

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Minutes

Monday, December 20, 2021

7:00 PM

Village Hall

Plan Commission

Commissioners:

***Ruth Sweetser, Leigh Giuliano, Bill Johnston,
Kevin Walker, Tony Invergo,
Alissa Verson and Robert Spreenberg
Staff Liaison: Jennifer Ganser***

Call to Order

Commissioner Sweetser called the meeting to order at 7:00 p.m

Pledge of Allegiance

Commissioner Sweetser led the Pledge of Allegiance

Roll Call of Members

Present 6 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Tony Invergo, Robert Spreenberg, and Alissa Verson
Absent 1 - Kevin Walker

Also present: Jennifer Ganser, AICP Assistant Director of Community Development, Anna Papke, AICP, Senior Planner of Community Development.

Vice Chairperson Sweetser called the order of the agenda.

Ms. Ganser read the Rules and Procedures as written by the Plan Commission

Appoint an Acting Chair

A motion was made by Commissioner Giuliano, seconded by Commissioner Johnston to appoint Commissioner Ruth Sweetser Chair. The motion passed by an unanimous vote.

Public Hearings

[210392](#)

PC 21-27: 1051 N. Garfield Street - IMG Trucking Inc

The petitioner requests a zoning conditional use pursuant to Section 155.420(C)(5) of the Lombard Village Code to allow for a cartage and express facility to operate on the subject property located within a Limited Industrial Zoning District. (DISTRICT #1)

Sworn in to present the petition was Jennifer Ganser, Assistant Director and Irena Georgieva.

Ms. Georgieva said IMG Trucking is a family owned business that has been operating for 13 years. She said they moved to Lombard and would like to store trucks overnight.

Acting Chairperson Sweetser asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she 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 use the property for a warehouse and cartage facility. The warehouse operations are a permitted use in the Industrial District however the cartage component is a conditional use. The petitioner proposes to stage trucks and trailers from other sites without necessarily accessing the warehouse.

The subject property was originally developed as a distribution center for a trucking company. Distribution centers and cartage facilities are characterized by the use and/or presence of third-party logistics companies who are neither the manufacturer of the goods to be distributed nor the end user of the goods, but are the independent distributor of the goods. The presence of five (5) additional trailer trucks with a designated parking area will not negatively impact the area surrounded by other businesses with their own trucks and trailers. Staff supports the conditional use for a cartage facility.

Acting Chairperson Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

On a motion by Commissioner Johnston, and a second by Commissioner Invergo, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 21-27.

The motion carried by the following vote:

Aye: 6 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Tony Invergo, Robert Spreenberg, and Alissa Verson

Absent: 1 - Kevin Walker

[210394](#)

PC 21-29: 640 E. St. Charles Road - Recycled Auto Parts

The Plan Commission submits its recommendation to approve Recycled Auto Parts (the petitioner) request that the Village take the following actions on the subject property located within B4 Corridor Commercial District, to provide for the construction of a new principal building:

1. Conditional use pursuant to Section 155.305 of the Lombard Village Code to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building;
2. Conditional use pursuant to Section 155.416(C)(18) of the

Lombard Village Code for off-site parking, which is an existing condition;

3. Variance for a front yard setback of 3' where 30' is required, pursuant to Section 155.416(F) of the Lombard Village Code;
4. Variance for a side yard setback of 4', 4" where 10' is required, pursuant to Section 155.416(F) of the Lombard Village Code;
5. Variance for open space of 2.23% where 10% is required, pursuant to Section 155.416(M) of the Lombard Village Code, where the property currently has 0% open space; and
6. Variance for fence height of 14' where 4' is required pursuant to Section 155.205(A)(2) of the Lombard Village Code;
7. Variance for a fence in the clear line of sight pursuant to Section 155.205(A)(2)(e) of the Lombard Village Code. (DISTRICT #4)

Sworn in to present the petition was Jennifer Ganser, Assistant Director and Stephen Flint and Tom Partridge on behalf of the petitioner.

Acting Chairperson Sweetser read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Mr. Flint reviewed a powerpoint. He went over the zoning actions requested and the current business operations. He said there are one to two customers per week and they do not go into the salvage yard. He said the new building will allow for cars to be stripped inside and make less noise. He said the taller fence will ensure cars are no longer stacked above the fence. He showed an aerial map and reviewed the surrounding land uses. He discussed the landscaping. He showed elevations of the new building and noted it will be masonry and the parapet wall will screen the rooftop mechanicals. He showed the interior layout. He addressed the Building and Fire comments from the staff report. He summarized by saying the new building will decrease car operations outside and noise outside, there will be no cars stacked above the fence, and will be added landscaping.

Commissioner Verson asked if area adding any trees since they are removing two. Mr. Flint said they will add two trees back and other low vegetation.

Commissioner Johnston said the building looks nice and should help the aesthetics of the corridor. He asked if trailer unload in the back for deliveries. Mr. Flint said they will no longer park on St. Charles Road. They will pull into the yard or use the overhead doors. Commissioner Johnston asked if multiple deliveries come at once and Mr. Partridge said no and noted they have never had a stacking issue.

Commissioner Spreenberg asked why a taller fence is needed. Mr. Partridge said it currently difficult to stack items and stay below the fence, which they want to do to be a good neighbor. The taller fence will allow for car stacking, but they will stay below the fence height.

Commissioner Giuliano asked if the new fence will be on three sides and Mr. Flint said yes, around 50' along the residential property to the north. Commissioner Giuliano asked about the height of the current fence near the resident and Mr. Partridge said it is 12' tall.

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

Ms. Reina Rodriguez said she lives in the house behind RAP. She had questions about the fence. She said she can see cars and car parts and noted on windy days the existing fence has fallen. She said she will call RAP and they then fix the fence. Mr. Partridge said the fence will be 14' tall about 44' towards the residential property and meet her existing fence. He said he'll have the existing RAP fence inspected and secured. Mr. Flint said there would be approximately 20' left that the fence could be extended and Mr. Partridge said he is agreeable to extending the fence. Ms. Rodriguez thanked the petitioner. Mr. Flint said that can be an additional condition of the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. Recycled Auto Parts (RAP) is an existing Lombard business. They acquire late model vehicles that have been in accidents, removes valuable working components from the damaged vehicles and sells those products to other repair businesses. The remainder of the vehicle may then be made available for salvage or sold off for salvage/scrap metal purposes. RAP acquired the property in 2015 from Lombard Auto Wreckers, a long-time salvage business that had been located on the premises for decades. RAP proposes to raze the existing office and smaller garage space that is currently located on the premises and replacing it with a larger building (7,806 square feet) that will allow for much of the existing operations to be located indoors. The building is intended to be a masonry with aesthetic enhancements to soften the aesthetic toward St. Charles Road. The property is legal nonconforming and operates under a court decree. The new building and fence require zoning relief. Other elements on the property will remain legal non-conforming such as the out buildings and landscaping. The following zoning relief is being

petitioned for:

•Conditional use to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building. This will allow the use (auto salvage yard) to operate on site as demolishing the existing building, and building a new building, would cause them to lose their legal nonconforming status.

•Conditional use for off-site parking, which is an existing condition. This is to memorialize the current off-site parking. No changes are planned for the parking lot.

•Variance for a front yard setback and side yard setback. The proposed new building is larger than the existing building and would allow for additional work to be done inside, as opposed to outside. The existing building does not meet the front or side yard setback.

•Variance for open space. The property currently does not meet Code for open space. The additional landscaping in the front will allow for some open space, however, a variance is still needed.

•Variance for fence height of 14' and for a fence in the clear line of sight. The current fence height is 12', per the court decree car and car parts are allowed to be stacked above the fence line. The owner proposed a 14' tall fence and noted with this taller fence, car and car parts will no longer need to be stacked above the fence line. This is listed as a condition, should the petition be approved. The current fence is in the clear line of sight, as well as the proposed fence. Staff notes the vehicles entering and existing from the fenced area will mainly be employees and therefore are familiar with the site and existing fence height and location.

Acting Chairperson Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

On a motion by Commissioner Verson, and a second by Commissioner Giuliano, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 21-29 subject to the eight (8) conditions in the staff report, including a new ninth condition:

- 1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 2. That the petitioner shall be required to apply for and receive building permits prior to construction;**
- 3. The petitioner shall submit a plat of consolidation, to make the property into a lot of record, before building permits shall be issued;**
- 4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11);**
- 5. The conditional use is for the current use of an auto salvage business, permitted previously by the Court Decree of the Circuit Court of DuPage County in case No. 82 CH 327, consolidated with case numbers 82 OV 930 and 931;**

6. The use shall not expand in size by the purchase of additional land or enlarging the buildings. Should this occur, the property owner would need to petition the Plan Commission for an expansion of a conditional use, and any other required zoning relief;

7. RAP, and other future owners and/or tenants, shall not pile or stack materials in whole or in part above the fenced level. Cars and car parts is included as materials;

8. If, for any reason, the parcel to the south (PIN 0605428001) becomes unavailable for off-site parking related to 640 E. St. Charles Road, an amendment to the conditional use and/or any necessary variations must be obtained in order to continue the use.

9. The extension of the new fence on the north side of the property should extend to the west side of the current lean-to structure. The fence should be the same 14' masonry fence to match the rest of the proposed fence.

The motion carried by the following vote:

Aye: 6 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Tony Invergo, Robert Spreenberg, and Alissa Verson

Absent: 1 - Kevin Walker

[210393](#)

PC 21-28: 359 E. Roosevelt Road - Panda Express

The petitioner requests that the Village take the following actions on the subject property located within B4APD Roosevelt Road Corridor District, Planned Development:

1. Approve a major change to the Lombard Crossing Planned Development, as established by Ordinance 6211 and amended by Ordinances 6344, 6495, 6623 and 6685, with the following companion conditional use and variation:
 - a. Approve a conditional use, pursuant to Section 155.417(G)(2)(b)(v) of the Lombard Code of Ordinances to allow for a drive-through establishment (fast food restaurant);
 - b. Approve a variation from Sections 155.706(C) and 155.709(B) of the Lombard Code of Ordinances to reduce the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') along the east property line; and
2. Site plan approval for the proposed development (DISTRICT #6)

Sworn in to present the petition was Anna Papke, Senior Planner, and Ryan Talbott of Klover Architects on behalf of the petitioners.

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

Mr. Talbott presented the petition. He provided a summary of the requested zoning entitlements. He showed the site location on an aerial photo, and a site plan. He pointed out the location of the requested landscaping variance on the site plan, and provided examples of other nearby developments that have perimeter landscaping similar to that proposed on the subject property. He noted that one option would have been to reduce parking on the site in order to provide more room for perimeter landscaping, but this would have resulted in fewer parking spaces than Panda Express requires for a site and the development would not have been feasible.

With respect to the conditional use for a drive-through, Mr. Talbott noted that there are several other drive-through businesses in the immediate neighborhood. He showed elevations of the proposed restaurant building and noted that they would use Panda Express's new branding scheme.

Acting-Chair Sweetser asked if the Plan Commissioners had any questions or comments for the petitioner.

Commissioner Johnston asked whether the main entrance to the site would be through the driveway off Roosevelt that also serves the Goodwill store. Mr. Talbott answered in the affirmative.

Commissioner Johnston suggested that most traffic leaving the drive-through would likely exit east through the cross-access drive into High Point Center, in order to reach the traffic light at Fairfield Avenue. Mr. Talbott confirmed this was the case, and noted that some traffic might also exit through the Goodwill driveway west of the Panda Express site.

Commissioner Invergo asked what would happen to the current Panda Express location in High Point Center. Mr. Talbott said the space would be leased by High Point Center to a new tenant in the future. He noted that the existing location does not have a drive-through, which is a crucial amenity for this type of restaurant.

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

Ms. Papke presented the staff report, which was submitted to the public

record in its entirety. Panda Express plans to build a new drive-through restaurant on the vacant outlot to the east of the Goodwill store on Roosevelt Road. The proposed development requires approval of a conditional use for a drive-through restaurant and a companion landscaping variation.

In analyzing the petition, staff finds that the proposed drive-through is consistent with surrounding development. The subject property is part of the Lombard Crossing Planned Development, which is subject to an annexation agreement that was originally approved in 2008 and amended in 2011. The amended annexation agreement anticipated that the subject property would be developed with a drive-through restaurant or similar use.

With respect to the requested variation for a reduction in perimeter landscaping on the east side of the property, staff notes that the reduced landscaping will provide for better site design on the subject property and provide for cross access with High Point Center to the east. The subject property previously received a similar variance for the west property line to promote cross access and cohesiveness with the Goodwill store to the west.

Staff found the petition met the standards for conditional uses and variations as stated in the Village Code, and recommended approval of the petition subject to the conditions in the staff report.

Acting-Chair Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

Commissioner Johnston asked if there were many alleys in the Village. Ms. Papke responded that there were not many alleys and referred to the exhibit with a map of all alleys in the Village within the staff report.

On a motion by Commissioner Giuliano, and a second by Commissioner Johnston, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 21-28 subject to the three (3) conditions in the staff report:

- 1. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and**

3. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

Aye: 6 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Tony Invergo, Robert Spreenberg, and Alissa Verson

Absent: 1 - Kevin Walker

[210391](#)

PC 21-26: Text Amendment - Fence Height in CLOS Adjacent to Alleys

The petitioner, the Village of Lombard, is requesting text amendments to Sections 155.205(A)(1)(e) of the Lombard Code of Ordinances, and any other relevant sections for clarity. The proposed amendments would authorize the placement of fences within the clear line of sight areas (CLOS) adjacent to alleys only at a height of six (6) feet and solid construction in residential zoning districts. The existing provisions restrict fences to be a maximum of two (2) feet in height and solid in clear line of sight areas in residential zoning districts. (DISTRICT ALL)

Sworn in to present the petition was Anna Papke, Senior Planner.

Acting Chairperson Sweetser read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Acting Chairperson Sweetser asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

Ms. Papke presented the staff report. The IDRC report for PC 21-26 was entered into the record in its entirety. Staff proposes to amend the fencing requirements as they apply to driveways that intersect with an alleyway. Currently, Village Code requires all fencing taller than two feet to be 66% open within the clear line of sight triangles around the intersection of a driveway and a right-of-way. This includes areas in rear yards of residential properties where the garage is set close to the rear lot line and takes access from an alleyway. As a result of the current regulations, some properties with alley-facing garages are required to have open-style fencing along the rear yard adjacent to the alley.

Staff has reviewed the fence regulations and recognizes that the clear line of sight provisions are intended to address situations where driveways intersect with streets and sidewalks where neighborhood traffic is circulating. Most alleys contain limited traffic, as they serve only those properties that take access from them, and are not intended to serve cut-through traffic. Further, alleys do not contain sidewalks, and in many cases the garages themselves are already within the clear line

of sight triangle. Drivers are already backing slowly out of garages due to the configuration of the garage and alleyway. Staff thus finds the requirement for an open style fence around driveways connecting to alleys to be unnecessary and burdensome on residential properties.

Staff thus recommends amending the Code to provide an exception from the clear line of sight requirements for private residential driveways that intersect with alleys. The amendment would not impact the clear line of sight requirements around intersections of driveways with streets, or of alleyways with streets; open style fencing would still be required in those areas. Staff recommended approval of the text amendment.

Acting Chairperson Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

Commissioner Johnston there were many alleys in the Village. Ms. Papke responded that there were not many alleys and referred to the exhibit with a map of all alleys in the Village within the staff report.

On a motion by Commissioner Giuliano, and a second by Commissioner Invergo, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 21-26.

The motion carried the following vote:

Aye: 6 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Tony Invergo, Robert Spreenberg, and Alissa Verson

Absent: 1 - Kevin Walker

Business Meeting

Approval of Minutes

A motion was made by Commissioner Invergo, seconded by Commissioner Johnston, the minutes of the November 15, 2021 meeting be approved.

The motion carried by the following vote:

Public Participation

None

DuPage County Hearings

None

Chairperson's Report

None

Planner's Report

None

Unfinished Business

None

New Business

None

Subdivision Reports

None

Site Plan Approvals

None

Workshops

Ms. Ganser reviewed a power point on the area at Sunset Avenue and Route 53. She noted this residential area is unincorporated Lombard and recently staff has received requests for industrial redevelopment. She discussed the differences between a workshop and public hearing. She discussed the 2014 Comprehensive Plan designation and development trends. She reviewed the surrounding zoning and land uses. Ms. Ganser showed an illustrative rendering and concept plan. She reviewed the questions for the Plan Commission as outlined in the memo. She said staff is interested in Plan Commission feedback on the area and a potential change to industrial.

Commissioner Johnston said he is a proponent of growth but has many questions. He is concerned about traffic and said the area is already congested. He has concerns since the road is only two lanes, how a left hand turn would occur, and if there would be a stop light. He asked how many trucks could come to the site daily. He said there may be concerns from the residents across the street especially if this is a 24-hour operation. He said the truck weight may cause the road to need repairs or be rebuilt. He drove to the site and noted the houses are of different sizes and built at different times. He would like the input of nearby residents.

Commissioner Invergo said he has seen nearby warehouses in Glendale Heights and along North Avenue that appear to be vacant. He said if this area is annexed it should be for residential. He said Route 53 has an older weight limit and he also has concerns for the roadway, accidents, and the need for a traffic signal.

Commissioner Verson said if the owners are willing to sell she is ok with industrial. She noted the land was in between Route 53 and I-355. She said she shares some of the same concerns already mentioned.

Commissioner Spreenberg said the location is good near North Avenue and I-355, however, he agreed there are empty industrial buildings nearby. He said Route 53 is only two lanes and the road also changes lane count multiple times. He said a traffic light could be needed. He said he has mixed feelings. He noted the new Amazon building in Downers Grove and has seen vans stacked up making left hand turns. He said that may be shift work, but it is a lot of traffic. He said he has hesitations.

Commissioner Giuliano said she agrees with others, the location is great for industrial. However, she doesn't live nearby and is concerned what those residents would say. She echoed concerns about weight limits and traffic. She asked if there is traffic capacity and could we handle it.

Commissioner Sweetser said she agreed with others and asked if the warehouse and industrial development interest will wane over time. She asked how this would serve Lombard long term. She wondered whether there might be a land use other than residential or industrial that would fit in this area.

Ms. Ganser noted a petition for industrial would involve many components such as an annexation, rezoning, Comprehensive Plan amendment, and other possible zoning relief. She said even if there is vacant industrial space nearby a petitioner is still allowed to ask. She said the Plan Commission would then look at the rezoning and issues such as neighborhood compatibility, concerns, and other items. She said a petition may be for a spec building, or may have a tenant signed. She said the Village has a companion document, the Annexation Strategies document, which is part to the Comprehensive Plan. Both have noted this area should be residential. She reminded the Plan Commission there are options and in this case one developer could come forward with a plan. She summarized the Plan

Commission comments that there are concerns about traffic, Route 53 being two lanes, number of trucks, weight limit of the road, stop signs, and stop lights. She said a couple Commissioners are open to the idea, but still have questions, and there are a couple Commissioners who would rather see it as residential.

Commissioner Spreenberg said he noticed the newer developments to the south moving away from single family homes, as those are townhomes.

Ms. Ganser asked about the first question and clarified that the Commissioners would prefer a wholesale development as opposed to piecemeal and everyone agreed. Commissioner Johnston said he agreed and noted how future development could support other new development.

Commissioner Sweetser asked about long term development trends. She said a potential redevelopment should be concerned with anticipated need and land use trends in the next decade, and should be adaptable to address changing market trends. She mentioned long-term concerns over transportation infrastructure.

Ms. Ganser said a prospective developer could answer questions on market trends in their industry. She said staff has received multiple phone calls about the area going to industrial.

Commissioner Spreenberg asked if staff has thoughts on the homes on the east side of Route 53 and if the Comprehensive Plan call for them to stay residential. Ms. Ganser said the Comprehensive Plan has them as single family homes. She said staff has not received any phone calls about those homes and any redevelopments.

Adjournment

A motion was made by Commissioner Invergo, seconded by Commissioner Johnston, to adjourn the meeting at 8:52 p.m. The motion passed by an unanimous vote.