I, LYNN A. FAZEKAS, do hereby certify that I am the duly appointed City Clerk of the City of DeKalb, DeKalb County, Illinois, and as such officer, I am the keeper of the records and files of the City Council of said City.

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

ORDINANCE 2019-037

AUTHORIZING AN AMENDMENT TO ORDINANCE 2000-028 TO ALLOW FOR THE REMODELING OF THE EXISTING MCDONALDS RESTAURANT LOCATED AT 805 W. LINCOLN HIGHWAY, DEKALB, ILLINOIS AND PROVIDING FOR UPDATES TO THE PARKING LOT AND DRIVE-THROUGH.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 22nd day of April 2019. The original will be kept on file at the City of DeKalb Municipal Building.

WITNESS my hand and the official seal of said City this 26th day of April 2019.

PREPARED BY AND RETURN TO:

City of DeKalb
City Clerk's Office
200 S. Fourth Street
DeKalb, Illinois 60115
ORDINANCE 2019-037                                      PASSED: APRIL 22, 2019

AUTHORIZING AN AMENDMENT TO ORDINANCE 2000-028 TO ALLOW FOR THE REMODELING OF THE EXISTING MCDONALDS RESTAURANT LOCATED AT 805 W. LINCOLN HIGHWAY, DEKALB, ILLINOIS AND PROVIDING FOR UPDATES TO THE PARKING LOT AND DRIVE-THROUGH.

WHEREAS, the City of DeKalb is a home rule municipality with the power and authority conferred upon it by the Illinois Municipal Code and the Constitution of the State of Illinois; and

WHEREAS, Joe Coconato of McDonald’s USA, LLC (herein referred to as “Petitioner”) of property located at 805 W. Lincoln Highway, DeKalb, Illinois, (herein referred to as “Subject Property”), has petitioned the City of DeKalb for approval of an amendment to the special use permit granted in Ordinance 2000-028 to allow for the remodeling of the existing McDonalds Restaurant on the Subject Property and to provide updates to the parking lot and drive through; and

WHEREAS, the Subject Property is located in the “GC” General Commercial District within the City of DeKalb (the “City”); and

WHEREAS, pursuant to Section 12.03.6(a) of the Unified Development Ordinance, the Owner of the Subject Property also petitioned the City of DeKalb Planning and Zoning Commission for a variance to reduce the five-foot parking setback along the western property line to 1.2 feet; and

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the Planning and Zoning Commission on April 3, 2019; and

WHEREAS, on April 3, 2019, the Planning and Zoning Commission reviewed the evidence presented in support of the requested variation, made findings of fact, and recommended approval of the variation; and

WHEREAS, on April 3, 2019, the Planning and Zoning Commission also reviewed the evidence presented in support of the requested amendment to special use to allow for the remodeling of the existing restaurant and to provide updates to the parking lot and drive-through, found the amendment still met the findings for a special use and recommended approval of the amendment to special use; and

WHEREAS, the City Council has reviewed the findings and recommendations described above, adopts the findings made by the Planning and Zoning Commission, and now determines that it would be in the best interest of the City of DeKalb to grant said approvals, subject to the terms and conditions established by this Ordinance.
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 McDonald’s of DeKalb Subdivision of Part of Lot 19 of Joseph F. Glidden’s Subdivision of that part of the Northwest Quarter of Section 22, Township 40 North, Range 4 East the Third Principal Meridian, According to the Plat Thereof Recorded September 30, 1976 as Document No. 397034, in DeKalb County, Illinois.

The aforementioned legal description is comprised of Parcel Identification Number (PIN) 08-22-151-020. The property is located at 805 W. Lincoln Highway, DeKalb, IL 60115.

SECTION 3. An amendment to a Special Use Permit, approved via Ordinance 2000-028, is hereby granted for the Subject Property to authorize the remodeling of the existing restaurant and to provide updates to the parking lot and drive through; and

SECTION 4. The approval granted in Section 3 herein is subject to the following conditions:

1. The Subject Property shall be developed and maintained at all time in substantial compliance with the Approved Plans identified in Exhibit A, subject to revisions as may be required and acceptable to the City Manager or designee.

