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

Resolution or Ordinance (Blue) X
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: November 28, 2007 (BOT) Date: December 6, 2007

TITLE: PC 07-40: 345 West Roosevelt Road (K-Mart Planned Development)

SUBMITTED BY: Department of Community Development *[Signature]*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests conditional use approval for an attendant collection center, as established by PC 07-39, within the B4APD Roosevelt Road Corridor District, Planned Development. (DISTRICT #2)

The Plan Commission recommended approval of this petition with amended conditions.

Staff is requesting waiver of first reading.

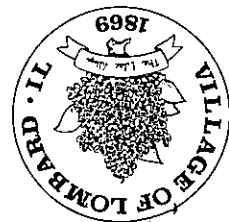
Please place this item on the December 6, 2007 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>[Signature]</i>	Date	11/30/07

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
Assistant Village Manager/Director of Community Development
DATE: December 6, 2007
SUBJECT: PC 07-40; 345 W. Roosevelt Road

Attached please find the following items for Village Board consideration as part of the December 6, 2007 Village Board meeting:

1. Plan Commission referral letter;
2. IDR report for PC 07-40;
3. An Ordinance approving a conditional use for an attendant collection center, subject to conditions; and
4. Plans associated with the petition.



VILLAGE OF LOMBARD

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Lombard, IL 60148-3931
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December 6, 2007

Mr. William J. Mueller,

Village President, and

Board of Trustees

Village of Lombard

Subject: PC 07-40: 345 W. Roosevelt Road

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a conditional use approval for a attendant collection center in the B4APD Roosevelt Road Corridor District, Planned Development.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on November 19, 2007. Tom Foley of Amvets International, presented the petition. He stated that their facility has been located at the K-Mart site for years. He noted that they have two attendants staffing the facility during the week and three on weekends. Their facility is open seven days a week, from 8:00 a.m. to 5:00 p.m. He stated that they collect donated household goods and clothing on the premises. Once collected, they send the goods to processing centers, where they sort the goods for resale, and the money derived from the resale goes toward Amvets' programs.

Chairperson Ryan then opened the meeting for public comment. There were no comments relative to the petition. He then requested the staff report.

William Heniff, Senior Planner, presented the petition and submitted the staff report to the public record. He stated that as a companion to the text amendments associated within PC 07-39, the petitioner seeks approval of a conditional use for an attendant collection facility. No modifications are proposed to the facility as part of this petition.

A charitable clothing drop-off facility has been located on the subject property for 30 years. The facility is considered a legal non-conforming use. As part of PC 07-30, which granted approval of a planned development and other conditional use and variations pertaining to the K-Mart store, staff suggested that the operations related to the Amvets facility also be addressed as a part of the petition. With approval of the petitioner's petition, the attendant collection center operator is now seeking approval of the zoning actions accordingly.

Village President
William J. Mueller

Village Clerk
Bridgette O'Brien

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

Village Manager
William T. Lichter

"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."

Typically this facility consists of on-site parking of one or two trucks and several clothing containers. The facility is staffed during the day. The goods collected at the site are stored within the respective containers or vehicles. These goods are then transported to other facilities for final sorting and eventual resale and the proceeds of the sale are distributed back to the non-profit operator.

He noted that PC 07-30 was conditioned to provide for selected parking lot, fencing and landscape improvements. These improvements would also benefit the collection facility as well as they will improve traffic flow and help screen the use from adjacent properties. As the center itself is bounded on all sides by parking lots or other commercial uses itself, its operations should not negatively impact the adjacent land uses. In fact, this use can be considered an ancillary draw to the K-Mart center itself.

From a traffic standpoint, the facility is located within a larger and somewhat underutilized parking lot. The use does not impact the parking and circulations for the shopping center, as the facility is located away from the store itself in an area that would otherwise be unused. Per the petitioner, the facility fills about 6-7 trailers per week. Given the track record of property maintenance on the site, staff notes that the use does not negatively impact adjacent properties.

The Comprehensive Plan recommends Community Commercial uses at this location. The Roosevelt Road Corridor Plan denoted that outdoor uses should be tied to the principal uses on the property. However, in this unique case, the drop-off facility has been linked to the center for decades. As such, while it is not part of the principal retail use of the center, it can be considered a complementary use for the center. As such, the proposed use complies with the recommendation of the Comprehensive Plan.

Chairperson Ryan then opened the hearing for discussion by the Plan Commission.

Commissioner Sweeter noted that the conditions of approval should denote the requirement that a regular staffing presence is required for the facility.

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. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities approval of the petition associated with PC 07-40, subject to the following conditions as amended:

1. The site shall be operated in substantial compliance with the submitted Site and Landscape Plan and Details, prepared by S. A. Miro, Inc., dated August 6, 2007.
2. The approval of the attendant collection facility shall be limited to four drop-off containers and no more than two trailer trucks on the premises.
3. The petitioner shall establish a daily presence at the attendant collection center.

Respectfully,

VILLAGE OF LOMBARD


Donald F. Ryan
Lombard Plan Commission

c. Lombard Plan Commission

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

TO: Lombard Plan Commission
FROM: Department of Community Development
HEARING DATE: November 19, 2007
PREPARED BY: William Heniff, AICP
Senior Planner

TITLE

PC 07-40; 345 West Roosevelt Road (K-Mart Planned Development): The petitioner requests conditional use approval for an attendant collection center, as established by PC 07-39, within the B4PD Roosevelt Road Corridor District, Planned Development.

GENERAL INFORMATION

Petitioner: Illinois Amvets Service Foundation
2200 S. 6th Street
Springfield, IL 62703

Property Owner: LaSalle Bank NA, Trust
120 S. LaSalle Street
Chicago, IL 60611

Petitioner/Trust Beneficiary: Donald Geller
919 N. Michigan Ave., #3201
Chicago, IL 60611

PROPERTY INFORMATION

Existing Land Use: Big K (K-Mart) department store and attendant collection center
Size of Property: Approximately 9.94 acres
Comprehensive Plan: Recommends Community Commercial & Roosevelt Road Corridor Commercial
Existing Zoning: B4PD Corridor Commercial District, Planned Development

Surrounding Zoning and Land Use:

North:	B4 Corridor Commercial District; developed as P.M. Bedroom Gallery, The Light Brothers, Glenbard Auto Body, Subway, and Cassidy Tire
South:	R5 PD, General Residence District, Planned Development; developed as Point West Condominiums
East:	B4 PD Corridor Commercial District, Planned Development; developed as Heritage Cadillac
West:	B4 Corridor Commercial District; developed as the Dania shopping Center (includes bank, auto glass repair, auto repair, cleaners and furniture store)

ANALYSIS

SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development on October 2, 2007:

1. Petition for Public Hearing, with Description of Request and Response to Standards.
2. Site Plan and Details, prepared by S. A. Miro, Inc., dated August 6, 2007. The plan reflects the current location and layout of the facility within the parking lot.
3. Aerial Photograph of Subject Property, prepared by the Village of Lombard.

DESCRIPTION

The petitioner seeks conditional use approval for the existing Amvets drop-off attendant collection center located on the subject property. The use has operated on the premises over the past several decades and this request is intended to establish the activity as a permitted use on the property. No modifications are proposed to the facility as part of this petition. This report also assumes that the actions associated with PC 07-39 are adopted.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

The Public Works Department does not have any comments on the petition.

PRIVATE ENGINEERING

Private Engineering Services does not have any comments on the petition.

FIRE AND BUILDING

The Fire Department does not have any comments on the petition.

PLANNING

Compliance with the Zoning Ordinance

A charitable clothing drop-off facility has been located on the subject property for years. The facility is considered a legal non-conforming use. As part of PC 07-30, which granted approval of a planned development and other conditional use and variations pertaining to the K-Mart store, staff suggested that the operations related to the Amvets facility also be addressed as a part of the petition. With approval of the petitioner's petition, the attendant collection center operator is now seeking approval of the zoning actions accordingly.

PC 07-39 established regulations for attendant collection centers and established such uses as conditional uses in the B4A District. With approval of this action, the petitioner also seeks approval of the associated conditional use.

Typically this facility consists of on-site parking of one or two trucks and several clothing containers. The facility is staffed during the day. The goods collected at the site are stored within the respective containers or vehicles. These goods are then transported to other facilities for final sorting and eventual resale and the proceeds of the sale are distributed back to the non-profit operator.

Compatibility with Surrounding Land Uses

PC 07-30 was conditioned to provide for selected parking lot, fencing and landscape improvements. These improvements would also benefit the collection facility as well as they will improve traffic flow and help screen the use from adjacent properties. As the center itself is bounded on all sides by

parking lots or other commercial uses itself, its operations should not negatively impact adjacent land uses. In fact, this use can be considered an ancillary draw to the K-Mart center itself.

From a traffic standpoint, the facility is located within a larger and somewhat underutilized parking lot. The use does not impact the parking and circulations for the shopping center, as the facility is located away from the store itself in an area that would otherwise be unused. Per the petitioner, the facility fills about 6-7 trailers per week. Given the track record of property maintenance on the site, staff notes that the use does not negatively impact adjacent properties.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Community Commercial uses at this location. The property is also located within the Roosevelt Road Corridor. The Roosevelt Road Corridor Plan denoted that outdoor uses should be tied to the principal uses on the property. However, in this unique case, the drop-off facility has been linked to the center for decades. As such, while it is not part of the principal retail use of the center, it can be considered a complementary use for the center. As such, the proposed use complies with the recommendation of the Comprehensive Plan.

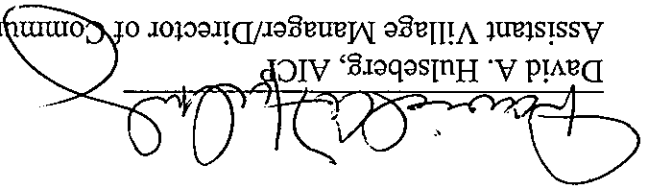
FINDINGS AND RECOMMENDATIONS

Staff has reviewed the submitted standards for conditional uses and finds that the petition meets the standards. Staff believes that the operators of the existing drop-off center have demonstrated that the facility can operate in a manner that is compatible with the adjacent land uses. Based on the above, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; 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 07-40, subject to the following conditions:

1. The site shall be operated in substantial compliance with the submitted Site and Landscape Plan and Details, prepared by S. A. Miro, Inc., dated August 6, 2007.
2. The approval of the attendant collection facility shall be limited to four drop-off containers and no more than two trailer trucks on the premises.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP

Assistant Village Manager/Director of Community Development

DAH:WJH

at
c. Petitioner

SCOPE OF SITE WORK

1. REPAIR AND REPAIR LIGHT POLES (2) IN DESIGNATED DASHED AREA.
2. REPAIR AND REPAIR LIGHT POLES (2) IN DESIGNATED DASHED AREA.
3. REPAIR AND REPAIR LIGHT POLES (2) IN DESIGNATED DASHED AREA.
4. REPAIR AND REPAIR LIGHT POLES (2) IN DESIGNATED DASHED AREA.
5. REPAIR AND REPAIR LIGHT POLES (2) IN DESIGNATED DASHED AREA.

ACCESSIBLE ROUTE REQUIREMENTS

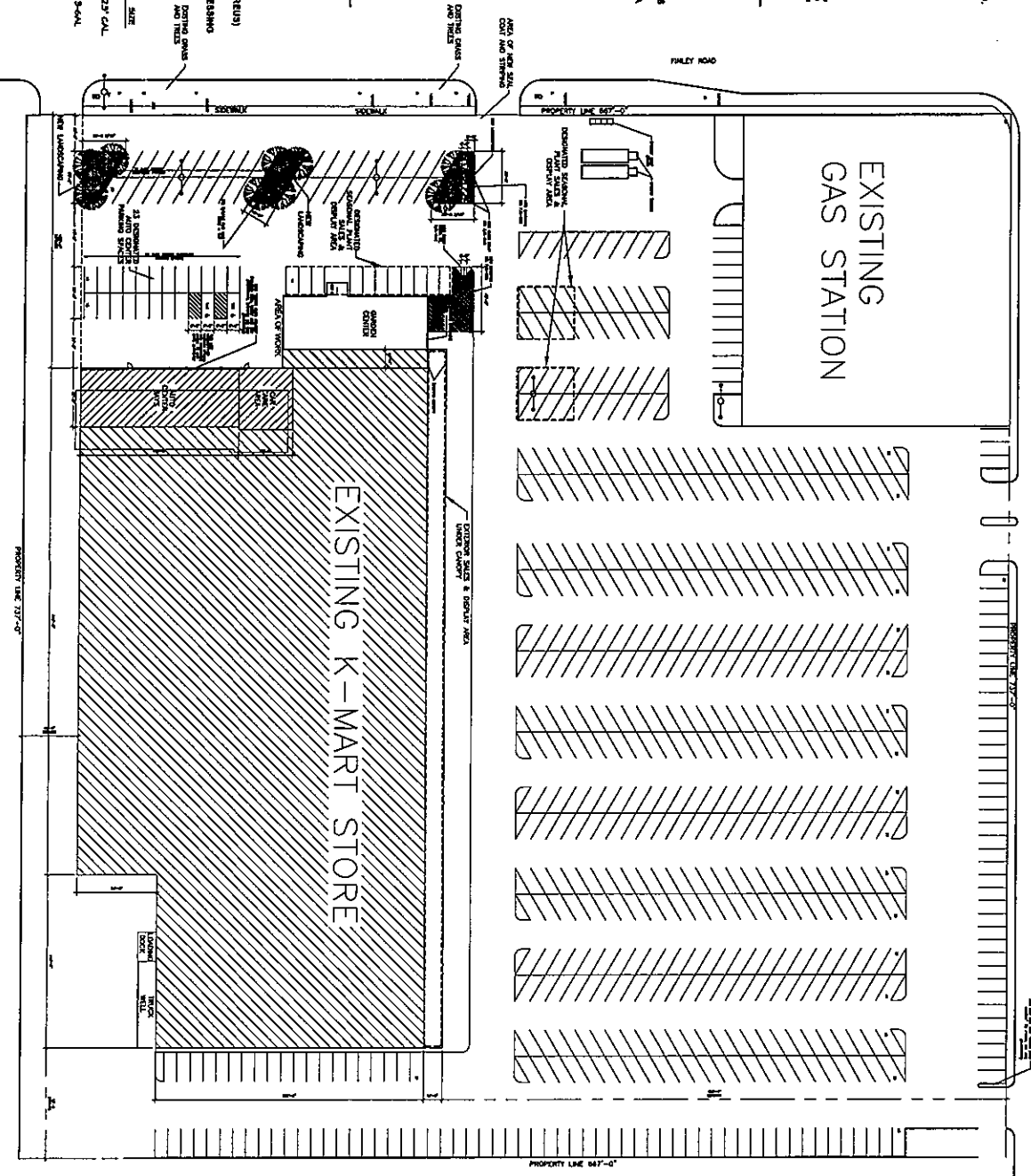
1. PARKING SPACE AREA, MAXIMUM SLOPE IN ANY DIRECTION IS 2%.
2. ACCESSIBLE ROUTE (PATH OF TRAVEL), MAXIMUM RUNNING SURFACE SLOPE IS 2%.
3. CURB RAMP, MAXIMUM SLOPE IS 8.33%.
4. MAXIMUM SLOPE OF THE FLARED CURB IS 1:12. THE MAXIMUM SLOPE OF THE FLARED CURB IS 1:12. THE MAXIMUM SLOPE OF THE FLARED CURB IS 1:12.
5. ACCESSIBLE ROUTE AT STORE ENTRANCE DOOR: PROVIDE A CLEAR AREA IMMEDIATELY OUT FROM DOOR FOR WIDTH OF DOOR AND 18 INCHES ON THE LATCH SIDE OF THE DOOR.
6. PARKING SPACES MINIMUM 8 FEET WIDE.

LANDSCAPING REQUIREMENTS

1. PROVIDE TEMPORARY HAND WATERING FOR A MINIMUM OF ONE YEAR TO ALLOW ADEQUATE ESTABLISHMENT.
2. REFER TO EA-002 FOR CURB DETAIL AT NEW LANDSCAPE BELAND AND A-002 FOR LANDSCAPING NOTES.
3. TREE - YAMER MAPLE (LACER CEMMULA)
4. BURNINGER SHRUB - STURMUS JAPONICUS (OVATUS AUREUS) SPACING 5'-0"
5. ALL PLANTING AREAS SHALL RECEIVE A TWO INCH TOP DRESSING OF MULCH FOLLOWING FINAL PLANTING, SETTLING INTO PLACE, WATERING AND FINAL BANDING.
6. REFER TO EA-002 FOR ADOT LANDSCAPING INFO.

SYM	SCIENTIFIC NAME	COMMON NAME	QUANTITY	SIZE
A	ACER CEMMULA	MAPLE	10	2 1/2" CAL.
B	OVATUS AUREUS	BURNINGER SHRUB	60	3-4" CAL.
C		EXISTING LOCUST TREE		
D		EXISTING ASH TREE		

NOTE: LANDSCAPING REQUIREMENTS FOR NEW PARKING LOT AREAS
 PROVIDE AS INDICATED IN THE PLAN.
 PROPOSED LANDSCAPING: PLANT AREA: 84' x 420'0" = 35280 SF
 PROPOSED LANDSCAPING: PLANT AREA: 320' x 57' = 18240 SF



PROPOSED



SEARS
 AUTO CENTER
 LOMBARD, ILLINOIS

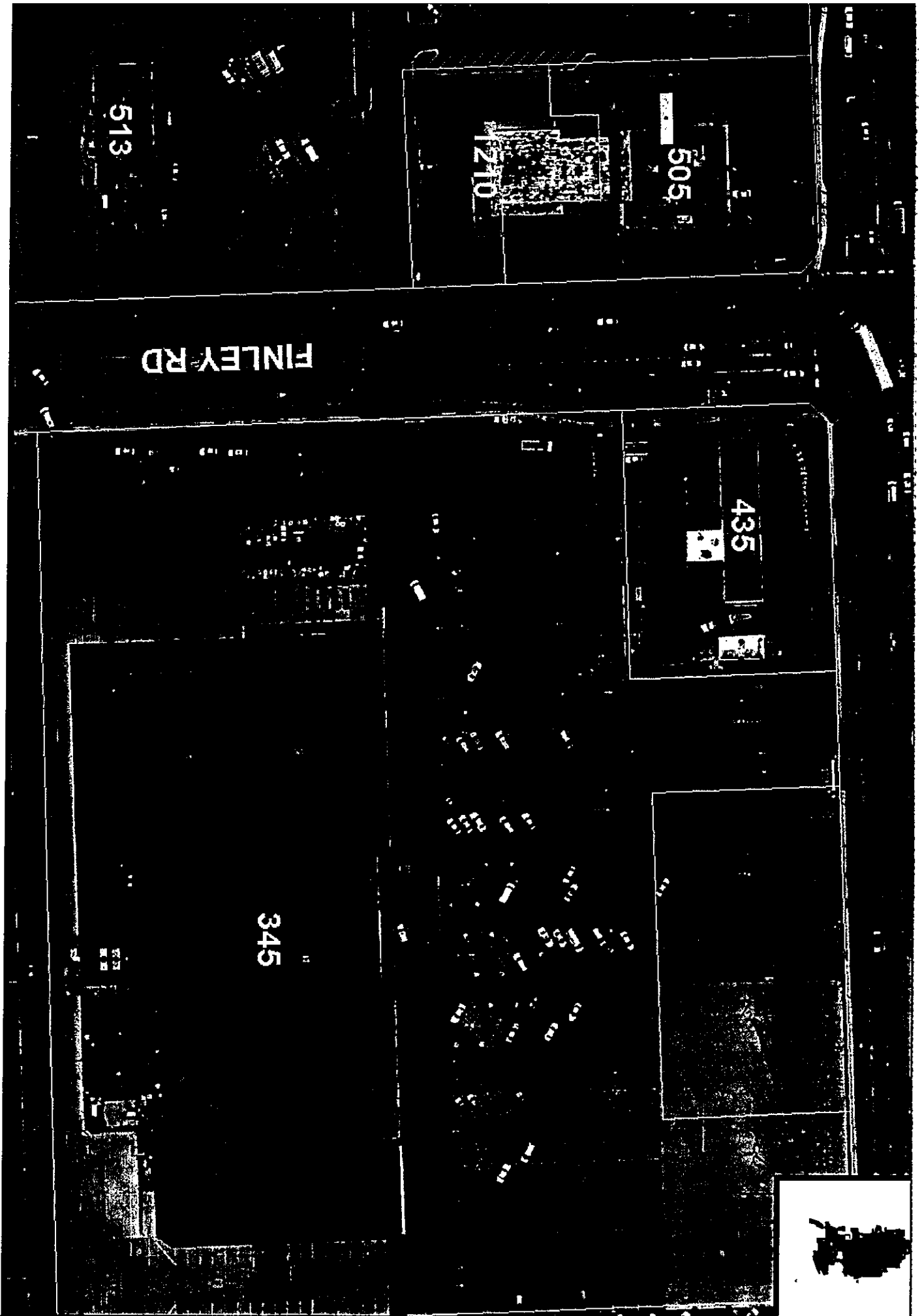
SITE & LANDSCAPING PLAN

A-001



PC 07-39 & 07-40: Aerial Photo of Subject Property

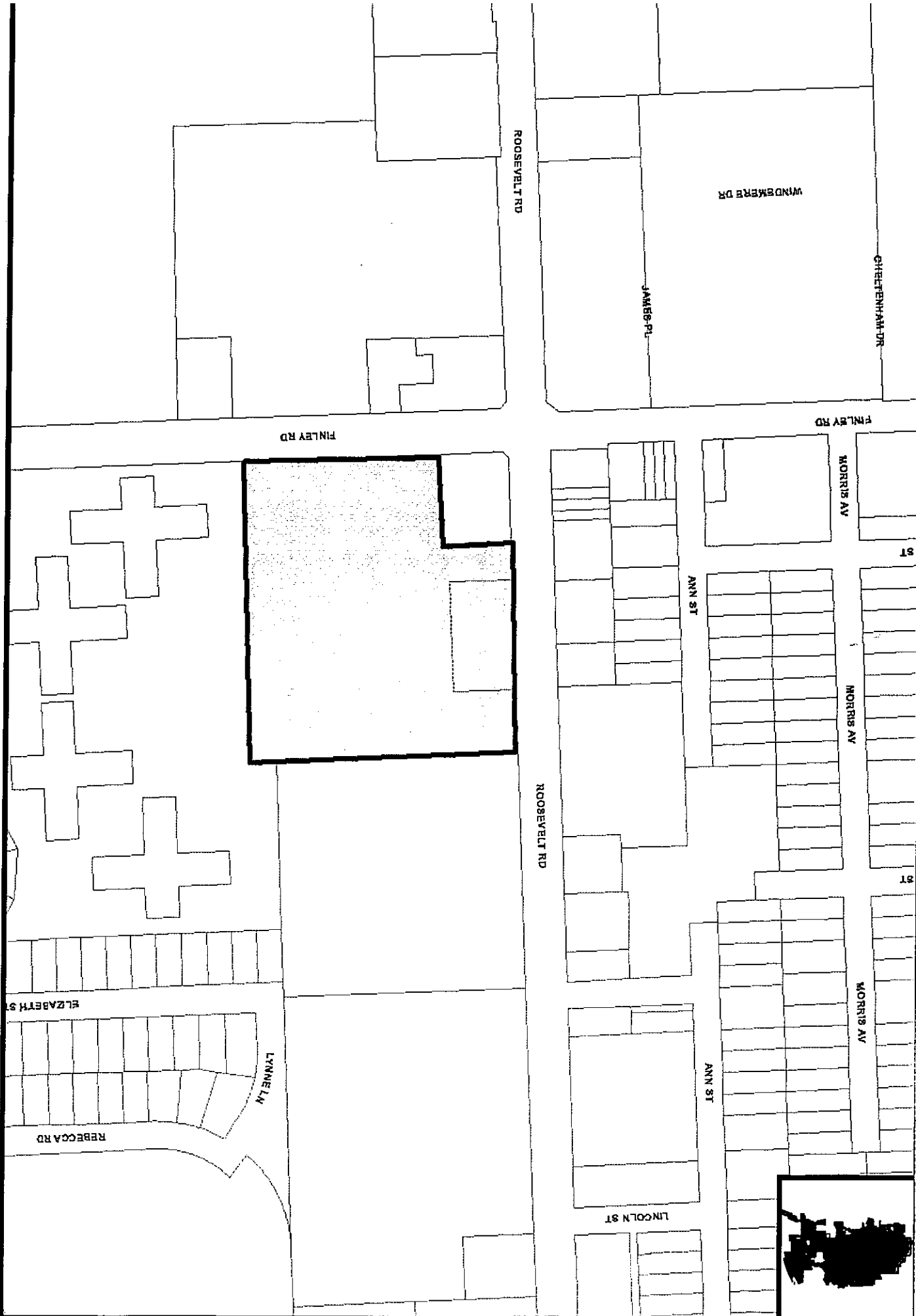
1 in. = 100.0 feet





PC 07-39 & 07-40: 345 W. Roosevelt Road

1 in. = 300.0 feet



**STANDARDS
FOR CONDITIONAL USES**

The following is an excerpt from the Lombard Zoning Ordinance. A detailed response to all of these standards should be provided for all conditional uses of the Lombard Zoning Ordinance.

SECTION 155.103 (F)(8) OF THE LOMBARD ZONING ORDINANCE:

No conditional use shall be recommended by the Plan Commission unless it finds:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;

Answer: In no way will the plaza site endanger the general public or the hosting site (K-Mart)

2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;

Answer: The plaza site will not interfere with the property value in the surrounding neighborhoods

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

Answer: It will not impair normal/orderly development of the surrounding property. Everything necessary to maintaining the site in a professional manner will be done

4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;

Answer: No Access roads or drainage will be compromised due to the plaza site

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;

Answer: Adequate measures have already been taken to minimize public traffic and parking lot congestion.

6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,

Answer: We will adhere to all proper conditional uses and objectives to the Village of Lombard

7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission

Answer: In all respects we will confirm to all regulations set forth by the Village of Lombard

SECTION 1: That a conditional use for an attendant collection center is hereby granted for the Subject Property legally described in Section 2, subject to compliance with the conditions enumerated in Section 3.

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

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

WHEREAS, a public hearing November 19, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for an attendant collection center on the property described in Section 2 below and in the B4APD Roosevelt Road Corridor Zoning District, Planned Development;

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,

AN ORDINANCE GRANTING A
CONDITIONAL USE FOR AN ATTENDANT COLLECTION CENTER,
LOCATED IN THE B4APD ROOSEVELT ROAD CORRIDOR ZONING
DISTRICT, PLANNED DEVELOPMENT
(PC 07-40: 345 W. Roosevelt Road)

ORDINANCE NO. _____

SECTION 2. That this ordinance is limited and restricted to the property generally located at 345 W. Roosevelt Road, Lombard, Illinois, and is legally described as:

Lot 2 of Mobil's Roosevelt and Finley Subdivision, being a subdivision in the west ½ of the northeast ¼ of Section 19, Township 39 North, Range 11 east of the Third Principal Meridian, according to the plat recorded on February 27, 1990 as document R1990-024288, in DuPage County, Illinois.

Parcel Numbers: 06-19-200-012 and 013

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The site shall be operated in substantial compliance with the submitted Site and Landscape Plan and Details, prepared by S. A. Miro, Inc., dated August 6, 2007.

2. The approval of the attendant collection facility shall be limited to four drop-off containers and no more than two trailer trucks on the premises.
3. The petitioner shall establish a daily presence at the attendant collection center.

SECTION 4: 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 _____, 2007.

First reading waived by action of the Board of Trustees this _____ day of _____, 2007.

Passed on second reading this _____ day of _____, 2007.

Nays: _____

Ayes: _____

Absent: _____

Approved this _____ day of _____, 2007.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me this _____ day of _____, 2007

Brigitte O'Brien, Village Clerk