

# Village of Lombard

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



## Meeting Agenda

**Thursday, November 3, 2011**

**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**[110660](#)

PC 11-21: 215 & 223 E. Roosevelt Road and 120-124 E. 13th Street  
A Public Hearing relative to a proposed Amendment to the Annexation Agreement for the properties located at 215 & 223 E. Roosevelt Road and 120-124 E. 13th Street. (DISTRICT #6)

Attachments: [110660BOT11\\_03\\_11.pdf](#)

**IV. Public Participation****V. Approval of Minutes****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 Zach 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. [110649](#) Approval of Accounts Payable  
For the period ending October 21, 2011 in the amount of \$818,405.83.
- B. [110656](#) Approval of Village Payroll  
For the period ending October 22, 2011 in the amount of \$783,038.40.
- C. [110657](#) Approval of Accounts Payable  
For the period ending October 28, 2011 in the amount of \$879,935.75.

### Ordinances on First Reading (Waiver of First Requested)

- D. [110653](#) Amending Title 11, Chapter 112 of the Lombard Village Code  
Decreasing the Class "U" and increasing the Class "A/B I" liquor license categories granting a license to Sakura Sushi Inc., 1005 E. St. Charles Road. (DISTRICT #5)  
*Attachments:* [110653 BOT 11-3-2011.pdf](#)  
[Ordinance 6659.pdf](#)

### Other Ordinances on First Reading

- E. [110631](#) PC 11-21: 215 & 223 E. Roosevelt, 120-124 E. 13th Street (V-Land Planned Development) (Continued from November 3, 2011)  
Requests that the Village take the following actions on the subject properties:
  1. Approve an amendment to an annexation agreement;
  2. Pursuant to Section 155.504(A) (major changes to a planned development), an amendment to Ordinance 5878 granting approval of a conditional use for a planned development, amending the maximum number of tenant spaces within the existing retail center;
  3. A conditional use, per Section 155.417(G)(2)(b)(2) of the Village of Lombard Zoning Ordinance, for a financial institution in the B4A Roosevelt Road Corridor District. (DISTRICT #6)*Attachments:* [110631BOT11\\_03\\_11.pdf](#)  
[110631 BOT11 17 11.pdf](#)  
[110631-BOT-11-17-11](#)  
[Affidavit #1](#)  
[Affidavit #2](#)  
[Ordinance 6663](#)  
[Ordinance 6664](#)

*Presenting the petition was Steve Panko, V-Land Corporation, 321 N. Clark, Suite 2440, Chicago, IL. Mr. Panko stated he is the owner of the 215 & 223 E.*

Roosevelt Road properties. Since 2006 the center has been leased and doing quite well. The Buffalo Wild Wings is doing well and is one of the better Buffalo Wild Wings in the area, along with Hair Cuttery. When our initial petition came forward the economy was good and we agreed upon a limitation of tenants. Since that time, we have tried to find tenants for the last space, which has not happened in five years. Two tenants have now expressed interest in the space so we are requesting relief to the existing planned development and an amendment to the annexation agreement.

George Maurides, attorney for Axis Financial, located at 33 N. LaSalle Street, Chicago, stated he was one of the two tenants that want to relocate into the center. He stated that they have an existing location in Lombard about three blocks away. Because they make loans they are now considered a financial institution. When they originally opened in 1998 they were not required to get a conditional use. The Zoning Ordinance has since changed and as a result of them proposing to move to this location, they would be required to obtain a conditional use. Mr. Maurides stated that they will have the same business operations as they currently have, the hours of operation will be the same, the interior layout will basically be the same, the only difference is that we have to request a conditional use. Lastly, he noted that they meet the criteria for obtaining a conditional use.

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

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Community Development Director, presented the staff report. Staff has prepared the IDRC report to submit to the public record in its entirety. The petitioner is requesting an amendment to an annexation and planned development agreement to allow for the reconfiguration of a multi-tenant building from five (5) tenants spaces to six (6) tenant spaces on the subject property located within the B4A Roosevelt Road Corridor District. The petitioner is also requesting a conditional use, per Section 155.417(G)(2)(b)(2) of the Village of Lombard Zoning Ordinance to allow for a financial institution (Check 'n Go). The proposed financial institution will occupy one of the tenant spaces created as part of the annexation agreement amendment.

The subject property is located at the southwest corner of Highland Avenue and Roosevelt Road and is known as the V-Land Planned Development. In 2002, the Village approved an annexation agreement for the property and created a planned development in order to provide for a new BP service station, mini-mart and a car wash. However, after BP acquired the property, they decided not to proceed with the project. BP did ultimately raze all the structures on the site.

In 2004, V-Land Corporation developed plans for the site and subsequently amended the original annexation agreement (PC 04-25) to reflect a phased development concept. The project was to be developed in phases. Phase I was to consist of the development of a retail center and a bank with a drive-through facility. Also included within Phase I was the requisite stormwater detention and infrastructure improvements. Phase II was to consist of a concept plan for a 6,600 square foot retail and/or restaurant building footprints with associated parking and landscape improvements.

In 2006, the annexation agreement was further amended (PC 06-13) as the

*V-Land Corporation wished to alter the site plan associated with the 2004 planned development approval (PC 04-25) for the planned development. The amended plan relocated the bank to the corner of Highland Avenue and Roosevelt Road, which in turn shifted the shopping center to the west. The overall size of the commercial center was expanded to provide for 19,629 square feet of retail space in a single building. The southern end of the property along 13th Street would still consist of a stormwater detention outlot and associated parking for the development.*

*Their redevelopment plan included parcels not originally part of the initial petition that encompassed all but one parcels on the block face. The entire development was completed in 2008 and now consists of a standalone bank, known as Chase Bank, a multi-tenant retail building that currently houses a mix of commercial uses including a Buffalo Wild Wings restaurant, T-Mobile cellular phone store, CD One Price Cleaners dry cleaning service, Hair Cuttery hair salon, a Career Education Corp. (CEC) office and a 3,335 square foot vacant tenant space.*

*When the development plans were altered in 2006, a condition of PC 06-13, which then became part of the annexation agreement, was amended for the second time to reflect the change in development plan. The condition stated the following: The west-end tenant (currently Buffalo Wild Wings) was to be developed as a sit-down restaurant of at least 5,491 square feet. The remainder of the multi-tenant retail building shall not be subdivided or petitioned to have more than five (5) separate tenant or business establishments.*

*As previously mentioned, there is one 3,335 square foot vacant tenant space remaining in the multi-tenant building. The V-Land Corporation is now petitioning to amend the annexation agreement to divide the vacant tenant space and allow six (6) separate tenant spaces. V-Land has two companies under contract to establish business within the multi-tenant building - Jet's Pizza and Check 'n Go. More specifically, Jet's would occupy 1,801 square feet and Check 'n Go would occupy 1,534 square of the divided tenant space.*

*The Jet's Pizza would operate similarly to that of Domino's Pizza whereas the business would function as a pick-up and delivery location only. The business would be classified as a restaurant, which is a permitted use in the B4A - Roosevelt Road Corridor District.*

*Check 'n Go, which is currently operating in the High Point Shopping Center would be considered a financial institution per the Zoning Ordinance. Furthermore, financial institutions are listed as a conditional use in the B4A - Roosevelt Road Corridor District. As such, conditional use approval to allow for a financial institution is also being requested under this petition.*

*The original intent of the cap on the number of overall retail spaces was to minimize "soft" uses and service related businesses from carving the center into many spaces that would not be attractive to retail establishments. By capping the overall number of tenants, it would in theory force the owner to seek out tenants that would be more retail in nature, as opposed to many 1,000 sq. ft. service uses.*

*The petitioner/owner has stated that the remaining center for a single user has been difficult to find. He also has argued that market conditions and the fact that the space has sat idle since initial construction suggests that the condition be revisited.*

*Staff is supportive of the one additional tenant space in the multi-tenant building as the size of the tenant spaces would be undesirable for a larger/more-intense use that may negatively affect the planned development. Furthermore, the size of the retail building would not be increased, but rather allow for a greater number of businesses within the V-Land Planned Development.*

*Check 'n Go received a Certificate of Occupancy on May 5, 1998 to operate at its current location within the High Point Shopping Center. Check 'n Go is now proposing to relocate their business to the V-Land Planned Development. As Check 'n Go's primary business function is conducting financial transactions in the same manner as a bank, it is considered a Financial Institution per the Zoning Ordinance. Furthermore, 'Financial Institutions' are listed as a conditional use within the B4A Roosevelt Road Corridor District.*

*As previously mentioned, Check 'n Go would occupy 1,534 square feet within the multi-tenant building. The operations would be conducted entirely within the confines of the building with no external operational improvements being utilized. The hours of operation vary from 10:00 a.m. - 6 p.m. Monday through Thursday, 9:00 a.m. - 7:00 p.m. on Friday and 9 a.m. - 1:00 p.m. on Saturday.*

*The Roosevelt Road access drive is a right-in, right-out facility while the Garfield Street access is used for patrons desiring to turn left onto Roosevelt Road. Cross-access between the Chase Bank site and the retail strip center allows access to Highland Ave, Roosevelt Rd. and Garfield St. Furthermore, the internal circulation system reduces commercial traffic movements to/from 13th Street. Existing on-site parking facilities provide adequate off-street parking to accommodate any additional traffic demands, which are not anticipated to be significantly increased by the proposed uses.*

*The Comprehensive Plan recommends community commercial and high density residential for the planned development and community commercial for the subject property. As a supplement to the Comprehensive Plan, the Roosevelt Road Corridor Plan was adopted in 2007. A primary activity of the study was to determine which uses and activities best advance the overall goals of the Village and provide the greatest contribution to the corridor's success. Moreover, Goal #1 of the Roosevelt Road Corridor Plan was to identify preferred land uses and activities along the corridor. A policy recommendation that derived from Goal #1 states, uses such as financial institutions (banks), may be beneficial if they are located within a planned development or as part of a unified redevelopment plan, but they are not as desirable as stand-alone establishments. As the proposed financial institution is a commercial use and is located within a planned development, it is consistent with the Comprehensive Plan and the Roosevelt Road Corridor Plan.*

*The proposed use is compatible with the surrounding business uses. There are a number of Financial Institutions located along the Roosevelt Road Corridor and one currently located within the V-Land Planned Development.*

*Staff finds that the proposal meets the standards for conditional uses and planned developments, as submitted by the petitioner, and enhances the overall planned development in the best interest of the Village. Staff also finds that the proposed financial institution is consistent with past approvals and will not have any negative impacts on the surrounding area.*

*Chairperson Ryan then opened the meeting for comments among the*

*Commissioners. The Commissioners had no comments.*

F. [110632](#)

PC 11-22: 777 E. Butterfield Road

Requests that the Village approve the following relief for the subject property, located within the O Office District:

1. A conditional use (per Section 155.412(C) of the Zoning Ordinance) to allow for a restaurant; and
2. A conditional use (per Section 155.412(C) of the Zoning Ordinance) to allow for an outside service area (outdoor dining); and
3. A conditional use (per Section 155.305 of the Zoning Ordinance) to reestablish a nonconforming parking lot; and
4. A conditional use (per Section 155.412(C) of the Zoning Ordinance) to allow for off-site parking. (DISTRICT #3)

**Attachments:** [110632BOT11\\_03\\_11.pdf](#)

[110632-Coverpage-11-3-11](#)

[Ordinance 6661](#)

*Matt Lewandowski, 1040 W. Bombay Way, Palatine, presented the petition. He stated he is one of the principal investors of this venture. He mentioned his partner, Scott Struchen, who will run the business on a day-to-day basis. They purchased the building from the bank and wish to remodel and reopen the restaurant as an affordable, high-end dining establishment.*

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

*Chairperson Ryan then requested the staff report.*

*Jennifer Henaghan, Senior Planner, presented the staff report. The petitioner wishes to re-open the restaurant building including an outdoor dining area on the subject property. As the property has been vacant for more than 12 months, the restaurant will require a new conditional use. The parking lot does not meet current code requirements. However, the nonconforming associated parking may be re-established through a conditional use. An additional conditional use is being sought to formally establish the off-site parking relationship between the restaurant and the adjacent Nicor parcel.*

*The property at 777 E. Butterfield Road was annexed into the Village in 1981 and granted development approvals together with the restaurant to the west. The public hearing at that time rezoned the property to the O/I District and granted a conditional use for two restaurants. Only 64 on-site parking spaces were provided on the restaurant parcel, creating a nonconforming situation. The Nicor parcel has been used for off-site parking for the restaurant since 1982, pursuant to a lease agreement that runs through June 2024. Although the Homestead Village Planned Development granted a conditional use for off-site parking in 1998, that approval did not specifically tie the off-site parking to the restaurant parcel. The requested conditional use will memorialize the parking rights for the restaurant and add 51 additional parking spaces for a total of 115 spaces provided.*

*The subject property has been in use as a restaurant with associated parking and outdoor dining since 1983. The requested conditional uses are necessary only because the restaurant has been vacant for more than 12 months, which caused the original conditional use approvals to expire. There is no space on*

*the restaurant parcel to physically accommodate any additional parking.*

*The outdoor dining area will have approximately 64 seats, and customers will be segregated from the parking lot by a decorative wrought iron-style fence. No other changes are proposed for the exterior of the building, aside from the removal of an existing rooftop deck. Staff is recommending that a condition of approval be added to require the removal of the deck, which will reduce the amount of parking required by code. Any wall or freestanding signage will meet code. No changes of any kind are proposed to the Nicor parcel, and it will remain as an off-site parking lot serving the restaurant as it has been since 1982.*

*Staff finds that all of the Standards for Conditional Uses have been met, in that no new development is proposed and the existing buildings and structures are complementary to the surrounding commercial district.*

*The proposed uses and relief are consistent with the Comprehensive Plan and the surrounding land uses. Staff is recommending approval of this petition, subject to the conditions noted in the staff report.*

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



## Ordinances on Second Reading

### Resolutions

- G. [110642](#) Intergovernmental Agreement with the Village of Villa Park  
Approving a two-year agreement for Traffic Signal Maintenance at the intersection of Westmore Avenue and St. Charles Road. (DISTRICTS #4 & #5)  
**Attachments:** [110642 BOT 11-3-11.pdf](#)  
[R 43-12.pdf](#)  
[110642-Coverpage-11-3-11](#)  
[PO #069116 Villa Park.pdf](#)  
[Intergovernmental Agreement Traffic Signals](#)
- H. [110654](#) Lift Station Improvements, Phase 1, Resident Engineering  
Authorizing a contract with ESI in the amount of \$91,576.52 to provide Resident Engineering services. (DISTRICTS #1, #2, #4, #5 & #6)  
**Attachments:** [110654 BOT 11-3-11.pdf](#)  
[R 44-12.pdf](#)  
[Contract # SAN 11-01.pdf](#)  
[PO #069005 ESI Consultants.pdf](#)  
[110654-Coverpage-11-3-11](#)
- I. [110655](#) Holiday Decorations 2011 Contract  
Authorizing a one-year contract with Folger's Flag and Decorating in an amount not to exceed \$30,000, for live greenery wreaths, roping, lights and bow decorations per attached specifications. Contract will also include installation and removal of existing holiday banners on Westmore Avenue. (DISTRICTS #1, #4, #5 & #6)  
**Attachments:** [110655BOT11-3-11.pdf](#)  
[R 45-12.pdf](#)  
[Folger Contract.pdf](#)  
[110655-Coverpage-11-3-11](#)
- J. [110661](#) Term Limits Referendum (Tabled November 3, 2011)  
Resolution providing for a binding public question concerning limiting the terms of office for elected officials in the Village of Lombard.  
**Attachments:** [tbtermlimitsrefmemo1132011.doc](#)  
[tbtermlimitsreferendumresolution1132011.doc](#)  
[SUBMITtermlimitsreferendum1132011.doc](#)  
[R 47-12](#)  
[110661-BOT-11-17-11](#)  
[TPB Memo](#)

- K. [110663](#) Intergovernmental Agreement  
Resolution authorizing an Intergovernmental Agreement between the Village of Lombard and School District #45 providing for a reciprocal reporting agreement.

**Attachments:** [R 46-12.pdf](#)  
[110663-BOT-11-3-11](#)  
[Intergovernmental Agreement District 45](#)

### Other Matters

- L. [110662](#) Police Department Pension Report  
Accept and file the 2011 Municipal Compliance Report from the Police Pension Fund as prepared by Lauterbach & Amen.

**Attachments:** [pdpolicepensionfundacceptmemoranal1132011.doc](#)  
[submitpolicepensionfundreport1132011.doc](#)  
[110662-BOT-11-3-11](#)

- \*M. [110664](#) Glenbard East High School Event Signage  
Request for authorization to allow temporary signage in specified public rights-of-way for the Glenbard East High School Booster Ram Run 2011 event on November 20, 2011. (DISTRICT #2)

**Attachments:** [110664 BOT 11-3-11.pdf](#)  
[110664-Coverpage- 11-3-11](#)

- \*N. [110665](#) Fire Department Pension Report  
Accept and file the 2011 Municipal Compliance Report from the Fire Pension Fund as prepared by Lauterbach & Amen.

**Attachments:** [110665-BOT- 11-3-11](#)

## IX. Items for Separate Action

### Ordinances on First Reading (Waiver of First Requested)

### Other Ordinances on First Reading

### Ordinances on Second Reading

### Resolutions

### Other Matters

## X. Agenda Items for Discussion

- A. [110659](#) Communications Audit  
Presentation by the Village of Lombard Communications Coordinator

and discussion of audit on current communications efforts.

Attachments: 110659BOT11-3-11.pdf  
110659-Coverpage- 11-3-11  
Communication Audit Presentation

**XI. Executive Session**

**XII. Reconvene**

**XIII Adjournment**

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