

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Meeting Agenda

Thursday, February 2, 2012

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President: William J. Mueller

Village Clerk: Brigitte O'Brien

Trustees: Greg Gron, District One; Keith Giagnorio, District Two;

Zachary Wilson, District Three; Peter Breen, District Four;

Laura Fitzpatrick, District Five; and Bill Ware, District Six

I. Call to Order and Pledge of Allegiance

II. Roll Call

III. Public Hearings

[120047](#)

PC 11-25: 321-395 E. Roosevelt Road

A public hearing relative to an amendment to the Annexation Agreement for the development located at 321-395 E. Roosevelt Road. (DISTRICT #6)

Attachments: [120047_BOT 2_2_12.pdf](#)

IV. Public Participation

[120055](#)

Proclamation - Fitness February

Attachments: [prohealthylombard2012.doc](#)

V. Approval of Minutes

Minutes of the Regular Meeting of January 19, 2012

VI. Committee Reports

Community Relations Committee - Trustee Keith Giagnorio, Chairperson

Economic/Community Development Committee - Trustee Peter Breen, Chairperson

Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson

Finance Committee - Trustee Greg Gron, Chairperson

Public Works Committee - Trustee Bill Ware, Chairperson

Transportation & Safety Committee - Trustee Zachary Wilson, Chairperson

Board of Local Improvements - Trustee Greg Gron, President

Community Promotion & Tourism - President William J. Mueller, Chairperson

Lombard Historical Commission - Clerk Brigitte O'Brien

VII. Village Manager/Village Board Comments

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [120034](#) Approval of Accounts Payable
For the period ending January 20, 2012 in the amount of \$807,075.01.
Attachments: [120034](#)
- B. [120035](#) Approval of Village Payroll
For the period ending January 14, 2012 in the amount of \$838,092.86.
Attachments: [120035](#)
- C. [120048](#) Approval of Accounts Payable
For the period ending January 27, 2012 in the amount of \$570,062.76.
Attachments: [120048](#)

Ordinances on First Reading (Waiver of First Requested)

- D. [120029](#) PC 12-01: 717 E. Butterfield Road (Chick-fil-A)
Requests that the Village approve amendments to Ordinances 4497 and 6616 as they relate to the Homestead Village Planned Development, located within the OPD Office District, Planned Development, and consisting of a conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for the expansion of a restaurant. (DISTRICT #3)

Attachments: [120029_BOT 2_2_12.pdf](#)

[Ordinance 6672](#)

[120029Coverpage2-2-12](#)

Eric Uebelhor, 1815 S. Meyers Road, Oakbrook Terrace, presented the petition and noted that they are proposing a small building expansion to allow for additional customer queuing. Chick-fil-A is expecting a very high customer volume at this location.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. No one was present to speak in favor or against the petition.

Jennifer Henaghan, Senior Planner, presented the staff report. The petitioner is proposing a 337-sq. ft. addition to the restaurant building that is currently under construction on the subject property. Private Engineering Services noted that the existing detention provided for the area remains acceptable. The proposed expansion is compatible with both the Comprehensive Plan and the surrounding land uses.

The new building size will be 5,660 sq. ft. The expansion will

include an additional doorway and associated sidewalk connection, resulting in the loss of approximately 142 sq. ft. of foundation landscaping. However, the site will continue to meet all setback, landscaping, and open space requirements. The restaurant will still provide parking in excess of what is required by Code, and access and circulation will remain unchanged. No other changes to the previously-approved plans are proposed.

Staff finds that, given the existing restaurant use on the site and the restaurant uses on the adjacent properties, the requested conditional uses for a restaurant and outdoor dining are appropriate at this location.

Chairperson Ryan then opened the meeting for comments among the Commissioners. The Commissioners had no questions or comments.

E. [120030](#)

PC 12-02: 21W555 Bemis Road (Glenbard Wastewater Authority) Requests approval of a conditional use for noncompliance with the requirements of the Zoning Ordinance pertaining to personal wireless service facilities (as per Section 155.206(A)(2) of the Zoning Ordinance) with the following variations:

1. A variation from Section 155.205(A)(4) to allow for the use of barbed wire as part of a seven-foot high chain link fence;
2. A variation from Section 155.206(A)(6) to allow for a personal wireless service facility without full landscape screening;
3. A variation from Section 155.206(B)(2)(a)(ii) to allow for a personal wireless service facility in the CR District;
4. A variation from Section 155.206(B)(2)(b)(i) to allow for a personal wireless service facility in excess of 45 feet in height;
5. A variation from Section 155.206(B)(2)(d)(i) to allow for a 100-foot high personal wireless service facility to be less than 105 feet from the nearest property line. (DISTRICT #2)

Attachments: [120030_BOT 2 2 12.pdf](#)

[Ordinance 6673](#)

[120030Coverpage2-2-12](#)

George Wagner, Village Counsel, explained the restrictions and requirements of the Federal Telecommunications Act of 1996 as they pertain to the petition.

Chris Barton, 1815 S. Meyers Road, Oakbrook Terrace, who was representing AT&T presented a PowerPoint presentation summarizing their request.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

Katina Finley, 21W500 Buckingham, Glen Ellyn, asked about the exact location of the tower, who will own the tower, if adjacent

residents would be notified if the location changes, the timeframe for construction, the routing of trucks, and issues with radiation.

John Heath, 2S038 Valley Road, Lombard, asked about the exact location of the tower, security and access, and if any new service road would be constructed.

Kelly Caluiendo, 21W611 Glen Crest, Glen Ellyn, asked about maintenance and if a test hole was dug by AT&T.

Dave Finley, 21W500 Buckingham, Glen Ellyn, asked how much digging would take place and if it would impact flooding in the area.

The petitioner showed a photo simulation illustration of the proposed location. The tower will be owned by AT&T. Construction will be during Summer 2012 and will take 30 to 60 days. The location is governed by the lease and the requested Plan Commission approval is specific to this location, so any change would require re-approval. The FCC governs health and wellness surrounding tower sites. The compound will be surrounded with a seven-foot high barbed wire fence, and the outer perimeter of the Glenbard Wastewater facility is also fenced. Access to the site will be during business hours except in the event of an emergency. AT&T will maintain the site, but the necessary frequency of maintenance is not known.

Erik Lanphier, 21W555 Bemis Road and Manager at Glenbard Wastewater Authority, stated that no test hole had been dug and all exploratory work has been visual.

Mr. Barton added that flooding should not be affected. The existing access road will be used to access the lease site, and there is no planned access from Butterfield Road. They do not anticipate a great deal of construction traffic or debris. The tower will be west of the East Branch of the DuPage River.

Mr. Lanphier added that the facility's water retention ponds are east of the river and there is a fence east of the retention ponds. There is no access to the site from the east, and AT&T will take access from the facility's main gate on Bemis Road.

Chairperson Ryan then requested the staff report.

Jennifer Henaghan, Senior Planner, presented the staff report. The Zoning Ordinance allows noncompliance with the Village's regulations for radio, satellite, and television antennas, towers, and dishes through the conditional use process. Variations are also requested with respect to the proposed monopole's height, location, landscape screening, and associated fencing.

Private Engineering Services and the Building Division had

comments on the petition which must be addressed as conditions of approval.

The petitioner has submitted a statement demonstrating how no existing tower or structure can accommodate the petitioner's proposed antennas. The request is compatible with both the recommendations of the Comprehensive Plan and the surrounding land uses.

Staff finds that the requested fence variation is appropriate for this particular combination of location and land use. Staff finds that, given the unique nature of the industrial land uses on the site, the requested variation for reduced landscape screening is appropriate. The request for a personal wireless facility in the CR District in excess of 45 feet in height is consistent with other requests for CR-zoned properties and, as per the petitioner's submitted materials, they have represented that there are no other viable locations in this general area. The requested setback relief is appropriate given that it will only impact publicly-owned properties.

Staff finds that the information submitted by the petitioner and as part of this petition meets the Standards for Conditional Uses and Standards for Variations and recommends approval of the requested relief, subject to the conditions noted in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweetser corrected the petitioner's Response to Standards for Conditional Uses, noting that the IEEE is the Institute of Electrical and Electronics Engineers, not the Institute of Electrical Electronics.

Commissioner Olbrysh asked why barbed wire was necessary. Mr. Barton stated that the barbed wire will be used because it is an unmanned facility with valuable equipment. Barbed wire is a standard requirement for them unless special circumstances warrant otherwise.

Mr. Wagner corrected the Village Code referenced in the petitioner's Response to Standards for Conditional Uses, noting that it should read that the conditional use will not be detrimental to or endanger the public health, morals, comfort, or general welfare.

Other Ordinances on First Reading

- F. [110735](#) Main Drive, No Parking
Recommendation from the Transportation & Safety Committee to implement No Parking on the west side of the street. (DISTRICT #6)

Attachments: [110735 BOT 02022012.PDF](#)

[Ordinance 6681](#)

Kalisik reviewed the item. Schaefer reiterated the area has significant parking during high school events and can get very congested. Schaefer also requested information on how wide a normal street is constructed. Kalsiik stated 32-feet, back-of-curb to back-of-curb.

- G. [120031](#) PC 12-03: 844 N. Ridge Ave. (Flesk Brewing Co. LLC)
Requests a conditional use per Section 155.420(C)(17) of the Zoning Ordinance to allow for Food Manufacturing, Packaging, and Processing in the I Limited Industrial District. (DISTRICT #1)

Attachments: [120031_BOT_2_2_12.pdf](#)

[120031Coverpage2-2-2012](#)

[Ordinance 6682](#)

William O'Brien, 5800 Oaklund Drive, Lisle, presented the petition. He stated that his brother and he want to establish a nano-brewery in Lombard. They have been home brewing for five years and his brother studied to be a brew master. He then mentioned his brother's schooling and work background. He stated that a nano-brewery is a tiny step up from a home brewing system. Their location on Ridge Ave. would consist of two fermenters and water consumption used for this process would be approximately 50,000 gallons. He then stated that they would like to expand sometime in the future and the subject property will allow them to do so.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. No one in the audience spoke in favor or against the petition.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the staff report. Flesk Brewing Co. LLC, intends to occupy a 2,065 square foot space within the existing multi-tenant building on the subject property and operate a "Nano Brewery". Nano breweries are microbreweries, which the ATF TTP (Alcohol Tobacco and Firearms Tax and Trade Bureau) defines as very small brewery operations. From a zoning perspective, the use would be deemed a conditional use within the I District as food manufacturing or process.

Food manufacturing and processing establishments are listed as conditional uses within the I Limited Industrial District. As part of the conditional use review process, staff has reviewed the current

conditions on the subject property relative to the proposed use.

According to the petitioner, their operations will use about 50,000 gallons of water annually. It is anticipated that Flesk Brewing Co. will brew about 100 barrels of beer, with the remainder being bottled. Aside from loading and shipping functions, the operations associated with the brewery will be conducted within the confines of the tenant space. More specifically, Flesk Brewing Co. intends to use the tenant space to brew, package and distribute the product from the premises. They intend to sell their beer to local restaurants/bars and liquor stores. There will be no consumption of alcohol on the premises.

Given their small size, logistics will be made using their own personal vehicles and/or small delivery trucks as recent changes in federal/state laws will now allow small brewers to distribute their own product. As the subject tenant space has a garage door, which is intended for loading purposes, all products will be moved through the loading door. Furthermore, the petitioner does not plan to store any materials outside.

Flesk Brewing Co. would be sharing a dumpster with the other tenants located on the subject property. The dumpster currently located on the subject property is not properly screened per Section 155.710 of the Zoning Ordinance. Upon inspection of the site, staff noticed a pile of wood next to the dumpster and other loose debris scattered throughout the subject property. In order to maintain optimal site conditions, a condition of approval will require that the wood pile and any other loose debris be removed from the property. According to the petitioner, spent grain will be a by-product of the brewing process, which will be placed in containers and disposed of by a waste management company. Due to limited dumpster space, a condition of approval will also require that any waste, which is a by-product of the brewing process, be stored within the confines of the building until it can be properly disposed of.

