

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
  X   Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: David A. Hulseberg, Village Manager  
DATE: January 24, 2012 (BOT) Date: February 2, 2012  
TITLE: PC 12-01: 717 E. Butterfield Road (Chick-fil-A)  
SUBMITTED BY: Department of Community Development *WJ*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests that the Village approve amendments to Ordinances 4497 and 6616 as they relate to the Homestead Village Planned Development, located within the OPD Office District, Planned Development, and consisting of a conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for the expansion of a restaurant.

The Plan Commission recommended approval of this request with conditions.

The petitioner is requesting a waiver of first reading.

Please place this item on the February 2, 2012 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** David A. Hulseberg, Village Manager

**FROM:** William Heniff, AICP  
Director of Community Development *WH*

**DATE:** February 2, 2012

**SUBJECT:** PC 12-01; 717 E. Butterfield Road (Chick-fil-A)

On January 23, 2012, the Plan Commission recommended approval of the zoning actions associated with this property. Attached please find the following items for Village Board consideration as part of the February 2, 2012 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 12-01;
3. Plans associated with the petition;
4. An ordinance granting an amendment to a conditional use for a planned development and for a restaurant.

The petitioner has requested a waiver of first reading.



## VILLAGE OF LOMBARD

255 E. Wilson Ave.  
Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org

February 2, 2012

**Village President**  
William J. Mueller

**Village Clerk**  
Brigitte O'Brien

**Trustees**  
Greg Alan Gron, Dist. 1  
Keith T. Giagnorio, Dist. 2  
Zachary C. Wilson, Dist. 3  
Peter Breen, Dist. 4  
Laura A. Fitzpatrick, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
David A. Hulseberg

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. William J. Mueller,  
Village President, and  
Board of Trustees  
Village of Lombard

### **Subject: PC 12-01: 717 E. Butterfield Road (Chick-fil-A)**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village approve amendments to Ordinances 4497 and 6616 as they relate to the Homestead Village Planned Development, located within the OPD Office District, Planned Development, and consisting of a conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for the expansion of a restaurant.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 23, 2012.

Eric Uebelhor, 1815 S. Meyers Road, Oakbrook Terrace, presented the petition and noted that they are proposing a small building expansion to allow for additional customer queuing. Chick-fil-A is expecting a very high customer volume at this location.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. No one was present to speak.

Jennifer Henaghan, Senior Planner, presented the staff report. The petitioner is proposing a 337-sq. ft. addition to the restaurant building that is currently under construction on the subject property. Private Engineering Services noted that the existing detention provided for the area remains acceptable. The proposed expansion is compatible with both the Comprehensive Plan and the surrounding land uses.

The new building size will be 5,660 sq. ft. The expansion will include an additional doorway and associated sidewalk connection, resulting in the loss of approximately 142 sq. ft. of foundation landscaping. However, the site will continue to meet all setback, landscaping, and open space requirements. The restaurant will still provide parking in excess of what is required by Code, and

access and circulation will remain unchanged. No other changes to the previously-approved plans are proposed.

Staff finds that, given the existing restaurant use on the site and the restaurant uses on the adjacent properties, the requested conditional uses for a restaurant and outdoor dining are appropriate at this location.

Chairperson Ryan then opened the meeting for comments among the Commissioners. The Commissioners had no questions or comments.

On a motion by Commissioner Burke and a second by Commissioner Flint, the Plan Commission voted 6 to 0 that the Village Board **approve** the requested relief, subject to the following conditions:

1. The petitioner shall develop the site in substantial conformance with the plans submitted as part of this petition.
2. The petitioner shall satisfactorily address all comments noted within the IDRC report.
3. The petitioner shall receive building permit approvals for the proposed changes. If the permit documents are submitted on or before September 21, 2013, the petitioner shall request a revision to their existing building permit (#11-582). If the permit documents are submitted after September 21, 2013, the petitioner shall apply for a new building permit.
4. All other conditions approved by Ordinances 4497 and 6616 shall remain in full force and effect.

Respectfully,

**VILLAGE OF LOMBARD**

  
Donald Ryan, Chairperson  
Lombard Plan Commission

c. Petitioner  
Lombard Plan Commission

**VILLAGE OF LOMBARD  
INTER-DEVELOPMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission

HEARING DATE: January 23, 2012

FROM: Department of Community  
Development

PREPARED BY: Jennifer Henaghan, AICP  
Senior Planner

**TITLE**

**PC 12-01: 717 E. Butterfield Road (Chick-fil-A):** The petitioner requests that the Village approve amendments to Ordinances 4497 and 6616 as they relate to the Homestead Village Planned Development, located within the OPD Office District, Planned Development, and consisting of a conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for the expansion of a restaurant.

**GENERAL INFORMATION**

Petitioner: Woolpert, Inc.  
1815 S. Meyers Rd Ste. 120  
Oakbrook Terrace, IL 60181

Property Owner: Chick-fil-A, Inc.  
5200 Buffington Rd  
Atlanta, GA 30349

Relationship of Petitioner to Property Owner: Agent for owner

**PROPERTY INFORMATION**

Existing Zoning: OPD Office District – Homestead Village Planned  
Development

Existing Land Use: Chick-fil-A restaurant (under construction)

Size of Property: Approximately 1.27 acres

Comprehensive Plan: Recommends office land uses

**SURROUNDING ZONING AND LAND USE**

North: O Office District; developed as offices

South: OPD Office District Planned Development; developed as off-site parking  
East: O Office District; developed as Benihana restaurant  
West: OPD Office District Planned Development; developed as Embassy Suites

## ANALYSIS

### SUBMITTALS

This report is based on the following documents filed with the Department of Community Development:

1. Public Hearing Application.
2. Responses to Standards for Planned Developments and Conditional Uses.
3. Building elevations prepared by Chipman Design Architecture, dated December 5, 2011.
4. Site and landscape plans prepared by Woolpert, Inc., dated December 12, 2011.
5. Floor plan prepared by Woolpert, Inc., dated August 24, 2011 and last revised December 5, 2011.

### DESCRIPTION

The petitioner is proposing an addition to the restaurant building that is currently under construction on the subject property. The customer ordering area will be expanded by 337 sq. ft., replacing a portion of the outdoor dining area that was approved in 2011 as part of PC 11-09. A conditional use is required to permit the desired expansion.

### INTER-DEPARTMENTAL REVIEW COMMENTS

#### PRIVATE ENGINEERING

The PES Division of the Community Development Department has no comments as the site remains less impervious than the prior use, thereby the existing detention provided for the area remains acceptable.

#### PUBLIC WORKS

The Engineering Division of the Public Works Department has no comments.

#### BUILDING DIVISION

The Building Division of the Community Development Department has no comments.

#### FIRE DEPARTMENT

The Fire Department has no comments.

## PLANNING

### Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends office land uses for the Homestead Village Planned Development. The proposed restaurant is consistent with this recommendation, as the Comprehensive Plan does not exclude non-office uses within general office areas and the proposed restaurant use is complementary to the office uses that are dominant in the overall Butterfield Road/22<sup>nd</sup> Street corridor.

### Compatibility with the Surrounding Land Uses

The subject property is compatible with the surrounding business uses. Restaurant uses are located along the Butterfield Road corridor, notably on the two properties immediately to the east of the subject property.

### Compliance with the Zoning Ordinance and the Homestead Village Planned Development

The Homestead Village Planned Development was approved by the Village in 1998 and included conditional use approval for two hotels, a restaurant, and off-site parking. In 2004, the Plan Commission granted site plan approval for the DuPage Medical Group Surgical Center at 2725 Technology Drive in place of the hotel that was originally approved for that property. Approval for the Chick-fil-A restaurant was granted by Ordinance 6616 per PC 11-09.

### *Proposed Conditional Use for Expansion of a Restaurant*

The new building size will be 5,660 sq. ft. The expansion will include an additional doorway and associated sidewalk connection, resulting in the loss of approximately 142 sq. ft. of foundation landscaping (11 evergreen shrubs, 10 perennials, and 15 evergreen groundcover plants). The site will continue to meet all setback, landscaping, and open space requirements.

The restaurant will still provide parking in excess of what is required by Code (90 spaces provided with only 68 spaces required), and access and circulation will remain unchanged. No other changes to the previously-approved plans are proposed.

Staff finds that, given the existing restaurant use on the site and the restaurant uses on the adjacent properties, the requested conditional uses for a restaurant and outdoor dining are appropriate at this location.

## FINDINGS AND RECOMMENDATIONS

Based on the submitted petition and the testimony presented, the proposal **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and that granting the associated relief enhances the overall planned development and is in the best interest of the Village. Therefore, I recommend to the Corporate Authorities **approval** of PC 12-01, subject to the following four conditions:

1. The petitioner shall develop the site in substantial conformance with the plans submitted as part of this petition.

2. The petitioner shall satisfactorily address all comments noted within the IDRC report.
3. The petitioner shall receive building permit approvals for the proposed changes. If the permit documents are submitted on or before September 21, 2013, the petitioner shall request a revision to their existing building permit (#11-582). If the permit documents are submitted after September 21, 2013, the petitioner shall apply for a new building permit.
4. All other conditions approved by Ordinances 4497 and 6616 shall remain in full force and effect.

Inter-Departmental Review Group Report approved by:



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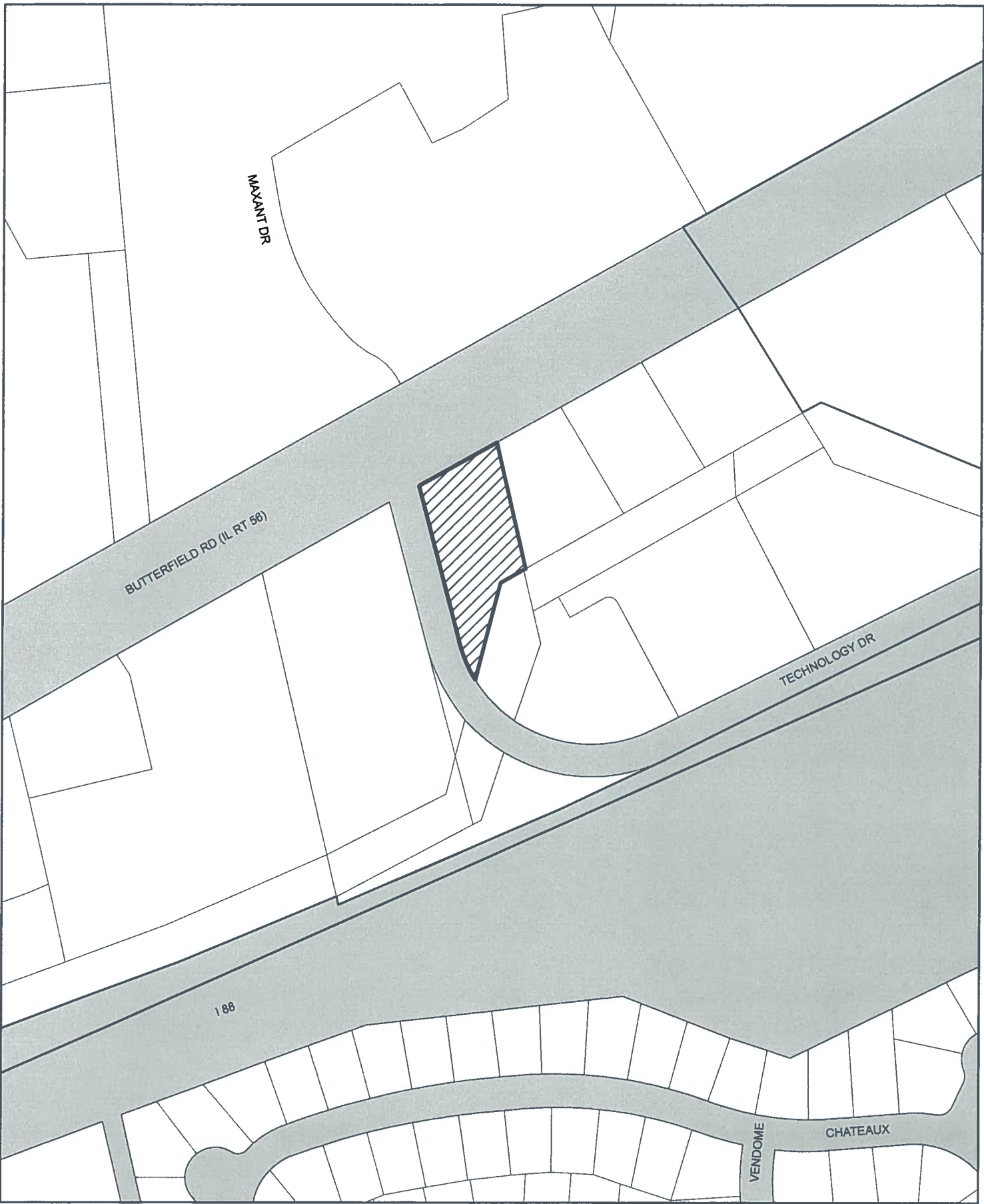
William J. Heniff, AICP  
Director of Community Development

c: Petitioner



# Location Map

717 E Butterfield Rd





December 12, 2011

Ms. Jennifer Henaghan  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148

RE: Chick-fil-A - Plan Commission Submittal: Response to Standards for Planned Development

In accordance with SECTION 155.508 (A) (B) (C) OF THE LOMBARD ZONING ORDINANCE, please accept our responses to the standards as noted below:

A. General Standards

1. Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located.

**Response:** The proposed improvements do not change the development's conformity to the applicable regulations of the district and existing planned development in which it is located.

2. Community sanitary sewage and potable water facilities connected to a central system are provided.

**Response:** The proposed improvements will utilize the sewer and water facilities currently being provided to the building.

3. The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.

**Response:** The use remains consistent with the recommendations of the Comprehensive Plan, as it does not exclude non-office uses.

4. That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.

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**Response:** The proposed improvements do not alter the proposed use, which is similar in nature to the surrounding uses.

5. That the streets have been designed to avoid:

- a. Inconvenient or unsafe access to the planned development;
- b. Traffic congestion in the streets which adjoin the planned development;
- c. An excessive burden on public parks, recreation areas, schools, and other public facilities which serve or are proposed to serve the planned development.

**Response:** The proposed improvements do not alter the design of the site access or circulation.



December 12, 2011

Ms. Jennifer Henaghan  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148

RE: Chick-fil-A - Plan Commission Submittal: Response to Standards for Conditional Use

In accordance with SECTION 155.103 (F)(8) OF THE LOMBARD ZONING ORDINANCE, please accept our responses to the standards as noted below:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;

**Response:** The expansion of the existing use as a restaurant with outdoor dining area will not have an impact or endanger the public health, safety, morals, comfort, or general welfare. The existing restaurant is consistent with other uses along the corridor. Adequate provisions will still be provided ensuring the outdoor activity is confined to a specific location.

2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;

**Response:** The subject property is located along a major corridor with other commercial uses. The proposed expansion to the current use will not negatively impact other properties in the immediate area.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

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**Response:** The proposed expansion will not impact the overall development activity in the corridor. The expansion improves what is already considered an asset to the corridor.

4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;

**Response:** The existing restaurant has been designed and is being constructed in accordance with current codes. All public utilities are being provided to the existing structure.

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;

**Response:** The access and circulation around the site remain unchanged from what was previously approved. Available parking still exceeds the minimum required by Code.

6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,

**Response:** The use remains consistent with the recommendations of the Comprehensive Plan, as it does not exclude non-office uses.

7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission

**Response:** The use is consistent with Village Codes.



January 24, 2012

Ms. Jennifer Henegan  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148

RE: Chick-fil-A: PC 12-01 - 717 E. Butterfield Road

Dear Jennifer:

At your request we are submitting this letter on behalf of Chick-fil-A to request that the second reading of the ordinance at the February 2, 2012 Village Board meeting be waived. We are requesting this waiver due to the fact that Chick-fil-A would like to have confirmation of the approval as soon as practicable in case they need to coordinate the improvements with the timing of the opening. The sooner they have this confirmation the sooner they can make a decision on when the improvements may be implemented. For these reasons, we respectfully request waiver of the second reading. Thank you for your consideration of our request.

Sincerely,

Woolpert, Inc.

Jason D. Hill, PE, LEED AP BD+C  
Senior Associate

071222.22

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCES 4497 AND 6616 GRANTING A CONDITIONAL USE FOR THE EXPANSION OF A RESTAURANT, LOCATED IN THE O OFFICE ZONING DISTRICT**

(PC 12-01: 717 E. Butterfield Road)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the property legally described in Section 2 below is located at 717 E. Butterfield Road is zoned OPD Office District - Planned Development; and,

WHEREAS, On June 18, 1998, the Corporate Authorities approved Ordinance 4497 which granted approval of a conditional use for a planned development; and,

WHEREAS, On May 5, 2011, the Corporate Authorities approved Ordinance 6616 which granted amendments to the planned development; and,

WHEREAS, an application has heretofore been filed requesting approval of an amendment to the conditional use approvals for the Homestead Village Planned Development, as established by Ordinances 4497 and 6616, to allow for the expansion of the previously-approved restaurant; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on January 23, 2012 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees recommending approval of the petition, subject to conditions of approval; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

Ordinance No. \_\_\_\_\_  
Re: PC 12-01  
Page 2

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That an amendment to the conditional use approval for the Homestead Village Planned Development, as established by Ordinances 4497 and 6616, to allow for the expansion of the previously-approved restaurant is hereby granted; subject to the conditions included within Section 3 below.

SECTION 2: This ordinance is limited and restricted to the property generally located at 717 E. Butterfield Road, Lombard, Illinois and legally described as follows:

Lot 1 in Homestead Village Subdivision, being a subdivision in Sections 28 and 29, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded September 1, 1998 as Document R98-179522, in DuPage County, Illinois.

PIN: 06-29-201-010

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in substantial conformance with the plans submitted as part of this petition.
2. The petitioner shall satisfactorily address all comments noted within the IDRC report.
3. The petitioner shall receive building permit approvals for the proposed changes. If the permit documents are submitted on or before September 21, 2013, the petitioner shall request a revision to their existing building permit (#11-582). If the permit documents are submitted after September 21, 2013, the petitioner shall apply for a new building permit.
4. All other conditions approved by Ordinances 4497 and 6616 shall remain in full force and effect.



Ordinance No. \_\_\_\_\_

Re: PC 12-01

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SECTION 4: 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 on first reading this \_\_\_\_ day of \_\_\_\_\_, 2012.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2012.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2012.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_, day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk