

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: July 12, 2016 (B of T) Date: July 21, 2016

TITLE: PC 16-12; 611 E. Butterfield Road - Sam's Club Planned Development
Amendment

SUBMITTED BY: Department of Community Development *HN*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village approve major changes to the Sam's Club Planned Development (as set forth in Ordinances 7201 and 7202) for the subject properties located within the B3PD Community Shopping Planned Development District. The petition amends the relief granted as part of the original planned development approval and consisting of:

- a. Pursuant to Section 155.504(A)(4), approve a site plan modification to relocate the building approximately sixteen (16) feet to the north of the previously approved location, with an alternate configuration for the proposed truck dock;
- b. To provide for an overhead customer loading canopy, a deviation from Section 155.415 (F)(4) to reduce the minimum rear yard setback between the NiCor property and the proposed Lot 1 of the Sam's Club final plat of resubdivision from thirty feet (30') to five feet (5');
- c. A further variation from Section 155.210 (D)(1) to allow for a modified location for the bale and pallet storage area located within the corner side yard;
- d. Pursuant to 155.415(C)(9), grant conditional use approval of an alternate site plan for the fuel center;
- e. Pursuant to 155.603 (C)(2), provide for more than two cargo containers on the property during the construction period; and

f. Approve the submitted site plans and exhibits as the approved site plan for the proposed development, as amended and as applicable.

The Plan Commission recommended approval of this petition by a vote of 5-0.

The petitioner requests a waiver of first reading of the ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____


Village Manager X _____ Date _____

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



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

DATE: July 21, 2016

SUBJECT: **PC 16-12; 611 E. Butterfield Road, Sam's Club**

Please find the following items for Village Board consideration as part of the July 21, 2016 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 16-12; and
3. An Ordinance granting approval of major changes to the Sam's Club Planned Development, with companion conditional uses, deviations and variations, located within the B3PD Community Shopping District Planned Development.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the July 21, 2016 Board of Trustees agenda with a waiver of first reading, as requested by the petitioner (attached).



VILLAGE OF LOMBARD

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

July 21, 2016

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

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

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

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 16-12; 611 E. Butterfield Road – Sam's Club

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village approve major changes to the Sam's Club Planned Development (as set forth in Ordinances 7201 and 7202) for the subject properties located within the B3PD Community Shopping Planned Development District. The petition amends the relief granted as part of the original planned development approval and consisting of:

- a. Pursuant to Section 155.504(A)(4), approve a site plan modification to relocate the building approximately sixteen (16) feet to the north of the previously approved location, with an alternate configuration for the proposed truck dock;
- b. To provide for an overhead customer loading canopy, a deviation from Section 155.415 (F)(4) to reduce the minimum rear yard setback between the NiCor property and the proposed Lot 1 of the Sam's Club final plat of resubdivision from thirty feet (30') to five feet (5');
- c. A further variation from Section 155.210 (D)(1) to allow for a modified location for the bale and pallet storage area located within the corner side yard;
- d. Pursuant to 155.415(C)(9), grant conditional use approval of an alternate site plan for the fuel center;
- e. Pursuant to 155.603 (C)(2), provide for more than two cargo containers on the property during the construction period; and
- f. Approve the submitted site plans and exhibits as the approved site plan for the proposed development, as amended and as applicable.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 20, 2016. Sworn in to present the petition was William Henifb, Director of Community Development, and the petitioner, Rob Gamrath, Partner, Quarles & Brady LLP. Also sworn in were Tracy T. Richard, Engineer, Manhard Consulting Ltd. and Doug Plummer of RHA Architects.

Acting Chairperson Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine; and, hearing none, he proceeded with the petition.

Mr. Gamrath stated that back in March they received final approval of a map amendment and a planned development for a Sam's Club at 611 E. Butterfield Road. He stated that a project of this size usually requires some revisions as they go through the final design and engineering process. The changes they are requesting today are exterior to the building. One of the principal drivers for the changes is that Sam's is moving to a more active pick-up and drop off area due to the evolution of online shopping. In order to expand the pick-up area, the building needs to be moved approximately sixteen (16) feet to the north of the previously approved location, with an alternate configuration for the proposed truck dock. While reviewing the revisions, they recognized the circulation for the fuel station could be enhanced. There is also a need for a monument sign in order to be more visible from Butterfield Road.

To provide for an overhead customer loading canopy, a variation is needed to reduce the minimum rear yard setback between the NiCor property and the proposed Lot 1 of the Sam's Club final plat of resubdivision from thirty feet (30') to five feet (5').

Mr. Gamrath said that because they are proposing to shift the bale and storage area to the west, a site plan modification is also needed.

He noted that they are seeking a conditional use approval for the site plan to improve the circulation of the fuel center.

They are also seeking to provide for more than two cargo containers on the property during the construction period.

Mr. Gamrath said they are seeking a recommendation of approval from the Plan Commission to approve the submitted site plans and exhibits for the proposed development.

Mr. Gamrath introduced Tracy Richard Civil Engineer with Manhard Construction. He stated the bale and storage area is relocated within feet of where it was on the original site plan. When designing the pick-up area, some of the parking was lost. In order provide additional parking, they added more spaces on the Nicor and the Sam's Club parcels. To provide better traffic circulation for the fuel center, a third access from Fairfield was added.

Mr. Richard turned the presentation over to Todd Plummer. Mr. Plummer explained that they moved the building sixteen (16) feet to the north toward Butterfield Road to allow the pick-up area to be extended. Mr. Plummer showed a perspective of the finishes of the bale and ballet

storage area. He displayed before and after images of the canopy area. He referenced the plans for the fuel station, signage and HVAC area. Mr. Plummer then referenced an image of the new freestanding sign location and views of the gasoline sales facility.

Mr. Gamrath concluded their presentation by stating that all of the comments noted in the staff report are acceptable to the petitioner.

Acting Chairperson Flint asked if anyone else would like to speak in favor or against the petition, or for public comment. Hearing none, he asked for the staff report.

William Heniff, Director of Community Development, submitted the staff report to the public record in its entirety. He began by stating that the petitioner received approvals for a map amendment and a planned development earlier this year. As part of the final design activities and in order to address engineering concerns raised through the final design review process, Sam's Club is seeking modifications to several of the preciously approved plans. As many of these changes would constitute major changes to a planned development, the petition is being brought back to the Plan Commission and Village Board for consideration and approval.

Discussing comments from the Inter-Departmental Review Committee, the Fire Department recommended the proposed seven (7) stall parking field at the southeast corner be reconfigured by removing or relocating four stalls to provide a clear paved area and a diagonal apparatus set up area.

Continuing with the IDRC comments, the Public Works Department notes that the proposed canopy will be above the proposed water main. Public Works is fine with the proposed canopy as long as there are no obstructions and there is good clearance for the water main.

Mr. Heniff reviewed the plan modifications. He stated that the original plan set placed the building location approximately 16 feet south of its proposed location. As code would deem this an alteration to the approved planned development, a major change is being requested. The relocation of the building was conceived in order to provide additional space for a covered customer pick-up area on the south side of the building that would not otherwise encroach onto the NiCor property.

In consideration of this change, staff notes that the main building will still meet the building setback requirements on the north, west and east side of the property. The angled loading dock also ensures that the north side of the building will not encroach into the abutting yards, which were actually granted relief to be reduced in width. The amended plan would result in the plan meeting underlying code provisions. As such, staff finds this alternation to be acceptable.

Mr. Heniff noted that relief is sought to provide for the proposed roof-over canopy on the south side of the building. The relief is requested as the lot line is between the main development property and NiCor property. He noted the landscaping lot line relief was previously granted and the lot line bisects the previously approved parking lot. The loading area on the south side of the building will reduce pick up activities on the west side of the building and will decrease congestion in the fire lane area. Staff is supportive of this request, subject to ensuring that the

support structures do not otherwise conflict with the proposed buried watermain underneath the canopy.

In regard to the variation to allow for a modified location for the bale and pallet storage area in the corner side yard, Mr. Heniff explained the original approval had the bale and pallet storage perpendicular to the proposed main building and relief was granted to provide for the storage area in the corner side yard. As part of the amended request, the proposed storage area will be generally parallel to Butterfield Road, all in order to provide for proper circulation around the building. Staff is supportive of this change as it still meets the intent of the original approval.

Mr. Heniff discussed the previously approved fuel center is to be located at the southwestern portion of the site adjacent to Fairfield Avenue. The amended plan is intended to reconfigure the vehicle circulation and fuel-drop-off area. It creates an additional curb-cut on Fairfield to better allow motorists exiting the area and also provides a full landscape barrier island between one of the main access/egress points and the fuel center to minimize driver confusion. Staff finds that these changes refine and enhance the overall plan.

As far as the cargo container relief, the need provide for more than two cargo containers on the property during the construction period was not requested or granted as part of the original petition. However, in further review of the development and given the scope and magnitude of the development, allowing for additional containers on the property during the construction process would facilitate better and more efficient operations through the construction period. It will also allow for more materials to be out of view from adjacent properties. Staff does not object to this request during the construction period only.

Mr. Heniff noted that the submitted site plans and exhibits as the approved site plan for the proposed development, as amended and as applicable. As noted in the conditions of approval all other relief not amended as part of this petition that was previously granted to the Subject Property shall remain in full force and effect for the planned development. Staff finds the proposed project and amendments are consistent with the Comprehensive Plan.

Mr. Heniff concluded by stating that staff recommends approval of PC 16-12 subject to the six (6) conditions in the staff report.

Acting Chairperson Flint asked if there were questions of the staff report; and, hearing none, he opened the meeting for comments among the Commissioners. Commissioner Olbrysh stated he liked the changes that were made and that the canopy is a welcome addition. Commissioner Sweetser said she also agreed and that the modifications were an improvement.

On a motion by Commissioner Burke, and a second by Commissioner Olbrysh, the Plan Commission voted 5 to 0 to recommend that the Village Board approve the proposed planned development amendment with companion variations and deviations, subject to following six (6) conditions.

