

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

\_\_\_\_\_  
  X    
\_\_\_\_\_

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

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: William T. Lichter, Village Manager  
DATE: August 25, 2004 (B of T) Date: September 2, 2004  
TITLE: PC 04-21: 1103-1177 S. Main Street and 150 E. Roosevelt Road  
SUBMITTED BY: Department of Community Development *Wett*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration a petition requesting that the Village take the following actions within the Lombard Pines Planned Development, located within the B3 Community Shopping District:

For the Entire Planned Development:

- 1. Approve amendments to Ordinances 2555 and 4088 approving and amending a Conditional Use for a Planned Development as it pertains to freestanding signs and perimeter lot landscaping requirements.
- 2. Per Section 155.208 (C) of the Zoning Ordinance, approve a conditional use to allow for more than one principal structure on a lot of record.

For Parcels V and W:

- 1. Per Section 155.414 (C)(7) of the Zoning Ordinance, approve a conditional use for a drive-through establishment;
- 2. Per Section 155.414 (C)(18) of the Zoning Ordinance, approve a conditional use for an outdoor service area (outdoor dining);
- 3. Approve the following deviations from the Sign Ordinance:
  - a. a deviation from Section 153.234 (G) of the Sign Ordinance providing for an additional free-standing sign in conjunction with a shopping center sign;
  - b. an amendment to Ordinance 4088 allowing for an automatic changeable copy sign to be located on the petitioner's proposed free-standing sign;
  - c. a deviation from Section 153.505 (B)(5)(b) of the Sign Ordinance to allow for a free-standing sign of greater than 50 square feet in overall sign size;
  - d. a deviation from Section 153.505 (B)(17)(b)(2) of the Sign Ordinance to allow for more than two wall signs are allowed for exterior tenants. . (DISTRICT #6)

The petitioner is requesting waiver of first reading

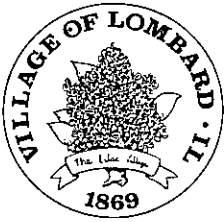
The Plan Commission recommended approval of this petition with amended conditions.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <u>W. N. T. Lick</u>	Date <u>8/25/04</u>

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:** William T. Lichter, Village Manager

**FROM:** David A. Hulseberg, AICP, Director of Community Development *D. A. H.*

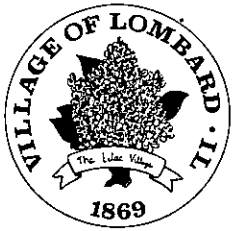
**DATE:** September 2, 2004

**SUBJECT:** **PC 04-21: 1103-1177 South Main Street and 150 East Roosevelt Road  
(Lombard Pines Shopping Center Planned Development/Culver's)**

Attached please find the following items for Village Board consideration as part of the September 2, 2004 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 04-21;
3. An Ordinance further amending the Ordinances which established the Lombard Pines Planned Development (Ordinances 2555 and 4088), which would provide for the establishment of a new fast-food restaurant facility within the planned development; and
4. Plans associated with the petition.

The petitioner has requested a waiver of first reading of the associated Ordinance.



## VILLAGE OF LOMBARD

255 E. Wilson Ave.

Lombard, Illinois 60148

630/620-5700 FAX: 630/620-8222

TDD: 630/620-5812

www.villageoflombard.org

September 2, 2004

### Village President

William J. Mueller

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

### Trustees

Joan DeStephano, Dist. 1

Richard J. Tross, Dist. 2

Karen S. Koenig, Dist. 3

Steven D. Sebby, Dist. 4

Kenneth M. Florey, Dist. 5

Rick Soderstrom, Dist. 6

**Subject: PC 04-21; 1103-1177 South Main Street and 150 East Roosevelt Road (Lombard Pines Shopping Center Planned Development)**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, DJ Properties, requests that the Village take the following actions within the Lombard Pines Planned Development, located within the B3 Community Shopping District:

For the Entire Planned Development:

1. Approve amendments to Ordinances 2555 and 4088 approving and amending a Conditional Use for a Planned Development as it pertains to freestanding signs and perimeter lot landscaping requirements.
2. Per Section 155.208 (C) of the Zoning Ordinance, approve a conditional use to allow for more than one principal structure on a lot of record.

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

For Parcels V and W:

1. Per Section 155.414 (C)(7) of the Zoning Ordinance, approve a conditional use for a drive-through establishment;
2. Per Section 155.414 (C)(18) of the Zoning Ordinance, approve a conditional use for an outdoor service area (outdoor dining);
3. Approve the following deviations from the Sign Ordinance:
  - a. a deviation from Section 153.234 (G) of the Sign Ordinance providing for an additional free-standing sign in conjunction with a shopping center sign;
  - b. an amendment to Ordinance 4088 allowing for an automatic changeable copy sign to be located on the petitioner's proposed free-standing sign;
  - c. a deviation from Section 153.505 (B)(5)(b) of the Sign Ordinance to allow for a free-standing sign of greater than fifty square feet;
  - d. a deviation from Section 153.505 (B)(17)(b)(2) of the Sign Ordinance to allow for more than two wall signs are allowed for exterior tenants.

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

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 16, 2004. Dave Koch of DJ Properties, 3415 Landstrom Av., Rockford, IL presented the petition. He noted that he currently operates three Culver's franchises and has obtained the franchise rights for the Lombard store.

He then discussed the building plan and distributed a copy of the plans to the Commissioners. The proposed Culver's is slightly different than the facilities in Carol Stream or Addison. The proposed restaurant is a new design, which has a lower profile and a smaller 21-foot high blue tower in the middle to give it the Culver's look. He referred to the site plan and the staff report and agreed with most of the conditions. He commented on the traffic pattern and staff's comments regarding the turning movements into the site. They now concur with staff's recommendation that the right turn movement into the site may be difficult and they proposed to modify their plan to remove the access point into the facility. However, they still wanted the Commissioners to consider the merits of allowing vehicles exiting the drive-through area to directly access into the shopping center access drive north of the drive-through lane. He stated that they may also modify their plans to provide for two additional post-order stacking spaces for the restaurant. They also noted that the proposed poles around the drive-through area could also create conflicts with vehicles.

They do support all the other conditions including fencing around the outdoor dining area, the sign restrictions, and that the trash enclosure will match the building. He added that an electronic message sign would be placed on the pylon sign but not on the building itself.

Commissioner Sweetser asked for more information about the barrier curbing that was mentioned by the petitioner and staff. The petitioner explained staff supports a solid barrier along the south side of the shopping center entrance drive. They would prefer a cut in the barrier after the drive-through window to allow customers to leave the area without having to circle around the building. The Commissioners then discussed the design of the drive-through area.

Chairperson Ryan opened the meeting for public comment. There were no comments. He then requested the staff report.

William Heniff, Senior Planner, referred to the staff report, which was submitted to the public record. He focused upon the primary development issues for the site. He discussed the compatibility with the Comprehensive Plan and surrounding land uses, which consists of retail establishments and drive-through uses.

He then stated that any approvals for this petition should be reviewed in the context of the overall planned development. Within the planned development, the shopping center owner has submitted a preliminary landscape plan for the perimeter of the center. Staff had a landscape architect review the plan and provided the recommendations that are included within the staff report. Staff has added a condition that would require the plantings to be installed within twelve months from the date of approval of the draft Ordinances.

With respect to the freestanding signage, staff believes the freestanding shopping center signs should be reviewed as part of this petition. Staff is supportive of a plan that would establish two new signs (one on Roosevelt and one on Main) that would be consistent in design. Staff also notes that the shopping center owner will commit installing the new sign within a two-year period. However, staff recommends as a condition of approval that the proposed sign package be submitted to the Plan Commission for site plan approval within six-months from the date of approval of an Ordinance approving the planned development amendment.

He then discussed the requested action for the Culver's site. Referencing the drive-through conditional use, staff asked KLOA, the Village's traffic consultant to review this issue in greater detail. They concurred with staff's recommendation that the initial plan creates conflicting vehicle movements. KLOA suggested a barrier between the drive-through lanes and the entrance drive.

Staff is supportive of the conditional use for outdoor dining provided that the outdoor dining area is appropriately fenced.

Referencing the sign deviations, he noted that the Sign Ordinance prohibits freestanding signs if a shopping center sign exists. They are also proposing an automatic changeable copy (ACC) sign as part of their proposed freestanding sign. Staff has a general concern about excessive signage. To address this concern, the shopping center owner is willing to trade off his rights to an ACC sign. This would allow Culver's to erect an ACC sign and would restrict the shopping center from doing the same for the Main Street sign.

With respect to the deviation from the sign area, staff notes that as access into the site will be restricted; motorists will need to turn earlier, at Morris Avenue. Therefore an increase in sign size can be supported.

Staff recommends approval of the petition, subject to conditions. He noted that the conditions of approval reference the sections of the previously approved Ordinances that need to be amended. He also added a few edits to the conditions, noting that conditions 1 and 4 should reference Culver's and that the conditions of approval should clarify the nature of the proposed amendments to the previous Ordinances.

Commissioner Sweetser asked about the ACC signs. Mr. Heniff stated that there is a ACC sign on the proposed freestanding sign for Culver's and that no ACC element would be on the Main Street sign. He said that the shopping center owner will need to come back to Plan Commission for approval of compatible signage on Main Street.

Commissioner Burke asked if it is a problem that the packet submitted at the meeting has the message board on the building. Mr. Heniff stated that the petitioner has not added this element to their public hearing request and they do not plan on erecting an ACC sign on the building. They only submitted these pictures to give the Commissioners an understanding of the proposed building based upon a prototype that they recently completed in Milwaukee.

Commissioner Sweetser supports staff's recommendation to extend the barrier between the drive-through lane and the entrance drive. Commissioner Olbrysh concurred.

Commissioner Olbrysh then asked about the square footage of the proposed restaurant. The petitioner noted that the square footage would be about the same as other Culver's establishments.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 6-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 04-21 subject to the following conditions, as amended:

1. That Section A of Ordinance 4088 adopted October 19, 1995 shall be amended to read as follows:
  1. That the petitioner shall submit a revised landscape plan to the Village for review and approval and shall undertake the following landscape improvements per the proposed plan:
    - a. Any evergreen pine trees that have been topped shall be removed;
    - b. That replacement deciduous trees shall be provided per Code along the perimeter of the parking lot;
    - c. That where suggested by the Director of Community Development, the petitioner shall provide xeriscape plantings, consisting of native and salt-tolerant grasses and plantings in lieu of shrubs.
    - d. That installation of the new plantings shall occur within twelve months of the date of approval of this Ordinance.
2. That Section A. 2.e. of Ordinance 4088 adopted October 19, 1995 shall be amended to remove the reference to Long John Silver's.
3. That Section A 2. of Ordinance 4088 adopted October 19, 1995 shall be amended to include the following:
  - f. That the property identified as Parcels V and W shall be permitted to be improved with a new Culver's fast-food restaurant. That the petitioner shall develop the site essentially in accordance with the submitted plans prepared by Roscoe Engineering and Ollman Associates Architects and made part of this petition and attached as Exhibit A.
  - g. That as part of the approval for the outdoor dining activity, the petitioner shall provide fencing around the perimeter of the dining area, with the design of the fence subject to the approval of the Director of Community Development.
  - h. That the Culver's free-standing sign shall not exceed 117 square feet in overall sign size, with the proposed Culver's oval sign not to exceed 98 square feet and the automatic changeable copy sign shall not exceed 29

square feet in size, as depicted on the submitted plans created by Jones Signs, dated July 28, 2004 and as amended by the petitioner.

- i. That any trash enclosure screening as required by Section 155.710 of the Zoning Ordinance shall be constructed of a material consistent with the proposed restaurant building.
4. That Section 11 of Ordinance 4088 adopted October 19, 1995 be replaced in its entirety and shall read as follows:
    11. That the conditional use for a drive-through establishment for Culver's shall be subject to the following conditions:
      - a. That the proposed barrier island dividing the access drive from the drive-through lane shall be modified to extend along the north side of the drive-through lane from the east property line of Parcel V to Main Street.
      - b. The Main Street entrance drive into the planned development shall be redesigned as a right-in, right-out facility.
  5. That Section B of Ordinance 4088 adopted October 19, 1995 shall be amended to read in its entirety as follows:
    1. That within six months of the date of approval of this Ordinance, the shopping center owner shall submit an application and plans to the Plan Commission for a new shopping center sign along Roosevelt Road. Said sign can be reviewed and approved by the Plan Commission as part of the site plan approval process.
    2. In conjunction with the proposed shopping center sign, the center shall erect a compatible sign replacing the existing pylon sign at Main Street and Edward Street with a new sign compatible to the sign to be erected on Roosevelt Road. However, the Main Street sign shall not exceed 27 feet in height or 150 square feet in sign surface area.
    3. Said signs shall be erected within two years of the date of approval of this Ordinance.
  6. That Section 3. a. of Ordinance 2555 adopted September 23, 1982, shall be deleted in its entirety.

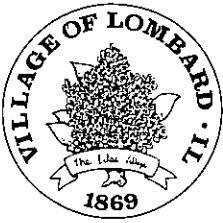
Respectfully,

**VILLAGE OF LOMBARD**

  
Donald F. Ryan  
Lombard Plan Commission

c. Petitioner  
Lombard Plan Commission





## MEMORANDUM

**TO:** LOMBARD PLAN COMMISSION  
Donald Ryan, Plan Commission Chairperson

**FROM:** William J. Heniff, AICP, Senior Planner ~~WA~~  
Department of Community Development

**DATE:** August 16, 2004

**SUBJECT:** PC 04-21; Lombard Pines Shopping Center/Culver's

Attached is a copy of the IDRC Report for PC 04-21. The petitioner is requesting that the Village approve the petition so that a new Culver's restaurant can be developed on the property, per the submitted plans. Their plan also requests approval of outdoor dining, a drive-through facility and for deviations from the Sign Ordinance. As the project is within a planned development, amendments to the planned development are also requested.

Staff is recommending approval of the petition, subject to conditions. However, there are a few issues in which staff and the petitioner and/or the owner are not in agreement, as follows:

### 1. Drive-Through Access

The petitioner has expressed that they have concerns regarding staff's recommendation pertaining to the modifications to the access driveway and the drive-through entrance/exit area. They have requested that the drive should be approved as proposed, and if there is an issue at a later date, they will correct it. Staff suggests that the plan be modified as per the staff report.

### 2. Shopping Center Access

The shopping center owner has expressed concerns regarding reconfiguring the entrance driveway between Brown's and Culver's as a right-in, right-out facility. The shopping center owner has noted that many patrons of Jewel use this access driveway to leave the site and the access drive, particularly on weekends. Staff believes that as the shopping center has two traffic lights immediately north of the entrance drive, those intersections are better equipped to handle left-turn movements. Moreover, the right-in, right-out configuration is consistent with past Village requirement for similar uses (Dunkin Donuts and White Castle) and would simplify the various traffic movements at the driveway.

3. Shopping Center Signage

The shopping center owner agrees to install new free-standing shopping center signs on the property. While staff was hoping to approve the signage as part of this petition, the petitioner would like a six-month period from the date of approval of the Ordinance so that they could work with various sign companies on various designs and receive approval from the anchor tenants within the center, prior to submitting to the Village for approval. They also did want to be tied to a sign approval that ultimately they cannot afford to install or will need to modify at a later date. Staff believes the six-month period is better than waiting for the two-year time period in which the sign would be erected.



Plan Commission  
Re: PC 04-21  
Page 2

Property Owner:                   The Sackar Company  
  d.b.a. LaSalle Bank Trust 21022  
  945 W. George, Suite 207  
  Chicago, IL 60657

Status of Petitioner:           Proposed lessee of subject premises

### **PROPERTY INFORMATION**

Existing Land Use:           Shopping center – parcel V improved with a vacant fast-food restaurant with a drive-through

Size of Property:           Entire Planned Development - approximately 19.5 acres; Parcels V & W – approximately 0.36 acres

Comprehensive Plan:       Recommends Community Commercial land uses

Existing Zoning:           B3 PD Community Shopping District/Planned Development

Zoning and Land Use Surrounding the Planned Development:

    North:     R2 Single-family Residence District; developed as single-family residences

    South:     B3 Community Shopping District; developed as misc. retail businesses south of Roosevelt road; developed as a White Castle fast-food restaurant at the southwest corner of the planned development

    East:      O PD Office - Planned Development; developed as the National University of Health Sciences

    West:      B3 Community Shopping District; developed as miscellaneous retail businesses (offices, gas station, convenience retail and fast-food restaurants)

### **ANALYSIS**

#### **SUBMITTALS**

This report is based on the following documentation, which was filed with the Department of Community Development on June 8, 2004, with subsequent amendments as referenced:

1.     Petition for Public Hearing
2.     Response to Standards
3.     Plat of Survey, prepared by National Survey Service, Inc., dated March 19, 1999.
4.     Existing & Proposed Site Plan, prepared by Roscoe Engineering, dated June 13, 2004.

5. Utility and Grading Plan, prepared by Roscoe Engineering, dated June 13, 2004.
6. Building Elevations and Floor Plans, prepared by Ollmann Architects Associates, dated June 7, 2004.
7. Photographs of similar store under construction in Milwaukee, WI.
8. Sign Plan packet, prepared by Jones Signs, dated July 26, 2004, and as amended by the petitioner.
9. Landscape plan, prepared by Roscoe Engineering, dated July 27, 2004
10. Materials Board

## **DESCRIPTION**

The petitioner is proposing to raze an existing vacant fast-food restaurant on the subject property and construct a new Culver's fast-food restaurant per the submitted plans. Associated with the petition are conditional uses for a drive-through facility and for outdoor dining. Also associated with the development is a request for various deviations from the Sign Ordinance.

The facility is proposed to be located within the Lombard Pines Shopping Center Planned Development. To facilitate this approval, amendments to the planned development ordinances are also required. For reference purposes, a list of past Village actions and copies of the Ordinances that need to be modified are listed in Appendix I.

As a companion to this proposal, the shopping center owner proposes companion amendments to the center regarding landscaping and signage.

## **INTER-DEPARTMENTAL REVIEW COMMENTS**

### **ENGINEERING**

#### Private Engineering Services

Private Engineering Services offers the following comments:

- Detention shall be provided for the aggregate area disturbed.
- The new structure will be required to have separate domestic and fire suppression water services.
- All curbs shall be B 6.12 type curb and gutter including those adjacent to sidewalks.
- We will provide further comments upon submittal of a full set of engineering drawings.

#### Public Works

The Engineering Division of the Department of Public Works supports a recommendation to require that the access drive into and out of the center adjacent to the proposed restaurant be redesigned as a right-in, right-out facility.

The Utilities Division of the Department of Public Works offers the following comments:

1. The utility plan shows the water service exiting to the north. There is not watermain between Brown's and Long John's Silver. The watermain is in the east parkway of Main Street.
2. Existing sanitary service that will be abandoned needs to be plugged with mechanical end cap. If water line is not reused, it needs to be removed at the main.
3. All utilities (water, sanitary, storm) that are on private property do not have easements and are privately owned and maintained by Lombard Pines.

### **FIRE AND BUILDING**

The Fire Prevention Bureau and the Bureau of Inspectional Services offers the following comments regarding this application:

1. The minimum construction type shall be 1B (non-combustible) per ICC 2000 code.
2. The outdoor dining area must be designed to include exiting.
3. A separate fire sprinkler valve room with outside access only is required.
4. A hood a duct suppression system monitored by the fire alarm system will be required for the kitchen.

### **PLANNING**

#### Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends commercial uses at this location. The Comprehensive Plan suggests several policies that should be used to guide improvement to commercial developments. One of those policies is ensuring the highest quality of design, including signage and graphics. If the comments and conditions noted in this report are incorporated into the petitioner's final plans, this development will meet the recommendations of the Comprehensive Plan.

#### Compatibility with Surrounding Land Uses

The site is surrounded by other retail commercial uses, both within the shopping center as well as along Main Street. Immediately north of the site is an existing Brown's Chicken fast-food restaurant with a drive-through facility. Staff believes the proposed land use is consistent with the surrounding land uses. Specific comments regarding the site plan are noted later in the report.

#### Compliance with the Zoning Ordinance

##### *Lombard Pines Planned Development Amendments*

Ordinance 2555, adopted September 23, 1982 (PC 82-8) established a planned development for the center. Subsequent amendments to the planned development addressed signage, site design

elements, and building expansions. As the petitioner's proposal will raze the existing building and replace it with a new one of a differing configuration, an amendment to the approved planned development will be required.

As noted in other petitions associated with the property, any development or redevelopment within the planned development should be reviewed in the context of the overall planned development. As such, staff has identified landscaping and shopping center freestanding signage issues as critical to the overall design of the center.

With respect to landscaping, staff notes that many of the perimeter pine trees have been topped. Additional entrance-way trees and shrubs are stressed, dead or dying. To address this concern staff has met with the shopping center owners to develop a landscape plan to address the perimeter and entrance way issues. The shopping center owner submitted a concept landscape plan for Village review and approval. Staff contracted with a landscape architect to review their proposed plan and to provide comments. These comments have been shared with the shopping center owners. Staff recommends that as a condition of approval, a revised landscape plan shall be submitted for review and approval by the Director of Community Development, which addresses the following issues:

- a. That any evergreen pine trees that have been topped shall be removed;
- b. That replacement deciduous trees shall be provided per Code along the perimeter of the parking lot;
- c. That where suggested by the Director of Community Development, the petitioner shall provide xeriscape plantings, consisting of native and salt-tolerant grasses and plantings in lieu of shrubs.
- d. That installation of the new plantings shall occur within twelve months of the date of approval of this Ordinance.

#### *Shopping Center sign*

With respect to the shopping center freestanding signs, the owner has agreed to erect new signage within two years from the date of approval of this petition. The shopping center owner has submitted sketch drawings of possible signage to staff, but as the signage has not been approved by the various tenants, they are reluctant to have the Commission and the Board consider the signs at this time. Additionally, they also did not want to present signage to the Village that may be substantially altered from the initial submittal.

Staff had represented to the owner a strong desire to tie a concept shopping center sign plan to the Culver's petition. However, if this cannot be achieved, staff recommends that a tight time frame (six months is suggested) be placed on the submittal of a shopping center sign plan to the Village for consideration. This would allow the Culver's development to continue while the shopping center owner secures requisite approvals and continues to work with sign companies on proposed signage plans.

Staff has also suggests that the existing Main Street sign also be replaced with a compatible sign, but which meets the sign area limitation expressed in Ordinance 4088 (i.e., 27 feet maximum height and 150 square feet of maximum area).

*Multiple structures on a lot of record*

In addition to the amended landscape and signage request for the overall planned development (discussed later) a conditional use is requested to allow for multiple structures on a lot of record. As the existing plat of survey shows, the shopping center is one lot of record that has been divided for tax purposes via assessment divisions (these divisions are denoted as “parcels”). This request is being made to ensure that the development is consistent with the provisions of the Zoning Ordinance. The proposed restaurant will be replacing an existing restaurant. Hence, the number of principal buildings within the planned development (5) will not change. Staff recommends approval of this request.

Actions Associated With Parcels V and W:

*Per Section 155.414 (C)(7) of the Zoning Ordinance, approve a conditional use for a drive-through establishment*

As shown on the petitioner’s plan, they propose to add a single lane drive through facility as part of their petition. Vehicles would enter from the southeast and proceed in a counter-clockwise fashion around the building. The order menu is located on the east side of the building and the pick-up window is located on the north side of the building. Typical of other Culver’s establishments, the petitioner also proposes a stacking area immediately west and south of the drive through lane for customers waiting for their orders.

Ordinance 4088 granted approval of a drive-through for Long John Silver’s. However, as this facility has not been in operation for over a year (actually since 1999), the conditional use is null and void. The original approval also requested a review of the drive-through by the Village’s traffic consultant, KLOA. As a new drive-through is being established, the Village requested the review of KLOA relative to the drive through. Both staff and KLOA express the following concerns regarding access and egress issues at the Main Street entrance adjacent to the site:

1. While the submitted plans suggest that the proposed turning radii into the restaurant is sufficient, staff has concerns regarding this maneuver, particularly if the stacking area is filled with cars. The radii assumes that motorists would know that they would need to make a hard right turn into their parking area and that vehicles would slow down accordingly on Main Street on their approach to the driveway entrance. Staff also notes that a deceleration lane does not exist at this location.



To address this concern, staff suggests that as a condition of approval that the petitioner demonstrates that the ingress from Main Street into the parking lot entrance on the west side of the property can adequately accommodate a large passenger vehicle (i.e., a Ford Expedition). Should the proposed entrance not safely accommodate such a vehicle, as determined by the Director of Community Development, the petitioner shall modify the site plan to close off the entrance.

2. Staff and KLOA have concerns regarding egress from the drive though back to Main Street. As it is currently proposed, patrons receiving their order would proceed westerly and then cross over the eastbound traffic to leave the site. As this movement is contrary to normal traffic flow, staff suggests that the barrier island be modified to extend westerly and widened to funnel traffic south around the building. Patrons can then leave the area through the parking lot and internal driveway east of the Culver's site. Staff's recommendation is similar to the approved and constructed Burger King establishment at the High Point Shopping Center on Roosevelt Road as well as the existing Wendy's Restaurant at 850 E. Roosevelt Road in Lombard. Additionally, to ensure that vehicles waiting for orders do not conflict with vehicles leaving the drive through area, the petitioner shall install flexible barrier poles segregating the drive through functions as well.
3. As part of overall Main Street improvements, staff suggests that the Main Street entrance drive into the facility shall be redesigned as a right-in, right-out facility. This concept is supported by the Village Engineer and is consistent with the improvement required as part of the Dunkin Donuts expansion plan immediately across the street. Moreover, as two traffic lights exist north of the property, which provides for a protected movement into the shopping center, staff does not anticipate that this requested modification will hinder overall access.

*Per Section 155.414 (C)(18) of the Zoning Ordinance, approve a conditional use for an outdoor service area (outdoor dining)*

As shown on the petitioner's plans, they are proposing to add a small outdoor dining area (10' x 17' =170 square feet) to be located immediately outside the main entrance. Staff does not object to this request as it allows for an alternate area for patrons to eat if desired. As the property is not located near any residences, impacts of the outdoor dining function are minimal. However, to ensure that the dining function does not extend into the sidewalk and/or parking lot, staff recommends that the perimeter of the dining area be fenced, with the design of the fence subject to the approval of the Director of Community Development. Staff would find a four foot high decorative iron fence with an exit gate as an acceptable type of fence.

Compliance with the Sign Ordinance

As the site is a planned development, the signage associated with the Culver's site needs to be reviewed in the context of the entire shopping center. The petitioner's plan requests the following actions be taken:

*A deviation from Section 153.234 (G) of the Sign Ordinance providing for an additional free-standing sign in conjunction with a shopping center sign.*

When shopping center signs are provided for within a development, the Sign Ordinance prohibits the use of separate freestanding signs. The petitioner is requesting approval of a deviation to allow for the installation of a new Culver's free-standing sign. Staff notes that Long John Silver's had a freestanding sign as well as Brown's Chicken north of the site. From this perspective, establishing a freestanding sign on the site would not be inconsistent with past approvals.

*An amendment to Ordinance 4088 allowing for an automatic changeable copy sign to be located on the petitioner's proposed freestanding sign.*

Automatic changeable copy (ACC) signs are allowed on properties with more than 500 feet of street frontage. The Sign Ordinance does not cap the number of ACC signs permitted on a property. Ordinance 4088 provides for an ACC sign on the Roosevelt Road shopping center sign totaling 96 square feet (6' x 16'). The petitioner proposes to install a second ACC sign on the property. This sign is intended to advertise daily specials associated with the restaurant use.

From staff's perspective, the ACC sign could be supported provided that limitations on overall ACC signs within the shopping center can be made. Staff suggests that as a condition of approval of the amendment, the shopping center owner agree that no additional ACC signs shall be incorporated into future designs of the Main Street shopping center sign. Staff met with the shopping center owners and they found this condition to be acceptable.

*A deviation from Section 153.505 (B)(5)(b) of the Sign Ordinance to allow for a freestanding sign of greater than fifty square feet.*

The petitioner's initial plan proposed a freestanding sign of 128 square feet plus an additional 33 square feet for the ACC sign for a total of 151 square feet. Staff noted that the proposed square footage far exceeds code. In response, the petitioner is now proposing a 14' x 7' (98 square feet) oval sign with a 29 square foot ACC sign, totaling 117 square feet. Staff notes that this sign will be larger than many other signs along Main Street. However, in consideration of this request, staff notes that the access limitations proposed by the Village as part of this request will require customers traveling south on Main Street to make their decision to enter the property a block

ahead of the restaurant. Hence, given this trade-off for better site design and circulation, additional square footage could be conceptually supported.

*A deviation from Section 153.505 (B)(17)(b)(2) of the Sign Ordinance to allow for more than two wall signs are allowed for exterior tenants.*

Based on the petitioner's submitted elevations, they are proposing wall signs on the south, north and west sides of the building. Staff notes that each of the signs meet the wall sign requirements at only 18 square feet in overall size. Staff also notes that many other tenants within the shopping center have been granted relief for additional wall signs (i.e., Enchanted Castle, Hobby Lobby and Jewel/Osco). Given the store's position as an island within the shopping center parking lot, staff believes the request can be supported.

## **FINDINGS AND RECOMMENDATIONS**

Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition subject to the conditions as outlined:

Based on the submitted petition and the testimony presented, the proposed conditional use and variations do comply with the standards required by the Lombard Zoning and Sign Ordinances; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report as the findings of the Lombard Plan Commission, and recommend to the Corporate Authorities **approval** of the PC 04-21, subject to the following conditions:

1. That Section A of Ordinance 4088 adopted October 19, 1995 be amended as follows:
  1. That the petitioner shall submit a revised landscape plan to the Village for review and approval and shall undertake the following landscape improvements per the proposed plan:
    - a. Any evergreen pine trees that have been topped shall be removed;
    - b. That replacement deciduous trees shall be provided per Code along the perimeter of the parking lot;
    - c. That where suggested by the Director of Community Development, the petitioner shall provide xeriscape plantings, consisting of native and salt-tolerant grasses and plantings in lieu of shrubs.
    - d. That installation of the new plantings shall occur within twelve months of the date of approval of this Ordinance.

2. That Section A. 2.e. be amended to remove the reference to Long John Silver's.
3. That Section A 2. shall be amended to include the following:
  - f. That the property identified as Parcels V and W shall be permitted to be improved with a new Culver's fast-food restaurant. That the petitioner shall develop the site essentially in accordance with the submitted plans prepared by Roscoe Engineering and Ollman Associates Architects and made part of this petition and attached as Exhibit A.
  - g. That as part of the approval for the outdoor dining activity, the petitioner shall provide fencing around the perimeter of the dining area, with the design of the fence subject to the approval of the Director of Community Development.
  - h. That the Culver's free-standing sign shall not exceed 117 square feet in overall sign size, with the proposed Culver's oval sign not to exceed 98 square feet and the automatic changeable copy sign shall not exceed 29 square feet in size, as depicted on the submitted plans created by Jones Signs, dated July 28, 2004 and as amended by the petitioner.
  - i. That any trash enclosure screening as required by Section 155.710 of the Zoning Ordinance shall be constructed of a material consistent with the proposed restaurant building.
4. That Section 11 be replaced in its entirety and shall read as follows:
  11. That the conditional use for a drive-through establishment shall be subject to the following conditions:
    - a. The petitioner shall demonstrate to the Director of Community Development that the ingress from the driveway on Main Street into the Culver's entrance on the north side of the property can adequately accommodate a large passenger vehicle (i.e., a Ford Expedition). Should the proposed entrance not safely accommodate such a vehicle, as determined by the Director of Community Development, the petitioner shall modify the site plan to close off the entrance.
    - b. That the proposed barrier island dividing the access drive from the drive-through lane shall be modified to extend westerly and widened to funnel traffic south around the building. Additional signage shall be provided to direct patrons through the parking lot and internal

driveway east of the Culver's site. Additionally, to ensure that vehicles waiting for orders do not conflict with vehicles leaving the drive through area, the petitioner shall install flexible barrier poles segregating the drive through functions.

- c. The Main Street entrance drive into the planned development shall be redesigned as a right-in, right-out facility.
5. That Section B. of Ordinance 4088 be amended as follows:
    1. That within six months of the date of approval of this Ordinance, the shopping center owner shall submit an application and plans to the Plan Commission for a new shopping center sign along Roosevelt Road. Said sign can be reviewed and approved by the Plan Commission as part of the site plan approval process.
    2. In conjunction with the proposed shopping center sign, the center shall erect a compatible sign replacing the existing pylon sign at Main Street and Edward Street with a new sign compatible to the sign to be erected on Roosevelt Road. However, the Main Street sign shall not exceed 27 feet in height or 150 square feet in sign surface area.
    3. Said signs shall be erected within two years of the date of approval of this Ordinance.
  6. That Section 3. a. of Ordinance 2555 shall be deleted in its entirety.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP  
Director of Community Development

att

c: Petitioner

## Appendix I

### Lombard Pines Shopping Center B3 PD Community Shopping District Planned Development

#### Summary of Activity/Ordinances

**Ordinance 2555**      Adopted September 23, 1982  
PC 82-8

*Amended by Ordinances 2607, 2686, 2695, 2735, 3837, 4025 (amended by 4056), and 4088*  
Grants a Conditional Use for the Planned Development.

**Ordinance 2607**      Adopted June 23, 1983  
PC 83-12

Amends Section 2 of Ordinance 2555 to allow a restaurant with entertainment (Enchanted Castle) at the west of the building located at 1103 S. Main Street, subject to the necessary license which would permit the token-operated amusement devices in conjunction with a restaurant.

**Ordinance 2686**      Adopted July 26, 1984  
PC 84-11

Amends Section 2 of Ordinance 2555 to allow an indoor tanning salon at 1127 S. Main Street with conditions.

**Ordinance 2695**      Adopted September 13, 1984  
PC 84-7

Amends Section 2 of Ordinance 2555 to allow the outside storage and sale of merchandise at 1177 S. Main Street (Jewel) with conditions.

**Ordinance 2735**      Adopted April 25, 1984  
PC 85-1

Amends Section 2 of Ordinance 2555 to allow a drive-through customer pick up window at the restaurant located at 1145 S. Main Street with conditions.

**Ordinance 3104**      Adopted October 20, 1988  
PC 88-22

Allows for the expansion of Enchanted Castle with conditions. (Note: the Planned Development Ordinance 2555 should have been amended, but the Planners at the time instead granted a whole new Conditional Use to Enchanted Castle. This oversight was corrected through Ordinance 4088, when Enchanted Castle was allowed to expand from what was existing in 1994 into the adjacent 4,000 sq. ft space, which amends the Planned Development Ordinance 2555.)

**Ordinance 3837**      Adopted March 17, 1994

PC 94-5

Amends Ordinance 2555 to allow additional wall signage for Enchanted Castle (1103 S. Main Street) with conditions.

**Ordinance 4025**      Adopted May 18, 1995

PC 95-14

*Amended by Ordinance 4056*

Amends Ordinance 2555, Section 2, paragraph 2-C, allowing Jewel/Osco an addition of 9,800 sq. ft. and amending Ordinance 2555, Section 2 to add subsections 6 and 7 which require certain site improvements and foundation landscaping in conjunction with the Jewel/Osco expansion.

**Ordinance 4056**      Adopted July 20, 1995

PC 95-14

Amends Ordinance 4025 to clarify and revise the site improvement required.

**Ordinance 4088**      Adopted October 19, 1995

PC 95-14

Amends Ordinance 2555, updating the site plan, to allow for a building addition or a new freestanding building, not to exceed 18,000 sq. ft between Jewel and Handy Andy (Hobby Lobby), to allow for the existing Enchanted Castle facility to expand into the existing and adjacent 4,000 sq. ft building space, to allow Brown's Chicken building to become a bank with drive-throughs, with conditions, to allow Long John's Silvers and Boston Market to have drive-throughs. This ordinance also addresses the shopping center signs. It also adds subsections 8, 9, 10, 11, 12 which discuss sidewalk improvements in front of Handy Andy and Jewel, the proposed bank and its required improvements, the Boston market drive-through, the Long John Silver's drive-through, and other site improvements.

**Ordinance 4651**      Adopted June 17, 1999

PC 99-04

Amends Ordinance 2555, allowing for five wall signs on the west elevation of the building, with the total square footage of all wall signs not to exceed 100 square feet.

Plan Commission  
Re: PC 04-21  
Page 14

**Appendix I**

**Lombard Pines Shopping Center  
B3 PD Community Shopping District Planned Development  
Copies of adopted Ordinances 2555 & 4088**



ORDINANCE 2555

AN ORDINANCE GRANTING A CONDITIONAL USE  
PERMIT FOR A PLANNED UNIT DEVELOPMENT  
(PC 82-8)

WHEREAS, the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, find:

First, the corporate authorities of the Village of Lombard have heretofore passed and approved the Lombard Zoning Ordinance #2151, as amended;

Second, the property in question is located at the Lombard Pines Shopping Center at the northeast corner of Main and Roosevelt Road, and is currently zoned B-3 Community Shopping District;

Third, a public hearing was held on May 19, 1982 and continued until July 14, 1982 in accordance with proper legal notice to consider a request that the subject property be granted a conditional use permit in the existing B-3 Community Shopping District for a Business Planned Unit Development; and,

Fourth, the Lombard Plan Commission, after reviewing the conditional use permit, taking evidence and testimony, found that the granting of the conditional use for a Business Planned Unit Development was in the best interest of the citizens of the Village of Lombard, subject to certain conditions, and the President and Board of Trustees concur with that recommendation to grant the conditional use.

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

Section 1: A conditional use permit is hereby granted pursuant to Section 8.4-2 of the Lombard Zoning Ordinance #2151 to allow a Business Planned Unit Development, subject to the conditions set forth in Section 2, for the property which is legally described as:

Lot 3 of Owners Assessment Plat of Part of the Southwest Quarter of Section 17, Township 39 North, Range 11, East of the Third Principal Meridian (except the west 150 feet of the south 150 feet thereof) according to the plat recorded December 20, 1943 as Document 457027 in DuPage County, Illinois.

Parcel Nos. 06-17-305-007, 010, 012, 013, 015, 016, 017, 018, 019, 020, 021, 023, 024.

Section 2: This conditional use permit as granted in Section 1 is conditioned upon:

1. Attachment of site plan.
2. Building additions will be permitted as stipulated up to 13,600 square feet.
  - a. Freestanding restaurant (Building A)
    - 1) Addition not larger than 2,500 square feet.
    - 2) That Building A will not be enlarged as long as either Building B or C is closed.

b. Freestanding buildings adjacent to Main Street  
(Buildings B & C)

- 1) The maximum gross floor area will not exceed 4,000 square feet for the replacement structure of either B or C.
- 2) Final design of the site plan will be approved by the staff if the plan is in conformance with the approved site plan.
- 3) That the reconstruction will be a substitute for either Building B or C, and that upon completion of the new building, one of the existing structures will be totally removed, and that area will become parking.

c. Existing Jewel/Osco Building and Existing Fountain Court Building

- 1) Additions will be allowed up to 9,100 square feet.

3. Signage

a. Freestanding Sign on Main Street at Edward Street

- 1) Sign surface area shall be limited to 150 square feet, and the height shall not exceed 27 feet.
- 2) Attachment of the construction plans.

b. Freestanding Shopping Center Identification Sign on Roosevelt Road

- 1) The Village and the Developer acknowledge that sign is non-conforming and that an amortization schedule of twenty years is established to bring the sign into compliance with the then Sign Ordinance.
- 2) Removal of the temporary identification signs located on the lower section of the pylon.
- 3) The sign surface area of individual signs shall not be restricted; however, signs shall not extend beyond the pylon structure and shall not be located less than 7 feet from the ground.
- 4) The large yellow box signs which read, "For Lease" shall be removed prior to any other changes in the sign.
- 5) The large red Forest City signs may be removed and one of those signs relocated to the southern wall of the existing Forest City building.
- 6) All work shall be done in accordance with the building and electrical code of the Village of Lombard and with the proper Village permit.

c. Freestanding Sign on Roosevelt Road at Building A

- 1) The existing freestanding sign shall become conforming and shall be allowed to remain.
- 2) All alterations shall be in compliance with the Lombard Sign Ordinance.

d. All other existing freestanding signs shall be non-conforming and subject to the provisions of Lombard Sign Ordinance.

e. Wall signs

- 1) Signage will be allowed on the westernmost wall of the existing Jewel/Osco facility in accordance with the size permitted in the Sign Ordinance.
- 2) The northeast corner building of 14,700 square feet shall be allowed a wall sign of up to 120 square feet and a second wall sign of 32 square feet.
- 3) All new wall signs other than as stipulated in Section 3 b. 5) of this ordinance shall be individually mounted letters.

4. Landscaping

- a. The owner will install at his expense a six-foot high hedge along his east property line for a distance of 330 feet from the north property line where residential buildings of the National College of Chiropractic abut the property and where landscaping does not presently exist. Such landscaping shall be installed within 180 days from the passage of this ordinance.
- b. This requirement is further conditioned upon the written approval of the National College of Chiropractic to endorse such installation.

5. Public Improvements

- a. Attachment of preliminary public improvement plans as developed by Barton/Aschman, and approved by the Public Works Department.
- b. The property owner will dedicate to the Village as public right-of-way the westernmost seventeen feet of the entire length of the site within ninety days of the passage of this ordinance.
- c. After the dedication of Main Street right-of-way, the Village will be responsible for the maintenance of the right-of-way. Every reasonable effort will be made to maintain and improve the parkway in conformance with Village standards.
- d. That the proposed southernmost curb cut on Main Street will be installed at the option of Jewel Food Stores. The cut will be in total compliance with all appropriate regulations.
- e. In the event that the Village becomes involved with a reconstruction of Main Street or Roosevelt Road, the Village will make every reasonable effort to review the plans with the owner of the property.
- f. The proposed traffic improvements as developed on the attached plan will be completed as approved by the Village Board of Trustees.

Section 3: The official zoning map of the Village of Lombard shall be changed in conformance with the provisions of this ordinance.

Ordinance # 2555  
Page four

Section 4: This Ordinance shall be in full force and effect upon its passage and approval as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

First reading waived by action of the Board of Trustees this 23rd day of September, 1982.

Passed on second reading this 23rd day of September, 1982.

Ayes: Brandt, Cwiklinski, Francis, Kufrin, Manna

Nays: Van Den Eeden

Absent: None

Passed and approved this 23rd day of September, 1982.

Mardyth E. Pollard  
Mardyth E. Pollard  
Village President

ATTEST:

Lorraine G. Gerhardt  
Lorraine G. Gerhardt  
Village Clerk

APPROVAL AS TO FORM:

Rita Elsner  
Rita Elsner  
Village Attorney

Not Published XXX

Published \_\_\_\_\_ Pamphlet  
Date Newspaper

Effective \_\_\_\_\_



Revised October 19, 1995

ORDINANCE NO. 4088

AN ORDINANCE AMENDING ORDINANCE NO. 2555 IN REGARD  
TO THE CONDITIONAL USE FOR A PLANNED DEVELOPMENT  
FOR THE LOMBARD PINES SHOPPING CENTER

(18,000 SQ. FT. ADDITION, BANK, DRIVE-THROUGHS,  
ENCHANTED CASTLE EXPANSION, AND SIGN)

(PC 95-14: 1177 South Main Street)

(See Also: Ordinance No. 4056)

WHEREAS, the owners of the Lombard Pines Shopping Center have petitioned the Village for certain amendments to the previously approved Planned Development for said shopping center; and,

WHEREAS, the petition of the owners was subject to a public hearing before the Plan Commission on May 10, 1995; and,

WHEREAS, the Plan Commission has recommended the granting of certain amendments to the Planned Development for the Lombard Pines Shopping Center, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard hereby adopt the findings and recommendations of the Plan Commission as set forth herein, and make same part hereof, subject to certain revisions as more fully set forth below;

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 Ordinance No 2555, adopted September 23, 1982 is hereby amended as follows:

A. That Section 2, paragraphs 1, 2-a, and 2-b of said ordinance are hereby deleted and replaced with the following:

1. The final site plan for improvements to the shopping center generally shall comply with the plan entitled "Landscape Development Plan" prepared by David R. McCallum Associates, Inc. and attached hereto as Exhibit A.

2. Building additions, expansions, and drive-through facilities shall be permitted as follows:

- a. A building addition or a freestanding building not to exceed 18,000 square feet in total floor area shall be permitted between the existing Handy Andy and Jewel buildings.
- b. The existing indoor amusement facility and restaurant, known as the Enchanted Castle, shall be permitted to expand into the existing and adjacent 4,000 square foot building space.
- d. The existing restaurant, known as Brown's Chicken, shall be permitted to be replaced by a bank subject to the following conditions:
  1. The total floor area of the bank shall not exceed 6,000 square feet plus a basement.
  2. The number of bank drive-through service lanes shall be determined by the traffic circulation study.
  3. The bank shall be permitted a free standing sign in compliance with the location and size restrictions of the Lombard Sign Ordinance.
- e. The existing restaurants, known as Long John Silver's and Boston Market, shall be permitted to each add a drive-through service window.

B. That Section 2, paragraph 3-b of said ordinance is hereby deleted and replaced with the following:

- b. The existing shopping center sign located adjacent to Roosevelt Road shall be allowed to remain as a legal non-conforming use subject to the following conditions:
  - 1) The sign shall generally comply with the attached Exhibit B.
  - 2) The sign height shall be reduced to comply with the maximum permitted sign height of 35 feet prior to December 31, 1996.

3) Upon completion of the parking lot improvements required by this ordinance, an automatic changeable copy sign shall be permitted on the existing sign in place of the existing attraction board; the size of which may be equal to but not exceed 6 X 16 feet or 96 square feet in total sign area.

4) Text on the sign shall not extend beyond the edges of the existing sign structure or within 4.5 feet of the ground except as indicated on the attached Exhibit B.

C. That Section 2 of said ordinance is hereby amended to add the following subsections thereto which shall read in their entirety as follows:

8. Prior to issuance of a Certificate of Occupancy for all or any portion of the proposed 18,000 square foot building/addition referenced in paragraph 2a above, a continuous sidewalk, at least five feet in width, shall be provided in front of and between the Jewel and Handy Andy buildings.

9. Prior to issuance of a Certificate of Occupancy for the proposed bank site referenced in paragraph 2d above, the following shall be provided:

A. The bank site shall be improved to comply with all current landscaping requirements of the Lombard Zoning Ordinance.

B. The bank site shall be redesigned to eliminate parking with access directly from the drive-through service lanes.

C. The final site and landscape plans for the bank shall be subject to the review and approval of the Director of Community Development.

D. A traffic circulation study shall be conducted for the access drive located south of the bank site. The traffic circulation study shall focus on the intersections of this driveway with Main Street and with the adjacent north-south parking lot drive. The study shall be conducted by the Village of Lombard at the expense of the petitioner. The Village shall use a mutually agreed upon



traffic consultant to perform the study. Any recommendations of the study for improvements to these intersections shall be implemented concurrent with the construction of the bank.

10. At such time that the drive-through service facilities are constructed for the existing restaurant currently occupied by the Boston Market as referenced in paragraph 2e above, the following shall be provided:

A. The restaurant site shall be improved to comply with all current landscaping requirements of the Lombard Zoning Ordinance.

B. The Lombard Fire Department shall determine the appropriateness of the location of the service doors adjacent to the drive-through service lane and may require the relocation or removal of these doors.

C. The final site and landscape plans for the restaurant site shall be subject to the review and approval of the Director of Community Development.

11. At such time that the drive-through service facilities are constructed for the existing restaurant currently occupied by Long John Silver's as referenced in paragraph 2e above, the following shall be provided:

A. The restaurant site shall be improved to comply with all current landscaping requirements of the Lombard Zoning Ordinance.

B. A traffic circulation study shall be conducted for the access drive located north of the restaurant site. The traffic circulation study shall focus on the intersection of this driveway with Main Street and with the adjacent north-south parking lot drive. The study shall be conducted by the Village of Lombard at the expense of the petitioner. The Village shall use a mutually agreed upon traffic consultant to perform the study. Any recommendations of the study for improvements to these intersections shall be implemented concurrent with the construction of the drive-through service lane.

C. The final site and landscape plans shall be subject to the review and approval of the Director of Community Development.

12. Within one year of the approval of this ordinance, the following improvements shall be provided:

A. Circulation and parking lot improvements shall be provided north of the Morris Street access drive as indicated on the submitted plan attached hereto as Exhibit A. The circulation and parking lot improvements shall include channelization at the northern Main Street driveway, resurfacing of the parking lot, relocation of light poles and planting barrels, and restriping of the parking lot.

B. A minimum of five additional landscape islands shall be provided at the ends of parking rows along the primary access drive through the shopping center in the vicinity of the Enchanted Castle building. The design of the landscape islands shall comply with the Lombard Zoning Ordinance and their location shall be subject to the review and approval of the Director of Community Development.

C. A fire lane shall be designated behind the buildings. The fire lane shall be open at all times and shall be subject to the review and approval of the Fire Department. Parking in the vicinity of the fire lane shall be subject to the review and approval of the Fire Department.

D. The intersection of the Morris Street driveway extension with the interior parking lot driveway located in the center of the parking lot shall be redesigned to improve turning radii and eliminate blind spots. The redesign of this intersection shall be subject to the review and approval of the Director of Community Development.

Section 2: That this ordinance is limited and restricted to the property generally located at 1177 South Main Street, Lombard, Illinois and legally described as follows:

Ordinance No. 4088  
Re: PC 95-14  
Page 6

Lot 3 of Owner's Assessment Plat of part of the Southwest 1/4 of Section 17, Township 39 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded December 20, 1943 as Document 457027, except that part described as follows: Beginning at the point of intersection of a line drawn parallel with and 100 feet East of the West line of Main Street, as dedicated by the Plat of Roosevelt Crest, with a line drawn parallel with and 50 feet North of the Center line of Roosevelt Road, as now paved, and running thence North parallel with said West line of Main Street, 150 feet; thence East parallel with said Center line of Roosevelt Road 150 feet; thence South parallel with said West line of Main Street 150 feet; thence West parallel with said Center line of Roosevelt Road 150 feet to the point of beginning, in DuPage County, Illinois.

Parcel No. 06-17-305-036

Section 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

First reading waived by action of the Board of Trustees this  
19th day of October, 1995.

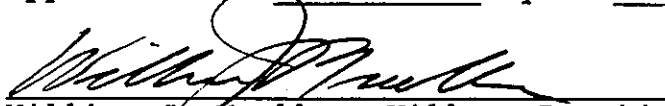
Passed on second reading this 19th day of October, 1995.

Ayes: Trustees Jaugilas, Gatz, Mackett, Carlson and Koenig

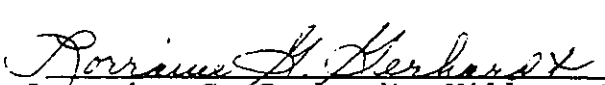
Nayes: Trustee Tross

Absent: None

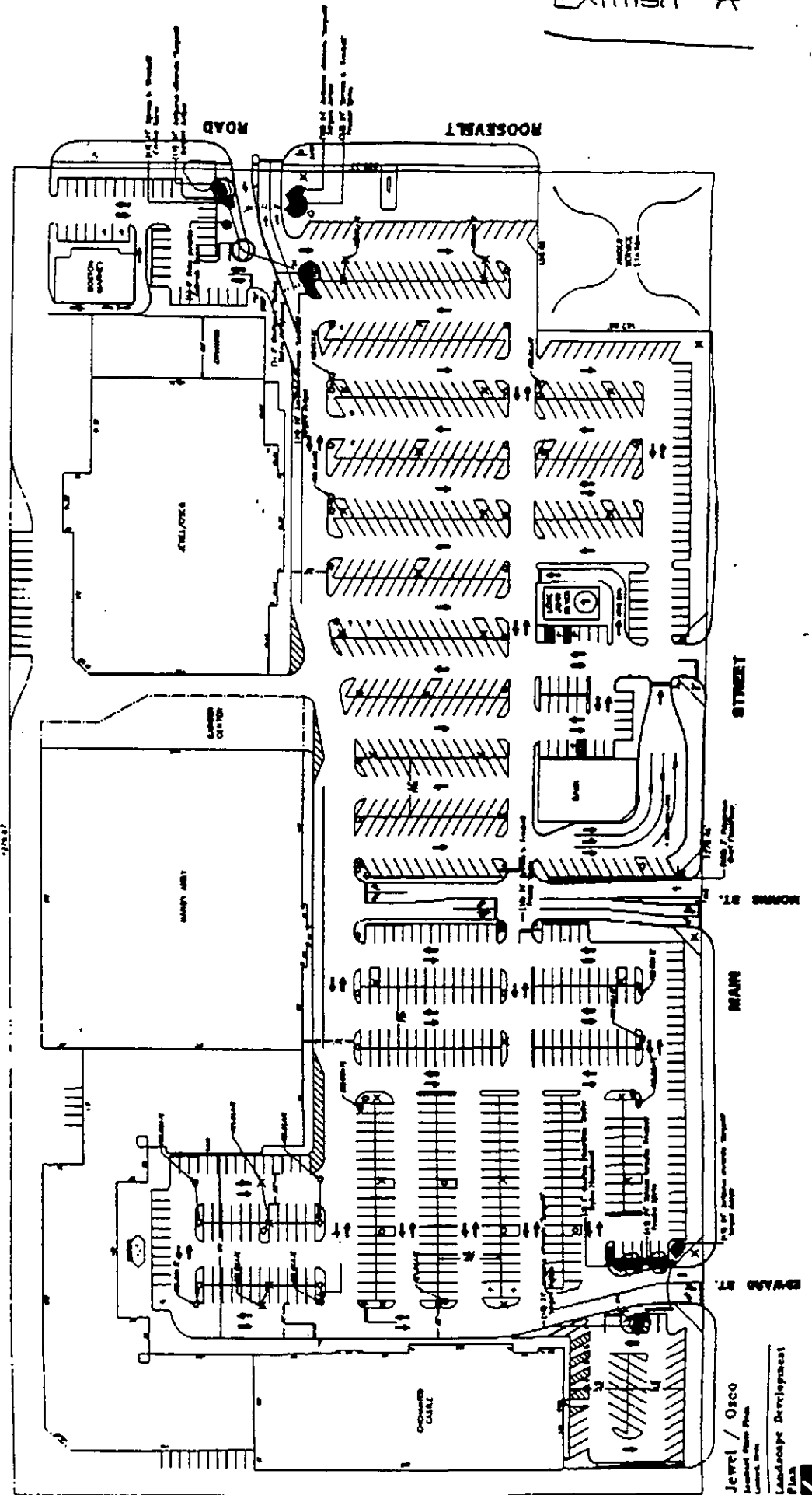
Approved this 19th day of October, 1995.

  
William J. Mueller, Village President

ATTEST:

  
Lorraine G. Gerhardt, Village Clerk

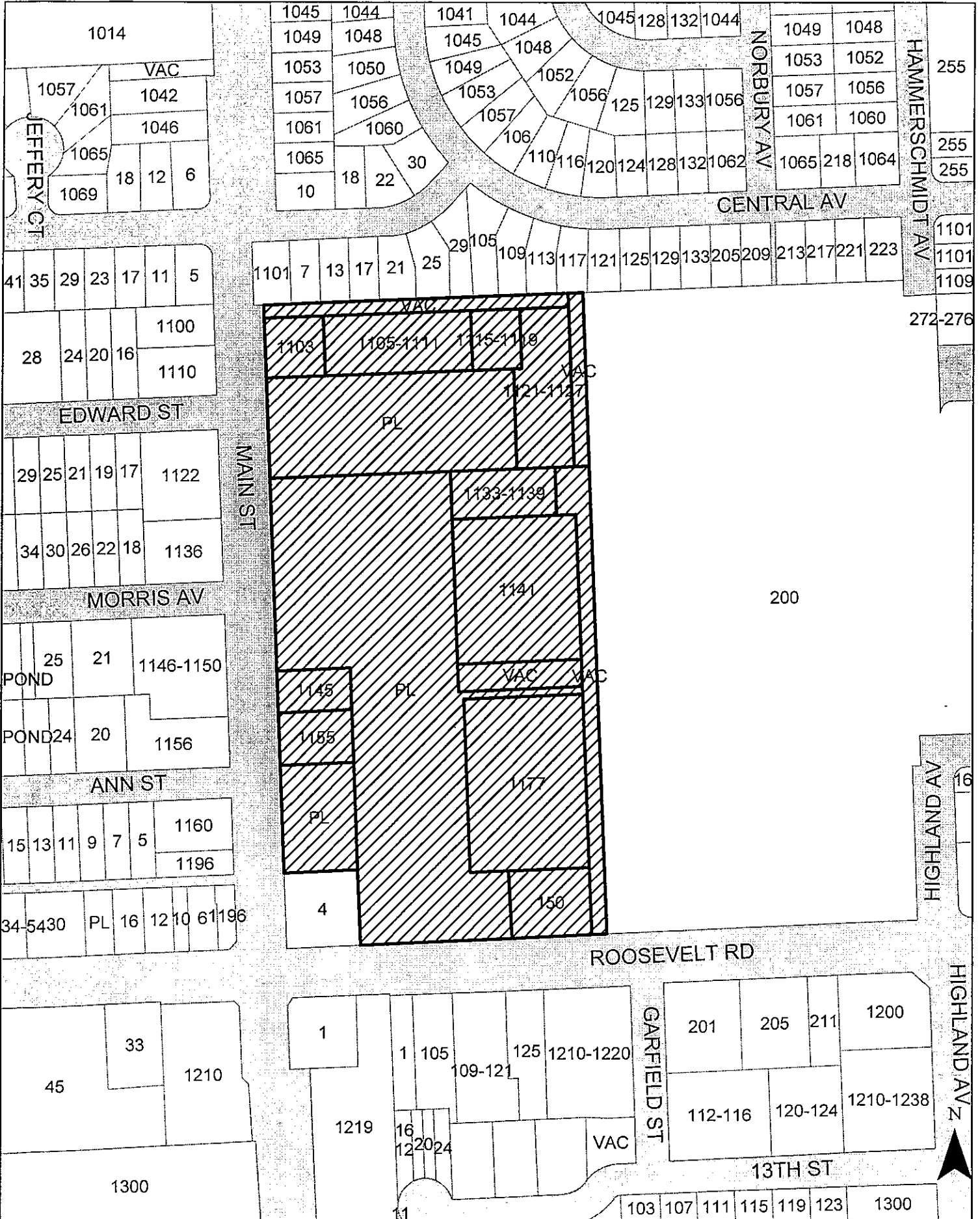
# EXHIBIT A



Jewell / Orco  
 Landscape Development  
 PLAN  
 02.14.11  
 JEWELL & ORCO ARCHITECTS, INC.

# Location Map

PC 04-21: Lombard Pines Planned Development (Culver's)



**OUTDOOR DINING AFFECT ON**  
**STANDARDS**  
**FOR CONDITIONAL USES**

The following is an excerpt from the Lombard Zoning Ordinance. A detailed response to all of these standards should be provided for all conditional uses of the Lombard Zoning Ordinance.

SECTION 155.103 (F)(8) OF THE LOMBARD ZONING ORDINANCE:

No conditional use shall be recommended by the Plan Commission unless it finds:

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; The outdoor dining area will not have a detrimental affect on the issues listed above. The moral and comfort of the public will actually be improved in that the patrons will have a safe an clean area for dining outside instead of eating in the vehicles or on the curb side.
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; The outdoor eating area will become an asset for the entire development showing a casual, clean area for dining with family and friends. The facility is located in an area that had an existing vacant piece of property that is an eye sore and not producing any revenue for the community. The outdoor dining will become a destination for groups such a little league teams to go and dine outside.
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; The facility is located in an area that had an existing vacant piece of property that is an eye sore and not producing any revenue for the community. The outdoor dining will become a destination for groups such a little league teams to go and dine outside.
4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided; The outdoor dining area has been designed not to impair public utilities, access roads, drainage and/or necessary facilities.

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; The outdoor dining area has been designed on all culvers for the proper ingress and egress of the property. The perimeter of the dinins area is surrounded by drive up order waiting and parking.
6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and, The outdoor area will become an asset to the objectives of the current comprehensive plan.
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 All Culvers outdoor dining areas are designed for the pleasure and safety of the patrons. The outdoor eating area is an integral option in the Culvers family oriented dining experience.

**OUTDOOR DINING AFFECT ON**  
**STANDARDS**  
FOR PLANNED DEVELOPMENTS

The following is an excerpt from the Lombard Zoning Ordinance. A detailed response to all of these standards should be provided for all requests for Planned Developments.

SECTION 155.508 (A) (B) (C) OF THE LOMBARD ZONING ORDINANCE

Except as provided below, no planned development shall be approved unless the Village Plan Commission and the Village Board find that the development meets the standards for conditional uses, and the standards set forth in this Section. Notwithstanding the foregoing, the Village Board may approve a planned development which does not comply with these standards or with the standards for conditional use, if the Board finds that the application of such standards, to the development being considered, would not be in the public interest.

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. The outdoor dining area is part of the overall development plan helping improve an existing drive up dining building that has been empty for many years
2. Community sanitary sewage and potable water facilities connected to a central system are provided. The outdoor dining will not effect the sewage and potable water facilities
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. The outdoor dining will not negatively effect the recommendations of the planned development.
4. That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance. The outdoor dining will have a positive effect on public interest in helping to put a vacant property on the tax rolls. The outside dining also will give another destination alternative to draw people from further distances to dine in Lombard..
5. That the streets have been designed to avoid:



- a. Inconvenient or unsafe access to the planned development; The outdoor dining will not effect the access to the planned development
- b. Traffic congestion in the streets which adjoin the planned development; The outdoor dining will not effect the adjoining 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. The outdoor dining will not add to the burden. The outdoor dining will actually provide additional revenue for the government agencies in adding additional sales tax.

#### B. Standards for Planned Developments with Use Exceptions

The ordinance approving the Final Development Plan for the planned development may provide for uses in the planned development not allowed in the underlying district, provided the following conditions are met:

1. Proposed use exceptions enhance the quality of the planned development and are compatible with the primary uses The outdoor dining will provide an additional dining option for the patrons.
2. Proposed use exceptions are not of a nature, nor are located, so as to create a detrimental influence in the surrounding properties The outdoor dining will provide an additional dining option for the patrons. The outdoor dining is located in such a way as to provide an addition point of interest. The area will not have a detrimental influence on the surrounding properties.
3. Proposed use exceptions shall not represent more than 40% of the site area or more than 40% of the total floor area, whichever is less. However, in a residential planned development area no more than 10% of the site area or the total floor area shall be devoted to commercial use; furthermore, no industrial use shall be permitted. Not applicable

#### C. Standards for Planned Developments with Other Exceptions

The Village Board may approve planned developments which do not comply with the requirements of the underlying district regulations governing lot area, lot width, bulk regulations, parking and sign regulations, or which require modification of the subdivision design standards when such approval is necessary to achieve the objectives of the proposed planned development, but only when the Board finds such exceptions are consistent with the following standards:

1. Any reduction in the requirements of this Ordinance is in the public interest *The outdoor dining will provide an additional dining option for the patrons.*
2. The proposed exceptions would not adversely impact the value or use of any other property *The outdoor dining will provide value to the other properties by assisting in converting an existing vacant building into a modern eating facility*
3. That such exceptions are solely for the purpose of promoting better development which will be beneficial to the residents or occupants of the planned development as well as those of the surrounding properties *The outdoor dining will the development by assisting in converting an existing vacant building into a modern eating facility.*
4. That the overall floor area of the planned development shall not exceed by more than 40% the maximum floor area permitted for the individual uses in each applicable district. *Not applicable*
5. That in residential planned developments the maximum number of dwelling units allowed shall not exceed by more than 40% the number of dwelling units permitted in the underlying district. *Not applicable*
6. That all buildings are located within the planned development in such a way as to dissipate any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to the following:
  - a. The front, side or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning district(s) or the zoning district underlying the subject site, whichever is greater. *The outdoor dining area shall be designed to meet the requirements of Lombard.*
  - b. All transitional yards and transitional landscape yards of the underlying zoning district are complied with. *The outdoor dining area shall be designed to meet the requirements of Lombard*
  - c. If required transitional yards and transitional landscape yards are not adequate to protect the privacy and enjoyment of property adjacent to the development, the Plan Commission shall recommend either or both of the following requirements:

- 1) All structures located on the perimeter of the planned development must set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses;
  - 2) All structures located along the entire perimeter of the planned development must be permanently screened with sight-proof screening in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.
7. That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district.

RECEIVED JUL 12 2004

COMMUNITY DEVELOPMENT

THE SACKAR CO.

Commercial Properties  
Development

July 8, 2004

Mr. David A. Hulseberg, AICP  
Village of Lombard  
Department of Community Development  
255 East Wilson Avenue  
Lombard, IL. 60148-3931

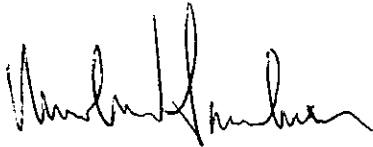
Dear Mr. Hulseberg:

We apologize for not meeting our earlier commitment to have landscaping changes and improvements completed by springtime 2004. However, you can expect the work will be finished this year. An architect's landscaping plan was sent out for bids in early 2004, but delays in responses influenced our commencement. We are currently in final negotiations with two contractors in an effort to award the contract. Still, after the contract is awarded, the planting will be done this autumn in an effort to avoid planting during summer heat.

In addition, we are currently receiving design suggestions and drawings for the rebuilding of the Roosevelt Road pylon. The new, contemporary shopping center pylon shall meet the conditions established in Ordinance No. 4088 in order to remain a legally perpetuated non-conforming use.

In our previous correspondence with you, we foresaw installation and completion of the new Roosevelt Road sign pylon not later than 3 years following the date of the ordinance granting Jewel's then anticipated planning and zoning petition. Maintaining the same schedule, we will commit to installation and completion of the Roosevelt Road sign pylon no later than 2 years from the Village's granting of all approvals for the Culver's installation as applied for.

Sincerely,



Michael Sackar

945 W. George Street  
Suite 207  
Chicago, Illinois 60657  
773.348.7777 voice  
773.348.7774 fax

COMMUNITY DE  
RECEIVED JUL 26 2004  
RECEIVED JUL 26 2004

THE SACKAR CO.

Commercial Properties  
Development

July 22, 2004

Mr. David A. Hulseberg, AICP  
Village of Lombard  
Department of Community Development  
255 East Wilson Avenue  
Lombard, IL. 60148-3931

RE: Lombard Pines Plaza Landscaping

Dear Mr. Hulseberg:

We have enclosed for your review and comments, a copy of our anticipated landscape work, to be undertaken this fall. We recently met with Greenview Landscapers and we have identified some additional areas that we would like to enhance. Particularly, the removal of approximately 8-10 additional pine trees along Main Street, and their replacement with an alternative tree selection.

Please feel free to contact us with your suggestions. Thank you.

Sincerely,



David Sackar

Encl.

945 W. George Street  
Suite 207  
Chicago, Illinois 60657  
773.348.7777 voice  
773.348.7774 fax

COMMUNITY DEVELOPMENT

RECEIVED AUG 17 2004

THE SACKAR CO.

Commercial Properties

Development

VIA FACSIMILE

RECEIVED AUG 17 2004

August 16, 2004

Mr. William J. Heniff, AICP, Senior Planner  
Village of Lombard  
255 E. Wilson Ave  
Lombard, IL 60148-3931

Re: Proposed Culver's Restaurant

Dear Mr. Heniff:

Since we will be unavailable to attend the upcoming Planning Committee meeting regarding the proposed Culver's Restaurant, we would like to clearly reaffirm the commitments made by us regarding the Lombard Pines Plaza. Additionally, in conjunction with the Staff's recommendations brought to our attention during the August 7<sup>th</sup> meeting with you, we have some concerns, which we ask be taken into account.

As stated in our July 8 letter to David Hulseberg, we are committed to installing extensive new landscaping throughout the Lombard Pines Shopping Center, both internally and along the Main Street and Roosevelt Road parkways. We are incorporating virtually all of the Village landscape architect's recommendations regarding tree removals and replacements, recommended local grasses, flora, groundcovers, xeroscaping, and we will proceed with the installation this fall.

Additionally, we commit to installing a new and contemporary sign pylon on Roosevelt Road, no later than 2 years from the Village's granting of all approvals for the Culver's installation as applied for. Two strictly preliminary designs have been shown to you, and we shall commit to submitting a final Roosevelt Road pylon design within 6 months from the granting of all approvals for the Culver's installation as applied for. The new shopping center pylon will meet all of the conditions established in Ordinance No. 4088, remaining a legally perpetuated non-conforming use. Furthermore, we are willing to relinquish our rights to install an electronic message board on our Main Street sign pylon so that the Culver's sign may be approved as submitted. We do understand that the relinquishment of our rights to

945 W. George Street  
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Chicago, Illinois 60657  
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**THE SACKAR CO.**

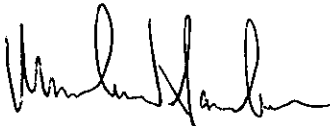
an electronic message center on Main Street is made with the reassurance that it shall not affect the shopping center's rights to install an electronic message center upon the Roosevelt Road sign pylon.

Regarding Staff's traffic circulation recommendations for the proposed Culver's site, it has been suggested that ingress and egress will be right-turn-in only from Main Street and right-turn-out only onto Main Street. While the proposed ingress would appear acceptable, the egress, northbound only, would create difficulty. Such a recommendation will significantly inconvenience customers seeking to exit the Shopping Center in a southerly direction.

While recognizing the fact that there is traffic signalization at Morris Street and at Edward Street, such signalization has in the past shown to be inadequate for cars attempting to go south when exiting the Center. This has resulted in stacked cars and long delays in exiting. The stacking has occurred during Jewel's busiest shopping days. We know that even the slightest inconvenience for Jewel's customers results in lost sales volumes and lost customers in favor of alternative shopping centers offering more convenient access. Because of the existing signalization on Main Street regularly interrupting north and southbound traffic, the breaks in traffic allow for safe egress southbound from the Shopping Center at the exit now being considered for right-turn-in / right-turn-out only.

We appreciate the recommendations that we have received from the Village during our discussions, and hopefully Lombard will have the Culver's as a welcome addition to the area.

Sincerely,



Michael Sackar

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# D J PROPERTIES, LLC

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August 18, 2004

Mr. William Heniff  
Village of Lombard  
255 East Wilson Avenue  
Lombard, IL 60148

Dear Mr. Heniff:

In regard to Plan Commission Case 04-21 (Culvers), I request a waiver of the first reading to allow final approval of this project at the September 2, Village Board meeting. This request is made to allow the start of site preparation and other work so that the project can be completed in a timely manner.

Respectfully,



DAVID M. KOCH  
DJ Properties, LLC

DMK:ds



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

**AN ORDINANCE AMENDING  
ORDINANCE NUMBER 2555, ADOPTED SEPTEMBER 23, 1982, AND  
ORDINANCE 4088 ADOPTED OCTOBER 19, 1995  
GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT**

(PC 04-21: 1103-1177 South Main Street and 150 East Roosevelt Road)  
(Lombard Pines Shopping Center Planned Development/Culver's)

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, on September 23, 1982, the President and Board of Trustees adopted Ordinance 2555, granting a conditional use for a planned development for the property legally described herein pursuant to Title 15, Chapter 155, Section 155.501 et seq. of the Code of Lombard (hereinafter the "Subject Property"); and

WHEREAS, on October 19, 1995, the President and Board of Trustees adopted Ordinance 4088, amending the planned development for the Subject Property; and

WHEREAS, Title 15, Chapter 155, Section 155.504 allows for amendment of an ordinance granting a conditional use for a Planned Development after a public hearing before the Village's Plan Commission; and

WHEREAS, pursuant to an application to amend Ordinances 2555 and 4088 to provide for a new fast-food restaurant with conditional use approvals for outdoor dining, multiple principal buildings on a lot of record and for a drive-through restaurant with signage deviations, proper and legal notice was provided and a public hearing was held before the Lombard Plan Commission on August 16, 2004; and

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendment described herein; 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;

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 the following amendments to Ordinances 2555 and 4088 are hereby approved, as follows:

1. That Section A of Ordinance 4088 adopted October 19, 1995 shall be amended to read as follows for the property legally described in Section 3 below:
  1. That the petitioner shall submit a revised landscape plan to the Village for review and approval and shall undertake the following landscape improvements per the proposed plan:
    - a. Any evergreen pine trees that have been topped shall be removed;
    - b. That replacement deciduous trees shall be provided per Code along the perimeter of the parking lot;
    - c. That where suggested by the Director of Community Development, the petitioner shall provide xeriscape plantings, consisting of native and salt-tolerant grasses and plantings in lieu of shrubs.
    - d. That installation of the new plantings shall occur within twelve months of the date of approval of this Ordinance.
2. That Section A. 2.e. of Ordinance 4088 adopted October 19, 1995 shall be amended to remove the reference to Long John Silver's.
3. That Section A 2. of Ordinance 4088 adopted October 19, 1995 shall be amended to include the following:
  - f. That the property identified as Parcels V and W shall be permitted to be improved with a new Culver's fast-food restaurant. That the petitioner shall develop the site essentially in accordance with the submitted plans prepared by Roscoe Engineering and Ollman

Associates Architects and made part of this petition and attached as Exhibit A.

- g. That as part of the approval for the outdoor dining activity, the petitioner shall provide fencing around the perimeter of the dining area, with the design of the fence subject to the approval of the Director of Community Development.
  - h. That the Culver's free-standing sign shall not exceed 117 square feet in overall sign size, with the proposed Culver's oval sign not to exceed 98 square feet and the automatic changeable copy sign shall not exceed 29 square feet in size, as depicted on the submitted plans created by Jones Signs, dated July 28, 2004 and as amended by the petitioner.
  - i. That any trash enclosure screening as required by Section 155.710 of the Zoning Ordinance shall be constructed of a material consistent with the proposed restaurant building.
4. That Section 11 of Ordinance 4088 adopted October 19, 1995 be replaced in its entirety and shall read as follows:
- 11. That the conditional use for a drive-through establishment for Culver's shall be subject to the following conditions:
    - a. That the proposed barrier island dividing the access drive from the drive-through lane shall be modified to extend along the north side of the drive-through lane from the east property line of Parcel V to Main Street.
    - b. The Main Street entrance drive into the planned development shall be redesigned as a right-in, right-out facility.
5. That Section B of Ordinance 4088 adopted October 19, 1995 shall be amended to read in its entirety as follows:
- 1. That within six months of the date of approval of this Ordinance, the shopping center owner shall submit an application and plans to the Plan Commission for a new shopping center sign along Roosevelt Road. Said sign can be reviewed and approved by the Plan Commission as part of the site plan approval process.
  - 2. In conjunction with the proposed shopping center sign, the center shall erect a compatible sign replacing the existing pylon sign at Main Street and Edward Street with a new sign compatible to the sign to be erected on Roosevelt Road. However, the Main Street sign shall not exceed 27 feet in height or 150 square feet in sign surface area.

3. Said signs shall be erected within two years of the date of approval of this Ordinance.
6. That Section 3. a. of Ordinance 2555 adopted September 23, 1982, shall be deleted in its entirety.

SECTION 2: That per Section 155.208 (C) of the Zoning Ordinance, a conditional use to allow for more than one principal structure on a lot of record is hereby approved for the property described in Section 3 below.

SECTION 3: That the aforementioned planned development amendments and the conditional use to allow for more than one principal structure on a lot of record is limited and restricted to the property legally described as follows:

Lot 3 of Owner's Assessment Plat of part of the southwest 1/4 of Section 17, Township 39 North, Range 11 East of the Third Principal Meridian according to the Plat thereof recorded December 20, 1943, as Document 457027, except that part, described as follows: Beginning at the point of intersection of a line drawn parallel with and 100 feet east of the west line of Main Street as dedicated by the Plat of Roosevelt Crest, with a line drawn parallel with and 50 feet north of the center line of Roosevelt Road as now paved and running hence north parallel with said west line of Main Street 150 feet, hence east parallel with said center line of Roosevelt Road 150 feet henceforth parallel with said west line of Main Street 150 feet, hence west parallel with said center line of Roosevelt Road 150 feet to the point of beginning in DuPage County, Illinois, known as NE corner of Roosevelt Road and Main Street, Lombard, Illinois.

Parcel Identification Numbers: 06-17-305-012, 017, 021, 029, 030, 031, 032, 033, 038, 039, 041, 042, 043, 044, 045, and 046

SECTION 4: That per Section 155.414 (C)(7) of the Zoning Ordinance, a conditional use for a drive-through establishment is hereby approved for the property described in Section 7 below.

SECTION 5: That per Section 155.414 (C)(18) of the Zoning Ordinance, approve a conditional use for an outdoor service area (outdoor dining) for a drive-through establishment is hereby approved for the property described in Section 7 below.

SECTION 6: That the following deviations from the Sign Ordinance are hereby approved for the property described in Section 7 below:

- a. a deviation from Section 153.234 (G) of the Sign Ordinance providing for an additional free-standing sign in conjunction with a shopping center sign;
- b. a deviation from Section 153.505 (B)(5)(b) of the Sign Ordinance to allow for a free-standing sign of greater than fifty square feet; and
- c. a deviation from Section 153.505 (B)(17)(b)(2) of the Sign Ordinance to allow for more than two wall signs are allowed for exterior tenants per Section 155.414 (C)(18) of the Zoning Ordinance, approve a conditional use for an outdoor service area (outdoor dining) for a drive-through establishment

SECTION 7: That the zoning actions expressed in Sections 4 through 6 are limited and restricted to the property legally described as follows:

Parcels "V" and "W" of Lot 3 of Owner's Assessment Plat of part of the southwest 1/4 of Section 17, Township 39 North, Range 11 East of the Third Principal Meridian according to the Plat thereof recorded December 20, 1943, as Document 457027, except that part, described as follows: Beginning at the point of intersection of a line drawn parallel with and 100 feet east of the west line of Main Street as dedicated by the Plat of Roosevelt Crest, with a line drawn parallel with and 50 feet north of the center line of Roosevelt Road as now paved and running hence north parallel with said west line of Main Street 150 feet, hence east parallel with said center line of Roosevelt Road 150 feet henceforth parallel with said west line of Main Street 150 feet, hence west parallel with said center line of Roosevelt Road 150 feet to the point of beginning in DuPage County, Illinois, known as NE corner of Roosevelt Road and Main Street, Lombard, Illinois.

Parcel Identification Numbers: 06-17-305-042 and 043

SECTION 8: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

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

Re: PC 04-21

Page 6

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2004.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2004.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2004.

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

Nayes: \_\_\_\_\_

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

Approved this \_\_\_\_\_, day of \_\_\_\_\_, 2004.

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

ATTEST:

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk