

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: December 19, 2005

FROM: Department of
Community Development

PREPARED BY: William J. Heniff, AICP
Senior Planner

TITLE

PC 05-43; 300-312 S. Main Street (Prairie Path Villas): The petitioner requests that the following actions be taken on the subject property:

1. Approve a conditional use for a planned development with the following companion conditional use, variations and deviations:
 - a) A conditional use from Section 155.417(G) of the Zoning Ordinance to allow for a building of three (3) stories in height and an exception to allow for the building height to be forty-six and one-half feet (46.5') where a maximum of forty-five feet (45') is permitted.
 - b) A deviation from Section 155.417(J) and a variation from Section 155.508 (C)(6)(a) of the Zoning Ordinance to allow for a reduction in the transitional building setback from twenty feet (20') to zero feet (0') along the west property line;
 - c) A deviation from Section 155.417(K) and a variation from Sections 155.508 (C)(6)(b) and 155.707 (A)(3) of the Zoning Ordinance to allow for a reduction in the transitional landscape setback from ten feet (10') to zero feet (0') along the west property line;
 - d) A variation from Section 155.508(C)(6)(a) of the Lombard Zoning Ordinance to allow for a 1-foot corner side yard setback on the perimeter of a planned development where a 30-foot front and/or corner side yard is required in the abutting R5 General Residence District;
 - e) A variation from Sections 155.707(B)(3)(a) through (d) of the Zoning Ordinance eliminating the transitional landscape and fence requirements along the west property line;
 - f) A variation from Sections 155.205(A)(2)(e) and 155.207 (A) and (C) to allow for building and fence/wall encroachments into the requisite clear line of sight area;
 - g) A deviation from Sections 153.211(F) and 153.508(B)(19)(a) of the Sign Ordinance to allow for awning and canopy signs to be displayed in conjunction with wall signs;
 - h) A deviation from Section 153.508(B)(19)(c) to allow for more than one wall sign per street frontage.

2. Approve a conditional use per Section 155.417(C)(13) and (I) to allow for an outdoor service (dining) area.
3. Grant Site Plan Approval authority to the Lombard Plan Commission.
4. Approve a development agreement for the subject property.

GENERAL INFORMATION

Petitioner/ Property Owner: Gap Development, LLC
138 North Cass Avenue
Westmont, IL 60559

PROPERTY INFORMATION

Existing Land Use: Vacant buildings, formerly used as an auto service/repair establishment and a car wash

Size of Property: 0.62 acres

Comprehensive Plan: Within Central Business District – Mixed Use Area; Recommends Community Commercial

Existing Zoning: B5A Downtown Perimeter District

Surrounding Zoning and Land Use:

North: B5A Downtown Perimeter District; developed as a Tae Kwon Do learning center

South: B5A Downtown Perimeter District; developed as the Illinois Prairie Path

East: B5A Downtown Perimeter District; developed as mixed-use commercial/multiple family housing

West: R5 General Residence District; developed as multiple –family (apartment) residences

ANALYSIS

SUBMITTALS

This report is based on the following documents filed on November 8, 2005 with the Department of Community Development:

1. Petition for Public Hearing.

2. Plat of Topography/Survey, prepared by Arrow Todd Surveying, dated October 26, 2005.
3. Preliminary Engineering Plat Packet (includes existing conditions plan, proposed site dimension plan and proposed site grading – utility plan), prepared by Sanda Consulting Group, LLC, dated October 26, 2005.
4. Landscape Plan, prepared by Sublime Design, dated November 14, 2005.
5. Development Plan Packet, (includes site/floor plans and building elevations), prepared by SKJN Architekten Corp., dated November 14, 2005.
6. Materials Board, prepared by SKJN Architekten Corp., dated December 1, 2005.

DESCRIPTION

The petitioner is proposing to develop the subject property with a new mixed-use residential/commercial project. The proposal would be developed in a single phase. The housing component would consist of 36 condominium units. The first floor of the proposed development would consist up to seven independent commercial spaces, totaling approximately 11,650 square feet in area.

To facilitate this project, the petitioner is seeking a number of zoning actions as set forth in the public hearing notice. Although not a part of the public hearing request, staff will create a companion development agreement that will be considered by the Board of Trustees.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

Public Works, Engineering Division comments include:

1. The driveway width shall meet Village criteria for width (36' maximum).
2. Remove the parking stalls within the right-of-way from the plans.
3. Relocate the bicycle rack outside of the right-of-way
4. All sidewalks shall be constructed to Village standards, including the use of detectable warnings.
5. Confirm that existing stormwater connection is at a catch basin. If so, then it is acceptable to reconnect it at this point. Otherwise, show the connection at the main.
6. Add inspection structure for stormwater line at property line.
7. Add second service for fire service water and a fire hydrant on the north side of the building.
8. Clearly define all symbols and line drawings.
9. The Village requires that B6-12 curb be used along Main Street, show step or some other elevation relief on private property so that the grade is kept along the Main Street right-of-way.

The Public Works, Utilities Division offer the following comments:

1. Abandon the existing water services at corp. Abandon the existing sewer service at property line.
2. Provide separate water services for fire and domestic water. Although it not be the responsibility of the Village, consideration should be given to the location of the water lines running between the underground stormwater detention structure and the underground garage, as this line may be more susceptible to freezing conditions.
3. The storm sewer system should not be tapped into curb inlet but into storm sewer main line.
4. Do not connect sanitary service for property to the west to the storm line.
5. Additional comments will be provided when the final engineering plans are submitted.

PRIVATE ENGINEERING SERVICES

The Private Engineering Services Division has the following comments on the subject petition:

1. The underground detention vault shall be demonstrated by structural calculations to support the outriggers of the Fire Department's ladder truck.
2. The stormwater management design shall include measures to remove 80% of the total suspended solids from site runoff.
3. The stormwater restrictor shall be located within the property.
4. An easement shall be granted over the detention vault, stormwater quality measures and outlet pipe.
5. A utility easement shall be granted around any hydrants to be located on private property.
6. Fire suppression and domestic water services shall run separately from the main.
7. Existing water services shall be disconnected at the main.
8. Additional comments shall follow submittal of a full building permit application.

BUILDING AND FIRE

The Fire Department/Bureau of Inspectional Services does not object to the proposed zoning actions associated with the petition. Detailed comments will be provided upon submittal of detailed building plans.

PLANNING

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends that the Subject Property be developed as part of the Central Business District – Mixed Use Area. The section of the plan dealing with the Central Business District Mixed-Use Area states that “where new commercial development occurs, multiple-family residential development above the first floor is...encouraged. Multiple family development should not be permitted below the first floor in this area.”

Staff finds that the petitioner's plan meets the intent of the plan for the downtown and downtown perimeter area in almost all aspects, including providing for a site layout and architecture that is compatible with a pedestrian scale environment. Moreover, the proposed plan incorporates streetscape improvements and off-street parking elements that are suggested in the Comprehensive Plan, as well as providing a commercial use that is mutually supportive of both neighboring residential and commercial land uses. The proposed building design is also in compliance with the recommended image appearance criteria for the Central Business District. Therefore, staff finds that the proposed development is consistent with the Comprehensive Plan.

Compatibility with the Zoning Ordinance

This property is located within the B5A Downtown Perimeter Zoning District. This District was created in 2002 (PC 02-07) to reflect the objectives of the Comprehensive Plan and is intended to foster development activity that is consistent with the Comprehensive Plan objectives. The B5A district is similar in nature with the downtown B5 District in most respects, including zero foot setback requirements for most requisite yards.

The current properties are being used for automotive uses. These automotive uses (car wash and auto repair) have never received conditional use approval from the Village and are therefore legal nonconforming. With the approval of this petition, the proposed development will be in compliance with Village Code.

The following sections discuss of each of the zoning actions requested as part of the development petition.

Planned Development Request

Section 155.501 (B)(3) of the Zoning Ordinance requires the creation of a planned development for any property in the B5A District on which a principal building is proposed to be constructed that does not meet the full provisions of the Zoning and Sign Ordinances.

Section 155.501 classifies planned developments as a conditional use and discusses the intent of planned developments. Staff finds that the proposed planned development meets the intent of providing for the following elements:

- *A maximum choice in the types of development available to the public by allowing developments that would not be possible under the strict application of the terms of other sections of this Ordinance.*

The proposed mixed-use residential/commercial concept is in keeping with the Zoning Ordinance provisions. By establishing a planned development, the Village can review individual components of the development to ensure compatibility with the intent of the downtown perimeter area and surrounding neighborhood.

- *A creative approach to the use of land and related physical facilities that results in better development, design and the construction of aesthetic amenities;*

The plan would create a unified design that would blend well into the design of the downtown area. The petitioner's submittal details the amenities that can be achieved through this development. Moreover, the petitioner's architectural design is intended to blend into the established architecture found east of the subject property, the residential character of the apartments west of the site and incorporating the IPP proximity into the plan.

- *An efficient use of the land resulting in a more efficient provision of utilities, streets, public grounds, and buildings, and other facilities;*

The petitioner's plan attempts to optimize the use of the property in a manner consistent with other sections of Village Code and in a manner that recognizes that the project will be constructed within an existing, densely developed neighborhood. Where the petitioner's plans differ from the Comprehensive Plan and/or Village Code, staff offers recommendations to address these concerns.

- *Innovations in residential, commercial, office and industrial development so that the growing demands of the population may be met by greater variety in type, design and lay-out of buildings and by the conservation and more efficient use of open space ancillary to said buildings.*

The mixed-use nature of the development attempts to create efficiencies by linking commercial and residential uses and functions. Moreover, this development can be considered a transit-oriented development (TOD), given its proximity to the train station, downtown area, and the IPP.

- *A unified and compatible design of buildings, structures and site improvements.*
The development is intended to be fully internally integrated and is designed to be compatible with the surrounding and established land uses and building types.

By creating a planned development, the petitioner is provided greater design flexibility while providing the Village with a mechanism to review and approve the design elements associated with the petition. Staff is supportive of the planned development concept and companion zoning relief, provided that all other issues noted within this report are satisfactorily addressed.

Height Deviation

The petitioner is requesting a conditional use from Section 155.417(G) of the Zoning Ordinance to allow for a building of three (3) stories in height and an exception to allow for the building height to be forty-six and one-half feet (46.5') where a maximum of forty-five feet (45') is permitted.

The intent of the conditional use requirement for three-story buildings is to provide a greater level of review for such structures as they may impact adjacent properties. The issue of maximum building height within the B5A District was discussed at length as part of the 2002 text amendments as well as in consideration of the Main Street Place mixed-use development kitty-corner to the

subject property. In these instances and in consideration of other established buildings and structures in close proximity to the subject property (i.e., 217-219 and 229 S. Main Street) which are three-stories in height, the request for a three-story development can be conceptually supported.

The additional height relief is requested in order to provide for the proposed roof design as shown on the petitioner's submittals. The petitioner's elevations show that the roof pitch is a key element to the overall building design. While the plans could be modified with a flat roof to meet the height limitations, the petitioner desires to incorporate the high pitched, Tudor-style roof design.

Staff notes that the increase in height is only intended to provide an additional architectural feature, as opposed to creating additional living space. Staff notes that such relief has been supported by the Village Board in the downtown area in the past, most notably the Elmhurst Memorial Healthcare facility at 130 South Main Street. If the height deviation is not desired, the building could be constructed as proposed, but with a lower roof pitch.

Transitional Building Setbacks (West Lot Line)

The submitted plan requires a deviation from Section 155.417(J) and a variation from Section 155.508 (C)(6)(a) of the Zoning Ordinance to allow for a reduction in the transitional building setback from twenty feet (20') to zero feet (0') along the west property line that separates the subject property from the multiple family residential property at 21 West Ash Street.

The B5A regulations have a zero foot side yard setback requirement. However, as the west property line abuts an R5 residentially-zoned property, a twenty-foot building setback is required. The relief is requested so that the petitioner will be able to carry the building the entire length of the southern property line (along the IPP). Moreover, the building layout will provide for the below-grade parking structure.

Staff notes that the existing one story brick building on the subject property is located 16.3 feet off of the west property line. The adjacent apartment building is located fifteen feet (15') west of the property line. The petitioner has provided elevational renderings of the west wall of the proposed building. To soften the impact of the development staff requested that the petitioner carry the architectural design features proposed for the building on the west wall as well.

Transitional Landscape Setback (West Lot Line)

The petitioner is seeking a deviation from Section 155.417(K) and a variation from Sections 155.508 (C)(6)(b) and 155.707 (A)(3) of the Zoning Ordinance to allow for a reduction in the transitional landscape setback from ten feet (10') to zero feet (0') along the west property line. In addition, the petitioner is also seeking a variation from Sections 155.707(B)(3)(a) through (d) of the Zoning Ordinance eliminating the transitional landscape and fence requirements along the west property line.

As with the transitional building setback noted above, the encroachment into the requisite yard is intended to ensure that adequate parking and circulation is provided within the development. Staff noted that at present, the existing transitional landscape yard is non-existent on the subject property.

Along the west property line, the existing car wash queue extends to the west property line. On the Yorkbrook Automotive (312 S. Main) site, the rear of the property has been used for storage purposes. Staff finds that the proposed development will not result in the loss of any existing landscaping along the west property line.

As the adjacent property is developed for multiple-family uses (similar to the subject property), the degree of screening between similar uses is not as great. Moreover, as the adjacent property is improved with a parking lot at the far east end of their property, there are no opportunities or need for additional plantings on the adjacent property. Therefore, staff recommends that in consideration of the relief additional solid fencing between six and eight feet in height should be provided along to the western property line, from the south property line to the thirty foot building setback line and adjacent to the entrance ramp and the outdoor parking area.

Front/Corner Side Yard Setbacks (Ash Street)

The B5A District has a zero-foot building setback provision. The rationale for this regulation is to encourage pedestrian oriented development, as opposed to strip commercial development. The petitioner is intending to abide by the recommendation of the Comprehensive Plan and push the building up to the front of the property. For most B5A properties, this can be done as a matter of right. However, the planned development regulations state that setbacks along the perimeter of a planned development should be no less than those required in the abutting zoning district. As such, a variation from Section 155.508(C)(6)(a) of the Lombard Zoning Ordinance to allow for a 1-foot corner side yard setback on the perimeter of a planned development where a 30-foot front and/or corner side yard is required in the abutting R5 General Residence District is added to the petitioner's request.

Staff notes that the petitioner's plan will place the building close (approximately one foot) to the Ash Street property line, but as this portion of the building will still be located about 107 feet from the west property line, its impact on the adjacent residential property is significantly reduced. Staff notes that from an appearance perspective, the two existing buildings abutting Main Street and East Ash Street are also in close proximity to the property line (229 and 301 S. Main). When viewing the setback in the context of the overall Main Street corridor, the relief is reflective of the intent of the B5A District.

Staff can support this relief as it is consistent with the objectives of the Comprehensive Plan and the intent of the Central Business District provisions. It also reinforces the pedestrian nature of the development.

Clear Line of Sight Provisions

While the Downtown B5 District does not have a clear line of sight requirement, the B5A District does require compliance with the 30-foot clear line of sight provisions. The petitioner's plan includes proposed encroachments into the clear line of sight area for the entrance/exit driveways as well as the Main/Ash corner.

Regarding the Main/Ash corner, staff notes that the petitioner's elevations do provide for a smaller clearance area (21' x 21'). However, in review of the location of the Ash Street cross-section, the roadway is located north of the center-line of the right-of-way. Therefore, the actual clearance area should provide adequate visibility for motorists and pedestrians.

The petitioner's plan also encroaches into the areas for the proposed access driveways. The eastern access driveway is proposed as an entrance drive only. As such, an actual conflict point will not exist. Regarding the exit point on the west side of the property, the proposed barrier wall and/or guard rails could create a partial encroachment into the corner side yard. However, staff recommends that stop signs be erected at the property line for each traffic movement existing the site.

Wall Signage Deviations

The petitioner has identified a number of locations in which wall signage may be installed on the property, as depicted on the plans. Based upon the submitted elevations, two deviations are required - a deviation from Sections 153.211(F) and 153.508(B)(19)(a) of the Sign Ordinance to allow for awning and canopy signs to be displayed in conjunction with wall signs, and a deviation from Section 153.508(B)(19)(c) to allow for more than one wall sign per street frontage.

The petitioner's request for a mixed sign package is intended to break up the scale of the building along Main Street to give it the appearance of multiple structures at a pedestrian level. The awning signage is meant to "frame" the center façade of the Main Street elevation, while the other wall sign elements identify the respective business establishments. Given that the building is over two-hundred feet (200') in length, the varying design of the proposed signage can be conceptually supported by staff.

With respect to the multiple signage request, staff notes that the proposed sign plans also propose signage along the south elevation, to provide an identifier for IPP users as well as traffic heading northbound on Main Street. Staff also notes that while it is not guaranteed that the relief may not actually be utilized, this request is intended to identify those locations where signage may be placed if it is desired by a future tenant. Staff would be supportive of this request provided that the wall signage follows the same guidelines the Village has approved for many recent developments, including the Main Street Place planned development (SPA 05-05), kitty-corner to the site. These provisions include the requirement that all wall signage to be installed on the building shall be of a uniform design and shall be placed on the building in accordance with the wall sign package as depicted on the submitted building elevations.

Conditional Use – Outdoor Dining

While definitive plans for the outdoor dining area would be subject to any future tenants that ultimately occupies the building, a conditional use from Section 155.417(C)(13) and (I) to allow for an outdoor service (dining) area.

As shown on the initial rendering submittals, several tables are proposed to be located along the east side of the building. Moreover, the vaulted passageway provides a unique location for an additional

outdoor dining opportunity, should a restaurant establishment lease one of the adjacent tenant spaces. The outdoor dining element is consistent with other outdoor dining elements approved by the Village in the downtown area, either by conditional use if the tables are located on private property (Praga) or as part of a sidewalk decoration permit (Amazing Grace, Café 101, New Day Coffee House). It also helps reinforce the pedestrian scale of the development. Staff can support this request, provided that at least four feet of sidewalk area is available at all times and that the dining component does not inhibit pedestrian traffic flow.

Site Plan Approval Authority

As part of a planned development submittal, the petition includes a request for site plan approval authority to be given to the Plan Commission. This would allow the Plan Commission to review signage or off-site parking deviation requests or to review and approve minor changes to the development plans should they arise. Staff supports this request, as it would allow the Commissioners to address minor changes in an expedient fashion.

Development Agreement

As part of this project, a companion development agreement will be created and will be considered by the Village Board concurrent with the recommendation from the Plan Commission relative to the public hearing petition.

Compatibility with the Surrounding Land Uses

The property is located within the Central Business District and is bordered by commercial uses on the north and east. The proposed development orients the project toward Main Street and away from the adjacent multiple-family residential properties. In consideration of the planned development request noted above as well as the impacts of the development on adjacent properties, staff offers the following comments:

Building Aesthetics

As part of the site plan approval process, the petitioner has prepared building elevations for the project as well as a companion materials board. The elevation will give the Village a sense of what the project will look like upon completion. The building is proposed to incorporate many Tudor-style or later Tudorbethan style building elements, including:

- A steeply pitched roof,
- Use of half-timbering (incorporated into the exterior walls near the pitched roof)
- Tall chimneys,
- Jettied, or overhanging first floors above pillared porches,
- Dormer windows, and
- Use of consoles (architectural support elements below projecting elements).

Based upon the initial review of the building elevations, the Plan Commission expressed conceptual support of the elevations at the October 17, 2005 workshop session, as it ties in with the elevations at 301 South Main Street. The submitted plans have been refined to carry the defined elements to each side of the building.

Trash Enclosures

The plans have located the trash enclosure area to be located along the west side of the property. This location was selected as other sites on the property would not provide for easy trash collection, due to vehicle clearance or maneuvering issues. To ensure neighborhood compatibility and to minimize fly-dumping, all outdoor trash collection areas shall be screened on all four sides, with a masonry exterior compatible with the principal building and with a solid door. The dumpster areas shall also meet all Fire Department requirements.

Landscaping/Screening

Concurrent with a site plan approval application, the developer has submitted a companion landscape plan for review and approval. The plan shall meet the provisions of the Zoning Ordinance, except as varied as part of this petition. In review of the landscape plan and in consideration of the comments raised in this IDRC report, the following comments are offered:

1. The parkway shall be improved with parkway trees and sod only, pursuant to Village Code.
2. An additional landscape island shall be provided at the north end of the parking lot adjacent to the sidewalk of at least five feet (5') in width. The proposed island at the south end of the lot can be reduced and/or modified to meet this requirement. This will ensure that parking will not encroach into the sidewalk area.
3. Any proposed plantings or encroachments into the IPP right-of-way must be reviewed and approved by DuPage County. The Village shall not be responsible for the installation and/or maintenance of any plantings proposed within the IPP right-of-way.

Lighting

Staff recommends that the lighting fixtures utilized for all private roadway lighting and parking lot lighting shall be uniform. The developer shall provide complete specifications and photometric plans for the proposed fixtures. However, to ensure that the parking lot lighting does not create excessive glare on adjacent properties, the petitioner shall also locate the lighting at a height and location that minimizes neighborhood impact. Moreover, any lighting in the indoor parking area shall be recessed so that it minimizes impact on the adjacent residences. Such additional lighting information shall be reviewed and approved by the Director of the Department of Community Development prior to installation.

Parking, Circulation and Traffic

To better estimate what impact this development will have on the surrounding roadways, the Village's traffic consultant Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA) has performed an evaluation of the proposed project. A draft copy of the preliminary traffic study is included as Appendix A for reference purposes. Staff supports the recommendations included within the report and will incorporate these recommendations into the final site plan.

Generally speaking, the report identifies the following:

- The proposed plan removes all driveway curb cuts on Main Street, which may improve traffic flow along Main Street.
- The redevelopment project will not generate significant traffic volumes above those that exist in the area. In fact, the P.M. peak hour could result in a net decrease in average trips.
- The parking lot should function in a one-way, clockwise fashion to minimize vehicle and pedestrian conflicts. Staff also notes that the driveway entrance and exit points should be modified also be designed with proper tapering to reflect the alternate flow of traffic.
- The parking spaces should be reviewed to ensure that vehicles can satisfactorily maneuver within the lower level garage area.
- If the plan permits, the twenty-foot drive aisles could be widened to ease vehicle parking movements.
- A parabolic mirror must be installed at turning points within the garage.
- The entrance/exit to the parking garage should be reviewed in context with the proposed exit land from the surface lot. Public Works suggests a thirty-six foot (36') wide drive aisle maximum at the property line.

Public Works also reviewed the proposed perpendicular parking spaces proposed within the Ash Street right-of-way and states that the angled spaces should not be installed within the public right-of-way. Moreover, the Ash Street right-of-way should maintain its twenty-eight foot (28') standard roadway profile.

Right-of-Way Improvements

The petitioner's submitted plans propose to create a streetscape environment consistent with the downtown area. To this end, staff will require any public improvements (i.e., sidewalk areas, street lighting, parkway trees, etc.) to be consistent with the downtown Lombard specifications. To ensure that sufficient width exists to accommodate pedestrian movements as well as public improvements, staff will also require the petitioner to provide the Village with a public access easement on the subject property for any areas in which the constructed sidewalk is less than four feet in width. Also, staff will request that the bicycle racks be relocated onto private property.

Stormwater Detention

Right now, no stormwater improvements are provided on the property. With the redevelopment, the project will be required to meet the full provisions of the Village's stormwater detention regulations. The petitioner is proposing to construct a vault detention system underneath the surface parking lot to handle run-off created by the project. The final design of the system will need to meet Village requirement and incorporate the comments noted within this report.

Compliance with the Subdivision and Development Ordinance

The Subdivision and Development Ordinance requires the two properties to be consolidated into a single lot of record. Staff will require the plat of consolidation concurrent with the building permit submittal, which can be approved administratively.

FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested relief complies with the standards required by the Lombard Zoning and Sign Ordinances; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and find that establishing a planned development is in the public interest; and therefore, I recommend to the Corporate Authorities **approval** of PC 05-43, subject to the following conditions:

1. The petitioner shall enter into a development agreement with the Village setting forth the terms and conditions for development on the subject property, unless the Village Board determines that such an agreement is not necessary.
2. The petitioner shall develop the site in accordance with the Preliminary Engineering Plat Packet, prepared by Sanda Consulting Group, LLC, dated October 26, 2005, the Landscape Plan, prepared by Sublime Design, dated November 14, 2005; the Development Plan Packet,, prepared by SKJN Architekten Corp., dated November 14, 2005; and the submitted Materials Board, prepared by SKJN Architekten Corp., dated December 1, 2005 and made a part of this petition; except as varied by the conditions of approval.
3. As part of the building permit submittal, the petitioner shall satisfactorily address the comments included as part of the Inter-Departmental Review Report.
4. The petitioner shall install fencing along the western property line, no greater than eight (8) feet and no less than six (6) feet in height. Design of the fencing is subject to the approvals of the Director of Community Development. The fencing shall meet all Village setback and clear line of sight requirements.
5. The petitioner shall locate any parking lot lighting at a height and location that minimizes neighborhood impact and shall meet the Village's photometric requirements. Moreover, the lighting within the parking garage area shall be recessed so as to not be visible or create a glare onto neighboring properties. Such additional lighting information shall be reviewed and approved by the Director of the Department of Community Development prior to installation.

6. The petitioner shall incorporate the recommendations of the Village's traffic consultant and Village staff into the final development plans for the site.
7. The right-of-way improvements shall be designed and installed to address the comments raised by engineering staff. The petitioner shall provide a public access easement on the subject property for any areas in which the constructed sidewalk is less than four feet in width.
8. The petitioner shall submit a Plat of Consolidation to the Village for review and approval. Said plat shall consolidate the subject properties into a single lot of record and shall be required concurrent with the building permit submittal.
9. The proposed wall and awning signs on the building shall be designed and located on the building consistent with the submitted plans.
10. The outdoor dining area shall be designed and operated in a manner that provide for at least four feet of width for pedestrians at all times.
11. The property shall be developed consistent with Village Code.

Furthermore, the Plan Commission recommends that site plan approval shall be granted for the subject property.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH:WH

Appendix A – Preliminary Traffic Study

Attached is a draft traffic study performed for the Subject Property prepared by the Village's traffic consultant, KLOA.