



MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

DATE: October 2, 2008

SUBJECT: PC 08-28: 400-470 E. Roosevelt Road

Attached please find the following items for Village Board consideration as part of the October 2, 2008 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 08-28;
3. An Ordinance granting approval of a planned development amendment to Ordinance 5456, with a companion conditional use to allow for the existing parking lot to remain on the property.
4. Plans associated with the petition.

The Plan Commission recommended approval of the petition subject to conditions. The petitioner is also requesting a waiver of first reading of the Ordinance so that they could begin construction on the driveway access improvements this year.

VILLAGE OF LOMBARD
 255 E. Wilson Ave.
 Lombard, Illinois 60148-3931
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Village President
 William J. Mueller

Village Clerk
 Brigitte O'Brien

Mr. William J. Mueller,
 Village President, and
 Board of Trustees
 Village of Lombard

Subject: PC 08-28: 400-470 E. Roosevelt Road

Dear President and Trustees:

Trustees
 Greg Alan Cron, Dist. 1
 Richard J. Tross, Dist. 2
 John "Jack" T. O'Brien, Dist. 3
 Dana L. Moreau, Dist. 4
 Laura A. Fitzpatrick, Dist. 5
 Rick Soderstrom, Dist. 6

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner is requesting that the Village approve the following actions for the property located within the B4A Roosevelt Road Corridor District:

Village Manager
 David A. Hulseberg

1. Pursuant to Section 155.504(A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the conditional use approval for the Carson Center Planned Development, as established by Ordinance 5456, to allow for the property at 470 East Roosevelt Road to be included within the geographical extent of the planned development.

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

2. Grant a conditional use from Sections 155.304 and 155.305 of the Zoning Ordinance to allow for the existing parking lot on the 470 East Roosevelt Road property to remain.

"The Mission of the Village of Lombard is to provide superior and responsible governmental services to the people of Lombard."

3. Grant site plan approval authority to the Plan Commission for any future development activity within the planned development.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on September 15, 2008. George Evangelopoulos of GEA Architects, consultant for the petitioner Comar Properties, presented the petition. He described the nature of the petition and their request. He noted that they propose to construct two driveways from the existing Carson's Center development to an existing parking lot on the 470 E. Roosevelt Road site. They demolished the Glenbard Electric building last year and they propose to keep the existing parking lot on the site for the use of the Carson's Center. The driveway extension will allow for access to the traffic light at Roosevelt Road and Fairfield Avenue.

Chairperson Ryan then opened the meeting for public comment. There were no comments in favor or in opposition to the proposal. Chairperson Ryan then requested the staff report.

William Heniff, Acting Director of Community Development, presented the staff report. The 400-450 E. Roosevelt Road property was improved with a Carson's Center shopping center in 2003. In 2004, the property was established as a planned development in order to address wall signage issues on the property.

Prior to 2007, the property at 470 E. Roosevelt Road was developed as an electrical contractor's office and shop. The building on the property was razed, but the existing parking lot remained on the premises. Since that time, the property has remained undeveloped. The petitioner recognizes that the property may not redevelop in the short-term due to market conditions. The petitioner proposes to utilize the existing parking lot for the benefit of the Carson's Center west of the vacant lot until such time that the property redevelops.

The petitioner is proposing to construct two driveways linking the parking lot to the Carson's Center parking lot. The zoning actions are intended to unify the properties into a single planned development and allow for the existing legal nonconforming parking lot to remain. It also sets up site plan approval authority to the Plan Commission for future development on the site. By amending the geographical extent of the planned development to include the 470 E. Roosevelt Road property, it would ensure that its short-term and long-term development would be linked with each other, thereby created a more unified development.

