

INTER-DEPARTMENTAL REVIEW GROUP REPORT

HEARING DATE: March 24, 2008

PREPARED BY: Michael S. Toth
Planner I

TITLE

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

GENERAL INFORMATION

Petitioner: Rob Szczypka
European Auto Exchange
250 Highview
Elmhurst, IL 60126

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

Status of Petitioner: Tenant Pursuant to Leasehold Interest

PROPERTY INFORMATION

Existing Zoning: B4 Corridor Commercial Shopping District

Existing Land Use: Vacant, One-Story Building (formerly Village Green Antiques)

Size of Property: Approximately 51,191 Square Feet / 1.175 Acres

Comprehensive Plan: Community Commercial

Surrounding Zoning and Land Use:

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

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

ANALYSIS

SUBMITTALS

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

1. Petition for Public Hearing.
2. Standards for Conditional Use, dated February 20, 2008.
3. Site Plan prepared by KB Partnership, dated February 19, 2008.
4. Landscape Plan prepared by KB Partnership, dated February 19, 2008.

DESCRIPTION

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

INTER-DEPARTMTAL REVIEW COMMENTS

PUBLIC WORKS

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

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

ENGINEERING

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

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

BUILDING AND FIRE

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

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

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

PLANNING

Compliance with the Zoning Ordinance

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

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

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

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

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

Lighting

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

Parking

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

Signage

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

Compatibility with the Comprehensive Plan

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

Compatibility with Surrounding Land Uses

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

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

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

Compliance with the Subdivision and Development Ordinance

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

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

FINDINGS AND RECOMMENDATIONS

Staff has reviewed the petitioner's standards for conditional uses and concurs that the petition meets the standards set forth within the Zoning Ordinance. Staff believes that the proposed use is compatible with the surrounding zoning and land uses and is appropriate for the site. Additionally, the improvements will enhance the site and bring the property into closer compliance with Code requirements. Based on the above the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Plan commission as the findings of the Inter-departmental Review Report and recommend to the Corporate Authorities **approval** of PC 08-05, subject to the following conditions:

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

2. The petitioner shall apply for and receive a building permit for all improvements to be constructed on the subject property. Said permit(s) shall satisfactorily address all building, fire and stormwater comments set forth within the IDRC Report.
3. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the five (5) lots and the vacated alley into one lot.
4. The petitioner shall submit a final photometric plan showing that the existing or any proposed lighting complies with the Zoning Ordinance.
5. A solid fence of no less than six feet (6') and no greater than eight feet (8') in height shall be maintained along the northern property line.
6. The petitioner shall erect a *no left turn* sign at the access drive for vehicles exiting the property to LaLonde Avenue.
7. The petitioner shall limit the number of unregistered vehicles on the lot to a maximum of seventy (70) cars. Each car shall be permitted on the lot for a period of no more than six (6) months. A log of the unregistered vehicles with dates of arrival to the lot must be kept on site at all times, with access to the log by an employee of the Community Development Department of the Village of Lombard permitted at any time during business hours.
8. Any violation of the provisions set forth within the approved conditional use may result in a revocation of the Conditional Use for the property.

Inter-Departmental Review Group Report Approved By:

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

DAH:WJH

att
c. Petitioner