

May 20, 2024

Title

PC 24-05

Petitioner & Property Owner

SAFA Property
 Mark W. Daniel/Daniel Law Office
 17W733 Butterfield Road, Suite F
 Oakbrook Terrace, IL 60181

Property Location

855 E. Roosevelt Road
 PIN: 06-21-100-013

865 E. Roosevelt Road
 06-21-100-014

Zoning

B4A – Roosevelt Road Corridor
 District

Existing Land Use

Vacant land

Comprehensive Plan

Community Commercial

Approval Sought

Amend approvals previously granted for the subject property to allow construction of a two-story multi-tenant commercial building with drive-through; approval of a plat of subdivision.

Prepared By

Anna Papke, AICP
 Planning and Zoning Manager



LOCATION MAP

PROJECT DESCRIPTION

The petitioner, Safa Property LLC, requests approval of zoning entitlements in order to construct a new principal building on the subject property. In 2022, the Village approved a proposal by the petitioner for construction of an 18,500 square-foot, three-story restaurant/banquet facility on the site (PC 22-05, Ordinance 8077). The petitioner now proposes to amend the approved plan in order to construct a 14,800 square-foot, two-story multi-tenant commercial building with a drive-through on the east side of the building. The revised site plan requires approval of a conditional use for the drive-through establishment, as well as approval of a variance for the location of the loading area on the east side of the building. The petitioner also requests preservation of some of the entitlements that were previously granted by Ordinance 8077. Several previously granted entitlements are no longer needed. A table in the following pages of this report shows how the current petition compares to the 2022 petition.

The petitioner also requests approval of a two-lot plat of subdivision for the subject property as well as the adjacent property at 865 E. Roosevelt Road (Pep Boys). The purpose of the plat of subdivision is to eliminate an access restriction recorded on the previous plat of subdivision. No development is proposed for the property at 865 E. Roosevelt Road.

PROJECT STATS

Lot & Bulk

Parcel Size: 106,722 SF
Building Size: 14,800 SF
Parking Spaces: 82 spaces

Submittals

1. Exhibit A.

EXISTING CONDITIONS

The subject property is currently vacant.

APPROVAL(S) REQUIRED

The petitioner, SAFA PROPERTY LLC, requests that the Village take the following actions on the subject property located within the B4A Roosevelt Road Corridor District, to provide for the construction of a new principal building:

1. Amend the approvals previously requested through Plan Commission petition PC 22-05, and granted by Ordinance No. 8077, as follows:
 - a. Preservation of the existing conditional use under Ordinance No. 8077, under Sections 155.103(F) and 155.417(G)(2)(a)(vii) of the Zoning Ordinance to allow a second-floor restaurant and banquet, including entertainment and dancing when conducted as part of the restaurant and banquet operations and secondary to the principal use subject to the conditions numbered 2, 3, 7, 10, and 11 (dining and banquet limit of 156) set forth in Section 14 of said ordinance.
 - b. A new conditional use under Sections 155.103(F) and 155.417(G)(2)(b)(iv) of the Zoning Ordinance to allow for a drive-through facility.
 - c. Elimination of the following conditional uses approved in Ordinance No. 8077 (Secs. 2-3) under Sections 155.103(F), 155.417(G)(2)(c)(vii), and 155.417(G)(10)(b) of the Zoning Ordinance: (a) a building containing a restaurant as a principal use that will exceed 40 feet in height; and (b) outdoor display and sales on a seasonal or periodic basis in a row of parking or on the rooftop.
 - d. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Sections 155.417(G)(12), 155.417(G)(14) and 155.602(A)(10)(d) of the Zoning Ordinance which require parking lot lighting to be directed away from the lot lines and to fall below certain maximum intensities in order to avoid these requirements for lighting adjacent to the access easement serving the subject property and the easterly adjacent property subject to the conditions numbered 2, 3, 7, 10 set forth in Section 14 of said ordinance.

APPROVAL(S) REQUIRED (cont.)

- e. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Section 155.707(B)(4)(d) which requires transition yard areas not planted with trees or shrubs to be maintained as lawn in order to permit the south lot line to be maintained with all trees and understory plant material to remain in the wetland, flood way and floodplain reflected in the plans (affects south transition yard except east +/-45 feet) subject to the conditions numbered 2, 3, 7, and 10 set forth in Section 14 of said ordinance.
 - f. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Section 155.708 which requires a ten-foot foundation landscaping area on all sides of a building in order to allow development without foundation landscaping according to the Landscape Plan subject to the conditions numbered 2, 3, 7, and 10 set forth in Section 14 of said ordinance.
 - g. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Article XI which imposes several detailed landscaping requirements in Sections 155.701 through 155.710 in order to accomplish innovative landscaping shown in the four-sheet landscape plan on file with the Village for the benefit of natural areas on the site and to the south as well as residential neighbors to the south subject to the conditions numbered 2, 3, 7, and 10 set forth in Section 14 of said ordinance.
 - h. A new variation from under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Section 155.603 to allow off-street loading to occur in the bypass lane on the east side of the drive-through lane.
 - i. Elimination of the following variations approved in Ordinance No. 8077 (Secs. 4, 5, 7, 8) under Sections 155.102(B)(3) and 155.103(C)(2)(b) of the Zoning Ordinance: (a) parking variations from Section 155.417(G)(12) and 155.602(C) (Table 6.3); (b) loading variations from Sections 155.417(G)(12) and 155.603(A); (c) landscape island variations for rickshaws from Sections 155.417(G)(12) and 155.706(B)(2)(c); (d) landscape and rickshaw lighting variations from Section 155.417(G)(14).
 - j. Approval of a revised site plan and landscaping plan under Section 155.103(I) and Section 155.702 of the Zoning Ordinance subject to the conditions numbered 2, 3, 7, 10 set forth in Section 14 of Ordinance No. 8077.
2. Approval of a preliminary and final plat of subdivision for Creekview/Pep Boys Resubdivision No. 1 which is intended merely to release the access restriction on the driveway at the west end of the reciprocal access easement.

PREVIOUS APPROVAL AND CURRENT REQUEST

In 2022, the petitioner proposed to develop the subject property with an 18,500 square-foot three-story standalone banquet facility. Ordinance 8077 approved three conditional uses and several variances necessary for the development as originally proposed.

In response to changing market conditions, the petitioner has revised the development plan to reflect a 14,800 square-foot, two-story multi-tenant commercial building with a drive-through on the east side of the building. In comparing the original site plan to the revised proposal, staff notes the following:

- The revised plan shifts the building west to provide space for the drive-through lane and bypass lane, with modifications to the interior of the parking lot immediately adjacent to the west side of the building.
- The footprint of the revised building plan is larger than the footprint of the previously approved banquet facility. The revised building meets all required building setbacks.
- The previously approved building was three stories plus a basement. The revised plan reflects a two-story building without a basement.
- The previous plan for the banquet facility included rooftop seating areas. No rooftop seating is proposed with the revised plan; all business operations will occur indoors.
- There is no change to the southern extent of the parking area as compared to the previously approved plan. A substantial portion of the south and west sides of the property is a wetland, subject to DuPage County special management area permitting. The petitioner has been working with DuPage County on obtaining requisite permits for the development plan approved with PC 22-05. The revised plan does not change the extent or nature of the wetlands, required buffers, or landscaping at the south edge of the development.

The petitioner is requesting amendments to Ordinance 8077 to address the revised development plan for the subject property. The revised development proposal requires several new entitlements. Furthermore, some of the entitlements previously approved for the property remain necessary for the revised plan, and the petitioner requests these approvals be preserved. Other previously approved entitlements are no longer required. The following chart explains how the petitioner’s current request relates to the previous approval.

REQUESTED BY PETITIONER WITH PC 24-06

Item Number in PC 24-06	Entitlement
1.b.	Conditional use for a drive-through
1.h.	Variation to allow off-street loading to occur in the bypass lane on the east side of the drive-through lane
1.j.	Approval of revised site plan and landscaping plan
2	Approval of a preliminary and final plat of subdivision

**PREVIOUSLY APPROVED BY ORDINANCE 8077, REQUIRED FOR REVISED PLAN
PETITIONER REQUESTS TO PRESERVE THESE ENTITLEMENTS**

Item Number in PC 24-06	Entitlement
1.a.	Conditional use for a restaurant with entertainment

1.d.	Variance from code requirements to direct parking lot lighting away from lot lines and which set maximum lighting levels at property lines to provide for lighting of a driveway constructed in a cross access easement providing connection between the subject property and the adjacent property to the west
1.e.	Variation from requirement for transitional yard areas not planted with trees or shrubs to be maintained as lawn in order to permit the south lot line to be maintained with trees and understory plant material to remain in the wetland, flood way and floodplain, as reflected in the submitted plans
1.f.	Variation from requirement for foundation landscaping on all sides of a building in order to allow development without foundation landscaping, as reflected in the submitted plans
1.g.	Variation from landscaping requirements in Chapter 155, Article IX, Sections 155.701 through 155.710, in order to accomplish innovative landscaping, as reflected in the submitted plans

**PREVIOUSLY APPROVED BY ORDINANCE 8077, NOT REQUIRED FOR REVISED PLAN
PETITIONER REQUESTS TO ELIMINATE THESE ENTITLEMENTS**

Item Number in PC 24-06	
Public Notice	Entitlement
1.c.	Conditional use for a building with a height of more than 40'
1.c.	Conditional use for outdoor display and sales
1.i.	Variations for parking, loading, landscape islands (rickshaws), lighting of landscape islands

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments on the petition. Additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department has no comments on the petition. Additional comments may be forthcoming during permit review.

Private Engineering Services:

Private Engineering Services has no comments on the petition. Additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works has no comments on the petition. Additional comments may be forthcoming during permit review.

Planning Services Division:

The Planning Services Division (PSD) notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B4A	Self-storage center
South	R-3 (DuPage County)	Single-family residential (Unincorporated DuPage County)
East	B4A	Pep Boys
West	B4A	Commercial strip center

The subject property is located along the Roosevelt Road corridor in an area developed with a mixture of retail, service, and other commercial land uses. The proposed multi-tenant commercial strip center with a drive-through service lane is compatible with surrounding uses.

2. Comprehensive Plan Compatibility

The Comprehensive Plan recommends community commercial uses on the subject property. A multi-tenant commercial development is consistent with this designation.

3. Zoning Compatibility and Consistency with Previously Approved Zoning Entitlements

The subject property is in the B4A Roosevelt Road Corridor District. Multi-tenant commercial buildings are common land uses in the Roosevelt Road corridor. With the exception of the variance for a loading area, discussed below, the proposed development is consistent with the requirements of the Village Zoning Ordinance or the zoning relief granted by Ordinance 8077 in 2022. Staff notes the following with respect to this petition:

- The proposed uses within the building include restaurants, retail tenant spaces, and a restaurant/banquet facility on the second floor of the building. All of these uses are permitted in the B4A District, and are common within the Roosevelt Road corridor.
- Ordinance 8077 approved a conditional use for a restaurant with entertainment to allow for the banquet facility to provide live entertainment for guests. The petitioner requests that this conditional use remain in place to allow live entertainment at the restaurant/banquet facility in the revised building.
- A drive-through service lane is proposed for the tenant space on the east end of the building. Drive-throughs are conditional uses in the B4A District. This item is discussed in detail in Section 4 below.
- The proposed building meets all building setback requirements in the B4A District.
- The height of the proposed building is 35 feet and ½ inch, which is less than the maximum building height of 40 feet permitted by right in the B4A District. (The top of a parapet wall on the building is 41 feet above grade. Parapet walls are not included in the calculation of building height as defined in the Village Code.) The building proposed for the site in 2022 was 41 feet tall. Buildings taller than 40 feet are conditional uses in the B4A District. Ordinance 8077 granted

a conditional use for building height. This relief is no longer needed with the revised development plan.

- The development will provide adequate parking to meet Code requirements. A parking variance granted by Ordinance 8077 for the original proposal is not required for the revised proposal. Parking is discussed in greater detail in Section 6 of this report.
- The petitioner has provided a landscape plan that is very similar to the landscape plan that was approved in 2022. The 2022 approval included several variances from the Village's landscape requirements to address site-specific concerns and permit innovative landscaping treatments. Most of the landscaping variances approved by Ordinance 8077 will remain in place to allow for the current landscaping plan. One variance related to the landscape islands in the parking lot is no longer necessary.
- The petitioner has submitted a concept plan for a shopping center sign that meets the Sign Ordinance. Plans for tenant wall signage are not available at this stage. Should future tenants request approval of a sign that does not meet the Sign Ordinance, they would need to seek a variance through the Plan Commission public hearing process.

4. ***Request for Conditional Use Approval – Drive-through Establishment***

The petitioner proposes to construct a drive-through for the tenant space on the east side of the building. Drive-through restaurants are common in the Roosevelt Road commercial corridor. Village Code requires a minimum of eight stacking spaces, inclusive of the space at the pickup window. The proposed drive-through lane provides stacking space for eight vehicles along the east and south sides of the building. There would be room for additional stacking within the drive aisle on the west side of the building, limiting the potential for spillover onto Roosevelt Road. KLOA, the Village's traffic consultant, reviewed the plan. KLOA's observations of other drive-through establishments indicate a maximum queue of eight vehicles and an average queue of six vehicles in area drive-throughs.

The drive-through lane includes a bypass lane. The current plan provides for the drive-through lane and bypass lane to exit side by side into the drive aisle on the north side of the building. KLOA recommends that the exit from the drive-through and bypass lanes be narrowed down to a single lane to control traffic flow into the drive aisle and provide a better turning radius for vehicles turning left into the drive aisle. KLOA also recommends several stop signs and "Do Not Enter" signs in the parking lot to help control traffic within the site. These recommendations are shown in Appendix A of the KLOA report.

Staff finds the proposed drive-through establishment, with KLOA's suggested modifications, is consistent with the standards for conditional uses. Staff recommends approval of the conditional use subject to the modifications recommended by KLOA.

5. ***Request for Variation – Loading Area***

The petitioner requests a variance to allow loading activities to occur in the drive-through bypass lane on the east side of the building. The proposed loading area will be set back five feet from the east property line. Village Code requires loading areas to be outside the required 10-foot interior side yard. The petitioner states that the proposed location for the loading area is the most practical given site constraints related to the wetlands along the west and south portions of the property. Further, the loading area is in substantially the same location on the property as was the loading area in the previously approved development plan. The neighboring property immediately east of the east property line contains a landscaped area followed by the side wall of the Pep Boys building. The proposed loading area on the subject property is not expected to affect the adjacent property. Staff supports the requested variation.

6. *Traffic Circulation and Parking*

Access to the subject property from Roosevelt Road will be provided by a full-access curb cut. There is an existing cross access easement on the northeast portion of the property that will provide for construction of a driveway connecting to the Pep Boys property to the east. Within the parking lot traffic will circulate counter-clockwise through the drive-through lane. All drive aisles within the parking lot are two-way. KLOA has reviewed access to the site and circulation within the parking lot and finds that the existing roadway network is adequate to handle traffic generated by the proposed development. KLOA's recommendations for signage to aid internal traffic circulation are discussed in Section 4. Generally, KLOA does not anticipate any traffic circulation issues resulting from the proposed development.

The proposed site plan will provide 82 parking spaces. Based on the proposed tenant mix of the building (banquet facility, restaurants, retail space), the Village Code requires 79 parking spaces. Staff notes that multi-tenant commercial buildings are subject to changes in the tenant mix over time. A typical commercial strip center where the exact nature of the future tenants is not known would be required to provide 3 spaces per 1,000 square foot gross floor area, or 55 parking spaces $((18,400 \text{ square feet} / 1,000) \times 3 = 55.2)$. The petitioner has already identified several potential restaurant tenants. Village Code requires 9 to 12 parking spaces per 1,000 square feet of seating area for restaurants, depending on type of restaurant. Staff and the petitioner have calculated parking requirements based on the higher parking requirements for the proposed tenant mix.

KLOA has reviewed the projected parking demand for the development. KLOA finds that the projected peak parking demand for the development during weekdays will be 66 parking spaces. On Saturdays, KLOA projects peak parking demand at 97 parking spaces, which exceeds the 82 spaces provided on site. However, KLOA notes that the land uses within the development will experience peak customer draws at different times of the day (e.g. a drive-through restaurant/coffee shop peaks in the morning, retail peaks in the afternoon, and restaurant/banquet facility peaks in the evening). Based on the staggered nature of the peak hours of operation for the various tenants in the building, KLOA concludes the development will provide adequate parking.

7. *Rear Building Elevation and Lighting/Landscaping Along South Side of Development*

The petitioner has submitted elevations for the revised building. The rear of the building, which faces south toward the York Center residential neighborhood, will be clad in EIFS material resembling stucco. A prefinished metal coping band along the roofline and two contrasting dark gray EIFS bands will provide visual interest on this façade.

There will be two wall-mounted lights on the rear building façade to provide lighting for the rear service doors to the tenant spaces and near the menu board for the drive-through. The petitioner has had several discussions with the neighboring residents who have expressed a strong preference that lighting from the subject property not spill over onto adjacent properties. The petitioner has indicated a willingness to explore baffling and other methods to ensure the building lighting does not shine into the nearby properties. Staff recommends a condition of approval stating that all wall-mounted lighting on the south wall of the building be directed downward.

There is one light in the parking lot to the south of the building, which is necessary for the parking lot to meet the minimum parking lot lighting requirements in Village Code. The petitioner's photometric plan shows that lighting levels will reach 0.0 foot candles well inside the south property line.

The area between the parking lot and the south property line is a wetland. Existing vegetation in the wetlands will be maintained per DuPage County special management area permitting requirements. As with the original petition, the revised development plan includes additional screening trees along the northeast portion of the wetland and wetland buffer, subject to final approval by DuPage County.

8. ***Request for Approval of a Plat of Subdivision***

The subject property and the adjacent Pep Boys property at 865 E. Roosevelt Road are part of a two-lot plat of subdivision platted in 1997. The 1997 subdivision included a provision restricting access to a curb cut onto Roosevelt Road to right-in/right-out. The petitioner desires to remove this restriction from the property to allow for the proposed full-access curb cut. The Illinois Department of Transportation has reviewed the draft plat and has not objected to this change. IDOT will also be a signatory on the plat of subdivision and will issue the driveway connection permit for the new development.

Staff recommends approval of the plat of subdivision.

9. ***Recommended Conditions of Approval***

Staff recommends nine conditions of approval for PC 24-06. Conditions 1 through 4 are standard for all Plan Commission petitions. Conditions 5 and 6 were included in the approval of PC 22-05 and remain relevant to the revised development plan. Conditions 7 through 9 address items arising from the revised development plan and are specific to PC 24-06.

SITE HISTORY

1995: Subject property and property at 865 E. Roosevelt were annexed as a single parcel and zoned B4. At this time, Pep Boys intended to develop the subject property (855) with an auto service business while the property at 865 would be made available for another user.

1996: Having revised their plans, Pep Boys applied for zoning entitlements to develop 865 E. Roosevelt with the Pep Boys auto service business currently located on that property. The subject property remained vacant.

1997: Plat of subdivision for 855 and 865 E. Roosevelt approved.

PC 22-05: Approval of zoning entitlements for a three-story banquet facility, including conditional uses and companion variances.

FINDINGS & RECOMMENDATIONS

Staff finds that the revised development proposal for the subject property is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, the Zoning Ordinance, and zoning entitlements previously granted by Ordinance 8077.

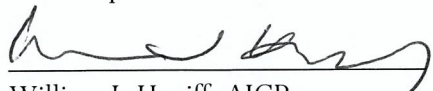
The Inter-Departmental Review Committee has reviewed the standards for the additional requested conditional use for a drive-through establishment in the B4A District and the variance for a loading area and finds that the petition **complies** with the standards established by the Village of Lombard Zoning Ordinance, 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 24-06:

Based on the submitted petition and the testimony presented, the petition does comply with the standards required by the Village of Lombard Zoning Ordinance and that approval of the petition is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental

Review Committee Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 24-06, subject to the following conditions:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
2. That 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;
3. That the petitioner shall apply for and receive building permits for the proposed improvements;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11);
5. Per the approval of PC 22-05, the petitioner shall include screening trees (bald cypress or a suitable alternative suggested by DuPage County) along the northeast portion of the wooded wetland or wetland buffer near the mid-elevation that divides the retention area from the wetland. Such trees shall meet DuPage County's design approval for the wetland area. The petitioner is allowed to amend this condition should DuPage County require a change (in the number, type, or location of the trees);
6. That if DuPage County eliminates the bald cypress trees for screening, the petitioner shall place a 4' (four foot) tall fence for screening in conformance with the plan prepared by the petitioner with PC 22-05;
7. That approval of this petition shall include repeal of the relief previously granted by Ordinance 8077 that is no longer required as a result of the revised development plan submitted with PC 24-06, as follows:
 - a. Conditional use for building height (Ordinance 8077, Section 2);
 - b. Conditional use for outdoor display and sales (Ordinance 8077, Section 3);
 - c. Parking variance (Ordinance 8077, Section 4);
 - d. Loading zone variance (Ordinance 8077, Section 5);
 - e. Landscape island variance (Ordinance 8077, Section 7);
 - f. Lighting variance for uplighting (Ordinance 8077, Section 8);
8. That the conditions of approval of Ordinance 8077 shall be amended to reflect the repeal of the relief enumerated in Condition 7 above; and
9. That all wall-mounted lighting on the south façade of the building shall be directed downward.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development
c. Petitioner

att: Memorandum re: Site Plan Evaluation, Proposed Creekside Plaza, prepared by KLOA, dated 5/3/24.

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EXHIBIT A
PETITIONER'S SUBMITTALS

1. (001) The Village's form application for zoning relief;
2. (002) Legal description;
3. (003) Last deed;
4. (004) Most recent title insurance policy;
5. (005) Last real estate tax information bill;
6. (006) Disclosure and Authorization;
7. (007) Reimbursement Acknowledgment;
8. (008) Survey prepared by Gentile & Associates, Inc.;
9. (009) 2023 DuPage GIS Aerial Photo (neighborhood);
10. (010) Site Plan prepared by Watermark Engineering Resources;
11. (011) Landscape Plan Sheet 1, prepared by J. Davito Design, Inc. for Watermark Engineering Resources;
12. (012) Landscape Plan Sheet 2, prepared by J. Davito Design, Inc. for Watermark Engineering Resources;
13. (013) Landscape Plan Sheet 3, prepared by J. Davito Design, Inc. for Watermark Engineering Resources;
14. (014) Landscape Plan Sheet 4, prepared by J. Davito Design, Inc. for Watermark Engineering Resources;
15. (015) Photometric Plan prepared by Watermark Engineering Resources;
16. (016) Preliminary Engineering prepared by Watermark Engineering Resources;
17. (017) Sheet 6.0 Building Elevations prepared by Purohit Architects;
18. (018) Sheet 6.1 Building Elevations prepared by Purohit Architects;
19. (019) Sign Details prepared by Purohit Architects;
20. (020) Sheet 3.0 Main Floor Plan prepared by Purohit Architects;
21. (021) Sheet 3.1 2nd Floor Plan prepared by Purohit Architects;
22. (022) Table of Compliance;
23. (023) Parking Calculations;
24. (024) Sign Table;
25. (025) Itemization of Relief;
26. (026) Project Narrative;
27. (027) PLACEHOLDER
28. (028) PLACEHOLDER
29. (029) Kane-DuPage LUO No. 22-009;
30. (030) Notice List;
31. (031) Notice Parcel Map;
32. (032) Resubdivision (Sheet 1) prepared by Gentile & Associates;
33. (033) Resubdivision (Sheet 2) prepared by Gentile & Associates; and
34. (034-039) Sunset Terrace renderings.

MEMORANDUM TO: William Heniff, AICP
Village of Lombard

FROM: Javier Millan
Principal

DATE: May 3, 2024

SUBJECT: Site Plan Evaluation
Proposed Creekside Plaza
Lombard, Illinois

This memorandum presents the findings and recommendations of a site plan evaluation conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed Creekside Plaza to be located at 855 East Roosevelt Road in Lombard, Illinois.

The site is currently vacant and is proposed to be developed with a two-story building providing 7,913 square feet of retail space on the first floor and an 8,064 square-foot restaurant (including a 1,196 square-foot first floor lobby) with a total of 156 seats. Approximately 82 off-street parking spaces inclusive of four accessible parking spaces will be provided. Access will be provided via a full access drive off Roosevelt Road and via a cross-access connection to the east with the existing Pep Boys Auto Parts store.

The purpose of this evaluation was to address site access, internal circulation, drive-through operation and parking demand.

The sections of this memorandum present the following.

- Existing roadway conditions
- A detailed description of the proposed development
- Vehicle trip generation for the proposed development
- Future conditions including recommendations for access to and from the site and circulation within the site

Existing Conditions

Existing conditions were documented based on field visits conducted by KLOA, Inc. The following provides a detailed description of the physical characteristics of the roads including geometry and traffic control, adjacent land uses and existing access.

Site Location

The site is currently vacant and is located on the south side of Roosevelt Road just west of the Pep Boys Auto Parts store. **Figure 1** shows an aerial view of the site. The characteristics of the existing roads that surround the site/development are described below.

Roosevelt Road (IL 38) is an east-west other principal arterial roadway bordering the site to the north. It has two through lanes in each direction separated by a painted median with a posted speed limit of 35 mph. Roosevelt Road carries an average daily traffic (ADT) of approximately 34,900 vehicles (IDOT 2023). Roosevelt Road is under the jurisdiction of the Illinois Department of Transportation (IDOT) and is designated as a Strategic Regional Arterial (SRA).

Traffic Characteristics of the Proposed Development

To evaluate the impact of the subject development on the area roadway system, it was necessary to quantify the number of vehicle trips the site will generate during the weekday morning and afternoon peak hours.

Proposed Site and Development Plan

As previously indicated, the site will be developed with a two-story building providing 7,913 square feet of retail space on the first floor and an 8,064 square-foot restaurant (including a 1,196 square-foot first floor lobby) with a total of 156 seats. It should be noted that it is anticipated that the endcap of the building will be a coffee shop with a drive-through lane. Furthermore, the restaurant is planned to be open for breakfast and lunch and then open later in the evening (around 6:00 P.M.) to function as a banquet hall with six to eight employees. Approximately 82 off-street parking spaces inclusive of four accessible parking spaces will be provided. Access will be provided via a full access drive off Roosevelt Road and via a cross-access connection to the east with the existing Pep Boys Auto Parts store.

Site Access

The proposed full ingress/egress access drive off Roosevelt Road will be located approximately 380 feet west of the Pep Boys Auto Parts store full access drive and as proposed will provide one inbound lane and two outbound lanes striped for an exclusive left-turn lane and an exclusive right-turn lane. Outbound movements should be under stop sign control.

A cross-access between the site and the Pep Boys Auto Parts store will be provided. This cross-access will enhance the accessibility of the site as well as that of the Pep Boys Auto Parts store.



Aerial View of Site

Figure 1

Peak Hour Traffic Volumes

The number of peak hour trips estimated to be generated by the proposed commercial development was based on vehicle trip generation rates contained in *Trip Generation Manual*, 11th Edition, published by the Institute of Transportation Engineers (ITE). As proposed, the development will consist of the following land uses:

- A 2,252 square-foot coffee shop with drive-through
- 3,975 square feet of specialty retail
- A 156-seat high turnover restaurant/banquet space

The following land use codes were used to determine the traffic to be generated by the proposed development:

- “Coffee/Donut Shop with Drive-Through” (Land-Use Code 937)
- “Strip Retail Plaza < 40K” (Land-Use Code 822)
- “High Turnover (Sit-Down) Restaurant” (Land-Use Code 932)

Table 1 shows the weekday morning and weekday evening peak hour traffic trips to be generated by the proposed development.

Table 1
PROJECTED DEVELOPMENT-GENERATED TRAFFIC VOLUMES

ITE Land-Use Code	Type/Size	Weekday Morning Peak Hour			Weekday Evening Peak Hour		
		In	Out	Total	In	Out	Total
937	Coffee Shop with Drive Through (2,252 s.f.)	99	94	193	44	44	88
822	Specialty Retail (3,975 s.f.)	1	2	3	3	3	6
932	High Turnover Restaurant (156 seats)	36	33	69	35	26	61
Sub Total		136	129	265	82	73	155
<i>Pass-By Reduction (40 Percent)</i>		<i>-53</i>	<i>-53</i>	<i>-106</i>	<i>-31</i>	<i>-31</i>	<i>-62</i>
Total New Trips		83	76	159	51	42	93

Note: Although pass- by rates for a coffee shop are 60 percent or higher, a flat 40 percent pass-by rate was applied in order to provide a conservative evaluation

Proposed Development Parking Requirement per Code

Based on the Village of Lombard Code of Ordinances, a banquet facility should provide one parking space per three seats and one space per employee. Based on this, the proposed restaurant/banquet facility should provide a total of 60 parking spaces. In addition, the remainder of the development (assuming strict retail uses and not including the lobby area of the restaurant) should provide three spaces per 1,000 square feet which translates into 19 spaces. This means that the proposed development should provide 79 parking spaces per code. Given the development will be providing 82 parking spaces, the proposed number of parking spaces will meet/exceed the Village's parking requirement.

Institute of Transportation Engineers Parking Rates

For comparison purposes, KLOA, Inc. reviewed survey data published by the Institute of Transportation Engineers (ITE) in the *Parking Generation Manual*, 5th Edition. It is important to note that the *Parking Generation Manual* does not have data for a banquet facility and the data for a quality restaurant is very small, thus cautioning the user on utilizing this data. As such, the data for Land-Use Code 932 (High Turnover Restaurant) using the number of seats as the independent variable was utilized. Table 2 shows the projected parking demand for a weekday and a Saturday.

Table 2

PROJECTED PARKING DEMAND – CREEKSIDE PLAZA

ITE Land-Use Code	Type/Size	Projected Peak Parking Demand	
		Weekday	Saturday
937	Coffee Shop with Drive Through (2,252 s.f.)	11	20
822	Specialty Retail (3,975 s.f.)	11	16
932	High Turnover Restaurant (156 seats)	44	61
Creekside Plaza Total		66	97
Note: ITE provides very little parking data for a High Turnover restaurant that serves breakfast. As such the data utilized is the one for restaurants that do not serve breakfast.			

As can be seen from Table 2 and assuming all of the land uses peak at the same time, it appears that there will not be enough parking on a Saturday. However, it is important to note that all three land uses peak at different times (i.e. the coffee shop peaks in the morning, specialty retail around midday, and the restaurant/banquet facility late in the evening). As such, there will be good synergy between all land uses and the proposed number of parking spaces will be adequate in accommodating the projected peak parking demand of all the land uses within the development.

Proposed Restaurant/Banquet Facility Parking Needs

Based on KLOA, Inc.'s past experience with banquet facilities, the typical vehicle occupancy (on average) is 2.5 people per vehicle and approximately 10 percent of attendees utilize other means of transportation (taxi, Uber, Lyft, etc.). As such, **Table 3** shows the anticipated peak parking demand of the banquet facility based on KLOA, Inc.'s past experience.

Table 3
ESTIMATED PEAK PARKING DEMAND

Attendance/Occupancy	Estimated Parking Demand
156	56

A review of Table 3 indicates that the proposed restaurant/facility will have a peak parking demand very similar to that presented by ITE. As previously indicated, this demand will most likely be experienced late in the evening when the parking demand for the other land uses is very minimal. In order to always ensure that prime parking spaces are available for the patrons of the development, it is recommended that employees of the banquet facility and all other uses within the development always park in the 16 parking spaces located on the south end of the site.

Access Evaluation

The proposed development will have direct access to Roosevelt Road via one full access drive and cross-access to the east with Pep Boys Auto Parts. The proposed access drive will provide one inbound lane and two outbound lanes striped for an exclusive left-turn lane and an exclusive right-turn lane with outbound movements under stop sign control. Roosevelt Road provides two lanes in each direction along the site's frontage separated by a painted median. Given that all access will be off Roosevelt Road with no connection to the south, the proposed banquet facility will not have a negative traffic impact on the residential neighborhood south of the site.

Drive-Through and Internal Circulation Evaluation

The drive-through lane, as proposed, will serve the proposed coffee shop and will have a counterclockwise flow with vehicles traveling east to north on the south and east sides of the building. The current site plan shows that approximately four vehicles can stack from the pick-up window to the ordering board and another four vehicles can stack from the ordering board to the beginning of the drive-through lane for a total stacking of eight vehicles. Based on KLOA, Inc.'s observations in the morning peak hour of a coffee shop in Lombard, the maximum observed queue was five vehicles and the average was three. Additional observations by KLOA, Inc. at other coffee shops have indicated a maximum queue of eight vehicles with an average queue of six vehicles. As such, the stacking capacity provided for this facility will be sufficient to accommodate the peak drive-through demand and the vehicle queues at the drive-through facility.

In the event that queues at the drive-through facility are longer, the additional vehicles can queue internally within the site without impacting Roosevelt Road. It should be noted that the peak demand of the drive-through facility will be early in the morning when the other tenants will most likely be either closed or generating very little traffic. During the afternoon peak when the other potential tenants generate a higher amount of traffic, the proposed coffee shop traffic will be reduced, thus allowing for good synergy between the land uses.

The development as proposed will provide, at a minimum, 24-foot-wide drive aisles within the parking lot, allowing for efficient circulation. Based on a review of the site plan, the southern drive aisle will run parallel with the drive-through lane. In order to control and organize the turning movements that will occur on the southwest corner of the building, it is recommended that a stop bar be painted on the western drive aisle for southbound traffic. This stop bar should be located approximately 12 to 14 feet north of the drive-through lane entrance. Further inspection of the site plan indicates that the east side of the building will have two northbound lanes intersecting the northern east-west drive aisle. One lane will be the exit lane of the drive-through facility while the other lane will be the by-pass lane. This exiting drive from the facility should be narrowed down to one lane in order to control the exit flow and provide a better radius/curvature for vehicles desiring to turn left and exit via the full access drive. The outbound movement should be under stop sign control and a "Do Not Enter" sign should be posted on the exit drive facing north. Exhibit A in the Appendix illustrates the recommended modifications.

Conclusion

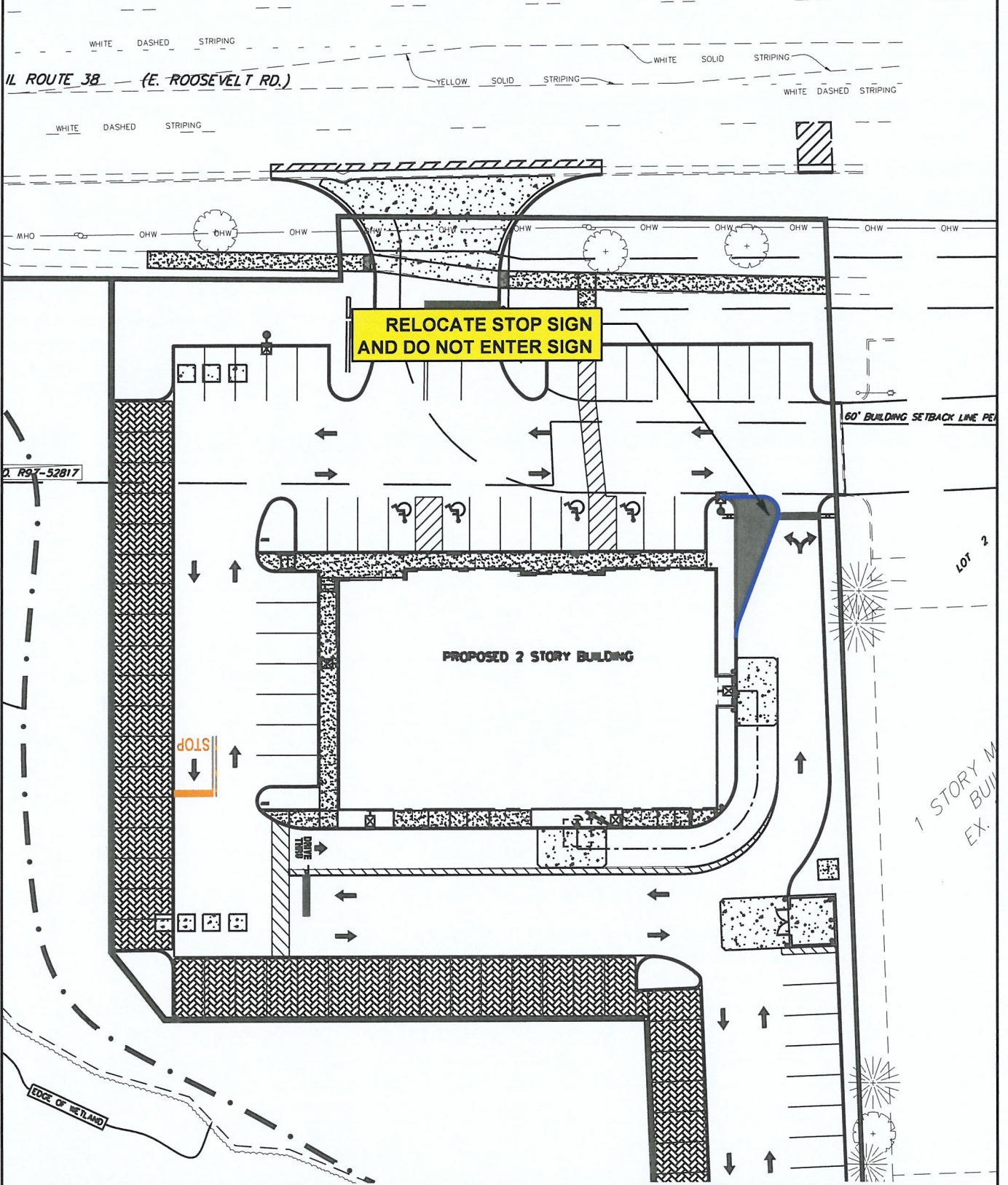
Based on the proposed development plan and the preceding evaluation, the following conclusions and recommendations are made:

- The traffic to be generated by the proposed land uses will not have a significant impact on the surrounding roadway network.
- The proposed number of parking spaces will meet the Village's requirements and will be adequate in accommodating the anticipated peak parking demand.
- The access system as proposed will be adequate in accommodating the future traffic volumes.
- Outbound movements from the access drive should be under stop sign control.
- The proposed on-site circulation will be adequate in accommodating site traffic.
- The proposed stacking of the coffee shop drive-through facility will be adequate in accommodating the peak demand.
- Traffic exiting the drive-through facility should be under stop sign control.
- In order to control and organize the turning movements that will occur on the southwest corner of the building, a stop bar should be painted on the western drive aisle for southbound traffic. This stop bar should be located approximately 12 to 14 feet north of the drive-through lane entrance.
- The two exiting lanes on the east side of the building should be narrowed down to one lane in order to control the exit flow and provide a better radius/curvature for vehicles desiring to turn left and exit via the full access drive.

Appendix



SCALE: 1" = XX'



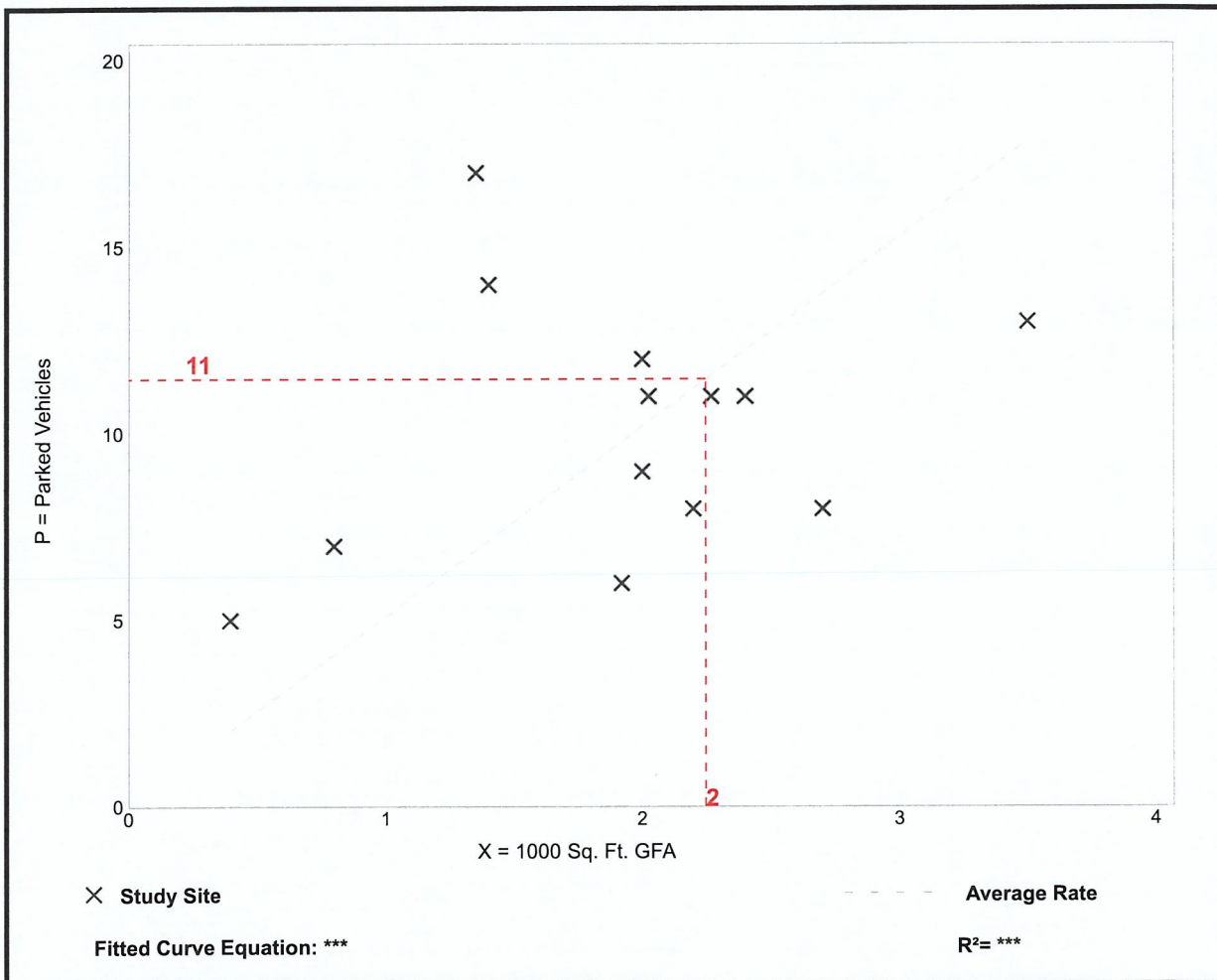
Coffee/Donut Shop with Drive-Through Window (937)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
 On a: Weekday (Monday - Friday)
 Setting/Location: General Urban/Suburban
 Number of Studies: 17
 Avg. 1000 Sq. Ft. GFA: 2.0

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
5.10	2.96 - 12.59	4.45 / 10.75	***	2.44 (48%)

Data Plot and Equation



Strip Retail Plaza (< 40k)

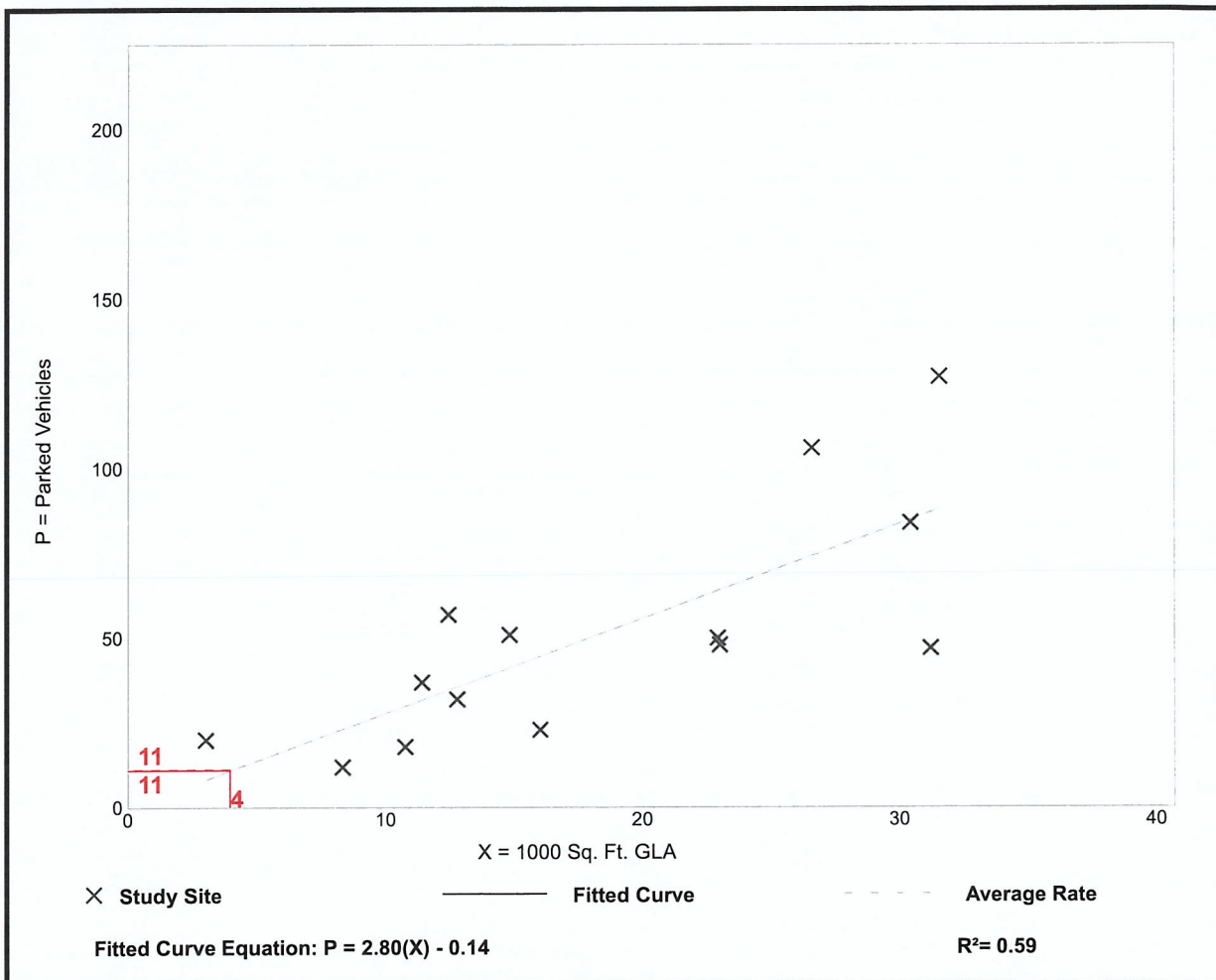
(822)

Peak Period Parking Demand vs: 1000 Sq. Ft. GLA
On a: Weekday (Monday - Thursday)
Setting/Location: General Urban/Suburban
 Number of Studies: 14
 Avg. 1000 Sq. Ft. GLA: 18

Peak Period Parking Demand per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
2.79	1.44 - 6.67	2.07 / 4.44	***	1.14 (41%)

Data Plot and Equation



High-Turnover (Sit Down) Restaurant - Does Not Serve Breakfast (932)

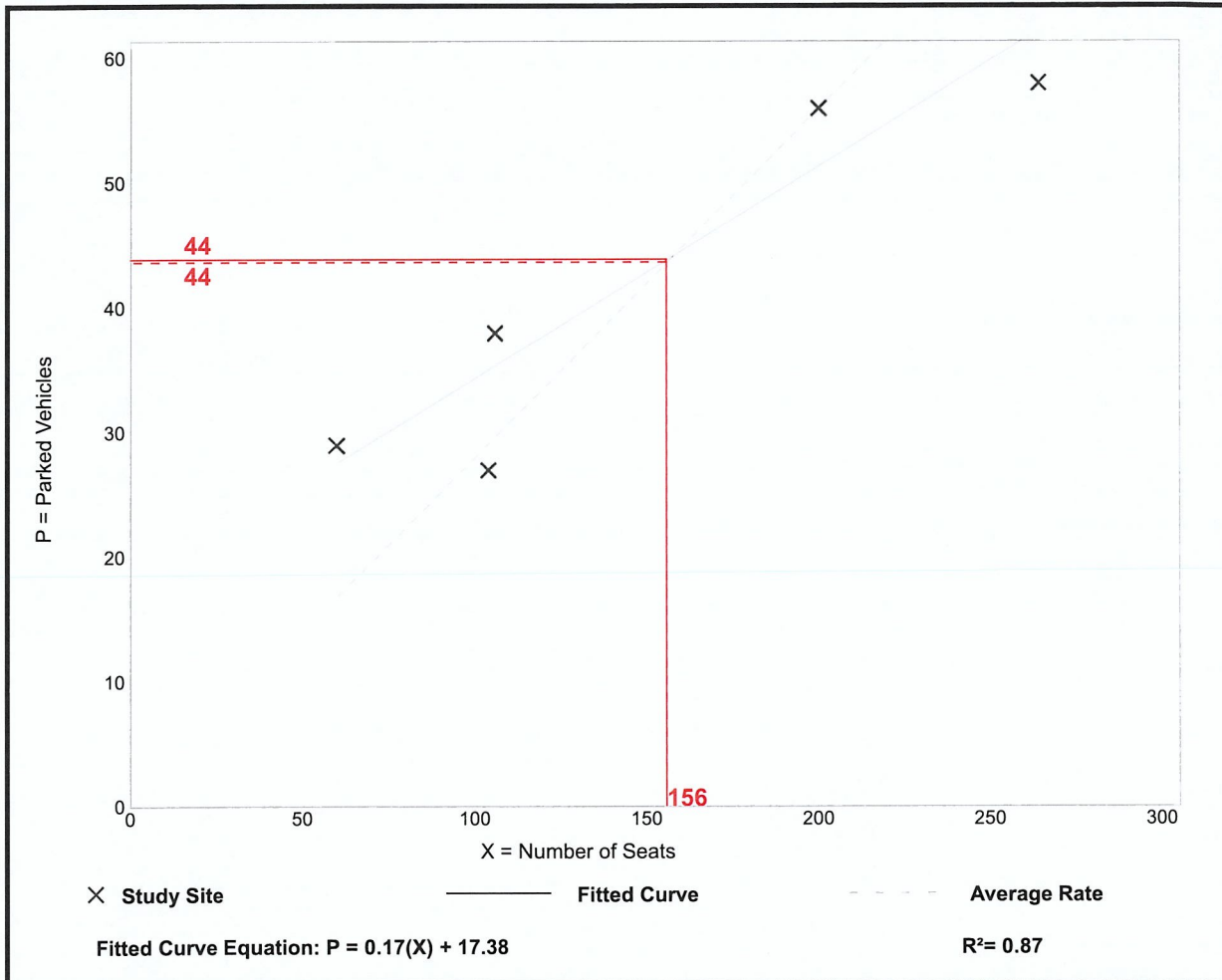
Peak Period Parking Demand vs: Seats
On a: Weekday (Monday - Thursday)
Setting/Location: General Urban/Suburban
 Number of Studies: 5
 Avg. Num. of Seats: 147

Peak Period Parking Demand per Seat

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.28	0.22 - 0.48	0.26 / 0.48	***	0.08 (29%)

Data Plot and Equation

Caution – Small Sample Size



Coffee/Donut Shop with Drive-Through Window (937)

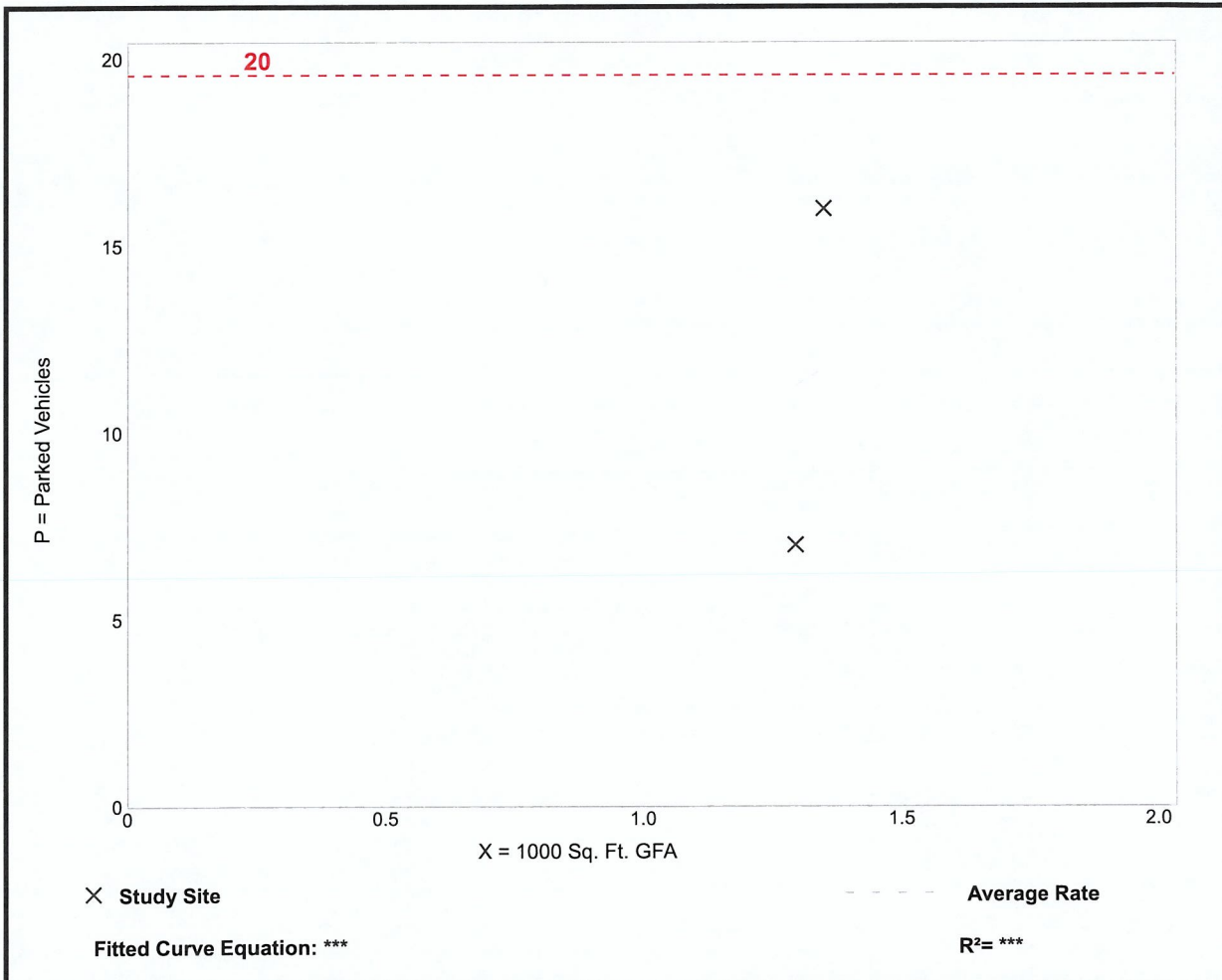
Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
On a: Saturday
Setting/Location: General Urban/Suburban
 Number of Studies: 2
 Avg. 1000 Sq. Ft. GFA: 1.3

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
8.70	5.41 - 11.85	*** / ***	***	***

Data Plot and Equation

Caution – Small Sample Size



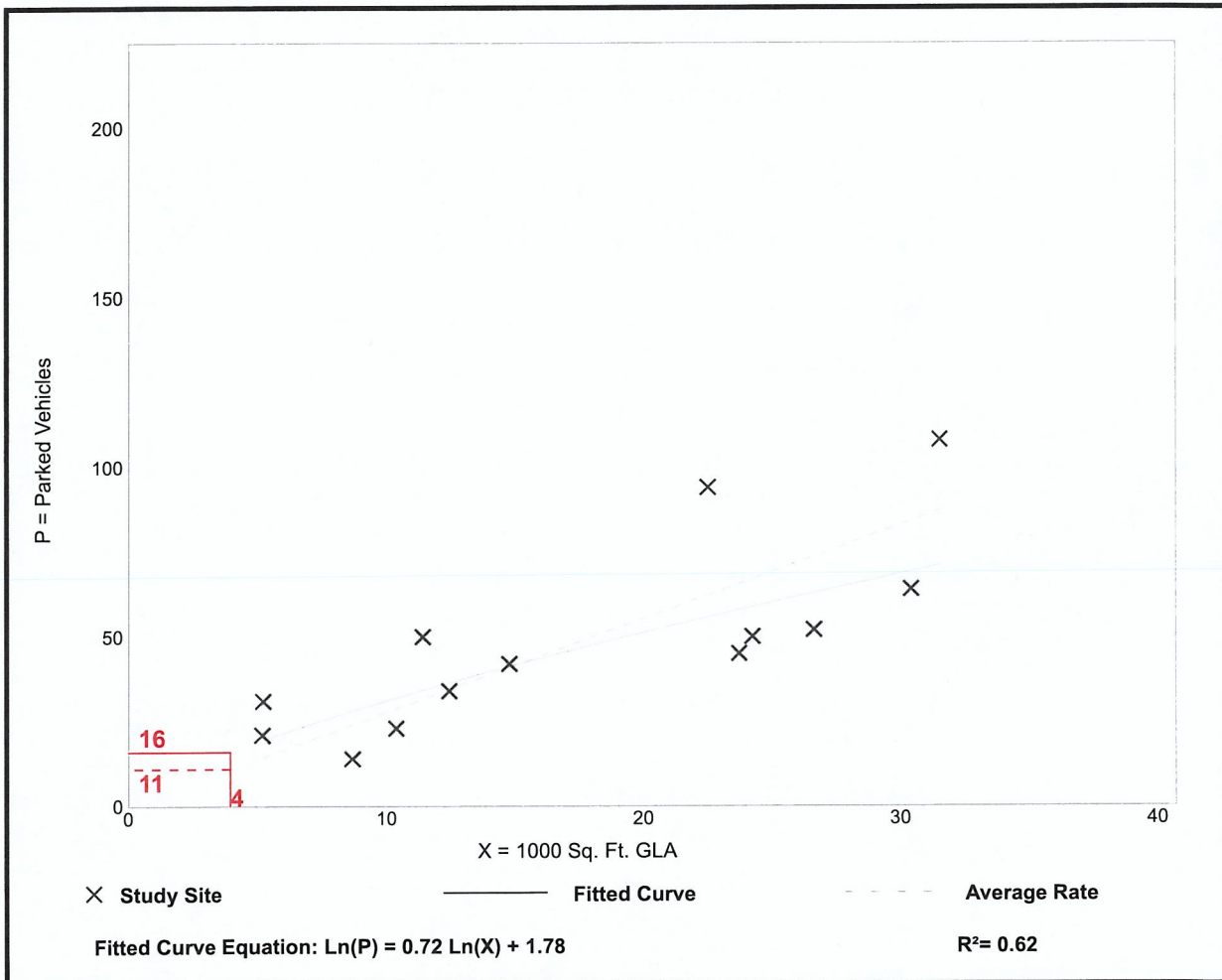
Strip Retail Plaza (< 40k) (822)

Peak Period Parking Demand vs: 1000 Sq. Ft. GLA
On a: Saturday
Setting/Location: General Urban/Suburban
 Number of Studies: 13
 Avg. 1000 Sq. Ft. GLA: 17

Peak Period Parking Demand per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
2.77	1.61 - 5.93	2.09 / 4.36	***	1.03 (37%)

Data Plot and Equation



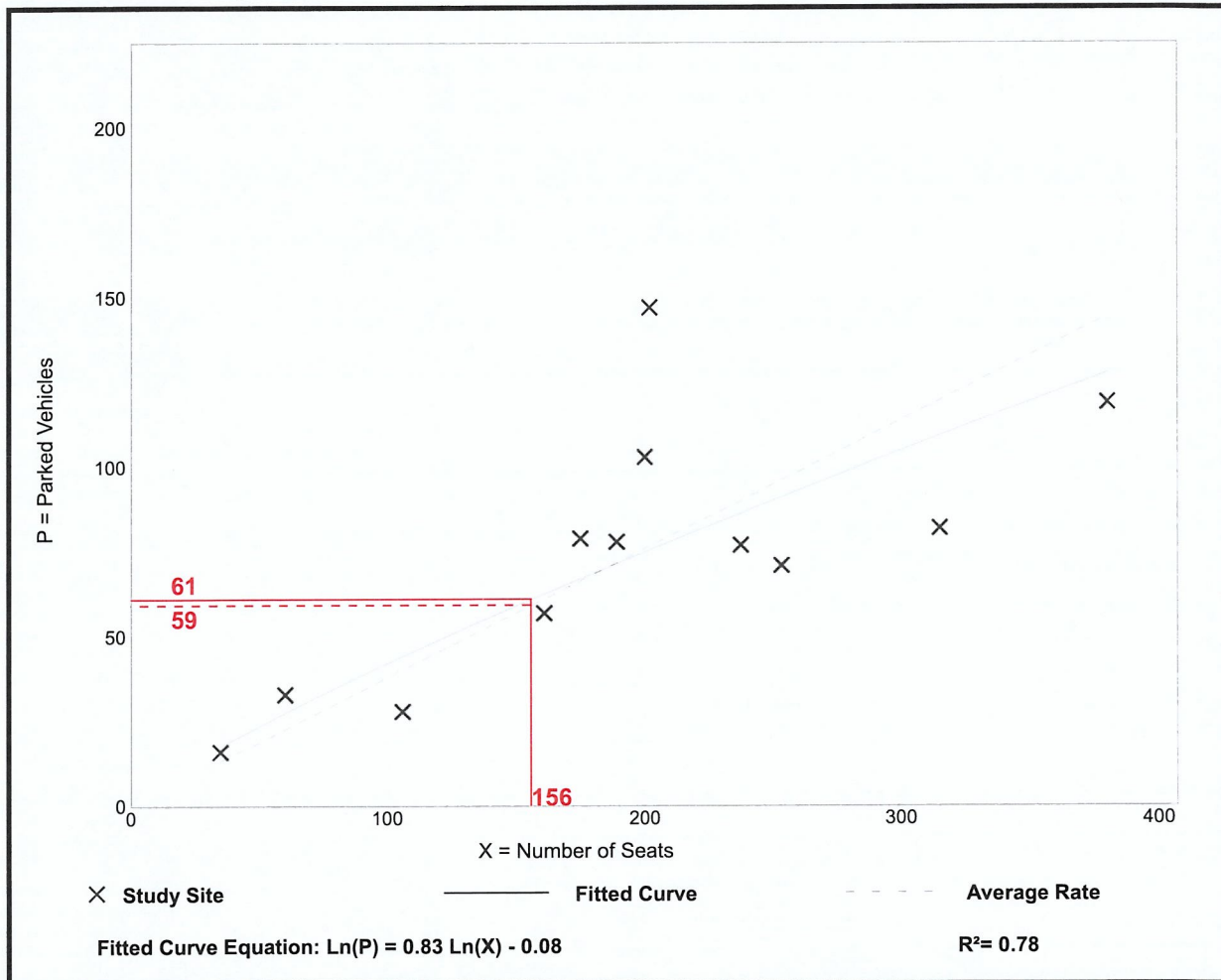
High-Turnover (Sit Down) Restaurant - Does Not Serve Breakfast (932)

Peak Period Parking Demand vs: Seats
On a: Saturday
Setting/Location: General Urban/Suburban
 Number of Studies: 12
 Avg. Num. of Seats: 193

Peak Period Parking Demand per Seat

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.38	0.26 - 0.73	0.32 / 0.56	***	0.14 (37%)

Data Plot and Equation



Anna Papke, AICP
Planning and Zoning Manager
Village of Lombard

May 13, 2024

Dear Anna,

I am unable to attend the meeting on the 14th as my son is being honored at Willowbrook that evening.

I have some concerns about the proposed development at 855 E. Roosevelt. I live at 18W725 13th street, next to the park south of the development (on the south side of the street).

One of my concerns is with the lighting. The parking lot and drive-thru are on the south side and I suspect that there will be bright and intrusive lighting back there. We have great blue herons, egrets, barn owls and great horned owls that nest and use the waterways just south of the development. I would urge you to consider lighting for the development that will not be intrusive to this area. Pep Boys very kindly reduced their lighting footprint after neighbor requests and their impact now is minimal – it can be done! I think a structure that obstructs the parking area on the south might be a good idea, as the lights from all of the cars will also shine into the park and disturb this area. I am not sure that this kind of random light pollution is addressed.

My other concern is with the drive-thru. I would prefer that there not be a drive-thru, as it is a constant of idling cars and noise next to the park. If the drive-thru is approved, I would ask that the hours for the drive-thru be limited to reduce light and noise. There are so many tea and coffee shops on Roosevelt now and many of them have late hours, I expect that this shop will also request to be open late.

Thank you for your consideration,

Melissa Barnett

18W725 13th

Lombard, IL 60148

Daniel Law Office, P.C.

VILLAGE OF LOMBARD
CREEKVIEW PLAZA PROJECT NARRATIVE
Conditional Uses, Variations, Site Plan Review, Subdivision
855 East Roosevelt Road, Lombard, Illinois, 60148 (PIN 06-21-100-013)

On July 22, 2022, under Ordinance No. 8077 (PC-22-05), the Village approved a freestanding restaurant and banquet facility named Usmania Prime. Unfortunate delays in getting to approval due to COVID and addressing neighbor objections left the owner in a delayed position from which it never could recover. SAFA PROPERTY LLC (“Applicant”) was unable to solve much higher interest rates and skyrocketing construction costs. Earlier in 2024, Applicant informed the Village that its lender’s terms for the construction of the standalone restaurant were too burdensome. Shortly afterwards, Applicant prepared the modified plan that is now part of this application. So as not to waste development permit and title work for Usmania Prime at 855 East Roosevelt Road¹ (the “Subject Property”), Applicant decided to build a smaller multi-tenant building with a second-floor operation for restaurant (primarily breakfast and lunch) and banquet (primarily evenings) services. The second-floor use is planned to operate as either a restaurant or a banquet and do so without relief as to use, bulk or parking. The first floor will host retail, service and restaurant uses (one with a standard drive-through facility).

Applicant provides an Itemization of Relief setting forth the relief provided in Ordinance No. 8077 that will continue, identifying new relief, and listing the forms of relief to be canceled. The site plan substantially continues the form of the prior site plan. Lastly, Applicant submits a proposed plat of subdivision that will be reviewed by the Illinois Department of Transportation to release the west access restriction at Roosevelt Road (IDOT previously approved the plat for the larger Usmania Prime operation).

The building will be oriented toward Roosevelt Road and plans for rooftop dining have been eliminated. The building will also be shorter in feet and stories. Two short-berth loading spaces exist in a loading area on the east side of the building, but it is five (5) feet from the lot line. The drive-through serving the east first-floor unit has sufficient stacking in a standard design. Some lighting variations remain necessary along the east lot line (due to the reciprocal access route and the proximity of Pep Boys’ building). The Landscape Plan reflects that Applicant maintains its prior commitment for landscaping beyond the parking lot and improved landscaping within the parking lot.

¹ The Subject Property has occasionally been known as 849 East Roosevelt. Even after the entitlement process, there were still several references to 849 East Roosevelt, including in the updated title insurance policy provided with the application. Applicant and the Village determined the application should proceed under the Village-assigned GIS address of 855 E. Roosevelt Road rather than the title policy address of 849 E. Roosevelt Road. The County GIS places 855 East Roosevelt Road slightly east of the Subject Property. The Subject Property is the vacant land directly west of Pep Boys.

Site Planning and Operations

Applicant is not yet at liberty to discuss the tenants on the Subject Property, but the second-floor use and the two first-floor restaurant locations are essentially locked in. More information on these will be provided soon. The building is being reduced from three floors with a cellar (below grade) to two floors without a cellar. The building will be oriented north and there will be no rooftop operations or outdoor sales and display activities. Uplighting from grade elevation will not be necessary.

The west ground floor entry will be the lobby for the second-floor restaurant and banquet use and stair and elevator access will be available. The dining area for restaurant purposes will offer 2,330 square feet. Banquet seating amounts to 156 persons with a standard peak shift of six (6), but eight (8) were utilized for parking calculations in order to remain conservative. Ordinance No. 8077 contemplated ten (10) banquet employees in 2,500-plus square feet of shared kitchen and preparation areas—double the size of the proposed second-floor kitchen.

The first floor offers commercial space for at least two restaurants. The larger east endcap will have a drive-through facility and offer approximately 1,000 square feet for dining. The unit directly west will offer about half the dining area of its neighbor. The retail spaces offer 1,030-1,052 square feet of chargeable retail or service floor area.

Applicant will add a second full access driveway to the site (in addition to the existing east access to Pep Boys). The same cross-access drive that Lombard approved decades ago will allow for dispersal of vehicular traffic from both sides of the building at either driveway. Applicant still respects the large special management area and it has done quite a bit of work to clean this area on a semi-monthly basis. Landscaping relief similar to what has already been approved remains necessary.

The loading area remains tucked behind the east side of the building. Applicant places the waste enclosure near the building rather than at the south end of the drive aisle where it would be closer to the neighbors. Loading occurs during non-peak hours, typically before the restaurants open. Waste operations will typically occur in the early morning, again before the businesses on site open. No loading zone is required.

Due to the special management area, the parking fields will have no impact on residential uses to the south. The nearest paved area is more than 37 feet north of the residential boundary, with most of the parking and drive aisles over 110 feet away. The southern spaces are aligned towards the adjacent retail and automotive use. The south end of the drive aisle includes the same substantial landscaping required by the Village in Ordinance No. 8077.

The photometric plan reflects that lighting will comply with Lombard requirements. The only concerns arise in relation to (a) lighting for the shared access aisle near the east lot line north of the building and (b) lighting in an area of the lot line east of the parking area that will

feature landscape screening that will necessarily minimize the impact of lighting needed for safety between the parking lot and the Pep Boys building. Lighting of the cross access will exceed allowable intensity and lighting will also be cast in the direction of the access aisle where it crosses the lot line.

Landscaping planning and site planning for natural areas remains complex, but there is no change to this element since the adoption of Ordinance No. 8077. Applicant continues with similar landscape plans for the special management area south and west of retaining walls along the boundary of the wetland and floodplain area. No change is proposed for the natural wetland area west and southwest of this retaining wall.

A system of permeable pavers and underground oversized pipes will contribute to the required retention volume and the development will comply with post-construction best management practices. Applicant has participated in several communications and meetings with Village and DuPage County staff concerning site planning and compliance with the DuPage County Countywide Stormwater and Floodplain Ordinance. Applicant's civil engineering and landscape design team believes the slight adjustments to the plan over the past few months merit support from the same Village and County regulatory officials who substantially approved work to improve the special management area for the project approved in 2022.

About the Subject Property

The Subject Property is the subject of Ordinance No. 8077 and various County and Village permitting efforts. It has never been developed. Located in Lombard's B4A Roosevelt Road Corridor District, the Subject Property is comprised of 2.45 acres. The Subject Property includes Sugar Creek which developed following decades of farming and a subsequent lack of maintenance and repair of tiles. With development in the surrounding area, the creek formed in the 1960's and 1970's and was redirected during the construction of Illinois Route 38. Sugar Creek flowed into and through the residential development to the south, but between 1987 and 1993 conditions changed and a pond took hold south of the Subject Property. Sugar Creek, the related wetland, floodway and flood plain impact roughly 1.2 acres (half of the Subject Property). The impacted 1.2-acre area has hundreds of trees and substantial undergrowth, most of which will not be disturbed during development. Applicant has maintained this area through site maintenance activities and removal of materials that were not embedded in soils (as permitted by DuPage County). Applicant is close to having permits to initiate mass grading and other work that will improve the area and prepare the rest of the site for development.

The Subject Property was part of the Christofaro & Difebo Subdivision, the plat of which was recorded as R1997-052817. The plat includes a shared access route between the existing Pep Boys driveway and the planned driveway for the project. Applicant is not changing the location of the access easement. There is no known easement for shared or cooperative parking. There is a platted 60-foot building setback line. The public sidewalk along the south line of Roosevelt Road at the west edge of the Subject Property extends east across the Subject Property and Pep

Boys, transitioning into a public sidewalk easement just west of the proposed driveway. In addition to ordinary easements, a clear sight easement applies on each side of the planned driveway. Applicant believes its planning exceeds the demands of the clear sight easement.

The Subject Property is nearly 1,000 feet west of Westmore-Meyers Avenue and 500 feet east of a stoplight just west of Century Tile to the west. The state jurisdiction highway offers two through lanes at a 35 m.p.h. speed limit and a central left turn lane. The driveway serving the Subject Property will not conflict with the driveway for the self-storage use to the north.

Surrounding Zoning and Land Use

Ordinance No. 8077 remains consistent with area planning. The Subject Property is in Lombard's B4A Roosevelt Road Corridor zoning district. With few exceptions, the B4A district stretches along both sides of Roosevelt Road/Illinois Route 38 from east to west. Throughout the zoning district, lots vary substantially in shape, dimension and depth and, thus, in capacity for development. The Subject Property abuts B4A zoning and use to its north, east and west (with the exception of a 68-foot southerly portion of the west lot line). South of the Subject Property lies a 100-acre unincorporated R-3 detached single family residential zoning district.

The closest incorporated residential area is the R1 zoning district north of the several lots on the north frontage of Roosevelt Road. Far to the northwest is one of the Village's R2 zoning districts. The Village's R0 zoning classification applies to properties well east of the Subject Property along the west side of School Street past the former Township Highway Department garage. East of this R0 district lies a collection of unincorporated parcels that have occasionally been the subject of annexation and redevelopment interest. Some land east of School Street is in the Village.

Ordinance No. 8077 and related efforts brought development of the subdivision closer to its intended use. Ordinances Nos. 3961, 4120, 4185, and 4233 approved a conditional use for Pep Boys (851 E. Roosevelt), an automobile service facility accessory to retail sales of automobile parts and accessories. Within the same subdivision approved in 1997, the eastern lot was more capable of hosting a substantial commercial use. Pep Boys shares an access drive, so it is worth noting that the peak hours for trip generation are substantially different for Pep Boys (8 AM) than the Subject Property (midday and evenings, 7:00 PM or later). The customer entrance to Pep Boys is situated on the north elevation while the east elevation contains 11 service garages. A loading zone occupies a lane south of the Pep Boys building and there is no access along the east wall of Pep Boys. There is no practical potential of additional interconnection with the Subject Property unless the Pep Boys site redevelops. Prior to adoption of Ordinance No. 8077, there was some discussion of customer-friendly towing practices involving parking along Roosevelt Road, and there remains no reason to believe that the occasional use of these spaces by someone unaware of the location of the lot line will be disruptive to the businesses on either side of the lot line.

Since the approval of Ordinance No. 8077, the site North of the Subject Property (at 880 E. Roosevelt) developed into an operating self-storage facility. The driveway entrance for this use is roughly 70 feet west of the driveway at the Subject Property. Since the development of the self-storage facility, there was improvement to the flow from the wetland and creek to the north, but more maintenance has been required as a result of uncontrolled trash and fallen branches. The peak hours of the storage facility precede those that will prevail for Creekview Plaza.

Applicant does not need to explore off-site parking at 801-849 E. Roosevelt. Creekview Plaza will have more than sufficient parking from code perspective and from a practical perspective. To the west of the adjacent shopping center is the 1.1-acre Century Tile site (747 E. Roosevelt, which faces access, parking and wetland challenges and may eventually depend on the adjacent center for its redevelopment).

Smaller commercial establishments line the north and south Roosevelt Road frontages east of the Subject Property to Westmore-Meyers Avenue. Northwest of the Subject Property there is a mix of fast food restaurant, retail, auto service, fitness and recreation, office and brewery use. West along Roosevelt Road, there are small and large commercial developments. Most recent development and redevelopment has occurred well west of the Subject Property.

The few homes that are near the Subject Property are more than 300 feet from the proposed building. A billboard and small strip center (tobacco, beauty, small grocer and fast carry-out) lie between the Subject Property and the closest residence to the north (1156 S. Ahrens). The unincorporated DuPage County territory south of the Subject Property was mostly developed by the mid-1970's. Homes in the area continue to be well-maintained for single-family residential use. Sugar Creek (which flows across the Subject Property from the south) begins well south of the Subject Property and flows into a pond that is part of a 3.11 acre open space called Co-op Community Park (operated by the York Center Park District). The north extension of Co-op Community Park splits two large single family residential uses that have existed since 1931 (18W780 13th, west) and at least 1956 (east, 18W740 13th). None of the residential areas face a risk of cut-through traffic due to the nearby road planning and as a result of the project's lack of connection with areas to the south.

APPLICANT'S REQUESTS MERIT APPROVAL

Section 155.417(G)(1)(a)(xl) identifies restaurants as permitted uses, but the character of the second-floor restaurant and the drive-through for the east restaurant on the first floor require conditional use and site plan approval. Applicant addresses the merits of each request below.

The Conditional Use for Entertainment and Dancing (Second Floor) Warrants Continuation

Section 155.417(G)(2)(a)(vii) authorizes a conditional use permit for "Restaurants, including entertainment, dancing, and/or amusement devices when conducted as part of the restaurant operations and secondary to the principal use." Applicant proposes a restaurant with

entertainment and dancing. Ordinance No. 8077 authorized live music, broadcast music, dancing of patrons, and performance dancing on the second floor. Typically, entertainment and dance activities have a cultural or an event element to them. The entertainment and dance activities are customarily associated with banquet-style events. Applicant does not seek approval of rooftop or outdoor use.

The conditional use for entertainment and dancing meets the standards of Section 155.103(F) of the Zoning Ordinance. The entertainment and dancing will occur indoors, will be of a style that is traditional for a restaurant and banquet operation and is fully respectful of all Village ordinances. The dancing or live/broadcast music will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare since it occurs typically on a limited basis in a cultural or planned even setting and the dancing and entertainment will not be visible or audible outside the building. Ordinance No. 8077 was not conditioned on liquor licensing, but Applicant and its tenants will comply with the Village's codes in this respect. There will be no impact on uses already permitted and the use will not substantially diminish or impair property values nearby. Dancing and live entertainment on the interior of the restaurant will not obstruct or prevent the maintenance, repair or improvement of properties in the area for uses that are authorized within the B4A or any other zoning district.

There are adequate public utilities, access roads, drainage and other facilities available to serve the development. Applicant is pursuing the long-planned ingress and egress that has been platted so as to minimize traffic congestion in the public streets. The dancing and entertainment is a part of the development of a restaurant that offers real estate tax and high sales tax expectancy (one of the objectives of planning in and along the B4A Roosevelt Road Corridor). Preserving natural areas and adding to the cultural depth of experience available in the Village are two elements of this project that are consistent with the Comprehensive Plan.

The Conditional Use for Drive-Through Facilities (First Floor) Merits Approval

The establishment, maintenance, or operation of the drive-through facility will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare. The drive-through facility is twelve (12) feet wide and offers eight (8) stacking spaces in the standard counter-clockwise design. The distance from point of order (90 feet to the pick-up window) approaches that of national drive-through facility operators such as Starbucks. Menu board signs will be placed along the rear of the building at points that are 170-175 feet north of the south lot line and hundreds of feet from single-family homes. The planned loading area east of the drive-through will be unutilized most of the time and this will serve as a bypass lane and second drive lane to the shared access aisle. The establishment, maintenance, or operation of the drive-through facility will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare. The use is planned for an automotive use-oriented corridor. Stop bars, directional signs and other improvements are provided.

The drive-through facility will not be injurious to the use or enjoyment of property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located. The lane alignment will have vehicle headlights directed either to the east wall of Pep Boys or to Roosevelt Road. Sound will not be audible at the south lot line as a result of the significant distance of homes from the ordering area and the location of the audio devices in relation to vehicles. Orientations similar to the proposed drive-through have succeeded in the Roosevelt Road corridor and they have actually added value to adjacent retail uses due to increased visibility. The Village conducts its own traffic analysis, but Applicant is confident that the design of the drive-through will internalize any effects—all of which are appropriately planned within the development.

The drive-through will not impede normal redevelopment of Pep Boys or any change in use by Pep Boys of its existing principal building. Pep Boys is oriented to heavy automotive use and this will continue. The planned use of the shared access will not change or suffer overburdening as a result of the drive through. There will be no impact on the redevelopment and improvement of any other surrounding property for uses permitted in nearby districts since the design internalizes the drive-through facility.

The drive-through will benefit from adequate public utilities, access roads, drainage and/or other necessary facilities that have been or will be provided. The plans reflect sufficient road access and drainage planning. The drive-through lies within the former active footprint of Usmania Prime. Utilities for all purposes are accessible from or adjacent to the Subject Property.

In planning the drive-through, adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Well in excess of half of the parking on site is accessible without having to pass the entrance or exit to the drive-through. Additionally, it is standard for employees to park in more remote parking spaces to the south. The drive-through offers a minimum of eight stacking spaces with the three before the window adjacent to a voluntary loading area that will see limited use. Adequate controls exist at the entrance to and exit from the drive-through. Existing vehicles may disburse directly to the east or west along the shared access. Applicant believes that IDOT will allow exiting traffic to disburse from these exits in either direction.

The 2014 Comprehensive Plan supports approval of the drive-through and the use is not contrary to the Plan's objectives. The Subject Property lies in a large corridor of Community Commercial land planning, both historically and under the 2014 Plan. None of the drive-throughs existing in this corridor depart from the character of the corridor which recognizes that it is heavily oriented to automotive use while accessing goods and services. The drive-through facility at this location will maximize land use opportunities along the Roosevelt Road corridor (Plan, 41) in an area where drive-through efficiency is comparatively lacking. Although the location is not one that a Starbucks would consider ideal under its site selection standards, there are several tenants that can benefit from drive-through use at the site. The use is planned for a restaurant use which will add to Village revenues. The use will also offer a significant privately-

owned facility that offers public convenience. The development generally meets with Lombard's planning objectives for access controls by continuing with evaluation and re-evaluation of access controls along Roosevelt Road. (Plan, 48-49) In this instance, it is anticipated that the Village and IDOT will continue to agree that the left-out access prohibition can be avoided. The drive-through is not situated near a current or planned bikeway. (Plan, 51)

Although not relevant to the standards under the Zoning Ordinance, the Comprehensive Plan does call for cooperative and collaborative planning in the public and private sectors. (Plan, 55-56) It is noteworthy that Village administration and planning staff recognized the issues faced by Applicant in its efforts to finance construction. In addition to providing possible alternatives to avoid the circumstance at issue, staff continued to sell the Village as a great place to do business and to indicate that they were available to timely respond to the changed circumstances. Obviously, all discussions are subject to zoning review and approval, but it is important to note that the sole reason for the return to the zoning process relates to the drive-through facility conditional use (the relief related to a voluntary loading zone is not required relief, but is identified since there can be future changes in demand or amendments).

The drive-through conditional use conforms to the applicable regulations of the B4A district and the design intent of the plans approved in Ordinance No. 8077. The drive-through does not impose any additional or unplanned burden on any surrounding owner.

Conditional Uses Subject to Cancellation

Ordinance No. 8077 authorized a building with a height of more than 40 feet under Section 155.417(G)(6). With the change in plans, this conditional use for a taller building is no longer necessary. The building will clearly meet the maximum allowed height and there is no concern related to height adjustments during structural engineering review upon permitting.

Ordinance No. 8077 also authorized a conditional use permit for outside display and sales of products the sale of which is a permitted or conditional use in this district under Section 155.417(G)(2)(a)(v). The planned rooftop display and sales and occasional outdoor activities and bazaars are no longer planned. This conditional use is no longer necessary.

The Variations Sought Align with the Intent of the Zoning Ordinance

None of the variations are prohibited under Section 155.103(C)(8). Portions of the relief requested are within the scope of authority reposed in staff, but Applicant raises them in the context of variations in order to allow for full site plan review. Lombard is a home rule municipality, but the handling of the constitutional relief valve known as a zoning variation is governed by the same rule as all municipal variances: consider particular hardship and practical difficulty. While the Zoning Ordinance mentions only particular hardship (and the discussion below proceeds as guided by the code), Applicant notes practical difficulty as well.

Applicant No Longer Requires a Parking Variation

Creekside Plaza provides more parking than required under the Zoning Ordinance. Further, since the uses are not all peaking at the same time, Applicant is confident that the market demand for parking appropriately settles in at what is required under the Zoning Ordinance. First, one of the draws to a unit at the plaza will be the restaurant uses or the restaurant and banquet use. Second, it is highly likely that one of the middle units will be a retail space that benefits from traffic to the restaurant and banquet uses (i.e., single trip generation for two stops). Third, the peak demand for parking between all uses on site will ebb and flow from daytime into evening, such that the peak demand for the second floor use as a banquet will arise after the peak demand for the other uses on site.

Applicant Meets Standards in Relation to the Loading Design Variation

Applicant desires a loading area at the location proposed even though one is not required and Applicant can load from inside a drive aisle. Due to the particular physical surroundings of the Subject Property, the shape of the developable portion of the Subject Property and the topographical conditions of the west 1.2 acres of the Subject Property, loading is best planned for the area east of the building (as it was approved in Ordinance No. 8077). The yard adjacent to the voluntary loading area is five feet less than required, but this relief impacts only the area between the plaza and the Pep Boys building. It would be impractical to force a shift in the building or a reduction in area in order to accomplish the setback of not only a voluntary loading area but one situated directly adjacent to the large, substantially unscreened Pep Boys building.

Applicant Still Meets Lombards Standards in Relation to the Lighting Variation

Uplighting for the rickshaws and certain trees is no longer needed, but Applicant is still required to properly light the east yard and the shared access. The lot line and access easement configuration are unique since similar shared access aisles do not similarly serve adjoining or nearby large parcel uses or large restaurant and banquet operations (including in the B4A zoning district). The purpose of the variation is not based primarily upon a desire to increase financial gain. The lighting of the access drive arose independent of Applicant during the 1990's development approvals and as a result of local prerogatives pursuing the objective of shared access along a major arterial route controlled by IDOT. Planned for longer than 30 years, shared access lighting does not alter the essential character of the neighborhood. There is no change in the area as a result of the lighting variation. The lighting variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood. The lighting of the access and the landscaped east yard next to the Pep Boys building has no effect beyond the immediate location of the lighting.

Applicant Meets Lombards Standards in Relation to the Landscaping Variations

There has been no material change to the approved landscaping scheme. The building is smaller and there are fewer parking rows. Applicant's principal landscaping relief arises in relation to foundation landscaping. Applicant is preserving the creek, wetland and floodway area and providing all necessary parking lot and transitional screening. Relief from the landscape regulations in Article XI is often something staff is able to determine; the foundation landscaping can be waived by the Director of Community Development. (Sec. 155.708(A)) In this instance, Applicant requires continuous sidewalk access and drive-through access around the perimeter of the building. Applicant still more than makes up for the lack of foundation landscaping by preserving 1.2 acres of natural area as was found beneficial under Ordinance No. 8077.

Hardship again arises from the existence of Sugar Creek and the wetland and floodway. As in 2021 and 2022, if Applicant were now to include ten feet of foundation landscaping on the north and west elevations and any foundation landscaping on the south side of the building, Applicant would be compelled to shift improvements east and south further into the special management area. At this time, Applicant, Lombard staff and DuPage County staff understand that planning as much as possible to avoid impact on the natural amenity is an important part of the project and foundation landscaping is lower on the list of priorities when compared to protection of a natural area that has relatedness to natural areas north of and well to the south of the Subject Property.

As noted elsewhere in this narrative, the conditions upon which an application for a variation is based are unique to the Subject Property and not generally applicable to other property within the same zoning classification (including the much larger parcel over which Sugar Creek's directional flow changed over the decades that Sugar Creek came to exist on the Subject Property). The foundation landscaping adjustment is not based primarily upon a desire to increase financial gain inasmuch as Applicant has done more than needed to meet the Zoning Ordinance elsewhere. Applicant and its predecessors had no role in the course of Sugar Creek and the resulting wetland and floodway. The landscape variation(s) related to foundation landscaping and any other landscaping will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located since there is a more than sufficient landscape screen around the Subject Property, including around the parking lot and in and on the perimeter of the special management area. Most operations in the B4A district, particularly in this area, lack a ten-foot foundation landscaping strip and a five-foot strip as well as the omission of the strip by emergency egress doors will cause no change to the essential character of the neighborhood. The landscaping plan is full and well-planned. The Subject Property will be well-landscaped despite any slight departures from Article XI and the relief from Article XI will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood. The

landscape plan preserves the required effort to plant trees desired by neighbors if consistent with County and Village planting schemes in the area south and east of the parking lot.

The Village Should Approve the Site Plan

The site planning for the project will add to the community. The proposal conforms to the Zoning Ordinance in every material respect while avoiding impact on the 1.2-acre natural area. Applicant's change in use did not lead to a change in the protection of the natural area. The project is compatible with the surrounding area, respects neighbors and provides for proper special area management. Applicants' plans conform to the plat and related restrictions from 1997 and meet the prerogatives of the Village's subdivision and development ordinances. The site plan should still allow for release of the access restriction at the west end of the shared access. The depth of engineering work to date (the project is at the full permitting drawing phase) indicates that there is no known circumstance that prevents the project from being developed. The project will meet the Village's civil engineering expectations. As noted above, the development of this site for the use proposed will not impose upon existing or planned vehicular or pedestrian routes. The plan preserves intended off-site views while the landscape plan and building elevations show that on-site views will be attractive even though there is no planned exterior use and the building is not oriented to the north. Applicant has placed the building and improvements north and east, away from the floodway and the building is planned for the topographic elevation that most approximates the elevation of the Pep Boys parcel to the east. There are no known unsuitable soils. Although Usmania Prime could not operate from the site as planned, the multi-tenant use still includes a restaurant and banquet operation that will add to the social fabric of the Village and of DuPage County. Applicant has minimized any adverse environmental impact and minimized present and future costs to the Village and private providers in providing utilities to the site.

Applicant's Plat of Subdivision

Applicant has been working with the Village, IDOT and Pep Boys in order to amend the last plat to eliminate the access restriction at the west end of the shared access route. The conclusion of development planned when the Village approved Ordinance No. 8077 and the ability of this project to fit well within the envelope created in Ordinance No. 8077 support the release of this access restriction. IDOT and the Village prefer the approval of a new plat to adjust the access restriction. The proposed plat does nothing to alter the lot lines or other obligations within the existing plat.

CONCLUSION

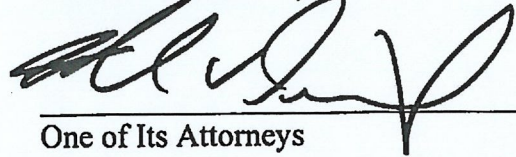
Thank you for your consideration. Applicant intends to get to work on site improvements as soon as practicable. To the extent that any improvements are in progress at or before the time of the zoning process, please note that Applicant pursued these improvements under allowable permits and authorizations with no promise that it would receive a drive-through conditional use.

Still, however, the drive-through conditional use at this location is strongly merited. Amid this request for a new conditional use, Applicant has reduced the relief to that which is necessary and it has avoided changes that would implicate planning for neighbors during the last zoning process.

Staff and interested neighbors are welcome to reach me by telephone in the office, by cell at (312) 927-0177 or by electronic mail.

Respectfully submitted,

SAFA PROPERTY, LLC

A handwritten signature in black ink, appearing to be 'Mark W. Daniel', written over a horizontal line. The signature is stylized and cursive.

One of Its Attorneys

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