The petitioner is seeking a conditional use to allow for the existing parking lot on the 470 East Roosevelt Road property to remain. Without a principal use on 470 E. Roosevelt Road property, the remaining parking lot would not be in compliance with the Zoning Ordinance if it was going to be used as a principal use in its own right. Parking lots, as a principal use, are conditional uses within the B4A District. Such an activity would likely function as a vehicle storage yard and would not advance the planning goals of the corridor. However, if the lot was to be used as a companion activity to the abutting property, benefits can be achieved. In this case, the parking lot would be primarily used for daylong employees within the Carson's Center. The lot would provide for a greater float of additional customer parking in the Carson's Center.

As noted within the engineering comments, the pavement and base stone located in the far northwest corner shall be removed and shall also be graded level with topsoil and seed. This will help ensure that the property will present a well-maintained appearance during the interim period.

A benefit of this petition is that it will provide for cross-access movements and would allow eastbound traffic movements from the center to exit at the Fairfield/Roosevelt traffic light. KLOA, the Village's traffic consultant, conducted a cursory evaluation of the site plan and they noted that the southern access drive to Fairfield Avenue should be restricted to right in/right-out movements.

Staff recommends approval of the request, subject to the conditions within the report.

Chairperson Ryan opened the public hearing for discussion and questions by the Plan Commission.

Commissioner Olbrysh stated that he had no problem with the request.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance and is compatible with the Carson's Center Planned Development and that granting approval of the petition enhances the planned development and is in the public interest; and, therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 08-28, subject to the following conditions:

1. The subject property shall be developed and operated in conformance with the site plan prepared by GEA Architects, dated August 3, 2008 and made a part of this petition.
2. The existing south entrance drive to Fairfield Road shall be redesigned as a right-in, right-out access drive.
3. A perpetual cross-access agreement shall be executed between the subject properties.
4. A cross-park agreement shall also be executed between the subject properties until such time that the 470 E. Roosevelt Road property is redeveloped.
5. The petitioner shall satisfactorily address the IDR/C comments including the following:

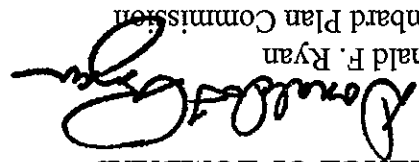
- a. The proposed access connections (one to the north and one to the south) shall be curbed and graded so that flow from these areas is directed into the existing stormwater detention system.
- b. The pavement and base stone located in the far northwest corner shall be removed. This area to be graded level with topsoil and seed.
- c. All remaining pervious areas to be cleaned of all debris (stone, trash, bricks, etc.) and graded level with topsoil and seed.
- d. All work to be performed to Village standards, specifications, details and requirements.

Furthermore, the Plan Commission recommends that site plan approval authority be granted to the subject properties.

October 2, 2008
PC 08-28
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Respectfully,

VILLAGE OF LOMBARD


Donald F. Ryan
Lombard Plan Commission

att-

c. Petitioner

Lombard Plan Commission

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

TO: Lombard Plan Commission
HEARING DATE: September 15, 2008
FROM: Department of Community Development
PREPARED BY: William Heniff, AICP
Acting Director

TITLE

PC 08-28; 400 – 470 E. Roosevelt Road: The petitioner that the Village approve the following actions for the property located within the B4A Roosevelt Road Corridor District:

1. Pursuant to Section 155.504(A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the conditional use approval for the Carson Center Planned Development, as established by Ordinance 5456, to allow for the property at 470 East Roosevelt Road to be included within the geographical extent of the planned development.
2. Grant a conditional use from Sections 155.304 and 155.305 of the Zoning Ordinance to allow for the existing parking lot on the 470 East Roosevelt Road property to remain.
3. Grant site plan approval authority to the Plan Commission for any future development activity within the planned development.

GENERAL INFORMATION

Petitioner/Property Owner:
George Kouratas
Comar Properties
1S660 Midwest Road
Oak Brook Terrace, IL 60181

PROPERTY INFORMATION

Existing Land Use: 400-450 E. Roosevelt Road - Commercial Shopping Center
470 E. Roosevelt Road - vacant lot

Size of Property: 400-450 E. Roosevelt Road - 3.78 acres
470 E. Roosevelt Road – 1.60 acres

Comprehensive Plan: Recommends Community Commercial; also recommends compliance with the Roosevelt Road Corridor Study

Existing Zoning: B4A Roosevelt Road Corridor District

Surrounding Zoning and Land Use:

North:	R2 Single Family Residential & CR Conservation Recreation District; developed as single family residences, Southland Park and a vacant lot
South:	Adjacent to property - B4APD Roosevelt Road Corridor District, Planned Development; developed as a fast-food restaurant with a drive through (Buona Beet)
South of Roosevelt Road - B4APD Roosevelt Road Corridor District, Planned Development; developed as commercial (High Point Center)	
East:	B4APD Roosevelt Road Corridor District; vacant site previously developed as Westgate Lincoln Mercury auto dealership
West:	B4A Roosevelt Road Corridor District; developed as commercial (Maxfield's Restaurant)

ANALYSIS

SUBMITTALS

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

1. Petition for Public Hearing, received September 3, 2008
2. ALTA/ACSM Land Title Survey, prepared by Barrington Engineering Consultants, Inc., dated November 1, 2006.
3. Site Plan – Carson's Center, prepared by GEA Architects, revised date March 24, 2003.
4. Proposed Site Plan Modifications for 470 E. Roosevelt Road, prepared by GEA Architects, dated August 3, 2008.
5. Response to Standards

DESCRIPTION

The 400-450 E. Roosevelt Road property was improved with a shopping center in 2003; also known as the Carson's Center. In 2004, the property was established as a planned development in order to address wall signage issues on the property.

Prior to 2007, the property at 470 E. Roosevelt Road was developed as an electrical contractor's office and shop (Glennard Electric). The property was sold to the petitioner in 2007 and the building on the property was razed, but the existing parking lot remained on the premises. Since that time, the property has remained undeveloped.

The petitioner recognizes that the property may not redevelop in the short-term due to market conditions. As such, the petitioner proposes to utilize the existing parking lot for the benefit of the Carson's Center west of the vacant lot until such time that the property redevelops.

To facilitate this request, the petitioner is proposing to construct two driveways linking the parking lot to the Carson's Center parking lot. The zoning actions associated with this request are intended to unify the properties into a single planned development and allow for the existing legal nonconforming parking lot to remain. It also sets up site plan approval authority to the Plan Commission for future development on the site.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

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

- 1) The proposed access connections (one to the north and one to the south) shall be curbed and graded so that flow from these areas is directed into the existing stormwater detention system. The proposed plan for these access connections shows an addition of approximately 3,250 square feet of impervious area. Note that the location of the connectors is where the previous building existed. In addition, the temporary nature of these connectors and the fact that the drainage will be detained in the existing, on-site, detention system will suffice for stormwater detention requirements for this project. No further detention will be required until such time that the site is redeveloped.
- 2) The pavement and base stone located in the far northwest corner shall be removed. This area shall be graded level with topsoil and seed.
- 3) All remaining pervious areas shall be cleaned of all debris (stone, trash, bricks, etc.) and graded level with topsoil and seed.
- 4) Fairfield Avenue access shall follow all recommendations set forth in the recent KLOA traffic study.
- 5) All work shall be performed to Village standards, specifications, details and requirements.
- 6) Further comments will be provided upon submittal of final plans.

PUBLIC WORKS

The Department of Public Works concurs with the Private Engineering comments noted above. As the petitioner's driveway improvements are similar in nature to the Casey's Restaurant temporary access agreement approved in 2002, this project should follow and incorporate similar provisions. Additionally, the existing south driveway entrance to Fairfield Avenue should be reviewed in order to address vehicle conflicts.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no comments regarding the petition.

PLANNING

The petitioner is proposing to incorporate the property at 470 E. Roosevelt Road (the former Glenbard Electric site) with the existing Carson's Center planned development. This request is being made to allow the property owner to utilize the existing 61 space parking lot on the 470 E. Roosevelt Road for users of the Carson's Center until such time that the 470 E. Roosevelt Road property is redeveloped in its entirety. As part of this petition, the petitioner is proposing to construct cross-access drive aisles between the two properties to improve traffic flow and access in the area. Areas not to be utilized for parking will be seeded. Stormwater enhancements will be included to accommodate the drive aisles.

Compliance with the Zoning Ordinance

The property at 400-450 E. Roosevelt Road is in full compliance with the Zoning Ordinance. In order to facilitate the proposed changes for the 470 E. Roosevelt Road property, the petitioner is seeking approval of the following actions:

Planned Development Amendment

Ordinance 5456 established the Carson's Center planned development. Section 155.504(A) of the Lombard Zoning Ordinance outlines the process for changes to the planned development. The addition of properties to an established planned development is considered to be a major change to the planned development. By amending the geographical extent of the planned development to include the 470 E. Roosevelt Road property, it would ensure that its short-term and long-term development would be linked with each other, thereby created more unified development.

Conditional Use – Re-establishment Provisions

Sections 155.304 & 305 read as follows:

§155.304 NONCONFORMING ACCESSORY USES AND STRUCTURES

No use, building or structure which is accessory to a principal nonconforming use, building or structure shall continue after such principal use, building or structure shall have ceased or terminated, unless such accessory use, building or structure shall thereafter conform to all the regulations of the zoning district in which it is located.

§155.305 RELIEF

The owner of any building, structure or use which is subject to elimination under the terms of this ordinance may apply to the Plan Commission for a conditional use to allow such building, structure or use to continue or be re-established. In such event, the procedures, terms, conditions, and standards for conditional uses set forth in Section 155.103 (F) of this Ordinance shall be used to evaluate the application.

The petitioner is seeking a conditional use to allow for the existing parking lot on the 470 East Roosevelt Road property to remain. Without a principal use on 470 E. Roosevelt Road property, the remaining parking lot (an accessory structure and use) would not be in compliance with the Zoning Ordinance if it was going to be used as a principal use in its own right. Parking lots, as a principal use, are conditional uses within the B4A District. Such an activity would likely function as a vehicle storage yard and would not advance the planning goals of the corridor. However, if the lot was to be used as a companion activity to the abutting property (the Carson's Center), benefits can be achieved. In this case, the parking lot would be primarily used for daylong employees within the Carson's Center. As an added benefit, the lot would provide for a greater float of additional customer parking in the Carson's Center.

Site Plan Approval

Staff and the petitioner recognize that the 470 E. Roosevelt Road property will redevelop in the future. By amending the planned development and giving site plan approval authority to the Plan Commission for any future development activity on the property, it will help ensure that the activity will be unified and cohesive in design.

Compliance with the Comprehensive Plan

The Comprehensive Plan identifies the subject property for Community Commercial Uses. Of particular note, a primary goal denoted in the Plan for Commercial and Retail Development is to identify and encourage the improvement or redevelopment of select commercial areas that are or are becoming functionally obsolete. The petitioner's removal of the office/contractor's shop and yard move the site closer to consistency with the Plan.

The Roosevelt Road Corridor Study adopted last year, also set forth a number of recommendations, including encouraging cross access, cross parking and shared access. The plan will have two access driveways linking the sites. By amending the planned development and setting

forth the site plan approval process, other provisions can be incorporated in the future, including common and unified development themes. Therefore, the petitioner's request is consistent with the Comprehensive Plan and Roosevelt Road Corridor Study.

Compatibility with the Surrounding Land Uses

The petitioner's request would be consistent with the other uses along Roosevelt Road. The subject properties are bordered on the south, east and west by other existing retail commercial uses. To the north is a residentially zoned property owned by the Village. To further ensure that the property is compatible with neighboring properties, staff notes the following provisions:

Property Maintenance

As noted within the engineering comments, all remaining pervious areas are to be cleaned of all debris (stone, trash, bricks, etc.) and graded level with topsoil and seed. Additionally, the pavement and base stone located in the far northwest corner shall be removed. This area shall also be graded level with topsoil and seed. This will help ensure that the property will present a well-maintained appearance during the interim period.

Traffic Flow and Circulation

A benefit of this petition is that it will provide for cross-access movements and would allow eastbound traffic movements from the center to exit at the Fairfield/Roosevelt traffic light. KLOA, the Village's traffic consultant, conducted a cursory evaluation of the site plan and including their knowledge of the area, they offered the following recommendations:

- The southern access drive should be restricted to right in/right-out movements for the following reasons:

1. Close proximity to the Buona Beef establishment's full ingress/egress access drive and the possible conflicts that could occur if southbound Fairfield Avenue queues back up to the drive location. Our observations show that these movements periodically back up during the midday peak period and the afternoon peak period up to and beyond the southern access drive (approximately 195 feet from the stop bar). If southbound traffic is queuing beyond the southern access drive and there is a vehicle attempting to turn left into the southern drive, only six to seven more vehicles could queue behind the left-turning vehicle before spilling out onto Roosevelt Road.

2. Allowing the left-turn movements into the site at the northern access drive will only require vehicles to travel 110 feet further north from the southern access drive. This is not an inconvenience and will ensure better traffic flow along Fairfield Avenue.

3. Generally, full access drives in close proximity such as the south access drive and the Buona Beef access drive cause conflicts.

Below are some of KLOA's thoughts on this parcel and their proposed access points.

- The two access drives off Roosevelt Road serving the strip center and the parcel north of Buona Beef do not have any positive effects on their ingress/egress accessibility or the traffic flow along Roosevelt Road. As such, the Village should strongly consider consolidating the two access points onto Roosevelt Road into one (preferably the westernmost access drive as it would be farther away from Buona Beef's right-in/right-out access drive). This would reduce the number of conflict points along Roosevelt Road and reduce driver confusion.

Village staff recognizes this situation and will require consolidation as part of the overall redevelopment of the 470 E. Roosevelt Road property.

- The Village should also encourage negotiations between Buona Beef and the owner of the parcel north of Buona Beef to provide cross-access between the two parcels. If cross-access is provided, this could potentially allow for the closure of the Buona Beef access drive off Fairfield Avenue as it is within close proximity to the signalized intersection of Roosevelt Road with Fairfield Avenue. Perhaps if full closure of this access drive is not an option, the access drive can be limited to right-out only.

As with the comment above, Village staff recognizes this situation and will review driveway consolidation as part of the overall redevelopment of the 470 E. Roosevelt Road property. This will also require a full engineering review as there is a marked grade change between the properties.

- Depending on the type of land use that will ultimately be developed at this location, the potential need for widening Fairfield Avenue to provide a continuous three-lane cross-section along the site's frontage should be explored.

Village staff recognizes this situation and will review future traffic demand to be generated by the future development as well as the anticipated redevelopment of the Westgate Lincoln Mercury site.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the proposed development is compatible with the surrounding land uses, the Comprehensive Plan, the Roosevelt Road Corridor Study and the overall planned development. The Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition subject to the conditions described below:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance and is compatible with the

Carson's Center Planned Development and that granting approval of the petition enhances the planned development and is in the public interest; and, therefore, I move that the Plan Commission accept the findings of the Inter-departmental Review report as the findings of the Plan Commission, and therefore recommend to the Corporate Authorities **approval** of PC 08-28 subject to the following conditions:

1. The subject property shall be developed and operated in conformance with the site plan prepared by GFA Architects, dated August 3, 2008 and made a part of this petition.

2. The existing south entrance drive to Fairfield Road shall be redesigned as a right-in, right-out access drive.

3. A perpetual cross-access agreement shall be executed between the subject properties.

4. A cross-park agreement shall also be executed between the subject properties until such time that the 470 E. Roosevelt Road property is redeveloped.

5. The petitioner shall satisfactorily address the IDRRC comments including the following:

a. The proposed access connections (one to the north and one to the south) shall be curbed and graded so that flow from these areas is directed into the existing stormwater detention system.

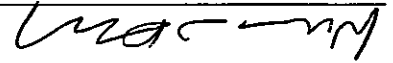
b. The pavement and base stone located in the far northwest corner shall be removed. This area to be graded level with topsoil and seed.

c. All remaining previous areas to be cleaned of all debris (stone, trash, bricks, etc.) and graded level with topsoil and seed.

d. All work to be performed to Village standards, specifications, details and requirements.

Furthermore, the Plan Commission recommends that site plan approval authority be granted to the subject properties.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP

Acting Director of Community Development

August 9, 2008

William J. Heniff, AICP
Acting Director of Community Development
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148

Re: Standards for Conditional Use
470 East Roosevelt Road, Lombard, IL

In response to the Standards for Conditional use we are offering the following comments:

First Petition: *"planned development amendment"*

In an effort to develop the subject site to a level that will be beneficial and complimentary to the existing development at the West and in keeping with the Villages desires for a unified development a planned development amendment is being requested.

This amendment will allow the Village and Developer to develop the site to a standard that is desirable and beneficial for all parties. The incorporation of this parcel into the existing planned development agreement will insure all these objectives are met when the site is developed with new improvements.

Second Petition: *"parking lot conditional use"*

The request of a conditional use for maintaining and operating an existing parking lot and vehicular circulation on the existing lot, until such time as the property is developed, will not be detrimental to the Village and surrounding neighbors. The proposed temporary improvements will create a more desirable movement of vehicular traffic and improve the adjacent retail buildings parking and access to the site. Additionally, the proposed improvements will supplement the parking already in place at the property to the immediate West of this parcel.

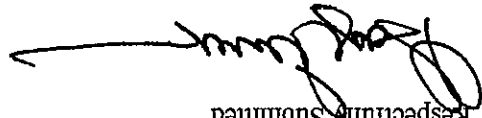
The approval of this conditional use will further minimize traffic congestion including ingress and egress from the public streets and improve the enjoyment of the existing developments while addressing the aesthetics of the parcel.

The private improvements to the site will be addressed and incorporated into the development plan at such time as a user for the site has been determined. At that time a plan for all utilities, drainage and storm water management, access roads, parking, building setbacks, etc. will be provided as so determined with the Village staff and all ordinances and standards of the Village of Lombard.

With the inclusion of the first petition this request will ensure a development that is in compliance with the current Comprehensive Plan for the Village of Lombard and all objectives of the Plan Commission.

We thank you for your consideration to this request and are available to address any questions or clarification you should have.

Respectfully Submitted



GEA Architects, Ltd
George Evangelopoulos

cc: Main File

GEA ARCHITECTS, LTD.
555 EAST BUTTERFIELD ROAD • SUITE 335 • LOMBARD • ILLINOIS • 60148
VOICE: 630.725.9330 FAX: 630.725.9340

September 16, 2008

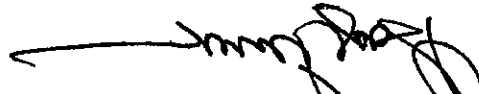
William J. Heniff, AICP
Acting Director of Community Development
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148

Re: Conditional use request and amended Planned Development for Carson Center
470 East Roosevelt Road, Lombard, IL

In an effort to expedite the approval process so that we may proceed with the improvements during this construction season we are graciously requesting a waiver of the first read of the ordinance and an approval at the October 2nd meeting.

We thank you for your consideration to this request and are available to address any questions or clarification you should have.

Respectfully Submitted



GEA Architects, Ltd
George Evangelopoulos

cc: Main File

WHEREAS, the application also requests approval of a conditional use from Sections 155.304 and 155.305 of the Zoning Ordinance to allow for the existing parking lot on the 470 East Roosevelt Road property to remain in its current state; and

WHEREAS, conditions of approval associated with Ordinance 5456, pursuant to Section 155.504(A) (major changes in a planned development) of the Lombard Zoning Ordinance, an application has heretofore been filed requesting approval of an amendment to the conditional use approval for the Carson Center Planned Development, as established by Ordinance 5456, to allow for the Vacant Property to be included within the geographical extent of the planned development.

WHEREAS, On April 1, 2008, the Corporate Authorities approved Ordinance 5456 which granted approval of a conditional use for a planned development with wall signage deviations, on the Carson's Center property; and,

WHEREAS, the property legally described in Section 3 below is located at 470 East Roosevelt Road is zoned B4A Roosevelt Road Corridor District (hereinafter the "Vacant Property")(the Carson's Center Property and the Vacant Property are cumulatively known as the "Subject Property"); and,

WHEREAS, the property legally described in Section 3 below is located at 400-450 E. Roosevelt Road is zoned B4APD Roosevelt Road Corridor District - Planned Development (hereinafter the "Carson's Center Property"); and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

(PC 08-28: 400 – 470 E. Roosevelt Road)

**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 5456
GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT
WITH A COMPANION CONDITIONAL USE
FOR NONCONFORMING STRUCTURES, LOCATED
IN THE B4A ROOSEVELT ROAD CORRIDOR ZONING DISTRICT**

ORDINANCE NO. _____

WHEREAS, the application also requests site plan approval authority to the Plan Commission for any future development activity within the planned development.

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on September 15, 2008 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees recommending approval of the petition, subject to conditions of approval; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That an amendment to the conditional use approval for the Carson Center Planned Development, as established by Ordinance 5456, to allow for the Vacant Property at to be included within the geographical extent of the planned development is hereby granted; subject to the conditions included within Section 4 below.

SECTION 2: That a conditional use from Sections 155.304 and 155.305 of the Zoning Ordinance to allow for the existing parking lot on the Vacant Property is hereby granted; subject to the conditions included within Section 4 below.

SECTION 3: This ordinance is limited and restricted to the property generally located at 400 - 470 E. Roosevelt Road, Lombard, Illinois and legally described as follows:

Parcel 1 (the Carson's Center property)
Lot 1 of Damos Plat of Consolidation of part of the southeast quarter of Section 17, Township 39 North, Range 11 East of the Third Principal

Meridian, according to the plat thereof recorded February 12, 2002 as Document R2002-044077, in DuPage County, Illinois.

Parcel 2 (the Vacant Property)
Lots 61 and 62, except the south 150.0 feet of said lots as measured on the east and west lines thereof, and all of Lot 63 in Hoepner's Subdivision, being a part of the southeast quarter of Section 17, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County Illinois.

PIN Number: 06-17-403-045 and 039

SECTION 4: This ordinance shall be granted subject to compliance with the following conditions:

1. The subject property shall be developed and operated in conformance with the site plan prepared by GEA Architects, dated August 3, 2008 and made a part of this petition.
2. The existing south entrance drive to Fairfield Road shall be redesigned as a right-in, right-out access drive.
3. A perpetual cross-access agreement shall be executed between the subject properties.
4. A cross-park agreement shall also be executed between the subject properties until such time that the 470 E. Roosevelt Road property is redeveloped.
5. The petitioner shall satisfactorily address the IDRC comments including the following:
 - a. The proposed access connections (one to the north and one to the south) shall be curbed and graded so that flow from these areas is directed into the existing stormwater detention system.
 - b. The pavement and base stone located in the far northwest corner shall be removed. This area to be graded level with topsoil and seed.

- c. All remaining previous areas to be cleaned of all debris (stone, trash, bricks, etc.) and graded level with topsoil and seed.
- d. All work to be performed to Village standards, specifications, details and requirements.

SECTION 5: The Lombard Plan Commission shall be granted site plan approval authority be granted to the subject properties.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first-reading this _____ day of _____, 2008.

First reading waived by action of the Board of Trustees this _____ day of _____, 2008.

Passed on second reading this _____ day of _____, 2008.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2008.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Ordinance No. _____
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Published by me in pamphlet form this _____ day of _____, 2008

Brigitte O'Brien, Village Clerk

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