

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


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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: June 6, 2016 (B of T) Date: June 16, 2016

TITLE: PC 16-09; 345 & 435 W. Roosevelt Road (Bradford/Mariano's)

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner (Bradford Lombard 1 LLC) requests that the Village take the following actions on the subject property located within the B4A and B4APD Roosevelt Road Corridor Planned Development District:

1. Repeal Ordinance 6099 in its entirety, which established a conditional use for a planned development with companion conditional uses for motor vehicle repair and outdoor display and sales of materials along with deviations for wall signage;
2. Approve a conditional use for a new planned development with the following companion conditional uses and variations, as follows:
 - a. A conditional use pursuant to Section 155.208 (C) of the Lombard Zoning Ordinance to increase the maximum number of principal structures on a lot-of-record from one (1) to two (2) to allow for a gasoline sales facility;
 - b. A conditional use pursuant to Section 155.417 (G)(2)(a)(2) of the Lombard Zoning Ordinance for gasoline sales;
 - c. A conditional use pursuant to Section 155.417 (G)(2)(a)(4) of the Lombard Zoning Ordinance for outside display and sales of products the sale of which is a permitted or conditional use in this district;
 - d. A conditional use pursuant to Section 155.417 (G)(2)(b)(6) of the Lombard Zoning Ordinance for a drive-through establishment/services;
 - e. A variation from Section 155.417 (G)(10)(c) of the Lombard Zoning Ordinance to not fully screen loading berths from a public street;

- f. A variation from Section 155.708 (A) to not require foundation landscaping along the south, west and north perimeter walls;
- g. A variation from Section 155.207 to allow for informational (directional) signage (as provided for in Section 153.218 of the Sign Ordinance) to be located within the defined clear line of sight area.

3. Approval of a Major Plat of Resubdivision

4. Grant site plan approval authority to the Lombard Plan Commission.

The Plan Commission recommended approval of this petition by a vote of 5-0.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____

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: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WH*

DATE: June 16, 2016

SUBJECT: **PC 16-09; Bradford Real Estate/Mariano's 345 and 435 W. Roosevelt Road**

Please find the following items for Village Board consideration as part of the June 16, 2016 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 16-09 and
3. Two Ordinances for consideration:
 - a. An Ordinance repealing Ordinance 6099 in its entirety; and
 - b. An Ordinance granting approval of a new planned development with companion conditional uses and variations, all associated with the proposed Mariano's grocery store.

The Plan Commission recommended approval of this petition by a vote of 5-0, subject to conditions. Please place this petition on the June 16, 2016 Board of Trustees for consideration. As part of the second and final reading of the Ordinance, staff and the petitioner will be bring forward a companion economic incentive agreement for the proposed project, which had previously been recommended for approval in concept by the Economic and Community Development Committee.



VILLAGE OF LOMBARD

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June 16, 2016

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bob Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses 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."

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

**Subject: PC 16-09; 345 & 435 W. Roosevelt Road
(Bradford/Mariano's)**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner (Bradford Lombard 1 LLC) requests that the Village take the following actions on the subject property located within the B4A and B4APD Roosevelt Road Corridor Planned Development District:

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2. Approve a conditional use for a new planned development with the following companion conditional uses and variations, as follows:
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 - c. A conditional use pursuant to Section 155.417 (G)(2)(a)(4) of the Lombard Zoning Ordinance for outside display and sales of products the sale of which is a permitted or conditional use in this district;

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 - f. A variation from Section 155.708 (A) to not require foundation landscaping along the south, west and north perimeter walls;
 - g. A variation from Section 155.207 to allow for informational (directional) signage (as provided for in Section 153.218 of the Sign Ordinance) to be located within the defined clear line of sight area.
3. Approval of a Major Plat of Resubdivision
 4. Grant site plan approval authority to the Lombard Plan Commission.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on May 16, 2016. Sworn in to present the petition was Mr. William J. Heniff, AICP, Director of Community Development, Jennifer Ganser, Assistant Director of Community Development, Ms. Jana Bryant, Private Development Engineer and the petitioners, Jay Eck and Bill Schank of Bradford Real Estate, Dan Ferrell, V.P. of Real Estate for Roundy's Supermarkets, Inc., d/b/a Mariano's, Tracy Richard of Manhard Consulting, LTD., Domenic Pezzuto of Camburas & Theodore Ltd., and Kevin Clark the Landscape Architect.

Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.

Mr. Eck, Principal of Bradford Real Estate, started the presentation with a background of Bradford Real Estate. He said that Bradford Real Estate is a private development company in business for over 25 years. They have developed more than 11 million square feet of retail development throughout the Chicagoland area. They have constructed nine Mariano's grocery stores. He presented the site plan and explained they are proposing to demolish the current Kmart and build a 74,000 square foot Mariano's store. They have incorporated a pharmacy drive thru and a gas station on the northeast corner of the site. There will be over 400 parking spaces. They are going to raise the pad two feet that the store will be built on in order to balance the site and eliminate the ponding issues. Most of the access points will remain the same with a few modifications. On the northeast corner of the property line, they have proposed to IDOT, along with the Village, a new traffic signal for a left in, left out and right out access. The secondary access point adjacent to the Mobil gas station is currently a full access point but they are proposing to IDOT a right in and right out access. He reviewed the proposed wall signage consisting of the shopping center identification, two directional signs and one monument sign.

Mr. Eck then introduced Mr. Ferrell from Mariano's. Mr. Ferrell stated that there are 37 stores in Illinois. All of the Mariano's are different, and they don't do prototypes. He said they show their strength in ground up development. He noted there is a Mariano's in Wheaton, Naperville, Westmont and Elmhurst. He explained that in 2015 Mariano's was acquired by Kroger and that they are still in the transition phase. He referenced the site plan and that the drive thru pharmacy

and gas stations are new for Mariano's. He said one of the goals of Kroger is to incorporate those services into Mariano's so they can provide a one stop shop. They are on pace to open four to five stores a year. Mr. Mariano has created the term "Grocerant" which is a combination of a grocery store and a restaurant. The stores have specialty areas such as wood fired pizza, sushi, gelato, coffee, and quick grab and go foods. He said this encourages customers to dine and stay in the store. He explained that they use recessed receiving docks so there is no outside loading. Sealed compactors are used for the trash and therefore there are no dumpsters.

Mr. Ferrell introduced Mr. Pezzuto, the architect of store. Mr. Pezzuto explained the design firm has created at least 15 stores for Mariano's and that this store is the best design yet. He reviewed the elevations and the materials used on each side. He said the architectural style is modern with classic materials that will stand the test of time. He passed around a materials board for the Commissioner's to review. He noted that the roofs design acts as a screen to hide all of the mechanical equipment. In follow up to staff's request, they are planning to enhance the back of the building with different color brick and textures.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.

Mr. Stephen Chacko said he is the business owner of the Mobil gas station at 435 W. Roosevelt Road. He said he is happy to see a Mariano's but at the same time he is not happy to see another gas station. He said he has seven more years on his lease with Kmart. He said he hopes the Village doesn't allow another fuel center in the same parking lot because he feels it will affect his business.

Mr. Michael Biscan asked what the rationale is for having another fuel station when there is already a fuel center 500 yards to the west.

Mr. Ferrell explained the fuel station is an addition of the grocery store providing a convenience to the customers that Kroger expects. He said that at other Kroger locations there is 3rd party fuel stations located nearby by and both have survived. He stated that is not their intent to go after the fuel stations business.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.

Chairperson Ryan asked for the staff report.

Mr. Heniff, Director of Community Development, presented the staff report, which was submitted to the public record in its entirety.

Mr. Heniff noted that the Village's traffic consultant, Javier Millan from KLOA, Inc., was in the audience to answer any questions relative traffic circulation or possible improvements to Roosevelt and Finley Road. He stated that this petition is for a contract purchase for real estate to raze the vacant Kmart store and re-engineer the site to build a 74,000 square foot Mariano's

grocery store.

Mr. Heniff referenced the Village's Comprehensive Plan and noted that since the Roosevelt Road Corridor Study was done in 2007, this is the largest Planned Development to come forth for the corridor. He said the petitioner is meeting the standards through this redevelopment set forth in the document. The proposal is consistent with these documents as it intends to address a vacant store on a non-conforming property by creating a holistic approach to redevelopment that strengthens the design aesthetic of the corridor. Staff finds the project would be consistent with the Comprehensive Plan's goals and objectives as well as the Roosevelt Road Corridor study.

Mr. Heniff stated that several actions need to be taken or addressed as part of this petition. Ordinance 6099 established a conditional use for a planned development with companion conditional uses for motor vehicle repair and outdoor display and sales of materials along with deviations for wall signage. This action was done in 2007 in an effort to bring the site into code compliance and to address outdoor sales and a proposed ancillary automotive service facility that was going to re-occupy a former auto repair bay that was located within the existing Kmart building. While the auto service use never proceeded, the outdoor sales continued to take place. Given the wholesale nature of the redevelopment, revocation of Ordinance 6099 is deemed to be the most prudent alternative to the project going forward.

In regards to the conditional uses, Mr. Heniff noted that a proposed gas station is to be located on the subject property but was not depicted on the same tract as the grocery store. The proposed gasoline sales facility is to be located within the northeastern portion of the site abutting Roosevelt Road and within the proposed outlot. Specific plans, building elevations and design parameters have not been developed for the gas station to date as the concept is new for Mariano's, but they are seeking the legal rights to advance the concept in the future. As the proposed gasoline sales facility is complimentary to the proposed principal use on the property, staff can support the requested conditional use for gasoline sales. The petitioner would like to secure the right for a new station at this time, with the possibility of corner lot redevelopment at a later date.

Mr. Heniff referred to the conditional use for outside display and sales of products and that the petitioner has identified several locations. Mr. Heniff referenced the elevation diagram highlighting the areas that could be utilized for outside seating and dining activities as well as a point of purchase location where store products and items such as bulk items and plants can be sold. He said that as with several other large retailers within the Village, staff finds that a conditional use for the outside display and sales of products is common and can support such a request. He pointed out the plan also depicts a drive-through lane for pharmacy pick-up purposes. As is common practice with many modern grocery stores with a pharmacy component, Mr. Heniff explained the drive-through element is deemed to be a convenience element associated with this use. As the stacking would only occur on the subject property it would readily accommodate the queuing demand anticipated for the facility, it can be supported.

Regarding the requested variation to not require foundation landscaping along the south, west and north perimeter walls, Mr. Heniff said the aesthetic provision is intended to increase

landscaping around commercial building perimeters. In consideration of the extent of building foundation area that will be occupied by either outside display and sales areas, the pedestrian entrance or the loading dock, staff recognizes the petitioner's desire to provide landscaping in an area where it will have the most noticeable positive aesthetic impact. Additionally, creating foundation landscaping along the south foundation wall would result in a decrease in perimeter landscaping, which is generally deemed to be more valued and supplements the screening activity. In light of these considerations, the relief can be supported.

To address the variation from of the Lombard Zoning Ordinance to not fully screen loading berths from a public street, Mr. Heniff explained the intent is to minimize any structures that can be deemed to be an aesthetic detriment to the site. The proposed loading berth will be situated in a similar manner as the existing locating dock on the vacant Kmart building, which is directly visible to Roosevelt Road. An alternative option would be to place it on the south side of the building, however this location could result in a greater visual and noise impact on the adjacent condominiums. The petitioner noted that the loading dock area will not have any outside trash enclosure activities. Given the existing site constraints, staff can support the relief.

Mr. Heniff addressed the variation to allow for informational (directional) signage. He explained the Sign Ordinance has a conflict between the directional signage requirements which states that they should be located at the entrance driveways. However the clear line of sight provisions limit the height of any structures to no more than two feet in height. For clarity, this request was added to the petition to confirm that the directional signs, that are 4.5 square feet in area, can be placed at the western entrance along Roosevelt Road as well as the north entrance off of Finley Road.

Regarding the Site Plan Review, Mr. Heniff noted that KLOA prepared a Traffic Impact Study for the development. He said the petitioner will be seeking approval from the Illinois Department of Transportation (IDOT) of a new traffic signal to be located along Roosevelt Road at the eastern entrance. This request is currently under review by IDOT. Additionally, the Village is reviewing double left hand turns on the north and south approaches of Finley Road.

In reference to the building materials and elevations, Mr. Heniff said staff recommended that the south elevation, which faces the adjacent residential properties, be modified by breaking up the block mass and integrating other materials. He said the petitioner did note that they are incorporating a second masonry color, banding, and reveals.

Mr. Heniff explained the signage package that was submitted. The proposed wall signage sign does meet code requirements and is consistent with the signage packages commonly found at other Mariano's establishments. Mr. Heniff said that subsequent to the filing, the petitioner has been refining the signage package with Mariano's. They may seek to modify the plan to incorporate the monument sign as a free standing shopping center sign as this would be designed to meet code.

Mr. Heniff said there will be modern parking lot lighting and referenced the light plan exhibit that was included in the packet. He also noted that the total amount of open space will be

between 17% and 19% of the project that will be achieved through site reengineering and landscaping.

In regard to the Plat of Resubdivision, Mr. Heniff said that this is to memorialize the planned development project. The petitioner is seeking approval of a Plat of Resubdivision to create a larger corner lot at the Mobil site, which could provide for future redevelopment. The other outlot is being established to accommodate the other gas station or future retail use. The main parcel will be for the Mariano's lot itself.

Discussing the Site Plan Approval Authority, Mr. Heniff stated that code provides the opportunity for the Plan Commission to review and approve phased development activity associated with planned development so if there are any changes Plan Commission has the authority to ensure that subsequent phases of development are consistent with the intent of the initial approvals.

Mr. Heniff concluded by stating that staff recommends approval of PC 16-09 subject to the seven (7) conditions in the staff report. He noted there was one formal correspondence from Dania Furniture in support of the petition.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Olbrysh stated the construction of the Mariano's would be a positive addition to Lombard. He asked about the parking stating that the store in Wheaton always seems to be packed. He also asked about the square footage of the Wheaton store. Mr. Eck said the Wheaton store is about 72,000 square feet. Commissioner Olbrysh asked if this store is going to have enough parking. Mr. Eck said there would be enough parking. Commissioner Olbrysh asked where would the employee's park. Mr. Ferrell explained the Wheaton store did have some site constraints but that they are very comfortable with the parking ratio at the Lombard store.

Commissioner Olbrysh asked why they changed the location of the loading berth. Mr. Ferrell said they really try to be good neighbors. He explained that this allows the noise to be directed toward Roosevelt Road and since the berths are enclosed, the view from Roosevelt would not be obnoxious. Commissioner Olbrysh stated he was very happy to hear about the regrading and thought it was a very good plan.

Commissioner Burke noted the change in materials of the south wall and that in the report it is mentioned the fuel station would be directed back to the Plan Commission for approval. He said both items should be added to the conditions for approval. Mr. Heniff explained the materials are noted in condition 7(b). Condition six (6) discusses the general site plan approval but for clarity the gas station could be added.

Chairperson Ryan asked about the double turning lanes from Finley Road. He asked if the decision was up to IDOT. Mr. Heniff said that Finley Road is a Village street. KLOA's analysis makes a recommendation to IDOT.

Commissioner Flint asked if the signal on Roosevelt Road would be approved by IDOT. Mr. Heniff explained it is still under review and that they met with IDOT several weeks ago. He said they want to get the matter resolved before the Village Board takes a final action.

Commissioner Sweetser also asked about the traffic signal. Mr. Heniff explained that if the signal is in the conditions of approval, it doesn't necessarily mean that IDOT would approve it. If the signal doesn't get approved it won't preclude the project from moving forward.

Chairperson Ryan asked if there were any other comments, questions or concerns.

Commissioner Mrofcza asked if the Commission should verbalize the changes to be made in conditions five and six.

Commissioner Sweetser said the word "for" should be added to condition five.

Commissioner Burke and Mr. Heniff suggested for condition six adding "subject to final site review and approval by the Plan Commission at such time that the final plans for the outlot development, or any other development on the tract, materializes".

On a motion by Commissioner Sweetser, and a second by Commissioner Olbrysh, the Plan Commission voted 5-0 that the Village Board approve the petition associated with PC 16-09, subject to the following seven (7) conditions:

1. The petitioner shall develop the site in accordance with the plans and material board submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be modified to conform to Village Codes and Ordinances;
2. Any roadway improvements to be undertaken as part of or concurrent with this project shall be based upon the recommendations and permit approval of the roadway maintenance jurisdiction (i.e., IDOT for Roosevelt Road or the Village for Finley Road);
3. Pursuant to the Zoning Ordinance, project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) months from the date of approval if the proposed site improvements are not completed or an extension has been granted;
4. The petitioner shall be required to apply for and receive building permits for any demolition activity or improvements to the subject property;
5. The variation for the clear line of sight area shall be limited to the proposed directional signs, which shall not exceed four feet in height and three feet in monument sign width;

6. Site Plan Approval Authority is granted for the overall planned development, pursuant to Section 155.511 of the Zoning Ordinance subject to final site review and approval by the Plan Commission at such time that the final plans for the outlot development, or any other development on the tract, materializes;
7. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to, the following:
 - a. Final Engineering Plan for review and approval for the proposed site improvements for the project;
 - b. Revising the southern exterior wall to incorporate additional a second masonry color, banding and/or reveals, as to be approved by the Director of Community Development;
 - c. Submittal of a final landscape plan meeting code provisions and essentially in accordance with the preliminary plan; and
 - d. Full Photometric Plan demonstrating compliance with code.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

PC 16-09: BRADFORD REAL ESTATE REDEVELOPMENT

MAY 16, 2016

Title

PC 16-09

Petitioner

Bradford Lombard 1 LLC
30 S. Wacker Dr. Suite 2850
Chicago, IL 60606

Property Owner

Geller Family Trust
737 N. Michigan Av. Suite 2360
Chicago, IL 60611

Property Location

345 & 435 W. Roosevelt Road
(06-19-200-009, -012 and -013)
Trustee District #2

Zoning

B4A and B4A – Roosevelt
Corridor Commercial District
Planned Dev.

Existing Land Uses

Vacant K-Mart building and
accessory parking lot; Mobil gas
station

Comprehensive Plan

Community Commercial

Approval Sought

Repeal of previous PD approval,
Major Plat of Resubdivision, and a
Conditional Use for a planned
development with companion
conditional uses, deviations, and
variations.

Prepared By

William J. Heniff, AICP
Director



DESCRIPTION

Bradford Real Estate, as petitioner, intends to acquire the property to facilitate the redevelopment project, which will consist of razing the existing vacant K-Mart store, re-engineering the site and providing for an approximately 74,000 square foot Mariano's grocery store with the rights for a companion gasoline sales facility. Kroger, the parent company/owner of Mariano's, will secure a long-term lease to occupy the premises.

To facilitate the project, the petitioner is proposing a new planned development with requisite companion relief based upon the submitted plans.

EXISTING CONDITIONS

The subject properties consist of the vacant K-Mart store at 345 W. Roosevelt Road and its corresponding parking lot. For purposes of platting, the companion resubdivision plat will include the existing Mobil gas station at 435 W. Roosevelt Road.

PROJECT STATS

Lot & Bulk

Parcel Size:	10.5 acres
Building Area:	74,000 sq. ft.
Open Space:	Approx. 17% of K-Mart lots

Reqd Setbacks & Lot Dimensions – (in feet)

	Req	Ex	Prop
Front (N):	30	368	367
Corner Side: (W)	30	175	275
Int. Side (E):	10	75	71
Trans. Rear (S):	40	40	50

Parking Spaces

	403 (9 ADA)	5.44
Proposed:	per 1,000 sq. ft. of g.f.a. (4 per 1,000 req.)	

Submittals

1. Petition for a public hearing, submitted April 27, 2016;
2. Response to standards for conditional use for a planned development with companion conditional uses, deviations, and variations (Exhibit B);
3. ALTA Land Title Survey, prepared by Manhard Consulting, dated March 4, 2016
4. Plat of Survey, Prepared by National Survey Service, Inc. August 28, 1998;
5. Proposed Plat of Subdivision, prepared by Manhard Consulting, dated April 22, 2016

cont.

APPROVAL(S) REQUIRED

The development will require the following actions:

1. Repeal Ordinance 6099 in its entirety, which established a conditional use for a planned development with companion conditional uses for motor vehicle repair and outdoor display and sales of materials along with deviations for wall signage;
2. Approve a conditional use for a new planned development with the following companion conditional uses and variations, as follows:
 - a. A conditional use pursuant to Section 155.208 (C) of the Zoning Ordinance to increase the maximum number of principal structures on a lot-of-record from one (1) to two (2) to allow for a gasoline sales facility (*this item can be withdrawn*);
 - b. A conditional use pursuant to Section 155.417 (G)(2)(a)(2) of the Zoning Ordinance for gasoline sales;
 - c. A conditional use pursuant to Section 155.417 (G)(2)(a)(4) of the Zoning Ordinance for outside display and sales of products the sale of which is a permitted or conditional use in this district;
 - d. A conditional use pursuant to Section 155.417 (G)(2)(b)(6) of the Zoning Ordinance for a drive-through establishment/services;
 - e. A variation from Section 155.417 (G)(10)(c) of the Zoning Ordinance to not fully screen loading berths from a public street;
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3. Approval of a Major Plat of Resubdivision
4. Grant site plan approval authority to the Lombard Plan Commission.

Submittals (cont.)

6. Site Dimensional and Paving Plan, prepared by Manhard Consulting, Ltd., dated April 14, 2016;
7. Conceptual Landscape Plan, prepared by Manhard Consulting, Ltd., dated April 13, 2016;
8. Preliminary Building Elevations, prepared by Camburas & Theodore Ltd. revised April 29, 2016;
9. Freestanding Signage Package options, prepared by Doyle Signs, undated.
10. Lighting Standard Exhibit, prepared by WLS Lighting Systems, undated
11. Materials sample board
12. Traffic Study, prepared by KLOA (on behalf of the Village), dated April 22, 2016.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments regarding the project. A full review will be conducted during the building permit review process.

Fire Department:

The Fire Department recommends that any traffic islands that are created as part of the development is constructed with mountable type curb design to improve radius and allow for the largest fire truck apparatus.

Private Engineering Services (PES):

1. Utilities and landscape trees will need to be coordinated during final engineering.
2. Traffic signal and right-of-way improvements on Roosevelt will need to be permitted by IDOT.
3. No stormwater BMPs or detention are required due to development will decrease the impervious coverage on the lot.
4. Additional comments have been or will be provided as part of the preliminary and final engineering review of the project and permit submittal processes.

Public Works:

Public Works states that the private 8-in water main that runs east-west just south of the building has a history of breaking. It is recommended that the Village accept ownership and maintenance responsibility of the water main provided that the petitioner either install a liner within it or replace it, and record a 30-ft wide easement over it.

Planning:

Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B4A	Various retail uses (Cassidy Tire, Subway, Glenbard Auto Body, retail strip center
South	R4	Condominiums
East	B4APD	Heritage Cadillac
West	B4A	Dania Furniture and vacant commercial buildings

The subject property is situated along Roosevelt Road, which historically been utilized for retail commercial and automotive related commercial uses. The site plan was developed in a manner that addresses parking, visibility and design needs of the petitioner while recognizing the existing built environment. The proposed store will be located and oriented similarly to the existing K-Mart store. This orientation will allow the proposed store to be sensitive to the abutting condominiums. This orientation will also increase the prominence of the Roosevelt Road corridor by adding a signature business with a strong aesthetic design component. This approach is in keeping with the planning goals of the Roosevelt Road corridor B4A District and provisions in Section 155.417 (E). By incorporating these elements, which will be further noted, the proposal can be deemed to be compatible with adjacent land uses.

Comprehensive Plan Compatibility

The 2014 update to the Village's Comprehensive Plan incorporated the recommendations of the Roosevelt Road corridor study which was approved by the Village Board in 2007. It also incorporated the recommendations of the Economic Strategies Report of 2011 which sought a multi-phased approach to identify key redevelopment properties in commercial corridors. The proposal would be consistent with these documents as it intends to address a long shuttered store on a non-conforming property by creating a holistic approach to redevelopment that strengthens the design aesthetic of the corridor. It will establish a high visibility retail activity at a key intersection, address an obsolete site and can be a catalyst for future activity that compliments the corridor. Therefore, the project would be consistent with the Comprehensive Plan's goals and objectives.

Zoning Ordinance Compatibility

The following actions that need to be taken or addressed as part of this petition:

Revocation of previous planned development approval

Ordinance 6099 established a conditional use for a planned development with companion conditional uses for motor vehicle repair and outdoor display and sales of materials along with deviations for wall signage. This action was done in 2007 in an effort to bring the site into code compliance and to address outdoor sales and a proposed ancillary automotive service facility (Sears/Penske Auto Repair) that was going to re-occupy former auto repair bays that were located within the existing K-Mart building. While the auto service use never proceeded, the outdoor sales continued to take place. However, since the 2013 closure, the relief has lapsed. As such and given the wholesale nature of the redevelopment, revocation of Ordinance 6099 was deemed to be the most prudent alternative to the project going forward.

Approval of a new Planned Development

Establishment of a conditional use for a new planned development (with companion conditional uses and variations) is deemed to be the proper way to address the redevelopment petition, based upon the new geographical extent of the development (by also incorporating the Mobil gas station site) and to be consistent with Section 155.502(F) of the Zoning Ordinance. The planned development will also be able to address site components in a unified manner to achieve a better design and layout.

A. Planned Development Provisions:

1. *General Standards for a Planned Development*

The subject property was previously subject to a planned development, so reestablishing a new planned development would not be inconsistent with past zoning actions. Pursuant to Section 155.508 (A) of the Lombard Zoning Ordinance, staff finds the petitioner affirmed the general

standards for a planned development, but offers the additional comments. The proposed uses are consistent with the underlying zoning district and the development will incorporate best practices for sanitary sewage and potable water facilities. While additional stormwater detention is not required as part of this redevelopment, the petitioner is provide for additional storm sewer enhancements, curbing and open space, consistent with code provisions. The project is in the public interest in that it will redevelop a site within the Roosevelt Road corridor and recognized as a critical redevelopment area. Further discussion of the traffic impacts of the development will be noted within the KLOA traffic report executive summary.

B. Conditional Uses:

In the initial submittal of the concept plans, the proposed gas station to be located on the subject property was not depicted on the same tract as grocery store. However, a plat of resubdivision was submitted subsequent to the initial filing shows that it will be proposed on a separate outlot. Therefore the conditional use for two separate structures on a lot of record is no longer needed and can be withdrawn from the overall petition.

1. A conditional use pursuant to Section 155.417 (G)(2)(a)(2) of the Zoning Ordinance for gasoline sales;

The proposed gasoline sales facility is to be located within the northeastern portion of the site abutting Roosevelt Road and within the proposed outlot. In Lombard, the Sam's Club approved in 2015 on Butterfield Road also includes a gas station component, and the petitioner's request is similar to past concepts that are commonly developed with grocery store sales. Specific plans, building elevations and design parameters have not been developed for the gas station to date as the concept is new for Mariano's stores, but they are seeking the legal rights to advance the concept in the future.

As the proposed gasoline sales facility is complimentary to the proposed principal use on the property, staff can support the requested conditional use for gasoline sales. While staff recognizes the existing Mobil station to the northwest corner of the site, the petitioner will control both locations upon final site acquisition. However, they would like to secure the right for a new station at this time, with the possibility of corner lot redevelopment at a later date. Staff can conceptually support the concept of an outlot gas station at the proposed location, subject to final site review and approval by the Plan Commission at such time that the final plans for the outlot development, or any other development on the tract, materializes.

2. Conditional use pursuant to Section 155.417 (G)(2)(a)(4) of the Zoning Ordinance for outside display and sales of products the sale of which is a permitted or conditional use in the B4A district.

The petitioner has generally identified the locations for the outside display and sales of products on the site plan as being the area(s) in front of the store on the center walkway and front display areas. This area could be utilized for outside seating/dining activities as well as a point of purchase location where store products and items such as bulk items and plants can be sold. In addition to outside sales around the grocery store, as is typically the practice, the proposed gas station will seek to have outside sales activity commonly associated with fuel dispensing.

As with several other large retailers within the Village, staff finds that a conditional use for the outside display and sales of products is common and can support such a request. However, to

ensure that the outside display and sales areas are appropriately sized and located, staff offers the following considerations:

- a. Outside display and sales areas must not impact pedestrian or vehicular traffic, including automobiles and Fire Department apparatus;
- b. Outside display and sales area must remain ancillary to the principal land use; and
- c. Outside sales and display of product at the gas station shall be located on the fueling islands and at the perimeter of any companion convenience store.

3. *A conditional use pursuant to Section 155.417 (G)(2)(b)(6) of the Lombard Zoning Ordinance for a drive-through establishment / services;*

The plan depicts a drive-through lane for pharmacy pick-up purposes. As is common practice with many modern grocery stores with a pharmacy component, the drive-through element is deemed to be a convenience element associated with this use. As the stacking would only occur on the subject property and that the site plan would readily accommodate the queuing demand anticipated for the facility, it can be supported.

C. Variations:

1. *A variation from Section 155.417 (G)(10)(c) of the Lombard Zoning Ordinance to not fully screen loading berths from a public street;*

The intent of the aforementioned code provision is to minimize the “back of house” elements that can be deemed to be an aesthetic detriment to a site. The proposed loading berth will be situated in a similar manner as the existing locating dock on the vacant K-Mart building, which is directly visible to Roosevelt Road, but slightly blocked by the building itself and the adjacent Heritage Cadillac buildings. In review of the proposed site plan, the siting of the necessary loading dock does pose a challenge. An alternative option would be to place it on the south side of the building, however this location could result in a greater visual and noise impact on the adjacent condominiums. Locating it on the west side of the building would impact the drive through and would also be more visible to Finley Road. The petitioner notes that the loading dock area will not have any outside trash enclosure activities. Given the existing site constraints, staff can support the relief.

2. *A variation from Section 155.708 (A) to not require foundation landscaping along the south, west and north perimeter walls;*

This aesthetic provision is intended to increase landscaping around commercial building perimeters. In consideration of the extent of building foundation area that will be occupied by either outside display and sales areas, the pedestrian entrance or the loading dock, staff recognizes the petitioner’s desire to provide landscaping in an area where it will have the most noticeable positive aesthetic impact. Additionally, creating foundation landscaping along the south foundation wall would result in a decrease in perimeter landscaping, which is generally deemed to be more valued and supplements the screening activity. In light of these considerations, the relief can be supported.

3. *A variation from Section 155.207 to allow for informational (directional) signage (as provided for in Section 153.218 of the Sign Ordinance) to be located within the defined clear line of sight area.*

The sign plan proposes monument directional entrance signs of four feet in height and 4.5 square feet in area. However, the Sign Ordinance does have a conflict between the directional signage requirements which states that they should be located at the entrance driveways. However the clear line of sight provisions limit the height of any structures to no more than two feet in height. As such, this request was added to the petition to confirm that the directional signs can be placed at the western entrance along Roosevelt Road as well as the north entrance off of Finley Road.

All other aspects of the plan submitted to date meet code provisions. The proposed redevelopment plan will meet all building setback and bulk requirements for any new development. While the proposed rear of the property will only include a 20 foot transitional landscape yard (instead of a 30 foot yard), this will be a marked improvement over the zero foot setback that currently exists (a legal non-conforming provision) and will ensure that proper truck circulation can be maintained around the site.

Site Plan Review

A. Access & Circulation – Exterior to Site

The Village's traffic consultant, Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA) was asked to prepare a Traffic Impact Study for the development. The executive summary of the report is attached as Exhibit A. The traffic analysis was primarily focused on the determination if the proposed roadway and traffic control improvements to be implemented in conjunction with the development will be adequate to accommodate future traffic conditions. The petitioner will be seeking approval from the Illinois Department of Transportation (IDOT) of a new traffic signal to be located along Roosevelt Road at the eastern entrance. This request is currently under review by IDOT. With this improvement other companion roadway and signal enhancements are contemplated as part of the Roosevelt Road intersection. Additionally, the driveway access points are also being reviewed to address external access issues.

B. Building Elevations & Materials

The structure is intended to be prototypical of other Mariano's that have been developed in the region. The building will be constructed of masonry brick/block with ancillary glass and metal panels at selected locations. Staff recommends that the proposed south elevation be modified to Regarding the south elevation that faces the adjacent residential properties, can the block mass be broken up by incorporating a second masonry color, banding, reveals or the like. The goal is to break up the long building mass aesthetically that what currently exists on the premises.

C. Signage

The proposed wall signage, consisting of a single identifying sign does meet code requirement and is consistent with the signage packages commonly found at other Mariano's establishments. The petitioner has also submitted two concept freestanding sign packages for consideration. The first plan depicts a single monument sign and directional signs, as discussed earlier. The monument sign is compatible with the building elevations (a desired goal of the B4A District) and would be placed along Roosevelt road. Subsequent to the filing, the petitioner has been refining the signage package with Mariano's. They may seek to modify the plan to incorporate the monument sign as a free standing shopping center sign – this would be designed to meet code.

As a separate item, they may seek an additional outlot monument sign to likely accommodate the proposed fuel center and may have a fuel rate or reader board component. However, the specific components have not been finalized to date. As such, should this concept advance, they will apply for site plan approval for this component, or other outlot relief, as well. But the intent is to ensure that all such signage is consistent with the proposed planned development.

D. Open Space

Section 155.508 (C)(7) of the Lombard Zoning Ordinance requires that planned developments shall provide at least twenty-five percent (25%) more open space than required in the underlying zoning district. The underlying B4A zoning district requires a minimum of ten percent (10%) open space; therefore the planned development is required to provide a minimum of twelve and one-half percent (12.5%) open space. As proposed, the total amount of open space provided will be between 17% and 19% of the project, which will be achieved through site reengineering and landscape island installation. This is a marked improvement of the existing conditions, in which virtually no green space exists on site.

E. Parking Lot Lighting

The petitioner has submitted a concept new parking lot light standard that is intended to be compatible with the building and which will replace the existing light standards. The wall signage will have gooseneck lighting. The perimeter of the building will have external wall packs to provide for lighting to the side and rear of the property. The petitioner will be obligated to issue a final photometric plan showing compliance with the parking lot lighting requirements.

F. Final Parking Lot Plan

The petitioner's initial submittal incorporated a parking lot plan which will include re-grading the northern area of the lot so that it will provide a more level parking field with a lower slope. Through this effort and to ensure that the parking lot design does meet current and future needs, the petitioner submitted an updated parking lot plan that shifts the center drive aisle to the south. Staff finds this adjustment to be consistent with the overall intent of the design and it will allow for a better stacking/queuing lane for vehicles exiting onto Roosevelt Road.

Plat of Resubdivision

The property currently consists of the K-Mart site, the Mobil lot and an assessment lot. The petitioner will be seeking approval of a Plat of Resubdivision to create a larger corner lot at the Mobil site, which could provide for future redevelopment for other retail uses. The other outlot is being established to accommodate the other gas station and/or future retail use. The main parcel will be for the Mariano's lot itself. Upon approval, this plat will be executed immediately prior to or after the sale of the subject property to the petitioner. Any requisite easements will be required as part of a future easement plat of dedication document.

Site Plan Approval Authority

Section 155.511 provides the opportunity for the Plan Commission to review and approve phased development activity associated with planned development and this approach has been frequently utilized to ensure that subsequent phases of development are consistent with the intent of the initial approvals. For this petition, as the existing outlot plans have not been developed to date and given that the existing Mobil gas station outlot could be subject to redevelopment in the future, staff recommends the site plan approval process be utilized for this development.

SITE HISTORY

The original K-Mart building was constructed in the early 1970s and largely remained unchanged since its construction. Since 2000, the properties have been the subject of the following Plan Commission actions:

PC 07-30

Approval of a conditional use for a planned development with companion conditional uses for outside sales of product, an automobile repair use and a deviation for wall signage.

PC 07-40

Conditional use approval for an attendant collection center (AmVets). *(The petitioner has represented to staff that they have not determined the future disposition of this use and activity)*

FINDINGS & RECOMMENDATIONS

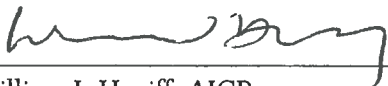
The Inter-Department Review Committee has reviewed the petition for a major plat of resubdivision as well as the standards for the requested revocation of a previous conditional use and granting a new conditional use for a planned development with companion conditional uses and variations and finds that the proposed development **complies** with the standards established by the Village of Lombard Sign and Zoning Ordinances, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 16-09:

Based on the submitted petition and the testimony presented, the proposed revocation of the existing conditional use and granting a new planned development with companion conditional uses, deviations, and variations and finds that the proposed development **complies** with the standards required by the Village of Lombard Sign and Zoning Ordinances and that granting the Conditional Use for a Planned Development with companion conditional uses and variations is in the public interest; and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 16-09, subject to the following conditions:

1. The petitioner shall develop the site in accordance with the plans and material board submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be modified to conform to Village Codes and Ordinances;
2. Any roadway improvements to be undertaken as part of or concurrent with this project shall be based upon the recommendations and permit approval of the roadway maintenance jurisdiction (i.e., IDOT for Roosevelt Road or the Village for Finley Road);
3. Pursuant to the Zoning Ordinance, project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) months from the date of approval if the proposed site improvements are not completed or an extension has been granted;
4. The petitioner shall be required to apply for and receive building permits for any demolition activity or improvements to the subject property;
5. The variation the clear line of sight area shall be limited to the proposed directional signs, which shall not exceed four feet in height and three feet in monument sign width.

6. Site Plan Approval Authority is granted for the overall planned development, pursuant to Section 155.511 of the Zoning Ordinance;
7. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to, the following:
 - a. Final Engineering Plan for review and approval for the proposed site improvements for the project;
 - b. Revising the southern exterior wall to incorporate additional a second masonry color, banding and/or reveals, as to be approved by the Director of Community Development;
 - c. Submittal of a final landscape plan meeting code provisions and essentially in accordance with the preliminary plan; and
 - d. Full Photometric Plan demonstrating compliance with code.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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EXHIBIT A – KLOA TRAFFIC REPORT EXECUTIVE SUMMARY

Kenig, Lindgren, O’Hara, Aboona, Inc. (KLOA, Inc.) conducted a traffic impact study for the proposed Mariano’s grocery store development to be located in the southeast quadrant of the signalized intersection of Roosevelt Road (Illinois Route 38) and Finley Road in Lombard, Illinois. The site was formerly occupied by a K-Mart store.

The plans call to redevelop the site to include a 74,000 square-foot Mariano’s grocery store and a gas station outlot with 16 fueling positions. The development will provide approximately 403 off-street surface parking spaces.

The site is currently served by four access drives: two full access drives on Roosevelt Road, a full access on Finley Road, and a restricted access on Finley Road. In conjunction with the proposed development plan, the existing westerly full access drive on Roosevelt Road will be restricted to right-in/right-out only turning movements. Further, the remaining easterly full access on Roosevelt Road is proposed to be signalized.

Traffic capacity analyses were conducted for the weekday morning, weekday evening, and Saturday midday peak hours for the following three conditions.

1. Existing Condition - Analyzes the capacity of the existing roadway system using existing peak hour traffic volumes in the surrounding area.
2. Year 2025 Base Condition – Analyzes the capacity of the existing roadway system for Year 2025 (no-build) conditions, which includes the existing traffic volumes increased by a regional growth factor of 1.8 percent (approximately 0.2 percent per year for nine years) and the traffic to be generated by a proposed residential development approximately on Finley Road, south of the proposed development.
3. Year 2025 Total Projected Condition - The total projected traffic volumes include the Year 2025 Base Condition and the traffic estimated to be generated by the proposed subject development.

The following summarizes the proposed roadway and traffic control improvements that are to be completed in conjunction with the subject development.

Finley Road and Roosevelt Road (IL 38)

- Provide dual left-turn lanes on the north and south approaches of Finley Road.
- Extend the storage length for the westbound to southbound left-turn lane.
- Widen Roosevelt Road to accept the northbound and southbound left-turn movements.
- Modify the traffic signal to accommodate the dual left-turn movements (i.e. protected-only phasing).

Main Street and Roosevelt Road

- Modify the signal timings to allocate additional green time to the eastbound Roosevelt Road to northbound Main Street left-turn movement.

Main Access and Roosevelt Road

- Access drive will provide one inbound lane and two outbound lanes striped for an exclusive left-turn lane and an exclusive right-turn lane.
- Via restriping, provide a westbound left-turn lane on Roosevelt Road.
- On Roosevelt Road, provide an eastbound right-turn lane.
- Signalize the intersection
- Provide westbound left-turn protected-permissive phasing on Roosevelt Road.
- Provide right-turn overlap phases for the eastbound right-turn movement on Roosevelt Road and the northbound right-turn movement on the access drive.
- Interconnect and optimize the intersection offsets with the existing traffic signal interconnect system network along Roosevelt Road.

Restricted Access and Roosevelt Road

- Restrict this existing full access drive (the westerly access drive serving the site) to right-in/right-out turning movements only.
- Provide an eastbound right-turn lane on Roosevelt Road.

Full Access and Finley Road

- Access drive will continue to provide one lane inbound and one lane outbound under stop sign control.
- No roadway improvements are needed or recommended on Finley Road.

Restricted Access and Finley Road

- Because of the barrier median on Finley Road, turning movements at this existing access drive will continue to be restricted to right-in/right-out only.
- The access drive will continue to provide one lane inbound and one lane outbound under stop sign control.
- A northbound right-turn lane is not needed or recommended at this access drive.

Capacity analyses for future conditions show that these improvements will effectively mitigate the traffic impact from the proposed development in addition to mitigating the traffic impact associated with regional growth in the area unattributed to any specific planned development.

A traffic signal is proposed and recommended at the intersection of Roosevelt Road and the proposed full access on Roosevelt Road based on the following.

- Traffic volume threshold warrants are met for Warrant 1B (8-Hour Volume).
- The traffic simulations (SimTraffic) show that with the proposed roadway improvements there is sufficient reserve capacity on Roosevelt Road between Finley Road and the proposed signalized access so that traffic exiting from the proposed access desiring to travel westbound on Roosevelt Road will be able to exit onto westbound Roosevelt Road.

- The traffic simulation also shows that the eastbound through traffic on Roosevelt Road will not extend to Finley Road. Similarly, the westbound through traffic on Roosevelt Road will not extend to Main Street. Further, the simulation shows that any eastbound or westbound queuing at the proposed signal will typically clear by the next green phase.
- The traffic signal is necessary in order to provide adequate access to the proposed development and will also help effectively platoon the traffic flow along Roosevelt Road helping to establish gaps in traffic that will benefit the neighboring access drives along Roosevelt Road that are under stop sign control.

EXHIBIT B – APPLICATION WITH PROJECT NARRATIVE AND RESPONSE TO STANDARDS

--- ATTACHED ---

**STANDARDS
FOR PLANNED DEVELOPMENTS**

The following is an excerpt from the Lombard Zoning Ordinance. A detailed response to all of these standards should be provided for all requests for Planned Developments.

SECTION 155.508 (A) (B) (C) OF THE LOMBARD ZONING ORDINANCE

Except as provided below, no planned development shall be approved unless the Village Plan Commission and the Village Board find that the development meets the standards for conditional uses, and the standards set forth in this Section. Notwithstanding the foregoing, the Village Board may approve a planned development which does not comply with these standards or with the standards for conditional use, if the Board finds that the application of such standards, to the development being considered, would not be in the public interest.

A. General Standards

1. Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located. **RESPONSE: The proposed development is in general compliance with the regulations of the district.**
2. Community sanitary sewage and potable water facilities connected to a central system are provided. **RESPONSE: Yes**
3. The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site. **RESPONSE: The proposed fuel station and drive-through operation are not contrary to the objective of the Comprehensive Plan. In accordance with the Comprehensive Plan, the fuel station and drive-through will strengthen the Roosevelt Road Corridor by providing convenient services to Mariano's customers. Additionally, the fuel station will help ensure tax revenues for gasoline sales remain in the Village of Lombard instead of neighboring municipalities.**
4. That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance. **RESPONSE: the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.**
5. That the streets have been designed to avoid:

- a. Inconvenient or unsafe access to the planned development; **RESPONSE: Yes, The site plan and project have been designed with a number of access points that are safe and convenient to the community**
- b. Traffic congestion in the streets which adjoin the planned development; **RESPONSE: traffic will be see a minimal increase due to the proposed development. Both Roosevelt and Findlay are major thoroughfares in the area**
- c. An excessive burden on public parks, recreation areas, schools, and other public facilities which serve or are proposed to serve the planned development. **RESPONSE: There will not be a burden on parks, recreational areas and schools do to the redevelopment of this retail project**

B. Standards for Planned Developments with Use Exceptions

The ordinance approving the Final Development Plan for the planned development may provide for uses in the planned development not allowed in the underlying district, provided the following conditions are met:

- 1. Proposed use exceptions enhance the quality of the planned development and are compatible with the primary uses. **RESPONSE: Yes, the proposed use of a grocery store and fuel station will be consistent with the corridor and will be an improvement on the current vacant building**
- 2. Proposed use exceptions are not of a nature, nor are located, so as to create a detrimental influence in the surrounding properties. **RESPONSE: The proposed site plan is such that it the proposed buildings are setback from the property line and will not be a detrimental influence to the surrounding properties.**
- 3. Proposed use exceptions shall not represent more than 40% of the site area or more than 40% of the total floor area, whichever is less. However, in a residential planned development area no more than 10% of the site area or the total floor area shall be devoted to commercial use; furthermore, no industrial use shall be permitted. **RESPONSE: Noted**

C. Standards for Planned Developments with Deviations

The Village Board may approve planned developments which do not comply with the requirements of the underlying district regulations governing lot area, lot width, bulk regulations, parking and sign regulations, or which require

modification of the subdivision design standards when such approval is necessary to achieve the objectives of the proposed planned development, but only when the Board finds such exceptions are consistent with the following standards:

1. Any reduction in the requirements of this Ordinance is in the public interest **RESPONSE: The proposed re-development will be a benefit to the public in providing a grocery store and get a vacant piece of property back benefiting the community.**
2. The proposed deviations would not adversely impact the value or use of any other property. **RESPONSE: The proposed deviations will not impact the value of the other properties in the area but will can be a catalyst to future development in the area**
3. That such deviations are solely for the purpose of promoting better development which will be beneficial to the residents or occupants of the planned development as well as those of the surrounding properties **RESPONSE: The proposed deviations will not impact the value of the other properties in the area but will can be a catalyst to future development in the area**
4. That the overall floor area of the planned development shall not exceed by more than 40% the maximum floor area permitted for the individual uses in each applicable district **RESPONSE: Noted**
5. That in residential planned developments the maximum number of dwelling units allowed shall not exceed by more than 40% the number of dwelling units permitted in the underlying district **RESPONSE: Noted**
6. That all buildings are located within the planned development in such a way as to dissipate any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to the following:
 - a. The front, side or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning district(s) or the zoning district underlying the subject site, whichever is greater. **RESPONSE: The setbacks will not be less than that required in abutting zoning districts. The parking lot setback or greenspace will be the same as the existing property.**
 - b. All transitional yards and transitional landscape yards of the underlying zoning district are complied with. **RESPONSE: While the majority of the landscape yards have been increased from the existing condition**

we would like to reserve the rights to maintain the existing landscape yards

c. If required transitional yards and transitional landscape yards are not adequate to protect the privacy and enjoyment of property adjacent to the development, the Plan Commission shall recommend either or both of the following requirements:

- 1) All structures located on the perimeter of the planned development must set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses; **RESPONSE: The proposed building are currently setback a more then adequate distance to minimize impact on the neighboring properties**
- 2) All structures located along the entire perimeter of the planned development must be permanently screened with sight-proof screening in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses. **RESPONSE: vegetation and greenspace has been provided to screen the proposed Grocery store from the properties to the south and east**

7. That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district.
RESPONSE: The existing greenspace (pervious surface) is 0.41% or 1,600 SF. The proposed greenspace will be +/- 71,000 SF or 20% of the area

**STANDARDS
FOR CONDITIONAL USES**

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all conditional uses of the Lombard Zoning Ordinance.

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; **RESPONSE: The sale of gasoline and drive-through operations will not be detrimental to public health, safety, morals, comfort, or general welfare. The fuel center will have licensed gasoline dispensing and safety systems and will be operated in a professional manner. Accesses have been designed in such a way as to eliminate congestion in the parking areas as well as on Roosevelt and Finley Roads. See offsite plans and Traffic Impact Study, as prepared by KLOA. The drive-through will have its own dedicated lane, which will not interfere with the movements of other customers near the western parking area. The aesthetics of the fuel center and drive-through shall match the proposed Mariano's building and will be improved with landscaping as appropriate.**

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; **RESPONSE: The sale of gasoline and drive-through operations 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. Both the fuel station and drive-through are not adjacent to residential areas so as to not impact property values.**

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; **RESPONSE: The sale of gasoline and drive-through operations will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the B4APD District. All surrounding properties are currently developed and improved. The addition of a fuel station only serves to bolster development in the area, as surrounding properties include auto sales and service centers. The existing Mobil station is proposed to be**

demolished, therefore the construction of a new fuel station will not impede existing developments.

4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided; **RESPONSE: The proposed fuel station and drive-through operation will have the adequate public utilities, access roads, drainage, and/or necessary facilities. The drainage of both areas will be tied into the proposed drainage and storm sewer system of the overall Mariano's development. Utilities necessary for the drive-through shall be tied in directly to the Mariano's Fresh Market. Utilities necessary to the fuel station shall be tied in to the proposed utility improvements for the Mariano's Fresh Market.**

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; **RESPONSE: The proposed fuel station and drive-through operation will have adequate measures to minimize traffic congestion in public streets. The Primary ingress to the fuel center will be the Mariano's eastern access drive. Additional access exists from the Mariano's northern parking lot drives. These access points shall not cause congestion in the public right-of-way. The drive-through will be situated adjacent to the western building wall with a dedicated drive-through lane. This dedicated lane will have adequate stacking to prevent congestion in this area of the parking lot.**

6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and, **RESPONSE: The proposed fuel station and drive-through operation are not contrary to the objective of the Comprehensive Plan. In accordance with the Comprehensive Plan, the fuel station and drive-through will strengthen the Roosevelt Road Corridor by providing convenient services to Mariano's customers. Additionally, the fuel station will help ensure tax revenues for gasoline sales remain in the Village of Lombard instead of neighboring municipalities.**

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. **RESPONSE: The sale of gasoline and drive-through operations, in all other respects, conform to the applicable regulations of the B4APD District, except for any deviations that may be approved by the Village due to the recommendations of the Plan Commission. The fuel center and drive-through will directly serve consumers and support the permitted uses of the Mariano's.**

STANDARDS FOR VARIATIONS

of the Lombard Zoning Ordinance and Lombard Sign Ordinance

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all variations of the Lombard Zoning Ordinance and Lombard Sign Ordinance.

SECTION 155.103.C.7 OF THE LOMBARD ZONING ORDINANCE:

The regulations of this ordinance shall not be varied unless findings based on the evidence presented are made in each specific case that affirms each of the following standards:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied. **RESPONSE: Incorporating 3 truck docks, foundation landscaping, and a 30' transitional yard would result in hardship to the owner due to current site constraints. Mariano's uses prototypical truck dock layouts and the current site design cannot fit a third truck dock, nor would it be necessary for day-to-day operations of the grocery store. The existing 10' buffer behind the K-Mart building is to be increased to 20'. The existing trees are proposed to remain and the additional 10' of landscape will be heavily landscaped to improve the existing screening. The current site plan maximizes the available space to provide client parking that Mariano's is confident the store will require during peak hours, while still increasing screening behind the building. By pushing the store 10' north to allow a 30' buffer, necessary parking will be lost. Foundation landscaping will not be feasible for this development, as the rear of the building is a heavy-duty truck drive, the eastern wall borders a truck dock, the north side includes the main entrance points and walkway for customers, and the western wall abuts the proposed drive-through operation area. In order to still include landscaping in front of the proposed building façade, planter boxes in the customer walkway are proposed.**

2. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification. **RESPONSE: Not incorporating 3 truck docks, a 30' buffer and foundation landscaping are unique to this Mariano's development and are not generally applicable to other properties in the B4APD District. Daily operations for Mariano's do not necessitate the use of 3 truck docks. The proposed Mariano's prototype runs efficiently with 2 docks, due to the detailed delivery schedule of truck loads. The development of the Mariano's is a re-development of the existing K-Mart. In order to use existing driveway accesses and meet existing grades, the general layout and store placement must remain. Foundation landscaping will not be possible on the proposed building due to truck drives and customer access points. Planters will be used in lieu of foundation landscaping.**

3. The purpose of the variation is not based primarily upon a desire to increase financial gain. **RESPONSE: The purpose of exemption for loading dock, 30' buffer and foundation landscape requirements is not based primarily upon a desire to increase financial gain. Incorporating a third truck dock would be unnecessary for the daily operations of the Mariano's and would require additional screening between adjacent properties. The buffer requirement would alter the existing layout of the property that Mariano's is trying to maintain, while eliminating necessary parking. Foundation landscaping exemption is based on the necessary store layout, as outlined in the above responses.**

4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property. **RESPONSE: These hardships have not be created by any person presently having an interest in the property.**

5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located. **RESPONSE: The granting of these variances will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, as providing only two truck docks reduces the amount of screening necessary, the buffer between the proposed Mariano's and adjacent property the south is being improved, and planters are an adequate substitute for foundation plantings.**

6. The granting of the variation will not alter the essential character of the neighborhood; and, **RESPONSE: The granting of these variances will not alter the essential character of the neighborhood. It's Mariano's goal to be aesthetically pleasing to costumers to encourage a positive shopping experience.**

7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood. **RESPONSE: The proposed variances will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood. All public welfare will be heeded in the overall development.**

DANIA

FURNITURE CO.

May 4, 2016

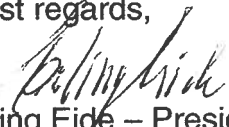
Village of Lombard
Community Development Department
255 East Wilson Avenue
Lombard, IL 60148

We have received the Notice of a Public Hearing dated April 27, 2016 for a scheduled meeting on May 16, 2016. This hearing is in regards to the approval of a use permit for a 74,000 sq. ft. Mariano's grocery store at the K-Mart location.

We have seen how Mariano's rejuvenated the area around our Northbrook store recently in the Chicagoland market. Because of this we have benefited from increased foot traffic and visibility. This has given us the opportunity to pursue making improvements to our store.

We believe Mariano's would be a great improvement to Roosevelt Road and strongly support this development.

Best regards,


Erling Eide – President
Dania Furniture Company


Thomas Eide – Manager
Lombard Property LLC

515 W. Roosevelt Road, Lombard, IL
06-19-100-015

1210 Finley Road, Lombard, IL
06-19-100-025

505 W. Roosevelt Rd., Lombard
06-19-100-029

ORDINANCE NO. _____

**AN ORDINANCE GRANTING CONDITIONAL USE APPROVAL FOR A
PLANNED DEVELOPMENT WITH COMPANION CONDITIONAL USES
AND VARIATIONS FROM THE LOMBARD SIGN AND ZONING
ORDINANCES**

(PC 16-09: 345 & 435 W. Roosevelt Road, Mariano's)

(See also Ordinance No(s). _____)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and, the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a planned development with companion conditional uses and variations from the Lombard Sign Ordinance (Title 15, Chapter 153 of the Village Code) and Zoning Ordinance (Title 15, Chapter 155 of the Village Code) as set forth in Section 1 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on May 16, 2016 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 for a planned development with companion conditional uses and variations described herein; 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 for a planned development with the following companion conditional uses and variations from the Lombard Sign and Zoning

Ordinances as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

1. Approve a conditional use for a new planned development with the following companion conditional uses and variations, as follows:
 - a. A conditional use pursuant to Section 155.208 (C) of the Lombard Zoning Ordinance to increase the maximum number of principal structures on a lot-of-record from one (1) to two (2) to allow for a gasoline sales facility;
 - b. A conditional use pursuant to Section 155.417 (G)(2)(a)(2) of the Lombard Zoning Ordinance for gasoline sales;
 - c. A conditional use pursuant to Section 155.417 (G)(2)(a)(4) of the Lombard Zoning Ordinance for outside display and sales of products the sale of which is a permitted or conditional use in this district;
 - d. A conditional use pursuant to Section 155.417 (G)(2)(b)(6) of the Lombard Zoning Ordinance for a drive-through establishment/services;
 - e. A variation from Section 155.417 (G)(10)(c) of the Lombard Zoning Ordinance to not fully screen loading berths from a public street;
 - f. A variation from Section 155.708 (A) to not require foundation landscaping along the south, west and north perimeter walls;
 - g. A variation from Section 155.207 to allow for informational (directional) signage (as provided for in Section 153.218 of the Sign Ordinance) to be located within the defined clear line of sight area.

2. Approval of a Preliminary Major Plat of Resubdivision

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 345 & 435 W. Roosevelt Road, Lombard, Illinois, and legally described as follows:

LOT 1 AND 2 OF MOBIL'S ROOSEVELT AND FINLEY SUBDIVISION OF THE NORTH 700.0 FEET OF THE WEST 770.00 FEET, AS MEASURED ON THE WEST AND NORTH LINES THEREOF, OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THEREFROM THAT PART DEDICATED FOR PUBLIC ROADS BY INSTRUMENT RECORDED AS DOCUMENT R67-30910 AND ALSO EXCEPT THAT PART TAKEN BY CONDEMNATION IN CASE 86ED77) ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 27, 1990 AS DOCUMENT R90-24288, IN DUPAGE COUNTY, ILLINOIS.

435 W. Roosevelt Road; 06-19-200-009
345 W. Roosevelt Road; 06-19-200-012 & 013

SECTION 3: This Ordinance is approved subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans and material board submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be modified to conform to Village Codes and Ordinances;
2. Any roadway improvements to be undertaken as part of or concurrent with this project shall be based upon the recommendations and permit approval of the roadway maintenance jurisdiction (i.e., IDOT for Roosevelt Road or the Village for Finley Road);
3. Pursuant to the Zoning Ordinance, project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board. This conditional use approval shall become null and void eighteen (18) months from the date of approval if the proposed site improvements are not completed or an extension has been granted;
4. The petitioner shall be required to apply for and receive building permits for any demolition activity or improvements to the subject property;
5. The variation for the clear line of sight requirements shall be limited to the proposed directional signs, which shall not exceed four feet in height and three feet in monument sign width.
6. Site Plan Approval Authority to the Plan Commission is granted for the overall planned development, pursuant to Section 155.511 of the Zoning Ordinance, and shall be applied at such time that the final plans for the outlot development, or any other development on the Subject Property, materializes.
7. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to, the following:

- a. Final Engineering Plan for review and approval for the proposed site improvements for the project;
- b. Revising the southern exterior wall to incorporate additional a second masonry color, banding and/or reveals, as to be approved by the Director of Community Development;
- c. Submittal of a final landscape plan meeting code provisions and essentially in accordance with the preliminary plan; and
- d. Full Photometric Plan demonstrating compliance with code.

SECTION 4: 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 _____, 2016.

Passed on second reading this _____ day of _____, 2016, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2016.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Ordinance No. _____
Re: PC 16-09
Page 5

Published in pamphlet from this _____ day of _____, 2016.

Sharon Kuderna, Village Clerk

ORDINANCE NO. _____

AN ORDINANCE REPEALING IN THE ENTIRETY ORDINANCE 6099 WHICH GRANTED A CONDITIONAL USE FOR A PLANNED DEVELOPMENT WITH DEVIATIONS FOR WALL SIGNAGE AND CONDITIONAL USES FOR A MOTOR VEHICLE SERVICE ESTABLISHMENT AND FOR OUTDOOR DISPLAY AND SALES OF PRODUCTS, LOCATED AT 345 W. ROOSEVELT ROAD, LOMBARD, ILLINOIS

PC 16-09: 345 W. Roosevelt Road

WHEREAS, on October 18, 2007, the President and Board of Trustees adopted Ordinance 6099 approving a conditional use for a planned development with a deviation to allow for more than one wall sign per street frontage, along with a conditional use for a motor vehicle service establishment and a conditional use to allow for outdoor display and sales of products for the property commonly known as 345 W. Roosevelt Road (collectively the "Property"), legally described in Section 1 below; and

WHEREAS, as part of a companion request and petition for redevelopment of the Property, an application has been made to repeal the past zoning actions set forth within Ordinance 6099 in its entirety; and

WHEREAS, a public hearing on the application has been conducted by the Village of Lombard Plan Commission on May 16, 2016, 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 repealing of Ordinance 6099 concurrent with the establishment of a new planned development; 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 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 Ordinance 6099 is hereby repealed in their entirety, and is null and void, for the Property legally described below:

Lot 2 of Mobil's Roosevelt and Finley Subdivision, being a subdivision in the west ½ of the northeast ¼ of Section 19, Township 39 North, Range 11 east of the Third Principal Meridian, according to the plat recorded on February 27, 1990 as document R1990-024288, in DuPage County, Illinois.

Ordinance No. _____
Re: PC 16-09; 345 W. Roosevelt Road
Page 2

Parcel Numbers: 06-19-200-012 and 013

SECTION 2: The repealed Ordinance shall no longer be in full force and effect from and after this passage and approval as provided by law.

Passed on first reading this _____ day of _____, 2016.

First reading waived by action of the Board of Trustees this _____ day of _____, 2016.

Passed on second reading this _____ day of _____, 2016.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2016.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published this _____ day of _____, 2016.

Sharon Kuderna, Village Clerk