

ORIGINAL

ORDINANCE NO. CO-2015-23

**AN ORDINANCE APPROVING A SPECIAL USE FOR
A SECOND DRIVE-THRU LANE AND VARIATIONS RELATED TO SIGNAGE IN
A C-3 GENERAL COMMERCIAL ZONING DISTRICT –
11 NORTH 1ST AVENUE
(McDONALD'S CORPORATION)**

WHEREAS, a Petition for the granting of a special use for a second drive-thru lane and for variations related to signage as set forth below relative to the McDonald's restaurant site at 11 North 1st Avenue (the "Subject Property") has been filed with the Village of Maywood by Petitioner McDonald's Corporation ("Petitioner"); and

WHEREAS, the Petition has been referred to the Plan Commission/Zoning Board of Appeals (the "Plan Commission") of the Village and has been processed in accordance with the Village of Maywood Zoning Code ("Zoning Code"); and

WHEREAS, the Subject Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Plan Commission held a public hearing on the question of whether the requested Special Use and Variations should be granted on July 28, 2015, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of the public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to the public hearing. In addition, notice was sent to surrounding property owners; and

WHEREAS, on July 28, 2015, the Plan Commission voted to favorably recommend the requested Special Use and Variations to the Village President and Board of Trustees of the Village of Maywood, subject to certain conditions; and

WHEREAS, the Plan Commission of this Village has reported its findings and recommendations regarding the Special Use and Variations to this Village President and Board of Trustees, and this Village President and Board of Trustees has duly considered said report and findings and recommendations.

BE IT ORDAINED, BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Village President and Board of Trustees of the Village of Maywood approve and adopt the findings and recommendation of the Plan Commission ("Findings and Recommendation"), except that the Village Board did not approve No. 6 on the list of conditions ("Condition No. 6"), which was a recommendation that the Petitioner consider installing right-turn only exits onto Lake Street and First Avenue and widen the drive lane on the north side of the site to possibly add a second exist aisle and to facilitate sightlines and traffic flow. A copy of the Findings and Recommendation

is attached hereto as **Exhibit B**, and is incorporated herein by reference as if they were fully set forth herein, excluding Condition No. 6. The Village President and Board of Trustees did not agree with the recommendation to install right-turn only signs and, accordingly, did not adopt Condition No. 6 of the Findings and Recommendation.

SECTION 2: The Petitioner seeks the following zoning relief relative to its proposed addition of a second drive-thru lane and related signage:

1. Special Use Request – Add Second Drive-Thru – Request to add a second drive-thru lane (Section 8.2/Table 8-1 of the Zoning Code).
2. Variance Request – Directional Sign Height - Allowing Directional Sign height (Welcome Point Gateway) of eleven (11) feet instead of the five feet allowed by the Zoning Code (Section 15.10 C (1)(d)).
3. Variance Request - Directional Sign Square Footage – Allowing Directional Sign square footage of twenty square feet instead of the six square feet allowed by the Zoning Code (15.10 C (1)(d)).
4. Variance Request - Menu Board Sign Type – allowing a menu board sign type as a Pole sign instead of the required Monument Sign (15.10 C (2)).

SECTION 3: The President and Board of Trustees, after considering and adopting the Findings and Recommendation of the Plan Commission (excluding Condition No. 6), and consideration of other matters properly before it, grants the requested Special Use and Variations as set forth above in Section 2, subject to the following conditions:

1. The Petitioner shall construct the additional drive-thru lane in conformance with the Design Standards of Section 9.4 of the Village Zoning Ordinance.
2. The addition to the drive-thru lane shall meet all Fire Department codes and regulations.
3. The addition to the drive-thru lane shall meet all Village Engineering regulations.
4. The Petitioner shall provide a Landscape Plan in compliance with Section 14 of the Maywood Zoning Ordinance.
5. Except as to the variations granted, the proposed signs shall meet the requirements of Section 15 of the Maywood Zoning Ordinance.

SECTION 4: Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the President and Board of Trustees of the approvals made in this Ordinance.

SECTION 5: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in the manner provided by law.

PASSED this 1st day of September, 2015, by the Corporate Authorities of the Village of Maywood on a roll call vote as follows:

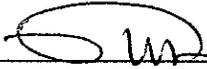
AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr.,
I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.

