

March 2, 2006

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

Subject: PC 06-06; 844 E. Roosevelt Road (Popeye's)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, requests an amendment to Ordinance 5242 which granted approval of a conditional use for a drive-through establishment/service associated with a fast-food restaurant; and a variation from Section 153.505(B)(6)(c)(2) of the Lombard Sign Ordinance to allow for a free-standing sign to be located closer than seventy-five feet from the center line of the Roosevelt Road state right-of-way.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on February 20, 2006.

Ed Reitan of Benedetto Reitan Architects, 1325 Wiley Road, Schaumburg, architect for the project presented the petition. The project being brought forward is for the Popeye's Chicken site at 844 East Roosevelt Road. They are proposing to construct a multiple tenant retail center on the property. The westerly portion would remain Popeye's and the remainder would be open to various tenants. The one-story masonry building will be 24 feet high. He described the materials of the building and provided a sample for the Commissioners. He explained the proposed building materials and mentioned the proposed block areas would not be exactly the same as a clay brick, but it will have a brick appearance. Gray accent brick will go above the windows. EIFS multi-leveled cornice will be provided at the top of the building. Working with Popeye's, they would like to see more of their color incorporated into the final building design.

Regarding the drive-through, the site plan provides for eight car stacking spaces. Forty-five parking spaces will be provided on the site and two masonry trash enclosures with swing gates.

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The proposed signage in the island will be moved back as far as possible within the landscape island. However, they will not be able to meet the requisite 75 foot setback requirement. He noted that the landscape plan and the photometric plan will be modified to reflect staff's comments and will be based upon the final site plan approval.

Chairperson Ryan then opened the meeting for public comment. No one spoke in favor or in opposition of the petition.

William Heniff, Senior Planner, presented the staff report. The property owner/petitioner has submitted plans for a one-story 10,400 square foot commercial center to be located at 844 East Roosevelt Road. The subject property is currently improved with a Popeye's fast-food restaurant with a drive-through window. Should the center be approved and developed, Popeye's will occupy the west end of the strip center. However, as the design and layout of the property will substantially change, the petitioner requests an amendment to the previously approved conditional use for a drive through facility.

As a companion to this petition, the petitioner is proposing to erect a shopping center sign for their proposed tenants. The proposed sign will meet the size and area provisions included within the Sign Ordinance, but will require relief from the setback requirements from the center-line of Roosevelt Road.

He then referenced the IDRC comments in the petition, specifically referencing that Private Engineering Services raised the recommendation that additional cross-access rights be provided in the event that the vacant lot east of the site is developed. This should be added as a condition of approval.

Regarding zoning issues, commercial retail uses are identified as permitted uses in the B3 Community Shopping District. The building layout could include up to six different tenant spaces, but the petitioner notes that their intent is to provide spaces that could be easily modified to accommodate future tenants.

Fast-food restaurants are listed a permitted uses in the B3 District. However, drive-through establishments are listed as conditional uses. While a previous conditional use was granted for the property for the existing Popeye's establishment in 2002 as part of PC 02-34 (Ordinance 5242), the petitioner's new site plan substantially modifies the design and layout of the buildings, structures and parking facilities on the subject property.

Popeye's restaurant will re-establish their business on the property and will occupy the west end of the building. Vehicles using the drive-through will queue from the northeast corner of the building and will travel westbound to the window. The pickup window is located on the west side of the building. Traffic will then proceed to the cross-access drive on the south side of the building to ultimately access Roosevelt Road. Staff believes that the petitioner's plan will adequately address internal drive-through circulation around the site.

The petitioner will be removing the existing freestanding Popeye's sign currently located at the driveway entrance to the building with a new pylon sign that will identify all tenants within the shopping center. The Sign Ordinance requires freestanding signage to be located at least 75 feet off of the centerline of a state right-of-way (i.e., Roosevelt Road).

The plat shows that an existing cross-access easement is recorded on the subject property and is located between seventy feet (70') and ninety-five feet (95') off of the center line of Roosevelt Road. If the petitioner intended to meet code, the free-standing sign would have to be located within the row of parking abutting the building itself. As a practical matter, such placement would not be appropriate as it would have limited visibility and would also block the wall signage. Moreover, it could interfere with the parking area proposed for the site.

Staff is supportive of relief to allow a new freestanding sign to be located immediately west of the existing Popeye's sign. This placement, which will result in the loss of one parking space, is intended to be located outside of any easement or clear line of sight areas.

He stated that the petitioner will revise his landscape and lighting plans to reflect the conditions depicted on the site plan.

The petitioner has submitted elevational drawings for the proposed building. The exterior façade will include masonry on all elevations. The south elevation will have a brick exterior while the other elevations will incorporate a modified split-face block design that incorporates a brick appearance. The petitioner's plan will also include additional awnings, recessed building elevations and brick material to break up the building mass. The west and east elevations also include window treatments to break up the side building mass and to give additional visibility to the corner tenants. Staff finds the elevations to be acceptable.

In order for the Village to issue a final permit on the property, the petitioner shall submit a plat of abrogation to remove the existing easements located on the subject property that will be impacted by the proposed building. Moreover, the petitioner shall also submit a plat of easement for any new easements to be located on the subject property.

Chairperson Ryan then opened the meeting for comments from the Commissioners. Commissioner Sweetser believes that they have complied with what the Community Development Department has asked for and the plan appears to be an attractive addition to the community.

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 and Sign Ordinances. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities approval of the petition associated with PC 06-06 subject to the following conditions, as amended:

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1. The petitioner shall develop the site in accordance with the site plan prepared by Bendetto Reitan Architects, LLC, dated February 8, 2006; the preliminary building elevations, prepared by Bendetto Reitan Architects, LLC, dated January 23, 2006; the sign plan prepared by Bendetto Reitan Architects, LLC, dated February 14, 2006; and the preliminary engineering, lighting and landscape plans, prepared by Loeppert Associates, Inc., dated January 23, 2006 and submitted as part of this request; except where modified to meet IDRC comments and Village Code requirements.
2. The final design and location of all public improvements located within the public right-of-way shall be reviewed and approved by the Village and/or the Illinois Department of Transportation.
3. The owner or subsequent owners of the Subject Property shall not object to adding the owner of the vacant parcel at 850 E. Roosevelt (PIN 06-16-309-019) to the parties with cross-access easement rights on and/or across the Subject Property, upon a request by the Village.

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Lombard Plan Commission

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c. Petitioner
Lombard Plan Commission

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