

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


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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: September 22, 2015 (B of T) Date: October 1, 2015

TITLE: PC 15-21; 611 E. Butterfield Road – Sam's Club

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant approval of a major plat of resubdivision, map amendment (rezoning), and a conditional use for a planned development with companion conditional uses, deviations, and variations.

The Plan Commission recommended approval of this petition by a vote of 5-0.

Fiscal Impact/Funding Source:

Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

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.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

DATE: October 1, 2015

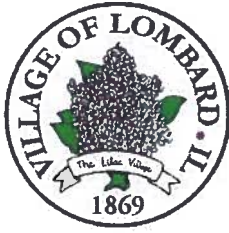
SUBJECT: PC 15-21; 611 E. Butterfield Road – Sam's Club

Please find the following items for Village Board consideration as part of the October 1, 2015 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 15-21;
3. Project narrative with completed standards for a map amendment (rezoning), conditional use for a planned development with companion conditional uses, deviations, and variations;
4. Addendum to the above referenced standards;
5. Off-site parking authorization letter from Nicor Gas;
6. Three Ordinances, the first two being applicable to the geographic area of the planned development, which does not include the Nicor parcel, and the third being applicable only to the Nicor parcel:
 - a. An Ordinance granting approval of a map amendment (rezoning) from the OPD Office Planned Development District to the B3 Community Shopping District;
 - b. An Ordinance granting approval of a conditional use for a planned development with companion conditional uses, deviations, and variations from the Lombard Sign and Zoning Ordinances, subject to five (5) conditions;
 - c. An Ordinance granting approval of a conditional use for off-site parking for the Nicor parcel; and
7. Plans and elevations associated with the petition.

The Plan Commission recommended approval of this petition by a vote of 5-0. This item is being brought forward for a first reading on the October 1, 2015 Board of Trustees agenda. A second reading of these land use entitlements, concurrent with a companion economic incentive agreement, which the Economic and Community Development Committee (ECDC) has recommended approval, will be scheduled for the October 15, 2015 Board of Trustees agenda.

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VILLAGE OF LOMBARD

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Lombard, Illinois 60148-3926
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October 1, 2015

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses 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."

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 15-21; 611 E. Butterfield Road – Sam's Club

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant approval of a major plat of resubdivision, map amendment (rezoning), and a conditional use for a planned development with companion conditional uses, deviations, and variations.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 17, 2015. Sworn in to present the petition was William J. Heniff, AICP, Director of Community Development, Matt Panfil, AICP, Senior Planner, and the petitioner, Rob Gamrath, Partner, Quarles & Brady LLP. Also sworn in were Tracy T. Richard, Engineer, Manhard Consulting Ltd. and Doug Plummer of RHA Architects.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine; and, hearing none, he proceeded with the petition.

Mr. Gamrath began by requesting to withdraw three of the requested deviations:

- p. A deviation from Section 155.602 (A)(5) of the Lombard Zoning Ordinance to reduce the required length of a parallel parking space from twenty-four feet (24') to twenty feet (20');

- u. A deviation from Section 153.208 (H) of the Lombard Sign Ordinance to allow for a freestanding sign within a clear line of sight area; and
- v. A deviation from Section 153.505 (B)(6)(c)(ii) of the Lombard Sign Ordinance to reduce the setback from the property line for the leading edge of a freestanding sign from five feet (5') to one foot (1').

Mr. Gamrath stated that the items will be revised to comply with Village Code.

In reference to a visual presentation, Mr. Gamrath reviewed the history of the project, including a workshop session with the Plan Commission on April 27, 2015 in which the petitioner noted the Plan Commission's emphasis on quality architecture, enhanced landscape, and sufficient screening. Mr. Gamrath stated that the petitioner has attempted to incorporate comments from the workshop into the submitted plans.

In regards to the rezoning request, Mr. Gamrath stated his belief that the project is compatible with the surrounding uses and zoning districts. The site is located along a commercial corridor with a regional shopping center to the north, office structures to the west, and a hospitality use to the east.

The proposal includes an approximately 135,000 square feet building and a twelve (12) pump gasoline sales facility. The overall site is approximately nine (9) acres in size and will be developed as a ground lease. Additionally, and unique to this project, there are approximately 1.9 acres just south of the property utilized by Nicor for a natural gas transmission line. Mr. Gamrath stated that Nicor has authorized him to move forward with the request for approvals from the Village, but their property will not be rezoned or included within the planned development. Mr. Gamrath stated that the Nicor parcel would be incorporated into the project only to the extent of off-site parking.

Referencing an aerial image, Mr. Gamrath stated that in addition to the vacant portions of the property where office buildings were demolished, other existing on-site improvements include a TGI Friday's, three (3) one-story office buildings, and various parking lots. The office buildings and TGI Friday's would be razed as part of the proposed project.

Mr. Gamrath reiterated his belief that the proposal is consistent with the surrounding uses and zoning districts along the Butterfield Road corridor and stated that Interstate-88 to the south functions as a significant buffer to the residential uses to the south.

Concluding his portion of the presentation, Mr. Gamrath stated that the proposed project is also consistent with the Village's Comprehensive Plan, which identified the site as an area for a mixture of commercial and office uses. The proposed project is also consistent with the 2011 Economic Development Strategies report which recognized the project area as one (1) of three (3) key sites for substantial economic development within the Village and stated that the site is suitable for a retail use.

Mr. Gamrath introduced Mr. Richard to discuss the site plan. Mr. Richard stated that the main entrance is at the southwest of the building. The geometry of the property causes a unique layout in regards to the location and orientation of the building and parking and generates some of the requested zoning relief items.

The main access to the site is from Fairfield Avenue which provides access to both the gasoline sales facility and also connects to the existing frontage road. There is also a right-in / right-out access point off of Butterfield Road for truck access. The loading docks are located at the north end of the building. The motor vehicle service entrance doors are located at the south end of the building.

Despite layout difficulties from the shape of the site, a parking ratio of 3.93 spaced per 1,000 square feet of floor area is provided. The parking spaces are nine and one-half feet (9.5') wide and eighteen feet (18') deep.

Water and sanitary services are provided via mains on the east side of Butterfield Road. All stormwater is collected on-site and goes to an underground detention chamber located underneath the parking lot and is then released to the storm sewer system along Butterfield Road.

Mr. Richard indicated that grading, utility, and lighting plans have been provided to the Plan Commission. In regards to the lighting, the light poles are thirty-nine feet (39') tall, but are located atop three foot (3') tall concrete bases for a total height of forty-two feet (42'). The lighting plan indicates an average light intensity of one (1) foot-candle.

Mr. Richard stated that it is possible for trucks to access the loading docks via the frontage road, but it is anticipated most truck traffic will access the site from the direct access point on Butterfield Road.

Referencing an image of the landscape plan, Mr. Richard stated a combination of deciduous shade and ornamental trees and shrubbery has been provided to the maximum extent possible. Attempting to provide for the minimum parking requirements and issues based on the overall shape of the site placed restrictions on the amount of landscaping that could be provided; resulting in several landscape variation requests.

Mr. Richard then introduced Doug Plummer to discuss architecture. Mr. Plummer indicated that even though he works for RHA Architects, he is representing Ty Holcomb, who is the architect of record for the project. Mr. Plummer expressed his understanding that there were previous concerns about the appearance of the building and then referenced images depicting the exterior upgrades that have been provided. Mr. Plummer provided a sample of the pre-cast panel. Mr. Plummer also provided a sample of Quick-Brik, which is an additional building material provided along the Butterfield Road and Fairfield Avenue façades. Efforts were made to provide additional building articulation. Also, the parapets were raised to screen the rooftop HVAC units.

Referencing images of the proposed signage, Mr. Plummer summarized the size and location of the proposed signage and stated that the proposal is typical of other Sam's Club stores.

Referencing images of proposed building perspectives, Mr. Plummer pointed out the articulated vestibule, stone columns, and wall-mounted light fixtures. The u-shaped screening wall matches the architecture of the building.

Mr. Plummer then referenced an image that displays the new freestanding sign location, which is out of any clear line of sight area, and then referenced images depicting the location and perspective views of the gasoline sales facility.

Mr. Plummer concluded by highlighting some of the sustainable practices incorporated into the project, including: a skylight system to provide for daylighting, a reflective roof, LED lighting, and a central energy management system in Bentonville, Arkansas that controls the operations within the store. Other sustainable practices include HVAC units with a 12.7 energy efficiency rating, ozone friendly refrigerants, non-fiberglass reinforced panels, and low-VOC paint.

Prior to opening the public hearing to public comment, Chairperson Ryan allowed the Plan Commissioners to request clarification of any of the information presented.

Commissioner Burke and Commissioner Sweetser both identified an error in the labeling of the elevations. The east and west façades had been misidentified on the submitted elevations. Mr. Plummer indicated that later revisions have corrected the error, but did acknowledge that the referenced image and paper copies provided to the Plan Commission had mislabeled the façades.

Referencing the four (4) overhead doors for the motor vehicle service, Commissioner Burke asked where they align on the corresponding site plan. Mr. Richard responded that there is a defined entrance to the overhead doors, but it may be difficult to identify the curb line on the site plan. Mr. Plummer further explained the location of the overhead doors, the concrete apron in front of them, and the curb.

Commissioner Flint asked if the petitioner intended to pursue LEED certification, to which Mr. Plummer responded in the negative. However, Mr. Plummer stated that the proposed store is anticipated to perform 28% better than the IECC 2009 baseline building.

Chairperson Ryan asked if any person would like to speak in favor or against the petition, or for public comment.

Sarah Lewis, Director of Operations for the adjacent Embassy Suites, asked for clarification as to what site improvements will be visible from their main parking lot and if there would be screening such as fencing between the two sites. Ms. Lewis stated that there are outdoor dining facilities at the northwest corner of their building.

Mr. Richard responded that the landscape plan depicts plantings and a fence that will help buffer the loading docks from the hotel. Commissioner Burke asked for and received further clarification as to the location of the landscape and plantings referred to by Mr. Richard. Mr. Richard added that the docks are depressed below grade. Mr. Gamrath added that Sam's Club has a "no idling" policy for trucks.

Ms. Lewis asked for clarification regarding the location of the fence. Mr. Gamrath identified the area of the wall screening the truck docks. Ms. Lewis asked for the petitioner to confirm that there is no fence, but just landscaping along the shared property line. Mr. Gamrath responded in the affirmative. Referencing a picture of the existing landscaping along the property line, Mr. Gamrath explained the intention is to maintain the existing landscaping while providing additional landscaping to fill in gaps to provide a high level of screening. Mr. Gamrath added that the focus of the landscaping is away from the mechanical areas of the buildings and more towards higher visibility areas near Butterfield Road.

Commissioner Sweetser asked for the height of the screening wall as well as the landscaping at planting and at maturity. Mr. Richard responded that the screening wall is ten feet (10') tall, but the limited amount of space for the landscape prevented them from providing any berm to increase the height of the landscaping.

Chairperson Ryan asked if anyone else would like to speak in favor or against the petition, or for public comment. Hearing none, he asked for the staff report.

Matt Panfil, Senior Planner, submitted the staff report to the public record in its entirety. Mr. Panfil began by stating that Sam's Club intends to execute a long term ground lease on the property. The existing one-story office buildings at 2801-2821 S. Fairfield Avenue and the TGI Friday's at 601 E. Butterfield Road will be razed to provide for the unified redevelopment of the property.

Approvals requested include a major plat of resubdivision and map amendment rezoning the property from the OPD Office Planned Development Zoning District to the B3 Community Shopping Zoning District. The Nicor parcel will be utilized for off-site parking, but is not included within the planned development or map amendment requests. Mr. Panfil acknowledged the petitioner's request to withdraw the deviations requested under sub-items p, u, and v.

In regards to the Inter-Departmental Review Committee, Mr. Panfil stated that the Fire Department requires the proposed underground detention shall be of a vault design capable of withstanding the loads from the deployed outriggers on their aerial ladder truck. Private Engineering Services has already provided preliminary comments to the petitioner and will continue to work with the petitioner once the depths of the Nicor transmission lines are identified.

Mr. Panfil noted that Public Works had five (5) comments for the petitioner, but the comment most pertinent to the Plan Commission public hearing is the requirement that a public sidewalk be provided along the entire north property line on Frontage Road.

Mr. Panfil stated that staff finds the requested map amendment to the B3 Community Shopping District is consistent with the existing zoning and land uses of the surrounding properties. Concerns regarding the residential properties to the south are mitigated by Interstate-88, which serves as a hard edge to any light or noise concerns that may be emitted from the site. Staff also finds that the petitioner has affirmed all of the standards associated with the requested map amendment. The proposed project is consistent with the trend of development in the area as

evidenced by the site being designated a key development opportunity site in the 2011 Village of Lombard Economic Development Plan. The project is also consistent with the Comprehensive Plan which recommends mixed-use commercial and office.

Regarding the requested major plat of resubdivision, Mr. Panfil stated that it was initially required at the time of submission because the Nicor parcel was going to be part of the overall planned development. However, as that is no longer the case, the plat can be reviewed administratively as a plat of consolidation.

Mr. Panfil stated that the project's consistency with the Comprehensive Plan is further enforced as the subject property is part of an area designated as Special Area 11, which recommended the redevelopment of the area to mixed-use commercial and office uses.

Describing the planned development in general, Mr. Panfil stated that staff finds it to be in the public interest in that it will redevelop a site already identified by the Village as a critical redevelopment area. Also, the proposal utilizes existing streets that were already designed to avoid inconvenient or unsafe access, traffic congestion, or an excessive burden on parks, recreation areas, schools, and other public facilities.

In review of the additional twenty-five percent (25%) open space requirement for planned developments with deviations, Mr. Panfil stated that in this case twelve and one-half percent (12.5%) open space is required, but only eight percent (8%) has been provided. There is a dilemma in that if the petitioner were to increase the amount of open space, doing so would be at the cost of decreasing parking spaces, of which the petitioner is already deficient based on Village Code. Mr. Panfil noted that if the Nicor parcel was to be included within the planned development, and the parcel was improved as identified on the submitted Landscape Plan, then the total open space would be increased to twelve percent (12%) and near compliance with the minimum open space requirement.

Mr. Panfil stated that there are five (5) conditional uses requested within the petition, all of which staff can support. However, staff requests two (2) conditions of approval pertaining to the conditional use for the outside display and sales of products:

1. Outside display and sales areas must not impact pedestrian or vehicular traffic, including automobiles and Fire Department apparatus; and
2. Outside display and sales area must remain ancillary to the principal land use.

Reviewing the requested deviations and variations, Mr. Panfil stated that staff can support the request to decrease the minimum parking lot lighting average intensity from 2.0 foot-candles to 1.0 foot-candles. Staff's support is based on the anticipated overflow lighting onto the site due to its proximity to both Butterfield Road and Interstate-88. However, as a condition of approval, staff requests a full photometric plan be submitted.

In response to Ms. Lewis' landscape and screening questions, Mr. Panfil stated that staff can support the requested deviation to not fully screen loading berths from adjacent properties

provided, as a condition of approval, the landscaping along the area including the loading docks and Embassy Suites parking lot and outdoor dining area be enhanced to the extent that it is compliant with Section 155.707 (B)(4)(c) of the Lombard Zoning Ordinance, which requires shrub plantings at least two (2) rows deep along seventy-five percent (75%) of the length of the area. The shrubs are to be installed at least three feet (3') in height and allowed to reach at least six feet (6') in height upon maturation. Staff encourages the shrubs to be further massed together as they grow.

Mr. Panfil added that staff can support the requested variation to reduce the minimum required perimeter parking lot landscape area width from five feet (5') to zero feet (0') based on the unique physical surroundings of the site. Perimeter parking lot landscaping along the southern property line would create a barrier and impede upon vehicle circulation from the off-site parking area.

In regards to the proposed twenty-five foot (25') corner side yard setback, Mr. Panfil stated that staff can support the requested variation based on the unique geometry of the property. While there is a five foot (5') encroachment into the corner side yard setback, the angle of the northern property line means that the overall amount of the building encroaching into the corner side yard setback is only approximately fifty-five (55) square feet.

Referring to the requested variation to allow for garbage dumpsters and recycling bins to be located within a corner side yard setback, Mr. Panfil stated that staff can support the request based on the unique layout of the site allows for no reasonable alternative location that would not also require some degree of zoning relief. The proposed location ensures that the garbage dumpsters and recycling bins will not be visible from public roadways or the ground level of the adjacent property to the east. Similarly, staff can support the requested variation to increase the maximum height of refuse disposal and recycling bin fence screening from eight feet (8') to ten feet (10'). The petitioner could opt to comply with code, but has requested the variation to ensure full screening.

Returning to the topic of landscaping, Mr. Panfil stated that the petitioner is proposing only four percent (4%) interior parking lot landscaping where five percent (5%) is required. Mr. Panfil noted that if the Nicor parcel were to be included in the overall calculation, the amount of interior parking lot landscaping would exceed the requirement.

Mr. Panfil stated that the staff does not find the request to eliminate foundation landscaping to be the result of a true hardship, but in consideration of the great extent of building foundation that will be occupied by either outside display and sales areas, the pedestrian entrance, loading docks, or the motor vehicle service area, staff does understand the petitioner's desire to provide landscaping in an area where it will have the most positive aesthetic impact. Therefore, staff can support the requested variation provided the petitioner provides the requisite foundation landscaping along the base of the freestanding sign, which will be highly visible on the frontage road and Butterfield Road.

In regards to the request for a sixty-four (64) square foot wall sign on a façade without a street front exposure, Mr. Panfil explained that if the Nicor parcel were part of the planned

development, the sign would comply with code due to the frontage on Interstate-88. As the Nicor parcel will be used for off-site parking for the development, staff can support the requested deviation based on this unique condition.

Summarizing from the Traffic Impact Study, Mr. Panfil stated that the Village's traffic consultant, KLOA, Inc. found that northbound vehicular traffic on Fairfield Avenue backs up periodically to Frontage Road during the weekday evening peak hours due to the surge in outbound traffic from the office buildings within the business park, but no backups or excessive queuing were observed during the morning and Saturday midday peak hours. No excessive backups were observed on Butterfield Road at either intersection.

In regards to interior site circulation, KLOA, Inc. found the internal access drives as providing efficient ingress / egress accessibility to the site and distributing traffic over various access drives without overloading a specific access drive. The gas station will allow inbound queues to occur mostly internally and with a limited impact on the traffic flow along Fairfield Avenue. KLOA also found that the proposed path for delivery trucks will reduce the interaction between passenger vehicles and delivery trucks.

Mr. Panfil concluded by stating that staff recommends approval of the petition, subject to the conditions outlined in the IDRC report.

Chairperson Ryan asked if there were questions of the staff report; and, hearing none, he opened the meeting for comments among the Commissioners.

Commissioner Burke asked if staff anticipated the photometric plan to reach an average of two (2) foot-candles if the existing lighting from Interstate-88 and Butterfield Road were taken into account. Mr. Heniff responded that the petitioner is indicating that there may be areas on the property that do not meet the minimum requirement, but staff is also taking into consideration a unique challenge in that the petitioner is attempting to provide sufficient light while respecting the restraints of not erecting light standards within the Nicor parcel. Mr. Heniff also acknowledged the significant amount of light that will spill over from Butterfield Road and Interstate-88. Commissioner Burke replied that he felt a modification to the wording of the condition of approval was appropriate. Commissioner Burke added that in terms of safety he was concerned that the far reaches of the Nicor parcel would be the most vulnerable areas of site and should be sufficiently lighted. Mr. Heniff responded that while he felt that the lighting from the gasoline sales facility will also make for a sufficient level of light for the site, a modification to the wording could be made that allowed for a photometric study that incorporated the existing light sources.

Commissioner Burke then commented that the request within the IDRC report for the landscaping between Sam's Club and Embassy Suites to be along at least seventy-five percent (75%) of the area seemed to him insufficient and there should not be any gaps in the screening. Commissioner Burke suggested a condition of approval that would require evergreen screening, at least six feet (6') in height at time of planting, along one-hundred percent (100%) of the identified area. Mr. Heniff referenced photographs that depict the existing landscape conditions along the shared property line. There is already a fairly sizable amount of fairly mature

evergreens along the western side of Embassy Suites' parking lot. Staff is seeking to maintain the existing landscaping but also incorporating additional landscaping materials. Staff is also concerned with providing sufficient screening between Sam's Club and Embassy Suites, but because they are located within office or commercial zoning districts a transitional landscape yard is not required by code. However, as a condition of approval, staff has recommended that for this area of the property Embassy Suites should be treated as if it were an apartment building, thus the seventy-five percent (75%) screening recommendation. Mr. Heniff felt that the combination of the existing landscaping and adding the higher standard of the transitional landscaping along Embassy Suites' parking lot and outdoor dining area will provide sufficient screening.

Commission Burke stated his concern regarding the wording of the condition of approval because it could allow for the petitioner to remove existing landscaping and result in only partial screening. Mr. Panfil recommended language be added to the condition of approval that required the existing landscaping to be incorporated into the proposed landscaping.

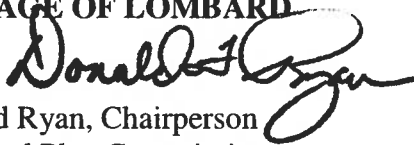
Commissioner Sweetser asked to confirm that the mislabeled elevations would be revised to which the response was affirmative.

Commissioner Burke asked if compliance with the recommendations within the Traffic Impact Study made by KLOA, Inc. was part of any condition of approval to which Mr. Heniff responded that the Illinois Department of Transportation (IDOT), as the approval authority, is in accordance with KLOA's recommendations. Therefore, the recommendations will be incorporated into the plan.

On a motion by Commissioner Burke, and a second by Commissioner Sweetser, the Plan Commission voted 5 to 0 to recommend that the Village Board approve a map amendment (rezoning) and a conditional use for a planned development with companion conditional uses, deviations, and variations, subject to five (5) conditions.

