



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Plan Commission

Donald F. Ryan, Chairperson
Commissioners: Ronald Olbrysh, Martin Burke,
Ruth Sweetser, Andrea Cooper, Stephen Flint and
John Mrofcza
Staff Liaison: Christopher Stilling

Monday, July 16, 2012

7:30 PM

Village Hall - Board Room

Call to Order

Chairperson Ryan called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Chairperson Ryan led the Pledge of Allegiance.

Roll Call of Members

Present 4 - Donald F. Ryan, Martin Burke, Ruth Sweetser, and John Mrofcza

Absent 3 - Ronald Olbrysh, Andrea Cooper, and Stephen Flint

Also present: Christopher Stilling, AICP, Assistant Director of Community Development; Michael Toth, Planner I; and George Wagner, legal counsel to the Plan Commission.

Chairperson Ryan called the order of the agenda.

Michael Toth read the Rules of Procedure and By-Laws.

Public Hearings

[120355](#)

PC 12-13: 401 E. North Ave. (Continued from June 18, 2012)

Requests that the Village take the following actions for the subject property located in the B4 - Corridor Commercial District:

1. A conditional use for a drive-through establishment;
2. A conditional use for an outside service area;
3. A variation from Section 153.208(H) to allow signage within clear line of sight areas;
4. A variation from Section 153.505(B)(19)(b)(1)(a) to allow a property with a multi-tenant building setback less than 120 feet from the property line to display wall signs that are two times the

- lineal front footage of the tenant space;
5. Variations from Sections 155.416(J) & 155.707(A)(4) to reduce the required 30' transitional landscape yard;
 6. A variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access; and
 7. A Minor Plat of Subdivision with a variation from Section 155.416 (D) to allow a lot area of 35,382 sq. ft. where a minimum of 40,000 sq. ft. (DISTRICT #4)

Mike Mallon, President of Mallon & Associates, 1755 South Naperville Road, Suite 100, Wheaton, serving as developer and petitioner for Mallon III LLC, whose sole purpose is to develop and own the development, presented the petition. He provided a brief background of his company as well as his professional experience. He introduced the members of his team who were available to address specific details.

As a starting point, he showed an aerial of the site. He noted that the property was outlined in red and located at the southeast corner of North Avenue and Grace Street. It is currently under contract and known as the former BP Amoco Gas Station which occupied the site up until 2008 and has since been vacant. The site is currently undergoing an environmental cleanup that is explained by its consultant in a summary report which has been provided to staff and was offered to be included in the record. He has had experience in this field and has previously worked with BP on other projects of this nature so this will not pose a challenge.

Describing the site he stated it was over 35,000 square feet in size, had a depth of 182 square feet with frontage on North Avenue. There are two existing curb cuts, one on North Avenue and the other on Grace Street. The curb cut on North Avenue will be modified to address their access in conformance with Village Code.

Noting that the site is zoned B-4, Mr. Mallon described the zoning in the immediate area and explained their compatibility. Of particular interest is a restaurant located to the east of the site known as Casey's Restaurant. They have talked with the owners to try and address a long-term plan for both parcels relative to better access.

A site plan was shown next. Mr. Mallon referred to the staff report which described it extensively. They are proposing to develop a 7,000+ square foot retail development within the character of North Avenue subject to a few considerations. The proposed plan provides for a 7,150 square foot retail shopping center with parking for 30 cars (which meets code). The retail building will consist of an approximate

2,000 square foot Dunkin Donuts on the easternmost space of the development as well as 3 or 4 other tenants in the remaining spaces. Those tenants could include a variety of other retail or service uses including a dry cleaner, telephone store, hair salon or office uses but all would be compatible with the B-4 zoning.

As part of the Dunkin Donuts development, they are requesting conditional use approval for a drive through which will be located on the east side of the building as well as an outdoor seating area for customers in front of the store. Queuing for the drive through will begin from the southwest corner of the building and will travel eastbound to the window along the southern building elevation with enough room for 8 stacked cars. They will then exit onto the north side of the development. The outdoor dining area will consist of two tables and will be used weather permitting. Some of the variances they are requesting include the transitional landscape yard, perimeter landscaping, lot area and signage due to the setback and traffic flow on North Avenue.

Mr. Mallon indicated that their response to the standards for conditional use and the variations being requested are included as part of the public record. He mentioned that he has reviewed staff's IDRC report, which includes 12 conditions, and is in full agreement with them. Lastly, he requested approval of the petition subject to the 12 conditions.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

John Karantonis, owner of Casey's Restaurant, 415 E. North Avenue, stated their restaurant is located next to the proposed development. He was here to speak in favor of this development and to confirm what the petitioner explained relative to how they might have a common driveway to connect the two parking lots. He noted that the agreement is based on the developer absorbing the costs.

Christopher Stilling, Assistant Director of Community Development, clarified that condition #7 in the staff report has been revised to state that in the event the property owner does not consent to the cross connection, the petitioner would have to provide for an easement.

Chairperson Ryan then requested the staff report.

Mr. Stilling presented the staff report which is being submitted to the public record in its entirety. The subject property is approximately 35,382 square feet and is currently vacant. The property was once developed with a gas station that had previously been razed. The

petitioner is proposing to develop a 7,150 square foot multi-tenant commercial center. The new proposed development will include a drive-through facility and an outdoor dining area. As the drive-through and outdoor dining areas are conditional uses within the B4 - Corridor Commercial District, the petitioner is requesting conditional use approval for both items at this time. Additional requests for a minor plat, lot area variation and variation for perimeter landscaping are also being requested.

In conjunction with this request, the petitioner has also included a signage package, which consists of two freestanding signs, two informational signs, wall signage and incidental signs associated with the drive through. The petitioner is requesting a variation to display wall signs that are two times the lineal front footage of the tenant space, not to exceed thirty-five (35) feet and a variation to allow the freestanding sign on the northwest corner of the property to be located in the clear line of sight area.

He noted the IDRC comments from the other entities. Planning comments include the proposed improvements. The site is approximately 35,382 square feet in area and was formerly improved with a gas station. The petitioner is proposing to develop a 7,150 square foot multi-tenant commercial center with drive-through.

The Zoning Ordinance requires a minimum of 29 parking spaces (4 spaces/1000 square feet). The petitioner is providing 29 parking spaces and 2 accessible spaces for a total of 31 parking spaces.

As the subject property abuts property in the CR - Conservation/Recreation District, there are two separate provisions of the Zoning Ordinance that require a transitional landscape yard thirty (30) feet in width to be provided along the abutting lot line. The proposed drive through will be located along the southern portion of the building and encroaches into the required thirty (30) foot transitional landscape yard. The proposed plan attempts to minimize impacts of the building and drive through onto the neighboring CR property to the south by maintaining the existing dense vegetation along the southern portion of the property.

The landscape plan also indicates that landscaping will be provided around the perimeter of the parking lot with the exception of those areas to the east where future cross access will be provided. The petitioner's plan shows approximately 19% open space. Village Code requires a minimum of 10%.

The petitioner has shown a dumpster at the southeast corner of the site. The materials would be consistent with the materials of the

commercial building.

The petitioner is proposing to utilize the existing curb cuts located on both Grace Street and North Avenue. Access to North Avenue is restricted and will include a right in/out only. This curb cut onto North Avenue does exceed our maximum width of 35 feet. Therefore staff recommends as a condition that the curb cut be reduced to 35' wide at the north lot line. This modification will increase open space and likely allow for an additional parking stall. Access to Grace Street will be located at the southwest corner of the site. This point of ingress/egress will have full access to Grace Street.

As part of the plan, the petitioner is proposing to include a Dunkin Donuts with drive-through in the easternmost tenant space. Vehicles using the drive-through will queue from the southwest corner of the building and will travel eastbound to the window along the southern building elevation. A one-way bypass lane will be located adjacent to the drive through lane. The pickup window is located on the eastern elevation of the building. Traffic can then proceed to the North Avenue or Grace Street exits. In conjunction with staff, the petitioner amended the original plan submittal to ensure optimal site circulation. The revised site plan included the addition of the 'throat' element that merges the bypass lane and drive-through lane after the drive-through window. The plan was also revised to provide a notch out of the southeast corner of the building to allow for ease of turn radius.

The Village's traffic consultant, KLOA, reported that the proposed on-site circulation will be adequate in accommodating site traffic and the proposed stacking of the Dunkin Donuts drive-through facility will be adequate in accommodating the peak demand. KLOA did recommend that the radius on the southeast corner of the building should be increased to at least 13 feet in order to allow for smooth turns on the drive-through lane and a directional sign facing north should be placed at the North Avenue access drive directing entering traffic destined to the drive-through facility to turn right and drive around the building, in order to guide traffic more efficiently. Overall, staff believes that the petitioner's plan will adequately address internal drive-through circulation with the noted recommendations.

To the east of the subject property is the existing Casey's Restaurant. Throughout the initial planning process, staff has told the petitioner of its desire to include some type of shared access to the east for the benefit of both properties. Currently, Casey's Restaurant does not have direct access to a signalized intersection and their direct access to North Avenue is limited to a right in/out. In 2002, Casey's installed an access drive out to Joyce Avenue to the east. However, to get to the nearest signal at Grace Street, customers have to circle back

around the Lombard Lagoon on Marcus Drive.

Initially, staff directed the petitioner to explore cross access alternatives and that staff's preferred route would be at the southeast corner of their site. This would tie into the Casey's existing cross access out to Joyce Avenue. Given the existing grades between both properties, the impact to deliveries for Casey's and the proposed drive-through/one-way access drive behind the petitioner's building, it was determined that cross access should occur at the northeast corner, as shown in their current plan.

Originally, staff and the petitioner were talking about the need for only an easement to accommodate a future connection onto Casey's property. However after further review throughout the planning process, it was determined that the cross connection would require some significant engineering, given the existing grades. As with other similar projects located directly to the northwest of the site (CVS and the Overlook) and other projects on Roosevelt Road, staff has requested that the petitioner be responsible for final engineering and construction of the cross access. The petitioner's engineer did develop a preliminary engineering plan showing how this connection could be constructed. Based on the Village's review of their cost estimate, the proposed connection would cost approximately \$66,300. As a condition of approval, staff is recommending that the petitioner be responsible for the installation of the cross access drive, upon the consent of the Casey's property owner. Staff feels that just providing an easement will not result in a connection anytime soon and that should this project be approved, it would be much easier to design and construct the cross access at the same time the project is being developed. As this improvement can be deemed as a transportation benefit for the public, staff would be willing to support a rebate agreement to assist with the cost of construction. This would ultimately be subject to Village Board approval. This is a similar approach the Village took with the Murray's/O'Reilly's Auto Parts on Roosevelt Road for a watermain extension and Lombard Toyota expansion.

Also, a future easement on the south side of the site with Casey's Restaurant should also be provided for future additional cross access connection, if the Casey's site would redevelop. This cross access, given the proposed one-way eastbound configuration of the Dunkin Donuts drive-through lane and bypass lane, should only allow one-way traffic eastbound. This future cross access would provide ingress accessibility to delivery and refuse vehicles with minimal interaction with passenger vehicles.

The petitioner has submitted preliminary engineering plans showing how they plan to address stormwater on the site. Stormwater for the

entire development will be handled by a detention basin located at the south side of the site. All necessary Best Management Practices (BMP's) required by the DuPage County Stormwater Ordinance are being provided. As noted in the IDRC comments, the some modifications to the petitioner's plans would be required to meet Code.

The petitioner has submitted elevation drawings for the proposed retail building. The petitioner's plan will also include additional awnings, recessed building elevations and brick banding to break up the building mass. The east and west elevations also include windows to break up a portion of the side building mass and to give additional visibility to the corner tenants. The petitioner has provided a materials sample board.

Staff finds the elevations to be acceptable, but suggests amendments to the south elevation of the building, consisting of the inclusion of the same banding elements that are proposed along the north building elevation. The dense vegetation currently located along the southern portion of the property is to remain; however, during the fall/winter months, the foliage will be absent which will leave the southern elevation of the building exposed during such time. Furthermore, the drive-through component will draw customers to the back of the building. The final design of these elements for the south elevation shall be subject to the Director of Community Development. The proposed elevations also include gooseneck lighting over the Dunkin Donuts awning. As a condition of approval, each tenant will be required to provide gooseneck lighting.

As previously noted, the site was formerly improved with a gas station. The gas station and associated tanks have since been removed from the property, and the Village does have a highway authority agreement with the former user (BP Amoco) to protect the Village from any environmental impact to our adjacent right-of-way. The property is still being monitored by the IEPA. As a condition of approval, staff would recommend that the existing highway authority agreement shall be reviewed by Village Counsel and any necessary amendments shall be approved by the Village Board prior to the issuance of a building permit.

Compliance with the Zoning Ordinance

Commercial retail uses are identified as permitted uses in the B4 Corridor Commercial District. Therefore, the commercial center is compatible with the Zoning Ordinance.

A conditional use for a drive-through establishment:

As part of the plan, the petitioner is proposing to include a Dunkin Donuts with drive-through in the easternmost tenant space. Vehicles

using the drive-through will queue from the southwest corner of the building and will travel eastbound to the window along the southern building elevation. A one-way bypass lane will be located adjacent to the drive through lane. The pickup window is located on the eastern elevation of the building. Traffic can then proceed to the North Avenue or Grace Street exits. In conjunction with staff, the petitioner amended the original plan submittal to ensure optimal site circulation. The revised site plan included the addition of the 'throat' element that merges the bypass lane and drive-through lane after the drive-through window. The plan was also revised to provide a notch out of the southeast corner of the building to allow for ease of turn radius. Staff does not object to this request, provided that certain conditions are approved.

A conditional use for an outside service area:

One outdoor dining area is proposed for the site. The outdoor dining area will service the proposed coffee/donut establishment that will occupy the easternmost tenant space and will be located along the northern building elevation. Staff does not object to this request as it allows for an alternate area for patrons to eat if desired. As the proposed dining area is removed from any residences, impacts of the outdoor dining function are minimal. However, to ensure that the dining function does not extend into the parking lot and patrons do not enter the drive-through area, staff recommends that the perimeter of the dining area be fenced, with the design of the fence subject to the approval of the Director of Community Development. Staff would find a four-foot high decorative iron fence with an exit gate as an acceptable type of fence. This would be consistent with other recently approved outdoor dining petitions (i.e., The Overlook PC 05-08, Buffalo Wild Wings PC 06-13 and Wolfy's PC 12-10).

Variations from Sections 155.416(J) & 155.707(A)(4) to reduce the required 30' transitional landscape yard:

As the subject property abuts property in the CR - Conservation/Recreation District, there are two separate provisions of the Zoning Ordinance that require a transitional landscape yard thirty (30) feet in width to be provided along the abutting lot line. The proposed drive through will be located along the southern portion of the building and encroaches into the required thirty (30) foot transitional landscape yard. The proposed plan attempts to minimize impacts of the building and drive through onto the neighboring CR property to the south by maintaining the existing dense vegetation along the southern portion of the property.

A variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared

cross-access and parking:

The landscape plan indicates that landscaping will be provided around the perimeter of the parking lot with the exception of those areas to the east where cross access easements will be provided. Those areas designated for landscaping meet the code requirements of five feet in width. Staff believes the cross access easements will allow sufficient traffic flow between lots in the event of future development and is therefore supportive of the requested relief.

Compatibility with the Sign Ordinance

A variation from Section 153.208(H) to allow signage within clear line of sight areas:

The petitioner submitted a signage plan with the site plan submittal and includes two freestanding signs and ancillary signage associated with Dunkin Donuts. According to the proposed site plan, the freestanding sign located at the corner of North Ave. and Grace St., along with the two directional signs, would be located in the clear line of sight areas. Aside from the clear line of sight variations, all of the freestanding signs meet the applicable signage provisions set forth in the Sign Ordinance. The clear line of sight triangles originate at the bisecting property lines adjacent to the respective rights of way, which in the case of the freestanding sign, would be North Avenue and Grace Street. Staff is supportive of the clear line of sight variation for the freestanding sign at the corner of North Avenue and Grace Street for a number of reasons. First, the additional parkway provided on this portion of North Avenue is greater than fifty (50) feet, which places the sign back a significant distance from the intersection. Second, the only portion of the sign that could be seen from eye-level would be the supportive pole, which is less than one foot in diameter. Lastly, at its signalized intersection with Grace Street, North Avenue provides a dual left-turn lane, three through lanes and an exclusive right-turn lane on the east approach. The west approach provides a single left-turn lane, three through lanes and an exclusive right-turn lane. As such, the sign would not be conflicting with traffic movements occurring in that intersection.

Staff is also supportive of the clear line of sight variations associated with the on-site informational signage. The signs are intended to provide direction to incoming and exiting traffic to/from the site. There are no other effective locations to place these signs as they are functionally beneficial only at major points of egress to/from the site. The submitted plans illustrate the informational sign located at the North Avenue entrance and is located at the southernmost portion of the landscape island to which it is located. This places the sign further away from North Avenue. However, the informational sign located at the Grace Street entrance is located closer towards Grace Street. As a condition of approval, the informational sign located at the Grace

Street entrance shall be moved to the easternmost portion of the landscape island to which it is located. The final location of the sign shall be subject to the Director of Community Development. Staff is supportive of the clear line of sight variations. Under said conditions, the informational signs would be located at the furthest point from the respective right of way and adjacent to parking spaces which, if a vehicle were to be parked in the adjacent space, would create a greater line of sight obstruction than the actual signs.

A variation from Section 153.505(B)(19)(b)(1)(a) to allow a property with a multi-tenant building setback less than 120 feet from the property line to display wall signs that are two times the lineal front footage of the tenant space:

The proposed signage areas for the individual tenant spaces were not included as part of the submittal; however, the property owner is requesting a variation to allow a property with a multi-tenant building setback less than 120 feet from the property line to display wall signs that are two times the lineal front footage of the tenant space. As the subject building will be oriented towards North Avenue, staff is supportive of the wall sign area variation. As previously mentioned, the additional parkway provided on this portion of North Avenue is greater than fifty (50) feet in width and the building itself is setback more than 120 feet from North Avenue. The setback provision pertaining to wall sign area is taken from the property line to the sign; however, staff believes that the additional parkway creates a situation where the allowable square footage could be deemed insufficient.

To ensure that the proposed signage and awnings present a favorable appearance to neighboring properties, staff recommends the following items be added as additional conditions of approval:

- 1. That channel lettering shall only be used for the wall signs.*
- 2. That consistent with the Sign Ordinance, the awnings shall not include text in conjunction with the wall signage.*
- 3. That any future awnings shall be of a compatible design and color around the building.*

These standards are consistent with what was approved at the Overlook located directly northwest of the site.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Community Commercial uses on the subject property and the proposed commercial use is compatible with the Comprehensive Plan designation.

The site is currently vacant. There are single family residences located on the north side of North Avenue and across Grace Street

from the subject property. The neighboring property to the east is zoned for commercial use and is developed with a restaurant. The parcel to the south of the subject property contains the Lombard Lagoon Park. According to the submitted landscape plan, a heavy patch of existing vegetation will remain between the subject property and the park property to the south. The proposed commercial building meets the transitional building setback requirement and will be located exactly 40 feet from the southern property line.

As previously mentioned, the property east of the subject site is improved with a restaurant, known as Casey's. To ensure compatibility to the abutting property, a cross access easement between the subject property and the adjacent property to the east is also to be included as part of the proposed development. This coordination would include provisions for cross-access and shared drive aisles. The cross access area would connect the parking/drive aisles along the northern portion of the proposed building and Casey's Restaurant. Given these considerations, staff believes the proposed development is compatible with the adjacent properties.

Compliance with the Subdivision and Development Ordinance

A Minor Plat of Subdivision with a variation from Section 155.416 (D) to allow a lot area of 35,382 sq. ft. where a minimum of 40,000 sq. ft.:

The site consists of one lot. As the subject property is not a recognized lot of record, approval of a plat of subdivision is required in order to facilitate any development on the lot. The lot does not meet the minimum lot width and area requirements for the B4 Zoning District; therefore, a Minor Plat of Subdivision with a variation to allow a lot area of 35,382 sq. ft. where a minimum of 40,000 sq. ft. is required.

Mr. Stilling referred to the July 16 modified conditions of approval that were distributed to the Commissioners tonight. He explained to the petitioner condition #7 was modified to state that in the event the property owner does not consent to the cross connection, the petitioner would have to provide for an easement.

The second modified conditions relates to the south side of the building. Since it will be more visible than previously thought the petitioner has agreed to include brick banding on the south side of the building. There is an elevation board for those who are interested.

Lastly, to achieve a favorable appearance to neighboring properties a 12th condition was added. Similar to the Overlook which is located northwest of the site, the petitioner has agreed to the following signage modifications:

1. *to use only channel lettering on wall signs*
2. *the awnings shall not include text in conjunction with the wall signage*
3. *any future awnings shall be of a compatible design and color around the building.*

It is with those revised conditions that staff is supportive of the petition and recommends approval.

Chairperson Ryan then asked for comments from the public, and, hearing none, opened the meeting to the Commissioners.

Commissioner Burke asked why they did not receive the environmental report the petitioner referred to in his presentation as it was introduced as evidence. Mr. Stilling responded that the petitioner did provide a summation which staff has. BP is currently working with the IEPA for the cleanup of the site and the Village has entered into a highway authority agreement to protect itself against potential contamination in the Grace Street right of way. Village counsel is reviewing all the environmental matters. We think all protections are in place and that BP would be ultimately responsible but that is why there is a condition relative to this. Village Counsel Wagner added that the Commissioners can accept the environmental report as part of the public hearing and review it if they wish.

Commissioner Sweetser referred to the insert from RWG Engineering that was included in their packets which indicates that the Village has a more restrictive stormwater detention ordinance and that they will proceed under the projected Village requirements that align with the County Ordinance. She asked if that is covered under conditions 1 and 2 of the modified conditions. Mr. Stilling answered yes.

Commissioner Mrofcza asked if the other tenants to the west of the proposed Dunkin Donuts would have rear entrances to receive deliveries and if so, would there be any conflicts with cars that are stacked waiting in the drive through lane.

Mr. Mallon confirmed that all tenants will have a secondary access located on the south side of the building. They will have the door, sidewalk and then the stacking lane. Their experience with similar developments is that they secure tenants that complement and can coexist with Dunkin Donuts. Dunkin Donuts' business is geared toward the morning, so the tenants that will occupy the remaining space will not be geared to having a strong need for loading and unloading. They can still use the front doors as access and the similar developments previously mentioned have not experienced any conflicts.

A motion was made by Ruth Sweetser, seconded by Martin Burke, that this matter be recommended to the Corporate Authorities for approval subject to the modified conditions dated July 16, 2012.

1. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in this IDRC report, except as they may be changed to conform to Village Codes and Ordinances.
2. That the petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
3. That the petitioner shall modify the south building elevation to include the same banding elements to that of the north elevation. The final design of these elements for the north elevation shall be subject to the Director of Community Development.
4. Each tenant space shall include gooseneck lighting above each of the respective awnings.
5. The informational sign located at the Grace Street entrance shall be moved to the easternmost portion of the landscape island to which it is located. The final location of the sign shall be subject to the Director of Community Development.
6. All comments and recommendations noted in the KLOA report dated July 10, 2012, attached to this report, shall be satisfactorily addressed.
7. Cross access to the existing Casey's Restaurant to the east shall be constructed as part of this project and prior to the issuance of a Certificate of Occupancy, subject to the approval of Casey's Property Owner and in accordance with the preliminary engineering plan dated June 26, 2012 by RWG Engineering, LLC, except as it may be modified to meet Village Code. In the event that the owner of the Casey's property does not consent to the construction of the cross access, an easement shall still be provided for future connection to the east.
8. A cross access easement shall be provided at the southeast corner of the site that would connect to the property to the east in a manner acceptable to the Director of Community Development.
9. Prior to the issuance of a building permit, the existing Highway Authority Agreement for the subject property shall be reviewed and amended as needed by Village Counsel, with the approval by the Village Board.
10. The curb cut onto North Avenue shall be reduced to no more than thirty-five feet (35') wide at the property line.
11. The outdoor dining area shall include a decorative black aluminum or wrought iron fence a minimum of four feet (4') high around the perimeter.
12. To ensure that the proposed signage and awnings present a favorable appearance to neighboring properties:
 - A. That channel lettering shall only be used for the wall signs.

B. That consistent with the Sign Ordinance, the awnings shall not include text in conjunction with the wall signage.

C. That any future awnings shall be of a compatible design and color around the building.

The motion carried by the following vote:

Aye: 4 - Donald F. Ryan, Martin Burke, Ruth Sweetser, and John Mrofcza

Absent: 3 - Ronald Olbrysh, Andrea Cooper, and Stephen Flint

[120375](#)

PC 12-14: 1150 S. Main Street (Speedway)

Requests that the Village take the following actions on the subject property located in the B3 - Community Shopping District:

1. An amendment to Ordinance 4026, granting approval of conditional use for a gasoline service station and canopy on the subject property; and
2. A conditional use for outside display and sales of products the sale of which is a permitted or conditional use in this district; and
3. A variation from Section 155.415(F)(2) to reduce the required 30' corner side yard setback of an accessory structure (fuel canopy); and
4. A variation from Section 155.415(F)(4) to reduce the required 30' rear yard setback of the principal structure; and
5. A variation from Section 155.415(J) to reduce the required 40' transitional building setback; and
6. Variations from Sections 155.415(K) & 155.707(A)(4) to reduce the required 30' transitional landscape yard; and
7. A major plat of resubdivision; and
8. A variation from Section 153.505(B)(19)(a)(2)(a) of the Sign Ordinance to allow more than one wall sign per street exposure. (DISTRICT #2)

Troy Triphahn with Corporate Design & Development Group and Project Manager for Speedway, 2675 Pratum Ave., Hoffman Estates, presented the petition. He introduced Tony James who is with Speedway and Todd Abrams, Civil Engineer with W-T Engineering. He stated that about 1-1/2 years ago they started to look at different concepts with the Village. We have been working hard and since worked out issues associated with the Comprehensive Plan, being sensitive with the neighborhood and bringing a proposal forward for the Commissioners' support.

Mr. Triphahn referred to an aerial and indicated that the site is located at 1150 S. Main Street which is the southwest corner of Main Street and Morris Avenue. He stated that it is currently zoned B3 and explained the surrounding zoning. The overall site is 1.217 acres and currently has two full access points off Main Street and

one off Morris Avenue.

Showing a survey of the site he indicated what currently exists on the site today. There is a 1,700 square foot convenience store with four gas pumps which are oriented to the north and are in line running in an east to west direction with the pumps fronting Morris Avenue. One of the issues with the site is that there are only 7 parking stalls which are not located in front of the store so it is difficult for pedestrians to maneuver the site.

They are proposing to reorient the site so the busy area of the fuel station canopy faces Main St. which takes it away from the residential side. There are proposing 6 pumps under the canopy to run in a north south direction. The convenience store is proposed to be 3,900 square feet and will have 17 storefront parking stalls for pedestrians to safely and efficiently access the store. The reoriented canopy is now actually 53' further east than what currently exists. Parking will be located 26' further away from the residential area than the existing ones. To the west of Speedway or the north portion of the site, there is a residential yard that is in Speedway's control. This is the reason why they need a buffer yard and is the reason for the setback variances. While they encroach on the line that divides the two lots, if this petition is approved, they will actually have a 120+ foot buffer yard between the back of Speedway and the next resident. This will then be reflected on the major plat of resubdivision.

They have provided ample screening around the whole site to meet code but especially on the western and northwestern edge of the site. The majority of the 31 shade trees, 7 evergreen, 67 shrubs and 111 evergreen shrubs are provided within this area to ensure the intent the buffer yard is met.

He showed an elevation and indicated they are requesting a signage variation for additional wall signs. The reason for the request is that they need the canopy and site to be easily identifiable to both northbound and southbound traffic. They are requesting two 2 Speedway signs one on the north and one on the south elevation, a running "S" canopy sign and a 40 square foot reader board on the building which will show the daily specials. Village Code allows for a 50 square foot main sign. Their total site signage is 194 square feet where 383 square feet is allowed by Code. They are sacrificing 50% of signage allowed by code in order to secure the canopy signage so the site is easily identifiable.

Todd Abrams, 2675 Pratum Avenue, Hoffman Estates, was present to talk about existing site drainage for both lots and the proposed drainage on site for the overall development. The existing site is currently 2 lots, a vacant residential lot owned by Speedway and the other lot contains the Speedway gas station. The existing lot that has a driveway on it but mostly grass is on the west side of the property while the existing Speedway gas station is located on the east side of the property.

The existing Speedway site drains to a detention pond on the south side of the property which ultimately drains to the far west end of Morris Ave. The existing vacant lot drains overland to the existing residential lot to the west. Mr. Abrams then showed their Proposed Grading Plan and stated that the proposed detention pond is on the west side of the property. The design will route all onsite stormwater to this proposed detention pond which will have a 1" restrictor compared to the 4" restrictor that currently exists in the current detention pond, so it will stop the water that runs off site and reduce the offsite drainage. Mr. Triphahn emphasized that they will be reducing their stormwater runoff from the existing conditions.

Mr. Triphahn then showed the elevation board. He described the convenience store which will be a simple one-story masonry building. The base of the building will be brick red and the top portion will be a mocha brown. It will be made of a high-quality masonry textured product. The building will have a residential shingle roof so parapet height and rooftops will not be a consideration and will have a natural screening element built in. It will fit well into the residential area.

Photometrics were addressed next. Speedway is now using LED lighting. It has a lower luminaire output, lights are more directed and will look cleaner, they have less glare and the light source is recessed into the canopy. It is more energy efficient and a high-quality product. They kept the lighting on the east side of the site so there is less impact to the west side. They believe it is a reasonable plan which includes state of the art lighting and minimal spillage.

Mr. Triphahn then addressed the KLOA traffic report and their access. Their proposed access will be restricted compared to what currently exists. They will have full access on Morris which will remain and the 2 access points on Main Street will be removed and replaced with only one right in right out access. This new access point on Main Street will be larger than what Code requires to

accommodate truck transport to the site. This proposed plan will reduce the amount of traffic movements and be safer and more efficient.

The conditional use request is for the fuel station and canopy and outside display and sales of products, which currently exist on site. Speedway is a top gas station operator and they are reinvesting into the site.

The variations being requested are for the redevelopment of the site and to meet Speedway's minimum corporate standards. This would not be possible without the variations. This situation is unique in that Speedway has control over the site that the variations are impacting. Speedway is encroaching on its own property which will be the buffer yard. Its goal is to redevelop and provide a high-quality, more safe and efficient site with new tanks and lighting, and be less obtrusive to the area.

Lastly, he referred to a letter they submitted from the EPA dated November 29, 2004, which is known as "a no further action letter". At the time when it went to remediation it was deemed clean which is over 8 years ago.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

Larry Maas, 25 W. Morris, Lombard stated he lives directly west of the vacant lot and is not totally opposed to the redevelopment but this is the first time he has seen the plans even though the petitioner stated they have been working with the Village for over one year. Being this is the first he has heard about this, he believes it could affect his property values and his house. He has talked with staff about the water issues and is pleased to see the proposed building has residential rooflines. He was concerned about the HVAC facing his house. He would like to look over the plans to see how it affects him. Lastly, he is not sure he is in favor or against the petition.

Dave Sartore, 26 W. Morris, Lombard stated he is on the same block as Larry Maas but lives across the street from the empty lot. As the existing building is being moving further back into the empty lot, visually he is concerned about his point of view as he will be staring at the gas station. He is also wondered if the proposed screening will be mature enough to cover the gas station due to the pitch in the street. He also had concerns with the maintenance of

the vacant lot. He mentioned previous calls to the Village about high grass and how it is currently not being maintained and wondered who will maintain it once the development is finished. Lastly, he is concerned about the negative impact on his property values as his house will now be facing a gas station and wasn't when he bought it. He is not opposed to the look or to the aesthetics of the lot but concerned about those aspects.

Mr. Triphahn rebutted. Relative to the HVAC units being visible, he explained how the residential shingles wrap around the 4 sides of the building and they will add 4 panels to ensure the mechanicals will be fully screened.

Relative to the screening of the site to the west and northwest - he stated there is a steep slope up to the site. They have spent a lot of time and have proposed more evergreens than required by code to meet the integrity of the screening. The installed height of the evergreens will be 6-8 feet so there will be an immediate benefit. The north side of the building will have approximately 15-20 evergreen shrubs, 3-4' high with 9 other deciduous and evergreen trees in the area. The combination should provide year round screening.

Tony James, Construction Project Manager with Speedway, 8200 185th Street, Tinley Park, spoke to the comment about maintenance of the vacant lot. He stated they just started to handle regular maintenance of the lot and that vacant area will be added to the maintenance plan.

Christopher Stilling, Assistant Director of Community Development, added that should this project be approved, annual maintenance of the stormwater detention pond will be required by the Village under not only Village Code but also County Code.

Chairperson Ryan then requested the staff report

Mr. Stilling presented the staff report noting that it was being submitted into the public record in its entirety. The subject property is currently improved with a gas station, known as Speedway. Ordinance 4026 granted approval of conditional use for a gasoline service station and canopy on the subject property. The petitioner is proposing to raze the existing principal building and accessory fueling canopy and redevelop the site with a new 3,936 square foot principal building and multi-pump fueling canopy. The proposed plans constitute a major change to the original approval; as such,

the petitioner is now requesting an amendment to the original conditional use approval. Gasoline sales is a conditional use within the B3 - Community Shopping District. A conditional use for outdoor display/sales is also being requested to allow the business to display and sell common items outside of the building, which typically would include propane tanks, window washing fluid, mulch, etc. The existing building and canopy are currently situated perpendicular to Main Street. As part of the redevelopment plan, the building and canopy will be reoriented on the property to both be parallel to Main Street. As both the principal building and fueling canopy will be reoriented on the property, there are setback variations also being requested in order to accommodate the new locations.

Compliance with the Zoning Ordinance

Gasoline sales is a conditional use within the B3 - Community Shopping District. Therefore, the proposed use is compatible with the Zoning Ordinance.

An amendment to Ordinance 4026, granting approval of conditional use for a gasoline service station and canopy on the subject property:

Gasoline sales is a conditional use within the B3 - Community Shopping District. Ordinance 4026 granted approval of a conditional use for a gasoline service station and canopy on the subject property. The petitioner is proposing to raze the existing principal building and accessory fueling canopy and redevelop the site with a new principal building and multi-pump fueling canopy. The proposed plans constitute a major change to the original approval; as such, the petitioner is now requesting an amendment to the original conditional use approval.

A traffic study was performed by KLOA, Inc., which found that the traffic to be generated by the proposed increase in the number of fueling positions will be limited and will not have a significant impact on the surrounding roadway network. The access drives, as proposed, will be an improvement over the original land use and the previous approved land use, given that the number of curb cuts onto Main Street and the number of conflict points, will be reduced. KLOA makes the following recommendations:

- Consideration should be given to increasing the internal radii between the northern fuel pump and the landscaped area to better accommodate a passenger vehicle passing a standing vehicle.*
- The southern fuel pump should be coned off when a tanker*

truck is delivering gas.

- A "No-Left Turn" sign on the east side of Main Street at its intersection with the proposed right-in/right-out should be posted.*
- A "Right-Turn Only" sign on the southern curb of the right-in/right-out access drive facing west should be provided.*
- Outbound movements from both access drives should be under stop sign control.*
- Consideration should be given to provide a mountable curb and gutter on the southern curb of the right-in/right-out access drive.*

Staff is supportive of the amendment to Ordinance 4026, as the subject property has been historically used as a gas station and staff believes that, provided the recommended traffic and circulation improvements are made, the new site plan is functionally and aesthetically in the best interest of the Village.

A conditional use for outside display and sales of products the sale of which is a permitted or conditional use in this district:

The petitioner's request for conditional use approval for outdoor sales and display of merchandise is based upon the use and function of many gas stations. Outdoor sales and storage of ancillary automotive items and general convenience items is generally considered compatible with generic retail activities. The petitioner intends to utilize space along the front and sides of the convenience store building as well as locations within the fuel islands.

Staff finds that the conditional use for outdoor sales can generally be supported. However, to ensure that the outdoor sales and display of merchandise is appropriately sized and located, staff offers the following considerations:

- 1. Merchandise may not be stacked higher than four (4) feet.*
- 2. At least four feet of walkway should be maintained at all times.*
- 3. Sales and display areas must not impact vehicular traffic. This includes automobiles, tanker trucks and fire Department apparatus.*
- 4. Clear line of sight areas must be maintained.*
- 5. Outdoor sales and display of merchandise must remain ancillary to the principal land use of the establishment.*

A variation from Section 155.415(F)(2) to reduce the required 30' corner side yard setback of an accessory structure (fuel canopy):

The fueling canopy associated with the gas station is currently

situated perpendicular to Main Street. Moreover, the existing canopy does not meet the front yard setback required at its current location. As part of the redevelopment plan, the fueling canopy will be reoriented on the property to be parallel to Main Street. The new canopy will be encroaching into the required thirty (30) foot corner side yard. As the closest fuel pump would be located more than thirty (30) feet from the northern property line, the canopy element is the only portion that would be located in the required corner side yard. Staff is supportive of the variation to reduce the required corner side yard for the canopy as the bulk of the structure (the at-grade fueling pumps) meets the corner side yard setback.

A variation from Section 155.415(F)(4) to reduce the required 30' rear yard setback of the principal structure, a variation from Section 155.415(J) to reduce the required 40' transitional building setback and variations from Sections 155.415(K) & 155.707(A)(4) to reduce the required 30' transitional landscape yard:

As previously noted, the gas station received approval in 1995 for a conditional use for a service station, variation (canopy setback) and rezoning from R2 to B3. As part of their 1995 plan, they purchased the residential lot to the west to pick up an additional 30' for a landscaped buffer. That 30' strip is what had to be rezoned to B3. At the time, the rezoning was supported because no structures were proposed within the 30' buffer area. The petitioner has continued to own the residential lot to the west and recently demolished the home.

The current building is situated in an east/west orientation, making it perpendicular to Main Street. The building meets all setback provisions required of a principal structure in the B3 - Community Shopping District. As part of the redevelopment plan, the building will be relocated to the western portion of the subject property and reoriented in a north/south orientation, making it parallel to Main Street. The new building will be located eight (8) feet from the western (rear) property line and therefore encroaching into the required thirty (30) foot rear yard. As previously discussed, the Speedway gas station owns the lot to the west of the subject property and, per staff's recommendation, is to be established as an outlot/detention basin for use by the subject property. Included in the submitted landscaping plans is the installation of new native plantings, which includes several evergreens and shade trees. Staff is supportive of the variation to reduce the rear yard setback as the recommendation to reserve the adjacent lot came per staff's recommendation. Furthermore, the additional landscaping will screen the building from the adjacent residential properties.

Included in the submitted landscaping plans is the installation of new plantings along the westernmost property line, which include a continuous hedgerow of deciduous and evergreen shrubs as well as several bald cypress and hackberry shade trees. The south property line (adjacent to residential) will be screened by additional shade trees and shrubs. Staff is supportive of the variations as the additional landscaping included as part of the outlot will screen the building from the adjacent residential properties.

It should also be noted that the B3 zoning to the south encroaches further west than the existing Speedway B3 zoning. Although the new building will be setback 8' from the west lot line (30' required), if you were to hold the line from the lot to the south and extend it north, the proposed building would meet the setback requirement.

Compatibility with the Sign Ordinance

A variation from Section 153.505(B)(19)(a)(2)(a) of the Sign Ordinance to allow more than one wall sign per street exposure:

According to the submitted plans, the new gas station building and fueling canopy will include a number of wall signs totaling 144 square feet as follows:

- "Speedway" canopy sign (north elevation) proposed to be 46.5 square feet*
- "Speedway" canopy sign (south elevation) proposed to be 46.5 square feet*
- "S" canopy sign (east elevation) proposed to be 11 square feet*
- Manual changeable copy building sign (north elevation) proposed to be 40 square feet*

The B3 regulations allow up to two signs totaling no more than 383 square feet (maximum 100 square feet per sign).

Although the submitted plans show an additional "S" wall sign on the east side of the canopy, the petitioner is not requesting approval for that sign which would be facing the adjacent residential property. At this time, the petitioner is not requesting any relief for a freestanding sign.

The subject property abuts two rights of way, which includes Main Street and Morris Ave, which would afford the property one wall sign per street exposure. Staff finds the proposed wall signs to be acceptable as the signs are appropriately sized and well-integrated

into the respective elevations. Additionally, gas station canopies provide rather unique signage issues, and staff has supported the provision of additional signage for gas stations in the past.

Compliance with the Subdivision and Development Ordinance

A major plat of resubdivision

The site currently consists of two separate lots. As submitted with the proposed plans, a two lot resubdivision is to be included, which would establish the western lot as an outlot for the use of the subject property. A stormwater management and drainage easement will cover the entirety of Lot 2, which is the designated outlot. As the total area of both properties is in excess of one acre, the proposed subdivision is considered to be a major plat of resubdivision.

Other Items

Parking

The petitioner is providing 16 parking spaces, which is the minimum required by Village Code (4 spaces/1000 square feet)

Elevations

The petitioner has submitted a color rendering of the building and material samples as part of their petition. The building will be constructed of concrete block along all four sides. To break up the mass of the building, the petitioner is proposing two color tones. Windows would be provided along the east and south elevations.

Staff recommends approval of this petition subject to the conditions noted in the staff report.

Chairperson Ryan then asked for comments from the public, and, hearing none, opened the meeting to the Commissioners.

Commissioner Mrofcza asked if the tanks will be relocated during the demolition and prior to reconstruction, will the property be subject to an environmental analysis and approval. Mr. Triphahn answered that the tanks will be relocated and replaced. According to state law if there is any sign of contamination, they will need to conduct remediation and any dirty soil would need to be removed off site and be properly disposed.

Referring to the Helmer and Charlene Johnson letter that was included in their packets, Commissioner Sweetser asked if Village ordinance requires a stop sign be placed at the exit onto Morris Avenue or if some consideration could be given to emphasize that it

is a dead end street and they should not pull onto Morris Avenue without stopping or looking. Mr. Stilling asked the petitioner if they would add a stop sign or as an alternative, the Commissioners could add it as a condition of approval. Mr. Triphahn answered that their current engineering plans call for a stop sign there and the KLOA report addresses it also.

A motion was made by Martin Burke, seconded by Ruth Sweetser, that this matter be recommended for approval to the Corporate Authorities subject to the amended condition(s):

1. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in this IDRC report, except as they may be changed to conform to Village Codes and Ordinances.
2. That the petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
3. No signage shall be permitted on the western elevation of the canopy or western elevation of the building.
4. All comments and recommendations noted in the KLOA report dated July 10, 2012 shall be satisfactorily addressed.
5. That the trash enclosure screening as required by Section 155.710 of the Zoning Ordinance shall be constructed of a material consistent with the principal building.
6. The petitioner shall submit a final plat of resubdivision showing their residential lot to the west as a stormwater detention outlot, in accordance with the Village's Subdivision and Development Ordinance.
7. All rooftop mechanical equipment shall be fully screened.
8. The petitioner shall provide a stop sign at the exit onto Morris Avenue.

The motion carried by the following vote:

Aye: 4 - Donald F. Ryan, Martin Burke, Ruth Sweetser, and John Mrofcza

Absent: 3 - Ronald Olbrysh, Andrea Cooper, and Stephen Flint

[120376](#)

PC 12-15: 1 E. Progress Road (Adjustable Forms)

Requests that the Village approve the following actions for the subject property located in the I Limited Industrial District:

1. A conditional use per Section 155.420(C)(30) of the Zoning Ordinance to establish the subject property as a Planned Development;
2. A conditional use per Section 155.420(C)(13) of the Zoning Ordinance to allow for a Contractors, architects, and engineers equipment and materials storage yard;
3. A variation from Sections 155.706(C), 155.709(B) and 155.508(C)(6)(b) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0');
4. A variation from Sections 155.420(F)(1)&(2) and 155.508(C)(6)(a) to reduce the required twenty-five (25) foot front and corner side

yard; and

5. A major plat of subdivision. (DISTRICT #4)

Adam St. Cyr, 222 S. Riverside Plaza, Suite #2220 Chicago, presented the petition. He stated he is an architect with DLR Group and is representing Adjustable Forms. Also in attendance were Jim Lindquist and Eric Lindquist of Adjustable Forms and Jason Green, engineer with W-T Engineering.

Mr. St. Cyr showed the proposed site plan. He stated that the owners have been longstanding residents of the community for over 30 years. Adjustable Forms is located at Progress Road and Main Street. The project will be a renovation of their existing facilities and they also desire to add additional warehouse space and office facilities.

He stated that the plan shows the existing warehouse and office portion that will be modified. The plan includes a warehouse addition approximately 7,500 square feet and to the south is a total of approximately 7,200 square feet of parking lot improvements, which meet the ingress/egress and parking requirements. The next diagram shows the project concept.

Mr. St. Cyr displayed a concept image of the project. He stated that they are requesting a variation for a reduction of the front and side yards. The sunscreen would be encroaching, in part, into the front yard setback. Adjustable Forms plans to showcase what they do for a living to their clients, as well as a place for them to work and remain in the community. The intent of the renovation is to highlight and incorporate sustainable attributes on high performance building envelopes and this variation is being requested to help incorporate those into the project. The glass on the western face will be pushed back as the majority of the building is a concrete structure. The perforated metal panel wall will help with the heat. The west side encroachment is for minor relief whereby they are taking the existing masonry wall and adding high performance materials to it to enhance the insulation and integrity of the wall. The one relief that is being withdrawn is the variation request to the perimeter parking lot and landscaping. He showed the site plan again and explained that they increased the distance to 12' so they will now meet the landscaping requirements. Mr. St. Cyr then stated that Mr. Lindquist brought to his attention a statement made in the 'traffic flow' portion of the IDRC Report. The report states that the Progress Road driveways are not being used, so he wanted to clarify that they are not the primary drives, but are still in use. He then showed the secondary ingress/egress spots on Progress

Road.

Chairperson Ryan then opened the meeting for public comment. There was no one to speak in favor or against the petition.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the petition indicating that it was being submitted to the public record in its entirety. The subject property is currently improved with a contractors, architects, and engineers equipment and materials storage yard, known as Adjustable Forms. The petitioner is proposing to construct a 7,912 square foot warehouse addition along the eastern portion of the building and additional office space to be located along the southern portion of the principal building. A number of other site improvements are also being proposed to enhance the functionality of the site. Contractors, architects and engineers equipment and materials storage yards are listed as a conditional use within the I - Limited Industrial District.

The principal building slightly encroaches into the required twenty-five (25) foot corner side yard setback requirement (it is 24.92' feet south of the Progress Road right of way line); as such, the petitioner is requesting a variation to the corner side yard setback requirement to maintain the existing building line of the principal structure to construct the proposed addition, which would result in a 24.39' setback. The proposed exterior modifications to the western portion of the building would result in an encroachment of about four feet into the requisite yard.

As the aforementioned relief being requested in the I - Limited Industrial District on the subject property meets the minimum lot area and width requirements for a planned development, a conditional use to establish the subject property as a planned development is also required.

A variation from the perimeter lot landscaping requirements was initially requested to provide for ten (10) parking stalls along the southern access drive. However, the petitioner's amended plans removed the need for the relief.

Lastly, a major plat of subdivision approval is also being requesting to make the subject property a lot of record.

Adjustable Forms is a concrete frame contractor specializing in

large scale commercial construction. As noted, the petitioner is proposing to construct a 7,912 square foot warehouse addition along the eastern portion of the building and additional office space to be located along the southern portion of the principal building, which serves as the company's headquarters. As proposed, the building would contain 12,373 square feet of warehousing space and 8,047 square feet of office space. The remainder of the property serves as the storage yard for the materials associated with the concrete casting.

The existing industrial building was constructed in the early 1980s. Along with the petitioner's expansion activities, he is proposing to provide for a modern exterior appearance to promote the ability of form construction to be both aesthetically pleasing and environmentally friendly, with numerous sustainable initiatives. As depicted in the packet submittal, the exterior facade will include cast-in-place panels and fiber concrete panels. To soften their appearance, and to include energy and aesthetic improvements, the west and south elevations will also incorporate horizontal metal panels. According to the petitioner, the use of sustainable features on the building will serve as a demonstration to their clients as to how their product can be incorporated into a sustainable design and include the following other "green" elements:

- Skylights*
- Exterior sunshades*
- Concrete with Flyash*
- Permeable paving*
- The use of native vegetation and bioswale*
- Highly reflective roof membrane*
- Reclad existing with high efficient system*
- High efficient HVAC system*
- Radiant heating*
- Adaptive reuse of existing facility and structure*
- Thermal storage wall*
- Natural ventilation*

Additional information about their sustainable features can be found in the 'Plan Commission Submittal' packet and entitled Sustainable Features.

The existing site configuration provides a total of 20 parking spaces, which is below the total number of parking spaces required of the current facility. For Adjustable Forms 8,047 square feet of office space, the Zoning Ordinance requires a minimum of 32 parking

spaces (4 spaces/1000 square feet). For the 12,373 square feet of warehousing space, the Zoning Ordinance requires a minimum of 12 parking spaces (1 space/1000 square feet). As such, the minimum number of parking spaces on the subject property would be 44 spaces.

The petitioner is proposing a total 45 parking spaces to meet the new parking requirements. However, the petitioner notes that based upon their operations, the 45 spaces would exceed their specific demand based upon current operations. Spaces within the fenced area would be for business vehicles and/or employee use while the spaces outside the fenced areas would be for visitors and other office employees.

Access to the site can be obtained through entrances off of Main Street. The Progress Road driveways are not used. In their submittal, the petitioner provided templates showing vehicle truck movements and the desire to not have trucks operate over adjacent curbs. However, in the submitted plan set, staff noted that the original driveway width is 41.5' with an exterior flare going to 60' in width. Village Code allows a maximum drive width of 35' at the property line. The plan set shows the turning movements, but staff believes that this plan is over-engineered given the low amount of truck turning movements that will occur (about 6-8 daily). As such, staff recommended that the drive width be reduced down to 25-30' (which would still provide for sufficient width, with a maximum flare at the property line of 35'). This redesign will also allow for the parking stalls on the south side of the drive aisle to be moved from less than one foot to 12' from the southern property line and meet perimeter landscape requirements. The petitioner did submit a modified plan depicting this change, which is supported by staff.

The petitioner has submitted a landscape plan that is intended to provide perimeter and internal parking lot landscaping similar to that specified in the Zoning Ordinance. The subject property is not directly adjacent to any residential zoning districts, therefore, transitional landscaping is not required. The plan also shows plantings throughout the site including a combination of shrubs, evergreens and ornamental trees. As a major development (defined as a commercial building addition of over 2,000 square feet in area), the Village will require parkway trees every 40' of the length of the public right of way.

The petitioner has submitted a lighting and photometric plan, which would meet code requirements. Light packs would be added to the

building.

The abutting right of way to the property does not have existing public sidewalk. Major developments are required to have sidewalks and a drive around the area finds that we have required such walkways for the new and expanded projects in the industrial park (see neighboring Garfield Street as an example). As such, the Village will require this as a condition of approval for the development. Staff can work with the petitioner to determine the appropriate location and appropriate grading issues. We will also require the sidewalk to cross through the driveway(s).

With respect to the sidewalk's final location, Village staff notes that the adjacent right of way does not have sufficient width to accommodate the public sidewalk. In lieu of requiring a right of way dedication, staff would be supportive of an easement for sidewalk purposes to be located at the final location where the sidewalk is to be placed. This approach would provide maximum flexibility in design, will ensure that the sidewalk will be located away from the adjacent street traffic and will not result in the existing and proposed facility from becoming non-conforming with respect to the requisite yards.

The Comprehensive Plan suggests that subject property be developed with a light industrial land use. The subject property has been operating with a Contractors, architects, and engineers equipment and materials storage yard for a number of years. As the petitioner is requesting conditional use approval to continue such use, the operation of the property will continue to operate with a recognized light industrial use.

The property is bordered by light industrial uses to the north and west and vacant industrially-zoned land to the south and east. As the use of the property would continue to operate as a Contractors, architects, and engineers equipment and materials storage yard, staff finds that the proposed use is compatible with other types of uses found within the North Avenue Business Park area and within the I District. The building addition will increase the prominence of the office use and will include additional indoor storage which will soften the impact of the use on adjacent properties.

The storage yard is entirely enclosed by an eight (8) foot chain link fence. The existing chain link/slat fence is legal non-conforming with respect to materials (the Village now requires solid fence materials). Staff noted to the petitioner that storage should not be above the

maximum height of the fence.

As previously mentioned, Adjustable Forms is a concrete frame contractor specializing in large scale commercial construction. The operation of the business could best be defined by the Zoning Ordinance as a Contractors, architects, and engineer's equipment and materials storage yard, which is listed as a conditional use in the I - Limited Industrial District. The actual casting for each project is done off-site at each corresponding project job site. The subject property serves as a staging area for the preparation and storage of the concrete casts.

The existing business activity and use is considered a legal nonconforming use. With the expansion of the proposed building addition and site enhancements, a conditional use approval is required.

The petitioner is requesting relief from the corner side yard setback and perimeter parking lot landscaping requirements. Furthermore, the subject property is 280 feet wide and over 189,500 square feet in area. As variations are being requested as part of this petition and the subject property exceeds the minimum lot area requirement of 60,000 square feet and minimum width requirement of 240 feet of frontage, the project is required to be established as a planned development under the requested zoning actions. As such, the petitioner is requesting to create the site as a Planned Development. The establishment of a planned development allows for a more unified and cohesive development. Staff also supports this approach and requests and supports site plan approval authority be given to the Plan Commission.

The petitioner's initial submittal requested relief from the perimeter landscape requirements. However, staff notes that the amended landscape plan submittal removes the need for the relief. Therefore, this request is being withdrawn from the petition.

In the I - Limited Industrial District all principal buildings and structures shall provide a minimum front and corner side yard setback of twenty-five (25) feet. The principal structure currently maintains a front yard setback (Main Street) of twenty-five (25) feet and a corner side yard setback (Progress Road) of twenty-four (24) feet. The new office addition will maintain the existing building line and, as previously mentioned, the requested relief for the front setback is to accommodate the perforated metal screen that is to be installed along the western building elevation. The screen protrudes

three feet, six inches (3' 6") into the required front yard. The perforated metal screen is intended to serve as an exterior sunshade, one of the sustainable building design elements included in the plan and it will not increase the overall gross floor area of the building.

The proposed warehouse addition would be located in the corner side yard and is proposed to be 24.39' feet from the corner side property line. As such, a variation to the corner side yard setback is being requested for the proposed warehouse addition and to also memorialize the corner side yard setback of the existing building and to hold the existing building lines.

As previously noted, this development is both a major subdivision and a major development as expressed in the Subdivision and Development Ordinance. The site consists of one lot. As the subject property is not a recognized lot of record, approval of a plat of subdivision is required in order to facilitate any development on the lot. The lot exceeds the minimum lot width requirement of eighty (80) feet and area of 20,000 square feet required of the I - Limited Industrial District; therefore, a Major Plat of Subdivision is required.

Furthermore, staff is recommending approval of PC 12-15, subject to the revised findings and recommendations dated July 16, 2012 and the conditions in the staff report.

Chairperson Ryan then asked for comments from the public, and, hearing none, opened the meeting to the Commissioners.

Commissioner Sweetser stated that this is a wonderful structure that incorporates what the company offers its clients. She referred to their roof page and asked if they had considered a green roof.

The petitioner stated that they did, but opted for a highly reflective roof in lieu of a green roof.

A motion was made by Martin Burke, seconded by Ruth Sweetser, that this matter be recommended to the Corporate Authorities for approval subject to the revised findings and recommendations dated July 16, 2012 and the following conditions:

- 1. The petitioner shall develop the site in accordance with the Plan Commission Submittal Packet dated June 15, 2012 and companion materials board, prepared by DLR Group; the Site Geometric Plan, dated June 14, 2012 and amended July 10, 2012, W-T Civil Engineering, LLC.; the Site Development Plan and Site Grading Plan dated June 14, 2012, W-T Civil Engineering, LLC.;**

the Landscape Plan, dated June 15, 2012 and as amended on July 10, 2012, prepared by Brusseau Design Group, LLC. and the Site Photometric Plan, dated June 14, 2012, prepared by W-T Mechanical/Electrical Engineering, Inc. and submitted as part of this request.

2. The deviation for the front yard setback relief along Main Street shall be limited to the exterior building aesthetic enhancements as depicted in the plan submittal packet and such improvements shall not be located closer than 21 feet from the right of way line. Furthermore, the deviation for the corner side yard setback along Progress Road shall be limited to the exterior building footprint as depicted in the plan submittal packet and shall not be located closer than 24 feet from the right of way line.

3. The petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.

4. As part of the public improvements, the petitioner shall provide full public improvements as required by Sections 154.304 and 154.306 of the Lombard Subdivision and Development Ordinance. The final design and location of all public improvements, including public sidewalk placement along Main Street and Progress Road shall be reviewed and approved by the Village.

5. That concurrent with the planned development approval, site plan approval authority be granted to the Plan Commission.

The motion carried by the following vote:

Aye: 4 - Donald F. Ryan, Martin Burke, Ruth Sweetser, and John Mrofcza

Absent: 3 - Ronald Olbrysh, Andrea Cooper, and Stephen Flint

[120377](#)

PC 12-17: 2700-2860 S. Highland Avenue (Highlands of Lombard)

The petitioner, the Village of Lombard, requests that the Village take the following actions for the subject properties located in the B3PD, Community Shopping District, Planned Development:

1. An amendment to the Second Amendment to the Pre-Development Agreement between the Village of Lombard and the owners of the property commonly known as The Highlands of Lombard and an amendment to Ordinance No. 4833 for an amendment to the conditional uses and variations approved by said Original Ordinance, so as to clarify the principal uses that are permitted, conditional or prohibited on the Subject Property, and to grant a variation relative to the requirements applicable to accessory uses on the Subject Property. (DISTRICT #3)

Chairperson Ryan indicated that this petition is being presented by the Village.

Christopher Stilling, Assistant Director of Community Development, presented the petition. He explained how this petition relates to the vacant Great Indoors building located in the Highlands of Lombard. Staff has been working with several potential big box tenants to fill the space but they require gasoline and service components which are currently prohibited in the Highlands of Lombard planned development

per the approved Pre-Development Agreement. In order for these types of components to be allowed and to offer flexibility in the approval process, an amendment to the Pre-Development Agreement would have to occur and property owners in the planned development would have to consent.

Consequently, the goal of this petition is to initiate a process whereby these types of components would already be in place so we can be proactive and business friendly. What staff is proposing to do tonight is open up the public hearing, take any testimony, and then have the petition continued to the next Plan Commission meeting. By that time, staff hopes to have all the required signatures of the owners in place.

Chairperson Ryan asked if there was anyone present to speak in favor or against the petition. Hearing none, he opened up the meeting to the Commissioners.

Commissioner Sweetser suggested that the amendment should not be confined to gasoline sales but also include an electronic vehicle (EV) charging station. Mr. Stilling agreed. He stated that the business world is reinventing itself whereby big box development includes these types of ancillary uses for a one stop shopping experience and staff is creating an avenue for this. He noted that once a tenant has been secured, they would have to come back to the Plan Commission for site plan approval. We are asking for a continuance of the petition as this kind of amendment would require consent of eight property owners within the overall Highlands of Lombard planned development. We have talked with each individual but have not obtained all the signatures. By amending the Agreement, it would show our commitment to finding a tenant for this 135,000 square foot vacant building. We need to be proactive and ready to go.

Commissioner Sweetser cautioned that language is very powerful so we need to be careful and not keep referring to it as just gasoline sales. It should have more capability than that. Mr. Stilling responded that we are finding that tenants will have that as an accessory use to their business so we have to include that as an amendment but it does not exclude other ancillary uses. Commissioner Sweetser stated she would like to see it specifically mentioned.

A motion was made by Martin Burke, seconded by John Mrofcza, Jr., to continue this petition to the August 20, 2012 meeting. The motion carried by the following vote:

Aye: 4 - Donald F. Ryan, Martin Burke, Ruth Sweetser, and John Mrofcza

Absent: 3 - Ronald Olbrysh, Andrea Cooper, and Stephen Flint

Business Meeting

The business meeting convened at 9:08 p.m.

Approval of Minutes

On a motion by Martin Burke and seconded by John Mrofcza the minutes of the June 18, 2012 meeting were unanimously approved by the members present.

Public Participation

There was no public participation.

DuPage County Hearings

There were no DuPage County hearings.

Chairperson's Report

The Chairperson deferred to the Assistant Director of Community Development.

Planner's Report

Mr. Stilling gave a brief overview of the projects that were under or close to starting construction.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Subdivision Reports

There were no subdivision reports.

Site Plan Approvals

There were no site plan approvals.

Workshops

There were no workshops.

Adjournment

The meeting adjourned at 9:10 p.m.

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*Christopher Stilling, Secretary
Lombard Plan Commission*