

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

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

**TO :** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott R. Niehaus, Village Manager

**DATE :** October 23, 2020    **(BOT) Date:** November 5, 2020

**SUBJECT:** PC 20-24, 980 N. DuPage Avenue – Conditional use for a learning center/athletic training center

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development 

**BACKGROUND/POLICY IMPLICATIONS:**

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a zoning conditional use pursuant to Section 155.420(C)(18) of the Lombard Village Code to allow for a learning center/athletic training center to operate on the subject property located within the Industrial District

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the November 5, 2020, Board of Trustees agenda with a waiver of first reading requested by the petitioner.

**Fiscal Impact/Funding Source:**

Review (as necessary):

Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ 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*

**MEETING DATE:** November 5, 2020

**SUBJECT:** **PC 20-24, 980 N. DuPage Avenue – Conditional use for a learning center/athletic training center**

Please find the following items for Village Board consideration as part of the November 5, 2020, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 20-24; and
3. An Ordinance granting approval of a conditional use for a property located at 980 N. DuPage Avenue.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the November 5, 2020, Board of Trustees agenda with a waiver of first reading requested by the petitioner.



## VILLAGE OF LOMBARD

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November 5, 2020

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Anthony Puccio, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Andrew Honig, Dist. 4  
Daniel Militello, 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 20-24, 980 N. DuPage Avenue**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a zoning conditional use pursuant to Section 155.420(C)(18) of the Lombard Village Code to allow for a learning center/athletic training center to operate on the subject property located within the Industrial District.

The Plan Commission conducted a public hearing on October 19, 2020. Pursuant to Governor Pritzker's Executive Order No. 2020-07, as extended by Executive Orders 2020-18, 2020-33, 2020-39, 2020-44, 2020-52, 2020-55 and 2020-59 and pursuant to Public Act 101-040 which suspends the requirement of the Illinois Open Meetings Act requiring in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, multiple members of the Plan Commission participated in the meeting through a virtual meeting platform.

Sworn in to present the petition were: Jennifer Ganser, Assistant Director of Community Development; and Joe Phalen, the petitioner.

Vice-Chair Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Mr. Phalen stated that he is applying for a conditional use to open an athletic training center. He noted that he already owns another gym in Des Plaines. This would be a second location. Mr. Phalen summarized

Wayne Gregory and his partners' credentials and philosophy of training.

Vice-Chair Flint asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner proposes to operate an athletic training facility for boxing in the Limited Industrial Zoning District. The business would be considered a learning center which is listed as a conditional use. Staff has reviewed the petition and does not believe the proposed use will create any undue impacts on neighboring properties. The learning center is similar to other learning centers that have been approved in the Industrial district. Staff finds the petition meets the standards for conditional uses and recommends approval of the petition.

Vice-Chair Flint asked if staff had received any comment from members of the public prior to the meeting. Ms. Ganser said no public comment had been received.

Vice-Chair Flint opened the meeting for comments among the Commissioners.

Commissioner Burke said he had no comments and supports the petition.

Commissioner Sweetser noted that according to the materials submitted that there will be classes at 4:30 pm for children and requested the end time of the class and how many participates and if there will be difference in operation when COVID is over. Mr. Phalen responded that the club is private and open to all that are interested and the application process involves a one on one interview with a coach. All participants have their temperatures checked upon entering the facility and the activities involved are inherently six feet or more apart. The training space is approximately 4,200 square feet which allows for 15 trainees.

Commissioner Giuliano had no questions or comments.

Commissioner Johnston had no questions or comments.

Commissioner Walker had no questions or comments.

On a motion by Commissioner Burke, and a second by Commissioner Johnston, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 20-24, subject to the following four (4) conditions:

1. The conditional use permit for a learning center/indoor athletic training facility is exclusively for the tenant space at 980 N. DuPage Avenue. Any expansion of the establishment within the existing building beyond the plans submitted as part of PC 20-24 shall require an amendment to the conditional use;
2. All business activity associated with the indoor athletic facility shall be conducted within the existing building;

3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the learning center is not established by said date, this relief shall be deemed null and void.

Respectfully,

**VILLAGE OF LOMBARD**

Steve Flint, Vice-Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A  
LEARNING CENTER PURSUANT TO TITLE 15, CHAPTER 155,  
SECTION 155.420(C)(18) OF THE LOMBARD ZONING  
ORDINANCE**

PC 20-24; 980 N. DuPage Avenue

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

WHEREAS, the Subject Property as defined below is zoned I Limited Industrial District Planned Development; and,

WHEREAS, an application has been filed requesting approval for a conditional use pursuant to Section 155.420(C)(18) of the Lombard Zoning Ordinance to allow a learning center (indoor athletic facility); and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on October 19, 2020, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional use, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions 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 the following conditional use for learning center (indoor athletic facility) is hereby granted for the Subject Property legally described in Section 2 and subject to the conditions set forth in Section 3.

SECTION 2: That this Ordinance is limited and restricted to the property located at 980 N. DuPage Avenue, Lombard, Illinois and legally described as follows:

LOTS 1 THROUGH 6 IN PARKWAY WEST SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 03-31-403-027; (the “Subject Property”).

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The conditional use permit for a learning center (indoor athletic training facility) is exclusively for the tenant spaces at 980 N. DuPage Avenue. Any expansion of the establishment within the existing building beyond the plans submitted as part of PC 20-24 shall require an amendment to the conditional use;
2. All business activity associated with the indoor athletic facility shall be conducted within the existing building;
3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the learning center is not established by said date, this relief shall be deemed null and void.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2020.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2020.

Ordinance No. \_\_\_\_\_  
Re: PC 20-24  
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Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2020.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Keith Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk