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STATE OF ILLINOIS)
)
COUNTIES OF LAKE AND COOK) SS
)
VILLAGE OF DEERFIELD)



Doc#: 0514439038
Eugene "Gene" Moore Fee: \$52.50
Cook County Recorder of Deeds
Date: 05/24/2005 11:32 AM Pg: 1 of 15

The undersigned hereby certifies that he is the duly appointed Village Clerk of the Village of Deerfield, Lake and Cook Counties, Illinois, and that the attached is a true and accurate copy of

Ordinance No. O-03-06 entitled "Ordinance Authorizing a Special Use for Jimmy John's Sandwich Shop in the Lake Cook Road Commuter Train Station"

as appears in the records and files of the office of the Village Clerk.

Dated this March 4, 2003


ROBERT D. FRANZ,
Village Clerk

SEAL

Submitted by:

Village of Deerfield
850 Waukegan Road
Deerfield, IL 60015



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**VILLAGE OF DEERFIELD
LAKE AND COOK COUNTIES, ILLINOIS**

ORDINANCE NO. 0-03-06

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR
JIMMY JOHN'S SANDWICH SHOP IN THE
LAKE COOK ROAD COMMUTER TRAIN STATION**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this**

3rd day of March, 2003.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
4th day of March, 2003.**

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**VILLAGE OF DEERFIELD
LAKE AND COOK COUNTIES, ILLINOIS**

ORDINANCE NO. 0-03-06

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR
JIMMY JOHN'S SANDWICH SHOP IN THE
LAKE COOK ROAD COMMUTER TRAIN STATION**

WHEREAS, the Plan Commission of the Village of Deerfield has held a public hearing on the joint application of Fergie Investment (the "Petitioner") and Metra, the owner of the property legally described on Exhibit A attached hereto (the "Subject Property") (Petitioner and Metra being collectively referred to herein as "Applicant") for approval of a Special Use authorizing the establishment and operation of Jimmy John's Sandwich Shop restaurant at Metra's Lake Cook Road Commuter Train Station in the Home Depot Planned Unit Development in the C-2 Outlying Commercial District and P-1 Public Lands District; and,

WHEREAS, said public hearing was held on January 23, 2003 pursuant to public notice duly given in the time and manner provided by law; and,

WHEREAS, the Plan Commission of the Village of Deerfield, after considering the testimony, documentary evidence and supporting materials offered at said public hearing, filed its report with the President and Board of Trustees containing its written findings of fact and recommendations that the requested Special Use be authorized pursuant to Section 5.02-C,1,d of the Zoning Ordinance of the Village of Deerfield to allow a Jimmy John's Sandwich Shop restaurant to be located, established and operated on the Subject Property as a Special Use in the Home Depot Planned Unit Development in the C-2 Outlying Commercial District and P-1 Public Lands District; and,

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WHEREAS, the President and Board of Trustees of the Village of Deerfield have determined that the best interests of the Village will be served by the authorization and granting of said Special Use as provided herein, in accordance and with the plans and supporting materials submitted by the Applicants, which are incorporated herein and made a part hereof by this reference;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DEERFIELD, LAKE AND COOK COUNTIES, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION 1: That the President and Board of Trustees do hereby affirmatively find that the proposed Jimmy John's Sandwich Shop restaurant, hereby authorized as a Special Use of the Subject Property in the Home Depot Planned Unit Development in the C-2 Outlying Commercial District and P-1 Public Lands District, fully complies with the requirements and standards for special uses set forth in Article 5.02-C,1,d and Article 13.11 of the Village of Deerfield Zoning Ordinance.

SECTION 2: That the President and Board of Trustees do hereby authorize and approve, subject to certain conditions as more particularly set forth below, the establishment and operation of a Jimmy John's Sandwich Shop restaurant at Metra's Lake Cook Commuter Train Station in the Home Depot Planned Unit Development as a Special Use of the Subject Property in the C-2 Outlying Commercial District and P-1 Public Lands District.

SECTION 3: That the approval and authorization of said Special Use hereby granted is subject to: (i) the requirement that the construction, development and use of the Subject Property for said Special Use shall be in accordance with the floor plan, parking plan, signage plan and

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supporting materials attached hereto and made a part of this ordinance as Exhibit B hereof, with all documents, materials and exhibits filed in support of the application, and with the terms of this Ordinance; (ii) that fifteen (15) parking spaces in the Home Dept Planned Unit Development shall be designated for use by customers and employees of Jimmy John's Sandwich Shop in accordance with the parking plan attached hereto; (iii) that the public restrooms in Metra's Lake Cook Commuter Train Station shall remain open the general public and to the customers and employees of Jimmy John's Sandwich Shop during all hours that the restaurant is open; (iv) that all signage shall be established and maintained in accordance with the recommendations of the Appearance Review Commission; (v) compliance with all representations submitted and made by the Applicant to the Plan Commission and to the President and Board of Trustees; (vi) full and complete compliance with the provisions of the Home Depot Planned Unit Development; and, (vii) compliance by the Applicant with all other applicable provisions of the Zoning Ordinance of the Village of Deerfield.

SECTION 4: That the Special Use as hereby authorized shall be binding upon and inure to the benefit of the Applicant and Applicant's successors, grantees, transferees and assigns, and any violation of the conditions herein set forth by the Applicant or its successors, grantees, transferees or assigns shall authorize the revocation of the Special Use as hereby authorized.

SECTION 5: That the Village Clerk is hereby authorized and directed to publish this ordinance in pamphlet form and to record this ordinance in the office of the Recorder of Deeds of Lake County, Illinois, at Applicant's expense.

SECTION 6: That this Ordinance, and each of its terms, shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should: (a) contain

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terms contrary to the provisions of current or subsequent non-preemptive state law; or, (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Deerfield that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 7: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 3rd day of March, 2003.

AYES: Kayne, Ragona, Rosenthal, Seiden, Swanson, Wylie (6)

NAYS: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

APPROVED this 3rd day of March, 2003



Village President

ATTEST:



Village Clerk

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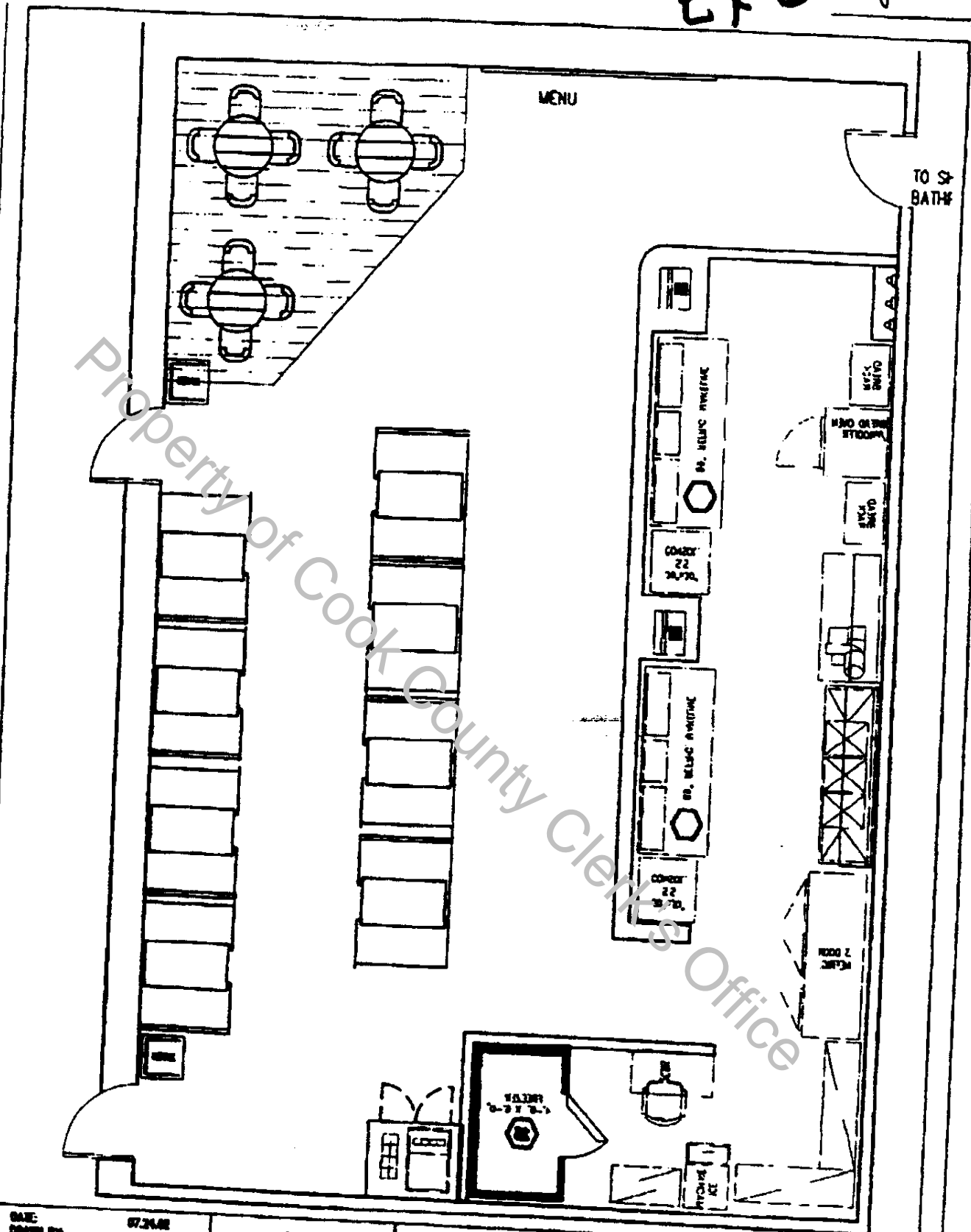
EXHIBIT A

LOTS 5 AND 7 IN THE DEERFIELD DEPOT SUBDIVISION, BEING A
SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 4,
TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN,
IN COOK COUNTY, ILLINOIS, RECORDED ON MARCH 9, 1998 AS DOCUMENT
98183480.

Property of Cook County Clerk's Office

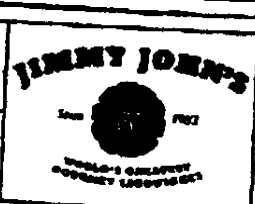
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020 0-03-04
EX B-1 of 8



DATE: 07.24.08
 DRAWN BY: IS
 CHECKED: K S
 APPROVED:

STORE LAYOUT
 SCHEME #2

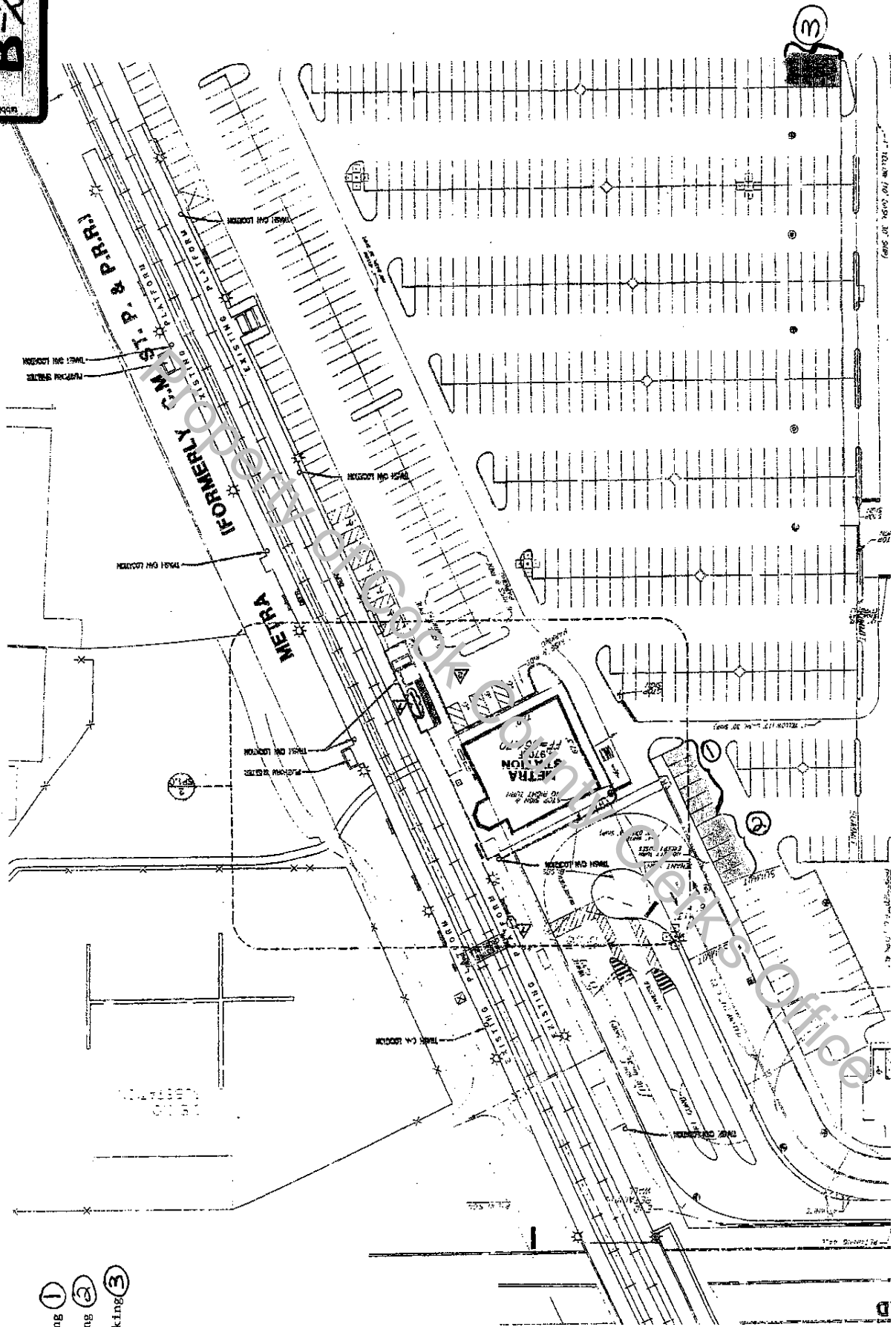


JIMMY JOHN'S
 GOURMET SANDWICHES
 NEWARK, IL
 NEWFIELD NORTH SQUARE

JIMMY JOHN'S
 FRANCHISE, INC.
 605 S LINCOLN
 DEERFIELD, IL 60015
 217-338-6300
 217-338-6722
 FAX: 217-338-3888

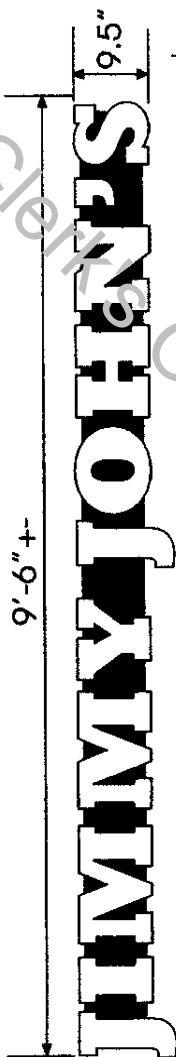
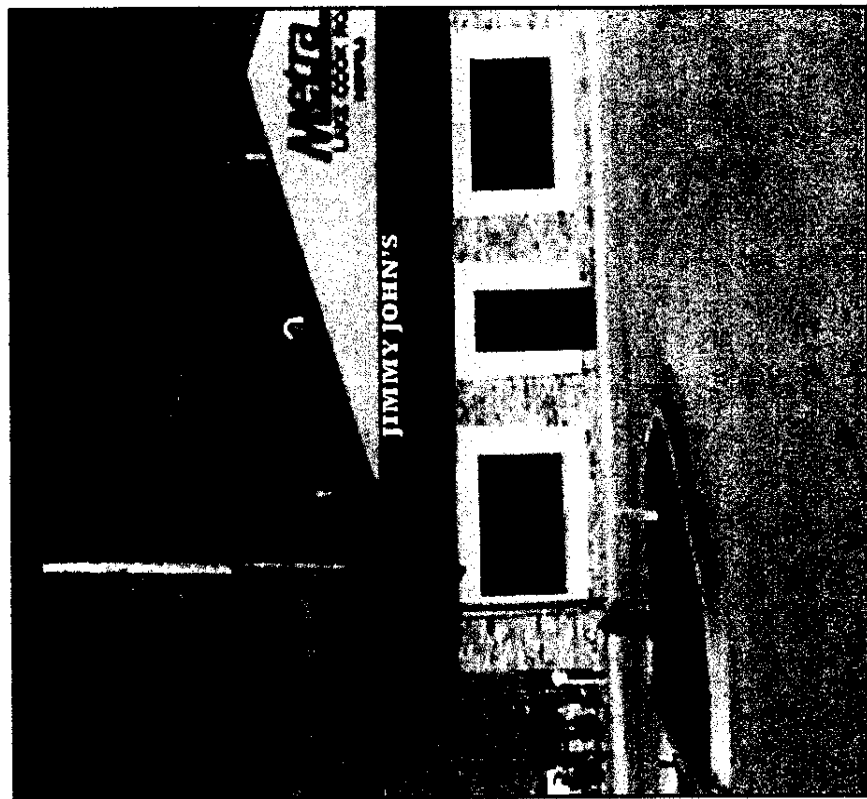
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EXHIBIT
B-2 of 8
BOOKLET



- ① Lessee Parking
- ② Lessee Parking
- ③ Employee Parking

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5-3-08
2/2/08

9'-11 1/2"



Jimmy John's
Exterior Signage

Deerfield, IL

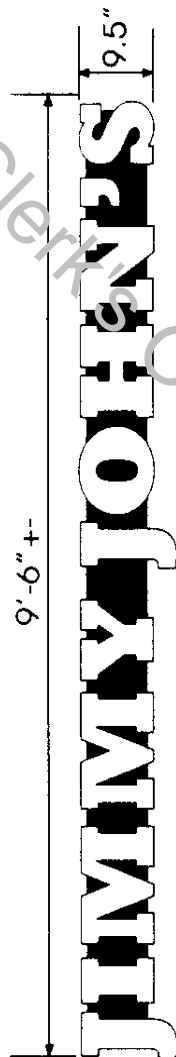
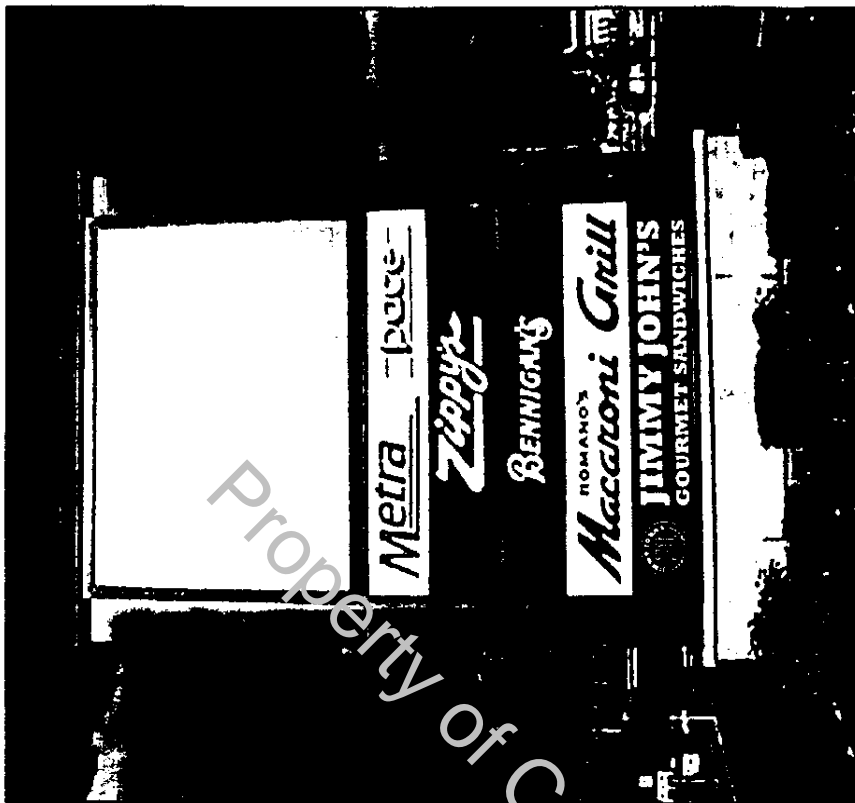
9.5" Illuminated Channel Letters & Monument Face Replacements

SCALE: 1/2" = 1'-0"

209015

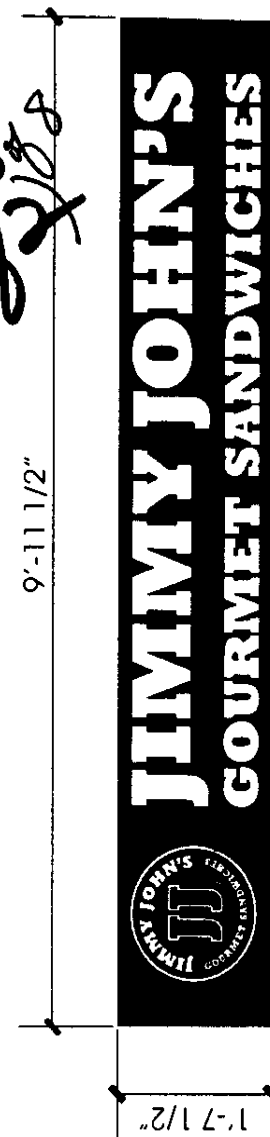
Everbrite
Identity Systems Division

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*B-13
282/08*

9'-11 1/2"



Jimmy John's
Exterior Signage

Deerfield, IL
9.5" Illuminated Channel Letters & Monument Face Replacements

209015
SCALE: 1/2" = 1'-0"

Everbrite
Identity Systems Division

UNOFFICIAL COPY**KENIG, LINDGREN, O'HARA, ABOONA, INC.**9575 W. Higgins Road • Suite 400
Rosemont, Illinois 60018(847) 518-9990 • Fax (847) 518-9987
email: kloa@kioainc.com

MEMORANDUM TO: James Fergadis
Fergie Investment

FROM: Timothy Doron
Javier Millan

DATE: November 27, 2002

SUBJECT: Parking Study for a Proposed Jimmy John's Restaurant
Deerfield, Illinois

EX B-4
(1/14)

This memorandum summarizes our findings regarding the parking study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed Jimmy John's restaurant to be located in the existing Metra commuter station located within an existing shopping center just south of Lake-Cook Road in Deerfield, Illinois. The center contains a Home Depot store, a Macaroni Grill restaurant, a Zippy's fast food restaurant, a Bennigan's restaurant, and the Metra commuter station. The parking area is divided by an iron fence into parking spaces for the commercial land uses (Home Depot, Macaroni Grill, Zippy's, Bennigan's) and parking spaces exclusively for Metra commuters. The ±1,300 square feet Jimmy John's restaurant will have a maximum of five (5) employees at one time, two (2) to three (3) delivery staff, and will have a maximum capacity of 28 seating spaces.

The purpose of this study was to determine the existing parking demand, as well as projected future parking demand after the proposed establishment is fully operational and whether adequate parking supply exists at the Metra commuter parking lot to accommodate the peak parking needs of the proposed restaurant.

Existing Parking Condition

Parking Inventory

KLOA, Inc. conducted an inventory of the parking area serving the Metra station and the shopping center. The Metra station contains approximately 725 unrestricted commuter parking spaces, 11 handicap spaces, and 12 short term (15 minute) spaces for a total of 748 parking spaces. Commuters pay \$1.00 to park all day in the commuter lot.

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Ex B-418
(28/6)

Parking Occupancy

In order to determine the existing Metra commuter lot parking demand, KLOA, Inc. acquired a peak parking occupancy summary from the Metra Planning Department for the year 2001 and the year 2002 (up to April 15, 2002). Based on the Metra surveys, the highest parking demand occurred on October 23, 2001 with 479 parked vehicles. It should be noted that based on the projected growth in household parkers, Metra estimates the projected additional number of commuter parking on the Metra parking lot to be 35 by the year 2020. When this projected year 2020 demand is added to the existing peak parking demand, the year 2020 total parking demand equals 514 parked vehicles. This future parking demand presents a 68 percent parking occupancy. It should be noted that a parking area is considered to be operating at capacity when 85 percent of the parking spaces are occupied and, as such, currently (as well as future year 2020) there are more than sufficient parking spaces serving the Metra station.

Restaurant Parking Demand

To calculate the parking demand of the proposed Jimmy John's restaurant, KLOA conducted a parking survey at an existing Jimmy John's restaurant in Palatine within the Regency Plaza shopping center from 11:00 A.M. to 2:00 P.M. In addition KLOA used and referenced a parking demand study conducted at an existing Subway restaurant at Milwaukee and Greenwood Avenues in Niles. The Jimmy John's survey was conducted on Wednesday November 11, 2002 while the survey for the Subway restaurant was conducted on Friday December 14, 2001 during 11:00 A.M. to 2:00 P.M. and 4:00 to 7:00 P.M. The Subway restaurant in Niles as well as the Jimmy John's restaurant in Palatine provides 30 seats. Table 1 shows the Palatine Jimmy John's as well as the Niles Subway restaurant parking demand.

Findings and Recommendations

By analyzing the future demand of the proposed restaurant as determined from the surveys conducted at the existing Jimmy John's and Subway restaurants, the parking demand at the Metra site is assumed to be the same. It should be noted that due to the fact that the Jimmy John's restaurant will be located inside the Metra train station, it is anticipated that a great deal of the patrons would be existing Metra commuters. This is especially true during the evening peak hours when commuters are coming back to their homes and might want to stop and buy a sandwich. In addition, the proposed Jimmy John's restaurant is planning to offer delivery service to the immediate office area, thus reducing the parking demand. However, the projected parking demand was not reduced to account for this effect in order to present a conservative scenario.

As can be seen in Table 1, the overall peak parking demand at the Jimmy John's and the Subway restaurant was six (6) and five (5) vehicles at 11:30 A.M. respectively. During the evening peak period the Subway restaurant had a peak parking demand of six (6) vehicles at 4:00 P.M. It should be noted that previous discussions between Metra and the developer indicated that Metra

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EX B-4
(3) 8/4

would be willing to provide the Jimmy John's restaurant with 10 designated parking spaces for customers only. This number of parking spaces is more than adequate to meet the customer peak parking demand. Additionally six (6) to eight (8) spaces are needed for employee and delivery vehicles. The following is a breakdown of the amount of total parking needed for Jimmy John's customers and employees.

- 10 parking spaces designated for Jimmy John's customers only. These spaces could be located on the row of parking just west of the bus turnaround.
- Three (3) parking spaces for the delivery vehicles should be provided. These spaces should be clearly marked for Jimmy John's delivery vehicles only and can be provided in the same row of parking where the customer parking will be provided.
- Five (5) parking spaces for the Jimmy John's employees. Since the southwest Metra parking lot area (adjacent to Home Depot) is hardly ever utilized, the 5 parking spaces could be located in this area and should be clearly marked for Jimmy John's employees only. Some type of identification tags or decals will be needed to allow free parking for the employees in the lot.

Conclusion

In conclusion, based on the data collected and our observations, the provision of 18 parking spaces will be sufficient to meet the peak parking demand of the proposed Jimmy John's restaurant. The parking designated for Jimmy John's customers, delivery personnel, as well as employees should be clearly signed. The small future parking demand can be accommodated with the provision of 18 parking spaces and will not have a detrimental impact on the availability of parking for Metra commuters.

Fergadis November 26 2002.jm

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EX B-418
(4874)

Table 1
 PARKING DEMAND SUMMARY
 JIMMY JOHN'S RESTAURANT IN PALATINE AND SUBWAY RESTAURANT IN NILES

Time	Existing Parking Demand	
	Jimmy John's (Palatine)	Subway (Niles)
	Wednesday November 11, 2002	Friday December 14, 2001
11:00 A.M.	4	2
11:30 A.M.	6	5
12:00 Noon	5	4
12:30 P.M.	3	4
1:00 P.M.	2	2
1:30 P.M.	2	3
2:00 P.M.	3	3
4:00 P.M.	-	6
4:30 P.M.	-	3
5:00 P.M.	-	5
5:30 P.M.	-	3
6:00 P.M.	-	2
6:30 P.M.	-	4
7:00 P.M.	-	5

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