

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission HEARING DATE: April 17, 2006

FROM: Department of PREPARED BY: William J. Heniff, AICP
Community Development Senior Planner

TITLE

PC 06-13; 201, 205 and 211 E. Roosevelt Road; 1200 South Highland Av.; and 112-116 & 120-124 E. 13th Street (Southwest Corner of Roosevelt & Highland): The petitioner requests that the Village take the following actions on the subject property:

- A. Approve a second amendment to an annexation agreement;
- B. Approve a second major plat of resubdivision.
- C. Pursuant to Section 155.504(A) of the Zoning Ordinance, approve a major change to the approved planned development with site plan approval (Ordinance 5560), to allow for an alternate commercial development plan, consisting of the following elements:
 - 1. For Lot 1 of the proposed resubdivision, approve the following:
 - a. A conditional use pursuant to Section 155.414 (C)(18) of the Zoning Ordinance for an outdoor dining/service establishment;
 - b. A deviation from Section 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking;
 - c. A deviation from Section 153.234(F) of the Lombard Sign Ordinance to allow for a free-standing sign to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way; and
 - d. A deviation from deviation from Section 153.505 (B)(17)(b)(2) of the Sign Ordinance to allow for more than one wall sign for interior tenants.
 - 2. For Lot 2 of the proposed resubdivision, approve the following:
 - a. A conditional use pursuant to Section 155.414 (C)(7) of the Zoning Ordinance for a drive-through facility;
 - b. A variation from Sections 155.706 and 155.709 of the Zoning Ordinance to reduce requisite parking lot and perimeter landscaping requirements;

- c. A deviation from Section 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking;
- d. A deviation from Section 153.505 (B)(17)(a)(2) of the Sign Ordinance to allow for more than one wall sign on a street frontage; and
- e. A deviation from Section 153.211 (F) and 153.240 (F) of the Sign Ordinance to allow for mixed wall, window and awning signs. *(This item has been withdrawn by the petitioner)*

GENERAL INFORMATION

Petitioner/Property Owner: V-Land Lombard Highland LLC
312 N. Clark St., Suite 2440
Chicago, IL 60610

PROPERTY INFORMATION

Existing Zoning: B3 PD Community Commercial District, Planned
Development

Existing Land Uses: Existing restaurant/bar (to be demolished) and property
under development

Size of Property: Approximately 3.42 Acres

Comprehensive Plan: Recommends Community Commercial Uses

Surrounding Zoning and Land Use:

North: OPD Office Planned Development; improved as the National University
of Health Sciences
South: B3 Community Shopping District; developed as a strip shopping center;
also unincorporated property zoned and developed as single-family
residences
East: B3 Community Commercial District; improved as a Walgreen's pharmacy
West: B3 Community Commercial District; improved as a strip commercial
center (Merl Plaza)

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on March 16, 2006:

1. Application with Response to Standards.
2. Proposed Site Plan, prepared by Arcline Associates, Ltd., dated March 14, 2006
3. V-Land Lombard Final Site Improvement Plans (includes existing conditions plan, demolition plan, site plan, grading plan, erosion control plan, utility plan, landscape plan, photometric plan, concrete paver plan, and retaining wall plan), prepared by Woolpert LLC, dated April 5, 2006.

DESCRIPTION

The petitioner proposes to amend the site plan associated with the 2004 planned development approval (PC 04-25, Ordinance 5560) for the subject properties. The proposed financial institution that was originally going to occupy an area within the development decided not to proceed with their development proposal. As such, the developer sought an alternative bank for the development. The developer now has a new bank interested in the site so they are going to move forward with a new development proposal.

