

May 5, 2005

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

Subject: PC 05-08; 330 E. North Avenue

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, GB Illinois #1, LLC, requests that the Village takes the following actions on the subject property located within the B4 Corridor Commercial District.

For the property located at 330 East North Avenue and located within the B4 Corridor Commercial District:

1. Approve a major plat of subdivision.
2. Approve a variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking;
3. Approve a conditional use for a drive-through facility;
4. Approve a conditional use for an outdoor seating area; and
5. Approve a development agreement for the subject property.

For the property located at 350 East North Avenue and located within the B4 Corridor Commercial District, Planned Development, approve the following actions:

1. Amendments to Ordinance 5531 approving a planned development on the subject property; and
2. Variations from Sections 153.505 (B)(9) and Sections 153.225 (A), (B) and (F) of the Lombard Sign Ordinance to allow for an off-premise sign to allow for an off-premise sign on the subject property.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 18, 2005. Peter Bazos, attorney for the petitioner, presented the petition. Mr. Bazos introduced other presenters and the order of presentation. Mr. Bazos described the property's location and zoning. He noted that the site is immediately west of the recently approved CVS site. Mr. Bazos stated the request. He noted that the site would include a 17,250 square foot multi-tenant commercial center. He stated that the petitioner agreed to continue with cross access easements at the east and west property lines. He noted that the façade was upgraded to be consistent with the commercial corridor. He mentioned the uses would be consistent with the B4 commercial zoning and noted that when the center was occupied there would be significant sales tax generated.

Mr. Bazos stated that the petition complies with the applicable standards. He asked that their application and submittals be part of the record. He noted that they were in concurrence with the majority of the staff report except for page four, comment number one. He also noted exceptions to page four, comment number two and stated that the site plan is the accurate representation. He also noted that the petitioner's engineer had not seen the redline plans noted in comment number seven. He noted that the comments from Planning regarding changes to the north elevation would be too expensive to make the project work. He stated that he discussed tabling the freestanding sign request for 350 E. North Avenue with staff. Mr. Bazos stated that staff informed him street lighting would not be necessary in reference to the Subdivision and Development Ordinance provisions. He stated that they agreed with the conditions of approval with the exceptions of numbers two, six, and seven since the sign discussion would be tabled.

Mark Rick, civil engineer, outlined the site plan items. He stated that the front of the building would face North Avenue. He stated that the proposed single drive through window would be located on the south side of the building. He stated that the dumpster would be screened. He stated that the drive aisle would accommodate truck deliveries. He noted that deliveries would be made with small, single unit trucks and not semis. He referred to the circulation pattern. He pointed out the outdoor seating areas at the northwest and southeast corners of the building. He stated that they were working with IDOT to obtain a permit for the right-in, right-out access. He noted that there is an existing access under construction as part of the CVS shared access. He stated that they are proposing 71 parking spaces located south of the store with three handicap spaces. He stated that the developer is fine with staff's recommendation of restricted employee parking for the ten northern diagonal parking spaces located on the west side of the building. He stated that the drive aisle behind the building will be one way and the exhibits submitted to KLOA show the ability to make a left hand turn without conflict. Mr. Nosky noted that the Village requires seven spaces for stacking and they have provided space for thirteen. He stated that they were agreeable to staff comments referencing tapering to prevent motorists from entering the one way drive through. He stated that the landscaping plans were submitted. He noted that the petitioner proposed a wood fence for screening but was agreeable to staff's request for evergreens in lieu of the fence. He stated that the street lighting was done as part of the IDOT reconstruction. Lastly, Mr. Nosky noted that they were working with DuPage County to construct the same type of detention facility as the CVS site. He noted the 100 foot buffer.

Mark Nosky, the petitioner's architect, presented four display boards. He referenced the floor plan. He stated that the floor plan shows the multi-tenant service doors facing the back side of the drive. He stated that railings would be provided around the outdoor seating areas. Mr. Nosky referenced the drive through window. He noted it would consist of a bump out window and curbing to restrict one way movements. He noted that a sprinkler room area is located at the rear of the building. He then noted the alternative elevation designed to address staff concerns. He stated that the design included fabric awnings, and two types of colored brick. He stated that additional banding would be provided to break up the rear façade.

Mr. Nosky referenced the materials board. He stated that the base course brick was for the building. He referenced a change to the color of the awnings shown in the elevation. He noted the two types of brick colors. He stated that the downspouts would be located between doors and sliding to the side on the rear elevation. He stated that they also included fabric awnings to the rear to give provide shadows and tones.

Chairperson Ryan then opened the meeting for public comment. Ed Jacobson, a resident of Martha Street, stated that the proposed development would be an improvement to an area of town that has been devastated for some time. No one spoke against the petition.

Chairperson Ryan then requested the staff report.

Angela Clark, Planner II, presented the staff report. Ms. Clark noted the Interdepartmental Review Committee provided comments. She highlighted the planning issues. She stated that the comprehensive plan and zoning ordinance recommend community commercial uses and the proposed use is consistent with both. She noted that the properties east and west of the subject property were zoned for commercial uses. She stated that a church is proposed north of the subject property and residential uses exist to the south. Ms. Clark stated that a detention pond would separate the church and the strip center would be more than 250 feet from the church. She stated that the petitioner attempted to make the proposed development appear as though it was a contiguous development with the proposed CVS location to the east.

Ms. Clark noted the drive through facility. She sated mentioned the direction of traffic flow. She noted the comments provided by KLOA, the Village's traffic consultant. She stated that the comments approve of the general layout and design and suggested additional signage. She stated that staff feels the spacing of the drive aisle near the driveway is adequate. She also noted that staff concurred with the recommendation that the northern most spaces on the west side of the building should be restricted to employee parking to minimize the number of vehicles backing into the drive aisle.

Ms. Clark stated that staff favored the proposed outdoor seating areas, as they would provide an additional amenity to patrons. She stated that staff would rather see heavy berming rather than a

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solid fence on the north side of the structure. She stated that the landscaping plans met the code requirements with the exception of those areas intended to provide cross access.

Ms. Clark stated that staff has had conversations with the petitioner regarding breaking up the expanse along the rear elevation. She stated that staff is willing to work with the petitioner on revisions to the rear elevation. She noted that the petitioner had incorporated previous comments into the new elevations.

Ms. Clark stated two freestanding signs were proposed. She clarified that the condition of approval referencing signage was in regards to the billboard on the 330 E. North Avenue and not for the proposed freestanding sign. She stated that the petitioner has represented that the proposed wall signage will meet code. She stated that the petitioner requested that action for the proposed freestanding sign for 350 E. North Avenue be continued as they were revising drawings for the sign and discussing it with the 350 E. North Avenue property owner. She noted that the awnings on the front elevation would not contain any signage.

Ms. Clark stated that Private Engineering Services represented that street lighting would not be necessary, but all other requirements of the Subdivision and Development Ordinance must be met for the subdivision. She stated that staff recommended approval of the petition with the conditions noted in the staff report.

Chairperson Ryan then opened the meeting for discussion among the Plan Commission members.

Commissioner Sweetser stated that the petitioner indicated that they were seeking a modification of the condition number two. She asked if there was something else. Ms. Clark stated that the only issue she is aware of is the street lighting. Commissioner Sweetser asked if it was okay not to include number two. William Heniff, Senior Planner, stated that condition number two picks up all of the public works and other comments. Commissioner Sweetser asked if the references to the sidewalk were included in this. Mr. Heniff stated that it was and these items could be worked out with staff.

Commissioner Olbrysh stated that he could support the petitioner but had one concern with the north elevation. He stated that even though the building would be more than 250 feet away in addition to landscaping the building would still be visible. He stated that what the petitioner proposed with the additional banding and fabric awnings would satisfy his concerns.

Commissioner Burke asked that if the banding and the awning were acceptable should condition number six be stricken. Mr. Heniff stated that the condition could be modified to give it a date certain subject to the Director of Community Development. He stated that condition seven references the billboard.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed variations comply with the standards of the Zoning Ordinance. Therefore, the Plan

Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, **approval** of the following relief associated with 330 E. North Avenue (PC 05-08) and continuance of the signage for 350 E. North Avenue until May 16, 2005 Plan Commission meeting. The recommendation of approval is subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the site plan submittal packet prepared by Arc Design Resources, Ives/Ryan Group and Stuart Novsky Associates, dated March 30, 2005 and submitted as part of this request.
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 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 shall be reviewed and approved by the Village and/or the Illinois Department of Transportation.
4. The petitioner shall also provide two cross-access easement points for the property to the west of the subject property. The final location of the cross-access easement shall be subject to the Director of Community Development.
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. That the petitioner shall modify the north building. The parapet wall should be extended along the north wall face as well to screen the rooftop mechanical equipment. The final design of these elements for the north elevation shall be subject to the Director of Community Development.
7. Associated with the development of the center, the developer shall remove the existing off-premise sign existing on the 330 E. North Avenue property.
8. That the petitioner shall modify their plans to include the following traffic/parking improvements:
 - a. That the northern ten parking spaces located on the west side of the property be signed for employee use only.
 - b. The "Right turn only" signs be placed at the southern end of the drive-through lane for northbound traffic.
 - c. That the curb at the southwest corner of the building be tapered outward from the drive-through window to a maximum of twelve feet to prevent northbound traffic movements into the drive-through area.

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Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

att-

c. Petitioner
Lombard Plan Commission

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