

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


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: David A. Hulseberg, Village Manager

DATE: July 22, 2009 (BOT) Date: August 20, 2009

TITLE: PC 09-10: 404 East North Avenue

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

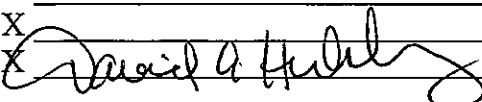
Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The petition requests that the Village grant a conditional use pursuant to Section 155.416(C)(4) and (5) of the Lombard Zoning Ordinance to allow automobile service and automobile repair in the B4 Corridor Commercial Shopping District. (DISTRICT #4)

The Plan Commission recommended approval of this petition with amended conditions.

Please place this item on the August 20, 2009 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X  \_\_\_\_\_ Date 7/31/09

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:** David A. Hulseberg, Village Manager

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

**DATE:** August 20, 2009

**SUBJECT:** PC 09-10: 404 East North Avenue

Attached please find the following items for Village Board consideration as part of the August 20, 2009 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 09-10;
3. An Ordinance granting conditional uses pursuant to Section 155.416(C)(4) and (5) of the Lombard Zoning Ordinance to allow automobile service and automobile repair in the B4 Corridor Commercial Shopping District, and;
4. Plans and exhibits associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition.





## VILLAGE OF LOMBARD

255 E. Wilson Ave.  
Lombard, Illinois 60148-3931  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org

**Village President**  
William J. Mueller

**Village Clerk**  
Brigitte O'Brien

**Trustees**  
Greg Alan Gron, Dist. 1  
Richard J. Tross, Dist. 2  
Zachary C. Wilson, Dist. 3  
Dana L. Moreau, Dist. 4  
Laura A. Fitzpatrick, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
David A. Hulseberg

August 20, 2009

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

**Subject: PC 09-10: 404 East North Avenue**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant conditional uses pursuant to Section 155.416(C)(4) and (5) of the Lombard Zoning Ordinance to allow automobile service and automobile repair in the B4 Corridor Commercial Shopping District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 20, 2009.

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

Robert Labno, 404 E. North Avenue, presented the petition. He stated that they are currently trying to improve their business by adding a service area. He is present to ask for permission to open a service area. He stated that he did not have much else to say but that he would answer any questions.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

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

Suzanne Gagliano, 2N130 LaLonde Avenue, stated that since the two dealerships opened up they use her street as drag strip. She has seen cars going more than 25 mph and has called the police. She is concerned about the safety of children in the neighborhood. They don't have sidewalks because they are incorporated. She stated that she has asked the dealerships to stop but they have not. A few weeks ago, the police caught one employee driving without a driver's license. She stated that she would like the block capped off if necessary. She is worried that a service area would bring more traffic. She stated that she is just asking that they don't test drive cars in the neighborhood anymore.

Charles Marston, 2N040 LaLonde Avenue, stated that he had basically the same things to say. He stated that he has been down to confront them and has gotten no satisfaction. He stated that he lives close to the place and that they fix racing cars and the cars have no mufflers. At 10 p.m., they are firing them up and

this wakes him up. He has called the Sherriff's Office and because it's a low priority call they are shut down by the time they arrive. He asked if the Plan Commission had received their letters.

Chairperson Ryan stated yes.

Mr. Labno responded to their concerns. Regarding driving in the street, they do not have a problem with the street being blocked. It is an open street, but he admits the issues with fast cars in the area in the past. He stated that they are now under new management so he can't be sure what happened before. However, the issue has been addressed. He also mentioned that another dealership is across the street so there could be traffic generated from the other shop. He admitted that it is a small street with no sidewalks. He has heard that people have gone over the speed limit. He mentioned that the service area would be entered from Grace Street so there would be no need for anyone to go up the street.

Mr. Labno stated that the noise from the shop would be the same as any mechanic shop when working on cars. He stated that those living by North Avenue hear heavy traffic with loud trucks. He stated that they will try to limit such noise to before 9 p.m. and try to minimize other noise.

Chairperson Ryan ask if the business hours were until 9 p.m. Mr. Lando stated that the business closes at 9 p.m. but occasionally there could be a customer finalizing a deal. However, there is no need for them to race cars up and down the block. Most customers would want to go on North Avenue or the expressway and take a faster route.

Chairperson Ryan asked if the shop is under new ownership. Mr. Lando stated that the ownership is the same but they are under new management.

Chairperson Ryan then requested the staff report.

Stuart Moynihan, Associate Planner, presented the staff report. The petitioner is currently the operator of an automobile dealership at 404 E. North Avenue. The motor vehicle sales use was approved as a conditional use by Ordinance 6161 (PC 08-05) in October 2008. In a letter submitted during the staff review of PC 08-05, European Auto Exchange stated that no oil changes or major mechanical work would occur on the premises and that all major repair and body work would be done at another facility. Since that time, European Auto Exchange has performed some automotive service and minor repairs at the 404 E. North Avenue facility. To perform these services a vehicle lift has been installed within the building on the subject property. Therefore, staff informed the petitioner that conditional uses for automobile service and automobile repair would be necessary.

Conditional uses for the subject property were approved in March 1999 (PC 99-06 Ordinance 4599) and in November 2000 (PC 00-46, Ordinance 4907) for motor vehicle sales. However, since the approval was not acted upon within twelve months, the conditional use became null and void. In October of 2008, the current occupant of the property received a conditional use through PC 08-05 for motor vehicle sales.

On March 19, 2009, a Bureau of Inspection Services (BIS) inspector discovered that a vehicle lift had been installed inside the garage door at the northern side of building. The inspector was informed that the lift was being used for oil changes and minor vehicle service. As no permit had been issued, BIS notified European Auto Exchange that a permit was necessary for the lift.

Following the inspection, BIS notified Planning Services staff of the use of the lift. As the Zoning Ordinance lists automobile service and automobile repair as conditional uses in the B4 District, staff contacted the petitioner informing them that a conditional use for automobile service is required. The petitioner also acknowledged that some minor vehicle repairs were being performed at the facility. Staff informed the petitioner that this would require a second conditional use for automobile repair. The petitioner has since applied for a permit for the lift.

The petitioner is proposing to service vehicles which are for sale on the lot and to service vehicles which have been sold and are under warranty. In addition, the petitioner has requested that they be permitted to service race cars which are sponsored by European Auto Exchange and are a hobby of the business owner.

As part of PC 08-05, the petitioner submitted a site plan and landscape plan which did not accurately reflect the features and dimensions of the property. The inaccuracies included a depiction of greater parkway width along North Avenue than is present at the site and a strip of grass approximately twelve feet (12') in width located along the northern property line that is not present at the site. Approximately one hundred feet (100') of this strip, beginning at the northeastern corner of the property and extending westward, is in fact asphalt parking. As a corrective measure, the petitioner has submitted a new landscape plan which accurately depicts the property.

The Comprehensive Plan recommends Community Commercial at this location. As the use on the property will remain commercial retail with an added service component, the proposed use complies with the recommendation of the Comprehensive Plan.

Staff notes that the service and repair of race cars is not representative of a commercial operation on the property. It is the opinion of staff that service and repair of automobiles should be limited to vehicles for sale by European Auto Exchange and the personal automobiles of their customers. Therefore, staff is not supportive of the petitioner's request to service and repair race cars on the subject property.

The proposed use is compatible with the surrounding land uses. The properties to the east, south, and west are zoned B4 or B4PD and are development for commercial purposes. The residential properties north of the site are screened by an eight-foot (8') board on board fence and will be further screened by the plantings to be installed by the petitioner along the northern property line.

As a condition of PC 08-05, the petitioner was required to install a "no left turn" sign on the LaLonde Avenue driveway, in order to prevent vehicles from being test driven within the adjacent residential neighborhood to the north. This sign has been installed on the property. Still, staff has received two letters from property owners to the north which express concern about test drives occurring within the residential neighborhood. It is the opinion of staff that

should the Plan Commission make a motion for approval of this petition it should include a condition which expressly prohibits test drives in the residential neighborhood to the north.

As a condition of PC 08-05, the petitioner was required to submit a Plat of Consolidation to make the subject property a single lot of record. The petitioner has submitted the plat and received comments for revisions. To date, the petitioner has not submitted a final copy of the plat for recording.

The conditions in PC 08-05 also required the petitioner to install sidewalks along all surrounding public rights-of-way for the length of the property. The Subdivision and Development Ordinance requires that these sidewalks be installed. Currently, only one sidewalk exists along North Avenue. Grace Street and LaLonde Avenue currently have no improved sidewalks. Staff is working with the petitioner to develop plans for the installation of the remaining sidewalks.

Staff is recommending approval of the petition subject to the conditions in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Olbrysh stated that the big issue is the vehicles being driven for testing purposes. He stated that one of the conditions in the staff report prohibits this. He mentioned that test driving in the parking lot should also be considered. However, this will only partially resolve the issue because of the other dealership across the street. He stated that there is nothing we can do with the other dealership. He stated that he assumed that both dealerships are using that circle to test cars. He stated that the neighborhood won't be free of this issue unless speed bumps are installed on LaLonde.

Commissioner Sweetser stated that she agreed and that the issue needs to be dealt with.

Christopher Stilling stated that the area to the north is unincorporated.

Commissioner Sweetser asked if the street could be blocked off or if this would be up to the County.

Mr. Stilling stated that the street and properties to the north are not within our ultimate planning jurisdiction. He stated that it was unlikely that the Village could initiate speed bumps being installed. Residents would need to approach the township but the Village cannot perform the work.

Commissioner Sweetser stated that 9 p.m. sounds reasonable for noise and there should be no repairs sounds after 9 p.m.

Chairperson Ryan suggested adding a ninth condition.

Commissioner Olbrysh stated that condition 3 should include the parking lot as part of the condition.



Commissioner Sweetser stated that she would like to direct staff to work with the County or Township. She asked how they would monitor the impact on the neighborhood.

Mr. Stilling stated that condition 5 states that the conditional use can be revoked if the conditions of approval are not followed. The residents will let us know so we can be proactive.

On a motion by Commissioner Olbrysh and a second by Commissioner Sweetser, the Plan Commission voted 4 to 0 that the Village Board **approve** the petition based on the finding that the petitioner had met the required Standards as set forth in the Zoning Ordinance.

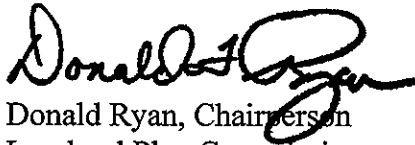
Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission and recommend to the Corporate Authorities **approval** of PC 09-10, subject to the following amended conditions:

1. The subject property shall be developed in substantial compliance with the site and landscape plans prepared by KB Partnership, dated May 19, 2009 and submitted as part of this petition, except as they may be changed to conform with to Village codes and the following conditions below.
2. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the five (5) lots and the vacated alley into one lot no later than three (3) months from the approval of the ordinance.
3. Vehicles from the subject property which are for sale, being serviced, or being repaired shall not be driven for testing purposes in the residential neighborhood north of the subject property or within the parking lot on the subject property.
4. The conditional uses for automobile service and automobile repair shall be limited to vehicles for sale by European Auto Exchange and the personal automobiles of their customers.
5. Any violation of the provisions set forth within the approved conditional use may result in a revocation of the Conditional Use for the property.
6. As part of the approval, the petitioner shall also address all comments included within the IDRC Report.
7. The petitioner shall address all Private Engineering Services punch list items as outlined in the May 13, 2009 letter including the installation of the sidewalk along Grace Street and Lalonde Avenue in a manner acceptable to the Director of Community Development no later than three (3) months form the approval of the ordinance.

8. All conditions associated with Ordinance 6161 (PC 08-05) shall remain in full force and effect.
9. No automobile service or automobile repair shall occur on the subject property later than 9 p.m.

Respectfully,

**VILLAGE OF LOMBARD**



Donald Ryan, Chairperson  
Lombard Plan Commission

c. Petitioner  
Lombard Plan Commission

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

TO: Lombard Plan Commission                      HEARING DATE: July 20, 2009

FROM: Department of                                      PREPARED BY: Stuart Moynihan  
          Community Development                                      Associate Planner

**TITLE**

**PC 09-10; 404 East North Avenue:** The petitioner requests that the Village grant conditional uses pursuant to Section 155.416(C)(4) and (5) of the Lombard Zoning Ordinance to allow automobile service and automobile repair in the B4 Corridor Commercial Shopping District.

**GENERAL INFORMATION**

Petitioner:                                      European Auto Exchange  
    404 East North Avenue  
    Lombard, IL 60148

Property Owner:                                      G & W Partners  
    125 North Halsted Street  
    Suite 203  
    Chicago, IL 60661

**PROPERTY INFORMATION**

Existing Zoning:                                      B4 Corridor Commercial Shopping District

Existing Land Use:                                      One-Story Building and parking lot used for motor vehicle sales

Size of Property:                                      Approximately 1.16 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; formerly 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: B4PD 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 April 13, 2009 and May 11, 2009:

1. Petition for Public Hearing.
2. Standards for Conditional Use prepared by the petitioner, undated.
3. Plan prepared by the petitioner which shows the location of existing vehicle lift, undated.
4. Site plan, prepared by KB Partnership, dated May 19, 2009.
5. Revised landscape plan, prepared by KB Partnership, dated May 19, 2009.

### DESCRIPTION

The petitioner is currently the operator of an automobile dealership at 404 E. North Avenue. The motor vehicle sales use was approved as a conditional use by Ordinance 6161 (PC 08-05) in October 2008. In a letter submitted during the staff review of PC 08-05, European Auto Exchange stated that no oil changes or major mechanical work would occur on the premises and that all major repair and body work would be done at another facility. Since that time, European Auto Exchange has performed some automotive service and minor repairs at the 404 E. North Avenue facility. To perform these services a vehicle lift has been installed within the building on the subject property. Therefore, staff informed the petitioner that conditional uses for automobile service and automobile repair would be necessary. The petitioner has not proposed any interior or exterior construction as part of this petition.

## **INTER-DEPARTMENTAL REVIEW COMMENTS**

### **PUBLIC WORKS**

Public Works has reviewed the petition and has no comments.

### **PRIVATE ENGINEERING**

The PES Division of Community Development has the following comments on the above petition:

- 1) Public sidewalk was previously required under the last zoning relief provided to the property and has yet to be completed. Additionally, there are some minor punch list items yet to be addressed from other site work related to the property.
- 2) The current business is functioning under a conditional Certificate of Occupancy. The business shall obtain a full CO.

### **BUILDING AND FIRE**

Upon review of the above referenced request for conditional use for automobile servicing and repair, along with sales offices already in place, the Fire Department/Bureau of Inspectional Services has the following comments:

- 1) The location has a car repair lift installed in the rear portion of the facility, which was installed without a permit. They applied for the lift permit on 6/1/09. We are waiting for the electrician's license and certificate of insurance.
- 2) The rear space that is to be used for servicing and repair is already equipped with a floor drain that connects to a triple basin grease interceptor as required by code.
- 3) The access door between the sales area and the rear portion of the facility has a wooden door on rollers. This door needs to be replaced with a metal rated door to separate the two types of occupancy usage.
- 4) The fire department sprinkler equipment in the front of the facility in the southeast corner needs to have a barricade placed around equipment in order to keep people away from it and also to deter any vehicles from accidentally hitting the lines. The owner indicated he was aware of the problem, but has of yet to install the barricade.

### **PLANNING**

#### **Zoning History**

Conditional uses for the subject property were approved in March 1999 (PC 99-06 Ordinance 4599) and in November 2000 (PC 00-46, Ordinance 4907) for motor vehicle sales. However, since the approval was not acted upon within twelve months, the conditional use became null and void. In

October of 2008, the current occupant of the property received a conditional use through PC 08-05 for motor vehicle sales.

On March 19, 2009, a Bureau of Inspection Services (BIS) inspector discovered that a vehicle lift had been installed inside the garage door at the northern side of building. The inspector was informed that the lift was being used for oil changes and minor vehicle service. As no permit had been issued, BIS notified European Auto Exchange that a permit was necessary for the lift.

Following the inspection, BIS notified Planning Services staff of the use of the lift. As the Zoning Ordinance lists automobile service and automobile repair as conditional uses in the B4 District, staff contacted the petitioner informing them that a conditional use for automobile service is required. The petitioner also acknowledged that some minor vehicle repairs were being performed at the facility. Staff informed the petitioner that this would require a second conditional use for automobile repair. The petitioner has since applied for a permit for the lift.

**Compliance with the Zoning Ordinance**

European Auto Exchange is proposing to perform automobile service and automobile repair from the garage area in the building on the site. The petitioner is proposing to service vehicles which are for sale on the lot and to service vehicles which have been sold and are under warranty. In addition, the petitioner has requested that they be permitted to service race cars which are sponsored by European Auto Exchange and are a hobby of the business owner.

Automobile repair and automobile service are distinct uses within the Zoning Ordinance and are defined as follows:

**AUTOMOBILE REPAIR** is the repair of motor vehicles including rebuilding, reconditioning, replacement, or dismantling of major components such as body, frame, or fender repair or painting. Automobile repair generally consists of work that is more intense and less routine than automobile service and sometimes includes overnight storage of vehicles.

**AUTOMOBILE SERVICE** is the service or maintenance of motor vehicles including the installation of minor components such as lubricants, batteries, tires, and mufflers and the performance of maintenance services such as tune-ups, tire É-X-balancing, and car washes. Automobile services generally do not include activities which require overnight storage of vehicles and specifically do not include body work, painting, or repair of major components.

As part of PC 08-05, the petitioner submitted a site plan and landscape plan which did not accurately reflect the features and dimensions of the property. The inaccuracies included a depiction of greater parkway width along North Avenue than is present at the site and a strip of grass approximately twelve feet (12') in width located along the northern property line that is not present

at the site. Approximately one hundred feet (100') of this strip, beginning at the northeastern corner of the property and extending westward, is in fact asphalt parking.

As a corrective measure, the petitioner has submitted a new landscape plan which accurately depicts the property. This plan was included as part of this petition. The petitioner plans to install twenty-six (26) Emerald Green Thujas (*Arborvitae*) along the northern property line that will provide additional screening.

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

The Comprehensive Plan recommends Community Commercial at this location. As the use on the property will remain commercial retail with an added service component, the proposed use complies with the recommendation of the Comprehensive Plan.

Staff notes that the service and repair of race cars is not representative of a commercial operation on the property. It is the opinion of staff that service and repair of automobiles should be limited to vehicles for sale by European Auto Exchange and the personal automobiles of their customers. Therefore, staff is not supportive of the petitioner's request to service and repair race cars on the subject property.

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

The proposed use is compatible with the surrounding land uses. The properties to the east, south, and west are zoned B4 or B4PD and are development for commercial purposes. The residential properties north of the site are screened by an eight-foot (8') board on board fence and will be further screened by the plantings to be installed by the petitioner along the northern property line. 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 a condition of PC 08-05, the petitioner was required to install a "no left turn" sign on the LaLonde Avenue driveway, in order to prevent vehicles from being test driven within the adjacent residential neighborhood to the north. This sign has been installed on the property. Still, staff has received two letters from property owners to the north which express concern about test drives occurring within the residential neighborhood. It is the opinion of staff that should the Plan Commission make a motion for approval of this petition it should include a condition which expressly prohibits test drives in the residential neighborhood to the north.

#### **Compliance with the Subdivision and Development Ordinance**

As a condition of PC 08-05, the petitioner was required to submit a Plat of Consolidation to make the subject property a single lot of record. The petitioner has submitted the plat and received comments for revisions. To date, the petitioner has not submitted a final copy of the plat for recording.

The conditions in PC 08-05 also required the petitioner to install sidewalks along all surrounding public rights-of-way for the length of the property. The Subdivision and Development Ordinance requires that these sidewalks be installed. Currently, only one sidewalk exists along North Avenue. Grace Street and LaLonde Avenue currently have no improved sidewalks. Staff is working with the petitioner to develop plans for the installation of the remaining sidewalks. Staff notes that a pile of gravel has been dumped near the northwest corner of the subject property. The petitioner has stated that European Auto Exchange intends to use this gravel as the base for the sidewalk.

## **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. 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 09-10, 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 May 19, 2009 and submitted as part of this petition, except as they may be changed to conform with to Village codes and the following conditions below.
2. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the five (5) lots and the vacated alley into one lot no later than three (3) months from the approval of the ordinance.
3. Vehicles from the subject property which are for sale, being serviced, or being repaired shall not be driven for testing purposes in the residential neighborhood north of the subject property.
4. The conditional uses for automobile service and automobile repair shall be limited to vehicles for sale by European Auto Exchange and the personal automobiles of their customers.
5. Any violation of the provisions set forth within the approved conditional use may result in a revocation of the Conditional Use for the property.



Plan Commission

Re: PC 09-10

Page 7

6. As part of the approval, the petitioner shall also address all comments included within the IDRC Report.
7. The petitioner shall address all Private Engineering Services punch list items as outlined in the May 13, 2009 letter including the installation of the sidewalk along Grace Street and Lalonde Avenue in a manner acceptable to the Director of Community Development no later than three (3) months form the approval of the ordinance.
8. All conditions associated with Ordinance 6161 (PC 08-05) shall remain in full force and effect.

Inter-Departmental Review Group Report Approved By:



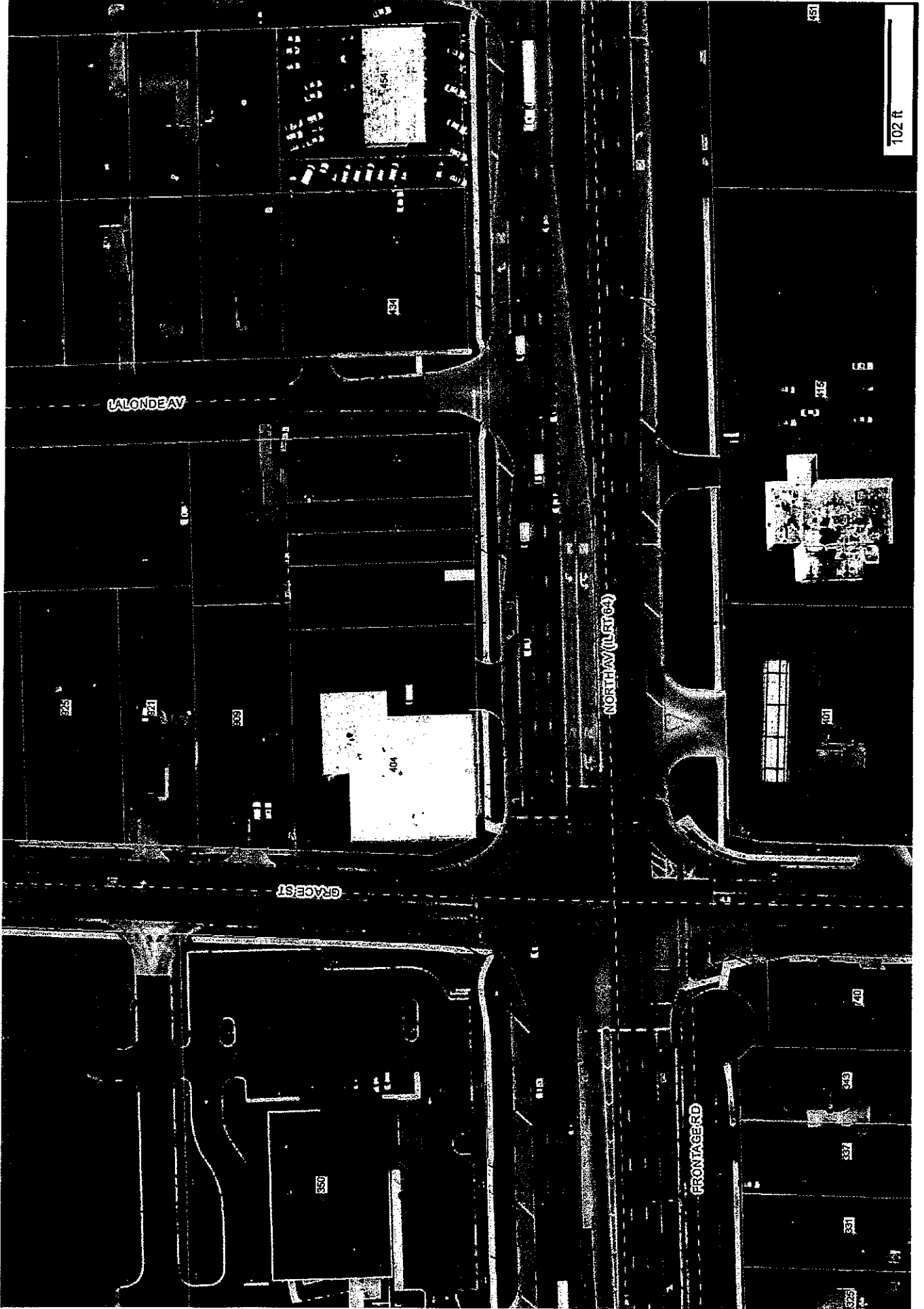
William J. Heniff, AICP  
Director of Community Development

WJH

c: Petitioner

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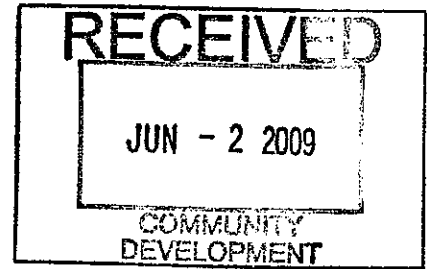
# 404 E. North Ave.



102 ft

June 1, 2009

Village Of Lombard  
255 E. Wilson Ave.  
Lombard, IL 60148



RE: Conditional Uses for Automobile Service and Automobile Repair

To whom it may concern,

The purpose of the vehicle lift located in the Northwest corner of the building is to perform maintenance on vehicles, but not limited to basic inspection and routine maintenance. The services provided are not limited to vehicles purchased and sold by European Auto Exchange, but also by our neighbors looking to have maintenance performed on their vehicles. We are also trying to sell more maintenance service to our customers, which benefits both customer and seller (European Auto Exchange). We would like to offer more intricate maintenance to both existing and future potential consumers. The lift is occasionally used to perform maintenance by a certified mechanic on racing vehicles which are sponsored by European Auto Exchange. The lift may be beneficial to our neighbors due to the fact that there is a facility close by where they are able to bring in their vehicles for basic and routine maintenance or more intricate maintenance as well.

Sincerely,

Marcin Gruszka  
European Auto Exchange  
404 E. North Avenue  
Lombard, IL 60148  
(630) 792-8808



# EUROPEAN AUTO EXCHANGE

RECEIVED

JUN - 2 2009

COMMUNITY  
DEVELOPMENT

## PETITIONER'S GUIDE TO THE PLAN COMMISSION QUESTIONIER

### SECTION 155.103(F) (8) OF LOMBARD ZONING ORDINANCE:

1. THE ESTABLISHMENT, MAINTTENANCE, AND OPERATION USE WILL NOT BE DETRIMENTAL OR ENDANGERING THE PUBLIC SAFETY, MORAL, COMFORT, OR GENERAL WELFARE OF OUR COMMUNITY. ALL MAINTENCE AND OPERATIONS ARE DONE INDOORS AND CAREFULLY MONITORED BY US.
2. THE ESTABLISHMENTS CONDITIONAL USE WILL NOT BE INJURIOUS TO THE USES AND ENJOYMENT OF OTHER PROPERTY IN THE IMMEDIATE VICINITY FOR THE PURPOSES ALREADY PERMITTED, WE ALSO WILL NOT SUBSTANTIALLY DIMINISH OR IMPAIR PROPERTY VALUE WITHIN OUR COMMUNITY. WE HAVE TO ENTRANCES AND EXIT FOR OUR LOTS AND PLENTY OF LOT SPACE WE WILL ALSO CONTINUE TO KEEP OUR ESTABLISHMENT IN GOOD CONDITION TO KEEP THE COMMUNITY PROPERTY VALUE AT ITS BEST.
3. OUR ESTABLISHMENT ALSO WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF OUR SURROUNDING PROPERTY FOR ANY USES IN THE DISTRICT. WITH THAT WE WILL CONTINUE TO RESPECT THE ORDER OF OUR SURROUNDING PROPERTY.
4. ALL OUR ADEQUATE PUBLIC UTILITIES, ACCESS ROADS, DRAINAGE, OR NECESSARY FACILITIES HAVE BEEN OR WILL BE PROVIDED. WE WILL ALWAYS HAVE THESE PROVIDED AND OPEN FOR ANY INSPECTIONS.
5. ALL ADEQUATE MEASURE HAS BEEN TAKEN TO PROVIDE INGRESS AND EHRESS SO THERE IS MINIMIZE TRAFFIC CONGESTION IN THE PUBLIC STREETS. THIS IS RESOLVED BY HAVING A LARGE LOT WITH TWO ENTRENCES.
6. ALL PROPOSED CONDITONAL USE IS NOT CONTRARY TO THE OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN FOR THE VILLAGE OF LOMBARD.
7. I ASSURE THAT ALL CONDITIONAL USE SHALL RESPECT, CONFORM TO THE APPLICABLE REGULATIONS OF THE DISTRICT IN WHICH WE ARE LOCATED, EXCEPT AS SUCH REGULATIONS MAY, IN EACH INSTANCE, BE MODIFIED PURSUANT TO THE RECOMMENDATIONS OF THE PLAN COMMISSION. WE HAVE HELD MONTHLY MEETING WITH OUR STAFF TO MAKE SURE THAT ALL EMPLOYEES OUR EUROPEAN AUTO EXCHANGE IS AWARE OF THE IMPORTANCE TO THE RECOMMENDATIONS OF THE PLAN COMMISSION.

*Linda Delle*  
*Office Manager*

404 East North Ave.  
Lombard, IL 60148  
Dupage County

PHONE (630) 792-8808  
FAX (630) 396-3181  
E-MAIL S.Tim@eaeauto.com  
WEB SITE <http://www.EAEAUTO.com>



# EUROPEAN AUTO EXCHANGE

TO WHOM IT MAY CONCERN:

I AM WRITING IN REGARDS TO A PERMIT FOR LIFT IN OUR SERVICE SHOP, WHICH WILL UTILIZE THE NORTH WEST SIDE OF THE PROPERTY. REASON FOR A LIFT ARE AS FOLLOW.

1. INSPECTIONS ON VEHICLE PURCHASED THREW AUCTION FOR SALE FOR CONSUMERS.
2. WE ARE GOING TO BE SELLING WARRANTIES ON VEHICLE THAT ARE SOLD HERE AND WOULD LIKE TO DO OUR OWN SERVICE WORK, WITH THAT WE WILL NEED A LIFT FOR THOSE VEHICLES.
3. ALSO WOULD LIKE TO OFFER A SERVICE DEPARTMENT TO THOSE IN THE COMMUNITY FOR SOME BASIC OIL CHANGES, ROTATING OF TIRES, BRAKE CHECKS. AND ANY MINOR REPAIRS.

SEE ATTACHED LIFT SPECIFICATIONS.

*Linda Telle*  
*Office Manager.*

630 792 8808

404 East North Ave  
Lombard, IL 60148  
DuPage County

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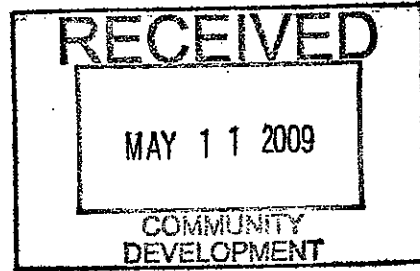




David M. Cuylo

May 6, 2009

Mr. Stuart Moynihan  
Village of Lombard  
Village Hall  
255 East Wilson Avenue  
Lombard, Illinois 60148



RE: La Londe Ave Residents

Dear Mr. Moynihan,

We live on north La Londe Avenue, in unincorporated Addison Township. At the corner of La Londe Avenue and North Avenues, there are two car dealerships, European Auto Exchange, 404 E. North Avenue, and International Car Center (High Performance Vehicles), 434 E. North Avenue. On numerous occasions, we have had a problem with the people who work there and those who test drive the cars, driving down our street at high rates of speed. The speed limit is 25 mph on La Londe.

We have gone down as a group to talk to the managers of these two dealerships with minimal luck. We have called the DuPage County Sheriff, several times, but cannot expect an officer to sit here 24 hrs a day.

We have already sent a letter to the DuPage County Highway Commission regarding our concerns for the speeding and safety of our block.

We are concerned for our children's safety. There are 12 children under the age of 10 on our block. When these cars are speeding, they reach high speeds by the middle of the block, which is where 9 of the children live.

We are very concerned that a building of an automobile service and automobile repair shop would just add to the unsafe speeds and traffic down our street that are still not being resolved by the current dealerships already there.

We greatly appreciate your time and consideration in this matter. Please feel free to contact us at any time with questions or concerns.

Sincerely,  
The Residents of La Londe Avenue

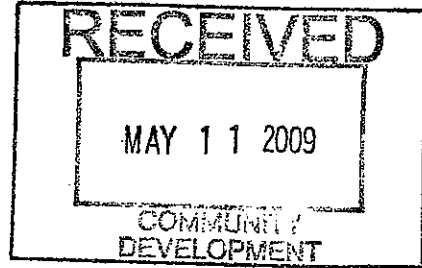
Yannick M...  
D. O.

*Michael Desjardins*  
*Kathleen M. Adams*  
*Mary Seony*  
*David Seony*  
*Carrie Hedquist*  
*Mahaa Aljishi*  
*Shirley Rynard*  
*Andrea Kelly*  
*Christa Pipke*  
*Roberta Greene*  
*Mario & Pere*  
*Joel Perez*  
*Michael*



April 19, 2009

Mr. Donald E. Puchalski  
County Board Member, District 1  
JTK Administration Building  
421 N. County Farm Road  
Wheaton, Illinois 60187



RE: La Londe Ave Residents

Dear Don,

We live on north La Londe Avenue, in unincorporated Addison Township. At the corner of La Londe Avenue and North Avenues, there are two car dealerships, European Auto Exchange, 404 E. North Avenue, and International Car Center (High Performance Vehicles), 434 E. North Avenue. On numerous occasions, we have had a problem with the people who work there and those who test drive the cars, driving down our street at high rates of speed. The speed limit is 25 mph on La Londe.

We have gone down as a group to talk to the managers of these two dealerships with minimal luck. We have called the DuPage County Sheriff, several times, but cannot expect an officer to sit here 24 hrs a day.

We are concerned for our children's safety. There are 12 children under the age of 10 on our block. When these cars are speeding, they reach high speeds by the middle of the block, which is where 9 of the children live.

We would like to see a couple speed bumps installed, block the south end of La Londe Avenue preventing non-resident cars from turning down our street, or a residents only sign on either end of the block.

We greatly appreciate your time and consideration in this matter. Please feel free to contact us at any time with questions or concerns.

Sincerely,

*Frank Gagliano*

Frank Gagliano, 2 N 130 La Londe Ave, Lombard, IL 630-678-0457

*Carol Tret*  
*Dave Wilkinson*

*Michael Hoke*  
*Christa Piche*  
*Andrea Betty*

The Residents of La Londe Avenue

*Harold Seony*  
*Mary Seony*  
*Isabella Rouse*  
*Pakala Bogustawa*  
*Jimmy Adair*  
*John Perry*  
*Andy Hunter*  
*Debra Hunter*  
*Maria E Perez*  
*Milo Sedentus*  
*Katherine Aldenburg*



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

**AN ORDINANCE GRANTING A CONDITIONAL USE  
PURSUANT TO TITLE 15, CHAPTER 155, SECTION  
155.416(C)(4) and (5) OF THE LOMBARD ZONING ORDINANCE**

(PC 09-10; 404 East North 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 B4 Corridor Commercial Shopping District ; and,

WHEREAS, an application has been filed requesting approval conditional uses pursuant to Section 155.416(C)(4) and (5) of the Lombard Zoning Ordinance to allow automobile service and automobile repair;

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on July 20, 2009 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 zoning actions described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees 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 uses 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:

Grant conditional uses pursuant to Section 155.416(C)(4) and (5) of the Lombard Zoning Ordinance to allow automobile service and automobile repair in the B4 Corridor Commercial Shopping District.

SECTION 2: That this Ordinance is limited and restricted to the properties located at 404 East North Avenue, Lombard, Illinois and legally described as follows:

LOT 1 IN ADDISON INVESTER'S SUBDIVISION OF LOTS 8, 9, AND 10 IN BLOCK 15 IN NORTH AVENUE MANOR, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID ADDISON INVESTER'S SUBDIVISION RECORDED NOVEMBER 3, 1969 AS DOCUMENT R69-47783 AND LOTS 5 THROUGH 7, BOTH INCLUSIVE, IN BLOCK 15, SAID NORTH AVENUE MANOR, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 14, 1928 AS DOCUMENT 269443, AND ALL THAT PART OF THE SOUTH HALF OF THE VACATED ALLEY LYING NORTH OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY, ALL IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 03-32-414-015, 016, 017, 024 and 026; (the "Subject Property").

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

1. The subject property shall be developed in substantial compliance with the site and landscape plans prepared by KB Partnership, dated May 19, 2009 and submitted as part of this petition, except as they may be changed to conform with to Village codes and the following conditions below.
2. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the five (5) lots and the vacated alley into one lot no later than three (3) months from the approval of the ordinance.
3. Vehicles from the subject property which are for sale, being serviced, or being repaired shall not be driven for testing purposes in the residential neighborhood north of the subject property or within the parking lot on the subject property.

4. The conditional uses for automobile service and automobile repair shall be limited to vehicles for sale by European Auto Exchange and the personal automobiles of their customers.
5. Any violation of the provisions set forth within the approved conditional use may result in a revocation of the Conditional Use for the property.
6. As part of the approval, the petitioner shall also address all comments included within the IDRC Report.
7. The petitioner shall address all Private Engineering Services punch list items as outlined in the May 13, 2009 letter including the installation of the sidewalk along Grace Street and Lalonde Avenue in a manner acceptable to the Director of Community Development no later than three (3) months from the approval of the ordinance.
8. All conditions associated with Ordinance 6161 (PC 08-05) shall remain in full force and effect.
9. No automobile service or automobile repair shall occur on the subject property later than 9 p.m.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

SECTION 5: 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 \_\_\_\_\_, 2009.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2009.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2009, pursuant to a roll call vote as follows:

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

Ordinance No. \_\_\_\_\_  
Re: PC 09-10  
Page 4

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

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk