

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

717 E. BUTTERFIELD ROAD

October 16, 2023

Title

PC 23-21

Petitioner

HR Green Development LLC
1391 Corporate Dr., Suite 203
McHenry, IL 60050

Property Owner

Chick-fil-A, Inc.
5200 Buffington Rd.
Atlanta, GA 30349-2998

Property Location

717 E. Butterfield Rd.
PIN: 06-29-201-010

Zoning

OPD – Office District Planned
Development

Existing Land Use

Drive-through restaurant

Comprehensive Plan

Mixed Use Commercial and Office

Approval Sought

Amend a planned development to modify a use exception for a drive-through restaurant and approve a deviation for a setback on a freestanding canopy on the subject property located within the Office District Planned Development

Prepared By

Anna Papke, AICP
Senior Planner



LOCATION MAP

PROJECT DESCRIPTION

The subject property is improved with a Chick-fil-A drive-through restaurant. The petitioner proposes to modify the existing drive-through lanes to create two full-width drive-through lanes along the east, north and west sides of the building. The restaurant currently has two drive-through lanes with an order point in each lane. The modifications will widen the two lanes to accommodate restaurant operations in the drive-through. The entry and exit from the drive-through will remain a single lane.

Freestanding canopies are proposed at the order point on the east side of the building and the pick-up point on the west side of the building. The canopy on the east side of the building requires a deviation from the required setback. This canopy also encroaches into a ComEd easement. The petitioner has provided a letter from ComEd stating the company has no objection to this encroachment.

The subject property is located in the Homestead Village Planned Development. The petitioner is requesting an amendment to the planned development to modify the previously granted use exception that allowed the drive-through restaurant on the property, as well as a deviation for the reduced setback for the canopy on the east side of the building.

PROJECT STATS

Lot & Bulk

Parcel Size: 55,365 SF

Building Size: 5,448 SF

Submittals

1. Petition for a public hearing, dated 9/15/23;
2. Response to Standards, prepared by the petitioner, dated 9/11/23;
3. ALTA Survey, prepared by HR Green, dated 4/1/22;
4. Site plan and simplified site plan, prepared by HR Green, dated 9/27/23;
5. Landscape plan, prepared by HR Green, dated 9/27/23;
6. Building elevations, prepared by Interplan, dated 9/8/23; and
7. Letter from ComEd regarding easement encroachment, dated 10/2/23.

APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following action on the subject property located within the OPD Office District Planned Development (Homestead Village Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Homestead Village Planned Development, as established by Ordinance No. 4497, and amended by Ordinance Nos. 6616 and 6672, to approve the following:
 - a. A modification to the use exception for a drive-through restaurant, established by Ordinance No. 6616 and amended by Ordinance No. 6672; and
 - b. A deviation from Section 155.210(C)(2)(a) of the Lombard Zoning Ordinance to allow a freestanding canopy with a setback of eight (8) feet from the east property line, where a minimum setback of ten (10) feet is required.

EXISTING CONDITIONS

The subject property is developed with a drive-through restaurant and associated surface parking lot.

INTER-DEPARTMENTAL REVIEW

Building Division:

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

Fire Department:

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

Private Engineering Services:

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

Public Works:

The Department of Public Works has no comment 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	B3PD and O	Stormwater pond and office building
South	OPD	Parking and stormwater pond
East	O	Restaurant
West	OPD	Embassy Suites hotel

The subject property is located along the Butterfield Road corridor in an area developed with a mixture of office and commercial land uses. The existing drive-through restaurant has been in operation for over 10 years. The proposed modifications to the drive-through are compatible with surrounding uses.

2. Comprehensive Plan Compatibility

The Comprehensive Plan recommends a mixture of office and commercial uses on the subject property. The drive-through restaurant is consistent with this designation.

3. Zoning Compatibility and request for modification to drive-through use exception

The subject property is in the Office Planned Development District. The underlying Office District does not allow drive-through restaurants by right. The existing two-lane drive-through was approved as a use exception in the planned development when the property initially received zoning entitlements in 2011 and 2012. Since opening over 10 years ago, the drive-through has functioned without issue on the site.

The proposed modifications to the drive-through include widening the drive-through lanes to accommodate restaurant operations and allow for construction of canopies over the order points on the east side of the building and the pick-up point on the west side of the building. The drive-through will remain a one-lane width at both the entry and exit points. No changes are planned to the parking lot or to the traffic circulation on the site.

Staff finds the modified drive-through will remain consistent with the standards for use exceptions in planned developments and recommends approval of this request.

4. Request for deviation from setback requirement

The proposed canopy on the east side of the building will have a setback of eight feet from the side property line. Village Code requires interior side yard setbacks of 10 feet in the Office District. The petitioner states the canopy is intended to provide protection from the elements for Chick-fil-A employees and customers. The reduced side yard setback will permit the canopy to fully cover both drive-through lanes.

Staff does not anticipate any adverse impacts on nearby properties resulting from the proposed canopy. The open nature of the canopy structure will reduce its visual impact, and the adjacent property has a landscape buffer along the shared property line. The canopy has been designed to complement the architecture of the existing restaurant. Staff supports the requested deviation.

5. *Landscaping*

The proposed modifications will impact landscaping along the east and north property lines. The petitioner has submitted a landscape plan showing relocation and replacement of several trees in these areas. Staff finds the landscape plan consistent with the intent of the landscape plan approved with the original development (PC 11-09).

SITE HISTORY

PC 98-05: Approval of zoning entitlements for the Homestead Village Planned Development.

PC 11-09: Approval of amendment to the Homestead Village PD to allow a use exception for a drive-through establishment, a conditional use for a restaurant, and related deviations for signage.

PC 12-01: Approval of amendment to the Homestead Village PD to allow for expansion of a restaurant.

FINDINGS & RECOMMENDATIONS

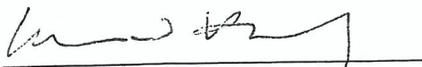
Staff finds that the proposed modification to the drive-through establishment and setback deviation are consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested amendment to a planned development in the OPD District 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 23-21:

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 23-21, 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; and
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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RESPONSE TO APPLICABLE STANDARDS FOR PLANNED DEVELOPMENTS

RE: Chick-fil-A, 717 East Butterfield Road, Lombard, Illinois

To: Village of Lombard

From: HR Green Development, LLC.

Date: September 11, 2023

Description of proposed improvements.

Chick-fil-A is proposing to widen the existing drive-thru to be two full lanes along the east, north and west sides of the building with the exit of the drive-thru narrowing down to one lane. The entrance to the drive-thru will remain a single lane as it is in the existing condition. An order point canopy is proposed along the east side of the site and will cover the order points. The outside lane menu board will be relocated slightly to the east to provide adequate striped lanes and uniform drive-thru lane widths. The order point canopy will encroach into the 10-foot building setback by approximately 2 feet at the northeast corner of the canopy but will not extend past the eastern back of curb of the existing drive-thru. The order point canopy will be supported by two rows of columns and associated footings with one row located on the west side of the drive-thru and the other row located within the three-foot center striping. Another canopy is proposed to be constructed at the pickup window which will be a single lane wide. The pickup window canopy is proposed to be located outside of the building backset and the existing public utility and sidewalk easement. Both canopies will be free standing and open on all sides. The sidewalk along the northwest corner of the site is proposed to be relocated to accommodate the drive-thru widening. The site landscaping will be modified to accommodate and accentuate the proposed improvements.

Section 155.508 (A)(B)(C) of the Lombard Zoning Ordinance

A. General Standards

1. Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located.

Response: The proposed improvements comply with the regulations of the district except for the modifications depicted with the site plan and previously approved in 2011.

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

Response: The sanitary sewer and potable water connections are not being altered by the proposed improvements.

3. The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.

Response: The existing restaurant with drive-thru is considered a use exception and was approved in 2011. The use will not change due to the proposed improvements.

4. That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.

Response: Chick-fil-A believes that the proposed widening of the existing drive-thru is consistent with the previously approved use exception since it will continue to be utilized as a drive-thru. The proposed drive-thru widening will occur along the north side and west side of the drive-thru.

5. That the streets have been designed to avoid:
 - a. Inconvenient or unsafe access to the planned development;
 - b. Traffic congestion in the streets which adjoin the planned development;
 - c. An excessive burden on public parks, recreation areas, schools, and other public facilities which serve or are proposed to serve the planned development.

Response: The proposed improvements will not alter the existing access points to the public right-of-way and Chick-fil-A believes that the improvements will increase the efficiency of the drive-thru. Chick-fil-A believes that the proposed improvements will not create an excessive burden on the various public facilities.

B. Standards for Planned Developments with Use Exceptions

The ordinance approving the Final Development Plan for the planned development may provide for uses in the planned development not allowed in the underlying district, provided the following conditions are met:

1. Proposed use exceptions enhance the quality of the planned development and are compatible with the primary uses.

Response: Chick-fil-A believes that the proposed drive-thru widening will enhance the functionality of the existing store operation and is beneficial to the drive-thru operation for both the team members and customers. The canopy encroachment into the eastern 10-foot building setback will enhance the experience of the team members and customers by providing cover from the elements for both lanes of the drive-thru. Chick-fil-A believes that the improvements are consistent with the previously approved use exceptions.

2. Proposed use exceptions are not of a nature, nor are located, so as to create a detrimental influence in the surrounding properties.

Response: Chick-fil-A believes that the proposed drive-thru widening will not be a detriment to the adjacent property since the east side drive-thru is not expanding to the east and the north and west portions of the drive-thru widening occur along E. Butterfield Road and Technology Drive. The proposed order point canopy encroachment in the building setback will not extend past the existing eastern back of curb of the drive-thru and Chick-fil-A does not foresee any negative impacts to the adjacent property. The proposed canopies will not create any new impervious area since they will be covering existing impervious surfaces.

3. Proposed use exceptions shall not represent more than 40% of the site area or more than 40% of the total floor area, whichever is less. However, in a residential planned development

area no more than 10% of the site area or the total floor area shall be devoted to commercial use; furthermore, no industrial use shall be permitted.

Response: There are no planned changes to the existing restaurant building at this time. The proposed improvements for the drive-thru widening will slightly increase the impervious area of the site by approximately 3,317 square feet. The site is 1.27 acres with 40,350 square feet of impervious surface in the existing condition.

C. Standards for Planned Developments with Other Exceptions

The Village Board may approve planned developments which do not comply with the requirements of the underlying district regulations governing lot area, lot width, bulk regulations, parking and sign regulations, or which require modification of the subdivision design standards when such approval is necessary to achieve the objectives of the proposed planned development, but only when the Board finds such exceptions are consistent with the following standards:

1. Any reduction in the requirements of this Ordinance is in the public interest.

Response: Chick-fil-A believes that the proposed order point canopy will enhance the working environment for the team members and the experience of the customers utilizing the drive-thru. The order point canopy will provide cover from the elements and is planned to have fans and heaters to increase the comfort of the team members and customers. The encroachment of approximately two feet into the building setback will allow for the order point canopy to cover and provide the benefit to both lanes.

2. The proposed exceptions would not adversely impact the value or use of any other property.

Response: Chick-fil-A believes that the order point canopy encroachment will not negatively impact the use of the adjacent property as it will not extend beyond the edge of the existing drive-thru back of curb. Chick-fil-A does not foresee any adverse impacts to the value of the adjacent property since the canopy is open on all sides, the color scheme will complement the existing building and is a non-obtrusive structure. The outside lane of the order point canopy is cantilevered, and the proposed footings will be outside of the building setback.

3. That such exceptions are solely for the purpose of promoting better development which will be beneficial to the residents or occupants of the planned development as well as those of the surrounding properties

Response: The order point canopy encroachment is beneficial to the team members and the customers for reasons stated above in items 1 and 2.

4. That the overall floor area of the planned development shall not exceed by more than 40% the maximum floor area permitted for the individual uses in each applicable district

Response: There is no planned change to the floor area. Not applicable

5. That in residential planned developments the maximum number of dwelling units allowed shall not exceed by more than 40% the number of dwelling units permitted in the underlying district

Response: Not applicable

6. That all buildings are located within the planned development in such a way as to dissipate any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to the following:
 - a. The front, side or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning district(s) or the zoning district underlying the subject site, whichever is greater.
 - b. All transitional yards and transitional landscape yards of the underlying zoning district are complied with.
 - c. If required transitional yards and transitional landscape yards are not adequate to protect the privacy and enjoyment of property adjacent to the development, the Plan Commission shall recommend either or both of the following requirements:
 - 1) All structures located on the perimeter of the planned development must set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses;
 - 2) All structures located along the entire perimeter of the planned development must be permanently screened with sight-proof screening in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.

Response: The order point canopy will encroach into the eastern building setback. It will not impact the existing landscape yard since the canopy will not extend past the edge of the existing drive-thru eastern back of curb. Chick-fil-A believes that the canopy will not adversely impact the privacy of the occupants within the adjacent property. The proposed order point canopy is supported by 8"x8" columns and will be open on all four sides with a roof depth of approximately one foot. The order point canopy will have a clearance height of approximately 9'-6". The eastern yard is currently landscaped with shrubs and the shrubs are proposed to remain and continue to provide screening from the adjacent property.

7. That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district.

Response: This has been removed from the Village Code. Not applicable.

HR Green Development, LLC.
Todd Richards, PE
Project Manager



Chick-fil-A
 Chick-fil-A
 5200 Burlington Road
 Atlanta, Georgia
 30349-2998

HRGreen
 HRGreen.com

TREE PROTECTION KEY

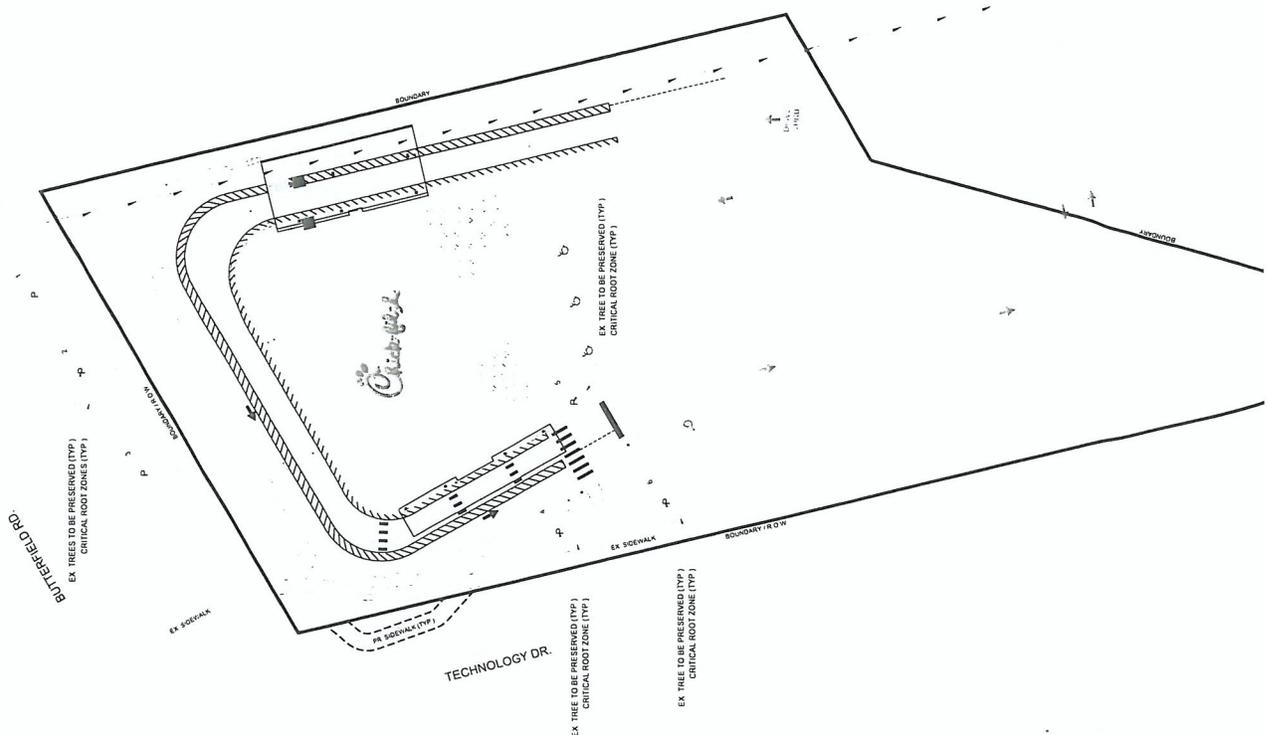
- P EXISTING TREE TO BE PRESERVED
- EX QUANTITIES (IN VICINITY OF DISTURBANCE AND PROPOSED IMPROVEMENTS)
- EXIST TREES TO BE PRESERVED 6
- EXIST TREES TO BE REMOVED 0
- TOTAL EXISTING TREES TAGGED 6

GENERAL NOTES

- 1 THE INTENT IS TO KEEP THE EXISTING TREES TO BE PRESERVED IN FACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THESE TREES DURING CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR REPLACING PER THE MUNICIPALITY'S ORDINANCE.
- 2 CONTRACTOR IS RESPONSIBLE FOR THE HAUL-OFF OF ALL TREES AND OTHER VEGETATION TO BE REMOVED.

FIG.#	DBH (INCHES)	BOTANICAL NAME	COMMON NAME	AGE*	CONDITION**	ACTION	REASON
1	8.0	ACER RUBRUM	MAPLE	S	A	PRESERVE	
2	8.0	ACER RUBRUM	MAPLE	S	A	PRESERVE	
3	8.0	ACER RUBRUM	MAPLE	S	A	PRESERVE	
4	8.0	ACER RUBRUM	MAPLE	S	A	PRESERVE	
5	8.0	ACER RUBRUM	MAPLE	S	A	PRESERVE	
6	8.0	ACER RUBRUM	MAPLE	S	A	PRESERVE	

* AGE: S - Small/Medium (young trees over 40" high) M - Mature (approximately 40-50 years old) O - Over-Mature (date-bark of trunks, dead wood, etc.)
 ** CONDITION: A - Good B - Fair C - Poor D - Dead



CHICK-FIL-A
 LOMBARD (IL) FSU
 717 EAST BUTTERFIELD ROAD
 LOMBARD, IL 60148

FSU# 02983

REVISION SCHEDULE
 NO. DATE DESCRIPTION

PRELIMINARY
 ENGINEER PROJECT # 22086
 DRAWN BY JAG
 CHECKED BY JTR
 DATE 09/10/2023
 TREE PRESERVATION PLAN
 SHEET NUMBER L-100





Chick-fil-A
5200 Burlington Road
Atlanta, Georgia
30349-2998



CHICK-FIL-A
LOMBARD (IL) FSU
717 EAST BUTTERFIELD ROAD
LOMBARD, IL 60148

FSU# 02983

REVISION SCHEDULE
NO. DATE DESCRIPTION

PRELIMINARY
ENGINEER PROJECT # 20204
PRINTED FOR PRELIMINARY
DATE: 09/12/2023
CHECKED BY: JFR
DESIGNED BY: JFR
LANDSCAPE PLAN
SHEET NUMBER
L-101

GROUND COVER LEGEND

SOD TURF	[Symbol]
SHREDDED HARD WOOD MULCH	[Symbol]
EXISTING SOD TURF TO BE PRESERVED	[Symbol]
EXISTING SHRUB BED TO BE PRESERVED	[Symbol]
EXISTING TREE TO BE PRESERVED	[Symbol]

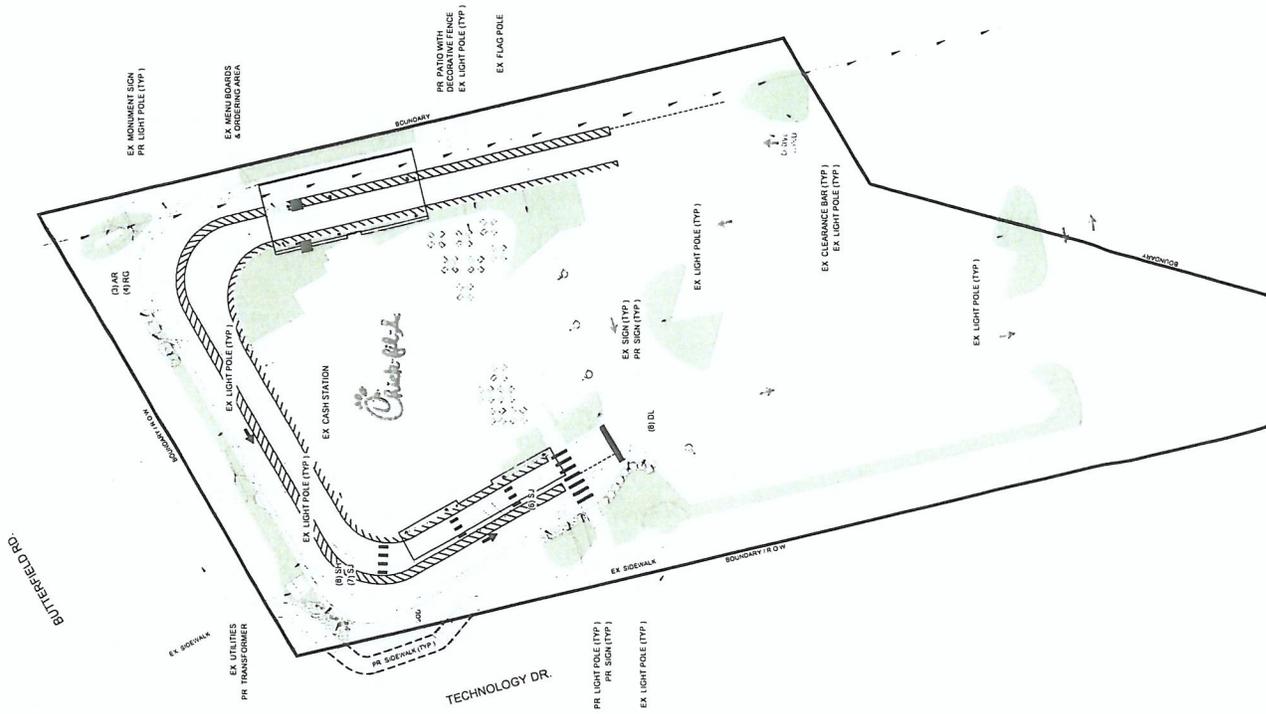
PLANT SCHEDULE

DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
	AR	3	ACER RUBRUM / OCTOBER GLORY / OCTOBER GLORY RED MAPLE	2.5' CAI
DECIDUOUS SHRUBS	DL	8	DIERVA LANCEATA / DWARF BUSH HONEYBUCKLE	#5
	RC	4	RHUS ARDAMATICA / GRO-LOW / GRO-LOW FRAGRANT SUMAC	#5
	SJ	13	SPIRAEA JAPONICA / FROEBELII / JAPANESE SPIREA	#5
GRASSES	SH	8	SPOROBOLUS HETEROLEPIS / PRAIRIE DROPSEED	#5

LANDSCAPE CALCULATIONS

THE LANDSCAPE CALCULATIONS HAVE BEEN REVIEWED AND APPROVED BY THE ARCHITECT AND THE CLIENT. THE ARCHITECT AND THE CLIENT HAVE REVIEWED AND APPROVED THE CALCULATIONS AND THE MATERIAL AREA. THE ARCHITECT AND THE CLIENT HAVE REVIEWED AND APPROVED THE CALCULATIONS AND THE MATERIAL AREA.

TREES	3
SHRUBS & GRASSES	31
DISTURBED PLANTINGS	3
PROVIDED PLANTINGS	31



CANOPY FACIA & COLUMNS:
 DARK BRONZE
 DURAC COAT, DC 1981-2073,
 OIL RUBBED
 BRONZE METALLIC TEXTURE PVD

DECK SOFFIT:
 ANTI-STATIC WHITE,
 HIGH GLOSS



EAST ELEVATION

SOUTH ELEVATION



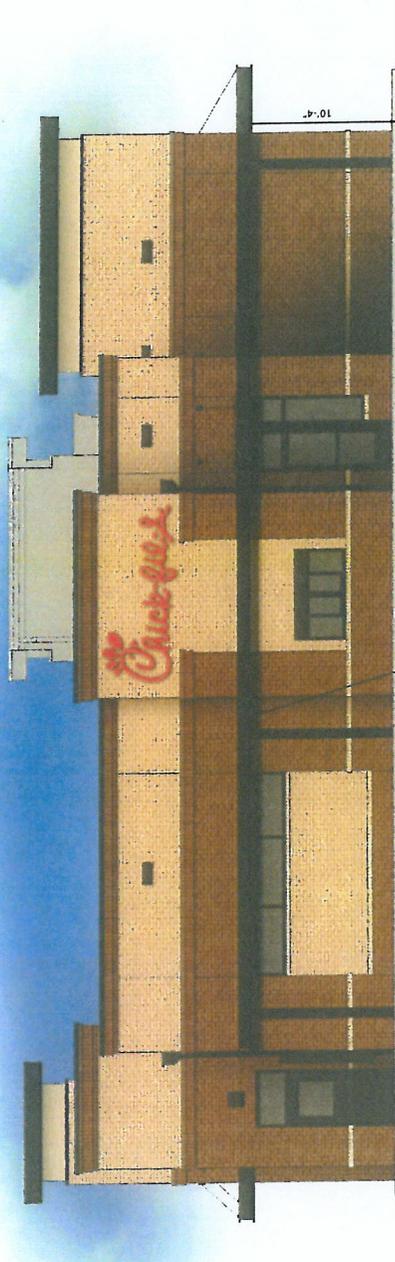
CHICK-FIL-A 2983
 LOMBARD
 717 EAST BUTTERFIELD ROAD
 LOMBARD, IL

THE COLORS SHOWN IN THIS RENDERING ARE CLOSE APPROXIMATIONS. DUE TO INK VARIATIONS AND DIFFERENCES IN PRINTERS, AN EXACT COLOR MATCH CANNOT BE ACHIEVED. THE VIEWER IS ADVISED TO USE THE RENDERING AS A GUIDELINE FOR THE ARRANGEMENT OF COLORS ON THE BUILDING, AND TO THEN REFER TO THE ACTUAL COLOR OR MATERIAL SAMPLES PROVIDED.

CANOPY FACIA & COLUMNS:
 DARK BRONZE
 CHICK-FIL-A 195T-2073,
 OIL RUBBED
 BRONZE METALLIC TEXTURE PVD



DECK SOFFIT:
 SMOOTH WHITE,
 HIGH GLOSS



WEST ELEVATION



NORTH ELEVATION

CHICK-FIL-A 2983
 LOMBARD
 717 EAST BUTTERFIELD ROAD
 LOMBARD, IL



INTERPLAN NO. 2023.0543
 09-08-2023

THE COLORS SHOWN IN THIS RENDERING ARE CLOSE APPROXIMATIONS. DUE TO INK VARIATIONS AND DIFFERENCES IN PRINTERS, AN EXACT COLOR MATCH CANNOT BE ACHIEVED. THE VIEWER IS ADVISED TO USE THE RENDERING AS A GUIDELINE FOR THE ARRANGEMENT OF COLORS ON THE BUILDING, AND TO THEN REFER TO THE ACTUAL COLOR OF MATERIAL SAMPLES PROVIDED.

Commonwealth Edison Company www.comed.com
Real Estate and Facilities
3 Lincoln Center – 4th Floor
Oakbrook Terrace, IL 60181

October 2, 2023

Chick-fil-A, Inc.,
c/o Patrick Thompson
717 E. Butterfield Road
Lombard, IL 60148

Re: PROPOSED CANOPY ENCROACHMENT

Dear Patrick,

Pursuant to your request for an encroachment letter, this is to inform you that ComEd Company has no objection to the proposed 25.22' W x 54.13' L canopy that will encroach on a utility easement along the east side of the property and can be seen on the attached Plat of Survey of the property legally described as follows:

LOT 1 IN HOMESTEAD VILLAGE SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 1, 98 AS DOCUMENT R98-179522, IN DU PAGE COUNTY, ILLINOIS.

Please be advised that ComEd has no objection to the subject encroachment, so long as the encroachment is not increased or enlarged. Additionally, you have the obligation to ensure that the encroaching structure does not impede ComEd's ability to safely access its facilities and does not interfere with ComEd's use, operation and maintenance of its facilities.

The permission herein acknowledged is subject to the Additional Terms and Conditions contained in the attachment to this letter, which terms and conditions shall be binding upon you, and your successors and assigns.

Sincerely,

Katie Bengson

Katie Bengson
Sr. Real Estate Specialist
779-231-2411

ADDITIONAL TERMS AND CONDITIONS

1. The permission herein acknowledged is based upon information and assurances you have provided and facts and circumstances as they currently exist or are currently known to ComEd. ComEd reserves the right at any time hereafter to revoke the permission acknowledged herein and to require the immediate removal of the encroaching structure from the easement premises, at your sole cost and expense, in the event (a) that the information and assurances you have provided prove incorrect or unreliable in any respect, (b) there is change in any relevant facts and circumstances, including without limitation any change in ComEd's business needs or operations that may require the installation of additional overhead or underground facilities on the subject easement premises, or (c) ComEd is made aware of additional facts and circumstances of which it has no actual current knowledge. In the event the permission contained herein is so revoked, you shall promptly remove all encroaching structures at your sole cost and expense, provided ComEd reserves the right (but shall have no obligation) to remove the encroaching structure from the easement premises and dispose of the same without liability for any loss or damage to property incurred by you or any third parties as a result thereof. You shall be responsible for reimbursing ComEd for all costs such removal.
2. The permission herein acknowledged is subject to the condition that you shall be liable for all damage to property, including damage to ComEd's facilities, and any injury or death to persons resulting from or in any way related to the construction or continuing presence of the encroaching structure on the easement premises. By constructing or maintaining such encroaching structure, you agree to indemnify, defend and hold harmless ComEd from and against any and all claims, liabilities, losses, proceedings, damages, costs and expenses (including attorney's fees and costs) arising from or in any manner related to the construction or continuing presence of the encroaching structure on the easement premises. Such cost may include any relocation costs incurred by ComEd (including the cost of acquiring additional easements) should ComEd elect to relocate the facilities located on the easement premises due to the subject encroachment.
3. The permission herein acknowledged shall in no way modify, limit, terminate, release, abrogate, nullify or waive any of the rights and interests of ComEd, its successors and assigns, in and to the easement premises.
4. You shall have no right to construct additional structures or improvements upon the easement premises. Prior to any digging upon the easement premises, you shall be responsible for locating all electrical facilities by contacting J.U.L.I.E. at 1-800-892-0123.
5. The permission hereby acknowledged is subject to your obtaining all required approvals from applicable governmental authorities (or third parties having any interest in the easement premises) with respect to the encroaching structure.
6. The obligations set forth hereinabove and in the attached letter shall be binding upon you, your heirs, legal representatives, successors and assigns.
7. This letter should be retained with your valuable papers and copies should be furnished to the title company and your successors and/or assigns for future reference.
8. This letter may be recorded at any time by ComEd in its sole discretion.



Chick-fil-A
 Chick-fil-A
 5200 Buffington Road
 Atlanta, Georgia
 30349-2988



CHICK-FIL-A

LOMBARD (IL) FSU
 717 EAST BUTTERFIELD ROAD
 LOMBARD, IL 60148

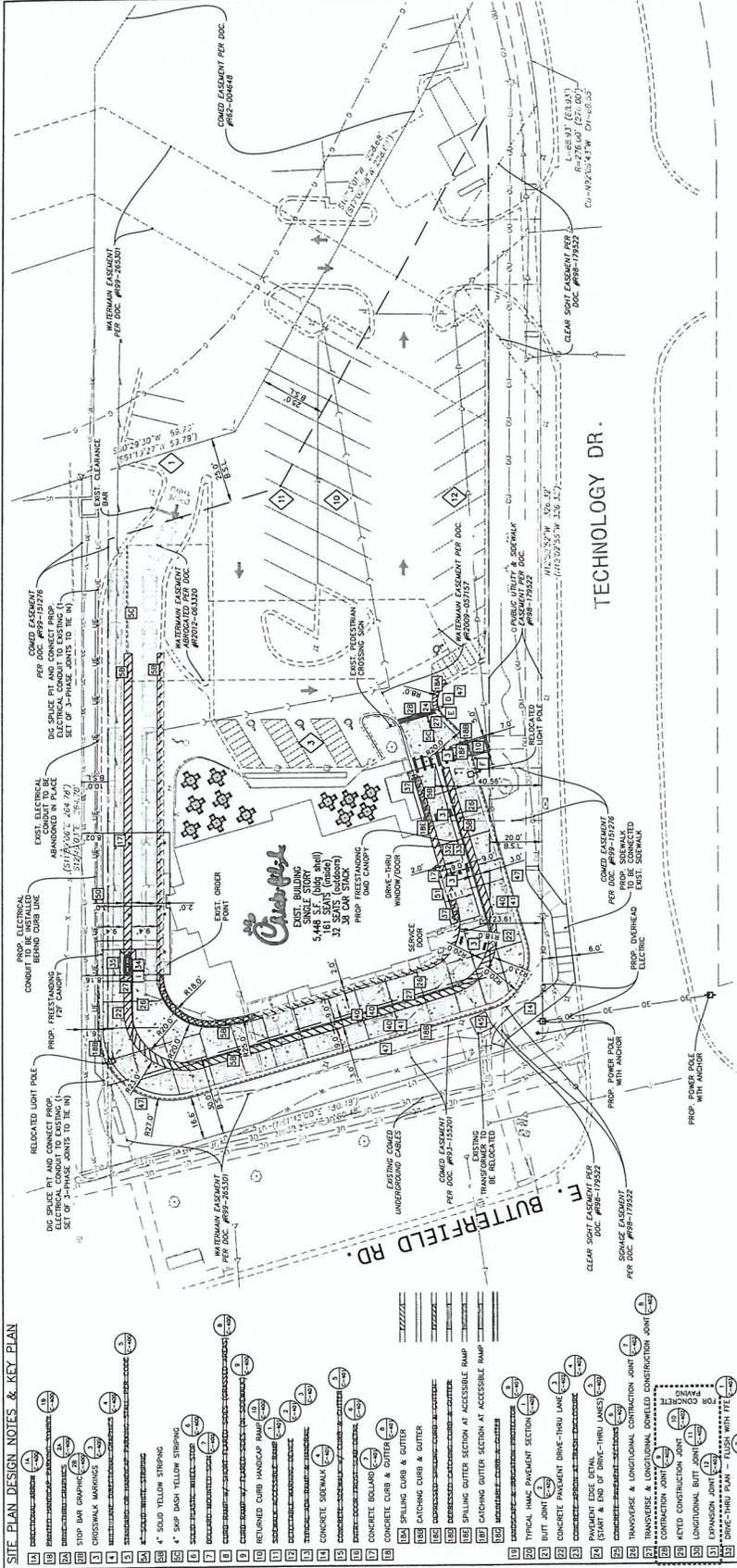
FSU# 02983

REVISION SCHEDULE
 NO. DATE DESCRIPTION

PRELIMINARY

ENGINEER PROJECT #	2008
DATE	08/27/2008
DESIGNED BY	ENR
DRAWN BY	ENR
CHECKED BY	ENR
APPROVED BY	ENR
SCALE	AS SHOWN
SHEET	1 OF 1
PROJECT	CHICK-FIL-A
DESCRIPTION	FSU

PRELIMINARY
 C-200



SITE DATA:

ADDRESS: 717 EAST BUTTERFIELD ROAD, LOMBARD, IL
 LOT SIZE: 55,865.50 FT. (1,271 AC.)
 PROPOSED INTERIORS AREA: 43,369 SQ. FT. (993 AC.)
 PROPOSED EXTERIORS AREA: 301 SQ. FT. INCREASE
 OFFSITE INTERIORS AREA CHANGE: 301 SQ. FT. INCREASE
 ** NET POSITIVE IMPACTS ARE TO BE CHANGED TO THE INFILTRATION OF THE RE-ROUTED SIDEWALK WITHIN THE ROW OF TECHNOLOGY DRIVE.

BUILDING AREA:
 BUILDING FOOT PRINT: 9,077 SQ. FT.
 FLOOR AREA RATIO (F.A.R.) = 0.088

PARKING DATA:
 TYPICAL PARKING WIDTH: 9'0"
 TYPICAL PARKING LENGTH: 18'0"
 TYPICAL ISLE WIDTH: 20'
 EXISTING REGULAR SPACES PROVIDED: (37 ONSITE & 54 OFFSITE)
 EXISTING ADA SPACES PROVIDED: 4
 TOTAL SPACES PROVIDED: 91
 PARKING FORMULA: 1000 SQ. FT. PER 1000 SQ. FT. (15,448/127,000 = 65.7% OR 65 SPACES)
 TOTAL STALLS REQUIRED = 65 STALLS

PROJECT NOTES:

- ALL CONSTRUCTION WITHIN PUBLIC ROW / EASEMENTS SHALL COMPLY WITH THE MILEAGE OF LOMBARD STANDARD CONSTRUCTION SPECIFICATIONS.
- AT LEAST ONE WORKING DRAWING SHALL BE SUBMITTED TO THE PUBLIC ENGINEER AND STREETS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
- INGRESS/EGRESS SHALL BE PROVIDED INTERNAL AND EXTERNAL TO THE BUILDING.
- ALL CONCRETE CURB & GUTTER SHALL BE 2" (10R18) UNLESS OTHERWISE NOTED ON THE PLANS.
- ALL PAVEMENT DIMENSIONS ARE TO BE MEASURED TO THE FACE OF THE CURB OR GUTTER UNLESS OTHERWISE NOTED.
- ALL CONSTRUCTION MATERIALS, COMPASTER, DETACHED TRAILERS OR SIMILAR ITEMS ARE PROHIBITED ON PUBLIC STREETS OR WITHIN THE PUBLIC RIGHT-OF-WAY.

SIGN LEGEND

CONTRACTOR TO REFER TO THE SIGNAGE PACKAGE FOR PLACEMENT AND SPECIFICATIONS OF ALL SIGNS **

A. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 B. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 C. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 D. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 E. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 F. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 G. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 H. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 I. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 J. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 K. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 L. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 M. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 N. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 O. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 P. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 Q. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 R. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 S. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 T. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 U. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 V. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 W. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 X. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 Y. SIGNAGE TO BE PROVIDED BY CONTRACTOR
 Z. SIGNAGE TO BE PROVIDED BY CONTRACTOR

HATCH LEGEND

GENERIC STANDARD PAVEMENT SECTION [HATCH]
 GENERIC CONCRETE SECTION [HATCH]
 GENERIC PROP. SIDEWALK [HATCH]
 GENERIC AREA OF DEPRESSIONED SIDEWALK [HATCH]
 GENERIC AREA OF DEPRESSIONED CURB AND GUTTER WITH LENGTH NOTED ON PLANS [HATCH]
 GENERIC REVERSE CURB & GUTTER [HATCH]

