

April 6, 2006

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

Subject: PC 06-07; 270 Eisenhower Lane North, Units 1-3

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner is requesting that the Village grant a conditional use, pursuant to Section 155.418 (C) of the Zoning Ordinance, to allow for automobile repair within the I Limited Industrial District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 20, 2006. Maury Schell of Automotivation, Inc., petitioner, presented the petition. He stated that he was seeking a conditional use for his automobile repair and maintenance business that he has operated in Lombard for the past 12 years. They are moving to a new tenant space to allow for more working room, better visibility, ease of moving vehicles, and easier product delivery. The new tenant space was originally occupied by a truck repair business. The parking will be unchanged and they will meet all federal, state, local, EPA, and OSHA requirements.

Vice-Chairperson Flint then opened the meeting for public comment. James Sherry, 300 Eisenhower Lane North, stated that he has run a business adjacent to the subject property for the past 12 years. His concern is the appearance of the site, with the potential for broken down cars parking everywhere. He stated there was a boat in the rear of the property, cargo containers in the parking lot, and the fence dividing their properties continues to fall down. Mr. Sherry stated that he has no objection to the requested conditional use, but he would like the Board to make certain the property is kept in proper condition.

The petitioner responded that there were no abandoned vehicles on the property and that any vehicles were kept in a fenced-in parking area. He noted that some vehicles are on-site longer than others due to needing parts or the financial situation of the customer. There are three cargo containers on the property. The fence was damaged during construction on the adjacent property. The petitioner stated that the cargo containers and fence are not under his control, but they could be brought up to the property owner.

Commissioner Sweetser asked who the fenced in area is leased by. The petitioner stated that, as a tenant, he was not qualified to answer that question.

Commissioner Sweetser asked if the petitioner has the right to keep cars in the fenced-in area. The petitioner stated that he does park vehicles there but has never been cited for abandoned vehicles. There had been two occasions where vehicles had been abandoned and the petitioner had the vehicles ticketed and towed. All other vehicles are there for repair and are parked in an orderly fashion to ensure continual access in and out of the lot. Their delivery vehicles require a 53-foot turning radius, so the site must be kept clear. The petitioner stated that he does his best to maintain the property.

Commissioner Burke asked about the boat and cargo containers. The petitioner responded that the boat belongs to a customer who brought the boat in for a repair estimate and then decided to junk it. He is attempting to locate the title.

Commissioner Burke asked how long the boat had been on the property. The petitioner stated that the boat had been there for six months. He added that none of the three cargo containers belonged to his business.

Mr. Sherry stated that the property owner should be required to bring the fence up to a reasonable appearance if he wants to lease these units.

The petitioner stated that he does not know if there are any codes that regulate the aesthetics of fences. He stated that the fence was up, but some of the supports may need to be addressed.

Commissioner Sweetser asked if this was a code enforcement issue and, if so, she recommended that the fence be looked into. William Heniff, Senior Planner, stated that it would be a code enforcement issue if the fence were in disrepair. He added that there is a nexus between vehicle storage and screening, so this issue could be added as a condition of approval.

There being no further questions, Vice-Chairperson Flint then requested the staff report.

Mr. Heniff presented the staff report. AutoMotivation is an automobile repair establishment that has been operating at 270 Eisenhower Lane North, Unit 10, for several years. The company now wishes to relocate to a larger tenant space within the same building, Units 1-3. Both Units 1-3 and Unit 10 have previously been granted conditional use approvals for various types of motor vehicle repair. The space in Units 1-3 has not been used for vehicle repair activities for a time period of greater than one year, therefore, a new conditional use is required.

The Comprehensive Plan calls for this area to be developed as a Planned Business Park. With the approval of the requested conditional use, the property would be substantially in compliance with the recommendations of the Comprehensive Plan.

The subject property is surrounded by other properties within the Eisenhower Lane industrial park, which is occupied by various types of light industrial land uses. All repair activities will be

conducted indoors and there are no exterior changes planned for the building. Given that the petitioner's business has operated on the same property for a number of years, the relocation to a different tenant space should not create any additional impact on the surrounding properties.

Automobile repair establishments are listed as conditional uses within the I Limited Industrial District. With the approval of this petition, the proposed use will be in compliance with Village Code. Five conditional uses have been granted for tenant spaces within the building on the subject property. In 1979, a conditional use for motor vehicle repair was granted in Units 1-3. However, since more than one year has elapsed since the tenant space has been used for motor vehicle repair, a new conditional use must be granted. Motor vehicle activities have taken place on the subject property for the past 27 years. This, combined with the fact that a similar conditional use was granted for the specific tenant space in question, establishes that the Village has previously considered this an appropriate location for automobile repair activities.

Given the substantial precedent for automobile repair at this location, plus the lack of impact on the adjacent properties, staff recommends approval of the proposed conditional use.

Vice-Chairperson Flint then opened the meeting to the Plan Commissioners.

Commissioner Sweetser noted that boats were not likely included with the Class B license plate category. Mr. Heniff states that boat repair is outside the parameters of motor vehicle repair.

Commissioner Burke recommended that a condition be added to allow staff to conduct a code review of the property prior to the issuance of a Certificate of Occupancy.

After due consideration of the petition and the testimony presented, the Plan Commission found that 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-department Review Report as the findings of the Plan Commission and that granting the conditional use is in the public interest and therefore, the Plan Commission recommends to the Corporate Authorities **approval** of PC 06-07, by a roll call vote of 4-0, subject to the following amended conditions:

1. The petitioner shall apply for and receive a new Zoning Certificate/Certificate of Occupancy for the existing and proposed spaces to be used for the business establishment.
2. This conditional use shall be limited to the service and repair of automobiles or any motor vehicle requiring a standard or a Class B plate as determined by the Office of the Secretary of State of the State of Illinois. Any other repair motor vehicle repair activities shall be deemed a modification of a conditional use and would require new conditional use approval per Section 155.103 (F)(13) of the Zoning Ordinance.
3. All service and repair activities shall be done within an enclosed building.

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4. Prior to the issuance of a Certificate of Occupancy, the property owner shall comply with a code review of the property, particularly with regard to the fence, cargo containers, and boat storage.

Respectfully,

VILLAGE OF LOMBARD

Stephen Flint, Vice-Chairperson
Lombard Plan Commission

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c. Petitioner
Lombard Plan Commission

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