

Village of Lombard

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



Meeting Agenda

Thursday, February 16, 2012

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President: William J. Mueller

Village Clerk: Brigitte O'Brien

Trustees: Greg Gron, District One; Keith Giagnorio, District Two;

Zachary Wilson, District Three; Peter Breen, District Four;

Laura Fitzpatrick, District Five; and Bill Ware, District Six

I. Call to Order and Pledge of Allegiance

II. Roll Call

III. Public Hearings

IV. Public Participation

[120078](#) Proclamation - Severe Weather Awareness Week

Attachments: [procsevereweater2012.doc](#)

V. Approval of Minutes

Minutes of the Regular Meeting of February 2, 2012

VI. Committee Reports

Community Relations Committee - Trustee Keith Giagnorio, Chairperson

Economic/Community Development Committee - Trustee Peter Breen,
Chairperson

Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson

Finance Committee - Trustee Greg Gron, Chairperson

Public Works Committee - Trustee Bill Ware, Chairperson

Transportation & Safety Committee - Trustee Zachary Wilson, Chairperson

Board of Local Improvements - Trustee Greg Gron, President

Community Promotion & Tourism - President William J. Mueller, Chairperson

Lombard Historical Commission - Clerk Brigitte O'Brien

VII. Village Manager/Village Board Comments

VIII Consent Agenda

.

Payroll/Accounts Payable

- A. [120059](#) Approval of Village Payroll
For the period ending January 28, 2012 in the amount of \$932,058.51.
- B. [120060](#) Approval of Accounts Payable
For the period ending February 3, 2012 in the amount of \$366,979.51.
- C. [120076](#) Approval of Accounts Payable
For the period ending February 10, 2012 in the amount of \$629,477.69.

Ordinances on First Reading (Waiver of First Requested)

- D. [120075](#) Ordinance Amending Title 7, Chapter 75 of the Lombard Village Code Ordinance bringing Village Code into compliance with State legislation as it relates to the seizure and impoundment of motor vehicles.
Attachments: [120075 BOT 02162012.PDF](#)
[Ordinance 6679](#)
- E. [120077](#) Lombard Business District No. 1 - First Amendment
Approving a First Amendment to the Business District Redevelopment Agreement by, between and among Yorktown Holdings, LLC, Highland Yorktown, LLC and the Village of Lombard. (DISTRICT #3)
Attachments: [120077 BOT 2 16 12.pdf](#)
[120077Updated BOT 2 16 12.pdf](#)
[120077Coverpage2-16-2012](#)
[Ordinance 6680](#)
[First Amendment](#)
[Yorktown Center Business District redevelopment Agreement](#)

Other Ordinances on First Reading

- F. [120054](#) Ridge Avenue, No Parking Request
Recommendation from the Transportation & Safety Committee to implement No Parking on the east side of North Ridge Avenue from 901-905. (DISTRICT #1)
Attachments: [120054 BOT 2-16-12](#)
[120054Coverpage2-16-12](#)
[Ordinance 6694](#)

Kalisik reviewed the item. The problem is trucks parking on the roadway where it is too difficult for other trucks to make the turn to make their deliveries. Menolascino related an incident where an officer wrote a ticket to a driver for parking too close to a crosswalk. The truck driver then said he wouldn't move because he already got the ticket, so he can stay there all day. Three hours later a truck trying to make the turn side-swiped the parked truck. Chairperson Wilson asked if it will be a tow zone. Menolascino answered that it will be a parking ticket only.

Kalisik commented that the business owners have been happy since the temporary signs were installed. Corso asked if staff anticipates the problem moving down the street. Kalisik replied that he has spoken with all of the businesses and other than stating that they don't want the entire street posted no parking, they have not complained at all. Discussion ensued regarding the specific types of businesses that occupy the immediate area. Schaefer asked if there was a history for the other no parking areas. Kalisik said it was the same situation, those businesses have minimal frontage and access points where trucks need to back in and can't make it if there's a vehicle parked. Chairperson Wilson asked if the entire street should be signed. Schaefer said he was thinking that, but realized we probably don't want to put it in unless the business owner are asking for it. Chairperson Wilson asked if the closure of the Ardmore Avenue bridge in Villa Park added to the truck traffic. Menolascino answered that it didn't, however, the toll increase has.

Menolascino reported that the signs that were installed on Grace Street and in the Lombard Lagoon area have had a positive effect. The Police Department has not written any tickets yet, they're still giving warnings, but the have not received any calls from the area residents.

Ordinances on Second Reading

- G. [110735](#) Main Drive, No Parking
Recommendation from the Transportation & Safety Committee to implement No Parking on the west side of the street. (DISTRICT #6)

Attachments: [110735 BOT 02022012.PDF](#)

[Ordinance 6681](#)

Kalisik reviewed the item. Schaefer reiterated the area has significant parking during high school events and can get very congested. Schaefer also requested information on how wide a normal street is constructed. Kalsiik stated 32-feet, back-of-curb to back-of-curb.

- H. [120031](#) PC 12-03: 844 N. Ridge Ave. (Flesk Brewing Co. LLC)
Requests a conditional use per Section 155.420(C)(17) of the Zoning Ordinance to allow for Food Manufacturing, Packaging, and Processing in the I Limited Industrial District. (DISTRICT #1)

Attachments: [120031 BOT 2 2 12.pdf](#)

[120031Coverpage2-2-2012](#)

[Ordinance 6682](#)

William O'Brien, 5800 Oaklund Drive, Lisle, presented the petition.

He stated that his brother and he want to establish a nano-brewery in Lombard. They have been home brewing for five years and his brother studied to be a brew master. He then mentioned his brother's schooling and work background. He stated that a nano-brewery is a tiny step up from a home brewing system. Their location on Ridge Ave. would consist of two fermenters and water consumption used for this process would be approximately 50,000 gallons. He then stated that they would like to expand sometime in the future and the subject property will allow them to do so.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. No one in the audience spoke in favor or against the petition.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the staff report. Flesk Brewing Co. LLC, intends to occupy a 2,065 square foot space within the existing multi-tenant building on the subject property and operate a "Nano Brewery". Nano breweries are microbreweries, which the ATF TTP (Alcohol Tobacco and Firearms Tax and Trade Bureau) defines as very small brewery operations. From a zoning perspective, the use would be deemed a conditional use within the I District as food manufacturing or process.

Food manufacturing and processing establishments are listed as conditional uses within the I Limited Industrial District. As part of the conditional use review process, staff has reviewed the current conditions on the subject property relative to the proposed use.

According to the petitioner, their operations will use about 50,000 gallons of water annually. It is anticipated that Flesk Brewing Co. will brew about 100 barrels of beer, with the remainder being bottled. Aside from loading and shipping functions, the operations associated with the brewery will be conducted within the confines of the tenant space. More specifically, Flesk Brewing Co. intends to use the tenant space to brew, package and distribute the product from the premises. They intend to sell their beer to local restaurants/bars and liquor stores. There will be no consumption of alcohol on the premises.

Given their small size, logistics will be made using their own personal vehicles and/or small delivery trucks as recent changes in federal/state laws will now allow small brewers to distribute their own product. As the subject tenant space has a garage door, which is intended for loading purposes, all products will be moved through the loading door. Furthermore, the petitioner does not plan to store any materials outside.

Flesk Brewing Co. would be sharing a dumpster with the other tenants located on the subject property. The dumpster currently

located on the subject property is not properly screened per Section 155.710 of the Zoning Ordinance. Upon inspection of the site, staff noticed a pile of wood next to the dumpster and other loose debris scattered throughout the subject property. In order to maintain optimal site conditions, a condition of approval will require that the wood pile and any other loose debris be removed from the property. According to the petitioner, spent grain will be a by-product of the brewing process, which will be placed in containers and disposed of by a waste management company. Due to limited dumpster space, a condition of approval will also require that any waste, which is a by-product of the brewing process, be stored within the confines of the building until it can be properly disposed of.

Food manufacturing, packaging, and processing is listed as a conditional use in the I Limited Industrial District due in part to the potential for a wide range of usage intensities associated with this use. While large scale and/or noxious food manufacturing operations would likely raise concerns about noise, odor, and waste products, staff believes that the small scale operation of Flesk Brewing Co. to not be of that variety.

The Zoning Ordinance requires one (1) parking space per one and a half (1.5) employees in the I Limited Industrial District. According to the petitioner, on-site staffing will be limited to only those times in which the master brewer needs to be on premises to make the product. There are currently sixty (60) parking spaces on the property.

Staff finds that all of the Standards for Conditional Use, as submitted by the petitioner, have been met.

The Comprehensive Plan recommends Light Industrial uses at this location. The proposed use complies with the recommendation of the Comprehensive Plan.

The subject business is industrial in nature and is surrounded exclusively by other industrial uses. Flesk Brewing Co.'s operations, as described by the petitioner, are not intensive enough to be a nuisance, safety concern, or health concern for the surrounding land uses.

Staff finds that the approval of the requested conditional use would not have significant impacts on the subject property or surrounding area. With the exception of loading operations done from the overhead garage door, all business activities are conducted within the tenant space.

Staff is recommending approval of the petition subject to the three (3) conditions listed in the staff report.

Chairperson Ryan then opened the meeting for comments among

the Commissioners. The Commissioners had no questions or comments.

I. [120032](#)

PC 12-04: Text Amendments to the Lombard Zoning Ordinance
The Village of Lombard requests a text amendment to Section 155.417 of the Lombard Zoning Ordinance allowing “Secondhand stores and rummage shops (with a minimum floor area of 5,000 square feet)” to be listed as a conditional use within the B4A - Roosevelt Road Corridor District. (DISTRICTS - ALL)

Attachments: [120032 BOT 2 2 12.pdf](#)
[120032Coverpage2-2-2012](#)
[Ordinance 6683](#)

Chairperson Ryan opened the meeting for public comment. There were no comments or questions from the public.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Community Development Director, presented the petition. There are currently no uses (permitted or conditional) that would allow for the resale of goods in the B4A - Roosevelt Road Corridor District. Furthermore, staff has recently been getting inquiries from the development community relative to “secondhand stores and rummage shops” in the B4A Roosevelt Road Corridor District. As such, the Village is requesting text amendments to the Zoning Ordinance to allow ‘Secondhand stores and rummage shops (with a minimum floor area of 5,000 square feet)’ as a conditional use in the B4A - Roosevelt Road Corridor District.

PC 11-25, which includes a request for a conditional use for secondhand stores and rummage shops, will be heard subsequent to this hearing. If this petition is not approved, PC 11-25 cannot be heard as currently proposed.

Staff has recently been getting inquiries from the development community relative to “secondhand stores and rummage shops” in the B4A Roosevelt Road Corridor District. As Table 1 in the staff report illustrates, “secondhand stores and rummage shops” are prohibited in the B1 Neighborhood District and B4A Roosevelt Road Corridor District; however, if someone wanted to establish a secondhand store or rummage shop, this could be done in the B2, B3, B4, B5 & B5A Districts as a permitted use.

As part of the 2007 Roosevelt Road Corridor Study, the report ranked 143 different land uses from “highly desirable” to “highly undesirable”. Secondhand stores and rummage shops were classified as an undesirable use as the intent of B4A District is to

promote a strong retail corridor. Therefore the B4A District does not allow "secondhand stores and rummage shops" as either a permitted or conditional use. Subsequent to the adoption of the B4A Zoning District, the Village Board did approve a text amendment to allow "Attendant Collection Centers" as conditional uses in the B4A Zoning District (PC 07-39). These centers are often associated with secondhand stores as the items being dropped off are for resale or donation. Staff supported that amendment as it addressed a growing demand for such facilities and that they are desired over remote drop boxes as the staffing helps minimize impacts of fly-dumping and the conditional use process helps ensure that its operation will be compatible with adjacent land uses.

In 2009, staff initiated a text amendment to allow "secondhand stores and rummage shops" in the B2 District (PC 09-23) as a permitted use. In that case, staff supported the text amendment as we felt the use was suitable for the B2 - General Neighborhood Shopping District because it is a zoning district intended to provide convenience shopping to adjacent residential areas, but allows for a wider range of uses than permitted in the B1 District.

Staff supports the concept of allowing "secondhand stores and rummage shops" in the B4A Zoning District, provided that certain restrictions are in place to ensure the intent of the B4A District is met. Specifically, staff recommends that there be a minimum size requirement for the "secondhand stores and rummage shops" and that they require conditional use approval. Staff offers the following comments:

Staff also recommends "secondhand stores and rummage shops" with a minimum floor area of 5,000 square feet be allowed to locate within the B4A Zoning District. The rationale for the minimum size requirements go back to the intent of the B4A Zoning District. Specifically, the district is intended to be a regional arterial corridor that attracts strong retail land uses. With a minimum size requirement of 5,000 square feet, this ensures that the proposed business will be in character with other retail uses along the corridor. Furthermore, staff feels restricting it to a minimum size still meets the intent of the 2007 Roosevelt Road Corridor Study as it will likely minimize the proliferation of "secondhand stores and rummage shops" in the small vacant tenant spaces. A minimum 5,000 square feet will also likely require a large capital investment in a tenant space. Staff did research other communities and found that the Village of Geneva has a similar provision allowing "secondhand stores and rummage shops" based on the store's size.

Staff also recommends "secondhand stores and rummage shops with a minimum floor area of 5,000 square feet" as a conditional use. Since secondhand stores typically rely on the donation of goods, which are typically dropped off on-site and for resale, the

need for additional review may be warranted. This is consistent with the regulations associated with "Attendant Collection Centers".

During their September 19, 2011 meeting, staff solicited the input of the Plan Commission on the proposed amendment. In order to gauge the position of the Commissioners, staff provided background on the item and posed the following questions:

- 1. Does the Plan Commission support an amendment to the B4A District to allow for "secondhand stores and rummage shops"?*
- 2. If allowed, does the Plan Commission support the use to go through the public hearing process as a conditional use?*
- 3. Does the Plan Commission support the concept of requiring "secondhand stores and rummage shops" in B4A District to be a minimum of 5,000 square feet?*

Based upon the response to the aforementioned questions posed by staff, the Plan Commission responded favorably to the proposed text amendments. Furthermore, the Plan Commission concurred with staff's approach of categorizing the use as a 'conditional use' and requiring a minimum amount of square footage for secondhand stores and rummage shops. The workshop discussion focused on the need for the Village to have oversight on the operations of secondhand stores, due to potential negative impacts that can be associated with the proposed use; more specifically, the drop off component. Furthermore, staff is recommending approval of PC 12-04.

Chairperson Ryan opened the meeting to the Commissioners. The Commissioners had no questions or comments.

***J. Declaration of Surplus Equipment (Moved to IX-B)**

Resolutions

- K.** [120069](#) 87 Yorktown Mall Drive - Capital Grille
Accepting public watermain and fire hydrants at 87 Yorktown Mall Drive.
(DISTRICT #3)
Attachments: [120069_BOT_2_16_12.pdf](#)
 [120069Coverpage2-16-2012](#)
 [R 56-12](#)
- L.** [120071](#) 94 Yorktown Mall Drive - Rock Bottom
Accepting public watermain and fire hydrants at 94 Yorktown Mall Drive.
(DISTRICT #3)

Attachments: [120071 BOT 2 16 12.pdf](#)
[120071Coverpage2-16-2012](#)
[R 57-12](#)

- M.** [120072](#) 3 Yorktown Mall Drive - Cole Taylor Bank
Accepting public watermain and fire hydrant at 3 Yorktown Mall Drive.
(DISTRICT #3)

Attachments: [120072 BOT 2 16 12.pdf](#)
[120072Coverpage2-16-2012](#)
[R 58-12](#)

- N.** [120073](#) 305-352 Yorktown Mall Drive - Shops on Butterfield
Accepting public watermain and fire hydrants at 305-352 Yorktown Mall
Drive. (DISTRICT #3)

Attachments: [120073 BOT 2 16 12.pdf](#)
[120073Coverpage2-16-2012](#)
[R 59-12](#)

- O.** [120074](#) Intergovernmental Agreement with Northern Illinois Police Alarm System
(NIPAS)
Resolution authorizing the Village of Lombard to join the
multi-jurisdictional agency known as NIPAS.

Attachments: [PDNIPAScover.doc](#)
[PDNIPASmemo.doc](#)
[pdNIPASres.doc](#)
[R 60-12](#)
[Northern IL Police Alarm System Agreement](#)
[120074BOT2-16-2012](#)

***P. Intergovernmental Agreement - Carriage House (Moved to IX-C)**

- Q.** [120058](#) 11 S. Park Avenue - Downtown Retail Business Grant (DRBG)
Authorizing signatures of the Village President and Village Clerk on an
Agreement Authorizing the Reimbursement of Funds for a Downtown
Retail Business Grant for the property located at 11 S. Park Avenue in
an amount not to exceed \$20,000. (DISTRICT #1)

Attachments: [120058 BOT 2 16 12.pdf](#)
[120058Coverpage2-16-2012](#)
[R 61-12](#)

*Christopher Stilling, Assistant Director of Community
Development, provided background on the request. He
stated that staff has recently received a request for a
Downtown Retail Business Grant (DRBG) for Shannon's Deli
located at 11 S. Park Avenue. Shannon's, who also has the*

butcher shop at 15 S. Park Avenue, is seeking to add the deli component to complement their existing butcher shop. Although the deli and butcher are under the same control and will share a kitchen, both businesses are separate and distinct.

Mr. Stilling gave the ECDC a general overview of the program, highlighting a few of the recent changes. He said that since this business will operate as a restaurant, they will not be subject to a lien and would be eligible for up to \$20,000. He also stated that Shannon's Deli is in the process of undertaking an extensive interior renovation to the tenant space at 11 S. Park Avenue. This business will operate as a restaurant offering lunch and dinner; however, it will also have a deli component offering various meats, cheeses, takeout sandwiches and prepared foods not available at their butcher shop. The interior will include approximately 42 seats where customers can order their food and consume it on premises. There will also be 2 deli counters for the prepared foods and meats.

The estimated cost of the project is stated to be over \$200,000 for a complete interior renovation, including furnishings. Although not all of these expenses (such as equipment costs and furnishings) are eligible for reimbursement under the grant program, the costs of the extensive plumbing, electrical, HVAC, 2 bathrooms, full commercial kitchen and other general interior work will likely be in excess of \$40,000. Therefore, the applicant is eligible to receive up to \$20,000 from the Downtown Retail Business Grant program. This request will require approval from the Board of Trustees. If the application is approved, the applicants will need to provide the necessary paid invoices, receipts, and waivers of lien from all contractors prior to any reimbursement.

Mr. Stilling also stated that when Shannon's signed their lease for the butcher shop at 15 S. Park Avenue, effective March, 2009, that lease also included rights to occupy the tenant space at 11 S. Park Avenue. The terms of that lease were for five (5) years or until March 31, 2014. As outlined in the DRBG requirements, eligible businesses must have a minimum of a three (3) year lease or in this case until March, 2015. To accommodate the requirements of the DRBG program, Shannon's and their landlord have agreed to an extension until March 31, 2015. Both the lease and the extension are attached to staff's memo. Staff has reviewed

both documents and finds that the applicant will meet the minimum required lease provisions. Mr. Stilling then stated that as part of the DRBG process, Village staff solicited the input from the Lombard Town Centre. Their Board unanimously supports the grant and feels that it will be an outstanding new business to the downtown.

He said that staff is supportive of the request for the following reasons:

- 1. The proposed use will generate foot traffic in the downtown.*
- 2. It will occupy a previously vacant property.*
- 3. The restaurant and deli will provide an unfilled market niche.*

It should be noted that Village Counsel has recently provided the opinion that all grant requests paid for by Village of Lombard TIF dollars shall comply with the Illinois Prevailing Wage Act. Therefore, if the grant is approved, the applicant shall sign an acknowledgement form indicating that they are aware that this project is subject to prevailing wages.

Paul Elliot, owner of Shannon's Butcher Shop and the proposed deli, provided some additional background on their request. He highlighted their experience and stated that they plan to invest over \$200,000 into the space. Ms. Gannon asked what their hours would be. Mr. Elliot stated that they plan to be open from 11 AM to 8 PM.

Mr. McNicholas asked if staff waived the Small Business Development Center review. Mr. Stilling stated that given their track record and experience, staff felt that SBDC review was not necessary.

Trustee Breen asked if they plan to have outdoor seating. Mr. Elliot stated that there is very little room for tables and chairs but that as a future phase 2, they were looking at the possibility of having a roof deck. Mr. Elliot also stated that they may ask for a liquor license in the future, especially as part of the phase 2 plans.

Mr. Camacho asked about the kitchen. Mr. Elliot stated that the current butcher shop does not have a kitchen and as part of the improvements, a full commercial kitchen would be built to service both the deli and butcher shop.

Other Matters

- R. [120053](#) Lift Station Improvements, Phase 2
Request for authorization to directly purchase materials from the supplier and to utilize the bid waiver process to solicit bids from a preselected group of electrical contractors. (DISTRICT #1)
Attachments: [120053 BOT 2-16-12](#)
[120053Coverpage2-16-2012](#)
- S. [120057](#) Metra Outreach - Downtown Lombard Parking
Recommendation that the Village President sign correspondence to Metra initiating an outreach effort to explore funding opportunities for future additional parking within the Downtown Lombard area. (DISTRICTS #1 and #4)
Attachments: [120057 BOT 2 16 12.pdf](#)
[120057Coverpage2-16-2012](#)
[Letter about Lombard Commuter Parking Station](#)
- Mr. Heniff stated that the Community Development Department is seeking the input and recommendation of the Economic and Community Development Committee (ECDC) to initiate an outreach effort to Metra to explore funding opportunities for future additional parking within the Downtown Lombard area. He said that as part of the downtown planning effort last year, Chapter 6 of the Plan included a discussion of the need for additional parking. Future parking demands can be classified into two distinct categories - additional customer/business parking needs and commuter parking needs. The Plan noted that should the plan be fully realized and implemented, the new businesses would create additional demand for parking, which could be accommodated by additional surface lots, parking lot consolidation and redesign, on-street parking or a parking structure. These facilities could also be used for shared parking purposes between uses and activities.*
- With respect to commuter parking needs, Metra offered their comments as part of a work team developing the Plan. Metra completed a separate study that suggested that Metra may have a future need or demand for 200 additional commuter parking spaces for the Lombard station in the long term. They stated that their immediate concern was to ensure that the existing supply remains available and that the Plan recognizes the anticipated future demand. Metra also represented that they do not have ready capital funds available for such a project. However, Village staff notes that Metra was able to secure funding for a recently*

completed parking structure in Elmhurst.

Mr. Heniff said the issue for additional future parking in the downtown area was also mentioned as part of the Village Board's annual strategic planning process. The Board expressed a desire to advance the parking recommendations of the Plan (page 87), to include additional downtown parking. While some additional parking can be created through private development, as was done for Lincoln Place and Elmhurst Memorial Healthcare, additional commuter parking should be explored with Metra.

Staff had an initial discussion with Metra staff regarding this issue. Their staff recommended that the Village formally send a letter to Metra noting the need for future commuter parking, noting our downtown plan implementation efforts and Elmhurst's grant. This request would be to initiate a discussion between Metra and the Village regarding future parking needs. Ultimately, the request would be made to Metra to begin to look at exploring this possibility and/or placing the item in a future capital improvements program. A draft letter is attached for consideration.

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

Ordinances on Second Reading

- A. [120028](#) PC 11-25: 321-395 E Roosevelt Road (Former Lombard Crossings Development)
Requests that the Village take the following actions on the subject property:
1. Approve an amendment to an annexation agreement. (2/3 of Corporate Authorities Vote Required)
 2. Approve a planned development amendment (Major Change) to Ordinance 6211, as amended by Ordinances 6344, 6495 and 6623 for property located in the B4APD Roosevelt Road Corridor District, Planned Development, with the following companion conditional uses, deviations and variations, as follows;
 - a. A conditional use, per Section 155.417 (G) (2) of the Lombard Zoning Ordinance to allow for a secondhand stores and rummage shops in excess of 5,000 square feet for proposed Lot 1; and
 - b. A conditional use, per Section 155.417 (G) (2) of the Lombard

Zoning Ordinance to allow for a drive through for proposed Lot 1; and

c. For each lot, grant a variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking; and

d. A deviation to Section 155.417 (G)(3) of the Zoning Ordinance to reduce the minimum lot area for a detention outlet (proposed Lot 3); and

e. A deviation from Section 155.417 (G)(4) of the Zoning Ordinance to reduce the minimum lot width for a detention outlet (proposed Lot 3); and

f. A deviation from Section 154.507 of the Lombard Subdivision and Development Ordinance to allow an outlet (proposed Lot 3) to not have at least thirty feet (30') of frontage along a public street; and

g. Grant a variation from Sections 155.417 (G)(7) and (9) of the Zoning Ordinance to reduce the ten percent (10%) open space requirement for proposed Lot 2; and

h. A conditional use, per Section 155.417 (G) (2), for off-site parking.

3. Site plan approval with the following deviations from the Lombard Sign Ordinance:

a. A deviation from the Lombard Sign Ordinance to allow for a freestanding sign on both proposed Lots 1 and 2 to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way; and

b. A deviation from the Lombard Sign Ordinance to allow for 4 walls signs where 2 wall signs are permitted for proposed Lot 1.

4. Approve a major plat of subdivision. (DISTRICT #6)

Attachments: [120028_BOT 2_2_12.pdf](#)

[120028Coverpage2-2-2012](#)

[Ordinance 6684](#)

[Ordinance 6685](#)

Jay Peirick, 100 E. Wisconsin Avenue, Suite, 1030, of Goodwill Industries provided background on the project. He mentioned how Goodwill has worked closely with Village staff and Goodwill is proud of what they put together. He said they have been looking for a location in Lombard for a while. They are proposing a 1 story, 25,500 square foot retail store and donation center that will also include a talent bridge and workforce center. He described the materials to be used on the building and mentioned they spend a lot of money on the buildings and take pride in them. The buildings have a warm color palette, clear windows and each retail store and donation center tries to be self-sustaining by selling items dropped off at that specific location. It makes the community feel more integrated with Goodwill and minimizes the trucking operations to the site. The inventory on the sale floor turns every 3-4 weeks. Donations not sold on the floor get recycled. He mentioned they were using green initiatives including the large amount of recycling.

Mr. Peirick stated that although Goodwill is mostly known as a retail store and donation center, their mission is in their support centers providing assistance to the disadvantaged and disabled individuals. Some aspects include their paper shredding and child care divisions and they also play a big part with meals on wheels. State funding for these operations get cut more and more so it is more important to find other streams of revenue.

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

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director of Community Development, presented the report. He stated that the IDRC report is being submitted into the public record in its entirety. Back in 2008, the Village approved an annexation agreement and planned development with Centrum for the Lombard Crossing project which consisted of a bank, strip center, restaurant and storage facility. Due to economic conditions, Centrum never proceeded with the project and the land has since been foreclosed upon by the bank. Goodwill now has the entire site under contract and is seeking to amend the agreement and planned development and resubdivide the land to allow for a 25,500 square foot Goodwill Store and Talent Bridge/Workforce Connection Center (job placement facility) and an outlot. At this time, a final user for the outlot has not been identified.

Mr. Stilling said the property is subject to the terms and conditions of an existing annexation agreement that was approved as part of the 2008 petition. The petitioner's proposed plans require an amendment to that agreement which will be considered by the Village Board.

With reference to their retail operations, the retail store for Goodwill will be approximately 18,600 square feet in area and consist of a drop off/drive through on the east side of their building. The store would be open 7 days a week and donations would be accepted one hour earlier. Items donated at this location are mostly resold on site. Once an item is dropped off, it is inspected and sorted for quality and if acceptable, brought to the sales floor. A Goodwill truck will come to the store approximately 3-5 times a week during normal operating hours. Hours are 9AM-9PM Monday-Friday, 9AM-7PM Saturday and 10AM-6PM on Sunday.

As another component to the Goodwill retail operations, the petitioner is proposing a Workforce Connection Center and Talent Bridge in an adjacent 6,900 square foot space to the west of the retail store with a separate entrance. Essentially the 25,500 square foot building would function as a multi-tenant commercial

building, however all operations would be under Goodwill's control.

The intent of the Workforce Connection Center is to provide assistance to people who are unemployed or underemployed. The center offers help with job search, workshops and provides assistance with resumes and interview preparation. Computers, printers, telephones and internet access are available to users. As noted by Goodwill, employers will also take advantage of Goodwill's Workforce Connection Center to help identify and screen potential candidates. The petitioner anticipates serving dozens of individuals on a weekly basis.

The Talent Bridge is a staffing and recruiting center for organizations Goodwill partners with. Services include:

- Contract Employment Services*
- Direct Placement Services*
- Recruitment Process Outsourcing*
- Professional and Industrial Recruitment and Placement*

In addition, this location would also serve as some additional "back of office" space for Goodwill and their Human Resources department. Both uses are permitted in the B4A District.

With regards to the outlot, Mr. Stilling stated that as part of the overall plan, the petitioner is proposing to incorporate a 1 acre outlot (Lot 2) on the eastern side of the site for sale. At the request of Village staff, Goodwill is attempting to market the outlot to restaurant users. Although a user has not been identified yet, the petitioner has prepared 2 conceptual sketches showing how a 3,600 square foot fast-food restaurant with a drive-through or a 6,000 square foot sit-down restaurant could be accommodated on the site. Those plans are shown on Exhibit 21 of the petitioner's binder. Access to the outlot would be from both the east and west. There is an existing cross access agreement with the High Pointe Center to the east. Any development on Lot 2 would be subject to site plan approval by the Plan Commission, along with any necessary zoning relief. Additional provisions are also placed on the outlot as part of the annexation agreement amendment. In the interim and until the site is fully developed, the petitioner has agreed to provide an access drive connecting the Goodwill development to the High Pointe Center to the east. The balance of the site would be graded and seeded.

As part of the petitioner's plans, they have noted several "Green Initiatives" they plan to incorporate into their use and site plan. According to information provided by the petitioner, they state that not only is their overall use as a resale shop a "green" business, their site plan will incorporate the following other "green" elements:

- *Increased amount of open space. The petitioner is doubling the amount of open space from what was previously approved. The Centrum plan had approximately 15% open space whereas this new plan would provide about 29.2% open space. Code requires 12.5% open space.*
- *The use of LED parking lot lights.*
- *Installing pervious concrete in the sidewalk that connects the building to Roosevelt Road. The material they are using is called "FilterCrete".*

Mr. Stilling stated that for Goodwill's retail use and Workforce Connection Center/Talent Bridge, the Zoning Ordinance requires a minimum of 102 parking spaces (4 spaces/1000 square feet). The petitioner is providing 126 parking spaces.

Staff notes that there is an existing easement on the Chrisos property that granted York Township Highway Department rights to use a fifteen-foot drive aisle and the full access onto Roosevelt Road. The petitioner is working with York Township Highway Department to address the easement. IDOT has reviewed the proposed site plan and finds the full access curb-cut and right-in/right-out curb-cut to be acceptable. However, IDOT will require the petitioner to extend the existing right turn only lane for the right-in/right-out curb cut to the west in the High Point Shopping Center.

The donation drop off area would operate similarly to that of a drive-through for a restaurant. However, in this case, individuals would drive on the east side of the building and make a sharp turn around entering into the drop off area which is covered by a canopy. While this is not a traditional drive through movement, staff and the Village's traffic consultant have reviewed this closely and determined that it would function fine. Staff also visited a Goodwill Store in Woodridge and they have a similar layout. Staff found that the movement at their Woodridge store worked well.

As part of the submittal, the Village's traffic consultant KLOA reviewed the site for its impact on the Village street network. The petitioner has been working with staff and the Village's traffic consultant to address concerns related to stacking of the donation drop off area and access drives. The following is a summary of KLOA's findings:

- *The traffic to be generated by the proposed land uses will not have a significant impact on the surrounding roadway network.*
- *The access drives, as proposed, will be an improvement over the original land use and the previous approved land use given that the number of curb cuts onto Roosevelt Road will be reduced and a longer throat will be provided at the full ingress/egress access drive.*

- Consideration should be given to land banking the proposed 12 parking spaces on the west side of the site.
- The loading area on the south side of the building should be one-way westbound.
- A "Do Not Enter" sign should be posted on the loading area exit drive facing west.
- The exit drive from the donation drop-off lane should be narrowed down to one lane.
- Outbound movements from the donation drop-off lanes should be under stop sign control.

It should be noted that the petitioner's plans have been revised to reflect KLOA's recommendations with the exception of land banking the parking spaces on the west side. The petitioner has indicated that they see a need for those spaces and prefers to install them now. Staff does not object to this request.

Mr. Stilling said that the petitioner has submitted preliminary engineering plans showing how they plan to address stormwater on the site. Stormwater for the entire development will be handled by a detention basin located at the southeast corner of the site. The location of the basin is consistent with the previously approved Centrum plan. All necessary Best Management Practices required by the DuPage County Stormwater Ordinance are being provided.

The petitioner has also provided a materials board for review. The proposed building would be one story in height and constructed entirely of concrete block. The petitioner is proposing 3 different styles and colors of concrete block as part of their overall elevation. Metal awnings would be provided over the front windows of the Goodwill store. No text is being proposed on the awnings. Staff has also included photos of Goodwill's Pewaukee, Wisconsin store which would be very similar to the proposed Lombard location.

Future development on Lot 2 would be subject to the site plan approval process. It should be noted that the building elevations and materials proposed for Goodwill's site are critical as the intent of planned development amendments and the B4A District regulations are to encourage unified design. Once a user has been identified on Lot 2, the Plan Commission will have the authority to review the proposed architectural elements of the proposed use on Lot 2 in conjunction with the approved elevations for Goodwill.

The Comprehensive Plan identifies the subject property for Community Commercial Uses. The Roosevelt Road Corridor Study adopted in 2007, set forth a number of recommendations, including:

- *Unified image addressing architectural and site*

aesthetics. Increase green/open space, particularly in viable areas.

- Limit piecemeal development and promote unified development. Encourage or require cross access, cross parking and shared access*
- Pedestrian access/circulation accommodations within the development*
- Limit the impact on adjacent residential uses*
- Enhance the effectiveness of the corridor as a SRA roadway.*
- Adequately address infrastructure and utility needs within the corridor.*

Based on a review of these provisions, the proposed redevelopment is consistent with the Comprehensive Plan and Roosevelt Road Corridor Plan.

Staff finds that the proposed redevelopment is consistent with the other uses along Roosevelt Road. The subject property is bordered on the north and east by other existing retail commercial uses. To the south of the subject property is an office and storage facility for York Township Highway Department. To the west of the subject property is a motel, which may be subject to redevelopment at some point in the future, and U-Store-It storage center. As the proposed building would be 1 story in height, there would be minimal visual impact to the unincorporated residences located to the south on 13th Place.

As noted, the property is zoned B4APD and is subject to Planned Development Ordinance 6211, as amended by Ordinances 6344, 6495 and 6623. Other than the request for off-site parking, the zoning actions associated with Goodwill's petition are consistent with the previously approved plan. In fact, this petition has less relief associated with it than the previously approved plan. The proposed new Goodwill requires that the following zoning actions be taken in order to facilitate the development.

Conditional use to allow for a secondhand store and rummage shops in excess of 5,000 square feet for proposed Lot 1:

The petitioner's use of selling secondhand clothing is currently not permitted in the B4A District. As part of PC 12-04, staff has initiated a text amendment to allow for "secondhand stores and rummage shops" in excess of 5,000 square feet as a conditional use. Since secondhand stores typically rely on the donation of goods, which are typically dropped off on-site and for resale, the need for additional review is warranted. This is consistent with the regulations associated with "Attendant Collection Centers". As the Goodwill store will be 18,600 square feet in area, it would meet the minimum size requirements. Staff supports this request as the store and the use would be in character with other retail uses along the corridor. In addition, staff finds that the donation drop-off area functions well and will not impact overall circulation.

A conditional use to allow for a drive through for proposed Lot 1;
The proposed Goodwill includes a drive-through facility on the east side of the building for donation drop-off. Sufficient stacking is provided and the proposed drive-through facility will not negatively impact traffic circulation within the development. Staff does not object to this request.

A conditional use for off-site parking;

A conditional use for off-site parking is being requested to benefit the future use on Lot 2. If a sit-down restaurant were to be constructed on Lot 2, the existing lot may not be large enough to accommodate all the required parking. Since the proposed Goodwill site will have excess parking, any shortfall could be accommodated on the Goodwill site. Staff supports this request since sufficient parking would be provided throughout the overall development and it avoids the need for granting a variation for parking.

A deviation to reduce the minimum lot width and lot area;

Regarding the width and area requirements, the petitioner is seeking this relief, as the overall detention requirements do not require a lot of a size that would meet code provisions. Staff notes that this relief can be conceptually supported given that the lot will not be developed in the future.

For each lot, variations reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking;

By establishing a planned development, arbitrary property lines can be ignored in favor of a more unified and cohesive development. In this case, the proposed access aisles are placed where it makes most sense within the overall project, rather than based upon property lines. This deviation can be supported as it provides for better traffic flow and circulation. Moreover, it also helps minimize traffic on adjacent public streets. Staff has supported such relief for other unified centers.

Grant a variation from Sections 155.417 (G)(7) and (9) of the Zoning Ordinance to eliminate the ten percent (10%) open space requirement for lot 2;

A review of the plans estimated that the proposed development on Lot 2 may not meet the minimum open space requirements. However, given that the site is part of an overall planned development and the lot lines are intended to be more arbitrary, this relief could be supported as the overall open space is significantly more than required and greater than what was previously approved. This approach and requisite relief was also successfully implemented within the Highlands of Lombard planned development and was also approved as part of the original Lombard Crossing development. Furthermore, the total amount of open space provided on Lot 2 could be reviewed as

part of the future site plan approval.

The proposed development is considered both a major plat and major development as defined by the Subdivision and Development Ordinance, which would require full public improvements where they are needed. The petitioner's plans do show all the necessary improvements. However the petitioner is seeking the following deviation from the following sections of Subdivision and Development Ordinance:

A deviation to allow for a lot without public street frontage:
Lot 3 requires a deviation from the Subdivision and Development Ordinance to allow a lot without street frontage. Access to Lot 3 will be provided by means of cross access with Lot 1 of the proposed subdivision. Lot 3 would be a detention outlet for the stormwater drainage of the project. Given the overall lot configuration, the grade issues and the built-in cross access provisions, staff does not object to this request.

Approve a major plat of subdivision:
The petitioner has also submitted a plat of subdivision for the development. The petitioner proposes to resubdivide the property to create 3 lots of record. As this development is over one acre in size, the plat will need to be approved by the Village Board. Staff will transmit the final plat to the Board for approval upon approval of final engineering for the development.

As part of the development process, the petitioner is proposing deviations from the Sign Ordinance:

A deviation from Section 153.235 (F) to allow for a shopping center sign to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way for Lots 1 & 2;
Goodwill is proposing an 18' high freestanding sign on the western side of their site. The sign as proposed would be setback less than 75 feet from the centerline of Roosevelt Road. As noted in past cases with similar relief, planned developments are intended for a unified and compatible design of buildings, structures and site improvements. Since a user has not been identified yet for Lot 2, staff suggested including this relief for that lot. Staff can support the relief request for Lots 1 and 2.

A deviation from the Sign Ordinance to allow for more than one wall sign per street frontage:
As the proposed Goodwill Building will be considered a multi-tenant shopping center building, signage relief is required for the Goodwill retail store. As shown, the petitioner is proposing a total of 4 wall signs: 3 facing Roosevelt Road and one facing east, not on a street frontage. Two of the signs along the Roosevelt Road frontage advertise Goodwill, while the third is calling attention to the "Donation Center". The fourth sign, located on the east elevation is also for purposes of the "Donation Center". The

total sign area of all 4 wall signs is approximately 167.5 square feet, which is well below the total 298 square feet allowed by code. Historically, staff has supported signage deviations for the number of signs provided that the total square footage did not exceed that allowable by code and if existing site conditions warranted such consideration. Signage associated with the TalentBridge/Workforce Connection Center would meet code.

Staff notes that there is an existing billboard located on the subject property. The companion annexation agreement amendment will provide for the removal of the billboard by the petitioner in 2014, when the existing lease period expires.

Mr. Stilling also noted that the existing PACE bus Route 301 runs along Roosevelt Road and could serve this property.

Mr. Stilling said that staff finds that the information presented meets the Standards for conditional use, variation and planned development, as submitted by the petitioner and as part of this petition, and as set forth in the Zoning Ordinance, Sign Ordinance and Subdivision and Development Ordinance, and therefore staff recommends approval subject to the revised 10 conditions.

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

Commissioner Sweetser asked about the cross access and its impact on the concept plans showing the various types of restaurants. Mr. Stilling said that the plan anticipates that the easement would be realigned to better fit the future user.

Commissioner Sweetser asked about the open space and the difference between what code requires and the previously approved plans. Mr. Stilling stated that the petitioner has nearly doubled what was originally approved. Mr. Stilling said code requires 12.5%.

Commissioner Olbrysh stated that he thought the petition would be an attractive addition to the corridor. He asked about the retaining wall at the rear. Staff responded by stating that the wall is necessary because of the grade changes, however, since they are increasing the setback, the wall will be much lower than what was originally shown.

Director of Community Development Bill Heniff gave an overview of the request. He noted the planned development had originally come before the Plan Commission in 2008 and the Plan Commission recommended approval. Goodwill is now seeking an amendment to the Site Plan and he stated there are less variations than originally submitted. He noted there are two phases to the development. The first is

for the Goodwill store and the second phase will be for a restaurant or retail as permitted. The second phase would need to go before the Plan Commission and then come to the Village Board once a tenant is found. He stated the existing billboard on the property is scheduled to be removed in 2014. He spoke of cross access for the York Township Highway Department. He also noted the boundaries of the proposed development project have not changed. The proposed project includes many green enhancements and green practices. He stated the store will generate 2% in sales tax and is projected at \$3 million in annual sales.

Trustee Ware questioned the cross access.

Director Heniff explained there is currently access from Roosevelt Road to the York Township Highway building and will be modified, but will remain.

Trustee Gron questioned access to the property to the east. Director Heniff indicated this will remain, but that final dimensions will be based on Phase 2.

- *B. [120040](#) Declaration of Surplus Equipment
Declaring two (2) John Deere general purpose loader buckets as surplus equipment and authorizing their trade-in.
Attachments: [120040 BOT 2-2-12](#)
[120040Coverpage2-2-2012](#)
[Ordinance 6686](#)

Resolutions

- *C. [120049](#) Intergovernmental Agreement - Carriage House
Recommendation to approve an Intergovernmental Agreement between the Lombard Historical Commission, the Lombard Historical Society and the Village of Lombard relative to the construction of an addition to the Carriage House located at 23 W. Maple. (DISTRICT #1)

Attachments: [120049 BOT 2-16-12](#)
[120049Coverpage2-16-2012](#)
[R 62-12](#)

[Intergovernmental Agreement with Lombard Historical Society](#)

[Arrangement-obligations](#)

A brief discussion took place regarding the current draft of the intergovernmental agreement. The proposed agreement allows the Historical Society to use the \$70,000 grant before it expires at the end of this year. The agreement also requires that the Society repay money that is forwarded by the Village in order to begin construction of the carriage house addition. The Commissioners commended Village personnel and the Commission President for all of their efforts to pull the agreement together.

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

To Discuss: Information Regarding the Appointment, Employment, Compensation, Discipline, Performance or Dismissal of a Specific Employee or Specific Employees of the Village

XII. Reconvene

XIII Adjournment

.