

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, AICP, Village Manager

DATE: May 27, 2008 (BOT) Date: June 5, 2008

TITLE: PC 08-07: 2800 S. Highland Ave (The Patio Restaurant)

SUBMITTED BY: Department of Community Development *MD*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition is requesting amendments to Ordinance 6085, which granted zoning and site plan approval of a fast-food restaurant with a conditional use for a drive-through establishment/service and wall signage deviations for property within the Highlands of Lombard B3 Planned Development; in the following respects:

1. Amendments to the conditions of approval to provide for alternate building elevations; and
2. A further deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for an additional wall sign on the south elevation of the single-tenant building. (DISTRICT #3)

The Plan Commission recommended approval of the relief associated with the alternate building elevations with conditions. All other requested relief was denied.

Please place this item on the June 5, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>David A. Hulseberg</i>	Date	5/22/08

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.

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1. Amendments to the conditions of approval to provide for alternate building elevations; and
2. A further deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for an additional wall sign on the south elevation of the single-tenant building. (DISTRICT #3)

The Plan Commission recommended approval of the relief associated with the alternate building elevations with conditions. All other requested relief was denied.

Please place this item on the June 5, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X

Finance Director X

Village Manager X

David A. Hulseberg

Date

Date

Date

5/27/08

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



MEMORANDUM

TO: David A. Hulseberg, AICP, Village Manager

FROM: William J. Heniff, AICP, Acting Director of Community Development *WJH*

DATE: June 5, 2008

SUBJECT: PC 08-07 2800 S. Highland (Patio Restaurant)

Attached please find the following items for Village Board consideration as part of the June 5, 2008 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 08-07;
3. An Ordinance granting approval of amendments to the conditions of approval associated with Ordinance 6085 that previously granted conditional uses for a drive through establishment/service. The Plan Commission recommended denial of the additional wall signage request; and
4. Plans associated with the petitioner's request.

Please contact me if you have any questions regarding the aforementioned materials.



VILLAGE OF LOMBARD

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Lombard, IL 60148-3931
(630) 620-5700 FAX: (630) 620-8222
TDD: (630) 620-5811
www.villageoflombard.org

June 5, 2008

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

Subject: PC 08-07; 2800 S. Highland (Patio Restaurant)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner is requesting amendments to Ordinance 6085, which granted zoning and site plan approval of a fast-food restaurant with a conditional use for a drive-through establishment/service and wall signage deviations for property within the Highlands of Lombard B3 Planned Development; in the following respects:

1. Amendments to the conditions of approval to provide for alternate building elevations; and

2. A further deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for an additional wall sign on the south elevation of the single-tenant building.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on May 19, 2008. Chairperson Ryan asked if there was anyone to cross-examine the witnesses. Hearing none, he requested that the petitioner begin their presentation.

James Howard Architect for Knauer Incorporated, 720 Waukegan Road, Deerfield, presented the petition. He stated that the intent is to provide alternate building elevations, in keeping with the Highlands development. The plans were originally approved in August. The materials and elevations were somewhat severe and contemporary. Their firm was retained to establish elevations that were more fitting with the development. He showed a sample of the building materials. He presented the north and west elevations. The brick color has been revised to a more red/brown color which is more fitting with the surrounding sites. They added vertical planes of stone material around the building which is the same stone in the water retention and surrounding buildings.

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees

Greg Alan Gron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
Rick Soderstrom, Dist. 6

Village Manager
William T. Lichter

"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."

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

In addition to the change of elevations, they also requested signage relief on the south elevation. There are two wall signs - one set half way back and one on the south elevation. The outdoor dining area was also reworked. The footprint remains the same but now includes a fireplace. He then showed a picture of the outdoor dining area with landscaping.

Chairperson Ryan then opened the meeting for public comment. There was no one present to speak in favor of or against the petition.

William Heniff presented the staff report, which was submitted to the public record in its entirety. In August, 2007 the Plan Commission held a public hearing to consider zoning actions pertaining to a proposed 9,500 square foot fast-food restaurant to be located within the Highlands of Lombard Planned Development (PC 07-26). Included within this petition was a request for approval of a two-lot plat of resubdivision; a conditional use for a drive-through establishment/service; site plan approval for a fast-food restaurant establishment and a deviation from the Sign Ordinance to allow more than one wall sign on a single-tenant building and site plan approval for the proposed freestanding sign. The petition was ultimately approved by the Village Board.

Since that approval date, the petitioner acquired the subject property and is intending on proceeding with his restaurant plans. The petition primarily consists of modifications to the exterior building elevations. The petition still intends to follow the approved site plan and the restaurant building will not change in location or gross area. As a companion to their request, they are also seeking consideration of a second wall sign on the south building elevation.

He stated that the subject property is bordered on the south by an existing commercial retail strip center and bank with drive-through. The Highlands III retail center now under development is west of the site, and Yorktown Center is located across Highland Avenue to the east. The proposed use is compatible with the existing businesses and the Comprehensive Plan.

He then noted the 2007 conditions of approval associated with Ordinance 6085 and how they relate to the planned development. The Patio Restaurant's initial design was intended to blend the common elements established within the planned development with a modern building architectural design. However, the latest submittal removes many of the modern/contemporary design elements such as the peaked glass entrance with more horizontal roof lines. The proposed elevations also incorporate a larger percentage of fieldstone, changing the brick color, alter the roof pitch by lowering the roof structure heights.

The planned development requires 70 percent of all exterior facades to be made up of stone, brick, split face block or cedar, exclusive of glass. The revised Patio Restaurant elevations meet this provision as well. The petitioner is seeking to "darken" the selected brick type beyond that which was originally considered approved within the Ordinance. Regarding the stone elements

within the restaurant building, the petitioner notes that the intent is to provide limestone/fieldstone materials to the fireplace element.

The petitioner's plans still provide an outdoor dining component with the restaurant. The latest submitted plan set depicts how the dining area will be oriented and operated. They are contemplating an outdoor fireplace as an accent element, for which staff would consider a minor change. As the refined changes are not deemed to constitute an expansion to the outdoor service/dining area, no further actions need to be taken regarding this element.

He then discussed the signage request. The petitioner's revised building elevations show two signs on the south wall. As the approval Ordinance only provided for one sign per elevation, they also are seeking consideration of the second sign on the south elevation. In discussions with the petitioner, staff raised concerns regarding multiple wall signs on a single building elevation. Staff noted the recent denial of multiple wall signs for Sweet Tomatoes within the Highlands of Lombard planned development on the east elevation for precedence.

The petitioner notes that the wall sign on the left (west) is intended to break up the building mass, similarly to the wall signage that was approved in the 2007 application, staff notes that refinements to the metal banding or masonry materials can also perform the same function. The Amcore Bank building would largely block the sign on the south elevation. As it would not be an identifying element for motorists, it does not serve a valued purpose. Allowing the petitioner to display multiple wall signs on a single elevation would set a precedent for granting the same relief to other tenants within the Highlands of Lombard and there is no hardship or unique circumstance that warrants consideration of the additional wall sign. Staff does not support the requested additional wall signage deviation.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweeter stated that in terms of walking up to a building, it can be very disconcerting if there is no signage to identify the building even if you are very sure. She suggested something on the glass or door. Mr. Howard stated that it could be done, but to put a sign in the glass would ruin the cleanliness of the look. He then showed the structure that is set back on the same elevation but not on the same facade.

Chairperson Ryan suggested that the sign could be centered. Mr. Howard noted the distinct locations of the signage and stated that if the sign did not appear on the busier side, customers may miss it.

After due consideration of the petition and testimony presented, the requested amendment to Ordinance 6085 complies with the standards required by the Lombard Sign Ordinance and the Lombard Zoning Ordinance and is consistent with the Highlands of Lombard Planned Development, and that granting such relief is in the public interest. However, granting of relief for the second wall sign on the south building elevation does not meet the standards set forth in

the Zoning and Sign Ordinance and is not compatible with the Highlands of Lombard planned development. Therefore, the Plan Commission accepted the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and recommends to the Corporate Authorities **approval in part** of PC 08-07, subject to the following conditions:

A. That the conditions of approval of Ordinance 6085 shall be amended to read in its entirety as follows:

1. The site improvements shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by James Papaoutsis Design Architect, updated August 10, 2007 (including the site plans and freestanding sign proposal); the Preliminary Engineering Plans, prepared by Hoetterle-Butler Engineering, Inc, dated July 12, 2007; the Landscape Development Plan, prepared by Trippied! Design Landscape Architect, dated July 13, 2007; the Plat of Resubdivision, prepared by Spaceco Inc., dated July 2, 2007; and the Photometric Plan, prepared by Zolter Electric, dated June 7, 2007 (sic.) and made a part of this petition, except as amended by the conditions of approval. The concept building elevations (exclusive of the second wall sign on the south elevation) shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by Knauer, Incorporated.

2. The petitioner shall meet all development and building codes of the Village of Lombard and shall follow the provisions set forth within the Highlands of Lombard planned development approval.

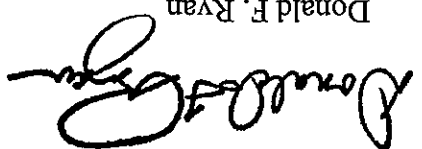
3. The proposed freestanding sign shall be placed outside of any easement areas. The freestanding sign exterior shall be of a limestone/fieldstone material, consistent with the signage previously approved within the planned development. Moreover, the sign cabinets shall be designed in a manner that minimizes exterior light glare.

4. The wall signage approval shall only be for the four exterior "The Patio" signs as depicted on the exterior elevations as depicted on the C2 South Elevation plan, prepared by Knauer, Incorporated. All wall signs on the proposed buildings must be of a channel letter design.

5. In the event that the proposed restaurant is not developed concurrent with the proposed Highlands III development, the petitioner shall install requisite parking stalls and drive aisles to ensure full access and circulation around the proposed center.

6. The approved masonry materials for the building shall be consisted with the material board sample prepared by Knauer, Incorporated and submitted as part of the petition. Any deviation from this material shall be subject to the review and approval by the Director of Community Development.