Food manufacturing, packaging, and processing is listed as a conditional use in the I Limited Industrial District due in part to the potential for a wide range of usage intensities associated with this use. While large scale and/or noxious food manufacturing operations would likely raise concerns about noise, odor, and waste products, staff believes that the small scale operation of Flesk Brewing Co. to not be of that variety.

The Zoning Ordinance requires one (1) parking space per one and a half (1.5) employees in the I Limited Industrial District. According to the petitioner, on-site staffing will be limited to only those times in which the master brewer needs to be on premises to make the product. There are currently sixty (60) parking spaces on the property.

Staff finds that all of the Standards for Conditional Use, as submitted by the petitioner, have been met.

The Comprehensive Plan recommends Light Industrial uses at this location. The proposed use complies with the recommendation of the Comprehensive Plan.

The subject business is industrial in nature and is surrounded exclusively by other industrial uses. Flesk Brewing Co.'s operations, as described by the petitioner, are not intensive enough to be a nuisance, safety concern, or health concern for the surrounding land uses.

Staff finds that the approval of the requested conditional use would not have significant impacts on the subject property or surrounding area. With the exception of loading operations done from the overhead garage door, all business activities are conducted within the tenant space.

Staff is recommending approval of the petition subject to the three (3) conditions listed in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners. The Commissioners had no questions or comments.

H. [120032](#)

PC 12-04: Text Amendments to the Lombard Zoning Ordinance
The Village of Lombard requests a text amendment to Section 155.417 of the Lombard Zoning Ordinance allowing "Secondhand stores and rummage shops (with a minimum floor area of 5,000 square feet)" to be listed as a conditional use within the B4A - Roosevelt Road Corridor District. (DISTRICTS - ALL)

Attachments: [120032 BOT 2 2 12.pdf](#)
[120032Coverpage2-2-2012](#)
[Ordinance 6683](#)

Chairperson Ryan opened the meeting for public comment. There were no comments or questions from the public.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Community Development Director, presented the petition. There are currently no uses (permitted or conditional) that would allow for the resale of goods in the B4A - Roosevelt Road Corridor District. Furthermore, staff has recently been getting inquiries from the development community relative to "secondhand stores and rummage shops" in the B4A Roosevelt Road Corridor District. As such, the Village is requesting text amendments to the Zoning Ordinance to allow 'Secondhand

stores and rummage shops (with a minimum floor area of 5,000 square feet)' as a conditional use in the B4A - Roosevelt Road Corridor District.

PC 11-25, which includes a request for a conditional use for secondhand stores and rummage shops, will be heard subsequent to this hearing. If this petition is not approved, PC 11-25 cannot be heard as currently proposed.

Staff has recently been getting inquiries from the development community relative to "secondhand stores and rummage shops" in the B4A Roosevelt Road Corridor District. As Table 1 in the staff report illustrates, "secondhand stores and rummage shops" are prohibited in the B1 Neighborhood District and B4A Roosevelt Road Corridor District; however, if someone wanted to establish a secondhand store or rummage shop, this could be done in the B2, B3, B4, B5 & B5A Districts as a permitted use.

As part of the 2007 Roosevelt Road Corridor Study, the report ranked 143 different land uses from "highly desirable" to "highly undesirable". Secondhand stores and rummage shops were classified as an undesirable use as the intent of B4A District is to promote a strong retail corridor. Therefore the B4A District does not allow "secondhand stores and rummage shops" as either a permitted or conditional use. Subsequent to the adoption of the B4A Zoning District, the Village Board did approve a text amendment to allow "Attendant Collection Centers" as conditional uses in the B4A Zoning District (PC 07-39). These centers are often associated with secondhand stores as the items being dropped off are for resale or donation. Staff supported that amendment as it addressed a growing demand for such facilities and that they are desired over remote drop boxes as the staffing helps minimize impacts of fly-dumping and the conditional use process helps ensure that its operation will be compatible with adjacent land uses.

In 2009, staff initiated a text amendment to allow "secondhand stores and rummage shops" in the B2 District (PC 09-23) as a permitted use. In that case, staff supported the text amendment as we felt the use was suitable for the B2 - General Neighborhood Shopping District because it is a zoning district intended to provide convenience shopping to adjacent residential areas, but allows for a wider range of uses than permitted in the B1 District.

Staff supports the concept of allowing "secondhand stores and rummage shops" in the B4A Zoning District, provided that certain restrictions are in place to ensure the intent of the B4A District is met. Specifically, staff recommends that there be a minimum size requirement for the "secondhand stores and rummage shops" and that they require conditional use approval. Staff offers the following comments:

Staff also recommends "secondhand stores and rummage shops" with a minimum floor area of 5,000 square feet be allowed to locate within the B4A Zoning District. The rationale for the minimum size requirements go back to the intent of the B4A Zoning District. Specifically, the district is intended to be a regional arterial corridor that attracts strong retail land uses. With a minimum size requirement of 5,000 square feet, this ensures that the proposed business will be in character with other retail uses along the corridor. Furthermore, staff feels restricting it to a minimum size still meets the intent of the 2007 Roosevelt Road Corridor Study as it will likely minimize the proliferation of "secondhand stores and rummage shops" in the small vacant tenant spaces. A minimum 5,000 square feet will also likely require a large capital investment in a tenant space. Staff did research other communities and found that the Village of Geneva has a similar provision allowing "secondhand stores and rummage shops" based on the store's size.

Staff also recommends "secondhand stores and rummage shops with a minimum floor area of 5,000 square feet" as a conditional use. Since secondhand stores typically rely on the donation of goods, which are typically dropped off on-site and for resale, the need for additional review may be warranted. This is consistent with the regulations associated with "Attendant Collection Centers".

During their September 19, 2011 meeting, staff solicited the input of the Plan Commission on the proposed amendment. In order to gauge the position of the Commissioners, staff provided background on the item and posed the following questions:

1. Does the Plan Commission support an amendment to the B4A District to allow for "secondhand stores and rummage shops"?
2. If allowed, does the Plan Commission support the use to go through the public hearing process as a conditional use?
3. Does the Plan Commission support the concept of requiring "secondhand stores and rummage shops" in B4A District to be a minimum of 5,000 square feet?

Based upon the response to the aforementioned questions posed by staff, the Plan Commission responded favorably to the proposed text amendments. Furthermore, the Plan Commission concurred with staff's approach of categorizing the use as a 'conditional use' and requiring a minimum amount of square footage for secondhand stores and rummage shops. The workshop discussion focused on the need for the Village to have oversight on the operations of secondhand stores, due to potential negative impacts that can be associated with the proposed use; more specifically, the drop off component. Furthermore, staff is recommending approval of PC 12-04.

*Chairperson Ryan opened the meeting to the Commissioners.
The Commissioners had no questions or comments.*

- I. [120040](#) Declaration of Surplus Equipment
Declaring two (2) John Deere general purpose loader buckets as surplus equipment and authorizing their trade-in.
Attachments: [120040 BOT 2-2-12](#)
[120040Coverpage2-2-2012](#)
[Ordinance 6686](#)

Ordinances on Second Reading

- *J. **ZBA 11-06: 661 N. Charlotte Street (This item has been removed from the agenda)**
- *K. [120015](#) Boundary Line Agreement with the Village of Glen Ellyn (Continued from February 2, 2012)
Authorizing the execution of a Boundary Line Agreement with the Village of Glen Ellyn.
Attachments: [120015 BOT 1 19 12.pdf](#)
[120015Coverpage1-19-12](#)
[Boundary Agreement with Glen Ellyn](#)
[Glen Ellyn Ordinance](#)
[Ordinance 6693](#)

- L. [120016](#) Amending Title 11, Chapter 112 of the Lombard Village Code Increasing the Class "A/B-II" liquor license category granting a liquor license to Trademark Tavern and Tap, 777 E. Butterfield Road. (DISTRICT #3)
Attachments: [120016 BOT 01192012.PDF](#)
[Ordinance 6674](#)
[120016Coverpage1-19-12](#)
- M. [120022](#) Transportation Amendments
Amending Title 11, Chapter 121 of the Lombard Village Code with regard to Taxicab Licensing.
Attachments: [120022 BOT 01192012.PDF](#)
[Ordinance 6675](#)
[120022Coverpage1-19-12](#)
- N. [120026](#) Water and Sewer Rates FYE 2012
Three Ordinances amending the Village Code as it relates to water and sewer rates for FYE 2012.
Attachments: [Leg 120026 BOT 1-19-12 .pdf](#)
[Ordinance 6676](#)
[Ordinance 6677](#)
[Ordinance 6678](#)
[120026Coverpage1-19-12](#)

Resolutions

Other Matters

*O. Local Climate Action Plan and Electricity Aggregation (Moved to IX-B)

- P. [110725](#) Grant Application Request Friends of the DuPage Theater
Request for \$3,000 from Hotel/Motel funds for costs associated with the 2012 DuPage Sculpture Show.
Attachments: [GrantRequest2011ScptrShw.pdf](#)
[110725BOT02-02-12.pdf](#)
[110725BOT2-2-12](#)
- Sharon Vish, chairperson of the DuPage Sculpture Show committee, was present to discuss the grant application. This is the 4th year the event will be held in Lilacia Park and will be held on May 12 from 10 am-4 pm. The purpose of the juried show is to showcase artists of DuPage County. The grant funds will be used to fund scholarships and cash awards for the artists. The committee has secured corporate sponsors, including the Westin Hotel, which will sponsor the committee's fundraiser on Feb. 13.

President Mueller asked Skip Strittmatter if there is anything that the DuPage CVB could do to help promote the event. Young artists are featured and this gives them a chance to showcase their artwork. Skip indicated that they could help promote the event on their calendar of events as well as the Bureau's website and through social media. Sharon will contact Skip for help with marketing of the event.

Committee member Jill Payne inquired as to how they go into the high schools to get the artists involved? Sharon responded that they have contacts and have recruited from the high school students in the past. Sharon indicated that the attendance last year was about 1,200 and that the Lombard Park District is a partner with the DuPage Sculpture Group. They also intend to have a group from Glenbard East H.S. playing music in the park the day of the event.

Q. [110727](#)

Grant Application Request for 2012 Lilac Time Advertising Request from the Lombard Park District for \$11,815 from Hotel/Motel funds for costs associated with Lilac Time advertising.

Attachments: [GrantRequest2011LilacTime.pdf](#)

[110727BOT02-02-12.pdf](#)

[110727BOT2-2-12](#)

Jill Hastings, representing the Lombard Park District, presented the grant, announcing that as in the past, this is a matching grant with the State. It will be used for video advertising to be placed 50 miles from Lombard-Joliet, southern Illinois, Rockford, Madison, Milwaukee and Indiana. The Park District also plans to do online advertising as well. They expect to hear about the State grant in March.

Marguerite Micken asked if the Park District intended to do additional advertising separate from the grant and Jill Hastings said that they will be using other media for other locations in the area. Jerry Cohen asked how the Park District chooses markets that they advertise in? Jill Hastings responded that they chose areas that are far enough away that they will come for a day and stay overnight and have to buy gas in Lombard. She added that they don't see people coming for longer than 1-2 days and not further than that destination. Per the State grant, 50 miles is a suggested guideline for the criteria of the grant.

Bill Mueller asked if there are any plans to do specialty advertising, as in **West Suburban** magazine as in the past we've had some articles. Also, what about **Triple A** magazine? Jason Myers responded that the Park District has about 7,000 email addresses, which they will be utilizing for promotions so they are being more "green" with their efforts.

- R. [120008](#) Grant Application Request for Showmobile Stage
Request from the Village of Lombard for \$57,987 from Hotel/Motel funds for the purchase of a new showmobile stage.

Attachments: [GrantRequest2012Showmobile.PDF](#)

[120008BOT02-02-12.pdf](#)

[120008BOT2-2-12](#)

President Mueller gave an overview of the Showmobile and indicated that the stage is not safe to use any longer. He inquired of Jason Myers if the Park District would still be willing to deliver it, store it and maintain it for the Village. Jason Myers indicated that the agreement would still be ok.

Jason Myers spoke a little about the history of the Showmobile and its use. President Mueller asked how much the Park District charged for the rental-Jason said that the labor is charged back to the non-profit or out of town group that rents it but others are not charged for the rental. Also, they had not rented it out recently as it has been deteriorating and in disrepair. He also mentioned that the Park District had someone come out from the company that made it and parts are no longer available and if it were to be repaired, they would not guarantee or warranty the work.

Yvonne Invergo, Chamber of Commerce, asked what is wrong with the stage? Jason Myers answered that it is a structural issue. Currently the stage has been stored at Sunset Knolls.

Staff added that the Dan Colpo of the Village's Public Works Department and Bill Mees from the Lombard Park District had looked at it with the specs and Colpo recommended the specs needed to purchase a stage similar to what we have. The color and design of the outside will be signed and marked by the Village's sign shop, similar to the party wagons.

President Mueller asked the Park District to have Bill Mees look over the quote that was received by the selected vendor.

- S. [120041](#) Plat of Easement - Yorktown Mall (Bon Ton/Carson Pirie Scott)
Motion approving a Plat of Easement for public watermain on two different areas over a portion of Lot 3. (DISTRICT #3)

Attachments: [120041 BOT 2 2 12.pdf](#)

[120041Coverpage2-2-12](#)

- T. [120042](#) Plat of Easement - Yorktown Mall (Bon Ton/Carson Pirie Scott)
Motion approving a Plat of Easement for public watermain on two different areas over a portion of Lot 3. (DISTRICT #3)

Attachments: [120042 BOT 2 2 12.pdf](#)

[120042Coverpage2-2-12](#)

- U. [120043](#) Plat of Easement - Yorktown Mall (Highland Yorktown, LLC)

Motion approving a Plat of Easement for public watermain on three different areas over a portion of Lots 1 and 3. (DISTRICT #3)

Attachments: [120043_BOT 2_2_12.pdf](#)

[120043Coverpage2-2-12](#)

- V. [120044](#) Plat of Easement - Yorktown Mall (Highland Yorktown, LLC)
Motion approving a Plat of Easement for public watermain on four different areas over a portion of Lots 1 and 2. (DISTRICT #3)
Attachments: [120044_BOT 2_2_12.pdf](#)
[120044Coverpage2-2-12](#)
- W. [120045](#) Plat of Easement - Yorktown Mall (Highland Yorktown, LLC)
Motion approving a Plat of Easement for public watermain on five different areas over a portion of Lot 4. (DISTRICT #3)
Attachments: [120045_BOT 2_2_12.pdf](#)
[120045Coverpage2-2-12](#)
- X. [120046](#) Plat of Easement - Yorktown Mall (Von Maur)
Motion approving a Plat of Easement for public watermain on three different areas over a portion of Lot 6. (DISTRICT #3)
Attachments: [120046_BOT 2_2_12.pdf](#)
[120046Coverpage2-2-12](#)

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

- A. [120028](#) PC 11-25: 321-395 E Roosevelt Road (Former Lombard Crossings Development)
Requests that the Village take the following actions on the subject property:
1. Approve an amendment to an annexation agreement. (2/3 of Corporate Authorities Vote Required)
 2. Approve a planned development amendment (Major Change) to Ordinance 6211, as amended by Ordinances 6344, 6495 and 6623 for property located in the B4APD Roosevelt Road Corridor District, Planned Development, with the following companion conditional uses, deviations and variations, as follows;
 - a. A conditional use, per Section 155.417 (G) (2) of the Lombard Zoning Ordinance to allow for a secondhand stores and rummage shops in excess of 5,000 square feet for proposed Lot 1; and
 - b. A conditional use, per Section 155.417 (G) (2) of the Lombard Zoning Ordinance to allow for a drive through for proposed Lot 1; and
 - c. For each lot, grant a variation from Sections 155.706 (C) and

- 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking; and
- d. A deviation to Section 155.417 (G)(3) of the Zoning Ordinance to reduce the minimum lot area for a detention outlot (proposed Lot 3); and
 - e. A deviation from Section 155.417 (G)(4) of the Zoning Ordinance to reduce the minimum lot width for a detention outlot (proposed Lot 3); and
 - f. A deviation from Section 154.507 of the Lombard Subdivision and Development Ordinance to allow an outlot (proposed Lot 3) to not have at least thirty feet (30') of frontage along a public street; and
 - g. Grant a variation from Sections 155.417 (G)(7) and (9) of the Zoning Ordinance to reduce the ten percent (10%) open space requirement for proposed Lot 2; and
 - h. A conditional use, per Section 155.417 (G) (2), for off-site parking.
3. Site plan approval with the following deviations from the Lombard Sign Ordinance:
- a. A deviation from the Lombard Sign Ordinance to allow for a freestanding sign on both proposed Lots 1 and 2 to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way; and
 - b. A deviation from the Lombard Sign Ordinance to allow for 4 walls signs where 2 wall signs are permitted for proposed Lot 1.
4. Approve a major plat of subdivision. (DISTRICT #6)

Attachments: [120028 BOT 2 2 12.pdf](#)

[120028Coverpage2-2-2012](#)

[Ordinance 6684](#)

[Ordinance 6685](#)

Jay Peirick, 100 E. Wisconsin Avenue, Suite, 1030, of Goodwill Industries provided background on the project. He mentioned how Goodwill has worked closely with Village staff and Goodwill is proud of what they put together. He said they have been looking for a location in Lombard for a while. They are proposing a 1 story, 25,500 square foot retail store and donation center that will also include a talent bridge and workforce center. He described the materials to be used on the building and mentioned they spend a lot of money on the buildings and take pride in them. The buildings have a warm color palette, clear windows and each retail store and donation center tries to be self-sustaining by selling items dropped off at that specific location. It makes the community feel more integrated with Goodwill and minimizes the trucking operations to the site. The inventory on the sale floor turns every 3-4 weeks. Donations not sold on the floor get recycled. He mentioned they were using green initiatives including the large amount of recycling.

Mr. Peirick stated that although Goodwill is mostly known as a retail store and donation center, their mission is in their support

centers providing assistance to the disadvantaged and disabled individuals. Some aspects include their paper shredding and child care divisions and they also play a big part with meals on wheels. State funding for these operations get cut more and more so it is more important to find other streams of revenue.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one to speak in favor or against the petition.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director of Community Development, presented the report. He stated that the IDRC report is being submitted into the public record in its entirety. Back in 2008, the Village approved an annexation agreement and planned development with Centrum for the Lombard Crossing project which consisted of a bank, strip center, restaurant and storage facility. Due to economic conditions, Centrum never proceeded with the project and the land has since been foreclosed upon by the bank. Goodwill now has the entire site under contract and is seeking to amend the agreement and planned development and resubdivide the land to allow for a 25,500 square foot Goodwill Store and Talent Bridge/Workforce Connection Center (job placement facility) and an outlot. At this time, a final user for the outlot has not been identified.

Mr. Stilling said the property is subject to the terms and conditions of an existing annexation agreement that was approved as part of the 2008 petition. The petitioner's proposed plans require an amendment to that agreement which will be considered by the Village Board.

With reference to their retail operations, the retail store for Goodwill will be approximately 18,600 square feet in area and consist of a drop off/drive through on the east side of their building. The store would be open 7 days a week and donations would be accepted one hour earlier. Items donated at this location are mostly resold on site. Once an item is dropped off, it is inspected and sorted for quality and if acceptable, brought to the sales floor. A Goodwill truck will come to the store approximately 3-5 times a week during normal operating hours. Hours are 9AM-9PM Monday-Friday, 9AM-7PM Saturday and 10AM-6PM on Sunday.

As another component to the Goodwill retail operations, the petitioner is proposing a Workforce Connection Center and Talent Bridge in an adjacent 6,900 square foot space to the west of the retail store with a separate entrance. Essentially the 25,500 square foot building would function as a multi-tenant commercial building, however all operations would be under Goodwill's control.

The intent of the Workforce Connection Center is to provide assistance to people who are unemployed or underemployed. The center offers help with job search, workshops and provides assistance with resumes and interview preparation. Computers, printers, telephones and internet access are available to users. As noted by Goodwill, employers will also take advantage of Goodwill's Workforce Connection Center to help identify and screen potential candidates. The petitioner anticipates serving dozens of individuals on a weekly basis.

The Talent Bridge is a staffing and recruiting center for organizations Goodwill partners with. Services include:

- Contract Employment Services*
- Direct Placement Services*
- Recruitment Process Outsourcing*
- Professional and Industrial Recruitment and Placement*

In addition, this location would also serve as some additional "back of office" space for Goodwill and their Human Resources department. Both uses are permitted in the B4A District.

With regards to the outlot, Mr. Stilling stated that as part of the overall plan, the petitioner is proposing to incorporate a 1 acre outlot (Lot 2) on the eastern side of the site for sale. At the request of Village staff, Goodwill is attempting to market the outlot to restaurant users. Although a user has not been identified yet, the petitioner has prepared 2 conceptual sketches showing how a 3,600 square foot fast-food restaurant with a drive-through or a 6,000 square foot sit-down restaurant could be accommodated on the site. Those plans are shown on Exhibit 21 of the petitioner's binder. Access to the outlot would be from both the east and west. There is an existing cross access agreement with the High Pointe Center to the east. Any development on Lot 2 would be subject to site plan approval by the Plan Commission, along with any necessary zoning relief. Additional provisions are also placed on the outlot as part of the annexation agreement amendment. In the interim and until the site is fully developed, the petitioner has agreed to provide an access drive connecting the Goodwill development to the High Pointe Center to the east. The balance of the site would be graded and seeded.

As part of the petitioner's plans, they have noted several "Green Initiatives" they plan to incorporate into their use and site plan. According to information provided by the petitioner, they state that not only is their overall use as a resale shop a "green" business, their site plan will incorporate the following other "green" elements:

- Increased amount of open space. The petitioner is doubling the amount of open space from what was*

previously approved. The Centrum plan had approximately 15% open space whereas this new plan would provide about 29.2% open space. Code requires 12.5% open space.

- The use of LED parking lot lights.
- Installing pervious concrete in the sidewalk that connects the building to Roosevelt Road. The material they are using is called "FilterCrete".

Mr. Stilling stated that for Goodwill's retail use and Workforce Connection Center/Talent Bridge, the Zoning Ordinance requires a minimum of 102 parking spaces (4 spaces/1000 square feet). The petitioner is providing 126 parking spaces.

Staff notes that there is an existing easement on the Chrisos property that granted York Township Highway Department rights to use a fifteen-foot drive aisle and the full access onto Roosevelt Road. The petitioner is working with York Township Highway Department to address the easement. IDOT has reviewed the proposed site plan and finds the full access curb-cut and right-in/right-out curb-cut to be acceptable. However, IDOT will require the petitioner to extend the existing right turn only lane for the right-in/right-out curb cut to the west in the High Point Shopping Center.

The donation drop off area would operate similarly to that of a drive-through for a restaurant. However, in this case, individuals would drive on the east side of the building and make a sharp turn around entering into the drop off area which is covered by a canopy. While this is not a traditional drive through movement, staff and the Village's traffic consultant have reviewed this closely and determined that it would function fine. Staff also visited a Goodwill Store in Woodridge and they have a similar layout. Staff found that the movement at their Woodridge store worked well.

As part of the submittal, the Village's traffic consultant KLOA reviewed the site for its impact on the Village street network. The petitioner has been working with staff and the Village's traffic consultant to address concerns related to stacking of the donation drop off area and access drives. The following is a summary of KLOA's findings:

- The traffic to be generated by the proposed land uses will not have a significant impact on the surrounding roadway network.
- The access drives, as proposed, will be an improvement over the original land use and the previous approved land use given that the number of curb cuts onto Roosevelt Road will be reduced and a longer throat will be provided at the full ingress/egress access drive.
- Consideration should be given to land banking the proposed 12 parking spaces on the west side of the site.

- *The loading area on the south side of the building should be one-way westbound.*
- *A "Do Not Enter" sign should be posted on the loading area exit drive facing west.*
- *The exit drive from the donation drop-off lane should be narrowed down to one lane.*
- *Outbound movements from the donation drop-off lanes should be under stop sign control.*

It should be noted that the petitioner's plans have been revised to reflect KLOA's recommendations with the exception of land banking the parking spaces on the west side. The petitioner has indicated that they see a need for those spaces and prefers to install them now. Staff does not object to this request.

Mr. Stilling said that the petitioner has submitted preliminary engineering plans showing how they plan to address stormwater on the site. Stormwater for the entire development will be handled by a detention basin located at the southeast corner of the site. The location of the basin is consistent with the previously approved Centrum plan. All necessary Best Management Practices required by the DuPage County Stormwater Ordinance are being provided.

The petitioner has also provided a materials board for review. The proposed building would be one story in height and constructed entirely of concrete block. The petitioner is proposing 3 different styles and colors of concrete block as part of their overall elevation. Metal awnings would be provided over the front windows of the Goodwill store. No text is being proposed on the awnings. Staff has also included photos of Goodwill's Pewaukee, Wisconsin store which would be very similar to the proposed Lombard location.

Future development on Lot 2 would be subject to the site plan approval process. It should be noted that the building elevations and materials proposed for Goodwill's site are critical as the intent of planned development amendments and the B4A District regulations are to encourage unified design. Once a user has been identified on Lot 2, the Plan Commission will have the authority to review the proposed architectural elements of the proposed use on Lot 2 in conjunction with the approved elevations for Goodwill.

The Comprehensive Plan identifies the subject property for Community Commercial Uses. The Roosevelt Road Corridor Study adopted in 2007, set forth a number of recommendations, including:

- *Unified image addressing architectural and site aesthetics. Increase green/open space, particularly in viable areas.*

- *Limit piecemeal development and promote unified development. Encourage or require cross access, cross parking and shared access*
- *Pedestrian access/circulation accommodations within the development*
- *Limit the impact on adjacent residential uses*
- *Enhance the effectiveness of the corridor as a SRA roadway.*
- *Adequately address infrastructure and utility needs within the corridor.*

Based on a review of these provisions, the proposed redevelopment is consistent with the Comprehensive Plan and Roosevelt Road Corridor Plan.

Staff finds that the proposed redevelopment is consistent with the other uses along Roosevelt Road. The subject property is bordered on the north and east by other existing retail commercial uses. To the south of the subject property is an office and storage facility for York Township Highway Department. To the west of the subject property is a motel, which may be subject to redevelopment at some point in the future, and U-Store-It storage center. As the proposed building would be 1 story in height, there would be minimal visual impact to the unincorporated residences located to the south on 13th Place.

As noted, the property is zoned B4APD and is subject to Planned Development Ordinance 6211, as amended by Ordinances 6344, 6495 and 6623. Other than the request for off-site parking, the zoning actions associated with Goodwill's petition are consistent with the previously approved plan. In fact, this petition has less relief associated with it than the previously approved plan. The proposed new Goodwill requires that the following zoning actions be taken in order to facilitate the development.

Conditional use to allow for a secondhand store and rummage shops in excess of 5,000 square feet for proposed Lot 1;
The petitioner's use of selling secondhand clothing is currently not permitted in the B4A District. As part of PC 12-04, staff has initiated a text amendment to allow for "secondhand stores and rummage shops" in excess of 5,000 square feet as a conditional use. Since secondhand stores typically rely on the donation of goods, which are typically dropped off on-site and for resale, the need for additional review is warranted. This is consistent with the regulations associated with "Attendant Collection Centers". As the Goodwill store will be 18,600 square feet in area, it would meet the minimum size requirements. Staff supports this request as the store and the use would be in character with other retail uses along the corridor. In addition, staff finds that the donation drop-off area functions well and will not impact overall circulation.

A conditional use to allow for a drive through for proposed Lot 1;

The proposed Goodwill includes a drive-through facility on the east side of the building for donation drop-off. Sufficient stacking is provided and the proposed drive-through facility will not negatively impact traffic circulation within the development. Staff does not object to this request.

A conditional use for off-site parking;

A conditional use for off-site parking is being requested to benefit the future use on Lot 2. If a sit-down restaurant were to be constructed on Lot 2, the existing lot may not be large enough to accommodate all the required parking. Since the proposed Goodwill site will have excess parking, any shortfall could be accommodated on the Goodwill site. Staff supports this request since sufficient parking would be provided throughout the overall development and it avoids the need for granting a variation for parking.

A deviation to reduce the minimum lot width and lot area;

Regarding the width and area requirements, the petitioner is seeking this relief, as the overall detention requirements do not require a lot of a size that would meet code provisions. Staff notes that this relief can be conceptually supported given that the lot will not be developed in the future.

For each lot, variations reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking;

By establishing a planned development, arbitrary property lines can be ignored in favor of a more unified and cohesive development. In this case, the proposed access aisles are placed where it makes most sense within the overall project, rather than based upon property lines. This deviation can be supported as it provides for better traffic flow and circulation. Moreover, it also helps minimize traffic on adjacent public streets. Staff has supported such relief for other unified centers.

Grant a variation from Sections 155.417 (G)(7) and (9) of the Zoning Ordinance to eliminate the ten percent (10%) open space requirement for lot 2;

A review of the plans estimated that the proposed development on Lot 2 may not meet the minimum open space requirements. However, given that the site is part of an overall planned development and the lot lines are intended to be more arbitrary, this relief could be supported as the overall open space is significantly more than required and greater than what was previously approved. This approach and requisite relief was also successfully implemented within the Highlands of Lombard planned development and was also approved as part of the original Lombard Crossing development. Furthermore, the total amount of open space provided on Lot 2 could be reviewed as part of the future site plan approval.

The proposed development is considered both a major plat and major development as defined by the Subdivision and Development Ordinance, which would require full public improvements where they are needed. The petitioner's plans do show all the necessary improvements. However the petitioner is seeking the following deviation from the following sections of Subdivision and Development Ordinance:

A deviation to allow for a lot without public street frontage:

Lot 3 requires a deviation from the Subdivision and Development Ordinance to allow a lot without street frontage. Access to Lot 3 will be provided by means of cross access with Lot 1 of the proposed subdivision. Lot 3 would be a detention outlot for the stormwater drainage of the project. Given the overall lot configuration, the grade issues and the built-in cross access provisions, staff does not object to this request.

Approve a major plat of subdivision:

The petitioner has also submitted a plat of subdivision for the development. The petitioner proposes to resubdivide the property to create 3 lots of record. As this development is over one acre in size, the plat will need to be approved by the Village Board. Staff will transmit the final plat to the Board for approval upon approval of final engineering for the development.

As part of the development process, the petitioner is proposing deviations from the Sign Ordinance:

A deviation from Section 153.235 (F) to allow for a shopping center sign to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way for Lots 1 & 2;

Goodwill is proposing an 18' high freestanding sign on the western side of their site. The sign as proposed would be setback less than 75 feet from the centerline of Roosevelt Road. As noted in past cases with similar relief, planned developments are intended for a unified and compatible design of buildings, structures and site improvements. Since a user has not been identified yet for Lot 2, staff suggested including this relief for that lot. Staff can support the relief request for Lots 1 and 2.

A deviation from the Sign Ordinance to allow for more than one wall sign per street frontage;

As the proposed Goodwill Building will be considered a multi-tenant shopping center building, signage relief is required for the Goodwill retail store. As shown, the petitioner is proposing a total of 4 wall signs: 3 facing Roosevelt Road and one facing east, not on a street frontage. Two of the signs along the Roosevelt Road frontage advertise Goodwill, while the third is calling attention to the "Donation Center". The fourth sign, located on the east elevation is also for purposes of the "Donation Center". The total sign area of all 4 wall signs is approximately 167.5 square feet, which is well below the total 298 square feet allowed by

code. Historically, staff has supported signage deviations for the number of signs provided that the total square footage did not exceed that allowable by code and if existing site conditions warranted such consideration. Signage associated with the TalentBridge/Workforce Connection Center would meet code.

Staff notes that there is an existing billboard located on the subject property. The companion annexation agreement amendment will provide for the removal of the billboard by the petitioner in 2014, when the existing lease period expires.

Mr. Stilling also noted that the existing PACE bus Route 301 runs along Roosevelt Road and could serve this property.

Mr. Stilling said that staff finds that the information presented meets the Standards for conditional use, variation and planned development, as submitted by the petitioner and as part of this petition, and as set forth in the Zoning Ordinance, Sign Ordinance and Subdivision and Development Ordinance, and therefore staff recommends approval subject to the revised 10 conditions.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweetser asked about the cross access and its impact on the concept plans showing the various types of restaurants. Mr. Stilling said that the plan anticipates that the easement would be realigned to better fit the future user.

Commissioner Sweetser asked about the open space and the difference between what code requires and the previously approved plans. Mr. Stilling stated that the petitioner has nearly doubled what was originally approved. Mr. Stilling said code requires 12.5%.

Commissioner Olbrysh stated that he thought the petition would be an attractive addition to the corridor. He asked about the retaining wall at the rear. Staff responded by stating that the wall is necessary because of the grade changes, however, since they are increasing the setback, the wall will be much lower than what was originally shown.

Ordinances on Second Reading

Resolutions

Other Matters***B.** [110650](#) Local Climate Action Plan and Electricity Aggregation Update

Attachments: [110650 BOT 2-2-12](#)
[110650Coverpage2-2-12](#)
[Lombard Energy and Emissions Profile.pdf](#)
[Lombard Climate Action Plan.pdf](#)
[Legistar#110650.pdf](#)
[Legistar#110650\(A\).pdf](#)

Gorman explained that when the Village signed on with the US Mayors Caucus Agreement on Climate Change, one requirement was to implement a Local Climate Action Plan which targets greenhouse gas actions. This plan focuses on those things that can be quantified, CO2 emissions, etc. One part that still needs to be added is a table of the CO2e conversion factors and their sources as web addresses. Lyons asked if such factors had been subject to frequent changes. Gorman responded that he tried to find trusted sources such as the EPA for the factors. Most seem somewhat standard, such as for cars. However, that will change as cars change in emissions and fuel economy. In the Agreement, the Village committed to reducing our emissions to 7% below the 1990 levels. We did not have data from that year so we used 2005 data from the attached CNT study and we have met that reduction. Most of the reduction was from modifying Village operations, namely the installation of LED street lights. Additional lights will be installed in future years since the Village Board has approved LEDs as the preferred luminaire type for whole block replacements.

Gorman went on to comment that Cool Cities has five or six steps to go through, one of which is to identify partnerships. The Village has not done that yet. The committee members were asked if they, as a committee, would like to work on identifying and facilitating those partnerships. The committee members in attendance agreed that they would like to work on that. They will begin working on it in the Spring of 2012.

Gorman: reviewed plan with the committee members. Revised pages 4, 8, 9 and 10. There will be a referendum in the Spring to vote on a different aggregate source - renewable energy source. Lonnie Morris in attendance. Gorman asked Morris to speak to the committee. Morris: aggregation will get us to the 7% goal. Reviewed some options that are out there with the committee. We all know that the cheapest electricity is not always the best. Discussed the options for renewable energy and what the savings are - talked about Oak Park. Advised the ECC and Village Board to get quotes on a variety of options; likely to be one year contracts. 154 communities in the State of Illinois will be putting a referendum out in the Spring for aggregation. Morris introduced Doug Gotham, 410 N. Garfield. Gotham: a resident of Lombard. By asking for a renewable source the Village is opening up different options for our community. We need to ask questions to get the

answers. We are all looking for a savings and renewable energy sources. Cooper: true renewable energy sources vs. carbon free. Have other communities differentiated between the 2? Morris: in an RFP you ask for the source of the energy. The best energy is locally produced and renewable. Fitzpatrick: asked Gorman to look into what some of the RFP's are that are out there. Gorman: particularly Oak Park. Morris: will forward information to the Board and the committee members. Gorman: can wait until February and see what some of the RFP's look like or the committee could put this to rest tonight. You can ask for alternates. Fitzpatrick: asked Gorman to put some verbiage together for the next meeting for the committee to recommend. Cooper: we need to seize this opportunity to be a leader in the state. Discussion ensued regarding different costs that are paid for energy and what the committee would like to recommend.

X. Agenda Items for Discussion

XI. Executive Session

To Discuss: Information Regarding the Appointment, Employment, Compensation, Discipline, Performance or Dismissal of a Specific Employee or Specific Employees of the Village

XII. Reconvene

XIII Adjournment

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