

MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Assistant Village Manager/Director of Community Development

DATE: October 18, 2007

SUBJECT: PC 07-30: 345 W. Roosevelt Road (K-Mart/Sears)

At the October 4, 2007 meeting the Village Board approved a first reading of Ordinance associated with the zoning requests at 345 W. Roosevelt Road. At the meeting the motion of approval included three modifications to the conditions of approval, including:

1. Striking condition 3, which required an application by Amvets for their clothing collection center. As they have already submitted their petition to the Plan Commission, this condition has already been satisfied and does not need to be included in the final ordinance.
2. Modifying the approval to provide for outdoor storage area for all potential outdoor sales and incorporating any additional seasonal garden sales that may occur on the property. This will be noted on the revised plan of approval.
3. An additional condition has been added to provide cross access rights to the property to the east of the K-Mart property (i.e., Heritage Cadillac).

Staff spoke with the property owner trustee for the K-Mart property and informed him of this additional condition requested to be placed in the final ordinance of approval. He stated that he would object to the cross-access provision. He added that he normally would support such a provision, but as the abutting property is an auto dealership, he is concerned that this provision would lead to vehicles parking on his site and additional traffic associated with the vehicle sales and service operations. He also stated that this provision would not benefit his property as the auto use is a distinct land use from the K-Mart use and there would be no benefit to him or his tenant. Should the condition be included within the final ordinance as a condition of approval, it is highly probable that the owner will not allow this request to proceed.