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

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

TO: Lombard Plan Commission
FROM: Department of Community Development
PREPARED BY: William Heniff, AICP Senior Planner
HEARING DATE: April 21, 2008

TITLE

PC 08-07; 2800 S. Highland Avenue (Patio Restaurant): The petitioner is requesting amendments to Ordinance 6085, which granted zoning and site plan approval of a fast-food restaurant with a conditional use for a drive-through establishment/service and wall signage deviations for property within the Highlands of Lombard B3 Planned Development; in the following respects:

1. Grant site plan approval of amendments to the conditions of approval to provide for alternate building elevations; and
2. Grant Site Plan approval of a further deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for an additional wall sign on the south elevation of the single-tenant building.

GENERAL INFORMATION

Petitioner/Property Owner: John Koliopoulos
The Patio Restaurant Group
7220 West 91st Street
Bridgeview, IL 60455

PROPERTY INFORMATION

Existing Land Use: Vacant land
Size of Property: 1.67 acres
Comprehensive Plan: The Comprehensive Plan identifies the site for Community Commercial use and advises the property should be developed on a planned and coordinated basis.
Existing Zoning: B3PD Community Shopping District/Planned Development

Surrounding Zoning and Land Use (surrounding subject property):

North: CR Conservation/Recreational District; developed as Allerton Ridge Cemetery

South: B3 PD Community Shopping District - Planned Development; developed as a two commercial retail strip centers and a bank

East: B3 PD Community Shopping District - Planned Development; developed as Yorktown Center

West: B3 PD Community Shopping District Planned Development; under development as the Highlands III retail strip center

ANALYSIS

SUBMITTALS

This report is based on the following documents filed with the Department of Community Development on March 17, 2008:

1. Petition for Public Hearing.

2. Proposed Building Changes Packet, prepared by Krauer, Incorporated, consisting of the following elements:

- a. Schematic Design Changes narrative;
 - b. Color elevations of proposed restaurant building (4 elevations);
 - c. Black & white elevation of south elevation (without second wall sign);
 - d. Correspondence from Allen Krakower & Associates describing/depicting common elements within the planned development (with pictures);
 - e. Profile Louver depictions;
 - f. Refined outdoor dining area plans; and
 - g. South elevation signage alternation plan and request.
3. Revised Materials Board, prepared by Krauer, Incorporated.

DESCRIPTION

In August, 2007 the Plan Commission held a public hearing to consider zoning actions pertaining to a proposed 9,500 square foot fast-food restaurant to be located within the Highlands of Lombard Planned Development (PC 07-26). Included within this petition was a request for approval of a two-lot plat of resubdivision; a conditional use for a drive-through establishment/service; site plan approval for a fast-food restaurant establishment and a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow more than one wall sign on a single-tenant building; and site plan approval for the proposed freestanding sign. The Plan Commission recommended approval of the petition subject to conditions and the petition was approved by the Village Board on September 20, 2007 as the attached Ordinance 6085.

Since that approval date, the petitioner has acquired the subject property and is intending on proceeding with his restaurant plans. However, he is proposing to change the exterior building elevations that were approved as part of the 2007 petition. As the proposed building elevations do not meet the conditions of approval as set forth in Ordinance 6085, a new public hearing will be required.

This petition primarily consists of modifications to the exterior building elevations. The petition still intends to follow the approved site plan and the restaurant building will not change in location or gross area. As a companion to their request, they are also seeking consideration of a second wall sign on the south building elevation.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

Public Works Engineering and Utilities Divisions have no comments relating to this petition at the present time.

PRIVATE ENGINEERING SERVICES

The Private Engineering Services Division comments pertaining to this development that were previously provided as part of PC 07-26 remain in effect.

FIRE AND BUILDING

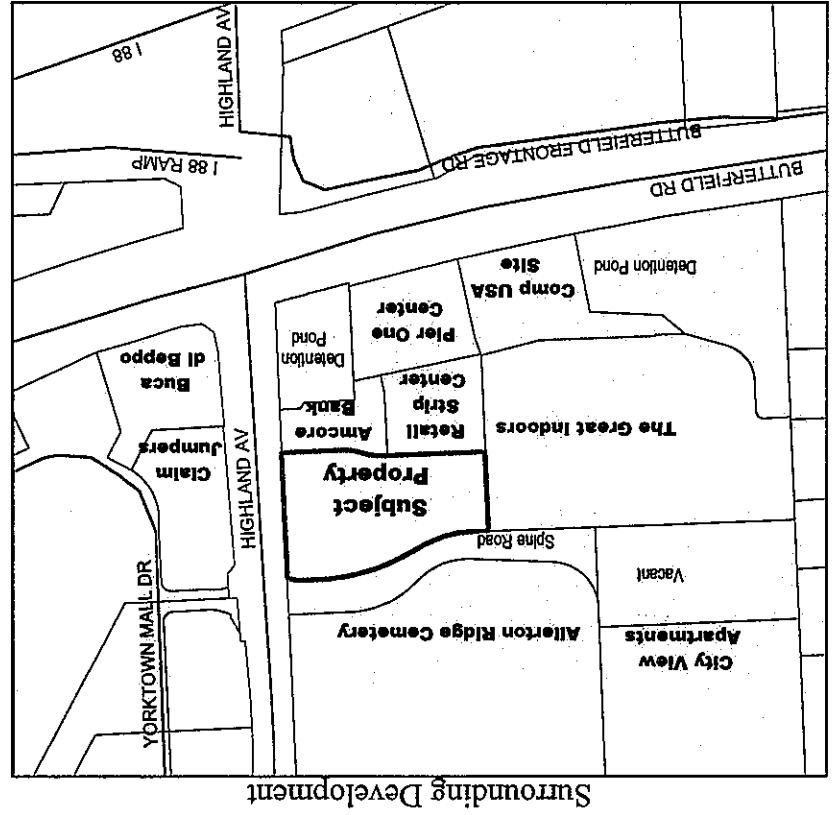
Building and Fire does not have any comments on the petition. Detailed comments will be provided as part of the building permit submittal.

PLANNING

Compatibility with the Surrounding Land Uses

The subject property is bordered on the south by an existing commercial retail strip center and bank with drive-through. The Highlands III retail center now under development is west of the

site, and Yorktown Center is located across Highland Avenue to the east. The proposed use is compatible with the existing businesses. Since each building proposed within the planned development requires Site Plan Approval, the Plan Commission review process will help ensure compatibility with the adjacent uses.



Compatibility with the Comprehensive Plan

The Comprehensive Plan identifies the site for Community Commercial Use. The Plan advises that the commercial portion of the property should be developed to include retail, commercial and office uses. The proposed uses are therefore consistent with the Comprehensive Plan.

Compliance with the Zoning Ordinance

Zoning History

The Highlands of Lombard Planned Development (Ordinances 4833 and 4834) that was approved on June 15, 2000 allowed for development per the provisions enumerated in the Final Development Agreement for the property. The planned development allows for the construction and operation of restaurant establishments on the property. Restaurants are listed as

a permitted use. Outdoor dining elements associated with restaurants are also permitted uses, per the B3 use list, and associated with the site plan approval petition.

In 2007, Ordinance 6085 granted site plan approval for the restaurant project and its companion outdoor dining, drive-through and wall signage. The six conditions of approval included the following items (elements subject to change though this petition are underlined):

1. The site improvements shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by James Papaoutsis Design Architect, updated August 10, 2007 (includes site plans, interior layouts, concept exterior elevations and freestanding sign proposal); the Preliminary Engineering Plans, prepared by Hoefterle-Butler Engineering, Inc, dated July 12, 2007; the Landscape Development Plan, prepared by Trippi Design Landscape Architect, dated July 13, 2007; the Plat of Resubdivision, prepared by Spaceco Inc., dated July 2, 2007; and the Photometric Plan, prepared by Zolter Electric, dated June 7, 2007 (sic.) and made a part of this petition, except as amended by the conditions of approval.

2. The petitioner shall meet all development and building codes of the Village of Lombard and shall follow the provisions set forth within the Highlands of Lombard planned development approval.

3. The proposed freestanding sign shall be placed outside of any easement areas. The freestanding sign exterior shall be of a limestone/feldstone material, consistent with the signage previously approved within the planned development. Moreover, the sign cabinets shall be designed in a manner that minimizes exterior light glare.

4. The wall signage approval shall only be for the four exterior "The Patio" signs as depicted on the exterior elevations. All wall signs on the proposed buildings must be of a channel letter design.

5. If in the event that the proposed restaurant is not developed concurrent with the proposed Highlands III development, the petitioner shall install requisite parking stalls and drive aisles to ensure full access and circulation around the proposed center.

6. The approved masonry materials for the building shall be:

- a. Sioux City Brick – Cinnamon Ironspot
- b. Yankee Hill – Light Red Small
- c. Belden Brick – Modular 470-479 Medium
- d. Feldstone sample as submitted by the petitioner.

Any deviation from this material shall be subject to the review and approval by the Director of Community Development.

Compatibility with the Highlands of Lombard Development Agreement

The proposed restaurant is required to have a level of consistency with the Highlands of Lombard Development Agreement and shall be compatible with The Great Indoors, Highlands Apartments, CompUSA, the Pier One Center, Amcore Bank and Highlands II and Highlands III developments. The Final Development Agreement sets forth specific items with which compliance is necessary for approvals. The intent of this petition is to provide for an alternate exterior building elevation that the petitioner believes is more in keeping with the overall planned development and his overall development plans. The petitioner's design changes are enumerated in detail within their plan set.

In the approval process, the Village can consider compatibility of building architecture, materials and design throughout the Highlands of Lombard development. The Patio Restaurant's initial design was intended to blend the common elements established within the planned development within a modern building architectural design. However, the latest submittal removes many of the modern/contemporary design elements such as the peaked glass entrance with more horizontal roof lines. The proposed elevations also:

- incorporate a larger percentage of fieldstone, replacing some of the brick elements, in an attempt to mirror the common area stormwater detention elements and retaining walls found throughout the planned development;

- change the brick color from the previously approved red/orange colors to a darker red/brown color, as can be found within the planned development itself; and
- alter the roof pitch by lowering the roof structure heights. To ensure that rooftop mechanical equipment remain screened (a code requirement), they intend to incorporate roof top louvers that are intended to visually tie into the metal banding incorporated into the south building elevation.

The planned development requires 70 percent of all exterior facades to be made up of stone, brick, split face block or cedar, exclusive of glass. Excluding glass elements, the retail center is proposed to be completely comprised of stone, brick, split face block and/or cedar materials. The revised Patio Restaurant elevations meet this provision as well.

As noted in the 2007 petition, staff offered concerns regarding the brick colors as shown on the plan submittal and asked the petitioner to select a color palette that ties more closely with the other building colors established within the development (i.e., substitute orange color palette with the brick with deeper red/brown elements). At that time, the petitioner submitted revised brick samples for consideration accordingly, which was memorialized within the Ordinance of approval. However, the petitioner is seeking to "darken" the selected brick type beyond that which was originally considered by the Plan Commission and approved within the Ordinance.

While staff did have the ability to approve such change, the elevation change requires a new review and as such staff is also bringing this element back to the Plan Commission as well.

Regarding the stone elements within the restaurant building, the petitioner notes that the intent is to provide limestone/fieldstone materials to the fireplace element, consistent with the common planned development themes. The revised plans also increase the overall amount of field stone in the building design, which would increase its compatibility with the planned development's common elements. This element was verified with the consultant that established the common area elements within the planned development.

Conditional Use for Outdoor Dining

The petitioner's plans still provide an outdoor dining component with the restaurant. The latest submitted plan set depicts how the dining area will be oriented and operated. They are contemplating an outdoor fireplace as an accent element, for which staff would consider a minor change. As the refined changes are not deemed to constitute an expansion to the outdoor service/dining area, no further actions need to be taken regarding this element.

Conditional Use for Drive-Through Establishment

The petitioner's approved drive-through plan and design are not affected by this petition. Therefore, no actions need to be taken regarding this element.

Compatibility with the Sign Ordinance

The 2007 action granted site plan approval for a signage deviation to allow for the restaurant to erect multiple wall signs on the specified building elevations. The signage deviation allowed each building elevation to display a wall sign to give each elevation more of a 'storefront' appearance. Staff felt that this relief could be supported given the location of the building as it relates to the overall planned development, the unique layout of the site and the fact that many visitors to the site will be approaching from the north side (spine road) of the building. The size requirements for the underlying B3 District would still be met. Staff recommended as a condition that the signage shall only be of a channel sign design, to be consistent with other developments within the Highlands of Lombard.

The petitioner's revised building elevations show two signs on the south wall. For comparison purposes, the petitioner also provided an elevation showing the south elevation with one wall sign. As the approval Ordinance only provided for one sign per elevation, they also are seeking considering of the second sign on the south elevation.

In discussions with the petitioner, staff raised concerns regarding multiple wall signs on a single building elevation. Staff noted the recent denial of multiple wall signs for Sweet Tomatoes within the Highlands of Lombard planned development on the east elevation for precedence. Staff also notes that the wall signage number and size was also raised as part of PC 07-26 and notes the following signage approved within the planned development:

Highlands of Lombard Wall Sign Relief

Case No.	Address	Relief Granted
<i>Multiple Tenant Buildings</i>		
PC 02-28	2830 S. Highland (Pier One center)	Interior tenants allowed up to two wall signs
SPA 03-03	2830 S. Highland (Pier One center)	Specific tenant granted wall sign size relief, ability to display mixed wall & awning signs
PC 05-12	2820 S. Highland	Interior tenants allowed up to two wall signs
SPA 07-09ph	2800 S. Highland	Interior tenants allowed up to two wall signs
<i>Single Tenant Buildings</i>		
PC 05-12	2810 S. Highland (Amcore Bank)	Three wall signs for single-tenant building
PC 07-26	2800 S. Highland (The Patio)	Four wall signs for single-tenant building

Staff cannot support the requested fifth wall sign as proposed. There are no unique circumstances pertaining to the use that warrants consideration of additional wall signs beyond what was already granted by the Village. The petitioner notes that the wall sign on the left (west) is intended to break up the building mass, similarly to the wall signage that was approved in the 2007 application, staff notes that refinements to the metal banding or masonry materials can also perform the same function. Moreover as the sign on the south elevation to the left would not be extensively visible as it would be largely blocked by the Amcore Bank building. As it would not be an identifying element for motorists, it does not serve a valued purpose. Allowing the petitioner to display multiple wall signs on a single elevation would set a precedent for granting the same relief to other tenants within the Highlands of Lombard and there is no hardship or unique circumstance that warrants consideration of the additional wall sign. Therefore, staff does not support the requested additional wall signage deviation.

FINDINGS AND RECOMMENDATIONS

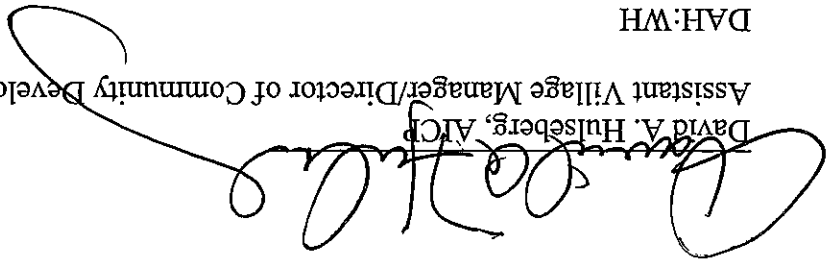
Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition, but only in part:

Based on the submitted petition and the testimony presented, the requested amendment to Ordinance 6085 complies with the standards required by the Lombard Sign Ordinance and the Lombard Zoning Ordinance and is consistent with the Highlands of Lombard Planned Development, and that granting such relief is in the public interest. However, granting of relief for the second wall sign on the south building elevation does not meet the standards set forth in the Zoning and Sign Ordinance and is not compatible with the Highlands of Lombard planned development. Therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend **approval in part** of PC 08-07, subject to the following conditions:

A. That the conditions of approval of Ordinance 6085 shall be amended to read in its entirety as follows:

1. The site improvements shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by James Papaoutsis Design Architect, updated August 10, 2007 (including the site plans and freestanding sign proposal); the Preliminary Engineering Plans, prepared by Hoefler-Butler Engineering, Inc, dated July 12, 2007; the Landscape Development Plan, prepared by Trippedi Design Landscape Architect, dated July 13, 2007; the Plat of Resubdivision, prepared by Spaceco Inc., dated July 2, 2007; and the Photometric Plan, prepared by Zolter Electric, dated June 7, 2007 (sic.) and made a part of this petition, except as amended by the conditions of approval. The concept building elevations (exclusive of the second wall sign on the south elevation) shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by Knauer, Incorporated.
2. The petitioner shall meet all development and building codes of the Village of Lombard and shall follow the provisions set forth within the Highlands of Lombard planned development approval.
3. The proposed freestanding sign shall be placed outside of any easement areas. The freestanding sign exterior shall be of a limestone/tidstone material, consistent with the signage previously approved within the planned development. Moreover, the sign cabinets shall be designed in a manner that minimizes exterior light glare.
4. The wall signage approval shall only be for the four exterior "The Patio" signs as depicted on the exterior elevations as depicted on the C2 South Elevation plan, prepared by Knauer, Incorporated. All wall signs on the proposed buildings must be of a channel letter design.
5. In the event that the proposed restaurant is not developed concurrent with the proposed Highlands III development, the petitioner shall install requisite parking stalls and drive aisles to ensure full access and circulation around the proposed center.
6. The approved masonry materials for the building shall be consisted with the material board sample prepared by Knauer, Incorporated and submitted as part of the petition. Any deviation from this material shall be subject to the review and approval by the Director of Community Development.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

DAH:WH

Village of Lombard
Department of Community Development
255 E. Wilson Avenue
Lombard, IL 60148

Return To:

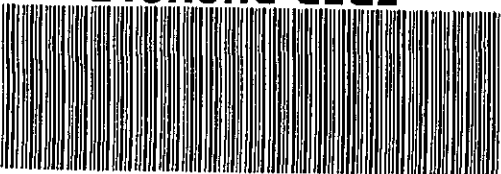
ADDRESS: 2800 S. Highland Avenue,
Lombard, IL 60148

PIN: 06-29-308-020

GRANTING A CONDITIONAL USE TO ALLOW FOR A
DRIVE-THROUGH ESTABLISHMENT WITHIN THE
HIGHLANDS OF LOMBARD B3 PLANNED
DEVELOPMENT AND GRANTING OF WALL SIGN
DEVIATIONS

ORDINANCE NO 6085

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
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OTHER 06-29-308-020
006 PAGES R2007-182517



ORDINANCE NO. 6085

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW FOR A
DRIVE-THROUGH ESTABLISHMENT WITHIN THE HIGHLANDS OF
LOMBARD B3 PLANNED DEVELOPMENT
AND GRANTING OF WALL SIGN DEVIATIONS

PC 07-26 2800 S. Highland (The Patio Restaurant)

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

WHEREAS, the subject property is zoned B3PD Community Shopping District - Planned Development; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard approved Ordinance 4833 on June 15, 2000 providing for a Planned Development for the below described property; and

WHEREAS, the President and Board of Trustees of the Village of Lombard approved Ordinance 4834 on June 15, 2000 authorizing the execution of a Second Amendment to the Development Agreement for the below described property; and

WHEREAS, a condition of the terms of the a Second Amendment to the Development Agreement requires conditional use approval to allow for a retail store having a drive through establishment/service, with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow more than one wall sign on a single-tenant building, to be located within the Highlands of Lombard Planned Development; and

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a drive through establishment/service associated with a fast-food restaurant establishment, all on the property described in Section 1 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 20, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the planned development amendment and variations 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 ordinance is limited and restricted to the property generally located at 2800 S. Highland, Lombard, Illinois and legally described as follows:

LOT 1 IN THE HIGHLANDS OF LOMBARD PHASE 2 BEING A RESUBDIVISION IN PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 29, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED SEPTEMBER 22, 2005 AS DOCUMENT NUMBER R2005-211041, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-29-308-020

SECTION 2: That a conditional use for a drive-through establishment/service is hereby granted subject to compliance with the conditions set forth in Section 4.

SECTION 3: That Site Plan Approval for a fast-food restaurant with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance for more than one wall sign per street frontage is hereby granted subject to compliance with the conditions set forth in Section 4.

