

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: William T. Lichter, Village Manager  
DATE: April 24, 2007 (BOT) Date: May 3, 2007  
TITLE: PC 07-13: Text Amendments to the Lombard Zoning Ordinance (Dry Cleaning Establishments)

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

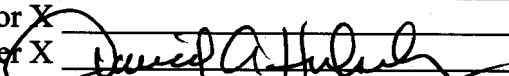
Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests a text amendment to Section 155.412 (B)(15) of the Lombard Zoning Ordinance (and any other sections for clarity) amending the list of requirements that must be met in order to operate dry cleaning and laundry establishments that have on-site processing of dry cleaning.

The Plan Commission recommended approval of this petition.

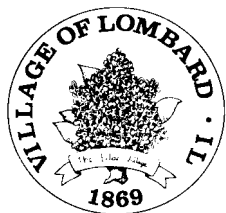
The petitioner is requesting a waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):


Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X  \_\_\_\_\_ Date 4/25/07

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** William T. Lichter, Village Manager

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

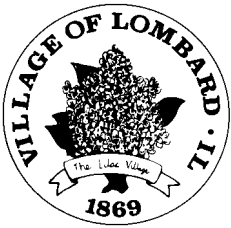
**DATE:** May 3, 2007

**SUBJECT:** **PC 07-13: Text Amendment to the Zoning Ordinance – Dry Cleaning Establishment Regulations**

Attached please find the following items for Village Board consideration as part of the May 3, 2007 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 07-13;
3. An Ordinance granting approval of text amendments amending the list of requirements necessary to perform dry-cleaning activities within the business districts.

The petitioner requests a waiver of first reading of the associated ordinance.



## VILLAGE OF LOMBARD

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May 3, 2007

**Village President**  
William J. Mueller

**Village Clerk**  
Brigitte O'Brien

### Trustees

Greg Alan Gron, Dist. 1  
Richard J. Tross, Dist. 2  
John "Jack" T. O'Brien, Dist. 3  
Steven D. Sebby, Dist. 4  
Kenneth M. Florey, Dist. 5  
Rick Soderstrom, Dist. 6

**Village Manager**  
William T. Lichter

Mr. William J. Mueller,  
Village President, and  
Board of Trustees  
Village of Lombard

### **Subject: PC 07-13: Text Amendment to the Lombard Zoning Ordinance – Dry-Cleaning Establishment Regulations**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a text amendment to Section 155.412 (B)(15) the Lombard Zoning Ordinance (and any other sections for clarity) amending the list of requirements that must be met in order to operate dry-cleaning and laundry establishments that have on-site processing of dry-cleaning.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 16, 2007. Matthew Klein, 72 Burlington Avenue, LaGrange, attorney for the petitioner, CD One-Price Cleaners, presented the petition.

“Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life.”

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

His client is proposing to locate a dry-cleaning establishment within Lombard. He noted that in 2002, his client was before the Plan Commission seeking approval of text amendments pertaining to dry-cleaning establishments (PC 02-19). He noted that they are seeking a further modification of the 2002 approved amendments as it pertains to the permitted number of dry-cleaning machines allowed on a site. He noted that his client intends to meet the provisions of the Lombard Zoning Ordinance but they are seeking an amendment to allow for more than one dry-cleaning machine on the premises, which is the maximum number allowed by the Ordinance.

He noted that his client is seeking to install three to four machines, but the proposed machines would be smaller than those that are currently permitted by right. The intent is to allow for smaller units that use significantly less solvents than those machines that were even considered a few years ago.

He then described the proposed machines. In addition to using less solvent, the machines do not use perchloroethylene (commonly referred to as perc) in their processing. The proposed solvent, BR2000, is a hydrocarbon solvent with fewer associated environmental problems. He concluded his presentation by stating that the staff report concisely summarizes what they are proposing.

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

William Heniff, Senior Planner, referenced the IDRC report being submitted to the public record in its entirety. He stated the petitioner proposes to open a new dry-cleaning establishment with an on-site plant. Village Code allows for dry-cleaning establishments with on-site processing within the B1 and hence all other Business Districts, but subject to provisions. The petitioner is now seeking alternative language pertaining to the permitted number of dry-cleaning processing units. The intent of their request is to allow for more than one unit on a site in order to allow for smaller, more environmentally friendly units, to be located within their proposed establishment.

Noting the IDRC comments, the Fire Department received a copy of the petitioner's literature pertaining to Synthetic Hydrocarbon Fluid for dry-cleaning units and is reviewing the material. This fluid type is generally considered to be more environmentally friendly than perchloroethylene, but can create an additional fire/safety concern. They will review the petitioner's data sheets and will determine the additional measures that will be needed as part of a building permit review.

The 2002 amendments allows for on-site processing in the business districts, subject to provisions. The petitioner stated that the intent of their request is not to provide for additional units as a means to increase the overall amount of processing that can be done of a site. Rather, it is to provide for an alternate type of dry-cleaning unit that is significantly smaller in size and allows for greater flexibility in their operations. The smaller units would be more environmentally efficient than one large unit. Also, the number of units in operation could be modified to fit their dry-cleaning operating needs at a given time.

Environmental regulations and technological innovations within the dry-cleaning industry are also rapidly occurring. Many new establishments are moving away from traditional perchloroethylene units. In their place, synthetic hydrocarbon fluid units are being introduced into the market, which are more environmentally friendly. The smaller units use proportionately less cleaning fluid as well.

He then discussed the text amendment that will strike the number of units permitted on a site and replaces it with the maximum operating capacity of all units on the site, capping the basket capacity at 200 pounds. Staff supports the amendment.

Chairperson Ryan then opened the meeting for discussion among the Commissioners. The Commissioners had no comments on the petition.

May 3, 2007

PC 07-13

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After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed text amendment complies with the standards of the Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, **approval** of the petition associated with PC 07-13.

Respectfully,

**VILLAGE OF LOMBARD**

A handwritten signature in black ink, appearing to read "Donald Ryan". The signature is fluid and cursive, with a large initial "D" and "R".

Donald Ryan, Chairperson  
Lombard Plan Commission

att-

c      Petitioner  
        Lombard Plan Commission

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

TO: Lombard Plan Commission

HEARING DATE: April 16, 2007

FROM: Department of  
Community Development

PREPARED BY: William Heniff, AICP  
Senior Planner

**TITLE**

**PC 07-13; Text Amendment to the Lombard Zoning Ordinance:** The petitioner requests a text amendment to Section 155.412 (B)(15) the Lombard Zoning Ordinance (and any other sections for clarity) amending the list of requirements that must be met in order to operate dry cleaning and laundry establishments that have on-site processing of dry cleaning.

**GENERAL INFORMATION**

Petitioner: CD One Price Cleaners  
c/o Matthew Klein, Attorney  
322 West Burlington  
LaGrange, IL 60525

**ANALYSIS**

**SUBMITTALS**

This report is based on the following documents filed on March 22, 2007 with the Department of Community Development:

1. Petition for Public Hearing with Standards for Text Amendments
2. Supplemental Information for Fire Department regarding proposed dry-cleaning equipment

**DESCRIPTION**

The petitioner, CD One Price Cleaners, is proposing to locate a new dry cleaning establishment with an on-site plant within the Village. Village Code allows for dry-cleaning establishments with on-site processing within the B1 and hence all other Business Districts, but subject to provisions. The petitioner, who also brought forward a text amendment in 2002 (PC 02-19)

relative to the same issue is now seeking alternative language within the Zoning Ordinance pertaining to the number of dry cleaning processing units that are permitted within an establishment. The intent of their request is to allow for more than one unit on a site in order to allow for smaller, more environmentally friendly units, to be located within their proposed business establishment. Since the Zoning Ordinance as currently written would not allow for more than one unit, regardless of its capacity or size, the petitioner is requesting an additional amendment.

Please note that while the text amendment is requested to allow for the use on the subject property, any text amendment would be applicable to all properties within the same zoning classification.

## **INTER-DEPARTMENTAL REVIEW COMMENTS**

### **ENGINEERING**

#### **Private Engineering**

From an engineering or construction perspective, the Private Engineering Services Division has no comments.

### **BUILDING AND FIRE**

The Fire Department has received a copy of the petitioner's literature pertaining to Synthetic Hydrocarbon Fluid for dry cleaning units and is reviewing the material. This fluid type is generally considered to be more environmentally friendly than perchloroethylene, but can create an additional fire/safety concern. The Fire Department will review the petitioner's material specification data sheets and any other supplemental information and will denote what additional measure that will need to be taken as part of a building permit review.

### **PLANNING**

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

Section 155.412 (B)(15) of the Zoning Ordinance, the B1 permitted use provisions, reads as follows:

15. Dry cleaning establishments for the cleaning and pressing of dry goods, as follows:

- a) Receiving stations, processing to be done elsewhere,
- b) Dry cleaning establishments, including processing, provided that all of the following requirements are met:
  - 1) That the dry cleaning use shall be a service retail use and shall not consist of the processing of garments from other dry cleaning establishments.
  - 2) That no more than one (1) dry cleaning machine is permitted.
  - 3) That the dry cleaning process shall only use solvents approved by the Fire Department.
  - 4) That all activities associated with the dry cleaning establishment shall be operated per the Illinois Environmental Protection Agency regulations.

Currently the Zoning Ordinance permits dry-cleaning drop off receiving stations within the B1, and hence all other Business Districts, provided that processing of the garments is done elsewhere. The 2002 amendments, as noted in subsection b above, also allows for on-site processing, subject to four provisions.

The petitioner is requesting a text amendment to subsection (b)(2) above to allow for more than one processing unit on a particular site. The petitioner has stated that the intent of the text amendment is not to provide for additional units as a means to increase the overall amount of processing that can be done of a site. Rather, their intent is to provide for an alternate type of dry cleaning processing unit that is significantly smaller in size and allows for greater flexibility in their operations. Moreover, the smaller units would be more environmentally efficient than one large unit – the number of units in operation at one time could be modified to fit their current dry cleaning operating needs at a given time.

The petitioner notes that environmental regulations and technological innovations within the dry cleaning industry are also rapidly occurring. Many new establishments are moving away from traditional perchloroethylene units. In their place, synthetic hydrocarbon fluid units are being introduced into the market, which are more environmentally friendly. The smaller units use proportionately less cleaning fluid as well.

#### Survey of Other Municipalities

The majority of neighboring communities do allow for on-site processing in at least one of their business/commercial districts. Several municipalities permit the dry cleaning activity subject to provisions. These caveats tend to either cross reference with other code regulations or restrict the overall size or functions of the establishment.

Staff believes that the processing element should be the primary factor that is regulated, versus the number of people employed by the establishment. As such, staff can support a modification



to the Village provisions provided that the initial intent of the regulation to cap the overall amount of processing on a given site is maintained. As such, staff suggests that the cap should be placed on the total basket capacity of all units on the premises rather than the general number of units on the site.

### **Proposed Text Amendments**

The following are the proposed text amendments for the Zoning Ordinance and Code of Ordinances. **Proposed changes to the ordinance are denoted by striking out old text and underlining new text.**

## **SECTION 4: ZONING DISTRICTS**

### **155.412 B1 LIMITED NEIGHBORHOOD SHOPPING DISTRICT REQUIREMENTS**

#### **B. Permitted Uses**

- (15) Dry cleaning establishments for the cleaning and pressing of dry goods, as follows:
- a) Receiving stations, processing to be done elsewhere.
  - b) Dry cleaning establishments, including processing, provided that all of the following requirements are met:
    - 1) That the establishment shall be a retail use and shall only consist of the cleaning of items directly brought in by the garment owner.
    - 2) That ~~no more than one (1) dry cleaning machine is permitted~~ the total basket capacity of all units on the premises, as established by the manufacturer of the respective dry cleaning machine, shall not exceed 200 pounds.
    - 3) That the dry cleaning process shall be a closed self-contained system.
    - 4) That the dry cleaning process shall only use solvents approved by the Fire Department.
    - 5) That all waste products shall be disposed of by a waste hauler licensed by the Illinois Environmental Protection Agency.

## **FINDINGS AND RECOMMENDATIONS**

Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of the request as proposed:

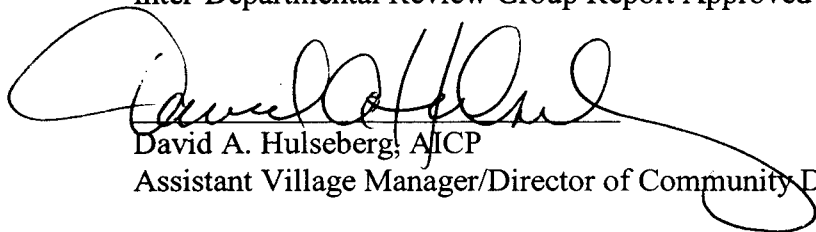
Based on the submitted petition and the testimony presented, the proposed text amendment to the Zoning Ordinance plan **does comply** with the Standards required by the Zoning Ordinance. Therefore, I move that the Plan Commission approve PC 07-13.

Plan Commission

Re: PC 07-13

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Inter-Departmental Review Group Report Approved By:

A large, stylized handwritten signature in black ink, appearing to read 'David A. Hulseberg', is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

David A. Hulseberg, AICP

Assistant Village Manager/Director of Community Development

DAH:WJH

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Appendix A

**Survey of Selected DuPage Municipalities' Designation of  
 Dry-Cleaning Establishments in their Zoning Ordinance**

Jurisdiction	Drop off centers in Business Districts	On-site cleaning in Business Districts
Lombard	Permitted	Prohibited
Addison	Permitted	Prohibited
Aurora	Permitted subject to restrictions	<b>Permitted subject to restrictions</b>
Bartlett	Permitted	<b>Permitted</b>
Bensenville	Permitted	Prohibited
Carol Stream	Permitted	Prohibited
Clarendon Hills	Permitted	<b>Permitted</b>
Darien	Permitted	Permitted
Downers Grove	Permitted	<b>Permitted subject to restrictions</b>
Elmhurst	Permitted	<b>Permitted</b>
Glen Ellyn	Permitted	<b>Permitted</b>
Naperville	Permitted subject to employee restrictions	<b>Permitted subject to employee restrictions</b>
Oak Brook	Permitted	<b>Permitted subject to restrictions</b>
Oakbrook Terrace	Permitted	Prohibited
Roselle	Permitted	<b>Permitted subject to conditions</b>
Villa Park	Permitted	Prohibited
West Chicago	Permitted	<b>Permitted</b>
Westmont	Permitted	<b>Permitted</b>
Wheaton	Permitted	<b>Permitted subject to conditions</b>
Winfield	Permitted	<b>Permitted subject to conditions</b>
Woodridge	Permitted subject to employee restrictions	<b>Permitted subject to employee restrictions</b>
DuPage County	Permitted	<b>Permitted subject to restrictions</b>

## Appendix B

### Sample Regulation Standards for Selected DuPage County Municipalities

#### **Aurora**

Drycleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than seven hundred and fifty (750) pounds of dry goods per day, and when using carbon tetrachloride or other similar inflammable solvents approved by the fire department.

#### **Bartlett**

Laundries and dry cleaners, but not a central plant serving other than the premises upon which it is located.

#### **Bensenville**

Dry cleaner and laundry drop off stations and laundromats

#### **Darien**

Dry-cleaning establishments, not including industrial dry-cleaning plants.

#### **Downers Grove**

Dry cleaning establishments when employing facilities for the cleaning and pressing of dry goods for retail trade only conducted on the premises, and when using carbon tetrachloride, perchlorethylene, or other similar nonflammable solvents approved by the Fire Department.

#### **Naperville**

Dry cleaning establishments and laundries employing not more than ten (10) persons.

#### **Oak Brook**

Dry-cleaning and laundry retail establishments; provided that processing, if done on the premises, shall utilize nonexplosive and noninflammable materials, and that such processing shall be limited to service of the principal use.

#### **Roselle**

Dry-cleaning and laundry-receiving establishments with processing done elsewhere; also dry-cleaning establishments, where not more than two thousand five hundred (2,500) square feet of floor area is devoted to processing, exclusive of offices and storage space, and provided said establishments are and can be operated in such manner as to comply with the applicable performance standards set forth

#### **Wheaton**

In C-1 District: Dry cleaners and laundry (with plant if not more than 10 people are employed on the premises); Other commercial districts - permitted

**Winfield**

Dry-cleaning establishments, retail; employing not more than five (5) persons and equipment for dry cleaning not to exceed one unit or thirty (30) pounds' capacity.

**Woodridge**

Dry-cleaning and laundry establishments, employing not more than ten (10) persons.

**DuPage County**

Dry cleaning and laundry establishments, as follows:

- a) Receiving stations, processing to be done elsewhere.
- b) Laundromats.
- c) Dry cleaning and laundry plants, including processing, provided that all of the following requirements are met:
  - 1) That no more than one (1) dry cleaning machine and (1) washing machine are permitted.
  - 2) That the dry cleaning process shall be a closed self-contained system.
  - 3) That all waste products shall be disposed of by a waste hauler licensed by the Illinois Environmental Protection Agency.

## **Cleaners Depot**

### **Application to the Village of Lombard**

1. The proposed amendment is applicable only within Commercial areas where dry cleaning shop is already a permitted use. The amendment would allow use of multiple even smaller state of the art package plant dry cleaning equipment for onsite dry cleaning. New equipment, with closed loop systems using minimal solvent, protect the environment, and reduce delivery truck traffic.
  
2. The proposal is consistent in that it will allow state of the art dry cleaning operation with equipment sized for on-site work only, in locations where dry cleaning is already a permitted use. New equipment uses minimal solvent.
  
3. No non-conformities would be created.
  
4. The proposed amendment would allow state of the art package dry cleaning equipment for on-site dry cleaning in locations where dry cleaning is already permitted. New equipment designed and sized for on-site operation are self contained, closed systems, which are controlled and sealed to protect the environment. The current proposed equipment uses minimal solvent.
  
5. The proposal is consistent - the business operation of dry cleaners in locations where permitted would remain the same. Delivery truck traffic for pick up and delivery would be reduced.
  
6. The proposal recognizes advances in business operation in the dry cleaning business, and particularly changes in the design, operation and safety of small sized dry cleaning equipment. The new equipment uses much less solvent than new equipment of even two (2) years ago.

**MATTHEW M. KLEIN**  
*Attorney At Law*

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322 West Burlington  
LaGrange, Illinois 60525  
(708) 354-8840 fax (708) 354-8850  
MMK131@aol.com  
April 20, 2007

William J. Heniff  
Village of Lombard  
255 E. Wilson Ave  
Lombard, IL 60148-3931

Re: CD One Price Cleaners  
PC 07-13

Dear Mr. Heniff:

Thank you for your letter advising of the date of Village Board consideration of the CD One Price Cleaners application. At least William Paul and I will be there if there are any questions.

Please consider this letter our request for waiver of the first reading, so that only one meeting at the Village Board is required. We have only a limited time to complete the municipal approval process under our agreement for lease, and our landlord desires to have the shopping center space committed to by CD. Additionally, we have required lead time in obtaining our choice of the equipment using the lower amount of solvent.

CD looks forward to being a valuable commercial member of the Lombard community. Thank you in advance for your consideration of this matter.

Very truly yours,



Matthew M. Klein

cc: William Paul  
CD One Price Cleaners