The amended plan relocates the proposed bank to the corner of Highland Avenue and Roosevelt Road and shifts the proposed shopping center to the west, to ultimately be combined with the redeveloped Riley's Pub site. The overall size of the commercial center is expanded to provide for 19,629 square feet of retail space in a single building. The southern end of the property along 13th Street will still consist of a stormwater detention outlot and associated parking for the development. This current proposal will be developed in a single phase.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services Division provided comments as part of the initial development and final engineering approval for the site. With the new proposal being submitted for review, the following comments are offered:

1. Sanitary sewer service will be provided by the Highland Hills Sanitary District. Public water shall be provided by the Village via a new water main to be installed by the developer and located on the south side of the Roosevelt Road right-of-way. To account for the presence of petrochemicals within the soil, the watermain shall be installed using viton, fluora or FKM gaskets.
2. Easements will be required for any new utility lines and for the stormwater detention areas constructed on the premises.
3. On-site stormwater detention shall be sloped at a minimum of 3:1 and meet the provisions established in the Village Specification Manual.
4. Public right of way improvements are required per the Subdivision and Development Ordinance (Section 154 of the Village Code).
5. Water for all domestic and fire suppression use shall be provided by the Village.
6. A revised letter of credit (LOC) shall be provided to the Village to cover all public improvements on the subject property prior to permit issuance. The expiration date of the LOC shall also be extended for a two year period from the date of approval of the amendment to the annexation/development agreement.
7. Should construction on the project not commence within ninety days from the date of approval of the annexation/development agreement amendment, the petitioner shall provide 4" of graded topsoil over the property and shall seed the property.
8. Additional comments will be provided upon submittal of revised final engineering for the site.

PUBLIC WORKS

As noted previously, the Utilities Division of the Public Works Department notes that the petitioner shall coordinate their phasing and the infrastructure improvements with the Highland Hills Sanitary District as well as the Village.

BUILDING AND FIRE

The Bureau of Inspectional Services has no objections to the request. However, they offer the following additional comments:

1. The buildings are to be sprinklered, with separate fire and domestic water services and fire alarm systems, along with a dedicated fire sprinkler room with direct outside access.
2. The proposed structures are to be built to the adopted Village building and fire codes.
3. Additional comments regarding the proposal will be provided as part of the final engineering review and the review of the associated building permits for the site.

PLANNING

History of Property

The subject properties were originally developed under the zoning jurisdiction of DuPage County. Lot 2 containing the salon site was annexed and rezoned to B3 in 2000. Reilly's Pub was also annexed into the Village in 2000, with a rezoning to the B3 district. However, no additional relief was granted for the existing restaurant/bar use. The Amoco station site at 1200 S. Highland was annexed in 2001.

In 2002, Ordinance 5122 (PC 02-17) approved the annexation of the Sharko's Site, and a companion annexation agreement was entered into by the previous property owner, BP, and the Village. Other than the sale of the property and the removal of all structures on the property, no further actions were taken by the Village.

In 2004, the current property owner brought forward a new development proposal for the site that also included the residential duplex units located along 13th Street as well as the Riley's Pub site (PC 04-25). This proposal approved a strip center, a bank with a drive-through and a future commercial building on the Riley's Pub site. The Village approved the petition and the companion annexation/development agreement.

Annexation Agreement Amendment

The subject properties are bound by the terms and conditions of the original agreement (as the previous approvals go back to the annexation of the Sharko's property in 2002). The amended agreement would substitute the previously approved 2004 plan submittal with the new development plans.

Compatibility with the Comprehensive Plan

The Comprehensive Plan identifies the subject property for Community Commercial Uses. As noted in 2004, a primary goal denoted in the Plan for Commercial and Retail Development is to identify and encourage the improvement or redevelopment of select commercial areas that are or are becoming functionally obsolete. The petitioner's original plan removes residential structures along 13th Street that were developed prior to their annexation in the Village and redevelop the site consistent with the objectives of the Roosevelt Road Corridor and the Plan. Therefore, the proposed redevelopment is consistent with the Comprehensive Plan.

Compatibility with the Surrounding Land Uses

The subject property is bordered on the east and west by other existing retail commercial uses. Roosevelt Road has traditionally included a substantial number of automotive related uses including drive-through services. Therefore, the proposed redevelopment is consistent with the other uses along Roosevelt Road.

South of the subject property, an abutting parcel along Highland Avenue is improved with a strip commercial center serving local shopping needs. Behind this center and south of the site is 13th Street, a Village street as well as unincorporated single family residences. The petitioner's revised plan attempts to minimize the impact of the development on the adjacent residential uses along 13th Street and follows the 2004 plan approval in the following respects:

1. Access will not be provided into the site off of 13th Street;
2. Internal access driveways minimize the need to use 13th Street by providing direct driveway access from Garfield Street to Highland Avenue;
3. All buildings will be oriented away from 13th Street;
4. A stormwater detention facility will be constructed at the south side of the property; and
5. An earthen berm and landscaping will help screen the site.

Compatibility with the Zoning/Sign Ordinances

The property is zoned B3PD Community Shopping District, Planned Development. The amendment does not require any map amendments, but will require a new review of the other associated zoning action includes as part of the 2004 approval.

Conditional use for a planned development

As noted in the past approvals, establishing a conditional use for the entire development is an appropriate way to address the unique site constraints of the proposed development. The 2004 approvals also granted site plan approval authority to the Lombard Plan Commission. As the new development reconfigures the location of the proposed buildings, a planned development amendment is required. Moreover, the 2004 approval also required the developer to receive site plan approval from the Village for the redevelopment of the Riley's Pub site.

The petitioner's latest development plan will meet the building setback requirements established within the Zoning Ordinance. The other request relief is noted below:

Lot 1 Proposed Improvements (Roosevelt/Garfield Parcel):

A conditional use pursuant to Section 155.414 (C)(18) of the Zoning Ordinance for an outdoor dining/service establishment;

As with the 2004 approval, the petitioner would like to have the flexibility to provide a small outdoor dining area adjacent to the proposed retail building. However, the location of the building and the companion dining area is being shifted to the west.

Staff does not object to this request as it allows for an alternate area for patrons to eat if desired. As the proposed dining area is removed from any residences, impacts of the outdoor dining

function are minimal. However, to ensure that the dining function does not extend into the sidewalk and/or parking lot, staff recommends that the perimeter of the dining area be fenced, with the design of the fence subject to the approval of the Director of Community Development. Staff would find a four foot high decorative iron fence with an exit gate as an acceptable type of fence.

A deviation from Section 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking;

By establishing a planned development, arbitrary property lines can be ignored in favor of a more unified and cohesive development. In this case, the proposed access aisles are placed where it makes most sense within the overall project, rather than based upon property lines. This deviation can be supported as it provides for better traffic flow and circulation. Moreover, it also helps minimize traffic on adjacent public streets.

A deviation from Section 153.234(F) of the Lombard Sign Ordinance to allow for a free-standing sign to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way;

In the 2004 approval, free-standing signage locations were not determined. The petitioner's new plans identified a new free-standing sign to be located near the Roosevelt Road/Garfield Street intersection and a new sign at the intersection of Roosevelt Road/Highland Avenue intersection. These signs will meet the size and area requirements set forth in the Sign Ordinance. It will also be designed to incorporate architectural elements of the proposed building. However, its final placement will be closer than 75 feet from the center-line of the Roosevelt Road state right-of-way. As noted in other recent sign requests, moving the sign further away from the center-line will impact the ability to provide for proper traffic flow around the subject property.

A deviation from deviation from Section 153.505 (B)(17)(b)(2) of the Sign Ordinance to allow for more than one wall sign for interior tenants.

The 2004 planned development approval provided for the retail center up to two wall signs on the north elevation of the building. The Sign Ordinance allows for two wall signs for end units and one sign for interior tenants. However, in review of the building elevations, the petitioner would like to have the flexibility of adding a second sign for a proposed interior tenant. Staff notes that if the center unit is subdivided, the two wall signs could be approved as proposed without any relief. Staff can support this relief provided that all wall signs on the building shall be of a channel letter design.

Lot 2 Proposed Improvements (Roosevelt/Highland Parcel):

A conditional use pursuant to Section 155.414 (C)(7) of the Zoning Ordinance for a drive-through facility;

The proposed banking facility proposes a drive-through facility on the west side of the building. Traffic would enter from the north side of the drive-through and exit to the south to a one-way drive going eastbound toward Highland Avenue. The petitioner's plans show that there is sufficient stacking to accommodate the drive-through on the property. Staff does not object to this request.

A variation from Sections 155.706 and 155.709 of the Zoning Ordinance to reduce requisite parking lot and perimeter landscaping requirements;

After the 2004 development proposal was approved, the petitioner was required by a covenant from the previous property owner to provide a protective barrier over the Amoco/BP site. The BP site was previously listed by the State as a leaking underground storage tank (LUST) site – this requirement would help minimize any future impacts of development on adjacent properties.

To address this issue, the petitioner proposed to provide the foundation landscaping in a vault system. Along the Roosevelt Road, Highland Avenue and the southern lot line, the petitioner is proposing a stamped concrete system. Given the constraints, staff can support this proposal, provided that any requisite trees and/or plantings are provided within a vault system (i.e., a depressed area within the concrete barrier about 3-4 feet in depth which will be filled with topsoil and will allow for plant growth).

A deviation from Section 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking;

As noted above, this relief is intended to provide for efficient parking and circulation for the site. Staff supports this request.

A deviation from Section 153.505 (B)(17)(a)(2) of the Sign Ordinance to allow for more than one wall sign on a street frontage; and

As with the previous bank approved as part of the 2004 approval, the new bank is proposing additional wall signage. This additional signage is intended to provide signage visibility to

customers on adjacent streets as well as within the development and along the drive-through aisle.

In discussions with the petitioner, staff noted that is could only support a wall sign on the east and north elevations. Regarding the west elevation, staff would only support ancillary signage that would primarily be intended for customers already on the subject property. However as signage on the south elevation would either not be visible from the adjacent right-of-way or would be visible from the adjacent residential properties, staff would not support relief for wall signage on the south elevation. As such, the petitioner will be submitting to the Plan Commission a revised wall sign plan reflecting staff comments.

Other Issues

The revised site plan associated with the petitioner's request can also be supported by staff based upon consideration of the following items:

Traffic Analysis

The 2004 KLOA traffic consultant analysis found that the site redevelopment would actually result in virtually no net change in traffic generation over the amount that was originally generated prior to demolition activity on the subject site.

As required by the 2004 approval, the petitioner's site plan shows that the Roosevelt Road access drive will be converted into a right-in, right-out facility. Staff supports this design as Garfield Street could be used for patrons desiring to turn left onto Roosevelt Road.

The petitioner's internal circulation system will reduce commercial traffic movements from 13th Street. The petitioner's revised plans still provide for potential cross-access between the subject property and the Dan Development property south of the subject property, subject to approval by both parties.

Landscaping

The revised landscape plan is intended to provide perimeter and internal parking lot island landscaping as part of the petition. The petitioner still proposes to provide an undulating earthen berm of up to approximately three feet in height along the south property line with full vegetation to screen and soften the development from the residential uses south of 13th Street. As the Riley's Pub site will be redeveloped in conjunction with the new plans, the need for additional post and rail fencing will not be required.

Elevational Drawings

The petitioner has submitted preliminary elevational drawings for the proposed buildings. The exterior elevations for the proposed commercial center are similar to that which was approved as part of the 2004 petition. However, the initial submittal included substantial EIFS along the north and west elevations. Staff recommends that the petitioner amend the elevations to

incorporate two brick masonry elements replacing the proposed EIFS in an manner similar to the 2004 approval. The petitioner has agreed to make this modification and will submit revised building elevations for Village consideration. Moreover, staff requests the petitioner revise the building elevations for the bank building to tie the retail center and the bank together architecturally.

Tenant Spaces List

To ensure that the overall retail center is not ultimately comprised of a number of small non-retail uses, a proposed cap on the overall number of tenant spaces within the center is suggested. Excluding the end-cap proposed sit-down restaurant, a cap of five spaces is suggested. The petitioner has been informed of this request and has stated that they do object to the request.

Easement for Bus Shelter

Currently a bench exists at the northeast corner of the subject property which is occasionally used by Pace bus riders. To ensure a better appearance to the intersection and to the subject property, staff recommends that an easement be granted for a future bus shelter. An easement is needed as the pavement, curb and carriage walk sidewalk along Roosevelt Road do not provide adequate spacing for a shelter within the right-of-way. As the adjacent property is proposed to be improved with stamped concrete, placement of the shelter on the adjacent property should not present a problem.

Compatibility with the Subdivision and Development Ordinance

The petitioner previously submitted a resubdivision plat creating five lots of record. The petitioner is now going to propose a three lot subdivision – Lot 1 as the retail parcel, Lot 2 as the bank and Lot 3 as the outlot.

Staff notes that as this development is over one acre in size, the plat will need to be approved by the Village Board. Staff will bring the final plat to the Board for approval upon approval of final engineering for the development.

Lastly, this project is a major development as defined by the Subdivision and Development Ordinance, which would require full public improvements where they are needed. The petitioner intends to provide all public improvements as set forth in the annexation agreement. This includes street lighting, sidewalks, parkway trees, storm sewer, landscaping and roadway improvements to include curb and gutter additions.

FINDINGS AND RECOMMENDATIONS

Staff believes that the proposed uses are compatible with the surrounding area and is appropriate for the site. Based on the above, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning, Sign and Subdivision and Development Ordinances; and, therefore, I move that the Plan Commission find that the recommendations of the Inter-Departmental Review Report as the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of PC 06-13, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the site and development plan packet prepared by Woolpert LLC, dated April 5, 2006, except as modified as part of the final engineering review and approval for the proposed development.
2. The petitioner shall enter into a second amendment to the annexation agreement for the subject property.
3. The petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
4. That any trash enclosure screening required by Section 155.710 of the Zoning Ordinance shall be constructed of material consistent with the principal building in which the enclosure is located.
5. To minimize parking conflicts on the property and to minimize impacts on adjacent properties, the developer/owner of the property shall allow for cross-access and cross parking between each lot within the proposed development.
6. The developer shall provide requisite fees to cover the cost of providing parkway trees around the perimeter of the site, consistent with Section 155.705 (C) of the Village Code. Where proposed trees are within an area proposed for an environmental barrier, a vault shall be provided for the trees. Where insufficient right-of-way width precludes placement of parkway trees within the right-of-way itself, the petitioner shall install the plantings on the adjacent private property.
7. Should construction on the project not commence within ninety days from the date of approval of the annexation/development agreement amendment, the petitioner shall provide 4" of graded topsoil over the property and shall seed the property.
8. The west end-cap tenant space within the shopping center shall be developed as a single sit-down restaurant of at least 5,491 square feet in size. The remainder of

the center shall not be subdivided or partitioned to have more than five separate tenant spaces or business establishments.

9. Upon a request by the Village, the developer shall provide for an easement for a future bus shelter to be located adjacent Roosevelt Road, with the final location to be determined by the Village.
10. To ensure that the proposed signage, awnings and building elevations present a favorable appearance to neighboring properties and are consistent with the planned development objectives, the property shall be developed and operated as follows:
 - a. That channel lettering shall only be used for the wall signs.
 - b. That the perimeter of the proposed dining area for the retail building shall be fenced, with the design of the fence subject to the approval of the Director of Community Development.
 - c. That all rooftop mechanical equipment shall be screened pursuant to Section 155.221 of the Zoning Ordinance.
 - d. The petitioner shall submit final building elevations to the Village for review and approval prior to final consideration of the petition by the Village Board.
 - e. The north, west and east elevations of the proposed shopping center shall be constructed and maintained to not have any additional exterior doors other than those necessary for customer/employee access or as required by the Lombard Fire Department.

Inter-departmental Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

att-

c. Petitioner

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