

PLANNING AND ZONING COMMISSION
MINUTES
JULY 29, 2020

I. Call to Order and Roll Call

The meeting was called to order at 7:30PM.

Attendance: Chairman Morris, Commissioners Gorog, Ballowe, Hezner, Heidner, and Mulcrone. Commissioner Cotton was absent. A quorum was established.

Also in Attendance: Michael Atkinson, Director of Community Development

II. Public Hearing

1. **Case #20-05** is an application filed by Matthew Mathis, Shake Shack Illinois, LLC, 864 E Townline Road, Vernon Hills IL 60061, requesting, pursuant to Appendix C of the Village of Vernon Hills Code of Ordinances, Article 4, Section 4.12, Article 13, Section 13.3, Article 18, and Article 21, Section 21.6, approval of Special Use Permit to allow a restaurant with drive-thru service and approval of site and landscape plans.

The Special Use Permit will allow for a proposed restaurant with a drive-thru, known as Shake Shack, located on the legally described property in the B-1, General Business District. The proposed location of the restaurant is East Townline Road in the Melody Farm Shopping Center.

ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN
Jared Placek, Manhard Consulting

Mr. Placek stated Shake Shack was a relatively new tenant in Melody Farm and as part of COVID19 restrictions had decided to pursue a drive-thru (app thru) window on their property. There would be minor changes to the elevation other than the introduction of a drive-thru window. The petitioner proposed to reconfigure two existing landscape islands on the existing parking lot and construct a drive-thru lane that would give access to the drive up window located on the east side of the building, allowing for six cars to stack. The new lane and window would allow customers to pick up orders that were placed online or through a mobile app (no ordering structure) without exiting their vehicles or entering the restaurant. No orders or payments would be placed or taken at the window. They continue to work through the technology, and this may be the first Shake Shack in the nation to use it. The landscape design would remain the same as what is currently there.

Commissioner Mulcrone asked if patrons parked in the lot would have to cross the lane to enter the building. Mr. Placek stated they would have to cross the lane, emphasizing there was not the same amount of traffic as at a regular drive-thru lane. Commissioner Gorog suggested a designated crosswalk.

Commissioner Heidner asked, on the opposite side of the drive isle from where the landscape island is, is there division between that and parking to the south. Mr. Placek stated there was a clear stripe and division and the drive isle will still remain the 24' drive outlet it is today so there is sufficient space for a turning maneuver to park in the south facing parking spaces.

Commissioner Heidner asked would the drive-thru not work if you moved the landscape island to the south on the other side of the drive-thru lane. Mr. Placek stated it would not be as effective because then there would be cars immediately adjacent to the drive-thru which would be more dangerous if the sides were switched because then cars would not have a landscape break in-between them and the drive-thru. I don't think that would be as effective as the current layout. Commissioner Heidner asked if that was the

only reason. Mr. Placek stated that's one of the main reasons and as an actual turning maneuver you have a hard time getting a car straight and making its way out. From operational and safety perspectives it makes more sense as is.

Commissioner Gorog asked will you have 'waiting for your order' parking spaces. Mr. Placek stated that has been discussed and Shake Shack will come back before the P&Z, as well as the Village Board, for a signage variance to allow delineation for those kind of parking spaces, like Lazy Dog. Commissioner Gorog liked the idea of an ordering app. It was noted that McAllister's used a similar app.

Commissioner Hezner asked if the drive isle in is 24' from the north side of the shaded area to the parking stalls to the south. Mr. Placek stated it is a 12' wide drive-thru lane and 24' wide drive isle and then the parking stalls. Commissioner Hezner asked if the striping was 2'. Mr. Placek stated it is just one solid stripe without a break. It could be a wider delineated stripe if the P&Z desired.

Commissioner Hezner noted, as cars are backing up sometimes people don't pay as much attention as they should and if there was a curb there, they would hit the curb and it might prevent them from backing into that drive lane. Mr. Placek responded one of the reasons that we don't have a curb is to allow patrons to leave the drive-thru. This isn't an unusual layout for a drive-thru. Commissioner Hezner stated this drive-thru is unusual because it is sharing a drive isle without a divider. Mr. Placek stated if you think there needs to be more of a dividing space from a concrete curb perspective, would it make more sense if the drive-thru lane was 11' wide there with a 1' wide stripe. Commissioner Hezner stated the drive-thru is sharing the overall drive isle and giving the opportunity for cars to veer off anywhere, especially at the end where 3 is turning to the north when it could go straight. Mr. Placek stated there is a landscape isle to prevent the car from going straight and provides protection for the upfront stalls.

Commissioner Hezner stated the second component of discussion is why are you including such a long striped area to try to direct cars as far north as possible when they can veer off and go in any direction they choose. Mr. Placek stated for safety, they're trying to direct traffic to go around and make their way out through this drive isle rather than feeling compelled upon exiting to do a u turn. They did not extend the concrete landscape island because there's an existing grease trap in the area. Commissioner stated that was a good reason to stop the curb there.

Commissioner Mulcrone suggested shifting the nine spaces along the southeast 3 or 4 feet to the south (follow the property line) and creating a 3/4-foot-wide landscape or buffer strip along spaces 4,5, and 6. Mr. Placek stated there was a swale in this area and would be a large additional expenditure. Chairman Morris felt there was an issue due to the large size of cars/trucks. He also stated there will be patrons who try to order at the window. Mr. Placek stated there will be an attendant and signage.

Commissioner Ballowe stated Jason's Deli used to have a similar set up. He suggested instead of removing the whole curb and moving it out 3' to use angle parking so people aren't backing directing into the traffic. Mr. Placek cautioned angle parking requires longer parking stalls and would still require the curb to be pushed out a couple of feet. The drive isle needs to be two-way.

Commissioner Heidner asked, before COVID19, what percentage of the parking lot was used. Mr. Placek stated there's no change in drive isle width and turning maneuvers.

DCD Atkinson stated there was a copy of the current site plan that shows existing parking in the packet. The petitioner is maintaining the 24' drive isle width and in addition to the striping, the drive-thru lane will be concrete and the parking field is asphalt to further delineate where a patron should be entering the drive-thru.

Commissioner Heidner asked, before pandemic, what was your parking lot utilization. Mr. Placek stated Shake Shack participates in a shared parking agreement for the center and the net loss of the five parking spaces is still within the realm of the agreement and there is still a surplus of stalls for the overall parking center.

Chairman Morris stated the question wasn't if there was adequate parking under the ordinance because of the shared parking arrangement, but how much utilization of the parking stalls is on this particular site. Mr. Placek referred the question to Alisa Madigan from Regency Centers.

Alisa Madigan was sworn in.

Ms. Madigan stated, as the shopping center owner, they have had no issues over parking in this area. In addition to the stalls that are directly on the Shake Shack lot, there are two rows of stalls along the south side of the REI building. She stated the majority of people parking there are going to Shake Shack.

THE HEARING WAS OPENED FOR PUBLIC COMMENT. BEING NO COMMENTS, THE PUBLIC HEARING WAS CLOSED.

Chairperson Morris noted the required Public Hearing notices were sent with no responses to the letters received. He also noted the Commission received Section 18.3 standards and descriptions about this Special Use Permit.

There is a standing motion to recommend approval of a Special Use Permit to allow a restaurant, Shake Shack, with a drive-thru pick up only window subject to the conditions 1-5 in the staff report. In addition, the petitioner will investigate designated markings across the landscape islands for walk-thrus to the building from the east and south parking lots. In addition, subject to providing signage language that it is 'pick up only' ('online or app orders only'), no ordering, in this lane.

Second by Commissioner Gorog.

AYES: 6 - Hezner, Heidner, Mulcrone, Gorog, Ballowe, Morris

NAYS: 0 - None

ABSENT: 1 - Cotton

Motion carried.

There is a standing motion to recommend approval of preliminary and final site and landscape plans subject to the conditions that were just articulated 1-5 in the staff report and 6 and 7 just mentioned.

Second by Commissioner Gorog.

AYES: 6 - Hezner, Heidner, Mulcrone, Gorog, Ballowe, Morris

NAYS: 0 - None

ABSENT: 1 - Cotton

Motion carried.

Conditions of approval:

1. Final approval of plans by the Village Engineer and Landscape Technician prior to issuance of a building permit.
2. General compliance with the site plan and engineering drawings, consisting of ten (10) pages, prepared by Manhard Consulting Ltd., dated June 19, 2020.
3. General compliance with the landscape plan, consisting of three (3) pages, prepared by Manhard Consulting, Ltd., dated June 18, 2020.
4. Existing landscape plantings damaged during construction shall be replaced as a condition of approval of the final certificate of occupancy.
5. Compliance with all ordinances and standards of the Village except as otherwise noted.
6. The petitioner will investigate designated markings across the landscape islands for walk thrus to the building from the east and south parking lots.
7. Subject to providing signage language that it is 'pick up only' ('online or app orders only'), no ordering, in this lane.

III. Development Review

- DCD Atkinson stated regarding Hawthorn Mall, due to COVID19, the end user for the Carson's site was no longer available. The Sears redevelopment, which is the mixed-use portion, was moving forward. The residential portion changed partners and architects. Their new team includes Focus, the company that successfully built the residential portion of Melody Farm. Also, the three lot subdivision leases will come back before the Commission in the future.
- An age restricted luxury apartment development constructed on the former AMC property south of Hawthorn Square mall recently went before the COW for concept presentation. Greystar is the developer.
- Firestone in Shoppes of Gregg's Landing (north of Aldi's) is moving toward concept presentation before the COW soon.

IV. Approval of Minutes

Chairman Morris made a motion to approve of the minutes of the May 27, 2020 Planning & Zoning Commission meeting with the deletion of condition 6.

Second by Commissioner Gorog. All in favor vote, the minutes were unanimously approved as amended.

V. Adjournment

With no further items on the agenda, Chairman Morris motioned to adjourn the meeting, second by Commissioner Gorog. All in favor vote, the motion was unanimously approved.

The meeting adjourned at 8:05PM

Respectfully submitted,

Michael Atkinson
Director of Community Development

Distribution:
President and Board of Trustees
Village Manager/Village Clerk
Commission Members

10/21/2020
Approval Date


Chairperson Morris


Secretary Heidner

File

Videotape of the meeting retained on file pursuant to Village policy