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

SAM'S CLUB – 611 E. BUTTERFIELD ROAD

AUGUST 17, 2015

Title

PC 15-21

Petitioner – Lessee

Rob Gamrath, Esq.
Sam's Real Estate Business Trust
Quarles & Brady LLP
300 N. LaSalle St., Ste. 4000
Chicago, IL 60654

Property Owner

611 Butterfield Road LLC
c/o Hamilton Partners
Attn: Greg Winner
300 Park Blvd., Ste. 201
Itasca, IL 60143

Property Location

611 E. Butterfield Road
(06-29-402-014, -017, -022, -030,
and -031)
Trustee District #3

Zoning

OPD – Office Planned Dev.

Existing Land Use

Vacant parcels, office buildings, and
TGI Friday's

Comprehensive Plan

Mixed-Use Commercial & Office

Approval Sought

Major Plat of Resubdivision, Map
Amendment, and a Conditional Use
for a planned development with
companion conditional uses,
deviations, and variations.

Prepared By

Matt Panfil, AICP
Senior Planner



LOCATION MAP

DESCRIPTION

The petitioner is proposing a planned development featuring an approximately 135,000 square foot Sam's Club with accompanying twelve (12) space gasoline sales facility. The planned development will be approximately 9.3 acres. Sam's Club intends to execute a long-term ground lease on the property. The existing one-story office building at 2801-2821 S. Fairfield and the TGI Friday's restaurant at 601 E. Butterfield will be razed to provide for the unified redevelopment. Approval of a major plat of resubdivision and a map amendment (rezoning) from Office Planned Development to the B3 Community Shopping district area also requested.

Not included within the geographic boundaries of the planned development, but germane to the proposal is a request to utilize approximately 1.76 acres of Nicor-owned property for off-site parking.

EXISTING CONDITIONS

The existing structure at 2801 S. Fairfield Avenue and the TGI Friday's restaurant will be razed as part of this proposal. Three (3) single-story office buildings have already been demolished. The Nicor property is used as a regional natural gas transmission line and Commonwealth Edison also has overhead electric distribution lines on the site.

PROJECT STATS

Lot & Bulk

Parcel Size:	9.3 acres
Off-Site Parking Area:	1.76 acres
Building Area:	135,016 sq. ft.
Lot Coverage:	Approx. 92%

Reqd Setbacks & Lot Dimensions – Existing (Proposed) (in feet)

Front (West):	30 (36)
Corner Side: (North)	30 (25)
Int. Side (South):	10 (20)
Rear:	30 (38)
Lot Width:	150 (185)

Parking Spaces (Incl. Off-Site)

	546 (11 ADA)
Demand:	4.00 per 1,000 sq. ft. of gross floor area
	538 (12 ADA)
Supply:	3.93 per 1,000 sq. ft. of gross floor area

Submittals

1. Petition for a public hearing, submitted July 17, 2015;
2. Response to standards for a map amendment (rezoning), conditional use for a planned development with companion conditional uses, deviations, and variations, submitted July 17, 2015;
3. Addendum to standards, submitted August 6, 2015;
4. Preliminary Plat of Resubdivision, prepared by Manhard Consulting, Ltd., dated July 14, 2015 and submitted July 17, 2015;

cont.

APPROVAL(S) REQUIRED

Due to the unique shape of the lot and the development restraints of the Nicor parcel, the planned development will require relief from the Village's Sign and Zoning Ordinances. As proposed, the development will require the following actions:

1. Approve a Major Plat of Resubdivision;
2. Approve a Map Amendment rezoning the entire property to the B3 Community Shopping District; and
3. Approve a conditional use for a planned development with the following companion conditional uses, deviations, and variations, as follow:
 - a. A conditional use pursuant to Section 155.208 (C) of the Lombard Zoning Ordinance to increase the maximum number of principal structures on a lot-of-record from one (1) to two (2) to allow for a gasoline sales facility;
 - b. A conditional use pursuant to Section 155.415 (C)(9) of the Lombard Zoning Ordinance for gasoline sales;
 - c. A conditional use pursuant to Section 155.415 (C)(17) of the Lombard Zoning Ordinance for motor vehicle service;
 - d. A conditional use pursuant to Section 155.415 (C)(18) of the Lombard Zoning Ordinance for off-site parking;
 - e. A conditional use pursuant to Section 155.415 (C)(19) of the Lombard Zoning Ordinance for outside display and sales of products the sale of which is a permitted or conditional use in this district;
 - f. A variation from Section 155.205 (A)(c)(i) of the Lombard Zoning Ordinance to increase the maximum fence height in a business district from eight feet (8') to ten feet (10') for a loading dock screening wall;
 - g. A variation from Section 155.210 (D)(1) of the Lombard Zoning Ordinance to allow for garbage dumpsters and recycling bins to be located within a corner side yard;
 - h. A variation from Section 155.508 (C)(6)(a) and a deviation from Section 155.415 (F)(2) of the Lombard Zoning Ordinance to reduce the minimum corner side yard setback from thirty feet (30') to twenty-five feet (25');

Submittals (cont.)

5. Site Plan, prepared by Manhard Consulting, Ltd., dated July 16, 2015 and submitted July 17, 2015;
 6. Landscape Plan, prepared by Manhard Consulting, Ltd., dated July 16, 2015 and submitted July 17, 2015;
 7. Lighting Plan, prepared by Manhard Consulting, Ltd., dated July 16, 2015 and submitted July 17, 2015;
 8. Preliminary Civil Engineering Plans (Grading and Utility), prepared by Manhard Consulting, Ltd., dated July 16, 2015 and submitted July 17, 2015;
 9. Elevations, structure and signage, prepared by Trevor, Tyson, Holcomb, dated July 14, 2015 and submitted July 17, 2015;
 10. Revised elevations, structure and signage, prepared by Trevor, Tyson, Holcomb, dated August 6, 2015 and submitted August 10, 2015;
 11. Letter from Nicor Gas authorizing their parcel for possible off-site parking, dated and submitted July 29, 2015; and
 12. Materials samples and colors board submitted as part of the April 27, 2015 workshop session.
- i. A variation from Section 155.706 (B)(1) of the Lombard Zoning Ordinance to reduce the minimum required landscaping of the interior of a parking lot from five percent (5%) to four percent (4%);
 - j. A variation from Section 155.706 (B)(2)(c)(ii) of the Lombard Zoning Ordinance to reduce the required number of shade trees within the parking lot from 125 shade trees to fifty-five (55) shade trees;
 - k. A variation from Section 155.706 (C)(1) of the Lombard Zoning Ordinance to reduce the minimum required perimeter parking lot landscape area width from five feet (5') to zero feet (0');
 - l. A variation from Section 155.708 (A) of the Lombard Zoning Ordinance to reduce the minimum required building foundation landscape area width from ten feet (10') to zero feet (0');
 - m. A variation from Section 155.710 of the Lombard Zoning Ordinance to increase the maximum height of refuse disposal and recycling bin fence screening from eight feet (8') to ten feet (10') and to allow for masonry screening where solid wood or an equivalent material is required;
 - n. A deviation from Section 155.415 (G) of the Lombard Zoning Ordinance to increase the maximum building height from thirty feet (30') to thirty-five feet and four inches (35'4");
 - o. A deviation from Section 155.508 (C)(7) of the Lombard Zoning Ordinance to reduce the minimum required open space in a planned development with deviations from twelve and one-half percent (12.5%) to eight percent (8%);
 - p. A deviation from Section 155.602 (A)(5) of the Lombard Zoning Ordinance to reduce the required length of a parallel parking space from twenty-four feet (24') to twenty feet (20');
 - q. A deviation from Section 155.602 (A)(10)(d)(ii) of the Lombard Zoning Ordinance to decrease the minimum parking lot lighting average intensity from 2.0 foot-candles to 1.0 foot-candles;

- r. A deviation from Section 155.602 (A)(10)(d)(iv) of the Lombard Zoning Ordinance to increase the maximum height for light poles used for a parking lot from forty feet (40') to forty-two feet (42');
- s. A deviation from Section 155.602 (C)(Table 6.3) of the Lombard Zoning Ordinance to reduce the minimum required parking spaces for freestanding stores and neighborhood and community centers (up to 200,000 square feet) from four (4) parking spaces per 1,000 square feet of gross floor area to 3.93 parking spaces per 1,000 square feet of gross floor area;
- t. A deviation from Section 155.603 (A)(1) of the Lombard Zoning Ordinance to not fully screen loading berths from adjacent property in an O Office District;
- u. A deviation from Section 153.208 (H) of the Lombard Sign Ordinance to allow for a freestanding sign within a clear line of sight area (*this request in no longer needed based upon submittal or revised plans*);
- v. A deviation from Section 153.505 (B)(6)(c)(ii) of the Lombard Sign Ordinance to reduce the setback from the property line for the leading edge of a freestanding sign from five feet (5') to one foot (1') (*this request in no longer needed based upon submittal or revised plans*); and
- w. A deviation from Section 153.505 (B)(19)(a)(i)(a) of the Lombard Sign Ordinance to allow for a sixty-four (64) square foot wall sign on a façade without a street front exposure (south façade);

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments regarding the project. A full review will be conducted during the building permit review process.

Fire Department:

The Fire Department notes that the proposed underground detention (in the west parking lot area) shall be of a vault design capable of withstanding the imposed loads from the deployed outriggers on the Fire Department's aerial ladder truck.

Private Engineering Services (PES):

For final engineering review, PES requests that once the depth of the Nicor transmission lines are identified, the petitioner address the preliminary comments previously provided in order to be compliant with Village design standards

Public Works:

The Department of Public Works has the following comments regarding the project:

1. Pursuant to Section 154.304 of the Village of Lombard Subdivision and Development Ordinance, the plans are to include a public sidewalk along the entire north property line on Frontage Road;
2. A thirty foot (30') wide public water main easement is required for the proposed water main throughout the site and also the domestic and fire suppression valve vaults;

3. An inspection manhole is required on the storm sewer and a cleanout on the sanitary service line at the north property line to separate public and private ownership and responsibilities;
4. The water service valve vaults shall be at least five feet (5') horizontal from the light pole base; and
5. Additional comments shall be provided when final engineering plans are submitted for a building permit.

Planning Services Division (PSD):

The Planning Services Division notes the following:

1. Map Amendment (Rezoning)

A. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B3PD/OPD	Yorktown Shopping Center / Northern Baptist Seminary
South	I-88 / R-3 & R-5 (DuPage County)	Interstate / Detached Single-Family Homes / Attached Single-Family Homes
East	OPD	Embassy Suites Hotel
West	O/OPD	TCF Bank / Offices

In consideration of the proposed map amendment rezoning the property to the B3 Community Shopping District, staff finds the project is consistent with the zoning and existing land use of the surrounding properties. Concerns regarding the project's adjacency to residential uses to the south are mitigated by Interstate 88, which serves as a hard edge in regard to any noise or light concerns that may be associated with the site. Staff estimates the distance between the southern property line of the Nicor parcel and the nearest residential structure to be approximately 285 feet.