1. The petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may

be changed to conform to Village Code, or as provided as part of the original planned development approval set forth in Ordinances 7201 and 7202, whichever is applicable.

2. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) months from the date of approval if the proposed site improvements are not completed or an extension has been granted.

3. The petitioner shall be required to apply for and receive building permits for any improvements to the site.

4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to providing the following:

a. The proposed additional 7 stall parking field at the southeast corner of the proposed building shall be reconfigured by removing or relocating four stalls to provide a clear paved area to provide a diagonal apparatus set up area.

b. The canopy supports must be at least ten (10) feet horizontally from the water main and the canopy must be no lower than sixteen (16) feet to allow the use of construction equipment in repairing a water main break in that area.

5. All other relief not amended as part of this petition that was previously granted to the Subject Property shall remain in full force and effect for the planned development.

6. Upon completion of the project, as determined by the issuance of a final certificate of occupancy, any cargo containers exceeding the maximum provided by Village Code shall be removed.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

JUNE 20, 2016

Title

PC 16-12

Petitioner – Lessee

Sam's Real Estate Business Trust
Quarles & Brady LLP
300 N. LaSalle St., Ste. 4000
Chicago, IL 60654

Property Owner

611 Butterfield Road LLC
c/o Hamilton Partners
300 Park Blvd., Ste. 201
Itasca, IL 60143

Property Location

611 E. Butterfield Road
(06-29-402-007, -014, -017, -022,
-030, and -031)
Trustee District #3

Zoning

B3PD – Community Shopping
District Planned Dev.
(development parcel)

Existing Land Use

Vacant parcels, office buildings, and
TGI Friday's

Comprehensive Plan

Mixed-Use Commercial & Office

Approval Sought

Major changes to a previously
approved planned development
with companion deviations and
variations.

Prepared By

William J. Heniff, AICP
Community Development Director

SAM'S CLUB – 611 E. BUTTERFIELD ROAD



DESCRIPTION

The petitioner received approvals for a map amendment and a planned development featuring an approximately 135,000 square foot Sam's Club with an accompanying twelve (12) space fuel center at 611 E. Butterfield Road. As part of the final design activities and in order to address engineering concerns raised through the final design review process, Sam's Club is seeking modifications to several of the previously approved plans. As many of these changes would constitute major changes to a planned development, the petition is being brought back to the Plan Commission and Village Board for consideration and approval.

LOCATION MAP

EXISTING CONDITIONS

The existing structure at 2801 S. Fairfield Avenue and the TGI Friday's restaurant will be razed as part of the construction activities. The NiCor property is used as a regional natural gas transmission line and Commonwealth Edison also has overhead electric distribution lines on the site.

PROJECT STATS

Lot & Bulk

| | |
|---------------------------|-----------------|
| Parcel Size: | 9.3 acres |
| Off-Site Parking Area: | 1.76 acres |
| Building Area: | 135,016 sq. ft. |

**Reqd. Setbacks – Underlying,
Approved & Proposed (in feet)**

| | | | |
|----------------------|----|----|----------------------|
| Front (West): | 30 | 33 | 33 |
| Corner Side: (North) | 30 | 25 | 39 |
| Int. Side (South): | 10 | 20 | 5 <i>(canopy)</i> |
| Rear: | 30 | 40 | 40 |

Parking Spaces (Incl. Off-Site)

| | |
|---------|--|
| | 538 (12 ADA) |
| Supply: | 3.93 per 1,000 sq. ft. of gross floor area (approved relief) |

Submittals

1. Petition for a public hearing, submitted May 18, 2016;
2. Response to standards for a planned development amendment;
3. Revised Site Plan and revised site plan with revision clouds, prepared by Manhard Consulting, Ltd., dated March 31, 2016;
4. Revised Landscape Plan set, prepared by Manhard Consulting, Ltd., dated May 18, 2016;

cont.

APPROVAL(S) REQUIRED

The proposed modifications would necessitate the following zoning actions to be taken:

Pursuant to Section 155.504(A) of the Lombard Zoning Ordinance, the petitioner requests that the Village approve major changes to the Sam’s Club Planned Development (as set forth in Ordinances 7201 and 7202) for the subject properties located within the B3PD Community Shopping Planned Development District. The petition amends the relief granted as part of the original planned development approval and consisting of:

- a. Pursuant to Section 155.504(A)(4), approve a site plan modification to relocate the building approximately sixteen (16) feet to the north of the previously approved location, with an alternate configuration for the proposed truck dock;
- b. To provide for an overhead customer loading canopy, a deviation from Section 155.415 (F)(4) to reduce the minimum rear yard setback between the NiCor property and the proposed Lot 1 of the Sam’s Club final plat of resubdivision from thirty feet (30’) to five feet (5’);
- c. A further variation from Section 155.210 (D)(1) to allow for a modified location for the bale and pallet storage area located within the corner side yard;
- d. Pursuant to 155.415(C)(9), grant conditional use approval of an alternate site plan for the fuel center;
- e. Pursuant to 155.603 (C)(2), provide for more than two cargo containers on the property during the construction period; and
- f. Approve the submitted site plans and exhibits as the approved site plan for the proposed development, as amended and as applicable.

Submittals (cont.)

5. Elevations, site line views, club canopy comparison, canopy sign package, refined wall sign package for fuel center, building, and freestanding signage package prepared by Trevor, Tyson, Holcomb, dated May 18, 2016;

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments regarding the project. A full review will be conducted during the building permit review process.

Fire Department:

The Fire Department states the proposed additional 7 stall parking field at the southeast corner of the proposed building encroaches into the area required by the Fire Department aerial apparatus to set up incident operations. At a minimum, the parking lot be reconfigured by four stalls to provide a clear paved area to provide a diagonal apparatus set up area.

Public Works:

The Public Works Department notes that the proposed canopy will be above the proposed water main. As such, the canopy supports must be at least ten (10) feet horizontally from the water main and the canopy must be no lower than sixteen (16) feet to allow the use of construction equipment in repairing a water main break in that area.

Private Engineering Services (PES):

PES has no additional comments other than those identified as part of the Public Works comments. The other issues previously have been addressed with the updated site plan location for the trash enclosures and the additional driveway cut for the fuel area appears to meet the code requirements for commercial driveways.

Planning Services Division (PSD):

The actions being requested as part of this petition are intended to refine the site plan and companion relief which is being sought subsequent to the initial approval by the Village earlier this year through Ordinances 7201 and 7202).

1. Zoning Ordinance Compatibility – Amended Requests

- a. Pursuant to Section 155.504(A)(4), approve a site plan modification to relocate the building approximately sixteen (16) feet to the north of the previously approved location, with an alternate configuration for the proposed truck dock;

The original plan set placed the building location approximately 16 feet south of its proposed location. As Section 155.504(A)(4) would deem this alteration to the approved planned development, a major change is being requested. The relocation of the building was conceived in order to provide additional space for a covered customer pick-up area on the south side of the building that would not otherwise encroach onto the NiCor property.

In consideration of this change, staff notes that the main building will still meet the building setback requirements on the north, west and east side of the property (i.e., the yards that abut the perimeter of the planned development. The angled loading dock also ensures that the north side of the building (discussed later) will not encroach into the abutting yards, which were actually granted relief to be reduced in width. The amended plan would result in the plan meeting underlying code provisions. As such, staff finds this alternative to be acceptable.

- b. To provide for an overhead customer loading canopy, a deviation from Section 155.415 (F)(4) to reduce the minimum rear yard setback between the NiCor property and the proposed Lot 1 of the Sam's Club final plat of resubdivision from thirty feet (30') to five feet (5');

This relief is sought to provide for the proposed roof-over canopy on the south side of the building. The relief is requested as the lot line between the main development property and NiCor property. From a development perspective, this relief is largely a "paper issue", as the landscaping lot line relief was previously granted and the lot line bisects the previously approved parking lot. Staff notes that the loading area on the south side of the building will reduce pick up activities on the west side of the building and will decrease congestion in the fire lane area – an issue that was raised by the Plan Commission in its initial review of the plan. Staff is supportive of this request, subject to ensuring that the support structures do not otherwise conflict with the proposed buried watermain underneath the canopy.

- c. A further variation from Section 155.210 (D)(1) to allow for a modified location for the bale and pallet storage area located within the corner side yard;

The petitioner received approval for a variation to Section 155.205 (A)(2)(c)(i) to increase the maximum height of a fence in a business district from eight feet (8') to ten feet (10') for a loading dock screening wall. The petitioner states that the request for ten foot (10') tall screening is based on their desire to most effectively screen the loading dock and refuse and recycling areas from neighboring properties and vehicular traffic on Butterfield Road.

The original approval had the bale and pallet storage perpendicular to the proposed main building and relief was granted to provide for the storage area in the corner side yard. As part of the amended request, the proposed storage area will be generally parallel to Butterfield Road, all in order to provide for proper circulation around the building. Staff is supportive of this change as it still meets the intent of the original approval.

- d. Pursuant to 155.415(C)(9), grant conditional use approval of an alternate site plan for the fuel center;

The previously approved fuel center is to be located at the southwestern portion of the site adjacent to Fairfield Avenue. The amended plan is intended to reconfigure the vehicle circulation and fuel-drop-off area. The amended plan creates an additional curb-cut on Fairfield to better allow motorists exiting the area. It also provides a full landscape barrier island between one of the main access/egress points and the fuel center to minimize driver confusion. Lastly, dispensing trucks will unload fuel at the northeast corner of the fuel center. The fuel center and pumps remain unchanged from their original location. Staff finds that these changes refine and enhance the overall plan.

- e. Pursuant to 155.603 (C)(2), provide for more than two cargo containers on the property during the construction period;

This relief was not requested or granted as part of the original petition. However, in further review of the development and given the scope and magnitude of the development, allowing for additional containers on the property during the construction process would facilitate better and more efficient operations through the construction period. It will also allow for more materials to be out of view from adjacent properties. Staff does not object to this request during the construction period only.

- f. Approve the submitted site plans and exhibits as the approved site plan for the proposed development, as amended and as applicable.

There are several changes to the revised plan set that are identified for reference purposes that are intended to be enhancements. While they do not necessarily constitute major changes, they are noted for the record and for Plan Commission consideration.

1. Pursuant to Section 155.603 (A)(1) of the Lombard Zoning Ordinance, the petitioner requested and the Ordinance 7201 approved a deviation to not fully screen loading berths. In their response to standards, the petitioner states that there will be extensive landscaping and a screen wall in areas adjacent to Embassy Suites to the east. However, this screening is only practical at the first floor level. In further refinement of their plans, the amended plan proposes to angle the loading berth away from the Embassy Suites building. This alteration may reduce the overall impact of the loading docks as the Sam's Club building itself will provide a greater screening benefit.

Staff recommends approval of this modification as it is consistent with the additional conditions of approval recommended by the Plan Commission to minimize negative impacts of loading docks on neighboring properties. Additionally, the updated landscape plan does provide for some additional landscaping to be in keeping with the original approval. Lastly, there is a significant amount of vegetation already existing on the neighboring property that will supplement the petitioner's improvements. Lastly, the external loading dock screening wall as well as the bale exterior wall will continue to provide screening from the adjacent Butterfield road right of way.

2. The proposed Sam's Club free-standing sign is being modified from the original approved plan set. Instead of the sign being a ground monument sign, the revised sign plan identified as it being a pole sign with a masonry exterior around the pole base. The sign would meet the size and area requirements set forth within the Sign Ordinance for the B3 District. The primary rationale for the change is to ensure that the sign is visible from Butterfield Road (the monument sign would not be as visible for westbound motorists) and that it would be visible above the relocated pallet bin area.

3. There are 22 existing parking spaces that are located along the southern NiCor property abutting Interstate 88 that were initially envisioned to be removed as part of the project, which are intended to offset the 18 parking spaces that were lost through the canopy addition. However with the reconfiguration of the property and project, they are being proposed to remain on the property.
4. As noted in the Fire Department comments, seven spaces were proposed for the southeast corner of the parking field abutting the building. The spaces are recommended to be further modified for fire access purposes.
5. The petitioner has refined the landscape plan to incorporate the comments and conditions included within the initial approval. To address NiCor concerns, the final landscape plan on their property also provides for increased grasses in lieu of traditional trees and sodded landscape islands. However, pursuant to Sections 155.711 and 155.712, the requisite trees were interspaced more closely along the other perimeter yards.

Comprehensive Plan Compatibility


The 2014 update to the Village’s Comprehensive Plan identified the site as part of Special Area 11, which recommended future land uses to be, “mixed-use commercial and office.” As a major commercial retail use with an accessory gasoline sales facility, staff finds the proposed project and the amendment herein is consistent with the Comprehensive Plan.

VILLAGE OF LOMBARD COMPREHENSIVE PLAN 2014

Area 11: Butterfield Road

Background: This area is located on the south side of Butterfield, north of I-88, and contains a mix of office, retail and restaurant uses.

Current Zoning: O & OPD- Office and B3 – Community Shopping Center District



Current land Use: Office, commercial & vacant land

1998 Plan Recommendation: Office

Recommended Action: Reclassify the subject property to a future land use designation of mixed Commercial and Office. This new classification could accommodate additional uses, such as professional offices, as well as commercial, as part of a large scale redevelopment. It will also complement the existing uses along the corridor.

SITE HISTORY

The Sam’s Club development property was subject to approval of a map amendment which rezoned the property to the B3 Community Shopping District with a conditional use for a planned development. This action (PC 15-21) functioned as a “reset” to the past zoning entitlements on the property and created the new regulatory and development parameters for the project. The NiCor property retained it’s O District zoning, but a conditional use for Sam’s Club parking was granted for the site. The actions set forth within this petition are intended to address refinements and development limitation that were not originally conceived as part of the PC 15-21 approval.

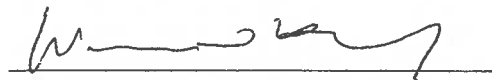
FINDINGS & RECOMMENDATIONS

The Inter-Department Review Committee has reviewed the petition as well as the standards for the requested planned development amendment with companion relief and finds that the proposed development **complies** with the standards established by the Village of Lombard Sign and Zoning Ordinances, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 16-12:

Based on the submitted petition and the testimony presented, the proposed planned development amendment with companion variations and deviations **complies** with the standards required by the Village of Lombard Sign and Zoning Ordinances and that granting the requested relief is in the public interest and is consistent with the intent of the original intent of the Sam's Club planned development; and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 16-12, subject to the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code, or as provided as part of the original planned development approval set forth in Ordinances 7201 and 7202, whichever is applicable.
2. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) months from the date of approval if the proposed site improvements are not completed or an extension has been granted.
3. The petitioner shall be required to apply for and receive building permits for any improvements to the site.
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to providing the following:
 - a. The proposed additional 7 stall parking field at the southeast corner of the proposed building shall be reconfigured by removing or relocating four stalls to provide a clear paved area to provide a diagonal apparatus set up area.
 - b. The canopy supports must be at least ten (10) feet horizontally from the water main and the canopy must be no lower than sixteen (16) feet to allow the use of construction equipment in repairing a water main break in that area.
5. All other relief not amended as part of this petition that was previously granted to the Subject Property shall remain in full force and effect for the planned development.
6. Upon completion of the project, as determined by the issuance of a final certificate of occupancy, any cargo containers exceeding the maximum provided by Village Code shall be removed.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

AMENDMENT TO PLANNED DEVELOPMENT

SAM'S CLUB DEVELOPMENT

611 EAST BUTTERFIELD ROAD, LOMBARD, ILLINOIS

Sam's Real Estate Business Trust ("**Sam's**") requests to amend that certain planned development provided for in that certain Planned Development Ordinance No. 7201 dated March 18, 2016 (the "**Ordinance**"; the Village of Lombard is hereinafter referred to as the "**Village**") by modifying the site plan (the "**Site Plan**") and elevations (the "**Elevations**") referenced by such Ordinance in connection with the proposed development of the approximately 9.3 acre site located at 611 East Butterfield Road, Lombard, Illinois (the "**Property**") with an approximately 135,000 square foot Sam's Club store and a fuel center (collectively, the "**Sam's Club**"). As noted in the Ordinance, the approximately 1.9 acre Nicor Gas parcel south of the Property (the "**Nicor Parcel**") is a separate parcel from the Property, but is anticipated to be incorporated into the project for parking, access and ingress and egress purposes.

Sam's requests the following revisions to the Site Plan depicted on **Exhibit A** attached hereto: (i) angling the truck dock connected to the northern frontage of the Sam's Club; (ii) adding a pick-up/drop-off area south of the Sam's Club; (iii) situating the Sam's Club further north on the Property; (iv) adding additional parking both along the southern property line of the Nicor Parcel and near the southeast corner of the Sam's Club; (v) adding a third access from Fairfield Avenue to the proposed fuel center; (vi) relocating the bale and pallet recycle enclosure further west along Frontage Road; and (vii) adding parking in the southeast corner of the Property (collectively, the "**Site Plan Revisions**"). Sam's further requests to revise the Elevations as depicted on **Exhibit B** attached hereto (i) by replacing the proposed monument sign located along Frontage Road with the proposed pylon sign (the "**Pylon Sign**"); and (ii) adding a newly designed pick-up canopy to the south side of the Sam's Club (collectively, the "**Elevations Revisions**").

Sam's primarily requests to revise the Site Plan and Elevations in order to provide for a redesigned pick-up and drop-off area south of the Sam's Club. The pick-up and drop-off area will improve parking on the Property by allowing customers to quickly pick-up orders placed in advance, instead of parking in the general parking lot. In order to provide adequate space for the pick-up and drop-off area, Sam's proposes to locate the Sam's Club further to the north on the Property. Shifting the Sam's Club closer to the northern property line allows Sam's to increase the number of total parking spaces on the Property by adding additional parking spaces both along the southern property line of the Nicor Parcel and near the southeast corner of the Sam's Club.

Sam's additionally requests to angle the truck docks in order to reduce any impact of Sam's trucks on the adjacent Embassy Suites property. Similarly, Sam's proposes to relocate the bale and pallet recycle enclosure further west on the Property along Frontage Road, which also reduces any impact on the Embassy Suites property. Sam's further proposes to add an additional access to the fuel center from Fairfield Avenue in order to improve traffic circulation along Fairfield Avenue and within the fuel center. Sam's also requests the proposed Pylon Sign to

improve traffic circulation along Frontage Road and Butterfield Road by assisting motorists with locating the Sam's Club.

PLANNED DEVELOPMENT STANDARDS

Sam's requests the Site Plan Revisions and Elevations Revisions in accordance with the general standards for a planned development, which are addressed below.

A. 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:

Except as previously modified in the Ordinance, the proposed Site Plan Revisions and Elevations Revisions comply with the regulations of a B3 Community Shopping District. The primary proposed revision is a redesigned pick-up and drop-off area south of the Sam's Club, which is a permitted use under a B-3 Community Shopping District. Additionally, the proposed Pylon Sign is a permitted sign in a B-3 Community Shopping District that fronts on a state right-of-way, which is Butterfield Road in the instance of the Property.

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

The proposed development incorporates best practices for sanitary sewage and potable water facilities. The Property will meet or exceed all Village regulations and ordinances regarding connections to community sanitary sewage and potable water facilities.

C. 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 dominant use of the Property for the Sam's Club is not changed by the Site Plan Revisions or Elevations Revisions and remains consistent with the recommendation of the Comprehensive Plan for the area containing the Property, as recognized in the adoption of the Ordinance.

D. The proposed planned development is in the public interest and is consistent with the purposes of the Zoning Ordinance:

The proposed Site Plan Revisions and Elevations Revisions are in the public interest and are consistent with the purposes of the Zoning Ordinance. The Site Plan Revisions related to the pick-up and drop-off area and the additional fuel center access improve the experience of the Sam's Club's customers, increase the available parking, and improve traffic circulation. The relocation of the bale and pallet recycling area further west on the Property and the angling of the truck docks are also in the public interest as both revisions reduce any impact on adjacent Embassy Suites property. The proposed Pylon Sign is also in the public interest, as the Pylon Sign reduces traffic congestion by assisting motorists looking for the Sam's Club while traveling along Butterfield Road.

E. The streets have been designed to avoid (a) inconvenient or unsafe access to the planned development; (b) traffic congestion in the streets which adjoin the planned development; and (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 proposed Site Plan Revisions and Elevations Revisions will not negatively affect the streets around the Property nor the public parks, recreation areas, and other public facilities that serve the planned development. The additional proposed access to the fuel center should improve traffic circulation along Fairfield Avenue. The pick-up and drop-off area will also reduce traffic congestion by providing additional parking spaces and allowing customers to quickly pick-up preordered merchandise, which makes available additional parking spaces in the general parking lot. The proposed Pylon Sign will reduce traffic congestion by making the Sam's Club easier to locate for approaching motorists.

Heniff, William

From: Gamrath, Robert T. <Robert.Gamrath@quarles.com>
Sent: Friday, June 24, 2016 5:23 PM
To: Heniff, William
Subject: RE: Plan Commission Meeting - PC 16-12 Public Hearing [QBLLP-ACTIVE.FID37810597]

Bill:

On behalf of the applicant, Sam's Real Estate Business Trust, I am requesting a waiver of first reading by the Lombard Village Board for all approvals pertaining to PC 16-12. The expedited consideration by the Village Board, if approved at its next Village Board meeting, will allow Sam's Club to provide evidence to both NICOR and IDOT that local approvals are complete and construction can begin as soon as NICOR and IDOT approvals are complete. The intent is that the overall approval timeline can be condensed so that construction can begin sooner.

Please let me know if you need anything further and if the waiver of first reading is granted.

Thank you.

Rob

Rob Gamrath / Partner

Robert.Gamrath@quarles.com /  
300 N. LaSalle Street, Suite 4000 / Chicago, IL 60654-3406
Office 312-715-5037 / quarles.com

From: Heniff, William [mailto:HeniffW@villageoflombard.org]
Sent: Wednesday, June 22, 2016 9:33 AM
To: Gamrath, Robert L. (CHI x6037)
Subject: RE: Plan Commission Meeting - PC 16-12 Public Hearing

Rob:

The Sam's Club petition is slated for Village Board consideration on July 21, 2016. To move things along and to possibly get the project under construction in 2016, does your client want a waiver of first reading of the approval ordinance? If so, you can simply provide me with an email paragraph to that effect. Thanks.



William J. Heniff, AICP

Director of Community Development
Village of Lombard
255 E. Wilson Ave. Lombard, IL 60148

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Web: www.villageoflombard.org

Follow us:   

ORDINANCE NO. _____

**AN ORDINANCE GRANTING MAJOR CHANGES TO A
PLANNED DEVELOPMENT WITH COMPANION CONDITIONAL USES,
DEVIATIONS, AND VARIATIONS FROM THE LOMBARD ZONING
ORDINANCE**

(PC 16-12: 611 E. Butterfield Road, Sam's Club)

(See also Ordinance No(s). 7201 and 7202)

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 as defined below and pursuant to companion Ordinances No. 7201 and 7202, which approved a map amendment and a conditional use for the Subject Property into the B3PD Community Shopping District, Planned Development (commonly known as the Sam's Club Planned Development); and,

WHEREAS, an application has heretofore been filed requesting approval of a major change to the previously approved conditional use for a planned development with companion conditional uses, deviations, and variations from the Zoning Ordinance (Title 15, Chapter 155 of the Village Code) as set forth in Section 1 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on June 20, 2016 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 an amendment to the previously approved conditional use for the established Sam's Club Planned Development, with companion conditional uses, deviations, 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 amendment to the conditional use for a planned development with the following companion conditional uses, deviations, and variations from the Lombard Zoning Ordinances as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

1. Pursuant to Section 155.504(A)(4), approve a site plan modification to relocate the building approximately sixteen (16) feet to the north of the previously approved location, with an alternate configuration for the proposed truck dock;
2. To provide for an overhead customer loading canopy, a deviation from Section 155.415 (F)(4) to reduce the minimum rear yard setback between the NiCor property and the proposed Lot 1 of the Sam's Club final plat of resubdivision from thirty feet (30') to five feet (5');
3. A further variation from Section 155.210 (D)(1) to allow for a modified location for the bale and pallet storage area located within the corner side yard;
4. Pursuant to 155.415(C)(9), grant conditional use approval of an alternate site plan for the fuel center;
5. Pursuant to 155.603 (C)(2), provide for more than two cargo containers on the property during the construction period; and
6. Approve the submitted site plans and exhibits as the approved site plan for the proposed development, as amended and as applicable.

