

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: Scott R. Niehaus, Village Manager

DATE : July 11, 2022 **(BOT) Date:** July 21, 2022

SUBJECT: PC 22-14: 470 and 498 E. Roosevelt Road – Rainbow Cone

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:
Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Keystone Planning and Design, requests that the Village approve the repeal of Ordinance 6240 in its entirety, and remove the property at 470 E. Roosevelt Road from the geographical boundaries of the Carson Center Planned Development located within the B4A Roosevelt Road Corridor pursuant to Section 155.504(A) of Village Code (major changes in a planned development) with rezoning and a subsequent map amendment of the parcel.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the July 21, 2022 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):
Finance Director _____ Date _____
Village Manager _____ 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: Scott R. Niehaus, Village Manager

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

MEETING DATE: July 21, 2022

SUBJECT: **PC 22-14, 470 E. Roosevelt, Rainbow Cone**

Please find the following items for Village Board consideration as part of the July 21, 2022 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 22-14; and
3. An Ordinance granting approval of the zoning relief.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the July 21, 2022 Board of Trustees agenda.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

July 21, 2022

Village President
Keith T. Giagnorio

Village Clerk
Liz Brezinski

Trustees
Brian LaVaque, Dist. 1
Anthony Puccio, Dist. 2
Bernie Dudek, Dist. 3
Andrew Honig, Dist. 4
Dan Militello, Dist. 5
Bob Bachner, Dist. 6

Village Manager
Scott R. Niehaus

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

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

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 22-14: 470 and 498 E. Roosevelt Road – Rainbow Cone

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition.

The petitioner, Keystone Planning and Design, requests that the Village approve the repeal of Ordinance 6240 in its entirety, and remove the property at 470 E. Roosevelt Road from the geographical boundaries of the Carson Center Planned Development located within the B4A Roosevelt Road Corridor pursuant to Section 155.504(A) of Village Code (major changes in a planned development) with rezoning and a subsequent map amendment of the parcel.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 20, 2022. Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development; Anna Papke, Senior Planner; Luigi Randazzo, Keystone Planning and Design and Joey Buonavolanto, Rainbow Cone property/business owner.

Acting Chair Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Mr. Buonavolanto stated when Rainbow Cone, located at 498 E. Roosevelt Road, opened, the demand was two to three times more than expected. This prompted the purchase of the property located at 470 E. Roosevelt Road to improve conditions around the restaurant building associated with the drive through and parking options. Plans for the

existing parking lot on 470 E. Roosevelt are to add crosswalks, lighting and informational signage.

Mr. Randazzo stated all access to the site will remain unchanged including cross access with the property to the west.

Acting Chair Giuliano asked if there were any questions for the petitioners.

Commissioner Johnston asked if access to Fairfield Avenue will still be available for businesses to the west of the parking lot. Mr. Randazzo responded that the existing driveways on the west side of the property providing cross access to Fairfield Avenue will remain unchanged.

Commissioner Invergo asked if access points will be provided between the parking lot and the restaurant. Mr. Buonavolanto responded that a permit was secured to add seven to eight stairs that are approximately fifteen feet wide with railings between the properties.

Commissioner Sweetser asked if there would be additional signage to direct customers to the parking lot. Mr. Buonavolanto responded that informational parking signs were provided as part of the petition that will be placed at both Roosevelt Road and Fairfield Avenue. Additional lighting will be added to the staircase to call attention to the available parking it is connected to also. Commissioner Sweetser asked if this would include the west access as well. Mr. Buonavolanto confirmed information will be provided to the west also.

Acting Chair Giuliano asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner proposes to consolidate both lots in order to provide more parking and reconfigure the drive through. Because the lot to the north is part of the planned development of the property to the west, the action to repeal the ordinance that placed the lot to the north in the planned development is needed. In addition, said property will need to be rezoned to B4A instead of B4APD. The operation of Rainbow Cone is not changing. The site circulation is not changing and there are no variances being sought. The cross access is to be maintained as noted in the conditions of approval to be noted on the plat of consolidation.

Acting Chair Giuliano asked if there were any questions or comments on the staff report.

Commissioner Spreenberg asked for clarification of the conditions of approval for the cross access. Ms. Ganser responded that the cross access easements will be noted on the plat.

Acting Chair Giuliano asked if there were any further questions or comments for the petitioners or staff.

On a motion by Commissioner Walker, and a second by Commissioner Invergo, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 22-14 subject to the five (5) conditions in the staff report:

1. The existing south entrance drive to Fairfield Road shall be remain as a right-in, right-out access drive;
2. The petitioner shall record a plat of consolidation, combining 470 E. Roosevelt Road and 498 E. Roosevelt Road into one lot of record; the cross access easement pertaining to the driveways on the west side of the property (R2021-149626) shall be referenced on the plat of consolidation;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11) and
5. That the petitioner shall keep the frontage along Roosevelt Road available for ADA customer parking.

Respectfully,

VILLAGE OF LOMBARD

Leigh Giuliano, Acting Chairperson
Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

470 and 498 E. Roosevelt Road, Repeal Ordinance 6240 and Map Amendment

June 20, 2022

Title

PC 22-14

Petitioner

Keystone Planning and Design
418 Clinton Place
River Forest, IL 60305

Property Owner

Five Flavors, LLC
6801 Roosevelt Road
Berwyn, IL 60402

Property Location

470 and 498 E. Roosevelt Road
06-17-403-039; 06-17-403-041

Zoning

B4A and B4APD

Existing Land Use

Parking Lot and Restaurant

Comprehensive Plan

Community Commercial

Approval Sought

Repeal Ordinance 6240 and Map Amendment from B4APD to B4A

Prepared By

Tami Urish
Planner I

**PROJECT DESCRIPTION**

The restaurant, Rainbow Cone, is consolidating the property behind the building to provide more parking spaces and removing most parking spaces around the building, with the exception of the American with Disabilities Act required parking spaces that will remain near the building. Since the property located at 470 E. Roosevelt Road is within a planned development, and the property located at 498 E. Roosevelt Road is not in a planned development, the 470 E. Roosevelt Road property needs to be rezoned.

APPROVAL(S) REQUIRED

The petitioner requests that the Village approve the repeal of Ordinance 6240 in its entirety, and remove the property at 470 E. Roosevelt Road from the geographical boundaries of the Carson Center Planned Development located within the B4A Roosevelt Road Corridor pursuant to Section 155.504(A) of Village Code (major changes in a planned development).

EXISTING CONDITIONS

A single tenant building operating an ice cream shop/restaurant use with a drive through occupies the parcel addressed as 498 E. Roosevelt. A parking lot with cross access to the Carson Center multi-tenant strip center next door occupies the parcel addressed as 470 E. Roosevelt.

PROJECT STATS

Lot & Bulk

Parcel Size 1.8 acres
(total of both):

Building Size: ~3,000 SF

Parking Spaces

Demand: 36 (2 ADA)

Supply @ 470 61 (6 ADA)

Supply @ 498: 30 (2 ADA)

Submittals

1. Petition for a public hearing;
2. Response to Standards for a Conditional Use, prepared by the petitioner, dated May 16, 2022;
3. Plat of Consolidation, prepared by Wolf Pack Consulting, LLC, dated May 2, 2021;
4. Site Plan, prepared by the petitioner, dated March 22, 2022.
5. Informational sign exhibit prepared by Corporate Identification Solutions, dated May 10, 2022.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division requires the ADA spaces to remain nearest the building and both entrances into the building have cross hatched crosswalks. Should the petition be approved, additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Private Engineering Services:

Private Engineering Services has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Planning Services Division:

The Planning Services Division (PSD) notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	R2	Vacant lot
South	B4A (High Point Center)	Mixed Retail
East	B4A (Drivetime)	Motor Vehicle sales
West	B4A (Carson Center)	Retail

The subject property is located in an established commercial corridor that contains a mixture of businesses. The building is configured as a single tenant structure and is not a multi-tenant strip center by design. The site at 498 E. Roosevelt is non-conforming to the standards of the zoning district, however, the development was approved without any variances by Ordinances 3796 and 3952 for a restaurant with a drive through in the 1990s.

Prior to 2007, the property at 470 E. Roosevelt Road was developed as an electrical contractor's office and shop (Glenbard Electric). The property was sold to the property owners of the Carson's Center located at 400-450 E. Roosevelt Road and the building on the property was razed. The property owners at the time were granted approval to utilize the existing parking lot for the benefit of the Carson's Center, west of the vacant lot, by including it in the established planned development until such time that the property could be redeveloped.

The new property owners are seeking to improve access to the drive through portion of the restaurant by expanding the parking availability on this existing parking lot for the benefit of Rainbow Cone. A permit will be required to restripe the parking lot.

2. *Comprehensive Plan Compatibility*

The Comprehensive Plan recommends Community Commercial. The existing restaurant with drive through use is consistent with this designation.

3. *Zoning Compatibility*

The petitioner is proposing to consolidate two properties. Repealing Ordinance 6240, rezoning and a subsequent map amendment of one of the parcels is being sought. The proposal seeks to improve the conditional use of the drive through that was approved in 1993 and 1995.

It was noted by staff in 2008 (PC 08-28) that the expectation for the property located at 470 E. Roosevelt Road was to be redeveloped. Staff now finds that combining the two properties is a satisfactory redevelopment option.

4. *Site Plan: Access & Circulation*

The site is accessed by Roosevelt Road and Fairfield Avenue. There is a traffic signal at the intersection. Parking is not allowed on either street.

The petitioner proposes to remove all parking spaces on the 498 E. Roosevelt Road parcel with the exception of the three required ADA parking spaces and four standard parking spaces. Additional parking for the restaurant will be provided by the 470 E. Roosevelt Road parcel's parking lot. The property owner has found that at times the parking lot around the building gets overwhelmed with customers attempting to park or utilize the drive through. By shifting the parking exclusively to the north, the congestion is expected to improve. The property owner of 498 E. Roosevelt Road recently purchased 470 E. Roosevelt Road and subsequently submitted a plat of consolidation to the Village for this plan.

5. *Cross Access with Neighboring Property*

Two driveways on the west side of the subject property provide access to the shopping center located at 400-450 E. Roosevelt Road. Prior to selling 470 E. Roosevelt Road to the petitioner, the owner of the shopping center established a cross access easement over the two driveways for the benefit of the properties at 470 and 498 E. Roosevelt Road (R2021-14926). The easement ensures the existing circulation pattern among the three properties will remain unchanged.

6. *Signage*

No zoning relief is requested for signage. The petitioner will install new informational signage at the parking lot entrances and a permit will be required.

7. *Lighting*

No changes to the lighting are occurring at this time. Should the business change the lighting in the future they will need to apply for a permit and submit a photometric plan.

8. *History*

470 E. Roosevelt Road

PC 08-28 (400-470 E. Roosevelt Road) Ordinance 6240: Amendment to Ordinance 5456 to allow for a Vacant Property (470 E. Roosevelt Road) to be included within the geographical extent of the Carson's Center Planned Development with the following conditions:

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

498 E. Roosevelt Road

PC 93-30, Ordinance 3794: Annexation of 498 E. Roosevelt into the Village of Lombard

Ordinance 3795: Map amendment for the purpose of rezoning the property from R1 Single Family Residence District to B4 Corridor Commercial District

Ordinance 3796: Conditional Use for a restaurant with drive-through service and outdoor seating.

PC 95-01, Ordinance 3952: Conditional Use for a restaurant with drive-through service and outdoor seating. Different site plan than the site plan submitted for PC 93-30. Both site plans were approved without variances.

FINDINGS & RECOMMENDATIONS

Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

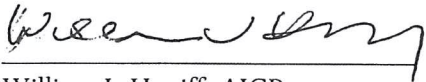
The Inter-Departmental Review Committee has reviewed the standards for the request to repeal Ordinance 6240 in its entirety, and remove the property at 470 E. Roosevelt Road from the geographical boundaries of the Carson Center Planned Development located within the B4A Roosevelt Road Corridor, and a map amendment from B4APD Roosevelt Road Corridor District Planned Development to B4A and Roosevelt Road Corridor District and finds that the proposed repeal and map amendment **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 22-14:

Based on the submitted petition and the testimony presented, the proposed repeal of Ordinance 6240 in its entirety, and the removal of the property at 470 E. Roosevelt Road from the geographical boundaries of the Carson Center Planned Development located within the B4A Roosevelt Road Corridor, and a map amendment from B4APD Roosevelt Road Corridor District Planned Development to B4A and Roosevelt Road Corridor District does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the repeal and map amendment is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Committee Report as the

findings of the Plan Commission, and recommend to the Village Board **approval** of PC 22-14, subject to the following conditions:

1. The existing south entrance drive to Fairfield Road shall be remain as a right-in, right-out access drive;
2. The petitioner shall record a plat of consolidation, combining 470 E. Roosevelt Road and 498 E. Roosevelt Road into one lot of record; the cross access easement pertaining to the driveways on the west side of the property (R2021-149626) shall be referenced on the plat of consolidation;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11) and
5. That the petitioner shall keep the frontage along Roosevelt Road available ADA customer parking.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

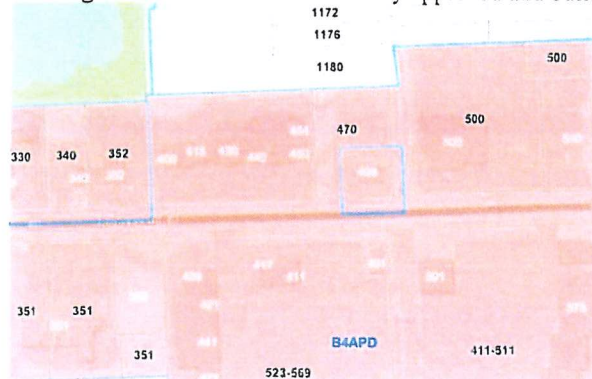
c. Petitioner



**Rainbow Cone Lombard Plat Consolidation and Rezoning
STANDARDS FOR MAP AMENDMENTS (REZONINGS)
from B4APD to B4A Roosevelt Road corridor**

1. *Compatibility with existing uses of property within the general area of the property in question;*
 - a. 498 E. Roosevelt Road is an existing drive-thru food service use, and the building /site has also been a food service use even before that. The owners of 498 E. Roosevelt Road have acquired the existing to remain parking lot north of their parcel. This request is to consolidate the parcel north of 498 E. Roosevelt with it to create a larger parcel, offer on-site parking to the food service use, and become B4A zoning from B4APD. Existing uses remain. There are many other restaurants and services along this commercial corridor.

2. *Compatibility with the zoning classification of property within the general area of the property in question;*
 - a. Direct compatibility with all same zoning commercial uses along Roosevelt road and with residential zoning to the north like all other adjacent commercial properties. Existing uses to remain that are already approved and built.



3. *The suitability of the property in question to the uses permitted under the existing zoning classification.*
 - a. Existing drive-thru food service use that has been already built and approved. This use is also a permitted use in this district. On-site parking is now offered after this consolidation and rezoning, another permitted use
4. *Consistency with the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification;*
 - a. This district serves the larger community by offering a “viable retail commercial corridor” Much of the area is already built with existing single-story commercial buildings, which ours matches in scale.
5. *The compatibility of the surrounding property with the permitted uses listed in the proposed zoning classification.*
 - a. All properties to the south (across Roosevelt Road), the east and west are all commercial properties offering permitted restaurants, services, and more to the community. This is

all compatible with our uses. The properties to the north of the consolidate parcel are single-family residential, and the existing parking lot has existing landscape screening to this residential district, making it compatible by offering existing to remain uses (no changes for any of the neighbors) with required buffers.

6. *The objectives of the current Comprehensive Plan for the Village of Lombard and the impact of the proposed amendment of the said objectives;*
 - a. No amendments proposed to the current Comprehensive Plan for the Village of Lombard. The objectives of the plan remain in effect as we offer no physical changes to the buildings, buffers, landscaping, drive entry points, etc. code requirements.

7. *The suitability of the property in question for permitted uses listed in the proposed zoning classification.*
 - a. Permitted uses such as restaurants with on-site parking are suitable for this property with access from Roosevelt Road and also Fairfield. Existing access, entry, exits to the site to remain as well as existing building and parking and circulation.



PREPARED FOR
FIVE PLAZAS, LLC
1807 ROOSEVELT RD
BERRYMAN, ILLINOIS 60522-1019

RAINBOW CONE CONSOLIDATION

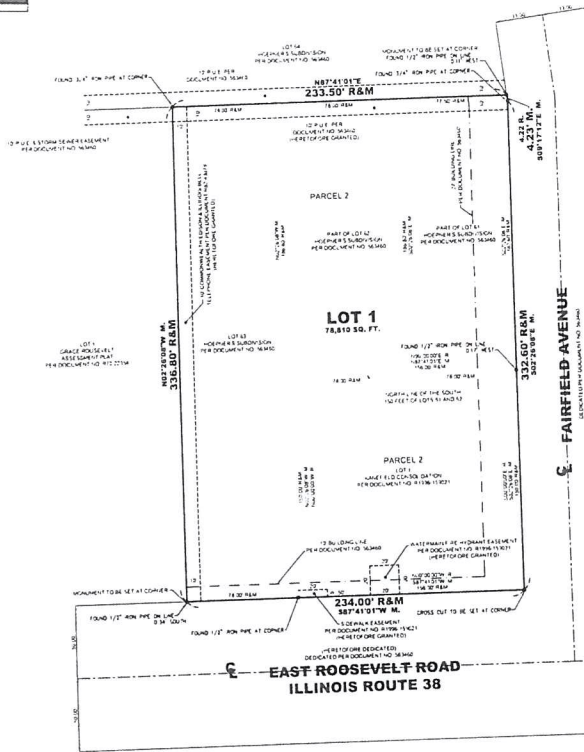
BEING A SUBDIVISION IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

COMMISHIONERS 55 472 AM EAST EAST ROOSEVELT ROAD LOUDBARD ILLINOIS
PAR 56 17 431 033 (PARCEL 1)
PAR 56 17 431 033 (PARCEL 2)

SUBMITTED BY AND RETURN TO
FIVE PLAZAS, LLC
1807 EAST ROOSEVELT
LOUDBARD, ILLINOIS 60118
(630) 458-1374

- LEGEND**
- MOUNTAIN HILLS
 - RECORD ENCLAVES
 - MOUNTAIN HILLS
 - PUBLIC UTILITY AND DRAINAGE EASEMENT
 - PUBLIC UTILITY EASEMENT

GRAPHIC SCALE



OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

I, _____, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND DESCRIBED ON THE ATTACHED PLAT AND HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN BY THE PLAT FOR THE USES AND PURPOSES INDICATED THEREIN, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREIN INDICATED.

DATED THIS _____ DAY OF _____, 20__.

BY _____
OWNER

BY _____
OWNER

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY DO HEREBY CERTIFY THAT _____ IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE AS SUCH OWNERS, APPEARED BEFORE THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY FREELY, SOLELY AND VOLUNTARILY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 20__.

BY _____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

SCHOOL DISTRICT STATEMENT

PURSUANT TO SECTION 100 OF THE PLAT ACT (89 ILCS 20), THIS DOCUMENT SHALL SERVE AS THE SCHOOL DISTRICT STATEMENT TO THE BEST OF THE OWNER'S KNOWLEDGE, THE TRACT OF LAND DESCRIBED IN THE ATTACHED PLAT LIES IN THE FOLLOWING SCHOOL DISTRICTS:

- GRADE SCHOOL DISTRICT #11
ADDRESS 150 WEST MADISON STREET LOUDBARD ILLINOIS
- HIGH SCHOOL DISTRICT #41
ADDRESS 190 CRESCENT BOULEVARD GLEN ELLYN ILLINOIS
- JUNIOR COLLEGE DISTRICT #52
ADDRESS 425 72ND STREET GLEN ELLYN ILLINOIS

OWNER _____ OWNER _____

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

APPROVED BY THE VILLAGE PRESIDENT AND THE VILLAGE BOARD OF THIS THE VILLAGE OF LOUDBARD COUNTY ILLINOIS
THIS _____ DAY OF _____, A.D. 20__.

VILLAGE PRESIDENT _____

VILLAGE CLERK _____

RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

THIS INSTRUMENT NUMBER _____ WAS FILED FOR RECORD IN THE RECORDS OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THIS _____ DAY OF _____, A.D. 20__.

AT _____ O'CLOCK _____ M.
DUPAGE COUNTY RECORDER OF DEEDS

DIRECTOR OF COMMUNITY DEVELOPMENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

APPROVED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF THE VILLAGE OF LOUDBARD ILLINOIS
THIS _____ DAY OF _____, A.D. 20__.

DIRECTOR OF COMMUNITY DEVELOPMENT

OWNER-ENGINEER CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATERS DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH SUCH SUBDIVISION HAS A RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON THE PROPERTY OF ADJOINING LAND OWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

OWNER _____ PROFESSIONAL ENGINEER _____

NAME _____ NAME _____

DATE _____ FIRM _____

DATE _____

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

DO HEREBY CERTIFY THAT THERE ARE NO COUNTY CLERK OF DUPAGE COUNTY ILLINOIS CURRENT TAXES UNPAID FOR EITHER TAXES AND NO RECEIVABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ATTACHED PLAT. FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE UNRECORDED PLAT.

GIVEN UNDER MY NAME AND SEAL OF THE COUNTY CLERK AT AUBURN, ILLINOIS
THIS _____ DAY OF _____, A.D. 20__.

COUNTY CLERK _____

UTILITY AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE RESERVED FOR THE VILLAGE OF LOUDBARD AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISES FROM THE VILLAGE OF LOUDBARD INCLUDING BUT NOT LIMITED TO COMMERCIAL TRUST COMPANY, AT&T, MICHIGAS, COMCAST AND THE SUCCESSORS AND ASSIGNS PRIVILEGE AND AUTHORITY TO CONSTRUCT, REPAIR, MAINTAIN, OPERATE AND MAINTAIN VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, INCLUDING OVERHEAD AND UNDERGROUND, TO FORM AND/OR BATTERY CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES, MAY BE DEEMED NECESSARY BY SAID VILLAGE AND/OR UTILITY COMPANIES OVER UPON, ALONG, UNDER AND THROUGH SAID LOCATED EASEMENT TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. RIGHT IS ALSO GRANTED TO CUT DOWN AND TRIM OR REMOVE ANY WORK INTERFERING WITH THE OPERATION OF THE SYSTEMS OR OTHER PLANTS WITHOUT FOR PROVIDING COMPENSATION THEREFOR ON THE EASEMENT THAT MAY INTERFERE WITH THE OPERATION OF THE SYSTEMS OR OTHER PLANTS. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE ABOVE SAID USES OR RIGHTS. WHERE AN EASEMENT IS USED FOR BOTH SEWER AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF LOUDBARD.

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF LOUDBARD AND THE GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND SUBDIVISION HEREBY, OVER THE ENTIRE EASEMENT AREA FOR GOVERNMENTAL SERVICES INCLUDING WATER, SEWER AND SANITARY SEWER SERVICE AND MAINTENANCE.

EASEMENTS ALSO ARE HEREBY RESERVED FOR CABLE COMMUNICATIONS COMPANIES ALONG WITH THE PUBLIC UTILITIES AS ABOVE REFERENCED. NOTHING SET FORTH ABOVE IS INTENDED TO SUPERSEDE ANY REQUIREMENTS CONTAINED IN ANY FRANCHISE AGREEMENT BETWEEN THE GRANTEE AND THE VILLAGE OF LOUDBARD OR ANY SUCH FRANCHISE AGREEMENT OR ANY OTHER AGREEMENTS AND THE PERFORMANCE OF ANY SUCH FRANCHISE AGREEMENT OR RESPECTIVE THAT THE LANGUAGE OF THIS GRANT OF EASEMENT IN THE LANGUAGE OF SAID FRANCHISE AGREEMENT SHALL BE CONTROLLING UPON EACH OF THE GRANTEES.

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO NORTHERN ILLINOIS GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, IN ALL LOCATED EASEMENT AREAS, STREETS ALLEYS, OTHER PUBLIC WAYS AND PLACES SHOWN ON THIS PLAT AS WELL AS OTHER PROPERTY, WHETHER OR NOT CONTIGUOUS, THERE TO NO BUILDINGS OR OTHER STRUCTURES SHALL BE ALLEYS, OR OTHER PUBLIC WAYS OR PLACES NO SHALL ANY OTHER USE BE MADE THEREOF INDIVIDUALLY OR INTERFERE WITH THE EASEMENTS RESERVED AND GRANTED HEREBY.



BY MICHAEL NELSON 10-06-2011

SUBDIVIDER CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

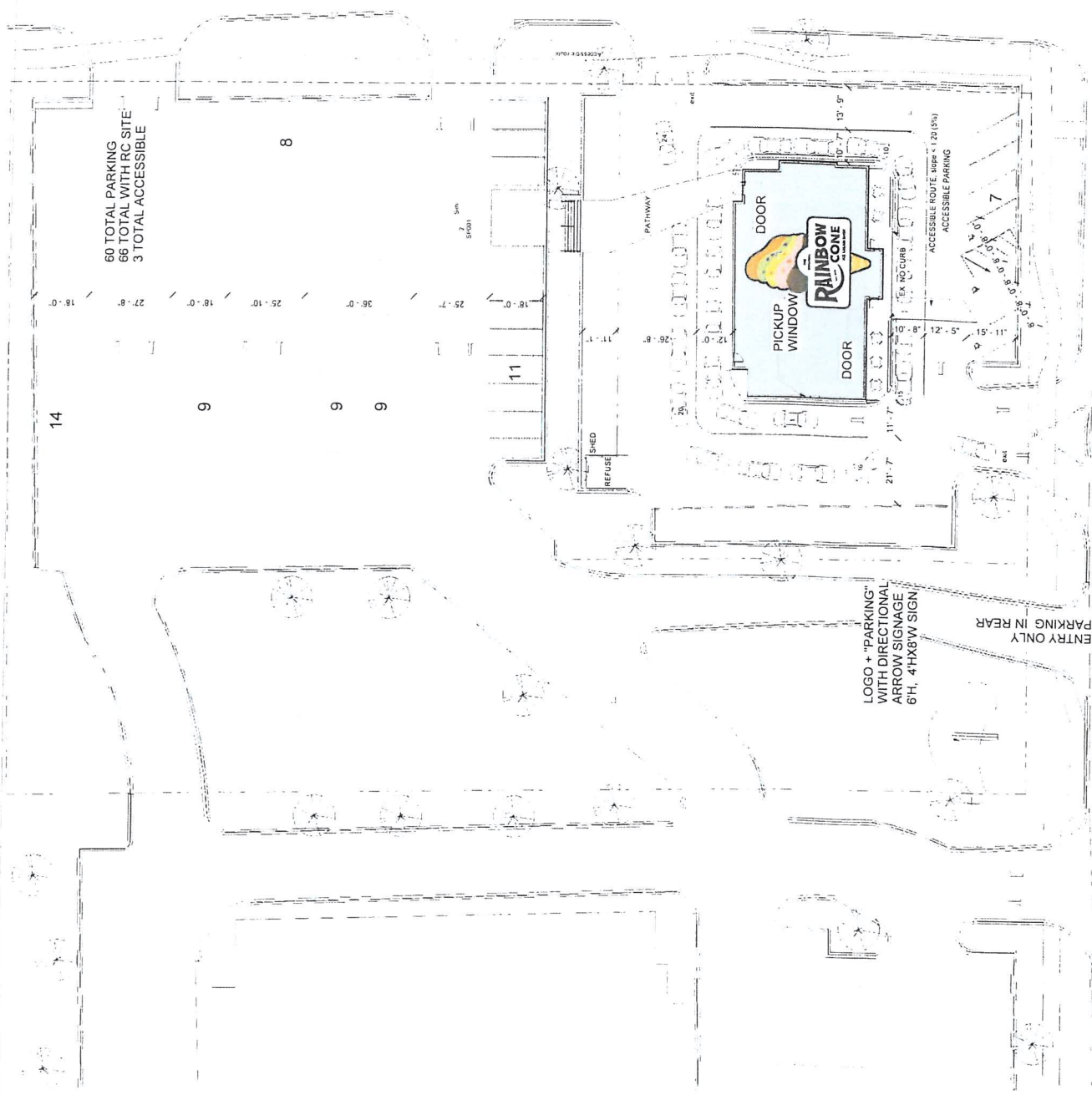
I, _____, DO HEREBY CERTIFY THAT I AM THE SUBDIVIDER OF THE LAND DESCRIBED ON THE ATTACHED PLAT AND HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN BY THE PLAT FOR THE USES AND PURPOSES INDICATED THEREIN, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREIN INDICATED.

PARCEL 1 LOT 1 IN A RAINBOW CONE CONSOLIDATION BEING A CONSOLIDATION OF THE SOUTH 150 FEET OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, AS SHOWN ON THE PLAT HEREOF, RECORDED SEPTEMBER 27, 1984 AS DOCUMENT NUMBER 8196 (1984) IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2 LOTS 81 AND 82 EXCEPT THE SOUTH 150 FEET OF SAID LOTS 81 AS VESTED ALONG THE EAST AND WEST LINES THEREOF, AND ALL OF LOT 82 IN HEMPER'S SUBDIVISION BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, AS SHOWN ON THE PLAT HEREOF, RECORDED FEBRUARY 25, 1984 AS DOCUMENT NUMBER 8196 (1984) IN DUPAGE COUNTY, ILLINOIS.

ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. TOTAL AREA = 78,810 SQUARE FEET OR 1.803 ACRES. I HEREBY CERTIFY THAT THE LAND IS WITHIN THE VILLAGE OF LOUDBARD AND WITHIN A HALF MILE OF THE CORNER OF THE VILLAGE OF LOUDBARD WHICH HAS ADOPTED A COMPREHENSIVE PLAN AND MAP AND CODE ENACTED.

I FURTHER CERTIFY THAT I HAVE MADE A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS COUNTY PLAN NUMBER 154181-D WITHIN THE EASEMENT AREA OF THE SOUTH 150 FEET OF LOTS 81 AND 82 IN HEMPER'S SUBDIVISION AS SHOWN ON THE PLAT HEREOF, RECORDED SEPTEMBER 27, 1984 AS DOCUMENT NUMBER 8196 (1984) IN DUPAGE COUNTY, ILLINOIS, AND HAVE DETERMINED THAT THE LAND IS NOT IN A FLOOD HAZARD ZONE. I HEREBY AUTHORIZE AN AGENT OF THE VILLAGE OF LOUDBARD ILLINOIS TO RECORD THIS PLAT OF SUBDIVISION WITH THE RECORDS OFFICE OF DUPAGE COUNTY, ILLINOIS. GIVEN UNDER MY HAND AND SEAL AT AUBURN, ILLINOIS, THIS 2ND DAY OF MAY, 2012.



60 TOTAL PARKING
66 TOTAL WITH RC SITE
3 TOTAL ACCESSIBLE

LOGO + "PARKING"
WITH DIRECTIONAL
ARROW SIGNAGE
6'H, 4'Hx8'W SIGN

ENTRY ONLY
PARKING IN REAR

Total Off-Street Parking Spaces Provided	Number of Accessible Parking Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3

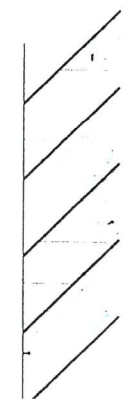


Figure 502.3 (b)
Diagonal Parking Space Access Aisle

2018 ILL ACCESSIBILITY CODE
12" = 1'-0"

RAINBOW CONE SITE IMPROVEMENTS
496 E ROOSEVELT RD, LOMBARD, IL 60148



No	Description	Date
1	PRELIMINARY	11/14/2022
2	REVISED	3/22/23
3	CONSOLIDATE	3/22/23



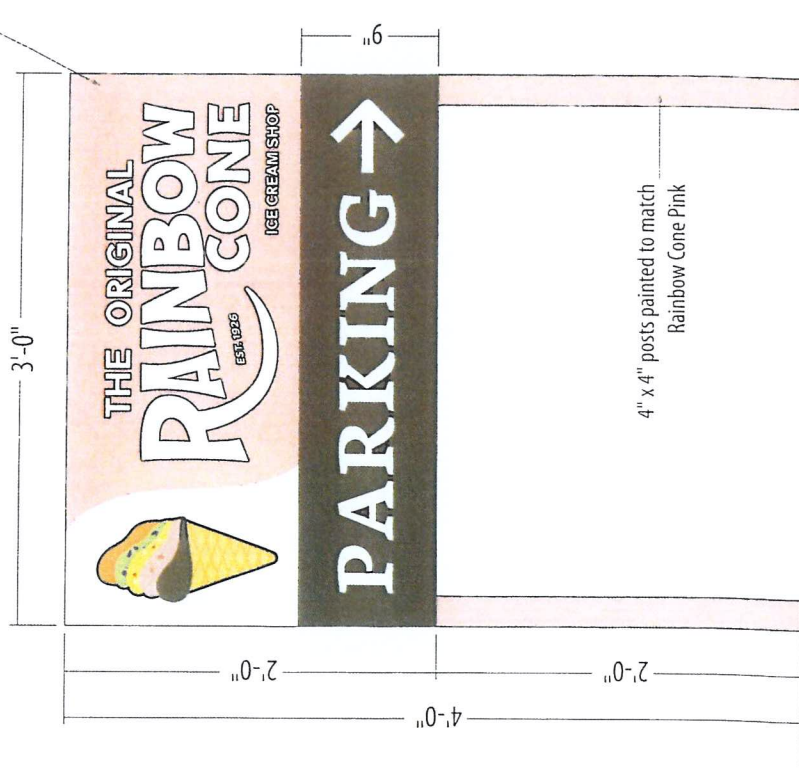
SITE PLAN
CONSOLIDATED

SP100

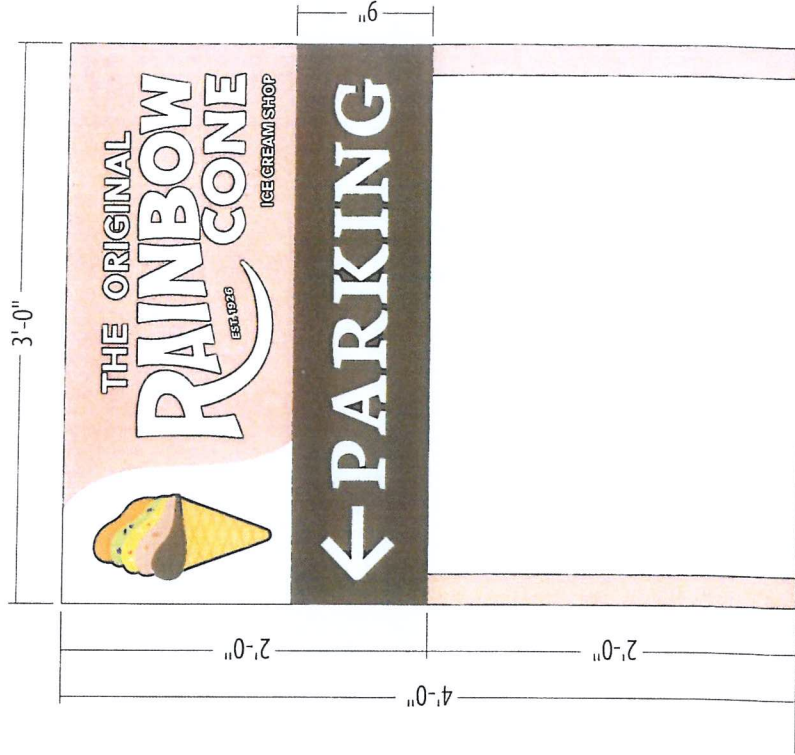
1 SITE PLAN - CONSOLIDATE SITES
1/16" = 1'-0"

ROOSEVELT RD

2'-0" x 3'-0" panel with
digitally printed graphics applied



SIDE A



SIDE B



CORPORATE IDENTIFICATION SOLUTIONS

CUSTOMER
BUONA BEEF-RAINBOW CONE
SITE NUMBER
N/A
LOCATION
SKOKIE, IL
ACCOUNT REP
MIKE SHELLEY

DRAWN BY
MH
DATE
05/10/22

REVISION
01
SCALE
NTS

CORPORATE ID SOLUTIONS
5563 N ELSTON AVE.
CHICAGO, IL 60630
P: 773-763-9600 | F: 773-763-9606
CORPORATEIDSOLUTIONS.COM

CUSTOMER ACCEPTANCE

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SIGNATURE

DATE

ORDINANCE NO. _____

**AN ORDINANCE GRANTING THE REPEAL OF ORDINANCE
6240 IN ITS ENTIRETY TO REMOVE THE PROPERTY AT 470
E. ROOSEVELT ROAD FROM THE GEOGRAPHICAL
BOUNDARIES OF THE CARSON CENTER PLANNED
DEVELOPMENT LOCATED WITHIN THE B4A ROOSEVELT
ROAD CORRIDOR PURSUANT TO TITLE 15, CHAPTER 155,
SECTION 155.504(A) OF THE LOMBARD ZONING
ORDINANCE**

PC 22-14; 470 and 498 E. Roosevelt Road, Rainbow Cone

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, the Subject Property as defined below is zoned B4APD Roosevelt Road Corridor District Planned Development; and,

WHEREAS, an application has been filed requesting approval to repeal Ordinance 6240 in its entirety, and remove the property at 470 E. Roosevelt Road from the geographical boundaries of the Carson Center Planned Development located within the B4A Roosevelt Road Corridor pursuant to Section 155.504(A) of the Lombard Zoning Ordinance; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on June 20, 2022, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the zoning relief, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions 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 following approval to repeal Ordinance 6240 in its entirety, and remove the property at 470 E. Roosevelt Road from the geographical boundaries of the Carson Center Planned Development located within the B4A Roosevelt Road Corridor is hereby granted for the Subject Property legally described in Section 2 and subject to the conditions set forth in Section 3.

SECTION 2: That this Ordinance is limited and restricted to the property located at 470 E. Roosevelt Road , Lombard, Illinois and legally described as follows:

LOTS 61 AND 62, EXCEPT THE SOUTH 150.0 FEET OF SAID LOTS AS MEASURED ALONG THE EAST AND WEST LINES THEROF, AND ALL OF LOT 63 IN HOEPPNER'S SUBDIVISION 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 FEBRUARY 25, 1949 AS DOCUMENT 563460, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-17-403-039; (the "Subject Property").

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

1. The existing south entrance drive to Fairfield Road shall remain as a right-in, right-out access drive;
2. The petitioner shall record a plat of consolidation, combining 470 E. Roosevelt Road and 498 E. Roosevelt Road into one lot of record; the cross access easement pertaining to the driveways on the west side of the property (R2021-149626) shall be referenced on the plat of consolidation;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11); and
5. That the petitioner shall keep the frontage along Roosevelt Road available for ADA customer parking.

Ordinance No. _____
Re: PC 22-14
Page 3

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this ____ day of _____, 2022.

First reading waived by action of the Board of Trustees this ____ day of _____, 2022.

Passed on second reading this ____ day of _____, 2022.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2022.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this ____ day of _____, 2022.

Elizabeth Brezinski, Village Clerk