

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) \_\_\_\_\_ *Waiver of First Requested*  
X Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: November 22, 2005 (B of T) Date: December 1, 2005

TITLE: PC 05-41: 1301 N. Lombard Road

SUBMITTED BY: Department of Community Development *Jat*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration a petition requesting that the Village take the following actions on the Subject Property, located within the I Limited Industrial District:

1. Amend Ordinance 5695 to allow for temporary retail sales associated with warehouse/distribution activities located on the subject property.
2. Grant a variation to Section 155.205 (A)(3)(c)(1) of the Zoning Ordinance to allow for a twelve-foot (12') solid fence where a maximum ten-foot (10') high fence is permitted.
3. Pursuant to Ordinance 5695, grant site plan approval for the development on the Subject Property, based upon the petitioner's submitted plans.  
(DISTRICT #1)

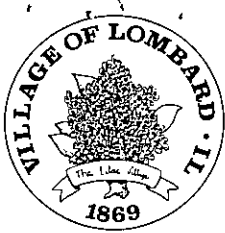
The Plan Commission recommended approval of this petitioner subject to conditions.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <i>W. T. Lichter</i>	Date <i>11/22/05</i>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** William T. Lichter, Village Manager

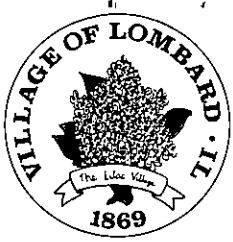
**FROM:** David A. Hulseberg, AICP, Director of Community Development *Dalt*

**DATE:** December 1, 2005

**SUBJECT:** **PC 05-41: 1301 North Lombard Road (O'Hare-DuPage Business Center/Walter E. Smithe)**

Attached please find the following items for Village Board consideration as part of the December 1, 2005 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 05-41;
3. An Ordinance granting approval of an amendment to a conditional use for a planned development with a fence variation and use exception for temporary retail sales activity, subject to conditions.
4. Plans associated with the petition.



## VILLAGE OF LOMBARD

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Lombard, IL 60148-3926  
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**Village President**  
William J. Mueller

December 1, 2005

**Village Clerk**  
Brigitte O'Brien

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

**Trustees**  
Greg Alan Gron, Dist. 1  
Richard J. Tross, Dist. 2  
John "Jack" T. O'Brien, Dist. 3  
Steven D. Sebby, Dist. 4  
Kenneth M. Florey, Dist. 5  
Rick Soderstrom, Dist. 6

**Subject: PC 05-41; 1301 N. Lombard Road (O'Hare/DuPage Business Park  
Planner Development/Walter E. Smithe)**

**Village Manager**  
William T. Lichter

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner is requesting that the Village of Lombard take the following actions to allow for a mixed-use industrial development on the Subject Property, located within the I PD Limited Industrial District, Planned Development:

1. Amend Ordinance 5695 to allow for temporary retail sales associated with warehouse/distribution activities located on the subject property.
2. Grant a variation to Section 155.205 (A)(3)(c)(1) of the Zoning Ordinance to allow for a twelve-foot (12') solid fence where a maximum ten-foot (10') high fence is permitted.
3. Pursuant to Ordinance 5695, grant site plan approval for the development on the Subject Property, based upon the petitioner's submitted plans.

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

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

Prior to the start of the public hearing Commissioner Martin Burke recused himself from the petition. He stated that he has a business involvement with the project. He noted that after the Plan Commission and Village Board approved the project earlier this year, his employer, Location Finders International, acquired the property from the previous developer. His firm then contacted one of its clients, Walter E. Smithe, as to whether they would be interested in locating their business on the subject property. With their petition now being brought forward to the Village for consideration, he is removing himself from considering this petition.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on November 21, 2005. Mark Smithe, petitioner, stated that his business Walter E. Smithe Furniture is proposing to construct their corporate headquarters on the subject property. He noted that the proposal will be for a single building of 179,000 square feet in size, with a future expansion of 53,000 square feet on the property. The site will have 42,000 square feet of office space for their headquarters. They anticipate 225 additional employees and 30 delivery contractors will be located out of the site.

He then discussed the zoning actions requested as part of the petition. He stated the additional fence height is requested to screen the contractor's yard west of the property. The additional fence height is intended to minimize the amount of dust that blows onto the subject property. He then noted that they are requesting an amendment to the proposed use list to allow for temporary retail sales on the site. The intent of this request is to allow for special clearance events.

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, Senior Planner, reiterated the requested actions, summarized the project and submitted the IDRC report to the public record in its entirety. In August, 2005, the Village Board approved a conditional use for a planned development for the subject property (PC 05-17). A condition of this approval was a requirement that any future developers of the property seek site plan approval from the Village for their respective project.

Since the Village Board approved the petition, a substitute developer has acquired the property and is now seeking to develop the entire property with a single user (Walter E. Smithe Furniture). The development proposal attempts to follow the guidelines established by the planned development approval and follows the single-user building concept.

As a refinement to the development petition, the petitioner is also seeking relief for perimeter fence height requirements. Also, this petition also includes provisions to allow temporary retail sales on the property, which would require an amendment to the planned development approval.

Regarding the Inter-departmental Review Comments, he noted that the engineering comments related to the construction project under separate cover directly to the petitioner.

From Planning's perspective, the initial planned development approval, three plans were approved in order to provide maximum development flexibility. The current proposal being brought forward is the single building option. The initial phase proposes a single 184,500 square foot building, of which 25,000 square feet of the building will be used for office purposes. The plan includes a truck dock for 27 small and 6 full docks and a single drive-in door. Parking for 304 cars is also proposed for the initial phase. Future phases will include an additional 53,000 square feet of building space as well as 20 additional docks and parking for

156 additional spaces. The primary use of the property will be the warehouse/distribution activities. Although furniture manufacturing will be done elsewhere, there may be minor furniture repair activities that may occur on the site as well.

The plans also depict future development activity that may occur. The plan shows an additional 53,000 square feet of warehouse spaces as well as additions to the parking lots and loading docks. From staff's perspective, knowing the future development plans for the property is also advantageous, so all facets of the site design could be considered early in the review process.

Staff also finds the idea of the property to be occupied by a single entity to be desirable. First, all infrastructure improvements can be completed at once, rather than in phases. Second, cross-access, parking and property maintenance issues will either not be a concern or will be more easily addressed.

He noted that the site plan approval process provides the ability of the Plan Commission to review, approve, deny or modify the individual components within the overall development.

He then described the proposed project elements. The office area is located on the north side of the building. Short loading docks for local delivery vehicles and long receiving berths are located along the east and south sides of the building. The building's design and orientation maximizes the available space on the property and incorporates the existing wetland site constraints. The plan proposes to segregate automobile parking and truck delivery functions. Moreover, among the automotive parking areas, the north parking lot will be for office employees while the east lot will be for truck delivery staff.

The petitioner has submitted building elevations depicting pre-cast concrete exterior walls with additional glass and masonry treatments at the office entrance on the north elevation. This treatment is typical of most modern hi-cube warehouse/distribution facilities. Trash collection will be addressed with a compactor to be located on one of the east loading dock areas.

The petitioner prepared a concept landscape plan. The plan shows landscape improvements for those areas that may be developed at a later date. The plan conceptually meets the provisions of the Zoning Ordinance, except as varied as part of the planned development approval. The plan does not show landscaping within the wetland area – the final plant materials and maintenance requirements will be established by DuPage County as part of the wetland review process.

While the final light pole fixtures have not been selected by the petitioner to date, the light poles and fixtures to be utilized for all private roadway lighting and parking lot lighting should be uniform. The petitioner intends to meet this request. The petitioner shall provide complete specifications and photometric plans for the fixtures. The lighting plan shall be reviewed and approved by the Village as part of a building permit submittal prior to installation.

The plan has been reviewed to ensure that truck and emergency vehicle turning movements can be met. The plan intends to minimize conflict points between truck loading/circulation and

customer/employee parking areas. The main entrance drive into the property may include a guardhouse and/or additional lanes to segregate the truck operations from automotive traffic.

To ensure proper traffic flow to the eastern parking lot, staff recommends that the parking spaces be reconfigured to allow for a direct access aisle linking the southern access aisle to the entrance drive proposed south of the building.

About 400 employees are proposed to be based out of the building or work on-site. Most of the on-site activities will be during daytime hours.

Regarding the Lombard Road improvements, the petitioner as new property owner, will fulfill the obligations set forth in the initial development approvals, including constructing a new cul-de-sac bulb at the current roadway terminus of Lombard Road and full street improvements shall be made in front of the Haney & Sons property. He also noted that the Village Board has approved the first vacation of Lombard Road as provided for in the development agreement.

Mr. Heniff then stated that in the original planned development plan proposal, the detention was proposed to be located on an unutilized portion of the Commonwealth Edison property southeast of the subject property and on property located in unincorporated DuPage County. The petitioner's current proposal will utilize the Commonwealth Edison property immediately south of the proposed building and within the planned development boundaries. The detention relocation will supplant the previously approved parking/storage area as conceptualized in the initial plans. As this area is within Lombard's corporate limits, stormwater detention requirements will be reviewed and approved by Village staff. The rights to construct the detention on the Commonwealth Edison property will be memorialized through a permanent stormwater detention easement granted to the subject property owner.

The final development agreement outlines the types of uses that would be permitted through the conditional use process or prohibited within the development. The planned development use list does not provide for retail activities as a permitted or conditional activity. Staff notes that occasionally warehouse uses for retail establishments have requested approval for temporary sales events. These requests have been made to the Village for seasonal sales, overstock sales or liquidation sales. As retail activities are not listed as permitted uses within the underlying zoning district and hence, their respective certificates of occupancy/zoning certificates, the business entity would need to apply to the Village for a special event permit to allow for the sales activity. The proposed use list amendment would allow for temporary retail sales as a permitted ancillary use to the office/warehouse activities on the property.

Immediately west of the subject property are heavy industrial contractor's yards. As the petitioner's use is a light industrial/office use, they would like to increase the permitted fence height along the west property line. The proposed solid wood fence will provide a visual screen and noise buffer to the subject property. Moreover, a higher fence may help reduce some of the dust that can be created through the adjacent neighbor's business operations.

December 1, 2005

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At this point in time, the petitioner has not determined the final signage package for the project. As such, if their future plans require additional relief, the petitioner will be required to apply for another site plan approval from the Plan Commission.

The Comprehensive Plan identifies the site for industrial uses. The proposed site plan will meet both of these provisions and will meet the recommendations of the Comprehensive Plan.

Regarding compatibility with adjacent uses, the proposed development is surrounded on three sides (north, south and west) by industrial activity. Staff finds that the proposed office/warehouse development as a type of light industrial use will be compatible with the adjacent industrial uses. On the east side of the subject property is property owned by the DuPage County Forest Preserve District and is part of the Fullerton Woods Forest Preserve. In discussions with the District, they envision their property remaining as passive regional open space. To ensure that encroachments do not occur into the District property (a common occurrence elsewhere in the County), the petitioner is proposing to install a ten-foot high chain link fence along the eastern property line. Moreover, the petitioner has been working with DuPage County to ensure that the development meets the County's wetland buffer requirements on the subject property as well as the adjacent Forest Preserve property. At the request of the District, he read their correspondence they submitted relative to this petition into the record.

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

Commissioners Olbrysh and Sweetser discussed potential encroachments into the District's property. Mr. Heniff noted that most of the District's comments pertain to construction activity, which will be addressed as part of the permit review and inspection processes.

Commissioner Sweetser asked if the proposed 10 foot high fence needs to be conditioned in their approval. Mr. Heniff stated that as the submitted plans depict the fence on their plans, staff can require the fence as part of their construction project. Therefore, it does not need to be placed as an additional condition.

Commissioner Olbrysh asked about the Lombard Road vacation. Mr. Heniff stated that the final development agreement provided for the right-of-way to be vacated to the adjacent property owner, but if the Village requests after a 20-year period, the right-of-way will be rededicated back to the Village.

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 and Subdivision and Development Ordinances and the planned development amendment would be within the public interest. Therefore, the Plan Commission, by a roll call vote of 4 to 0, accepted the findings of the Inter-departmental Review Report as the findings of the Plan Commission and recommended to the Corporate Authorities **approval** of PC 05-41, subject to the following conditions:

December 1, 2005

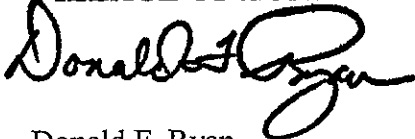
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1. The petitioner shall develop the site in conformance with the submitted site plan, prepared by Jacob & Hefner Associates, P.C., dated November 2, 2005, the building elevations, prepared by Harris Architects, Inc., submitted November 9, 2005 and the landscape plan, prepared by Walsh Landscape Construction, dated November 9, 2005 and made a part of this petition, except as varied by the final engineering approval for the property.
2. The petitioner shall satisfactorily address all comments raised within the inter-departmental review report as part of their building permit application.
3. The petitioner shall apply for and receive a building permit for any development activity on the subject property.
4. As part of the requisite permit for the site improvements, the petitioner shall provide a copy of the final landscape plan that incorporates the approved wetland plantings for the property.
5. The petitioner shall apply for a building permit denoting the proposed parking lot lighting for the site. The light poles shall be of a uniform design and shall meet Village specifications for parking lot lighting.
6. The eastern parking lot shall be reconfigured to allow for a direct access aisle linking the southern access driven aisle to the entrance drive proposed south of the building.
7. All provisions associated with Ordinance 5695 and/or the approved development agreement for the subject property not amended by this petition shall remain in full force and effect.

Respectfully,

**VILLAGE OF LOMBARD**



Donald F. Ryan  
Lombard Plan Commission

att-

c. Petitioner  
Lombard Plan Commission



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

TO: Lombard Plan Commission

HEARING DATE: November 21, 2005

FROM: Department of Community  
Development

PREPARED BY: William J. Heniff, AICP  
Senior Planner

**TITLE**

**PC 05-41; 1301 North Lombard Road (O'Hare-DuPage Business Center/Walter E. Smithe):** The petitioner is requesting that the Village take the following actions to on the Subject Property, located within the IPD Limited Industrial District, Planned Development:

1. Amend Ordinance 5695 to allow for temporary retail sales associated with warehouse/distribution activities located on the subject property.
2. Grant a variation to Section 155.205 (A)(3)(c)(1) of the Zoning Ordinance to allow for a twelve-foot (12') solid fence where a maximum ten-foot (10') high fence is permitted.
3. Pursuant to Ordinance 5695, grant site plan approval for the development on the Subject Property, based upon the petitioner's submitted plans.

**GENERAL INFORMATION**

Petitioner/Property Owner: Plainfield Retail Land LLC  
9440 Enterprise Drive  
Mokena, IL 60448

**PROPERTY INFORMATION**

Existing Zoning: IPD Limited Industrial District, Planned Development

Existing Land Use: Undeveloped land, Commonwealth Edison transmission lines and portions of Lombard Road being vacated

Size of Property: 11.14 acres – Grant Property  
3.18 acres – Commonwealth Edison Property within Village  
1.89 acres – portions of Lombard Road requested to be vacated

Comprehensive Plan: The Comprehensive Plan identifies the subject property for industrial use.

## **SURROUNDING ZONING AND LAND USE**

- North: Illinois Central railroad and industrial property within the Village of Addison.
- South: I Limited Industrial District; developed as the North Avenue Industrial Park.
- East: Property in Unincorporated DuPage County; developed as part of the Fullerton Woods Forest Preserve and Commonwealth Edison right-of-way.
- West: Property within the Village of Addison zoned and developed as industrial uses (contractor yards)

## **ANALYSIS**

### **SUBMITTALS**

This report is based on the petitioner's document submittal filed on October 19, 2005 with the Department of Community Development and consisting of the following items:

1. Petition for Public Hearing.
2. ALTA/ACSM Plat of Survey, prepared by Survey Systems of America, Inc., dated August 17, 2005.
3. Site plan, prepared by Jacob & Hefner Associates, P.C., dated November 2, 2005.
4. Building elevations, prepared by Harris Architects, Inc., submitted November 9, 2005.
5. Landscape plan, prepared by Walsh Landscape Construction, dated November 9, 2005.

### **BACKGROUND**

In August, 2005, the Village Board approved a conditional use for a planned development for the subject property (PC 05-17). A condition of this approval was a requirement that any future developers of the property seek site plan approval from the Village for their respective project.

Since the Village Board approved the petition, a substitute developer has acquired the property and is now seeking to develop the entire property with a single user (Walter E. Smithe Furniture). The development proposal attempts to follow the guidelines established by the planned development approval and follows the single-user building concept.

As a refinement to the development petition, the petitioner is also seeking relief for perimeter fence height requirements. Also, this petition also includes provisions to allow temporary retail sales on the property, which would require an amendment to the planned development approval.

## **INTER-DEPARTMENTAL REVIEW COMMENTS**

### **ENGINEERING**

The Private Engineering Services Division and the Engineering and Utilities Division of the Department of Public Works have no objection to the petition from an engineering or construction perspective. These divisions have been reviewing the mass grading and final engineering submittals as part of the petitioner's building permit application. This review is intended to ensure compliance with all relevant codes of the Village. Staff is finalizing the plan review comments and are submitting those comments related to the construction project under separate cover directly to the petitioner.

### **FIRE AND BUILDING**

The Bureau of Inspectional Services has expressed no objection to this request. However, they offer the following recommendations to be included as part of the plan:

1. Emergency access for fire apparatus shall be designed into this site. The timing of the installation of such is yet to be determined, but will be required before construction is started. Emergency access shall be of adequate width and shall be constructed as an all weather roadway capable of supporting the weight of fire apparatus and also be designed so that it can be maintained at all times, during any weather conditions.
2. The Fire Department will require that any proposed driveways be designed to provide access to the entire site. Drives should be designed to provide fire apparatus with the ability to circulate around the rest of the site and should not be designed in a way where it would only serve a portion of the buildings or parking areas.
3. Detailed comments regarding the watermain and hydrant placement will be incorporated into the final engineering review.

### **PLANNING**

In the initial planned development approval, three plans were approved in order to provide maximum development flexibility. The current proposal being brought forward is the single building option.

The petitioner's plan depicts the immediate and future plans for the property. The initial phase proposes a single 184,500 square foot building, of which 25,000 square feet of the building will be used for office purposes. The plan includes a truck dock for 27 small and 6 full docks and a single drive-in door. Parking for 304 cars is also proposed for the initial phase. Future phases will include an additional 53,000 square feet of building space as well as 20 additional docks and parking for 156 additional spaces. The primary use of the property will be the warehouse/distribution activities. Although furniture manufacturing will be done elsewhere, there may be minor furniture repair activities that may occur on the site as well.

The plans also depict future development activity that may occur on the site. The plan shows an additional 53,000 square feet of warehouse spaces as well as additions to the parking lots and loading docks. It is unclear when this expansion may occur (5-10 years in the future was suggested), but the petitioner wants to receive pre-approval for their expansion plans at this point in time. From staff's perspective, knowing the future development plans for the property is also advantageous, so all facets of the site design could be considered early in the development review process.

Staff also finds the idea of the property to be occupied by a single entity to be desirable. First, all infrastructure improvements can be completed at once, rather than in phases. Second, cross-access, parking and property maintenance issues will either not be a concern or will be more easily addressed.

**Compliance with the Zoning Ordinance**

The subject property is governed by both the Zoning Ordinance as well as the O'Hare-DuPage Business Center industrial planned development which was approved earlier this year by the Village (PC 05-17). Based upon these provisions, the property has the following characteristics:

	Proposed Plan	Zoning Ordinance/Approved Planned Development Regulations
<b>Use</b>		
Office and Warehouse/Distribution Uses	Principal Use	Permitted Use
Retail Activities	Proposed as a temporary use	Not listed as a permitted or conditional use - amendment to planned development ordinance as use exception requested
<b>Bulk Requirements</b>		
Number of Principal Structures	1	1 to 3 permitted; subject to site plan approval
Building height	43 feet	4 stories/45 feet permitted
Floor Area Ratio (FAR)	Phase I - 0.41; Future - 0.52	1.0
Front Yard (south)	46 feet	25 feet - planned development allows for full reduction along Com. Ed. ROW, subject to site plan approval
Interior side yard (west)	73 feet off of west line of vacated right-of-way	15 feet, or 0 feet if right-of-way is rededicated
Interior side yard (east)	264 feet	15 feet

Rear Yard (north)	143 feet	1 foot
Open Space	Phase I – approx. 33%; Future – approx. 23%	12.5% of entire planned development (Grant property, Com. Ed. ROW, vacated Lombard Rd.)
<b>Parking/Traffic</b>		
Number of Spaces	Phase I – 304 auto spaces Future – 156 add'l spaces	Phase I – office 100 spaces + warehouse 76 auto spaces = 176 spaces Future – office 100 spaces + warehouse 90 = 190 spaces
Number of Accessible Spaces	10	9
Number of Loading Docks	Phase I - 37 short, 6 long; Future – 47 short, 6 long	Phase I - 3 long; Future – 4 long
<b>Fencing</b>		
Along west property line	12 foot solid wood	10 feet
Selected other locations	10 feet, some barbed wire	10 feet, barbed wire permitted in I district for outside storage areas

***Site Plan Approval Request***

The site plan approval process provides the ability of the Plan Commission to review, approve, deny or modify the individual developments that are proposed within the overall development. The planned development’s approved concept plans serve as a model for future development activity. The site plan approval process addresses the detailed site plan information consisting of building design and location, use of the subject property, infrastructure improvements, traffic impacts, landscaping, and land use compatibility.

***Building Orientation/Site Layout***

The office area is located on the north side of the building. Short loading docks for local delivery vehicles and long receiving berths are located along the east and south sides of the building. The building’s design and orientation maximizes the available space on the property and incorporates the existing wetland site constraints. The site plan proposes to segregate automobile parking and truck delivery functions. Moreover, among the automotive parking areas, the north parking lot will be for office employees while the east lot will be for truck delivery staff.

***Building Aesthetics***

As part of the site plan approval process, the petitioner has submitted proposed building elevations for the proposed structures. The plans give the Village a sense of what the project will look like upon completion. The exterior facades primarily consist of pre-cast concrete with additional glass and masonry treatments at the office entrance on the north elevation. This treatment is typical of most modern hi-cube warehouse/distribution facilities.

***Trash Enclosures/Mechanicals***

Trash collection will be provided by a compactor to be located on one of the east loading dock areas. As such, trash will not be visible from adjacent business properties or public rights-of-way.

The petitioner proposes to install all necessary mechanical equipment on the rooftop. While the Village's mechanical screening requirement would not necessitate screening at this location, rooftop placement will diminish the visual impact of the equipment.

#### *Landscaping*

The petitioner has prepared a concept landscape plan for the project. The plan also shows landscape improvements for those areas that may be developed at a later date. The plan conceptually meets the provisions of the Zoning Ordinance, except as previously varied as part of the planned development approval. The proposed plan does not show landscaping within the wetland area – the final plant materials and maintenance requirements will be established by DuPage County as part of the wetland review process.

#### *Lighting*

While the final light pole fixtures have not been selected by the petitioner to date, the light poles and fixtures to be utilized for all private roadway lighting and parking lot lighting should be uniform. The petitioner intends to meet this request. As part of the building permit submittal requirement, the petitioner shall provide complete specifications and photometric plans for the fixtures. The lighting plan shall be reviewed and approved by the Village as part of a building permit submittal prior to installation.

#### *Parking/Circulation/Traffic Generation*

The petitioner's plan has been reviewed to ensure that truck turning and emergency vehicle turning movements can be met. As noted earlier, the plan intends to minimize conflict points between truck loading/circulation and customer/employee parking areas. The petitioner has noted that the main entrance drive into the property may include a guardhouse and/or additional lanes to segregate the truck operations from automotive traffic.

To ensure proper traffic flow to the eastern parking lot, staff recommends that the parking spaces be reconfigured to allow for a direct access aisle linking the southern access aisle to the entrance drive proposed south of the building.

About 400 employees are proposed to be based out of the building or work on-site. This includes their driver delivery crews as well. Most of the on-site activities will be during daytime hours. On a typical workday about five over-the-road trucks will enter the site and about thirty delivery trucks will be dispatched from the site.

#### *Lombard Road Right-of-Way Vacation & Improvements*

The petitioner, as new property owner, will fulfill the obligations set forth in the initial development approvals. Off-site roadway improvements will include:

1. A new cul-de-sac bulb shall be constructed at the current roadway terminus of Lombard Road, per Village specifications; and
2. Full street improvements shall be made in front of the Haney & Sons property at 2N700 Lombard Road (the recently annexed property immediately south and west of the Commonwealth Edison property).

### *Stormwater Detention*

In the original planned development plan proposals, the detention was proposed to be located on an unutilized portion of the Commonwealth Edison property southeast of the subject property and on property located in unincorporated DuPage County. The petitioner's current proposal will utilize the Commonwealth Edison property immediately south of the proposed building and within the planned development boundaries. The detention relocation will supplant the previously approved parking/storage area as conceptualized in the initial plans. As this area is within Lombard's corporate limits, stormwater detention requirements will be reviewed and approved by Village staff. The rights to construct the detention on the Commonwealth Edison property will be memorialized through a permanent stormwater detention easement granted to the subject property owner.

In the initial planned development petition, each of the three concept plans proposed to segregate the existing wetland located at the northeast end of the property into a separate outlot. However, as the property will be under single ownership, the need to subdivide the wetland outlot and establish a property maintenance association will be removed.

### *Outside Storage*

The initial approvals set forth the ability for outside storage. But for storage of delivery vehicles, the petitioner's plans do not propose to utilize outside storage as part of their business operations. The plans show that outside parking areas will be improved to the Village's parking lot standard.

### **Amendment to Planned Development - Use List**

The final development agreement outlines the types of uses that would be permitted through the conditional use process or prohibited within the development. The goal of the list was to create a unique development that meets an overall vision for this property. It is also intended to ensure the eventual uses on the property are uses that provide the greatest benefit to the Village and create the lowest amount of negative impact on adjacent properties. The approved use list is attached as Appendix A to this report.

The proposed office, warehouse and distribution activities to occur on the site are listed as permitted uses within the underlying I Limited Industrial District as well as the approved planned development use list. However, the planned development use list does not provide for retail activities as a permitted or conditional activity. Staff notes that occasionally warehouse uses for retail establishments have requested approval for temporary sales events. These requests have been made to the Village for seasonal sales, overstock sales or liquidation sales. As retail activities are not listed as permitted uses within the underlying zoning district and hence, their respective certificates of occupancy/zoning certificates, the business entity would need to apply to the Village for a special event permit to allow for the sales activity. The proposed use list amendment would allow for temporary retail sales as a permitted ancillary use to the office/warehouse activities on the property.

### **Fence Variation**

Immediately west of the subject property are several heavy industrial contractor's yards. As the petitioner's use is a light industrial/office use, they would like to increase the permitted fence height along the west property line. The proposed solid wood fence will provide a visual screen and noise buffer to the subject property. Moreover, a higher fence may help reduce some of the dust that can be created through the adjacent neighbor's business operations. As there is no other practical design measure to address this issue, staff can support the increase in fence height.

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

The initial planned development approval provides significant relief for varying wall and freestanding signs. As this point in time, the petitioner has not determined the final signage package for the project. As such, if their future plans require additional relief, the petitioner will be required to apply for another site plan approval from the Plan Commission.

### **Compatibility with the Subdivision and Development Ordinances**

The Village is in the process of vacating Lombard Road, pursuant to the development agreement provisions. The petitioner will be installing full roadway improvements as set forth in the development agreement.

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

The Comprehensive Plan identifies the site for industrial uses. The Plan advises that property maintenance should be encouraged in the North Lombard Light Industrial Area. The proposed site plan will meet both of these provisions and will therefore meet the recommendations of the Comprehensive Plan.

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

The proposed development is surrounded on three sides (north, south and west) by industrial activity. Staff finds that the proposed office/warehouse development as a type of light industrial use will be compatible with the adjacent industrial uses. Staff also finds that the use will be less intense and have fewer neighboring impacts than other uses that abut the property.

On the east side of the property is property owned by the DuPage County Forest Preserve District and is part of the Fullerton Woods Forest Preserve. In discussions with the District, they envision their property remaining as passive regional open space. To ensure that encroachments do not occur into the District property (a common occurrence elsewhere in the County), the petitioner is proposing to install a ten-foot high chain link fence along the eastern property line. Moreover, the petitioner has been working with DuPage County to ensure that the development meets the County's wetland buffer requirements for wetland areas on the subject property as well as the adjacent Forest Preserve property. Therefore, staff does not see a conflict between the petitioner's project and the open space use to the east.



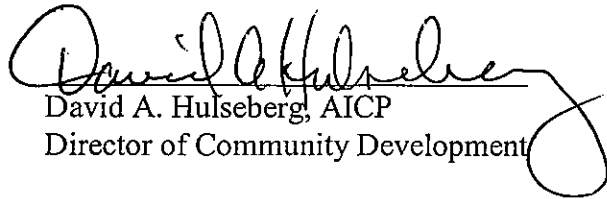
## FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the proposed development is compatible with the surrounding land uses and the Comprehensive Plan. 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 proposed site plan approval, use amendment and fence variation request do comply with the standards required by the Lombard Zoning, Sign and Subdivision and Development Ordinances and is compatible with the approved planned development; 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, I move that the Plan Commission recommend to the Corporate Authorities **approval** of PC 05-41, subject to the following conditions:

1. The petitioner shall develop the site in conformance with the submitted site plan, prepared by Jacob & Hefner Associates, P.C., dated November 2, 2005, the building elevations, prepared by Harris Architects, Inc., submitted November 9, 2005 and the landscape plan, prepared by Walsh Landscape Construction, dated November 9, 2005 and made a part of this petition, except as varied by the final engineering approval for the property.
2. The petitioner shall satisfactorily address all comments raised within the inter-departmental review report as part of their building permit application.
3. The petitioner shall apply for and receive a building permit for any development activity on the subject property.
4. As part of the requisite permit for the site improvements, the petitioner shall provide a copy of the final landscape plan that incorporates the approved wetland plantings for the property.
5. The petitioner shall apply for a building permit denoting the proposed parking lot lighting for the site. The light poles shall be of a uniform design and shall meet Village specifications for parking lot lighting.
6. The eastern parking lot shall be reconfigured to allow for a direct access aisle linking the southern access driven aisle to the entrance drive proposed south of the building.
7. All provisions associated with Ordinance 5695 and/or the approved development agreement for the subject property not amended by this petition shall remain in full force and effect.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP  
Director of Community Development

c: Petitioner

**Appendix A**  
O'Hare/DuPage Business Center Approved Land Use List

<b>Land Use</b>	<b>Permitted</b>	<b>Conditional</b>	<b>Prohibited</b>
Accessory uses and buildings		x	
Adult uses			x
Agricultural Uses, consisting of growing of trees and landscape plant materials	x		
Automated Envelope Merging Process	x		
Automobile repair		x	
Automotive service		x	
Banks		x	
Bedding manufacturing	x		
Boot and shoe manufacturing	x		
Building material sales and storage		x	
Cabinet Making	x		
Carpet manufacturing	x		
Cartage and express facilities, also known as truck terminals, as the principal use of the property			x
Catering Services		x	
Cloth products manufacturing	x		
Clubs and lodges, nonprofit and fraternal		x	
Compost collection facility			x
Concrete and cast stone fabrication and molding	x		
Contractors, architects, and engineers equipment and material storage yards			x
Contractors, architects, and engineers offices and shops	x		
Cosmetics production	x		
Dairy products processing or manufacture	x		
Dry cleaning plants and operations primarily serving satellite drop-off dry cleaning establishments in other districts	x		
Electronic and scientific precision instruments manufacturing	x		
Exterminating services	x		
Film Processing; not including retail sales or commercial studios	x		
Food manufacture, packaging, and processing	x		
Four (4) story buildings within one hundred feet (100') of residentially-zoned property or a minor or major arterial street and buildings which are forty feet (40') to forty-five feet (45') in height and which are within one hundred (100') of a residentially-zoned property or a minor or major arterial street.		x	
Fur processing	x		
Furniture upholstery & Refinishing	x		
Gasoline sales		x	
Glass products production	x		
Heliports, private or commercial		x	
Laboratories, including research and testing laboratories	x		
Laundries, including truck route laundries, linen supply, and diaper services	x		
Light machinery production and repair e.g. household appliances & business machines etc. - appliances, business machines, etc	x		
Lithographing	x		
Mail order houses where point of sale occurs at location			
Mechanical Parts Reconditioning	x		
Metal Plating, Forging, or Casting	x		
Mini-Warehouses		x	
Mortuarial Services	x		

<u>Land Use</u>	<u>Permitted</u>	<u>Conditional</u>	<u>Prohibited</u>
Musical instruments manufacturing	x		
Offices	x		
Off-site parking, conforming to Section 155.602 (A) (3) (b) of this Ordinance			x
Orthopedic and medical appliance manufacture	x		
Other manufacturing, processing, storage, or industrial uses as determined by the Director of Community Development to be of the same general character as uses permitted in the I Limited Industrial District, and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, toxic or noxious matter or glare or heat		x	
Outpatient medical and dental offices and clinics	x		
Outside Storage of Motor Vehicles		x	
Packing Material Manufacturing	x		
Paper products manufacture	x		
Parking lots, commercial and lots other than accessory, and subject to the provisions of Section 155.600 of this Ordinance			x
Parks and playgrounds		x	
Planned developments in conformance with Section 155.500 of this Ordinance		x	
Plastic extruding	x		
Pottery and ceramics manufacture	x		
Printing and publishing establishments	x		
Public utility and service uses	x		
Radio and television stations and towers	x		
Recreation buildings or community centers		x	
Recycling collection centers		x	
Religious institutions		x	
Restaurants		x	
Retail sales, as a temporary ancillary use of the principal business activity on the property	x		
Rope, cord, and twine manufacture	x		
Schools: public and/or private elementary, middle, and high		x	
Sheet Metal Stamping and Fabrication	x		
Sign Contractors	x		
Soap manufacture	x		
Sporting goods manufacture	x		
Stadiums, auditoriums, and arenas - open or enclosed		x	
Storage Centers	x		
Tool & Die	x		
Trade school	x		
Warehousing, storage, and distribution facilities (provided that the distribution or cartage function is ancillary to the warehousing/storage function on the property)	x		
Wearing Apparel Manufacture	x		
Woodworking and wood products manufacture	x		

Location Map  
PC 05-41  
1301 N. Lombard Road





November 3, 2005  
D211b

Mr. William J. Heniff, AICP  
Senior Planner  
Village of Lombard  
255 East Wilson Avenue  
Lombard, Illinois 60148

Re: *Walter E. Smithe Distribution Center*  
*1301 N. Lombard Road*  
*Lombard, Illinois*

*Bill, IF There is anything  
else call me 630-632-5180.  
I will have a landscape plan  
to you on Thursday. We are  
STILL WALKING ON IT.  
Thank  
Marty*

Dear Mr. Heniff,

Per your review letter addressed to Mr. Marty Burke dated October 25, 2005, please find enclosed the following information for your review, regarding the above mentioned project:

1. Twenty-five (25) copies of the Engineering Site Plan dated November 2, 2005.
2. Twenty-five (25) copies of the ALTA/ASCM Land Title Survey, dated August 16, 2005.

The following are responses to your applicable comments.

SECTION 5: The conditional uses, variations, deviations and exceptions shall be granted subject to compliance with the following conditions:

1. That the petitioner shall enter into a development agreement with the Village (attached as Exhibit A and incorporated into this Ordinance) to address any future development of the subject property and which includes the following provisions:
  - c. Any outside storage of motor vehicles, including truck trailers, equipment or product associated with a legally permitted business establishment operating on the Subject Property, shall be permitted to be located on the Commonwealth Edison Property and/or the Subject Property provided that said storage is ancillary to a permitted use established on the Subject Property. However, storage of bulk landscape material on the Commonwealth Edison Property shall be prohibited. The final design of the Commonwealth Edison Property storage area must comply with all applicable provisions of Village Code, except as varied by this Agreement or the Planned Development Ordinance. Owner and Developer shall submit final plans for any improvements on the Commonwealth Edison Property as part of a site plan approval application to the Village.



**JACOB & HEFNER ASSOCIATES, P.C.**

**ENGINEERS • SURVEYORS**

*Your proposed plan minimizes the amount of storage on the Commonwealth Edison Property. As such, this provision may not be necessary. However, your concept plan does show a parking area to the southeast of the detention facility. This portion of the Commonwealth Edison area is not within the Village limits. As such, you should remove it from your plans. If you do want to add this future parking area, you will need to ask Commonwealth Edison to submit an annexation petition to the Village, or you should seek your approvals through DuPage County. As Jonathan Malm can attest, Commonwealth Edison has previously asserted that they would only agree to annex under their terms and not the Village's terms.*

**The future parking area located to the southeast of the detention facility has been removed from the Site Plan (Sheet EX1).**

- i. In lieu of Sections 155.706.B and C and 155.709 of the Village's Zoning Ordinance requiring that lot interiors, perimeters and perimeter parking lots provide a minimum of five (5) feet of landscaped area, the Village has agreed to a deviation, subject to site plan approval, to eliminate the five (5) foot perimeter landscape requirement for the south property line of the Subject Property and for the north property line of the Commonwealth Edison Property. In addition, interior parking lot landscape islands shall not be required on the Commonwealth Edison Property.

*Please have Jacob & Hefner give be the breakout as to the total percentage of the parking lot is improved with landscape islands.*

**The following table shows the breakout of the landscape islands in the parking lots for both the proposed and future conditions.**

<b>Landscape Island Table</b>				
	<b>Pavement Area (sf)</b>	<b>Landscape Area (sf)</b>	<b>Total Area (sf)</b>	<b>Percent Landscape</b>
<b>Proposed</b>	163,661	4,689	168,350	2.79 %
<b>Future</b>	31,065	3,008	34,073	8.83 %
<b>Total</b>	194,726	7,697	202,423	3.80 %



**JACOB & HEFNER ASSOCIATES, P.C.**  
ENGINEERS • SURVEYORS

- t. That a thirty foot (30') cross-access easement shall be provided for use and benefit of the Village to access any outlots, stormwater facilities or wetland areas.

*If you have it, provide it. If not, you can submit it at a later date for Plan Commission approval.*

**A 30-foot wetland access easement has been shown on the Site Plan (Sheet EX1).**

- u. That all stormwater improvements associated with each phase of the development of the subject property shall be constructed and be fully operational prior to starting construction of any buildings.

*Conceptual engineering can be used for the Plan Commission petition. Final engineering shall be provided as part of the development review/permit process.*

**The note “All stormwater improvements associated with each phase of the development of the subject property shall be constructed and be fully operational prior to starting construction of any buildings” has been added to the Site Plan (Sheet EX1).**

If you have any questions or need any further information, please contact me to discuss.

Sincerely,

Jacob & Hefner Associates, P.C.

James W. Putnam, P.E.  
Project Manager

encl.

cc: Mr. Martin T. Burke, LFI w/ one set of enclosures.





# Forest Preserve District of DuPage County

3 S. 580 Naperville Road • Wheaton, IL 60187-8761 • 630.933.7200 • Fax 630.933.7204 • TTY 800.526.0857

VIA FACSIMILE and REGULAR MAIL

November 14, 2005

Chairman and Members of the Plan Commission  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, Illinois 60148

Re: Public Hearing Notice on Grant Property (Walter E. Smithe Distribution Center)  
Case PC 05-41

Dear Mr. Chairman:

The Forest Preserve District of DuPage County recently received notice of the proposed Walter E. Smithe Distribution Center project. We appreciate receiving timely notification of such projects that may have an impact on our adjacent property, and thank you for the opportunity to comment. District Staff has reviewed the public hearing notice and the proposed project, and would like to provide some additional comments to our original letter dated June 20, 2005.

It appears to us that the plans continue to show the stormwater detention will be located on the Corn Ed property to the immediate south of the development site, and then routed northwards into the wetland at the northeast corner of the property. We continue to have concerns about the impacts that this proposed development might have on the aforementioned wetland, particularly with respect to potential soil erosion during construction. This wetland is part of a larger ecosystem that extends both east and north throughout this preserve, and any impact will ultimately affect a much larger area. We hope that the Village will carefully monitor the site during construction, and will strictly enforce all aspects of the required erosion control plan.

Additionally, it appears that parking, fencing and a retaining wall will be placed within a couple feet of our property line. Although this may meet the Village's setback requirements, we have some concerns that heavy equipment may unintentionally utilize the adjacent open space during the construction. We would request that construction fencing be required on this property, and that the site be closely monitored to insure that vehicles are not entering onto preserve land during the construction. If possible, we would like to again request that consideration be given to providing a larger buffer adjacent to the natural open space areas. We wish to again extend an offer to provide assistance to the City and the developer in establishing a landscaping plan that will be sensitive to the wetlands and adjacent natural area.

This letter is submitted in the hope that the Plan Commission and Village Board will honor the long-term preservation goals of the Forest Preserve District. We are hopeful that the Village's ordinances will help foster the type of environment that is needed for the success of the plants and wildlife at the adjacent forest preserve, and that this development will not cause any significant impacts to the preserve. With this in mind, we anticipate that this preserve will continue to add to the quality of life for citizens of Lombard and DuPage County residents alike. Please consider this as my request that this letter be read and entered into the public record at the public hearing on November 21st.

Sincerely,

Karen Zilly  
Director of Land Preservation

cc: William Heniff, Senior Planner  
President Pierotti  
Commissioner Murphy  
Executive Director Manning  
Deputy Director Vick

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 5695  
GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT  
IN THE I LIMITED INDUSTRIAL DISTRICT,  
GRANTING AN AMENDMENT TO THE PERMITTED USE LIST  
AND GRANTING A FENCE VARIATION  
TO THE LOMBARD ZONING ORDINANCE**

(PC 05-41: 1301 North Lombard Road)

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,

WHEREAS, on August 18, 2005, the President and Board of Trustees adopted Ordinance 5695, granting a conditional use for a planned development with deviations, variations and use exceptions for the property legally described herein pursuant to Title 15, Chapter 155, Section 155.501 et. seq. of the Code of Lombard (hereinafter the "Subject Property"); and

WHEREAS, the below described property is zoned IPD Limited Industrial District, Planned Development; and

WHEREAS, a petition has been received by the Village to amend the previously approved conditional use for a planned development, in the following respects:

1. Amend Ordinance 5695 to allow for temporary retail sales associated with warehouse/distribution activities located on the subject property.
2. Grant a variation to Section 155.205 (A)(3)(c)(1) of the Zoning Ordinance to allow for a twelve-foot (12') solid fence where a maximum ten-foot (10') high fence is permitted.
3. Pursuant to Ordinance 5695, grant site plan approval for the development on the Subject Property, based upon the petitioner's submitted plans; and

WHEREAS, Title 15, Chapter 155, Sections 155.504 and 155.103(F)(13) allow for ordinance amendments granting a conditional use for a planned development and for previously established conditional uses after a public hearing before the Village's Plan Commission; and

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendment described herein; and,

WHEREAS, a public hearing on such application have been conducted by the Village of Lombard Plan Commission on November 21, 2005 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendment to the conditional use for a planned development and the variation and use exceptions as described herein; 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; and

WHEREAS, the President and Board of Trustees of the Village of Lombard have reviewed the request and find it would be in the best interest of the Village to grant said conditional use amendment, variations and use exceptions, subject to the terms and conditions established by this ordinance; and

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 this ordinance is limited and restricted to the property generally located at 1301 North Lombard Road, Lombard, Illinois, and legally described as follows:

Lot 1 in Lombard Business Center, Unit Two, being a subdivision of that part of the east ½ of the west ½ of the northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, lying south of the southerly right-of-way of the Illinois Central Railroad (except the south 210 feet thereof), according to the plat thereof recorded November 6, 1974 as Document R74-56524, in DuPage County, Illinois; also

A tract of land legally described as follows: Commencing at the southeast corner of Lot 1 in Lombard Business Center, Unit Two, being a subdivision of that part of the east ½ of the west ½ of the northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, lying south of the southerly right-of-way of the Illinois Central Railroad, according to the plat thereof recorded November 6, 1974 as Document R74-56524, in DuPage County, Illinois, thence east along the south line of said Lot 1, a distance of 624.98 feet, thence south 210.0 feet to a point along the south line of the northeast ¼ of Section 31 Township 40 North, Range 11 East of the Third Principal Meridian, thence westerly along the south line of the northeast ¼ of Section 31 Township 40 North, Range 11 East of the Third Principal Meridian, a distance of 624.98 feet, thence north 210.0 feet to a point of beginning, in DuPage County, Illinois; also

That part of Lombard Road lying south of the south line of the Illinois Central Railroad Right-of-Way and north of the north line of the Commonwealth Edison Right-of-Way, in the Northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, in DuPage County,

Ordinance No. \_\_\_\_\_

Re: PC 05-41

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Illinois; and

That part of Lombard Road lying south of the north line of the Commonwealth Edison Right-of-Way and north of the south line of the Commonwealth Edison Right-of-Way, in the Northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

Parcel Numbers: 03-31-204-002 and 004

Hereinafter the "Subject Property"

SECTION 2: That Exhibit A to Ordinance 5695 shall be amended to allow for temporary retail sales activity associated with warehouse/distribution activities on the Subject Property, subject to compliance with the conditions set forth in Section 5 below.

SECTION 3: That a variation to Section 155.205 (A)(3)(c)(1) of the Zoning Ordinance to allow for a twelve-foot (12') solid fence where a maximum ten-foot (10') high fence is permitted is hereby granted on the subject Property, subject to compliance with the conditions set forth in Section 5 below.

SECTION 4: That Site Plan Approval for the Subject Property is hereby granted, subject to the conditions in Section 5.

SECTION 5: The amendment to Ordinance 5695 to include the fence variation, use exception and the site plan approval are hereby granted relative to the Subject Property, subject to the conditions set forth below:

1. The petitioner shall develop the site in conformance with the submitted site plan, prepared by Jacob & Hefner Associates, P.C., dated November 2, 2005, the building elevations, prepared by Harris Architects, Inc., submitted November 9, 2005 and the landscape plan, prepared by Walsh Landscape Construction, dated November 9, 2005 and made a part of this petition, except as varied by the final engineering approval for the property.
2. The petitioner shall satisfactorily address all comments raised within the inter-departmental review report as part of their building permit application.
3. The petitioner shall apply for and receive a building permit for any development activity on the subject property.

4. As part of the requisite permit for the site improvements, the petitioner shall provide a copy of the final landscape plan that incorporates the approved wetland plantings for the property.
5. The petitioner shall apply for a building permit denoting the proposed parking lot lighting for the site. The light poles shall be of a uniform design and shall meet Village specifications for parking lot lighting.
6. The eastern parking lot shall be reconfigured to allow for a direct access aisle linking the southern access driven aisle to the entrance drive proposed south of the building.
7. All provisions associated with Ordinance 5695 and/or the approved development agreement for the subject property not amended by this petition shall remain in full force and effect.

SECTION 6: The Corporate Authorities hereby agree to amend the development agreement incorporated into Ordinance 5695 to include the amendments as set forth herein and authorize the Village President and Village Clerk are authorized to sign said agreement.

SECTION 7: 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 \_\_\_\_\_, 2005.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Ayes: \_\_\_\_\_

Nayes: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Ordinance No. \_\_\_\_\_

Re: PC 05-41

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\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk