

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

TO:	Lombard Plan Commission	HEARING DATE:	September 17, 2007
FROM:	Department of Community Development	PREPARED BY:	William Heniff, AICP Senior Planner

**TITLE**

**PC 07-30; 345 West Roosevelt Road:** The petitioner requests that the Village approve the following actions for the subject property located within the B4 Corridor Commercial District:

1. A conditional use for a planned development, with a deviation from Section 153.505 (B)(19)(a)(2) of the Sign Ordinance to allow for more than one wall sign per street frontage.
2. A conditional use, pursuant to Section 155.415 (C)(2) of the Zoning Ordinance for a motor vehicle service establishment.
3. A conditional use, pursuant to Section 155.415 (C)(17) of the Zoning Ordinance, to allow for outdoor display and sales of products.

**GENERAL INFORMATION**

Petitioner:	Sears Holdings Corporation 3333 Beverly Road Hoffman Estates, IL 60179
Property Owner:	LaSalle Bank NA, Trust 120 S. LaSalle Street Chicago, IL 60611
Petitioner/Trust Beneficiary:	Donald Geller 919 N. Michigan Ave., #3201 Chicago, IL 60611

**PROPERTY INFORMATION**

Existing Land Use:	Big K (K-Mart) department store
Size of Property:	Approximately 9.94 acres

Comprehensive Plan:            Recommends Community Commercial

Existing Zoning:                B4 Corridor Commercial District

Surrounding Zoning and Land Use:

North:                            B4 Corridor Commercial District; developed as P.M. Bedroom Gallery, The Light Brothers, Glenbard Auto Body, Subway, and Cassidy Tire

South:                            R5PD, General Residence District, Planned Development; developed as Point West Condominiums

East:                              B4PD Corridor Commercial District, Planned Development; developed as Heritage Cadillac

West:                              B4 Corridor Commercial District; developed as the Dania shopping Center (includes bank, auto glass repair, auto repair, cleaners and furniture store)

## **ANALYSIS**

### **SUBMITTALS**

This report is based on the following documentation, which was filed with the Department of Community Development on August 17, 2007:

1. Petition for Public Hearing, with Description of Request and Response to Standards.
2. Plat of Survey, prepared by Atwell Hicks, dated August 29, 2007.
3. Sears Auto Center cover sheet, prepared by S.A. Miro, Inc., dated August 6, 2007.
4. Site and Landscape Plan with Details, prepared by S. A. Miro, Inc., dated August 6, 2007.
5. Overall Fixture Plan (interior layout plan), prepared by S. A. Miro, Inc., dated August 6, 2007.
6. Proposed Sign Plan, prepared by Sears Holdings, dated June 25, 2007.

## **DESCRIPTION**

The petitioner seeks approval of zoning actions to reestablish an auto service facility on the premises. Since the previous auto service use had not operated on the property over the past twelve months, the nonconforming status is therefore expired and a new conditional use is required. This use would be classified a “non-motor vehicle sales retail/service combined” use, as no motor vehicle sales are taking place, yet services are being provided and items (parts/tires) are being sold at retail as part of said services. As long as the new commercial use falls into the same category, it would not be subject to the Roosevelt Road development moratorium, although the conditional use approval would still need to be applied for and granted by the Village.

The petitioner is seeking approvals to allow for wall signs denoting the Sears Auto Center use and identification signage over the bay doors. The petitioner is also requesting conditional use approval for the outdoor sales activity occurring on the subject property. In light of these requests, staff suggested that a planned development be established for the site.

## **INTER-DEPARTMENTAL REVIEW COMMENTS**

### **PUBLIC WORKS**

The Public Works Department does not have any comments on the petition.

### **PRIVATE ENGINEERING**

Private Engineering Services does not have any comments on the petition.

### **FIRE AND BUILDING**

The Fire Department does not have any comments on the petition. However, as the existing facility has not been used in a number of years, it will need to be inspected by BIS and Fire Prevention, to determine if it is code complaint. If not, parts or all of the facility may need to be addressed in order to meet current codes as part of the building permit submittal the Fire Department

### **PLANNING**

#### **Compliance with the Zoning Ordinance**

##### *Conditional Use for a Planned Development*

The Zoning Ordinance encourages and/or requires the establishment of planned developments for commercial properties seeking selected variations. Staff recommended that the petition should be

considered as part of an overall planned development application. As a trade off for the aforementioned relief, the Village could review the property comprehensively. Moreover, it will also provide a process to address other existing and/or proposed business activities on the site. Staff notes that the property meets the area and width requirements for a planned development.

*Conditional Use for Auto Service*

The Subject Property is zoned B4 Corridor Commercial District. Auto service establishments are classified as conditional uses within this district. As the previously established auto service use has not operated for a period of more than twelve months on the subject property, a new conditional use will be required before the establishment could open.

In discussions with the petitioner, staff noted that proper access and circulation should be provided and that parking for vehicles being serviced and/or being dropped off should be denoted. The petitioner's plan shows their proposed parking arrangement. The petitioner also noted that vehicles would only be serviced in the building (a code requirement) and that overnight storage of vehicles is not anticipated. Sears will only perform traditional auto service activities (i.e., tires, batteries, oil changes, etc.) and will not perform repair activities (transmission rebuilding, body work, etc.) as part of their operations. Fluids, tires and trash will be stored indoor, per Building Code requirements.

Staff recommended the exterior area around the auto service center should be brought up to current Village Code as much as possible. The petitioner has modified the existing parking lot on the west side of the building to the Village's current parking lot landscaping standards. Three landscape islands are proposed on the petitioner's plan. Staff believes this would help better control traffic circulation and parking on the site and could soften the impact of the auto use on adjacent properties.

The subject property abuts multiple family residential properties. As such, careful attention to the business must be made to ensure that the business activity does not affect the residences. The petitioner notes their existing facility is not air-conditioned and open doors address vehicle exhaust concerns. Staff recognizes the unique balance between the previously operated auto service activities and the abutting residential concerns. As such, staff recommends that additional treatments be provided to mitigate any potential noise concerns. This should consist of a six foot solid fence along the south property line from a point 30 feet east of Finley Road to a point east of the west wall of the K-Mart building.

*Conditional Use for Outdoor Sales*

Outside sales and display of merchandise is classified as a conditional use in the B4 District. Staff recommended that the existing outdoor sales element should be addressed as part of the petition, particularly since it is located adjacent to the auto center. Currently, outdoor sales activity occurs underneath the roofed-over front elevation as well as the garden center on the west side of the

building. The petitioner's plans propose a reduction of the outdoor sales activity to facilitate the new auto center. Access to this area will be through the department store and staff recommends that this area remain segregated from the auto sales area/parking lot with fencing.

### **Compliance with the Sign Ordinance**

The K-Mart store currently has one wall sign on the north elevation (facing Roosevelt Road) and one wall sign on the west elevation (facing Finley Road). A legal non-conforming "Pharmacy" wall sign also exists on the north elevation as well and a "Garden Center" sign is located at the outdoor sales area. The Sign Ordinance limits the number of signs on a property to one per street frontage. Therefore, all of the proposed wall signs for the auto use will need wall signage relief.

The petitioner's sign package consists of a "Sears Auto Center" sign on the west elevation located in a similar manner as the previously erected Penske sign. Smaller non-illuminated signs are also proposed over the various existing garage doors denoting some of the business activities performed on site. Staff notes the proposed signs are appropriately sized and should not create a negative appearance on adjacent properties.

The petitioner is proposing a new "Sears Auto Center" sign, which will be attached to the existing K-Mart freestanding sign. New freestanding signs are subject to the moratorium provisions. As such, this item cannot be permitted or erected until the moratorium expires (currently proposed for October 5, 2007). However, this sign is intended to meet all Village Code requirements.

### **Other Concerns**

#### *Traffic Flow*

In 2000, when the property was last comprehensively reviewed, concerns were raised about the southwest entrance drive to Finley Road. While the primary source of the problem at that median cut may not be K-Mart, it does not change the fact that a problem exists. Staff therefore suggests that a solution be offered to the Point West Condominiums – that cross-access be granted by K-Mart to the Point West Condominiums so that a better entranceway can be designed for both properties. If Point West Condominiums desire to use the cross-access, then a plan should be submitted to the Village for review which shows how the entrance will function if one of the two drives is closed and the remaining drive is shared by both properties. How to share the cost of making the improvements, which may also involve regrading the entrance to provide a more manageable slope, will have to be worked out between the two parties.

#### *Charitable Clothing Drop-off Center*

A charitable clothing drop-off facility is also located on the property. Staff notes that this activity has been located on the premises for years. Typically this facility consists of one or two trucks with

manned daytime operations. The facility is also located on the west side of the property and is considered a legal non-conforming use. Staff requested that this activity be addressed in the plans. Additionally, as it is located on the west side of the property, the use should be reviewed for code compliance as well.

The petitioner informed the property owner of the Village's desire to review this activity relative to the overall site. However, the property owner stated that they did not want to sign off on a petition granting zoning approvals for the collection center. Absent property owner authorization, the petitioner could not request approval of any zoning actions. Given the property owner's unwillingness to authorize the activity on the subject property, staff recommends as a condition of approval that the charitable clothing use be removed from the property.

#### **Compatibility with the Comprehensive Plan**

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

#### **Compatibility with Surrounding Land Uses**

Should the petitioner address the concerns noted above, it will present an improved image to the western portion of the property. As such, staff believes that the improvements would be compatible for adjacent properties.

### **FINDINGS AND RECOMMENDATIONS**

Staff has reviewed the submitted standards for variations, conditional uses and planned developments and finds that the petition meets the standards. Staff believes that the proposed conditional uses will enhance the K-Mart site by providing a viable business activity to an underutilized center. The provision of the accompanying landscaping will also provide a considerable enhancement. Staff believes that the proposed conditional uses are compatible with the surrounding area and is appropriate for the site. Based on the above, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning and Sign Ordinance; and that granting approval of a planned development is in the public interest, and therefore, I move that the Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission and therefore recommend to the Corporate Authorities approval of PC 07-30, subject to the following conditions:

1. The site shall be developed in substantial compliance with the submitted Site and Landscape Plan and Details, prepared by S. A. Miro, Inc., dated August 6, 2007, and the proposed Sign Plan, prepared by Sears Holdings, dated June 25, 2007.
2. That the perimeter of the outdoor garden area shall be fenced, with primary access being provided through the department store.
3. That the existing clothing collection center use shall be removed from the property prior to the issuance of a Certificate of Occupancy/Zoning Certificate for the automotive service use on the property, unless the property owner applies to the Village for requisite zoning relief accordingly.
4. Cross-access at the southwest corner of the property shall be granted to the property to the south. If this cross-access is to be used, the two parties (K-Mart and the Point West Condominiums) shall submit to the Village for approval a plan which shows how the entrance drives for the two sites can be shared.
5. A six foot solid fence shall be erected along the south property line from a point 30 feet east of Finley Road to a point east of the west wall of the K-Mart building.
6. This conditional use approval shall become null and void one (1) year from the date of approval if construction has not commenced or an extension been granted. This conditional use approval shall become null and void eighteen (18) months from the date of approval if construction has not been completed or an extension has been granted.

Inter-Departmental Review Group Report Approved By:

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

DAH:WJH  
att  
c. Petitioner