

July 19, 2021

Title

PC 21-17

Petitioner

Panda Express, INC
8813 Penrose Lane Suite 400
Lenexa, KS 66219

Property Owner

Goodwill Industries of
Southeastern Wisconsin, Inc.
5400 S. 60th Street
Greendale, WI 53129

Property Location

359 E. Roosevelt Road

Zoning

B4APD Roosevelt Road Corridor
District Planned Development

Existing Land Use

Vacant

Comprehensive Plan

Community Commercial

Approval Sought

Amend planned development,
approve conditional use for a
drive-through and a companion
variation

Prepared By

Anna Papke, AICP
Senior Planner



LOCATION MAP

DESCRIPTION

Panda Express plans to build a new drive-through restaurant on the vacant outlot to the east of the Goodwill store on Roosevelt Road. The proposed development requires approval of a conditional use for a drive-through restaurant and a companion landscaping variation.

EXISTING CONDITIONS

The property is currently vacant. A driveway across the northern portion of the property provides cross access to adjacent properties.

APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following actions on the subject property located within B4APD Roosevelt Road Corridor District, Planned Development:

1. Approve a major change to the Lombard Crossing Planned Development, as established by Ordinance 6211 and amended by Ordinances 6344, 6495, 6623 and 6685, with the following companion conditional use and variation:
 - a. Approve a conditional use, pursuant to Section 155.417(G)(2)(b)(v) of the Lombard Code of Ordinances to allow for a drive-through establishment (fast food restaurant); and

Project Details

Parcel Size:	0.98 acres
Building Area:	2,425 SF
Parking:	48 spaces
Building Height:	One story (23'6")

Submittals

1. Petitions for public hearing, dated June 14, 2021;
2. Response to standards for conditional uses and variations, submitted 6/15/21 and 6/30/21;
3. ALTA/NSPS land title and topographic survey, prepared by V3, dated 3/1/19;
4. Preliminary engineering, architectural, and landscape plans, and architectural elevations, prepared by H C Klover Architect, dated 6/14/21; and
5. Sign plans, prepared by Priority, dated 5/21/21.

- b. Approve a variation from Sections 155.706(C) and 155.709(B) of the Lombard Code of Ordinances to reduce the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') along the east property line; and

2. Site plan approval for the proposed development

INTER-DEPARTMENTAL REVIEW**Building Division:**

The Building Division has the following comments on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

1. Among other codes, the 2018 ICC and the 2017 NEC will apply to the building.
2. A fire sprinkler system is required for this building

Fire Department:

The Fire Department states that should the petition be approved, additional comments may be forthcoming during permit review.

1. During permit process we would look at fire vehicle turning radius and location of FDC (Fire Department Connection) on building and its distance to a fire hydrant (within 75-100 feet).

Private Engineering Services (PES):

Private Engineering Services has no comments on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

Stormwater detention was provided for the overall planned development when it was approved in 2011 and is located immediately south of the proposed restaurant.

Public Works:

The Department of Public Works has the following comments on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

1. The water service shall consist of one pipe entering the building and then splitting for fire suppression and domestic use per the Village's standard detail WATER 13;
2. The water service shall connect to the existing 8-inch water main stub in the valve vault at the west edge of the property as shown on the as-built utility plan for the Goodwill Store;
3. Four parkway trees will be required along Roosevelt Road, either in the IDOT right-of-way or in an easement on private property; and

4. Approval will be required from the Flagg Creek Water Reclamation District for the sanitary service connection.

Planning Services Division:

The Planning Services Division notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning	Land Use
North	B4A/B4APD	Former restaurant/commercial strip center
South	B4APD	Stormwater detention outlot
East	B4APD	High Point shopping center
West	B4APD	Goodwill store

The area surrounding the subject property is developed with a mixture of retail, restaurants, and other commercial uses. The proposed drive-through restaurant is consistent with the zoning and land uses of surrounding properties.

2. Comprehensive Plan Compatibility

The Comprehensive Plan designates this property as suitable for community commercial development. A drive-through restaurant is consistent with this designation.

3. Zoning Ordinance Compatibility

The subject property is zoned B4APD, Roosevelt Road Corridor District, Planned Development. With the exception of the variation discussed below, the proposed development is consistent with the Lombard Zoning Ordinance. Staff notes the following with respect to this petition’s consistency with the Zoning Ordinance:

- The subject property is one of three lots in the Lombard Crossing Planned Development. The other two lots in the Planned Development consist of the Goodwill store and a stormwater detention outlot that serves the Goodwill site and the subject property.
- The three lots in the Lombard Crossing PD were annexed into the Village in 2008. An annexation agreement was approved in 2008 and subsequently amended in 2011. The 2011 amendment calls for the subject property to be developed with a fast food restaurant, a sit-down restaurant, or a retail use.
- The proposed use, drive-through restaurant, is a conditional use in the B4APD District.
- The building height, at 23’6”, meets the standards for the B4A District.
- Per the proposed site plan, 16% of the subject property will remain open space. Required open space in the underlying B4A District is 10%, and a previous amendment to the Lombard Crossings PD provided for a further reduction of required open space on the subject property if necessary (Ordinance 6685).

- The site will meet the requirements of the Zoning Ordinance with regard to parking spaces for a drive-through restaurant.
- The petitioner has submitted a landscape plan. Staff has reviewed this plan and finds it meets the landscaping requirements in Village Code, with the exception of the perimeter landscaping on the east side of the site. The petitioner has requested a variance for perimeter landscaping width, discussed below.
- As noted by the Public Works Department, the property is required to provide four parkway trees. As there appears to be insufficient room within the Roosevelt Road right-of-way for these trees, they will be planted on private property in an easement adjacent to the right-of-way. These trees are reflected in the proposed landscape plan.
- The petitioner has submitted sign plans which meet the signage standards for the B4A District. The following signs are proposed:

	Permitted by Village Code	Proposed
Wall signs	Maximum surface area: 100 square feet	Sign 1: 53.19 SF Sign 2: 25.00 SF <u>Sign 3: 20.25 SF</u> Total: 98.77 SF
Freestanding sign	Maximum surface area: 50 square feet Maximum height: 20 feet	Surface area: 50 SF Height: 20 feet

4. Request for Conditional Use Approval – Drive-through establishment

The petitioner proposes to construct a drive-through restaurant, which requires approval of a conditional use through the public hearing process with the Plan Commission and Village Board. In analyzing the petition, staff finds a drive-through restaurant to be compatible with nearby development. As previously noted, the 2011 amendment to the annexation agreement for the subject property anticipated a fast food restaurant use on the site. Staff supports this request.

5. Request for Variation – Reduction in required perimeter landscaping width along the east property line

The petitioner requests a variation to reduce the required perimeter parking lot and perimeter lot landscaping on the east side of the subject property. Village Code requires five feet of perimeter landscaping. The petitioner proposes three feet of perimeter landscaping along most of the east property line. Plant materials in this area consist of a mixture of shrubs and decorative grasses. In areas where cross access with the adjacent property to the east is proposed, no perimeter landscaping is provided.

In the response to standards, the petitioner states this variation is necessary due to the narrow width of the lot and the need to accommodate a full bypass lane adjacent to the drive-through lane. Staff notes that a previous amendment to the Lombard Crossings PD approved a variation to remove perimeter landscaping requirements along internal property lines within the planned development in

order to encourage cross access and better site design (Ordinance 6685). Staff finds the same considerations apply to the east property line on the subject property, where the petitioner plans to provide cross access to the abutting High Point shopping center. Finally, the east property line abuts a drive aisle to the rear of a retail building at High Point Center; reduced landscaping in this area will have limited aesthetic impact on adjacent development. Staff supports the requested variation.

6. *Cross Access with High Point Center*

There is presently a driveway on the subject property connecting the Goodwill property to the west with High Point shopping center to the east. The plat of survey shows this driveway connects to High Point through a private cross access easement established between the two properties in 2006.

The proposed site plan shows the point of connection between the subject property and High Point shifting to the north. The realignment of this driveway will require an amendment to the geographical extent of the private cross access easement as well as pavement work on the High Point property. The petitioner has stated that they are in the process of negotiating these amendments with the owners of High Point Center.



SITE HISTORY

PC 08-13: Annexation of subject property, approval of annexation agreement, rezoning of property and approval of a planned development with companion conditional uses, deviations and variations.

PC 11-25: Amendment to the annexation agreement and amendment to the planned development.

FINDINGS & RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards for a conditional use and a variation, as established by the Lombard Village Code. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and testimony presented, the proposed site plan, with a conditional use and a variation, **complies** with the standards required by the Village of Lombard Village Code; 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 I recommend to the Corporate Authorities **approval** of PC 21-17, subject to the following conditions:

1. 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;

2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
3. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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June 15, 2021

VIA EMAIL

HC Klover Architect
8813 Penrose Lane, Suite 400
Lenexa, KS, 66219
RE: Panda Express: 351 Roosevelt Rd. Lombard, IL 60148

Anna,

This letter is in response to the "Standards for Conditional Uses", located on page 11 of the Planning Commission Petition Application. You will find your standards in **bold** and our response in *italics*.

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;

-The proposed conditional use drive through will maintain the city's required design standards including the required escape lane to maintain ease of circulation in, out and through the site. It is designed with detailed consideration for pedestrian and automotive traffic safety.

2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;

-The proposed conditional use drive through will not impair or deter circulation to, in, or out of the neighboring sites. All currently existing curb cuts are being maintained and an additional curb cut is proposed to the south to direct traffic to the drive through entrance preventing congestion along Roosevelt Rd. As evidenced by the numerous nearby drive-thru banks and restaurants, the proposed conditional use will improve the use and enjoyment of other property in the immediate vicinity as it will maintain and improve the variety of dining options within the vicinity, and in so doing also increase the draw to commerce of adjacent businesses. Panda's modern, clean, appealing design and national reputation serves to hold or improve adjacent property values.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

-The proposed conditional use drive through will not impede surrounding properties. All elements of the drive through will comply with jurisdictional location standards and a retaining wall is proposed to the south of the drive through in response to the detention pond to the south of the site. The proposed conditional use drive thru restaurant will not affect or in any way otherwise define existing or future development of surrounding properties as the site is specifically designed to function within, but entirely separate from the adjacent properties without reliance on existing adjacent user types or site layouts. Further this independence within the surrounding district does not create for future nearby development a dependence on either our site's permanence or alteration.



4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided.

-Per the provided survey, all utilities and necessary facilities are present or will be made present within the site. The proposed special use drive thru restaurant is specifically designed to accommodate its own needs in terms of utilities, traffic circulation, parking, and drive thru queueing. Reference C02.0 and C02.1 SURVEY and C05.0 UTILITY PLAN.

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;

-The proposed conditional use will minimize traffic congestion by providing the entrance location to the south of the site, away from Roosevelt Rd. and featuring two menu boards, which will in turn provide additional stacking, 17 cars.

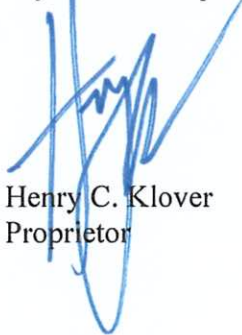
6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,

-Based on the Land Use portion of the Comprehensive plan, the proposed conditional use will compliment the recommended actions of compatible site design with building orientation, providing a mixture of commercial and retail developments to meet the needs of the city, and providing coordinated and shared vehicular access on our site.

7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.

-Through coordination with Anna Papke in the preliminary review process, the site conforms with the applicable regulations to our site zoning.

This concludes our response to your comments. Please feel free to give us a call should you have any additional questions or concerns.



Henry C. Klover
Proprietor