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 611 E. Butterfield Road, Lombard, Illinois, and legally described as follows:

PARCEL 1:

LOT 1 IN YORKTOWN CENTER ASSESSMENT PLAT OF TRACT 5 OF THE PLAT OF SURVEY OF THE BOEGER FARM OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID ASSESSMENT PLAT RECORDED DECEMBER 10, 1979 AS DOCUMENT R79-110076, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

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LOTS 1 AND 2 IN 641 BUTTERFIELD ROAD ASSESSMENT PLAT OF LOT 2 IN YORKTOWN CENTER ASSESSMENT PLAT OF TRACT 5 OF THE PLAT OF SURVEY OF THE BOEGER FARM OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID ASSESSMENT PLAT RECORDED FEBRUARY 27, 2007 AS DOCUMENT R2007-035602, IN DUPAGE COUNTY, ILLINOIS.

Parcel Nos.: 06-29-402-014
06-29-402-030
06-29-402-031

Address: 601-621 E. Butterfield Road

AND PARCEL 3:

LOT 3 (EXCEPT THAT PART OF LOT 3 LYING WESTERLY OF A STRAIGHT LINE THAT INTERSECTS THE WEST LINE OF SAID LOT 3, 102.59 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3, AND INTERSECTS THE NORTH LINE OF SAID LOT 3, 22.20 FEET (22.25 FEET RECORD) EAST OF THE NORTHWEST CORNER OF SAID LOT 3) AND THAT PART OF LOTS 1 AND 2 (TAKEN AS A TRACT) DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 14 DEGREES 01 MINUTE WEST ALONG THE EAST LINE OF SAID LOT 2, 38.50 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A CHORD BEARING OF SOUTH 77 DEGREES 50 MINUTES 12 SECONDS WEST AND HAVING A RADIUS OF 840.00 FEET FOR A DISTANCE OF 359.60 FEET ARC MEASURE, TO A POINT ON A LINE CONVEYED FOR A HIGHWAY FROM LOT 1, (SAID LINE CONVEYED FOR A HIGHWAY HAVING A BEARING OF SOUTH 57 DEGREES 59 MINUTES WEST, A DISTANCE OF 100.14 FEET), SAID POINT ON SAID HIGHWAY LINE BEING 17.50 FEET FROM THE WESTERLY END OF SAID HIGHWAY LINE AS MEASURED ALONG SAID LINE; THENCE SOUTH 57 DEGREES 59 MINUTES WEST ALONG SAID HIGHWAY LINE 17.50 FEET; THENCE SOUTH 1 DEGREE 28 MINUTES EAST ALONG A LINE TAKEN FOR HIGHWAY 44.95 FEET (44.74 FEET RECORD), TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 1 AND THE SOUTH LINE OF SAID LOT 2, 382.48 FEET TO THE PLACE OF BEGINNING, IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF LOT 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1959 AS DOCUMENT 940835 IN DU PAGE COUNTY, ILLINOIS.

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Parcel No.: 06-29-402-017

Address: 2801-2821 S. Fairfield Avenue

AND

PART OF LOT 3 LYING WESTERLY OF A STRAIGHT LINE THAT INTERSECTS THE WEST LINE OF SAID LOT 3, 102.59 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3 AND INTERSECTS THE NORTH LINE OF SAID LOT 3, 22.20 FEET (22.25 FEET RECORD) EAST OF THE NORTHWEST CORNER OF SAID LOT 3, IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF LOTS 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1959 AS DOCUMENT 940835 IN DUPAGE COUNTY, ILLINOIS.

Parcel No.: 06-29-402-007

Address: Vacant land along Fairfield Road, Lombard, Illinois 60148

SECTION 3: This Ordinance is approved subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code, or as provided as part of the original planned development approval set forth in Ordinances 7201 and 7202, whichever is applicable.
2. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) months from the date of approval if the proposed site improvements are not completed or an extension has been granted.
3. The petitioner shall be required to apply for and receive building permits for any improvements to the site.

4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to providing the following:
 - a. The proposed additional 7 stall parking field at the southeast corner of the proposed building shall be reconfigured by removing or relocating four stalls to provide a clear paved area to provide a diagonal apparatus set up area.
 - b. The canopy supports must be at least ten (10) feet horizontally from the water main and the canopy must be no lower than sixteen (16) feet to allow the use of construction equipment in repairing a water main break in that area.
5. All other relief not amended as part of this petition that was previously granted to the Subject Property as part of Ordinances 7201 and 7202 shall remain in full force and effect for the planned development.
6. Upon completion of the project, as determined by the issuance of a final certificate of occupancy, any cargo containers exceeding the maximum provided by Village Code shall be removed.

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 _____, 2016.

Passed on second reading this _____ day of _____, 2016, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2016.

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Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2016.

Sharon Kuderna, Village Clerk