Plan Commission Meeting – July 8, 2020
Agenda Item 4

Scouts Restaurant – 950 N. Western Avenue
Amendment to Previously Approved Special Use Permit

Staff Report and Recommendation
Approved Special Use Permit – Scouts Restaurant
Minutes from Plan Commission Meeting - March 13, 2019
Vicinity Map
Air Photo

Materials Submitted by Petitioner
Application
Statement of Intent
Site Plan/Floor Plan – As Now Proposed
Site Plan/Floor Plan – Previously Approved
Revised Building Elevation – South (addition of pick-up window)
Fence Replacement Plan
Landscape Plan - Approved

The complete Plan Commission packet is available for review in the Community Development Department and on the City's website, www.cityoflakeforest.com

THE CITY OF
LAKE FOREST
CHARTERED 1861

STAFF REPORT AND RECOMMENDATION

TO:	Chairman Kehr and members of the Plan Commission
DATE:	July 8, 2020
FROM:	Catherine J. Czerniak, Director of Community Development
SUBJECT:	*Amendment to a Special Use Permit for Scouts Restaurant Westwood Center, 950 N. Western Avenue*

Property Owner
Westwood Square LLC
Commercial
13110 W. Highway 137
Lake Bluff, Il 60044
(Todd Altounian 25%,
Nicole Altounian 25%,
Jennifer Bianchi 25%
James Altounian II 25%)

Property Location
950 N. Western Avenue

Zoning District
B-2, Community

Tenant – Restaurant Owner
Scouts, Jason Akemann

Summary of Request
This is a request to amend the Special Use Permit for Scouts Restaurant which was approved by the City Council on June 3, 2019. A copy of the approved Special Use Permit is included in the Commission as background information.

The proposed amendment requests approval of the addition of a pick-up window on the south elevation of the building, use of the existing alley for access to the pick-up window, and presents a modified floor plan for the interior of the restaurant. The proposed changes are directly in response to the impact the Covid-19 Pandemic has had on the restaurant industry and the uncertainty of when the restaurant business will return to "normal". The proposed changes build in the flexibility to serve customers in various ways. In particular, the proposed pick-up window recognizes the current interest in takeout food and the fact that some customers may not yet be comfortable "dining-in" at a restaurant. The pick-up window also allows the new restaurant to pivot quickly if future restaurant closures are ordered.

The proposed amendments involve minor changes to the south elevation of the building. No changes are proposed to the overall site plan, the hardscape, building form, or landscaping. The existing alley will be used to access the pick-up window with vehicle movements occurring only in south bound and east bound directions.

Background

As noted above, based on a recommendation from the Plan Commission, the City Council approved a Special Use Permit just over a year ago to allow Scouts, a new full service restaurant, to occupy space fronting on Western Avenue, in the Westwood Center commercial development. This request seeks to modify specific aspects of the previously approved plans.

Westwood Center, formerly known as Westwood Square, is a multi-tenant, mixed use development located on the southwest corner of Western Avenue and Woodland Road, in the B-2 Community Commercial District. The new restaurant as approved will be located in the tenant spgces along Western Avenue that were previously occupied by a cleaners and foot spa.

Significant exterior improvements have been completed at Westwood Center with more work underway. Work on the interior buildout of the restaurant was paused due to the Governor's shut down order issued in mid-March. With the uncertainty that lies ahead, the restaurant owner and operator, Jason Akemann, rather than abandon the project, spent time re-thinking the concept for the restaurant. The modified concept is intended to offer customers options; to dine in, carry out, or pick up food without entering the business at all. The proposed modifications will allow the restaurant to continue operating efficiently in the event that another shut down is ordered and recognizes that it is likely that for some time going forward, customers will have different levels of comfort around dining in a restaurant. The proposed changes are a way to allow the new restaurant to move forward even during these difficult times for the restaurant industry.

Full service restaurants and bars are permitted outright in the B-2 zoning district except when located within 150 feet of property zoned for residential use. Restaurants proposed within 150 feet of a residential zoning district may only be authorized through a Special Use Permit. Scouts Restaurant received a Special Use Permit in June, 2019 and is approved.

As presented a year ago, Scouts Restaurant did not include a pick up window. The pick-up window as now proposed, with the use of the existing alley as the drive thru lane, requires an amendment to the Special Use Permit. Concurrent with the proposed pick up window, a modified interior layout is proposed for the restaurant. The Plan Commission is required to conduct a public hearing and make a recommendation to the City Council on the requested amendment to the previously approved Special Use Permit. Conditions of approval were established as part of the previously approved Special Use Permit. Some modifications to those conditions are recommended in conjunction with the current request and are detailed at the end of this report.

Westwood Center, like many locations within the City's linear Central Business District, abuts single family homes. This juxtaposition can create conflicts while at the same time, providing a unique amenity to residents in the neighborhood who are able to walk to restaurants, retail stores and service businesses. Together, the residential neighborhoods and the Central Business District create a character that is uniquely Lake Forest. Establishing operating parameters that allow the adjacent uses to co-exist occurs through the special use process.

Overview of Proposed Changes

Pick Up Window – As noted above, a pick up window is proposed on the south elevation of the existing building as reflected on the site plan included in the Commission's packet. The pick-up window will offer breakfast, lunch and dinner service between the hours of 7 a.m. and 9 p.m. Although a menu board is proposed on the south elevation, just before the pick-up window, various ordering options will be explored including online ordering, in advance of arriving at the site.

The existing north/south and east/west alley on the site will be used for access to the pick-up window. Vehicles will enter from Woodland Road, travel south, behind the building, turn east to approach the menu board and pick up window, and exit on to Western Avenue.

Interior Modifications – With the impact of the Covid-19 Pandemic on restaurants, Mr. Akemann reconsidered the restaurant concept originally proposed in an effort to find an economically viable way to move forward with opening the restaurant. The restaurant concept was modified to offer various service options for breakfast, lunch and dinner. In the original proposal, lunch and dinner were offered. The revised floor plan features a pick up window as noted above and interior seating in a less dense and more spread out format than originally proposed. The outdoor seating in the courtyard remains as previously approved, no changes are proposed.

Staff Evaluation

An evaluation of the proposed addition of a pick-up window, use of the alley as a drive thru lane and modifications to the interior floor plan for the previously approved Scouts Restaurant based on the **Criteria for Special Use Permits** in the City Code is offered below.

Special Use Permit Criteria #1: The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The proposed addition of a pickup window and modifications to the interior layout of the restaurant will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.

- The pickup window is located away from the west and north property lines and the homes in those areas.
- The pickup window is set back somewhat from Western Avenue. The need for signage, pavement markings and sightlines will be evaluated and will be installed as needed to protect pedestrians from cars leaving the pick-up window. The alley and curb cut on to Western Avenue currently exists. No alterations to the overall site are required.
- Use of the alley, in a southbound direction, will avoid headlights shining on the homes to the north, and will re-enforce that staging or loitering of vehicles cannot occur in that area since the alley will need to remain open for customers.
- The fence along the full length of the west property line will be replaced with a solid wood fence, on top of the retaining wall. The existing retaining wall will remain and will be repaired and rebuilt as needed. The conditions recommended below require that the replacement fence must be completed prior to an issuance of a Certificate of Occupancy for the restaurant.

Westwood Center as an upgraded and fully occupied commercial development, with increased attention to operations and maintenance, will not be detrimental to or endanger public health, safety, morals, comfort or general welfare.

Special Use Permit Criteria #2: The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and will not substantially diminish and impair property values within the neighborhood.

The proposed addition of a pick-up window, use of the alley for a drive thru lane and modifications to the interior floor plan are all consistent with the commercial nature of the Westwood Center development and generally consistent with the type of uses that have existed at this location in the past. The proposed addition of a pick-up window on the south elevation, near Western Avenue, if operated consistent with the recommended conditions of approval, will not be injurious to the use and enjoyment or value of properties in the immediate area. Importantly, the restaurant operator is experienced and well respected in the restaurant business and, is a local resident. The pick-up window will add an option for customers to allow the restaurant to be viable during a time when some people are leery about dining inside a restaurant.

Consistently, resident surveys have indicated an interest in bringing new restaurants into the City's business district. The City's Strategic Plan places a high priority on encouraging new businesses to support the long term health of the City's business districts, bring increased activity into the City's core, provide increased goods and services within walking distance of new and existing

residential homes near the Central Business District, and support property values throughout the community.

Special Use Permit Criteria #3: The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. In business districts, the special use will not negatively affect the overall character of the area or detract from the primary retail nature of the district.

The surrounding area is already developed. The proposed addition of a pick-up window and modifications to the interior floor plan for Scouts Restaurant will allow the new restaurant to provide service in various ways to allow customers to select a "dining out" option that they are comfortable with in these unprecedented times. The addition of a new restaurant to the Central Business District during these uncertain times is a positive sign of investment in and support for the City's Central Business District. The proposed pick up window, if operated consistent with the proposed conditions of approval, will not negatively affect the overall character of the area and will support and enhance the business district. The pick-up window is located away from the adjacent residential homes to the west and north.

Special Use Permit Criteria #4: The exterior architectural appearance and functional plan of any proposed structure will not be incompatible with existing buildings, sites, the larger neighborhood or district so as to cause a substantial depreciation in the property values.

No new buildings are proposed. Exterior renovations to the building were previously approved by the Building Review Board and City Council and are substantially complete. The work completed to date offers an enhancement to the Western Avenue streetscape and north end of the Central Business District.

Special Use Permit Criteria #5: Adequate utilities, access roads, drainage and or necessary facilities have been or are being provided.

Adequate utilities and other infrastructure are in place to serve the property. The proposed addition of a pick-up window and alterations to the interior floor plan do not create a need for additional utilities beyond what is currently available.

Special Use Permit Criteria #6: Adequate measures have been or will be taken to provide ingress and egress.

This is an existing commercial site. No changes are planned to the location or configuration of the curb cuts.

Special Use Permit Criteria #7: The special use shall conform to the applicable regulations of the district in which it is located except as such regulations may in

each instance be modified by the City Council as part of the Special Use Permit.

Scouts Restaurant, with the addition of a pick-up window and drive thru lane and the proposed modifications to the layout of the interior of the restaurant, will conform to the applicable regulations of the B-2 Community Commercial zoning district in which it is located. In addition, the operation of Scouts Restaurant and the overall Westwood Center commercial development is be further limited and regulated by the conditions imposed at the time of approval of the restaurant and with the modifications to those conditions as recommended below. No variances from the regulations of the district are requested.

Correspondence and Public Testimony

Notice of this petition was provided in accordance with the Code requirements. A legal ad was published in a newspaper with local circulation. Notices of the public hearing were mailed to residents in the surrounding area. The agenda for this meeting was posted at various public locations and on the City's website.

Staff Recommendation

Based on the findings presented above, recommend approval of an amendment to the Special Use Permit for Scouts Restaurant to:

1. Authorize a pick-up window/drive thru on the south elevation of the 950 N. Western Avenue building in generally the location reflected on the site plan presented to the Plan Commission.
2. Replace Exhibit C in Ordinance 2019 - 28 with the revised site plan, floor plan and south building elevation consist with the materials presented to the Plan Commission.
3. Retain all of the conditions of approval as detailed in Ordinance 2019 – 28 except as noted below in strikeout/highlighted text.

Recommended modifications to previously approved conditions are reflected in strikeout and highlighted text.

Conditions pertaining to the ***overall Westwood Center Site***

1. Perimeter fencing, retaining walls and landscaping at the north and west boundaries of the site shall be regularly inspected and maintained by the property owner. The fence along the west property line must be replaced prior to the issuance of a Certificate of Occupancy for Scouts Restaurant and, on an ongoing basis, must remain sturdy and in a full upright position, with all fence panels in place and in good condition. The retaining wall must remain in a solid and sturdy condition; any loose materials must be replaced. Landscaping along Woodland Road must be maintained in good condition and replaced as necessary, subject to the determination of the City's Certified Arborist, to provide substantial screening along the fence.

2. Vegetation along the public sidewalk on Woodland Road must be kept trimmed and may not obstruct or endanger pedestrian or bicycle traffic on the sidewalk.

3. Use of the alley on the south and west sides of the building shall be limited as follows:
   - The alley shall be used only for deliveries, trash pick-up, as a drive-thru travel lane for the pick-up window at Scouts Restaurant and by emergency and security vehicles.
   - No parking, standing or staging of vehicles, other than for the purposes noted above, is permitted.
   - ~~No portion of the alley shall be used as a drive thru or staging area for pick up by individuals, delivery services or by restaurant delivery personnel.~~
   - No gathering, loitering or smoking in the alley is permitted.
   - Vehicles, except for emergency vehicles, may only enter the alley from Woodland Road and travel south and east, existing on to Western Avenue.
   - A sign shall remain posted stating that deliveries and trash pickup is permitted only between the hours of 7 a.m. and 6 p.m., on weekdays.
   - The need for signage or pavement markings in the interest of pedestrian safety shall be evaluated in consultation with the public works and public safety departments of the City.
   - The property owner is responsible for managing the use of the alley to avoid conflicts by various users.

4. The property owner is responsible for establishing parking policies that give priority to customer parking, rather than employee parking, on the site. The property owner is responsible for monitoring parking activities and working with the tenants on an ongoing basis to assure compliance with the policies. The policies shall address the following:
   a. Employees shall park off site in the Central Business District employee parking lot on McKinley Road during peak customer times.
   b. No employee parking shall be permitted on Western Avenue.
   c. No parking by employees or customers shall be permitted on residential streets.

5. Existing exterior lighting shall be reviewed and modified as necessary to prevent views of the source of the light from off of the site and to minimize light impacts on the neighboring homes.
   a. Modifications to existing lighting may include, but are not limited to, replacing fixtures, adding light restricting drop down panels or reducing the intensity of lighting if so directed by the City.
   b. Only essential security lighting, with the light source shielded from direct view, is permitted to remain on after operating hours.
   c. City approval and permits are required prior to the addition or modification of exterior lighting on the site.

Conditions Specific to Scouts Restaurant

6. Signage, if not consistent with the previously approved signage, shall be subject to review and approval by the Building Review Board.

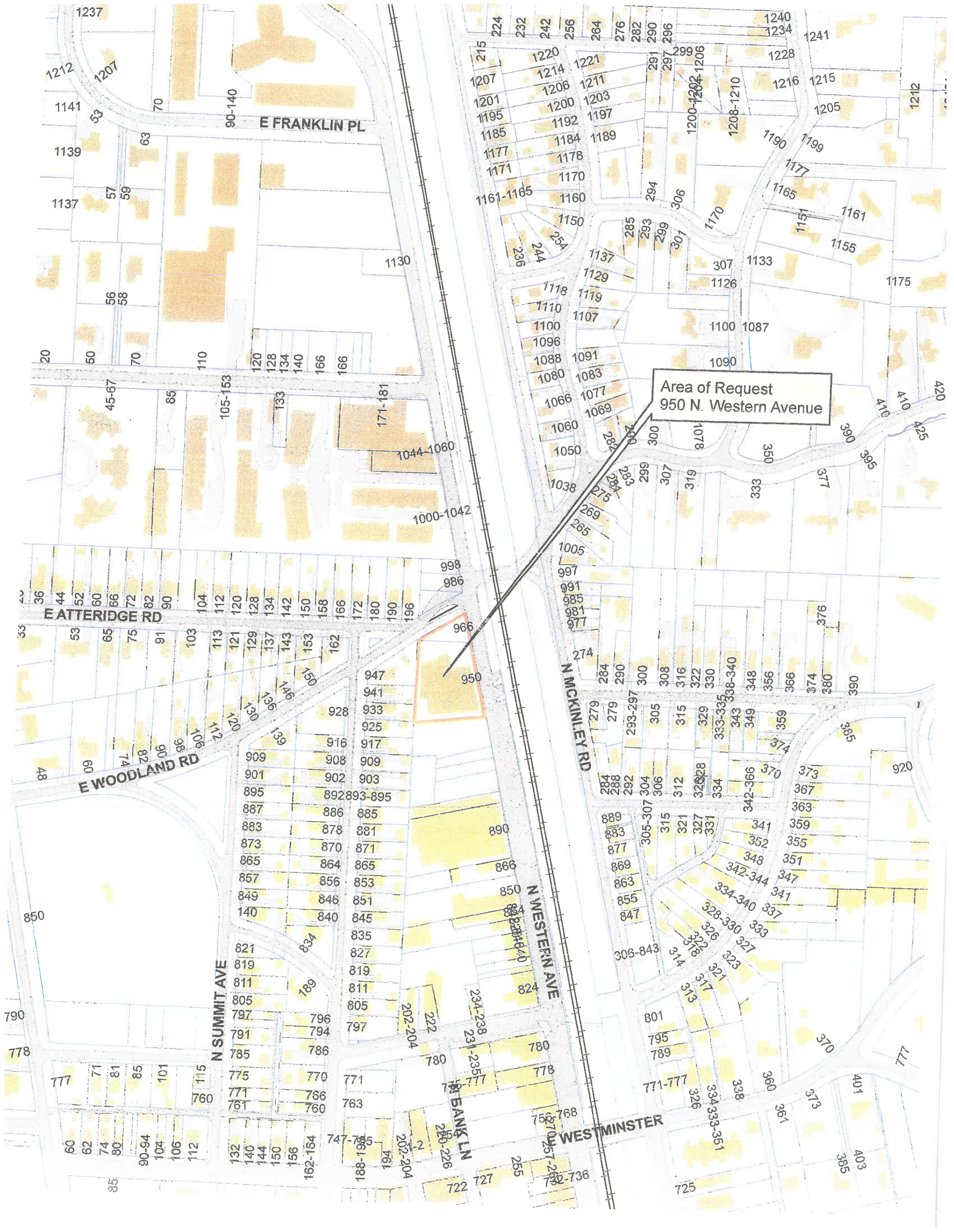
7. Documentation of maintenance and inspection of the ventilation system must be submitted to the City on a regular basis after installation and after the opening of the restaurant.

9. Valet services during certain times may be required at the direction of the City based on an ongoing evaluation of activity levels at the site. If valet services are offered, staging shall occur on Western Avenue, away from the neighboring residences.

10. All activity in the outdoor courtyard shall end no later than 11 p.m. including clean-up of the area consistent with the permitted hours for the Kuro patio.

11. Any amplified sound in the courtyard or emanating from the pick-up window area shall be at a level so that the sound in not audible at any location off of the site, at any time.
12. During peak hours, the restaurant owners are responsible for assuring regular monitoring of the parking lots, drive thru lane and neighboring residential streets to verify that parking and overall operations ~~is~~are occurring consistent with the established policies and to take corrective action if necessary.

13. The property owners and restaurant owners are responsible for informing and directing employees and customers to appropriate parking areas. As necessary, the owners shall inform City staff of recurring parking or circulation issues on the site and corrective action shall be taken.


Area of Request
950 N. Western Avenue
E FRANKLIN PL
E ATTERIDGE RD
E WOODLAND RD
N SUMMIT AVE
N WESTERN AVE
N MCKINLEY RD
BANK LN
WESTMINSTER

Area of Request
WOODLAND ROAD
WESTERN AVENUE

Special Use Permit for Scouts Restaurant

Approved June 3, 2019

THE CITY OF LAKE FOREST

CHARTERED 1861

THE CITY OF LAKE FOREST

ORDINANCE NO. 2019-28

ORDINANCE GRANTING A SPECIAL USE PERMIT AUTHORIZING SCOUTS, A FULL SERVICE RESTURANT TO OPERATE AT 950 N WESTERN AVENUE, PARTIALLY WITHIN 150 FEET OF A RESIDENTIAL ZONING DISTRICT

Adopted by the Mayor and City Council of
The City of Lake Forest
this 3rd day of June, 2019

Published in pamphlet form by direction and
authority of the City Council of The City of Lake Forest,
Lake County, Illinois
this 3rd day of June, 2019

THE CITY OF LAKE FOREST

ORDINANCE NO. 2019-28

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AUTHORIZING SCOUTS, A FULL SERVICE RESTAURANT TO OPERATE AT 950 N. WESTERN AVENUE, PARITALLY WITHIN 150 FEET OF A RESIDENTIAL ZONING DISTRICT

WHEREAS, Westwood Square LLC, Todd Altounian 25%, Nicole Altounian 25%, Jennifer Bianchi 25%, James Altounian II 25% (collectively, the "***Owners***") are the owners of that certain real property commonly known as 950 N. Western Avenue Lake Forest, Illinois and legally described in Exhibit A, attached hereto (the "***Property***"); and

WHEREAS, and Jason Akemann, is the owner and operator of the proposed restaurant (the "***Tenant***"); and

WHEREAS, the Owner has filed a petition (the "***Petition***") requesting approval of a Special Use Permit ("**SUP**") to authorize a new restaurant, Scouts, and its location and operation partially within 150 feet of a residential zoning district, with the Plan Commission for its evaluation and recommendation; and

WHEREAS, the Petition was filed in accordance with the regulations of Section 159.045, Special Uses, of the Lake Forest Zoning Code; and

WHEREAS, the Plan Commission did conduct a properly noticed public hearing on the Petition on March 13, 2019 and, after having fully heard and having considered the evidence and testimony by all those who wished to testify and after deliberating, voted 6 to 0, to recommend approval of the request subject to the terms and conditions of approval hereinafter set forth and made findings as detailed on Exhibit B, attached hereto and made a part hereof; and

WHEREAS, the City Council (i) concurs with the findings of the Plan Commission, (ii) finds that the uses and Improvements as authorized herein will satisfy the requirements of Sections 159.045 and 159.111(C) of the Zoning Code, and (iii) subject to the terms and conditions herein set forth, finds and determines that it is in the best interests of the City and its residents to approve the Petition and grant the SUP as set forth in the Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY MAYOR AND THE CITY COUNCIL OF THE CITY OF LAKE FOREST, ILLINOIS, as follows:

SECTION ONE. **Recitals:** The foregoing recitals are incorporated into this Ordinance as if fully set forth.

SECTION TWO. **Approval of SUP:** Pursuant to Sections 159.045 and 159.111(C) of the Zoning Code and subject to the limitations set forth in the City Code and the conditions set forth in Section Three of this Ordinance, the City Council hereby approves the Petition and grants the SUP authorizing the establishment and operation of Scouts, a full service, family friendly restaurant, on the Property generally in conformance with the plans as depicted on Group Exhibit C attached hereto and made a part hereof.

SECTION THREE: **Conditions on Approval**. The approval granted pursuant to Section Two of this Ordinance shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the Mayor and City Council, render void the approvals granted by this Ordinance:

A. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance except only after

all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.

B. Compliance with Laws. Chapters 150, regarding building and construction, 156, regarding subdivisions, and 159, regarding zoning, of the City Code, and all other applicable ordinances and regulations of the City shall continue to apply to the Property, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.

C. Compliance with the Plans. The Improvements must be developed on the Property in substantial compliance with the Plans, as recommended by the Building Review Board and previously approved by the City Council.

D. Fees and Costs. The Owners shall be responsible for paying all applicable fees relating to the granting of the approvals set forth herein in accordance with the City Code. In addition, the Owners shall reimburse the City for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the City shall have the right to foreclose such lien in the name of the City as in the case of foreclosure of liens against real estate.

E. Conditions Pertaining to the Overall Westwood Square Development.

1. Perimeter fencing, retaining walls and landscaping at the north and west boundaries of the site shall be regularly inspected and maintained by the property owner. The fence must remain sturdy and in a full upright position, with all fence panels in place and in good condition. The retaining wall must remain in a solid and sturdy condition; any loose materials must be replaced. Landscaping along Woodland Road and Western Avenue must be maintained in good condition and replaced as necessary, subject to the determination of the City's Certified Arborist, to provide substantial screening along the fence.

2. Vegetation along the public sidewalk on Woodland Road must be kept trimmed and may not obstruct or endanger pedestrian or bicycle traffic on the sidewalk.

3. Use of the alley on the south and west sides of the building shall be limited as follows:
   a. The alley shall be used only for deliveries, trash pick-up and by emergency and security vehicles.
   b. No parking, standing or staging of vehicles, other than for the purposes noted above, is permitted.

c. No portion of the alley shall be used as a drive thru or staging area for pick up by individuals, delivery services or by restaurant delivery personnel.
d. No gathering, loitering or smoking in the alley is permitted.
e. A sign shall remain posted stating that deliveries and trash pickup is permitted only between the hours of 7 a.m. and 6 p.m., on weekdays.

4. The property owner is responsible for establishing parking policies that give priority to customer parking, rather than employee parking, on the site. The property owner is responsible for monitoring parking activities and working with the tenants on an ongoing basis to assure compliance with the policies. The policies shall address the following:
   a. Employees shall park off site in the Central Business District employee parking lot on McKinley Road during peak customer times.
   b. No employee parking shall be permitted on Western Avenue.
   c. No parking by employees or customers shall be permitted on residential streets.

5. Existing exterior lighting shall be reviewed and modified as necessary to prevent views of the source of the light from off of the site and to minimize light impacts on the neighboring homes.
   a. Modifications to existing lighting may include, but are not limited to, replacing fixtures, adding light restricting drop down panels or reducing the intensity of lighting if so directed by the City.
   b. Only essential security lighting, with the light source shielded from direct view, is permitted to remain on after operating hours.
   c. City approval and permits are required prior to the addition or modification of exterior lighting on the site.

F. Conditions Specific to Scouts Restaurant.

6. Signage, if not consistent with the previously approved signage, shall be subject to review and approval by the Building Review Board.

7. Documentation of maintenance and inspection of the ventilation system must be submitted to the City on a regular basis after installation and after the opening of the restaurant.

8. Valet services during certain times may be required at the direction of the City based on an ongoing evaluation of activity levels at the site. If valet services are offered, staging shall occur on Western Avenue, away from the neighboring residences.

9 All activity in the outdoor courtyard shall end no later than 11 p.m. including clean-up of the area consistent with the permitted hours for the Kuro patio.

10. Any amplified sound in the courtyard shall be at a level so that the sound in not audible at any location off of the site, at any time.

11. During peak hours, the restaurant owners are responsible for assuring regular monitoring of the parking lots and neighboring residential streets to verify that parking is occurring consistent with the established policies and to take corrective action if necessary.

12. The property owners and restaurant owners are responsible for informing and directing employees and customers to appropriate parking areas. As necessary, the owners shall inform City staff of recurring parking or circulation issues on the site and corrective action shall be taken.

SECTION FOUR: Amendment to Ordinance. Any amendments to the terms, conditions, or provisions of this Ordinance that may be requested after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in Section 159.045 of the Zoning Code, or by an amendment to the SUP itself in the manner provided in the Zoning Code and by applicable law.

SECTION FIVE: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall, in the discretion of the City Council, be of no force or effect if Owners have not (i) executed and (ii) thereafter filed with the City Clerk, within 60 days following the passage of this Ordinance, the unconditional agreement and consent, in the form attached hereto as Exhibit D and by this reference made a part hereof, to accept and abide by each and all of the terms, conditions, and limitations set forth herein. The City Clerk is hereby directed to record this Ordinance and such agreement and consent with the Recorder of Deeds of Lake County.

PASSED THIS 3rd DAY OF June, 2019

AYES: 8 Alderman Beidler, Morris, Newman, Rummel, Preschlack, Goshgarian, Moreno and Buchmann

NAYS: 0

ABSENT: 0

ABSTAIN: 0

APPROVED THIS 3rd DAY OF June, 2019.

MAYOR

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION

THOSE PARTS OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF LAKE FOREST, LAKE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

TRACT 1: LOTS 4 AND 5 IN PLAT OF SUBDIVISION OF THE SOUTH 146.04 FEET OF THE NORTH 243.40 FEET OF LOTS 346 IN "LAKE FOREST" RECORDED AS DOCUMENT 116118 ON MARCH 7, 1908;

TRACT 2: THAT PART OF LOT 346 IN "LAKE FOREST" ACCORDING TO THE PLAT THEREOF RECORDED JULY 23, 1857, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID LOT 346, 250.00 FEET SOUTHERLY FROM THE NORTHWESTERLY CORNER THEREOF; THENCE SOUTHERLY ALONG SAID EASTERLY LINE OF SAID LOT 346, 50.00 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID LOT 346, 169.89 FEET MORE OR LESS, TO THE WEST LINE THEREOF; THENCE NORTH ALONG SAID WEST OF LOT 346, 48.66 FEET MORE OR LESS, TO A POINT DUE WEST OF SAID POINT OF BEGINNING (MEASURED ALONG A LINE PARALLEL WITH SAID NORTH LINE OF LOT 346); THENCE EAST ALONG AFOREMENTIONED LINE PARALLELING SAID NORTH LINE OF LOT 346, 158.48 FEET MORE OR LESS, TO SAID POINT OF BEGINNING;

TRACT 3: THAT PART OF LOT 346 IN "LAKE FOREST" ACCORDING TO THE PLAT THEREOF RECORDED JULY 23, 1857, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID LOT 346, 300.00 FEET SOUTHERLY FROM THE NORTHEAST CORNER THEREOF; THENCE SOUTHERLY ALONG SAID EASTERLY LINE OF LOT 346, 157.14 FEET, MORE OR LESS, TO A POINT 224.96 FEET NORTHERLY OF THE SOUTHEASTERLY CORNER OF SAID LOT 346 (MEASURED ALONG SAID EASTERLY LINE OF LOT 346), THENCE WESTERLY ALONG A STRAIGHT LINE 207.15 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF SAID LOT 346; THENCE NORTH ALONG SAID WEST LINE OF LOT 346, 179.22 FEET, MORE OR LESS, TO A POINT DUE WEST OF SAID POINT OF BEGINNING (MEASURED ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT 346) THENCE EAST ALONG AFOREMENTIONED LINE PARALLELING SAID NORTH LINE OF LOT 346, 169.89 FEET, MORE OR LESS, TO A POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS. TOTAL AREA = 47,058 S.F., 1.08 ACRES

EXHIBIT B
Findings of Fact

Restaurant Performance Standards

Performance Standard - Availability of parking

Westwood Center differs from many other developments and commercial buildings located in the Central Business District because there are a significant number of parking spaces on site. In addition to the surface parking lot on the northern portion of the site, which has 24 spaces, there is parking underneath the building for about 60 cars.

The spaces in the surface lot and in the underground garage are shared by all of the tenants in the building. The majority of businesses in the development are daytime businesses so in the evenings, most of the spaces on the site will be available for customers of the new restaurants. Public parking for customers is also available on both sides of Western Avenue. Currently in the evenings, the Western Avenue parking spaces in this immediate area and to the south are unused with the exception of the spaces closer to the entrance to Jewel. Employee permit parking, and parking for valet service offered by Scouts restaurant, is available on the east side of the railroad tracks, no permits are required for parking in these lots in the late afternoons and evenings.

Importantly, given the convenient location, it is expected that some customers, from the surrounding residential areas, will walk to the restaurant.

The owners of Westwood Center will be responsible for advising all tenants that the on site parking, both the surface parking and underground parking, is intended for customers first and foremost, not employees. During peak customer hours, the building management must require employees of all of the businesses in Westwood Center to park in the Central Business District employee permit parking lot on the east side of the railroad tracks. Westwood Center has a distinct advantage over many other businesses in the Central Business District because employees will have only a short walk along Woodland Road, under the lighted viaduct, to the off site employee parking lot on McKinley Road, east of the railroad tracks.

No employee or customer parking is permitted on streets in the adjacent residential neighborhoods. Community Development staff will work with the property and business owners and the City's Police Department to assure that parking for Westwood Center does not occur on residential streets. With the available parking on the site, on Western Avenue and in the parking lot on the east side of the railroad tracks, parking in adjacent residential neighborhoods has not been an issue in the past. If parking by employees or customers of the restaurants, offices or other businesses in Westwood Center does occur on residential streets, the City will take action promptly to stop that activity. This staff report includes a recommendation prohibiting employee and customer parking on residential streets.

Performance Standard Building Review Board Approval

- As noted above, exterior renovations to the overall building are proposed and will require review and approval by the Building Review Board. Signage, landscaping and any additional exterior lighting will also require review by the Building Review Board.

Performance Standard Issuance of a Liquor License
The City Council has jurisdiction over issuing liquor licenses and determining whether businesses should or should not be permitted to serve or sell alcohol. Application for a liquor license is made to City Hall and the request for liquor licenses, in this case, will be considered by the City Council at a later date.

Liquor licenses granted by the City Council establish hours during which liquor can be sold. Most liquor licenses allow the sale of alcohol between the hours of 11 a.m. and midnight. In the case of outdoor patios, conditions of a Special Use Permit could limit hours of use and the liquor license would be aligned to those hours.

Performance Standard – Ventilation Systems
The City Code requires the installation of high quality air filtration systems and ventilation systems for all restaurants. A new ventilation system will be installed to serve the new Scouts restaurant. Plans for the system will need to be submitted to the City for review and approval prior to the issuance of a building permit to allow buildout of the restaurant to proceed. The system will be inspected and must past City inspections prior to the issuance of a Certificate of Occupancy to allow the restaurant to open.

The Code requires the submittal of confirmation of regular maintenance and cleaning of the ventilation systems in restaurants to the City on an ongoing basis.

Performance Standard – Amplified Sound
Scouts proposes amplified sound seasonally, in the courtyard area, at a level that does not permit the sound to be audible off of the site, at any location.

Performance Standard – Schedules for deliveries and trash pickup
Hours for deliveries to restaurants and trash pickup for the overall Westwood Center development are limited to 7 a.m. to 6 p.m. The owner of the new restaurant will be required to adhere to those hours. The restaurant operator indicated that most deliveries to Scouts will occur between the hours of 8 a.m. and 4 p.m. Deliveries will be made on the south side of the building or through the front door, off of Western Avenue, away from the neighboring homes.

Although the Performance Standards in the Code do not specifically address deliveries *from* the restaurant to customers, with the variety of delivery services available today, delivery service will likely be used by some customers at times. The conditions as recommended by the Commission prohibit delivery drivers from staging in the alley to the west of the restaurant. The alley is immediately adjacent to the rear yards and private spaces of adjacent homes. In the past, activity in the alley by

delivery drivers and employees of past businesses located in Westwood Center has resulted in complaints from neighboring residents.

The trash from the restaurant will be housed in the dumpster alcove on the south side of the building. Per City Code, trash must be kept in a closed container. Trash will be collected on a daily basis. There will be no outdoor grease container. The grease will be stored in the basement at the southeast corner of the building, using a new technology, and will be pumped from that location and taken off site.

Performance Standard Minimizing impacts on single family homes: light, noise, traffic

The proposed restaurant will be located in an existing commercial building. Delivery trucks and other users of the alley shall only enter the alley *from* Woodland Road and *exit* on to Western Avenue to minimize the impact of headlights and noise on the neighborhood. The building owner shall provide appropriate signage and is responsible for enforcement. As noted above, conditions are proposed at the end of this report prohibiting the use of the alley as a staging area for deliveries or a break area for employees from any of the businesses at Westwood Center. Various conditions of approval as recommended at the end of this report are proposed in an effort to minimize impacts on the adjacent residential neighborhood.

Provided below is an evaluation of the **Criteria for Special Use Permits** in the City Code.

Special Use Permit Criteria #1: The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The proposed restaurant is consistent with other uses in the Central Business District and is not unlike other uses that are located in proximity to the residential neighborhoods that border the full length of the City's business. In general, the business and residential uses have been able to co-exist for many years. Issues do come up at various locations from time to time and efforts are made to resolve them by working with all parties to assure that both the residential neighborhoods and the business district thrive.

The continued operation of Westwood Center as an upgraded and fully occupied commercial development, with increased attention to operations and maintenance, will not be detrimental to or endanger public health, safety, morals, comfort or general welfare.

Special Use Permit Criteria

Special Use Permit Criteria #2: The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and will not substantially diminish and impair property values within the neighborhood

The proposed new restaurant is consistent with the commercial nature of the Westwood Center development and generally consistent with the type of uses that have existed at this location in the past. The proposed use, if operated consistent with the recommended conditions of approval, will not be injurious to the use and enjoyment or value of properties in the immediate area. Importantly, the restaurant operator is experienced and well respected in the restaurant business and, is a local resident. The proposed restaurant will be prominent on the streetscape, across from the railroad tracks, and will be an amenity to the neighboring residential area and add vitality to the City's business district.

Consistently, resident surveys have indicated an interest in bringing new restaurants into the City's business district. In addition, the most recent strategic planning exercise held by the City Council placed a high priority on encouraging new businesses to support the long term health of the City's business district, bring increased activity into the City's core and support property values throughout the community.

Special Use Permit Criteria #3: The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. In business districts, the special use will not negatively affect the overall character of the area or detract from the primary retail nature of the district.

The surrounding area is already developed. The proposed restaurant will likely help to attract other tenants to Westwood Center to meet the needs and interests of the growing residential population located within walking distance of this commercial development and to in turn, support the new restaurants. The proposed restaurant will add to the vitality of the Central Business District and offer an additional dining option in the City's core area. The proposed restaurant, if operated consistent with the proposed conditions of approval, will not negatively affect the overall character of the area and will support and enhance the business district.

Special Use Permit Criteria #4: The exterior architectural appearance and functional plan of any proposed structure will not be incompatible with existing buildings, sites, the larger neighborhood or district so as to cause a substantial depreciation in the property values.

No new buildings are proposed. Exterior renovations to the building are planned and will require review and approval by the Building Review Board.

Special Use Permit Criteria #5: Adequate utilities, access roads, drainage and or necessary facilities have been or are being provided.

Adequate utilities and other infrastructure are in place to serve the new restaurant which will be located in an existing commercial development.

Special Use Permit Criteria #6: Adequate measures have been or will be taken to provide ingress and egress.

This is an existing commercial site. No changes are planned to the location or configuration of the curb cuts. Development of an on site circulation plan is recommended as a condition of approval designating the alley for one-way travel, allowing entry to the alley from the north and exit on to Western Avenue, into the commercial district, rather than into the residential neighborhood.

Special Use Permit Criteria #7: The special use shall conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the City Council as part of the Special Use Permit.

As recommended, the Special Use Permit for the proposed restaurant will allow operation of the restaurant in a manner consistent with the regulations of the B-2, Community Commercial Business District. No variances from the regulations of the district are requested and the recommended conditions of approval will put operating parameters in place for the new restaurant and the overall Westwood Center. The conditions recommended below are generally consistent with those established for Kuro, the recently approved sushi restaurant.

EXHIBIT C

WESTWOOD CENTER

Witmer & Associates
Architecture and Interior Design
witmerandassoc.com

Scouts

EXHIBIT C

Excerpt
The City of Lake Forest
Plan Commission
Proceedings of the March 13, 2019 Meeting

A meeting of the Lake Forest Plan Commission was held on Wednesday, March 13, 2019, at 6:30 p.m., at City Hall, 220 E. Deerpath, Lake Forest, Illinois.

Commission members present: Chairman Kehr and Commissioners Michael Freeman, Monica Ruggles, Guy Berg, Stephen Douglass and Susan Athenson

Commissioners absent: Commissioner Remo Picchietti

Staff present: Catherine Czerniak, Director of Community Development

****

5. **Public Hearing and Action**: Consideration of a request for a Special Use Permit to authorize Scouts, a casual restaurant, to occupy space in an existing building at **950 N. Western Avenue**, commonly known as Westwood Square. A portion of the proposed restaurant is located within 150 feet of property zoned for residential use.
   Property Owners: Westwood Center LLC (Todd Altounian 25%, Nicole Altounian 25%, Jennifer Bianchi 25%, James Altounian II 25%)
   Tenant: Scouts, Jason Akemann, Bottleneck Management, partner
   Representative: Peter Witmer, architect

Chairman Kehr asked the Commission to declare any conflicts of interest or Ex Parte contacts. Hearing none, she swore in all those intending to speak.

Mr. Akeman introduced the petition and himself noting that he moved to Lake Forest two years ago and lives about 300 yards from the proposed restaurant. He stated that he was born into the restaurant business and started washing dishes in his family's four star restaurant at seven years old. He stated that he has worked every position in various restaurants and has been involved in restaurant projects all over the Country. He stated that he now works for himself. He stated that at the age of 25, he opened a bar across from Wrigley Field which he just sold earlier this year. He stated that he has built a business with 42 corporate employees and 1,500 restaurant employees. He stated that he has restaurants in seven different states and five restaurants currently under construction, including one in Disney Springs, Orlando. He stated that today, his business has 16 operating restaurants as an outgrowth of that original bar. He stated that this project for him is not about any of that, it is a "solo album". He stated that this restaurant is his attempt to give back to this community in the best way that he knows how and fill a gap that he sees in the community. He stated that today, there are two distinct types of restaurants in town. He stated that the Central Business District is the place for restaurants, not the outskirts of the community. He stated that restaurants are revitalizing neighborhoods and towns if they are invested in properly. He said that he sees an opportunity for a

restaurant at this location that serves the family community as well as the restaurant diner. He stated that a multi-generational restaurant is possible if it is designed properly and serves approachable, accessible and casual food at a price point that allows many residents to participate. He stated that he has three children under seven and knows that it is difficult to find a restaurant that works well for his family. He stated that he first got involved in this project after Mr. Altounian consulted him about the viability of a restaurant at this location. He stated that he kept looking at the space and driving by and became more and more interested. He noted that he came to the conclusion that it could work and then developed a plan that makes sense for the type of operation that he wants to bring to Lake Forest. He stated that it was never a question of whether he was going to open a restaurant in Lake Forest, but a question of when and where. He described the restaurant noting that as proposed, it is a little over 6,000 square feet and will seat 200 to 210 inside and seasonally, 40 to 50 outside. He explained that a 60 seat restaurant in the City equals a 200 seat restaurant in the suburbs because there is only one peak time and not as much opportunity to turn tables over for a second seating in the suburbs. He said that he carefully thought about the right size for this restaurant and what is needed to make it work without overreaching. He noted the location of the restaurant in the building on the Western Avenue street frontage, in the portion of the building that is furthest away from the adjacent residential development. He stated that he gave careful consideration to the location of services needed to support the restaurant and the potential for noise and traffic impacts on nearby residents. He stated that deliveries of major items will occur once or twice a week, between 8 a.m. and 4 p.m. He stated that he does not plan to have employees in the restaurant earlier than 8 a.m. He stated that the building configuration provides the opportunity to take deliveries in the alley without blocking the street or alley. He noted that trucks will be able to turn off their engines while parked on the south side of the building, away from the neighboring homes. He stated that the one-way alley, entering from Woodland Road and exiting on to Western Avenue, will make it clear to truck drivers how to move through the site. He stated that the building is well set up for garbage removal with the collection areas located off the alley, around the building, adding that they are sufficient in size to handle dumpsters. He stated that he anticipates garbage pickup every day, except Sunday, adding that mid-afternoon pickups are best for his business. He stated that he will have between 20 to 30 employees on site at any one time and stated that employees will be required to use the public lots on the east side of the railroad tracks noting that he will likely purchase permits at least for management staff. He stated that he is experienced in enforcing employee parking regulations and reiterated that he lives just a couple blocks from the site and he will be watching. He noted that although there is not a large parking lot near the entrance to the building, there are 20 surface parking spaces on the site and 40 more spaces under the building. He added that there are plenty of parking spaces along both sides of Western Avenue for customer parking noting that the Lantern and Authentico only have the street parking to rely on for customers. He stated that based on his experience, the available parking is sufficient to meet the needs of the restaurant. He stated his intention to have on site valet service available on the weekends and other times if needed. He provided some specifics about the

restaurant noting that it is intended to be a relaxed and casual space that will appeal to all generations. He stated the intent to offer meals for $12.00 to $24.00 dollars per person. He explained that the seating will accommodate large groups with booths and tables that are easy to push together for families. He stated that tables will accommodate high chairs and toddlers. He stated his intent to bring successful elements of his other restaurants to Lake Forest, elements that are not currently available here. He stated that the bar will be appropriately sized to accommodate people who are waiting for tables. He said that the kitchen will be visible from inside the restaurant. He pointed out that the entry area is wide and welcoming adding that he is not trying to maximize tables and seats. He commented that most tables will be low, again, to accommodate families, with fewer high tops. He stated that seasonally, tables will be available in the courtyard, internal to the site, within the four walls of the building. He stated that appropriate lighting will be added to the courtyard with perhaps a water or fire feature. He stated that lunch and dinner will be served adding that the anticipated hours are 11:30 a.m. to 11:30 p.m., depending on customer traffic. He stated that the name "Scouts" is intended to connect with the community explaining that he would like to use his experience to serve the community in which he has decided to raise his family.

Ms. Czerniak explained that the proposed restaurant is before the Commission for consideration because restaurants within 150 feet of property zoned for residential use require consideration through the Special Use Permit process. She stated that a portion of the proposed restaurant is within 150 feet of a residential zoning district. She reminded the Commission that a few months ago Kuro, a Sushi restaurant proposed in Westwood Center, was before the Commission for consideration. She stated that the space in which Kuro will be located is wholly within the 150 foot boundary. She stated that Scouts, the restaurant now proposed, is partially located within the 150 foot area. She noted that if the restaurant was outside of the 150 foot area, it would be allowed by right and would not require consideration through the Special Use Permit process or action by the Commission.

Chairman Kehr invited questions from the Commission to the petitioner or staff.

In response to questions from Commissioner Athenson, Mr. Altounian confirmed that on-site parking, in combination with street parking on Western Avenue, will be sufficient to meet the needs of the restaurant during the day, on week days. He stated that as noted, valet parking and use of the public parking lots on the east side of the railroad tracks will likely be needed on weekends. He stated that the goal will be to make it easy for customers. He confirmed that the valet drop off and pick up area will be configured to avoid blocking the flow of traffic on Western Avenue.

In response to questions from Commissioner Athenson, Mr. Akemann stated that proposed restaurant will likely be a level above Chiefs and The Lantern, and below the Deerpath Inn and Market House. He stated that his restaurant will be more casual than MLG and, like The Silo, will fill a niche that is welcoming to families. He

noted that niche is filled by restaurants outside of the community, but could be met within the community. He stated that the proposed restaurant will be casual, a place to go after a soccer game.

In response to questions from Commissioner Berg, Mr. Witmer confirmed that the face of the building will be removed and replaced with upgraded materials. He confirmed that windows will be added to wrap around the corner of the building, to the south elevation. He stated that the Building Review Board is scheduled to review the plans for the building at the next meeting. He stated that a substantial investment will be made into the building.

In response to questions from Commissioner Freeman, Mr. Akemann confirmed that he is comfortable with the conditions as proposed by staff.

On behalf of the Commission, Chairman Kehr thanked Mr. Akemann for his interest in the community and for his enthusiasm.

In response to questions from Chairman Kehr, Mr. Akemann stated that parking spaces for pick up services will be located in the surface parking lot on the site or in the below grade parking lot.

In response to questions from Chairman Kehr, Mr. Altounian stated that during the day, about six of the below grade parking spaces may be dedicated to employees in the second floor offices. He stated that in the evenings, and on the weekends, all of the underground spaces will be open and available for customers.

In response to questions from Commissioner Berg, Mr. Altounian confirmed that there is an elevator that provides access from the below grade parking to both the ground level and the second floor. He confirmed that the planter boxes in the courtyard will be removed.
Hearing no further questions from the Commission, Chairman Kehr invited public testimony.

Nicholas Boyaris, 947 Oakwood Avenue, stated that he recently received the notice of the public hearing by Certified Mail. He stated that the letter stated different hours of operation than those stated by Mr. Akemann. He noted that the use of the courtyard for 40 additional seats and the request to allow amplified sound in the court yard were also surprises. He stated that the restaurant as proposed appears to be quite large. He expressed concern about exterior lighting in the alley noting that any lighting should be subdued and directed downward. He expressed concern about people parking in the neighborhood noting that with two restaurants at this location, parking may be tight. He reiterated his concern about the size of the restaurant and potential of impact on his home. He stated that he is not supportive of the proposed restaurant.

Roberta Boyaris, 947 Oakwood Avenue, stated that she lives in the house located closest to the restaurant. She expressed concern about outdoor dining in the

courtyard noting that when Donati's was located in the development, they could hear noise from activity in the courtyard. She asked that consideration be given to ways to buffer the noise. She expressed surprise at the proposed hours of operation.

Hearing no further requests to speak, Chairman Kehr closed the public hearing and invited final questions and comments from the Commission.

In response to questions from Commissioner Athenson, Ms. Czerniak, noted that the staff report includes a condition that speaks to noise from the courtyard and exterior lighting on the site. She explained that ultimately, it is the property owner's responsibility to insure that the conditions of approval are followed. She stated that in the event the conditions are not followed, the City will notify the property and business owners and request that corrective action be taken. She stated that if the conditions are violated on an ongoing basis, the Special Use Permit may be revoked or brought back to the Plan Commission for review. She stated that liquor licenses issued by the City allow restaurants to remain open until midnight however she noted that most restaurants in the community close much earlier than midnight simply because there is no customer interest late in the evening.

In response to questions from Commissioner Athenson, Mr. Akemann explained that there is a grease containment system in the basement adding that the proposed restaurant will not generate the volume of grease generated by a fast food restaurant. He stated that his busiest restaurants require pumping of the grease containment system once a month unlike fast food restaurants which require pumping each week. He stated that pumping the grease will take about 30 minutes and pointed out that he can specify the time the trucks arrive.

In response to questions from Commissioner Freeman, Ms. Czerniak said that the Code requires service of alcohol in outdoor areas to end at midnight or when the main restaurant closes. She noted that for instance, restaurant employees cannot gather on the patio for drinks after hours.

Chairman Kehr noted that a condition in the staff report recommends that all activity on the outdoor patio end by 11:00 p.m. She asked if there was any further Commission discussion on the hours requested by the petitioner.

Commissioner Berg noted that the courtyard and restaurant are shielded from the neighboring homes.

Commissioner Douglass noted that there is a condition that limits noise from the courtyard that is disruptive off of the site. He added that the two restaurants have different exposure as it relates to the neighborhood.

Hearing no further comments, Chairman Kehr summarized that the Commission is supportive of the hours as requested by the petitioner with the provision that if there is ongoing disruption of the neighborhood, the hours will be subject to further review. Hearing no further comments from the Commission, Chairman Kehr invited a motion.

Commissioner Freeman made a motion to recommend approval of a Special Use Permit to authorize a full service restaurant, Scouts, partially within 150 feet of properties zoned for residential use. He added that Scouts will be located 950 N. Western Avenue, in Westwood Center. He noted that the motion is subject to the conditions detailed below.

Conditions pertaining to the ***overall Westwood Center Site***

1. Perimeter fencing, retaining walls and landscaping at the north and west boundaries of the site shall be regularly inspected and maintained by the property owner. The fence must remain sturdy and in a full upright position, with all fence panels in place and in good condition. The retaining wall must remain in a solid and sturdy condition; any loose materials must be replaced. Landscaping along Woodland Road must be maintained in good condition and replaced as necessary, subject to the determination of the City's Certified Arborist, to provide substantial screening along the fence.

2. Vegetation along the public sidewalk on Woodland Road must be kept trimmed and may not obstruct or endanger pedestrian or bicycle traffic on the sidewalk.

3. Use of the alley on the south and west sides of the building shall be limited as follows:
   - The alley shall be used only for deliveries, trash pick-up and by emergency and security vehicles.
   - No parking, standing or staging of vehicles, other than for the purposes noted above, is permitted.
   - No portion of the alley shall be used as a drive thru or staging area for pick up by individuals, delivery services or by restaurant delivery personnel.
   - No gathering, loitering or smoking in the alley is permitted.
   - A sign shall remain posted stating that deliveries and trash pickup is permitted only between the hours of 7 a.m. and 6 p.m., on weekdays.

4. The property owner is responsible for establishing parking policies that give priority to customer parking, rather than employee parking, on the site. The property owner is responsible for monitoring parking activities and working with the tenants on an ongoing basis to assure compliance with the policies. The policies shall address the following:
   a. Employees shall park off site in the Central Business District employee parking lot on McKinley Road during peak customer times.
   b. No employee parking shall be permitted on Western Avenue.
   c. No parking by employees or customers shall be permitted on residential streets.

5. Existing exterior lighting shall be reviewed and modified as necessary to prevent views of the source of the light from off of the site and to minimize light impacts on the neighboring homes.

a. Modifications to existing lighting may include, but are not limited to, replacing fixtures, adding light restricting drop down panels or reducing the intensity of lighting if so directed by the City.
b. Only essential security lighting, with the light source shielded from direct view, is permitted to remain on after operating hours.
c. City approval and permits are required prior to the addition or modification of exterior lighting on the site.

Conditions Specific to Scouts Restaurant

6. Signage, if not consistent with the previously approved signage, shall be subject to review and approval by the Building Review Board.

7. Documentation of maintenance and inspection of the ventilation system must be submitted to the City on a regular basis after installation and after the opening of the restaurant.

8. Valet services during certain times may be required at the direction of the City based on an ongoing evaluation of activity levels at the site. If valet services are offered, staging shall occur on Western Avenue, away from the neighboring residences.

9. All activity in the outdoor courtyard shall end no later than 11 p.m. including clean-up of the area consistent with the permitted hours for the Kuro patio.

10. Any amplified sound in the courtyard shall be at a level so that the sound in not audible at any location off of the site, at any time.

12. During peak hours, the restaurant owners are responsible for assuring regular monitoring of the parking lots and neighboring residential streets to verify that parking is occurring consistent with the established policies and to take corrective action if necessary.

13. The property owners and restaurant owners are responsible for informing and directing employees and customers to appropriate parking areas. As necessary, the owners shall inform City staff of recurring parking or circulation issues on the site and corrective action shall be taken.

The motion was seconded by Commissioner Athenson and approved by the Commission by a 6 to 0 vote.

****

THE CITY OF LAKE FOREST
CHARTERED 1861

Application for Plan Commission Review
Amendment to Special Use Permit - Central Business District

PROPERTY ADDRESS 950 WESTERN AVENUE **ZONING DISTRICT** B-2

APPROVED ~~EXISTING~~ USE RESTAURANT

PROPOSED USE RESTAURANT WITH PICK-UP WINDOW

EXPANSION OF EXISTING USE YES (NO)

VARIANCE REQUIRED YES (NO)

APPLICANT

Name LAKE FOREST SCOUTS LLC

Address 950 WESTERN AVENUE
LAKE FOREST, IL

Phone 773-807-9071

Relationship to Property TENANT
(Owner/Tenant/Attorney)

PROPERTY OWNER (if different from applicant)

Name WESTWOOD LLC

Address 950 WESTERN AVENUE
LAKE FOREST, IL

Phone 847-875-7025

BENEFICIAL INTERESTS

Corporation X (see exhibit A)
Partnership ____ (see exhibit B)
Trust, land or other ____ (see exhibit C)

I have read the complete application packet and understand the Special Use Permit process and criteria. I understand that this matter will be scheduled for a public hearing when a determination has been made that my application is complete.

SIGNATURES

SEE ATTACHED

Owner _____ Date _____

Owner _____ Date _____

Applicant _____ Date _____

8/04

[Type here]

BENEFICIAL INTERESTS Corporation __x__ (see exhibit A)

Partnership ____ (see exhibit B)

Trust, land or other ____ (see exhibit C)

I have read the complete application packet and understand the Special Use Permit process and criteria. I understand that this matter will be scheduled for a public hearing when a determination has been made that my application is complete.

SIGNATURES

Owner _____ Date 7-2-20

Owner _____ Date

Applicant _____ Date 7-2-20

8/04

APPLICANT'S REPRESENTATIVES

ARCHITECT **ATTORNEY**

WITMER & ASSOCIATES

PETER WITMER

FIRM **FIRM**

ADDRESS **ADDRESS**

PHONE **PHONE**

847 208-5240

ENGINEER **BUILDER**

ALTOUNIAN CONSTRUCTION

EXHIBIT "A"

CORPORATE OWNERSHIP

Please list the names and addresses of all officers and directors of the Corporation and all shareholders who own individually or beneficially 5% or more of the outstanding stock of the corporation. In addition, this application must be accompanied by a resolution of the Corporation authorizing the execution and submittal of this application.

NAME Jason Akemann NAME

ADDRESS 1087 Edgewood Rd ADDRESS

Lake Forest, IL 60045

OWNERSHIP PERCENTAGE
60% % OWNERSHIP PERCENTAGE %

NAME NAME

ADDRESS ADDRESS

WITMER AND ASSOCIATES
ARCHITECTURE AND INTERIOR DESIGN

June 30, 2020

City of Lake Forest
800 North Field Drive
Lake Forest, Illinois 60045

Project: Statement of Intent
Special Use Permit
Scouts and Honor Bar
950 N. Western Avenue, Lake Forest, IL 60045

The intent of this project is to open a multi-concept restaurant facility with a drive-thru component located in the tenant spaces formerly occupied by North Shore Cleaners and Joy Foot Spa in the existing Westwood Center commercial development located at 950 N. Western Avenue. Scouts, a counter service coffee bar and all-day café will front Western Avenue and utilize a proposed drive-thru for both breakfast and lunch segments. Scouts will feature a full complement of health forward breakfast and lunch options along with a wide range of coffee, tea, and cold pressed juice options. Honor Bar, a full-service restaurant and full-service bar, will be located adjacent to the interior courtyard of Westwood Center. Honor Bar will feature Classic American cuisine with an emphasis on traditional preparations that will also utilize the drive-thru during the dinner segment. The atmosphere for both concepts will be upbeat, casual, and approachable with an emphasis on creating a vibrant setting. Stepping through the doors, guests will find a warm and inviting environment with classic design elements mixed with a rustic modern finish. Guests will be welcomed by a professional, courteous, and gracious staff that will be both attentive and knowledgeable. Scouts and the Honor Bar will share the drive-thru, a kitchen, bathrooms, and an entry. Each concept will have approximately 50-60 indoor seats with additional outdoor seating for 40-50 guests available in the courtyard of Westwood Center. Hours of operation will be 7am to 11pm for the restaurants and 7am-9pm for the drive-thru with breakfast, lunch, and dinner menus available. With the current climate surrounding Covid-19 and the associated impact on the hospitality industry, the importance of the drive-thru cannot be understated. State of Illinois guidance under Phase IV as well as federal guidance from the CDC, make operating a restaurant that relies on dine in business alone an impossibility at this location. The drive-thru component is a game changer and would allow any venture to have at least a chance to survive if the guidance remains the same or if there is a regression and we are forced to take a step backwards. Without this component, the operation of this facility is simply too risky to undertake. Jason Akemann is a resident of Lake Forest and a successful restauranteur. Jason owns and operates 16 restaurants in 5 different states that oversees nearly 1500 employees and does almost 75 million dollars in annual food and beverage sales. In 2019, his restaurants served almost 2 million guests. Jason is excited to bring his 25 years of operating experience to his hometown and cannot wait to serve his neighbors and his community.

1000 N. WESTERN AVENUE LAKE FOREST ILLINOIS 60045
847.234.5240 www.witmerandassoc.com

Enhancements to the building exterior include replacing the masonry infill walls on the east side and 20 feet at the east end of the south side, removing the mansard roof, removing the casement windows, and removing the stone "shutters" on the balance of the east wall. The removed infill and mansard roof areas will be replaced with new brick, the removed stone "shutters" on the east façade will be replaced with brick, the balance of the existing brick on the south wall will be painted, and all windows will be replaced with new larger double hung windows. The entrance to the courtyard will be renovated with a full glass façade at the second-floor level above a new entry canopy. Lighting, sign board, and pick up window will be located along the south wall. The fence on the western edge of the property will be replaced and be built to the same heights as the existing fence. The foundation wall and retaining wall will be repaired. A grease trap will be located in the basement while trash will be held in a space on the south end of the building. The landscaping along the east façade and at the southeast corner of the building will be updated.

The following information addresses the criteria for a special use permit:

1. **The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.**
   The special use will be for dining activity and will pose no danger to the health, safety, and general welfare of the public. All fumes from cooking will be removed through ventilation systems at the cooking equipment. All grease will be removed through a contracted grease recycling company.

2. **The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**
   The new restaurant will be an enhancement to other properties in the vicinity, and will not diminish property values within the neighborhood.

3. **The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**
   The new facility will not impede the development and improvement of the surrounding property for uses permitted in the district. In fact, the establishment will encourage improvement and development within and around Westwood Center.

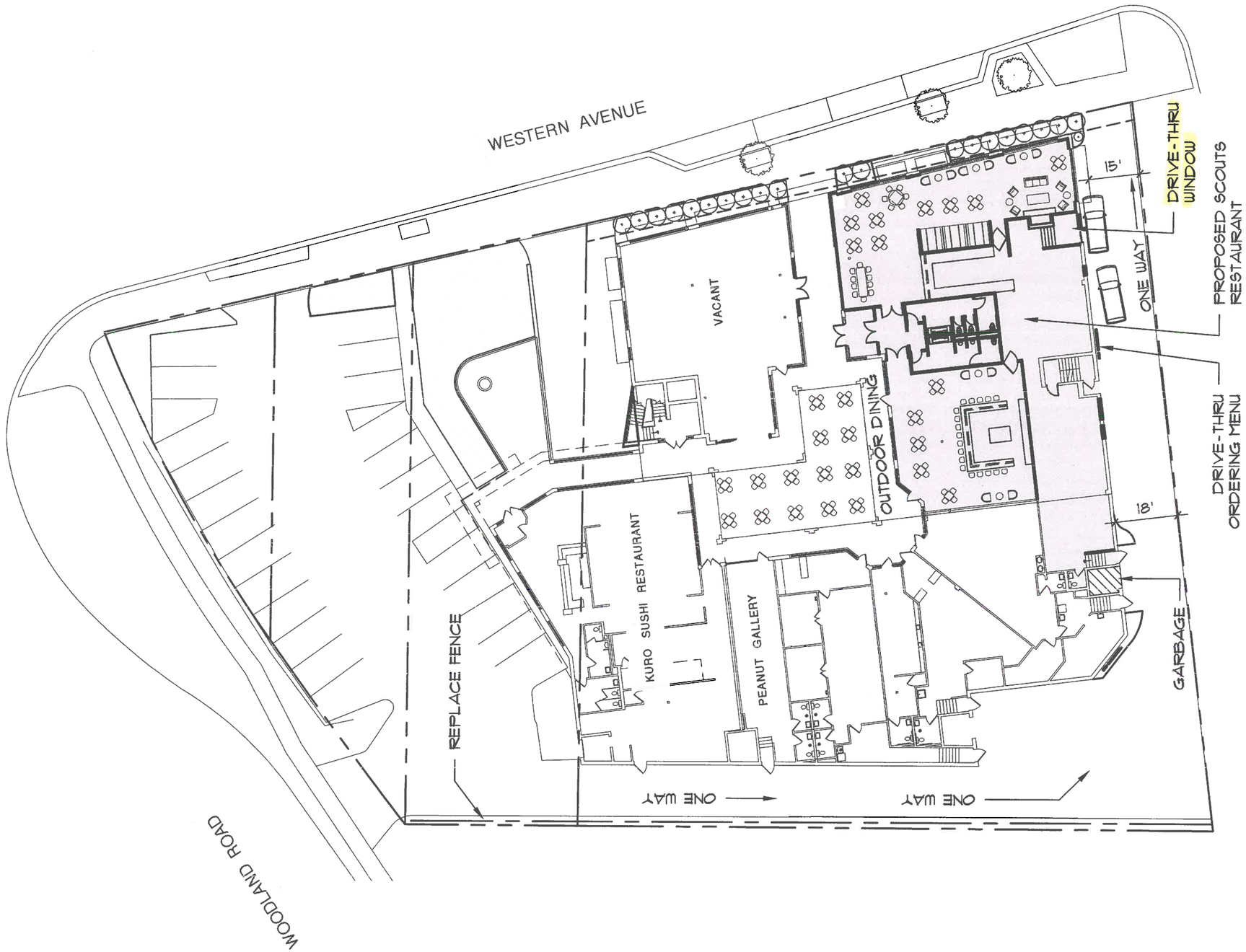
4. **The exterior architectural appearance and functional plan of any proposed structure will not be incompatible with either the exterior architectural appearance and functional plan of structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district so as to cause a substantial depreciation in the property values within the neighborhood.**
   The scope of work for the proposed restaurant is an interior renovation with the exterior work being performed separately. The exterior work is being designed to be more compatible with the character of the surrounding neighborhood and to enhance the interior spaces relationship to the streetscape.

5. **Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.**
   The new restaurant will utilize existing roads, facilities, and utilities. Customers will park in the on-site lower level parking garages, the on-site surface parking lot, and the street parking spaces. Employees will park in the City's north train lot with a permit. Garbage will be located the existing alcove on the south side of the building.

6. **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**
   With the existing on-site parking lot/garage and street parking, the effect of any added traffic will be minimal. Deliveries will be made during normal business hours OR Deliveries will be made during non

7. **The special use shall conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council.**
   The special use shall conform the applicable regulations of the district.

CURRENT PLAN – AS NOW PROPOSED



N

WESTWOOD CENTER
SITE PLAN
SCALE: 1" = 30'-0"

2020.06.30

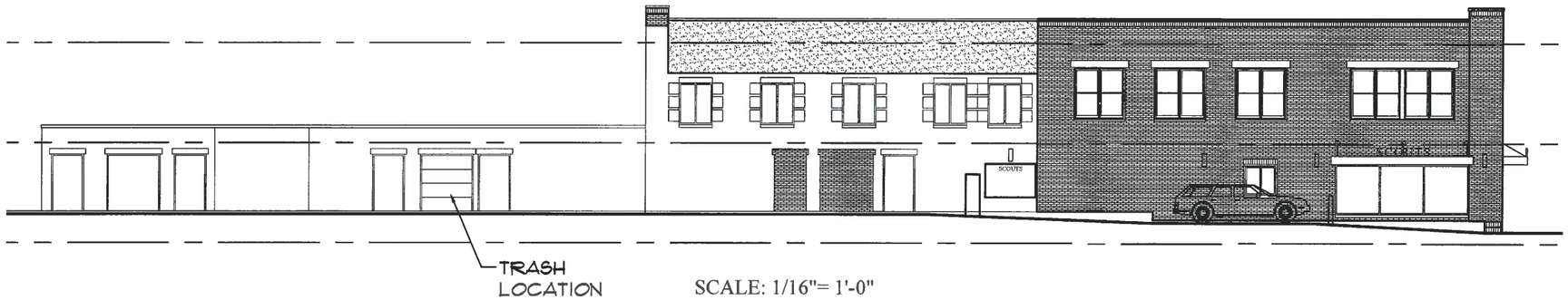
Witmer & Associates
Architecture and Interior Design
witmerandassoc.com

PREVIOUSLY APPROVED PLAN

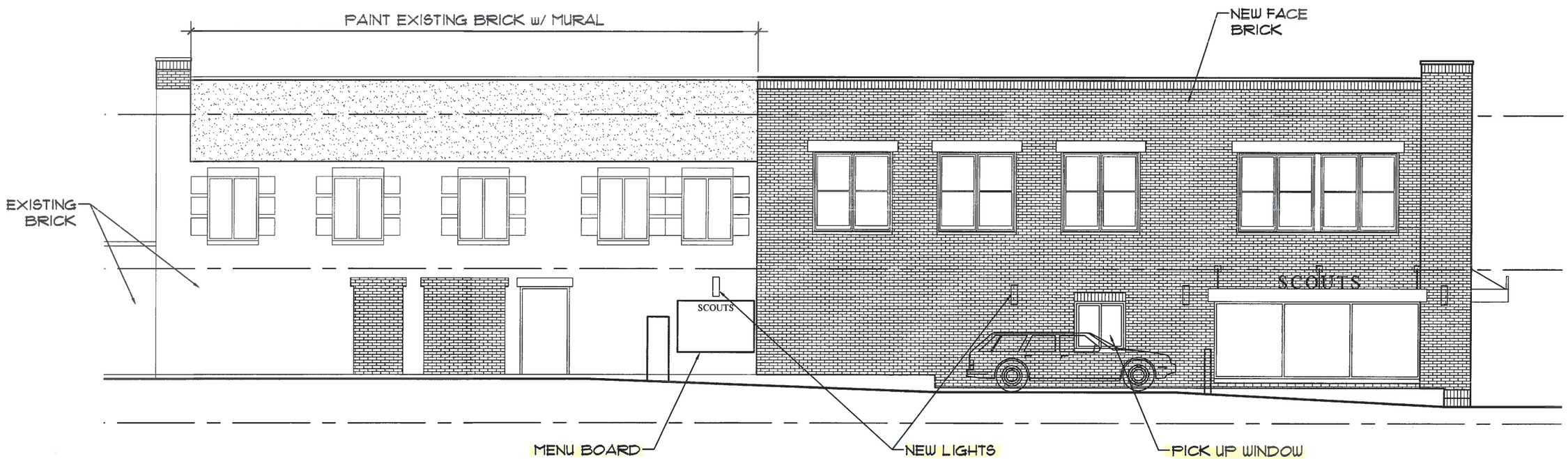
N

WESTWOOD CENTER SITE PLAN

Witmer & Associates
Architecture and Interior Design
witmerandassoc.com



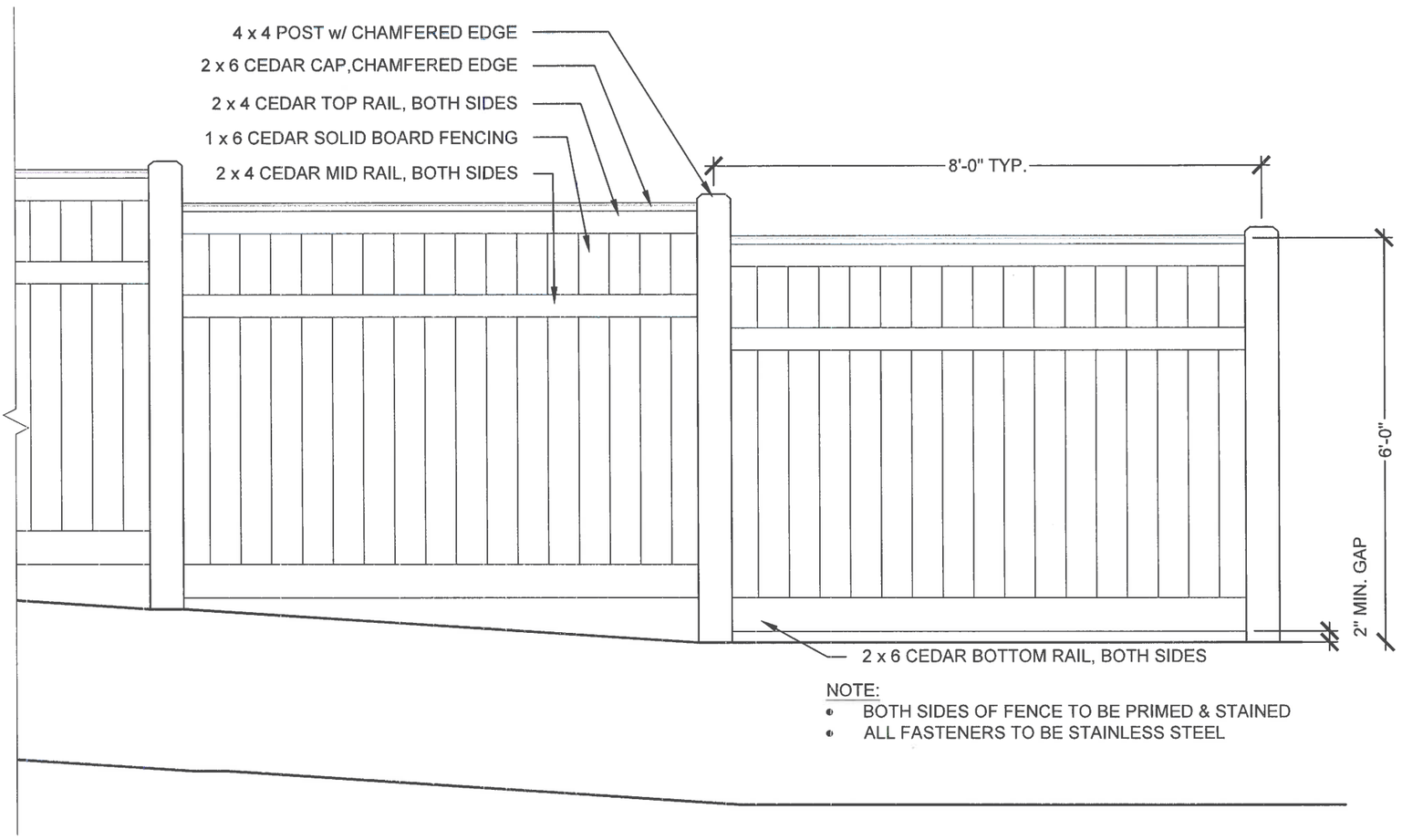
SCALE: 1/16"= 1'-0"



SCALE: 1/8"= 1'-0"

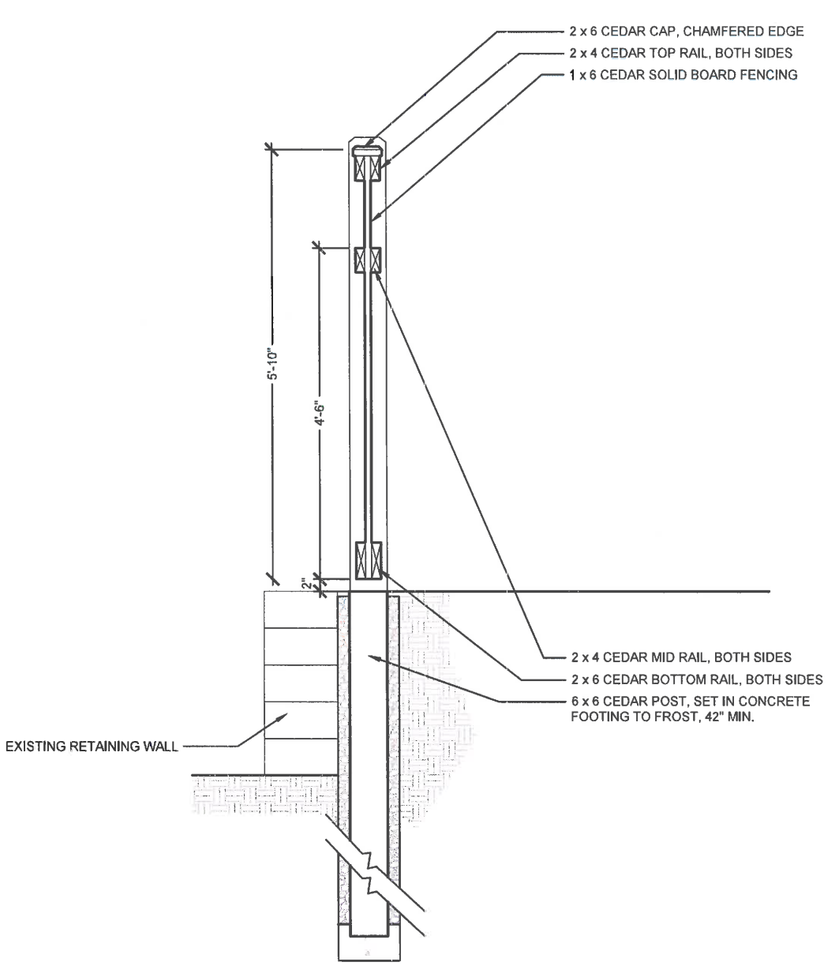
Witmer & Associates
Architecture and Interior Design
witmerandassoc.com

SCOUTS
SOUTH ELEVATION
June 30, 2020 SCALE: VARIES



NOTE:
- BOTH SIDES OF FENCE TO BE PRIMED & STAINED
- ALL FASTENERS TO BE STAINLESS STEEL

FENCE ELEVATION



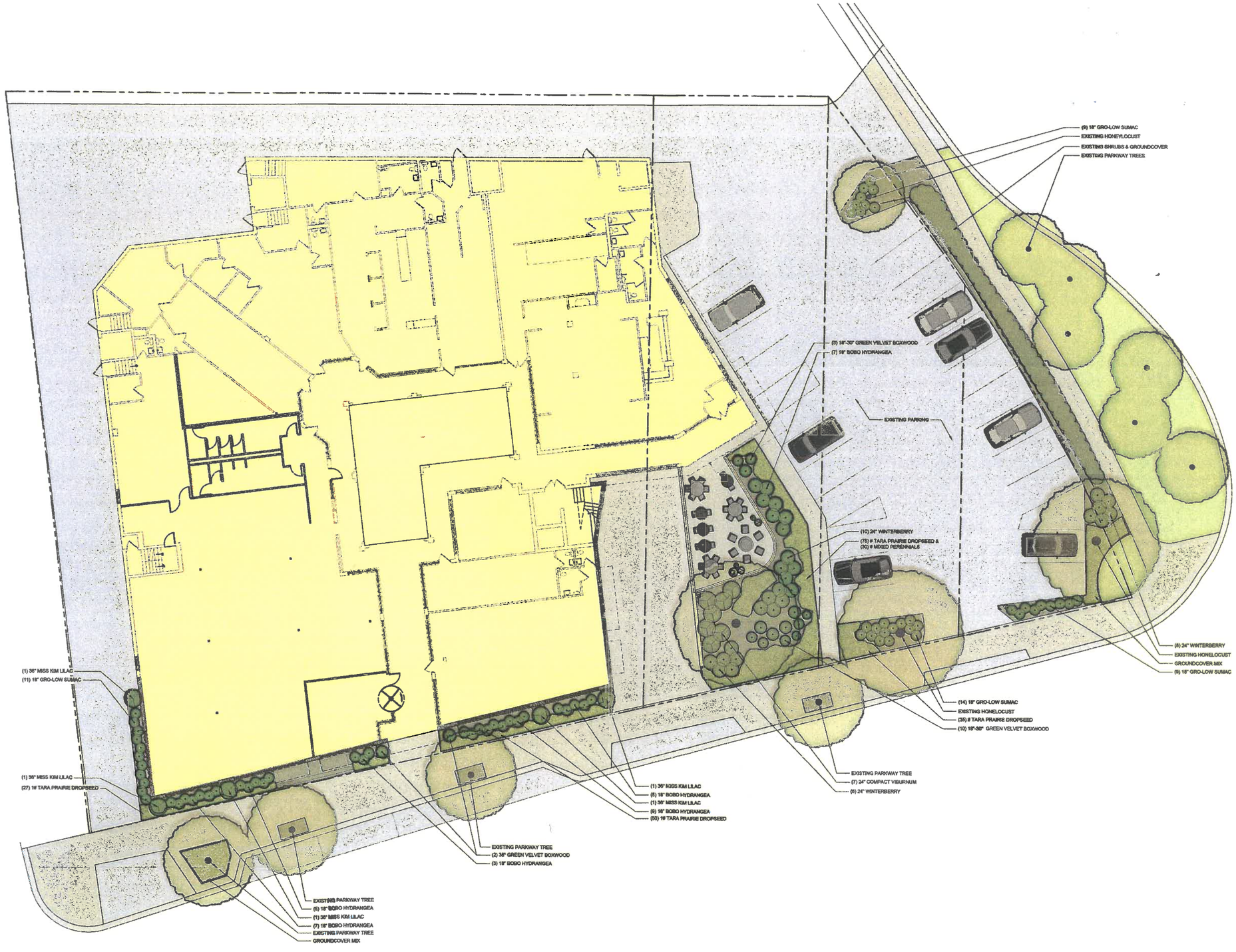
FENCE SECTION

FENCE DETAILS

Witmer & Associates
Architecture and Interior Design
witmerandassoc.com

WESTWOOD CENTER
FENCE DETAIL
2020.06.23 SCALE: 1/2" = 1'-0"

APPROVED LANDSCAPE PLAN



MARIANI
300 Rockland Road | Lake Bluff, Illinois 60045
Phone: 847.234.2172 | Fax: 847.234.2754
www.marianilandscape.com

CONSULTANTS:

Architect
Witmer & Associates
272 E Deerpath 230
Lake Forest, IL 60045
847-234-5240
Peter Witmer

General Contractor
Alkounian Construction
13110 W. Highway 176, Suite 1
Lake Bluff, IL 60044
847-234-8600
Todd Alkounian

CLIENT:

Westwood Center Development

950 N. Western Ave
Lake Forest, IL 60045

#	Date:	Description:	By:

This plan is conceptual, all dimensions are to be verified. Materials are represented in their future condition in a warm mature state. All designs and ideas contained in these drawings are the property of Mariani Landscape and may not be used without written consent. Drawings are not to be altered or put to bid without signed written consent. Graphic representations are for illustrative purposes. Field adjustments may be made during installation in keeping with the design intent.

NORTH

DESIGN:	CB
DRAFTED:	CB
CHECKED:	CB

SCALE: 1"=10'0"

0 5' 10' 20' 30'

ISSUED DATE: 03.04.2019
PROJECT NO: WES19009

Landscape Planting Plan

L1.0

NOT FOR CONSTRUCTION

MARIANI PLOT STAMP: J:\01 Projects\2019\WES19009\03 Concept\Westwood_Submittal_20190304