak Lawn, Batavia and Naperville, staff would support the waiver on the parking requirements. It should be noted there is a cross parking agreement for the subdivision and there is additional parking to the west and north of the site. The applicant had originally requested a waiver for the signage; however, it is no longer needed after they recalculated the size of the proposed walls signs and they are in compliance with the UDO.

III. **STANDARDS OF A SPECIAL USE**

1. The proposed special use complies with all provisions of the applicable district regulations.

The proposed drive-through and outdoor eating area will comply with all regulations of the Planned Development Ordinance governing the site and the Unified Development Ordinance (UDO). Adequate vehicle stacking is provided for the drive-through and a waiver on the parking is justified based upon the parking analysis provided by the applicant and the parking ratio of other
existing Raising Cane’s Restaurants.

2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.

The proposed special use will not have a detrimental effect on the adjacent properties or land uses. The site has been zoned commercial since 1993. The proposed drive-through and outdoor eating area will operate in a manner that is not detrimental to the surrounding neighborhood. The subject site is in proximity to a variety of other commercial retail uses including restaurants, department stores, clothing stores and other services uses.

3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

The granting of the special use will not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already developed with a variety of commercial uses. The proposed drive-through and outdoor eating area will operate in a manner that is not detrimental to the surrounding neighborhood.

4. Adequate utility, drainage and other such necessary facilities have been or will be provided.

Adequate public services are already provided to the subject site. A Final Plan has been submitted that meets the requirements of the UDO regarding utilities and drainage. The proposed drive-through will accommodate five stacking spaces without interfering with the non-drive through traffic of the restaurant.

5. The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.

The proposed special use will not be detrimental to the permitted developments and uses on the site or to the surrounding area. The existing building previously contained a restaurant. The proposed special use will redevelop a lot that has not had a user since 2018 and will be an economic benefit to the Sycamore Road corridor. Development on this property would increase the City’s real estate tax base, employment and retail sales taxes.
IV. CITIZEN RESPONSE/COMMENTS

As of February 28th, we have received no Citizen Response Forms or comments from the public regarding the proposal.

V. RECOMMENDATION

A sample motion has been prepared recommending approval.

Sample Motion:

Based upon the submitted petition and testimony presented, I move that the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a Special Use Permit for a drive-through and outdoor eating area and approval of a Final Plan for a Raising Cane’s Chicken Fingers Restaurant to be located at 2411 Sycamore Road, per the Final Plan dated 1-24-20 and Exterior Elevations dated 2-11-20 labeled as Exhibit A and per the conditions listed in Exhibit B being addressed per City staff’s satisfaction prior to final City Council action.
**Exhibit B**

1. Submittal of a Photometric Plan meeting the requirements of Article 10.05 of the UDO.

2. Submittal of a detail of the proposed ground sign and any directional signage meeting the requirements of Article 13 of the UDO.

3. Submittal of a detail of the trash enclosure meeting the requirements of Article 7.11 of the UDO.

4. On the Striping and Signage Plan (Sheet C5.2) re-locate the right-turn only sign to the other side of the road at the northeast corner of the site so it is on the same side as the exiting traffic.

5. Tip-out (reverse) vs carry curb shall be clearly identified, either through hatching or notations of their limits/transition.

6. The scale on the grading sheet reads as 20:1 but is sized (scaled) as 30:1.

7. The pavement surface on the east side (exit lane from the "ridge") has insufficient slopes to ensure adequate positive drainage. Appears about 0.55%, achieve min 1.0% as this is a high traffic/conflict surface functionally.

8. The existing service will have to be appropriately disconnected. KWRD will investigate further to determine where the existing service ties into the main and what its condition is.

9. Sheet C7.0 shows a drain (S10) near the dumpsters that is tied into the sanitary service. Unless there is some sort of roof or cover over this drain to prevent rainwater from getting in, it cannot discharge to the sanitary sewer.

10. Under the details for Sanitary Structure S1 is states to construct a drop manhole “over” the existing sewer. Please note that doghouse manholes are not allowed. If this structure is intended to be any different than that indicated by the Drop Manhole Detail, Detail No. 18 on Sheet C8.4, please contact KWRD for prior approval.

11. Proposed 1,500-gallon grease trap is acceptable. Notify KWRD to inspect installation.
TO: City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

FROM: Petitioner Name(s): Jeff Gould
Petitioner's Representative:
Mailing Address:
17710 Detroit Ave Lakewood OH 44107
Phone: 216-396-1010
Email: jgould@edaarchitects.cc

Property Owner: 2411 Sycamore LLC
Mailing Address: 2211 Elston, Chicago IL 60614
Phone: 312-441-0344
Email: jim@troutman-dams.com

1. The petitioner hereby petitions the City of DeKalb to approve a Special Use Permit for the following property:

   A. Legal Description and Parcel Number(s) – If necessary, attach the full legal description on a separate piece of paper:

   See attached.

   B. Street Address or Common Location: 2411 Sycamore Rd DeKalb IL 60115

   C. Size of Property (square feet or acres): 1.13 ac

   D. Existing Zoning: PD-C

   E. Proposed Special Use: Drive-through and outdoor seating in association with a fast food restaurant

   F. Proposed Use and Description: On a separate document, describe the proposed use's characteristics. Also, indicate whether or not the proposed use would: a) Prevent development and use of neighboring property; b) Impact adjacent existing and future land uses; c) Impact adjacent property values; d) Impact the general public's health, safety, and welfare; and e) be in conformance with all elements of the "UDO," Unified Development Ordinance
2. The petitioner hereby submits the following information:
   4 Vicinity map of the area proposed for the special use
   4 Petition fee ($500.00)
   4 3 full size copies and an electronic copy on a disk of a site plan, which must show the following items (per the requirements of Article 14.03.03 of the UDO):
      4 Property dimensions
      4 Location and use of proposed structures
      4 Number and location of parking spaces and loading area
      4 Location and type of landscaping (including existing trees 6" in diameter or greater and existing tree masses
      4 Location, type, and height of fencing or walls
      4 Location and width of driveways and curb cuts; internal traffic patterns
      4 Floor area (square footage)
      4 Location of exterior lighting
      4 Location, type, and height of signage
      4 Direction of storm water flow, location of detention area

(Note to Petitioner: A site plan for a special use permit is intended to be a schematic plan only. All plans must eventually conform to other City standards prior to the issuance of any building permits or other permits.)

3. The petitioner hereby states that a pre-application conference was not held with City staff prior to the submittal of this petition.

   *Date of pre-application conference:
   Those in attendance:

(Note to Petitioner: A pre-application conference with staff is highly encouraged to avoid delays and help in the timely processing of this petition.)

4. The petitioner hereby agrees that this petition will be placed on the Planning and Zoning Commission's agenda only if it is completed in full and submitted in advance of established deadlines.

5. The petitioner has read and completed all of the above information and affirms that it is true and correct.

   [Petitioner Signature]
   2-3-2020
   Date

   I hereby affirm that I am the legal owner (or authorized agent or representative of the owner—proof attached) of the subject property and authorize the petitioner to pursue this Special Use Permit petition as described above (petitioner must sign if they are the owner).

   [Property Owner Signature]
   2-3-20
   Date

Updated: 9/2019
LEGAL DESCRIPTION

LOT 1 OF OAKLAND PLACE RESUBDIVISION, BEING A RESUBDIVISION OF LOTS 7 AND 11 OF OAKLAND PLACE IN SECTION 12, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS. 95002800

TOGETHER WITH NON-EXCLUSIVE JOINT RIGHTS FOR ACCESS RIGHTS CREATED BY OAKLAND PLACE SUBDIVISION, RECORD JUNE 2, 1994 AS DOCUMENT NO. 94007692 IN BOOK "Y" OF PLATS AT PAGE 61.

A. APPLICANT

1. Petitioner / Petitioner Representative
   Name: Jeff Gould
   Mailing Address: 17710 Detroit Ave
   City, State, ZIP: Lakewood OH 44107
   Phone: 216-396-1010
   Email: jgould@adaarchitects.cc

2. Property Owner (if different from Petitioner)
   Name: 2411 Sycamore LLC
   Mailing Address: 2211 Elston
   City, State, ZIP: Chicago IL 60614
   Phone: 312-441-0344
   Email: jlim@troutman-dams.com

3. Engineer / Architect
   Name: Kurt Schmitz
   Mailing Address: 17710 Detroit Ave
   City, State, ZIP: Lakewood OH 44107
   Phone: 216-521-5134
   Email: kschmitz@adaarchitects.cc

4. Surveyor (if applicable)
   Name: 
   Mailing Address: 
   City, State, ZIP: 
   Phone: 
   Email: 

B. PROPERTY

Project Name: Raising Cane's
Common Address or Location: 2441 Sycamore Road, DeKalb IL 60115
Parcel #(s): 0910320013

Legal Description (if necessary, briefly describe here and reference the full legal description on the Plat)
See attached

Size (sq. ft. or acres): 1.03 ac
Existing Zoning District: PD-C
Proposed Zoning District: □ PD-R  □ PD-C  □ PD-I

Updated: 9/2019
C. CHECKLIST

Below are the minimum criteria necessary to properly process your application. Each item must be checked by the applicant to signify it is provided on this form or on other attached pages. Failure to submit all required information will result in delays in the City’s consideration of this application, per Unified Development Ordinance (UDO) 5.13.10(4).

NOTE: A completed checklist from the Subdivision—Preliminary Plat application along with all required submittals must be included if this Planned Development involves any subdivision activity.

<table>
<thead>
<tr>
<th>Item</th>
<th>If not applicable, indicate N/A and explain</th>
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<tr>
<td>☑ Filing Fee $300.00 (no added fee if subdivision is included)</td>
<td>N/A</td>
</tr>
<tr>
<td>☑ 2. Three (3) copies of Final Plan document</td>
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<td>☑ 3. All information required on previous Preliminary Plan submittal</td>
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<td>☑ 4. All information required in UDO Art. 17.02 “Site Plan Review Requirements”</td>
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<tr>
<td>☑ 5. Three (3) copies of Final Landscape Plan with specific location, size, and species of plant material</td>
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<td>☑ 6. One (1) copy of Statement of Maintenance, Operation, Restrictions, etc. of any common, open space, etc.</td>
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<tr>
<td>☑ 7. One (1) copy of Statement that, with the exception of minimum lot requirements, all regulations of the UDO have been complied with</td>
<td></td>
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<tr>
<td>☑ 8. If applicable, a completed checklist, along with required submittals from the Subdivision—Final Plat application</td>
<td>N/A</td>
</tr>
<tr>
<td>☑ 9. One (1) digital copy of plan sets, elevations, and other supporting documents</td>
<td></td>
</tr>
</tbody>
</table>

D. REQUEST FOR VARIANCE

List requested variance(s) from UDO requirements and the reason(s) for the request. Also provide explanation of compensating actions where appropriate.

Parking - to allow 46 parking spaces where 76 spaces are required

E. The petitioner hereby agrees this application will be placed on a Planning and Zoning Commission agenda only if it is completed in full.

F. The petitioner hereby agrees to abide by the requirements set forth in the Planning and Zoning Commission Public Hearing Procedures.
G. The petitioner has read and completed all of the above information and affirms it is true and correct.

Jeffrey J. Gould  2-3-2020
Petitioner Signature  Date

I hereby affirm that I am the legal owner (or authorized agent or representative of the owner—proof attached) of the subject property and authorize the petitioner to pursue this request as described above (petitioner must sign if s/he is the owner).

[Signature]  2-3-20
Property Owner Signature  Date
LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the DeKalb Planning and Zoning Commission at its regular meeting on Wednesday, March 4, 2020, at 6:00 p.m. in the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois, on the petition by 2411 Sycamore LLC, represented by Jeff Gould of ADA Architects, for a special use permit for a drive-through restaurant with an outdoor seating area for 2411 Sycamore Rd. The Planning and Zoning Commission will also consider approval of a Final Plan for the site and approval of waivers to the Unified Development Ordinance regarding required parking, signage and other approvals as required in order to allow for the proposed construction as shown on the Final Plan. The subject site has a Parcel Identification Number (PIN) of 08-12-326-013 and is zoned “PD-C” Planned Development – Commercial.

All interested persons are invited to appear and be heard at the time and place listed above. Interested persons are also encouraged to submit written comments on the proposal to the City of DeKalb, Community Development Department, 200 South Fourth Street, DeKalb, Illinois, 60115 by 5:00 p.m. on Wednesday, February 26, 2020. Further information regarding the petition is available from the Community Development Department at (815)748-2070 or on the City of DeKalb’s web page at https://www.cityofdekalb.com/1103/Public-Hearings.

Max Maxwell, Chairperson
DeKalb Planning and Zoning Commission
Kimley-Horn and Associates, Inc. (Kimley-Horn) was retained by Raising Cane’s Restaurants, LLC to perform a trip generation and parking assessment for the proposed restaurant redevelopment at 2411 Sycamore Road in Dekalb, Illinois. By referencing data from the Institute of Transportation Engineers and previously collected counts at similar sites, parking demand and trip generation were evaluated to determine needs for the proposed Raising Cane’s. The study area is shown in Exhibit 1.

Executive Summary

The existing site is currently an Applebee’s Restaurant and is considered an outlot in a shopping center. The proposed site plan, included as an attachment, is a Raising Cane’s fast-food restaurant with a drive-thru, consisting of approximately 3,357 square feet of gross floor area. The redevelopment would provide 46 parking spaces, including two (2) accessible spaces. The City of Dekalb parking code requires 76 spaces. However, parking demand at a similar Raising Cane’s, in Oak Lawn, Illinois, shows a peak demand of 26 spaces. Assuming similar utilization, it is expected that the proposed site should provide sufficient parking without spillover into the shopping center.

The trip generation analysis evaluated the proposed site-generated trips compared to the existing site trips. Trip generation was calculated using the Institute of Transportation Engineers (ITE) manual Trip Generation, Tenth Edition, and empirical data from Raising Cane’s in Oak Lawn, Illinois. The estimated trips during the highest peak hour for the net traffic is 65 vehicles. However, the empirical data shows only 35 vehicles for the same peak hour, which is approximately the same as the existing Applebee’s. Overall, the net trips are expected to be accommodated on the surrounding roadway network.
Parking Assessment

The proposed outlot redevelopment would consist of approximately 3,357 square feet of gross floor area (GFA) and 1,873 square feet of net seating area, including patio seating. The site will provide 121 seats. The site would provide 46 parking spaces, including two (2) accessible spaces. The proposed site plan is provided as an attachment.

The City of Dekalb code requires 76 spaces, which is based on the following from the Municipal Code Unified Development Ordinance.

- 1 space for every 2 seats (121 seats)
- An additional 1 space for every employee on the maximum shift (15 employees)

During a previous study, parking counts were taken at Raising Cane’s in Oak Lawn, Illinois, to quantify parking demand associated with Raising Cane’s facilities. These counts were used to evaluate parking needs for the proposed restaurant in Dekalb. The existing Raising Cane’s in Oak Lawn was selected based on the following considerations:

- Suburban setting
- Outlot in an existing commercial shopping center
- Similar building size (3,575 square feet is developed in Oak Lawn; 3,357 square feet is proposed in Dekalb)

Kimley-Horn conducted hourly parking occupancy counts at the Oak Lawn site during a typical weekday and weekend as follows:

- Thursday, January 10, 2019, from 11:00AM to 8:00PM
- Saturday, January 12, 2019, from 11:00AM to 7:00PM

The Raising Cane’s Oak Lawn development provides a total parking supply of 41 spaces. A summary of the observed parking occupancy is provided in Table 1. During the weekday, the peak occurred at 4:00PM with approximately 24 occupied spaces (59 percent). On Saturday, the peak occurred at 4:00PM with approximately 26 occupied spaces (63 percent).
Table 1. Observed Parking Occupancy – Raising Cane’s Oak Lawn

<table>
<thead>
<tr>
<th>Time of Day</th>
<th>Thursday, January 10, 2019</th>
<th>Saturday, January 12, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Occupied Spaces</td>
<td>Percent Occupied</td>
</tr>
<tr>
<td>11:00AM</td>
<td>7</td>
<td>17%</td>
</tr>
<tr>
<td>12:00PM</td>
<td>26</td>
<td>63%</td>
</tr>
<tr>
<td>1:00PM</td>
<td>18</td>
<td>44%</td>
</tr>
<tr>
<td>2:00PM</td>
<td>20</td>
<td>49%</td>
</tr>
<tr>
<td>3:00PM</td>
<td>17</td>
<td>42%</td>
</tr>
<tr>
<td>4:00PM</td>
<td>24</td>
<td>59%</td>
</tr>
<tr>
<td>5:00PM</td>
<td>18</td>
<td>44%</td>
</tr>
<tr>
<td>6:00PM</td>
<td>14</td>
<td>34%</td>
</tr>
<tr>
<td>7:00PM</td>
<td>19</td>
<td>46%</td>
</tr>
<tr>
<td>8:00PM</td>
<td>18</td>
<td>44%</td>
</tr>
</tbody>
</table>

The Raising Cane’s in Oak Lawn includes approximately 3,575 square feet of GFA. The proposed Raising Cane’s outlet redevelopment would be similar, with a total of 3,357 square feet of GFA (1,873 square feet net seating area); and therefore, the peak demand observed at the Oak Lawn Raising Cane’s development was assumed for the proposed Dekalb outlet redevelopment.

The proposed redevelopment would provide 46 parking spaces for restaurant employees and customers; therefore, peak parking demand (26 spaces) should be accommodated onsite without spillover to the shopping center.

Trip Generation

Existing Site-Generated Trips

In order to calculate approximate existing and proposed traffic volumes, data were referenced from the Institute of Transportation Engineers (ITE) manual Trip Generation, Tenth Edition. Trip generation data for the existing and proposed uses, ITE Land Use Code (LUC) 932, High-Turnover (Sit-Down) Restaurant and LUC 934, Fast-Food Restaurant with Drive-Through Window, is shown in Table 2.

Table 2. ITE Trip Generation Data

<table>
<thead>
<tr>
<th>ITE Land Use</th>
<th>Daily</th>
<th>AM Peak</th>
<th>PM Peak</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing: High-Turnover (Sit-Down) Restaurant (LUC 932)</strong></td>
<td>112.18</td>
<td>9.94</td>
<td>9.77</td>
<td>11.19</td>
</tr>
<tr>
<td></td>
<td>50% in/50% out</td>
<td>55% in/45% out</td>
<td>62% in/38% out</td>
<td>51% in/46% out</td>
</tr>
<tr>
<td><strong>Proposed: Fast-Food Restaurant with Drive-Through Window (LUC 934)</strong></td>
<td>470.95</td>
<td>40.19</td>
<td>32.67</td>
<td>54.86</td>
</tr>
<tr>
<td></td>
<td>50% in/50% out</td>
<td>51% in/49% out</td>
<td>52% in/48% out</td>
<td>51% in/46% out</td>
</tr>
</tbody>
</table>
For the purposes of this analysis, the Applebee's was estimated to be 4,500 square feet of gross floor area (GFA), based on an aerial measurement of the building's footprint. The preceding data was used to estimate the trips produced by the existing and proposed restaurants. Site generated trips will also include pass-by trips, as described below.

**Pass-by** – Pass-by traffic reflects the travel patterns of motorists who are already traveling on the adjacent study roadways and stop at the site en-route to another destination. Data in the ITE Trip Generation Handbook, Third Edition, reveals that 43 percent of vehicles at a High-Turnover (Sit-Down) Restaurant (LUC 932) during the evening peak hour are pass-by trips. ITE data is not provided for Daily trips, morning peak hour trips, and Saturday peak hour trips; therefore, an average of the 43 percent was used to estimate pass-by trips during these periods. Additionally, data in the Handbook reveals that 49 percent of vehicles at a Fast-Food Restaurant with Drive-Through Window (LUC 934) during the morning peak hour and 50 percent of trips during the evening peak hour are pass-by trips. ITE data is not provided for Daily trips and Saturday peak hour trips; therefore, an average of the morning and evening peak hour data (50 percent) was used to estimate pass-by trips during these periods.

The results of these calculations, as well as the net trips, are shown in **Table 3**.

### Table 3. Total Traffic Projections

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Gross Floor Area (1,000 SF)</th>
<th>Weekday Trips¹</th>
<th>Saturday Trips¹</th>
<th>Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Daily</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>AM Peak</td>
<td>PM Peak</td>
<td>Peak Hour</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
<td>Total</td>
</tr>
<tr>
<td><strong>Existing: High-Turnover (Sit-Down) Restaurant (LUC 932)</strong></td>
<td>4.5</td>
<td>500</td>
<td>25</td>
<td>20</td>
</tr>
<tr>
<td><strong>Minus Pass-By Trips</strong></td>
<td>-220</td>
<td>-10</td>
<td>-10</td>
<td>-20</td>
</tr>
<tr>
<td><strong>Existing Total</strong></td>
<td>280</td>
<td>15</td>
<td>15</td>
<td>25</td>
</tr>
<tr>
<td><strong>Proposed: Fast-Food Restaurant with Drive-Through Window (LUC 934)</strong></td>
<td>3.357</td>
<td>1,580</td>
<td>70</td>
<td>65</td>
</tr>
<tr>
<td><strong>Proposed Total</strong></td>
<td>790</td>
<td>55</td>
<td>55</td>
<td>65</td>
</tr>
<tr>
<td><strong>Net Trips</strong></td>
<td>510</td>
<td>20</td>
<td>20</td>
<td>40</td>
</tr>
</tbody>
</table>

¹ Peak hour trip generation was rounded up to the nearest multiple of five for the purpose of this study.

In addition, empirical trip generation was analyzed based on data from the Raising Cane’s in Oak Lawn, Illinois. **Table 4** then shows the site trips for each peak hour. The empirical data results in lower peak hour site trips that projections for ITE LUC 934.
Table 4. Empirical Peak Hour Trips

<table>
<thead>
<tr>
<th>Data Location</th>
<th>Weekday Trips</th>
<th></th>
<th>Saturday Trips</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AM Peak</td>
<td>PM Peak</td>
<td>Peak Hour</td>
<td></td>
</tr>
<tr>
<td></td>
<td>In</td>
<td>Out</td>
<td>Total</td>
<td>In</td>
</tr>
<tr>
<td>Raising Cane’s Oak Lawn</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>17</td>
</tr>
</tbody>
</table>

From the empirical counts and acknowledging the typical opening time of Raising Cane’s restaurants, it should be noted that there are minimal trips in the morning peak hour. The highest of the projected trips is shown in the Saturday peak hour, totaling 185 trips based on ITE data. Looking at the same peak hour in the empirical data, there were 35 trips. The existing total for the Applebee’s is estimated at 50 trips, which means that there could be a reduction in total trips with the proposed development. While ITE data suggests additional traffic compared to the existing restaurant, the empirical data shows similar to lower values.

The Annual Average Daily Traffic for Sycamore Road in the vicinity of the proposed redevelopment is 22,300 vehicles per day. Using this value to approximate peak hour traffic, it can be assumed that ten (10) percent of daily traffic occurs during the peak hour, resulting in approximately 2,230 vehicles per hour on Sycamore Road during a given peak hour. Shown in Table 3, the highest estimated peak hour for net traffic projections is the Saturday peak hour of 65 site-generated trips, which is approximately three (3) percent of the peak hour traffic on Sycamore Road. Based on the low net trip projections, it is expected that the study area should be able to accommodate the proposed site-generated trips.

Conclusion

The proposed Raising Cane’s restaurant consists of 3,357 square feet of GFA and provides 46 parking spaces. Using data collected at a similar Raising Cane’s, the peak parking demand was 26 spaces. This existing restaurant is slightly larger in size than the proposed restaurant. Although City of Dekalb parking requirement is 76 spaces for the proposed site, it is expected that the proposed 46 spaces will be sufficient based on the Raising Cane’s in Oak Lawn, Illinois.

Trip generation was calculated for the existing Applebee’s and proposed Raising Cane’s. The net trips are expected to be accommodated on the surrounding roadway network.

Please do not hesitate to contact us with any questions related to the information in this memorandum.