

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) _____
Recommendations of Boards, Commissions & Committees (Green) _____
Other Business (Pink) _____
Waiver of First Requested

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: August 28, 2007 (BOT) Date: September 6, 2007

TITLE: PC 07-26: 2800 S. Highland Avenue (Patio Restaurant)

SUBMITTED BY: Department of Community Development *John*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The petitioner is requesting that the Village take the following actions pursuant to the Highlands of Lombard Annexation Agreement and subsequent amendments thereto located within the Highlands of Lombard B3 Planned Development:

1. Approval of a two-lot plat of resubdivision (to be considered with the second reading of the ordinance);
2. Approval of a Conditional Use for a drive-through establishment/service;
3. Grant Site Plan Approval for a fast-food restaurant establishment with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow more than one wall sign on a single-tenant building; and
4. Grant site plan approval for the proposed freestanding sign. (DISTRICT #3)

The Plan Commission recommended approval of this petition with conditions.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>M. W. L. Lichter</i>	Date	<i>8/29/07</i>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



VILLAGE OF LOMBARD
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September 6, 2007

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

Subject: PC 07-26 2800 S. Highland (Patio Restaurant)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following actions on the subject property:

Village Manager
 William T. Lichter

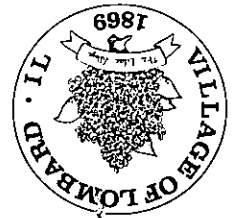
1. Approval of a two-lot plat of resubdivision;
2. Approval of a Conditional Use for a drive-through establishment/service;
3. Grant Site Plan Approval for a fast-food restaurant establishment with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow more than one wall sign on a single-tenant building; and
4. Grant site plan approval for the proposed freestanding sign.

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life."

"The *Mission* of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

James Papoutsis, Architect, 50 E. Bellevue, Chicago, IL, presented the petition. Mr. Papoutsis stated that he worked closely with staff from the initial meetings and made many changes per staff's suggestions. He mentioned that the masonry colors have been changed along with storefront concept, which allows them to break up the building mass. He showed the material board and explained that they initially had orange type brick, but changed to reddish brick to tone down the appearance, which matches buildings in the existing development.

Mr. Papoutsis referred to his Power Point presentation which showed the site plan. He gave an overview of the building showing the building elevations.



MEMORANDUM

TO: William T. Lichter, Village Manager
FROM: David A. Hulseberg, AICP, Assistant Village Manager *dalh*
DATE: September 6, 2007

SUBJECT: PC 07-26 2800 S. Highland (Patio Restaurant)

Attached please find the following items for Village Board consideration as part of the September 6, 2007 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 07-26;
3. An Ordinance granting a conditional use for a drive through establishment/service, subject to conditions.
4. Plans associated with the petitioner's request.

The restaurant building and the associated signage for the subject property was granted site plan approval at the Plan Commission's August 20, 2007 meeting. However, the conditional use must be approved by the Village Board.

As a companion to the request, the Village Board is requested to approve a two-lot resubdivision for the subject property. This motion will be made with the final reading of the Ordinance of approval (tentatively scheduled for the September 20, 2007 meeting).

Please contact me if you have any questions regarding the aforementioned materials.

The site plan is not rectangular. He stated that by slightly twisting the building they were able to set the north face parallel to the spine road. To address staff concerns, the garbage area on the north side and cross access will be provided.

He then showed the main entry, secondary, and service entry; all of which have glass doors. He showed where the drive through starts and the traffic pattern associated with it. He mentioned that the site slopes and the building is higher on one portion of the site. He displayed a detailed view, which showed parking lot area. He also displayed the outdoor dining area.

Mr. Papoutsis displayed the different building elevations, more specifically the south, east and north elevations. He noted the limestone band and fieldstone fireplace with porch along the east elevation, which includes sunscreen and planters. He mentioned the wall sign that staff had issues with, which he indicated that they can delete or make smaller. Pertaining to the west elevation, he stated that they need to have service entrance signage, to avoid customers trying to enter through that door. He showed drawings of the monument sign to be located on the southeast corner of the property. He stated that both parties have agreed to the sign's design and location, but there are easement issues and they might have to move the sign or abrogate a portion of the easement.

Mr. Papoutsis stated that The Patio concept is a relaxed indoor/outdoor establishment to go with friends and dine. By using a glass way porch with planters, which create an outside wall, it creates an area of circulation to the front door. He stated the landscape and building will be interrelated.

He then displayed a 360 degree view around the building and explained everything from the outdoor fireplace to the slate floors inside. He then displayed a view of the dining area, trellis, and furniture.

Mr. Papoutsis concluded that in the daytime, the sky and plants are within the space and during the nighttime the space is glowing, which means you can see the interior of the building from the exterior. He then displayed the interior of the Orland Park and Bolingbrook facilities.

Mike Trippiedi, 902 Sundew Court, Aurora, presented the landscape plans. Mr. Trippiedi stated that the land works in concert with the building. He added that they want curb appeal and displayed the garden spaces and outdoor dining area with a lot of color and texture. He mentioned that they will be using special pavers, ornamental grasses, and flowering crab apples at the entry.

Pertaining to the proposed facility, he stated that they comply with code as they will provide an evergreen and shrub hedge along Highland and the south entrance to the property. He added that the parking lot will be decorated with canopy trees to provide shade. The monument sign located along Highland Avenue and the plantings in the corners of the property will add a lot of color and

texture. He stated that they focused on the footprint of the building and they will create neat spaces.

Mr. Trippiedi referred to the entryway where he explained they will have plants of all sizes and shapes, which will also be present on the building. He added that the other space is the terrace area to the outdoor patio, which receives morning sun but will be canopied by flowering vines on a trellis. He stated that the patio space is intimate and will have ornamental grasses with long flowering perennials and fragrant flowering shrubs.

He then showed two of the building elevations and explained that the south elevation shows the wood screen panels at top covered with flowering vines attached to the column. He mentioned that the plants will be softening the building and celebrating it with color. He then showed the top elevation along the east side. The entrance displays growing vines and a series of flowering shrubs, occasion trees, and ornamental grasses.

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

William Heniff presented the staff report, which was submitted to the public record in its entirety. The petitioner is proposing a 9,500 square foot fast-food restaurant to be located within the Highlands of Lombard Planned Development. The site occupies the eastern portion of the vacant parcel immediately north of an existing retail strip center (Highlands II). The proposed building will be one story in height and of masonry construction. The proposed project will utilize all existing drive aisles and access roads. As the fast-food restaurant will cater to automobile customers, the petitioner is also requesting a conditional use for the proposed drive-through lanes.

The petitioner also wishes to address the future signage needs as part of the site plan review, with the aforementioned portions of the Sign Ordinance being deviated. As the fast-food restaurant will have frontage on both Highland Avenue and the Highlands of Lombard spine road, the petitioner wishes to place wall signs on multiple building elevations, consistent with the previously granted approval for the existing companion buildings.

The petitioner is requesting site plan approval for the proposed freestanding sign that will advertise the restaurant as well as the retail building approved as part of SPA 07-09ph. Lastly, the petitioner is requesting approval of a two-lot plat of resubdivision, placing the retail center and the restaurant on separate lots of record.

The planned development allows for the construction and operation of restaurant establishments on the property. Restaurants and outdoor dining elements are listed as permitted uses. Drive-through establishments are listed as conditional uses in the planned development approval and in the underlying Zoning Ordinance regulations. The petitioner's concept is to provide a window for drive-through sales and/or pick up of previously placed orders.

Staff notes that the stacking area does meet the criteria in the Zoning Ordinance. The stacking design is intended to maximize the parking and circulation field on the north side of the building and to minimize pedestrian/vehicle conflicts at the main entrance. Detailed comments regarding the proposed site circulation plan are noted within KLOA's comments, which staff believes can be incorporated into the final plans without the need for parking relief.

The petitioner submitted a Statement of Compatibility for the project that describes their proposal and the architectural comments associated with the development. In the approval process, the Village can consider compatibility of building architecture, materials and design throughout the Highlands of Lombard development. The Patio Restaurant's design is intended to blend the common elements established within the planned development within a modern building architectural design. The Patio Restaurant meets the 70% brick/masonry provisions. Staff offered concerns regarding the brick colors as shown on the plan submittal and asked the petitioner to select a color palette that ties more closely with the other building colors established within the development. The petitioner has submitted revised brick samples for consideration accordingly. Regarding the stone elements within the restaurant building, the petitioner notes that the intent is to provide limestone/tridstone materials to the fireplace element, consistent with the common planned development themes.

The petitioner is proposing to utilize the same or closely compatible and complementary light fixtures that was approved as part of the overall planned development. The landscape plan utilizes a variety of planting materials found on the perimeter of the site as explained by the petitioner. The petitioner's proposal has all trash enclosures screened by masonry walls on three sides and a solid metal door is integrated into the building itself.

To ensure that full vehicular access is provided around the site, the petitioner will utilize the access drive off of Highland Avenue (a.k.a., the Spine Road) as well as the newly developed internal access roads within the Highlands of Lombard. The development will connect to the proposed Highlands III retail center to the west and the shared access drive of the Great Indoors via a cross access point at the western portion of the parking lot.

He then discussed signage issues. For the proposed restaurant, the petitioner is requesting site plan approval for a signage deviation to allow for the restaurant to erect multiple wall signs on the specified building elevations. The signage deviation would allow for each building elevation to display a wall sign to give the impression of a 'storefront' appearance. Staff supports the relief given the location of the building as it relates to the overall planned development and the unique layout of the site. Staff recommends as a condition that the signage shall be of a channel sign design, to be consistent with other developments within the Highlands of Lombard.

The petitioner's revised sign plan submittal also depicted signage for the service entrance and for the drive-through element. Staff believes that the additional signage appears to be excessive in size. Staff recommends that if such way-finding signage is needed, it can be achieved through directional signage, rather than larger wall signs.

The petitioner is also seeking approval of a freestanding sign along Highland Avenue that would be similar in design and appearance to the signs for The Great Indoors and Amcore Bank. The sign is intended to provide signage for both the restaurant and the Highlands III development. It will be larger than the other signs, but within Code. The planned development approval granted relief to allow for freestanding signs to not be considered off-premise signs, but does require each sign to be approved as part of a site plan approval application to the Plan Commission. While the submitted sign sketch gives the appearance that the sign base will be masonry, the intent is that the base would be compatible with the other signage and would be of a limestone/fieldstone design similar to the other freestanding signs in the planned development. Additionally, the final location and placement of the sign shall not conflict with any easement areas.

The new building is proposed to be located within the east portion of the existing Lot 1 in the Highlands of Lombard – Phase 2. As the parcel is greater than one acre in size, this approval requires Board approval. The petitioner has prepared a preliminary plat of subdivision for the subject property for consideration as part of the Patio Restaurant approval petition.

Overall, staff recommends approval of the petition, subject to conditions.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweitzer was pleased that they followed staff's direction.

Commissioner Burke referred to the six conditions of approval in the report. He asked if the pedestrian walkway and the sign base needed to be conditions. Mr. Heniff replied that the sign base is covered under condition three and the pedestrian access is shown on the landscape plan which is covered under condition one.

Commissioner Olibrysh stated he was very impressed that the petitioner came up with a four sided building, due to the nature of the development. He mentioned that The Patio service area won't be readily seen that and it is very pleasing to the eye.

Commissioner Flint stated that it is a great development and a great asset to Lombard.

After due consideration of the petition and the testimony presented, the Plan Commission accepted the findings of the Inter-departmental Review Report as the findings of the Plan Commission found that the petition complies with the standards required by the Lombard Zoning and Sign Ordinances and that granting the relief is consistent with Highlands of Lombard planned development. Therefore, the Plan Commission, by a roll call vote of 5-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 07-26 subject to the following conditions:

1. The site improvements shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by James Papaoutsis Design Architect,

updated August 10, 2007 (includes site plans, interior layouts, concept exterior elevations and freestanding sign proposal); the Preliminary Engineering Plans, prepared by Hoefferle-Butler Engineering, Inc, dated July 12, 2007; the Landscape Development Plan, prepared by Trippiedi Design Landscape Architect, dated July 13, 2007; the Plat of Resubdivision, prepared by Spaceco Inc., dated July 2, 2007; and the Photometric Plan, prepared by Zolter Electric, dated June 7, 2007 (sic.) and made a part of this petition, except as amended by the conditions of approval.

2. The petitioner shall meet all development and building codes of the Village of Lombard and shall follow the provisions set forth within the Highlands of Lombard planned development approval.

3. The proposed freestanding sign shall be placed outside of any easement areas. The freestanding sign exterior shall be of a limestone/fieldstone material, consistent with the signage previously approved within the planned development. Moreover, the sign cabinets shall be designed in a manner that minimizes exterior light glare.

4. The wall signage approval shall only be for the four exterior "The Patio" signs as depicted on the exterior elevations. All wall signs on the proposed buildings must be of a channel letter design.

5. If in the event that the proposed restaurant is not developed concurrent with the proposed Highlands III development, the petitioner shall install requisite parking stalls and drive aisles to ensure full access and circulation around the proposed center.

6. The approved masonry materials for the building shall be:

- a. Sioux City Brick – Cinnamon Ironspot
- b. Yankee Hill – Light Red Small
- c. Belden Brick – Modular 470-479 Medium
- d. Fieldstone sample as submitted by the petitioner.

Any deviation from this material shall be subject to the review and approval by the Director of Community Development.

Respectfully,

VILLAGE OF LOMBARD
Donald F. Ryan
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

**VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission

FROM: Department of Community Development
PREPARED BY: William Heniff, AICP
Senior Planner

TITLE

PC 07-26; 2800 S. Highland Avenue (Patio Restaurant): The petitioner is requesting that the Village take the following actions pursuant to the Highlands of Lombard Annexation Agreement and subsequent amendments thereto located within the Highlands of Lombard B3 Planned Development:

For the property at 2800 S. Highland Avenue (Patio Restaurant):

1. Approval of a two-lot plat of resubdivision;
2. Approval of a Conditional Use for a drive-through establishment/service;
3. Grant Site Plan Approval for a fast-food restaurant establishment with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow more than one wall sign on a single-tenant building; and
4. Grant site plan approval for the proposed freestanding sign.

GENERAL INFORMATION

Petitioner/Contract Purchaser:

John Koliopoulos
The Patio Restaurant Group
7220 West 91st Street
Bridgeview, IL 60455

Property Owner:

Highland of Lombard LLC
1011 E. Touhy
Des Plaines, Illinois 60018

PROPERTY INFORMATION

Existing Land Use: Vacant land

Size of Property: 1.674 acres

Comprehensive Plan: The Comprehensive Plan identifies the site for Community Commercial use and advises the property should be developed on a planned and coordinated basis.

Existing Zoning: B3PD Community Shopping District/Planned Development

Surrounding Zoning and Land Use (surrounding subject property):

North: CR Conservation/Recreational District; developed as Allerton Cemetery

South: B3 PD Community Shopping District - Planned Development; developed as a two commercial retail strip centers and a bank

East: B3 PD Community Shopping District - Planned Development; developed as Yorktown Center

West: B3 PD Community Shopping District Planned Development; to be developed as the Highlands III retail strip center

ANALYSIS

SUBMITTALS

This report is based on the following documents filed with the Department of Community Development on August 9, 2007:

1. Petition for Public Hearing.
2. Response to Standards and Statement of Compatibility.
3. Proposed Development Packet, prepared by James Papaoutsis Design Architect, updated August 10, 2007 (includes site plans, interior layouts, concept exterior elevations and freestanding sign proposal).
4. Preliminary Engineering Plans, prepared by Hoeflerle-Butler Engineering, Inc, dated July 12, 2007.
5. Landscape Development Plan, prepared by Trippiedi Design Landscape Architect, dated July 13, 2007.
6. Plat of Resubdivision, prepared by Spaceco Inc., dated July 2, 2007.
7. Photometric Plan, prepared by Zolter Electric, dated June 7, 2007 (sic).

8. Brick Samples, submitted by the petitioner.

DESCRIPTION

The petitioner is proposing a 9,500 square foot fast-food restaurant to be located within the Highlands of Lombard Planned Development. The site occupies the eastern portion of the vacant parcel immediately north of an existing retail strip center (Highlands II). The proposed building will be one story in height and of masonry construction. The proposed project will utilize all existing drive aisles and access roads. As the fast-food restaurant will cater to automobile customers, the petitioner is also requesting a conditional use for the proposed drive-through lanes.

The petitioner also wishes to address the future signage needs as part of the site plan review, with the aforementioned portions of the Sign Ordinance being deviated. As the fast-food restaurant will have frontage on both Highland Avenue and the Highlands of Lombard spine road, the petitioner wishes to place wall signs on multiple building elevations, consistent with the previously granted approval for the existing companion buildings.

The petitioner is requesting site plan approval for the proposed freestanding sign that will advertise the restaurant as well as the retail building approved as part of SPA 07-09ph. Lastly, the petitioner is requesting approval of a two-lot plat of resubdivision, placing the retail center and the restaurant on separate lots of record.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

Public Works Engineering has no comments relating to this petition at the present time. Additional comments will be provided as detailed engineering plans are submitted for review.

PRIVATE ENGINEERING

The Private Engineering Division has the following comments on the above captioned petition:

1. If the stormwater system is connected as proposed, the stormwater system shall include measures to capture 'first flush' particles and floatables, prior to restrictor. Such measures will be required to be within a stormwater easement, dedicated to the Village.

2. Fire hydrant spacing shall meet the requirements of the Village Code and Fire Marshal.

3. Any water main necessary to feed fire hydrants, water services and fire suppression lines that is constructed on private property shall be centered in a 30' easement, dedicated to the Village.

- 4. No free standing signs or light pole bases are permitted within Village owned easements and shall be 15' minimum from any water main.
- 5. More comments to be provided when full site plan drawings are submitted.

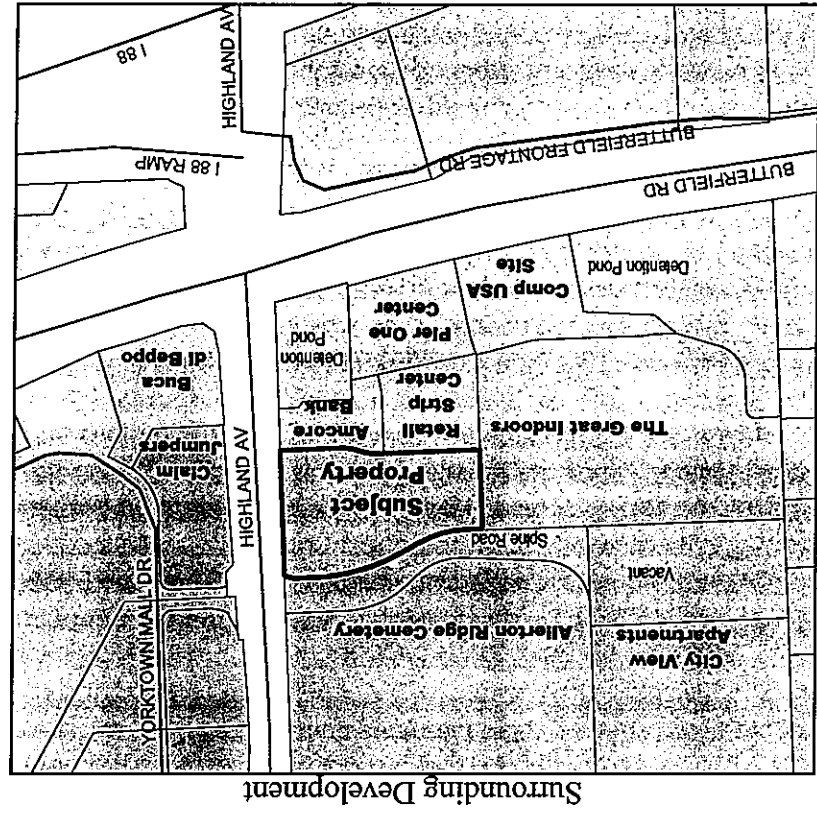
FIRE AND BUILDING

Other than the comments noted above, Building and Fire does not have any comments on the petition. Detailed comments will be provided as part of the permit submittal.

PLANNING

Compatibility with the Surrounding Land Uses

The subject property is bordered on the south by an existing commercial retail strip center and bank with drive-through. The proposed Highlands III retail center is west of the site, and Yorktown Center is located across Highland Avenue to the east. The proposed use is compatible with the existing businesses. Since each building proposed within the planned development requires Site Plan Approval, the Plan Commission review process will help ensure compatibility with the adjacent uses.



Compatibility with the Comprehensive Plan

The Comprehensive Plan identifies the site for Community Commercial Use. The Plan advises that the commercial portion of the property should be developed to include retail, commercial and office uses. The proposed uses are therefore consistent with the Comprehensive Plan.

Compliance with the Zoning Ordinance

Zoning History

The Highlands of Lombard Planned Development (Ordinances 4833 and 4834) that was approved on June 15, 2000 allowed for development activity per the provisions enumerated in the Final Development Agreement for the property. The planned development allows for the construction and operation of restaurant establishments on the property. Restaurants are listed as a permitted use. Outdoor dining elements associated with restaurants are also permitted uses, per the B3 use list, and associated with the site plan approval petition.

Conditional Use for Drive-Through Establishment

Drive-through establishments are listed as conditional uses in the planned development approval and in the underlying Zoning Ordinance regulations. With respect to the use, the drive through element is intended to be a subordinate activity to the principal in-building restaurant dining element.

The petitioner's concept is to provide a window for drive-through sales and/or pick up of previously placed orders. The petitioner notes that they have a similar concept at their other establishments and that many of their orders that are processed through the window are phone-in orders.

Staff notes that the stacking area does meet the criteria in the Zoning Ordinance. The stacking design is intended to maximize the parking and circulation field on the north side of the building and to minimize pedestrian/vehicle conflicts at the main entrance. Detailed comments regarding the proposed site circulation plan are noted within KLOA's comments below. To further soften the impact of the drive-through lane relative to the outdoor dining area, staff recommended a mix of dense landscaping, arbor elements and/or fencing/screening wall elements.

Compatibility with the Highlands of Lombard Development Agreement

The proposed development will be consistent with the Highlands of Lombard Development Agreement and compatible with The Great Indoors, Highlands Apartments, CompUSA, the Pier One Center, Amcore Bank and Highlands II and Highlands III developments. The Final Development Agreement sets forth specific items with which compliance is necessary for approvals.

Statement of Compatibility

In order for the Plan Commission to determine whether a proposed development is compatible with the planned development, petitioners are required to submit a statement of compatibility for

each respective project. The petitioner has submitted the attached statement that describes their proposal and the architectural comments associated with the development. Staff offers its comments in the various sub-sections below.

Design Standards

In the approval process, the Village can consider compatibility of building architecture, materials and design throughout the Highlands of Lombard development. The Patio Restaurant's design is intended to blend the common elements established within the planned development within a modern building architectural design.

The planned development requires 70 percent of all exterior facades to be made up of stone, brick, split face block or cedar, exclusive of glass. Excluding glass elements, the retail center is proposed to be completely comprised of stone, brick, split face block and/or cedar materials.

Staff notes that the Patio Restaurant meets the brick/masonry provision. Staff did offer concerns regarding the brick colors as shown on the plan submittal and asked the petitioner to select a color palette that ties more closely with the other building colors established within the development (i.e., substitute orange color palette with the brick with deeper red/brown elements). The petitioner has submitted revised brick samples for consideration accordingly.

Regarding the stone elements within the restaurant building, the petitioner notes that the intent is to provide limestone/fieldstone materials to the fireplace element, consistent with the common planned development themes.

Lighting

The petitioner is proposing to utilize the same or closely compatible and complementary light fixture that was approved as part of the overall planned development (Kim Archetype). The submitted photometric plan meets Code requirements.

Landscape Plan

The landscape plan utilizes a variety of planting materials found on the perimeter of the site. Landscaping to include requisite tree plantings is provided on each island and along the east building foundation adjacent to the outdoor terrace. Additional grasses and plantings around the perimeter of the outdoor dining area are intended to screen and/or segregate parking and circulation areas. Landscaping has been provided on each elevation to 'soften' the appearance of the building as well. To integrate the project into the overall Highlands of Lombard development, it is recommended that the landscape islands on the western portion of the property be tied into the neighboring development, known as the Highlands III.

Trash Collection

The Development Agreement also denoted provisions to minimize the impacts of loading areas and trash collection activities. This issue is of particular concern with this site, as the rear of the retail building will face the Highlands III retail center to the west. The petitioner's proposal has

all trash enclosures screened by masonry walls on three sides and a solid metal door and is integrated into the building itself.

Streets, Parking and Sidewalks

As part of the approval process, the Village can consider the necessity of internal circulation needs that link the retail store with other development activity that may be constructed on the site. To ensure that full vehicular access is provided around the site, the petitioner will utilize the access drive off of Highland Avenue (a.k.a., the Spine Road) as well as the newly developed internal access roads within the Highlands of Lombard. The development will connect to the proposed Highlands III retail center (SPA 07-09ph) to the west and the shared access drive of the Great Indoors via a cross access point at the western portion of the parking lot.

Traffic/Parking Analysis

The Development Agreement set up a vehicle trip generation bank for the site that cannot be exceeded and all internal developments will draw upon. With the inclusion of the proposed center, the remaining trip bank is as follows:

VEHICLE VOLUME BANK CALCULATION
 WEEKDAY P.M. PEAK - HOUR

SITE		DEBIT		BALANCE	
In	Out	In	Out	In	Out
100	114	214	736	836	1,064
90	66	156	646	884	1,530
57	59	116	589	825	1,414
79	78	157	510	747	1,257
84	89	173	426	658	1,084
68	67	135	358	591	949
65	41	105	293	550	844
Total Site					
100	114	214	736	836	1,064
90	66	156	646	884	1,530
57	59	116	589	825	1,414
79	78	157	510	747	1,257
84	89	173	426	658	1,084
68	67	135	358	591	949
65	41	105	293	550	844

The following are KLOA's findings with regard to the proposed Patio Restaurant:

- The parking bays between the building and Highland Avenue can be converted to angle parking from the ninth parking bay all the way up north since it is one-way northbound. This would reduce the potential for customers to back out of the parking space and go south in the wrong direction.
- The radius on the northwest corner of the building where drive-through vehicles turn south should be increased to 15 feet.

- The radius for vehicles entering from the northerly cross-access drive should be increased to 15 feet.

- The half porkchop-island at the northerly cross-access drive should be mountable.
- With regard to the entrance by the drive-through, KLOA reviewed three McDonald's restaurants which have a similar situation and found that all three had a crosswalk striped up to the parking stall. It is our opinion that stamped concrete or a painted crosswalk could be provided connecting all the way north to the grass area between the parking stall and the sidewalk. This would result in the loss of one or two parking spaces. It is our opinion that there is no need to provide a ramp at this curb since all of the handicapped spaces are on the south side of the building.

- The end islands depicted on the plan will work.
- For the drive-through exit lane into the southern parking area, "Do Not Enter" signs should be placed on both sides (facing south).

The parking requirements for the underlying B3 zoning district require twelve (12) parking spaces per one thousand (1000) square feet of gross floor area. Because the proposed fast-food restaurant will provide drive-through services; eight (8) stacking spaces for the first window and two (2) stacking spaces for each additional window will be required. As the proposed building is 9,500 square feet, the required amount of available parking spaces would be at one hundred-eleven (111) spaces. As proposed, the restaurant would provide one hundred-twelve (112) parking spaces, which would provide one (1) surplus parking space.

Parking areas that provide between one hundred-one (101) and one hundred-fifty (150) parking spaces are also required to provide five (5) handicap parking spaces, which according the submitted plans, have been provided.

Banking of Detention Volume

Final site engineering has yet to be determined. The detention for the entire planned development area is designed assuming 89% of the developed site will be impervious. The assumed square footage of impervious surface is 1,250,608 and will require about 19.0 acre feet of detention. If the sum of all developed sites does not exceed this amount, the detention requirements will be satisfied. The petitioner will provide the acre feet calculations to the Village as part of the building permit process.

Beginning Balance	1,250,608 sq.ft.
minus East Detention HWL	- 27,007
minus West Detention HWL	- 59,667
minus Remaining Wetlands	- 57,935

minus Spine Road	- 50,194
minus Sears Great Indoors	- 311,309
minus Highlands (City View) Apartments	- 199,504
minus CompUSA	- 82,330
minus Pier One	- 69,904
minus Amcore Bank/Highlands II	- 89,605
minus Highlands III	to be determined
minus Patio Restaurant	72,745
<hr/>	
TOTAL REMAINING IMPERVIOUS AREA:	230,408 square feet

Available Retail Square Feet of Gross Floor Area

The Development Agreement provides the availability of 240,000 square feet of gross floor area of retail development. For purposes of the annexation agreement, restaurants are not considered retail spaces. As such, this proposal does not affect the overall supply of retail square footage that can be developed.

Compatibility with the Sign Ordinance

For the proposed restaurant, the petitioner is requesting site plan approval for a signage deviation to allow for the restaurant to erect multiple wall signs on the specified building elevations. The signage deviation would allow for each building elevation to display a wall sign to give the impression of a 'storefront' appearance. Staff feels that this relief can be supported given the location of the building as it relates to the overall planned development, the unique layout of the site and the fact that many visitors to the site will be approaching from the north side (spine road) of the building. The petitioner will still be required to meet the size requirements for the underlying B3 District. Staff recommends as a condition that the signage shall only be of a channel sign design, to be consistent with other developments within the Highlands of Lombard.

The petitioner's revised sign plan submitted also depicted signage for the service entrance and for the drive-through element. Staff believes that the additional signage appears to be excessive in size. Staff recommends that if such way-finding signage is needed, it can be achieved through directional signage, rather than larger wall signs.

Site Plan Approval – Freestanding Sign

The petitioner is also seeking approval of a freestanding sign along Highland Avenue that would be similar in design and appearance to the signs for The Great Indoors and Amcore Bank. However, as the sign is intended to provide signage for both the restaurant and the Highlands III development, it will be larger than the other existing signs but within Code.

The 2000 planned development approval granted relief to allow for freestanding signs to not be considered off-premise signs, but does require each sign to be approved as part of a site plan approval application to the Plan Commission. The proposed sign is to be located at the south entrance drive into the Highlands of Lombard development. While the submitted sign sketch

gives the appearance that the sign base will be masonry, the intent is that the base would be compatible with the other signage and would be of a limestone/fieldstone design similar to the other freestanding signs in the planned development. Additionally, the final location and placement of the sign shall not conflict with any easement areas.

Compatibility with the Subdivision and Development Ordinance

The new building is proposed to be located within the east portion of the existing Lot 1 in the Highlands of Lombard – Phase 2. As the parcel is greater than one acre in size, this approval requires Board approval. The petitioner has prepared a preliminary plat of resubdivision for the subject property for consideration as part of the Patio Restaurant approval petition.

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 conditional use, site plan approval, and companion sign relief complies with the standards required by the Lombard Zoning and Sign Ordinances and is consistent with the standards set forth within the Highland of Lombard planned development and that granting approval of the petition is in the public interest; 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 **approve** PC 07-26, subject to the following conditions:

1. The site improvements shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by James Papaoutsis Design Architect, updated August 10, 2007 (includes site plans, interior layouts, concept exterior elevations and freestanding sign proposal); the Preliminary Engineering Plans, prepared by Hoefler-Butler Engineering, Inc, dated July 12, 2007; the Landscape Development Plan, prepared by Trippedi Design Landscape Architect, dated July 13, 2007; the Plat of Resubdivision, prepared by Spaceco Inc., dated July 2, 2007; and the Photometric Plan, prepared by Zolter Electric, dated June 7, 2007 (sic.) and made a part of this petition, except as amended by the conditions of approval.

2. The petitioner shall meet all development and building codes of the Village of Lombard and shall follow the provisions set forth within the Highlands of Lombard planned development approval.