NAYS: None

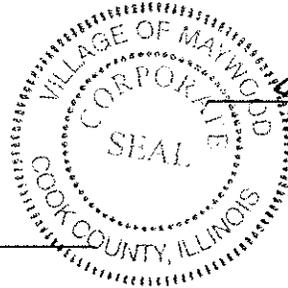
ABSENT: None

APPROVED by the Village President on the 3rd day of September, 2015, and attested to by the Village Clerk this same day.

ATTEST:



VILLAGE CLERK





VILLAGE PRESIDENT

EXHIBIT A

Legal Description of Subject Property

Parcel 1:

THAT PART OF LOT 2 IN ASSESSORS DIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LOT LINE OF LAKE STREET, 150 FEET SOUTHEASTERLY AS MEASURED ALONG SAID SOUTH LINE FROM THE INTERSECTION OF THE EAST LINE OF FIRST AVENUE AND THE SOUTHERLY LINE OF LAKE STREET, SAID POINT OF INTERSECTION BEING AT THE INTERSECTION OF A LINE DRAWN PARALLEL WITH AND 33 FEET EAST OF THE WEST LINE OF SAID LOT 2 (NORTH AND SOUTH CENTERLINE OF SECTION 11) AND A LINE DRAWN 33 FEET SOUTHERLY AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 2 (BEING SOUTHERLY OF LAKE STREET); RUNNING THENCE SOUTHEASTERLY ALONG THE SAID SOUTHERLY LINE OF LAKE STREET A DISTANCE OF 99.90 FEET TO A POINT OF BEND IN SAID LAKE STREET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE WHICH FORMS AN ANGLE OF AN ANGLE OF 18 DEGREES 39 MINUTES TO THE SOUTH WITH THE PREVIOUSLY DESCRIBED SOUTHERLY LINE EXTENDED, A DISTANCE OF 37.55 FEET; THENCE SOUTHWESTERLY FORMING AN ANGLE OF 80 DEGRES 22 MINUTES 19 SECONDS TO THE SOUTH WITH THE LAST DESCRIBED SOUTHERLY LINE, 210.52 FEET TO ITS POINT OF INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND 25 FEET NORTHERLY AND AT RIGHT ANGLES TO THE ORIGINAL NORTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE A DISTANCE OF 192.95 FEET TO ITS INTERSECTION WITH THE AFORESAID EAST LINE OF FIRST AVENUE; THENCE NORTH ALONG SAID EAST LINE A DISTANCE OF 64 FEET TO A POINT 177.38 FEET SOUTH OF THE INTERSECTION WITH THE AFORESAID SOUTHERLY LINE OF LAKE STREET; THENCE EAST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE A DISTANCE OF 112.61 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 113 DEGREES 25 MINUTES 19 SECONDS FROM WEST TO NORTH TO EAST WITH THE LAST DESCRIBED LINE, A DISTANCE OF 82.21 FEET; THENCE NORTHERLY ALONG A LINE DRAWN PARALLEL WITH THE AFORESAID WEST LINE OF LOT 2, A DISTANCE OF 64.64 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Parcel 2:

LOT 2 (EXCEPT THE SOUTHERLY 25 FEET, BEING THE 25 FEET LYING NORTH AND ADJOINING THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY AND EXTENDING FROM THE CENTERLINE OF FIRST AVE, MAYWOOD, EASTERLY TO THE CENTERLINE OF THE DES PLAINES RIVER) IN ASSESSOR'S DIVISION OF THAT PART OF THE NORTHEAST ¼ OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN,

ALSO EXCEPT THE FOLLOWING DESCRIBED TRACT OF LAND; BEGINNING AT A POINT OF INTERSECTION OF THE EAST LINE OF FIRST AVENUE AND THE SOUTHERLY LINE OF LAKE STREET, SAID POINT BEING AT THE INTERSECTION OF A LINE DRAWN PARALLEL WITH AND 33 FEET EAST OF THE WEST LINE OF SAID LOT 2 (NORTH AND SOUTH CENTERLINE OF SAID SECTION 11) AND A LINE DRAWN 33 FEET SOUTHERLY, AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 2 (BEING THE SOUTHERLY LINE OF LAKE STREET), RUNNING THENCE SOUTHEASTERLY ALONG THE SAID SOUTHERLY LINE OF LAKE STREET, A DISTANCE OF 249.90 FEET TO THE POINT OF BEND IN SAID LAKE STREET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE WHICH FORMS AN ANGLE OF 18 DEGREES 39 MINUTES TO THE SOUTH WITH THE PREVIOUSLY DESCRIBED SOUTHERLY LINE, EXTENDED, A DISTANCE OF 37.55 FEET; THENCE SOUTHWESTERLY FORMING AN ANGLE OF 80 DEGREES 22 MINUTES 19 SECONDS TO THE SOUTH WITH THE LAST DESCRIBED SOUTHERLY LINE, EXTENDED, A DISTANCE OF 210.52 FEET TO ITS INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND 25 FEET NORTHERLY AND AT RIGHT ANGLES TO THE ORIGINAL NORTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 192.95 FEET TO ITS INTERSECTION WITH THE AFORESAID EAST LINE OF FIRST AVENUE; THENCE NORTH ALONG THE SAID EAST LINE, A DISTANCE OF 241.38 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Property commonly known as: 11 North 1st Avenue, Maywood, Illinois 60153

P.I.N.s: 15-11-210-092-0000 and 15-11-210-093-0000

EXHIBIT B

**FINDINGS OF FACT AND RECOMMENDATION OF
THE PLAN COMMISSION**

(attached)



**FINDINGS OF FACT AND RECOMMENDATIONS OF THE
PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE
OF MAYWOOD TO
THE PRESIDENT AND BOARD OF TRUSTEES**

July 28, 2015

Case #15-004

PC/ZBA Case # 15-004 the Village of Maywood received an application with supporting documentation and photos from McDonald's Corporation, owner of the property at 11 N. 1st Avenue for consideration of a Special Use and three Variances pursuant to Sections 4.3 and 4.4 of the Village Zoning Ordinance. The request was for a Special Use Permit (Section 4.4) for a drive-thru lane to allow a second drive-thru lane and Variances (Section 4.3) for Directional sign height, Directional sign square footage and Menu board sign type.

Adding a second drive-thru lane is an expansion of the existing special use that therefore requires a Special Use Permit.

The applicants are also required to obtain three variances. The maximum Directional sign Height allowed is five feet and the proposed Directional sign height (Welcome Point Gateway) is eleven (11) feet (Section 15.10 C (1)(d), the maximum allowed Directional sign square footage is six square feet and the proposed square footage is twenty (15.10 C (1)(d), and the Menu Board Sign Type is a Pole sign instead of the required Monument Sign (15.10 C (2)).

The Petitioner's application and submittals were accepted as meeting the minimum standards to set the matter for a public hearing.

PETITIONER: McDonald's Corporation.

APPLICATION: Special Use Permit for second drive-thru lane and 3 variances for signage.

RECOMMENDATION: Following a public hearing held on July 28, 2015, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval of the Special Use Permit for a second Drive-thru lane and three Variances for (1) Directional sign height, (2) Directional sign square footage and (3) Menu board sign type with the five conditions suggested by staff, and two additional recommendations by the Commission for the Petitioner to convert the exits onto Illinois 171 (1st Avenue) and Lake Street to right turn only and (7) widening the drive lane on the north side of the site to facilitate sightlines and traffic flow. The vote on the approval was five (5) in favor and zero (0) opposed. Commissioners Lira and Smith were absent.

BACKGROUND: The applicants own a total of two (2) parcels; located adjacent to each other with the restaurant, drive-thru lane and some parking on the west parcel and addi-

tional parking located on the east parcel. The McDonald's Corporation has embarked on a program of adding a second drive-thru lane to their existing drive-thru restaurants. This program can be seen at other existing McDonald's such as the location on the south end of Maywood at 507 Roosevelt Road. An existing Special Use Permit for an Electronic Board was granted (PBA Case #13-002) in 2013. A second drive-thru lane is an expansion that requires a separate Special Use Permit application.

PUBLIC HEARING: At the public hearing held on July 28, 2015 Staff presented a brief summary of the petition and related documents. The Petitioner requests consideration on a Special Use Permit as allowed by Section 4.4 (Special Use) and 3 Variances, as allowed by Section 4.3 (Variation), to expand the drive-thru lane special use from 1 to 2 and to install new signage for the drive-thru area.

Staff (Mr. Palmquist) discussed the zoning of the two parcels (C-3, General Commercial). Also the zoning of surrounding properties are C-3 (General Commercial) to the east and C-3 (General Commercial) to the west. There is also C-3 (General Commercial) to the north, OS (Open Space) to the east and Open Space (OS) to the northeast.

The applicants are moving the drive-thru lane southward and adding a second drive-thru lane. Eight parking spaces (five diagonal and three handicapped accessible spaces) will be removed for the second drive-thru lane. Three of the eight spaces will be moved to the west side of the building with two being handicap accessible. The straight-in parking spaces on the south end will be converted to diagonal spaces and reduced from 12 to 9. Additionally, one space will be removed from the four most northerly spaces on the northwest portion of the property. The number of parking spaces will be reduced from 54 to 45.

The project is in accordance with the 2014 update of the Comprehensive Plan for recommending Community Commercial development for that area. Though parking will be reduced from 54 spaces to 45 spaces, adequate parking will continue to be provided by the owner (the total number of spaces required to be provided by Petitioner on the site is 16). The operation will not cause noise, glare or odor to the surrounding properties. This project will not increase congestion in the public streets since there will be no increase to the number of employees nor should the amount of vehicles increase significantly since there will be an extra drive-thru lane. The regular hours of operation for the drive-thru lane are Sunday through Thursday from 5 a.m. to 2a.m. and 24 hours Friday and Saturday; this will not negatively impact the surrounding neighborhood.

Staff recommended approval with the following conditions:

1. The applicant shall construct the additional drive-thru lane in conformance with the Design Standards of Section 9.4 of the Village Zoning Ordinance.
2. The addition to the drive-thru lane shall meet all Fire Department codes and regulations.
3. The addition to the drive-thru lane shall meet all Village Engineering regulations.
4. The applicants shall provide a Landscape Plan in compliance with Section 14 of the Maywood Zoning Ordinance before completion of the project.

5. Except as to the variations granted, the proposed signs shall meet the requirements of Section 15 of the Maywood Zoning Ordinance.

Chairman Christian requested the applicant's representative (Matt Nickels, consulting Engineer) to speak. The applicant stated the circle configuration of the drive-thru area allows for faster processing of orders and shorter wait times. The drive-thru lanes move in a counter-clockwise direction. There are two lanes for ordering which then merge back into a single line for payment. The total number of parking spaces will be reduced from 54 to 45, the requirement is 16. The ADA accessible parking spaces will be moved from the northwest boundary of the lot to the immediate west side of the building. The three ADA and five public parking spaces are being removed from to allow sufficient space for the second drive-thru lane. The applicants will comply with all the Village Codes and Zoning requirements. When the project is approved, it should only take a month or two to construct the additional drive-thru lane and signage.

It was stated that the Gateway Welcome Sign would have no ads. The height is so that a clearance bar can be hung from the sign to ensure that the building's canopy or overhang won't be damaged. The menu board mounted on a single pole is the standard McDonald's design.

Commissioner Ratley expressed concern about the exit onto Lake Street. When vehicles attempt a left turn, the vehicles back up on the McDonald's property. In addition, the motorists do it with a double line in the middle on Lake Street.

Al Daniels, Project Manager, stated that McDonald's could look into changing the site plan to widen the drive aisle on the north end of the site, and cut back on existing landscaping in order to address Planning Commission concerns about sightlines and traffic flow onto Lake Street, including possible creation of a second lane northward toward the Lake Street exit.

Next Chairman Christian opened the floor to the public for any input on this matter.

No residents or citizens were present to speak for or against the matter.

The Public hearing was closed and the Chairman called for discussion.

Following discussion, Chairman Christian called for a motion. Commissioner Stelnicki made a motion, seconded by Commissioner Dawson, to recommend approval of the Special Use Permit and three variances for signage by McDonald's Corporation at 11 N. 1st Avenue, in the C-3 General Commercial Zoning District, with the conditions recommended by staff, along with two additional recommendations by the Planning Commission that the (1) Petitioners widen the drive lane on the north end of the site to create an additional exit aisle and (2) install right turn only signs at the exits onto Lake Street and Illinois 171 (1st Avenue).

The Motion carried on a unanimous vote of 5-0-0.

FINDINGS: The PC/ZBA makes the following Findings as to the proposed Special Use Permit:

1. That the establishment, maintenance and operation of the special use in the specific location proposed will not be unreasonably detrimental to or endanger the public health, safety or general welfare of any portion of the community. **The establishment and operation of the Special Use will not endanger the public health, safety or general welfare of any portion of the community. The drive-thru lane has not been detrimental in the two years it has existed there. The second drive-thru lane is merely to provide more efficient customer service at the restaurant. Two drive-thru lanes exist at another McDonald's location in the Village and have not been detrimental to the public.**
2. The proposed special use is compatible with adjacent properties and other property within the immediate vicinity of the special use. **The proposed Special Use is compatible with adjacent properties. In the opinion of staff and the PC/ZBA, the drive-thru use is compatible with the gas station and Walgreens which are located on the same block.**
3. The proposed special use will not substantially diminish and impair property values within the immediate vicinity. **The proposed Special Use will not diminish or impair property values. In fact, the establishment of the operation might help improve property values by attracting more people to the neighborhood. McDonald's is upgrading their drive-thru service as part of a national program to update their restaurants.**
4. The establishment of the proposed special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. **The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property. The project is in accordance with the 2008 Comprehensive Plan and 2014 update recommending Community Commercial for that area.**
5. Adequate utilities, access roads, drainage or other necessary facilities have been or are being provided. **Adequate utilities and other necessary facilities are being provided. While spaces are being lost as a result of the drive-thru addition, the parking requirement is 16 spaces and the applicants will still have 45 spaces available. 3 ADA Accessible spaces will be relocated adjacent to the west side of the building so persons using the spaces do not have to cross a drive-aisle to enter the building.**
6. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and the Comprehensive Plan. **The Special Use is consistent with the Ordinance and the updated 2014 Comprehensive Plan. The establishment of a second drive-thru lane in the C-3 General**

Commercial District is consistent with the intent of the Ordinance and Comprehensive Plan.

The PC/ZBA makes the following Findings as to the proposed Variances:

Evidentiary Issues (for Variances for Directional Sign Height)

- a) The particular physical surroundings shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out. **The physical surroundings shape or topographical conditions of the specific property does not impose a hardship on the applicant.**
- b) The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question. **The PC/ZBA finds this standard to have been met.**
- c) The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located. **The granting of the variations will not be detrimental to the public welfare in the neighborhood. The business has operated for decades and has had no negative impact on the surrounding neighborhood.**
- d) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety or impair property values within the neighborhood. **The proposed variation will not increase traffic in the public streets; there will be the same number of automobile traffic as before the variation. In fact, the second drive-thru lane should result in fewer wait times enabling less idling of cars in line. Also, the Fire Department had no objections to the proposed variances. The variation will not impair property values and may help improve property values given the new improvements.**
- e) The proposed variation is consistent with the spirit and intent of this Ordinance and the adopted Comprehensive Plan. **The proposed variation is consistent with the spirit and intent of this ordinance and the adopted Comprehensive Plan. This neighborhood should be Community Commercial according to the updated Comprehensive Plan.**
- f) The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located. **The value of the property could be reduced if permitted to be used only with the current configuration of the signage.**

Evidentiary Issues (for Variances for Directional Sign Square Footage)

- a) The particular physical surroundings shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out. **The physical surroundings shape or topographical conditions of the specific property does not impose a hardship on the applicant.**
- b) The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question. **The PC/ZBA finds this standard to have been met.**

- c) The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located. **The granting of the variations will not be detrimental to the public welfare in the neighborhood. The business has operated for decades and has had no negative impact on the surrounding neighborhood. Residential properties are several hundred feet away in each direction.**
- d) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety or impair property values within the neighborhood. **The proposed variation will not increase traffic in the public streets; there will be the same number of automobile traffic as before the variation. In fact, the second drive-thru lane should result in fewer wait times enabling less idling of cars in line. Also, the Fire Department had no objections to the proposed variances. The variation will not impair property values and may help improve property values given the new improvements.**
- e) The proposed variation is consistent with the spirit and intent of this Ordinance and the adopted Comprehensive Plan. **The proposed variation is consistent with the spirit and intent of this ordinance and the adopted Comprehensive Plan. This neighborhood should be Community Commercial according to the updated Comprehensive Plan.**
- f) The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located. **The value of the property could be reduced if permitted to be used only with the current configuration of the signage.**

