

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: March 26, 2008 (BOT) Date: April 3, 2008

TITLE: PC 08-05: 404 East North Avenue

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. This petition requests conditional use approval for motor vehicle sales in the B4 Corridor Commercial District. (DISTRICT #4)

The Plan Commission recommended approval of this petition with conditions.

The petitioner is requesting a waiver of first reading.

Please place this item on the April 3, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____
Finance Director X _____
Village Manager X *Donald* _____
Date _____
Date _____
Date 3/27/08

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
Assistant Village Manager/Director of Community Development
DATE: April 3, 2008

SUBJECT: PC 08-05; 404 E. North Ave.

Attached please find the following items for Village Board consideration as part of the April 3, 2008 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 08-05;
3. An Ordinance granting approval of a conditional use for a motor vehicle sales establishment; and
4. Plans associated with the petition.

The petitioner is requesting a waiver of first reading. The Plan Commission recommended approval of the zoning actions associated with the petition.

H:\CD\WORD\USER\PC\CAS\SES\2008\PC 08-05\WTL referral memo.doc

Law Offices of
JOHN H. BRECHIN
619 South Addison Road
Addison, Illinois 60101
(630) 834 - 4890

Fax
(630) 834 - 4966

Email
brechinlaw@aol.com

March 27, 2008

Village President and Board of Trustees
Village of Lombard
255 East Wilson Road
Lombard, Illinois 60148

Re: PC 08-05

President Mueller and Trustees,

I represent the Petitioner in the above-referenced application for approval of a conditional use to allow motor vehicle sales at 404 East North Avenue.

I respectfully request that the Village Board waive the requirement of two readings of the ordinance and pass the ordinance at your first meeting in April 2008.

The basis for this request is that my client cannot commence business without approval from the Illinois Secretary of State. This process can take three weeks. Moreover, the Secretary of State will not process our approval request until that office receives a signed "Notice of Proper Zoning" from the Village of Lombard, which, obviously, you cannot complete until the ordinance granting the conditional use is passed and approved.

My client wishes to commence its business operations at the site as soon as possible. Your favorable consideration of this request will facilitate the goal.

Sincerely,

John H. Brechin
JHB/sm

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

Resolution or Ordinance (Blue) _____
 Recommendations of Boards, Commissions & Committees (Green) _____
 Other Business (Pink) _____

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: March 26, 2008 (BOT) Date: April 3, 2008

TITLE: PC 08-05: 404 East North Avenue

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. This petition requests conditional use approval for motor vehicle sales in the B4 Corridor Commercial District. (DISTRICT #4)

The Plan Commission recommended approval of this petition with conditions.

Please place this item on the April 3, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____
 Finance Director X _____
 Village Manager X *John* _____
 Date _____
 Date *2/22/08* _____

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
Assistant Village Manager/Director of Community Development

DATE: April 3, 2008

SUBJECT: PC 08-05; 404 E. North Ave.

Attached please find the following items for Village Board consideration as part of the April 3, 2008 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 08-05;
3. An Ordinance granting approval of a conditional use for a motor vehicle sales establishment; and
4. Plans associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition.

H:\CD\WORD\USER\PC\CASES\2008\PC 08-05\WTL referral memo.doc



VILLAGE OF LOMBARD

255 E. Wilson Avenue

Lombard, IL 60148-3931

(630) 620-5700 FAX: (630) 620-8222

TDD: (630) 620-5811

www.villageoflombard.org

April 3, 2008

Mr. William J. Mueller,

Village President, and

Board of Trustees

Village of Lombard

Subject: PC 08-05; 404 E. North Avenue

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests conditional use approval for motor vehicle sales in the B4 Corridor Commercial District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 24, 2008.

John Brechin (legal representative), 619 S Addison Rd, Addison, IL 60101, presented the petition. Mr. Brechin began by stating that his client is seeking conditional use approval for motor vehicle sales for the property located at the northeast corner of North Ave. and Grace Ave. He then stated that they intend on selling high-end European vehicles. Mr. Brechin added that there will be no new construction, only an interior build out. He then stated that he has reviewed the staff report with his client and the client accepts the conditions of approval. Mr. Brechin stated that the building and property will be brought up to Code with respects to landscaping and sidewalks. Lastly, Mr. Brechin added that his client accepts the condition of approval to consolidate the five lots into one lot of record and with the property owner's cooperation.

Erol Dimmitt, 1330 W. Monroe, Chicago, IL 60607 of European Auto Exchange then spoke on behalf of his company. Mr. Dimmitt stated European Auto Exchange plans to sell mid priced automobiles within the \$15,000 - \$25,000 range. He stated that they will be updating the interior of the building to give the building a casual European atmosphere. Mr. Dimmitt then stated that they plan to have 50 - 70 cars for sale on the property at any given time, with fewer cars in the winter time. He then added that they intend to provide a classy service by adding tile to the bathrooms, etc. Lastly, Mr. Dimmitt stated that they hope to sell between 400 - 600 automobiles annually.

Village President
William J. Mueller

Village Clerk
Brittne O'Brien

Trustees

Greg Alan Cron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3

Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
Rick Soderstrom, Dist. 6

Village Manager
William T. Lichter

"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."

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

Chairperson Ryan then opened the meeting for public comment. No one spoke in favor or in opposition to the petition. Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the staff report. A conditional use for motor vehicle sales was approved in March, 1999, and in November, 2000. However, since the approval was not acted upon within twelve months, the conditional use became null and void. A new petitioner did come forward in 2002 and sought to improve the subject property as per the original plan approved by the Village in 2000. That petitioner later withdrew their plans.

The site currently consists of five (5) separate lots with a vacated alley to the north. The principal structure is located on one lot, and the remaining lots are paved. The petitioner intends to use the paved portion for visitor parking and car storage and sales. The building is approximately 10,550 square feet. All automobile servicing will take place off site. The remainder of the square footage will be used as office space.

Interior and perimeter parking lot landscaping is required. The submitted site plan shows landscaped islands with shade trees as per conditions required for the previous conditional use. The petitioner also plans to erect a four (4) foot wrought iron fence along the southern and eastern property lines.

The Zoning Ordinance requires parkway trees in public rights-of-way adjacent to the property spaced every forty-feet. As there is 646 feet of property frontage, the required amount of parkway trees for the subject property would be sixteen (16). There are no parkway trees currently located on the adjacent right-of-way so the Village will accept the cash equivalent.

The Village requires a total of twenty-two (22) visitor parking spaces with two (2) handicapped accessible parking spaces, which is met on the plans.

The Comprehensive Plan recommends Community Commercial at this location. As the proposed use is commercial retail, the proposed use complies with the recommendation of the Comprehensive Plan.

The proposed use is compatible with the surrounding land uses. Properties to the east, south, and west are zoned B4 Corridor Commercial Shopping District. Residential properties exist north of the site, and are screened by an eight-foot (8') board on board fence and will include plantings of Autumn Blaze Maple and Oak trees. The North Avenue corridor is a high volume corridor with commercial and industrial sites on the north half of the street and residential sites on the south half of the street with intermittent areas of commercially zoned property.

As required by PC 07-16 for the property at 434 E. North Avenue adjacent to the subject property, the petitioner should be required to install a "no left turn" sign on the Lalonde Avenue driveway, in order to prevent vehicles from test driving vehicles within the adjacent residential neighborhood.

Lastly, to ensure that the property is utilized for retail motor vehicles sales and is not utilized for general storage or salvage operations, staff is suggesting as a condition of approval that the petitioner shall be obligated to limit the number of unregistered vehicles on the lot to a maximum of seventy (70) cars. Each car shall be permitted on the lot for a period of no more than six (6) months. These conditions of approval were previously approved for the subject property as part of Ordinance 4907.

The petitioner will be required to submit a Plat of Consolidation to make the subject property a single lot of record. Sidewalks are to be installed along all surrounding public rights-of-way for the length of the property. Currently, only one sidewalk exists along North Avenue. Grace Street and Lalonde Avenue currently have no improved sidewalks. The Village will accept payment for the installation of the additional sidewalks along Grace Street and Lalonde Avenue.

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

Commissioner Burke made the recommendation to approve the petition with a second by petitioner Flint.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, recommends to the Corporate Authorities **approval** of the zoning actions associated with PC 08-05 for the subject properties, subject to the following conditions:

1. The subject property shall be developed in substantial compliance with the site and landscape plans prepared by KB Partnership, dated February 19, 2008 and submitted as part of this petition.

2. The petitioner shall apply for and receive a building permit for all improvements to be constructed on the subject property. Said permit(s) shall satisfactorily address all building, fire and stormwater comments set forth within the IDRC Report.

3. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the five (5) lots and the vacated alley into one lot.

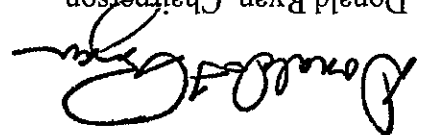
4. The petitioner shall submit a final photometric plan showing that the existing or any proposed lighting complies with the Zoning Ordinance.

5. A solid fence of no less than six feet (6') and no greater than eight feet (8') in height shall be maintained along the northern property line.

6. The petitioner shall erect a *no left turn* sign at the access drive for vehicles exiting the property to Lalonde Avenue.
7. The petitioner shall limit the number of unregistered vehicles on the lot to a maximum of seventy (70) cars. Each car shall be permitted on the lot for a period of no more than six (6) months. A log of the unregistered vehicles with dates of arrival to the lot must be kept on site at all times, with access to the log by an employee of the Community Development Department of the Village of Lombard permitted at any time during business hours.
8. Any violation of the provisions set forth within the approved conditional use may result in a revocation of the Conditional Use for the property.

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:** March 24, 2008

FROM: Department of Community Development
PREPARED BY: Michael S. Toth Planner I

TITLE

PC 08-05; 404 East North Avenue: The petitioner requests conditional use approval for motor vehicle sales in the B4 Corridor Commercial District.

GENERAL INFORMATION

Petitioner:

Rob Szczypka
European Auto Exchange
250 Highview
Elmhurst, IL 60126

Property Owner:

GB Property Mgmt.
125 North Halsted Street
Suite 203
Chicago, IL 60661

Status of Petitioner:

Tenant Pursuant to Leasehold Interest

PROPERTY INFORMATION

Existing Zoning:

B4 Corridor Commercial Shopping District

Existing Land Use:

Vacant, One-Story Building (formerly Village Green Antiques)

Size of Property:

Approximately 51,191 Square Feet / 1.175 Acres

Comprehensive Plan:

Community Commercial

Surrounding Zoning and Land Use:

North:

R2 Single-Family Residence District, developed as a two-family residence; also property in Unincorporated DuPage County zoned R-4 Single-Family Residence District and developed as a single-family residence

South:	B4 Corridor Commercial Shopping District; developed as a BP Gas Station (currently vacant)
East:	B4 Corridor Commercial Shopping District; improved with a vacant retail building (approved for a motor vehicle establishment)
West:	B4 Corridor Commercial Shopping District; developed as a CVS Pharmacy

ANALYSIS

SUBMITTALS

This report is based on those documents filed on with the Department of Community Development on February 13, 2008:

1. Petition for Public Hearing.

2. Standards for Conditional Use, dated February 20, 2008.

3. Site Plan prepared by KB Partnership, dated February 19, 2008.

4. Landscape Plan prepared by KB Partnership, dated February 19, 2008.

DESCRIPTION

The petitioner wishes to establish an automobile dealership at 404 E. North Avenue. The dealership will serve as a sales destination only – no automotive service or repair will occur on site. In doing so, the petitioner will be utilizing the existing building and will not be constructing any further building additions. The petitioner will make improvements to the parking lot landscaping.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

The Utilities Division of the Dept. of Public Works concurs with the requirements listed in the Oct. 15, 2007 staff report (shown below). We would like the opportunity to review the plans on how the new fire line and grease interceptor will be connected to Village utilities.

Village minimum standard for sidewalk is 5" concrete on 2" stone base.

ENGINEERING

Private Engineering Services (PES) offers the same comments as previously stated in the IDRC Report for PC 07-35, which are as follows:

- 1) Any new public sidewalks shall extend through the driveways.
- 2) Storm drains and pipes shall be video inspected and a tape submitted to PES for review. If it is found to not be functioning properly, pipes/drains shall be cleaned and/or repaired as necessary.
- 3) Additional comments when the full building permit is applied for.

BUILDING AND FIRE

Upon review of the above referenced request for conditional use for motor vehicle sales, the Fire Department/Bureau of Inspectional Services offers the following comments:

- 1) For the intended use of motor vehicle sales and storage/display, the entire building must be brought up to current fire sprinkler codes and fire alarm codes. The building presently is not fully sprinklered and the entire building needs to be addressed accordingly.
- 2) There are also numerous electrical issues that need to be addressed from the previous ownership and use of space. It is recommended that the prospective tenants retain the services of an electrical contractor to inspect the premises, determine what needs to be addressed and corrected and to notify the building department if they wish to have us also inspect the premises to make sure that all issues are addressed and corrected to current codes.
- 3) If there will be service areas within the building to work on the cars or prepare them for customer pick-up, floor drains and triple basin grease interceptors will be required to be installed. Also, all new work, whether interior or exterior, will have to be completed to current building codes of the Village of Lombard.
- 4) The existing basement can be used for ancillary storage only. No offices or other occupied spaces are allowed. There shall be no storage of any flammable, hazardous, and combustible materials and/or liquids.

- 5) A structural engineer, hired by the prospective tenant, shall evaluate the load bearing capacity of the floor to determine the structural stability to support vehicles being placed in the building.

PLANNING

Compliance with the Zoning Ordinance

A conditional use was approved in March, 1999, PC 99-06 (Ordinance 4599) and in November, 2000 (PC 00-46, Ordinance 4907). However, since the approval was not acted upon within twelve months, the conditional use became null and void. A new petitioner did come forward in 2002 and sought to improve the subject property as per the original plan approved by the Village in 2000. That petitioner later withdrew their plans.

The site currently consists of five (5) separate lots with a vacated alley to the north. The lots span a full block, from Grace Street to Lalonde Avenue on North Avenue, and have been used as a single use. The principal structure is located on one lot, and the remaining lots are paved. The petitioner intends to use the paved portion for visitor parking and car storage and sales. The building is approximately 10,550 square feet. The showroom will be approximately 6,850 square feet, and the detailing area will be approximately 1,138 square feet. The detailing area will be used to prepare cars that are being sold on premises. All automobile servicing will take place off site. The remainder of the square footage will be used as office space.

The Zoning Ordinance requires a transitional landscape yard when a property abuts residentially zoned property, as is the case on the north side of the subject property. The non-conforming existing building and pavement functionally prevents the petitioner from providing the required thirty foot (30') transitional yard. An eight-foot (8') board on board fence exists along the north side of the property to create a visual buffer for the residential properties. To supplement this screening, the plan shows three (3) Autumn Blaze Maple and three (3) Oak trees to be planted immediately south of the fence.

Interior and perimeter parking lot landscaping is also required. The submitted site plan shows landscaped islands with shade trees as per conditions required for the previous conditional use. The petitioner also plans to erect a four (4) foot wrought iron fence along the southern and eastern property lines.

The Zoning Ordinance requires parking trees in public rights-of-way adjacent to the property spaced every forty feet. As there is 646 feet of property frontage, the required amount of parking trees for the subject property would be sixteen (16). There are no parking trees currently located on the adjacent right-of-way so the Village will accept the cash equivalent of \$300 per each required parking tree.

Lighting

There are currently nine (9) light poles located on the subject property. Five (5) light poles being located on the southern property line along North Ave and the remaining four (4) placed in the eastern portion of the sales lot and northeast property line. There are also a total of five (5) roof-mounted light fixtures which are used to light the western portion of the sales lot. The petitioner intends to utilize the existing lighting system, with no additional lights being added. A final photometric plan must be submitted that complies with the Zoning Ordinance and be approved by staff.

Parking

The Village requires a total of twenty-two (22) visitor parking spaces with two (2) handicapped accessible parking spaces, which is met on the plans. As the current state of the parking lot is in disrepair, the existing asphalt will not be replaced (at this time); however, it will be ressealed. There is a slight deviation in grade located in the center of the parking lot (running north/south). To address this issue, the petitioner plans to locate the landscape islands at the point of deviation to break up the change in grade.

Signage

Currently the site has no signage, nor is the petitioner proposing any new signage at this point in time. The existing freestanding sign pole could be utilized (with modifications) to support a potential new sign cabinet. Any new freestanding and/or any future wall signage shall adhere to the provisions of the Sign Ordinance and will be subject to a separate building permit.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Community Commercial at this location. As the proposed use is commercial retail, the proposed use complies with the recommendation of the Comprehensive Plan.

Compatibility with Surrounding Land Uses

The proposed use is compatible with the surrounding land uses. Properties to the east, south, and west are zoned B4 Corridor Commercial Shopping District. Residential properties exist north of the site, and are screened by an eight-foot (8') board on board fence and will include plantings of Autumn Blaze Maple and Oak trees. The North Avenue corridor is a high volume corridor with commercial and industrial sites on the north half of the street and residential sites on the south half of the street with intermittent areas of commercially zoned property.

As required by PC 07-16 for the property at 434 E. North Avenue adjacent to the subject property, the petitioner should be required to install a "no left turn" sign on the Lalonde Avenue driveway, in order to prevent vehicles from test driving vehicles within the adjacent residential neighborhood.

Lastly, to ensure that the property is utilized for retail motor vehicles sales and is not utilized for general storage or salvage operations, staff is suggesting as a condition of approval that the petitioner shall be obligated to limit the number of unregistered vehicles on the lot to a maximum of seventy (70) cars. Each car shall be permitted on the lot for a period of no more than six (6) months. A log of the unregistered vehicles with dates of arrival to the lot must be kept on site at all times, with access to the log by an employee of the Community Development Department of the Village of Lombard permitted at any time during business hours. These conditions of approval were previously approved for the subject property as part of Ordinance 4907.

Compliance with the Subdivision and Development Ordinance

The petitioner will be required to submit a Plat of Consolidation to make the subject property a single lot of record. The plat should also address any land takings by the Illinois Department of Transportation should this occur prior to the opening of the business. This approval can be done administratively.

According to the Subdivision and Development Ordinance, sidewalks are to be installed along all surrounding public rights-of-way for the length of the property. This property is surrounded on three sides by streets, Grace Street, North Avenue, and LaLonde Avenue. Currently, only one sidewalk exists along North Avenue. Grace Street and LaLonde Avenue currently have no improved sidewalks. The Village will accept payment for the installation of the additional sidewalks along Grace Street and LaLonde Avenue.

FINDINGS AND RECOMMENDATIONS

Staff has reviewed the petitioner's standards for conditional uses and concurs that the petition meets the standards set forth within the Zoning Ordinance. Staff believes that the proposed use is compatible with the surrounding zoning and land uses and is appropriate for the site. Additionally, the improvements will enhance the site and bring the property into closer compliance with Code requirements. 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 Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Plan commission as the findings of the Inter-Departmental Review Report and recommend to the Corporate Authorities **approval** of PC 08-05, subject to the following conditions:

1. The subject property shall be developed in substantial compliance with the site and landscape plans prepared by KB Partnership, dated February 19, 2008 and submitted as part of this petition.

2. The petitioner shall apply for and receive a building permit for all improvements to be constructed on the subject property. Said permit(s) shall satisfactorily address all building, fire and stormwater comments set forth within the IDRC Report.

3. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the five (5) lots and the vacated alley into one lot.

4. The petitioner shall submit a final photometric plan showing that the existing or any proposed lighting complies with the Zoning Ordinance.

5. A solid fence of no less than six feet (6') and no greater than eight feet (8') in height shall be maintained along the northern property line.

6. The petitioner shall erect a *no left turn* sign at the access drive for vehicles exiting the property to Lalonde Avenue.

7. The petitioner shall limit the number of unregistered vehicles on the lot to a maximum of seventy (70) cars. Each car shall be permitted on the lot for a period of no more than six (6) months. A log of the unregistered vehicles with dates of arrival to the lot must be kept on site at all times, with access to the log by an employee of the Community Development Department of the Village of Lombard permitted at any time during business hours.

8. Any violation of the provisions set forth within the approved conditional use may result in a revocation of the Conditional Use for the property.

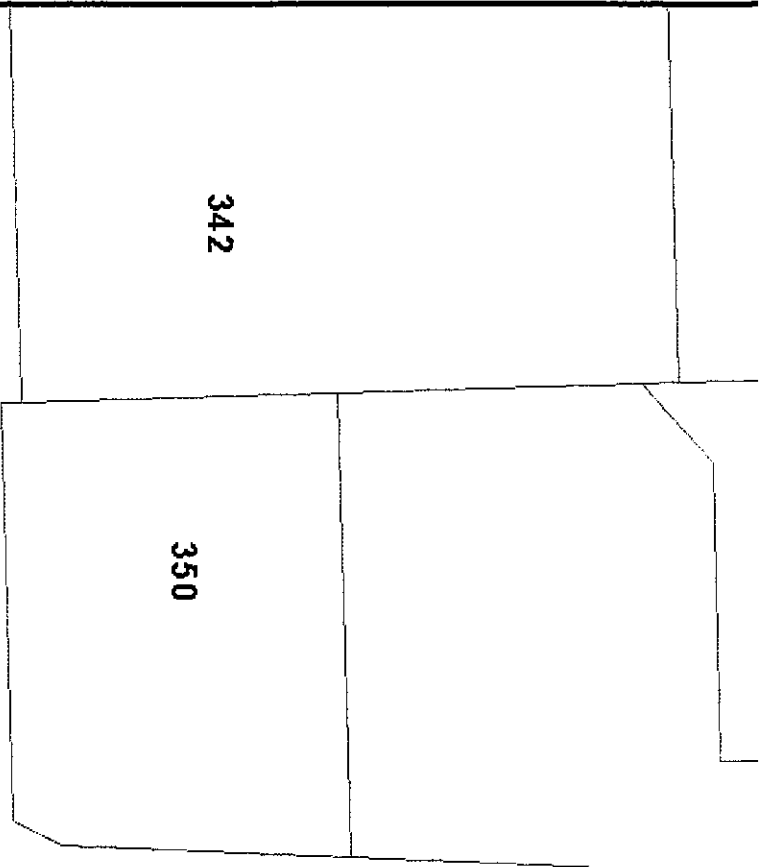
Inter-Departmental Review Group Report Approved By:

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

DAH:WJH

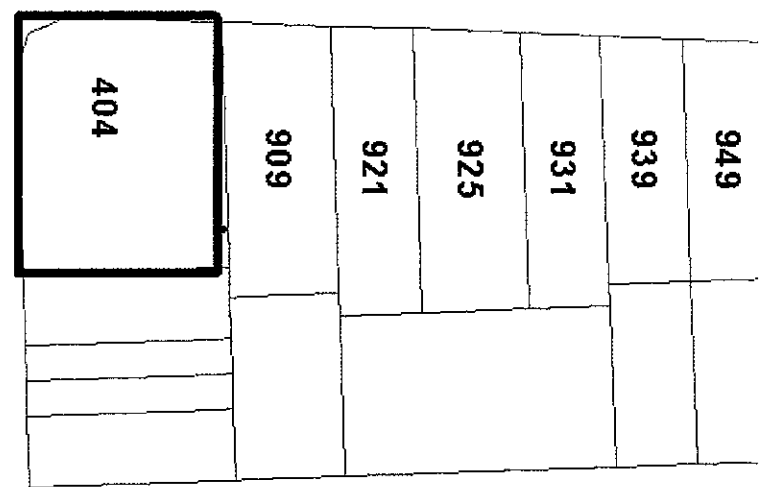
att

c. Petitioner



342

350



949

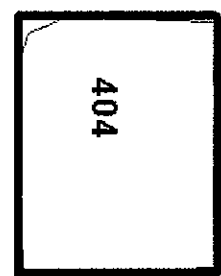
939

931

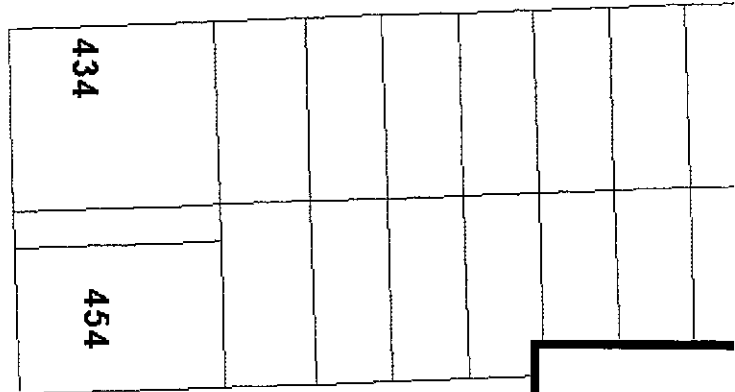
925

921

909

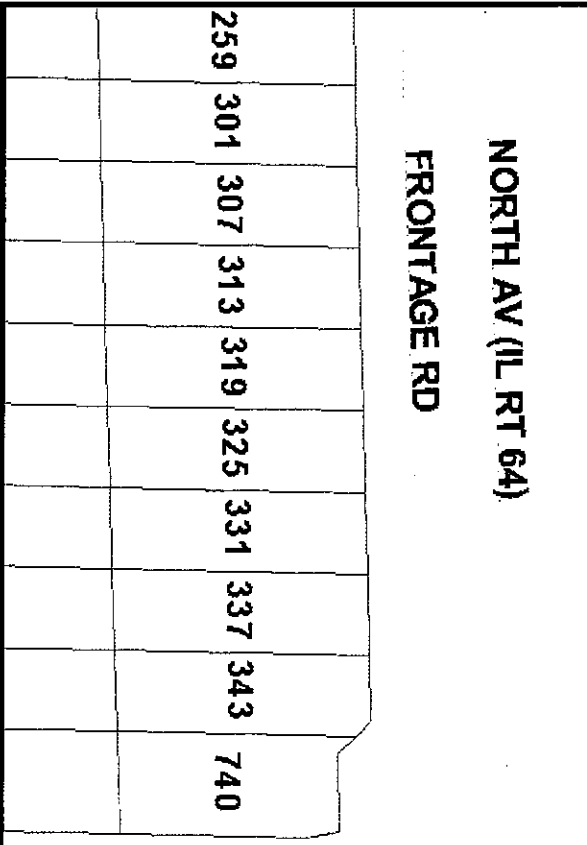
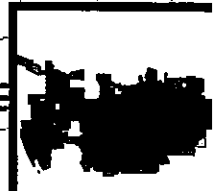


404



434

454



259

301

307

313

319

325

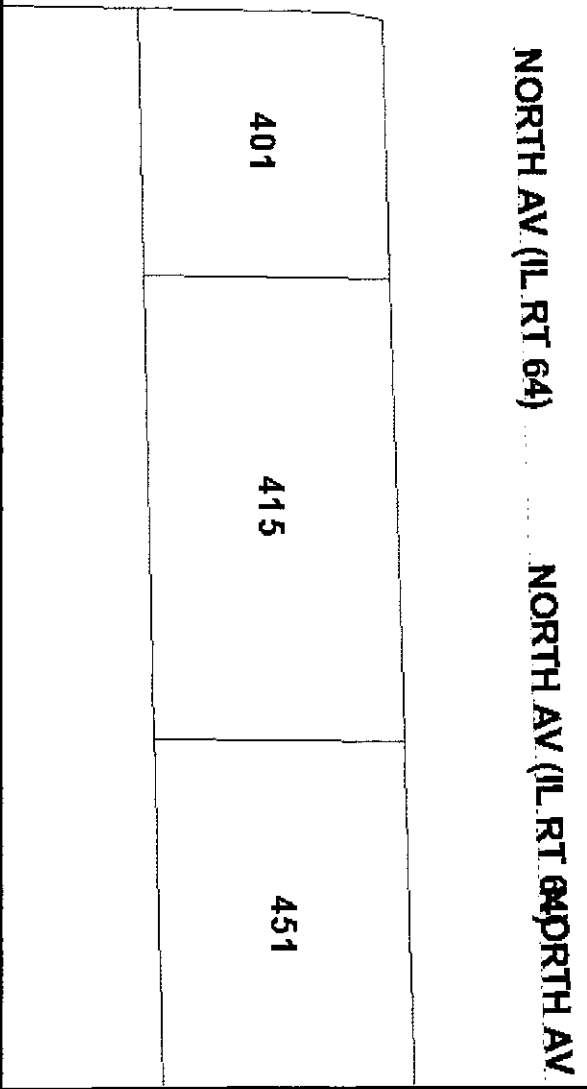
331

337

343

740

GRACE ST



401

415

451

NORTH AV (IL RT 64)

FRONTAGE RD

NORTH AV (IL RT 64)

NORTH AV (IL RT 64)

GRACE ST

LALONDE AV

ELD AV



PC 08-05: 404 E. North Avenue

1 in. = 141.0 feet



**CONDITIONAL USE STANDARDS-
404 E. NORTH AVE., LOMBARD, IL**

SECTION 155.103 (F)(8) OF THE LOMBARD ZONING ORDINANCE

No conditional use shall be recommended by the Plan Commission unless it finds:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;

Narrative:

The proposed use will not be detrimental to public health, safety, morals or comfort. The proposed use will eliminate a presently vacant commercial site and generate sales tax for the Village.

2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;

Narrative:

The proposed use will have no negative impact on surrounding properties and will not impair property values within the neighborhood. The active use of this property will be a positive upgrade from its present vacant status and serve to promote commercial activity along the North Ave. corridor.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

Narrative:

The proposed use is consistent and compatible with normal and orderly development.

4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided.

Narrative:

All required utilities and appurtenances have been or will be provided as required by Village ordinances.

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;

Narrative:

Access to the site will be limited to right-in right-out for West-bound traffic on North Avenue. East-bound and west-bound traffic will also be allowed to

enter the site at Lalonde Avenue. This access pattern will maximize safety and minimize congestion.

6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,

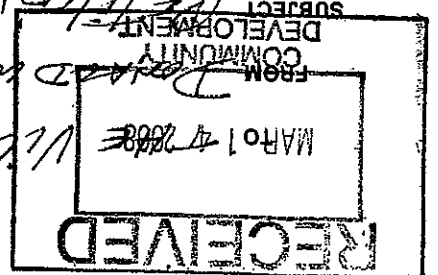
Narrative:

The proposed use is consistent with the objectives of the Comprehensive Plan to promote commercial uses along North Avenue.

7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.

Narrative:

The proposed use shall be in conformance with all applicable Village ordinance requirements.



WILLIAMSON FOR PC. 08-05-404 E. NORTH AVE.
FROM COMMUNITY DEVELOPMENT
SUBJECT

MY NAME IS DONALD W. STOB AND I AM
ON RECORD HAVING SPOKE AT THE PLAN
COMMISSION HEARING IN REGARD TO THE ADDRESS
VEHICLE DEALERSHIP LAST SUMMER, (434 E. NORTH
MY CONCERNS ARE THE SAME. IN THIS CASE
I WOULD LIKE TO HAVE A NO LEFT TURN SIGN
INSTALLED AT THE EXIT OF THE PARKING LOT
ON LAUREL.

MY REASONS ARE THE SAME AS MY RE-
QUEST FOR THE NO LEFT TURN FROM THE
OTHER DEALERSHIP. LAUREL IS AN ARTERIAL
OLDEN STREET A LITTLE MORE THAN 1 1/2 MILES.
AS CARS APPROACH EACH OTHER YOU HAVE
TO STOP DOWN AND GET ON TO THE EDGE
OF THE SHOULDER. AS NEIGHBORS WE ALL
INTERACT THIS. ALSO THE NEIGHBORHOOD
HAS NEW FAMILIES WITH SMALL CHILDREN
THAT PLAY IN THE FRONT YARDS AND BACKS
THAT ARE STALLED DOWN THE STREET. THANK YOU

3-13-08



ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.416 (C)
OF THE LOMBARD ZONING ORDINANCE

(PC 08-05: 404 E. North Avenue)

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 B4 Corridor Commercial 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 motor vehicles sales establishment; and

WHEREAS, a public hearings on the foregoing application were conducted by the Village of Lombard Plan Commission on March 24, 2008 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 motor vehicles sales establishment, subject to the conditions set forth in Section 3 below.

SECTION 2: That this Ordinance is limited and restricted to the property located at 404 E. North Avenue, Lombard, Illinois and legally described as follows:

LOT 1 IN ADDISON INVESTER'S SUBDIVISION OF LOTS 8, 9, AND 10 IN BLOCK 15 IN NORTH AVENUE MANOR, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID ADDISON INVESTER'S SUBDIVISION RECORDED NOVEMBER 3, 1969 AS DOCUMENT R69-47783 AND LOTS 5 THROUGH 7, BOTH INCLUSIVE, IN BLOCK 15, SAID NORTH AVENUE MANOR, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 14, 1928 AS DOCUMENT 269443, AND ALL THAT PART OF THE SOUTH HALF OF THE VACATED ALLEY LYING NORTH OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY, ALL IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 03-32-414-015, 016, 017, 022 and 023

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. The subject property shall be developed in substantial compliance with the site and landscape plans prepared by KB Partnership, dated February 19, 2008 and submitted as part of this petition.
2. The petitioner shall apply for and receive a building permit for all improvements to be constructed on the subject property. Said permit(s) shall satisfactorily address all building, fire and stormwater comments set forth within the IDRC Report.
3. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the five (5) lots and the vacated alley into one lot.
4. The petitioner shall submit a final photometric plan showing that the existing or any proposed lighting complies with the Zoning Ordinance.
5. A solid fence of no less than six feet (6') and no greater than eight feet (8') in height shall be maintained along the northern property line.

6. The petitioner shall erect a *no left turn* sign at the access drive for vehicles exiting the property to Lalonde Avenue.

7. The petitioner shall limit the number of unregistered vehicles on the lot to a maximum of seventy (70) cars. Each car shall be permitted on the lot for a period of no more than six (6) months. A log of the unregistered vehicles with dates of arrival to the lot must be kept on site at all times, with access to the log by an employee of the Community Development Department of the Village of Lombard permitted at any time during business hours.

8. Any violation of the provisions set forth within the approved conditional use may result in a revocation of the Conditional Use for the property.

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 _____, 2008.
First reading waived by action of the Board of Trustees this _____ day of _____, 2008.

Passed on second reading this _____ day of _____, 2008, pursuant to a roll call vote as follows:

Ayes: _____
Nayes: _____
Absent: _____

Approved by me this _____ day of _____, 2008.

Ordinance No. _____
Re: PC 08-05
Page 4

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this _____ day of _____, 2008.

Brigitte O'Brien, Village Clerk