B. Standards for Map Amendments

Staff finds that the petitioner has affirmed all of the standards associated with the requested map amendment rezoning the property from the O Office District to the B3 Community Shopping District (Exhibit A). The proposed map amendment is compatible with existing uses of the property and surrounding zoning classifications and land uses. Staff finds the proposed project is consistent with the trend of development in the area as evidenced by the site being designated a "key development opportunity site" and marked for, "either office, with secondary retail or medical uses (consistent with the Comprehensive Plan) or all retail," in the 2011 Village of Lombard Economic Development Plan. In regards to the Comprehensive Plan, the proposed project is consistent with the recommend "mixed-use commercial and office" designation. Finally, staff finds the property in question to be suitable for the proposed project. Its location in a commercial corridor and between a state and federal highway provides for a high degree of separation from less intense residential zoning districts.

2. Plat of Resubdivision

The preliminary Plat of Resubdivision (Exhibit D) originally identified portions of the Nicor property as part of the area to be resubdivided. As the Nicor property is not included as part of the planned

development, the Plat of Resubdivision is considered a plat of consolidation. Pursuant to Section 154.203 (C) of the Subdivision and Development Ordinance, the consolidation of lots of any size into a single lot-of-record, which does not involve any new streets, extensions of existing streets, or easements of access, and complies with all other applicable provisions can be approved administratively. The petitioner is aware of this issue and the submission of a revised plat designating the non-Nicor property as a single consolidated lot-of-record is a condition of any Plan Commission approval.

3. *Comprehensive Plan Compatibility*

The 2014 update to the Village's Comprehensive Plan identified the site as part of Special Area 11, which recommended future land uses to be, "mixed-use commercial and office." As a major commercial retail use with an accessory gasoline sales facility, staff finds the proposed project is consistent with the Comprehensive Plan.

VILLAGE OF LOMBARD COMPREHENSIVE PLAN 2014

Area 11: Butterfield Road


Background: This area is located on the south side of Butterfield, north of I-88, and contains a mix of office, retail and restaurant uses.

Current Zoning: O & OPD- Office and B3 - Community Shopping Center District

Current land Use: Office, commercial & vacant land

1998 Plan Recommendation: Office

Recommended Action: Reclassify the subject property to a future land use designation of mixed Commercial and Office. This new classification could accommodate additional uses, such as professional offices, as well as commercial, as part of a large scale redevelopment. It will also complement the existing uses along the corridor.



4. *Zoning Ordinance Compatibility*

A. Planned Development Provisions:

1. *General Standards for a Planned Development*

Pursuant to Section 155.508 (A) of the Lombard Zoning Ordinance, staff finds the petitioner has affirmed the general standards for a planned development. The proposed uses are consistent with the proposed underlying zoning district and the proposed development will incorporate best practices for sanitary sewage and potable water facilities. The project is in the public interest in that it will redevelop a site already identified by the Village as a critical redevelopment area. Finally, the proposal utilizes existing streets that were already designed to avoid inconvenient or unsafe access, traffic congestion, or an excessive burden on public parks, recreation areas, schools, and other public facilities.

2. *Standards for a Planned Development with Other Exceptions:*

Pursuant to Section 155.508 (C) of the Lombard Zoning Ordinance, staff finds the petitioner has affirmed all standards. Due to its location staff finds that the proposed exceptions will not adversely impact the value or use of any other property and such exceptions are solely for the purpose of promoting the redevelopment of an existing, mostly-vacant, site. Furthermore, in regard to building setbacks and transitional yards, the building is located in such a manner as to minimize the amount of zoning relief required; requesting only a five foot (5') deviation from the minimum required thirty foot (30') corner side yard setback.

a. *Open Space:*

Section 155.508 (C)(7) of the Lombard Zoning Ordinance requires that planned developments with deviations shall provide at least twenty-five percent (25%) more open

space than required in the underlying zoning district. The requested underlying zoning district, B3 Community Shopping, requires a minimum of ten percent (10%) open space; therefore the planned development is required to provide a minimum of twelve and one-half percent (12.5%) open space. As proposed, the total amount of open space provided is approximately eight percent (8%). If the petitioner were to increase the amount of open space, doing so would be at the cost of decreasing parking spaces, of which the petitioner is already deficient based on Village Code.

In their response to standards specific to the requested planned development open space deviation, the petitioner identified the abnormal shape of the property and the location of the Nicor parcel to the south as primary hardships in complying with the Zoning Ordinance. Staff concurs with the petitioner and finds that due to the location of the site and the adjacent Nicor parcel, the overall reduction in open space will not adversely impact the value or use of any other property. Staff also notes that if the Nicor parcel was to be included within the planned development, and the parcel was improved as identified on the submitted Landscape Plan (Exhibit I), then the total open space would be increased to twelve percent (12%) and near compliance with the minimum required open space requirement for a planned development with other exceptions.

B. Conditional Uses:

1. *Conditional use to increase the maximum number of principal structures on a lot-of-record from one (1) to two (2).*

Pursuant to Section 155.208 (C) of the Lombard Zoning Ordinance, the petitioner requests a conditional use to allow for two (2) principal structures on the same lot-of-record. The proposed gasoline sales facility is the second principal structure in addition to the approximately 135,000 square foot retail structure. As the petitioner is the operator of both the retail structure and gasoline sales facility, there is not a current need to create a separate outlot for the gasoline sales facility, as is often done in traditional shopping centers. The gasoline sales facility is limited to a small service kiosk, canopy and fuel pumps.

Staff finds the petitioner has affirmed all standards for a conditional use for a second principal structure on a single lot-of-record. The gasoline sales facility will not be detrimental to public health, safety, morals, comfort, or welfare; nor will it be injurious to the uses and enjoyment of other property in the immediate vicinity. Gasoline sales uses are common with the B3 Zoning District and have not shown to impair surrounding property values nor serve as an impediment to the normal and orderly development of surrounding properties. The gasoline sales facility is complimentary to the principal use and adequate public utilities, access, and stormwater detention facilities will be provided.

2. *Conditional use for gasoline sales.*

Pursuant to Section 155.415 (C)(9) of the Lombard Zoning Ordinance, the petitioner requests a conditional use for gasoline sales. The proposed gasoline sales facility is to be located within the southwestern portion of the site adjacent to Fairfield Avenue. As the proposed gasoline sales facility is complimentary to the proposed principal use on the property, staff can support the requested conditional use for gasolines sales.

As in the case of the conditional use for a second principal structure on a single lot-of-record above, staff finds the petitioner has affirmed all standards for a conditional use for gasoline sales, provided it complies with all other regulations pertaining to the sale of gasoline.

3. *Conditional use for motor vehicle service.*

Pursuant to Section 155.415 (C)(17) of the Lombard Zoning Ordinance, the petitioner requests a conditional use for motor vehicle service. The proposed motor vehicle service area is to be located entirely within the building (southeastern portion of the structure) and will be utilized to conduct vehicle battery replacement, tire repair and replacement, and other related services. Per Village Code, no motor vehicle service will be conducted within the parking lot or anywhere outside of the structure. Please note that the request is for motor vehicle service and not motor vehicle repair, which is a more intense land use that may include rebuilding, reconditioning, replacement, or dismantling of major components such as body, frame, or fender repair or painting.

As the proposed motor vehicle service is complimentary to the proposed principal use on the property, staff can support the requested conditional use for motor vehicle service. Furthermore, the location of the overhead entrance doors to the motor vehicle service area will not be highly visible from anywhere except Interstate 88.

Staff finds the petitioner has affirmed all standards for a conditional use for motor vehicle service. The motor vehicle service area will not be detrimental to public health, safety, morals, comfort, or welfare; nor will they be injurious to the uses and enjoyment of other property in the immediate vicinity. Motor vehicle service uses are common with the B3 Zoning District and have not shown to impair surrounding property values nor serve as an impediment to the normal and orderly development of surrounding properties. The motor vehicle service use is complimentary to and located within the principal use. Finally, the motor vehicle service use is consistent with the objectives of the current Comprehensive Plan and conforms to all other applicable regulations within the underlying zoning district.

4. *Conditional use for off-site parking.*

Pursuant to Section 155.415 (C)(18) of the Lombard Zoning Ordinance, the petitioner requests a conditional use for off-site parking. The proposed off-site parking on the Nicor parcel accounts for 204 of the total 538 proposed parking spaces. Staff supports the request for a conditional use for off-site parking because of the combination of the off-site parking parcels being irregular in shape and unsuitable for most other types of land uses and the existing natural gas transmission line precludes any permanent structures from being constructed on-site. Furthermore, the site is currently developed as a parking lot.

Staff finds the petitioner has affirmed all standards for a conditional use for off-site parking. As the off-site parking will essentially function as if were incorporated into the overall planned development, there will be no detriment to public health, safety, morals, comfort, or welfare; nor will it be injurious to the uses and enjoyment of other property in the immediate vicinity. There are already parking spaces on-site which have not impaired property values or impeded the normal and orderly development of the surrounding property. Due to its location on an existing parking lot, the petitioner will be able to provide adequate public

utilities, access, and stormwater detention facilities. Finally, the off-street parking is consistent with the objectives of the current Comprehensive Plan and conforms to all other applicable regulations within the underlying zoning district.

5. *Conditional use for outside display and sales of products the sale of which is a permitted or conditional use in this district.*

Pursuant to Section 155.415 (C)(19) of the Lombard Zoning Ordinance, the petitioner requests a conditional use for outside display and sales of products the sale of which is a permitted or conditional use in the underlying zoning district. The petitioner has not specifically identified the locations for the outside display and sales of products on the site plan (Exhibit E), but the petitioner has generally described the fuel center pump aisles areas and at or near the front entrance of the retail building as desired locations. At this point in time, the petitioner has expressed that Sam's has not committed to having such outside sales. However, the petition and staff agree that considering such activities into the context of the overall development plan is appropriate should such activities be desired in the future.

As with several other large retailers within the Village, staff finds that a conditional use for the outside display and sales of products is common and can support such a request. Many gas stations and retail stores in Lombard have received conditional uses for such sales, as it is deemed to be an integral part of the overall business activity on the premises. However, to ensure that the outside display and sales areas are appropriately sized and located, staff offers the following considerations:

- a. Outside display and sales areas must not impact pedestrian or vehicular traffic, including automobiles and Fire Department apparatus; and
- b. Outside display and sales area must remain ancillary to the principal land use.

Staff finds the petitioner has affirmed all standards for a conditional use for the outside display and sales of products of which is a permitted or conditional use in the district. The outside display and sales areas will not be detrimental to public health, safety, morals, comfort, or welfare; nor will they be injurious to the uses and enjoyment of other property in the immediate vicinity. Provided the outside display and sales areas are limited to the areas generally described by the petitioner, surrounding property values will not be impaired nor will they be an impediment to the normal and orderly development of the surrounding properties. Finally, the outside display and sales areas are consistent with the objectives of the current Comprehensive Plan and conform to all other applicable regulations within the underlying zoning district.

C. Deviations:

1. *Building Height*

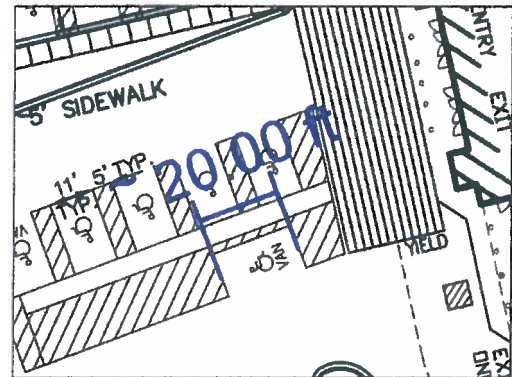
Pursuant to Section 155.415 (G) of the Lombard Zoning Ordinance, the petitioner requests a deviation to increase the maximum permitted building height from thirty-feet (30') to thirty-five feet and four inches (35'4"). Staff can support the requested deviation as the majority of the height of the structure beyond thirty feet (30') appears to be a parapet wall, which is not

traditionally included in the overall measured height of a structure. However, the relief request was published for the most extreme situation due to ongoing engineering analysis that may result in changes in final grading from which the building height is measured. In this scenario, staff supports the requested deviation and finds that the proposed deviation would not adversely impact the value or use of any other property, especially in consideration that the building heights of the surrounding structures exceed the proposed height of the Sam's Club.

2. *Parking*

- a. Pursuant to Section 156.602 (A)(4) of the Lombard Zoning Ordinance, in cases where parking facilities are permitted on land other than the zoning lot on which the building or use served is located, such facilities shall be in the same possession as the zoning lot occupied by the building or use to which the parking facilities are accessory. Such possession may be either by deed or long-term lease, the terms of such lease to be determined by the Village Board. The petitioner has provided evidence of an existing long-term lease for the Nicor parcel and Nicor has submitted to the public record a correspondence (Exhibit C) authorizing the petition for off-site parking on their property. The petitioner and Nicor are currently reviewing the existing lease to address the redevelopment of the subject property. As a condition of approval, the petitioner is to provide to the Village Board evidence of such deed or long-term lease.

- b. Pursuant to Section 155.602 (A)(5) of the Lombard Zoning Ordinance, the petitioner requests a deviation to reduce the length of a parallel parking space from twenty-four feet (24') to twenty feet (20'). As the petitioner has not identified the hardship associated with this request, and compliance with the Zoning Ordinance requires only a minor adjustment in paint striping, staff recommends as a condition of any approval by the Plan Commission that the Site Plan be revised to reflect a twenty-four foot (24') parallel parking space.



- c. Pursuant to Section 155.602 (A)(10(d)(ii) of the Lombard Zoning Ordinance, the petitioner requests a deviation to decrease the minimum parking lot lighting average intensity from 2.0 foot-candles to 1.0 foot-candles. In their response to standards the petitioner states that the reduction in average lighting intensity allows for a reduction in the number of light poles required, which if not granted would require a further reduction in the number of parking spaces provided.

Staff can support the requested deviation to decrease the minimum parking lot light average intensity based on the reasons outlined by the petitioner, but also because of anticipated overflow lighting onto the site due to its proximity to Interstate 88. The decreased lighting intensity will not adversely impact the value or use of any other properties. However, as a condition of approval, staff requests a full photometric plan in order to confirm the average intensity and to ensure that there are no substantial dark

zones that may represent a safety concern. Additionally, with the existing light spill from adjacent properties and rights-of-way, the parking areas may still have sufficient overall light levels. Avoiding the need for more construction within the Nicor property also helps minimize risk to the natural gas transmission line. As a matter of practicality, additional lighting intensity can be provided at a later date, if necessary, more easily than a reduction in nuisance lighting.

- d. Pursuant to Section 155.602 (A)(10)(d)(iv) of the Lombard Zoning Ordinance, the petitioner requests a deviation to increase the maximum height for light poles from forty feet (40') to forty-two feet (42'). Similar to subitem "c" above, in their response to standards the petitioner states that the increased light pole height allows for a reduction in the number of light poles required, which if not granted would require a further reduction in the number of parking spaces provided.

Staff can support the requested deviation to increase the maximum light pole height based on the reasons outlined by the petitioner, but also because there is a precedent for forty-five foot (45') tall light poles within the Yorktown Shopping Center. Forty-five foot (45') tall light poles are permitted within shared pedestrian access shopping centers, but not within single-tenant properties. The forty-five foot (45') tall light poles at Yorktown Shopping Center have been in place without adversely impacting the value or use of any other properties.

- e. Pursuant to Section 155.602 (C)(Table 6.3) of the Lombard Zoning Ordinance, the petitioner requests a deviation to reduce the minimum required parking spaces from four (4) parking spaces per 1,000 square feet of gross floor area (546 parking spaces based on the proposed gross floor area) to 3.93 parking spaces per 1,000 square feet of gross floor area (538 parking spaces based on the proposed gross floor area). In their response to standards, the petitioner asserts that the reduction in the amount of parking spaces does not limit their ability to provide adequate parking for customers.

Staff can support the requested deviation based on the combination that the petitioner exceeds the minimum amount of accessible parking spaces required by the Illinois Accessibility Code, the petitioner could in fact provide additional parking spaces by reducing their standard corporate parking space width from nine and one-half feet (9.5') to nine feet (9') and still be compliant with Village Code, and the reduction in parking spaces allows for more open space on a site that is already deficient. The minimal reduction in the amount of required parking spaces proposed will not adversely impact the value or use of any other properties. As a practical measure, staff also notes that a reduction in parking spaces from the established lineal formula can address excessive parking being placed on the property that would in most cases not be utilized by customers or employees.

3. *Loading*

- a. Pursuant to Section 155.603 (A)(1) of the Lombard Zoning Ordinance, the petitioner requests a deviation to not fully screen loading berths from adjacent property in an O Office District. In their response to standards, the petitioner states that there will be extensive landscaping and a screen wall in areas adjacent to Embassy Suites to the east. However, this screening is only practical at the first floor level. The overall height of the

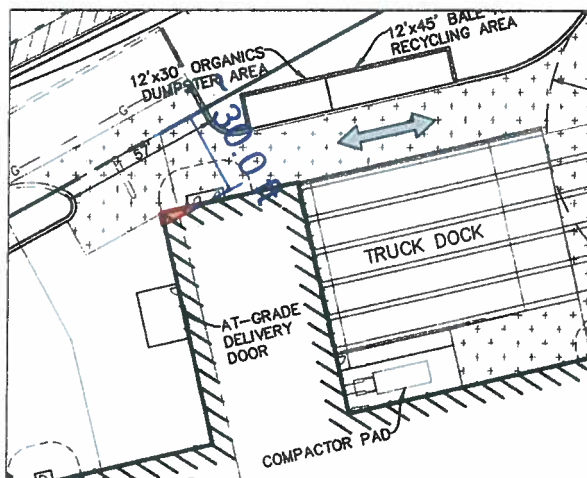
Staff can support the requested deviation based on the reasons outlined by the petitioner and agrees that it is impractical to assume that the loading docks can be blocked from view of the upper stories of Embassy Suites.



D. Variations:

1. Setback & Bulk Requirements

- a. Pursuant to Section 155.508 (C)(6)(a) of the Lombard Zoning Ordinance, the petitioner requests a variation to deviate from Section 155.415 (F)(2) to reduce the minimum corner side yard setback from thirty feet (30') to twenty-five feet (25'). In their response to standards, the petitioner states that this request is based on the unique topography of the lot in which there is a significant grade differential at the southeastern corner of the property.



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- b. Pursuant to Section 155.210 (D)(1) of the Lombard Zoning Ordinance, the petitioner requests a variation to allow for garbage dumpsters and recycling bins to be located within a corner side yard setback. In their response to standards, the petitioner states that the proposed location for the garbage dumpsters and recycling bins is based on their desire to keep them furthest away from the adjacent Embassy Suites Hotel while still being practical for the petitioner's needs.

Staff can support the requested variation based on the combination of the reason outlined by the petitioner and that based on the unique layout of the site, there is no reasonable alternative location that would not also require some degree of zoning relief. The petitioner has provided extensive screening and has made a request for additional zoning relief to provide for a screening wall higher than that currently allowed by Village Code to ensure that the garbage dumpsters and recycling bins will not be visible from public roadways or the ground level of the adjacent property to the east.

2. Fence Height

- a. Pursuant to Section 155.205 (A)(2)(c)(i) of the Lombard Zoning Ordinance, the petitioner requests a variation to increase the maximum height of a fence in a business district from eight feet (8') to ten feet (10') for a loading dock screening wall. In their response to standards, the petitioner states that the request for ten foot (10') tall screening is based on their desire to most effectively screen the loading dock and refuse and recycling areas from neighboring properties and vehicular traffic on Butterfield Road.

Staff can support the requested variation based on the intent of the request being to provide an overall better development and minimize any adverse impact on neighboring properties or the overall aesthetics of the corridor. The petitioner could opt not to make such a request in order to reduce the overall amount of zoning relief associated with their petition. However, the petitioner and staff both find that providing enhanced screening will be beneficial, not detrimental, to the public welfare and surrounding properties without altering the character of the corridor.

- b. Pursuant to Section 155.710 of the Lombard Zoning Ordinance, the petitioner requests a variation to increase the maximum height of refuse disposal and recycling bin fence screening from eight feet (8') to ten feet (10') and to allow for masonry screening where solid wood or an equivalent material is required.

The requested relief is identical in nature to above subsection "a," except instead of generally apply to fences, this provision is specific to refuse disposal and recycling bin screening. Staff supports the requested variation for the same reasons as identified in subsection "a." Furthermore, the use of masonry materials will ensure the fence/screening wall will be architecturally compatible with the principal structure.

3. Landscaping

- a. Pursuant to Section 155.706 (B)(1) of the Lombard Zoning Ordinance, the petitioner requests a variation to reduce the minimum required landscaping for the interior parking lot from five percent (5%) to four percent (4%). In their response to standards, the

petitioner explains that if the proposed landscape improvements for the Nicor parcel were to be included in the overall calculation, the interior parking lot landscaping would exceed five percent (5%).

Staff can support the requested interior parking lot landscaping variation based on the petitioner's effort to meet the overall intent of the landscape requirements. Also, any increase in the overall interior parking lot landscaping would have a direct negative effect on the amount of parking spaces provided, which are already deficient based on Village Code.

- b. Pursuant to Section 155.706 (B)(2)(c)(ii) of the Lombard Zoning Ordinance, the petitioner requests a variation to reduce the required number of shade trees within the parking lot from 125 shade trees to fifty-five (55) shade trees. Similar to subitem "a" above, in their response to standards, the petitioner explains that an increase in the number of shade trees provided would result in a decrease in the number of parking spaces in order to provide sufficient landscape area for the long term health of the shade trees.

Similar to subitem "a," staff can support the requested variation to reduce the number of shade trees based on the reason outlined by the petitioner. An attempt to increase conformity to the landscape requirements directly results in an increased nonconformity in regards to the quantity of parking spaces provided. While staff may be able to support some level of reduction in the number of parking spaces provided, it is impractical to require an increase in the degree of nonconformity of any item of zoning relief. Staff finds that granting the variation will not be detrimental to the public welfare or injurious to other property improvements in the immediate area.

- c. Pursuant to Section 155.706 (C)(1) of the Lombard Zoning Ordinance, the petitioner requests a variation to reduce the minimum required perimeter parking lot landscape area width from five feet (5') to zero feet (0'). In their response to standards, the petitioner explains that because the adjacent Nicor parcel will be utilized for off-site parking, providing perimeter parking lot landscaping would isolate the off-site parking from the subject property and would result in a reduced quantity of parking as well as create obstacles to efficient vehicle circulation.

Staff can support the requested variation based on the reasons outlined by the petitioner. Because of the unique physical surroundings of the site, the Nicor parcel has been integrated into the overall project. Perimeter parking lot landscaping along the southern property line of the subject property would create a barrier and impede upon orderly vehicle circulation. The requested variation would not alter the character of the corridor or be detrimental to the public welfare.

- d. Pursuant to Section 155.708 (A) of the Lombard Zoning Ordinance, the petitioner requests a variation to reduce the minimum required building foundation landscape area width from ten feet (10') to zero feet (0'). In their response to standards, the petitioner states that their request is based on their previous experience that foundation landscaping rarely survives and becomes a maintenance issue, resulting in diminished aesthetics. The petitioner further claims that instead of foundation landscaping they have focused their

landscape design on the perimeter of the property where it will have a more noticeable impact.

Staff finds that anticipated landscape maintenance is not a true hardship, but in consideration of the great extent of building foundation area that will be occupied by either outside display and sales areas, the pedestrian entrance, loading docks, or the motor vehicle service area staff does understand the petitioner's desire to provide landscaping in an area where it will have the most noticeable positive aesthetic impact. Based on the desire to comply with the intent of the landscape regulations, if not the exact regulations, staff can support the requested variation provided the petitioner provides the requisite foundation landscaping along the base of the freestanding sign, which will be highly visible on the frontage road and Butterfield Road.

5. Sign Ordinance Compatibility

A. Freestanding Sign

1. *Clear Line of Sight*

Pursuant to Section 153.208 (H) of the Lombard Sign Ordinance, the petitioner requests a deviation to allow for a freestanding sign within a clear line of sight area.

Based on the revised sign elevations (Exhibit K) submitted on August 10, 2015, the petitioner has relocated the proposed freestanding sign outside of any clear line of sight area. As such, no variation is required.

2. *Property Line Setback*

Pursuant to Section 153.505 (B)(6)(c)(ii) of the Lombard Sign Ordinance, the petitioner requests a deviation to reduce the setback from the property line for the leading edge of a freestanding sign from five feet (5') to one foot (1').

As with subitem "1" above, the revised sign elevations (Exhibit K) have relocated the leading edge of the freestanding sign more than five feet (5') from the property line and a variation is no longer required.

B. Wall Sign – South Façade

Pursuant to Section 153.505 (B)(19)(a)(i)(a) of the Lombard Sign Ordinance, the petitioner requests a deviation to allow for a sixty-four (64) square foot wall sign on a façade without a street front exposure. In their response to standards, the petitioner explains that the request for a sign on the south façade is based on the fact that if not for the Nicor parcel, which will be developed as part of the project as surface parking, the Sam's Club parcel would have direct frontage on Interstate 88. Also, the area of the sign is consistent with the underlying zoning and requires no further relief from the Sign Ordinance.

Staff can support the requested deviation based on the reasons outlined by the petitioner and finds that the request for the proposed signage on the south façade is based on the unique physical

surroundings of the property and the signage will not be detrimental to the public welfare or injurious to other property or improvements in the immediate area.

6. Site Plan Review

A. Access & Circulation – Exterior to Site

The Village's traffic consultant, Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA) was asked to prepare a Traffic Impact Study for the proposed development. A full copy of the report, dated March 31, 2015, has been enclosed for the public record as Exhibit L. The traffic analysis was primarily focused on the determination if the proposed roadway and traffic control improvements to be implemented in conjunction with the development will be adequate to accommodate Year 2021 traffic conditions. In summary, KLOA noted the following:

- Pedestrian activity was reported to be very low at the study intersections;
- Northbound vehicular traffic on Fairfield Avenue backs up periodically to Frontage Road during the weekday evening peak hours due to the surge in outbound traffic from the office buildings within the business park, but no backups or excessive queuing were observed during the morning and Saturday midday peak hours;
- No excessive backups were observed on Butterfield Road at either intersection; and
- None of the study intersections are considered high accident locations and are not listed on the Illinois Department of Transportation's (IDOT's) Statewide Five Percent Report, which lists the five percent (5%) of highway locations exhibiting the most pressing safety needs.

KLOA recommended the following off-site roadway improvements, which were generally incorporated into the Site Plan submitted by the petitioner:

1. Restripe the east approach of Butterfield Road at its intersection with Fairfield Avenue to provide a dual left-turn lane;
2. Widen the south approach of Fairfield Avenue to provide an exclusive northbound to eastbound right-turn lane;
3. Modify the existing traffic signal at the intersection of Butterfield Road and Fairfield Avenue to accommodate the northbound to eastbound right-turn lane;
4. Widen Butterfield Road along the site's frontage to provide an exclusive eastbound right-turn lane at its intersection with the proposed right-in / right-out access drive;
5. Stripe the north approach of Fairfield Avenue at its intersection with Frontage Road for an exclusive left-turn lane and a shared through / right-turn lane;
6. Install a stop sign on the south approach of Fairfield Avenue at its intersection with Frontage Road; and

7. Modify the northwest, southeast, and southwest corners of the intersection of Fairfield Avenue with Frontage Road to tighten them via striping to provide better guidance for outbound vehicles into either the dual left-turn lane, the through lane, or the right-turn lane on Fairfield Avenue at its intersection with Butterfield Road.

B. Access & Circulation: Interior to Site

KLOA categorized the various proposed internal access drives as providing efficient ingress / egress accessibility to the site and distributing traffic over various access drives without overloading a specific access drive.

The gas station will provide one-way flow with vehicles entering from the east side of the gas station and existing to the west. KLOA finds that this provision of one-way flow from east to west will allow inbound queues to occur mostly internally and will have a limited impact on the traffic flow along Fairfield Avenue.

Delivery trucks will enter and exit the development via Fairfield Avenue and will travel southbound and turn onto Frontage Road where they can back into the loading docks. Upon departure, the trucks will reverse the inbound route. KLOA finds that this proposed path will reduce the interaction between passenger vehicles and delivery trucks.

KLOA recommends the following internal circulation improvements:

1. In order to reduce the potential for inbound traffic from Fairfield Avenue at its intersection with the north access drive to back up onto Frontage Road or Butterfield Road a "Do Not Block Intersection" sign shall be posted on Fairfield Avenue facing south at its intersection with the north access drive;
2. The drive aisle fronting the Sam's Club structure on the east and south side shall be approximately thirty-two feet (32') wide to allow two-way traffic flow and the ability for vehicles to bypass stopped vehicles;
3. Outbound movements from the two (2) access drives off the east-west main drive aisle south of the parking lot and the access drive off the service drive shall be under stop sign control;
4. The service drive aisle is to be clear of all obstacles and maintain a minimum twenty-four foot (24') wide aisle; and
5. The pick-up lane on the south side of the building should be clearly signed as a pick-up lane with signage for one-way westbound traffic flow.

The petitioner shall address any of the above items not incorporated into the proposed development.

C. Sidewalks & Other Pedestrian Amenities

As noted by the Public Works Department, Section 154.304 of the Subdivision and Development Ordinance requires a public sidewalk along the entire north property line on the Frontage Road.

7. Elevations

A. Building Materials

The structure is intended to be prototypical of many Sam's Clubs found throughout the region. The building will be constructed of pre-cast walls as the predominant architectural element with masonry accents at selected locations. The materials will be the same as the samples provided to the Plan Commission during the April 2015 workshop.

8. Other Items

A. Building Code – Driveway Design Specifications

Pursuant to Section 150.301 (A)(2) of the Lombard Building Code, commercial driveway designed for two-way traffic flow shall not exceed thirty-five feet (35') in width measured at the property line. As proposed, the curb cut just to the northeast of the loading dock area is fifty-seven feet (57') wide in order to accommodate truck and emergency response vehicle movements. Also, traffic conflict concerns are minimized by the fact that there is no on-coming traffic due to the dead-end nature of Frontage Road. Though this item is not within the purview of the Plan Commission, this information has been provided for the Commission's information and as advanced notice to the petitioner.

SITE HISTORY

The subject property was annexed into the Village in 1979. The existing office buildings at 2801-2821 S. Fairfield Avenue were constructed in 1982. The existing TGI Friday's building at 601 E. Butterfield Road was constructed in 1980. Three (3) one-story office buildings at 611-651 E. Butterfield Road were razed between the years 2007-2011.

Since 1978, the site has appeared before the Plan Commission for the following:

PC 78-55

Rezoning to O/I Office Institutional District with a conditional use permit for an Office Planned Unit Development.

PC 97-27 (601 E. Butterfield Road – TGI Friday's)

Amendment to an existing planned development to allow for an increase in the total square footage of the building from 6,000 square feet to 8,600 square feet by enclosing an existing patio dining area.

SPA 04-06 (601 E. Butterfield Road – TGI Friday's)

Site Plan Approval with a deviation from Section 153.503 (B) (8) of the Lombard Sign Ordinance to allow for four wall signs where one wall sign per street front exposure is permitted

PC 07-27 (601-651 E. Butterfield Road – White Chocolate Grill)

Amend the conditional use for the Lombard/Yorktown Office Center Planned Development, to allow for the construction of a sit-down restaurant with companion conditional use for outdoor dining and offsite parking and a variation to reduce the perimeter parking lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking and a signage deviation to allow for more than one (1) wall sign per street frontage. This development never proceeded and the zoning relief lapsed.

Workshop – April 27, 2015

Comments, questions, and additional information requested by the Plan Commission are listed below as well as a discussion of any updates, whenever applicable to the petition:

1. Clarification of ownership and the petitioner's rights to the Nicor parcel;

The petitioner has provided a letter from Nicor (Exhibit C) authorizing their parcels for possible off-site parking provided, "such use is subject to all restrictions and covenants set forth in the Leases and any and all approvals of Nicor set forth in the Leases." However, Nicor has reserved its right to object to any matters pertaining to rezoning, variances, and/or redevelopment of the Nicor parcel.

2. Additional landscaping with suggestions such as a further reduction in the quantity of parking or a reduction in the width of the parking spaces in exchange for increased landscaping / open space;

While no landscape plan was submitted as part of the workshop, the amount of parking spaces provided remains unchanged.

3. Suggestion to include electric vehicle charging stations;

No electric vehicle charging stations are identified on the submitted Site Plan.

4. Question if the plan had been shared with the adjacent Embassy Suites Hotel;

The petitioner has not indicated there has been communication with Embassy Suites Hotel. While the Embassy Suites Hotel received notification of the proposed development via mail, staff has had no subsequent communication with the hotel.

5. Addition screening at the truck dock and dumpsters;

The petitioner has provided elevations and renderings of the proposed screening.

6. Clarification of the location of the pick-up zone;

A customer pick-up lane is identified on the submitted Site Plan.

7. Potential for valet parking services;

The petitioner has not identified the use of valet parking services.

8. Emphasis on a desire for top-level building materials to be used throughout the structure; and

The building materials remain as presented at the April workshop.

9. Potential for traffic conflicts along the frontage road.

The KLOA traffic impact study did not identify such an area for concern.

FINDINGS & RECOMMENDATIONS


The Inter-Department Review Committee has reviewed the petition for a major plat of resubdivision as well as the standards for the requested map amendment rezoning the property from the O Office Planned Development Zoning District to the B3 Community Shopping District and a conditional use for a planned development with companion conditional uses, deviations, and variations and finds that the proposed development **complies** with the standards established by the Village of Lombard Sign and Zoning Ordinances, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 15-21:

Based on the submitted petition and the testimony presented, the proposed map amendment rezoning the property from the O Office Planned Development Zoning District to the B3 Community Shopping District, and conditional use for a planned development with companion conditional uses, deviations, and variations and finds that the proposed development **complies** with the standards required by the Village of Lombard Sign and Zoning Ordinances and that granting the Map Amendment, and Conditional Use for a Planned Development with companion conditional uses, deviations and variations is in the public interest; and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 15-21, subject to the following conditions:

1. The petitioner shall develop the site in accordance with the plans and material board submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Codes and Ordinances;
2. Pursuant to the Zoning Ordinance, project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) months from the date of approval if the proposed site improvements are not completed or an extension has been granted;
3. The petitioner shall be required to apply for and receive building permits for any improvements to the site; and
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to providing the following:
 - a. Final Engineering Plan for review and approval for the proposed site improvements for the project;
 - b. Revised plans depicting a public sidewalk along the entire north property line on Frontage Road, Pursuant to Section 154.304 of the Subdivision and Development Ordinance;
 - c. Revised Plat of Resubdivision based on the comments included within the IDRC Report;
 - d. Evidence of deed or long-term lease for off-site parking;
 - e. Revised Site Plan depicting a twenty-four foot (24') long parallel parking space;

- f. Full Photometric Plan; and
 - g. Revised Landscape Plan depicting landscape along the eastern property line that screens the adjacent parking lot from the loading docks in compliance with Section 155.707 (B)(4)(c).
5. As the petitioner has provided revised plans depicting the proposed freestanding sign in compliance with Village Code the requested relief for a freestanding sign in a clear line of sight area and relief to allow the leading edge of a freestanding sign less than five feet (5') from the property line is unnecessary and is not granted.

Inter-Departmental Review Committee Report approved by:


William J. Heniff, AICP
Director of Community Development

c. Petitioner

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ORDINANCE _____

**AN ORDINANCE APPROVING A MAP AMENDMENT (REZONING)
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(PC 15-21: 611 E. Butterfield Road – Sam’s Club)

(See also Ordinance No(s)._____)

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, an application has heretofore been filed requesting a map amendment for the purpose of rezoning the property described in Section 2 hereto from OPD Office Planned Development to B3 Community Shopping District; and,

WHEREAS, a public hearing thereon has been conducted by the Village of Lombard Plan Commission on August 17, 2015, 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 rezoning 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 Title 15, Chapter 155 of the Code of Lombard, Illinois, otherwise known as the Lombard Zoning Ordinance, be and is hereby amended so as to rezone the property described in Section 2 hereof to B3 Community Shopping District.

SECTION 2: This ordinance is limited and restricted to the property generally located at 611 E. Butterfield Road, Lombard, Illinois, and legally described as follows:

PARCEL 1:

Ordinance No. _____

Re: PC 15-21

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LOT 1 IN YORKTOWN CENTER ASSESSMENT PLAT OF TRACT 5 OF THE PLAT OF SURVEY OF THE BOEGER FARM OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID ASSESSMENT PLAT RECORDED DECEMBER 10, 1979 AS DOCUMENT R79-110076, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

LOTS 1 AND 2 IN YORKTOWN CENTER ASSESSMENT PLAT OF LOT 2 IN YORKTOWN CENTER ASSESSMENT PLAT OF TRACT 5 OF THE PLAT OF SURVEY OF THE BOEGER FARM OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID ASSESSMENT PLAT RECORDED FEBRUARY 27, 2007 AS DOCUMENT R2007-035602, IN DUPAGE COUNTY, ILLINOIS.

Parcel Nos.: 06-29-402-014
06-29-402-030
06-29-402-031

Address: 601-621 E. Butterfield Road

AND

PARCEL 1:

LOT 3 (EXCEPT THAT PART OF LOT 3 LYING WESTERLY OF A STRAIGHT LINE THAT INTERSECTS THE WEST LINE OF SAID LOT 3, 102.59 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3, AND INTERSECTS THE NORTH LINE OF SAID LOT 3, 22.20 FEET (22.25 FEET RECORD) EAST OF THE NORTHWEST CORNER OF SAID LOT 3) AND THAT PART OF LOTS 1 AND 2 (TAKEN AS A TRACT) DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 14 DEGREES 01 MINUTE WEST ALONG THE EAST LINE OF SAID LOT 2, 38.50 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A CHORD BEARING OF SOUTH 77 DEGREES 50 MINUTES 12 SECONDS WEST AND HAVING A RADIUS OF 840.00 FEET FOR A DISTANCE OF 359.60 ARC MEASURE, TO A POINT ON A LINE CONVEYED FOR A HIGHWAY FROM LOT 1, (SAID LINE CONVEYED FOR A HIGHWAY HAVING A BEARING OF SOUTH 57 DEGREES 59 MINUTES WEST, A DISTANCE OF 100.14 FEET), SAID POINT ON SAID HIGHWAY LINE BEING 17.50 FEET FROM THE WESTERLY END OF SAID HIGHWAY LINE AS MEASURED ALONG SAID LINE; THENCE SOUTH 57

Ordinance No. _____

Re: PC 15-21

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DEGREES 59 MINUTES WEST ALONG SAID HIGHWAY LINE 17.50 FEET; THENCE SOUTH 1 DEGREE 28 MINUTES EAST ALONG A LINE TAKEN FOR HIGHWAY 44.95 FEET (44.74 FEET RECORD), TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 1 AND THE SOUTH LINE OF SAID LOT 2, 382.48 FEET TO THE PLACE OF BEGINNING, IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF LOT 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1959 AS DOCUMENT 940835 IN DU PAGE COUNTY, ILLINOIS.

Parcel No.: 06-29-402-017

Address: 2801-2821 S. Fairfield Avenue

AND

PART OF LOT 3 LYING WESTERLY OF A STRAIGHT LINE THAT INTERSECTS THE WEST LINE OF SAID LOT 3, 102.59 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3 AND INTERSECTS THE NORTH LINE OF SAID LOT 3, 22.20 FEET (22.25 FEET RECORD) EAST OF THE NORTHWEST CORNER OF SAID LOT 3, IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF LOTS 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1959 AS DOCUMENT 940835 IN DUPAGE COUNTY, ILLINOIS.

Parcel No.: 06-29-402-007

Address: Vacant land on Fairfield Road, Lombard, Illinois 60148

SECTION 3: That the official zoning map of the Village of Lombard be changed in conformance with the provisions of this ordinance.

SECTION 4: 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 _____, 2015.

Ordinance No. _____

Re: PC 15-21

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First reading waived by action of the Board of Trustees this _____ day of _____, 2015.

Passed on second reading this _____ day of _____, 2015,
pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2015.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2015.

Sharon Kuderna, Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE GRANTING CONDITIONAL USE APPROVAL FOR A
PLANNED DEVELOPMENT WITH COMPANION CONDITIONAL USES,
DEVIATIONS, AND VARIATIONS FROM THE LOMBARD SIGN AND
ZONING ORDINANCES**

(PC 15-21: 611 E. Butterfield Road, Sam's Club)

(See also Ordinance No(s)._____)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and, the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below and pursuant to companion Ordinance No. _____, which approved a map amendment to the Subject Property, is zoned B3 Community Shopping District; and,

WEREAS, an application has heretofore been filed requesting approval of a conditional use for a planned development with companion conditional uses, deviations, and variations from the Lombard Sign Ordinance (Title 15, Chapter 153 of the Village Code) and Zoning Ordinance (Title 15, Chapter 155 of the Village Code) as set forth in Section 1 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 17, 2015 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 conditional use for a planned development with companion conditional uses, deviations, 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 a conditional use for a planned development with the following companion conditional uses, deviations, and variations from the Lombard Sign and Zoning Ordinances as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

1. Approve a Major Plat of Subdivision (Pursuant to Section 154.203 (C) of the Lombard Subdivision and Development Ordinance, the consolidation of lots of any size into a single lot-of-record, which does not involve any new streets, extensions of existing streets, or easements of access, and complies with all other applicable provisions can be approved administratively. Therefore, the request to approve a Major Plat of Subdivision was withdrawn by the petitioner concurrent with the public hearing and the petitioner will submit a Plat of Consolidation for administrative approval);
2. Approval of a conditional use for a planned development for the subject property; with the following companion conditional uses, deviations, and variations:
 - a. A conditional use pursuant to Section 155.208 (C) of the Lombard Zoning Ordinance to increase the maximum number of principal structures on a lot-of-record from one (1) to two (2) to allow for a gasoline sales facility;
 - b. A conditional use pursuant to Section 155.415 (C)(9) of the Lombard Zoning Ordinance for gasoline sales;
 - c. A conditional use pursuant to Section 155.415 (C)(17) of the Lombard Zoning Ordinance for motor vehicle service;
 - d. A conditional use pursuant to Section 155.415 (C)(18) of the Lombard Zoning Ordinance for off-site parking;
 - e. A conditional use pursuant to Section 155.415 (C)(19) of the Lombard Zoning Ordinance for outside display and sales of products the sale of which is a permitted or conditional use in this district;
 - f. A variation from Section 155.205 (A)(c)(i) of the Lombard Zoning Ordinance to increase the maximum fence height in a business district from eight feet (8') to ten feet (10') for a loading dock screening wall;

- g. A variation from Section 155.210 (D)(1) of the Lombard Zoning Ordinance to allow for garbage dumpsters and recycling bins to be located within a corner side yard;
- h. A variation from Section 155.508 (C)(6)(a) and a deviation from Section 155.415 (F)(2) of the Lombard Zoning Ordinance to reduce the minimum corner side yard setback from thirty feet (30') to twenty-five feet (25');
- i. A variation from Section 155.706 (B)(1) of the Lombard Zoning Ordinance to reduce the minimum required landscaping of the interior of a parking lot from five percent (5%) to four percent (4%);
- j. A variation from Section 155.706 (B)(2)(c)(ii) of the Lombard Zoning Ordinance to reduce the required number of shade trees within the parking lot from 125 shade trees to fifty-five (55) shade trees;
- k. A variation from Section 155.706 (C)(1) of the Lombard Zoning Ordinance to reduce the minimum required perimeter parking lot landscape area width from five feet (5') to zero feet (0');
- l. A variation from Section 155.708 (A) of the Lombard Zoning Ordinance to reduce the minimum required building foundation landscape area width from ten feet (10') to zero feet (0');
- m. A variation from Section 155.710 of the Lombard Zoning Ordinance to increase the maximum height of refuse disposal and recycling bin fence screening from eight feet (8') to ten feet (10') and to allow for masonry screening where solid wood or an equivalent material is required;
- n. A deviation from Section 155.415 (G) of the Lombard Zoning Ordinance to increase the maximum building height from thirty feet (30') to thirty-five feet and four inches (35'4");
- o. A deviation from Section 155.508 (C)(7) of the Lombard Zoning Ordinance to reduce the minimum required open space in a planned development with deviations from twelve and one-half percent (12.5%) to eight percent (8%);
- p. A deviation from Section 155.602 (A)(5) of the Lombard Zoning Ordinance to reduce the required length of a parallel parking space from

twenty-four feet (24') to twenty feet (20') (Request withdrawn by the petitioner concurrent with the public hearing and is therefore not granted);

- q. A deviation from Section 155.602 (A)(10)(d)(ii) of the Lombard Zoning Ordinance to decrease the minimum parking lot lighting average intensity from 2.0 foot-candles to 1.0 foot-candles;
- r. A deviation from Section 155.602 (A)(10)(d)(iv) of the Lombard Zoning Ordinance to increase the maximum height for light poles used for a parking lot from forty feet (40') to forty-two feet (42');
- s. A deviation from Section 155.602 (C)(Table 6.3) of the Lombard Zoning Ordinance to reduce the minimum required parking spaces for freestanding stores and neighborhood and community centers (up to 200,000 square feet) from four (4) parking spaces per 1,000 square feet of gross floor area to 3.93 parking spaces per 1,000 square feet of gross floor area;
- t. A deviation from Section 155.603 (A)(1) of the Lombard Zoning Ordinance to not fully screen loading berths from adjacent property in an O Office District;
- u. A deviation from Section 153.208 (H) of the Lombard Sign Ordinance to allow for a freestanding sign within a clear line of sight area (Request withdrawn by the petitioner concurrent with the public hearing and is therefore not granted);
- v. A deviation from Section 153.505 (B)(6)(c)(ii) of the Lombard Sign Ordinance to reduce the setback from the property line for the leading edge of a freestanding sign from five feet (5') to one foot (1') (Request withdrawn by the petitioner concurrent with the public hearing and is therefore not granted); and
- w. A deviation from Section 153.505 (B)(19)(a)(i)(a) of the Lombard Sign Ordinance to allow for a sixty-four (64) square foot wall sign on a façade without a street front exposure (south façade).

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 611 E. Butterfield Road, Lombard, Illinois, and legally described as follows:

PARCEL 1:

LOT 1 IN YORKTOWN CENTER ASSESSMENT PLAT OF TRACT 5 OF THE PLAT OF SURVEY OF THE BOEGER FARM OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID ASSESSMENT PLAT RECORDED DECEMBER 10, 1979 AS DOCUMENT R79-110076, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

LOTS 1 AND 2 IN YORKTOWN CENTER ASSESSMENT PLAT OF LOT 2 IN YORKTOWN CENTER ASSESSMENT PLAT OF TRACT 5 OF THE PLAT OF SURVEY OF THE BOEGER FARM OF PART OF SECTIONS 28 AND 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID ASSESSMENT PLAT RECORDED FEBRUARY 27, 2007 AS DOCUMENT R2007-035602, IN DUPAGE COUNTY, ILLINOIS.

Parcel Nos.: 06-29-402-014
06-29-402-030
06-29-402-031

Address: 601-621 E. Butterfield Road

AND

PARCEL 1:

LOT 3 (EXCEPT THAT PART OF LOT 3 LYING WESTERLY OF A STRAIGHT LINE THAT INTERSECTS THE WEST LINE OF SAID LOT 3, 102.59 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3, AND INTERSECTS THE NORTH LINE OF SAID LOT 3, 22.20 FEET (22.25 FEET RECORD) EAST OF THE NORTHWEST CORNER OF SAID LOT 3) AND THAT PART OF LOTS 1 AND 2 (TAKEN AS A TRACT) DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 14 DEGREES 01 MINUTE WEST ALONG THE EAST LINE OF SAID LOT 2, 38.50 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A CHORD BEARING OF SOUTH 77 DEGREES 50 MINUTES 12 SECONDS WEST AND

HAVING A RADIUS OF 840.00 FEET FOR A DISTANCE OF 359.60 ARC MEASURE, TO A POINT ON A LINE CONVEYED FOR A HIGHWAY FROM LOT 1, (SAID LINE CONVEYED FOR A HIGHWAY HAVING A BEARING OF SOUTH 57 DEGREES 59 MINUTES WEST, A DISTANCE OF 100.14 FEET), SAID POINT ON SAID HIGHWAY LINE BEING 17.50 FEET FROM THE WESTERLY END OF SAID HIGHWAY LINE AS MEASURED ALONG SAID LINE; THENCE SOUTH 57 DEGREES 59 MINUTES WEST ALONG SAID HIGHWAY LINE 17.50 FEET; THENCE SOUTH 1 DEGREE 28 MINUTES EAST ALONG A LINE TAKEN FOR HIGHWAY 44.95 FEET (44.74 FEET RECORD), TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 1 AND THE SOUTH LINE OF SAID LOT 2, 382.48 FEET TO THE PLACE OF BEGINNING, IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF LOT 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1959 AS DOCUMENT 940835 IN DU PAGE COUNTY, ILLINOIS.

Parcel No.: 06-29-402-017

Address: 2801-2821 S. Fairfield Avenue

AND

PART OF LOT 3 LYING WESTERLY OF A STRAIGHT LINE THAT INTERSECTS THE WEST LINE OF SAID LOT 3, 102.59 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3 AND INTERSECTS THE NORTH LINE OF SAID LOT 3, 22.20 FEET (22.25 FEET RECORD) EAST OF THE NORTHWEST CORNER OF SAID LOT 3, IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF LOTS 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1959 AS DOCUMENT 940835 IN DUPAGE COUNTY, ILLINOIS.

Parcel No.: 06-29-402-007

Address: Vacant land on Fairfield Road, Lombard, Illinois 60148

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans and material board submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Codes and Ordinances;
2. Pursuant to the Zoning Ordinance, project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension has been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) month from the date of approval if the proposed site improvements are not completed or an extension has been granted;
3. The petitioner shall be required to apply for and receive building permits for any improvements to the site;
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to providing the following:
 - a. Final Engineering Plan for review and approval for the proposed site improvements for the project;
 - b. Revised plans depicting a public sidewalk along the entire north property line on Frontage Road, pursuant to Section 154.304 of the Subdivision and Development Ordinance;
 - c. Revised Plat of Resubdivision based on the comments included within the IDRC Report;
 - d. Evidence of deed or long-term lease for off-site parking;
 - e. Revised Site Plan depicting a twenty-four foot (24') long parallel parking space;
 - f. Full Photometric Plan, to be in compliance with Village Code, which may incorporate existing light emanating from adjacent properties;
 - g. Revised Landscape Plan depicting landscape along the eastern property line that screens the adjacent parking lot from the loading docks in compliance with Section 155.707 (B)(4)(c) and incorporating existing landscaping.

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5. The petitioner will incorporate the recommendations of KLOA, Inc., subject to staff and Illinois Department of Transportation (IDOT) approval.

SECTION 4: That Ordinances 2273, 4390, and 6086, pertaining to a previous planned development for the subject property, are hereby repealed.

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 _____, 2015.

First reading waived by action of the Board of Trustees this _____ day of _____, 2015.

Passed on second reading this _____ day of _____, 2015, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2015.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

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Published in pamphlet from this _____ day of _____, 2015.

Sharon Kuderna, Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.415
(C)(18) OF THE LOMBARD ZONING ORDINANCE**

(PC 15-21: 611 E. Butterfield Road – Sam’s Club)

(See also Ordinance No(s)._____)

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, as described in Section 2 below, is zoned OPD Office Planned Development District; and,

WHEREAS, an application has been filed requesting approval of a conditional use for a planned development with companion conditional uses, deviations, and variations from the Lombard Sign Ordinance (Title 15, Chapter 153 of the Village Code) and Zoning Ordinance (Title 15, Chapter 155 of the Village Code) and a request for a conditional use for off-site parking, pursuant to Title 15, Chapter 155, Section 415 (C)(18) was among the companion conditional uses; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on August 17, 2015 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 conditional use 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 a conditional use is hereby granted for the Subject Property, as described in Section 2 below, pursuant to Title 15, Chapter 155, Section 415 (C)(18) of the Lombard Village Code to provide for off-site parking.

SECTION 2: That this Ordinance is limited and restricted to the Subject Property legally described as follows:

THE LEASEHOLD ESTATE CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, EXECUTED BY: NORTHERN ILLINOIS GAS COMPANY, LESSOR, AND BANK OF RAVENSWOOD, AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 1, 1979 AND KNOWN AS TRUST NUMBER 25-3933, AS LESSEE, DATED JANUARY 1, 1979, A MEMORANDUM OF WHICH LEASE WAS MADE BY AND BETWEEN NICOR GAS, LESSOR AND BANK OF RAVENSWOOD, AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 30, 1982 AND KNOWN AS TRUST NUMBER 25-5502, SUCCESSOR LESSEE AND WAS RECORDED SEPTEMBER 22, 2000 AS DOCUMENT R2000-148055, WHICH LEASE DEMISES THE FOLLOWING DESCRIBED LAND FOR A TERM OF YEARS BEGINNING JANUARY 1, 1979 AND ENDING DECEMBER 31, 2013, WITH THE OPTION TO EXTEND THE LEASE FOR 12 TERMS OF 5 YEARS EACH:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 3 IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF LOTS 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTION 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF RESUBDIVISION RECORDED SEPTEMBER 22, 1959 AS DOUCMENT 940835; THENCE SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 3 EXTENDED SOUTHERLY 83.07 FEET TO THE NORTH RIGHT OF WAY LINE OF THE ILLINOIS STATE TOLL HIGHWAY; THENCE SOUTHWESTERLY ALONG SAID NORTH RIGHT OF LINE OF THE ILLINOIS STATE TOLL HIGHWAY TO A POINT IN THE EAST LINE OF FAIRFIELD AVENUE AS NOW PLATTED AND RECORDED AND VACATED BY DOCUMENT R71-61911; THENCE NORTHWESTERLY ALONG SAID EAST LINE OF FAIRFIELD AVENUE TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SIDE LOT 3 A DISTANCE OF 410.23 FEET TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS

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Parcel Number(s): 06-29-402-022 (the "Subject Property").

SECTION 3: The conditional use, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the conditions of approval established in Section 3 of Ordinance ____.

SECTION 4: 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 _____, 2015.

First reading waived by action of the Board of Trustees this _____ day of _____, 2015.

Passed on second reading this _____ day of _____, 2015,
pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2015.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Ordinance No. _____

Re: PC 15-21

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Published in pamphlet from this _____ day of _____, 2015.

Sharon Kuderna, Village Clerk