2. A watermain easement as shown on the Geometric Plan (Sheet C-2) dated 4-9-19 prepared by Watermark Engineering Resources, LTD. shall be approved prior to the construction of the relocated fire hydrant.

3. Within one year after approval of the amendment to the special use permit by the City Council, the applicant shall contribute the sum of $5,000 to the City for the purpose of paying a portion of the cost of future decorative lighting within the W. Lincoln Highway Right of Way.

4. The applicant shall consent to the establishment of a backup Special Service Area on terms and conditions acceptable to the City.

SECTION 5. All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.
SECTION 6. 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 7. 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. The City Clerk or designee shall record a copy of this Ordinance included herein after execution of this Ordinance.


ATTEST:

LYNN A. FAZEKAS, City Clerk
JERRY SMITH, Mayor
EXHIBIT A

Approved Plans

• Geometric Plan (Sheet C-2), Grading and Utility Plan (Sheet C-3) and Landscape Plan (Sheet L-1) dated 4-9-19 prepared by Watermark Engineering Resources, LTD.

• Construction Plan, Notes and Details (Sheet A1.0) dated 4-8-19 prepared by Lingle Design Group, LLC.

• Exterior Elevations (Sheets A2.0 and A2.1) dated 4-8-19 prepared by Lingle Design Group, LLC.

• Wall Signage Exhibit dated 1-28-19 prepared by Watermark Engineering Resources, LTD.
### Proposed Wall Signage

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Quantity</th>
<th>Dimensions</th>
<th>S.F.</th>
<th>Total S.F.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Welcome Sign</td>
<td>1</td>
<td>8-3/8&quot; x 64-3/4&quot;</td>
<td>3.60</td>
<td>3.60 S.F.</td>
</tr>
<tr>
<td>McDonald's Arch Sign</td>
<td>2</td>
<td>48&quot; x 42&quot;</td>
<td>14.00</td>
<td>28.00 S.F.</td>
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<tr>
<td>McDonald's Wordmark Sign</td>
<td>1</td>
<td>24&quot; x 165&quot;</td>
<td>32.83</td>
<td>32.83 S.F.</td>
</tr>
</tbody>
</table>

### SIGN LEGEND

1. **PROPOSED WELCOME SIGN**
   - 1 LOCATION (2.60 S.F.)
   - [Image of Welcome Sign]

2. **McDonald's ARCH SIGN**
   - 2 LOCATIONS (14 S.F. EACH)
   - [Image of McDonald's Arch Sign]

3. **McDonald's WORDMARK SIGN**
   - 1 LOCATION (32.83 S.F.)
   - [Image of McDonald's Wordmark Sign]
ORDINANCE 00-28 Passed: May 8, 2000

APPROVING A SPECIAL USE PERMIT FOR
MCDONALDS CORPORATION FOR A DRIVE
THROUGH FACILITY ON PROPERTY ZONED
“GC” GENERAL COMMERCIAL AT 805 WEST
LINCOLN HIGHWAY.

WHEREAS, McDonald’s Corporation has filed a petition with the City Clerk of the City of DeKalb, Illinois, for a special use permit allowing a drive-through facility for a restaurant to be located on property zoned “GC” General Commercial at 805 West Lincoln Highway; and,

WHEREAS, the DeKalb Plan Commission held a public hearing and reviewed the request on April 26, 2000, and recommended approval of the special use permit by a vote of 4-0-1 (Monat absent); now,

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

Section 1. That a Special Use Permit be approved for a restaurant with a drive-through facility to be located at 805 West Lincoln Highway, subject to the conditions stipulated for the accompanying concept plan, hereby attached as Exhibit “A”, and subject to the following additional conditions:

1. That the landscape buffer along the adjacent residential property that would be required by Article 7.08 of the UDO be waived.

2. That an amended landscape plan that includes three (3) additional trees located within the interior landscape areas be provided at the time of the site plan submittal. The amended landscape plan should at a minimum include the landscaping shown on the previously-submitted landscape plan, as this plan documents the additional landscaping required as compensation for the waiver of the landscape buffer identified above.

3. That a lighting plan showing the proposed illumination of the property be provided at the time of the site plan submittal to ensure compliance with Article 10.05 of the UDO, which governs the maximum and minimum lighting of the property.

4. That an engineered site plan be submitted and approved in accordance with the UDO, and that the submitted site plan demonstrate compliance with the details identified in Engineering Services Division Memorandum 2000-E034 and with the above conditions associated with approval of the requested Special Use Permit.

5. That the color of the roof be selected from the color palette shown to Staff and the Plan Commission, except for the color titled “bright red”, and that the surface brick and the exterior roof beams be white or off-white in color.
Section 2. That all provisions of the Unified Development Ordinance shall remain in full force and effect, and this Ordinance shall take effect upon its passage and approval according to law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 8th day of May, 2000, and approved by me as Mayor on the same day. Roll call vote 7-0. Aye: Small, Povlsen, Kapitan, Checa, Conboy, Raffel, Sosnowski.

ATTEST:

DONNA S. JOHNSON, City Clerk

BESSIE CHRONOPOULOS, Mayor
McDonald's Corporation requests the approval of a Special Use Permit for the construction of a new fast food restaurant with a drive-through facility. The property is the current location of an existing McDonald's restaurant, located at 805 West Lincoln Highway. The Applicant intends to redevelop the site in favor of a new restaurant building with an increased seating capacity, redesigned drive-through and parking areas, and increased landscaping.

The attached concept plan identifies the proposed site layout for this project. If approved, an engineered site, landscape and lighting plans would be submitted to demonstrate compliance with the UDO. Along the northern half of the eastern lot line, the UDO would typically require a ten-foot landscaped buffer to screen the site from the adjacent apartments (zoned "MFR"). However, the concept plan shows that it would be difficult to meet this requirement and still meet the parking requirements, building setbacks, and drive-through dimensions. Because of these limitations, the Applicant has requested a waiver of the buffer requirement, and in return has proposed to provide approximately 20 percent more interior landscaping beyond what is typically required. Additional trees are to be added to the interior parking area to further compensate for the waived landscape buffer.

At the April 12, 2000 Plan Commission, questions regarding signage and the appearance of the proposed building were raised. McDonald's Corporation shared images of the proposed new building, elements of which Staff and the Plan Commission found objectionable. To address these issues, McDonald's would be permitted to keep their existing, nonconforming ground sign rather than require a new ground sign. In exchange, McDonald's has agreed to revise the color scheme for the new building to use a muted roof color and white brick facia rather than use the bright red roof and yellow roof beams, as was shown in the original concept images. The revised color scheme is based on a similar design employed at the McDonald's in Elburn at the intersections of IL Route 38 and 47, which the Plan Commission referred to at the earlier meeting as a preferred alternative design.

In light of these changes, the Plan Commission recommended approval of the requested Special Use Permit by a vote of 4-0 (Monat absent) at their April 26, 2000 meeting. This recommendation is conditional on the application of a muted roof color and the white-brick exterior, as demonstrated to Staff and the Plan Commission. The Special Use Permit would also be conditional upon the conditions outlined in the revised Finding of Fact, which are to be addressed at the time of the site plan submittal. These conditions pertain to the landscaping requirements, a waiver of the residential/nonresidential buffering requirement, and the completion of an approved engineered site plan that addresses the concerns outlined in the accompanying memoranda from the various City departments. Staff concur with this recommendation.

Should you have any questions, please feel free to contact the Community Development Department.
Community Development Department

COMMUNITY DEVELOPMENT DOCUMENT PC053A-00

CITY OF DEKALB PLAN COMMISSION
FINDING OF FACT
AND
RECOMMENDATION

TO: HONORABLE MAYOR CHRONOPOULOS AND THE CITY COUNCIL
FROM: CITY OF DEKALB PLAN COMMISSION
RE: FINDING OF FACT AND RECOMMENDATION

APPLICANT: McDonald's Corporation
APPLICATION: Granting of a Special Use Permit
LOCATION: 805 W. Lincoln Highway, DeKalb

I. GENERAL INFORMATION

Complete information regarding the proposed amendment can be found in the staff reports accompanying this application, Community Development Memo PC052-00 and PC068-00, which is hereby attached to and made a part of these Findings.

II. PROCEDURES

Pursuant to law, public hearings were held by the City of DeKalb Plan Commission regarding this matter on April 12, 2000 and continued to April 26, 2000. The hearing was advertised in the local newspaper, The DeKalb Daily Chronicle, and appeared in an edition available to the public 15 to 30 days prior to the hearing. Surrounding property owners within 250 feet were notified of the public hearing, and were provided with a response form and a postage-paid envelope. A quorum of the Commission was present at the hearing in which subject Application and documentation materials were reviewed and all persons who desired to testify were heard.

III. APPLICANT'S REQUEST

McDonald's Corporation requests the approval of a Special Use Permit for the construction of a new fast food restaurant with a drive-through facility. The subject property is the current location of a McDonald's restaurant, also with a drive-through. The Applicant intends to redevelop the site in favor of a new restaurant building with an increased seating capacity and redesigned drive-through and parking areas.

IV. PUBLIC SUPPORT AND/OR OBJECTIONS

Note: For a summary of all public input, please refer to the Plan Commission minutes from the public hearing on this item.
V. APPLICABLE SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE

Article 5.08 sets forth the allowed uses and pertinent performance standards of the "GC" General Commercial zoning district.

Article 7.05 sets forth the screening requirements between non-residential and residential zoning districts.

Article 12.04 sets forth the requirements for perimeter landscaping around parking areas.

Article 14.03 sets forth the procedures and pertinent performance standards for special uses.

VI. CONCLUSIONS

Based upon careful review and consideration of the application, the public input received, and the criteria set forth in the UDO regarding this application, the Plan Commission of the City of DeKalb draws the following conclusions:

1. The proposed use complies with the applicable district regulations.

The information submitted to date complies with the regulations of the "GC" General Commercial district for uses requiring a Special Use Permit in that zoning district. The requested Special Use Permit would allow for the construction of a drive-through facility that meets current design standards, replacing an existing drive-through that has adequately served the site to date.

The Applicant has submitted a concept plan demonstrating the desired outcome of the redevelopment of this site. The concept plan shows that a total of 80 parking spaces would be provided on-site, including four accessible stalls. This parking scheme would accommodate the proposed seating capacity of 124 customers (one space per two seats required), two pickup windows (five spaces per window), and a maximum of eight employees. Because of the size of the parking area, the normal landscaping and screening requirements as outlined in Article 12 of the UDO apply.

Article 7.05 of the UDO requires a ten-foot buffer area, including a six-foot sight proof fence and landscaping, be provided on-site along a property line shared with a residential use. In this case, the subject property is adjacent to the apartments located off Locust Street, located along the northern half of the eastern property line. However, the proposed concept plan shows that it would be difficult, if not impossible, to meet this requirement and still meet the parking requirements, building setbacks, and drive-through dimensions. Additionally, the garage for the residential property abuts the subject site, which effectively screens the subject property from direct view from the dwelling units.

Because of the site's limitations, the Applicant has requested a waiver of this requirement, and has proposed in return to provide additional interior landscaping beyond what would be typically required. The Applicant has provided a conceptual landscaping plan demonstrating this proposal. The interior landscaping area that is proposed is approximately 1,940 square feet in area, which is roughly 20 percent greater than what would typically required for this size of parking area. The Applicant also proposes to place additional landscaping along Locust Street in excess of the number of shrubs and trees that are required by the UDO. While the general orientation of the landscaped areas is acceptable, three additional trees may be reasonably added to the interior parking area to further compensate for the waived landscaped buffer.
Additionally, because of the site dimensions, the Public Works Department has recommended that a one-way traffic circulation design be included at the time of the site plan submittal. This change would reduce the possibility of turning movement conflicts and potential accidents resulting from two-way traffic within the site's parking and drive-through areas.

2. The proposed use will not be detrimental to property values in the immediate area nor to the public welfare at large.

In terms of land use, the proposed use is compatible with adjacent properties as it amidst several other properties with commercial uses. The proposed restaurant is not anticipated to be detrimental to property values in the immediate area nor to the public welfare as the property will continue to be used as before. Approval of the Special Use Permit would result in the implementation of the landscaping and other elements outlined by staff, which are intended to improve the value and appearance of the area.

