

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Meeting Minutes

Monday, April 18, 2011

7:30 PM

Village Hall

Plan Commission

*Donald F. Ryan, Chairperson
Commissioners: Martin Burke,
Stephen Flint, Ronald Olbrysh,
Ruth Sweetser and Andrea Cooper
Staff Liaison: Christopher Stilling*

Call to Order

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Chairperson Ryan called the meeting to order at 7:30 p.m.

Pledge of Allegiance

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Chairperson Ryan led the Pledge of Allegiance.

Roll Call of Members

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Present: Chairperson Donald F. Ryan, Commissioner Stephen Flint, Commissioner Ruth Sweetser, Commissioner Martin Burke and Commissioner Andrea Cooper

Absent: Commissioner Ronald Olbrysh

Also present: Christopher Stilling, Assistant Director of Community Development; Jennifer Henaghan, Senior Planner; and George Wagner, legal counsel to the Plan Commission.

Chairperson Ryan called the order of the agenda.

Christopher Stilling read the Rules of Procedures as written in the Plan Commission By-Laws.

Public Hearings

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PC 11-10: 1000 N. Rohlwing Road, Suite 13 (Continued from May 5, 2011)

Requests that the Village grant a conditional use, pursuant to Section 155.415 (C) (20) of the Lombard Zoning Ordinance, to allow outside service areas for outdoor dining for the subject property located within the B3PD Community Shopping Center Planned Development District. (DISTRICT #1)

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Steven Brauer, 1000 N. Rohlwing Rd., Lombard, IL, presented the petition. He stated that they are seeking to have a 700 square foot outdoor dining area on the east side of the existing tenant space which would be used to serve lunch and dinner, weather permitting.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one to speak in favor or against the petition.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director of Community Development, presented the report. He stated that subject property was annexed into the Village in 1990 associated with the approval of the Northgate Shopping Center development. In the late 1990s, the Northgate Theatres ceased operations. In 2003, an anchor tenant of the shopping center, Menard's, closed their operations within the center. Since then, the Menard's space has remained vacant. The theatre site received conditional use approvals for a teen club and a religious institution, but both closed in 2006. The planned development

was established in 2006 (PC 06-18) in order to accommodate signage and landscaping modifications. The property is currently occupied by the anchor tenants of Harlem Furniture and Restaurant Depot, as well as smaller tenants, including the Brauer House Restaurant, occupying space at the southern end of the center.

The petitioner is proposing to construct a 700 square foot outdoor dining area on the east side of the existing tenant space. The dining area would consist of approximately eight (8) tables with four (4) chairs per table, for a total of thirty-two (32) seats. The dining area would be enclosed with a 4' high ornamental metal fence. The height and style of the fence proposed is consistent with other recently approved outdoor dining areas. The dining area would be covered by the existing canopy running along the east side of the tenant space.

There is an existing daycare facility in the tenant space directly north of the outdoor dining area. That facility did receive text amendment and conditional use approval to allow its operation until midnight (PC 03-35 and 03-36). The entrance is over 30' away from the outdoor dining area. The petitioner has agreed to install a privacy wall on the north side of the outdoor dining area, blocking the view to the daycare facility.

As noted in the comments by the Building Division, if the petition is approved, the plans will have to be revised to meet the Illinois Accessibility Code. Based on the dimensions shown, it appears that sufficient space is available to accommodate the required spacing. The petitioner has indicated that the hours of operation outside would be consistent with their current hours of operations which are roughly 11AM -11PM, seven (7) days a week.

Staff finds the standards have been met and that the use is compatible with the Comprehensive Plan and surrounding land uses and therefore staff recommends approval of the conditional use subject to the conditions noted in the staff report.

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

Commissioner Sweetser noted that condition #1 should be changed to reflect a total of 32 chairs if there was going to be 8 tables with 4 chairs each.

It was moved by Commissioner Sweetser, seconded by Commissioner Flint, that this matter be Recommended for approval to the Corporate Authorities subject to the amended condition(s). The motion carried by the following vote:

Aye: 4 - Flint, Sweetser, Burke and Cooper

Absent: 1 - Olbrysh

1. The petitioner shall develop the space in substantial conformance with the Site Plan showing 8 tables with a total of 32 chairs, prepared by Kevin Lane Architects, dated February 28, 2011 and attached as Exhibit A, except as may be changed to conform to Village Codes.

2. The petitioner shall apply for and receive a building permit for the proposed outdoor dining area. Said permit shall satisfactorily address all IDRC comments.

PC 11-09: 717 E. Butterfield Road

Requests that the Village approve amendments to Ordinance 4497 as it relates to the Homestead Village Planned Development, located within the OPD Office District, Planned Development, and consisting of:

1. A planned development amendment with a use exception for drive-through and

- drive-in establishments/services in the O District;
2. A conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for a restaurant; and
 3. A conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for an outside service/dining area; and
 4. Site plan approval with the following deviations from the Lombard Sign Ordinance:
 - a. A deviation from Section 153.503 (B)(5)(b) to allow for a freestanding sign of sixty (60) square feet where a maximum of thirty (30) square feet is permitted;
 - b. A deviation from Section 153.503 (B)(5)(c) to allow for a freestanding sign of eight (8) feet in height where a maximum of six (6) feet in height is permitted;
 - c. A deviation from Section 153.503 (B)(5)(f) to allow for a freestanding sign to be set back less than ten (10) feet from the property line; and
 - d. A deviation from Section 153.503 (B)(12)(b) to allow for more than one wall sign per street front exposure. (DISTRICT #3)

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Jason Hill, 1815 S. Meyers Road, Oakbrook Terrace, presented the petition and the proposed site plan. He stated that they wish to demolish the existing Taylor Brewing Company restaurant on the subject property and replace it with a similar restaurant use with an added drive-through facility. The building configuration would be very similar to what exists today.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

Mike VanZandt, 1 Oakbrook Terrace, Oakbrook Terrace, stated that he represents the owner of the office building across Butterfield Road. They feel that the proposed restaurant would be inconsistent with the development of the surrounding area as there are no drive-through restaurants within 1-1/2 miles to the west or 2 miles east of the proposed site. In addition, their request for double the amount of signage allowed by code would not be an asset to the community and would adversely affect the appearance of the immediate area. He feels that the current owner could get a user with a more consistent operation than what is proposed.

Scott Patman, 5200 Buffington Road, Atlanta, GA, stated that Chick-fil-A has done a substantial amount of market research and has opened three stores in the area, with one additional store currently under construction. They feel it is the highest and best use for the property. The restaurant feels more like a sit-down restaurant than fast food, and they will offer both indoor and outdoor seating. The drive-through was designed so that it will not affect the outdoor dining experience, and Chick-fil-A believes it is very compatible with the surrounding area.

Chairperson Ryan then requested the staff report.

Jennifer Henaghan, Senior Planner, presented the staff report. Both the restaurant and outdoor dining component require conditional uses. Drive-throughs are not listed as permitted or conditional uses within the Office District, so a use exception to the Homestead Village Planned Development is required. The petitioner is also requesting signage relief for the proposed freestanding and wall signs.

There were numerous comments from Engineering, Building, and Fire of which the petitioner is aware. These comments will be addressed through the permit review process. The Comprehensive Plan recommends office land uses for the Homestead Village Planned Development. The proposed restaurant is consistent with this recommendation, as the Comprehensive Plan does not exclude non-office uses within general office areas and the proposed restaurant use is complementary to the office uses that are dominant in the overall Butterfield Road/22nd Street corridor. The subject property is compatible with the surrounding business uses. Restaurant uses are located

along the Butterfield Road corridor, notably on the two properties immediately to the east of the subject property.

The Homestead Village Planned Development was approved by the Village in 1998 and included conditional use approval for two hotels, a restaurant, and off-site parking. In 2004, the Plan Commission granted site plan approval for the DuPage Medical Group Surgical Center at 2725 Technology Drive in place of the hotel that was originally approved for that property.

The proposed Chick-fil-A restaurant will be approximately 34 percent smaller than the existing restaurant building and will provide 12 percent more landscaped area. As with the current restaurant use, the proposed restaurant will make use of 54 off-site parking spaces on the adjacent Nicor parcel to the south. The proposed outdoor seating area will be physically separated from the nearby parking, landscaping, and drive-through areas with an aluminum handrail. Although the current restaurant user does not offer outdoor dining, the Village has seen a trend toward restaurants offering this amenity and has recently granted a number of approvals in the area. Staff finds that, given the existing restaurant use on the site and the restaurant uses on the adjacent properties, the requested conditional uses for a restaurant and outdoor dining are appropriate at this location.

The Village's planned development requirements allow use exceptions for land uses that are not specifically provided for in the underlying zoning district, provided that three conditions are met. The proposed drive-through is a minor component of the overall planned development, representing roughly two percent of the entire Homestead Village Planned Development site area and 10 percent of the total floor area. The design of the drive-through isolates the associated traffic to the far northern portion of the site and also segregates the drive-through area from the main parking, access, and circulation areas for the proposed Chick-fil-A restaurant. These design factors make the drive-through more compatible with the surrounding properties and land uses. In addition, the Village's traffic consultant, KLOA, Inc., reviewed the internal circulation of the submitted site plan and recommended a number of modifications to the site plan to better guide traffic through the site. Provided that the petitioner includes the above recommendations regarding signage and striping, staff believes that the proposed-drive through meets the conditions for use exceptions.

The petitioner is proposing two identical freestanding signs that require relief for height and area. The requested relief is consistent with recent Village approvals for signage deviations for Office-zoned properties along Butterfield Road. In 2009, the Village approved deviations to allow the property at 555 E. Butterfield to have a 98-square foot, 20-foot high freestanding sign. More recently, the Village approved 60-square foot temporary signs for The Carlisle at 435 E. Butterfield Rd. The site conditions in this case are similar; therefore, staff is supportive of the requested variations. However, both proposed signs will need to be relocated outside of the recorded easement areas.

The petitioner is proposing a total of five wall signs totaling approximately 223 square feet, which is well below the total 596 square feet allowed by code. Historically, staff has supported signage deviations for the number of signs provided that the total square footage did not exceed that allowable by code. Several variations and/or deviations were recently granted in the area for the allowable number of wall signs. In this case, the siting of the building on the subject property provides for four "main" elevations, but with two frontages along public streets, the Sign Ordinance allows only two wall signs for this property. As customers will be viewing and accessing the site from multiple directions, staff feels that the location and design of the building warrant the need for additional wall signage.

Staff is recommending approval of this petition, subject to the conditions noted in the staff report.

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

Commissioner Sweetser noted that the drive-through traffic would still need to exit through the main parking lot due to the location of the curb cut. Ms. Henaghan stated that KLOA had made a recommendation for additional signage to restrict the exiting drive-through traffic to the western drive aisle to minimize the potential for conflicting vehicle movements.

It was moved by Commissioner Burke, seconded by Commissioner Cooper, that this matter be recommended to the Corporate Authorities for approval subject to conditions. The motion carried by the following vote:

Aye: 4 - Flint, Sweetser, Burke and Cooper

Absent: 1 - Olbrysh

1. The petitioner shall develop the site in substantial conformance with the site plan, landscape plan, and illumination plan prepared by Woolpert, Inc., dated March 2011, sign plans prepared by Clayton Signs, dated March 16, 2011, and building elevations prepared by Chipman Design Architecture, dated March 22, 2011, except where modified by the conditions of approval.

2. The petitioner shall satisfactorily address all comments noted within the IDRC report, including the relocation of the freestanding signs, modification of the Technology Drive sidewalk, relocation of the parking lot island, parking lot striping and signage, and all other Engineering and Fire Department comments.

3. All other conditions approved by Ordinance 4497 shall remain in full force and effect.

Business Meeting

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The business meeting commenced at 7:58 p.m.

Approval of Minutes

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On a motion by Flint and seconded by Sweetser the minutes of the March 21, 2011 meeting were unanimously approved by the members present.

Public Participation

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There was no public participation.

DuPage County Hearings

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There were no DuPage County hearings.

Chairperson's Report

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The Chairperson deferred to the Assistant Director of Community Development.

Planner's Report

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Christopher Stilling provided the Commissioners with a status of the previous month's public hearing petitions. He also noted some of the petitions proposed for the April meeting.

Unfinished Business

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There was no unfinished business.

New Business

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Union Pacific/Metra Pedestrian Tunnel

Christopher Stilling introduced the item. He stated that at the April 7 Board of Trustees meeting representatives of Metra and Union Pacific were in attendance to present plans for a proposed pedestrian underpass located at Parkside and Michael McGuire Drive. The existing at-grade pedestrian crossing will be replaced by a new pedestrian tunnel constructed under the tracks. The goal is to have a pedestrian underpass which forces everyone south through a series of ramps. The Board of Trustees made suggestions relative to the design criteria and chose to enhance and upgrade the appearance of the underpass as well as the color of the canopies.

Mr. Stilling referenced the drawings that were included in the Commissioners' packets. He stated that the Village Board recommended that this item be sent to the Plan Commission for their review. He noted that while the proposed improvements are within the UP right of way and are being presented for informational purposes, these improvements should still be taken into consideration especially in conjunction with future projects proposed for the downtown area. Lastly, Mr. Stilling stated that construction is expected to commence in 2012.

Chairperson Ryan asked if the Commissioners' comments would even matter since the project is located in the railroad right-of-way. Mr. Stilling answered that any comments the Commissioners have will be shared with the Board of Trustees. As details are still being worked out relative to maintenance responsibilities and finalizing intergovernmental agreements, their comments and suggestions will be taken into consideration.

Commissioner Burke stated that this would be a well received improvement. From a safety standpoint he asked if there was an alternative access, which could be used especially at night, if a commuter did not want to go into the tunnel. Mr. Stilling answered that they would have to either go back to Main or Elizabeth. He mentioned how the Police Department currently have cameras in place on the platform monitoring the site and how staff has worked closely with Metra for years to identify, increase and enhance camera locations. He also noted how staff worked with them relative to the enhanced design of the canopy covers.

Commissioner Burke encouraged the Village to go with the upgraded tunnel. He stated that this is a long-term project and the design has long-term ramifications to the Village. He also liked the alternative color of the canopies.

Commissioner Sweetser concurred with Commissioner Burke's comments about the Village choosing the upgrades. In terms of safety and the tunnel, she thought cameras might not be enough and suggested the installation of mirrors around blind turns.

Commissioner Sweetser also stated it was unclear how to get to the tunnel and thought something should be done to make the entrance more obvious. Mr. Stilling answered that due to a series of ramps, all you will see is a wall so the tunnel will not be visible from either side. Commissioner Sweetser suggested a sign be installed indicating the entrance. Mr. Stilling mentioned how staff is currently working with them to incorporate the branding into the signage.

Chairperson Ryan stated he really liked the look of it from Parkside as well as Michael McGuire Drive. It is a total improvement to the site and will help the development of the downtown. Mr. Stilling mentioned that based on the design of the proposed plans, it forces people to head north toward the downtown corridor which will make the stores more visible and hopefully increase foot traffic.

Commissioner Cooper stated she agreed that the tunnel design should be upgraded. The stone motif adds a level of beauty and it will speak to the next 100 years as opposed to a little sign that could fall off. She commented that the crosswalks appeared to be stamped asphalt. She was concerned that the design would eventually wash away and suggested real brick pavers be used.

Commissioner Cooper referred the north façade, specifically, the multitude of vertical stripes on the wall, railings and on the roof, which they refer to as a "formed line finish". She commented that it looked very outdated and suggested cost competitive alternatives be used. Also referencing the six bollards with the 4 x 4 steel posts, she commented that the posts look flimsy and are not architecturally balanced. She agreed with the other Commissioners in that she loved the upgraded canopy as well as the other items previously mentioned.

Commissioner Sweetser agreed with Commissioner Cooper with regard to the stamped asphalt and the fluting on the building wearing down and chipping. Commissioner Flint suggested using wider flutes.

Commissioner Sweetser asked if there was anything in the design that could be construed as being "green" or environmentally enhanced. She exemplified the use of lighting, rain barrels and recycled products and indicated she would like to see as many things as possible. Mr. Stilling answered that he was not aware of any "green" initiatives other than the use of LED lights.

Mr. Stilling noted that staff will keep the Commissioner informed as the project proceeds forward.

Subdivision Reports

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There were no subdivision reports.

Site Plan Approvals

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There were no site plan approvals.

Workshops

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There were no workshops.

Adjournment

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The meeting adjourned at 8:16 p.m.

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*Christopher Stilling, Secretary
Lombard Plan Commission*