

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

TO: Lombard Plan Commission                      HEARING DATE: August 20, 2007  
FROM: Department of                                      PREPARED BY: William Heniff, AICP  
          Community Development                                      Senior Planner

**TITLE**

**PC 07-08; 600 W. North Avenue:** The petitioner requests that the Village amend Ordinance 4920 and take the following actions on the property located within the B4 Corridor Commercial District:

1. A conditional use for a second drive-through facility.
2. A variation from Section 153.505(B)(16)(a)(2) of the Lombard Sign Ordinance to increase the number of permitted wall signs.

**GENERAL INFORMATION**

Petitioner: Warren Johnson Architects  
                  19 N. Greely Street  
                  Palatine, IL 60067

Status of Petitioner: Consultant for Property Owner/Proposed Tenant

Property Owner: Shell Oil Products US  
                      904 S. Roselle Rd. #342  
                      Schaumburg, IL 60193

**PROPERTY INFORMATION**

Existing Zoning: B4 Corridor Commercial District

Existing Land Use: Gas station with car wash and convenience store

Size of Property: Approximately 1.2 Acres

Comprehensive Plan:            Recommends Community Commercial.

Surrounding Zoning and Land Use:

- North: B3PD Community Shopping District Planned Development; developed as Northgate (Lombard Landings) Shopping Center
- South: B4 Corridor Commercial District; developed as Jiffy Lube
- East: B4 Corridor Commercial; developed as a BP gas station and McDonald's restaurant with drive-through facility
- West B3PD Community Shopping District Planned Development; developed as Northgate (Lombard Landings) Shopping Center

## **ANALYSIS**

### **DESCRIPTION**

This addendum is based on a review of additional correspondence prepared by the petitioner, which was previously filed with the Department of Community Development and supplements the information previously provided as part of the public hearing request.

The Plan Commission continued the public hearing for PC 07-08 in order to allow the petitioner to provide additional information regarding the proposed drive-through establishment. Specifically, the Plan Commission requested additional information as follows:

1. Review what conditions that can be added that permits the drive-through, but addresses potential staff concerns regarding future changes in use.
2. Review what conditions or provisions that can be added that permits the drive-through but address potential staff concerns regarding hours of operation issues and conflicts.
3. Review the conditional use for outdoor storage provisions previously granted on the property.

The petitioner submitted the attached letter to the file that denotes their response to the Plan Commission comments. They note that they are willing to tie the conditional use to the petitioner's use. With respect to hours of operation, they propose that they would not operate the facility between the hours of 10:00 p.m. and 5:00 a.m. In response to their correspondence and discussion with Village Counsel, staff offers the following:

1. Conceptually, if the Plan Commission makes a finding that the conditional use can be supported but only for an establishment with an A.M. peak hour generator, the Plan Commission would need to make a finding of fact based upon that standard. Then, a recommendation should state that the drive-through is limited to a restaurant use with an A.M. peak hour generator, with a requirement that the operator provide requisite traffic studies demonstrating compliance with that standard. This approach would tie the approval to the use rather than the operator itself.
2. With respect to the hours of operation, the petitioner denoted that they wanted the drive-through open during the daytime hours but offered that they would close at night. Attaching conditions of approval to a petition should be related to the findings of fact associated with the case. As the testimony did not demonstrate negative impacts of the use during overnight hours (commonly associated with properties abutting residential districts), this property is surrounded by commercial uses. As such, this condition would serve little or no benefit.
3. With respect to the existing conditional use for outdoor sales and display, three areas were approved – the fuel islands, the sidewalk in front of the convenience store and on the external periphery of the property along the adjacent right-of-way. The outdoor storage element that could affect circulation is the storage element on the perimeter of the site. As such, while the petitioner did not include this within their request, the Plan Commission could require that the outdoor sales element be limited to the fuel islands and the sidewalk only.

#### Staff Comments

As the Commissioner's will remember, the petition includes the wall sign relief as well. Staff was supportive of the wall sign relief, but not the drive through window element. However, if the Plan Commission seeks to recommend approval of the petition in its entirety, staff offers alternative language for consideration as well.

#### **Recommendation for Signage Approval and Conditional Use Denial**

Based on the above considerations, the Inter-Departmental Review Committee has reviewed the standards for conditional uses and variations and finds that the proposal meets the standards for variations, but does not meet the standards for conditional uses and therefore recommends that the Plan Commission make the following motion recommending **partial approval** of this petition:

Based on the submitted petition and the testimony presented, the requested conditional use **does not** comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission recommend to the Corporate Authorities **denial** of the conditional use associated with PC 07-08.

Based on the submitted petition and testimony presented the requested sign variation does comply with the standards required by the Lombard Zoning and Sign Ordinances; and, therefore, I move that the Plan Commission recommend to the Corporate Authorities **approval** of the sign variation associated with PC 07-08 subject to the following conditions:

1. The signage shall be consistent with the proposed signage plan prepared by Warren Johnson Architects, and dated June 6, 2007.
2. The petitioner shall apply for and receive a building permit for the proposed signage prior to installation.

#### **Recommendation of Approval of the Petition in its Entirety**

Based on the submitted petition and the testimony presented, I move that the Plan Commission not concur with the findings of the Inter-departmental Review Report and find that the requested conditional use and sign variation **does** comply with the standards required by the Lombard Zoning Ordinance for variations and conditional uses, but only subject to the conditions set forth herein; and, therefore, recommends to the Corporate Authorities **approval** of PC 07-08, subject to the following conditions:

1. The signage shall be consistent with the proposed signage plan prepared by Warren Johnson Architects, and dated June 6, 2007.
2. The petitioner shall apply for and receive a building permit for the proposed signage prior to installation.
3. The conditional use for a drive through establishment shall be developed and operated in accordance with the submitted Site Plan, prepared by Warren Johnson Architects, dated June 6, 2007 and made a part of this petition.
4. The conditional use for the drive-through is limited to a restaurant use with an A.M. peak hour traffic generation. Any existing or proposed use shall be required to submit requisite traffic studies to the Village upon request demonstrating compliance with this provision.
5. Outdoor sales activities shall be limited to the existing fuel islands and sidewalk areas in front of the existing convenience store.

Plan Commission  
Re: PC 07-08 Addendum  
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Inter-Departmental Review Report Approved By:

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

c. Petitioner