3. The use and accompanying physical attributes are such that the use will not dominate the immediate neighborhood.

The land use and accompanying physical features are compatible with the appearance of other properties in the area, which are principally occupied by commercial uses. Approval of the Special Use Permit will result in the construction of a new restaurant that will be set back from Lincoln Highway by approximately seventy-five feet. The requested drive-through other elements pertaining to the appearance of the property are not out of scale for the existing development typically found along the West Lincoln Highway corridor.

4. Adequate utility services exist or will be provided.

The site is currently served by City services and other utilities. An engineered site plan demonstrating compliance with all applicable requirements will be required prior to the issuance of building permits.

5. The use is consistent with good planning practice, and will conform with the regulations of the district in which it is located.

The proposed land use will be compatible with the surrounding commercial and residential uses. The presence of the garage along the eastern property line will mostly screen the subject property from the adjacent residential property. The appearance of the property will be further improved by the additional interior and perimeter landscaping proposed by the Applicant in compensation for the waiver of the landscaped buffer requirement along the eastern property line.

The proposed use is a continuation of an existing use, with considerable improvements being made to the site and to the drive-through facility if approved. The property is surrounded by compatible commercial uses; the proposed continued use of the subject property as a fast food restaurant does not negatively affect the use of adjacent properties nor does it negatively impact the appearance of the corridor. The proposed use and design of the property, as shown on the attached concept plan, generally conform with the regulations of the "GC" General Commercial District. Compliance with all applicable elements of the UDO, as well as any conditions associated with the approval of the Special Use Permit, will be assured at the time of site plan submittal.
6. The use is essential or desirable to preserve and promote the public health, safety and welfare of the citizens of DeKalb.

Approval of the special use permit would result in the replacement of an existing fast-food restaurant with a new restaurant with an improved drive-through and additional landscaping beyond what is currently present onsite. As a result, the proposed use would be an improvement that would significantly contribute to the safety and welfare of the citizens of DeKalb, who patronize the existing (and future) establishment.

VII. DETERMINATION AND RECOMMENDATION

NOW, THEREFORE, BE IT RESOLVED, that the Plan Commission of the City of DeKalb does find and conclude, and recommend to the City Council that this Special Use Permit be approved for the proposed restaurant with a drive-through facility, located at 805 W. Lincoln Highway, conditional upon the following items:

1. That the landscape buffer along the adjacent residential property that would be required by Article 7.08 of the UDO be waived.

2. That an amended landscape plan that includes three (3) additional trees located within the interior landscape areas be provided at the time of the site plan submittal. The amended landscape plan should include the landscaping shown on the previously-submitted landscape plan, as this plan documents the additional landscaping required as compensation for the waiver of the landscape buffer identified above.

3. That a lighting plan showing the proposed illumination of the property be provided at the time of the site plan submittal to ensure compliance with Article 10.05 of the UDO, which governs the maximum and minimum lighting of the property.

4. That an engineered site plan be submitted and approved in accordance with the UDO, and that the submitted site plan demonstrate compliance with the details identified in Engineering Services Division Memorandum 2000-E034 and with the above conditions associated with approval of the requested Special Use Permit.

5. That the color of the roof be selected from the color palette shown to Staff and the Plan Commission, except for the color titled “bright red”, and that the surface brick and the exterior roof beams be white or off-white in color.

Passed and Approved by the Plan Commission of the City of DeKalb, Illinois, this ______ day of __________________, 2000, by a vote of _____ aye, _____ nay, _____ absent/abstain.

William Monat, Chair
COMMUNITY DEVELOPMENT DEPARTMENT MEMO PC068-00

TO: Plan Commission
FROM: Paul Rasmussen, AICP, Community Development Director
BY: Ray Keller, AICP, City Planner
DATE: April 21, 2000
RE: McDonald’s Special Use Permit - continued

McDonald’s Corporation requests the approval of a Special Use Permit for the construction of a new fast food restaurant with a drive-through facility. At the previous Plan Commission, several concerns regarding the appearance of the new McDonald’s restaurant were raised, including the status of the existing, nonconforming pole sign and the color scheme of the new building. The public hearing was continued to the next meeting to provide Staff and McDonald’s representatives to address these concerns.

Staff have since met with representatives of McDonald’s Corporation to address these two outstanding issues. Staff have offered that McDonald’s would be permitted to keep their existing, nonconforming ground sign rather than require a new ground sign. This is consistent with the City’s practices for permitting the continuing existence of signs, buildings, etc. that are grandfathered under the current version of the UDO. As with all legal nonconforming uses, should an alteration be made to the existing sign, the nonconforming status would be lost and the Applicant would be required to conform to the current maximum signage allowance permitted by the UDO.

In exchange for being permitted to keep the existing ground sign, McDonald’s has agreed to revise the color scheme for the new building. Rather than use the bright red roof and yellow roof beams, as was shown at the last meeting, McDonald’s has agreed to select a muted roof color accompanied by a white brick facia. Though the roof color was not specified, a color palette was shown to Staff, who found all of the depicted colors acceptable with the exception of the bright red. The revised color scheme is based on a similar design employed at the McDonald’s in Elburn at the intersections of IL Route 38 and 47, which the Plan Commission referred to at the previous meeting as a preferred alternative design.

In light of these changes, Staff recommend approval of the requested Special Use Permit, conditional upon the application of a muted roof color, as demonstrated to Staff and the Plan Commission. Staff also recommend that the Special Use Permit be conditional upon the comments previously provided, as they are outlined in the revised Finding of Fact. These conditions pertain to the landscaping requirements, a waiver of the residential/nonresidential buffering requirement, and the completion of an approved engineered site plan that addresses the concerns outlined in the accompanying memoranda from the various City departments.

Should you have any questions or comments, please feel free to contact the Community Development Department.
City of DeKalb

Community Development Department

COMMUNITY DEVELOPMENT REPORT PC052-00

CITY OF DEKALB
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
April 7, 2000

TO: DeKalb Plan Commission

RE: McDonald's Special Use Permit, 805 W. Lincoln Highway

I. GENERAL INFORMATION

A. Purpose
To obtain a special use permit for a restaurant with a drive-through in a “GC” General Commercial zone.

B. Location
805 W. Lincoln Highway

C. Access
Lincoln Highway, Locust Street

D. Size
58,933 square feet (1.35 acres)

E. Existing Zoning
“GC” General Commercial

F. Existing Land Use
Restaurant with drive-through (existing McDonald's)

G. Proposed Land Use
Restaurant with drive-through (McDonald's)

H. Surrounding Zoning and Land Use
North: “NIU”, Northern Illinois University
South: “GC”, Yeng Ching.
East: “GC”, Pizza Hut and “MFR”, apartments
West: “GC”, Campus-Riveria center

I. Floodplain
Not Applicable

J. Comprehensive Plan Designation
Commercial
II. APPLICANT'S REQUEST

McDonald's Corporation requests the approval of a Special Use Permit for the construction of a new fast food restaurant with a drive-through facility. The subject property is the current location of a McDonald's restaurant, also with a drive-through. The Applicant intends to redevelop the site in favor of a new restaurant building with an increased seating capacity and redesigned drive-through and parking areas.

III. CHARACTERISTICS OF SUBJECT PROPERTY AND SURROUNDING LAND USES AND ZONING CLASSIFICATIONS

The proposed new restaurant and drive-through are to be built at the same location as their existing restaurant. The subject property is located amidst a cluster of restaurants and other commercial uses typical of West Lincoln Highway. The existing restaurant has served the area, particularly the nearby University population, for several decades without any problems or incidents.

IV. ANALYSIS

A. PROPOSED USE

The proposed use is the construction of a new restaurant with a drive-through facility that meets current design guidelines; the Applicant proposes to continue the existing use of the property, a fast food restaurant, if the Special Use Permit is approved. The proposed restaurant would be approximately 4,178 square feet in area, which is approximately 300 square feet larger than their existing store.

V. STANDARDS OF SPECIAL USE

1. The proposed use complies with the applicable district regulations.

The information submitted to date complies with the regulations of the "GC" General Commercial district for uses requiring a Special Use Permit in that zoning district. The requested Special Use Permit would allow for the construction of a drive-through facility that meets current design standards, replacing an existing drive-through that has adequately served the site to date.

The Applicant has submitted a concept plan demonstrating the desired outcome of the redevelopment of this site. The concept plan shows that a total of 80 parking spaces would be provided on-site, including four accessible stalls. This parking scheme would accommodate the proposed seating capacity of 124 customers (one space per two seats required), two pickup windows (five spaces per window), and a maximum of eight employees. Because of the size of the parking area, the normal landscaping and screening requirements as outlined in Article 12 of the UDO apply.

Article 7.05 of the UDO requires a ten-foot buffer area, including a six-foot sight proof fence and landscaping, be provided on-site along a property line shared with a residential use. In this case, the subject property is adjacent to the apartments located off Locust Street, located along the northern half of the eastern property line. However, the proposed concept plan shows that it would be difficult, if not impossible, to meet this requirement and still meet the parking requirements, building setbacks, and drive-through dimensions. Additionally, the garage for the residential property abuts the subject site, which effectively screens the subject property from direct view from the dwelling units.

Because of the site's limitations, the Applicant has requested a waiver of this requirement, and has proposed
in return to provide additional interior landscaping beyond what would be typically required. The Applicant has provided a conceptual landscaping plan demonstrating this proposal. The interior landscaping area that is proposed is approximately 1,940 square feet in area, which is roughly 20 percent greater than what would typically required for this size of parking area. The Applicant also proposes to place additional landscaping along Locust Street in excess of the number of shrubs and trees that are required by the UDO. While the general orientation of the landscaped areas is acceptable, three additional trees may be reasonably added to the interior parking area to further compensate for the waived landscaped buffer.

Additionally, because of the site dimensions, the Public Works Department has recommended that a one-way traffic circulation design be included at the time of the site plan submittal. This change would reduce the possibility of turning movement conflicts and potential accidents resulting from two-way traffic within the site's parking and drive-through areas.

2. The proposed use will not be detrimental to property values in the immediate area nor to the public welfare at large.

In terms of land use, the proposed use is compatible with adjacent properties as it amidst several other properties with commercial uses. The proposed restaurant is not anticipated to be detrimental to property values in the immediate area nor to the public welfare as the property will continue to be used as before. Approval of the Special Use Permit would result in the implementation of the landscaping and other elements outlined by staff, which are intended to improve the value and appearance of the area.

3. The use and accompanying physical attributes are such that the use will not dominate the immediate neighborhood.

The land use and accompanying physical features are compatible with the appearance of other properties in the area, which are principally occupied by commercial uses. Approval of the Special Use Permit will result in the construction of a new restaurant that will be set back from Lincoln Highway by approximately seventy-five feet. The requested drive-through other elements pertaining to the appearance of the property are not out of scale for the existing development typically found along the West Lincoln Highway corridor.

On the concept plan, the Applicant has indicated the desire to construct an aerial pole sign along their frontage on Lincoln Highway. One change to the concept plan that would result in an improvement to the appearance of the site and the corridor would be to require a ground sign instead of an aerial pole sign. This could be accommodated by increasing the size of the landscaped area between the entrance and exit to site off of Lincoln Highway, with the internal circulation “cut-through” being moved somewhat closer to the front of the building. In this increased landscaped area, a landscaped ground sign not exceeding ten feet in height could be placed in such a way as to avoid any potential sight-distance problems. This changed, if approved, would be reflected in both a revised landscape plan and on the engineered site plan for the property.

4. Adequate utility services exist or will be provided.

The site is currently served by City services and other utilities. An engineered site plan demonstrating compliance with all applicable requirements will be required prior to the issuance of building permits.
5. The use is consistent with good planning practice, and will conform with the regulations of the district in which it is located.

The proposed land use will be compatible with the surrounding commercial and residential uses. The presence of the garage along the eastern property line will mostly screen the subject property from the adjacent residential property. The appearance of the property will be further improved by the additional interior and perimeter landscaping proposed by the Applicant in compensation for the waiver of the landscaped buffer requirement along the eastern property line.

The proposed use is a continuation of an existing use, with considerable improvements being made to the site and to the drive-through facility if approved. The property is surrounded by compatible commercial uses; the proposed continued use of the subject property as a fast food restaurant does not negatively affect the use of adjacent properties nor does it negatively impact the appearance of the corridor. The proposed use and design of the property, as shown on the attached concept plan, generally conform with the regulations of the "GC" General Commercial District. Compliance with all applicable elements of the UDO, as well as any conditions associated with the approval of the Special Use Permit, will be assured at the time of site plan submittal.

6. The use is essential or desirable to preserve and promote the public health, safety and welfare of the citizens of DeKalb.

Approval of the special use permit would result in the replacement of an existing fast-food restaurant with a new restaurant with an improved drive-through and additional landscaping beyond what is currently present onsite. As a result, the proposed use would be an improvement that would significantly contribute to the safety and welfare of the citizens of DeKalb, who patronize the existing (and future) establishment.

VI. CITIZEN INPUT

To date, no comments from the public have been received.

VII. CONCLUSIONS AND RECOMMENDATIONS

The petition requests approval of a special use permit for the construction and use of a fast food restaurant with a drive-through facility in a "GC" General Commercial district. The requested Special Use Permit would permit the redevelopment of an existing business in favor of a newer building, as well as considerable improvements to the appearance of the site.

The Applicant has requested the waiver of the landscaping requirement stipulated in Article 7.08 of the UDO, and has proposed to compensate for the waiver by providing additional landscaping as depicted in the accompanying landscape plan. Overall, the plan appears to be satisfactory to meet the minimum landscaping requirements for the parking area as well as to provide the proposed compensatory landscaping. Staff recommend that three additional trees be placed within the interior landscaped area to further mitigate the waiver of the landscape buffer.

In reviewing the accompanying concept plan for this request, Staff discussed requiring that a monument-style sign, instead of a pole sign as shown on the site plan, be required as a condition of approval of the Special Use Permit. As this is a design feature that has been required of similar recent requests, Staff believe that requiring the monument sign would continue the effort by the City to minimize visual clutter along its primary corridors.
Approval of the special use permit and the attached draft Finding of Fact is recommended, with the following conditions:

1. That the landscape buffer along the adjacent residential property that would be required by Article 7.08 of the UDO be waived.

2. That an amended landscape plan that includes three (3) additional trees located within the interior landscape areas be submitted at the time of the site plan submittal. The amended landscape plan should at a minimum include the landscaping shown on the previously-submitted landscape plan, as this plan documents the additional landscaping required as compensation for the waiver of the landscape buffer identified above.

3. That a lighting plan showing the proposed illumination of the property be provided at the time of the site plan submittal to ensure compliance with Article 10.05 of the UDO, which governs the maximum and minimum lighting of the property.

4. That the ground sign proposed for this property be erected as a monument-style sign, not to exceed ten (10') feet in height, instead of the requested pole sign, the dimensions and placement of which should reflected on the required site plan.

5. That an engineered site plan be submitted and approved in accordance with the UDO, and that the submitted site plan demonstrate compliance with the details identified in Engineering Services Division Memorandum 2000-E034 and with the above conditions associated with approval of the requested Special Use Permit.

Respectfully Submitted,

BY: Ray Keller, AICP, City Planner
FOR: Paul Rasmussen, AICP, Community Development Director
TO: Ray Keller, City Planner

FROM: Joel C. Maurer, Asst. City Engineer

DATE: March 30, 2000

RE: McDonald's Redevelopment Plan
Project No.: 00-011-BI

The Public Works Department has reviewed the small sheet submittal C-C for the site plan of the redevelopment of the W. Lincoln McDonald's.

The one-way system for entry and exit should be clearly shown and signed for the circulation throughout the project. We are wondering if diagonal parking to the North and rear of the restaurant would be more appropriate such that vehicles do not exit against the one-way system. Also, handicap parking must be shown as close as possible to the main entrance with ramps sidewalks as appropriate. The trash dumpster location shown at the northeast corner of the project must be positioned as not to interfere with traffic turning movements in the parking aisles.