

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on Board Agenda
Resolution or Ordinance (Blue) _____
Waiver of First Requested
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink) _____

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *John*

DATE: February 23, 2010 (BOT) Date: March 4, 2010

TITLE: PC 09-03: 500 E. Roosevelt Road (Westgate Lincoln Mercury)

SUBMITTED BY: Department of Community Development *WA*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Department transmits for your consideration an ordinance granting a time extension to Ordinance 6312 extending the time period for construction of the conditional use for an additional twelve month period (March 19, 2011).

Staff recommends approval of this request.

Please place this item on the March 4, 2010 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

_____	Village Attorney X
_____	Finance Director X
_____	Village Manager X
_____	Date
_____	Date
_____	Date

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: David A. Hulseberg, Village Manager

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

DATE: March 4, 2010

SUBJECT: Ordinance Extension – 500 E. Roosevelt Road (PC 09-03)

Ordinance 6312, which was associated with PC 09-03, granted conditional use for motor vehicle sales, service and repair on the subject property located in the B4APD Roosevelt Road Corridor District Planned Development. Pursuant to Section 155.103 (F)(11) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, conditional uses are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board.

The petitioner has provided the attached written correspondence requesting a one year extension of the conditional use associated with PC 09-03. The petitioner has indicated to staff that due to unforeseen circumstances, such as waiting for the State of Illinois to issue the dealer license and issues with the natural gas service provider, occupancy has been delayed. However, they intend to obtain an occupancy permit in the near future.

Please note that the petitioner was previously informed that the motorized gate that was located on the subject property will need to be re-installed prior to the issuance of a final Zoning Certificate.

RECOMMENDATION:

Staff recommends that the Village Board approve an Ordinance extending the conditional use approval time period for an additional twelve (12) months, until March 19, 2011.

Toth, Michael

From: john moroni [mailto:john.moroni1@dealermail.com]
Sent: Monday, February 22, 2010 4:05 PM
To: Toth, Michael
Subject: 500 e roosevelt property for car dealership

dear mike i would like to request an extension on the conditional usage given to me by the village of lombard last year for the opening of my used car dealership. it has taken longer for us to open with some unforeseen obstacles. mainly we have been waiting to get the dealer license from the state of illinois and that should be done in a few weeks. we also had an issue with our gas bill which now has been resolved and the gas will be turned on this friday 2-26. i have spoken to the fire battalion chief about a walk through in the next week or so just to make sure all that needs to be done will be to get the occupancy permit. we have contracted with a sign company and have the rendering to present to the village for approval as well. our goal would be to open no later than april 1st but preferably sooner. so if the village would kindly extend the approval we should be fine. your attention to this would be greatly appreciated. thank you

john moroni



Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148

Return To:

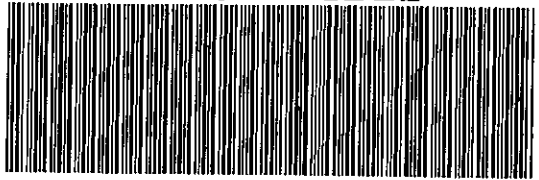
Address: 500 E. Roosevelt Road, Lombard, IL 60148

PIN: 06-17-404-044

GRANTING CONDITIONAL USE FOR MOTOR VEHICLE
SALES, SERVICE AND REPAIR IN THE BARD
ROOSEVELT ROAD CORRIDOR DISTRICT PLANNED
DEVELOPMENT

ORDINANCE NO 6312

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
APR. 30, 2009 10:01 AM
OTHER 06-17-404-044
005 PAGES R2009-064187



ORDINANCE NO. 6312

**AN ORDINANCE GRANTING
CONDITIONAL USE FOR MOTOR VEHICLE SALES,
SERVICE AND REPAIR
IN THE B4APD ROOSEVELT ROAD CORRIDOR DISTRICT PLANNED
DEVELOPMENT**

(PC 09-03; 500 E. Roosevelt Road, Westgate Planned Development)

(See also Ordinance

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, an application has heretofore been filed requesting approval of a conditional use for motor vehicle sales, service and repair in the B4APD Roosevelt Road Corridor District Planned Development; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on February 16, 2009 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 conditional uses 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.

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 the ordinance is limited and restricted to the property generally located at 500 E. Roosevelt Road, Lombard, Illinois, and legally described as follows:

LOT 1 OF THE LOMBARD LINCOLN MERCURY PLAT OF CONSOLIDATION, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 15, 1988 AS DOCUMENT R88-130945, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-17-404-044

SECTION 2: That the conditional use for motor vehicle sales, service and repair is hereby granted for the Subject Property, subject to compliance with the following conditions:

1. That the petitioner shall satisfactorily address the comments included within the IDRRC report.
2. The conditions of approval outlined in Section 2, Ordinance 5163, adopted July 18, 2002 shall remain in full effect for the subject property.
3. All property maintenance issues shall be addressed prior to the issuance of a Certificate of Occupancy.

SECTION 3: 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 5th day of March, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.

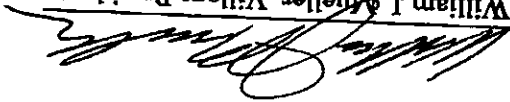
Passed on second reading this 19th day of March, 2009.

Ayes: Trustees Cron, O'Brien, Moreau, Fitzpatrick and Soderstrom

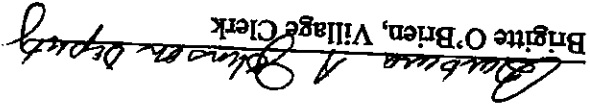
Nayes: Trustee Tross

Absent: None

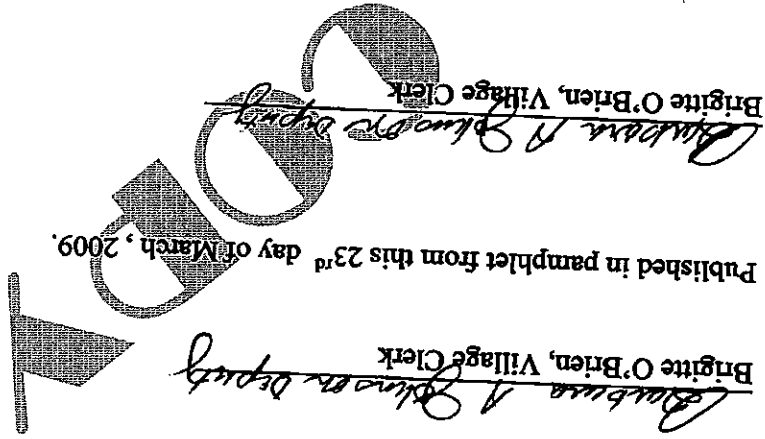
Approved this 19th, day of March, 2009.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published in pamphlet from this 23rd day of March, 2009.


Brigitte O'Brien, Village Clerk



I, Barbara A. Johnson, hereby certify that I am the duly qualified Deputy Village Clerk of the Village of Lombard, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a

copy of

ORDINANCE 6312

GRANTING CONDITIONAL USE FOR MOTOR

VEHICLE SALES, SERVICE AND REPAIR IN THE

B4RD ROOSEVELT ROAD CORRIDOR DISTRICT

PLANNED DEVELOPMENT

PIN: 06-417-404-044

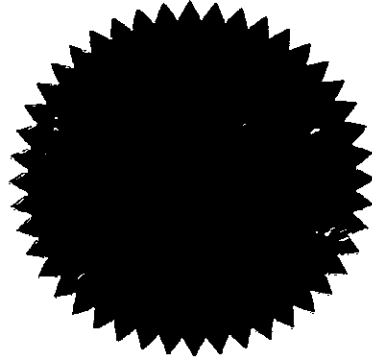
Address: 500 E. Roosevelt Road, Lombard, IL

of the said Village as it appears from the official records of said Village duly approved this 19th

day of March, 2009.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said Village of Lombard, DuPage County, Illinois this 2nd day of April, 2009.

Barbara A. Johnson
Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois





ORDINANCE NO. _____

**AN ORDINANCE GRANTING
A TIME EXTENSION TO ORDINANCE 6312,
RELATIVE TO A CONDITIONAL USE FOR MOTOR VEHICLE SALES,
SERVICE AND REPAIR IN THE B4APD ROOSEVELT ROAD CORRIDOR DISTRICT
PLANNED DEVELOPMENT**

(PC 09-03; 500 E. Roosevelt Road, Westgate Planned Development)

WHEREAS, on March 19, 2009, the President and Board of Trustees of the Village of Lombard adopted Ordinance 6312, granting a conditional use for motor vehicle sales, service and repair in the B4APD Roosevelt Road Corridor District Planned Development for the property at; 500 E. Roosevelt Road commonly referred to as the Westgate Lincoln Mercury property; and

WHEREAS, pursuant to Section 155.103 (F)(11) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, conditional uses are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinances 6312; and,

WHEREAS, the Village has received a letter requesting a time extension of said Ordinances; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinance 6312 is hereby amended and extended and shall be null and void unless an occupancy permit is obtained and the project is underway within twelve (12) months of the date of original adoption of this Ordinance (i.e. March 19, 2011).

SECTION 2: That all other provisions associated with Ordinance 6312, not amended by this Ordinance, shall remain in full force and effect.

SECTION 3: 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 _____, 2010.

First reading waived by action of the Board of Trustees this _____ day of _____, 2010.

Passed on second reading this _____ day of _____, 2010.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2010.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

Published by me in pamphlet form this _____ day of _____, 2010

Brigitte O'Brien
Village Clerk