

February 7, 2008

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

Subject: PC 08-02; 665 West North Avenue (Heron Point Office Center)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of a use exception within a planned development to allow for a pharmaceutical establishment, located within the Heron Point of Lombard Office Planned Development (OPD) District.

Maureen Mehls of Lexington Health Care presented the petition. She stated that they are seeking zoning approvals to allow for a space within the Heron Point office building to be used for their pharmaceutical activities. The business would consist of providing medications for the Lexington Health Care facility. The business will not have a retail component. They have reviewed the standards for conditional uses (for a planned development) and she stated that they meet the standards.

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

William Heniff, Senior Planner, presented the staff report. The petitioner is requesting approval of a use exception to allow for a pharmaceutical establishment to be located within the existing Heron Point office building. The proposed use would occupy the existing tenant space within Suite 102. The business would consist of filling prescriptions (i.e., counting pills from their bulk deliveries and placing it in individual containers) for residents within institutional or congregate care centers for distribution. The prescriptions would be delivered by a courier. There will be no retail component associated with the proposed business. No manufacturing will be done on the premises. As the proposed use is not listed within the permitted or conditional uses within the O Office District, a use exception is requested.

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The Heron Point Planned Development was approved in 1998. The proposed use will consist of a reception area, a data area, a work area, offices and a courier area. The proposed business would be located within Suite 102 and consists of a tenant space of 2,907 square feet in area.

Staff conducted a code review of the proposed use. Given that no existing land use classification accurately denotes the exact nature of the business use, two options are available to address the proposed use – either create a text amendment to allow for the proposed use as a permitted use in the O Office District, or grant a use exception for the existing planned development. Staff suggested that a use exception would be an appropriate way to address the proposed business use as the use is highly unique and could be better regulated through the overall planned development provisions.

Staff finds that the proposed use would be compatible with the adjacent offices as noted within the IDRC Report. The use will function like an office use in most respects. Given that the office use has already been determined to be compatible with the adjacent land uses, so would the petitioner's use. The use would occupy three percent (3%) of the overall square footage of the existing office building, meeting the use exception percentage requirements.

In consideration of the overall Heron Point planned development and the surrounding uses, he noted that the use would function similarly to other office uses in the building. Staff believes the use will be compatible within the planned development and the adjacent properties.

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

Commissioner Olbrysh stated that he felt this petition was pretty straight forward.

Commissioner Sweeter asked about the hours of operation. The petitioner noted that their business would be open until 6 p.m.

Commissioner Burke suggested that perhaps the petition should be conditioned to prohibit a retail component. Mr. Heniff noted that the Zoning Ordinance allows retail pharmacies within office buildings as an ancillary use within an office building, but the petition could be conditioned if desired.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition does comply with the standards required by the Lombard Zoning Ordinance and is compatible with the Heron Point Planned Development and that granting approval of the planned development use exception enhances the planned development and is in the public interest; 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 therefore recommend to the Corporate Authorities **approval** of PC 08-02 subject to the following conditions, as amended:

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1. The approval of the use exception for the pharmaceutical establishment shall be for the 2,907 square foot tenant space within Suite 102 within the Heron Point office building. Any further expansion shall require approval of a further use exception.
2. The approval for the use exception shall provide for the filling of prescriptions for ultimate consumers of the prescriptions and shall not include any drug manufacturing activities or retail activities on the subject property.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

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