

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) X Waiver of First Requested
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: May 30, 2007 (BOT) Date: June 7, 2007

TITLE: PC 07-22: 229-241 W. St. Charles Road

SUBMITTED BY: Department of Community Development *John*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. Lombard Towne Center requests approval of a conditional use for a Farmer's Market (French Market) in the B5 Central Business District. (DISTRICT #1)

The Plan Commission recommended approval of this petition with conditions.

Staff is requesting a waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	W. T. Lichter	Date	5/30/07

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: William T. Lichter, Village Manager

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

DATE: June 7, 2007

SUBJECT: PC 07-22: 229-241 W. St. Charles Road

Attached are the following items for Village Board consideration as part of the June 7, 2007 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 07-22;
3. An Ordinance granting approval of a conditional use for a Farmer's Market (French Market) motor vehicle sales establishment; and
4. Plans associated with the petition.

Staff is requesting a waiver of first reading in order to allow the French Market to open the second week in June. Please contact me if you have any questions regarding the aforementioned materials.

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VILLAGE OF LOMBARD

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June 7, 2007

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 07-22: 229-241 W. St. Charles Road

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Lombard Town Centre, requests approval of a conditional use for a Farmer's Market (French Market) in the B5 Central Business District. After due notice and as required by law, the Plan Commission conducted a public hearing for this petition May 21, 2007.

Beth Gelman, Executive Director of Lombard Town Centre, presented the petition. She noted that the French Market will remain in the downtown. She stated that the proposed location will have more visibility and will attract more people. She noted that the proposed location will allow the French Market to have a better impact on the Downtown businesses.

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

Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition.

Chairperson Ryan then requested the staff report.

Michelle Kulikowski, Planner I, presented the staff report. She stated that Lombard Town Centre requests conditional use approval for a Farmer's Market (French Market) to be held Tuesday mornings, from 9 a.m. to 1 p.m. in the parking lot of the retail strip center located at 229-241 W. St. Charles Road. She noted that the existing businesses include Praga restaurant, a dentist office, a video store and a day care center. She mentioned that the French Market has been held previously in downtown Lombard at 20 E. St. Charles Road, 105 W. St. Charles Road, and the Hammerschmidt property.

Ms. Kulikowski stated that the Comprehensive Plan denotes this area as Central Business District Mixed Use Area. She noted that the French Market concept is

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

clearly appropriate to a Central Business District and is considered as an enhancement to downtown development. She also mentioned that the subject property is bounded by commercial and condominium uses on three sides and the Union Pacific tracks on the other and the proposed French Market is compatible with such downtown uses.

Ms. Kulikowski noted that the request for a conditional use for this property meets the conditional use standards set by the Zoning Ordinance. She mentioned that the proposed location provides a greater opportunity to enhance the existing French Market activity in the downtown area as well as improve commerce in the surrounding downtown businesses. She explained that gaskets will be installed in the pavement of the parking lot to hold metal poles for canopies. She noted that the canopies will help shield customers from the weather and provide a colorful atmosphere for the Market.

Ms. Kulikowski stated that the proposed site plan is intended to minimize impacts on parking and the overall traffic flow of St. Charles Road and Elizabeth Street. She noted that the Zoning Ordinance doesn't specify parking requirements for French Markets, but since French Markets are only permitted in the B5 District as a conditional use, it is assumed that customer parking can be accommodated primarily by on-street parking. She mentioned that the site plan designates a vendor area and separate parking areas to allow for orderly circulation on the subject property during French Market events. She stated that the northern portion of the parking lot west of the St. Charles access drive will be for vendor stalls. She noted that of the existing 66 parking spaces, 43 parking spaces will be available on the subject property during the French Market, and the 9 spaces on the east side of the parking lot will be available to French Market customers. She stated that the southern portion of the parking lot is designated as parking for the child care center, which will help eliminate potential conflicts that may occur when parents drop off their children in the morning.

Ms. Kulikowski also noted the trailer at the south end of the property adjacent to Michael McGuire Drive, which will be used to store equipment associated with the French Market. She stated that the trailer will only be stored on site during the summer months while the French Market is in operation. She stated that staff recommends that the trailer remain at the designated location to minimize the visual impact from St. Charles Road

Ms. Kulikowski mentioned that in previous years, the French Market was held on Saturday mornings. She noted that Lombard Town Center is proposing to hold the French Market on Tuesday mornings. She stated that while French Markets are typically held on the weekend, there are several communities including Glen Ellyn, Wheaton, and LaGrange Park that have French Markets during the week. She mentioned that staff has contacted these communities to inquire about the volume of customers and parking problems, and based on the experiences of other communities, staff does not feel that holding the French Market on Tuesday mornings will create a problem in and of itself.

Chairperson Ryan opened the meeting for comments from the Plan Commission.

Commissioner Sweetser asked how big the trailer was and what it looked like.

Ms. Gelman stated that the trailer would only occupy one parking space. She noted that trailer was pretty non-descript.

Commissioner Burke asked whether Lombard Town Centre had talked to the neighbors or existing businesses in the commercial strip center.

Ms. Gelman answered that she had visited with all the businesses and they were pleased with the proposal. She also noted that there are 16-18 parking spaces near the splash park that will no longer be designated for commuter parking after May 31st. She mentioned that this will provide an additional 16-18 parking spaces available within a 1/2 block.

Commissioner Burke asked whether the child care facility had any problems with security issues or traffic generated in the area.

Ms. Gelman noted the proposed site plan actually separates the parking lots into two areas. She noted that the southern portion would be used primarily by the child car center and would be away from the vendor area. She stated that the child care center has not expressed any concerns regarding security. She noted that they have a good security system.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed conditional use does comply with the standards of the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 07-22 subject to the following conditions:

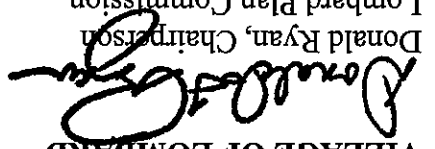
1. This conditional use shall be for the operation of a Farmer's/French Market on Tuesdays between May 1 and October 31.

2. The Farmer's/French Market shall operate in accordance with the site plan prepared by staff and included as part of this petition.

3. The storage trailer for the French Market shall be located at the south end of the property adjacent to Michael McGuire Drive in accordance with the site plan prepared by staff. Said trailer may be stored on the premises from April 15 until November 15. Said trailer must be stored off-site for the remainder of the year.

Respectfully,

VILLAGE OF LOMBARD


Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

**VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission
HEARING DATE: May 21, 2007
FROM: Department of Community Development
PREPARED BY: Michelle Kulikowski, AICP Planner I
TITLE

PC 07-22; 229-241 W. St. Charles Road: The petitioner, Lombard Town Centre, requests approval of a conditional use for a Farmer's Market (French Market) in the B5 Central Business District.

GENERAL INFORMATION

Petitioner: Lombard Town Centre
102 W. W. St. Charles Road, Suite 2C
Lombard, IL 60148
Property Owner: Dan Harris
386 Stonewood Circle
Carol Stream, IL 60188
Relationship of Petitioner: Lessee

PROPERTY INFORMATION

Existing Land Use: Commercial strip center
Size of Property: approximately 65,200 square feet
Comprehensive Plan: Community Commercial
Existing Zoning: B5 Central Business District

Surrounding Zoning and Land Use:

North: B5PD Central Business District Planned Development- vacant lot to be developed as a senior living facility
South: Union Pacific Railroad ROW and R2 Single Family Residential developed as single family residences
East: B5 Central Business District – developed as Fifth Third Bank.
West: B5APD Downtown Perimeter District Planned Development – developed as Walgreens pharmacy

ANALYSIS

SUBMITTALS

This report is based on the following documents filed on May 1, 2007 with the Department of Community Development:

1. Petition for Public Hearing.
2. Response to Standards.
3. Site Plan Overlay, prepared by Village staff based upon representations made by the petitioner.

DESCRIPTION

Lombard Town Centre requests conditional use approval for a Farmer's Market (French Market) to be held Tuesday mornings, from 9 a.m. to 1 p.m. in the parking lot of the retail strip center located at 229-241 W. St. Charles Road. The existing businesses include Praga restaurant, a dentist office, a video store and a day care center. The French Market that has been held previously in downtown Lombard at 20 E. St. Charles Road, 105 W. St. Charles Road, and the Hammerschmidt property. The Bensidoun Company has been contracted by Lombard Town Centre to operate the market and will provide all staff, equipment and necessary marketing.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

Public Works Engineering has the following comment:

- If parking is allowed west of Elizabeth Street, then the French Market should place temporary signs to encourage patrons to cross Elizabeth at the St. Charles Road cross walk.

PRIVATE ENGINEERING SERVICES

From an engineering or construction perspective, PES has no comments.

BUILDING & FIRE

The Fire Department/Bureau of Inspectional Services has the following comments:

- A clear passage must be maintained in the market area for all emergency vehicle access.
- Any tents or electrical used on the premises must meet current building codes.

PLANNING

Compatibility with the Comprehensive Plan

The Comprehensive Plan denotes this area as Central Business District Mixed Use Area. The French Market concept is clearly appropriate to a Central Business District and is considered as an enhancement to downtown development.

Compatibility with the Surrounding Land Uses

The subject property is bounded by commercial and condominium uses on three sides and the Union Pacific tracks on the other. The proposed French Market is compatible with such downtown uses.

Compatibility with the Zoning Ordinance

Staff finds that the request for a conditional use for this property meets the conditional use standards set by the Zoning Ordinance. Staff finds that the proposed location provides a greater opportunity to enhance the existing French Market activity in the downtown area as well as improve commerce in the surrounding downtown businesses. Any potential negative impacts of the activity (i.e., trash, noise, etc.) will be continually overseen and managed. The market use will not impact overall redevelopment activity along St. Charles Road. In fact, the use could be considered an asset to the corridor. The use serves as an enhancement to the downtown area as it is an attraction for visitors to the area and is consistent with the retail objectives in the Comprehensive Plan.

Gaskets will be installed in the pavement of the parking lot to hold metal poles for canopies. The canopies will help shield customers from the weather and provide a colorful atmosphere for the Market. The Bensidown Company arranges for all vendors who will participate and provides all staff, equipment, and necessary marketing. Lombard Town Centre will provide an on-site manager to oversee the operations each week.

The site plan designates a location for a trailer at the south end of the property adjacent to Michael McGuire Drive. The trailer will be used to store equipment associated with the French Market and will only be stored on site during the summer months while the French Market is in operation. The trailer will be stored off-site during the winter when the French Market is not in operation. Staff recommends that the trailer remain at the designated location to minimize the visual impact from St. Charles Road.

Site Location Analysis

The Hammerschmidt property was previously used for the French Market. Lombard Town Centre felt that the location had poor visibility, and they could have a better turn-out at another location. The company that operates the market requested a downtown site with high visibility, preferably which can be seen from the Metra line. The 21 N. Park Municipal Lot has been considered in the past but due to conflicting agreements for parking with surrounding properties this was not a viable option. The proposed location has better visibility from both the Metra Line and St. Charles Road. Relocating the market will not be injurious as it will be situated in a business area. The proposed area has parking on site as well as parking a short distance away that will be able to accommodate

much of the anticipated parking demand of the use. As a temporary, short duration use, impacts on the overall character of the area will be minimal.

In previous years, the French Market was held on Saturday mornings. As part of the subject petition, the location and day of the week will change for the French Market. Lombard Town Center is proposing to hold the French Market on Tuesday mornings. While French Markets are typically held on the weekend, there are several communities including Glen Ellyn, Wheaton, and LaGrange Park that have French Markets during the week. Staff has contacted these communities to inquire about the volume of customers and parking problems. Based on the experiences of other communities, staff does not feel that holding the French Market on Tuesday mornings will create a problem in and of itself.

Parking

The proposed site plan is intended to minimize impacts on parking and the overall traffic flow of St. Charles Road and Elizabeth Street. The Zoning Ordinance doesn't specify parking requirements for French Markets. Since French Markets are only permitted in the B5 District as a conditional use, it is assumed that customer parking can be accommodated primarily by on-street parking.

The site plan designates a vendor area and separate parking areas to allow for orderly circulation on the subject property during French Market events. The northern portion of the parking lot west of the St. Charles access drive for vendor stalls. Of the existing 66 parking spaces, 43 parking spaces will be available on the subject property during the French Market. The 9 spaces on the east side of the parking lot will be available to French Market customers. The southern portion of the parking lot is designated as parking for the child care center. This will help eliminate potential conflicts that may occur when parents drop off their children in the morning.

In previous years, the French Market was held on Saturdays, and commuter parking spaces were also available for French Market customers. Since French Market will now be held on Tuesdays mornings, commuter parking spaces will not be available for customers. The Fifth Third Bank located immediately east of the subject property has an oversupply of parking. Several spaces on the Fifth Third Bank property have been designated for vendor parking. There is also potential for additional customer parking as Fifth Third Bank is only required by the Zoning Ordinance to provide 12 off-street parking spaces. While some French Market customers are likely to park at the Walgreens across the street, those spaces can not be counted towards parking for the French Market because Walgreens only has the minimum number of spaces required by Code. Since the French Market will only operate limited hours during the summer months, staff finds that there is adequate parking for the proposed conditional use.

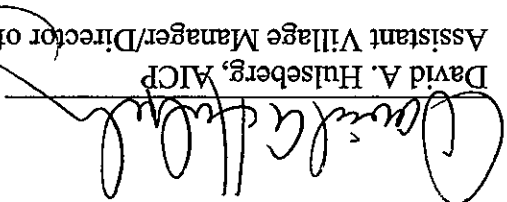
FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee recommends that the petition as presented does meet the standards set forth in the Zoning Ordinance and recommends that Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested relief **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 07-22, subject to the following conditions:

1. This conditional use shall be for the operation of a Farmer's/French Market on Tuesdays between May 1 and October 31.
2. The Farmer's/French Market shall operate in accordance with the site plan prepared by staff and included as part of this petition.
3. The storage trailer for the French Market shall be located at the south end of the property adjacent to Michael McGuire Drive in accordance with the site plan prepared by staff. Said trailer may be stored on the premises from April 15 until November 15. Said trailer must be stored off-site for the remainder of the year.

Inter-Departmental Review Group Report Approved By:

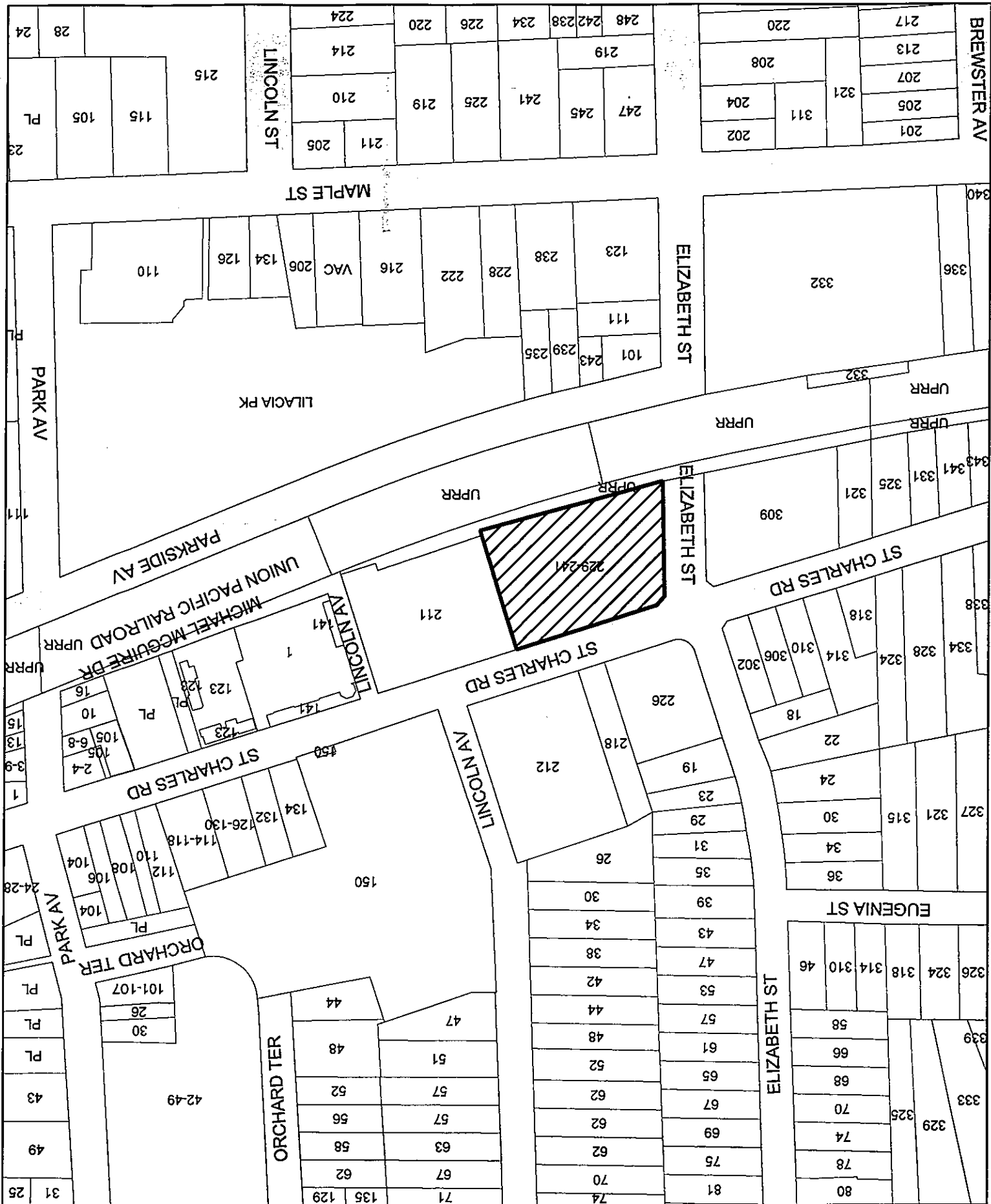

David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

DAH:MK

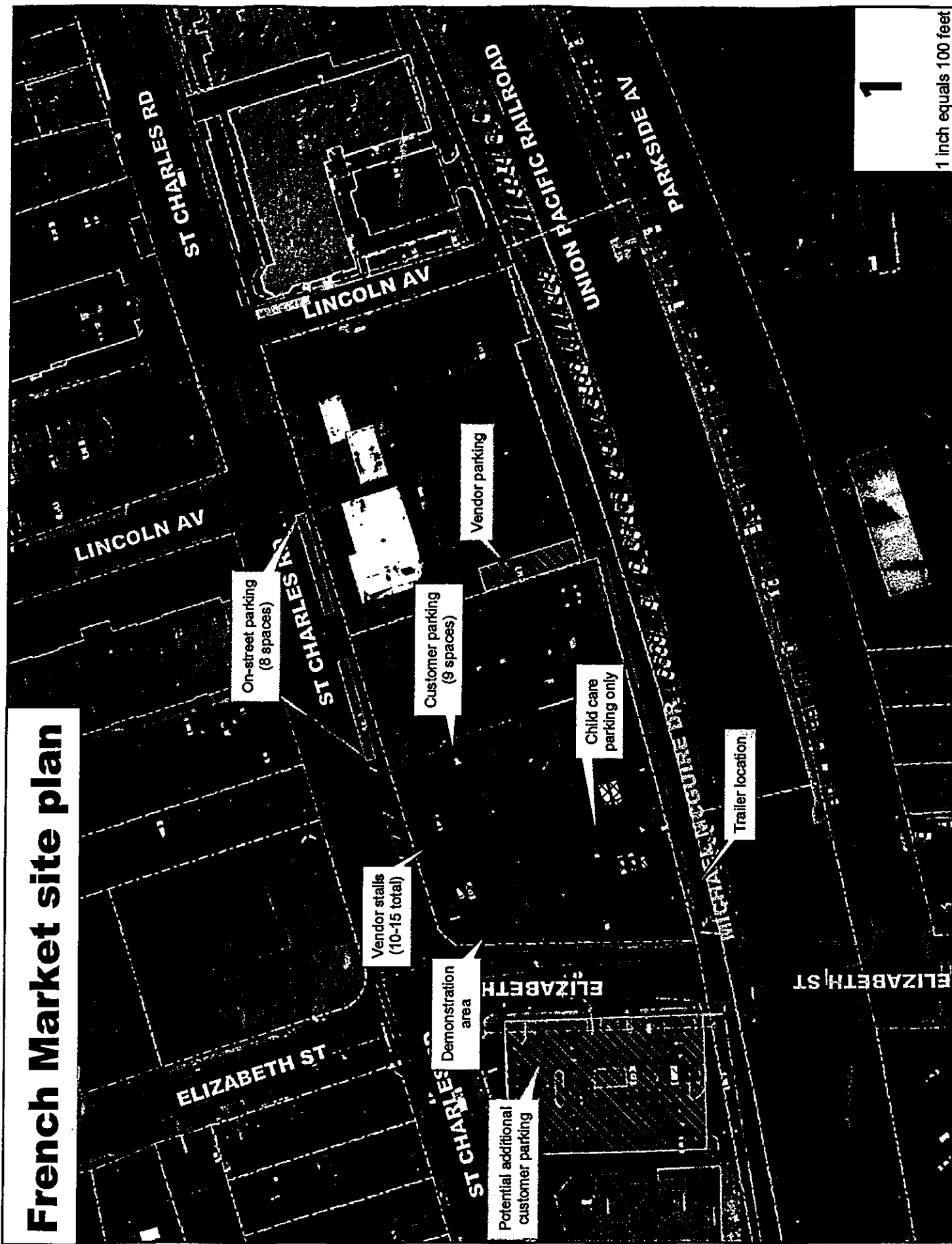
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Location Map

PC 07-22



French Market site plan



ORDINANCE NO. _____
AN ORDINANCE GRANTING A CONDITIONAL USE FOR A
FARMER'S MARKET (FRENCH MARKET) IN THE B5
CENTRAL BUSINESS DISTRICT

(PC 07-22: 229-241 W. St. Charles Road)

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 B5 Central Business District; and,

WHEREAS, an application has been filed requesting approval of a conditional use, pursuant to Section 155.416 (C) of the Zoning Ordinance, to allow for a Farmer's Market (French Market); and

WHEREAS, a public hearings on the forgoing application were conducted by the Village of Lombard Plan Commission on May 21, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional use described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a conditional use is hereby granted for the Subject Property, as described in Section 2 below, pursuant to Section 155.416 (C) of the Zoning Ordinance, to allow for a Farmer's Market (French Market), subject to the conditions set forth in Section 3 below.

SECTION 2: That this Ordinance is limited and restricted to the property located at 229-241 W. St. Charles Road, Lombard, Illinois and legally described as follows:

LOT 1 IN BELFAST CONSOLIDATION PLAT, BEING A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JANUARY 23, 1984 AS DOCUMENT NO. R1984-6799 IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-07-209-020; (the "Subject Property").

SECTION 3: The conditional use, as provided for in Sections 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. This conditional use shall be for the operation of a Farmer's/French Market on Tuesdays between May 1 and October 31.

2. The Farmer's/French Market shall operate in accordance with the site plan prepared by staff and included as part of this petition.

3. The storage trailer for the French Market shall be located at the south end of the property adjacent to Michael McGuire Drive in accordance with the site plan prepared by staff. Said trailer may be stored on the premises from April 15 until November 15. Said trailer must be stored off-site for the remainder of the year.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2007.

First reading waived by action of the Board of Trustees this _____ day of _____, 2007.

Passed on second reading this _____ day of _____, 2007, pursuant to a roll call vote as follows:

Ayes: _____

Nayes: _____

Absent: _____

Approved by me this _____ day of _____, 2007.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this _____ day of _____, 2007.

Brigitte O'Brien, Village Clerk