3. The proposed freestanding sign shall be placed outside of any easement areas. The freestanding sign exterior shall be of a limestone/fieldstone material, consistent with

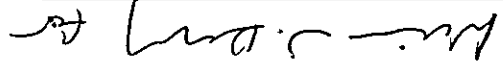
the signage previously approved within the planned development. Moreover, the sign cabinets shall be designed in a manner that minimizes exterior light glare.

4. The wall signage approval shall only be for the four exterior "The Patio" signs as depicted on the exterior elevations. All wall signs on the proposed buildings must be of a channel letter design.

5. If in the event that the proposed restaurant is not developed concurrent with the proposed Highlands III development, the petitioner shall install requisite parking stalls and drive aisles to ensure full access and circulation around the proposed center.

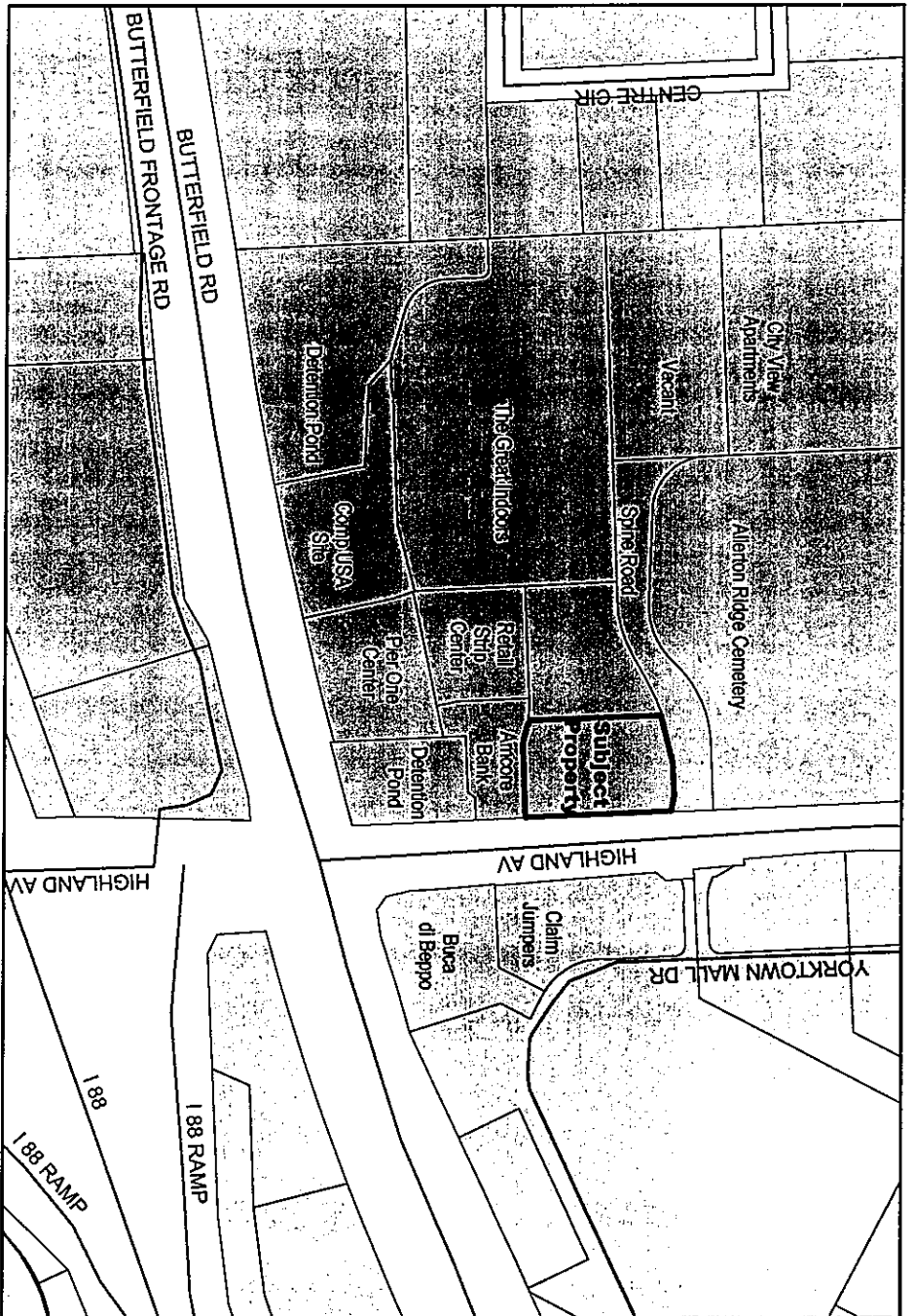
6. The approved masonry materials for the building shall be:
a. Sioux City Brick – Cinnamon Ironspot
b. Yankee Hill – Light Red Small
c. Belden Brick – Modular 470-479 Medium
d. Fieldstone sample as submitted by the petitioner.
Any deviation from this material shall be subject to the review and approval by the Director of Community Development.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

DAH:WH



PC 07-26: 2800 S. Highland (Patio Restaurant)



STATEMENT OF COMPATIBILITY

We began the process by meeting numerous times with the Village of Lombard Staff and worked closely to adjust our concept to meet the requirements of this site and location. As a result of these meetings the following changes were made to our proposal;

1. **FOUR FRONT FACADES:** The building massing has been carefully coordinated with the sign placements to create a fully developed building with four distinct front facades. This is accomplished thru the use of entry doors, windows, alternating masonry colors and signage on all four sides of the building to illuminate the front and back of house service areas which are typical in a restaurant of this type. In particular we have used the above noted elements on the north and west elevations in response to staff recommendations.

2. **MASONRY COLOR:** Our single color brick was changed to a multi-color brick palette, using three distinct colors to create scale and visual interest to compliment the existing buildings on this P.D. (These are noted as A, B and C on the drawings) In conjunction with this we adjusted our color scheme to match the existing reddish color of the existing buildings as requested by staff and represented by our masonry samples.

3. **LIMESTONE HORIZONTAL BAND:** Similar to the existing buildings on this P.D. we introduced a bold 12" limestone band with two "C" type brick stripes to create a 18" horizontal band which wraps around the building and ties the multiple massing shapes together. In addition we have added 3 separate "B" type large scale bands with "C" type stripes at the base of the building.

4. **FIELD STONE:** We changed the fireplace material form masonry to field stone incorporating this material in our design to match the existing buildings on this P.D. in addition to the restaurants across Highland Avenue.

5. **SITE PLAN COORDINATION WITH EXISTING CONDITIONS:** Due to the irregular shape of our site multiple site plan layouts were considered and carefully reviewed with staff. We then finalized our site plan into two different schemes, we coordinated with staff, which lead to their recommendation of our final layout. The proposed site plan is oriented so that the spine road to the north is parallel to our northern facade, which gives the north elevation a more prominent orientation. This not only allows us to incorporate the attached garbage areas similar to most of the P.D. buildings but also create additional landscaping at the outdoor dining areas. In addition the slight rotation provides for a more pleasing ¼ view of both the east and north facades from the main entry at the spine road.

6. **URBAN SPACE DEVELOPMENT:** The front entry overhang and sunscreen have been developed as a response to the extensive sun exposure at the south facade. We have integrated this into the "PATIO" concept by creating a "Front Porch" setting within and Urban Park. The entry sequence is developed around a sweeping ramp from the south east corner following the natural slope of the site up to the Porch area with Trellis Sunscreens, Hanging Planter Boxes and Park Benches coordinated with the Landscaped Design to create an "Urban Place" similar to the adjacent Shops of Butterfield Development across Highland Avenue.

7. **PLANTERS AND BROUGHT IRON FENCING:** We have incorporated hanging planters and wrought iron fencing with planters similar to the adjacent properties and the restaurants across Highlands Avenue.

8. **PEDESTRIAN CONNECTIONS:** We have proposed a connection form our site to the Highland III site to provide a pedestrian walkway reinforcing our connection to the existing P.D.

9. **MECHANICAL SCREENING:** We have also developed the design so that no mechanical units shall be at the front roof. At the rear roof area we raised all the parapets to create a continuous mechanical screen for all units at the kitchen area. (West half of the building)

STATEMENT OF INTENT

DESIGN CONCEPT

The Patio restaurant was designed around the interplay of interior and exterior space. The design attempts to bring the sky and outdoor gardens inwards during the day, while at night the interior is projected outward. This combination attempts to create an environment of serenity using architectural and landscape elements to screen out the sun, parking lot and traffic beyond. Through a veil of glass, a continuous interior to exterior garden space is formed within a boundary of outdoor sunscreens, masonry walls and landscaped areas. At night the space is transformed as the interior glows outward welcoming the passerby into a contemporary conservatory to relax, dine and enjoy the outdoors in comfort.

The building design and materials were developed in harmony with the landscaped areas with multiple colors and textures to create a unique indoor-outdoor "Patio" garden environment. Our interior incorporates planter boxes, outdoor seating and exterior materials with indirect lighting to reinforce this concept. The extensive landscaped areas which are viewed from within are coordinated with the architecture, incorporating the building palate of red autumn colored masonry moving from exterior to interior, purples and yellows of the multicolor slate floors and golden oak trellises and benches, which compliment the building.

The entry "Porch" at the south elevation and Park with wood sunscreens and benches define the perimeter of this outdoor/indoor space which transforms around the front of the building into a more private outdoor paved garden at the east elevation. This dining area incorporates a variety of plant species and colors which enhance the garden setting with trellises, wrought iron fence and planter boxes. Adjacent to this area, a large field stone fireplace pier anchors the composition creating a unique visual focal point moving from the outdoor patio to the interior dining areas further reinforcing the "Patio" experience.

The Patio with its front Porch and Park Areas, Fireplace, Gardens and Interior, signals to diners from Highland Avenue to enter. Working in harmony, these symbolic architectural elements welcome you in to relax, entertain and experience the unique environment and hospitality of the "Patio Restaurant".

C. Standards for Planned Developments with Deviations

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

1. Any reduction in the requirements of this Ordinance is in the public interest
2. The proposed deviations would not adversely impact the value or use of any other property
3. That such deviations are solely for the purpose of promoting better development which will be beneficial to the residents or occupants of the planned development as well as those of the surrounding properties
4. That the overall floor area of the planned development shall not exceed by more than 40% the maximum floor area permitted for the individual uses in each applicable district
5. That in residential planned developments the maximum number of dwelling units allowed shall not exceed by more than 40% the number of dwelling units permitted in the underlying district
6. That all buildings are located within the planned development in such a way as to dissipate any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to the following:
 - a. The front, side or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning district(s) or the zoning district underlying the subject site, whichever is greater.
 - b. All transitional yards and transitional landscape yards of the underlying zoning district are complied with.
 - c. If required transitional yards and transitional landscape yards are not adequate to protect the privacy and enjoyment of property adjacent to the development, the Plan Commission shall recommend either or both of the following requirements:
 - 1) All structures located on the perimeter of the planned development must set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses;
 - 2) All structures located along the entire perimeter of the planned development must be permanently screened with sight-proof screening in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.
7. That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district. **PROPOSAL IS IN COMPLIANCE WITH THE EXISTING P.D.**

**STANDARDS
FOR PLANNED DEVELOPMENTS**

SECTION 155.508 (A) (B) (C) OF THE LOMBARD ZONING ORDINANCE

Please refer to the STATEMENT OF COMPATIBILITY and the CIVIL ENGINEERING DOCUMENTS for additional information.

A. General Standards

1. Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located. **YES**
2. Community sanitary sewage and potable water facilities connected to a central system are provided. **YES**
3. The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site. **YES**
4. That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance. **YES**
5. That the streets have been designed to avoid: **YES**

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

B. Standards for Planned Developments with Use Exceptions

The ordinance approving the Final Development Plan for the planned development may provide for uses in the planned development not allowed in the underlying district, provided the following conditions are met: **PROPOSAL IS IN COMPLIANCE WITH THE EXISTING P.D.**

1. Proposed use exceptions enhance the quality of the planned development and are compatible with the primary uses
2. Proposed use exceptions are not of a nature, nor are located, so as to create a detrimental influence in the surrounding properties
3. Proposed use exceptions shall not represent more than 40% of the site area or more than 40% of the total floor area, whichever is less. However, in a residential planned development area no more than 10% of the site area or the total floor area shall be devoted to commercial use; furthermore, no industrial use shall be permitted.

STANDARDS FOR VARIATIONS
of the Lombard Zoning Ordinance and Lombard Sign Ordinance

VARIATION FOR SIGNAGE ON ALL 4 SIDES OF BUILDING
IN LIEU OF ONE SIGN ON HIGHLANDS

SECTION 155.103.C.7 OF THE LOMBARD ZONING ORDINANCE:

The regulations of this ordinance shall not be varied unless findings based on the evidence presented are made in each specific case that affirms each of the following standards:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.

Due to the irregular shape of our site multiple site plan layouts were considered and carefully reviewed with the Village of Lombard Staff. We then finalized our site plan into two different schemes, we coordinated with staff, which lead to their recommendation of our final layout. The proposed site plan is oriented so that the spine road to the north is parallel to our northern facade, which gives the north elevation a more prominent orientation. This orientation and visibility issues from the Highland Avenue is one reason we are requesting the additional signs.

2. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.

These conditions are unique to this site, since it will clearly be viewed in the round from all four sides as you enter and circulate around the site. In addition by working with Staff and their request to have all four sides of the building facade appear to be a front facade, we have proposed signage on four sides of the building which will act as a focal point located adjacent to entry doors and suggest a welcoming entry. In addition to Highlands Avenue, the Spine Road to the North and Access Road to the South may be considered as "frontage" unique to this site.

3. The purpose of the variation is not based primarily upon a desire to increase financial gain. An important purpose of this variation is based on the creation of a fully developed four sided building facade design which is not based primarily upon a desire to increase financial gain.

4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.

This difficulty has not been caused by any person having interest in the property and would impede us in trying to achieve our goals as noted above.

5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

The granting of this ordinance shall not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located and is in keeping with the existing buildings on the P.D.

6. The granting of the variation will not alter the essential character of the neighborhood;

The granting of the variation will not alter the essential character of the neighborhood and is in keeping with the existing buildings on the P.D, which have multiple signs facing in all directions.

7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

STANDARDS
FOR CONDITIONAL USES

CONDITIONAL USE - DRIVE THRU

SECTION 155.103 (F)(8) OF THE LOMBARD ZONING ORDINANCE:

No conditional use shall be recommended by the Plan Commission unless it finds:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;
2. We have developed the drive thru to allow for 10 car stacking space to meet the ordinance requirements and provided a continuous pass thru aisle adjacent to the drive thru aisle to allow for adequate circulation. In addition we have developed a signage system to direct and regulate the Drive Thru traffic through the use of stop signs and markings on the pavement. The design and coordination of the Drive Thru has been closely reviewed and coordinated with Village of Lombard Staff.
3. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located.
4. The planned development is a commercial use which already has this conditional use approved for Amcore Bank.
5. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
6. The surrounding property is a Cemetery and Commercial which is fully developed.
7. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;
8. All engineering has been done to adequately provide for utilities, access roads, drainage and all necessary facilities for the Drive Thru. Please refer to the Civil Engineering Documents which have been reviewed and coordinated with the Village of Lombard Development Engineer.
9. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
10. The location of the Drive Thru at the north end of our lots puts it away from any public streets and the access road to the south and therefore is at the best location to avoid traffic congestion.

6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard;
- The planned development is a commercial use which already has this conditional use approved and is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard.
7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.
- The Drive Thru has been coordinated with staff to conform to all applicable regulations of the district.

**AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW FOR A
DRIVE-THROUGH ESTABLISHMENT WITHIN THE HIGHLANDS OF
LOMBARD B3 PLANNED DEVELOPMENT
AND GRANTING OF WALL SIGN DEVIATIONS
PC 07-26 2800 S. Highland (The Patio Restaurant)**

ORDINANCE NO. _____

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned B3PD Community Shopping District - Planned Development; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard approved Ordinance 4833 on June 15, 2000 providing for a Planned Development for the below described property; and

WHEREAS, the President and Board of Trustees of the Village of Lombard approved Ordinance 4834 on June 15, 2000 authorizing the execution of a Second Amendment to the Development Agreement for the below described property; and

WHEREAS, a condition of the terms of the a Second Amendment to the Development Agreement requires conditional use approval to allow for a retail store having a drive through establishment/service, with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow more than one wall sign on a single-tenant building, to be located within the Highlands of Lombard Planned Development; and

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a drive through establishment/service associated with a fast-food restaurant establishment, all on the property described in Section I below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 20, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the planned development and variations described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the ordinance is limited and restricted to the property generally located at 2800 S. Highland, Lombard, Illinois and legally described as follows:

LOT 1 IN THE HIGHLANDS OF LOMBARD PHASE 2 BEING A RESUBDIVISION IN PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, AND PART OF THE NORTHWEST QUARTER OF THE THIRD PRINCIPAL SECTION 29, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED SEPTEMBER 22, 2005 AS DOCUMENT NUMBER R2005-211041, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-29-308-020

SECTION 2: That a conditional use for a drive-through establishment/service is hereby granted subject to compliance with the conditions set forth in Section 4.

SECTION 3: That Site Plan Approval for a fast-food restaurant with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance for more than one wall sign per street frontage is hereby granted subject to compliance with the conditions set forth in Section 4.

SECTION 4: The conditional use and relief set forth in Sections 2 and 3 shall be granted subject to compliance with the following conditions:

1. The site improvements shall be constructed in compliance with the submitted plans included within the plan submittal packet prepared by James Papaoutsis Design Architect, updated August 10, 2007 (includes site plans, interior layouts, concept exterior elevations and freestanding sign proposal); the Preliminary Engineering Plans, prepared by Hoeflerle-Butler Engineering, Inc, dated July 12, 2007; the Landscape Development Plan, prepared by Trippiedi Design Landscape Architect, dated July 13, 2007; the Plat of Resubdivision, prepared by Spaceco Inc., dated July 2, 2007; and the Photometric Plan, prepared by Zolter Electric, dated June 7, 2007 (sic.) and made a part of this petition, except as amended by the conditions of approval.
2. The petitioner shall meet all development and building codes of the Village of Lombard and shall follow the provisions set forth within the Highlands of Lombard planned development approval.
3. The proposed freestanding sign shall be placed outside of any easement areas. The freestanding sign exterior shall be of a limestone/fieldstone material, consistent with the signage previously approved within the planned development. Moreover, the sign cabinets shall be designed in a manner that minimizes exterior light glare.
4. The wall signage approval shall only be for the four exterior "The Patio" signs as depicted on the exterior elevations. All wall signs on the proposed buildings must be of a channel letter design.
5. If in the event that the proposed restaurant is not developed concurrent with the proposed Highlands III development, the petitioner shall install requisite parking stalls and drive aisles to ensure full access and circulation around the proposed center.
6. The approved masonry materials for the building shall be:
 - a. Sioux City Brick – Cinnamon Ironspot
 - b. Yankee Hill – Light Red Small
 - c. Belden Brick – Modular 470-479 Medium
 - d. Fieldstone sample as submitted by the petitioner.Any deviation from this material shall be subject to the review and approval by the Director of Community Development.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2007.

First reading waived by action of the Board of Trustees this _____ day of _____, 2007.

Passed on second reading this _____ day of _____, 2007.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2007.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2007.

Brigitte O'Brien, Village Clerk