

COUNCIL WORKSHOP ITEM

ITEM: PLAN COMMISSION FILE NO. PC 17-04 – Request for approval of a proposed amendment to a Planned Development as a Special Use to Authorize an Addition to the Existing Restaurant with a Drive-Through Window.

DATE: September 28, 2004

PREPARED BY: Joseph Skach, Director, Planning and Community Development

PURPOSE: Consideration of the Plan Commission's recommendation to approve the Requested Action with certain conditions

DISCUSSION:

Plan Commission

The petitioner, Portillo's Hot Dogs; c/o Federal Realty Investment Trust, is proposing approval of a two-phase addition. Phase One, includes the construction of a 244 square foot cooler addition located on the south side of the existing Portillo's restaurant between the building and the drive-through lane. Phase Two, proposes an addition to expand the existing dining room by 957 square feet for a 77 seat expansion of the existing dining room. A total of 1,201 square feet of additional building area is proposed. Additionally, as part of the proposed Planned Development Amendment, the petitioner is revising the drive through and adding an additional 10 vehicle queuing or "stacking" spaces and adding additional green space. No Variations from Code are requested.

At their August 16, 2004 meeting, the Plan Commission considered the Petitioner's request and recommended approval subject to certain conditions, as delineated in the attached Staff Report, and Draft Ordinance.

Post Plan Commission Work

The Plan Commission recommended that Portillo's work with the Shopping Center management to develop a plan to address traffic circulation improvements to decrease negative impacts on traffic circulation in the Center during peak drive-through hours, normally during the lunchtime hours. After meeting and working with Staff, Portillo's has developed and agreed to implement a plan to modify the existing Drive-Through by adding a second lane with stacking for 10 additional cars per the attached. Portillo's will also staff this lane at peak times for optimal operations by transmitting customer orders well in advance of the vehicle reaching the pick up window.

Providing additional landscaping was also a condition of approval. Upon more detailed inspection the proposed striped parking island to receive landscape materials per the condition of approval is very narrow and diminishes the chances that plant materials would flourish to provide a desirable quality of landscaping. In lieu of the parking island location, the petitioner has proposed additional landscaping on the north side of the refuse enclosure to help screen it better as well as the northwest corner of the existing building closer to the entry path to the building.

Both of the above modifications are incorporated in the plan dated August 2, 2004 to address the related conditions of approval forwarded by the Plan Commission. Public Works has reviewed the proposed revisions and concurs with the proposal in the attached memo dated September 13, 2004.

ATTACHMENTS:

1. Draft Approval Ordinance
2. Post Plan Commission Site Plan Revisions dated August 2, 2004
3. Revised Department of Public Works Report dated September 13, 2004
4. Post Plan Commission Correspondence dated August 24, 2004
5. Staff Report with attachments dated June 16, 2004
6. Draft Minutes of Plan Commission Public Hearing dated August 16, 2004

RECOMMENDATION:

That the Village Council place consideration of the petitioner's request on an active agenda for October 5, 2004

c: David Barber, Director, Public Works
Donald Rosenthal, Director Code Services
Howard Hoffman, Chief, Fire Prevention

ORDINANCE NO. _____

**AN ORDINANCE APPROVING AMENDMENTS TO PLANNED DEVELOPMENT #17,
PERMITTING THE CONSTRUCTION
OF AN ADDITION TO THE EXISTING PORTILLO'S RESTAURANT BUILDING**

WHEREAS, the Village Council has previously adopted Ordinance No. 2080 on July 18, 1977, designating the property described therein as Planned Development #17; and,

WHEREAS, the Village Council has, from time to time, approved various amendments to Planned Development #17; and,

WHEREAS, the Owners have filed with the Director, a written petition conforming to the requirements of the Comprehensive Zoning Ordinance and requesting an amendment to Planned Development #17 to construct an approximately 1,201 square foot restaurant addition for 77 seats, an enlarged cooler, drive-through and site modification; and,

WHEREAS, such request was referred to the Plan Commission of the Village of Downers Grove, and the Plan Commission has given the required public notice, conducted a public hearing respecting the petition on August 16, 2004, and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission had recommended approval of the requested petition, subject to certain conditions; and,

WHEREAS, the Village Council has considered the record before the Plan Commission, as well as the recommendations of Plan Commission.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

SECTION 1. That the provisions of the preamble are incorporated into and made a part of this ordinance as if fully set forth herein.

SECTION 2. That Planned Development #17 is hereby amended to permit construction of a 1,201 square foot restaurant addition, drive-through and site modification per attached plans.

SECTION 3. That approval set forth in Section 2 of this ordinance is subject to the findings and recommendations of the Downers Grove Plan Commission regarding File PC-17-04 as set forth in the minutes of their August 16, 2004 meeting, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

SECTION 4. The approval set forth in Section 2 of this ordinance is subject to the following conditions:

1. Substantial compliance with the plans submitted to the Plan Commission and revised site plan dated August 2, 2004, reduced copies of which are attached hereto and incorporated herein by reference as Group Exhibit A.
2. Substantial compliance with the staff report dated August 13, 2004, a copy of which is attached hereto and incorporated herein by reference as Exhibit B.

3. Substantial compliance with all applicable provisions of the original and subsequent amendments to Planned Development No. 17;
4. All storage of refuse shall occur completely in appropriate and architecturally compatible enclosures at all times;
5. Loading/unloading operations, including refuse, shall occur on site and not obstruct or hinder safe parking and site circulation for the Finley Square Shopping Center for vehicles and pedestrians;
6. Any temporary outdoor uses that may require the temporary non-availability of parking spaces in the Finley Square Shopping Center must be coordinated with the Village;
7. Compliance with all Public Works requirements and conditions as outlined in their memorandum dated July 22, 2004 and the Fire Prevention Division memorandum dated July 26, 2004;
8. Any changes to the conditions represented by the Petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. The Village reserves the right to re-open its review process upon receipt of such information; and
9. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, and Village laws, ordinances, regulations, and policies.

SECTION 5. That the restaurant facility is consistent with and complimentary to the overall planned development site plan and with the requirements of the "B-3 General Services and Highway Business District" zoning district.

SECTION 6. That the Mayor and Village Clerk are authorized to sign the above described plans.

SECTION 7. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 8. That this ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk

FILE COPY RECEIVED
**INTEROFFICE CORRESPONDENCE
DEPARTMENT OF PUBLIC WORKS**

SEP 14 2004

**Planning and Community
Development**

TO: Joseph P. Skach, AIA, AICP, Director of Planning & Community Development
FROM: David H. Barber, P.E., Director of Public Works
BY: Michael D. Millette, P.E., Asst. Director of Public Works – Engineering
 Jonathan C. Hall, P.E., Development Engineering Manager
DATE: September 13, 2004
RE: Planning / Zoning Petition for Special Use Amendment
 Proposed Restaurant Addition – 1500 Butterfield Rd – Portillo's
 Public Works Department **3rd Review – Traffic Only**

Documents Reviewed:

- Revised Architectural Plans dated July 15, 2004
- Revised Landscape Plan dated August 2, 2004

Attachments:

- Traffic Engineering review memo dated 7/22/04
- Traffic Engineering review memo dated 9/10/04

Public Works Review Summary:

Division	Representative	Date	Conclusion	Comments included
PW Director	D. Barber	3/12/04	Place on Agenda	
Engineering	M. Millette	7/06/04	Place on Agenda	X
Stormwater	J. Hall	7/22/04	Place on Agenda	X
Water	D. Bird	7/01/04	Place on Agenda	
Traffic	D. Fera	9/13/04	Place on Agenda	X
Forestry	K. von der Heide	3/23/04	Place on Agenda	X
Pavement	R. Ebel	-	No Comments	

Findings:

The Public Works Department concurs with placement of the subject petition on the Plan Commission Agenda at this time.

Public Works Department Review Details:

Engineering Review Comments:

Refer to attached Traffic review memos.

Stormwater Review Comments:

No Special Management Areas are present on the subject development site. Stormwater detention is not required because less than 25,000 square feet will be redeveloped. The proposed addition to the previously developed restaurant site will have a negligible impact on stormwater runoff.

Water Review Comments:

No comments.

Traffic Review Comments:

Refer to attached Traffic review memos.

Forestry Review Comments:

The proposed addition will cause the removal of landscape previously approved; however, the remaining landscape should still make the area look attractive.

c: PW Division Managers
Don Rosenthal, Director of Code Services
A. Hightower, Stormwater Management Engineer
File

VILLAGE OF DOWNERS GROVE
INTEROFFICE MEMORANDUM

TO: Joe Skach, Director of Planning and Community Development
Amanda Browne, Village Planner

FROM: Dorin Fera, Traffic Engineering Manager

DATE: July 22, 2004

RE: **Traffic Review**
Portillo's Expansion
Finley Square Mall

Based on our recent review of the proposed plans at the subject location, the Traffic Division has the following comments:

Current Conditions of Approval

- Based on staff field reviews and a meeting held with the petitioner on July 1, 2004, the following comments are offered:
 1. There is no need for a complete parking utilization study, nor peak daily and weekend counts. The Portillo's traffic and parking operation is well-established and has operated at this location for many years.
 2. The petitioner will be enhancing their pick-up operation to provide dual lanes for vehicles to use. Portillo's employees will literally be delivering the customers' purchases to them in the pick-up line, in an effort to expedite the vehicles through. This is a positive improvement to their operation.
 3. There no traffic or parking advantage to changing the drive-up location from the west side to the east side. Vehicles literally come to the drive-up location from all possible directions.
 4. The proposed 77 new seats are being added to provide seating to current customers that now must stand during their visit. The potential traffic and parking impacts as a result of the proposed addition of these new seats, would be negligible when compared with the existing parking, traffic flow, and access conditions already on this site.
 5. The Traffic Division has no other comments, and recommends approval for submittal to Plan Commission and Village Council.

VILLAGE OF DOWNERS GROVE
INTEROFFICE MEMORANDUM

TO: Joseph Skach, AIA, AICP, NCARB, Director of Planning & Community Development
Amanda Riordan, Senior Planner

FROM: Michael D. Millette, P.E., Assistant Director of Public Works-Engineering
Dorin Fera, AICP, Traffic Engineering Manager

DATE: September 10, 2004

RE: **Traffic Review_Update**
Portillo's Expansion
Finley Square Mall

The proposed Portillo's Expansion Plan, dated July 15, 2004, and Revised August 2, 2004 has been response to the latest traffic modification made by the petitioner. The Traffic Division's comments are as follows:

- 1.) The drive-thru is proposed to be expanded from 1-lane to 2-lanes to serve their pick-up operation. An additional 10 vehicles can now be stacked, and will therefore, not be queuing within the mall parking area. As a result of this physical re-design, Portillo's can accommodate a total of 32 cars at one time within their drive-thru lanes.
- 2.) This proposed revision by the petitioner is an enhancement to the traffic flow and operation from the previous submittals, and has addressed the parking, and traffic circulation issues around their site in a satisfactory manner. There are no outstanding issues left to be addressed.

The Traffic Division has no other comments, and would support approval of Portillo's expansion as presented.



DOWNERS GROVE FIRE DEPARTMENT PREVENTION DIVISION

801 Burlington Ave., Downers Grove, IL 60515
Phone: 630-434-5983 Fax: 630-434-5593



SITE PLAN REVIEW

09/13/04

To: Keith Sbiral, Planner

From: Howard Hoffman, Division Chief

Re: Portillo's revised drive-through

RECEIVED

SEP 14 2004

Planning and Community
Development

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Keith,

The Fire Department has reviewed the proposed site plan for with the following comments:

- There are no Fire Prevention or Fire Protection concerns regarding the proposed site plan.
- **Site plan is approved**

This is a review for fire protection and prevention concerns **only**. Other village departments may have issues that need to be addressed. Please feel free to call me at 434-5983 with any questions or concerns.

Sincerely,

Howard Hoffman
Division Chief
Downers Grove Fire Department
Prevention Division



August 24, 2004

<http://www.downers.us>

**COMMUNITY
RESPONSE CENTER**
630.434.CALL (2255)

Vito DiPietra
Project/Property Manager
The Portillo Restaurant Group
2001 Spring Road – Suite 500
Oak Brook, IL 60523

CIVIC CENTER
801 Burlington Ave.
Downers Grove
Illinois 60515-4776
630.434.5500
TDD 630.434.5511
FAX 630.434.5571

**Re: 1500 Butterfield Road; Proposed Restaurant Addition and Parking
Modification; Planned Development Amendment Plan Commission
Recommendations**

Dear Mr. DiPietra,

Some additional materials and modifications to previous submittals are required prior to the Portillo's petition being placed on an agenda for a Village Council Workshop. Per the Staff Report and conditions placed on the recommendation by the Plan Commission, please submit the following additional modifications/documents as soon as possible:

**FIRE DEPARTMENT
ADMINISTRATION**
6701 Main Street
Downers Grove
Illinois 60515-1506
630.434.5980
FAX 630.434.5998

1. The third (westerly) parking island adjacent to the Portillo's on the east should be landscaped as part of the efforts to increase the overall Center greenspace;
2. The Plan Commission recommended that Portillo's work with Shopping Center management to develop a plan/study indicating potential traffic circulation improvements that could be implemented to decrease the negative impact of the existing Drive-Through on traffic circulation in the Center. After these options are submitted, Staff will review the proposals prior to the Council Workshop consideration.

POLICE DEPARTMENT
825 Burlington Ave.
Downers Grove
Illinois 60515-4783
630.434.5600
FAX 630.434.5690

As I discussed on the phone today with Tina from your office, Village Staff looks forward to meeting with you Friday, August 27 at 10 a.m. It is very important that we address the issues raised by the Plan Commission prior to review of the petition at a Village Council Workshop meeting.

**PUBLIC WORKS
DEPARTMENT**
5101 Walnut Ave.
Downers Grove
Illinois 60515-4074
630.434.5460
FAX 630.434.5495

Please do not hesitate to contact me at 630-434-5520 with any additional questions.

Sincerely,


Keith R. Sbiral
Staff Planner

**DEPARTMENT OF
SOCIAL & HEALTH
SERVICES**
842 Curtiss Street
Downers Grove
Illinois 60515-4761
630.434.5595
FAX 630.434.5599

c: Joseph Skach, Director, Planning and Community Development
David Barber, Director, Public Works
Don Rosenthal, Director, Code Services
Howard Hoffman, Division Chief, Fire Prevention
File



PLANNING & COMMUNITY DEVELOPMENT/STAFF DEVELOPMENT TEAM REPORT

To: Plan Commission
Prepared By: Keith R. Sbiral, Current Development Planner 
Date Prepared: August 13, 2004
Meeting Date: August 16, 2004

FILE COPY

Project Title: PC 17-04; Portillo's Planned Development Amendment

BACKGROUND INFORMATION:

Petitioner: Portillo's Hot Dogs, Applicant
c/o Federal Realty Investment Trust, (Shopping Center Owner)
Property Address: 1500 Butterfield Road, Finley Square Shopping Center
Existing Zoning: B-3, General Services and Highway Business District; Planned Development No. 17
Application/Notice: The application has been filed in conformance with applicable procedural and public notice requirements.

Requested Action:

1. Approval of proposed Amendment to Planned Development No. 17 as a Special Use for a two-phase addition to the existing restaurant and drive-through facility per Chapter 28, Section 28.1605, *Amendments*, and subject to Section 28.1607, *Standards for Approval*.

BACKGROUND

General Description

The Shopping Center is located north of Butterfield Road between Finley Road and Downers Drive. The property is also located in the Butterfield and Finley Strategic Land Use Planning focus area. The Shopping Center currently contains approximately 325,000 square feet of retail and restaurant commercial space and 1,150 parking spaces. The Oak Grove Center is located to the north of the subject site.

Portillo's restaurant is located at 1500 Butterfield Road at the south end of the Center, and is zoned B-3, *General Services and Highway Business District* as is the entire Center. The property is subject to Planned Development No. 17 originally approved August 1977 (PC 300, Ord. No. 2080; attached) and subsequently amended for the construction of the existing Portillo's restaurant in October 1996 (PC 986, Ord. No. 3898; attached).

The petitioner is seeking approval of a two-phase addition. Phase One includes the construction of a 274 square foot cooler addition located on the south side of the existing Portillo's restaurant between the building and the drive-through lane. Phase Two proposes an addition to expand the existing dining room by 957 square feet for a 77 seat expansion of the existing dining room.

Schedule

Portillo's has indicated that their ideal construction schedule is to have both Phase One and Phase Two complete by the end of 2004. Planned Developments are subject to Section 28.1609, *Extension or Repeal of a Planned Development*, and the construction time limitations per Code. The construction, "...must be commenced and thereafter diligently pursued to completion in conformance with the construction schedule."

ANALYSIS**Zoning and Future Land Use Plan***Surrounding Land Use and Zoning***Table 1: Surrounding Land Uses and Zoning**

	Existing Zoning	Existing Use	Future Land Use Plan
North	M-2, Restricted Manufacturing District ORM, Office-Research-Manufacturing	Office/Manufacturing/ Warehouse Uses	Commercial (Red)
South	B-3, General Services and Highway Business District	Commercial/Retail	Commercial (Red)
East	B-3, General Services and Highway Business District	Commercial/Retail	Commercial (Red)
West	B-3, General Services and Highway Business District	Commercial/Retail	Commercial (Red)

The petitioner is not requesting a change to the existing zoning, and the property will retain the existing B-3, *General Services and Highway Business District* zoning designation. The existing Portillo's facility was previously approved as part of the sixth amendment to Planned Development No. 17 as a Special Use (PC 986;11/4/96). The existing zoning designation of B-3 is consistent with the existing Future Land Use Map designation of Commercial (red).

Planned Developments are permitted uses in the B-3 zoning district but subject to Special Use consideration. Exceptions/variations from Code are not requested as part of this petition. Requests for Planned Development Amendments require Village Council consideration. Chapter 28, Section 28-1607 outlines the Standards for Approval of a Final Planned Development Amendment. The petitioner has responded to the standards in the attached project summary and will address these issues to the Plan Commission at the Plan Commission hearing.

Site*Site Characteristics*

The overall shopping center site is approximately 21.38 acres and generally remains in the configuration in which it was approved in 1977 with its primary access from both Finley Road and Downers Drive. The shopping center site employs two east-west aisles for circulation and store access. The north aisle primarily serves east-west access through the entire Center and connects Finley Road and Downers Drive. A southerly east-west aisle provides additional east-west and perimeter circulation and access to the existing Portillo's and Burger King; however, this aisle is not as clearly defined along its length.

The introduction of the expanded use warrants some Staff concern regarding the longer term with respect to the additional trip generation and increased numbers of vehicles traversing the site and increased potential for vehicular conflict particularly near the existing busy drive-through lanes for both the Portillo's restaurant and the Burger King restaurant. The drive-through lanes currently experience vehicle stacking north of the southerly east-west drive aisle adjacent to the Portillo's building. Possible future modifications to consider to avoid congestion are the widening of the existing drive-through lane or the construction of the drive-through lane to the east of the existing Portillo's facility may be a desirable option given current and future conditions.

The Center should give consideration should be given to better defining the southerly east-west drive aisle through the provision of landscape islands at the ends of the parking banks. The eventual relocation of this drive aisle may be beneficial to facilitate improved traffic flow, closer parking for tenants along the south side of the Center, as well as increased stacking for the existing drive-through facilities. Given that the entire site will likely experience increased development pressure, efforts should be made by the Center owners to ensure the entire center operates in a safe, efficient, and consistent manner as a whole. Traffic circulation and impacts should be monitored, and future refinements or modifications to site circulation and traffic patterns may be needed.

Bulk Characteristics

The proposed structure meets bulk requirements as follows:

Table 2: Bulk Requirements

	Planned Development #17: Portillo's Restaurant		Difference (%)
	Maximum per Code	Proposed	
Floor Area Ratio	0.75	0.35	-53.33
Building Addition Height	60	14	-76.67

Yards and Setbacks

The Portillo's restaurant is adjacent to the Butterfield Road right-of-way and requires a 25 foot front yard for structures under 20 feet in height per Code. The proposed addition complies with the front yard requirements as noted below:

Table 3: Yards Requirements

	Planned Development #17: Portillo's Restaurant		Difference (%)
	Required	Proposed	
Front Setback (Building Addition)	25	25	0

Green space/Common Open Space

Finley Square Shopping Center was originally approved as a Planned Development subsequent to the construction of the majority of the mall as part of a petition to construct the Burger King. Under the original approval, the site plan for the entire mall did not meet the required 15% common open space; however, the amount of common open space has increased with each amendment to the Planned Development. The site currently has approximately 11.51% common open space. Discussions with Staff on this issue resulted in the petitioner proposing to nominally increase the green space to 11.54%. This increase of 268 square feet is achieved by curbing and landscaping two parking islands east of the Portillo's restaurant as indicated on the plan. The Shopping Center ownership should develop plans to achieve the 15% greenspace requirement to the maximum extent possible including the provision of landscape islands with trees, at minimum, at the ends of all parking banks and consideration given to intermediate islands at every 20-30 spaces to enhance the visual environment in this Village gateway area.

Parking

Per Code, required parking for the shopping center is calculated based on the existing center uses. The parking analysis indicates an existing surplus of 71 parking spaces. The Phase One addition adds 274 square feet of storage to the existing 2,100 square feet and, therefore, does not increase the parking required per Code. The Phase Two seating addition will require an increase of ten parking spaces which will be met by the existing center surplus. It should be noted that in addition to the ten parking spaces, three ADA compliant spaces will be lost as part of the parking lot reconfiguration; however, 22 spaces are required for the center and 22 are provided with the proposed addition and parking reconfiguration. The petitioner has also submitted a parking analysis (Plan C-1; attached) as part of the petition, which has been reviewed by the Village's Traffic Engineer.

Table 4: Proposed and Required Parking

	Parking Requirement	Existing Parking/Proposed	Difference No.(%)
Existing Finley Square Parking (PD #17)	1,079	1,125	46(+4.26)
Finley Square Parking with Proposed Addition	1,089	1,127	38(+3.49)

Loading

Loading/unloading areas will be unchanged as part of the proposed addition and should continue to be conducted so as not to negatively impact safe and efficient operation of the site overall.

Site Lighting

No changes to site lighting are proposed as part of this proposal, but the Center ownership should give consideration to maintaining a consistent quantity and quality of site lighting to promote safe and efficient use of the site while enhancing the site's visual environment in this Village gateway area.

Buildings and Design

The petitioner is proposing a building design consisting primarily of split faced brick masonry with aluminum and glass restaurant walls for the seating area. The primary aspects of the building elevations will remain unchanged. The proposed cooler will be architecturally screened and appear as if it is part of the building itself. Color renderings of the proposed additions, as well as dimensioned elevations, are attached. The design and materials are consistent with retail centers and buildings in the area and should pose an overall positive visual/aesthetic addition to the Center and area.

Public Works/Engineering

Public Works has reviewed the proposed plans per the attached memo dated July 22, 2004, as summarized below.

Site Engineering and Public Improvements

The Engineering Division no comments relative to the proposed addition.

Stormwater Management

The Stormwater Management Division notes that no flood plain or Localized Poor Drainage Areas exist on the site.

Traffic

As noted, the Traffic Division also shares circulation and general access concerns regarding the Center overall; however, these longer-term concerns would not preclude favorable consideration of this proposal. The center ownership should discuss this with Staff in anticipation of future development or modifications to the Center. With respect to the petition, the proposed Phase One and Two additions to the Portillo's structure are acceptable, and no further traffic or parking modifications are needed at this time.

Forestry/Landscaping

The Forestry Division has no comment with respect to the proposed additions; however, it should be noted that the overall permanent common open space is being increased, although nominally, for the site.

Other

Fire Department

The Fire Prevention Division of the Fire Department has reviewed the proposed Planned Development Amendment and has additional comments as noted in the attached memorandum dated July 26, 2004.

RECOMMENDATION

The Staff Development Team has reviewed the petitioner's request and concurs to recommend that the Plan Commission favorably consider the petitioner's Requested Action subject to the following conditions:

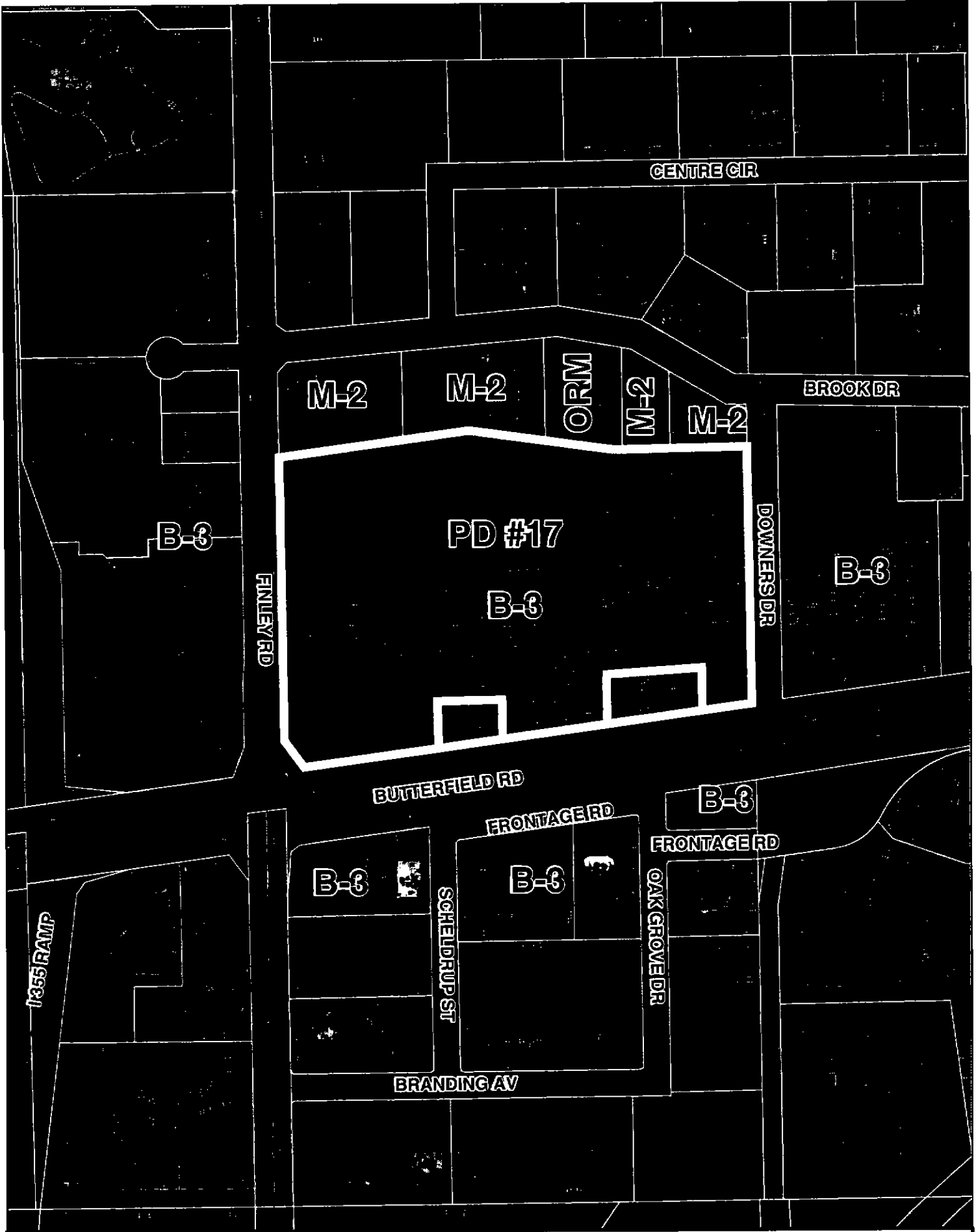
1. Substantial compliance with all applicable provisions of the original and subsequent amendments to Planned Development No. 17;
2. The third (westerly) parking island adjacent to the Portillo's on the east should be landscaped as part of the efforts to increase the overall Center greenspace;
3. All storage of refuse shall occur completely in appropriate and architecturally compatible enclosures at all times;
4. Loading/unloading operations, including refuse, shall occur on site and not obstruct or hinder safe parking and site circulation for the Center for vehicles and pedestrians;
5. Any temporary outdoor uses that may require the temporary non-availability of parking spaces in the Center must be coordinated with the Village;
6. Compliance with all Public Works requirements and conditions as outlined in their memorandum dated July 22, 2004 and the Fire Prevention Division memorandum dated July 26, 2004;
7. Any changes to the conditions represented by the Petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. The Village reserves the right to re-open its review process upon receipt of such information; and
8. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, and Village laws, ordinances, regulations, and policies.



: Joseph Skach, AIA, AICP, NCARB
Director, Planning and Community Development

Attachments

- c: Riccardo Ginex, Village Manager
- David Barber, Director, Public Works
- Don Rosenthal, Director, Code Services
- Howard Hoffman, Chief, Fire Prevention Division
- File



1500 Butterfield Road, PC-17-04
 Planning & Community Development

Legend

 Selected Property
 1998 Aerials





**INTEROFFICE CORRESPONDENCE
DEPARTMENT OF PUBLIC WORKS**

RECEIVED

JUL 23 2004

Planning and Community
Development

TO: Joseph P. Skach, AIA, AICP, Director of Planning & Community Development
FROM: David H. Barber, P.E., Director of Public Works *DHB*
BY: Michael D. Millette, P.E., Asst. Director of Public Works – Engineering
Jonathan C. Hall, P.E., Development Engineering Manager *JCH*
DATE: July 22, 2004
RE: ZBA Petition - Zoning Variation Request for Second Floor Addition
24 2nd Street
Public Works Department **1st Review**

Documents Reviewed:

- Petition for Variation dated 7/21/04
- Correspondence from architect, C.B. Designs dated 1/8/04
- Architectural drawings
- Plat of Survey dated 1/23/02
- Neighbor Address Listing

Attachments:

- None

Public Works Review Summary:

Division	Representative	Date	Conclusion	Comments included
Public Works	D. Barber	7/02/04	No Comments	
Engineering	M. Millette	7/07/04	No Comments	
Stormwater	J. Hall	7/22/04	Place on Agenda	X
Water	D. Bird	7/1/04	No Comments	
Traffic	D. Fera	7/1/04	No Comments	
Forestry	K. von der Heide	-	No Comments	
Pavement	R. Ebel	-	No Comments	

Findings:

The Public Works Department concurs with placement of the subject petition on the ZBA Agenda at this time.

Public Works Department Review Details:

Engineering Review Comments:

No comments.

Stormwater Review Comments:

No Wetlands, Flood Plains, or Localized Poor Drainage Areas are located on the site, nor are they affected by the subject development. Because the addition is on the second floor only, the quantity of stormwater runoff from the site should not be affected.

Traffic Review Comments:

No comments.

Forestry Review Comments:

No comments.

Water Division Review Comments:

No comments.

c: PW Division Managers
Director of Code Services
Stormwater Management Engineer
S. Connell, Administrative Technician

RECEIVED

JUL 23 2004

Planning and Community
Development

**VILLAGE OF DOWNERS GROVE
INTEROFFICE MEMORANDUM**

TO: Joe Skach, Director of Planning and Community Development
Amanda Browne, Village Planner

FROM: Dorin Fera, Traffic Engineering Manager

DATE: July 22, 2004

RE: **Traffic Review
Portillo's Expansion
Finley Square Mall**

Based on our recent review of the proposed plans at the subject location, the Traffic Division has the following comments:

Current Conditions of Approval

- Based on staff field reviews and a meeting held with the petitioner on July 1, 2004, the following comments are offered:
 1. There is no need for a complete parking utilization study, nor peak daily and weekend counts. The Portillo's traffic and parking operation is well-established and has operated at this location for many years.
 2. The petitioner will be enhancing their pick-up operation to provide dual lanes for vehicles to use. Portillo's employees will literally be delivering the customers' purchases to them in the pick-up line, in an effort to expedite the vehicles through. This is a positive improvement to their operation.
 3. There no traffic or parking advantage to changing the drive-up location from the west side to the east side. Vehicles literally come to the drive-up location from all possible directions.
 4. The proposed 77 new seats are being added to provide seating to current customers that now must stand during their visit. The potential traffic and parking impacts as a result of the proposed addition of these new seats, would be negligible when compared with the existing parking, traffic flow, and access conditions already on this site.
 5. In this analysis, staff has observed circulation and general access deficiencies pertaining to the mall as a whole. These issues should be discussed and followed-up with the mall owners as soon as practicable. However, the Portillo's petition is acceptable as presented, and no further traffic or parking modifications are needed from them.
 6. The Traffic Division has no other comments, and recommends approval for submittal to Plan Commission and Village Council.



**INTEROFFICE CORRESPONDENCE
DEPARTMENT OF PUBLIC WORKS**

APR 14 2004

**Planning and Community
Development**

TO: Joseph P. Skach, AIA, AICP, Director of Planning & Community Development
FROM: David H. Barber, P.E., Director of Public Works
BY: Michael D. Millette, P.E., Asst. Director of Public Works – Engineering
Jonathan C. Hall, P.E., Development Engineering Manager *JCH*
DATE: April 7, 2004
RE: Planning / Zoning Petition for Special Use Amendment
Proposed Restaurant Addition – 1500 Butterfield Rd – Portillo's
Public Works Department **1st Review**

Documents Reviewed:

- Architectural Plans dated 2/10/04
- Landscape Plan dated 1/14/97
- ALTA / ACSM Land Title Survey

Attachments:

- Traffic Comments

Public Works Review Summary:

Division	Representative	Date	Conclusion	Comments included
Engineering	M. Millette	4/7/04	No comments	
Stormwater	J. Hall	3/31/04	Place on PC Agenda	
Water	D. Bird	3/15/04	No comments	
Traffic	D. Fera	4/02/04	See attached	X
Forestry	K. von der Heide	3/24/04	Approval as noted	X
Pavement	R. Ebel	4/02/04	None required	

Public Works Department Review Details:

Stormwater Review Comments:

Stormwater issues will be addressed during the building / stormwater permit review phase. Applicable fees and security will be required at that time.

Forestry Review Comments:

The proposed addition will cause the removal of landscape previously approved; however the remaining landscape should still make the area look attractive.

c: PW Division Managers
Director of Code Services
Stormwater Management Engineer

VILLAGE OF DOWNERS GROVE
INTEROFFICE MEMORANDUM

TO: Joe Skach, Director of Planning and Community Development
Amanda Browne, Village Planner
FROM: Dorin Fera, Traffic Engineering Manager
DATE: April 2, 2004
RE: Traffic Review
Portillo's Expansion
Finley Square Mall

Based on our recent review of the proposed plans at the subject location, the Traffic Division has the following comments:

Recommended Conditions of Approval

- The ALTA survey (dated 4-26-95) and the Mall Usage Plan survey do not match. Please update and correct this condition.
- The Mall Usage Plan sheet is incomplete. It needs to show a parking utilization table.
- With proposed 77 new seats, a complete parking utilization study needs to be done for the entire mall west of Downers Drive. Peak daily and weekend counts would be required.
- Identify the number of proposed employees, and their designated parking location.
- Provide a traffic routing plan for peak service, i.e. how drive-up service is proposed to be handled and how east-west aisles are kept clear of queuing vehicles.



**DOWNERS GROVE FIRE DEPARTMENT
PREVENTION DIVISION**

801 Burlington Ave., Downers Grove, IL 60515
Phone: 630-434-5983 Fax: 630-434-5593



SITE PLAN REVIEW

FILE COPY

07/26/04

To: Keith Sbiral, Planner

From: Howard Division Chief

Re: Proposed addition 1500 Butterfield Road

.....
Keith,

The Fire Department has reviewed the proposed site plan for the proposed addition to 1500 Butterfield with the following comments:

-Complete architectural, fire alarm, and fire sprinkler plans shall be submitted **prior** to permit approval.

- **Site Plan is approved.**

This is a review for fire protection and prevention concerns **only**. Other village departments may have issues that need to be addressed. Please feel free to call me at 434-5983 with any questions or concerns.

Sincerely,

Howard Hoffman
Division Chief
Downers Grove Fire Department
Prevention Division



DOWNERS GROVE FIRE DEPARTMENT PREVENTION DIVISION

801 Burlington Ave., Downers Grove, IL 60515
Phone: 630-434-5983 Fax: 630-434-5593



SITE PLAN REVIEW

FILE COPY

RECEIVED

MAY 25 2004

Planning and Community
Development

05/25/04

To: Keith Sbiral, Planner

From Howard Hoffman, Division Chief

Re: Proposed addition 1500 Butterfield Road

.....

Keith ,

The Fire Department has the following comments regarding the proposed addition to 1500 Butterfield.

- Petitioner needs to provide drawings that indicate extension of all the existing buildings fire protection features into the addition. (Detailed drawings shall be submitted before permit approval.)
- Petitioner shall provide revised occupancy calculations for the building with the addition.
- Petitioner shall provide calculations for exits indicating adequate number and size of exits.
- Petitioner shall provide revised hydraulic calculations indicating the addition to the buildings sprinkler system can support the additional number of sprinkler heads.

This is a fire prevention and fire protection plan review only. Other village departments may have additional concerns. Any questions on this review feel free to contact me at 630 434-5983.

Sincerely ,

Howard Hoffman
Division Chief
Downers Grove Fire Department
Prevention Division



DOWNERS GROVE FIRE DEPARTMENT PREVENTION DIVISION

801 Burlington Ave., Downers Grove, IL 60515
Phone: 630-434-5983 Fax: 630-434-5593



SITE PLAN REVIEW

FILE COPY

03/15/04

To: Keith Sbiral, Planner

From Howard Hoffman, Division Chief

Re: Proposed addition 1500 Butterfield Road

.....

Keith ,

The Fire Department has the following comments regarding the proposed addition to 1500 Butterfield.

- Petitioner needs to provide drawings that indicate extension of all the existing buildings fire protection features into the addition. (Detailed drawings shall be submitted before permit approval.)
- Petitioner shall provide revised occupancy calculations for the building with the addition.
- Petitioner shall provide calculations for exits indicating adequate number and size of exits.
- Petitioner shall provide revised hydraulic calculations indicating the addition to the buildings sprinkler system can support the additional number of sprinkler heads.

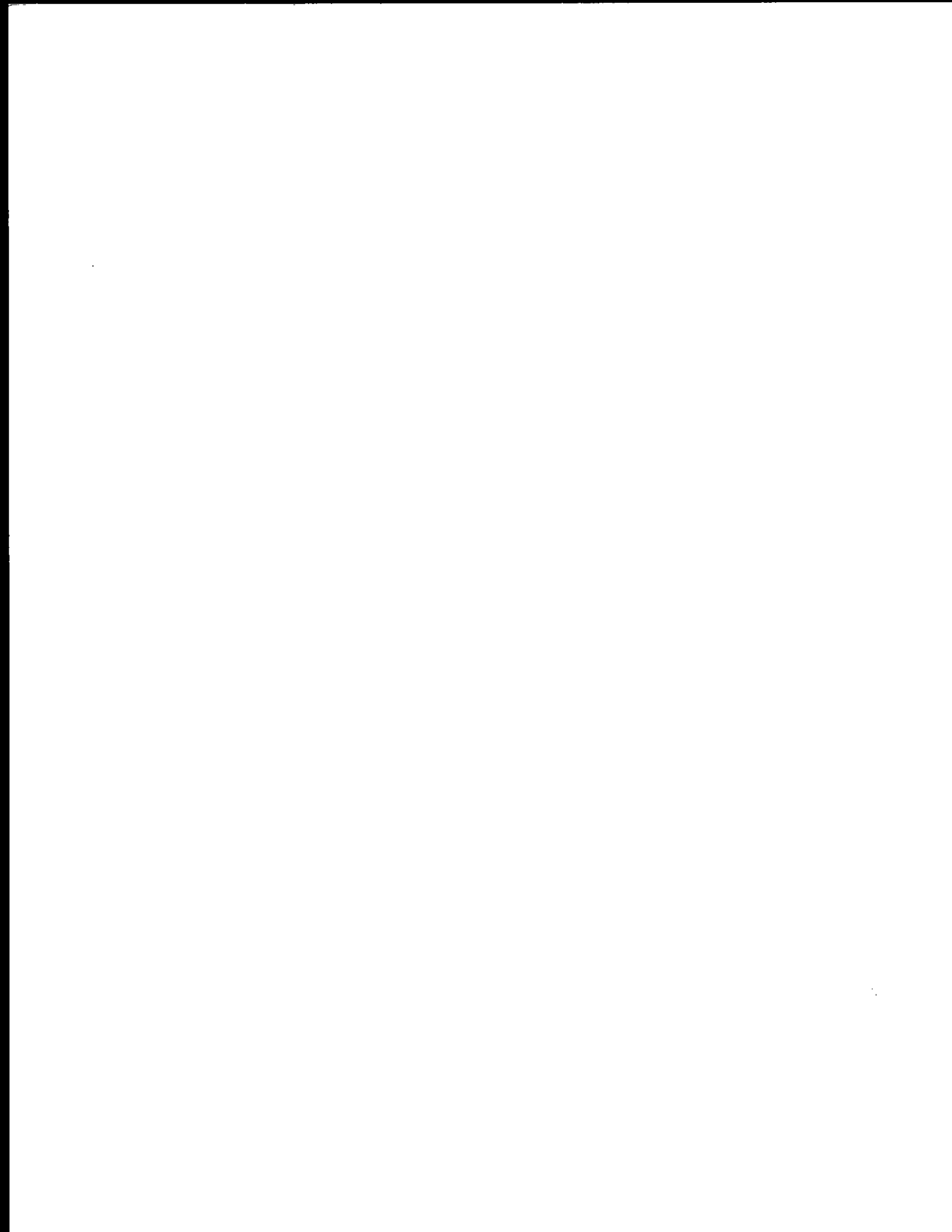
This is a fire prevention and fire protection plan review only. Other village departments may have additional concerns. Any questions on this review feel free to contact me at 630 434-5983.

Sincerely ,

Howard Hoffman
Division Chief
Downers Grove Fire Department
Prevention Division



PC-17-04
ATTACHMENTS



RECEIVED

JUL 21 2004

**Planning and Community
Development**

Village of Downers Grove
Department of Planning and Community Development
801 Burlington Avenue
Downers Grove, IL 60515

RE: Portillo's Hot Dogs, Inc., 1500 Butterfield Road, Downers Grove, IL
Finley Square Mall Planned Development No. 17
Proposed Restaurant Addition and Parking Amendment

Dear Plan Commission Members:

Thank you for the opportunity to submit for your consideration our plan for the proposed addition to the Portillo's Hot Dog restaurant located at 1500 Butterfield Road, in the Finley Square Mall. This property is subject to Commercial Plan Development Number 17 (PC File 253; Ord. No. 2080) approved July 18, 1977. The existing Portillo's restaurant was approved on February 16, 1998 as part of a Planned Development Amendment (PC File 1015, Ord. No. 4007). As a result, an amendment to the existing Planned Development is required.

Project summary: The project itself is very simple. We are requesting an "L" shaped addition on the southwest corner of our building, which is proposed as two phases (see drawing C-3 for plan, dimensions, delineation of phases, and area summaries). Phase 1 is an addition for coolers that is 20 ft. long and 13'-4" wide or 274 sq. ft. and is located on the south wall of the building, just east of the centerline of the building. Phase 2 is an addition to expand the dining room, which will wrap around the southwest corner of the building in an 'L' shape. We proposed to construct a new west wall that is 43'-0" long located 12'-8" west of the existing west wall and a new south wall that is 54'-0" long located 10'-0" south of the existing south wall and will align with the south wall of the Phase 1 cooler addition. The total area of the Phase 2 addition is 957 sq. ft. The total area of the Phase 1 and 2 additions is 1,231 square feet. As a result of this addition, the parking also required a slight modification. The overall parking count for the shopping center site is reduced by just one parking space. This was accomplished by reducing the number handicapped parking stalls from 25 to 22, for use as unrestricted parking. The required number of handicap spaces is 22 so the center is in compliance with ADA and the State of Illinois Accessibility Code.

This addition allows Portillo's to expand its existing salad bar to allow for a greater product selection, the relocation of coolers to the southeast corner to allow for additional space in the kitchen area for food preparation. In order to remain competitive, Portillo's consistently considers its product mix, making changes or additions to the food offered to customers. Portillo's also maintains a keen focus on the safety and sanitation process for its food preparation. These additions allow Portillo's adequate space to ensure that its menu remains attractive to the public, and meet all foodservice sanitation requirements. Finally, the addition allows for an additional 77 seats (net) with total seating increasing from 313 to 390 (*See also sheet Code-1*). This will allow for reduced congestion in the restaurant during peak times.

Compliance with Village Code and Planned Development: The proposed addition and parking reconfiguration conforms to the provisions of the Zoning Ordinance and Plan Amendment.

- Density: Does not apply
- Dimension: Does not apply
- Area: Refer also to sheet Code-1
 - Allowable Building Area with Sprinkler System = 24,000 sq. ft.
 - Existing Building Area of Restaurant Level = 7,587 sq. ft.
 - Area of Phase 1 and Phase 2 Additions = 1,231 sq. ft.
 - Building Area of Restaurant Level
after Phase 1 and Phase 2 Additions = 8,818 sq. ft.
- Bulk: Refer also to sheet C-3, Proposed Site Plan
 - The addition to the south maintains the 25 ft. building setback requirement off of Butterfield Road, as shown on sheet C-3.
 - The addition on the west of the building is well within the west side-yard setback requirements.
 - The north and east sides of the building are not changed so there is no change.
 - Height of the addition is 14'-0" which is less than the existing height of the building so there is no change to the building height. (see A-4)
- Use: the Future Land Use Plan designates the property as commercial and the property is zoned B-3, General Services and Highway Business District. The current use conforms with this designation and the proposed addition and parking reconfiguration does not alter this use.
- Green Space: Please refer to Existing Site Plan, sheet C-2, for green space summaries and both the Existing Landscape Plan, sheet L-1, and the Proposed Landscape Plan, sheet L-2, all dated 15 July 2004 as prepared by Mackin Associates "Submitted to the Village of Downers Grove". These illustrate that only 200 sq. ft. or 00.02% of Shopping Center Greenspace is lost. Portillo's site and overall Mall—remains in compliance with Village requirements.
- Parking: Please refer to sheets C-1, Lease Plan - Existing, C-2, Existing Site Plan, and C-3, Proposed Site Plan, Parking Requirements, & Calculations, dated 15 July 2004 as prepared by Mackin Associates "Submitted to the Village of Downers Grove". The addition results in parking modifications with the loss of only one parking space for the entire Shopping Center. *(There is a current surplus of 71 parking spaces in the Shopping Center.)* This was accomplished by converting excess handicapped parking into unrestricted spaces in the immediate vicinity of Portillo's entrance. Portillo's is committed to meeting ADA requirements, which is the reason it had previously provided excess handicapped spaces. However, in order to maintain its reputation for quality products, we believe that the reduction of the Portillo's handicapped parking from (8) eight to (5) five is justified. The end result is that Portillo's remains one handicapped space over the number of (4) required under the ADA and the Illinois Accessibility Code. After the addition, the Mall as a whole also remains in compliance with 22 handicapped spaces (22 required per ADA and the Illinois Accessibility Code) and 1,127 regular spaces. *(There will be a surplus of 70 parking spaces in the Shopping Center)*

Very truly yours,

Portillo's Hot Dogs, Inc.

By: _____

Public Convenience and general welfare: Portillo's provides a great place to have a meal at a reasonable price for those who work, live or shop in the area. This addition allows Portillo's to provide greater menu alternatives and maintain its high sanitation standards. The addition is in the interest of public convenience and contributes positively to the general welfare of the neighborhood and community.

Health, Safety and property values: The Portillo's addition will not be detrimental to the health, safety, morals or general welfare of people who live, work or shop in the area or be injurious to property values. The addition will help Portillo's to maintain its sales, so that substantial sales tax will continue to the Village. Further, the addition will help to maintain the value of the building and the Mall.

Special Use: The use of this site by Portillo's will remain consistent with its prior use, and is a permitted use under the applicable Village Code and Ordinances.

Harmony with development of the District: The proposed addition is in harmony with the appropriate and orderly development of the district in which it is located. The Mall entrance is configured with a light off of Butterfield, with a secondary light for access into the Mall. Portillo's along with the other tenants in the Mall provides shoppers with a valuable alternative to Oak Brook or York Town malls.

Use and enjoyment of other property in area: The location of Portillo's on an outlot provides for adequate traffic control and parking so that customers can visit their favorite retail shops and stop for a quick bite to eat in the same trip.

Use of adjacent land and structures: Finley Square Mall is fully developed, with an adequate mix of uses. The addition and parking modification does not negatively impact current tenants and should not impact any replacement of existing tenants with tenants of a similar commercial nature.

Adequate Utilities and facilities: The utilities, access roads, drainage and other necessary facilities for the Mall were adequately provided for when approved as a Planned Development, and as amended from time to time. The addition does not increase or negatively impact the utility usage, drainage and other necessary facilities.

Parking: As previously reviewed, the Portillo's addition and parking modification meets the Village and ADA requirements and is of adequate size. There is no adjoining residential use, so that suitable screening is not an issue.

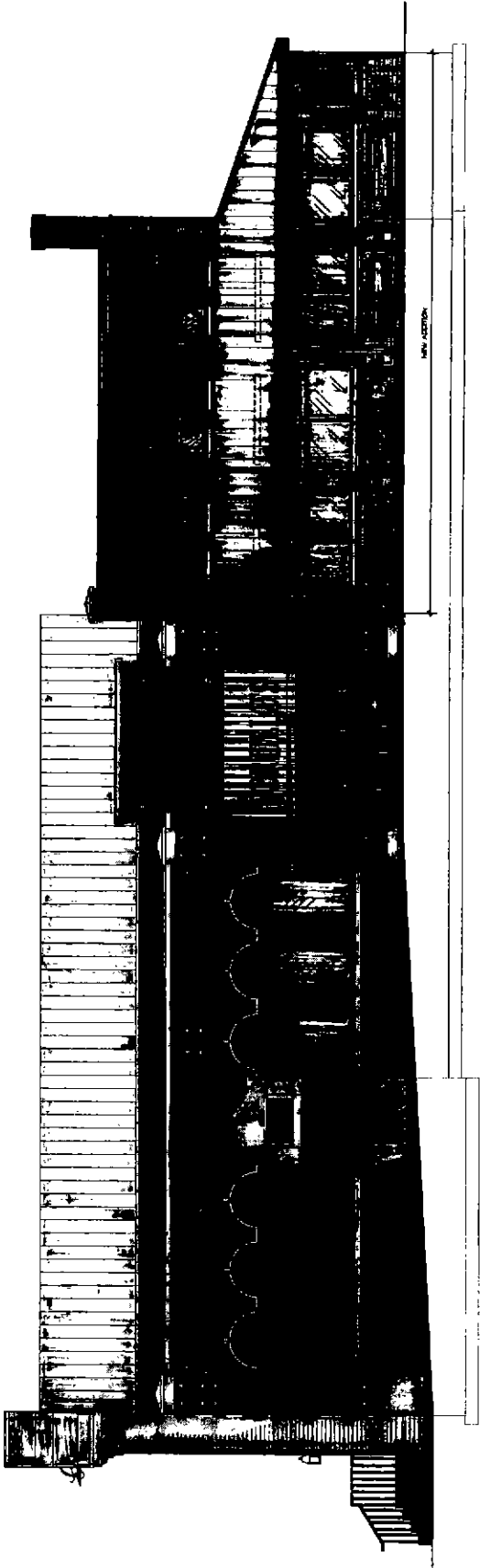
Conformance with applicable regulation: As previously discussed, the Portillo's addition and parking modification is in compliance with all applicable regulation of the zoning district in which it is located.

We trust that upon review, you will approve the proposed amendment to the Planned Development Amendment allowing the Portillo addition and parking modification. We thank you for your time and dedication.

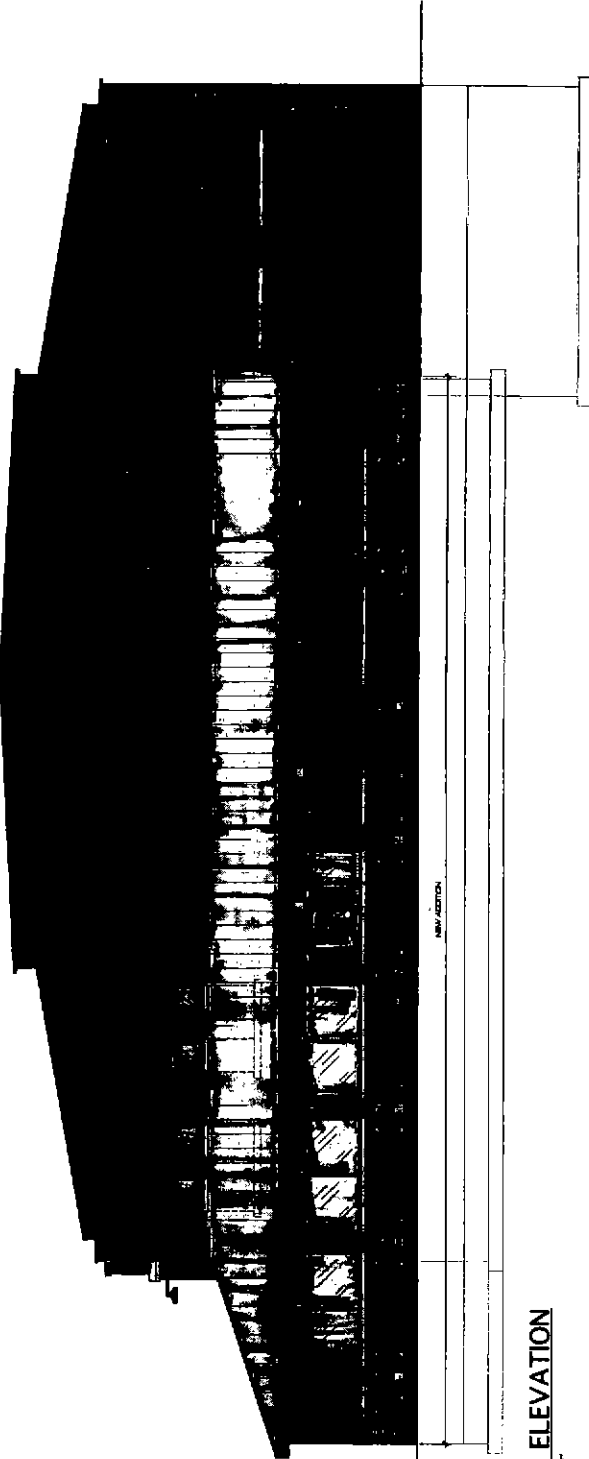
MERCURY STUDIOS, INC.
2548 W. CORNELL ST. CHICAGO, IL 60622
PH. (773) 295-8216 FAX. (773) 295-8218

PORTILLO'S HOTDOGS
DOWNERS GROVE

PROJECT NO. _____
SCALE 1/4"=1'-0"
DATE _____
DRAWN BY _____
CHECKED BY _____
FILE COPY
RECEIVED
MAY 13 1994
PERMISSION TO REPRODUCE THIS DRAWING IS GRANTED BY THE ARCHITECT FOR THE CLIENT'S USE ONLY.



WEST ELEVATION
SCALE 1/4"=1'-0"



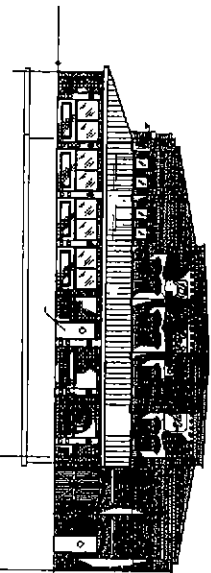
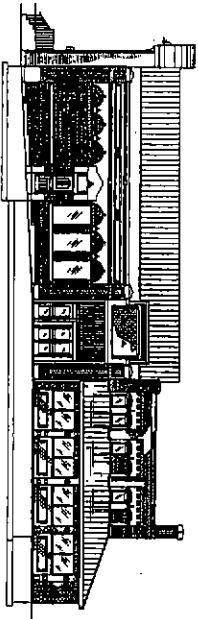
SOUTH ELEVATION
SCALE 1/4"=1'-0"

PORTILLO'S - DOWNERS GROVE

PROPOSED ADDITION

Finley Square Shopping Center

1500 Butterfield Road
Downers Grove, Illinois



THE PORTILLO RESTAURANT GROUP

2001 Spring Road Suite 500
Oak Brook, Illinois 60523-2032

INDEX OF DRAWINGS

PL	TITLE SHEET - LAND PROJECT OR DRAWINGS
PS	PROPOSED SITE PLAN
CS	EXISTING SITE PLAN
CI	CONCRETE CONSTRUCTION
CE	MECHANICAL ELECTRICAL PLUMBING
LI	LANDSCAPE ARCHITECTURE
LA	LANDSCAPE ARCHITECTURE - PLANTING
LI	LANDSCAPE ARCHITECTURE - HARDSCAPE
LI	LANDSCAPE ARCHITECTURE - SIGNAGE
LI	LANDSCAPE ARCHITECTURE - LIGHTING
LI	LANDSCAPE ARCHITECTURE - FURNITURE
LI	LANDSCAPE ARCHITECTURE - MATERIALS
LI	LANDSCAPE ARCHITECTURE - SPECIFICATIONS
LI	LANDSCAPE ARCHITECTURE - NOTES
LI	LANDSCAPE ARCHITECTURE - LEGEND
LI	LANDSCAPE ARCHITECTURE - INDEX

MACKIN ASSOCIATES

Architects —
3.5 Prospect, Suite 4
Park Ridge, Illinois 60068
847-485-8414

Mercury Studios, Inc.

Building & Interior Design
2548 West Cortez Street
Chicago, Illinois 60622
773-395-8216

RECEIVED

AUG 04 2004

Planning and Community
Development

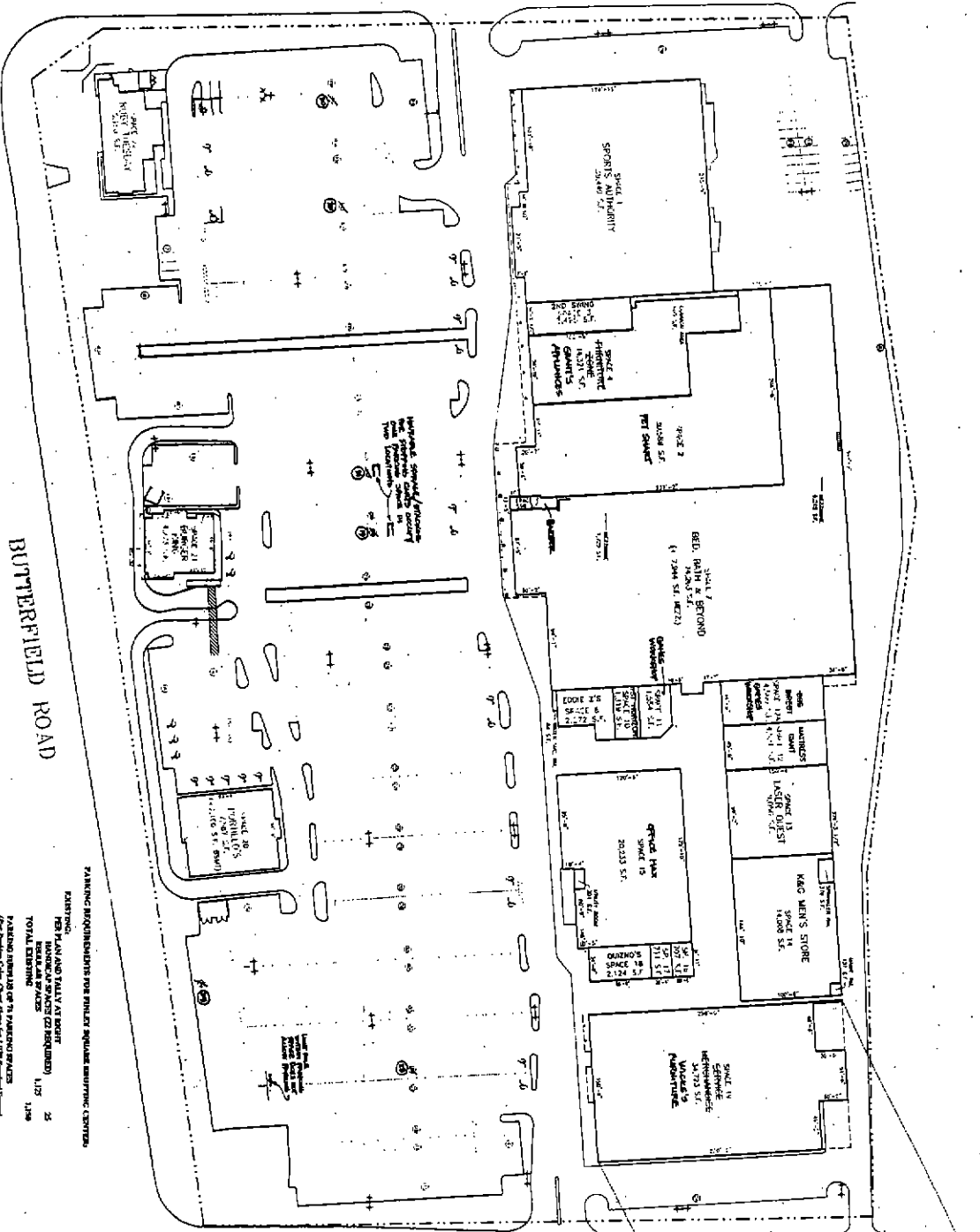
PREPARED 2 Aug 2004
15 JULY 2004

SUBMITTAL TO THE
VILLAGE OF DOWNERS GROVE

T-1

05-18-04

FINLEY ROAD



LEASE PLAN - EXISTING

PARKING REQUIREMENTS FOR FINLEY SQUARE SHOPPING CENTER

EXISTING:

PER PLAN AND TRUCK AT RIGHT: 25

REARLAND SPACES (AS REQUIRED): 1,127

TOTAL EXISTING: 1,152

PARKING REQUIREMENTS OF 79 PARKING SPACES (Per Parking Code Chapter 167.000 - 167.005)

PROVIDE:

REARLAND SPACES (AS REQUIRED): 22

REARLAND SPACES (INDICATED BY 'R'): 1,127

TOTAL PROPOSED (INDICATED BY 'P'): 1,149

PARKING SPACES OF 79 PARKING SPACES (Per Parking Code Chapter 167.000 - 167.005)

DOWNERS DRIVE

FINLEY SQUARE PARKING CALC

NO.	DESCRIPTION	AREA (SQ. FT.)	TYPE	REQUIREMENTS	REMARKS
1	REARLAND SPACES	1,127	REARLAND	1:1	AS REQUIRED
2	PER PLAN AND TRUCK AT RIGHT	25	TRUCK	1:1	AS REQUIRED
TOTALS		1,152			

15 JULY 2004

SUBMITTAL TO THE VILLAGE OF DOWNERS GROVE

LEASER PLAN - EXISTING

Project: FINLEY SQUARE SHOPPING CENTER

Submitted To: VILLAGE OF DOWNERS GROVE

Submitted Date: 7/15/04

Prepared By: [Signature]

Checked By: [Signature]

Approved By: [Signature]

Scale: AS SHOWN

Sheet No. 1 of 1

RECEIVED

AUG 0 4 2004

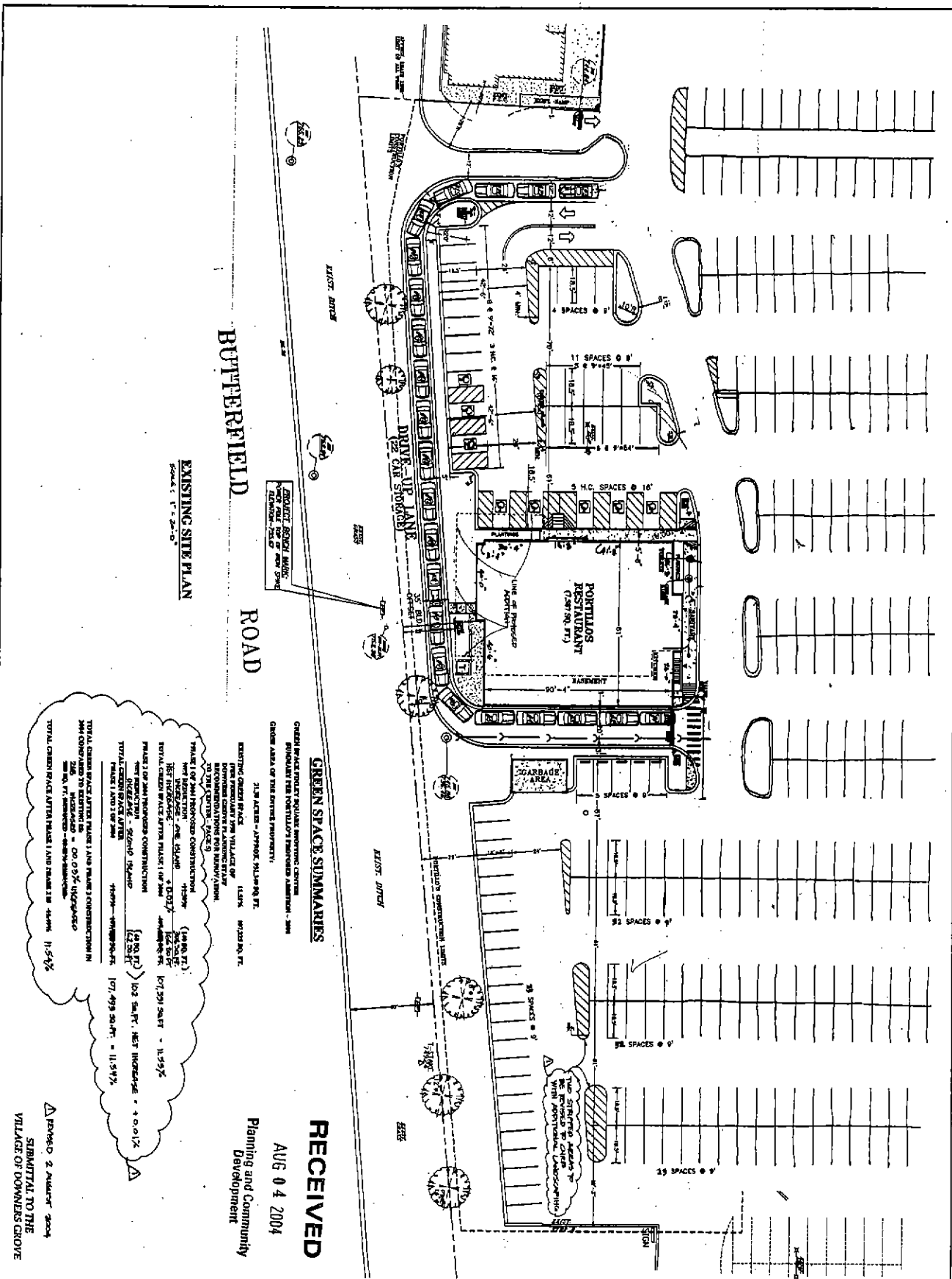
Planning and Community Development

1578

PARKING SPACES CURRENTLY AVAILABLE: 1,152

TOTAL EXISTING SPACES: 71

Prepared by: [Signature]



EXISTING SITE PLAN
Scale: 1" = 20'-0"

BUTTERFIELD ROAD

GREEN SPACE SUMMARIES

GREEN SPACE FINLEY SQUARE SHOPPING CENTER
 PROPOSED FOR PORTILLO'S RESTAURANT - 2004
 GREEN AREA OF THE ENTIRE PROPERTY:
 21.8 ACRES - APPROX. 1,143,000 SQ. FT.

EXISTING GREEN SPACE FROM VILLAGE OF DOWNERS GROVE
 RECOMMENDATIONS FOR IMPROVEMENTS:
 1. IMPROVE EXISTING GREEN SPACE WITH PLANTINGS AND LANDSCAPING.
 2. ADD NEW GREEN SPACE WITH PLANTINGS AND LANDSCAPING.
 3. ADD NEW GREEN SPACE WITH PLANTINGS AND LANDSCAPING.
 4. ADD NEW GREEN SPACE WITH PLANTINGS AND LANDSCAPING.
 5. ADD NEW GREEN SPACE WITH PLANTINGS AND LANDSCAPING.

PHASE 1 OF 2ND PROPOSED CONSTRUCTION
 NET INCREASE: 1.00 ACRES (43,560 SQ. FT.)
 TOTAL GREEN SPACE AFTER PHASE 1: 1.00 ACRES (43,560 SQ. FT.)
 NET INCREASE: 1.00 ACRES (43,560 SQ. FT.)
 TOTAL GREEN SPACE AFTER PHASE 1: 1.00 ACRES (43,560 SQ. FT.)

PHASE 2 OF 2ND PROPOSED CONSTRUCTION
 NET INCREASE: 1.00 ACRES (43,560 SQ. FT.)
 TOTAL GREEN SPACE AFTER PHASE 2: 2.00 ACRES (87,120 SQ. FT.)
 NET INCREASE: 2.00 ACRES (87,120 SQ. FT.)
 TOTAL GREEN SPACE AFTER PHASE 2: 2.00 ACRES (87,120 SQ. FT.)

TOTAL GREEN SPACE AFTER PHASE 1 AND PHASE 2 CONSTRUCTION IN 2004
 NET INCREASE: 2.00 ACRES (87,120 SQ. FT.)
 TOTAL GREEN SPACE AFTER PHASE 1 AND PHASE 2: 2.00 ACRES (87,120 SQ. FT.)

RECEIVED
AUG 04 2004

Planning and Community Development

APPROVED & SUBMITTED
SUBMITTAL TO THE VILLAGE OF DOWNERS GROVE

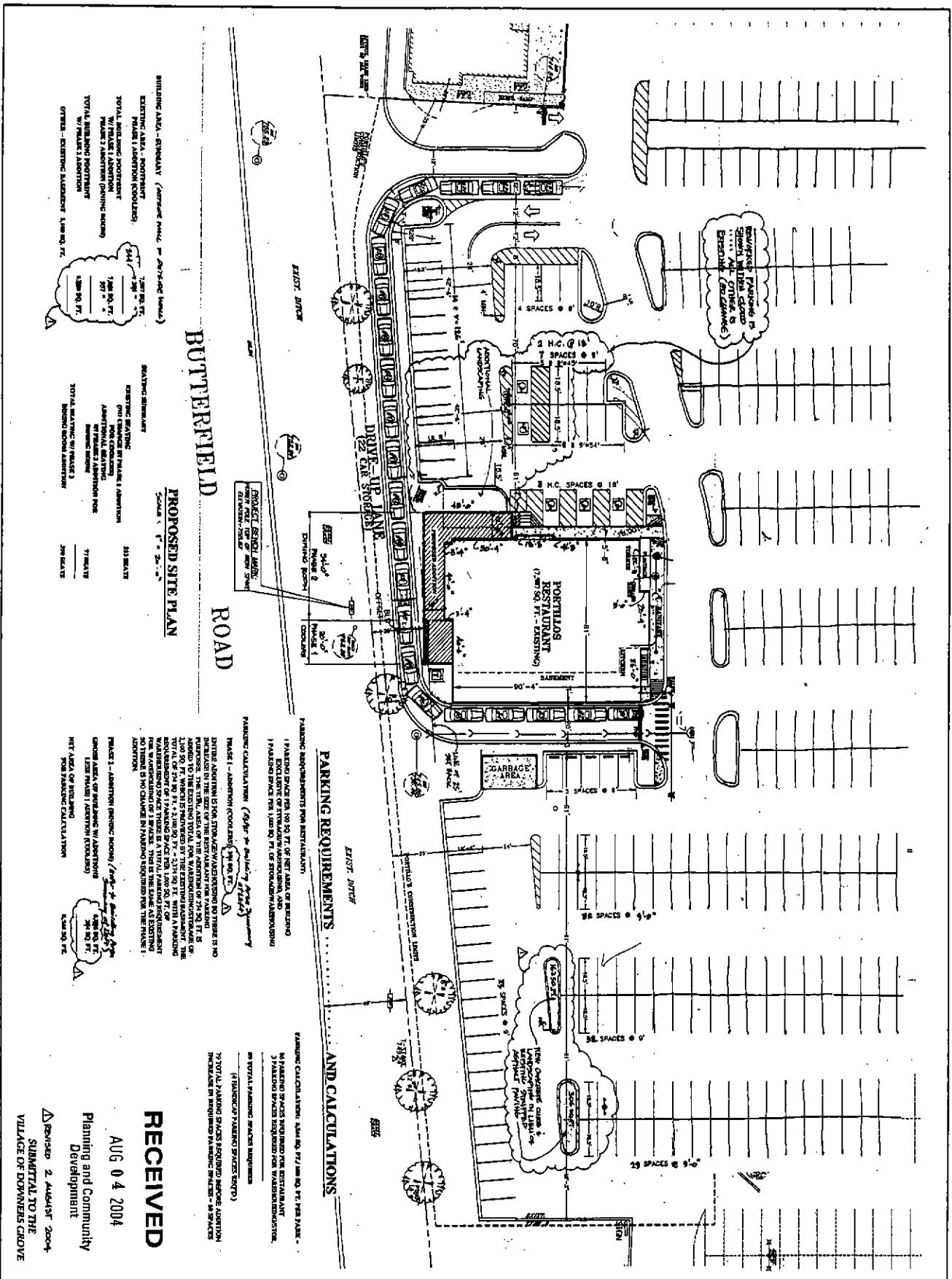
DATE: 15 JULY 2004
SHEET: C-2

DRAWING TITLE: EXISTING SITE PLAN
DRAWING NO.: 15000000

The Portillo Restaurant Group
 2001 Spring Road
 Suite 500
 Oak Brook, Illinois 60525-2032
 830-554-3773
 Web Site: www.portillo.com

PORTILLO'S - DOWNERS GROVE
 PROPOSED ADDITION
 FINLEY SQUARE SHOPPING CENTER
 1801 N. Butterfield Road
 Downers Grove, Illinois

MACKIN ASSOCIATES ARCHITECTS
 Pickwick Theater Building
 3 S. Prospect, Suite 4
 Park Ridge, Illinois 60068
 847-685-8414



BUTTERFIELD ROAD

PROPOSED SITE PLAN

EXISTING AREA - RESTAURANT (Approved 2004 by City of Downers Grove)

EXISTING AREA - RESTAURANT: 17,547 SQ. FT.
 TOTAL BUILDING FOOTPRINT: 17,547 SQ. FT.
 TOTAL BUILDING FOOTPRINT W/ PARKING: 17,547 SQ. FT.
 OTHER - EXISTING BUILDING: 1,400 SQ. FT.

EXISTING RESTAURANT

EXISTING RESTAURANT: 17,547 SQ. FT.
 ADDITIONAL RESTAURANT: 11,000 SQ. FT.
 TOTAL RESTAURANT: 28,547 SQ. FT.

PARKING REQUIREMENTS AND CALCULATIONS

EXISTING RESTAURANT: 17,547 SQ. FT. - 175 PARKING SPACES
 NEW RESTAURANT ADDITION: 11,000 SQ. FT. - 110 PARKING SPACES
 TOTAL PARKING SPACES REQUIRED: 285 PARKING SPACES

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AUG 04 2004

Planning and Community Development

REMITTED TO THE VILLAGE OF DOWNERS GROVE

Sheet: **C-3**

Date: **15 JULY 2004**

Project: **PROPOSED SITE PLAN FOR PORTILLO'S RESTAURANT ADDITION**

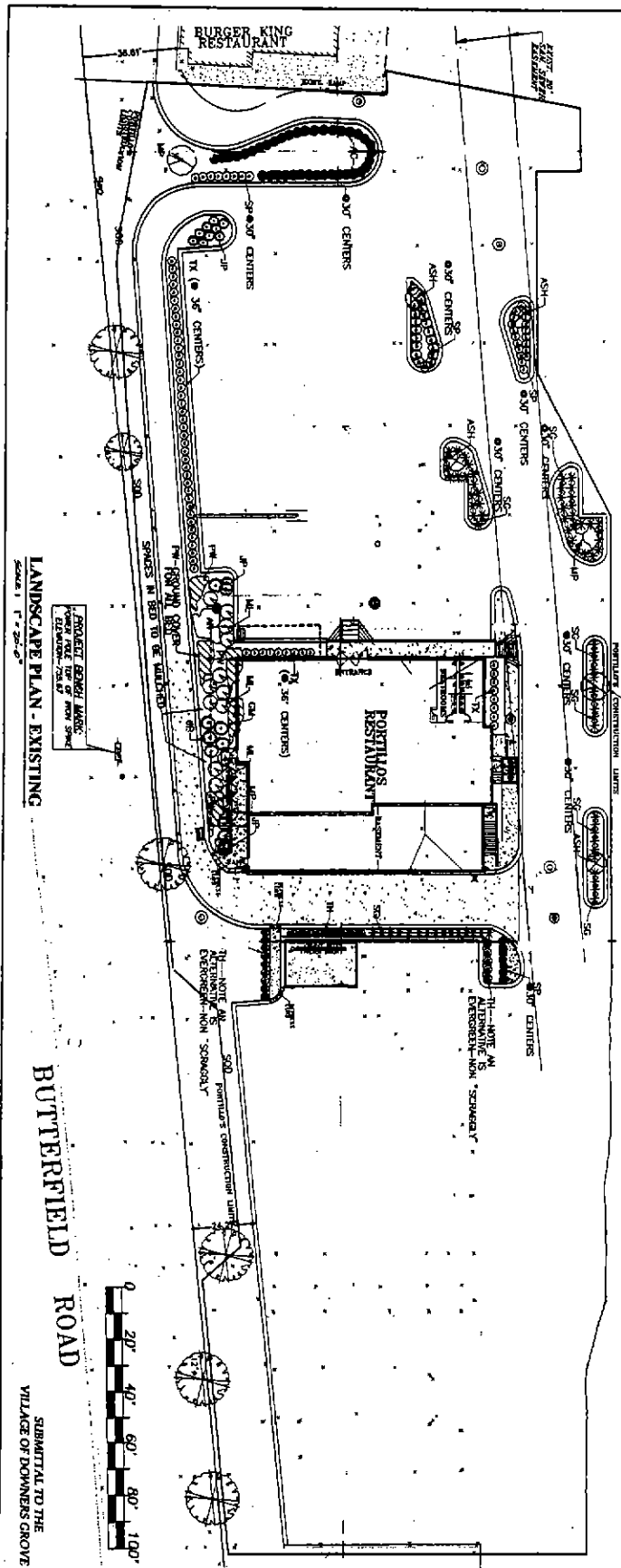
The Portillo Restaurant Group
 2001 Spring Road
 Suite 500
 Oak Brook, Illinois 60521-2032
 630-556-3773
 Web Site: www.portillos.com

PORTILLO'S - DOWNERS GROVE
 PROPOSED ADDITION
 FINLEY SQUARE SHOPPING CENTER
 1500 W. Butterfield Road
 Downers Grove, Illinois

MACKIN ASSOCIATES
 ARCHITECTS
 Picknick Theater Building
 3 S. Prospect, Suite 4
 Park Ridge, Illinois 60068
 847-685-9414

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 AUG 04 2004
 Planning and Community
 Development

- LANDSCAPING LEGEND**
- ⊗ 1/2" CALIBER ADAMS TOWERING CORYMPHE-MALUS ADAMS
 - ⊗ ASH FRANKS PENNSYLVANICA LAMCOCOLA WITH 6" CLEAR TRUNK
 - ⊗ 2 1/2" CALIBER, PROCUSSION CORYMPHE-MALUS PROCUSSION
 - ⊗ TX 2 1/2" DENSE NEW-TAXUS MEDIA DENSITRUNKUS
 - ⊗ SC 2 1/2" SARGENT GREEN JAMNPER CON
 - ⊗ SP 1 1/2" SPYGLASS BARKHOL-ANTHONY WATERER
 - ⊗ HP 2 1/2" HUGHES JAMNPER-JAMNPERUS HORIZONTALIS
 - ⊗ AC 2 1/2" ALPINE CUMMANT-NIBES-ALPINA
 - ⊗ TH 4" TALL HEDGE-TRIMMUS GRANICOLA
 - ⊗ ML 2 1/2" L. BLACK-SPYGLASS PATILLA
 - ⊗ FW 1 GAL. FERRELL-TRINCA MINOR (FOR WHOLE BED)
 - AN ANNUALS
 - ON GRADE W



LANDSCAPE PLAN - EXISTING
 SCALE: 1" = 20'-0"

BUTTERFIELD ROAD
 SUBMITTAL TO THE
 VILLAGE OF DOWNERS GROVE



Sheet: **L-1**

Date: **15 JULY 2004**

Drawing Title:
**LANDSCAPE PLAN
 EXISTING**

The Portillo Restaurant Group
 2001 Spring Road
 Suite 500
 Oak Brook, Illinois 60521-2032
 630-654-3773
 Web Site: www.portillos.com

PORTILLO'S - DOWNERS GROVE
 PROPOSED ADDITION
 FINLEY SQUARE SHOPPING CENTER
 1500 W. Butterfield Road
 Downers Grove, Illinois

MACKIN ASSOCIATES
 ARCHITECTS
 Pickwick Theater Building
 3 S. Prospect, Suite 4
 Park Ridge, Illinois 60068
 847-685-8414

RECEIVED

AUG 04 2004

Planning and Community Development

CODE INFORMATION

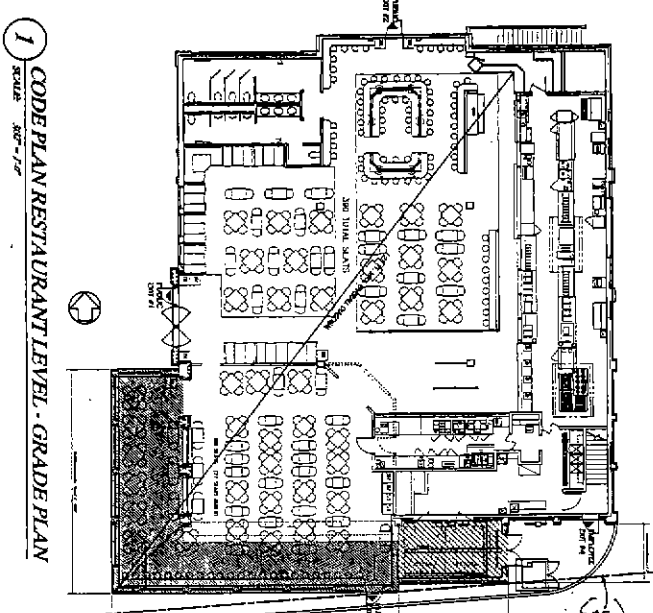
Planning and Community Development
TOTAL BUILDING AREA: 313,524 SQ. FT.
TOTAL FLOOR AREA: 77,144 SQ. FT.

CODE ANALYSIS

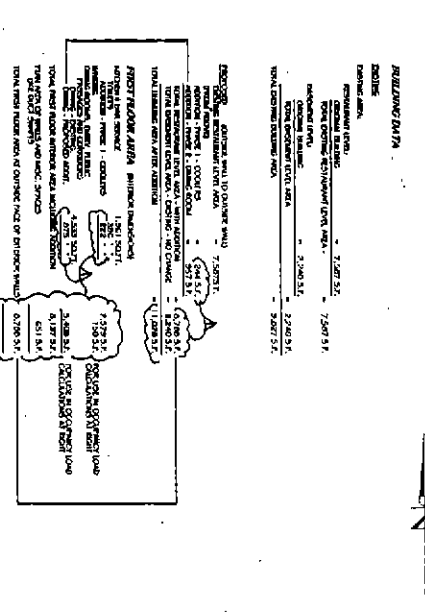
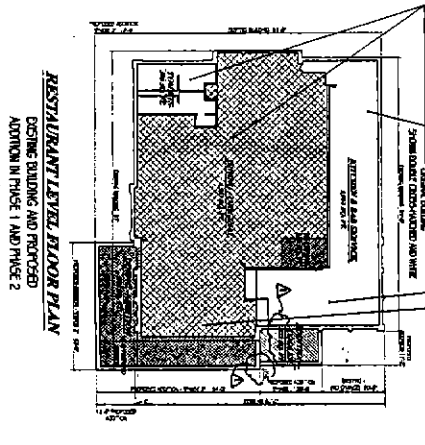
OCCUPANT LOAD CALCULATIONS
TOTAL OCCUPANT LOAD: 380 OCCUPANTS
TOTAL FLOOR AREA: 77,144 SQ. FT.

GENERAL NOTES
1. ALL OCCUPANT LOADS ARE BASED ON THE ASSUMPTIONS LISTED IN THE CODE ANALYSIS.

RESTAURANT BUILDING
TOTAL FLOOR AREA: 77,144 SQ. FT.
TOTAL OCCUPANT LOAD: 380 OCCUPANTS



CODE PLAN RESTAURANT LEVEL - GRADE PLAN
SCALE: 3/8" = 1'-0"



RESTAURANT LEVEL FLOOR PLAN
EXISTING BUILDING AND PROPOSED ADDITION IN PHASE 1 AND PHASE 2

DATE: 2 August 2004
SUBMITTED TO THE VILLAGE OF DOWNERS GROVE

DATE: 15 JULY 2004
CODE-1

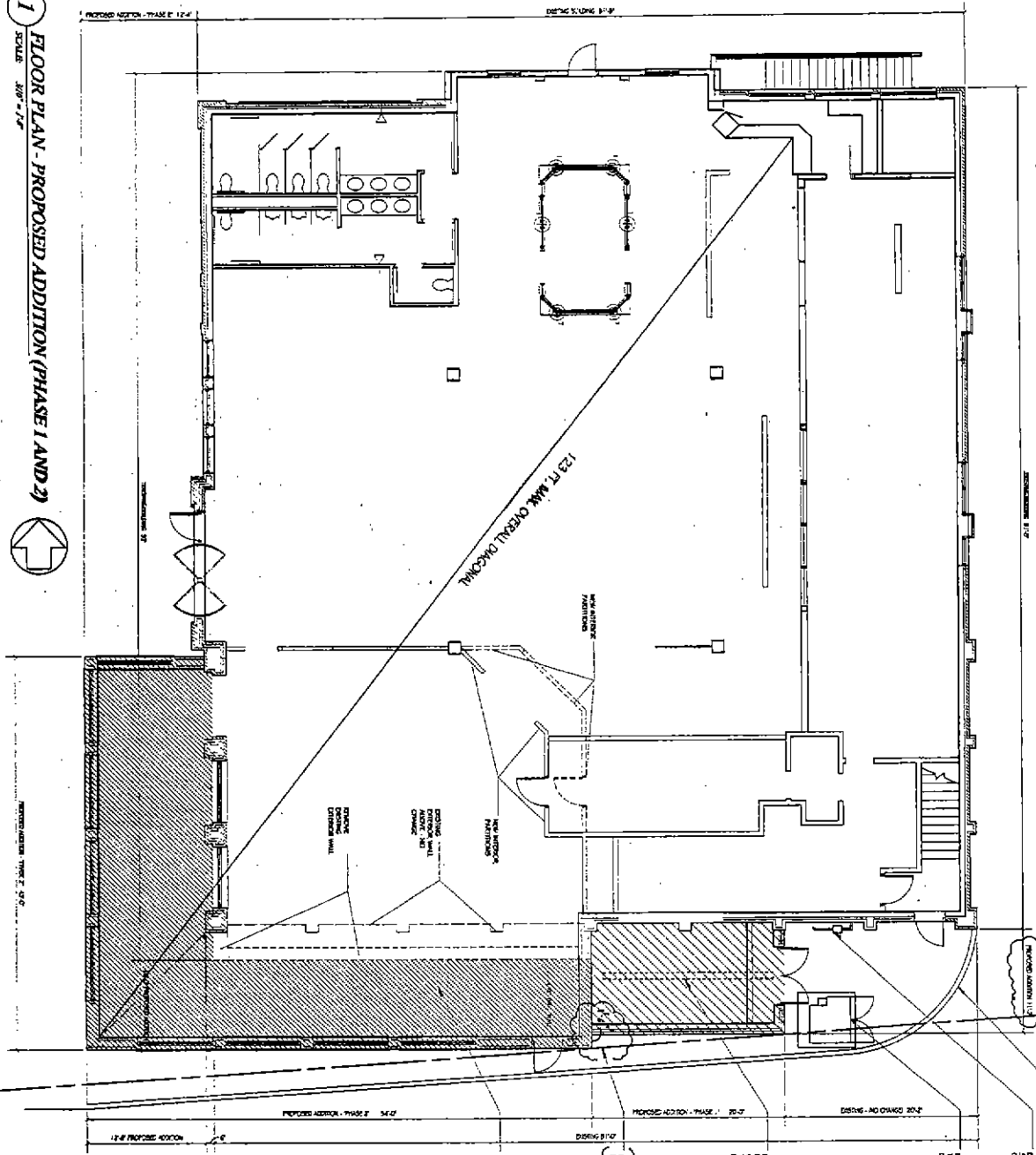
The Portillo Restaurant Group
2001 Spring Road
Suite 500
Oak Brook, Illinois 60523-2032
630-854-3773
Web Site: www.portillos.com

PORTILLO'S - DOWNERS GROVE
PROPOSED ADDITION
FINLEY SQUARE SHOPPING CENTER
1501 W. Butterfield Road
Downers Grove, Illinois

MACKIN ASSOCIATES ARCHITECTS
Pickwick Theater Building
3 S. Prospect, Suite 4
Park Ridge, Illinois 60068
847-685-8414

1 FLOOR PLAN - PROPOSED ADDITION (PHASE 1 AND 2)

SCALE: 1/8" = 1'-0"



As per 2 August 2004
SUBMITTAL TO THE
VILLAGE OF DOWNERS GROVE

RECEIVED
AUG 04 2004
Planning and Community
Development

DATE: 15 JULY 2004
SHEET: **A-1**

Drawing Title:
**FLOOR PLAN -
PROPOSED
ADDITION
(PHASE 1 AND 2)**

The Portillo Restaurant Group
2001 Spring Road
Suite 500
Oak Brook, Illinois 60523-2032
630-954-3773
Web Site: www.portillo.com

PORTILLO'S - DOWNERS GROVE
PROPOSED ADDITION
FINLEY SQUARE SHOPPING CENTER
1580 W. Burnerfield Road
Downers Grove, Illinois

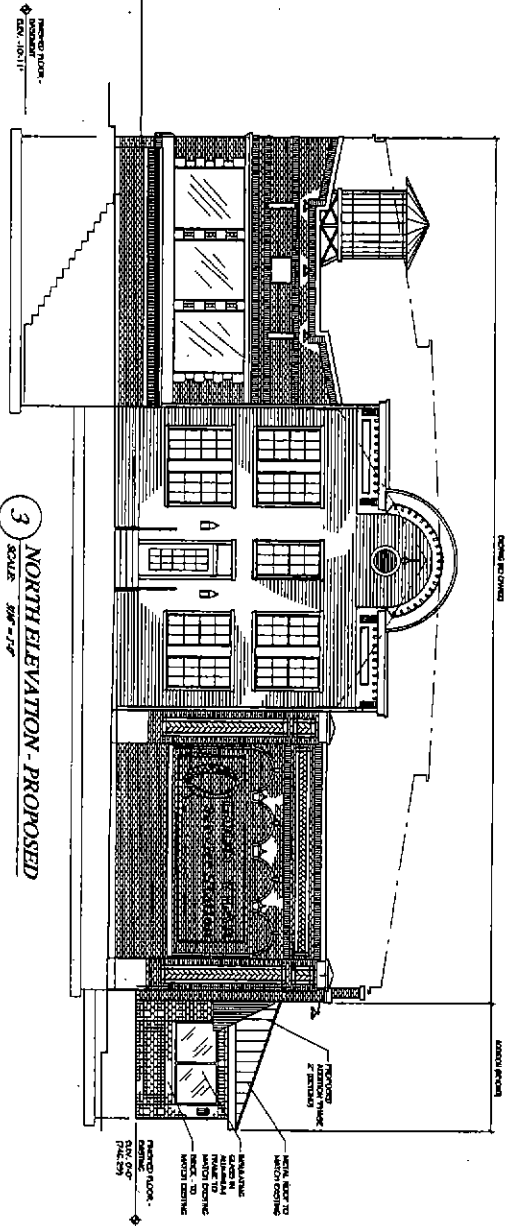
MACKIN ASSOCIATES
ARCHITECTS
Pickwick Theater Building
3 S. Prospect, Suite 4
Park Ridge, Illinois 60068
847-685-8414

RECEIVED

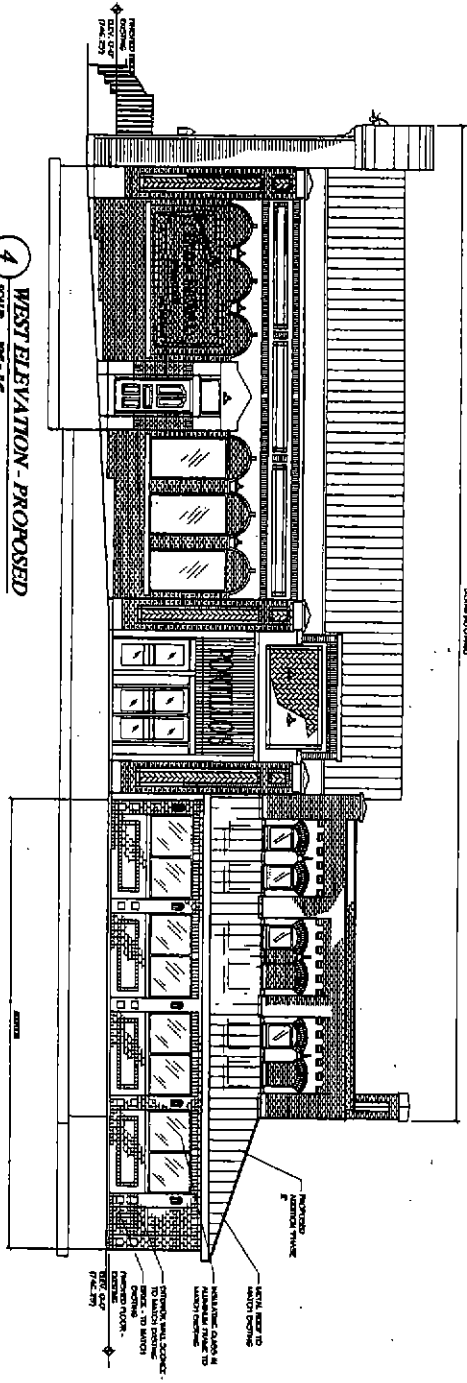
Planning and Community Development

AUG 04 2004

MACKIN ASSOCIATES
ARCHITECTS
Pickwick Theater Building
3 S. Prospect, Suite 4
Perk Ridge, Illinois 60068
847-685-8414



3 NORTH ELEVATION - PROPOSED
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION - PROPOSED
SCALE: 1/8" = 1'-0"

SUBMITTAL TO THE
VILLAGE OF DOWNERS GROVE

PORTILLO'S - DOWNERS GROVE
PROPOSED ADDITION
FINLEY SQUARE SHOPPING CENTER
1303 W. Beardsfield Road
Downers Grove, Illinois

The Portillo Restaurant Group
2001 Spring Road
Suite 800
Oak Brook, Illinois 60523-2832
630-854-3773
Web Site: www.portillo.com

DATE: 15 JULY 2004

SCALE: A-3

02/2004 05:10

6309544733

LEGAL

PAGE 03

RECEIVED

JUL 21 2004

Planning and Community
Development

LETTER OF AUTHORIZATION FROM OWNER OF RECORD

Village of Downers Grove
Department of Planning and Community Development
801 Burlington Avenue
Downers Grove, IL 60515

Dear Sirs:

Please be advised that Federal Realty Investment Trust is the owner of property located at 1500 Butterfield Road, Downer's Grove, Illinois. This property is not held in a Land Trust.

This property is leased to Portillo's Hot Dogs, Inc. and is a part of the shopping center commonly referred to as "Finley Square". This plan for this center is designated by the Village as Planned Development No. 17, and has been amended from time to time. Specifically, Ordinance No. 3898 was adopted authorizing the current configuration of the Portillo's Hot Dogs restaurant.

Federal Realty Investment Trust hereby evidences its authorization for the submittal by Portillo's Hot Dogs, Inc. of a Petition seeking a Planned Development Amendment covering the proposed restaurant addition and parking modification.

Respectfully submitted,

FEDERAL REALTY INVESTMENT TRUST

An unincorporated business trust

By: 

Name: Deborah A. Colson

Title: V.P. / Legal operations

Date: 7/19/04

FILE COPY

RECEIVED

JUL 26 2004

**Planning and Community
Development**

**The
PORTILLO
Restaurant
Group**

Dick Portillo
Owner/Founder/President

2001 Spring Road
Suite 500
Oak Brook, IL 60523-3930
630-954-3773
630-954-5851 Fax



July 26, 2004

Village of Downers Grove
801 Burlington Ave
Downers Grove, IL 60515-4776
Attn: Mr. Keith Sbiral

Dear Mr. Sbiral,

In regards to issues discussed in your letter dated July 26, 2004 for Plan Development amendment:

Item #1: As discussed we will snap a line on the furthest southeast corner of addition down towards the property line representing the 25 foot set back from our property line.

Item #2: Portillo's will work together with the Planning Development Department to revise drawing to represent the current stripped islands on the east side of our building to become landscape islands in an effort to bring back the net loss to zero and if possible to work with the department to install additional landscaping in other areas.

As discussed I will be submitting a single 11" x 17" drawing with revision discussed in the above letter. I am currently working with a developer to obtain a recent plat of survey.

If you should have any question, comments or concerns please feel free to call me at 630-954-3773 ext.111. Your assistance in these matters are greatly appreciated.

Sincerely,


Vito DiPietra
Property/Project Manager



<http://www.downers.us>

**COMMUNITY
RESPONSE CENTER**
630.434.CALL (2255)

CIVIC CENTER
801 Burlington Ave.
Downers Grove
Illinois 60515-4776
630.434.5500
TDD 630.434.5511
FAX 630.434.5571

**FIRE DEPARTMENT
ADMINISTRATION**
6701 Main Street
Downers Grove
Illinois 60515-1506
630.434.5980
FAX 630.434.5998

POLICE DEPARTMENT
825 Burlington Ave.
Downers Grove
Illinois 60515-4783
630.434.5600
FAX 630.434.5690

**PUBLIC WORKS
DEPARTMENT**
5101 Walnut Ave.
Downers Grove
Illinois 60515-4074
630.434.5460
FAX 630.434.5495

**DEPARTMENT OF
SOCIAL & HEALTH
SERVICES**
842 Curtiss Street
Downers Grove
Illinois 60515-4761
630.434.5595
FAX 630.434.5599



July 12, 2004

Vito DiPietra
Project/Property Manager
The Portillo Restaurant Group
2001 Spring Road – Suite 500
Oak Brook, IL 60523

FILE COPY

**Re: 1500 Butterfield Road; Proposed Restaurant Addition and Parking
Modification; Planned Development Amendment**

Dear Mr. DiPietra,

As we discussed, and in an effort to facilitate coordination, I called Mr. John Mackin on July 12, 2004 to provide further details for plan modifications needed for the Portillo's addition project. The following items/plan modifications were discussed and should be noted for future submittals:

1. Any proposed modifications to the existing Portillo's drive-through facility/parking circulation should be noted on the plans.
2. Any modified landscaping should be noted on the plans.
3. Confirm that all "Issued for Review" dates are consistent.
4. The most recent Revision Date on the Lease Plan indicates 12/01/99. An updated lease plan indicating current/existing conditions must be field verified and provided to the Village (C-1).
5. Indicate total parking surplus for the Center on the Finley Square Parking Calculations table (C-1).
6. Indicate correct greenspace calculations and overall greenspace percentage for the Center (C-2).
7. Portillo's is part of Planned Development 17. Site-specific calculations/notations should be removed from the plans. All bulk/zoning requirements are determined based on calculations for the entire Center.
 - a. Eliminate site-specific greenspace calculations (C-2).
 - b. Eliminate site-specific provided parking notation (C-3).
8. It is conceivable that the petition can be placed on the August 16, 2004 Plan Commission agenda if all submittals and outstanding issues are resolved relatively soon. The submittal deadline for all complete materials is July 21, 2004; it is recommended that the submittals be delivered prior to that date to ensure completeness of the submittal.

In future submissions, please respond to the above comments in writing indicating "concurrence" or "non-concurrence" and reasons for any non-concurrence. As always, we would be happy to discuss the issues with you further. Please do not hesitate to contact me at 630-434-5520 with any additional questions.

Sincerely,

Keith R. Sbiral
Current Development Planner

c: John Mackin, AIA, Project Architect
Joseph Skach, Director, Planning and Community Development
File



<http://www.downers.us>

July 2, 2004

FILE COPY

**COMMUNITY
RESPONSE CENTER**
630.434.CALL (2255)

CIVIC CENTER
801 Burlington Ave.
Downers Grove
Illinois 60515-4776
630.434.5500
TDD 630.434.5511
FAX 630.434.5571

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SOCIAL & HEALTH
SERVICES**
842 Curtiss Street
Downers Grove
Illinois 60515-4761
630.434.5595
FAX 630.434.5599

Vito DiPietra
Project/Property Manager
The Portillo Restaurant Group
2001 Spring Road - Suite 500
Oak Brook, IL 60523

**Re: 1500 Butterfield Road; Proposed Restaurant Addition and Parking
Modification; Planned Development Amendment**

Dear Mr. DiPietra,

Thank you for the opportunity for the Staff Development Team (SDT) to meet with you June 29, 2004 to provide further review and recommendations for the proposed addition to the Portillo's Restaurant. As we discussed on Tuesday, as part of this review, the overall effectiveness and efficiency of the Shopping Center property must be considered.

As the Center undergoes improvement and redevelopment projects, the following should be considered for implementation to improve the overall Center circulation and parking and should be shared with the Shopping Center ownership:

1. Modifications to the existing Portillo's drive-through facility should be investigated. The SDT notes that the drive-through currently results in stacking north of the east/west drive aisle adjacent to the Portillo's building. This increased stacking results in congestion in significant portions of the parking lot. Possible modifications to consider are the widening of the existing drive-through lane to a two-lane drive-through. As discussed, the construction of a drive-through lane to the east of the existing Portillo's facility, may also be a desirable option to reduce traffic conflicts with Burger King's drive-through.
2. Consideration should be given to better defining the above mentioned east/west drive aisle through the provision of landscape islands at the ends of the parking banks. Additional consideration should be given to modifying the location of the above mentioned east/west drive aisle adjacent to Burger King and Portillo's. In consulting with Public Works/Engineering, this drive aisle could potentially be located 10-15 spaces further north and traversing the property from Burger King (on the west) to the east side of the property. This modification would provide for improved east/west traffic flow, closer parking for tenants along the south side of the development, increased parking in front (north) of Portillo's and Burger King and increased stacking depth for the existing drive-through facilities.
3. Increased landscaping should be considered as part of any redevelopment. Landscaping should be included not only on the periphery of the development but also as part of all parking lot islands.
4. The shopping center has advised the Village of preliminary considerations to redevelop the existing Burger King adjacent to the east. If more definitive plans are available, they should be coordinated with this project to help ensure the long term redevelopment of the property results in the best overall solution.



5. Finally, as we discussed, it is conceivable that the petition can be placed on the August 16, 2004 Plan Commission agenda if all submittals and outstanding issues are resolved relatively soon. The submittal deadline for all complete materials is July 21, 2004; it is recommended that the submittals be delivered prior to that date to ensure completeness of the submittal.

As always, we would be happy to discuss the issues with you further and to review the conditions of the previous Planned Development amendments. Please do not hesitate to contact me at 630-434-5520 with any additional questions.

Sincerely,



Keith R. Sbiral
Current Development Planner

c: Joseph Skach, Director, Planning and Community Development
David Barber, Director, Public Works
Don Rosenthal, Director, Code Services
Howard Hoffman, Division Chief, Fire Prevention
File



<http://www.downers.us>

**COMMUNITY
RESPONSE CENTER**
630.434.CALL (2255)

CIVIC CENTER
801 Burlington Ave.
Downers Grove
Illinois 60515-4776
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**DEPARTMENT OF
SOCIAL & HEALTH
SERVICES**
842 Curtiss Street
Downers Grove
Illinois 60515-4761
630.434.5595
FAX 630.434.5599

April 8, 2004

FILE COPY

Vito DiPietra
Project/Property Manager
The Portillo Restaurant Group
2001 Spring Road – Suite 500
Oak Brook, IL 60523

**Re: 1500 Butterfield Road; Proposed Restaurant Addition and Parking
Modification; Planned Development Amendment**

Dear Mr. DiPietra,

Thank you for the opportunity for the Staff Development Team (SDT) to provide a preliminary review of the concept plan for the proposed addition to the Portillo's Restaurant at the above referenced address. The Future Land Use Plan designates the property as Commercial (red) and the property is zoned B-3, *General Services and Highway Business District*.

The property is subject to Commercial Planned Development Number 17 (PC File 253; Ord. No. 2080), approved July 18, 1977. The existing Portillo's Restaurant was approved as part of a Planned Development Amendment (PC File 1015; Ord. No. 4007), approved February 16, 1998. The proposed restaurant expansion and parking modifications will require an amendment to the existing Planned Development to be heard before the Plan Commission and Village Council.

At this preliminary stage, the SDT offers the following observations to address in a future submission:

1. Provide a recent scaled Plat of Survey/existing site plan accurately indicating existing conditions.
2. Provide a revised Site Plan indicating building related dimensions, parking space and drive aisle dimensions, gross square footage calculations (measured outside wall to outside wall), setbacks of all structures and parking, counted parking spaces, green space calculations, and other dimensions demonstrating compliance with Code criteria. Plan sets should indicate both existing conditions and proposed conditions. A colored/rendered representation of the completed building will be required for Plan Commission consideration and should be provided for preliminary review.
3. Provide a zoning analysis table indicating/summarizing compliance with bulk requirements per Code (see attached sample). The subject site is a Planned Development; therefore, calculations are also reviewed for impacts on the Finley Square shopping center. Indicate and include existing and proposed parking and green space calculations for both the Portillo's site and the Finley Square shopping center overall. Provide a parking and traffic impact assessment indicating parking requirements per Code for the existing uses of the Finley Square shopping center as well as the proposed modifications. Please note that the parking configuration is not consistently depicted on previously submitted plans.
4. A landscape plan denoting location and species (Latin and common name) should be submitted indicating any modifications to landscaping/green space.

5. Please note Traffic Division comments are outlined in the attached memo dated April 2, 2004. Engineering, Stormwater, Forestry, and Water Division comments will follow under separate cover. Fire Prevention Division requirements are attached in a memo dated March 15, 2004.
6. For future reference, I have attached a Plan Commission Application Packet. Note that a project narrative addressing/demonstrating project background, compliance with Code, and the conditions for approval of a Planned Development amendment (Section 28.1607 *Standards for Approval*), must be included and verbally presented to the Plan Commission at the public hearing.

The above comments are preliminary. A more detailed review will be conducted upon the receipt of more detailed and revised plans. In future submissions, please respond to the above comments in writing indicating "concurrence" or "non-concurrence" and reasons for any non-concurrence. As always, we would be happy to discuss the issues with you further and to review the conditions of the previous Planned Development amendments. Please do not hesitate to contact me at 630-434-5520 with any additional questions.

Sincerely,



Keith R. Sbiral
Current Development Planner

c: Joseph Skach, Director, Planning and Community Development
David Barber, Director, Public Works
Mike Millette, Assistant Director Public Works, Engineering
Jon Hall, Stormwater Manager/Engineer
Dorin Fera, Traffic Engineering Manager
File

File #253
Finley Square Mall,
Northeast corner Butterfield
Road and Finley Road
prelim PD

ORDINANCE NO. 2080

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING
ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS,
PASSED AND APPROVED APRIL 19, 1965, AS AMENDED, TO
DESIGNATE CERTAIN PROPERTY AS A COMMERCIAL PLANNED
DEVELOPMENT

WHEREAS, the owners of certain real estate hereinafter described have requested that such real estate be designated as a [REDACTED] pursuant to the provisions of Article VII of the Comprehensive Zoning Ordinance of the Village of Downers Grove, passed and approved April 19, 1965, as heretofore amended (hereinafter referred to as the "Zoning Ordinance"); and

WHEREAS, the Plan Commission of the Village of Downers Grove has given the required public notice and has conducted a public hearing respecting a preliminary plan for a Commercial Planned Development on said real estate in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove and has reported its findings and recommendations to the Village Council of the Village of Downers Grove pursuant to the provisions of the Zoning Ordinance; and

WHEREAS, the Village Council has heretofore approved the preliminary plan for such Commercial Planned Development pursuant to the provisions of the Zoning Ordinance,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in Du Page County, Illinois, as follows:

SECTION 1. That the Zoning Ordinance be and the same is hereby amended by adding to the Zoning District Map referred to in Section 2 of Article IV the boundaries of the following described real estate, to wit:

All that part of Lot 37 described as follows: Commencing at the Southwest corner of said Lot 37 thence North 81 degrees 54 minutes 34 seconds East along the Northerly line of Butterfield Road, 1229.57 feet to the Southeast corner of said Lot; thence North 1 degree 04 minutes 56 seconds West along the East line of said Lot a distance of 670.0 feet; thence South 88 degrees 55 minutes 04 seconds West, 350.0 feet; thence North 82 degrees 25 minutes 12 seconds West 378.63 feet; thence South 81 degrees 54 minutes 34 seconds West, 500.00 feet to the West line of said Lot; thence South 1 degree 05 minutes 45 seconds East along the West line of said Lot; 816.07 feet to the place of beginning, all in Oak Grove Centre of Commerce Unit Two, being a Subdivision of part of the East half of Section 30, Township 39 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded May 4, 1972 as document R72-23285, in Du Page County, Illinois,

and by designating said real estate as a Commercial Planned Development under the title and style [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

SECTION 2. That all final plats and covenants or hereafter heretofore/filed in connection with the Commercial Planned Development designated by Section 1 of this ordinance shall be deemed to be contractual undertakings by and shall be binding upon the applicants therefor, the owners of the land covered by such Commercial Planned Development, and their successors and assigns, and shall limit and control the construction, location, use and operation of all land in such Planned Development, and improvements and structures to be located thereon; and that no building permit or

improvement location permit shall be issued with respect to any land included in such Planned Development unless countersigned by the Village Manager of the Village of Downers Grove.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.



Mayor

Passed: July 18, 1977

Approved: July 18, 1977

Published: July 20, 1977

Attest: 

Village Clerk

ORDINANCE NO. 3898

**AN ORDINANCE APPROVING AN AMENDMENT TO
PLANNED DEVELOPMENT # 17 TO APPROVE AN AMENDED FINAL SITE PLAN FOR A
RESTAURANT BUILDING, WITH
DRIVE THROUGH FACILITY AND ASSOCIATED PARKING**

WHEREAS, the Village Council has previously, on July 18, 1977 adopted Ordinance No. 2080 designating certain property located on the north side of Butterfield Road as Planned Development # 17; and,

WHEREAS, the Village Council has, from time to time, approved various preliminary, final and amended site plans for Planned Development # 1729; and,

WHEREAS, the Owners have filed a written petition with the Village conforming to the requirements of the Comprehensive Zoning Ordinance and requesting amendment of Planned Development # 17 as regards the property located immediately west of 1500 Butterfield Road to approve an amended final site plan for a restaurant building, with drive through facility and associated parking.

WHEREAS, such request was referred to the Plan Commission of the Village of Downers Grove, and it appears that said Plan Commission has given the required public notice, has conducted a public hearing respecting the petition on October 8, 1996, and has made its findings and recommendations dated October 15, 1996, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and

WHEREAS, the Village Council has considered the record before the Plan Commission, as well as the recommendations of Plan Commission.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

SECTION 1. That the provision of the preamble are incorporated into and made a part of this ordinance as if fully set forth herein.

SECTION 2. The following plans and specifications are approved as the amended and final planned development site plans to permit construction of a to approve an amended final site plan for a restaurant building, with drive through facility and associated parking: "Rebuild Existing Portillo's Hot Dogs", prepared by Norman J. Toberman & Associates of Arlington Heights, Illinois, consulting civil engineers, and R.L Winfield Wood, architect, of Arlington Heights, Illinois, consisting of a site and utility plan (1 page), a landscape plan (1 page), and

an existing & proposed site plan (1 page) all dated 8/26/96, last revised 10/02/96; and building elevation plans (3 pages) dated 8-8-96.

SECTION 3. The approval set forth in Section 2 of this ordinance is subject to the findings and recommendations of the Downers Grove Plan Commission regarding file No. 986, dated October 15, 1996 and as set forth in the minutes of their meeting dated October 8, 1996, including but not limited to the following: The proposed new building may be constructed and occupied upon completion in compliance with applicable ordinances. Provided, a permanent occupancy permit for the new building is to be conditioned upon razing of the existing structure within 45 days following occupancy of the new structure.

SECTION 4. That the Mayor and Village Clerk are authorized to sign the above described plans.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

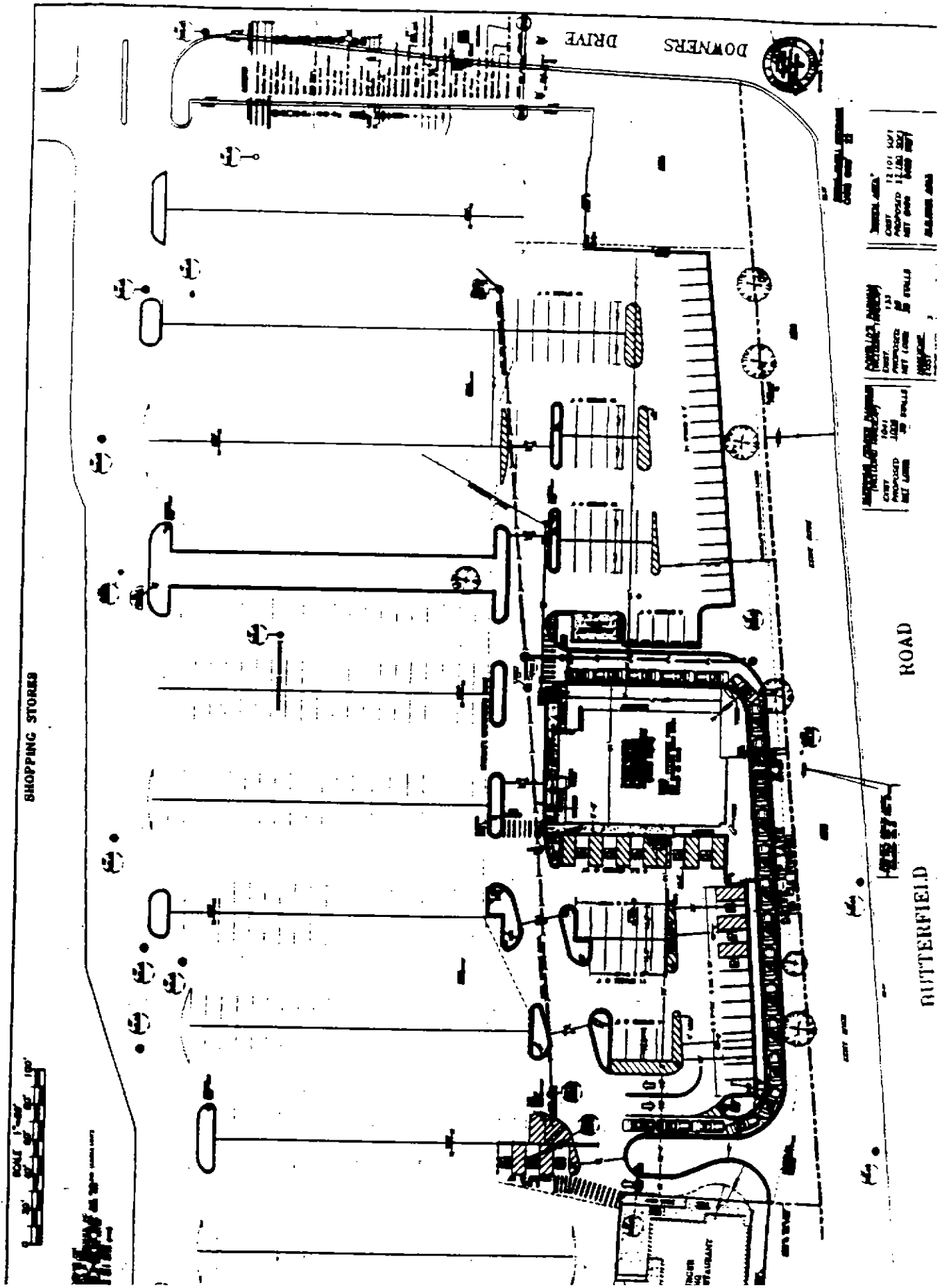
SECTION 6. That this ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

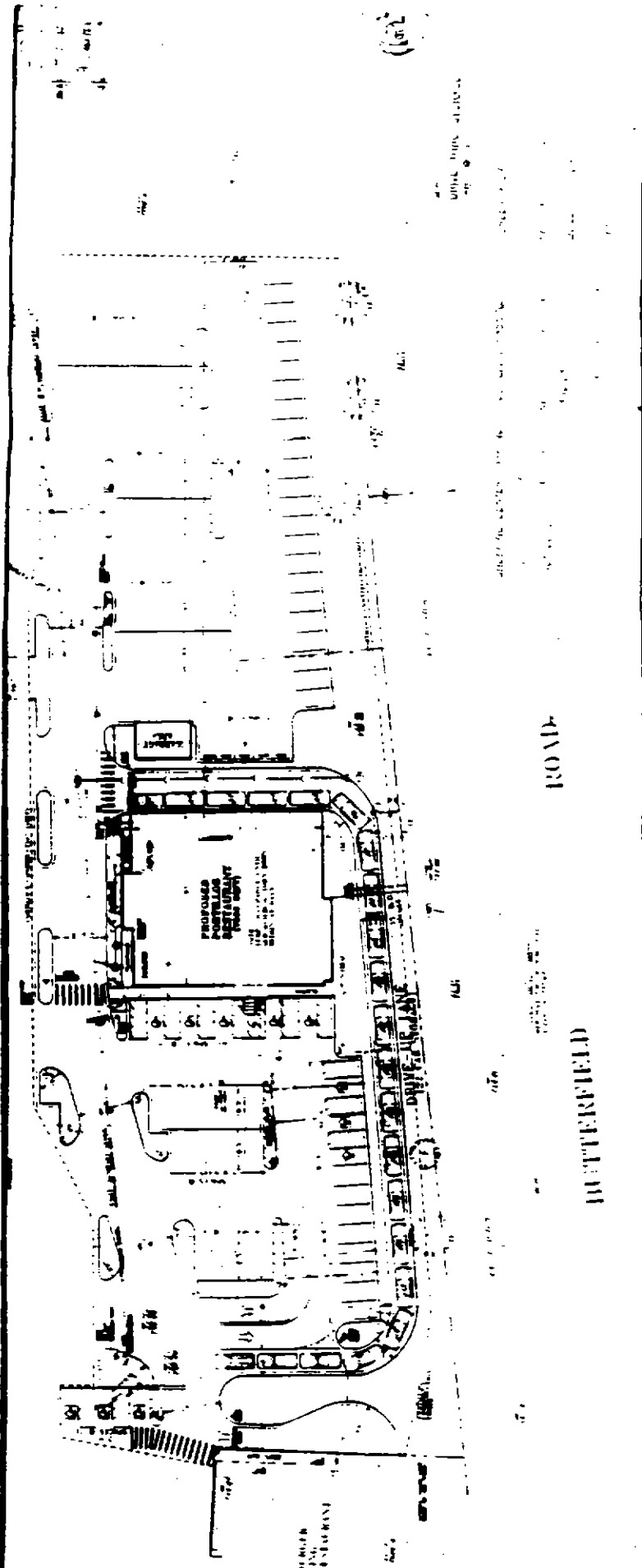

Mayor

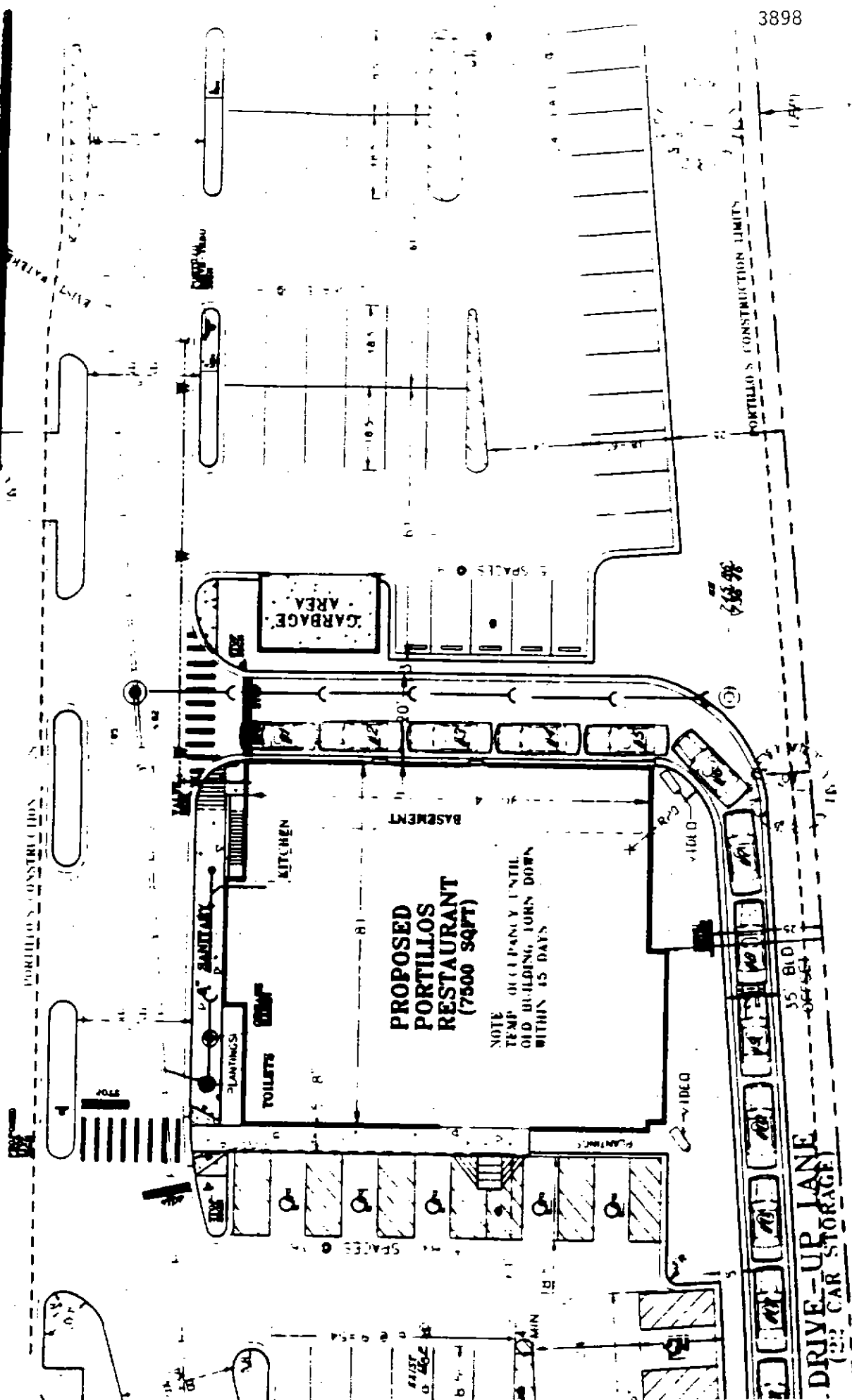
Passed: November 4, 1996

Published: November 5, 1996

Attest: 
Village Clerk







**PROPOSED
PORTILLOS
RESTAURANT
(7500 SQFT)**

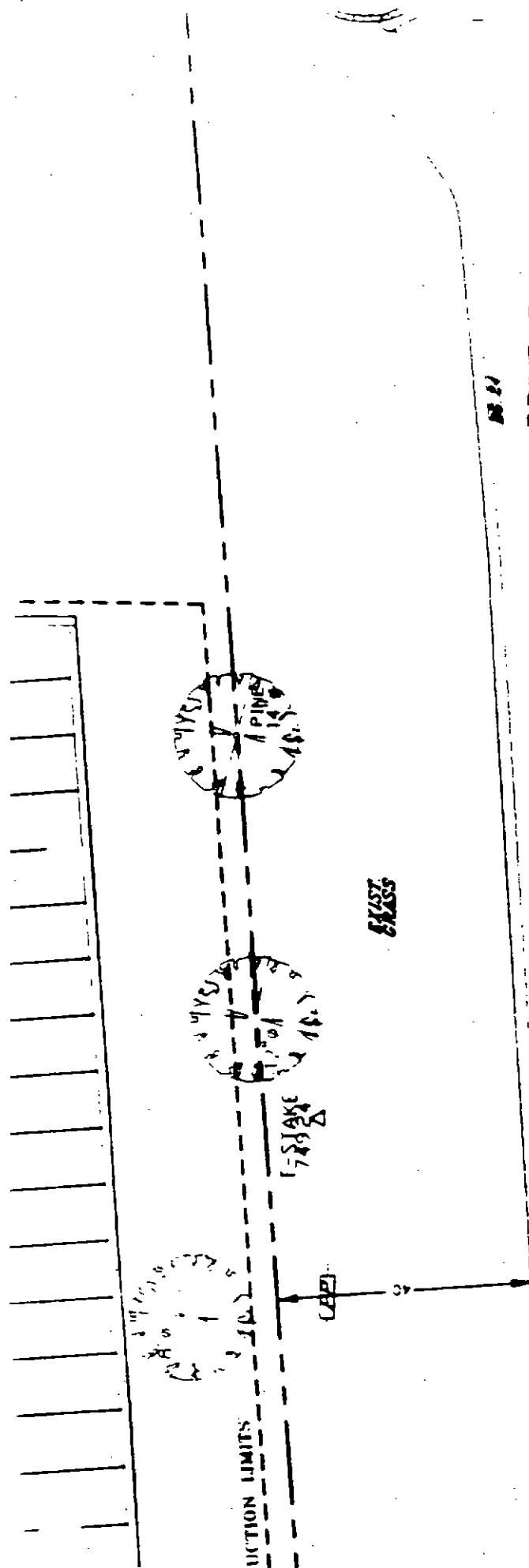
NOTE: OCCUPANCY UNTIL
TEMP. BUILDING TORN DOWN
WITHIN 15 DAYS

GARBAGE
AREA

DRIVE-UP LANE
(FOR CAR STORAGE)

EXIST. CRASS
752 28

EXIST. DITCH



DRIVE-THRU STORAGE
 CARS @20' 22

SHOPPING CENTER PARKING
 (INCLUDING HANDICAP)

~~EXIST. 11~~
~~PROPOSED 11~~
~~NET GAIN: 0~~

VEHICLE STORAGE
 (INCLUDING HANDICAP)

~~EXIST. 11~~
~~PROPOSED 11~~
~~NET GAIN: 0~~

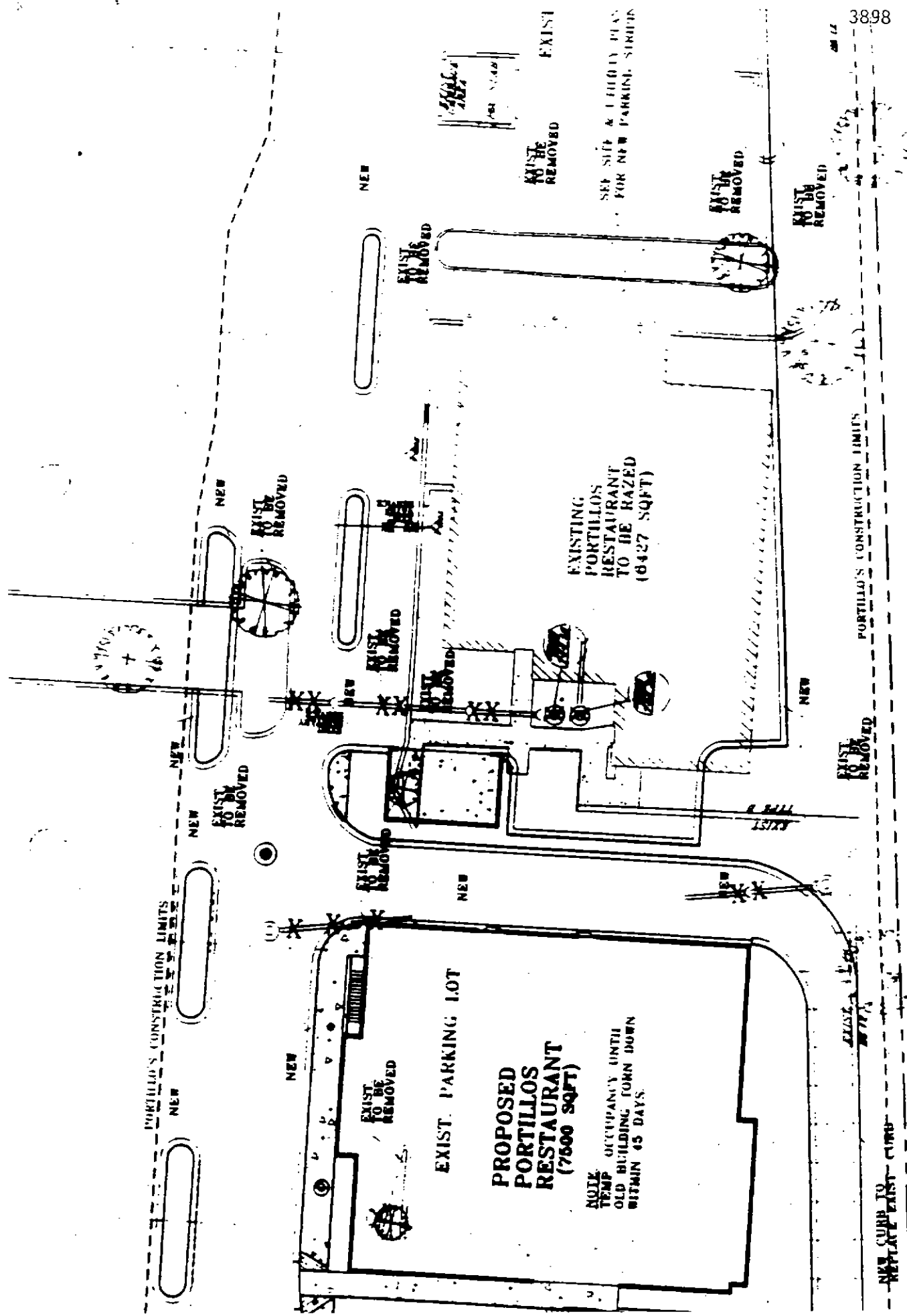
HANDICAP
 EXIST. 3
 PROPOSED: 11 (INCL. B.K.)
 NET GAIN: 8 H.C. STALLS

"GREEN AREA"

EXIST 12,101 SQFT
 PROPOSED: 17,760 SQFT
 NET GAIN: 5659 SQFT

BUILDING AREA

EXIST 6427 SQFT
 PROPOSED: 7500 SQFT
 NET GAIN: 1127 SQFT



PORTILLO'S CONSTRUCTION LIMITS

NEW

EXIST. TO BE REMOVED

EXIST. TO BE REMOVED

EXIST. TO BE REMOVED

EXIST. TO BE REMOVED

EXIST. TO BE REMOVED

EXIST. TO BE REMOVED

EXIST. TO BE REMOVED

EXIST. TO BE REMOVED

NOTE: OCCUPANCY UNTIL OLD BUILDING TORN DOWN WITHIN 45 DAYS

EXIST. PARKING LOT
PROPOSED PORTILLOS RESTAURANT (7500 SQFT)

EXISTING PORTILLOS RESTAURANT TO BE RAZED (6427 SQFT)

SEE SITE & UTILITY PLAN FOR NEW PARKING SIGNS

EXIST. TO BE REMOVED

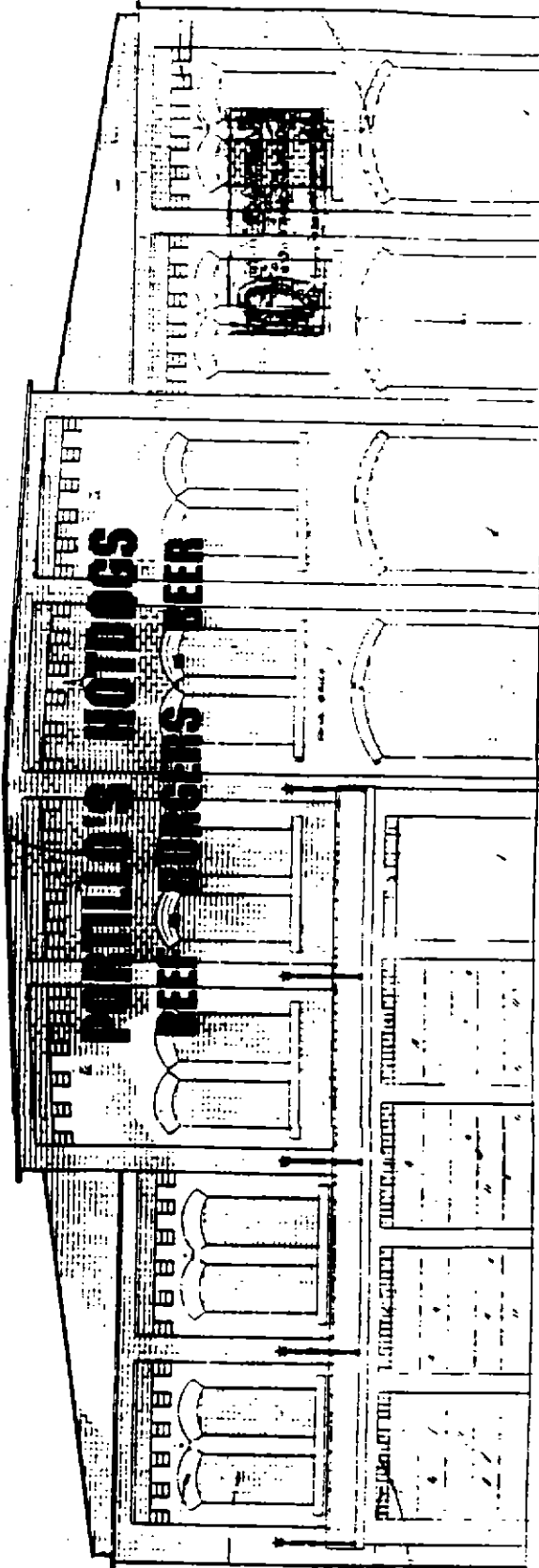
EXIST. TO BE REMOVED

EXIST. TO BE REMOVED

PORTILLO'S CONSTRUCTION LIMITS

NEW CURB TO REPLACE EXIST CURB

INDUSTRIAL BUILDING
FOR THE
SOUTH



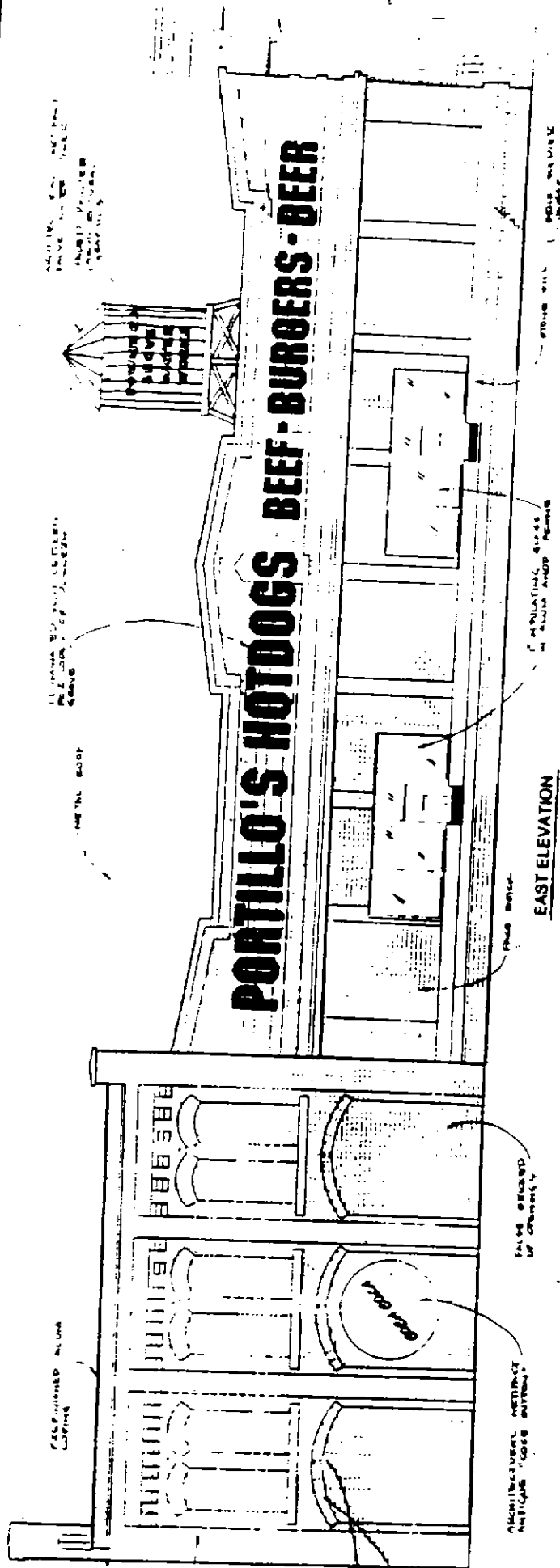
INDUSTRIAL BUILDING
FOR THE
SOUTH

INDUSTRIAL BUILDING
FOR THE
SOUTH

INDUSTRIAL BUILDING
FOR THE
SOUTH

INDUSTRIAL BUILDING
FOR THE
SOUTH

SOUTH ELEVATION



SMALL PORTAL
 PORTILLO'S
 BEEF-BURGERS-BEER

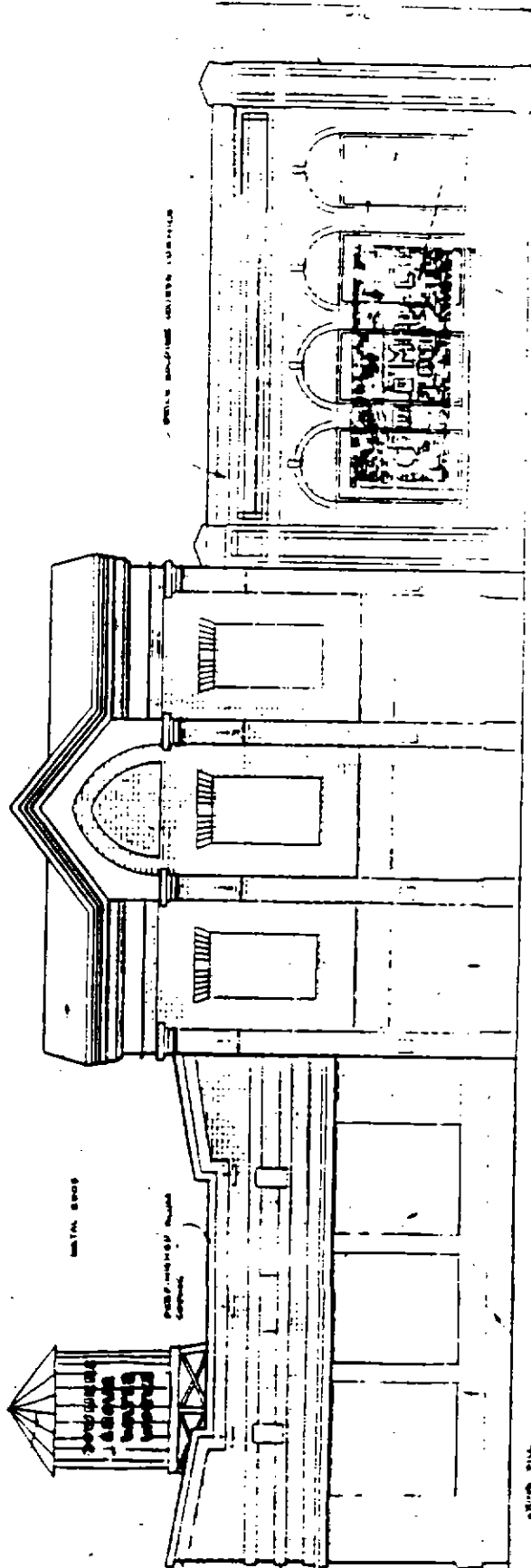
1. FINISH TO THIS ELEVATION
 TO BE AS SHOWN
 EXCEPT

METAL ROOF

CASHIERS ALUMINUM
 CURTAINS

EAST ELEVATION

3898



NORTH ELEVATION

WATER BRICK

PERMANENT PLASTER

WATER BRICK

PERMANENT PLASTER

WATER BRICK

PERMANENT PLASTER

FILE NO. PC-17-04 - Petition seeking an amendment to Planned Development No. 17, Finley Square Mall – Property located at the northeast corner of Butterfield and Finley Roads, commonly known as 1500 Butterfield Road, Downers Grove, IL (PIN 06-30-403-019,-020,-021); Portillo's Hot Dog Restaurant, Petitioner; Federal Realty Investment Trust, Owner

Chairman Jirik asked if there was a representative of the petitioner present.

Sherry Abruscato, Chief Operating Officer of Portillo's Hot Dogs stated they are seeking the Plan Commission's approval for an addition to their restaurant at 1500 Butterfield Road, in the Finley Square Mall. Ms. Abruscato advised that Portillo's has been a tenant in that mall since 1983, and in 1996 they did a rebuild of the restaurant to provide better service and a better drive-through. With continued growth and success at that location, Ms. Abruscato stated they are asking for approval for an addition to enhance and improve both their kitchen and their dining room areas. In order to add on to their current menu and provide the prep area they need for expanding their salad menu and also to provide fresh baked bread for their beef sandwiches, they need to expand their kitchen area. They are also looking to expand the private dining or party room. The total addition is approximately 1,231 square feet; 274 square feet for the kitchen and the remainder for the dining room. Ms. Abruscato noted they have worked with Keith Sbiral, Village of Downers Grove Planner and with the landlord to prepare the drawings. Ms. Abruscato expressed her belief that the landlord is in agreement with the proposed addition. Ms. Abruscato stated her belief that Portillo's had met the necessary parking requirements. Ms. Abruscato advised that their architect, John Mackin, is in attendance to answer any questions regarding the proposed project.

Chairman Jirik asked Staff for its review and assessment.

Mr. Sbiral stated this is a planned development amendment as a Special Use for a two-phase addition. The petitioner has indicated the phases will follow very close to each other. As far as a construction schedule is concerned, they would like to have this completed by the end of 2004 if possible.

Mr. Sbiral advised Portillo's is located in the Finley Square Shopping Center, which is north of Butterfield Road between Finley Road and Downers Drive. There are approximately 325,000 square feet of retail in the shopping center with 1,150 parking spaces in the parking lot as it currently exists.

Mr. Sbiral explained Phase One is a 274 square foot addition to the cooler on the south side of the building, and Phase Two is an expansion of the dining room for 77 additional seats.

With respect to the zoning, Mr. Sbiral advised the property and the entire shopping center is zoned B-3, General Services and Highway Business District, and it is part of Planned Development No. 17. This Portillo's was approved as part of the sixth amendment to

Planned Development No. 17 back in 1996. Mr. Sbiral noted this is the second Portillo's restaurant on the site as noted by the petitioner.

Mr. Sbiral stated there are no exceptions or variations from Code requested for this petition. The overall site is approximately 21.38 acres and was approved as a Planned Development in 1977. Much of the existing mall was already present in 1977. The addition of the Burger King prompted this site to become a Planned Development. Mr. Sbiral stated Staff does have some concern regarding the traffic flow in the Center itself. These are longer-term concerns not necessarily tied to the 77 seats and the cooler addition being proposed. Mr. Sbiral indicated Staff wanted to bring this concern not only to the petitioner but also the mall ownership. There is potential for vehicular conflict particularly near the entrances and exits to the drive-through. The Burger King drive-through exit is very close to the Portillo's drive-through entrance. The Portillo's drive-through entrance can get very busy particularly during lunchtime and cars extend beyond the east-west drive aisle. Staff has looked at that conflict with regard to potential future modifications to consider changes; either relocating the drive-through, increasing the size of the drive-through, i.e. relocating the east-west drive aisle on the south side of this development.

Mr. Sbiral pointed out the Staff Report notes the shopping center ownership should give some consideration to these possible changes should considerable redevelopment or a future amendment petition be proposed by the center ownership. Mr. Sbiral indicated the Village would continue to monitor the traffic flow in this area.

With respect to the bulk characteristics, Mr. Sbiral advised the floor area ratio and building height both comply with Code.

With respect to yards and setbacks, Mr. Sbiral stated the actual setback of the cooler is at the 25-foot front yard setback.

With respect to green space and common open space, Mr. Sbiral recalled this shopping center became a Planned Development after it was substantially built, and it came in with just over 10% open space. Although it was non-conforming, the Planned Development was approved. With each of the subsequent amendments to the Planned Development, the green space has been increased either through landscaping islands or areas of landscaping that did not previously exist. Mr. Sbiral noted as part of this development after working with Staff Portillo's has agreed to increase the green space and the common open space from 11.51% to 11.54%, an increase of 268 square feet. The increase is achieved by landscaping two parking islands east of the restaurant. Mr. Sbiral stated Staff proposed that the third parking island between the restaurant and the two islands that are planned to be landscaped also be converted to green space. Mr. Sbiral noted the Staff report states the shopping center, as a whole, should work to achieve additional landscaping islands throughout the entire parking lot in order to reach a goal of 15% landscaping as required for Planned Developments. Each additional amendment to the Planned Development should focus on meeting the 15% overall goal.

With respect to parking, Mr. Sbiral explained the parking analysis is included in the Plan Commission packet. The center currently has 71 surplus parking spaces. The parking surplus will be reduced slightly with this project, as there is a requirement for an additional ten spaces for the restaurant area. Portillo's is adding two parking spaces so there is an 8-space difference. The center ownership will still be in compliance with a 3.49% surplus.

Mr. Sbiral noted loading and site lighting is not changing.

With respect to the building, elevations and design, Mr. Sbiral pointed out color renderings were included in the Plan Commission packet.

With respect to Public Works/Engineering, Mr. Sbiral stated Site Engineering and Stormwater Management did not have any comments except to note that this site is not in a flood plain or Localized Poor Drainage Area.

With respect to traffic, Mr. Sbiral commented many of the same concerns in the Staff Report were echoed; the Center ownership should discuss with Staff future development or modifications to the Center.

With respect to Forestry/Landscaping, there was no additional comment beyond the permanent common open space increases.

With respect to the Fire Prevention Division, Mr. Sbiral indicated their report, which has not additional comments, is a part of the Staff report

Mr. Sbiral stated the Staff Development Team has reviewed the petitioner's request and recommends that the Plan Commission favorably consider the petitioner's requested action subject to the eight conditions in the Staff Report. Mr. Sbiral noted some of those conditions are standard while some of them relate to compliance with the existing Planned Development.

Chairman Jirik asked if there was anyone in the audience who wished to speak with regard to this petition. There was no response, and Chairman Jirik closed the public participation portion of the public hearing.

Chairman Jirik asked if there were any questions or comments from the Plan Commission members.

Mr. Waechtler referred to Page Two of the Staff Report, second paragraph from the bottom of the page, which referred to possible future modifications to consider in order to avoid congestion to the existing drive-through lane. Mr. Waechtler commented that he drove through that drive-through lane yesterday to see how it worked. He asked if someone from Portillo's could explain No. 1 where is that stacking problem now and No. 2 what is the petitioner's proposal to alleviate it.

Mr. Mackin, Portillo's architect, stated the stacking problem occurs when the cars back up down this lane (he pointed out which one on the drawing). Mr. Mackin pointed out Portillo's has people with headphones working the cars waiting to place their orders. This helps for efficient movement, but Mr. Mackin noted there is a cross aisle where congestion or some difficulty can be created when the cars are stacked up. Mr. Mackin indicated he did not have any particular solution to that problem. He recalled that Staff had suggested to the property owner that the east-west aisle be moved further north. Mr. Mackin indicated from a traffic viewpoint he did not know whether or not moving the aisle would solve the problem. Mr. Mackin stated there is a lot of non-Portillo's traffic that moves from west to east in order to get back out onto Butterfield Road.

Mr. Waechtler next asked how would the drive-up lane be widened and where would that happen. Mr. Mackin responded he was not sure how that would work and emphasized that moving the aisle further north was not Portillo's suggestion, and Ms. Abruscato concurred.

Tom Taylor, Owner's Representative for Federal Realty Investment Trust, 7 South Fairview, Park Ridge, Il, stated in terms of moving aisles, expanding aisles, etc. Federal Realty has really not considered anything along those lines at this point in time. They have no plan in mind. The configuration as shown for the drive aisles right now was one that was developed with Portillo's and the Village Staff for the 1996 expansion. Mr. Taylor recalled a fair amount of thought and analysis went into that to try and mitigate the exact condition being discussed this evening. Mr. Taylor stated they are more than willing to work with the Village as the Center expands or changes its tenant mix. Mr. Taylor reiterated that at this time he knew of no plan or concept that has been submitted by the Village or by the owner in terms of how they would address this problem. Mr. Taylor stated he understood the problem and commented that most of their tenants out of one side of their mouths complain about congestion caused by Portillo's, but out of the other side of their mouths they acknowledge that it drives the shopping center. Mr. Taylor stated the best answer to the question is that they have learned to live with it.

With regard to the color rendering, Mr. Waechtler asked if the color of the building addition will look like the rendering, or will it be the same color as it is currently. Mr. Waechtler commented the existing building looks rather drab and shabby. Mr. Mackin responded the intention is to make the addition blend in with the existing building as it is. The look of the existing building is intended to have sort of an aged look to it. The addition is not intended to stand out in any way but rather to blend with the current aged look. Mr. Waechtler commented it is so aged you can barely make out the name "Portillo's" above the door. Ms. Abruscato stated the color rendering might have reproduced darker than was intended. She noted the issue could be addressed with the designer and Mr. Portillo as far as what the exterior color will be. Ms. Abruscato indicated if it needs to be enhanced, it will be done, but she was not sure that was the intention.

Mr. Waechtler recalled when Portillo's came before the Plan Commission in 1996 the only rendering provided was black and white. The Commission had no idea what the

building was going to look like. Chairman Jirik stated the Commission wants an accurate depiction. From an architectural perspective, the Commission could comment on it but there is no firm architectural Code.

With regard to the specific proposal in front of the Commission this evening, Chairman Jirik asked the petitioner if they expect foot traffic to increase, drive-through traffic or both. Ms. Abruscato responded they are expecting it to increase foot traffic and not necessarily increase the drive-through traffic. The addition to the dining room is to bring in eat-in, sit down type customers. Ms. Abruscato stated the proposed plan in her opinion would not affect the drive-through. Ms. Abruscato indicated they have expeditors outside at the drive-through, and there is a double lane bypass on the east side to get those cars that might be tying up. Chairman Jirik stated it is his understanding that Portillo's business plan does not plan to exacerbate or increase the drive-through traffic but rather increase the foot traffic into the restaurant.

Mr. Stark stated he recognized Portillo's goal is to increase foot traffic; he expressed some concern about the owners' tack on this. Their representative acknowledges there is a problem with the drive-through but they have no plans to make any changes. Mr. Stark indicated for the Commission to officiate or direct this change where we hold hostage to something we want to have expansion of which probably will not affect it, but the owner will then correct the problem, which all the Plan Commission members seem to see every day when they go by the site, otherwise how else will we ever have this addressed because Portillo's may never been in front of the Plan Commission again asking to do anything different with this building. Mr. Stark asked how does the Commission address this perceived problem with the loading of the drive through.

Ms. Abruscato replied Portillo's would have to work jointly with the landlord. She stated when Portillo's went to the Plan Commission in 1996, they wanted the driveway to go to the east and north of the building. Service Merchandise, who is no longer a tenant, denied that proposal. Ms. Abruscato expressed the belief that might not be a good solution either because that is the main drive. The existing drive-through is centered more into the center of the shopping center. She also recalled there was some question about the number of stop signs throughout the center that might also contributing to the congestion.

Mr. Stark acknowledged Portillo's has done what they have to do, but Planning Staff suggested that the lane be moved, and the owner representative's response was that they were not going to change that right now. Mr. Stark stated he is looking at a petition, which seems fine and will increase foot traffic, but the Commission's concern here is how do we address the back-up coming through this drive-through. Mr. Stark noted he could see this as generating somewhat more drive-through traffic as more people come into the restaurant. Both he and Mr. Waechtler question if this is just inviting a revisit of this problem later on and how do we get this changed. Mr. Stark indicated he is talking to his fellow Plan Commission members as well as the Village Council as he is speaking to Ms. Abruscato. Mr. Stark stated he is in favor of this development, he understands their business plan, but in order to get approval for this one of the criteria is for the

ownership of the property to take a look at the traffic flow and be more aggressive with it other than "we have no plans at this time". Mr. Stark indicated he wanted to see a proposal to address the traffic flow rather than just write it off.

Mr. Griesbaum stated it is always nice to see a business doing well in Downers Grove, and the fact that Portillo's wants to expand is very positive. He indicated he wanted to expand on Mr. Stark's comments. Mr. Griesbaum suggested the Plan Commission should consider something in the recommendation that puts some onus on the owner to come back with a recommendation or a plan of how to help alleviate this traffic flow. Secondly, if Portillo's is going to increase foot traffic, which is great, Mr. Griesbaum asked why are they losing three ADA-compliant parking spaces as part of the redevelopment. Mr. Griesbaum acknowledged the Center is meeting the required 22 spaces overall, but why are three ADA parking spaces being removed. Mr. Waechtler noted the existing ADA parking spaces are right in front of where the proposed addition would be built. Ms. Abruscato agreed with Mr. Waechtler's assessment. Ms. Abruscato explained the eight spaces they have provided are in excess of what is required. She also noted those spaces are at least 50% empty most of the time. She had no explanation as to why there was a surplus of four ADA parking spaces.

Mr. Griesbaum again suggested that as part of the Plan Commission's recommendation that there be a plan developed by the owner on a way to alleviate the drive-through congestion traffic that occurs within the Center today. Mr. Stark stated he would be amenable to seeing such language in the Commission's motion.

Mr. Griesbaum pointed out this is not just a Portillo's issue. It is also an issue that focuses on Burger King and the Center itself.

Mr. McCormick noted out this is an amendment to Planned Development No. 17, and Portillo's is a part of that Planned Development. Mr. McCormick expressed his opinion that it would not be inappropriate to address this issue.

Chairman Jirik stated the challenge is there are multiple parties, who are not beholden to each other, and yet they need to cooperate with each other. Chairman Jirik stated it is very hard to foster the action unless it is such a severe hardship that one just pays the costs and does it. Mr. Griesbaum recalled this Planned Development has been before the Plan Commission before when the whole drive-through across the Center east to west was discussed. At that time the Center ownership proposed to strategically place stop signs along the road directly in front of the retail establishments. Mr. Griesbaum stated if the Commission expects the owner to come back with a plan on how to alleviate that and for some reason it is impractical or causes other issues, whatever, that could be reviewed. He commented that both the Plan Commission and the Village Council would look at that from a reasonable viewpoint. Mr. Griesbaum agreed with Mr. Stark's comment regarding the owner representative's comment that "there is really no plan to do anything". Mr. Griesbaum stated we know traffic is going to continue to increase within that Center and that issue should be addressed.

Chairman Jirik agreed but admitted he was struggling with the fact that different parties are involved. Chairman Jirik pointed out if the amendment was recommended for approval subject to a future uncertain action with an unknown cost not knowing who would share that cost, policy-wise that makes him very uncomfortable. If the expectations were more modest, for example, within 12 months of the completion of this project, a study be made to identify possible measures to improve the traffic flow, the cost and a report on the measures Portillo has undertaken to further address the traffic concerns be submitted. Chairman Jirik pointed out such a recommendation would compel the parties involved to get together to identify options and their costs. Chairman Jirik indicated to grant an amendment to the Planned Development subject to some undefined, unquantified issues is not good policy in his opinion. Chairman Jirik further noted if he were the petitioner he would be hard pressed to buy into such a proposal. He recalled the Discount Tire petition where it was going to cost a lot of money to review and change the parking lot at the Home Depot center further west on Butterfield Road.

In response, Mr. Stark expressed appreciation for the Chairman's thinking and added in a perfect world, they would then implement whatever plan they came up with. Mr. Stark stated allowing the petitioner to go ahead and build and then come up with a plan you might implement is taking away any leverage the Plan Commission and the Village Council has to solve this problem. Mr. Stark pointed out the problem has been there for all to see, the Center owner knows it as do the other businesses in the Center, and there has not been any impetus by the owner to rectify that. Mr. Stark suggested if the Center owner wants one of his largest tenants to remain happy because they have received approval for their proposed plans, then the owner needs to come up with a plan which is going to meet with Staff's recommendation. If they are allowed to build absent any plan to address the traffic issue, the Village has no teeth to affect any changes.

Mr. McCormick pointed out the Plan Commission's action is a recommendation to the Village Council, and the Council can accept or reject the recommendation. Mr. McCormick stated he was in favor of making a positive recommendation without any additional conditions attached. The traffic issue is now out in the open, and the Village Council can take action on it if they so chose. Mr. Waechtler stated he too was in favor of making a positive recommendation. Chairman Jirik indicated he could adjust his thinking. If at the time this goes to the Village Council, it was accompanied by a report of the options and the cost, the Plan Commission can be silent on telling them to do anything absent the options and the cost. Chairman Jirik stated so as not to delay this petition, if that information could be prepared and accompany the Plan Commission's recommendation, then the Village Council would not be struggling with some unknown possible solution, but might have some rank order as to what could be done. The Village Council could then choose to compel corrective action.

Mr. Stark acknowledged the Plan Commission's action would be in the form of a recommendation, and all this discussion will give the Council food for thought when they make their final decision. Mr. Stark agreed with Chairman Jirik's statement that economic issues would drive the possible options. The petitioner will point out the economic burdens to remedy what the Plan Commission sees as a problem, or they will

come up with an explanation as to why it is not a problem. The Plan Commission has been presented with a change in the configuration of a business, which was previously recommended for approval by the Plan Commission. We have watched it grow, and now it is growing again. Mr. Stark expressed his opinion that the Plan Commission would be remiss to just rubber-stamp this without comment.

Chairman Jirik clarified his previous statements. If the motion were to be for a favorable recommendation, it would contain language that prior to this petition being placed on a Council Workshop agenda a report of the options shall be developed including costing of the means to calm, remedy or further improve the traffic. If any of those options were to be cost effective, the Plan Commission would recommend that the Village Council seriously consider them. This would be equipping the Mayor and Council with pertinent facts, and the Plan Commission would be compelling the petitioner to gather that information.

Mr. Griesbaum also suggested the motion should say prior to the approval of this planned development amendment, there would be a plan of options prepared by the Center's owner to alleviate the drive-through congestion caused by the stacked cars during high peak sales time. Chairman Jirik suggested the additional language that this petition will not be forwarded to the Village Council until such time as Staff receives the plan of options. Mr. Griesbaum agreed.

Mr. Waechtler asked if this plan is to be ready when this petition goes to the Council. Both Chairman Jirik and Mr. Griesbaum responded that would be the intent. Chairman Jirik stated such a study would be part of the package of material forwarded to the Mayor and Council. Mr. Waechtler stated he had been writing down the various language options and he suggested the following: "As to the issue of traffic flow for drive-through restaurant businesses, it is the Plan Commission's recommendation that the owner of the shopping center address this traffic congestion issue in consultation with the involved parties and develop a plan for presentation to the Village Council." The Plan Commission members indicated their approval of such language.

Ms. Abruscato stated the landlord has not indicated that they would work on this issue. They approved the Portillo plan as submitted. She expressed concern that they are not the only tenant in that center and if the petition for the addition is denied no one wins. The traffic issue does not get addressed, and Portillo's does not get to build their addition. If Portillo's does not have the cooperation of the ownership to get the study of options completed, she asked where does the ownership lie. Chairman Jirik acknowledged that was the issue he had attempted to address earlier. Chairman Jirik stated the first step is what are the range of solutions as there may be multiple steps. Get some creative people involved and figure out the range of things that can be done. He asked what is in it for the entire Center, for Portillo's, what are the costs. Chairman Jirik stressed that he did not want to delay the advancement of this petition at this level, but allow that information to be available for the next step of review. If the parties cannot agree, the Mayor and Council would be aware of the absence of some degree of cooperation, and the financial burden falls to Portillo's.

Mr. Griesbaum stated it is the Commission's responsibility to address Staff's concerns, and if we do not take that upon ourselves to address that, then the concern will not be relayed to the Village Council.

Chairman Jirik called for a motion.

MOTION: WITH RESPECT TO FILE NO. PC-17-04, MR. GRIESBAUM MOVED THAT THE PLAN COMMISSION RECOMMEND APPROVAL OF THE PETITIONER'S REQUESTED ACTION SUBJECT TO THE FOLLOWING CONDITIONS NUMBERED ONE THROUGH EIGHT IN THE STAFF DEVELOPMENT TEAM'S REPORT AS WELL AS A NINTH CONDITION

- 9. AS TO THE ISSUE OF TRAFFIC FLOW FOR DRIVE-THROUGH RESTAURANT BUSINESSES, IT IS THE PLAN COMMISSION'S RECOMMENDATION THAT THE OWNER OF THE SHOPPING CENTER ADDRESS THIS TRAFFIC CONGESTION ISSUE IN CONSULTATION WITH THE PARTIES INVOLVED AND DEVELOP A PLAN FOR PRESENTATION TO THE VILLAGE COUNCIL. MR. MCCORMICK SECONDED THE MOTION**

Chairman Jirik asked if there were any questions regarding the intent of the motion. Mr. McCormick asked if "the parties involved" also includes Staff. Mr. Waechtler suggested the words "including Staff" could be added for clarification. Everyone agreed.

AMENDED MOTION: WITH RESPECT TO FILE NO. PC-17-04, MR. GRIESBAUM MOVED THAT THE PLAN COMMISSION RECOMMEND APPROVAL OF THE PETITIONER'S REQUESTED ACTION SUBJECT TO THE CONDITIONS NUMBERED ONE THROUGH EIGHT IN THE STAFF DEVELOPMENT TEAM'S REPORT AS WELL AS THE FOLLOWING NINTH CONDITION:

- 9. AS TO THE ISSUE OF TRAFFIC FLOW FOR DRIVE-THROUGH RESTAURANT BUSINESSES, IT IS THE PLAN COMMISSION'S RECOMMENDTION THAT THE OWNER OF THE SHOPPING CENTER ADDRESS THIS TRAFFIC CONGESTION ISSUE IN CONSULTATION WITH THE PARTIES INVOLVED INCLUDING STAFF AND DEVELOP A PLAN FOR PRESENTATION TO THE VILLAGE COUNCIL.**

MR. MCCORMICK SECONDED THE MOTION.

ROLL CALL:

AYE: Mr. Griesbaum, Mr. McCormick, Mr. Matejczyk, Mr. Quandt, Mrs. Rabatah, Mr. Stark, Mr. Waechtler, Chairman Jirik

NAY: None

Motion passed unanimously.