Evidentiary Issues (for Variances for Menu board sign type)

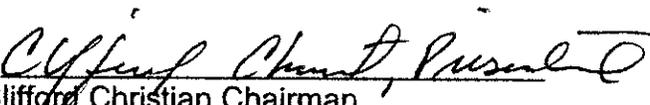
- a) The particular physical surroundings shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out. **The physical surroundings shape or topographical conditions of the specific property does not impose a hardship on the applicant. The hardship is the zoning requirements for signage.**
- b) The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question. **The PC/ZBA finds this standard to have been met.**
- c) The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located. **The granting of the variations will not be detrimental to the public welfare in the neighborhood. The business has operated for decades and has had no negative impact on the surrounding neighborhood. Residential properties are several hundred feet away in each direction.**
- d) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety or impair property values within the neighborhood. **The proposed variation will not increase traffic in the public streets; there will be the same number of automobile traffic as before the variation. In fact, the second drive-thru lane should result in fewer wait times enabling less idling of cars in line. Also, the Fire Department had no**

in fewer wait times enabling less idling of cars in line. Also, the Fire Department had no objections to the proposed variances. The variation will not impair property values and may help improve property values given the new improvements.

- e) The proposed variation is consistent with the spirit and intent of this Ordinance and the adopted Comprehensive Plan. **The proposed variation is consistent with the spirit and intent of this ordinance and the adopted Comprehensive Plan. This neighborhood should be Community Commercial according to the updated Comprehensive Plan.**
- f) The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located. **The value of the property could be reduced if permitted to be used only with the current configuration of the signage.**

SUMMARY OF RECOMMENDATIONS: Based upon the foregoing Findings, the Plan Commission/Zoning Board of Appeals, by a unanimous vote of 5-0-0, recommends to the President and Board of Trustees that the requested Special Use Permit and 3 Variances for signage on the properties located at 11 N. 1st Avenue. The specific Variances are: Allowing Directional sign height (Welcome Point Gateway) of eleven (11) feet instead of the five feet allowed by Code (Section 15.10 C (1)(d)), allowed Directional sign square footage of twenty square feet instead of the six square feet allowed by Code, (15.10 C (1)(d)), and allowing a Menu Board Sign Type as a Pole sign instead of the required Monument Sign (15.10 C (2)). The Special Use and Variances are approved with the following conditions:

1. The applicant shall construct the additional drive-thru lane in conformance with the Design Standards of Section 9.4 of the Village Zoning Ordinance.
2. The addition to the drive-thru lane shall meet all Fire Department codes and regulations.
3. The addition to the drive-thru lane shall meet all Village Engineering regulations.
4. The applicants shall provide a Landscape Plan in compliance with Section 14 of the Maywood Zoning Ordinance.
5. Except as to the variations granted, the proposed signs shall meet the requirements of Section 15 of the Maywood Zoning Ordinance.
6. It is recommended by the Planning Commission that the Petitioner install right-turn only exits onto Lake Street and Illinois 171 (First Avenue).
7. It is recommended by the Planning Commission that the Petitioner widen the drive-thru lane on the north side of the property to add a second exit aisle.

Signed: 
Clifford Christian Chairman
Plan Commission/Zoning Board of Appeals
Village of Maywood

ACKNOWLEDGMENT BY PETITIONER

I, as an authorized officer of the Petitioner under the Petition for Special Use and Variations related to Property located at 11 North 1st Avenue, Maywood, Illinois, certify that I have read and fully understand each and every term, provision and condition contained in the foregoing Ordinance granting the special use and variations relative to site development and operation of a fast food restaurant on the Property, as specifically set forth above in Section 3 above, and, on behalf of Petitioner, voluntarily accept and agree to be bound by same.

McDonald's Corporation

By: _____

Printed Name: _____

Its: _____

Date: _____, 2015