SECTION 4: The conditional use and relief set forth in Sections 2 and 3 shall be granted subject to compliance with the following conditions:

1. The site improvements shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by James Papaoutsis Design Architect, updated August 10, 2007 (includes site plans, interior layouts, concept exterior elevations and freestanding sign proposal); the Preliminary Engineering Plans, prepared by Hoefler-Butler Engineering, Inc, dated July 12, 2007; the Landscape Development Plan, prepared by Triptedi Design Landscape Architect, dated July 13, 2007; the Plat of Resubdivision, prepared by Spaceco Inc., dated July 2, 2007; and the Photometric Plan, prepared by Zolter Electric, dated June 7, 2007 (sic.) and made a part of this petition, except as amended by the conditions of approval.
2. The petitioner shall meet all development and building codes of the Village of Lombard and shall follow the provisions set forth within the Highlands of Lombard planned development approval.
3. The proposed freestanding sign shall be placed outside of any easement areas. The freestanding sign exterior shall be of a limestone/feldstone material, consistent with the signage previously approved within the planned development. Moreover, the sign cabinets shall be designed in a manner that minimizes exterior light glare.
4. The wall signage approval shall only be for the four exterior "The Patio" signs as depicted on the exterior elevations. All wall signs on the proposed buildings must be of a channel letter design.
5. If in the event that the proposed restaurant is not developed concurrent with the proposed Highlands III development, the petitioner shall install requisite parking stalls and drive aisles to ensure full access and circulation around the proposed center.
6. The approved masonry materials for the building shall be:
 - a. Sioux City Brick – Cinnamon Ironspot
 - b. Yankee Hill – Light Red Small
 - c. Belden Brick – Modular 470-479 Medium
 - d. Feldstone sample as submitted by the petitioner.Any deviation from this material shall be subject to the review and approval by the Director of Community Development.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this 6th day of September, 2007.

First reading waived by action of the Board of Trustees this _____ day of _____, 2007.

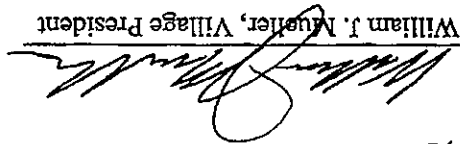
Passed on second reading this 20th day of September, 2007, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Tross, O'Brien and Fitzpatrick

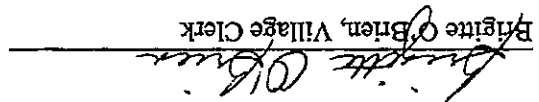
Nays: None

Absent: Trustees Moreau and Soderstrom

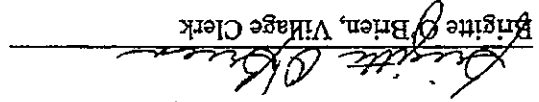
Approved this 20th day of September, 2007.


William J. Muehlen, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

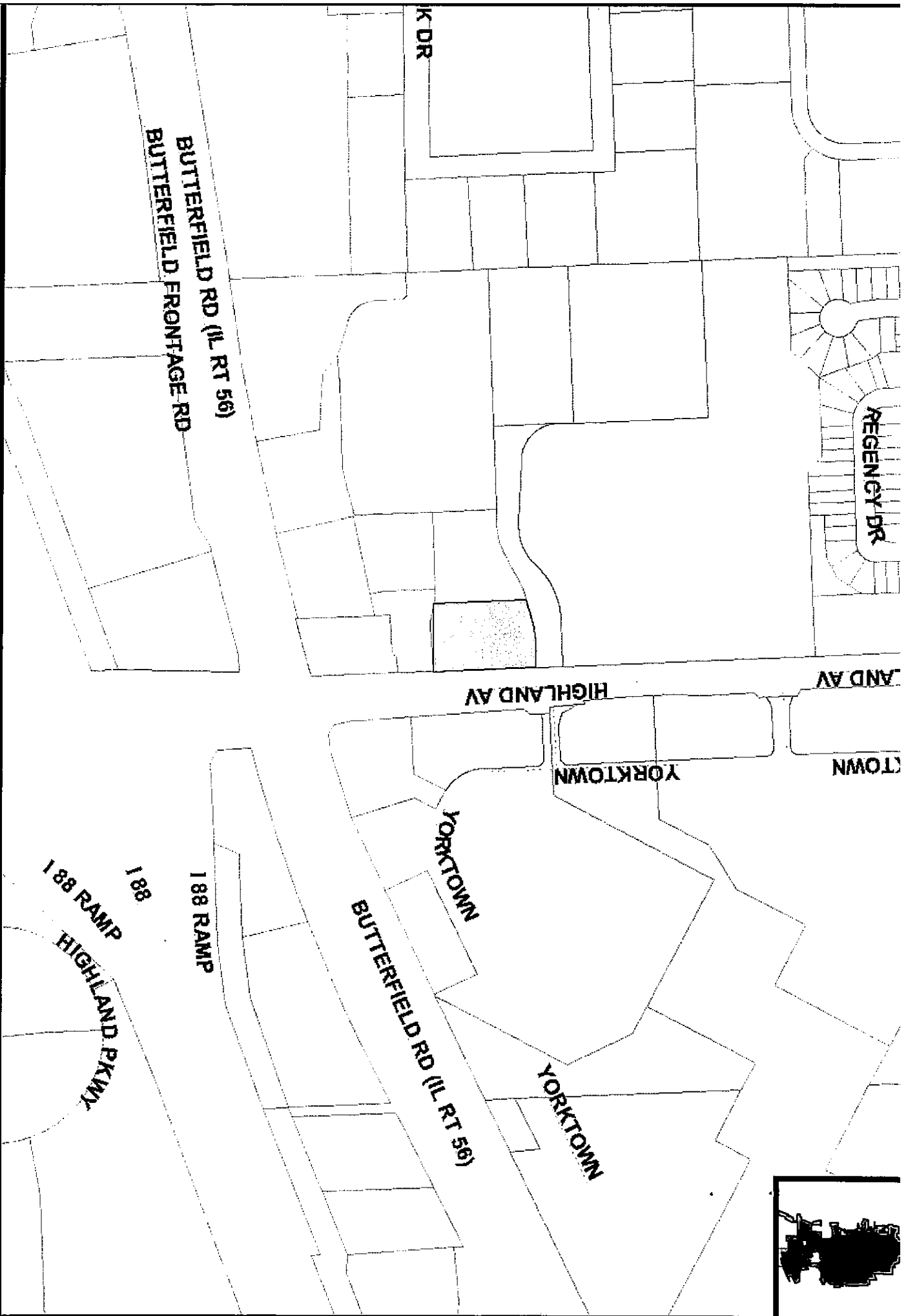
Published by me in pamphlet form this 25th day of September, 2007.


Brigitte O'Brien, Village Clerk



PC 08-07: 2800 S. Highland Avenue (Patio Restaurant)

1 in. = 400.0 feet



ORDINANCE NO. _____

**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 6085 WHICH
GRANTED APPROVAL OF A CONDITIONAL USE TO ALLOW FOR A DRIVE-
THROUGH ESTABLISHMENT WITHIN THE HIGHLANDS OF LOMBARD
B3PD PLANNED DEVELOPMENT**

PC 08-07: 2800 S. Highland (The Patio Restaurant)

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

WHEREAS, the subject property is zoned B3PD Community Shopping District - Planned Development; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard approved Ordinance 4833 on June 15, 2000 providing for a Planned Development for the below described property; and

WHEREAS, the President and Board of Trustees of the Village of Lombard approved Ordinance 4834 on June 15, 2000 authorizing the execution of a Second Amendment to the Development Agreement for the below described property; and

WHEREAS, a condition of the terms of the a Second Amendment to the Development Agreement requires conditional use approval to allow for a retail store having a drive through establishment/service, with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow more than one wall sign on a single-tenant building, to be located within the Highlands of Lombard Planned Development; and

WHEREAS, On September 24, 2007, the Corporate Authorities approved Ordinance 6085 which granted approval of a conditional use for a drive through establishment/service associated with a fast-food restaurant establishment with wall signage deviations, all on the property described in Section 1 below; and,

WHEREAS, an application has heretofore been filed requesting approval of an amendment to the conditions of approval associated with Ordinance 6085, which provide

for alternate building elevations, along with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for an additional wall sign on the south elevation of the single-tenant building, all on the property described in Section 1 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on May 19, 2008 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the planned development ordinance amendment, but not the additional wall signage request; 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 ordinance is limited and restricted to the property generally located at 2800 S. Highland, Lombard, Illinois and legally described as follows:

LOT 1 IN THE HIGHLANDS OF LOMBARD PHASE 2 BEING A RESUBDIVISION IN PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, AND PART OF THE NORTHWEST QUARTER OF THE SOUTH WEST QUARTER, ALL IN SECTION 29, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED SEPTEMBER 22, 2005 AS DOCUMENT NUMBER R2005-211041, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-29-308-020

SECTION 2: That the conditions of approval of Ordinance 6085 shall be amended to read in its entirety as follows:

1. The site improvements shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by

SECTION 3: All other signage relief not approved by Ordinance 6085 is denied.

1. James Papaoutsis Design Architect, updated August 10, 2007 (including the site plans and freestanding sign proposal); the Preliminary Engineering Plans, prepared by Hoeflerle-Butler Engineering, Inc, dated July 12, 2007; the Landscape Development Plan, prepared by Trippiedi Design Landscape Architect, dated July 13, 2007; the Plat of Resubdivision, prepared by Spaceco Inc., dated July 2, 2007; and the Photometric Plan, prepared by Zolter Electric, dated June 7, 2007 (sic.) and made a part of this petition, except as amended by the conditions of approval. The concept building elevations (exclusive of the second wall sign on the south elevation) shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by Knauer, Incorporated.
2. The petitioner shall meet all development and building codes of the Village of Lombard and shall follow the provisions set forth within the Highlands of Lombard planned development approval.
3. The proposed freestanding sign shall be placed outside of any easement areas. The freestanding sign exterior shall be of a limestone/fieldstone material, consistent with the signage previously approved within the planned development. Moreover, the sign cabinets shall be designed in a manner that minimizes exterior light glare.
4. The wall signage approval shall only be for the four exterior "The Patio" signs as depicted on the exterior elevations as depicted on the C2 South Elevation plan, prepared by Knauer, Incorporated. All wall signs on the proposed buildings must be of a channel letter design.
5. In the event that the proposed restaurant is not developed concurrent with the proposed Highlands III development, the petitioner shall install requisite parking stalls and drive aisles to ensure full access and circulation around the proposed center.
6. The approved masonry materials for the building shall be consisted with the material board sample prepared by Knauer, Incorporated and submitted as part of the petition. Any deviation from this material shall be subject to the review and approval by the Director of Community Development.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2008.

First reading waived by action of the Board of Trustees this _____ day of _____, 2008.

Passed on second reading this _____ day of _____, 2008.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2008.

ATTEST:
William J. Mueller, Village President

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2008.

Brigitte O'Brien, Village Clerk