

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

TO: Lombard Plan Commission

HEARING DATE: June 20, 2005

FROM: Department of Community  
Development

PREPARED BY: William Heniff, AICP  
Senior Planner

**TITLE**

**PC 05-17; 1301 North Lombard Road (O'Hare-DuPage Business Center):** The petitioner is requesting that the Village of Lombard take the following actions to allow for a mixed-use industrial development on the Subject Property, located within the I Limited Industrial District:

1. Grant a conditional use for an I Limited Industrial District Planned Development with such exceptions from Village Code as may be provided for in a Development Agreement between the Village and the Owner and/or Developer, including variations, deviations and/or exceptions from the following standards:
  - A. Title 154 – Lombard Subdivision and Development Ordinance:
    1. Section 154.506 (D): Requiring that all lots front on a public street.
    2. Section 154.602 (D)(3)(e)(f) and (g): Requiring that no building permits be issued prior to the completion of the water distribution system, sanitary sewer system and public right-of-way improvements.
  - B. Title 155 – Lombard Zoning Ordinance:
    1. Section 155.103 (C)(10): Providing that all variations shall become null and void unless work thereon is substantially under way within 12 months of issuance.
    2. Section 155.103(F)(11): Providing that authorization for a conditional use shall be null and void if construction if not substantially underway within 18 months of grant of approval for the development.
    3. Section 155.205(A)(2)(e): Regulating fences or walls in the Clear Line of Sight Area.
    4. Section 155.212: Limiting Obstructions in Required Yards to occupy no more than 30 percent of a Required Yard.
    5. Section 155.418 (B) and (C): Identifying and establishing permitted, conditional and prohibited uses within the planned development.
    6. Section 155.418 (E): Requiring that all uses have a minimum lot width of 80 feet.

7. Section 155.418 (F): Providing for minimum 25 foot front yards, 25 foot corner side yards, 15 foot interior side yards, and 15 foot rear yards (or 1 foot yards along railroad rights-of-way) for principal buildings and structures.
8. Section 155.418(H): Requiring that the minimum open space for each use be not less than 10 percent of the lot.
9. Section 155.418 (K) and 155.707(A)(4): Requiring a 30 foot transitional landscape yard abutting a CR District.
10. Sections 155.503 and 155.507: Specifying certain plan submittal requirements for planned developments.
11. Section 155.508 (C)(6)(b): Requiring planned developments with exceptions to satisfy all transitional landscape yard requirements.
12. Section 155.602 (A)(3), (4) and (7): Regulating off-site and collective parking.
13. Sections 155.706 (B) and (C) and 155.709: Requiring that lot interiors, perimeters and perimeter parking lots provide a minimum of five feet of landscaped area.

C. Title 153 – Lombard Sign Ordinance

1. Section 153.507.d: Limiting to one (1) the number of freestanding signs on any one parcel.
  2. Section 153.507.(5)(b) and (c): Allowing for signage to exceed 6 feet in height and 30 square feet in area.
  3. Section 153.507.(11)(a) and (b): Allowing for more than one wall sign per street front exposure.
2. Grant a conditional use to allow more than one principal building on the subject property.
  3. Execute a Development Agreement for the Subject Property, with the Village Board taking the following actions as set forth in the Agreement:
    - a. Approve two vacations of portions of the Lombard Road right-of-way.
    - b. Approve the removal of a traffic barricade on Lombard Road; and
    - c. Grant Site Plan Approval Authority to the Lombard Plan Commission.

### **GENERAL INFORMATION**

Petitioner: ICE Realty Group  
5600 North River Road, Suite 800  
Rosemont, IL 60018

Property Owner/Trust: Land Trust U.S. Bank NA  
Successor to First Colonial Trust #2284  
107 S. Commerce Street  
Galena, IL 61036

### **PROPERTY INFORMATION**

Existing Zoning: I Limited Industrial District

Existing Land Use: Undeveloped land and Commonwealth Edison transmission lines

Size of Property: 11.14 acres – Grant Property  
3.18 acres – Commonwealth Edison Property within Village  
1.89 acres – portions of Lombard Road requested to be vacated

Comprehensive Plan: The Comprehensive Plan identifies the subject property for industrial use.

### **SURROUNDING ZONING AND LAND USE**

North: Illinois Central railroad and industrial property within the Village of Addison.

South: I Limited Industrial District; developed as the North Avenue Industrial Park.

East: Property in Unincorporated DuPage County; developed as part of the Fullerton Woods Forest Preserve and Commonwealth Edison right-of-way.

West: Property within the Village of Addison zoned and developed as industrial uses (contractor yards)

### **ANALYSIS**

#### **SUBMITTALS**

This report is based on the petitioner's document submittal filed on May 11, 2005 with the Department of Community Development and consisting of the following items:

1. Petition for Public Hearing with Response to Standards.
2. ALTA/ACSM Plat of Survey, prepared by Survey Systems of America, Inc., dated June 19, 2002.
3. Petitioner's concept site plans consisting of Exhibits 1, 2 and 3 for the Grant Property, prepared by the petitioner dated March 21, 2005.
4. Petitioner's concept site plans consisting of Exhibits A-1 and A-2 for the Commonwealth Edison Property, prepared by the petitioner dated March 21, 2005.
5. Plats of vacation of Lombard Road rights-of-way, prepared by Gentile & Associates, dated December 20, 2004.

## **BACKGROUND**

The petitioner is proposing to develop the 11.14-acre parcel of property located at the northern terminus of Lombard Road, as the DuPage O'Hare Business Park. The petitioner also seeks to secure additional land through vacation of underimproved rights-of-way and through lease agreements within Commonwealth Edison for land within their transmission right-of-way.

The contract purchaser of the property seeks to construct a mixed-use business/office/industrial development and is seeking approval a number of actions as set forth in the petitioner's request to facilitate the eventual development of the property. Should a prospective business entity seek to develop and/or lease the property, the development parameters will already be in place.

## **INTER-DEPARTMENTAL REVIEW COMMENTS**

### **ENGINEERING**

The Private Engineering Services Division has no objection to the zoning and subdivision request for approval from an engineering or construction perspective.

DuPage County and the Village of Lombard have previously granted approval of a wetland mitigation variation for those wetlands within the existing Lombard Road (Ordinance 5639). However, staff will require that the floodplain, wetland and detention issues shall be successfully addressed as part of the final engineering process for both the companion public and site improvements within the Lombard Road right-of-way as well as on the subject property.

### **PUBLIC WORKS**

The Engineering Division of the Department of Public Works offers the following comments:

1. With regard to the requested variations, deviations and/or exceptions for the Lombard Zoning Ordinance we have no comments.
2. With regard to the requested variations, deviations and/or exceptions for the Lombard Sign Ordinance we have no comments.
3. With regard to the requested variations, deviations and/or exceptions for the Lombard Subdivision and Development Ordinance we the following comments:
  - a.) The stormwater management system including storm sewer shall be functional prior to the issuance of any permits for building structures.
  - b.) Only a Foundation Only permit may be issued prior to the completion of the water distribution system, sanitary sewer and public right-of-way improvements.
  - c.) The portions of Lombard Road not being vacated shall be fully improved according to the Village of Lombard's Standards and Specifications.
4. Public Works will provide additional comments specifically related to the drainage, utilities and the public right-of-way for the final site plan selected for development and submitted to the Lombard Plan Commission for approval.

## **FIRE AND BUILDING**

The Bureau of Inspectional Services has expressed no objection to this request. However, they offer the following recommendations to be included as part of the plan:

1. Emergency access for fire apparatus shall be designed into this site. The timing of the installation of such is yet to be determined, but will be required before construction is started. Emergency access shall be of adequate width and shall be constructed as an all weather roadway capable of supporting the weight of fire apparatus and also be designed so that it can be maintained at all times, during any weather conditions.
2. There are two new public access drives shown off of Lombard Road. Although the final layout of buildings and parking areas is yet to be determined, the Fire Department will require that any proposed driveways be designed to provide access to the entire site. Drives should be designed to provide fire apparatus with the ability to circulate around the rest of the site and should not be designed in a way where it would only serve a portion of the buildings or parking areas.
3. The new water main shown at the site should be a continuous 10" diameter (or larger) loop. Also, based upon the types and sizes of proposed buildings, and their use, a water main of greater than 10" may be necessary. Additional water main and hydrants will be required when individual properties are developed. Depending on building locations, this may include installation of additional hydrants along the primary incoming drive to meet 150' spacing requirements.
4. Additional comments will be provided upon a submittal of specific site plans for the property.

## PLANNING

The subject property was annexed into the Village in 1958 along with most of the existing North Avenue Industrial Park. The property is currently vacant. Based upon a review of older aerial photographs, the property may have had previous outdoor storage activities, but none of these functions were directly approved by the Village.

### History of Lombard Road

Lombard Road, the adjacent public right-of-way, was previously platted and dedicated prior to its annexation. The roadway provided a direct link between Lombard and Addison via a viaduct underneath the railroad tracks. The roadway surface was unimproved (i.e., gravel/dirt road) but was partially improved with an asphalt surface in sections.

Prior to 1992, the substandard viaduct was closed. To address fly-dumping and deleterious activities along Lombard Road, the Village Board adopted Ordinance 3678A, which provided for the erection of a barrier, which was placed at the south end of the Commonwealth Edison right-of-way. This barricade was only meant to deter access onto the right-of-way until such time that the Grant Property developed. However, it was never the intention of the Village to vacate the right-of-way at that time as the Village was seeking federal grant funds to pay for the reconstruction of the roadway. The closure was intended to recognize a roadway deficiency that existed at that time and to consider the reconstruction of the roadway upon completion of the North Avenue reconstruction project. In the late 1990s, Illinois Central removed the viaduct and replaced it with an earthen berm.

Prior to 2000, the west half of the right-of-way was within the Village of Addison; the east half was in the Village of Lombard. To facilitate development activity on the Grant Property and to ensure that the right-of-way was controlled only by the Village of Lombard, the Villages entered into an inter-governmental agreement that provided for the de-annexation of the Addison portion of the Lombard Road right-of-way and annexation of the same right-of-way into Lombard.

### Current Development Proposals

Staff has been working closely with the petitioner to effectuate the development of the subject property. The petitioner has created three plans (Exhibits 1 through 3) showing the various plan concepts for “pre-approval” which would be tied into the companion development agreement.

### Review of Various Plans

The three plans are being proposed in order to provide maximum flexibility to the site and to be able to respond to changing development and market conditions. The plans are:

#### *Exhibit 1: 200,000 square foot single building*

This proposed plan includes 200,000 square feet of warehouse space, all contained in a single building. The plan includes a truck dock for 48 trailers as well as 82 spaces for outdoor truck trailer spaces. Cumulatively, this plan provides for at least 130 truck trailer spaces on the site. A warehouse/distribution facility may be acceptable (i.e., a facility in which goods trucked to the site, sorted, stored and redistributed) but a cartage facility (i.e., a facility in which its primary intent is to store truck trailers and/or make trailers available for trucking operations) would not be permitted.

*Exhibit 2: Two Buildings*

This plan would require an additional conditional use approval as it would provide for more than one principal building on a lot of record. This proposal would create two buildings of 100,000 and 116,000 square feet in size respectively. Access to the buildings would be accomplished through shared private driveways and access areas. Should this option be pursued, the development agreement will need to address the issues of shared access, circulation and maintenance.

*Exhibit 3: Three Buildings*

The petitioner also has prepared a three-building concept plan, consisting of 65,245, 63,866 and 104,355 square foot buildings. This plan provides connectivity between the buildings. Each building will need emergency access on at least three sides. As with Exhibit 2, the development agreement will need to address the issues of shared access, circulation and maintenance.

Within each of these concept plans, there are a number of common elements and/or actions that would be undertaken, including:

Lombard Road Right-of-Way Vacation & Improvements

Provided that the overall development is truly an enhancement to the Village, staff could support a vacation of Lombard Road, subject to the following provisions:

1. Either a new cul-de-sac shall be constructed at the current roadway terminus of Lombard Road, per Village specifications and/or provisions shall be made to provide for turn-around movements. If this is not feasible, the development agreement shall provide for a long-term plowing agreement for Lombard Road north of Cortland Avenue.
2. Full street improvements shall be made in front of the Haney & Sons property at 2N700 Lombard Road (the unincorporated property immediately south and west of the Commonwealth Edison property).
3. The vacation shall have a reversion clause that provides for the developer to “give back” the vacated right-of-way upon a request from the Village. Terms of this provision will be incorporated within the agreement.
4. Cross-access shall be prohibited to the properties to the east of the vacated Lombard Road right-of-way.
5. The vacated right-of-way shall only be improved with landscaping, parking lot or driveway improvements. Placement of buildings or stormwater detention ponds within the right-of-way shall not be permitted.

Wetland Outlot Parcel

Each of the three concept plans propose to segregate the existing wetland located at the northeast end of the property into a separate outlot. Establishment of an outlot without a thirty foot frontage onto a public street will require a variation from the Subdivision and Development regulations. However, staff is conceptually supportive of this layout provided that the development plan for the remainder of the site is acceptable and that easements are dedicated to the Village for access to the property.

Stormwater Detention

The majority of the stormwater detention needed for the project will be placed on the Commonwealth Edison property. A portion of the detention area is not located within the Village at

present, but is within the Village's ultimate municipal boundaries. Absent the annexation of the unincorporated portion of the Commonwealth Edison property, approvals from DuPage County will be needed for any stormwater improvements. Staff would work with Commonwealth Edison on any future annexation petition that would be mutually beneficial.

#### Outside Storage – Commonwealth Edison Property

The concept plans depict parking and storage areas on the Commonwealth Edison property immediately south of the subject property. Staff would like to see additional information and details as to what is actually being envisioned for this area. Staff would not be supportive of any storage functions on the Commonwealth Edison property that are not directly tied to the principal use of the Grant Property. This area should not be used for separate cartage, outdoor vehicle storage activities or outside bulk material storage functions, but could be used for ancillary storage activity activities with a principal use on the Grant Property itself. Outside parking areas will need to be improved to the Village's parking lot standard – gravel areas are not desirable and do not meet the Village's regulations.

#### Compliance with the Zoning Ordinance

As this property is the largest single tract of non-residential land left in the Village, staff has considered the property to be critical to the Village's future economic development activities. As such, staff has represented to developers the following caveats:

1. Contractors yards, trucking establishments and heavy industrial uses are not desirable;
2. Development plans should meet the standards for other projects in the Village; and
3. Lombard Road right-of-way improvements would be required pursuant to Section 154.306 of the Lombard Subdivision and Development Ordinance. This would include a water distribution system, a sanitary sewer distribution system, storm water control and drainage systems.

#### Planned Development

The petitioner is requesting a planned development approval to develop the subject property. The underlying I Limited Industrial zoning will not change. The development approvals being requested are similar in nature to previous approvals for the Fountain Square and Highlands of Lombard commercial planned developments, which create a similar creative and flexible approach to the development. The approved planned development ordinance and the final development agreement would regulate the project.

Included within the Planned Development are 14 exceptions from the Zoning Ordinance, 2 exceptions from the Subdivision Regulations and 3 exceptions from the Lombard Sign Ordinance. Also included as part of the development request is a conditional use request for multiple principal buildings on a lot. Each of these items should be considered on an individual basis. A list of all the exceptions and variation requests is attached in Appendix A along with staff responses to each item.

The intent of a planned development is to address the unique physical site constraints of a property. The Zoning Ordinance also encourages and/or requires the use of planned developments for non-



residential properties with companion requests for variations. Lastly, staff has been supportive of the use of planned developments as it allows a trade off of zoning relief to ensure a better overall development. Staff notes that the site could be developed per the underlying I District requirements, but staff believes that the planned development process will allow for a better plan to be developed.

Staff recognizes the unique geographical context of this project in the Village. Staff also points out that the subject property is the largest single tract of undeveloped industrial land within the Village so proper development of the subject property is critical to the long term benefit of the North Avenue Industrial Park as well as the Village as a whole. As such, in consideration of the petitioner's requests, staff is recommending a number of conditions of approval to ensure an attractive and viable development. Additionally, the development agreement is intended to address planning considerations, land use activities and the parameters the petitioner and/or eventual developer must complete as part of this project.

### **Site Plan Approval Request**

As with the Fountain Square and Highlands of Lombard projects, the backbone of the flexible development approach will be the site plan approval process being requested by the petitioner. This process will provide the ability of the Plan Commission to review, approve, deny or modify the individual developments that are proposed within the overall development. The petitioner's submitted concept plans are intended to be used as a preliminary model for future development activity on the site. The site plan approval process will address the detailed review of the actual development plan when such time comes to construct the proposed building(s) and site improvements.

The site plan approval process will require the future petitioner to provide detailed site plan information consisting of building design and location, use of the subject property, infrastructure improvements, traffic impacts, landscaping, and compatibility with other site plan approvals as each portion develops. The planned development as presented suggests the terms under which development may occur and provides guidance to both prospective developers as well as the Village as to the maximum development opportunities of the property.

### **Design Standards**

In consideration of the requested relief, staff is recommending that appropriate design standards be incorporated into the companion development agreement. These include:

#### *Building Aesthetics*

As part of the site plan approval process, staff will want the developer to submit proposed building elevations for the proposed structures. The plans will give the Village a sense of what the project will look like upon completion. Moreover, if the developer were to sell the property, the new owner will be aware of the development expectations for the site.

In the site plan approval process, the Village may consider the compatibility of the architecture, design and materials proposed for development of a site with the design and materials used or proposed to be used for other sites. Exterior facades shall consist of stone, brick, split face block, pre-cast concrete, glass or cedar. All buildings shall meet the full provisions of the Lombard

Building Code and any adopted amendments thereto. This provision is important as it will prevent the erection of prefabricated metal buildings.

#### *Trash Enclosures*

All outdoor trash collection areas shall be screened on all four sides, with a masonry or concrete wall compatible with the principal building; such areas shall be located no closer than 15 feet to any other structure unless protected with approved automatic fire sprinklers.

#### *Landscaping*

Concurrent with a site plan approval application, the developer shall submit a companion landscape plan for review and approval. The plan shall meet the provisions of the Zoning Ordinance, except as varied as part of this petition. The landscape plan will also need to address any special management (i.e., wetland) plantings.

#### *Lighting*

The lighting fixtures to be utilized for all private roadway lighting and parking lot lighting shall be uniform. The developer shall provide complete specifications and photometric plans for the proposed fixture. Such additional information shall be reviewed and approved by the Director of the Department of Community Development and the Director of Public Works prior to installation.

#### *Parking/Circulation*

Each of these plans will need to be reviewed to ensure that truck turning and emergency vehicle turning movements can be successfully made in each of the development options. Of course it is always desirable to minimize conflict points between truck loading/circulation and customer/employee parking areas. Based upon a conceptual review of each of the plans, it appears that the plans would each meet vehicle turning movement requirements. However, this issue will need to be reviewed upon submittal of final site plans. Additionally, the traffic circulation patterns will need to be reviewed to minimize vehicle conflict points between automobiles and trucks.

#### **Proposed Use List**

The petitioner has not identified definitive tenants of the project at this time. Staff would be supportive of uses that create true enhancements to the Village. Staff has reviewed the list of permitted and conditional uses within the I Limited Industrial District. In lieu of using this list to determine appropriate uses, staff is suggesting that an alternate use list be adopted and incorporated into the planned development ordinance for the project. This approach was also successfully used as part of the Fountain Square and Highlands of Lombard developments.

Specific users would be required to seek site plan approval from the Plan Commission prior to development. However, the proposed final development agreement outlines the types of uses that would be permitted, permitted through the conditional use process or prohibited within the development. The goal is to create a unique development that meets an overall vision for this property. The proposed use list is attached as Appendix B to this report.

The purpose of creating a unique use list for this project is to ensure the eventual uses on the property are uses that provide the greatest benefit to the Village and create the lowest amount of negative impact on adjacent properties.

The proposed list is intended to minimize and/or prohibit many outside storage uses. Additionally, the list would also limit uses that would create excessive traffic and infrastructure burdens on the Village without an additional tax revenue benefit, such as cartage facilities and vehicle storage as a principal use. Staff could support modifications to the permitted uses to allow for a number of processing functions that are listed as conditional uses in the ordinance into the permitted use section.

The construction of any buildings and structures would be done through the site plan approval process – the proposed use list identifies permitted uses independent of the actual physical plan.

### **Compatibility with the Sign Ordinance**

Signage requirements are addressed as part of the planned development and development agreement. Signage for individual developments will be considered through the site plan approval process, which will ensure that the signage complements the development. Additional discussion regarding the proposed deviations from the Sign Ordinance can be found in Appendix A.

### **Compatibility with the Subdivision and Development Ordinances**

Recognizing the unique nature of this project, the petitioner is seeking minor modifications to our standard processes for new developments. As the project could consist of development of multiple buildings over a number of years, the petitioner will be seeking approval of an alternative approval process which would allow for the public and site improvements to be approved incrementally as each site plan approval occurs.

To address platting issues, the petitioner will be required to create a single plat which will incorporate the vacated rights-of-way with the Grant Property into a single lot of record.

### **Development Agreements**

Staff and the petitioner are creating a development agreement that outlines the development provisions for the requested planned development, and which will serve as the final development agreement for the property. Review and approval of the final development agreement, as well as all of the companion actions set for in the request, will be the responsibility of the Village Board.

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

The Comprehensive Plan identifies the southern portion of the site for industrial uses. The Plan advises that property maintenance should be encouraged in the North Lombard Light Industrial Area. To this end, the Village and the petitioner are attempting to create a development agreement that addresses future property maintenance issues, such as common maintenance areas and site plan review. The development as proposed will meet the recommendations of the Comprehensive Plan.

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

The proposed mixed-use development is surrounded on three sides by industrial activity. However, staff believes that the mere presence of industrial zoning and industrial uses does not mean that the project should not be developed to high standards. Through the creation of a companion development for the site, which will include the comments set forth in the IDRC report, the property will eventually be developed with uses and activities that are compatible with the adjacent land uses.

On the east side of the property is property owned by the DuPage County Forest Preserve District and is part of the Fullerton Woods Forest Preserve. In discussions with the District, they see this property as remaining as passive regional open space. Staff does not see a conflict between the petitioner's project and the open space use to the east.

## **FINDINGS AND RECOMMENDATIONS**

The Department of Community Development has determined that the proposed development is compatible with the surrounding land uses and the comprehensive plan.

The Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition subject to the conditions described below:

Based on the submitted petition and the testimony presented, the proposed conditional use and variations do comply with the standards required by the Lombard Zoning, Sign and Subdivision and Development Ordinances and the planned development would be within the public interest; 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, I move that the Plan Commission recommend to the Corporate Authorities **approval** of PC 05-17, subject to the following conditions:

1. That the petitioner shall enter into a development agreement with the Village to address any future development of the subject property.
2. That the petitioner shall apply for and receive site plan approval for the development of the subject property prior to starting construction of any new buildings, parking lot improvements or development signage on the subject property.
3. That the petitioner shall amend the conceptual site plans to reflect the correct right-of-way width for the proposed Lombard Road vacation area.
4. That the following conditions be added to the associated variations and deviations included as part of the development proposal, with said conditions being added and incorporated into the development agreement:
  - a. That a thirty foot (30') cross-access easement be provided for use and benefit of the Village to access any outlots, stormwater facilities or wetland areas.
  - b. That all stormwater improvements associated with each phase of the development of the subject property shall be constructed and be fully operational prior to starting construction of any buildings.

- c. That construction shall commence within twenty-four (24) months from the date of approval of the final engineering and recording of the final subdivision plat for the site.
- d. In the event that the Village annexes the DuPage County Forest Preserve District Property abutting and immediately east of the subject property and approves a map amendment to rezone the property to the Village's C/R Conservation District, the 25 foot landscape yard setback requirement shall apply, in lieu of the requisite 30 foot transitional yard.
- e. That the five-foot perimeter landscape requirement shall be varied only at the south property line of the subject property and at the north property line of the Commonwealth Edison right-of-way, and the interior parking lot landscape islands shall not be required on the Commonwealth Edison right-of-way property only.

Inter-Departmental Review Group Report Approved By:

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David A. Hulseberg, AICP  
Director of Community Development

c: Petitioner

## **Appendix A**

### **Listing of Deviations, Variations and Conditional Uses**

#### **Variations from the Subdivision and Development Ordinance**

As part of the Planned Development proposal, the petitioner has requested two variations from the Village Subdivision and Development Ordinance standards. Listed below are the exceptions requested by the petition, the petitioner's rationale for the exception and staff comment with respect to each exception (noted in boldface).

1. Section 154.506.D: Requiring that all lots front on a public street.

**The proposed outlot to the northeast corner of the subject property is improved consists of wetland vegetation that is intended to be preserved as part of this development. However, direct access to the wetland outlot will be provided through the development via an access easement. The petitioner proposes that potential future lots created by further divisions will be done as assessment division rather than through the creation of separate lots of record. Therefore, common elements such as access driveways and common infrastructure will remain the responsibility of the property association. This will also ensure that adequate vehicular access to a public street is assured.**

2. Section 154.602.D.3(e),(f) and (g): Requiring that no building permits be issued prior to the completion of the water distribution system, sanitary sewer system and public right-of-way improvements.

**The intent of this provision is to allow permits, grading and foundation work to be issued prior to completion of the aforesaid site improvements and that other building permits may be issued subject to the approvals of the Village under the terms and conditions set forth in the proposed Development Agreement.**

**Given the phasing nature of the development proposal, staff is supportive of this deviation.**

#### **Compatibility with the Zoning Ordinance**

##### **Conditional Use Request**

In addition to the planned development request, the petitioner also requests a conditional use to allow more than one principal building on the proposed site, based upon the submitted concept plans. The petitioner requests this conditional use in order to provide the potential for additional flexibility to allow for a wider variety and design of structures within the development.

**Staff supports granting the conditional use on the subject property as depicted on the preliminary plans. Since each of the developments within the planned development will require site plan approval before construction, the Plan Commission will still have the opportunity to review the layout of each site prior to approval.**

Deviations and Variations from the Zoning Ordinance

The petitioner has requested 14 deviations and/or variations from the underlying I District zoning district regulations. These deviations and/or variations are requested as part of the planned development review process to provide the opportunity for the developer and the Village to creatively address each use approval through the site plan approval process without having to amend the entire planned development agreement process at a later date. Moreover, it allows the developer and the Village to be able to set forth the general parameters of development approval prior for a future owners or developers. Listed below are the exceptions requested by the petition, their rationale for the exception and staff's comments.

1. Section 155.103.C.10: Providing that all variations shall become null and void unless work thereon is substantially under way within 12 months of issuance.

**As there are no ready developers for the proposed project, this provision proposes a deviation to eliminate the automatic revocation period. Staff can support this deviation provided that work has commenced on the project within 24 months from the approval of final engineering for the project and approval and of recording of the final plat of subdivision/planned development plat.**

**If in the event that no development activity has started for the project, the developer shall have the ability to request a time extension directly to the Village Board, with the Village Board having the exclusive right to approve or deny the request.**

2. Section 155.103.F.11: Providing that authorization for a conditional use shall be null and void if construction is not substantially underway within 18 months of grant.

**As there are no ready developers for the proposed project, this provision proposes a deviation to eliminate the automatic revocation period. Staff can support this deviation provided that work has commenced on the project within 24 months from the approval of final engineering for the project and approval and of recording of the final plat of subdivision/planned development plat.**

**If in the event that no development activity has started for the project, the developer shall have the ability to request a time extension directly to the Village Board, with the Village Board having the exclusive right to approve or deny the request.**

3. Section 155.103.I: Providing a Site Plan review and approval process to the Plan Commission. **Staff supports this request to utilize the Site Plan review process as set forth in the proposed Development Agreement to review and/or approve any future development on the subject property.**

4. Section 155.205.A.2.e: Regulating fences or walls in the Clear Line of Sight Area.

**This provision can be supported for the driveway entrance from the proposed subject property to the Lombard Road right-of-way to accommodate driveway entrance signage, gates and/or landscaping. Staff supports a deviation be allowed to allow the Plan**

**Commission, as part of the Site Plan Approval process, to determine whether a site plan may deviate from these regulations where practical difficulties arise due to site topography and grade differentials, provided the Plan Commission makes a finding that public safety is not compromised.**

5. Section 155.212: Limiting Obstructions in Required Yards to occupy no more than 30 percent of a Required Yard.

**Staff supports a deviation to be allowed within proposed development to allow parking and drive aisles to occupy more than 30 percent of a required yard, subject to Site Plan Approval by the Plan Commission.**

6. Section 155.418.B and C: Identifying permitted and conditional uses.

**To address the unique challenges associated with the property as well as provide the Village with an enhanced development, a deviation is proposed to modify the list of permitted and conditional uses and to prohibit certain otherwise allowed uses, all as set forth in the I Limited Industrial District Use List which is an exhibit to the proposed Development Agreement. This list will also identify those activities that can be approved by the Plan Commission as part of the site plan approval process.**

7. Section 155.418.E: Requiring that all uses have a minimum lot width of 80 feet.

**The proposed development will consist of the Grant Property as well as two vacated rights-of-way tracts of land, which will be consolidated into a single lot of record. By definition, the proposed consolidated lot will have a lot width of 70 feet (defined as the narrowest point 30 feet back of the front yard). Staff supports this deviation as the proposed consolidated lot is being created to address the unique site characteristics being brought forth as part of this development.**

8. Section 155.418.F: Providing for minimum 25 foot front yards, 25 foot corner side yards, 15 foot interior side yards, and 15 foot rear yards (or 1 foot yards along railroad rights-of-way) for principal buildings and structures.

**Staff supports deviations and/or variations to be allowed where these yards will not be at the perimeter of the proposed planned development boundaries (i.e., along the Commonwealth Edison right-of-way line or the proposed wetland outlot), or along the existing west property line of the Lombard Road right-of-way subject to the vacation. In the event that the vacated Lombard Road reverts back to being a publicly dedicated right-of-way, any buildings or structures located in the reestablished front yard setback would be considered legal conforming structures.**

9. Section 155.418.H: Requiring that the minimum open space for each use be not less than 10 percent of the lot.

**Staff supports a deviation to eliminate this requirement provided that the overall percentage of open space in the entire Planned Development is not less than 12.5 percent.**

10. Section 155.418.K and 155.707.A.4: Requiring a 30 foot transitional landscape yard abutting a CR District.



**In the event that the Village annexes the Forest Preserve Property abutting and immediately east of the Subject Property and approves a map amendment to rezone the property to the Village's C/R Conservation District, the 25 foot landscape yard setback requirement shall apply.**

11. Sections 155.503 and 155.507: Specifying certain plan submittal requirements for planned developments.

**Staff supports a deviation to allow for modification to the planned development submittal requirements subject to the terms and conditions set forth in a Development Agreement and the Planned Development Ordinance. The submittal requirements for Site Plan approval process for development shall be as required by the Director of Community Development.**

12. Section 155.508.C.6(b): Requiring planned developments with exceptions to satisfy all transitional landscape yard requirements.

**Staff supports a variation to allow transitional yard requirements to be addressed as set forth in No. 10 above.**

13. Section 155.602.A.3, 4 and 7: Regulating off-site and collective parking.

**To establish a unified development, staff supports deviations to allow shared parking as a permitted use for sites created within the proposed planned development subject to the terms and conditions of the proposed Development Agreement. Off-site parking on the Commonwealth Edison right-of-way property shall also be regulated through the provisions of the Development Agreement and as part of the site plan approval process.**

14. Sections 155.706.B and C and 155.709: Requiring that lot interiors, perimeters and perimeter parking lots provide a minimum of five feet of landscaped area.

**Staff supports a deviation, subject to Site Plan approval, to eliminate the five-foot perimeter landscape requirement for the south property line of the subject property and of the north property line of the Commonwealth Edison right-of-way. Interior parking lot landscape islands shall not be required on the Commonwealth Edison right-of-way.**

#### Deviations from the Sign Ordinance

The petitioner is also requesting the following deviations from the Sign Ordinance to address site specific issues relating to the Planned Development and to the approval process.

1. Section 153.507.d: Limiting to one (1) the number of freestanding signs on any one parcel in a I District.

**Staff supports a deviation to allow more than one freestanding sign and what combination of signs should be allowed for the Site as part of the Site Plan approval process.**

2. Section 153.507.(5)(b) and (c): Allowing for signage to exceed 6 feet in height and 30 square feet in area in the I District.

**Staff supports a deviation to allow for a height deviation for the main entrance sign proposed to be located at the entrance to the development, as part of the Site Plan approval process.**

3. Section 153.507.(11)(a) and (b): Allowing for more than one wall sign per street front exposure in the I District.

**Staff supports a deviation to allow more than one freestanding sign its respective size and the combination of signs should be allowed for the Site as part of the Site Plan approval process.**

Appendix B  
 Land Use List

<u>Land Use</u>	<u>Permitted</u>	<u>Conditional</u>	<u>Prohibited</u>
Accessory uses and buildings		x	
Adult uses			x
Agricultural Uses, consisting of growing of trees and landscape plant materials	x		
Automated Envelope Merging Process	x		
Automobile repair		x	
Automotive service		x	
Banks		x	
Bedding manufacturing	x		
Boot and shoe manufacturing	x		
Building material sales and storage		x	
Cabinet Making	x		
Carpet manufacturing	x		
Cartage and express facilities, also known as truck terminals, as the principal use of the property			x
Catering Services		x	
Cloth products manufacturing	x		
Clubs and lodges, nonprofit and fraternal		x	
Compost collection facility			x
Concrete and cast stone fabrication and molding	x		
Contractors, architects, and engineers equipment and material storage yards			x
Contractors, architects, and engineers offices and shops	x		
Cosmetics production	x		
Dairy products processing or manufacture	x		
Dry cleaning plants and operations primarily serving satellite drop-off dry cleaning establishments in other districts	x		
Electronic and scientific precision instruments manufacturing	x		
Exterminating services	x		
Film Processing; not including retail sales or commercial studios	x		
Food manufacture, packaging, and processing	x		
Four (4) story buildings within one hundred feet (100') of residentially-zoned property or a minor or major arterial street and buildings which are forty feet (40') to forty-five feet (45') in height and which are within one hundred (100') of a residentially-zoned property or a minor or major arterial street.		x	
Fur processing	x		
Furniture upholstery & Refinishing	x		
Gasoline sales		x	
Glass products production	x		
Heliports, private or commercial		x	
Laboratories, including research and testing laboratories	x		
Laundries, including truck route laundries, linen supply, and diaper services	x		
Light machinery production and repair e.g. household appliances & business machines etc. - appliances, business machines, etc	x		
Lithographing	x		
Mail order houses where point of sale occurs at location			
Mechanical Parts Reconditioning	x		
Metal Plating, Forging, or Casting	x		
Mini-Warehouses		x	
Mortuarial Services	x		
Musical instruments manufacturing	x		

<b>Land Use</b>	<b>Permitted</b>	<b>Conditional</b>	<b>Prohibited</b>
Offices	x		
Off-site parking, conforming to Section 155.602 (A) (3) (b) of this Ordinance			x
Orthopedic and medical appliance manufacture	x		
Other manufacturing, processing, storage, or industrial uses as determined by the Director of Community Development to be of the same general character as uses permitted in the I Limited Industrial District, and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, toxic or noxious matter or glare or heat		x	
Outpatient medical and dental offices and clinics	x		
Outside Storage of Motor Vehicles		x	
Packing Material Manufacturing	x		
Paper products manufacture	x		
Parking lots, commercial and lots other than accessory, and subject to the provisions of Section 155.600 of this Ordinance			x
Parks and playgrounds		x	
Planned developments in conformance with Section 155.500 of this Ordinance		x	
Plastic extruding	x		
Pottery and ceramics manufacture	x		
Printing and publishing establishments	x		
Public utility and service uses	x		
Radio and television stations and towers	x		
Recreation buildings or community centers		x	
Recycling collection centers		x	
Religious institutions		x	
Restaurants		x	
Rope, cord, and twine manufacture	x		
Schools: public and/or private elementary, middle, and high		x	
Sheet Metal Stamping and Fabrication	x		
Sign Contractors	x		
Soap manufacture	x		
Sporting goods manufacture	x		
Stadiums, auditoriums, and arenas - open or enclosed		x	
Storage Centers	x		
Tool & Die	x		
Trade school	x		
Warehousing, storage, and distribution facilities (provided that the distribution or cartage function is ancillary to the warehousing/storage function on the property)	x		
Wearing Apparel Manufacture	x		
Woodworking and wood products manufacture	x		

Appendix B Continued  
 Comparison of I District Regulations vs. Proposed Use List

<u>Land Use</u>	<u>I District Regulations</u>	<u>Proposed Use List</u>
Accessory uses and buildings	Permitted	Conditional
Adult uses	Conditional	Prohibited
Agricultural Uses, consisting of growing of trees and landscape plant materials	Not specifically listed	Permitted
Automated Envelope Merging Process	Permitted	Permitted
Automobile repair	Conditional	Conditional
Automotive service	Conditional	Conditional
Banks	Conditional	Conditional
Bedding manufacturing	Permitted	Permitted
Boot and shoe manufacturing	Permitted	Permitted
Building material sales and storage	Conditional	Conditional
Cabinet Making	Permitted	Permitted
Carpet manufacturing	Permitted	Permitted
Cartage and express facilities, also known as truck terminals, as the principal use of the property	Conditional	Prohibited
Catering Services	Conditional	Conditional
Cloth products manufacturing	Conditional	Permitted
Clubs and lodges, nonprofit and fraternal	Conditional	Conditional
Compost collection facility	Conditional	Prohibited
Concrete and cast stone fabrication and molding	Conditional	Permitted
Contractors, architects, and engineers equipment and material storage yards	Conditional	Prohibited
Contractors, architects, and engineers offices and shops	Permitted	Permitted
Cosmetics production	Conditional	Permitted
Dairy products processing or manufacture	Conditional	Permitted
Dry cleaning plants and operations primarily serving satellite drop-off dry cleaning establishments in other districts	Permitted	Permitted
Electronic and scientific precision instruments manufacturing	Permitted	Permitted
Exterminating services	Permitted	Permitted
Film Processing; not including retail sales or commercial studios	Permitted	Permitted
Food manufacture, packaging, and processing	Conditional	Permitted
Four (4) story buildings within one hundred feet (100') of residentially-zoned property or a minor or major arterial street and buildings which are forty feet (40') to forty-five feet (45') in height and which are within one hundred (100') of a residentially-zoned property or a minor or major arterial street.	Conditional	Conditional
Fur processing	Permitted	Permitted
Furniture upholstery & Refinishing	Permitted	Permitted
Gasoline sales	Conditional	Conditional
Glass products production	Conditional	Permitted
Heliports, private or commercial	Conditional	Conditional
Laboratories, including research and testing laboratories	Permitted	Permitted
Laundries, including truck route laundries, linen supply, and diaper services	Permitted	Permitted
Light machinery production and repair e.g. household appliances & business machines etc. - appliances, business machines, etc	Permitted	Permitted
Lithographing	Permitted	Permitted
Mail order houses where point of sale occurs at location	Permitted*	Permitted
Mechanical Parts Reconditioning	Permitted	Permitted

Metal Plating, Forging, or Casting	Conditional	Permitted
Mini-Warehouses	Conditional	Conditional
Mortuarial Services	Conditional	Permitted
Musical instruments manufacturing	Permitted	Permitted
Offices	Permitted	Permitted
Off-site parking, conforming to Section 155.602 (A) (3) (b) of this Ordinance	Conditional	Prohibited
Orthopedic and medical appliance manufacture	Permitted	Permitted
Other manufacturing, processing, storage, or industrial uses as determined by the Director of Community Development to be of the same general character as uses permitted in the I Limited Industrial District, and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, toxic or noxious matter or glare or heat	Conditional	Conditional
Outpatient medical and dental offices and clinics	Conditional	Permitted
Outside Storage of Motor Vehicles	Conditional	Conditional
Packing Material Manufacturing	Permitted	Permitted
Paper products manufacture	Conditional	Permitted
Parking lots, commercial and lots other than accessory, and subject to the provisions of Section 155.600 of this Ordinance	Permitted	Prohibited
Parks and playgrounds	Conditional	Conditional
Planned developments in conformance with Section 155.500 of this Ordinance	Conditional	Conditional
Plastic extruding	Conditional	Permitted
Pottery and ceramics manufacture	Permitted	Permitted
Printing and publishing establishments	Permitted	Permitted
Public utility and service uses	Permitted	Permitted
Radio and television stations and towers	Permitted	Permitted
Recreation buildings or community centers	Conditional	Conditional
Recycling collection centers	Conditional	Conditional
Religious institutions	Conditional	Conditional
Restaurants	Conditional	Conditional
Rope, cord, and twine manufacture	Permitted	Permitted
Schools: public and/or private elementary, middle, and high	Conditional	Conditional
Sheet Metal Stamping and Fabrication	Permitted	Permitted
Sign Contractors	Permitted	Permitted
Soap manufacture	Conditional	Permitted
Sporting goods manufacture	Permitted	Permitted
Stadiums, auditoriums, and arenas - open or enclosed	Conditional	Conditional
Storage Centers	Conditional	Permitted
Tool & Die	Permitted	Permitted
Trade school	Conditional	Permitted
Warehousing, storage, and distribution facilities (provided that the distribution function is ancillary to the warehousing/storage function on the property)	Permitted*	Permitted
Wearing Apparel Manufacture	Permitted	Permitted
Woodworking and wood products manufacture	Permitted	Permitted

\* - caveat associated with proposed use is not included within I District use list