

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 O 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 2012

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*

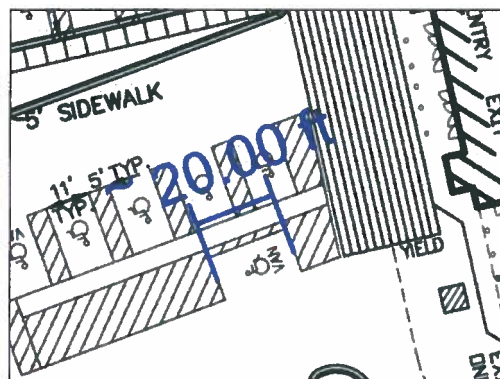
Pursuant to Section 155.415 (G) of the Lombard Zoning Ordinance, the petitioner requests a deviation to increase the maximum permitted building height from thirty-feet (30') to thirty-five feet and four inches (35'4"). Staff can support the requested deviation as the majority of the height of the structure 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.

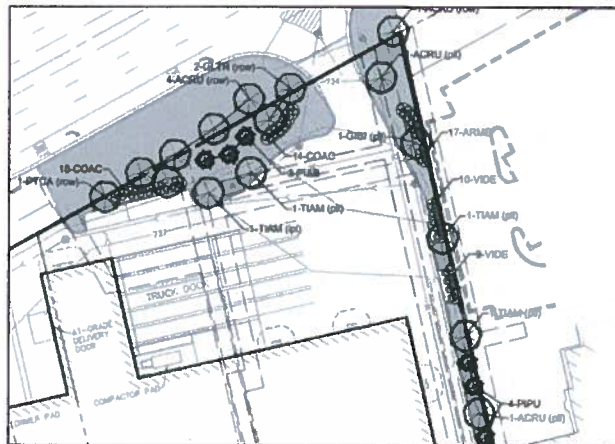
- e. Pursuant to Section 155.602 (C)(Table 6.3) of the Lombard Zoning Ordinance, the petitioner requests a deviation to reduce the minimum required parking spaces from four (4) parking spaces per 1,000 square feet of gross floor area (546 parking spaces based on the proposed gross floor area) to 3.93 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

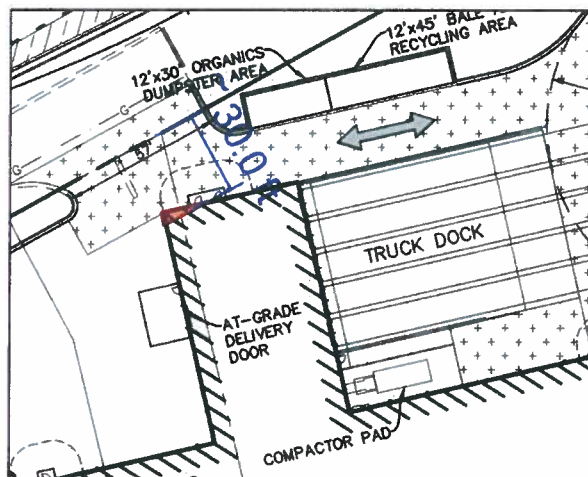
Staff can support the requested deviation based on the reasons outlined by the petitioner and agrees that it is impractical to assume that the loading docks can be blocked from view of the upper stories of Embassy Suites.



However, in order to maintain a high level of screening between the loading docks and the adjacent parking lot to the east, staff recommends as a condition of any approval by the Plan Commission that the landscape within this area be compliant with Section 155.707 (B)(4)(c) of the Zoning Ordinance which requires shrub masses, at least two (2) rows deep and with shrubs alternately spaced along seventy-five percent (75%) of the length of the area. Shrubs are to be installed at a height of three feet (3') and shall reach a mature height of not less than six feet (6').

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.



- 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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