

September 2, 2004

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

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

Dear President and Trustees:

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

For the Entire Planned Development:

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

For Parcels V and W:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission