



### **GENERAL INFORMATION**

Petitioner: GB Illinois #1, LLC  
600 E. 96<sup>th</sup> Street, Suite 150  
Indianapolis, IN 46240

Relationship to Property: Contract Purchaser

Property Owner: 555 Building Corp.  
600 Enterprise Drive, Suite 108  
Oak Brook, IL 60523

### **PROPERTY INFORMATION**

Existing Land Use: The Terrace Restaurant

Size of Property: 5.209 Acres

Comprehensive Plan: Recommends Community Commercial

Existing Zoning: B4 Corridor Commercial District

Surrounding Zoning and Land Use:

North: B4 Corridor Commercial District; undeveloped property.

South: R2 Single Family Residential District, developed as single family residences.

East: B4 Corridor Commercial District and R2 Single Family Residential District; developed as a vacant motor vehicle sales building, single family detached and attached residences.

West: I Limited Industrial District; undeveloped property (this site is temporarily being used as a batch plant for the North Av. reconstruction project).

### **ANALYSIS**

#### **SUBMITTALS**

This report is based on the following documentation, which was filed with the Department of Community Development:

1. Petition for Public Hearing, received May 20, 2004.
2. Preliminary Plat of Subdivision, dated May 14, 2003, prepared by Arc Design Resources, Inc.
3. ALTA/ACSM Land Title Survey, dated October 16, 2003, prepared by Arc Design Resources, Inc.
4. Preliminary Site Plan, updated May 18, 2004, prepared by Arc Design Resources Inc.
5. Alternative Preliminary Site Plan, updated May 18, 2004, prepared by Arc Design Resources Inc.
6. Grading and Drainage Plan, updated December 5, 2003, prepared by Arc Design Resources, Inc.
7. Detention Plan, updated December 5, 2003, prepared by Arc Design Resources, Inc.
8. Utility Plan, dated July 14, 2003, prepared by Arc Design Resources, Inc.
9. Erosion Control Plan, updated December 5, 2003, prepared by Arc Design Resources, Inc.
10. Stormwater Pollution Prevention Plan, dated December 5, 2003, prepared by Arc Design Resources, Inc.
11. Landscape Plan, dated December 5, 2003, prepared Ives/Ryan Group, Inc.
12. Proposed Building Elevations, updated December 4, 2003, prepared by Stewart Nosky Architects, Ltd.
13. Revised Signage dated November 14, 2003
14. Photometric Plan, dated November 14, 2003, prepared by Arc Design Resources, Inc.
15. Draft Traffic Impact Analysis, dated September 2003, prepared by Metro Transportation Group, Inc.
16. Kane-DuPage Soil and Water Conservation District Land Use Opinion Application

## **DESCRIPTION**

The petitioner appeared before the Plan Commission in December 2003 (PC 03-45) with the proposed development. The Plan Commission recommended approval of the petition with the condition that the south Grace Street entrance be designed as a right in, right out facility. The petitioner found this and other conditions of approval unacceptable and withdrew the petition. The petitioner is resubmitting the petition at this time with a revised site plan illustrating the right in, right out facility at the south Grace Street entrance. Included with the petition is an alternative site plan depicting provision for a cross access easement to the neighboring property west of the subject site. All other aspects of the submittal remain the same as the original petition submitted in December 2003.

The subject site is the current location of the Terrace Restaurant. The petitioner intends to acquire the site and subdivide the property into three lots. The petitioner plans to develop Lot 1 as CVS Pharmacy and has not identified a use for Lot 2 at this time. Lot 3 will serve as a detention area for Lots 1 and 2. The petitioner also requests a variation to the minimum lot width requirement for Lot 3, as it is only seventy-two feet in width, where one-hundred fifty feet is required. As the entire site meets the minimum lot width and area requirements for a planned development, planned development approval is also included as part of this petition.

The proposed CVS Pharmacy on Lot 1 of the subdivision includes a drive-through facility, which requires approval of a conditional use. Included with the request are deviations for the proposed freestanding and wall signs, which are discussed later in the report.

For reference purposes, the term “subject property” refers to the entire 5.2 acre property. The CVS Pharmacy development will be referenced to as “Lot 1” or the “CVS site”. At this time, the petitioner is not requesting approval of a specific site plan pertaining to the development of Lot 2. Should this petition be approved, any future development on Lot 2 (other than public utility, access and landscape improvements) will be filed as a future site plan approval application.

## **INTER-DEPARTMENTAL REVIEW COMMENTS**

### **ENGINEERING**

From a construction or engineering perspective, Private Engineering Services has the following comments:

- 1.) The 30-ft utility easement shall be dedicated to the Village at the same time that the plat of subdivision is recorded. The easement shall be later revised as needed based on permit review comments and as-built conditions.

- 2.) Permits shall be required from the Illinois Department of Transportation, the Illinois Environmental Protection Agency and the DuPage County Department of Development and Environmental Concerns.
- 3.) The detention basin slope shall be set back from the Grace Street right-of-way per 605 ILCS 5/9-115.1.
- 4.) Additional comments shall be provided upon receipt of a building permit application including all required calculations.
- 5.) Best Management Practices such as locating storm sewer inlets in landscape islands and using natural landscaping in the detention basin shall be incorporated as possible.
- 6.) The legal description on the plat of subdivision needs to be revised prior to recording since the site is in the Southwest Quarter of Section 32, rather than the Southeast Quarter.
- 7.) A 5' wide public sidewalk easement is recommended along the eastern edge of the property. Moving the sidewalk onto the private property in this manner will allow for grass and trees in the parkway, will keep plowed snow off of the sidewalk and will keep pedestrians a safer distance from traffic.
- 8.) Any sign over two feet high should be kept out of the thirty-foot line of sight triangle.

## **PUBLIC WORKS**

The Department of Public Works, Engineering Division has no comments regarding the petition.

The Department of Public Works, Utilities Division has the following comments:

- 1.) Instead of installing a watermain around the entire building for two hydrants, consider connecting the two hydrants to individual hydrant "legs."
- 2.) Fire suppression line and domestic water service need to be individually connected to the watermain. Shut off valves need to be located in an easement close to the watermain.
- 3.) If connections to the watermain are not pressure connections, install valves in vaults at each connection point.
- 4.) Verify that these plans reflect the new utilities being installed as part of the North Avenue project.

## **FIRE AND BUILDING**

The Fire Department/Bureau of Inspectional Services has the following comments:

All new construction must comply with current Village of Lombard building and fire codes (minimum type 2A construction).

## **PLANNING**

### **Compatibility with the Comprehensive Plan**

The Comprehensive Plan recommends Community Commercial uses on the subject property and the proposed pharmacy retail use is compatible with the Comprehensive Plan designation.

### **Compatibility with Surrounding Land Uses**

The site is currently utilized as a restaurant. There are single family residences located on the south side of North Avenue as well as the east side of Grace Street. Two parcels border the site to the north and west are zoned for commercial uses. There are other commercial uses east of Grace Street along North Avenue.

The property west of the subject site is subject to future retail development activity (a bank was proposed on the property earlier this year as part of PC 04-03, but those plans have since been withdrawn). To ensure compatibility to the abutting property, staff requested that the petitioner develop their site plan in conjunction with the property to the west. This coordination would include provisions for cross-access and shared drive aisles. Additionally, the petitioner's plan also provides for potential cross-access to the vacant property to the east of the subject property, in the event that that property develops at a later date. Given these considerations, staff believes the proposed development is compatible with the adjacent properties.

However, in the event that the abutting property owner does not provide for the petitioner to construct site improvements and cross access on his property, the petitioner has submitted an alternate plan for consideration that provides for the access exclusively on their property.

Staff believes that the proposed use would be compatible with the existing land uses. However, to ensure that the overall impacts of the new development are satisfactorily addressed, staff offers additional comments and recommendations, as noted later in this report.

### **Compliance with the Zoning Ordinance**

Drug stores are identified as permitted uses in the B4 Corridor Commercial District. Therefore, the proposed pharmacy use is compatible with the Zoning Ordinance. Any future development activity on Lot 2 would also be required to meet the B4 provisions.

### **Conditional Use – Drive-Through Facility**

As with many new pharmacies, the petitioner is proposing a double drive through facility to be included as part of the CVS site plan. The drive-through window will be intended for the disbursement of prescription medications only. Vehicles using the drive-through will queue from the northeast corner of the building and will travel westbound to the window. Upon receiving their prescriptions, they would proceed past the proposed loading dock area to the access drive aisle to North Avenue or back to Grace Street. The proposed drive through lane is proposed on the north side of the building, which will effectively screen the activity from residential property owners along North Avenue.

Staff believes that the petitioner's site plan adequately addresses the internal drive-through circulation issues. However, to provide additional screening for the residences to the east, staff recommends that additional vegetation, consisting of evergreen and shrubs be placed on the proposed landscape island immediately east of the pharmacy pick-up window. The design and location of the plant materials shall be subject to the Director of Community Development.

### **Conditional Use – Planned Development**

Included with the petition is a request for conditional use approval for a planned development. Per Village Code, planned developments are required with any variation request associated with a property which has R6, O, B1, B2, B3, B4, B5, B5A, or I zoning designations and meets the minimum lot area and width requirements for a planned development. The subject property meets the minimum lot width and area requirements and therefore, staff recommends the establishment of a planned development for this site. Creation of the planned development will also give the Village an opportunity to review any future modifications of the subject property, particularly as it relates to the future Lot 2 development. To this end, staff is recommending that the Lot 2 development shall be subject to site plan approval as well.

### **Compatibility with the Sign Ordinance**

The petitioner submitted a signage plan along with the site plan submittal. There are two signage elements that would not meet the Village's regulations.

#### *Wall Signage*

The petitioner is proposing a primary "CVS/Pharmacy" wall sign at the front entrance on the south and east wall of approximately 134 square feet in size. One wall sign is allowed per street frontage. The total surface area of any single wall sign shall not exceed 100 square feet, if the wall is less than 120 feet from the property line and shall not exceed 200 square feet if the wall is between 120 and 240 feet from the property line. Therefore, the east wall sign meets code but the south wall will require relief.

The petitioner is also requesting approval of wall signs to accommodate the drive-through activities. The "Drive-Thru" sign is approximately thirty square feet in surface area.

Staff can support the wall sign deviations for the following reasons:

For the primary CVS wall signs, the proposed signage is consistent with the sign package that was approved for the Roosevelt Road/Meyers Road facility. Staff finds that the size of the signs are appropriately sized relative to the proposed elevations. The proposed sign package also consolidates multiple signs, as shown on a previous plan submittal. Lastly, the sign package also creates consistency in design between the two wall signs. If reviewed cumulatively, the petitioner could install two signs of up to 300 square feet in area; their signage proposal totals 272 square feet (i.e., 2 signs of 136 square feet in size).

With respect to the drive-through signage, staff finds that this signage can be supported as it is intended to serve as an informational and directional function for the site. These signs are necessary as it facilitates efficient traffic flow. Therefore, staff finds that the additional signs are acceptable and supports the deviation.

*Free-Standing Sign – Electronic Message Board*

The petitioner also is requesting approval for a freestanding sign that includes an automatic changeable copy (ACC) area (i.e., electronic message sign). The proposed sign is intended to identify the CVS store; the ACC sign is intended to provide information regarding products or services available in the store.

As proposed, the freestanding sign is twenty-four feet in height and approximately sixty-five square feet in surface area. The sign also includes an ACC board that is approximately three and a half feet in height. The overall height and surface area of the freestanding sign meet the code requirements. However, ACC boards are required to be two feet in height or less with no more than eighteen inches in display area. Code also requires that the ACC board is no less than twelve feet above grade. The proposed message board is approximately eleven feet above grade.

In consideration of the ACC sign request, staff does not object to the deviation for the height above grade, but does have concerns regarding the overall size of the sign. Staff notes that ACC signs do present additional challenges and hence they are subject to differing regulations. Where properties are permitted to have ACC signage, the Village has established regulations pertaining to their overall size. Staff believes that the petitioner's cabinet height of over two feet can be considered excessive and can create a negative appearance on the overall corridor. As such, staff is not supportive of the deviation to allow for a cabinet of higher than two feet. The petitioner has represented that they may be able to meet the two-foot provision, but the sign area may be slightly greater than 18 inches in height. Modern electronic message boards utilize a substantial amount of the board's height as a display area. Staff can support the deviation from the eighteen inch display area assuming the overall height of the board meets code. If the ACC sign is modified to meet this provision, the deviation for a board less than twelve feet above grade becomes unnecessary as well.



### *Landscaping Deviations*

The landscape plan indicates that perimeter landscaping will be provided around the perimeter of the parking lot of Lots 1 and 2 with the exception of those areas to the north and west where cross access easements will be provided. Those areas designated for landscaping meet the code requirements of five feet in width. Staff believes the cross access easements will allow sufficient traffic flow between lots in the event of future development and is therefore supportive of the requested deviation.

### *Traffic*

The petitioner submitted a preliminary traffic report for the proposed development. The proposal assumes that Lot 1 would be developed as a pharmacy while Lot 2 would contain an office building/banking facility. While the Lot 2 development is not being considered at this time, the report does address some of the traffic issues associated with the CVS site.

The new site plan has taken staff's previous comments into consideration and are reflected accordingly. The loading dock area has been modified to prevent cut-through traffic. Drive-through patrons will leave the pick-up window and proceed west to the access drive, away from the loading area. The new plan also shows a right in, right out facility at the south Grace Street entrance as recommended by staff and the Village's traffic consultant. The north Grace Street entrance will provide full access. Staff believes that this may impede the flow of traffic along Grace Street resulting in congestion at the intersection of North Avenue and Grace Street. The petitioner's traffic report did not address this issue.

Staff recommends as a condition of approval for the overall planned development that the proposed northern access drive improvements be constructed, consisting of a left turn lane on Grace Street and an improved access driveway from Grace Street immediately across from the Adele Avenue right-of-way to Lot 1 of the proposed development.

### **Compliance with the Subdivision and Development Ordinance**

The site currently consists of one lot. The petitioner plans to subdivide the lot into two lots and an outlot for detention. The two lots meet the minimum lot width and area requirements while a variation is requested to reduce the width of Lot 3 to seventy-two feet. Staff supports the requested variation considering Lot 3 is intended to provide detention for Lots 1 and 2 and is not intended to be a buildable lot of record. This reduction is consistent with Section 154.507 (D) of the Subdivision and Development Ordinance, which requires a minimum lot width of 30 feet for a detention outlot.

This development is both a major subdivision and a major development as expressed in the Subdivision and Development Ordinance. Therefore, the petitioner will be required to meet the provisions of Section 154.304 and 154.306. This includes, but is not limited to, sidewalks, landscaping, parkway trees and street lighting per Code. The petitioner is providing cross access easements in the event that development occurs on neighboring lots.

Development Agreement

Pursuant to Section 154.602(A), the petitioner will be preparing a companion development agreement for the subject property. This agreement will be considered by the Village Board in conjunction with the final consideration of Ordinances.

**FINDINGS AND RECOMMENDATIONS**

Staff believes that the proposed use is appropriate at the subject location and is compatible with surrounding uses.

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

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning, Sign and Subdivision and Development Ordinances; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-department Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of PC 04-20, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the site plans prepared by Arc Design resources, Ives/Ryan Group and Stuart Novsky Associates, dated May 18, 2004 and submitted as part of this request.
2. Any future development on the Lot 2 of the proposed subdivision, shall be subject to a separate site plan approval application.
3. That the petitioner shall modify the landscape plan for the subject property, as follows:
  - a. Additional landscape vegetation, consisting of evergreen and shrubs be placed on the proposed landscape island immediately east of the pharmacy pick-up window. The design and location of the plant materials shall be subject to the Director of Community Development.
  - b. The parkway shall be improved with parkway trees and sodded, pursuant to Section 155.706 of the Zoning Ordinance.
  - c. All internal parking lot islands shall be sodded rather than seeded, where applicable, pursuant to Section 155.706 of the Zoning Ordinance.
  - d. Detention landscaping shall be provided pursuant to Section 154.508 of the Subdivision and Development Ordinance and Section 155.709 of the Zoning Ordinance.

4. That the petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
5. The maximum height of the automatic changeable copy sign proposed on the free-standing sign may not exceed 24 inches in height. The petitioner shall submit a revised sign plan reflecting that the modified sign dimensions.
6. That associated with the Lot 1 development, the petitioner shall construct the proposed northern access drive improvements on Lot 2, consisting of a left turn lane on Grace Street and an improved access driveway from Grace Street immediately across from the Adele Avenue right-of-way to Lot 1 of the proposed development. The design shall be subject to final review by the Director of Community Development and the Village Engineer.
7. That as part of the Lot 1 improvements, the petitioner shall construct the access driveway on Lot 2 pursuant to the revised plan submittal.
8. That as part of the public improvements, the petitioner shall provide full public improvements as required by Sections 154.304 and 154.306 of the Lombard Subdivision and Development Ordinance. The final design and location of all public improvements shall be reviewed and approved by the Village and/or the Illinois Department of Transportation.
9. That any trash enclosure screening on Lots 1 or 2 as required by Section 155.710 of the Zoning Ordinance shall be constructed of a material consistent with the principal building.
10. That a total of five wall signs shall be permitted on the Lot 1 principal building, with the wall sign size and placement to be consistent with the petitioner's plans, as follows:
  - a. Two "CVS Pharmacy" signs which can include the secondary tag line. Said signs shall not exceed 136 square feet in size.
  - b. Three "Drive-Thru/Pharmacy" signs, not to exceed 30 square feet in size.

Any future signage changes shall be subject to a future site plan approval from the Village.
11. In the event that the property owner immediately west of the subject property shall not provide the rights to construct a shared access drive on his property, the petitioner shall develop the site consistent with the alternate site plan submittal, prepared by Arc Design Resources, dated May 18, 2004.

Plan Commission  
Re: PC 04-20  
Page 12

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David A. Hulseberg, AICP  
Director of Community Development

DAH/ADC:

att  
c. Petitioner